

# Minutes

Of the meeting of the:

## Strathfield Local Planning Panel Meeting

Held on:

**Thursday, 4 February 2021**

Commencing at 10.00am at Town Hall (Supper Room),  
65 Homebush Road, Strathfield

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The meeting of the Strathfield Local Planning Panel Meeting was held in the Town Hall (Supper Room), 65 Homebush Road, Strathfield on Thursday 4 February 2021.  
The meeting commenced at 10.20am and closed at 11.55am.

The Public Meeting commenced at 10.40am and closed at 11.10am.

The Panel Members conducted site inspections for the purpose of considering items included on the Agenda-

Site inspection time commenced:

Site inspection time concluded:

**PRESENT**

The Hon Paul Stein QC AM – Chair  
Vivienne Albin- Expert  
David Logan- Expert  
Geoff Markwell- Community

**ALSO PRESENT**

Stephen Clements, Deputy CEO/General Manager Planning, Environment & Urban Services  
Kandace Lindeberg, Executive Manager, Landuse Planning & Development  
Lauren Paul

**DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST**

<insert>

**TO:** Strathfield Local Planning Panel Meeting - 4 February 2021  
**REPORT:** SLPP – Report No. 1  
**SUBJECT:** DA2020/149 - 3 GEES AVENUE, STRATHFIELD - LOT 2 DP 7904  
**DA NO.** 2020/149

### RECOMMENDATION

That Development Application No. 2020/149 for the demolition of existing structures and construction of a new dwelling house with a lift, a basement, an in-ground swimming pool, an outbuilding and ancillary landscaping at 3 Gees Avenue, Strathfield be **REFUSED**, for the following reasons:

1. The proposed development is not acceptable pursuant to Section 4.15(1)(a)(i) of the EP&A Act 1979, as it does not satisfy Clause 1.2 Aims of Plan of the SLEP 2012. In particular *“to achieve high quality urban form by ensuring that new development exhibits design excellent and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield”*.
2. The proposed development is not acceptable pursuant to Section 4.15(1)(a)(i) of the EP&A Act 1979, as it does not satisfy Clause 4.4C Exceptions to Floor Space Ratio (Zone R2) principal development standard under the SLEP 2012. The proposed FSR of 0.67:1 (452.9m<sup>2</sup>) exceeds the maximum permitted of 0.6:1 (402.9m<sup>2</sup>) by 50m<sup>2</sup>, presenting a variation of 12.4%. **The applicant has not submitted a 4.6 request for a variation of the FSR standard.**
3. The proposed development is not acceptable pursuant to Section 4.15(1)(a)(iii) of the EP&A Act 1979, as it does not satisfy Clauses 2.2.1, 2.2.2 and 2.2.4 of Part A Dwelling Houses and Ancillary Structures development controls under the Strathfield Consolidated Development Control Plan 2005 (‘SCDCP 2005’). **The flat roof design, in combination with the excessive length of the side walls, creates a box – like form that is** considered inconsistent with the predominant streetscape character of pitched roof dwelling houses along Gees Avenue.
4. The proposed development is not acceptable pursuant to Section 4.15(1)(a)(iii) of the EP&A Act 1979, as it does not satisfy the basement protrusion development control indicated in the SCDCP 2005. The proposed **basement protrusion must be less than 1m**
5. The proposed development is not acceptable pursuant to Section 4.15(1)(b) of the EP&A Act 1979, as it failed to satisfy Clause 6.2(3)(h) of the SLEP 2012, that the proposed development has kept the excavation to the minimum with an unreasonably excessive basement. As such, the development is considered to have a significant impact on the natural and built environment.
6. **The proposed front set back is considered to be insufficient. The set back as currently proposed would result in a development that would dominate the dwellings on each side and the streetscape.**
7. **The documentation including the statement of environmental effects and the architectural drawings, submitted with the application is considered to be inadequate to allow a full understanding of the three dimensional character of the building.**
8. The proposed development is not acceptable pursuant to Section 4.15(1)(c) of the EP&A Act 1979, as due to the excessive floor space ratio, the proposal is considered to not be suitable for the site.

9. The proposed development is not acceptable pursuant to Section 4.15(1)(e) of the EP&A Act 1979, as the non-compliance with the Clause 4.4C development standard and SCDCP 2005 development controls render the proposed development not in the public interest

## RESOLUTION

The application is **REFUSED** for the following reasons as amended by the Panel:

- The proposed development is not acceptable pursuant to Section 4.15(1)(a)(i) of the EP&A Act 1979, as it does not satisfy Clause 1.2 Aims of Plan of the SLEP 2012. In particular *“to achieve high quality urban form by ensuring that new development exhibits design excellent and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield”*.
2. The proposed development is not acceptable pursuant to Section 4.15(1)(a)(i) of the EP&A Act 1979, as it does not satisfy Clause 4.4C Exceptions to Floor Space Ratio (Zone R2) principal development standard under the SLEP 2012. The proposed FSR of 0.67:1 (452.9m<sup>2</sup>) exceeds the maximum permitted of 0.6:1 (402.9m<sup>2</sup>) by 50m<sup>2</sup>, presenting a variation of 12.4%. **The applicant has not submitted a 4.6 request for a variation of the FSR standard.**
  3. The proposed development is not acceptable pursuant to Section 4.15(1)(a)(iii) of the EP&A Act 1979, as it does not satisfy Clauses 2.2.1, 2.2.2 and 2.2.4 of Part A Dwelling Houses and Ancillary Structures development controls under the Strathfield Consolidated Development Control Plan 2005 ('SCDCP 2005'). **The flat roof design, in combination with the excessive length of the side walls, creates a box – like form that is** considered inconsistent with the predominant streetscape character of pitched roof dwelling houses along Gees Avenue.
  4. The proposed development is not acceptable pursuant to Section 4.15(1)(a)(iii) of the EP&A Act 1979, as it does not satisfy the basement protrusion development control indicated in the SCDCP 2005. The proposed **basement protrusion must be less than 1m**
  5. The proposed development is not acceptable pursuant to Section 4.15(1)(b) of the EP&A Act 1979, as it failed to satisfy Clause 6.2(3)(h) of the SLEP 2012, that the proposed development has kept the excavation to the minimum with an unreasonably excessive basement. As such, the development is considered to have a significant impact on the natural and built environment.
  6. **The proposed front set back is considered to be insufficient. The set back as currently proposed would result in a development that would dominate the dwellings on each side and the streetscape.**
  7. **The documentation including the statement of environmental effects and the architectural drawings, submitted with the application is considered to be inadequate to allow a full understanding of the three dimensional character of the building.**
  8. The proposed development is not acceptable pursuant to Section 4.15(1)(c) of the EP&A Act 1979, as due to the excessive floor space ratio, the proposal is considered to not be

suitable for the site.

9. The proposed development is not acceptable pursuant to Section 4.15(1)(e) of the EP&A Act 1979, as the non-compliance with the Clause 4.4C development standard and SCDCP 2005 development controls render the proposed development not in the public interest

**FOR:** The Hon Paul Stein QC AM  
Vivienne Albin  
David Logan  
Geoff Markwell

**AGAINST: NIL**

\*\*\*\* End Minutes - Report No. 1\*\*\*\*

**TO:** Strathfield Local Planning Panel Meeting - 4 February 2021  
**REPORT:** SLPP – Report No. 2  
**SUBJECT:** DA2020/150 - 51 BARKER ROAD, STRATHFIELD  
 LOT 43 DP 12405  
**DA NO.** DA2020/150

### RECOMMENDATION

That Development Application No. 2020/150 for the demolition of the existing dwelling and associated outbuilding and construction of a two (2) storey dwelling with attached garage and boundary fencing at 51 Barker Street, Strathfield be **APPROVED**, subject to the following conditions:

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

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

### DEFERRED COMMENCEMENT CONDITIONS

Nil

### CONCEPT/STAGED DEVELOPMENT

Nil

### DEVELOPMENT DETAILS

#### 1. Approved Plans & Documentation

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

Description	Reference No.	Date	Revision	Prepared by
Demolition Plan	DA-005	11 December 2020	3	Wen Architects
Site Plan	DA-020	11 December 2020	3	Wen Architects
Ground Floor	DA-100	11 December	3	Wen Architects

## MINUTES

Plan		2020		
First Floor Plan	DA-110	11 December 2020	3	Wen Architects
Roof Plan	DA-120	11 December 2020	3	Wen Architects
Building Elevation 1	DA-210	11 December 2020	3	Wen Architects
Building & Fence Elevation 2	DA-220	11 December 2020	3	Wen Architects
Building Sections & Driveway Section	DA-300	11 December 2020	3	Wen Architects
Window Schedule	DA-400	11 December 2020	3	Wen Architects
Sediment Control Plan	DA-520	11 December 2020	3	Wen Architects
External Finish Schedule	DA-600	11 December 2020	3	Wen Architects
Landscape Concept Plan	LC01	18 December 2020	A	ECS Action
Landscape Planting Plan	LC02	18 December 2020	A	ECS Action
Notes	LC03	18 December 2020	A	ECS Action
Site Stormwater Management Plan & Details	D01	17 December 2020	6	SYJ Consulting
Site Sediment & Erosion Control Plan	D02	17 December 2020	6	SYJ Consulting
BASIX Certificate	No: 1121272S_02	Issued 18 December 2020	-	Frys Energywise



NatHERS Certificate	No. 0005522966	Issued 17 December 2020	-	Frys Energywise
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## 2. Building Height

The height of the building measured from Australian Height Datum (AHD) must not exceed Relative Level (RL) 41.70 AHD to the parapet of the building.

### SEPRARATE APPROVALS REQUIRED UNDER OTHER LEGISLATION

## 3. 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.

#### 4. **Vehicular Crossing - Minor Development**

Constructing a vehicular crossing and/or footpath requires a separate approval under Section 138 of the [Roads Act 1993](#) prior to the commencement of those works.

To apply for approval, complete the Works Permit Application Form which can be downloaded from Strathfield Council's Website at [www.strathfield.nsw.gov.au](http://www.strathfield.nsw.gov.au). Lodge the application form, together with the associated fees at Council's Customer Service Centre, during business hours. Refer to Civic & Urban Services Section in Council's adopted Fees and Charges for the administrative and inspection charges associated with Works Permit applications.

An approval for a new or modified vehicular crossing will contain the approved access and/or alignment levels which will be required to construct the crossing and/or footpath. Once approved, all work shall be carried out in accordance with Council's specifications applicable at the time, prior to the issue of an Occupation Certificate.

#### 5. **Building – Hoarding Application**

Prior to demolition of the buildings on the site, or the commencement of work above ground level, a separate application for the erection of an 'A class' (fence type) or a 'B class' (overhead type) hoarding or 'C type' scaffold, in accordance with the requirements of SafeWork NSW, must be erected along that portion of the footways/roadway where the building is within 3 metres of the street boundary.

An application for this work under Section 68 of the [Local Government Act 1993](#) and the Roads Act 1993 must be submitted for approval to Council.

The following information is to be submitted with a Hoarding Application under Section 68 of the [Local Government Act 1993](#) and Section 138 of the [Roads Act 1993](#):

- (a) A site and location plan of the hoarding with detailed elevation, dimensions, setbacks, heights, entry and exit points to/from the site, vehicle access points, location of public utilities, electrical overhead wire protection, site management plan and builders sheds location; and
- (b) Hoarding plan and details that are certified by an appropriately qualified engineer; and
- (c) The payment to Council of a footpath occupancy fee based on the area of footpath to be occupied and Council's Schedule of Fees and Charges (available at [www.strathfield.nsw.gov.au](http://www.strathfield.nsw.gov.au)) before the commencement of work; and
- (d) A Public Risk Insurance Policy with a minimum cover of \$20 million in relation to the occupation of and works within Council's road reserve, for the full duration of the proposed works, must be obtained a copy provided to Council. The Policy is to note Council as an interested party.

#### **REQUIREMENTS OF CONCURRENCE, INTEGRATED & OTHER GOVERNMENT AUTHORITIES**

#### 6. **Sydney Water – Tap in <sup>TM</sup>**

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

#### **PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

#### **7. 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:

<b>Fee Type</b>	<b>Fee</b>
<b>GENERAL FEES</b>	
Long Service Levy (to Long Service Corporation)	<b>\$5,079.00</b>
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>	
Security Damage Deposit	<b>\$15,000.000</b>
Tree Bond	<b>\$30,000.00</b> <b>(3 x \$10,000)</b>
Administration Fee for Damage Deposit	<b>\$127.00</b>
Administration Fee for Tree Bond	<b>\$127.00</b>
Strathfield Section 94A Indirect Development Contributions Plan 2017	<b>\$14,512.00</b>

#### **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).

## 8. **Required Design Changes**

The following changes are required to be made and shown on the Construction Certificate plans:

Driveway Sight Splays	A minimum 1m x 1m splay to be provided on the southern side of the vehicular access, within the property boundary. The area should be kept clear from obstructions and only allow ground cover landscaping, to maintain sight distances for pedestrians and motorists. Any front fence or gate opening adjustments required as a result of this splay must be illustrated on the plans lodged with the application for the Construction Certificate.
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Stormwater Plans	The approved stormwater plans are to be amended so the infrastructure is outside of the TPZ of all the trees to be retained.
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## 9. **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: **\$15,000.00**.
- (b) Pay Council, before the issue of the Construction Certificate, a non-refundable administration fee to enable assessment of any damage and repairs where required: **\$127.00**.
- (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.

10. **Tree Bond**

A tree bond of **\$30,000** (3 trees at **\$10,000** each) (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

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

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

A request for refund of the Tree Bond must be made in writing.

Tree Bonds may be forfeited if a tree is dead, made dangerous or has been terminally damaged, or will be held until tree/s have fully recovered from the construction damage or were replacement/planted trees have become fully established and are over 6 metres in height.

11. **BASIX Commitments**

The approved BASIX Certificate shall be submitted to the Accredited Certifier with the application for a Construction Certificate.

All measures and commitments as detailed in the BASIX Certificate No.1121272S\_02 must be implemented on the plans lodged with the application for the Construction Certificate.

12. **First Floor Windows – Marion Street Frontage**

The first floor windows on the eastern elevation (Marion Street frontage) are to be modified to a picture window style with double hung flankers, similar to the style of the first floor windows on the southern elevation.

The changes are required to be submitted to the satisfaction of Council's Heritage Advisor and shown on the Construction Certificate plans.

13. **Stormwater System**

The submitted stormwater plan has been assessed as a concept plan only. Final detailed plans of the drainage system in accordance with Council stormwater management code and AS/NZS 3500.3: 2015 (as amended), prepared by a professional engineer specialising in hydraulic engineering, shall be submitted for approval with the Construction Certificate.

14. **Off Street Parking – Compliance with AS2890**

All driveways, access ramps, vehicular crossings and car parking spaces shall be

designed and constructed in accordance with the current version of Australian Standards, AS 2890.1 (for car parking facilities), AS 2890.6 (parking for people with disabilities) and AS 2890.2 (for commercial vehicle facilities).

#### 15. **Landscape Plans**

All landscape works shall be carried out in accordance with the approved landscape plans. The landscaping shall be maintained in accordance with the approved plans in perpetuity.

#### 16. **Tree Protection and Retention**

The following trees shall be retained and protected:

<b>Tree Species</b>	<b>Location of Tree</b>	<b>Tree Protection Zone (metres)</b>
Magenta Lilly Pilly ( <i>Syzygium paniculatum</i> )	North-eastern corner of site	7.2m
Western Red Cedar ( <i>Thuja plicata</i> )	South-western corner of site	2.6m
4 x Queensland Brush Box ( <i>Lophostemon confertus</i> )	Road reserve: 1 x Barker Road 3 x Marion Street	3m

Details of the trees to be retained must be included on the Construction Certificate plans.

#### **General Tree Protection Measures**

- (a) All trees to be retained shall be protected and maintained during demolition, excavation and construction of the site.
- (b) The tree protection measures must be undertaken in accordance AS4970 - 2009 Protection of trees on development sites.
- (c) Details of the tree protection measures to be implemented must be provided with the application for a Construction Certificate by a suitably qualified Arborist (AQF Level 5 or above in Arboriculture).
- (d) The Arborist must be present on-site during the stages of construction when works are being undertaken that could impact on the tree canopy or root zone within the tree protection zone to implement the tree protection measures as required.
- (e) Unless otherwise specified in AS 4970-2009, a protective fence consisting of 1.8 metres high, fully supported chainmesh fence shall be erected around the base of the tree. The distance of the fence from the base of each tree is to be in accordance with the TPZ listed in the table above. A layer of organic mulch 100 millimetres thick shall be placed over the protected area and no soil or fill should be placed within the protection area.
- (f) No services shall be installed within the TPZ of the tree unless approved by Council. This fence shall be kept in place during demolition, construction and also have a sign displaying 'Tree Protection Zone' attached to the fence and must also include the name and contact details of the Project Arborist.

#### **Specific Street Tree Protection Measures**

(g) A sound protection barrier anchored firmly into the ground 1.8m in height x 2 metres clear of the base of the tree at any one point and that the fence is to extend up to the back of the kerb and to the edge of the footpath.

#### **Excavation works near tree to be retained**

(h) Excavations around the trees to be retained on site or the adjoining properties shall be supervised by the Project Arborist to ensure that the root system will not adversely be affected.

(i) Where the Tree Protection Zone (TPZ) of trees on site or adjoining sites become compromised by any excavation works, the Project arborist shall be consulted to establish the position of any major roots and determine the necessary measures to protect these roots. The recommendations of the Arborist shall be submitted to the PCA prior to any further demolition or construction works taking place.

(j) Tree Protection Zone around the trees to be retained are not to have soil level changes or services installed in this area. Any structures proposed to be built in this area of the trees are to utilise pier and beam or cantilevered slab construction.

Details satisfying this condition shall be shown on the Construction Certificate plans.

#### **Pier and Beams**

(k) To preserve the Magenta Lilly Pilly located in the north-eastern corner of the site, the footings of the proposed alfresco and living room shall be isolated pier and beam construction within a 7.2m metre radius of the trunk. The piers shall be hand dug and located such that no roots of a diameter greater than 50mm are severed or injured in the process of any site works during the construction period. The beam shall be located on or above the existing soil levels.

Details of this construction method shall be shown on the Construction Certificate plans.

#### **Fence Construction**

(l) To preserve the Magenta Lilly Pilly and Queensland Brush Box trees on the road reserve, any fence footings that encroach within the TPZ of the trees shall be suitably constructed to minimise any root disturbance, this may include but is not limited to a beam and lintel system.

### **17. Tree Removal & Replacement**

#### **Tree removal**

Permission is granted for the removal of the following trees:

<b>Tree species</b>	<b>Number of trees</b>	<b>Location</b>
Crepe Myrtle ( <i>Lagerstroemia indica</i> )	1	Eastern side boundary
Cotoneaster ( <i>Cotoneaster glaucophyllus</i> )	1	Eastern side boundary

#### **General Tree Removal Requirements**

- All tree removal shall be carried out by a certified Tree Surgeon/Arborist to ensure that removal is undertaken in a safe manner and complies with the AS 4373-2007 - Pruning of Amenity Trees and Amenity Tree Industry Code of Practice (Safework NSW, August 1998).

**Tree Replacement**

All trees permitted to be removed by this consent shall be replaced by 1 tree per each tree removed by species selected from Council's Recommended Tree List and must have a minimum mature height of 8 metres.

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

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

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

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

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

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

**PRIOR TO THE COMMENCEMENT OF WORK (INCLUDING DEMOLITION & EXCAVATION)****18. Demolition & Asbestos**

The demolition work shall comply with the provisions of Australian Standard AS2601:2001 – Demolition of Structures, NSW [Work Health & Safety Act 2011](#) and the NSW [Work Health & Safety Regulation 2011](#). The work plans required by AS2601:2001 shall be accompanied by a written statement by a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the safety statement shall be submitted to the PCA prior to the commencement of works.

For demolition work which involves the removal of asbestos, the asbestos removal work must be carried out by a licensed asbestos removalist who is licensed to carry out the work in accordance with the NSW [Work Health & Safety Act 2011](#) and the NSW [Work Health & Safety Regulation 2011](#) unless specified in the Act and/or Regulation that a license is not required.

All demolition work including the removal of asbestos, shall be undertaken in accordance with the [Demolition Code of Practice](#) (NSW Work Cover July 2015)

**Note:** Copies of the Act, Regulation and Code of Practice can be downloaded free of charge from the SafeWork NSW website: [www.SafeWork.nsw.gov.au](http://www.SafeWork.nsw.gov.au).

**19. Demolition Notification Requirements**

The following notification requirements apply to this consent:



(a) The developer /builder must notify adjoining residents five (5) working days prior to demolition. Such notification is to be a clearly written note giving the date demolition will commence, contact details of the developer/builder, licensed asbestos demolisher and the appropriate regulatory authority. Notification is to be placed in the letterbox of every premises (including every residential flat or unit, if any) either side and immediately at the rear of the demolition site.

(b) Five (5) working days prior to demolition, the developer/builder is to provide written notification to Council advising of the demolition date, details of the SafeWork licensed asbestos demolisher and the list of residents advised of the demolition.

(c) On demolition sites where buildings to be demolished contain asbestos, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position (from street frontage) on the site. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos material has been removed from the site to an approved waste facility.

20. **Demolition Work Involving Asbestos Removal**

Work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 458 of the [Work Health and Safety Regulation 2011](#).

21. **Dial Before You Dig**

The applicant shall contact "Dial Before You Dig on 1100" to obtain a Service Diagram prior to the issuing of the Construction Certificate. The sequence number obtained from "Dial Before You Dig" shall be forwarded to Council's Engineers for their records.

22. **Registered Surveyors Report - During Development Work**

A report must be submitted to the PCA at each of the following applicable stages of construction:

(a) Set out before commencing excavation.

(b) Floor slabs or foundation wall, before formwork or commencing brickwork.

(c) Completion of Foundation Walls - Before any construction of flooring, detailing the location of the structure relative to adjacent boundaries and floor levels relative to the datum shown on the approved plans.

(d) Completion of Floor Slab Formwork - Before pouring of concrete/walls construction, detailing the location of the structure relative to adjacent boundaries and floor levels relative to the datum shown on the approved plans. In multi-storey buildings a further survey must be provided at each subsequent storey.

(e) Completion of any Roof Framing - Before roof covered detailing eaves/gutter setback from boundaries.

(f) Completion of all Work - Detailing the location of the structure (including eaves/gutters) relative to adjacent boundaries and its height relative to the datum shown on the approved plans. A final Check Survey must indicate the reduced level of the main ridge.

Work must not proceed beyond each stage until the PCA is satisfied that the height and location of the building is proceeding in accordance with the approved plans.

**23. Utility Arrangements**

Arrangements are to be made with utility authorities in respect to the services supplied by those authorities to the development. The cost associated with the provision or adjustment of services within the road and footway areas is to be at the applicants expense.

**DURING CONSTRUCTION****24. Site Sign – Soil & Erosion Control Measures**

Prior to the commencement of works (including demolition and excavation), a durable site sign, issued by Council in conjunction with this consent, must be erected in a prominent location on site. The site sign warns of the penalties which apply to pollution, storing materials on road or footpath and breaches of the conditions relating to erosion and sediment controls. The sign must remain in a prominent location on site up until the completion of all site and building works.

**25. 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.

**26. Ground Levels and Retaining Walls**

The ground levels of the site shall not be excavated, raised or filled, or retaining walls constructed on the allotment boundary, except where indicated on approved plans or approved by Council.

**27. Obstruction of Road or Footpath**

The use of the road or footpath for the storage of any building materials, waste materials, temporary toilets, waste or skip bins, or any other matter is not permitted unless separately approved by Council under Section 138 of the [Roads Act 1993](#) and/or under Section 68 of the [Local Government Act 1993](#). Penalty infringement Notices may be issued for any offences and severe penalties apply.

**28. Excavation Works Near Tree to be Retained**

Excavation around the tree/s to be retained on site or the adjoining properties shall be supervised by the Project Arborist to ensure that the root system will not be adversely affected.

Where the Tree Protection Zone of trees on site or adjoining sites become compromised by any excavation works, the Project Arborist shall be consulted to establish the position of any major roots and determine the necessary measures to protect these roots. The

recommendations of the Arborist shall be submitted to Council prior to any further demolition or construction works taking place.

### **PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE**

29. **BASIX Certificate**

All energy efficiency measures as detailed in the approved BASIX Certificate in the plans approved with the Development Consent, must be implemented before issue of any Occupation Certificate.

30. **BASIX Compliance Certificate**

A Compliance Certificate must be provided to the PCA regarding the implementation of all energy efficiency measures as detailed in the approved BASIX Certificate before any Occupation Certificate is issued.

31. **Completion of Landscape Works**

At the completion of all works, a certificate is to be submitted to the Principal Certifying Authority from a qualified Landscape and/or Arboricultural Consultant certifying that the work has been completed in accordance with the approved Landscape Plan and that a maintenance program has been established.

32. **Minor Development**

Internal driveways and parking spaces are to be adequately paved with concrete or bitumen, or interlocking pavers to provide a dust-free surface.

33. **Stormwater Certification of the Constructed Drainage Works (Minor)**

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

34. **Vehicular Crossing - Minor Development**

The vehicular crossing and/or footpath works shall be constructed by a private contractor at the expense of the applicant, in accordance with the Works Permit Approval issued by Council's Civic & Urban Services and in accordance with Council's Driveway Specifications.

Any existing vehicular crossing and/or laybacks which are redundant must be removed. The kerb and gutter, any other footpath and turf areas shall be restored at the expense of the applicant and in accordance with Council's Driveway Specifications.

The work must be completed before the issue of an Occupation Certificate.

35. **Stormwater Drainage Works – Works As Executed**

Prior to the issue of the Occupation Certificate, stormwater drainage works are to be certified by a professional engineer specialising in hydraulic engineering, with Works-As-Executed drawings supplied to Council detailing:

- (a) Compliance with conditions of development consent relating to stormwater;
- (b) That the works have been constructed in accordance with the approved design and will provide the detention storage volume and attenuation in accordance with the

submitted calculations;

(c) Pipe invert levels and surface levels to Australian Height Datum;

(d) Contours indicating the direction in which water will flow over land should the capacity of the pit be exceeded in a storm event exceeding design limits.

Council's Engineering Services section must advise in writing that they are satisfied with the Works-As-Executed prior to the issue of an Occupation Certificate.

### **PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE**

Nil

### **OPERATIONAL CONDITIONS (ON-GOING)**

#### **36. Greywater System**

In order to conserve and re-use water, Council encourages all developments for new dwellings to incorporate a greywater reuse system. The system can incorporate a greywater diversion device or a domestic greywater treatment system. Any system installed is to ensure that it complies with the Plumbing Code of Australia, maintained at all times and does not result in any adverse amenity impacts on the subject premises and surrounding properties.

### **OPERATIONAL REQUIREMENTS UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979**

#### **37. Requirement for a Construction Certificate**

The erection of a building must not commence until a Construction Certificate has been issued.

#### **38. 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.

#### **39. 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.

40. **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.

41. **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](#).

42. **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.

43. **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**

44. **Clause 97A – BASIX Commitments**

This Clause requires the fulfilment of all BASIX Commitments as detailed in the BASIX Certificate to which the development relates.

45. **Clause 98 – Building Code of Australia & Home Building Act 1989**

Requires all building work to be carried out in accordance with the Building Code of Australia. In the case of residential building work to which the [Home Building Act 1989](#) relates, there is a requirement for a contract of insurance to be in force before any work commences.

46. **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.

47. **Clause 98B – Home Building Act 1989**

If the development involves residential building work under the [Home Building Act 1989](#), no work is permitted to commence unless certain details are provided in writing to Council. The name and licence/permit number of the Principal Contractor or Owner Builder and the name of the Insurer by which work is insured under Part 6 of the [Home Building Act 1989](#).

48. **Clause 98E – Site Excavation**

Excavation of the site is to extend only to that area required for building works depicted upon the approved plans. All excess excavated material shall be removed from the site.

All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

If the soil conditions require it, retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil shall be provided and adequate provision shall be made for drainage

### **ADVISORY NOTES**

#### **i. Review of Determination**

Section 8.2 of the Environmental Planning and Assessment Act confers on an applicant who is dissatisfied with the determination of the application the right to lodge an application with Council for a review of such determination. Any such review must however be completed within 6 months from its determination. Should a review be contemplated sufficient time should be allowed for Council to undertake public notification and other processes involved in the review of the determination.

Note: review provisions do not apply to Complying Development, Designated Development, State Significant Development, Integrated Development or any application determined by the Sydney East Planning Panel or the Land & Environment Court.

#### **ii. Appeal Rights**

Division 8.3 (Reviews and appeals) Part 8 of the Environmental Planning and Assessment Act 1979 confers on an applicant who is dissatisfied with the determination of the application a right of appeal to the Land and Environment Court of New South Wales.

#### **iii. Lapsing of Consent**

This consent will lapse unless the development is physically commenced within 5 years from the Date of Operation of this consent, in accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979 as amended.

#### **iv. Access to NSW Legislations (Acts, Regulations and Planning Instruments)**

NSW legislation can be accessed free of charge at [www.legislation.nsw.gov.au](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>.

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. **Stormwater & Ancillary Works – Applications under Section 138 Roads Act and/or Section 68 Local Government Act 1993**

To apply for approval under Section 138 of the [Roads Act 1993](#):

(a) Complete the Works Permit Application Form which can be downloaded from Strathfield Council's Website at [www.strathfield.nsw.gov.au](http://www.strathfield.nsw.gov.au).

(b) In the Application Form, quote the Development Consent No. (eg. Year/DA number) and reference this condition number (e.g. Condition 23)

(c) Lodge the application form, together with the associated fees at Council's Customer Service Centre, during business hours. Refer to Council's adopted Fees and Charges for the administrative and inspection charges associated with Works Permit applications.

An approval for a new or modified vehicular crossing will contain the approved access and/or alignment levels which will be required to construct the crossing and/or footpath. Once approved, all work shall be carried out by a private contractor in accordance with Council's specifications prior to the issue of an Occupation Certificate.

The developer must meet all costs of the extension, relocation or reconstruction of any part of Council's drainage system (including design drawings and easements) required to carry out the approved development.

vii. **Site Safety Fencing**

Site fencing must be erected in accordance with SafeWork Guidelines, to exclude public access to the site throughout the demolition and/or construction work, except in the case of alterations to an occupied dwelling. The fencing must be erected before the commencement of any work and maintained throughout any demolition and construction work.

A demolition licence and/or a high risk work license may be required from SafeWork NSW (see [www.SafeWork.nsw.gov.au](http://www.SafeWork.nsw.gov.au)).

viii. **Australia Post – Letter Box Size and Location**

The size and location of letterboxes servicing the development are to comply with the requirements and standard of Australia Post (see attached link: [https://auspost.com.au/content/dam/auspost\\_corp/media/documents/Appendix-02.pdf](https://auspost.com.au/content/dam/auspost_corp/media/documents/Appendix-02.pdf) )

## **RESOLUTION**

This application be **APPROVED** subject to the recommended conditions of consent in the report

**FOR:** The Hon Paul Stein QC AM  
Vivienne Albin  
David Logan  
Geoff Markwell

**AGAINST: NIL**

\*\*\*\* End Minutes - Report No. 2\*\*\*\*



**TO:** Strathfield Local Planning Panel Meeting - 4 February 2021  
**REPORT:** SLPP – Report No. 3  
**SUBJECT:** DA2020/187 - 20 ARTHUR STREET STRATHFIELD - LOT 3 DP 17446  
**DA NO.** DA2020/187

### RECOMMENDATION

That the Strathfield Local Planning Panel, exercising the functions of Council as consent authority, **REFUSE** Development Application No. DA2020/187 for alterations and additions to existing heritage listed dwelling (local item 'I90' under SLEP2012) including basement level, in-ground swimming pool, fencing and associated landscaping on land at 20 Arthur Street, Strathfield for the following reasons:

1. **Inconsistency with aims of Strathfield Local Environmental Plan 2012 – Clause 1.2: Aims of plan (SLEP 2012)**

The proposed development should be refused because it does not achieve a high-quality urban form and does not protect environmental and cultural heritage. As such, the proposal is contrary to aims (a) and (f) under Clause 1.2(2) of SLEP 2012, as follows:

**Clause 1.2(2):**

- **Objective (a):** To achieve high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield.
- **Objective (f):** To identify and protect environmental and cultural heritage.

2. **Inconsistency with the objectives for heritage conservation in Strathfield LGA - Clause 5.10: Heritage conservation (SLEP 2012)**

The proposed development should be refused because it does not conserve or respect the environmental heritage of Strathfield LGA. The proposed additions would have a detrimental impact on the significance **and setting** of the heritage listed '*post war house and garden*' under SLEP 2012. As such, the proposal is contrary to aims (a) and (b) under Clause 5.10(1) of SLEP 2012, as follows:

**Clause 5.10(1):**

- **Objective (a):** To conserve the environmental heritage of Strathfield
- **Objective (b):** To conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views.

3. **Inconsistency with the zone objective pertaining to protection of heritage significance of heritage items – Land Use Table (SLEP 2012)**

The proposed development should be refused because the proposal would adversely impact upon the heritage significance of the heritage item and its setting. As such, the proposal is contrary to the following zone objective for the R2 Low Density Residential zone under the Land Use Table of SLEP 2012, as follows:

**Land Use Table – R2 Low Density Residential Zone:**

- **Objective:** To ensure that development of housing does not adversely impact the heritage significance of adjacent heritage items and conservation areas.

4. **Inconsistency with objects of EP&A Act, 1979 – Clause 1.3: Objects of Act**

The proposed development should be refused because it is inconsistent with objects (f) and (g) under Clause 1.3 of the Act, as follows:

**Clause 1.3:**

- **Object (f):** To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage).
- **Object (g):** To promote good design and amenity of the built environment.

5. **Insufficient information to enable a proper assessment of proposed earthworks – Clause 6.2: Earthworks (SLEP 2012)**

The proposed development should be refused because there is insufficient information to enable a proper assessment of the impact of the proposed basement level and proposed additions on the structural integrity of the existing heritage item and impact to the adjoining properties. This is required at the DA stage in order to ascertain the viability of the proposal given the heritage significance of the building. No detailed Structural Report or Geotechnical report provided.

6. **Inconsistency with Part A – Dwelling Houses and Ancillary Structures**

The proposed development should be refused because it is inconsistent with objects of [Council development control plan 2014](#)  
 Objectives A. B. E. F. I. of Section 2 – architectural Design and Streetscape Presentation  
 Objectives C. and M of Section 5 – Landscaping  
 Objective A – Section 6 – Solar Access  
 Objective A – Section 7 - Privacy  
 Objective A. - Section 9 - Altering Natural Ground Level (cut and Fill)

7. **Inconsistency with Part P – Heritage Objectives and Controls:**

The proposed development should be refused because it is inconsistent with objects [of the Strathfield Council Development control plan 2014](#)

Objectives of this Part: A, D and E

2.1 General Objectives

2.2 Setting

2.3 Scale

2.4 Form

Objective A – Section 2.5 - Materials and Colours

2.6 Alterations and Additions

2.9 Fencing

Objective A - 2.10 landscape elements including paving and Driveways

Objective 2.13: Demolition Development Control (2) Partial demolition of a heritage item may only be allowed when it can be established in a Statement of Heritage Impact that the partial demolition will not have an impact on the significance of the heritage item.

8. The application is contrary to the public interest

**RESOLUTION**

This application be **REFUSED** for the reasons set out in the officers report as amended by the Panel:

**Inconsistency with aims of Strathfield Local Environmental Plan 2012 – Clause 1.2: Aims of plan (SLEP 2012)**

The proposed development should be refused because it does not achieve a high-quality urban form and does not protect environmental and cultural heritage. As such, the proposal is contrary to aims (a) and (f) under Clause 1.2(2) of SLEP 2012, as follows:

**Clause 1.2(2):**

- **Objective (a):** To achieve high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield.
- **Objective (f):** To identify and protect environmental and cultural heritage.

2. **Inconsistency with the objectives for heritage conservation in Strathfield LGA - Clause 5.10: Heritage conservation (SLEP 2012)**

The proposed development should be refused because it does not conserve or respect the environmental heritage of Strathfield LGA. The proposed additions would have a detrimental impact on the significance **and setting** of the heritage listed '*post war house and garden*' under SLEP 2012. As such, the proposal is contrary to aims (a) and (b) under Clause 5.10(1) of SLEP 2012, as follows:

**Clause 5.10(1):**

- **Objective (a):** To conserve the environmental heritage of Strathfield
- **Objective (b):** To conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views.

3. **Inconsistency with the zone objective pertaining to protection of heritage significance of heritage items – Land Use Table (SLEP 2012)**

The proposed development should be refused because the proposal would adversely impact upon the heritage significance of the heritage item and its setting. As such, the proposal is contrary to the following zone objective for the R2 Low Density Residential zone under the Land Use Table of SLEP 2012, as follows:

**Land Use Table – R2 Low Density Residential Zone:**

- **Objective:** To ensure that development of housing does not adversely impact the heritage significance of adjacent heritage items and conservation areas.

4. **Inconsistency with objects of EP&A Act, 1979 – Clause 1.3: Objects of Act**

The proposed development should be refused because it is inconsistent with objects (f) and (g) under Clause 1.3 of the Act, as follows:

**Clause 1.3:**

- **Object (f):** To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage).
- **Object (g):** To promote good design and amenity of the built environment.

5. **Insufficient information to enable a proper assessment of proposed earthworks – Clause 6.2: Earthworks (SLEP 2012)**

The proposed development should be refused because there is insufficient information to enable a proper assessment of the impact of the proposed basement level and proposed additions on the structural integrity of the existing heritage item and impact to the adjoining properties. This is required at the DA stage in order to ascertain the viability of the proposal given the heritage significance of the building. No detailed Structural Report or Geotechnical report provided.

6. **Inconsistency with Part A – Dwelling Houses and Ancillary Structures**

The proposed development should be refused because it is inconsistent with objects of [Council development control plan 2014](#)  
 Objectives A. B. E. F. I. of Section 2 – architectural Design and Streetscape Presentation  
 Objectives C. and M of Section 5 – Landscaping  
 Objective A – Section 6 – Solar Access  
 Objective A – Section 7 - Privacy  
 Objective A. - Section 9 - Altering Natural Ground Level (cut and Fill)

7. **Inconsistency with Part P – Heritage Objectives and Controls:**

The proposed development should be refused because it is inconsistent with objects [of the Strathfield Council Development control plan 2014](#)

Objectives of this Part: A, D and E

2.1 General Objectives

2.2 Setting

2.3 Scale

2.4 Form

Objective A – Section 2.5 - Materials and Colours

2.6 Alterations and Additions

2.9 Fencing

Objective A - 2.10 landscape elements including paving and Driveways

Objective 2.13: Demolition Development Control (2) Partial demotion of a heritage item may only be allowed when it can be established in a Statement of Heritage Impact that the partial demolition will not have an impact on the significance of the heritage item.

8. [The application is contrary to the public interest](#)

**FOR:** The Hon Paul Stein QC AM  
 Vivienne Albin  
 David Logan  
 Geoff Markwell

**AGAINST:NIL**

\*\*\*\* End Minutes - Report No. 3\*\*\*\*