

Agenda

Strathfield Local Planning Panel Meeting

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

Thursday, 3 February 2022

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

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





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TO: Strathfield Local Planning Panel Meeting - 3 February 2022

REPORT: SLPP – Report No. 1

SUBJECT: DA2000.341.2-35 WENTWORTH STREET GREENACRE- LOT 51 DP 791101 &

LOT 1 DP 191964

DA NO. 2000.341.2

SLPP REPORT - SECTION 4.55(2) MODIFICATION

	35 Wentworth Street, Greenacre	
Property:	Lot 1 DP 191964 / Lot 51 DP 791101	
	DA 2000/341/2	
	S4.55(2) Modification Application - seeks to increase the	
	operational hours for an existing resource recovery facility to	
Proposal	24 hours per day, 7 days per week. The proposal seeks to	
Proposal:	allow for the receipt of additional dry (non-odorous) wastes	
	from manufacturing and household clean up services within the	
	limits of the current approval.	
Applicant:	Greenacre Recycling Pty Ltd	
Owner:	Bingo Waste Services Pty Ltd	
Date of lodgement:	3 August 2021	
Notification period:	1st Notification: 12 August 2021 to 26 August 2021	
Notification period:	2 nd Notification: 15 September 2021 to 29 September 2021	
Submissions received:	16	
Assessment officer:	P Santos	
Estimated cost of	\$175,000.00 (original DA – DA9900/341)	
works:		
Zoning:	IN1-General Industrial - SLEP 2012	
RECOMMENDATION:	APPROVAL	



Figure 1. Aerial imagery of the subject site (outlined) and the immediate locality.

EXECUTIVE SUMMARY

Proposal

Approval is being sought for the modification of development consent DA9900/341 to increase the operational hours for an existing resource recovery facility to 24 hours per day, 7 days per week. The proposal seeks to allow for the receipt of additional dry (non-odorous) wastes from manufacturing and household clean up services within the limits of the current approval.

Site and Locality

The subject site is legally described as Lot 51 DP 791101 and Lot 1 DP 191964 and commonly known as 35 Wentworth Street, Greenacre. It is located off the western side of Wentworth Street and Mainline Road as the nearest cross section.

The site is irregular in shape and has a frontage of 136m to the east and an area of approximately 8,263m².

The current streetscape is characterised by industrial developments. Enfield Intermodal is located across the road from the site, to the east.

The nearest residential developments from the subject site are located 427m to the west, 328m to the south and 628m to the east (across Enfield Intermodal).

Strathfield Local Environmental Plan

The site is zoned IN1-General Industrial under the provisions of Strathfield LEP 2012 and the proposal is a permissible form of development with Council's consent. The proposal as amended satisfies all relevant objectives contained within the LEP.

Development Control Plan

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

Notification

The application was notified in accordance with Council's Community Participation Plan from 12 August 2021 to 26 August 2021 and 15 September 2021 to 29 September 2021, where 16 submissions were received raising the following concerns:

- Noise truck movement and site activities,
- Traffic, and
- Dust pollution.

Issues

- Noise, and
- Additional household municipal clean-up wastes.

Conclusion

Having regards to the heads of consideration under Section 4.15 of the *Environmental Planning & Assessment Act 1979*, Development Application 2000/341/2 is recommended for approval subject to suitable conditions of consent as modified.

REPORT IN FULL

Proposal

Council has received an application under the provisions of S4.55(2) to modify development consent DA 2000/341 seeking the approval of the following:

- 1. Increase the operational hours for an existing resource recovery facility to 24/7; and
- 2. Receipt of the following additional waste types:
 - a. Non-chemical waste generated from manufacturing services (including metal, timber, paper, ceramics, plastics, thermosets and composites); and
 - b. Household municipal clean-up waste (excluding food).

The proposal does not involve the following:

- 1. Sorting of waste during the evening and night-time periods;
- 2. Additional waste tonnages:
- 3. Additional traffic volume; and
- 4. Changes to the existing structures to the site.

Evening and night-time are as follows:

- Evening: 6.00pm to 10.00pm, and
- Night-time: 10.00pm to 7.00am.

The Site and Locality

The subject site is legally described as Lot 51 DP 791101 and Lot 1 DP 191964 and commonly known as 35 Wentworth Street, Greenacre. It is located off the western side of Wentworth Street and Mainline Road as the nearest cross section.

The site is irregular in shape and has a frontage of 136m to the east and an area of approximately 8,263m².

The site is occupied by Bingo Recycling – a waste or resource management facility. The sorting facility situated at the rear of the site is enclosed on three sides (northern, western and southern) and permanently open on one side (eastern). An acoustic barrier is situated along the southern boundary of the site (Figure 6).

The current streetscape is characterised by industrial developments. Enfield Intermodal is located across the road from the site, to the east.

The nearest residential developments from the subject site are located 427m to the west, 328m to the south and 628m to the east (across Enfield Intermodal).



Figure 2. Closer aerial imagery of the subject site (outlined) and the immediate locality.



Figure 3. Council's zoning map showing the subject site (outlined) and the locality. The uncoloured section to the west of Roberts Road is a residential area that is under the neighbouring LGA – Canterbury-Bankstown.



Figure 4. Frontage of the subject site.



Figure 5. Frontage of the subject site.



Figure 6. Frontage of the subject site. Outlined in red is the existing acoustic wall on the southern boundary.

Background

23 May 2000

A development consent for the purpose of the continuation of the use of the property as a recycling centre, to demolish certain buildings, to construct a new workshop and extend the building located at the rear was granted. The consent has the following conditions of approval:

"39 The hours of operation shall be restricted to 7.00am to 5.00pm Monday to Saturday."

"42 No flashing lights or flashing animated signs shall be erected."

"50 The amount of clean fill to be handled within the property shall be limited to 100,000 tonnes per annum."

4 December 2017

A complying development certificate (CDC-5128/0) was issued for the alterations and additions, including new internal plant, new weighbridge, replacement of existing hard stand, internal push walls and associated fire safety measures by Certis Pty Ltd.

16 December 2020

A pre-DA meeting was held online for the purpose of modification to the waste management facility – to extend the operating hours to 24/7.

03 August 2021

The subject modification application was lodged.

12 August 2021

The application was first put on public notification until 26 August 2021. A strong interest was shown by members of the public to extend the notification. Due to the nature of the proposal and the development it relates to, this request was granted.

15 September 2021

The application was put again on public notification until 29 September 2021. Council received total of 16 submissions during the two neighbour notification periods. The submissions are discussed in more detail in the public submissions assessment section of this report.

19 October 2021

Council's Planner carried out a drive-by site visit adhering to COVID-19 protocols in place during that time.

19 October 2021

An additional information request letter was issued to the applicant, raising the following concerns:

- Changes to the NSW EPA licence,
- Acoustic assessment,
- Biodiversity protection of the Green and Golden Bell Frog species in the area, and
- Dust getting out of the site due to activities on the site.

22 October 2021

Further additional information request letter was issued relaying NSW EPA's concerns as a result of the external referral to the applicant. NSW EPA's concern is that the submitted noise assessment is not satisfactory and changes to the noise assessment were requested.

22 November 2021

The applicant has provided the additional information.

Referrals

INTERNAL

Traffic

The application was referred to Council's Traffic Manager, who offered no objection to the proposal.

Health

The application was referred to Council's Environmental Health Officer who provided the following comments:

EPA Licence

"The site is licensed with the NSW EPA – license number 20847. Section L3 of the license specifically states that the hours of operation are 7am-5pm Monday to Saturday, no work is permitted on Sundays and public holidays."

"This change in operating hours should be sent to the EPA for consideration, the applicant will need to make application to the NSW EPA on altering clauses in their license."

"The applicant also states that they wish to allow receival of additional waste types, not included in their license."

Acoustic

"Trinity Consultants Australia have prepared a noise impact assessment for this application. The report is dated 20 July 2021."

"The nearest residential receivers are approximately 330m to the south; Drone Street, Greenacre located in the Strathfield LGA, and 420mm to the west, located in Canterbury-Bankstown Council. Only the extended hours (i.e. evening and night) of operation are considered in this assessment."

"The report as designated that the residential receivers are 'Urban' as per the NPI. However the locations of the residential receivers are in low-density and mediumdensity residential classifications. Therefore the residential receivers should be measured against the 'Suburban' residential receiver category in the NPI."

Council's Environmental Health Officer concluded with the following requirements prior to the application being supported.

"Outcome of the EPA discussion and recommendations regarding changes to EPL 20847 for extension of operating hours."

"The acoustic report amends the residential receiver classification in relation to the Noise Policy for Industry 2017 from 'Urban' to 'Suburban'; effectively, amending the noise levels as well in the report."

"A detailed list of activities which will occur during the proposed extended hours of operation."

The concerns raised above by Council's Environmental Health Officer was relayed to the applicant via the additional information request letter issued on 19 October 2021.

Note that the application was referred to NSW EPA for external referral comments. No concerns regarding the operating hours and additional waste types were raised. The NSW EPA referral is discussed in more detail under the external referral section of this report.

The applicant has provided the following to Council:

Licence

"The modification application to change operating hours has been reviewed by the EPA."

"The Proponent will submit a formal application for a variation to EPL 20847 once the modification application with Strathfield Council is approved."

Detailed List of Activities

"...during extended evening and night-time hours, it is expected that 3 mobile plant will operate – a front end loader, an excavator and a material handler."

"During the evening, up to 2 incoming skip trucks and 4 outgoing trucks are expected per hour. During the night, up to 2 incoming skip trucks and 3 outgoing trucks are expected per hour."

- "...evening and night-time activities will include:
 - Inbound receival and unloading of waste;
 - Loading waste (pre-sorted during the day) into trucks; and
 - o Load out of waste to Bingo's Eastern Creek Recycling Ecology Park."

In relation to the noise, an updated Noise Impact Assessment report was prepared by Trinity Consultants, dated 19 November 2021, and was peer reviewed by RWDI Australia Pty Ltd at the initiative of the proponent. These documents were forwarded to Council's Environmental Health Officer for further comments.

Council's Environmental Health Officer offered no objection to the provided documents and has supported the proposal, subject to conditions of consent. To limit the truck movement, a condition has been imposed taking into consideration the truck movements proposed in the Noise Impact Assessment report which the noise assessment was based from.

Biodiversity

The application was referred to Council's Environmental Projects Officer – Biosecurity, who provided the following comments:

"The location of this resource recovery facility is in close proximity (approx. 100m) to recorded occurrences of the Green and Golden Bell Frog (Litoria aurea). It is also within close proximity to known Green and Golden Bell Frog habitat Coxs Creek Bushland Reserve (approx. 300m) and the newly built frog habitat area on Bellfrog Street, Greenacre (approx. 500m)."

"The Green and Golden Bell Frog is listed as vulnerable under the Australian Government Environment Protection and Biodiversity Conservation Act 1999."

"The species is also listed as endangered under the Biodiversity Conservation Act 2016 (New South Wales)."

"Increasing the operational hours to 24 hours per day, 7 days per week for this resource recovery facility may have significant impacts on the Green and Golden Bell Frogs in this area."

To ensure that appropriate measures and assessment have been taken into consideration in determining whether the proposal will have an adverse impact to the protected species, Council's Planner requested a biodiversity development assessment report (Section 7.7 of the *Biodiversity Conservation Act 2016*).

As a response to the above request, the applicant has provided a Green and Golden Bell Frog Assessment Statement, prepared by Ecoplanning, dated 18 November 2021, and has the following comments:

"Ecoplanning have engaged Ross Wellington, a species expert under the BC Act and key contributor to The GGBF Key Population at Greenacre: Management Plan (DECC 2008) amongst other GGBF publications."

"Ross has prepared a five part test of significance, in accordance with Section 7.3 of the BC Act..."

"This five part test of significance has determined that the proposed modification would not result in a significant impact to Green and Golden Bell Frog for the following reasons:

- The subject site is not on a logical movement route for the species and therefore would not fragment or isolate existing populations
- The subject site is located to the north of the existing known populations and truck movements would be to the north, therefore there will be no additional impacts from night time truck noise
- 5.
- The species is not considered to be highly sensitive to light, noise and vibration impacts given the proximity of known populations to other industrial land uses. Notwithstanding the subject land is more than 220m form the nearest known population and light, noise and vibration impacts are likely to be minimal, particularly when considering the existing 24 operations at the Intermodal Terminal.
- 6.
- Based on the points above, the Modification proposal would not affect the life cycle of the species, and certainly not to the extent of putting it at risk of local extinction."
- 7.
- 8. "The proponent should carry out a staff awareness raising induction for the GGBF and identify an officer whose role it is to deal with contingent and inadvertent appearance of GGBF to be recorded and relocated to the Pacific National site using a hygienic practice method. Erection of an ID Poster within the Bingo Facility would assist in this being maintained. Recorded occurrences to Strathfield Council when and if they ever occur."
 9.
- 10. "Consideration should be given to evaluating the lateral dispersal of light from the facility and, if necessary, provision of lateral shade filters to existing lighting."

The submitted information was referred back to Council's Environmental Projects Officer – Biosecurity who offered no objection to the proposal subject to special conditions relating to night lighting.

EXTERNAL

NSW EPA

The application was referred to NSW EPA who offered no concerns regarding the operating hours proposed and additional waste types. However, some concerns were raised relating to noise. NSW EPA's concerns were similar to the concerns raised by Council's Environmental Health Officer.

The provided updated Noise Impact Assessment report and the peer review documentations were provided to NSW EPA for further comments. EPA has offered no objection to the proposal subject to the imposition of special conditions of consent.

NSW RMS

The application was referred to NSW RMS, pursuant to Clause 104(2)(b) of the Infrastructure SEPP despite the site being more than 90m from a classified road, but mainly due to the single access point from the site to Roberts Road. RMS has offered no objection to the proposal.

Section 4.55 of the EP&A Act 1979

The application has been lodged under the provisions of S4.55(2) of the EPA Act. The application is not considered to be of minimal environmental impact, is substantially the same development for which consent was originally granted, has been notified in accordance with the provisions of Council's CPP and any submissions made will be considered as part of this assessment. In addition, under the provisions of S4.55(3), the reasons for the granting on the consent that sought to be modified will be taken into consideration during the detailed assessment of the application.

Section 4.15 Assessment - EP&A Act 1979

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

(1) Matters for consideration – general

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

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

State Environmental Planning Policies

Compliance with the relevant state environmental planning policies is detailed below:

STATE ENVIRONMENTAL PLANNING POLICY	COMPLIES
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	Yes
State Environmental Planning Policy (Infrastructure) 2007	N/A

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

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

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

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

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

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

Clause 104(2)(b) of the SEPP requires the consent authority to take into consideration any submissions from the RMS. While the site is more than 90m from the classified road, vehicles associated with the activities on the site will more than likely use one road – Mayvic Street, to go to Roberts Road (classified road).

RMS has offered no objection to the proposed development.

Strathfield Local Environmental Plan

The development site is subject to the Strathfield Local Environmental Plan 2012 and is consistent with the aims of this plan.

Part 2 - Permitted or Prohibited Development

Clause 2.1 - Land Use Zones

The subject site is zoned IN1-General Industrial and the proposal is a permissible form of development with Council's consent and the proposal as modified is considered to meet the objectives of the zone.

Part 4 - Principal Development Standards

The nature of the proposal does not trigger an assessment against the principal development standards of the SLEP 2012.

Part 5 - Miscellaneous Provisions

Heritage Conservation

The subject site is not listed as a heritage item or located within a heritage conservation area. The site does not adjoin nor is in close proximity to a heritage item and as such, the provisions of this clause are not applicable.

Flood Planning

The proposed site has not been identified within the flood planning levels and as such, the provisions of this clause are not applicable to the subject development.

Part 6 - Additional Local Provisions

Acid Sulfate Soils

The subject site is identified as having Class 5 Acid Sulfate Soils but is not located within 500m of a Class 1, 2 3 or 4 soils. Nevertheless, the nature of the proposal does not trigger an assessment against the provisions of this clause.

Essential Services

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

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

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

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

(iii) any development control plan,

The proposed development as modified is subject to the provisions of the Strathfield Consolidated Development Control Plan 2005. The following comments are made with respect to the proposal satisfying the objectives and controls contained within Part D – Industrial Developments.

Air, Noise and Water Pollution

The SCDCP 2005 requires industrial developments to not create a pollution problem by discharge of an unacceptable level of air, noise and/or water emissions.

As previously discussed, the noise levels will be at a manageable level as confirmed by Council's Environmental Health Officer and the NSW EPA, subject to the imposition of conditions of consent.

The proposed additional waste type of household municipal clean-up waste (except food) raises a concern. While it is recognised that the proposal will not have any additional waste tonnages, it is also acknowledged that there is a high possibility that these household municipal waste may contain traces of asbestos.

It is acknowledged that the EPA licence (20847) specifies that bonded asbestos waste in designated bags only were used to be accepted but only during the Asbestos Acceptance Trial (1 October 2018 to 28 June 2019). No friable asbestos or asbestos in soils was permitted to be received at the premises. It is also recognised that the licence includes building and demolition wastes to be received at the facility.

The provided documentation to Council, in particular the SEE prepared by Jackson Environment and Planning, has indicated that all incoming waste will be managed in accordance with the NSW EPA's Standards for managing construction waste in NSW. Further to this, the SEE has outlined the processes on how the wastes will be monitored.

At the weighbridge, a trained personnel will be inspecting the entire top of each load from an elevated inspection point or by using a video camera connected to a monitor and determine whether or not the load contains any asbestos waste and any other unpermitted waste. Where the load is identified, or reasonably suspected to have asbestos, the entire load will have to leave the facility and the record the information. Should the load not be rejected, it will proceed to the tip and spread inspection area where a trained personnel will the inspect the visible surface area for any asbestos waste and other unpermitted waste. Similar to the first inspection, if any traces of asbestos are identified, the entire load will be rejected.

Several issues have been identified in relation to the proposal and the waste management processes and as revealed by Council Planner's site visit.

Firstly, the initial and secondary inspections raise a concern. Understandably, the trained personnel will only be able to inspect the top part of a truck load of wastes. A concern is that asbestos-laden materials from household municipal clean-up wastes can be situated at the bottom of the truck. It is recognised that there is another opportunity to reject the waste in the second inspection known as the tip and spread. However, even during this inspection, only the visible surface will be inspected by the trained personnel. As such, there is still an opportunity for wastes with asbestos to sneak through the facility and be sorted.

Secondly, the existing sorting facility is open on one side and unfortunately, it cannot be enclosed (Figure 7). Unlike Bingo's Eastern Creek Recycling Facility, the site and the immediate locality is a much more dense industrial area (Figures 8-9). Hence, there are other close industrial uses to the subject site that includes offices.



Figure 7. Front of the existing recycling facility on the subject site.



Figure 8. Bingo Eastern Creek Recycling Facility (outlined) and the immediate locality.



Figure 9. Subject site (outlined) and the immediate industrial lands.

Lastly, Council Planner's site visit has revealed that there are waste particles that get emitted to the air and escapes the facility. Submissions were received by Council indicating that dust particles coming from the site have become a nuisance to neighbouring industrial units.



Figure 10. Shows the facility on the subject site with a cloud of dust particles up in the air.

Taking the above into consideration, Council is unable to support the additional waste type of household municipal clean-up wastes as the proposed development has not adequately satisfied Council that wastes with asbestos will be properly managed and will not pose a risk to neighbouring properties. While it is acknowledged that the EPA licence allows the facility to receive building and demolition wastes, additional waste type of a similar nature will not be allowed as the risk of materials being received on-site with asbestos can be greater. As such, a condition of consent has been imposed to ensure that there will be no household municipal clean-up wastes to be included in the additional waste type to be collected by the facility.

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

The provisions of this clause are not relevant to the modification and have been addressed/considered as part of the original development consent.

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

The proposed development is of a scale and character that is in keeping with other developments existing and being constructed in the locality. Accordingly, as the proposal is not considered to incur noise concerns to close residential areas, the proposal is deemed to have no significant social impacts on the locality. There is no adverse natural, built and economic impacts to be created by the proposed modification.

Further to the above, it is emphasised that the proposal intends to disperse the existing activities occurring on the site over a longer period of time. In saying this, it is reiterated that no sorting will be done during the evening and night-time periods. Additionally, no additional amount of waste will be received beyond the current capacity permitted on-site.

As previously discussed, the proposed additional waste type of household municipal clean-up wastes is not permitted. As such, the proposal is acceptable, subject to the conditions of consent

and is not likely to have adverse impacts in terms of environmental, natural, built, social and economic.

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

It is considered that the proposed development, subject to compliance with the conditions of consent, is suitable for the site having regard to its location and relationship to adjoining properties..

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

In accordance with the provisions of Councils Community Participation Plan, the application was placed on neighbour notification for a period of fourteen (14) days where adjoining property owners were notified in writing of the proposal and invited to comment. Sixteen submissions were received raising the following concerns:

1. Noise - Truck Movement and Site Activities

Concerns were raised regarding the proposal's noise implications to the nearby residential areas in relation to the truck movements and the activities that will be carried out on the site, in particular during the night-time. The referral section of this report comprises a detailed discussion on how the noise will have no significant impact to the residential areas following a comprehensive noise analysis of the proposed development.

To conclude, Council's Environmental Health Officer and the NSW EPA have both supported the provided Noise Impact Assessment and peer review reports provided by the applicant. For completeness, conditions of consent will be imposed to ensure that the noise that will be generated from any activity from the site will not exceed the tolerable background noise level that is received by the nearest residential areas.

2. Traffic

Concerns were raised that there is a lack of infrastructure to accommodate the proposed development. Note that the proposal does not propose additional traffic volumes. For clarity, the proposal seeks to disperse the activities of the facility with a focus on sorting during the day.

Further to the above, the application was reviewed by Council's Traffic Manager and NSW RMS, both offered no objections to the proposal.

3. **Dust Pollution**

Concerns were raised by neighbouring industrial units that they have been affected by dust emanating from the site. Note that the proposal does not involve additional waste tonnages. However, part of the proposal is to add a waste type – household municipal clean-up wastes (excluding food).

Council recognises that this type of waste can contain asbestos substance and will be difficult to manage, due to the facility being an open building. This is discussed in more detail in the DCP assessment section of this report.

To protect neighbouring properties from asbestos, the additional household municipal clean-up waste is not permitted and will be a condition of the consent to prohibit its receipt and processing in the facility.

(e) the public interest.

The proposed development, subject to compliance with the conditions of consent, is considered to not conflict with the public interest.

Local Infrastructure Contributions

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

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

The proposed modifications do not result in the increase or change to the contributions imposed on the original consent.

Conclusion/Recommendation

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

Pursuant to Section 4.55(2) of the *Environmental Planning & Assessment Act 1979* and following detailed assessment of the proposed modifications to Development Consent No. 2000/341/2 be supported, subject to the conditions of consent.

- 1. The proposed modifications does not result in the change to the description of the approved development and is to be maintained.
- 2. The original conditions of development consent No. 9900/341 as approved except were amended as below.
- 3. As part of this Section 4.55(2) application, the following conditions are to be modified, added or deleted:
 - Amend condition #1 Plans and Supporting Documents
 - Add condition #1A Requirements of Concurrence, Integrated & Other Government Authorities
 - Amend condition #7 Parking/Traffic Matters
 - Amend condition #39 Site Operation
 - Add condition #39A Site Operation
 - Add condition #43A Site Operation
 - Add condition #44B Site Operation
 - Add condition #55A Site Operation

Accordingly, development consent 341/2000/2 is approved as per the conditions of consent.

RECOMMENDATION

That Development Application No. 2000.341.2 for S4.55(2) Modification Application seeks to increase the operational hours for an existing resource recovery facility to 24 hours per day, 7 days

per week. The proposal seeks to allow for the receipt of additional dry (non-odorous) wastes from manufacturing and household clean up services within the limits of the current approval.at 35 Wentworth Street Greenacre be **APPROVED**, subject to the following conditions:

DETAILS OF CONDITIONS

PART A - PRESCRIBED CONDITIONS

The following are Prescribed Conditions of Development Consent under the Environmental Planning & Assessment Regulation 1994 and **MUST** be complied with where relevant to the subject proposal.

78A Compliance with Building Code of Australia

- (1) All building work must be carried out in accordance with the provisions of the Building Code of Australia.
- (2) This clause does not apply to the extent to which an exemption is in force under clause 80H or 801 of the Environmental Planning & Assessment Regulation 1994, subject to the terms of any condition or requirement referred to in clause 80H(6) or 801(4) of the Regulation.

788 Change of building use

- (1) A building in respect of which there is a change of building use must comply with the Category 1 fire safety provisions applicable to the proposed new use.
 - Note: The obligation under this subclause to comply with the Category 1 firesafety provisions may require building work to be carried out even though none is proposed or required in the relevant development consent.
- (2) This clause does not apply to the extent to which an exemption is in force under clause 80H or 801 of the Environmental Planning & Assessment Regulation 1994, subject to the terms of any condition or requirement referred to in clause 80H(6) or 801(4) of the Regulation.
- (3) In this clause, *Category 1 fire safety provision* means the following provisions of the Building Code of Australia, namely, EP1.3, EP1.4, EP1.6, EP2.1, EP2.2 and EP3.2 in Volume One of that Code and P2.3.2 in Volume Two of that Code.

78C Residential building work

a. Building work that involves residential building work (within the meaning of the Home Building Act 1989), must not be carried out unless the principal certifying authority for the development to which the work relates:

- (a) in the case of work to be done by a licensee under that Act:
 - (i) has been informed in writing of the licensee's name and contractor licence number, and
 - (ii) is satisfied that the licensee has complied with the requirement of Part 6 of that Act ie. has Home Building Insurance if the work is over \$5,000.

(Note: The builder or tradesperson who proposes to carry out the work <u>must</u> obtain the Home Building Insurance from a company specified in the Notes at the end of the consent); OR

- (b) in the case of work to be done by any other person:
 - (i) has been informed in writing of the person's name and owner-builder permit number, or
 - (ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than \$3,000
- a) and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.
- b. A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part

78D Excavations and backfilling

- (1) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
- (2) All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

78E Retaining walls and drainage

If the soil conditions require it:

- (a) retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soi[must be provided, and
- (b) adequate provision must be made for drainage.

78F Support for Neighbouring Buildings

- (1) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
 - (a) must preserve and protect the building from damage, and
 - (b) if necessary, must underpin and support the building in an approved manner, and
 - (c) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
- (2) The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.
- (3) In this clause, allotment of land includes a public road and any other public place.

78G Protection of public places

- (1) If the work involved in the erection or demolition of a building:
 - (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - (b) building involves the enclosure of a public place,
 - a hoarding or fence must be erected between the work site and the publicplace.
- (2) If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- (3) The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- (4) Any such hoarding, fence or awning is to be removed when the work has been completed.

78H Signs to be erected on building and demolition sites

- (1) A sign must be erected in a prominent position on any work site on which work involved in the rection or demolition of a building is being carried out:
 - (a) stating that unauthorised entry to the work site is prohibited, and
 - (b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside

working hours.

- (2) Any such sign is to be removed when the work has been completed.
- (3) This clause does not apply to:
 - (a) building work carried out inside an existing building, or
 - (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

78I Toilet facilities

- (1) Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
- (2) Each toilet provided:
 - (a) must be standard flushing toilet, and
 - (b) must be connected:
 - (i) to a public sewer, or
 - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the council, or
 - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the council.
- (3) The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.
- (4) In this clause:

accredited sewage management facility means a sewage management facility to which Division 4A of Part 3 of the Local Government (Approvals) Regulation 1993 applies, being a sewage management facility that is installed or constructed to a design or plan the subject of a certificate of accreditation referred to in clause 958 of the Regulation.

approved by the council means the subject of an approval in force under Division 1 of Part 3 of the Local Government (Approvals) Regulation 1993.

public sewer has the same meaning as it has in the Local Government (Approvals) Regulation 1993.

sewage management facility has the same meaning as it has in the Local Government (Approvals) Regulation 1993.

PART B OTHER CONDITIONS

Plans and Supporting Documents

The following conditions have been imposed to ensure the development is in accordance with the approved plans, supporting documentation listed below, and specific requirements of Council, except where marked up on the plans and/or amended by conditions of this consent:

(1) The development shall be completed in accordance with the approved plans prior to the building being used or occupied but subject to anyvariation as required by the conditions detailed herein.

Supporting Documents

Description	Ref. #	Date	Rev.	Prepared by
Traffic Assessment	-	14/07/2 021	-	SECA Solution
Noise Impact Assessment	217402.0 027R01V 03	19/11/2 021	-	Trinity Consultants Australia
Operations Environmental Management Plan	OEMP- 013	July 2021	2	Bingo Industries

- (2) A separate application must be lodged with the Principal Certifying Authority and be approved if it is proposed to use or occupy all or part of the building prior to the development being completed.
- (3) A Construction Certificate must be obtained from the Principal Certifying Authority (Council or a privately accredited person) before commencement of any construction/demolition associated with this consent.
- AMENDED: DA2000/341/2 3 February 2022

Requirements of Concurrence, Integrated & Other Government Authorities

1A NSW EPA

Noise Limit Conditions

L6.1 Noise generated at the premises must not exceed the noise limits at the times and locations in the table below.

	Noise Limits in dB(A)			
Location	Day	Evening	Night	Night
	L _{Aeq(15 minute)}	L _{Aeq(15 minute)}	L _{Aeq(15 minute)}	L_{AFmax}

Residences on Roberts Road Greenacre	-	37	37	52
Residences on Blanche Street and Madeline Street Belfield	ı	42	42	53
Residences on Drone Street, Sylvanus Street and Wentworth Street Greenacre	•	43	43	53

L6.2 For the purposes of condition L6.1:

- a) Day means the period from 7am to 6pm Monday to Saturday and the period from 7am to 6pm Sunday and public holidays.
- b) Evening means the period from 6pm to 10pm.
- c) Night means the period from 10pm to 7am Monday to Saturday and the period from 10pm to 7am Sunday and public holidays.

L6.3 Noise-enhancing meteorological conditions

a) The noise limits set out in condition L6.1 apply under the following meteorological conditions:

Assessment Period	Meteorological Conditions
Day	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level.
Evening	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level.
Night	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level; or Stability category E and F with wind speeds up to and including 2m/s at 10m above ground level.

b) For those meteorological conditions not referred to in condition L6.3(a), the noise limits that apply are the noise limits in condition L6.1 plus 5dB.

L6.4 For the purposes of condition L6.3:

- a) The meteorological conditions are to be determined from meteorological data obtained from the meteorological weather station identified as NSE EPA Chullora and Lidcombe Stations and/or the nearest Bureau of Meteorlogy Automatic Weather Station.
- b) Stability category shall be determined using the following method from Fact Sheet D of the *Noise Policy for Industry* (NSW EPA, 2017):
 - i. Sigma theta.

L6.5 To assess compliance:

a) with the $L_{Aeq(15 \text{ minutes})}$ or the L_{Amax} noise limits in condition L6.1 and L6.3, the noise measurement equipment must be located:

- (i) approximately on the property boundary, where any residence is situated 30 metres or less from the property boundary closest to premises; or where applicable.
- (ii) in an area within 30 metres of a residence façade, but not closer than 3 metres where any residence on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable,
- (iii) in an area within 50 metres of the boundary of a National Park or Nature Reserve at a sight or track used for active or passive recreation,
- (iv) at any other location identified in condition L6.1
- b) with the L_{Aeq(15 minutes)} or the L_{Amax} noise limits in condition L6.1 and L6.3, the noise measurement equipment must be located:
 - (i) at the reasonably most affected point at a location where there is no residence at the location; or,
 - (ii) at the reasonably most affected point within an area at a location prescribed by condition L6.5 (a).
- **L6.6** A non-compliance of conditions L6.1 and L6.3 will still occur where noise generated from the premises is measured in excess of the noise limit at a point other than the reasonably most affected point at the locations referred to in condition L6.5 (a) or L6.5 (b).
 - **NOTE to L6.5 and L6.6:** The reasonably most affected point is a point at a location or within an area at a location experiencing or expected to experience the highest sound pressure level from the premises.
- **L6.7** For the purpose of determining the noise generated from the premises, the modifying factor corrections in Table C1 in Fact Sheet C of the *Noise Policy for Industry* (NSW EPA, 2017) should be applied, if appropriate, to the noise measurements by the noise monitoring equipment.
- **L6.8** Noise measurements must not be undertaken where rain or wind speed at microphone level will affect the acquisition of valid measurements.
- L6.9 Where direct mesurment of noise from the premises at locations required by L6.1
 L6.6 is not possible, alternative means of demonstrating compliance may be negotiated with the EPA.
- **L6.10** No activities shall occur external to the processing building other than vehicle manouvering to access and leave the site during the evening and night period.

M8 Requirement to Monitor Noise

- **M8.1** Attended noise monitoring must be undertaken in accordance with Condition L6.5 at the nearest and most affected residential receiver locations and must:
- a) occur within one month of commencement of evening and nighttime operation
- b) [decision about any ongoing monitoring can be made after the first assessment based on risk]

Reporting Conditions

R4 Noise Monitoring Report

A noise compliance assessment report must be submitted to the EPA within 30 days of the completion of the monitoring required under M8.1. The assessment must be

prepared by a competent person and include:

- a) an assessment of compliance with noise limits presented in Condition L6.1 and L6.3; and
- b) an outline of any management actions taken within the monitoring period to address any exceedances of the limits contained in Condition L6.1 and L6.3.

Additions to Definition of Terms of the licence

- Noise Policy for Industry the document entitled "Noise Policy for Industry" published by the NSW Environment Protection Authority in October 2017.
- Noise 'sound pressure levels' for the purposes of conditions L6.1 to L6.8.
 - L_{Aeq (15 minute)} the value of the A-weighted sound pressure level of a continuous steady sound that, over a 15 minute time interval, has the same mean square sound pressure level as a sound under consideration with a level that varies with time (Australian Standard AS 1055:2018 *Acoustics: description and measurement of environmental noise*).

i)

L_{AFmax} – the maximum sound pressure level of an event measured with a sound level meter satisfying Australian Standard AS IEC 61672.1-2013 Electroacoustics - Sound level meters - Part 1: Specifications set to 'A' frequency weighting and fast time weighting.

ii)

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Financial Matters

The following conditions have been imposed to require payment for identified works or services, to require bonds to ensure compliance with various conditions and to safeguard against damage to Council property.

- *A payment of \$8,902 shall be paid towards the provision of traffic managementfacilities. Such amount shall be paid <u>prior to issue of the</u> <u>Construction Certificate.</u>
- *A bond of \$1,000 in the form of cash or bank guarantee shall be lodged withCouncil <u>prior to issue of the Construction Certificate</u>. This bond covers the following matters listed as conditions of this consent:
 - a) creation of the Positive Covenant on the title
 - b) installation and maintenance of sediment control measures for theduration of construction activities
 - c) construction of the On-Site Detention storage system,

and will be released upon satisfactory completion of these items.

- 4 *(1) Where Council is requested to carry out the post approval inspections, a fee of \$552 based on Council's adopted fee of \$46 per inspection and calculated in accordance with Council's.Schedule of Inspections shall be payable **prior to the carrying out of any of the inspections.**
 - (2) Any additional inspections required over and above those shown

on Council'sSchedule of Inspections shall be charged at the rate of \$46 per inspection. Any such additional fee will be notified in writing by Council and shall be paid **prior torelease of the damage deposit.** If the additional fee is not paid it will be dedicated from the damage deposit.

- (3) Any re-inspection which is necessary due to defective work, poor workmanship or the matter not being ready for inspection will be charged at therate of \$46 per re-inspection. Any such additional re-inspection fee will be notified in writing by Council and shall be paid **prior to release of the damage.** If the additional fee is not paid it will be deducted from the damage deposit
- (4)Any inspections carried out on or after 1 July 2000 will attract GST even if the inspection fee is paid before 1 July 2000. In this case any GST charges must be paid before an Occupation Certificate is issued and before any bonds/deposits are refunded.
- 5 (1)Payment of the Long Service Levy as required by section 109F(1) of theEnvironmental Planning & Assessment Act 1979 for all building work over \$25,000. Note: The cost of the building work must be rounded to thenearest \$100.
 - *(2) The levy of 0.2% of the cost MUST be paid at the Council (or provide evidence of payment direct to the Long Service Payments Corporation) prior toissue of the Construction Certificate.

Parking/Traffic Matters

The following conditions have been imposed to require compliance with Council's parking requirements and to assist in traffic safety.

- 6 There shall be provision on site for 20 off street parking spaces of which 11 shall be constructed in accordance with part (2) and the balance of 9 spaces being provided should the need arise.
- *(2) Eleven (11) off-street parking spaces for occupier, employee and customer parking shall be provided in accordance with the approved plans and such spaces shall be hardpaved, linemarked, signposted and drained in accordance with Council's Stormwater Management Code.
- (3) Construction details of the parking spaces, access thereto and all otherexternal hardpaved areas shall be submitted and approved **prior to issue of the Construction Certificate.**
- (4) For the purpose of this condition a parking space shall only be used for the parking of motorcycles, sedans, utilities, vans and similar vehicles up to two (2) tonne capacity.

7 The owners of the land shall instruct the Manager of the use that all employee and company vehicles connected with the use shall be parked within the carpark during the approved hours of operation of

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- At the point of vehicular egress from the site, a sign shall be conspicuously displayed and maintained indicating that no vehicles are to be driven in reverse across the footway and that vehicles must stop before crossing the footpath.
- 9 All vehicles entering and leaving the site shall be driven generally in a forward direction and the internal roadway shall be suitably marked.
- 10 Employee, company and visitors vehicles shall be parked in the spaces provided on the site and not on adjacent footpath, access driveways or landscaping areas.
- All car washing, engine degreasing and steam cleaning shall be conducted in the wash bay.
- A road opening permit shall be obtained for all works carried out in public or Council controlled lands. Restoration of landscaping, roads and paths shall be carried out prior to release of the damage deposit.
- The applicant or any contractors carrying out works in public or Council controlled lands shall have public liability insurance cover to the value of \$10 million, and shall provide proof of such cover prior to carrying out the works.
- 14 (1)Where works are undertaken on public roads, adequate traffic control and direction to motorists and pedestrians shall be provided.
 - (2) Where such measures are not provided, Council may direct in writing that such measures are to be provided.
 - (3)Where the measures are not installed/carried out in accordance with Council's requirements, Council may install/provide such measures and recover the costs from any bonds held in relation to the development.
- 15 The areas external to the buildings with the exception of the landscape at areas shall be paved with a dustless surface details of which shall be submitted **prior** to issue of the Construction Certificate

Drainage/Stormwater

The following conditions have been imposed to ensure drainage is in accordance with Councits Stormwater Management Code and that measures are taken to regulate stormwater flow.

- 16 Stormwater runoff from all roof and paved surfaces shall be collected and discharged by means of a gravity pipe system to Council's drainage system located Wentworth Street.
- *Details of the proposed method of stormwater disposal shall be prepared by a suitably qualified professional civil engineer in accordance with the requirements of the Council's Stormwater Management Code and approved <u>prior to issue of</u>

the Construction Certificate.

- *On-site Stormwater Detention storage shall be provided in conjunction with the stormwater disposal. This storage shall be designed in accordance with Council's Stormwater Management Code. Details of the storage shall be submitted and approved prior to issue of the Construction Certificate.
- 19 *(1) Prior to occupation/use of the building and release of any security bonds, written verification from a suitably qualified professional civil engineer shall be obtained, stating that all stormwater drainage and related work has been constructed in accordance with the approved plans.
 - (2)In addition, full works-as-executed plans, prepared and signed by a registered surveyor, shall be submitted. These plans shall include levels and location for all drainage structures and works, buildings (including floor levels) and finished ground and pavement surface levels.

20 (1) For drainage works

a) connecting to Council's stormwater drainage system

inspections will be required:-

- (i) after the excavation of pipeline trenches
- (ii) after the laying of all pipes prior to backfilling
- (iii) after the completion of all pits and connection points
- (2)A minimum of 24 hours notice shall be given to Council to obtain an inspection. Inspections may be arranged by telephoning Council's Engineering Services Department on 9748-9942 during office hours. Work is not to proceed until the works or activity covered by the inspection is approved.
- A physical barrier (nominally 150mm high and wide) shall be constructed along the site frontage, excepting at vehicular and pedestrian access points, to prevent surface runoff onto the road reserve.
- *Temporary measures shall be provided and regularly maintained during construction to prevent sediment and polluted waters discharging from the site. Plans showing such measures in accordance with the NSW Department of Housing, Managing Urban Stormwater, Soils and Construction Manual dated August 1998 shall be submitted and approved prior to the issue of the Construction Certificate.
- Permanent measures shall be provided and regularly maintained to prevent sediment and polluted waters discharging from the site. Plans showing such measures in accordance with the EPA guidelines and NSW Department of Housing, Managing Urban Stormwater, Soils and Construction Manual dated August 1998 shall be submitted and approved prior to the issue of the Construction Certificate.
- Written approval of the stormwater and sediment control plans from the Environmental Protection Authority is to be submitted to Council <u>prior to</u> the issue of the Construction Certificate.

- *(1) A Positive Covenant under Section 88E of the Conveyancing Act shall be created on the title of the property detailing the on-site stormwater detention system incorporated in the development. The wording of the instrument shall be submitted to, and approved by Council prior to lodgement at the Land Titles Office. The instrument shall be registered prior to occupation/ use of the building.
 - (2) The positive covenant referred to above is required to prevent future modification or alteration without written consent of Council, and to ensure suitable maintenance.
- *(1) The connection to Council's street drainage system shall consist of a pipeline across to the street kerb
 - a) with the pipeline then continuing under the kerb and gutter to Council's pipe.
 - (2) The pipe shall be 375mm in diameter reinforced concrete spigot and socket with rubber ring joints. A pit shall be constructed at the property boundary, and
 - b) at the kerb line.

(3)

- d) The pipeline and pits shall be constructed at the applicant's expense.
- 27 The public footpath, kerb and gutter along Wentworth Street frontage shall be reconstructed using to the written the requirements of Council's Director Engineering Services.

Public Authority Matters

The following conditions have been imposed to ensure the requirements of the relevant Public Authorities have been met.

- The disposal of all waste arising from the industry shall be in accordance with the requirements of the Metropolitan Waste Disposal Authority.
- 29 *(1) All areas where oil petroleum and the like may be deposited shall be sealed and drained to an oil arrestor of sufficient size to separate these deposits from collected water prior to discharge.
 - (2)The discharge of surface water from the site (including that from within the building) shall be in accordance with the requirements of Sydney Water. Details shall be submitted to the Council **prior to issue of the Construction Certificate.**
 - 30 *(1) The approval of Sydney Water shall be obtained prior to any construction work being carried out.
 - (2)A copy of the approval shall be supplied to the Council prior to issue of

the Construction Certificate.

- All waste associated with the use shall be disposed of in accordance with the requirements of the Environmental Protection Authority.
- All car washing shall be conducted in a wash bay connected to the sewer of Sydney Water in accordance with that authority's requirements.
- *A car wash bay shall be installed and connected to the sewers of Sydney Water in accordance with that authority's requirements. Full construction details shall be submitted for approval **prior to issue of the Construction**Certificate.
- 34 *(1) A Work Method Statement which includes details of measures to protect public and private property during demolition shall be submitted to WorkCover NSW for approval.
 - (2)A copy of the approval of WorkCover shall be submitted to Council **prior to work** commencing on the demolition.
- Removal of asbestos cement sheeting shall be in accordance with the requirements of WorkCover.

Landscaping/Tree Matters

The following conditions have been imposed to ensure landscape of the site and the protection and replacement of trees during construction.

- Landscaping having a minimum area of double the width of the allotment (measured along the street frontage) and having a minimum depth of 2 metres shall be provided along the street frontage except for vehicular driveways and pedestrian ways.
- 37 *(1) Three (3) copies of a landscape plan prepared by a qualified landscape architect in accordance with Council's Landscaping Code shall be submitted to Council and shall be approved **prior to issue of the Construction Certificate.**
 - (2) The landscaping of the site shall be implemented and maintained at all times in accordance with the approved plan.

Site Operation

The following conditions have been imposed to ensure the operation of the development has minimal impact on the neighbourhood.

All loading and unloading of goods, material, equipment and the like shall take place within the site.

39 The hours of operation shall be restricted to **24 hours**, Monday to **Sunday**.

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39A Truck Movements

(a) Limited to two inward and four outward per hour during the evening – 6pm to 10pm.

(b) Limited to two inward and four outward per hour during the night time – 10pm to 7am.

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- The storage of goods, materials, equipment, machinery, refuse, or refuse bins (including industrial waste containers) shall:
 - (a)not take place between the building and the street alignment;
 - (b)be carried out in an area specifically designed for that purpose;
 - (c) be screened to a minimum height of 2m, so that any such goods, materials, equipment, machinery, refuse, or refuse bins including industrial waste containers) are not visible from the public street; (d)not take place within the road reserve except in accordance with
 - Council's Materials on the Footpath Policy.
- 41 (1) Council approval shall. be obtained for:
 - (a) the erection of any advertising structure attached to the building or proposed to be erected on the same land as the building is situated.
 - "advertising structure" means a structure used or to be used principally for the display of an advertisement.
 - (b) the painting of any advertisement on the building or on any fence or other structure (not being an advertising structure) on the same land as the building is situated.

"advertisement" means the display of symbols, messages or other devices for promotional purposes or for conveying information, instructions, directions or the like, whether or not the dispf ay includes the erection of a structure or the carrying out of a work.

(2) Notwithstanding (a) above, business identification signs may be displayed, erected or painted within the building and at ground floor level on the front facade of the building without Council approval.

"business identification sign" means an advertisement which in respect of any place or premises to which it is fixed contains all or any of the following:

- a. a reference to the identification or description of the place or premises;
- a reference to the identification or description of person residing or carrying on an occupation at the place or premises;
- c. particulars of any occupation carried on at the place orpremises;
- d. such directions or cautions as are usual or necessary relatingto the place or premises or any occupation carried on there;
- e. particulars or notifications required or permitted to be displayed by or under any Act or any Act of Parliament of the Commonwealth:

- f. particulars relating to the goods, commodities or services dealt with or provided at the place or premises;
- g. particulars of any activities held or to be held at the place or premises;
- h. a reference to an affiliation with a trade, professional or other association relevant to the business conducted on the place or premises.
- (3) No advertising structure or advertisements shall be stored or displayed on the public footpath area except in accordance with Council's Materials on Footpath Policy.
 - (4) Any advertisement or advertising structure shall not be illuminated or floodlit without the prior consent of the Council.
- 42 No flashing lights or flashing animated signs shall be erected.
- 43 Any noise emanating from the use at any time shall:
 - (a) not have any detrimental effect on the adjoining residential amenity.
 - (b) generally comply with the criteria in chapters 20 & 21 of the Environmental Noise Control Manual published by the Environment Protection Authority.

43A Noise Control

The use of the premises must not give rise to the transmission of offensive noise to any place of different occupancy. Offensive noise is defined in the *Protection of the Environment Operations Act 1997* (as amended).

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44 All exhaust and other emissions from the premises shall comply with the provisions of the Clean Air Act and Regulations thereunder.

44B Amenity of the Neighbourhood

The implementation of this development shall not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, dust, waste water, waste products, grit, oil or other harmful products.

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- 45 All maintenance and repair of vehicles shall take place within the building, and shall not be permitted in any area external to the building or on the public road system.
- 46 All vehicles awaiting repair shall be kept within the site and shall not be stored or

parked on the public street system.

- Waste oil shall be stored in a covered area pending regular removal to a waste oil recycler.
- Sorting of building materials shall be contained within the building located at the rear of the property.
- The amount of clean fill to be handled within the property shall be limited to 100,00 tonnes per annum.
- The amount of clean fill to be handled within the property shall be limited to 100,00 tonnes per annum.
- 51 All mechanical repair works shall be undertaken undercover at all times.
- All cleaning compounds, lubricants and other related liquid materials to be used in the proposed workshop use shall be kept undercover and within a suitably sized impervious bund to control accidental leaks, spills, etc should they occur. Details of any such storage and bunding provision shall be submitted and approved before the issue of an Occupation Certificate.
- All activities and practices carried out on the site being in accordance with the procedures detailed in the environmental procedures manual submitted to Council as required by Condition No.28 of development consent 9899/19. A statement of compliance prepared by a suitably qualified person shall be submitted to Council by the applicant every twelve months to satisfy Council that the environmental procedures is being adhered to
- Any fuel, oil chemicals or other polluting liquids being stored within the workshop and within a bunded area. The bund (wall and floor) shall be constructed of impervious material and shall be of sufficient size to contain 100% of the volume of the largest drum or other contained within it. The wall of the bund shall not be less than 200mm high.
- No materials hazardous to the environment or to human health (including asbestos) being on the site, temporarily or otherwise. Should any such hazardous material be inadvertently placed on the site and be discovered they shall be removed from the site immediately and disposed of in a safe and appropriate manner.
- 55A No household municipal clean-up waste is to be delivered, collected and processed/sorted on the site.

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No mechanical plant for the breaking or crushing of any materials shall be installed on the site.

Construction Matters

The following conditions have been imposed in relation to site matters during construction

- 57 *(1) The production of a certificate from a structural engineer (see Advice 5 at the end of this consent) stating that the existing structure and the supporting soil strata is suitable to support the additional loads proposed to be placed upon it with the following points being addressed and itemised in such certificate:
 - (a) The reactive nature of the subsoil in the area.
 - (b) The age of the building.
 - (c) The type, nature, condition and depth of the existing footing.
 - (d)The type and condition of the supporting external wall structure.

- (e)The type and condition of the internal wall structure.
- (f) The type and condition of the existing flooring.
- (g)Any other matter, which in the opinion of the Engineer, may affect the stability or durability of the building.

(2) Such certificate shall be submitted **prior to issue of the Construction Certificate**.

- *A certificate and steel details from a structural engineer (see Advice 5 at the end of this consent) to be furnished **prior to issue of the Construction Certificate** indicating that the size of the footings, reinforcing steel, the floor slab and stairway construction are satisfactory for the proposed building.
- 59 Certification shall be obtained from a registered surveyor at the following stage(s) of construction to ensure approved levels are achieved:-
 - (a)footings excavation prior to placement of concrete
 - (b)ground floor level prior to placement of concrete
 - (c) car park/garage level prior to placement of concrete or pavement.
- 60 (1) All construction work and demolition work shall be:
 - (a) restricted to 7am and 5pm (Eastern Standard Time) and 7am to 7pm (Daylight Saving Time).
 - (b) restricted to Mondays to Saturdays (inclusive).
 - (c) prohibited on Sundays.
 - (2) Construction hours may be varied with the written approval of the Director,

Planning, Building & Environmental Services in special circumstances in accordance with the following:-

- (a) written request must be made in advance with sufficient time given to consider such request, including notification to adjoining residents if necessary;
- (b) the construction hours may only be varied upon receipt of the written approval.
- No storage of goods, material, equipment, machinery, refuse, or refuse bins (including industrial waste containers) and the likke shall take place on the public footpath or carriageway during construction of the proposed development.
- Under no circumstances shall spoil or building materials be deposited on the Council's footpath or carriageway; such footpath and carriageway are to remain unobstructed at all times.
- Precautions shall be taken to restrict the transfer of mud and material to Council's roads or public place. Should such debris be transported onto the road, it shall be cleaned forthwith.

- Noise shall be minimised as far as practicable during works on site and only equipment fitted with approved silencing devices where applicable shall be used.
- 65 All precautions shalt be taken to minimise any dust nuisance arising from the site.
- *The following MUST be inspected by Council staff or other suitably qualified person.

 All inspections by Council staff must be arranged by telephoning 9748- 9911 by 4pm on the day before the inspection is required. Council cannot guarantee inspections arranged after this time:-
 - (a) Sediment control measures to be inspected at least weekly and/or in conjunction with other inspections listed below to ensure they are maintained during construction.
 - (b) Any pier holes (If pier holes are required to accommodate components of this structure).
 - (c) Any foundation material before the placement of any component of this structure.
 - (d) Trenches and pier holes with reinforcing steel in position but before concrete is poured (if components of this structure).
 - (e) When damp proof course and flashings are placed in position.
 - (f) All reinforcement of floors, slabs, columns, beams and stairs (if components of this structure).
 - (g) Any structural components (i.e. timber framework, structural steelwork or the like) before fixing any lining or covering.
 - (h) Any drainage lines including any agricultural subsoil drainage lines (if these are a component of this project) prior to any covering or filling.
 - (i) The reinforcing steel after it has been placed in position prior to pouring of any concrete.
 - (j) Landscape final to establish/determine whether site landscaping has been implemented in accordance with approved landscape plans. To determine bond refund.
 - (k) The completion of all work associated with the building.
 - (I) The completion of all work associated with the demolition.
 - (2) A <u>Compliance Certificate</u> shall be issued before the building is occupied/used certifying that all inspections were carried out and that all requirements were satisfactory at time of inspection.
- The concrete block walls constructed for retaining the various recycled materials shall be painted green.
- All asbestos cement sheeting, roofing and pipe lagging waste arising from demolition works shall be handled and disposed of strictly to Workcover requirements.
- The sorting and recycling building (shelter) exceeds the floor area and volume limitation (fire compartment size) provisions of Clause C2.2 of the Building Code of Australia (BCA) and parts of perimeter/external walls of the existing building do not have a fire resistance level required by the Building Code of Australia. In this regard the building must be designed to:
 - (a) comply with the Building Code of Australia with specific attention directed to maximum fire compartment size, fire-rating of existing and new external walls

- to comply with Specification C1.1 of the BCA for the required type of construction; or
- (b) meet the performance provisions of the BCA and an alternative solution complying with Clause A0.5 of the Building Code of Australia be prepared by a suitably qualified and accredited person and submitted to Council for consideration. Such details to comply with (a) or (b) above must be submitted to and accepted by Council <u>prior to the issue of the</u> <u>Construction Certificate.</u>
- 70 Materials and assemblies shall comply with Specification C1.10 of BCA96.
- 71 The external panels of the proposed shelter shall comply with Specification C1.11 of BCA 96 and details/certification being prepared by a practicing structural engineer shall be submitted and noted by Council <u>prior to the issue of the Construction</u> Certificate.
- Details of the machinery/equipment layout and proposed means of egress complying with Section D of BCA 96 are to be submitted and noted by Council <u>prior to the</u> issue of the Construction Certificate
- 73 The following fire services and equipment shall be provided throughout the buildings and details prepared by suitably qualified persons shall be submitted and noted by Council **prior to the issue of a Construction Certificate:**
 - (1) Fire hydrants.
 - (2) Fire hose reels.
 - (3) Portable fire extinguishers.
 - (4) Sprinkler System (occupancy of excessive hazard).
 - (5) Emergency lighting.
 - (6) Illuminated exit signs.
- Details of the proposed sanitary facilities complying with Section F of BCA 96 and to be provided to and approved by Council **prior to the isue of the Construction**Certificate.
- The proposed workshop shall comply with Type C construction in accordance with Table C2.2 of BCA 96 and Specification C1.1.
- A fire wall with an FRL 90/90/90 is to be built between the proposed workshop and existing office to ensure compliance with the fire compartment provisions of C2.2 of the Building Code of Australia.
- Any openings in the wall separating the proposed workshop and existing office are to be protected in accordance with C3.2 of BCA 96.
- At least 2 exits are to be provided in the workshop area and comply with exit travel distances as required by D1.4 of BCA 96.

Building Matters

The following conditions have been imposed to ensure specific aspects of the building are in accordance with Council policy and legislative requirements.

*Details of all external building materials (including colour and type) are to be submitted and approved by the Director, Planning Building & Environmental Services **prior to issue of the Construction Certificate**. Materials selected should be in harmony with surrounding residential properties and should provide

variety and interest within the overall development.

- All timbers shall be in accordance with the sizes detailed in the Standards
 Association of the Australian Timber Framing Code, Australian Standard 1684
 unless a structural engineer's (see Advice 5 at the end of this consent) certificate
 indicating the suitability of alternative dimensions is submitted.
- A Polythene or Visqueen waterproof membrane shall be laid beneath the concrete floor.
- Any existing grated stormwater drains to be covered by the proposed shelter extension or enclosed in the new workshop shall be converted to covered stormwater pits to prevent access of surface waters.
- Internal drainage in the workshop and the undercover storage and sorting areas shall be directed to the sewer under a Sydney Water Trade Waste Agreement.
- Specific details of the drainage to the wash down area in the new workshop shall be submitted to and approved by Council <u>prior to the issues of a Construction</u>

 Certificate.
- The floor surface in the workshop and the shelter extension shall be graded away from the open sky in order to minimise waste waters escaping the buildings.

Demolition

The following conditions have been imposed to control/regulate demolition associated with the proposal.

- 86 Demolition shall be carried out in accordance with Australian Standard 2601 1991.
- All demolition material shall be removed from the site within seven (7) days of demolition (unless otherwise stipulated in writing from Council) unless such material is to be re-used in the development on the site and shall be stored in a clear and tidy manner and not within the dripline of any tree.
- 88 Burning off of any demolition material is not permitted.
- 89 Adequate fire precautions shall be taken at all times to prevent the possibility of fire.
- 90 (1)All utility services shall be made safe prior to the commencement of demolition.
 - (2) The relevant supply authority/tradesman shall certify that such has been made safe prior to commencement of demolition.
- 91 The site shall be kept vermin free at all times.
- On-site stacking/storage of material shall be carried out at the rear of the property and not within the dripline of any tree.
- Where possible consideration shall be given to the recycling of any demolished material for re-use in the proposed building.
- Waste containers shall be stored wholly within the property and not on the public footpath, place or road.

- *The demolition of the building shall be carried out by a licensed demolition contractor. A copy of the licence shall be submitted to the Principal Certifying Authority **prior to any work commencing on site.**
- *Details demonstrating that excavated and demolished materials will be disposed of at an approved site, as required by Department of Planning Circular D13, shall be submitted **prior to any work commencing on site.**

Disabled Access

The following conditions have been imposed to ensure that the development provides for adequate access and facilities for persons with disabilities

97 Access to the building for persons with disabilities shall be in accordance with the requirements of the Building Code of Australia Part D3 - "Access for People with Disabilities" AS1428.1 and Disability Discrimination Act.

General

The following conditions have been imposed to ensure there is minimal impact during construction and that specific Council requirements are met.

- 98 *(1) The surrender by the owner of the land of:
 - (a) the consent to DA95/129 dated 26.6.96 use part of the premises for the purpose of a building materials recycling centre.
 - (b) DA9899/19 dated 22.9.98 continue the use of the premises as a building recycling centre and to extend the existing building located at the rear of the site.

such surrender shall be in accordance with Form 3 of Schedule 5 of the Environmental Planning and Assessment Regulation, 1994.

(2) Such surrender shall be executed <u>prior to issue of the Construction Certificate</u> and a copy forwarded to Council for its records.

REVIEW OF DETERMINATION

Section 82A of the Act allows the applicant/owner

to request Council to review the determination of the application. Any such request must be made within twenty-eight (28) days of the determination and be accompanied by the required fee.

RIGHT OF APPEAL

If you are dissatisfied with this decision, section

97 of the Environmental Planning and Assessment Act, 1979, gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

WARNING

NO CONSTRUCTION WORK CAN COMMENCE UNTIL YOU HAVE OBTAINED A CONSTRUCTION CERTIFICATE

ADVICE

The following matters are included as advice as relative to this application.

- 1. (a) Section 95A of the Act provides that the applicant or any other person entitled to act on the consent may apply to the Council, before the consent lapses, for a 1 year extension.
 - (b) The consent will lapse unless the use or building, engineering or construction work related to the building is physically commenced on the land prior to the consent lapse date shown on page 1 of this consent.
- 2. In accordance with the Tree Preservation Order applying to the Strathfield Council area, any tree having a height greater than 4.0 metres or a girth greater than 0.5 metres measured at a point 1.0 metres above ground level, is not to be ringbarked, cut down, lopped, injured or wilfully destroyed excepting with the written consent of the Council.
- 3. Section 125 of the Act provides that any person who contravenes or causes or permits to be contravened the conditions of this consent or the Tree Preservation Order shall be guilty of an offence.
- 4. Section 126 of the Act provides that a person guilty of an offence against this Act shall, for every such offence, be liable to the penalty expressly imposed and if no penalty is so imposed to a penalty not exceeding \$110,000 and to a further daily penalty not exceeding \$11,000.
- 5. The contributions required under s94 of the Act are set out in the Section 94 Contributions Plan which can be viewed at Council Chambers, 65 Homebush Road, Strathfield during normal business hours.
- 6. Council has resolved that any details submitted from structural engineers "satisfactory to Council" will be accepted for building work within the Council area. A register of engineers "satisfactory to Council" is kept by Council and information whether a particular structural engineer is on the list may be obtained by telephoning 9748-9911 during business hours. A structural engineer who wishes to be registered with Council should provide the following information:
 - (a) qualifications;
 - (b) field of expertise including experience in this general area of Sydney;
 - (c) nominated insurers for professional indemnity. Note: It is considered that at least \$1million cover is suitable for Council for domestic work. A copy of the insurance certificate or details of the policy should be provided.
- 7. An application for a Construction Certificate complying with the Building Code of Australia and the Environmental Planning & Assessment Act for the proposed works, shall be submitted to and approved by the Principal Certifying Authority **prior to any commencement of building work associated with this consent.**

- 8. Your attention is directed to the operation of the Commonwealth Disability Discrimination Act 1992, which may impose greater obligations on providing access to disabled persons other than compliance with the Building Code of Australia. You are advised to seek advice from the Human Rights and Equal Opportunity Commission on (02) 9284-9600 or 1800-021199 in respect of the matter subject of this consent.
- 9. APPROVED INSURERS for Residential Building work under the Home Building Act 1989:

Home Owners Warranty, a division of HIA Insurance Services Pty Ltd, underwritten by a panel of approved insurers managed by the lead insurer, Royal and Sun Alliance Insurance Australia Limited.

- * job-specific policies
- * cover for builders and tradespeople
- * cover for owner-builders

Contact number. 1300-363077 PO Box 3077

Parramatta NSW 2124

FAI General Insurance Company Limited, Master Home Warranty

- * job specific, Annual Blanket Extra and Annual Blanket policies ·
- cover for builders and tradespeople

To purchase Master Home Warranty by credit card contact 1800-1500.888 For your nearest Master Home Warranty Outlet contact 13 1000 333 Kent Street

Sydney 1026

MasterCover, available through Jardine Australian Insurance Brokers Pty Ltd and the Master Builders Association (MBA). Bovill Risk & Insurance Consultants P/L (BRIC) also provides residential building work insurance. Both underwritten by HIH Casualty and General Insurance Ltd.

- * job-specific, Annual-blanket job-specific, and Annual claims-made policies
- * cover for builders and tradespeople

Contact number: 1800-810856

Contact number for BRIC (03)9859.7933 Contact for claims gueries

Jardines: LB, 66 Clarence St, Sydney 2000 BRIC: PO Box 428 East Kew Victoria 3102

HIH: 50 Bridge St, Sydney

Owner Builder Insurance Services P/L, underwritten by Mercantile Mutual Insurance (Australia) Limited.

* cover for owner-builders only

Contact number: 1300.:.655400 PO Box 77W Parramatta Westfield; or Level 2, 20-24 Wentworth St Parramatta 2150

Zurich Australian Insurance Limited

- * job-specific certificates when used together with tradesperson's Liability policies
- * cover for licensed tradespeople only (not licensed builders involved in home construction or major renovations)

Contact number: 1800-650517 5 Blue Street

North Sydney 2060

10. **BEFORE YOU DIG**, applicants should telephone or fax Sydney One Call Service

(SOCS) to ascertain which utility services are underground in the proposed excavation area. Enquiries wilt be assisted by providing details of:

- * street number and street name
- * which side of street
- distance from nearest cross street

Confirmation of enquiries will be faxed by SOCS to applicants and to the individual utilities - Phone: (02) 98.06-0800 Fax: (02) 9806-0777,

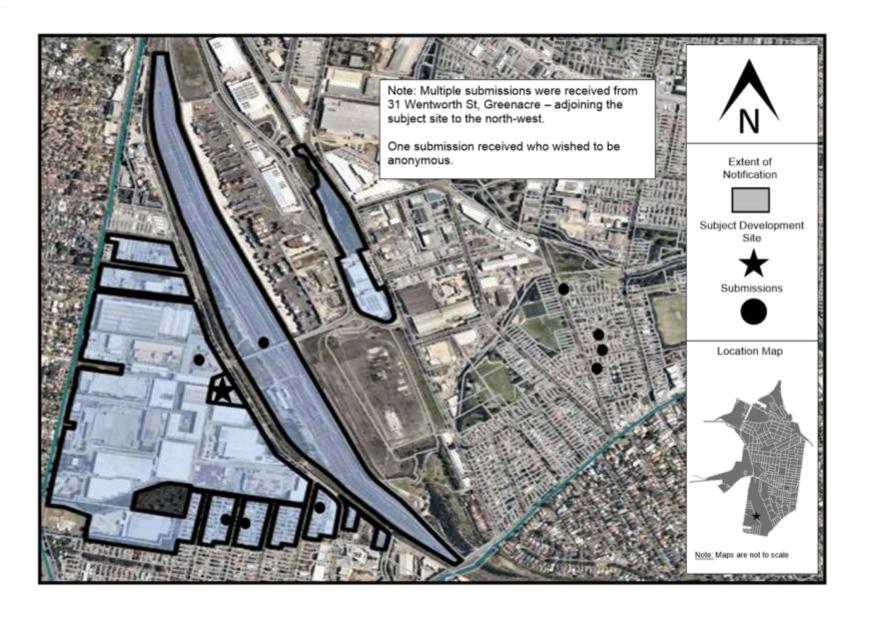
cc Ollan Holdings P/L 35 Wentworth Street, Greenacre 2190

ATTACHMENTS

1. Site Map

DA2000.341.2 35 Wentworth St Greenacre

Item 1 - Attachment 1 Page 45



Item 1 - Attachment 1 Page 46



TO: Strathfield Local Planning Panel Meeting - 3 February 2022

REPORT: SLPP – Report No. 2

SUBJECT: DA2021.229- 15 & 17 ALBERT ROAD STRATHFIELD- LOT E & D IN DP 449775

DA NO. 2021.229

SLPP REPORT

	15-17 Albert Road, Strathfield	
Property:	Lot E DP 449775 / Lot D DP 449775	
	DA 2021/229	
	Demolition of existing structures and construction of a	
	five-storey new age boarding house containing 54	
Proposal:	boarding rooms including a manager's room,	
	communal rooms, basement car parking and related	
	landscaping.	
Applicant:	Caygisval Pty Ltd	
Owner:	W P So / H J So	
Date of lodgement:	3 September 2021	
Notification period:	9 September 2021 to 30 September 2021	
Submissions received:	Nine	
Assessment officer:	P Santos	
Estimated cost of works:	\$4,584,008.00	
Zoning:	R3-Medium Density Residential - SLEP 2012	
Heritage:	No	
Flood affected:	Yes	
Is a Clause 4.6 Variation Proposed:	Yes – Building Height	
RECOMMENDATION OF OFFICER:	REFUSAL	



Figure 1. Aerial imagery of the subject site (outlined) and the immediate locality.

EXECUTIVE SUMMARY

Proposal

Development consent is being sought for the demolition of existing structures and construction of a five-storey new age boarding house containing 54 boarding rooms including a manager's room, communal rooms, basement car parking and related landscaping.

Site and Locality

The subject site is comprised of two lots legally described as Lot E DP 449775 and Lot D D 449775 and commonly known as 15 and 17 Albert Road, Strathfield, respectively. The combined lots form a corner site located on the northern side of Albert Road and west of Elva Street.

The site is irregular in shape and has a primary frontage width of 15.27m (Albert Road) and a secondary frontage width of 44.59m (Elva Street), with a total area of 915m².

The current streetscape along Albert Road and Elva Street is predominantly characterised by fourstorey building developments with a small number (seven lots) of single-storey dwelling houses in the immediate vicinity of the site.

Strathfield Local Environmental Plan

The site is zoned R3-Medium Density Residential under the provisions of Strathfield LEP 2012 and the proposal is a permissible form of development with Council's consent. The proposal does not satisfy Clause 4.3 Height of Buildings development standard in which it seeks to contravene the allowable maximum height of 14m by 1.76m (12.6% variation).

Development Control Plan

The proposed development does not satisfy the provisions of the Strathfield Consolidated DCP 2005. This is discussed in more detail in the body of the report.

Notification

The application was notified in accordance with Council's Community Participation Plan from 9 September 2021 to 30 September 2021, where nine submissions were received raising the following concerns:

- Demolition of the federation houses,
- Unit size, parking spaces and waste collection,
- The permissibility of the boarding house, its use and COVID-19.

Issues

- Height, streetscape, bulk and scale, and visual privacy,
- Negative interface between the site and the public domain,
- · Landscaping and vegetation retention,
- Insufficient parking space and excessive excavation.

Conclusion

Having regards to the heads of consideration under Section 4.15 of the *Environmental Planning & Assessment Act 1979*, development application 2021/229 is recommended for refusal subject to the attached reasons of refusal.

REPORT IN FULL

Proposal

Council has received an application seeking development consent for the demolition of existing structures and construction of a five-storey new age boarding house containing 54 boarding rooms including a manager's room, communal rooms, basement car parking and related landscaping. More specifically, the proposal includes;

Basement Levels 1 and 2:

- 27 car parking spaces (including two accessible parking spaces),
- 11 motorcycle parking spaces,
- 11 bicycle parking spaces, and
- Services, bin and bulky storage rooms.

Ground floor level:

• 11 double boarding rooms (including manager's room), 10 of which have an attached terrace.

Levels 1 to 3:

 12 double boarding rooms including one accessible room and seven of the rooms having an attached balcony.

Level 4:

- Seven double boarding rooms, four with attached balcony,
- Two separate communal rooms, both with attached communal open space (balcony).

External Works

- Ancillary landscaping, and
- · Basement ramp with driveway crest.

Note that on the ground level, there are three entry points off Elva Street and none off Albert Road. Two of the entries service the ground floor units only and the middle entry services the upper levels.



Figure 2. Extract of the conceptual design of the proposed development.

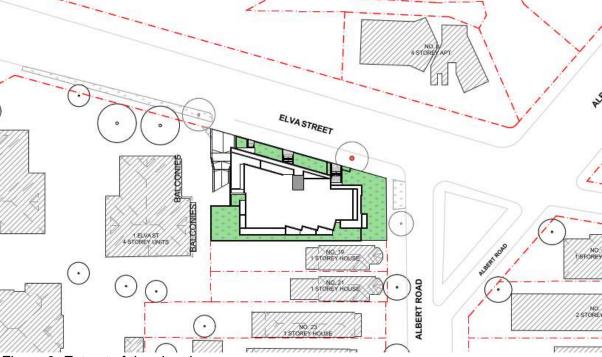


Figure 3. Extract of the site plan.



Figure 4. Extract of the eastern elevation (Elva Street).

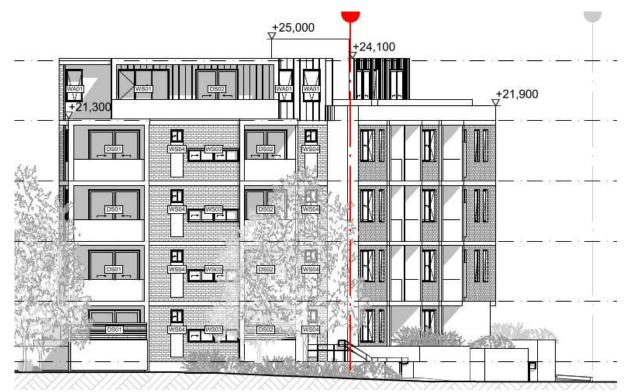


Figure 5. Extract of the southern elevation (Albert Road).



Figure 6. Extract of the western elevation.

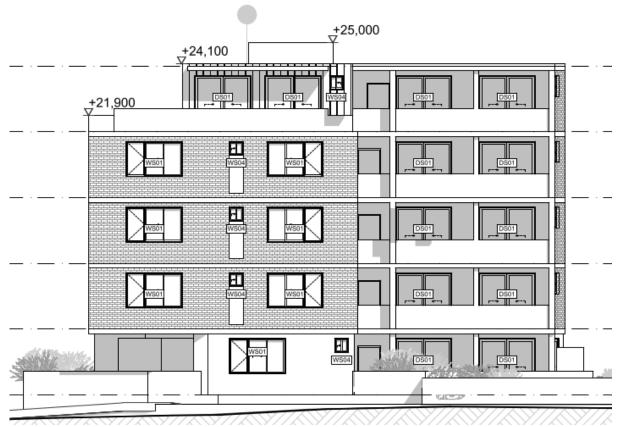


Figure 7. Extract of the northern elevation.

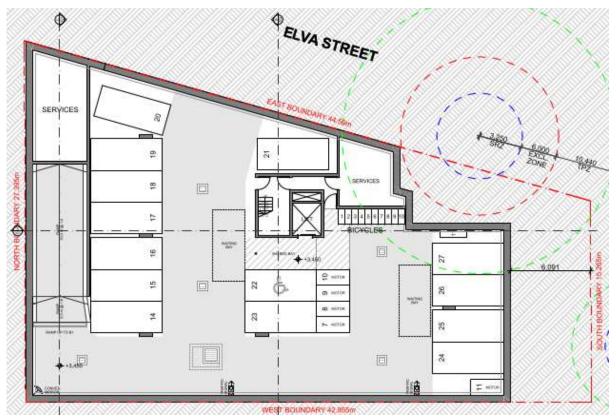


Figure 8. Extract of basement 2 floor plan.

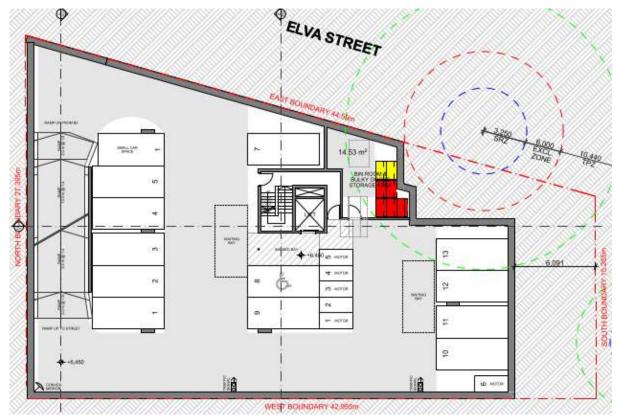


Figure 9. Extract of basement 1 floor plan.



Figure 10. Extract of the ground floor plan.



Figure 11. Extract of level 1 floor plan.



Figure 12. Extract of level 2 floor plan.



Figure 13. Extract of level 3 floor plan.



Figure 14. Extract of level 4 floor plan.

Background

3 September 2021	The development application was lodged.
9 September 2021	The application was put on public notification until 30 September 2021, where nine submissions were received. These submissions are discussed in detail in the submissions section of this report.
18 October 2021	A Class 1 Appeal (2021/295707) was filed before the NSW Land and Environment Court against Council's deemed refusal of the application.
11 November 2021	Council's Planner carried out a site visit.
17 November 2021	The application was considered by Council's Design Review Panel, with minutes from the meeting issued on 7 December 2021.

The Site and Locality

The subject site is comprised of two lots legally described as Lot E DP 449775 and Lot D D 449775 and commonly known as 15 and 17 Albert Road, Strathfield, respectively. The combined lots form a corner site located on the northern side of Albert Road and west of Elva Street.

The site is irregular in shape and has a primary frontage width of 15.27m (Albert Road) and a secondary frontage width of 44.59m (Elva Street), with a total area of 915m². The site is relatively flat with a negligible fall to the north-east.

The site is currently occupied by two single-storey dwelling houses with ancillary structures at the rear. The houses both have Federation style designs, however, neither are heritage-listed nor within a heritage conservation area.

The lot, 15 Albert Road, has vehicular access off the secondary street – Elva Street, and 17 Albert Road has a vehicular access off Albert Road.

The current streetscape along Albert Road and Elva Street is predominantly characterised by fourstorey buildings with a small number (seven lots) of single-storey dwelling houses located towards the intersection with Elva Street, including the subject site.

Elva Street is predominantly characterised by multi-storey buildings. The western side of Elva Street is comprised of four-storey buildings while the eastern side, closer to the town centre, has four to five-storey buildings. Most recent development is a five-storey building across the road from the subject site.



Figure 15. Aerial imagery of the subject site (outlined) and the immediate locality.



Figure 16. Primary frontage of the subject site along Albert Rd. Red line denotes the boundaries of the site.



Figure 17. Primary frontage of the subject site showing the immediate neighbouring single-storey dwellings. Red line denotes the boundaries of the site.



Figure 18. Western side of Elva Street with the secondary frontage of the subject site marked by the red line (green gate shows the vehicular access of 15 Albert Rd). Shown in the background is one of the three four-storey buildings behind the subject site.



Figure 19. Immediate neighbouring properties to the west of the site, along Albert Road. 21 Albert Rd is at the right-most point of the image.



Figure 20. Four-storey aged care facility south of site, across Albert Road.



Figure 21. Four-storey residential flat building - 29-31 Albert Rd.



Figure 22. Three to four-storey residential flat building – 33-39 Albert Rd.



Figure 23. Western elevation of the residential flat building at 33-39 Albert Rd.



Figure 24. Outlook from the subject site to Strathfield Town Centre via Elva St/Albert Rd.



Figure 25. Five-storey development across Elva Street from the subject site.

Referrals

INTERNAL

Tree Management

The application involves the removal of trees and an Arboricultural Impact Statement prepared by NSW Trees, dated 27 August 2021, was submitted with the development application package.

The application was referred to Council's Tree Management Coordinator who required further information to properly assess the development's potential impact to the trees on the site.

Due to the lodged Class 1 Appeal and the application being recommended for refusal, no additional information was requested from the applicant.

Stormwater & Drainage Management

The application was referred to Council's Development Engineer who offered no objection to the proposed development.

Waste

The application was referred to Council's Environmental Projects Officer – Waste, who provided the following comments below.

"The biggest issue here is that they are saying that they'll have a kerbside collection, which does not comply with both Council standard conditions..."

"...boarding houses must provide onsite underground or at-grade collection of waste, and that waste servicing and collection arrangements should be clearly depicted and annotated on architectural drawings, which should indicate adequate turning circles to allow collection vehicles to enter and exit the site in a forward direction."

Due to the lodged Class 1 Appeal and the application being recommended for refusal, no additional information was requested from the applicant. The proposal is non-compliant with a number of waste management standards and requirements.

Environmental Health

The application was referred to Council's Environmental Health Officers who raised concerns that the application does not have a detailed site investigation and was not accompanied by a remedial action plan. A special condition of consent was provided; however, given that Council's contamination map does not identify the site to have been contaminated, a detailed site investigation or a remedial action plan is not necessary.

There has been no acoustic assessment undertaken for the application to date. Nevertheless, due to the Class 1 appeal lodged by the applicant, the application has been determined without the acoustic assessment comments.

Traffic

The application was referred to Council's Traffic Manager, who provided the following comments:

"The parking provision is considered satisfactory."

"It is noted that the proposed driveway is subject to the clearance requirement from an existing street tree."

"The current parking layout only permits access for passenger vehicles and light vans. Further advice is required on the waste collection arrangement to ensure the suitability of the parking layout."

"Council DCP Part C Clause 2.9 requires a designated car washing bay for residential development of 10 or more dwellings. The development however proposes one shared wash bay/visitor parking space in Basement 2. This does not conform to the DCP requirement."

To resolve the issues raised by Council's Traffic Manager, a list of conditions have been recommended. However, the proposal is recommended for refusal and as such, no conditions will be imposed

EXTERNAL

Design Review Panel

The application was referred to the Design Review Panel for consideration at their meeting on 17 November 2021. The panel has provided the following comments:

"The Panel considers that the proposal presents **significant bulk and scale**, that the design approach taken is **inconsistent with the local character** and if built would result in **poor amenity** for residents, impact on neighbours and be **incompatible with its context**."

"The Panel does therefore not support the proposal in its current form."

"...the Panel considers the proposal to not provide acceptable residential amenity and contextual compatibility."

"In this case the applicant's ambition to maximise the ARHSEPP bonus FSR available for boarding houses in an R3 zone results in a proposal that presents significant bulk and scale that is incompatible with the built for form and landscape context of surrounding development."

"The Panel notes that the larger scale developments in the vicinity, including the older RFB's, are characterised by having landscaping along boundaries; in contrast, the proposal provides minimal landscaping, over a raised planter of indeterminate depth along the north and western side boundaries."

"The two level basement extends to the side boundaries, the rear boundary and to the Elva Street Boundary, to accommodate the required parking and in doing so precludes any deep soil provision within the side, rear and front setback."

"The Panel recommends that the vehicle ramp is relocated to under the building and the basement moved away from the rear and side boundaries to facilitate deep soil. A smaller basement footprint may result in an on-site parking shortfall which would further indicate that the site is unable to provide the proposed density and a reduction in yield may be required in order to provide an acceptable outcome in terms of amenity and to create the possibility for an acceptable landscape setting for the building and its context."

"The Panel is not supportive of the number of windows orientated towards the adjoining property to the west."

"The Panel further notes that the **communal kitchen/lounge is undersized relative to the number of boarders** and considers that the provision of one larger and more useable space would improve amenity rather than two small rooms proposed."

"...the location of the core on the eastern side of the building with the resulting concentration of units facing 19 Albert St, is not supported.

"The presentation and interface with the street would improve by relocating the retaining walls away from the street boundaries with landscaping provided in front of the retaining walls at street/footpath level."

"The proposal exceeds the building height. The maximum building height for the site is 14m which is designed to comfortably fit a four storey building, with ADG compliant ceiling heights, (not a 5 level building as proposed here)."

"The cross section reveal that there is not enough of a tolerance allowed for the roof slab, which need to include, insulation falls and upturns for water and drainage, adequate slab thickness and so on."

"The sections show thin slabs which in reality would need to be thicker in order to fit all services. This would likely result in a further building height non-compliant."

"The Panel is not convinced that the proposed building height exceedance is appropriate in this instance as it will generate additional overshadowing and bulk impacts further diminishing it's contextual fit with the neighbourhood."

Due to the Class 1 Appeal and the application being recommended for refusal, the above concerns were not relayed to the applicant for comment.

Ausgrid

The application was referred to Ausgrid pursuant to Clause 45(2) of the Infrastructure SEPP. Ausgrid has offered no objection to the proposed development subject to imposition of special conditions.

Section 4.15 Assessment - EP&A Act 1979

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

(1) Matters for consideration – general

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

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

State Environmental Planning Policies

Compliance with the relevant state environmental planning policies is detailed below:

STATE ENVIRONMENTAL PLANNING POLICY	COMPLIES
Sydney Regional Environmental Plan (Sydney harbour Catchment) 2005	Yes
State Environmental Planning Policy (Building Sustainability Index BASIX) 2004	Yes
State Environmental Planning Policy No 55 - Remediation of Land	Yes
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	Yes

State Environmental Planning Policy (Infrastructure) 2007	Yes
State Environmental Planning Policy (Housing) 2021	N/A
State Environmental Planning Policy (Affordable rental Housing) 2009	Yes

i) SYDNEY REGIONAL ENVIRONMENTAL PLAN (SYDNEY HARBOUR CATCHMENT) 2005

ii) All stormwater from the proposed development can be treated in accordance with Council's Stormwater Management Code and would satisfy the relevant planning principles of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

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

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

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

The objectives outlined within SEPP55 are considered to be satisfied.

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

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

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

The proposal was referred to Council's Tree Management Officer who required further information to be provided. However, due to the Class 1 appeal lodged by the applicant, a request for additional information from the applicant was considered unnecessary.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

Pursuant to Clause 45(2) of the SEPP, the application was referred to Ausgrid. Ausgrid offered no objection to the proposal subject to the imposition of special conditions, should the application be supported.

STATE ENVIRONMENTAL PLANNING POLICY (HOUSING) 2021

Schedule 7 of the SEPP stipulates that the former provisions of a repealed instrument (State Environmental Planning Policy (Affordable Rental Housing) 2009) continue to apply to a development application made, but not yet determined, on or before the commencement date of the Housing SEPP.

STATE ENVIRONMENTAL PLANNING POLICY (AFFORDABLE RENTAL HOUSING) 2009

The State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARH SEPP) was introduced in 2009 to help increase the amount and diversity of affordable housing in NSW. This includes in-fill affordable housing, secondary dwellings and boarding houses. Part 2, Division 3 of

the ARH SEPP contains certain provisions for boarding houses. The proposed boarding house is assessed against Part 2, Division 3 and is presented in the table below.

Standards	Proposed	Assessment/Compliance	
29 Standards that cannot be used to refuse consent			
(1)(c)(i) not more than the existing max. FSR for any form of residential accommodation permitted on the land, plus 0.5:1 Total = 1.95:1 (1,784.25m ²)	1.86:1 (1,705.8m²)	Yes Discussed below	
(2)(a) building height	15.76m – lift overrun	No	
Max - 14m	15.06m — top of lvl 4 boarding house rooms	No Discussed below	
(2)(b) landscaped area Landscape treatment of the front setback area is compatible with the streetscape in which the building is located	Elva St frontage – dominated by 1.6m to 2m retaining wall	No Discussed below	
(2)(c) solar access At least one of the communal living rooms receives a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter	Communal rooms on IvI 4 will receive at least 3 hrs direct sunlight	Yes	
(2)(d) private open space			
(i) one area of at least 20m² with a minimum dimension of 3m for the use of the lodgers, (ii) one area of at least 8m² with a min. dimension of 2.5m is provided adjacent to the accommodation provided for an on-site manager	(i) >20m² POS (Lvl 4) (ii) >8m² POS (Grd lvl)	Yes	
(2)(e) parking			
(iia) at least 0.5 parking spaces for each boarding room, and (iii) not more than 1 parking	27 car parking spaces, including 1 for small car	No Discussed below	

	T	
space for each person employed in connection with the development and who is resident on-site		
(2)(f) accommodation size		
Each boarding room has a GFA (excl. private kitchen or bathroom facilities) of at least	Each room has at least 16m ² GFA (excl. private kitchen or bathroom)	Yes
 (i) 12m² for single lodger boarding room (ii) 16m² in any other case 		
30 Standards for boarding h	nouses	
(1)(a) at least 1 communal living room if a boarding house has 5 or more boarding rooms	Two communal living rooms	Yes
(1)(b) no boarding room will have a GFA (excl. private kitchen or bathroom facilities) of more than 25m ²	All boarding rooms are no more than 25m² in GFA and will accommodate no more than 2 lodgers.	Yes
(1)(c) no boarding room will be occupied by more than 2 adult lodgers		
(1)(d) adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger	Each room will have a kitchenette and a bathroom. Common kitchenette and bathroom are in the communal lounge.	Yes
(1)(e) a boarding room or on-site dwelling is provided for a manager if the boarding house can accommodate 20 or more lodgers	Provided on ground level	Yes
(1)(h) at least 1 parking space will be provided for a bicycle and 1 for a motorcycle for every 5 boarding rooms	Bicycle spaces = 11 Motorcycle = 11	Yes Yes
30A Character of local area		
A consent authority must not consent to development to which this Division applies unless it has taken into		No Discussed below

consideration whether the	
design of the development	
is compatible with the	
character of the local area.	

Character of the Local Area

Clause 30A of the ARH SEPP stipulates that:

"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."

The immediate vicinity is characterised by open front fencing with at-grade landscaping and deepsoil surrounding the buildings. The proposal's elevation on to Elva Street (secondary frontage) presents defensive blank retaining walls that are on the boundary with a height that will reach up to 2m. This does not conform to the landscaped frontages context of the area.

Landscaped Area

Clause 29(2)(b) of the SEPP stipulates that a consent authority must not refuse a development "if the landscape treatment of the front setback area is compatible with the streetscape in which the building is located".

The proposal, in particular the Elva Street frontage, is not compatible with the development along the street. The proposed development involves retaining walls with a height of 1m to 2m, presenting a harsh treatment to the public domain. This is not in-keeping with the existing character of developments along Elva Street which has at-grade landscaped treatment within the area immediately next to the road. As such, the proposal is unacceptable in this regard.

Floor Space Ratio

The submitted plans show an incorrect FSR calculation of 1.83:1 (1,672.92m²). The calculated GFA does not take into account the internal walls and the area in front of the lift on all levels. Council's calculation of the proposed FSR is 1.86:1 (1,705.8m²). While this is still acceptable and below the maximum permitted on the site, accepting the submitted calculation would set precedent on how the development's GFA is calculated in any succeeding application, if there will be any.



Figure 26. Extract of the GFA calculation diagrams – ground floor.

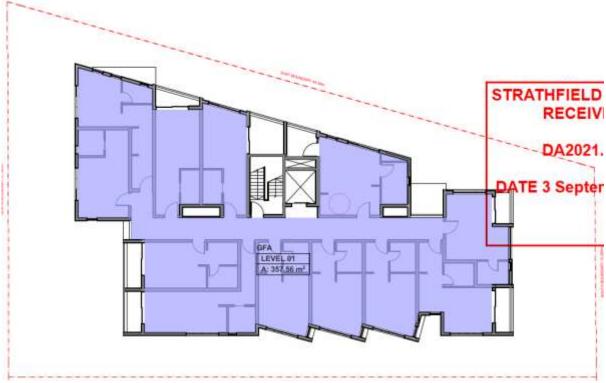


Figure 27. Extract of the GFA calculation diagrams – levels 1-3.

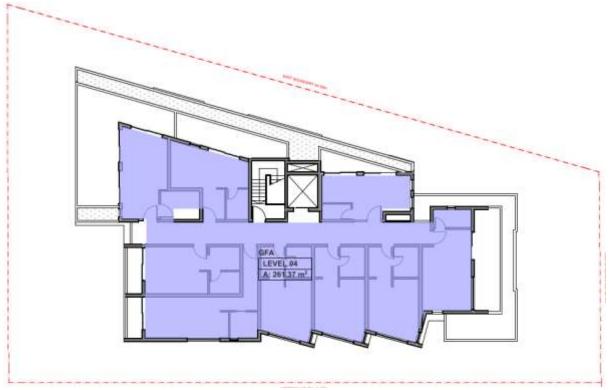


Figure 28. Extract of the GFA calculation diagrams – level 4.

Building Height

Council, pursuant to Clause 29(2)(a), has to consider whether "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". The proposal includes a non-compliant height of 15.76m to the top of the lift overrun and 15.06m to the top of the upper-most level rooms. Both of which do not satisfy the maximum 14m permitted height on the site in accordance with the SLEP 2012.

A Clause 4.6 variation statement was submitted with the application requesting to contravene the development standard. This is discussed in more detail under the SLEP 2012 assessment section of this report.

Parking

The SEPP requires, under Clause 29(2)(e), the development to have 26.5 (27) parking spaces for occupants and 1 space for the manager – a total of 28 vehicular parking spaces. The proposal includes 27 parking spaces, including the manager's car space, resulting in a shortfall of one parking space. The non-compliance is not acceptable and adequate parking spaces are required.

Strathfield Local Environmental Plan

The development site is subject to the Strathfield Local Environmental Plan 2012 and is not consistent with the aims of this plan.

Part 2 – Permitted or Prohibited Development

Clause 2.1 – Land Use Zones

The subject site is zoned R3-Medium Density Residential and the proposal is a permissible form of development with Council's consent and is considered that the development does not meet the objectives of the zone.

Part 4 - Principal Development Standards

Applicable SLEP 2012 Clause	Development Standards	Development Proposal	Compliance/ Comment
4.3 Height of Buildings	14m	15.76m – lift overrun 15.06m – top of level 4 boarding	No No
		house rooms	Discussed below
4.4 Floor Space Ratio	1.95:1 (1,784.25m ²)	1.86:1 (1,705.8m²)	Yes Discussed under the SEPP ARH assessment above

Building Height

As previously discussed, the proposal does not satisfy the building height requirement of the SLEP 2012, which was referenced in the SEPP ARH. The applicant sought to contravene the non-compliance under Clause 4.6 of the SLEP 2012.

Clause 4.6 Variations

Under Clause 4.6 of the SLEP 2012, the consent authority may consider a variation, where that variation would achieve a better outcome.

As demonstrated in the table above, the proposed development fails to comply with the maximum building height development standard permitted under Clause 4.3 of the SLEP 2012. The proposal seeks to exceed the maximum height permitted by 1.06m (level 4 roof) to 1.76m (lift overrun) – up to 12.6% variation. Despite the numerical non-compliance, it is important the highlight the comments from the Design Review Panel that the proposed design shows thin slabs, including roof slab, which would mean that in construction, there is a high chance that the height of the building would need to be further raised, resulting in further height non-compliance.

Clause 4.6(3) of the SLEP 2012 states the following:

"Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and
- (b) that there are sufficient environmental planning grounds to justify contravening the development standard."

The applicant has provided a written request that seeks to justify the proposed contravention of the building height development standard on the following grounds:

- "...that compliance with the Height of Buildings standard is unreasonable or unnecessary in the circumstances because the objectives of the standard are achieved notwithstanding the non-compliance"
- "...that the proposal will provide for a built form which contextually has a height of building which is consistent with a number of recently constructed buildings located within the vicinity of the site. It is noted that there are a number of 5 storey buildings located nearby."
- "It is not considered that the proposal will detrimentally impact upon the ability for the consolidation of the adjoining properties in order for them to support development having regard to optimum sustainable capacity height."
- "It is considered that the proposal provides for a diversity of small and large development options."

(a)

• The non-compliance with the Height of Buildings development standard is considered to be a direct result of site constraints resulting from the potential for flooding on the site and the need to comply with a minimum flood level (floor level).

(b)

• "The proposal will present as a building which has a comparable building height to a number of recently constructed boarding houses located in the vicinity of the site."

Clause 4.6(4) of the SLEP 2012 states the following:

"Development consent must not be granted for a development that contravenes a development standard unless:

- (a) the consent authority is satisfied that:
- (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3)

The applicant's written request to justify the contravention of the building height standard does not adequately address the matters required to be demonstrated in subclause 4.6(3), specifically, that compliance with the standard is unnecessary or unreasonable in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard. The written request is not considered to provide sufficient substantive information on the environmental planning grounds relating to streetscape, bulk, scale and form.

To address the requirement under Clause 4.6(3)(a) of the SLEP 2012, or the standard instrument, the variation statement relied upon one of the tests in *Wehbe v Pittwater Council [2007] NSW LEC 827 – "the objectives of the development standard are achieved notwithstanding non-compliance with the standard"*. Note that the proposal does not satisfy the objectives of the development standard sought to be contravened by the proposed boarding house, in emphasis, the following:

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

"to achieve a diversity of small and large development options"

The statement provided identified that there are 5-storey developments nearby and that the proposal will be consistent with this built-form. It is emphasised that the building height layer map in Figure 29 shows that the block which comprises the subject site has a height limit of 14m. Most, if not all, of the developments within the same block of the site are four-storey buildings. The most

recently constructed development at 8-10 Elva Street is a five-storey building, across the road from the subject site, which considerately responds to the 16m height limit of that site.

Further to the above, Council is of the opinion that diversity of small and large developments is achievable by complying with the varied height requirements and not by allowing contravention of the development standard at will and without adequate planning justification. Permitting the proposed non-compliant height would be an undesirable precedent in particular to the block of properties that encompasses the site – from Elva Street to Duke Street.

Taking the above into consideration, it is considered that the proposal does not satisfy the requirements of Clause 4.6(3)(a) of the SLEP 2012.



Figure 29. Height of Buildings map of the SLEP 2012 showing the subject site (outlined in yellow) and 8-10 Elva St (red circle).

The provided variation statement highlighted the issue of flooding as a reason as to why the height is being contravened by the proposal. It is noted that the submitted flood impact assessment has nominated the floor levels to be RL 10.0, which is the level shown on the architectural plans for the ground floor units.

The provided reasoning is not acceptable as an adequate planning justification as the contravention is not caused by the flood level but is caused by the excessive number of levels proposed. Immediately adjoining properties having the same height limit as the subject site and have 4-storey developments, at most. The proposal has five storeys and reduced slabs which would potentially further exacerbate the height non-compliance during construction.

Reducing the number of levels in the proposed development would result to a compliant building height. Notwithstanding the other issues that this will address – parking spaces compliance, reduced basement size and better communal open space, etc. As such, it is considered that Clause 4.6(3)(b) is not adequately addressed.

As previously discussed, the provided variation statement does not sufficiently address how the proposal satisfies the objectives of the development standard. As such, the proposed development

is not considered to be in the public interest (Clause 4.6(4)(ii)). For completeness, the proposed development does not satisfy an objective of the zone – "to enable other land uses that provide facilities or services to meet the day to day needs of residents". The proposed facilities of the building (i.e. communal living area and open spaces) to be used by the occupants are, as echoed by the comments of the Design Review Panel members, not sufficient relative to the number of boarders.

Pursuant to Clause 4.6(4)(b), Council may assume the concurrence of the Planning Secretary under the Planning Circular PS 18-003 issued 21 February 2018.

In conclusion, the applicant's written request to justify the contravention of the heights of building development standard is considered to be inadequate in that the applicant has unsatisfactorily demonstrated that compliance with the standard is unnecessary or unreasonable in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

Part 5 - Miscellaneous Provisions

Flood Planning

The subject site has been identified as being at or below the flood planning level. The application has been reviewed by Council's Engineer who has advised that subject to suitable conditions, the development is considered compatible with the flood hazard of the land. The proposed development is considered to satisfy the objectives of this clause.

Part 6 - Additional Local Provisions

Acid Sulfate Soils

The subject site is identified as having Class 5 Acid Sulfate Soils but is not located within 500m of a Class 1, 2 3 or 4 soils. Therefore, development consent under the provisions of this section is not required.

Earthworks

The proposal involves significant excavation works for the provision of a basement, driveway ramps and ancillary works. The amount of excavation puts to risk the stability of the site, having a basement that is pushed to the three boundaries, and is likely to have a negative environmental impact to the site and the adjoining properties.

With the yield-driven design of the boarding house, even with the extended basement, there is still insufficient parking spaces for the occupants. As echoed by the comments of the Design Review Panel, there is an opportunity to limit the amount of excavation and simultaneously provide real deep-soil landscaping, by moving the driveway underneath the building. Further, there is the potential to reduce the number of parking spaces, consequently reducing the basement size by eliminating the top-most level units.

Essential Services

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

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

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

STATE ENVIRONMENTAL PLANNING POLICY (DESIGN AND PLACE) 2021

It is acknowledged that the draft SEPP is currently in public exhibition but not yet notified to any consent authorities. As such, it is not a mandatory matter of consideration under Section 4.15 of the EP&A Act.

(iii) any development control plan,

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

Public Domain

The SCDCP 2005 requires developments to provide passive surveillance to the public domain and where appropriate, ground floor areas abutting public spaces should be occupied by uses that create active building frontages and contribute to the life of the street and other public spaces. Further the DCP prohibits continuous lengths of blank walls and fences at the public domain interface.

The proposed development's two frontages – Albert Road and Elva Street, incorporate harsh interfaces due to the high retaining walls and do not encourage at-grade connection between the site and the public domain.



Figure 30. Extract of the southern elevation – facing Albert Rd.



Figure 31. Extract of the eastern elevation – facing Elva Street.

Streetscape, Siting, Building Envelope, Massing and Scale

The proposed design presents a harsh presentation to both street frontages and is considered unattractive for a corner block. Existing developments within the vicinity of the site presents atgrade landscaping at boundaries with buildings adequately setback from the street. Further, fences are open in built-form showcasing landscaping front yards and communal open spaces of nearby developments.

The proposal is considered to be excessively bulky and its scale is not appropriate to its location. This is due to the yield-driven design exceeding the permitted maximum height allowed and extending the basement to boundaries restricting the site's capability to have adequate deep-soil landscaping. As a result, 1m to 2m high retaining walls for planter boxes are proposed to be on the secondary street boundary, presenting a blank wall that is not in keeping with the existing and future desired character of the area.

As the site and the immediate vicinity attract high foot traffic due to its location and being a corner block, a more attractive and pedestrian scaled frontages are desired.

Lift Overrun

The SCDCP 2005 requires for lift overrun structures to be incorporated into the roof design and must not be visible from the surrounding spaces and buildings. The proposed lift overrun is located close to Elva Street and its proposed height renders it visible from the public domain. This is not acceptable.

Communal Areas

The proposed communal living rooms and open spaces are only accessible to the ground floor units via lift. In case of an emergency or lift break down, the ground floor units have to go out of building and out of the site to access the stairs that service all other levels. This is not acceptable. Communal spaces are to be conveniently accessible to all occupants.



Figure 32. Extract of the ground floor plan, highlighting the stairs entry that service levels 1-4 but not the ground floor units.

Visual Privacy

The proposed development has not adequately considered visual privacy measures between neighbouring properties to the north and west. The units to the north, in particular on level 3 and 4, including the communal open space balcony, will have direct overlooking to the windows of the northern residential flat building neighbour. Further to this, the units to the west of the proposed boarding house that have attached balconies facing the west, will have direct outlook to the backyards of the single dwellings to the west of the site.

Note that the proposed landscaping screening to the west is not sufficient to screen the view on all levels of the site. Further, due to the lack of real deep-soil to the northern and western side of the site because of the basement pushed to the boundaries, it is questionable whether the proposed landscape treatment to the northern and western areas would survive for the long to help with the visual privacy concerns between neighbouring properties.

Landscaping

The only real deep-soil proposed to the site, as shown in Figure 33 below, is not adequate. Due to the basement pushed to the eastern, western and northern boundaries, most of the landscaping on the site is provided by way of high planter boxes to accommodate the perceived adequate depth for trees to grow, however, this is not consistent with the prevailing streetscape and surrounding locality. As a result, these planter box landscaped spaces are not accessible to the occupants of the site, resulting in non-trafficable side and rear boundaries including the secondary front setback. To add to this, the planter boxes, due to the slab underneath, presents questionable viability of the trees/plants to prosper in the long term.

Note that as previously discussed, the tree at the rear, plays a vital role in the visual privacy of the units facing the northern side, but not for the units on level 3 and level 4. Mainly because of the 10m mature height of the tree proposed at the rear. Nevertheless, a higher tree could have been proposed at the rear to aid in alleviating visual privacy concerns between neighbouring developments should it have a real deep-soil and not be dependent on the 1m deep planter box.

As a result of the above, the proposed landscaping is considered inadequate and does not satisfy the development controls of the SCDPC 2005.



Figure 33. Extract of the deep-soil diagram.



Figure 34. Extract of the landscape plan showing the proposed 10m mature height tree at the rear only providing visual privacy attenuation to the 1st three levels.

PART H – Waste Management (SCDCP 2005)

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

Council's Environmental Projects Officer – Waste has highlighted non-compliances with the requirements of Council's waste management requirements. This includes, but not limited to, onsite underground or at-grade collection of waste and that this must be adequately demonstrated on the architectural plans (i.e. turning circles to allow vehicles to enter and exit the site in a forward direction). The proposed waste collection is a kerbside collection which is not allowed for a boarding house development. As such, the proposal is considered to not satisfy the provisions of this part of the DCP.

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

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

The proposed development involves the demolition of a building. Should this application be approved, appropriate conditions of consent may be imposed to ensure compliance with the requirements of the above standard.

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

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

The proposed height of the development is considered to be unreasonably excessive and the harsh interface to Elva Street is not a pedestrian scale structure which presents undesirable feature. It is considered to be an undesirable precedent to all neighbouring 14m-high-limited properties.

Further to the issue with the height, while the Apartment Design Guide does not apply directly to boarding house developments, it provides a reasonable guide as to how the residential amenity should be considered as the design is similar with that of a RFB. The ADG stipulates that the minimum ceiling height for habitable rooms is 2.7m to allow adequate sunlight. However, as mentioned by the Design Review Panel members, the slabs shown in the proposed design of the boarding house are thin and are likely to be built thicker resulting to a higher building height non-compliance or reduced ceiling height for each rooms. Both are unacceptable.

The sections provided to Council show that the distance between floor levels of each level is 2.8m. This means that in order to achieve the minimum height of 2.7m identified to be acceptable by the ADG as adequate for apartment living, there will only be 0.1m thick slabs in-between levels, which is very unlikely to happen. Note that there is no ceiling height shown in the submitted drawings.

+25,000 OVERRUN BEHIND THE SECTION LINE SHOWN DASHED +24,000 5 ROOF +21,200 4 LEVEL 4 H18,400 3 LEVEL 3 -15,600 2 LEVEL 2 H10,000 0 GROUND FLOOR

DA2021.229- 15 & 17 Albert Road Strathfield- Lot E & D IN DP 449775 (Cont'd)

Figure 35. Extract of the submitted section B.

The basement size that extends to the three boundaries of the property not only puts at risk the stability of the site due to the excessive excavation but also the neighbouring properties. Note that the eastern boundary adjoins a classified road – Elva Street which gets so much pressure from passing vehicles.

The proposed boarding house also features inadequate parking spaces. This is despite the basement pushed to the boundaries already. Clearly depicting the inability of the site to accommodate a big development.

Lastly, the boarding house will have a kerbside waste collection, which is not permissible. Not only this will put pressure on Elva Street – a narrow classified road, whenever there is a waste collection but will also have a negative impact on to the pedestrian footpath as this will be filled with waste bins from the 54-room boarding house.

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

With the building height non-compliance, lack of real deep-soil, shortfall in parking spaces despite the excessive basement size, it is considered that the proposed development is of a scale and design that is not suitable for the site.

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

In accordance with the provisions of Councils Community Participation Plan, the application was placed on neighbour notification for a period of fourteen (14) days where adjoining property owners were notified in writing of the proposal and invited to comment. Nine submissions were received raising the following concerns:

1. Demolition of the Federation Houses

A concern was raised regarding the demolition of the Federation houses and in doing so will be damaging the history and the streetscape of the area. However, it is noted that the row of

properties along Albert Road, shown in Figure 19 and including the two lots of the subject site, are not heritage items or within a heritage conservation area. For clarity, there is no heritage protection applicable to these lots and as such, no heritage significance to the area.

2. Unit Size

A concern was raised regarding the size of the bedroom units and that "humans deserve better". It is noted that the State policy (SEPP ARH) permits boarding house rooms to have at least 16m² of area, excluding any kitchen and bathroom. This policy prevails over the local policies of Council and as such, the proposal complies in this regard.

3. Parking Spaces

A concern was raised regarding the parking being "not nearly enough in these times where every adult person insists on owning at least one car, and the current epidemic conditions discourage people from using crowded public transport". While the SEPP allows a reduced parking rate of 0.5 per room and 1 for the boarding house manager, a total of 28 parking spaces is required, the proposal still involves inadequate parking spaces. Manifesting the site's inability to accommodate such a big development.

As discussed elsewhere in this report, the reduced parking is not compliant with the requirements of Council and as such will not be supported.

4. Waste Collection

Comment

A concern was raised regarding the waste collection situation proposed and that the Council verge is very narrow. Note that Council does not support the proposed waste collection method and that it is required for wastes to be collected on the site and not on the verge.

5. **Boarding House Development**

Comment

Concerns were raised regarding the development of a boarding house on the site and that the area is already full of large developments. Notwithstanding that Council will not support the proposed building height exceedance, boarding house is a development permitted in the zone. As such, the proposed use of the boarding house is acceptable. However, the design of the boarding house is not and as a result, the application is recommended for refusal.

6. **COVID-19**

Comment

Concerns were raised regarding the implications of the development to the health of the general public and in particular its correlation with a potential spread of COVID-19. While it cannot be determined as to how the virus will behave and who will catch it, Council recognises that a lot has changed since COVID-19 has impacted almost everyone. In saying this, it is acknowledged that ventilation in rooms and sunlight are even more important now than ever. It is also acknowledged that people tend to stay at home more now than before due to the pandemic. As such, better amenity for the occupants is paramount.

As discussed earlier, Council requires at least 2.7m ceiling height in habitable rooms to allow better amenity for occupants. Further, better communal spaces should be provided for the residents of the development. The proposed development do not have these and as such, not supported.

(e) the public interest.

With the reasons stipulated in the assessment section of this report and taking into consideration the submissions received by Council, the proposed development is not considered to be in the public interest.

Local Infrastructure Contributions

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

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

With the proposal recommended to be refused, no contributions will be levied to the application.

Conclusion

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

Following detailed assessment it is considered that development application no. 2021/229 should be refused.

Signed:

P Santos

Development Assessment Planner

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

Date: 18 January 2022

I have reviewed the details of this development application and I also certify that Section 7.11/7.12 Contributions are applicable to this development. However, due to the recommendation to refuse the application, no contributions will be levied.

Report and recommendations have been peer reviewed and concurred with.

Signed: Date: 19 January 2022

J Gillies Senior Planner

RECOMMENDATION

That Development Application No. 2021.229 for Demolition of existing structures and construction of a five-storey new age boarding house containing 54 boarding rooms including a manager's room, communal rooms, basement car parking and related landscaping at 15-17 Albert Road, Strathfield be **REFUSED**, for the following reasons:

REFUSAL REASONS

Under Section 4.16(1)(b) of the *Environmental Planning and Assessment 1979* (EP&A Act), this consent is REFUSED for the following reasons:

1. Refusal Reason – Environmental Planning Instrument

Pursuant to Section 4.15 (1)(a)(i) of the <u>Environmental Planning and Assessment Act</u> <u>1979</u>, the proposed development does not comply with the relevant environmental planning instruments in terms of the following:

State Environmental Planning Policy (Affordable Rental Housing) 2009

- (c) Clause 29(2)(a) building height in that the proposal exceeds the permitted maximum building height in another EPI.
- (d) Clause 29(2)(b) landscaped area in that the proposal's treatment of the secondary front setback is not compatible with the streetscape in which the building is located (Elva Street).
- (e) Clause 29(2)(e) parking in that the proposal does not satisfy the minimum required parking spaces for the development providing 27 spaces where 28 spaces are required.
- (f) Clause 30A character of the local area in that the proposed development design is not sympathetic of the at-grade deep-soil landscaping, open and landscaped front yard treatment to all frontages, consistent building height character of the area.

Strathfield Local Environmental Plan 2012

- (g) Clause 1.2 Aims of Plan in that the proposed development does not satisfy the following objectives of the LEP:
 - i. "To achieve high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield.",
 - ii. "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.",
 - iii. "To promote opportunities for social, cultural and community activities.".

- (h) Clause 2.3 Zone Objectives and Land Use Table in that the proposed development does not satisfy the following objectives of the zone:
 - i. "To enable other land uses that provide facilities or services to meet the day to day needs of residents."
- (i) Clause 4.3 Height of Buildings in that the proposed development exceeds the maximum building height permitted on the site of 14m by 1.06m (4th floor) to 1.76m (lift overrun).
- (j) Clause 6.2 Earthworks in that the proposed development does not satisfy the aim and provisions of the clause due to the excessive amount of excavation proposed, extending the basement to the eastern, northern and western boundaries, next to a residential flat building to the north and a classified road to the east.

2. Refusal Reason - Development Control Plan

Pursuant to Section 4.15 (1)(a)(iii) of the <u>Environmental Planning and Assessment Act</u> <u>1979</u>, the proposed development does not comply with the following sections of the Strathfield Consolidated Development Control Plan 2005 in terms of the following:

Part Q Urban Design Controls

- (a) Clause 1.4 Objectives in that the proposed development does not satisfy the following objectives of the plan:
 - i. "To establish built form guidelines that encourage high quality urban design outcomes for all development types."
 - ii. "To encourage best practice sustainable urban transformation."
 - iii. "To strengthen the relationship between people, places and buildings."
 - iv. "To make the public environment safer, attractive and more liveable."
 - v. "To create more efficient, sustainable and inspiring places to live that support the social, cultural, economic and environmental well-being of the community."
 - vi. "To deliver the highest standard of architectural, urban and landscape design."
- (b) Clause 2.1 Public Domain and Place Making in that due to the harsh and defensive design of the development, in particular the treatment to the Elva Street frontage including the high planter boxes, the proposal is considered to not have good urban design that promotes attractiveness, cohesion and lack of integration between the site and the public domain.
- (c) Clause 2.2 Streetscape in that the reasons provided in (b) above coupled with the proposed building height exceedance, the proposed development is not considered to be compatible with the streetscape.
- (d) Clause 2.4 Building Envelope in that the proposed development does not satisfy the permitted maximum building height for the site and as such, is not compatible with the site conditions, surrounding development and the existing and desired

future character of the streetscape and the locality.

- (e) Clause 2.5 Building Massing and Scale in that the proposed exceedance to the maximum building height results in a building that does not respond to the existing and proposed building patterns in the street and that it results in further loss of amenity to neighbouring properties (i.e. solar access).
- (f) Clause 2.8 Roof Forms in that the proposed lift overrun is visible from Elva Street which unnecessarily contributes to the building's bulk and scale.
- (g) Clause 3.2 Building Entries in that the proposal's building entries, three along Elva Street, two services the ground floor units only and one services all other levels but without internal access to the ground floor units, are not easily discernible and do not positively contribute to the design of the development.
- (h) Clause 3.3 Visual Privacy in that the proposed development's design causes visual privacy concerns in particular to the western neighbouring properties. Further, the lack of real deep-soil at the northern and western boundaries limits the capacity of the site to grow vegetation/trees that will aid in addressing visual privacy concerns.
- (i) Clause 3.9 Landscaping in that the proposed deep-soil is inadequate and that the proposed planter boxes is not consistent with the garden character of Strathfield and that the proposed works have not been minimised to protect the site's natural features which could maximise the residential amenity. The proposal's high planter boxes and associated retaining walls along Elva Street result in an incompatible streetscape outcome.
- (j) Clause 3.10 Private and Communal Open Space in that the proposed development's communal living areas and open spaces are not adequate for the number of occupants of the site. The proposed open space to the north has a direct outlook to the units of the northern neighbour. The proposed two separated living areas with separate communal open spaces do not facilitate opportunities for recreational and social activities of the future residents of the development.

The communal spaces are not designed to have an integral role in the site and is considered to be very detached from the residents' access being at the top-most level. It is not integrated with the deep soil area of the site to have an opportunity of landscaped setting to be enjoyed by the occupants.

Part H Waste Minimisation and Management Plan

(a) In that the proposal has failed to demonstrate that the site is capable of accommodating an on-site (underground or at-grade) waste collection as required for a boarding house development and that the vehicles associated with waste collection will be able to go in and out of the site in a forward direction.

3. Refusal Reason – Impacts on the Environment

Pursuant to Section 4.15 (1)(b) of the <u>Environmental Planning and Assessment Act 1979</u>, the proposed development is likely to have an adverse impact on the following aspects of the environment:

(a) Natural environment – in that the proposed development does not have adequate deep-soil on the site and the excavation due to the excessive basement size that is extended to the eastern, northern and western boundaries puts pressure on the stability of the land and the adjoining properties.

- (b) Built environment in that the proposed development will have adverse impact to the built environment as it will present an undesirable front to Elva Street due to the visible lift overrun and the excessive height proposed will impact future development in the area as it can be taken as an undesirable precedent to contravene a development standard, without adequate planning justification.
- (c) Social environment in that the proposed development will have an adverse social impact to the residents of the boarding house and to the wider community. The proposed communal living areas and open spaces are considered inadequate for the number of residents that will occupy the development. Further, the open spaces are not integrated with deep-soil zone of the site to positively contribute to the well-being of the occupants.

The development will have an adverse social impact to the community as the proposal does not have adequate planning justification to contravene the building height requirements of Council and as such, keeps the integrity of the development standards/controls intact which are highly regarded by the members of the public.

(d) Social environment – that the proposed development creates visual privacy concerns due to its design and proposed height overlooking on to neighbouring private open spaces and windows.

4. Refusal Reason – Suitability of Site

Pursuant to Section 4.15 (1)(c) of the <u>Environmental Planning and Assessment Act 1979</u>, the site is not considered suitable for the proposed development for the following reasons:

- (a) The proposed development has a shortfall of parking spaces and this is despite the proposed basement already extended to the three site boundaries.
- (b) Due to the extension of the basement to the boundaries, there is a lack of opportunity for real deep-soil to accommodate adequate trees/vegetation and have their natural growth take place.
- (c) Due to the extension of the basement to the boundaries, the proposed development is forced to have planter boxes surrounding the building to have what is perceived by the submitted documents as adequate depth to hold the vegetation. As a result, these areas with planter boxes within the side and rear setbacks, including the secondary front setback, are not accessible to the occupants of the site.
- (d) Due to the reason specified in (c) above, the secondary front setback facing Elva Street which has 1m to 2m high retaining walls for the planter boxes presents a harsh and defensive interface between the site and the public domain. This presents an unappealing street treatment and discourages positive interaction between the site and the pedestrian.
- (e) Despite the basement extending to the boundaries and the excessive basement size proposed relative to the site, the proposal does not demonstrate compliance with Council's waste management control of having an on-site waste collection, be it underground or at-grade.

5. Refusal Reason - Public Interest

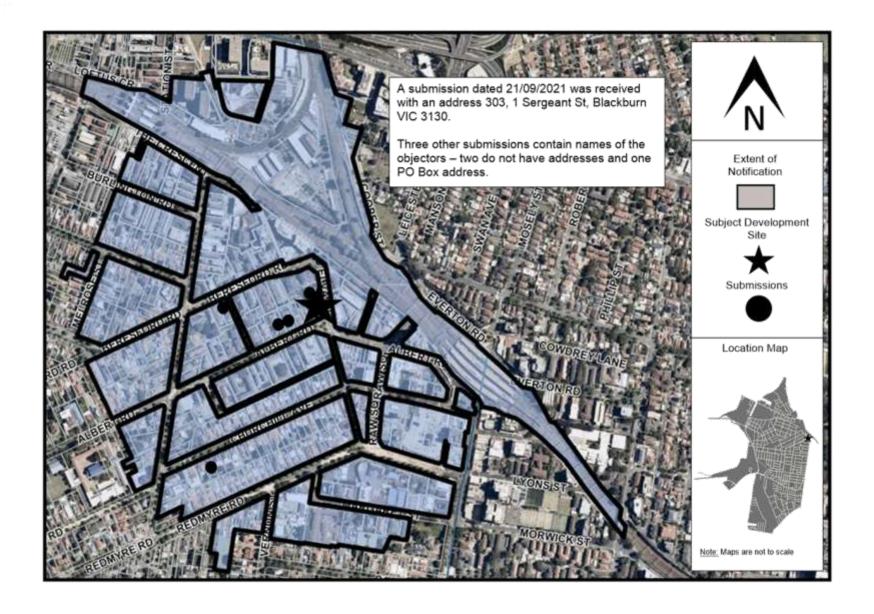
Pursuant to Section 4.15 (1)(e) of the <u>Environmental Planning and Assessment Act 1979</u>, the proposed development is not considered to be in the public interest and is likely to set an undesirable precedent.

ATTACHMENTS

- 1. Site Map
- 2. Architectural Plans
- 3. Landscape Plans

DA2021.229 15-17 Albert Road Strathfield

Item 2 - Attachment 1 Page 89



Item 2 - Attachment 1 Page 90

SUBSET	DWG NO.	DESCRIPTION
0 GENERAL	001	COVER PAGE
0 GENERAL	002	DEVELOPMENT STATISTICS
0 GENERAL	003	BASIX COMMITMENTS
0 GENERAL	004	SITE ANALYSIS
0 GENERAL	005	SURVEY PLAN
0 GENERAL	006	DEMOLITION PLAN
0 GENERAL	007	SITE PLAN
0 GENERAL	008	STREETSCAPE ANALYSES
1 PLANS	101	BASEMENT 2 FLOOR PLAN
1 PLANS	102	BASEMENT 1 FLOOR PLAN
1 PLANS	103	GROUND FLOOR GA PLAN
1 PLANS	104	LEVEL 1 FLOOR PLAN
1 PLANS	105	LEVEL 2 FLOOR PLAN
1 PLANS	106	LEVEL 3 FLOOR PLAN
1 PLANS	107	LEVEL 4 FLOOR PLAN
1 PLANS	108	ROOF PLAN
2 ELEVATION	201	EAST & SOUTH ELEVATIONS
2 ELEVATION	202	WEST & NORTH ELEVATIONS
3 SECTION	301	SECTION A
3 SECTION	302	SECTION B
3 SECTION	303	CAR RAMP SECTION
4 SCHEDULES	401	EAST & SOUTH MATERIAL ELEVATIONS
4 SCHEDULES	402	WEST & NORTH MATERIAL ELEVATIONS
4 SCHEDULES	403	DOORS SCHEDULE
4 SCHEDULES	404	WINDOWS SCHEDULE
5 DIAGRAMS	501	GFA CALCULATION
5 DIAGRAMS	502	LANDSCAPE CALCULATION
5 DIAGRAMS	503	DEEP SOIL CALCULATION
5 DIAGRAMS	504	PROPOSED SHADOW DIAGRAM
5 DIAGRAMS	505	PROPOSED SUN EYE DIAGRAM
6 NOTIFICATION PLAN	701	NOTIFICATION PLAN
6 NOTIFICATION PLAN	702	NOTIFICATION ELEVATIONS





15-17 ALBERT ROAD STRATHFIELD NSW 2135 **NEW GEN BOARDING HOUSE DEVELOPMENT APPLICATION**

ROOM MIX:
DOUBLE ROOMS: 54 (INCL. 1 MANAGER)
SINGLE ROOMS: COMMUNAL ROOMS:2

SITE AREA: 915m² PROPOSED FSR: 1.83: 1 PROPOSED GFA: 1,672.92 m²

Item 2 - Attachment 2 Page 91

SITE STATISTICS LOT NUMBERS: SITE AREA:	LOTS D & E, DP 449775 915m ²	
GFA CALCULATION PERMISSIBLE FSR: PERMISSIBLE GFA: PROPOSED FSR: PROPOSED GFA:	1.45 + 0.5 ARH = 1.95 1,784.25m ² 1.83:1 1,672.92 m ²	
ROOM MIX DOUBLE ROOM: SINGLE ROOM: TOTAL ROOMS: COMMUNAL ROOM:	54 (INCL. 1 x MANAGER'S ROOM) 54 2	NO. OF ACCESSIBLE ROOMS AS PER TABLE D3.1, REQUIREMENTS FOR ACCESS FOR PEOPLE WITH A DISABILITY, NCC 2019 CLASS 3.41-60 SOLE OCCUPANCY UNITS 3 ACCESSIBLE UNITS
PARKING PROVISIONS CAR SPACES: MOTORCYCLE SPACES: BICYCLE SPACES:	RATE: 0.5 PER ROOM = 27 SPACES RATE: 1 PER 5 ROOMS = 11 SPACES RATE: 1 PER 5 ROOMS = 11 SPACES	NO. OF ACCESSIBLE CARPARKING AS PER TABLE D3.5, CARPARKING SPACES FOR PEOPLE WITH A DISABILITY, NCC 2019 CLASS 3: TOTAL CARPARKING SPACES X ACCESSIBLE UNITS / TOTAL UNITS = 27 x 3 / 54 = 1.5 = 2 ACCESSIBLE CAR SPACES
PROPOSED LANDSCAPED AREA:	276.93 m ² (30.3% OF SITE AREA)	
DEEP SOIL AREA PROPOSED DEEP SOIL AREA:	116.81 m² (12.8% OF SITE AREA)	

STRATHFIELD COUN RECEIVED

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DATE 3 September 20

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DEVELOPMENT STATISTICS

PROJECT NAME

15-17 ALBERT ROAD, STRATHFIELD

REVENUE NO. A

002





BOARDING HOUSE AENEC CLASS 3 DEVELOPMENT Dimitri Harakidas BCA 2019 SECTION J DTS REPORT

This Section I Report is to be used in conjunction with BASIX Certificate humber: 1220383M_G2

See page 3 for more details.



- Summary of 33

 1. Road System Type: For all concrete road surfaces add insulation with minimum insulation rating of Rs.35. NOTE: In directs asses 5, 5, 5, 4, 5, 6 and 7, the solut absorptance of the upper surface must not be more than 0.45 you must ensure that the colour chosen meet this requirement.

 2. For 75mm Retre! veneer external walls, R2.00 insulation is to be installed.
- throughout.

 5. For glazing specifications refer to the flaquidir report at average Unvalue and SHSC pales for cash understation. Note that Method 2 view used to raticulars. Unvalue to be installed shall be 5.50 or lower and the SHSC to be 0.35 or lower; (see relevant flaquidir shall be 5.50 or lower and the SHSC to be 0.35 or lower; (see relevant flaquidir shall be shall be 5.50.

 4. For concrete slab on ground, above carpant, and exposed subfloors that are located below conditioned spaces add insulation with minimum rating of 83.50.
- Summary of J2 Not Applicable
- Summary of J3
 See corresponding section in this report for commitments to comply with building code.
- Summery of 34 Not Applicable

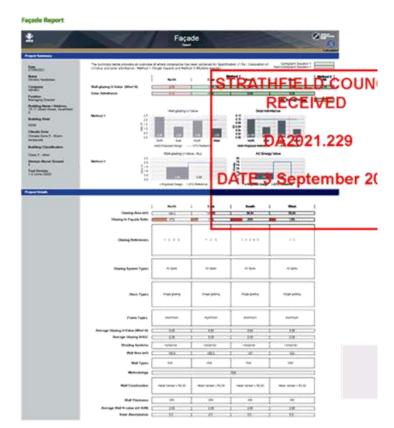
Summary of IS.
 For calculations of this section a MVAC engineer must be engaged. Section is included in this document for way information reference. Split system units are specified in BASIX for space conditioning for every room.

Summary of 76
Design illumination power load is 15123 Watts. Maximum system illumination power load allowance is 15438 Watts.

Summary of I7
See corresponding section in this report for commitments to comply wish building code.

Summary of JB See corresponding section in this report for commitments to comply with building code







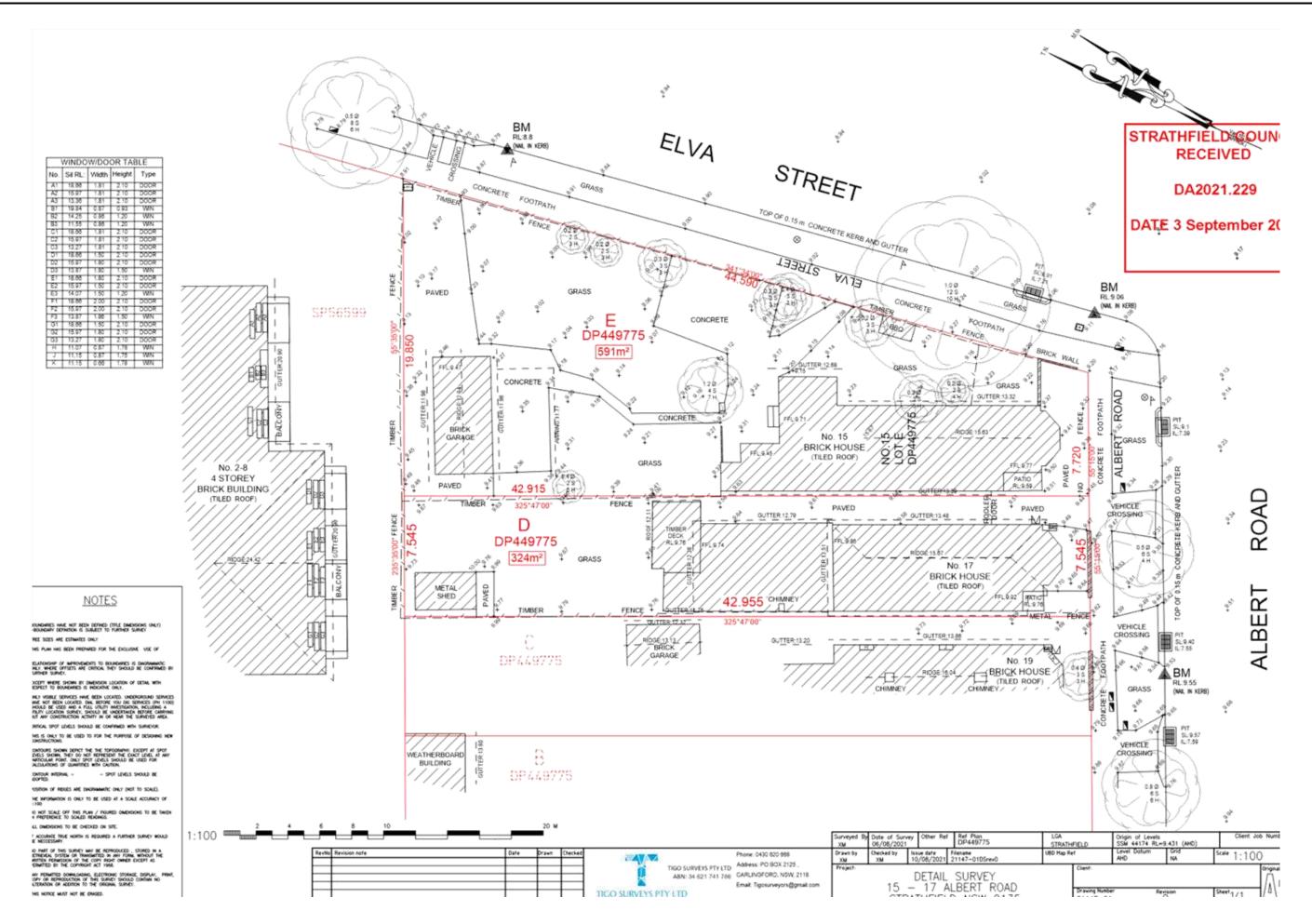


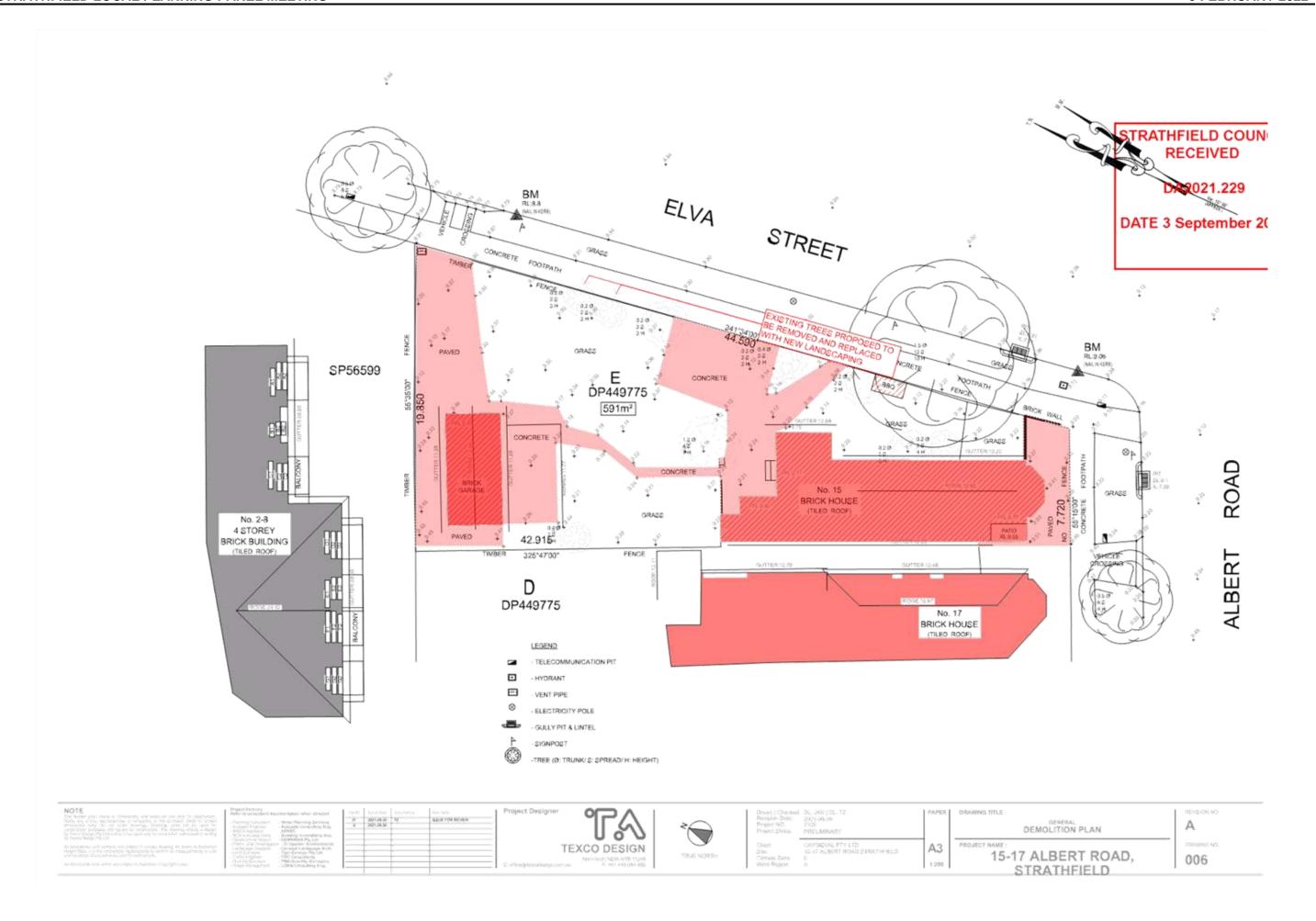
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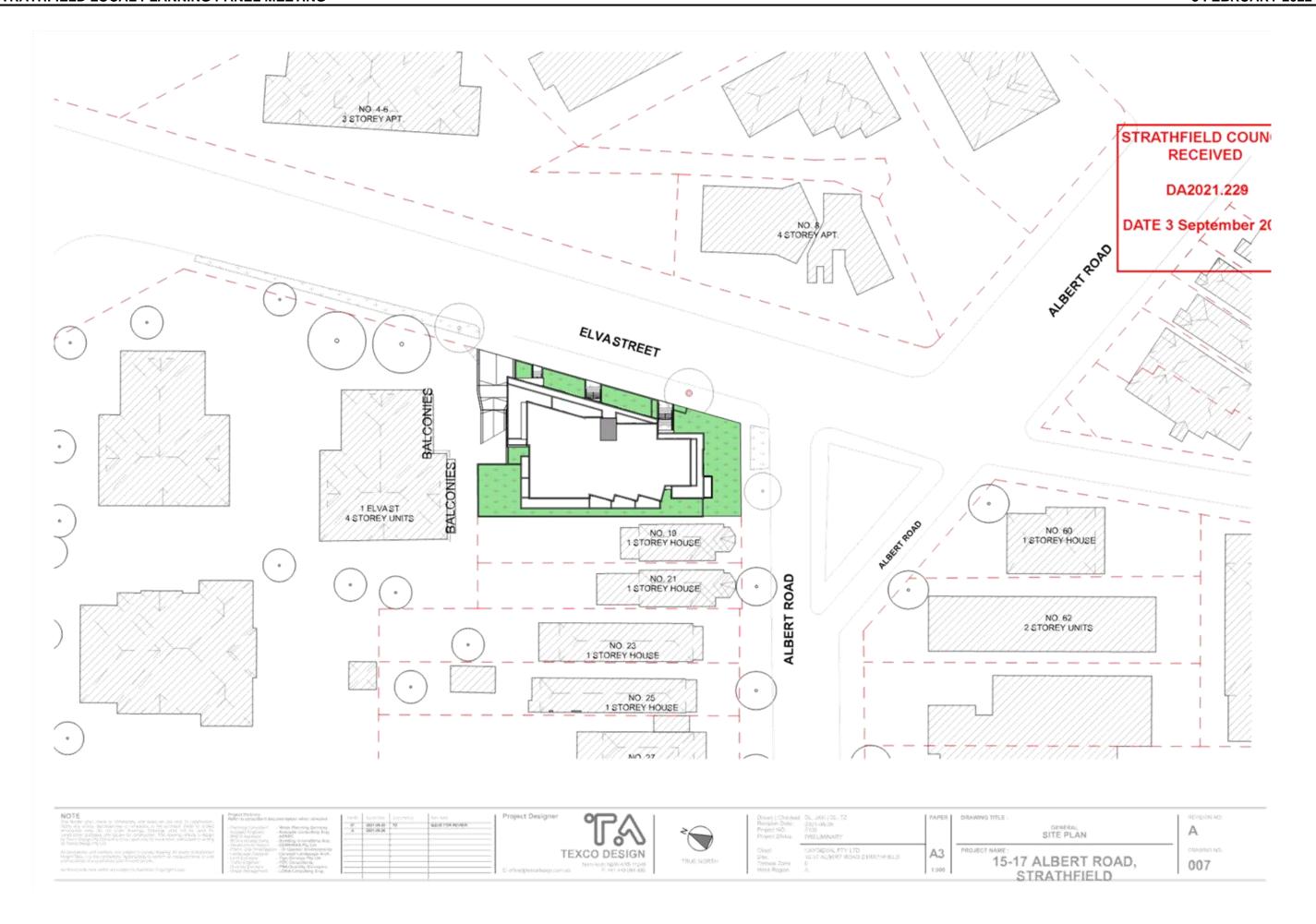
Page 93 Item 2 - Attachment 2

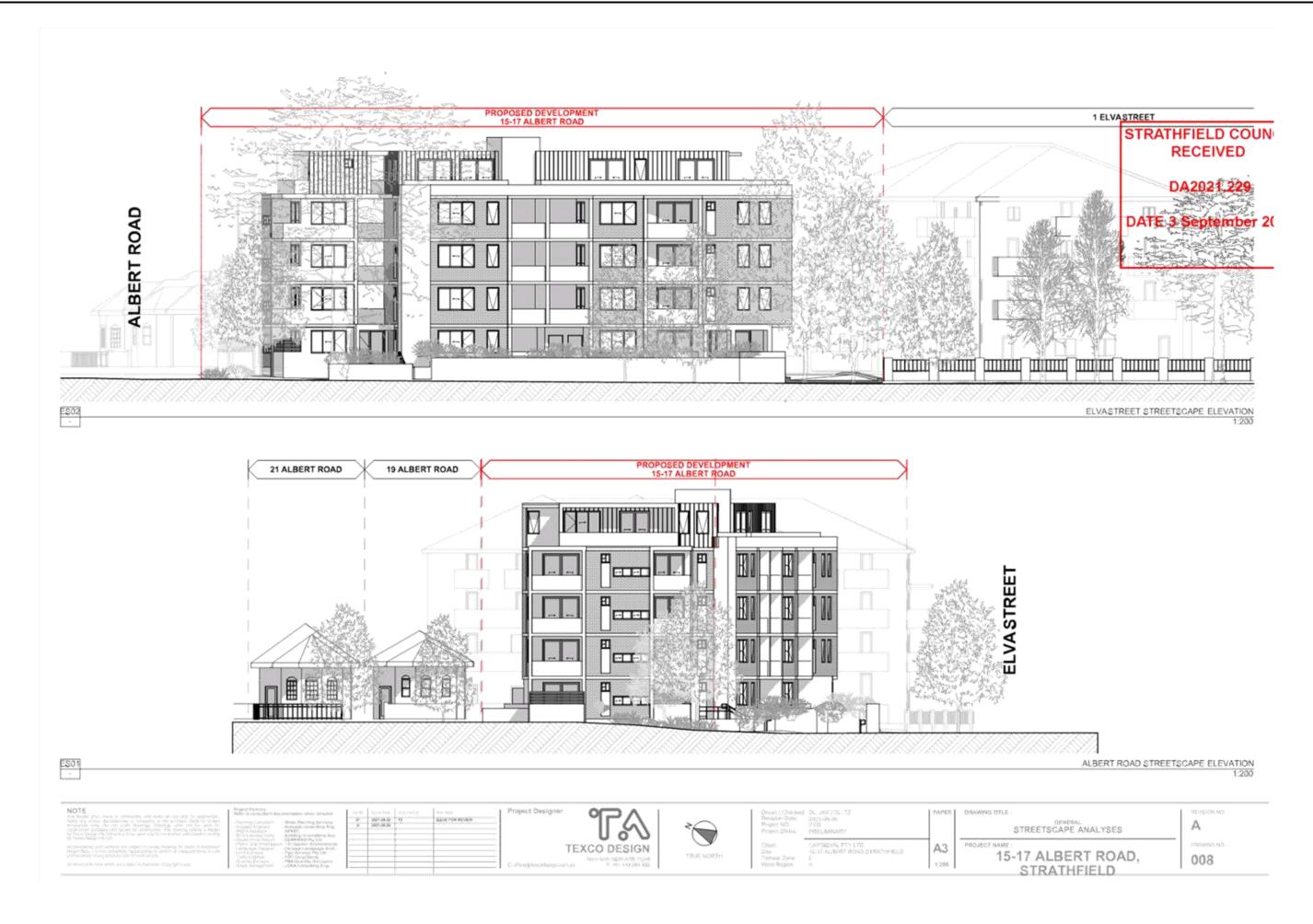


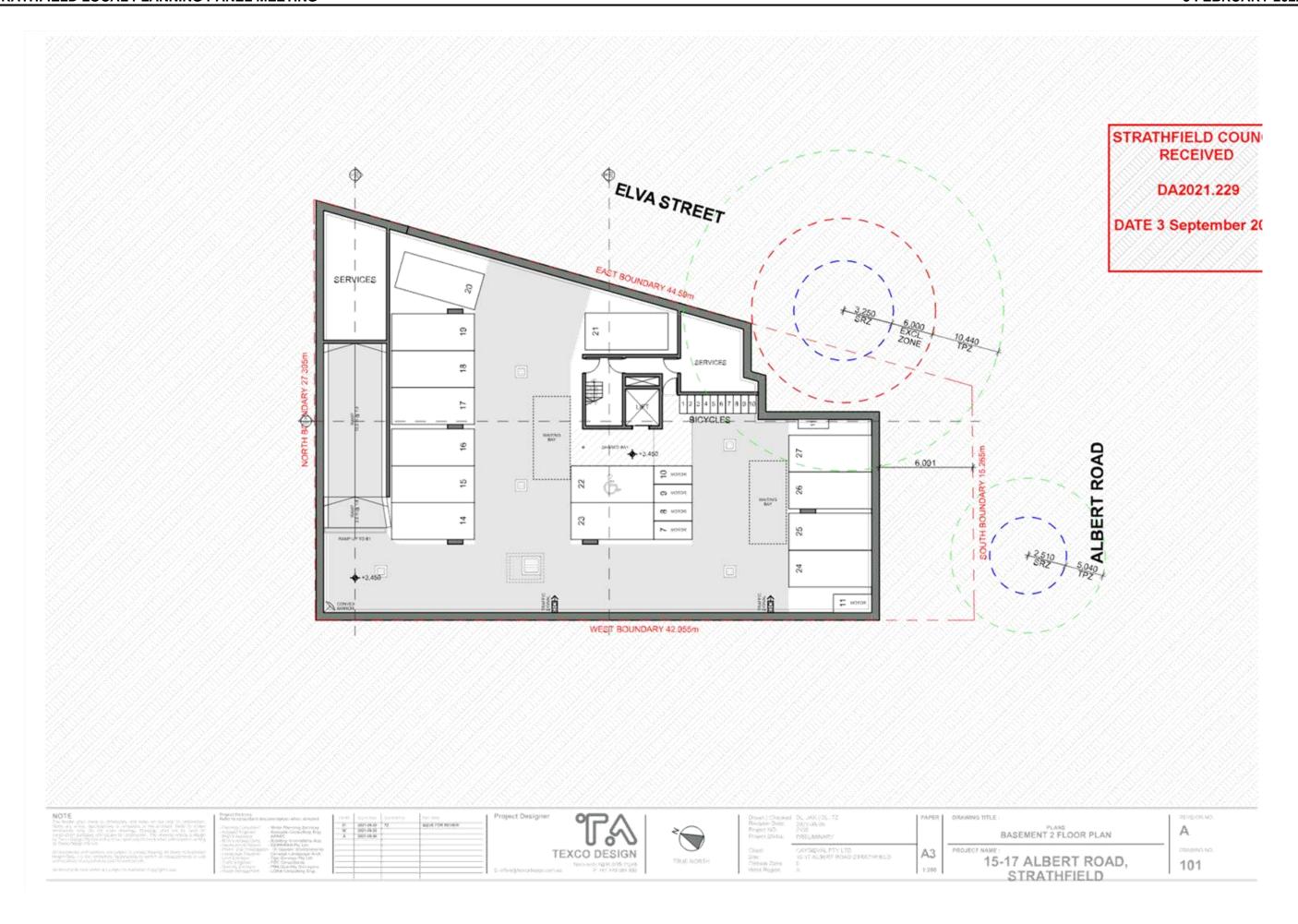
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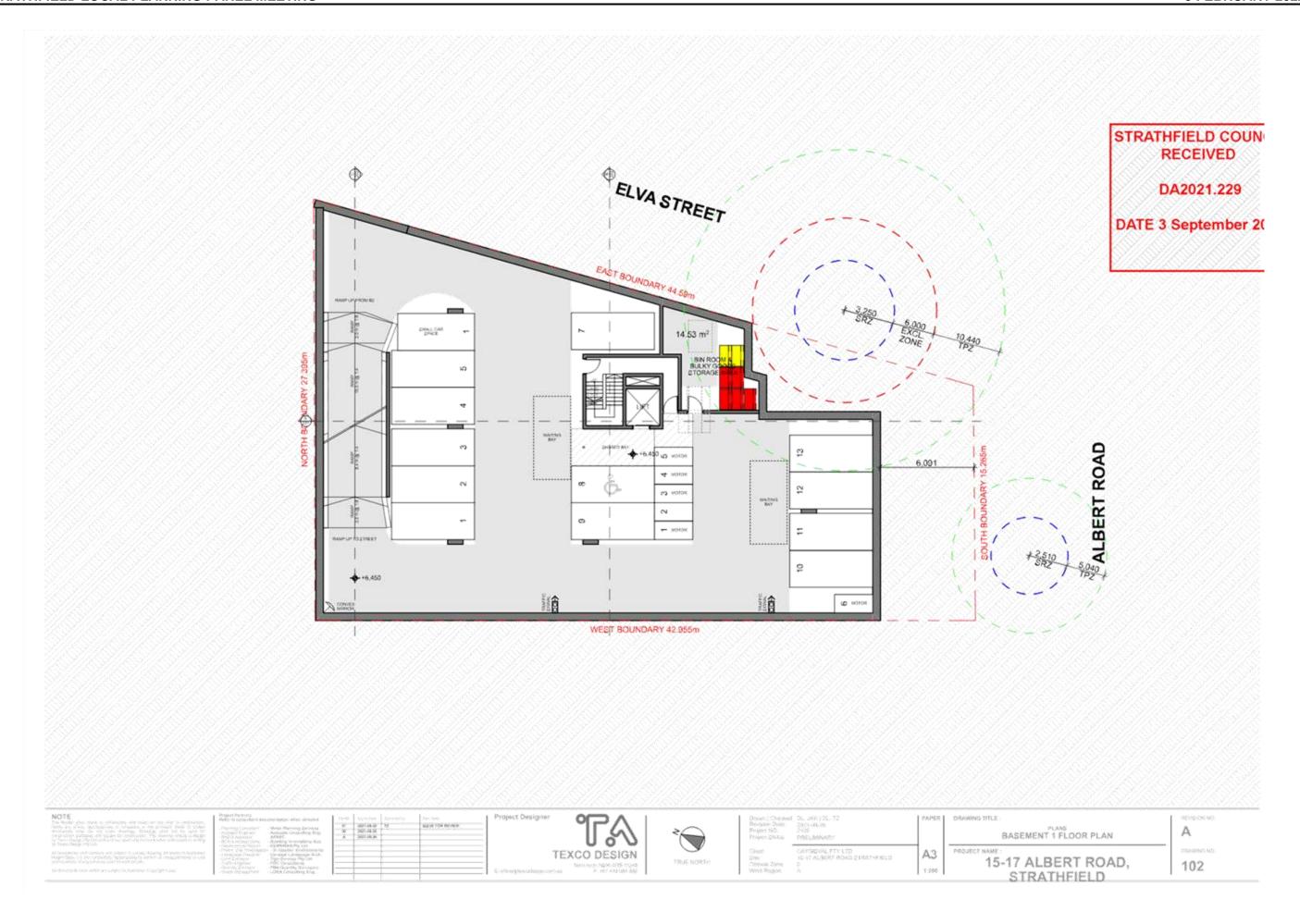


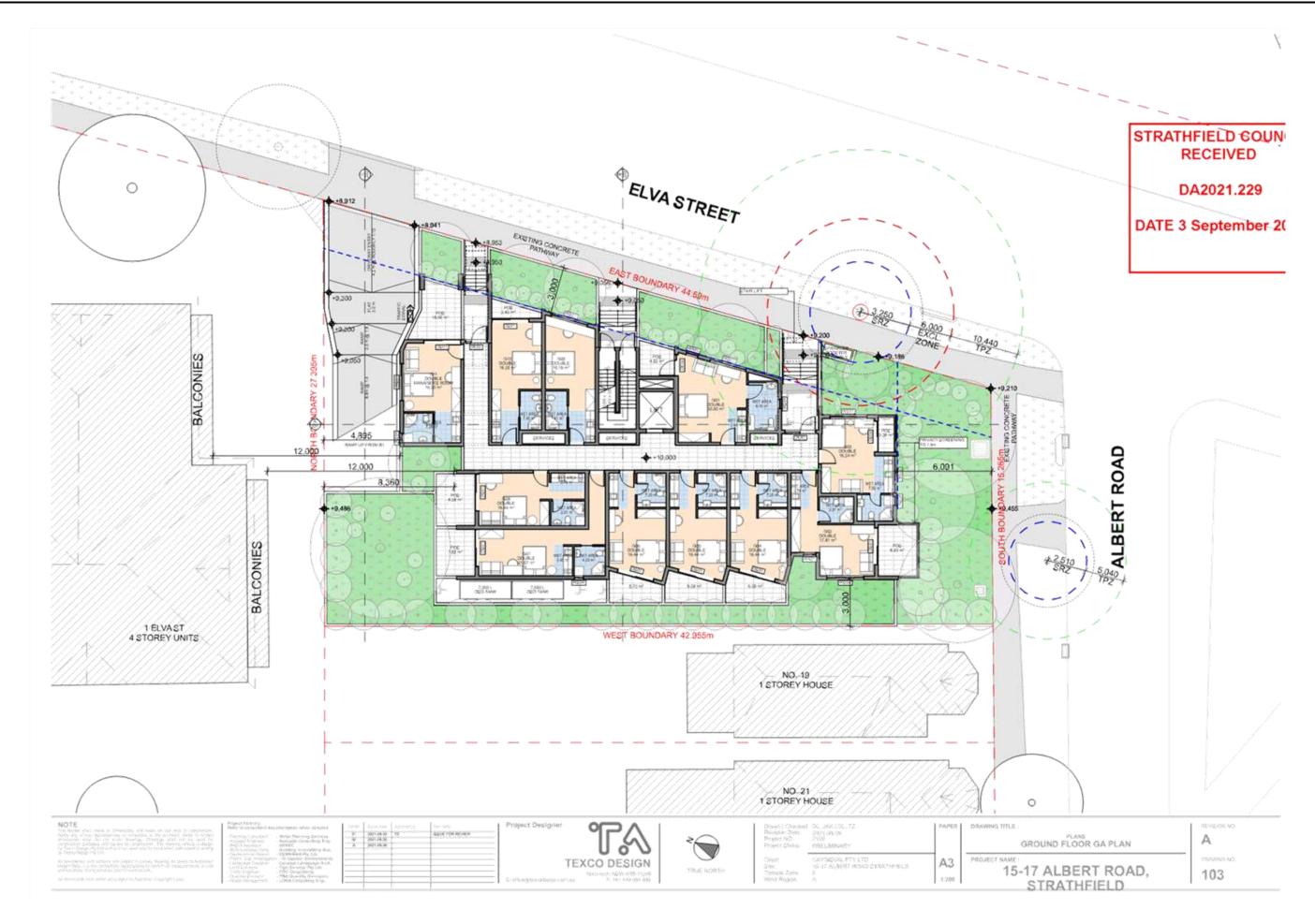


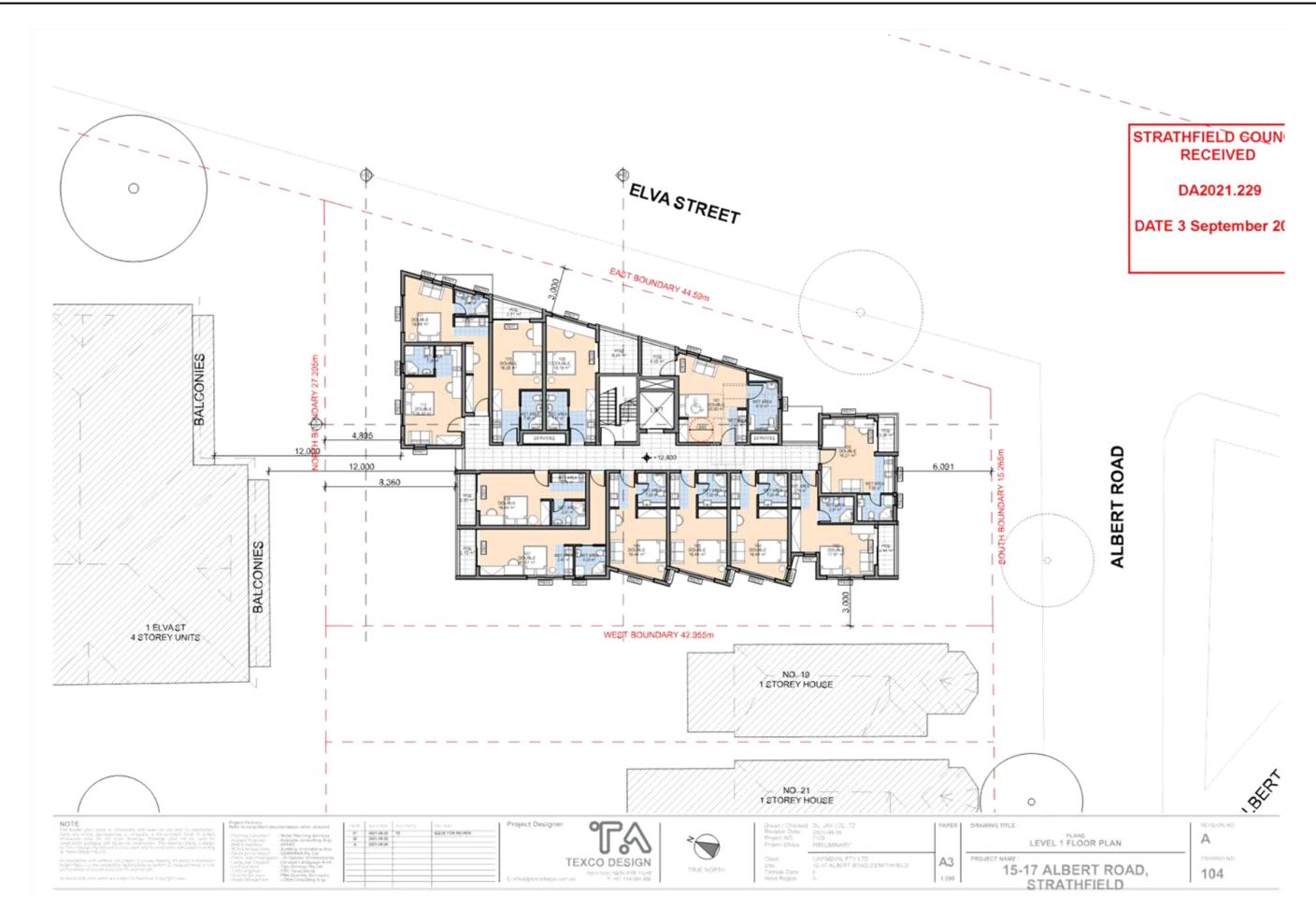


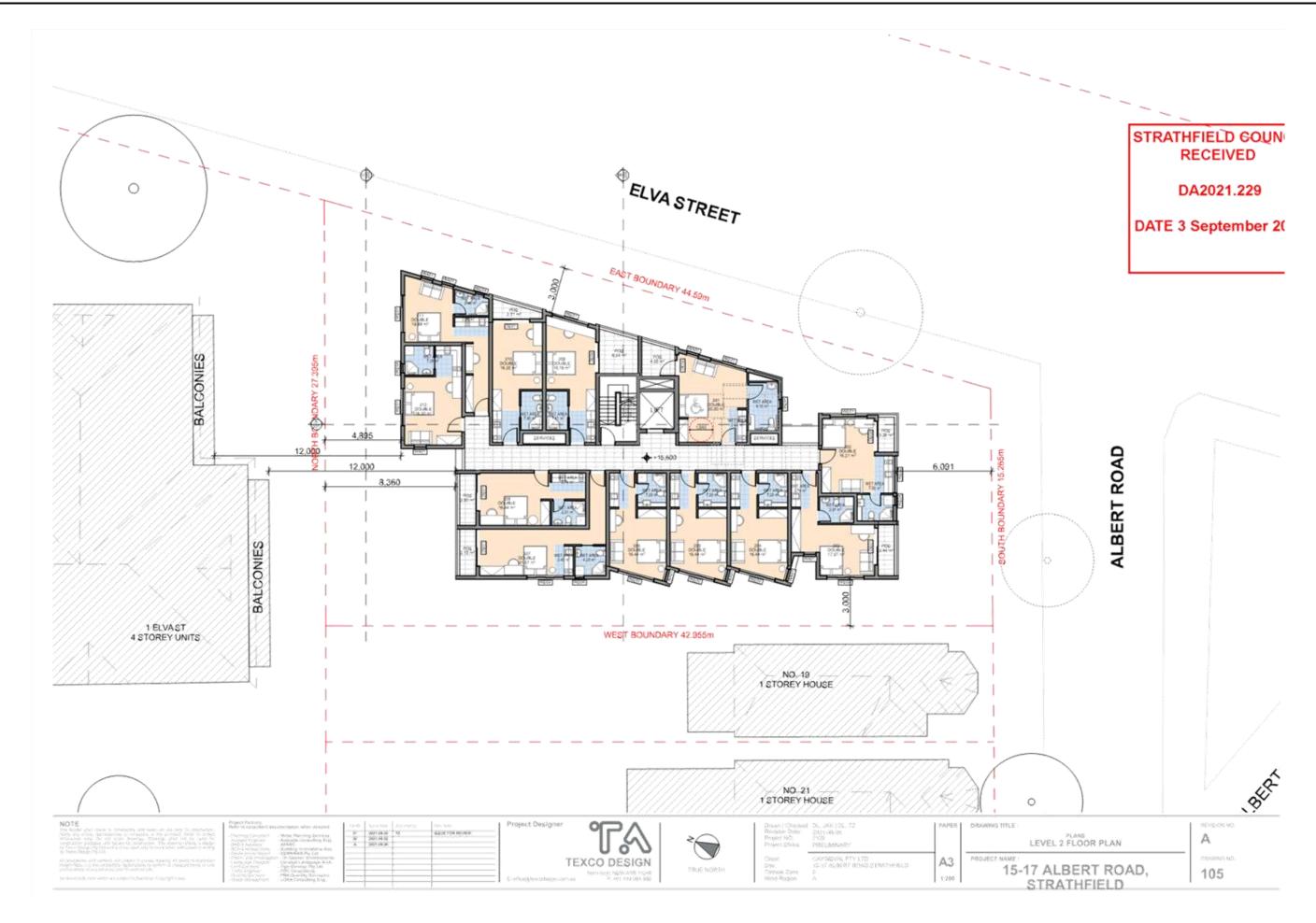


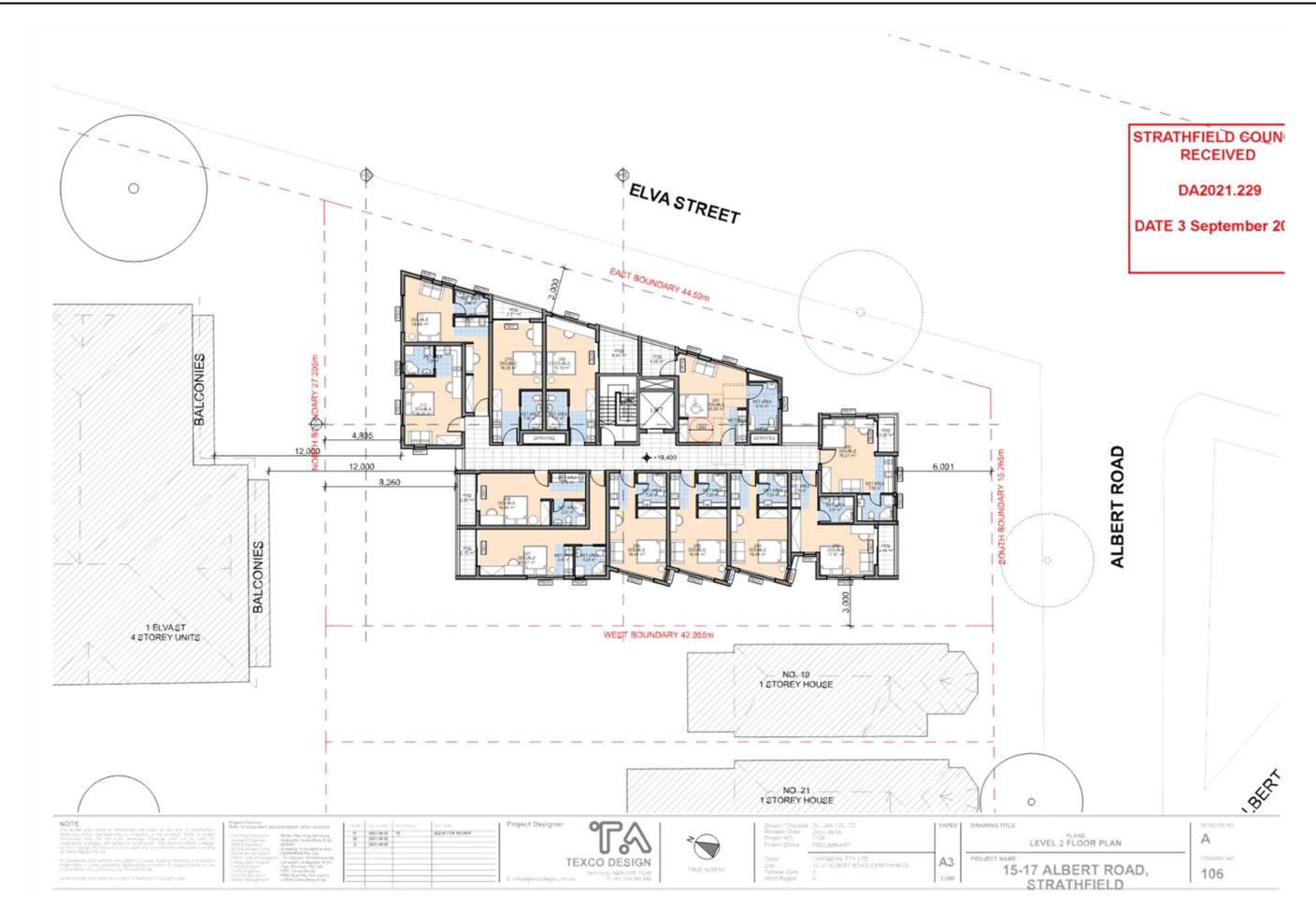


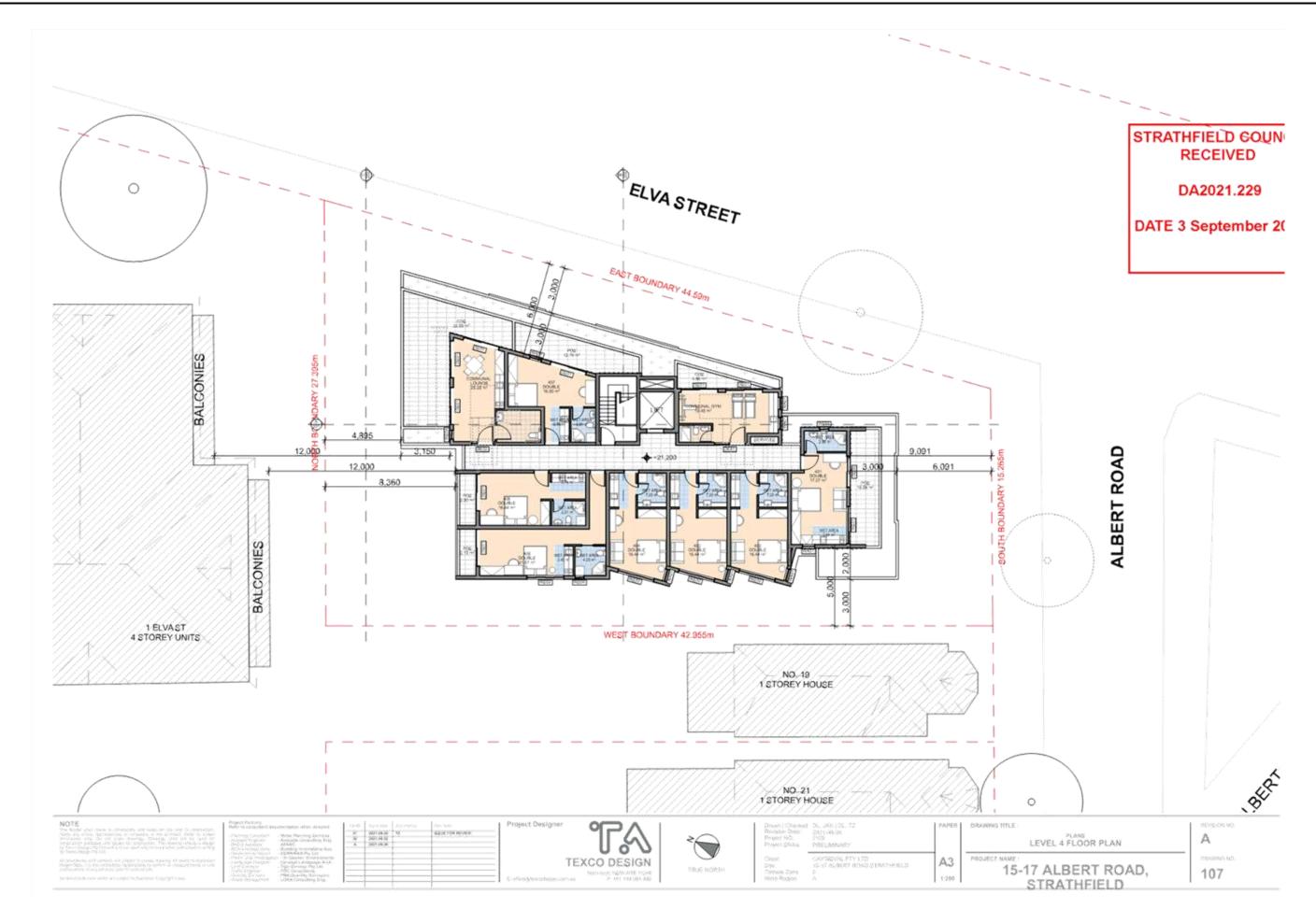


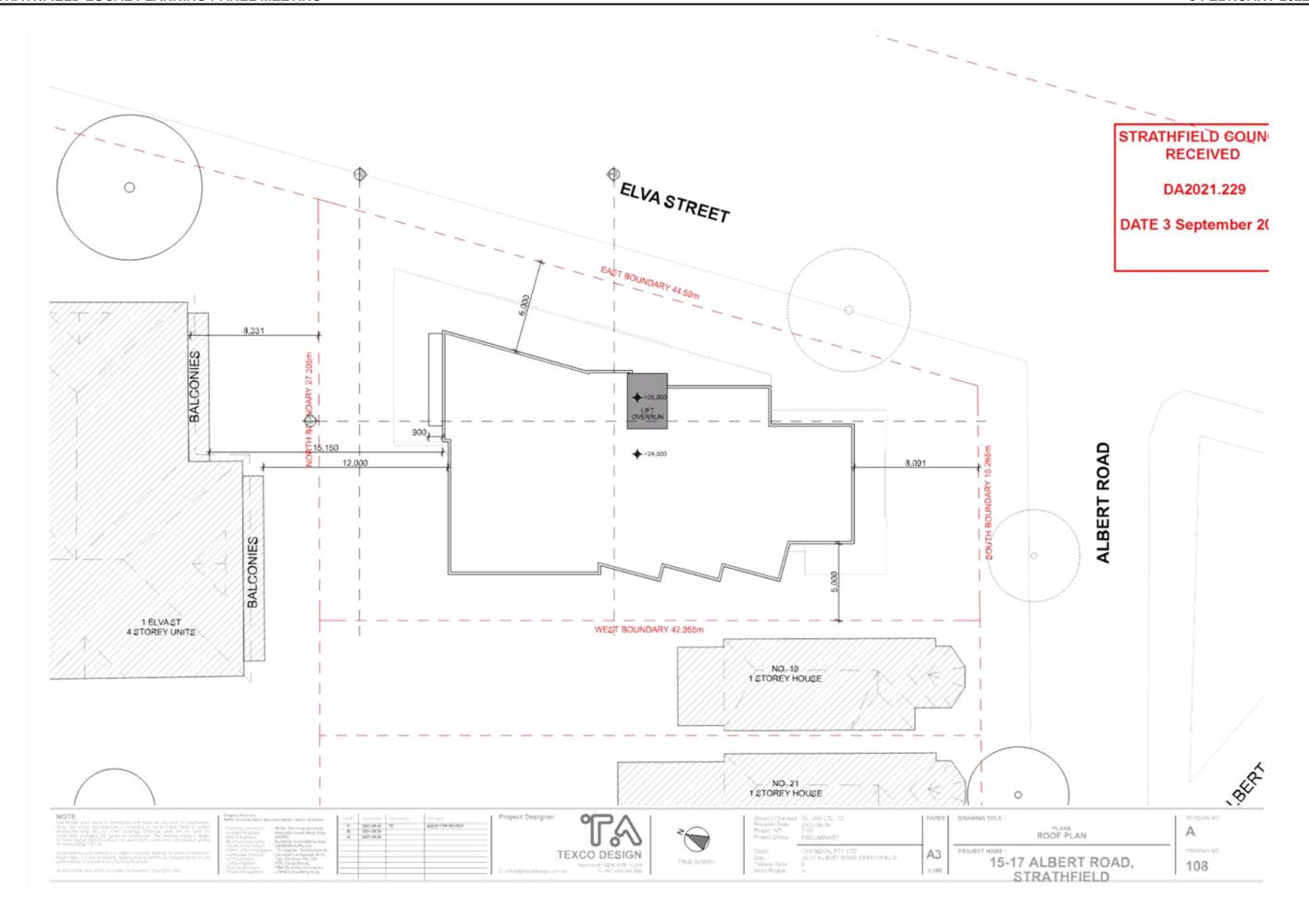


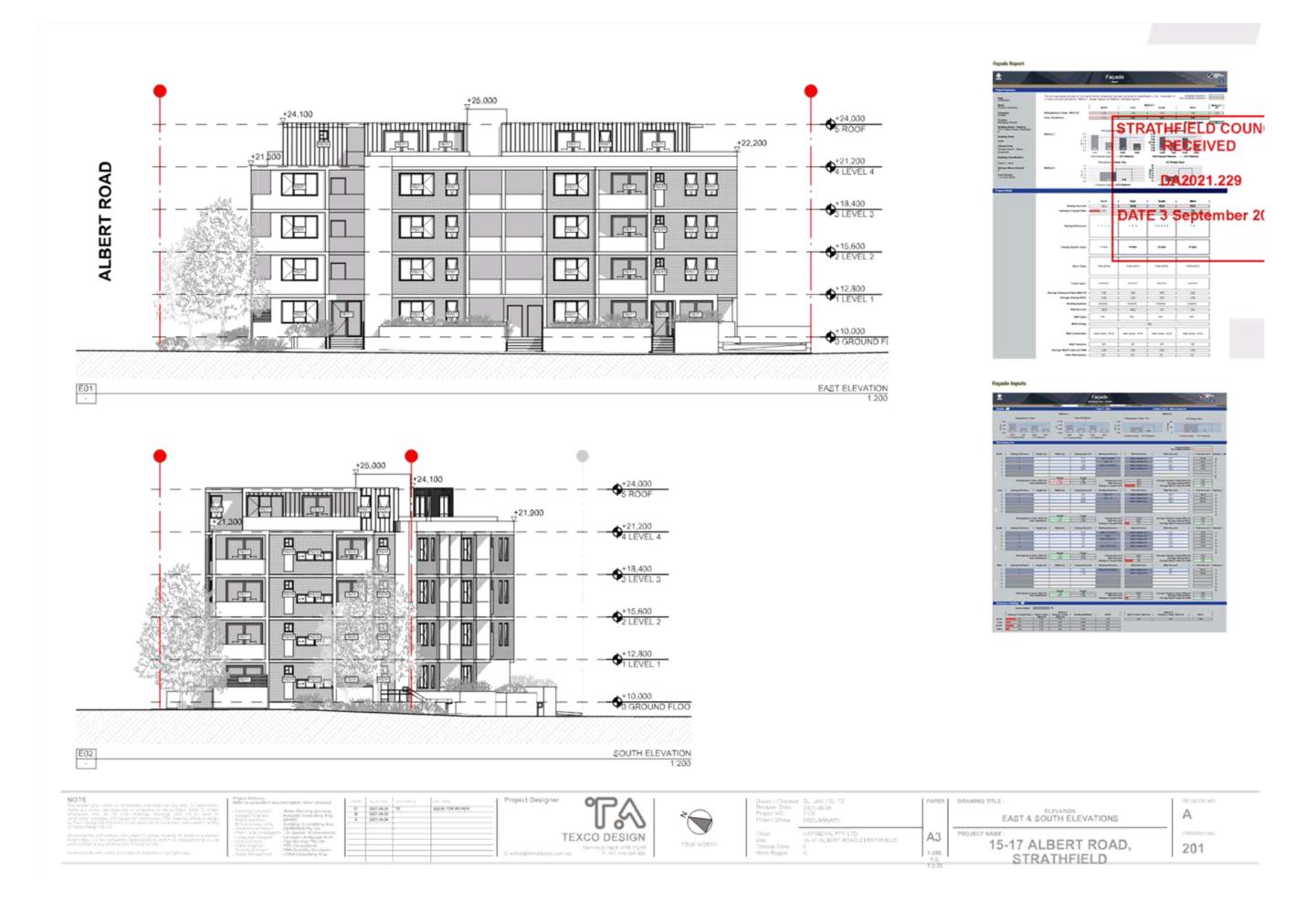


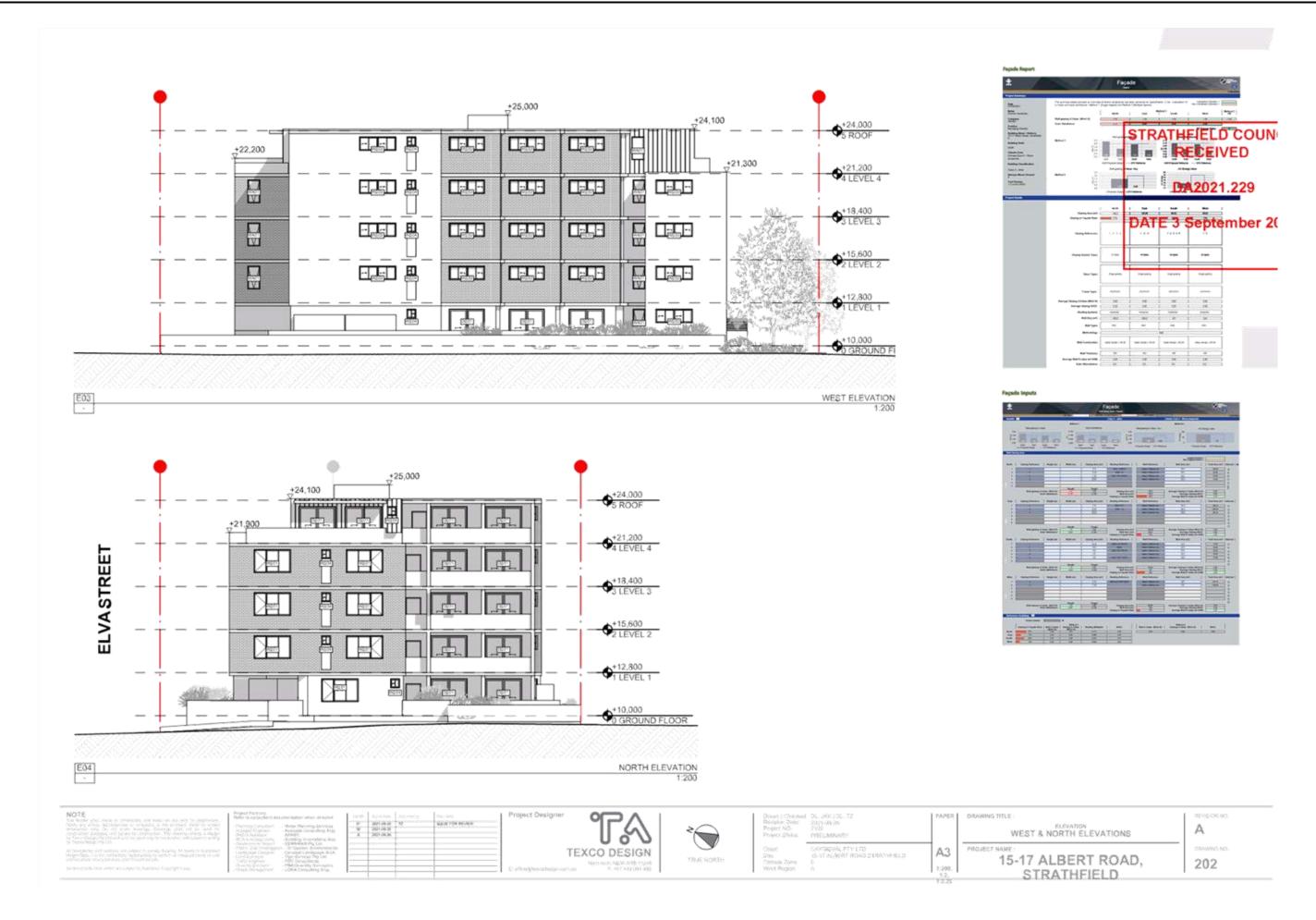














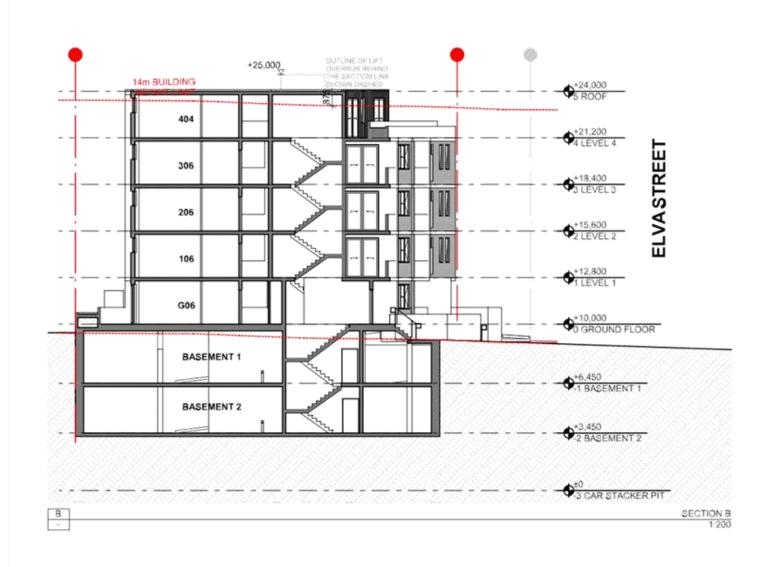


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STRATHFIELD LOCAL PLANNING PANEL MEETING **3 FEBRUARY 2022**



15-17 Albert Street, Stratteled, NSW 2186 Proposed Class 3 Building - Boarding House Building Code of Australia 2018 - Section 1 (DTS) Report 100 Number: Ad 2555. Date: 30/08/2025



3 DOCUMENTATION & REQUIREMENTS

The following Section 3 summary insult by incorporated into the Construction Certificate documentation. Refer to the relevant section of the PANT INFO COUNTY Summary of 31

1. Roof System Type: For all concrete roof surfaces are properties.

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- Summary of 32 Not Applicable
- Summary of I3
 See corresponding section in this report for commitments to comply with building code.
- Summary of 25
 For calculations of this section a HVAC engineer must be engaged. Section is included in this document file page information reference. Split system units are specified in 84SIX fur space conditioning for every raises.
- Summery of 36
 Design illumination power load is 15125 Watts. Maximum system illumination power load allowance is 15416 Watts.

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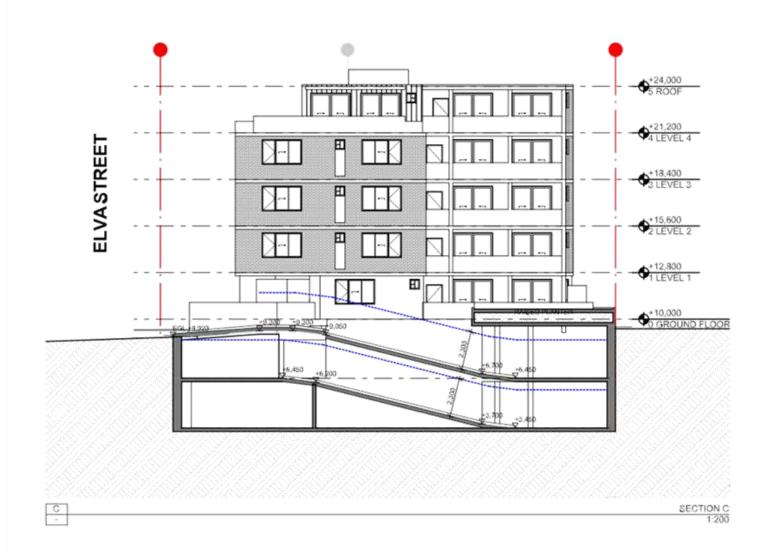
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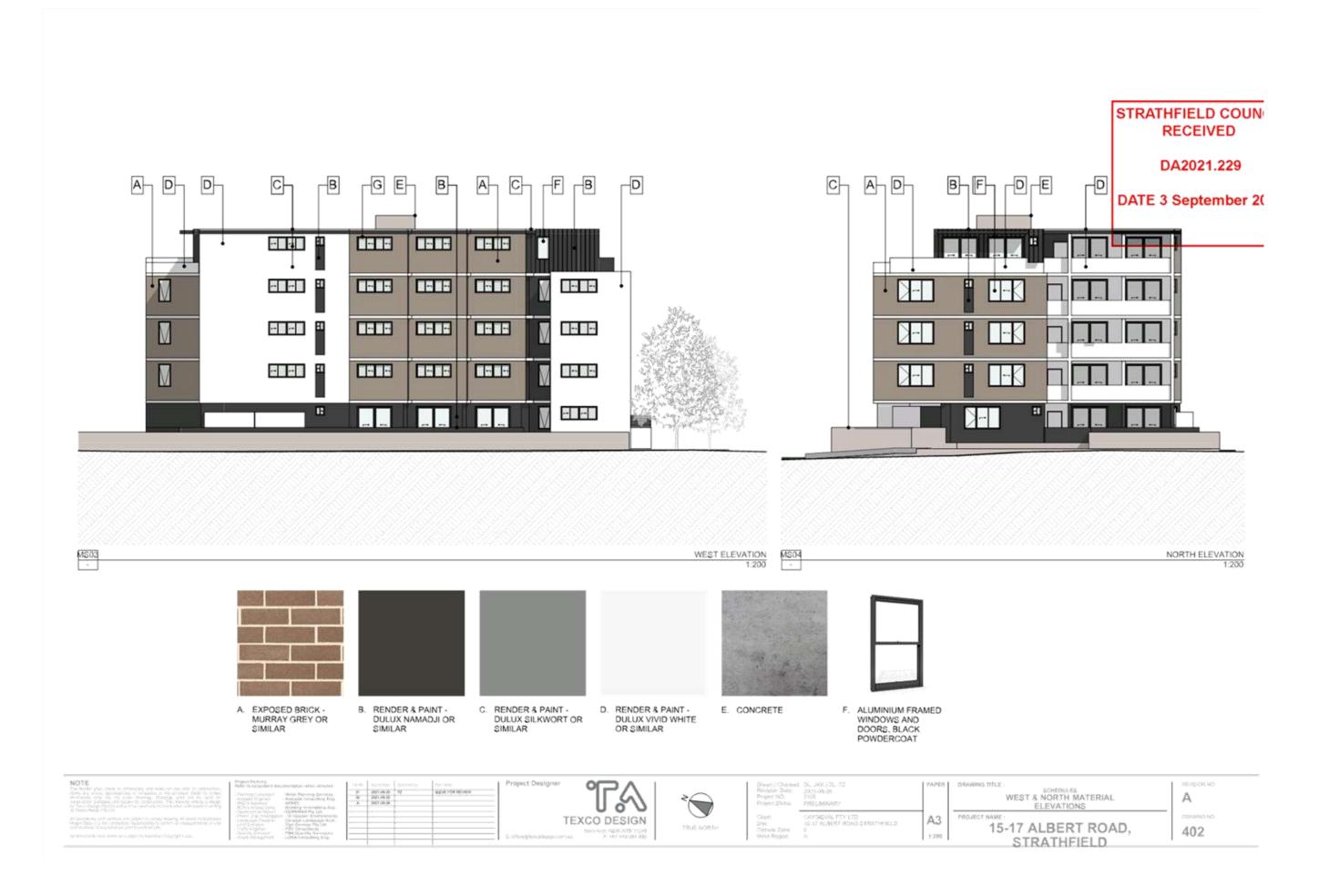
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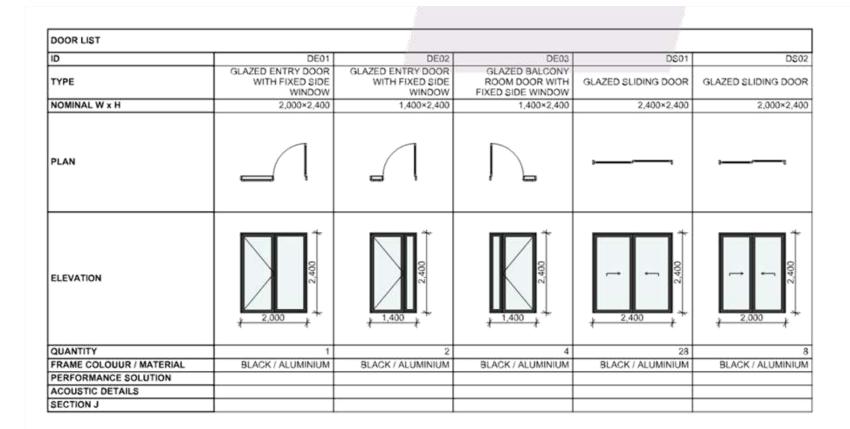


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Page 113



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Glazing Systems

	Glazing Reference	System Type	Glass Type	Frame Type	Glass U-Value (Wim*,K)	Glass SHGC	Total System U- Value (Wim'.K)	Total System 5HG0
С	1.00	Al tore	Segs yates	Alumbium.	5.60	0.56	5.80	0.38
	2.00	All hove	Single grants	Aumeum	1.60	0.58	5.80	0.38
	2.00 3.00	Al-town	Segle plazeg	Aumerican	1.00	0.56	5.80	0.38 0.38 0.38
	4.00	Altone	Single glating	Almenin	1.00	0.56	5.80	0.36
ľ	5.00	At your	Despt placing	Aurospe	1.60	0.56	5.60	0.36
ŕ	6.00	AJ NEWS	Single plating	Alumetum:	1.00	0.56	5.80	036

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TYPE	AWNING WINDOW	SLIDING WINDOW	OBSCURE GLAZING SLIDING WINDOW	SLIMLINE GLAZING SLIDING WINDOW	OBSCURE GLAZING SLIDING WINDOW
NOMINAL W x H	800×1,500	2,400×1,500	2,400×900	2,400×600	600×600
SILL HEIGHT	900	900	1,500	900	1,800
PLAN	=				=
ELEVATION	**************************************	2,400	2,400	2,400	1600
QUANTITY	34	20	20	4	22
FRAME COLOUR / MATERIAL	BLACK / ALUMINIUM	BLACK / ALUMINIUM	BLACK / ALUMINIUM	BLACK / ALUMINIUM	BLACK / ALUMINIUM
PERFORMANCE SOLUTION					
ACOUSTIC DETAILS					
SECTION J					

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DATE 3 September 20

Glazing Systems

Glazing Reference	System Type	Glass Type	Frame Type	Glass U-Value (Wim*.K)	Glass SHGC	Total System U- Value (Wim'.K)	Total System SHGC
1.00	Al tore	Single glading	Aumeum	(M/m²,K) 5.60	0.56	5.40	0.38
2.00	Alters	Single gialing	Aummun	1.60	0.50	5.80	0.38
100	Alton:	Sege yates	Aluminum	5.00	0.56	5.80	0.38 0.38 0.38
4.00	Alton	Single paints	Aummin	1.00	0.56	5.80	0.38 0.38
3.00	At town	Single grazing	Aurities	5.60	0.56	5.60	0.36
8.00	All Spine	Single plating	Aurenten:	1.00	0.56	5.80	0.36

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STRATHFIELD LOCAL PLANNING PANEL MEETING 3 FEBRUARY 2022





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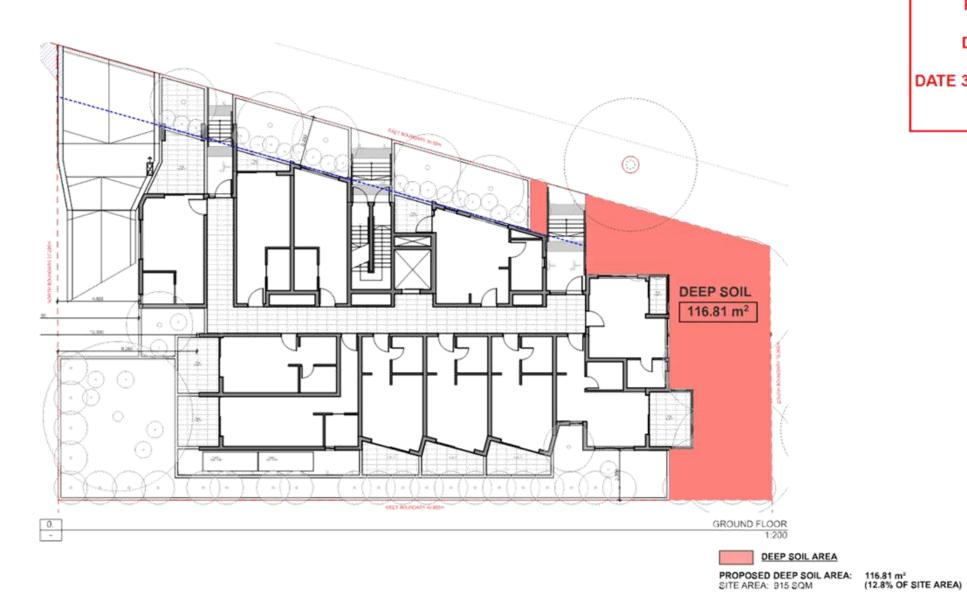
DIAGRAMS

LANDSCAPE CALCULATION

PROJECT NAME :

15-17 ALBERT ROAD, STRATHFIELD A 03/4/40 NO.

502



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DATE 3 September 20

Project Designer

TEXCO DESIGN

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DEEP SOIL CALCULATION

A 15-17 ALBERT ROAD, STRATHFIELD 503

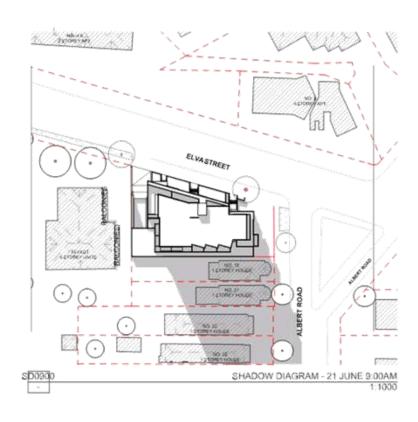
REVENUENCE

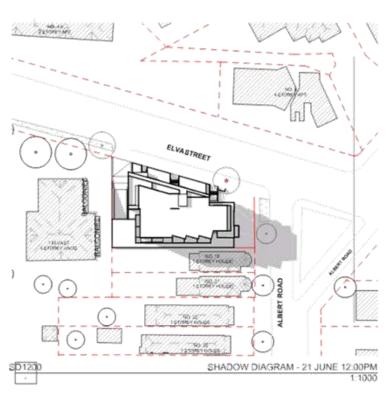
Item 2 - Attachment 2

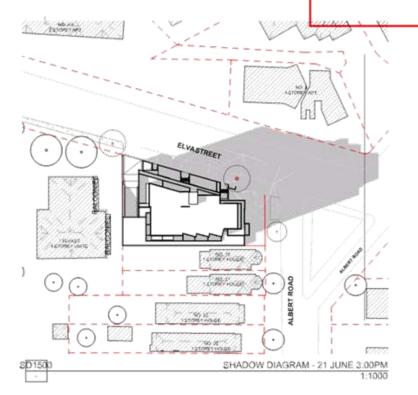
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DATE 3 September 20







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PROPOSED SHADOW DIAGRAM

PROJECT NAME:

15-17 ALBERT ROAD,

STRATHFIELD

504

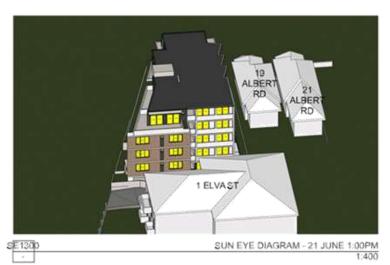
STRATHFIELD LOCAL PLANNING PANEL MEETING 3 FEBRUARY 2022

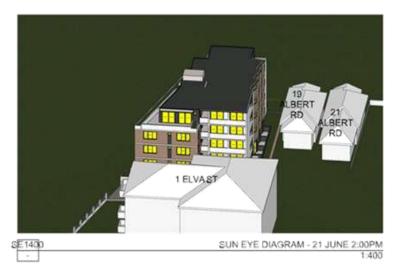


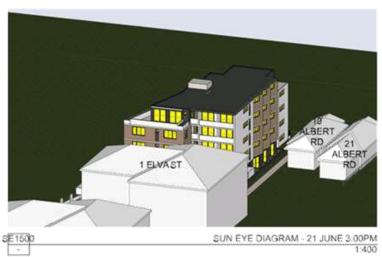




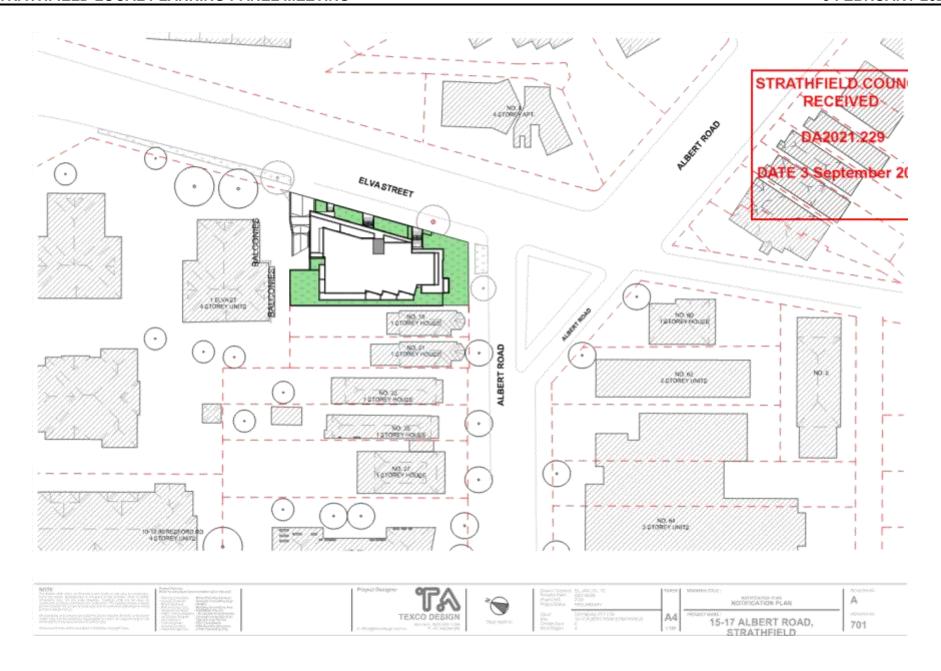








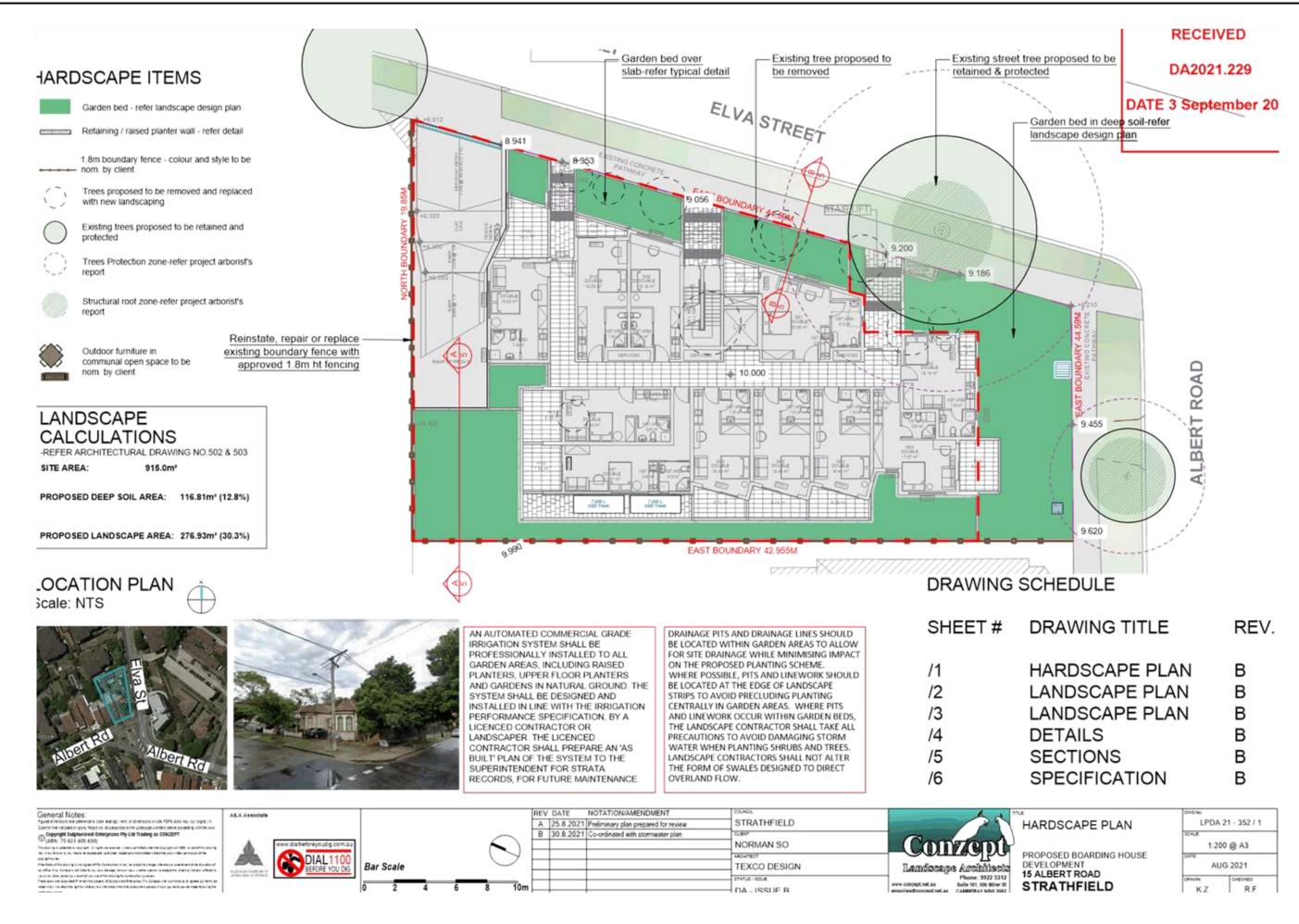
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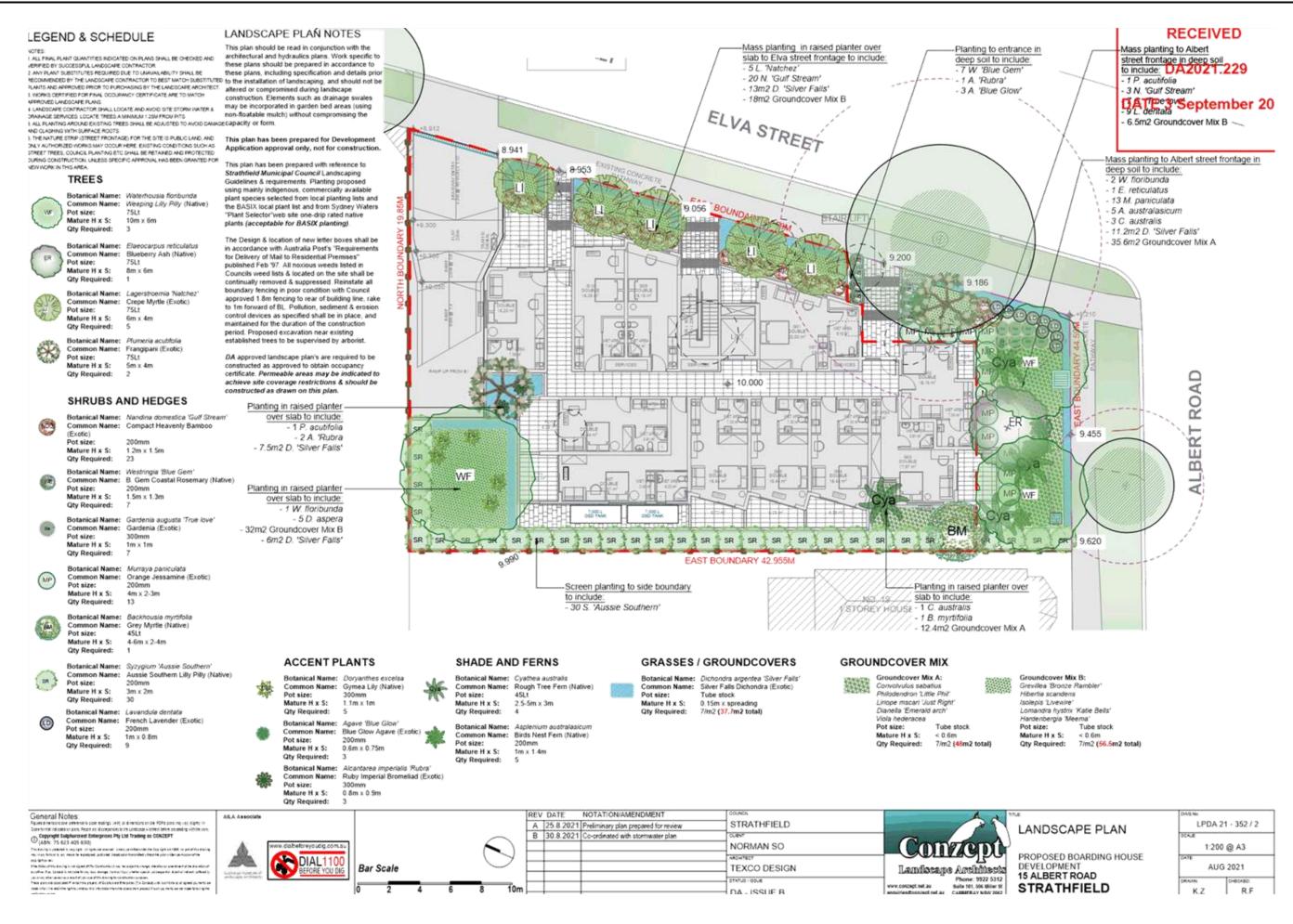
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LEGEND & SCHEDULE

NOTES: 1. ALL FINAL PLANT QUANTITIES INDICATED ON PLANS SHALL BE CHECKED AND VERIFIED BY

SUCCESSFUL LANDSCAPE CONTRACTOR:

2. ANY PLANT SUBSTITUTES REQUIRED DUE TO UNAVAILABILITY SHALL BE RECOMMENDED BY THE LANDSCAPE CONTRACTOR TO BEST MATCH SUBSTITUTED PLANTS AND APPROVED PRIOR TO PURCHASING BY THE LANDSCAPE ARCHITECT.

WORKS CERTIFIED FOR FINAL OCCUPANCY CERTIFICATE ARE TO MATCH APPROVED LANDSCAPE

LANDSCAPE CONTRACTOR SHALL LOCATE AND AVOID SITE STORM WATER & DRAINAGE SERVICES.

LOCATE TREES A MINIMALA 1 20M FROM PTO

I. ALL FUNTING AROUND ENSTRING TREES SHALL BE ADJUSTED TO AVOID DAMAGE AND CLASHING
WITH SURFACE ROCOTS.

IT THE NATURE STRP (STREET FRONTAGE) FOR THE SITE IS PUBLIC LAND, AND ONLY AUTHORIZED.

NORKS MAY OCCUR HERE. EXISTING CONDITIONS SUCH AS STREET TREES, COUNCIL PLANTING ETG. SHALL BE RETAINED AND PROTECTED DURING CONSTRUCTION, UNLESS SPECIFIC APPROVAL HAS SEEN GRANTED FOR NEW YORK IN THIS AREA

SHRUBS AND HEDGES

Botanical Name: Westringla Blue Gem Common Name: B Gem Coastal Rosemary (Native)

Pot size: Mature H x S: 1.5m x 1.3m Qty Required: 23

ACCENT PLANTS

Qty Required:

Botanical Name: Phormium tenax 'Purpureum Common Name: New Zealand Flax (Exotic) Mature H x S: 0.9m x 0.9m

GRASSES / GROUNDCOVERS

Botanical Name: Dichondra argentea 'Silver Falls Common Name: Silver Falls Dichondra (Exotic)
Pot size: Tube stock
Mature H x 5: 0.15m x spreading

COMMUNAL OPEN SPACE ROOFTOPS AND TERRANCE PLANTERS GENERAL NOTE

BCA & Australian Standards (AS):

Building codes and standards are established on a federal level by the nationally recognised Building Code of Australia (BCA), & these apply to all phases of construction, including balustrade design and specification. Specifically, BCA 2012 Parts 3.9.1 (stairs) and 3.9.2 (balustrades) and Australian Standard 1170.1 cover regulations for balustrades on stairways, balconies, rooftop terraces and other surfaces between levels

BCA Balustrade Regulations and Standards

A balustrade is defined as a rail and its balusters (posts or other supporting members). BCA regulations

- . Be at least 1 metre high as measured from the
- · Have openings between risers or posts no greater than 125mm; and
- Be able to withstand loads and impacts as determined by AS 1170.1

The height regulation of 1 metre ensures the balustrade is high enough to provide prevention. against falling over the balustrade. The openings between risers or posts cannot be greater than 125mm to prevent children from falling between them. Load and impact regulations are designed to ensure balustrades can resist impact or will not collapse when pressure is applied to them from any

Balustrade Safety & Planters

BCA regulations state that the balustrade must be 1 metre or more, higher than the finished floor. On roof-top terraces, planters & furniture are often ncorporated in the landscape design. It's important for compliance and safety that these elements do not undermine the safety of Communal Open Space (COS) terraces and rooftops, and the compliance with the BCA and AS's are maintained

Items to consider are:

- Where planters form the safety balustrade, their internal face must be 1m non-climbable
- Outdoor furniture such as tables, BBQs, and seating shall be fixed and located a minimum 1m away from balustrades
- Where furniture is proposed to be fixed or adjacent to COS terrace planters which form the baliustrade, then a compliant handrail will be required to be fixed to the external edge of the

A concern for COS areas on rooftops or terrace areas is that the strata will add loose furniture which ultimately could undermine the safety of the installed balustrades. In this case, it shall be the strata bodies responsibility to manage the safety of these areas.

Ultimately, the compliance and safety of the COS areas shall be the responsibility of the builder, and carefully inspected and certified at the Occupation Certificate (OC) stage of the development

Maintenance of COS area

Communal Open Space terrace and rooftop areas are exposed to extremes (wind, sun, and extreme weather) so maintenance is important. The following item should be included or considered:

- All planters shall be structurally water-proofed, with this work certified and periodically inspected. Trades should be closely monitored so they do not subsequently damage completed waterproofing
- All planters shall be irrigated with an automated system set on an approved watering pattern. Moisture gauges should be installed in some planters to minimize overwatering
- Tree Anchors shall be installed in high wind areas to larger plants, such as palms & small trees
- Compliance for balustrades and handrails should be monitored regularly
- For the maintenance of large rooftop areas and planters without external balustrades, anchoring points for tying off harnesses for landscape maintenance workers are essential

LANDSCAPE PLAN NOTES

This plan should be read in conjunction with the architectural and hydraulics plans. Work specific to these plans should be prepared in accordance to these plans, including specification and details prior to the installation of landscaping, and should not be altered or compromised during landscape construction. Elements such as drainage swales may be incorporated in garden bed areas (using non-floatable mulch) without compromising the

Planting in raised planter over slab

Outdoor furniture-proprietary items

to comply with bca and australian standards.

and shall be the responsibility of the body corporate.

to include:

- 23 W. 'Blue Gem'

7 P. 'Purpureum' - 7.7m2 D. 'Silver Falls'

to be nom, by client

This plan has been prepared for Development Application approval only,

This plan has been prepared with reference to Strathfield Municipal Council DA approved landscape plan's are required to be constructed as approved to Landscaping Guidelines & requirements. Planting proposed using mainty indigenous, commercially available plant species selected from local planting lists and the BASIX local plant list and from Sydney Waters "Plant

Selector'web site one-drip rated native plants (acceptable for BASIX planting).

The Design & location of new letter boxes shall be in accordance with Australia Post's "Requirements for Delivery of Mail to Residential Premises" published Feb '97. All noxious weeds listed in Councils weed lists & located on the site shall be continually removed & suppressed. Reinstate all boundary fencing in poor condition with Council approved 1.8m fencing to rear of building line, rake to 1m forward of BL. Pollution, sediment & erosion control devices as specified shall be in place, and maintained for the duration of the construction period. Proposed excavation near existing established trees to be

ELVA STREET

Fixed outdoor furniture for rooftop communal open space shall be located a minimum 1m

away from planter wall, wherever external handrail is omitted, where benches or furniture is fixed or located adjacent the rooftop planter wall, an external balustrade must be installed

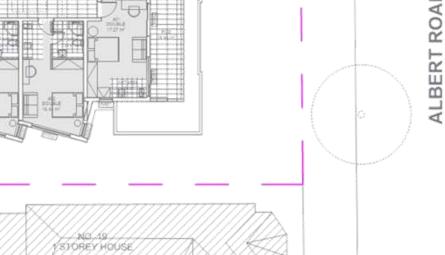
Non-fixed furniture added by strata shall be located a minimum 1m away from planter wall,

obtain occupancy certificate. Permeable areas may be indicated to achieve site coverage restrictions & should be constructed as drawn on this

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DA2021,229

DATE 3 September 20



SAMPLE IMAGES

Hamdocape Architecto

Phone: 9922 5312 Suita 101, 506 Miller St.







General Notes:

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REV DATE NOTATION/AMENDMENT STRATHFIELD A 25.8.2021 Preliminary plan prepared for review B 30.8.2021 Co-ordinated with stormwater plan NORMAN SO TEXCO DESIGN DA JECUE D

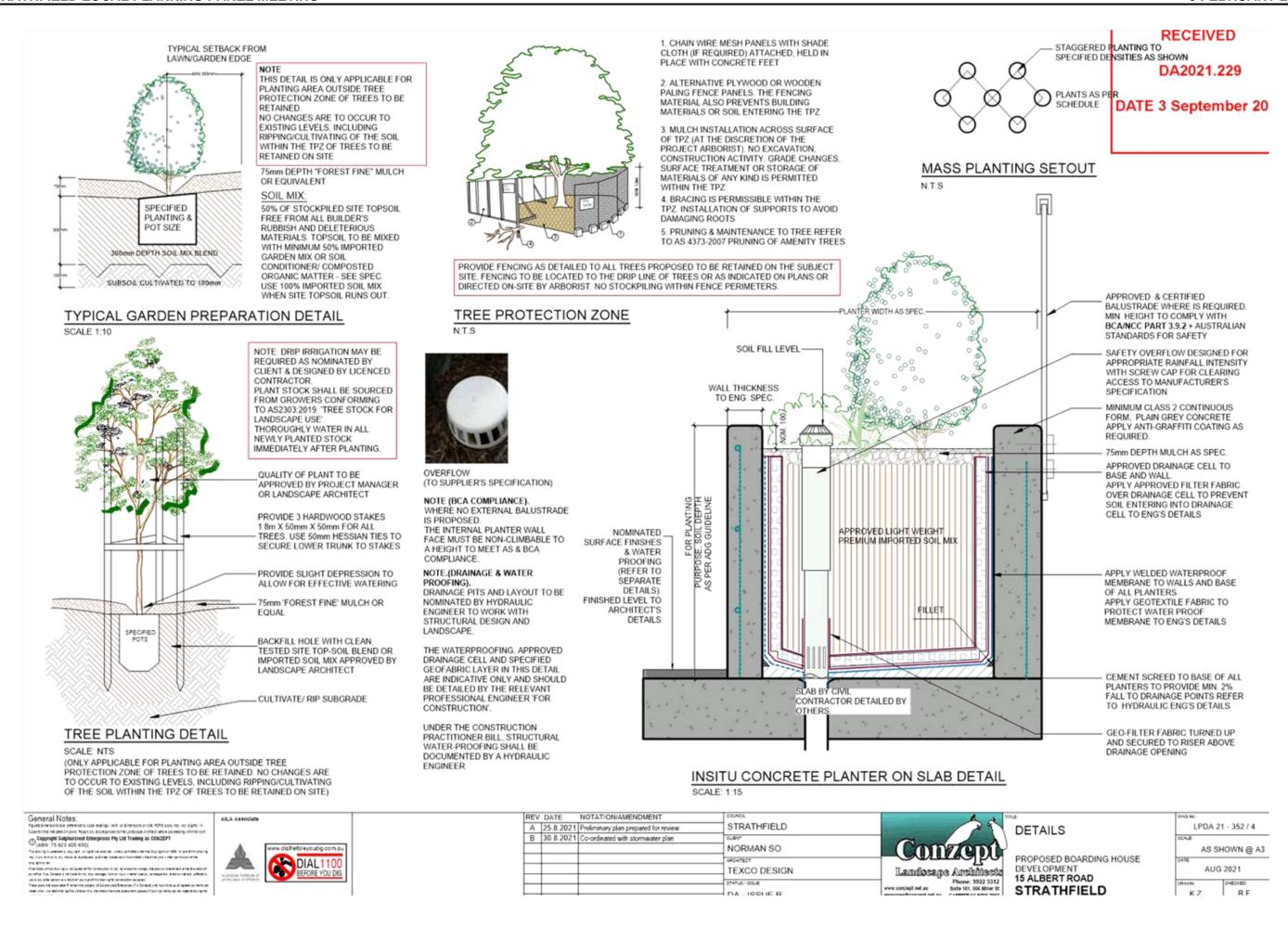
LANDSCAPE PLAN

PROPOSED BOARDING HOUSE DEVELOPMENT 15 ALBERT ROAD STRATHFIELD

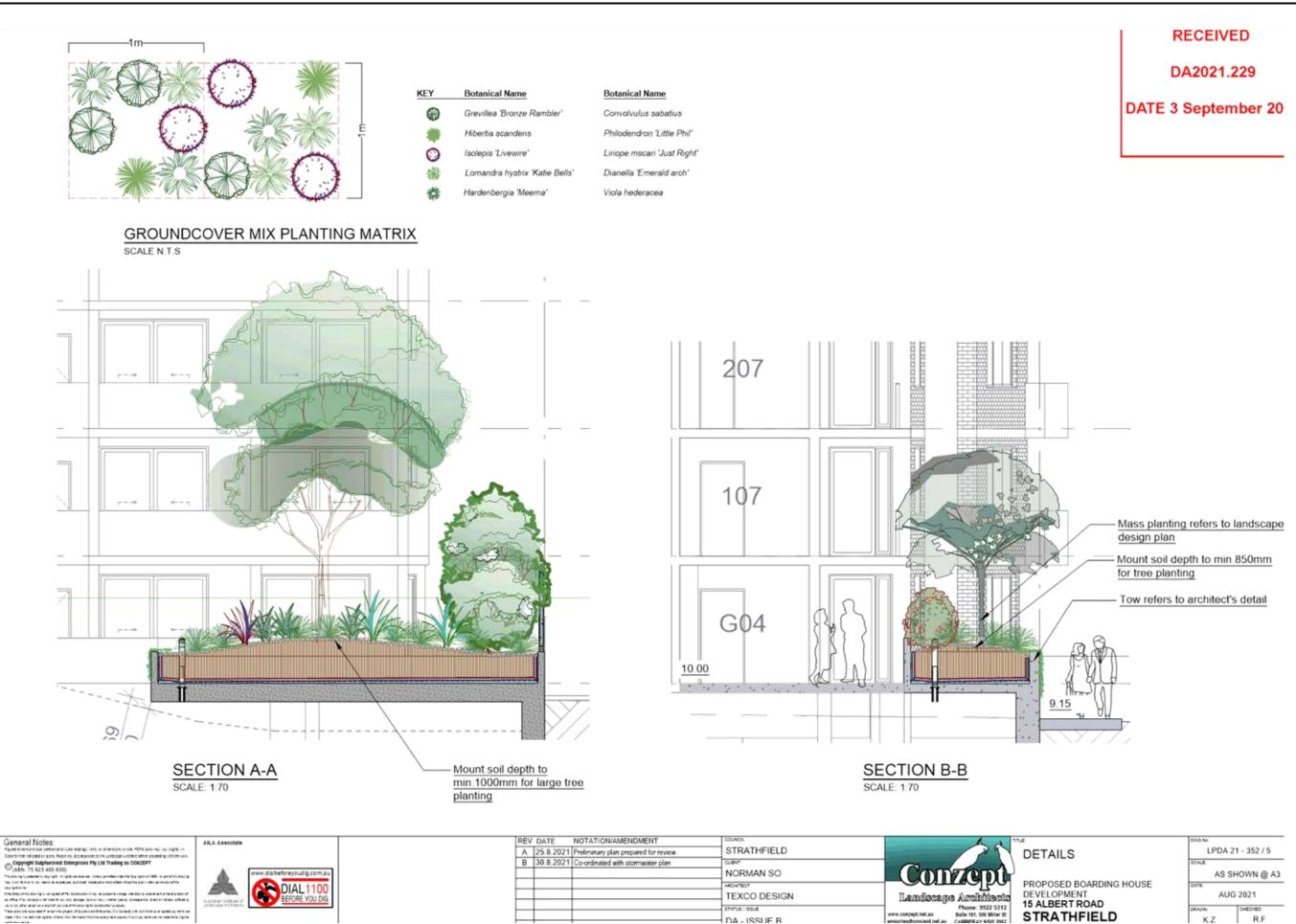
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LANDSCAPE WORK SPECIFICATION

PRELIMINARIES

1.01 GENERAL

The following general conditions should be considered prior to the consmencement of landscape works

- The landscape plans should be read in conjunction with the architectural plans, hydraulic plans, service plans and survey prepared for the proposed development.
- All services including existing drainage should be accurately focated prior to the commencement of landscape installation. Any proposed
- tree planting which falls close to services will be relocated on site under the instruction of the landscape architect.

 Installation of conduit for regulared irrigation, electrical and other services shall be completed prior to the commencement of hardscape. works and hardstand oours

- wors and necessary spours.

 All outdoor lighting specified by architect or client to be installed by qualified electrician.

 Anomales that occur in these plans should be brought to our immediate attention.

 Where an Australian Standard applies for any landscape material testing or installation technique, that standard shall be followed.

1.02 PROTECTION OF ADJACENT FINISHES

The Contractor shall take all precautions to prevent damage to all or any adjacent finishes by providing adequate protection to these areas surfaces prior to the commencement of the Works

1.03 PROTECTION OF EXISTING TREES.

Existing trees identified to be retained shall be done so in accordance with AS 4970-2009 Protection of trees on development sites as well as in accordance with the tree protection measures prepared by project arborist.

Where general works are occurring around such trees, or pruning is required, a qualified Arborist shall be engaged to oversee such works and

Existing trees designated on the drawing for retention shall be protected at all times during the construction period. Any soil within the drip-line of existing trees shall be excavated and removed by hand only. No stockpiling shall occur within the root zone of existing trees to be retained.

Any roots larger in diameter than 50mm shall only be severed under instruction by a qualified arborist. Roots smaller than 50mm diameter shall be out cleanly with a saw.

Temporary fending shall be installed around the base of all trees to be retained prior to the commencement of landscape works. Where possible this fending will be located around the drip line of these trees, or a minimum of 3m from the trunk. The fending shall be maintained for

The Contractor shall take all proper precautions to prevent the erosion of soil from the subject site. The contractor shall install erosion & sediment control barriers and as required by council, and maintain these barriers throughout the const control measures adopted should reflect the soil type and erosion characteristics of the site.

- Erosion & pollution control measures shall incorporate the following:

 Construction of a sediment trap at the vehicle access point to the subject site.

 Sediment fencing using a geotextile filter fabric in the location indicated on the erosion control plan or as instructed on site by the
- scape architect.

 Earth banks to prevent scour of stockpiles.
- Sandbag kerb sediment traps Straw bale & geotextile sediment filter.
- Exposed banks shall be pegged with an approved Jute matting in preparation for mass planting

Refer to 'Quidelines for Ergsion and Sediment Control on Building Sites' by DLWC (2000) for construction techniques

2.01 MATERIALS

Specified Soil Conditioner (Generally to improve site soil)

The specified soil conditioner for site top-soil improvement shall be an organic mix compiles with AS 4454-2012 Composts, soil conditioners The apertured so Note that for sites up-year improvement shall be an organic this complete with AS 4454-2912 Composts, soil conditioned and mulches. Note that for sites where soil testing indicates toxins or extremes in pH, or soils that are extremely poor, allow to excavate and supply 300mm of imported soil mix.

New gardens & proposed Planting
New garden and planting areas still consist of a 50/50 mix of clean site soil (refer d) below) and imported soil. All mixes are to comply with
A\$4419-2003 Soils for Landscaping and garden use, 6 AS 4454 Composts, Soil conditioners & mulches.

The specified soil mix or all furf areas shall be a min 75mm layer of imported soil mix consisting of 80% washed river sand treasonably coarse), and 20% composted organic matter equivalent to mustiroom compost or spil conditioner, or other approved lawn top dress.

Site topsoil is to be clean and free of unwanted matter such as gravel, clay lumps, grass, weeds, tree roots, sticks, rubbish and plastics, and any deletedous materials and materials boxic to plants. The topsoil must have a per of between 5.5 and 7. Use 100% imported soil mix when site when site topsoil runs out.

Note: No level changes (Cut or Fill), soil ripping within the Tree Protection Zones of trees to be retained a). Testing

All testing is to be conducted in accordance with AS4419-2003 Solis for Landscaping and garden use Methods for testing solis for engineering purposes. Site soil shall be given a pH test prior to modifying to ensure conditions are appropriate for planting as stated above. Tests shall be taken in several areas where planting is proposed, and the pH shall be adjusted, accordingly with sulphur or lime to suit

Note that a soil test conducted by the Sydney Environmental & Soil Laboratory or approved equal shall be prepared for all common multi-unit residential sites. The successful landscape contractor shall implement the rec

b) Set Out of Individual Trees & Mass Planting Areas. All individual tree planting positions and areas designated for mass planting shall be set out with stakes or another form of marking, ready for inspection and approval. Locate all services.

c) Establishing Subgrade Levels

c) Instabilishing subgrade Levels
 Subgrade inveis are defined as the finished base levels prior to the placement of the specified material (i.e. soil conditioner). The following subgrade levels shall apply:

 Mass Planting Beds - 300mm below existing levels with specified imported soil mix.
 Turf areas - 100mm below finished surface level.

 Note that all subgrades shall consist of a reliatively free draining natural material, consisting of site topsoil placed previously by the Civil

Contractor. No builders waste material shall be acceptable

Alf.A Awardiste

Subgrade Cultivation

d) Subgrade Cultivation Cultivate all subgrades to a minimum depth of 100mm in all planting beds and all turf areas, ensuring a thorough breakup of the subgrade into Cultivate all subgrades to a minimum depth of 100mm in all planting beds and all turf areas, ensuring a thorough breakup of the subgrade into

e) Drainage Works
Install surface and subsurface drainage where required and as detailed on the drawing. Drain subsurface drains to outlets provided, with a minimum fall of 1:100 to outlets and / or service pits.

Placement and Preparation of Specified Soil Conditioner & Mixes.

- Trees in turf & beds Holes shall be twice as wide as root ball and minimum 100mm deeper backfill hole with 50/50 mix of clean site.
- Trees in tark 3 beds Holes shall be base as wide as not ball and minimum 100mm deeper backfill hole with 50/50 mix of clean site soil and imported "Organic Garden Mix" as supplied by ANI, or approved equal.
 Mass Planting Beds Install specified soil conditioner to a compacted depth of 100mm.
 Place the specified soil conditioner to the required compacted depth and use a rotary hole to thoroughly mix the conditioner into the top 300mm of garden bed soil. Ensure thorough mixing and the preparation of a reasonably fine tith and good growing medium in preparation for planting.
 Turf Areas install specified soil mix to a minimum compacted depth and grade to required finished soil levels, in preparation for planting and turfing.

PLANTING

3.01 MATERIALS

a) Quality and Size of Plant Material
All trees supplied above a 25L container size must be grown and planted in accordance with AS 2303-2019
Tree stock for landscape
use. Certification that trees have been grown to AS2303-2018 guidelines is to be provided upon request of Council's Tree Management

Above - Ground Assessment criteria should be followed:
The following plant quality assessment criteria should be followed:
Plant true to type, Good signor and health, free from peat 6 disease, five from injury, self-supporting, good stem taper, has been pruned correctly, is apically dominant, has even crown symmetry, five from included bank 8 stem junctions, even trunk position in pot, good stem

Below - Ground Assessment:
Good root division & direction, rootball occupancy, rootball depth, height of crown, non-suckering For further explanation and description of these assessment criteria, refer to AS2303-2019.

All Plant material shall be to the type and size specified. No substitutions of plant material shall be permitted without written prior approval by the Landscape Architect. No plant shall be accepted which does not conform to the standards listed above

ide min, 3 No. Stakes and ties to all plants identified as trees in the plant schedule. Stakes shall be sound: unpainted, straight hardwood, free of knots and pointed at one end. They shall be 2200mm x 50mm x 50mm Hardwood, or approved alternative. Ties shall be 50mm wide

Fertivers shall be approved slow release fertilisers suitable for the proposed planting types. Note that for inative plants, specifically Proteaceae family plants including Grevillea species, low phosphorus fertilizers shall be used.

d) Mulch Mulch shall be an approved equal to "FOREST FINE" as supplied by ANL. Mulch shall be completely free from any soil, weeds, rubbish or other

e) Turf Turf shall be soft leaf Buffalo or equivalent (unless stated otherwise), free from any weeds and other grasses, and be in a healthy growing.

3.02 INSTALLATION

a) Setting Out.
All planting set out shall be in strict accordance with the drawings, or as directed. Note that proposed tree planting located near services should be adjusted at this stage. Notify Landscape Architect for inspection for approval prior to planting.

by Francing All plant material shall be planted as soon after delivery as possible. Pranting holes for trees shall be excavated as detailed and specified. Plant containers shall be removed and discarded, and the outer roots gently teased from the soil mass. Immediately set plant in hole and backfill with specified soil mix, incorporating the approved quantity of fertiliser for each plant type. Ensure that plants are set plumb vertically and root balls set to the consolidated finished grades-detailed on the drawings. Compact the backfilled on and saturate by hard watering to expet any remaining air pockets immediately after planting.

c) Staking and Tying Staking and tying shall be in strict apportance with the drawings and shall occur invinediately following plant placement and soil backfilling. All plants identified as "Trees" on the planting schedule shall be staked with a min. 3 stakes.

d) Mulching Mulching Shall be an approved equal to "FCREST FINE" as supplied by ANL. Mulch shall be completely free from any soil, weeds, rubbish or other debris. Mulch for bio-retention/rain garden area where is required shall be non-floatable materials that could include crushed rook, gravel, obsise river sand, soorial or river selboles. 4-7 mit screenings or similar.

e) Turfing

Moisten soil prior to the turf being laid. Turf shall be neatly butt jointed and true to grade to finish flush with adjacent surfaces. Incorporate a lawn fertilizer and thoroughly water in. Keep furf moist until roots have taken, and sods/rolls cannot be lifted. Keep all traffic off turf until this has occurred. Allow for top dressing of all turf areas. All turf shall be roited immediately following installation.

f) Brick garden edging Where is required, the Contractor shall install Brick garden edging as detailed on the drawings, to all mass planting beds adjoining surf or gravel mulched arreas, and where required. The resultant edge shall be true to line and flush with adjacent surfaces. However, no edging shall be used within the Structural Root Zone (SRZ) of trees to be retained.

REV DATE

g) Insture only and public domain works. The relate is public land, and only authorized works may occur here. Existing Conditions such as street trees, council planting etc shall be retained and protected during construction, unless specific approval has been granted for new work in this area. Where council policy specifies a particular unit paver, material finish, pattern or treatment, it shall be the contractors responsibility to this area. Where council policy specifies a particular unit paver, material finish, pattern or treatment, it shall be the contractors responsibility to this area. Where council policy specifies as particular unit paver, material finish, pattern or treatment, it shall be the contractors responsibility to this area.

Distinge pits and drainage lines should be located within garden areas to allow for site drainage while minimising impact on the proposed planting scheme: where possible, pits and linework should be located at the edge of landscape strips to avoid precluding planting centrally in garden areas, where pits and linework coops within garden beds, the landscape contractor shall take all pretoutions to avoid damaging storm water when planting struts and trees, landscape contractors shall not after the form of swales despred to direct overfand flow.

NOTATION/AMENDMENT

HARDSCAPE WORKS

DA2021.229 The Contractor shall undertake the installation of all hardscape works as detailed on the drawing, or where a

specification.

Paving - refer to typical details provided, and applicable Australian Standards. Permeable paving may be used as a suitable means of satisfying Council permeable surface requirements, while providing a useable, hardwering, practical surface. In most instances, the olient shall nominate the appropriate paving materials to be used.

Australian Standards shall be adhered to in relation to all concrete, masonry & metal work, some details to the providing and inspected and approved by the Landacape Architect prior to installation. All workmanship shall be of the highest standard. Any queries or problems that arise from hardscape variations should be bought to the attention of the Landacape Architect. To directed to any obligations or responsibilities under the Dividing Fences As. 1991 in respect of adjoining property owner's which may arise from this application. Any enquiries in this regard may be made to the Crown Lands on 1300 886 235.

5.01 GENERAL (PERFORMANCE SPECIFICATION)

This is a general trigation Performance Specification only, as a guide for projects requiring irrigation systems as part of consent requirements or

This is a general impation Performance Specification only, as a guide for projects requiring impation systems as part of consent requirements or building contractual arrangements.

An automated impation system is recommended for the effective establishment of new gardens, and to assist with the success of planting areas on termose, over shallow and in Communal Open Spaces.

The inclusion of this general specification is no guarantee that an impation system forms part of the landscape scope of works, which will be determined by the building contract.

New irrigation systems to planting areas shall be a Commercial Grade Irrigation System conforming to all relevant Australian standards, including AS 3500 & the Gas and Electricity (Consumer Safety) Act 2017. Workplace Health & Safety Act 2011, & the latest Systemy Water Code

An automated drip-irrigation system is to be installed to all gardens, planters and lawn areas in accordance with the approved irrigation Design This system shall be designed and installed by a qualified and licensed irrigation specialist, to the highest industry standards and to maximise the efficient usage of water

The installer is required to obtain all approvals necessary for the completion of works in accordance with the Laws of Australia. Laws of the State of NSW. Stratisfield Municipal Council By-Laws and Ordin

Drawlings: - The Landscape Contractor nominated Licensed Irrigation Specialist shall provide irrigation drawlings for approval upon engage

Design Requirements:

The impation system shall be installed prior to all planting works. It shall incorporate a commercially available irrigation system, with

- The Highton systems shall be installed prior to be participated in composite a uniform way wealing the properties to impact all gardens, planters and lawn areas.

 It shall incorporate a suitable back flow prevention device for the scale of works, an in-line filter, check valves, and suitable high and low density poly hose fittings and PVC piping to achieve flow rates suitable for specified planting.

 The irrigation application rate shall not exceed the infiltration rate of the soil or creates run-off.

 The landscape contractor shall check the existing pressure available from the ring mains and size irrigation piping to suit. Supply shall be
- The increaseage continuous shall be expended to ensure the expendigular to the continuous increase any available.

 All piping and fittings shall be buried 50mm below the finished soil levels in garden and lawn areas, and secured in position at 500mm centres with galv wire pins.

 Size of pipes shall be selected to ensure the working pressure at the end of the line does not decrease by more than 5%.

Services Co-ordination:
Co-ordination required by Landscape Contractor or Project Manager to provide required conduit, pipe work and penetration through slabs

The Landscape Contractor shall be engaged with the Irrigation Specialist to co-ordinate with the Project Manager to identify the preferred service and conduit locations. Project Manager and Landscape Contractor to establish area suitable for irrigation control system with required area, power provision and

Testing & Defects:

Upon completion of installation, the system shall be tested, including:

Wain Line Pressure Test: The main line is pressurised to test for leaks. All valves are shut and the pressure is taken over a determined.

**The main line is pressured to test for leaks. All valves are shut and the pressure is taken over a determined.

**The main line is pressured to test for leaks. All valves are shut and the pressure is taken over a determined. of time. Dripper Pressure Test: Measurement at flushing valves are taken and the pressure gauged to make sure it conforms to the manufacturer

recommendations. The inlet pressure is then tested under the same conditions to check it does not exceed 300Kps.

All components are to be safetactory functional and operational prior to approval. Should any defect develop, or the capsoty or efficiency of the system decline during the agreed maintenance system, then these faults shall be immediately and the system of the system

Warranty:
A full 12 month warranty shall be included to cover labour and all parts.

Further Documentation:
- On request, a detailed irrigation performance specification report can be issued.

CONSOLIDATION AND MAINTENANCE

consolidation and maintenance period shall be either.
 dimorths beginning from the approved completion of the specified construction work (Practical Completion) as agreed to in the landscape contractors contractual obligations.

or as specified by Council in the Determination.

A qualified landscape maintenance contractor shall undertake the required landscape maintenance works. Consolidation and maintenance shall mean the care and maintenance of Contracted works by accepted landscaping or horticultural practices, ensuring that all plants are in opti-growing conditions and appearance at all times, as well as rectifying any defects that become apparent in the contracted works.

This shall include, but not be limited to, the following items where and as required

- is shall include, but not be limited to, the following series where Watering all plenting and lawn seeds i implation marrienant Clearing litter and other debris from landscaped areas. Permoving weeds, pruning and general plant maintenance. Replacement of damaged, stolen or unhealthy plants. Make good areas of soil subsidence or erosion. Topping up of mulched areas. Spray I treatment for lineed and disease confroi.

- Fertilizing with approved fertilizers at correct rates. Mowing lawns & trimming edges each 14 days in summer or 18 days in winter
- Adjusting ties to Stakes.

 Maintenance of all paving, retaining and hardscape elements.

On the completion of the maintenance period, the landscape works shall be inspected and at the satisfaction of the superintendent or landscape architect, the responsibility will be signed over to the client.

General Notes:

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STRATHFIELD A 25.8.2021 Preliminary plan prepared for review B 30.8.2021 Co-ordinated with stormwater plan NORMAN SO TEXCO DESIGN DA JESTIE B

Landocage Architecto Phone: 9922 5312 Suite 101, 506 Miller St.

SPECIFICATIONS

PROPOSED BOARDING HOUSE DEVELOPMENT 15 ALBERT ROAD STRATHFIELD

LPDA 21 - 352 / 6 AUG 2021 K 2 RF



TO: Strathfield Local Planning Panel Meeting - 3 February 2022

REPORT: SLPP – Report No. 3

SUBJECT: DA2021.85.2- 201 PARRAMATTA ROAD HOMEBUSH WEST

DA NO. DA2021.85.2

SLPP REPORT – Section 4.55(2) Modification

	201 Parramatta Road HOMEBUSH WEST
Property:	Lot 101 DP 1262255
	DA 2021/85/2
	4.55(2) Modification Application to allow for unlimited truck
Proposali	access during daytime hours between 7am and 6pm and for
Proposal:	increasing truck movements to a maximum of sixteen (16)
	truck movements (entering/exiting) between 6pm and 7am.
Applicant:	Trumen Norman Homebush Pty Ltd
Owner:	Sydney Olympic Park Authority
Date of lodgement:	14 October 2021
Notification period:	21 October 2021 to 5 November 2021
Submissions received:	Seven
Assessment officer:	P Santos
Estimated cost of works:	\$66,270.00 (from the original DA)
Zoning:	B6 – Enterprise Corridor - SLEP 2012
Heritage:	Adjacent to a Heritage Conservation Area – "C6" = Welfare
Heritage.	Street Conservation Area, Inter-war Bungalow Style Group
Flood affected:	Yes
RECOMMENDATION OF	REFUSAL
OFFICER:	TEL OOME



Figure 1. Aerial imagery of the subject site (outlined) and the immediate locality.

EXECUTIVE SUMMARY

Proposal

Development consent is being sought for the proposed modification to DA2021/85 to allow for unlimited truck access during daytime hours between 7am and 6pm and for increasing truck movements to a maximum of sixteen (16) truck movements (entering/exiting) between 6pm and 7am.

Site and Locality

The subject site is legally described as Lot 101 DP 1262255 and commonly known as 201 Parramatta Road, Homebush West.

The site is located on the northern side of Parramatta Road and has an area of 26,100m2 (2.6ha).

The current streetscape and the immediate locality, apart from the small pocket of residential development that forms part of the C6 Heritage Conservation Area, are characterised by a network of major highways and a motorway – Parramatta Road, Centenary Drive and Western Motorway (M4), a mix of large warehouse or distribution centres, offices, and a food and drink premises – The Wentworth Hotel. Sydney Markets is located across the road, to the south of the subject site.

Strathfield Local Environmental Plan

The site is zoned B6 – Enterprise Corridor under the provisions of Strathfield LEP 2012 (SLEP 2012) and the proposal is a permissible form of development with Council's consent. The proposal satisfies all relevant objectives contained within the LEP.

Development Control Plan

The proposed development fails to satisfy a number of provisions under SCDCP 2005. This is discussed in further detail in the body of the report.

Notification

The application was notified in accordance with Council's Community Participation Plan from 21 October 2021 to 5 November 2021, where seven submissions were received raising the following concerns:

- Noise, and
- Access to Welfare Street.

Issues

• Trucks' noise and vibration impacts to the dwelling houses along Flemington Road.

Conclusion

Having regards to the heads of consideration under Section 4.15 of the *Environmental Planning & Assessment Act 1979*, development application 2021/85/2 is recommended for refusal, in accordance with the attached reasons of refusal.

REPORT IN FULL

Proposal

Approval is being sought for the modification of development consent DA2021/85 to allow for unlimited truck access during daytime hours between 7am and 6pm and for increasing truck movements to a maximum of sixteen (16) truck movements (entering/exiting) between 6pm and 7am.

In particular, the proposed development seeks to amend points 1 and 2 of condition #21 in the notice of determination (NOD) for DA2021/85 –

"21 Special Conditions – Environmental Health Condition

- 1. Truck movements are limited to eight inward and eight outward truck movements per hour during daytime hours: 7am-6pm.
- 2. Truck movements are limited to three inward and three outward truck movements per hour during night-time hours: 6pm-7am.
- 3. Applicant is to include a method statement for automatically monitoring and recording the number and type of truck movements into and out of the site.
- 4. If a significant number of noise complaints are received by Council Council will request the property owner engages a suitably qualified acoustic consultant to ensure that the site operations and truck movements; both day and night time are not giving rise to offensive noise, ie. Noise generated is 5dB below background. The acoustic consultant is to conduct suitable testing, and provide a report of the findings and methods to reduce offensive noise.
- 5. Vehicular access to the site via Welfare street is limited to daylight hours (7am-6pm)

The condition above includes in #5 that there will be no vehicular access to the site via Welfare Street outside the hours of 7am to 6pm. Further, note that a condition of consent in the original DA states that –

"19 Maximum Vehicle Size

Small Rigid Vehicle

The maximum size of truck using the proposed driveway off Welfare Road shall be limited to Small Rigid Vehicle as denoted in AS2890.2-2002: Parking Facilities – Off-street commercial vehicle facilities."

Background

Related Consents

31 March 2021 A complying development certificate (CDC-20083) was issued for the

purpose of construction of a warehouse development with ancillary offices,

external hardstand, loading docks and associated parking.

2 September 2021 A consent was granted by the Strathfield Local Planning Panel for

DA2021/85 (the original DA) for the first use as a warehouse/distribution centre and change of hours to allow 24/7 operations for units 1 to 4, and

construction of acoustic fences.

5 October 2021 A complying development certificate (CDC-21105) was issued for the first

use of Lot B Building 1 and Lot A units 5-8 for the purpose of

warehouse/distribution centre.

12 November 2021 A consent was granted by Council's Internal Development Assessment

Panel for the purpose of internal alterations and conversion of part of the ground floor and the mezzanine level storage and breakout rooms of Building 1 Lot B, unit 4 and units 5-8 to create ancillary offices within industrial warehouse development and provision of two new parking spaces

along the access handle of the lot.

Subject DA

14 October 2021 The subject modification application was lodged.

21 October 2021 The application was put on public notification until 5 November 2021.

Council received seven submissions during this period.

10 November 2021 A meeting was held between Council, the applicant and representatives

from Ecofarms - a tenant of the warehouse/distribution centre

development.

The Site and Locality

The subject site is legally described as Lot 101 DP 1262255, commonly known as 201 Parramatta Road, Homebush West.

The whole site is located on the northern side of Parramatta Road and has an area of 26,100m2 (2.6ha).

The site is currently under construction for the purpose of the CDC-approved warehouse/distribution centre (CDC-20083).

The current streetscape and the immediate locality, apart from the small pocket of residential development that forms part of the C6 Heritage Conservation Area, are characterised by a network of major highways and a motorway – Parramatta Road, Centenary Drive and Western Motorway (M4), a mix of large warehouse or distribution centres, offices, and a food and drink premises – the Wentworth Hotel. Sydney Markets is located to the south of the subject site on the other side of Parramatta Road.



Figure 2. Southern elevation of Building 1 (fronting Parramatta Road).



Figure 3. Part of the southern elevation of Building 1 fronting Parramatta Road.



Figure 4. Part of the Sydney Markets development comprised of retail shops on the southern side of Parramatta Road.

Referrals

INTERNAL

Environmental Health - Noise

The application was referred to Council's Acoustic Engineer, who provided the following comments:

"...acoustic walls are designed to mitigate noise generated from within the site, it does not consider or cater for increase in traffic noise generated with the proposed additional truck movements throughout the day."

"The submitted acoustic report does not consider considerations for instances where trucks may be idling when entering and existing the site. In an instance where there may be a blockage on major road along Parramatta Road, it will further create unnecessary stress on the surrounding local road creating further impact on the local residents along Welfare Street and Flemington Road."

"Current approved conditions for the operation of the site is at an upper limit to manage and mitigate environmental impacts on the surrounding residential neighbours."

The applicant was informed of the concerns raised by Council's Acoustic Engineer. The applicant's consultant has provided a response which is detailed in the assessment section of this report.

EXTERNAL

No external referral was made as previous comments from Transport for NSW (TfNSW) provided as part of the parent application (DA2021/85) and incorporated into the consent would not be impacted by the proposed modification.

Section 4.55 of the EP&A Act 1979

The application has been lodged under the provisions of S4.55(2) of the EPA Act. The application is not considered to be of minimal environmental impact, is substantially the same development for which consent was originally granted, has been notified in accordance with the provisions of Council's CPP and any submissions made will be considered as part of this assessment. In addition, under the provisions of s4.55 (3), the reasons for the granting on the consent that sought to be modified will be taken into consideration during the detailed assessment of the application.

Section 4.15 Assessment – EP&A Act 1979

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

(1) Matters for consideration – general

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

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

State Environmental Planning Policies

Compliance with the relevant state environmental planning policies is detailed below:

STATE ENVIRONMENTAL PLANNING POLICY	COMPLIES
State Environmental Planning Policy No 55 - Remediation of Land	Yes
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	Yes
State Environmental Planning Policy (Infrastructure) 2007	Yes

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

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

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

The objectives outlined within SEPP55 are considered to be satisfied.

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

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

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

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

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

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

Clause 101 of the SEPP requires the consent authority to take into consideration the following:

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

The above had already been taken into consideration in the original DA and previous comments have been taken into consideration in the assessment of this modification application.

As such, the provisions of the SEPP are considered to be satisfied.

Strathfield Local Environmental Plan

The development site is subject to the Strathfield Local Environmental Plan 2012 and is consistent with the aims of this plan.

Part 2 – Permitted or Prohibited Development

Clause 2.1 – Land Use Zones

The subject site is zoned B6 – Enterprise Corridor, and the proposal is a permissible form of development with Council's consent and is considered that the development meets the objectives of the zone.

Part 4 - Principal Development Standards

The nature of the proposal does not warrant an assessment against the provisions of the principal development standards of the SLEP.

Part 5 - Miscellaneous Provisions

Heritage Conservation

The subject site adjoins the Welfare Street Conservation Area "C6" – Inter-war bungalow style group of houses. An assessment against the provisions of this clause was done in the original DA. The nature of the proposal in this modification application does not intensify the land use approved in DA2021/85 on the site. As such, no further assessment against the provisions of this clause is required to be undertaken.

Flood Planning

The subject site has been identified as being at or below the flood planning level. The part of the site that is affected is a negligible portion of the southern corner of the block of land, adjacent to Parramatta Road. Furthermore, the nature of the proposal will not create further disturbance on the flood behaviour as no construction of structures is part of this modification application. As such, it is considered that the provisions and objectives of the clause are satisfied.

Part 6 - Additional Local Provisions

Acid Sulfate Soils

The subject site is identified as having Class 5 Acid Sulfate Soils but is not located within 500m of a Class 1, 2 3 or 4 soils. Therefore, development consent under the provisions of this section is not required.

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

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

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

(iv) any development control plan,

The proposed development is subject to the provisions of the Strathfield Consolidated Development Control Plan 2005. The following comments are made with respect to the proposal satisfying the objectives and controls contained within Part D – Industrial Development and DCP No. 20 – Parramatta Road Corridor Area.

Noise

The SCDCP 2005 stipulates the following development controls –

DCP 20 – Parramatta Road Corridor

2.8 Visual and Acoustic Privacy

5. Noise impact associated with goods delivery and garbage collection, particularly early morning, should be minimised.

Part D – Industrial Development

2.4 Development Adjoining Residential Zones

- 6. Noise generated from fixed sources or motor vehicles associated with the proposed industrial development must be effectively insulated or otherwise minimised.
- 8. If operating noise levels of plant and equipment are proposed outside the hours of 7.00pm and 10.00pm, the applicant may be subject to a merit based assessment which may need to be supported by an Acoustical Engineers' report.
- 9. The development shall not otherwise cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting and the like.

The applicant has provided an acoustic report which was reviewed by Council's Acoustic Engineer. As previously discussed, Council's Acoustic Engineer provided comments which were relayed to the applicant to afford them of the opportunity to respond to the concerns raised.

The applicant's acoustic consultant responded in a letter received by Council on 26 November 2021, from which the following excerpts were taken.

- "1. The purpose of the acoustic wall (which includes the gate across Welfare Street which will closed during night-time operations) was always to provide appropriate acoustic protection and attenuation for the neighbouring residential receivers between Welfare Street and Flemington Road, immediately adjacent to the development."
- "2. I am not aware of any claim or concern that the acoustic wall is not suitable or appropriate to provide the acoustic protection required to the adjoining residential properties in relation to the proposed increase in night-time truck movements within the facility."
- "4. The acoustic wall will provide the specific acoustic attenuation and protection for which it was designed on a 24-hour basis, including acoustic protection for nearby residential receivers from noise associated with "additional truck movements throughout the day" including trucks moving from the Flemington Road entry gates past Units 5 8 (and the acoustic wall) towards the central area of the development."
- "5. The wall does not and was never intended to address noise associated with truck movements external to the facility."

The acoustic fence was part of the proposal approved in the original DA and aids in attenuating noise generated within the site. However, as raised as a concern by Council's Acoustic Engineer, detailed in the referral section of this report, and confirmed by the applicant's acoustic consultant – the construction of the acoustic fence will only address noise concerns from within the site.

It is noted that Council's Health Officer commented in the original DA that the truck movements are to be limited to three (per hour) inward and outward during daytime hours (7.00am to 6.00pm) and one (per hour) inward and outward during night-time hours (6.00pm to 7.00am). The Strathfield Local Planning Panel permitted an increase to the number of trucks to eight (per hour) during daytime and three (per hour) during night-time. In the current modification application, Council's Acoustic Engineer has indicated that the "current approved conditions for the operation of the site is at an upper limit to manage and mitigate environmental impacts on the surrounding residential neighbours".

Taking the above into consideration, Council is not satisfied that the noise and vibration that will be caused by the trucks moving up and down Flemington Road, in particular during night-time, will have no impact on to the nearby residential properties. As such, the proposal is not supportable and refused.

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

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

The proposed development does not involve the demolition of a building. Should this application be approved, appropriate conditions of consent may be imposed to ensure compliance with the requirements of the above standard.

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

The proposed modification is considered to have an adverse impact on the residential dwellings on the western side of Flemington Road. To assist in managing the proximity of residential dwellings along Welfare Street and Flemington Road to the new industrial developments and operation at the site, 24/7 hours operation was permitted in the original DA however with restrictions on the number of trucks to allow a viable co-existence between the residents and the new warehouse/distribution centre development.

To mitigate noise impacts associated with truck movements outside of the site, Council had established limitations as part of the parent application. The proposed modification has not provided adequate justification for an amendment to these limitations and accordingly, the proposed development is not supported due to the adverse amenity impact to the adjoining residential lots.

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

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

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

In accordance with the provisions of Councils Community Participation Plan, the application was placed on neighbour notification for a period of fourteen (14) days where adjoining property owners were notified in writing of the proposal and invited to comment. Seven submissions were received during this period raising the following concerns:

1. Vehicle Access – Welfare Street

A concern was raised that vehicular access will be given at the end of Welfare Street. Note that a condition of consent was imposed in the original DA to only permit access to the site via Welfare Street between 7.00am to 6.00pm. Further, another condition was imposed to ensure that only small rigid vehicles are going to use this road.

The above conditions will remain in place and will not be removed by the current modification application.

2. Noise

Concerns were raised regarding the potential noise impact this development will bring to the occupants of the residential properties in particular along Flemington Road. As previously mentioned, conditions of consent were imposed to ensure that Welfare Street will not be used by trucks and will only be used by small rigid vehicles within 7.00am to 6.00pm. Trucks can only enter the site through the Flemington Road entry.

Due to the lack of noise attenuation measures from when trucks travel Flemington Road, the proposed modification application is not supportable.

(e) the public interest.

The proposed development, as it is considered to have significant amenity impact to the nearby residential houses, is not in the public interest.

Local Infrastructure Contributions

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

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

The nature of the proposed modification does not trigger additional contributions to be paid beyond what was levied in the original DA.

Conclusion/Recommendation

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

Pursuant to Section 4.55(2) of the *Environmental Planning & Assessment Act 1979* and following detailed assessment of the proposed modifications to development consent No. 2021/85/2 to be refused in accordance with the reasons for refusal.

ned:

Date:13 January 2022

P Santos

Development Assessment Planner

- I confirm that I have determined the abovementioned development application with the delegations assigned to my position.
- I have reviewed the details of this development application and I also certify that Section 7.11/7.12 Contributions are not applicable to this development.

Report and recommendations have been peer reviewed and concurred with.

Signed: Date: 19 January 2022

J Gillies Senior Planner

RECOMMENDATION

That Development Application No. 2021.85.2 for Section 4.55(2) Modification Application to allow for unlimited truck access during daytime hours between 7am and 6pm and for increasing truck movements to a maximum of sixteen (16) truck movements (entering/exiting) between 6pm and 7am at 201 Parramatta Road Homebush West be **REFUSED**, for the following reasons:

REFUSAL REASONS

Under Section 4.16(1)(b) of the *Environmental Planning and Assessment 1979* (EP&A Act), this consent is REFUSED for the following reason;

1 Refusal Reason - Development Control Plan

Pursuant to Section 4.15 (1)(a)(iii) of the <u>Environmental Planning and Assessment Act</u> <u>1979</u>, the proposed development does not comply with the following sections of the Strathfield Consolidated Development Control Plan 2005 in terms of the following:

- (a) Section 2.8 Visual and Acoustic Privacy of the DCP No. 20 Parramatta Road Corridor, in which the proposed modification has not adequately taken into consideration the adverse impacts of the truck movements outside the site and on to the adjoining residential properties.
- (b) Section 2.4 Development Adjoining Residential Zones of Part D Industrial Development, in which the proposed development is envisaged to cause nuisance and is considered to have a negative impact on to the health and well-being of the residents of the dwellings along Flemington Road.

2 Refusal Reason – Impacts on the Environment

Pursuant to Section 4.15 (1)(b) of the <u>Environmental Planning and Assessment Act 1979</u>, the proposed development is likely to have an adverse impact on the following aspects of the environment:

(a) Social Impact – in which the proposed 16 trucks per hour inward and outward during the night-time (6.00pm to 7.00am) will have significant adverse impact to the well-being of the occupants of the residential lots along Flemington Road.

3 Refusal Reason – Public Interest

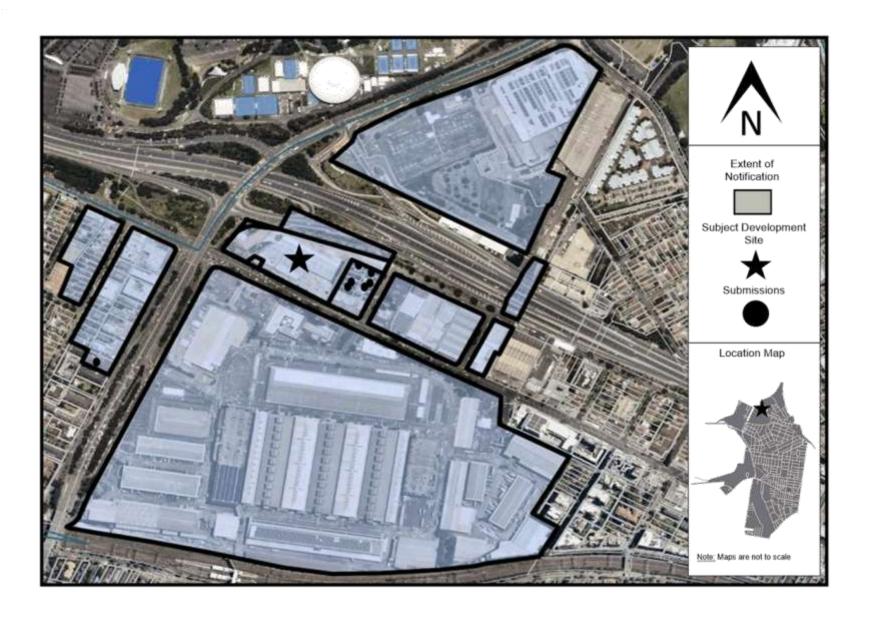
Pursuant to Section 4.15 (1)(e) of the <u>Environmental Planning and Assessment Act 1979</u>, the proposed development is not considered to be in the public interest as it is considered to have unfavourable impacts to the nearby

ATTACHMENTS

1. Site Map

DA2021.85.2 201 Parramatta Road Homebush West

Item 3 - Attachment 1 Page 143



Item 3 - Attachment 1 Page 144



TO: Strathfield Local Planning Panel Meeting - 3 February 2022

REPORT: SLPP - Report No. 4

SUBJECT: DA2021.278- 102 BURLINGTON ROAD STRATHFIELD- LOT: 13-15 SEC: 12

DP: 400

DA NO. DA2021.278

SLPP REPORT

Property:	102 Burlington Road Homebush
	Lot 13, 14 & 15 in Section 12, DP400
	DA 2021/278
Proposal:	Alterations and additions to the existing heritage
	dwelling (Item I24, "Camden Lodge" including
	demolition and restoration works to original heritage
	fabric including front fence, new two (2) storey
	addition to the rear with basement, in-ground
	swimming pool and associated landscaping works and
	tree removal.
Applicant:	LiteraTrotta Architecture
• •	
Owner:	K Nassif & V Elias
Date of lodgement:	20 October 2021
Notification period:	1 November – 15 November 2021
Submissions received:	Nil
Assessment officer:	L Gibson
Estimated cost of works:	\$2,149,683.00
Zoning:	R2 – Low Density Residential - SLEP 2012
Heritage:	Yes - Item I24, "Camden Lodge" under Schedule 5 of
	the SLEP, 2012
Flood affected:	No
Is a Clause 4.6 Variation Proposed:	No
RECOMMENDATION OF OFFICER:	APPROVAL



Figure 1: Aerial view of subject site outlined in yellow and surrounding context.

EXECUTIVE SUMMARY

Proposal

Development consent is being sought for the alterations and additions to the existing heritage dwelling (Item I24, "Camden Lodge" including demolition and restoration works to original heritage fabric including front fence, new two (2) storey addition to the rear with basement, in-ground swimming pool and associated landscaping works and tree removal.

Site and Locality

The site is identified as 102 Burlington Road Homebush and has a legal description of Lot 13, 14 and 15 in Section 12 in DP400. The proposed development is situated on Lots 14 and 15. The residual Lot 13 (east), which once accommodated the tennis court, has been left vacant. The site is a regular shaped parcel of land and is located on the southern side of Burlington Road. The total site area (inclusive of all 3 allotments) is 2,787.1m².

The site and its gardens are heritage listed under Schedule 5 of the Strathfield Local Environmental Plan 2012 (*I24*). The dwelling was once a prime example of a Federation Bungalow Style set with landscape grounds that included a tennis court, garage and separate billiards room. Whilst the dwelling's aesthetic characteristics have been considerably diminished by the extensive damage caused by a fire in 2009, the dwelling has continued to retain its basic form and symmetric layout with clearly identifiable front entrance.

The locality surrounding the subject site is typified by low density residential housing comprised of single and two storey development. Architectural styles vary however are predominantly traditional in style including several Victorian and federation era dwellings.

Strathfield Local Environmental Plan

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

Development Control Plan

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

Notification

The application was notified in accordance with Council's Community Participation Plan from (1 November – 15 November 2021), where no submissions were received.

Issues

Restoration and protection of remaining heritage fabric.

Conclusion

Having regards to the heads of consideration under Section 4.15 of the Environmental Planning & Assessment Act 1979, Development Application 2021/278 is recommended for approval subject to suitable conditions of consent.

REPORT IN FULL

Proposal

Council has received an application for the alterations and additions to the existing heritage dwelling (Item I24, "Camden Lodge") including demolition and restoration works to original heritage fabric including front fence, new two (2) storey addition to the rear with basement, inground swimming pool and associated landscaping works and tree removal.

More specifically, the proposal includes;

Demolition

- Rear section of dwelling behind the front 4 rooms;
- Detached brick garage; and
- Detached wooden shed.

Restoration/Repair Works

- Retain existing structure where possible and restore to original in accordance with the Heritage Conservation Policy Statement including reconstruction of verandah, main entry, support columns, bay window, joinery, roof tiles and repair works to front brick fence;
- Repair existing brickwork piers to front 5 rooms;
- Retain existing fireplace structure to front 4 rooms where possible;
- Replace damaged bay window to eastern façade;
- Widen hallway and entrances to the front 4 rooms;
- Remove rear walls beyond the front 4 rooms and brickwork paving and reuse existing brickwork where possible;
- Retain and restore existing arched hallway openings where possible;

Basement Level

- Construction of a new basement level (behind the foundation of the existing heritage dwelling) to comprise:
 - A/C plant;
 - Turning bay;
 - 3 x Storage cages;
 - 3 x Car parking spaces;
 - 3 x Motorbike parking spaces;

- Comms room;
- Hot water plant and storage;
- Spa;
- Sauna and storage;
- Bathroom;
- o Gym; and
- Internal lift well and stair.

Ground Floor Level (original front portion works)

- Library;
- Guest ensuite:
- · Guest bedroom; and
- Study.

Ground Floor Level (New addition works)

- Scullery;
- Kitchen;
- Breakfast bar;
- Rumpus;
- Laundry;
- Powder room;
- Foyer; and
- Formal living and dining.

First Floor Level

- Four (4) bedrooms with ensuites;
- · Master suite with robe and bathroom; and
- · Lift well and stair.

•

External Works:

- Pool, pool deck, outdoor dining/living area adjoining kitchen hallway;
- Cabana/BBQ and pool shower adjacent formal living area;
- Morning terrace and veggie garden adjoining kitchen along eastern façade;
- Reinstatement of original gravel driveway and front garden;
- Construction of 1.5m metal palisade fence behind front boundary fence; and
- Construction of basement driveway side gate.

<u>Note:</u> Any future subdivision works of the site to separate Lot 13 from Lots 14 and 15 is not sought under the proposed application. A separate Development Application for any subdivision on the site will need to be lodged and considered by Council.

Below are a series of excerpts from the submitted DA package



Figure 2: Photomontage of proposed development

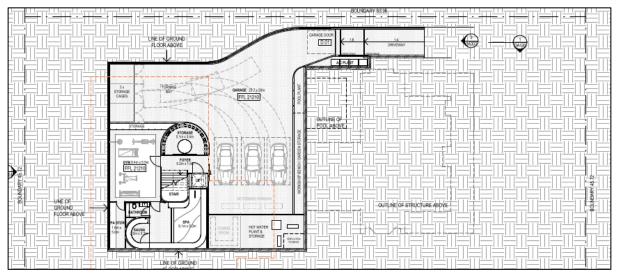


Figure 3: Proposed basement plan

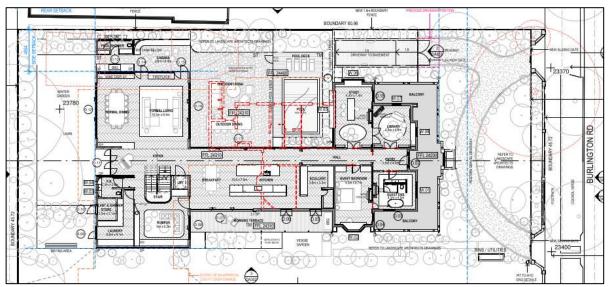


Figure 4: Proposed ground floor plan. Red dotted lines shows proposed demolition of original structures and tree removal.

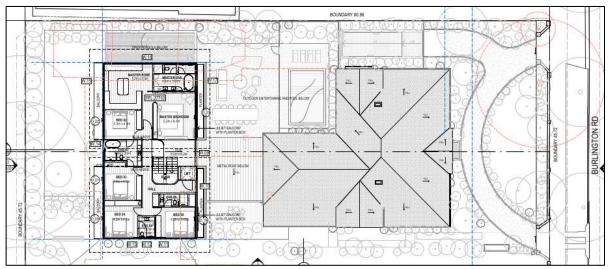


Figure 5: Proposed first floor plan. Red dotted lines shows proposed demolition of original structures and tree removal.

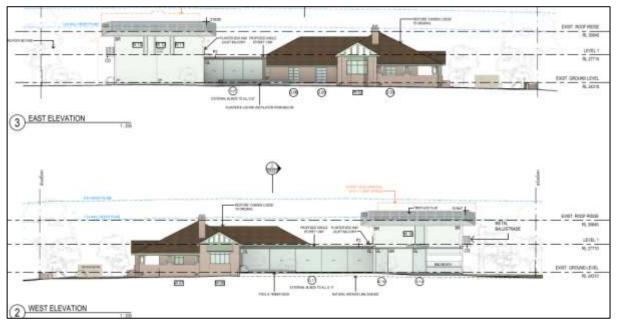


Figure 6: Proposed east and west elevation plans.

The Site and Locality

The site is identified as 102 Burlington Road Homebush and has a legal description of Lot 13, 14 and 15 in Section 12 in DP400. The site is a regular shaped parcel of land and is located on the southern side of Burlington Road and east of the T-intersection of Bridge Road and Burlington Road.

The site has a width of 45.72m, a depth of 60.96m and an overall site area of 2,787m².

The site is relatively flat sloping down from the rear south-east corner to the front northern property boundary to Burlington Road.

The site and its gardens are heritage listed under Schedule 5 of the SLEP 2012 (*I24*) and was once a prime example of a Federation Bungalow Style "Camden Lodge" however, the dwelling's aesthetic characteristics have been considerably diminished by the extensive damage caused by a fire in 2009. Notwithstanding, the dwelling has continued to retain its basic form and symmetric layout with clearly identifiable front entrance.

Nevertheless, the heritage inventory for the site establishes a federation bungalow with landscape grounds that included a tennis court, garage and separate billiards room. The site contains a semi-circular driveway in the front setback that provides two separate driveway entrances from Burlington Road. A separate garage structure is provided to the rear of the site along the site's western side property boundary. This structure along with the separate wooden structure immediately south of the garage bear no heritage significance and are proposed to be demolished.

The current streetscape is typified by low density residential housing comprised of single and two storey development. Architectural styles vary however are predominantly traditional in style.

The site also adjoins Heritage Item I23 "Marlborough"—Victorian Italianate style house 94-96 Burlington Road to the immediate east and I15 "Billesdon"—Federation bungalow and garden at 104-106 Burlington Road, Homebush to the immediate west. The site abuts the Abbotsford Road Conservation Area to the south.

These houses are prime architectural examples of their respected eras and have been exceptionally maintained and preserved.



Figure 7: Subject site outlined in yellow and is heritage listed. Subject site immediately east and west is also heritage listed 94-96 Burlington Road and 104-106 Burlington Road, Homebush respectively) Brown = Heritage listed items. Red hatching = Heritage Conservation Areas.



Figure 8: Aerial view of subject site outlined in yellow taken in 2011 before fire damage.



Figure 9: Aerial photo of subject site outlined in yellow in its current state noting severely dilapidated state of the dwelling.



Figure 10: Heritage dwelling in its current dilapidated state from Burlington Road.



Figure 11: Remaining western wing and western driveway leading to detached garage. The garage is a later 1940s-1960s addition and is not included as part of the heritage listing of the site.



Figure 12: Rear southern elevation of the dwelling proposed for demolition.



Figure 13: Rear southern elevation of the dwelling proposed for demolition.



Figure 14: Location of tennis court on eastern Lot 13. This allotment is proposed to remain vacant under this application with the intent to develop the site in future under separate cover.



Figure 15: Dilapidated eastern wing with bay window proposed to be restored.



Figure 16: North-western driveway entrance showing dilapidated fencing. Both trees either side of the driveway are proposed for removal.



Figure 17: Streetscape view of western adjoining heritage item (104-106 Burlington Road, Homebush). Note dilapidated state of subject site seen to the left.



Figure 18: Eastern adjoining Victorian Italianate heritage item (94-96 Burlington Road, Homebush).

Background

14 September 2010	Development Application (DA2010/111) for the demolition of a heritage item and construction of a new single storey dwelling was refused at Council's Planning Committee. Following Council's refusal of the application, Class 1 appeal was lodged. Consequently the appeal was dismissed by the Land and Environment Court, upholding Council's refusal.
14 August 2012	Development Application (DA2012/020) for the demolition of a heritage item was refused by Council.
13 February 2013	A subsequent 8.2 (former 82A) review application also refused by Council.
5 July 2013	As a result of Council's refusal of the application, the Applicant lodged an appeal with the Land and Environment Court to contest the decision in which the Court dismissed the applicant's appeal.
25 October 2016	Development Application (DA2015/111) for restoration of an existing Heritage Listed dwelling and alterations and additions comprising basement car parking, an in-ground swimming pool and restoration work to the existing front fence was approved on a deferred commencement basis by Council's Planning Committee.
18 May 2017	The consent became operative following successful submission of additional documentation to satisfy deferred commencement conditions.
25 January 2018	Construction Certificate was issued and works commenced with removal of dwelling roof. No further works have since been undertaken.
24 June 2020	A Pre-DA meeting was held between the applicant and Council Officers to discuss amalgamation of three lots into two and the construction of a dwelling house on each

	resulting allotment at 102 Burlington Road, Homebush. It was recommended that any proposal for subdivision be included as part of any future Development Application for restoration works to Camden Lodge. This is discussed in further detail in this report.	
20 October 2021	The subject application was lodged with Council.	
1 November – 15 November 2021	The subject application was placed on public notification. No submissions were received during this time.	
16 November 2021	Assessing Officer conducted site inspection.	
8 December 2021	A Stop the Clock letter was sent to the applicant raising concerns about the following: • Further details required including demolition plan, dimensions, perspective drawings, coloured elevations; • Revised conservation management plan; • Visible basement entrance; • Front fence design; and • Visual privacy.	
10 January 2021	Amended plans were submitted to Council to address the concerns raised.	

Approved Architectural Plans under DA2015/111

For reference, Figures 19, 20 and 21 below are excerpts from the approved architectural plans under DA2015/111. The subject application's architectural plans also show the extent of the building footprint via dashed orange lines.

It is noted that this approval sought to provide a basement entrance along the eastern portion of the site and that Lot 13 formed part of the site. The old approved two (2) storey addition presented as two pavilions rather than the 1 pavilion proposed under the subject application. The proposed basement design is considerably less than the basement footprint approved under DA2015/111.



Figure 19: Approved east elevation plan under DA2015/111

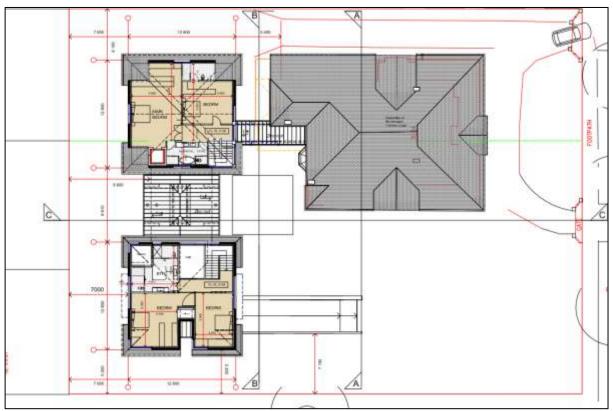


Figure 20: Approved first floor addition under DA2015/111

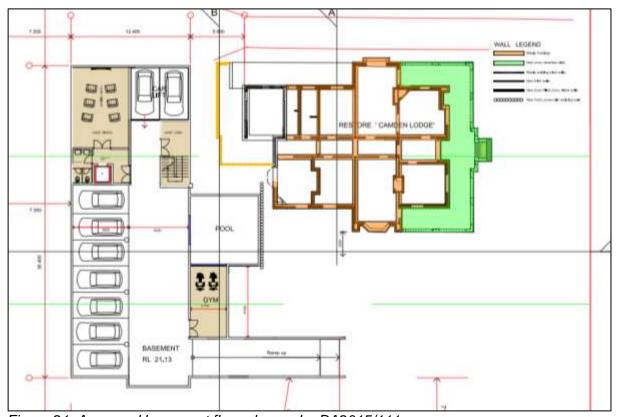


Figure 21: Approved basement floor plan under DA2015/111

Referrals - Internal and External

Heritage

The application was referred to Council's Heritage Advisor for comment. The following comments were made:

"I support the application, subject to the following conditions:

Special condition: Lot 13, Section 12 DP400 is listed as part of local heritage item 24 "Camden Lodge – bungalow and garden" under Schedule 5 Environmental SLEP2012. Redevelopment of the lot which is part of the curtilage and setting of the dwelling, cannot proceed until an occupation certificate has been issued for the heritage listed dwelling "Camden lodge" and an approved conservation plan for retention of the front fence, circular driveway and the garden settings for Camden Lodge has been accepted by council.

1. Plan Amendments:

•

• The roof plan is to be updated to include the original roof form as part of the alfresco garden area and the plans amended to retain parts of the original structural walls. An outline of the walls of the original layout which are not retained are to be incorporated into the external paving work.

•

• Reason: to allow the original house form to be interpreted in the future.

•

• Lowering of the roof below the chimney height.

•

• Reason: to minimise the view of the modern rear addition from the public domain in order to retain the setting of the heritage item. This will allow the development to comply with Clause 5.10 SLEP 2012 Objective 1 (b) which aims to conserve the fabric setting and views of the heritage item.

•

• Basement ramp to start behind building line and to incorporate a small hill to hide the entrance

Reason: to minimise the view of the basement opening. This will allow the development to better meet the objective Clause 5.10 SLEP 2012 Objective 1 (b) which aims to conserve the fabric setting and views of the heritage item'.

A supplementary schedule or conservation works and amended plan was submitted to Council during the assessment process. The supplementary schedule provided an updated list of works required to be undertaken on the site in order to protect, preserve, repair and reconstruct as much of the original fabric as possible.

The above matters have been considered in depth and are discussed in further detail below:

Retention of original structural walls

•

The intent of the original design approved under DA2015/111 and the subject proposal was to ensure that the original heritage fabric remain as a standalone structure connected via a subservient single storey corridor. The dwelling is in such a state of disrepair that considerable reconstruction beyond the 4 rooms of the dwelling would be required. This would risk a mock-federation reconstruction of the dwelling from occurring which would detract from the original heritage features of the dwelling. Removal of these structural walls will not impact the symmetry achieved by the façade nor its interpretation of the dwelling from the street.

Council's assessing officer therefore agreed that the retention of the original structural walls beyond the front porch and front 4 rooms of the original dwelling were unreasonable and thus not required. The amended demolition plan details that the original brickwork will be re-used as part of the new works.

• Lowering of roof below chimney height

Based on the submitted plans, the new addition will be setback approximately 39m from the front building line. This is a considerable setback which would allow the original dwelling to present as the dominant feature on the site. The new addition is contained predominantly behind the original dwelling so as to further reduce the new addition's visibility and prominence from the street and will therefore ensure the new works remain as a recessive element to the design. Accordingly, the proposed building height of the new addition is considered acceptable and does not require any further amendment.

• Basement ramp to start behind building line

The proposal seeks construction of a basement in the rear portion of the site with the basement entrance accessed via a driveway along the western side property boundary. Council's previous heritage consultant recommended under the original application DA2015/111 that a basement was not visible from the street so as not to detract from the heritage significance of the dwelling and adjoining heritage items.

Council's assessing officer therefore suggested consideration of at-grade parking on the site in lieu of a basement. Whilst at-grade parking would be a suitable option for the site, it is also accepted that a basement is capable of providing the additional floor space without creating additional bulk, height or scale to the new development. The site is capable of providing a basement in the rear portion of the site without adversely impacting upon the structural integrity of the original dwelling. Further, a basement in this instance is supported as it would ensure that the bulk and scale of the new addition remain recessive and that the original heritage fabric remain as the prominent elements of the dwelling.

The amended design includes a new 1.2m high pailing fence with solid 800mm element across the western driveway. This is considered an appropriate and least obtrusive design solution to conceal the basement entrance as viewed from the street and enable the gardens to continue to appear atgrade around the site. The basement design and side gate is therefore supported in this instance.

<u>Timing of restoration works</u>

As per Council's Heritage Advisor's previous advice from the last Pre-DA meeting, the restoration works to the dwelling should be undertaken prior to any future subdivision development being undertaken on the site. Further, in line with previous requirements under the lapsed DA2015/111, the restoration works to the heritage item should be undertaken prior to the commencement of excavation and construction works for the addition. As the addition is generally separated from the heritage item via a single storey gallery, it is considered achievable from a construction perspective that the works be undertaken in stages. This methodology will ensure that the heritage dwelling is returned to an acceptable structural state prior to the commencement of construction of the modern addition. This has been reflected in the conditions of consent.

Trees

The application was referred to Council's Tree Officer for comment. The proposal involves removal of 2 trees in the front boundary that is severely affecting the structural integrity of the front boundary fence. No concerns were raised to the removal of these trees subject to standard conditions of consent including 4 new replacement tree plantings.

Stormwater

The application was referred to Council's Development Engineer for comment. The following comments were made:

"From engineering perspective, concept plan is feasible".

No further concerns were raised subject to standard conditions of consent.

Section 4.15 Assessment – EP&A Act 1979

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

(1) Matters for consideration – general

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

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

State Environmental Planning Policies

Compliance with the relevant state environmental planning policies is detailed below:

STATE ENVIRONMENTAL PLANNING POLICY	COMPLIES
Sydney Regional Environmental Plan (Sydney harbour Catchment) 2005	Yes
State Environmental Planning Policy (Building Sustainability Index BASIX) 2004	Yes
State Environmental Planning Policy No 55 - Remediation of Land	Yes
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	Yes

(a) SYDNEY REGIONAL ENVIRONMENTAL PLAN (SYDNEY HARBOUR CATCHMENT) 2005

(b) All stormwater from the proposed development can be treated in accordance with Council's Stormwater Management Code and would satisfy the relevant planning principles of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

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

A BASIX Certificate has been issued for the proposed development and the commitments required by the BASIX Certificate have been satisfied.

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

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

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

The objectives outlined within SEPP55 are considered to be satisfied.

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

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

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

The proposal involves removal of 2 trees in the front boundary that is severely affecting the structural integrity of the front boundary fence. The proposal was therefore referred to Council's Tree Management Officer for comment. No concerns were raised for the removal of these trees subject to imposition of conditions including 4 new replacement tree plantings on the site.

Further, no objection was raised to the removal of a number of trees on the site subject to replacement planting. Relevant consent conditions will be imposed.

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

Strathfield Local Environmental Plan

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

Part 2 - Permitted or Prohibited Development

Clause 2.1 – Land Use Zones

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

Part 4 – Principal Development Standards

Applicable SLEP 2012 Clause	Development	Development	Compliance/
	Standards	Proposal	Comment
4.3 Height of Buildings	9.5m	6.84m to front original portion of dwelling 8.12m to new rear addition	Yes
4.4 Floor Space Ratio	0.5:1 (1,393.5m ²)	0.3:1	Yes
	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	(762.7m ²)	

^{*}Floor Space calculation is based on all 3 allotments combined. Any future subdivision on the site will be subject to consideration via future Development Application to Council.

Part 5 - Miscellaneous Provisions

Heritage Conservation

The proposal is identified as a Heritage Item (I24 - Camden Lodge) under Schedule 5 of the SLEP, 2012.

The Strathfield Heritage Study provides the following statement of significance for Camden Lodge:

"A single storey, facebrick bungalow with a symmetrical façade located on a large allotment. The slate roof features multiple roof pitches, a central projecting shingles gable over the entry, exposed rafters and terracotta ridge cresting and capping. A return verandah has tessellated tiles, decorative timber brackets. The house is set in large grounds with a former tennis court to the east, a circular drive, low brick fence and a mature large garden. Camden Lodge is of local significance as a well maintained, substantially intact bungalow. It is representative of the rich variety of good quality housing built in Strathfield in the first half of the twentieth century."

The Strathfield Heritage Inventory provides a separate statement of significance for the garden of the site:

"This very good example of a bungalow and its garden consists of good brick fences and gateway, gravel drive, lawn, brick edges, shrubs and trees combining together to form a unified landscape."

The proposal is generally consistent with the Heritage Conservation objectives under Clause 5.10 of the SLEP which seek to:

- (a) Conserve the environmental heritage of Strathfield, and
- (b) Conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views.

The subject item's integrity and aesthetic significance have been considerably diminished by the extensive damage caused by a fire in 2009. Since this event and the commencement of further demolition works under the previous approval DA2015/111 which involved removal of the entire dwelling roof, the dwelling has fallen in a further state of disrepair. The garden layout and planting in the front setback with semi-circular brick lined driveway are also in desperate need of maintenance and repair.

The subject application seeks to undertake restoration works to the front portion of the dwelling whilst seeking a two (2) storey addition to the rear with basement level. The new addition will be separated from the original heritage fabric via a single storey gallery which is centred upon a western courtyard. The new work is clearly discernible from the original heritage fabric and will be concealed from view from the street. The proposed works will also result in the re-establishment of original garden beds and further embellishment of the site with new landscaping.

A Heritage Impact Statement was submitted as part of the subject application which includes an assessment of the restoration works to take place for the heritage listed dwelling as well as an assessment of the proposed new additions which are to be constructed to the rear of the heritage dwelling. A revised conservation works schedule has been submitted during the assessment process detailing the additional list of work required to repair and reconstruct sections of Camden Lodge. The supplementary schedule is to be read in conjunction with the Weir Phillips Heritage Architects Burlington Road Conservation Policy Plans CPP 001-005 dated 20 August 2016.

The proposal seeks to salvage all portions of the heritage dwelling which are intact and undertake restoration works to the damaged portions of the dwelling. This includes restoration works to the roof including the front and side gables, restoration of the sweeping verandah including tessellated tiling and balustrades as well as re-instating the front garden and driveway.

The additions are contained to the rear of the property to ensure that the curtilage of the item is maintained. The restoration of the front gardens and driveway will enhance the view of the heritage item from the streetscape as it will allow the heritage dwelling to remain as the prominent feature on the site. Whilst it is possible that future subdivision of Lot 13 may be considered by the owners, the redevelopment will need to consider the heritage setting and ensure that the curtilage around the heritage dwelling continues to be maintained and protected.

It is considered that the proposed works, as amended and conditioned, satisfactorily address the provisions of this Clause.

Flood Planning

The proposed site has not been identified within the flood planning levels and as such, the provisions of this Clause are not applicable to the subject development.

Part 6 - Additional Local Provisions

Acid Sulfate Soils

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

Earthworks

The proposal involves significant excavation works for the provision of a basement, driveway ramps and ancillary works. The extent of excavation has been limited to the footprint of the ground floor of the new rear addition above and access to and from the basement. The depth of excavation has been kept to minimum requirements to comply with Council's DCP controls and all ancillary works have been limited to what is required to provide access to and from the basement. The proposed works are unlikely to disrupt or effect existing drainage patterns or soil stability in the locality or effect the future use or development of the land. It is unlikely to effect the existing and likely amenity of adjoining properties and there is no potential for adverse impacts on any waterways, drinking water catchment or environmentally sensitive areas. A condition of consent has been imposed to ensure Dilapidation Reports are prepared for the dwelling of the subject site and adjoining properties to minimise land disturbance.

The proposed excavation works are considered to satisfactorily address the objectives of this clause.

Essential Services

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

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

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

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

(iii) any development control plan,

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

Applicable DCP Controls	DCP Controls	Development Proposal	Compliance/ Comment		
	Building Envelope				
Floor Space Ratio:	Refer to SLEP discussion	Refer to SLEP discussion	Complies		
Heights: Floor to ceiling heights:	3.0m	3.5m to original heritage building 2.9m to new addition at ground level and 2.6m to new first floor addition.	Yes – acceptable on merit as departure is contained to heritage dwelling.		
Height to underside of eaves:	7.2m	6.33m (new addition)	Yes		
Basement height above NGL: Number of Storeys/Levels:	1.0m 2	0mm 2	Yes Yes		
Setbacks: Front: Side: east *not including lot 13	9m 1.2m (min)	12.2m 6.9m (original dwelling) 5.2m (new addition)	Yes Yes		
Side: west	1.2m (min)	5.7m (original dwelling)	Yes		
		1.1m (new rear addition)	No – however acceptable given the minor departure.		
Combined Side Setback: *not including lot 13	6.096m (20%)	6.3m (minimum)	Yes		
Rear: south	6m	9m	Yes		
Landscaping					
Landscaping/Deep soil Provisions:	45% (1,254.15m²) including all 3 allotments	51% (1,421m²) deep soil zone	Yes – refer to discussion.		
Fencing					
Height (overall/piers): Solid Component:	1.5m (maximum) 0.7m	900mm (original fencing to be repaired)	Yes - reinstatement of front fence to original		

POS or habitable windows	Solar Access 3hrs to habitable windows and to 50% of POS	1.5m (new metal palisade fencing proposed 1.6m behind front boundary line. All windows and openings have been suitably placed to minimise opportunities for overlooking.	Yes.		
		Rear balconies to new addition result in opportunities for overlooking.	No – rear southern balconies to new addition results in opportunities for overlooking. Condition imposed to ensure privacy screening is provided.		
	Vehicle Access and F		1		
Driveway width at Boundary: Vehicular Crossing: Driveway setback – side: No. of Parking Spaces:	3m 1 0.5m 2	Existing driveway entrances proposed to Burlington Road with reinstatement of semi-circular gravel driveway and driveway along western side boundary to basement. New basement driveway will be 1.1m from western side property boundary.	Yes – existing driveways are provided to the site.		
Basement:	Lagathar 4.0	NEI	Vac		
Basement protrusion: Basement ramp/driveway Internal height:	Less than 1.0m 3.5m	Nil 3m at side gate entrance 2.55m	Yes Yes		
	Ancillary Development				
OUTBUILDINGS Area: Height: Side/Rear setback:	40m ² 3.5m 0.5m	Attached cabana structure immediately adjacent formal living area. Pool shower room =	Yes		

		10.7m ²	
SWIMMING POOL Side/Rear Setback	1.0m	5.56m from western side boundary	Yes

Building Envelope

The proposed development satisfies the objectives and controls within the development control plan with regard to scale, height, building rhythm and external materials scheme. The proposed new addition achieves a bulk, height and scale that is commensurate with that of the original dwelling. The new additions will be confined to the rear of the site separated from the original dwelling via a single level gallery.

Further details of the dwelling design, massing, scale and building rhythm are addressed under the Part P Heritage DCP discussion further below.

Landscaping and Open Space

The proposed development numerically achieves 51% (1,421m²) deep soil zone for the site when including all 3 allotments (13, 14 and 15). The proposal involves restoration of the semi-circular brick lined driveway and garden beds which is a defining feature of the site and will significantly improve the appearance and presentation of the site as viewed from Burlington Road. Whilst not technically considered deep soil zone, the driveway will define the front entrance and contribute to the federation aesthetic of the dwelling. The submitted planting scheme proposes further embellishment of the site with suitably located planting areas around the peripheries of the site. Overall, the landscaped areas are suitable to the style and scale of the development and are acceptable.

Fencing

The proposal seeks repair works to the brick posts of the original front boundary fence as well as construction of a new 1.5m high metal palisade fence approximately 1.6m behind the front building line in front of the proposed basement ramp. The proposed fence is simplistic in its design and similar to existing metal palisade fencing in the streetscape. The proposed fence will be located away from the brick boundary fence so as not to adversely impact on the structure's footings and will not detract from the presentation of the dwelling of the site.

The proposal includes construction of new 1.5m high boundary fencing located along the western side boundary of the site and forward of the building line. A condition of consent has been recommended to ensure the fence is appropriate to the style of the site and immediately adjoining federation-style heritage dwelling to the west.

Solar Access

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

Privacy

The proposed development satisfies the relevant objectives and controls of the SCDCP 2005, in that adequate privacy is maintained between adjoining properties and any potential overlooking is minimised. Windows are offset from adjoining dwellings where required, they are screened, obscured or off low active use rooms so as not to negatively impact on adjoining properties. The

central outdoor living area has been provided at natural ground level so as not to give rise to overlooking opportunities to the dwelling west of the site at 114-116 Burlington Road.

The balconies to the new addition master bedroom and bedroom 3 have been redesigned as Juliette balconies with planters to reduce opportunities for overlooking into adjoining properties. The rear balconies to the master bedroom and bedroom 3 and 4 require a minimum 1.8m height privacy screen to be installed to the western and eastern elevations to preclude views to adjoining properties. A condition of consent has been recommended to ensure the plans are amended accordingly.

Vehicular access, Parking and Basements

The proposed development satisfies the relevant objectives and controls of the SCDCP 2005 in that it provides the minimum number of required parking spaces and adequate vehicular access provisions. The basement has been kept to less than 1m above natural ground level, does not extend beyond the ground floor above the new addition works, has been designed so that vehicles can enter and exit in a forward direction and maintains an internal height of 2.5m. As previously discussed, the two existing driveways to Burlington Road with semi-circular driveway in the front setback will be utilised to access the site. The western driveway will be reinstated to provide access to the basement. The basement entrance has been concealed by a 1.2m height timber pailing fence so that it does not detract from the appearance of the dwelling from the street.

Cut and fill

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

Water and Soil Management

The proposed development satisfies the relevant objectives and controls of the SCDCP 2005 and complies with Council's Stormwater Management Code. A soil erosion plan has been submitted with the application to prevent or minimise soil disturbances during construction.

Access, Safety and Security

The proposed development satisfies the relevant objectives and controls of the SCDCP 2005. Separate pedestrian and vehicle access provisions are provided, passive surveillance of the public street has been provided providing safety and perception of safety in the street.

ANCILLARY STRUCTURES

Swimming Pools, Spas & Associated Enclosures

The proposed development satisfies the relevant objectives and controls with SCDCP 2005. The pool has been adequately setback from all adjoining boundaries, allowing for substantial screen panting along the western side boundary to reduce impacts. The pool pump equipment has been located within the basement and the pool coping has been designed to suit the existing ground level of the site. The swimming pool fence/enclosure will comply with the swimming pools act and relevant standards.

PART H – Waste Management (SCDCP 2005)

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

PART P – Heritage (SCDCP 2005)

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

1.5: Objectives of this DCP Part

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

2.1: General Objectives

2.1	Objectives	Satisfactory
a.	To ensure that additions to a heritage item and new buildings on the site of a heritage item are of a scale, mass, bulk, orientation, setback and character consistent with the heritage item.	Yes
b.	To ensure that new development respects the contribution of a heritage item to the streetscape and/or townscape, and allows an ongoing application of its heritage significance.	Yes
C.	To retain or reinstate missing original details that contribute to the aesthetic quality and/or significance of a heritage item and to encourage the removal of inappropriate alterations and additions.	Yes
d.	To ensure that important elements of the form or fabric of a heritage item are not obscured or destroyed by alterations and additions.	Yes
e.	To ensure that materials and colours used on both the original heritage item and any alterations and additions are consistent with the significance of the heritage item.	Yes
f.	To provide an appropriate visual setting for heritage items, including landscaping, fencing and car parking.	Yes

Comments: The proposal seeks the repair and restoration of Camden Lodge and its gardens. The original fabric is proposed to be salvaged and replaced where possible with the new addition being appropriately designed so as to remain subservient to the original dwelling. The proposal will achieve an appropriate scale, bulk, mass and character that is consistent with the heritage item and its setting in the streetscape.

2.2: Setting

2.2.1	Objec	Objectives		
A.		ovide an appropriate visual setting for heritage items, including caping, fencing and car parking; and	Yes	
В.	item t	To ensure that new development respects the contribution of a heritage item to the streetscape and/or townscape and retains the significance of the item.		
2.2.2	Conti	rols	Complies	
	(1)	Original elements that contribute to the setting of a heritage item such as landscaping, fences and gates, driveways, seawalls etc. should not be removed and, traditional garden designs should be reinstated where possible.	Yes	
	(2)	New structures on land on which a heritage item is located such as swimming pools and outbuildings should be located so that they do not adversely impact on the significance of the heritage item.	Yes	
	(3)	The natural landform and character of the area within which a Heritage Item is located, should be maintained, avoiding any cut and fill to land when constructing new buildings and landscaping grounds.	Yes	

Comment: The proposal seeks to reinstate the front garden and semi-circular driveway which contributes to the site's setting and heritage significance. The proposal also involves repair works to the original brick fencing including removal of 2 trees (*Cupressocyparis leylandii* and *Ficus microcarpa var. hillii.*) at the north-western driveway entrance. The trees are in an unsuitable location which has adversely affected the integrity of the front boundary fence. The removal of these trees will improve views to the heritage gardens and dwelling from the street.

The curtilage around the site will be retained through restoration of the heritage gardens and construction of new works contained predominantly to the rear of the dwelling. The basement entrance will be located 23m behind the front building line and concealed from view via a 1.2m timber pailing fence with solid element to a height of 800mm across the western setback of the site. The development will therefore continue to read as a level site allowing for uninterrupted views via Burlington Road.

2.3: Scale

2.3.1	Objec	Objectives		
A.	buildii	To ensure that alterations and additions to a heritage item and new buildings on the site of a heritage item are of a scale consistent with the heritage item so as not to detract from the significance of the item.		
2.3.2	Contr	Controls		
	(1) Development on the site of a heritage item must not dominate the item or detract from its significance.		Yes	
	(2)	Development shall not obstruct significant views to and from the item of significance.	Yes	

Comments: The proposal will enable the reconstruction and restoration of the original front section of the dwelling including porch, east and west bay windows, roof line, chimneys and front garden.

The proposed new works are subservient to the original front dwelling component and will remain separate via a single level gallery which leads to a two (2) storey pavilion to the rear. The new addition is contemporary in form so as to remain as a visually separate element from the original dwelling. The new addition is of a lesser bulk, scale and height compared to the addition previously approved under DA2015/111. The new two (2) storey addition is broken into two skillion forms angled down toward the side boundaries of the site. This is a nod to the hipped roof line of the original dwelling and ensures symmetry is achieved without detracting from the significance of the heritage item.

2.4: Form

2.4.1	Objec	ctives	Satisfactory
A.		To ensure that important elements of the form of a heritage item are not obscured or destroyed by alterations and additions	
B.		sure that the form of a heritage item retains its importance in the scape and/or townscape.	Yes
2.4.2	Conti	rols	Complies
	(1)	Important elements of the form of a heritage item such as main roof forms, chimneys, parapet walls, verandahs etc. should not be demolished or obscured by alterations and additions.	Yes
	(2)	Development of a heritage item must seek to reconstruct missing architectural detailing of a Heritage Item where possible, including gables, finial trims, front verandahs or bays.	Yes
	(3)	Verandahs on the front and sides of a heritage item should not be filled in.	Yes
	(4)	Additions and alterations to a heritage item should not detract from important aspects of the form of the heritage item.	Yes
	(5)	The original shape of the roof of a Heritage Item should not be altered	Yes
	(6)	The original wall treatment of a Heritage Item must be retained where possible. Unpainted brick or stone on a Heritage Item should not be painted or rendered.	Yes

Comments: The chimneys to the original dwelling are proposed to be retained and restored. Further the front roof form and verandah is proposed to be reconstructed to its former appearance. The roof is proposed to be reframed to match the recorded geometry and achieve the same for same detail as the original roof. As required by condition, the heritage consultant supervising the works will be required to ensure that materials such as the slate tiles and decorative features are provided with a like for like replacement where possible. This will ensure the material fabric is restored where possible.

The new additions are located away from the original dwelling via a single storey gallery which links to a two (2) storey structure. The new two (2) storey structure will be located approximately 40m behind the front building line demonstrating that the addition is suitably setback and will not compromise the original shape of the dwelling as viewed from the street.

2.5: Materials and colours

2.5.1	Objectives	Satisfactory

A.		sure that original materials that contribute to the significance of ge items are not obscured.	Yes
В.		sure that colours of paintwork on heritage items are consistent ne significance of the heritage item.	Yes
C.		sure that materials on alterations and additions to heritage items are stent with the materials of the heritage item.	Yes
2.5.2	Devel	opment Controls	Complies
	(1)	Original materials of heritage items should not be replaced with different materials or materials of different colour.	Yes
	(2)	Non-original materials of heritage items that are being replaced shall, if possible, be replaced with material that matches the original material as closely as possible	Yes
	(3)	Painting, rendering or bagging of original face brickwork and/or stonework is not permitted.	Yes
	(4)	The texture of original rendered finishes should not be changed.	Yes
	(5)	Materials for additions and alterations to heritage items should be compatible with the original materials of the heritage item.	Yes
	(6)	Colour schemes for heritage items should have a hue and tonal relationship with traditional colour schemes for the period and style of the heritage item.	Yes
	(7)	The use of fluorescent paint on heritage items is not permitted.	Yes
	(8)	The use of modern finishes including stencilled concrete for driveways associated with heritage items is not permitted.	Yes
	(9)	The original roof cladding of a heritage item (slate, tiles or corrugated iron) should not be changed if it is in good repair.	Yes
	(10)	Sandblasting to remove paint from brick or stone should not be undertaken on a heritage item as it exposes it to weathering and may change its appearance	Yes

Comments: The existing fabric of the heritage dwelling will remain unchanged or provided with a like for like replacement or matched to the original fabric as closely as possible. The new additions are not intended to be a 'mock' infill and thus the proposed neutral colour palette and recycled brick, off-form concrete and glazing finishes are considered appropriate.

The submitted supplementary schedule of conservation works, Heritage Impact Statement and previously prepared Conservation Policy Plans dated 20 August 2016 will ensure the appropriate recovery and restoration works are undertaken to preserve as much of the original fabric as possible.

A condition of consent has been imposed requiring a separate material and colours schedule of the original front portion of the dwelling to be submitted to Council for approval. The schedule is to detail all external materials, colours and finishes of the heritage item including windows, doors and roofing materials. This will ensure that the material colours and finishes remain a genuine reflection of federation-era architecture.

2.6: Alterations and additions

2.6.1 Controls		rols	Complies
	(1)	Alterations and additions must not adversely impact the significance of a heritage item.	Yes
	(2)	Any alterations and additions must be consistent with the scale, form, proportion, details and materials of the heritage item.	Yes
	(3)	Alterations and additions to heritage items must be located so as to minimise their visibility and prominence from the street or adjoining streets, and the height must not be seen above the main ridgeline of the building.	Yes
	(4)	Ancillary buildings on the same site as a heritage item must be located so as to not obscure the significant elements of the Item.	Yes

Comments: The new addition to the rear has been carefully scaled and massed so that it is hidden from view from the streetscape and remains subservient to the original heritage dwelling. The new basement entrance will not be readily visible from the street and will enable the dwelling and grounds to read as an at-grade site so as not to impinge on its setting and curtilage. The new addition achieves a symmetrical façade similar to that of the original heritage building however is designed as a modern extension to ensure the original heritage dwelling and its curtilage can be interpreted as a standalone feature on the site.

2.7: Doors and windows

2.7.1	Objec	tives	Satisfactory
A.		ain original windows and doors that contribute to the aesthetic and/or significance of a heritage item.	Yes
B.		nstate lost details that contributed to the aesthetic qualities and/or cance of a heritage item.	Yes
C.		ain the proportions of walls and openings that contribute to the etic quality of a heritage item.	Yes
2.7.2	Contr	rols	Complies
	(1)	Original window and door openings in a heritage item should be retained. If the original doors or windows have been lost, they are to be replaced with one of similar size, type and material for the age and style of the Item.	Yes
	(2)	Where original windows and doors in a heritage item have been removed and replacement of the new joinery is proposed, the form and detailing of the original windows and/or doors should be reconstructed.	Yes
	(5)	Extensive areas of glazing visible from the Public Domain are not permitted unless this was a feature of the original design of the building.	Yes
	(6)	New skylights are not permitted in roof slopes visible from the Public Domain.	Yes

Comments: Original doors and windows are required to be salvaged, restored and retained where possible. The schedule of works provides further detail regarding the methodology required in recovery of original heritage fabric and its restoration. The glazing and skylight proposed to the new addition will not be readily visible from the street and is acceptable.

2.8: Car parking

2.8.1	Objectives	Satisfactory
A.	To ensure that garages and carports are designed to minimise the visual impact on views of heritage items.	Yes
2.8.2	Development Controls	Complies
1.	Garages and carports must be located behind the front building alignment	Yes – basement entrance is concealed from view
2.	Garages should generally not be incorporated into the front façade of a heritage item.	Side gate provided along western side setback
3.	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.	Side gate located behind front building line

Comments: A basement car park is proposed with entrance via the western boundary of the site approximately 24.6m from the front boundary line. The basement will be concealed via a 1.2m height timber fence located 14.7m from the front boundary line. The height will be comprised of a solid 800mm element to conceal the basement entrance from the street and enable the dwelling and its grounds to read as an at-grade development.

2.9: Fencing

2.9.1	Objec	tives	Satisfactory
A.	To co	nserve gates and fences that are contemporary with heritage items.	Yes
В.		sure that new fences and gates are in keeping with the character heritage item.	Yes
C.		sure that the significance of the heritage item is not diminished by ropriate fencing.	Yes
2.9.2	Devel	opment controls	Complies
	(1)	Original fencing styles and materials on a heritage item should be repaired and retained where possible.	Yes
	(2)	New fencing and gates to a heritage item should be of a style and scale that is consistent with the style of the building.	Yes
	(3)	Unless evidence is provided to establish a greater height, solid fencing (i.e. brickwork/stone) forward of the building line should not be greater than 1m in height above the adjacent public footpath level.	Yes

(4)	Unless evidence is provided to establish a greater height, fencing forward of the building line, constructed of material such as timber pickets, metal pickets or wrought metal panels or a combination of masonry and one of the above materials, should not be greater than 1.5m in height above the adjacent public footpath level.	Yes
(5)	Original face brick or sandstone fencing to a heritage item should not be painted.	Yes

Comments: The proposal seeks to repair and reinstate the original front boundary fence. The fence will attain a maximum building height of 1m above natural ground level. A new 1.6m height metal palisade fence is also proposed across the front boundary approximately 1.6m behind the property boundary line. The fencing height and style will integrate nicely with the existing brick and metal palisade fencing provided to the heritage item 104-106 Burlington Road as well as to the palisade fence to the heritage item at 94-96 Burlington Road (refer to Figures 17 and 18 for reference).

The proposed works also involve a new boundary fence to along the western boundary of the site. The fence is proposed to a height of 1.5m forward of the building line. A condition of consent is recommended to ensure the new fence complements the style of the heritage items of the subject site and adjoining item at 104-106 Burlington Road.

2.10: Landscape elements including paving and driveways

2.10.1	Objec	ctives	Satisfactory
A.		tain important landscape elements that contribute to the significance itage items.	Yes
B.		inforce the significance of the heritage item through appropriate caping.	Yes
2.10.2	Deve	lopment Controls	Complies
	(1)	Original driveways and footpath crossings that relate to a heritage item should not be relocated	Yes
	(2)	Double driveways and footpath crossings will generally not be permitted for houses listed as heritage items.	Yes – dual driveway is existing.
	(3)	Original or early garden layouts that contribute to the significance of the heritage item should not be altered.	Yes
	(4)	Established trees and shrubs that contribute to the significance of the heritage item should not be removed unless it can be established by an arborist that the health of the tree or shrub is such that it must be removed.	Yes

Comments: The proposal requires removal of two (2) trees within the front setback. This is considered acceptable and supported on heritage grounds given that the trees are located in an unsuitable area causing adverse impacts to the structural integrity of the front boundary fence. The proposal also involves reinstatement of the semi-circular driveway with gravel surface and redefined garden beds.

2.12: Modern technologies

2.12.1	Objectives	Complies

1	To ensure that modern technologies do not impact on important views of heritage items.	Yes
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2.12.2	Deve	elopment Controls	Complies
	(1)	Modern technologies such as solar electricity collectors, television aerials and satellite dishes are to be located on roof planes facing the rear yard of heritage items and in a position to ensure they are not visible from the Public Domain.	Yes
	(2)	Modern technologies should not be higher than the main ridge line of a building that is or is part of a heritage item and shall be located so that they are not visible from the Public Domain.	Yes

Comments: Solar panels are proposed to the 'new' rear addition to the dwelling and will not be visible from the street.

2.13: Demolition

2.13.1	Objectives	Complies
1	To retain buildings that are of heritage significance or contribute to the significance of a heritage item.	Yes

2.13.2	Development Controls				
	(1)	Buildings that are listed as heritage items or contribute to the significance of a heritage item shall not be demolished.	Yes		
	(2)	Partial demolition of a heritage item 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 heritage item.	Yes		
	(3)	Outbuildings associated with heritage items can only be demolished where a Statement of Heritage Impact has established that the outbuilding does not contribute to the heritage significance of the place.	Yes		

Comments: The proposal seeks to conserve and restore elements of the original heritage fabric where possible. The existing outbuilding is proposed for demolition. This is considered acceptable as it is a later addition on the property and does not form part of the heritage significance of the site.

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

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

The proposed development does involve the demolition of a building. Should this application be approved, appropriate conditions of consent may be imposed to ensure compliance with the requirements of the above standard.

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

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

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

It is considered that the proposed development is of a scale and design that is suitable for the site having regard to its size and shape, its topography, vegetation and relationship to adjoining developments. The proposal has considered the heritage aspects of the site and has been designed accordingly to ensure that the heritage fabric is restored and reinstated where possible. The new works will not detract from the heritage item and will ensure the curtilage and setting of the heritage dwelling is protected.

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

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

(e) the public interest.

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

Local Infrastructure Contributions

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

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

STRATHFIELD INDIRECT SECTION 7.12 CONTRIBUTIONS PLAN

Section 7.12 Contributions are applicable to the proposed development in accordance with the Strathfield Indirect Development Contributions Plan as follows:

Based on the Cost of Works of \$2,149,683.00 and in accordance with Council's s7.12 Indirect Contributions Plan, a contribution of 1% of the cost of works is applicable. In this regard, the contribution is as follows:

Local Amenity Improvement Levy \$21,496.83

Conclusion

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

Following detailed assessment it is considered that Development Application No. 2021/278 should be approved subject to conditions.

7.8

Signed: Date:14 January 2021

L Gibson Senior Planner

- I confirm that I have determined the abovementioned development application with the delegations assigned to my position; and
- I have reviewed the details of this development application and I also certify that Section 7.11/7.12 Contributions are applicable to this development and have been levied accordingly;

Report and recommendations have been peer reviewed and concurred with.

Signed: Date: 18 January 2021

Joseph Gillies Senior Planner

RECOMMENDATION

That Development Application No. 2021.278 for Alterations and additions to the existing heritage dwelling (Item I24, "Camden Lodge") including demolition and restoration works to original heritage fabric including front fence, new two (2) storey addition to the rear with basement, in-ground swimming pool and associated landscaping works and tree removal at 102 Burlington Road Strathfield be **APPROVED** subject to the following conditions:

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

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

CONCEPT/STAGED DEVELOPMENT

1 Staged Development – Stage 1 Works

The development shall be completed in two (2) stages as follows:

(a) <u>Stage 1:</u> Heritage conservation and restoration works to the original dwelling as detailed in the plans and conservation schedule approved by Council;

(b) <u>Stage 2:</u> Demolition of ancillary garage structures, excavation work and construction of the rear two (2) storey addition and basement car parking, in-ground swimming pool and gallery connection to the original dwelling.

The works approved as 'Stage 1' shall be completed and an Occupation certificate shall be issued by the Principal Certifying Authority prior to the commencement of any construction of demolition works associated with 'Stage 2'.

DEVELOPMENT DETAILS

1 Approved Plans & Documentation

The development must be implemented in accordance with the approved plans and supporting documentation listed below which have been endorsed by Council's approved stamp, except where marked up on the plans and/or amended by conditions of this consent:

Description	Reference No.	Date	Revision	Prepared by
Site/ Roof Plan	DA101	18 October 2021	А	LiteraTrotta
Demolition Plan	DA110	18 October 2021	А	LiteraTrotta
Driveway	DA120	18 October 2021	A	LiteraTrotta
Material Board	DA121	18 October 2021	A	LiteraTrotta
Basement Floor Plan	DA201	18 October 2021	А	LiteraTrotta
Ground Floor Plan	DA202	18 October 2021	А	LiteraTrotta
First Floor Plan	DA203	18 October 2021	А	LiteraTrotta
North & South Elevation Plan	DA301	18 October 2021	А	LiteraTrotta

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East & West Elevation Plan	DA302	18 October 2021	А	LiteraTrotta
Front Fence Elevation / Driveway Gate Elevation Plan	DA303	18 October 2021	А	LiteraTrotta
Section AA + BB Plan	DA321	18 October 2021	А	LiteraTrotta
Supplementary Schedule of Conservation Works	J5075	Decemb er 2021		Weir Phillips Heritage and Planning
Landscape Design	Drawings LP01 to LP05 (inclusive)			Dangar Barin Smith
	D8521			
BASIX Certificate No. A428851		13 October 2021		
Arboricultural Impact Assessment		29 Septemb er 2021		Jacksons Nature Works
Geotechnical Investigation Report	E25324.G03_R evision 1	8 October 2021		eiaustralia
Stormwater Plans	Issue B – Drawing No. 00, 01, 02, 03, 04 and 05.	11 October 2021		Itm design
Heritage Impact Statement + attached Conservation Policy Statement 2016	J5075	October 2021		Weir Phillips Heritage and Planning
Site Waste Minimisation and Management Plan		11 October 2021		Litera Trotta
Conservation Policy Plan	CPS 001, CPS 002, CPS 003, CPS 004 &	20 August 2016		Weir Phillips Heritage

	CPS 005		

SEPRARATE APPROVALS REQUIRED UNDER OTHER LEGISLATION

2 Section 138 Roads Act 1993 and Section 68 Local Government Act 1993

Unless otherwise specified by a condition of this consent, this Development Consent does not give any approval to undertake works on public infrastructure.

Separate approval is required under Section 138 of the <u>Roads Act 1993</u> and/or Section 68 of the <u>Local Government Act 1993</u> for any of the following activities carried out in, on or over a public road (including the footpath) listed below.

An application is required to be lodged and approved prior to the commencement of any of the following works or activities;

- (a) If any excavation is to be supported by the use of below ground (cable) anchors that are constructed under Council's roadways/footways.
- (b) Swinging or hoisting goods over any part of a public road by means of a lift, crane or the like:
- (c) Establishing a "works zone";
- (d) Placing or storing materials or equipment;
- (e) Placing or storing waste containers or skip bins;
- (f) Stormwater & ancillary to public infrastructure on private land
- (g) Erecting a structure or carrying out work

These separate activity approvals (a)-(g) must be obtained and evidence of the approval provided to the Certifying Authority prior to the issue of the Construction Certificate.

- (h) Pumping water from the site into the public road;
- (i) Constructing a vehicular crossing or footpath;
- (j) Digging up or disturbing the surface of a public road (e.g. Opening the road for the purpose of connections to utility providers);
- (k) Stormwater & ancillary works in the road reserve; and
- (I) Pumping concrete from a public road;

These separate activity approvals must be obtained and evidence of the approval provided to the Certifying Authority prior to the activities commencing.

The relevant Application Forms for these activities can be downloaded from Council's website www.strathfield.nsw.gov.au. For further information, please contact Council's Customer Service Centre on (02) 9748 9999.

REQUIREMENTS OF CONCURRENCE, INTEGRATED & OTHER GOVERNMENT AUTHORITIES

3 Sydney Water - Tap in ™

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

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

4 Fees to be Paid

The fees listed in the table below must be paid in accordance with the conditions of this consent and Council's adopted Fees and Charges applicable at the time of payment (available at www.strathfield.nsw.gov.au).

Payments must be made prior to the issue of the Construction Certificate or prior to the commencement of work (if there is no associated Construction Certificate).

Please contact council prior to the payment of s7.11 or s7.12 Contributions to determine whether the amounts have been indexed from that indicated below in this consent and the form of payment that will be accepted by Council.

A summary of the fees to be paid are listed below:

Fee Type	Fee
GENERAL FEES	
Long Service Levy (to Long Service Corporation) Or, provide evidence of Payment direct to the Long Service Corporation. See https://longservice.force.com/bci/s/levy-calculator	\$ 7,523.00
Security Damage Deposit	\$ 18,000.00
Tree Bond	\$ 20,300.00
Administration Fee for Damage Deposit	\$130.00
Administration Fee for Tree Bond	\$130.00

DEVELOPMENT CONTRIBUTIONS

\$ 21,496.00

General Fees

The fees and charges above are subject to change and are as set out in the version of Council's Schedule of Fees and Charges or as required by other Government Authorities, applicable at the time of payment.

Development Contributions

The Section 7.11 contribution (s94) is imposed to ensure that the development makes adequate provision for the demand it generates for public amenities and public services within the area.

A Section 7.12 contribution has been levied on the subject development pursuant to the Strathfield Section 94A Indirect Development Contributions Plan.

Indexation

The above contributions will be adjusted at the time of payment to reflect changes in the cost of delivering public amenities and public services, in accordance with the indices provided by the relevant Development Contributions Plan.

Timing of Payment

The contribution must be paid and receipted by Council

Prior to the release of the Construction Certificate.

Further Information

A copy of the *current Development Contributions Plans* may be inspected at Council's Customer Service Centre at 65 Homebush Road, Strathfield or on Council's website www.strathfield.nsw.gov.au.

5 Required Design Changes

The following changes are required to be made and shown on the Construction Certificate plans:

Privacy Screen	A privacy screen shall be provided to the western elevation of the rear southern balcony adjoining the master bedroom and to the eastern elevation of the bedroom 3 and 4 southern balcony.
	The privacy screens are to be a minimum of 1.8m high from the finished floor level of the balcony and comprise of a material that cannot be seen through, such as translucent glazing. If louvres are to be used, they are to be fixed in a position that does not allow downward viewing of the adjoining properties.
Front fence encroachment	No part of the front fence, including any footings or support work is permitted to encroach on Council's public footway.

6 Damage Deposit – Minor Works

In order to insure against damage to Council property the following is required:

- (a) Pay Council, before the issue of the Construction Certificate, a damage security deposit for the cost of making good any damage caused to any Council property as a result of the development: \$18,000.00
- (b) Pay Council, before the issue of the Construction Certificate, a non-refundable administration fee to enable assessment of any damage and repairs where required: \$130.00
- (c) Submit to Council, before the commencement of work, a photographic record of the condition of the Council nature strip, footpath and driveway crossing, or any area likely to be affected by the proposal.

At the completion of work Council will inspect the public works, and the damage deposit will be refunded in full upon completion of work where no damage occurs. Otherwise the amount will be either forfeited or partly refunded according to the amount of damage.

7 Tree Bond

A tree bond for the one street tree **T1** and **T2** *Lophostemon confertus* of **\$20,300** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

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

A sound protection barrier anchored firmly into the ground 1.8m in height x 2 metres clear of the base of the tree at any one point and that the fence is to extend up to the back of the kerb and to the edge of the footpath.

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

A request for refund of the Tree Bond must be made in writing.

Tree Bonds may be forfeited if a tree is dead, made dangerous or has been terminally damaged, or will be held until tree/s have fully recovered from the construction damage or were replacement/planted trees have become fully established and are over 6 metres in height.

8 Site Management Plan

Minor Development

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

9 BASIX Commitments

The approved BASIX Certificate shall be submitted to the Accredited Certifier with the

application for a Construction Certificate.

All measures and commitments as detailed in the BASIX Certificate No. A428851 must be implemented on the plans lodged with the application for the Construction Certificate.

10 Heritage Conservation Works

- (a) Prior to the issue of the Construction Certificate, Section 0.44 'Adaptive Re-use + Sympathetic new development' of the Conservation Policy Statement prepared by Mike Macaulay Associated Architects dated 2016) and attached to the Heritage Impact Statement is required to be amended to reflect the approved architectural plans for the development. The revised Policy Statement is to be submitted to Council for record.
- (b) The Conservation Policy Statement, Heritage Impact Statement prepared by Weir Phillips and Supplementary Schedule of Conservation Works are to be read in conjunction with each other. In the event of any inconsistency, the supervising Heritage Consultant shall decide the most appropriate course of action.
- (c) The schedule of conservation works shall include a series of restoration and reconstruction plans via section and elevation plans. The details should incorporate any structural and/or building services design for the building.
- (d) The conservation works schedule shall include a plan for the retention/restoration of the front boundary fence, circular driveway and the garden settings of Camden Lodge. The plan should include a building footprint for future development on Lot 13 Section 12 DP400 that satisfies the provisions of Clause 5.10 of the Strathfield Local Environmental Plan 2012.
- (e) A separate schedule confirming all external materials, colours and finishes of the heritage item including windows, doors and roofing materials is to be prepared and submitted to Council for approval.
- (f) The invoice and paid receipt for the reconstruction of the roof and reinstatement of original doors and windows of the heritage dwelling (as specified in the updated restoration/reconstruction plans is to be forwarded to Council prior to the issue of an Occupation Certificate.
- (g) All conservation and adaptation works are to be in accordance with the Articles of the <u>Australian ICOMOS Burra Charter 1999</u>. Appropriately qualified contractors and tradespersons are to be commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of works within the heritage building.
- (h) INSPECTION AND APPROVAL: The conservation works are to be progressively inspected by, and be implemented to the satisfaction of, the consulting Heritage Advisor prior to the issue of the Occupation Certificate or commencement of the use, whichever is the earlier.

11 General Heritage

- (a) The proposed works are to be carried out in a manner that minimises demolition, alterations and new penetrations/fixings to the significant fabric of the existing building which is listed as a Heritage Item.
- (b) The fabric and features to be retained by the proposal must be properly protected during the process of demolition and construction. The protection measures are to be specified in the construction management plan.

- (c) The protection measures are to be specified in the construction management plan] All conservation and adaptation works are to be in accordance with the <u>Articles of the Australian ICOMOS Burra Charter 1999</u>.
- (d) New services are to be surface mounted rather than chased-in to existing walls to minimise impact on heritage fabric.
- (e) Appropriately qualified tradespersons (as appropriate) are to be commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of works.
- (f) The new windows and doors on the existing building must match the original material, which is timber joinery.
- (g) The face brickwork/stone/tiles must not be rendered, painted or coated.
- (h) Where internal partitions meet external walls they must abut window mullions, columns or other such building elements and not glazing.
- (i) The original roof cladding, of a heritage item is matched like to like.
- (j) No Sandblasting to remove paint from brick or stone should not be undertaken on a heritage item.
- (k) Original driveways and footpath crossings are not to be relocated.
- (I) Original or early garden layouts that contribute to the streetscape or to the significance of the heritage item are to be protected and not be altered.
- (m) Modern technologies should not be higher than the main ridge line of a building that is or is part of a heritage item (or within a heritage conservation area) is to be located so they are not visible from the Public Domain.
- (n) Original fencing styles and materials should be repaired and retained.
- (p) Original door and window joinery visible from the Public Domain is to be conserved where possible in accordance with the submitted Conservation Works Schedule.
- (q) The new western boundary fence forward of the building line shall be constructed of materials and in a style that is sympathetic to the dwelling and western adjoining heritage item.

12 Pre-Construction Dilapidation Report – Private Land

A professional engineer specialising in structural or geotechnical engineering shall prepare a Pre-Construction Dilapidation Report detailing the current structural condition of adjoining premises including but not limited to:

- (a) All neighbouring buildings likely to be affected by the excavation as determined by the consulting engineer.
- (b) 102 Burlington Road, Homebush

The report shall be prepared at the expense of the applicant and submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

A copy of the pre-construction dilapidation report is to be provided to the adjoining properties (subject of the dilapidation report), a minimum of 5 working days prior to the commencement of work. Evidence confirming that a copy of the pre-construction dilapidation report was delivered to the adjoining properties must be provided to the PCA.

Should the owners of properties (or their agents) refuse access to carry out inspections, after being given reasonable written notice, this shall be reported to Council to obtain Council's agreement to complete the report without access. Reasonable notice is a request for access in no sooner than 14 days between 8.00am-6.00pm.

13 Erosion & Sedimentation Control

Erosion and sediment controls must be provided to ensure:

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

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

14 Stormwater System

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

15 On Site Detention

- I. The submitted stormwater plan has been assessed as a concept plan only. Final detailed plans of the drainage system, prepared by a professional engineer specialising in hydraulic engineering, shall be submitted for approval with the Construction Certificate.
- II. An on-site detention (OSD) facility designed by a professional engineer who specialises in Hydraulic Engineering must be designed, approved and installed. The

design must include the computations of the inlet and outlet hydrographs and stage/storage relationships of the proposed OSD using the following design parameters:

- (a) peak flow rates from the site are to be restricted to a permissible site discharge (PSD) equivalent to the discharge when assuming the site contained a single dwelling, garage, lawn and garden,
- (b) at Annual Recurrence Intervals of 2 years, 10 years and 100 years.

The OSD facility shall be designed to meet all legislated safety requirements and childproof safety fencing around the facility must be provided where the OSD facility is open or above ground when the design peak storage depth is greater than 300mm. A durable metal plate or similar sign is to be placed at the OSD facility and must bear the words:

III. "BEWARE: This is an on-site detention basin/tank for rainwater which could overflow during heavy storms."

Full details shall accompany the application for the Construction Certificate.

16 Pump-Out System Design for Stormwater Disposal

The design of the pump-out system for storm water disposal will be permitted for drainage of basement areas only, and must be designed in accordance with the following criteria:

- (a) The pump system shall consist of two pumps, connected in parallel, with each pump being capable of emptying the holding tank at the rate equal to the rate of inflow for the one-hour duration storm. The holding tank shall be capable of holding four hour's runoff from a one-hour duration storm of the 1 in 100 year storm;
- (b) The pump system shall be regularly maintained and serviced, every six (6) months; and
- (c) Any drainage disposal to the street gutter from a pump system must have a stilling sump provided at the property line, connected to the street gutter by a suitable gravity line.

Details and certification of compliance from a professional engineer specialising in civil engineering shall be provided for approval with the Construction Certificate application.

17 Stormwater Drainage Plan Details

Stormwater drainage plans including pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits prepared by a professional engineering specialising in hydraulic engineering shall be submitted with the Construction Certificate application.

These plans shall be prepared in accordance with the Australian Institute of Engineers Australian Rainfall and Runoff (1987) and Council's Stormwater Management Code.

18 Compliance with Swimming Pool Act 1992

The alterations and additions to the dwelling house and/or the construction of the new dwelling house subject of this consent must not generate any non-compliances with the Swimming Pools Act 1992, Swimming Pool Regulation 2018 and the Building Code of Australia. Details of compliance to be illustrated on the plans lodged with the application for the Construction Certificate.

19 Structural Details

Engineer's details prepared by a practising Structural Engineer being used to construct all reinforced concrete work, structural beams, columns & other structural members. The details are to be submitted to the Principal Certifying Authority for approval prior to construction of the specified works.

A copy shall be forwarded to Council where Council is not the PCA.

20 Engineer's Certificate

A certificate from a professional Engineer specialising in structural engineering certifying the structural adequacy of the existing structure, to support all proposed additional superimposed loads shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

21 Swimming Pools – Use and Maintenance

The following apply to the construction, use and maintenance of swimming pools and spas:

- (a) no ground level may be raised or filled except where shown specifically on the approved plans;
- (b) all pool/spa waste water is to be discharged to the sewer according to the requirements of Sydney Water;
- (c) the swimming pool must not be used for commercial or professional purposes;
- (d) drain paved areas to the landscaped areas or a suitable lawful drainage system; and
- (e) arrange any external pool/spa lighting to minimise glare nuisance to adjoining owners.

22 Solid Fuel Heaters

Plans and specifications of the solid fuel heater including chimney stack must be submitted with the Construction Certificate for approval that comply with:

- Protection of the Environment Operations (Clean Air) Regulations 2010 and
- AS/NZS 2918: 2001: Domestic solid fuel burning appliances Installation.

23 Landscape Plans

All landscape works shall be carried out in accordance with the approved landscape plans. The landscaping shall be maintained in accordance with the approved plans in perpetuity.

24 Tree Removal/Pruning Prohibited

This consent does not approve the removal or pruning (branches or roots) of any trees on the subject property, Council's public footway, public reserves or on neighbouring properties.

25 Compliance with Submitted Arborist Report

The recommendations outlined in the Arborist's Report titled Arboricultural Impact

Assessment Report prepared by Jacksons Nature Works dated 29 September 2021 must be implemented throughout the relevant stages of construction. Details of tree protection measures to be implemented must be detailed and lodged with the Construction Certificate application for approval and shall be in accordance with Section 4 - Australian Standard AS 4970-2009: Protection of trees on development sites.

The trees to be protected are listed in the table below.

Tree No	Tree Species	Location of Tree	Tree Protection Zone (metres)
1	Lophostemon confertus	Street tree 102 Burlington road Newton Road	5.4 metres
2	Lophostemon confertus	Street tree 102 Burlington Road	4.2 metres
7	Thuja arborvitae	102 Burlington Road	2.0 metres
8	Cupressus sempervirens x 23	102 Burlington Road	2.0metres
9	Ficus virens	Neighbouring property	6.0 metres
11	Jacaranda mimsoifola	Neighbouring property	6.8 metres

Tree Protection and Retention

The following trees shall be retained and protected:

Tree No.	Tree Species	Location of Tree	Tree Protection Zone (metres)
1	Lophostemon confertus	Street tree 102 Burlington road Newton Road	5.4 metres
2	Lophostemon confertus	Street tree 102 Burlington Road	4.2 metres
7	Thuja arborvitae	102 Burlington Road	2.0 metres
8	Cupressus sempervirens x 23	102 Burlington Road	2.0metres
9	Ficus virens	Neighbouring property	6.0 metres
11	Jacaranda mimsoifola	Neighbouring property	6.8 metres

Details of the trees to be retained must be included on the Construction Certificate plans.

General Tree Protection Measures

- (a) All trees to be retained shall be protected and maintained during demolition, excavation and construction of the site.
- (b) The tree protection measures must be in undertaken in accordance AS4970 -2009 Protection of trees on development sites.
- (c) Details of the tree protection measures to be implemented must be provided with the application for a Construction Certificate by a suitably qualified Arborist (AQF Level 5 or above in Arboriculture).

- (d) The Arborist must be present on-site during the stages of construction when works are being undertaken that could impact on the tree canopy or root zone within the tree protection zone to implement the tree protection measures as required.
- (e) Unless otherwise specified in AS 4970-2009, a protective fence consisting of 1.8 metres high, fully supported chainmesh fence shall be erected around the base of the tree. The distance of the fence from the base of each tree is to be in accordance with the TPZ listed in the table above. A layer of organic mulch 100 millimetres thick shall be placed over the protected area and no soil or fill should be placed within the protection area.
- (f) No services shall be installed within the TPZ of the tree unless approved by Council. This fence shall be kept in place during demolition, construction and also have a sign displaying 'Tree Protection Zone' attached to the fence and must also include the name and contact details of the Project Arborist.

Specific Street Tree Protection Measures

(g) A sound protection barrier anchored firmly into the ground 1.8m in height x 2 metres clear of the base of the tree at any one point and that the fence is to extend up to the back of the kerb and to the edge of the footpath.

Excavation works near tree to be retained

- (h) Excavations around the trees to be retained on site or the adjoining properties shall be supervised by the Project Arborist to ensure that the root system will not adversely be affected.
- (i) Where the Tree Protection Zone (TPZ) of trees on site or adjoining sites become compromised by any excavation works, the Project arborist shall be consulted to establish the position of any major roots and determine the necessary measures to protect these roots. The recommendations of the Arborist shall be submitted to Council prior to any further demolition or construction works taking place.
- (j) Tree Protection Zone around the trees to be retained are not to have soil level changes or services installed in this area. Any structures proposed to be built in this area of the trees are to utilise pier and beam or cantilevered slab construction.

Details satisfying this condition shall be shown on the Construction Certificate plans.

27 Tree Removal & Replacement

Tree removal

Permission is granted for the removal of the following trees:

Tree No.	Tree species	Number of trees	Location
3	X Cupressocyparis leylandii	1	102 Burlington Road
4	Ficus macrocarpa var hilli		102 Burlington Road
5	Dead tree	1	102 Burlington Road

General Tree Removal Requirements

All tree removal shall be carried out by a certified Tree Surgeon/Arborist to ensure that

removal is undertaken in a safe manner and complies with the AS 4373-2007 - Pruning of Amenity Trees and Amenity Tree Industry Code of Practice (Safework NSW, August 1998).

Tree Replacement

All trees permitted to be removed by this consent shall be replaced with 4 tree species selected from Council's Recommended Tree List and must have a minimum mature height of 10 metres.

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

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

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

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

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

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

PRIOR TO THE COMMENCEMENT OF WORK (INCLUDING DEMOLITION & EXCAVATON)

28 **Demolition & Asbestos**

The demolition work shall comply with the provisions of Australian Standard AS2601:2001 – Demolition of Structures, NSW Work Health & Safety Act 2011 and the NSW Work Health & Safety Regulation 2011. The work plans required by AS2601:2001 shall be accompanied by a written statement by a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the safety statement shall be submitted to the PCA prior to the commencement of works.

For demolition work which involves the removal of asbestos, the asbestos removal work must be carried out by a licensed asbestos removalist who is licensed to carry out the work in accordance with the NSW Work Health & Safety Act 2011 and the NSW Work Health & Safety Regulation 2011 unless specified in the Act and/or Regulation that a license is not required.

All demolition work including the removal of asbestos, shall be undertaken in accordance with the <u>Demolition Code of Practice</u> (NSW Work Cover July 2015)

Note: Copies of the Act, Regulation and Code of Practice can be downloaded free of charge from the SafeWork NSW website: www.SafeWork.nsw.gov.au.

29 **Demolition Notification Requirements**

The following notification requirements apply to this consent:

- (a) The developer /builder must notify adjoining residents five (5) working days prior to demolition. Such notification is to be a clearly written note giving the date demolition will commence, contact details of the developer/builder, licensed asbestos demolisher and the appropriate regulatory authority. Notification is to be placed in the letterbox of every premises (including every residential flat or unit, if any) either side and immediately at the rear of the demolition site.
- (b) Five (5) working days prior to demolition, the developer/builder is to provide written notification to Council advising of the demolition date, details of the SafeWork licensed asbestos demolisher and the list of residents advised of the demolition.
- (c) On demolition sites where buildings to be demolished contain asbestos, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position (from street frontage) on the site. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos material has been removed from the site to an approved waste facility.

30 Demolition Work Involving Asbestos Removal

Work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 458 of the Work Health and Safety Regulation 2011.

31 Use of Heritage Consultant

A heritage consultant experienced in restoring and conserving buildings of significance is to be commissioned to work with the consultant team throughout the design development, contract documentation and construction stages of the project. The heritage consultant is to be involved in the resolution of all matters where existing significant fabric and spaces are to be subject to preservation, restoration, reconstruction, adaptive reuse, recording and demolition. The heritage consultant is to be provided with full access to the site and authorised by the applicant to respond directly to Council where information or clarification is required regarding the resolution of heritage issues throughout the project.

Evidence and details of the above commission on the above terms are to be provided to Council's Heritage Advisor prior to commencement of work on site. The heritage consultant must sign off the completed project and submit a final report to Council's Heritage Advisor specifying how the heritage conditions are satisfied prior to the issue of an Occupation Certificate or the commencement of the use, whichever is earlier.

32 **Dial Before You Dig**

The applicant shall contact "Dial Before You Dig on 1100" to obtain a Service Diagram prior to the issuing of the Construction Certificate. The sequence number obtained from "Dial Before You Dig" shall be forwarded to Council's Engineers for their records.

33 Registered Surveyors Report - During Development Work

A report must be submitted to the PCA at each of the following applicable stages of construction:

- (a) Set out before commencing excavation.
- (b) Floor slabs or foundation wall, before formwork or commencing brickwork.
- (c) Completion of Foundation Walls Before any construction of flooring, detailing the location of the structure relative to adjacent boundaries and floor levels relative to the datum shown on the approved plans.
- (d) Completion of Floor Slab Formwork Before pouring of concrete/walls construction, detailing the location of the structure relative to adjacent boundaries and floor levels relative to the datum shown on the approved plans. In multi-storey buildings a further survey must be provided at each subsequent storey.
- (e) Completion of any Pool Formwork Before concreting of pool shell, detailing the location of the pool relative to the adjacent boundaries and its height relative to the datum shown on the approved plans.
- (f) Completion of any Roof Framing Before roof covered detailing eaves/gutter setback from boundaries.
- (g) Completion of all Work Detailing the location of the structure (including eaves/gutters) relative to adjacent boundaries and its height relative to the datum shown on the approved plans. A final Check Survey must indicate the reduced level of the main ridge.

Work must not proceed beyond each stage until the PCA is satisfied that the height and location of the building is proceeding in accordance with the approved plans.

DURING CONSTRUCTION

34 Hours of Construction for Demolition and Building Work

Any work activity or activity associated with the development consent that requires the use of any tools (including hand tools) or any power operated plant and machinery that creates noise on or adjacent to the site shall not be performed, or permitted to be performed, except between the hours of 7.00 am to 5.00 pm, Monday to Friday and 8:00am to 1:00pm on Saturdays. No work or ancillary activity is permitted on Sundays, or Public Holidays.

Where the development involves the use of jack hammers/rock breakers and the like, or other heavy machinery, such equipment may only be used between the hours of 7:00am to 5:00pm Monday to Friday only.

Note: A penalty infringement notice may be issued for any offence.

35 Ground Levels and Retaining Walls

The ground levels of the site shall not be excavated, raised or filled, or retaining walls constructed on the allotment boundary, except where indicated on approved plans or approved by Council.

36 Obstruction of Road or Footpath

The use of the road or footpath for the storage of any building materials, waste materials, temporary toilets, waste or skip bins, or any other matter is not permitted unless separately approved by Council under Section 138 of the Roads Act 1993 and/or under Section 68 of

the <u>Local Government Act 1993</u>. Penalty infringement Notices may be issued for any offences and severe penalties apply.

37 Swimming Pools – Filling with Water

The pool/spa shall not be filled until the safety fences have been completed in accordance with the approved plans and specifications and inspected by the PCA.

38 Tree Removal on Private Land

The trees identified as 'to be removed/pruned' on the approved plans or by conditions of this consent shall be removed in accordance with AS4373 -2007 and the Amenity Tree Industry Code of Practice (SafeWork NSW, August 1998).

PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

39 BASIX Certificate

All energy efficiency measures as detailed in the approved BASIX Certificate in the plans approved with the Development Consent, must be implemented before issue of any Occupation Certificate.

40 Completion of Landscape Works

The approved landscape works have identified that the side setback area between the dwelling and boundary be nominated as landscaped area to ensure compliance with the minimum landscape area requirements. In this regard, this area shall be maintained as landscaped area and can only be used for growing plants, grasses and trees and cannot include any building, structure or hard paving (including rainwater tanks, air-conditioning units of ground mounted hot water systems).

41 Restriction to User and Positive Covenant for On-Site Detention Facility

Prior to the issue of any Occupation Certificate, the applicant shall register a Positive Covenant and a Restriction as to User under section 88E and or section 88B of the Conveyancing Act as appropriate in favour of Council, ensuring the ongoing retention, maintenance and operation of the stormwater facility (on-site detention, pump-out, charged lines, water sensitive urban design, surface flow path, finished pavement and ground levels etc.).

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

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

42 Maintenance Schedule – On-site Stormwater Management

A Maintenance Schedule for the proposed on-site stormwater management measures is to be prepared and submitted to Council. The Maintenance Schedule shall outline the required maintenance works, how and when these will be done and who will be carrying out these maintenance works.

43 Stormwater Certification of the Constructed Drainage Works (Minor)

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

44 Stormwater Drainage Works – Works As Executed

Prior to the issue of the Occupation Certificate, stormwater drainage works are to be certified by a professional engineer specialising in hydraulic engineering, with Works-As-Executed drawings supplied to Council detailing:

- (c) Compliance with conditions of development consent relating to stormwater;
- (d) The structural adequacy of the On-Site Detention system (OSD);
- (e) That the works have been constructed in accordance with the approved design and will provide the detention storage volume and attenuation in accordance with the submitted calculations;
- (f) Pipe invert levels and surface levels to Australian Height Datum;
- (g) Contours indicating the direction in which water will flow over land should the capacity of the pit be exceeded in a storm event exceeding design limits.

Council's Engineering Services section must advise in writing that they are satisfied with the Works-As-Executed prior to the issue of an Occupation Certificate.

45 Solid Fuel Heaters

Prior to the issue of any Occupation Certificate, a Certificate prepared by a professional engineer must be submitted to the PCA to confirm that the installation and design the solid fuel heater meets the following requirements:

- (a) Office of Environment and Heritage Selecting, Installing and Operating Domestic Solid Fuel Heaters (1999);
- (b) Section G2 of the Building Code of Australia (as amended);
- (c) Protection of the Environment Operations (Clean Air) Regulation 2010
- (d) The Manufacturer's specification; and
- (e) AS/NZS 2918:2001 Domestic solid fuel burning appliances Installation

OPERATIONAL CONDITIONS (ON-GOING)

46 Maintenance of Landscaping

All trees and plants forming part of the landscaping must be maintained. Maintenance includes watering, weeding, removal of rubbish from tree bases, fertilizing, pest and disease control, replacement of dead or dying plants and any other operations required to maintain healthy trees, plants and turfed areas.

47 Swimming Pools – Resuscitation Notice

An expired air resuscitation warning notice complying with the <u>Swimming Pools Act 1992</u> must be affixed in a prominent position adjacent to the pool.

OPERATIONAL REQUIREMENTS UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

48 Requirement for a Construction Certificate

The erection of a building must not commence until a Construction Certificate has been issued.

49 Appointment of a PCA

The erection of a building must not commence until the applicant has:

- (a) appointed a PCA for the building work; and
- (b) if relevant, advised the PCA that the work will be undertaken as an Owner -Builder.

If the work is not going to be undertaken by an Owner - Builder, the applicant must:

- (c) appoint a Principal Contractor to undertake the building work. If residential building work (within the meaning of the Home Building Act 1989) is to be undertaken, the Principal Contractor must be a holder of a contractor licence; and
- (d) notify the PCA of the details of any such appointment; and
- (e) notify the Principal Contractor of any critical stage inspections or other inspections that are required to be carried out in respect of the building work.

50 Notification of Critical Stage Inspections

No later than two days before the building work commences, the PCA must notify:

- (a) the consent authority and the Council (if not the consent authority) of his or her appointment; and
- (b) the applicant of the critical stage inspections and other inspections that are to be carried out with respect to the building work.

51 Notice of Commencement

The applicant must give at least two days notice to the Council and the PCA of their intention to commence the erection of a building.

52 Critical Stage Inspections

The last critical stage inspection must be undertaken by the PCA. The critical stage inspections required to be carried out vary according to Building Class under the Building Code of Australia and are listed in Clause 162A of the Environmental Planning and Assessment Regulation 2000.

53 Occupation Certificate

A person must not commence occupation or use of the whole or any part of a new building unless an Occupation Certificate has been issued in relation to the building or part.

PRESCRIBED CONDITIONS

54 Clause 97A – BASIX Commitments

This Clause requires the fulfilment of all BASIX Commitments as detailed in the BASIX Certificate to which the development relates.

55 Clause 98 – Building Code of Australia & Home Building Act 1989

Requires all building work to be carried out in accordance with the Building Code of Australia. In the case of residential building work to which the Home Building Act 1989 relates, there is a requirement for a contract of insurance to be in force before any work commences.

56 Clause 98A – Erection of Signs

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

57 Clause 98B – Home Building Act 1989

If the development involves residential building work under the <u>Home Building Act 1989</u>, no work is permitted to commence unless certain details are provided in writing to Council. The name and licence/permit number of the Principal Contractor or Owner Builder and the name of the Insurer by which work is insured under Part 6 of the <u>Home Building Act 1989</u>.

58 Clause 98E – Protection & Support of Adjoining Premises

If the development involves excavation that extends below the level of the base of the footings of a building on adjoining land, this prescribed condition requires the person who benefits from the development consent to protect and support the adjoining premises and where necessary underpin the adjoining premises to prevent any damage.

59 Clause 98F - Site Excavation

Excavation of the site is to extend only to that area required for building works depicted upon the approved plans. All excess excavated material shall be removed from the site. All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards. All excavations associated with the erection or demolition or building must be properly guarded and protected to prevent them from being dangerous to life or property. If the soil conditions require it, retaining walls associated with the erection or demolition of a building or other approved methods or preventing movement of the soil shall be provided and adequate provision shall be made for drainage.

ADVISORY NOTES

I. Review of Determination

Section 8.2 of the Environmental Planning and Assessment Act confers on an applicant who is dissatisfied with the determination of the application the right to lodge an application with Council for a review of such determination. Any such review must however be

completed within 6 months from its determination. Should a review be contemplated sufficient time should be allowed for Council to undertake public notification and other processes involved in the review of the determination.

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

II. Appeal Rights

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

III. Lapsing of Consent

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

IV. Access to NSW Legislations (Acts, Regulations and Planning Instruments)

NSW legislation can be accessed free of charge at www.legislation.nsw.gov.au

V. Long Service Levy

The Long Service Corporation administers a scheme which provides a portable long service benefit for eligible workers in the building and construction industry in NSW. All benefits and requirements are determined by the Building and Construction Industry Long Service Payments Act 1986. More information about the scheme and the levy amount you are required to pay to satisfy a condition of your consent can be found at http://www.longservice.nsw.gov.au.

The required Long Service Levy payment can be direct to the Long Service Corporation via their web site https://online.longservice.nsw.gov.au/bci/levy. Payments can only be processed on-line for the full levy owing and where the value of work is between \$25,000 and \$6,000,000. Payments will be accepted for amounts up to \$21,000, using either MasterCard or Visa.

VI. Disability Discrimination Act

This application has been assessed in accordance with the <u>Environmental Planning and Assessment Act 1979</u>. No guarantee is given that the proposal complies with the <u>Disability Discrimination Act 1992</u>. The applicant is responsible to ensure compliance with this and other anti-discrimination legislation. The <u>Disability Discrimination Act 1992</u> covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which refers to AS1428.1-Design for Access and Mobility.

VII. Site Safety Fencing

Site fencing must be erected in accordance with SafeWork Guidelines, to exclude public access to the site throughout the demolition and/or construction work, except in the case of alterations to an occupied dwelling. The fencing must be erected before the commencement of any work and maintained throughout any demolition and construction work.

A demolition licence and/or a high risk work license may be required from SafeWork NSW (see www.SafeWork.nsw.gov.au).

VIII. Register your Swimming Pool

All swimming pools in NSW are required to be registered. Fines apply for pools that are not registered. To register please visit: www.swimmingpoolregister.nsw.gov.au

IX. Solid Fuel Heaters

A copy of the 'Selecting, installing and operating domestic solid fuel heaters' can be found at: http://www.environment.nsw.gov.au/resources/woodsmoke/woodguide.pdf

ATTACHMENTS

- 1. Site Map
- 2. Architectural Plans

DA2021.278 102 Burlington Road

Item 4 - Attachment 1 Page 202



Item 4 - Attachment 1 Page 203



DRAWING LIST

NO. REV NAME

DA000 A TITLE PAGE LANDSCAPE AREA PLAN DA002 DA004 A GFA DIAGRAMS SITE PLAN / ROOF PLAN DA101 A SITE ANALYSIS DA118 DEMOLTION DA120 A DRIVEWAY DA121 MATERIAL BOARD PHOTOMONTAGE DA122 DA201 A BASEMENT FLOOR PLAN GROUND FLOOR PLAN DA202 A FIRST FLOOR PLAN NORTH / SOUTH ELEVATION DA301 A

DA302 A EAST/WEST ELEVATION
DA303 A FRONT FENCE ELEVATION/DRIVWAY GATE

ELEVATION

DA321 A SECTION - AA + BB

LiteraTrotta

NATE

Im Chavelege, Check off dimensions on of
the of work. Written dimensions and large
procedures. Nately the project architect.

DEVELOPMENT APPLICATION
TITLE PAGE

98-102 BURLINGTON RD, HOMEBUSH RECEIVED

DEVELOPMENT APPLICATION

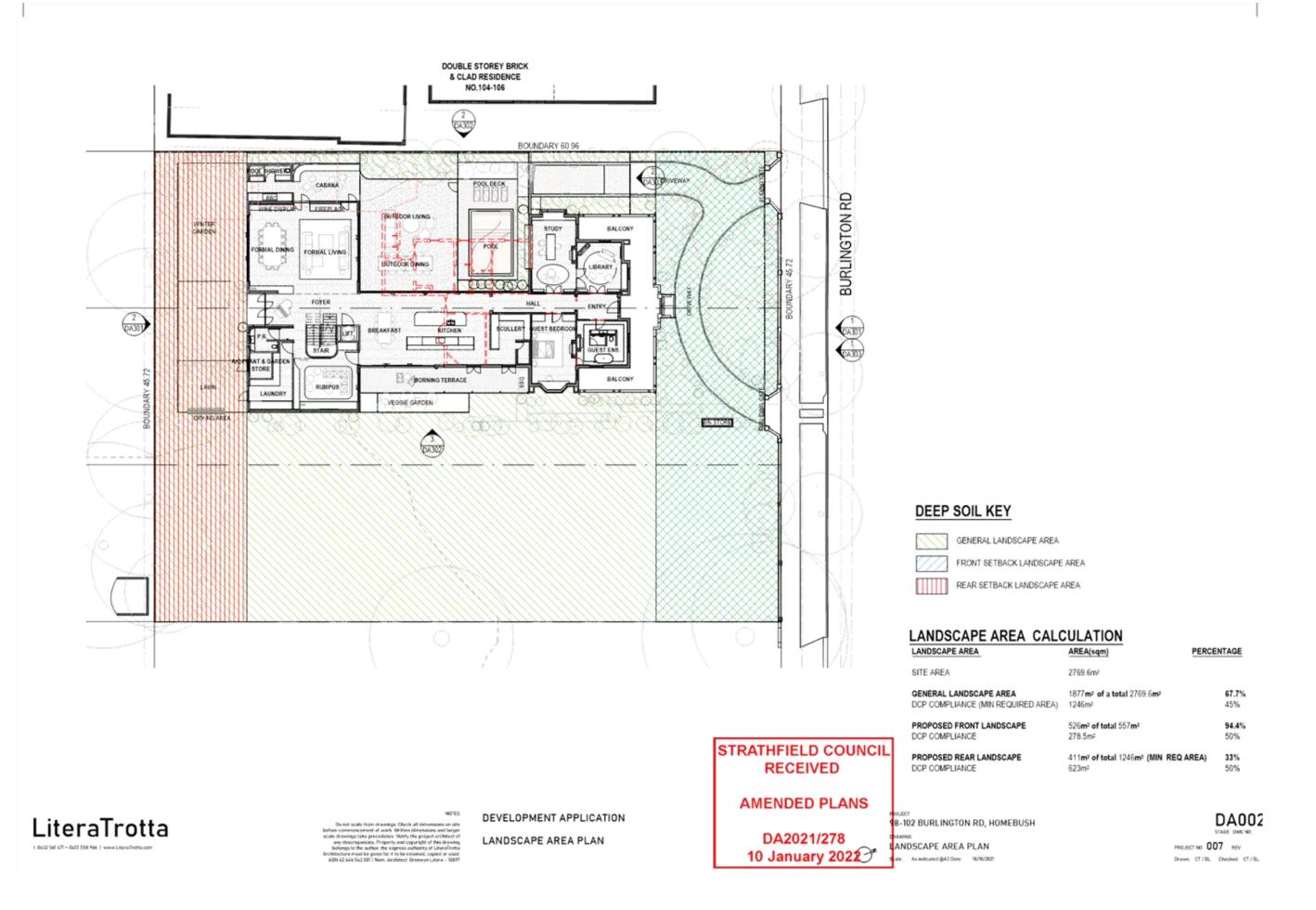
AMENDED PLANS

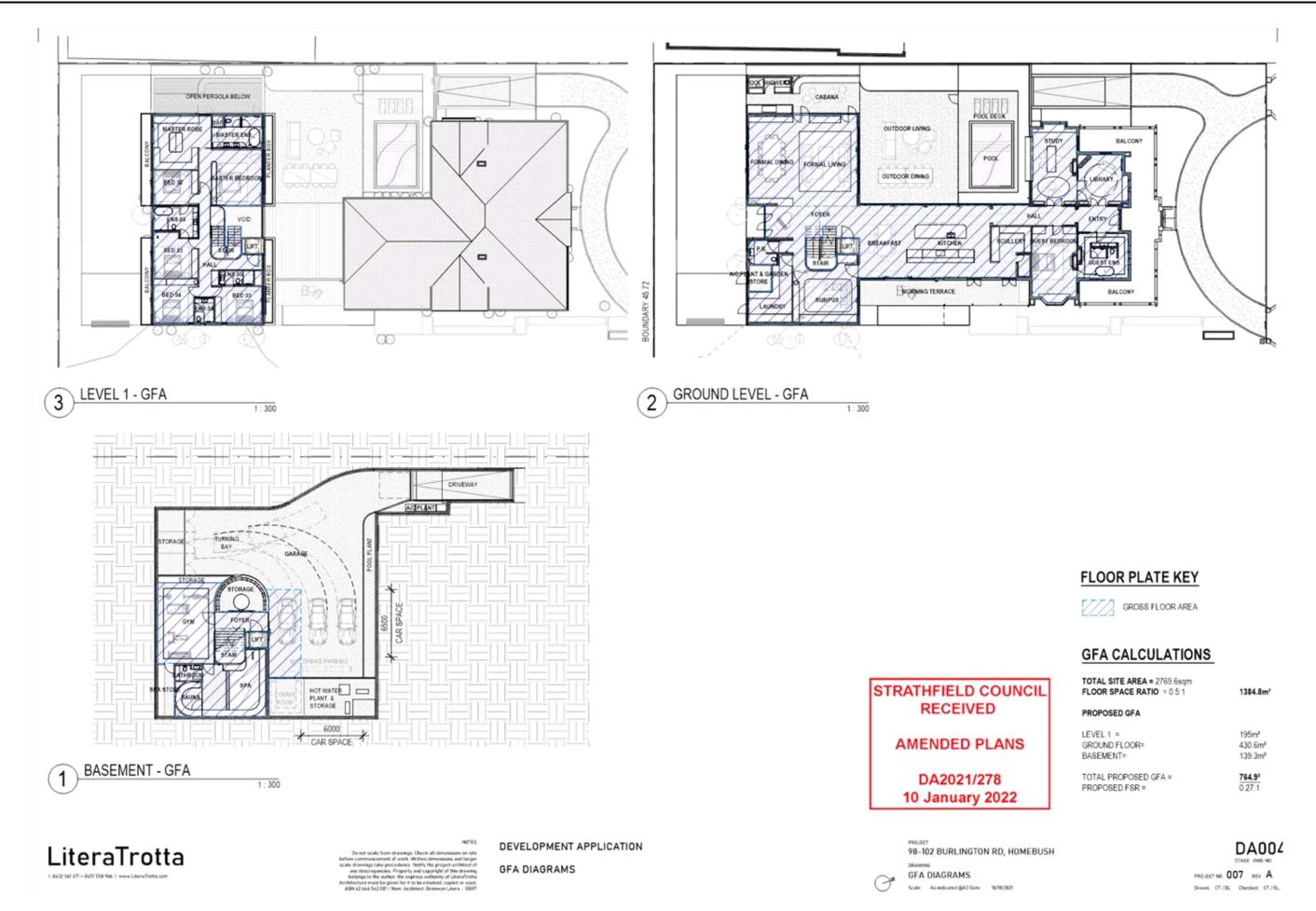
DA2021/278 10 January 2022

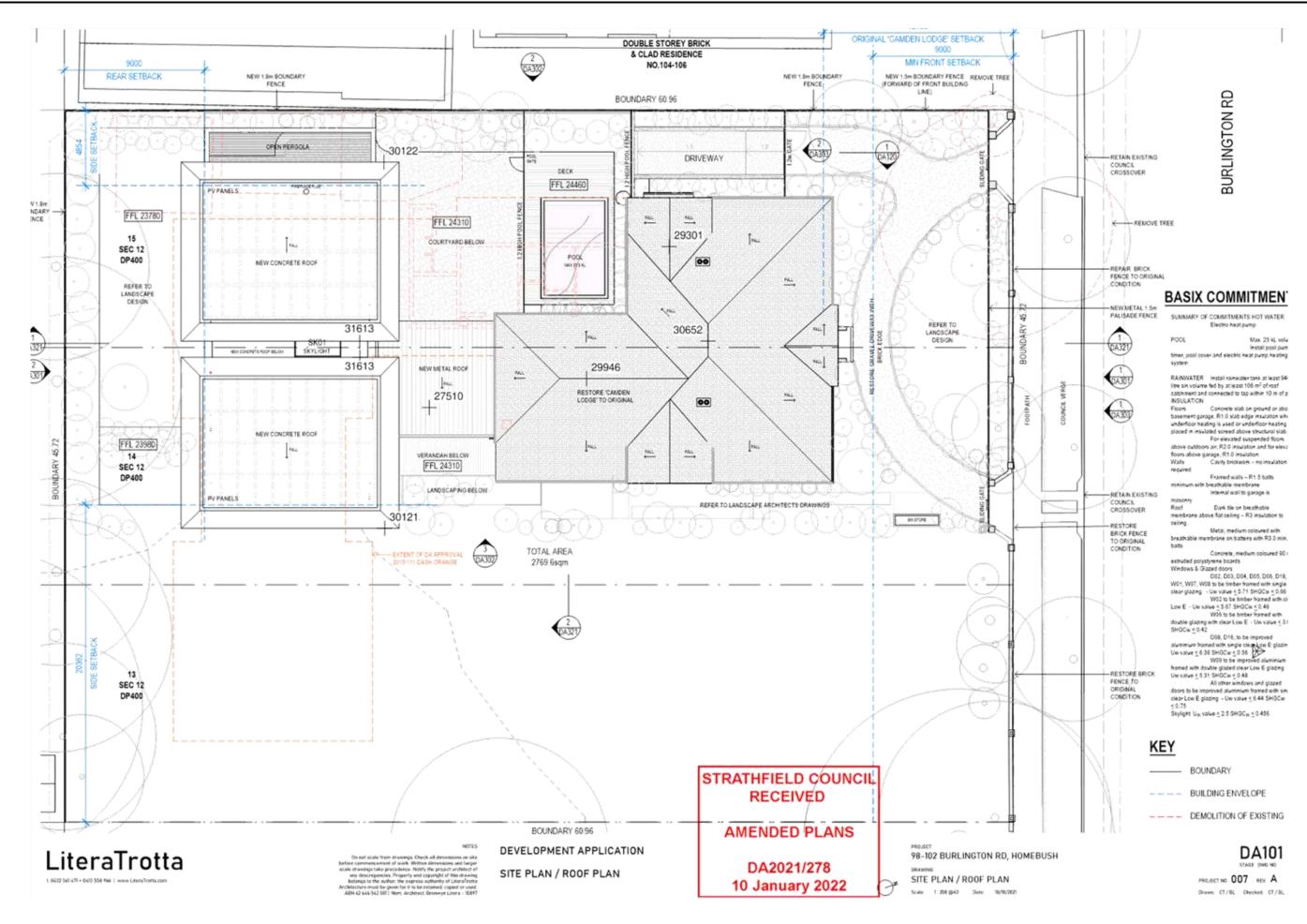
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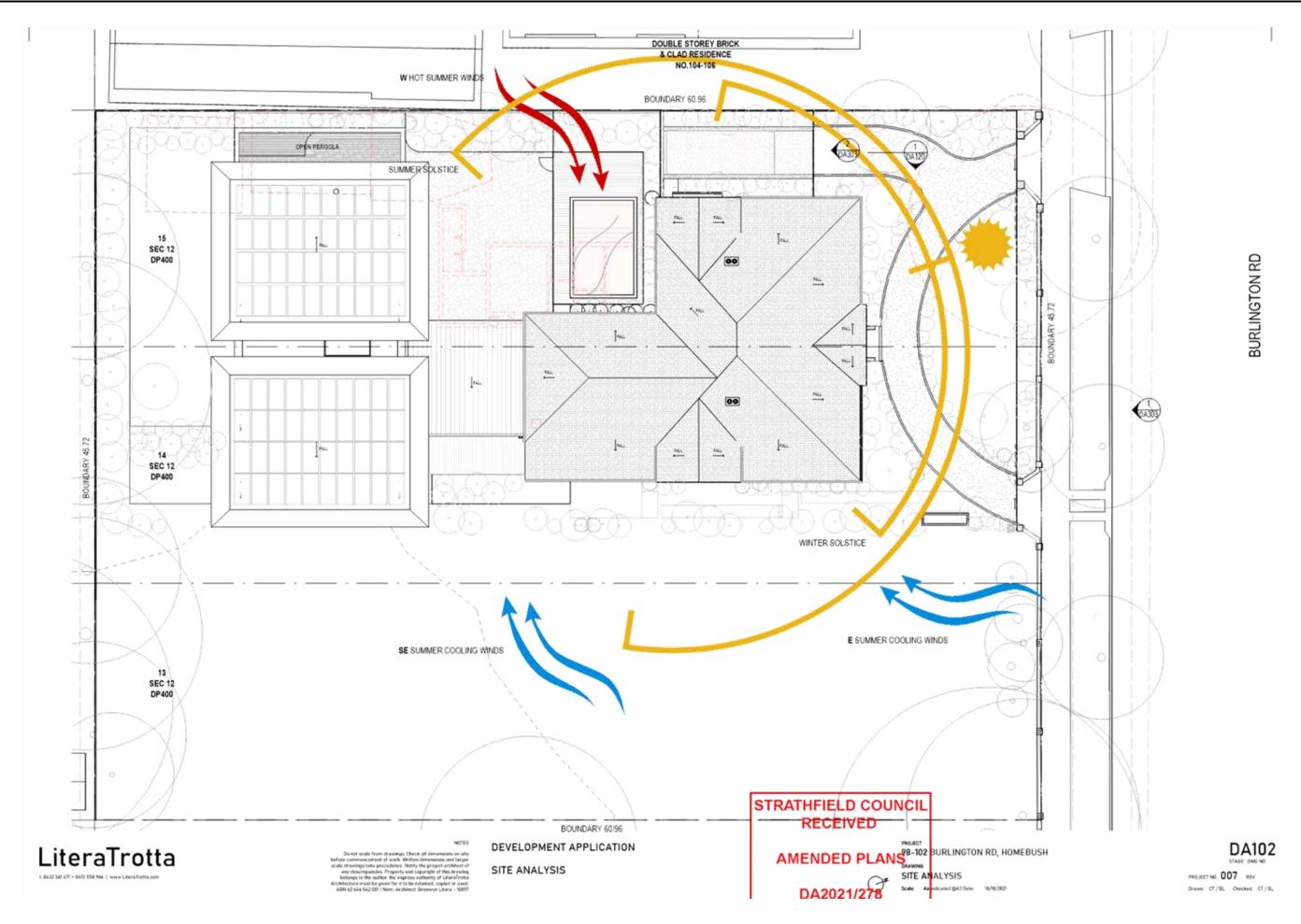
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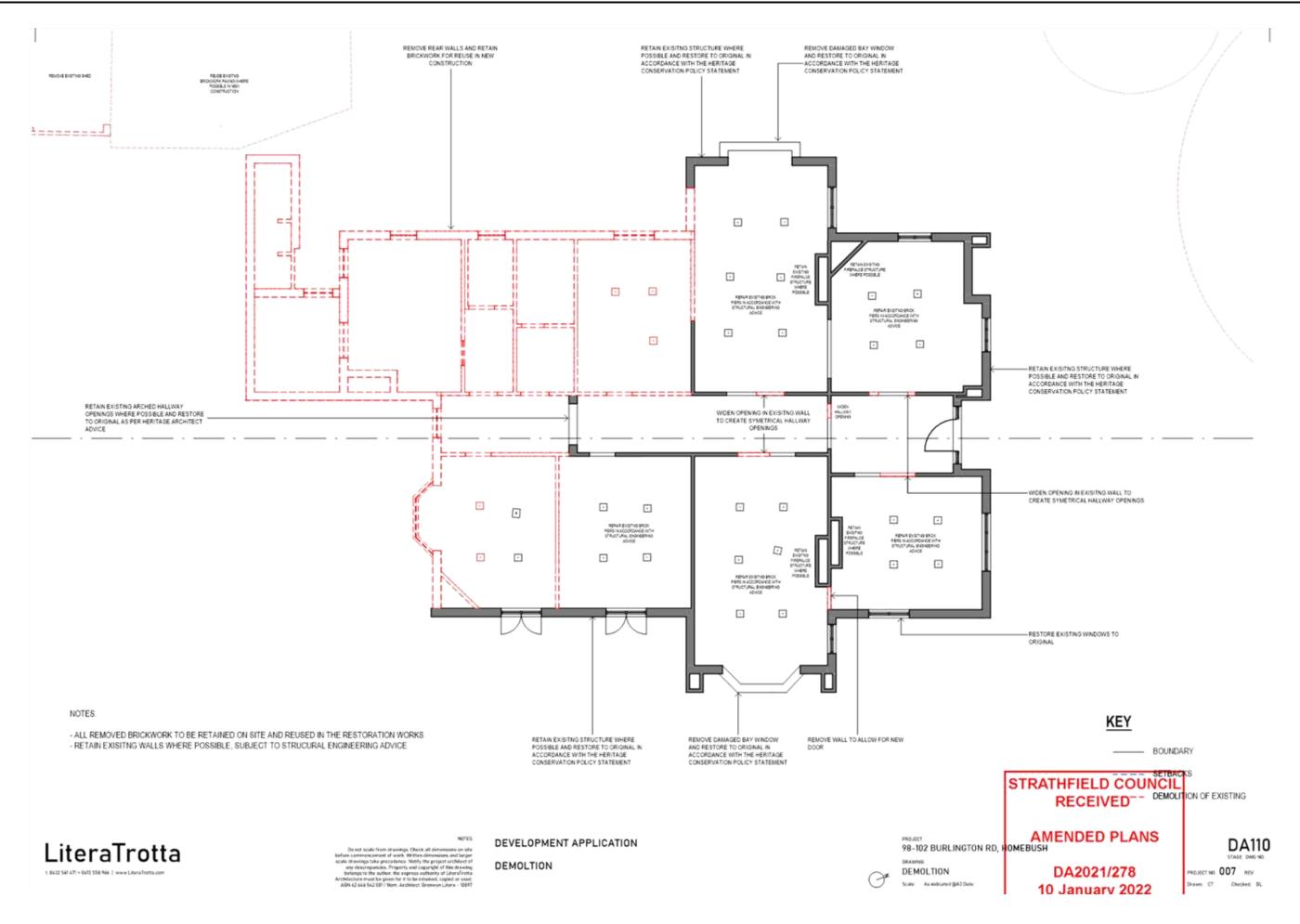
98-102 BURLINGTON RD, HOMEBUSH



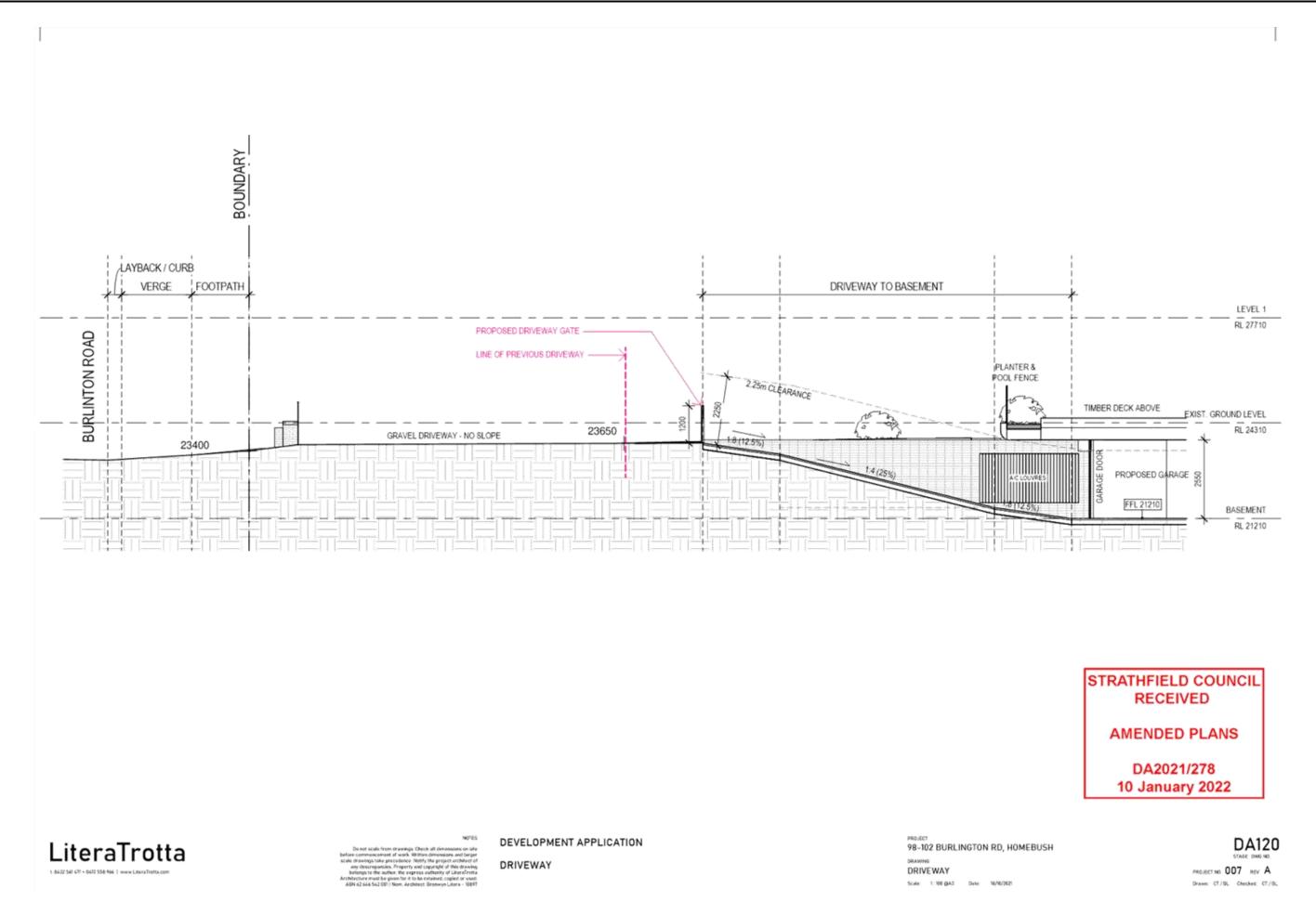








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LANDSCAPE CURTILAGE TO HERITAGE STRUCTURES



EXPOSED BRICK FINISH



HERITAGE INTERIOR DETAILING





GLASS & DARK P/COAT RESTORE CAMDEN LODGE TO ORIGINAL HERITAGE FINISHES



DEVELOPMENT APPLICATION MATERIAL BOARD

98-102 BURLINGTON RD, HOMEBUSH MATERIAL BOARD

STRATHFIELD COUNCIL RECEIVED AMENDED PLANS DA2021/278 10 January 20

3 FEBRUARY 2022 STRATHFIELD LOCAL PLANNING PANEL MEETING



98-102 BURLINGTON RD - EXISTING



98-102 BURLINGTON RD - PROPOSED



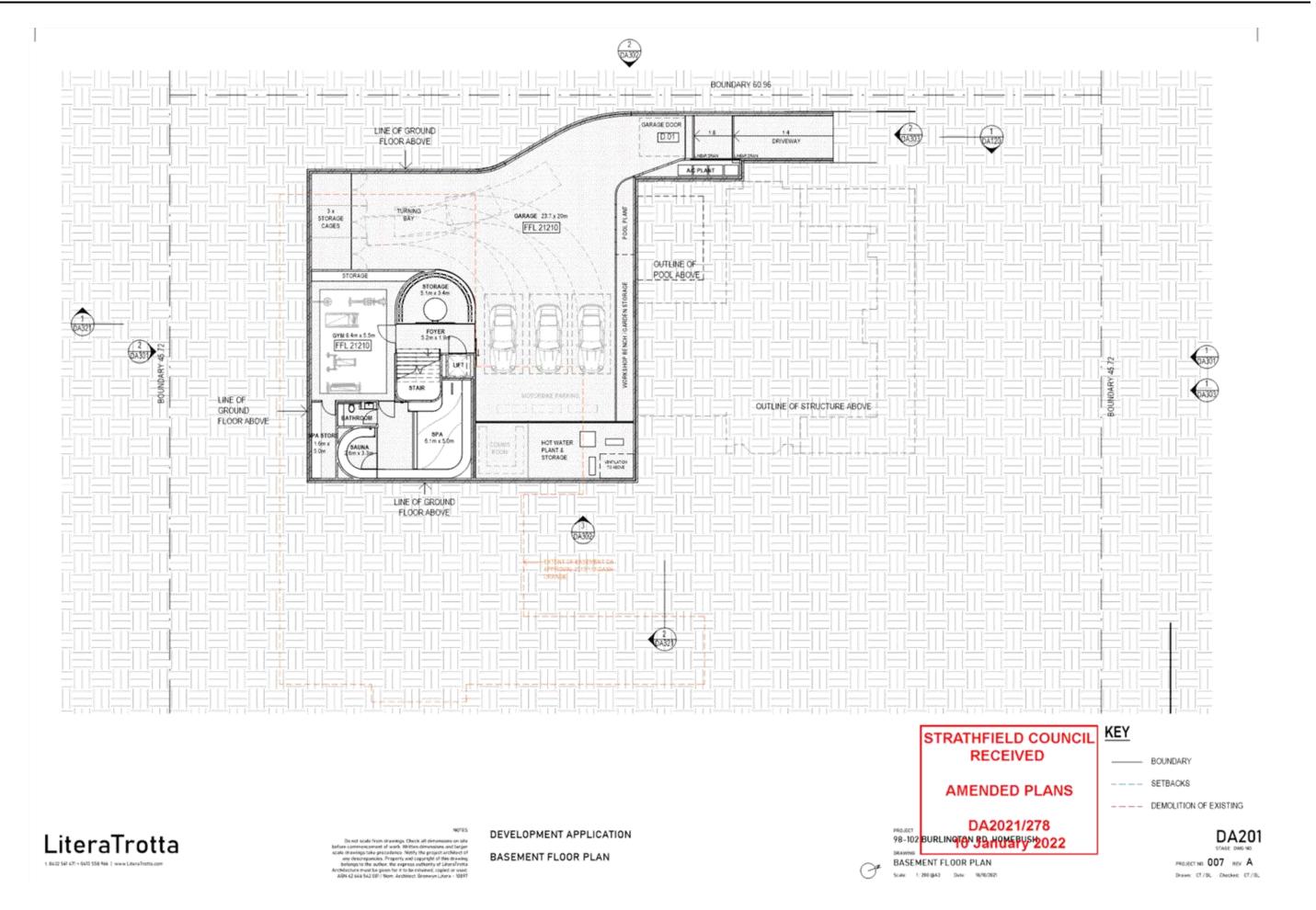
DEVELOPMENT APPLICATION PHOTOMONTAGE

98-102 BURLINGTON RD, HOMEBUSH PHOTOMONTAGE

DA122

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DA2021/278



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