

Agenda

Strathfield Independent Hearing and Assessment Panel Meeting

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

Thursday, 7 September 2017

Commencing at 10:30am 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 Independent Hearing and Assessment Panel Meeting - 7
September 2017

REPORT: SIHAP – Report No. 1

SUBJECT: 72-74 COURALLIE AVENUE, HOMEBUSH WEST - LOT 42 & 43 DP11427

DA NO. 2017/096

SUMMARY

Proposal: Residential Flat Building

Applicant: Bechara Chan and Associates Pty Ltd

Owner: M.Slobodnik

Date of lodgement: 27 June 2017

Notification period: 25 July 2017 to 21 August 2017

Submissions received: One (1)

Assessment officer: LP

Estimated cost of works: \$3,883,725.00

Zoning: R3 Medium Density Residential - SLEP 2012

Heritage: N/A

Flood affected: No

Is a Clause 4.6 variation proposed? Yes – Building height and Minimum Lot size

Extent of the variation supported? Building Height – 24.81% (2.7m)
Lot size – 3.7% (37.34m²)

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

RECOMMENDATION OF OFFICER: **Approval**

EXECUTIVE SUMMARY

Approval is sought for the construction of a four (4) storey Residential Flat Building (RFB) containing (15) units comprising five (5) x 1 bedroom, nine (9) x 2 bedroom and one (1) x 3 bedroom units above two (2) levels of basement parking.

The proposal is a contemporary style flat roofed residential flat building that integrates well with existing development and recent approvals within the streetscape by adopting setbacks and a bulk and scale that are in keeping with the emerging character of the streetscape.

The proposal provides a floor space ratio (FSR) of 1.19:1, which complies with the maximum FSR of 1.2:1 however, a departure from the building height standard of 11m is sought with the main roof line achieving an overall building height of 12.4m and 13.73m to the lift overrun. The height variation is considered acceptable as the building does not exceed the required residential density and has been designed so that the upper level presents as a recessive element in the streetscape by increasing the building setbacks and using lightly coloured material finishes. It is further noted that the building results in a building height comparable in scale with the adjoining residential flat buildings to the south.

72-74 Courallie Avenue, Homebush West - Lot 42 & 43 DP11427 (Cont'd)

A Deferred Commencement consent was previously granted for substantially the same development upon the subject site under DA2015/160 in March of 2016. DA2015/160 has subsequently lapsed resulting in the lodgment of the subject application.

Overall, the development is considered to be a good outcome for the redevelopment of the site in recognition of its R3 Medium Density Residential zoning and the emerging character of development within the streetscape. Accordingly, the subject application is recommended for approval.

BACKGROUND

DA2015/160 was granted a deferred commencement consent by Council at its meeting of 15 March 2016 for the demolition of existing site structures and the construction of a four (4) storey Residential Flat Building (RFB) containing (15) units comprising five (5) x 1 bedroom and ten (10) x 2 bedroom units above two (2) levels of basement parking. DA2015/160 subsequently lapsed as the deferred commencement conditions relating to a stormwater easement, contamination and unit configuration were not satisfied within the stipulated six (6) month period.

As lodged, the subject application is predominantly the same as that which was previously approved under DA2016/160 with the exception of improvements made to the internal configuration of some of the units.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is legally described as lots 42 and 43 of DP11427 and is commonly known as 72-74 Courallie Avenue, Homebush West. The subject site is located on the western side of Courallie Avenue, south of the intersection with Mandemar Avenue. The site is comprised of two (2) separate allotments. The subject site is currently vacant.

The current streetscape is undergoing transition from original housing stock to medium density development with the subject site being one of the last parcels of residential land to be developed for the purposes of a residential flat building within this section of Courallie Avenue.

Site Area (approx.): 962.7m²

Dimensions (approx.): 24.38m x 39.48m

72-74 Courallie Avenue, Homebush West - Lot 42 & 43 DP11427 (Cont'd)



Figure 1: Aerial view of the subject site and surrounding residential properties.

PROPERTY BURDENS AND CONSTRAINTS

The subject site is burdened by an easement to drain water 1.5m wide which runs along the site's northern boundary. The subject application was accompanied by documentary evidence demonstrating that the easement has been relocated so as to accommodate for the proposed building footprint.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks Council approval for the construction of a four (4) storey RFB containing (15) units comprising of five (5) x 1 bedroom, nine (9) x 2 bedroom and one (1) x 3 bedrooms units above two (2) levels of basement parking.



Figure 2: Photomontage of the proposed development from Courallie Avenue.

72-74 Courallie Avenue, Homebush West - Lot 42 & 43 DP11427 (Cont'd)

REFERRALS

INTERNAL REFERRALS

Engineering Comments

Council's Engineer raised no objections to the proposal, subject to the imposition of recommended conditions of consent.

Waste Comments

Council's Waste Officer raised no objections to the proposal, subject to the imposition of recommended conditions of consent.

Landscaping Comments

Council's Tree Coordinator has commented on the proposal as follows:

"The proposed stormwater drainage measures conflict with the existing street tree. This matter was discussed with Council's Development Engineer and it was agreed that a special condition be applied requiring that the proposed stormwater drainage measures be amended to locate the proposed pit and pipe beyond the tree protection zone. With the imposition of such a condition, no objections are raised to the proposed development."

Traffic Comments

Council's Traffic Engineer raised no objections to the proposal, subject to the imposition of recommended conditions of consent.

EXTERNAL REFERRALS

Sydney Water

The subject application is identified as Integrated Development under Section 91 of the *Environmental Planning and Assessment Act 1979* as the application is deemed an aquifer interference activity requiring authorisation under the Water Management Act 2000. The General Terms of Approval (GTA) were received from Water NSW on 25 August 2017 and have been included in the recommended conditions of consent.

SECTION 79C CONSIDERATIONS – EP&A Act, 1979

In determining a development application, the consent authority is to take into consideration the following matters of consideration contained within section 79C of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

79C(1)(a) the provisions of:

(i) any environmental planning instrument

The following Environmental Planning Instruments (EPI's) are applicable to the assessment of the subject application:

- State Environmental Planning Policy No. 55 – Remediation of Land;
- State Environmental Planning Policy (Building and Sustainability Index - BASIX) 2004;
- State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings;
- Strathfield Local Environmental Plan 2012;
- Strathfield Development Contributions Plan 2010-2030; and
- Strathfield Development Control Plan 2005:
 - Part C – Multiple Unit Housing

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- Part H – Waste Management
- Part L – Notification

SEPP 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) requires Council to consider whether the site is suitable in its current state, contaminated state or following the completion of remediation works for the purpose for which development consent is being sought. The site is located in an area of investigation under Part K of the Strathfield Consolidated DCP 2005 (SCDCP 2005) which identifies past known landfill and potentially contaminated sites in the Strathfield local government area. The investigation area relates to the former Ford landfill site located to the north-west of the subject site.

The subject application was accompanied by a Phase 2 Detailed Site Investigation prepared by EI Australia. The report concludes that the site is considered to be suitable for the purposes of the proposed development subject to the implementation of certain measures. Conditions of consent are recommended to ensure compliance with the recommendations of this report.

STATE ENVIRONMENTAL PLANNING POLICY (SEPP) – BASIX 2004

In accordance with the BASIX SEPP all new housing in NSW is required to meet a designated target for energy and water reduction.

A BASIX Certificate was submitted as part of the application which indicates that the proposal meets the required reduction targets. An appropriate condition of consent will be imposed to ensure future compliance with these targets.

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

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings (SEPP 65) aims to improve the design quality of residential flat development in New South Wales. SEPP 65 recognises that the design of residential apartments is of significance due to the economic, environmental, cultural and social benefits of high quality design.

Strathfield Council does not have a design review panel referred to under Clause 28 however an assessment of the design quality of the development against the design principles of the SEPP and the relevant design criteria of the Apartment Design Guide has been undertaken in the table below:

Principle	Objective	Proposed
Context and neighbourhood character	<p><i>Responding to context involves identifying the desirable elements of an area's existing or future character.</i></p> <p><i>Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.</i></p> <p><i>Consideration of local context is important for all sites, including sites in established areas, those</i></p>	<p>The contemporary form of the residential flat building is responsive to the medium density residential character of the area and provides an acceptable built form which has given due consideration to the established amenity of the neighbouring residential properties.</p> <p>While the proposal seeks a variation from the permitted height limit, the design approach favours improved building separation over compliance with the height limit to achieve a building that responds to existing development</p>

72-74 Courallie Avenue, Homebush West - Lot 42 & 43 DP11427 (Cont'd)

Principle	Objective	Proposed
	<i>undergoing change or identified for change.</i>	without adversely affecting the streetscape. The streetscape elevation accompanying the application demonstrates that the variation from the permitted height limit is consistent with the established building heights within the street.
Built form and scale	<i>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</i> <i>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</i> <i>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</i>	The proposed development achieves a scale, bulk and height that is appropriate to the existing and desired future character of the street and surrounding buildings. While the additional height achieves a built form that is consistent with the building heights in the immediate vicinity, the upper level has been setback beyond the main building wall to ensure the fourth floor is recessive when viewed from the street. The contemporary presentation of the building coupled with the considered landscape design, including a generous front setback, will provide a positive contribution to the transitioning streetscape.
Density	<i>Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.</i> <i>Appropriate densities are consistent with the area's existing or projected population.</i> <i>Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</i>	The proposal achieves a high level of residential amenity to each unit in terms of solar access (73.3% of units receive a minimum of 2hr solar access) and cross ventilation (100% of units are cross ventilated), compliant unit sizes, and the provision of sufficient open space. Further, the development is of an appropriate density as demonstrated through the proposed FSR of 1.19:1 which complies with the maximum FSR of 1.2:1 permitted under the SLEP 2012.
Sustainability	<i>Good design combines positive environmental, social and economic outcomes.</i> <i>Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing</i>	The proposal complies with BASIX and provides good solar access and natural ventilation to heat and cool the building alongside building products which provide high insulation properties.

72-74 Courallie Avenue, Homebush West - Lot 42 & 43 DP11427 (Cont'd)

Principle	Objective	Proposed
	<i>reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.</i>	
Landscape	<p><i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well-designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</i></p> <p><i>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</i></p> <p><i>Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.</i></p>	<p>The subject application is accompanied by a landscape plan that is considered suitable for the scale of development. The proposed landscaping treatment provides consolidated areas of open space suitable for the enjoyment of the future residents of the site.</p>
Amenity	<p><i>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident wellbeing.</i></p> <p><i>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.</i></p>	<p>The proposal has been designed to achieve a high level of internal residential amenity through compliant ceiling heights and adequate access to natural light and ventilation</p> <p>The proposal has been designed to minimise overlooking to adjoining developments and subject to conditions, is considered to result in minimal privacy impacts.</p> <p>The unit layouts are efficient and comply with the new minimum unit sizes required by the ADG.</p>
Safety	<i>Good design optimises safety and</i>	The proposed building has a secure and

72-74 Courallie Avenue, Homebush West - Lot 42 & 43 DP11427 (Cont'd)

Principle	Objective	Proposed
	<p><i>security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.</i></p> <p><i>A positive relationship between public and private spaces is achieved through clearly defined secure access points and well-lit and visible areas that are easily maintained and appropriate to the location and purpose.</i></p>	readily identifiable entry. Balconies are orientated to overlook the public domain and ground level private open space to optimise safety and security within the development.
Housing diversity and social interaction	<p><i>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</i></p> <p><i>Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</i></p> <p><i>Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.</i></p>	<p>The proposal provides an acceptable mixture of unit types including five (5) x 1 bedroom, nine (9) x 2 bedroom and one (1) x 3 bedroom units.</p> <p>The proposal is provided with accessible and well-considered areas of communal open space at ground level.</p>
Aesthetics	<p><i>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.</i></p> <p><i>The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</i></p>	<p>The building is well articulated providing clear base, middle and top elements with balconies orientated to Courallie Avenue.</p> <p>The proposal incorporates a mixture of exposed brick and metal cladding with a limited extent of render to improve the longevity of the external finishes.</p> <p>The schedule of external finishes is understated and will integrate well with the colours and finishes of more recently approved development in the immediate vicinity of the site.</p>

Apartment Design Guide Quality Design of Residential flat buildings

Design Criteria	Required	Proposed	Compliance
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72-74 Courallie Avenue, Homebush West - Lot 42 & 43 DP11427 (Cont'd)

2E - Building Depth	12m – 18m	Maximum 25	Acceptable on merit as the minimum solar access and ventilation rule of thumb is met.
3B – Orientation	<p>Responsive to streetscape and site Designed to optimise solar access and minimise overlooking</p> <p>Retain 2 hours solar access to neighboring properties</p>	<p>The proposal is responsive to the streetscape and is designed to optimise solar access and minimise opportunities for overlooking</p> <p>As a result of the site's east-west orientation the proposed development results in a degree of unavoidable overshadowing to the existing four (4) storey residential flat building at 76-78 Courallie Avenue.</p>	<p>Yes.</p> <p>No – refer to likely impacts</p>
3C – Public Domain Interface	<p>Direct street entry to ground floor apartments</p> <p>Balconies/windows orientated to overlook the public domain</p> <p>Front fence design is permeable Opportunities for concealment minimised</p> <p>Services concealed</p> <p>Access ramps minimised</p>	<p>Separate entry is provided to ground floor apartments fronting Courallie Avenue.</p> <p>Balconies and windows are orientated to overlook the public domain and communal open space</p> <p>The front fence is visually permeable and provides opportunities for passive surveillance.</p> <p>Services and access ramp concealed and access ramps minimised.</p>	<p>Yes.</p> <p>Yes.</p> <p>Yes</p> <p>Yes.</p>
3D – Communal Open Space	<p>Min. 25% (240.67m²) Min 2h to 50% communal open space at mid-winter Consolidated area Min dimension of 3m Equitable access</p> <p>Where developments are unable to achieve the design criteria, such as on small lots they should;</p> <ul style="list-style-type: none"> - Provide communal open space elsewhere such as a landscape rooftop terrace; - Provide larger 	<p>14.2% (136.85m²) of the site is dedicated as communal open space.</p> <p>Receives greater than 2 hours solar access, provided in two (2) consolidated areas with a minimum dimension of 3m.</p> <p>Equitable access provided.</p> <p>As the proposal is under the required provision of communal open space, it</p>	<p>No – refer to likely impacts.</p>

72-74 Courallie Avenue, Homebush West - Lot 42 & 43 DP11427 (Cont'd)

	<p>balconies or increased private open space'</p> <ul style="list-style-type: none"> - Demonstrate good proximity to public open space and facilities. 	<p>is recommended that a condition of consent be imposed to extend the communal open space adjacent to the rear boundary. This will increase the provision of private open space, which will bring the provision of communal open space closer to compliance. As the ground floor units are provided with oversized terraces the provision of communal open space is considered suitable in this circumstance.</p>	
3E – Deep Soil Zones	<p>Min. 7% (67.3m²) 650m² to 1,500m² 3m min. dimension</p>	<p>12% (120.37m²)</p>	<p>Yes</p>
3F – Visual Privacy	<p>Up to 4 storeys: 0-12m</p> <ul style="list-style-type: none"> • 6m between habitable rooms/balconies and the boundary • 3m between habitable and non-habitable rooms and the boundary. <p>Offset windows</p> <p>Vertical fins or privacy screens between balconies</p>	<p>The proposal provides 4m separation to the northern and southern property boundaries and a minimum of 6m to the rear boundary.</p> <p>While the provided separation to the north and south is less than the requirement, the proposal represents infill residential development, whereby the required separation could not reasonably be achieved without resulting in an unbalanced building and a building height that exceeds the already non-compliant height. The proposed building separation accords with the setback requirements under Part C of the SDCP 2005 and further aligns with the proportions of the adjoining residential developments to the south.</p>	<p>No, acceptable on merit.</p> <p>Refer to likely impacts.</p>
3G – Pedestrian Access and Entries	<p>Entry addresses public domain Clearly identifiable Steps and ramps integrated into building design</p>	<p>The main entry addresses the public domain and is clearly identifiable.</p> <p>Both the vehicle and pedestrian ramps are integrated into the building.</p>	<p>Yes.</p>

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3J – Bicycle and Car Parking	Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas.	Bicycle parking provided within basement.	Yes
4A – Solar and Daylight Access	Min. 70% (10 units) receive 2 hours solar access. Max. 15% units have no solar access Light wells, skylights and highlight windows are only to be a secondary source where sunlight is limited Design incorporates shading and glare control.	A minimum of 73% (11 units) of units receive a minimum two (2) hours solar access daily. 6%(1 unit) of units receive no solar access	Yes. Yes.
4B – Natural Ventilation	Min. 60% (9) units are cross ventilated Light wells are not the primary source of ventilation for habitable rooms Single aspect units have limited depth to maximise ventilation.	100% (15 units) of units are cross ventilated.	Yes.
4C – Ceiling Heights	Habitable: 2.7m Non-habitable: 2.4m 2 storey apartments: 2.7m main living area, 2.4m mezzanine Mixed Use: 3.3m ground floor.	Minimum 2.7m ceiling height to habitable rooms.	Yes.
4D – Apartment Size and Layout	1 bed: 50m ² 2 bed: 70m ² 3 bed: 90m ² Additional bathrooms +5m ² Each habitable room must have a window > 10% floor area of the room. If open plan layout =max 8m from a window Master bed: min 10m ² Other bedroom: min 9m ² Living room min. width: Studio and 1 bed: 3.6m 2 and 3 bed: 4m Crossover/through: min 4m	The proposal provides for compliant unit sizes as follows: 1 bedroom: minimum 51.35m ² 2 bedroom: minimum 75.23m ² 3 bedroom: minimum 96.64 ² All units with additional bathrooms are provided with an additional 5m ² All kitchens are within 8m from a door or window.	Yes.
4E – Private Open Space and Balconies	Studio: 4m ² 1 bed: 8m ² , min depth 2m 2 bed: 10m ² , min depth 2m 3 bed: 12m ² , min depth 2.4m	All units are provided with an area of private open space with a minimum dimension of 2m which meets the minimum area requirements.	Yes
4F – Common Circulation and Spaces	Max 8 apartments off a single core	No more than four (4) apartments are accessed off a single core.	Yes.

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4G – Storage	Studio: 4m ³ 1 bed: 6m ³ 2 bed: 8m ³ 3 bed: 10m ³ At least 50% within the basement	Whilst some storage space is provided within the basement area, a condition of consent is required to ensure adequate storage space is provided according to the unit sizes.	Yes - Condition of consent recommended.
4K – Apartment Mix	Variety of apartment types Appropriate apartment mix Different apartments distributed throughout the building.	The proposal provides the following housing mix; Five (5) x 1 bedroom, nine (9) x 2 bedroom and One (1) x 3 bedroom unit.	Yes.
4M – Facades	Composition of building elements. Defined base, middle and top Building services integrated into the façade	The composition of the building façade has a defined base and top which has integrated a mixture of external finishes to provide interest to the appearance of the building and allow it to positively contribute toward the presentation of development in the streetscape. The front façade of the development is well articulated and is comprised of several modules through articulation and material treatment to break up the composition of the development.	Yes.
4N – Roof Design	Roof design integrated into the building Incorporates sustainability features May include common open space	The proposal adopts a flat roof design, which is partly recessed as a result of the stepped nature of the third floor. No common open space or sustainability features are provided on the roof.	Yes.
4O – Landscape Design	Responsive to streetscape Viable and sustainable	The application is accompanied by a landscape design prepared by a registered landscape architect that compliments the built form and provides suitable landscaped treatments between buildings.	Yes.

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		The landscape scheme is responsive to the environment and incorporates a mixture of ground covers, shrubs and trees.	
4Q – Universal Design	Variety of adaptable apartments	The proposal provides 20% (3 units) of units as adaptable. These units are dispersed throughout the development.	Yes.
4U – Energy Efficiency	Adequate natural light to habitable areas Adequate natural ventilation Shading on northern and western elevations	The proposal achieves compliant cross ventilation and solar access and appropriate shading structures.	Yes.
4V – Water Management and Conservation	Efficient fixtures/fittings WSUD integrated Rainwater storage and reuse	Refer to BASIX Certificate commitments.	Yes.
4W – Waste Management	Minimise impact on streetscape, building entry and amenity	The proposal provides a waste storage room in the basement level 2 for the storage of waste. The proposal also allows for the onsite collection of waste to ensure that there is no disruption to Courallie Avenue during collection.	Yes.
4X – Building Maintenance	Material selection reduces ongoing maintenance costs.	<p>The proposed schedule of external finishes incorporates a number of high quality materials and integrates well with contemporary developments within the streetscape.</p> <p>The proposed schedule of external finishes will include a mixture of exposed brick and metal cladding with a limited extent of render.</p> <p>The selected materials are suitable for the scale of the development and are relatively durable to reduce the ongoing maintenance costs of the building.</p>	Yes.

72-74 Courallie Avenue, Homebush West - Lot 42 & 43 DP11427 (Cont'd)

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

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

Cl. 1.2(2)	Aims	Complies
(a)	To achieve high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield	Yes
(b)	To promote the efficient and spatially appropriate use of land, the sustainable revitalisation of centres, the improved integration of transport and land use, and an appropriate mix of uses by regulating land use and development	Yes
(c)	To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community	Yes
(d)	To provide opportunities for economic growth that will enhance the local community	Yes
(e)	To promote future development that integrated land use and transport planning, encourages public transport use, and reduced the traffic and environmental impacts of private vehicle use	Yes
(f)	To identify and protect environmental and cultural heritage	Yes
(g)	To promote opportunities for social, cultural and community activities	Yes
(h)	To minimise risk to the community by identifying land subject to flooding and restricting incompatible development	Yes

Permissibility

The subject site is Zoned R3 Medium Density Residential under Strathfield Local Environmental Plan (SLEP) 2012.

Residential flat buildings are permissible within the Medium Density Residential Zone with consent and are defined under SLEP 2012 as follows:

“residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.”

Zone Objectives

An assessment of the proposal against the objectives of the R3 Medium Density Residential Zone is included below:

Objectives	Complies
➤ To provide for the housing needs of the community within a medium density residential environment	Yes
➤ To provide a variety of housing types within a medium density residential environment.	Yes
➤ To enable other land uses that provide facilities or services to meet the day to day needs of residents.	Yes

Comments: The proposed development provides additional housing opportunities within a medium density context and is considered to be consistent with the objectives of the R3 Medium Density Residential zone.

Part 4: Principal development standards

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

72-74 Courallie Avenue, Homebush West - Lot 42 & 43 DP11427 (Cont'd)

Minimum Lot size: Residential Flat Building

Cl.	Standard	Controls	Proposed	Complies
4.1A	Minimum lot size: Residential Flat Buildings	1000m ²	962.66m ²	No
Objectives				Complies
(a)	To achieve planned residential density in certain zones			Yes

Comments: Refer Clause 4.6 discussion below.

Height of building

Cl.	Standard	Controls	Proposed	Complies
4.3	Height of building	11m	13.73m	No
Objectives				Complies
(a)	To ensure that development is of a height that is generally compatible with or which improves the appearance of the existing area			Yes
(b)	To encourage a consolidation pattern that leads to the optimum sustainable capacity height for the area			Yes
(c)	To achieve a diversity of small and large development options.			Yes

Comments: Refer Claus 4.6 discussion below.

Floor space ratio

Cl.	Standard	Controls	Proposed	Complies
4.4	Floor space ratio	1.2:1 (1,155.19m ²)	1.19:1 (1,154.29m ²)	Yes
Objectives				Complies
(a)	To ensure that dwellings are in keeping with the built form character of the local area			Yes
(b)	To provide consistency in the bulk and scale of new dwellings in residential areas			Yes
(c)	To minimise the impact of new development on the amenity of adjoining properties			Yes
(d)	To minimise the impact of development on heritage conservation areas and heritage items			N/A
(e)	In relation to Strathfield Town Centre: <ul style="list-style-type: none"> i. to encourage consolidation and a sustainable integrated land use and transport development around key public transport infrastructure, and ii. to provide space for the strategic implementation of economic, social and cultural goals that create an active, lively and people-oriented development 			N/A
(f)	In relation to Parramatta Road Corridor – to encourage a sustainable consolidation pattern that optimises floor space capacity in the Corridor			N/A

Clause 4.6 Exceptions to Development Standards

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

Minimum Lot Size

72-74 Courallie Avenue, Homebush West - Lot 42 & 43 DP11427 (Cont'd)

As demonstrated in the table above, the proposed development fails to comply with the maximum lot size development standard permitted under Clause 4.1A of the SLEP 2012. The subject site having an area of 962.22m² fails to achieve the minimum lot size for development for the purposes of residential flat buildings of 1000m² by 37.78m² or 3.77%.

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 minimum lot size development standard on the following grounds:

- The site comprises two (2) lots facing Courallie Avenue. They are the final two (2) lots that have not been developed along this portion of Courallie Avenue as the lots directly north front Mandemar Avenue. The site is surrounded by Residential Flat Buildings to the south and west, and therefore cannot be amalgamated with any other lot along Courallie Avenue other than the properties at 4-10 Mandemar Avenue;
- Attempts to consolidate the subject site with the properties at 4-10 Mandemar Avenue have failed and the applicant has satisfied the planning principles for lot isolation by demonstrating that reasonable attempts to purchase the adjoining sites have been made; and
- The subdivision/consolidation pattern in the immediate vicinity of the subject site exhibits a very similar form to that proposed. It is further noted that the adjoining two (2) residential allotments to the south have also been developed with residential flat buildings on sites that are less than the minimum allotment size of 1,000m². In this regard, the proposal will result in a development that is consistent with the development pattern in the immediate vicinity.

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 adequately addresses 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 considered to provide sufficient substantive information on the environmental planning grounds relating to consolidation potential and streetscape.

72-74 Courallie Avenue, Homebush West - Lot 42 & 43 DP11427 (Cont'd)

- (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.*

The proposal is considered to be consistent with the objectives of the development standard in that:

- The proposal is consistent with the planned residential density within the locality as is evident through existing development and recent approvals within the streetscape.

The site is zoned R3 Medium Density Residential under SLEP 2012 wherein development for the purposes of a residential flat building is permissible with consent. The proposal is generally consistent with the objectives of the R3 Medium Density Residential Zone in that the proposal provides for additional housing opportunities within a medium density context.

- (b) *the concurrence of the Secretary has been obtained.*"

Council may assume the concurrence of the Director-General under the Planning Circular PS 08-003 issued in May 2008.

In conclusion, the applicant's written request to justify the contravention of the minimum lot size development standard is considered to be well founded in that the applicant has satisfactorily 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.

Building Height

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 area of non-compliance relates to the lift overrun structure and a portion of the fourth storey equating to a maximum non-compliance of 2.7m to the top of the lift overrun structure and 1.4m to the top of the roof structure.

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 maximum building height development standard on the following grounds:

- The height variation enables the proposal to achieve the FSR standard. Note that the FSR is already under the standard, being 1.19:1, where the standard is 1.2:1;
- The building is a carefully designed development that delivers a high amenity performance for each apartment;

72-74 Courallie Avenue, Homebush West - Lot 42 & 43 DP11427 (Cont'd)

- The proposed bulk and scale of the development is reflective of the desired future character of the site and locality and the design of the development is considered to be a superior urban outcome that will compliment future adjoining development;
- There is no undue or adverse environmental planning impact as a result of the application in the form of shadow, holistic amenity, privacy, traffic, view loss or streetscape presentation;
- The proposal retains compliance with the objectives of the height of building standard;
- The proposal retains compliance with the zone objectives;
- The application provides 15 new dwellings for the locality.

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 adequately addresses 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 considered to provide sufficient substantive information on environmental planning grounds relating to streetscape, bulk, scale and form

(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

The proposal is considered to be consistent with the objectives of the development standard in that:

- The proposal results in a four (4) storey residential flat building that is consistent in bulk and scale with existing residential flat buildings within the streetscape which range from three (3) to five (5) storeys in height and provide similar building footprints to that proposed;
- The proposal being compliant with the maximum permissible FSR for the site of 1.2:1 achieves the optimal sustainable capacity as envisaged under the density controls of the Strathfield Local Environmental Plan 2012; and
- The proposed development delivers a medium density development that is consistent with the zone provisions.

The site is zoned R3 Medium Density Residential under SLEP 2012 wherein development for the purposes of residential flat buildings is permissible with consent. The proposal is generally consistent with the objectives of the R3 Medium Density Residential zone in that:

- The proposal provides for housing choice for the community by providing a range of 1, 2 and 3 bedroom dwellings;
- The site provides housing within a medium density residential area, being consistent with the built form of adjoining development; and
- The proposal services the day to day needs of the residents by providing housing choice.

(c) the concurrence of the Secretary has been obtained.”

72-74 Courallie Avenue, Homebush West - Lot 42 & 43 DP11427 (Cont'd)

As mentioned above, Council may assume the concurrence of the Director-General under the Planning Circular PS 08-003 issued in May 2008.

In conclusion, the applicant's written request to justify the contravention of the maximum building height development standard is considered to be well founded in that the applicant has satisfactorily 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.

The proposed height is consistent with existing development and recent approvals within the streetscape which are summarized in the table below.

Address	Approved Height
69-71 Courallie Avenue	12.16m
73-77 Courallie Avenue	12.39m
76-78 Courallie Avenue	13.2m
80-82 Courallie Avenue	11.1m
4-10 Mandemar Avenue	Permissible height of 14m
11-19 Mandemar Avenue	13.8m
12-14 Mandemar Avenue	16m

Part 5: Miscellaneous Provisions

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

Part 6: Local Provisions

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

6.1 Acid sulfate soils

Clause 6.1 of the SLEP 2012 requires consideration to be given to the potential of the development to disturb, expose or drain acid sulfate soils and cause environmental damage. The subject site is identified as having Class 5 soils and is not located within 500m of an area of Class 1, 2, 3 or 4 soils. As such, the proposed development is considered unlikely to result in any significant impacts upon known areas of acid sulfate soils and accordingly the subject applications was not required to be accompanied by an Acid Sulfate Soils Management Plan.

6.2 Earthworks

Clause 6.2 of the SLEP 2012 requires consideration be given to the potential impacts of the proposed ancillary earthworks upon drainage within the locality, the future redevelopment of the site, adjoining development and any environmentally sensitive areas. The proposed development involves no earthworks considered likely to result in any significant impacts upon drainage within the locality, any future redevelopment of the site, adjoining development or any environmentally sensitive areas. Conditions of consent are recommended requiring the implementation of appropriate shoring and erosion and sediment control measures throughout the proposed excavation works so as to mitigate any potential impacts of the works.

6.4 Essential services

Clause 6.4 of the SLEP 2012 requires consideration to be given to the adequacy of essential services available to the subject site. The proposed development is located within a well serviced area and features existing water and electricity connections, direct vehicular access and frontage

72-74 Courallie Avenue, Homebush West - Lot 42 & 43 DP11427 (Cont'd)

to Council's stormwater drainage system. As such, the subject site is considered to be adequately serviced for the purposes of the proposed development.

79C(1)(a)(ii) any draft environmental planning instruments

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

79C(1)(a)(iii) any development control plan**STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005**

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

Part C – 'Multiple-Unit Housing' of the Strathfield Consolidated Development Control Plan (DCP) 2005

Part C – Multiple-Unit Housing of the DCP is of relevance to the assessment of an application for a residential flat building and as such applies to the proposal.

In the recent revision to SEPP 65, Clause 6A was introduced to confirm that in the instance of any inconsistency between the controls of the ADG and Council's Development Control Plan, the objectives, design criteria and design guidance set out in the ADG prevail.

Section	Development Control	Required	Proposed	Compliance
2.2	Site Requirements	Minimum site area of 1000m ² and a minimum street frontage of 30m.	962.7m ² 24.385m	No, refer to LEP discussion.
	Building Street Setback	9m or predominate.	9.045m.	Yes.
	Rear Setback	Determined by the building envelope.	6.28m provided.	Yes.
	Side setback	4m.	North: 4.003m South: 4m	Yes.
2.3	Dwelling Unit and Building Design	15% of the development is required to be designed as adaptable housing for older people or people with disabilities.	3 Units or 20% of the units are designed as adaptable housing.	Yes.
	Dwelling Unit and Building Design for residential flat buildings	At least one main convenient entry is to have barrier free access to ground floor units (for people with disabilities)	All ground floor units are provided with barrier free access from Courallie Avenue and from within the basement.	Yes.
	Dwelling Unit and Building Design	No single building should have a continuous wall length of more than 30m without separation.	The building is articulated on all building elevations through visual breaks or material variation.	Yes
	Dwelling Unit and Building Design	Walls greater than 10m in length to be broken	As above, all building elevations	Yes.

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Section	Development Control	Required	Proposed	Compliance
		down or staggered.	are broken through visual breaks or material variations.	
	Dwelling Unit and Building Design	Access to common areas without unnecessary barriers.	Barrier free access is provided to the front area of private open space. It is recommended that a condition of consent be imposed to provide a ramp to the rear area of communal open space.	Yes, subject to conditions.
	Dwelling Unit and Building Design	Parking for people with disabilities.	Accessible parking spaces are provided within the basement.	Yes.
	Dwelling Unit and Building Design	Building materials and finishes are to be sympathetic to with the adjoining buildings and the streetscape.	The material selection incorporates a mixture of contrasting Alucobond Cladding in Light Grey and Anthracite in addition to a small amount of painted render.	Yes.
	Unit Sizes and Lot Layout	1 bed = 70m ² 2 bed = 85m ² 3 bed = 100m ² more than 3 bed = 110m ² 2 bed townhouse = 100m ² 3 bed townhouse = 110m ² < than 3 bed t/house = 120m ²	Unit sizes in the ADG prevail.	N/A
	Attic space	Not to be used as habitable space. Storage only and no dormer windows.	No attic space proposed.	N/A
2.4	Energy Efficiency	Application is required to provide a NatHERS certificate. Each dwelling must achieve 3.5 star NatHERS rating.	BASIX certificate provided. Refer to BASIX SEPP discussion.	Yes.
2.4.2.2	Solar Access	50% of the principle private open space achieves a minimum of 3 hours sunlight during the winter solstice.	Solar access in ADG prevails.	N/A
	Solar Access	Solar access to habitable rooms and private open space of adjoining properties be provided for a minimum of 3 hours	Solar access in ADG prevails.	N/A

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Section	Development Control	Required	Proposed	Compliance
		during the winter solstice.		
2.4.3	Natural Space Heating and Cooling	Reduce the need to artificially heat and cool dwellings.	The proposal receives adequate access to natural light and ventilation, reducing the need for artificial lighting and mechanical ventilation.	Yes.
2.4.4	Natural Lighting	Reduce reliance on artificial lighting	73.3% of units receive at least 2 hours of solar access during winter to reduce the reliance on artificial lighting.	Yes.
2.4.6	Water Management	Mandatory water storage 10 dwell= 500lt / dwell each dwell thereafter = 250 lt/ dwell	BASIX commitments prevail.	Yes.
2.5	Streetscape orientation	Compatible with the existing character and address the street frontage.	The proposal is orientated to the street and is considered compatible with the existing streetscape character.	Yes.
	Streetscape orientation	Dwellings facing the street will have frontage and apparent access.	Dwellings facing the street have apparent street access.	Yes.
2.5	Front Fences	Sympathetic to street. Height of fence is to be less than 900mm of solid material.	The proposed front fence is designed with a solid base and areas of open infill above providing appropriate opportunities for passive surveillance.	Yes.
2.7	Open space and landscaping	RFBs – 50% (481.35m ²) Landscaped area does not include any area for driveways, parking, side setback less than 1.2m in width, pools, outbuildings. At least 60% (288.81m ²) of the landscaped area must remain as unpaved 'soft' landscaping.	51.22% (493.1m ²) landscaped 71.8% (354.36m ²) soft landscaping	Yes Yes
		35% of the landscaped area is to be provided as deep soil landscaping this excludes basement	ADG prevails.	N/A.

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Section	Development Control	Required	Proposed	Compliance
		underneath areas.		
		10% (96.27m ²) of the site area is to be provided as communal open space, with a minimum dimension of 7m.	10.1% (97.77m ²)	Yes
		RFBs – where dwellings do not have access to ground level open space at least one main balcony is to have a size of 12m ² (up to 2 bed) and 15m ² (3 or more bed). Balconies must have a depth of 2m.	ADG prevails.	N/A.
2.8	Privacy and Security	Windows are not to be located less than 9m apart from other dwellings.	ADG prevails.	N/A
		Windows to be offset from adjoining dwelling by 0.5m; Have a sill height of 1.7m or have obscure glazing to a height of 1.7m.	ADG prevails.	N/A.
2.9	Car Parking	Car parking is required to be provided as follows: 1 bed = 1 space (5x1) 2 bed = 1.5 spaces (9x1.5) 3 + bed = 2 spaces (1x2) Total required = 21 Spaces	24 residential spaces provided.	Yes.
		Dimensions of garage car spaces to comply with Australian standard.	To be imposed by condition.	Yes.
		1 visitor space is to be provided per 5 units. Three (3) spaces requires	3 visitor parking spaces.	Yes
		Developments with greater than 10 units must provide one designated car washing bay.	One (1) car wash bay provided.	Yes.
	Ramp Driveway Gradient/design	Minimum lane width: 3.6m Maximum transition zone: 10% Maximum ramp gradient: 20%	Lane width 3.7m Maximum transition 12.5%, which complies with Australian Standards. Maximum ramp gradient is 20%.	Yes.

Part H – 'Waste Management' of the Strathfield Consolidated Development Control Plan (DCP) 2005

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The proposal provides for the on-site waste collection area located adjacent to the basement entry as underground collection is unfeasible owing to the width of the site. Such measures are considered to be acceptable as collection will be able to occur on-site and bins will not need to be presented on the street for collection.

The at grade collection point has a minimum dimension of 10m x 3.6m, which demonstrates compliance with the design requirements contained in Appendix F of Part H of the DCP 2005.

The garbage storage room is provided on the lower level of the basement, and it is currently proposed that the bins be transported via the common lift shaft to the garbage transfer area and then to the garbage holding area adjacent to the driveway entry.

The proposed transfer of bins through the common lift shaft is considered inappropriate for amenity purposes and therefore it is recommended that a condition of consent be imposed requiring bins to be transported via a tug system. It is further noted that the basement makes no provision for a bulk storage area as required by Part H of the SDCP 2005 and accordingly a condition of consent is recommended requiring the provision of bulk storage adjacent to the proposed bin storage room.

79C(1)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 93F of the *Environmental Planning and Assessment Act 1979*.

(i) matters prescribed by the regulations

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

Having regard to these prescribed matters, the proposed development is not located on land subject to the Government Coastal Policy as determined by Clause 92(1)(a)(ii) and does not involve the demolition of a building for the purposes of AS 2601 – 1991: *The Demolition of Structures*.

(ii) any coastal zone management plan

The NSW Government projects sea levels to rise by 40cm in 2050 and by 90cm in 2100 above the relative mean sea level in 1990. These planning benchmarks are to be considered in the assessment of development applications through the applicable coastal zone management plan or alternatively the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

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

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

79C(1)(b) *the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality*

Overshadowing

As previously discussed, the east-west orientation of the site causes to proposed development to overshadow the existing residential flat building to the south (Nos. 76-78 Courallie Avenue). It was noted throughout a site inspection that as a result of the depth of the balconies and provision of solid balustrades on the first, second and third storey of the adjoining development to the south, the living areas of the northern facing units receive limited solar access during the winter solstice. As such, the proposed development will not significantly reduce solar access to these units. Further, to minimise overshadowing, the structure has been positioned as close to the northern boundary as possible without impacting upon an existing stormwater easement that drains water from the northern portion of the site, while the footprint of the fourth storey has been stepped in from the southern boundary. Nonetheless, in recognition of the orientation of the subject site the subject application was accompanied by a series of shadow diagrams including a comparison of the proposed development against a compliant building height.

At 9am, the proposal casts the greatest shadow to the south-west, affecting the majority of north facing balconies to the first, second and third storey of the adjoining southern development. This degree of overshadowing is largely unavoidable as a result of the orientation of the land and scale of development permitted by the height and FSR controls. When compared to a compliant scheme, the proposed development results in the same degree of overshadowing to the northern elevation of the adjoining structure (Refer Figure 3.)

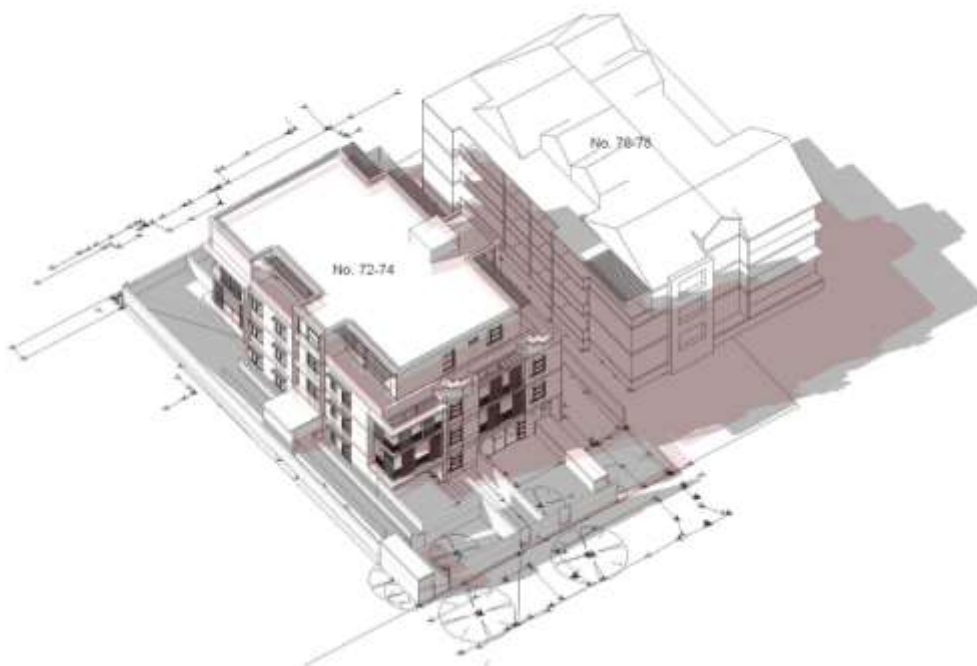


Figure 3: Shadow diagram – 9:00am 21 June (Winter solstice).

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By noon, the shadow has moved to the south and continues to overshadow the first and second storey north facing balconies of the adjoining southern development. All third and fourth storey unit balconies however, now receive solar access (Refer Figure 4).

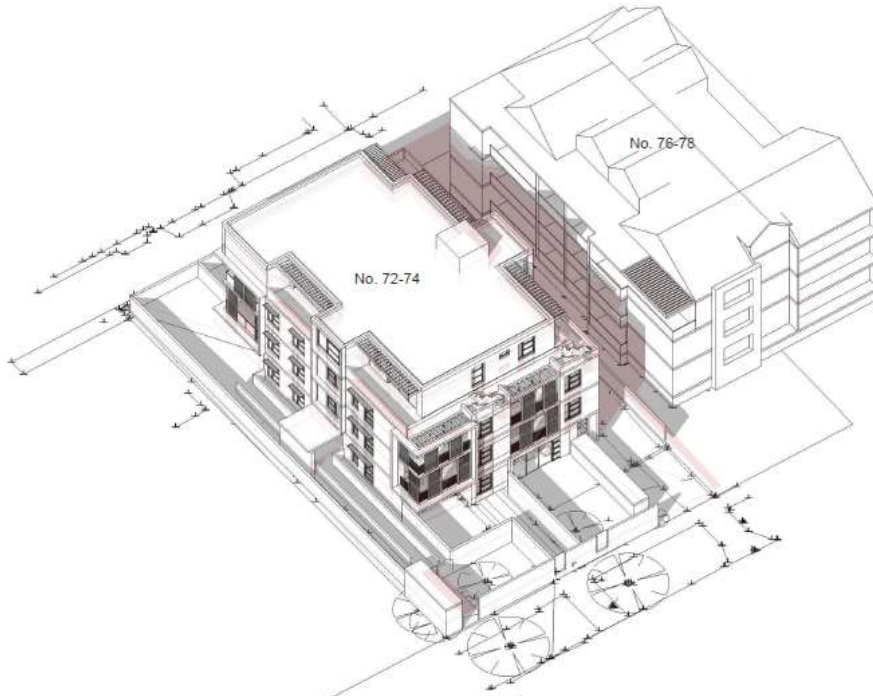


Figure 4: Shadow diagram – 12:00pm 21 June (Winter solstice).

By 3pm, the shadow has moved to the east and now overshadows a number of balconies and windows on the adjoining rear property at Nos. 67-72 Marlborough Road. The overshadowing to the adjoining southern property has lessened significantly with all balconies receiving generally unobstructed solar access (Refer Figure 5).

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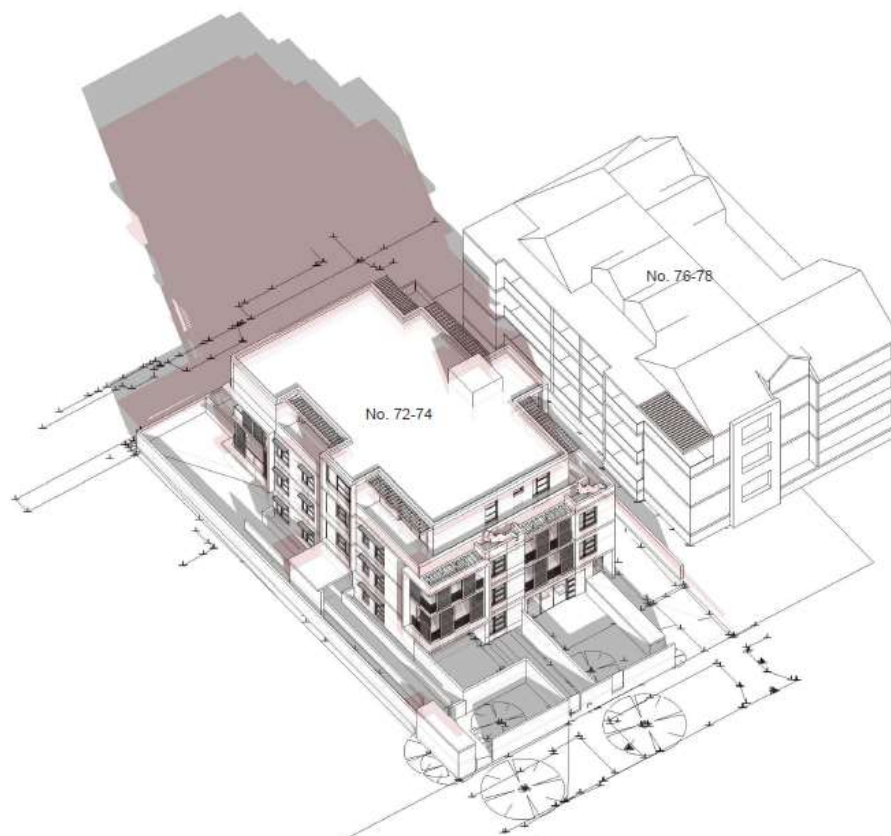


Figure 5: Shadow diagram – 3:00pm 21 June (Winter solstice).

As indicated above, the proposal results in a degree of unavoidable overshadowing to the south due of the orientation of the land. Notwithstanding this, if a conservative approach is taken, the adjoining southern property will continue to receive between 1-2 hours of solar access to north facing windows in the afternoon during the winter solstice. This generally accords with Part 4A of the ADG, which requires that 70% of all apartment living rooms and their private open spaces receive a minimum of 2 hours solar access between 9am and 3pm during mid-winter.

Further, as demonstrated on the solar access diagrams accompanying the application, the additional height of the building results in no further unreasonable overshadowing impacts of the adjoining southern property during mid-winter.

Privacy and Building Separation

The subject application is for an infill residential flat building development and seeks to provide a minimum of 4m separation to the adjoining northern and southern property boundary.

In accordance with Section 3F of the ADG, buildings up to 12m in height should provide 6m separation between habitable rooms and balconies to the property boundary. As the application is for infill residential development, the proposal cannot reasonably achieve such separation distances without the building appearing unbalanced within the existing streetscape. Given the proposal cannot reasonably achieve 6m side setbacks as recommended by the ADG, the applicant has provided 4m side setbacks as required by Section 2.2 of Part C of the Strathfield Development Control Plan 2005. This ensures the development appears balanced within the existing streetscape, particularly having regard to the adjoining two (2) residential flat buildings to the south, which are provided with similar separation distances.

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As the separation distances cannot be readily achieved on the site, regard has been given to the qualitative intent of the control, which relates to the maintenance of visual privacy.

The proposal, as currently designed, provides a number of windows along both the north and south elevation that may result in overlooking and privacy impacts. As all units are provided with a dual aspect, it is recommended that a condition of consent be imposed to ensure that all windows provided along the north and south elevation between levels 1-3 be provided with either opaque glazing or highlight windows with a minimum sill height of 1.8m. Further, it is recommended that the northern elevations of balconies to unit 1.01, 1.04, 2.01, 2.04, 3.01, 3.03 be provided with fixed horizontal or vertical louvers.

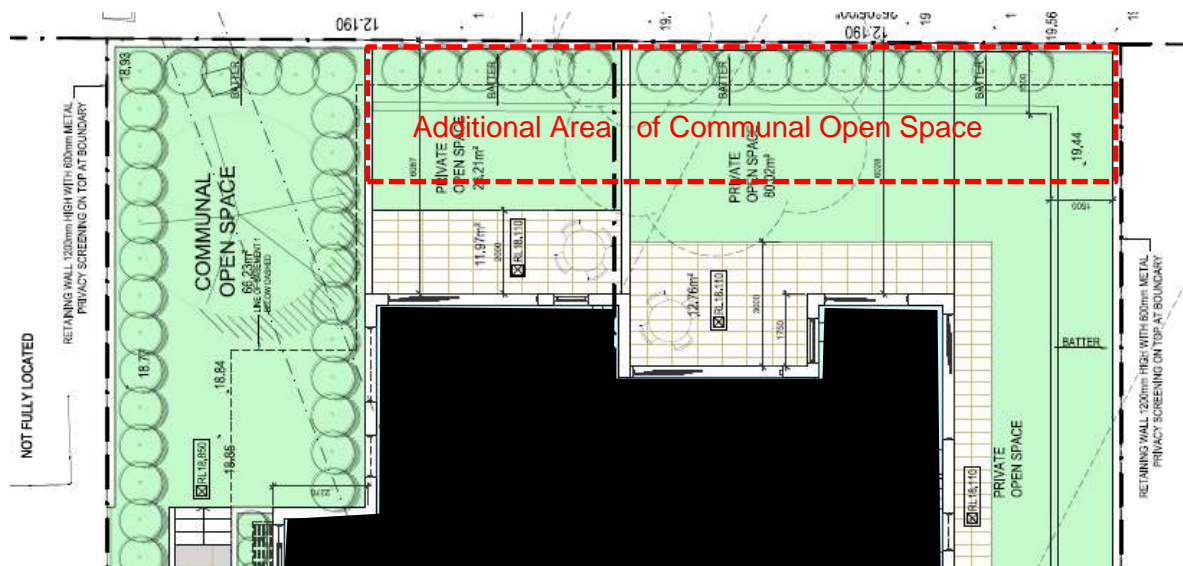
In relation to the south facing ground floor windows, the proposal is suitably separated from the property boundary and will be largely concealed by the 1.8m high dividing fence to mitigate overlooking and privacy concerns. Notwithstanding this, the majority of south facing windows are to passive rooms such as bedrooms and bathrooms.

In relation to the north facing ground floor windows, the proposal is suitably distanced from the northern boundary and is adequately shielded by a 1.8m high dividing fence. Moreover, the adjoining allotments to the north are currently occupied by single residential dwelling houses, that are at a considerable distance from the proposal. Accordingly, the ground floor north facing windows raise no privacy concerns.

Communal Open Space

The proposal provides a minimum area of communal open space of 14.2% (or 136.85m²) whereas the ADG recommends that 25% (240.67m²) of the site be provided as communal open space. While the proposal fails to provide the required area of communal open space at ground level, the proposal has been designed to incorporate oversized areas of private open space in the form of large balconies and oversized ground floor terraces that will be sufficient in serving the needs of the residents beyond what the area of communal open space will be able to accommodate.

There is opportunity to provide an additional area of communal open space adjacent to the rear boundary and it is therefore recommended that a condition of consent be imposed to increase the provision of communal open space as indicated below. It is also noted that this area would be well suited for communal clotheslines, given the concealed position and good solar access.



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Figure 6: Extract of the ground floor plan noting the location of the communal open space.

79C(1)(c) the suitability of the site for the development

The proposed development is considered to be suited to the site in that it is responsive to existing development within the streetscape and provides additional housing opportunities consistent with the site's R3 Medium Density Residential zoning under the Strathfield Local Environmental Plan 2012.

79C(1)(d) any submissions made in accordance with this Act or the regulations

The application was notified in accordance with Part L of the SCDCP 2005 from **25 July 2017** to 21 August 2017, with one (1) submission received, raising the following concerns:

1. *Vehicular Access*

Concern is raised over the width of Courallie Avenue.

Assessing officer's comments: The subject site is accessed via Courallie Avenue, a local road, with one (1) lane each way and on street parking. Such means of access are considered to be suitable for the scale and likely traffic generation of the proposed development.

2. *Traffic*

Concern is raised over the additional vehicular movements generated by the proposed development and their impact upon congestion within the locality.

Assessing officer's comments: The subject application was accompanied by a Traffic and Parking Impact Report prepared by Motion Traffic Engineers giving consideration to the likely impacts of the development upon the surrounding road network. The report identifies that based upon SIDRA modelling the additional traffic movements generated by the proposed development are unlikely to result in a significant impact upon the level of service of the surrounding road network.

79C(1)(e) the public interest

The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development is not considered to be contrary to the public interest.

SECTION 94 CONTRIBUTIONS

Section 94 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The Act reads as follows:

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

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STRATHFIELD DIRECT SECTION 94 CONTRIBUTIONS PLAN

Section 94 Contributions are applicable to the proposed development in accordance with the Strathfield Direct Development Contributions Plan 2010-2030 as follows:

Provision of Community Facilities	\$24,086.38
Provision of Major Open Space	\$109,585.81
Provision of Local Open Space	\$46,355.46
Provision Roads and traffic Management	\$5,278.30
Administration	\$2,076.91
TOTAL	\$187,382.86

CONCLUSION

The application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2013 and the Strathfield Development Control Plan 2005 and is considered to be satisfactory for approval, subject to the recommended conditions of consent.

RECOMMENDATION

In consideration of the written requests made by the applicant pursuant to Clause 4.6 of the Strathfield Local Environmental Plan 2012, the consent authority is satisfied that the non-compliance with the development standards contained in Clauses 4.1A and 4.3 of the SLEP 2012 are well founded and that there are sufficient environmental planning grounds to justify contravening the development standards.

That Development Application No. 2017/096 for the construction of a four (4) storey Residential Flat Building (RFB) containing (15) units comprising five (5) x 1 bedroom, nine (9) x 2 bedroom and one (1) x 3 bedrooms units above two (2) levels of basement parking at 72-74 Courallie Avenue, Homebush West be **APPROVED**, subject to the following conditions:

1. COMMUNAL OPEN SPACE (SC)

The area of Private Open Space marked in red upon the Ground Floor Plan Project No.150714 Dwg no.DA.03 Rev B prepared by Bechara Chan & Associated Pty Ltd, received by Council 27 June 2017 is to be provided as Communal Open Space. Amended plans including such an area of Communal Open Space are to be submitted to the Principal Certifying Authority **Prior to the issue of a Construction Certificate.**

(Reason: To provide an appropriate area of Communal open space for the enjoyment of future residents of the site.)

2. WASTE MANAGEMENT (SC)

At no time are garbage bins to be transported to and from the collection area via the communal lift. A tug system shall be utilised to transfer all garbage bins from the Basement Level 2 Garbage room to the Garbage Storage area adjacent to the basement entry ramp. An amended Waste Management Plan detailing the operation of this system shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

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(Reason: To ensure for the implementation of appropriate waste management measures.)

3. BULK STORAGE ROOM (SC)

An 8m³ bulk storage room shall be provided within basement level 2 adjacent to the bin holding room. Amended plans including such a storage area are to be submitted to the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

(Reason: To ensure for the implementation of appropriate waste management measures.)

4. ACCESSIBILITY (SC)

Access to all areas of Communal Open Space is to comply with the requirements of the Disability (Access to Premises – Buildings) Standards 2010. Amended plans including such access measures are to be submitted to the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

(Reason: To provide an appropriate level of accessibility to areas of communal open space.)

5. STORMWATER (SC)

The proposed boundary pit connecting to the existing kerb inlet pit is to be relocated to the south of the location shown upon Easement Plan and Details, Dwg No. D06, Rev A, prepared by Loka Consulting Engineers as to ensure that the connecting pipe is entirely outside of the tree protection zone of the existing street trees. Amended Stormwater Drainage Concept plans including such measures and certified by a suitably qualified engineer are to be submitted to the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

(Reason: To ensure for the protection of existing street trees.)

6. WATER NSW – INTEGRATED DEVELOPMENT (SC)

- An authorisation shall be obtained for the take of groundwater as part of the activity. Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the development application. The authorisation shall be subject to a currency period of 12 months from the date of issue and will be limited to the volume of groundwater take identified.
- The design and construction of the building must prevent any take of groundwater after the authorisation has lapsed by making any below-ground levels that may be impacted by any water table watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high water table elevations to prevent potential future inundation.
- Sufficient permanent drainage shall be provided beneath and around the outside of the watertight structure to ensure that natural groundwater flow is not impeded and:
 - (a) any groundwater mounding at the edge of the structure shall be at a level not greater than 10 % above the level to which the water table might naturally rise in the location immediately prior to the construction of the structure; and
 - (b) any elevated water table is more than 1.0 m below the natural ground surface existent at the location immediately prior to the construction of the structure; and

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- (c) where the habitable part of the structure (not being footings or foundations) is founded in bedrock or impermeable natural soil then the requirement to maintain groundwater flows beneath the structure is not applicable.
- Construction methods and material used in and for construction shall be designed to account for the likely range of salinity and pollutants which may be dissolved in groundwater, and shall not themselves cause pollution of the groundwater.
 - DPI Water requires documentation (referred to as 'report') comprising measurements, maps, bore logs, calculations, results, discussion and justification for various matters related to the dewatering process. Information will be required at several stages: prior to construction commencing (initial report - which will accompany the application for the authorisation), at any time when an authorisation renewal is required or a significant change in activities occurs (intermediate report); and at the completion of dewatering and related operations (completion report). Reports need to be submitted to DPI Water at Parramatta Office, in a format consistent with electronic retrieval without editing restrictions; raw data should be presented in Excel spreadsheets without editing restrictions.

Prior to excavation

- The following shall be included in the initial report:
 - (a) measurements of groundwater levels beneath the site from a minimum of three relevant monitoring bores, together with details of the bores used in the assessment including bore logs and three-dimensional identification information.
 - (b) a map of the site and its immediate environs depicting the water table (baseline conditions) shown relative to the topography and approved construction footprint from the surface level and below. An assessment of the potential variation in the water table during the life of the proposed building together with a discussion of the methodology and information on which this assessment is based.
 - (c) details of the present and potential groundwater flow paths and hydraulic gradients in and around the site; the latter in response to the final volumetric emplacement of the construction.
 - (d) a schedule for the ongoing water level monitoring and description of the methodology to be used, from the date of consent until at least two months after the cessation of pumping. [DPI Water prefers that monitoring be undertaken on a continuous basis using automatic loggers in boreholes.]
- The Applicant shall assess the likely impacts of the dewatering activities on other groundwater users or structures or public infrastructure; this assessment will include an appropriate bore, spring or groundwater seep census and considerations relevant to potential subsidence or excessive settlement induced in nearby buildings and property, and be documented together with all calculations and information to support the basis of these in the initial report.
- Groundwater quality testing of samples taken from outside the footprint of the proposed construction, with the intent of ensuring that as far as possible the natural and contaminant hydrochemistry of the potential dewatered groundwater is understood, shall be conducted on a suitable number of samples and tested by a NATA-certified laboratory. Details of the sampling locations and the protocol used, together with the test results accompanied by laboratory test certificates shall be included in the initial report. An assessment of results must be done by suitably qualified persons with the intent of identifying the presence of any contaminants and comparison of the data against accepted water quality objectives or criteria for the intended dewatering

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purpose. In the event of adverse quality findings, the Applicant must develop a plan to mitigate the impacts of the hydrochemistry on the dewatered groundwater and present the details of all assessments and plans in the initial report.

- Groundwater quality testing generally in accordance with Clause 8, shall be undertaken on any anniversary or other renewal or alteration of any dewatering authorisation.
- A reasonable estimate of the total volume of groundwater to be extracted shall be calculated and included in the initial report; together with details and calculation methods for the parameters and supporting information to confirm their development or measurement (e.g. permeability predicted by slug-testing, pump-testing or other means).
- A copy of a valid consent for the development shall be provided in the initial report.
- The method of disposal of pumped water shall be nominated (i.e. reinjection, drainage to the stormwater system or discharge to sewer) and a copy of the written permission from the relevant controlling authority shall be provided in the initial report. The disposal of any contaminated pumped groundwater (sometimes called "tailwater") must comply with the provisions of the *Protection of the Environment Operations Act 1997* and any requirements of the relevant controlling authority.
- Contaminated groundwater (i.e. above appropriate NEPM 2013 thresholds) shall not be reinjected into any aquifer. The reinjection system design and treatment methods to remove contaminants shall be nominated and included in the initial report and any subsequent intermediate report as necessary. The quality of any pumped water that is to be reinjected must be demonstrated to be compatible with, or improve, the intrinsic or ambient groundwater in the vicinity of the reinjection site.

During excavation

- Engineering measures designed to transfer groundwater around and beneath the basement shall be incorporated into the basement construction to prevent the completed infrastructure from restricting pre-existing groundwater flows.
- Piping, piling or other structures used in the management of pumped groundwater shall not create a flooding hazard or induce mounding of groundwater. Control of pumped groundwater is to be maintained at all times during dewatering to prevent unregulated off-site discharge.
- Measurement and monitoring arrangements to the satisfaction of DPI Water are to be implemented. Weekly records of the volumes of all groundwater pumped and the quality of any water discharged are to be kept and a completion report provided after dewatering has ceased. Records of groundwater levels are to be kept and a summary showing daily or weekly levels in all monitoring bores provided in the completion report.

(Reason: Integrated Development)

GENERAL CONDITIONS (GC)**7. APPROVED PLANS AND REFERENCE DOCUMENTATION (GC)**

The development, except where modified by a condition(s) of consent, is to be carried out in accordance with the following plans and reference documentation:

Plans affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2017/096:

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Drawing No.	Title/Description	Prepared by	Issue / Revision & Date	Date received by Council
DA.03	Ground Floor Plan	Bechara Chan & Associates	B	27 June 2017
DA.04	Level 1-2 Floor Plan	Bechara Chan & Associates	B	27 June 2017
DA.05	Level 3 Floor Plan	Bechara Chan & Associates	B	27 June 2017
DA.06	Roof & Site Plan	Bechara Chan & Associates	B	27 June 2017
DA.07	Basement 1-2 Plan	Bechara Chan & Associates	B	27 June 2017
DA.08	Elevations	Bechara Chan & Associates	B	27 June 2017
DA.09	Section A-A, B-B, C-C	Bechara Chan & Associates	B	27 June 2017
DA.10	Driveway Section	Bechara Chan & Associates	B	27 June 2017
-	Schedule of Colours and Finishes (Page 1/2)	Bechara Chan & Associates	-	27 June 2017
-	Schedule of Colours and Finishes (Page 2/2)	Bechara Chan & Associates	-	27 June 2017
D01	Basement 2 Drainage Plan	Loka Consulting Engineers	A	27 June 2017
D02	Basement 1 Drainage Plan	Loka Consulting Engineers	A	27 June 2017
D03	Basement Stormwater Drainage Details	Loka Consulting Engineers	A	27 June 2017
D04	Ground Floor/ Site Stormwater Drainage Plan	Loka Consulting Engineers	A	27 June 2017
D05	Stormwater Drainage Details	Loka Consulting Engineers	A	27 June 2017
D06	Easement Plan and Details	Loka Consulting Engineers	A	27 June 2017
D07	Erosion and Sediment Control Plan and Details	Loka Consulting Engineers	A	27 June 2017
L01	Landscape Plan – Ground Floor	Sussan Zindo Landscape Architect	A	27 June 2017
L02	Landscape Plan – Level 3	Sussan Zindo Landscape Architect	A	27 June 2017

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Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2017/096:

Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
Statement of Environmental Effects	Nino Urban Planning + Development	Rev 2	27 June 2017
Waste Management Plan	Bechara Chan & Associates	-	27 June 2017
Detailed Site Investigation	El Australia	Rev 1	27 June 2017
Traffic and Parking Impact Assessment	Motion Traffic Engineers	N1514201A	27 June 2017
BASIX Certificate	Building & Energy Consultants Australia	682799M-02	27 June 2017

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

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

8. CONSTRUCTION HOURS (GC)

No construction or any other work related activities shall be carried out on the site outside the hours of 7.00 am to 5.00 pm Mondays to Fridays and 8am to 1pm Saturdays.

No building activities are to be carried out at any time on a Sunday or public holiday.

Where the development involves the use of jackhammers/ rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00 am - 5.00 pm Monday to Friday only.

(Reason: To maintain amenity to adjoining land owners.)

9. CONSTRUCTION WITHIN BOUNDARIES (GC)

The development including but not limited to footings, walls, roof barges and guttering must be constructed wholly within the boundary of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath or adjoining land.

(Reason: Approved works are to be contained wholly within the subject site.)

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

All common and private landscape areas including all planters are to have full coverage by a fully automatic irrigation system. The design, materials and installation are to be in accordance with Sydney Water Codes and satisfy all relevant Australian Standards. Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior occupation of the premises.

(Reason: To ensure appropriate landscape maintenance.)

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11. **LANDSCAPING - TREES PERMITTED TO BE REMOVED (GC)**

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

Tree	Height	Location
All site trees	Up to 12m	Various locations within bounds of site

All trees permitted to be removed by this consent shall be replaced by species selected from Council's Recommended Tree List.

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

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

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

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

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

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

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

12. **LANDSCAPING - TREE PRESERVATION (GC)**

The trees listed below shall be retained at all times:

<u>Tree</u>	<u>Height/ Spread (m)</u>	<u>Location</u>	<u>Protection Zone (m)</u>	<u>Excavation Zone (m)</u>
1) Lophostemon confertus	6 x 6	Road Reserve	7.2	2.67
2) Lophostemon confertus	6 x 6	Road Reserve	7.2	2.67

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

- (a) A minimum 1.8m high barrier (Chain wire mesh panels, plywood or wooden paling fence panels: refer to AS4687-*Temporary fencing and hoardings* for fencing requirements) shall be erected around the perimeter of the stated Protection Zone as

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measured from the base of the tree (or where practical). Shade cloth or similar should be attached to reduce the transport of dust, other particulate matter and liquids into the protected area. Fence posts and supports should have a diameter greater than 20mm and be located clear of roots. The barrier shall be constructed so as to prevent pedestrian and vehicular entry into the protection zone. The barrier shall not project beyond the kerb onto the roadway or any adjacent footpath.

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

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

13. MATERIALS – CONSISTENT WITH SUBMITTED SCHEDULE (GC)

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

(Reason: To ensure compliance with this consent.)

14. PRINCIPAL CERTIFYING AUTHORITY (PCA) IDENTIFICATION SIGN (GC)

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

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

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

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

(Reason: Statutory requirement.)

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

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

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this condition shall be certified by the Principal Certifying Authority, prior to occupation of the premises.

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

16. SITE MANAGEMENT (DURING DEMOLITION AND CONSTRUCTION WORKS)

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

- i) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997. All excavated material should be removed from the site in an approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- x) All waste must be contained entirely within the site.
- xi) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- xii) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- xiii) Details as to the method and location of disposal of demolition materials (weight dockets, receipts, etc.) should be kept on site as evidence of approved methods of disposal or recycling.
- xiv) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
- xv) Public footways, include nature strips and roadways adjacent to the site must be maintained and cleared of obstructions during construction. No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council, including payment of relevant fees.
- xvi) Building operations such as brick-cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- xvii) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
- xviii) Any work must not prohibit or divert any natural overland flow of water.
- xix) Toilet facilities for employees must be provided in accordance with WorkCover NSW.

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- xx) Protection pads are to be installed to the kerb and gutter where trucks and vehicles enter the site.

(Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner which will be non-disruptive to the local area.)

17. STORMWATER MANAGEMENT PLAN - CERTIFICATION REQUIREMENT (GC)

A detailed Stormwater Management Plan (SWMP) in line with Council's Stormwater Management Code is to be prepared and certified by a practicing Chartered Professional Engineer on the National Professional Engineer's Register (NPER) at Engineers Australia and submitted to the Principal Certifying Authority and Council, prior to the issue of a Construction Certificate. The SWMP is to be based on the approved development as modified by any conditions of consent.

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

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

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

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

(Reason: Compliance with Sydney Water requirements.)

19. UTILITIES AND SERVICES - PROTECTION OF (GC)

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

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

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

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

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

(Reason: To ensure protection of Council assets.)

20. WASTE – TRACKABLE (GC)

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

(Reason: To ensure compliance with legislation.)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE (CC)**21. ACCESS - ACCESS FOR PEOPLE WITH DISABILITIES (CC)**

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

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

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

22. BASIX COMMITMENTS (CC)

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

Where a change or changes are proposed in the BASIX commitments, the applicant must submit a new BASIX Certificate to the Principal Certifying Authority and Council. If any proposed change in the BASIX commitments is inconsistent with the development consent the applicant will be required to submit a modification to the development consent to Council under Section 96 of the Environmental Planning and Assessment Act 1979.

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

(Reason: Statutory compliance.)

23. BICYCLE STORAGE PROVISION (CC)

On-site provision for bicycle storage facilities shall be in accordance with the Strathfield Consolidated Development Control Plan 2005. Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

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(Reason: Compliance with SCDCP 2005 and to encourage sustainable transport options.)

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

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

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

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

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

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

The following car parking and service vehicle requirements apply:-

- i) (24) car spaces shall be provided on the development site. This shall consist of:
 - (21) residential spaces including (3) car parking spaces for people with mobility impairment, in accordance with AS 2890.1;
 - (3) visitor spaces;
- ii) All car spaces shall be allocated and marked according to this requirement.
- iii) If the development is to be strata subdivided, the car park layout must reflect the above allocation and thereafter be regarded as part of the entitlement of that strata lot.
- iv) Under no circumstances shall parking spaces be sold, let or otherwise disposed of for use other than in accordance with this condition.
- v) Each car parking space shall have minimum dimensions in accordance with the relevant Australian Standard and be provided on-site in accordance with the approved plans.
- vi) The parking bays shall be delineated by line marking.
- vii) Visitor spaces shall be clearly line marked and/or signposted and shall only be used by persons visiting residents of the property or commercial/business/retail premises located within the development. Visitor spaces shall not be allocated as permanent residential parking spaces. Access to visitor parking spaces shall not be restricted without development approval and a sign shall be erected at the vehicular entrance indicating the availability of visitor parking.

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

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

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

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

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Certificate.

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

27. COMMENCEMENT OF WORKS (NO WORKS UNTIL A CC IS OBTAINED)

Building work, demolition or excavation must not be carried out until a Construction Certificate has been issued by either Strathfield Council or a Principal Certifying Authority.

Demolition of any part of a building triggers 'commencement of erection of building' pursuant of section 81A(2) of the EP&A Act 1979. Accordingly, demolition works must not commence until a Construction Certificate has been issued, a Principal Certifying Authority has been appointed and a Notice of Commencement has been issued.

(Reason: To ensure compliance with statutory provisions.)

28. CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN (CC)

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

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

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

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

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

72-74 Courallie Avenue, Homebush West - Lot 42 & 43 DP11427 (Cont'd)Works Permit

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

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

Standing Plant Permit

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

Skip Bin Permit

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

Temporary Full or Part Road Closure Permit

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

Hoarding Permit

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

Work Zone Permit

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

Ground Anchoring Permit

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

(Reason: Council requirement)

30. DILAPIDATION REPORT - PRE-COMMENCEMENT (CC)

Subject to access being granted, a pre-commencement Dilapidation Report is to be undertaken on all adjoining properties, which in the opinion of a suitably qualified engineer, could be potentially affected by the construction of the project. The Dilapidation Report shall

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be carried out prior to the issue of a Construction Certificate.

The Dilapidation Report is to be prepared by a suitably Qualified Engineer with current Corporate Membership with the Institution of Engineers, Australia or Geotechnical Practitioner. The report shall include a photographic survey of adjoining properties detailing the physical condition of those properties, both internally and externally, including walls, ceilings, roof, structural members and other such items.

If access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate, in writing, to Council's satisfaction attempts have been made to obtain access and/or advise the affected property owner of the reason for the survey and these attempts have been unsuccessful. Written concurrence must be obtained from Council in such circumstances.

The Report shall cover structural and geotechnical factors likely to arise from the development. A copy of this Report shall be submitted to Council as a record. The person having the benefit of the development consent must, at their own cost, rectify any damage caused to other properties during the construction of the project.

(Reason: To ensure no damage to adjoining properties occurs.)

31. EROSION AND SEDIMENTATION CONTROL PLAN (CC)

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

- i) Compliance with the approved Soil and Water Management Plan.
- ii) Removal or disturbance of vegetation and top soil is confined to within 3m of the approved building area (no trees to be removed without approval).
- iii) All uncontaminated run-off is diverted around cleared or disturbed areas.
- iv) Silt fences or other devices are installed to prevent sediment and other debris escaping from the cleared or disturbed areas into drainage systems or waterways.
- v) All erosion and sediment controls are fully maintained for the duration of demolition/development works.
- vi) Controls are put into place to prevent tracking of sediment by vehicles onto adjoining roadways.
- vii) All disturbed areas are rendered erosion-resistant by turfing, mulching, paving or similar.
- viii) All water pumped or otherwise removed from excavations or basement areas is filtered to achieve suspended solids/non filterable residue levels complying with the Australian Water Quality guidelines for Fresh and Marine Waters.
- ix) Pumped or overland flows of water are discharged so as not to cause, permit or allow erosion before the commencement of work (and until issue of the occupation certificate).

Details of the proposed soil erosion and sedimentation controls are to be submitted to the Principal Certifying Authority with the Construction Certificate Application. Under no circumstances are any works to commence, prior to these details being approved by the Principal Certifying Authority and the controls being in place on the site.

(Reason: Environmental protection.)

32. EXCAVATION - AFFECTING ADJOINING LAND (CC)

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If an excavation associated with the approved development extends below the level of the base of the footings of a building on an adjoining allotment of land, the person having the benefit of the development consent must, at the person's own expense, comply with the requirements of clause 98E of the Environmental Planning and Assessment Regulation 2000, including:

- i) protect and support the adjoining premises from possible damage from the excavation, and
- ii) where necessary, underpin the adjoining premises to prevent any such damage.

The condition referred to in subclause (i) does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying. Details shall be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Structural safety.)

33. EXCAVATION – DEWATERING (CC)

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

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

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

34. EXCAVATION – SHORING (CC)

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

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

35. GEOTECHNICAL REPORT (CC)

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A comprehensive geotechnical engineering report assessing the impact and safety of the proposed works shall be prepared by a suitably experienced and qualified geo-practitioner and submitted with any Construction Certificate. The report must include the results of subsurface investigations involving either test pits to rock, or preferably the drilling of cored boreholes (to 1m below the proposed final excavation level). The report shall provide:

- i) an indication of the nature and depth of any uncontrolled fill at the site;
- ii) an indication of the nature and condition of the material to be excavated;
- iii) indications of groundwater or seepages;
- iv) required temporary measures for support of any excavations deeper than 1m adjacent to property boundaries;
- v) a statement of required excavation methods in rock and measures required to restrict ground vibrations; and
- vi) other geo-technical information or issues considered relevant to design and construction monitoring.

(Reason: Structural safety.)

36. HAZARDOUS GOODS AND WASTE (CC)

Dangerous and hazardous goods shall be stored in accordance with NSW WorkCover requirements and AS1940-2004 - The Storage and Handling of Flammable and Combustible Liquids.

Hazardous waste must be contained, managed and disposed of in a responsible manner in accordance with the Protection of Environment and Operations Act 1997, NSW Environment Protection Authority (EPA) and the New South Wales WorkCover Authority.

Material Safety Data Sheets of all hazardous substances used, such as bleaches and nail products must be kept on site and readily available to all staff. Staff must be trained how to safely use and store these chemicals prior to the commencement of work.

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

(Reason: Health and safety.)

37. LANDSCAPING - MAINTENANCE STRATEGY (CC)

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

(Reason: Ensure landscape survival.)

38. LANDSCAPING ON SLAB (CC)

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

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Authority with the Construction Certificate application.

(Reason: Ensure landscape survival.)

39. NOISE AND VIBRATION MANAGEMENT PLAN (CC)

Prior to the issue of a Construction Certificate, a Noise and Vibration Management Plan is to be prepared by a suitably qualified person addressing the likely noise and vibration from demolition, excavation and construction of the proposed development and provided to Council or the Principal Certifying Authority.

The Plan is to identify amelioration measures to ensure the noise and vibration levels will be in compliance with:

- a. Construction noise management levels established using the *Interim Construction Noise Guideline (DECC, 2009)*;
- b. Vibration criteria established using the assessing vibration: *Technical guideline (DEC, 2006)* (for human exposure); and
- c. The vibration limits set out in the German Standard DIN 4150-3: *Structural Vibration-effects of vibration on structures* (for structural damage)

The report that itemises equipment to be used for excavation works. The Plan shall address, but shall not be limited to, the following matters:

- i) identification of activities carried out and associated noise sources;
- ii) identification of potentially affected sensitive receivers, including residences, churches, commercial premises, schools and properties containing noise sensitive equipment;
- iii) determination of appropriate noise and vibration objectives for each identified sensitive receiver;
- iv) noise and vibration monitoring, reporting and response procedures;
- v) assessment of potential noise and vibration from the proposed demolition, excavation and construction activities, including noise from construction vehicles;
- vi) description of specific mitigation treatments, management methods and procedures to be implemented to control noise and vibration during construction;
- vii) construction timetabling to minimise noise impacts including time and duration restrictions, respite periods and frequency;
- viii) procedures for notifying residents of construction activities likely to affect their amenity through noise and vibration; and
- ix) contingency plans to be implemented in the event of non-compliances and/or noise complaints. A register should be kept of complaints received, and the action taken to remediate the issue.

(Reason: To protect acoustic amenity of surrounding properties and the public.)

40. PRIVACY - OBSCURE GLAZING IN WET AREAS (CC)

All bathroom, ensuite and toilet windows shall be installed with obscure glazing. Plans shall be notated accordingly and details demonstrating compliance submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Privacy amenity.)

41. PRIVACY - MEASURES TO BE COMPLIED WITH (CC)

Prior to the issue of a Construction Certificate, plans are to be amended to include the

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following privacy measures:

- i) Fixed horizontal or vertical privacy louvers are to be fitted to the northern elevations of the balconies to units 1.01, 1.04, 2.01, 2.04, 3.01, 3.03; and
- ii) All glazing elements on the northern and southern elevations of levels 1-3 shall be amended to incorporate any combination of the following:
 - o Highlight windows featuring a minimum sill height of 1.8m measured from the Finished Floor Level; or
 - o Obscure glazing to a minimum height of 1.7m from the Finished Floor Level.

(Reason: Privacy amenity.)

42. SECTION 94 CONTRIBUTION PAYMENT - DIRECT CONTRIBUTIONS PLAN (CC)

In accordance with the provisions of Section 94(1)(b) of the Environmental Planning and Assessment Act 1979 and the Strathfield Direct Development Contributions Plan 2010-2030, a contribution in the form of cash, cheque or credit card (financial transaction fee applies) shall be paid to Council for the following purposes:

Provision of Community Facilities	\$ 24,086.38
Provision of Major Open Space	\$109,585.81
Provision of Local Open Space	\$ 46,355.46
Provision Roads and traffic Management	\$ 5,278.30
Administration	\$ 2,076.91
TOTAL	\$187,382.86

The total amount of the contribution is valid as at the date of determination and is subject to quarterly indexation. Contributions shall be indexed at the time of payment in accordance with clause 2.14 of the Strathfield Direct Development Contributions Plan 2010-2030.

Contributions must be receipted by Council and submitted to the Accredited Certifier, prior to the issue of any Construction Certificate.

Please present a copy of this condition when paying the contribution at the Customer Service Centre so that it can be recalculated.

Note: A copy of Strathfield Council's Section 94 Direct Development Contributions Plan may be downloaded from Council's website.

(Reason: To enable the provision of public amenities and services required/anticipated as a consequence of increased demand resulting from the development.)

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

A security (damage deposit) of **\$21,000.00** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

The deposit is required as security against any damage to Council property during works on the site. The applicant must bear the cost of all restoration works to Council's property damaged during the course of this development. All building work must be carried out in accordance with the Building Code of Australia.

Payment may be accepted in the form of cash, bank guarantee, cheque or credit card

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(financial transactions fees apply). Note: Additional fees apply for the lodgement of a bank guarantee in lieu of cash bond applies in accordance with Council's adopted Fees and Charges.

Any costs associated with works necessary to be carried out to rectify any damages caused by the development, shall be deducted from the Damage Deposit.

Note: Should Council property adjoining the site be defective e.g. cracked footpath, broken kerb etc., this should be reported in writing, or by photographic record, submitted to Council at least seven (7) days prior to the commencement of any work on site. This documentation will be used to resolve any dispute over damage to infrastructure. It is in the applicant's interest for it to be as full and detailed as possible.

The damage deposit shall be refunded upon completion of all works upon receipt of a Final Occupation Certificate stage and inspection by Council.

(Reason: Protection of Council infrastructure.)

44. STORMWATER DRAINAGE (CC)

The following stormwater precautions are required to be provided on the site:

- i) Grated drains shall be provided along the basement entry at the vehicular crossing(s) and are to connect to the internal drainage system.
- ii) Overflow paths shall be provided to allow for flows in excess of the capacity of the pipe/drainage system draining the site.
- iii) Allowance shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other properties
- iv) Boundary fencing shall be erected in such a manner as not to interfere with the natural flow of ground and surface water to the detriment of any other party.

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

45. STORMWATER - SILT ARRESTORS AND GROSS POLLUTANT TRAPS (CC)

Silt and gross pollutant traps shall be fitted in all new stormwater pits and designed in accordance with Council's specification for the management of stormwater. Details demonstrating compliance are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Environmental protection.)

46. TRAFFIC - CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CC)

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

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

- i) description of the demolition, excavation and construction works;
- ii) site plan/s showing the site, roads, footpaths, site access points and vehicular movements;
- iii) size, type and estimated number of vehicular movements (including removal of

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

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

47. TREE BONDS (CC)

A tree bond of **\$13,200.00** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

The deposit is required as security against any damage to existing trees to be retained on Council's road reserve, during works on the site. The applicant must bear the cost of all restoration works to Council's property damaged during the course of this development.

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

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

48. UTILITIES AND TELECOMMUNICATIONS - ELECTRICITY SUBSTATION (CC)

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Any required electricity substation must be located within the boundaries of the site. Documentary evidence of compliance with the energy authority's requirements, including correspondence from the energy authority is to be provided to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

Note: Where an electricity substation is required but no provision has been made to place it within the approved building or its site and no details are provided on the approved development consent plans, a section 96 application is required to be submitted to Council for approval of an appropriate location for the required electricity substation.

(Reason: Access to utility.)

49. UTILITIES AND TELECOMMUNICATIONS - TELECOMMUNICATIONS ASSETS (CC)

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

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

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

50. VEHICULAR CROSSINGS - WORKS PERMIT FOR CONSTRUCTION OF (CC)

Full-width, heavy-duty concrete vehicular crossing(s) shall be provided across the footpath at the entrance(s) and/or exit(s) to the site and designed in accordance with Council's guidelines and specifications. In this regard, a Works Permit is to be obtained (available from Council's Customer Services Centre or downloaded from Council's website), and the appropriate fees and charges paid, prior to the lodgement of a Construction Certificate.

(Reason: To ensure appropriate access to the site can be achieved.)

51. VENTILATION SYSTEMS – MECHANICAL (CC)

The mechanical ventilation system is to comply with the following:

- i) The Building Code of Australia;
- ii) Protection of the Environment Operations Act 1997; and
- iii) Australian Standard AS1668-1991.

In addition, odour control measures, such as activated carbon or catalytic oxidisers, must be used to treat ventilation gases prior to discharge. The method of odour control must be designed by a suitably qualified mechanical ventilation engineer.

Details demonstrating compliance with the above are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To ensure the mechanical ventilation system complies with the relevant requirements/standards.)

52. WASTE - GARBAGE ROOMS OR GREASE ARRESTOR ROOMS (CC)

Garbage rooms or grease arrester rooms must be constructed of solid material: cement

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rendered and steel trowelled to a smooth even surface. The door to the garbage room is to be designed and constructed to ensure the room is vermin proof and can be opened from the inside at all times. The garbage room is to be ventilated to the external air by natural ventilation or an approved air handling exhaust system.

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

53. WASTEWATER CONTROL (CC)

The applicant shall contact Sydney Water, to determine the requirements for the disposal of wastewater and liquid trade waste (including grease traps or grease arrestors). The applicant must provide a copy of the Authority to connect to the sewer system prior to the issue of a Construction Certificate.

There is to be no discharge of wastewater to the stormwater system.

(Reason: To ensure suitable disposal of waste water.)

54. WATER SUSTAINABILITY – GENERALLY (CC)

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

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

(Reason: To promote sustainable water management practice.)

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

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

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

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

(Reason: Council requirement.)

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORKS (CW)**56. APPOINTMENT OF A PRINCIPAL CERTIFYING AUTHORITY (PCA) (CW)**

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No work shall commence in connection with this Development Consent until:

- i) A construction certificate for the building work has been issued by the consent authority or a Principal Certifying Authority.
- ii) The person having the benefit of the development consent has appointed a principal certifying authority for the building work, and notified the principal certifying authority that the person will carry out the building work as an owner/builder, if that is the case.
- iii) The principal certifying authority has, no later than 2 days before the building work commences:
 - notified the Council of his or her appointment, and
 - notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work.
- iv) The person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved;
 - notified the principal certifying authority of such appointment; and
 - unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work.
- v) The person having the benefit of the development consent has given at least 2 days notice to the Council of the person's intention to commence the erection of the building.

Note: If the principal certifying authority is the Council, the nomination will be subject to the payment of a fee for the service to cover the cost of undertaking all necessary inspections and the issue of the appropriate certificates.

Under the Environment Planning and Assessment (Quality of Construction) Act, 2003, a sign must be erected in a prominent position on the work site showing the name, address and telephone number of the principal certifying authority; the name of the principal contractor (if any) for the building work and a telephone number at which that person may be contacted outside working hours. That sign must also state that unauthorised entry is prohibited. The sign must not be removed until all work has been completed.

(Reason: Statutory requirement.)

57. NOTICE OF COMMENCEMENT (CW)

No work shall commence until the following details are submitted to Council:

- i) a Notice of Commencement (form will be attached with issue of a Construction Certificate or available from our website) within two (2) days of the date on which it is proposed to commence works associated with the Development Consent;
- ii) details of the appointment of a Principal Certifying Authority (either Council or another Principal Certifying Authority); and
- iii) details of the name, address and licence details of the Builder.

(Reason: Statutory requirement.)

CONDITIONS TO BE SATISFIED DURING DEMOLITION AND BUILDING WORKS (DW)**58. CONTAMINATED LAND UNEXPECTED FINDS (DW)**

72-74 Courallie Avenue, Homebush West - Lot 42 & 43 DP11427 (Cont'd)

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

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

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

(Reason: To ensure compliance with statutory requirements.)

59. FILL MATERIAL (DW)

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

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

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

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

60. OBSTRUCTION OF PUBLIC WAY NOT PERMITTED DURING WORKS (DW)

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without the prior approval of Council.

(Reason: To maintain public access and safety.)

61. PUBLIC INFRASTRUCTURE AND SERVICES (DW)

The applicant must comply with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council etc.) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.

(Reason: To maintain public infrastructure and/or services.)

62. SITE REQUIREMENTS DURING DEMOLITION AND CONSTRUCTION

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

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

72-74 Courallie Avenue, Homebush West - Lot 42 & 43 DP11427 (Cont'd)

- 2001.
- ii) Demolition must be carried out by a registered demolition contractor.
 - iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out with close boarded, hardwood timber footpath protection pads. The pad shall cover the entire width of the footpath opening for the full width of the fence.
 - iv) No blasting is to be carried out at any time during construction of the building.
 - v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
 - vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
 - vii) Any demolition and excess construction materials are to be recycled wherever practicable.
 - viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
 - ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
 - x) All excavated material should be removed from the site in the approved manner and be disposed of lawfully to a tip or other authorised disposal area.
 - xi) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
 - xii) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
 - xiii) Details as to the method and location of disposal of demolition materials (weight dockets, receipts etc.) should be kept on site as evidence of approved methods of disposal and recycling.
 - xiv) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
 - xv) Public footways and roadways adjacent to the site must be fully maintained and cleared of obstructions during construction unless prior separate approval from Council is obtained including payment of relevant fees.
 - xvi) Building operations such as brick cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
 - xvii) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
 - xviii) Stamped plans, specifications, documentation and the consent shall be available on site at all times during construction.

(Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner which will be non-disruptive to the local area.)

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

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

- i) At the completion of the first structural floor level prior to the pouring of concrete

72-74 Courallie Avenue, Homebush West - Lot 42 & 43 DP11427 (Cont'd)

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

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

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

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE (OC)**64. CAR PARKING - SURPLUS VEHICULAR CROSSINGS (OC)**

All surplus vehicular crossings and/or kerb laybacks must be removed and reinstated with concrete kerb and gutter or to the existing edging profile as specified by Council. The nature strip is to be restored and the footpath area reinstated. All of the above are to be restored to the satisfaction of Council's Engineer and at full cost to the applicant, prior to the issue of any Occupation Certificate.

(Reason: Maintenance of public infrastructure.)

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

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

(Reason: Adequate access and egress.)

66. ENGINEERING WORKS (CERTIFICATION OF)

Prior to occupation of the premises, a Work As Executed (WAE) Plan of all engineering and/or drainage works is to be submitted to the Principal Certifying Authority. The WAE Plan is to be certified by a suitably Qualified Engineer, with Corporate Membership standing in the Institution of Engineers Australia and registered on the National Professional Engineers Register (NPER) under the appropriate professional category, demonstrating that:

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

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

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

72-74 Courallie Avenue, Homebush West - Lot 42 & 43 DP11427 (Cont'd)

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

(Reason: Asset management.)

67. FIRE SAFETY CERTIFICATION (OC)

A fire safety certificate shall be obtained in accordance with Part 9, Division 4 of the Environmental Planning and Assessment Regulation 2000, prior to the issue of any Occupation Certificate.

An fire safety certificate is a certificate issued by the owner of a building to the effect that each essential fire safety measure specified in the current fire safety schedule for the part of the building to which the certificate relates:

- i) has been assessed by a properly qualified person; and
- ii) was found, when it was assessed, to be capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.

An interim fire safety certificate must be provided before an interim occupation certificate can be used for a building under Clause 153(2) of the Environmental Planning & Assessment Regulation 2000.

A final fire safety certificate must be provided before an interim occupation certificate can be used for a building under Clause 153(1) of the Environmental Planning & Assessment Regulation 2000.

A copy of the fire safety certificate and fire safety schedule shall be:

- i) submitted to Strathfield Council;
- ii) submitted to the Commissioner of the New South Wales Fire Brigade; and
- iii) prominently displayed in the building.

(Reason: Fire safety and statutory requirement.)

68. LANDSCAPING - ARBORIST'S FOLLOW UP REPORT OF TREE/S TO BE RETAINED (OC)

As part of the on-going assessment of the tree/s to be retained, the consulting arborist engaged by the applicant is to assess their health and any impacts suffered by them as a result of the proposed approved development, prior to the issue of an Occupation Certificate. Findings are to be compiled in a detailed report and submitted to the Principle Certifying Authority, which documents the following:

- i) methods of excavation or construction used to carry out the works;
- ii) any damage sustained by the tree/s as a result of the works;
- iii) any subsequent remedial works required to be carried out by the consulting arborist as a result of the damage; and
- iv) any future or on-going remedial work required to be carried out to ensure the long term retention of the tree/s.

(Reason: To ensure the survival of trees to be retained.)

69. OCCUPATION OF BUILDING (OC)

72-74 Courallie Avenue, Homebush West - Lot 42 & 43 DP11427 (Cont'd)

A person must not commence occupation or use (or change of use where an existing building) of the whole or any part of a new building (within the meaning of section 109H (4) of the Act) unless an Interim Occupation Certificate or Final Occupation Certificate has been issued in relation to the building or part.

The Principal Certifying Authority is required to be satisfied, amongst other things, that:

- i) all required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
- ii) any preconditions to the issue of the certificate required by a development consent have been met.

Note: New building includes an altered portion of, or an extension to, an existing building.

(Reason: Statutory requirement.)

70. STORMWATER - CERTIFICATION OF THE CONSTRUCTED DRAINAGE SYSTEM (OC)

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

(Reason: Adequate stormwater management.)

71. STORMWATER - COVENANT AND RESTRICTION AS TO USER FOR STORMWATER CONTROLLED SYSTEMS (OC)

Prior to the issue of any Occupation Certificate, the applicant shall register a Positive Covenant and a Restriction as to User under section 88E and or section 88B of the Conveyancing Act as appropriate in favour of Council, ensuring the ongoing retention, maintenance and operation of the stormwater facility (on-site detention, pump-out, charged lines, etc.).

Where any drainage line or service conduit is to traverse any property other than that which it serves, an appropriate easement will be required. In this case, the applicant shall register an easement no less than 1200mm wide over the proposed drainage line or service concurrently with any subdivision registration.

The wording on the 88B Instrument is to make reference to the Council file where the Construction plans and the Work As Executed (as built), plans are held. Typical wording can be obtained from Council's Specification for the Management of Stormwater document.

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

72. SUBDIVISION - EVIDENCE OF CONSOLIDATION (OC)

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

(Reason: Proper management of land.)

73. WASH BAY - APPROPRIATE CONTAINMENT BUNDS (OC)

72-74 Courallie Avenue, Homebush West - Lot 42 & 43 DP11427 (Cont'd)

The wash bay must be appropriately bunded. The effective volume of the bunded area must be 110% of the total volume of the wash-down area. Documentation and plans are to be supplied to certify compliance with this requirement prior to the issue of the Construction Certificate.

A collection sump must be installed within the bunded area and have no access to the stormwater system. The bund floor is to be graded in such a way to direct liquids into the sump.

The applicant must contact Sydney Water (tel.131 110) to discuss the requirements for a Trade Waste Permit before discharging any trade waste into the sewerage system.

(Reason: To prevent water pollution.)

74. SEPARATE APPLICATION FOR STRATA SUBDIVISION (SC)

This consent does not imply approval to create a separate title, by subdivision or otherwise. Should it be intended to subdivide the approved development into strata title allotments, Council will require the lodgement of a separate development application for consideration.

(Reason: To ensure compliance with the consent.)

75. SYDNEY WATER - SECTION 73 CERTIFICATE (SC)

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained before the issue of the Subdivision Certificate. An application must be made through an authorised Water Servicing Coordinator (refer www.sydneywater.com.au).

Following receipt of the application a 'Notice of Requirements' will be issued detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Water Servicing Coordinator, as building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

Sydney Water written advice that you have obtained the Notice of Requirements must be submitted to the Principal Certifying Authority

The Section 73 Compliance Certificate must be submitted to the Principal Certifying Authority prior to release of the Subdivision Certificate /any occupation of the premises.

(Reason: To comply with the statutory requirements of Sydney Water.)

CONDITIONS TO BE SATISFIED DURING ONGOING USE OF THE PREMISES (OU)**76. VISITOR PARKING RESTRICTION (OU)**

All visitor parking spaces must not at any time be allocated sold or leased to an individual owner/occupier and must be strictly retained as common property by the Owners Corporation.

(Reason: Compliance with approved visitor parking provision.)

ATTACHMENTS

1. [↓](#) Architecturals

PROPOSED RESIDENTIAL FLAT BUILDING

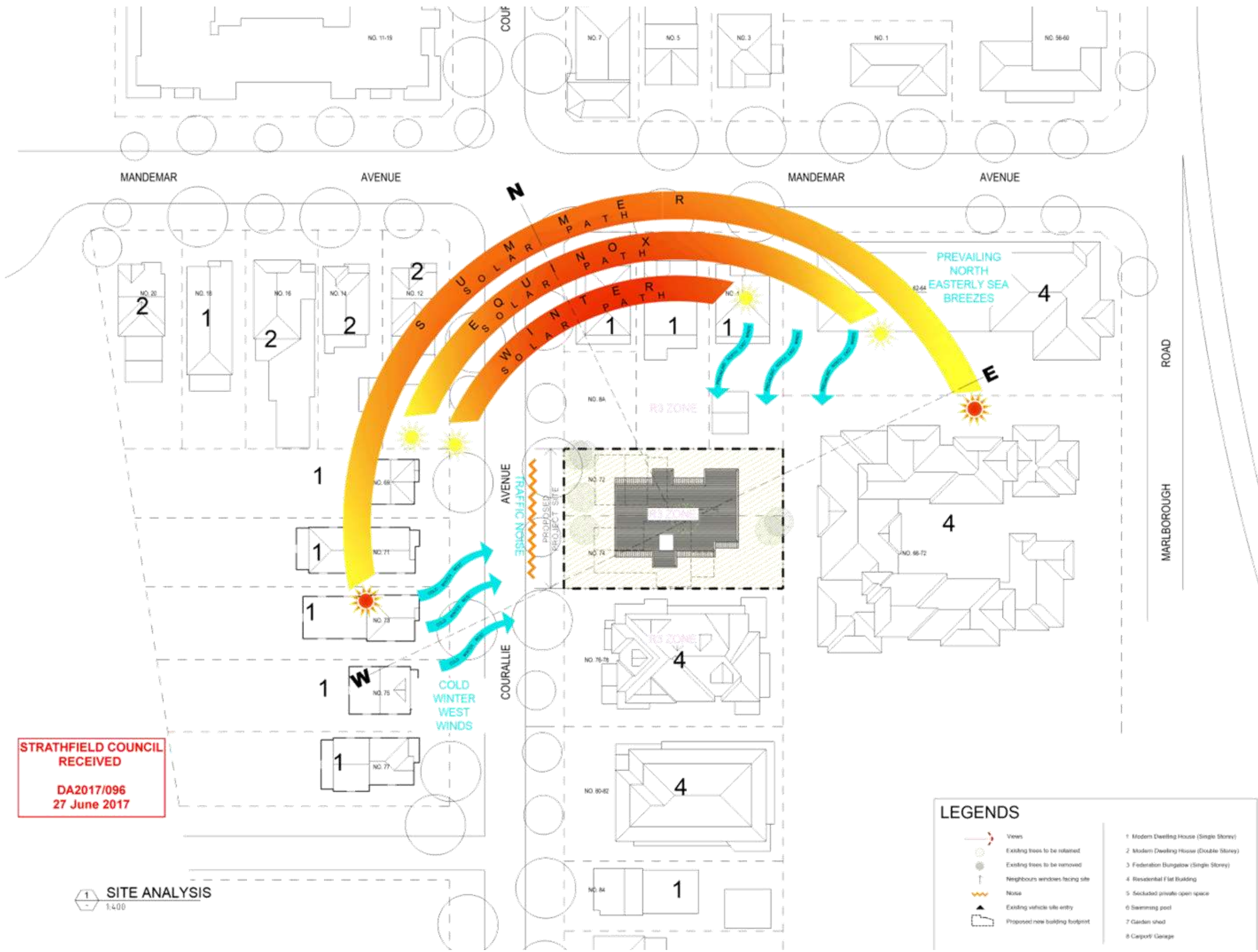
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SITE ANALYSIS
1:400

LEGENDS

Views	1 Modern Dwelling House (Single Storey)
Existing trees to be retained	2 Modern Dwelling House (Double Storey)
Existing trees to be removed	3 Federation Bungalow (Single Storey)
Neighbours windows facing site	4 Residential Flat Building
Noise	5 Secluded private open space
Existing vehicle site entry	6 Swimming pool
Proposed new building footprint	7 Garden shed
	8 Carport Garage

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DA.01

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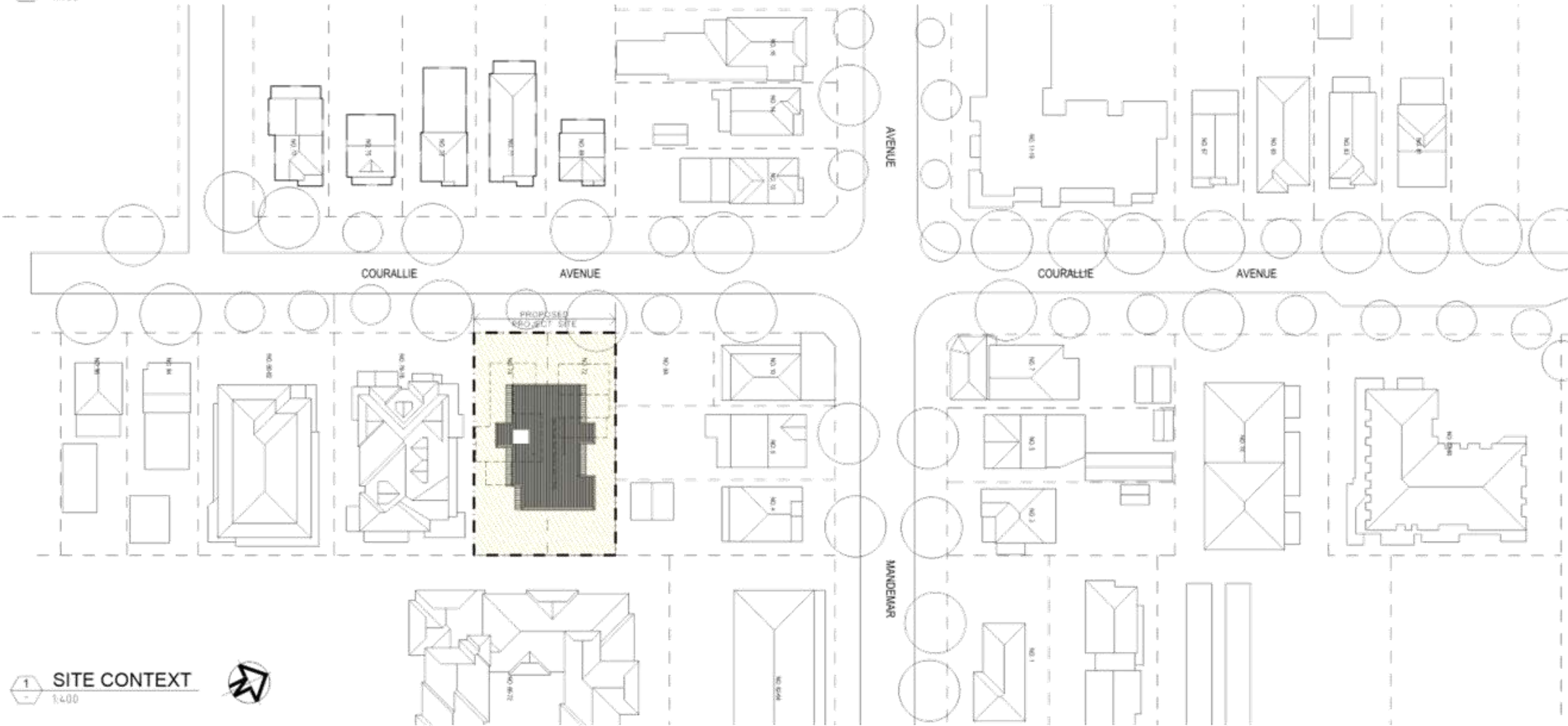
Site Analysis Plan



2 STREETScape (FRONT) 1:4.00



3 STREETScape (OPPOSITE) 1:4.00



1 SITE CONTEXT 1:4.00

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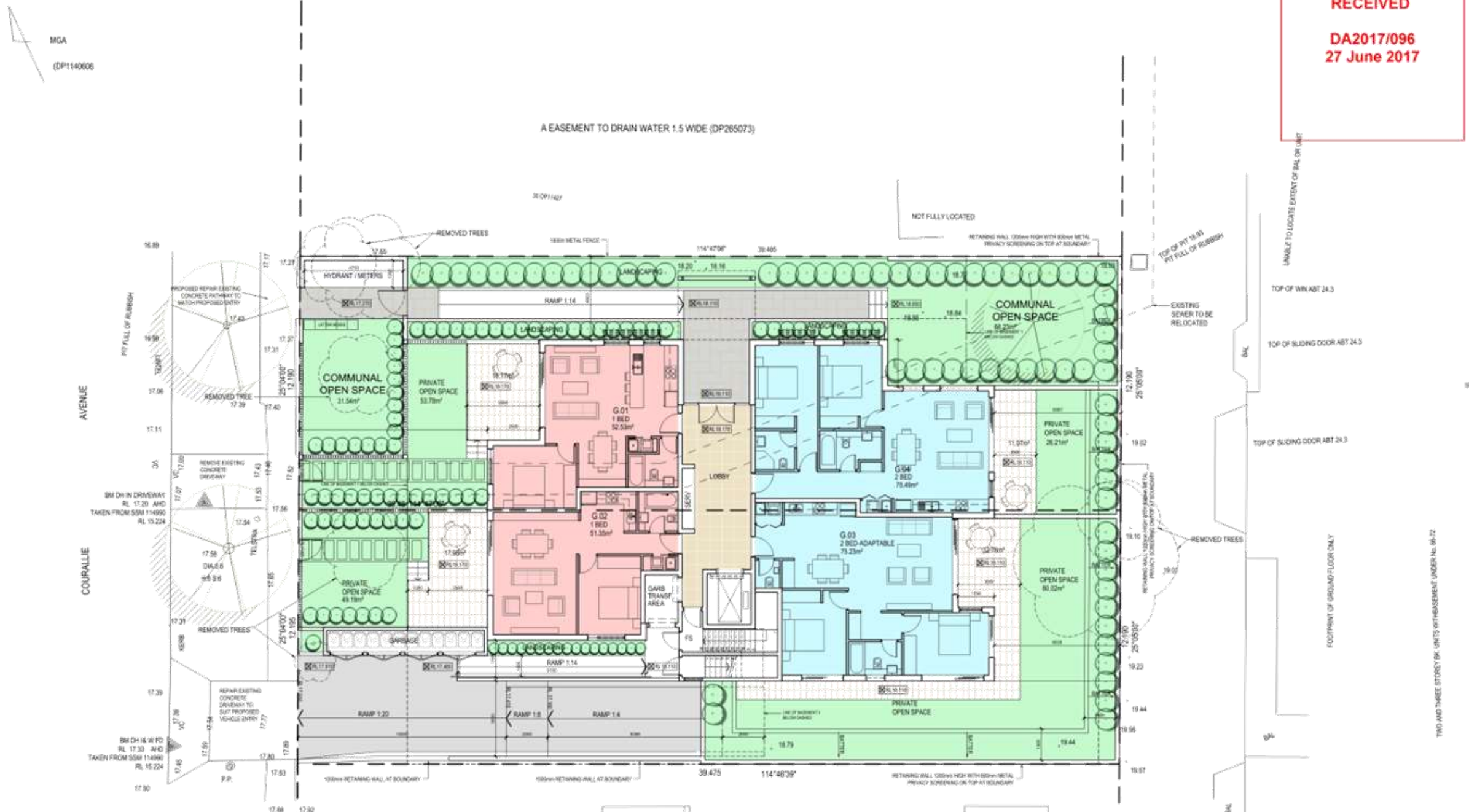
DA.02

Project No: 150714
Scale: 1:400
Date: 1/10/17

STREETScape ANALYSIS

BC&A
Beckham Clark & Associates Pty Ltd
10/11-13/15 The Arcade, Sydney NSW 2000
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1 GROUND FLOOR PLAN

Site Area= 962.66m²
 Permissible GFA= 1155.19m²
 FSR= 1.2 : 1
 Required Landscape Area (50%) = 481.33m²
 Required Deep-Soil Area (35% of landscape) = 168.47m²
 or (min 7% by SEPP 65 Apartment Design Guide) = 67.4 m²
 Required Unpaved or "Soft" Landscape Area (60% of landscape)= 288.80m²
 Proposed Total GFA= 1154.29m²
 Proposed FSR= 1.2 : 1
 Proposed Landscape Area = 486.08m²
 Proposed Deep-Soil Area = 118.30m²
 Proposed Communal Open Space= 97.77m²
 Proposed Unpaved or Soft landscape= 345.20m²

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GROUND FLOOR PLAN



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1 LEVEL 1 FLOOR PLAN



2 LEVEL 2 FLOOR PLAN



POST ADAPTATION PLAN

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72-74 Courtenay Avenue, Homebush West

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LEVEL 1-2 FLOOR PLAN

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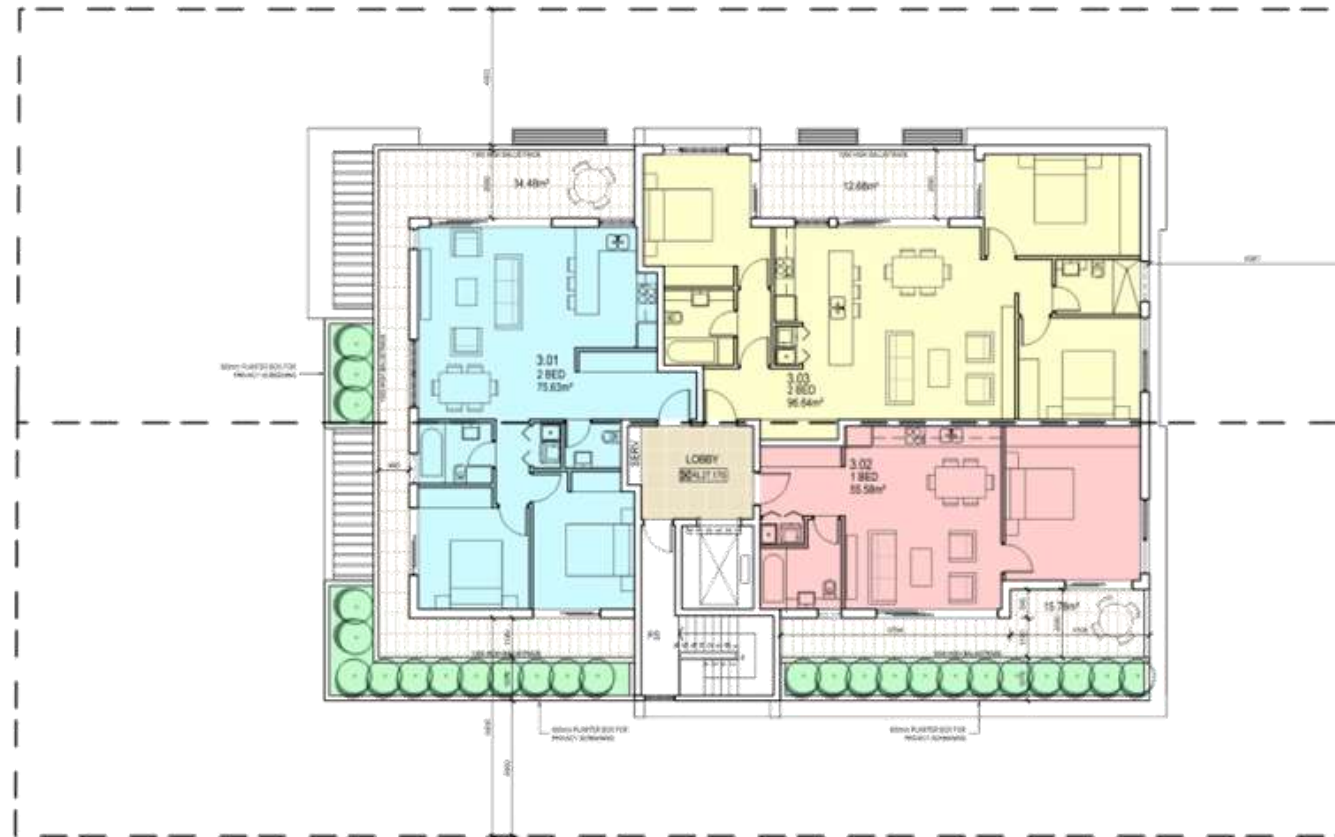
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A. ISSUED FOR IGA
B. ISSUED FOR NSW EPA

Checked:
02.11.2015
06.11.2017

Drawn by:

Project:

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1 LEVEL 3 FLOOR PLAN

NatHERS - THERMAL COMFORT SUMMARY

Building Elements	Material	Detail
External walls	Hebel + Furring Channel + Plasterboard	R1.5 Bulk insulation to external walls
Internal walls within units	Plasterboard on studs	-
Common walls between units and Lobby	Hebel + Furring Channel + Plasterboard	-
Common walls between Units	Hebel + Furring Channel + Plasterboard	-
Common walls between Units & Fire Stairs/lifts	Concrete + furring channel + plasterboard	-
Ceilings	Plasterboard	R2.5 Bulk insulation to ceilings on the top floor
Exposed concrete Roof - (balcony above) - Ground / L2	Concrete - insulation to concrete exposed to external environment (balcony above)	R2.0 Bulk Insulation
Top Floor Roof	Metal	R1.3 Bulk insulation + Foil (insulation blanket)
Floors	Concrete	-
Windows	Aluminium framed, single glazed clear	U value 6.57 or less and a SHGC of 0.74 +/- 10%

Lighting: These Units have been assessed without downlights
Bathroom / Ensuite / Laundry exhaust fans to have self-closing dampers

BASIX COMMITMENTS NOTES				
* TO BE READ IN CONJUNCTION WITH APPROVED BASIX REPORT*				
WATER				
Fixtures	All Shower Heads 3 star(4.5 liter/4 L/min)	All toilet flushing systems 4 star	All kitchen taps 5 star	All bathroom taps 5 star
Appliances:	Dishwashers - 4.5 star water rating			
ENERGY	Hot water system: Gas Instantaneous - 5.5 Star			
REFER TO APPROVED BASIX	Bathroom ventilation system: Individual fan, ducted to façade or roof manual switch on/off			
	Kitchen ventilation system: Individual fan, ducted to façade or roof manual switch on/off			
	Laundry ventilation system: Individual fan, ducted to façade or roof manual switch on/off			
	Cooling system: air-conditioning 1 Phase - EER 2.5 - 3.0 (zoned)			
	Heating system: air-conditioning 1Phase - EER 2.5 - 3.0 (zoned)			
	Artificial lighting: As per BASIX			
	Natural lighting: As per BASIX			
COMMON AREAS	Appliances: Gas cooktop & electric oven Dishwashers: 3.5 star energy rating Refer to approved BASIX cert			



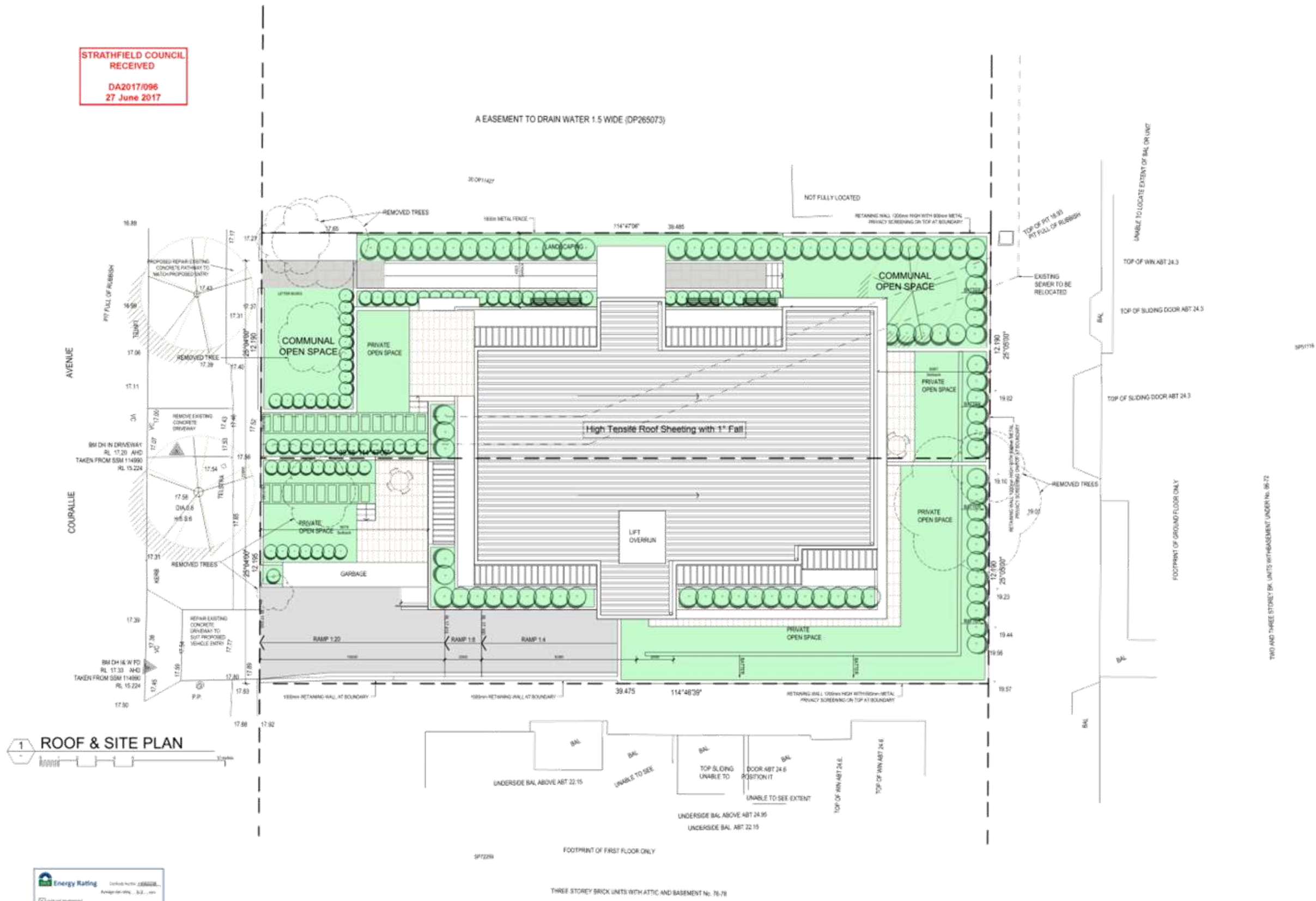
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LEVEL 3 FLOOR PLAN
10/11/2015



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PROPOSED RFB
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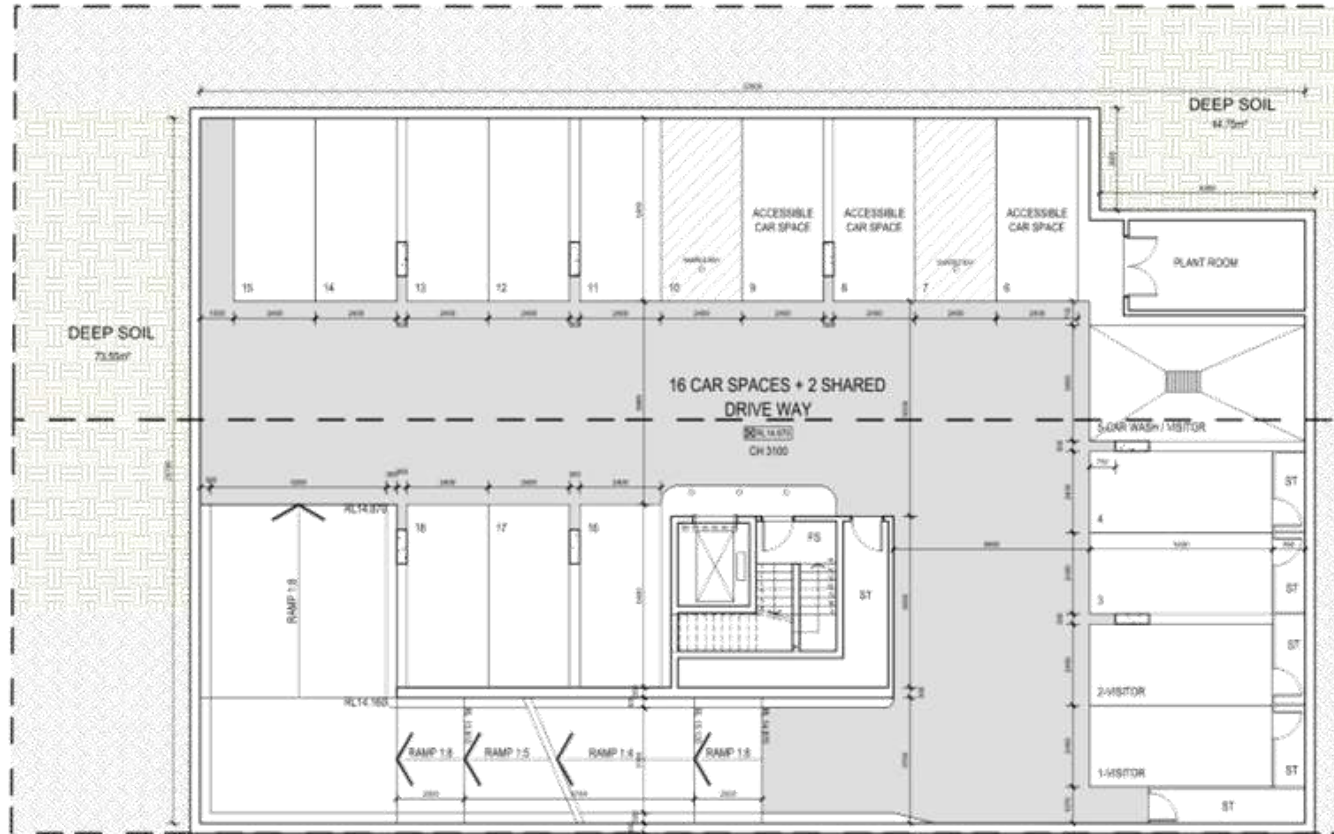
ROOF & SITE PLAN



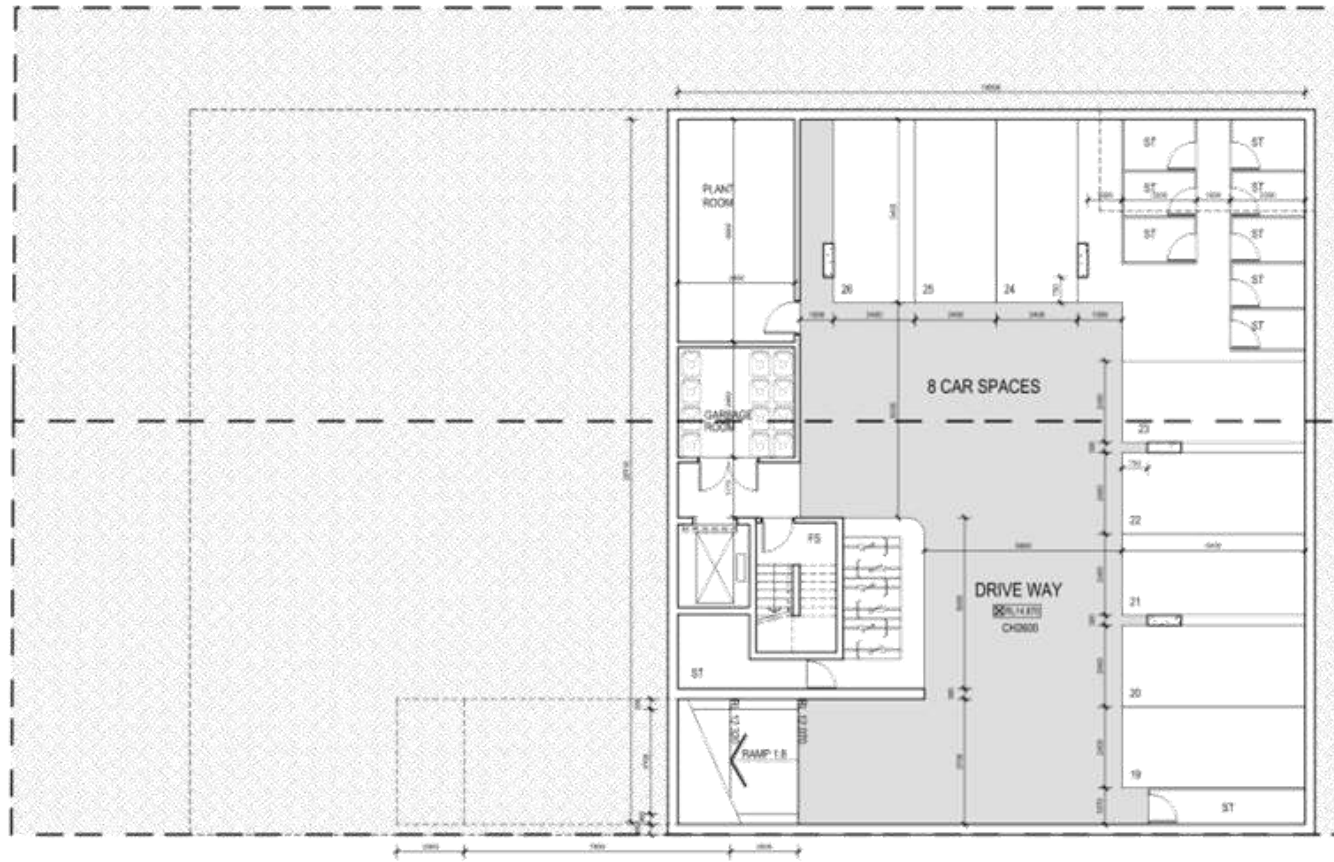
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1 BASEMENT 1 PLAN



1 BASEMENT 2 PLAN



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02.11.2015
06.06.2017

Revised
A. SHARED DRIVE WAY
B. SHARED PARKING AREA

06.06.2017

Checked

Designed by

BC&A
Buckhorn Chas & Associates Pty Ltd
11/11-11/13 BUCKHORN COURT
MURRESBURG NSW 2227
PH: 02 9438 7777
WWW.BUCKHORN.COM.AU

Drawn by

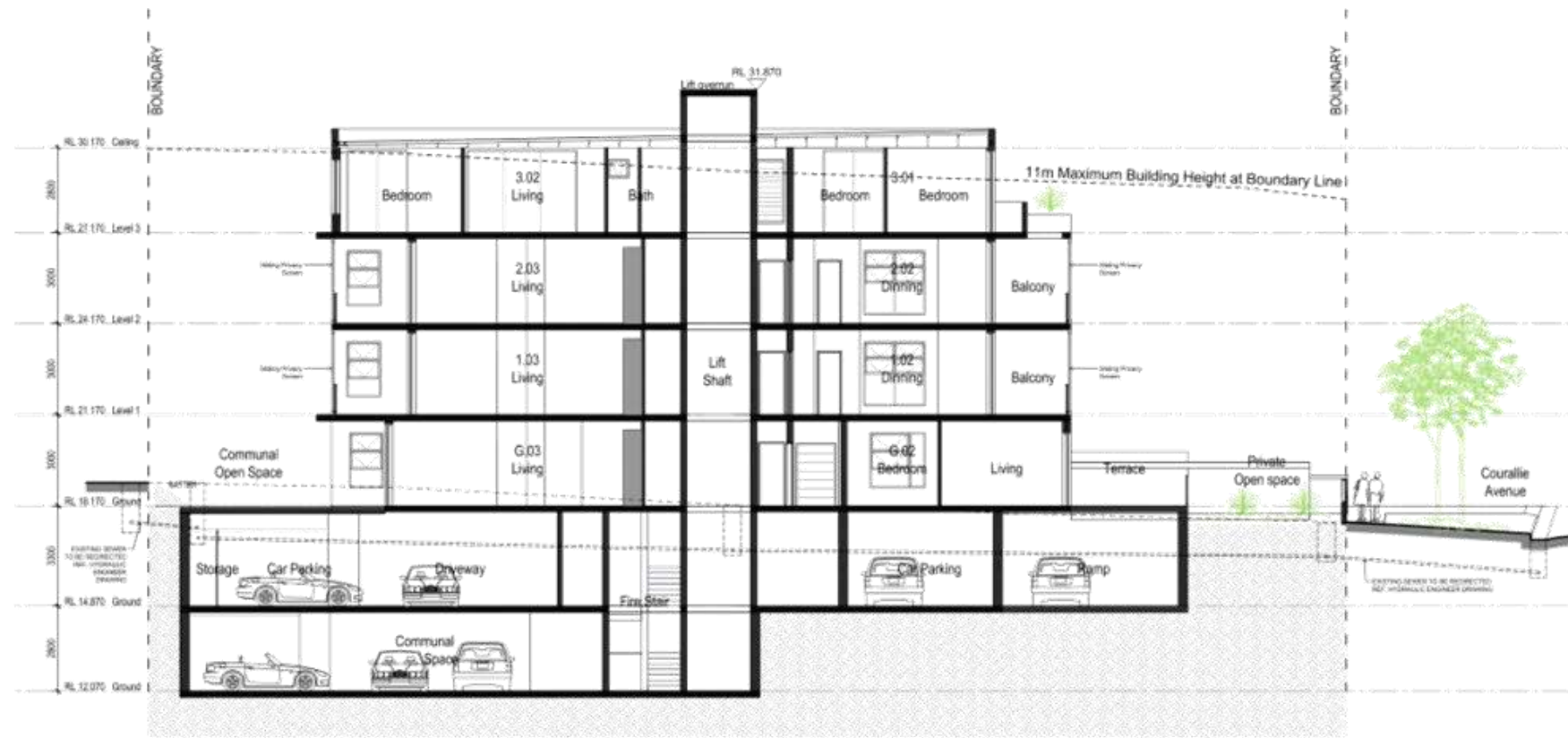
BASEMENT 1-2 PLAN
1/27 of total floor-coverage
Total floor-coverage includes common-voids

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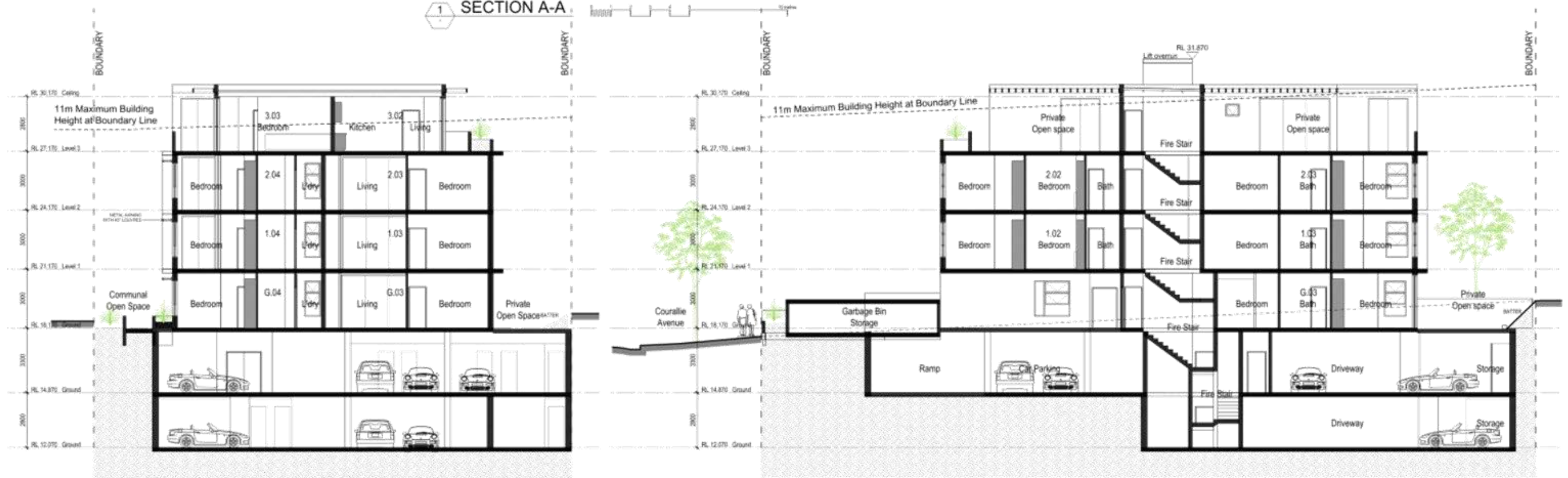




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1 SECTION A-A



2 SECTION B-B

3 SECTION C-C

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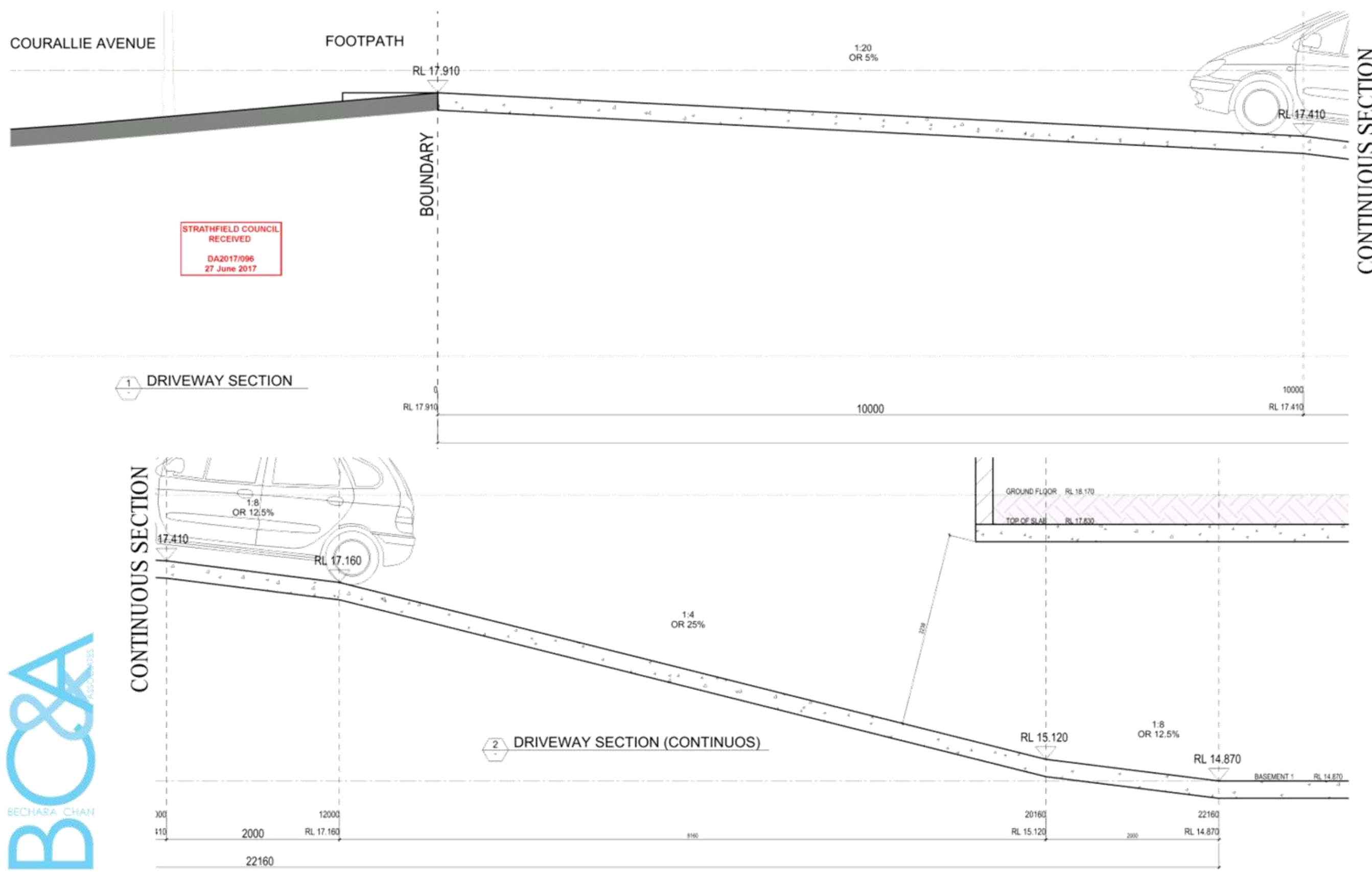
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DRAWN: SK
CHECKED: GB
DESIGN NO: 150714
SCALE: 1:100 (w/ A1)
DATE: JUN 2015
SECTION A-A
SECTION B-B
SECTION C-C
Drawn on file A996.

Project:

PROPOSED RFB
72-74 Courallie Avenue, Hornsby West

DA.09



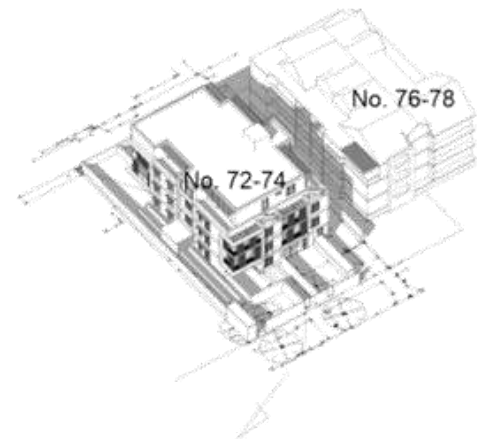
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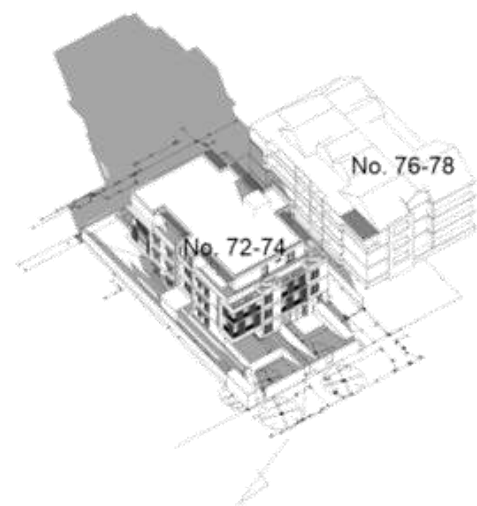
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9am

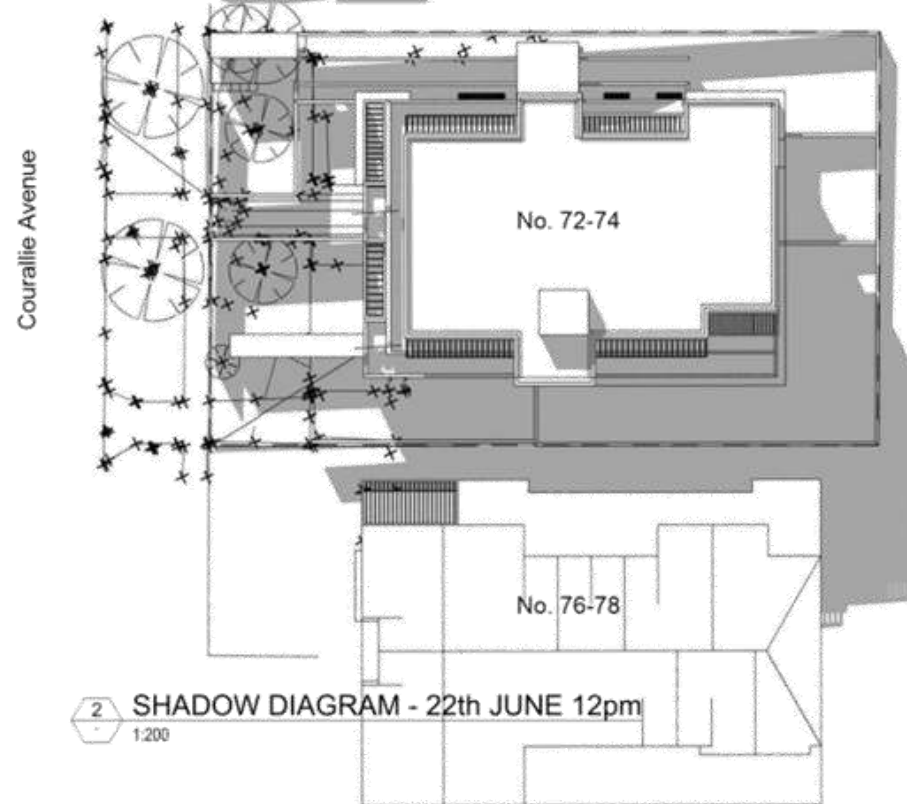


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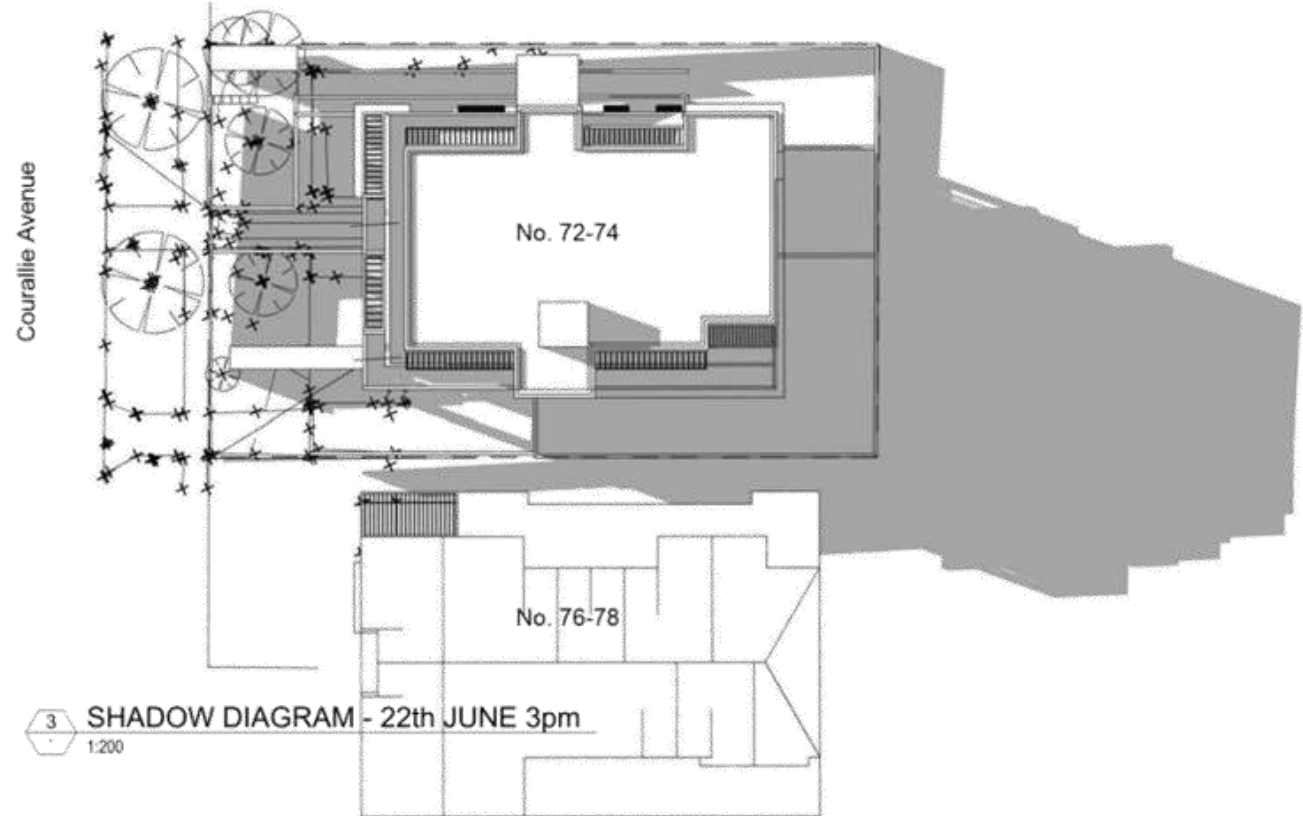


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4 3D SHADOW DIAGRAM - 22th JUNE
N.T.S



2 SHADOW DIAGRAM - 22th JUNE 12pm
1:200



3 SHADOW DIAGRAM - 22th JUNE 3pm
1:200

STRATHFIELD COUNCIL
RECEIVED
DA2017/096
27 June 2017

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Scale: A: SHARED SCALE B: SHARED FOR REVIEW

Date: 01.11.2015 06.11.2017

Client: [Redacted]

Design by: B&C Associates Pty Ltd

Project: PROPOSED RFB 72-74 Courallie Avenue Homebush West

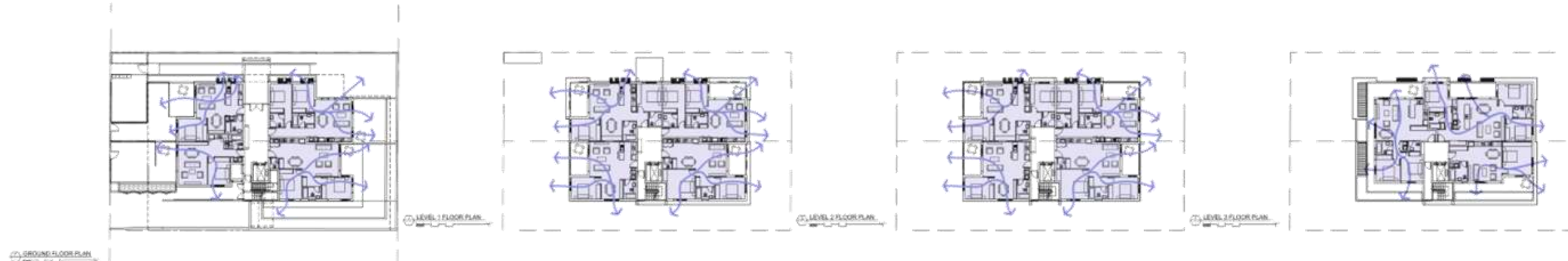
DA.11

SHADOW DIAGRAM

STRATHFIELD COUNCIL
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27 June 2017



1 SOLAR ACCESS STUDY



2 CROSS VENTILLATION STUDY

	Storage Space (m ²)	Solar Access (2hrs)	Cross Ventilation
Ground Floor			
G.01	10.13	Yes	Yes
G.02	8.78	Yes	Yes
G.03	8.78	No	Yes
G.04	8.78	Yes	Yes
Common walls/Corridor			
First Floor			
1.01	5.50	Yes	Yes
1.02	5.50	Yes	Yes
1.03	5.50	No	Yes
1.04	5.50	Yes	Yes
Common walls/Corridor			
Second Floor			
2.01	5.50	Yes	Yes
2.02	5.50	Yes	Yes
2.03	5.50	No	Yes
2.04	5.50	Yes	Yes
Common walls/Corridor			
Third Floor			
3.01	7.33	Yes	Yes
3.02	5.50	No	Yes
3.03	5.50	Yes	Yes
Common walls/Corridor			
Total No. of Apartments:		15	
Solar Access 2hrs:		11	
Cross Ventilated apartments:		15	
Percentage:		73%	100%



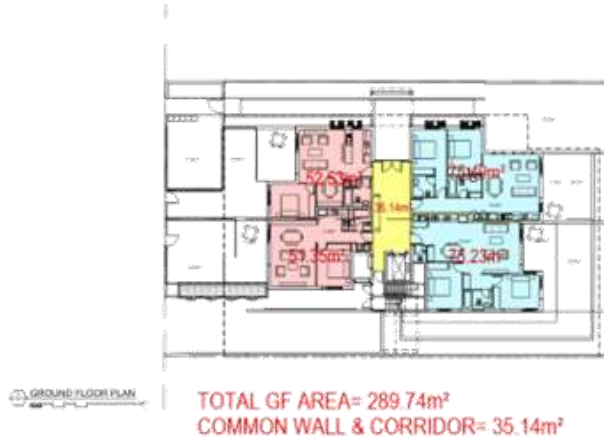
 Beckenham Civil & Amenity Pty Ltd

PROJECT NO: 150714
 13/04/16
 13/04/16
 13/04/16

PROPOSED RFB
 72-74 Courtnie Avenue, Homebush West
 DA.12

SOLAR ACCESS STUDY
 CROSS VENTILLATION STUDY

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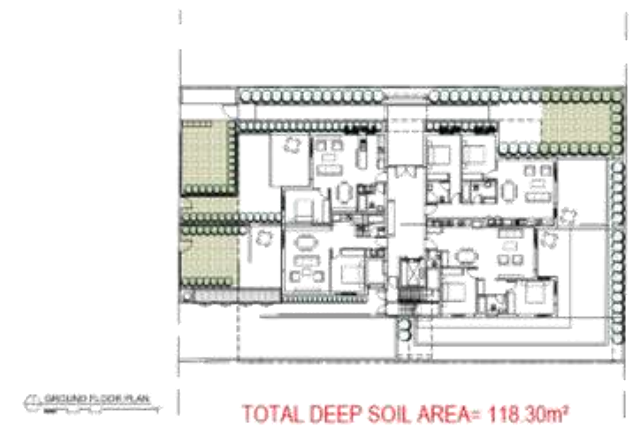
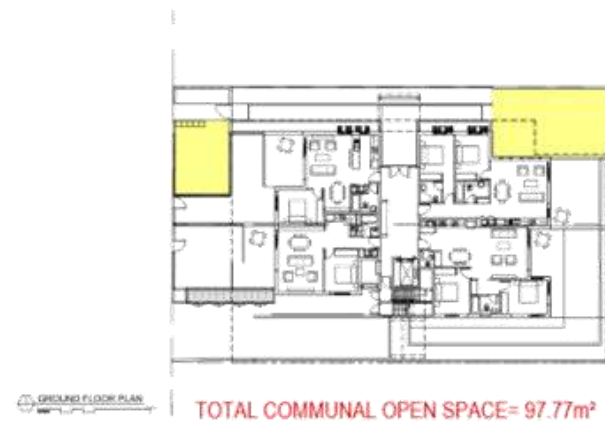
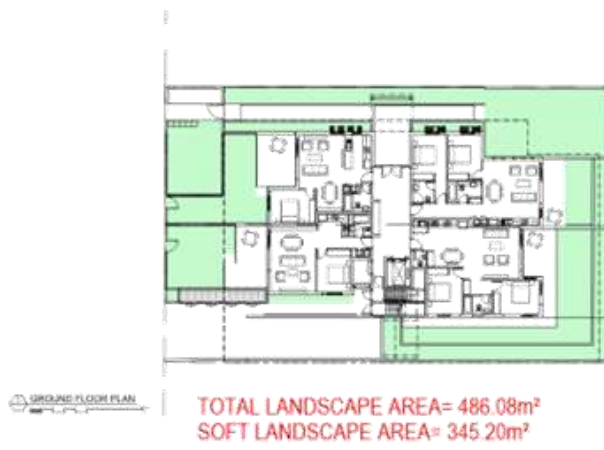
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Site Area= 962.66m²
Permissible GFA= 1155.19m²
FSR= 1.2 : 1
Required Landscape Area (50%) = 481.33m²
Required Deep-Soil Area (35% of landscape) = 168.47m²
or (min 7% by SEPP 65 Apartment Design Guide) = 67.4 m²
Required Unpaved or "Soft" Landscape Area (60% of landscape)= 288.80m²

Proposed Total GFA= 1154.29m²
Proposed FSR= 1.2 : 1
Proposed Landscape Area = 486.08m²
Proposed Deep-Soil Area = 118.30m²
Proposed Communal Open Space= 97.77m²
Proposed Unpaved or Soft landscape= 345.20m²

1 AREA CALCULATION



2 LANDSCAPE, COMMUNAL OPEN SPACES & DEEP SOIL

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Project: PROPOSED RFB
72-74 Courtenay Avenue Hornsby West
DA.13

Area Calculation

02.11.2015
06.06.2017

Checked: [Signature]

Drawn by: [Signature]

TO: Strathfield Independent Hearing and Assessment Panel Meeting - 7
September 2017

REPORT: SIHAP – Report No. 2

SUBJECT: 88 HOMEBUSH ROAD, STRATHFIELD
LOT 1 DP 309287

DA NO. 2017/070

SUMMARY

Proposal: Boarding House

Applicant: Sabton and Son

Owner: C.T and S.S Suh

Date of lodgement: 18 May 2017

Notification period: 30 May 2017 to 15 June 2017

Submissions received: (11) submissions including one (1) petition containing (12) signatures

Assessment officer: LP

Estimated cost of works: \$725,000

Zoning: R2 Low Density Residential - SLEP 2012

Heritage: Adjoining heritage item (I155)

Flood affected: No

RECOMMENDATION OF OFFICER: **REFUSAL**

EXECUTIVE SUMMARY

- 1.0 The subject application seeks approval for the demolition of existing site structures and construction of a two (2) storey boarding house comprised of ten (10) boarding rooms and a manager's residence.
- 2.0 The subject application was placed on public notification from 30 May 2017 to 15 June 2017 in accordance with Part L "Public Notification of Development Applications" of the Strathfield Consolidated Development Control Plan 2005. A total of (11) submissions were received including one (1) submission containing (12) signatures. These submissions raised concern in relation to streetscape compatibility, loss of amenity, traffic impacts, site suitability, heritage conservation, parking, and compatibility with the site's R2 Low Density Residential zone.
- 3.0 While the proposed development is generally consistent with the development standards of the Strathfield Local Environmental Plan 2012, the proposed two (2) storey structure is of a considerable bulk and scale and fails to integrate with existing development within the streetscape which consists predominantly of original housing stock including a number of local heritage items. As such, the proposed development fails to satisfy the character test of State Environmental Planning Policy (Affordable Rental Housing) 2009.
- 4.0 The proposal represents a poor planning outcome for the site and as the numerous departures from the relevant statutory provisions cannot be supported, the proposal is recommended for refusal.

88 Homebush Road, Strathfield
Lot 1 DP 309287 (Cont'd)

BACKGROUND

- 9 June 2016 Pre-lodgment meeting held between Council officers and the applicant. Council officers raised concerns over the visual presentation of the structure, FSR, flooding and heritage compatibility.
- 18 May 2017 Subject application lodged.
- 30 June 2017 Request for additional information issued to Applicant raising concern over the compatibility of the development with adjoining heritage items and the broader streetscape.
- 27 July 2017 Heritage Impact Statement and amended plans received including minor changes to streetscape elevation and material finishes.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is legally described as Lot 1 DP 309287 and is commonly known as 88 Homebush Road, Strathfield. The site is located on the eastern side of Homebush Road and has an area of 719.9m².

The site is rectangular in shape and has a frontage of 18.89m to the west, rear boundary of 18.95m to the east, and side boundaries of 38.1m.

The site slopes from north-west to south east and has a cross-fall of 1.62m.

Existing development on the site comprises a single storey face brick and tile roof dwelling that appears to be original housing stock.

The current streetscape is characterised predominantly by single storey dwellings including a number of local heritage items.

88 Homebush Road, Strathfield
Lot 1 DP 309287 (Cont'd)

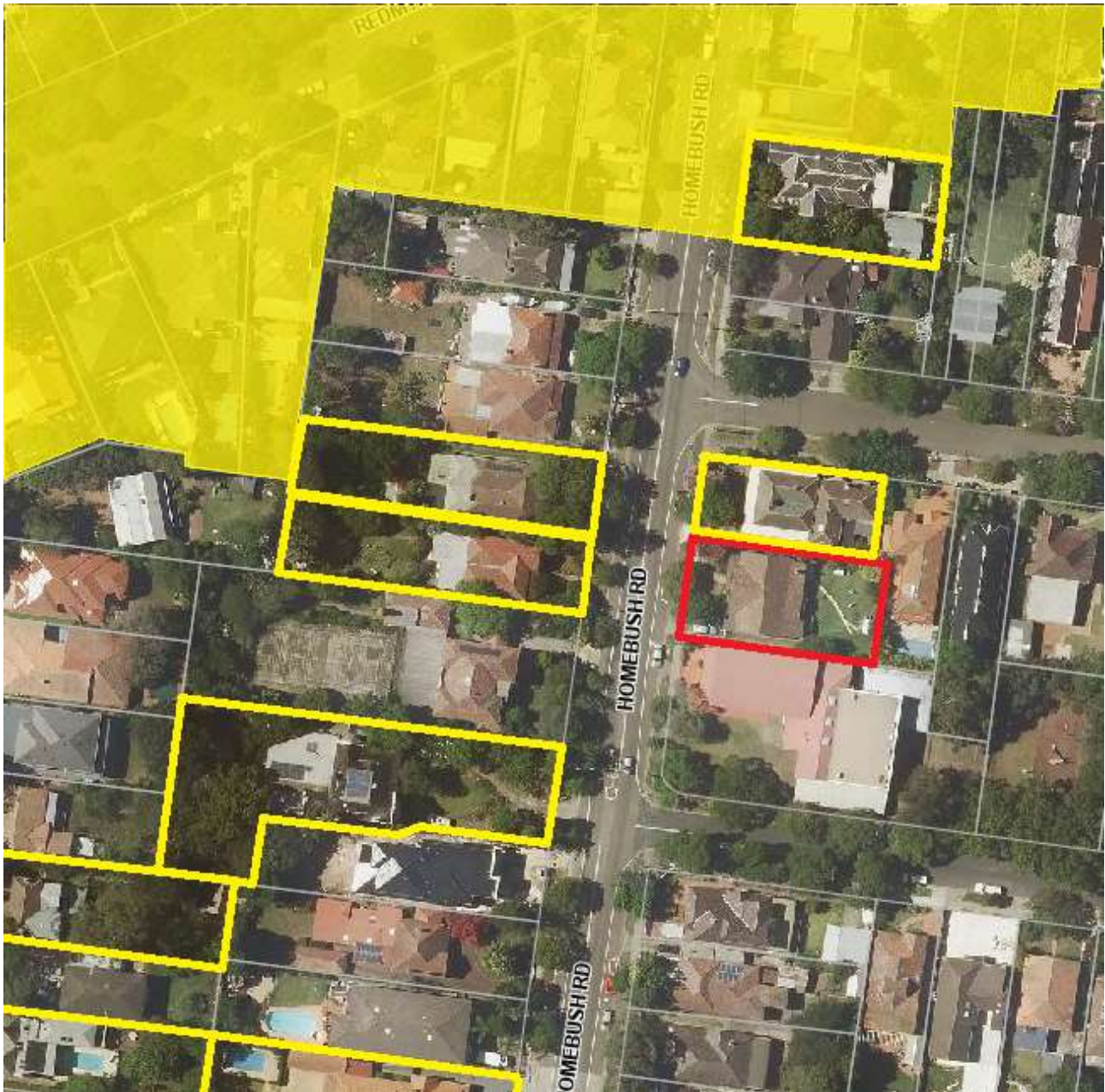


Figure 1: Locality Plan (Subject site in red, Heritage items in yellow and heritage conservation area shaded yellow).

88 Homebush Road, Strathfield
Lot 1 DP 309287 (Cont'd)



Figure 2: Existing dwelling upon subject site.

PROPERTY BURDENS AND CONSTRAINTS

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

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks Council approval for the demolition of existing site structures and construction of a two (2) storey boarding house comprised of ten (10) boarding rooms and a manager's residence.

An elevation of the front façade of the building is provided below:

88 Homebush Road, Strathfield
Lot 1 DP 309287 (Cont'd)



REFERRALS

INTERNAL REFERRALS

Engineering Comments

Council's Engineer has commented on the proposal as follows:

"While the subject site was affected by overland flow under Council's former flood prone land mapping, under Council's updated mapping the site is no longer flood affected, as such the proposed freeboard is unnecessary. In relation to the proposed stormwater drainage measures, no objection is raised to the proposal subject to an easement being obtained over the downstream property (86 Homebush Road, Strathfield)."

Waste Comments

Council's Waste Officer has commented on the proposal as follows:

"The proposed development makes insufficient provision for the onsite storage and management of waste in accordance with Part H "Waste Minimisation and Management" of the Strathfield Consolidated Development Control Plan 2005 and cannot be supported"

Landscaping Comments

Council's Tree Coordinator offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

Traffic Comments

Council's Traffic Engineer has commented on the proposal as follows:

- "Blind aisle space for P1 has not been provided. This is non-compliant;
- It is understood that the disabled parking space is provided in the open;
- An elevation showing the necessary height clearance is required;
- Separate swept path diagrams are required for P3 and P4;
- Vehicles should be able to enter and exit the site in a forward direction only. The turning path for the vehicles entering the site needs to be demonstrated;

88 Homebush Road, Strathfield
Lot 1 DP 309287 (Cont'd)

- There is a shortfall of parking spaces and the proposed development's parking arrangements do not comply with "PART I of the Strathfield Consolidated Development Control Plan - Provision of Off-street Parking Facilities; and
- Traffic Generation from the development needs to form part of the report".

In the event that the subject application is approved, the abovementioned concerns are addressed by way of conditions of consent to ensure compliance with the relevant Australian Standards. Accordingly, the proposed aisle widths, parking spaces and vehicle swept paths appear to be non-compliant and are unable to be supported.

With regard to the abovementioned concerns relating to compliance with Part I of the SCDCP 2005, the proposed development is for the purposes of a "Boarding House" which is assessed under the provisions of the Affordable Rental Housing SEPP. Accordingly, the parking provisions under the SEPP (which are less than the DCP provisions) take precedence over Council's DCP parking requirements.

Heritage Comments

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

"The subject site adjoins a heritage item and is within close proximity to a number of heritage items. The demolition of the existing dwelling and construction of a two (2) storey boarding house will adversely impact upon the setting of the adjacent heritage item. The proposed building presents as a relatively unrelieved two storey structure that will overwhelm the adjacent heritage item. This is exacerbated by the raised nature of the ground floor. "

Environmental Health Comments

Council's Environmental Health Officer has commented on the proposal as follows:

"The subject application was not accompanied by a stage 2 Detailed site investigation contrary to the recommendations of the Phase 1 Environmental Site Assessment prepared by Envirotech that accompanied the subject application and the requirements of SEPP 55 – Remediation of Land. As such, the subject application cannot be supported."

SECTION 79C CONSIDERATIONS – EP&A Act, 1979

In determining a development application, the consent authority is to take into consideration the following matters of consideration contained within section 79C of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

79C(1)(a) the provisions of:

- (i) any environmental planning instrument**

STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) requires Council to consider whether the site is suitable in its current state or following the completion of remediation works for the purpose for which development consent is being sought.

The subject site is not located in an area of investigation under Part K of the Strathfield Consolidated DCP 2005 (SCDCP 2005) which identifies past known landfill and potentially contaminated sites in the Strathfield Local Government Area. The subject application was accompanied by a Stage 1 Preliminary Site Assessment prepared by Envirotech that identifies the

88 Homebush Road, Strathfield
Lot 1 DP 309287 (Cont'd)

subject site as being potentially contaminated. This report recommends a Stage 2 Detailed Site Investigation be undertaken. No such report has been submitted to date. Without undertaking a Detailed Site Investigation the actual extent of contamination upon the subject site is unknown and therefore the suitability of the site for the purposes of the proposed development cannot be accurately established. As such, the proposed development fails to satisfy the requirements of SEPP 55.

STATE ENVIRONMENTAL PLANNING POLICY (AFFORDABLE RENTAL HOUSING) 2009

An assessment of the development against the development standards for boarding houses under the ARH SEPP is provided in the table below.

It is relevant to note that the ARH SEPP stipulates that Council is unable to refuse an application where it complies with the minimum standards provided by Clause 29 (refer to shaded section of table).

Clause	Development Control	Required	Proposal	Compliance
26	Permissibility	Permissible in the following zones: <ul style="list-style-type: none"> • R2 Low Density Residential • R3 Medium Density Residential • R4 High Density Residential • B1 Neighbourhood Centre • B2 Local Centre • B4 Mixed Use 	The subject site is located within the R2 – Low Density Residential zone under the SLEP, 2012.	Yes
27(2)	Location and access to facilities	If it is located in R2 – must be within an 'accessible area' accessible area means land that is within: 800 metres walking distance of a public entrance to a railway station or a wharf from which a Sydney Ferries ferry service operates, or 400 metres walking distance of a bus stop used by a regular bus service (within the meaning of the Passenger Transport Act 1990) that has at least one bus per hour servicing the bus stop between 06.00 and 21.00 each day from Monday to Friday (both days inclusive) and between 08.00 and 18.00 on each Saturday and Sunday	The subject site is located within 400m walking distance of a bus stop used by frequent bus service (Route 480 and 483)	Yes.
29 Note: Unable to refuse based on compliance these standards	FSR	Max as per SLEP 2012: 0.575:1 (414.28m ²)	0.42:1 (304.199m ²)	Yes.
	Height	Max as per SLEP: 9.5m	8.36m	Yes.
	Landscaping	Front setback is compatible with streetscape	The proposal seeks to provide an 8.2m front setback which	Yes.

88 Homebush Road, Strathfield
Lot 1 DP 309287 (Cont'd)

Clause	Development Control	Required	Proposal	Compliance
	Solar Access	At least one (1) common area receives at least three (3) hours of direct sunlight between 9am and 3pm, mid-winter	is compatible with the 8.2m setback provided by the northern adjoining dwelling. West facing communal living room located upon the first floor and eastern facing communal room located on the ground floor will each receive minimum 3 hours sunlight access.	Yes.
	Private Open Space	Lodgers: Min 20m ² with min. dimension of 3m Manager: Min 8m ² with min. dimension of 2.5,	83.671m ² private open space area with a minimum dimension of 3m 8.94m ² private open space area adjoining caretaker unit is provided with minimum dimension of 2.9m	Yes. Yes.
	Parking	In an 'accessible area': 0.2 spaces per room =2 spaces required + not more than 1 for manager/caretaker	Four (4) spaces are proposed and are easily accessible via the driveway and adjoining ramps.	Yes.
	Dwelling size	Single: min 12m ² Other: min 16m ² May have a kitchen/bathroom however is not required to.	Single: min. 11.615m ² All provided with private bathrooms and kitchens.	No, refer to discussion
30	Standards for Boarding Houses	One (1) communal living room required where there is five (5) or more rooms No boarding room > 25m ² No boarding room occupied by > two (2) adult lodgers Adequate bathroom and kitchen facilities available	Communal living areas located upon the ground floor and first floor Maximum room size is 15.87m ² Maximum two (2) adult lodgers per room. Adequate bathroom, kitchen and laundry facilities available	Yes. Yes. Condition to be imposed. Yes.

88 Homebush Road, Strathfield
Lot 1 DP 309287 (Cont'd)

Clause	Development Control	Required	Proposal	Compliance
		<p>Boarding House Manager where capacity of > 20 lodgers</p> <p>One (1) bicycle space and one (1) motorcycle space per five (5) boarding rooms. Therefore, (2) spaces required.</p>	<p>for lodgers.</p> <p>One (1) caretaker unit proposed on ground floor</p> <p>Three (3) bicycle and three (3) motorcycle spaces provided in basement.</p>	<p>Yes.</p> <p>Yes.</p>
30A	Character	<p>A consent authority must not consent to development to which this division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.</p>	<p>The streetscape is characterised as a relatively traditional-style streetscape with a number of heritage listed dwellings located within close proximity to the subject site. This includes the dwelling immediately north as well as dwellings west of the site on the opposite side of Homebush Road.</p> <p>The proposal is a two (2) storey development with an unarticulated northern elevation wall which together will impinge on the significance of the northern adjoining heritage dwelling which is a single storey brick cottage.</p> <p>The front façade of the development is over complicated including a dog-leg ramp which extends across the entire width of the front façade and will appear out of scale and form with surrounding dwellings.</p>	<p>No, refer to discussion.</p>

88 Homebush Road, Strathfield
Lot 1 DP 309287 (Cont'd)

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

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

<i>Cl. 1.2(2)</i>	<i>Aims</i>	<i>Complies</i>
<i>(a)</i>	<i>To achieve high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield</i>	No
<i>(b)</i>	<i>To promote the efficient and spatially appropriate use of land, the sustainable revitalisation of centres, the improved integration of transport and land use, and an appropriate mix of uses by regulating land use and development</i>	Yes
<i>(c)</i>	<i>To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community</i>	Yes
<i>(d)</i>	<i>To provide opportunities for economic growth that will enhance the local community</i>	Yes
<i>(e)</i>	<i>To promote future development that integrated land use and transport planning, encourages public transport use, and reduced the traffic and environmental impacts of private vehicle use</i>	Yes
<i>(f)</i>	<i>To identify and protect environmental and cultural heritage</i>	No
<i>(g)</i>	<i>To promote opportunities for social, cultural and community activities</i>	Yes
<i>(h)</i>	<i>To minimise risk to the community by identifying land subject to flooding and restricting incompatible development</i>	Yes

Comments: The proposed development has not considered the prevailing built form, scale and type of existing dwellings in the streetscape. This is of particular concern given that a number of heritage dwellings are present in the immediate streetscape. Accordingly, the proposed development will impinge on the significance of the heritage buildings in the streetscape, particularly the heritage dwelling located immediately north of the site. Refer to likely impacts section for further discussion.

Permissibility

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

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

“boarding house means a building that:

- (a) is wholly or partly let in lodgings, and*
- (b) provides lodgers with a principal place of residence for 3 months or more, and*
- (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and*
- (d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers, but does not include backpackers’ accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.”*

The proposed boarding house is consistent with the above definition. In the event of an approval, conditions of consent would be imposed to ensure the boarding house operates within the confines of its approved use in accordance with the abovementioned boarding house definition provided by the SLEP 2012.

88 Homebush Road, Strathfield
Lot 1 DP 309287 (Cont'd)

Zone Objectives

An assessment of the proposal against the objectives of the R2 Zone is included below:

Objectives	Complies
To provide for the housing needs of the community within a low density residential environment.	Yes
To enable other land uses that provide facilities or services to meet the day to day needs of residents.	Yes
To ensure that development of housing does not adversely impact the heritage significance of adjacent heritage items and conservation areas.	No

Comments: Whilst the proposed development would provide a land use which is suitable for the housing needs of the community within the low density environment, the proposed building design is considered to adversely impact on the integrity of the heritage dwellings located immediately north and west of the subject site. Accordingly, the proposed development fails this objective.

Part 4: Principal development standards

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

Height of building

Cl.	Standard	Controls	Proposed	Complies
4.3	<i>Height of building</i>	9.5m	8.36m	Yes

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

Floor space ratio

Cl.	Standard	Controls	Proposed	Complies
4.4	<i>Floor space ratio</i>	0.575:1 (414.28m ²)	0.42:1 (304.199m ²)	Yes

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

Part 5: Miscellaneous Provisions

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

88 Homebush Road, Strathfield
Lot 1 DP 309287 (Cont'd)

5.10 Heritage Conservation

The subject site is located in the immediate vicinity of various Heritage Items identified under Schedule 5 of the SLEP, 2012. 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 dwelling immediately north of the subject site at 86 Homebush Road (Heritage Item I115) is significant for its 1890s single storey weatherboard cottage with hipped slate roof and wraparound bullnose verandah supported on timber posts. It is also noted that two (2) of the three (3) heritage dwellings located immediately west of the site are single storey and display hipped roof forms with a front verandah.

The heritage discussion provided in the submitted Statement of Environmental Effects mentions that the boarding house will take the appearance of a typical dwelling house so as to retain consistency in the streetscape. Consideration has also been given to a front setback that is greater than the southern adjoining property which is also commensurate with the front verandah setback of the heritage item.

Whilst the proposed development presents as a dwelling house with an increased front setback of 8.2m to align with the heritage dwelling, concern is still raised with the development's compatibility with the streetscape. Firstly, the development provides minimal articulation along the northern side elevation which adjoins the heritage dwelling. The two (2) storey blank elevation wall will be of stark contrast to the single storey dwelling located to the north of the site and would impinge on the curtilage established around the heritage site. Secondly, the high post and beam structure over the basement driveway along the southern side elevation of the dwelling is recessive and is incompatible with the scale of the single storey dwellings in the streetscape. Thirdly, the dog-leg ramp which spans the entire width of the front façade of the development results in additional and unnecessary bulk to the structure which is incompatible with surrounding development in the streetscape which provides a direct relationship between the public and private domain.

Part 6: Local Provisions

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

6.1 Acid sulfate soils

The subject site is identified as having Class 5 soils and is not located within 500m of Class 1, 2, 3 or 4 soils. Therefore, the proposed development was not required to be accompanied by an Acid Sulfate Soils Management Plan and has satisfied the requirements of Clause 6.1 of the SLEP, 2012.

79C(1)(a)(ii) any draft environmental planning instruments

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

79C(1)(a)(iii) any development control plan

88 Homebush Road, Strathfield
Lot 1 DP 309287 (Cont'd)

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005

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

Heritage and Conservation

Cl. 1.11	Aims	Complies
A	<i>To preserve and enhance the visual and environmental amenity of heritage items and heritage conservation areas within the municipality of Strathfield</i>	No
B	<i>Ensure all new development affecting heritage items and conservation areas is designed to be compatible in setting, scale, setbacks, form, materials and character with the building and surrounding area</i>	No
C	<i>Ensure that development in the vicinity of a heritage item or conservation area does not have any adverse impact on the heritage significance or setting and that development is compatible in setting, scale, setbacks, form, materials and character with the item or conservation area</i>	Yes
D	<i>Conserve archaeological sites and places of Aboriginal significance</i>	Yes
Cl. 1.11	Controls	Complies
(1)	<i>A Statement of Heritage Impact is required for proposed development:</i> a) <i>affecting a heritage item;</i> b) <i>within a heritage conservation area; or</i> c) <i>in the vicinity of an item or heritage conservation area</i>	Yes
(2)	<i>This statement must set out the heritage significance of the structure or place and assess the extent to which carrying out of the proposed development would affect the significance of the heritage item or heritage conservation area concerned and outline measures to minimise any identified impact</i>	Yes

Comments: A Statement of Heritage Impact was submitted with the application to address the proposed development's impact upon the adjoining heritage item and the Homebush Road streetscape. The statement has regard to the prevailing setbacks, materials, finishes and colours and to the design the development, but the proposed development is incompatible with the scale, form and character of the adjoining heritage dwelling. Therefore the proposed development would likely have an adverse impact upon the visual amenity of the various heritage items located within the streetscape. Refer to 'Likely Impacts' section for further discussion.

PART H - WASTE MANAGEMENT (SCDCP 2005)

The proposal was accompanied by a Waste Management Plan. As previously mentioned by Council's Waste Officer, the proposed development makes insufficient provision for onsite storage and management of waste in accordance with Council's Part H requirements and cannot be supported.

79C(1)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 93F of the *Environmental Planning and Assessment Act 1979*.

(i) matters prescribed by the regulations

Clause 92 of the *Environmental Planning and Assessment (EP&A) Regulation 2000* requires Council to take into consideration the provisions of the Government Coastal Policy and Australian

**88 Homebush Road, Strathfield
Lot 1 DP 309287 (Cont'd)**

Standard AS2601–1991: *The Demolition of Structures*, in the determination of a development application.

Having regard to these prescribed matters, the proposed development is not located on land subject to the Government Coastal Policy as determined by Clause 92(1)(a)(ii) however does involve the demolition of a building for the purposes of AS 2601 – 1991: *The Demolition of Structures*.

Should this application be approved, appropriate conditions of consent are included within the recommendation to ensure compliance with any relevant regulations.

(ii) any coastal zone management plan

The NSW Government projects sea levels to rise by 40cm in 2050 and by 90cm in 2100 above the relative mean sea level in 1990. These planning benchmarks are to be considered in the assessment of development applications through the applicable coastal zone management plan or alternatively the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

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

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

79C(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality**Character**

Clause 30A of the Affordable Rental Housing (ARH) SEPP 2009 requires consideration be given to the character of the proposed development with respect to the prevailing character of development in the streetscape. As previously discussed, a number of heritage dwellings are located in the immediate streetscape including the dwelling immediately adjoining the site to the north. Whilst the church located immediately south of the subject site is two (2) storeys high, the remaining development in the streetscape is predominantly single storey and are original constructions.

The proposed development has sought to raise the floor levels of the entire development which results in additional and unnecessary height and bulk applied to the development. This was a consequence of the initial comments provided by Council at the pre-lodgement meeting held at on 13 August 2015. At that time, the site was identified as being heavily flood affected by the 1 in 100 year floor event thus requiring the floor levels to be raised significantly. Since lodgement of the subject application however, a revised flood study was undertaken by Council whereby the site was no longer identified as a flood affected site. Whilst this has been discussed with the applicant with a request to lower the floor levels, the design has not been amended to reflect this. Accordingly, the floor level heights are considered inappropriate and will add unnecessary additional height to the development. This is of further contrast to the single storey heritage dwellings surrounding the site and is not supported.

**88 Homebush Road, Strathfield
Lot 1 DP 309287 (Cont'd)**

Council's Heritage Advisor has expressed the need for the relationship between the proposed development and northern adjoining heritage building to be improved by modifying the massing, scale, height and design of the development overall. This has included a re-design of the front façade of the development to include better articulation to the central break-front two (2) storey element, enhancing legibility of the front entrance, reducing the height of the roof opening over the southern driveway and simplifying the form and massing to eliminate unresolved junctions. Such modifications were not made to the proposed development and therefore Council is not satisfied that the proposed development is appropriate for the site within its given context.

Overall, it is evident that the proposed development is not compatible with the northern adjoining heritage dwelling nor the remaining original developments in the streetscape. Consequently, the proposed development fails to meet the requirements of the Clause 30A SEPP character test and is therefore unable to be supported as proposed.

Dwelling size

Clause 29 of the Affordable Rental Housing SEPP 2009 requires each unit to achieve a minimum single bedroom dwelling size of 12m². The calculation is required to exclude all kitchen and bathroom areas. An assessment of the application reveals that all units only achieve a minimum dwelling size of 11.6m² and therefore falls slightly short of the minimum requirements. Compliance with the minimum unit sizes are required to ensure that an acceptable level of residential amenity is provided and maintained. Accordingly, while the departure from the minimum dwelling sizes is not significant it would be inappropriate to support a reduction in dwelling size given that the standard itself is already minimal. The variation cannot therefore be supported.

Waste Management

As previously mentioned by Council's Waste Officer, the proposed development makes insufficient provision for onsite storage and management of waste in accordance with Council's Part H requirements. An on-site bin holding area should be provided on the site including an additional area provided for bulky goods. Whilst provision of such an area may have been able to be provided in the basement area, the application is recommended for refusal and accordingly conditions of consent are unable to be imposed to ensure such an area is provided.

79C(1)(c) *the suitability of the site for the development*

The proposed development is considered to be unsuitable to the site in that the Applicant has failed to undertake a Stage 2 Detailed Site Investigation (as required by the Stage 1 preliminary report) and it therefore cannot be confirmed that the proposed development is suitable for the subject site.

79C(1)(d) *any submissions made in accordance with this Act or the regulations*

The application was notified in accordance with Part L of the SCDCP 2005 from **30 May 2017** to **15 June 2017**, with (11) submissions including one (1) petition containing (12) signatures received, raising the following concerns:

1. *Demolition of existing site*

Concern is raised in relation to the proposed demolition of the existing dwelling which adds significant charm and character to the street.

Assessing officer's comments: The existing dwelling is not identified as a Heritage Item nor is it located within a Heritage Conservation Area and accordingly demolition of the existing structure is permitted.

**88 Homebush Road, Strathfield
Lot 1 DP 309287 (Cont'd)**

2. Site Suitability

Concern is raised in relation to the proposed boarding house being located in a low density residential area and is not in keeping with the area.

Assessing officer's comments: Whilst boarding house developments are permissible within the subject zoning, the overall design of the development is considered inappropriate for the area and is therefore not supported.

3. Access to Public Transport

Concern is raised over the proposed development not being located within the complying zone for accessibility to public transport and therefore does not comply.

Assessing officer's comments: Clause 27(2) of the ARH SEPP requires the site to be located within 400m of a bus stop. The site is located within 400m of both the 480 and 483 bus routes and therefore is compliant with this requirement.

4. Zoning Compatibility

Concern is raised over the site's compatibility with the R2 – Low Density Residential development zoning objectives.

Assessing officer's comments: Refer to permissibility section in report for discussion.

5. Height

Concern is raised over the proposed height of the building which achieves a maximum of 9.2m and does not comply with the DCP controls.

Assessing officer's comments: The proposed development achieves a maximum height of 8.36m. Whilst the development complies with the maximum 9.5m height requirement (which takes precedence over the 9m height requirements contained in the DCP), the height is not compatible with the prevailing dwelling heights in the streetscape.

6. Heritage

Concern is raised over the detrimental impact that the proposed development would have on the heritage character of Homebush Road and surrounding heritage dwellings in the immediate streetscape.

Assessing officer's comments: Refer to Heritage discussion in the report.

7. DCP Compliance

The proposed development does not comply with the provisions of the Strathfield Development Control Plan in numerous respects including heritage conservation, residential amenity, streetscape and massing.

Assessing officer's comments: The proposed development is an affordable rental housing development which is assessed against the provisions of the ARH SEPP. Accordingly, the provisions of Part A of the SCDCP do not apply.

8. Overdevelopment

Concern is raised over the proposed development being a massive over-development, in terms of bulk and height and the proposed building covering almost the full width of the block.

Assessing officer's comments: Refer to Likely Impacts section for discussion regarding assessment against Character test.

9. Traffic

**88 Homebush Road, Strathfield
Lot 1 DP 309287 (Cont'd)**

Concern is raised in relation to the existing traffic on Homebush Road, Redmyre Road and Oxford Road whereby the proposed development with increased tenancy prospects and car parking spaces may exacerbate the traffic situation, increasing the magnitude of injuries and accidents; causing further delays and stress.

Assessing officer's comments: The proposed development has been assessed against the off-street parking provisions of the ARH SEPP requiring a minimum of two (2) off-street parking spaces to be provided for the site. The site provides three (3) off-street parking spaces which comply with this requirement.

10. Noise

Concern is raised in relation to the additional noise and traffic caused by the ongoing arrival and departure of boarding house tenants and their guests.

Assessing officer's comments: It is clear that the proposed development will undoubtedly result in additional noise and traffic through the site. Notwithstanding, the proposed use is permissible in the zoning and all entry and exits will be located upon the southern side boundary of the site closest to the church development and away from the adjoining heritage dwelling. In the event of approval, a plan of management would be required to be provided including specific restrictions on the signing in of guests and hours of use of the outdoor communal open space areas through the site.

11. Setbacks

Concern is raised over the proposed 7m setback proposed for the development which should be increased to 9m to align with the northern adjoining federation property on 86 Homebush Road.

Assessing officer's comments: Amended plans were submitted during the assessment, increasing the front setback to 8.2m to align with the 8.2m front setback provided by the northern adjoining heritage item at 86 Homebush Road.

12. Landscaping

Concern is raised over the lack of deep soil landscaping provided for the site which is below the required 45% for the site.

Assessing officer's comments: The proposed development has been assessed against the relevant landscaping provisions under the Affordable Rental Housing SEPP 2009. The proposal complies with the ARHSEPP requirements as it provides an 8.2m front setback which is compatible with the prevailing 8.2m setback provided by the northern adjoining dwelling. Further, the site provides a minimum 83.67m² of private open space for lodgers and 8.94m² of private open space for a caretaker.

13. Waste

Concern is raised in relation to the additional waste generated by the development and its disposal.

Assessing officer's comments: The proposed development has been assessed against the requirements of Part H of the SCDCP 2005 and is considered unsatisfactory and is therefore not supported.

14. Excavation of Basement

Concern is raised over the proposed construction of the new basement and any possible structural damage to adjoining dwellings.

Assessing officer's comments: The basement would be contained within the footprint of the proposed development and will attain appropriate setbacks from the adjoining boundaries. In the

88 Homebush Road, Strathfield
Lot 1 DP 309287 (Cont'd)

event of the approval of the application, a condition of consent would be imposed requiring the provision of dilapidation surveys of nearby properties (subject to the consent of the neighbours).

79C(1)(e) the public interest

The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development is not considered to be contrary to the public interest.

SECTION 94 CONTRIBUTIONS

Section 94 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The Act reads as follows:

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

STRATHFIELD DIRECT SECTION 94 CONTRIBUTIONS PLAN

Section 94 Contributions are applicable to the proposed development in accordance with the Strathfield Direct Development Contributions Plan 2010-2030. However, given that the subject application is recommended for refusal, the contributions have not been calculated.

CONCLUSION

The application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2013 and the Strathfield Development Control Plan 2005 and is considered to be unsatisfactory for approval.

RECOMMENDATION

That Development Application No. 2017/070 for demolition of existing structures and construction of a two (2) storey boarding house with basement parking at 88 Homebush Road, Strathfield be **REFUSED**, for the following reasons:

1. The proposal fails to satisfy the requirements of the State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) which requires Council to consider whether the site is suitable in its current state or following the completion of remediation works for the purpose for which development consent is being sought (Section 79C(a)(i) of the *Environmental Planning and Assessment Act 1979*).
2. The proposal fails to satisfy the character test requirement under Clause 30A of the ARHSEPP that stipulates the proposed development must achieve harmony with the streetscape including the heritage dwelling immediately north of the site. This is a consequence of the minimal level of articulation provided along the northern side elevation

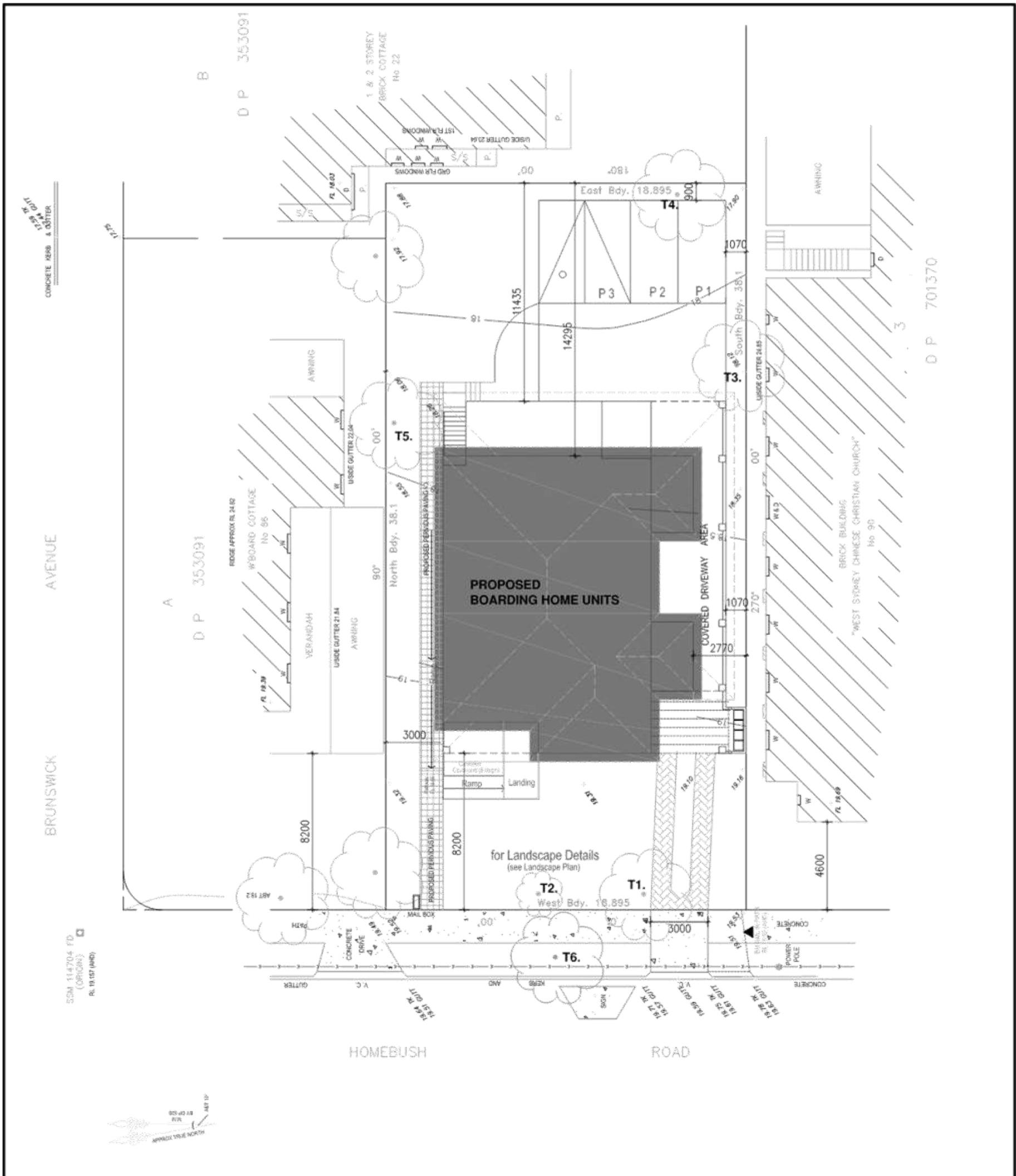
88 Homebush Road, Strathfield
Lot 1 DP 309287 (Cont'd)

of the development; the height of the finished ground floor levels which are raised well above natural ground level; the very high post and beam structure over the basement driveway; and the dog-leg ramp which extends across the full width of the front façade of the development thereby limiting the interface between the private and public domain (Section 79C(a)(i) of the *Environmental Planning and Assessment Act 1979*).

3. The proposal fails to satisfy the objectives of Clause 1.2 (2) (a) of the Strathfield Local Environmental Plan 2012 which seeks to ensure a high quality built form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of the Homebush Road streetscape. (Section 79C(a)(i) of the *Environmental Planning and Assessment Act 1979*)
4. The proposal fails to satisfy the objectives of Clause 1.2 (2) (f) and provisions under Clause 5.10 of the Strathfield Local Environmental Plan 2012 which requires heritage items including associated fabric, settings and views to be conserved. The proposal is incompatible with the prevailing height, bulk and scale of surrounding heritage dwellings (item I115 in particular). The proposed development impinges upon the curtilage established around the northern adjoining heritage dwelling and is of direct contrast to the traditional-style dwellings in the streetscape which are predominantly single storey (Section 79C(a)(i) of the *Environmental Planning and Assessment Act 1979*).
5. The proposed development makes insufficient provision for the onsite storage and management of waste in accordance with the requirements of Part H of the Strathfield Consolidated Development Control plan 2005 (Section 79C(a)(iii) of the *Environmental Planning and Assessment Act 1979*).
6. The proposed new units are undersized and would result in poor amenity for future residents (Section 79C(b) of the *Environmental Planning and Assessment Act 1979*).

ATTACHMENTS

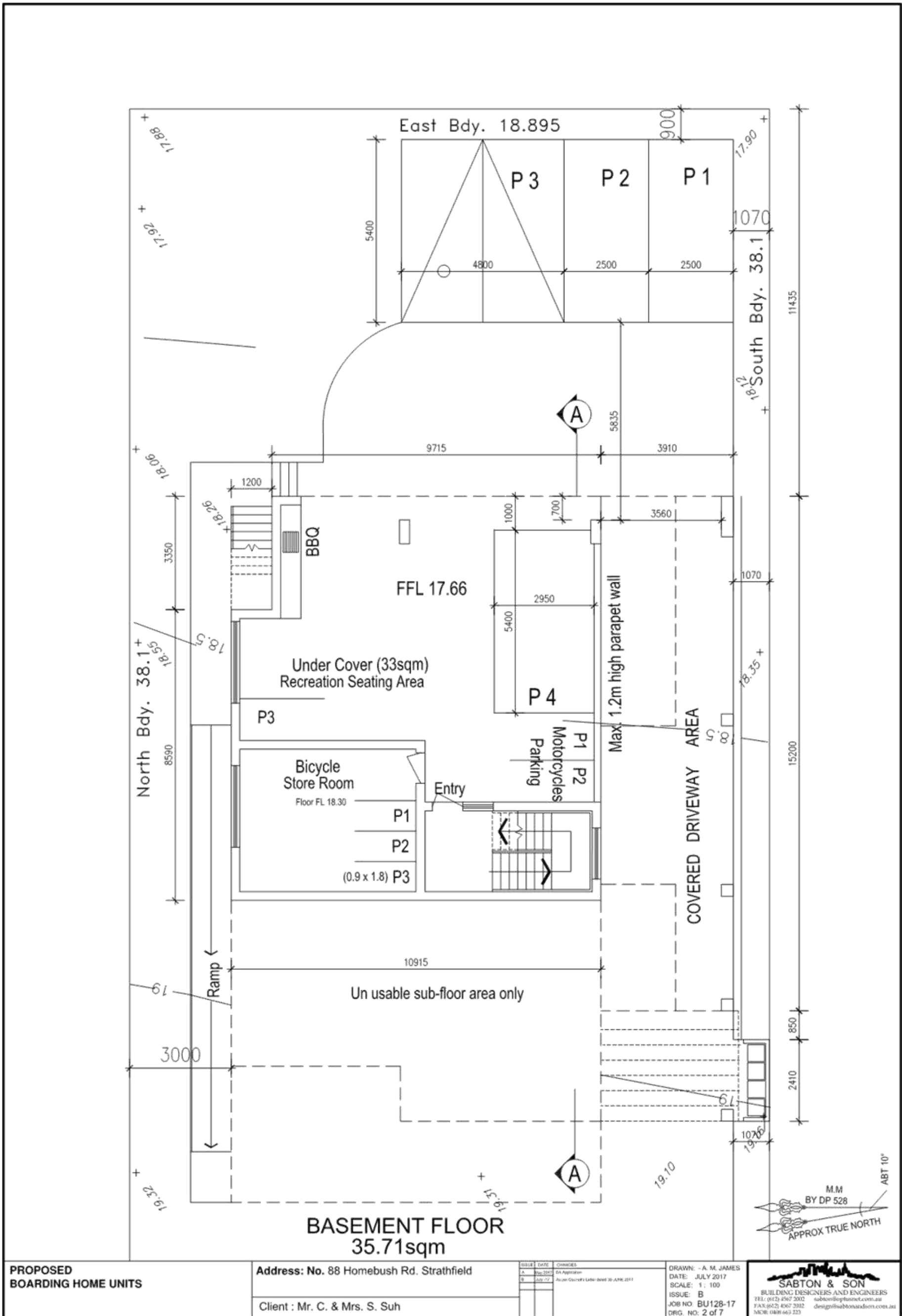
1. [↓](#) Plans



SITE PLAN 1:200

Development Data			
Site Area.....	719.00m ²	Total G.F. Floor Area.....	154.14m ²
Building Footprint.....	189.39m ²	Total F.F. Floor Area.....	149.64m ²
Total Impervious Area.....	441.00m ²	Total Basement Area.....	29.18m ²
Total Pervious Area.....	263.76m ²	Total Floor Area.....	339.49m ²
Total number of Boarding Units.....	10	Total Roof Area.....	291.61m ²
Total Accessible Units provided.....	2	Private Courtyard Area.....	93.72m ²
Total car parking provided.....	4	Minimum front setback.....	7.2m
Accessible parking provided.....	1	Min. side setback (with openings).....	3.0m
Total motorcycle parking provided.....	3	Min. side setback (no openings).....	2.77m
Total bicycle parking provided.....	3	Min. rear 1 storey setback.....	12.4m
Covered Recreation Area.....	33.00m ²	Min. rear 2 storey setback.....	17.4m

<p>PROPOSED DEVELOPMENT OF 12 BOARDING HOME UNITS WITH BASEMENT PARKING UNDER.</p>	<p>Address: No. 88 Homebush Rd. Strathfield Lot 1. D.P.309287</p>	<table border="1"> <thead> <tr> <th>ISSUE</th> <th>DATE</th> <th>CHANGES</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>May 07</td> <td>DA Application</td> </tr> <tr> <td>B</td> <td>July 17</td> <td>As per Council's Sub-Panel 16, APRIL 2017</td> </tr> </tbody> </table>	ISSUE	DATE	CHANGES	A	May 07	DA Application	B	July 17	As per Council's Sub-Panel 16, APRIL 2017	<p>DRAWN: - A. M. JAMES DATE: JULY 2017 SCALE: 1: 200 ISSUE: B JOB NO: BU128-17 DRG. NO: 1 of 7</p>	<p>SABTON & SON BUILDING DESIGNERS AND ENGINEERS TEL: (02) 4567 3332 sabton@optusnet.com.au FAX: (02) 4567 3332 design@sabtonandson.com.au NSW: 1489162 223</p>
	ISSUE		DATE	CHANGES									
A	May 07	DA Application											
B	July 17	As per Council's Sub-Panel 16, APRIL 2017											
<p>Client : Mr. C. & Mrs. S. Suh</p>													



PROPOSED BOARDING HOME UNITS

Address: No. 88 Homebush Rd. Strathfield

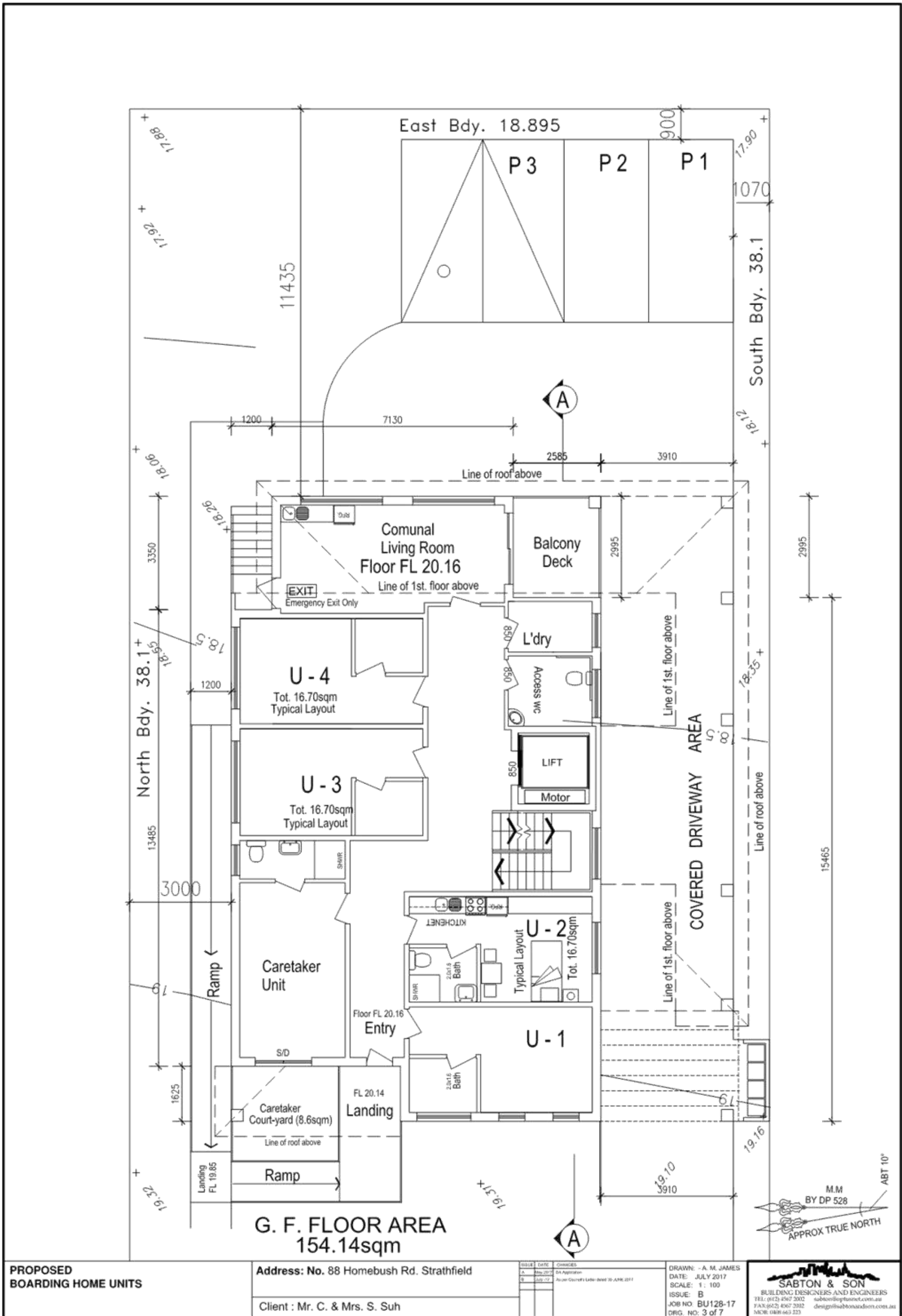
Client : Mr. C. & Mrs. S. Suh

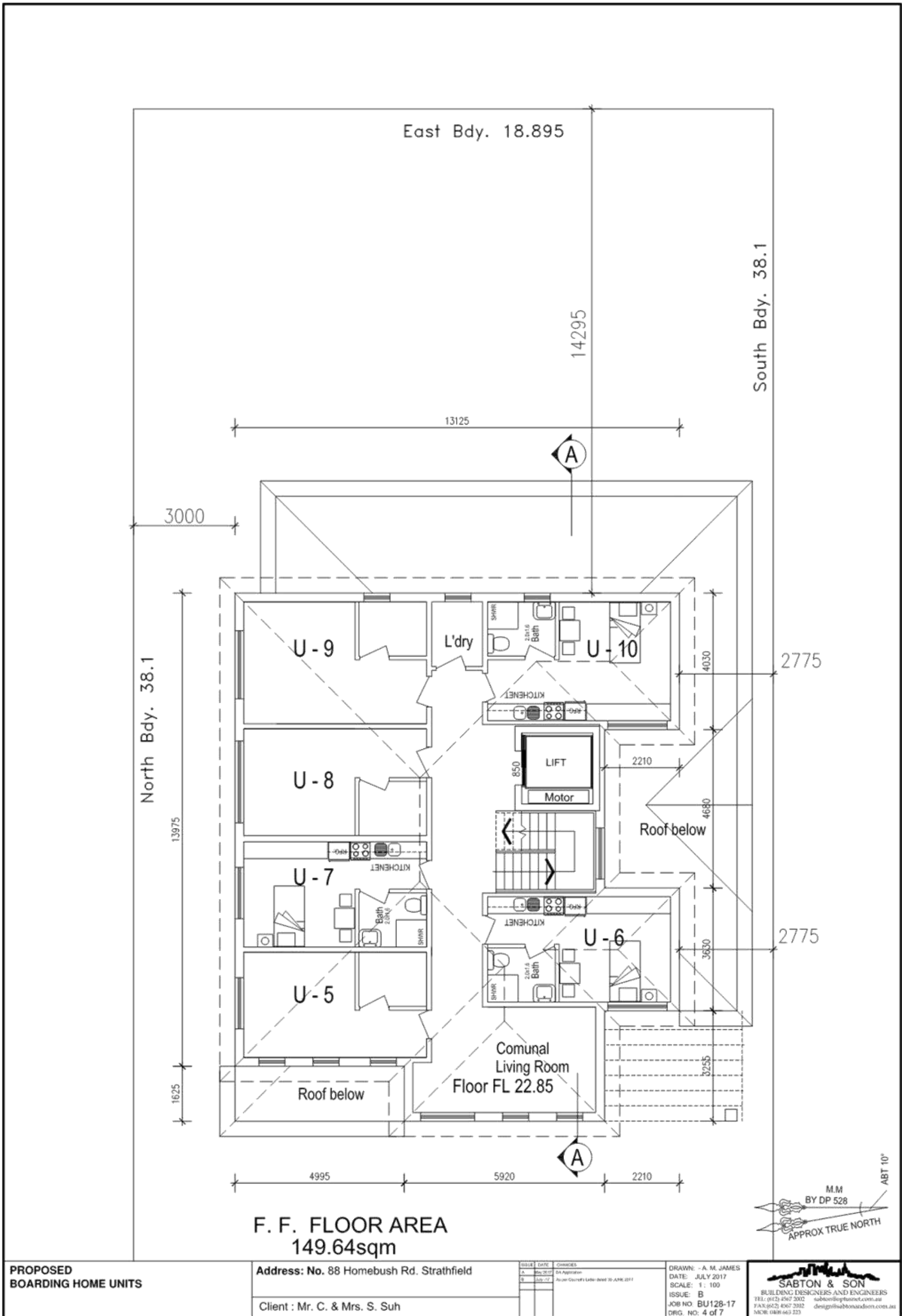
ISSUE	DATE	CHANGES
A	20/07/17	DA Application
B	20/07/17	As per Council's Letter dated 20-JUNE-2017

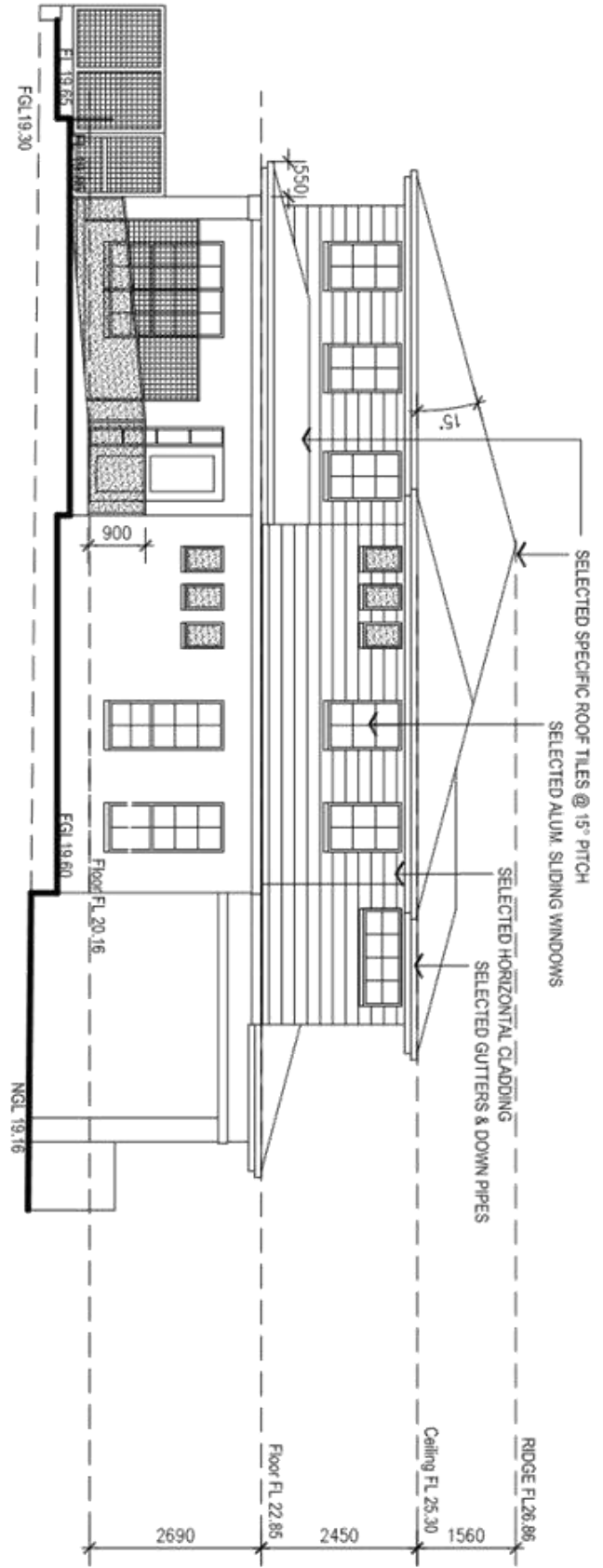
DRAWN: - A. M. JAMES
 DATE: JULY 2017
 SCALE: 1 : 100
 ISSUE: B
 JOB NO: BU128-17
 DRG. NO: 2 of 7

M.M
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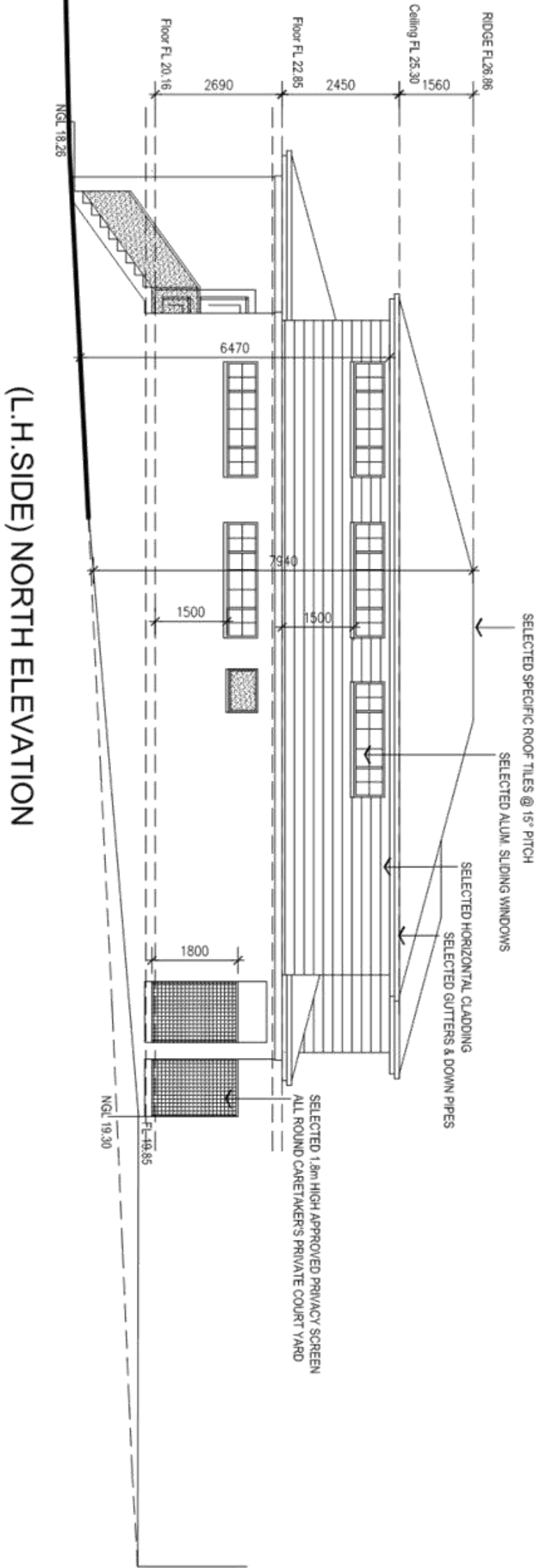
SABTON & SON
 BUILDING DESIGNERS AND ENGINEERS
 TEL: (012) 4567 2002 sabton@optusnet.com.au
 FAX: (012) 4567 2002 design@sabtonandson.com.au
 MOB: (0488) 663 223







(Flood mitigated construction) WEST ELEVATION



(L.H.SIDE) NORTH ELEVATION

PROPOSED BOARDING HOME UNITS

Address: No. 88 Homebush Rd. Strathfield

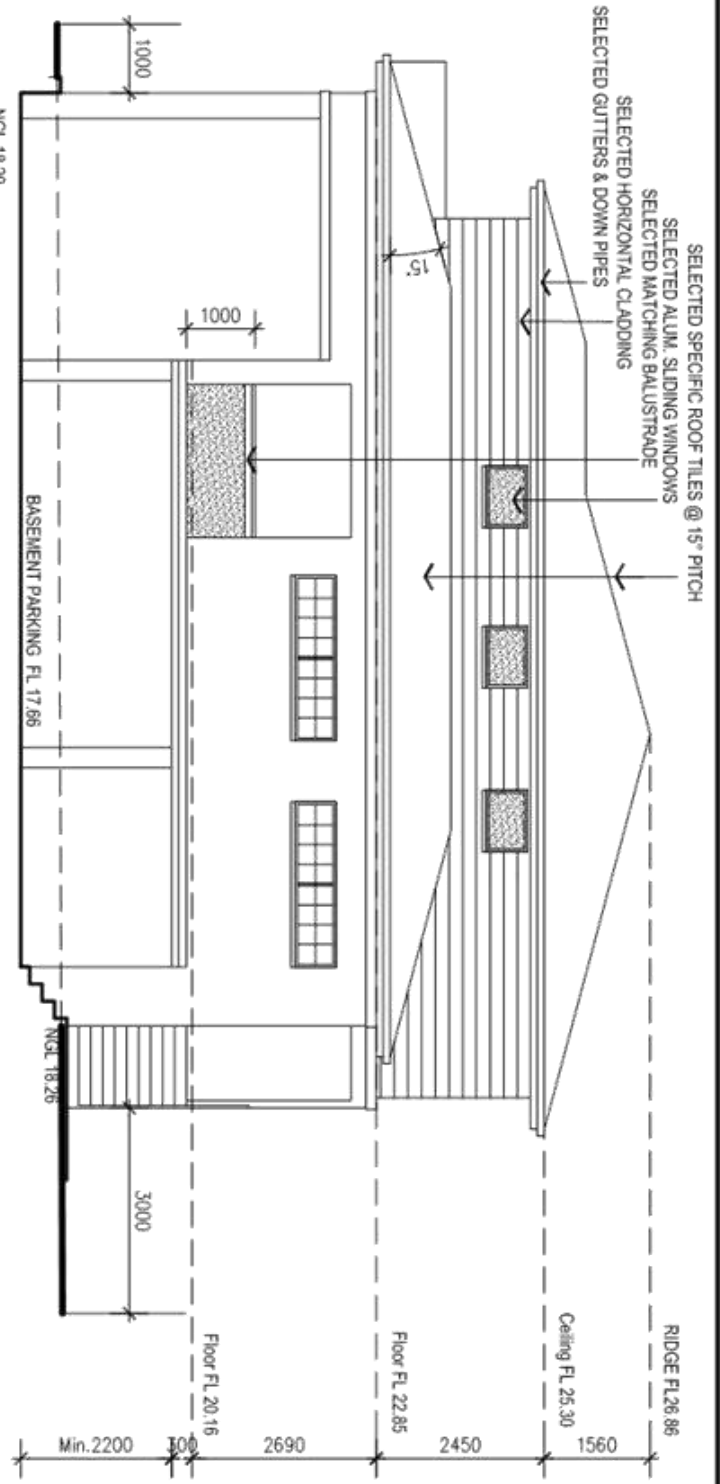
Client : Mr. C. & S. Suh

ISSUE	DATE	CHANGES
A	May 17	DA Application
B	July -17	As per Council's Letter dated 30 JUNE 2017

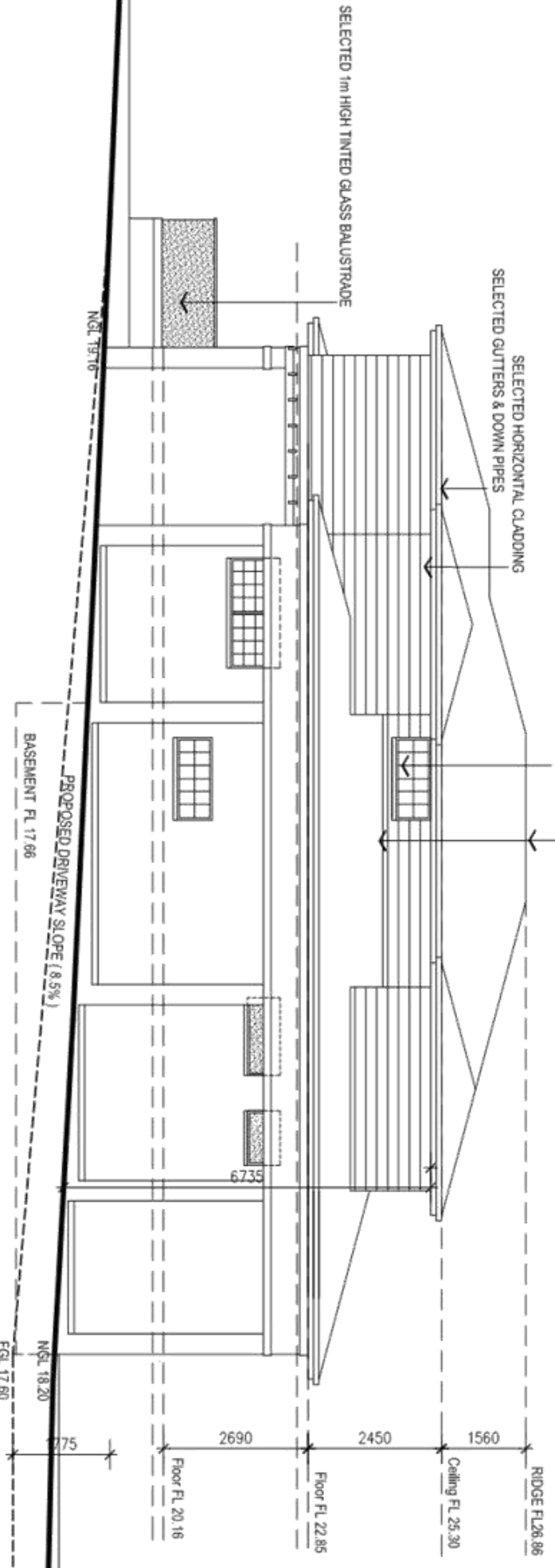
DATE:	MAY 2017
SCALE:	1:100
DRAWN:	A. W. JAMES
ISSUE:	B
JOB NO.:	BU128-17
DRG. NO.:	5 of 7

TEL: (612) 4567 2002
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 design@sabtonandson.com.au





(Flood mitigated construction) EAST ELEVATION



(R.H. SIDE) SOUTH ELEVATION

PROPOSED BOARDING HOME UNITS

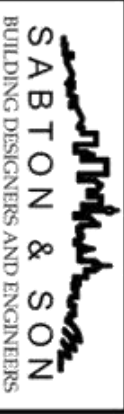
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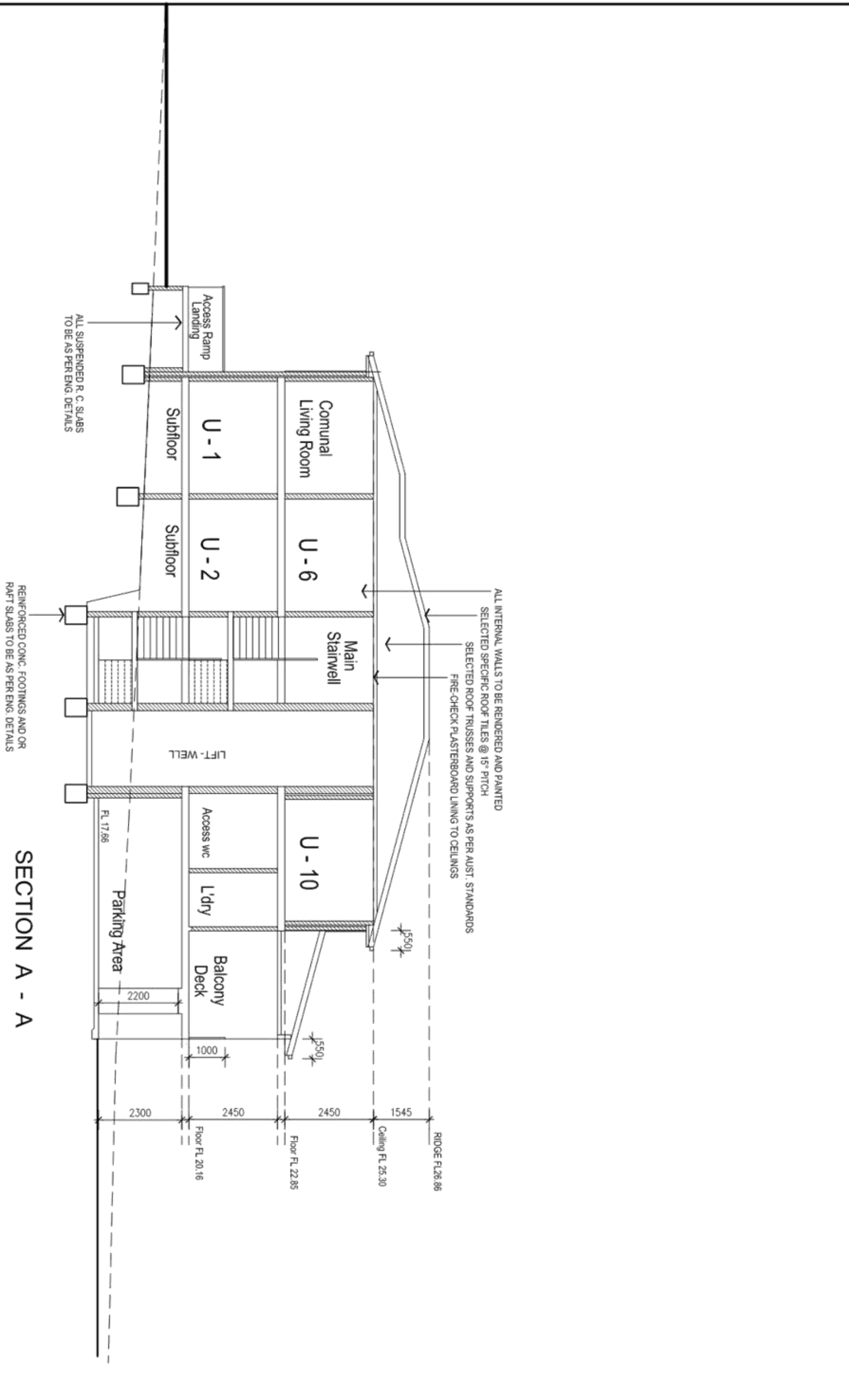
Client : Mr. C. & S. Suh

ISSUE	DATE	CHANGES
A	May 17	DA Application
B	July -17	As per Council's Letter dated 30 JUNE 2017

DATE	SCALE	DATE	SCALE
JULY 2017	1:100	JULY 2017	1:100

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 designs@sabtonandson.com.au





SECTION A - A

PROPOSED BOARDING HOME UNITS		Address: No. 88 Homebush Rd. Strathfield		ISSUE	DATE	CHANGES	DATE	SCALE	DATE	TEL: (612) 4567 2002
		Client : Mr. C. & S. Suh		A	May 17	DA Application	JUN 2017	1:1028&4		MOB: 0408 663 223
				B	July 17	As per Council's Letter dated 30 JUNE 2017		A. W. JAMES		sabton@optusnet.com.au
								B		design@sabtonanderson.com.au
								BU128-17		
								7 of 7		

SABTON & SON
BUILDING DESIGNERS AND ENGINEERS

TO: Strathfield Independent Hearing and Assessment Panel Meeting - 7
September 2017

REPORT: SIHAP – Report No. 3

SUBJECT: 81-86 COURALLIE AVENUE, HOMEBUSH WEST
STAGE 1D & 1E

DA NO. 0405/176/9

SUMMARY

Proposal: Section 96(2) to modify the approved 29 x 3 bedroom dual access units into 29 x 2 bedroom units and 29 x studio units as well as deletion of lower basement parking of Building 6 under Stage 1D

Applicant: Michael Raad Architects Pty Ltd

Owner: The Proprietors of SP 87671

Date of lodgement: 21 June 2017

Notification period: 4 July 2017 – 19 July 2017

Submissions received: (25) submissions and two (2) petitions containing (19) signatures

Assessment officer: LM

Zoning: R3 Medium Density - SLEP 2012

Heritage: N/A

Flood affected: No

Is a Clause 4.6 variation proposed? No -

RECOMMENDATION OF OFFICER: APPROVAL

EXECUTIVE SUMMARY

On 12 June 2007, Council approved Development Application No. DA0405/176 for Stage 1D & 1E of “Centenary Park” residential estate comprising (389) apartment units. A number of modifications have been lodged following approval of the application. Of the eight (8) applications which were lodged, only three (3) have been approved which were DA0405/176/02, DA0405/176/03 and DA0405/176/04. The approved modifications have resulted in numerous design changes to the buildings approved under Stage 1D and 1E including an increase in the number of residential units, FSR and overall height of the development. DA0405/176/03 also included the reconfiguration of basement parking on the site to include a second additional level of basement parking containing (408) spaces. In total the basement levels below buildings 2-6 were to contain (737) spaces. This has resulted in a surplus of (337) spaces beyond the minimum required parking spaces.

The subject modification application was lodged under Section 96(2) of the *Environmental Planning and Assessment Act 1979* and seeks to modify Development Consent No. DA0405/176 to remove all dual access apartments to buildings 3-6 and replace each dual access unit with a two (2) bedroom unit and studio unit. The proposed modifications will result in (29) additional units on the site. The application also seeks to delete a portion of the level 2 basement as there is a surplus in car parking.

**81-86 Courallie Avenue, Homebush West
Stage 1D & 1E (Cont'd)**

The application has been considered against the relevant SEPP, LEP and DCP requirements and has generally adhered to these standards. Notwithstanding, a condition of consent is recommended to improve the unit mix throughout the building and increase the number of three (3) bedroom units provided throughout the site.

Overall, the proposed modifications will result in an acceptable level of residential amenity. As such, the proposed modifications are considered appropriate and are therefore recommended for approval.

BACKGROUND

The following applications provide a relevant background to the subject site:

Remediation & Civil Works

DA95/67	Development Application (DA) for substantial remediation works to the site was approved by Council.
DA95/135	DA to implement Environmental Management Measures was approved by Council on 17 December 1996.
DA 9899/446	DA for the construction of vehicular access from Marlborough Road was approved in September 1999.
DA 9900/402	DA for earthworks and drainage works to the site including construction of a detention basin and stormwater detention tank was approved in April 2001.
Spot Rezoning	The Strathfield LEP Amendment 103 to rezone the site from Industrial 4 to Residential B was gazetted on 17 January 2003.
Site Specific DCP	Council resolved to adopt DCP No. 25 which contains the controls for the future development of the subject site on 1 October 2002.
DA0304/203 – Master Plan	DA proposing a masterplan for the future residential development of Stage 1 of the site at 79 Courallie Avenue was approved on 20 January 2004. This Masterplan approval specifically stated that a further stage (Stage 2) would be provided to Council at a later date and would be subject to a separate application.

Stages 1D and 1E

0405/176	Approved by Council 12 June 2007.
0405/176/01	Section 96 Application to extend the lapse date was refused by Council 13 May 2008.
0405/176/02	S96(2) to modify the Stage 1E and the design of buildings 7, 8 and 9, incorporating the additional FSR from buildings 11 and 12 which was modified under DA0405/160/03 and DA2013/132. This application was approved on 12 December 2013.

**81-86 Courallie Avenue, Homebush West
Stage 1D & 1E (Cont'd)**

- 0405/176/03 S96(2) to reconfigure the footprints of five (5) residential flat buildings which were approved as Stage 1D including consent for (303) residential units and an additional second level of basement parking. This application was approved on 24 August 2015.
- 0405/176/04 S96(1A) to modify the terrace and balcony sizes throughout buildings 7,8 and 9 of Stage 1E was approved 4 December 2015.
- 0405/176/05 S96(2) to increase the heights of three (3) residential flat buildings which were approved in Stage 1D and which are identified as Buildings B2, B3 and B4 was refused at Council meeting 6 October 2015.
- 0405/176/06 S96(1A) to modify conditions 53 and 59 to permit extended construction hours of 6:30am to 9:00pm on three (3) separate occasions to allow for concrete pouring and finishing of the transfer slabs was refused 8 February 2017.
- 0405/176/07 A Section 82A review was lodged however was subsequently withdrawn 20 March 2017.
- 0405/176/08 96(1A) to remove conflict in approved plans resulting in four (4) additional units located in the top level of buildings 2, 3 and 6 of Stage 1D was lodged. This was later withdrawn.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is located at 81-86 Courallie Avenue (formerly 78 Marlborough Road), Homebush West. The site is known as Centenary Park and has a curvilinear shape with an area of approximately 6 hectares (60,000m²) when calculated in accordance with the requirements of the SLEP 2012.

The site is traversed in part by a 20-30 metre wide easement that accommodates a high voltage electricity easement over part of the site, near the gatehouse entry and buildings proposed as Stage 2. A transmission tower is located within the easement and whilst emergency access is required to be maintained to the easement and transmission tower, the applicant has entered into an agreement with Ausgrid for the use of the easement area surrounding the tower as common open space (DA2015/033).

Substantial works have commenced at the site and a number of residential flat buildings and townhouses within the development are now occupied.

The site is bordered to the south and west by the Western Railway line, and is located between Lidcombe (1.3km) and Flemington (700 metres) Railway Stations.

PROPERTY BURDENS AND CONSTRAINTS

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

81-86 Courallie Avenue, Homebush West
Stage 1D & 1E (Cont'd)

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks to reconfigure the units of five (5) residential flat buildings which were approved under Stage 1D. Specifically, the proposal results in a reconfiguration of the building floor plates to remove all three (3) bedroom dual access apartments and replace with two (2) bedroom and studio units. This will result in (29) additional units which will provide a total of (333) units provided across five (5) separate buildings. The proposal will also remove a portion of the level 2 basement parking located immediately below Building 6.

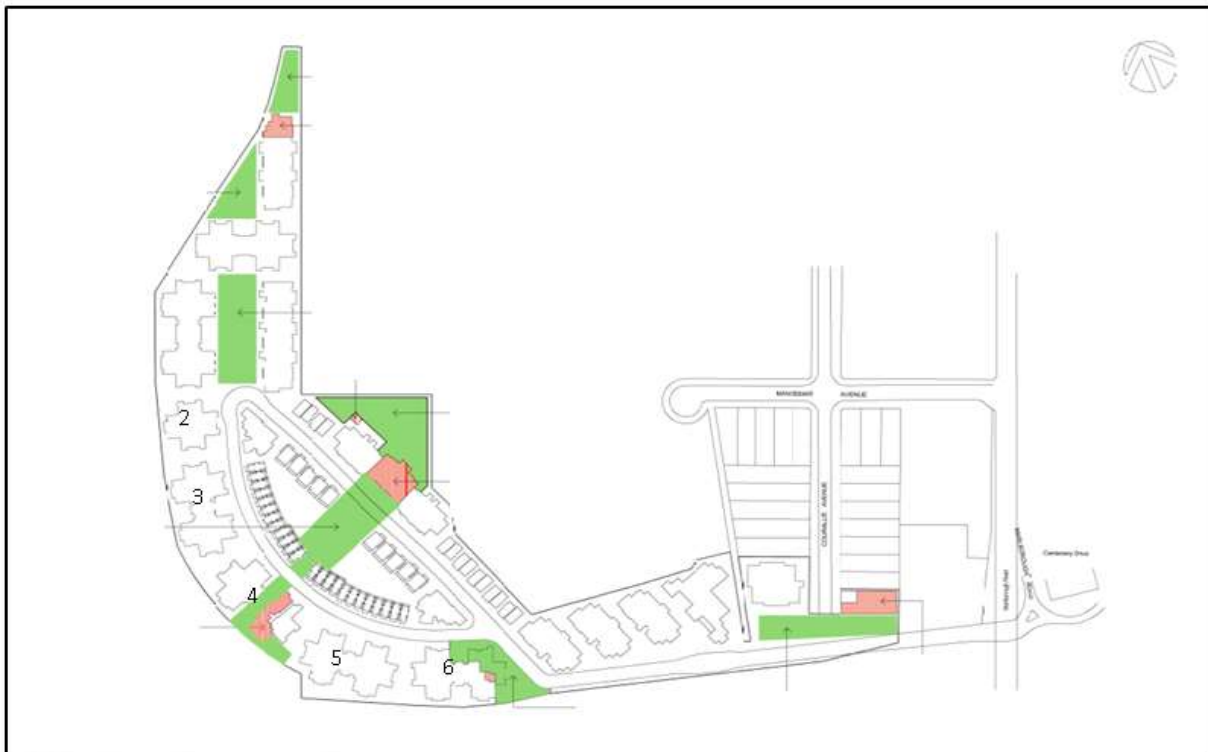
NOTE: No modifications are proposed to Building 2 of the development with modifications proposed for Buildings 3,4,5 and 6 only.

A comparison between the approved and proposed unit mix is provided in the table below:

STAGE 1D		Approved		Proposed	
Building 2					
	1 Bed	0		0	
	2 Bed	30		30	
	3 Bed	1	31	1	31
Building 3	studio	0		8	
	1 Bed	8		8	
	2 Bed	44		52	
	3 Bed	10	62	2	70
Building 4	studio	0		8	
	1 Bed	7		7	
	2 Bed	72		80	
	3 Bed	10	89	2	97
Building 5	studio	0		7	
	1 Bed	5		5	
	2 Bed	52		59	
	3 Bed	7	64	0	71
Building 6	studio	0		6	
	1 Bed	8		8	
	2 Bed	44		50	
	3 Bed	6	58	0	64
Total			304		333

An overall site plan of the Centenary Park Estate is provided below showing the location of Buildings 2 to 6.

81-86 Courallie Avenue, Homebush West
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SECTION 96(2) OF THE EP&A ACT 1979

Section 96(2) of the Environmental Planning and Assessment states as follows:

Section 96(2): Other modifications

A consent authority may modify the consent if:

- (a) It is satisfied that the development to which the consent (as modified) relates is substantially the same development as the development for which consent was originally granted, before that consent was modified (if at all), and
- (b) It has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed on the consent as a requirement of a concurrence or in accordance with the General Terms of Approval and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and
- (c) It has notified the application in accordance with:
 - (i) The regulations, if the regulations so require, or
 - (ii) A development control plan, if the consent authority is a Council that has made a Development Control Plan that requires the notification or advertising of applications for modification of a development consent, and
- (d) It has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.

Comment: With regard to sub-clause (a), the proposed development (as modified) is substantially the same development as the development for which consent was

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originally granted in that the proposal remains to be for the purpose of five (5) residential flat buildings and generally maintains the footprint, bulk, scale and height of the previously approved development.

With regard to sub-clause (b), the parent consent was reviewed and determined prior to the commencement of the SEPP (Infrastructure) 2007 and accordingly, the application is not strictly 'Integrated Development' under Clause 91 of the Environmental Planning and Assessment Act 1979. As such, concurrence was not required.

In relation to sub-clauses (c) and (d), the Application is a S96(2) Application and has been notified for a period of (14) days in accordance with Part L of the Strathfield Consolidated Development Control Plan 2005. The submissions received during this time will be discussed further in this report.

SECTION 79C CONSIDERATIONS – EP&A Act, 1979

In determining a development application, the consent authority is to take into consideration the following matters of consideration contained within section 79C of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

79C(1)(a) the provisions of:

(i) any environmental planning instrument

SEPP 55 – Remediation of Land

The subject site is located within an area of investigation identified in Map 2, Part K of the Strathfield Consolidated Development Control Plan 2005.

The subject site was rezoned from Industrial 4 to Residential B in 2003, following substantial remediation works which were approved under DA95/67 and DA95/135.

As part of the rezoning and remediation process, SEPP 55 required Council to consider whether the land is contaminated and if so, whether it can be remediated for the purposes for which the land is to be zoned.

As detailed in the site history above, works were carried out to remediate the entire 'Centenary Park' development. Works have since substantially commenced for the residential redevelopment of the site, with several buildings now occupied. Therefore, the subject site has been deemed suitable for the proposed residential use.

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)

Due to the proximity to the railway line, compliance with the internal noise levels in relation to train noise is required to be achieved. Compliance with the Acoustic Report submitted under previously approved modification DA0405/176/03 is enforced by way of standard conditions of consent.

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

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings (SEPP 65) aims to improve the design quality of residential flat development in New South Wales. SEPP 65 recognises that the design of residential apartments is of significance due to the economic, environmental, cultural and social benefits of high quality design.

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Strathfield Council does not have a design review panel referred to under Clause 28 however an assessment of the design quality of the proposed Section 96(2) modification application against both the relevant design principles of the SEPP and the relevant design criteria of the Apartment Design Guide has been undertaken in the table below:

Principle	Objective	Proposed
Amenity	<p><i>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident wellbeing.</i></p> <p><i>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.</i></p>	<p>The proposal has been designed to achieve a high level of internal residential amenity through compliant ceiling heights and adequate access to natural light and ventilation</p> <p>The unit layouts are efficient and comply with the new minimum unit sizes required by the ADG.</p>
Housing diversity and social interaction	<p><i>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</i></p> <p><i>Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</i></p>	<p>Unit types include (57) x 1 bedroom, (271) x 2 bedroom and (5) x 3 bedroom units. This is an unacceptable mixture of unit types given that three (3) bedroom units represent only 1.67% of the unit mix breakdown. Refer to likely impacts section for further discussion.</p>

Apartment Design Guide Quality Design of Residential flat buildings

Design Criteria	Required	Proposed	Compliance
3J – Bicycle and Car Parking	<p>Within 800m of a railway station:</p> <p>Min RMS Rate Applies:</p> <p><u>20 or more units:</u></p> <p>1 bedroom: 0.6 spaces (57 x 0.6 = 34.2 spaces)</p> <p>2 bedroom: 0.9 spaces (271 x 0.9 = 243.9 spaces)</p> <p>3 bedroom: 1.4 spaces (5 x 1.4 = 7 spaces)</p> <p>Visitor 1 per 5 units (333 / 5 = 66.6 Spaces)</p> <p>Total requirement = (285) resident spaces and (67) visitor spaces</p> <p>Secure undercover bicycle parking should be provided that is easily accessible from</p>	<p>(628) parking spaces in total are provided. This includes:</p> <ul style="list-style-type: none"> (342) to Basement 1 and (286) to Basement level 2 	<p>Yes – refer to conditions.</p> <p>A condition of consent is imposed to ensure</p>

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	both the public domain and common areas.		undercover bicycle parking is provided.
4A – Solar and Daylight Access	Min. 70% (233 units) receive 2 hours solar access. Max. 15% units have no solar access Light wells, skylights and highlight windows are only to be a secondary source where sunlight is limited Design incorporates shading and glare control.	(270) 81% of the units receive a minimum 2 hours solar access daily	Yes.
4B – Natural Ventilation	Min. 60% units are cross ventilated Light wells are not the primary source of ventilation for habitable rooms Single aspect units have limited depth to maximise ventilation.	(296) 88.9% of the units are cross ventilated.	Yes.
4D – Apartment Size and Layout	1 bed: 50m ² 2 bed: 70m ² 3 bed: 90m ² Additional bathrooms +5m ² Each habitable room must have a window > 10% floor area of the room. If open plan layout =max 8m from a window Master bed: min 10m ² Other bedroom: min 9m ² Living room min. width: Studio and 1 bed: 3.6m 2 and 3 bed: 4m Crossover/through: min 4m.	All units are provided with the minimum unit size requirements.	Yes.
4E – Private Open Space and Balconies	Studio: 4m ² 1 bed: 8m ² , min depth 2m 2 bed: 10m ² , min depth 2m 3 bed: 12m ² , min depth 2.4m	All units are provided with an area of private open space which meets the minimum area requirements.	Yes.
4F – Common Circulation and Spaces	Max 8 apartments off a single core	Up to (10) apartments are accessed off a single core.	No, but is acceptable given that the building footprint has remained unchanged and the modification is a result of splitting dual access apartments to separate units.

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4G – Storage	Studio: 4m ³ 1 bed: 6m ³ 2 bed: 8m ³ 3 bed: 10m ³ At least 50% within the basement	Some storage space is provided within the basement area. A condition of consent which was previously imposed will ensure adequate storage space is provided in accordance with the unit sizes.	Yes.
4J – Noise and Pollution	Site building to maximise noise insulation Noise attenuation utilised where necessary	The building will be constructed in accordance with the relevant Australian Standards.	Yes.
4K – Apartment Mix	Variety of apartment types Appropriate apartment mix Different apartments distributed throughout the building.	The proposal provides the following housing mix; (57) x 1 bedroom, (271) x 2 bedroom, (5) x 3 bedroom	No, three (3) bedroom units represent only 1.67% of the unit mix. Refer to discussion.
4U – Energy Efficiency	Adequate natural light to habitable areas Adequate natural ventilation	The proposal achieves compliant cross ventilation outcomes.	Yes.

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

The proposed modifications are specifically in relation to the internal floorplates of the buildings as well as a portion of the level 2 basement area. Accordingly, the proposed modifications do not result in any changes to the height, FSR and zoning provisions applying to the site.

79C(1)(a)(ii) any draft environmental planning instruments

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

79C(1)(a)(iii) any development control plan**STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005**

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

DCP 25 – Site Specific Development Control Plan: 79 Courallie Avenue, Homebush West

The introduction to DCP 25 states that *“the Development Concept [presented within the DCP] provides an indication of how the site might be developed...however is indicative only and Council will consider other proposals which achieve the underlying objectives of this DCP in an alternate manner.”*

The development which has been approved in stages 1A, 1B, 1C, 1D & 1E and each of the subsequent Section 96 modifications, differ greatly from the Development Concept presented in

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the DCP. The site now provides taller residential towers with reduced building footprints in place of wider three (3) to four (4) storey 'walk-up' apartment buildings.

As a result, the provisions of DCP 25 have not been consistently applied to development within the Centenary Park Estate. Additionally, through Land and Environment Court Appeals, departures from the parking rates have been granted and the reduced rates provided by the RMS Guide to Traffic Generating Development have been utilised.

Given the number of departures granted from this DCP, the controls have very little statutory weighting. It is therefore better to consider the proposal in light of the design recommendations of the Apartment Design Guide (with which it complies), as well as the provisions of the BASIX SEPP and Infrastructure SEPP as they relate to environmentally sustainable design and acoustic amenity.

The proposal has demonstrated compliance with these statutory provisions and accordingly, an assessment against the outdated controls of DCP 25 is not considered warranted.

PART H - WASTE MANAGEMENT (SCDCP 2005)

The number of bedrooms on the site is to remain unchanged and accordingly, will not result in any additional bin storage areas or bin containers.

79C(1)(iia) any planning agreement or draft planning agreement

As previously discussed, the proposed development is subject to a planning agreement pursuant to Section 93F of the Environmental Planning and Assessment Act 1979 and the applicant has made a written offer to Council to consider the dedication of the ground floor community facility (proposed under DA2015/033) and works to upgrade the pathway linking the site to Marlborough Road, in a proportionate exchange for the Section 94 contributions which would be payable.

In order to provide sufficient flexibility for the negotiation of the VPA, a condition of consent was previously imposed under DA0405/176/03 which indicates the S94 Direct Contributions which would be payable also includes an option for the developer to negotiate the terms of a VPA with Council.

(i) matters prescribed by the regulations

Clause 92 of the Environmental Planning and Assessment Regulation requires Council to take into consideration the provisions of the Government Coastal Policy and the relevant Australian Standard for the demolition of buildings in the determination of a development application.

Having regard to these prescribed matters, the proposed development is not located on land subject to the Government Coastal Policy as determined by Clause 92 (1) (a) (i) and does not involve the demolition of a building for the purposes of Australian Standard (AS) 2601 – 1991: The Demolition of Structures.

(ii) any coastal zone management plan

The NSW Government projects sea levels to rise by 40cm in 2050 and by 90cm in 2100 above the relative mean sea level in 1990. These planning benchmarks are to be considered in the assessment of development applications through the applicable coastal zone management plan or alternatively the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

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

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79C(1)(b) *the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality*

Built Form

The modifications proposed will result in a minor reconfiguration of unit layouts across Buildings 3-6 of Stage 1D. Whilst the proposal results in the provision of (29) additional units, the internal floorplans and overall building footprints are to remain relatively unchanged.

The building envelopes are efficient to allow for continued compliance with the minimum solar access and cross ventilation outcomes as required by the ADG. It is noted that a number of units proposed to each building will receive more than the minimum 2 hours solar access required and that a number of the southern-orientated units will receive some solar access throughout the day. The development also exceeds the minimum 60% cross ventilation requirements as (296) 88.9% of the units are cross ventilated. This will reduce energy dependency throughout the building which is a desired planning outcome.

The modifications will achieve compliance with the minimum unit sizes and corresponding private open space areas required to be provided in accordance with the ADG. With regard to the new studio units proposed, each achieves a minimum unit size of 35m² as well as a minimum private open space area of 4.8m² which exceeds the minimum 4m² requirements. Accordingly, the units are generally compliant with the requirements of the ADG which demonstrates that the units have been designed to an acceptable standard and achieve a satisfactory level of amenity.

Off-Street Parking

The proposed modifications have sought the partial removal of the level 2 basement area located beneath Building 6 of the development. This has resulted in the loss of (79) off-street car parking spaces on the site. The RMS Traffic Generating parking rates have been continuously applied throughout the assessment of the 'Centenary Park' development and accordingly, the application of these rates requires only (285) resident spaces and (67) visitor spaces to be provided for the site. As such, the (628) off-street parking spaces proposed to be provided will result in a surplus of (276) spaces.

It is therefore apparent that whilst the modifications will result in a loss of off-street parking spaces, the basement will more than adequately provide for the parking needs of the site for residents and visitors alike. Notwithstanding, a condition of consent is recommended to ensure that the basement include bicycle and motorcycle parking facilities to accommodate for residents and visitors of the site.

Visual Privacy

The plans submitted as part of the application have failed to include privacy screening and/or fencing around the periphery of private open space areas pertaining to the ground floor units of Buildings 3, 5 and 6 of Stage 1D of the development. Further, it appears that no privacy screening is provided between the balconies of units 3.06 and 3.09 of Building 3. Accordingly, a condition of consent is recommended to ensure that appropriate privacy screening and/or fencing is provided to private open space areas throughout the development and that these spaces maintain compliance with the minimum sizes required as per the ADG.

Apartment Mix

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Section 4K of the ADG requires a range of apartment types and sizes to be provided to cater for different household types now and into the future. The proposed development seeks to construct (333) units in total; (57) of which are single bedroom units, (271) are two (2) bedroom units and five (5) are three (3) bedroom units. Consequently, the unit mix is such that just 1.67% of housing stock are three (3) bedrooms units. This limits opportunities to support more diverse household types and various stages of living, including families and multi-generational families. As such, a condition of consent is recommended to improve the unit mix by requiring a total of (19) x two (2) bedroom units and adjoining studios to be merged and reconfigured to form three (3) bedroom units.

Accordingly, this will result in a loss of (19) units from (333) to (314) and the following revised unit mix:

- (38) x 1 bedroom units
- (252) x 2 bedroom units
- (24) x 3 bedroom units

Based on these amendments, three (3) bedroom units will represent 7.54% of the total unit mix throughout the site. This will provide for a more diverse range of accommodation to meet the needs of future residents and is a more acceptable outcome.

It is noted that the abovementioned changes will result in changes made to the minimum off-street parking requirements and Section 94 contributions. These changes are reflected in the conditions of consent.

79C(1)(c) the suitability of the site for the development

The proposed development is considered to be suitable for the site in that the proposed modifications generally comply with the relevant ADG, LEP and DCP requirements. This infers that the proposed modifications are considered suitable for the site and will achieve an acceptable level of amenity for future residents.

79C(1)(d) any submissions made in accordance with this Act or the regulations

The application was notified in accordance with Part L of the SCDP 2005 from **4 July to 19 July 2017**. Overall, (25) submissions and two (2) petitions containing (19) signatures were received. The following concerns were raised:

1. Off-street Parking

Concern is raised for the reduction in off-street parking spaces which would be unable to accommodate for the additional units proposed for the site.

Assessing officer's comments: The proposed off-street parking provisions have been designed in accordance with the RMS Traffic Generating Development rates which have been utilised throughout the Centenary Park site in accordance with a previous Land and Environment Court decision. Whilst the proposal results in a loss in (79) off-street parking spaces, the site will still provide a total of (628) parking spaces which is a surplus of (276) off-street parking spaces required for the site. Accordingly, the off-street parking spaces proposed will continue to adequately service residents and visitors of the site.

2. Garbage Disposal

Concern is raised for the impact the increased residential numbers will have on garbage disposal which would aggravate the existing problems experienced by both residents and the Council

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Assessing officer's comments: As previously discussed, the number of bedrooms on the site will remain unchanged and accordingly, will not result in any additional bin storage areas or bin containers required to be provided for the site.

3. Traffic Congestion

Concern is raised for the inflated number of residents which would increase traffic in and out of the complex which could pose safety hazards in the event of evacuation and emergencies.

Assessing officer's comments: Whilst the proposed modifications result in (29) additional units throughout the site. This is a result of the breakdown of three (3) bedroom dual key units into a two (2) bedroom and studio unit. Accordingly, the modifications do not result in an intensification of the densities throughout the site. Accordingly, the modifications are unlikely to increase traffic in and out of the complex or pose any safety hazards beyond the previous approvals of the subject development.

4. Removal of privacy barriers to Ground floor units

Concern is raised for the removal of privacy barriers pertaining to ground floor units of the buildings which would result in adverse privacy impacts to adjoining units.

Assessing officer's comments: A condition of consent has been recommended to ensure privacy screening/fencing is provided to each private open space area pertaining to all ground floor units of buildings throughout the site. These private open space areas are to remain compliant with the minimum privacy space sizes as required by the ADG.

5. Private Open Space

Concern is raised for the balconies proposed to the amended floor plans which results in an estimated 4m² balcony size to new studios. This makes the new proposal non-compliant with Development Control Plan No.25 which requires a minimum 25m² courtyard area to ground floor units and minimum 12m² balcony size to 2 bedroom units on the upper levels.

Assessing officer's comments: The minimum open space dimension provisions of the ADG take precedence over the minimum open space requirements of DCP 25. All studio units across the development achieve a minimum 4.8m² area which comply with the minimum 4m² size prescribed by the ADG.

6. Deletion of lower basement Building 6 under Stage 1D

Concern is raised for the deletion of the portion of basement below Building 6 as the applicant has not revealed the number of parking spaces being lost with the deletion. Will there be enough car parking spaces for residents in this building or will they be denied direct access and have to park in another building? Or will they have to park illegally?

Assessing officer's comments: Amended plans were submitted to Council demonstrating that there will be a loss of (79) car parking spaces and this is contained to the lower second level of basement parking beneath Building 6. Accordingly, the residents of building 6 will still attain direct access to level 1 of the basement. Furthermore, the number of basement parking spaces complies with the minimum off-street parking spaces required for the site in accordance with RMS Traffic rates and will result in a surplus of (276) off-street parking spaces.

8. Visitor Parking

Concern is raised for the statement submitted to Council in that there will be an increase in seven (7) visitor car parking spaces. The developer has consistently failed to adhere to the Visitor Car Parking Regulation that requires 1 car space per 5 units.

Assessing officer's comments: A condition of consent has been imposed to ensure a minimum of (67) visitor spaces are provided for the site in accordance with RMS Traffic Generating

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Development rates. With regard to previous non-compliance with visitor parking requirements, this is a compliance matter which is to be investigated under separate cover.

79C(1)(e) the public interest

The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation as well as consideration of any submissions received relating to it by Council. The proposed development is not considered to be contrary to the public interest.

CONCLUSION

The application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2013 and the Strathfield Development Control Plan 2005 and is considered to be satisfactory for approval, subject to the recommended conditions of consent.

RECOMMENDATION

Pursuant to Section 96(1) of the Environmental Planning and Assessment Act 1979, the proposed modification(s) to Development Consent No. 0405/176/09 to reconfigure the approved (29) x 3 bedroom units and (29) x studio units as well as delete the lower basement of Building 6 under Stage 1D at 81-86 Courallie Avenue, Homebush West be **APPROVED**, subject to:

1. The original conditions of consent as approved by Council on 12 June 2007.
2. As modified by the Section 96(2) Application (DA0405/176/02) as approved on 12 December 2013.
3. As modified by the Section 96(2) Application (DA0405/176/03) as approved on 24 August 2015.
4. As modified by the Section 96(2) Application (DA0405/176/04) as approved on 4 December 2015.
5. As modified by the Section 96(2) application (DA0405/176/09) as follows:

Condition 1 shall be modified to read as follows:

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

Stage 1E – DA0405/176/02

Drawing No. & Issue reference	Dated
8001 S96 01 Issue A	Jul 2013
8001 S96 04 Issue A	Jul 2013
8001 S96 05 Issue A	Jul 2013
8001 S96 06 Issue A	Nov 2015
8001 S96 07 Issue A	Nov 2015
8001 S96 08 Issue A	Jul 2013

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8001 S96 09 Issue A	Jul 2013
8001 S96 10 Issue A	Jul 2013
8001 S96 11 Issue A	Jul 2013
8001 S96 12 Issue A	Jul 2013
8001 S96 13 Issue A	Jul 2013
8001 S96 14 Issue A	Nov 2015
8001 S96 15 Issue A	Jul 2013
8001 S96 16 Issue A	Jul 2013
8001 S96 17 Issue A	Jul 2013
8001 S96 18 Issue A	Jul 2013
8001 S96 19 Issue A	Jul 2013
8001 S96 20 Issue A	Jul 2013
8001 S96 21 Issue A	Jul 2013
8001 S96 22 Issue A	Jul 2013
8001 S96 23 Issue A	Jul 2013
8001 S96 24 Issue A	Nov 2015
8001 S96 25 Issue A	Jul 2013
8001 S96 26 Issue A	Jul 2013
8001 S96 27 Issue A	Jul 2013
8001 S96 28 Issue A	Jul 2013
8001 S96 29 Issue A	Jul 2013
8001 S96 30 Issue A	Jul 2013
8001 S96 31 Issue A	Jul 2013
8001 S96 32 Issue A	Jul 2013
8001 S96 33 Issue A	Jul 2013
8001 S96 34 Issue A	Nov 2015
8001 S96 35 Issue A	Jul 2013
8001 S96 36 Issue A	Jul 2013
8001 S96 37 Issue A	Jul 2013
8001 S96 38 Issue A	Jul 2013
8001 S96 39 Issue A	Jul 2013

Stage 1D – DA0405/176/02 (as modified 'in red' and subject to condition 2 below.)

Stage 1D Basement 1 Dwg No. S96 17-4 prepared by Michael Raad Architects Pty Ltd received by Council on 9 August 2017

Stage 1D Basement 2 Dwg No. S96 18-4 prepared by Michael Raad Architects Pty Ltd received by Council on 9 August 2017

Ground Floor Plan: Stage 1D Dwg No. S96 04 prepared by Michael Raad Architects Pty Ltd received by Council on 21 June 2017

Building 2 Floor Plan Dwg No. FSR 10 prepared by Michael Raad Architects Pty Ltd received by Council on 7 April 2015

Building 3 Floor Plan Dwg No. S96 11 prepared by Michael Raad Architects Pty Ltd received by Council on 21 June 2017

Building 4 Floor Plan Dwg No. S96 12 prepared by Michael Raad Architects Pty Ltd received by Council on 21 June 2017

Building 5 Floor Plan Dwg No. S96 13 prepared by Michael Raad Architects Pty Ltd received by Council on 21 June 2017

Building 6 Floor Plan Dwg No. S96 14-B prepared by Michael Raad Architects Pty Ltd

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received by Council on 24 August 2017

Elevations Stage 1D Building 2 Dwg No. S96 30 prepared by Michael Raad Architects Pty Ltd received by Council on 29 July 2015

Elevations Stage 1D Building 3 Dwg No. S96 34 prepared by Michael Raad Architects Pty Ltd received by Council on 29 July 2015

Elevations Stage 1D Building 4 Dwg No. S96 37 prepared by Michael Raad Architects Pty Ltd received by Council on 29 July 2015

Elevations Stage 1D Building 5 Dwg No. S96 40 prepared by Michael Raad Architects Pty Ltd received by Council on 29 July 2015

Elevations Stage 1D Building 6 Dwg No. S96 43 prepared by Michael Raad Architects Pty Ltd received by Council on 29 July 2015

Building 6 Section Plan Drawing No.S96 31 prepared by Michael Raad Architects Pty Ltd received by Council on 24 August 2017.

Stage 1D balcony detail S96 14B prepared by Michael Raad Architects Pty Ltd received by Council on 21 July 2015

Landscape Masterplan Job No. SS14-2920 Dwg No. 100 Issue B prepared by Michael Raad Architects Pty Ltd received by Council on 7 April 2015

Landscape Plan Job No. SS14-2920 Dwg No. 101 to 107 Issue B prepared by Michael Raad Architects Pty Ltd received by Council on 7 April 2015

Landscape Details Job No. SS14-2920 Dwg No. 501 Issue B prepared by Michael Raad Architects Pty Ltd received by Council on 7 April 2015

Landscape Specification Notes & Indicative Plant Schedule Job No. SS14-2920 Dwg No. 502 Issue B prepared by Michael Raad Architects Pty Ltd received by Council on 7 April 2015

Acoustic Report prepared by Acoustic Logic dated 28 November 2011 and received by Council on 7 April 2015

Stormwater Details prepared by HKMA Engineers dated 10 September 2014 and received by Council on 7 April 2015

A Construction Certificate must be obtained either from Council or a privately accredited person before commencement of any construction associated with this consent.

The Principal Certifying Authority must be appointed prior to work commencing to supervise the work and authorise occupation/use of the building when completed.

A copy of the endorsed stamped plans and specifications, together with a copy of the Development Consent, Construction Certificate and any approved Traffic Management Plan are to be retained on site at all times.

Condition 2 shall be modified to read as follows:

2. (1) **Prior to the issue of a Construction Certificate for Stage 1D**, amended plans shall be submitted to and approved by the Principal Certifying Authority generally in accordance with the floor layouts provided under DA0405/176/09 and modified as

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Stage 1D & 1E (Cont'd)**

follows:

- (a) Appropriate privacy screening and/or fencing shall be provided around the periphery of all private open spaces pertaining to ground floor units of Buildings 2, 3, 5 and 6; and
- (b) Appropriate privacy screening shall be provided between the balconies of units 3.06 and 3.09 of Building 3.

NOTE: All private open space areas shall maintain compliance with the minimum private open space and balcony dimensions under Section 4E of the ADG as follows:

Studio: 4m²
1 bed: 8m², min depth 2m
2 bed: 10m², min depth 2m
3 bed: 12m², min depth 2.4m

- (c) the following units shall be reconfigured and combined to form as three (3) bedroom units so as to achieve a minimum 7.54% three (3) bedroom units mix throughout the Stage 1D site.

Building 3

- G.05 & G.17
- G.06 & G.18
- 1.05 & 1.17
- 1.06 & 1.18
- 2.06 & 2.18

Building 4

- 1.05 & 1.17
- 1.06 & 1.18
- 2.05 & 2.17
- 2.06 & 2.18

Building 5

- G.06 & G.17
- 1.05 & 1.17
- 2.05 & 2.17
- 3.05 & adjoining unit labelled 'media'
- 3.06 & adjoining unit labelled 'media'

Building 6

- G.02 & adjoining unit labelled 'media'
- 1.04 & 1.05
- 2.05 & 2.17
- 2.06 & 2.18
- 3.06 & 3.18

- (2) The development shall be carried out in accordance with the Building Code of Australia (BCA).
- (3) The building shall not be occupied or used until the development has been completed in accordance with the conditions of this consent, construction has been

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completed in accordance with the Construction Certificate and an Occupation Certificate has been issued by the Principal Certifying Authority.

Condition 10 shall be modified to read as follows:

10. In addition to the (152) car parking spaces which were previously approved to service Stage 1E (DA0405/176 and DA0405/176/02), a total of (628) off-street parking spaces, hardpaved, linemarked, labelled and drained, shall be provided to service Stage 1D and shall be distributed as follows:

Residents	284
Visitors	63
Total	347

The remaining (281) off-street parking spaces may be allocated as additional spaces for either residents and/or visitors.

TOTAL 628

The spaces shall be allocated at a rate of 0.6 spaces per studio/1 bedroom, 0.9 spaces per 2 bedroom unit and 1.4 spaces per 3 bedroom unit. The car parking spaces shall only be used for the parking of motorcycles, sedans, utilities, vans and similar vehicles up to two (2) tonne capacity.

Adequate bicycle parking shall also be provided within the basement and shall be located in secure and easily accessible areas.

Condition 139 shall be inserted to read as follows:

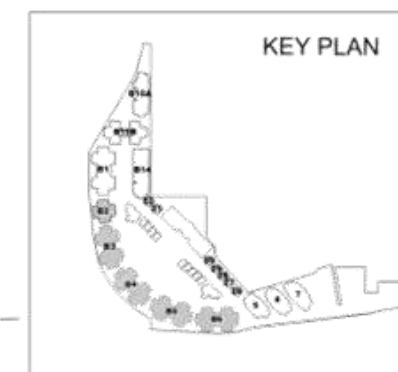
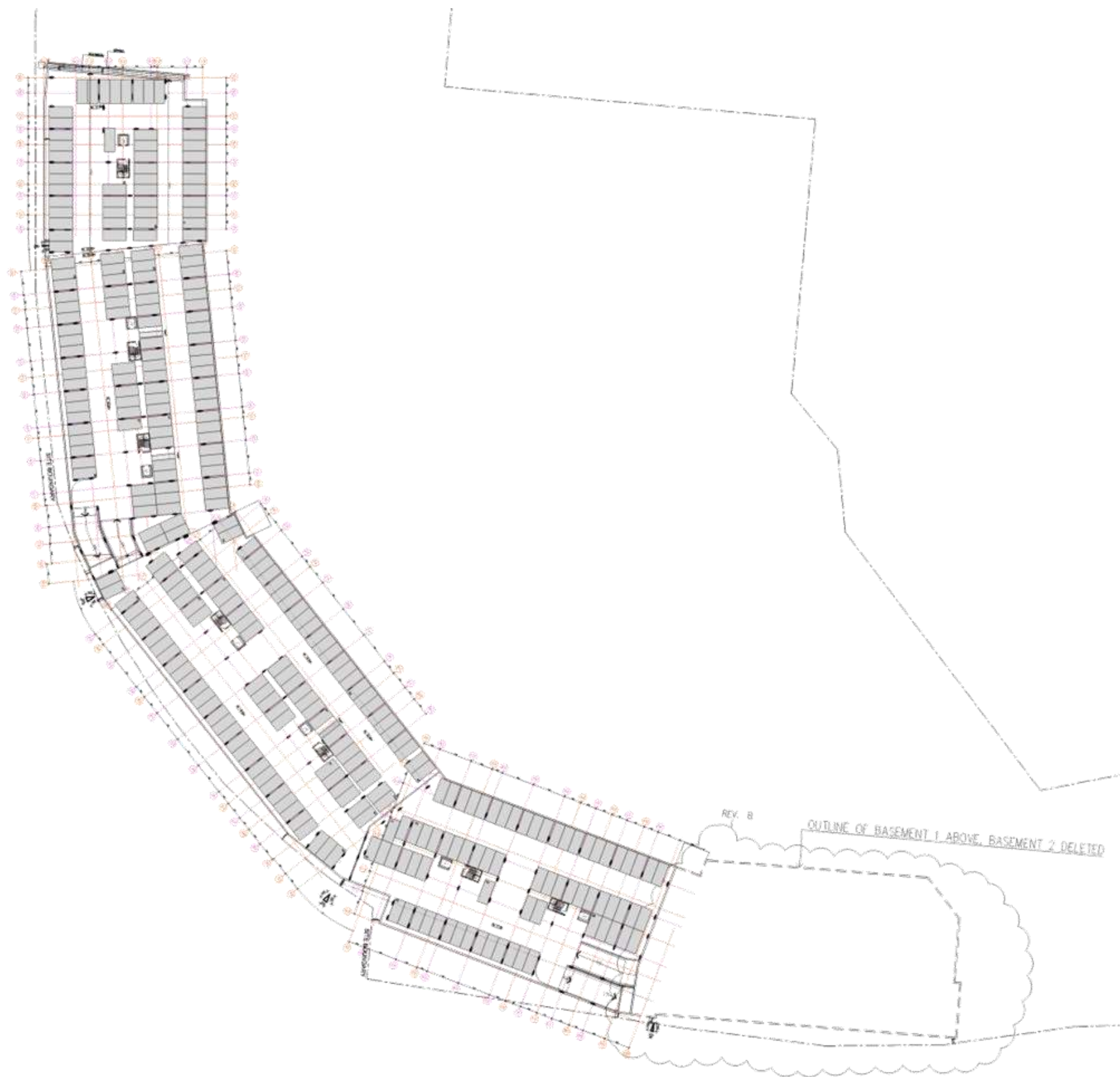
139. In addition to the development contributions which have already been levied by Council under DA0405/176, DA0405/176/01 and DA0405/176/02 and DA0405/176/03, the following contribution is required to be paid to Council for the subject Section 96 Application in accordance with the provisions of Section 94(1)(b) of the Environmental Planning and Assessment Act 1979 and the Strathfield Direct Development Contributions Plan 2010-2030. The contribution is payable in the form of cash, cheque or credit card (financial transaction fee applies) and shall be paid to Council for the following purposes:

Provision of Community Facilities	\$10,176.16
Provision of Major Open Space	\$46,298.47
Provision of Local Open Space	\$19,584.54
Provision Roads and Traffic Management	\$4,578.02
Administration	\$877.47
TOTAL	\$81,514.66

The required contribution shall be paid **prior to the issue of an amended Construction Certificate for Stage 1D.**

ATTACHMENTS

1. [↓](#) Plans



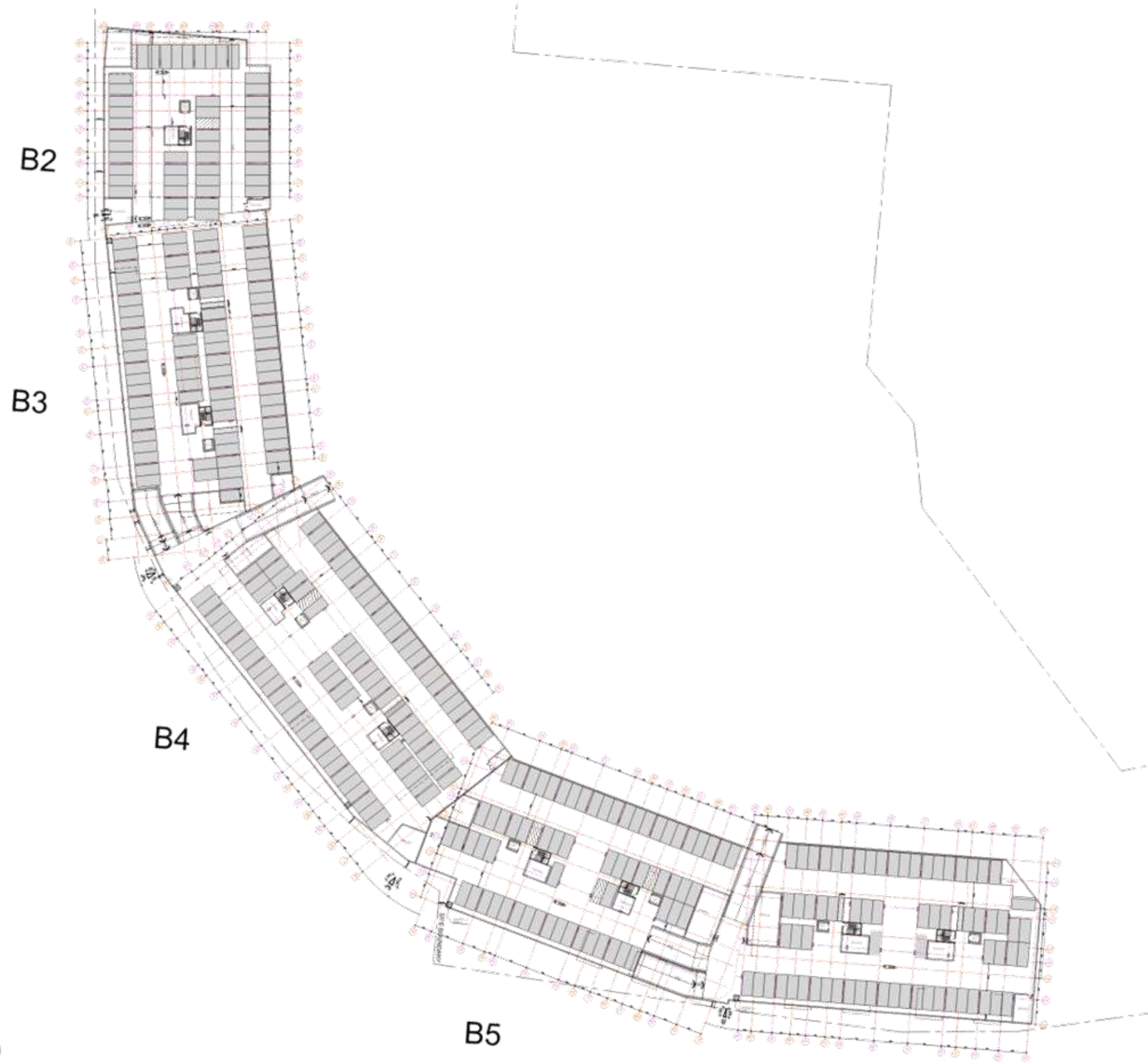
STAGE 1D BASEMENT 2 PLAN

DATE : 20-06-2017 1:500 @ A1 S96 18

CENTENARY PARK
 HOMEBUSH WEST
 PROPOSED RESIDENTIAL DEVELOPMENT
 81-86 COURALLIE AVE. HOMEBUSH WEST

STAGE 1D
BASEMENT 2

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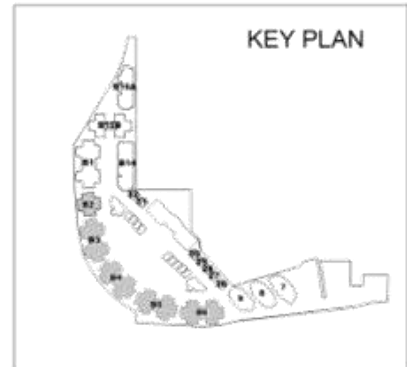
BASEMENT LEVEL 1	
B2	46 CARS
B3	79 CARS
B4	86 CARS
B5	63 CARS
B6	48 CARS
SUB-TOTAL 342 CAR SPACES	

BASEMENT LEVEL 2	
B2	46 CARS
B3	74 CARS
B4	96 CARS
B5	70 CARS
B6	00 CARS
SUB-TOTAL 286 CAR SPACES	
TOTAL= 628 CAR SPACES	

APARTMENT SUMMARY			
UNIT NO	TYPE	BEDS	APARTMENTS
Unit 1	1 Bed	1	1
Unit 2	1 Bed	1	1
Unit 3	2 Bed	2	1
Unit 4	1 Bed	1	1
Unit 5	1 Bed	1	1
Unit 6	2 Bed	2	1
Unit 7	1 Bed	1	1
Unit 8	1 Bed	1	1
Unit 9	2 Bed	2	1
Unit 10	1 Bed	1	1
Unit 11	1 Bed	1	1
Unit 12	2 Bed	2	1
Unit 13	1 Bed	1	1
Unit 14	1 Bed	1	1
Unit 15	2 Bed	2	1
Unit 16	1 Bed	1	1
Unit 17	1 Bed	1	1
Unit 18	2 Bed	2	1
Unit 19	1 Bed	1	1
Unit 20	1 Bed	1	1
Unit 21	2 Bed	2	1
Unit 22	1 Bed	1	1
Unit 23	1 Bed	1	1
Unit 24	2 Bed	2	1
Unit 25	1 Bed	1	1
Unit 26	1 Bed	1	1
Unit 27	2 Bed	2	1
Unit 28	1 Bed	1	1
Unit 29	1 Bed	1	1
Unit 30	2 Bed	2	1
Unit 31	1 Bed	1	1
Unit 32	1 Bed	1	1
Unit 33	2 Bed	2	1
Unit 34	1 Bed	1	1
Unit 35	1 Bed	1	1
Unit 36	2 Bed	2	1
Unit 37	1 Bed	1	1
Unit 38	1 Bed	1	1
Unit 39	2 Bed	2	1
Unit 40	1 Bed	1	1
Unit 41	1 Bed	1	1
Unit 42	2 Bed	2	1
Unit 43	1 Bed	1	1
Unit 44	1 Bed	1	1
Unit 45	2 Bed	2	1
Unit 46	1 Bed	1	1
Unit 47	1 Bed	1	1
Unit 48	2 Bed	2	1
Unit 49	1 Bed	1	1
Unit 50	1 Bed	1	1
Unit 51	2 Bed	2	1
Unit 52	1 Bed	1	1
Unit 53	1 Bed	1	1
Unit 54	2 Bed	2	1
Unit 55	1 Bed	1	1
Unit 56	1 Bed	1	1
Unit 57	2 Bed	2	1
Unit 58	1 Bed	1	1
Unit 59	1 Bed	1	1
Unit 60	2 Bed	2	1
Unit 61	1 Bed	1	1
Unit 62	1 Bed	1	1
Unit 63	2 Bed	2	1
Unit 64	1 Bed	1	1
Unit 65	1 Bed	1	1
Unit 66	2 Bed	2	1
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Unit 71	1 Bed	1	1
Unit 72	2 Bed	2	1
Unit 73	1 Bed	1	1
Unit 74	1 Bed	1	1
Unit 75	2 Bed	2	1
Unit 76	1 Bed	1	1
Unit 77	1 Bed	1	1
Unit 78	2 Bed	2	1
Unit 79	1 Bed	1	1
Unit 80	1 Bed	1	1
Unit 81	2 Bed	2	1
Unit 82	1 Bed	1	1
Unit 83	1 Bed	1	1
Unit 84	2 Bed	2	1
Unit 85	1 Bed	1	1
Unit 86	1 Bed	1	1
Unit 87	2 Bed	2	1
Unit 88	1 Bed	1	1
Unit 89	1 Bed	1	1
Unit 90	2 Bed	2	1
Unit 91	1 Bed	1	1
Unit 92	1 Bed	1	1
Unit 93	2 Bed	2	1
Unit 94	1 Bed	1	1
Unit 95	1 Bed	1	1
Unit 96	2 Bed	2	1
Unit 97	1 Bed	1	1
Unit 98	1 Bed	1	1
Unit 99	2 Bed	2	1
Unit 100	1 Bed	1	1

CAR PARKING (RTA)	
BEDS	RATE
1 BED	\$7 (0.5) = 34
2 BED	\$71 (0.9) = 244
3 BED	\$ (1.4) = 7
REQUIRED = 285	

CAR PARKING	
BEDS	RATE
1 BED	\$7 (3) = 57
2 BED	\$71 (3) = 273
3 BED	\$ (3) = 10
PROVIDED = 338	



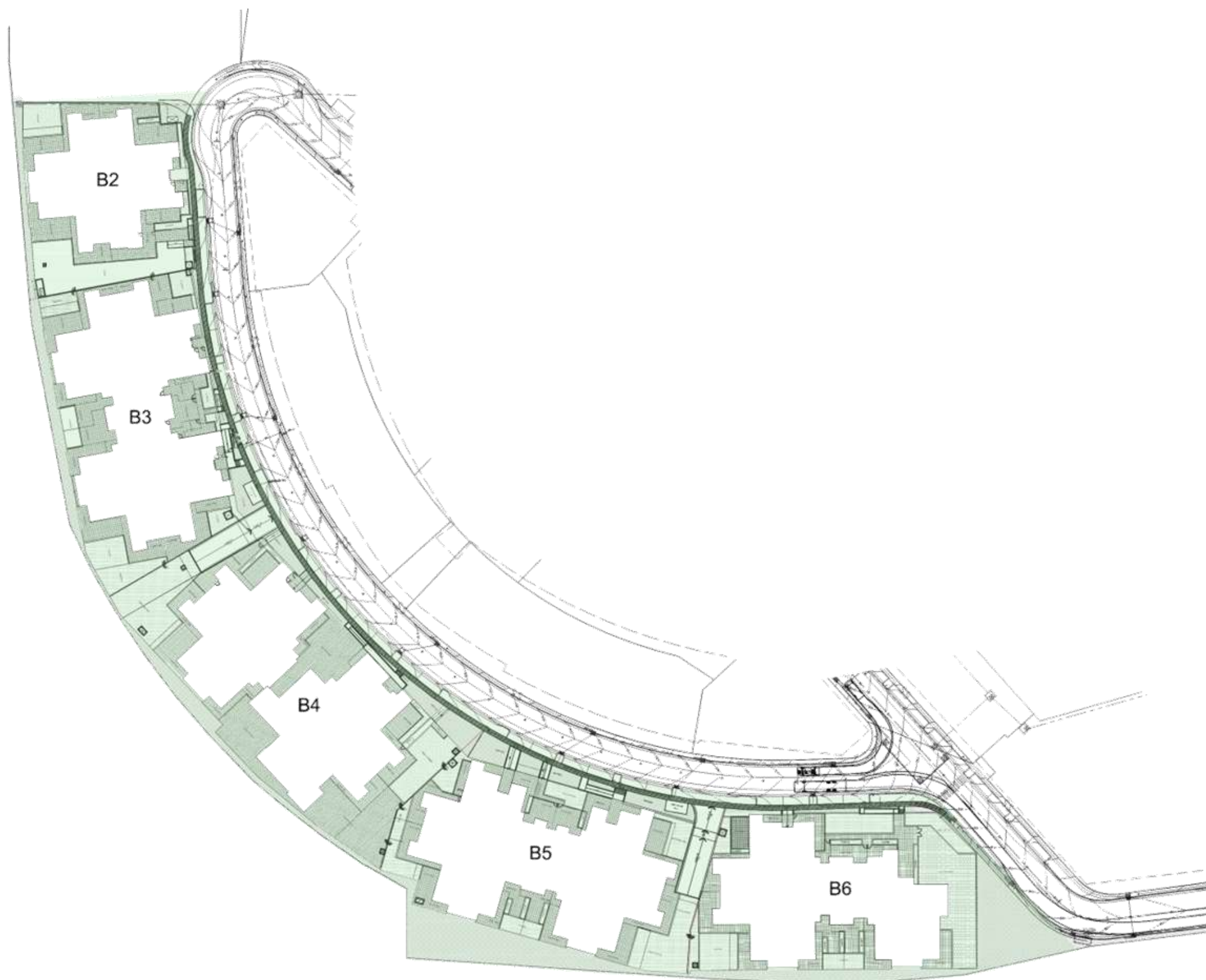
DATE : 07-08-2017 1:500 @ A1 S96 17- 4

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STAGE 1D BASEMENT 1 PLAN

CENTENARY PARK
 HOMEBUSH WEST
 PROPOSED RESIDENTIAL DEVELOPMENT
 81-86 Courallie Ave, HOMEBUSH WEST

STAGE 1D
 BASEMENT 1



1 GROUND FLOOR PLAN
Scale 1:500

CENTENARY PARK
-86 COURALLIE AVE. HOMEBUSH WEST
PAGE 1D

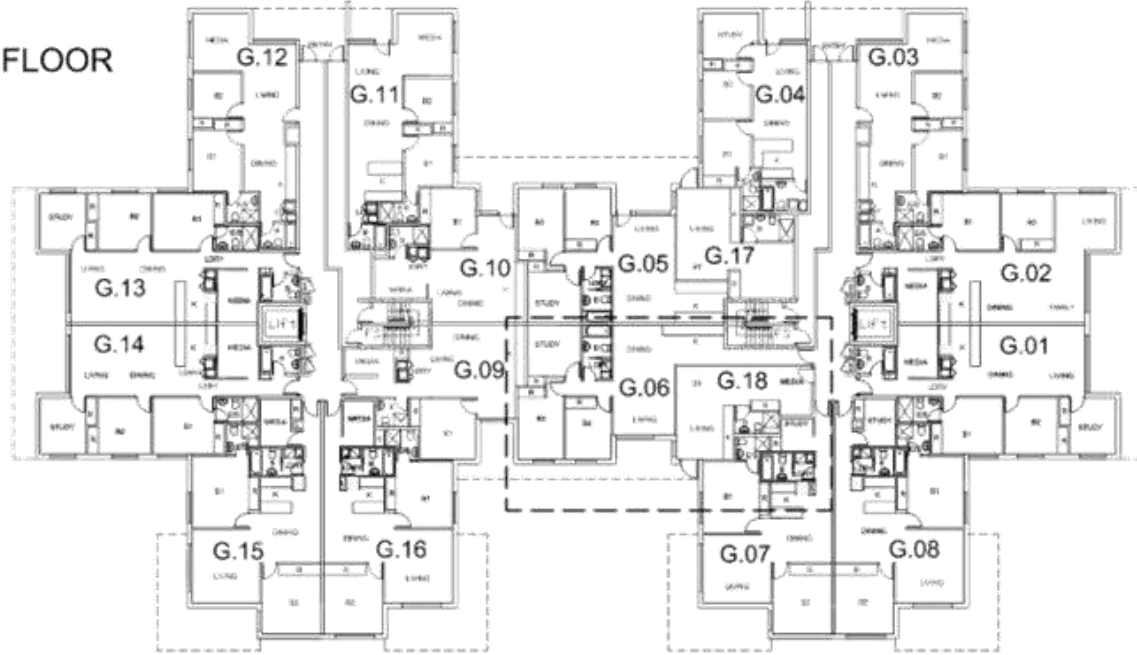
MRA Michael Raad Architects Pty Limited
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DATE: 31.10.2016
ISSUE: B



LEVEL 1

ROUND FLOOR



LEVEL 1 & LEVEL 2



LEVEL 3

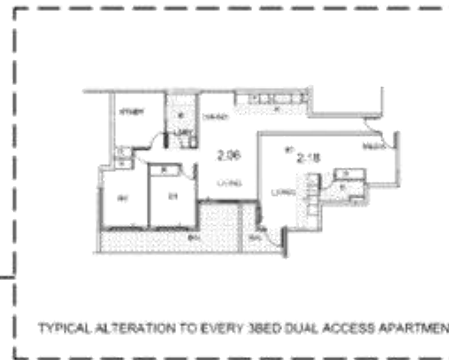
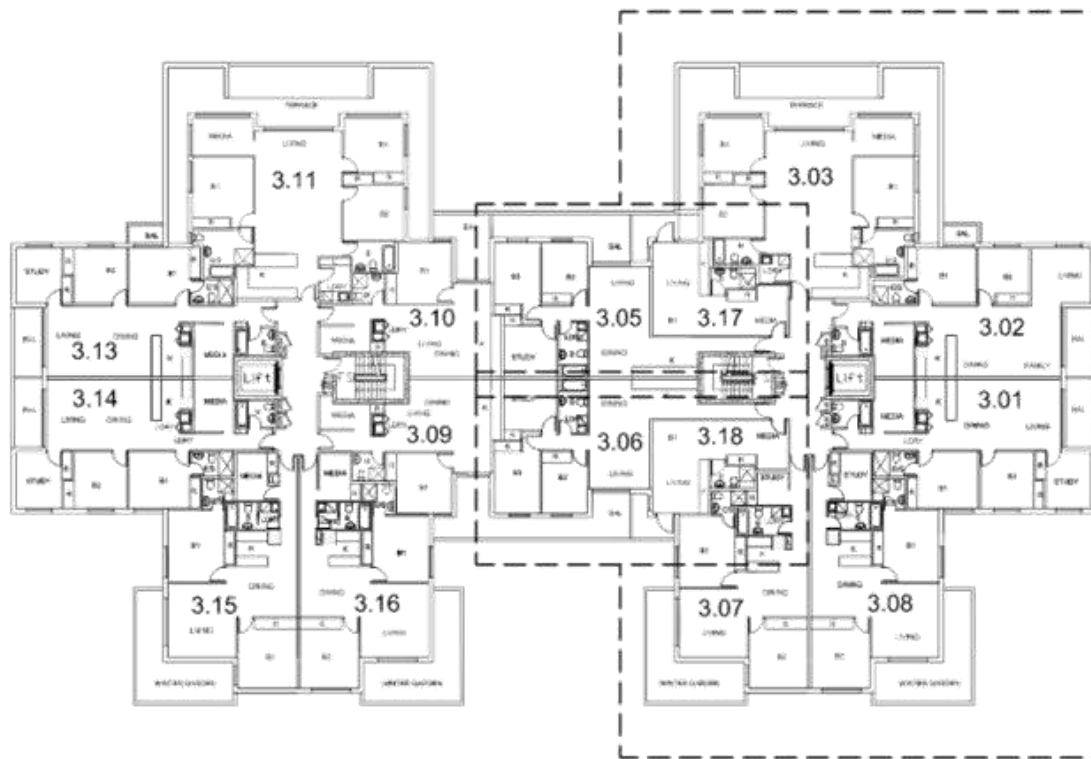


TABLE OF AMENDED APARTMENTS

B3			
3BED-DUAL ACCESS			
G.05	G.05	2 BEDS	
	G.17	STUDIO	
G.06	G.06	2 BEDS	
	G.18	STUDIO	
1.05	1.05	2 BEDS	
	1.17	STUDIO	
1.06	1.06	2 BEDS	
	1.18	STUDIO	
2.05	2.05	2 BEDS	
	2.17	STUDIO	
2.06	2.06	2 BEDS	
	2.18	STUDIO	
3.05	3.05	2 BEDS	
	3.17	STUDIO	
3.06	3.06	2 BEDS	
	3.18	STUDIO	
8	16	8 2 BEDS	
		8 STUDIOS	

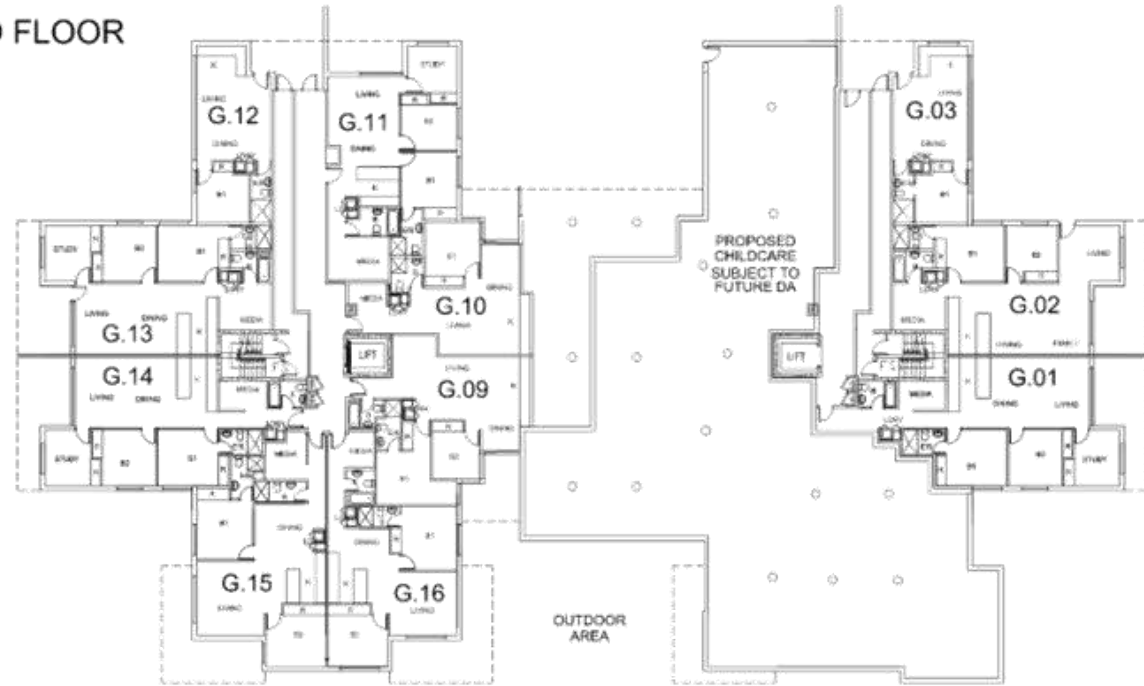


KEY PLAN

CENTENARY PARK
 OMEBUSH WEST
 ROPOSED RESIDENTIAL DEVELOPMENT

DATE : 20-05-2017 1:400 @ A3 **S96 11**
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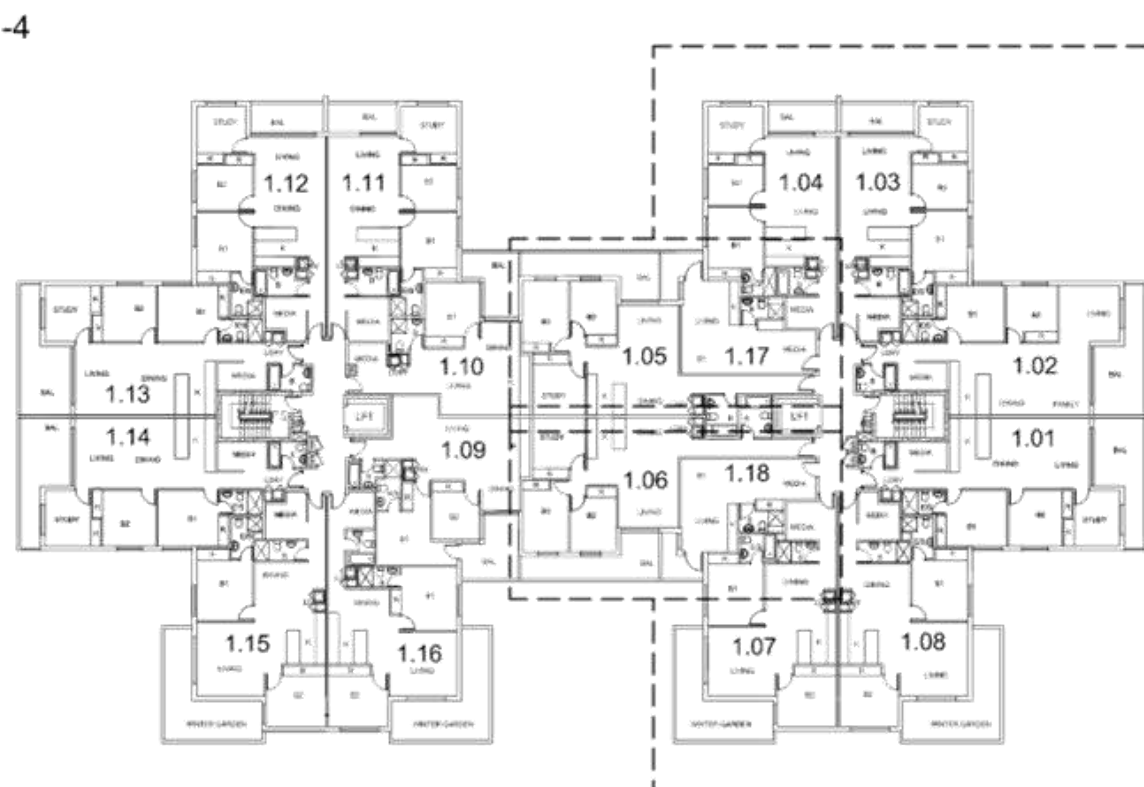
ROUND FLOOR



LEVEL 5



LEVEL 1-4



B4			
3 BED-DUAL ACCESS			
1.05	1.05	2 BEDS	
	1.17	STUDIO	
1.06	1.06	2 BEDS	
	1.18	STUDIO	
2.05	2.05	2 BEDS	
	2.17	STUDIO	
2.06	2.06	2 BEDS	
	2.18	STUDIO	
3.05	3.05	2 BEDS	
	3.17	STUDIO	
3.06	3.06	2 BEDS	
	3.18	STUDIO	
4.05	4.05	2 BEDS	
	4.17	STUDIO	
4.06	4.06	2 BEDS	
	4.18	STUDIO	
8	16	8 2 BEDS	8 STUDIOS



KEY PLAN

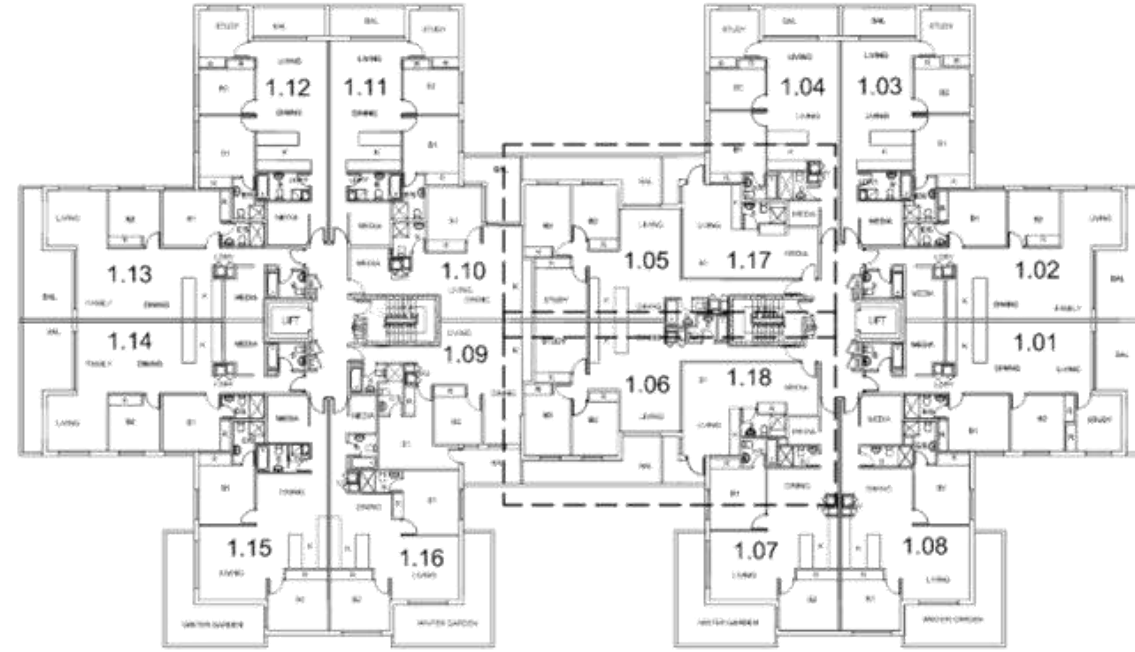
CENTENARY PARK
 COMEBUSH WEST
 PROPOSED RESIDENTIAL DEVELOPMENT

DATE : 20-05-2017 1:400 @ A3 **S96 12**
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ROUND FLOOR



LEVEL 1 & LEVEL 2



LEVEL 3

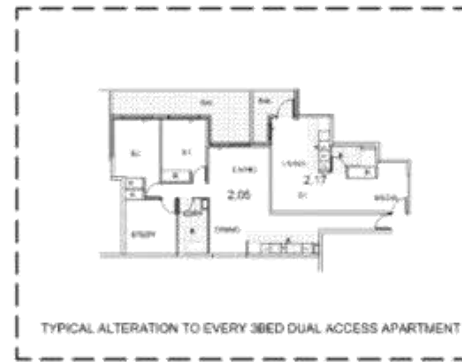
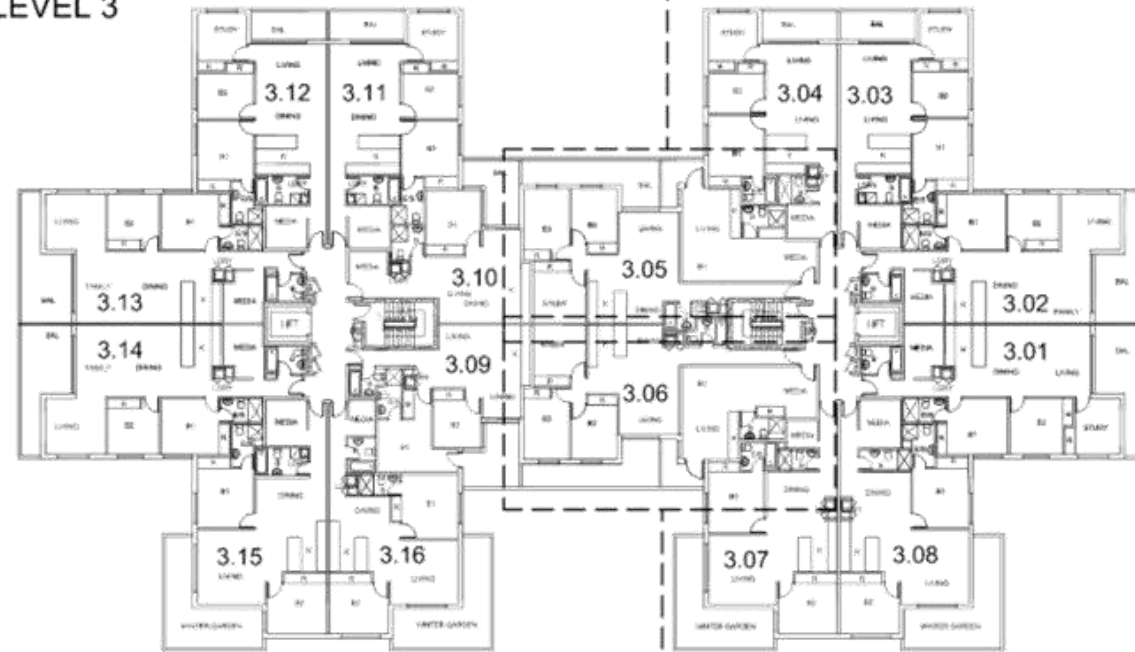


TABLE OF AMENDED APARTMENTS

B5			
	3 BED-DUAL ACCESS		
	G.06	G.06	2 BEDS
		G.17	STUDIO
	1.05	1.05	2 BEDS
		1.17	STUDIO
	1.06	1.06	2 BEDS
		1.18	STUDIO
	2.05	2.05	2 BEDS
		2.17	STUDIO
	2.06	2.06	2 BEDS
		2.18	STUDIO
	3.05	3.05	2 BEDS
		3.17	STUDIO
	3.06	3.06	2 BEDS
		3.18	STUDIO
	7	14	8 2 BEDS
			8 STUDIOS



KEY PLAN

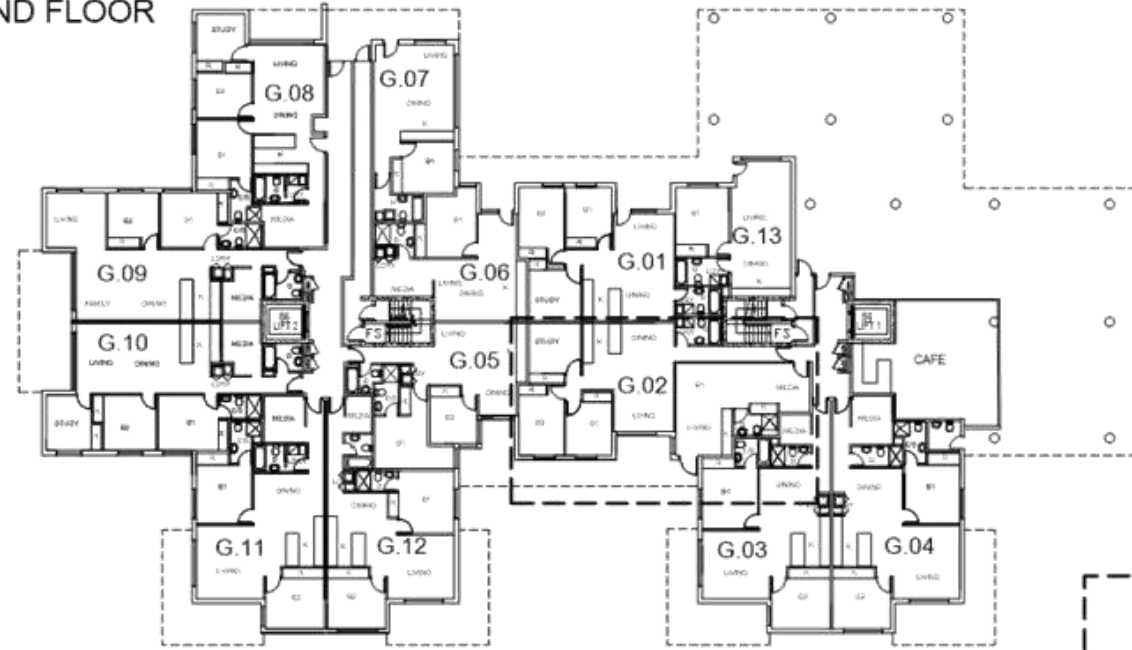
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2A GREGORY PLACE PARRAMATTA NSW

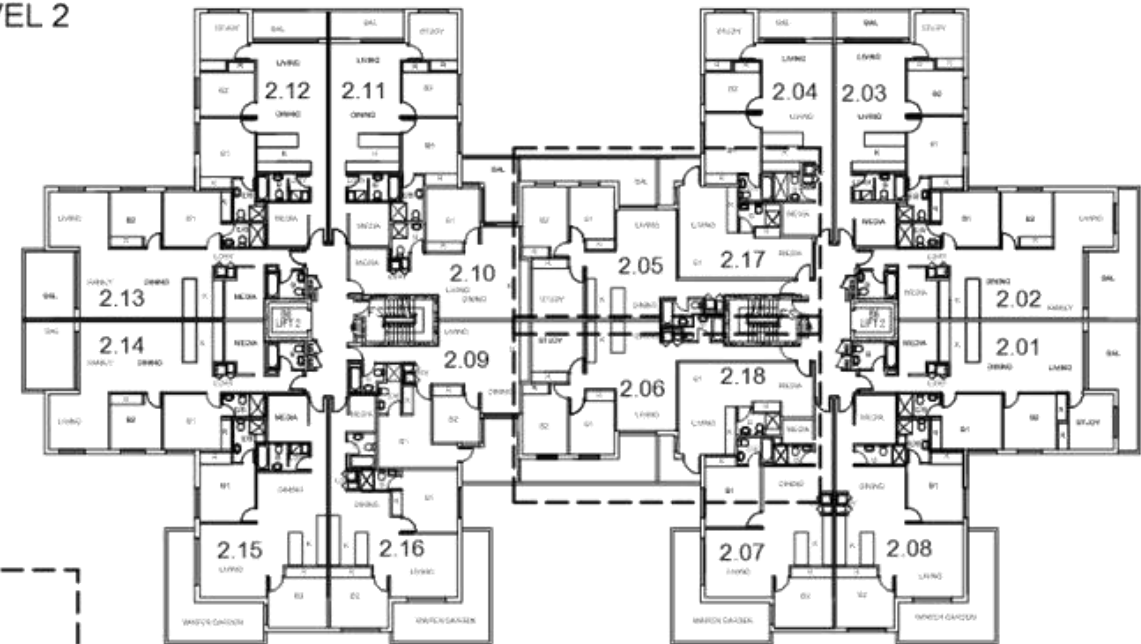
CENTENARY PARK
ROBUSH WEST
PROPOSED RESIDENTIAL DEVELOPMENT

BUILDING

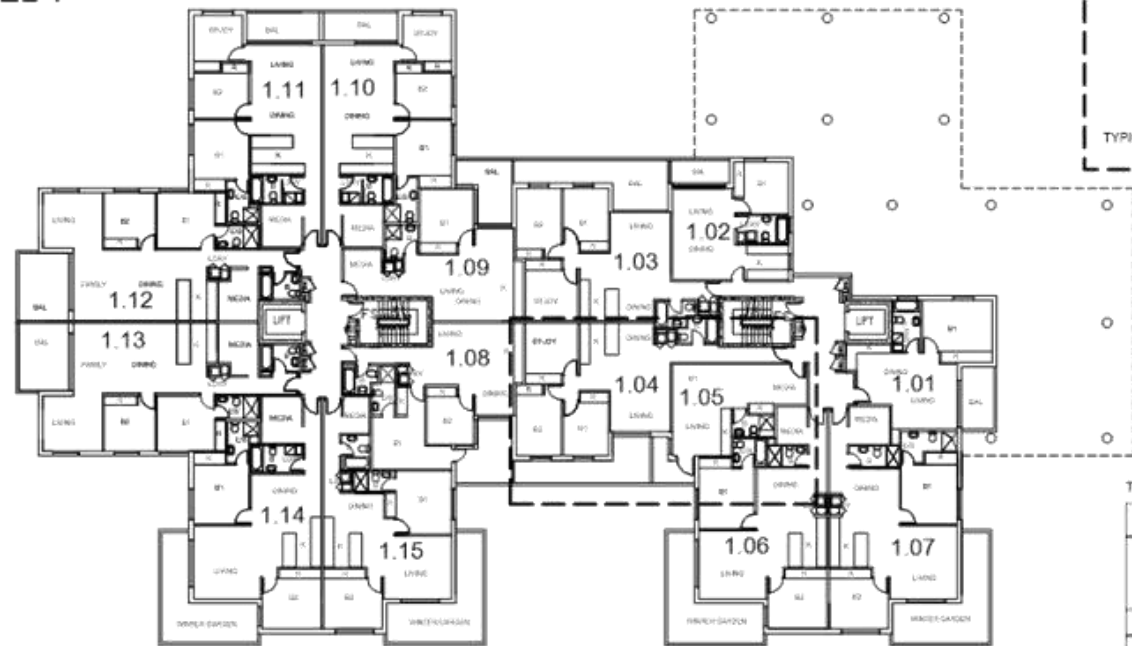
GROUND FLOOR



LEVEL 2



LEVEL 1



LEVEL 3

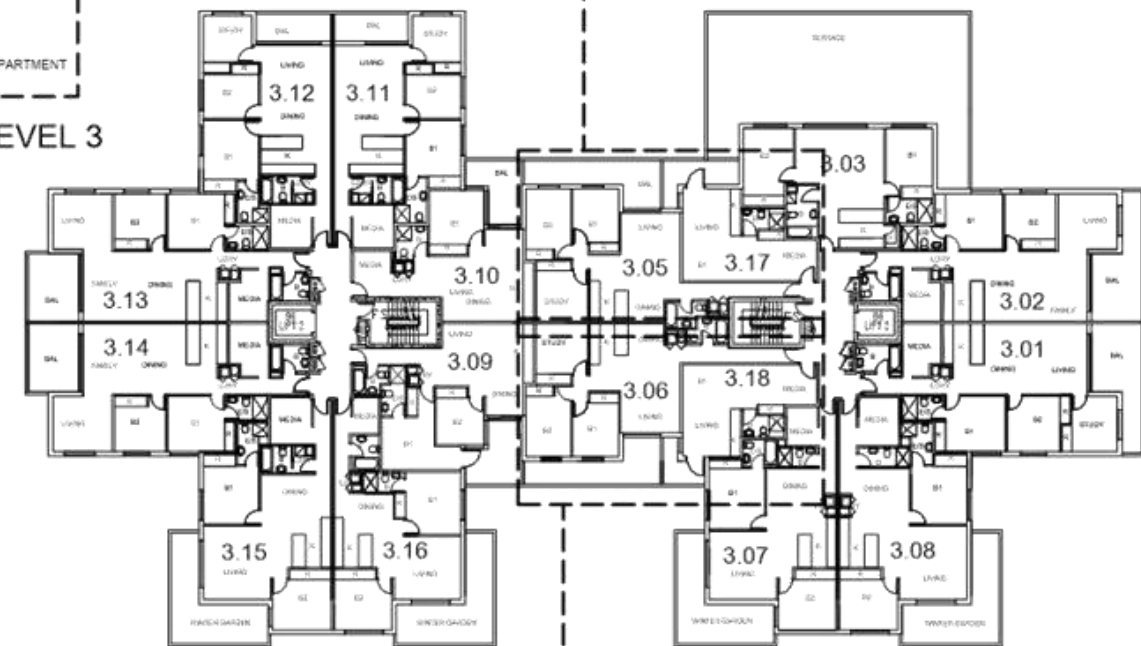
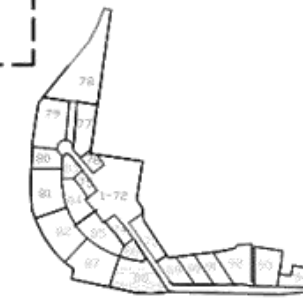


TABLE OF AMENDED APARTMENTS

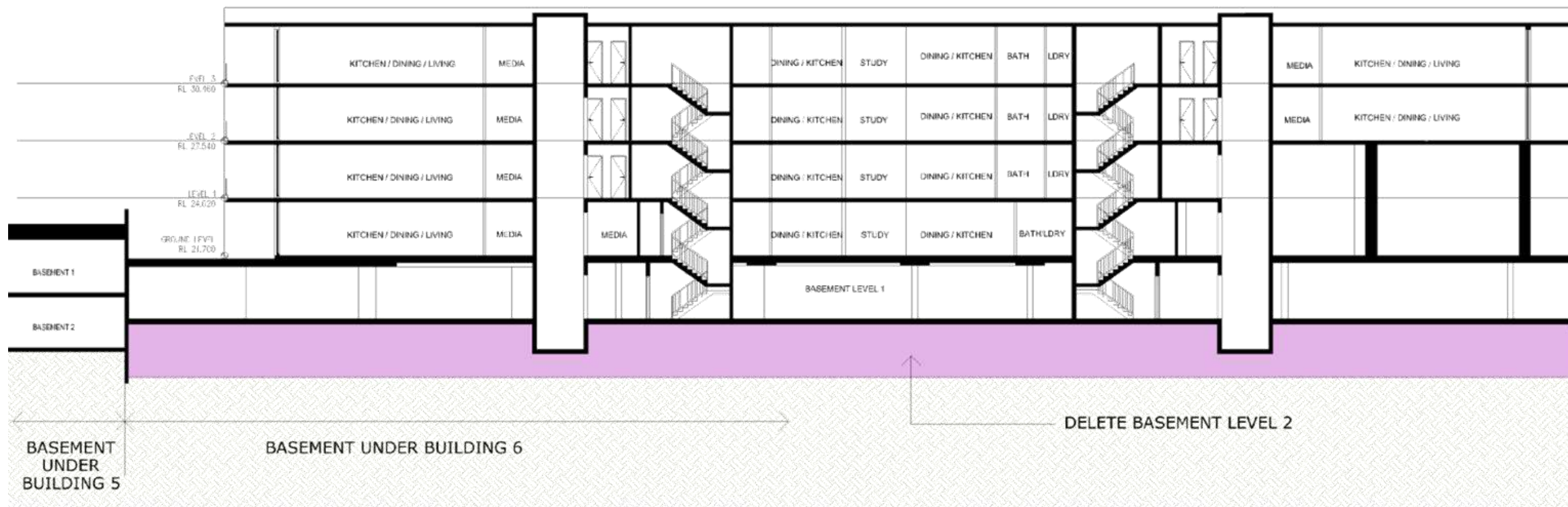
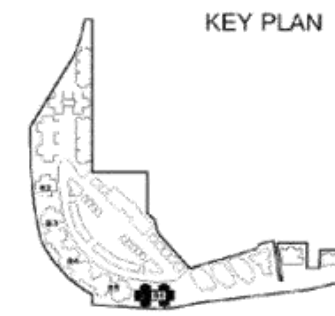
B6			
3BED-DUAL ACCESS			
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	G.14	STUDIO	
1.04	1.04	2BEDS	
	1.05	STUDIO	
	2.05	2BEDS	
	2.17	STUDIO	
	2.06	2BEDS	
	2.18	STUDIO	
	3.05	2BEDS	
	3.17	STUDIO	
	3.06	2BEDS	
	3.18	STUDIO	
6	12	8 2BEDS	
		8STUDIOS	

CENTENARY PARK
 HOME BUSH WEST
 PROPOSED RESIDENTIAL DEVELOPMENT

RI III DING 6



DATE: 21-08-2017 1:400 @ A3 **S96 14-1**
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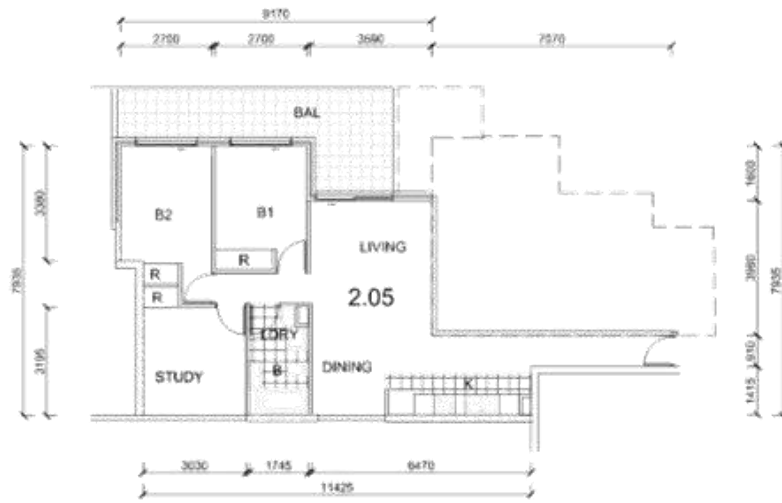


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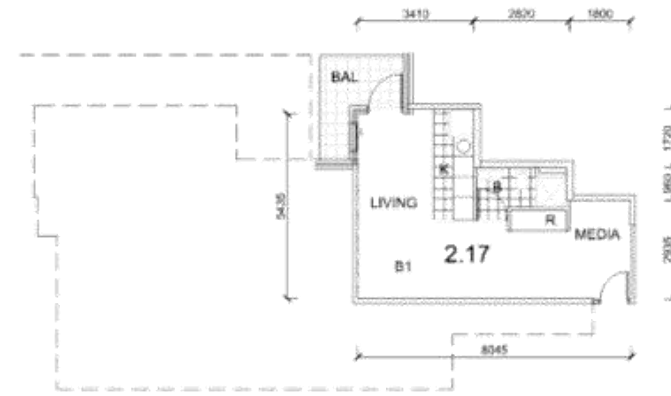
CENTENARY PARK
 81-86 COURALLIE AVE. HOMEBUSH WEST
 STAGE 1D
 BUILDING 6 SECTION

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0 1 2 5 10
 SCALE (m) 1:200 @ A3
 DATE: 23.08.2017
 ISSUE: B
DRAWING NO: S96 31



3BED DUAL ACCESS APARTMENT - 2 BEDROOM APARTMENT



3BED DUAL ACCESS APARTMENT - STUDIO APARTMENT

INDIVIDUAL PLANS
 TYPICAL ALTERATION TO EVERY 3BED DUAL ACCESS APARTMENTS



KEY PLAN

CENTENARY PARK
 HOMEBUSH WEST
 PROPOSED RESIDENTIAL DEVELOPMENT

DRAWING No: **S96 20**
 DATE: 20-06-2017 1:250 @ A3
MRA | Michael Raad Architects Pty Limit
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TO: Strathfield Independent Hearing and Assessment Panel Meeting - 7
September 2017

REPORT: SIHAP – Report No. 4

SUBJECT: 2 DICKSON STREET, STRATHFIELD
LOT D IN DP 362854

DA NO. 2017/093

SUMMARY

Proposal: Demolition of existing structures and construction of a two (2) storey dwelling with basement and front fence.

Applicant: Bechara Chan & Associates

Owner: S.H SYED & M.T SYED

Date of lodgement: 23 June 2017

Notification period: 5 July 2017 to 20 July 2017

Submissions received: Three (3)

Assessment officer: ND

Estimated cost of works: \$1,000,000

Zoning: R2 Low Density Residential - SLEP 2012

Heritage: N/A

Flood affected: No

RECOMMENDATION OF OFFICER: **APPROVAL**

EXECUTIVE SUMMARY

- 1.0 The application seeks Council approval for the demolition of existing structures and the construction of a two (2) storey dwelling with basement and front fence.
- 2.0 The application and plans were notified in accordance with Part L of the Strathfield Consolidated Development Control Plan (SCDCP) 2005, with two (2) written submissions received raising concerns regarding visual privacy and setbacks. The issues raised in the submissions have been taken into consideration and conditions of consent have been imposed where necessary.
- 3.0 The proposed development results in a two (2) storey dwelling with one (1) level of basement parking with a stepped design to accommodate for the splay of the subject site. The colour palette and external finishes are compatible with the surrounding streetscape.
- 4.0 It is recommended that the Development Application be approved subject to conditions.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is located on the northern side of Dickson Street, opposite the T-intersection of Dickson Street and Hydebrae Street (as shown in Figure 1). The site has a splay in the south corner featuring a frontage of 23.18m to Dickson Street and comprises a total site area of 533m². The site is currently occupied by a single storey rendered masonry dwelling with an attached garage (as shown in Figure 2). The existing streetscape comprises of a mixture of original housing

**2 Dickson Street, Strathfield
Lot D in DP 362854 (Cont'd)**

stock predominantly facebrick and recently constructed dwellings that are predominantly rendered masonry.



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



Figure 2: View of existing dwelling from Dickson Street.

PROPERTY BURDENS AND CONSTRAINTS

2 Dickson Street, Strathfield
Lot D in DP 362854 (Cont'd)

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

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks Council approval for the demolition of existing structures and the construction of a two (2) storey dwelling with basement and front fence.

The specific elements of the proposal are:

- Demolition of the existing dwelling, attached garage and front fence;
- Construction of a new two (2) storey dwelling containing four (4) bedrooms and rear alfresco area;
- Construction of a basement including two (2) car parking spaces and storage area;
- Construction of a front fence; and
- Associated landscaping and drainage works.

REFERRALS

INTERNAL REFERRALS

Engineering Comments

Council's Engineer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

Landscaping Comments

Council's Tree Coordinator has commented on the proposal as follows:

"Council supports this development. New front boundary fence must be constructed on existing footings or comprise of pier and beam construction, with vertical supports adjusted to avoid existing tree roots from Council tree."

SECTION 79C CONSIDERATIONS – EP&A Act, 1979

In determining a development application, the consent authority is to take into consideration the following matters of consideration contained within section 79C of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

79C(1)(a) the provisions of:

- (i) any environmental planning instrument**

STATE ENVIRONMENTAL PLANNING POLICY (SEPP) – BASIX 2004

In accordance with the BASIX SEPP all new housing in NSW is required to meet a designated target for energy and water reduction.

A BASIX Certificate was submitted as part of the application which indicates that the proposal meets the required reduction targets. An appropriate condition of consent will be imposed to ensure future compliance with these targets.

2 Dickson Street, Strathfield
Lot D in DP 362854 (Cont'd)

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

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

Cl. 1.2(2)	Aims	Complies
(a)	To achieve high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield	Yes
(b)	To promote the efficient and spatially appropriate use of land, the sustainable revitalisation of centres, the improved integration of transport and land use, and an appropriate mix of uses by regulating land use and development	Yes
(c)	To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community	Yes
(d)	To provide opportunities for economic growth that will enhance the local community	Yes
(e)	To promote future development that integrated land use and transport planning, encourages public transport use, and reduced the traffic and environmental impacts of private vehicle use	Yes
(f)	To identify and protect environmental and cultural heritage	Yes
(g)	To promote opportunities for social, cultural and community activities	Yes
(h)	To minimise risk to the community by identifying land subject to flooding and restricting incompatible development	N/A

Comments:

- The existing streetscape comprises a mixture of original housing stock and recently constructed dwellings. The more recently constructed dwellings predominantly have a rendered masonry finish. The dwelling is consistent with the streetscape proposing a rendered masonry finish in neutral colour tones.
- The scale of the dwelling including the roof form is compatible with the eastern and western adjoining dwellings.

Permissibility

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

Dwelling houses are permissible within the R2 Zone with consent and is defined as follows:

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

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

Zone Objectives

An assessment of the proposal against the objectives of the R2 Zone is included below:

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

2 Dickson Street, Strathfield
Lot D in DP 362854 (Cont'd)

Comments: The proposed development provides a two (2) storey dwelling which provides for the housing needs of the community in a low density setting.

Part 4: Principal development standards

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

Height of building

Cl.	Standard	Controls	Proposed	Complies
4.3	Height of building	9.5m	9.0m	Yes

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

Comments:

- The proposed development seeks a maximum height of 9.0m which demonstrates compliance with Clause 4.3 of the SLEP, 2012.
- The proposed height is appropriate for the gradient of the site and compatible with the immediately adjoining properties (as shown in Figure 3).

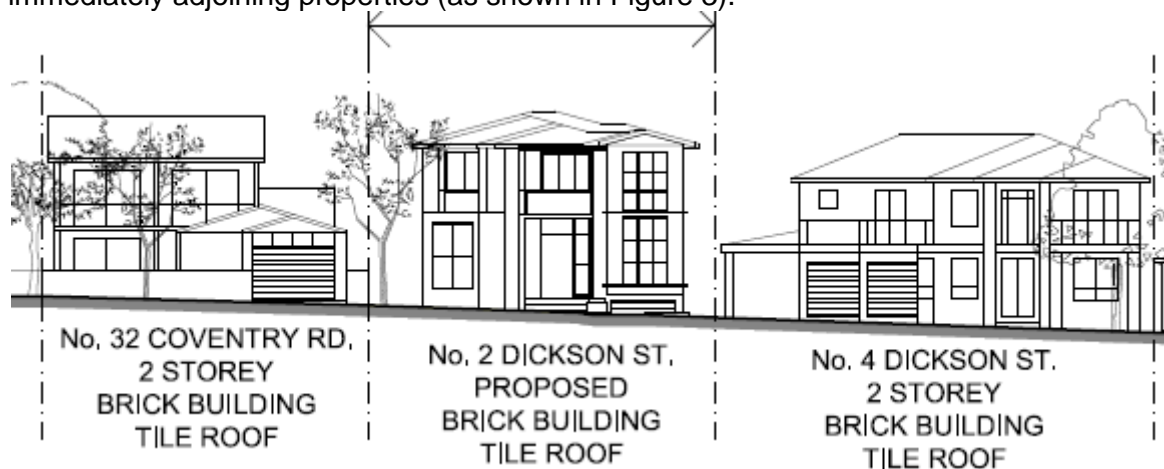


Figure 3: Proposed streetscape elevation

Exceptions to Floor space ratio

Cl.	Standard	Controls	Proposed	Complies
4.4C	Floor space ratio 500-599m ²	0.625:1 (333.125m ²)	0.608:1 (324.254m ²)	Yes

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

2 Dickson Street, Strathfield
Lot D in DP 362854 (Cont'd)

Comments:

- The proposed development achieves compliance with the relevant FSR provisions applying to the site under the SLEP 2012. A mixture of single and two (2) storey dwellings are found along Dickson Street.
- As shown in Figure 3, the scale of the proposed dwelling is consistent with the eastern and western adjoining dwellings and the overall Dickson Street streetscape.
- The proposal is unlikely to adversely impact upon the amenity of adjoining properties by the imposition of the recommended conditions.

Part 5: Miscellaneous Provisions

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

5.9 Preservation of trees or vegetation

The proposal seeks to remove a number of on-site trees. The trees proposed for removal were assessed by Council's Tree Coordinator and had no objection to their removal.

Part 6: Local Provisions

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

6.1 Acid sulfate soils

The subject site is identified as having Class 5 soils and is not located within 500m of Class 1, 2, 3 or 4 soils. Therefore, the proposed development was not required to be accompanied by an Acid Sulfate Soils Management Plan and has satisfied the requirements of Clause 6.1 of the SLEP, 2012.

6.2 Earthworks

The proposed development involves excavation for one (1) level of basement, accordingly appropriate conditions of consent have been recommended.

79C(1)(a)(ii) any draft environmental planning instruments

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

79C(1)(a)(iii) any development control plan

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005

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

PART A – DWELLING HOUSES AND ANCILLARY STRUCTURES

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

No.	Objectives	Complies
A	<i>To preserve and enhance the residential amenity and heritage value of buildings in the Strathfield Municipality</i>	Yes
B	<i>To encourage construction of environmentally sustainable dwelling</i>	Yes

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	<i>houses and ancillary structures</i>	
C	<i>To preserve the appearance of dwellings in tree-lined streets and park-like settings</i>	Yes
D	<i>To maintain compatible architectural styles of dwelling houses within the streetscape</i>	Yes
E	<i>To encourage innovation in housing design and detail</i>	Yes
F	<i>To maintain continuity of streetscape by requiring new and altered dwellings to be constructed to a similar size and scale to adjoining developments</i>	Yes
G	<i>To provide a high standard of dwelling house design, construction and finish</i>	Yes
H	<i>To maximise solar access to existing and proposed developments</i>	Yes
I	<i>To provide adequate and convenient on-site car parking</i>	Yes

Comments:

- The proposed rendered masonry finish and pitched roof form is compatible with the surrounding streetscape, specifically the adjoining eastern and western dwellings that also have a rendered masonry finish and pitched roof.

Streetscape

Cl. 3.2 Objectives	Complies
A. <i>Ensure that development respects the height, scale, character, materials and architectural qualities of the surrounding neighbourhood, including any adjoining or nearby heritage item or heritage conservation area</i>	Yes
B. <i>Protect and retain the amenity of adjoining properties</i>	Yes
C. <i>Discourage the use of non-responsive streetscape elements</i>	Yes
D. <i>Ensure that each new dwelling, addition or alteration respects the predominant height, bulk and scale of existing residential development in the immediate vicinity</i>	Yes
E. <i>Ensure that the dominant building rhythm of the streetscape is reflected in the building design in terms of the spacing and proportion of the built elements</i>	Yes
F. <i>Retain a feeling of openness and space between built elements by maintaining landscaped setbacks</i>	Yes
G. <i>Ensure that new dwellings have facades, which define, address, and enhance the public domain</i>	Yes
H. <i>Preserve the appearance of dwellings set in the tree lined streets and park-like environment</i>	Yes
I. <i>Achieve quality architecture in new development through the appropriate composition and articulation of building elements</i>	Yes
J. <i>Encourage building materials, colours and finishes that are sympathetic to the materials and finishes of surrounding buildings and can be integrated into the overall building form</i>	Yes
K. <i>To ensure fencing is sympathetic to the design of the dwelling and enhances the character of both the individual house and street</i>	Yes

Cl.	Element	Controls	Complies
3.3.1	<i>Neighbourhood character and amenity</i>	(1) <i>New dwellings positioned and oriented to address the street frontage and complement the existing pattern of development in the street</i> (2) <i>Consistently occurring positive building façade features within existing streetscape incorporated into the dwelling design</i>	Yes
3.3.2	<i>Scale, massing and rhythm</i>	(1) <i>Overall scale, massing, bulk and layout to complement existing streetscape</i> (2) <i>New buildings, alterations and additions shall</i>	Yes

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		<i>reflect dominant building rhythm in the street</i>	
3.3.3	<i>Street edge and garden setting</i>	<ul style="list-style-type: none"> (1) <i>Retain existing trees within the front setback</i> (2) <i>At least two (2) canopy trees within the front setback with minimum mature height of 10m</i> (3) <i>Driveway location must not necessitate the removal of any street tree</i> (4) <i>At least 50% of the front setback area must comprise deep soil landscaping</i> 	Yes
3.3.4	<i>Materials, colours, roof forms and architectural detailing</i>	<ul style="list-style-type: none"> (1) <i>Roof design to be similar in pitch, materials and colour to roofs in the immediate streetscape</i> (2) <i>Colours of garages, window frames, ventilation and downpipes and balustrading on main facades and elevation to complement external design of the building</i> (3) <i>Building form to be articulated to avoid large expanses of unbroken wall.</i> (4) <i>In relation to heritage items or buildings within a conservation area, cement render of previously unrendered masonry is not permitted</i> (5) <i>Materials used for additions and ancillary structures to be compatible with the existing dwelling house</i> (6) <i>Monotone face brick walls and tiled roofs used where they are existing in the immediate streetscape</i> (7) <i>Highly reflective materials are not acceptable for roof or wall cladding</i> 	Yes
3.3.5	<i>Fencing</i>	<ul style="list-style-type: none"> (1) <i>Front and side fencing facing a secondary street to be sympathetic to the style of the dwelling.</i> (2) <i>Any fencing forward of the building line may be topped by an additional 0.8m high open timber picket, wrought iron, palisade or similar element. Brick piers over 1m are permitted to support decorative elements, provided they are equally spaced along the street, and do not exceed a height of 1.8m.</i> (3) <i>Solid fencing forward of the building line shall not exceed 1m above NGL.</i> (4) <i>Solid fencing up to 1.8m along a secondary frontage.</i> (5) <i>Side and rear fences permitted up to 1.8m high.</i> (6) <i>Materials not supported for front fences: unrendered cement block, galvanised or aluminium sheeting, fibre-cement board, brushwood, barbed wire, or fencing with a spear type design.</i> (7) <i>Side fencing shall be stepped to reflect the topography of the street.</i> (8) <i>Side and rear fences to allow stormwater to flow through or under the fence.</i> (9) <i>Fencing on corner allotments to incorporate a minimum 1.5m x 1.5m splay adjacent to the road intersection to maintain sight distances for pedestrians and drivers.</i> (10) <i>Solid fences adjoining vehicular access driveways to be provided with a minimum 1m x 1m splay to maintain sight distances for pedestrians and drivers.</i> (11) <i>Corner splays must be landscaped.</i> (12) <i>Council does not permit trees to be removed to facilitate a fence design.</i> 	Yes

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- (13) *Dividing fences between private property and Council parks, reserves, open space etc. must be constructed only in timber palings (lapped and capped) with a maximum height of 1.8m.*
- (14) *No gates or entries from private property onto Council's parks, reserves, open space, etc. are permitted.*

Comments

- The dark terracotta roof tiles and rendered masonry colours are consistent with the other rendered masonry dwellings in Dickson Street.
- The proposed Dulux Light Rice Quarter rendered paint colour for the first level is comparable to the cream render of the front fence and roof gables of the older facebrick dwellings.
- 63.655m (50.25%) of the front setback is proposed as deep soil landscaping.
- The relocation of the driveway will not result in the removal of any street tree.
- The proposal seeks to construct a rendered pier and infill front fence with a maximum solid base of 600mm (due to gradient of site) with an overall 1.2m maximum height. The front fence infill comprises of vertically orientated timber slats and is compatible with the front and side fences within the streetscape. The fence is appropriately stepped to accommodate for the gradient of the site.
- In accordance with Council's Tree Coordinator comments a condition of consent is recommended for the proposed front fence to be constructed on the existing footings of the existing front fence or be constructed on pier and beam. The imposition of this condition will minimise the potential for the front fence construction to damage the two (2) street trees.

Architectural Design and Details

Cl. 5.2 Objectives	Complies
A. <i>Encourage architecture that is innovative and that uses high quality detailing, blending elements characteristic of Strathfield with contemporary materials and features</i>	Yes
B. <i>Encourage building materials and finishes which are sympathetic to the materials and finishes within the surrounding context</i>	Yes
C. <i>Require the use of colours that are sympathetic to the surrounding dwelling and streetscape that is within proximity of the new development.</i>	Yes
D. <i>Reduce the use of highly reflective colours and materials that create visual prominence</i>	Yes
E. <i>Building forms should be compatible with the existing dwelling house (in the case of alteration and additions) or with adjoining dwelling houses and the streetscape in terms of type, form and colour</i>	Yes

Cl.	Element	Controls	Complies
5.3.2	Two (2) storey porticoes	<p>(1) <i>Two (2) storey porticoes may be considered where they are in scale with the proposed dwelling and compatible with the streetscape.</i></p> <p>(2) <i>Two (2) storey porticoes are to be vertically articulated or broken to reduce their height.</i></p> <p>(3) <i>No porticoes or associated porches shall protrude more than 1m forward of the front building façade.</i></p> <p>(4) <i>Porticoes are not to extend higher than the understorey of the eaves/guttering.</i></p>	Yes

Comments:

- Two (2) storey portico is appropriately broken with the ground floor porch articulated 1.5m from the external wall and the first level balcony recessed 500mm from the porch below. Further, the portico is recessed from the front building line as the dwelling has adopted a

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stepped design to accommodate for the splay of the site.

- As previously stated the proposed building form and schedule of colours and finishes is compatible with the surrounding streetscape resulting in an integrated development outcome.

Ecologically Sustainable Development

Cl. 6.2	Objectives	Complies
A.	<i>Encourage passive and active strategies in the design of dwellings and promote the achievement of ecologically sustainable practices</i>	Yes
B.	<i>Ensure dwellings are designed to allow sufficient natural ventilation and lighting whilst minimising heat gain during summer and maximising solar access during winter, thereby reducing the need for artificial cooling and heating</i>	Yes
C.	<i>Minimise the over use of Sydney's limited high quality domestic water supply by ensuring new dwellings incorporate water storage tanks for use in toilet flushing, landscape irrigation and to encourage new dwellings, additions and alterations to incorporate water saving devices and water conservation strategies</i>	Yes
D.	<i>Utilise low greenhouse impact water systems technology in all new dwellings</i>	Yes
E.	<i>Achieve greater efficiency in domestic energy consumption, thereby helping to alleviate the effects of greenhouse emissions</i>	Yes

Cl.	Element	Controls	Complies
6.3.1	Solar access and natural lighting	(1) <i>The design of new dwellings should ensure that living areas face north, sleeping areas face to the east or south, and utility areas to the west or south to maximise winter solar access.</i> (2) <i>In new dwellings, solar access to the windows of habitable rooms and to at least 50% of private open space must be provided or achieved for a minimum period of 4 hours between 9.00am and 3.00pm at the winter solstice (June 22).</i>	No
6.3.2	Natural heating	(1) <i>Living areas should be oriented to the north to maximise direct solar access</i> (2) <i>Where it is proposed to plant trees to the north of the dwelling they must be deciduous to allow solar access during the winter</i> (3) <i>Materials with a high thermal mass are encouraged</i>	Yes
6.3.3	Natural cooling	(1) <i>Windows and walls should be shaded by the use of shading devices, eaves, louvres and trees. Shading devices should be sympathetic to dwelling design and not detract from the appearance of the dwelling</i> (2) <i>Windows should be positioned to capture breezes and allow for cross-ventilation</i>	Yes
6.3.5	Water tanks	(1) <i>Above ground water tanks shall be located behind the dwelling. Where it is not possible to locate a water tank wholly behind the dwelling, it should be located behind the front building line and screened from view from the public domain with appropriate landscaping</i> (2) <i>Above ground water tanks must be located at least 450mm from any property boundary</i>	Yes
6.3.6	Hot water heater units	(1) <i>Hot water units shall be located behind the dwelling. Where it is not possible to locate the unit either internally or wholly behind the dwelling, it must be located behind the front building line and screened from view from the public domain with appropriate landscaping</i>	Yes

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(2) Hot water systems are not to be located on balconies unless they are screened from public view

Comments:

- A BASIX Certificate was submitted with the development application meeting designated target for energy and water reduction. In accordance with the BASIX Certificate a 2,500L rainwater tank is to be installed behind an articulated eastern portion of the dwelling 2m from the eastern side boundary and not visible from the streetscape.
- The majority of the adjoining dwellings will receive at least 4 hours of solar access. Whilst the carport of the adjoining eastern dwelling will receive approximately 2 hours of solar access, the non-compliance is considered acceptable as the space is considered non-habitable and infrequently used.

Building Height

Cl. 8.2 Objectives		Complies
A.	<i>Dwelling houses and ancillary structures, including garages are to be no more than two (2) storey's high</i>	Yes
B.	<i>Ensure that the overall size and height of dwellings relative to NGL responds to the adjoining dwellings, site topography and the desired future scale of buildings in the street.</i>	Yes
C.	<i>Provide suitable anchor points on the external load bearing walls for where additions are proposed</i>	Yes
D.	<i>Promote the continuation of pyramidal roof forms within Strathfield where they are already prevalent</i>	Yes
E.	<i>Achieve development that does not reduce or restrict reasonable solar access to living and outdoor areas</i>	Yes

Cl.	Element	Controls	Complies
8.3.1	<i>Building height</i>	<i>(1) The building height shall follow the gradient for any given site</i>	Yes
8.3.2	<i>Roof pitches and shape</i>	<i>(1) Pitched roofs should be designed with a pitch between 23.5 and 45 degrees.</i>	Yes

Comments:

- A pitched roof is proposed and is consistent with the predominant roof style in Dickson Street.

Landscaped Areas

Cl. 9.2 Objectives		Complies
A.	<i>Encourage landscaping that is appropriate to the style and scale of the dwelling and adjoining development</i>	Yes
B.	<i>Encourage new dwellings to preserve existing landscape elements on site and encourage the integration of existing landscape elements in the design of the proposal</i>	Yes
C.	<i>Ensure adequate deep soil planting is retained on each allotment</i>	Yes
D.	<i>Ensure both existing and new landscaping provides suitable shade and facilitates convective cooling breeze paths in summer</i>	Yes
E.	<i>Encourage the use of native flora such as open woodland canopy trees, to provide a habitat for native fauna</i>	Yes
F.	<i>Encourage the use of native flora such as open woodland canopy trees, to provide a habitat for native fauna</i>	Yes
G.	<i>Provide functional private open and outdoor spaces for active or passive use by residents</i>	Yes
H.	<i>Provide private open areas with provision for clothes drying facilities screened from the street and lane or a public place</i>	Yes

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I.	<i>Encourage the greater provision of more effective shade within the community</i>	Yes
J.	<i>Encourage the integration of existing trees into the design of the new or altered dwelling</i>	Yes
K.	<i>Require owners assess the feasibility of retaining existing site trees prior to the design of a development</i>	Yes
L.	<i>Ensure protection of trees during construction is adequate</i>	Yes

Cl.	Element	Controls	Complies
9.3.1	<i>Minimum landscaped area</i>	<i>36% (175.89m²) as per Table 2 of Part A SCDCP 2005</i>	Yes
9.3.2	<i>Planting of landscaped areas</i>	<p>(1) <i>Minimum 25% of canopy trees to comprise locally sourced indigenous species</i></p> <p>(2) <i>Planting areas shall include a mix of low-lying shrubs, medium-high shrubs and canopy trees in location where they will soften the built form.</i></p> <p>(3) <i>Where no existing canopy trees are present on a site at least two (2) canopy trees must be provided in the front yard and one (1) canopy tree in the rear yard.</i></p> <p>(4) <i>New structures shall be positioned to provide for the retention and protection of existing significant trees, especially near property boundaries, and natural features such as rock outcrops.</i></p>	No
9.3.3	<i>Private outdoor living space</i>	<i>Private open space is to be provided in a single parcel rather than a fragmented space and shall be directly accessible from internal living areas of the dwelling</i>	Yes
9.3.4	<i>Tree removal and preservation</i>	<p>(1) <i>Development shall provide for the retention and protection of existing significant trees, especially near property boundaries</i></p> <p>(2) <i>The trunk of a proposed canopy tree must be planted a minimum of 4m from built structures, or a minimum of 3m from pier beam footings</i></p> <p>(3) <i>New dwellings must be setback a minimum of 5m from any significant tree listed in Council's significant tree register</i></p> <p>(4) <i>Building works should be located outside of the canopy spread of existing trees, with suitable setbacks depending upon species and size</i></p> <p>(5) <i>Trees planted on side boundaries adjacent to neighbouring dwellings and structures must have a minimum 0.6m deep root deflection barrier provided for a minimum of 1.5m either side of the tree centre</i></p>	Yes

Comments:

- 38.18% (203.51m²) of the subject site is proposed as deep soil zone.
- The proposal does not include the planting of any trees that are categorised as canopy trees (10m). Accordingly a condition of consent is recommended for two (2) canopy trees in the front setback and one (1) in the rear to be planted.
- The rear alfresco area is directly accessible from the open plan kitchen, dining room and family room.
- During the assessment process, paving within the front setback was deleted to increase the amount of deep soil landscaping and to soften the building form from the streetscape.

Setbacks

Cl	Objectives	Complies
10.2		

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A.	<i>Establish and maintain the desired setbacks from the street and define the street edge</i>	Yes
B.	<i>Provide a transitional area between public and private space</i>	Yes
C.	<i>Create a perception of openness in streets</i>	Yes
D.	<i>Assist in achieving passive surveillance whilst protecting visual privacy</i>	Yes
E.	<i>Preserve and enhance the established garden settings within each local area</i>	Yes
F.	<i>Ensure new development is compatible with the established streetscape character</i>	Yes
G.	<i>Maintain view corridors between dwellings</i>	Yes
H.	<i>Reinforce a sense of openness of the locality</i>	Yes
I.	<i>Ensure that all new and existing dwellings achieve adequate visual and acoustic privacy</i>	Yes
J.	<i>Allow for appropriate access for services and utilities easements</i>	Yes
K.	<i>Minimise overshadowing of neighbouring properties from new developments</i>	Yes

Cl.	Element	Controls	Complies
10.3.1	<i>Street setback</i>	<p>(1) 9m or prevailing setback in the street block</p> <p>a) 1.5m for secondary street setbacks for dwellings on corner allotments</p> <p>b) 3m where main entrance to dwelling from secondary frontage</p> <p>(2) Despite subclause (1), a primary street setback of less than 9m may be considered where:</p> <p>a) the predominant setback in the street block is less than 9m</p> <p>b) the proposed setback is not less than the setback of the existing dwelling</p> <p>c) the proposed setback would not be in conflict with the character of the existing streetscape</p> <p>(3) The street setback is measured at right angles from the lot boundary to the front wall of a dwelling</p> <p>(4) In the case of a corner site with two (2) frontages, the 9m setback applies to the narrowest or primary street frontage</p>	Yes
10.3.2	<i>Side and rear setbacks</i>	<p>(1) New dwellings and extensions: 25% of the width of the block with minimum 1.5m setbacks for each side</p> <p>(2) Minimum 6m rear setback to provide adequately sized outdoor living areas and adequate deep soil areas for shading/screening trees.</p>	Yes

Comments:

- As the site has a splay in the south corner the front setback across the front façade of the dwelling is varied. The proposal seeks to provide a 14.36m front setback at the eastern-most point of the dwelling and decreases to 8.45m at the western-most point. The proposed varied front setback is consistent with the adjoining eastern dwelling and overall exceeds the minimum 9m required setback. Accordingly, the proposed front setback is considered acceptable.
- The entire dwelling including where the width of the site reduces from 16.30m to 15.24m exceeds the minimum required combined side setbacks.
- A rear setback of 6m is provided.

Vehicle Access and Parking

Cl. 11.2	Objectives	Complies
A.	<i>Ensure that the area of access driveways is minimised in the design of the new development, addition or alteration</i>	Yes

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B.	<i>Ensure driveway widths are kept to a minimum to allow for maximum landscaped areas</i>	Yes
C.	<i>Ensure that construction materials used for driveways respect the architectural qualities of the dwelling</i>	Yes
D.	<i>Garages and carports should not visually dominate the street façade of the dwelling</i>	Yes

Cl.	Element	Controls	Complies
11.3.1	<i>Driveway and grades</i>	<p>(1) Existing driveways must be used unless the applicant can demonstrate that:</p> <p>(a) relocation would improve solar access to the property and/or adjoining properties;</p> <p>(b) the amenity of any adjoining residences would not be unduly affected (with regard to sleeping areas);</p> <p>(c) relocation would not impact on street trees, on street parking or the streetscape; and</p> <p>(d) relocation would not adversely impact the safety of vehicles or pedestrians</p> <p>(2) Kerb and footpath crossings as part of the public domain must only be finished in natural finished concrete and not customised finishes that match the property driveway. Coloured concrete is not permitted in the driveway crossing outside the property boundary.</p> <p>(3) Driveway crossings, including apron and layback shall be located a minimum of 1m clear of any existing stormwater pits, lintels or poles and 2m clear of the trunk of any trees within the road reserve</p> <p>(4) The maximum width of driveways at the property boundary is to be 3m.</p> <p>(5) Vehicles accessing sites which front main roads shall be capable of entering and exiting in a forward direction (i.e., vehicle manoeuvring shall be fully maintained within the site).</p> <p>(6) Vehicular turning areas for garages shall comply with the relevant Australian Standard.</p> <p>(7) Areas of concrete visible from a public road (including driveways and pedestrian ways) are to be kept to a minimum and coloured charcoal, grey or brown.</p>	Yes
11.3.2	<i>Garages and carports</i>	<p>(1) Two (2) car parking spaces are to be provided and maintained behind the front building line of all new dwellings (i.e. garage/or allocated/stacked space). For lots less than 15m in width consideration may be given to one (1) car space. Where alterations and additions to existing dwellings are proposed and two (2) spaces are available, these spaces must be maintained.</p> <p>(2) Garages are to be recessed behind the main front facade of the dwelling and/or designed so as not to dominate the appearance of the building or streetscape.</p> <p>(3) Garages are not to be converted or used for any purpose other than that for which they are approved, that is, garages must not be converted into rumpus rooms, living areas, bedrooms, offices, etc.</p> <p>(4) Garages should be provided no more than at 150mm above ground level at their entry unless the slope of the site exceeds 1:8 (12.5%) in which case a suspended garage may be acceptable.</p> <p>(5) The minimum dimensions of parking spaces and garages shall comply with the relevant standards.</p>	Yes

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Comments:

- One (1) level of basement is provided accommodating for two (2) car parking space and storage area.
- The proposal seeks to relocate the driveway 12.4m east of its current location. The re-location will provide 3.18m separation from the street tree and will not result impede on the amenity of the adjoining residences. Overall, the proposed driveway relocation is considered acceptable.
- The development proposes a 3.6m wide driveway at the front property boundary and would not meet the requirement of Section 11.3.1 (4) of the SCDCP which states that *"the maximum width of driveways at the property boundary is to be 3m"*. Accordingly a condition of consent requiring the driveway at the front property boundary to be no wider than 3m is recommended.

Basements

Cl. 12.2	Objectives	Complies
A.	<i>Ensure that any proposed basement minimises disturbance to natural drainage systems</i>	Yes
B.	<i>Basements are to have discreet entries, safe access and a high degree of natural cross-ventilation</i>	Yes
C.	<i>Minimise excavation to reduce disturbance to NGL particularly adjacent to site boundaries</i>	Yes
D.	<i>To ensure that flooding, drainage or ventilation impacts would not be created for the site, or for adjoining or nearby properties</i>	Yes

Cl.	Element	Controls	Complies
12.3.1	Basement car parking	(1) <i>The maximum area of a basement shall be limited to and contained within the footprint of the dwelling at ground level</i> (2) <i>The height of the dwelling will be measured from NGL and will need to satisfy the building height controls in this policy. Where a basement is proposed, the maximum height of the basement above NGL is limited to 1m measured to the predominant finished floor level of the level above. Where the basement exceeds 1m, it will be considered a storey and included in the calculation of maximum FSR</i> (3) <i>Minimum internal clearance of 2.2m in accordance with BCA requirements</i> (4) <i>Driveways shall comply with the relevant Australian Standards (AS1428.1 and a maximum 1:4 gradient)</i> (5) <i>Basement entries and ramps/driveways within the property are to be no more than 3.5m wide</i> (6) <i>Basements are not to be used for habitable purposes</i> (7) <i>No excavation is permitted within the required minimum side setbacks. Furthermore, the location of basement walls may warrant increased setbacks to provide sufficient area for water proofing, drainage etc.</i> (8) <i>Driveway ramps are to be perpendicular to the property boundary at the street frontage</i> (9) <i>Basements shall be designed to permit vehicles to enter and exit the basement in a forward direction</i> (10) <i>Provision of pump-out systems and stormwater prevention should be in accordance with Council's Stormwater Management Code</i> (11) <i>Basements may not be permissible on flood affected sites. Applicants should check with Council and consider the submitting a pre-lodgement application</i>	Yes

Comments:

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- The basement is contained within the building footprint of the dwelling with an internal clearance of 2.4m and will protrude no more than 940mm above the natural ground level.
- The basement will accommodate for two (2) car parking spaces.
- Appropriate conditions are recommended to ensure compliance with the relevant standards regarding vehicular access ramps and basements.

Altering Natural Ground Level (cut and fill)

Cl. 13.2	Objectives	Complies
A.	<i>Encourage minimal use of cut and fill to reduce site disturbance</i>	Yes
B.	<i>Ensure existing trees and shrubs are undisturbed and maintain ground water tables</i>	Yes
C.	<i>Minimise impacts on overland flow/drainage and encourage the maintenance of existing ground levels</i>	Yes

Cl.	Element	Controls	Complies
13.3.1	Cut and fill	(1) Fill is limited to a maximum of 1m above natural ground level (NGL) (2) For all excavation works that require the use of fill, only clean fill is to be used (3) Cut and fill batters must be stabilised consistent with the soil properties. (4) Vegetation or structural measures are to be implemented as soon as the site is disturbed (5) All areas of excavation shall be setback from property boundaries in accordance with the building setback controls. No excavations shall be made to the ground within the minimum required setbacks (6) Where excavation work is proposed, the work must not affect or undermine the soil stability or structural stability of any buildings on adjoining properties (7) A dilapidation report may be required for all buildings which adjoin proposed excavation areas (8) Avoid excessive fill or floor levels to ensure convenient access between internal spaces and external recreation areas and to minimise potential impacts from overlooking	Yes

Comments:

- A maximum fill of 820mm fill above natural ground level is proposed.
- Conditions of consent requiring the preparation and submission of a Dilapidation Report have been recommended.

Privacy

Cl. 14.2	Objectives	Complies
A.	<i>Maintain reasonable sharing of views from public places and living areas</i>	Yes
B.	<i>Ensure that public views and vistas are protected, maintained and where possible, enhanced</i>	Yes
C.	<i>Ensure that canopy trees take priority over views</i>	Yes
D.	<i>Ensure that the placement of balconies does not adversely impact on the visual privacy of adjoining properties</i>	No

Cl.	Element	Controls	Complies
14.3.1	Views and view	(1) Buildings shall maintain views where possible from surrounding and nearby properties and those available	Yes

2 Dickson Street, Strathfield
Lot D in DP 362854 (Cont'd)

	<i>sharing</i>	<i>to the public from nearby public domain areas (2) Established building lines are to be maintained to preserve view sharing</i>	
14.3.2	<i>Visual privacy</i>	<i>Private open space, recreation areas and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9m by: (1) arranging the layout of a building so as to reduce opportunities for overlooking; (2) the use of fixed screening devices; (3) the separation of buildings; (4) the considered placement of windows and openings; (5) appropriate evergreen screen plants and trees; and (6) ensuring finished floor levels are not excessively elevated above NGL</i>	No
14.3.3	<i>Windows</i>	<i>Windows shall be designed to avoid overlooking of adjacent dwellings and where a transparent window is to be located within 9m of windows of an adjoining dwelling, the window must: (a) be offset from the edge of any windows in the adjoining dwelling by a distance of at least 0.5m; or (b) have a sill height of at least 1.7m about the floor; or have fixed, obscure glazing in any part of the window less than 1.7m above the floor</i>	Yes
14.3.4	<i>Balconies and screening</i>	<i>(1) Upper storey balconies are not permitted on side boundaries, except where facing the secondary frontage of a corner lot, and provided other setback controls can be achieved (2) Elevated decks, verandahs and balconies shall incorporate privacy screens where necessary and shall be located at the front or rear of the building only (3) Small upper floor rear balconies measuring no more than 1m in depth by 2m in length may be permitted where an applicant can demonstrate that the balcony would not unreasonably impact upon the privacy of adjoining premises (including buildings and outdoor spaces) (4) Second storey balconies extending for the full width of the front façade are not permitted</i>	No
14.3.5	<i>Acoustic privacy</i>	<i>(1) Noise-sensitive rooms, such as bedrooms, should be located away from noise sources, including main roads, parking areas, living areas and recreation areas and the like (2) Double glazing, laminated glass, vibration-reducing footings or other materials, should be considered to minimise the effects of noise and/or vibrations (3) Suitable acoustic screen barriers or other noise mitigation measures may be required where physical separation is not able to be achieved</i>	Yes

Comments:

- Refer to Section 79C (1)(b) Likely Impacts for discussion on visual privacy non-compliance.

Access, Safety and Security

Cl. 15.2	Objectives	Complies
A.	<i>Increase the safety and perception of safety in public and semi-public spaces</i>	Yes
B.	<i>Encourage the incorporation of crime prevention principles in the design of the proposed development</i>	Yes

2 Dickson Street, Strathfield
Lot D in DP 362854 (Cont'd)

C.	<i>Provide casual surveillance of the public domain to promote a safe pedestrian environment</i>	Yes
D.	<i>Provide privacy to rooms overlooking the street whilst maintaining surveillance</i>	Yes
E.	<i>Ensure the safety of pedestrians by separating pedestrian access from vehicle access</i>	Yes
F.	<i>Encourage the provision of an accessible entry to dwellings to accommodate a greater range of lifestyles and improve residential amenity and convenience</i>	Yes

Cl.	Element	Controls	Complies
15.3.1	Address and entry sightlines	(1) Buildings are to be designed to allow occupants to overlook public places in order to maximise passive surveillance (2) Design landscaping and materials around dwellings and buildings, so that when plants are mature they do not unreasonably restrict views of pathways, parking and open space areas (3) External lighting should enhance safe access and security around the dwelling and light spill must not adversely impact on adjoining properties (4) Lighting must be designed and located so that it minimises the possibility of vandalism or damage, is appropriate for the street and minimises glare (5) Security lighting must be fitted with motion detectors to reduce energy use and meet relevant Australian Standards	Yes
15.3.2	Pedestrian entries	(1) Pedestrian entries and vehicular entries should be suitably separated to ensure pedestrian and resident safety (2) Building entrances and house numbers are to be clearly visible from the street, easily identifiable and appropriately lit (3) Walkways and landscaping should be used to direct visitors to the main building entrance (4) One (1) entry to the dwelling should be designed to be as accessible as possible. This entry should be a generous width, without steps, and should be located to facilitate movement (5) The path to any accessible entry should be appropriately paved, ideally achieve a 1:14 grade, and incorporate barriers or handrails where there is a drop off or change in level at the side of the path	Yes

Comments:

- The proposed ground floor and first level windows along the front façade of the dwelling would provide passive surveillance to the street.
- The pedestrian entry and vehicle entry are suitably separated.

Water and Soil Management

Cl. 16.2	Objectives	Complies
A.	<i>Encourage the incorporation of Sydney Water's Water Management Strategies in the development</i>	Yes
B.	<i>Ensure compliance with Council's Stormwater Management Code</i>	Yes
C.	<i>Ensure compliance with the NSW State Governments Flood Prone Lands Policy</i>	Yes

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Lot D in DP 362854 (Cont'd)

D.	<i>Ensure that appropriate soil erosion and sediment control measures are implemented on all sites that involve soil disturbances during construction</i>	Yes
E.	<i>Ensure new building work does not detrimentally affect the existing drainage system of any area of the Municipality</i>	Yes
F.	<i>Ensure that new development in areas that may be affected by acid – sulfate soils do not adversely impact the underlying ground conditions and soil acidity</i>	Yes
G.	<i>Ensure that economic and social costs, which may arise from damage to property from flooding, are not greater than that which can reasonably be managed by the property owner and general community</i>	Yes

Cl.	Element	Controls	Complies
16.3.1	<i>Onsite water management and stormwater control</i>	1) <i>Developments shall comply with Council's Stormwater Management Code</i> 2) <i>On site detention devices may be required to assist in the management of stormwater on site.</i>	Yes
16.3.2	<i>Acid sulfate soils</i>	<i>Development is to ensure that sites with potential to contain acid sulfate soils are managed in a manner consistent with the provisions contained in Strathfield Draft LEP 2008 and the relevant standards and guidelines</i>	Yes
16.3.4	<i>Soil erosion and sediment control</i>	(1) <i>Appropriate soil erosion and sediment control measures must be detailed in the development application and implemented prior to the commencement of work.</i> (2) <i>The following sediment control measures are recommended:</i> a) <i>perimeter bank and channels;</i> b) <i>turf filter strips;</i> c) <i>sediment fences;</i> d) <i>sediment traps; and</i> e) <i>roof guttering.</i> (3) <i>Applicants may be required to provide plans showing stormwater quality treatment techniques to prevent sediments and polluted waters from discharging from the site during the construction phase. Such plans will show temporary measures designed in accordance with the NSW Department of Housing, Managing Urban Stormwater, Soils and Construction Manual.</i>	Yes

Comments:

- A sediment and erosion control plan accompanied the development application and a condition ensuring its compliance has been recommended.

Ancillary Structures

Cl. 20.1	Objectives	Complies
A.	<i>Ensure that the design and location of ancillary structures takes into account the streetscape and overall environmental impact</i>	Yes
B.	<i>Ensure that the provision of ancillary structures, such as air conditioning units, are considered at the design stage of a proposed development</i>	Yes

Cl.	Element	Controls	Complies
20.2.1	<i>Waste bin storage and management</i>	1) <i>Developments shall comply with Part H of SCDCP 2005</i> 2) <i>On site detention devices may be required to assist in the management of stormwater on site.</i>	Yes
20.2.2	<i>Retaining walls</i>	(1) <i>Retaining walls are to be no more than a</i>	Yes

2 Dickson Street, Strathfield
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		<i>maximum of 1.2m in height</i>	
		(2) <i>Council requires retaining walls in excess</i>	
20.2.4	<i>Air conditioning</i>	1) <i>Air-conditioning units are to be located within a proposed dwelling or within a suitable building and appropriately soundproofed from any habitable room of an adjoining property</i> 2) <i>Where an air-conditioning unit cannot be located in a building or concealed in a structure (as indicated above), it is to be located in the central third of the rear wall of the dwelling and be a minimum of 3m from any boundary</i> 3) <i>Any building work associated with the installation of an air-conditioning unit must not reduce the structural integrity of any existing buildings</i> 4) <i>Only residential grade air conditioners are to be installed and not commercial grade air conditioners</i> 5) <i>Air-conditioning units must be installed to comply with the Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Noise Control) Regulation 2000</i>	No

Comments:

- Insufficient information was submitted regarding the location of the air-conditioning unit. Accordingly, a condition of consent ensuring compliance with Section 20.2.4 of the SCDCP 2005.

PART H - WASTE MANAGEMENT (SCDCP 2005)

The proposal was accompanied by a Waste Management Plan prepared in accordance with Part H of the SCDCP 2005. Compliance with the waste minimisation strategies of this waste management plan is enforced via recommended conditions of consent.

79C(1)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 93F of the *Environmental Planning and Assessment Act 1979*.

(i) matters prescribed by the regulations

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

Having regard to these prescribed matters, the proposed development is not located on land subject to the Government Coastal Policy as determined by Clause 92(1)(a)(ii) however does involve the demolition of a building for the purposes of AS 2601 – 1991: *The Demolition of Structures*.

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

(ii) any coastal zone management plan

**2 Dickson Street, Strathfield
Lot D in DP 362854 (Cont'd)**

The NSW Government projects sea levels to rise by 40cm in 2050 and by 90cm in 2100 above the relative mean sea level in 1990. These planning benchmarks are to be considered in the assessment of development applications through the applicable coastal zone management plan or alternatively the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

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

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

79C(1)(b) *the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality*

Visual Privacy

According to Section 14.3.2 and 14.3.3 of the SCDCP 2005, the private open space and windows of proposed and existing adjoining dwellings are to be protected from direct overlooking within 9m of the dwellings. Whilst the privacy screens and frosted glass are proposed on the eastern and western elevations of the rear alfresco area, to ensure compliance with the proposed treatments a condition of consent has been recommended. The proposed rear alfresco area is located 3m from the site's rear northern boundary and a further 14.2m from the northern adjoining dwelling with five (5) crepe myrtle trees to be planted across the entire rear boundary as a landscape screening. However, the deciduous characteristic of crepe myrtles render the ineffective and accordingly a condition is recommended for evergreen shrubs attaining a minimum height of 3m are planted and maintained along the rear boundary to minimize acoustic and visual impacts of the proposed development.

Balcony

Section 14.3.4 of the SCDCP 2005 permits upper floor rear balconies to measure no more than 1m in depth and 2m in length. The proposal seeks to provide a rear upper level balcony adjoining the Master Bedroom proposed to a depth of 2.2m and length of 5m contrary to Section 14.3.4. Additionally the balcony is located only 4.4m from the rear property boundary and provides direct overlooking into the eastern and western adjoining dwellings. It is recommended that the length and depth of the balcony is reduced so to align with the rear building line to ensure it remains as a passive space and does not result in overlooking opportunities.

79C(1)(c) *the suitability of the site for the development*

The proposed development is considered to be suitable for the subject site resulting in a dwelling that will integrate well with the surrounding streetscape that will not compromise the amenity of adjoining residents through the imposition of the recommended conditions of consent.

79C(1)(d) *any submissions made in accordance with this Act or the regulations*

The application was notified in accordance with Part L of the SCDCP 2005 from 5 July 2017 to 20 July 2017, with three (3) written submissions received, raising the following concerns:

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Lot D in DP 362854 (Cont'd)

1. Overlooking

Concern is raised for the proposed positioning of windows on the eastern and rear elevations of the dwelling providing direct overlooking opportunities into the adjoining properties.

Assessing officer's comments: The positions of the windows of the proposed dwelling have been assessed against the privacy provisions in Section 14 of the SCDCP 2005. Conditions of consent including window treatments, and fixed privacy screens have been recommended where appropriate.

2. Upper Rear Balcony:

Concern is raised regarding overlooking opportunities from the upper rear balcony into the adjoining western property's private open space. Further, concern is raised regarding the size of the balcony.

Assessing officer's comments: The size and position of the proposed rear balcony has been assessed against Section 14.3.4 of the SCDCP 2005 with non-compliances discussed in Section 79C(1)(b) Likely Impacts of this report.

3. Tree Proximity

Concern is raised that the location of the proposed dwelling may cause damage to the Crepe Myrtle and Bottle Brush trees located at the rear adjoining property.

Assessing officer's comments: The proposal was forwarded to Council's Tree Coordinator for comment and provided no objection to the proposed development. Appropriate conditions regarding tree preservation have been recommended.

4. Landscape Screening

Concern is raised that the five (5) Crepe Myrtle trees as per the submitted landscape plan to be planted along the rear boundary will not provide suitable privacy between the adjoining properties as they are a deciduous species.

Assessing officer's comments: As previously discussed in Section 79C (1)(b) of this report, the proposed Crepe Myrtle trees will not provide sufficient screening between the adjoining properties due to their deciduous characteristic. Accordingly a condition of consent has been recommended for the entire rear boundary to be planted with evergreen shrubs achieving a minimum mature height of 3m.

5. Land Fill

Concern is raised that the proposed landfill will alter the natural fall of the subject site and impact on the stormwater flow of the adjoining the property.

Assessing officer's comments: It is standard for Council to impose conditions of consent relating to the natural flow of flood waters. Specifically Condition No. 38 is recommended to ensure the site is drained appropriately and does not interfere with the natural flow of flood water through the imposition of provisions including "allowance shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other properties."

79C(1)(e) the public interest

2 Dickson Street, Strathfield
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The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development is not considered to be contrary to the public interest.

SECTION 94 CONTRIBUTIONS

Section 94 of the *EP&A Act 1979* relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The Act reads as follows:

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

STRATHFIELD INDIRECT SECTION 94 CONTRIBUTIONS PLAN

Local Amenity Improvement Levy	\$10,000.00
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CONCLUSION

The application has been assessed having regard to Section 79C of the *Environmental Planning and Assessment Act 1979*, the *Strathfield Local Environmental Plan 2012* and the *Strathfield Development Control Plan 2005* and is considered to be satisfactory for approval, subject to the recommended conditions of consent.

RECOMMENDATION

That Development Application No. 2017/093 for the demolition of existing structures and construction of a two (2) storey dwelling with basement and front fence at 2 Dickson Street, Strathfield be **APPROVED** subject to the following conditions:

SPECIAL CONDITIONS (SC)

1. FRONT FENCE – EXISTING FOOTINGS (SC)

The front boundary fence shall be constructed on existing footings or comprise of pier and beam construction, with vertical supports adjusted to avoid existing tree roots from Council's street trees.

Plans demonstrating the above condition shall be submitted and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.

(Reason: Tree preservation.)

2. LANDSCAPING – INDIGENOUS SPECIES (SC)

The submitted landscape plan entitled landscape Plan, Drawing No. L-01, prepared by Sussan Zindo received by Council 27 July 2017 shall be amended so a minimum of 25% of

2 Dickson Street, Strathfield
Lot D in DP 362854 (Cont'd)

all plantings are to be locally indigenous species.

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

(Reason: To achieve compliance with the SCDCP 2005.)

3. REAR BALCONY (SC)

The length and depth of the rear upper level balcony depicted on the Ground Floor Plan & First Floor Plan, Drawing No. DA.04, Rev is to be reduced to align with the rear building line of the first floor.

Amended plans demonstrating the above shall be submitted and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.

(Reason: Residential amenity.)

4. ALFRESCO LOUVERS (SC)

The “operable or retractable sunshade louvers” denoted on the Ground Floor & First Floor Plan, Drawing No. DA.04, Rev B shall be installed and maintained so as to be operable or retractable at all times.

Details demonstrating the above must be submitted and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.

(Reason: To ensure area remains for non-habitable use.)

5. AIR CONDITIONING UNIT (SC)

Any air conditioning unit shall be a residential system and shall be enclosed within an appropriate soundproof box or alternatively be located at least 3m from any boundary. Details demonstrating compliance shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.

(Reason: Minimise noise affectation to adjoining residents)

GENERAL CONDITIONS (GC)

6. APPROVED PLANS AND REFERENCE DOCUMENTATION (GC)

The development, except where modified by a condition(s) of consent, is to be carried out in accordance with the following plans and reference documentation:

Plans affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2017/093:

Drawing No.	Title/Description	Prepared by	Issue / Revision & Date	Date received by Council
DA.00	Streetscape Analysis	Bechara Chan & Associates	Rev B	24 July 2017
DA.02	Demolition Plan	Bechara Chan & Associates	Rev B	24 July 2017
DA.03	Basement Site &	Bechara Chan &	Rev B	24 July 2017

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	Roof Plan	Associates		
DA.04	Ground floor plan & first floor plan	Bechara Chan & Associates	Rev B	24 July 2017
DA.05	Elevations	Bechara Chan & Associates	Rev B	24 July 2017
DA.06	Sections	Bechara Chan & Associates	Rev B	24 July 2017
DA.07	Front fence elevation	Bechara Chan & Associates	Rev B	24 July 2017
L-01	Landscape Plan	Sussan Zindo	Rev B	27 July 2017
D00	Cover sheet, legend and drawing schedule	Loka Consulting Engineers	Rev A	23 June 2017
D01	Basement Stormwater Drainage Plan	Loka Consulting Engineers	Rev A	23 June 2017
D02	Basement Stormwater Drainage Details	Loka Consulting Engineers	Rev A	23 June 2017
D03	Ground floor/ site stormwater drainage plan	Loka Consulting Engineers	Rev A	23 June 2017
D04	Erosion Plan and sediment control plan and details	Loka Consulting Engineers	Rev A	23 June 2017
-	Schedule of colours and finishes	Bechara Chan Associates	-	23 June 2017

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2017/093:

Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
Waste Management Plan	Gihad Bechara	24 April 2017	23 June 2017
BASIX Certificate	No. 831258S	Issued 20 June 2017	23 June 2017

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

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

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

The height of the building measured to Australian Height Datum (AHD) must not exceed Relative Level (RL) 35.843AHD to the ridge of the building.

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

8. **CONSTRUCTION HOURS (GC)**

No construction or any other work related activities shall be carried out on the site outside the hours of 7.00 am to 5.00 pm Mondays to Fridays and 8am to 1pm Saturdays.

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No building activities are to be carried out at any time on a Sunday or public holiday.

Where the development involves the use of jackhammers/ rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00 am - 5.00 pm Monday to Friday only.

(Reason: To maintain amenity to adjoining land owners.)

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

The development including but not limited to footings, walls, roof barges and guttering must be constructed wholly within the boundary of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath or adjoining land.

(Reason: Approved works are to be contained wholly within the subject site.)

10. **DEMOLITION – GENERALLY (GC)**

Alteration and demolition of the existing building is limited to that documented on the approved plans (by way of notation). No approval is given or implied for removal and/or rebuilding of any portion of the existing building which is not shown to be altered or demolished.

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

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

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

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

payment to Council of a footpath occupancy fee based on the area of footpath to be occupied and Council's Schedule of Fees and Charges before the commencement of work; and

provision of a Public Risk Insurance Policy with a minimum cover of \$10 million in relation to the occupation of and works within Council's road reserve, for the full duration of the proposed works, must be obtained with a copy provided to Council.

(Reasons: Statutory requirement and health and safety.)

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

New development shall provide at least two (2) canopy trees within the front setback adjacent the front boundary (existing trees may be included) and one (1) canopy trees within the rear setback. New canopy trees shall be at least three (3) metres high at the time of planting and capable of reaching a mature height of 10m.

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

2 Dickson Street, Strathfield
Lot D in DP 362854 (Cont'd)

Certificate.

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

13. **LANDSCAPING - TREES PERMITTED TO BE REMOVED (GC)**

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

Tree	Height/ spread (m)	Location
Ulmus parvifolia (Chinese Elm)	8m x 6m	Front yard
Ulmus parvifolia (Chinese Elm)	9m x 6m	Front yard
Melaleuca armillaris (Bracelet Honey Myrtle) – Dead	8m x 4m	Front yard
Melaleuca armillaris (Bracelet Honey Myrtle) – Dead	8m x 4m	Front yard

All trees permitted to be removed by this consent shall be replaced by species selected from Council's Recommended Tree List.

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

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

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

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

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

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

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

14. **LANDSCAPING - TREE PRESERVATION (GC)**

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

All healthy trees and shrubs identified for retention on the approved drawings are to be

2 Dickson Street, Strathfield
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suitably protected in accordance with Australian Standard AS4970 – Protection of Trees on Development prior to the commencement of any works (including any demolition and excavation) and maintained for the duration of the works.

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

15. MATERIALS – CONSISTENT WITH SUBMITTED SCHEDULE (GC)

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

(Reason: To ensure compliance with this consent.)

16. PRINCIPAL CERTIFYING AUTHORITY (PCA) IDENTIFICATION SIGN (GC)

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

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

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

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

(Reason: Statutory requirement.)

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

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

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

18. SITE MANAGEMENT (DURING DEMOLITION AND CONSTRUCTION WORKS)

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

- i) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent

**2 Dickson Street, Strathfield
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- any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
 - vii) Any demolition and excess construction materials are to be recycled wherever practicable.
 - viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
 - ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997. All excavated material should be removed from the site in an approved manner and be disposed of lawfully to a tip or other authorised disposal area.
 - x) All waste must be contained entirely within the site.
 - xi) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
 - xii) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
 - xiii) Details as to the method and location of disposal of demolition materials (weight dockets, receipts, etc.) should be kept on site as evidence of approved methods of disposal or recycling.
 - xiv) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
 - xv) Public footways, include nature strips and roadways adjacent to the site must be maintained and cleared of obstructions during construction. No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council, including payment of relevant fees.
 - xvi) Building operations such as brick-cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
 - xvii) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
 - xviii) Any work must not prohibit or divert any natural overland flow of water.
 - xix) Toilet facilities for employees must be provided in accordance with WorkCover NSW.
 - xx) Protection pads are to be installed to the kerb and gutter where trucks and vehicles enter the site.

(Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner which will be non-disruptive to the local area.)

19. STORMWATER MANAGEMENT PLAN - CERTIFICATION REQUIREMENT (GC)

A detailed Stormwater Management Plan (SWMP) in line with Council's Stormwater Management Code is to be prepared and certified by a practicing Chartered Professional Engineer on the National Professional Engineer's Register (NPER) at Engineers Australia and submitted to the Principal Certifying Authority and Council, prior to the issue of a Construction Certificate. The SWMP is to be based on the approved development as modified by any conditions of consent.

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

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

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

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

(Reason: Compliance with Sydney Water requirements.)

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

21. **BASIX COMMITMENTS (CC)**

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

Where a change or changes are proposed in the BASIX commitments, the applicant must submit a new BASIX Certificate to the Principal Certifying Authority and Council. If any proposed change in the BASIX commitments is inconsistent with the development consent the applicant will be required to submit a modification to the development consent to Council under Section 96 of the Environmental Planning and Assessment Act 1979.

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

(Reason: Statutory compliance.)

22. **BUILDING CODE OF AUSTRALIA - COMPLIANCE WITH (CC)**

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

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

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

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

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

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

- i) Minimal internal clearance of the basement is 2.2m in accordance with BCA requirements.
- ii) Driveways shall comply with Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking and achieve a maximum gradient of 1:4.
- iii) Basement entries and ramps/driveways within the property are to be no more than 3.5m wide.
- iv) Provision of pump-out systems and stormwater prevention shall be in accordance with Council's Stormwater Management Guide.

(Reason: To ensure suitable development.)

24. CAR PARKING - VEHICULAR ACCESS RAMPS (CC)

Vehicular access ramps shall comply with the provisions of AS/NZS 2890.1:2004. Plans to be submitted shall contain the following details:

- i) Longitudinal section along the extreme wheel paths of each driveway/access ramp at a scale of 1:25 demonstrating compliance with the scraping provisions of AS/NZS 2890.1:2004. It shall include all levels and grades, including those levels stipulated as boundary levels, both existing and proposed. It shall extend from the centre-line of the roadway through to the parking area.
- ii) Sections showing the clearance to the underside of any overhead structure (minimum headroom requirements 2200mm minimum for standard headroom clearance or 2400mm where disabled access provisions are to be provided) demonstrating compliance with the provisions of AS/NZS 2890.1:2004.
- iii) Longitudinal section along the gutter line showing how it is intended to transition the vehicular crossing into the existing kerb and gutter. Boundary levels shall generally run parallel with the kerb levels.
- iv) Location of verge trees, street furniture and service installations.
- v) Superimposition of vehicle turning circles for access into parking spaces.
- vi) Certification that the design complies with AS/NZS 2890.1:2004 by a Qualified Engineer.

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

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

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

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

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

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26. **CAR PARKING - VEHICULAR CROSSING WIDTH AT PROPERTY BOUNDARY (CC)**

Vehicular crossings are to have a maximum width of 3m at the property boundary. Details demonstrating compliance are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Compliance with SCDCP 2005.)

27. **COMMENCEMENT OF WORKS (NO WORKS UNTIL A CC IS OBTAINED)**

Building work, demolition or excavation must not be carried out until a Construction Certificate has been issued by either Strathfield Council or a Principal Certifying Authority.

Demolition of any part of a building triggers 'commencement of erection of building' pursuant of section 81A(2) of the EP&A Act 1979. Accordingly, demolition works must not commence until a Construction Certificate has been issued, a Principal Certifying Authority has been appointed and a Notice of Commencement has been issued.

(Reason: To ensure compliance with statutory provisions.)

28. **CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN (CC)**

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

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

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

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

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

Works Permit

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

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

Standing Plant Permit

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

Skip Bin Permit

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

Temporary Full or Part Road Closure Permit

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

Hoarding Permit

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

Work Zone Permit

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

Ground Anchoring Permit

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

(Reason: Council requirement)

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30. **DILAPIDATION REPORT - PRE-COMMENCEMENT (CC)**

Subject to access being granted, a pre-commencement Dilapidation Report is to be undertaken on all adjoining properties, which in the opinion of a suitably qualified engineer, could be potentially affected by the construction of the project. The Dilapidation Report shall be carried out prior to the issue of a Construction Certificate.

The Dilapidation Report is to be prepared by a suitably Qualified Engineer with current Corporate Membership with the Institution of Engineers, Australia or Geotechnical Practitioner. The report shall include a photographic survey of adjoining properties detailing the physical condition of those properties, both internally and externally, including walls, ceilings, roof, structural members and other such items.

If access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate, in writing, to Council's satisfaction attempts have been made to obtain access and/or advise the affected property owner of the reason for the survey and these attempts have been unsuccessful. Written concurrence must be obtained from Council in such circumstances.

The Report shall cover structural and geotechnical factors likely to arise from the development. A copy of this Report shall be submitted to Council as a record. The person having the benefit of the development consent must, at their own cost, rectify any damage caused to other properties during the construction of the project.

(Reason: To ensure no damage to adjoining properties occurs.)

31. **EROSION AND SEDIMENTATION CONTROL PLAN (CC)**

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

- i) Compliance with the approved Soil and Water Management Plan.
- ii) Removal or disturbance of vegetation and top soil is confined to within 3m of the approved building area (no trees to be removed without approval).
- iii) All uncontaminated run-off is diverted around cleared or disturbed areas.
- iv) Silt fences or other devices are installed to prevent sediment and other debris escaping from the cleared or disturbed areas into drainage systems or waterways.
- v) All erosion and sediment controls are fully maintained for the duration of demolition/development works.
- vi) Controls are put into place to prevent tracking of sediment by vehicles onto adjoining roadways.
- vii) All disturbed areas are rendered erosion-resistant by turfing, mulching, paving or similar.
- viii) All water pumped or otherwise removed from excavations or basement areas is filtered to achieve suspended solids/non filterable residue levels complying with the Australian Water Quality guidelines for Fresh and Marine Waters.
- ix) Pumped or overland flows of water are discharged so as not to cause, permit or allow erosion before the commencement of work (and until issue of the occupation certificate).

Details of the proposed soil erosion and sedimentation controls are to be submitted to the Principal Certifying Authority with the Construction Certificate Application. Under no circumstances are any works to commence, prior to these details being approved by the

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Principal Certifying Authority and the controls being in place on the site.

(Reason: Environmental protection.)

32. EXCAVATION - AFFECTING ADJOINING LAND (CC)

If an excavation associated with the approved development extends below the level of the base of the footings of a building on an adjoining allotment of land, the person having the benefit of the development consent must, at the person's own expense, comply with the requirements of clause 98E of the Environmental Planning and Assessment Regulation 2000, including:

- i) protect and support the adjoining premises from possible damage from the excavation, and
- ii) where necessary, underpin the adjoining premises to prevent any such damage.

The condition referred to in subclause (i) does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying. Details shall be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Structural safety.)

33. PRIVACY - OBSCURE GLAZING IN WET AREAS (CC)

All bathroom, ensuite and toilet windows shall be installed with obscure glazing. Plans shall be notated accordingly and details demonstrating compliance submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Privacy amenity.)

34. PRIVACY - MEASURES TO BE COMPLIED WITH (CC)

Prior to the issue of a Construction Certificate, plans are to be amended to include the following privacy measures:

- i) The laundry on the ground floor eastern elevation depicted on the Ground Floor Plan & First Floor Plan, Drawing No. DA.04, Rev B shall have a sill height of at least 1.7m above the finished floor level or have fixed, obscure glazing in any part of the windows less than 1.7m above the finished floor level.
- ii) The fixed privacy screen on the western elevation and the frosted glass columns on the eastern elevation of the rear alfresco area depicted on the Elevations Plans, Drawing No. DA.05 must be complied with.

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

(Reason: Privacy amenity.)

35. SECTION 94 CONTRIBUTION PAYMENT - INDIRECT CONTRIBUTIONS PLAN) (CC)

In accordance with the provisions of Section 94A(1) of the Environmental Planning and Assessment Act 1979 and the Strathfield Indirect Development Contributions Plan 2010-2030, a contribution in the form of cash, cheque or credit card (financial transaction fee applies) shall be paid to Council for the following purposes:

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Local Amenity Improvement Levy **\$10,000.00**

The total amount of the contribution is valid as at the date of determination and is subject to quarterly indexation. The amount of the contribution under this condition shall be indexed in accordance with clause 4.12 of the Strathfield Indirect Development Contributions Plan 2010-2030.

Contributions must be receipted by Council and submitted to the Accredited Certifier, prior to the issue of any Construction Certificate.

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

Note: A copy of Strathfield Council's Section 94 Indirect Development Contributions Plan may be downloaded from Council's website.

(Reason: To enable the provision of public amenities and services required/anticipated as a consequence of increased demand resulting from the development.)

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

A security (damage deposit) of **\$12,200.00** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

The deposit is required as security against any damage to Council property during works on the site. The applicant must bear the cost of all restoration works to Council's property damaged during the course of this development. All building work must be carried out in accordance with the Building Code of Australia.

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

Any costs associated with works necessary to be carried out to rectify any damages caused by the development, shall be deducted from the Damage Deposit.

Note: Should Council property adjoining the site be defective e.g. cracked footpath, broken kerb etc., this should be reported in writing, or by photographic record, submitted to Council at least seven (7) days prior to the commencement of any work on site. This documentation will be used to resolve any dispute over damage to infrastructure. It is in the applicant's interest for it to be as full and detailed as possible.

The damage deposit shall be refunded upon completion of all works upon receipt of a Final Occupation Certificate stage and inspection by Council.

(Reason: Protection of Council infrastructure.)

37. **STORMWATER - RAINWATER RE-USE (CC)**

A rainwater re-use system shall be provided in accordance with either the BASIX minimum requirements, any relevant Council Rainwater Policy and/or specification of the management of stormwater, whichever is applicable. A detailed stormwater plan showing

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the proposed re-use system shall be submitted to and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Compliance and amenity.)

38. **STORMWATER DRAINAGE (CC)**

The following stormwater precautions are required to be provided on the site:

- i) Grated drains shall be provided along the basement entry at the vehicular crossing(s) and are to connect to the internal drainage system.
- ii) Overflow paths shall be provided to allow for flows in excess of the capacity of the pipe/drainage system draining the site.
- iii) Allowance shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other properties
- iv) Boundary fencing shall be erected in such a manner as not to interfere with the natural flow of ground and surface water to the detriment of any other party.

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

39. **TRAFFIC - CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CC)**

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

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

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

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- work zones have been approved by the Local Traffic Committee and Council;
- xiv) location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road);
 - xv) a dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
 - xvi) material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
 - xvii) on-site parking area for employees, tradespersons and construction vehicles as far as possible;
 - xviii) proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period; and
 - xix) how it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.

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

40. TREE BONDS (CC)

A tree bond of **\$13,200.00** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

The deposit is required as security against any damage to existing trees to be retained on Council's road reserve, during works on the site. The applicant must bear the cost of all restoration works to Council's property damaged during the course of this development.

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

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

41. VEHICULAR CROSSINGS - WORKS PERMIT FOR CONSTRUCTION OF (CC)

Full-width, heavy-duty concrete vehicular crossing(s) shall be provided across the footpath at the entrance(s) and/or exit(s) to the site and designed in accordance with Council's guidelines and specifications. In this regard, a Works Permit is to be obtained (available from Council's Customer Services Centre or downloaded from Council's website), and the appropriate fees and charges paid, prior to the lodgement of a Construction Certificate.

(Reason: To ensure appropriate access to the site can be achieved.)

42. WASTE MANAGEMENT PLAN (CC)

A Waste Management Plan (WMP) is to be provided in accordance with Part H of Strathfield Consolidated Development Control Plan 2005. All requirements of the approved Waste Management Plan must be implemented during demolition, construction and on-going use of the premises.

The WMP must identify the types of waste that will be generated and all proposals to re-use, recycle or dispose of the waste. The WMP is to be submitted to the Principal Certifying Authority, prior to issue of the Construction Certificate.

(Reason: To ensure appropriate management of waste.)

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

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

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

(Reason: To promote sustainable water management practice.)

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

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

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

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

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

All civil engineering works adjacent/near/outside 4 Dickson Street, Strathfield are to be fully supervised by Council. A maintenance period of six (6) months shall apply to the work, after it has been completed and approved. In that period the Applicant shall be liable for any part of the work which fails to perform in the manner outlined in Council's specifications, or as would reasonably be expected under the design conditions.

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

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

45. **APPOINTMENT OF A PRINCIPAL CERTIFYING AUTHORITY (PCA) (CW)**

No work shall commence in connection with this Development Consent until:

- i) A construction certificate for the building work has been issued by the consent authority or a Principal Certifying Authority.
- ii) The person having the benefit of the development consent has appointed a principal certifying authority for the building work, and notified the principal certifying authority that the person will carry out the building work as an owner/builder, if that is the case.
- iii) The principal certifying authority has, no later than 2 days before the building work

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commences:

- notified the Council of his or her appointment, and
 - notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work.
- iv) The person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
- appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved;
 - notified the principal certifying authority of such appointment; and
 - unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work.
- v) The person having the person having the benefit of the development consent has given at least 2 days notice to the Council of the person's intention to commence the erection of the building.

Note: If the principal certifying authority is the Council, the nomination will be subject to the payment of a fee for the service to cover the cost of undertaking all necessary inspections and the issue of the appropriate certificates.

Under the Environment Planning and Assessment (Quality of Construction) Act, 2003, a sign must be erected in a prominent position on the work site showing the name, address and telephone number of the principal certifying authority; the name of the principal contractor (if any) for the building work and a telephone number at which that person may be contacted outside working hours. That sign must also state that unauthorised entry is prohibited. The sign must not be removed until all work has been completed.

(Reason: Statutory requirement.)

46. HOME BUILDING COMPENSATION FUND (CW)

No residential building work within the meaning of the Home Building Act 1989 may commence until:

- i) A contract of insurance in accordance with Part 6 of the Home Building Act 1989 is entered into and in force, where such a contract is required under that Act (this is a prescribed condition of consent pursuant to clause 981(b) Environmental Planning and Assessment Regulation 2000.
- ii) The PCA is satisfied that the principal contractor for the work is the holder of the appropriate licence and is covered by the appropriate insurance, in each case if required by the Home Building Act 1989 (unless the work is to be carried out by an owner-builder).
- iii) If the work is to be carried out by an owner builder, that the owner builder is the holder of any owner -builder permit required under the Home Building Act 1989.
- iv) Written notice of the following information has been provided to Council (this is a prescribed condition of consent pursuant to clause 98B of the Environmental Planning and Assessment Regulation 2000):
 - In the case of work for which a principal contractor is required to be appointed:
 - the name and licence number of the principal contractor; and
 - the name of the insurer by which the work is insured under Part 6 of the Home Building Act 1989.
 - In the case of work to be done by an owner-builder:
 - the name of the owner-builder; and

2 Dickson Street, Strathfield
Lot D in DP 362854 (Cont'd)

- if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989, the number of the owner-builder permits.

Where Council is not the PCA, the PCA is responsible for notifying Council of the above matters.

Note: Where arrangements for doing residential building work change while the work is in progress so that the above information becomes out of date, the PCA (where not the Council) must provide Council with written notice of the updated information.

(Reason: Statutory requirement.)

47. **NOTICE OF COMMENCEMENT (CW)**

No work shall commence until the following details are submitted to Council:

- a Notice of Commencement (form will be attached with issue of a Construction Certificate or available from our website) within two (2) days of the date on which it is proposed to commence works associated with the Development Consent;
- details of the appointment of a Principal Certifying Authority (either Council or another Principal Certifying Authority); and
- details of the name, address and licence details of the Builder.

(Reason: Statutory requirement.)

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

48. **OBSTRUCTION OF PUBLIC WAY NOT PERMITTED DURING WORKS (DW)**

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without the prior approval of Council.

(Reason: To maintain public access and safety.)

49. **PUBLIC INFRASTRUCTURE AND SERVICES (DW)**

The applicant must comply with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council etc.) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.

(Reason: To maintain public infrastructure and/or services.)

50. **SITE REQUIREMENTS DURING DEMOLITION AND CONSTRUCTION**

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

- All demolition is to be carried out in accordance with Australian Standards AS 2601-2001.
- Demolition must be carried out by a registered demolition contractor.
- A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out with close boarded, hardwood timber footpath protection pads. The pad shall cover the entire width of the footpath opening for the full width of the fence.

**2 Dickson Street, Strathfield
Lot D in DP 362854 (Cont'd)**

- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- x) All excavated material should be removed from the site in the approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- xi) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- xii) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- xiii) Details as to the method and location of disposal of demolition materials (weight dockets, receipts etc.) should be kept on site as evidence of approved methods of disposal and recycling.
- xiv) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
- xv) Public footways and roadways adjacent to the site must be fully maintained and cleared of obstructions during construction unless prior separate approval from Council is obtained including payment of relevant fees.
- xvi) Building operations such as brick cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- xvii) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
- xviii) Stamped plans, specifications, documentation and the consent shall be available on site at all times during construction.

(Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner which will be non-disruptive to the local area.)

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

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

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

2 Dickson Street, Strathfield
Lot D in DP 362854 (Cont'd)

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

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

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

52. CAR PARKING - SURPLUS VEHICULAR CROSSINGS (OC)

All surplus vehicular crossings and/or kerb laybacks must be removed and reinstated with concrete kerb and gutter or to the existing edging profile as specified by Council. The nature strip is to be restored and the footpath area reinstated. All of the above are to be restored to the satisfaction of Council's Engineer and at full cost to the applicant, prior to the issue of any Occupation Certificate.

(Reason: Maintenance of public infrastructure.)

53. ENGINEERING WORKS (CERTIFICATION OF)

Prior to occupation of the premises, a Work As Executed (WAE) Plan of all engineering and/or drainage works is to be submitted to the Principal Certifying Authority. The WAE Plan is to be certified by a suitably Qualified Engineer, with Corporate Membership standing in the Institution of Engineers Australia and registered on the National Professional Engineers Register (NPER) under the appropriate professional category, demonstrating that:

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

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

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

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

(Reason: Asset management.)

54. OCCUPATION OF BUILDING (OC)

A person must not commence occupation or use (or change of use where an existing building) of the whole or any part of a new building (within the meaning of section 109H (4) of the Act) unless an Interim Occupation Certificate or Final Occupation Certificate has been issued in relation to the building or part.

The Principal Certifying Authority is required to be satisfied, amongst other things, that:

2 Dickson Street, Strathfield
Lot D in DP 362854 (Cont'd)

- i) all required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
- ii) any preconditions to the issue of the certificate required by a development consent have been met.

Note: New building includes an altered portion of, or an extension to, an existing building.

(Reason: Statutory requirement.)

55. **RAINWATER TANKS (OC)**

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

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

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

(Reason: To protect public health and amenity.)

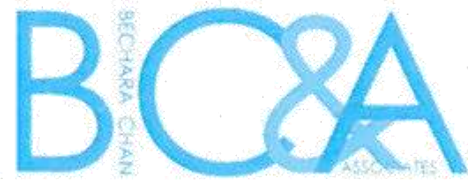
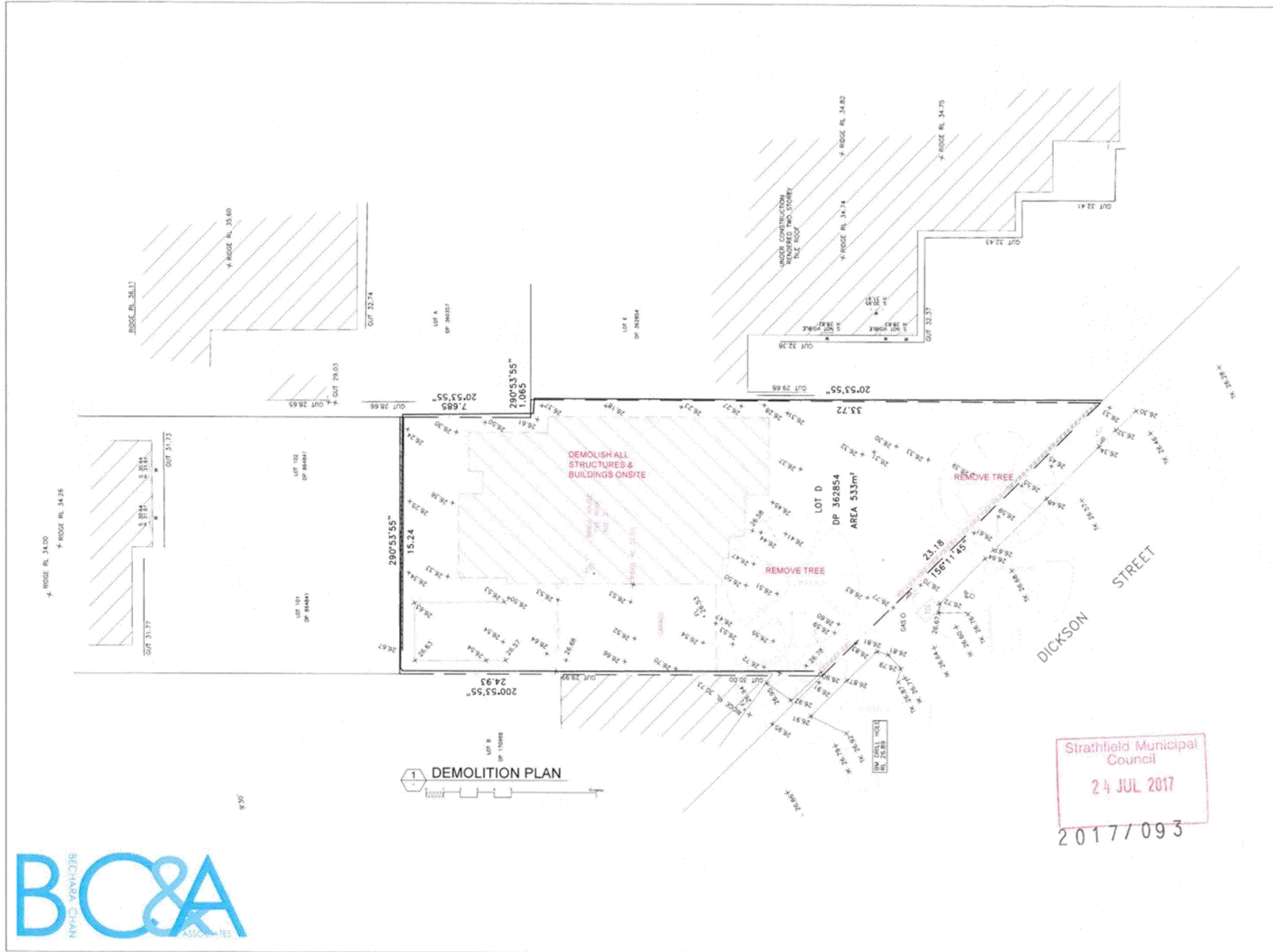
56. **STORMWATER - CERTIFICATION OF THE CONSTRUCTED DRAINAGE SYSTEM (OC)**

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

(Reason: Adequate stormwater management.)

ATTACHMENTS

1. [↓](#) Plans



Project
 DA - TWO STOREY HOUSE
 2 DICKSON ST, STRATHFIELD

Drawn: RY/M
 Checked: PC
 Project No: 17039
 Scale: 1:100 (A1)
 Date: JUL 2017

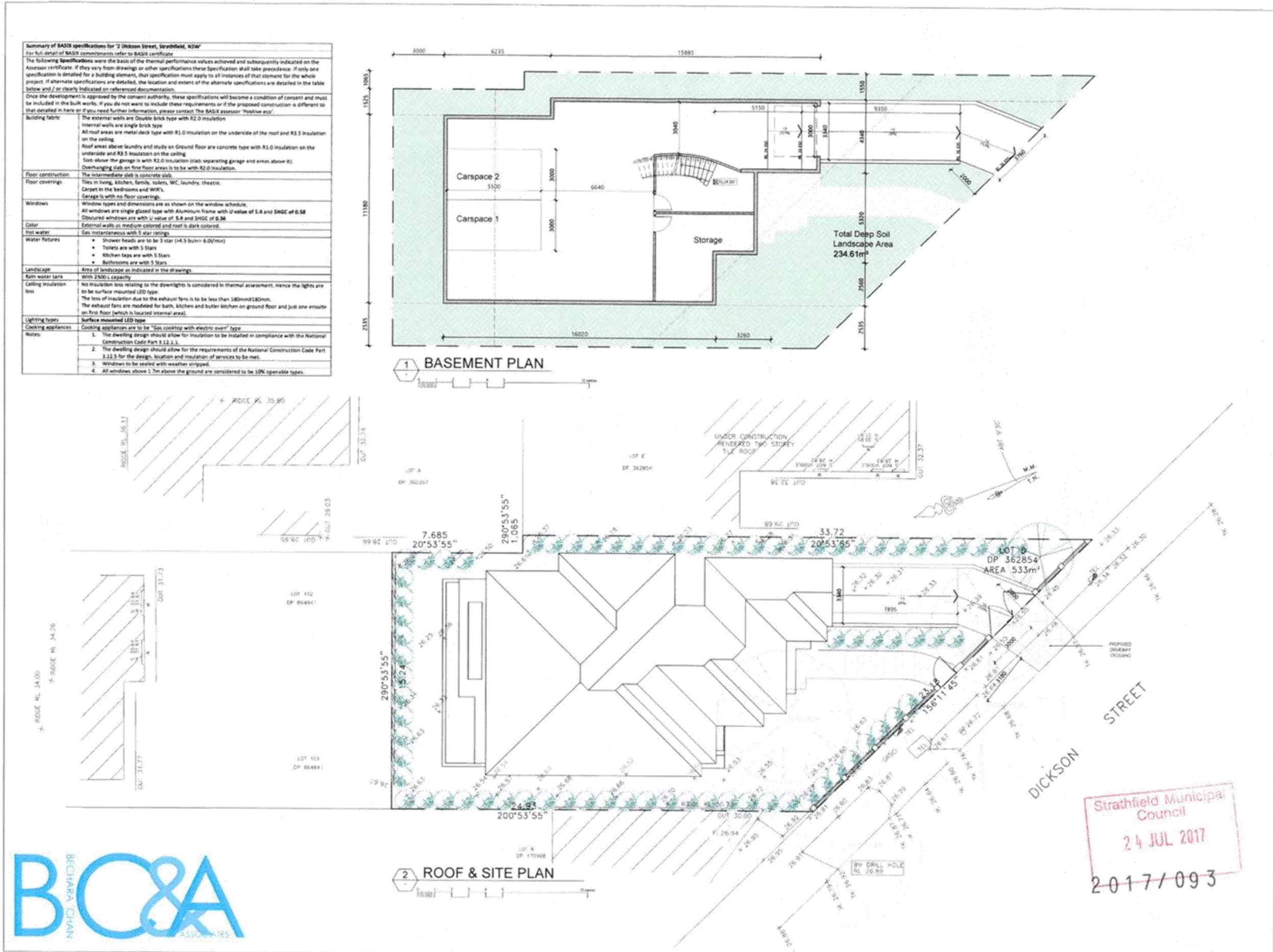


25/06/2017
 13/07/2017

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Strathfield Municipal
 Council
 24 JUL 2017
 2017/093



Summary of BASIX specifications for 2 Dickson Street, Strathfield, NSW

For full detail of BASIX requirements refer to BASIX certificate.

The following Specifications were the basis of the thermal performance values achieved and subsequently indicated on the Assessor certificate. If they vary from drawings or other specifications these Specifications shall take precedence. If only one specification is detailed for a building element, that specification shall apply to all instances of that element for the whole project. If alternate specifications are detailed, the location and extent of the alternate specifications are detailed in the table below and / or clearly indicated on referenced documentation.

Once the development is approved by the consent authority, these specifications will become a condition of consent and must be included in the bulk works, if you do not want to include these requirements or if the proposed construction is different to that detailed in here or if you need further information, please contact The BASIX assessor 'Positive.ec'.

Building fabric:	The external walls are Double brick type with R2.0 insulation Internal walls are single brick type All roof areas are metal deck type with R1.0 insulation on the underside of the roof and R3.5 insulation on the ceiling. Roof areas above laundry and study on Ground floor are concrete type with R1.0 insulation on the underside and R3.5 insulation on the ceiling. Slab above the garage is with R2.0 insulation (slab separating garage and areas above it). Overhanging slab on first floor areas is to be with R2.0 insulation.
Floor construction:	The intermediate slab is concrete slab.
Floor coverings:	Tiles in living, kitchen, family, toilets, WC, laundry, theatre. Carpet in the bedrooms and WIR's. Garage is with no floor coverings.
Windows:	Window types and dimensions are as shown on the window schedule. All windows are single glazed type with Aluminum frame with U value of 5.4 and SHGC of 0.58 Obscured windows are with U value of 5.8 and SHGC of 0.58
Color:	External walls in medium colored and roof is dark colored.
Hot water:	Gas instantaneous with 5 star ratings
Water fixtures:	Shower heads are to be 3 star (4.5 l/min @ 0.2MPa) Toilets are with 3 Stars Kitchen taps are with 3 Stars Bathrooms are with 3 Stars
Landscape:	Area of landscape as indicated in the drawings.
Rain water tank:	With 2500L capacity
 ceiling insulation:	No insulation loss relating to the downlights is considered in thermal assessment, hence the lights are to be surface mounted LED type. The loss of insulation due to the exhaust fans is to be less than 180mmx180mm. The exhaust fans are modified for bath, kitchen and butler kitchen on ground floor and just one exhaust on first floor (which is located internal area).
Lighting types:	Surface mounted LED type
Cooking appliances:	Cooking appliances are to be "gas cooktop with electric oven" type
Notes:	1. The dwelling design should allow for insulation to be installed in compliance with the National Construction Code Part 3.12.1. 2. The dwelling design should allow for the requirements of the National Construction Code Part 3.12.5 for the design, location and insulation of services to be met. 3. Windows to be sealed with weather stripping. 4. All windows above 1.7m above the ground are considered to be 10% operable types.

Project: DA - TWO STOREY HOUSE
2 DICKSON ST STRATHFIELD
DA.03

Drawn: RY MK
Checked: PC
Scale: 1:100 (W.A.)
Date: JULY 2017
BASIX SITE & ROOF PLAN
On-site BASIX assessment work



31/04/2017
13/07/2017

A - ISSUED FOR DA
B - AMENDED FOR DA

Strathfield Municipal Council
24 JUL 2017
2017/093

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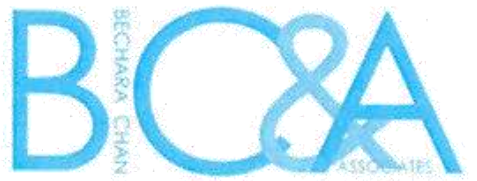
Project
DA - TWO STOREY HOUSE
 2 DICKSON ST, STRATHFIELD
DA.04

Drawings
 DRAWN: REV. NO. 1
 CHECKED: PC
 PROJECT NO. 170320
 PROJECT NAME: 170320-01-1706-01-AS
 SCALE: 1:100
 DATE: JULY 2017

BC&A
 BECHARA CHAN & ASSOCIATES PTY LTD
 11/11-11/12/17

Design by
 18/06/2017
 12/07/2017
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Strathfield Municipal Council
 24 JUL 2017
 2017/093





Project
DA - TWO STOREY HOUSE
2 DICKSON ST, STRATHFIELD
DA.05

Design
DRAWN BY: KK
CHECKED BY: KK
PROJECT NO: 1508/AS
SCALE: 1:50
DATE: JULY 2017
ELEVATIONS
GROUND FLOOR PLAN
FIRST FLOOR PLAN
The drawings have been prepared by BC&A in accordance with the provisions of the Building Act 2016.

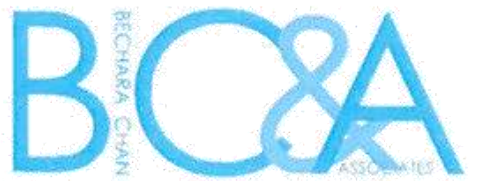


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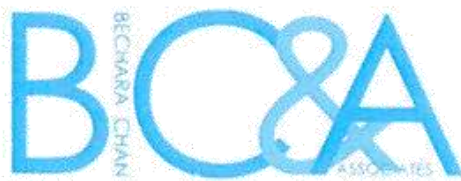
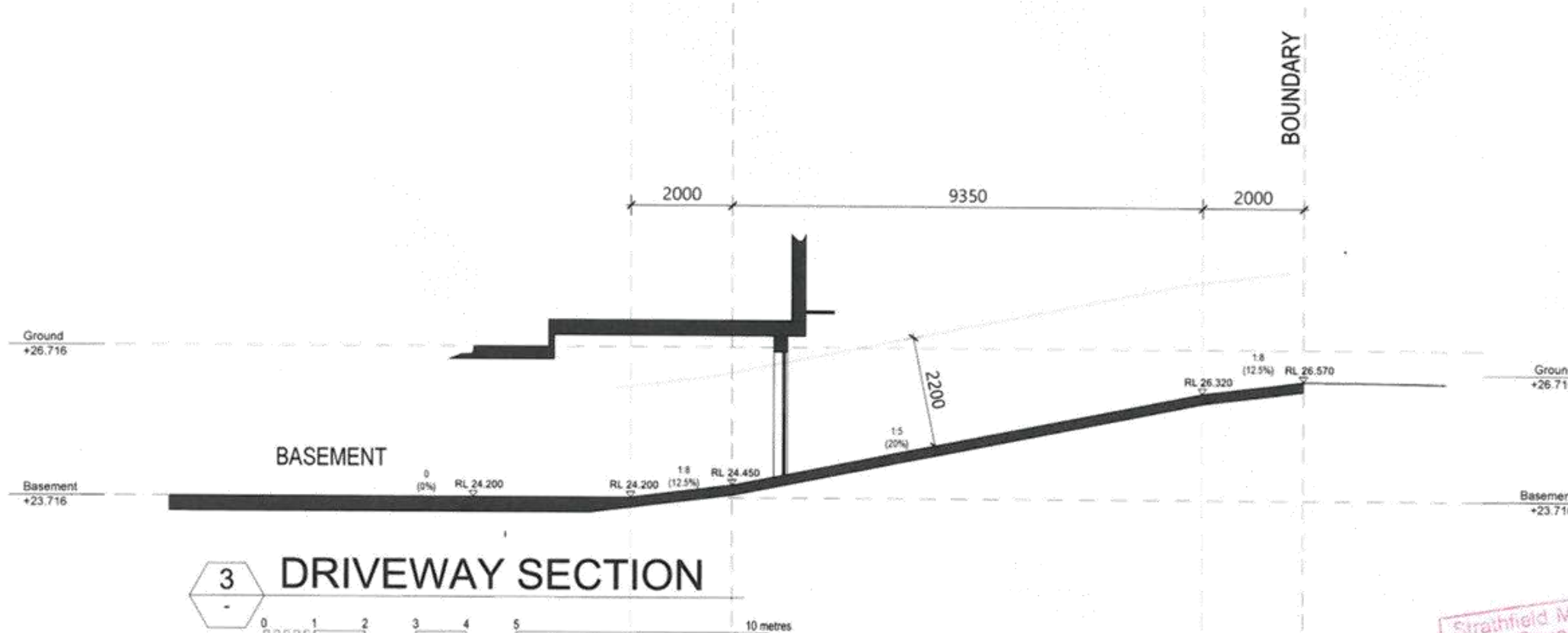
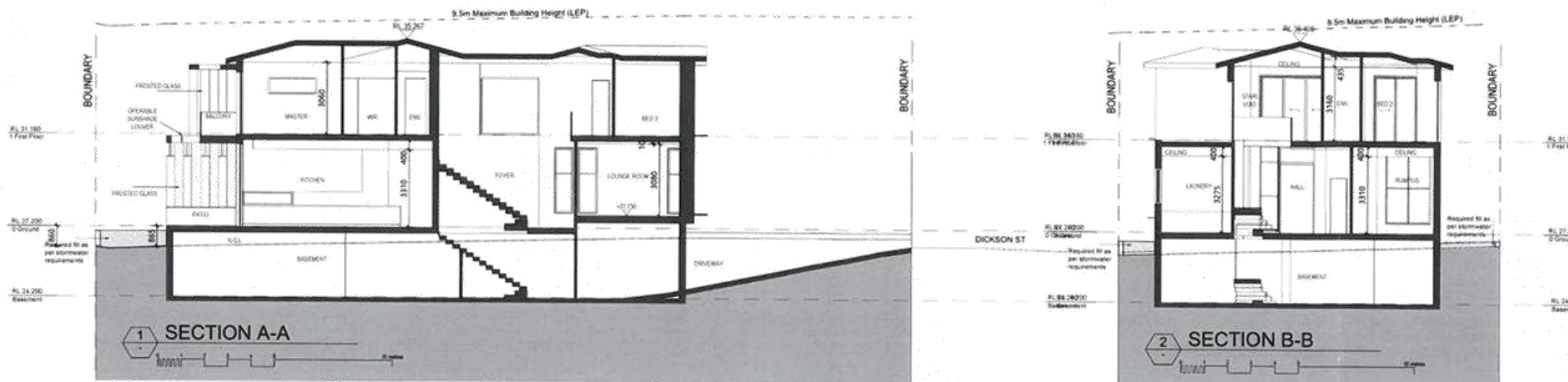
Strathfield Municipal Council
24 JUL 2017
2017/093

FINISHES

- A. First Level wall painted with Dulux Light Rice Quarter
- B. Ground Level wall painted with Dulux Warm Neutral
- C. Front Entry Feature painted with Dulux Domino
- D. BORAL - French (Terracotta) "Eclipse" or similar
- E. Door & Window Frame coated with Dulux Colorbond Windspray
- F. Feature Timber - Innwood Western Red Cedar or similar



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20/06/2017
11/07/2017
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Strathfield Municipal Council
24 JUL 2017
2017/093

Project: DA - TWO STOREY HOUSE
2 DICKSON ST, STRATHFIELD

DA.06

Drawn: RJC
Checked: PC
Scale: 1:50
Date: JULY 2017

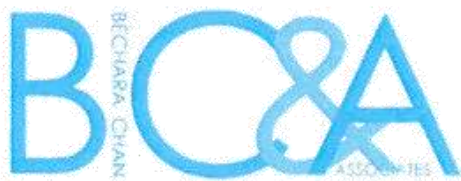
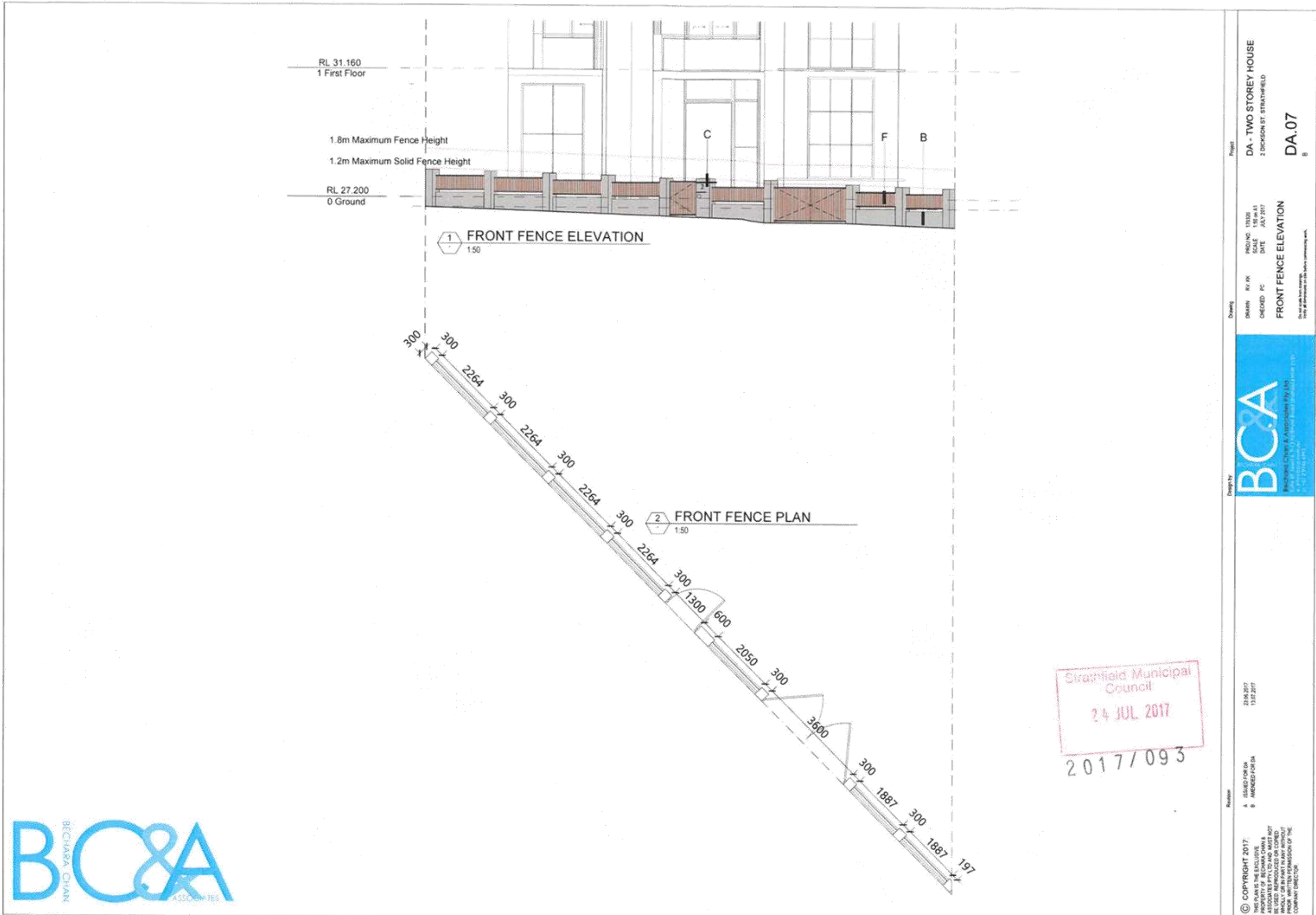
SECTIONS
GROUND FLOOR PLAN
FIRST FLOOR PLAN

BC&A
Bechara Chan & Associates Pty Ltd
Level 11, 111 Pitt Street, Sydney NSW 2000
Tel: (02) 9714 1071

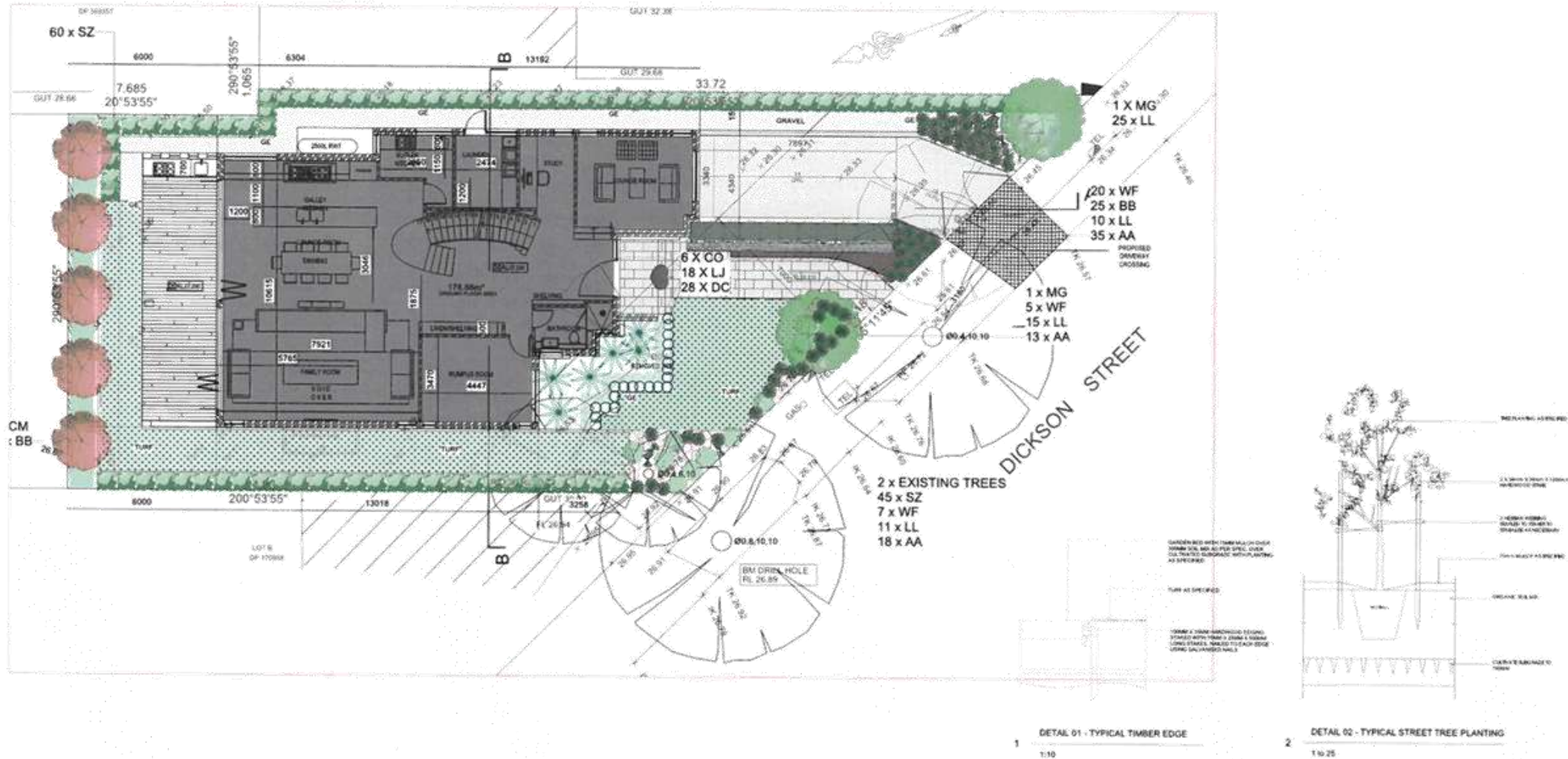
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Project	DA - TWO STOREY HOUSE 2 DICKSON ST, STRATHFIELD	DA.07
Design by	BC&A Bechara Chan & Associates Pty Ltd 1/117/118/119/120/121/122/123/124/125/126/127/128/129/130/131/132/133/134/135/136/137/138/139/140/141/142/143/144/145/146/147/148/149/150/151/152/153/154/155/156/157/158/159/160/161/162/163/164/165/166/167/168/169/170/171/172/173/174/175/176/177/178/179/180/181/182/183/184/185/186/187/188/189/190/191/192/193/194/195/196/197/198/199/200/201/202/203/204/205/206/207/208/209/210/211/212/213/214/215/216/217/218/219/220/221/222/223/224/225/226/227/228/229/230/231/232/233/234/235/236/237/238/239/240/241/242/243/244/245/246/247/248/249/250/251/252/253/254/255/256/257/258/259/260/261/262/263/264/265/266/267/268/269/270/271/272/273/274/275/276/277/278/279/280/281/282/283/284/285/286/287/288/289/290/291/292/293/294/295/296/297/298/299/300/301/302/303/304/305/306/307/308/309/310/311/312/313/314/315/316/317/318/319/320/321/322/323/324/325/326/327/328/329/330/331/332/333/334/335/336/337/338/339/340/341/342/343/344/345/346/347/348/349/350/351/352/353/354/355/356/357/358/359/360/361/362/363/364/365/366/367/368/369/370/371/372/373/374/375/376/377/378/379/380/381/382/383/384/385/386/387/388/389/390/391/392/393/394/395/396/397/398/399/400/401/402/403/404/405/406/407/408/409/410/411/412/413/414/415/416/417/418/419/420/421/422/423/424/425/426/427/428/429/430/431/432/433/434/435/436/437/438/439/440/441/442/443/444/445/446/447/448/449/450/451/452/453/454/455/456/457/458/459/460/461/462/463/464/465/466/467/468/469/470/471/472/473/474/475/476/477/478/479/480/481/482/483/484/485/486/487/488/489/490/491/492/493/494/495/496/497/498/499/500/501/502/503/504/505/506/507/508/509/510/511/512/513/514/515/516/517/518/519/520/521/522/523/524/525/526/527/528/529/530/531/532/533/534/535/536/537/538/539/540/541/542/543/544/545/546/547/548/549/550/551/552/553/554/555/556/557/558/559/560/561/562/563/564/565/566/567/568/569/570/571/572/573/574/575/576/577/578/579/580/581/582/583/584/585/586/587/588/589/590/591/592/593/594/595/596/597/598/599/600/601/602/603/604/605/606/607/608/609/610/611/612/613/614/615/616/617/618/619/620/621/622/623/624/625/626/627/628/629/630/631/632/633/634/635/636/637/638/639/640/641/642/643/644/645/646/647/648/649/650/651/652/653/654/655/656/657/658/659/660/661/662/663/664/665/666/667/668/669/670/671/672/673/674/675/676/677/678/679/680/681/682/683/684/685/686/687/688/689/690/691/692/693/694/695/696/697/698/699/700/701/702/703/704/705/706/707/708/709/710/711/712/713/714/715/716/717/718/719/720/721/722/723/724/725/726/727/728/729/730/731/732/733/734/735/736/737/738/739/740/741/742/743/744/745/746/747/748/749/750/751/752/753/754/755/756/757/758/759/760/761/762/763/764/765/766/767/768/769/770/771/772/773/774/775/776/777/778/779/780/781/782/783/784/785/786/787/788/789/790/791/792/793/794/795/796/797/798/799/800/801/802/803/804/805/806/807/808/809/810/811/812/813/814/815/816/817/818/819/820/821/822/823/824/825/826/827/828/829/830/831/832/833/834/835/836/837/838/839/840/841/842/843/844/845/846/847/848/849/850/851/852/853/854/855/856/857/858/859/860/861/862/863/864/865/866/867/868/869/870/871/872/873/874/875/876/877/878/879/880/881/882/883/884/885/886/887/888/889/890/891/892/893/894/895/896/897/898/899/900/901/902/903/904/905/906/907/908/909/910/911/912/913/914/915/916/917/918/919/920/921/922/923/924/925/926/927/928/929/930/931/932/933/934/935/936/937/938/939/940/941/942/943/944/945/946/947/948/949/950/951/952/953/954/955/956/957/958/959/960/961/962/963/964/965/966/967/968/969/970/971/972/973/974/975/976/977/978/979/980/981/982/983/984/985/986/987/988/989/990/991/992/993/994/995/996/997/998/999/1000	DA.07
Issue	A ISSUED FOR DA B AMENDED FOR DA	23/06/2017 13/07/2017
Drawn by	BC&A	
Checked by	BC&A	
Scale	1:50 (as is)	
Date	JULY 2017	
Project	FRONT FENCE ELEVATION	
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SPECIFICATION

Preparation and Cultivation:
 General:
 All builders rubble, spoil and excess materials to be removed from all areas prior to the commencement of planting. No substitute material is to be used without prior approval from the Superintendent.
 Weed Eradication:
 All noxious plants, weeds and grasses on the site and within the planting areas shall be eradicated before the commencement of landscape works.
 Cultivation of natural ground:
 All natural garden areas are to be excavated to a depth of 150mm. Existing top soil is to be stockpiled onsite for reuse. Stockpiled topsoil is to be free of any foreign and/or deleterious material. The resultant subgrade is to be hand cultivated to a depth of 300mm. Where cultivation intrudes into clay soils, gypsum is to be added at a rate of 0.25kg/sq m. A depth of 150mm topsoil to AS 4419 or site topsoil is to be added to the garden beds and thoroughly tined in and integrated into the cultivated subgrade prior to planting.

Planting:
 All plants used are to have been grown, selected and planted in accordance with Natspec specifications. Plant sizes are to be in accordance with the included plant schedule.

Planting Style:
 The planting style for this property uses native plants with exotic species used to create a planting style which is hardy and interesting in a minimalist style. The use of plants with interesting/textural foliage will greatly enhance the site.

Mulch:
 Material: Australian Native Landscapes Hardwood Chips or similar.
 Mulch is to be free of deleterious and extraneous matter such as soil, weeds and sticks. Use organic mulches which are free of stones. To AS 4454-2003.
 Application: Place organic mulch clear of plant base to a total depth of 75mm, dishing down around the base of the plant.

Irrigation:
 The client may choose to have an approved automated drip irrigation system installed to the garden beds prior to planting. The system must have a backflow prevention. Drip lines are to be placed less than 400mm apart for even water distribution. Irrigation to be selected and operated in line with current Sydney Water requirements. Hockcocks to be provided in common areas.

Stormwater:
 For further details please see provided detailed design in accompanying documents.

Turf:
 Sir Water Buffalo.

Landscape Management Statement:
 All landscape works are to be maintained for a period of 12 months from the date of practical completion. This includes all watering, weeding, spraying and re-mulching necessary to achieve vigorous growth. Any defects which arise during this period are to be rectified. Any plants or areas of turf which fall during this period are to be replaced at no additional cost. Mulch is to be kept at specified depths. All planting is to be watered on a regular basis to maintain moisture levels required for optimum growth. All beds and areas are to be maintained in order to achieve a weed free growth.

SYMBOL	Botanical Name	Common Name	Container Size	Details	Total Quantity
TREES					
MG	MAGNOLIA 'TEDDY BEAR'	Teddy Bear Magnolia	45LTR	Property tree	2
CM	LAGERSTROMIA INDICA	Crepe Myrtle	45LTR	Property tree	5
SHRUBS					
SZ	SYZYGIUM 'GOOD NEIGHBOUR'	Lily Pilly	200MM	Hedge	105
BB	BUXUS MICROPHYLLA 'JAPONICA'	Box Hedge	200MM	Low Hedge	57
WF	WESTRINGEA FRUITICOSA	Native Rosemary	200MM	Low Hedge	32
CO	CORDYLINAE TOBY DAZZLER	Cordylinae	200MM	Grass	6
GRASSES/GROUNDCOVERS					
AA	Altemanthera dentata 'BRAZILIAN RED'	Brazilian Red	140MM	Groundcover	18
LL	LOMANDRA 'TANIKA'	Tanika Cultivar	140MM	Grass	62
LJ	DIANELLA LITTLE JESS	Little Jess	140MM	Grass	30
DC	DIANELLE CASSA BLUE	Cassa Blue	140MM	Grass	28



Strathfield Municipal Council
 27 JUL 2017
 2017/093



rev no.	details	signature	date
A	FIRST ISSUE FOR DA	SZ	15JUN17
B	COUNCIL RFI	SZ	25JUL17

notes

DRAWING NOT FOR CONSTRUCTION.
 THE CONTRACTOR SHALL CHECK AND VERIFY ALL WORK ON SITE (INCLUDING WORK BY OTHERS) BEFORE COMMENCING THE LANDSCAPE INSTALLATION. ANY DISCREPANCIES ARE TO BE REPORTED TO THE PROJECT MANAGER OR LANDSCAPE ARCHITECT PRIOR TO COMMENCING WORK.
 DO NOT SCALE THIS DRAWING. ANY REQUIRED DIMENSIONS NOT SHOWN SHALL BE REFERRED TO THE LANDSCAPE ARCHITECT FOR CONFIRMATION.

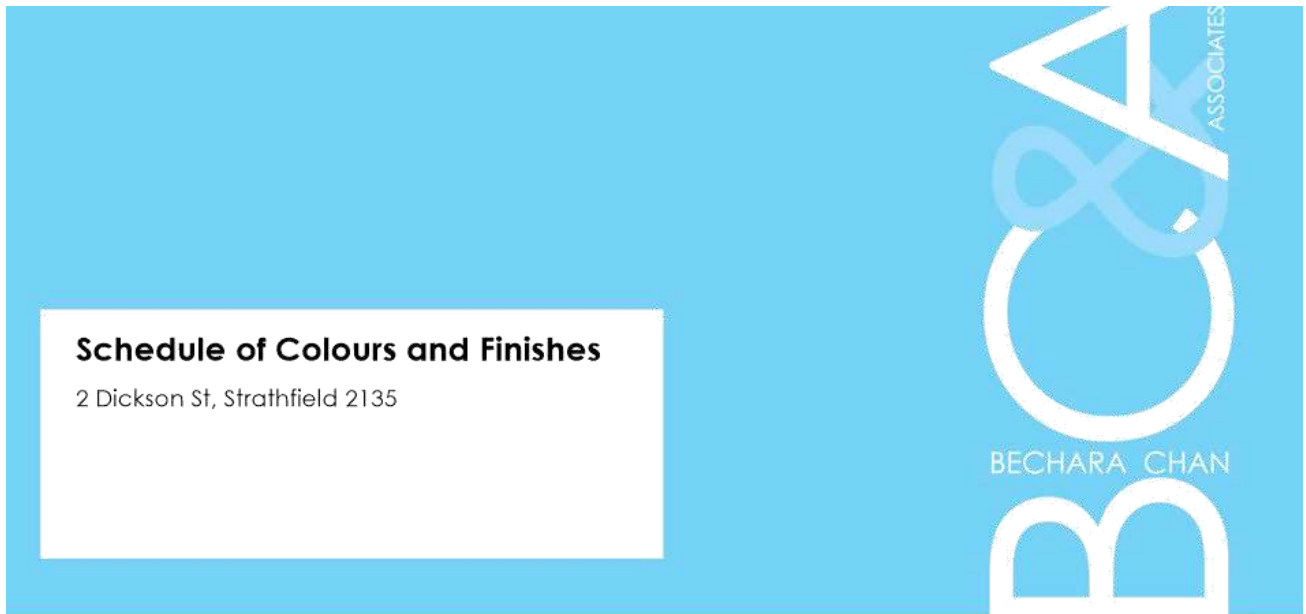
client
BECHARA CHAN ASSOCIATES
 title
**02 DICKSON STREET
 STRATHFIELD
 LANDSCAPE PLAN**

date	scale	original	designer
150617	1:100	A1	SZ
project no.	dwg no.	rev no.	
17 06002	L-01	B	

sussan zindo
 LANDSCAPE ARCHITECT



level 11 245 the boulevard fairfield heights nsw 2165
 t 2 9756 4470 f 2 9756 4471 m 0404 469 739
 e sussan@zindoconstructions.com.au



A First Level Wall Render & Paint with Dulux "Light Rice"



B Ground Level Wall Render & Paint with Dulux "Warm Neutral"



C Front Entry Feature – Render & Paint with "Dulux Domino"



D Roof Tiles - BORAL – French (Terracotta) "Eclipse" or simmlar



E Door & Window Frame Coated with Dulux Colorbond Windspray



F Feature Timber- Innowood Western Red Cedar or similar



TO: Strathfield Independent Hearing and Assessment Panel Meeting - 7
September 2017

REPORT: SIHAP – Report No. 5

SUBJECT: 7-15 WATER STREET, STRATHFIELD SOUTH
LOT 1 DP 603465

DA NO. DA2017/103

SUMMARY

Proposal: Change of Use – Bus depot with ancillary offices and
vehicle repair station

Applicant: Globo Hydro Power Australia Pty Ltd

Owner: Westport Pty Ltd

Date of lodgement: 11 July 2017

Notification period: 25 July 2017 to 9 August 2017

Submissions received: Three (3)

Assessment officer: KL

Estimated cost of works: Nil

Zoning: IN1 General Industrial - SLEP 2012

Heritage: N/A

Flood affected: No

RECOMMENDATION OF OFFICER: REFUSAL

EXECUTIVE SUMMARY

- 1.0 This application seeks Council approval for the use of the premises as a bus depot with ancillary offices and associated vehicle repair station.
- 2.0 The application was submitted to Council after Council's Compliance Officers audited the site and found the premise being used for various uses including a bus depot without Council approval. As such, the current use of the site is unauthorized.
- 3.0 The application was notified in accordance with Part L of the SCDCP 2005 from 25 July 2017 to 9 August 2017. Three (3) written submissions were received. Concerns were raised in relation to noise and pollution emission for adjoining residents and adverse traffic impacts in the surrounding area.
- 4.0 The use of the subject site as a bus depot is considered incompatible with the adjoining residential area. The generation of dust and noise from the proposed use will have an adverse impact upon the adjoining residents. In addition, movements of up to thirty (30) buses in and out of the site as proposed will likely result in an adverse traffic impact on the surrounding area.
- 5.0 The proposed Development Application is inconsistent in terms of what has been proposed as documents submitted indicate a change of use of the premises to a bus and truck depot whereas the Development Application itself indicates only bus depot is proposed.

**7-15 Water Street, Strathfield South
Lot 1 DP 603465 (Cont'd)**

- 6.0 In considering the environmental and social impacts and inconsistency between the documents submitted, the proposed Development Application is recommended for refusal.

BACKGROUND

7 April 2017 The applicant lodged a Development Application for a change of use of the premise to a bus and truck depot with ancillary offices and vehicle repair station.

13 April 2017 Pursuant to Clause 51 of the Environmental Planning and Assessment Regulation 2000, the application was rejected on 13 April 2017 as the information required by Schedule 1 of the Regulations including the Site Plan, Demolition Plan, Section and Elevations and vehicle maneuvering paths were not submitted.

In addition, concerns were raised in relation to the proposed use of the site as the nature and functions associated with the use were not clear. Nonetheless, no further particulars were submitted by the applicant upon lodgment of the current application (DA2017/103).

DESCRIPTION OF THE SITE AND LOCALITY

The subject site comprises one (1) land parcel legally defined as Lot 1 in DP 603465 and is known as 7-15 Water Street, Strathfield South. The subject site is located on the western side of Water Street, between William Street to the north and the Cooks River to the south.

Existing development on the site includes three (3) separate buildings including a brick cottage that is situated toward the front north-eastern boundary, a large warehouse building towards the front eastern half of the site and a separate second warehouse building towards the centre of the site. Open hard stand areas occupy the majority of the remaining area of the site including the northern half beyond the existing building, the western rear setback area and the front setback of the site.

7-15 Water Street, Strathfield South
Lot 1 DP 603465 (Cont'd)



Figure 1: Locality plan

The local surrounding area is characterised by industrial uses to the west and south, residential dwellings to the north and east and recreational land to the east and south-east.

Numbers 2-20 William Street (10 properties) adjoin the site to the immediate north and each contains a dwelling house. Opposite the site to the east is No. 8-16 Water Street and comprises of a three (3) storey residential flat building. Number 6-16 Dunlop Street adjoins the site to the west and comprises an industrial premise with an open yard immediately beyond the subject site's western boundary. Number 17-23 Water Street adjoins the site to the south and contains an industrial premise with an open yard to the rear.

PROPERTY BURDENS AND CONSTRAINTS

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

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks Council approval for the change of use of premises to a bus and truck depot with ancillary offices and vehicle repair station.

Hours of Operation:

- Monday to Friday - 6am to 8pm.
- Saturday – 7:30am to 5pm.

Number of Staff:

- Five (5) administrative staff in the office.
- Three (3) mechanics in the mechanical workshop.

7-15 Water Street, Strathfield South
Lot 1 DP 603465 (Cont'd)

- Up to thirty (30) bus and truck drivers.

Parking:

- Thirty (30) bus parking spaces.
- Eighteen (18) staff and drive parking spaces.

REFERRALS

INTERNAL REFERRALS

Engineering Comments

Council's Drainage Engineer has commented as follows:

The industrial and commercial site is flood affected and an assessment of the extent of flooding to ascertain the level of flood risk should have been undertaken by the applicant at the time of lodging the application. The assessment would be used to determine whether the floor levels need to be raised, to avoid damage to goods/stock and electrical outlets etc. As such, the impacts of flooding cannot be determined.

Environmental Health Comments

Council's Environmental Health Officer has commented on the nature of proposal and background of the existing unauthorized use as follows:

- *The use of the site as a bus depot is incompatible with the adjoining residential area and Council has received numerous complaints regarding noise and fumes.*
- *A similar previous DA for the use of the site (DA2014/008) was refused by Council due to the impact on surrounding residents through the generation of dust, noise and adverse traffic impacts.*
- *Since then the site has continued to be used as an unauthorised use and according to aerial photography, the use has intensified over the past two (2) years.*
- *The site is being used as a right-of-way for another unauthorised business (Peter Pan Coach Tours) occupying the site next door (17-23 Water Street). The adjoining premise is also being used as an unauthorised depot for a number of concrete trucks.*
- *The application form for the DA states, under the description of the proposal, that the premises will be used as a bus depot only, however the applicants supporting information i.e. SEE (pg.7) and Acoustic Report (pg.4) states that the premises will be used as truck and bus depot.*
- *A recent inspection of the premises by Council has revealed poor environmental practices (e.g. stockpiling of empty oil containers outside the workshop) which may have resulted in land contamination.*

Council's Environmental Health Officer does not support the proposal.

SECTION 79C CONSIDERATIONS – EP&A Act, 1979

In determining a development application, the consent authority is to take into consideration the following matters of consideration contained within section 79C of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

79C(1)(a) the provisions of:

- (i) any environmental planning instrument**

7-15 Water Street, Strathfield South
Lot 1 DP 603465 (Cont'd)

STATE ENVIRONMENTAL PLANNING POLICY NO.55 – REMEDIATION OF LAND

State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55) contains planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated.

A recent inspection of the premises by Council has revealed poor environmental practices (e.g. stockpiling of empty oil containers outside the workshop) which may have resulted in land contamination. The proposed development was accompanied by insufficient information to establish the suitability of the site for the purposes of the proposed development in its current or proposed remediated state in accordance with the requirements of Clause 7 of State Environmental Planning Policy No 55 – Remediation of Land

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

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

Cl. 1.2(2)	Aims	Complies
(a)	<i>To achieve high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield</i>	No
(b)	<i>To promote the efficient and spatially appropriate use of land, the sustainable revitalisation of centres, the improved integration of transport and land use, and an appropriate mix of uses by regulating land use and development</i>	No
(c)	<i>To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community</i>	Yes
(d)	<i>To provide opportunities for economic growth that will enhance the local community</i>	Yes
(e)	<i>To promote future development that integrated land use and transport planning, encourages public transport use, and reduced the traffic and environmental impacts of private vehicle use</i>	No
(f)	<i>To identify and protect environmental and cultural heritage</i>	Yes
(g)	<i>To promote opportunities for social, cultural and community activities</i>	Yes
(h)	<i>To minimise risk to the community by identifying land subject to flooding and restricting incompatible development</i>	No

Comments: *The proposed use of the subject site will likely result in the generation of dust, noise and adverse traffic impacts. As the subject site is adjoined by residential dwellings, the proposal is considered to be spatially inappropriate and does not promote the efficient use of land.*

Permissibility

The subject site is Zoned IN1 – General Industrial under Strathfield Local Environmental Plan (SLEP) 2012. The use of the site as a bus and truck depot including the installation of a site office, storage containers and awnings are permissible within the IN1 – General Industrial Zone with consent and is defined under SLEP 2012 as follows:

“transport depot means a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a business, industry, shop or passenger or freight transport undertaking”.

The proposed development is consistent with the definition above and is permissible within the IN1 – General industrial Zone with consent.

Zone Objectives

An assessment of the proposal against the objectives of the IN1 – General Industrial Zone is included below:

7-15 Water Street, Strathfield South
Lot 1 DP 603465 (Cont'd)

Objectives	Complies
➤ To provide a wide range of industrial and warehouse land uses	Yes
➤ To encourage employment opportunities	Yes
➤ To minimize any adverse effect of industry on other land uses	No
➤ To support and protect industrial land for industrial uses	Yes
➤ To minimize fragmentation of valuable industrial land, and provide large sites for integrated and large floorplate activities	Yes

Comments: Whilst the proposal generally complies with the zone objectives, the proposed use of the site is likely to adversely affect the amenity (noise emissions, dust generation) of surrounding residential dwellings.

Part 6: Local Provisions

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

6.1 Acid sulfate soils

The site is in an area identified as being potentially affected by Class 4 Acid Sulfate Soils on the Acid Sulfate Soils Map. The existing site RL levels range between RL 10.5m AHD up to RL 11.5m AHD. As the proposal does not include any site or building work, the proposed development does not include works more than 2m below the natural ground level or works that will lower the water table below 2m AHD.

6.3 Flood planning

The industrial and commercial site is flood affected and an assessment of the extent of flooding to ascertain the level of flood risk cannot be undertaken without the necessary flood risk assessment being submitted to Council for consideration. As previously indicated, the assessment would be used to determine whether the floor levels need to be raised to avoid damage to goods and electrical outlets etc. As such, the flooding implications cannot be determined.

79C(1)(a)(ii) any draft environmental planning instruments

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

79C(1)(a)(iii) any development control plan

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005

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

PART D – INDUSTRIAL DEVELOPMENT

An assessment of the proposal against the objectives contained within Clause 1.2 of Part d of SCDCP 2005 is included below:

No.	Objectives	Complies
A	<i>To improve the quality of industrial development within the Strathfield Municipality</i>	Yes
B	<i>To ensure the orderly development of industrial sites to minimise their environmental impact while maximising their functional potential</i>	Yes
C	<i>To ensure development is consistent with the principles of Ecologically</i>	Yes

7-15 Water Street, Strathfield South
Lot 1 DP 603465 (Cont'd)

Sustainable Development		
D	To encourage high quality building design and industrial streetscape aesthetics	No
E	To ensure that new industrial development is of a type, scale, height, bulk and character that is compatible with the streetscape characteristics of the surrounding area	No
F	To promote high quality landscape areas which complement the overall development of the site and which assist in enhancing streetscape quality	No
G	To ensure that development will not unreasonably impact upon the amenity of any residential area in the vicinity	No
H	To ensure that traffic generated by industrial development does not adversely impact upon local or regional traffic movements	No
I	To ensure that each development has adequate on-site parking and maneuvering areas for vehicles	Yes
J	To encourage employee amenity within industrial developments	Yes

Comments: Having up to thirty (30) buses and trucks accessing the site, the proposed bus depot will likely adversely impact upon local traffic movements. In addition, the proposed development fails to provide high quality landscaped areas to assist in enhancing streetscape quality and therefore, considered inappropriate in this regard.

Density, Bulk and Scale

Cl.	Element	Controls	Complies
2.5.1	Height	A building shall not have a wall height of more than 10m above natural ground level. Where an industrial development otherwise achieves the objectives of Part D, Council may consider varying this provision depending on the merits of the case.	Yes
2.5.2	Floor Space Ratio	The maximum floor space ratio is 1:1.	Yes
2.5.3	Office Showroom Requirements	All office and showroom activities shall be ancillary to the main industrial activity approved for the site. Proposals which include a large area dedicated to office or showroom purposes (in excess of 25%) will need to be substantiated by evidence that the location is necessary because either no suitable business zoned land is available, or that the use is of a type that location in a business zone is not desirable.	Yes

Comments: The existing office building located at the centre of the subject site is proposed to be retained to provide the administrative component of the bus chartering company and management of the truck parking spaces. The existing warehouse component of the subject building is proposed to be utilized as a repair workshop for regular servicing and maintenance of the buses that are stored on the site.

Setback

Cl.	Element	Controls	Complies
2.6.1		A minimum setback of 10m from the front boundary applies	No
2.6.2		On corner lots, a setback of 5m applies to the secondary frontage	Yes
2.6.3		A minimum 10m setback will be required from watercourses (eg Cooks River and Coxs Creek) and bushland. The Department of Infrastructure Planning and Natural Resources (formerly known as the Department of Land and Water Conservation) may require a greater setback from watercourses and consent may jointly be required from them and Council (Integrated Development). Contact should be made with them early if development is planned in the vicinity of a watercourse	Yes

7-15 Water Street, Strathfield South
Lot 1 DP 603465 (Cont'd)

2.6.4	<i>If nearby existing industrial buildings have setbacks less than the above, a variation on setback requirements may be considered.</i>	Yes
2.6.5	<i>Side and rear boundary setbacks for proposals adjoining non-industrial uses such as residential development shall be subject to an individual merit based assessment. Such an assessment will consider issues such as privacy, solar access, and visual and acoustic amenity</i>	Yes
2.6.6	<i>Side and rear boundaries adjoining industrial development may not require a setback; this will depend on the individual situation</i>	Yes
2.6.7	<i>Setbacks shall not contain any buildings or storage areas but may contain car parking and maneuvering areas (and landscaping)</i>	No
2.6.8	<i>Refer to Section 2.10.6 - 2.10.9 for landscaping requirements within setbacks</i>	Yes

Comments: *The proposed development does not change the existing front building setback area with the exception of what appears to be a mobile site office/shipping container within the front setback abutting the front fence. The proposed development not only fails to provide quality landscaped areas to assist in enhancing the streetscape quality, but is aesthetically poor and detracts from the surrounding residential locality. Therefore, the appearance of the development is considered inappropriate.*

Parking

Cl.	Element	Controls	Complies
2.9.1		<i>The design of off-street parking areas is to be guided by and meet the requirements of Australian Standard (AS) 2890.1-1993 – Off-street car parking, AS2890.2-1989 – Commercial vehicles and Strathfield Part I - Provision of Off-Street Parking Facilities</i>	Yes
2.9.2		<i>Provision of spaces: • Industry: 1 space per 50m² GFA where any office component is under 20%. If the office component is greater than 20% that additional area will be assessed at a rate of 1 space per 40m² GFA. • Warehouses: 1 space per 300m² GFA. • Delivery and service vehicles associated with a development: 1 space per 800m² GFA up to 8,000m² GFA plus 1 space per 1,000m² GFA thereafter. Note: Car parking calculations are to be rounded up.</i>	Yes
2.9.3		<i>Car parking areas should ideally be located in the front setback for easy access.</i>	Yes
2.9.4		<i>Loading/unloading and parking areas are to be separated so as not to cause conflict. A variation to this may be considered if, for example all deliveries are made outside of business hours</i>	Yes
2.9.5		<i>Car parking areas are to be suitably landscaped which should include trees for shading. Refer to Section 2.10.13 and 2.10.14 for landscaping requirements</i>	Yes
2.9.6		<i>No parking shall be located within any proposed buildings (this does not include underground car parking)</i>	Yes
2.9.7		<i>Pedestrian thoroughfares shall be provided to separate vehicular from pedestrian traffic in large parking areas</i>	Yes

Comments: *The controls in this section relate to new industrial developments and are not relevant to a change of use application for existing industrial premises. Nevertheless, the proposal provides twenty-four (24) staff, driver and visitor car parking spaces. In addition, thirty (30) bus and truck parking spaces are proposed and located within the rear western setback of the site. Thus, ample car parking spaces are provided and the provision of on-site parking is considered satisfactory in this regard.*

7-15 Water Street, Strathfield South
Lot 1 DP 603465 (Cont'd)

Fencing

Cl.	Element	Controls	Complies
2.10.2		Solid fences above 1m in height are not permitted along street frontages; security fencing (up to 1.8m) is permissible	Yes
		Side or rear boundary fencing shall be a minimum height of 1.8m and can be made of brick, masonry, wood planking and/or landscaping. Note: Boundary fences are subject to the provisions of the Dividing Fences Act 1991	Yes
		Security fencing on main or secondary frontages is encouraged to be powder-coated steel post/picket fencing and security fencing on side or rear boundaries can also consist of steel post/picket fencing or black or dark green coloured plastic coated wire fencing. Landscaping immediately behind these types of fences is encouraged to soften their impact	Yes

Comments: An existing chain wire fence is provided along the northern side boundary, within the subject site. In addition, existing colorbond fencing is provided along the same boundary within the adjoining sites. While planter beds are proposed along the northern boundary, the existing fence fronting Water Street is in poor condition and does not assist in enhancing the streetscape quality.

PART H - WASTE MANAGEMENT (SCDCP 2005)

A Complying Waste Management Plan prepared by Globo Hydro Power Australia Pty Ltd was received by Council on 11 July 2017. As an ongoing unauthorized use, the Waste Management Plan proposed that waste will be stored in the bins within the warehouse component. A commercial waste collection service is proposed to be arranged with a private contractor.

79C(1)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 93F of the *Environmental Planning and Assessment Act 1979*.

(i) matters prescribed by the regulations

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

Having regard to these prescribed matters, the proposed development is not located on land subject to the Government Coastal Policy as determined by Clause 92(1)(a)(ii) and does not involve the demolition of a building for the purposes of AS 2601 – 1991: *The Demolition of Structures*.

(ii) any coastal zone management plan

The NSW Government projects sea levels to rise by 40cm in 2050 and by 90cm in 2100 above the relative mean sea level in 1990. These planning benchmarks are to be considered in the assessment of development applications through the applicable coastal zone management plan or alternatively the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

Although Council is not subject to a coastal zone management plan, the sea level rise planning benchmarks have also been established in order to assess the likely increase in the frequency, duration and height of flooding and as a consequence likely property and infrastructure damage on affected and potentially affected land. Council is therefore required to consider the impact of sea

**7-15 Water Street, Strathfield South
Lot 1 DP 603465 (Cont'd)**

level rise and resultant flooding from Powell's Creek and the Cook's River which are tributaries of Sydney Harbour (Parramatta River) and Botany Bay respectively.

The proposed development is located on a site that is affected by the existing 1 in 100 year flood event or is likely to be as a result of the planning benchmarks for sea level rise mentioned above. Accordingly, the proposed development has been assessed against the relevant provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

Council's Drainage Engineer has commented that the subject site is flood affected and an assessment of the extent of flooding to ascertain the level of flood risk should in the first instance be undertaken by the applicant. No flood risk assessment has been submitted and as such, the implications of flooding cannot be determined.

79C(1)(b) *the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality***Insufficient Information**

It is noted that, the application was previously rejected as the information required by Schedule 1 of the Regulations including the Site Plan, Demolition Plan, Section and Elevations and vehicle maneuvering paths were not submitted. In addition, concerns were raised in relation to the proposed use of the site. Notwithstanding, the application form for the proposed use states, under the description of the proposal, that the premises will be used as a bus depot only, however the applicants supporting information i.e. SEE (pg.7) and Acoustic Report (pg.4) states that the premises will be used as a truck and bus depot. Owing to a lack of sufficient information, the application cannot be supported.

Environmental Impact

Section 2.4.6 of Part D – Strathfield Consolidated Development Control Plan 2005 states:

- *Noise generated from fixed sources or motor vehicles associated with the proposed industrial development must be effectively insulated or otherwise minimised.*

The subject site is adjoined by ten (10) residential properties to the north and a residential flat building opposite the subject site to the east. As such, the raised planter bed along the entire northern boundary of the site to minimise the noise generated is considered inadequate.

Traffic Impact

The proposed development fails to achieve the objective outlined in Section 2.4.9 Development Adjoining Residential Zones – Part D Strathfield Consolidated Development Control 2005 (SCDCP 2005) where development is to not otherwise cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting and the like. The proposed use of the premises with up to eighteen (18) staff members and drivers arriving from 6am and movements of up to thirty (30) buses on site will generate an adverse impact on traffic. As such, the proposed development cannot be supported.

79C(1)(c) *the suitability of the site for the development*

Owing to a lack of sufficient information, the proposed use cannot be considered to be suitable for the site. The application does not adequately address the potential impacts of the development on the local environment and social and economic impacts on the locality. The proposed use of the site is likely to result in an unacceptable level of noise and dust emissions and thereby adversely

**7-15 Water Street, Strathfield South
Lot 1 DP 603465 (Cont'd)**

affect the surrounding residents. In addition, the proposed works will likely result in an adverse traffic impact with up to (30) buses and trucks departing and arriving on site throughout the day. As such, the proposed development is considered unsuitable and is not supported.

79C(1)(d) any submissions made in accordance with this Act or the regulations

The application was notified in accordance with Part L of the SCDCP 2005 from **25 July 2017 to 9 August 2017**, with **three (3)** submissions were received, raising the following concerns:

1. *Concerns were raised in relation to the generation of excessive dust and noise.*

Assessing officer's comments: The proposed use of the site as a bus depot is incompatible with the adjoining residential area and Council has received numerous complaints regarding noise and fumes from the existing unauthorised use. A similar previous DA for the use of the site (DA2014/008) was refused by Council due to the impact on surrounding residents caused by the generation of dust, noise and adverse traffic impacts.

2. *Concerns were raised in relation to traffic impacts, particularly during peak hours.*

Assessing officer's comments: The site is being used as a right-of-way for another unauthorised business (Peter Pan Coach Tours) occupying the site next door (17-23 Water Street). The adjoining premise is also being used as an unauthorised depot for a number of concrete trucks. The proposed use of the premises with up to eighteen (18) staff members and drivers arriving from 6am and movements of up to thirty (30) buses on site will generate an adverse impact on traffic. Despite close proximity to two (2) major roads including Liverpool Road and Homebush Road, the additional impact of the traffic outweighs the convenience of the location.

3. *Concerns were raised in regard to the proposed hours of operation, particularly the site being adjoined by residential dwellings*

Assessing officer's comments: The proposed hours of operation are from 6am to 8pm on weekdays and 7:30am to 5pm on Saturday. Buses and trucks are proposed to depart between 7:30am to 8:30am. As a result of the close proximity of the site to residential premises the noise generated by the development will likely result in adverse impacts on those residences. The proposed mitigation measures as previously stated appear to be inadequate for the intensified use of the site.

79C(1)(e) the public interest

The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development resulting in a loss of amenity to surrounding residences and impacts upon the surrounding road network is considered to be contrary to the public interest.

SECTION 94 CONTRIBUTIONS

Section 94 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The Act reads as follows:

- “(1) If a consent authority is satisfied that development for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the area, the consent authority may grant the development consent subject to a condition requiring:*
- (a) the dedication of land free of cost, or*
 - (b) the payment of a monetary contribution,*
- or both.*

7-15 Water Street, Strathfield South
Lot 1 DP 603465 (Cont'd)

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

STRATHFIELD DIRECT SECTION 94 CONTRIBUTIONS PLAN

Section 94 Contributions are applicable to the proposed development in accordance with the Strathfield Development Contributions Plan 2010-2030 however given that the application is recommended for refusal, a calculation has not been provided.

CONCLUSION

The application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2013 and the Strathfield Development Control Plan 2005 and is not considered to be satisfactory. Accordingly, the application is recommended for refusal.

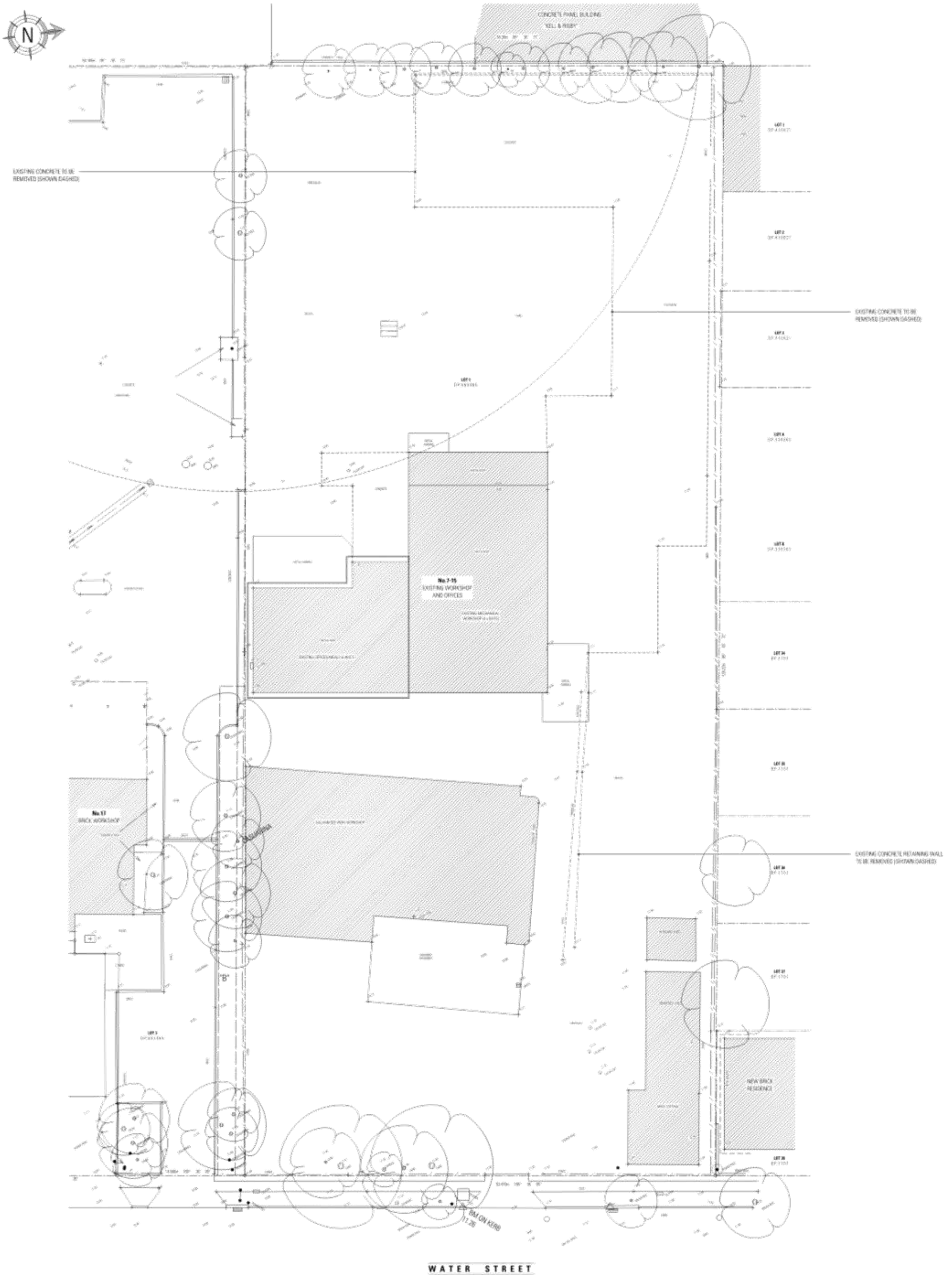
RECOMMENDATION

That Development Application No. DA2017/103 for the use of the premises as a bus depot with ancillary offices and vehicular repair station at Nos. 7-15 Water Street, Strathfield South be **REFUSED**, for the following reasons:

1. The proposed development was accompanied by insufficient information necessary to establish the suitability of the site for the purposes of the proposed development in its current or proposed remediated state in accordance with the requirements of Clause 7 of State Environmental Planning Policy No 55 – Remediation of Land (Section 79 C (1) (a)(i) of the Environmental Planning and Assessment Act 1979).
2. The proposed development fails to satisfy the objectives outlined in Section 2.4.6 Development Adjoining Residential Zones – Part D of the Strathfield Consolidated Development Control 2005 (SCDCP 2005) where noise generated from fixed sources or motor vehicles associated with the proposed industrial development must be effectively insulated or otherwise minimised (Section 79 C (1) (a)(iii) of the Environmental Planning and Assessment Act 1979).
3. The proposed development fails to achieve the objective outlined in Section 2.4.9 Development Adjoining Residential Zones – Part D Strathfield Consolidated Development Control 2005 (SCDCP 2005) where development is to not cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting and the like. The proposed hours of operation of 6am to 8pm during Monday to Friday and 7:30am to 5pm on Saturday will cause nuisance to surrounding residents.
4. The proposal fails to provide sufficient information in relation to the specific use(s) of the site and the risk of flooding (Section 79C (1)(a)(iv) of the Environmental Planning and Assessment Act 1979).

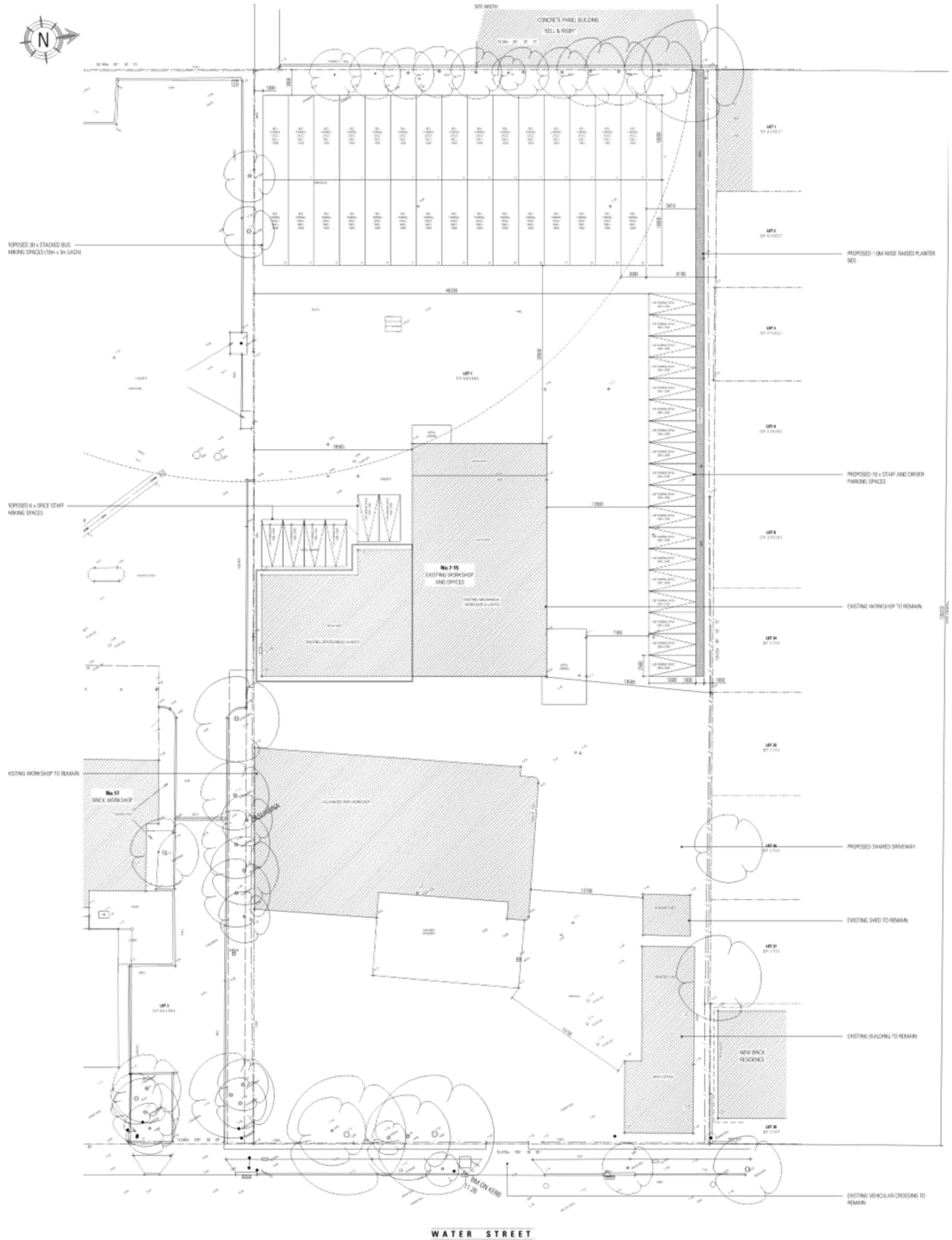
ATTACHMENTS

1. [Plans](#)



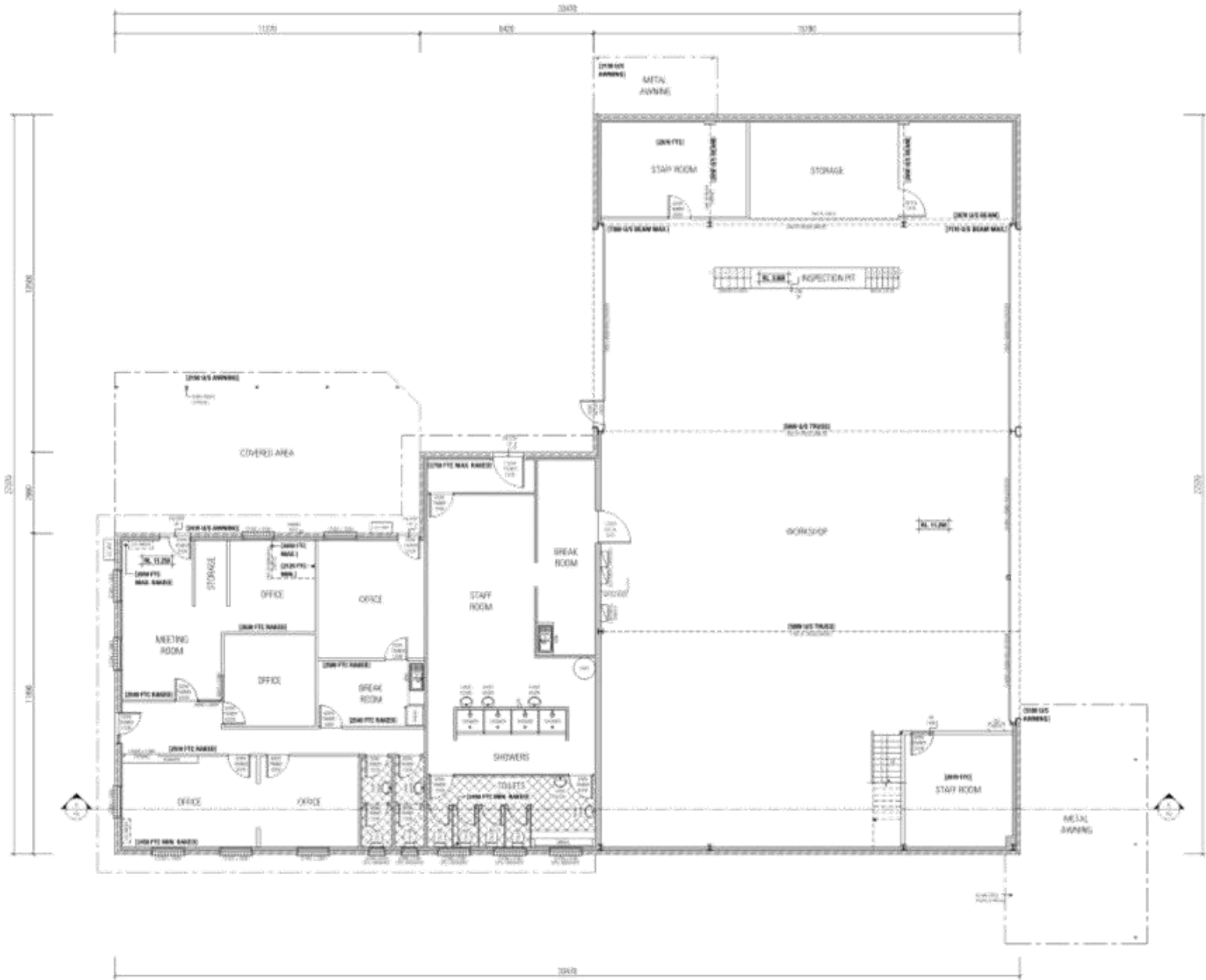
PROPOSED DEMOLITION PLAN

<p>DATE: 11/26/17 DRAWN BY: [Name] CHECKED BY: [Name]</p>	<p>CHANGE OF USE BLDG DEPOSIT AT No. 7-10 WATER STREET.</p>	<p>DRAWING: PROPOSED DEMOLITION PLAN</p>
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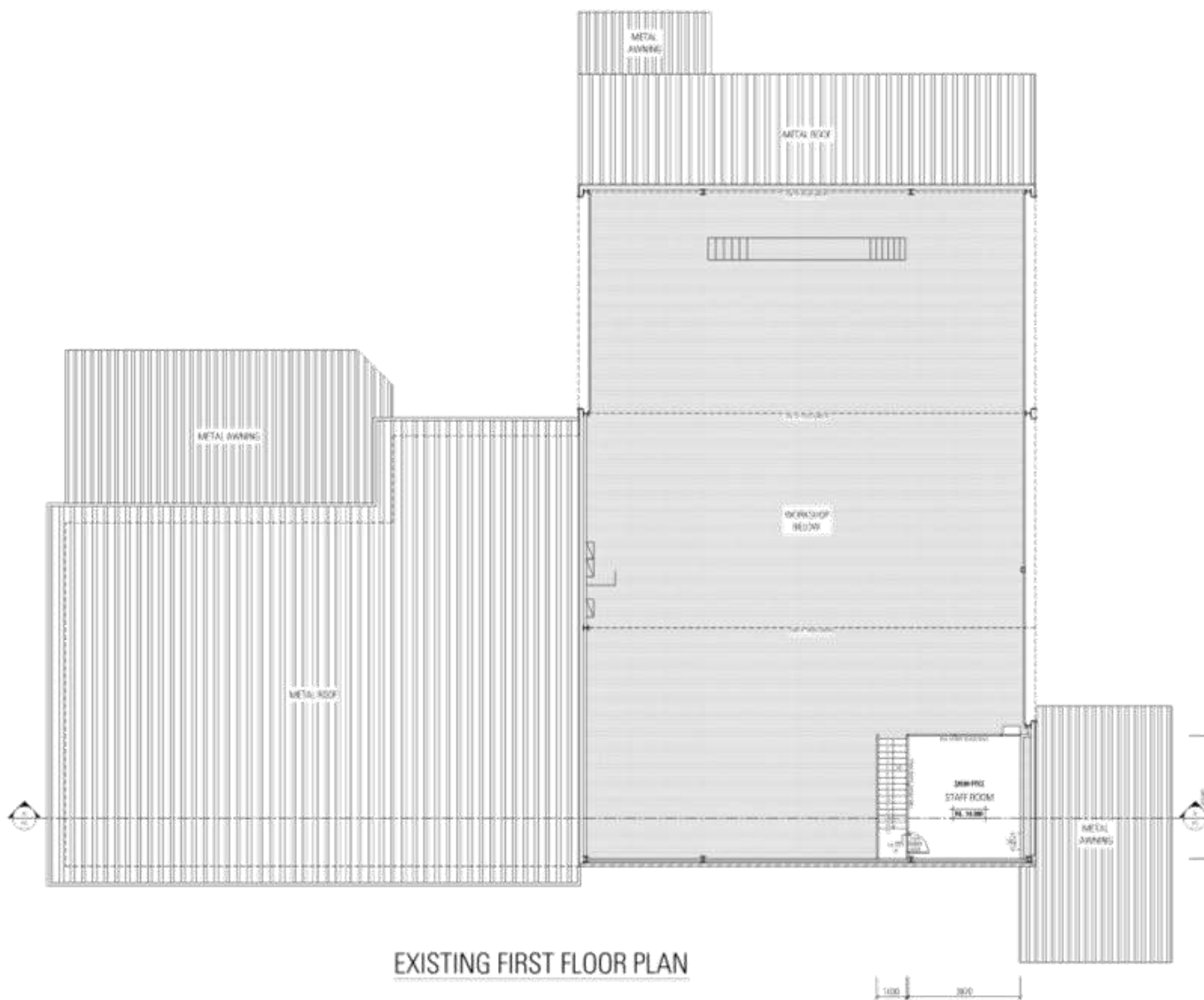


PROPOSED SITE PLAN

<p>DATE: 11/20/17 DRAWN BY: [Name] CHECKED BY: [Name]</p>	<p>CHANGE OF USE BILL DEPOSIT AT No. 7-15 WATER STREET.</p>	<p>DRAWING: PROPOSED SITE PLAN</p>
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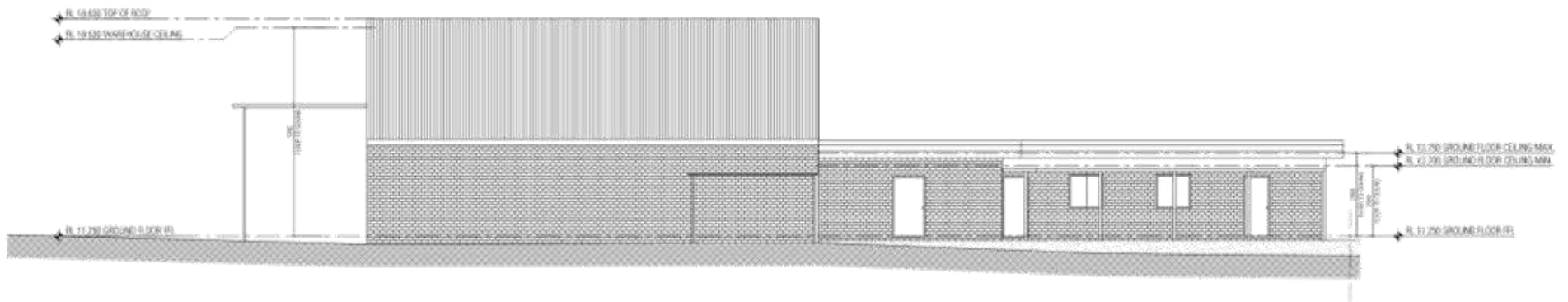


EXISTING GROUND FLOOR PLAN

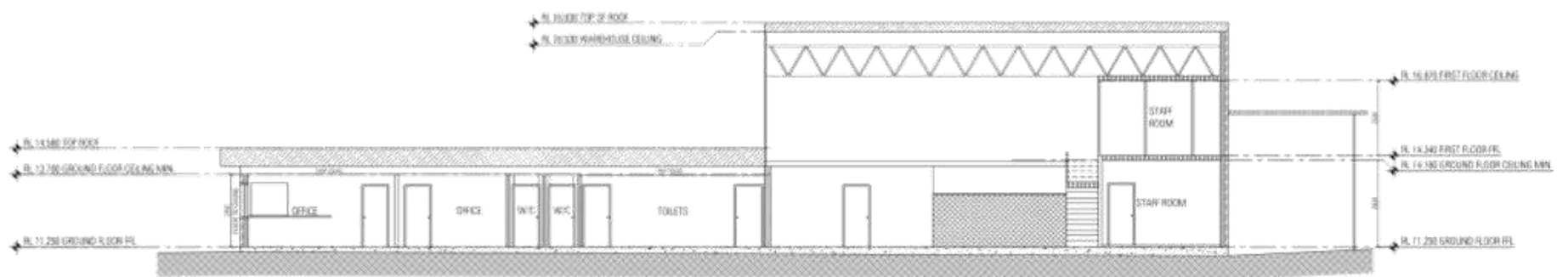


EXISTING FIRST FLOOR PLAN

<p>DATE: 10/10/16 DRAWN BY: [Name] CHECKED BY: [Name]</p>	<p>NO. 7-15 WATER STREET STRATHFIELD NSW 2159</p>	<p>CHANGE OF USE AND DEPOSIT AT No. 7-15 WATER STREET</p>	<p>SCALE: 1:100 DRAWING: EXISTING FLOOR PLANS</p>
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WESTERN ELEVATION
AS SEEN FROM THE REAR



SECTION A

<p>NOTES:</p> <p>1. ALL WORK TO BE IN ACCORDANCE WITH THE STRATHFIELD LOCAL GOVERNMENT DEVELOPMENT CONTROL BY-LAWS 2011.</p>	<p>DATE:</p> <p>10/08/2017</p>	<p>PROJECT:</p> <p>CHANGE OF USE BRIS DEPOT AT No. 7-15 WATER STREET.</p>	<p>SCALE:</p> <p>AS SHOWN</p>	<p>DRAWN:</p> <p>EXISTING ELEVATION AND</p>
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