

## Agenda

# Strathfield Local Planning Panel Meeting

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

**Thursday, 5 August 2021**

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

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

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**TO:** Strathfield Local Planning Panel Meeting - 5 August 2021  
**REPORT:** SLPP – Report No. 23  
**SUBJECT:** DA2021.74. - 33 NEWTON ROAD STRATHFIELD - LOT:42 DP:8778  
**DA NO.** 2021.74

## SUMMARY

**Proposal:** Demolition of existing structures, retention of tennis court, construction of a two (2) storey dwelling house with basement level, in-ground swimming pool, front fence and entry feature, attached carport, detached outbuilding and associated landscaping.

**Applicant:** Charbel Blu Print Design

**Owner:** E Wai & M Wai

**Date of lodgement:** 13 April 2021

**Notification period:** 22 April – 07 May 2021

**Submissions received:** 0

**Assessment officer:** G Choice

**Estimated cost of works:** \$2,364,483.00

**Zoning:** R2 – Low Density Residential - SLEP 2012

**Heritage:** No

**Flood affected:** No

**Is a Clause 4.6 variation proposed?** Yes – Clause 4.3 Height of Buildings  
1 metre - 10.5% variation

**Extent of the variation supported?** No

**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:** **REFUSAL**

## EXECUTIVE SUMMARY

The proposal involves the demolition of existing structures, retention of the existing tennis court, construction of a two-storey dwelling house with basement level, in-ground swimming pool, front fence and entry feature, attached carport, detached outbuilding and associated landscaping.

The application was publicly notified on 22 April 2021, in Strathfield Council's Community Participation Plan (CPP), with the last date for public submissions being 07 May 2021. No submissions were received during the notification period.

The proposed development fails to comply with a number of the relevant objectives and requirements under State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017, Strathfield Local Environmental 2012 (SLEP 2012) and the Strathfield Consolidated Development Control Plan 2005 (SCDCP 2005) including a significant departure from the maximum building height provision contained in Clause 4.3 of the SLEP 2012. The proposal involves a 1m (10.5%)

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variation and fails to demonstrate sufficient planning merit in contravening this development standard.

The proposed development is considered an overdevelopment and unacceptable intensification of the site and will result an undesirable planning outcome for the site and surrounding locality. The proposed variation of maximum height, excessive internal void space, dual driveway and oversized basement lack regard for the low density character of the area.

Accordingly, the application is recommended for refusal.

The subject application is referred to the Strathfield Local Planning Panel (SLPP) due to the request for variation to the HOB standard exceeding 10 percent.

**BACKGROUND**

13 April 2021	The subject development application was lodged with Council.
22 April 2021	The subject application was publicly exhibited for a minimum period of 14 days, until 7 May 2021.No submissions were received during the notification period.
29 April 2021	A site visit was conducted by the Assessment Officer.
29 April 2021	The subject application was referred to Ausgrid for concurrence.
5 May 2021	External concurrence was received from Ausgrid (supported).
12 May 2021	A Request For Information (RFI) letter was sent to the applicant requesting the following: <ul style="list-style-type: none"> <li>• Reduction of overall building height to 9.5m to comply with cl 4.3 of SLEP 2012;</li> <li>• Removal or reduction of the proposed entry foyer void space;</li> <li>• Deletion of the proposed carport and non-compliant carport driveway;</li> <li>• Relocation of the proposed rainwater tank from the front yard to allow suitable canopy tree planting; and</li> <li>• Retention of a single street tree proposed to be removed.</li> <li>• A privacy screen to be installed on the proposed Bedroom 2 terrace.</li> </ul>
27 May 2021	A second site visit and street tree analysis was conducted by the Assessment Officer.
8 June 2021	An extension of time was requested by The Applicant for submission of additional information. An extension to 18 June 2021 was granted.
22 June 2021	The applicant lodged additional information and amended plans to Council which included:

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- Amended architectural plans
- Revised Clause 4.6 Statement

29 June 2021

The applicant lodged additional information including an amended landscape plan and stormwater drainage plans.

**Assessing officer's comment:** Details of the Applicant's response to the Council RFI are provided as follows:

Building height

The original ridge height for the proposed new dwelling was 10.5m (RL 42.805) with the justification that the existing on-site dwelling has a maximum RL 42.80. The overall building height has been reduced to a compliant 9.5m and the height non-compliance is isolated to the forward most section of the building façade which comprises the entry foyer feature. It is noted that the existing dwelling on the subject site has a similar decorative feature with a ridge height of 9.315m (RL 41.62)

External Wall Height

Revised elevations plans show a reduction in the overall non-compliance of external wall height from 7.4m to 7.2m or lower, with only a small non-compliant 7.4m section of the dwelling's south-west corner remaining.

Carport and Driveway

The Applicant declined to delete the proposed carport and associated 2.532m wide driveway. Instead the proposed driveway has been widened to meet the 3m minimum width, with reductions to the internal ground floor internal area. This results in a combined vehicle entrance, above-ground driveway and basement driveway width of 6.202m.

Tree Management

The Applicant is insistent on the removal of a single street tree and maintains the location of the proposed new driveway. Replacement planting to compensate tree removal is proposed.

Rainwater Tank

The RWT has been relocated, to allow adequate space for canopy tree planting.

Visual Privacy

A louvered privacy screen has been added to the first floor B2 terrace.

It is noted that a number of key issues associated with the proposed development remain unresolved. The Applicant has, however, provided sufficient information to perform a full and thorough assessment of the proposed development.

## DESCRIPTION OF THE SITE AND LOCALITY

The subject site is legally described as Lot 42 DP 8778 and is commonly known as 33 Newton Road STRATHFIELD. The site is located on the northern side of Newton Road between Barker Street to the north; South Street to the east; Ada Avenue to the south; and Wilson Street to the west. The subject site has an area of 1416m<sup>2</sup>.

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The site is rectangular in shape and has a frontage of 20.115m to the south, rear boundary of 20.115m to the north, and side boundary lengths of 70.56m. The site slopes from north-east to south-west and has a cross-fall of 1-2 degrees.

Existing development on the site comprises a two (2) storey dwelling house with detached garage/outbuilding, rear pergola and grass tennis court. Vehicular access is provided to the site via an existing driveway from Newton Road to an existing detached garage and carport located along the eastern boundary of the site.

The current streetscape is characterised by a mix of single-storey and two (2) storey dwellings and a variety of architectural styles are apparent along the street. Hipped and pitched tiled roofs are prevalent, as well as bare brick and concrete rendered buildings. A number of basement garages can be seen along Newton Road. Front fencing is predominantly low-set open construction masonry style with a variety of decorative metalwork.

The surrounding area is characterised by low-density residential detached housing and established street trees (predominantly Brushbox and Chinese Tallow).



**Figure 1: Subject site (shown in yellow) and surrounding context**

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***Figure 2: Existing dwelling at 33 Newton Road STRATHFIELD***



***Figure 3: Dwelling at 35 Newton Road STRATHFIELD***



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**Figure 4: Dwelling at 31 South Street STRATHFIELD**



**Figure 5: Adjoining Newton Road streetscape**



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*Figure 6: Adjacent Newton Road streetscape*

## 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 all existing buildings on the site, retention of the existing tennis court, and construction of a two-storey dwelling house with basement level, in-ground swimming pool, front fence and entry feature, attached carport, detached outbuilding and associated landscaping.

The specific elements of the proposal are:

### Basement level:

- Five (5) parking spaces
- Cinema room
- Gym
- Wine Cellar
- Bathroom
- Pool pump and equipment room
- Separate storage room
- Lift access
- Internal and external stair access

### Ground floor level:

- Open plan kitchen/living/dining area with walk-in pantry
  - Piano retreat and kids retreat
  - Guest bedroom with en suite
  - Separate laundry
  - Separate powder room
  - Internal lift access
- i)

### First floor level:

- Four (4) bedrooms: each with en suite; Master bedroom with WIR and balcony; Bed 2 with WIR and terrace balcony
- Separate study room
- Separate storage room
- Lift access
- Faux balcony on dwelling façade

### External works:

- New west side vehicle entrance with dual driveway access to basement area and above-ground carport

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- Entry portico feature at front boundary
- Separate front entry portico at dwelling entrance
- New swimming pool
- Separate east and west side alfresco
- BBQ area
- Detached tennis house with bathroom
- New masonry front fence and driveway security gate

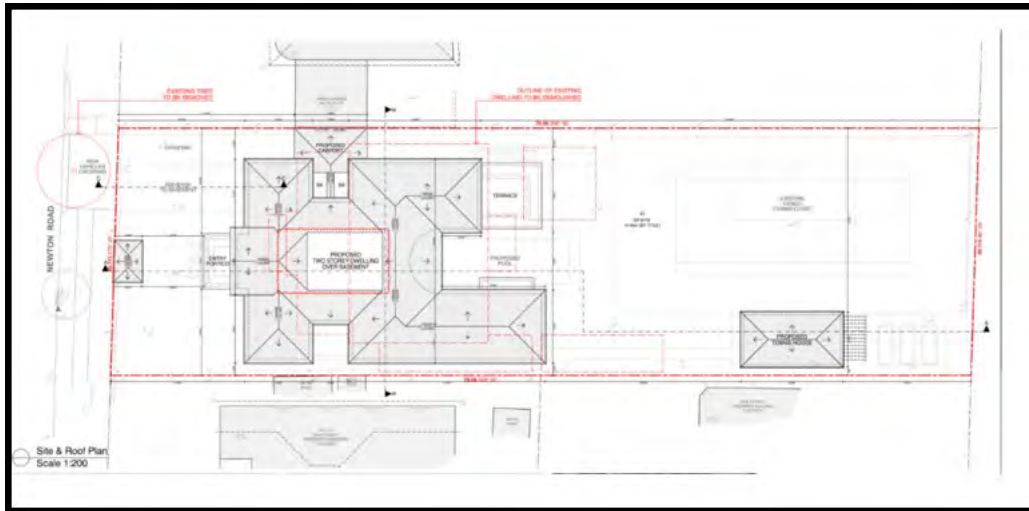


Figure 7: Proposed site plan



Figure 8: Proposed dwelling north and south elevations



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Figure 9: Proposed dwelling east and west elevations

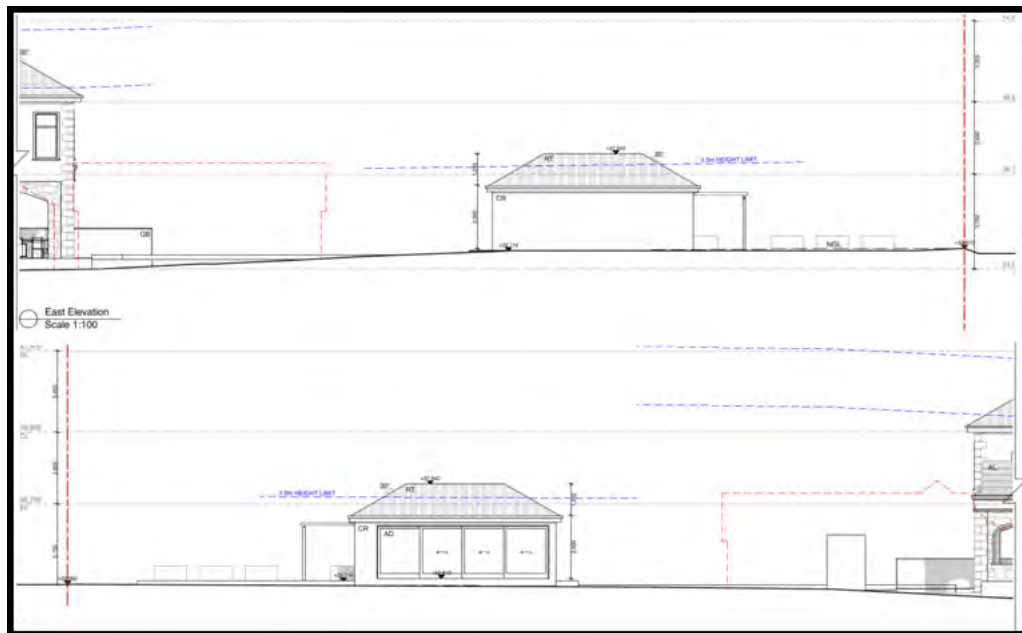


Figure 10: Proposed dwelling east and west elevations

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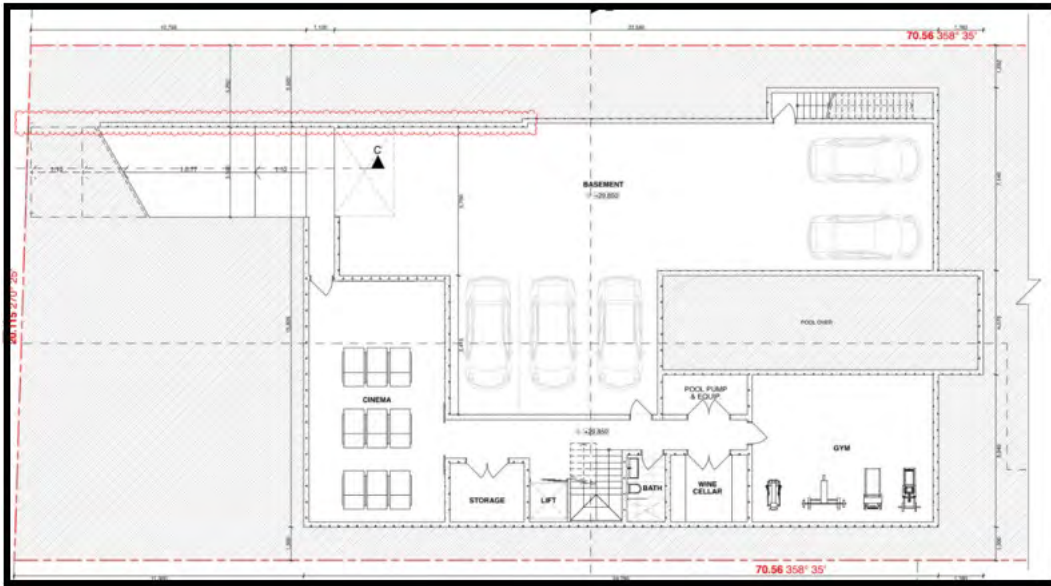


Figure 11: Proposed basement floor plan

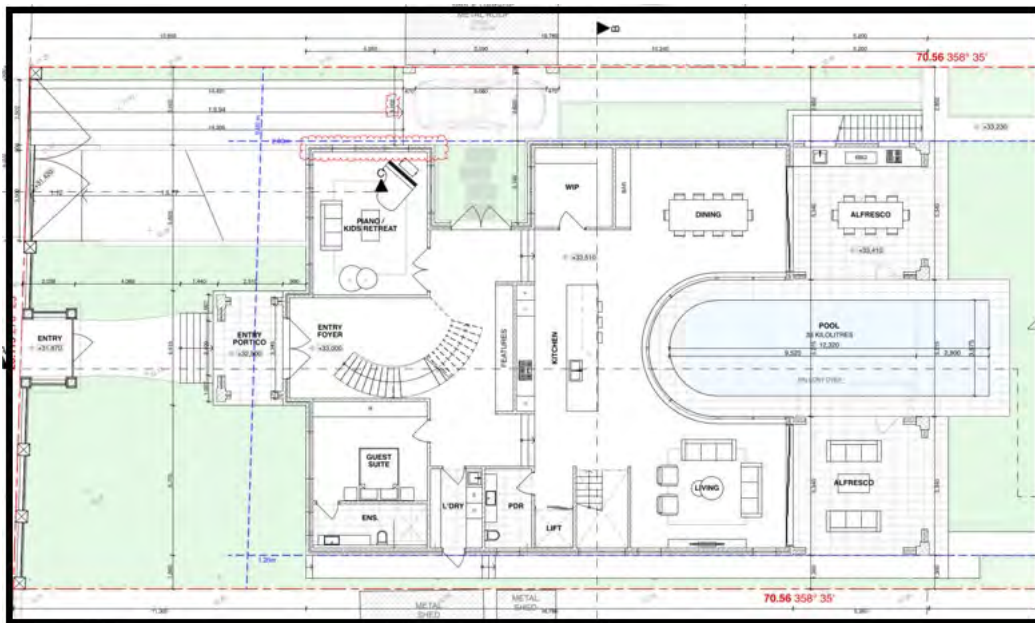


Figure 12: Proposed dwelling ground floor plan

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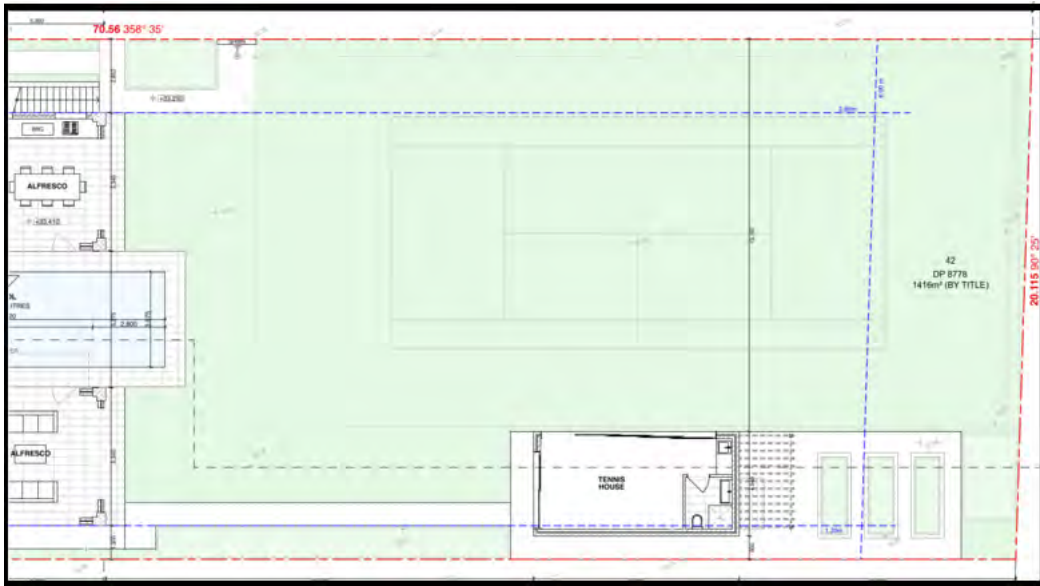


Figure 13: Proposed ground floor rear yard plan

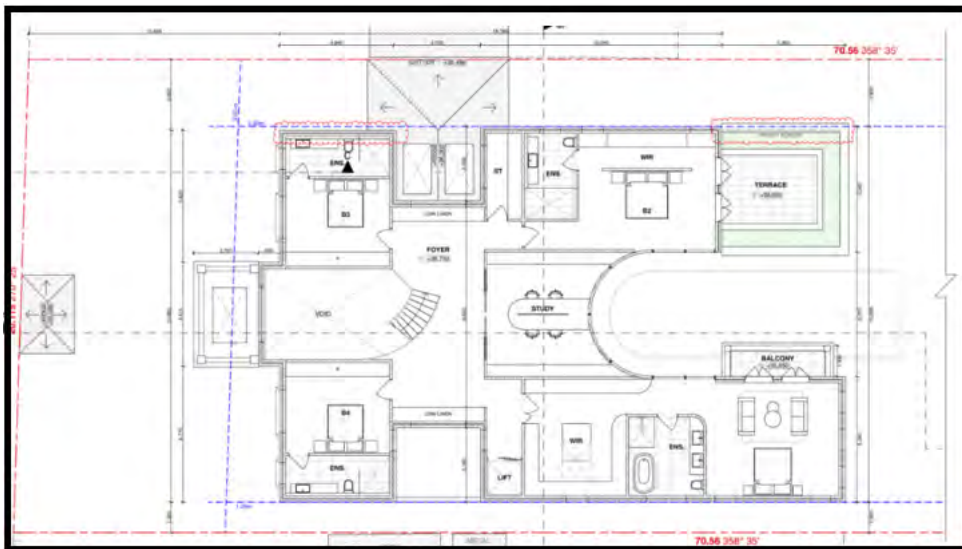


Figure 14: Proposed first floor plan

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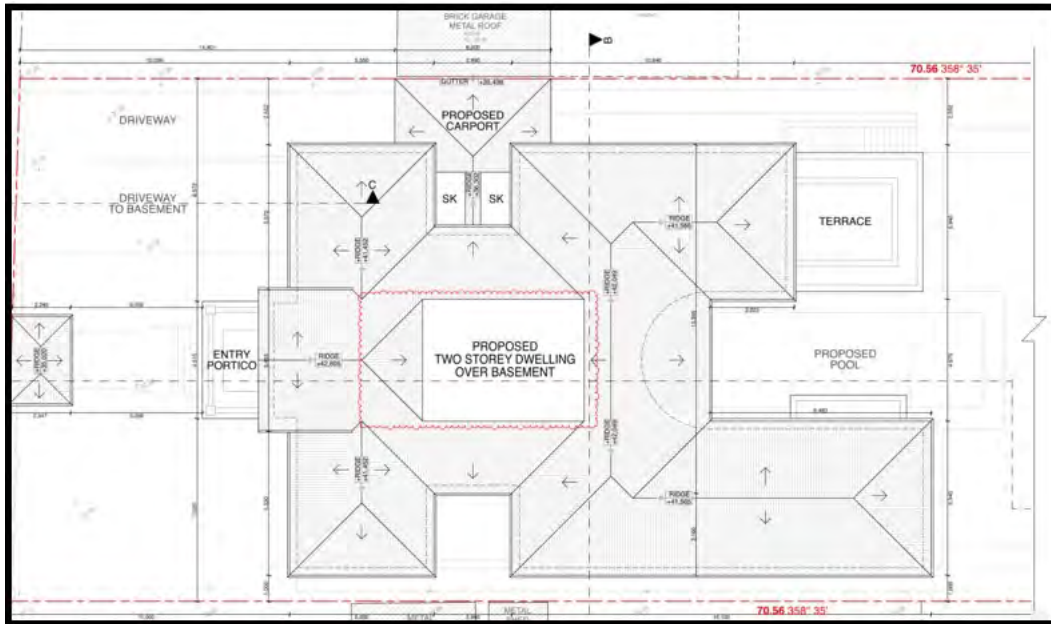


Figure 15: Proposed roof plan

**REFERRALS**

**INTERNAL REFERRALS**

**Development Engineering Comments**

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

**Traffic Comments**

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

*“...having side-by-side driveways leading to both the basement carpark and the at-grade carport (will result) in an excessive driveway opening of 6.052m at the property boundary. My preference is to retain only the basement carpark and delete the carport and the associated driveway entirely.”*

**Landscaping Comments**

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

*“The Applicant proposes to retain the Brush Box street tree and remove the Chinese Tallow street tree. Both trees should be retained and protected. In this regard the applicant is to amend their design to maintain the use of the existing driveway and layback. A bond will be required to ensure their protection.”*

**EXTERNAL REFERRALS**

**Ausgrid**

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The application was referred to Ausgrid due to the proximity of an existing power pole to the proposed works. Ausgrid raised no objections to the proposal.

**SECTION 4.15 CONSIDERATIONS – EP&A Act, 1979**

The application has been assessed pursuant to the heads of consideration of Section 4.15 of the *Environmental Planning and Assessment Act 1979* and the relevant matters described in sub-section (1)(a), (b), (c), (d) and (e) of Section 4.15 have been considered within this report.

The following Environmental Planning Instruments (EPI's) and development control plans (DCP's) are applicable to the assessment of the subject application:

- State Environmental Planning Policy No. 55 – Remediation of Land;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017;
- Strathfield Local Environmental Plan 2012 (SLEP 2012);
- Strathfield Consolidated Development Control Plan 2005 (SCDCP 2005); and
  - Part A – Dwelling Houses and Ancillary Structures
  - Part H – Waste Management;
- Strathfield Section 94 and 94A Development Contribution Plans.

**4.15(1)(a) the provisions of:****(i) any environmental planning instrument****STATE ENVIRONMENTAL PLANNING POLICY (SEPP) – BASIX 2004**

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

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

**State Environmental Planning Policy No 55 – Remediation of Land**

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

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

The objectives outlined within SEPP55 are considered to be satisfied.

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

The State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 replaces the repealed Clause 5.9 of SLEP 2012 (Preservation of Trees and Vegetation). The intent of this SEPP is consistent with the objectives of the repealed Standard where the primary aims/objectives are related to the protection of the biodiversity values of trees and other vegetation on the site.

In this instance, there are two (2) existing street trees – one (1) *Lophostemon confertus* (Brush box) and one (1) *Tridaica sebifera* (Chinese Tallow) – located in the public domain at the front



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boundary of the subject site. The proposal includes the removal of the single Chinese tallow tree, located close to the south-west corner of the subject site to facilitate a new vehicle entrance.

The proposal was referred to Council's Tree Coordinator for assessment. Consideration has been given to the Strathfield Council street tree program and these street trees have been identified as significant assets which contribute to the Newton Road streetscape. Subsequently, the removal of the subject tree is not supported as it is considered contrary to the aims of the SEPP (Vegetation in Non-Rural Areas) 2017 which seeks to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation. Therefore, both street trees are to be retained and protected and if supported conditions to reflect above can be imposed

**STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012**

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

<b>Cl. 1.2(2)</b>	<b>Aims</b>	<b>Complies</b>
<b>Cl. 1.2(2)</b>	<b>Aims</b>	<b>Complies</b>
<b>(a)</b>	<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>	<b>No</b>
<b>(b)</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>	<b>Yes</b>
<b>(c)</b>	<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>	<b>N/A</b>
<b>(d)</b>	<i>To provide opportunities for economic growth that will enhance the local community</i>	<b>N/A</b>
<b>(e)</b>	<i>To promote future development that integrates land use and transport planning, encourages public transport use, and reduced the traffic and environmental impacts of private vehicle use</i>	<b>No</b>
<b>(f)</b>	<i>To identify and protect environmental and cultural heritage</i>	<b>No</b>
<b>(g)</b>	<i>To promote opportunities for social, cultural and community activities</i>	<b>N/A</b>
<b>(h)</b>	<i>To minimise risk to the community by identifying land subject to flooding and restricting incompatible development</i>	<b>N/A</b>

**Comments:** The proposal seeks consent to construct a dwelling that is of a height and scale significantly greater than existing development on adjoining properties and generally inappropriate in the immediate context. The proposed dual driveway is not considered appropriate in the context of streetscape and cannot be realised without removal of significant street vegetation. The proposed development is not considered to be aligned with the aims of the SLEP 2012.

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**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 under SLEP 2012 as follows:

***dwelling house*** means a building containing only one dwelling.

**Note** - Dwelling houses are a type of **residential accommodation**

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

**Zone Objectives**

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

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

**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**

<b>Cl.</b>	<b>Standard</b>	<b>Controls</b>	<b>Proposed</b>	<b>Complies</b>
<b>4.3</b>	<b>Height of building</b>	9.5m	10.5m	<b>No</b>

	<b>Objectives</b>	<b>Complies</b>
<b>(a)</b>	<b><i>To ensure that development is of a height that is generally compatible with or which improves the appearance of the existing area</i></b>	<b>No</b>
<b>(b)</b>	<b><i>To encourage a consolidation pattern that leads to the optimum sustainable capacity height for the area</i></b>	<b>No</b>
<b>(c)</b>	<b><i>To achieve a diversity of small and large development options.</i></b>	<b>Yes</b>

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**Comments:** The height non-compliance pertains to the forward most section of the building façade which comprises the entry foyer feature. The proposed building height will result in a scale of development that lacks regard for the low density setting and will be visually overbearing from adjoining properties and the public domain. The proposal to increase the on-site building height beyond what currently exists on the site deviates from the cl 4.3 objectives to create a future development pattern within the Strathfield low density residential area.

**Floor space ratio**

<b>Cl.</b>	<b>Standard</b>	<b>Controls</b>	<b>Proposed</b>	<b>Complies</b>
<b>4.4</b>	<i>Exceptions to floor space ratio (Zone R2)</i>	0.5:1	0.48:1 (666.5m <sup>2</sup> )	<b>Yes</b>
<b>Objectives</b>				<b>Complies</b>
<b>(a)</b>	<i>To ensure that dwellings are in keeping with the built form character of the local area</i>			<b>Yes</b>
<b>(b)</b>	<i>To provide consistency in the bulk and scale of new dwellings in residential areas</i>			<b>Yes</b>
<b>(c)</b>	<i>To minimise the impact of new development on the amenity of adjoining properties</i>			<b>Yes</b>
<b>(d)</b>	<i>To minimise the impact of development on heritage conservation areas and heritage items</i>			<b>Yes</b>
<b>(e)</b>	<i>In relation to Strathfield Town Centre:</i>			<b>N/A</b>
	<i>i. to encourage consolidation and a sustainable integrated land use and transport development around key public transport infrastructure, and</i>			
	<i>ii. to provide space for the strategic implementation of economic, social and cultural goals that create an active, lively and people-oriented development</i>			
<b>(f)</b>	<i>In relation to Parramatta Road Corridor – to encourage a sustainable consolidation pattern that optimises floor space capacity in the Corridor</i>			<b>N/A</b>

**Comments:** The proposed FSR is compliant including additional recreation areas and three (3) additional parking spaces in the basement area.

**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.

As demonstrated in the table above, the proposed development fails to comply with the maximum 9.5m development standard permitted under Clause 4.3 Height of buildings of the SLEP 2012. The area of non-compliance relates to the 10.5m maximum ridge height of the roof above the proposed entry foyer at the front of the proposed dwelling. The 1m exceedance represents a 10.5% variation to the development standard.

**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:*



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- (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 (The Statement) that seeks to justify the proposed contravention of the Clause 4.3 development standard as discussed in the following section:

Clause 4.6(3)(a): That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case.

In assessing whether compliance with the standard is unreasonable or unnecessary, it is appropriate to apply the approach adopted by Preston CJ in **Wehbe v Pittwater Council (2007) 156 LGERA 446; [2007] NSWLEC 827** (referred to hereafter as *Wehbe*) in which His Honour identified five pathways that could be applied to establish whether compliance is unreasonable or unnecessary.

The Statement employs the first way (i) of *Wehbe v Pittwater Council [2007]* to address sub-clause 4.6(3)(a).

- i. The objectives of the standard are achieved notwithstanding noncompliance with the standard*

The Statement provides the following comments against the relevant cl 4.3 objectives:

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

The Newtown Road streetscape is in transition with a variety of older single and two storey dwellings, with recent larger two storey grand home dwellings. The proposal is consistent with the larger two storey grand home topology, and is appropriately proportioned given the substantial width (20.1m) and area of the lot (1,416m<sup>2</sup>).

The proposal will retain a single dwelling in a detached building form sited within the landscaped setting. The exceedance of the height control is limited to the front architectural roof feature associated with the entry portico and entry foyer. This represents less than 18% of the frontage of the site and length of the building, and displays as a decorative element to the front façade of the building. This design element does not contribute to a substantial bulk and scale impact upon the streetscape or when viewed from adjoining properties.

The remainder of the building including the external wall heights, and remaining roof geometry along each side boundary complies with the building height control, and is lower in height in comparison with the existing building on the site (that already exceeds the building height control).

(T)he setbacks, building form, height, scale and siting of the dwelling is considered appropriate and proportioned to the larger land holding. The width and size of the site is capable of

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accommodating a larger and taller building form than that envisaged under Council's controls without resulting in any adverse amenity impacts upon adjoining properties.

**Assessing officer's comment:** It is considered that the proposed development is incompatible in the immediate context and runs contrary to the objectives of the cl 4.3 HOB standard. The proposal seeks to increase the new building height marginally beyond the maximum ridge height and significantly above the similar existing façade element of the existing dwelling. This will result in a dwelling that is generally of a larger size and greater scale compared to the dwellings on both adjoining properties and the surrounding locale. The Statements cl 4.6(3)(a) claim is unsubstantiated.

*(b) to encourage a consolidation pattern that leads to the optimum sustainable capacity height for the area,*

The site is not required to be consolidated. The width of the site (20.11m) and the site area 1,416m<sup>2</sup> is a large land holding, and the setbacks, building form, height, scale and siting of the dwelling is considered appropriate and proportioned to the large land holding. The width and size of the site is capable of accommodating a larger and taller building form than that envisaged under Council's controls without resulting in any adverse amenity impacts upon adjoining properties.

**Assessing officer's comment:** The term 'consolidation pattern' in this context refers to the process of creating a development standard that will result in a more effective or coherent whole, and not lot consolidation as implied by The Statement. The argument put forth that the subject allotment is large enough to accommodate a building higher than the allowable 9.5m for the low density residential area does not substantiate how the development standard is unreasonable or unnecessary in the circumstances of the case.

*(c) to achieve a diversity of small and large development options.*

*Not applicable.*

**Assessing officer's comment:** The Statement claim that the above objective is 'not applicable' is unsubstantiated. It is considered that development standard for the height of buildings is an essential regulatory element to ensure an orderly and sustainable development is achieved in the Strathfield LGA.

It is considered that The Statement has not effectively demonstrated how the objectives of the standard are achieved notwithstanding noncompliance with the standard. The Statement has not adequately addressed cl 4.6(3)(a).

*Clause 4.6(3)(b) that there are sufficient environmental planning grounds to justify contravening the development standard.*

The approach by which a cl 4.6 written request should demonstrate that there are sufficient environmental planning grounds to justify contravening the standard discussed by Preston CJ in **Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118**. Preston CJ identified that there are two respects in which an Applicants' cl 4.6 written request needs to be

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'sufficient' in relation to the environmental planning grounds so as to justify the contravention of a development standard. These are:

- i) *"the environmental planning grounds advanced in the written request must be sufficient "to justify contravening the development standard". The focus of cl 4.6(3)(b) is on the aspect or element of the development that contravenes the development standard, not on the development as a whole, and why that contravention is justified on environmental planning grounds. The environmental planning grounds advanced in the written request must justify the contravention of the development standard, not simply promote the benefits of carrying out the development as a whole."*
- ii) *the written request must demonstrate that there are sufficient environmental planning grounds to justify contravening the development standard so as to enable the consent authority to be satisfied under cl 4.6(4)(a)(i) that the written request has adequately addressed this matter: see Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90 at [31]."*

The Statement proposes 18 reasons as the basis for demonstrating the sufficiency of environmental planning grounds used to justify the contravention of the minimum lot size development standard. The assessment of each of these 18 reasons in relation to the requirements of cl 4.6(3)(b), are cognisant of the guidance provided by Preston CJ in *Initial Action*, is as follows:

With regard to 4.6(3)(b) and sufficient environmental planning grounds, The Statement provides the following comments:

*In the circumstances of the case, there are sufficient planning grounds to justify contravening the development standard being:*

- *A residential dwelling development is a permissible use and consistent with the objectives of the R2 Zone.*

*The proposal will not alter the quantum of residential housing on the site. The proposal will retain a single dwelling in a detached building form sited within the landscaped setting. The proposal is compliant with council's setbacks and density controls. The proposal does not alter the low density residential environment of the Newton Road streetscape and local area. The proposal is therefore consistent with the relevant objectives for development in the R2 Zone.*

**Assessing officer's comment:** This reason is considered insufficient to justify the variation to the standard. A high quality dwelling house development that is sympathetic to the character of the area could be achieved without a variation to building height.

- *The existing dwelling already exceeds the building height control. The existing dwelling achieves a height of 10.03m (RL42.80) above existing ground level (EGL32.77) and exceeds the building height control by 530mm.*

**Assessing officer's comment:** This reason is considered insufficient to justify the variation to the standard. It is apparent that the existing dwelling pre-dates current SLEP 2012 controls. Notwithstanding, the existing dwelling has a similar style of façade feature compliant with the 9.5m maximum height standard. The reliance on an existing building height which pre-dates

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current planning controls is not a sufficient environmental planning ground to justify a variation of to a development standard which aims to achieve strategic outcomes for sustainable new development.

- *The non-compliance is limited to the front 'architectural roof feature' associated with the entry portico and entry foyer, which comprise decorative elements on the uppermost part of the building. This feature complies with clause 5.6 of Strathfield LEP 2012. This represents less than 18% of the frontage of the site and displays as a decorative element to the front façade of the building. This design element does not contribute to a substantial bulk and scale impact upon the streetscape or when viewed from adjoining properties.*

**Assessing officer's comment:** The Statement claim that the roof feature complies with clause 5.6 of Strathfield LEP 2012 is unsubstantiated as it comprises a large void which is reasonably capable of modification to include floor space area as discussed elsewhere in this report. Furthermore, a variation to the building height standard is not necessary to achieve a dwelling or roof feature of an acceptable bulk and scale. This reason is considered insufficient to justify the variation to the standard.

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- *The non-compliance is minor in nature and is limited to a portion of the roof form, that correspondence to topographic changes of the site.*

**Assessing officer's comment:** This reason is considered insufficient to justify the variation to the standard as a high quality dwelling design can be achieved without a variation to the maximum building height for the site.

- 
- *The remainder of the building including the external wall heights, and remaining roof geometry along each side boundary complies with the building height control, and is lower in height in comparison with the existing building on the site (that already exceeds the building height control).*

**Assessing officer's comment:** This reason is considered insufficient to justify the variation to the standard as a high quality dwelling design can be achieved of equal compliance without a variation to the maximum building height for the site.

- *The width of the site (20.11m) and the site area 1,416m<sup>2</sup> is a large land holding, and the setbacks, building form, height, scale and siting of the dwelling is considered appropriate and proportioned to the large land holding. The width and size of the site is capable of accommodating a larger and taller building form than that envisaged under Council's controls without resulting in any adverse amenity impacts upon adjoining properties.*

**Assessing officer's comment:** This reason is considered insufficient to justify the variation to the standard. The dimensions of the site and general capacity of the site to accommodate a building which exceeds the maximum allowable building height of 9.5m are not considered to be a substantial environmental planning grounds to necessitate an exceedance of the allowable building height for the R2 low density residential area.

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- *The proposed development is consistent with the objectives of the building height standard and the zone objectives.*

**Assessing officer's comment:** This reason is unsubstantiated as discussed elsewhere in this report and considered insufficient to justify the variation to the standard.

- *The proposal is compliant with council's floor space ratio density controls.*

**Assessing officer's comment:** This reason is considered insufficient to justify the variation to the standard as a high quality dwelling design can be achieved of equal compliance without a variation to the maximum building height for the site.

- *The proposal is compliant with Council's wall height control.*

**Assessing officer's comment:** This reason is considered insufficient to justify the variation to the standard as a high quality dwelling design can be achieved of equal compliance without a variation to the maximum building height for the site.

- *The proposed dwelling is compliant with, and substantial exceeds council's side and rear setback controls.*

**Assessing officer's comment:** This reason is considered insufficient to justify the variation to the standard as a high quality dwelling design can be achieved of equal compliance without a variation to the maximum building height for the site.

- *The proposal provides greater landscape area than that required by council's controls.*

**Assessing officer's comment:** This reason is considered insufficient to justify the variation to the standard as a high quality dwelling design can be achieved of equal compliance without a variation to the maximum building height for the site.

- *The proposal maintains adequate solar access to the adjoining dwellings in accordance with Council's controls.*

**Assessing officer's comment:** This reason is considered insufficient to justify the variation to the standard as a high quality dwelling design that maintains adequate solar access to adjoining dwellings can be achieved without a variation to the maximum building height for the site.

- *The proposal does not result in any privacy impacts upon adjoining properties that results of the non-compliance to the building height.*

**Assessing officer's comment:** This reason is considered insufficient to justify the variation to the standard as a high quality dwelling design that generates acceptable privacy impacts can be achieved without a variation to the maximum building height for the site.

- *The proposal does not result in any loss of views enjoyed from adjoining properties that results of the non-compliance to the building height.*

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**Assessing officer's comment:** This reason is considered insufficient to justify the variation to the standard as a high quality dwelling design that generates negligible view loss can be achieved of equal compliance without a variation to the maximum building height for the site.

- *The proposed development does not result in the removal of any significant or protected trees.*

**Assessing officer's comment:** This comment is unsubstantiated as discussed elsewhere in this report.

- *The architectural roof features are not intended as an advertising structure.*

**Assessing officer's comment:** This reason is considered insufficient to justify the variation and is not considered relevant in the context of the development. Advertising structures are prohibited within the R2 zone.

- *The roof form does not include floor space area and is not reasonably capable of modification to include floor space area.*

- 

**Assessing officer's comment:** This comment is unsubstantiated as discussed elsewhere in this report.

- *There is no building equipment for servicing the building (including air conditioning plant) contained in or supported by the roof feature.*

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**Assessing officer's comment:** This reason is considered insufficient to justify the variation. A high quality dwelling design could be achieved that both complies with the relevant building height standard and is able to accommodate such infrastructure.

The development reasons offered by The Statement, as well as the general promotion of several of the proposal compliant design features are not considered sufficient environmental planning grounds to justify contravention of the standard. A high quality dwelling house could be achieved that is compliant with all relevant SLEP and SCDCP controls. Compliance with any one SLEP or SCDCP control is not considered to be a sufficient environmental planning ground to justify non-compliance with another development standard.

As established in *Peric v Randwick City Council [2018] NSWLEC 1509*, in order for reasons put forth by The Applicant to be sufficient such that the contravention of the development standard is justified, the cl 4.6 request should include a clear rationale supporting the assertion that the variation of the development standard represents the orderly and economic use of the subject site. It is considered that the cl 4.6 statement submitted with the proposal is lacking in this clear rationale.

The Statement's assertion of overall compliance with all relevant SCDCP controls does not sufficiently justify why the significant exceedance of allowable building height is required to achieve a development that is appropriate within the low density residential setting of Newton Road. It is considered that the Statement has not adequately addressed Clause 4.6(3)(b).

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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)*

*(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.*

*(iii) 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.*

With regard to Clause 4.6(4)(a)(i), the assessment references ***Brigham v Canterbury–Bankstown Council [2018] NSWLEC 1406***, in which the Senior Commissioner emphasised that a 4.6 Request should have the following features:

- It should address each element of clause 4.6(3) in the order that it is read. This checklist approach helps to avoid legal error and ensure that all relevant subclauses are referred to in the written document
- It must make specific reference to the particular subclause being addressed, rather than using a general topic heading
- It should not paraphrase but rather, use the precise wording from the relevant clause when addressing particular considerations in respect of the development
- It should be direct and to the point. The request should not include discussions of irrelevant matters such as the historical case law or comments by a commissioner or judge.

The submitted Clause 4.6 request exhibits a structure as set out in *Brigham*, however, it is considered that the Clause 4.6 statement has not adequately addressed the matters required to be demonstrated by subclause (3). The Statement has not demonstrated how the objectives of the standard are achieved notwithstanding non-compliance with the standard; nor has it provided sufficient environmental planning grounds to justify contravention with the standard.

**With regard to Clause 4.6(4)(a)(ii)** the objectives of the SLEP 2012 R2 zone are as follows:

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

The Statement has measured the proposal against the relevant objectives of the R2 Low Density Residential zone and Clause 4.3 of SLEP 2012. The statement makes the following assertions:

*The proposal is consistent with the zone objectives for the following reasons:*

- *In regards to **dot points 1 and 2** (individual zone objectives), the proposal will not alter the quantum of residential housing on the site. The proposal will retain a single dwelling in a detached building form sited within the landscaped setting. The proposal is compliant with council's setbacks and density controls. The proposal does not alter the low density residential environment of the Newton Road streetscape and local area.*
- ***Dot point 2** is not applicable to the proposal.*
- *In regards to **dot point 3**, the site is not located within a heritage conservation area and is not located within the same visual catchment of the nearest heritage items, being I183 and I217. Accordingly the development does not adversely impact the heritage significance of any adjacent heritage items in conservation areas.*

**Assessing officer's comments:** The Clause 4.6 variation to the building height development standard has been assessed in accordance with the SLEP 2013. The departure from the maximum building height control will result in a building scale that is inappropriate in the immediate context. It is considered that a high quality building design can be achieved and insuring amenity for future occupants and neighbouring properties without the requested variation to building height. To support a height variation as such would result in a building that is inappropriate scale and massing and will likely set a precedent for future over-development in the Strathfield area.

The proposed building height is inconsistent with the objectives of the standard and the applicant has not satisfactorily established that the sought variation is unreasonable and unnecessary in this case.

With regard to Clause 4.6(4)(b), Council may assume the concurrence of the Director-General under the Planning Circular PS 08003 issued in May 2008.

In conclusion, The Clause 4.6 request is considered to be inadequate and the departure from the development standards is contrary to the public interest. On this basis, it is recommended that the development standard relating to the building height for the site not be varied in the circumstances as discussed above.



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### **SLEP 2012 Part 5: Miscellaneous Provisions**

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

#### **5.6 Architectural roof features**

Clause 5.6 applies to the proposed front façade and entry foyer. It is considered that the roof section of the entry foyer is not, in and of itself, a decorative element, but more accurately described as the rooftop a decorative façade element. The section of roof height exceeds the maximum allowable building height of 9.5m by 1m or 10.5%. The basic entry foyer roof dimensions are 1.6m high and 5.4m wide (measured from the gutter) with an approximate ridge length of 4m; and the portion of entry foyer roof above the maximum building height is calculated as 1m high x 3.4m wide with a length of 4m. Therefore, the majority of the proposed roof feature sits numerically above the maximum 9.5m building height and is inconsistent with cl 5.6(1)(b).

The proposed first floor plan shows a large void of approximately 20m<sup>2</sup> between the stairway entry and faux balcony, which results in a vertical void space of 8.4m from floor to ceiling. This void space is reasonably capable of modification to include floor space area and does is not technically consistent with cl 5.6(3)(iii). An additional 20m<sup>2</sup> will not result in a non-compliant FSR, however such a modification would still result in a remaining floor to ceiling vertical void space of 4.7m on the first floor. This will result in a size, scale and massing that lacks regard for development on adjoining properties and is generally incompatible with surrounding development in the immediate context.

The proposed entry foyer façade and roof feature design is considered to be inconsistent the provisions of cl 5.6.

### **SLEP 2012 Part 6: Local Provisions**

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

#### **6.1 Acid sulfate soils**

Acid Sulfate Soils (ASS) – Class 5 affects the property. However, development consent is not required as the site is not within 500 metres of adjacent Class 1, 2, 3 or 4 that is below 5 AHD.

#### **6.2 Earthworks**

The proposal involves significant excavation works for the provision of a basement, driveway ramp and swimming pool. The extent of excavation for the basement exceeds the footprint of the ground floor above and access to and from the basement. The extent of excavation is not supported due the excessive basement footprint.

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**6.4 Essential services**

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

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

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

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

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

**PART A – DWELLING HOUSES AND ANCILLARY STRUCTURES**

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

**2: Architectural Design & Streetscape Presentation**

<b>2.1 Objectives</b>	<b>Satisfactory</b>
<b>A.</b> <i>To ensure that development respects the predominant height, scale, character, type, form, colour, materials and architectural qualities of the existing dwelling house (in the case of alterations and additions) and surrounding neighbourhood especially any adjoining or nearby heritage item or heritage conservation area.</i>	<b>No</b>
<b>B.</b> <i>To achieve quality architecture in new development through the appropriate composition and articulation of building elements.</i>	<b>No - See comments</b>
<b>C.</b> <i>To ensure that the dominant building rhythm of the streetscape is reflected in the building design in terms of the spacing and proportion of the built elements.</i>	<b>No – see comments</b>
<b>D.</b> <i>To ensure that new dwellings have facades, which define, address and enhance the public domain.</i>	<b>Yes</b>
<b>E.</b> <i>To encourage contemporary architecture that is innovative, uses high quality detailing, and incorporates elements characteristic of Strathfield.</i>	<b>Yes</b>
<b>F.</b> <i>To promote the continuance of pyramidal roof forms within Strathfield where they are already prevalent.</i>	<b>Yes</b>
<b>G.</b> <i>To retain a feeling of openness and space between built elements by maintaining landscaped setbacks and preserve the appearance of dwellings set in the treelined streets and park-like environment.</i>	<b>Yes</b>
<b>H.</b> <i>To reduce the use of highly reflective colours and materials that create visual prominence.</i>	<b>Yes</b>
<b>I.</b> <i>To ensure fencing is sympathetic to the design of the dwelling and the street and enhances the character of both the individual house and street whilst maintaining casual surveillance of the neighbourhood.</i>	<b>No</b>
<b>J.</b> <i>To protect and retain the amenity of adjoining properties.</i>	<b>No - See comments</b>
<b>2.2 Development Controls</b>	<b>Complies</b>

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	<i>Streetscape Presentation</i>		
.1.	1	New dwellings address street frontage with clear entry.	Yes
	2	Consistently occurring building features integrated within dwelling design.	Yes
	3	Consideration of streetscape elements	No - See comments
	<i>Scale, Massing &amp; Rhythm of Street</i>		
.2.	1	Scale, massing, bulk and layout complement the existing streetscape and the dominant building rhythm	No
	2	Building height and mass maintains amenity to adjacent properties open space or the public domain	No
	<i>Building Forms</i>		
.3.	1	Building form articulated.	Yes
	2	Dwellings on corner sites address both street frontages and articulated	N/S
	3	Attic located within roof space of 1 or 2-storey dwelling or garage via internal stairs.	Yes
	<i>Roof Forms</i>		
.4.	1	Roof form complements predominant form in the locality	Yes
	2	Roof form minimises bulk and scale of building and remains an important architectural element in the street.	No - See comments
	3	First floor additions complement the architectural style of the ground floor and delineate the existing roof form, slope and ridge	
	<i>Materials</i>		
.4.	5	Materials compatible with the existing dwelling house, adjoining dwelling houses and the streetscape (type, form and colour)	Yes
	6	Monotone face brick walls and terracotta tiles for roofs where common in the streetscape	Accepted
	7	New buildings and facades do not result in glare (Reflectivity Report may be required)	Yes
	<i>Colours</i>		
.4.	8	New development incorporates traditional colour schemes	Yes
	9	The external colours integrate harmoniously with the external design of the building	Yes
		<i>Two (2) storey Porticoes</i>	
.5.	1	Two (2) storey porticoes in scale and compatible with the proposed dwelling, streetscape and any adjoining heritage items	N/A
	2	Two (2) storey porticoes vertically articulated or broken to reduce height	N/A
	3	Porticoes or associated porches do not protrude 1m forward of the front building façade.	No
	4	Porticoes do not extend beyond the understorey of the eaves/guttering.	No

**Comments:** The proposed building height and scale are not commensurate to the surrounding streetscape. The proposed development seeks to increase the building height beyond that of

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the existing dwelling which is apparently the highest structure in the immediate context of Newton Road and substantially higher than most other two (2) storey dwellings in the area.

The portico and faux balcony protrudes 2.6m forward of the front building line and further exacerbate the *scale and massing of the front building façade*.

**4: Building Envelope**

<b>4.1 Objectives</b>		<b>Satisfactory</b>	
<b>A.</b>	<i>To ensure that dwellings are compatible with the built form of the local area and that overall bulk and scale, size and height of dwellings relative to natural ground level responds to the adjoining dwellings, topography and desired future character.</i>	<b>No</b>	
<b>B.</b>	<i>To minimise impact on the amenity of adjoining properties.</i>	<b>No</b>	
<b>C.</b>	<i>To establish and maintain the desired setbacks from the street and define the street edge.</i>	<b>Yes</b>	
<b>D.</b>	<i>To create a perception or reinforce a sense of openness in the locality.</i>	<b>No – see comments</b>	
<b>E.</b>	<i>To maintain view corridors between dwellings</i>	<b>No – see comments</b>	
<b>F.</b>	<i>To assist in achieving passive surveillance whilst protecting visual privacy.</i>	<b>Yes</b>	
<b>G.</b>	<i>To provide a transitional area between public and private space.</i>	<b>Yes</b>	
<b>4.2 Development Controls</b>		<b>Complies</b>	
<i>Floor Space Ratio</i>			
<b>.1.</b>	1	Floor Space Ratio permissible pursuant to SLEP 2012	<b>Yes</b>
	2	Development compatible with the lot size	<b>Yes</b>
<i>Building Height</i>			
<b>.2.</b>	1	The maximum height of dwelling houses in accordance with the <i>SLEP 2012</i> Height of Buildings Map is 9.5 metres <b>Proposed building height: 10.5m</b>	<b>No</b>
	2	The maximum height of the external wall from the existing ground level to the underside of the uppermost ceiling level is to be 7.2 metres. <b>Maximum height of external wall: 7.4m</b>	<b>No</b>
	3	The maximum internal floor to ceiling height is to be 3.0 metres for any residential level. <b>Maximum internal floor to ceiling height:</b>	<b>No</b>
	4	Height of outbuildings, detached garages and carports is 3.5m (max) measured at the highest point on the roof above NGL <b>Tennis room height: 3.9 metres</b>	<b>No</b>
	5	Dwelling houses and any ancillary structures 2-storeys (max)	<b>Yes</b>
	6	Building height responds to the gradient of the site to minimise cut and fill	<b>No</b>
<b>.3.1.</b>	<i>Street Setbacks</i>		

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	1	Setbacks consistent with minimum requirements of Table A.1 <b>Primary street setback: 9m</b> <b>Proposed: 10.05m</b>	Yes
.3.2.	<i>Side and Rear Setbacks</i>		
	1	A combined side setback of 20% of the width of the block (incorporating a 1.2m Min side setback on each side). <b>Eastern side: minimum 1.3m setback</b> <b>Western side: minimum 3m setback</b>	Yes
	2	A rear setback of 6 m (min) <b>Rear Setback: minimum 4.1m</b>	
	3	Subject to meeting the minimum landscaped area (as per section 5 of this part of the DCP) in the rear of the site, ancillary facilities such as garages/outbuilding may be located within the rear setback area.	Yes
	4	Garages and carports setbacks consistent with Table A.2 <b>Minimum setback from side and rear boundaries: 0.5m</b> <b>Proposed tennis room</b> <b>Side setback: 0.9m</b> <b>Rear setback: 10.7m</b>	Yes

**Comments:** As discussed elsewhere in this report, the height, scale and massing of the entry foyer area does not respond appropriately to adjoining development. The portico feature including the entrance portico and faux balcony encroaches on the minimum building setback and pushes bulk forward of the two neighbouring dwellings.

The proposed 2.3m high fence and gate will create an overbearing fortified appearance which will reduce openness and hinder the transition from public to private space.

The proposed tennis house is non-compliant at a height of 3.9 metres, however, given side and rear setbacks are greater than the minimum 0.5m for outbuildings, and this is considered acceptable.

A small section of the south-west corner of the dwelling measures 7.4m in external wall height. This is considered acceptable given the substantial majority of the external wall height for the dwelling is 7.2m or less

## 5: Landscaping

5.1	Objectives	Satisfactory
A.	To encourage landscaping that is appropriate to the style and scale of the dwelling and adjoining development, and to the streetscape.	Yes
B.	To enhance the existing streetscape and promote a scale and density of planting that softens the visual impact of buildings, structures, vehicle circulation and ancillary areas.	No
C.	To preserve existing landscape elements on site (such as existing trees) and encourage their integration into the design of proposals.	No
D.	To ensure adequate deep soil planting is retained on each allotment.	Yes
E.	To ensure developments make an equitable contribution to the landscape setting of the locality.	Yes

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<b>F.</b>	To ensure both existing and new landscaping provides suitable shade and facilitates convective cooling breeze paths in summer.	<b>Yes</b>
<b>G.</b>	To encourage the use of native flora such as open woodland canopy trees, to provide a habitat for native fauna.	<b>Yes</b>
<b>H.</b>	To ensure that landscaped areas are designed to minimise water use.	<b>Yes</b>
<b>I.</b>	To provide functional private open spaces for active or passive use by residents.	<b>Yes</b>
<b>J.</b>	To provide private open areas with provision for clothes drying facilities screened from the street and lane or a public place.	<b>Yes</b>
<b>K.</b>	To ensure the protection of trees during construction	<b>No</b>
<b>L.</b>	To ensure suitable fencing is provided to reduce acoustic impacts and enhance visual privacy between neighbouring residents whilst enabling front fences passive surveillance of the street.	<b>Yes</b>
<b>M.</b>	To maximise the amenity of existing and proposed developments, including solar access, privacy and open space.	<b>Yes</b>

**5.2 Development Controls**

**Complies**

<b>5.2 Development Controls</b>		<b>Complies</b>	
<i>Landscaped area</i>			
<b>.1.</b>	1	Landscaped area in accordance with Table A.3 Site area: 1416m <sup>2</sup> Minimum landscaped area 800 – 1300m <sup>2</sup> : 45% Proposed: 693.9m <sup>2</sup> / 1416m <sup>2</sup> = 49%	<b>Yes</b>
	2	At least 50% of the minimum landscaped area located behind the building line to the rear boundary Proposed: 583.5m <sup>2</sup>	<b>Yes</b>
	3	At least 50% of the front yard maintained as deep soil soft landscaping Front setback: 216m <sup>2</sup> Proposed: 110.4m <sup>2</sup> (51.1%)	<b>Yes</b>
	4	Minimise hard surface area (concrete/brick/stone paving and bitumen). Run-off directed to permeable surfaces.	<b>No</b>
	5	Planting areas soften the built form	<b>Yes</b>
	6	Front gardens respond and contribute to the garden character of Strathfield.	<b>Yes</b>
	7	Retain and reinforce the prevailing streetscape and surrounding locality	<b>No</b>
	8	Plant species must be retained, selected and planted to improve amenity	<b>Yes</b>
<i>Tree Protection</i>			
<b>.2.</b>	1	Arboricultural Impact Assessment Report prepared by an AQF Level 5 Arborist	<b>No - see comment</b>
	2	The Arboricultural Impact Assessment Report address minimum criteria	<b>No - see comment</b>
	3	Development provides for the retention and protection of existing significant trees	<b>No - see comment</b>
	4	New dwellings and alterations and additions are set back in accordance with the Arboricultural Impact Assessment Report	<b>No</b>
	5	Council may request the applicant to engage a project Arborist	<b>Yes</b>

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	6	Opportunities for planting new canopy trees within the front setback	Yes
	7	At least one (1) canopy tree provided in the rear yard.	Yes
	8	Trunk of a proposed canopy tree planted 4m (min) from built structures, or 3m (min) from pier beam footings	Yes
	9	Planting on side boundaries a 0.6m (min) deep root deflection barrier provided 1.5m (min) either side of the tree center	Yes
	10	Driveway construction does not result in the removal, lopping or root damage to any street tree	No
	11	25% (min) of canopy trees and other vegetation shall be locally sourced indigenous species	Yes
<i>Private Open Space</i>			
	1	Provided in a single parcel rather than a fragmented space, directly accessible from internal living areas	Yes
	2	Includes a deep soil area compliant with the minimum landscaped area.	Yes
.3.	3	Terraces and decks (at least 10m <sup>2</sup> ) with one length or width 3m (min) and directly accessible from an internal living area. Decks cannot be located more than 500mm above NGL	Yes
	4	Unless 3m (min) width, areas within setbacks are not to be included as private open space	Yes
	5	Private open space located at the rear of the property.	Yes
<i>Fencing</i>			
	1	Fencing designed to be compatible and sympathetic to the style of the dwelling, adjoining properties and the streetscape	Yes - see comment
	3	Fencing forward of FBL shall not exceed 1.5m. Solid components shall not exceed 0.7m above NGL with the exception of brick piers	No
.4.	5	Side and rear fences limited to 1.8m (max)	Yes
	6	Side fences forward of the FBL taper down to the front fence.	Yes
	7	Front fences visually permeable	No
	13	Significant trees maintained	No

**Comments:** The proposed development generally complies with the relevant requirements under the SDCDP 2005 in terms of minimum landscaped area, retention of significant trees, private open space and fencing. The proposed landscaping treatments comprise grassed turf areas in the front setback and the rear yard including a turf tennis court; garden beds that contain a mixture of shrubs and groundcovers; a single canopy tree in the rear yard and three (3) canopy trees in the front setback.

The removal of a single Chinese Tallow is not supported and an Arboricultural Impact Assessment Report was not requested from the Applicant based on the comments from Council's Tree Coordinator. Furthermore, the proposal seeks to significantly increase hard surface area within the site frontage with a new dual driveway and vehicle entrance. Double-driveways are not typical to the existing streetscape and this will detract from the existing landscape elements in the immediate context.

#### Private Open Space

The proposed access to the private open space is via the kitchen and living room on the ground floor of the new dwelling house. This connection is considered appropriate and practical.

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Fencing

A substantial section of the proposed masonry component of the front fence exceeds the maximum 0.7m solid component control. The 2.3m high brick pier at the south-west corner is excessive and will detract from the existing streetscape character and visual amenity. Given the proposed vehicle entrance and necessary tree removal is not supported, a more compliant design could be achieved by incorporating the existing vehicle entrance on the opposite end of the street frontage.

**6: Solar Access**

6.1 Objectives		Satisfactory
A.	To ensure the design of new dwelling houses and alterations and additions maximises solar access to living areas and open space areas.	Yes
B.	To minimise overshadowing of adjoining properties.	Yes
6.2 Development Controls		Complies
Sunlight Access		
.1.	1 New dwellings - 3 hours solar access between 9.00am and 3.00pm on June 21 to the windows of habitable rooms and 50% of private open space	Yes
	3 50% of the principal private open space of any adjoining premises receives 3 hours solar access between 9.00am and 3.00pm on June 21	yes
	4 The proposed development does not further reduce the amount of solar access	Yes

**Comments:** The proposal complies with the above requirements. The siting and design of the proposed development ensure that the private open space and the habitable windows of adjoining properties will receive at least three (3) hours of solar access during mid-winter.

**7: Privacy**

7.1 Objectives		Satisfactory
A.	Development that is designed to provide reasonable privacy to adjacent properties	Yes
B.	To maintain reasonable sharing of views from public places and living areas	N/A
C.	To ensure that public views and vistas are protected, maintained and where possible, enhanced	N/A
D.	To ensure that canopy trees take priority over views	N/A
E.	To ensure that the siting and design of buildings minimises noise impacts from abutting roads, rail corridors and other noise-generating land uses	Yes
7.2 Development Controls		Complies
Visual Privacy		
.1.	1 Protect POS, bedrooms, balconies and living rooms of proposed and any existing adjoining dwellings from direct overlooking	Yes
	2 Provide adequate separation of buildings	Yes
	3 Ensure elevation of finished floor levels above NGL is not excessive	Yes
	4 Improve privacy to adjacent properties with screen planting	Yes



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<i>Windows</i>			
.2.	1	Windows do not directly face the windows, balconies and courtyards of adjoining dwelling	Yes
	2	A window within 9m of another window in a habitable room of an adjoining dwelling is offset by 0.5m (min) or a sill height of 1.7m (min) above the FFL	Yes
<i>Elevated Decks Verandahs and Balconies</i>			
.3.	1	Elevated decks, verandahs and upper storey balconies not permitted on side boundaries (exceptions apply)	Yes
	2	Elevated decks, verandahs and balconies incorporate privacy screens	
	3	Rear balconies (no more than 1m (depth) x 2m (length) permitted if the balcony does not unreasonably impact on adjoining premises	No – see comment
	4	Balconies extending the full width of the front façade are not permitted	No
<i>Acoustic Privacy</i>			
.4.	2	Noise-sensitive rooms located away from noise sources	Yes
	4	An acoustic report (where relevant) demonstrates that habitable rooms achieve internal noise levels of no greater than 35 dBA	N/A

**Comments: Comments:** The proposed development will not generate significant privacy and amenity impacts. Most of the first floor windows of the new dwelling are within bedrooms, bathrooms, walk-in-robos and a stairwell, which are considered low utility spaces. A privacy screen has been added to the B2 balcony terrace to prevent overlooking into the adjoining property at 35 Newton Road.

The finished floor levels of the rear yard will be situated below or close to natural ground level and the use of the private open space amenities will not result in significant privacy and amenity impacts. In light of the above, the proposed development complies with the relevant requirements in relation to providing sufficient building separation and privacy to both future occupants and neighbouring properties.

### 8: Vehicle Access and Parking

8.1	<i>Objectives</i>	<i>Satisfactory</i>
A.	<i>To provide adequate and convenient on-site car parking.</i>	Yes
B.	<i>To ensure that the location and design of driveways, parking spaces and other areas used from the movement of motor vehicles are efficient, safe and convenient.</i>	Yes
C.	<i>To ensure garages, carports, basements and hard standing areas for cars do not visually dominate the street façade of the dwelling.</i>	No
D.	<i>To ensure that construction materials used for driveways respect the architectural qualities of the dwelling.</i>	Yes
E.	<i>To minimise the area of access driveways to minimise impermeable surfaces and maximise landscaped areas.</i>	No
F.	<i>To ensure basements have discreet entries, safe access and a high degree of natural cross-ventilation.</i>	No
G.	<i>To minimise excavation to reduce disturbance to natural ground level particularly adjacent to site boundaries.</i>	No

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<b>H.</b>	<i>To ensure that any proposed basement minimises disturbance to natural drainage systems and that flooding, drainage or ventilation impacts would not be created for the site, or for adjoining or nearby properties.</i>	<b>Yes</b>	
<b>8.2</b>	<b>Development Controls</b>	<b>Complies</b>	
<b>.1.</b>	<i>Driveway and Grades</i>		
	1	Existing driveways must be used (exceptions apply)	<b>No</b>
	2	The width of driveways at the property boundary is to be 3m	<b>No</b>
	3	The edge of driveway crossings located 1m (min) clear of any existing stormwater pits or poles and 2m clear of tree trunks	<b>No</b>
	4	Parking and access points easily accessible and recognisable, non-disruptive to pedestrian flow and safety and located to minimise traffic hazards and potential for vehicles to queue.	<b>Yes</b>
	5	One (1) vehicular crossing (max) to any public road (exceptions apply)	<b>No – see comment</b>
	7	Vehicular turning areas for garages complies with relevant Australian Standard	
	9	Driveways avoid long and straight appearance by using variations and landscaping	<b>No – see comment</b>
	10	Driveway set back 0.5 metres (min) from side boundaries	<b>Yes</b>
	11	Driveways incorporate unit paving into the design	<b>No</b>
	12	Areas of concrete visible from a public road are to be minimal and coloured charcoal, grey or brown	<b>No</b>
	13	Coloured concrete is not permitted in the driveway crossing outside the property boundary	<b>Yes</b>
	<b>.2.</b>	<i>Garages, Carports and Car Spaces</i>	
1		Two (2) car parking spaces required behind the FBL of all new dwellings (exceptions apply)	<b>Yes</b>
2		Garages recessed behind the main front facade and/or non-dominant	<b>Yes</b>
4		Dimensions of parking spaces and garages comply with the Australian Standards	<b>Yes</b>
5		Garages are not to be converted or used for any purpose other than that for which they are approved	<b>Yes</b>
<b>.3.</b>	<i>Basements</i>		
	1	The area of a basement shall be limited to and contained within the ground level footprint of the dwelling	<b>No</b>
	2	Excavation not permitted within the minimum side setbacks.	<b>Yes</b>
	3	The maximum height of the basement above NGL is limited to 1m measured to the predominant finished floor level of the level above.	<b>Yes</b>
	4	Internal clearance of 2.2m (min)	<b>Yes</b>
	5	Driveways have a maximum 1:4 gradient and comply with Australian Standards	<b>Yes</b>
	6	Basement entries and ramps/driveways not greater than 3.5m wide	<b>Yes</b>
	7	Driveway ramps are perpendicular to the property boundary at the street frontage	<b>Yes</b>
	8	Basements permit vehicles to enter and exit the basement in a forward direction	<b>Yes</b>
	9	Basements are discretionary on flood affected sites	<b>Yes</b>
	11	Basements are not to be used for habitable purposes	<b>Yes</b>

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**Comments:** The double width vehicle entrance and dual driveway at a width of 6.202m and length of 15m exhibits is considered inappropriate in the context of the existing streetscape. The carport driveway and ramp to basement will create a visual bulk and massing that will dominate the site frontage from street view. The driveway and vehicle entrance cannot be realised without removing a significant tree and is not supported.

In addition to parking, storage and plant room, the basement includes a gym, bathroom and cinema which are all recreational spaces, but not habitable such as bedroom. The proposed basement extends beyond the ground level dwelling footprint. This could be reasonably amended to be contained within the ground floor footprint.

**9: Altering Natural Ground Level (Cut and Fill)**

9.1 Objectives		Satisfactory
A.	To maintain existing ground levels and minimise cut and fill to reduce site disturbance.	No
B.	To ensure existing trees and shrubs are undisturbed, ground water tables are maintained and impacts on overland flow/drainage are minimised.	Yes
9.2 Development Controls		Complies
1	Fill limited to 1m (max) above NGL	Yes
2	Clean fill used only	Yes
3	Cut and fill batters stabilised consistent with the soil properties	Yes
4	Vegetation or structural measures are implemented when the site is disturbed.	Yes
5	Areas of excavation setback from property boundaries in line with building setback controls. No excavation permitted within the minimum required setbacks.	Yes
6	The work does not affect or undermine the soil stability or structural stability of buildings and Council assets on adjoining properties.	Yes
7	A dilapidation report for all buildings which adjoin proposed excavation areas as required	Yes
8	Avoid excessive fill that creates the potential for overlooking of adjoining properties	Yes

**Comments:** The proposed basement is not wholly contained within the ground level footprint of the dwelling and is considered excessive cut for the development.

**10: Water and Soil Management**

10.1 Objectives		Satisfactory
A.	To encourage the incorporation of Water Sensitive Urban Design (WSUD) and Botany Improvement Plan principles in the development.	Yes
B.	To ensure compliance with Council's Stormwater Management Code	Yes
C.	To ensure compliance with the NSW State Government's Flood Prone Lands Policy.	N/A
D.	To ensure that appropriate soil erosion and sediment control measures are implemented on all sites that involve soil disturbances during construction.	Yes

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<b>E.</b>	To ensure new building work does not detrimentally affect the existing drainage system of any area of the Municipality.	<b>Yes</b>
<b>F.</b>	To ensure that new development in areas that may be affected by acid sulphate soils do not adversely impact the underlying ground conditions, soil acidity and water quality.	<b>Yes</b>
<b>G.</b>	To appropriately manage stormwater and overland flow to minimise damage to occupants and property	<b>Complies</b>
<b>10.2</b>	<b>Development Controls</b>	<b>Complies</b>
<b>.1.</b>	<i>Stormwater Management and Flood Prone areas</i>	
	2 Compliance with Council's Stormwater Management Code	<b>Yes</b>
<b>.2.</b>	<i>Acid Sulfate Soils</i>	
	1 Site managed consistent with the provisions contained in Clause6.1 SLEP 2012	<b>Yes</b>
<b>.3.</b>	<i>Soil Erosion and Sediment Control</i>	
	1 Soil erosion and sediment control measures detailed and implemented prior to the commencement of work.	<b>Yes</b>
	2 Sediment control measures applied	<b>Yes</b>
	3 Plans provided detailing stormwater quality treatment	<b>Yes</b>

**Comments:** The site is not subject to flooding or affected by acid sulfate soils. The proposed stormwater drainage plan complies with the Stormwater Management Code.

**11: Access, Safety and Security**

<b>11.1</b>	<b>Objectives</b>	<b>Satisfactory</b>
<b>A.</b>	To encourage the incorporation of crime prevention principles in the design of the proposed developments.	<b>Yes</b>
<b>B.</b>	To increase the safety and perception of safety in public and semi-public spaces.	<b>Yes</b>
<b>C.</b>	To provide passive surveillance of the public domain to promote a safe pedestrian environment whilst maintaining the privacy of residents	<b>Yes</b>
<b>D.</b>	To ensure the safety of pedestrians by separating pedestrian access from vehicular access.	<b>Yes</b>
<b>11.2</b>	<b>Development Controls</b>	<b>Complies</b>
<b>.1.</b>	<i>Address and Entry Sightlines</i>	
	1 Occupants able to overlook public places to maximise passive surveillance	<b>Yes</b>
	2 Landscaping design around dwellings and ancillary structures to accommodate plant maturation	<b>Yes</b>
	3 External lighting enhance safe access and security and light spill does not adversely impact on adjoining properties.	<b>Yes</b>
	4 Crime Prevention through Environmental Design (CPTED) principles incorporated.	<b>Yes</b>
<b>.2.</b>	<i>Pedestrian Entries</i>	
	1 Pedestrian entries and vehicular entries suitably separated	<b>Yes</b>
	2 Dwelling entrances easily identifiable	<b>Yes</b>

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**Comments:** The new dwelling will be orientated to Newton Road Street with the portico area forming a clear and identifiable pedestrian entrance.

**12: Ancillary Development**

12.1	Objectives	Satisfactory	
A.	To ensure that ancillary development is compatible with the design of the principal dwelling, streetscape and adjoining dwellings in form, materials and colours	Yes	
B.	To limit the size, bulk and scale of ancillary structures and minimise their visibility from the public domain.	Yes	
C.	To ensure that the provision of ancillary structures improves the amenity of residents whilst ensuring that the amenity of surrounding dwellings and neighbouring lots is maintained.	Yes	
D.	To ensure that the provision of ancillary structures, such as air conditioning units, are considered at the design stage of a proposed development.	Yes	
12.2	Development Controls	Complies	
.2.	<i>Outbuildings</i>		
	1	Outbuilding located behind the front building line	Yes
	2	Side and rear setback is 0.5m (min)	Yes
	3	New garden sheds, studios, cabanas and the like are limited 40sqm (max)	Yes
	4	Windows do not face an adjoining property (exceptions apply)	Yes
	5	The roof area is not accessible for any purpose	Yes
	6	Outbuildings are not to be used for habitable purposes	Yes – see comment
	7	Kitchen facilities are not permitted in an outbuilding	Yes
8	Any external lighting of an outbuilding is to be positioned or shielded to prevent glare to adjoining premises	Yes	
.4.	<i>Air-conditioning</i>		
	1	Located away from the habitable rooms of adjoining properties and/or screened by acoustic treatments	Yes
	3	Installation of residential grade air conditioners only	Yes
	4	Installation to comply with the Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Noise Control) Regulation 2008	Yes
.6.	<i>Swimming Pools</i>		
	1	Side and rear setbacks from the outside edge of the pool concourse are 1m (min) wide and comprise deep soil soft landscape area	Yes
	2	If greater than 1m above ground, the space between the bond beam/concourse and the ground is finished to Council's satisfaction	Yes
	3	The pool filter and pump equipment designed and located to not emit a noise level that exceeds 5dBA above the ambient background noise level measured at any property boundary. The pool equipment shall be located within an enclosed structure so as to not be readily visible	Yes
	4	Lighting positioned to prevent light spillage and minimise any nuisance to adjoining premises	Yes
	5	Enclosures shall comply with the Swimming Pools Act and relevant Australian Standards as amended.	Yes

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<i>Tennis Courts</i>			
1	Used for residential uses associated with the dwelling	Yes	
2	The minimum setback from any boundary is 1m unless the tennis court adjoins a neighbouring habitable building which is 3m (min)	Yes- see comments	
3	Side boundaries landscaped to ensure privacy and prevent unnecessary glare and light spill. The outside edge of a tennis court separated from a property boundary by 1m wide soft landscaping strip	Yes- see comments	
.7.	4	No portion of the finished surface level is more than 0.75m above NGL adjacent to the court.	Yes
	5	Enclosures to a maximum height of 3.6m with plastic-coated chain wire, black or dark green in colour on a suitable galvanised iron pipe frame	Yes- see comments
	6	Lighting has a maximum intensity of 450 lux on the court surface with a spill of zero lux at horizontal distance of 2m from the surface	Yes
	7	Compliance with Council's Stormwater Management Code	Yes

**Comments:** The development will retain the existing turf tennis court. The new in-ground swimming pool and surrounding area complies with the above setback controls. The maximum coping level (height) of the pool is less than 1m above the natural ground level of the rear yard.

**13: Ecologically Sustainable Development**

13.1	<b>Objectives</b>	<b>Satisfactory</b>	
A.	<i>To encourage passive and active strategies in the design of dwellings and ancillary structures that promotes the achievement of ecologically sustainable practices and BASIX requirements.</i>	Yes	
B.	<i>To ensure dwellings are designed to allow sufficient natural ventilation and lighting whilst minimising heat gain during summer and maximising solar access during winter, thereby reducing the need for artificial cooling and heating.</i>	Yes	
C.	<i>To minimise the over use of Sydney's limited high quality domestic water supply by ensuring new dwellings incorporate water storage tanks for use in toilet flushing, landscape irrigation and to encourage new dwellings, additions and alterations to incorporate water saving devices and water conservation strategies.</i>	Yes	
D.	<i>To encourage the use of new technology that reduces energy consumption, minimises greenhouse emissions and results in cost savings</i>	Yes	
E.	<i>To encourage the re-use of building materials, thereby reducing waste to landfill, transportation costs, conserving raw materials and reducing energy expenditure. (Refer to Part H Waste Minimisation and Management of SCDCP 2005).</i>	Yes	
13.2	<b>Development Controls</b>	<b>Complies</b>	
	<i>Natural Lighting and Heating</i>		
.1.	1	Living areas facing north, sleeping areas facing east/south, and utility areas orientated west/south to maximise winter solar access.	Yes
	2	Trees planted to the north of the dwelling must be deciduous to allow solar access during the winter	Yes
	3	Materials used of high thermal mass	Yes
	<i>Natural Cooling and Ventilation</i>		
.2.	1	Windows and walls on northern facades shaded by shading devices, trees, eaves and louvres sympathetic to the dwelling	Yes
	2	Windows positioned to capture breezes and allow for cross-ventilation	Yes
	<i>Water Tanks</i>		
.3.	1	Located behind the dwelling or behind the front building line and screened from	Yes

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	view from the public domain	
2	Associated support structures and plumbing are a colour that complements the dwelling.	Yes
3	Above ground water tanks located 450mm (min) from any property boundary	Yes
7	Installation does not involve the filling of more than 1m above existing ground level	Yes
8	The tank not located over or adjacent to a water main or sewer main or installed over any associated structure or fittings	Yes
9	Support structure installed to the requirements of a qualified practicing structural engineer or to the maker's specifications.	Yes
	<i>Hot Water Heater Units</i>	
.4.	1 Located behind the dwelling or wholly behind the dwelling	Yes
	2 Not located on balconies unless screened from public view	Yes
	3 Placed within a short distance of the most frequent point of use	Yes

**Comments:** A BASIX Certificate was submitted as part of the development application meeting the designated targets for energy and water reduction. In accordance with the Certificate a first flush rainwater tank is to be installed beneath the driveway in the south-west corner of the front setback.

#### PART H - WASTE MANAGEMENT (SCDCP 2005)

A Waste Management Plan (WMP) was provided as part of the subject application. The waste minimisation strategies detailed in the WMP are to an acceptable standard and complies with Part H of the SCDCP 2005.

#### 4.15 (1)(a)(iii) any planning agreement or draft planning agreement

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

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

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

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

Appropriate conditions of consent could be imposed to ensure compliance with any relevant regulations.

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**(i) any coastal zone management plan**

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

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

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

**4.15(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality**

All likely impacts of the proposed development have been addressed in this report. The key issues of non-compliance including an exceedance of building height, and the oversized vehicle entrance, associated tree removal and oversized front fence are considered to contribute to a development that is incompatible with the built form of the local area and that overall bulk and scale, size and height of the dwellings and desired future character.

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

The proposed development is considered to be unsuitable for the site in that it will detract from the existing Newton Road streetscape. The proposed height of the dwelling façade and the oversized front fence and vehicle entrance will result in unnecessary size, scale and massing in the immediate context.

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

The application was notified in accordance with Council's Community Participation Plan from 22 April 2021 to 7 May 2021. Council received no submissions for the subject application.

**4.15 (1)(e) the public interest**

The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation.

The proposed development is considered to be contrary to the public interest.

**SECTION 7.11 CONTRIBUTIONS**

Section 7.12 (previously Section 94A) of the *Environmental Planning and Assessment Act 1979* relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. Section 7.12 of the *Environmental Planning and Assessment Act 1979* reads as follows:



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*“A consent authority may impose, as a condition of development consent, a requirement that the applicant pay a levy of the percentage, authorised by a contributions plan, of the proposed cost of carrying out the development.”*

### **STRATHFIELD INDIRECT DEVELOPMENT CONTRIBUTIONS PLAN**

The proposed development has a value of greater as \$100,000. In order to provide additional public facilities and infrastructure to meet the demand created by development, the proposed development will attract Section 7.12 Indirect Contributions in accordance with the Strathfield Indirect Development Contributions Plan (3 September 2010). This contribution is based on the proposed cost of works for the development and has been calculated at 1% of \$2,364,483 (the estimated cost of development identified in the development application). Therefore, the Section 94 Indirect Contributions for the proposed development is \$23,644.83

### **CONCLUSION**

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



Signed: Gary Choice  
Planner

### **PEER REVIEW**

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

Signed: Miguel Rivera  
Senior Planner

### **RECOMMENDATION**

In consideration of the written request made by the applicant pursuant to Clause 4.6 of the Strathfield Local Environmental Plan 2012, the consent authority is not satisfied that the justification for the non-compliance with the development standard contained in Clause 4.3 – Height of buildings of the SLEP 2012 is well founded, and that the applicant fails to demonstrate that there are sufficient environmental planning grounds to justify contravening the development standard.

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That Development Application No. DA2021/74 for the demolition of existing structures, retention of tennis court, construction of a two (2) storey dwelling house with basement level, in-ground swimming pool, front fence and entry feature, attached carport, detached outbuilding and associated landscaping be **REFUSED** for the following reasons:

1. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979* as it fails to comply with the provisions of the State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017.
2. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979* as it fails to meet the aims of the Strathfield Local Environmental Plan 2012 relating to achieving high quality urban form that reflects the existing and desired future character of the locality. The proposal fails demonstrate achieving a high quality urban design as its bulk, scale and overall design are not reflective of the desired future character of the surrounding locality.
3. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as it fails to meet the aims of the Strathfield Local Environmental Plan 2012 relating 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. The proposal includes a five (5) car basement parking area and dual driveway which presents direct impacts through private vehicle use.
4. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as it fails to meet the aims of the Strathfield Local Environmental Plan 2012 to identify and protect environmental and cultural heritage. The proposal to remove a significant street tree goes against Council's recommendations for street tree retention and protection.
5. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979* as it fails to meet the objectives for the Maximum Building Height under Clause 4.3(1)(a) and (b) of the Strathfield Local Environmental Plan 2012. The proposal will also set an undesirable precedence in facilitating and encouraging incompatible built forms that breach the maximum height provision.
6. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979* as it fails to meet the provisions of Clause 5.6(3) (Architectural roof features) as it includes excessive void space that is reasonably capable of modification to include floor space area. The proposal will also set an undesirable precedence in facilitating and encouraging incompatible built forms that breach the maximum height provision.
7. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* as it fails to

**DA2021.74. - 33 Newton Road Strathfield - LOT:42 DP:8778 (Cont'd)**

meet the objectives of Clause 2 (Architectural Design & Streetscape Presentation) of Part A of the Strathfield Consolidated Development Control Plan 2005. The proposal will result in an oversized development that will dominate the existing streetscape.

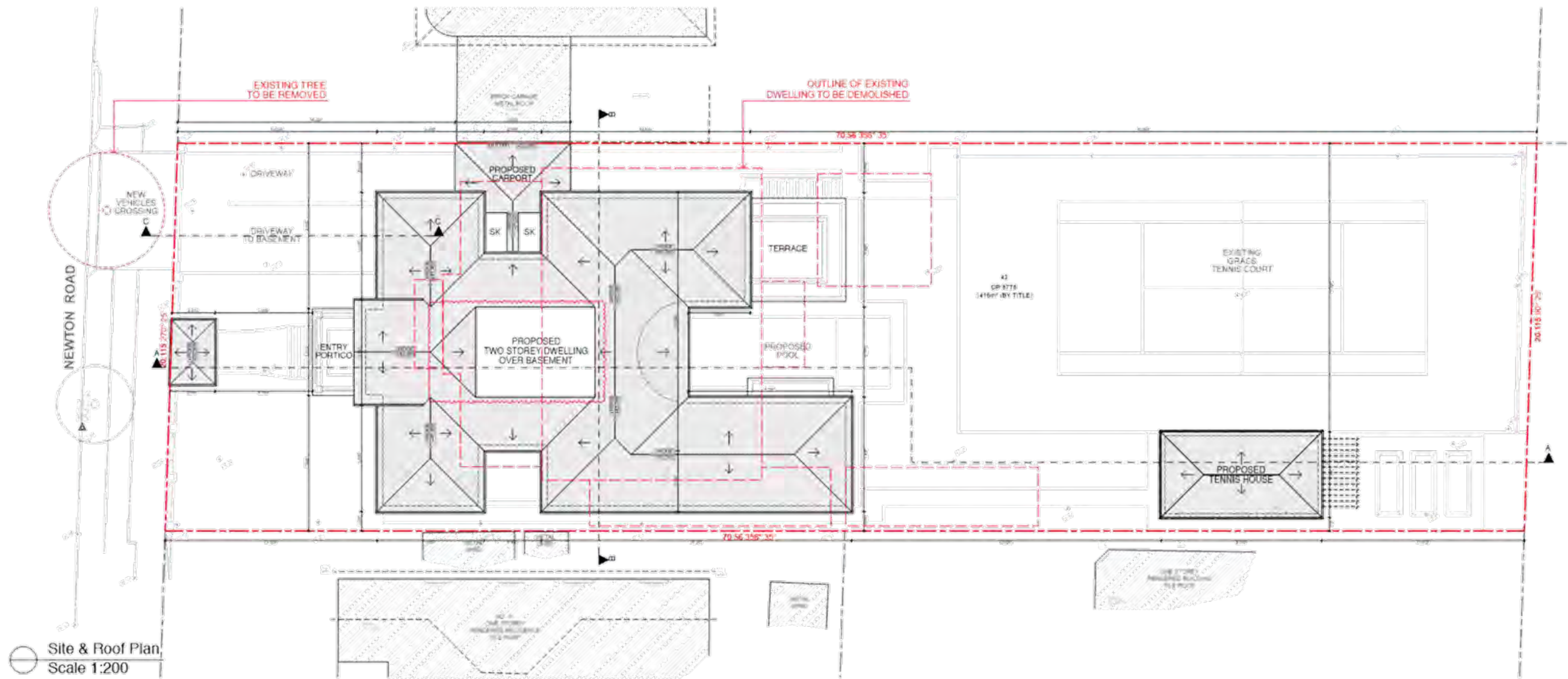
8. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* as it fails to satisfy the development controls of Clause 2.2 of Part A of the Strathfield Consolidated Development Control Plan 2005. The proposed building height, façade design and oversized portico will create excessive bulk and scale which lacks consideration for the existing Newton Road streetscape.
9. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* as it fails to meet the objectives of Clause 4 (Building Envelope) of Part A of the Strathfield Consolidated Development Control Plan 2005. The proposed front fencing will create inappropriate bulk and massing at the street frontage which will reduce the sense of openness and obstruct the transition between public and private space.
10. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* as it fails to satisfy the development controls Clause 4.2 of Part A of the Strathfield Consolidated Development Control Plan 2005. The proposed dwelling design does not comply with maximum building height, maximum ceiling height, and requires excessive cut for the proposed basement area.
11. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* as it fails to meet the objectives of Clause 5 (Landscaping) of Part A of the Strathfield Consolidated Development Control Plan 2005. The proposed dual vehicle entrance will significantly increase hard surface along the site frontage and detract from the existing landscape elements of the Newton Road streetscape.
12. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* as it fails to satisfy the development controls Clause 5.2 of Part A of the Strathfield Consolidated Development Control Plan 2005. The proposed dwelling design does not comply with tree protection measures or front fencing height controls.
13. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* as it fails to meet the objectives of Clause 8 (Vehicle Access and Parking) of Part A of the Strathfield Consolidated Development Control Plan 2005. The proposed dual vehicle entrance and basement parking area require excessive excavation. The development will increase hard surface area and dominate the street façade.
14. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* as it fails to satisfy the development controls Clause 8.2 of Part A of the Strathfield Consolidated Development Control Plan 2005. The proposed dual driveway is non-compliant with

**DA2021.74. - 33 Newton Road Strathfield - LOT:42 DP:8778 (Cont'd)**

- controls for dimensions and appearance. The proposed basement area is not wholly contained within the ground level dwelling footprint.
15. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* as it fails to meet the objectives of Clause 9 (Altering Natural Ground Level (Cut and Fill)) of Part A of the Strathfield Consolidated Development Control Plan 2005. The proposed basement area fails to minimise cut and fill to reduce disturbance.
  16. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(b) of the *Environmental Planning and Assessment Act 1979* as it will result in unacceptable adverse impacts in terms of built form, streetscape and tree preservation.
  17. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(c) of the *Environmental Planning and Assessment Act 1979* as it fails to demonstrate that the subject site is suitable for the proposed built form. The proposal is considered an overdevelopment of the site.
  18. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*. The proposed development is not in the public interest as it fails to meet the key provisions, objectives and development standards under the State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017., Strathfield Local Environmental Plan 2012 and the Strathfield Consolidated Development Control Plan 2005 and will have unacceptable adverse impacts.

**ATTACHMENTS**

1. Architectural Plans
2. Schedule of Materials & Finishes
3. Statement of Environmental Effects-
4. Landscape Plans (Revised)-



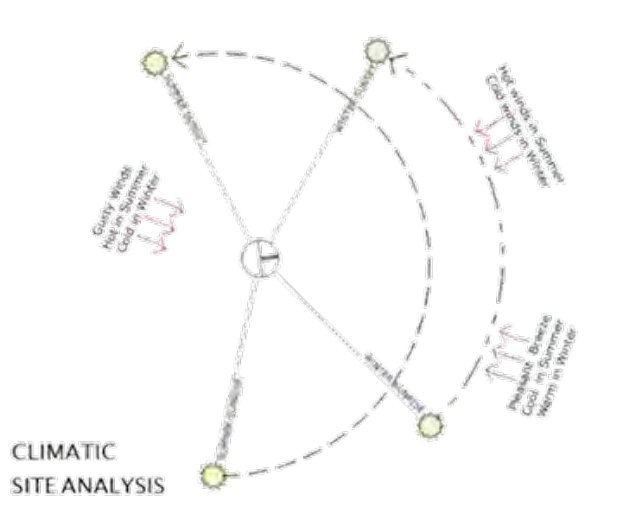
Site & Roof Plan  
Scale 1:200

PROPERTY DETAILS	
Property Address	33 Newton Rd, Strathfield
Title Reference	42/-/DP8778
Site Area	1416 m <sup>2</sup>
STRATHFIELD MUNICIPAL COUNCIL	
LOCAL ENVIRONMENTAL PLAN INFORMATION	
Land Zoning	R2 - Low Density Residential
Height	J - 9.5 m
FSR	NA
Min. Lot Size	K - 560 m <sup>2</sup>
Heritage	NA
Land Reservation Acquisition	NA
Foreshore Building Line	NA
Acid Sulfate Soils	CLASS 5
Airport Noise	NA

CALCULATIONS	
Site Area	1416.0 m <sup>2</sup>
FSR	
Existing	253.6 m <sup>2</sup> = 0.18 : 1
Permitted	708.0 m <sup>2</sup> = 0.50 : 1
Proposed	
BL	174.7 m <sup>2</sup>
GF	236.2 m <sup>2</sup>
FF	229.7 m <sup>2</sup>
TENNIS R.	25.9 m <sup>2</sup>
TOTAL	666.5 m <sup>2</sup> = 0.47 : 1
LANDSCAPE	
Required	637.2 m <sup>2</sup> = 45% of Site Area
Proposed	693.9 m <sup>2</sup> @ min 1.5m Wide
Required behind BLD line	108.0 m <sup>2</sup> = 50% of Front Area
Proposed	110.4 m <sup>2</sup> @ min 1.5m Wide



33 Newton Rd, Strathfield - Location Plan



CLIMATIC SITE ANALYSIS

AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GB - GLASS BALUSTRADE
CT - CONCRETE ROOF TILE	AC - ALUMINIUM CLADDING	AW - ALUMINIUM WINDOW	SB - STEEL BALUSTRADE
RT - ROOF TILE	FC - FIBRE CEMENT	TD - TIMBER DOOR	S - SMOKE DETECTOR
BW - FACE BRICK WORK	TC - TIMBER CLADDING	TW - TIMBER WINDOW	W - NEW WINDOW
CR - CEMENT RENDER	SC - STONE CLADDING	FW - FIXED WINDOW	D - NEW DOOR

THIS WORK IS TO BE COMPLETED WITH THE BUILDING CODE OF AUSTRALIA, SAA CODES AND RELEVANT BY LAWS.  
THE BUILDER/MANUFACTURER SHALL CHECK AND VERIFY ALL DIMENSIONS, ALL GROUND LINES AND CONSTRUCTION METHODS PRIOR TO COMMENCEMENT OF WORK.  
PRESENCE OF DIMENSIONED MEASUREMENTS TO BE TAKEN OVER SCALAR MEASUREMENTS. DO NOT SCALE OFF DRAWINGS.  
THESE DRAWINGS HAVE BEEN PREPARED BY BLU PRINT DESIGNS AND REMAIN THE PROPERTY OF THE ABOVE NAMED PARTY. THESE DRAWINGS ARE NOT TO BE USED IN ANY WAY WITHOUT THE PERMISSION OF BLU PRINT DESIGNS AND ARE SUBJECT TO COPYRIGHT LAWS.  
A COPY OF THIS PLAN IS TO BE SUBMITTED BY THE PROPRIETOR TO THE WATER BOARD FOR APPROVAL AS REQUIRED BY THE LOCAL COUNCIL.

Issue	Description	Date
A	Development Application	30 - 03 - 2021
B	Council RFI Letter 12th May 2021	18 - 05 - 2021

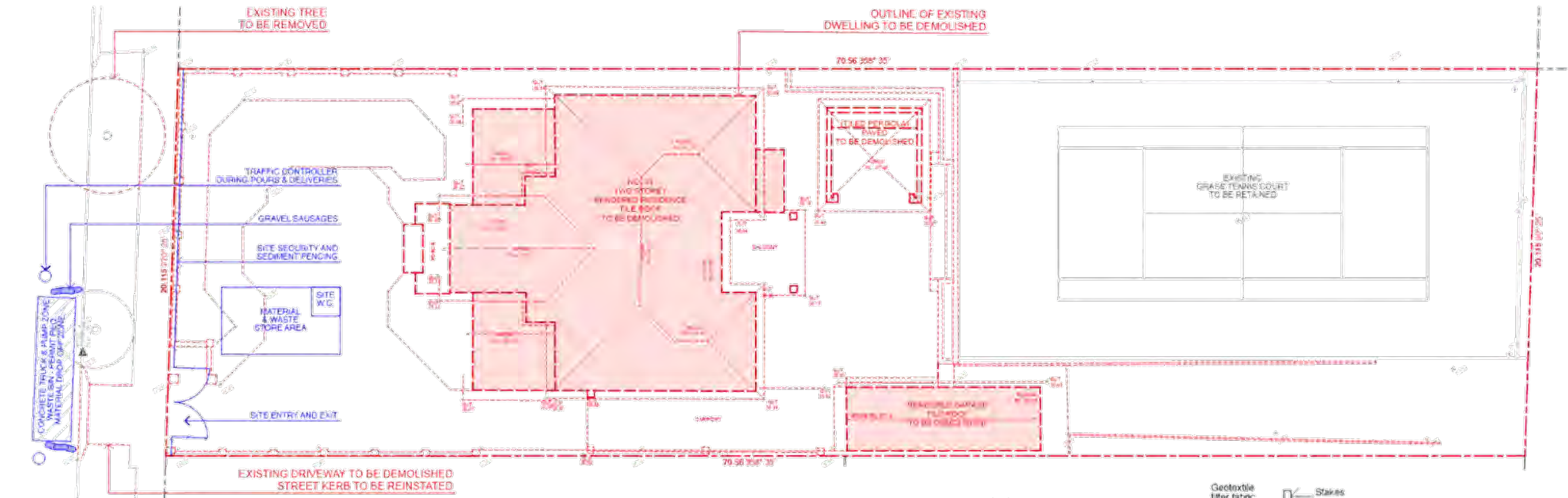


Title:	Site & Roof Plan
Project:	33 Newton Rd, Strathfield
Client:	Mr Eric Wu
Date:	18th Jan 2021
Scale:	1:200 @ A3

DA01

B





Demolition & Erosion Sediment Control Plan  
Scale 1:200

**SITE WORKS NOTES**

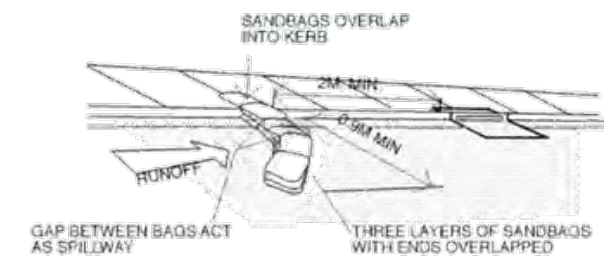
- DATUM: REFER SURVEY NOTES
- CONTRACTOR MUST VERIFY ALL DIMENSIONS AND EXISTING LEVELS ON SITE PRIOR TO COMMENCEMENT OF WORK. ANY DISCREPANCIES TO BE REPORTED TO THE ENGINEER/SUPERINTENDENT
- STRIP ALL TOPSOIL FROM CONSTRUCTION AREA AND STOCKPILE ON SITE TO BE LATER SPREAD OR REMOVED FROM SITE AS DIRECTED BY THE SUPERINTENDENT
- MAKE SMOOTH CONNECTION WITH EXISTING WORKS
- ALL TRENCH BACKFILL MATERIAL SHALL BE COMPACTED TO THE SAME DENSITY AS THE ADJACENT MATERIAL
- ALL SERVICES TRENCHES UNDER VEHICULAR PAVEMENTS SHALL BE BACKFILLED WITH SAND OR AN APPROVED GRANULAR MATERIAL AND COMPACTED TO A MINIMUM 98% STANDARD DENSITY, IN ACCORDANCE WITH AS1289 5.1.1
- PROVIDE 10mm WIDE EXPANSION JOINTS BETWEEN BUILDING AND ALL CONCRETE OR UNIT PAVEMENTS
- ASPHALTIC CONCRETE SHALL CONFORM TO RTA FORM 612
- ALL BASE COURSE MATERIAL TO COMPLY WITH RTA FORM 3051 (UNBOUND), RTA FORM 3052 (BOUND) COMPACTED TO MINIMUM 98% MODIFIED DENSITY IN ACCORDANCE WITH AS1289 5.2.1. FREQUENCY OF COMPACTION TESTING SHALL NOT BE LESS THAN 1 TEST PER 50m OF BASE COURSE MATERIAL PLACED
- ALL SUB BASE COURSE MATERIAL TO COMPLY WITH RTA FORM 3051 AND COMPACTED TO A MINIMUM 95% MODIFIED DENSITY IN ACCORDANCE WITH AS1289 5.2.1
- ALL LINE MARKING TO AS1742
- WHERE NOTED ON THE DRAWINGS THAT WORKS ARE TO BE CARRIED OUT BY OTHERS (ADJUSTMENT SERVICES), THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CO-ORDINATION OF THESE WORKS.

**SURVEY NOTES**

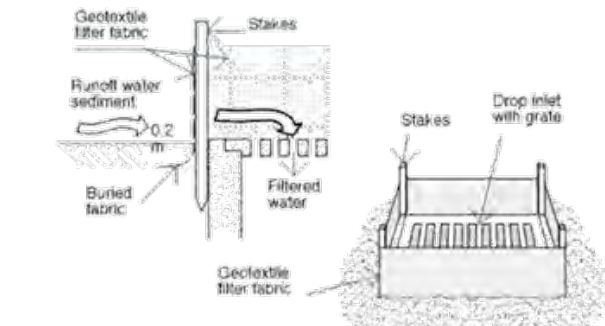
THE EXISTING SITE CONDITIONS SHOWN ON THE FOLLOWING DRAWINGS HAVE BEEN INVESTIGATED BY C.V FORSHAW CONSULTING LAND AND ENGINEERING SURVEYORS, BEING REGISTERED SURVEYORS. THE INFORMATION IS SHOWN TO PROVIDE A BASIS FOR DESIGN. ARCH MEDIA SOLUTIONS DOES NOT GUARANTEE THE ACCURACY OR COMPLETENESS OF THE SURVEY BASE OF ITS SUITABILITY AS A BASIS FOR CONSTRUCTION DRAWINGS.

**EROSION AND SEDIMENT CONTROL NOTES**

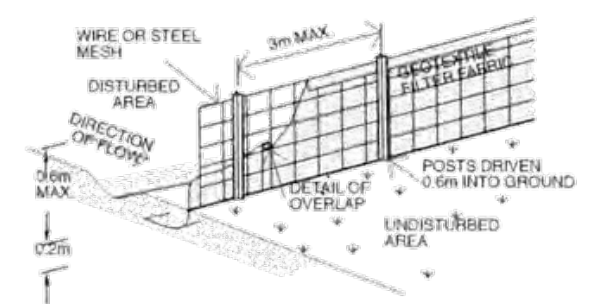
- ALL WORK SHALL BE GENERALLY CARRIED OUT IN ACCORDANCE WITH:
  - A. LOCAL AUTHORITY REQUIREMENTS
  - B. EPA REQUIREMENTS
  - C. NSW DEPARTMENT OF HOUSING MANUAL "MANAGING URBAN STORMWATER, SOILS AND CONSTRUCTION" 3rd EDITION, AUGUST 1998.
- MAINTAIN THE EROSION CONTROL DEVICES TO THE SATISFACTION OF THE SUPERINTENDENT AND THE LOCAL AUTHORITY
- WHEN STORMWATER PITS ARE CONSTRUCTED, PREVENT SITE RUNOFF ENTERING UNLESS SILT FENCES ARE ERECTED AROUND PITS.
- CONTRACTOR IS TO ENSURE ALL EROSION & SEDIMENTATION CONTROL DEVICES ARE MAINTAINED IN GOOD WORKING ORDER AND OPERATE EFFECTIVELY. REPAIRS AND/OR MAINTENANCE SHALL BE UNDERTAKEN AS REQUIRED, PARTICULARLY FOLLOWING STORM EVENTS.



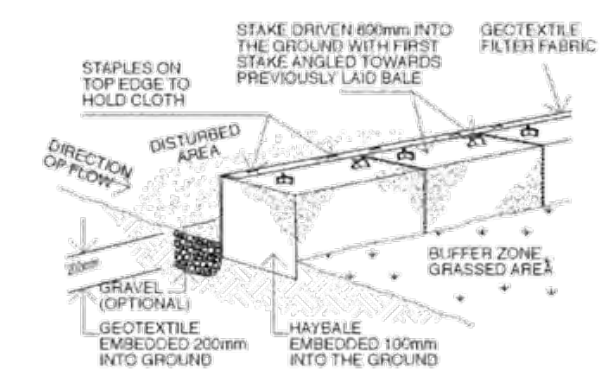
**SANDBAG SEDIMENT TRAP FOR KERB INLET ON GRADE**



**GEOTEXTILE FILTER FABRIC SURROUND**



**SEDIMENT FENCE**



**STRAW BALE AND GEOTEXTILE SEDIMENT FILTER**

AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GB - GLASS BALUSTRADE
CT - CONCRETE ROOF TILE	AC - ALUMINIUM CLADDING	AW - ALUMINIUM WINDOW	SB - STEEL BALUSTRADE
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CR - CEMENT RENDER	SC - STONE CLADDING	FW - FIXED WINDOW	D - NEW DOOR

THIS DRAWING IS TO BE COMPLETED WITH THE BUILDING CODES OF AUSTRALIA, AS APPROVED AMENDMENTS THEREON.  
THE ARCHITECT AND ENGINEER SHALL CHECK AND VERIFY ALL DIMENSIONS, PLACEMENTS, LEVELS AND CONSTRUCTION METHODS PRIOR TO COMMENCEMENT OF WORK.  
PROGRESSIVE AND COMPLETED MEASUREMENTS TO BE TAKEN OVER SCALE MEASUREMENTS.  
DO NOT SCALE UP/DOWN DRAWINGS.  
THESE DRAWINGS HAVE BEEN PREPARED BY B.P. DESIGN AND SHALL REMAIN THE PROPERTY OF THE ABOVE NAMED PARTY. THESE DRAWINGS ARE NOT TO BE USED IN ANY WAY WITHOUT THE PERMISSION OF B.P. DESIGN AND ARE SUBJECT TO COPYRIGHT LAWS.  
A COPY OF THIS PLAN IS TO BE SUBMITTED BY THE PROPRIETOR TO THE WATER BOARD FOR APPROVAL AS REQUIRED BY THE LOCAL COUNCIL.

Issue	Description	Date
A	Development Application	30-03-2021
B	Council RFI Letter 12th May 2021	18-06-2021

Title:	Demolition & Erosion Sediment Control Plan
Project:	35 Newton Rd, Strathfield
Client:	Mr Eric Wu
Date:	18th Jan 2021
Scale:	1:200 @ A3

DA02

**B**



**BASIX Notes**

**Water Commitments**  
Alternative water  
Rainwater tank  
 -The applicant must install a rainwater tank of at least 10000 litres on the site. This rainwater tank must meet, and be installed in accordance with, the requirements of all applicable regulatory authorities.

Swimming pool  
 -The swimming pool must not have a volume greater than 65.7 kilolitres.  
 -The swimming pool must be outdoors.

**Thermal Comfort Commitments**  
Simulation Method  
 -The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Assessor Certificate requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor to certify that this is the case. The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.  
 -The applicant must construct the floors and walls of the dwelling in accordance with the specifications listed in the table below.  
 -floor - concrete slab on ground: 130.0 square metres  
 -floor - suspended floor/open subfloor: 29.0 square metres  
 -floor - suspended floor above garage: All or part of floor area

**Energy Commitments**  
Hot water  
 -The applicant must install the following hot water system in the development, or a system with a higher energy rating: gas instantaneous with a performance of 5 stars.

Natural lighting  
 -The applicant must install a window and/or skylight in 5 bathroom(s)/toilet(s) in the development for natural lighting.

Alternative energy  
 -The applicant must install a photovoltaic system with the capacity to generate at least 4.5 peak kilowatts of electricity as part of the development. The applicant must connect this system to the development's electrical system.

**NATHERS Specs Summary:**

- Floor slabs:
  - Concrete.
- Exterior walls:
  - Cavity brick – with aircell insulation (R1.24). Or, masonry wall system of R1.60 rating.
  - All external wall materials modelled with default medium colour finishes.
- Glazing:
  - Low solar gain Low-E glass, with aluminium framing:**
    - To northern curtain walls (wrap around fixed glazing overlooking pool).
    - to living & dining northern sliding doors.
      - Type A (U-Value: 5.6, SHGC: 0.41).
      - Type B (U-Value: 5.6, SHGC: 0.36).
  - Single clear glass, with aluminium framing:**
    - Modelled to remainder.
      - Type A (U-Value: 6.7, SHGC: 0.57).
      - Type B (U-Value: 6.7, SHGC: 0.70).

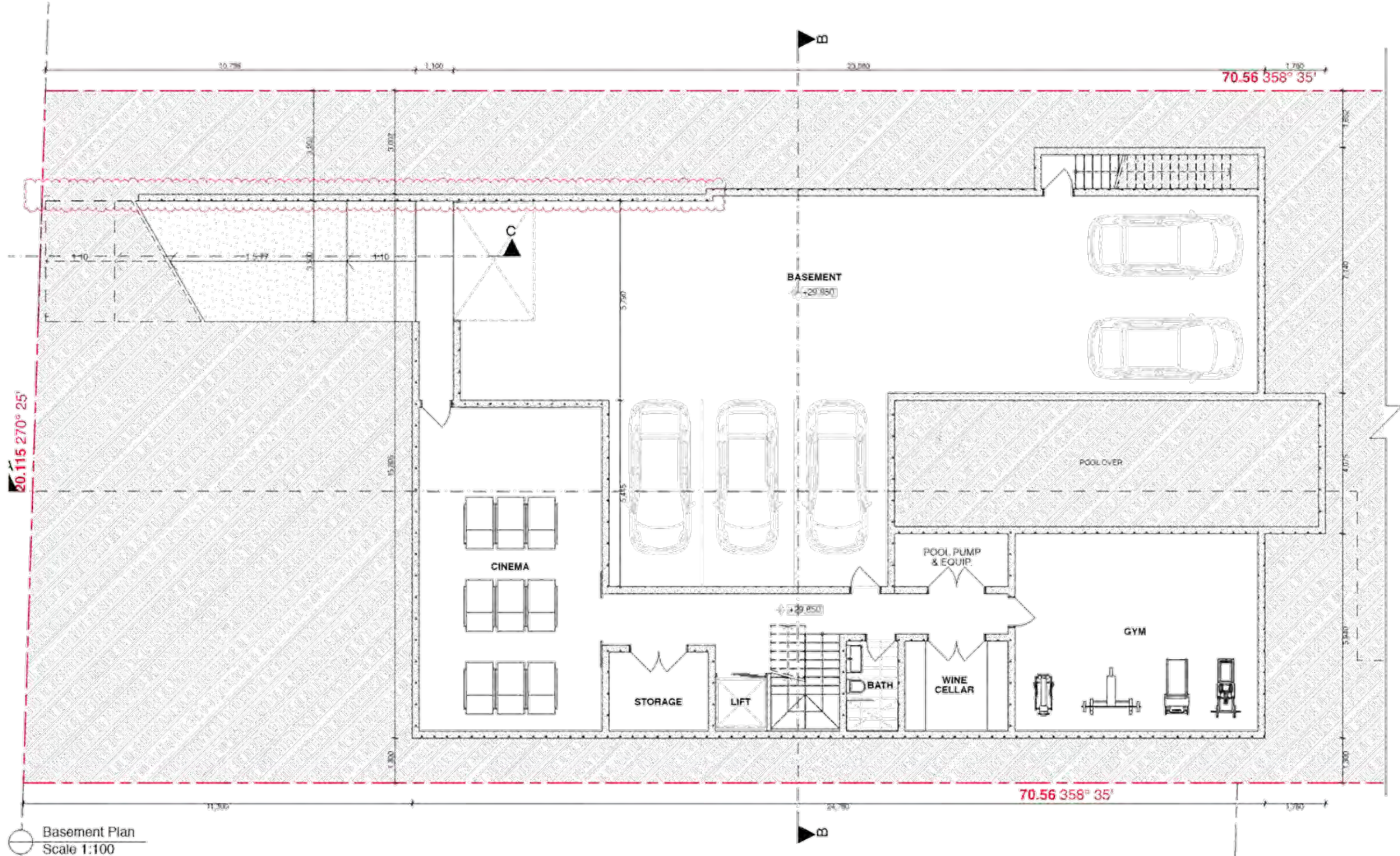
**U-Value & SHGC are combined glass and frame figures.**

- Ceiling:
  - R2.5 ceiling insulation to gym ceiling to area of concrete roof (to outside air).
  - R3.5 ceiling insulation to all ceilings to tiled roof.
  - Modelled with sealed: LED downlights & wet area exhaust fans.
- Roof:
  - Tiled roof with foil under, modelled with default medium colour finishes, and as unventilated.

**Please refer to NatHERS individual certificates for further details.**

AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GS - GLASS BALUSTRADE	<small>           This document is to be read in conjunction with the Council's Code of Practice, DA000000 and Planning &amp; L1 (2017).            The applicant must ensure that the proposed development complies with the relevant provisions of the Code of Practice, DA000000 and Planning &amp; L1 (2017).            This document is to be read in conjunction with the Council's Code of Practice, DA000000 and Planning &amp; L1 (2017).            A copy of this document is available on the Council's website.         </small>	Issue	Description	Date		Title	Basix Notes & NatHERS Specs	DA03	
CT - CONCRETE ROOF TILE	AC - ALUMINIUM CLADDING	AW - ALUMINIUM WINDOW	ES - STEEL BALUSTRADE		A	Development Application	30-03-2021		Project	33 Newson Rd, Strathfield		
RT - ROOF TILE	PC - FIBRE CEMENT	TD - TIMBER DOOR	CD - SMOKE DETECTOR		B	Council FPI Letter 12th May 2021	18-08-2021		Client	16-04-16		
BW - FACE BRICK WORK	TC - TIMBER CLADDING	TW - TIMBER WINDOW	W - NEW WINDOW						Date	18th Jan 2021		
CR - CEMENT RENDER	SC - STONE CLADDING	FW - FIXED WINDOW	D - NEW DOOR						Scale	1:200 @ A3		

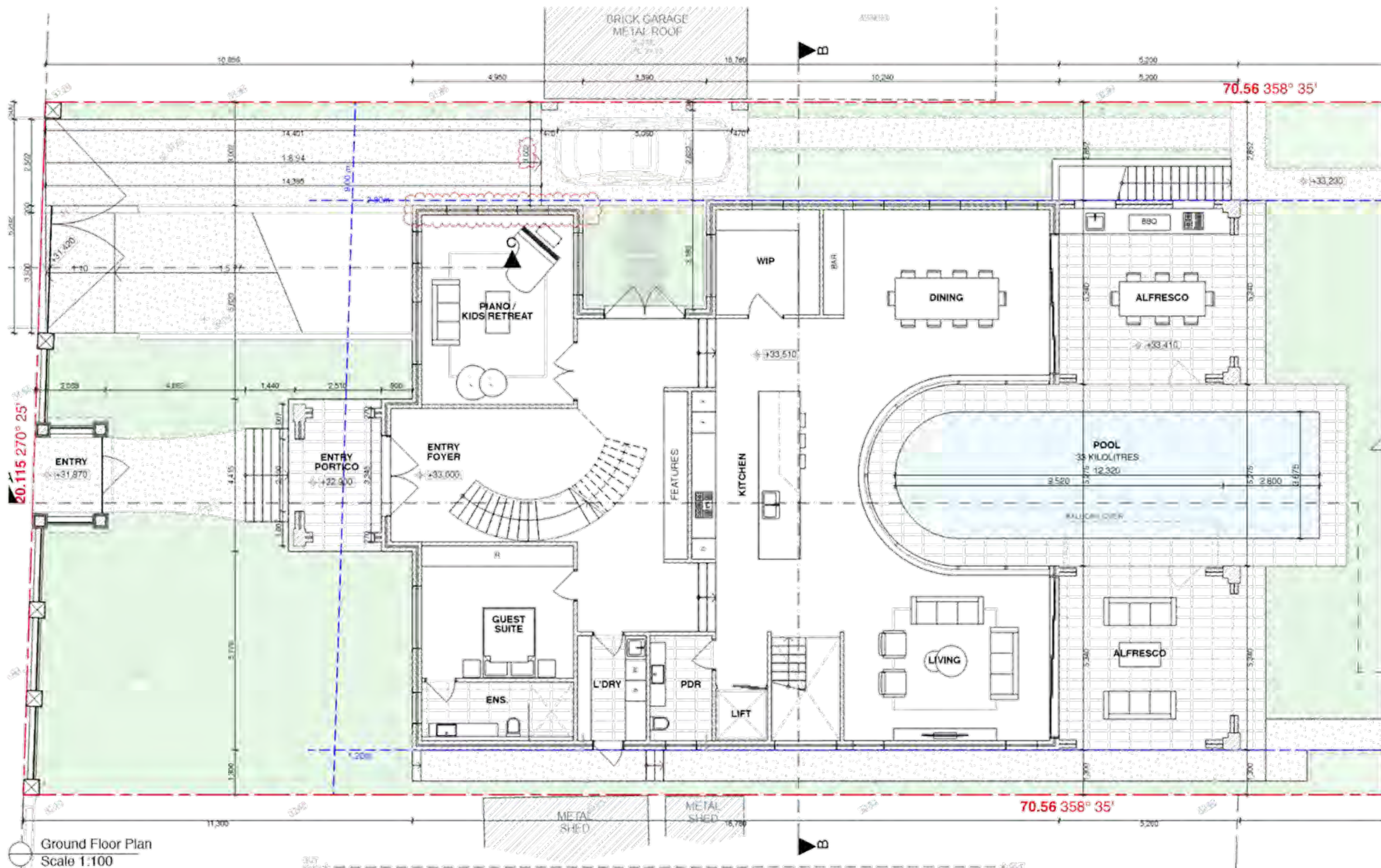




Basement Plan  
Scale 1:100

AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GB - GLASS BALUSTRADE	<p>THIS WORK IS TO BE COMPLETED WITHIN THE BUILDING CODE OF AUSTRALIA, (SAA CODES) AND ALL RELEVANT STANDARDS.</p> <p>THE DESIGNER/ARCHITECT/ENGINEER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND CONSTRUCTION WITHIN THE SCOPE OF THIS DRAWING.</p> <p>PROPRIETORS OF CONSTRUCTION SHALL BE RESPONSIBLE TO ALL TRADES OVER SCALE MEASUREMENTS, DO NOT SCALE OFF DRAWINGS.</p> <p>THESE DRAWINGS HAVE BEEN PREPARED BY B.D. DESIGNS AND REMAIN THE PROPERTY OF THE ABOVE NAMED PARTY. THESE DRAWINGS ARE NOT TO BE USED IN ANY WAY WITHOUT THE PERMISSION OF B.D. DESIGNS AND THE PROJECT TO WHICH THEY RELATE.</p> <p>A COPY OF THIS PLAN IS TO BE SUBMITTED BY THE PROPRIETOR TO THE WATER BOARD FOR APPROVAL AS REQUIRED BY THE LOCAL COUNCIL.</p>	Issue	Description	Date	<p>104/107/108 - 85 Ridge Road, Strathfield NSW 2159                  02-955 55 55 (M-F) 02-955 55 55                  b.d.designs@b.d.designs.com.au www.b.d.designs.com.au</p>	Title	Government Level	DA04  <b>B</b>
CT - CONCRETE ROOF TILE	AC - ALUMINIUM CLADDING	AW - ALUMINIUM WINDOW	SB - STEEL BALUSTRADE		A	Development Application	30-03-2021		Project:	33 Newton Rd, Strathfield	
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BW - FACE BRICK WORK	TC - TIMBER CLADDING	TW - TIMBER WINDOW	W - NEW WINDOW					Date:	Mid Jan 2021		
CR - CEMENT RENDER	SC - STONE CLADDING	FW - FIXED WINDOW	D - NEW DOOR				Scale:	1:100 @ A3			

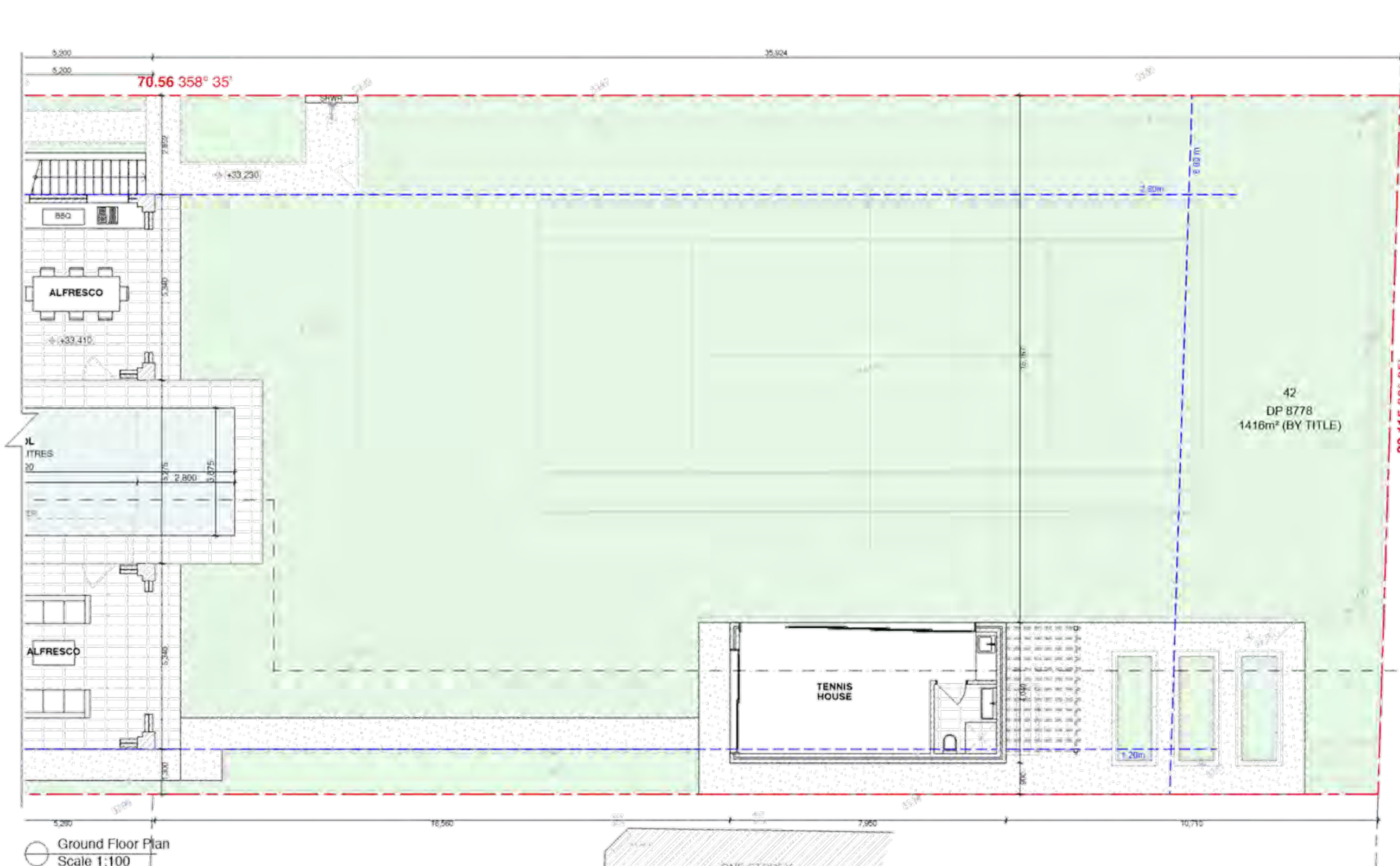




Ground Floor Plan  
Scale 1:100

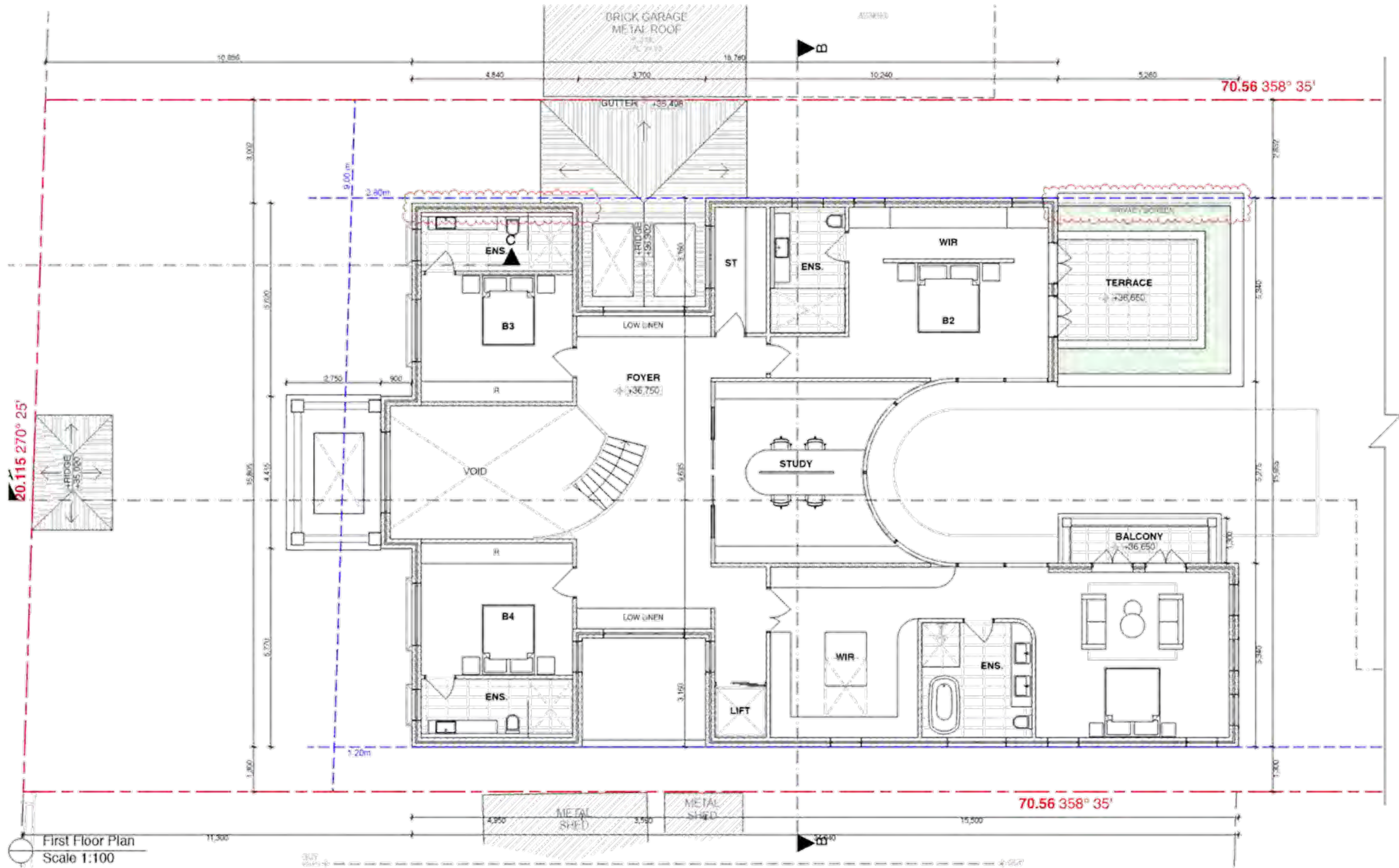
AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GB - GLASS BALUSTRADE	<p>THIS WORK IS TO BE COMPLETED IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AS AMENDED BY LOCAL COUNCILS.</p> <p>THE ARCHITECT MAKES NO WARRANTY AS TO THE ACCURACY OF THE INFORMATION PROVIDED IN THESE DRAWINGS AND ASSUMES NO LIABILITY FOR ANY LOSS OR DAMAGE CAUSED BY THE USE OF THESE DRAWINGS WITHOUT THE SUPERVISION OF A REGISTERED ARCHITECT.</p> <p>THESE DRAWINGS HAVE BEEN PREPARED BY B.P. DESIGNS AND REMAIN THE PROPERTY OF B.P. DESIGNS. THEY ARE TO BE USED IN ANY WAY WITHOUT THE PERMISSION OF B.P. DESIGNS AND ARE SUBJECT TO COPYRIGHT LAWS.</p> <p>A COPY OF THIS PLAN IS TO BE SUBMITTED BY THE PROPRIETOR TO THE WATER BOARD FOR APPROVAL AS REQUIRED BY THE LOCAL COUNCIL.</p>	<table border="1"> <thead> <tr> <th>Issue</th> <th>Description</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>Development Application</td> <td>30-03-2021</td> </tr> <tr> <td>B</td> <td>Council RPI Letter 12th May 2021</td> <td>18-06-2021</td> </tr> </tbody> </table>	Issue	Description	Date	A	Development Application	30-03-2021	B	Council RPI Letter 12th May 2021	18-06-2021	<p>114-117/14-16 Ridge Road, Strathfield NSW 2159 0-2039-955-88 / 0-9517-0862 B.P.Designs.com.au / www.BPDesigns.com.au</p>	<table border="1"> <tr> <td>Title:</td> <td>Ground Floor - Sheet</td> <td rowspan="4"> </td> </tr> <tr> <td>Project:</td> <td>31 Newton Rd, Strathfield</td> </tr> <tr> <td>Client:</td> <td>Mr Eric Wu</td> </tr> <tr> <td>Date:</td> <td>18th Jan 2021</td> </tr> <tr> <td>Scale:</td> <td>1:100 @ A3</td> <td></td> </tr> </table>	Title:	Ground Floor - Sheet		Project:	31 Newton Rd, Strathfield	Client:	Mr Eric Wu	Date:	18th Jan 2021	Scale:	1:100 @ A3	
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Ground Floor Plan  
Scale 1:100

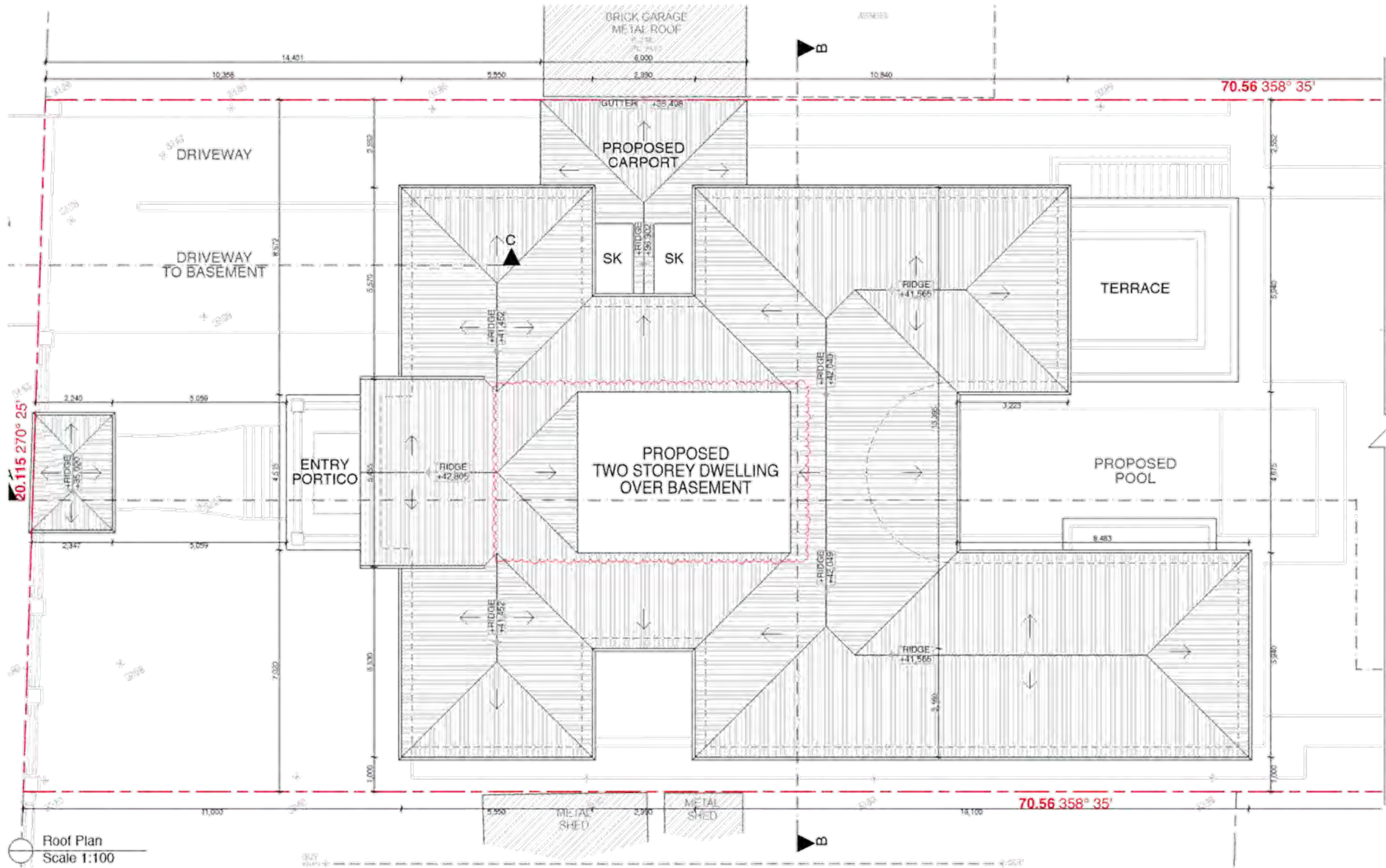
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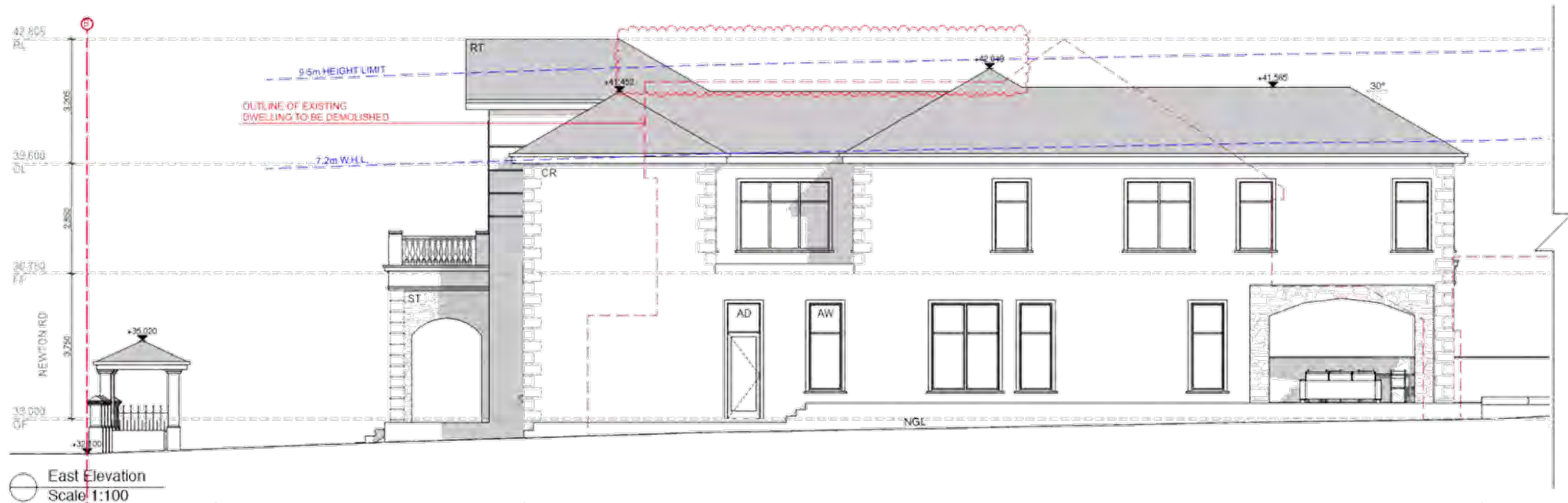
South Elevation  
Scale 1:100



North Elevation  
Scale 1:100

AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GB - GLASS BALUSTRADE	<p>THE WORK IS TO BE COMPLETED WITHIN THE BUILDING CODE OF AUSTRALIA, AS APPROVED BY THE LOCAL COUNCIL.</p> <p>THE ARCHITECT MAKES NO WARRANTY AS TO THE ACCURACY OF THE INFORMATION PROVIDED IN THESE DRAWINGS AND CONSTRUCTION METHODS TO THE EXHAUSTIVE OF WORK.</p> <p>THESE DRAWINGS HAVE BEEN PREPARED BY B.D. DESIGN AND ARE THE PROPERTY OF B.D. DESIGN. THEY ARE NOT TO BE USED IN ANY WAY WITHOUT THE PERMISSION OF B.D. DESIGN AND ARE SUBJECT TO COPYRIGHT LAWS.</p> <p>A COPY OF THIS PLAN IS TO BE SUBMITTED BY THE PROPRIETOR TO THE WATER BOARD FOR APPROVAL AS REQUIRED BY THE LOCAL COUNCIL.</p>	Issue	Description	Date	 <p>104/107-108/109/110/111/112/113/114/115/116/117/118/119/120/121/122/123/124/125/126/127/128/129/130/131/132/133/134/135/136/137/138/139/140/141/142/143/144/145/146/147/148/149/150/151/152/153/154/155/156/157/158/159/160/161/162/163/164/165/166/167/168/169/170/171/172/173/174/175/176/177/178/179/180/181/182/183/184/185/186/187/188/189/190/191/192/193/194/195/196/197/198/199/200/201/202/203/204/205/206/207/208/209/210/211/212/213/214/215/216/217/218/219/220/221/222/223/224/225/226/227/228/229/230/231/232/233/234/235/236/237/238/239/240/241/242/243/244/245/246/247/248/249/250/251/252/253/254/255/256/257/258/259/260/261/262/263/264/265/266/267/268/269/270/271/272/273/274/275/276/277/278/279/280/281/282/283/284/285/286/287/288/289/290/291/292/293/294/295/296/297/298/299/300/301/302/303/304/305/306/307/308/309/310/311/312/313/314/315/316/317/318/319/320/321/322/323/324/325/326/327/328/329/330/331/332/333/334/335/336/337/338/339/340/341/342/343/344/345/346/347/348/349/350/351/352/353/354/355/356/357/358/359/360/361/362/363/364/365/366/367/368/369/370/371/372/373/374/375/376/377/378/379/380/381/382/383/384/385/386/387/388/389/390/391/392/393/394/395/396/397/398/399/400/401/402/403/404/405/406/407/408/409/410/411/412/413/414/415/416/417/418/419/420/421/422/423/424/425/426/427/428/429/430/431/432/433/434/435/436/437/438/439/440/441/442/443/444/445/446/447/448/449/450/451/452/453/454/455/456/457/458/459/460/461/462/463/464/465/466/467/468/469/470/471/472/473/474/475/476/477/478/479/480/481/482/483/484/485/486/487/488/489/490/491/492/493/494/495/496/497/498/499/500/501/502/503/504/505/506/507/508/509/510/511/512/513/514/515/516/517/518/519/520/521/522/523/524/525/526/527/528/529/530/531/532/533/534/535/536/537/538/539/540/541/542/543/544/545/546/547/548/549/550/551/552/553/554/555/556/557/558/559/560/561/562/563/564/565/566/567/568/569/570/571/572/573/574/575/576/577/578/579/580/581/582/583/584/585/586/587/588/589/590/591/592/593/594/595/596/597/598/599/600/601/602/603/604/605/606/607/608/609/610/611/612/613/614/615/616/617/618/619/620/621/622/623/624/625/626/627/628/629/630/631/632/633/634/635/636/637/638/639/640/641/642/643/644/645/646/647/648/649/650/651/652/653/654/655/656/657/658/659/660/661/662/663/664/665/666/667/668/669/670/671/672/673/674/675/676/677/678/679/680/681/682/683/684/685/686/687/688/689/690/691/692/693/694/695/696/697/698/699/700/701/702/703/704/705/706/707/708/709/710/711/712/713/714/715/716/717/718/719/720/721/722/723/724/725/726/727/728/729/730/731/732/733/734/735/736/737/738/739/740/741/742/743/744/745/746/747/748/749/750/751/752/753/754/755/756/757/758/759/760/761/762/763/764/765/766/767/768/769/770/771/772/773/774/775/776/777/778/779/780/781/782/783/784/785/786/787/788/789/790/791/792/793/794/795/796/797/798/799/800/801/802/803/804/805/806/807/808/809/810/811/812/813/814/815/816/817/818/819/820/821/822/823/824/825/826/827/828/829/830/831/832/833/834/835/836/837/838/839/840/841/842/843/844/845/846/847/848/849/850/851/852/853/854/855/856/857/858/859/860/861/862/863/864/865/866/867/868/869/870/871/872/873/874/875/876/877/878/879/880/881/882/883/884/885/886/887/888/889/890/891/892/893/894/895/896/897/898/899/900/901/902/903/904/905/906/907/908/909/910/911/912/913/914/915/916/917/918/919/920/921/922/923/924/925/926/927/928/929/930/931/932/933/934/935/936/937/938/939/940/941/942/943/944/945/946/947/948/949/950/951/952/953/954/955/956/957/958/959/960/961/962/963/964/965/966/967/968/969/970/971/972/973/974/975/976/977/978/979/980/981/982/983/984/985/986/987/988/989/990/991/992/993/994/995/996/997/998/999/1000</p>	Title	South & North Elevations	DA10
CT - CONCRETE ROOF TILE	AC - ALUMINIUM CLADDING	AW - ALUMINIUM WINDOW	SB - STEEL BALUSTRADE		A	Development Application	30-03-2021		Project	31 Newton Rd, Strathfield	
RT - ROOF TILE	FC - FIBRE CEMENT	TD - TIMBER DOOR	S - SMOKE DETECTOR		B	Council FPI Letter 12th May 2021	16-06-2021		Client	Mr Eric Wu	
BW - FACE BRICK WORK	TC - TIMBER CLADDING	TW - TIMBER WINDOW	W - NEW WINDOW						Date	19th Jan 2021	
CR - CEMENT RENDER	SC - STONE CLADDING	FW - FIXED WINDOW	D - NEW DOOR				Scale	1:100 @ A3	B		



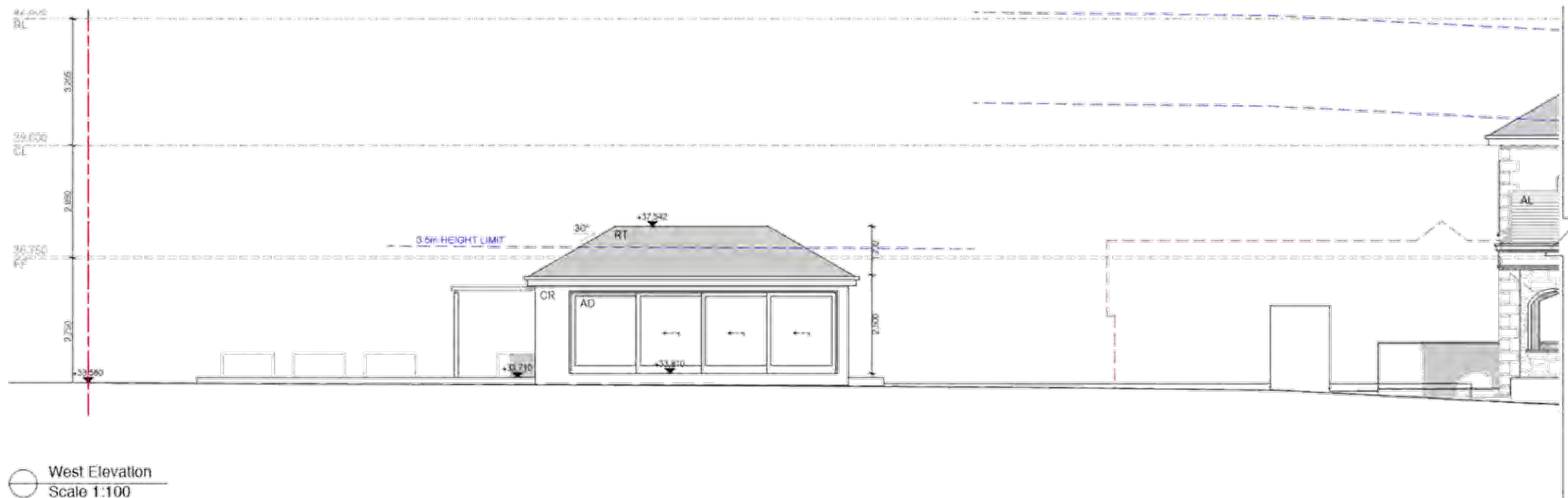
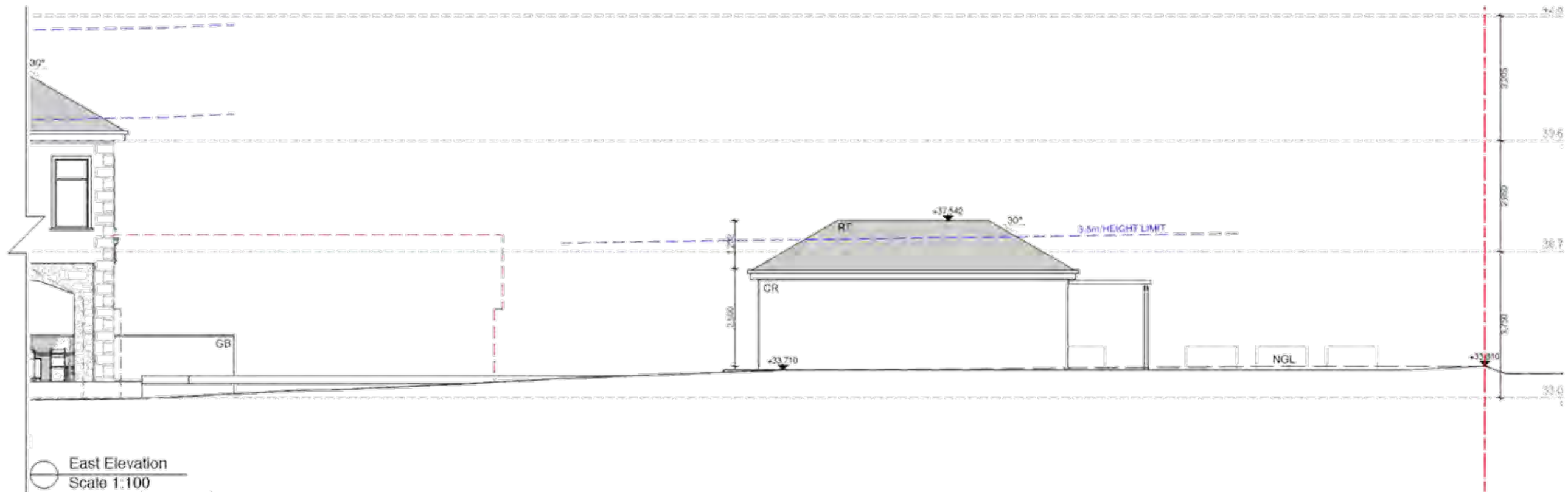



East Elevation  
Scale 1:100



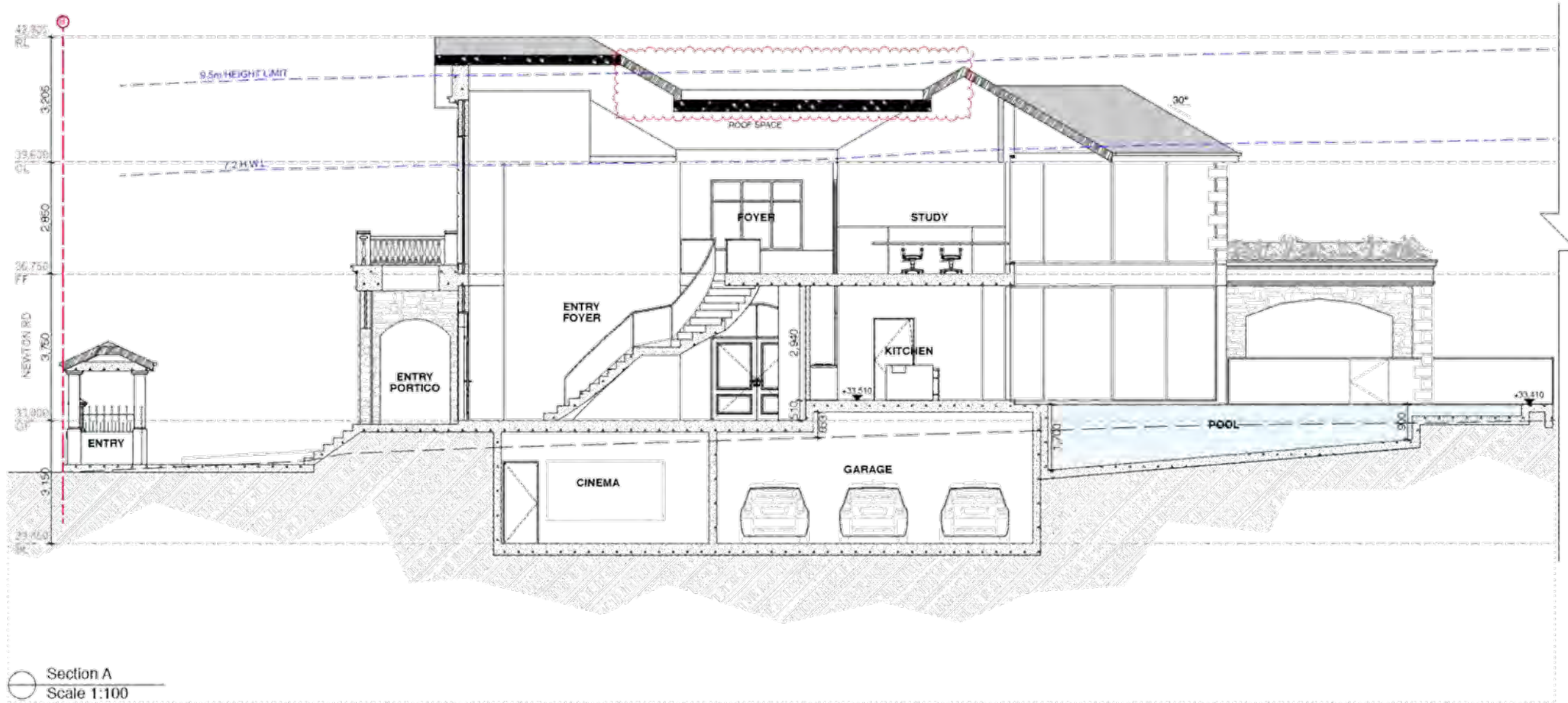
West Elevation  
Scale 1:100

AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GB - GLASS BALUSTRADE	<p>THIS WORK IS TO BE COMPLETED WITH THE BUILDING CODES OF AUSTRALIA, (SAS CODES) AND ALL APPLICABLE STANDARDS.</p> <p>THE BUILDER (AND/OR) CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS, ALL WORKING LINES AND CONSTRUCTION METHODS PRIOR TO COMMENCEMENT OF WORK.</p> <p>CONTRACTOR TO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND MEASUREMENTS. DO NOT SCALE ANY DIMENSIONS.</p> <p>THESE DRAWINGS HAVE BEEN PREPARED BY B.D. PRINT DESIGNS (P) AND REMAIN THE PROPERTY OF THE ABOVE NAMED PARTY. THESE DRAWINGS ARE NOT TO BE USED IN ANY WAY WITHOUT THE PERMISSION OF B.D. PRINT DESIGNS AND ARE SUBJECT TO COPYRIGHT LAWS.</p> <p>A COPY OF THIS PLAN IS TO BE SUBMITTED BY THE PROPRIETOR TO THE WATER BOARD FOR APPROVAL AS REQUIRED BY THE LOCAL COUNCIL.</p>	Issue	Description	Date	<p>100/101/102 - 85 Ridge Road, Strathfield, NSW 2159                  Ph: (02) 945 9811 - 9811488                  www.bdpintdesigns.com.au</p>	Title	East & West Elevations - Street	DA11
CT - CONCRETE ROOF TILE	AC - ALUMINIUM CLADDING	AW - ALUMINIUM WINDOW	SB - STEEL BALUSTRADE		A	Development Application	30-03-2021		Project	35 Newton Rd, Strathfield	
RT - ROOF TILE	FC - FIBRE CEMENT	TD - TIMBER DOOR	S - SMOKE DETECTOR	B	Council RFI Letter 12th May 2021	18-06-2021	Client	Mr Eric Wu	B		
BW - FACE BRICK WORK	TC - TIMBER CLADDING	TW - TIMBER WINDOW	W - NEW WINDOW				Date	MR Jan 2021			
CR - CEMENT RENDER	SC - STONE CLADDING	FW - FIXED WINDOW	D - NEW DOOR				Scale	1:100 @ A3			

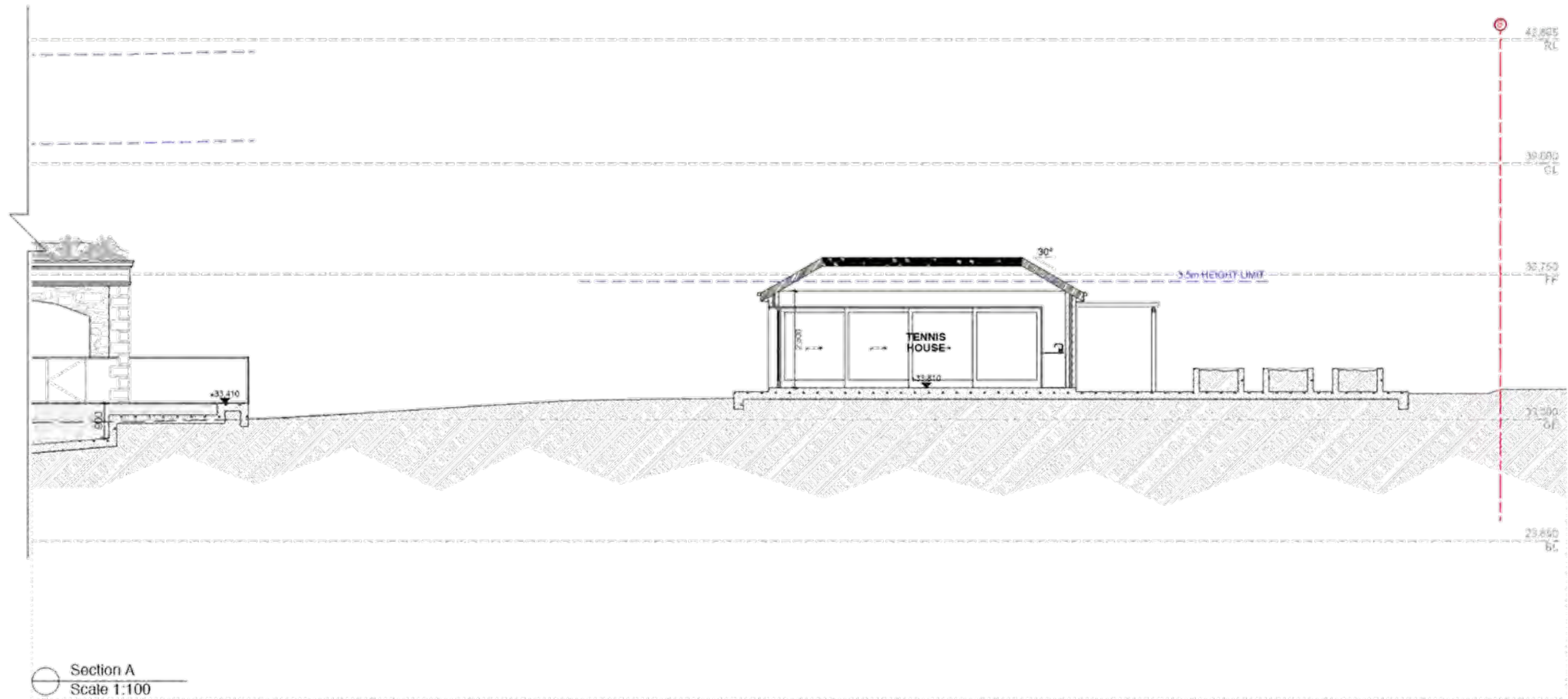


AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GB - GLASS BALUSTRADE	<p>THIS PLAN IS TO BE COMPLETED WITH THE BUILDING CODE OF AUSTRALIA, SNA CODES AND RELEVANT STANDARDS.</p> <p>THE BUILDER/INSTALLER SHALL CHECK AND VERIFY ALL DIMENSIONS, PLACEMENT, LEVELS AND CONSTRUCTION METHODS PRIOR TO COMMENCEMENT OF WORK.</p> <p>PROVIDENCE OF COMPLIANCE WITH ALL RELEVANT STANDARDS MEASUREMENTS, DO NOT SCALE OFF DRAWINGS.</p> <p>THESE DRAWINGS HAVE BEEN PREPARED BY BLD. PRINT DESIGNS AND REMAIN THE PROPERTY OF THE ABOVE NAMED PARTY. THESE DRAWINGS ARE NOT TO BE USED IN ANY WAY WITHOUT THE PERMISSION OF BLD. PRINT DESIGNS AND ARE SUBJECT TO COPYRIGHT LAWS.</p> <p>A COPY OF THIS PLAN IS TO BE SUBMITTED BY THE PROPRIETOR TO THE WATER BOARD FOR APPROVAL AS REQUIRED BY THE LOCAL COUNCIL.</p>	<table border="1"> <thead> <tr> <th>Issue</th> <th>Description</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>Development Application</td> <td>30-03-2021</td> </tr> <tr> <td>B</td> <td>Council RPI Letter 12th May 2021</td> <td>18-06-2021</td> </tr> </tbody> </table>	Issue	Description	Date	A	Development Application	30-03-2021	B	Council RPI Letter 12th May 2021	18-06-2021	 <p>114-117/118-119 Ridge Road, Strathfield NSW 2159                  02-9558 9558 (M-F) 02-9551 0860                  1800 000 000 (weekends) www.blprintdesigns.com.au</p>	<table border="1"> <tr> <td>Title:</td> <td>East &amp; West Elevations - Rear</td> <td rowspan="4"> <table border="1"> <tr> <td>DA12</td> </tr> <tr> <td><b>B</b></td> </tr> </table> </td> </tr> <tr> <td>Project:</td> <td>35 Newton Rd, Strathfield</td> </tr> <tr> <td>Client:</td> <td>Mr Eric Wu</td> </tr> <tr> <td>Date:</td> <td>18th Jan 2021</td> </tr> <tr> <td>Scale:</td> <td>1:100 @ A3</td> <td></td> </tr> </table>	Title:	East & West Elevations - Rear	<table border="1"> <tr> <td>DA12</td> </tr> <tr> <td><b>B</b></td> </tr> </table>	DA12	<b>B</b>	Project:	35 Newton Rd, Strathfield	Client:	Mr Eric Wu	Date:	18th Jan 2021	Scale:	1:100 @ A3	
Issue	Description	Date																												
A	Development Application	30-03-2021																												
B	Council RPI Letter 12th May 2021	18-06-2021																												
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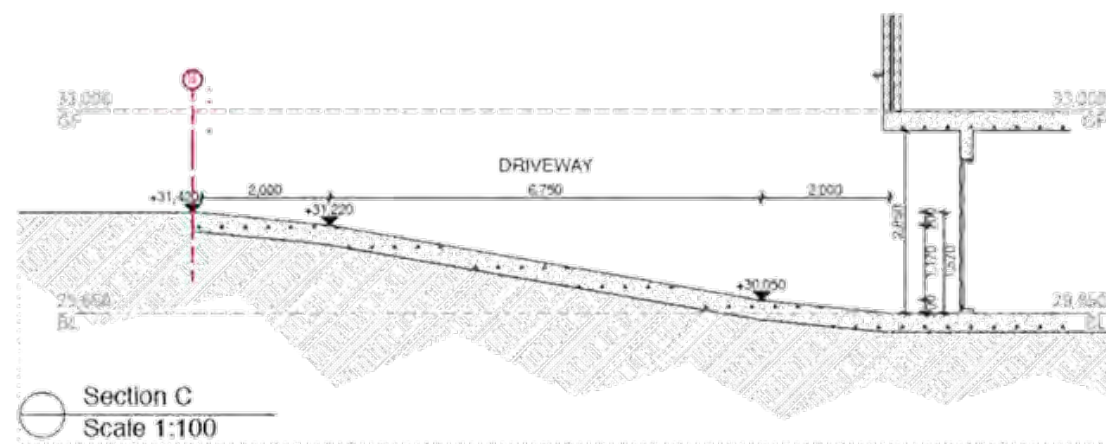
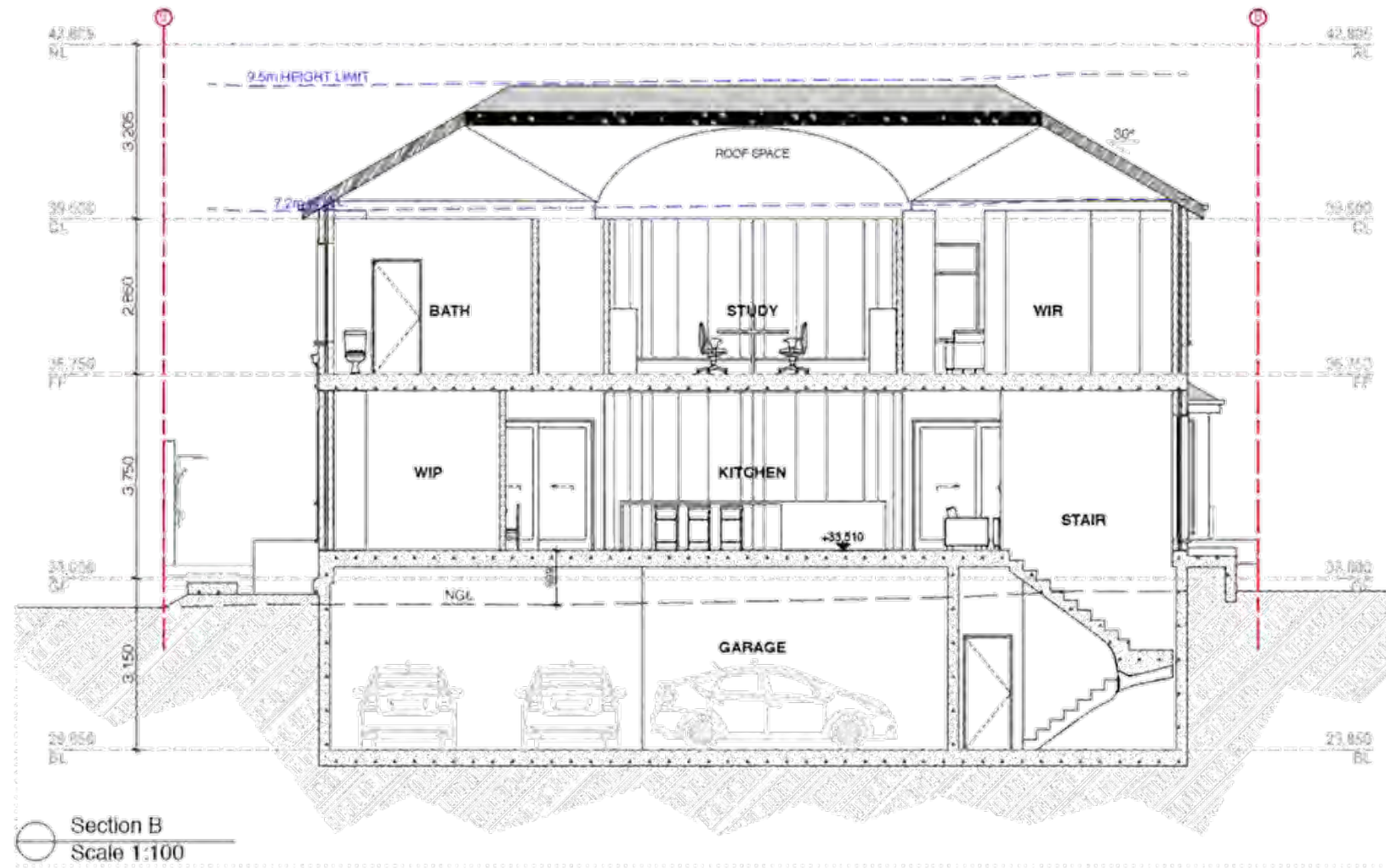
AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GB - GLASS BALUSTRADE	<p>THIS WORK IS TO BE COMPLETED WITH THE BUILDING CODES OF AUSTRALIA, (SAS CODES) AND ALL APPLICABLE STANDARDS.</p> <p>THESE DRAWINGS HAVE BEEN PREPARED BY B.L. FRIST DESIGN AND I HEREBY REMAIN THE PROPRIETOR OF THE ABOVE NAMED PART. THESE DRAWINGS ARE NOT TO BE USED IN ANY WAY WITHOUT THE PERMISSION OF B.L. FRIST DESIGN AND ARE SUBJECT TO COPYRIGHT LAWS.</p> <p>A COPY OF THIS PLAN IS TO BE SUBMITTED BY THE PROPRIETOR TO THE WATER BOARD FOR APPROVAL AS REQUIRED BY THE LOCAL COUNCIL.</p>	Issue	Description	Date	<p>184 1571-04 - 28 Ridge Road, Strathfield, NSW 2159 02-955 581 007 - 001 1888 B.L.Frist@bllfristdesigns.com.au - www.bllfristdesigns.com.au</p>	Title	Section A - Great	<p>DA13</p> <p><b>B</b></p>
CT - CONCRETE ROOF TILE	AC - ALUMINIUM CLADDING	AW - ALUMINIUM WINDOW	SB - STEEL BALUSTRADE		A	Development Application	30-03-2021		Project	35 Newton Rd, Strathfield	
RT - ROOF TILE	FC - FIBRE CEMENT	TD - TIMBER DOOR	S - SMOKE DETECTOR		B	Council RPI Letter 12th May 2021	16-06-2021		Client	Lt. Eric Wu	
BW - FACE BRICK WORK	TC - TIMBER CLADDING	TW - TIMBER WINDOW	W - NEW WINDOW						Date	Mid Jan 2021	
CR - CEMENT RENDER	SC - STONE CLADDING	FW - FIXED WINDOW	D - NEW DOOR				Scale	1:100 @ A3			




Section A  
Scale 1:100

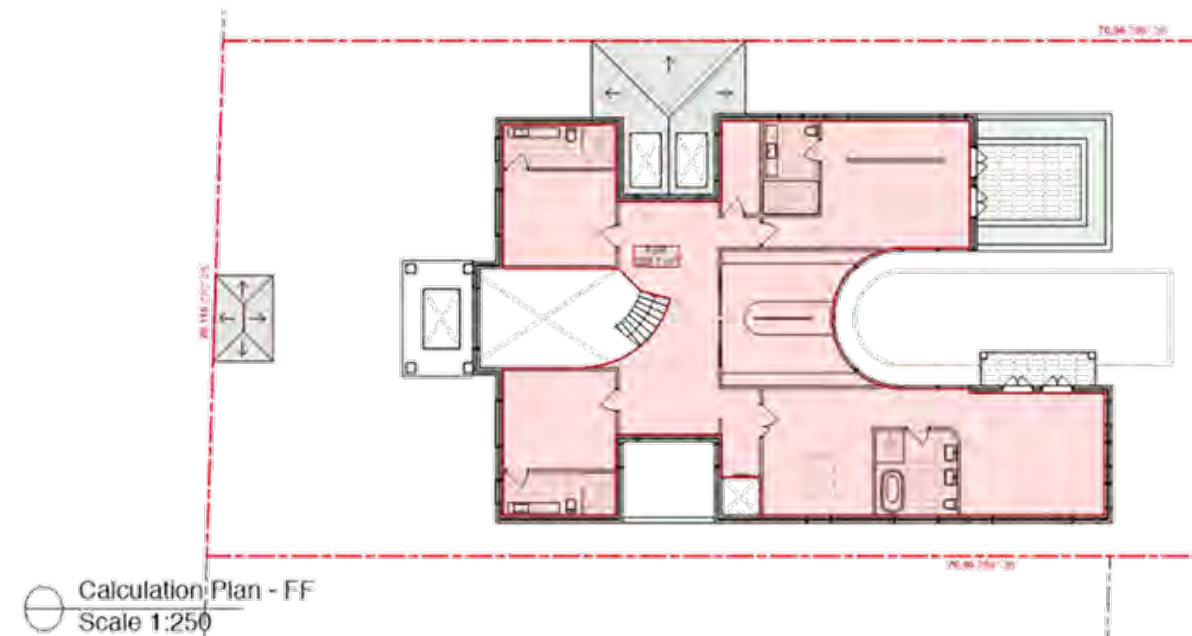
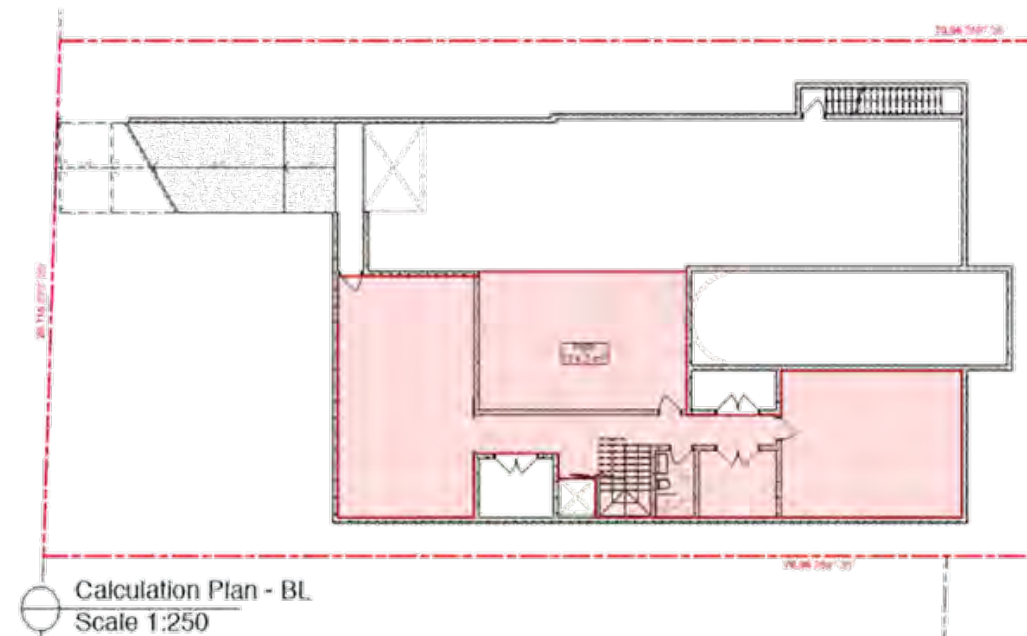
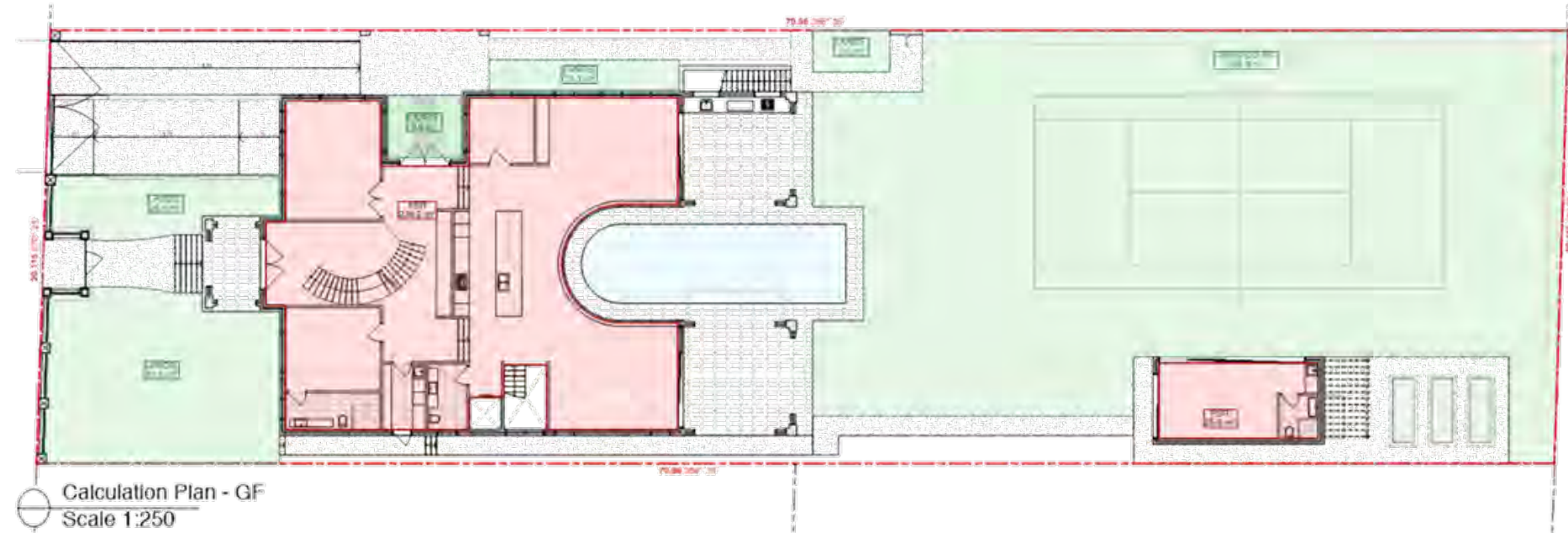
AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GB - GLASS BALUSTRADE	<p>THESE DRAWINGS HAVE BEEN PREPARED BY BLD DESIGN AND REMAIN THE PROPERTY OF THE ABOVE NAMED PARTY. THESE DRAWINGS ARE NOT TO BE USED IN ANY WAY WITHOUT THE PERMISSION OF BLD DESIGN AND ARE SUBJECT TO COPYRIGHT LAWS.</p> <p>A COPY OF THIS PLAN IS TO BE SUBMITTED BY THE PROPRIETOR TO THE WATER BOARD FOR APPROVAL AS REQUIRED BY THE LOCAL COUNCIL.</p>	Issue	Description	Date	 <p>104/104 - 85 Ridge Road, Strathfield NSW 2159 02 9516 6611 or 02 9517 0882 BLDDESIGNS@BLDDESIGNS.COM.au www.blddesigns.com.au</p>	Title	Section A - Floor	<p>DA14</p> <p><b>B</b></p>
CT - CONCRETE ROOF TILE	AC - ALUMINIUM CLADDING	AW - ALUMINIUM WINDOW	SB - STEEL BALUSTRADE		A	Development Application	30-03-2021		Project	33 Newton Rd, Strathfield	
RT - ROOF TILE	PC - FIBRE CEMENT	TD - TIMBER DOOR	S - SMOKE DETECTOR		B	Council RFI Letter 12th May 2021	16-06-2021		Client	Mr Eric Wu	
BW - FACE BRICK WORK	TC - TIMBER CLADDING	TW - TIMBER WINDOW	W - NEW WINDOW						Date	18th Jan 2021	
CR - CEMENT RENDER	SC - STONE CLADDING	FW - FIXED WINDOW	D - NEW DOOR				Scale	1:100 @ A3			








AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GB - GLASS BALUSTRADE	<p>THIS PLAN IS TO BE COMPLIANT WITH THE BUILDING CODE OF AUSTRALIA, AS AMENDED BY ALL APPLICABLE STANDARDS.</p> <p>THE DESIGNER HAS MADE EVERY EFFORT TO CHECK AND VERIFY ALL DIMENSIONS, LEVELS AND CONSTRUCTION DETAILS TO THE BEST OF HIS ABILITY AND KNOWLEDGE.</p> <p>THESE DIMENSIONS HAVE BEEN PROVIDED BY THE CLIENT AND THE DESIGNER HAS MADE EVERY EFFORT TO CHECK AND VERIFY ALL DIMENSIONS, LEVELS AND CONSTRUCTION DETAILS TO THE BEST OF HIS ABILITY AND KNOWLEDGE.</p> <p>A COPY OF THIS PLAN IS TO BE SUBMITTED BY THE PROPRIETOR TO THE WATER BOARD FOR APPROVAL AS REQUIRED BY THE LOCAL COUNCIL.</p>	Issue	Description	Date	 <p>100/104 - 60 Ridge Road, Strathfield NSW 2159                  02 9516 6677                  02 9516 6678                  02 9516 6679</p>	Title	Sections B & C	DA15  <b>B</b>
CT - CONCRETE ROOF TILE	AC - ALUMINIUM CLADDING	AW - ALUMINIUM WINDOW	SB - STEEL BALUSTRADE		A	Development Application	30-03-2021		Project	33 Newton Rd, Strathfield	
RT - ROOF TILE	FC - FIBRE CEMENT	TD - TIMBER DOOR	S - SMOKE DETECTOR		B	Council PFI Letter 12th May 2021	18-06-2021		Client	Mr & Mrs W	
RW - FACE BRICK WORK	TC - TIMBER CLADDING	TW - TIMBER WINDOW	W - NEW WINDOW						Date	18th Jan 2021	
CR - CEMENT RENDER	SC - STONE CLADDING	FW - FIXED WINDOW	D - NEW DOOR				Scale	1:100 @ A3			


SITE AREA = 1416.0m <sup>2</sup>		
	PROPOSED	REQ. / PERM.
<span style="color: red;">■</span> FSR	666.5	708.0 m <sup>2</sup>
<span style="color: green;">■</span> LANDSCAPE	693.9	637.2 m <sup>2</sup> @min 1.5 WIDE

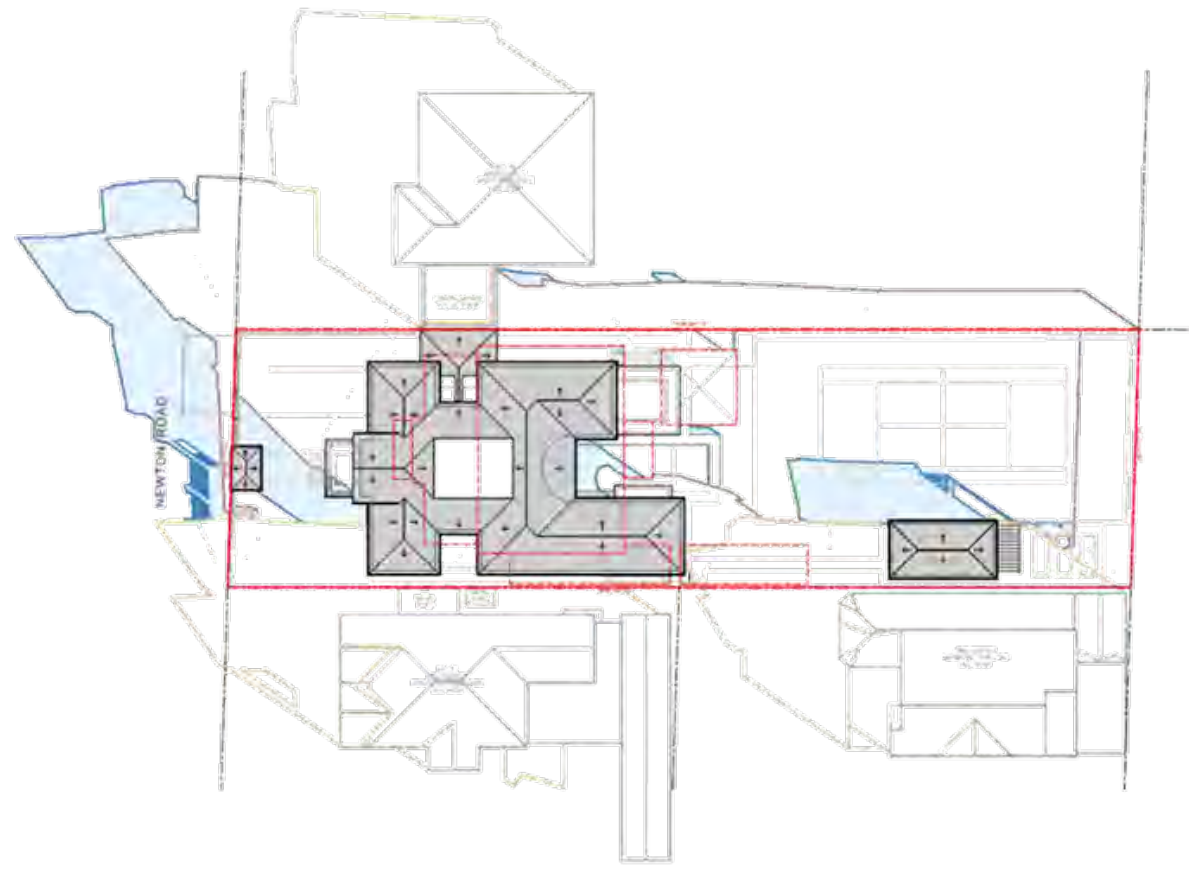


AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GB - GLASS BALUSTRADE	<p>THIS DRAWING IS TO BE COMPLETED WITH THE BUILDING CODES OF AUSTRALIA, AND CODES AND REGULATIONS THEREIN.</p> <p>THE BUILDING MANUFACTURER SHALL CHECK AND VERIFY ALL DIMENSIONS, AL ROUNDING, LINES AND CONSTRUCTION METHODS PRIOR TO COMMENCEMENT OF WORK.</p> <p>PROVIDENCE OF DIMENSIONED MEASUREMENTS TO BE TAKEN OVER SCALAR MEASUREMENTS. DO NOT SCALE UP DIMENSIONS.</p> <p>THESE DRAWINGS HAVE BEEN PREPARED BY B.L. PRINT DESIGNS AND REMAIN THE PROPERTY OF THE ABOVE NAMED PARTY. THESE DRAWINGS ARE NOT TO BE USED IN ANY WAY WITHOUT THE PERMISSION OF B.L. PRINT DESIGNS AND ARE SUBJECT TO COPYRIGHT LAWS.</p> <p>A COPY OF THIS PLAN IS TO BE SUBMITTED BY THE PROPRIETOR TO THE WATER BOARD FOR APPROVAL AS REQUIRED BY THE LOCAL GOVERNMENT.</p>	<table border="1"> <thead> <tr> <th>Issue</th> <th>Description</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>Development Application</td> <td>30-03-2021</td> </tr> <tr> <td>B</td> <td>Council RFI Letter 12th May 2021</td> <td>18-06-2021</td> </tr> </tbody> </table>	Issue	Description	Date	A	Development Application	30-03-2021	B	Council RFI Letter 12th May 2021	18-06-2021		<table border="1"> <thead> <tr> <th>Title</th> <th>Calculation Plans</th> </tr> </thead> <tbody> <tr> <td>Project</td> <td>31 Newton Rd, Strathfield</td> </tr> <tr> <td>Client</td> <td>Mr Eric Wu</td> </tr> <tr> <td>Date</td> <td>18th Jan 2021</td> </tr> <tr> <td>Scale</td> <td>1:250 @ A3</td> </tr> </tbody> </table>	Title	Calculation Plans	Project	31 Newton Rd, Strathfield	Client	Mr Eric Wu	Date	18th Jan 2021	Scale	1:250 @ A3	DA16	
Issue	Description	Date																										
A	Development Application	30-03-2021																										
B	Council RFI Letter 12th May 2021	18-06-2021																										
Title	Calculation Plans																											
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CT - CONCRETE ROOF TILE	AC - ALUMINIUM CLADDING	AW - ALUMINIUM WINDOW	SB - STEEL BALUSTRADE																									
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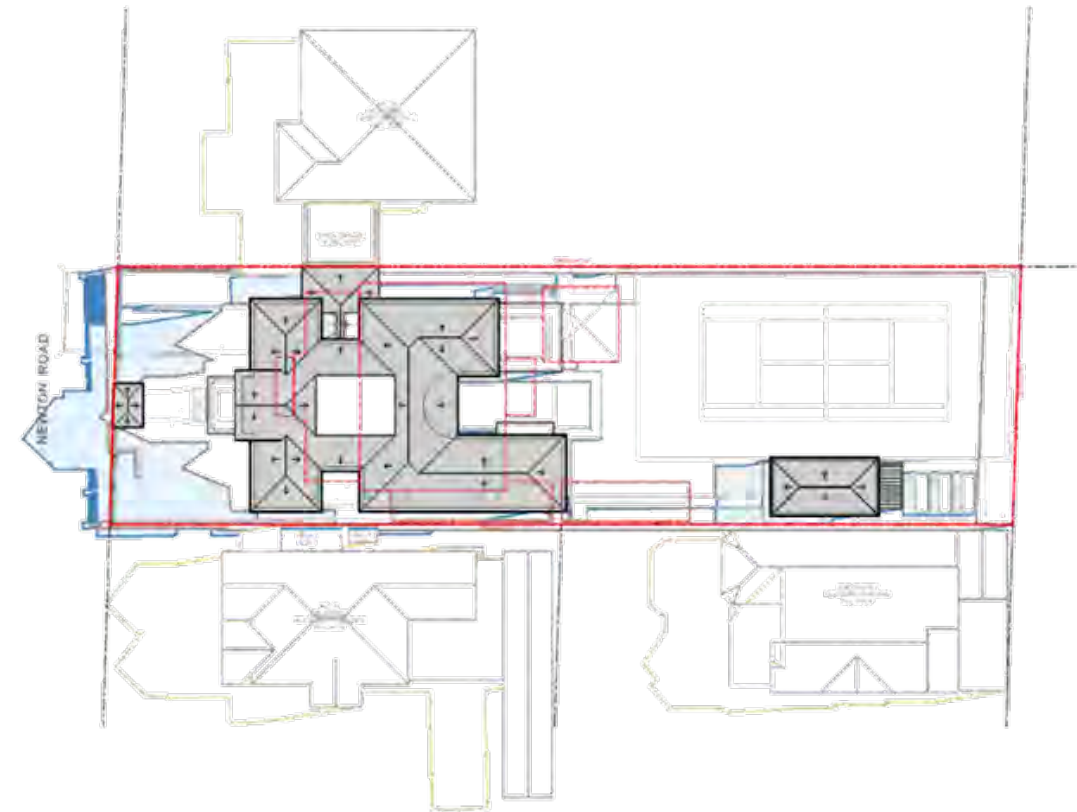




AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GB - GLASS BALUSTRADE	<p>THE WORK IS TO BE COMPLETED WITH THE BUILDING CODE OF AUSTRALIA, SAA CODES AND RELEVANT BY LAWS.</p> <p>THE BUILDER / MANUFACTURER SHALL CHECK AND VERIFY ALL DIMENSIONS PL GROUND LINES AND CONSTRUCTION METHODS PRIOR TO COMMENCEMENT OF WORK.</p> <p>PREFERENCE OF DIMENSIONED MEASUREMENTS TO BE TAKEN OVER SCALED MEASUREMENTS. DO NOT SCALE OFF DRAWINGS.</p> <p>THESE DRAWINGS HAVE BEEN PREPARED BY BLU PRINT DESIGNS AND REMAIN THE PROPERTY OF THE ABOVE NAMED PARTY. THESE DRAWINGS ARE NOT TO BE USED IN ANY WAY WITHOUT THE PERMISSION OF BLU PRINT DESIGNS AND ARE SUBJECT TO COPYRIGHT LAWS.</p> <p>A COPY OF THIS PLAN IS TO BE SUBMITTED BY THE PROPRIETOR TO THE WATER BOARD FOR APPROVAL AS REQUIRED BY THE LOCAL COUNCIL.</p>	Issue	Description	Date	 <p>Unit 15/16 - 53 Bridge Road, Strathfield, NSW 2159 M: 0439 504 566   P: 02 9517 0632 info@bluprintdesigns.com.au   www.bluprintdesigns.com.au</p>	Title:	Height Limit Plane	<table border="1"> <tr> <td>DA17</td> </tr> <tr> <td><b>B</b></td> </tr> </table>	DA17	<b>B</b>
DA17													
<b>B</b>													
CT - CONCRETE ROOF TILE	AC - ALUMINIUM CLADDING	AW - ALUMINIUM WINDOW	SB - STEEL BALUSTRADE		A	Development Application	30 - 03 - 2021		Project:	33 Newton Rd, Strathfield			
RT - ROOF TILE	FC - FIBRE CEMENT	TD - TIMBER DOOR	S - SMOKE DETECTOR	B	Council RFI Letter 12th May 2021	18 - 06 - 2021	Client:	Mr Eric Wu					
BW - FACE BRICK WORK	TC - TIMBER CLADDING	TW - TIMBER WINDOW	W - NEW WINDOW				Date:	18th Jun 2021					
CR - CEMENT RENDER	SC - STONE CLADDING	FW - FIXED WINDOW	D - NEW DOOR				Scale:	-					

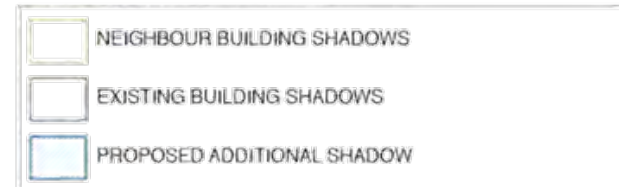


Shadow Diagrams - June 21st - 09:00



Shadow Diagrams - June 21st - 12:00

SHADOW DIAGRAM LEGEND



AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GB - GLASS BALUSTRADE
CT - CONCRETE ROOF TILE	AC - ALUMINIUM CLADDING	AW - ALUMINIUM WINDOW	SB - STEEL BALUSTRADE
RT - ROOF TILE	FC - FIBRE CEMENT	TD - TIMBER DOOR	S - SMOKE DETECTOR
BW - FACE BRICK WORK	TC - TIMBER CLADDING	TW - TIMBER WINDOW	W - NEW WINDOW
CR - CEMENT RENDER	SC - STONE CLADDING	FW - FIXED WINDOW	D - NEW DOOR

THIS DRAWING IS TO BE COMPLETED WITH THE BUILDING CODES OF AUSTRALIA, SAA CODES AND RELEVANT BY-LAWS.  
 THE BUILDING MANUFACTURER SHALL CHECK AND VERIFY ALL DIMENSIONS, ALL DRAWING LINES AND CONSTRUCTION METHOD CODES PRIOR TO COMMENCEMENT OF WORK.  
 DIMENSIONS OF DIMENSIONED MEASUREMENTS TO BE TAKEN OVER SCALAR MEASUREMENTS. DO NOT SCALE UP/DOWN DRAWINGS.  
 THESE DRAWINGS HAVE BEEN PREPARED BY B.L. PRINT DESIGNS AND REMAIN THE PROPERTY OF THE ABOVE NAMED PARTY. THESE DRAWINGS ARE NOT TO BE USED IN ANY WAY WITHOUT THE PERMISSION OF B.L. PRINT DESIGNS AND ARE SUBJECT TO COPYRIGHT LAWS.  
 A COPY OF THIS PLAN IS TO BE SUBMITTED BY THE PROPRIETOR TO THE WATER BOARD FOR APPROVAL AS REQUIRED BY THE LOCAL COUNCIL.

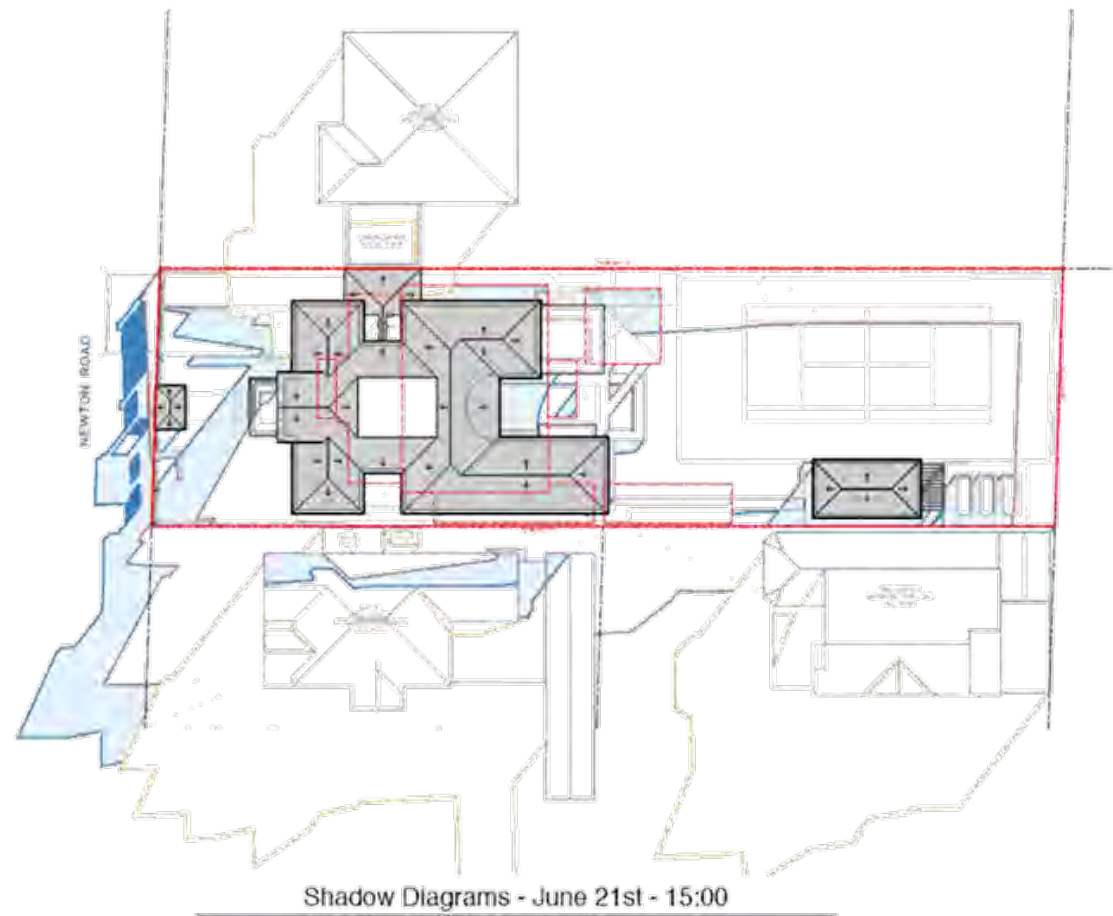
Issue	Description	Date
A	Development Application	30-03-2021
B	Council RFI Letter 12th May 2021	18-06-2021

110/111/112 Ridge Road, Strathfield NSW 2159  
 M: 02 95 54 11 11 | 02 95 54 11 11  
 www.blprintdesigns.com.au | www.blprintdesigns.com.au

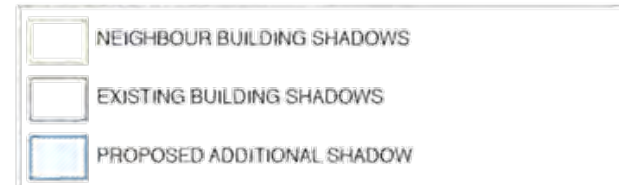
Title:	Shadow Diagrams June 21st
Project:	35 Newton Rd, Strathfield
Client:	Mr Eric Wu
Date:	18th Jun 2021
Scale:	1:500 @ A3

DA18

**B**

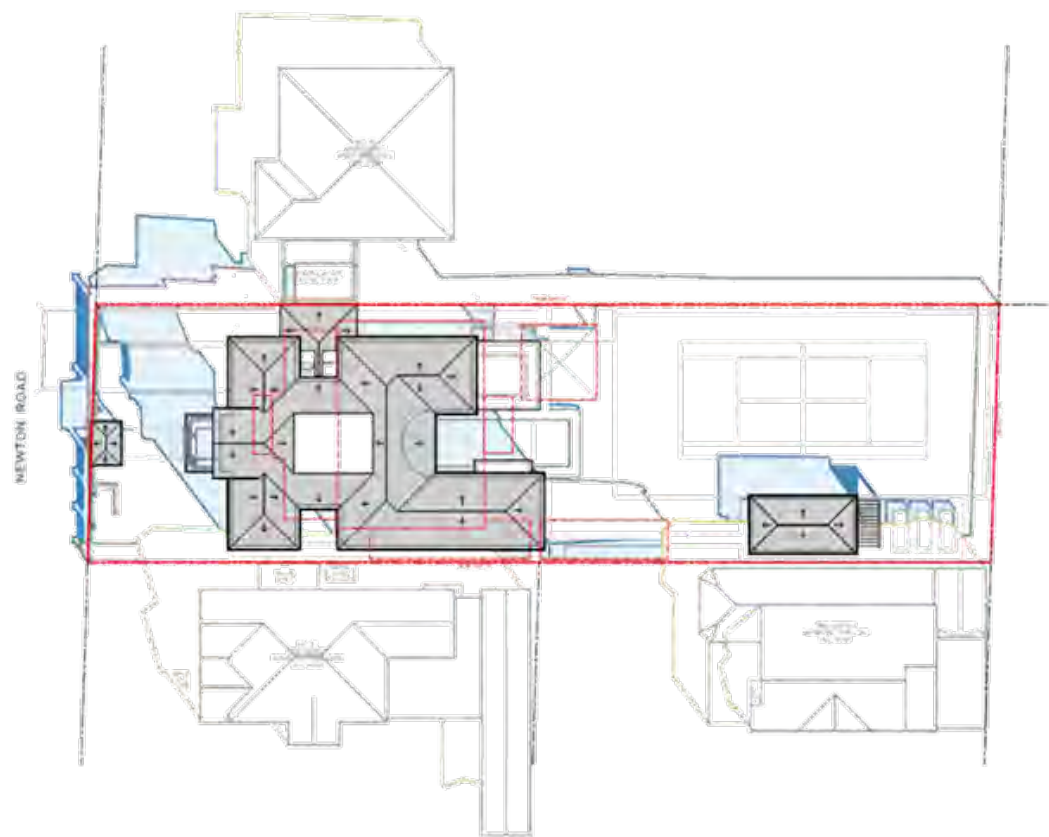


SHADOW DIAGRAM LEGEND

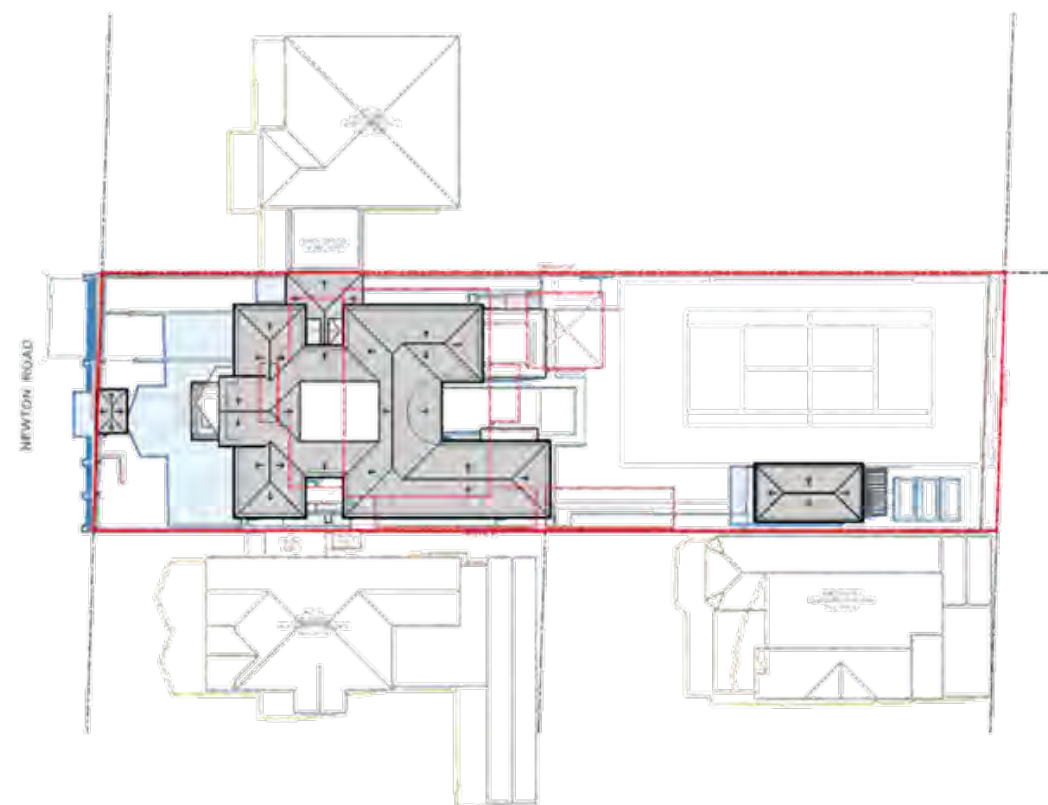


AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GB - GLASS BALUSTRADE	<p>THIS PLAN IS TO BE COMPLIANT WITH THE BUILDING CODES OF AUSTRALIA, AND ALL OTHER RELEVANT STANDARDS.</p> <p>THE ARCHITECT/ENGINEER/TIMBER DESIGNER SHALL VERIFY ALL DIMENSIONS, ALIGNED LINES AND CONSTRUCTION METHOD WORK TO COMPLETION OF WORK.</p> <p>PROVIDENCE OF DIMENSIONED MEASUREMENTS TO ALL SKIN OVER SHALL BE MEASUREMENTS, DO NOT SCALE UP/DOWN.</p> <p>THESE DRAWINGS HAVE BEEN PREPARED BY B.L. PRYDE DESIGN AND ARE THE PROPERTY OF THE ABOVE NAMED PARTY. THESE DRAWINGS ARE NOT TO BE USED IN ANY WAY WITHOUT THE PERMISSION OF B.L. PRYDE DESIGN AND ARE SUBJECT TO COPYRIGHT LAWS.</p> <p>A COPY OF THIS PLAN IS TO BE SUBMITTED BY THE PROPRIETOR TO THE WATER BOARD FOR APPROVAL AS REQUIRED BY THE LOCAL COUNCIL.</p>	Issue	Description	Date	<p>100/107/108 Ridge Road, Strathfield NSW 2159                  Ph: (02) 9439 1000 Fax: (02) 9439 1001                  www.blprydedesign.com.au</p>	Title:	Shadow Diagrams June 21st	DA19 
CT - CONCRETE ROOF TILE	AC - ALUMINIUM CLADDING	AW - ALUMINIUM WINDOW	SB - STEEL BALUSTRADE		A	Development Application	30-03-2021		Project:	35 Newton Rd, Strathfield	
RT - ROOF TILE	FC - FIBRE CEMENT	TD - TIMBER DOOR	S - SMOKE DETECTOR		B	Council RFI Letter 12th May 2021	18-06-2021		Client:	Mr Eric Wu	
BW - FACE BRICK WORK	TC - TIMBER CLADDING	TW - TIMBER WINDOW	W - NEW WINDOW						Date:	18th Jan 2021	
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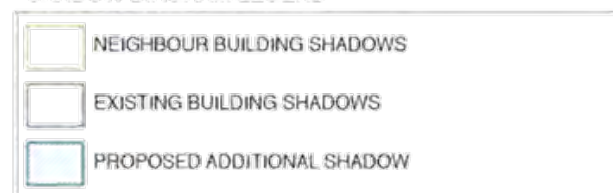




Shadow Diagrams - March 21st - 09:00



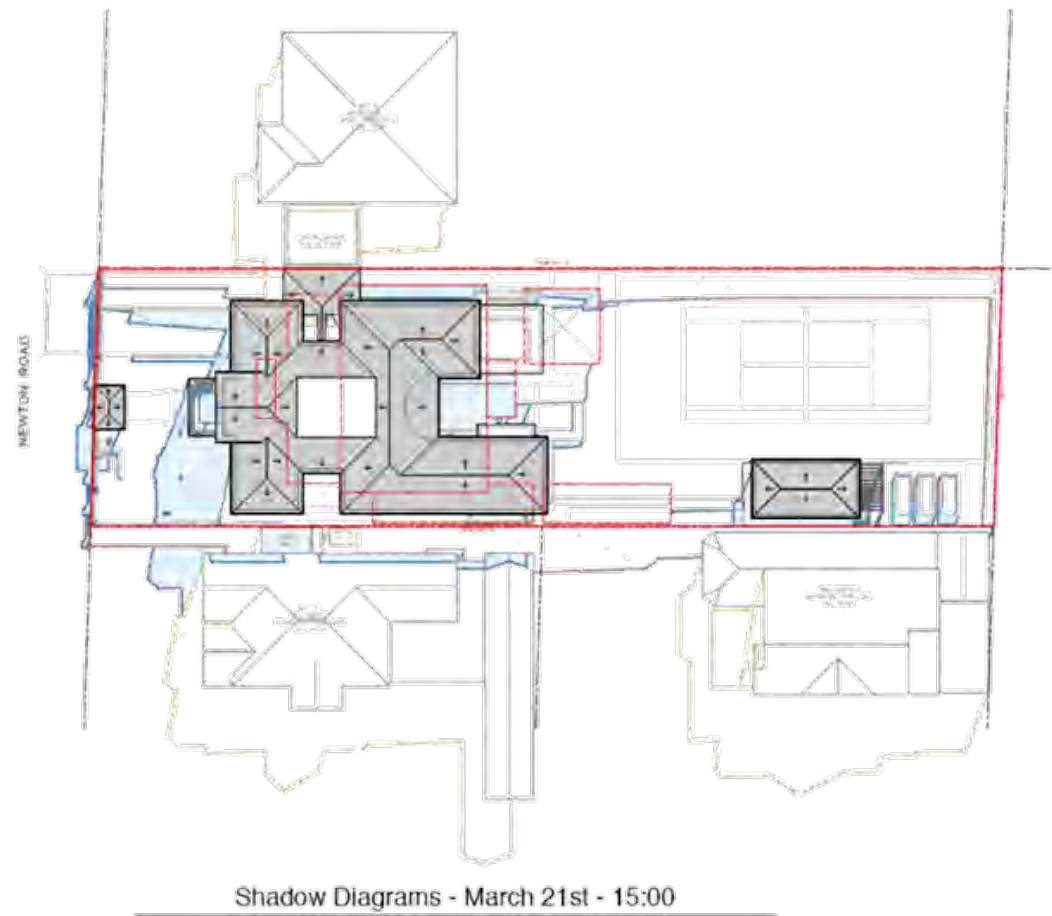
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SHADOW DIAGRAM LEGEND

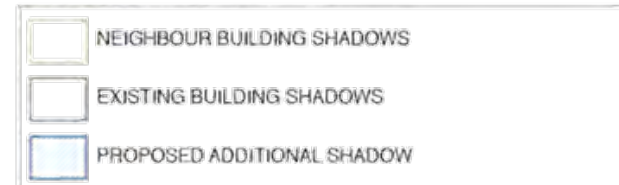


AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GB - GLASS BALUSTRADE	<p>THIS DRAWING IS TO BE COMPLETED WITH THE BUILDING CODE OF AUSTRALIA, SAA CODES AND RELEVANT BY-LAWS.</p> <p>THE BUILDING MANUFACTURER SHALL CHECK AND VERIFY ALL DIMENSIONS, ALL DRAWING LINES AND CONSTRUCTION METH-CODES PRIOR TO COMMENCEMENT OF WORK.</p> <p>EMPHASISE THE DIMENSIONED MEASUREMENTS TO BE TAKEN OVER SCALAR MEASUREMENTS. DO NOT SCALE UP DRAWINGS.</p> <p>THESE DRAWINGS HAVE BEEN PREPARED BY B.L. PRINCE DESIGN AND REMAIN THE PROPERTY OF THE ABOVE NAMED PARTY. THESE DRAWINGS ARE NOT TO BE USED IN ANY WAY WITHOUT THE PERMISSION OF B.L. PRINCE DESIGN AND ARE SUBJECT TO COPYRIGHT LAWS.</p> <p>A COPY OF THIS PLAN IS TO BE SUBMITTED BY THE PROPRIETOR TO THE WATER BOARD FOR APPROVAL AS REQUIRED BY THE LOCAL COUNCIL.</p>	Issue	Description	Date	 <p>100/107/108 Ridge Road, Strathfield NSW 2159                  02 9559 9644 Fax: 02 9557 1480                  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</p>	Title	Shadow Diagrams March 21st	DA20 
CT - CONCRETE ROOF TILE	AC - ALUMINIUM CLADDING	AW - ALUMINIUM WINDOW	SB - STEEL BALUSTRADE		A	Development Application	30-09-2021		Project	35 Newton Rd, Strathfield	
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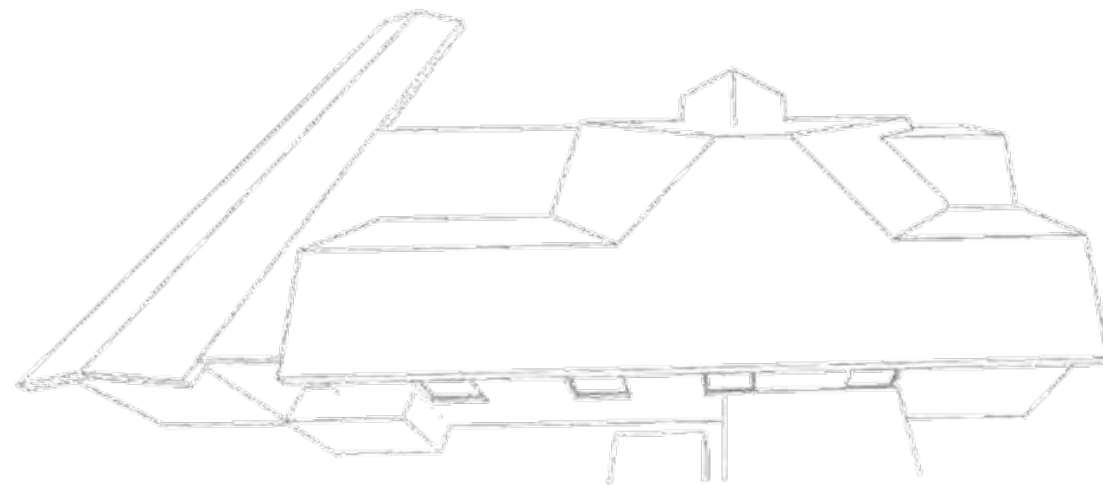


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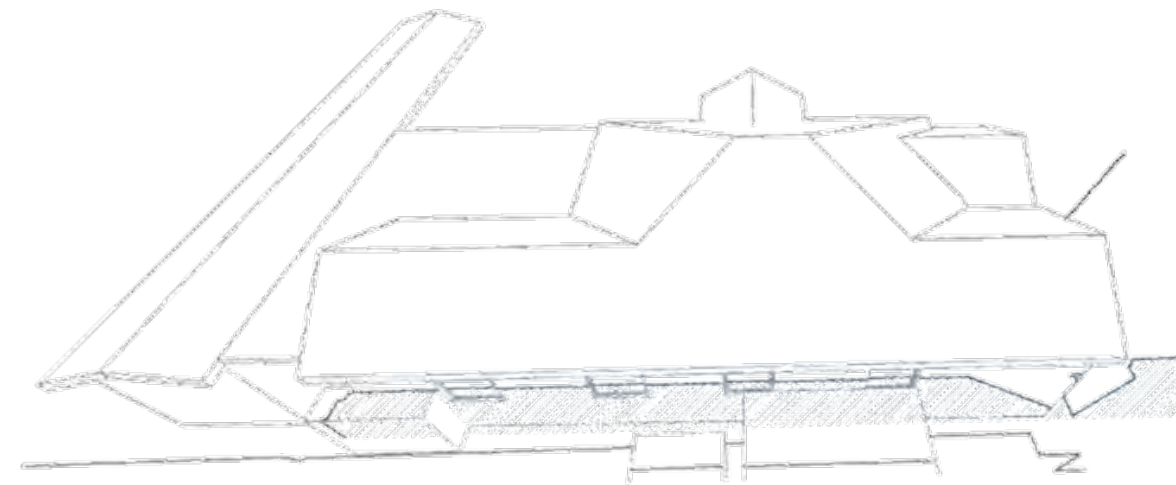


AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GB - GLASS BALUSTRADE	<p>THIS PLAN IS TO BE COMPLIANT WITH THE BUILDING CODE OF AUSTRALIA, (SAS CODES) AND ALL RELEVANT STANDARDS.</p> <p>THE ARCHITECT MAKES NO WARRANTY AS TO THE ACCURACY OF THE INFORMATION PROVIDED IN THESE DRAWINGS AND CONSTRUCTION METHODS FROM TO COMMENCEMENT OF WORK.</p> <p>PROVISIONS OF COMPROMISED MEASUREMENTS TO BE TAKEN OVER SCALE MEASUREMENTS, DO NOT SCALE UP DRAWINGS.</p> <p>THESE DRAWINGS HAVE BEEN PREPARED BY B.D. DESIGN AND I AM AWARE OF THE PROVISIONS OF THE ABOVE NAMED PART. THESE DRAWINGS ARE NOT TO BE USED IN ANY WAY WITHOUT THE PERMISSION OF B.D. DESIGN AND ARE SUBJECT TO COPYRIGHT LAWS.</p> <p>A COPY OF THIS PLAN IS TO BE SUBMITTED BY THE PROPRIETOR TO THE WATER BOARD FOR APPROVAL AS REQUIRED BY THE LOCAL COUNCIL.</p>	Issue	Description	Date	<p>100/101/102 Ridge Road, Strathfield, NSW 2159                  Ph: (02) 951 1000                  Fax: (02) 951 1001                  www.bddesigns.com.au</p>	Title:	Shadow Diagrams March 21st	DA21  
CT - CONCRETE ROOF TILE	AC - ALUMINIUM CLADDING	AW - ALUMINIUM WINDOW	SB - STEEL BALUSTRADE		A	Development Application	30-03-2021		Project:	35 Newton Rd, Strathfield	
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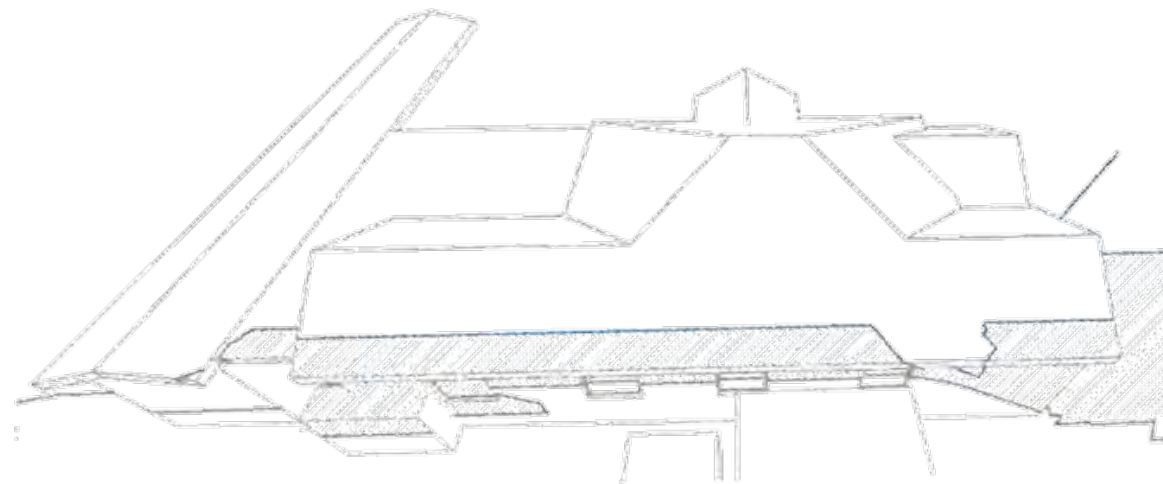
N°31 NEWTON RD. - SIDE ELEVATION SHADOW DIAGRAMS



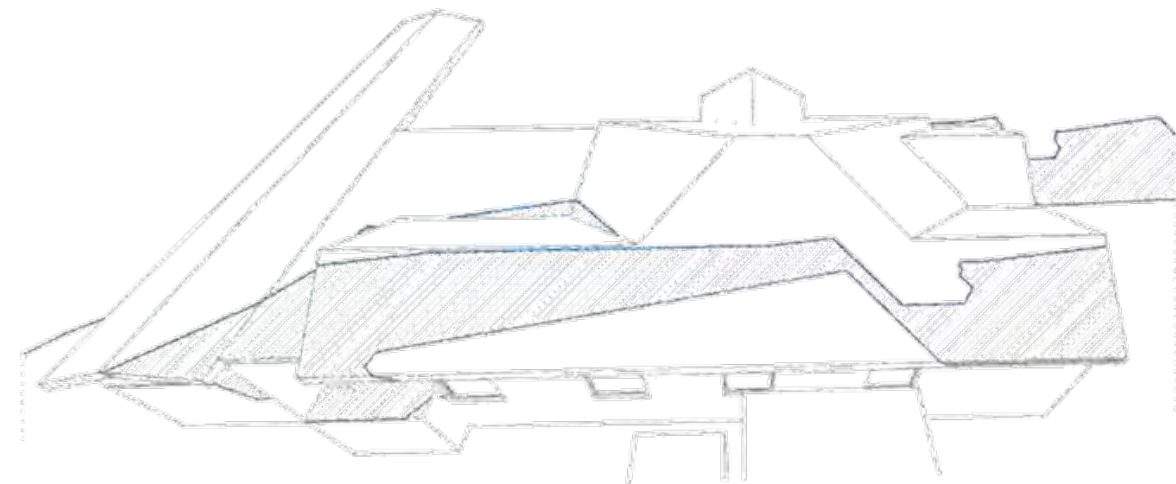
Side Elevation Shadow Diagram - June 21st - 12:00



Side Elevation Shadow Diagram - June 21st - 13:00






Side Elevation Shadow Diagram - June 21st - 14:00



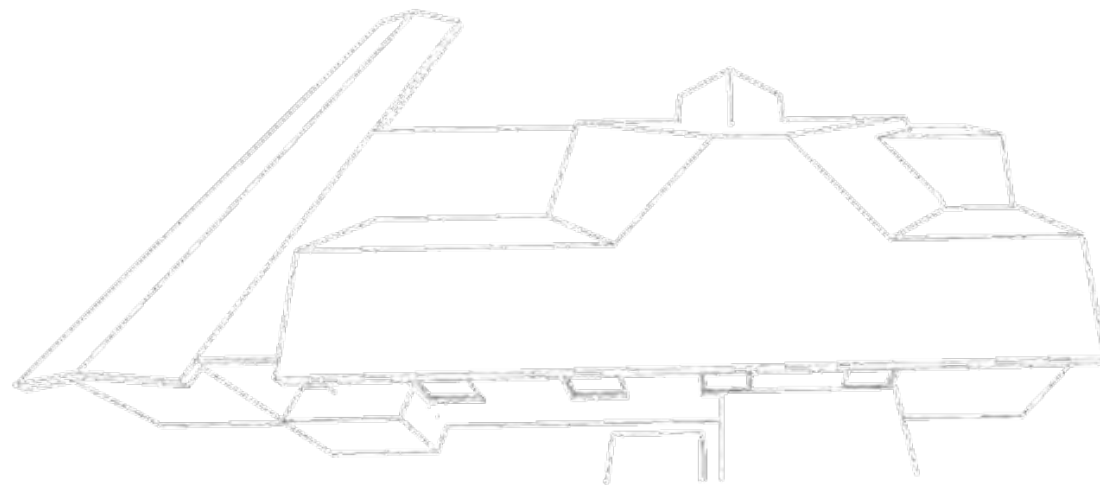
Side Elevation Shadow Diagram - June 21st - 15:00

SHADOW DIAGRAM LEGEND

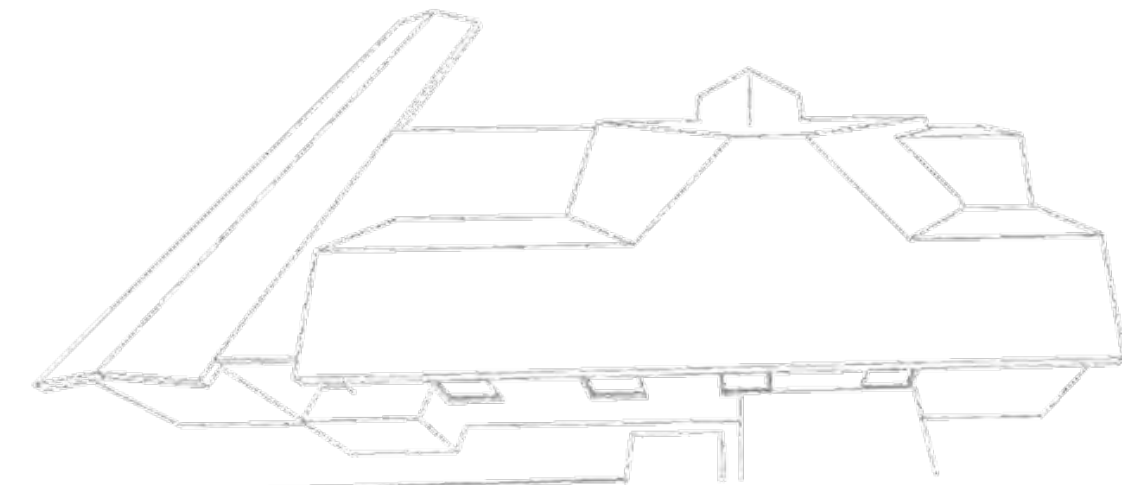
	EXISTING BUILDING SHADOWS
	PROPOSED ADDITIONAL SHADOW

AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GB - GLASS BALUSTRADE	<p>THIS DRAWING IS TO BE COMPLETED WITH THE BUILDING CODE OF AUSTRALIA, SAA CODES AND RELEVANT STANDARDS.</p> <p>THE BUILDING MATERIALS, FINISHES, COLOURS AND VERIFIABLE DIMENSIONS, ALL DIMENSIONS, LINES AND CONSTRUCTION METHODS SHOWN TO COMPLEMENT WORK.</p> <p>PROVIDE RANGE OF DIMENSIONED MEASUREMENTS TO ALL SHOWN OVER SCALE MEASUREMENTS. DO NOT SCALE OFF DIMENSIONS.</p> <p>THESE DRAWINGS HAVE BEEN PREPARED BY BLD. PRIME DESIGN. WE REMAIN THE PROPRIETOR OF THE ABOVE NAMED PART. THESE DRAWINGS ARE NOT TO BE USED IN ANY WAY WITHOUT THE PERMISSION OF BLD. PRIME DESIGN AND ARE SUBJECT TO OUR CLIENTS LAWS.</p> <p>A COPY OF THIS PLAN IS TO BE SUBMITTED BY THE PROPRIETOR TO THE WATER BOARD FOR APPROVAL AS REQUIRED BY THE LOCAL COUNCIL.</p>	<table border="1"> <thead> <tr> <th>Issue</th> <th>Description</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>Development Application</td> <td>30-03-2021</td> </tr> <tr> <td>B</td> <td>Council RFI Letter 12th May 2021</td> <td>18-06-2021</td> </tr> </tbody> </table>	Issue	Description	Date	A	Development Application	30-03-2021	B	Council RFI Letter 12th May 2021	18-06-2021	 <p>114-037-04-05 Ridge Road Strathfield NSW 2158 0-2028 661 661 (10) 0017 0000 BldPrimeDesigns.com.au www.BldPrimeDesigns.com.au</p>	<table border="1"> <tr> <td>Title:</td> <td>N°31 Newton Rd - Shadows June 21st</td> <td rowspan="4">DA22</td> </tr> <tr> <td>Project:</td> <td>31 Newton Rd, Strathfield</td> </tr> <tr> <td>Client:</td> <td>Mr Eric Wu</td> </tr> <tr> <td>Date:</td> <td>18th Jan 2021</td> </tr> <tr> <td>Scale:</td> <td>-</td> <td><b>B</b></td> </tr> </table>	Title:	N°31 Newton Rd - Shadows June 21st	DA22	Project:	31 Newton Rd, Strathfield	Client:	Mr Eric Wu	Date:	18th Jan 2021	Scale:	-	<b>B</b>
Issue	Description	Date																										
A	Development Application	30-03-2021																										
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Title:	N°31 Newton Rd - Shadows June 21st	DA22																										
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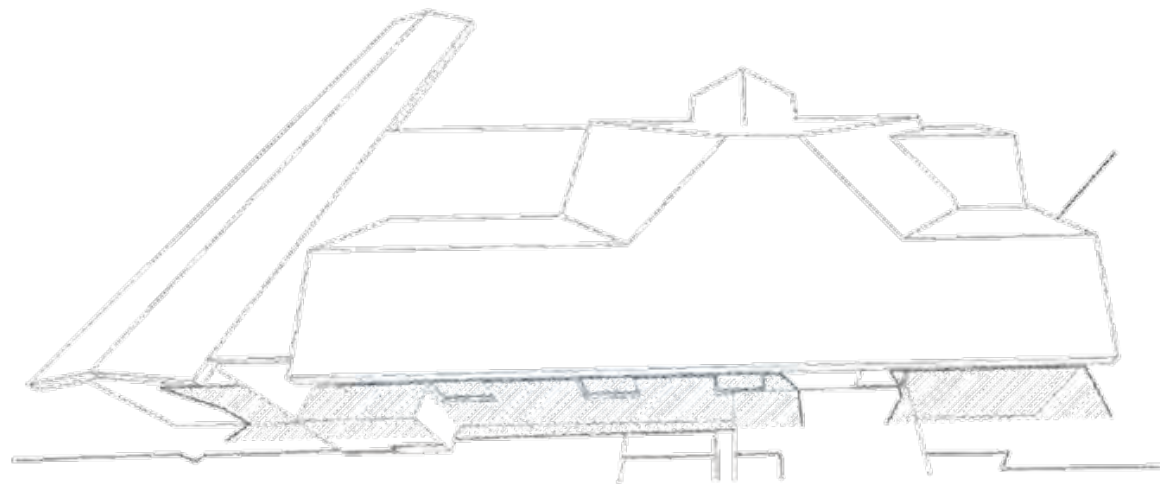
N°31 NEWTON RD. - SIDE ELEVATION SHADOW DIAGRAMS



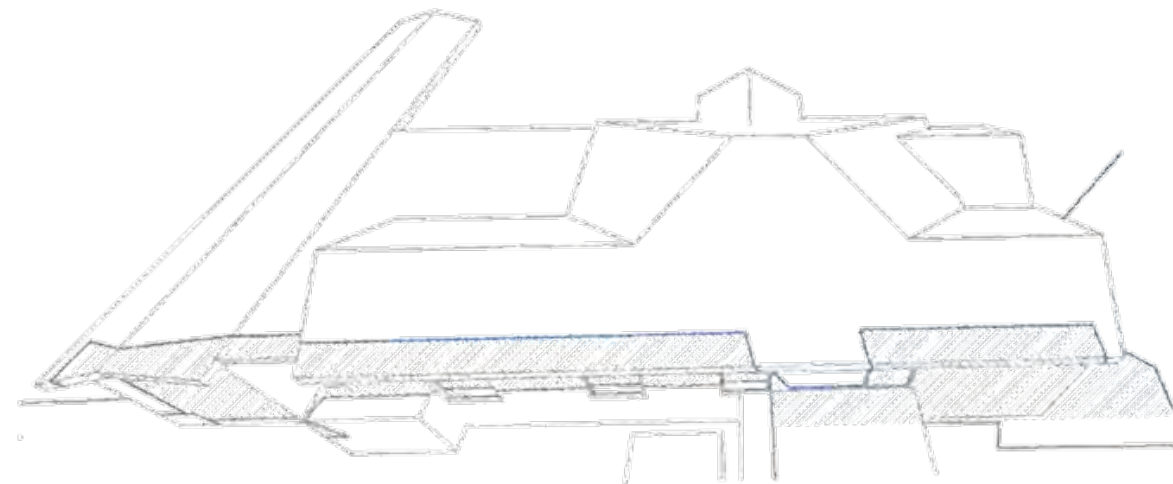
Side Elevation Shadow Diagram - March 21st - 12:00



Side Elevation Shadow Diagram - March 21st - 13:00

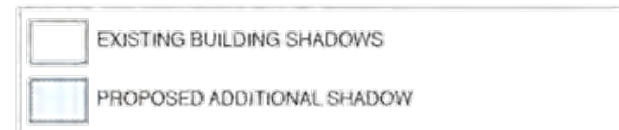



Side Elevation Shadow Diagram - March 21st - 14:00



Side Elevation Shadow Diagram - March 21st - 15:00

SHADOW DIAGRAM LEGEND



AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GB - GLASS BALUSTRADE	<p>THIS PLAN IS TO BE COMPLETED WITH THE BUILDING CODE OF AUSTRALIA, AS AMENDED AND REFERRED TO HEREIN.</p> <p>THE BUILDING MANUFACTURER SHALL CHECK AND VERIFY ALL DIMENSIONS, ALL GROUND LINES AND CONSTRUCTION METHODS PRIOR TO COMMENCEMENT OF WORK.</p> <p>PROPOSED OR COMPARISON MEASUREMENTS TO BE TAKEN OVER SEVERAL MEASUREMENTS, DO NOT SCALE OFF DRAWINGS.</p> <p>THESE DRAWINGS HAVE BEEN PREPARED BY B.L. PRATT DESIGN AND REMAIN THE PROPERTY OF THE ABOVE NAMED PARTY. THESE DRAWINGS ARE NOT TO BE USED IN ANY WAY WITHOUT THE PERMISSION OF B.L. PRATT DESIGN AND ARE SUBJECT TO COPYRIGHT LAWS.</p> <p>A COPY OF THIS PLAN IS TO BE SUBMITTED BY THE PROPRIETOR TO THE WATER BOARD FOR APPROVAL AS REQUIRED BY THE LOCAL COUNCIL.</p>	Issue	Description	Date	 <p>114/117/18 - 18/High Road (West) - NEWCASTLE 0-1808 661 661 - 1807 660 B.L.Pratt@blpratt.com.au www.blprattdesign.com.au</p>	Title:	N°31 Newton Rd - Shadows March 21st	DA23  <b>B</b>
CT - CONCRETE ROOF TILE	AC - ALUMINIUM CLADDING	AW - ALUMINIUM WINDOW	SB - STEEL BALUSTRADE		A	Development Application	30-03-2021		Project:	31 Newton Rd, Strathfield	
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CR - CEMENT RENDER	SC - STONE CLADDING	FW - FIXED WINDOW	D - NEW DOOR				Scale:	-			







Roof Tile – Boral Linea  
Concrete Roof Tile - Charcoal



Main Building & Front Fence  
Dulux – Beige Royal



Architectural Details  
Dulux – Beige Royal ¼



Aluminium Fascia, Gutters,  
Downpipes – Colorbond  
Monument



Aluminium Windows & Doors  
Colorbond - Monument



Entry Portico Feature -  
Sandstone Clad Infill



Wrought Iron Picket – Powder  
Coat - Dulux Monument

### 33 Newton St, Strathfield - Materials and Finishes Schedule



## Statement of Environmental Effects

### Site

33 Newton Road, Strathfield

### Project

Demolition of the existing dwelling and detached garage, and construction of a new two (2) storey dwelling, detached outbuilding and swimming pool.

1 April 2021



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Email info@queconsulting.com.au
Web queconsulting.com.au

@que consulting

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5.0 Planning Assessment: Section 4.15 Assessment .....12

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## 1.0 Introduction

This Statement of Environmental Effects (SoEE) Report has been prepared in support a Development Application in relation to 33 Newton Road, Strathfield ('the subject site').

The application seeks approval to undertake demolition of the existing dwelling and detached garage, and the construction of a new two (2) storey dwelling, detached outbuilding and swimming pool.

The proposed development is defined as local development under Part 4 of the *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)*, and Strathfield Council is the consent authority.

The proposal is not defined as Integrated Development and does not require any additional approvals as outlined under Section 4.46 of the *EP&A Act 1979*.

This SoEE provides the following:

- Description of the site and surrounding development;
- Description of the proposed development; and
- Assessment of the proposal in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

2.0 Site Description

An overview of the site is provided below.

An aerial photograph of the Site is included in **Figure 1** and the location of the site is shown in **Figure 2**. Photographs of the Site are included in **Figures 3 – 4**.

<b>Site Address</b>	33 Newton Road, Strathfield (Lot 42, DP8778)
<b>Site Area</b>	1,416m <sup>2</sup>
<b>Lot width</b>	20.115 metres
<b>Easements/Registered Instruments Covenants/Agreements</b>	The site is not affected by any covenants, conservation agreements, or planning agreements.
<b>Current Improvements</b>	The site currently contains: <ul style="list-style-type: none"> <li>• A two (2) storey detached residential dwelling.</li> <li>• A detached tandem garage located along the eastern side boundary.</li> <li>• A tennis court located in the rear yard.</li> </ul>
<b>Topography</b>	The site slopes by approximately 1.9 metres, from the rear yard (RL33.60) down towards the street (RL31.70).
<b>Vegetation</b>	The site does not contain any 'Protected Trees' identified under council's Tree Preservation Order.
<b>Vehicle Parking &amp; Road Access</b>	The site includes parking for more than 2 vehicles along the eastern side boundary. Vehicle access to the site is available from Newton Road, which is categorised as a local road.

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Figure 1: Aerial photography of the Site.

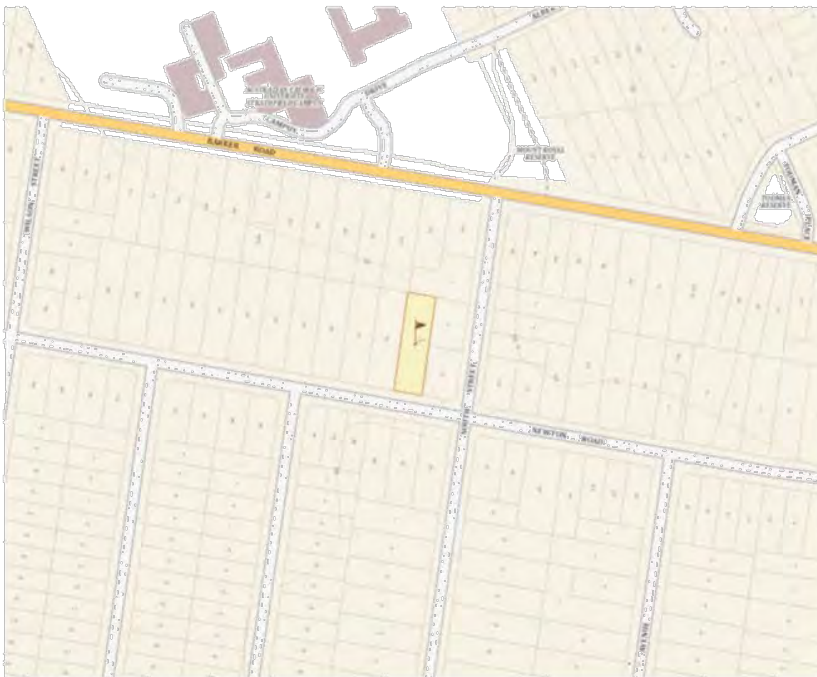


Figure 2: Location of the Site

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Figure 3: Front elevation of the existing dwelling.



Figure 4: Rear elevation of the existing dwelling.

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### 3.0 The Project

#### 3.1 Proposed Development.

The application seeks approval from Council to:

- Demolish the existing dwelling, detached BBQ outbuilding and detached garage outbuilding. The existing Tennis court will be retained.
- Construction of a new two (2) storey dwelling comprising:
  - Basement level accommodating parking for five (5) vehicles, cinema, storage, wine cellar and gym.
  - Ground floor level accommodating a kids retreat, guest suite, laundry, powder room, living room, kitchen, walk in pantry and dining room.
  - First floor level accommodating four (4) bedrooms and four (4) bathrooms (Figure 5).
- Construction of a new front fence and entry feature.
- Construction of a swimming pool with alfresco area and outdoor BBQ cooking facilities.
- Construction of a detached outbuilding associated with the tennis court, with a wet bar and toilet facilities.

The following provides further description of the proposed works:

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Figure 5: Front elevation of the proposed new dwelling.

3.1.1 Development Statistics

A summary of the development particulars is provided in Table 1 below:

Development Particulars	Proposed
Site Area	1,416m <sup>2</sup>
<b>Gross Floor Area</b>	
Total GFA	667.9m <sup>2</sup>
Floor Space Ratio (FSR)	0.47:1
<b>Landscape</b>	
Landscape Area	694.79m <sup>2</sup> (49% of site area)
Landscape Area (Behind Building Line)	584.5m <sup>2</sup>

Table 1: Development Summary

3.1.2 Proposed Works

Excavation

The proposal includes bulk excavation works to accommodate the new basement level of the building.

Demolition

Consent is sought to demolish the existing dwelling, detached BBQ outbuilding and detached garage outbuilding. The existing Tennis court will be retained.

Vegetation

The proposal does not seek to remove, or undertake any construction works within 3 metres of any existing significant trees identified on Council's Tree Preservation Order within the boundaries of the site.

The new driveway crossing location will result in the removal and replacement of Council's Street tree.

Parking

The proposal includes a new basement level accommodating parking for five (5) vehicles.

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#### Public Domain

The proposal seeks to relocate the existing driveway crossing from the eastern side boundary of the site to the western side boundary of the site. This single driveway crossing will be 6.052m wide and allows vehicles to access a driveway down to the basement level, and an at-grade driveway along the western boundary of the site.

The proposed driveway configuration and grades have been designed in accordance with AS2890.1.

The new driveway crossing location will result in the removal and replacement of Council's Street tree.

#### Land Tenure

No change.

#### 4.0 Planning Assessment: Planning Controls

The proposed development is defined as local development under Part 4 of the *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)*, and Strathfield Council is the consent authority.

The proposal is not defined as Integrated Development and does not require any additional approvals as outlined under Section 4.46 of the *EP&A Act 1979*.

The relevant statutory and policy controls applicable to the subject site and proposed development include:

##### State Government Controls (State Environmental Planning Instruments)

- State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55)
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

##### Local Government Controls (Local Environmental Planning Instruments)

- Strathfield Local Environmental Plan 2012

##### Local Government Policies (Local Development Control Plans and Policies)

- Strathfield Consolidated Development Control Plan 2005

### 3.0 Planning Assessment: Section 4.15 Assessment

Section 4.15 of the *Environmental Planning and Assessment Act 1979* requires the consideration of the following matters:

**Section 4.15(1) Matters for consideration—general**

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

(a) *the provisions of:*

- (i) any environmental planning instrument, and*
- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
- (iii) any development control plan, and*
- (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
- (v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),*

*that apply to the land to which the development application relates,*

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

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

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

*(e) the public interest.*

An assessment of the proposal against these matters is provided in the following Sections:

## 5.1 Provisions of Relevant Environmental Planning Instruments (clause 4.15(1)(a)(ii))

### 5.1.1 State Environmental Planning Policy No. 55 – Site Remediation

This SEPP requires the consent authority to consider whether the land is contaminated, and whether the land is suitable for the proposed use (or will be suitable, after remediation).

A review of Council files and previous planning approvals relating to the site has determined the site has historically been used for residential purposes.

The site is not considered to be contaminated, and the remediation of the site is not required for the following reasons:

- The site does not appear to be used by the activities listed in Table 1 of the NSW Government's Managing Land Contamination - Planning Guidelines 1998, SEPP 55 Remediation of Land.
- The site currently contains a residential dwelling, and has historically been used for residential purposes.
- The proposal does not seek to undertake any excavation works to the site, and is unlikely to expose any contaminants, if any.
- The proposal does not seek to alter the current land use of the site.

The site will remain for a residential use, and for the above reasons it is reasonable to conclude that the site is suitable for the proposed purpose. The site is unlikely to pose a significant risk of harm to human health or the environment and is suitable for the intended use. No further investigation or remediation is deemed necessary.

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

This SEPP requires a BASIX Certificate to be lodged when the development involves a 'BASIX affected development' as defined under *Environmental Planning and Assessment Regulation 2000*, as follows:

- the construction of a new residential dwelling
- the change of use of a building by which a building becomes a BASIX affected building (a new residential dwelling)
- the alteration, enlargement or extension of an existing dwelling, where the estimated construction cost of the development exceeds \$50,000
- development for the purpose of a swimming pool or spa, or combination of swimming pools and spas, that services or service only one dwelling and that has a capacity, or combined capacity, of 40,000 litres or more.



- BASIX does not apply to any of the following development (BASIX excluded development):*
- *development for the purpose of a garage, storeroom, car port, gazebo, verandah or awning,*
  - *alterations, enlargements or extensions to a building listed on the State Heritage Register under the Heritage Act 1977,*
  - *alterations, enlargements or extensions that result in a space that cannot be fully enclosed (for example, a verandah that is open or enclosed by screens, mesh or other materials that permit the free and uncontrolled flow of air), other than a space can be fully enclosed but for a vent needed for the safe operation of a gas appliance*

The proposal is deemed to be 'BASIX affected development', and accordingly a BASIX Certificate has been issued and is submitted with this application.

### 6.1.3 Strathfield Local Environmental Plan 2012

#### Part 2 – Land Use

##### Permissibility

The site is zoned R2 – Low Density Residential under *Strathfield Local Environmental Plan 2012*.

The proposed works seeks to construct a dwelling house and this is permissible within the zone.

#### Part 4 - Development Standards

##### Clause 4.3 - Height of buildings

A 9.5 metre building height control applies to the site.

The new dwelling achieves a maximum height of 10.55 metres (RL42.80) above existing ground level (RL32.25) and exceeds the building height control by 1.05 metres. The building height replicates the building height of the existing building.

A clause 4.6 Variation Request Statement has been submitted with this Application to seek a variation of this development standard control.

##### Clause 4.4 - Floor space ratio

Refer to Clause 4.4C

##### Clause 4.4C – Exceptions to Floor space ratio (Zone R2)

The floor space ratio control for the site is 0.5:1 for a site area greater than 1,000m<sup>2</sup>

The proposed development achieves a floor space of 667.9m<sup>2</sup>, resulting in a FSR of 0.47:1, and is less than the permitted maximum floor space ratio. The proposal complies with the development standard.

Clause 4.6 – Exceptions to Development Standards.

This application seeks to vary Clause 4.3 – Height of Buildings.

A Variation Request Statement has been prepared in accordance with clause 4.6 of *Strathfield Local Environmental Plan 2012* and is submitted with this Application.

Part 5 – Miscellaneous Provisions

Clause 5.10 - Heritage conservation

The site is not identified as a heritage item, and is not located within a heritage conservation area. Accordingly, this clause is not applicable to the proposed development.

Part 6 – Local Provisions

Clause 6.1 - Acid sulfate soils

The site is identified as containing Class 5 acid sulfate soils.

Subclause (2) requires consent for works that are *'within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land'*.

Considering the proposed depth of the excavation works are not located within 500 metres of Class 2 Acid Sulfate Soils, and do not extend below RL5.00AHD, and nor will the development penetrate the water table, an Acid Sulfate Soil Management Plan is not required.

Clause 6.2 - Earthworks

The proposal seeks to undertake bulk earthworks within the footprint of the proposed dwelling to construct the new basement level of the dwelling.

These works are not considered to result in any significant earthworks or associated groundwater dewatering that is likely to be disruptive of, or detrimental effect on, drainage patterns and soil stability in the locality of the development.

No further environmental assessment is required under this clause.

**Clause 6.3 – Flood Planning**

The site is not identified as being located within flood liable land, as identified by *Strathfield Local Environmental Plan 2012*.

**Clause 6.11 - Terrestrial biodiversity**

The site is not identified as 'Biodiversity' on the Natural Resource – Biodiversity Map, and accordingly this clause does not apply.

**5.2 Provisions of Draft Proposal Environmental Planning Instruments (clause 4.15(1)(a)(i))**

There are no relevant Draft Environmental Planning Instruments applicable to the site and the proposed development.

**5.3 Provisions of Development Control Plans (clause 4.15(1)(a)(ii))**

**5.3.1 Strathfield Consolidated Development Control Plan 2006**

Control	Comment
Part 2.2.1 – Streetscape Presentation	<p>The proposed building has been orientated to address the street with a clearly identifiable entry.</p> <p>The proposed building has a gable and hip roof form and an identifiable entry portico with vertically proportion window/door openings which is consistent with the architectural character of the streetscape.</p>
Part 2.2.2 – Scale, Massing and Rhythm of Street	<p>The Newtown Road streetscape is in transition with a variety of older single and two storey dwellings, with recent larger two storey grand home dwellings.</p> <p>The proposal is consistent with the larger two storey grand home topology and is appropriately proportioned given the substantial width (20.1m) and area of the lot (1,416m<sup>2</sup>).</p> <p>The proposal will retain a single dwelling in a detached building form sited within the landscaped setting.</p>

Strathfield Environmental Plan 2012, Clause 14(1)(a)

	<p>The exceedance of the height control is limited to the central gable roof form associated with the entry portico and entry foyer. This represents less than 25% of the frontage of the site and displays as a decorative element to the front façade of the building. This design element does not contribute to a substantial bulk and scale impact upon the streetscape or when viewed from adjoining properties.</p> <p>The remainder of the building including the external wall heights, and remaining roof geometry along each side boundary is generally consistent with the height of the existing building on the site, and consistent with the two (2) storey grand home dwelling recently approved and constructed within the local area.</p> <p>As further demonstrated within this report, the setbacks, building form, height, scale and siting of the dwelling is considered appropriate and proportioned to the larger land holding. The width and size of the site is capable of accommodating a larger and taller building form than that envisaged under Council's controls without resulting in any adverse amenity impacts upon adjoining properties.</p>
<p>Part 2.2.3 – Building Forms</p>	<p>The building form is appropriately articulated with wall lengths not greater than 10 m in length.</p>
<p>Part 2.2.4 – Architectural Detailing</p>	<p><u>Roof Forms</u></p> <p>The Newtown Road streetscape is in transition with a variety of older single and two storey dwellings, with recent larger two storey grand home dwellings.</p> <p>The proposed building has a gable and hip roof form with a roof pitch that is appropriate and in proportion to the scale and mass of the building.</p> <p><u>Materials</u></p> <p>The proposed walls of the dwelling are predominantly painted cement render with the portico and corners of the buildings complemented with natural stone. These traditional building materials are appropriate to the streetscape.</p>

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	<p><u>Colours</u> The proposal includes natural earthy tones and this colour scheme is compatible with the streetscape.</p>
<p>Part 2.2.5 – Two (2) Storey Porticoes</p>	<p>The proposed Portico is limited to the ground floor level (single storey) component of the proposed dwelling.</p>
<p>Part 4.2.1 – Floor Space Ratio</p>	<p>Refer to clause 4.3C discussions under the <i>Strathfield LEP 2012</i>.</p>
<p>Part 4.2.2 – Building Height</p>	<p><u>Overall Building Height</u> Refer to clause 4.4 discussions under the <i>Strathfield LEP 2012</i> in regard to maximum building height</p> <p><u>Internal Floor Height</u> The maximum internal floor-to-ceiling height is 3m in accordance with control 5.</p> <p><u>External Wall Height Control</u> The proposed dwelling generally complies with the maximum external wall height control of 7.2m, with minor exceedance of the control limited to the southwest corner dwelling due to the existing topography slope of the site towards the street.</p> <p><u>Outbuilding Building Height</u> The proposed outbuilding (RL37.542) has an overall building height of 3.832m above EGL(33.7), exceeding the Control by 332mm. The additional height is considered reasonable given the additional height of 332mm at the roof ridge will not be visually noticeable from adjoining properties and will not result in any adverse impacts upon adjoining properties.</p>
<p>Part 4.2.3.1 – Street Setbacks</p>	<p>The proposed dwelling has a primary Street setback of 10 m and is consistent with the front building line of 29 and 31 Newton Road, and complies with Table A.1.</p>

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<p>Part 4.2.3.2 – Side and Rear Setbacks</p>	<p>The width of the lot is 20.115m, and a cumulative side setback of 4.023m is required.</p> <p>The proposal includes 2.852m setback from the western boundary and a 1.3m setback from the eastern boundary, resulting in a cumulative setback of 4.152m and complies.</p> <p>The dwelling includes a rear setback in excess of 6m and complies.</p>
<p>Part 5.2.1 – Landscape Area</p>	<p><u>Control 1 – Minimum Landscape Area</u></p> <p>The minimum landscape area for the site under Table A.3 is 45% of the site area.</p> <p>The proposal provides a minimum landscape area of 694.79m<sup>2</sup> representing 49% of the site area and complies.</p> <p><u>Control 2 – Landscape Area Behind the Building Line</u></p> <p>Control 2 requires 'At least 50% of the minimum landscaped area should be located behind the building line to the rear boundary'.</p> <p>The proposal provides 584.5m<sup>2</sup> of landscape area located behind the front building line, representing 91% of the required landscape area, and complies with this control.</p> <p><u>Control 3 – Front Yard Landscape Area</u></p> <p>The area forward of the front building line measures 214m<sup>2</sup>.</p> <p>The proposal provides 110.4m<sup>2</sup> of landscape area forward of the front building line, representing 52% of the front yard area, and complies with this control.</p>
<p>Part 5.2.2 – Tree Protection</p>	<p>The proposal does not seek to remove, or undertake any construction works within 3 metres of any existing significant trees identified on Council's Tree Preservation Order.</p>
<p>Part 5.2.3 – Private Open Space</p>	<p>The proposal provides adequate private open space for the enjoyment of the occupants of the building.</p>

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<p>Part 5.2.4 – Fencing</p>	<p>The proposed fence includes a solid cement render base that aligns with the ground floor level of the dwelling, and the mass is broken into bays by slimline piers.</p> <p>Located above is an elegant palisade fence that allows views into the front yard of the property.</p> <p>The overall height of the fence varies between 1.5m to 2.31m, and this height is reasonable as it is architecturally proportioned with the architecture and mass of the proposed grand dwelling on a larger lot.</p>
<p>Part 6 – Solar Access</p>	<p><u>31 Newton Road, Strathfield</u></p> <p>The proposal results in minor overshadowing between 1 – 2pm in mid-winter upon the north western habitable of this dwelling. This is considered reasonable, given this room is able to receive solar access from 9am to 12 midday through the northern elevation windows. No overshadowing will occur into the private open space of this property.</p> <p><u>35 Newton Road, Strathfield</u></p> <p>The proposal results in minor overshadowing between 9 – 10am in mid winter upon the vehicle driveway. No overshadowing will occur upon habitable windows or the private open space area of this property.</p> <p><u>3 South Street, Strathfield</u></p> <p>No overshadowing will occur upon habitable windows or the private open space area of this property.</p>
<p>Part 7 – Privacy</p>	<p><u>Ground Floor Windows</u></p> <p>The ground floor window openings have an outlook towards the common boundary fence and do not raise any overlooking impacts upon the adjoining properties.</p> <p><u>First Floor Windows</u></p> <p>The proposed first floor windows are not located within 9m of any first floor windows of an adjoining dwelling.</p>

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	<p><u>First Floor Balconies</u></p> <p>The proposal includes a first floor balcony located off Bedroom 2 orientated towards the rear, a first floor balcony located off Bedroom 1 orientated towards the west over the swimming pool.</p> <p>The Bedroom 2 balcony has perimeter screen planting to prevent downward views into the rear yard of 35 Newton Road. No privacy impacts are expected from this balcony.</p> <p>The Bedroom 1 balcony is located 13.466m from the side boundary of 35 Newton Road and views to this balcony is screened by the Balcony 2 structure and landscaping. No privacy impacts are expected from this balcony.</p>
<p>Part 8 – Vehicle Access and Parking</p>	<p><u>Driveway and Grades</u></p> <p>The proposal seeks to relocate the existing driveway crossing from the eastern side boundary of the site to the western side boundary of the site. This single driveway crossing will be 6.052m wide and allows vehicles to access a driveway down to the basement level, and an at-grade driveway along the western boundary of the site.</p> <p>The proposed driveway configuration and grades have been designed in accordance with AS2890.1.</p> <p><u>Carports</u></p> <p>The proposed carport seeks to duplicate the location and length of the existing carport of 35 Newton Road. This carport is located behind the front building line and sufficient setback from the street to minimise any streetscape impacts.</p> <p><u>Basements</u></p> <p>The basement level is confined to the footprint of the dwelling and the height of the basement does not exceed more than 1 metre above existing ground level.</p> <p>The basement driveway does not exceed 3.5m wide.</p>

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Part 9 – Altering Natural Ground Level	The extent of bulk excavation is limited to the footprint of the proposed dwelling. The site levels to the remainder of the site remain generally unchanged.
Part 10 – Water and Soil Management	Refer to submitted soil erosion and sediment control plan and stormwater concept plans.
Part 11 – Access, Safety and Security	The proposal includes an identifiable entry, a front door that is visible to the street, habitable windows to the street to maximise causal surveillance and perimeter fencing to enhance security. The proposal complies with this Part.
Part 12.2.2 – Outbuildings	The proposed Tennis House is located 900mm from the side boundary and measures a maximum of 40m <sup>2</sup> . The proposal complies with this Part.
Part 12.2.6 – Swimming Pools	The swimming pool is located more than 1m from the side boundaries and has a coping level that is less than 1m above existing ground level. The proposal complies with this Part.
Part 12.2.7 – Tennis Courts	No change is proposed to the existing Tennis Court.

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5.4 Planning Agreements (clause 4.15(1)(a)(iii))

None applicable.

5.5 Environmental Planning and Assessment Regulations 2000 (clause 4.15(1)(a)(iv))

There are no relevant matters for consideration

5.6 Any Coastal Zone Management Plans (clause 4.15(1)(a)(v))

None applicable.

5.7 The Likely Impacts of the Development (clause 4.15(1)(b))

The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and environmental impacts in the locality have been adequately addressed within the body of this report.

The report demonstrates the development complies with Council's relevant LEP and DCP's controls. Where non-compliance has been identified, it has been demonstrated that the development satisfies the objectives of the relevant control.

Overall, the development will provide a positive urban development outcome for the site, and positive contribution to the locality. It has been designed to satisfy Council's desire future character for the local area, and has been designed to limit impacts upon adjoining properties.

5.8 Suitability of the Site (clause 4.15(1)(c))

The preceding sections of this report demonstrate that the site is suitable for the proposed development. There are no significant constraints that would hinder the proposal to be carried out as outlined in this report.

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5.9 Any submissions made in accordance with this Act or the regulations (clause 4.15(1)(d))  
This matter is to be considered by the consent authority.

5.10 Public Interest (clause 4.15(1)(e))

The preceding sections of this report demonstrate that the proposal satisfies the provisions of the LEP and DCP. The proposal will not result in any unacceptable detrimental social, environmental and economic impacts upon adjoining properties. Consequently, the proposal is considered to be in the public interest.

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## 6.0 Conclusion

The application seeks approval to undertake demolition of the existing dwelling and detached garage, and the construction of a new two (2) storey dwelling, detached outbuilding and swimming pool.

As further demonstrated in this report, the proposed additions are considered appropriate and reasonable for the following reasons:

- The proposal will retain a single dwelling in a detached building form sited within the landscaped setting. The proposal is compliant with council's setbacks and density controls. The proposal does not alter the low density residential environment of the Newton Road streetscape and local area. The proposal is therefore consistent with the relevant objectives for development in the R2 Low-Density Residential Zone.
- The proposed building height matches the height of the existing building on site proposed to be demolished. Although this results in an exceedance of the height control, the non-compliance is limited to the central gable roof form associated with the entry portico and entry foyer. This represents less than 25% of the frontage of the site, and displays as a decorative element to the front façade of the building. This design element does not contribute to a substantial bulk and scale impact upon the streetscape or when viewed from adjoining properties.
- The width of the site (20.11 m) and the site area 1,416m<sup>2</sup> is a large land holding, and the proposed dwelling is considered appropriate and proportioned to the large land holding. The width and size of the site is capable of accommodating a larger and taller building form than that envisaged under Council's controls without resulting in any adverse amenity impacts upon adjoining properties.
- The remainder of the building including the external wall heights, and remaining roof geometry along each side boundary is consistent with the height of the existing building on the site (that already exceeds the building height control), and consistent with two (2) storey grand home dwelling recently approved and constructed within the streetscape.
- The proposal is compliant with council's floor space ratio density controls.
- The proposed dwelling is compliant with, and substantially exceeds council's side and rear setback controls.

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- The proposal provides greater landscape area than that required by council's controls.
- The proposed development does not result in the removal of any significant or protected trees.
- The proposal maintains adequate solar access to the adjoining dwellings in accordance with Council's controls.
- The proposal does not result in any privacy impacts upon adjoining properties.
- The proposal does not result in any loss of views enjoyed from adjoining properties.

The proposal is considered suitable and is a good planning outcome for the site, and the locality. It is therefore recommended that Council approve the development application.

Strathfield Business Centre, 14/15





**NOTES AND SPECIFICATIONS**

**EXCAVATIONS**

Prior to carrying out any excavations, the contractor is to confirm locations of all services. Services pits and lids are not to be covered by any material. Trim and grade area to form a smooth even finish to required falls.

**GARDEN BED / MULCH**

The topsoil to all deep soil garden bed areas shall be four (4) parts site topsoil to one (1) part organic compost thoroughly blended together prior to placing into position. Where the site topsoil is considered not suitable, an imported topsoil blend meeting the requirements of AS4419:1998 shall be used. Garden bed subgrades are to be cultivated to a depth of 150mm. Topsoil depths to all garden bed areas to be 300mm (min). At the completion of all planting operations apply a 75mm layer of mulch over entire garden bed taking care not to smother plants. Reduce depth of mulch around base of plants to form "watering dish". Mulch used shall be Pine Bark Nuggets as supplied by ANL or similar. All proposed planting is subject to suitable topsoil depths on site. Where there is insufficient depth due to presence of bedrock or other structures, the proposed planting is to be modified to suit in accordance with instructions from landscape architect.

**TURF / GARDEN EDGING**

Turf used for this site shall be Sir Walter Buffalo or similar soft leaf variety. Unless specified otherwise, turf shall be laid over 150mm topsoil and finished flush with adjacent surfaces. Water turfed areas immediately after turfing operations. Topdress any excessively undulating areas to form a smooth level surface with a coarse grade washed river sand. All garden edging as denoted by 'GE' on the plan is to be constructed as per detail.

**PLANT MATERIAL**

All plant material are to be healthy nursery stock, free from disease, injury, insects all weed or roots of weeds. No plant is to be installed which has not been hardened off or is otherwise inferior in quality. All plants are to be thoroughly soaked 1hour prior to planting.

**EXISTING TREES TO BE RETAINED**

The existing trees indicated for retention shall be protected for the duration of the construction period. Install a 1.8m high temporary protective fence (TPF) to the locations as indicated on the plan. Do not store or otherwise place bulk or harmful materials under or near a tree which is to be retained. Do not attach stays, guys and the like to a tree which is to be retained. Where it is absolutely necessary to prune tree roots / limbs contractor to ensure all Council approvals have been obtained. All tree work is to be carried out by a qualified and insured arborist. Where an arborist report has been prepared for the existing tree on site. The landscape plan shall be read in conjunction with this report. All trees identified for retention shall be protected and managed in accordance recommendations of this report. These recommendations will take precedence over any measures outline in the landscape plan.

**MAINTENANCE / ON-GOING CARE**

Maintain all landscape areas to ensure plant health and occupant safety for period of 12 months beginning from date of practical completion to the satisfaction of Council. Maintenance will include but is not limited to the following activities: Mowing and edging lawn areas, fertilizing all plant material, pruning, watering, replacing failed planting, treating for pests and diseases, topping up of mulch areas and weeding garden beds as required. On completion of the initial 12 month period, all maintenance responsibilities shall be handed over to building management / property owner for on-going care. Note: All trees will require ongoing annual observation and maintenance by qualified arborist to ensure occupant safety, tree health and to avoid damage to surrounding structures and property.

**DISCREPANCIES**

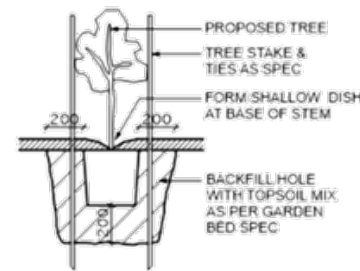
Should there be any discrepancies on the drawings with existing site conditions; contractor is to notify the landscape architect prior to proceeding with the works.

**PLANTING SCHEDULE**

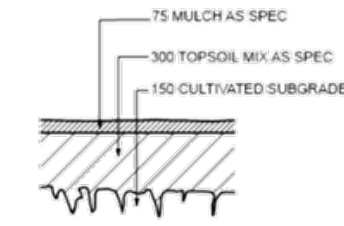
Code	Name	Pot Size	Mt Size	Qty
DLR	Dianella Little Rev	200mm	0.3m	30No.
DSF	Dichondra 'Silver Falls'	120mm	Ground Cover	30No.
LM	Liriope muscari	120mm	0.5m	32No.
NGS	Nandina 'Gulf Stream'	300mm	0.6m	8No.
PT	Phormium tenax	300mm	2.0m	6No.
PX	Philodendron Nandadu	200mm	0.5m	15No.
RSM	Raphiolepis 'Snow Maiden'	300mm	Trim 1.2m	27No.
TJ	Trachelospermum jasminoides	200mm	Climber / G Cover	47No.
TL	Tristramia laurina	100Litre	6.0m	4No.
VO	Viburnum odoratissimum	300mm	Trim to 2.0m	31No.

33 Newton St Strathfield

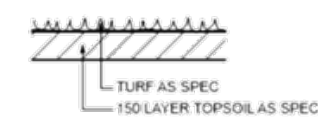
28 June 2021



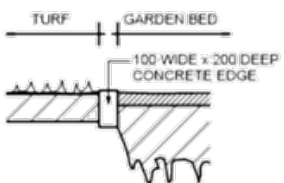
A TREE PLANTING DETAIL NTS



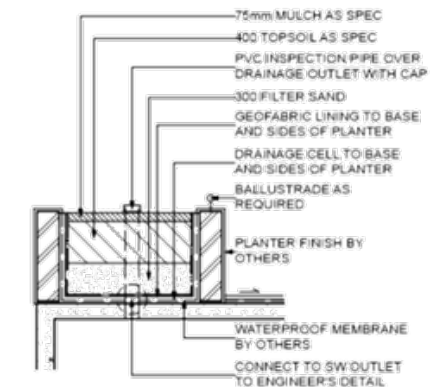
B GARDEN BED NTS



C TURFING DETAIL NTS



D GARDEN EDGE NTS

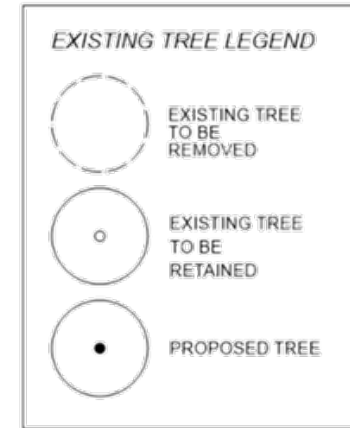


E PLANTER BOX NTS

**SURFACE TREATMENT LEGEND**

- STF Synthetic Turf
- TF Turf
- SGE Steel Garden Edge (to detail)
- GE Garden Edge (to detail)
- CL Clothes Lines (to client requirements)
- CB/TP Colorbond / Timber Paving (1.8 high)
- T Tile (to client requirements)
- RWT Rainwater Tank (to Engineers Specifications)
- PV Pavers
- PP Water Permeable Unit Paver
- SC Stenciled Concrete (Charcoal/Gunmetal)
- TPF Temporary Protection Fence (1.8m chainmesh)
- GVL Gravel Surface / Path (Nepean River Pebble)
- TD Timber Deck
- CP Concrete Path
- B Bench Seat
- BT Table / Seating

Rev A: RFI 28 June 2021



**Michael Siu**  
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Details Notes Schedule 2 of 2

Proposed Residence  
33 Newton St Strathfield

1:200@A3 Dwg: L02/2-K25409 9.March.2021

ABN 14 286 982 138 Copyright 2021 M.SIU



**TO:** Strathfield Local Planning Panel Meeting - 5 August 2021  
**REPORT:** SLPP – Report No. 24  
**SUBJECT:** DA2021.59- LAND ADJACENT TO 19 RICHMOND ROAD, HOMEBUSH WEST  
**DA NO.** 2021.59

## SUMMARY

<b>Proposal:</b>	Signage panels on electricity substation associated with an electric vehicle charging station.
<b>Applicant:</b>	Andrew Giannasca
<b>Owner:</b>	Strathfield Council
<b>Date of lodgement:</b>	7 April 2021
<b>Notification period:</b>	16 April – 30 April 2021
<b>Submissions received:</b>	1
<b>Assessment officer:</b>	Gary Choice
<b>Estimated cost of works:</b>	\$26,510
<b>Zoning:</b>	IN1 General Industrial - SLEP 2012
<b>Heritage:</b>	No
<b>Flood affected:</b>	No
<b>Is a Clause 4.6 variation proposed?</b>	No
<b>Peer review of Clause 4.6 variation:</b>	A peer review of the Clause 4.6 variation has been undertaken and the assessment officer's recommendation is supported.
<b>RECOMMENDATION OF OFFICER:</b>	<b>APPROVAL</b>

## EXECUTIVE SUMMARY

The Application seeks approval for installation of signage panels on an electric vehicle (EV) charging station. The charging station will be located on top of an existing electricity substation located at the site, however the EV charging station does not form part of this Application. The Application is for signage only.

The Application was publicly notified on 16 April 2021, in Strathfield Council's Community Participation Plan (CPP), with the last date for public submissions being 30 April 2021. One (1) submission was received.

The proposed development is considered acceptable and supportable, generally complying with the relevant development standards and controls under the Strathfield Local Environmental 2012 (SLEP 2012) and the Strathfield Consolidated Development Control Plan 2005 (SCDCP 2005). The final design of the proposed development is suitable in the IN1 General Industrial area. Accordingly, the development application is recommended for approval.

## DA2021.59- Land adjacent to 19 Richmond Road, Homebush West (Cont'd)

The subject application is referred to the Strathfield Local Planning Panel (SLPP) as the previous development application was assessed by the IDAP and recommended for SLPP determination as the site has been identified as Council land.

**BACKGROUND**

<b>18 February 2021</b>	<p>An advisory letter (Pre-DA 2021/01) was issued to the Applicant in relation to a prospective proposal for advertising signage on EV charge stations at five (5) separate locations around the Strathfield LGA. Relevant issues pertaining to the subject site at Richmond Road in the Pre-DA are summarised as follows:</p> <ul style="list-style-type: none"> <li>- <b>Permissibility</b> It was noted that development defined as <b>advertising structures</b>, is prohibited within the IN1 zone.</li> <li>- <b>Traffic and parking</b> The EV charge station would involve changing the on-street parking on a public road. The process would require a referral to the Strathfield Traffic Committee and subsequent Council meeting for approval.</li> </ul>
<b>7 April 2021</b>	DA 2021/59/1 was lodged for the installation of signage panels on an electricity substation associated with an electric vehicle charging station.
<b>15 April 2021</b>	DA 2021/59/1 site inspection and photographic survey by the Assessing Council Officer.
<b>3 May 2021</b>	A Council request for additional information was issued to The Applicant requiring amended site plan and elevations plans.
<b>21 May 2021</b>	Amended plans were received by Council.
<b>4 June 2021</b>	A Council request for additional information was issued to The Applicant requiring a second set of amended plans.
<b>5 June 2021</b>	Amended plans were received by Council.

**Comment:** The Applicant has provided sufficient information to complete a full and thorough assessment of the proposed development. Council notes that the Pre-DA recommendation regarding on-street parking does not affect the assessment of this subject application, which relates to signage only.

**DESCRIPTION OF THE SITE AND LOCALITY**

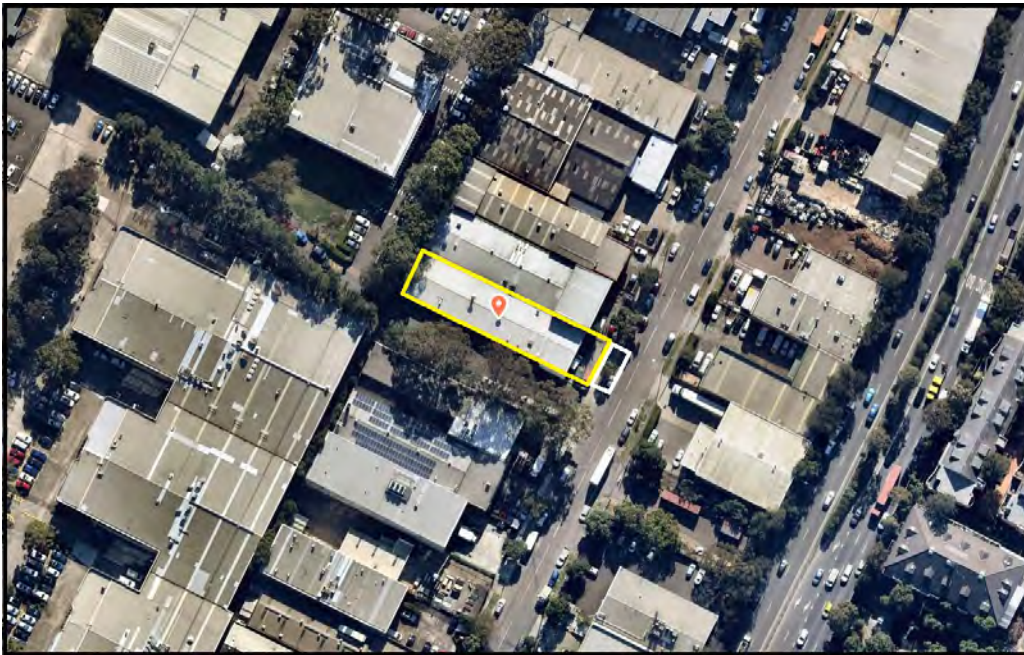
The proposed development relates to land comprising an electricity substation kiosk within the public domain adjacent Lot: 14 Sec: 9 DP: 827 and commonly known as 19 Richmond Road

**DA2021.59- Land adjacent to 19 Richmond Road, Homebush West (Cont'd)**

HOMEBUSH WEST NSW 2140. The site is located on the western side of Richmond Road between The Crescent to the north; Centenary Drive to the east; and Arthur Street to the south.

The site comprises an electricity substation kiosk within the verge of the publicly owned road reserve and is adjacent to a commercial warehouse and office premises at 19 Richmond Road HOMEBUSH WEST. To the right of the substation (north) is a single Brush Box street tree.

Development on adjoining properties includes a two-storey flat roof warehouse at 17 Richmond Road; and the vehicle entrance to a battle-axe block comprising large plate warehouse development at 21A to 21C Richmond Road. The existing streetscape is characterised by a mix of single-storey and two-story commercial buildings and warehouses.



**Figure 1: Subject site highlighted yellow aerial photography (verge highlighted in white)**



**Figure 2: Subject site and existing tree (east elevation)**



DA2021.59- Land adjacent to 19 Richmond Road, Homebush West (Cont'd)



**Figure 3: Existing substation kiosk**

### 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 installation of advertising signage panels on an electric vehicle (EV) charging station which is to be installed on an existing electricity substation kiosk. The existing electricity substation kiosk is the property of Ausgrid and the development application does not include the installation of the EV charge station associated with the advertising signage (see **Figure 8 & 9**).

The EV charge station will be fitted with two (2) digital signage panels. The signage will provide the following static communication material:

- i. Identification of the charging station for passing EV drivers;
- ii. Public information and emergency messaging on behalf of Ausgrid; and
- iii. Advertising material for third party sponsors.

The Application is for signage only. Council notes that the proposed development cannot be realised without the complete approval for all parts of the EV charge facility including the EV charge station and on-street parking space.

DA2021.59- Land adjacent to 19 Richmond Road, Homebush West (Cont'd)

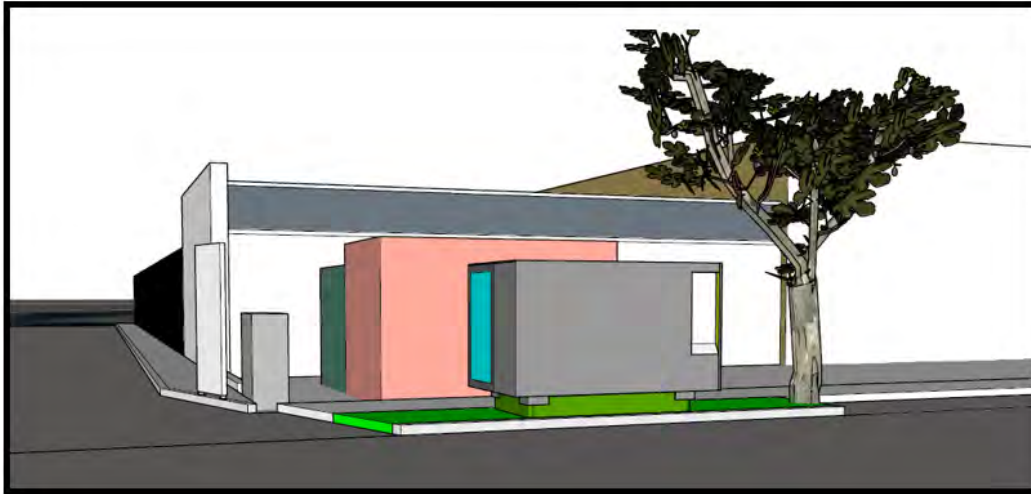


Figure 4: Concept design (east elevation)

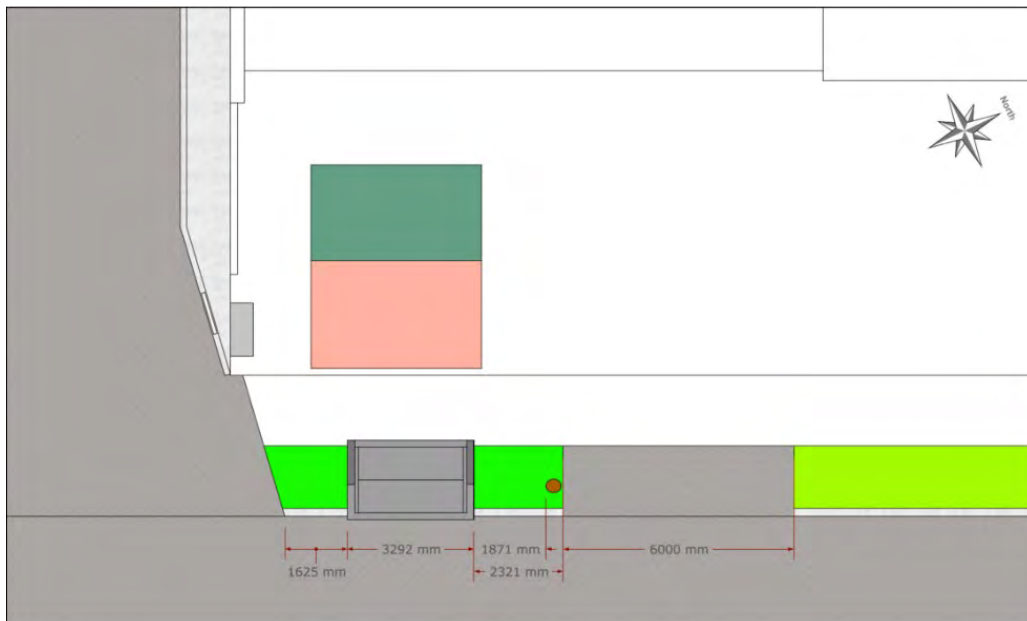


Figure 5: Proposed site plan view



Figure 6: Proposed southeast elevation



DA2021.59- Land adjacent to 19 Richmond Road, Homebush West (Cont'd)



Figure 7: Proposed southwest elevation

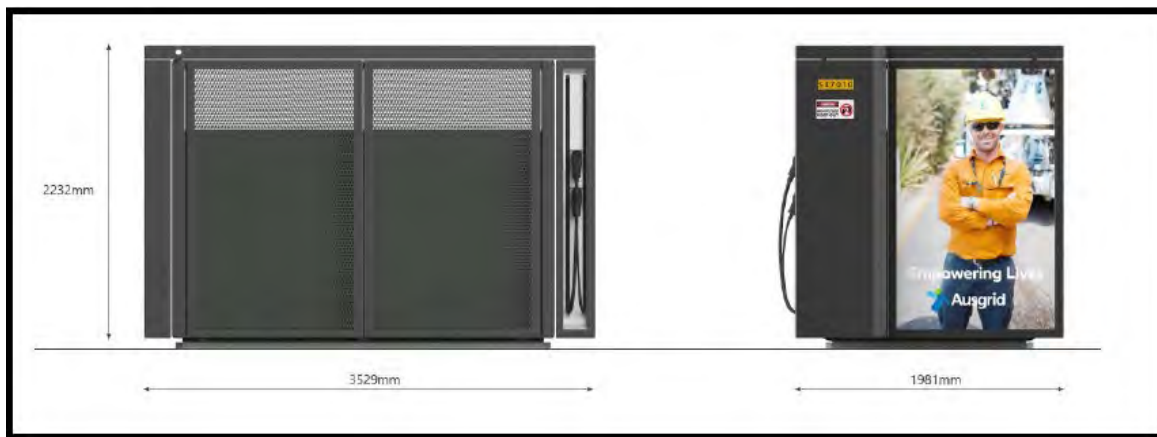


Figure 8: Example of EV charge station

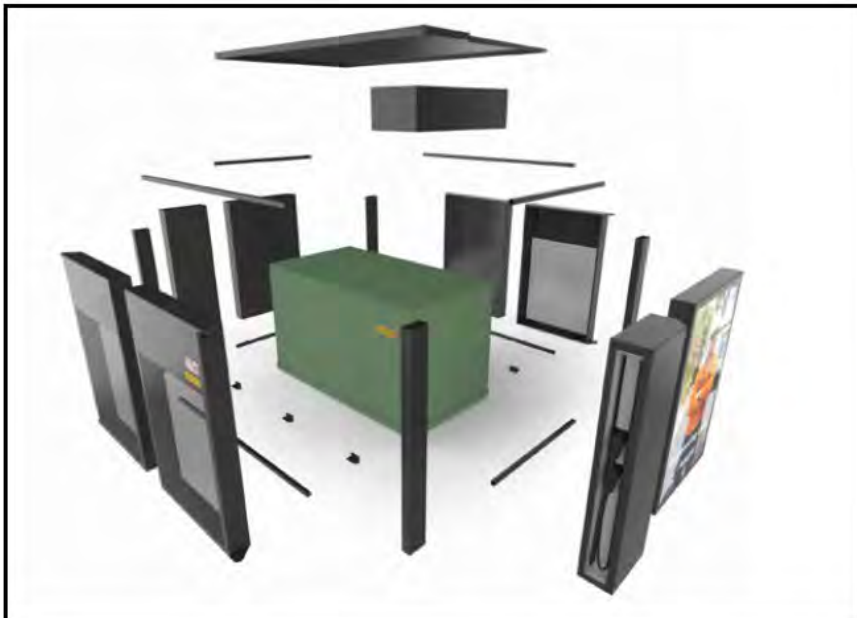


Figure 9: Deconstructed diagram of EV charge station and signage over substation

DA2021.59- Land adjacent to 19 Richmond Road, Homebush West (Cont'd)

## REFERRALS

### EXTERNAL REFERRALS

#### Ausgrid

The subject development application was referred to Ausgrid for concurrence on 19 April 2021. The proposed development is a joint Ausgrid initiative and the agency supports the proposal.

## SECTION 4.15 CONSIDERATIONS – EP&A Act, 1979

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

### 4.15(1)(a) the provisions of:

#### (i) any environmental planning instrument

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

SEPP 55 applies to the land and pursuant to Section 4.15 is a relevant consideration. A review of the available history for the site gives no indication that the land associated with this development is contaminated. There were no historic uses that would trigger further site investigations. The objectives outlined within SEPP55 are considered to be satisfied.

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

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

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

The proposed development does not result in the removal or loss of any trees or vegetation subject to the provision of this SEPP. A single *Lophostemon Confertus* (brush box) is located within the verge to the right (north) of the existing substation kiosk. The proposal was referred to Council's Tree Management Officer who raised no objection to the proposal, subject to conditions of consent requiring pruning restrictions.

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

### STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The development application was referred to Ausgrid under clause 45(2) of SEPP (Infrastructure) 2007 which states:

*(2) Before determining a development application (or an application for modification of a consent) for development to which this clause applies, the consent authority must –*

## DA2021.59- Land adjacent to 19 Richmond Road, Homebush West (Cont'd)

- (a) give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and
- (b) take into consideration any response to the notice that is received within 21 days after the notice is given.

Ausgrid supports the proposed development.

**STATE ENVIRONMENTAL PLANNING POLICY No 64 – ADVERTISING AND SIGNAGE**

Clause 13 of SEPP 64 requires Council to consider the aims and objectives of SEPP 64 as well as the assessment criteria outlined in Schedule 1, in the assessment of the proposed more comprehensive advertising. An assessment of the proposed development against the requirements of SEPP 64 is found below:

Part 1, Clause 3:

1) *This policy aims to:*

a. *To ensure that signage (including advertising):*

- i. *Is compatible with the desired amenity and visual character of an area, and*  
 ii. *Provides effective communication in suitable locations, and*  
 iii. *Is of high quality design and finish.*

Section	Assessment Criteria	Required	Proposed	Compliance
1	Character of the Area	Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? i)	The proposed advertising signage panels are compatible with the industrial character of the locale.	Yes
		Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposal is generally consistent with thematic aspects of outdoor advertising in the area.	Yes
2	Special Areas	Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The subject site is not located in an environmentally sensitive area as such.	N/A
3	Views and Vistas	Does the proposal obscure or compromise important views? ii)	The proposed advertising signage will not impact any significant views or obstruct the viewing rights of other advertising in the immediate vicinity.	Yes

DA2021.59- Land adjacent to 19 Richmond Road, Homebush West (Cont'd)

		Does the proposal dominate the skyline and reduce the quality of vistas?	No	Yes
		Does the proposal respect the viewing rights of other advertisers?	Yes	Yes
4	Streetscape, Setting or Landscape	Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? iii) Does the proposal contribute to the visual interest of the streetscape, setting or landscape? iv) Does the proposal reduce clutter by rationalising and simplifying existing advertising?  Does the proposal screen unsightliness?  Does the proposal protrude above buildings, structures or tree canopies in the area or locality? v) Does the proposal require ongoing vegetation management?	The proposed advertising panels are of an appropriate height, width and scale for the location within the public verge.  The proposed signage will improve the visual interest of the existing electricity substation kiosk  No advertising currently exists on the subject site.  The proposal will provide visual uplift to the existing electricity substation.  The proposal shall not protrude over existing development or vegetation as such.  The proposal is unlikely to require additional vegetation management.	Yes  Yes  Yes  Yes  Yes  Yes
5	Site and Building	Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?  Does the proposal respect important features of the site or building, or both?  Does the proposal show innovation and imagination	The proposed signage panels have been designed to fit within the EV charge station which will encase the existing electricity substation. The EV charge station is a size comparable to a bus shelter and is appropriate in the immediate context.  The location of the proposed advertising signage within an industrial area is not of a high visual amenity value.  The proposed signage as an ancillary use to a proposed EV	Yes  Yes  Yes



## DA2021.59- Land adjacent to 19 Richmond Road, Homebush West (Cont'd)

		in its relationship to the site or building, or both?	charge station does show some trivial innovation in its relationship to the existing electricity substation as a shift to new transport technologies.	
6	Associated Devices and Logos	Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	Associated devices and logos of the EV charge station itself shall be covered in a separate development approval.	N/A
7	Illumination	Would illumination result in unacceptable glare?	In accordance with relevant Australian Standard AS 4282 <i>Control of the Obtrusive Effects of Outdoor Lighting</i> the screen brightness will be regulated in response to ambient lighting levels and time of day.	Yes
		Would illumination affect safety for pedestrians, vehicles or aircraft? vi)	The illumination can be regulated to ensure the safety for pedestrians and vehicles. The proposal does not pose any potential hazards to aircraft.	Yes
		Would illumination detract from the amenity of any residence or other form of accommodation?	There is no residential development or other form of accommodation within the immediate area.	Yes
		Can the intensity of the illumination be adjusted, if necessary?	Illumination can be adjusted if necessary.	Yes
		Is the illumination subject to a curfew?	Given the existing non-residential nature of the surrounding locale, a curfew is not considered necessary	Yes
8	Safety	Would the proposal reduce the safety for any public road?	The proposed signage (in isolation) is unlikely to reduce the safety of the public road	Yes
		Would the proposal reduce the safety for pedestrians or bicyclists?	The proposed signage (in isolation) is unlikely to reduce the safety of pedestrians or bicyclists.	Yes
		Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signage (in isolation) is unlikely to reduce the safety of pedestrians or bicyclists.	Yes

## DA2021.59- Land adjacent to 19 Richmond Road, Homebush West (Cont'd)

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**STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012**

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

<b>Cl. 1.2(2)</b>	<b>Aims</b>	<b>Complies</b>
<b>(a)</b>	<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>	<b>Yes</b>
<b>(b)</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>	<b>Yes</b>
<b>(c)</b>	<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>	<b>Yes</b>
<b>(d)</b>	<i>To provide opportunities for economic growth that will enhance the local community</i>	<b>Yes</b>
<b>(e)</b>	<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>	<b>Yes</b>
<b>(f)</b>	<i>To identify and protect environmental and cultural heritage</i>	<b>Yes</b>
<b>(g)</b>	<i>To promote opportunities for social, cultural and community activities</i>	<b>Yes</b>
<b>(h)</b>	<i>To minimise risk to the community by identifying land subject to flooding and restricting incompatible development</i>	<b>Yes</b>

**Comments:** The proposed development is for the installation of advertising signage panels on a potential EV Charge Station. The proposal will not significantly impact on the existing environmental heritage or surrounding character of the locale.

**Permissibility**

The subject site is Zoned IN1 General Industrial under Strathfield Local Environmental Plan (SLEP) 2012.

The proposal is defined as **signage** and is therefore permissible in the IN1 Zone with consent. Signage is defined under the SLEP 2012 as follows:

*any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following—*

- (a) an advertising structure,*
- (b) a building identification sign,*
- (c) a business identification sign*

**Zone Objectives**

An assessment of the proposal against the objectives of the IN1 Zone is included below:

## DA2021.59- Land adjacent to 19 Richmond Road, Homebush West (Cont'd)

Objectives	Complies
➤ To provide a wide range of industrial and warehouse uses.	N/A
➤ To encourage employment opportunities.	N/A
➤ To minimise any adverse effect of industry on other land uses.	Yes
➤ To support and protect industrial land for industrial uses	Yes
➤ To minimise fragmentation of valuable industrial land, and provide large sites for integrated and large floorplate activities	Yes

**Comments:** The proposed signage is not contrary to the objectives of the IN1 zone. The signage presents minimal impacts to existing industrial activities in the area and/or other land uses and is considered acceptable.

### Part 5: Miscellaneous Provisions

There are no relevant provisions contained within Part 5 of the SLEP 2012 which relate to the proposed development.

### 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. The proposal is for the installation and use of signage panels only (located above ground) no further investigation is required.

#### 6.2 Earthworks

The development application is for installation and use of signage panels affixed to an EV charge station and does not require any earthworks.

#### 6.3 Flood planning

The subject site is not mapped as flood affected.

#### 6.4 Essential services

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

#### 6.6 Erection or display of signage

The proposed signage is compatible with the desired amenity and visual character of the area. The advertising signage shall provide effective communication through the use of a high quality electronic design and finish and is suitably located on the footpath reserve retaining adequate pedestrian access. An appropriate condition is imposed prohibiting inappropriate content. Accordingly, the proposed development satisfies the requirements of Clause 6.6 of the SLEP 2012.

## DA2021.59- Land adjacent to 19 Richmond Road, Homebush West (Cont'd)

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

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

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

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

**H PART J – ERECTION AND DISPLAY OF ADVERTISING SIGNS AND STRUCTURES**

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

<b>Cl. 1.3</b>	<b>Objectives of Part J</b>	<b>Complies</b>
<b>1</b>	To encourage signage which complements the dominant urban character of an area, including the built and landscape character.	<b>Yes</b>
<b>2</b>	To provide guidelines for the display of advertisements and ensure that outdoor advertising:	<b>Yes</b>
	(a) conveys an advertiser's messages and images while complementing and conforming with the visual appearance of the building or structure on which it is displayed and the amenity of the surrounding environment;	<b>Yes</b>
	(b) does not adversely affect the area in which it is located in terms of appearance, size, illumination, overshadowing, loss of amenity, or in any other way;	<b>Yes</b>
	(c) does not lead to visual clutter through the proliferation of signs;	<b>Yes</b>
	(d) is designed and installed to an acceptable level of safety and serviceability; and	<b>Yes</b>
	(e) is designed to have minimal adverse impacts on driver or pedestrian safety.	<b>Yes</b>
<b>3</b>	To implement a plan which enables an assessment of the proposed advertisement to be made.	<b>Yes</b>

## DA2021.59- Land adjacent to 19 Richmond Road, Homebush West (Cont'd)

**Comments:** The proposal is for installation and use of advertising signage panels and will not add visual clutter to the Richmond Road streetscape predominantly an open low-set industrial area. Third party advertising content is considered appropriate for the EV charge station and the industrial character of the surrounding area. The proposed advertising signage panels will not result in any adverse amenity impacts to neighbouring properties, nor result in any safety hazards, subject to the imposition of conditions.

## 2.1: Signs in all areas

	Special Provisions	Complies
(ii)	Sign is not prone to deterioration in appearance and is not redundant, unsightly or objectionable.	Yes
(iii)	Advertisements, signs and advertising structures are not displayed in a manner which obscures or interferes with road traffic signs	Yes
(v)	All advertising sign must be displayed in English and can be translated in another language Translation is accurate and complete Wording and/or numbers is not greater than the English message.	Yes

The advertisement/ sign is not any of the following:

(vii)	(a)	Roof sign or wall sign projecting above the roof or wall to which it is affixed;	Yes
	(b)	Flashing or moving signs or advertisements;	Yes
	(c)	Signs, not defined as a temporary sign, made of canvas, fabric, or any type of airborne sign except a temporary sign;	Yes
	(d)	Fly posters	Yes
	(e)	Signs affixed to the surface of a public footway or public roadway	Yes
	(f)	Signs which may obscure, obstruct or interfere with any road traffic	Yes
	(g)	Signs prohibited under the Tobacco Advertising Prohibition Act 1992	Yes
	(h)	Signs other than a business identification sign, directional sign, real estate sign or temporary sign within the R2, R3 and R4 zones.	N/A

**Comments:** The proposed development comprises the installation of two (2) digital signage panels (1650mm x 928mm) and will each comprise 14.5% of the outer surface of the EV charge



**DA2021.59- Land adjacent to 19 Richmond Road, Homebush West (Cont'd)**

station. The proposed digital signage panels on each structure proposed by this DA are state-of-the-art low-energy usage LED screens. The screens can display images at a rate of up to six per minute (a minimum of 10 seconds per image). The images themselves will be static (i.e. no video or moving content). The transition time from one advert image to another is approximately 0.1 seconds.

Screen brightness will be regulated in response to ambient lighting levels and time of day. Lower brightness during lower ambient light periods – e.g. during overcast or poor weather or at night-time enables less energy to be used. A condition of consent has been included to ensure that the illuminance of the advertisement complies with Australian Standards.

**2.5 Special Use and Open Space Areas**

	<b>Aims</b>	<b>Complies</b>
<b>(i)</b>	permit advertisements and advertising structures only where the applicant shows a justifiable need.	<b>Yes</b>
<b>(ii)</b>	ensure the amenity of the area will not be detrimentally affected.	<b>Yes</b>

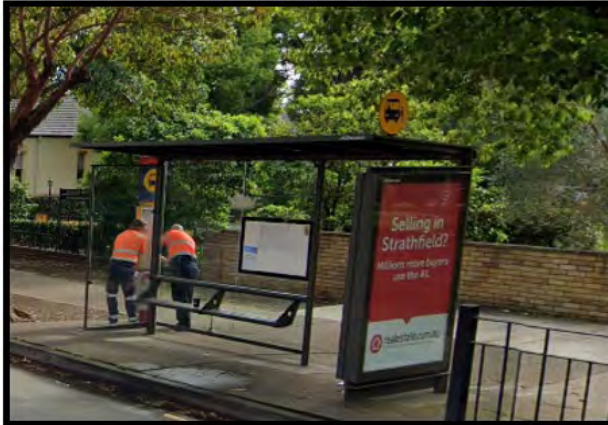
**Comments:** It is considered that The Applicant has demonstrated a sufficient justification for the advertising signage which includes the necessary communication of: identification of the charging station for passing EV drivers; public information and emergency messaging on behalf of Ausgrid; and advertising material for third party sponsors to insure the viability of the EV charge station.

It is considered that the proposed signage will not detrimentally impact on the surrounding amenity or streetscape of the locale. It is considered that the proposed signage will not detrimentally impact on the surrounding amenity or streetscape of the locale.

	<b>Performance Criteria</b>	<b>Complies</b>
<b>(i)</b>	Council permits the erection of advertising structures and signs on open space land only where it has frontage to a classified road, the distance between the classified road and any part of the advertising structure is not greater than 5 metres and the distance between advertising structures is not less than 100 metres.	<b>N/A</b>
<b>(ii)</b>	All signs in Special Use and Open Space zones will be considered on their merits relative to these aims.	<b>Yes</b>

**Comments:** In the case of the proposal, this criteria is not directly applicable as Richmond Road is not a classified road, although the EV charge station is within a 5m setback of the road. On balance the proposal is considered acceptable. The proposal is acceptable with consideration given to other similar forms of advertising signage attached to public infrastructure within the public domain in the Strathfield LGA, which feature in areas with a higher amenity value than the subject site (see **Figure 10 & 11**).

DA2021.59- Land adjacent to 19 Richmond Road, Homebush West (Cont'd)



**Figure 10:** Bus stop advertising signage  
(The Boulevard, Strathfield)

**Figure 11:** Phone booth advertising signage  
(Albert Road, STRATHFIELD)

**Schedule 2 ITEM 15 - Unclassified signs**

<b>(a)</b>	other signs not identified in this Schedule will be considered by council on the merits of each application;	<b>Yes</b>
------------	--	------------

**Comment:** The subject site is located in a non-residential area with a low amenity value. The signage panels are of an appropriate height and scale. Additionally, infrastructure upgrades such as electric vehicle charging stations are identified within the actions of the Strathfield 2040: Strathfield Council Local Strategic Planning Statement (pp.33-34). The advertising signage panels will insure this viability of the EV charge station for the proponent and contribute to realisation of the abovementioned Council strategic action. The proposed signage panels are considered acceptable on merit.

**PART H - WASTE MANAGEMENT (SCDCP 2005)**

A Waste Management Plan is not required for the change in advertising content due to the minor nature of the works.

**4.15 (1)(a)(iii) any planning agreement or draft planning agreement**

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

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

Not applicable.

**4.15(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality**

## DA2021.59- Land adjacent to 19 Richmond Road, Homebush West (Cont'd)

The proposed development is of a scale and character that is in keeping with other developments being constructed in the locality. Overall, the proposal has been considered with respect to adjoining properties to minimise adverse impacts to adjoining neighbours and achieve an appropriate level of streetscape compatibility. Visual and safety impacts will be mitigated through the imposition of conditions relating to luminance and flashing. Accordingly, the proposed advertising signage is not considered to have a significant impact on the natural and built environment or any negative social or economic impacts on the locality.

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

The proposed advertisement is considered suitable for the site and is unlikely to result in adverse impacts upon the presentation of the streetscape or public safety.

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

The application was notified in accordance with Part L of the SCDCP 2005 from 16 April 2021 to 30 April 2021, with one (1) submissions received, raising the following concerns:

**Issue 1:** Potential impacts to on-street parking due to the EV charge station associated with the subject DA.

**Assessing officer comment:** The impact on local parking associated with the EV charge station is not relevant to the subject application for the installation and use of advertising signage panels.

**Issue 2:** The impacts on access for heavy vehicles entering and exiting 21A Richmond Road HOMEBUSH WEST due to the location of the EV charge station associated with the subject DA.

**Assessing officer comment:** The impact of the associated EV charge station on local traffic movement is not relevant to the subject application for the installation and use of advertising signage panels.

**4.15 (1)(e) the public interest**

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

**SECTION 7.11 CONTRIBUTIONS**

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

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

## DA2021.59- Land adjacent to 19 Richmond Road, Homebush West (Cont'd)

**STRATHFIELD INDIRECT SECTION 7.12 CONTRIBUTIONS PLAN**

Section 7.12 Contributions are not applicable to the proposed development as the cost of works is less than \$100,000, which is the threshold which triggers a contribution payment under the Strathfield Indirect Development Contributions Plan 2010-2030.

**CONCLUSION**

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

**PEER REVIEW**

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

**RECOMMENDATION**

That Development Application No. DA 2021/59 for signage panels on electricity substation associated with an electric vehicle charging station on land adjacent 19 Richmond Road Homebush West be **APPROVED**, subject to the following conditions:

**CONDITIONS**

The following conditions of consent are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instrument and/or Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To protect the environment.
- (c) To ensure that there is no unacceptable impact on the amenity of the area, or to private and public property.
- (d) It is in the public interest.

**DEVELOPMENT DETAILS****1 Approved Plans & Documentation**

The development must be implemented in accordance with the approved plans and supporting documentation listed below which have been endorsed by Council's approved stamp, except where marked up on the plans and/or amended by conditions of this consent:

Description	Reference No.	Date	Rev.	Prepared by
Plan View	8029	05/06/21	C	Jolt Charge Pty Ltd

## DA2021.59- Land adjacent to 19 Richmond Road, Homebush West (Cont'd)

Southeast Elevation	8029	05/06/21	C	Jolt Charge Pty Ltd
Southwest Elevation	8029	05/06/21	C	Jolt Charge Pty Ltd
Northeast Elevation	8029	05/06/21	C	Jolt Charge Pty Ltd
Isometric Views	8029	05/06/21	C	Jolt Charge Pty Ltd
Screen Sub-assembly Sheet 1	JOTL-PG-GA-01	01/06/2020	C	Vert Design
Screen Sub-assembly Sheet 2	JOTL-PG-GA-01	01/06/2020	C	Vert Design

## 2 Signage

This consent pertains to the installation and use of advertising signage on a single electric vehicle charging station on land adjacent 19 Richmond Road HOMEBUSH WEST NSW 2140 (Lot 14, DP Sec 9 DP 827). Development consent is not granted for the installation of signage on the existing electric substation kiosk at the same location.

A separate application shall be submitted to Council prior to the erection of any additional signage unless the proposed signage is 'exempt development' under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* or any other applicable environmental planning instrument.

## 3 Hours of Construction and Building Work

Any work activity or activity associated with the development consent that requires the use of any tools (including hand tools) or any power operated plant and machinery that creates noise on or adjacent to the site shall not be performed, or permitted to be performed, except between the hours of 7.00 am to 5.00 pm, Monday to Friday and 8:00am to 1:00pm on Saturdays. No work or ancillary activity is permitted on Sundays, or Public Holidays.

Where the development involves the use of jack hammers/rock breakers and the like, or other heavy machinery, such equipment may only be used between the hours of 7:00am to 5:00pm Monday to Friday only.

**Note:** A penalty infringement notice may be issued for any offence.

## 4 Low Reflectivity Materials

All materials must be low glare and reflectivity. Details of finished external materials including colours and texture must be provided to the Certifying Authority.

## 5 Tree Removal/Pruning Prohibited

This consent does not approve the removal or pruning (branches or roots) of any trees on the subject property, Council's public footway, and public reserves or on neighbouring properties.

## SEPARATE APPROVALS REQUIRED UNDER OTHER LEGISLATION



**DA2021.59- Land adjacent to 19 Richmond Road, Homebush West (Cont'd)****6 Section 138 Roads Act 1993 and Section 68 Local Government Act 1993**

Unless otherwise specified by a condition of this consent, this Development Consent does not give any approval to undertake works on public infrastructure.

Separate approval is required under Section 138 of the [Roads Act 1993](#) and/or Section 68 of the [Local Government Act 1993](#) for any of the following activities carried out in, on or over a public road (including the footpath) listed below.

An application is required to be lodged and approved prior to the commencement of any of the following works or activities;

- (a) Placing or storing materials or equipment;
- (b) Placing or storing waste containers or skip bins;
- (c) Erecting a structure or carrying out work
- (d) Swinging or hoisting goods over any part of a public road by means of a lift, crane or the like;
- (e) Pumping concrete from a public road;
- (f) Pumping water from the site into the public road;
- (g) Constructing a vehicular crossing or footpath;
- (h) Establishing a “works zone”;
- (i) Digging up or disturbing the surface of a public road (e.g. Opening the road for the purpose of connections to utility providers);
- (j) Stormwater & ancillary works in the road reserve; and
- (k) Stormwater & ancillary to public infrastructure on private land
- (l) If any excavation is to be supported by the use of below ground (cable) anchors that are constructed under Council’s roadways/footways.

These separate activity approvals must be obtained and evidence of the approval provided to the Certifying Authority prior to the issue of the Construction Certificate.

The relevant Application Forms for these activities can be downloaded from Council’s website [www.strathfield.nsw.gov.au](http://www.strathfield.nsw.gov.au). For further information, please contact Council’s Customer Service Centre on (02) 9748 9999.

**7 Obstruction of Public Way Not Permitted During Works**

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

**8 Lighting – General Nuisance**

Any lighting on the site shall be designed so as not to cause a nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill or glare.

Flashing, moving or intermittent lights or signs are prohibited.

DA2021.59- Land adjacent to 19 Richmond Road, Homebush West (Cont'd)

**9 Amenity of the Neighbourhood**

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

**ATTACHMENTS**

1. Amended Plans
2. Maintenance Plan of Management
3. S.E.E



MAIN STREET:	RICHMOND TAVISTOCK 3
CROSS STREET:	ARTHUR STREET
OUTSIDE/OPP:	19 RICHMOND ROAD
SUBURB:	STRATHFIELD
KNOWN AS:	RICHMOND TAVISTOCK 3



ISSUE	DESCRIPTION	DATE	DRAWN
A	DRAFT FOR REVIEW	27/12/20	JC
B	DA ISSUE	11/1/21	AG
C	COUNCIL RFI	5/6/21	JS

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 LEVEL 24, 300 MARSHFIELD AVENUE, SYDNEY NSW 2000

COVER			
RICHMOND STREET STRATHFIELD			
DATE	SCALE	SITE NO.	REVISION
15/5/21	1:100	8029	C



MAIN STREET:	RICHMOND TAVISTOCK 3
CROSS STREET:	ARTHUR STREET
OUTSIDE/OPP:	19 RICHMOND ROAD
SUBURB:	STRATHFIELD
KNOWN AS:	RICHMOND TAVISTOCK 3

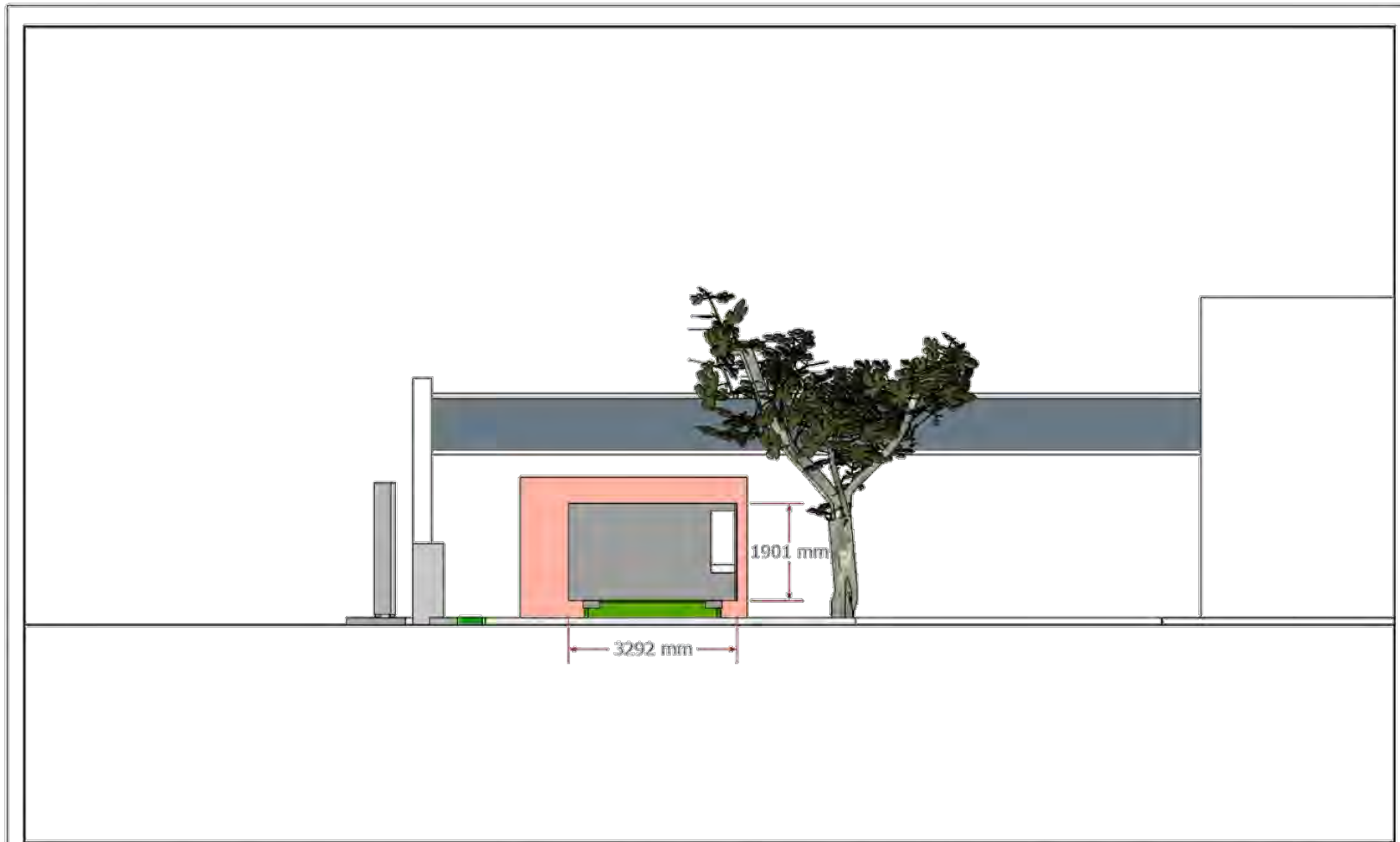


ISSUE	DESCRIPTION	DATE	DRAWN
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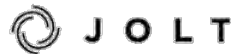
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PLAN VIEW			
RICHMOND STREET STRATHFIELD			
DATE	SCALE	SITE NO.	REVISION
15/5/21	1:100	8029	C



MAIN STREET:	RICHMOND TAVISTOCK 3
CROSS STREET:	ARTHUR STREET
OUTSIDE/OPP:	19 RICHMOND ROAD
SUBURB:	STRATHFIELD
KNOWN AS:	RICHMOND TAVISTOCK 3



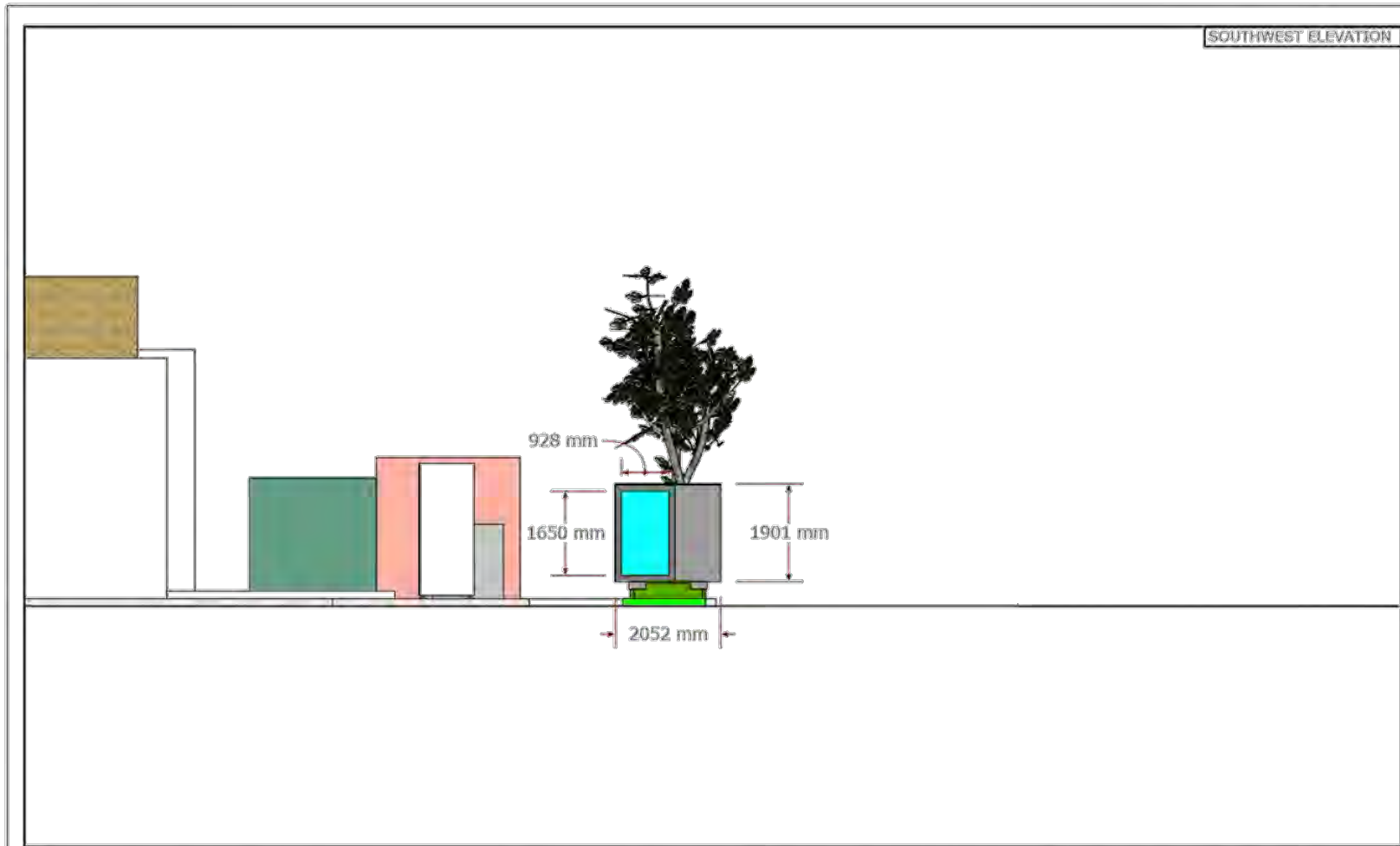
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1/1/1, 1/1/2018 1/1/1/2018 1/1/1/2018 1/1/1/2018

SOUTHEAST ELEVATION			
RICHMOND STREET STRATHFIELD			
DATE	SCALE	SITE NO.	REVISION
13/5/21	1:100	SD29	C



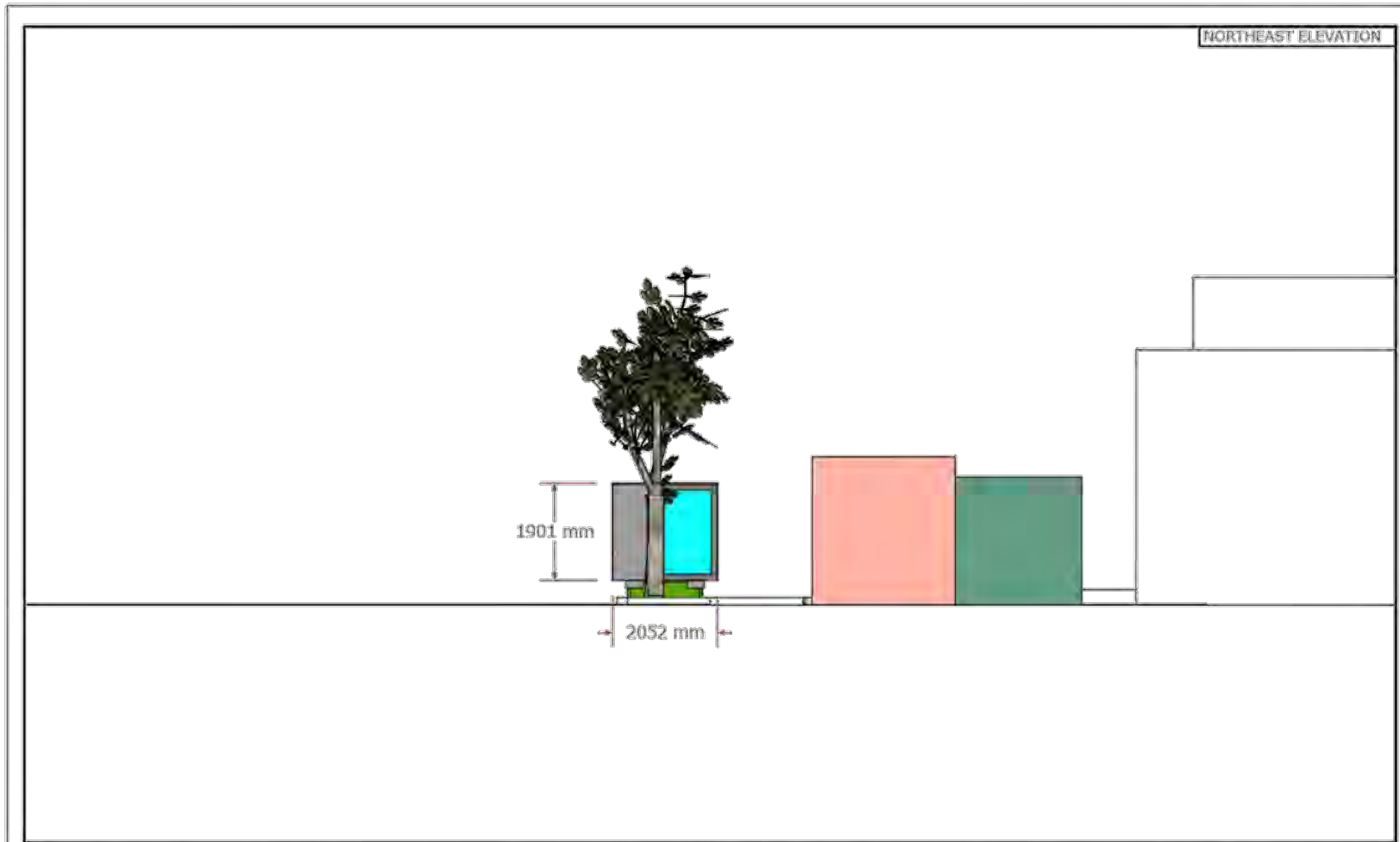


MAIN STREET:	RICHMOND TAVISTOCK 3
CROSS STREET:	ARTHUR STREET
OUTSIDE/OPP:	19 RICHMOND ROAD
SUBURB:	STRATHFIELD
KNOWN AS:	RICHMOND TAVISTOCK 3

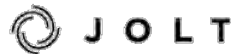


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C	COUNCIL REF	9/6/21	JS	

SOUTHWEST ELEVATION			
RICHMOND STREET STRATHFIELD			
DATE	SCALE	SITE NO.	REVISION
13/5/21	1:100	SD29	C



MAIN STREET:	RICHMOND TAVISTOCK 3
CROSS STREET:	ARTHUR STREET
OUTSIDE/OPP:	19 RICHMOND ROAD
SUBURB:	STRATHFIELD
KNOWN AS:	RICHMOND TAVISTOCK 3



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C	COUNCIL REF	8/6/21	JS	

NORTHEAST ELEVATION			
RICHMOND STREET STRATHFIELD			
DATE	SCALE	SITE NO.	REVISION
18/6/21	1:100	SS29	C



MAIN STREET:	RICHMOND TAVISTOCK 3
CROSS STREET:	ARTHUR STREET
OUTSIDE/OPP:	19 RICHMOND ROAD
SUBURB:	STRATHFIELD
KNOWN AS:	RICHMOND TAVISTOCK 3



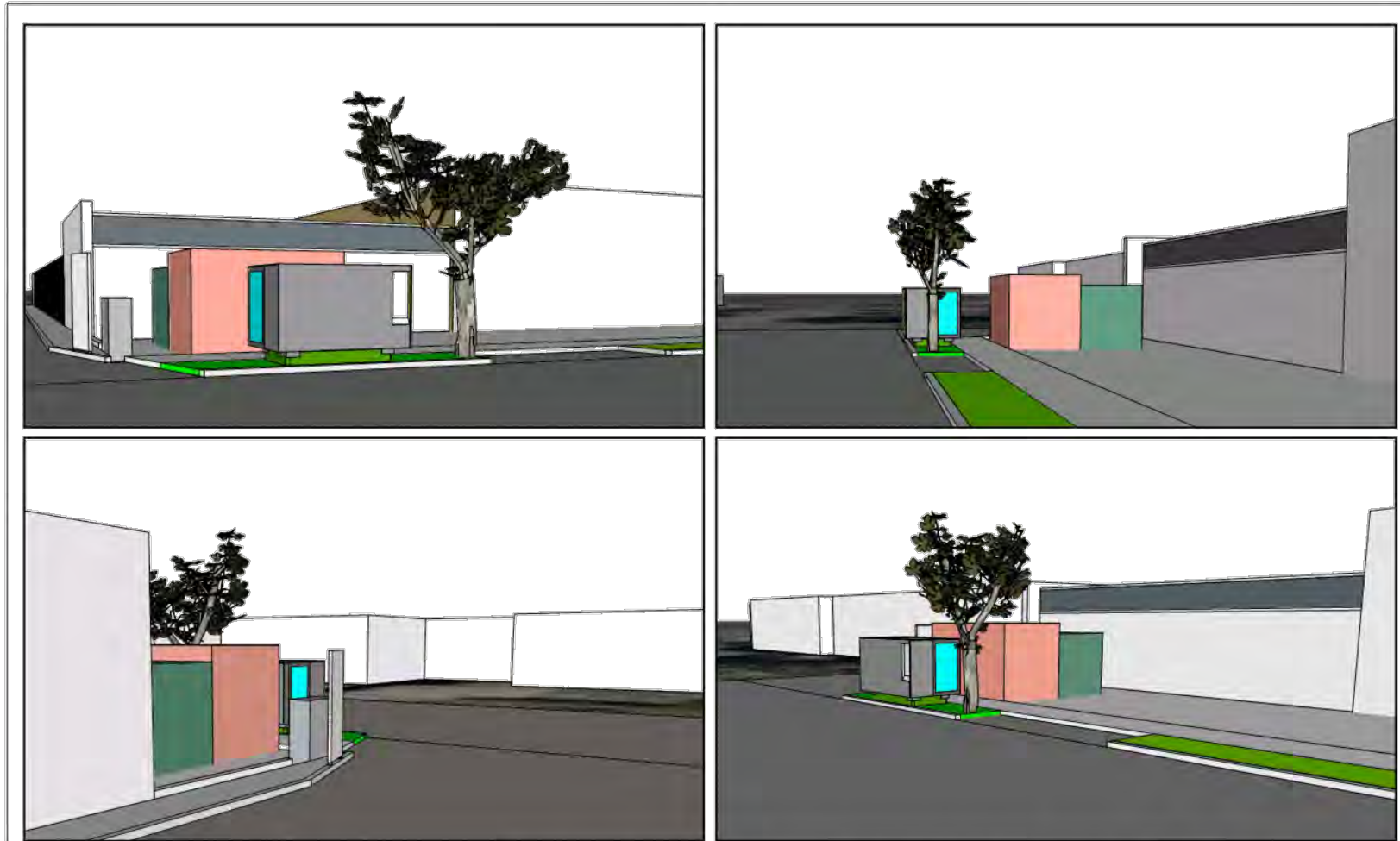
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SITE INFO AND DOOR LOCATIONS			
RICHMOND STREET STRATHFIELD			
DATE	SCALE	SITE NO.	REVISION
15/5/21	1:100	8029	C



MAIN STREET:	RICHMOND TAVISTOCK 3
CROSS STREET:	ARTHUR STREET
OUTSIDE/OPP:	19 RICHMOND ROAD
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RICHMOND STREET STRATHFIELD			
DATE	SCALE	SITE NO.	REVISION
15/5/21	1:100	8029	C

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Sydney NSW 2000



### JUMP EV Charging Station - Maintenance Plan of Management (MPoM)

During the life of the asset, JOLT shall:

- Undertake a routine maintenance visit to clean all visible of all Electric Vehicle Chargers and Additional Structure, in accordance with and using recommended cleaning products from the manufacturer of the Electric Vehicle Chargers and Additional Structures;
- Hold the necessary materials to replace all branding and customer service signage that is unable to be cleaned or is no longer fit for purpose at the routine maintenance visit;
- Undertake the routine maintenance visit in a manner that does not interfere with services to the public or introduce an unacceptable environment risk or safety risk to the public;
- Remove graffiti from all visible faces of the Electric Vehicle Chargers and additional structures;
- Make safe the Electric Vehicle Charger and Additional Structure site within agreed timeframe of notification in the event of the Electric Vehicle Charger and Additional Structure site becoming a safety risk to the public because of structural damage, including glass breakage. Electric Vehicle Charger and Additional Structure shall be completely repaired within agreed additional timeframe;
- Repair defects to the Electric Vehicle Charger and Additional Structure that do not create a safety risk to the public (excluding graffiti) at the next scheduled routine maintenance visit;
- Immediately notify the Council of any urgent maintenance activities undertaken that are not routine in nature.

### Customer Experience and Information

During the life of the asset, JOLT shall:

- Provide 24/7 communication channels for users, including a clearly advertised telephone number on their website, app and devices. JOLT must have a complaint handling process addressing the manner in which it will respond to queries and complaints, which shall be made available for inspection upon request by the Council.
- Make available to users of the Electric Vehicle Chargers the terms and conditions of use of which promote responsible and legal use, public safety and good behaviour.

### Incident reporting

During the life of the asset, JOLT shall:

- Notify and provide reports on any known incidents and injuries resulting in hospitalisation or paramedic attendance of a user or third party.

### Screen Maintenance

JOLT's electric vehicle charging infrastructure features LG-MRI BoldVu® LED screens. LG-MRI specify a comprehensive framework to operate and maintain the screens throughout the life of the asset. These include:

- Air Intake area of the BoldVu® Product must be kept free of debris and any matter that blocks air flow into the BoldVu® Product.
- The BoldVu® Product should remain powered during exterior maintenance of the BoldVu® Product
- BoldVu® Product Vandal Glass should be cleaned with a foaming cleaner approved for glass.

Commercial In Confidence

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Move Freely.

1



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Sydney NSW 2000



- Painted surfaces of the BoldVu® Product should be cleaned with a BoldVu® Product approved for use on painted metal surfaces
- While not recommended, if a Pressure Washer is utilized for cleaning the exterior of the BoldVu® Product:
  - Water should not be aimed into or around the Heat Exchanger/Open Loop Fan Cavity.
  - Chlorinated Water must not be used when cleaning the Exterior of the BoldVu® Product.

#### **LG-MRI BoldVu® Product Features**

JOLT utilises LG-MRI BoldVu® products within each JUMP EV Charging Unit. This product includes a range of mechanical, optical and operational design features which optimise the long-term performance and safety of the asset. These enhancements include:

#### **Mechanical Design**

##### ***CoolVu® | Thermal Management***

- Multi-patented, dual-loop thermal management system that keeps electronics and optics sealed from exposure to ambient air and contaminants • Inseparably integrated into the mechanical architecture of the display
- Ensures full performance in ambient environments of temperatures between -40°C~50°C (-40°F~122°F)
- No air filters, no resulting periodic maintenance; preventative maintenance per Operations Manual is recommended

##### ***ToughVu® | Outdoor Proofing***

- Multi-layered, laminated cover glass with high transmission and vandal resistance
- Anti-Reflective (AR) treatment on both sides of glass minimizes mirror and haze reflection
- Designed and/or certified to IP66 standard
- No additional vandal-proofing or environmental enclosure necessary

##### ***ReadyVu™ | Internal Integration***

- Capacity inside display chassis to house, power, and cool peripheral devices
- Easy peripheral integration grants ability to ship as a turnkey solution with pre-configured media player and connectivity device, which may include:
- OS license and Content Management Software (by others)
- IP address configuration with end-to-end communications established to customer Network Operations Center

##### ***SAM® | Service Access Module***

- Modular design allows for in-field replacement of individual components (i.e. power supply, fan)
- Perform on-site service without removing the display from the installed position

##### ***EcoVu® | Environmentally Conscious Design***

- No CFCs or freon, no mercury in LED backlight
- No use of materials that require scheduled replacement - no waste • Long system life for increased sustainability
- Power efficient design

#### **Optical Design**

##### ***BrightVu® | Enduring Luminance***

- Maintains specified luminance for 10 years, without fading over time
- Includes interface / controller modules and multiple temperature sensors

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2

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Sydney NSW 2000



- Auto-brightness adjustment based on GeoVu™ embedded firmware

#### **BestVu® | Image Optimization**

- Ensures optimum image quality in all lighting conditions (full sun, cloud coverage, dusk, night, etc.)
- Correction and dynamic adjustments of black level, gamma values, and backlight luminance
- Tied to GeoVu™ for region / location

#### **LifeVu® | Future Proofing**

- 10-year product life (2x industry standard)
- Modular architecture allows for upgrades of core components and integrated peripherals as new technology comes to market

#### **PolrVu™ | Polarized Glasses Visible**

- Ensures complete image visibility without visual obstructions when viewed through polarized sunglasses
- Ensures picture clarity when viewed from oblique angles

#### **Operational Enhancement**

##### **DynamicVu® | Block Dimming**

- Autonomous, dynamic block dimming of LED backlight
- Improves colour saturation and contrast
- Reduces backlight power consumption and heat generation, extends backlight life

##### **GeoVu™, WeatherVu™ | Location-Based Optimization**

- GPS location and weather data algorithm used to modify BestVu™ parameters
- Uses historical and real-time data to modify decision parameters (weather, time of day, sun position, etc.)
- Eliminates false readings by physical light sensors that may see shadows from nearby objects (trees, buildings, vehicles, etc.)

##### **AmpVu®, VoltVu®, WattVu® | Energy Monitoring**

- Monitors line current, voltage, and wattage to report power consumption
- Dynamically sheds power load to prevent tripped circuit breakers when available power fluctuates
- Remote Management

##### **SureVu® | Video Verification**

- Real-time hardware monitoring of every video frame to ensure:
  - The image is changing (not stalled)
  - The video is not black for longer than a specified duration
  - Video resolution is correct
  - Errant behavior is addressed via configured power cycle on media player

##### **StatusVu® | Data & Diagnostics**

- System reporting of 150+ data / operational parameters accessible via secure web interface, including:
  - IP connectivity status
  - Backlight luminance (desired vs. actual)
  - PCB temperatures

Commercial In Confidence

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3

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Sydney NSW 2000



- 
- Fan speeds
  - Video status
  - Power metrics

**RemoteVu® / Remote Recovery**

- Configurable automatic reboot of media player or modem to restore expected operation
- Remote disk / Image recovery via BIOS-level tools (if enabled on media player)

Proposed digital advertising signage  
on new JUMP Electric Vehicle  
Charging Station  
Statement of Environmental Effects

On behalf of  
Jolt Charge Pty Ltd  
March 2021



## Project Director

Ian Cady

**Director**

## Contributors

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Jack Rixon

## Contact

Mecone NSW Pty Ltd

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Sydney, New South Wales 2000

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## 1 Introduction

This Statement of Environmental Effects (SEE) has been prepared by Mecone for a Development Application (DA) lodged by Jolt Charge Pty Ltd (Jolt).

The proposal relates to the installation of new advertising signage integrated with the installation of a new JUMP Electric Vehicle (EV) charging station located on existing Ausgrid kiosk substation in Homebush West, within Strathfield local government area (LGA).

Under Clause 41(2)(b) of *State Environmental Planning Policy (Infrastructure) 2007* (I-SEPP), the construction of the JUMP EV Charging Station can be carried out without consent by or on behalf of an electricity supply authority or public authority. As such, the new JUMP charging stations will be separately assessed under Part 5 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and determined by Ausgrid. Further details are set out in Section 4.1.

However, new digital signage is proposed to be integrated as an ancillary component of the JUMP charging station to directly fund the delivery of the EV charging station infrastructure and roll-out of the EV charging network. This is only feasible with the revenue from third-party advertising. While the signage is permissible as an ancillary and integral component of the EV charging station, SEPP 64 requires assessment under Part 4 of the EP&A Act.

Therefore, this development application relates only to the digital signage panels associated with the provision of the new EV charging station, rather than the EV charging station itself.

This SEE undertakes an assessment of the proposed digital signage panels with regard to the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979. Specifically, the SEE includes the following information:

- A description of the proposal in context;
- Illustrations of the proposal;
- Explains and addresses the relevant statutory planning framework;
- Provides an assessment in respect of the statutory plans and policies insofar as relevant, including:
  - State Environmental Planning Policy No. 64 - Signage and Advertising (SEPP 64);
  - Transport Corridor Outdoor Advertising and Signage Guidelines;
  - Strathfield Local Environmental Plan 2012; and
  - Strathfield Consolidated Development Control Plan 2005
- Assessment of potential environmental impacts and identification of any appropriate mitigation measures.

The SEE is supported by the following documents which are provided separately:



- **Appendix 1:** Site Location Master Matrix Table
- **Appendix 2:** Architectural Plans and Specifications
- **Appendix 3:** Strathfield Consolidated DCP 2005 Compliance Table
- **Appendix 4:** Cost Summary Report
- **Appendix 5:** Maintenance Plan of Management

The cost of works related to digital signage structure has been estimated to be **\$26,510** (inc. GST), as per the Cost Summary Report appended to this SEE.

#### **Background to the application**

At present the coverage of publicly available EV charging stations in and around the Sydney region is limited. As ownership of EVs increases, the need for owners to charge their vehicles as part of a journey or whilst parked will also increase.

The benefits of EVs in terms of reduced usage of fossil fuels and low or zero emissions travel are well-established. The resulting benefit to air quality, for the environment and for health – particularly in congested areas and corridors – is a significant positive aspect of the growing shift to EVs.

Jolt has entered into an agreement with Ausgrid to install and operate the JUMP charging stations on existing Ausgrid substation kiosks within NSW. Figure 1 shows an example of a typical substation kiosk.



**Figure 1** Typical existing Ausgrid transformer kiosk, as the basis for the JUMP charging stations

Source: Mecone

The creation of the JUMP charging stations involves installation of a casing over the kiosk which contains the equipment for the EV charging station, digital signage

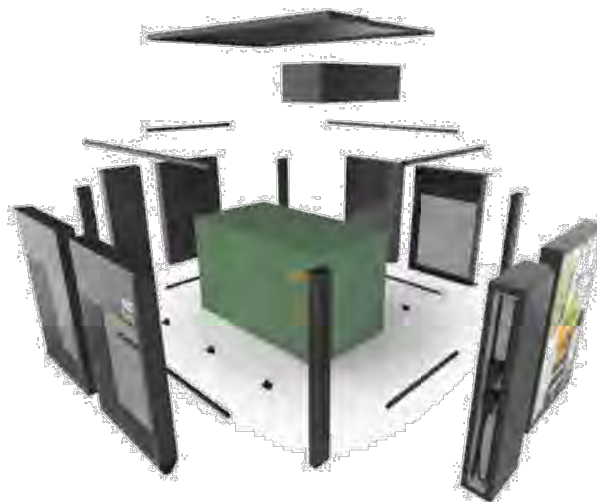


panel(s) and a protective outer surface. Figure 2 and Figure 3 below show the typical design of the JUMP charging station.



**Figure 2** Typical JUMP charging station

Source: Jolt



**Figure 3** Typical JUMP charging station, showing how kiosks are enclosed in the new casing

Source: Jolt

Each JUMP charging station will provide an EV charging station enabling 15 minutes of free charging per day – equivalent to seven kilowatt hours – which could power a typical car for about 45 kilometres.

Included on each casing are two digital signage panels. These have a number of purposes. The signage panels enable identification of the charging station so that drivers of EVs passing it can identify its location when their vehicle needs charging, and also provide some public information and emergency messaging on behalf of Ausgrid. In addition, the signage panels provide the necessary funding required to deliver the EV charging infrastructure to the public. The reliable funding source from the third-party advertisements will ensure Jolt can provide a viable EV charging network in Strathfield and other LGAs which would not otherwise be viable.



1.1 Pre-Development Application Advice

A Pre-Development Application meeting (DA/2021/01) was held with Strathfield Council on 18 February 2021. Various considerations were discussed in the meeting which have been adequately addressed in this SEE.

The Pre-DA Advice letter received from Strathfield Council following the Pre-Development Application meeting identifies that 'advertising structures' are prohibited forms of development within the IN1 General Industrial land use zones. As outlined in section 4.4 of the SEE, it is recognised that advertising structures are in fact permissible as a form of 'signage'. As such, the proposed works are permissible with consent within the IN1 land use zone.

1.2 Proponent and Project Team

The Development Application documents and SEE report have been prepared by Jolt and the project team, as outlined in the table below.

Development Application Documents	
Item	Description
Urban Planning	Mecone
Architectural Plans	Jolt
Cost Summary Report	Jolt



## 2 The Site

### 2.1.1 Site Context

The proposal is located within the general industrial of Homebush West (refer to Table 2 below). A range of industrial uses are present within the area, including a range and variety of signage and advertisements. The site is located within the road reserve to the west of Richmond Road directly in front of 19 Richmond Road, Homebush West.

The site is located in proximity to a number of industrial developments including wholesalers and supply businesses, specialist trade services as well as other industrial uses. The area generally consists of double storey industrial sheds and buildings with landscaping provided within road reserves and on adjacent properties fronting local roads. A variety of signage is evident in the area including business identification signs, pylon signs as well as a third-party billboard adjacent to Centenary Drive.

The site is approximately 630m south west of Flemington Station, and approximately 450m north west of Hudson Park, Strathfield. The nearest residential dwelling is 100 east of the site on Centenary Drive and unlikely to have clear line of site to the proposal given the existing built structures between the residential building and the site.

Asset ID	Known As	Coordinates	Suburb	Nearest Property
8029	Richmond Tavistock No. 3)	33°51'57.8"S, 151°03'52.0"E	Homebush West	19 Richmond Road, Homebush West NSW 2140

## 3 The Proposal

### 3.1 Development Overview

This SEE report relates to a proposal for:

*"The installation of ancillary signage panels associated with an electric vehicle charging station at existing Ausgrid transformer kiosks. Application only relates to signage".*

The proposal relates to the installation of new advertising signage integrated with the installation of a new JUMP Electric Vehicle (EV) charging station located on existing an Ausgrid kiosk substation in Homebush West, within the Strathfield LGA.

Under Clause 41 (2) (b) of I-SEPP, the construction of the JUMP EV charging station can be carried out without consent by or on behalf of an electricity supply authority or public authority. As such, the new JUMP charging station will be separately notified and assessed under Part 5 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and determined by Ausgrid. The changes to the road markings to denote the parking space for charging of EVs is also dealt with separately under the Roads Act 1993.

#### 3.1.1 Digital Signage Panel

The JUMP charging station will include two digital signage panels. These have a number of purposes. The signage panels enable identification of the charging station so that drivers of EVs passing it can identify its location when their vehicle needs charging, and also provide some public information and emergency messaging on behalf of Ausgrid. In addition, the signage panels provide the necessary funding required to deliver the EV charging infrastructure to the public. The reliable funding source from the third-party advertisements will ensure Jolt can provide a viable EV charging network in the Strathfield LGA as well as other LGAs. The digital signage panels are 75 inches in their diagonal dimension (1650mm x 928mm) and will each comprise 14.5% of the outer surface of the JUMP charging station. Figure 4 illustrates the typical signage panels to be located on the JUMP station. Refer to **Appendix 2** for the Architectural Plans for further details.



**Figure 4** Typical Digital Signage panel details on JUMP charging station  
(Source: Jolt)

The proposed digital signage panels on each structure proposed by this DA are state-of-the-art low-energy usage LED screens. The screens can display images at a rate of up to six per minute (a minimum of 10 seconds per image). The images themselves will be static (i.e. no video or moving content). The transition time from one advert image to another is approximately 0.1 seconds.

In accordance with relevant Australian Standard AS 4282 *Control of the Obtrusive Effects of Outdoor Lighting* the screen brightness will be regulated in response to ambient lighting levels and time of day. Lower brightness during lower ambient light periods – e.g. during overcast or poor weather or at night-time enables less energy to be used. The luminance levels will be as specified at Table 6: *Luminance Levels for Digital Advertisements* within the *Transport Corridor Outdoor Advertising and Signage Guidelines, DPIE 2017* (the Guidelines). The table and pages 33-34 of the Guidelines refer to different luminance levels for digital signage in different notional 'zones' in urban areas, (Zones 1-4). The character of the location of the proposed signage in this DA will be most in line with that described as Zone 2. The stated luminance levels are as follows:

Table 3 relevant Signage Screen Luminance Levels (Zone 2)	
Lighting Condition	Cd/sqm
Direct sun on face of panel	Not limited
Day time	6,000
Morning and evening, twilight and inclement weather	700
Night time	350

Each digital panel conforms to the luminance levels through the provision of two features called GeoVu and WeatherVu, which provide location-based screen optimisation, including:



- GPS location and weather data algorithm used to modify luminance parameters;
- Uses historical and real-time data to modify decision parameters (weather, time of day, sun position, etc).
- Eliminates false readings by physical light sensors that may see shadows from nearby objects (trees, buildings, vehicles, etc.)

4G connectivity enables the signage to be monitored remotely and checks undertaken to verify that the parameters set are being met. Remote diagnostics can also trigger alerts to problems or outputs outside the set parameters so these can be resolved, or the screen temporarily turned to a black display pending maintenance or repair.

#### **Maintenance and Cleaning**

The signage screens will benefit from routine checks, maintenance and cleaning in accordance with a Plan of Management. In addition, should any damage or vandalism be identified or notified, target response times are intended to be met to address these in priority order. A maintenance plan of management is included in **Appendix 5** of this SEE.





## 4 Planning Assessment

This SEE includes an assessment of the proposed works in terms of the relevant matters for consideration as listed under Section 4.15 of the Environmental Planning and Assessment Act 1979 and should be read in conjunction with information annexed to this report, as outlined in the Table of Contents.

Mecone has undertaken an overarching assessment of the scope of works for the proposed digital signage panels against the relevant planning and environmental legislation and guidelines to identify potential environmental impacts and any appropriate mitigation measures.

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

Clause 41 (Part 3, Division 5, Subdivision 1) of *State Environmental Planning Policy (Infrastructure) 2007* (I-SEPP) enables the development for the purpose of an *electricity transmission or distribution network* which may be carried out by or on behalf of an electricity supply authority or public authority without consent on any land.

Clause 41 (2) of ISEPP states:

*In this clause, a reference to development for the purpose of an electricity transmission or distribution network includes a reference to development for any of the following purposes if the development is in connection with such a network—*

...

*(d) establishment of a new substation or an increase in the area of existing substation yards or the **installation of equipment, plant or structures in existing substation yards or substation buildings,***

...

Substations are defined by Ausgrid network standards as “an assemblage of equipment at one place, including any necessary housing, for the conversion or transformation of electrical energy and for connection between two or more circuits”.

The JUMP charging station is recognised as part of the substation kiosk and are therefore permitted without consent. An environmental assessment for the JUMP charging station will be carried out under Part 5 of the EP&A Act and determined by Ausgrid, as an electricity supply authority. As such, the JUMP charging station component is not relevant to be assessed as part of this DA.

The signage component is necessary to enable users to identify the EV charging station. It is also necessary in providing the direct funding needed to deliver the EV charging infrastructure network to the public. The new JUMP charging station is only viable through the reliable revenue source generated from the third-party advertising. Therefore, in this instance the signage/advertising component is ancillary or incidental to the EV charging station. NSW Planning Circular *PS13-001 How to Characterise Development* (the Circular) notes that:



*"An ancillary use is a use that is subordinate or subservient to the dominant purpose. The concept is important when a development involves multiple components on the same land.*

*To put it simply:*

- *if a component serves the dominant purpose, it is ancillary to that dominant purpose".*

The signage is not for an independent purpose and subserves the dominant (EV charging) purpose. Therefore, the EV charging and signage components are not independent elements and can both be installed under I-SEPP and Part 5 of the Act.

Notwithstanding, the signage component nevertheless requires Part 4 assessment under SEPP 64.

## 4.2 State Environmental Planning Policy No. 64 - Signage

SEPP No. 64 – Advertising and Signage (SEPP 64) is the primary planning instrument covering all advertising and signage throughout New South Wales. The relevant clauses are addressed within this section.

### 4.2.1 Clause 3 - Aims and Objectives

The objectives of SEPP 64 are provided below. The proposed digital signage panel component of the proposal is consistent with the objectives, as outlined below:

- *Compatibility with desired amenity and visual character*
  - The proposed site location are located within an Industrial locality and is consistent with the visual character of the existing streetscape. Additionally, the new JUMP charging station and proposed digital signage will shroud the existing substation kiosk which will improve the visual character of the area, since many kiosks are weathered or vandalised.
- *Provision of effective communication in suitable locations*
  - The signage panels have been suitably located on the JUMP charging station and used to enable EV owners to easily identify the location of the JUMP charging stations. The signage panels will also enable the effective communication of advertising including public and emergency messaging without compromising road safety or resulting in unacceptable visual impacts.
- *High quality design and finish*
  - The advert/signage panels will be constructed of high-quality resilient materials, with finishes which are non-reflective, have a long life-span and will be resistant to weathering. A high-resolution digital display will ensure images displayed are clear and legible.
- *Public benefit*
  - The advertisement signage panels are necessary to provide the necessary funding to deliver the EV charging station. Additionally, the

signage will provide public and emergency messaging and enable EV owners to easily identify the JUMP charging stations and access up to 15 minutes of free charging per day.

4.2.2 Clause 10 Prohibited Development

Despite the provisions of the relevant LEP and other EPIs, clause 10 of SEPP 64 stipulates that the display of an advertisement may be prohibited in the following instances:

1. *Despite the provisions of any other environmental planning instrument, the display of an advertisement is prohibited on land that, under an environmental planning instrument, is within any of the following zones or descriptions:*
  - o *environmentally sensitive area*
  - o *heritage area (excluding railway stations)*
  - o *natural or other conservation area*
  - o *open space*
  - o *waterway*
  - o *residential (but not including a mixed residential and business zone, or similar zones)*
  - o *scenic protection area*
  - o *national park*
  - o *nature reserve*

While the proposed digital signage panels in this DA are not located within the zones prohibited by SEPP 64, in any event they are permissible as ancillary to the dominant purpose of EV charging (see Section 4.1).

4.2.3 Schedule 1 Assessment Criteria

An assessment of the proposal against the criteria listed in Schedule 1 of SEPP 64 is provided in the table below:

Table 1 - Schedule 1 Assessment Criteria	
<p><i>(1) Character of the area</i></p> <p>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</p> <p>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</p>	<p><b>Complies</b></p> <p>The proposed digital signage panels are located within an industrial locality which include a number of other industrial developments with various signage types which vary in form and size. The proposed signage is consistent with surrounding development and compatible with the existing and desired character of the area.</p>
<p><i>(2) Special areas</i></p> <p>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space</p>	<p><b>Complies</b></p> <p>The new digital signage panels will not detract from the visual amenity or visual quality of identified special areas. There are no sensitive or heritage areas in the vicinity.</p>



Table 1: Assessment of impacts	
<p>areas, waterways, rural landscapes or residential areas?</p>	
<p>(3) Views and vistas</p> <p>Does the proposal obscure or compromise important views?</p> <p>Does the proposal dominate the skyline and reduce the quality of vistas?</p> <p>Does the proposal respect the viewing rights of other advertisers?</p>	<p><b>Complies</b></p> <p>The proposed signage will not obscure or compromise any important views, nor will it dominate the skyline or quality of vistas.</p> <p>The proposed signage panels will not protrude from the new JUMP station which are to be located on existing Ausgrid kiosk substation, therefore they will respect the viewing rights of other advertisers.</p>
<p>(4) Streetscape, setting or landscaping</p> <p>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</p> <p>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</p> <p>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</p> <p>Does the proposal screen unsightliness?</p> <p>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</p> <p>Does the proposal require ongoing vegetation management?</p>	<p><b>Complies</b></p> <p>The proposed digital signage panels will be integrated as part of the JUMP charging station structure. The proposed scale, proportion and form of the advertising panels are considered consistent with and appropriate to the streetscape.</p> <p>The proposal are considered to contribute positively to the visual interest of the streetscape.</p> <p>The structures are of a clean modern design, will cover the existing substation kiosk (so do not add to visual clutter) and do not protrude above buildings or trees. They will integrate into the public domain by covering on existing structure.</p> <p>The proposed signage will not require any vegetation management.</p>
<p>(5) Site and building</p> <p>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</p> <p>Does the proposal respect important features of the site or building, or both?</p>	<p><b>Complies</b></p> <p>The size, design and materials of proposed signs will be integrated into the new JUMP charging station. The proposal is considered compatible within the public domain and the broader locality and result in a design which will improve the overall appearance of the existing kiosks.</p>





Table 1 - Visual amenity issues	
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	
<p><i>(6) Associated devices and logos</i></p> <p>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</p>	<p><b>Complies</b></p> <p>The proposed signage will be integrated into the new JUMP charging station. Safety and the method and control of illumination have been considered as part of the design.</p> <p>Regular checking, maintenance and cleaning will be conducted.</p>
<p><i>(7) Illumination</i></p> <p>Would illumination result in unacceptable glare?</p> <p>Would illumination affect safety for pedestrians, vehicles or aircraft?</p> <p>Would illumination detract from the amenity of any residence or other form of accommodation?</p> <p>Can the intensity of the illumination be adjusted, if necessary?</p> <p>Is the illumination subject to a curfew?</p>	<p><b>Complies</b></p> <p>As specified in this SEE, the proposed signage will be in accordance with Australian Standard 'Control of the Obtrusive Effects of Outdoor Lighting'. The screen brightness will be regulated in response to ambient lighting levels and time of day. Lower brightness settings will be used during lower ambient light periods and this will manage glare and prevent harm to residential or other amenity.</p> <p>The illumination effects of the signage will not generate an unacceptable level of glare to pedestrian, cyclists and motorists.</p>
<p><i>(8) Safety</i></p> <p>Would the proposal reduce the safety for any public road?</p> <p>Would the proposal reduce the safety for pedestrians or bicyclists?</p> <p>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</p>	<p><b>Complies</b></p> <p>Several studies have been undertaken by the Outdoor Media Association (OMA) into the impacts of advertising, including digital advertising on driver behaviour and safety. No evidence has been identified of a clear link between the provision of digital advertisements and adverse impact on driver and road safety. Refer to further details in Section 5 below.</p> <p>There will be no change to sightlines as a result of the signage; whether for pedestrians, children or others.</p>

The SEPP 64 assessment has shown the proposed works are consistent with the applicable criteria and result in little or no impact on character, streetscape, special areas, safety or the surrounding environment.





### 4.3 Transport Corridor Outdoor Advertising and Signage Guidelines

The *Transport Corridor Outdoor Advertising and Signage Guidelines* ('the Guidelines') outline best practice for the planning and design of outdoor advertisements in transport corridors. A number of clauses within SEPP 64 require that consideration be given to the Guidelines, which are intended to complement the provisions of SEPP 64. The proposed signage panels are located within the road reserve of a local road known as Richmond Road. Section 3.11 above explains that the key provisions of the Guidelines are complied with.

### 4.4 Strathfield Local Environmental Plan 2012

The *Strathfield Local Environmental Plan 2012* (SLEP 2012) is the principal EPI guiding land use within Strathfield LGA. This DA relates only to the provision of digital advertising signage structures ancillary to the dominant EV charging purpose.

Signage is identified as being permitted with consent within the IN1 General Industrial land use zone. Under the SLEP 2012, signage is defined as:

*signage means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following—*

- (a) an advertising structure,
- (b) a building identification sign,
- (c) a business identification sign,

As such, the proposed advertising structure, is permissible with consent within the IN1 land use zone in the Strathfield LEP.

While the proposed structure is located within the IN1 General Industrial land use zone and is a permissible land use, its permissibility in this circumstance derives from the signage panels being ancillary to the dominant purpose of installing EV charging equipment in association with an existing substation forming part of an electricity transmission and distribution network (see section 4.1 of this SEE).

There are no development standards relevant to the proposed development in this case.

### 4.5 Strathfield Consolidated Development Control Plan 2005

The *Strathfield Consolidated Development Control Plan 2005* outlines key controls applicable to advertising structures in the LGA. A DCP compliance assessment is provided in **Appendix 3**. A summary of the key points are provided below.

#### **Part J of Strathfield Consolidated DCP**

##### Schedule 2 - Item 6 Flush Wall Signs

The proposed digital screens will be less than 2.6m above the ground, as they will be integrated within the JUMP station which stands at a height less than 2.3 metres.



Additionally, the proposed signage will be greater than 4.6 times (and 3 times in area) the distance between the lowest part of the sign and the ground. As such, adherence to this control is not possible without raising the signage above the structure which is not an appropriate solution within the locality or for the proposed EV structure itself.

The proposed signage will be integrated within the JUMP charging station and will not extend laterally or above the EV structure.

## 5 Environmental Assessment

### 5.1 Context and setting

Structures containing advertising signage are a common feature of the Strathfield LGA – and wider Sydney area. The proposed signage panels are located within the industrial locality of Homebush West.

The proposed digital signage panels will be integrated within the new JUMP station to be installed on the existing Ausgrid substation kiosks located within existing road reserves in Strathfield and other LGAs.

The proposed signage is considered to be consistent with the context and setting of the area where a variety of signage is already evident within the area.

### 5.2 Bulk and scale

The proposed signage will be integrated within the new JUMP station proposed on existing Ausgrid substation kiosks. The signage will not materially increase the overall bulk and scale of the kiosks and is appropriate in the locality.

### 5.3 Visual Impacts

The digital signage panels will enable the provision of advertising via digital displays. There will be no moving or animated elements to the advertising. As the digital displays cycle through several advertisements, the variety of colour schemes will result in a change in how the structures visually relate to their contexts.

The proposed JUMP station and integrated signage panels will shroud existing substation kiosks which are often viewed by the public as unsightly elements within the streetscape. The new JUMP station and signage panels will be an improvement to visual appearance of the existing kiosk substation at Homebush West. The proposal is also considered to contribute positively to the visual interest of the public domain without compromising existing visual amenity of the streetscape.

The potential of any adverse visual impact resulting from the proposed signage panel can be adequately mitigated or managed through the following means.

Whilst the Proposal is not located within an identified transport corridor under the *Transport Corridor and Signage Guidelines*, the digital signs will be specified and operated in accordance with the *Guidelines for 'Static Electronic Displays (variable Message Signs)'* so that the display *does not* use or contain:

- Flickering or flashing lights;
- Animated displays, video or simulated movements;
- Implied motion such as vertical or horizontal scrolling, fade, dissolve or animation within the message itself;
- The display of a complexity that holds drivers' attentions beyond "glance appreciation";
- Sequencing designed to make a driver anticipate the next message across images presented on a single sign and across a series of signs;

- Any designs that resemble traffic signs or signals by the use of colour, shape or words that can be interpreted as giving instruction to traffic; and,
- Any image or illumination that distracts or dazzles.

Furthermore:

- The display is to have a minimum dwell time of 10 seconds;
- The transition time between messages is to be no longer than 0.1 seconds, with a default black image in the event of image or screen failure;
- The display will adjust the screen brightness relative to daylight and twilight hour conditions;
- Luminosity and dwell times can be controlled or amended electronically;
- The visible light reflectivity from materials used on the structure will not exceed 20% and will be otherwise designed so as not to result in glare that causes discomfort or threatens safety of pedestrians or drivers.

The above are considered appropriate management and mitigation measures with regard to the potential visual impacts associated with the proposed signage and its operation.

#### 5.4 Illumination

The proposed digital signage will operate 24 hours a day. As such, the level of illumination and potential impacts on adjoining properties, drivers, cyclists and pedestrians is considered.

It is proposed that, in keeping with *Transport Corridor Advertising and Signage Guidelines*, the signage will:

- Ensure appropriate luminance levels;
- Have a minimum dwell time of 10 seconds; and,
- Not display a sign that would dazzle or distract drivers or contain flickering, animated or flashing displays.

Further, glare impacts on adjacent properties and users is to be minimised through appropriate design, external finishes and operation of the display so that:

- The visible light reflectivity from materials used will not exceed 20%. It will be designed so as not to result in glare that causes discomfort or threatens safety of pedestrians or drivers;
- At no time will the intensity, period of intermittency and hours of illumination of the signs cause objectionable glare or injury to the amenity of the neighbourhood; and,
- The screen is to have a default black display when the signage is off or malfunctioning.

The above are appropriate management and mitigation measures with regard to the potential illumination impacts associated with the proposed digital signage panels installed as part of the EV charging station.

#### 5.5 Road Safety

As the digital displays cycle through several images, it is appropriate to consider further the potential for pedestrian and driver distraction.



Several studies have been undertaken by the Outdoor Media Association (OMA) into the impacts of advertising, including digital advertising on driver behaviour and safety. The following provides a high level summary of the studies' findings.

- In exploring the relationship between drivers' viewing behaviour towards outdoor advertising signs and their subsequent driving performance, a 2015 study of Brisbane drivers<sup>1</sup> found that:
  - Drivers maintain their eyes on the road 78–79% of the time, regardless of what signage is present;
  - 99% of fixations at advertising signs last less than 750 milliseconds, the minimum time needed by a driver to perceive and react to an unexpected event;
  - There was no significant difference in the fixation duration between third party and on-premise signage;
  - There was no significant difference in the fixation durations on digital and static signage; and
  - There was evidence that drivers will look for longer at signage in road conditions that required less attentional demands – for example while the vehicle was stationary.
- Replicating a world-first study in 2017 in Western Australia, in 2018 OMA<sup>2</sup> investigated the behaviour of Brisbane drivers in the presence of two digital billboards at complex intersections in Queensland. The study found that:
  - Lane drift either improved or was unaffected by the presence of billboards;
  - Stopping over the line improved at five of the six dwell time-site combinations;
  - There were no incidents (crashes or red light running).

Despite no evidence of a clear link between the provision of digital advertisement and adverse impact on driver and road safety – and in keeping with *Transport Corridor Advertising and Signage Guidelines*, each proposed digital sign is to be specified and operated as per the measures specified under Visual Impacts above.

In addition:

- The proposed digital signage panels will be integrated into the new JUMP charging station and will not change any sightlines or increase obstruction to driver's, pedestrians' or cyclists' views of the road;
- Each display is to have a minimum dwell time of 10 seconds per image;
- The transition time between messages is to be no longer than 0.1 secs, with a default black image in the event of image failure.

<sup>1</sup> <https://www.oma.org.au/resources/driver-behaviour-peer-reviewed-paper>

<sup>2</sup> See <https://www.oma.org.au/road-safety-research>



Overall, there is no evidence to indicate there will be any harm or additional risks caused to road safety from the signage proposal.

### 5.6 Waste

As the signage of the proposed signage panels is to be digital in nature, no waste will be generated as a result in their operation. It therefore compares favourably to many existing paper-based street furniture signs, which are replaced at frequent intervals – generating significant cumulative paper waste.

### 5.7 Construction Management

The proposed signage panels will be installed in accordance with the relevant Australian Standards. It is not expected that the construction will require a detailed construction management plan, rather it will be guided by good practice and effective management. Measures will be undertaken to minimise the extent and duration of any disruption or obstruction arising from the works to install the integrated signage.

### 5.8 Site Suitability

The proposal is suitable for the site location and will not result in any unacceptable impacts or detrimental effects. The proposed signage will be integrated into new JUMP station on existing Ausgrid kiosk substation and will provide attractive, modern and efficient electronic format signage.

In summary, suitability of the site is as follows:

- The proposal will be integrated as part of the new JUMP station which will result in an improved visual appearance to the existing kiosk substation;
- The proposed new JUMP station and signage panels are contemporary and well-designed, that does not dominate the streetscape or negatively affect the character of the area where it is located;
- The proposal will not impact or inhibit publicly accessible space, pedestrian movement paths, circulation areas or cause any traffic safety impacts; and
- The proposal have no harmful impacts on the natural and built environment, or any negative social or economic impacts on the locality.

### 5.9 Social and Economic Impact

The proposed signage panels are a required element of the new JUMP station which will provide the necessary funding to deliver the EV charging station. Without third-party advertisement on the JUMP stations, the new JUMP stations would not be viable for Jolt to deliver an EV charging network to motorists in the Strathfield LGA. Additionally, EV owners will be able to charge their EVs for up to 15 minutes of free charging per day – equivalent to seven kilowatt hours – which could power a typical car for about 45 kilometres.

The proposed signage panels are important to allow EV vehicle owners to easily identify the location of the JUMP stations. Additionally, the signage panels will provide some public and emergency messaging which will ensure the community are kept up to date with important community and emergency messaging via Ausgrid.



There are therefore a number of strong public benefits arising from the proposal and no identified negative social or economic impacts.



## 6 Section 4.15 Compliance

The table below provides a summary assessment of the development application in respect of all relevant provisions under Section 4.15 of the Act.

Clause No	Clause	Assessment
(1)	Matters for consideration—general In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:	
(a)(i)	The provision of: Any environmental planning instrument, and	This SEE has assessed the proposed application against the relevant planning instruments, and it has been found that the proposal is compliant with relevant controls.
(ii)	Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	Not applicable, there are no known draft environmental planning instruments of relevance for the subject application.
(iii)	Any development control plan, and	An assessment against the provisions of the Strathfield Development Control Plan 2005 has been provided as part of this application.
(iii)a)	Any planning agreement that has been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4, and	Not applicable.
(iv)	The regulations (to the extent that they prescribe matters for the purposes of this paragraph), and	The proposed DA is consistent with the regulations applying to DAs of this type of development.
(v)	Any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which	The proposed signage panels will not give rise to no issues of concern related to any coastal zone management plan.

Strathfield Local Planning Panel Meeting		
Clause No	Clause	Assessment
	the development application relates,	
(b)	The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	The likely environmental, social and economic impacts of the development have been discussed throughout this SEE and have been shown to be acceptable.
(c)	The suitability of the site for the development,	The application is generally consistent with the relevant SEPP, Guidelines and DCP controls and no unacceptable adverse environmental impacts have been identified which make the site unsuitable for the development. The integrated signage is necessary for the operation of new JUMP stations.
(d)	Any submissions made in accordance with this Act or the regulations,	This is a matter to be addressed following the notification of the application.
(e)	The public interest.	<p>The proposal is in the public interest as:</p> <ul style="list-style-type: none"> <li>• It is consistent with the relevant environmental planning instruments;</li> <li>• The environmental impacts have been considered and have been found to be acceptable or negligible;</li> <li>• Third party advertising on the signage panels is necessary to fund the delivery of the EV charging infrastructure for the public;</li> <li>• The signage will enable EV motorists to easily identify JUMP stations; and</li> <li>• The signage panels will display some public and emergency messaging.</li> </ul>



## 7 Conclusion

This SEE is prepared by Mecone on behalf of Jolt in respect of a DA for digital signage panels ancillary to the installation of EV charging equipment on existing Ausgrid substation kiosk. The proposed signage will be integrated within the new JUMP EV charging station and is necessary to fund the delivery of the EV charging station.

The proposed digital signage will enable EV vehicle owners to easily identify the location of the JUMP station, as well as displaying important community and emergency messaging on behalf of Ausgrid. Third-party advertisement will also be displayed on the proposed signage panels. Without third-party advertisements on the JUMP stations, the EV charging infrastructure network would not be viable for Jolt to deliver to EV motorists in the Strathfield LGA.

An assessment of the proposal has been carried out in terms of the relevant matters for consideration as listed under Section 4.15 of the Environmental Planning and Assessment Act 1979.

The assessment shows the proposal is generally consistent with the requirements of the relevant State Environmental Planning Policies (including SEPP 64), the relevant land use zone objectives in the SLEP 2012 and relevant details set out in the Strathfield Consolidated DCP 2005.

The proposal is in the public interest:

- It is consistent with the relevant environmental planning instruments;
- The environmental impacts have been considered and have been found to be acceptable or negligible;
- The proposed signage is consistent with the context of the industrial locality;
- Third party advertising on the signage panels is necessary to fund the delivery of the EV charging infrastructure network for the public; and
- The signage will enable EV motorists to easily identify the JUMP station;

Overall, the proposal is consistent with the relevant statutory framework and the environmental impacts have been considered. It is therefore concluded that the proposed development is in the public interest, and it is requested that this DA be approved.





**TO:** Strathfield Local Planning Panel Meeting - 5 August 2021  
**REPORT:** SLPP – Report No. 25  
**SUBJECT:** DA2021/116 - 6 TORRINGTON ROAD, STRATHFIELD - LOT A1 DP 368736  
**DA NO.** DA2021/116

## SUMMARY

<b>Proposal:</b>	Increase capacity of an approved child care centre by an additional thirteen (13) children - from thirty-five (35) to forty-eight (48).
<b>Applicant:</b>	Selim Sheriff
<b>Owner:</b>	Selim Sheriff
<b>Date of lodgement:</b>	21 May 2021
<b>Notification period:</b>	28 May to 11 June 2021
<b>Submissions received:</b>	Fifteen (15) submissions including six (6) letters of support, eight (8) objections and a single objection petition with twenty (20) signatories.
<b>Assessment officer:</b>	M Rivera
<b>Estimated cost of works:</b>	\$0
<b>Zoning:</b>	R2 – Low Density Residential zone – SLEP 2012
<b>Heritage:</b>	Not a heritage item Not within a heritage conservation area
<b>Flood affected:</b>	No
<b>Is a Clause 4.6 variation proposed?</b>	No
<b>Extent of the variation supported?</b>	N/A
<b>RECOMMENDATION OF OFFICER:</b>	<b>REFUSAL</b>

## EXECUTIVE SUMMARY

On 20 September 2016, Council refused Development Application No 2016/110 for alterations and additions to an existing dwelling house and use as a child care centre for forty-four (44) children.

On 2 August 2017, a Class 1 appeal was upheld by the Land and Environment Court (LEC) for the above development proposal (DA2016/110); however, the number of children was reduced from forty-four (44) to thirty-five (35).

On 21 May 2021, a development application was lodged to Council, which seeks approval for increasing the capacity of the approved child care centre by an additional thirteen (13) children – from thirty-five (35) to forty-eight (48). It is also proposed that the number of staff for the centre is increased from six (6) to nine (9) employees to support the changed capacity. It is noted that the subject application is not seeking any changes to the building or on any other operational aspects of the centre. The centre, which is known as Woodgreen Early Learning Centre, is currently operational.

The application was publicly notified on 28 May 2021, in accordance with Strathfield Council's Community Participation Plan (CPP), with the last date for public submissions being 11 June 2021. A total of fifteen (15) submissions including six (6) letters of support, eight (8) objections and a petition with twenty (20) signatories, were received during this period.

The proposed development fails to comply with a number of the relevant objectives and requirements under the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017, Strathfield Local Environmental 2012 (SLEP 2012) and the Strathfield Consolidated Development Control Plan 2005 (SCDCP 2005) including a lack of unencumbered indoor space and a significant shortfall in required parking necessary to support the proposed intensification, and a departure from the maximum number of children being 30, under Part E of the SCDCP 2005.

The proposed development is considered an overdevelopment of the site and an unacceptable intensification resulting in an undesirable planning outcome for the site and surrounding locality. The proposed increase in children and staff cannot be supported nor facilitated by the current built form, functional areas and operations of the centre. The proposed increased capacity will generate adverse impacts, particularly in relation to traffic, food safety and the amenity of both neighbouring properties and children/staff utilising the facility. The application fails to demonstrate that the proposal can be facilitated in a manner that is able to sufficiently mitigate and manage these impacts and for this reason, the impacts associated with the proposal are not considered acceptable, reasonable or worthy of support.

Accordingly, the application is recommended for refusal.

The subject application has been referred to the Strathfield Local Planning Panel (SLPP) as the application receiving more than three (3) unresolved objections.

## **BACKGROUND**

- |                   |  |
|-------------------|--|
| 20 September 2016 | Council refused development application (DA2016/110), which was seeking approval for alterations and additions to an existing dwelling house and use as a child care centre for forty-four (44) children.  |
| 2 August 2017     | LEC upheld a Class 1 appeal for DA2016/110; however, the number of children was reduced from forty-four (44) to thirty-five (35), following concerns raised by Council during mediation. During LEC proceedings a capacity of thirty-five (35) children was negotiated with the applicant. During the appeal process, Council was conciliatory and accepting of this outcome despite the departure from the maximum number of children requirement under Part E of the SCDCP 2005. |
| 6 May 2019        | An Occupation Certificate (OC17597) for the LEC approved child care centre (DA2016/110) was received by Council.   |
| 19 July 2019      | Council's Internal Development Assessment Panel (IDAP) approved a separate development application (DA2019/69), which was seeking approval for the erection of a flagpole within the front setback (of Torrington Road) to display the Torres Strait Islander flag.  |
| 21 May 2021       | The subject application was lodged to Council. This application is seeking approval for increasing the capacity of the approved child care centre by an additional thirteen (13) children – from thirty-five (35) to forty-eight (48). It is noted that the proposed capacity is greater than the originally proposed capacity of forty-four (44) children (under DA2016/110).   |
| 28 May 2021       | The subject application was publicly notified as per Council's CPP, with the final date for submissions being 11 June 2021. A total of fifteen (15) submissions including six (6) letters of support, eight (8) objections and a single objection petition with twenty (20) signatories, were received during this period.   |
| 28 May 2021       | A site visit was conducted by Council's Assessment Officer.  |

1 July 2021

The applicant was advised by written correspondence that the application cannot be supported due to non-compliant matters including but not limited to a shortfall in parking spaces. These were matters which were believed not possible to be resolved and the applicant was invited to withdraw the application.

**DESCRIPTION OF THE SITE AND LOCALITY**

The subject site is legally described as Lot 1A in DP 368736 and is commonly known as No. 6 Torrington Road, Strathfield (refer to Figure 1). The site benefits from having dual frontages – with the northern boundary facing Torrington Road and its southern boundary facing Woodward Avenue. The site is rectangular in shape and has a frontage of 22.45m, a maximum depth of 50.95m and a total area of 1129.87m<sup>2</sup>.

The site is situated on the southern side of Torrington Road and northern side of Woodward Avenue. The site contains the child care centre (known as Woodgreen Early Learning Centre). The centre has vehicular access off Woodward Avenue.

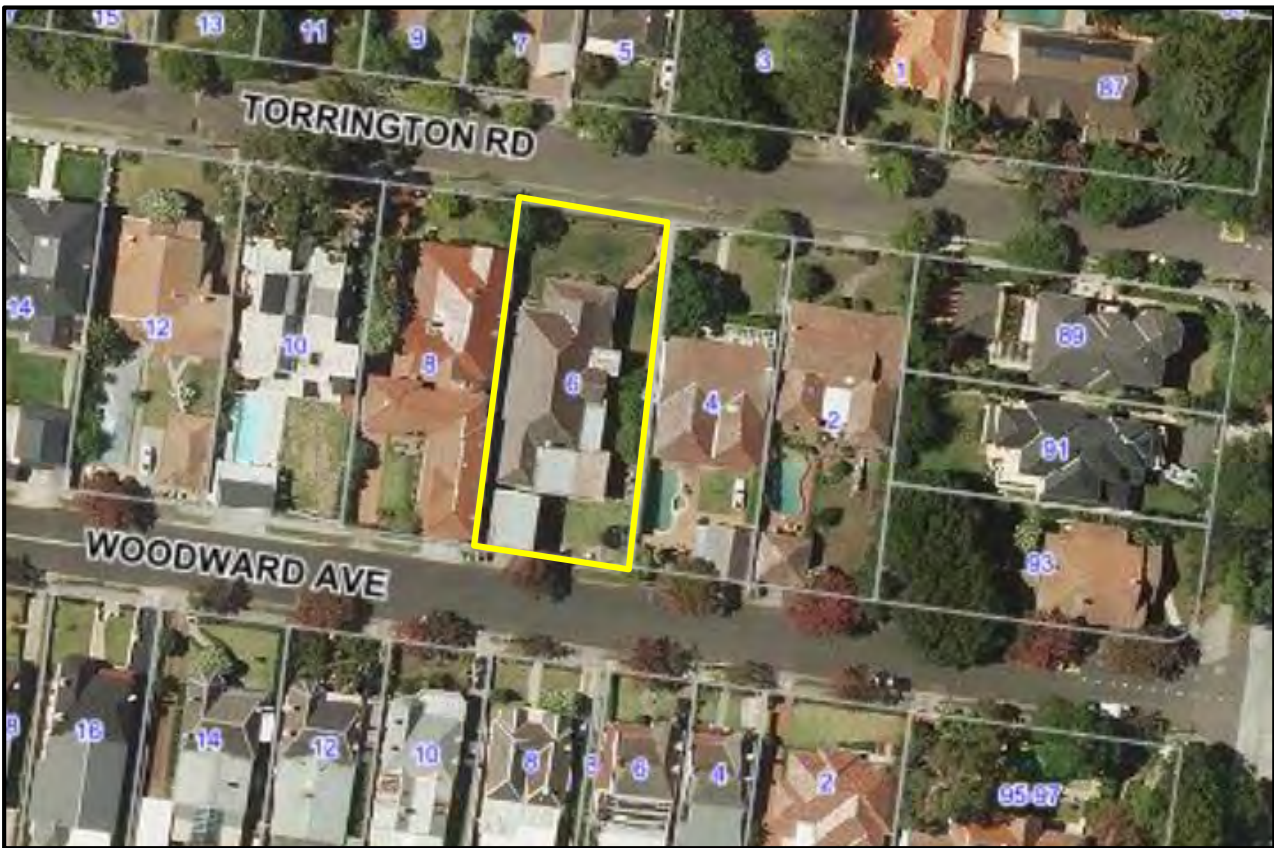


Figure 1: Locality plan showing subject site (outlined in yellow) and surrounding properties





**Figure 2: Road reserve (Woodward Avenue) in front of subject site**

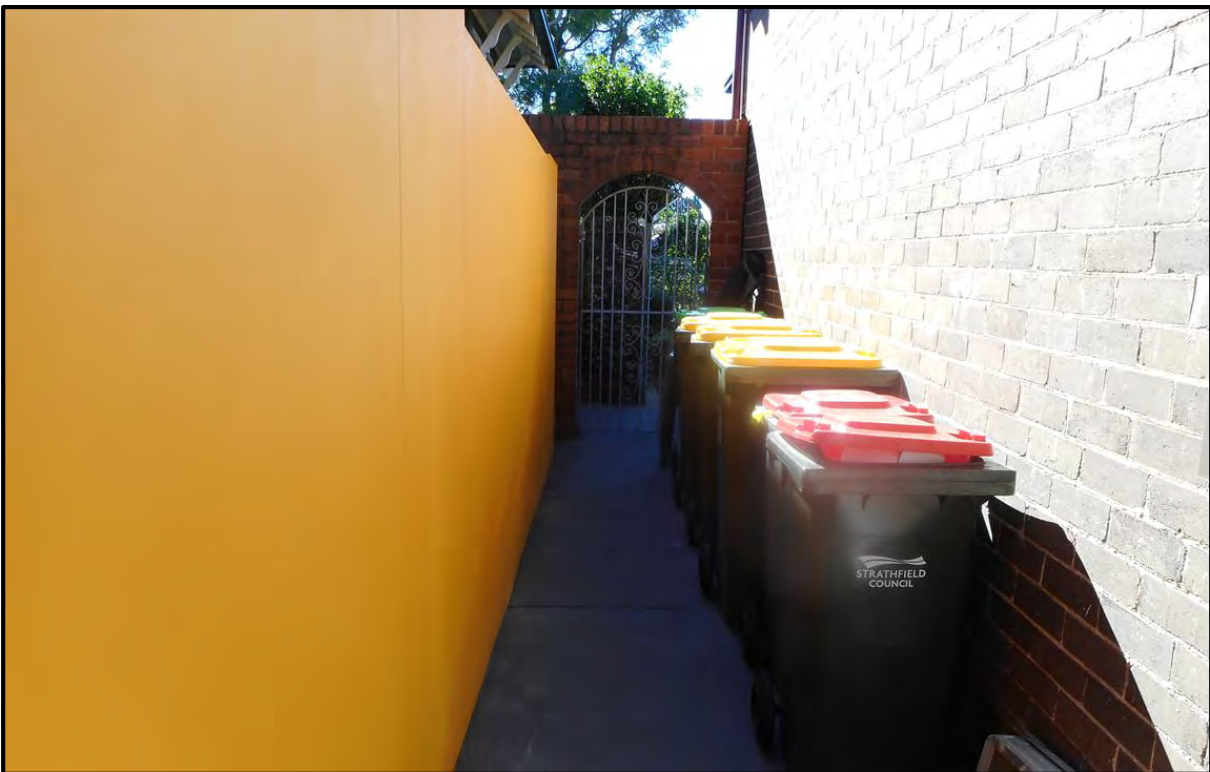


**Figure 3: Existing driveway off Woodward Avenue**





***Figure 4: Existing parking spaces for staff – located on the eastern side of the building***



***Figure 5: Waste storage area – located on western side of building***





**Figure 6: Verandah play area for babies**



**Figure 7: View of active outdoor play area**





**Figure 8: View of active outdoor play area**



**Figure 9: View of passive outdoor play area – located on eastern side of building**

## **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 increasing the capacity of the approved child care centre by an additional thirteen (13) children – from thirty-five (35) to forty-eight (48). In order to



support the amended capacity, it is also proposed that the number of staff for the centre is increased from six (6) to nine (9) employees.

The subject application does not seek changes to the building and any other operational aspects of the child care centre.

Floor plan, compliance area plan and elevations of the LEC approved child care centre (DA2016/110) are shown in Figures 10 to 14.

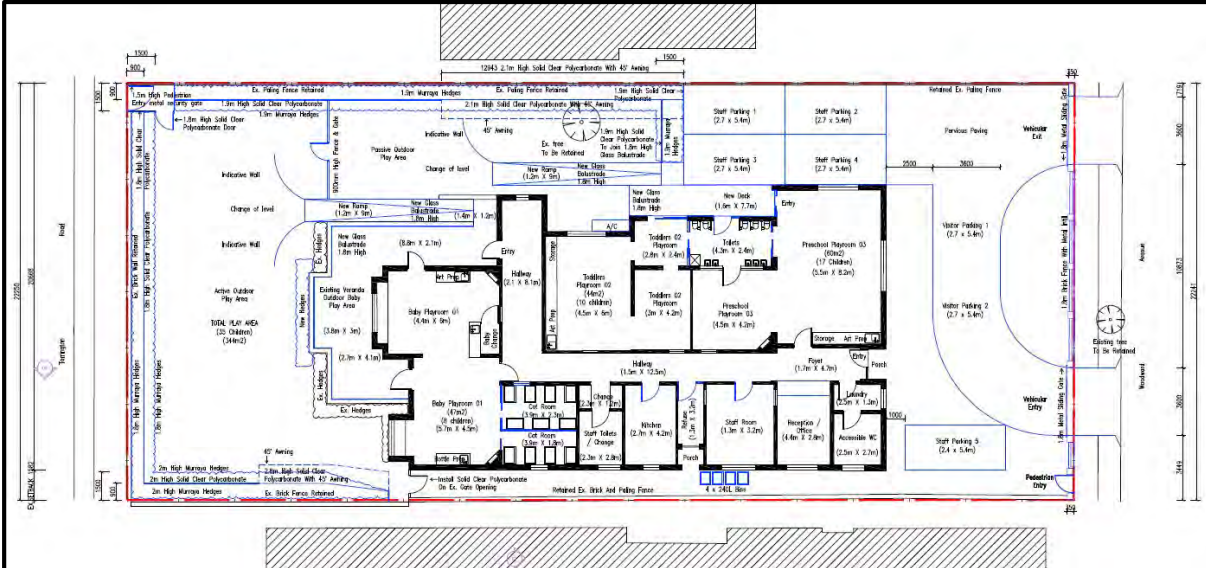


Figure 10: Ground floor plan

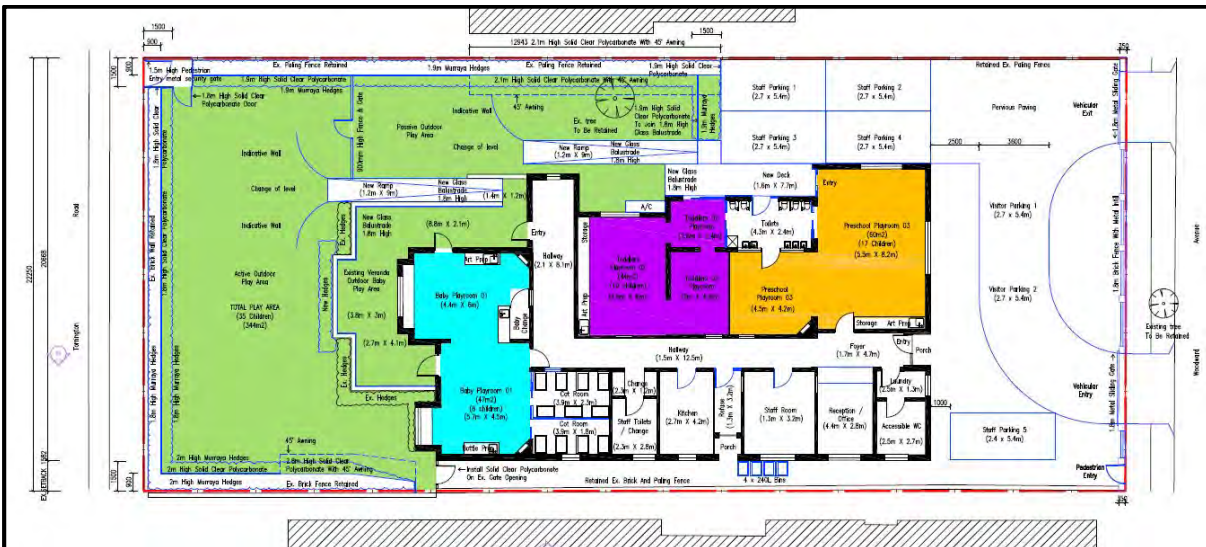


Figure 11: Compliance area plan

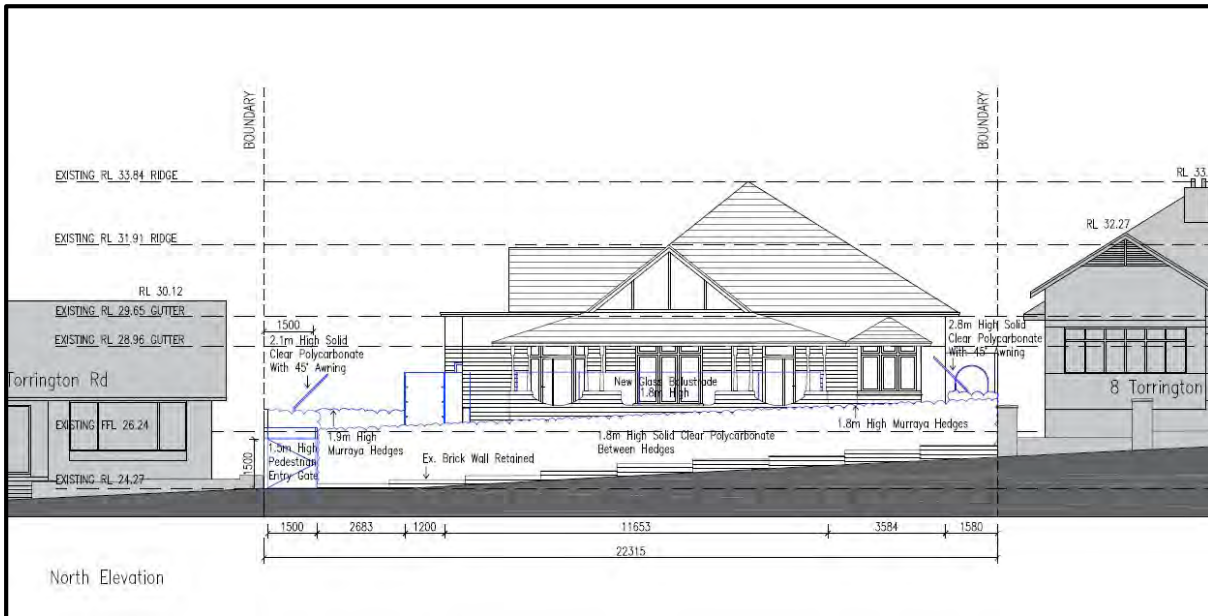


Figure 12: North elevation

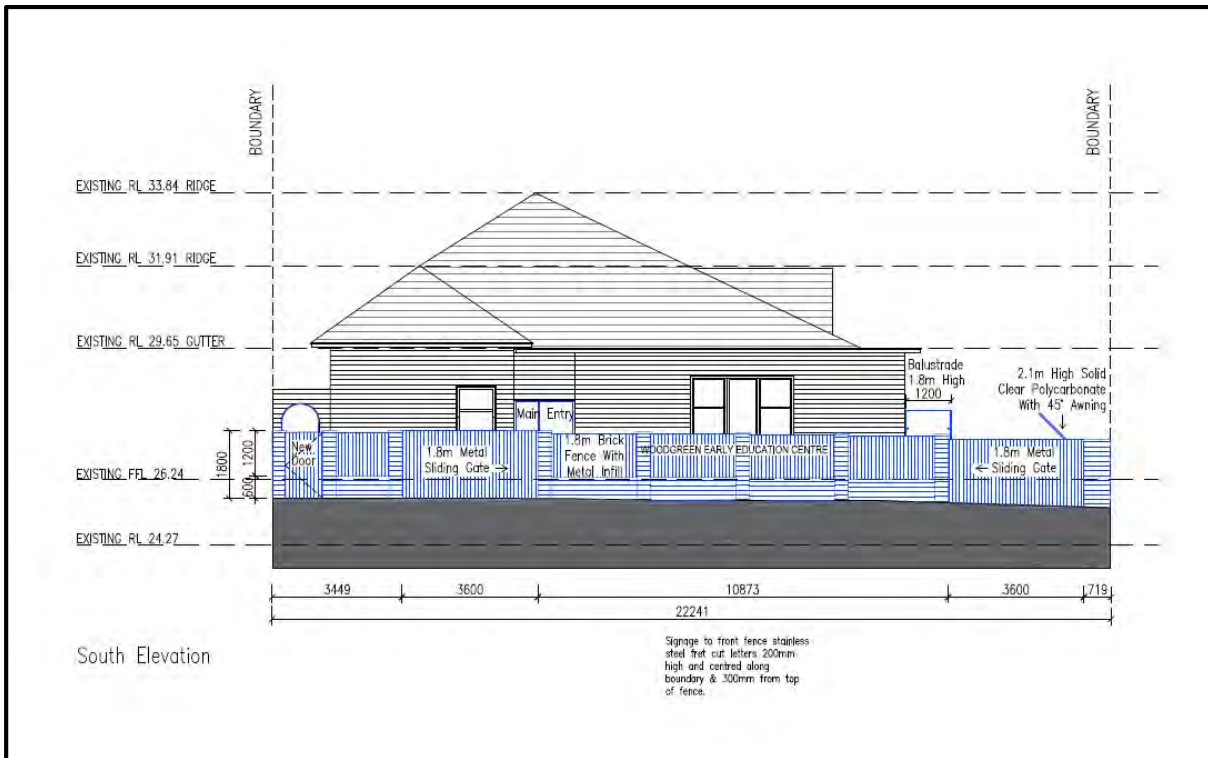


Figure 13: South elevation

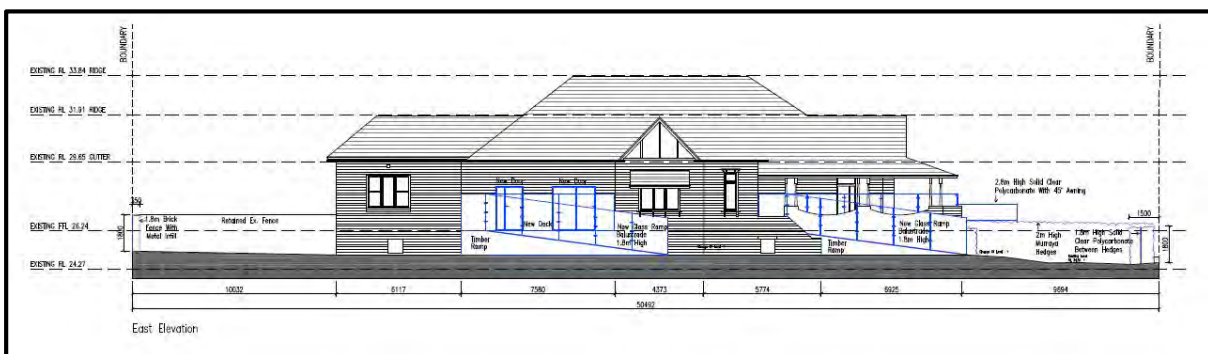


Figure 14: East elevation



## REFERRALS

### INTERNAL REFERRALS

#### Environmental Services Manager Comments

Council's Environmental Services Manager provided the following commentary on the proposal:

*"This site and business is existing and wishes to increase their capacity by 13 children; 35-48 children. The previous consent went through the Land and Environment Court in 2016 for approval.*

*Historical POM's from 2017 in relation to Food and Nutrition Policy discuss the management of providing healthy and nutritional food, specifically "All food prepared by the Centre will be consistent with the Australian Dietary Guidelines", and "Centre cooks will hold a current Food Handlers Certificate and will be competent in basic food handling".*

*However, the Environmental Health Team has not received any application forms to register their business, as a place for retail sale. Previous plans on file, do not show any specific information in relation to the layout of the kitchen. In addition, this current DA, does not show any information on the kitchen layout.*

#### Acoustic Impacts

*An acoustic report was prepared by Day Design PTY LTD and issued 12 May 2021. The site is existing and within a residential area. The site is currently operating under the recommendations listed in The Acoustic Group PTY LTD report dated 30 March 2017.*

*With the proposed increase in capacity, the report states that the outdoor play areas will remain capped at 20 children, which then states that there would be no additional noise impacts from the use of the outdoor play areas.*

*Therefore, the acoustic report has assessed the following;*

- Up to 48 children playing inside,*
- Existing mechanical plant, and*
- Additional road traffic noise.*

*I concur with the acoustic report's conclusion and recommendations.*

#### Kitchen Facilities

*The centre is currently services 35 children, with the proposal of an additional 13 children. For this increase of children, the applicant did not supply any information in relation to the kitchen layout.*

*Contact was made with the applicant to confirm the activities conducted on-site. Emails received from the centre on 22 June 2021 contained the following floor plans below (Figure 2 and 3).*

*The Food Standards Code has strict rules to ensure that the food premises has adequate space for the activities conducted within in it, specifically FSC 3.2.3 Cl 3. The kitchen layout in its current form would just be able to cater for the 35 children currently on-site.*

*The applicant has not addressed/ commented on how the kitchen would be able to cater for the additional 13 children. The facilities on-site for the storage, preparation and cooking of food seem satisfactory for the 35 children. However, adding an extra 13 children, with the potential of an additional 39 meals/ servings to accommodate the additional children; morning tea, lunch and afternoon tea. The kitchen as is, does not demonstrate the capacity to increase the proposed number of children.*

*The layout does not with the Food Standards Code, when accommodating 48 children – an estimated total of 144 meal servings daily.*

### Recommendation

Environmental Services has read the above application and supporting documents. Environmental Services cannot support this DA, due to the lack of demonstration shown in relation to the kitchen. Specifically, FSC 3.2.3 Cl 3. has not been met:

- The applicant has not addressed how the kitchen would be able to cater for the additional 13 children. The facilities on-site for the storage, preparation and cooking of food seem satisfactory for the 35 children. Adding an extra 13 children, with the potential of an additional 39 meals/ servings to accommodate the additional children; morning tea, lunch and afternoon tea, does not demonstrate compliance with the Australian and New Zealand Food Standards Code.
- The layout does not with the Food Standards Code, when accommodating 48 children – an estimated total of 144 meal servings daily.”

Council’s Environmental Services Manager confirmed a continued objection to the proposal due to unresolved matters associated with the operation of the kitchen.

### **Traffic Manager Comments**

Council’s Traffic Manager has commented on the proposal as follows:

#### “On-site parking provision

Council’s DCP - Part E Clause 5.6 stipulates the following on-site parking requirement for Child Care Centres:

- 1 space per employee (stack parking is permitted for staff parking), and
- 1 visitor space per 8 children or part thereof.

The proposed development comprising additional 13 children and 3 staff yields an on-site parking requirement of at least:

- 3 spaces for employees, and
- 2 spaces for visitors (rounded up to the nearest number).

The proposal does not increase on-site parking provision, which will generate a parking shortfall of 5 spaces.

For reference purpose, the RTA Guide to Traffic Generating Developments (GTTGD) stipulates an off-street parking rate of one space for every four children in attendance. The proposal generates a parking requirement of 3 spaces. GTTGD further states that “consideration could be given to reducing the parking required if convenient and safe on-street parking is available (e.g. indented parking bays), provided that the use of such parking does not adversely affect the amenity of the adjacent area.”

It is not supported that the proposed intensification solely relies on the surrounding on-street parking to satisfy the additional parking demand. In particular, the use of the existing kerbside parking should not be encouraged noting the convenience and safety requirements set out by GTTGD. It is evident that the child care centre in the past requested several times to have dedicated 15 minutes on-street parking zone in front of the Torrington Road frontage, in recognition of the inconvenience and safety issues associated with using the surrounding on-street parking.

#### Traffic generation

Applying the traffic generation rates stipulated in the RTA Guide to Traffic Generating Developments (GTTGD), the proposed intensification is estimated to generate the following:

7.00-9.00am	2.30-4.00pm	4.00-6.00pm
10 trips	4 trips	9 trips
5 movements in/5 movements out*	2 movements in/2 movements out*	4 movements in/5 movements out*

\*assume a 50/50 in/out split

*The estimated traffic generation net increase is not anticipated to result in an unacceptable adverse impact to the surrounding road network.*

**Recommendation**

*The proposal is not supported given the following reasons:*

- *The proposal generates a parking shortfall of 5 spaces when assessed against DCP.*
- *The proposed intensification solely relies on the surrounding on-street parking to satisfy the additional parking demand. The use of the existing kerbside parking should not be encouraged noting the convenience and safety requirements set out by GTTGD.*
- *It is evident that the child care centre in the past requested several times to have dedicated 15 minutes on-street parking zone in front of the Torrington Road frontage, in recognition of the inconvenience and safety issues associated with using the surrounding on-street parking.”*

Comment: Council's Traffic Engineer does not support the application in its current form. The application fails to demonstrate that the proposal can be facilitated in a manner that is able to sufficiently mitigate and manage impacts associated with traffic and parking.

**Waste Officer Comments**

Council's Waste Officer provided the following advice with regard to the proposal:

*“Environmental Projects Officer - Waste has read the above application and supporting documents, as well as inspected the site, and recommends evidence of private waste collection by licensed contractor must be provided before approval.”*

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

## **SECTION 4.15 CONSIDERATIONS – EP&A Act, 1979**

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

### **4.15(1)(a) the provisions of:**

#### **(i) any environmental planning instrument**

### **STATE ENVIRONMENTAL PLANNING POLICY NO 55 – REMEDIATION OF LAND**

SEPP 55 applies to the land and pursuant to Section 4.15 is a relevant consideration. A review of the available history for the site gives no indication that the land associated with this development is contaminated. There were no historic uses that would trigger further site investigations.

The objectives outlined within SEPP 55 are considered to be satisfied.

### **STATE ENVIRONMENTAL PLANNING POLICY (EDUCATIONAL ESTABLISHMENTS AND CHILD CARE FACILITIES) 2017 (EDUCATIONAL SEPP)**

This State Environmental Planning Policy aims to facilitate the effective delivery of educational establishments and early education and care facilities across NSW.

Clause 22 of the Educational SEPP prescribes that a consent authority must not grant consent to a development for the purpose of a centre-based child care facility, except with the concurrence of the regulatory authority, if:

- *The floor area of the building or place does not comply with regulation 107 (indoor unencumbered space requirements) of the Education and Care Services National Regulations; or*
- *The outdoor space requirements for the building or place do not comply with regulation 108 (outdoor unencumbered space requirements) of those regulations.*

Clause 107(2) of the Education and Care Services National Regulations contains the following provision:

*The approved provider of an education and care service must ensure that, for each child being educated and cared for by the service, the education and care service premises has at least 3.25 square metres of unencumbered indoor space.*

Based on the above requirement, 156m<sup>2</sup> of unencumbered indoor space is required for the proposed increased capacity of forty-eight (48) children. The existing centre currently provides 151m<sup>2</sup> of unencumbered indoor space and therefore fails to comply with the minimum unencumbered indoor space requirement. Accordingly, under Clause 22 of the Educational SEPP, Council must not grant consent to the proposed development as the proposed increase in capacity does not comply with regulation 107 of the of the Education and Care Services National Regulations.

Clause 108(2) of Education and Care Services National Regulations contains the following provision:

*The approved provider of an education and care service must ensure that, for each child being educated and cared for by the service, the education and care service premises has at least 7 square metres of unencumbered outdoor space.*

Based on the above requirement, 336m<sup>2</sup> of unencumbered outdoor space is required for the proposed increased capacity of forty-eight (48) children. The existing centre provides 344m<sup>2</sup> of

unencumbered outdoor space and therefore complies with the minimum unencumbered outdoor space requirement.

Clause 23 of the Educational SEPP prescribes as follows:

*Before determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the Child Care Planning Guideline, in relation to the proposed development.*

An assessment of the proposal against the relevant matters for consideration as prescribed in Part 2, 3 and 4 of the Child Care Planning Guidelines are as follows:

Matter for Consideration	Comment
<b>3.5 Visual and Acoustic Privacy</b>	
<p>C24 <i>Objective: To minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments.</i></p> <p><i>A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters:</i></p> <ul style="list-style-type: none"> <li>• <i>identify an appropriate noise level for a child care facility located in residential and other zones</i></li> <li>• <i>determine an appropriate background noise level for outdoor play areas during times they are proposed to be in use</i></li> <li>• <i>determine the appropriate height of any acoustic fence to enable the noise criteria to be met.</i></li> </ul>	<p>Objective is satisfied.</p> <p>The subject application was accompanied by an acoustic report.</p> <p>Council's Environmental Services Manager concurred with the conclusion and recommendations of this report.</p> <p>If the application was worthy of general support, conditions could be imposed to ensure appropriate mitigation and management of noise are achieved during the centre operations.</p>
<b>3.6 Noise and Air Pollution</b>	
<p>C25 <i>Objective: To ensure that outside noise levels on the facility are minimized to acceptable levels.</i></p> <p><i>Adopt design solutions to minimise the impacts of noise, such as:</i></p> <ul style="list-style-type: none"> <li>• <i>creating physical separation between buildings and the noise source</i></li> <li>• <i>orienting the facility perpendicular to the noise source and where possible buffered by other uses</i></li> <li>• <i>using landscaping to reduce the perception of noise</i></li> <li>• <i>limiting the number and size of openings facing noise sources</i></li> <li>• <i>using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens)</i></li> <li>• <i>using materials with mass and/or sound insulation or absorption properties, such as solid balcony balustrades, external screens and soffits</i></li> <li>• <i>locating cot rooms, sleeping areas</i></li> </ul>	<p>Objective is satisfied.</p> <p>The child care centre, as approved and constructed, has been appropriately designed to minimise the impact of external noise sources.</p> <p>It is noted that the predominant land use surrounding the centre is low density residential (dwelling houses).</p>



	<i>and play areas away from external noise sources.</i>	
<b>3.8 Traffic, Parking and Pedestrian Circulation</b>		
C31	<p><u>Objective:</u> <i>To provide parking that satisfies the needs of users and demand generated by the centre.</i></p> <p><i>Off street car parking should be provided at the rates for child care facilities specified in a Development Control Plan that applies to the land.</i></p> <p><i>A reduction in car parking rates may be considered where:</i></p> <ul style="list-style-type: none"> <li>• <i>the proposal is an adaptive re-use of a heritage item</i></li> <li>• <i>the site is in a B8 Metropolitan Zone or other high density business or residential zone</i></li> <li>• <i>the site is in proximity to high frequency and well connected public transport</i></li> <li>• <i>the site is co-located or in proximity to other uses where parking is appropriately provided (for example business centres, schools, public open space, car parks)</i></li> <li>• <i>there is sufficient on street parking available at appropriate times within proximity of the site</i></li> </ul>	<p>Objective is not satisfied.</p> <p>Under Part E 'Child Care Centres' of the SCDCP 2005, car parking shall be provided at a rate of one (1) space per employee and one (1) visitor space per eight (8) children. In accordance with the prescribed car parking rates, the centre is to provide 15 spaces (9 staff and 6 visitors).</p> <p>The child care centre currently provides five (5) off-street car parking spaces. It is proposed that the parking arrangement remains unchanged.</p> <p>As such, and as confirmed by Council's Traffic Manager – the significant shortfall is not supported and the proposal fails to satisfy this objective.</p>
C33	<p><i>A Traffic and Parking Study should be prepared to support the proposal to quantify potential impacts on the surrounding land uses and demonstrate how impacts on amenity will be minimised.</i></p> <p><i>The study should also address any proposed variations to parking rates and demonstrate that:</i></p> <ul style="list-style-type: none"> <li>• <i>the amenity of the surrounding area will not be affected</i></li> <li>• <i>there will be no impacts on the safe operation of the surrounding road network</i></li> </ul>	<p>Objective is not satisfied.</p> <p>A revised traffic report was submitted as part of the development application.</p> <p>Council's Traffic Manager confirmed that an increase in children / capacity will not generate a significant increase in traffic; however, this is on the basis that there is provision for an increase in parking areas to support the additional children and staff.</p> <p>Given that there is no increase in parking and no opportunity to increase parking to cater for the proposal, this objective cannot be satisfied.</p>
C38	<p><u>Objective:</u> <i>To provide a safe and connected environment for pedestrians both on and around the site.</i></p> <p><i>Car parking design should:</i></p> <ul style="list-style-type: none"> <li>• <i>include a child safe fence to separate car parking areas from the building entrance and play areas</i></li> <li>• <i>provide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian</i></li> </ul>	<p>Objective is satisfied.</p> <p>The existing on and off-street car parking spaces, as approved, are appropriately separated from the main entrance of the child care centre by means of a child safe fence.</p>

	<p><i>Standards</i></p> <ul style="list-style-type: none"> <li>• include wheelchair and pram accessible parking</li> </ul>	
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## STRATHFIELD LOCAL ENVIRONMENTAL PLAN 2012 (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>
(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>	<b>Yes</b>
(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>	<b>No</b>
(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>	<b>Yes</b>
(d)	<i>To provide opportunities for economic growth that will enhance the local community</i>	<b>No</b>
(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>	<b>No</b>
(f)	<i>To identify and protect environmental and cultural heritage</i>	<b>Yes</b>
(g)	<i>To promote opportunities for social, cultural and community activities</i>	<b>Yes</b>
(h)	<i>To minimise risk to the community by identifying land subject to flooding and restricting incompatible development</i>	<b>Yes</b>

**Comments:** The proposal is inconsistent with Clauses 1.2(2)(b), (d) and (e) of the SLEP 2012, in that the proposed increase in capacity of children and staff at the child care centre will result in:

- A gross overdevelopment and intensification of the site and premises. This intensification fails to promote an efficient, equitable and spatially appropriate use of the land and demonstrates a poor integration of transport and land use;
- Failure to enhance the local community as the increased capacity will result in unacceptable impacts such as poor amenity and land use conflict; and
- An intensification of the land use that is not supported by existing facilities such as park and therefore, does not minimise traffic and environmental impacts of private vehicle use. It is evident that the proposed increase in capacity cannot be accommodated without adverse impacts.

### Permissibility

The subject site is zoned R2 – Low Density Residential under the SLEP 2012. The proposed development for the purpose of increasing capacity for an approved centre-based child care facility is consistent with the definition above and is permissible within the R2 – Low Density Residential zone with consent.

### Zone Objectives

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

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

**Comments:** The proposal enables other land uses to support the surrounding residences within the immediate locality and will not impact on the heritage significance of any heritage items and conservation areas.

#### **Part 4: Principal development standards**

The subject application does not propose any works that modify the gross floor area and height of the existing building. None of the development standards under Part 4 are triggered by the proposal.

#### **Part 5: Miscellaneous Provisions**

There are no provisions contained within Part 5 of the SLEP 2012 that are applicable to the proposed development.

#### **Part 6: Local Provisions**

There are no provisions contained within Part 6 of the SLEP 2012 that are applicable to the development

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

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

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

### **STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN 2005 (SCDCP 2005)**

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

## **PART E – CHILD CARE CENTRES**

### **1.2: Objectives of Part E**

<b>1.2</b>	<b>Objectives</b>	<b>Satisfactory</b>
<b>A.</b>	<i>To encourage the provision of child care centres to meet the needs of the community and ensure that such centres will be appropriate for the purpose and provide a functional and pleasant environment for users.</i>	<b>No</b>
<b>B.</b>	<i>To ensure that there is a consistent approach to the provision, construction and approval of child care centres.</i>	<b>Yes</b>
<b>C.</b>	<i>To ensure that child care centres are compatible with neighbouring land uses.</i>	<b>No</b>
<b>D.</b>	<i>To ensure the amenity of adjoining neighbours is retained (including protection of privacy, access to property, etc) and is not detrimentally affected by noise emissions from the site.</i>	<b>No</b>
<b>E.</b>	<i>To ensure child care centres are located with adequate, convenient and safe parking for visitors that do not impose on any residential neighbourhoods or commercial areas.</i>	<b>No</b>
<b>F.</b>	<i>To ensure that child care centres integrate into existing residential environments and are unobtrusive in terms of size, bulk, height and the amount of landscaped area provided.</i>	<b>Yes</b>
<b>G.</b>	<i>To provide child care centres that are located or designed so as not to pose a health risk to children using the centre.</i>	<b>No</b>
<b>H.</b>	<i>To retain and protect significant existing vegetation in the Strathfield Municipality.</i>	<b>Yes</b>

**Comments:** The proposal is inconsistent with Clauses 1.2(A)(C), (D)(E) and (G) of Part E of the SCDCP 2005 given that:

- The proposed increase in capacity is not supported by the proposed parking arrangement and kitchen facility. There is a shortfall of at least ten (10) parking spaces and the kitchen is not of a size which could accommodate the catering needs of the proposed increase children capacity to an acceptable food safety standard. It is evident that the existing child care centre cannot support the significant increase in capacity and will not be able to function in a manner that is appropriate and fit for purpose.
- The proposal ensures that the existing child care centre will not is clearly not compatible with the neighbouring land uses and will result in land use conflict.
- The significant shortfall in parking spaces will generate unacceptable issues and impacts such as traffic and amenity – demonstrating that the proposed increase in capacity will deliver an undesirable outcome for the community and an overdevelopment and intensification of the site.
- The proposed increase in capacity will have significant imposition on residential neighbourhoods as it is unable to be supported by the proposed onsite parking. Accordingly, the increased capacity will rely on on-street parking and create traffic and amenity impacts on the immediate locality, which is predominantly residential.
- The proposal is not supported by the current kitchen facility as this kitchen is not of a size which could accommodate the catering needs of the proposed increase children capacity to an acceptable food safety standard. As such, the proposal will lead to unacceptable health risks to children using the centre.

Accordingly, the proposal fails to achieve a number of key objectives under Part E.

### 5.6: Traffic, Parking and Access

5.6 Objectives		Satisfactory
A.	To ensure that the relationship between child care centres and adjoining land uses are favourable in terms of parking, traffic and vehicular access	No
B.	To ensure that a child care centre is safe for children	Yes

5.6 Guidelines		Complies
1	Car parking shall be provided at a rate of 1 space per employee (stack parking is permitted for staff parking) and 1 visitor space per 8 children or part thereof (stack parking is not permitted for parents or guardians).	No
3	Dimensions of parking spaces and vehicle access areas shall comply with Part I - Provision of Off-street Parking Facilities.	Yes
4	The centre has been designed to allow the safe drop off and collection of children and safe movement and parking of staff, parents, visitors and service vehicles.	No
5	Parking spaces and vehicle access points are located to ensure the safe movement of children to and from the centre.	Yes
6	Standing areas for the dropping off and collecting of children have been provided.	Yes
7	All vehicles shall move in a forward direction on the site at all times.	Yes
8	Access for people with disabilities provided to allow continuous wheelchair access from the street, car park, building entry and into individual playrooms and toilets.	Yes
9	Parking and vehicle access areas separated from any area used by children by safety fencing and gates	Yes

**Comments:** The proposal involves an increase in the maximum capacity of the existing child care centre from thirty-five (35) to forty-eight (48) children and six (6) to nine (9) staff. In accordance with Section 5.6 of the SCDCP 2005, a total of fifteen (15) car parking spaces must be provided. As previously mentioned, the existing centre provides a total of five (5) off-street car parking spaces. The proposal does not intend on changing this parking arrangement. Accordingly, the proposal involves a significant shortfall of ten (10) car spaces and is unable to achieve the above objectives and controls relating to traffic, parking and access.

### 5.9: Noise

5.9 Objectives		Satisfactory
A.	<i>To protect neighbours from excessive noise by ensuring that noise from a child care centre is not created by additional traffic, activities on and off the site and children's activities on site.</i>	Yes

5.9 Guidelines		Complies
<i>Protecting Neighbours from Excessive Noise</i>		
1	Access points are located so as to minimise disruption to neighbours	Yes
2	Playground areas are appropriately located	Yes
3	Appropriate location of windows and doors	Yes
4	No public address systems have been installed at the centre	N/A
5	The use of fencing and landscaping to reduce the impact of noise	Yes
6	The proposed hours of operation, particularly the impact of early morning starting times	N/A

**Comments:** Council's Environmental Services Manager confirmed that conclusion and recommendations contained in the revised acoustic report are sufficient. The report stated that a maximum of 20 children are permitted in the outdoor play area and this can be conditioned and endorsed in both the consent and approved plan of management if the application is recommended for approval. Given the above, the proposal meets the above objectives and controls.

### 5.17: Maximum number of children

5.17 Objectives		Satisfactory
A.	<i>To ensure that child care centres integrate into existing residential environments and are unobtrusive in terms of size and operation</i>	No
B.	<i>To ensure that the amenity of neighbours is maintained.</i>	No

5.17 Requirement		Complies
1	The maximum number of children using a child care centre at any one time shall not exceed thirty (30). <b>Forty-eight (48) proposed.</b> <b>Additional eighteen (18) children – 60% variation.</b>	No <b>18 children</b> <b>(60% variation)</b>



**Comments:** The proposal involves a significant departure of 60% or 18 children to the maximum number of children (30 children) requirement under Part E. It is noted that the approved child care centre already features a departure of 16.7% or five (5) children. The subject application fails to demonstrate that the impacts of the departure can be appropriately mitigated and as such, the proposed variation of Council's control is considered to have no planning merit and unable to deliver an acceptable planning outcome. As such, the proposed increased capacity cannot be supported.

## **PART H – WASTE MANAGEMENT**

The proposed development was submitted to Council's Waste Officer for comment and no objections were raised.

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

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

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

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

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

### **4.15(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality**

All likely impacts on the natural and built environment as well as social and economic impacts, have been addressed elsewhere in this report. Impacts relating to adequate parking, food safety and the amenity of both neighbouring properties and children/staff utilising the facility are considered unacceptable and unreasonable.

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

The proposed development is unsuitable for the site in that the application results in a significant overdevelopment and intensification of the site leading to a number of issues and impacts including land use conflict. The application has not adequately demonstrated that the anticipated traffic, food safety and amenity impacts generated by the proposed expansion of the child care centre can be mitigated and managed. It is evident that the proposed increased capacity reflects an overdevelopment and inappropriate intensification of the site and the site is not suitable for the proposed capacity for forty-eight (48) children.

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

The application was publicly notified on 28 May 2021, in accordance with Strathfield Council's Community Participation Plan (CPP), with the last date for public submissions being 11 June 2021. A total of fifteen (15) submissions including six (6) letters of support, eight (8) objections and a single objection petition with twenty (20) signatories, were received during this period.

Submissions were received from the following properties:

- 10 Torrington Road, Strathfield – in support

- 373 Lyons Road, Five Dock – in support
- 18 Hillcrest Avenue, Strathfield – in support
- 11/45-47 The Boulevarde, Strathfield – in support
- 58 Oxford Road, Strathfield – in support
- Unknown address – in support
- 3 Torrington Road, Strathfield
- 11 Torrington Road, Strathfield
- 13 Torrington Road, Strathfield
- 14 Torrington Road, Strathfield
- 18 Torrington Road, Strathfield
- 21 Torrington Road, Strathfield
- 25 Torrington Road, Strathfield
- 6 Woodward Avenue, Strathfield

A single petition with signatories from the following properties:

- 1 Torrington Road, Strathfield
- 2 Torrington Road, Strathfield
- 4 Torrington Road, Strathfield
- 3 Torrington Road, Strathfield
- 5 Torrington Road, Strathfield
- 7 Torrington Road, Strathfield
- 8 Torrington Road, Strathfield
- 9 Torrington Road, Strathfield
- 11 Torrington Road, Strathfield
- 14 Torrington Road, Strathfield
- 15 Torrington Road, Strathfield
- 16 Torrington Road, Strathfield
- 18 Torrington Road, Strathfield
- 19 Torrington Road, Strathfield
- 19-21 Torrington Road, Strathfield
- 23 Torrington Road, Strathfield
- 22 Torrington Road, Strathfield
- 25 Torrington Road, Strathfield
- 29 Torrington Road, Strathfield
- 89 The Boulevarde, Strathfield

A table listing the issues and concerns raised and responses to these is contained below:

Issue / Concern	Response
Lack of parking Traffic impacts	This is a substantive issue that cannot be resolved by the proposal. The significant shortfall in parking (10 spaces) is not supported.
Previously was seeking forty-four (44) children – now wishing for forty-eight (48). LEC allowed thirty-five (35). Overturning a LEC decision.	It is agreed that the proposed increase in children will result in adverse impacts that cannot be reasonably mitigated. This was a view shared during the LEC proceedings where the proposed children were reduced to an amount considered appropriate on merit. There is insufficient planning merit to support such a significant increase in children.
Waste management	Waste management can be resolved through conditions – should the application be approved.
Noise impacts	As above, noise impacts can be mitigated and managed through conditions of consent.
Changed orientation of site	The proposed development does not change the orientation of the site as approved in DA2016/110.
Safety issues	Safety matters (except in relation to traffic) are not considered substantive.

#### **4.15 (1)(e) the public interest**

The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development is considered to be contrary to the public interest.

## SECTION 7.11 CONTRIBUTIONS

Section 7.11 of the *Environmental Planning and Assessment 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 / INDIRECT SECTION 7.11 CONTRIBUTIONS PLAN

This application does not trigger any local development contributions that are in addition to the approved child care centre (DA2016/110).

## CONCLUSION

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

Signed: Miguel Rivera  
**Senior Planner**

## PEER REVIEW

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

Signed: Kandace Lindeberg  
**Executive Manager, Landuse Planning**

## RECOMMENDATION

That Development Application No. DA2020/116 for the increase capacity of an approved child care centre by an additional thirteen (13) children - from thirty-five (35) to forty-eight (48) at No. 6 Torrington Road, Strathfield, be **REFUSED** for the following reasons:

1. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979* as it fails to comply with the indoor unencumbered space requirements under Clause 25(2)(b)(i) of the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017.
2. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979* as it fails to comply

with Clause 23 of the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 – with regard to matters of consideration in relation to traffic, parking and pedestrian circulation

3. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979* as it fails to meet the aims of the Strathfield Local Environmental Plan 2012 – specifically Clauses 1.2(2)(b),(d) and (e) – which relate to promoting an efficient and spatially appropriate use of land, integration of transport land use and reducing traffic and environmental impacts of private vehicle use.
4. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* as it fails to meet the objectives of Clause 1.2(A), (C), (D) (E) and (G) of Part E of the Strathfield Consolidated Development Control Plan 2005. The proposal represents a significant intensification of the land use and features a significant shortfall in parking spaces and an unacceptable kitchen facility. The proposal will result in a poor planning outcome, land use conflict and unreasonable environmental and community impacts.
5. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* as it fails to meet the objectives and controls of Clause 5.6 (Traffic, Parking and Access) of Part E of the Strathfield Consolidated Development Control Plan 2005. The proposal features significant shortfall in parking spaces required to support the increased capacity of the approved child care centre and is unable to address traffic issues and impacts.
6. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* as it fails to meet the objectives and requirement of Clause 5.12 (Maximum Number of Children) of Part E of the Strathfield Consolidated Development Control Plan 2005. The proposal involves a significant departure from the maximum capacity requirement and is unable to demonstrate sufficient planning merit in order to support the departure.
7. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(b) of the *Environmental Planning and Assessment Act 1979* as it will result in unacceptable adverse impacts in terms of traffic, food safety and the amenity of both neighbouring properties and children/staff utilising the facility.
8. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(c) of the *Environmental Planning and Assessment Act 1979* as it fails to demonstrate that the subject site is suitable for the proposed increased capacity and intensification of the child care centre.
9. The proposed development is considered unacceptable pursuant to the provisions of s4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*. The proposed development is not in the public interest as it fails to meet the key provisions, objectives and development standards under the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017, Strathfield Local Environmental Plan 2012 and the Strathfield Consolidated Development Control Plan 2005 and will have unacceptable adverse impacts. The proposal fails to adequately address substantive matters raised in public submissions.

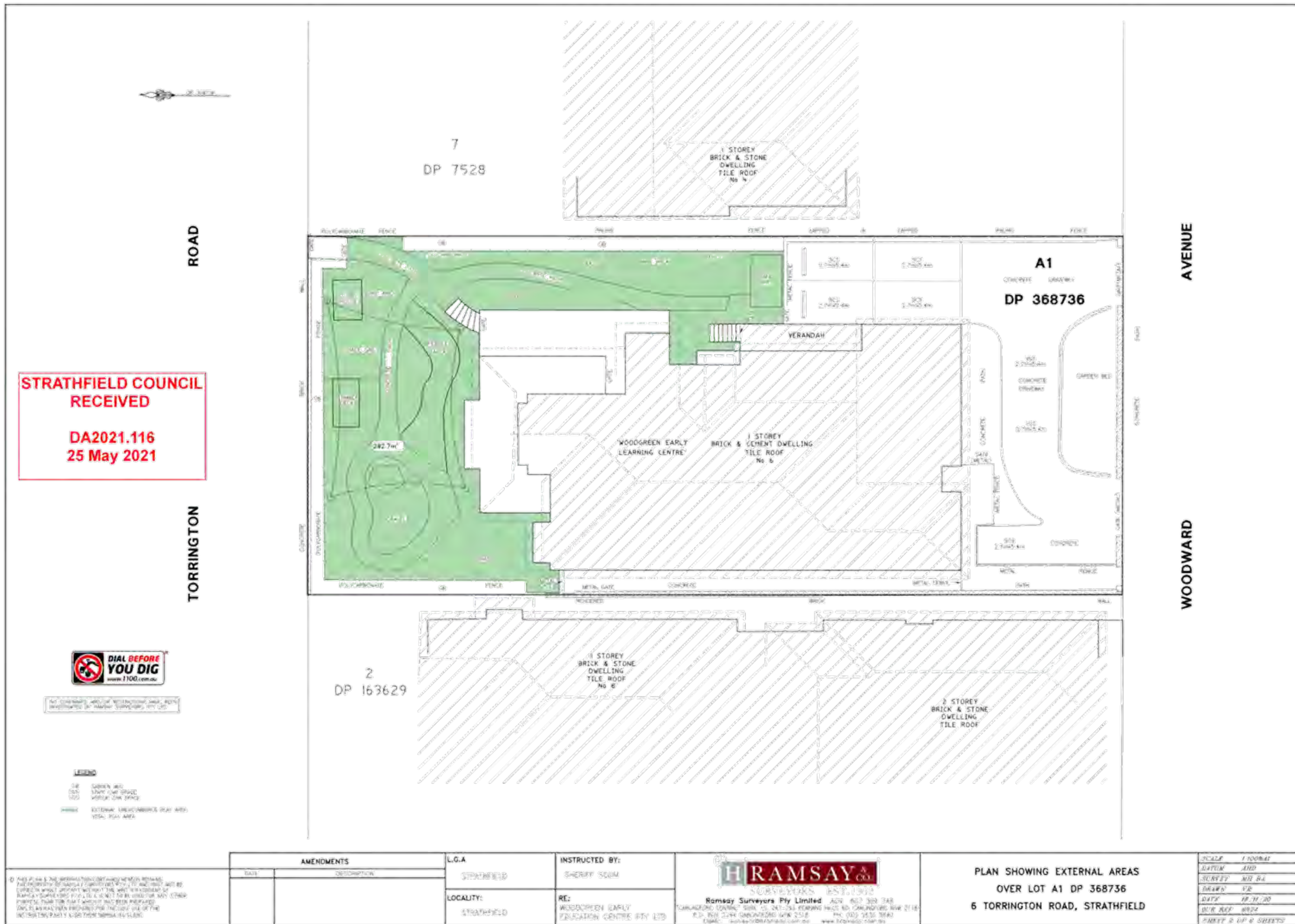
## **ATTACHMENTS**

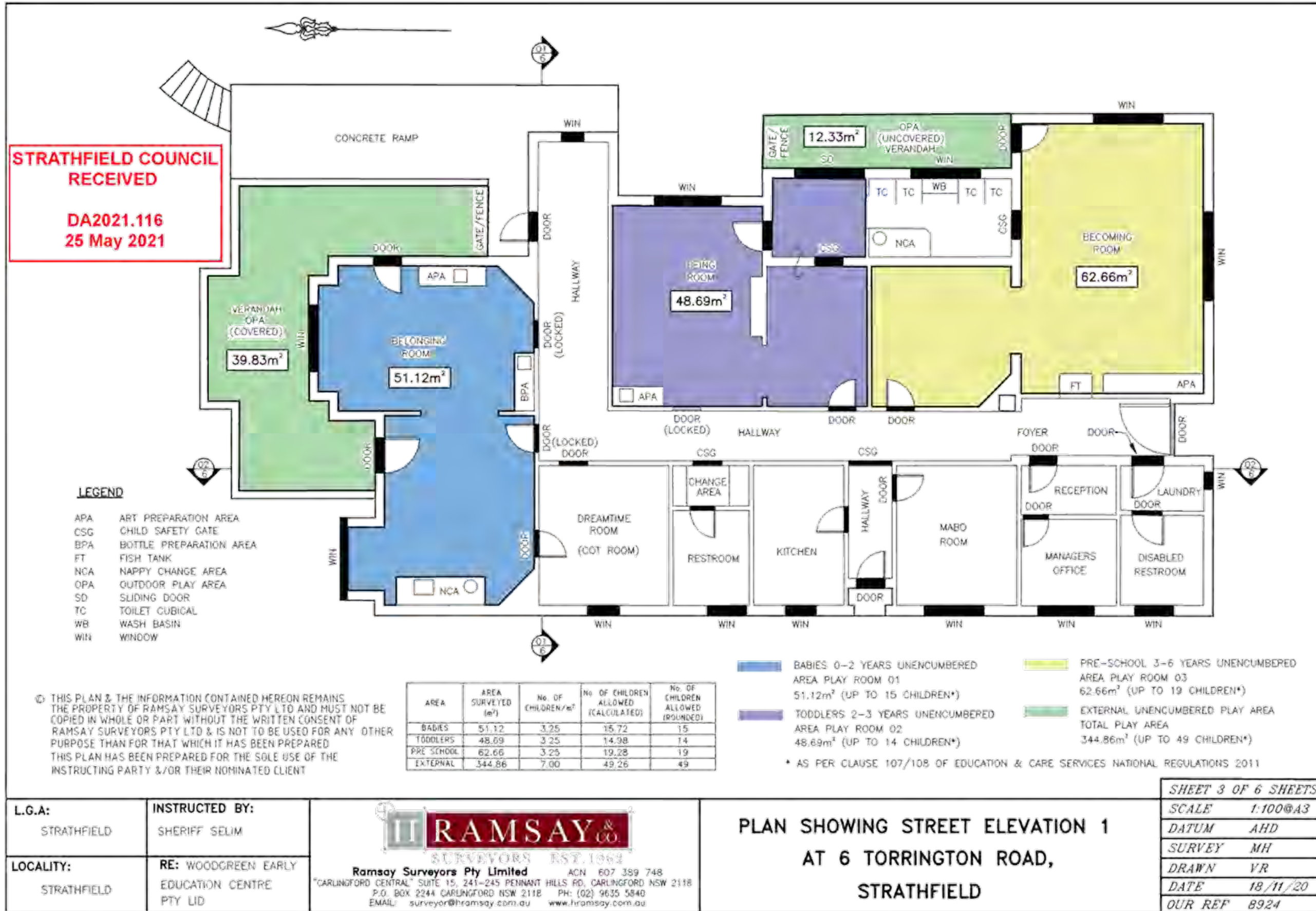
1. Architectural Plans
2. Acoustic Report
3. Traffic Report
4. Plan of Management



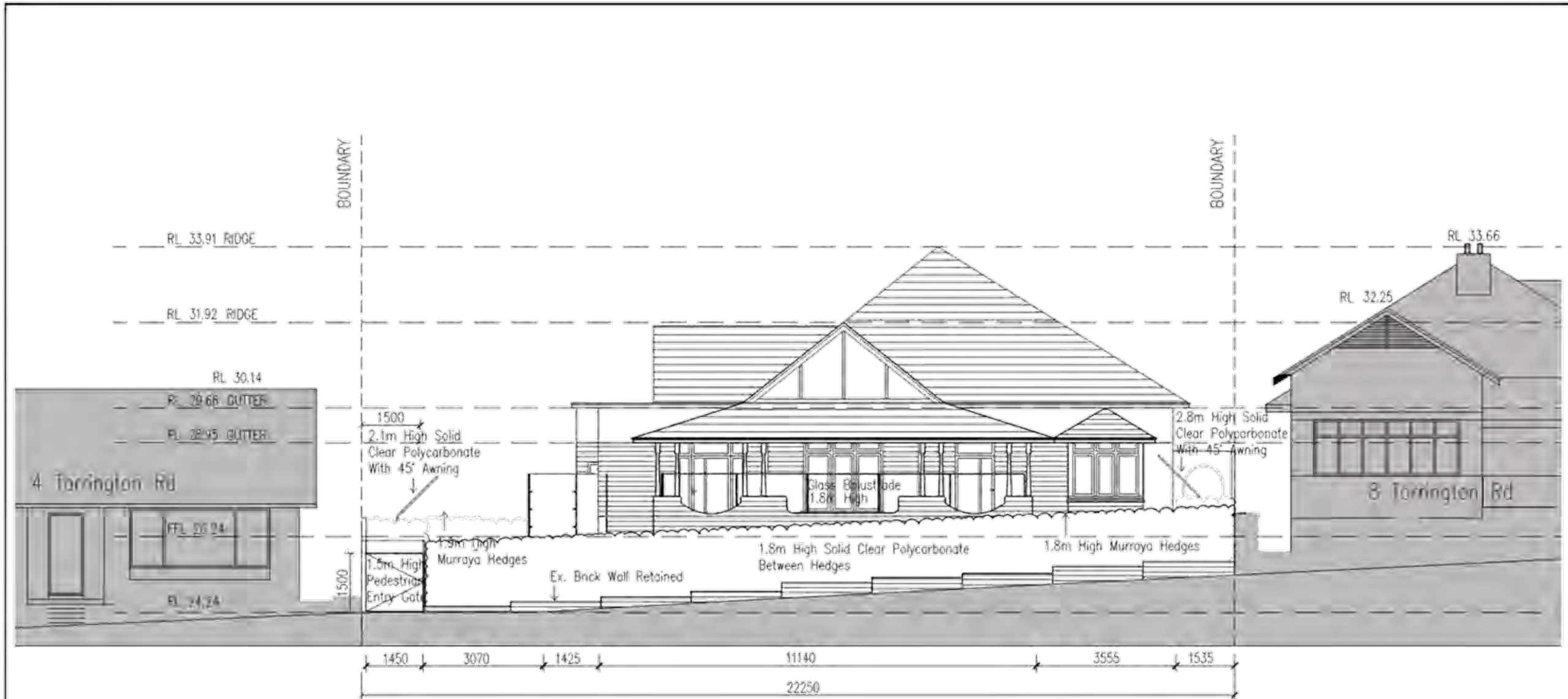












North Elevation

**STRATHFIELD COUNCIL  
RECEIVED**

**DA2021.116  
25 May 2021**

<p><b>L.G.A.:</b> STRATHFIELD</p>	<p><b>INSTRUCTED BY:</b> SHERIFF SELIM</p>	 <p><b>Ramsay Surveyors Pty Limited</b> ACN 607 389 748                  "CARLINGFORD CENTRAL" SUITE 15, 241-245 PENNANT HILLS RD, CARLINGFORD NSW 2118                  P.O. BOX 2244 CARLINGFORD NSW 2118 PH: (02) 9635 5840                  EMAIL: surveyor@hramsay.com.au www.hramsay.com.au</p>	<p><b>PLAN SHOWING STREET ELEVATION 1 AT 6 TORRINGTON ROAD, STRATHFIELD</b></p>	<p>SHEET 4 OF 6 SHEETS                  SCALE 1:100@A3                  DATUM AHD                  SURVEY MH                  DRAWN VR                  DATE 18/11/20                  OUR REF 8924</p>
<p><b>LOCALITY:</b> STRATHFIELD</p>	<p><b>RE:</b> WOODGREEN EARLY EDUCATION CENTRE PTY LID</p>			



South Elevation

**STRATHFIELD COUNCIL  
RECEIVED**

**DA2021.116  
25 May 2021**

<b>L.G.A:</b> STRATHFIELD	<b>INSTRUCTED BY:</b> SHERIFF SELIM
<b>LOCALITY:</b> STRATHFIELD	<b>RE:</b> WOODGREEN EARLY EDUCATION CENTRE PTY LID

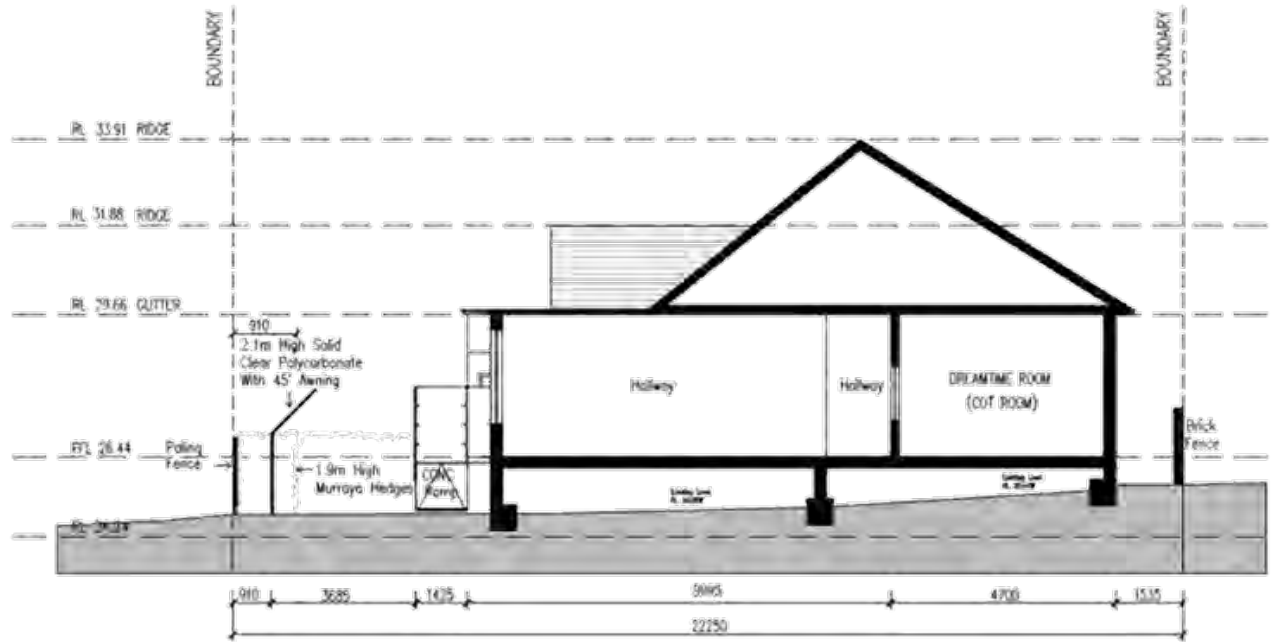
**H RAMSAY & CO.**  
SURVEYORS EST. 1962  
Ramsay Surveyors Pty Limited ACN 607 389 748  
"CARLINGFORD CENTRAL" SUITE 15, 241-245 PENNANT HILLS RD, CARLINGFORD NSW 2118  
P.O. BOX 2244 CARLINGFORD NSW 2118 PH: (02) 9635 5840  
EMAIL: surveyor@hramsay.com.au www.hramsay.com.au

**PLAN SHOWING STREET ELEVATION 2  
AT 6 TORRINGTON ROAD,  
STRATHFIELD**

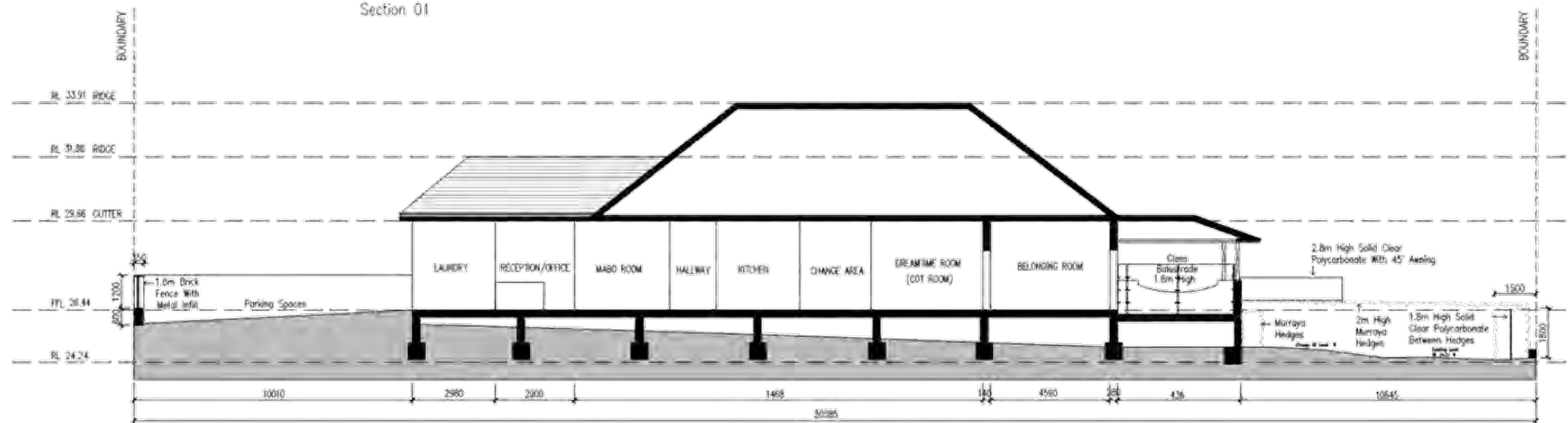
<i>SHEET 5 OF 6 SHEETS</i>	
<i>SCALE</i>	<i>1:100@A3</i>
<i>DATUM</i>	<i>AHD</i>
<i>SURVEY</i>	<i>MH</i>
<i>DRAWN</i>	<i>VR</i>
<i>DATE</i>	<i>18/11/20</i>
<i>OUR REF</i>	<i>8924</i>



**STRATHFIELD COUNCIL  
RECEIVED**  
  
**DA2021.116  
25 May 2021**




Section 01



Section 02

<b>L.G.A:</b> STRATHFIELD	<b>INSTRUCTED BY:</b> SHERIFF SELIM
<b>LOCALITY:</b> STRATHFIELD	<b>RE:</b> WOODGREEN EARLY EDUCATION CENTRE PTY LID

  
**Ramsay Surveyors Pty Limited** ACN 607 389 748  
 "CARLINGFORD CENTRAL" SUITE 15, 241-245 PENNANT HILLS RD, CARLINGFORD NSW 2118  
 P.O. BOX 2244 CARLINGFORD NSW 2118 PH: (02) 9635 5840  
 EMAIL: surveyor@hramsay.com.au www.hramsay.com.au

**PLAN SHOWING SECTION 1 & 2  
AT 6 TORRINGTON ROAD,  
STRATHFIELD**

<i>SHEET 6 OF 6 SHEETS</i>
<i>SCALE 1:150@A3</i>
<i>DATUM AHD</i>
<i>SURVEY MH</i>
<i>DRAWN VR</i>
<i>DATE 18/11/20</i>
<i>OUR REF 8924</i>



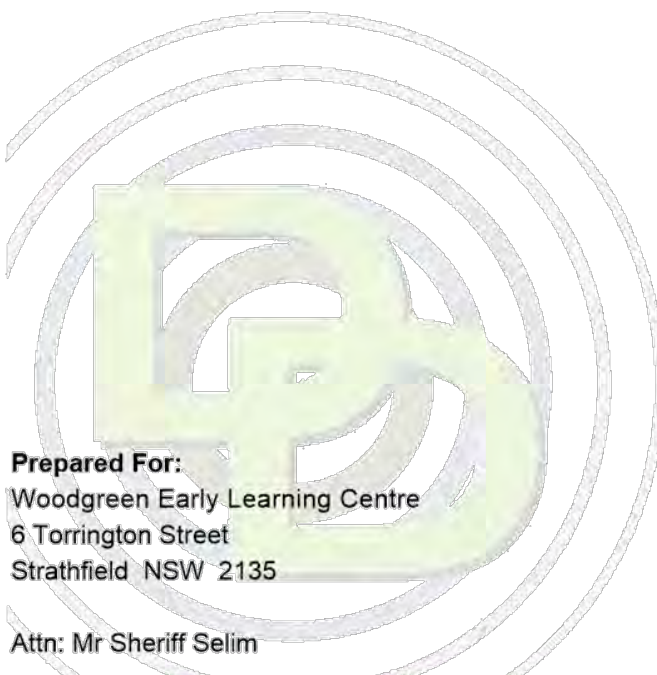
SUITE 17, 808 FOREST ROAD, PEAKHURST ABN 73 107 291 494  
ACOUSTICS@DAYDESIGN.COM.AU WWW.DAYDESIGN.COM.AU P. 02 9046 3800

# Environmental Noise Impact Assessment

Proposed Capacity Increase  
for an Existing Child Care Centre  
6 Torrington Street, Strathfield, NSW

REPORT No  
7215-1.1R

DATE ISSUED  
12 May 2021



Prepared For:  
Woodgreen Early Learning Centre  
6 Torrington Street  
Strathfield NSW 2135

Attn: Mr Sheriff Selim



Woodgreen Early Learning Centre

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**Environmental Noise Impact Assessment****Revision History**

Report	Date	Prepared	Checked	Comment
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## 1.0 EXECUTIVE SUMMARY

Woodgreen Early Learning Centre is an existing child care centre (the Centre) located at 6 Torrington Road, Strathfield, NSW. The Centre has been operating since 2019 with a total capacity of 35 children aged 0-5 years. Approval for an increase in capacity to 48 children is now sought.

With the additional 13 places, the Centre will cater for a total of 48 children comprising:

- 0-2 years old – 15 children; and
- 2-3 years old – 14 children; and
- 3-6 years old – 19 children.

The proposed hours of operation for the Centre will remain unchanged, as follows:

- Monday to Friday: 7:00 am – 6:00 pm.

The subject site is bounded on the west boundary by single (north side) and two storey (south side) residential premises. A new two storey residential premise has been approved (DA 2020/121) and will bound the Centre on the east side. More residential premises are located on the opposite sides of Torrington Road to the north and Woodward Avenue to the south.

The surrounding roads carry low volumes of local traffic only.

The construction of the Centre and general operations are in full compliance with the recommendations contained in the approved acoustic report prepared by The Acoustic Group (ref 47.5264.R2:MSC, dated 30 March 2017).

There will be no increase in the numbers of children within the outdoor play areas (max. 20) or the type of use of the outdoor play areas (active or passive play), as such there will be no additional noise impact from the use of the outdoor play areas.

The cumulative noise impact to the nearby noise sensitive residential areas have been assessed from noise generated by the Centre as follows:

- Up to 48 children playing inside;
- Existing mechanical plant; and
- Additional road traffic noise generated by the increased capacity of the Centre.

This environmental noise impact assessment has been prepared to demonstrate that the noise impact from the proposed increase in capacity at the existing Centre will not adversely affect the acoustic amenity of residential premises nearby.

Acceptable noise limits have been derived from the Association of Australasian Acoustical Consultants *Guideline for Child Care Centres Acoustic Assessment* (the Guideline) and the Environmental Protection Authority's (EPA) *Noise Policy for Industry* (NPI) and *Road Noise Policy* (RNP).



## 2.0 CONSULTING BRIEF

Day Design Pty Ltd was engaged by Woodgreen Early Learning Centre to assess the potential environmental noise impact from a proposed increase in capacity from 35 to 48 children at the existing Centre located at 6 Torrington Road, Strathfield, NSW.

### Scope of Work:

- Inspect the site and environs
- Measure the background noise levels at critical locations and times
- Establish acceptable noise level criterion
- Prepare a site plan identifying the development and nearby noise sensitive locations
- Quantify noise emissions from the proposed increase in capacity at the existing facility
- Calculate the level of noise emission, taking into account building envelope transmission loss, screen walls and distance attenuation
- Provide recommendations for noise control (if necessary)
- Prepare an Environmental Noise Impact Report.



### 3.0 SITE AND DEVELOPMENT DESCRIPTION

#### 3.1 Site Description

The subject site is bounded on the west boundary by single (north side) and two storey (south side) residential premises. A new two storey residential premise has been approved (DA 2020/121) and will bound the Centre on the east side. More residential premises are located on the opposite sides of Torrington Road to the north and Woodward Avenue to the south.

The nearest noise sensitive receptors are shown in Figure 1 and in Table 1.

**Table 1 Noise Sensitive Receptors**

Receptor	Address	Direction From Site	Building type
R1 – Residential	8 Torrington Road	West	Single/Two Storey
R2 – Residential	5 Torrington Road	North	Single Storey
R3 – Residential	4 Torrington Road	East	Future Two Storey
R4 – Residential	8 Woodward Avenue	South	Single Storey

#### 3.2 Development Description

With the additional 13 places, the Centre will cater for a total of 48 children comprising:

- 0-2 years old – 15 children; and
- 2-3 years old – 14 children; and
- 3-6 years old – 19 children.

The proposed hours of operation for the Centre will remain unchanged, as follows:

- Monday to Friday: 7:00 am – 6:00 pm.

There will be no changes to the use of the outdoor play areas, currently restricted to a maximum of 20 children and no changes to the outdoor play areas or the types of activities taking place, i.e., active or passive.

The existing mechanical plant will remain in place to serve the facility, no additional items of plant are proposed.

The existing car park area currently provides space for up to 5 staff and 2 visitors. There will be no increases to the capacity of the existing car park area.

Consent Condition 24 (Annexure B – Final Conditions of Consent DA110/2016) stipulates that staff are not permitted to use the car park area prior to 7 am. As such, assessment of sleep disturbance from staff arrivals during the early morning shoulder period is not required.







**Figure 1** Site Plan – 6 Torrington Road, Strathfield, NSW.





**Figure 2** Location Plan, 6 Torrington Road, Strathfield, NSW.





#### 4.0 MEASURED NOISE LEVELS

##### 4.1 Long Term Noise Monitoring

The  $L_{90}$  background noise level is a statistical measure of the sound pressure level that is exceeded for 90% of the measurement period (typically 15 minutes).

The Rating Background Level (RBL) is defined by the NSW EPA as the median value of the (lower) tenth percentile of  $L_{90}$  ambient background noise levels for day, evening or night periods, measured over a number of days during the proposed days and times of operation.

When conducting the initial site inspection, it was noted that demolition and site preparation works were being conducted at 4 Torrington Road, the adjacent site to the east. Furthermore, construction work was also being conducted at a residential premise further to the west of the subject site.

In order to obtain background noise data that was representative of the neighbourhood surrounding the subject site, two environmental noise loggers were placed at 32 Woodward Avenue, approximately 180 metres west of the subject site, to measure the existing background noise levels in the area and can be seen in Figure 2. At this location, noise from plant and equipment from the demolition/construction sites near the subject site was not audible and was therefore considered to be suitably representative of the acoustic environment of the local neighbourhood.

One logger was placed approximately 1.5 metres above ground level in the rear yard, designated as Location 'A'. Noise levels measured at Location 'A' are representative of the ambient noise levels within rear yards of residential dwellings in the area surrounding the subject site.

One logger was placed approximately 1.5 metres above first floor level on the front balcony, designated Location 'B'. Noise levels measured at Location 'B' are representative of the ambient noise levels within front yards and first floor levels of residential dwellings in the area surrounding the subject site.

The noise loggers at Locations 'A' and 'B' gathered noise data over a period of 7 days between Wednesday 24 March and Tuesday 30 March 2021.

Details of instrumentation used during the noise surveys can be seen in the attached Appendix A.



**Environmental Noise Impact Assessment****4.1.1 Measured Noise Levels**

The results of the background noise survey at the logger positions are shown in the attached Appendix B and Table 2. While the Centre is not proposed to operate during the early morning shoulder period or the evening and night time periods, noise levels during these times are shown to provide a complete overview of the current acoustic environment and comparison from previous measurements.

RBL's at Location 'A' and 'B' are considered representative of the existing ambient noise levels at the ground floor and first floor facades of the nearest residential dwellings that will be most affected by additional noise emission from the Centre.

**Table 2 Ambient Background Levels – 32 Woodward Avenue, Strathfield**

Location	Time Period	L <sub>90</sub> Rating Background Level	Existing L <sub>eq</sub> Noise Level
Location 'A'- Ground Floor Rear Yard	<i>Shoulder Period (6:30 am – 7 am)</i>	45 dBA	N/A
	<b>Day (7 am to 6 pm)</b>	<b>39 dBA</b>	<b>50 dBA</b>
	<i>Evening (6 pm to 10 pm)</i>	39 dBA	49 dBA
	<i>Night (10 pm to 7 am)</i>	38 dBA	45 dBA
Location 'B'- First Floor Front Yard	<i>Shoulder Period (6:30 am – 7 am)</i>	46 dBA	N/A
	<b>Day (7 am to 6 pm)</b>	<b>40 dBA</b>	<b>56 dBA</b>
	<i>Evening (6 pm to 10 pm)</i>	41 dBA	53 dBA
	<i>Night (10 pm to 7 am)</i>	38 dBA	52 dBA

Meteorological conditions during the measurement surveys typically consisted of clear skies with temperatures ranging from 7°C to 24°C. Atmospheric conditions were generally considered ideal for noise monitoring however some periods of rainfall were recorded during the measurement survey. Rain affected noise data has been removed from the data set when calculating RBL's. Therefore, noise level measurements were considered reliable and considered to be representative of the background noise levels at all nearby receptor locations during proposed operational hours.



## 5.0 NOISE CRITERIA

### 5.1 NSW DoPE –Child Care Planning Guide

The NSW Department of Planning and Environment (DoPE) published the Child Care Planning Guideline (CCPG) in August 2017 as a supplement to the State Environmental Planning Policy (SEPP) (Educational Establishments and Child Care Facilities) 2017.

The SEPP states that

*“a consent authority must take into consideration this Guideline (CCPG) when assessing a development application (DA) for a centre-based child care facility.”*

The SEPP also determines that the Guideline

*“will take precedence over a Development Control Plan (DCP), with some exceptions, where the two overlap in relation to a child care facility.”*

The Guideline was introduced to

*‘assist industry to deliver early childhood education facilities that are of the highest standards’ and ‘to align NSW planning controls with the National Quality Framework for early education and care, creating more certainty for developers and operators seeking service approval’.*

Section 3, Matters for Consideration, Subsection 3.5 Visual and acoustic privacy, contains the following for consideration:

***‘Objective: To minimise the impact of child care facilities on the acoustic privacy of neighboring residential developments.***

#### ***C23***

*A new development, or development that includes alterations to more than 50 percent of the existing floor area, and is adjacent to residential accommodation should:*

- *Provide an acoustic fence along any boundary where the adjoining property contains a residential use (An acoustic fence is one that is a solid, gap free fence)*
- *Ensure that mechanical plant or equipment is screened by solid, gap free material and constructed to reduce noise levels eg acoustic fence, building or enclosure.*

#### ***C24***

*A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters:*

- *Identify an appropriate noise level for a child care facility located in residential and other zones*
- *Determine an appropriate background noise level for outdoor play area during times they are proposed to be in use*
- *Determine the appropriate height of any acoustic fence to enable the noise criteria to be met.’*



Subsection 3.6 Noise and air pollution, contains the following for consideration:

***'Objective: To ensure that outside levels on the facility are minimized to acceptable levels.***

#### ***C25***

*Adopt design solutions to minimise the impacts of noise, such as:*

- *creating physical separation between buildings and the noise source*
- *orienting the facility perpendicular to the noise source and where possible buffered by other uses*
- *using landscaping to reduce the perception of noise*
- *limiting the number and size of openings facing noise sources*
- *using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens)*
- *using materials with mass and/or sound insulation or absorption properties, such as solid balcony balustrades, external screens and soffits*
- *locating cot rooms, sleeping areas and play areas away from external noise sources.*

#### **5.2 AAAC – Guideline for Child Care Centres Acoustic Assessment**

The Association of Australasian Acoustical Consultants (AAAC) published a guideline relating to the assessment of noise from Child Care Centres called "*Guideline for Child Care Centre Acoustic Assessment*", first in May 2008, again in October 2013 and most recently updated in September 2020.

Section 3 of the AAAC Guideline states the following in relation to noise attenuation and generation for Child Care Centres:

##### ***3.2 Criteria - Residential Receptors***

##### ***3.2.2 Indoor Play Area, Mechanical Plant, Pick up and Drop off***

*The cumulative  $L_{eq, 15 \text{ minute}}$  noise emission level resulting from the use and operation of the child care centre, with the exception of noise emission from outdoor play discussed above, shall not exceed the background noise level by more than 5 dB at the assessment location as defined above. This includes the noise emission resulting from:*

- *Indoor play;*
- *Mechanical plant;*
- *Drop off and pick up;*
- *Other activities/operations (not including outdoor play).*





### 5.3 Road Traffic Noise Criteria

The NSW Road Noise Policy (RNP), in Section 2.3.1, sets out road traffic noise assessment criteria for residential and non-residential land uses in Tables 3 and 4 of the policy. The relevant information in those tables is extracted and reproduced in Table 3 below.

**Table 3 Road Traffic Noise Assessment Criteria - Residential**

Road Category	Type of project/land use	Assessment Criteria - dB(A)	
		Day (7 am - 10 pm)	Night (10 pm - 7 am)
Local roads	1. Existing residences affected by <b>additional traffic</b> on existing local roads generated by land use developments	$L_{Aeq, (1 \text{ hour})}$ 55 dB (external)	$L_{Aeq, (1 \text{ hour})}$ 50 dB (external)

The noise criterion in Table 3 above is to be assessed at 1 metre from the nearest affected façade, as outlined in Table 7 of the RNP.

### 5.4 Project Specific Noise Criteria

Based on measurements of the existing acoustic environment and the relevant planning instruments and legislation, the noise criteria at each receptor applicable at each location is as shown in the following sections.

#### 5.4.1 Residential Receptors

For existing and future residential premises R1 – R4:

- (39 dBA + 5 dB  $\equiv$ ) **44 dBA**  $L_{eq, 15 \text{ minute}}$  for the cumulative impact of indoor play, use of the car park and the operation of mechanical plant for receptors at ground floor level.
- (40 dBA + 5 dB  $\equiv$ ) **45 dBA**  $L_{eq, 15 \text{ minute}}$  for the cumulative impact of indoor play, use of the car park and the operation of mechanical plant for receptors at first floor level.

Compliance with the residential noise criteria is assessed at 3 metres inside the adjacent property boundary at ground floor level and at the nearest, most affected façade at first floor level.

#### 5.4.2 On-Road Traffic Noise Criterion

The following criterion will be applied for residential receptors for additional on – road traffic noise generated by the use of the Centre:

- **55 dBA** (external)  $L_{eq, 1 \text{ hour}}$  1 metre from the nearest residential façade between 7 am and 10 pm.





## 6.0 CHILD CARE CENTRE NOISE EMISSION

In order to comply with the recommendations contained in the approved acoustic report prepared by The Acoustic Group (ref 47.5264.R2A:MSC, dated 30 March 2017) the Plan of Management (March 2021) specifies that a maximum of 20 children shall be permitted in the outdoor play areas at any one time, ie 10 children engaged in active play in the northern outdoor play area and 10 children engaged in passive play in the eastern outdoor play area. The use of the outdoor play area will not change following the increase in capacity. As such, noise emission from the use of the outdoor play area has not been assessed in this report as there will be no change in noise impact.

Additionally, the existing mechanical plant will continue to serve the Centre. No additional items of plant are included in the proposal, however the use of the existing plant will contribute to the cumulative noise levels from the operation of the Centre.

The cumulative noise impact to the nearby noise sensitive residential areas have been assessed from noise generated by the Centre as follows:

- Up to 48 children playing inside;
- Existing mechanical plant; and
- Additional road traffic noise generated by the increased capacity of the Centre.

We have considered the noise impact at each of the residential receptor locations as outlined in Table 1. Noise modeling is based on architectural drawings prepared by Ramsay Surveyors Pty Ltd, dated November 2020, as shown in Appendix C.

All distances used in noise calculations are approximate and are based on individual noise generating facets within the Centre, as shown in Appendix C, to the assessment location at each receptor. All residential receptor locations listed in Table 1, at which noise levels have been assessed, are representative of all adjacent residential receptors in the immediate area. Compliance at these nearest representative locations will ensure compliance at every other adjacent receptor.

### 6.1 Indoor Play Areas

The AAAC has presented a range of A-weighted SWL's per child in its '*Guideline for Child Care Centre Acoustic Assessment*'. The logarithmic average of the full range of A-weighted SWL's for children has been used to represent the noise emission from a typical group of mixed aged children engaged in free play.

Where passive/quiet activities are engaged in by children, the noise generated by children is generally 6 dB lower than active play. Passive activities include arts and crafts, block play, reading stories or any other kind of focused activity where minimal levels of noise are generated.

The AAAC sound power levels for each age group are presented in Table 4 and used in this assessment.



**Table 4 Children at Play Indoor and Outdoor  $L_{eq, 15 \text{ min}}$  Sound Power Levels**

Number and Age of Children	Sound Power Levels (dB) at Octave Band Centre Frequencies (Hz)								
	dBA	63	125	250	500	1k	2k	4k	8k
10 children, 0 to 2 years	78	54	60	66	72	74	71	67	64
10 children, 2 to 3 years	85	61	67	73	79	81	78	74	70
10 children, 3 to 5 years	87	64	70	75	81	83	80	76	72

**6.2 Car Park Noise Emission**

Based on the RTA's 'Guide to Traffic Generating Developments' prediction of 0.8 peak (morning 7 am – 9 am) vehicle trips per child for Child Care Centres (Long-day care), we have assumed, as a worst case scenario, a flow of cars equivalent to 38 trips in 1 hour arriving or leaving the car park in the morning peak. This is equivalent to 10 vehicle trips in a 15 minute period.

The SEL and  $L_{Amax}$  sound power level and spectra of vehicle noise is shown in Table 5. These levels are based on previous measurements by Day Design.

For the assessment of vehicular activity from within the car park area we have assumed vehicles will travel at a rate of 10km/h. For additional noise generated by on-road traffic, we have assumed vehicles will travel at a rate of 30km/h as they approach or leave the Centre.

**Table 5 Sound Power Levels of Car Park Noise**

Description	Sound Power Levels (dB) at Octave Band Centre Frequencies (Hz)								
	dBA	63	125	250	500	1k	2k	4k	8k
SEL sound power level of car drive-by at approximately 10 km/h	82	86	82	78	77	78	73	70	64
SEL sound power level of car drive-by at approximately 30 km/h	87	93	86	84	82	83	76	69	63



### 6.3 Mechanical Plant

For the purposes of noise assessment, we have assumed that the existing outdoor air conditioning condenser units installed at ground floor level on the east façade of the building are operating simultaneously and continuously.

The existing units currently serving the facility are:

- Daikin RXS95LVMA
- Daikin RY250KUY1.

Sound power levels used in the calculation of the noise contribution from the mechanical plant are shown in Table 6 as published by the manufacturer.

**Table 6**  $L_{eq, 15 \text{ min}}$  Sound Power Level - Mechanical Plant

Description	Sound Power Levels (dB)								
	dBA	at Octave Band Centre Frequencies (Hz)							
		63	125	250	500	1k	2k	4k	8k
Daikin RXS95LVMA	69	75	77	69	65	64	60	55	48
Daikin RY250KUY1	72	70	69	65	69	68	64	58	53
Total AC Plant	74	76	78	70	70	69	66	60	54



## 7.0 CALCULATED NOISE LEVELS AT RECEPTOR LOCATIONS

Knowing the sound power level of a noise source (See Tables 4 to 6), the sound pressure level (as measured with a sound level meter) can be calculated at a remote location using suitable formulae to account for distance losses, sound barriers, etc.

The following noise level calculations are shown for the nearest residential dwellings, 'R1' – 'R4'. The calculated noise level at the receptor locations from the various noise producing facets of the Centre are shown in Tables 7 to 11.

### 7.1 Cumulative Noise Level –Indoor Play, Car Park and Mechanical Plant

Calculations assume all 48 children are playing inside and are distributed evenly throughout the indoor play areas and all noise control recommendations in Section 8 have been implemented satisfactorily.

Calculations also assume attenuation from existing boundary fences which have been constructed in accordance with Consent Condition 1 (Annexure B – Final Conditions of Consent DA 110/2016).

Noise level calculations for existing mechanical plant assume the sound power levels shown in Table 6.

Cumulative noise levels for indoor play, car park use and mechanical plant are shown in Tables 7 and 8 at the nearest affected point at ground floor level.

**Table 7 Cumulative  $L_{eq, 15 \text{ minute}}$  Noise Levels - Indoor Play, Car Park and Mechanical Plant (R1 & R2)**

Receptor Location	Calculated Noise Level - $L_{eq, 15 \text{ min}}$	Noise Criterion - $L_{eq, 15 \text{ min}}$	Compliance (Yes/No)
R1 – Residence			
- Indoor play areas	GF - 18 dBA		
- Car park	GF - 35 dBA		
- Mechanical plant	GF - 16 dBA		
Cumulative Noise Level	GF - 36 dBA	44 dBA	Yes
R2 – Residence			
- Indoor play areas	GF - 0 dBA		
- Car park	GF - 17 dBA		
- Mechanical plant	GF - 23 dBA		
Cumulative Noise Level	GF - 24 dBA	44 dBA	Yes





## Environmental Noise Impact Assessment

**Table 8 Cumulative  $L_{eq, 15 \text{ minute}}$  Noise Levels - Indoor Play, Car Park and Mechanical Plant (R3 - R5)**

Receptor Location	Calculated Noise Level - $L_{eq, 15 \text{ min}}$	Noise Criterion - $L_{eq, 15 \text{ min}}$	Compliance (Yes/No)
R3 – Residence			
- Indoor play areas	GF - 18 dBA		
-	FF - 26 dBA		
- Car park	GF - 33 dBA		
-	FF - 38 dBA		
- Mechanical plant	GF - 35 dBA		
-	FF - 44 dBA		
Cumulative Noise Level	GF - 38 dBA	44 dBA	Yes
	FF - 45 dBA	45 dBA	Yes
R4 – Residence			
- Indoor play areas	GF - 18 dBA		
- Car park	GF - 32 dBA		
- Mechanical plant	GF - 18 dBA		
Cumulative Noise Level	GF - 32 dBA	44 dBA	Yes

The calculated cumulative  $L_{eq, 15 \text{ minute}}$  levels of noise from the general operation of the Centre is summarised in Tables 7 and 8 at each receptor location. With the aforementioned assumptions, the calculated cumulative levels of noise from the Centre indicate that the noise criteria is met at all receptor locations with the proposed increase in capacity.





**Environmental Noise Impact Assessment****7.2 On - Road Traffic**

The external  $L_{eq, 1 \text{ hour}}$  traffic noise levels associated with additional on - road traffic throughout the day have been calculated at the front facades of the nearest residential receptor locations, 'R1', 'R3' & 'R4'.

The front facades of receptors 'R1', 'R3' & 'R4' are representative of the closest and most exposed residential receptors likely to be affected by additional traffic generated from the Centre. It is reasonable to assume that compliance at these locations will ensure compliance at all other receptor locations which are further away and shielded from the road by buildings and other structures.

$L_{eq, 1 \text{ hour}}$  noise levels at receptor locations 'R1', 'R3' & 'R4' are shown in Table 9. Calculations consider distance attenuation only and assume a worst case scenario with all traffic from the Centre moving past each of these receptors exclusively.

**Table 9 Calculated  $L_{eq, 1 \text{ hour}}$  Noise Levels - Additional On - Road Traffic**

Receptor Location	Calculated Noise Level $L_{eq, 1 \text{ hour}}$	Noise Criterion $L_{eq, 1 \text{ hour}}$	Compliance (Yes/No)
R1 - Residence (front façade)	45 dBA	55 dBA	Yes
R3 - Residence (front façade)	35 dBA	55 dBA	Yes
R4 - Residence (front façade)	41 dBA	55 dBA	Yes

The calculated external  $L_{eq, 1 \text{ hour}}$  noise levels of noise from additional on-road traffic at the nearest residential locations, 'R1', 'R3' & 'R4', are below the noise criteria established in Section 5 and is therefore acceptable.



## **8.0 NOISE CONTROL RECOMMENDATIONS**

### **8.1 Plan of Management**

We have reviewed the proposed Plan of Management (dated March 2021) for the Centre which includes a specific section for Noise Controls. The procedures and noise control measures specified in the PoM are sufficient to ensure that no additional noise impact will occur following the increase in capacity. We recommend that all noise controls specified in the PoM should be implemented in full during the daily operations and ongoing maintenance of the Centre.

### **8.2 Sound Barrier Fences**

The existing sound barrier fences and acoustic screens currently installed at the site are sufficient to reduce noise emission from the site. It is not necessary to increase the height of the existing fences however, all fences should be maintained such that no holes or gaps form.

### **8.3 Mechanical Plant**

There will be no changes to the existing plant currently serving the Centre, therefore, there will be no additional noise impact from mechanical plant. However, if there are any changes to the existing plant, ie a new installation or replacement of existing items, we recommend that an acoustic review is conducted prior to installation to ensure any additional noise impacts are mitigated.

### **8.4 Construction Disclaimer**

Recommendations made in this report are intended to resolve acoustical problems only. We make no claims of expertise in other areas of building construction and therefore the recommended noise controls should be implemented into the building design in consultation with other specialists to ensure they meet the structural, fire, thermal or other aspects of building construction.

We encourage clients to check with us before using materials or equipment that are alternative to those specified in our Acoustical Report.



## 9.0 CONCLUSION

Day Design Pty Ltd was engaged by Woodgreen Early Learning Centre to assess the potential environmental noise impact from a proposed increase in capacity from 35 to 48 children at the existing facility located at 6 Torrington Road, Strathfield, NSW.

Measurements and calculations show that, provided the procedures and noise controls specified in the Plan Of Management (March 2021) and noise control recommendations made in Section 8 of this report are implemented, the level of noise emitted by the proposed Child Care Centre will meet the acceptable noise level requirements of the Association of Australasian Acoustical Consultants *Guideline for Child Care Centres Acoustic Assessment* and *Road Noise Policy*, as detailed in Section 5 of this report, and is considered acceptable.



**Alexander Mendoza**, MDesSc (Audio and Acoustics), MAAS

Acoustical Consultant

for and on behalf of Day Design Pty Ltd

## AAAC MEMBERSHIP

Day Design Pty Ltd is a member company of the Association of Australasian Acoustical Consultants, and the work herein reported has been performed in accordance with the terms of membership.

## APPENDICES

**Appendix A** – Instrumentation

**Appendix B** – Ambient Noise Survey

**Appendix C** – Architectural Drawings

**AC108-1 to 4** – Glossary of Acoustical Terms



Woodgreen Early Learning Centre  
Environmental Noise Impact Assessment

## Appendix A

### NOISE SURVEY INSTRUMENTATION

Noise level measurements and analysis in this report were made with instrumentation as follows:

**Table A1 Noise Survey Instrumentation**

Description	Model No	Serial No
Infobyte Noise Logger (Type 2)	iM4	123
Condenser Microphone 0.5" diameter	MK 250	123
Infobyte Noise Logger (Type 2)	iM4	124
Condenser Microphone 0.5" diameter	MK 250	124

An environmental noise logger is used to continuously monitor ambient noise levels and provide information on the statistical distribution of noise during an extended period of time. The Infobyte Noise Monitor iM4 (#123, #124) is a Type 2 precision environmental noise monitor meeting all the applicable requirements of AS1259 for an integrating-averaging sound level meter.

All instrument systems had been laboratory calibrated using instrumentation traceable to Australian National Standards and certified within the last two years thus conforming to Australian Standards. The measurement system was also field calibrated prior to and after noise surveys. Calibration drift was found to be less than 1 dB during unattended measurements. No adjustments for instrument drift during the measurement period were warranted.



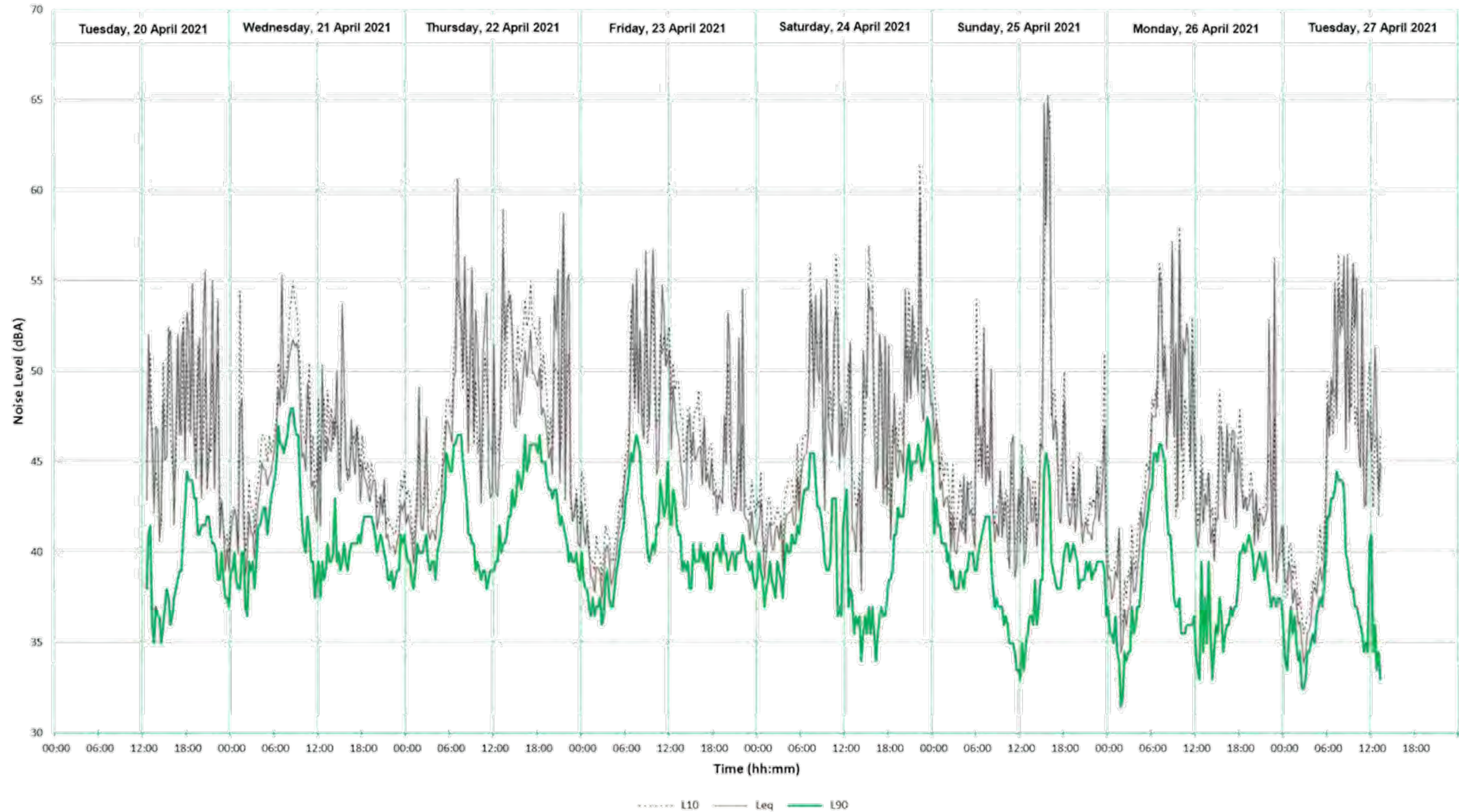




### AMBIENT NOISE SURVEY

7215-1  
Appendix B

Located at Rear Yard, Ground Floor 32 Woodward Ave, Strathfield, NSW



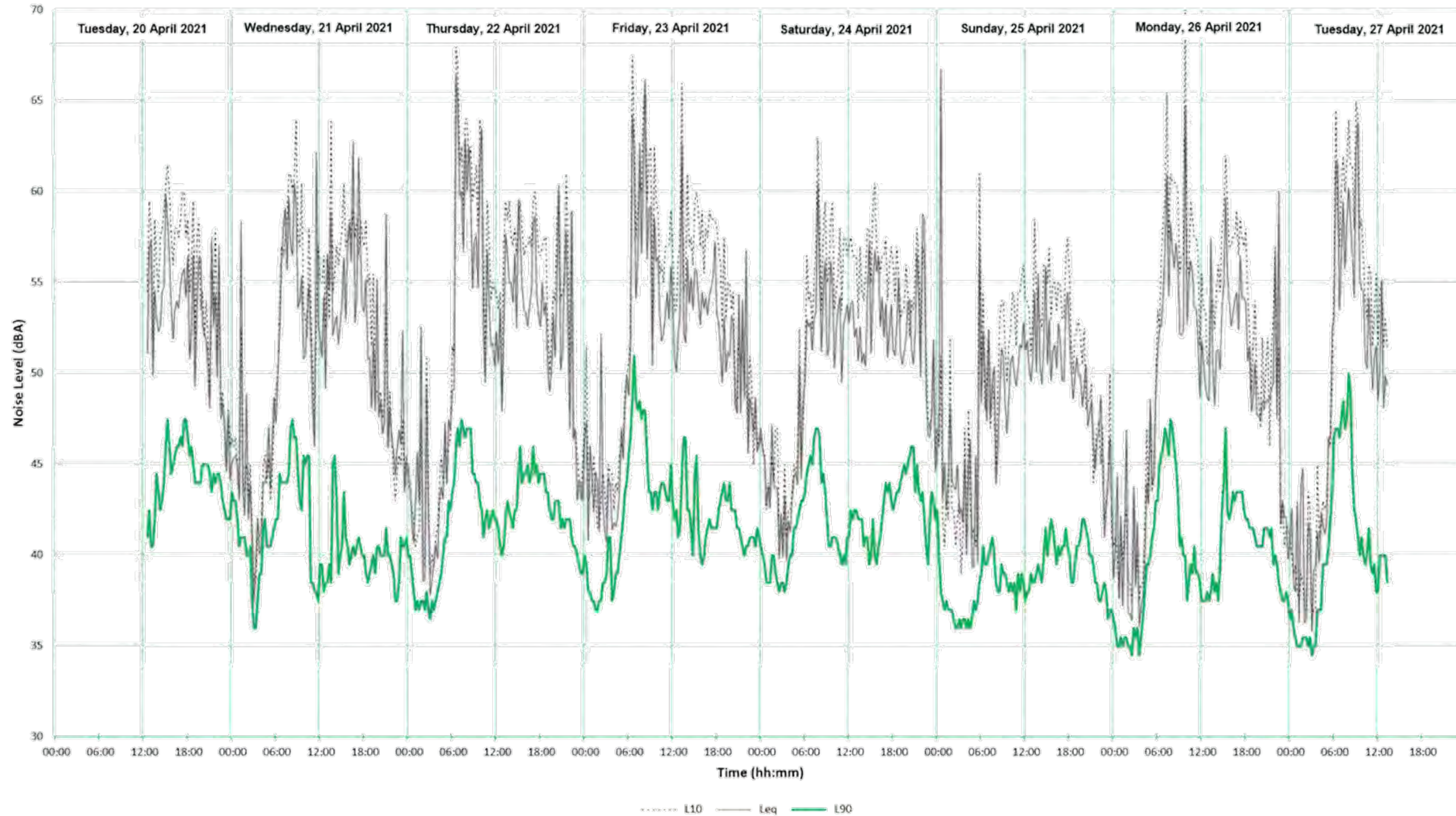
DAY DESIGN PTY LTD



### AMBIENT NOISE SURVEY

7215-1  
Appendix B

Located at Front Yard, First Floor 32 Woodward Ave, Strathfield, NSW



DAY DESIGN PTY LTD

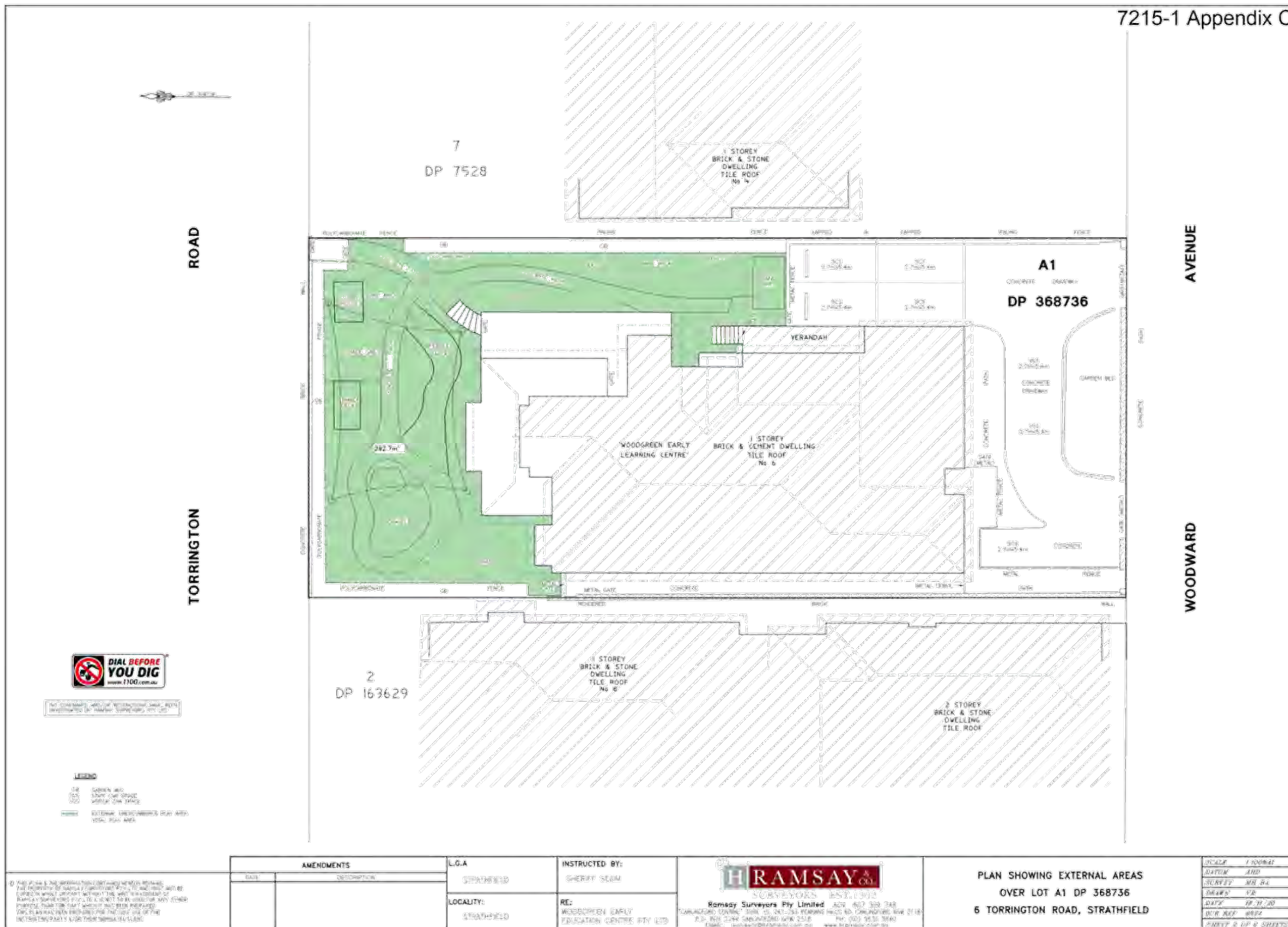








7215-1 Appendix C



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**LEGEND**

- DBL GARDEN BED
- DBL DRIVE WAY SPACE
- DBL VERANDAH SPACE
- DBL EXTERNAL UNDEVELOPED GRASS AREA
- DBL TOTAL PDA AREA

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AMENDMENTS	
DATE	DESCRIPTION

L.G.A.  
STRATHFIELD  
LOCALITY:  
STRATHFIELD

INSTRUCTED BY:  
SHERRY SEUM  
RE:  
WOODGREEN EARLY EDUCATION CENTRE PTY LTD

**H RAMSAY & S**  
SURVEYORS ESTD 1902  
Ramsay Surveyors Pty Limited ACN 607 309 348  
TORRINGTON ROAD, SUITE 15, 241-254 PEARSON PLACE RD, TORRINGTON NSW 2116  
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Email: info@ramsaysurveyors.com.au www.ramsaysurveyors.com.au

PLAN SHOWING EXTERNAL AREAS  
OVER LOT A1 DP 368736  
6 TORRINGTON ROAD, STRATHFIELD

SCALE	1:1000/1
DATUM	AGD
SURVEY	MR RA
MARKS	VR
DATE	18/11/20
DRAWN BY	MR RA
CHECKED BY	MR RA
PART 2 OF 6 SHEETS	

7215-1 Appendix C



- LEGEND**
- APA ART PREPARATION AREA
  - CSG CHILD SAFETY GATE
  - BPA BOTTLE PREPARATION AREA
  - FT FISH TANK
  - NCA NAPPY CHANGE AREA
  - OPA OUTDOOR PLAY AREA
  - SD SLIDING DOOR
  - TC TOILET CUBICAL
  - WB WASH BASIN
  - WIN WINDOW

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AREA	AREA SURVEYED (m <sup>2</sup> )	No. OF CHILDREN/m <sup>2</sup>	No. OF CHILDREN ALLOWED (CALCULATED)	No. OF CHILDREN ALLOWED (ROUNDED)
BABIES	51.12	3.25	15.72	15
TODDLERS	48.69	3.25	14.98	14
PRE SCHOOL	62.66	3.25	19.28	19
EXTERNAL	344.86	7.00	49.26	49

- BABIES 0-2 YEARS UNENCUMBERED AREA PLAY ROOM 01  
51.12m<sup>2</sup> (UP TO 15 CHILDREN\*)
  - TODDLERS 2-3 YEARS UNENCUMBERED AREA PLAY ROOM 02  
48.69m<sup>2</sup> (UP TO 14 CHILDREN\*)
  - PRE-SCHOOL 3-6 YEARS UNENCUMBERED AREA PLAY ROOM 03  
62.66m<sup>2</sup> (UP TO 19 CHILDREN\*)
  - EXTERNAL UNENCUMBERED PLAY AREA  
TOTAL PLAY AREA  
344.86m<sup>2</sup> (UP TO 49 CHILDREN\*)
- \* AS PER CLAUSE 107/108 OF EDUCATION & CARE SERVICES NATIONAL REGULATIONS 2011

**L.G.A:**  
STRATHFIELD

**INSTRUCTED BY:**  
SHERIFF SELIM

**LOCALITY:**  
STRATHFIELD

**RE:** WOODGREEN EARLY EDUCATION CENTRE PTY LTD

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EMAIL: surveyor@ramsay.com.au www.ramsay.com.au

**PLAN SHOWING STREET ELEVATION 1  
AT 6 TORRINGTON ROAD,  
STRATHFIELD**

*SHEET 3 OF 6 SHEETS*

SCALE 1:100@A3

DATUM AHD

SURVEY MH

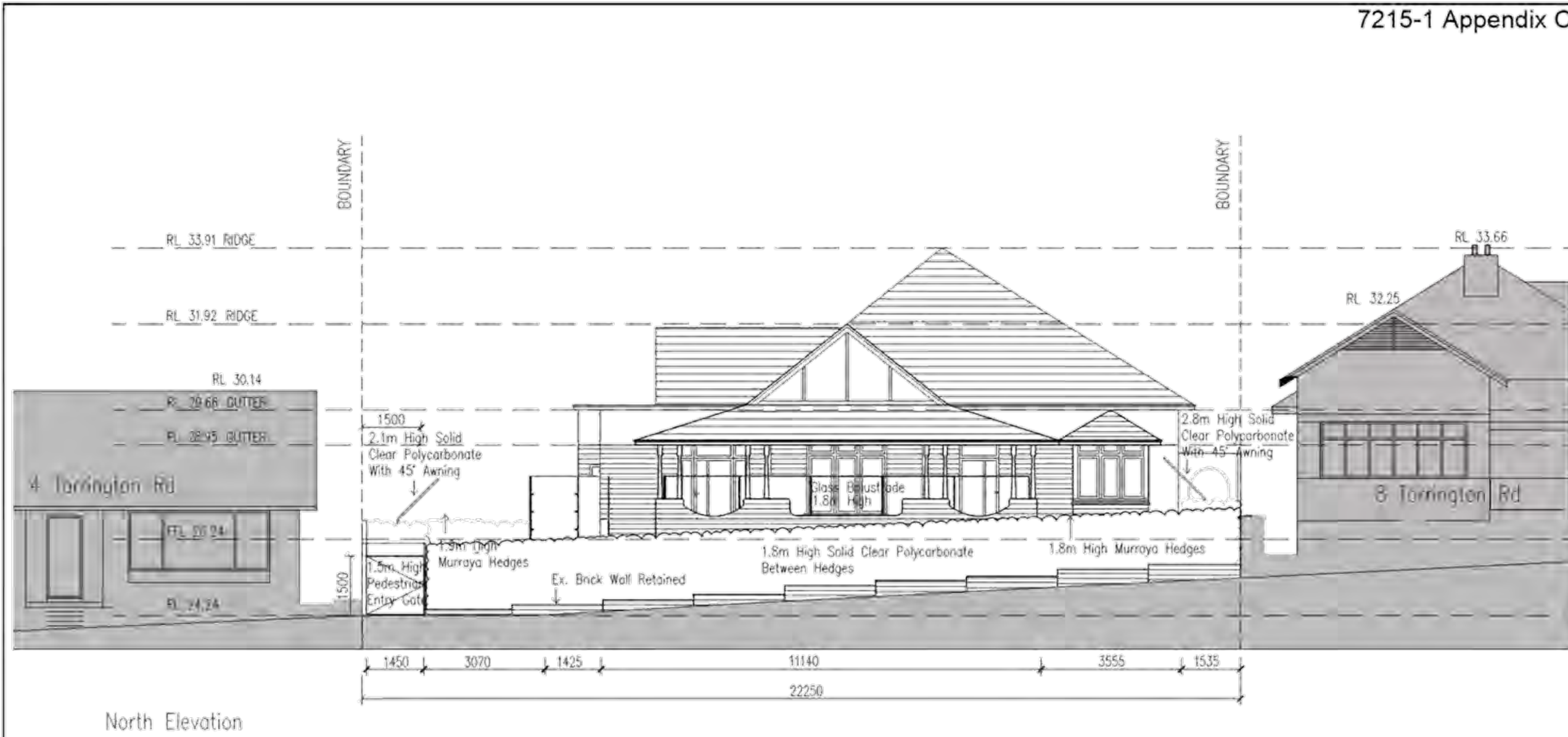
DRAWN VR

DATE 18/11/20

OUR REF 8924



7215-1 Appendix C



<b>L.G.A.:</b> STRATHFIELD	<b>INSTRUCTED BY:</b> SHERIFF SELIM
<b>LOCALITY:</b> STRATHFIELD	<b>RE:</b> WOODGREEN EARLY EDUCATION CENTRE PTY LID

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EMAIL: surveyor@hramsay.com.au www.hramsay.com.au

**PLAN SHOWING STREET ELEVATION 1  
AT 6 TORRINGTON ROAD,  
STRATHFIELD**

<i>SHEET 4 OF 6 SHEETS</i>
<i>SCALE 1:100@A3</i>
<i>DATUM AHD</i>
<i>SURVEY MH</i>
<i>DRAWN VR</i>
<i>DATE 18/11/20</i>
<i>OUR REF 8924</i>

7215-1 Appendix C



South Elevation

<b>L.G.A:</b> STRATHFIELD	<b>INSTRUCTED BY:</b> SHERIFF SELIM
<b>LOCALITY:</b> STRATHFIELD	<b>RE:</b> WOODGREEN EARLY EDUCATION CENTRE PTY LTD

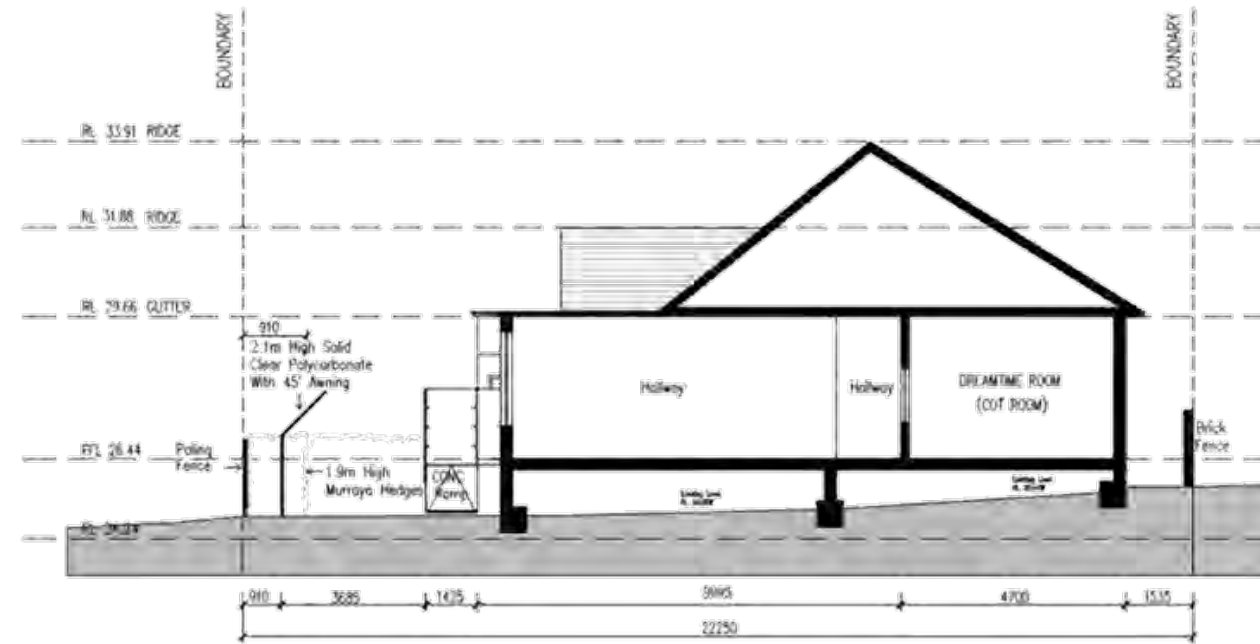
**RAMSAY & CO**  
SURVEYORS EST. 1962

**Ramsay Surveyors Pty Limited** ACN 607 389 748  
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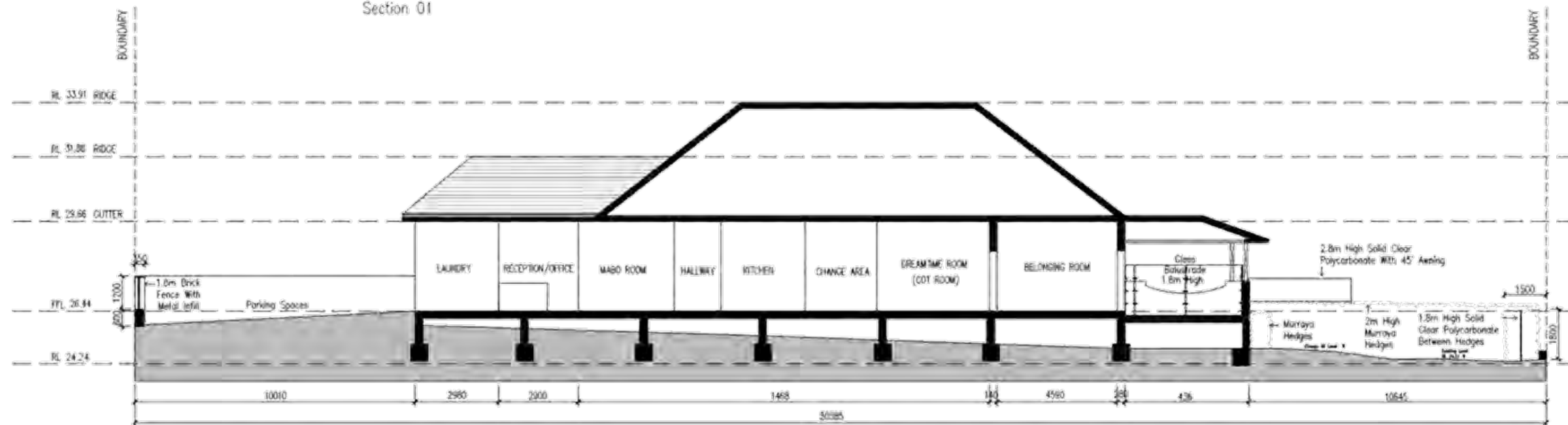
**PLAN SHOWING STREET ELEVATION 2  
AT 6 TORRINGTON ROAD,  
STRATHFIELD**

<i>SHEET 5 OF 6 SHEETS</i>	
<i>SCALE</i>	<i>1:100@A3</i>
<i>DATUM</i>	<i>AHD</i>
<i>SURVEY</i>	<i>MH</i>
<i>DRAWN</i>	<i>VR</i>
<i>DATE</i>	<i>18/11/20</i>
<i>OUR REF</i>	<i>8924</i>

7215-1 Appendix C




Section 01



Section 02

<b>L.G.A:</b> STRATHFIELD	<b>INSTRUCTED BY:</b> SHERIFF SELIM
<b>LOCALITY:</b> STRATHFIELD	<b>RE:</b> WOODGREEN EARLY EDUCATION CENTRE PTY LID

  
**SURVEYORS EST. 1962**  
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 P.O. BOX 2244 CARLINGFORD NSW 2118 PH: (02) 9635 5840  
 EMAIL: surveyor@hramsay.com.au www.hramsay.com.au

**PLAN SHOWING SECTION 1 & 2**  
**AT 6 TORRINGTON ROAD,**  
**STRATHFIELD**

<i>SHEET 6 OF 6 SHEETS</i>
<i>SCALE 1:150@A3</i>
<i>DATUM AHD</i>
<i>SURVEY MH</i>
<i>DRAWN VR</i>
<i>DATE 18/11/20</i>
<i>OUR REF 8924</i>



## GLOSSARY OF ACOUSTICAL TERMS

AC108

Sheet 1 of 4

**ACOUSTICAL** – Pertaining to the science of sound, including the generation, propagation, effects and control of both noise and vibration.

**AMBIENT NOISE** – The ambient noise level at a particular location is the overall environmental noise level caused by all noise sources in the area, both near and far, including road traffic, factories, wind in the trees, birds, insects, animals, etc.

**AUDIBLE** – means that a sound can be heard. However, there are a wide range of audibility grades, varying from “barely audible” to “just audible”, “clearly audible” and “prominent”. Chapter 83 of the NSW Environment Protection Authority – Environmental Noise Control Manual (1985) states:

*“noise from a particular source might be offensive if it is clearly audible, distinct from the prevailing background noise and of a volume or character that a reasonable person would be conscious of the intrusion and find it annoying or disruptive”.*

It follows that the word “audible” in an environmental noise context means “clearly audible”.

**BACKGROUND NOISE LEVEL** – Silence does not exist in the natural or the built-environment, only varying degrees of noise. The Background Noise Level is the average minimum dBA level of noise measured in the absence of the noise under investigation and any other short-term noises such as those caused by cicadas, lawnmowers, etc. It is quantified by the  $L_{A90}$  or the dBA noise level that is exceeded for 90 % of the measurement period (usually 15 minutes).

- **Assessment Background Level (ABL)** is the single figure background level representing each assessment period – day, evening and night (ie three assessment background levels are determined for each 24hr period of the monitoring period). Determination of the assessment background level is by calculating the tenth percentile (the lowest tenth percent value) of the background levels ( $L_{A90}$ ) for each period (refer: NSW Industrial Noise Policy, 2000).
- **Rating Background Level (RBL)** as specified by the Environment Protection Authority is the overall single figure ( $L_{A90}$ ) background noise level representing an assessment period (day, evening or night) over a monitoring period of (normally) three to seven days.

The RBL for an assessment period is the median of the daily lowest tenth percentile of  $L_{90}$  background noise levels.

If the measured background noise level is less than 30 dBA, then the Rating Background Level (RBL) is considered to be 30 dBA.

**DECIBEL** – The human ear has a vast sound-sensitivity range of over a thousand billion to one. The decibel is a logarithmic unit that allows this same range to be compressed into a somewhat more comprehensible range of 0 to 120 dB. The decibel is ten times the logarithm of the ratio of a sound level to a reference sound level. See also Sound Pressure Level and Sound Power Level.

Decibel noise levels cannot be added arithmetically since they are logarithmic numbers. If one machine is generating a noise level of 50 dBA, and another similar machine is placed beside it, the level will increase to 53 dBA, not 100 dBA. Ten similar machines placed side by side increase the sound level by 10 dBA, and one hundred machines increase the sound level by 20 dBA.

**dBA** – The human ear is less sensitive to low frequency sound than high frequency sound. We are most sensitive to high frequency sounds, such as a child’s scream. Sound level meters have an inbuilt weighting network, termed the dBA scale, that approximates the human loudness response at quiet sound levels (roughly approximates the 40 phon equal loudness contour).

DAY DESIGN PTY LTD





## GLOSSARY OF ACOUSTICAL TERMS

AC108

Sheet 2 of 4

However, the dBA sound level provides a poor indication of loudness for sounds that are dominated by low frequency components (below 250 Hz). If the difference between the "C" weighted and the "A" weighted sound level is 15 dB or more, then the NSW Industrial Noise Policy recommends a 5 dBA penalty be applied to the measured dBA level.

**dB C** – The dB C scale of a sound level meter is similar to the dBA scale defined above, except that at high sound intensity levels, the human ear frequency response is more linear. The dB C scale approximates the 100 phon equal loudness contour.

**EQUIVALENT CONTINUOUS NOISE LEVEL,  $L_{Aeq}$**  – Many noises, such as road traffic or construction noise, vary continually in level over a period of time. More sophisticated sound level meters have an integrating electronic device inbuilt, which average the A weighted sound pressure levels over a period of time and then display the energy average or  $L_{Aeq}$  sound level. Because the decibel scale is a logarithmic ratio the higher noise levels have far more sound energy, and therefore the  $L_{Aeq}$  level tends to indicate an average which is strongly influenced by short term, high level noise events. Many studies show that human reaction to level-varying sounds tends to relate closely to the  $L_{Aeq}$  noise level.

**FREE FIELD** – This is a sound field not subject to significant reflection of acoustical energy. A free field over a reflecting plane is usually outdoors with the noise source resting on hard flat ground, and not closer than 6 metres to any large flat object such as a fence or wall; or inside an anechoic chamber.

**FREQUENCY** – The number of oscillations or cycles of a wave motion per unit time, the SI unit being the Hertz, or one cycle per second.

**IMPACT ISOLATION CLASS (IIC)** – The American Society for Testing and Materials (ASTM) has specified that the IIC of a floor/ceiling system shall be determined by operating an ISO 140 Standard Tapping Machine on the floor and measuring the noise generated in the room below. The IIC is a number found by fitting a reference curve to the measured octave band levels and then deducting the sound pressure level at 500 Hz from 110 decibels. Thus the higher the IIC, the better the impact sound isolation.

**IMPACT SOUND INSULATION ( $L_{nT,w}$ )** – Australian Standard AS ISO 717.2 – 2004 has specified that the Impact Sound Insulation of a floor/ceiling system be quantified by operating an ISO 140 Standard Tapping Machine on the floor and measuring the noise generated in the room below. The Weighted Standardised Impact Sound Pressure Level ( $L_{nT,w}$ ) is the sound pressure level at 500 Hz for a reference curve fitted to the measured octave band levels. Thus the lower  $L_{nT,w}$  the better the impact sound insulation.

**IMPULSE NOISE** – An impulse noise is typified by a sudden rise time and a rapid sound decay, such as a hammer blow, rifle shot or balloon burst.

**INTRUSIVE NOISE LEVEL,  $L_{Aeq}$**  – The level of noise from a factory, place of entertainment, etc. in NSW is assessed on the basis of the average maximum noise level, or the  $L_{Aeq (15 min)}$ . This is the energy average A weighted noise level measured over any 15 minute period.

**LOUDNESS** – The degree to which a sound is audible to a listener is termed the loudness. The human ear perceives a 10 dBA noise level increase as a doubling of loudness and a 20 dBA noise increase as a quadrupling of the loudness.



## GLOSSARY OF ACOUSTICAL TERMS

AC108

Sheet 3 of 4

**MAXIMUM NOISE LEVEL,  $L_{Amax}$**  – The rms maximum sound pressure level measured on the "A" scale of a sound level meter during a noise survey is the  $L_{Amax}$  noise level. It may be measured using either the Fast or Slow response time of the meter. This should be stated.

**NOISE RATING NUMBERS** – A set of empirically developed equal loudness curves has been adopted as Australian Standard AS1469-1983. These curves allow the loudness of a noise to be described with a single NR number. The Noise Rating number is that curve which touches the highest level on the measured spectrum of the subject noise. For broadband noise such as fans and engines, the NR number often equals the dBA level minus five.

**NOISE** – Noise is unwanted sound. Sound is wave motion within matter, be it gaseous, liquid or solid. "Noise includes sound and vibration".

**NOISE REDUCTION COEFFICIENT** – See: "Sound Absorption Coefficient".

**OFFENSIVE NOISE** - (Reference: Dictionary of the Protection of the Environment Operations Act 1997). "*Offensive Noise means noise:*

(a) *that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:*

(i) *is harmful to (or likely to be harmful to) a person who is outside the premise from which it is emitted, or*

(ii) *interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or*

(b) *that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances prescribed by the regulations."*

**PINK NOISE** – Pink noise is a broadband noise with an equal amount of energy in each octave or third octave band width. Because of this, Pink Noise has more energy at the lower frequencies than White Noise and is used widely for Sound Transmission Loss testing.

**REVERBERATION TIME,  $T_{60}$**  – The time in seconds, after a sound signal has ceased, for the sound level inside a room to decay by 60 dB. The first 5 dB decay is often ignored, because of fluctuations that occur while reverberant sound conditions are being established in the room. The decay time for the next 30 dB is measured and the result doubled to determine the  $T_{60}$ . The Early Decay Time (EDT) is the slope of the decay curve in the first 10 dB normalised to 60 dB.

**SOUND ABSORPTION COEFFICIENT,  $\alpha$**  –  $\alpha$  Sound is absorbed in porous materials by the viscous conversion of sound energy to heat energy as the sound waves pass through it. Sound is similarly absorbed by the flexural bending of internally damped panels. The fraction of incident energy that is absorbed is termed the Sound Absorption Coefficient,  $\alpha$ . An absorption coefficient of 0.9 indicates that 90 % of the incident sound energy is absorbed. The average  $\alpha$  from 250 to 2000 Hz is termed the Noise Reduction Coefficient (NRC).

**SOUND ATTENUATION** – If an enclosure is placed around a machine, or a silencer is fitted to a duct, the noise emission is reduced or attenuated. An enclosure that attenuates the noise level by 30 dBA, reduces the sound energy by one thousand times.

**SOUND EXPOSURE LEVEL (SEL)** – The total sound energy of a single noise event condensed into a one second duration or in other words it is an  $L_{eq}$  (1 sec).





## GLOSSARY OF ACOUSTICAL TERMS

AC108

Sheet 4 of 4

**SOUND PRESSURE LEVEL,  $L_p$**  – The level of sound measured on a sound level meter and expressed in decibels, dB, dBA, dBC, etc.  $L_p = 20 \times \log (P/P_0) \dots \text{dB}$

where P is the rms sound pressure in Pascal and  $P_0$  is a reference sound pressure of 20  $\mu\text{Pa}$ .  
 $L_p$  varies with distance from a noise source.

**SOUND POWER LEVEL,  $L_w$**  – The Sound Power Level of a noise source is an absolute that does not vary with distance or with a different acoustic environment.

$L_w = L_p + 10 \log A \dots \text{dB, re: } 1\text{pW,}$

where A is the measurement noise-emission area in square metres in a free field.

**SOUND TRANSMISSION CLASS (STC)** – An internationally standardised method of rating the sound transmission loss of partition walls to indicate the decibels of noise reduction of a human voice from one side to the other. (Refer: Australian Standard AS1276 – 1979)

**SOUND TRANSMISSION LOSS** – The amount in decibels by which a random sound is reduced as it passes through a sound barrier. A method for the measurement of airborne Sound Transmission Loss of a building partition is given in Australian Standard AS1191 - 2002.

**STATISTICAL EXCEEDENCE SOUND LEVELS,  $L_{A90}$ ,  $L_{A10}$ ,  $L_{A1}$ , etc** – Noise which varies in level over a specific period of time (usually 15 minutes) may be quantified in terms of various statistical descriptors:

The  $L_{A90}$  is the dBA level exceeded for 90 % of the time. In NSW the  $L_{A90}$  is measured over periods of 15 minutes, and is used to describe the average minimum or background noise level.

The  $L_{A10}$  is the dBA level that is exceeded for 10 % of the time. In NSW the  $L_{A10}$  measured over a period of 10 to 15 minutes. It was until recently used to describe the average maximum noise level, but has largely been replaced by the  $L_{Aeq}$  for describing level-varying noise.

The  $L_{A1}$  is the dBA level that is exceeded for 1 % of the time. In NSW the  $L_{A1}$  may be used for describing short-term noise levels such as could cause sleep arousal during the night.

**STEADY NOISE** – Noise, which varies in level by 6 dBA or less, over the period of interest with the time-weighting set to "Fast", is considered to be "steady". (Refer AS 1055.1 1997)

**WEIGHTED SOUND REDUCTION INDEX,  $R_w$**  – This is a single number rating of the airborne sound insulation of a wall, partition or ceiling. The sound reduction is normally measured over a frequency range of 100 to 3,150 Hertz and averaged in accordance with ISO standard weighting curves (Refer AS/NZS 1276.1:1999).

Internal partition wall  $R_w + C$  ratings are frequency weighted to simulate insulation from human voice noise. The  $R_w + C$  is always similar in value to the STC rating value. External walls, doors and windows may be  $R_w + C_{tr}$  rated to simulate insulation from road traffic noise. This is normally a lower number than the STC rating value.

**WHITE NOISE** – White noise is broadband random noise whose spectral density is constant across its entire frequency range. The sound power is the same for equal bandwidths from low to high frequencies. Because the higher frequency octave bands cover a wider spectrum, white noise has more energy at the higher frequencies and sounds like a hiss.



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Established 1994

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E info@ttpa.com.au | ttpa.com.au



**Proposed Increased Enrolment  
Woodgreen Early Learning Centre  
6 Torrington Road, Strathfield**  
Traffic and Parking Impact Assessment

Ref: 340/2019  
Date: April 2021  
Issue: C

**STRATHFIELD COUNCIL  
RECEIVED**  
  
**DA2021.116  
25 May 2021**



Transport and Traffic Planning Associates

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Appendix C	Parking and Travel Survey

Ref. 340/2019

Transport and Traffic Planning Associates

## 1.0 Introduction

---

This report has been prepared to accompany a Development Application to Strathfield Council for a proposed increase in the permitted number of children at the existing Woodgreen Early Learning Centre at 6 Torrington Road, Strathfield (Figure 1).

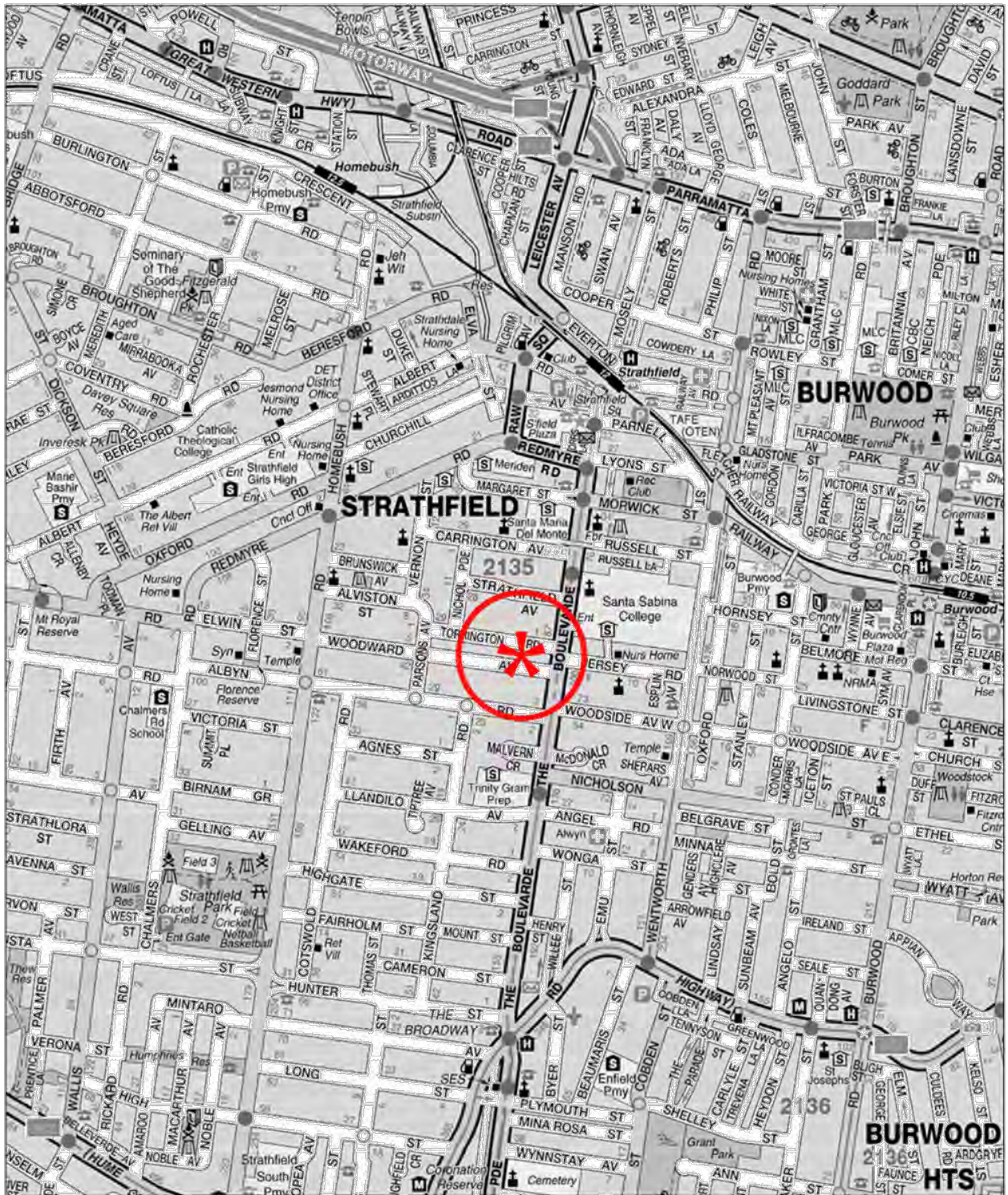
Child care facilities are an important element of community services to support young families with working parents in urban areas. Suitable opportunities to develop much needed centres are somewhat limited and the existing development represents a favourable circumstance where there is the convenient access to the arterial road system and the surrounding residential area without adverse impact on adjoining properties.

The Application seeks approval to increasing the number of children accommodated from 35 to a maximum of 48 children with staff increasing from 6 to 9 persons.

The purpose of this report is to:

- ❖ describe the site, the existing circumstances and the development proposal
- ❖ describe the existing road network and traffic conditions in the area
- ❖ assess the existing travel mode and parking demand circumstances
- ❖ assess the adequacy of the parking provision to accommodate the increased enrolment
- ❖ assess the potential traffic implications
- ❖ assess the adequacy of the existing vehicle access, internal circulation, and servicing arrangements





LEGEND



LOCATION

FIG 1

Transport and Traffic Planning Associates

## 2.0 Proposed Development

---

### 2.1 Site, Context and Existing Circumstances

The site (Figure 2) is Lot A1 DP 368736 occupies a rectangular shaped area of some 1119m<sup>2</sup> with frontages of some 22m to Torrington Road and Woodward Avenue located just to the west of The Boulevard and to the south of the Strathfield Town Centre. The site is adjoined by residential dwellings and the immediate surrounding area comprises a mixture of single dwellings, dual occupancies and medium density dwellings.

The existing Child Care Centre on the site comprises a single level building with a vehicle access porte-cochere provided on the Woodward Avenue frontage. The Centre accommodates 35 children and 6 staff at present and there are 5 staff parking spaces and 2 "set down/pick up" spaces provided in the frontage porte cochere area.

Details of the existing development are provided on the plans in Appendix A.

### 2.2 Proposed Increased Enrolment

The application seeks to increase the permitted number of children to 48 (i.e. increase of 13 children). The proposed increase in the children accommodated will not require any alterations or additions as the existing building facilities are capable of accommodating the additional children. To support the proposed additional children, the staffing level will be increased from 6 to 9 persons.

It is proposed to retain the existing on-site parking provision which are supplemented by 3 on-street spaces with a 15 min. restriction.

Details of the proposal are provided on the drawings which accompany the Development Application which reproduced in Appendix B while a comparison of Existing and Proposed children and staff details are provided overleaf.

Ref. 340/2019

2





**LEGEND**



**SITE**

**FIG 2**

**Now**

Age groups	No. of Children	Staff to child ratio	No. of Staff	Staff	Mode of transport to centre
0-2 Years	8	1:4	2	Amani Selim Sally Selim	Walk Walk
2-3 Years	10	1:5	2	Jennifer Tang Anita Neupane	Walk Train & walk
3-6 years	17	1:10	2	Jihee Park Jaime Nguyen	Walk Car
<b>Total</b>	<b>35 children</b>		<b>6 staff</b>		

**Future (Sheet 3 of 6 )**

Age groups	No. of Children	Staff to child ratio	No. of Staff	Staff	Mode of transport To centre
0-2 Years	15	1:4	4	Amani Selim Sally Selim Georgia Zabakly Sarah-Louise Selim	Walk Walk Car Walk
2-3 Years	14	1:5	3	Jennifer Tang Anita Neupane Jifeng Lu	Walk Train & walk Walk
3-6 years	19	1:10	2	Jihee Park Jaime Nguyen	Train & walk Car
<b>Total</b>	<b>48 children</b>		<b>9 staff</b>		

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## 3.0 Road Network and Traffic Conditions

---

### 3.1 Road Network

The road network serving the site (Figure 3) comprises:

- ❖ the State Highway and arterial routes of *Liverpool Road and Parramatta Road*
- ❖ the State Road and sub-arterial routes of *Georges River Road and Coronation Parade / The Boulevarde*
- ❖ the major collector routes of *Wentworth Road, Burwood Road, Shaftsbury Road and Railway Parade – Parsley Street*
- ❖ the minor collector routes of *Belmore Street and Conder Street*
- ❖ the local access roads including *Torrington Road and Woodward Avenue*.

### 3.2 Traffic Controls

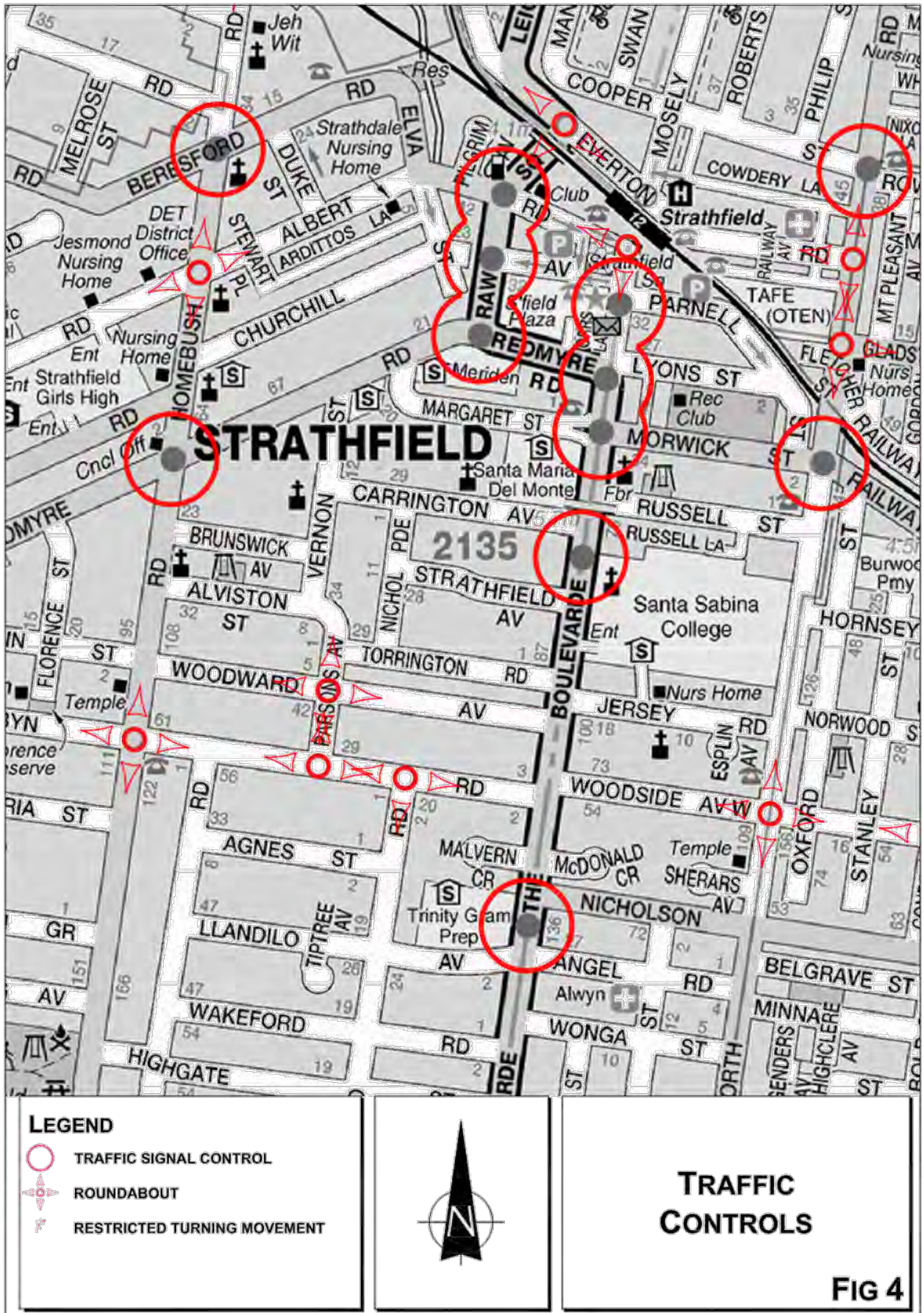
The traffic controls which have been applied to the road system in the vicinity of the site (Figure 4) comprise:

- ❖ the traffic signals at intersections along *The Boulevarde*
- ❖ the pedestrian traffic signals on *The Boulevarde* near *Nicholson Street*
- ❖ the roundabout at the *Woodward Avenue and Parsons Avenue* intersection
- ❖ the roundabouts at intersections along *Albyn Road*
- ❖ the GIVE WAY and STOP sign controls on numerous intersections in the vicinity of the site









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### 3.3 Traffic Conditions

An indication of traffic conditions in the vicinity of the precinct is provided by data published by TfNSW which is expressed in terms of Annual Average Daily Traffic (AADT) and details are provided in the following:

	<b>AADT</b>
The Boulevard N of Hume Highway	25,000

Woodward Avenue carries some 100 vph in the peak periods being largely comprised of local access movements.

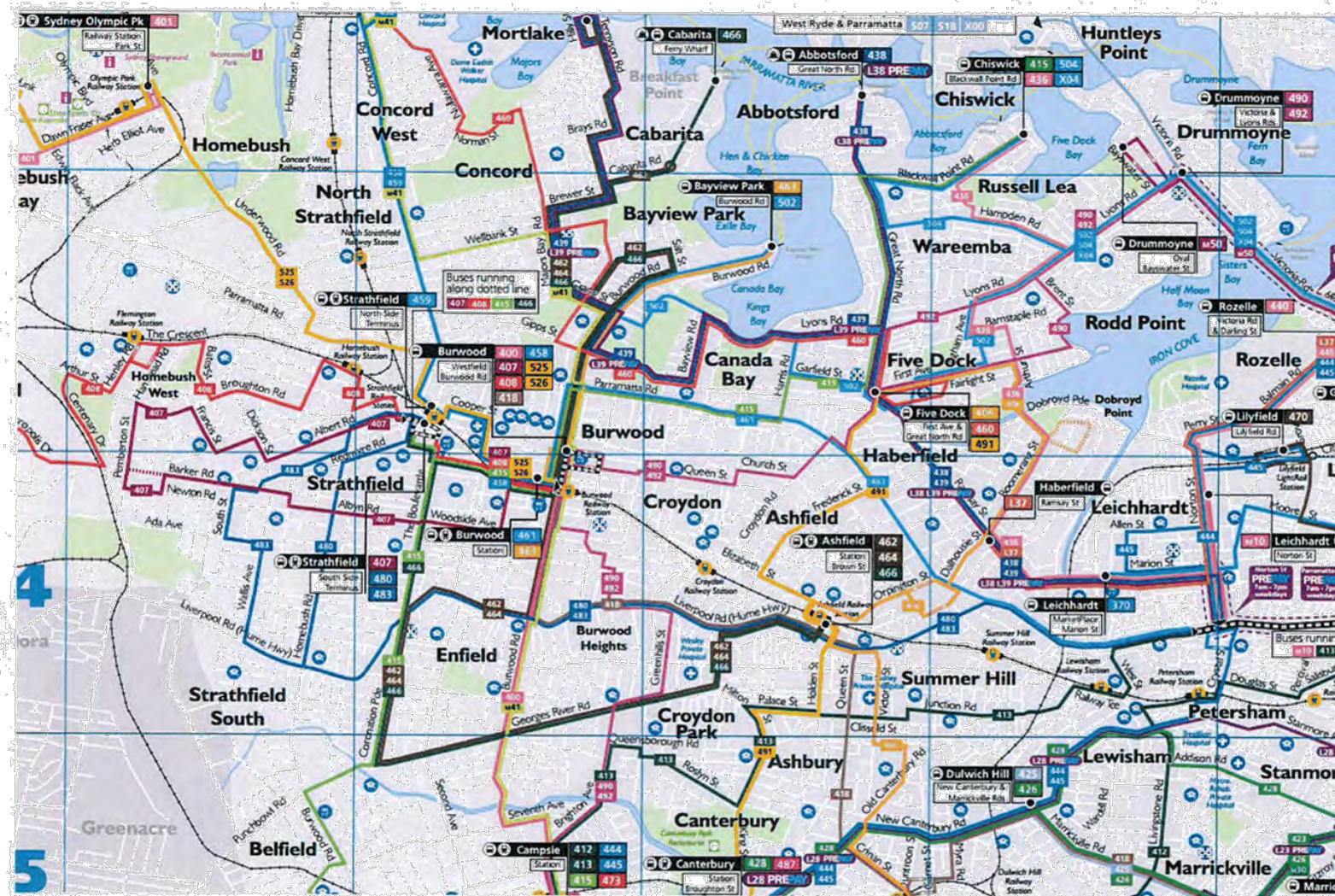
The operational performance of the road system around the precinct is generally satisfactory apart from some delays and congestion that occur through the Town Centre particularly at peak retail trading times.

### 3.4 Transport Services

Strathfield Centre is very well served by public transport services (see details overleaf) comprising:

- ❖ the high frequency rail services accessed at Strathfield Railway Station located some 900m to the north of the site
- ❖ the numerous State Transit bus services which run along The Boulevard and other routes to/from or through the centre





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## 4.0 Existing Travel Mode and Parking

A travel mode, traffic and parking survey was undertaken by Trans Traffic Survey on 10<sup>th</sup> February 2021 and the results are provided in Appendix C and summarised in the following:

	<b>N° of Children</b>	<b>N° of Cars</b>
Walk In	12 (34%)	-
Porte Cochere	15 (43%)	12
Park on Street	8 (23%)	6
<b>Total</b>	<b>35</b>	<b>18</b>
<b>N° of Staff Cars Parked</b>		<b>2</b>

It is apparent that there is a significant percentage of children who walk to/from the centre while it is also apparent that the existing parking provisions are adequate with two on-site SD/PU spaces, three 15 min. on-street spaces supplemented by other 4P on-street parking (restriction to deter commuter parking).

The Appendix B image taken at 7:34am reveals very few cars parked on-street.

The proposal is to increase the maximum permitted number of children to 48 which will equate to the following additional movements:

	<b>Potential Increase</b>
Walk In	4 – 5 children
Porte Cochere	5 – 6 children (4 – 5 cars)
On Street	3 children (3 cars)

Because the children arrive/depart over a 2 hour period it is apparent that the additional 3 – 5 car visitations per hour over this period will be readily accommodated by the available on site and on-street parking. Equally as only 1 – 2 staff spaces are utilised at present there will be adequate capacity to accommodate any additional staff parking demand.



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## 5.0 Traffic

---

On the basis of the Travel Mode survey undertaken by Trans Traffic Survey the proposed increase in children accommodated at the Child Care Centre will result in up to 8 additional car visitations over the 2 hour morning arrival and afternoon departure periods. This equates to some 8 – 10 vph additional or 1 vt each 6 to 7.5 minutes. Although this could be less if there is increased sibling attendance.

It is apparent that this will not present any adverse traffic capacity, safety or traffic related environmental implications.

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## 6.0 Access, Internal Circulation and Servicing

---

### Access

It is proposed to retain the existing separate entry and exit driveways on the Woodward Road frontage and these accord with the design requirements of AS2890.1 and there are excellent sight distances available.

### Internal Circulation

The existing internal circulation and parking arrangement is designed in accordance with Australian Standards AS2890.1. Parking bays are a minimum of 2.4 x 5.4 metres for staff spaces and adequate manoeuvring areas are available.

It is noted that the stacked staff parking spaces are common amongst childcare centres as staff members generally arrive and depart outside of the Centre's peak set down and pick up periods.

### Servicing

Refuse removal will continue to be undertaken with Council's refuse vehicle as per the existing arrangement. Other small service/delivery vehicles will continue to be restricted to the middle of the day and outside of setdown/pickup times.

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## 7.0 Conclusion

---

The traffic and parking assessment undertaken for the proposed increase enrolment for the existing Child Care Centre development at Strathfield, has concluded that:

- ❖ there will be adequate parking available having regard for the existing operation's demand for set down and pick up by parents and staff parking
- ❖ there will be no unsatisfactory traffic capacity, safety or environmental related implications on the surrounding road network

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## Appendix A

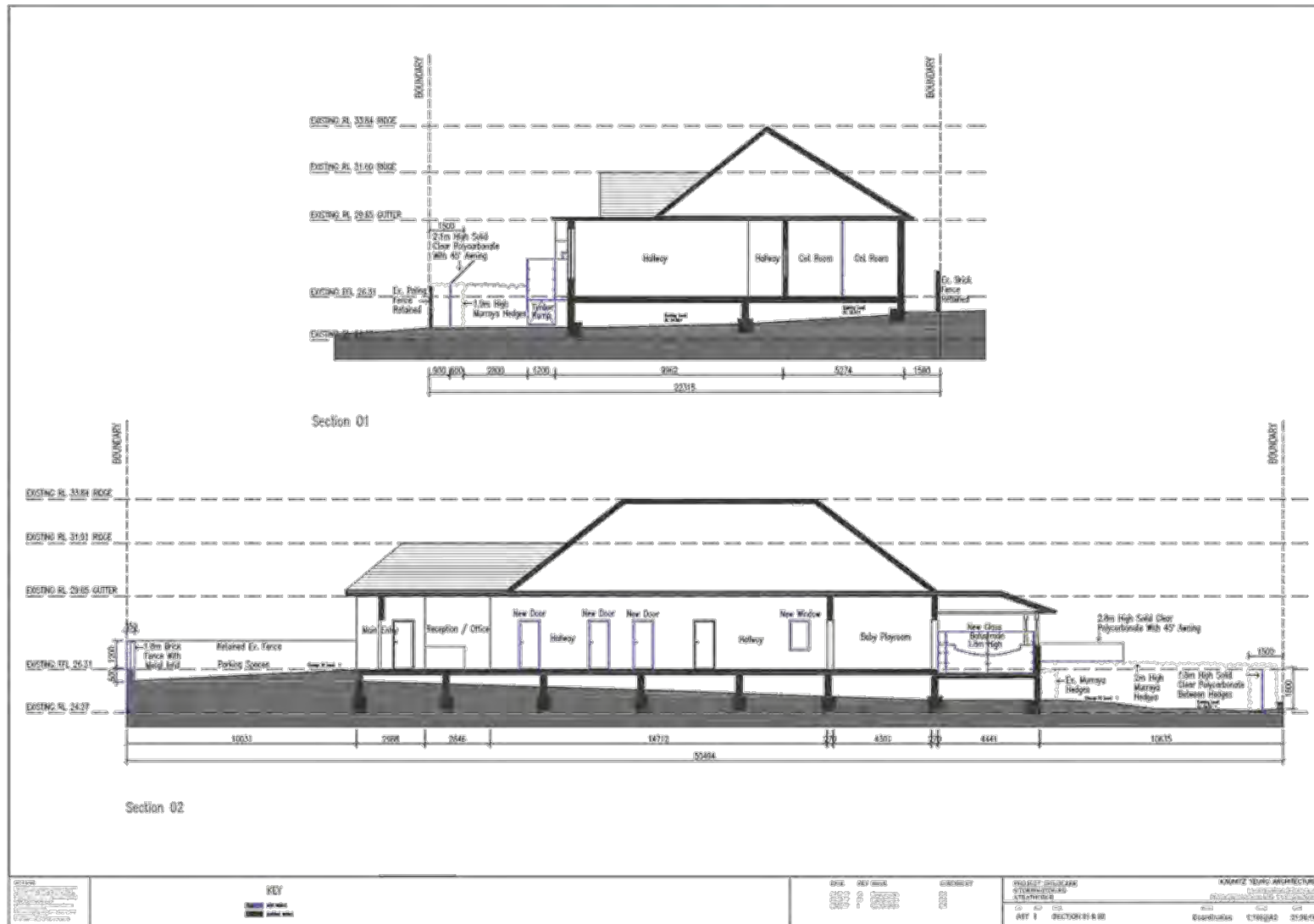
### Plans of Existing







Outcome Date: 02 Aug 2017

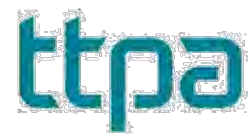




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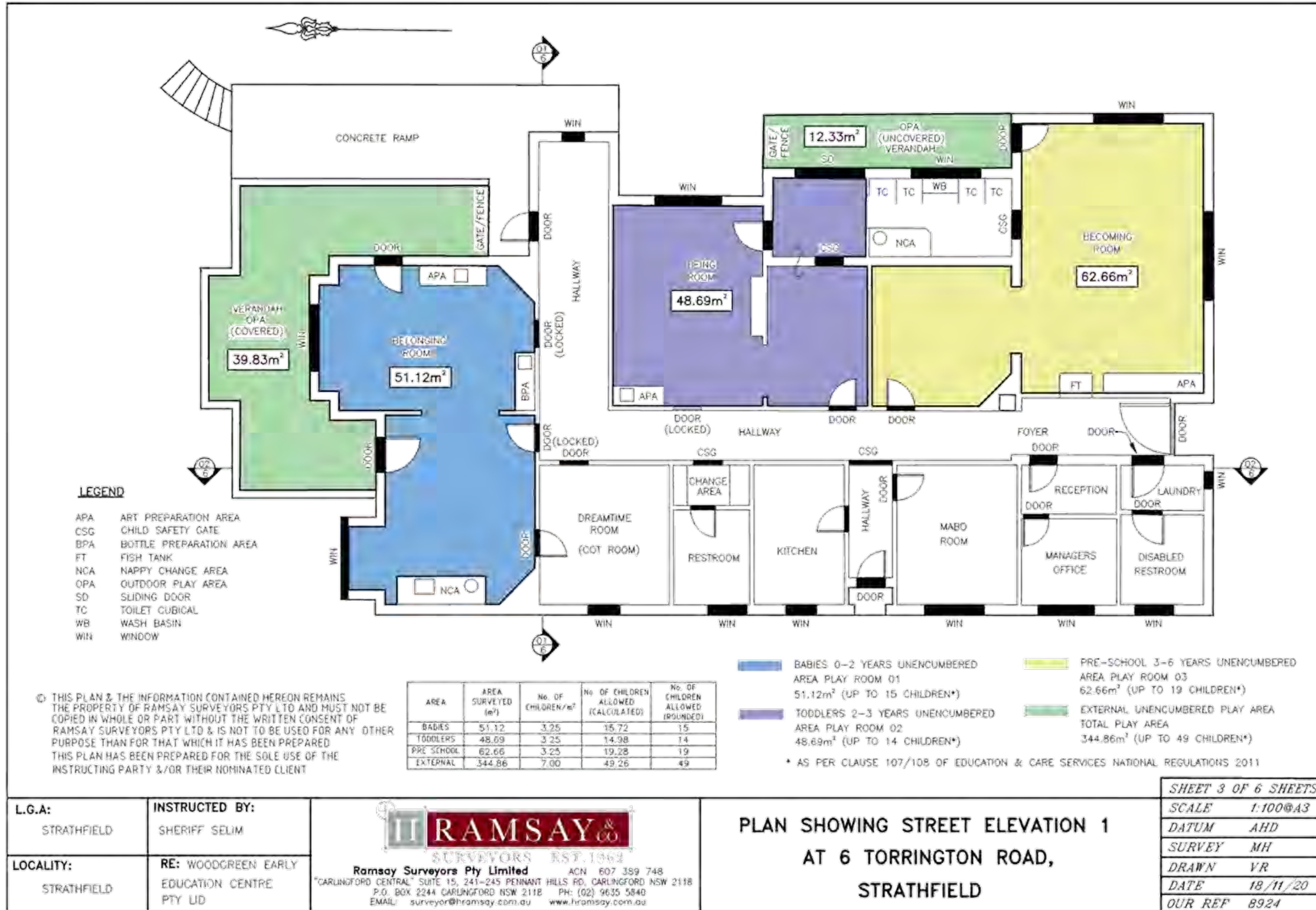
## Appendix B

### Development Plans









**L.G.A:**  
STRATHFIELD

**INSTRUCTED BY:**  
SHERIFF SELIM

**LOCALITY:**  
STRATHFIELD

**RE:** WOODGREEN EARLY  
EDUCATION CENTRE  
PTY LTD

**RAMSAY & CO**  
SURVEYORS EST. 1962

Ramsay Surveyors Pty Limited ACN 607 359 748  
 "CARLINGFORD CENTRAL" SUITE 15, 241-245 PENNANT HILLS RD, CARLINGFORD NSW 2118  
 P.O. BOX 2244 CARLINGFORD NSW 2118 PH: (02) 9635 5840  
 EMAIL: surveyor@ramsay.com.au www.ramsay.com.au

**PLAN SHOWING STREET ELEVATION 1  
AT 6 TORRINGTON ROAD,  
STRATHFIELD**

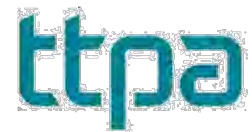
SHEET 3 OF 6 SHEETS  
 SCALE 1:100@A3  
 DATUM AHD  
 SURVEY MH  
 DRAWN VR  
 DATE 18/11/20  
 OUR REF 8924



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## Appendix C

# Parking and Travel Survey







Arrive/Depart		Walk IN/OUT			
Porte Cochere					
7.04.15	15.10.03	7.23.03	1	15.31.10	1
7.10.11	15.20.05	7.33.50	2	15.38.22	1
7.18.30	15.27.51	7.40.12	1	15.47.04	1
7.22.05	15.32.31	7.43.30	1	15.06.31	2
7.31.40	15.41.30	7.57.10	2	16.13.15	1
7.57.30	16.03.17	8.06.21	1	16.29.33	1
8.11.21	16.15.11	8.11.30	1	16.40.03	2
8.18.21	16.27.02	8.27.12	1	17.15.38	1
8.23.17	16.46.30	8.39.05	1	17.27.07	1
8.35.21	17.23.12	8.45.01	1	17.38.21	1
8.40.08	17.34.00				
8.46.22	17.45.03				

**TRANS TRAFFIC SURVEY**

T. 1300 82 88 82

F. 1300 83 88 83

E. binh@trafficsurvey.com.au





Arrival/Depart On Street	
7.12.09	15.20.17
7.25.12	15.34.21
7.38.30	15.58.10
7.51.36	16.17.08
7.59.07	16.41.22
8.16.33	17.21.07

Arrive/Depart Staff Parking
6.51.30
18.05.21
18.10.12

**TRANS TRAFFIC SURVEY**

T. 1300 82 88 82

F. 1300 83 88 83

E. [binh@trafficsurvey.com.au](mailto:binh@trafficsurvey.com.au)







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Plan of Management  
 Woodgreen Early Education Centre Pty Ltd  
 7/6 Woodgreen Early Learning Centre  
 6 Tomington Road Strathfield NSW 2195  
 NSW Government Education  
 Provider Approval No. PR-40009487  
 298191352 "WAKWAK"





## Introduction

This Plan of Management provides guidelines and controls for the operation and management of the proposed child care centre at 6 Torrington Road, Strathfield. It has been prepared so as to ensure children in attendance receive the highest quality of care in a safe environment, while minimising impact on neighbours. The Centre has been designed to be attractive and sympathetic to the streetscape while maintaining the sense of place, identity and character of the area.

## Mission Statement

Woodgreen is committed to providing the highest quality care and education to meet the needs of growing children. We will provide a safe, clean and nurturing environment for children to play, rest and learn.

Quality and safety pervades everything we do and is evidenced by:

- Generously designed indoor and outdoor educational environments with abundance of natural light and fresh air into all play spaces;
- Indoor and outdoor areas have been designated for both the active and passive activities;
- Clear lines-of-sight afforded to educators throughout the Centre;
- Cot room enabling each child in attendance to have a designated cot;
- Ready access between the indoor and outdoor play spaces, the toilets and nappy change areas.
- Connected and uninterrupted outdoor play spaces;
- High quality natural children's resources, internally and externally;
- Generously designed staff amenities.

## Strategy

The Centre recognises that educators are the key to high quality education and care programs. The Centre will employ appropriately qualified and experienced educators in sufficient numbers to meet the staffing requirements detailed in the Education and Care Services National Regulations 2011.

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The key to sustained quality childcare is attracting, motivating, training and retaining good teachers. Part of our strategy in this area is to provide generous employment benefits and entitlements; including:

- Pay rates well above award;
- Additional 12 weeks paid maternity leave on top of Government Paid Maternity Leave Scheme;
- Scholarship programs, including fully paid University Degrees; and
- Paid study leave.

The childcare centre will offer a service greatly needed by the local community. It will cater for children from 0-6 years of age. The silent majority of families desperately need quality long day childcare in Strathfield, especially baby places. Figures sourced from the Department of Education show one of the hardest places to find childcare in Sydney is Strathfield where centres report having two vacancies or less each day while waiting lists for the most sought after centres run up to three years. The childcare will also cater to those who travel through or work in Strathfield.

The proposal will provide a high-quality childcare centre, while ensuring an acceptable level of amenity is maintained to surrounding residential properties through the implementation of a Plan of Management.

This Plan of Management will set out controls for:

- Hours of operation, staff levels and child levels
- Education Program
- Daily Routine and Activities
- Noise control
- Car parking and traffic
- Delivery of goods and services
- Collection of garbage and recycling
- Cleaning and maintenance of the centre
- Complaints procedure
- Evacuation and emergency procedure
- Annual review of Plan of Management

---

Plan of Management  
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All staff at the centre will be familiar with the Plan of Management and will conduct their work within the guidelines.

### Hours of Operation, Staff and Child Levels

#### AIM OF POLICY

To ensure the childcare centre is run correctly and without issue.

#### IMPLEMENTATION

##### 1. The hours of operation of the childcare centre are:

Monday – Friday: 7.00 am – 6.00 pm – 52 weeks of the year

Saturday/Sunday: Closed for child care    Public Holidays: Closed for child care

Saturday: site maintenance, gardening, and cleaning – 8:00am to 12:00pm midday.

No staff or deliveries on site prior to 7.00am

Deliveries, and goods or waste collection between 10:00am and 2:00pm.

All doors and windows closed from 6.00pm.

Cleaners 6.30pm to 8.00pm (windows and doors must be closed)

Any Staff Meetings must be finished by 9pm.

The childcare centre is only to be used during the aforementioned approved hours of operation.

##### 2. The proposed number of children for the childcare centre are:

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0-2 years: 15 (fifteen) Children 4 Staff (1 per 4)

2-3 years: 14 (fourteen) Children 3 Staff (1 per 5)

3-6 years: 19 (nineteen) Children 2 Staff (1 per 10)

Total: 48 (forty-eight) Children

Maximum of thirty-five (48) children permitted on site at any one (1) time

### 3. The proposed number of Staff at the centre:

Full Time Teaching Staff: 9

Total: 9

Maximum of nine (9) employees on site at any one (1) time.

### 4. Arrivals and Departures:

There will be a system in place for recording the arrival and departure of all children, staff and visitors to the centre. Additionally, a documented Arrival and Departure Policy and Procedure will be in place as required by the Education and Care Services National Regulations.

#### 4.1 Staff

Staff will be organised to arrive and depart using the following guidelines:

- Staff will be encouraged to utilise the public transport in close proximity to the premises in travelling to and from the premises.
- The first staff member to arrive the premises, if driving, is to park in car space marked as number "5".

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- A minimum of 2 staff members will be on the premises at any time children are in attendance.
- The correct number and qualifications of staff will be present and supervising children as required by the Education and Care Services National Regulations.
- A roster will be organised so that staff arrive at staggered times between 7.00am and 10.00am and leave at staggered times between 2.45pm and 6.00pm
- The staggered arrival and departure times will be organised to coincide with the different arrival and departure times of children to ensure the correct number of staff are present and on duty at all times.
- All staff will sign an attendance register upon arrival and when leaving the premises.

#### 4.2 Children

It is anticipated that children will arrive at the centre at staggered times between 7.00am and 10.00am and leave the centre at staggered times from 2.45pm onwards. For the safe arrival and departure of children the following guidelines will be in place:

- All children must arrive and leave the centre accompanied by a parent or other adult that has been nominated, in writing, by the parent.
- All children must be signed in and out by the parent or other nominated adult on an attendance register with arrival and departure times recorded.
- Parents or other adults accompanying the child must speak with a staff member upon arriving and leaving with their child.

#### 4.3 Visitors

The Centre Director using the following guidelines will monitor visitors to the centre:

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- Visitors to the centre will include maintenance personnel and any other person not employed by the centre (excluding the parent of a child enrolled at the centre).
- All visitors must sign in and out on a centre visitor's register with the arrival and departure time recorded.
- Visitors must be supervised at all times by a staff member.

### Education Program

Our program is developed to support and guide children in all areas of development in ways that take into account each child's interests strengths, experiences and needs.

The program at the Centre will provide a range of planned and spontaneous learning experiences for children which will stimulate them with engaging activities as they learn through exploration and play. The Centre will provide for:

- Indoor and outdoor activities
- Active and passive activities
- Individual, small and large group experiences.

Each child's progress will be closely observed, monitored and documented by staff. Parents/Guardians are welcome to view and discuss their child's development, and/or portfolio with staff at any time. Parent-teacher evenings will also be held on a regular basis to provide opportunities to discuss each child's individual development.

Provider Approval has been granted under Section 15, Children (Education and Care Services) National Law (NSW) to Woodgreen Early Education Centre Pty Ltd on 28 July 2016. This approval authorises Woodgreen Early Education Centre Pty Ltd to deliver education and care services. For Provider Approval details see Appendix A.

Woodgreen Early Education Centre Pty Ltd Australian Company Number 613 4 00 089 is a registered company under the Corporations Act 2001 and is registered in New South Wales. For Company Registration details see Appendix

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Plan of Management  
 Woodgreen Early Education Centre Pty Ltd  
 7/8 Woodgreen Early Learning Centre  
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 2001913511 "WAKWAK"



### Daily Routine and Activities

#### 0-2 Years Nursery Program

7.00am	Woodgreen Centre opens for the day
7.00am-8.30am	Quiet indoor play
8.30am-9.00am	Nappy change
9.00am	Progressive morning tea
9.30am-10.00am	Bottles/sleep time based on individual needs
10.00am	Morning group time/welcome song and storytime
10.15-10.45am	Sunscreen hats and outdoor play
10.45am	Nappy change
11.00am	Progressive Lunch
11.30-12.15pm	Bottles/sleep time based on individual needs
12.15pm	Quiet indoor activities/arts/crafts/manipulatives
1.30pm-2.00pm	Nappy change
2.00pm-2.30pm	Progressive afternoon tea
2.30pm-3.00pm	Bottles/sleep time based on individual needs
3.00pm-4.00pm	Sunscreen/hats/outdoor play
4.30pm	Nappy change
4.30pm-4.45pm	Late snack
5.00pm	Indoor play
6.00pm	Woodgreen Centre closes for the day

**NOTE:** All indoor and outdoor activities are supervised by the regulated number of qualified educators

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### 2-3 Years Toddlers Program

7.00am	Woodgreen Centre opens for the day
7.00 am-9.00am	Combined inside play/individual breakfasts/nappy change/music/inside play based learning activities and crafts/group time activities (15 minutes)
9.00am-9.30am	Progressive morning tea
9.30am-11.30am	Sunscreen/hats/outdoor play/nappy change
11.30am-12.00pm	Progressive lunch
12.00pm-2.30pm	Quiet resting and down time for individual needs
2.30pm-3.00pm	Nappy change
3.00pm-3.30pm	Progressive afternoon tea
3.30pm-5.00pm	Sunscreen/hats /outdoor play based learning experiences
5.00pm	Combined late snack
5.15pm-6.00pm	Inside learning experiences
6.00pm	Woodgreen Centre closes for the day

NOTE: All indoor and outdoor activities are supervised by the regulated number of qualified educators

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Plan of Management  
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### 3-6 Years Preschool Program

7.00 am	Woodgreen Centre opens for the day
7.00am-8.00am	Combined inside play/individual breakfasts
8.30am-9.30am	Sunscreen/hats /outside learning experiences
9.30 am-9.40 am	Transition to Indoor School Readiness Program weather permitting.
9.40 am	Progressive morning tea
10.00am-10.20am	Intentional teaching inside learning experiences
10.20am-11.00am	Inside play based learning experiences and crafts
11.00am-11.20am	Show-and-tell
11.20am-11.45am	Music
11.45am-12.30pm	Progressive lunch
12.30am-1.30pm	Quiet resting and down time for individual needs quiet activities provided after 30 minutes
1.30pm-2.15pm	School readiness
2.15pm-2.45pm	Inside learning experiences
2.45pm-3.30pm	Progressive afternoon tea
3.30pm-4.00pm	Group experiences (music dance movement drama and games)
4.00pm-5.00pm	Outdoor play learning experiences
5.00pm	Combined late snack
5.30pm-6.00pm	Indoor learning experiences
6.00pm	Woodgreen Centre closes for the day

**NOTE:** All indoor and outdoor activities are supervised by the regulated number of qualified educators

Plan of Management  
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## Noise Control

### AIM OF POLICY

To implement strategies in order to limit noise emitted from the operation of the childcare centre.

The Noise Control policy strategies incorporated in this policy are consistent with the Association of Australian Acoustical Consultants Guideline for Child Care Centre Acoustic Assessment October 2013.

### IMPLEMENTATION

1. The children's outdoor play area shall be managed and designed in accordance with the recommendations of the Acoustic Report prepared by The Acoustic Group. In particular:

The distribution of children in the outdoor play areas should be as follows:

Northern Play Area Maximum of 10 (ten) children. Active Play

Eastern Play Area Maximum of 10 (ten) children. Passive Play

The Active Play area is separated from the quiet Passive Play area by a 900mm high fence with a child safety gate to allow access between the play areas as indicated on the architectural plans.

Items/equipment will be placed a minimum 1000mm from the fence.

Northern Play Area and Eastern Play Area cannot exceed maximum individual numbers above or a combined total of more than 20(twenty) children at anyone time.

Active play is permitted in the Northern Play Area. This area will be used for active uses.

Active play is not permitted in the Eastern Play Area. This area will be used for passive learning activities.

---

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Adult supervision of children in outdoor play areas is a key factor to minimise noise emissions. The Centre will carry out regular assessment of our supervision practices in order to increase educator's awareness of their duty of care and to continually improve supervision to ensure compliance with acceptable noise levels:

Educators will always properly supervise children in outdoor play areas in order to limit noise emission.

Educator-to-child ratios will be maintained at all times in outdoor play areas in accordance with the Education and Care Services National Regulations NSW to ensure children are adequately supervised at all times in order to protect neighbours from excessive noise.

Designated areas for outdoor play will enable adequate supervision of children through clear and unobstructed lines of sight in order to minimise noise emission.

The behaviour of children playing outdoors will be monitored and modified as required to reduce noise emissions.

*The number of children playing outside at any one time will be limited to 20 children to ensure full compliance with the acceptable noise levels in accordance with Acoustic Report prepared by The Acoustic Group.*

## 2. Passive Learning Activities:

- Literature/Poetry
- Arts & Craft
- Science and Biology lessons
- Environmental and exploring lessons
- Dining
- Interactive Garden
- Role play

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Plan of Management  
 Woodgreen Early Learning Centre Pty Ltd  
 7/8 Woodgreen Early Learning Centre  
 6 Torrington Road Strathfield NSW 2195  
 NSW Government Education  
 Provider Approval No. PR-40009487  
 298197353 "YAK YAK"



- Creative movement
3. Active Uses:
    - Sports Program
    - General Outdoor Play
  4. Acoustic treatments to various surfaces as shown in the Acoustic Report and on the approved plans are to be installed.
  5. Acoustic Fences are to be installed as specified on the approved plans and described in the Acoustic Report.
  6. Air-conditioning units will be located within an acoustic enclosure to minimise noise generated.
  7. Landscape Buffer Zone will not only protect neighbours acoustically, but also visually. Maintaining local amenity, enhancing landscaped environment, flora and fauna.
  8. Management is to ensure children are supervised at all times while playing in outdoor play areas to minimise noise generated by the children.
  9. Crying children in outdoor play areas will be taken inside the Centre and comforted
  10. Closing windows and doors of the indoor playrooms during noise-generating activities when children and educators are indoors.

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11. Carers will be educated to control level of their voice while in outdoor play areas.
12. A contact phone number shall be installed at the front of the childcare centre so that any complaints regarding centre operation can be made.
13. Acoustic roll down screen will be used when children are doing activities on the Northern Verandah Area.
14. Property maintenance shall be undertaken at times and in a manner so as to not cause an "offensive noise" as defined by the Protection of the Environment Operations Act 1997. Maintenance activities shall also satisfy relevant provisions of the Protection of the Environment Operations (Noise Control) Regulation 2008 at all times.



## Car Parking and Traffic

### AIM OF POLICY

To minimise impacts of traffic movements and car parking associated with the childcare centre on the surrounding neighbourhood and road network.

### IMPLEMENTATION

1. Seven (7) car parking spaces have been provided on site.
2. Car parking spaces are to be allocated for use by staff and parents as outlined in the development consent and the approved plans.
3. Parents are to be advised upon enrolment that parking in defined spaces only is permitted.
4. When conducting tours of the centre prior to and at the time of enrolment parents or carers will be shown the appropriate parking areas and the etiquette and care required when dropping off and picking up children from the centre.
5. A copy of the Operational Traffic Management Plan will be distributed to parents and carers of enrolled children; and to childcare staff.



## Delivery of Goods and Services

### AIM OF POLICY

To minimise impact of delivery vehicles on the surrounding neighbourhood and to ensure deliveries are received with ease.

### IMPLEMENTATION

1. The delivery of goods and services will occur in normal business hours whilst staff are present at the centre to accept delivery, between 10.00am. and 2.00pm.
2. Delivery vehicles will park in parent parking spaces. Delivery drivers will then report to the reception desk for further instruction from relevant staff members.



## Collection of Garbage and Recycling

### AIM OF POLICY

To ensure the childcare centre is adequately serviced and high health and hygiene levels are maintained.

### IMPLEMENTATION

1. The childcare centre will attempt to minimise waste wherever possible and will encourage the use of recyclable products and recycling.
  
2. Expected on-going waste to be generated will be of household type general waste.
  - Green waste: e.g. Grass cutting, green waste & branches.
  - General waste: kitchen scraps, packaging, food scraps and the like.
  - Recyclables: cans, bottle plastics, paper, cardboard and the like.
  
3. Bins to be provided will be separated for general waste, recycling and green waste
  - Proposed bins:
    - 2 x 240L general waste
    - 2 x 240L recycling
    - 2 x 240L green waste
  
4. Waste generated by the Centre will be stored in approved bins housed in a fully enclosed structure as designated on the architectural plans.





5. Waste will be removed from all occupied spaces of the child care centre every day to the bins provided.
6. The bins will be stored properly out of direct sunlight, in a well-ventilated and shady location in a fully enclosed structure until removed to minimise nuisance and transfer of odour to adjoining properties.
7. Bins will not be overfilled and bin lids will be closed completely until bins are collected to minimise transfer of odour.
8. Bins will be rinsed with a mild detergent or vinegar and water solution as required to minimise transfer of odour.
9. Disposable nappies/wipes /gloves  
  
Disposal procedure: Place nappy/wipes/gloves in a plastic bag. Tie off the plastic bag securely to prevent smells. Place the plastic bag in the nappy bin provided.
10. Nappy bins will be emptied at the end of each day into the plastic-lined general waste bins outside which will be collected twice a week.
11. The childcare centre will utilise a private garbage collection service, which will only collect waste from the premises, or Torrington Road, between 10.00am. and 2.00pm. Monday to Friday.



## Cleaning and Maintenance of the Centre

### AIM OF POLICY

To implement policies that allow the child care centre to be maintained to a high standard.

### IMPLEMENTATION

1. Daily cleaning of the childcare centre will be conducted in-house during the operating hours of the centre. End of day cleaning will commence within 60 mins from the closing time of the centre.
2. Occasional extra cleaning may occur as required on a Saturday between 8.00am. and 10.00am. Windows and doors must be closed.
3. Maintenance of the grounds including lawn mowing, gardening and other general outdoor maintenance will occur within daylight hours as required to ensure safe and visually acceptable operation of the child care centre. This will not occur on Sunday, usually on a weekday. However, if required on the weekend, only between the hours of 8.00am and 12:00pm midday Saturdays.





5. The Complaints Book must be made available to Council officers for inspection upon request.
6. Complaints must remain in the Complaints Book for a minimum period of two years from the date of reporting.
7. The owner/operator will investigate any incident within 5 working days and the Complainant will receive a response within 10 working days detailing what action has been taken (if any action is deemed required) addressing the complaint or concern.
8. If an incident relates to noise, the owner/operator must:
  - Take all reasonable steps to stop or reduce the source of the noise to prevent future occurrences.
  - Attempt to rectify the situation immediately.
  - Contact the individual who reported the incident to verify that the problem has been addressed.
9. The owner/operator must review the Complaints Book regularly and where appropriate amend this Plan so as to eliminate the possibility of the incident recurring or to minimise the impacts of the incident should it recur.
10. Contact Details for the registering of complaints are as follows:  
  
TBA upon operational state.

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Plan of Management  
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298197353 "YAK"YAK"





## Annual Review of Plan of Management

### AIM OF POLICY

To ensure the Plan of Management is comprehensive and up-to-date.

### IMPLEMENTATION

1. It is a centre policy and a requirement under the National Quality Standards for all policies and procedures of the centre to be reviewed on an annual basis. Management undertakes to ensure that the Plan of Management is reviewed on an annual basis in consideration of feedback from all interested parties.
2. Further, we invite the Council, the Department of Education, the Department of Health and all other interested neighbours to put any concerns or issues or suggested improvements to policy or procedure in writing and we will endeavour to consider all feedback provided in developing and implementing centre policies practices and procedures which impact on the surrounding properties and explain our decision in implementing or not any suggestions in the case of Neighbour's suggestions.



## References

Education and Care Services National Regulations 2011

<http://files.acecqa.gov.au/files/National-Quality-Framework-Resources-Kit/NQF-Resource-02-Guide-to-ECS-Law-Regs.pdf>

National Quality Standard Assessment and Rating Instrument

[http://files.acecqa.gov.au/files/Assessment%20and%20Rating/1-NQS\\_Assessment%20and%20Rating%20Instrument\\_120522\\_%20FINAL-1.pdf](http://files.acecqa.gov.au/files/Assessment%20and%20Rating/1-NQS_Assessment%20and%20Rating%20Instrument_120522_%20FINAL-1.pdf)

Compliant Learning Resources, Subject 4 Play and Development, Version No.1.3 August 2014 <http://compliantlearningresources.com.au/>

Strathfield Council Part E Strathfield DCP Child care Centres 2005

<https://www.strathfield.nsw.gov.au/assets/Planning/Planning-Instruments/DCP-PART-E.pdf>

Strathfield Council Planning and Development Report Item 1. DA 2016/110 6 Torrington Road Strathfield

<https://www.strathfield.nsw.gov.au/assets/Council-Meeting-20-September-2016-Business-Paper-Web.compressed.pdf>

RTA Guide to Traffic Generating Developments Version 2.2 October 2002 Section 5.12.3

Child Care Centres <http://www.rms.nsw.gov.au/documents/projects/guide-to-generating-traffic-developments.pdf>

The Acoustic Group Noise Impact Assessment Childcare Centre 6 Torrington Road Strathfield March 2017

AAAC Guide for Child Care Centre Acoustic Assessment October 2013

<http://www.pccd.com.au/AAAC%20Guideline%20for%20Child%20Care%20Centre%20Acoustic%20Assessment%202013.pdf>

NSW Government Education Provider Approval PR-40008417, Section 15, Children

(Education and Care Services) National Law (NSW) Senior Approvals Officer, Date Approval Granted 28 July 2016

ACECQA, Opening a New Service

[http://www.acecqa.gov.au/educators-and-providers1/opening-new-service\\_1](http://www.acecqa.gov.au/educators-and-providers1/opening-new-service_1)

NSW Land Environment Court, Case Name : Khouri Vs Randwick City Council, 6 January

2017, Class 1 Appeal, alterations and additions to the existing building and use as a childcare centre

<https://www.caselaw.nsw.gov.au/decision/586f1140e4b0e71e17f5652a>

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Plan of Management  
Woodgreen Early Education Centre Pty Ltd  
7/1A Woodgreen Early Learning Centre  
6 Torrington Road Strathfield NSW 2135  
NSW Government Education  
Provider Approval No. PR-40008417  
28/07/2016 PR-40008417



**Certificate of Registration  
of a Company**

This is to certify that

**WOODGREEN EARLY EDUCATION CENTRE PTY LTD**

Australian Company Number 613 400 089

is a registered company under the Corporations Act 2001 and  
is taken to be registered in New South Wales.

The company is limited by shares.

The company is a **proprietary** company.

The day of commencement of registration is  
**the first day of July 2016.**




**ASIC**  
Australian Securities & Investments Commission

CERTIFICATE

Issued by the  
Australian Securities and Investments Commission  
on this first day of July, 2016.




Greg Medcraft  
Chairman

**Appendix B**

1/24 Woodgreen Early Learning Centre  
6 Torrington Road Strathfield NSW 2135  
NSW Government Education  
Provider Approval No. PR-60003417  
288197350 11 YAK VAK



Appendix A



**PROVIDER APPROVAL**  
**Section 15, Children (Education and Care Services) National Law (NSW)**


This approval authorises the provider named below to deliver education and care services.

**Approval number:** PR-40008417

**Provider details:** WOODGREEN EARLY EDUCATION CENTRE PTY LTD  
6 Torrington Road  
STRATHFIELD NSW 2135

**Granted under delegation by:**

**Senior Approvals Officer**  
**Issue Date:** 28 July 2016  
**Date Approval Granted:** 28 July 2016



Woodgreen Early Education Centre Pty Ltd  
T/A Woodgreen Early Learning Centre  
6 Torrington Road Strathfield NSW 2135  
NSW Government Education  
Provider Approval No. PR-40008417  
28/07/2016 11:54:04 AM





**SERVICE APPROVAL (SE-40016043)**  
**Section 48, *Children (Education and Care Services) National Law (NSW)***

**Name of education and care service**  
WOODGREEN EARLY LEARNING CENTRE

**Location of education and care service**  
6 Torrington Rd STRATHFIELD NSW 2135

**Name of approved provider**  
WOODGREEN EARLY EDUCATION CENTRE PTY LTD

**Maximum number of children**  
This service is approved to provide education and care to a maximum of 35 children.

**Condition**  
The approved provider must comply with the conditions of Section 51 of the *Children (Education and Care Services) National Law*, and the requirements of the *Education and Care Services National Regulations*.

**Granted under delegation by:**

A handwritten signature in black ink, appearing to be 'G. ...', positioned above the printed name of the Senior Approvals Officer.

**Senior Approvals Officer**  
Early Childhood Education  
Delegate of the Secretary, Department of Education  
**Issue date:** 11 October 2019

**Date Approval Granted:** 11 October 2019



**TO:** Strathfield Local Planning Panel Meeting - 5 August 2021  
**REPORT:** SLPP – Report No. 26  
**SUBJECT:** DA2021/91 - 86 CENTENARY DRIVE, STRATHFIELD - LOT 176 SP 100251  
 AND LOT 0 SP 100251  
**DA NO.** DA2021/91

**SUMMARY**

<b>Proposal:</b>	The use and fit-out of an existing building as a kiosk
<b>Applicant:</b>	Builtcom Properties C/- Linh Nguyen
<b>Owner:</b>	The Owners of SP 100251
<b>Date of lodgement:</b>	20 May 2021
<b>Notification period:</b>	27 May to 10 June 2021
<b>Submissions received:</b>	Eighteen (18) submissions
<b>Assessment officer:</b>	M Rivera
<b>Estimated cost of works:</b>	\$109,882.00
<b>Zoning:</b>	B4 – Mixed Use zone – SLEP 2012
<b>Heritage:</b>	No
<b>Flood affected:</b>	No
<b>Is a Clause 4.6 variation proposed?</b>	No
<b>Extent of the variation supported?</b>	N/A
<b>RECOMMENDATION OF OFFICER:</b>	<b>APPROVAL</b>

**EXECUTIVE SUMMARY**

On 18 May 2016, the Sydney East Joint Regional Planning Panel approved DA2015/100 for demolition of existing site structures and the construction of twenty-four (24) x two (2) storey townhouses, twenty-seven (27) x three (3) storey townhouses and two (2) x nine (9) storey residential flat buildings comprising one hundred and ninety-five (195) units above two (2) levels of basement parking with associated landscaping and civil works.

On 4 August 2016, a Section 4.55(1) Modification Application was approved by Council to correct the proposal description to construct twenty-three (23) x two (2) storey townhouses, twenty-seven (27) x three (3) storey townhouses and two (2) x nine (9) storey residential flat buildings comprising one hundred and seventy-eight (178) units above two (2) levels of basement parking with associated landscaping and civil works

On 23 October 2018, the Sydney Eastern City Planning Panel approved DA2017/168 for construction of two (2) apartment buildings and a café with ancillary civil works and landscaping. The approval related to the subject site however, the Applicant has requested to surrender this consent and act upon the original consent under DA2015/100 and subsequent modifications approved for the site.

**DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)**

On 19 December 2019, the Sydney Eastern City Planning Panel approved Section 4.55(2) Modification Application (DA2015/100), which was seeking to surrender DA2017/168 and incorporate modifications to the approved development including enlargement of Basement 3, external modifications to Buildings A and B, additional private open space areas within the entire Building B rooftop, the preliminary use of the approved kiosk building and the provision of an awning attached to this building. It is noted that the use of the kiosk was not approved under this modification application as it fails to meet the 'substantially the same' development test under the provisions of Section 4.55 of the *Environmental Planning and Assessment Act 1979* as it introduces a new use for the site. Accordingly, the subject development application was lodged. This application is seeking approval for the fit-out and first use of the approved kiosk building as a café. It is proposed to operate 7am to 10pm, seven (7) days a week, with a maximum capacity/patronage of fifteen (15) customers and a maximum of five (5) staff at any time.

The application was publicly notified on 24 May 2021, in accordance with Strathfield Council's Community Participation Plan (CPP), with the last date for public submissions being 10 June 2021. Eighteen (18) submissions were received. The issues raised in the submissions related to noise, traffic and parking, safety and security, alcohol serving and entertainment, waste management, privacy impacts, Strata management fees and use/maintenance of common areas.

The proposed development is considered acceptable and supportable, generally complying with the relevant development standards and controls under the Strathfield Local Environmental 2012 (SLEP 2012) and the Strathfield Consolidated Development Control Plan 2005 (SCDCP 2005). Any potential impacts generated by the proposal and highlighted by the public submissions are considered reasonable and acceptable, and can be appropriately ameliorated and managed through the imposition of conditions. Accordingly, the development application is supported and is recommended for approval.

The subject application is referred to the Strathfield Local Planning Panel (SLPP) due to the application receiving more than three (3) unresolved objections.

**BACKGROUND**

20 May 2021	The subject application was lodged with Council.
27 May 2021	The application was placed on exhibition for a minimum period of 14 days, with the last date for submissions being 10 June 2021. Eighteen (18) submissions were received during the notification period.
28 May 2021	A site visit was conducted by Council's assessment officer.
2 June 2021	A 'stop the clock' letter was issued to the applicant, raising the following issues: <ul style="list-style-type: none"> <li>• Patronage;</li> <li>• Licensed premises;</li> <li>• Acoustic report and noise management; and</li> <li>• Waste management.</li> </ul>
1 July 2021	The applicant provided additional information to resolve the issues detailed in the 'stop the clock' letter.

**DESCRIPTION OF THE SITE AND LOCALITY**

The subject site containing the proposal is known as No. 86 Centenary Drive Strathfield and comprises two (2) lots legally described as Lot 176 SP 100251 and Lot 0 in SP 100251. It is noted that the actual kiosk building is within Lot 176 SP 100251 and the outdoor dining area (under the attached pergola) is within Lot 0 SP 1002251. The site has an area of 8,150m<sup>2</sup>, a frontage to

**DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)**

Centenary Drive of 116.905m, an irregular rear boundary dimension of 50.51m, a northern boundary dimension of 130.81m and an irregular southern boundary with the curved access handle to the allotment containing the townhouses to the rear of the site (No. 84 Centenary Drive). Figure 1 shows the subject site and surrounding properties.



**Figure 1: Locality plan showing subject site (shaded in red) and surrounding properties**

The site benefits from a right-of-way across the access handle (to the south) of the townhouse development to the rear of the site over which access to the site is proposed. The site is burdened by an easement for access 3m wide along its southern boundary in favour of the site to the north (Strathfield Golf Course) and east (townhouses). The site is also burdened by an easement 3m wide (and variable width) limited in depth over the eastern portion of the site near the boundary in favour of the property to the north (Strathfield Golf Club).

The subject site is adjoined to the rear by townhouse development and further to the east by low density residential development comprised of detached dwellings. To the north-east of the site is a Strathfield Golf Course and to the south-west is South Strathfield High School. The site adjoins Centenary Drive, with the golf course also located on the opposite side of Centenary Drive.

The subject site contains two (2) residential flat buildings and some common areas including a playground and kiosk building. The residential flat buildings, playground and kiosk building are shown in Figures 2 to 8 below.



DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)

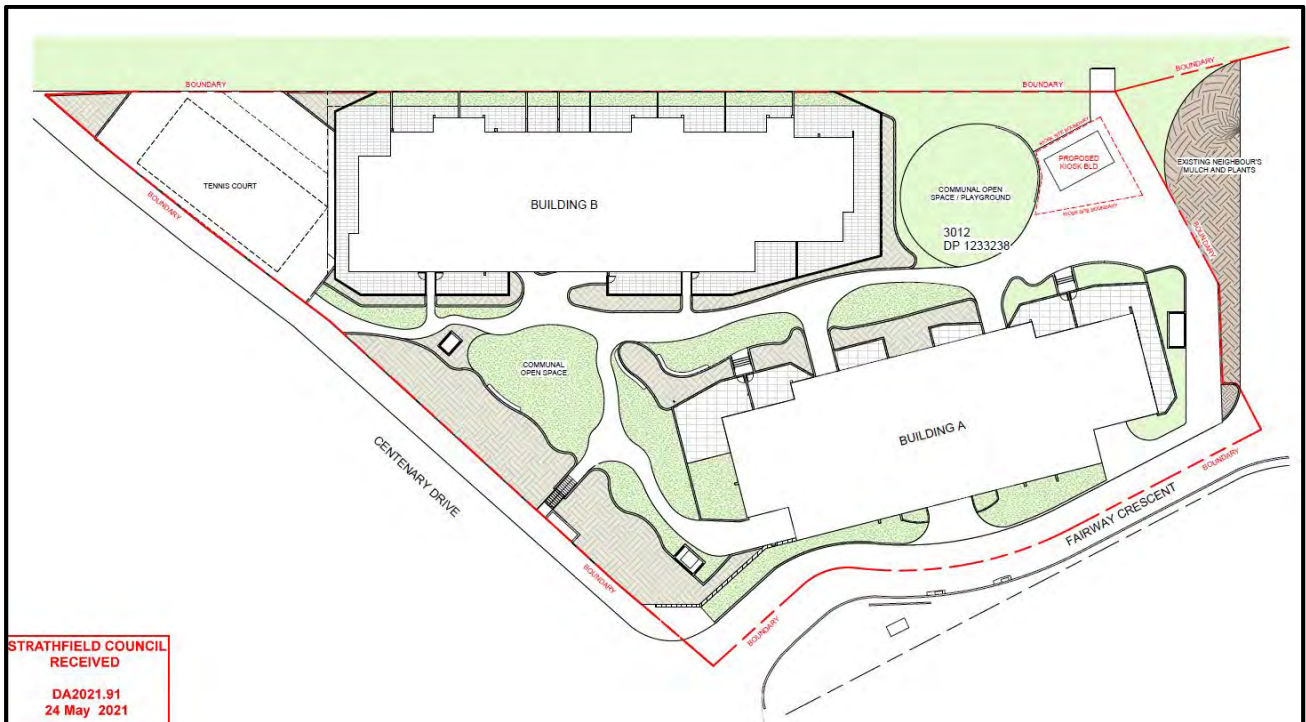


Figure 2: Site Plan showing residential flat buildings and common areas within subject site



Figure 3: Residential flat buildings within subject site

DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)



**Figure 4: Playground and western side of kiosk building**



**Figure 5: Western side of kiosk building with attached pergola**



DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)



**Figure 6: Northern side of kiosk building**



**Figure 7: Eastern side of kiosk building**

DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)



**Figure 8: Southern side of kiosk building**

## 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 use as a café and internal fit-out of the kiosk building with outdoor eating area (refer to Figure 9).

### Internal fit-out

The internal fit-out involves provision of a service bench, kitchen facility with double sinks and allocated spaces for a refrigerator and coffee machine (refer to Figure 10).

### Operations

The operations of the proposed café will involve the following:

Hours of operation:

- Hours of operation: 7:00am to 10:00pm, seven (7) days a week.

Staff:

- A maximum of five (5) employees working at any time.

Patronage:

A maximum of fifteen (15) patrons within the premises at any time.

Note: the proposed café is not a licensed premises under the NSW *Liquor Act 2007*.

It is noted that the kiosk building was approved under DA2015/100/03 (refer to Figure 11 below).



DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)

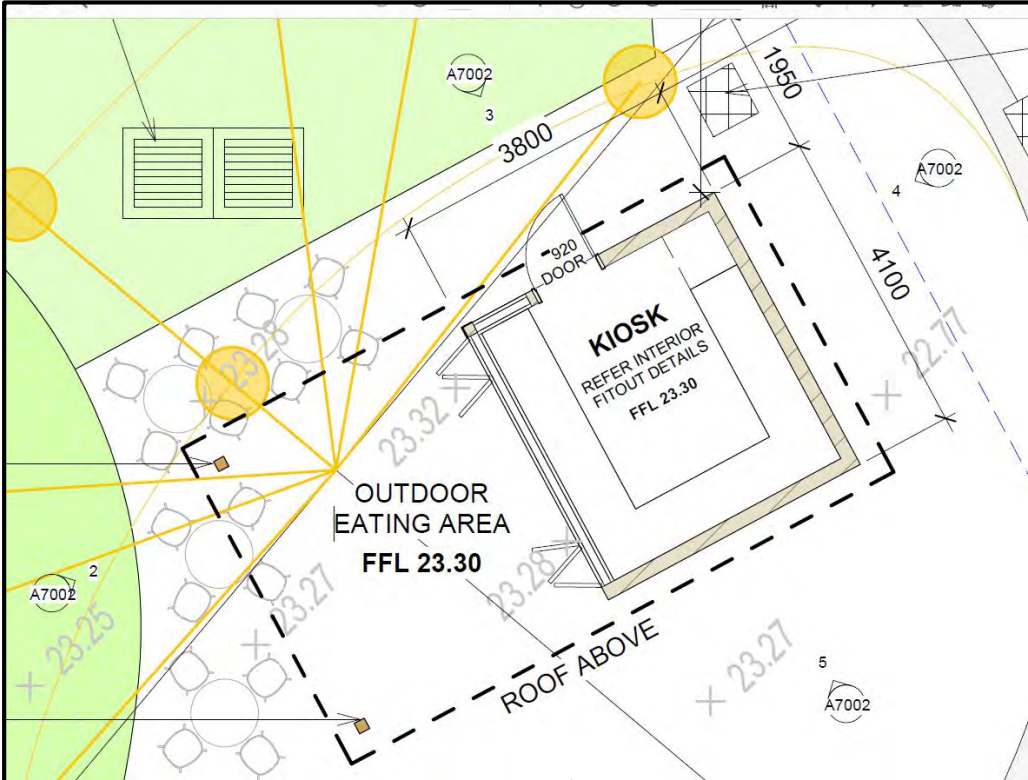


Figure 9: Close-up of kiosk building and outdoor eating area

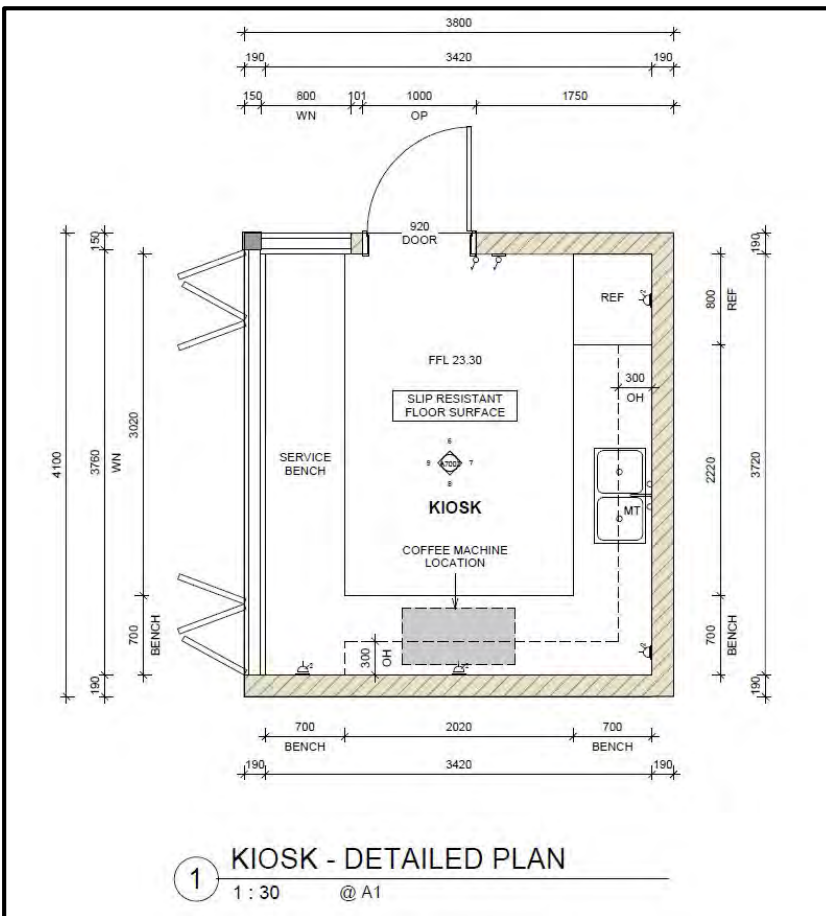


Figure 10: Floor plan of kiosk building

DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)

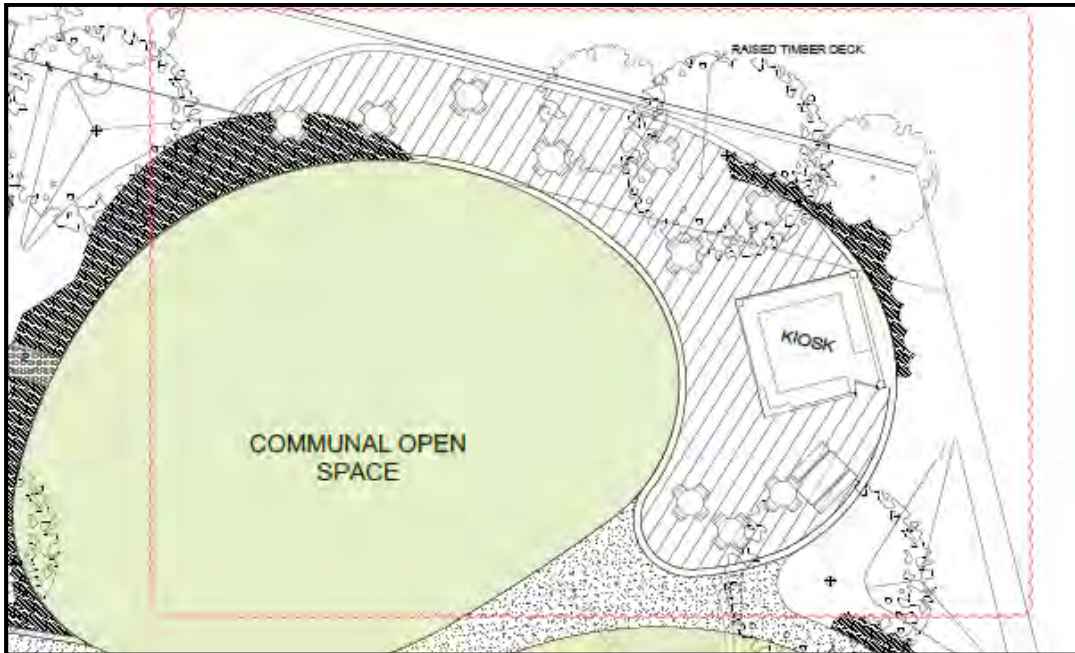


Figure 11: Approved Site Plan showing kiosk building (approved under DA2015/100/03)

## REFERRALS

### INTERNAL REFERRALS

#### Environmental Health Officer Comments

Council's Environmental Health Officer provided the following commentary on the proposal:

*"I have read and reviewed the above development application in regards to environmental health aspects – Food Act 2003; Food Regulation 2015; Food Standards Code 3.2.3; AS 4674-2004 Construction and fit out of food premises, Protection of the Environment Operations Act 1997, AS 4282-1997: Control of the obtrusive effects of outdoor lighting, State Environmental Planning Policy (Infrastructure) 2007, NSW Department of Planning 'Development Near Rail Corridors and Busy Roads – Interim Guidelines'.*

*The proposal is to change the use and fit-out of an existing building as a kiosk.*

#### Statement of Environmental Effects

*The Statement of Environmental Effects states that the proposal for the café/kiosk will benefit the residents of two residential blocks located nearby and adjoining townhouses by providing food and drink service, with outdoor seating with operational hours of 7am to 10 pm 7 days a week.*

*It also states that the proposed hours of operation will not result in excessive noise or unreasonable adverse acoustic impact to surrounding residential properties. However, it must be considered that the operating hours are within the range of early morning to late at night with outdoor dining and additionally, the site is affected by noise from Centenary Drive (58m from the proposed site).*

#### Architectural Plans

*No indication of external structural changes to the building or land. Only shows kitchen fit out and redesign in internal area of building.*

*Plans show a double bowl sink. This is line with the AS/NZS 4674 Construction and fit out of food premise requirements, as long as a no rinse sanitizer is used and there is no requirement to wash food such as salad preparation.*

DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)

*There is no mention of a cleaner's sink and it would be a prohibited practice to tip out cleaning waste water into either sink in the double bowl sink.*

*It is recommended that an additional single bowl hand wash basin and cleaner's sink is included in the plans to meet the requirement for a designated hand wash station and waste water sink.*

#### Acoustic Report

*The Acoustic Report provided submits that the noise emissions from the proposed Kiosk/Café at No. 86 Centenary Drive, Strathfield will not exceed the noise criteria set out in the NSW EPA Noise Guide for Local Government, Noise Policy for Industry and Strathfield Council requirements, provided noise control recommendations in Section 6 of this report are adhered to.*

*The Acoustic Report includes the following recommendations:*

- 1. That a maximum of 15 patrons is to be seated in the outdoor dining area at any one time.*
- 2. No background music is to be played in the outdoor dining area during the evening hours (6:00pm – 10:00pm).*
- 3. A sign is installed in the outdoor dining area reminding patrons to be aware of the residential receivers during the evening hours of operation (6:00pm – 10:00pm) and to keep noise to a minimum.*
- 4. A noise management plan is implemented as outlined in the Acoustic Report dated 1 July 2021.*
- 5. Mechanical plant noise to be controlled as outlined in the Acoustic Report dated 1 July 2021.*

*No objections are raised, subject to special and standard conditions imposed."*

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

#### **Traffic Manager Comments**

Council's Traffic Manager commented on the proposal as follows:

*"It is understood that the fit-out involves using existing building as a kiosk. The SCDCP 2005, Part I of Clause 3.5.2 and 3.8.2 stipulate the following parking requirement:*

- 1 space per 40m<sup>2</sup> GFA for restaurant*

*Based on 28.4m<sup>2</sup> GFA, the development generates an on-site parking requirement of 1 space. The proposal includes 1 on-site spaces.*

*The delivery for this type of café can be managed by commercial vans which shall be able to utilise the designated car space or available loading bays in the basement. Overall, the proposal is considered acceptable."*

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

#### **Waste Officer Comments**

Council's Waste Officer provided the following commentary on the proposal:

**DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)**

*“Waste Management Plan (WMP) indicates that kiosk will have 1 x 660 L red bin for general waste and 1 x 660L yellow bin for recycling waste, in accordance to generation requirements.*

*Waste Management Plan (WMP) indicates that waste from kiosk will be collected from garbage collection room on Basement 1, where residential waste and recycling bins are currently stored and organised for collection.*

*Written evidence of regular collection and disposal of waste and recyclables generated on the site by a licensed private waste contractor was provided.*

*Litter management plan was included in Waste Management Plan, indicating all steps being taken to prevent, reduce and collect any litter produced by the site as well as measures to conduct litter collection within a 50m radius from premises entrance or exit.*

*The applicant provided sufficient information and no further information is required at this stage.”*

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

**SECTION 4.15 CONSIDERATIONS – EP&A Act, 1979**

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

**4.15(1)(a) the provisions of:****(i) any environmental planning instrument****STATE ENVIRONMENTAL PLANNING POLICY NO 55 – REMEDIATION OF LAND**

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

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

The objectives outlined within SEPP 55 are considered to be satisfied.

**STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012**

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

<b>Cl. 1.2(2)</b>	<b>Aims</b>	<b>Complies</b>
<b>(a)</b>	<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>	<b>N/A</b>
<b>(b)</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>	<b>N/A</b>
<b>(c)</b>	<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>	<b>Yes</b>
<b>(d)</b>	<i>To provide opportunities for economic growth that will enhance the local</i>	<b>Yes</b>



## DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)

<i>community</i>		
<b>(e)</b>	<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>	<b>Yes</b>
<b>(f)</b>	<i>To identify and protect environmental and cultural heritage</i>	<b>Yes</b>
<b>(g)</b>	<i>To promote opportunities for social, cultural and community activities</i>	<b>Yes</b>
<b>(h)</b>	<i>To minimise risk to the community by identifying land subject to flooding and restricting incompatible development</i>	<b>N/A</b>

**Comments:** The proposed development achieves the above relevant aims as it introduces a new use within the site that will provide employment and services for the adjacent residents.

### Permissibility

The subject site is zoned B4 – Mixed Use and the proposal, defined as a **food and drink premises**, is a permissible form of development with Council's consent.

**Food and drink premises** is defined in the SLEP 2012 as *premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following—*

- (a) a restaurant or cafe,*
- (b) take away food and drink premises,*
- (c) a pub,*
- (d) a small bar.*

The proposed development meets the above definition as per above and is therefore permissible with Council's consent in the B4 zone.

### Zone Objectives

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

<b>Objectives</b>	<b>Complies</b>
➤ <i>To provide a mixture of compatible land uses.</i>	<b>Yes</b>
➤ <i>To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.</i>	<b>Yes</b>
➤ <i>To facilitate mixed use urban growth around railway stations and transport nodes and corridors, commercial centres and open space.</i>	<b>Yes</b>
➤ <i>To provide local and regional employment and live and work opportunities.</i>	<b>Yes</b>

**Comments:** The proposed development meets the objectives of the zone.

### Part 4: Principal development standards

None of the provisions under Part 4 are triggered by the proposed development.

### Part 5: Miscellaneous Provisions

The provisions contained within Part 5 of the SLEP 2012 are not relevant to the subject proposal.

### Part 6: Local Provisions

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

DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)

**6.1 Acid sulfate soils**

The subject site is identified as having Class 5 soils and is located within 500m of Class 4 soils. The proposal does not involve any ground disturbance and is not located on land below RL 5 AHD and therefore, the original development application, and the subject modification application 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.

**6.4 Essential services**

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

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

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

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

**STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN 2005 (SCDCP 2005)**

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

**PART H – Waste Management (SCDCP 2005)**

In accordance with Part H of the SCDCP 2005, a waste management plan was submitted with the application. Council’s Waste Officer confirmed that this plan adequately addresses Part H and is considered satisfactory.

**PART I – Provision of Off-street Parking Facilities (SCDCP 2005)**

**3.5: Refreshments**

<b>3.5</b>	<b>Development Controls</b>	<b>Complies</b>				
	<i>Restaurants</i>					
<b>.2.</b>	<table border="1"> <thead> <tr> <th style="text-align: left;"><b>Location</b></th> <th style="text-align: left;"><b>Requirement</b></th> </tr> </thead> <tbody> <tr> <td><u>All other locations</u></td> <td>1 space per 40m<sup>2</sup> GFA  13m<sup>2</sup> of internal space for the kiosk and 15.4m<sup>2</sup> of outdoor dining space = 28.4m<sup>2</sup>. Given the total area of 28m<sup>2</sup> the proposal generates a requirement of a single space.</td> </tr> </tbody> </table>	<b>Location</b>	<b>Requirement</b>	<u>All other locations</u>	1 space per 40m <sup>2</sup> GFA  13m <sup>2</sup> of internal space for the kiosk and 15.4m <sup>2</sup> of outdoor dining space = 28.4m <sup>2</sup> . Given the total area of 28m <sup>2</sup> the proposal generates a requirement of a single space.	<b>Yes</b>
<b>Location</b>	<b>Requirement</b>					
<u>All other locations</u>	1 space per 40m <sup>2</sup> GFA  13m <sup>2</sup> of internal space for the kiosk and 15.4m <sup>2</sup> of outdoor dining space = 28.4m <sup>2</sup> . Given the total area of 28m <sup>2</sup> the proposal generates a requirement of a single space.					

**Comments:** An assessment of the proposal against traffic and parking matters was undertaken by Council’s Traffic Manager. As mentioned above, the development generates an on-site parking requirement of one (1) space. The proposal involves dedication of a single space in the existing Basement 1 and therefore, complies with the above.

DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)

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

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

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

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

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

**4.15(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality**

Traffic

The proposed development primarily intends on servicing the needs of the residents of the two (2) residential flat buildings and townhouses adjoining the premises. The new café will also facilitate the patrons of the golf course and any visitors to the premises. It is highly unlikely that the new café will generate a significant amount of traffic given the unique location of the kiosk building and the maximum patronage proposed. As mentioned above, Council's Traffic Manager confirmed that the single car space complies with the on-site parking provision requirement under the SDCDP 2005 and therefore, supports the application.

Noise

The proposed operational hours for the café is 7:00am to 10:00pm, Monday to Sunday. These hours are considered reasonable; however, given the kiosk is situated between a number of residential units and townhouses – concern is raised with regard to potential noise impacts. An Acoustic Report was provided to Council to address noise impacts. Council's Environmental Health Officer confirmed that the report provided a number of recommendations to assist in mitigating and managing noise generated by the new use. Therefore, subject to the imposition of conditions to reflect the recommendations in the Acoustic Report, Council is satisfied that noise generated from the café can be reasonably ameliorated and managed.

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

It is considered that the proposed development is of a scale and design that is suitable for the site having regard to its size and shape, its topography, vegetation and relationship to adjoining developments. The proposed development introduces a new café to the immediate locality that will service local residents, golf course customers and any visitors to the area.

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

The application was publicly notified on 27 May 2021, in accordance with Strathfield Council's Community Participation Plan (CPP), with the last date for public submissions being 10 June 2021. Eighteen (18) submissions were received during notification period.

Submissions were received from the following properties:

## DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)

- No address – three (3) individual submissions
- Resident at 86 Centenary Drive, Strathfield – no unit number
- Building 2, Level 5, 86 Centenary Drive, Strathfield – two (2) individual submissions
- B308/86 Centenary Drive, Strathfield
- 242B/86 Centenary Drive, Strathfield
- B702/86 Centenary Drive, Strathfield
- 109A/86 Centenary Drive, Strathfield
- 607A/86 Centenary Drive, Strathfield
- A602/86 Centenary Drive, Strathfield – two (2) submissions
- Resident at Fairway Circuit – no number
- 2 Fairway Circuit, Strathfield
- 13 Fairway Circuit, Strathfield
- 51 Fairway Circuit, Strathfield
- Fairway Committee

A table listing the issues and concerns raised and responses to these is contained below:

Issue / Concern	Response
Traffic and parking	Traffic and parking impacts have been assessed as detailed above.
Noise	Noise impacts have been assessed as detailed above. Council's Environmental Health Officer concurs with the recommendations described in the provided Acoustic Report. Conditions will reflect these recommendations to ensure noise impacts are mitigated and managed appropriately.
Safety and security Stolen mail and delivered packages	Safety and security issues are not considered significant as the majority of patrons are likely to be local and living in the residential flat buildings or townhouses nearby. The kiosk is centrally located in an open area designated as common areas within the premises. This area, along with the garden beds, access paths and playground, are envisioned to be utilised by residents and visitors of the premises. The new use will not likely result in increased safety and security issues.
Waste management	Council's Waste Officer is satisfied that waste management can be undertaken appropriately, subject to the imposition of conditions.
Privacy impacts	The new use will be situated in an open, common area, at ground level. In general, residential units of the two (2) residential flat buildings overlook this open area. Whilst there is potential for patrons to view balconies and windows of units – these views are not considered unreasonable. Further, the kiosk building itself was approved in a separate application and its likely use was assessed accordingly.
Damages to common property	This is not considered a substantial issue and nevertheless is viewed as a Strata Management issue.
Use of bathrooms and the maintenance of bathrooms	The use of common bathrooms by both staff and patrons is considered a reasonable outcome. The ongoing costs relating the maintenance of these spaces is not considered a substantive matter.



DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)

Issue / Concern	Response
Alcohol and entertainment	The new use is not a licensed premises. Conditions will be imposed to ensure no music is played between 6:00pm and 10:00pm.
Maximum capacity not indicated	The maximum capacity for the use is fifteen (15) patrons.

#### 4.15 (1)(e) the public interest

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

### SECTION 7.11 CONTRIBUTIONS

Section 7.12 (previously Section 94A) of the *Environmental Planning and Assessment Act 1979* relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. Section 7.12 of the *Environmental Planning and Assessment Act 1979* reads as follows:

*“A consent authority may impose, as a condition of development consent, a requirement that the applicant pay a levy of the percentage, authorised by a contributions plan, of the proposed cost of carrying out the development.”*

#### STRATHFIELD INDIRECT DEVELOPMENT CONTRIBUTIONS PLAN

The proposed development has a value of greater as \$100,000. In order to provide additional public facilities and infrastructure to meet the demand created by development, the proposed development will attract Section 7.12 Indirect Contributions in accordance with the Strathfield Indirect Development Contributions Plan (3 September 2010). This contribution is based on the proposed cost of works for the development and has been calculated at 0.5% of \$109,882 (the estimated cost of development identified in the development application). Therefore, the Section 94 Indirect Contributions for the proposed development is **\$549.41**.

DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)

## CONCLUSION

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

Signed: Miguel Rivera  
Senior Planner

## PEER REVIEW

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

Signed: George Andonoski  
Specialist Strategic Planner

## RECOMMENDATION

That Development Application No. DA2021/91 for the use and fit-out of an existing building as a kiosk at 86 Centenary Drive, Strathfield be **APPROVED**, subject to the following conditions:

### REASONS FOR CONDITIONS

The following conditions of consent are imposed for the following reasons:

- 1) To ensure compliance with the terms of the relevant Environmental Planning Instrument and/or Building Code of Australia and/or Council's codes, policies and specifications.
- 2) To protect the environment.
- 3) To ensure that there is no unacceptable impact on the amenity of the area, or to private and public property.
- 4) It is in the public interest.

#### 1. Approved Plans & Documentation

The development must be implemented in accordance with the approved plans and supporting documentation listed below which have been endorsed by Council's approved stamp, except where marked up on the plans and/or amended by conditions of this consent:

DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)

Description	Reference No.	Date	Revision	Prepared by
Plan and Elevations - Kiosk	A7002	16/04/21	A	BUILTCOM CONSTRUCTIONS PTY LTD
Waste Management Plan	-	11/06/21	Rev. 2	BUILTCOM CONSTRUCTIONS PTY LTD
Litter Management Plan	A7006	11/06/21	A	BUILTCOM CONSTRUCTIONS PTY LTD
Acoustic Impact Report	2021-264	1/07/21	Final report Rev. 1	Acoustic Noise and Vibration Solutions P/L

## SEPARATE APPROVALS REQUIRED UNDER OTHER LEGISLATION

### 2. Section 138 Roads Act 1993 and Section 68 Local Government Act 1993

Unless otherwise specified by a condition of this consent, this Development Consent does not give any approval to undertake works on public infrastructure.

Separate approval is required under Section 138 of the [Roads Act 1993](#) and/or Section 68 of the [Local Government Act 1993](#) for any of the following activities carried out in, on or over a public road (including the footpath) listed below.

An application is required to be lodged and approved prior to the commencement of any of the following works or activities;

- (a) Placing or storing materials or equipment;
- (b) Placing or storing waste containers or skip bins;
- (c) Erecting a structure or carrying out work
- (d) Swinging or hoisting goods over any part of a public road by means of a lift, crane or the like;
- (e) Pumping concrete from a public road;
- (f) Pumping water from the site into the public road;
- (g) Constructing a vehicular crossing or footpath;
- (h) Establishing a "works zone";
- (i) Digging up or disturbing the surface of a public road (e.g. Opening the road for the purpose of connections to utility providers);

## DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)

- (j) Stormwater & ancillary works in the road reserve; and
- (k) Stormwater & ancillary to public infrastructure on private land
- (l) If any excavation is to be supported by the use of below ground (cable) anchors that are constructed under Council's roadways/footways.

These separate activity approvals must be obtained and evidence of the approval provided to the Certifying Authority prior to the issue of the Construction Certificate.

The relevant Application Forms for these activities can be downloaded from Council's website [www.strathfield.nsw.gov.au](http://www.strathfield.nsw.gov.au). For further information, please contact Council's Customer Service Centre on (02) 9748 9999.

### PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

#### 3. Fees to be Paid

The fees listed in the table below must be paid in accordance with the conditions of this consent and Council's adopted Fees and Charges applicable at the time of payment (available at [www.strathfield.nsw.gov.au](http://www.strathfield.nsw.gov.au)).

Payments must be made prior to the issue of the Construction Certificate or prior to the commencement of work (if there is no associated Construction Certificate).

Please contact council prior to the payment of s7.11 or s7.12 Contributions to determine whether the amounts have been indexed from that indicated below in this consent and the form of payment that will be accepted by Council.

A summary of the fees to be paid are listed below:

Fee Type	Fee
<b>GENERAL FEES</b>	
Long Service Levy (to Long Service Corporation) Or, provide evidence of Payment direct to the Long Service Corporation. See <a href="https://portal.longservice.nsw.gov.au/bci/levy/">https://portal.longservice.nsw.gov.au/bci/levy/</a>	\$384.00
Security Damage Deposit	\$5,250.00
Administration Fee for Damage Deposit	\$130.00
<b>DEVELOPMENT CONTRIBUTIONS</b>	
Strathfield Section 94A Indirect Development Contributions Plan 2017	\$549.41



DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)

### General Fees

The fees and charges above are subject to change and are as set out in the version of Council's Schedule of Fees and Charges or as required by other Government Authorities, applicable at the time of payment.

### Development Contributions

A Section 7.12 contribution has been levied on the subject development pursuant to the Strathfield Section 94A Indirect Development Contributions Plan.

### Indexation

The above contributions will be adjusted at the time of payment to reflect changes in the cost of delivering public amenities and public services, in accordance with the indices provided by the relevant Development Contributions Plan.

### Timing of Payment

The contribution must be paid and receipted by Council prior to the release of the Construction Certificate.

### Further Information

A copy of the *current Development Contributions Plans* may be inspected at Council's Customer Service Centre at 65 Homebush Road, Strathfield or on Council's website [www.strathfield.nsw.gov.au](http://www.strathfield.nsw.gov.au).

## 4. Damage Deposit – Minor Works

In order to insure against damage to Council property the following is required:

- (a) Pay Council, before the issue of the Construction Certificate, a damage security deposit for the cost of making good any damage caused to any Council property as a result of the development: \$5,250.00.
- (b) Pay Council, before the issue of the Construction Certificate, a non-refundable administration fee to enable assessment of any damage and repairs where required: \$130.00.
- (c) Submit to Council, before the commencement of work, a photographic record of the condition of the Council nature strip, footpath and driveway crossing, or any area likely to be affected by the proposal.

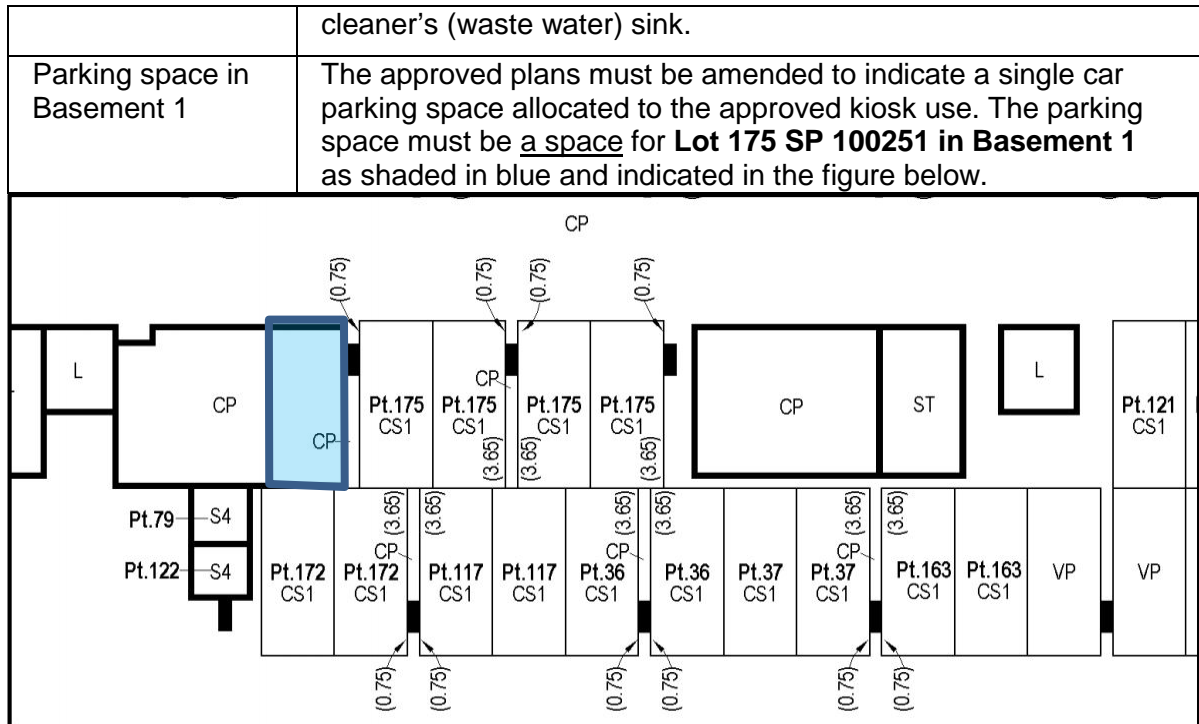
At the completion of work Council will inspect the public works, and the damage deposit will be refunded in full upon completion of work where no damage occurs. Otherwise the amount will be either forfeited or partly refunded according to the amount of damage.

## 5. Required Design Changes

The following changes are required to be made and shown on the Construction Certificate plans:

Sinks	The proposed double sinks must be amended to provide an additional single hand wash basin and a cleaner's sink in order to meet the requirement for a designated hand wash station and waste water sink. Note that it is prohibited practice to dispose of cleaning waste water into a sink that is not designated as a
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DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)



**6. Onsite Waste Collection**

Development for the purposes of multi-unit housing, residential flat buildings, serviced apartments, boarding houses, mixed use and commercial developments must provide onsite underground or at-grade collection of waste, which must comply with the requirements contained within Part H of Strathfield Development Control Plan 2005 (DCP 2005).

Waste servicing and collection arrangements should be clearly depicted and annotated on architectural drawings, which should indicate adequate turning circles to allow collection vehicles to enter and exit the site in a forward direction.

**7. Commercial and Industrial Waste**

Appropriate waste and recycling containers and facilities will need to be provided according to Waste Management Plan for all specific end use businesses in accordance with the waste generation rates provided at Part H of Strathfield Council DCP 2005 – Appendix B.

WMP should also provide written evidence of valid contracts for the regular collection and disposal of waste and recyclables generated on the site. The private waste contractor must confirm the frequency of the waste collections (general waste, recycling and bulky goods), and that the size and location of the storage room is suitable for the frequency of the waste collections.

The collection of commercial and industrial waste and recycling must only occur between 6.00am and 8.00pm weekdays and 9.00am and 5.00pm on weekends and public holidays, to avoid noise disruption to the surrounding area. All garbage and recyclable matter must be enclosed in the waste bins with lids completely closed at all times.

Waste education must be provided through signs in common areas indicating how to avoid, reduce, reuse and recycle waste.

Note: Refer to the EPA's [Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities](#)

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## DURING CONSTRUCTION

### 8. Hours of Construction for Demolition and Building Work

Any work activity or activity associated with the development consent that requires the use of any tools (including hand tools) or any power operated plant and machinery that creates noise on or adjacent to the site shall not be performed, or permitted to be performed, except between the hours of 7.00 am to 5.00 pm, Monday to Friday and 8:00am to 1:00pm on Saturdays. No work or ancillary activity is permitted on Sundays, or Public Holidays.

Where the development involves the use of jack hammers/rock breakers and the like, or other heavy machinery, such equipment may only be used between the hours of 7:00am to 5:00pm Monday to Friday only.

**Note:** A penalty infringement notice may be issued for any offence.

## PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

### 9. Fire Safety Certificate before Occupation or Use

In accordance with Clause 153 of the [Environmental Planning and Assessment Regulation 2000](#), on completion of building works and prior to the issue of an Occupation Certificate, the owner must cause the issue of a Final Fire Safety Certificate in accordance with Clause 170 of the aforesaid Regulation. The Fire Safety Certificate must be in the form or to the effect of Clause 174 of the [Environmental Planning and Assessment Regulation, 2000](#). In addition, in relation to each essential fire or other safety measure implemented in the building or on the land on which the building is situated, such a Certificate is to state:

- (a) That the measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so.
- (b) That as at the date of the assessment the measure was found to be capable of functioning at a standard not less than that required by the attached Schedule.

A copy of the certificate is to be given by the applicant to the Commissioner of Fire & Rescue NSW and a further copy is to be displayed in a frame and fixed to a wall inside the building's main entrance.

### 10. Maximum Number of Seating

A sign must be displayed in a prominent position in the building stating that the maximum number of seating for persons that are permitted in the outdoor seating shall not exceed fifteen (15) patrons.

### 11. Food Premises – Inspection & Registration

Prior to the issue of any Occupation Certificate or occupation or use of any food premises:

- (a) An inspection of the fit out of the Food Premises must be arranged with Council's Environmental Health Officer;
- (b) A satisfactory final inspection must have been undertaken by Council's Environmental Health Officer; and
- (c) The Food Premises must notify and register its business details with Strathfield Council as required under section 100 of the [Food Act 2003](#).

### 12. Parking Space

**DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)**

Prior to the release of any Occupation Certificate the parking space in Basement 1 as indicated on the approved plans (refer to Condition 5) must remain as an allocated space for the approved kiosk use, and must be clearly shown and allocated on the title of Lot 176 SP 100251 in the registered Strata Plan.

**OPERATIONAL CONDITIONS (ON-GOING)****13. Noise Control**

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

To minimise and manage noise impacts the following conditions must be implemented during operations at all times:

- Maximum of fifteen (15) patrons is to be seated in the outdoor dining area at any one time.
- No background music is to be played in the outdoor dining area during the evening hours (6:00pm – 10:00pm).
- Installation of a sign in the outdoor dining area reminding patrons to be aware of the residential receivers during the evening hours of operation (6:00pm – 10:00pm) and to keep noise to a minimum.
- Implementation of a Noise Management Plan as outlined in the Acoustic Report dated 1 July 2021.
- Mechanical plant noise to be controlled as outlined in the Acoustic Report dated 1 July 2021.

**14. Hours of Operation**

The approved hours of operation shall be restricted to the following:

- 7:00am to 10:00pm, Monday to Sunday (including public holidays)

**15. Maximum Capacity and Staff**

The maximum seating capacity of the approved use is fifteen (15) patrons at any time.

The maximum number of staff for the approved use is five (5) employees at any time.

**16. Outdoor Lighting**

To avoid annoyance to the occupants of adjoining premises or glare to motorists on nearby roads, outdoor lighting must comply with *AS 4282-1997: Control of the obtrusive effects of outdoor lighting*.

**17. Lighting – General Nuisance**

Any lighting on the site shall be designed so as not to cause a nuisance to other



**DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)**

residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill or glare.

Flashing, moving or intermittent lights or signs are prohibited.

**18. Amenity of the Neighbourhood**

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

**19. Food Premises – Adequate Waste Receptacles (Restaurants, takeaway/cafe)**

Appropriate waste and recycling containers must be provided for waste generation rates of 0.3 to 0.6 square metres per 100 meals, plus up to 0.15 cubic metres of beverage containers per 100 meals. All waste and recycling containers shall be stored in the approved waste storage area that is large enough to store the required number of bins and must be adequately serviced by waste collection vehicles.

**20. Food Premises – Maintenance of Food Premises**

The food premises must be maintained in accordance with the [Food Act 2003](#) (as amended), [Food Regulation 2015](#) (as amended); the Food Standards Code as published by Food Standards Australia & New Zealand and Australian Standard AS 4674-2004: *Construction and fit out of food premises (as amended)*.

**21. Food Premises – Garbage Odour**

A waste contractor shall be engaged to remove all waste from the garbage storage area on a regular basis so that no overflow of rubbish will occur. Practical measures are also to be taken to ensure that odour emission from the garbage storage area does not cause offensive odour as defined under the provision of the [Protection of the Environment Operations Act, 1997](#) (as amended).

**22. Food Premises – Storage of Waste – Used Cooking Oil**

Used oil shall be contained in a leak proof container and stored in a covered and bunded area prior to off-site disposal. Copies of receipts for the disposal of used cooking oil shall be kept on-site and made available to Council Officers upon request.

**23. Loading & Unloading of Vehicles**

All loading and unloading of vehicles in relation to the use of the premises shall take place wholly within a dedicated loading dock/area.

**24. Entering & Exiting of Vehicles**

All vehicles shall enter and exit the premises in a forward direction.

**OPERATIONAL REQUIREMENTS UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979****25. Requirement for a Construction Certificate**

The erection of a building must not commence until a Construction Certificate has been issued.

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## 26. Appointment of a PCA

The erection of a building must not commence until the applicant has:

- (a) appointed a PCA for the building work; and
- (b) if relevant, advised the PCA that the work will be undertaken as an Owner -Builder.

If the work is not going to be undertaken by an Owner - Builder, the applicant must:

- (c) appoint a Principal Contractor to undertake the building work. If residential building work (within the meaning of the [Home Building Act 1989](#)) is to be undertaken, the Principal Contractor must be a holder of a contractor licence; and
- (d) notify the PCA of the details of any such appointment; and
- (e) notify the Principal Contractor of any critical stage inspections or other inspections that are required to be carried out in respect of the building work.

## 27. Notification of Critical Stage Inspections

No later than two days before the building work commences, the PCA must notify:

- (a) the consent authority and the Council (if not the consent authority) of his or her appointment; and
- (b) the applicant of the critical stage inspections and other inspections that are to be carried out with respect to the building work.

## 28. Notice of Commencement

The applicant must give at least two days notice to the Council and the PCA of their intention to commence the erection of a building.

## 29. Critical Stage Inspections

The last critical stage inspection must be undertaken by the PCA. The critical stage inspections required to be carried out vary according to Building Class under the Building Code of Australia and are listed in Clause 162A of the [Environmental Planning and Assessment Regulation 2000](#).

## 30. Notice to be Given Prior to Critical Stage Inspections

The principal contractor for a building site, or the owner-builder, must notify the PCA at least 48 hours before each required inspection needs to be carried out.

## 31. Occupation Certificate

A person must not commence occupation or use of the whole or any part of a new building unless an Occupation Certificate has been issued in relation to the building or part.

## PRESCRIBED CONDITIONS

### 32. Clause 98 – Building Code of Australia & Home Building Act 1989

Requires all building work to be carried out in accordance with the Building Code of Australia. In the case of residential building work to which the [Home Building Act 1989](#)

**DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)**

relates, there is a requirement for a contract of insurance to be in force before any work commences.

**33. Clause 98A – Erection of Signs**

Requires the erection of signs on site and outlines the details which are to be included on the sign. The sign must be displayed in a prominent position on site and include the name and contact details of the PCA and the Principal Contractor.

**34. Clause 98D – Erection of sign for maximum number of persons**

This prescribed condition applies to entertainment venues, function centres, pubs, registered clubs and restaurants. This condition requires the erection of a sign which states the maximum number of persons (as specified in the consent) that are permitted in the building.

**ADVISORY NOTES****i. Review of Determination**

Section 8.2 of the Environmental Planning and Assessment Act confers on an applicant who is dissatisfied with the determination of the application the right to lodge an application with Council for a review of such determination. Any such review must however be completed within 6 months from its determination. Should a review be contemplated sufficient time should be allowed for Council to undertake public notification and other processes involved in the review of the determination.

Note: review provisions do not apply to Complying Development, Designated Development, State Significant Development, Integrated Development or any application determined by the Sydney East Planning Panel or the Land & Environment Court.

**ii. Appeal Rights**

Division 8.3 (Reviews and appeals) Part 8 of the Environmental Planning and Assessment Act 1979 confers on an applicant who is dissatisfied with the determination of the application a right of appeal to the Land and Environment Court of New South Wales.

**iii. Lapsing of Consent**

This consent will lapse unless the development is physically commenced within 5 years from the Date of Operation of this consent, in accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979 as amended.

**iv. Access to NSW Legislations (Acts, Regulations and Planning Instruments)**

NSW legislation can be accessed free of charge at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)

**v. Long Service Levy**

The Long Service Corporation administers a scheme which provides a portable long service benefit for eligible workers in the building and construction industry in NSW. All benefits and requirements are determined by the Building and Construction Industry Long Service Payments Act 1986. More information about the scheme and the levy amount you are required to pay to satisfy a condition of your consent can be found at <http://www.longservice.nsw.gov.au>.

DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)

The required Long Service Levy payment can be direct to the Long Service Corporation via their web site <https://online.longservice.nsw.gov.au/bci/levy>. Payments can only be processed on-line for the full levy owing and where the value of work is between \$25,000 and \$6,000,000. Payments will be accepted for amounts up to \$21,000, using either MasterCard or Visa.

#### vi. Disability Discrimination Act

This application has been assessed in accordance with the [Environmental Planning and Assessment Act 1979](#). No guarantee is given that the proposal complies with the [Disability Discrimination Act 1992](#). The applicant is responsible to ensure compliance with this and other anti-discrimination legislation. The [Disability Discrimination Act 1992](#) covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which refers to AS1428.1-Design for Access and Mobility.

#### vii. Food Premises

Information on Australian Standards can be obtained from [www.standards.com.au](http://www.standards.com.au)

Guidelines and Food Safety Standards may be obtained by contacting the Food Standards Australia New Zealand Authority at [foodstandards.gov.au](http://foodstandards.gov.au) or the NSW Food Authority on 1300 552 406, email: [contact@foodauthority.nsw.gov.au](mailto:contact@foodauthority.nsw.gov.au) or by visiting the website [www.foodauthority.nsw.gov.au](http://www.foodauthority.nsw.gov.au)

Notification of Food Business under Section 100 of the [Food Act 2003](#) requires the proprietor of a food business to give written notice, in the approved form, before conducting a food business. Penalties apply for failure to comply.

#### viii. Noise

Council will generally enforce noise related conditions in accordance with the *Noise Guide for Local Government* (<http://www.environment.nsw.gov.au/noise/nglg.htm>) and the *Industrial Noise Guidelines* (<http://www.environment.nsw.gov.au/noise/industrial.htm>) published by the Department of Environment and Conservation. Other state government authorities also regulate the [Protection of the Environment Operations Act 1997](#).

Useful links relating to Noise:

- (a) Community Justice Centres—free mediation service provided by the NSW Government ([www.cjc.nsw.gov.au](http://www.cjc.nsw.gov.au)).
- (b) Department of Environment and Conservation NSW, Noise Policy Section web page ([www.environment.nsw.gov.au/noise](http://www.environment.nsw.gov.au/noise)).
- (c) New South Wales Government Legislation home page for access to all NSW legislation, including the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Noise Control Regulation 2000* ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)).
- (d) Australian Acoustical Society—professional society of noise-related professionals ([www.acoustics.asn.au/index.php](http://www.acoustics.asn.au/index.php)).
- (e) Association of Australian Acoustical Consultants—professional society of noise related professionals ([www.aaac.org.au](http://www.aaac.org.au)).
- (f) Department of Gaming and Racing - ([www.dgr.nsw.gov.au](http://www.dgr.nsw.gov.au)).



DA2021/91 - 86 Centenary Drive, Strathfield - Lot 176 SP 100251 and Lot 0 SP 100251 (Cont'd)

**ix. Acoustical Engineer Contacts & Reference Material**

Further information including lists of Acoustic Engineers can be obtained from:

- (a) Australian Acoustical Society—professional society of noise-related professionals ([www.acoustics.asn.au](http://www.acoustics.asn.au))
- (b) Association of Australian Acoustical Consultants—professional society of noise related professionals ([www.aaac.org.au](http://www.aaac.org.au))
- (c) NSW Industrial Noise Policy – Office of Environment & Heritage ([www.environment.nsw.gov.au](http://www.environment.nsw.gov.au))

**ATTACHMENTS**

- 1. Architectural Plans
- 2. Waste Management Plan
- 3. Litter Management Plan
- 4. Acoustic Report



### DEVELOPMENT APPLICATION

KIOSK / CAFE  
1 STOREY BUILDING

BUILDING B, LOT 176,  
86 CENTENARY DRIVE, STRATHFIELD.



**SITE PLAN**  
SCALE 1:100 @ A1

REFER TO DWG NO. A7004 FOR 'SITE ENTRANCE PLAN' SHOWING THE ENTIRE SITE WITH STREET / ROAD NAME

**DRAWING LIST:**

- A7001[A] SITE PLAN - KIOSK
- A7002[A] PLAN & ELEVATIONS - KIOSK
- A7003[A] SHADOW DIAGRAM - KIOSK
- A7004[A] WASTE MANAGEMENT PLAN

**PARKING SPACE:**

MINIMUM 1 CAR PARK SPACE PROVISION FOR THE KIOSK. THE CAR PARK SPACE IS TO LOCATED NEAR LIFT 1A-2A AT BASEMENT 1.

**KIOSK GFA:**

INTERNAL AREA (EXTERNAL WALL EXCL.)	12.80 SQM
BUILDING AREA (EXTERNAL WALL INCL.)	15.60 SQM

**SCHEDULE OF EXTERNAL FINISHES:**

REFER TO ELEVATION DRAWING  
A7002 - PLAN & ELEVATIONS - KIOSK

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**DA2021.91  
24 May 2021**

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**Approvals:**

ISSUED FOR DA	16/04/2021	UN	K
Revision Description	Date	Check	Rev

**Design Team:**  
BUILTCOM CONSTRUCTIONS PTY LTD

Phone: (02) 8212 5342  
Fax: (02) 8212 5313  
Email: [constr@builtcom.net.au](mailto:constr@builtcom.net.au)  
Address: 30-40 Burwood Rd, Burwood, NSW 1514

**Client:**  
MR. COFFEE BEANS

**Project:**  
THE GREENS STRATHFIELD  
86 Centenary Drive, Strathfield

<b>Drawing:</b> SITE PLAN - KIOSK	<b>Stage:</b> DA STAGE
<b>Date:</b> 16/04/2021	<b>Scale:</b> S: 1:100 @ A1 S: 1:200 @ A2
<b>Job Number:</b> 1005	<b>Drawing Number:</b> A7001
	<b>Revision:</b> A



**1 KIOSK - DETAILED PLAN**  
1:30 @ A1

**2 KIOSK - ELEV 1**  
1:100 @ A1

**3 KIOSK - ELEV 2**  
1:100

**4 KIOSK - ELEV 3**  
1:100

**5 KIOSK - ELEV 4**  
1:100

**SCHEDULE OF EXTERNAL FINISHES**

DULUX - PAINT FINISH  
VIVID WHITE OR SIMILAR

DULUX - POWDER COATING  
DURATEC ZEUS - SILVER GREY

COLORBOND - ROOF  
SHALE GREY OR SIMILAR

MAROOTA - BLOCK WALL  
NATURAL SANDSTONE OR SIMILAR

IRONWOOD - POST / COLUMN  
RED MAHOGANY OR SIMILAR

**LEGEND:**

CM	COFFEE MACHINE
DR	DOOR
HD	HAND DRYER
KP	KICKBOARD
MIR	MIRROR
MT	MIXER TAP / SINK
OH	OVERHEAD CUPBOARD
REF	REFRIGERATOR
WM	WASHING MACHINE
WC	WATER CLOSET
WN	WINDOW
WT	WALL TILES

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**DA2021.91**  
**24 May 2021**

**6 KIOSK FITOUT - ELEV 1**  
1:50 @ A1

**7 KIOSK FITOUT - ELEV 2**  
1:50

**8 KIOSK FITOUT - ELEV 3**  
1:50

**9 KIOSK FITOUT - ELEV 4**  
1:50

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**Client:**  
MR COFFEE BEANS

**Project:**  
THE GREENS STRATHFIELD  
86 Centenary Drive, Strathfield

**Drawn by:**  
PLAN & ELEVATIONS - KIOSK

**Date:**  
16/04/2021

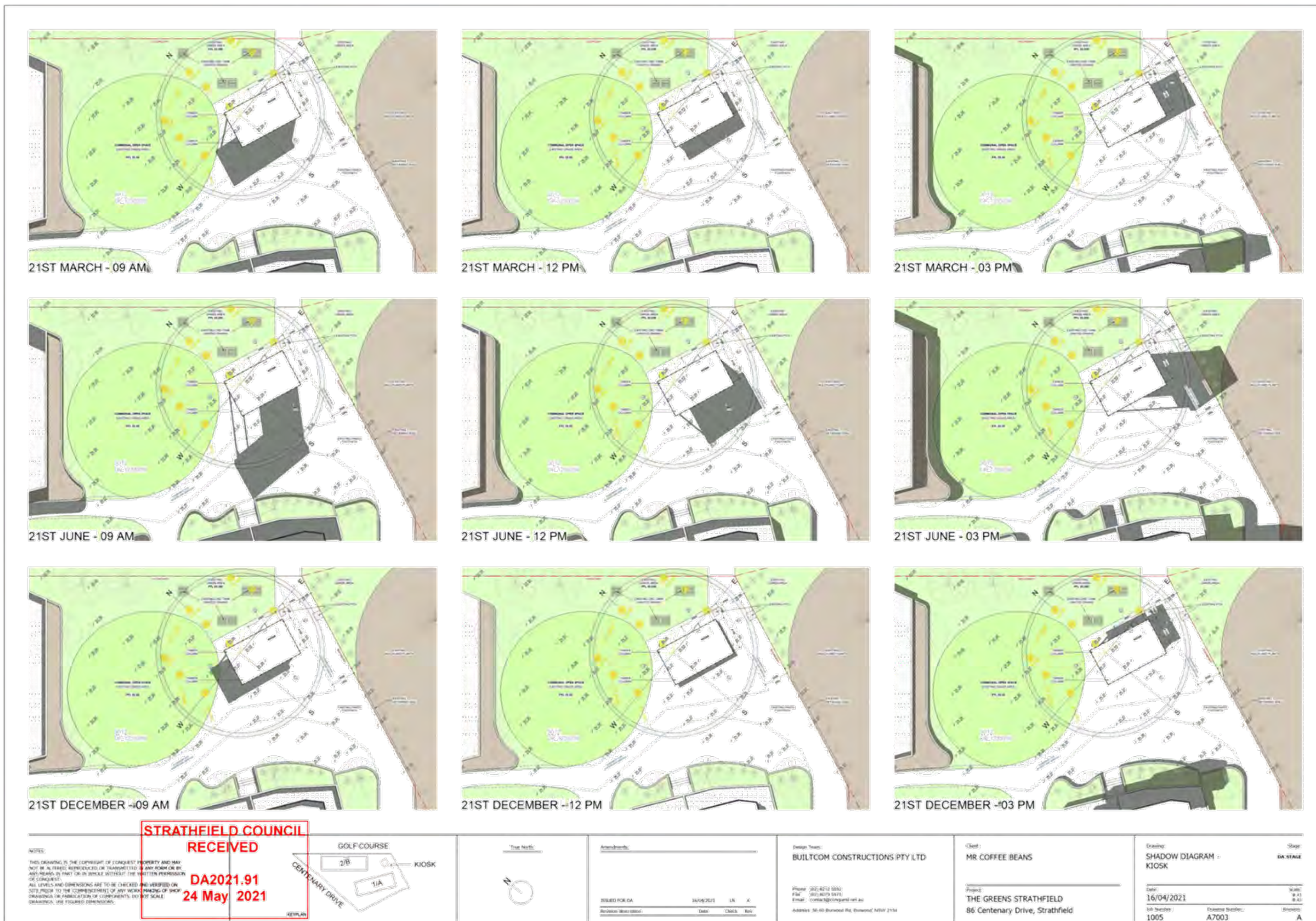
**Scale:**  
1:100

**Project No:**  
A7002

**Revision:**  
A

**Site:**  
THE GREENS STRATHFIELD  
86 Centenary Drive, Strathfield







**WASTE MANGEMENT PLAN**  
SCALE 1:100 @ A1

**SITE ENTRANCE PLAN**  
SCALE 1:500 @ A1

**SEDIMENT AND EROSION CONTROL NOTES**

SEDIMENT AND EROSION CONTROL SHALL BE EFFECTIVELY MAINTAINED AT ALL TIMES DURING THE COURSE OF CONSTRUCTION AND SHALL NOT BE REMOVED UNTIL THE SITE HAS BEEN STABILISED OR LANDSCAPED TO THE SUPERINTENDENT'S SATISFACTION.

A SINGLE ALL WEATHER ACCESS WAY WILL BE PROVIDED AT THE FRONT OF THE PROPERTY CONSISTING OF 50-75 AGGREGATE OR SIMILAR MATERIAL AT A MINIMAL THICKNESS OF 150 LAD OVER NEEDLE PUNCHED GEOTEXTILE FABRIC AND CONSTRUCTED PRIOR TO COMMENCEMENT OF WORKS.

THE CONTRACTOR SHALL ENSURE THAT NO SPOIL OR FILL ENCLOSES UPON ADJACENT AREAS FOR THE DURATION OF WORKS.

THE CONTRACTOR SHALL ENSURE THAT KERB INLETS AND DRAINS RECEIVING STORMWATER SHALL BE PROTECTED AT ALL TIMES DURING DEVELOPMENT. KERB INLET SEDIMENT TRAPS SHALL BE INSTALLED ALONG THE IMMEDIATE VICINITY ALONG THE STREET FRONTAGE. SEDIMENT FENCING SHALL BE SECURED BY POST (WHERE METAL STAR PICKETS ARE USED PLASTIC SAFETY CAPS SHALL BE USED) AT 2000 INTERVALS WITH GEOTEXTILE FABRIC EMBEDDED 200 IN SOIL.

ALL TOPSOIL STRIPPED FROM THE SITE AND STOCKPILED DOES NOT INTERFERE WITH DRAINAGE LINES AND STORMWATER INLETS AND WILL BE SUITABLY COVERED WITH AN IMPERVIOUS MEMBRANE MATERIAL AND SCREENED BY SEDIMENT FENCING.

**SOIL CONSERVATION NOTE:**  
PRIOR TO COMMENCEMENT OF CONSTRUCTION PROVIDE SEDIMENT FENCE, SEDIMENT TRAP AND WASHOUT AREA TO ENSURE THE CAPTURE OF WATER BORNE MATERIAL GENERATED FROM THE SITE. MAINTAIN THE ABOVE DURING THE COURSE OF CONSTRUCTION AND CLEAR THE SEDIMENT TRAP AFTER EACH STORM.

**SEDIMENT TRAP**  
1000 x 1000 WIDE 500 DEEP PIT, LOCATED AT THE LOWEST POINT TO THE TRAP SEDIMENT.

**WASHOUT AREA**  
TO BE 1800 x 1800 ALL LOCATED FOR THE WASHING OF TOOL & EQUIPMENT.

EDGE BOARD 250 x 50 PEG  
FILTERING SAND 100  
EARTH

**SEDIMENT FENCE**  
PROVIDE SEDIMENT FENCE ON DOWN SLOPE BOUNDARY AS SHOWN ON PLAN. FABRIC TO BE BURIED BELOW GROUND AT LOWER EDGE.

OVERLAPPING POST DRIVEN 600 INTO THE GROUND  
RUNOFF  
SEDIMENT FENCE  
600 MAX  
600-1000

STAKES DRIVEN 600 INTO THE GROUND TOWARDS PREVIOUSLY LAD MALE  
DISTURBED AREA  
RUNOFF  
UNDISTURBED AREA  
GEOTEXTILE FILTER FABRIC FASTEN ON TOP EDGE  
DRAINAGE AREA 0.5 HA MAX. SLOPE GRADIENT 1:2 MAX. SLOPE LENGTH 50M.

**VEHICLE ACCESS TO SITE**  
VEHICLE ACCESS TO THE BUILDING SITE SHOULD BE RESTRICTED TO A SINGLE POINT SO AS TO REDUCE THE AMOUNT OF SOIL DEPOSITED ON THE STREET PAVEMENT.

BERM 200 HIGH MIN.  
GEOTEXTILE FABRIC  
50 HFT FILL  
FILL DIRECTED TO 10% SLOPE

**GENERAL NOTES**

THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH OTHER CONSULTANT DRAWINGS AND SPECIFICATIONS AND WITH OTHER SUCH WRITTEN INSTRUCTIONS AS MAY BE ISSUED DURING THE COURSE OF THE CONTRACT. ANY DISCREPANCY SHALL BE REFERRED TO THE ENGINEER BEFORE PROCEEDING WITH THE WORK.

ALL DIMENSIONS ARE IN MILLIMETRES & ALL LEVELS ARE IN METRES UNO (UNLESS NOTED OTHERWISE).

NO DIMENSION SHALL BE OBTAINED BY SCALING THE DRAWINGS.

ALL LEVELS AND SETTING OUT DIMENSIONS SHOWN ON THE DRAWINGS SHALL BE CHECKED ON SITE PRIOR TO THE COMMENCEMENT OF THE WORK.

DURING EXCAVATION WORK THE STRUCTURE SHALL BE MAINTAINED IN A STABLE AND NO PART SHALL BE OVERSTRESSED.

ALL WORK IS TO BE UNDERTAKEN IN ACCORDANCE WITH THE DETAILS SHOWN ON THE DRAWINGS & THE SPECIFICATION.

EXISTING SERVICES WHERE SHOWN HAVE BEEN PLOTTED FROM SUPPLIED DATA AND SUCH THEIR ACCURACY CAN NOT BE GUARANTEED. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ESTABLISH THE LEVEL OF ALL EXISTING SERVICES PRIOR TO THE COMMENCEMENT OF WORK.

ALL SERVICE TRENCHES UNDER VEHICULAR PAVEMENTS SHALL BE BACK FILLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL COUNCIL.

ALL TRENCH BACK FILL MATERIAL SHALL BE COMPACTED TO THE SAME DENSITY AS THE ADJACENT MATERIAL.

ON COMPLETION OF STORMWATER INSTALLATION ALL DISTURBED AREAS MUST BE RESTORED TO ORIGINAL CONDITION INCLUDING KERBS, FOOTPATHS, CONCRETE AREAS, GRAVEL AND GRASS AREAS AND ROAD PAVEMENTS, UNLESS DIRECTED OTHERWISE.

CONTRACTOR TO OBTAIN ALL AUTHORITY APPROVALS UNLESS DIRECTED OTHERWISE.

**STORMWATER DRAINAGE**

THE STORMWATER DRAINAGE DESIGN HAS BEEN CARRIED OUT IN ACCORDANCE WITH AS/NZS 3602.3 - 1990 "STORMWATER DRAINAGE" & AS/NZS 3602.2-1998 "STORMWATER DRAINAGE - ACCEPTABLE SOLUTIONS".

ANY VARIATIONS TO THE NOMINATED LEVELS SHALL BE REFERRED TO ENGINEER IMMEDIATELY.

ANY VARIATIONS TO SPECIFIED PRODUCTS OR DETAILS SHALL BE REFERRED TO THE ENGINEER FOR APPROVAL.

DOWN PIPES SHALL BE A MINIMUM OF DN100 BV GRADE UPVC OR 100X100 COLORBOND/ZINCALUME STEEL UNO.

BOX COLORBOND OR ZINCALUME STEEL GUTTERS SHALL BE A MINIMUM OF 450 WIDE X 150 DEEP.

EAVES GUTTERS SHALL BE A MINIMUM OF 128 WIDE X 100 DEEP OR OF EQUIVALENT AREA COLORBOND OR ZINCALUME STEEL.

SUBSOIL DRAINAGE SHALL BE PROVIDED TO ALL RETAINING WALLS & EMBANKMENTS, WITH THE LINES FEEDING INTO THE STORMWATER DRAINAGE SYSTEM.

**BUILDING MATERIAL STOCKPILES**

ALL STOCKPILES OF BUILDING MATERIAL SUCH AS SAND AND SOIL MUST BE PROTECTED TO PREVENT SCOUR AND THEY SHOULD NEVER BE PLACED IN THE STREET GUTTER WHERE THEY WILL WASH AWAY WITH THE FIRST RAINSTORM.

WATERPROOF COVERING  
EARTH BANK TO PREVENT SCOUR OF STOCKPILE  
SEDIMENT FENCE

**SANDBAG KERN SEDIMENT TRAP**

IN CERTAIN CIRCUMSTANCES EXTRA SEDIMENT TRAPPING MAY BE NEEDED IN THE STREET GUTTER.

SANDBAG IN GUTTER  
2000 MIN  
RUNOFF

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**DA2021.91**

**24 May 2021**

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ISSUED FOR DA

16/04/2021

1:0

1:0

Design Team:

**BUILTCOM CONSTRUCTIONS PTY LTD**

Phone: (02) 8212 5332

Fax: (02) 8275 2013

Email: [enquiries@builtcom.com.au](mailto:enquiries@builtcom.com.au)

Address: 36-40 Burnside Rd, Westmead, NSW 2114

Client:

**MR. COFFEE BEANS**

Project:

**THE GREENS STRATHFIELD**

86 Centenary Drive, Strathfield

Drawing:

**WASTE MANAGEMENT PLAN**

Date:

16/04/2021

Scale:

1:500

Sheet:

1005

Project Number:

A7004

Revision:

A

**Builtcom**

Constructions



## WASTE MANAGEMENT PLAN

### DEMOLITION, CONSTRUCTION, AND USE OF PREMISES

Proposal of Kiosk for food and beverage.

LOT 176, 3012 DP1233238,

Building B, 86 Centenary Drive, Strathfield, NSW 2135.

Revision #2 - Council RFI

Date: 11/6/2021

**STRATHFIELD COUNCIL  
RECEIVED**

**DA2021/91  
1 July 2021**

Builtcom Constructions Pty Ltd

56-60 Burwood Road, Burwood, NSW 2134.

P: (02) 8212 5592

Email: [linh@conquest.net.au](mailto:linh@conquest.net.au)

**OUTLINE OF PROPOSAL**

Site address: 86 Centenary Drive, Strathfield, NSW 2135.

Existing structures: 2 existing residential buildings with 3 basements for car parks. There is an existing communal open space which is adjacent to the land of the Kiosk.

Development proposal: Kiosk building for food and beverage with outdoor eating area.

**APPLICANT DETAILS:**

Applicant's name: Linh Ngoc Nguyen

Applicant's address: 56-60 Burwood Road, Burwood, NSW 2134.

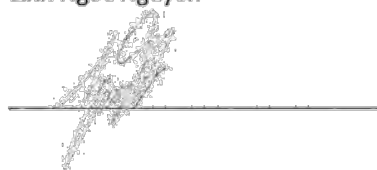
Phone: (02) 8212 5592

Email: Linh@conquest.net.au

*The details on this form are the provisions and intentions for minimising waste relating to this project. It is to seek the most efficient way to manage waste and recycling materials for the demolition, construction and on-going waste.*

Name: Linh Ngoc Nguyen

Signature of Applicant:



Date: 11/06/2021

## DEMOLITION WASTE – STAGE 1

No demolition of building fabric proposed because there is no existing structure on the land of the proposed kiosk. Any unforeseen waste it is to be dealt in accordance with the table below.

MATERIALS ON-SITE		DESTINATION		
Type of material	Estimated Volume (m <sup>3</sup> ) or Area (m <sup>2</sup> )	REUSE & RECYCLING		DISPOSAL Specify the contractor and landfill site
		ON-SITE Specify proposed reuse or on-site recycling methods	OFF-SITE Specify the contractor and recycling outlet	
Excavation material	11.0m <sup>3</sup>	Reuse for landscape at communal open space.	Nil	Nil
Green waste	6.4m <sup>3</sup>	Reuse for landscape at communal open space.	Nil	Nil
Bricks	Nil	Nil	Nil	Nil
Roof tiles	Nil	Nil	Nil	Nil
Floor tiles	Nil	Nil	Nil	Nil
Concrete	Nil	Nil	Nil	Nil
Timber	Nil	Nil	Nil	Nil
Plasterboard	Nil	Nil	Nil	Nil
Metals	Nil	Nil	Nil	Nil
Asbestos	Nil	Nil	Nil	Nil
Glass / windows	Nil	Nil	Nil	Nil

## CONSTRUCTION WASTE – STAGE 2

**Note:** Details of the site area to be used for on-site separation, treatment and storage are provided on plan drawing. Refer to dwg no.: A7004 – Waste Management Plan.

MATERIALS ON-SITE		DESTINATION		
Type of material	Estimated Volume (m <sup>3</sup> ) or Area (m <sup>2</sup> )	REUSE & RECYCLING		DISPOSAL Specify the contractor and landfill site
		ON-SITE Specify proposed reuse or on-site recycling methods	OFF-SITE Specify the contractor and recycling outlet	
Excavation material	Nil	Nil	Nil	Nil
Green waste	6.4m <sup>3</sup>	Reuse for landscape at communal open space.	Nil	Nil
Block wall Natural sandstone	0.6m <sup>3</sup>	90% to be re-used for landsc. retaining walls.	10% to be sent to recycling company.	Nil
Colorbond roof	39m <sup>2</sup>	Nil	5% recycling	Nil
Floor tiles	65m <sup>2</sup>	Nil	5% recycling	Nil
Concrete	6.8m <sup>3</sup>	Nil	5% recycling	Nil
Timber	0.23m <sup>3</sup>	Nil	Nil	Nil
Plasterboard	43m <sup>2</sup>	Nil	10% recycling	Nil
Metal stud/top hats	0.32m <sup>3</sup>	Nil	5% recycling	Nil
Asbestos	Nil	Nil	Nil	Nil
Glass / windows	6.3m <sup>2</sup>	Nil	Nil	Nil



**LIST OF RECYCLING OUTLET (OFF-SITE):**

Bricks – Brick Recycling Co:

7-15 Water Street, Strathfield South NSW, ph.: 0401628939.

Metal – ELG Recycling Processors:

70 Cosgrove Rd, Enfield NSW 2136, ph.: 02 9642 8900.

Ceramic tiles – Bingo Recycling Centre:

35 Wentworth Street, Greenacre NSW 2190, ph.: 1300 424 646.

Concrete – Sydney Transwaste Industries:

160 Arthur Street, Homebush West NSW 2140, ph.: 02 9746 8333.

Glass – Bingo Recycling Centre - Artarmon:

10 McLachlan Ave, Artarmon NSW 2064, ph.: 1300 424 646.

**STRATEGY FOR MATERIAL WASTE MINIMISATION**

The proposed development seeks to retain as much of the construction materials as much as possible. Waste generation of the development is significantly low because there is no demolition. Most construction materials will be re-used or sent to recycling companies as per above schedule.

The excavation soil and green plants will be reuse for landscaping at the common open space and around kiosk areas. All soil and green waste are to be reused onsite.

General waste / bin area is located at adjacent to entrance of property so it could be easily accessed and transported away on daily basis.

The various wastage will be sorted out and put in different containers. The recycle area is be separated from other wastage to ensure that the recycling materials do not mix with any other kind.

There will be a site-supervisor making sure that someone is monitoring the waste materials and sorting them out properly or placing them in the right locations. Once the recycling containers are full, they are to be sent to the specified recycling companies. The site supervisor will notify this method to all workers on site.

4

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## ONGOING WASTE MANAGEMENT – STAGE 3

The following table outlines the details for the waste management of the Kiosk building for food and beverage.

TYPE OF WASTE TO BE GENERATED	EXPECTED VOLUME PER WEEK, NUMBER AND SIZE OF BINS	PROPOSED ON-SITE STORAGE AND TREATMENT FACILITIES	DESTINATION AND CONTRACTOR
General waste, food waste, green waste.	660L/week 1 x 660 L bin	Garbage collection room at Basement 1.	Waste and recycling collected by private bin company.
Recycling waste, cardboards, paper/tissues, plastic.	660L/week 1 x 660 L bin	Garbage collection room at Basement 1.	Waste and recycling collected by private bin company.

## DESCRIPTION OF ONGOING WASTE MANAGEMENT

### WASTE TRANSFERS

Waste generated from The Kiosk is to be sorted and stored in the garbage collection room at Basement 1. General waste and recycling are to be separated and sorted properly. The shop owner will have access key to lift and garbage collection room.

Private waste collection service, Waste Spec, will access the garbage collection room at Basement 1 and pick up the bins weekly on the day of collection. Bins are to be returned to the storage location upon collection.

Signage is to be provided in the bin storage area indicating proper disposal methods and schedule for waste collection days.

### COLLECTION

Private waste collection service is from Waste Spec with both recycling and general waste being collected on the specific day. Occupants and caretaker are responsible for ensuring the bins are ready for collection and return them to the bin storage area post collection.

### MAINTAINENCE

Occupants and caretaker are responsible for the maintenance of bins and storage areas. Regular maintenance of both the bins and bin storage area is to be carried out to avoid odours and attraction of vermin. Bins are to be washed as required. Bin washing is to take place in the garbage collection room near the floor waste.

**LOCATION OF GARBAGE COLLECTION ROOM AT BASEMENT 1**

The Kiosk’s general and recycling waste will be located in the existing garbage collection room at Basement 1. Both general waste and recycling waste are to be separated and sorted properly. The shop owner will have access key to lift and garbage collection room.

Commercial bins (Kiosk’s general and recycling waste) are to be properly separated from the residential bins. In this way, it minimises the risk of cross contamination. Refer to ‘Arrangement of Commercial and Residential Bins Plan’ below for further information.

Location of garbage collection room at Basement 1 (Figure 1) is referred to the floor plan drawing number as following:

- DA No.: DA2015/100/5 (Section 4.55, 19 December 2019)
- Dwg No.: A2003 - FLOOR PLANS - BASEMENT 1

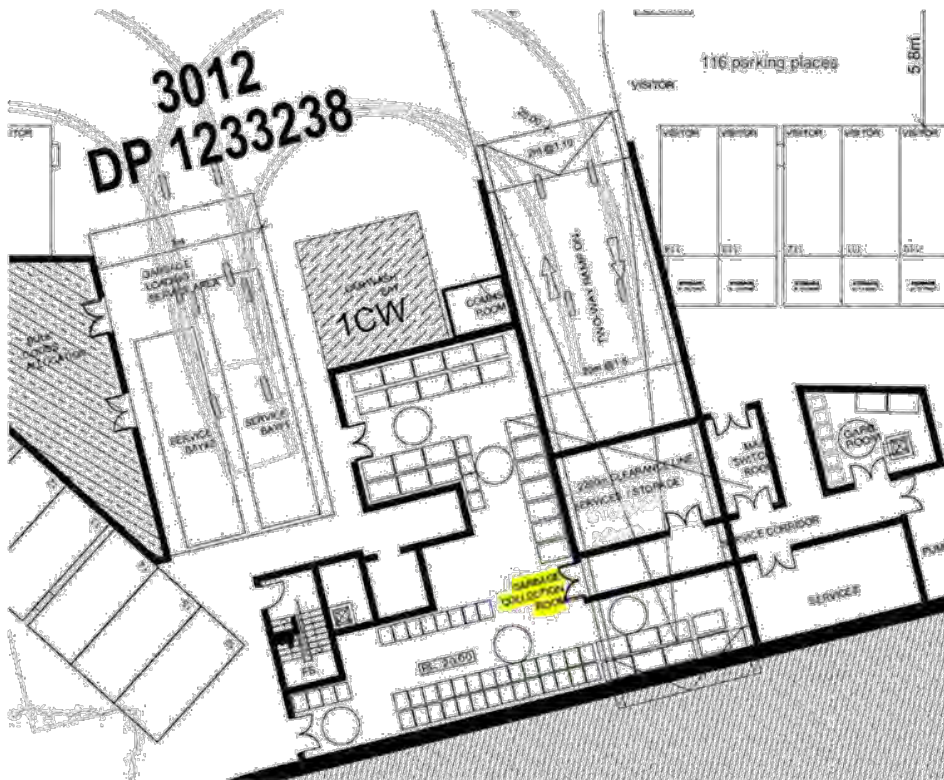


Figure 1 – Location of garbage collection room at Basement 1

**ARRANGEMENT OF COMMERCIAL AND RESIDENTIAL BINS PLAN**

The commercial bins are to be separated from residential bins in a proper manner at garbage collection room at Basement 1. The 'Arrangement of commercial and residential bins plan' (Figure 2) below is showing a proposed design to minimise the risk of cross contamination between the residential and commercial waste streams.

The existing residential bins are indicated in 'Blue' colour, while the commercial bins have 'Pink' colour. The commercial bins are located in a top left corner of the garbage collection room with a decent distance from the residential bins. The minimum distance is 2m apart from each other. Expandable barrier is installed around the commercial bins to keep residential tenants away from the commercial bin area. Only caretaker, waste contractor and Kiosk personnel will be allowed to adjust the barriers when accessing the commercial bins and arranging the bins ready for collection day. Commercial bin signage is mounted on walls and expandable barriers to inform the residential tenants to not use the commercial bins. Also, it is to inform them keeping out of the commercial bin area.

It is proposed to wall mount the 'Waste Guide Poster' at a high level so it will be visible to people's eyesight. The posters are located outside and inside the garbage collection room. The purpose of the waste guide poster is to educate the tenants or users how to avoid, reduce, reuse and recycle waste.

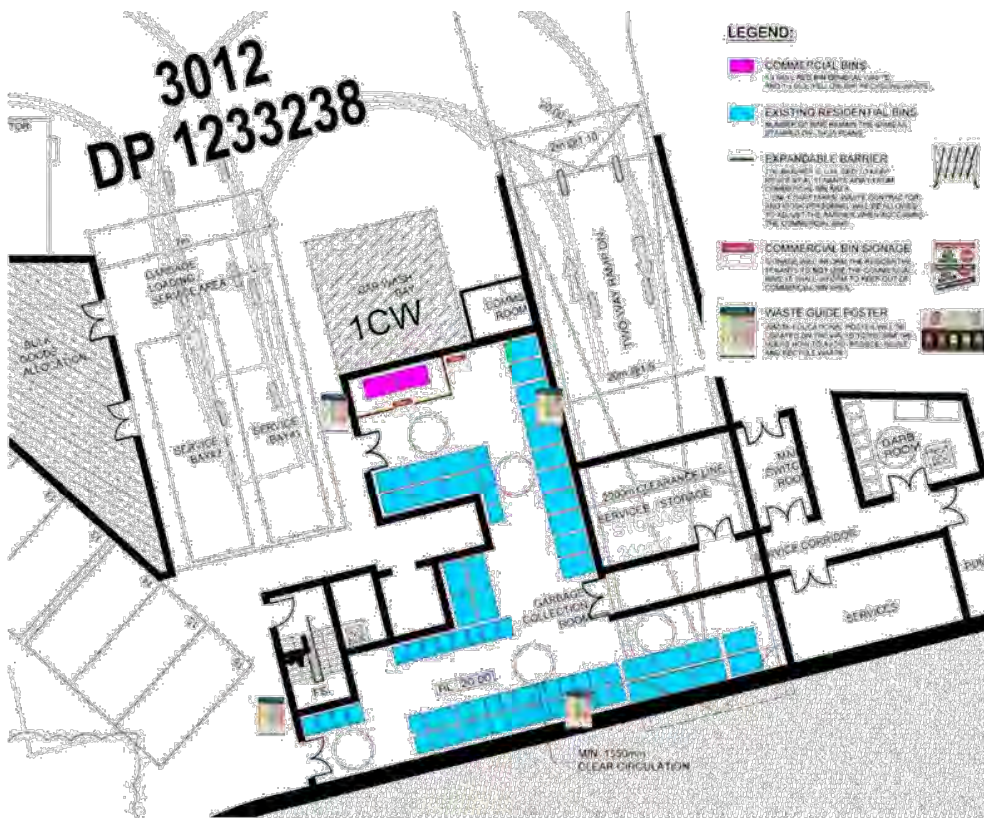


Figure 2 – Arrangement of commercial and residential bins plan



**LITTER MANAGEMENT PLAN**

All areas adjacent to the kiosk building is to be maintained in a clean and tidy condition, free of litter from food packaging and drink containers. The ‘Litter Management Plan’ (Figure 3) below is a proposed plan to reduce, prevent and collect any litter produced by kiosk site.

The management of litter zone is covered by at least 50m radius from the central point of the premise (kiosk building) which is shown in ‘red dashed circled line’. The 50m radius is a litter zone which indicates areas having a medium chance of littering by patron from the kiosk or café. While the 25m radius is the active zone having a high chance of littering by patrons. The ‘red bin’ (general waste) and ‘yellow bin’ (recycling waste) are provided as outdoor bins located on side of the kiosk building. The ‘Waste Guide Poster’ is indicated as ‘pink box’ which is suggested to be mounted on the wall adjacent to the red and yellow bins. The poster will educate users and patrons how to avoid, reduce, reuse and recycle waste. The ‘10m radius bin zone’ is showing the area covered for patrons’ litters of food and drinks. The red bins are distributed every 10m radius ensuring they cover all areas within the 50m radius zone. These bins are positioned in a way that provides easy access next to the footpath rather than in the middle of the grass area. The red bins stretch to the middle- and exit point (south-east) of the site, which will reduce litters on the footpath, grass and road.

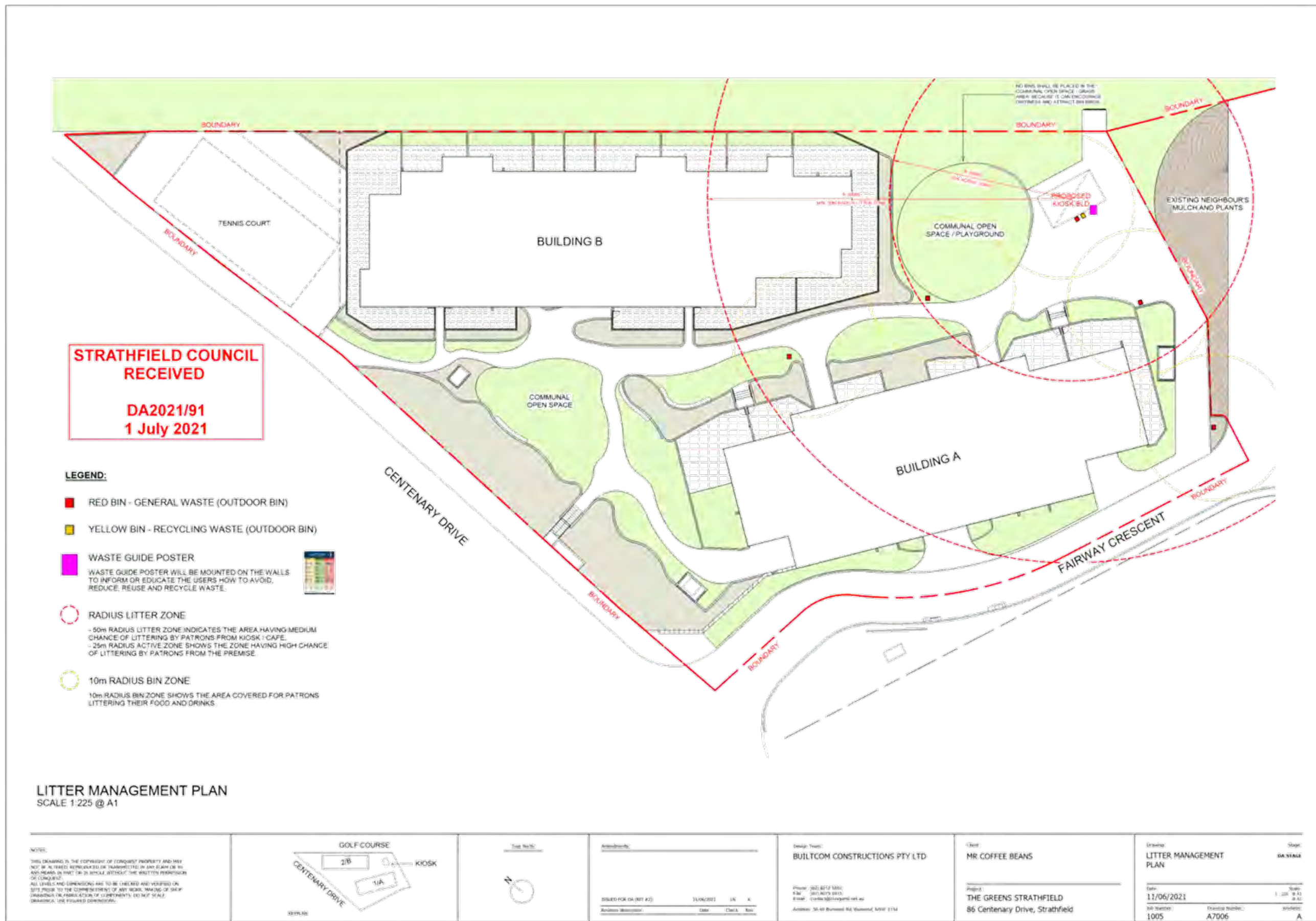
The kiosk personnel are to actively control the 10m radius litter zone ensuring this area is free of litter around the kiosk building. Both caretaker and kiosk employees are suggested to check bin areas at 25m and 50m radius zone at least once or twice throughout the day. At the end of the day, the caretaker or kiosk personnel are to collect all the outdoor bins and transfer them down to garbage collection room at Basement 1. In this way, the bins will be reduced from being vandalised by either humans or animals at night (i.e., bin birds). General and recycling waste are to be properly sorted out to the correct commercial bins (red and yellow bins). Once it is done, they are to close the expandable barrier so the residential tenants can keep out of the commercial bin area.

The Litter Management Plan (Figure 2) below can be referred to drawing number as following:

- A7006 – LITTER MANAGEMENT PLAN



Figure 3 – Litter Management Plan







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## *Acoustic Impact Report*



**For proposed Kiosk/Café**

**at**

**No. 86 Centenary Drive, Strathfield**

**Prepared by: Domeniki Tsagaris (M.I.E.Aust), B.E. (UNSW)**

Australian Acoustical Society (Sub).

**Approved by: Moussa Zaioor (M.I.E. Aust), CPENG,**

Australian Acoustical Society (Member).

**Date: July 1, 2021 Rev.1**

**Reference No.: 2021-264**

**STRATHFIELD COUNCIL  
RECEIVED**

**DA2021/91  
1 July 2021**



Acoustic Report – No. 86 Centenary Drive, Strathfield  
Reference No.: 2021-264 Rev.1

### **Document Control**

<i>Date</i>	<i>Revision History</i>	<i>Prepared By:</i>	<i>Reviewed and Authorised by:</i>
16/06/2021	Initial Report	Domeniki Tsagaris	Moussa Zaioor
28/06/2021 1/07/2021	Final Report Rev.1	Domeniki Tsagaris	Moussa Zaioor Moussa Zaioor

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## **1.0 CONSULTING BRIEF**

Acoustic Noise & Vibration Solutions Pty Ltd (ANAVS P/L) was engaged to investigate the environmental noise impact on the surrounding environment of the proposed Kiosk/Café at No. 86 Centenary Drive, Strathfield as per Strathfield Council requirements (Figure 1 – Site Location).

As per our calculations and the acoustical study below, the operation of the proposed kiosk/café will comply with the requirements of the NSW Environmental Protection Authority (EPA) Noise Guide for Local Government, Noise Policy for Industry (2017), and Strathfield Council.

This commission involves the following:

- Inspect the site and environs.
- Measure the background noise levels at critical locations and times.
- Prepare an Environmental Noise Impact Report.
- Establish acceptable noise level criterion.
- Quantify noise emissions from the proposed Kiosk/Café
- Calculate the level of noise emission, taking into account building envelope transmission loss, screen walls and distance attenuation.
- Provide in principle noise control recommendations (if necessary).

This report has been carried out in conjunction with the architectural plans by Builtcom Construction dated the 16<sup>th</sup> April, 2021 and the Statement of Environmental Effects by Planning Ingenuity dated the 22<sup>nd</sup> June, 2020.

## **2.0 PROJECT DESCRIPTION**

The proposed Kiosk/Café at No. 86 Centenary Drive is to be located within an existing residential development comprising of two (2) multi-storey residential buildings (Figure 2 – Proposed Site Plan). A Playground with Communal Open Space is located adjacent to the proposed Kiosk/Café.

The subject site is located in a mixed residential and commercial environment with Strathfield Golf Course located north of the site, Strathfield South High School located south of the site and Centenary Drive located west of the site (Figure 3 – Surrounding Environment).

The nearest residential receivers that have the potential to be impacted by the proposed Kiosk/Café will be as follows:

- Residential unit A.G06 located in Building A of No. 86 Centenary Drive (facing front of Kiosk)
- Townhouse at No. 2 Fairway Circuit (facing the rear of Kiosk) (Figure -4 Nearest Residential Receiver)

The proposed Kiosk/Café will be will include a covered Outdoor Eating Area *only*. The Kiosk

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will cater to a maximum of fifteen (15) in the *Outdoor Seating Area* with five (5) staff members (Figure 5 – Proposed Kiosk Layout).

The proposed hours of operation for the Kiosk/Café will be as follows:

- Monday – Sunday: 7:00am – 10:00pm

Patrons are expected to live and/or work in the surrounding area and will therefore access the Kiosk/Café by foot. Only one (1) parking space will be designated for the Kiosk/Café for staff and will be located in Basement 1 of the existing buildings. No parking spaces will be designated for patrons.

A new kitchen exhaust duct & fan will be installed for the proposed Kiosk Kitchen.

The noise emissions from the proposed Kiosk must not exceed the acceptable levels at the nearby residential receivers. Noise control may be required for the proposed Kiosk/Café to comply with the noise criteria set out in Section 4 of this report. The noise controls in Section 6 of this report are reasonable and feasible in reducing the noise to an acceptable level.

### **3.0 NOISE SURVEY, INSTRUMENTATION & RESULTS**

On the 14<sup>th</sup> June, 2021, an engineer from this office visited the site to carry out unattended acoustic measurements of the existing background noise levels. A noise reading machine was placed at the boundary of the nearest residential receiver at No. 2 Fairway Circuit (Figure 6 – Noise Reading Location Point A).

Noise readings were carried out for a period of seven (7) days between the 14<sup>th</sup> June, 2021 – 21<sup>st</sup> June, 2021. The survey was conducted to determine a sample of the existing  $L_{(A90, 15 \text{ minutes})}$  and  $L_{(Aeq, 15 \text{ minutes})}$  during the day (7:00-18:00) and evening (18:00-22:00). Café/Kiosk will not operate during night hours (22:00-7:00).

All sound pressure levels are rounded to the nearest whole decibel. All measurements were taken in accordance with the Australian Standards AS 1055 “*Acoustics- Description and Measurements of Environmental Noise*”. All sound level measurements and analysis carried throughout this report are carried out with our factory calibrated Svantek 977 Noise and vibration level meter SN:92626 which has the following features:

- Type 1 sound level measurements meeting IEC 61672:2002
- General vibration measurements (acceleration, velocity and displacement) and HVM meeting ISO 8041:2005 standard
- Three parallel independent profiles
- 1/1 and 1/3 octave real time analysis
- Acoustic dose meter function
- FFT real time analysis (1920 lines in up to 22.4 kHz band)
- Reverberation Time measurements (RT 60)



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- Advanced Data Logger including spectra logging
- USB Memory Stick providing almost unlimited logging capacity
- Time domain signal recording
- Advanced trigger and alarm functions
- USB 1.1 Host & Client interfaces (real time PC “front end” application supported)
- RS 232 and IrDA interfaces
- Modbus protocol

The noise reading machine Microphone was positioned a minimum 1.5m above ground level. The noise reading machine were calibrated prior to and after reading, using our Svantek SV 33A S/N: 90200 Class 1 Calibrator. Any readings affected by strong wind or rain have been disregarded.

The Full Average Statistical Noise Parameters  $L_{(Aeq, 15 \text{ minutes})}$ ,  $L_{(A90, 15 \text{ minutes})}$ ,  $L_{(A10, 15 \text{ minutes})}$ ,  $L_{(A1, 15 \text{ minutes})}$  are presented in Figure 7 – Noise Survey. A Summary of those readings is presented in the table below.

Table 3.0 – Existing Noise Survey Results at Point A (Boundary of No. 2 Fairway Cres)  
14<sup>th</sup> June, 2021 – 21<sup>st</sup> June, 2021

Point A – Noise Reading Location	$L_{Aeq15min}$ dB(A)	$L_{A9015min}$ dB(A)	RBL
Day Time 7:00am – 6:00pm	53	46	44
Evening Time 6:00pm – 10:00pm	49	44	42
Night Time 10:00pm – 7:00am	NA	NA	NA

\*Kiosk/Cafe will not operate during night hours

#### 4.0 ACCEPTABLE NOISE LEVELS

##### 4.1 NOISE GUIDE FOR LOCAL GOVERNMENT & POEO

The Department of Environment and Conservation (NSW) published the *Noise Guide for Local Government* in June 2004. The policy is specifically aimed at assessing noise from light industry, shops, entertainment, public buildings, air conditioners, pool pumps and other noise sources in residential areas.

Section 2.2.1 of the Noise Guide for Local Government states that a noise source is generally considered to be intrusive if the noise from the source when measured over a 15-minute period exceeds the background noise by more than 5 dB(A).

Therefore, the acceptable noise criterion is as follows:

- $46 + 5 = 51$  dB (A) during the day
- $44 + 5 = 49$  dB (A) during the evening
- NA during the night

The appropriate regulatory authority (Local Council) may, by notice in writing given to such

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a person, prohibit the person from causing, permitting or allowing:

1. (a) any specified activity to be carried on at the premises, or
2. (b) any specified article to be used or operated at the premises,

or both, in such a manner as to cause the emission from the premises, at all times or on specified days, or between specified times on all days or on specified days, of noise that, when measured at any specified point (whether within or outside the premises,) is in excess of a specified level. It is an offence to contravene a noise control notice. Prior to being issued with a noise control notice, no offence has been committed.

The Protection of the Environment Operations Act 1997 defines “Offensive Noise” as noise:

1. (a) that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:
  - (i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted, or
  - (ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or
2. (b) that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances prescribed by the regulation.

#### **4.2 NSW NOISE POLICY FOR INDUSTRY (2017)**

Noise emitted from any Mechanical Plant & Equipment associated with the proposed café/restaurant is governed under Section 2 of the Noise Policy for Industry 2017. The above policy seeks to promote environmental well-being through preventing and minimizing noise by providing a frame work and process for deriving noise limits conditions for consent and licenses.

The Noise Policy for Industry 2017 recommends two separate noise criteria to be considered, the Intrusive Noise Criteria and the Amenity Noise Criteria. A project noise trigger level being the lowest of the amenity and the intrusiveness noise level is then determined.

If the predicted noise level  $L_{Aeq}$  from the proposed project exceeds the noise trigger level, then noise mitigation is required. The extent of any ‘reasonable and feasible’ noise mitigation required whether at the source or along the noise path is to ensure that the predicted noise level  $L_{Aeq}$  from the project at the boundary of most affected residential receiver is not greater than the noise trigger level.

***Note\*** Noise from mechanical plant & equipment is governed under the NSW Noise Policy for Industry. However, Section 1.5 of the above policy, excluded the assessment of noise from amplified music/patron noise from premises. Therefore patron noise from the use of the outdoor area is governed under the Noise Guide for Local Government.*

##### **4.2.1 AMENITY NOISE CRITERIA**

The amenity noise levels presented for different residential categories are presented in Table 2.2 of the Noise Policy for Industry 2017. These levels are introduced as guidance for

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appropriate noise levels in residential areas surrounding industrial areas. Therefore, the recommended amenity noise levels are presented in Table 4.2.1.1 below:

Table 4.2.1.1- Recommended Amenity Noise levels

TYPE OF RECIEVER	AREA	TIME PERIOD	RECOMMENDED Leq NOISE LEVEL, dB(A)
Residence	Urban	Day	60
		Evening	50
		Night	45

Where a noise source contains certain characteristics such as tonality, impulsiveness, intermittency, irregularity or dominant low-frequency content, a correction is to be applied which is to be added to the measured or predicted noise levels at the receiver, before comparison with the criteria. Shown below are the correction factors that are to be applied:

Table 4.2.1.2 – Modifying Factor Corrections as per Fact Sheet C (Noise Policy for Industry 2017)

FACTOR	CORRECTION
Tonal Noise	+ 5 dB
Low Frequency Noise	+ 5 dB
Impulsive Noise	Apply difference in measured fast and impulse response levels, as the correction, up to a maximum of 5 dB.
Intermittent Noise	+ 5 dB

According to Section 2.4 of the above policy, the project amenity noise level is determined as follows:

<b>Project amenity noise level for industrial developments = recommended amenity noise level (Table 2.2) minus 5 dB(A)</b>
--

To convert from a period level to a 15-minute level, a plus 3 is added as per section 2.2 of the policy. Therefore, the project amenity noise levels are as follows:

- Day:** 60 – 5 + 3 = 58 dB(A)
- Evening:** 50 – 5 + 3 = 48 dB(A)
- Night:** 45 – 5 + 3 = 43 dB(A)

**4.2.2 INTRUSIVENESS NOISE CRITERIA**

Section 2.3 of the Noise Policy for Industry summarises the intrusive criteria as below:

While the  $L_{Aeq,15min} \leq$  rating background level plus 5 background noise level known as  $L_{A90,15}$  minutes is the Noise exceeded 90% percent of a time period over which annoyance reactions may occur (taken

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to be 15 minutes). The RBL is defined as the overall single-figure  $L_{A90,15 \text{ minutes}}$  background level representing each assessment period (day/evening/night) over the whole monitoring period.

For the short-term method, the rating background noise level is simply the lowest measured  $L_{AF90,15\text{min}}$  level. For the long-term method, the rating background noise level is defined as the median value of all the evening assessment background levels over the monitoring period for the evening

The predicted noise from the source  $L_{Aeq,15 \text{ min}}$  is measured as at the most affected point within the most affected residential at the point where the most impact occurs. Therefore, the acceptable  $L_{eq}$  noise intrusiveness criterion for broadband noise is as follows:

- $44 + 5 = 49 \text{ dB (A)}$  during the day
- $42 + 5 = 47 \text{ dB (A)}$  during the evening
- NA during the night

#### 4.2.3 PROJECT NOISE TRIGGER LEVEL

A summary of intrusiveness and amenity noise levels as determined in sections 4.2.1 & 4.2.2 are shown in the table below:

Table 4.2.3 - Summary of Intrusiveness and project amenity noise levels

Period	Intrusiveness Noise Level	Project Amenity Noise level
Day Time (7:00-18:00)	49	58
Evening Time (18:00 – 22:00)	47	48
Night Time (22:00 – 7:00)	NA	NA

The project noise trigger level is the lower (that is, the most stringent) value of the amenity and intrusiveness noise levels for the day, evening & night time. Therefore, the project noise trigger levels for the mechanical plant & equipment associated with the proposed kiosk/café are as shown below

- **Day-Time:**  $L_{Aeq,15 \text{ min}}$  **49 dB(A)**
- **Evening-Time:**  $L_{Aeq,15 \text{ min}}$  **47 dB(A)**
- **Night-Time:** (NA)

The noise levels from the mechanical plant & equipment associated with the proposed Kiosk/Café will not exceed the project noise trigger level at the most sensitive location (Units \*\*\* In Building A), provided all noise control recommendations in Section 6 are adhered to.

#### 5.0 NOISE EMISSION FROM PROPOSED KIOSK/CAFÉ

The main sources of noise from the proposed Kiosk/Café will be as follows:



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- Patron noise/background music in the outdoor dining area
- Operational Noise from Proposed Mechanical Plant & Equipment

**5.1 PATRON NOISE FROM OUTDOOR DINING AREAS**

The proposed Kiosk/Café will cater to a maximum of fifteen (15) patrons in the Outdoor Seating Area with Background Music being played (Figure 8 – Proposed Layout). The indoor area of the Kiosk will only be used for the preparation/display of food.

The residential unit A.G06 located in Building A of No. 86 Centenary Drive, is located approximately 14 metres away from the proposed Kiosk/Café and directly faces the Outdoor Seating Area. Therefore, it is the most critical receiver with the potential to be impacted by the operation of the proposed Kiosk’s Outdoor Seating Area.

It is usually the case that approximately 20% to 60% of patrons in a seating area could be talking loudly, at any one time. As per Harris, the Sound Power Level of people’s voice is as per the table below.

Description	Sound Power Level (dB)							
	125	250	500	1000	2000	4000	8000	
Shouting Male Voice	N/A	74	81	77	80	76	67	
Loud Male Voice	58	68	75	73	57	64	55	
Raised Male voice	60	63	68	61	47	53	47	
Normal Male Voice	57	59	62	54	48	47	41	
Casual Male Voice	53	53	57	47	44	44	41	
Shouting Female Voice	N/A	58	70	79	78	73	63	
Loud Female Voice	28	63	68	69	66	61	53	
Raised Female voice	33	60	64	60	56	53	48	
Normal Female Voice	33	55	58	51	48	48	43	
Casual Female Voice	33	53	53	46	43	38	40	

Tables 5.1.1 below presents noise levels from the maximum number of patrons in the outdoor dining area with background music playing.

Table 5.1.1 – Sound Power Level of Background Music and 15 Patrons in the Outdoor Dining Area

Activity	Sound Power Level dB(A)- LAeq*
Noise from 15 Patrons in Outdoor Dining Area with Background Music Playing (50% Speaking)	84

\* Average Speech Levels - Pearson, Bennet, & Fidell (1977) Report- LAeq = Leq +3.

The predicted noise levels from the Outdoor Dining Area, at the potentially most affected receiver (Unit AG.06 in Building A) are presented in Table 5.1.2 below and have taken into consideration factors such as Distance Attenuation and attenuation from the existing awning.

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This is also assuming that all noise control measurements as described in Section 6 of this report are adhered to.

Table 5.1.2 – Predicted Sound Pressure Level of Background Music and 15 Patrons in Outdoor Dining Area at Boundary of Nearest Receiver (Unit A.G06 in Building A) Day & Evening

Activity	Period	Expected Leq dB(A) at Boundary of Unit A.G06*	Complies with NSW Noise Guide for Local Government L90 + 5**
Noise from 15 Patrons in Outdoor Dining Area with Background Music Playing (50% Speaking)	7.00am - 6.00pm (Daytime)	45 dB(A)	Yes <51* dB(A)
	6.00pm - 10.00pm (Evening)	45 dB(A)	Yes <49* dB(A)

\*Provided recommendations in Section 6 of this report are adhered to.

\*\*INP excludes the assessment of noise from amplified music & patrons. Therefore, above criteria is based on NSW Noise Guide for Local Government requirements only

**5.2 NOISE EMISSION FROM MECHANICAL PLANT & EQUIPMENT**

Mechanical Plant & Equipment for the proposed Kiosk/Café will include a Kitchen Exhaust Duct with the fan to be located on the roof of the Kiosk.

The nearest residential receiver that has the potential to be impacted by the operation of the proposed mechanical plant & equipment is the receiver at No. 2 Fairway Circuit, as it will directly face the proposed mechanical plant.

As the development is still at DA stage, Mechanical Services Plans are not yet available. Typical noise levels for Exhaust Fans & Condenser Units are presented in Table 5.2.1 below.

Table 5.2.1 – Typical Mechanical Plant Sound Power Levels

<i>FREQUENCY [Hz]</i>	<i>63</i>	<i>125</i>	<i>250</i>	<i>500</i>	<i>1k</i>	<i>2k</i>	<i>4k</i>	<i>8k</i>	<i>dB(A)</i>
Typical condensing unit	71	69	67	61	58	54	47	44	64
Kitchen Exhaust Fan	74	72	71	64	61	57	50	47	67

The predicted noise levels from the operation of the Mechanical Plant & Equipment at the potentially most affected receiver (No. 2 Fairway Circuit\_ Unit AG.06 in Building A) are presented in Table 5.2.2 below and have taken into consideration factors such as Distance Attenuation.

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**Table 5.2.3 – Predicted Sound Pressure Level of Mechanical Plant & Equipment at Boundary of Nearest Receiver (No. 2 Fairway Circuit) - Day & Evening**

Activity	Period	Expected Leq dB(A) at Boundary of No. 2 Fairway Cres*	Complies with NSW NPII
Operation of Proposed Mechanical Plant & Equipment (Kitchen Exhaust Fan)	7.00am - 6.00pm (Daytime)	44 dB(A)	Yes <49* dB(A)
	6.00pm - 10.00pm (Evening)	44 dB(A)	Yes <47* dB(A)

\*Provided recommendations in Section 6.2 of this report are adhered to.

## **6.0 NOISE CONTROL RECOMMENDATIONS**

The operation of the proposed Kiosk/Café, will comply with the noise criteria as shown in Section 4 of this report, provided the following recommendations are adhered to.

### **6.1 OUTDOOR DINING AREA**

A maximum of 15 patrons is to be seated in the outdoor dining area at any one time.

No background music is to be played in the outdoor dining area during the evening hours (6:00pm – 10:00pm).

### **6.2 MECHANICAL PLANT & EQUIPMENT**

In general, the mechanical plant noise emission can be controlled by implementing the following:

- Procurement of quiet plant (when required) and the maintenance of existing plant;
- Strategic positioning of plant away from potential sensitive receivers;
- Commercially available silencers or acoustic attenuators for air discharge and air intakes of plant;
- Acoustically lined and lagged ductwork;
- Acoustic screens and barriers between plant and sensitive neighbouring premises; and/or,
- Partially enclosed or fully enclosed mechanical plant. Max. Noise Power Level of all un enclosed Mechanical plant (Ac + Kitchen Vent+...) is 75 dB(A).

*As the proposed development is still in the initial application stage, we recommend that further acoustic assessment is carried out when the development has been approved and Mechanical Services plans have been prepared for our review.*

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### **6.3 SIGNS**

We recommend that a sign is installed in the outdoor dining area reminding patrons to be aware of the residential receivers during the evening hours of operation (6:00pm – 10:00pm) and to keep noise to a minimum.

### **6.4 NOISE MANAGEMENT PLAN**

A Noise Management Plan should be implemented and should include the following:

- Install a contact number at the front of the Kiosk/Café so that complaints regarding the operation can be made.
- Implement a complaint handling procedure. If a noise complaint is received the complaint should be recorded on a Complaint Form. The Complaint Form should contain the following:
  - Name and Address of the Complainant
  - Time and Date the Complaint was received
  - The nature of the complaint and the time/date the noise was heard
  - The name of the employee that received the complaint
  - Actions taken to investigate the complaint and the summary of the results of the investigation
  - Indication of what was occurring at the time the noise was happening (if applicable)
  - Required remedial action (if applicable)
  - Validation of the remedial action
  - Summary of feedback to the complaint

Also a permanent register of complaints should be held on the premises, which shall be reviewed monthly by staff to ensure all complaints are being responded to.

All complaints received shall be reported to management with initial action/investigation commencing within 7 days. The complaint should also be notified of the results and actions arising from the investigation.

### **7.0 NOISE IMPACT STATEMENT**

Measurements and computations presented in this report show that the noise emissions from the proposed Kiosk/Café at No. 86 Centenary Drive, Strathfield will not exceed the noise criteria set out in the NSW EPA Noise Guide for Local Government, Noise Policy for Industry and Strathfield Council requirements, provided noise control recommendations in Section 6 of this report are adhered to.



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Should you require further explanations, please do not hesitate to contact us.

Yours sincerely,



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Figure 1 – Site Location

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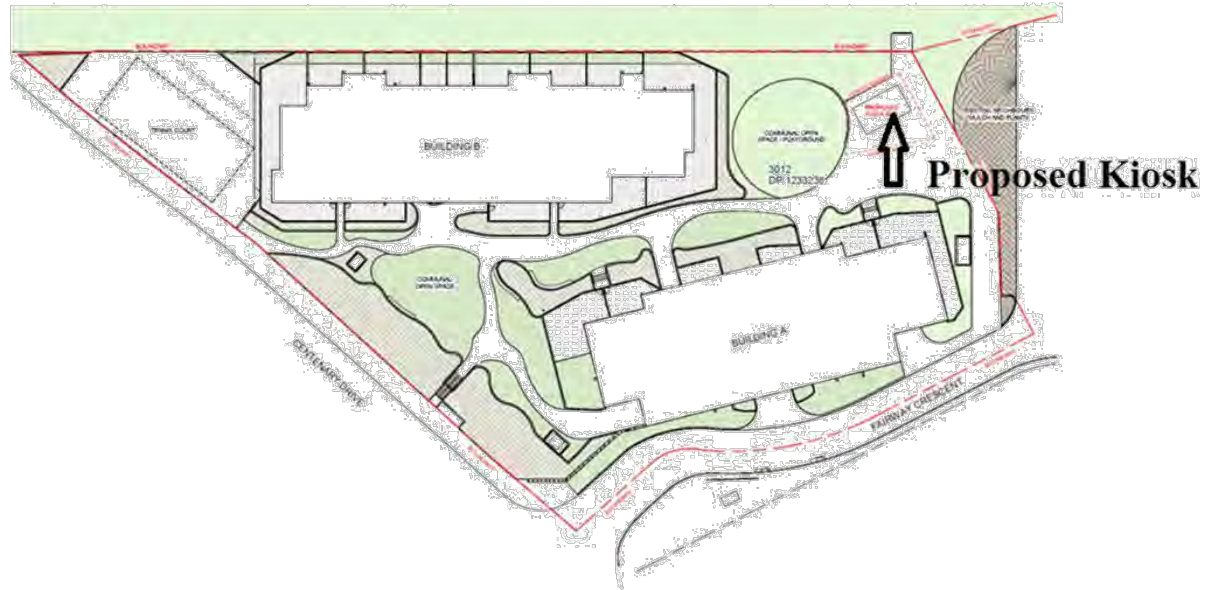


Figure 2 – Proposed Site Plan





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Figure4 – Nearest Residential Receiver

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Figure 5 - Kiosk/Cafe Layout



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Figure 6 - Noise Reading Location (Point A)



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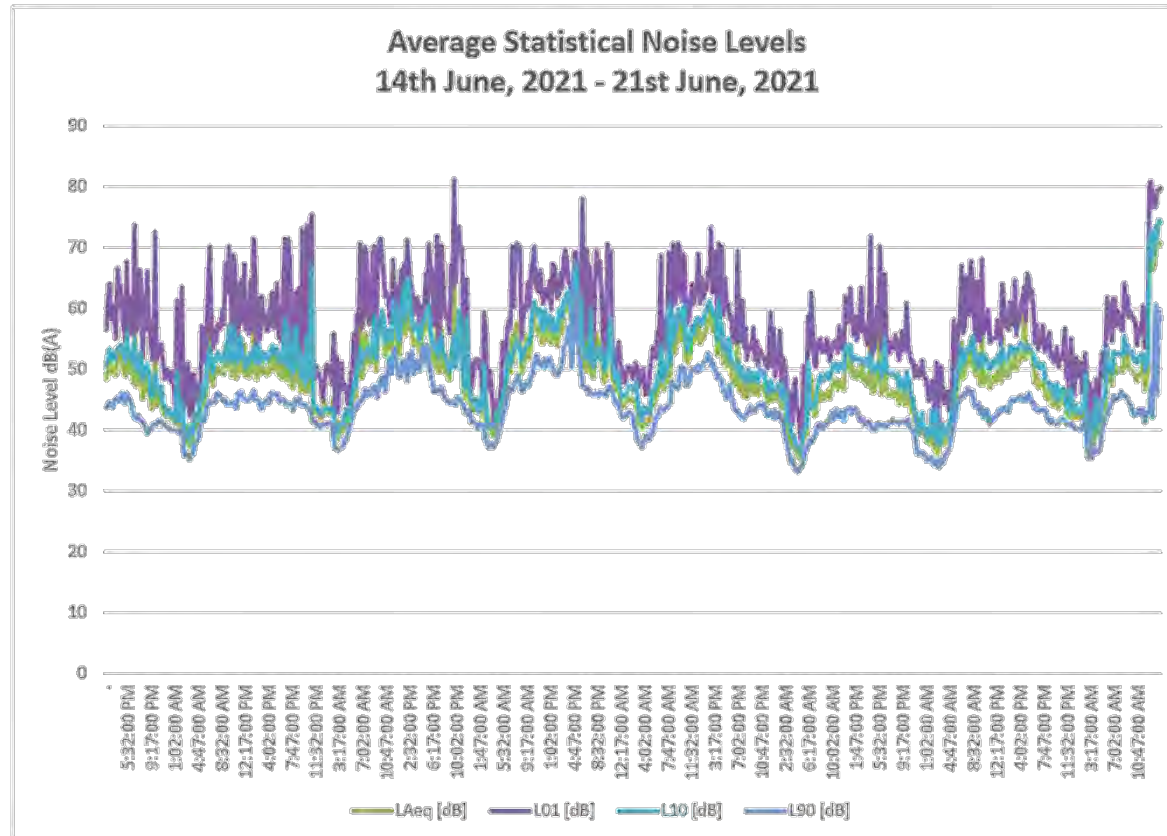
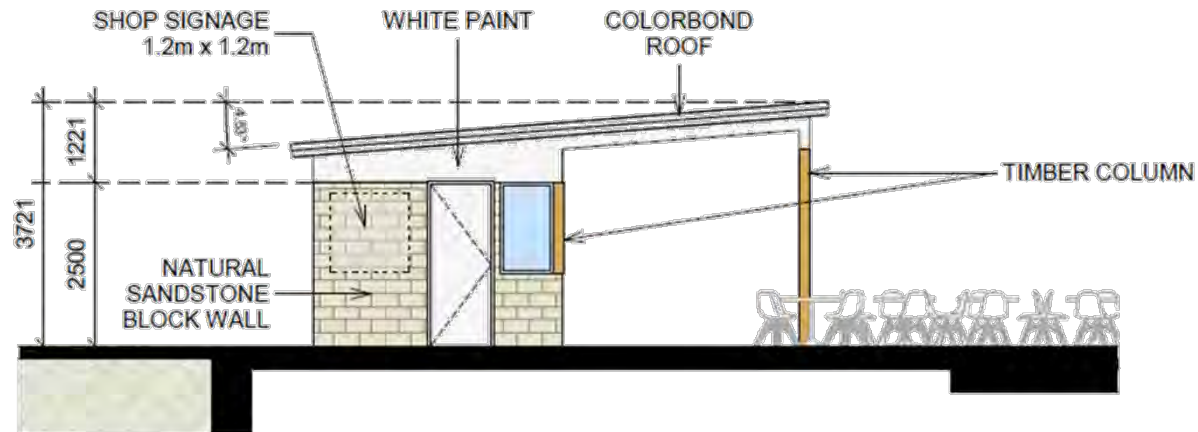


Figure 7 - Noise Survey at Point A

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3 KIOSK - ELEV 2 (NORTH-EAST)  
1 : 100

Figure 3 - Kiosk Awning

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