

Our reference: SUB22/231072

The Resident(s)  
## Gordon Avenue  
SOUTH GRANVILLE NSW 2142

If you need help reading this letter, call the Translating and Interpreting Service (TIS National) on **131 450**



16 November 2022

Hello Neighbour

I am writing to you from the NSW Land and Housing Corporation about redeveloping the social housing site at 70-72 Gordon Avenue South Granville.

The proposed design has been reviewed since we wrote to you in September 2020, with a reduction in unit numbers from 10 to 8 to retain the existing Peppercorn Tree on the neighbouring property. We are now welcoming feedback on the updated plan.

## What we are proposing

We are proposing to replace the existing aged properties with new two-storey properties that better suit the needs of residents. This will include:

- 8 homes in total — 6 x two-bedroom and 2 x three-bedroom townhouses
- 5 on-site car parking spaces
- landscaping and fencing across the site
- lot consolidation.

## What we heard from you

We'd like to thank the community who provided feedback during the first round of consultation in September 2020. The key theme raised was onsite parking, in response to this feedback I can confirm the proposed development provides 5 car parking spaces including 1 accessible space which meets the requirements of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP).

## Why we are redeveloping the site

Redeveloping the site is important to:

- create more social housing properties to help reduce the waitlist, which includes more than 50,000 households from NSW
- help people and families in need by providing them with a safe place to call home
- improve the appearance of the ageing housing to better match the character of the local area

## Department of Planning and Environment

### What we'd like to hear from you

We would like your feedback on the proposed design for new housing.

To help, we have attached a set of plans for you to consider which can also be emailed to you by contacting the Community Engagement Team. In these plans, you will find:

- an artist's impression of the proposed property to give you an idea of what it will look like
- site and landscape plan
- building elevations
- shadow diagrams
- proposed materials and colour finishes.

### How to give feedback

You are welcome to give your feedback to the Community Engagement Team by emailing [CommunityEngagement@facns.nsw.gov.au](mailto:CommunityEngagement@facns.nsw.gov.au) or calling 1800 738 718.

Any feedback will be kept confidential and should be provided **by 10 December 2022** to give us enough time to consider it. We will respond to all feedback that is submitted.

### Next steps

Feedback will help us understand what is important to the community and will be considered by the project team before a decision is made on whether the project will proceed.

If you have any questions or would like more information about the Land and Housing Corporation, please visit our website via the QR code or URL below or contact the Community Engagement Team using the details above.

Yours sincerely,

A blue ink handwritten signature, likely of Ben Grogan.

Ben Grogan  
Director, Community Engagement  
NSW Land and Housing Corporation



Scan for more information or visit:  
<https://www.dpie.nsw.gov.au/land-and-housing-corporation>

### About the Land and Housing Corporation

Delivering housing is much more than providing people with a roof over their head. Having access to safe housing assists people to pursue health, education and employment opportunities, allowing them to thrive and strengthen the communities where we all live.

At NSW Land and Housing Corporation, our role is to actively grow and manage the supply of the right types of housing, at the right time, in the right areas, for people in need in our communities.

To find out more about our story please visit our website via the QR code or visit  
<https://www.dpie.nsw.gov.au/land-and-housing-corporation>

Our ref: SUB23/266263

###  
## Gordon Avenue  
SOUTH GRANVILLE NSW 2142

If you need help reading this letter, call the Translating and Interpreting Service (TIS National) on **131 450**



16 November 2023

**Subject:** Updated design 70-72 Gordon Avenue, South Granville

Dear Ms D J Matthews

I am writing to you from the NSW Land and Housing Corporation (LAHC) to update you about our plans to redevelop the housing site at 70-72 Gordon Avenue, South Granville. We are proposing to redevelop the vacant site with a new two-storey townhouse development.

## What we have done so far

We'd like to thank the community for providing feedback during consultation in November 2022. The key theme raised was regarding future tenant selection. In response we can advise the new homes will be managed by NSW Department of Communities and Justice, who have developed a 'local allocation strategy'. This ensures tenants placed in the units have good tenancy records and do not have a history of vandalism or antisocial behaviour.

## Details of the revised design

The proposed design has been reviewed since we wrote to you in November 2022, with the following changes.

- inclusion of solar panels, air-conditioning units, and heat pump
- adjustments to the window and door position and sizing for several units
- widening of the driveway to allow better vehicle access
- minor changes to the external materials
- amendment to the stormwater design in response to council comments

## What we are proposing

We are proposing to redevelop the vacant site with a new two-storey townhouse development which will include:

- 8 homes in total – 6 x two-bedroom units and 2 x three-bedroom units
- 5 on-site car parking spaces
- landscaping and fencing across the site
- lot consolidation

## Department of Planning and Environment

### What is happening now?

We have recently completed an updated design for 70-72 Gordon Avenue, South Granville. We invite your feedback, which will be carefully considered by our design and planning team as part of the assessment of this project and where possible we will incorporate your feedback in the designs.

Please find enclosed:

- an artist's impression of the proposed property to give you an idea of what it will look like
- site and landscape plan
- building elevations
- proposed materials and colour finishes
- shadow diagrams.

### How you can submit your feedback

After reading through the enclosed materials, we invite you to have your say by contacting the Community Engagement Team via email: [CommunityEngagement@dcj.nsw.gov.au](mailto:CommunityEngagement@dcj.nsw.gov.au) or phone: 1800 738 718.

All feedback should be received **by 11 December 2023** to give us enough time to consider it and you will receive confirmation that your feedback has been received.

We look forward to hearing from you.

Yours sincerely,

A handwritten signature in black ink that reads "Lorna O'Shane".

Lorna O'Shane  
**Manager, Community Engagement**  
**NSW Land and Housing Corporation**

### About the NSW Land and Housing Corporation

Delivering housing is much more than providing people with a roof over their head. Having access to safe housing assists people to pursue health, education and employment opportunities, allowing them to thrive and strengthen the communities where we all live.

At the NSW Land and Housing Corporation, our role is to actively grow and manage the supply of the right types of housing, at the right time, in the right areas, for people in need in our communities.

To find out more about our story please visit our website via the QR code or visit <https://www.dpie.nsw.gov.au/land-and-housing-corporation>



## Department of Planning and Environment

Peter J Fitzgerald  
The General Manager  
Cumberland City Council  
PO Box 42  
MERRYLANDS NSW 2160

Our ref: SUB22/231069

16 November 2022

### NOTICE OF PROPOSED MULTI DWELLING HOUSING

#### Attention: Duty Planner

This letter is to notify Council of a proposal by the NSW Land and Housing Corporation (LAHC) to carry out a residential development for Multi Dwelling housing, and invite Council's written comments on the development proposal:

**Property:** 70-72 Gordon Avenue, South Granville  
Lots 43 & 44 in DP 362820

**Proposal:** Demolition of two (2) dwellings and construction of a multi dwelling development containing eight (8) dwellings, comprising 6 x 2-bedroom and 2 x 3-bedroom units, parking for five (5) vehicles, associated site works and landscaping, and consolidation of two (2) lots into a single lot.

The proposal is considered 'development without consent' under the *State Environmental Planning Policy (Housing) 2021*. LAHC is seeking feedback from Council and neighbours for consideration before deciding whether the development should proceed.

The following plans and documents are enclosed for Council's review and comments:

- Survey plan
- Site analysis plan
- Architectural plans
- Demolition plan
- Block analysis plan
- Landscape plan
- Stormwater plan
- Erosion and sediment control plan
- BASIX & NatHERS Certificate
- Building Code of Australia Report
- Access Report
- Arborist Report
- Geotechnical Report
- Traffic Report
- Waste Management Plan

Please email Council's comments to Frances Beasley Planner, LAHC at [Frances.Beasley@facns.nsw.gov.au](mailto:Frances.Beasley@facns.nsw.gov.au) by **10 December 2022**.

Should you wish to discuss the proposal, please contact LAHC by emailing [CommunityEngagement@facns.nsw.gov.au](mailto:CommunityEngagement@facns.nsw.gov.au) or calling 1800 738 718.

Yours sincerely



Ben Grogan  
Director, Community Engagement  
NSW Land and Housing Corporation

## Department of Planning and Environment

Peter J Fitzgerald  
The General Manager  
Cumberland City Council  
PO Box 42  
MERRYLANDS NSW 2160

Our ref: SUB23/266572

17 November 2023

### NOTICE OF PROPOSED MULTI DWELLING HOUSING

#### Attention: Duty Planner

I am writing to advise you of the revised development proposal at 70-72 Gordon Avenue, South Granville. These revisions are intended to address feedback received by Council and to improve the sustainability outcomes for the development, as well as overall buildability. We now invite Council's written comments on the revised development proposal:

**Property:** 70 - 72 Gordon Avenue, South Granville  
Lots 43 & 44 in DP 362820

**Proposal:** Tree removal and construction of a multi dwelling development containing eight (8) dwellings, comprising 6 x 2-bedroom and 2 x 3-bedroom units, parking for five (5) vehicles, associated site works and landscaping, and consolidation of two (2) lots into a single lot.

The proposal is considered 'development without consent' under the *State Environmental Planning Policy (Housing) 2021*. LAHC is seeking feedback from Council and neighbours for consideration before deciding whether the development should proceed.

The following plans and documents are available at this [Dropbox Link](#) for Council's review and comments. Please acknowledge receipt of this letter and download the documents within 14 days.

- |                         |                                     |
|-------------------------|-------------------------------------|
| • Survey plan           | • BASIX & NatHERS Certificate       |
| • Architectural plans   | • Building Code of Australia Report |
| • Landscape plan        | • Access Report                     |
| • Stormwater plan       | • Arborist Report                   |
| • Traffic Report        | • Geotechnical Report               |
| • Waste Management Plan |                                     |

Please email Council's comments to Frances Beasley, Senior Planner, LAHC at [Frances.Beasley@fac.s.nsw.gov.au](mailto:Frances.Beasley@fac.s.nsw.gov.au) by 11 December 2023.

Should you wish to discuss the proposal, please contact LAHC by emailing [CommunityEngagement@fac.s.nsw.gov.au](mailto:CommunityEngagement@fac.s.nsw.gov.au) or calling 1800 738 718.

Yours sincerely



Lorna O'Shane  
**Manager Community Engagement**  
**NSW Land and Housing Corporation**



**Ref: OA2022/0010**

13 February 2023

New South Wales Land and Housing Corporation  
12 Darcy Street  
PARRAMATTA NSW 2150

Dear Sir/Madam,

**Subject:** **Ministerial Consent** - Council commentary regarding notification of proposed residential development for the purposes of multi-dwelling housing  
**Application No:** OA2022/0010  
**Property:** 70-72 Gordon Avenue, SOUTH GRANVILLE NSW 2142  
**Proposal:** Notice of Proposed Multi Dwelling Housing (SUB22/231069) - Demolition of two (2) dwellings and construction of a multi dwelling development containing eight (8) dwellings, comprising 6 x 2-bedroom and 2 x 3-bedroom units, parking for five vehicles, associated site works and landscaping, and consolidation of two lots into a single lot

Reference is made to the Department of Planning, Industry and Environment referral received on the 22 November 2022 inviting Council's comments for the proposed development. Council has reviewed the submitted information and the following response is provided.

## 1. SITE AND PROPOSAL

The subject site is known as 70 & 72 Gordon Avenue, South Granville, and is legally described as Lot 43 & Lot 44, DP 36280. The site is situated on the western side of Gordon Avenue with an allotment that is regular in shape; with a combined frontage of 31.105 metres to Gordon Avenue and a total site area of 1,599.8m<sup>2</sup>. The subject allotment is zoned R3 – Medium Density Residential under the Cumberland Local Environmental Plan 2021.

The site at present contains two existing single storey dwellings and associated structures. The immediate area is characterised by low-to-medium density housing stock. The proposal involves the demolition of existing structures and the construction of a multi dwelling development containing eight dwellings, comprising 6 x 2-bedroom and 2 x 3-bedroom units, parking for five vehicles, associated site works and landscaping.

The development consists of:

- Eight dwellings consisting of two or three bedrooms;
- Five car parking spaces including one accessible car parking spaces;
- Landscaping;
- Fencing; and
- Consolidation of the two lots into one lot.

16 Memorial Avenue, PO Box 42, Merrylands NSW 2160  
T 02 8757 9000 E [council@cumberland.nsw.gov.au](mailto:council@cumberland.nsw.gov.au) W [cumberland.nsw.gov.au](http://cumberland.nsw.gov.au)  
ABN 22 798 563 329

*Welcome Belong Succeed*



## 2. DOCUMENT SUBMITTED

This advice has been prepared on the basis of the following documentation:-

<b>Reference/Dwg No</b>	<b>Title/Description</b>	<b>Prepared By</b>	<b>Date/s</b>
DA-001-001, DA-100-001, DA-100-002, DA-100-003, DA-100-004, DA-100-005, DA-100-101, DA-100-102, DA-100-103, DA-200-100, DA-200-101, DA-200-103, DA-310-001, DA-710-001, DA-720-001, DA-720-002, DA-720-003, DA-730-001, DA-730-002, DA-810-002, DA-820-001, all Revision 12	Architectural Plans	Studio Johnston	27/10/2022
-	Waste Management Plan	Studio Johnston	27/10/2022
Reference 200819, Revision G	Traffic and Parking Impact Assessment	Greenview Consulting	27/10/2022
Version 3	Architect's Certificate of Building Design Compliance	Studio Johnston	27/10/2022
Job No. SS20-4526, Drawing No. 000, Drawing No. 101 and Drawing No. 501, all Revision K	Landscape Plans	Site Image Landscape Architects	27/10/2022
Job No. 200819, C01 Revision 12, C02 Revision 13, C03 Revision 12, C04 Revision 5, C05 Revision 6, C06 Revision 5, ESM1 Revision 6, ESM2 Revision 6	Civil Engineering Plans	Greenview Consulting	27/10/2022
Certificate number 1182754M_03	BASIX Certificate	Greenview Consulting Pty Ltd	4/11/2022
Reference No. 5845.3	Arboricultural Impact Assessment & Tree Management Plan	Redgum Horticultural	27/10/2022
Revision D	Access Report	Vista Access Architects	27/10/2022
Reference No. 51013, Revision A	Survey Plan	Norton Survey Partners	12/03/2021

**Note:** Please be advised that this report only provides a commentary on those aspects of the proposal where there is an obvious non-compliance or where Council is concerned due to likely amenity impacts. This is based on Council's review of documentation submitted for Council's comments.

### 3. PLANNING CONTROLS

The proposed development shall consider and comply with the relevant provisions of the following documents:

- State Environmental Planning Policy (Resilience and Hazards) 2021;
- State Environmental Planning Policy (Transport and Infrastructure) 2021;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy (Housing) 2021;
- Cumberland Local Environmental Plan 2021; and
- Cumberland Development Control Plan 2021.

#### **State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land**

Chapter 4 of this SEPP is for Council to be satisfied that the site is suitable or can be made suitable to accommodate the proposed development. The site is not identified in the submitted documents as being contaminated. The subject site appears to be currently used for residential purposes and the site does not have any obvious history of a previous land use that may have caused contamination, no specific evidence has been provided that indicates the site is contaminated.

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

A satisfactory certificate has been submitted to Council for review. The relevant BASIX commitments are to be clearly shown on the plans. Please note, the BASIX Certificate must be issued within 3 months from the date of lodgement.

#### **State Environmental Planning Policy (Housing) 2021**

*State Environmental Planning Policy (Housing) 2021*, Chapter 2 (Affordable Housing) - Part 2 (Development for affordable housing), Division 6 (Residential development – Land and Housing Corporation)- Clause 42(1)(a) and clause 42(4) states the following:

##### ***Clause 42 - Development may be carried out without consent***

- (1) *This Division applies to residential development if—*
  - (a) *the development is permitted with consent on the land under another environmental planning instrument.*
  - (4) *Development to which this Division applies may be carried out by or on behalf of the Land and Housing Corporation without development consent.*

Development for the purposes of ‘*Multi dwelling housing*’ is permitted with consent on land zoned R3 – Medium Density Residential under the Cumberland Local Environmental Plan 2021. Hence, Division 6 (Residential development – Land and Housing Corporation) applies to the subject development.

Furthermore, since multi dwelling housing is classified as an ‘in-fill’ development in accordance with clause 16(3), the following should also be noted regarding the proposed development:-

##### ***Clause 16 - Development to which Division applies***

The subject site is zoned R3 – Medium Density Residential under the Cumberland Local Environmental Plan 2021, and as such, the subject site must be situated within an accessible area.

### **Clause 17 - Floor space ratio**

The subject Floor Space Ratio is 0.7:1 under the Cumberland Local Environmental Plan 2021.

### **Clause 19 - Design requirements**

As the proposed development is for the purposes of multi dwelling housing, Clause 19(1)(b) applies, in which a detailed assessment is required to ensure that the proposed development is consistent with the requirements as specified in the Low Rise Housing Diversity Design Guide. Furthermore, the Cumberland Development Control Plan 2021 also indicated under 2.1 (Part B2) all low rise medium density residential development in the Cumberland City, including multi dwelling housing, will be assessed in accordance with the Principles, Objectives and Design Criteria set out in the Low Rise Housing Diversity Design Guide.

### **Cumberland Local Environmental Plan 2021**

The maximum height of building that applies to the site is 11 metres in accordance with the Cumberland Local Environmental Plan 2021.

## **4. REFERRAL COMMENTS**

The following comments have been provided from Council's internal departments:

### **Development Engineering**

#### ***Stormwater***

- a) In general Council does not support the extension of Council's stormwater pipe systems more than 30m. In this regard, design shall be reviewed and stormwater shall be discharged to Council's street gutter.
- b) Onsite stormwater detention (OSD) system shall be designed in accordance Cumberland Council's DCP and Upper Parramatta River Catchment Trust (UPRCT) "On-Site Detention Handbook". In this regard, following matters shall be addressed in stormwater design:
  - i. Stormwater inlets to the OSD tank shall be connected to the discharge control pit.
  - ii. Flap valve shall be provided in the discharge control pit between OSD storage and discharge control pit.
  - iii. Grated pit shall be provided directly behind the flap valve.
  - iv. Flap valve, return pipe, Orifice centre line level, access grate levels and weir level shall be annotated on the OSD section.
  - v. All access grates to the detention facility shall be double (2/900x450) hinged grates. Maximum spacing between the grated access pits in the OSD shall not exceed 10.0m.
  - vi. OSD plate and confined space signs shall be incorporated.
  - vii. Step irons shall be provided in the access points.
- c) The 'Maximum head to orifice' and 'Head for HED' values used in the OSD calculations conflicts with the OSD section details.
- d) Overland flow from adjacent properties shall be maintained. Allowances shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Overland flow shall not be directed to OSD.
- e) Stormwater runoff from the manoeuvring area including access ways will have to undergo some form of standard primary treatment/separation prior to disposal into existing

- stormwater systems. In this regard, stormwater treatment device capable of removing litter, oil, grease and sediment shall be provided prior to discharge to the stormwater system.
- f) Permeable pavers are not acceptable. All the carparking areas shall be concrete/paved impervious area.

#### **Public domain / Footpath design**

- g) Footpath, kerb ramp and kerb & gutter adjacent to the development shall be reconstructed as per Cumberland Council's requirements at no cost to Council. All the redundant driveways shall be replaced with footpath and kerb & gutter. Detail design shall be submitted to and approved by Cumberland Council as part of application for public domain works within road reserve.
- h) Boundary line levels shall be obtained from Council. Council approved boundary line levels shall be used in the footpath design. Detail shall be submitted to and approved by Council's Engineering Section.

**Note:** Separate application shall be submitted to Council for boundary line levels.

#### **Parking / Access**

- i) Traffic impact assessment report shall be submitted to ensure proposed development will not have adverse impact on the street traffic and parking. The traffic impact assessment report shall address the impacts of the proposed developments. These should include, but not limited to, queuing, parking, traffic generation, entry and exit.
- j) Parking space numbers are provided based on the rate for the accessible areas. In this regard, supporting documents shall be provided to ensure the development site is located within accessible area.
- k) Cars should be able to pass each other at the driveway entrance within the site. In this regard, width of the driveway shall be minimum 6.1m (5.5m plus 0.3m clearance either side) for at least 5.5m from the boundary into the site.
- l) Adequate dimensions have not been marked on the plan to check whether parking layout complies with Australian standards AS2890.1 and AS2890.6.  
The design of the driveway, car parking spaces, circulation aisles and sight distance shall comply with Council's DCP and Australian Standards (i.e. AS2890.1 and AS2890.6) if not covered by the DCP.

#### **Environmental Health**

##### **Land contamination**

When determining a development application for any development of land, Clause 4.6 of the *State Environmental Planning Policy (Resilience and Hazards) 2021* requires that the consent authority considers "whether the land is contaminated" and "if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out".

A review of historical aerial imaging of the site shows that fill material has been imported onto the premises between 27 December 2020 - 17 October 2021. The origin and contamination status of the fill is not known and the industrial type of activities on the premises are not known. Therefore, Council cannot, with certainty, be satisfied that the site is not contaminated.

Accordingly, a contamination assessment of the fill material and a targeted sampling of the fill affected areas shall be required to be carried out by an appropriately qualified person(s) in accordance with *State Environmental Planning Policy (Resilience and Hazards) 2021*, relevant

contaminated land guidelines, and the National Environment Protection (Assessment of Site Contamination) Measure 2013. The report is to provide an assessment of the fill material imported to site and determine whether the fill material is suitable for its use on the site and/or further actions to be taken to make the site suitable for the proposed development.

Please note that remediation works within the Cumberland Local Government Area may be considered Category 1 works under *State Environmental Planning Policy (Resilience and Hazards) 2021*. Should any contamination be found in the fill material and should remediation be required, development consent may need to be sought from Cumberland City Council before the remediation works commence.

### **Waste Management**

Whilst the Waste Management Plan is generally a satisfactory plan to manage waste generated on site, it is highly recommended that the proponent is advised to undertake a safety risk assessment as to how they plan to present and arrange bins for collection of waste and recycling materials. The mixing of bins, people and waste management vehicles at the kerbside carries a level of risk that should be controlled.

The Waste Management Plan also satisfactorily addresses the construction phases.

### **Tree Management & Landscaping**

#### ***Tree protection plan for site***

As per the recommendations of the Arboricultural impact assessment, all trees within the site and within adjoining properties are to be protected as per AS490 – 2009 'Protection of Trees on Development'

#### ***Appointment of Project Arborist***

To ensure the protection of the trees to be retained and to ensure compliance with the appropriate tree protection measures, a Project Arborist is to be appointed prior to the commencement of any works, retained for the life of the development and is to be present during critical stages of the development.

#### ***Pruning works***

During construction or any time during the development, any pruning works should be carried out to AS4373 – 2007 Pruning of amenity trees. Any pruning works required to facilitate the development on neighbouring trees will require the prior consent of the tree owners prior to the works being carried out.

#### ***Landscape works***

All soft and hard landscaping works to be undertaken on the site should be carried out by a minimum AQF3 landscaper. The final inspection of works should be signed off by an individual other than the person carrying out the works.

In conclusion, Council recommends that the issues raised in this letter are addressed for the proposed development and that appropriate amendments are made to the proposal. Council also recommends that the NSW Land and Housing Corporation adhere to the relevant provisions contained within the *State Environmental Planning Policy (Housing) 2021*.

Should you have any further enquiries please do not hesitate to contact Vincent Alberti on 8757 9910 in relation to this matter.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'N. Aamir', with a stylized flourish at the end.

Nighat Aamir  
**Senior Development Planner**



CUMBERLAND  
CITY COUNCIL

**OA2022/0010**

21 December 2023

New South Wales Land and Housing Corporation  
12 Darcy Street  
PARRAMATTA NSW 2150

Dear Sir / Madam,

**Subject:** Ministerial Consent – Council commentary regarding notification of proposed residential development for the purposes of multi-dwelling housing  
**Application No:** OA2022/0010  
**Property:** 70-72 Gordon Avenue, SOUTH GRANVILLE NSW 2142  
**Proposal:** Notice of Proposed Multi Dwelling Housing (SUB23/266572) - Demolition of two (2) dwellings and construction of a multi dwelling development containing eight (8) dwellings, comprising 6 x 2-bedroom and 2 x 3-bedroom units, parking for five vehicles, associated site works and landscaping, and consolidation of two lots into a single lot

Reference is made to the Department of Planning, Industry and Environment referral received on the 22 November 2022 and the letter dated the 13 February 2023, inviting Council's comments for the proposed amendments to the development that is detailed above and the subject address. Council has reviewed the submitted information and the following response is provided.

## 1. SITE AND PROPOSAL

The subject site is known as 70 & 72 Gordon Avenue, South Granville, and is legally described as Lot 43 & Lot 44, DP 36280. The site is situated on the western side of Gordon Avenue with an allotment that is regular in shape; with a combined frontage of 31.105 metres to Gordon Avenue and a total site area of 1,599.8m<sup>2</sup>. The subject allotment is zoned R3 – Medium Density Residential under the Cumberland Local Environmental Plan 2021.

The site at present contains two existing single storey dwellings and associated structures. The immediate area is characterised by low-to-medium density housing stock. The proposal involves the demolition of existing structures and the construction of a multi dwelling development containing eight dwellings, comprising 6 x 2-bedroom and 2 x 3-bedroom units, parking for five vehicles, associated site works and landscaping.

The development consists of:

- Eight dwellings consisting of two or three bedrooms;
- Five car parking spaces including one accessible car parking spaces;
- Landscaping;
- Fencing; and
- Consolidation of the two lots into one lot.

16 Memorial Avenue, PO Box 42, Merrylands NSW 2160  
T 02 8757 9000 E [council@cumberland.nsw.gov.au](mailto:council@cumberland.nsw.gov.au) W [cumberland.nsw.gov.au](http://cumberland.nsw.gov.au)  
ABN 22 798 563 329

Welcome *Belong* Succeed

## 2. DOCUMENT SUBMITTED

This advice has been prepared on the basis of the following documentation:-

<b>Reference/Dwg No</b>	<b>Title/Description</b>	<b>Prepared By</b>	<b>Date/s</b>
DA00 to DA17, all Revision 02	Architectural Plans	Stanton Dahl Architects	27/09/2023
2873.23	Waste Management Plan	Stanton Dahl Architects	September 2023
230291, Revision J	Traffic and Parking Impact Assessment	Greenview Consulting	29/09/2023
230291	Architect's Certificate of Building Design Compliance	Studio Johnston	27/09/2023
BGWT6, Drawing No. L01 & L02, all Revision 3	Landscape Plans	Stanton Dahl Architects	16/10/2023
Job No. 230291, C01 to C06, ESM1 and ESM2	Civil Engineering Plans	Greenview Consulting	18/10/2023
Certificate number 1182754M_05	BASIX Certificate	Greenview Consulting Pty Ltd	22/09/2023
Reference No. 5845.4	Arboricultural Impact Assessment & Tree Management Plan	Redgum Horticultural	03/11/2023
Issue F	Access Report	Vista Access Architects	27/09/2023
Reference No. 51013, Revision A	Survey Plan	Norton Survey Partners	12/03/2021

**Note:** Please be advised that this report only provides a commentary on those aspects of the proposal where there is an obvious non-compliance or where Council is concerned due to likely amenity impacts. This is based on Council's review of documentation submitted for Council's comments.

## 3. PLANNING CONTROLS

The proposed development shall consider and comply with the relevant provisions of the following documents:

- State Environmental Planning Policy (Resilience and Hazards) 2021;
- State Environmental Planning Policy (Transport and Infrastructure) 2021;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy (Housing) 2021;
- Cumberland Local Environmental Plan 2021; and
- Cumberland Development Control Plan 2021.

### **State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land**

Chapter 4 of this SEPP is for Council to be satisfied that the site is suitable or can be made suitable to accommodate the proposed development. The site is not identified in the submitted documents as being contaminated. The subject site appears to be currently used for residential purposes and



the site does not have any obvious history of a previous land use that may have caused contamination, no specific evidence has been provided that indicates the site is contaminated.

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

A satisfactory certificate has been submitted to Council for review. The relevant BASIX commitments are to be clearly shown on the plans. Please note, the BASIX Certificate must be issued within 3 months from the date of lodgement.

#### **State Environmental Planning Policy (Housing) 2021**

*State Environmental Planning Policy (Housing) 2021*, Chapter 2 (Affordable Housing) - Part 2 (Development for affordable housing), Division 6 (Residential development – Land and Housing Corporation)- Clause 42 as follows:

##### ***Clause 42 - Development may be carried out without consent***

Development for the purposes of 'Multi dwelling housing' is permitted with consent on land zoned R3 – Medium Density Residential under the Cumberland Local Environmental Plan 2021. Hence, Division 6 (Residential development – Land and Housing Corporation) applies to the subject development, in which an assessment will be required by Land and Housing Corporation to determine that this proposal meets all the requirements as specified under this clause.

#### **Cumberland Local Environmental Plan 2021**

The maximum height of building that applies to the site is 11 metres in accordance with the Cumberland Local Environmental Plan 2021.

#### **Cumberland Development Control Plan 2021**

The Cumberland Development Control Plan 2021 also indicates under 2.1 (Part B2) that all low rise medium density development in the Cumberland City, including multi dwelling housing, will need to be assessed in accordance with the Principles, Objectives and Design Criteria set out in the Low Rise Housing Diversity Design Guide.

#### **4. REFERRAL COMMENTS**

The following comments have been provided from Council's internal departments:

##### **Trees & Landscaping**

The provided landscape plan 'BGWT6', Drawing No. L01 & L02, all Revision 3 by Stanton Dahl Architects dated the 16 October 2023 demonstrates consistency with the previously provided comments in the letter dated the 13 February 2023.

##### **Development Engineering**

###### ***Stormwater***

The following issues that were mentioned in Council's previous letter, dated the 13 February 2023, have been addressed:-

- b) Onsite stormwater detention (OSD) system shall be designed in accordance Cumberland Council's DCP and Upper Parramatta River Catchment Trust (UPRCT) "On-Site Detention Handbook". In this regard, following matters shall be addressed in stormwater design:
  - i. Stormwater inlets to the OSD tank shall be connected to the discharge control pit.
  - ii. Flap valve shall be provided in the discharge control pit between OSD storage and discharge control pit.
  - iv. Flap valve, return pipe, Orifice centre line level, access grate levels and weir level shall be annotated on the OSD section.

However, the following issues have not been addressed: -

1. The overflow from the rainwater tank is stated as charged line. No information provided for the overflow pipe invert level the pipe from the rainwater tank to the HED chamber.
2. The section of the HED control pit and overflow pit is insufficient to appreciate the long section profile of the OSD tank, noting that the OSD tank is long and narrow.
3. The runoff from the car parking area and the driveway should undergo treatment. In this regard, the runoff must be directed into the treatment system. However, it is noted that the filtration system (jellyfish) is provided at the downstream side of the OSD system that will result in treatment of flow for whole duration. It is recommended to separate initial flow high in pollutant concentration to be treated rather than the runoff for the while duration.

It is noted that the provision for filtration baskets, however, it is recommended that each of the grated access opening within the car parking area and driveway should be provided with the filtration baskets for removal of pollutants such as the sediments, lotters, Hydrocarbons, oil & grease etc.

4. The details of the Jellyfish including model type, flow rate, invert level of inlet and outlet has not been provided. The submerged orifice condition was mentioned However the tailwater level has not been shown. The OSD calculation using council's excel spreadsheet should be used for the OSD design calculation and to account for the submerged orifice condition. However, noting the inlet and outlive of the "Jellyfish StormFilter" proposed at the downstream side of the OSD system the OSD system does not appear to function as intended.
5. The OSD storage volume proposed insufficient and less than the minimum required.
6. The HED chamber requires a dry platform covering at least half of the bae area and the remaining half a sump of 300mm deep. The sump must have 2 x90mm dia relief drain( weep holes) filled with the 5mm gravel (blue metals) to act as filter media for dissipation of stagnant water into the surrounding ground.
7. The outlet pipe from the overflow chamber is locate higher than the invert of the pit and results in stagnant water below the invert of outlet pipe. The outlet pipe should be lowered.

#### ***Public domain / Footpath design***

No details have been provided.

#### ***Parking / Access***

The following issue remains outstanding:-

It is noted that the waiting bay within the property boundary for inbound vehicle will cause encroachment and obstruction to the manoeuvring path of the vehicle exiting the site.

### **Environmental Health**

*A review of all reports and plans that were submitted after the initial application submission has now occurred. In the original assessment of the application the EHU recommended the following-*

*“a contamination assessment of the fill material and a targeted sampling of the fill affected areas shall be required to be carried out by an appropriately qualified person(s) in accordance with State Environmental Planning Policy (Resilience and Hazards) 2021, relevant contaminated land guidelines, and the National Environment Protection (Assessment of Site Contamination) Measure 2013. The contamination assessment, and associated report, is to be conducted, reported, and submitted to Council for consideration and approval. The report is to provide an assessment of the fill material imported to site and determine whether the fill material is suitable for its use on the site and/or further actions to be taken to make the site suitable for the proposed development.*

Please note that remediation works within the Cumberland Local Government Area may be considered Category 1 works under State Environmental Planning Policy (Resilience and Hazards) 2021. Should any contamination be found in the fill material and should remediation be required, development consent may need to be sought from Cumberland Council before the remediation works commence.”

### **Waste Management**

This Waste Management Plan is satisfactory as it meets the conditions of Councils DCP (Sec G). The waste plan satisfactorily addresses the demolition, construction, and the final ongoing waste management operational stage. The Waste Management Plan tabled in this DA application represents a long term safe and viable option.

In conclusion, Council recommends that the issues raised in this letter are addressed for the proposed development and that appropriate amendments are made to the proposal. Council also recommends that the NSW Land and Housing Corporation adhere to the relevant provisions contained within the *State Environmental Planning Policy (Housing) 2021*.

Should you have any further enquiries please do not hesitate to contact Vincent Alberti on 8757 9910 in relation to this matter.

Yours faithfully,



Haroula Michael  
**Executive Planner**

**From:** [Haroula Michael](#)  
**To:** [Frances Beasley](#)  
**Subject:** RE: Statutory Re-Notification - 70-72 Gordon Avenue, South Granville  
**Date:** Friday, 23 February 2024 2:41:22 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image063416.png](#)

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**This Message Is From an External Sender**

This message came from outside your organization.

Hi Frances,

Thank you for your time over the phone this afternoon.

Council's Senior Tree Management Officer raised no objections to the proposal.

Please see recommended conditions below from Council's Development Engineer. No further objections were raised from Council's Development Engineer on the proposal.

- 1) In general, there is no objection to the proposed development from an engineering perspective.
- 2) Following conditions are recommended to ensure public domain area works are reconstructed as per Council's requirements:

1. DACCC01 - Footpath Design Levels

Detailed footpath levels shall be obtained from Council before finalisation of the footpath and driveway design ~~with the Construction Certificate application~~ by lodging an 'Application for Property Boundary Line Levels'. Any required adjustments shall be included in the Construction Certificate plans. Unless an alternative specific design is submitted and approved by Council, the footpath levels adjoining the site shall generally be as follows:

- a) The internal driveway levels shall be designed to meet Council's footpath verge levels such that a maximum cross fall of 2.5% is achieved where the footpath meets the driveway.
- b) The level of the boundary line as it crosses the driveway shall incorporate a cross fall equivalent to the general longitudinal grade of the street.
- c) Any required adjustments shall be included in the plans and submitted for approval under section 138 of the *Roads Act 1993* prior to the release of the Construction Certificate.

2. DACCC03 - Submission of Plans for Works within the Road Reserve

The submission to Council of three copies and an electronic copy of Civil Engineering drawings for the design of all works within the road reserve required adjacent ~~near/outside~~ <70 -72 Gordon Avenue, South Granville > including long and cross sections, details of proposed structures, ancillaries (e.g. footpaths, signage etc.) and specifications.

The drawings must be approved by Council in writing and all fees and charges paid.

Such design shall be:

- a) Prepared and submitted in electronic format, undertaken by a consulting civil engineer,
- b) Approved in writing by Council under section 138 of the *Roads Act 1993*, prior to the issue of the Construction Certificate,

- c) All civil engineering works adjacent/~~near/outside~~ <70 -72 Gordon Avenue, South Granville> are to be fully supervised by Council. A maintenance period of six months or as specified by Council shall apply to the work after it has been completed and approved. In that period the Applicant shall be liable for any part of the work which fails to perform in the manner outlined in Council's specifications, or as would reasonably be expected under the design conditions, and
- d) Upon completion of the works, the Applicant is to provide to Council two copies of "work as executed plans". The plans are to show relevant dimensions and finished levels and are to be certified by a registered surveyor. Also the Applicant is to provide to Council, details of all public infrastructure created as part of the works, including certification that the design meets all relevant Australian Standards and Council specifications from an engineer with relevant industry experience.

Note: Driveway construction will require a separate approval vehicular crossing and road works.

(Reason: To ensure compliance of engineering works/Council assets are constructed to acceptable standards)

3. DACCC06 - Separate Approval for Works in the Public Road (External Works) - Section 138 Roads Act

In accordance with section 138 of the *Roads Act 1993* ~~and prior to the issue of any Construction Certificate~~, the applicant must submit a Road and Footpath Opening Permit application that is accompanied by detailed plans. Written approval must be obtained from the appropriate road authority under the *Roads Act 1993* for any works in the road reserve prior to the commencement of works.

Where the work is likely to have an impact on the operation of an arterial road then a Road Occupancy Licence must be obtained from the relevant road authority. The application should be lodged at least 10 days prior to the planned commencement date.

(Reason: Protection of Public Assets and information)

Kind Regards,



**HAROULA MICHAEL**  
EXECUTIVE PLANNER

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**From:** Frances Beasley <[Frances.Beasley@homes.nsw.gov.au](mailto:Frances.Beasley@homes.nsw.gov.au)>

**Sent:** Thursday, 22 February 2024 1:25 PM

**To:** Haroula Michael <[Haroula.Michael@cumberland.nsw.gov.au](mailto:Haroula.Michael@cumberland.nsw.gov.au)>

**Subject:** [EXTERNAL] RE: Statutory Re-Notification - 70-72 Gordon Avenue, South Granville