

COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSEC-214
DA Number	DA 2022/16
LGA	Burwood
Proposed Development	Alterations and additions to Strathfield Private hospital for the demolition of the existing dwelling at 47A Wentworth Road, tree removal and the construction of a 3 storey building containing basement and ground level parking, 13 additional beds, 2 operating theatres and ancillary services
Street Address	47A Wentworth Road & 3-5 Everton Road, Strathfield NSW 2135
Applicant/Owner	Mr K Mayoh – Ramsay Health Care Australia Pty Limited
Date of DA lodgement	15 March 2022
Number of Submissions	Four (4) submissions 2 submissions in relation to Round 1 Notification 1 submission in relation to Round 2 Notification 1 submission received outside of the notification period
Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011	Proposed cost of development \$19,959,000.00
Report prepared by	Emma Buttress-Grove, Senior Town Planner & Business Improvement Officer – City Development
Report date	28 September 2022
Meeting date	6 October 2022

Subject Sites & Locality

The Site comprises two (2) allotments located at 3-5 Everton Road and 47A Wentworth Road, Strathfield. The Site is legally referred to as SP 55383, 11 of DP 870782 and Lot 4 DP 391941.

The Site is irregularly shaped and has an area of 4,366.94m² with a relatively flat natural topography. The Site comprises of the following dimensions:

- North (Cowdery Lane) – 95.73m;
- East (47A Wentworth Road frontage) – 15.23m;
- East (1A Everton Road, Strathfield) – 42.67m;
- South (1A Everton and 1 Everton Road) – 38.10m;
- South (Everton road frontage) – 64.09m;
- West (7 Everton Road) – 55.80m.

The Site is zoned R1 General Residential pursuant to the BLEP 2012. The surrounding properties are also zoned R1 General Residential. The Site currently comprises of Strathfield Private Hospital at 3-5 Everton Road, and a single storey residential dwelling house at 47A Wentworth Road.



Figure 1: BLEP 2012 Zoning Map, subject sites outlined in red. Source: Willowtree Planning SoEE dated 15 August 2022



Figure 2: Subject site aerial view. Source: Willowtree Planning SoEE dated 15 August 2022



Image 1: Existing hospital buildings at 3-5 Everton Road, as viewed from Everton Road looking north.
Source: Google Maps Street View



Image 2: Dwelling at No. 47A Wentworth Road, Strathfield to the left of image, located on the corner of Wentworth Road and Cowdery Lane. Hospital buildings in the background. Source: Google Maps Street View



Image 3: Existing structures on No. 47A Wentworth Road as viewed from Cowdery Lane looking south-west.
Source: Google Maps Street View



Image 4: Existing hospital buildings as viewed from Cowdery Lane looking south. Source: Google Maps Street View

Surrounding Development

The surrounding properties comprise of a mixture of residential developments including one (1) to two (2) storey dwelling houses and low scale residential flat buildings (RFBs).

Development adjoining the Site in each general direction is as follows:

- North – Immediately Cowdery Lane and further north of the Site is local heritage item I190 – Victoria House at 2 Copper Street and item I207 – Victorian Villa at 45 Wentworth Road as well as a single storey residential dwelling at 2A Cooper Street – Refer **Images 5 & 6**
- East – Wentworth Road and further east a mixture of one (1) to two (2) storey residential dwellings and low scale RFB's; Refer **Image 7**
- South – Immediately adjoining to the south-east of the Site is 1A Everton Road and 1 Everton Road comprising of single storey residential dwellings; Refer **Image 8**
- West – Existing low scale four (4) storey RFB – Refer **Image 9**



Image 5: No. 45 Wentworth Road, boarding house (heritage item). Source: Google Maps Street View



Image 6: No. 2A Cooper Street (facing Cowdery Lane). Source: Google Maps Street View



Image 7: No. 46 Wentworth Road. Source: Google Maps Street View



Image 8: No.s 1A (left) and No. 1(right) Everton Road. Source: Google Maps Street View



Image 9: RFB at No. 7 Everton Road as viewed from Cowdrey Lane looking south. Source: Google Maps Street View

Background

A Pre-Development Application PD 2021.023 was lodged for alterations and additions to Strathfield Private hospital located at 3-5 Everton Road Strathfield, and includes the demolition of the existing dwelling at 47A Wentworth Road, tree removal and the construction of a 3 storey building containing basement and ground level parking, 13 additional beds, 2 operating theatres and ancillary services. the proposed development.

Pre-DA Scheme



Figure 3: Proposed basement level alterations and additions. Source: HPI



Figure 4: Proposed ground level alterations and additions. Source: HPI



Figure 5: Proposed level 1 alterations and additions. Source: HPI



Figure 6: Proposed level 2 alterations and additions. Source: HPI

Following an assessment of the Pre-DA, written advice was provided to the applicant raising the following matters that required attention for any future development application lodged with Council.

Planning & Design:

- Increase the setback of the development to Wentworth Road
- Consider increasing setback of the development along Cowdrey Lane
- Potential privacy impacts to No's 1 & 1A Everton Road created by the open stairs on the southern elevation
- Potential shadow impacts of the building upon the POS areas of No. 1 & 1A Everton Road needs to be considered and satisfactorily addressed
- Further consideration of landscape treatment along the southern boundary adjacent to No's 1 & 1A Everton Road.
- Potential for acoustic impacts upon No. 1 & 1A Everton Road created by the vehicular driveway entrance along the southern boundary.
- Visual impacts of the at grade car open parking area and its presentation to Cowdrey Lane and Wentworth Road, further treatment is required.

Heritage

- The property is not located within a HCA, however the proposed works are within the vicinity of two heritage items, 45 Wentworth Road and 2 Cooper Street Strathfield. That heritage item is adjacent to the site, however separated by Cowdrey Lane. A Statement of Heritage Impact will be required with the DA.
- Council would encourage the applicant to ensure sympathetic colours, materials and finishes be applied to the Wentworth Road and Cowdrey Lane facades. Face brick, rendered brick or similar is preferred with landscaping. Council would not encourage large concrete facades.
- The materiality of brick face is encouraged, this assists the proposed development to blend within the setting, as does the proposed masonry fence and garden setting on the NE corner of the site, nearest the heritage item.
- Concerns are raised with the open carpark area on the ground floor and how this will impact views to and from the heritage item, noting the concept plan shows narrow screen planting. For DA lodgement, Council would like to see examples of this used successfully elsewhere or alternative sympathetic screening options. A further setback between the development and the original section of the heritage item (in particular) would be a better option.

- There are other opportunities to make this more sympathetic, that being the increased setback from Cowdery Lane and/or improved landscaping/screening of the ground floor carpark.

Traffic & Parking

- As there are no specific parking rates in Council's DCP for the proposed use, a Transport, Traffic and Parking Impact Report and Management Plan shall be submitted in any formal DA submission.
- A service vehicle/s is currently required to reverse into the site from Cowdery Lane. Whilst this is probably the way deliveries are undertaken at the moment the proposal should seek to improve upon the existing situation and ensure service vehicles can enter and exit the site in a forward direction.
- There is an existing structure on the sites northern boundary which looks to be retained in the plans which will restrict sightlines for drivers attempting to reverse into the site. Further investigation into how service vehicles can enter and exit the site in a forward direction should be explored.

Landscaping & Trees

- No objection to the tree removal and existing vegetation from Council's Tree Management Officer
- Due to the basement car parking level below the soil depth of the landscaped area within the front setback should be of a sufficient depth to support the proposed planting scheme.
- All proposed species of trees, shrubs and perennials must be nominated and clearly indicated on the Landscape Plan. A plant schedule must be included on the Landscape Plan showing species names, potential heights and spreads, quantities, and container sizes. Landscaping must relate to building scale.

Health

- A Waste Management Plan, complying with the requirements of Part 6.2 – Waste Management of the Burwood Development Control Plan is to be submitted with any Development application that is submitted.

The Proposed Development, in detail

On 15 March 2020, Development Application No. 2022.16 was lodged with Council seeking consent for alterations and additions to Strathfield Private hospital located at 3-5 Everton Road Strathfield, and includes the demolition of the existing dwelling at 47A Wentworth Road, tree removal and the construction of a 3 storey building containing basement and ground level parking, 13 additional beds, 2 operating theatres and ancillary services.

Specifically development proposes:

- Demolition of existing single storey dwelling and associated buildings on 47A Wentworth Road;
- Removal of 23 site trees
- Alterations and Additions to existing Strathfield Private Hospital as follows:
 - Lower Ground;
 - Basement car park comprising of approximately 13 x new car spaces for staff with fire stairs egress,
 - Proposed back of house (BOH) area within the existing facility containing change rooms, storage areas, decontamination areas, disposal store, packing rooms, plant rooms, new lifts and fire stairs egress.
 - Ground Floor;
 - Construction of new building containing open style ground floor car park comprising of 8 x new staff car spaces
 - Perforate metal screening installed to northern side of car parking area
 - New landscaping to 1m northern setback area
 - New landscaping to front Wentworth Road setback area
 - New entrance to basement and ground level car parking from Wentworth Road with palisade sliding gate

- Fire stairs egress from basement level adjacent to
 - New loading dock bay and service area.
 - New lift cores and fire stairs egress.
 - New fixed retractable barrier to loading dock
 - New secondary loading dock and parking area entrance on Cowdery Lane with palisade sliding gate.
- Level 1;
 - Proposed new building at Level 1 above car parking at ground level below consisting of a new hospital ward extension with 13 x inpatient beds located on the northern side, and support areas on the southern side.
 - Fire door and stairs egress along the southern elevation, screened for private with perforated metal screen to stairs and landing.
 - All windows on southern external wall to have vertical privacy louvres.
 - Lift lobby, new lifts and lift core
 - New void area above void area at ground level below.
 - Level 2;
 - Construction of a third storey to the western portion of the new hospital wing to contain two (2) proposed operating theatres located on the northern side.
 - Supporting scrub areas, stores and ancillary services
 - New staff lounge area,
 - 2 x new sterile store stock area.
 - New lifts, lift cores
 - 2 x large void areas
 - Stage 2 & 3 recovery areas and pre-op area, in western side of existing hospital wing, and new workstation.
- The proposed alterations and additions will result in the overall hospital having a total of 97 beds and 73 car parking spaces.

DA Floor Plans, Elevations and Perspectives – Refer Figures 7 to 16 below.

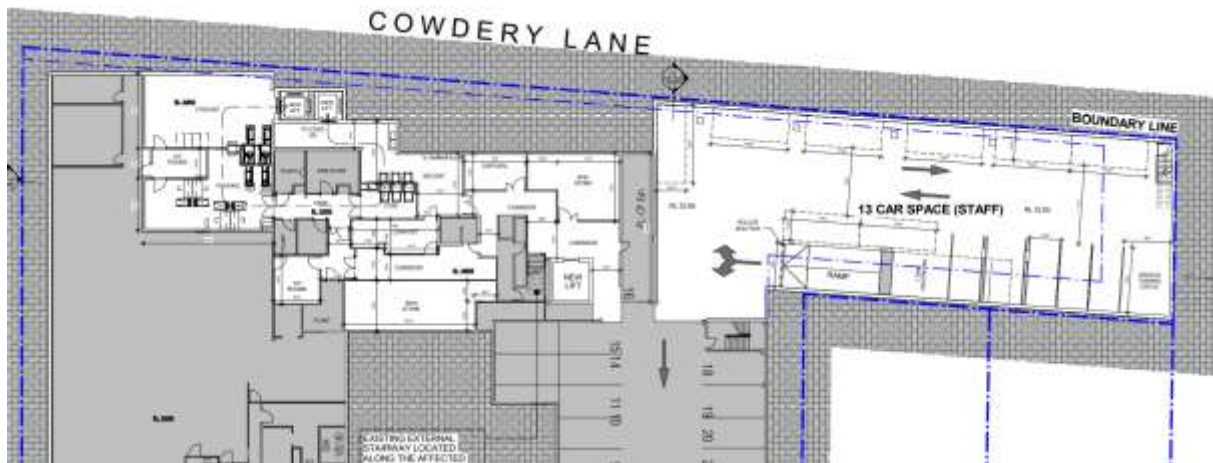


Figure 7: DA Proposed basement alterations and additions. Source: HPI

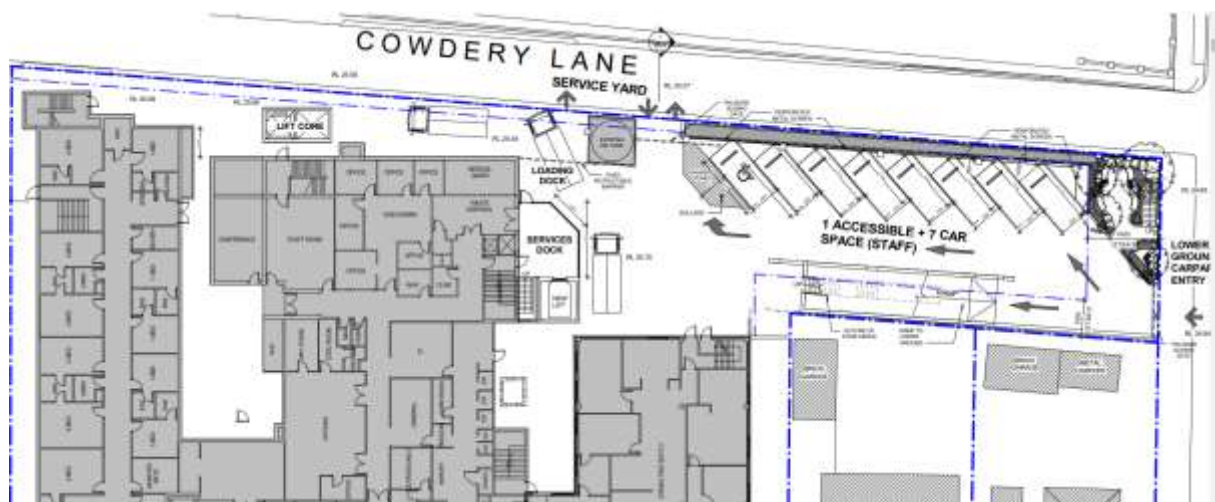


Figure 8: DA proposed ground level alterations and additions. Source: HPI

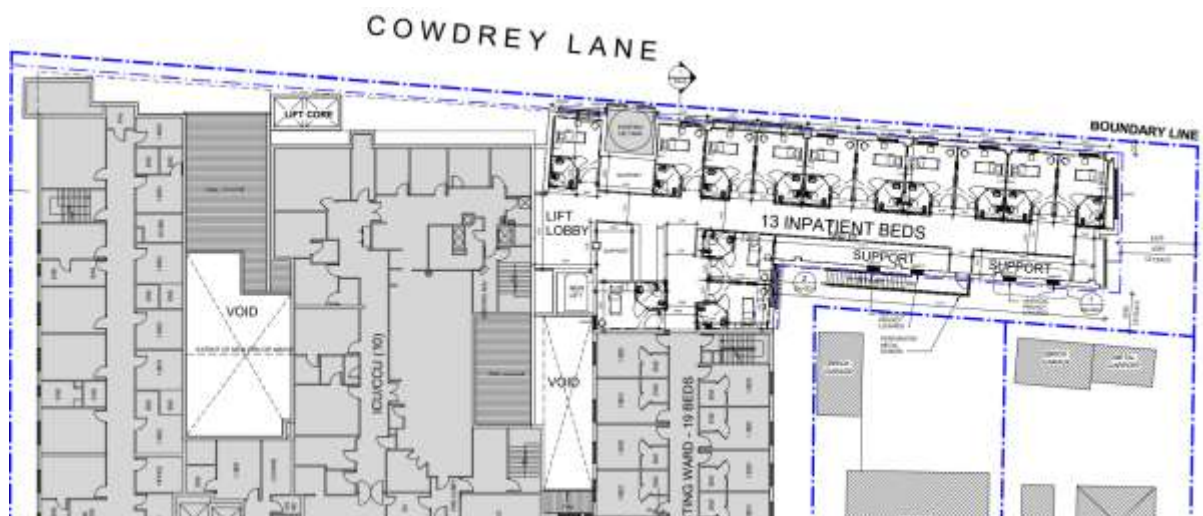


Figure 9: DA Proposed level 1 alterations and additions. Source: HPI

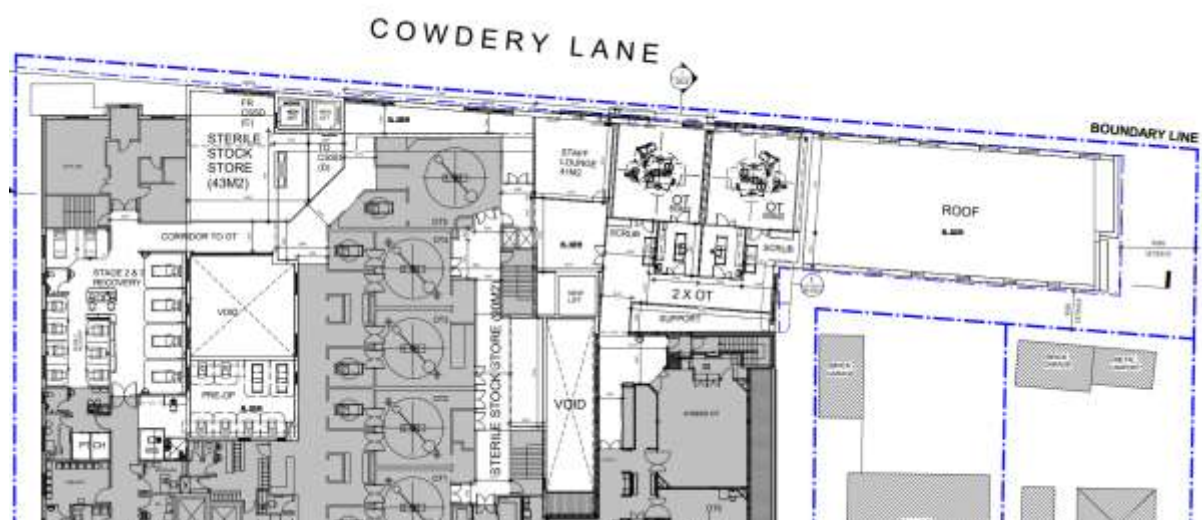


Figure 10: DA Proposed level 2 alterations and additions. Source: HPI



Figure 15: Aerial perspective of proposed development looking south-west from Wentworth Road. Source: HPI



Figure 16: Front fence and gate details, on eastern elevation from Wentworth Road. Source: HPI

Development Application History – Since Lodgment

- Development Application DA 2022.16 was lodged with Council on 15 March 2022
- On 24 March 2022, the application was referred to internal departments, being Health, Engineering, Traffic, Heritage and Landscaping.
- An additional information letter requesting detailed landscaping plans was sent to the applicant by the assessment officer on 25 March 2022.
- On 14 April 2022 additional information was submitted to Council by the applicant.
- On 20 April 2022
 - an email was received from Precise Planning advising the Development Application had not been notified to the adjoining properties to the south, No.'s 1 & 1A Everton Road, Strathfield.
 - Council's Assessment officer emailed Precise Planning advising that as the original DA was lodged with insufficient information, further information was requested prior to the application undergoing public exhibition.
 - The additional information was referred to Council's internal departments for review.
- The application underwent public exhibition from 4 May 2022 until 25 May 2022
- On 24 May 2022, two (2) submissions of objection were received from No. 1 & 1A Everton Road Strathfield, prepared by Precise Planning
- In response to a preliminary planning assessment carried out by the assessment officer, and the concerns raised in the submissions of objection, an Additional Information Request letter was sent to the applicant on 13 July 2022 requesting information to be submitted within 28 days from the date of the letter. The matters raised in the letter were as follows:
 - Additional information regarding the proposed sterilization activities and confirmation whether the development met the requirements of Integrated Development under Section 38 of Schedule 1 of the PoEO Act 1997.
 - Further consideration of articulation of the built form along Cowdery Lane.

- Screening of the car park along Cowdery Lane and front return is required.
- Further information/plans in relation to solar access/overshadowing to the adjoining properties to the south at No.'s 1 & 1A Everton Road.
- Request for privacy treatment to external windows/doors in the southern elevation facing No.'s 1 & 1A Everton Road.
- Request for an Acoustic Report to be provided for the acoustic wall proposed along the southern boundary of the site adjacent to No's 1 & 1A Everton Road.
- Request for a suitable Remediation Action Plan (RAP) to be submitted to Council as a result of the findings of the Preliminary Site Contamination Investigation Report.
- An assessment of the proposed building identification signage under SEPP 64/Council's DCP requirements for signage.
- Updated Landscape plans that incorporate the recommendations made by Council's Tree Management Officer.
- A request to address the concerns listed in the two (2) submissions received in response to the public exhibition period.
- On 29 July 2022, the applicant emailed advising due to the nature of the information requested which included the preparation of a Preliminary Remediation Action Plan an extension of time to submit the requested information was sought, the applicant proposed an extension until 17 August 2022.
- On 2 August 2022, Council's assessment officer emailed the applicant advising that the extension of time to submit information until 17 August 2022 was granted.
- On 15 August 2022, Precise Planning emailed Council's assessment officer enquiring if the applicant had submitted additional information as the due date was 13 July 2022 and when the information would be made available on the DA tracker.
- On 16 August 2022, Council's assessment officer advised that an extension of time to submit information had been granted until 17 August 2022 due to the constraints of other consultants that were engaged to prepare reports in response to the additional information letter. The email also advised that when the additional information was submitted to Council, it would be re-notified to No.'s 1 & 1A Everton Road with a 14-day timeframe to make any further comments in relation to the amended application.
- On 17 August 2022, the applicant submitted additional information in response to Council's letter dated 13 July 2022.
- On 22 August 2022 Council's assessment officer emailed Precise Planning ahead of the re-notification letter to advise that additional information had been received and that it had been made available on Council's DA tracker.
- On 24 August 2022 the re-notification letter was sent to No's 1 & 1A Everton Road requesting that any further submissions be received by 6 September 2022.
- On 2 September 2022 the SECPP Briefing Report was prepared by the assessment officer ahead of the SECPP Briefing meeting of 15 September 2022.
- On 2 September 2022:
 - a further 1 submission of objection prepared by Precise Planning on behalf of No's 1 & 1A Everton Road were received in response to the re-notification period.
 - the matters raised in the submissions were relayed to the applicant by Council's assessment officer with the request to address the matters raised.
- On 6 September 2022
 - Precise Planning emailed Council's assessment officer requesting confirmation of receipt of the further submissions of objection.
 - Council's assessment officer replied to the email confirming that the submissions were received.
- On 15 September 2022:
 - the application was referred to the SECPP for a Briefing meeting.
 - Minutes from the SECPP Briefing meeting were emailed to Council's assessment officer.
- On 15 September 2022, additional information was submitted to Council by the applicant in relation to the matters raised in the 2 further submissions of objection.
- On 23 September 2022, additional information was submitted to Council by the applicant in relation to the matters raised by the SECPP in their Briefing meeting.
- On 26 September 2022 Council's assessment officer prepared the Assessment Report for the SECPP determination meeting of 6 October 2022.
- On 27 September 2022, Council's assessment officer was forwarded by email from the SECPP a further submission prepared by Precise Planning directly to the Panel, a request

was made by the Panel to address the matters raised in the submission in the assessment report.

- On 28 September 2022 one (1) submission of objection was received outside of the formal public exhibition period.

SECPP Briefing Meeting of 15 September 2022

On 15 August 2022, the application was referred to the SECPP for a briefing meeting. In this meeting the Panel raised the following matters that were required to be addressed by the applicant before the application was to be considered at the determination meeting on 6 October 2022:

- Potential inconsistencies between existing and proposed shadow diagrams for the development upon adjoining properties to the south
- Window Schedule to be provided for external walls indicating if the windows are fixed/operable and acoustically treated
- Further information to be provided in relation to sustainability measures that have been incorporated into the development
- Further information required if the proposed Lilli Pillis along Cowdery Lane frontage can be sustained in 500mm soil depth
- Confirmation that light spill from the proposed development upon neighboring properties will not occur.

The above matters were communicated to the applicant, and on 23 September 2022 additional information was received, addressing the above matters as follows:

- Potential inconsistencies between existing and proposed shadow diagrams for the development upon adjoining properties to the south

Applicant comment: *The shadow diagrams have been amended (Appendix 1) to ensure accuracy.*

Officer comment: A discussion of the proposed shadow impacts upon adjoining properties is discussed below.

- Window Schedule to be provided for external walls indicating if the windows are fixed/operable and acoustically treated

Applicant comment: *A window schedule has been provided and it is confirmed that all windows will be fixed, double glazed, with a minimum acoustic performance of Rw35.*

Officer comment: A discussion of the potential acoustic and privacy impacts of the development upon adjoining properties is discussed below.

- Further information to be provided in relation to sustainability measures that have been incorporated into the development

Applicant comment: *We can confirm that the following sustainability measures and endeavors will be incorporated into this projects design and construction:*

Energy Efficiency

Building Envelope Intelligent design and material selection will help ensure that thermal comfort is not entirely achieved by mechanical means. Passive design initiatives such as performance glazing, shading devices and the use of insulation will reduce demand on the mechanical air conditioning systems resulting in a reduction of energy consumption and greenhouse gas emissions.

Building Fabric The preliminary minimum performance requirements obtained under Section J Deem-to-Satisfy provision, coupled with allowance for Green Star compliance for the development (Class 9a) at the proposed location (Climate Zone 6) as per the NCC 2019 Section J – Energy Efficiency are:

Building Elements	Indicative NCC 2019 Requirements
Roof/Ceiling	Total R-Value of 3.7 (Downwards, Solar absorptance of the upper surface of a roof must be not more than 0.40)
External Envelope Walls	Total R-Value of 1.6
Internal Envelope Walls	Total R-Value of 1.6
Envelope Floors	Total R-Value of 2.2 (Downwards)

Note: The impact of thermal bridging must be considered within total R-value calculation under NCC2019.

Figure 17:

This will necessitate the use of insulation in the walls, floor and roof for the building fabrics. Insulation reduces heat flow and consequent heat loss in winter and heat gain in summer. This minimises the heating and cooling load demand on the air conditioning systems. Light coloured roof material with a low solar absorptance (SA) is recommended to be used to isolate more sunlight and reduce summer heat gain. It also has an effect of reducing elevated localised temperatures (the heat island effect) and potentially can improve the efficiency of solar PV panels (if any) as they perform more efficiently in reduced temperatures.

Glazing

Glazing is a major source of unwanted heat gain in the summer and can cause significant heat loss in the winter due to its low insulation performance. It is thus recommended that windows will be high performance glazing systems. Performance glazing substantially reduces heat transmission. This particularly reduces heat loss in winter; therefore, internal heat gain from equipment, lighting and people are better contained. Also, performance glazing absorbs the infrared portion of sunlight and reduces the amount of heat transferred into the conditioned space. This will correspond to a reduction of both heating and cooling loads. The building will comply with NCC 2019 Section J Energy Efficiency. The detailed assessment will be carried out in the detailed design stage and a Section J statement of compliance will be provided for Construction Certificate. The indicative values below are based on previous similar scale projects within the same climate zone.

Building Elements	Window Assembly (Glass & Frame)		Description
	Total U-value	Total SHGC	
Envelope Glazing	1.5-3.5	0.20-0.50	Double Glazed Performance (Subject to detailed design)

Figure 18:

External Shading and Daylighting

Solar access can enhance indoor environmental quality through access to daylighting and reduce lighting energy consumption. However, excessive solar access and hence, direct solar radiation heat can increase HVAC energy demand and can also cause thermal discomfort. Passive solar heating principle which aims to prevent solar heat gain in the summer and harvest it in the winter for free source of heating, and Passive cooling principle which prevents heat from entering the building during the summer months, are strategies which can conveniently take advantage of the site specific solar access for optimised indoor environmental quality and reduction of HVAC energy demand through use of tailored shadings.

The proposed buildings is to make the best use of the sun by using external shading devices where appropriate to reduce summer solar gains whilst allowing the winter sun to enter the building for passive heating. These passive design features allow for enriched daylighting and greater access to external views for occupants. Additional daylighting reduces the reliance on artificial light and benefits alertness, mood and productivity. External views provide a connection to nature and the building and also help to create an environment encouraging constructive experience.

Heating, Cooling and Ventilation Systems

The air-conditioning and ventilation systems shall be designed to comply or exceed the minimum requirements of NCC 2019 Section J5 as well as driven by Green Star requirement. High efficiency equipment for the HVAC system will be selected to assist with energy conservation of the building. The control of air conditioning system shall be designed to

minimise energy consumption with features such as an after hour push button and/or motion detector controls.

All bathroom, storage, and general exhaust are to be naturally ventilated where possible, with mechanical ventilation required where necessary and provided with time controls (time switches or run-on timers as appropriate). Ductwork systems will be designed to reduce system pressure losses to reduce fan motor power. This includes the selection of equipment for reduced coil and fittings drops and being generous with ductwork sizes to reduce friction losses. A Building Management System is recommended to monitor and control all mechanical services in the building. The system will allow for programming of AC systems (for example time scheduling, and temperature settings), notification on maintenance requirements and system diagnostics. These initiatives will provide significant savings in energy use.

Lighting

Lighting will be designed to comply with or exceed the minimum requirements of NCC 2019 Section J6 as well as driven by Green Star requirement. The proposed development shall be illuminated predominantly by energy efficient LED fittings and be controlled via automatic control system with timer controls, PIR occupancy sensors and microwave occupancy sensors. Daylight sensor is recommended to reduce light output or turn off lights when sufficient daylight is provided within the space. For large spaces, perimeter lightings is recommended to be designated on a separate zone to make maximum use of the daylight.

Electricity Metering

Electricity metering and sub-metering shall be specified in accordance with the Section J requirement to monitor and manage electricity consumption in the building.

Photovoltaics

Onsite generation of renewable electricity via solar photovoltaic (PV) panels on suitable roof space is highly recommended and feasibility of installing a PV system will be investigated during detail design. Location of PV Panels will be selected in order to ensure no impact on neighbours or the surrounding area.

Water Conservation

The following initiatives are proposed to ensure that significant water saving is achieved.

Fittings And Fixtures

Water consumption shall be reduced by incorporating water efficient fixtures and fittings in accordance with the Australian Government's Water Efficiency Labelling Scheme (WELS). The fixtures and fittings for the proposed development are to have the following minimum WELS Rating. In addition, flow restrictors or taps with timed flows can be used to minimise water usage.

Water Fittings / Fixtures	Minimum WELS Rating Proposed for Development	Highest Available Rating
Showerheads rating	3	4
Toilets rating	4	6
Urinals rating	4	6
Taps rating	6	6

Figure 19:

Water Sensitive Urban Design (WSUD)

External area design will implement best practices of water sensitive urban design to increase stormwater retention, decrease total suspended solids in runoffs and help mitigate the urban heat island effect. The use of soft landscaping, including indigenous low water usage plants is highly recommended.

Other ESD Initiatives

Indoor Air Quality (IAQ)

The quality of indoor air has a significant impact on our health and environment. Poor indoor air quality resulting in adverse health effect such as allergy, asthma, etc. It is recommended

the outdoor air ventilation system is sized so that CO2 concentrations can be maintained below 800ppm for mechanically ventilated spaces. The ventilation system shall be designed to minimise the entry of outdoor pollutant as per ASHRAE Standard 62.1:2013.

Sustainable Materials

Low Voc / Low Formaldehyde Materials Adhesives, sealants, flooring and paint products will be selected to contain low or no Volatile Organic Compounds (VOCs) and all engineered timber products used in exposed or concealed applications are specified to contain low or no formaldehyde to avoid harmful emissions that can cause illness and discomfort for occupants.

Sustainable Products

A proportion of all materials used in the project will meet the transparency and sustainability requirements under one of the following initiatives:

- *Reused Product;*
- *Recycled Content Products;*
- *Environmental Product Declarations;*
- *Third Party Certifications; or*
- *Stewardship Programs.*

Waste

Waste collection and disposal plays an important role in the protection of the environment and the health of the population in the modern world. A waste management plan will be prepared to assess and monitor the waste management process during construction and demolition, as well as waste produced during occupation within the development. The waste management plan shall incorporate how to minimise the amount of waste generated, maximise the reuse, recycling and reprocessing construction waste materials and minimise the volume of materials disposed to landfill.

Officer comment: It is considered that the applicant has comprehensively addressed the matters raised by the SECPP in relation to sustainability. In relation to the applicant's comments regarding further investigation into the feasibility of installing a PV system during detailed design, the following condition of consent has been imposed upon the development to ensure that any installation of a PV system on the subject building will not create any visual or other impacts upon adjoining properties, or adjacent heritage item (No. 45 Wentworth Road, currently operating as a boarding house).

Condition No. 14

If photovoltaic (PV) panels are to be installed on the roof of the new building, details (including the proposed location on roof plan and elevations) shall be provided to and approved by Council **prior to the issue of the Construction Certificate** to ensure that there are no visual or reflective impacts upon the adjoining properties and heritage item at No. 45 Wentworth Road, Strathfield.

- Further information required if the proposed Lilli Pillis along Cowdery Lane frontage can be sustained in 500mm soil depth

Applicant comment: Please see the below table which indicates the minimum soil standards for plant types and sizes. Note that the 3-4m high Lilli Pilli falls within the shrubs category and therefore the 500mm sits within the depth as noted in the ADG's.

Table 5 Minimum soil standards for plant types and sizes

Plant type	Definition	Soil volume	Soil depth	Soil area
Large trees	12-18m high, up to 16m crown spread at maturity	150m ³	1,200mm	10m x 10m or equivalent
Medium trees	8-12m high, up to 8m crown spread at maturity	35m ³	1,000mm	6m x 6m or equivalent
Small trees	6-8m high, up to 4m crown spread at maturity	9m ³	800mm	3.5m x 3.5m or equivalent
Shrubs			500-600mm	
Ground cover			300-450mm	
Turf			200mm	

Figure 20:

Officer comment: Council's Tree Management Officer has reviewed the proposed landscape plan and has raised no issue with the proposed Lilli Pilli's along Cowdery Lane in relation to the 500mm soil depth.

- Confirmation that light spill from the proposed development upon neighbouring properties will not occur.

Applicant comment: *We confirm that proposed external lighting will not create light spill onto the adjoining properties to the south of the site No. 1 & 1A Everton Road.*

Officer comment: A condition of consent has been imposed upon the development to ensure that the development will not create light spill onto adjoining properties as follows:

Condition No. 10

The development shall not cause any adverse impacts upon adjoining properties in relation to light spill from any external lighting sources.

Statutory Requirements

The application is assessed under the provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended, which include:

- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Industry and Employment) 2021
- The provisions of the Burwood Local Environmental Plan (BLEP) 2012
- The provisions of the Burwood Development Control Plan (BDGP) 2013 as amended
- The likely social, environmental and economic impacts of the development
- The suitability of the site for development
- The public interest, and
- Submissions made under the Act and Regulations.

These matters are considered in this report.

Planning Assessment

State Environmental Planning Policy (Resilience and Hazards) 2021

All proposed building work within NSW is required to consider whether the land is contaminated and if any remediation of the land is necessary for the proposed use. As part of documentation submitted with the application a Preliminary Site Investigation (Contamination) was prepared by Douglas Partners. The report made the following findings:

- *Asbestos fibre bundle/degraded asbestos-containing material; and*
- *Benzo(a)pyrene and/or total recoverable hydrocarbons (TRH) exceedances in fill above the ecological screening levels.*

The report also recommendations in relation to the proposed development:

- *A hazardous building materials survey of the existing building/structures to be demolished must be undertaken prior to disturbance. The results will identify potential contaminants (e.g., asbestos and lead) that may be present in surface soils post-demolition;*
- *Additional groundwater investigation to assess and confirm the groundwater level and quality of the site including the construction and installation of two additional groundwater wells, one in the front garden of the residential property and one in the north-western corner of the hospital site.*
- *Development of a suitable remediation action plan (RAP) that covers, inter alia, remediation of asbestos contamination and any other contamination identified during the additional investigation, and management of fill identified at the site; and • Reference should be made to DP's concurrent geotechnical report (DP 2022)⁸ in relation to the geotechnical requirements for the site.*

Council Officers issued a Request for Information letter to the applicant dated 13 July 2022 requesting that a Remediation Action Plan be submitted to Council for further consideration prior to the determination of the application. On 17 August 2022 the applicant submitted a Preliminary Remediation Action Plan prepared by Oz Geos Geotechnical & Structural dated 9 August 2022. This report concluded that *"The site can be made suitable for the intended land-use subject to appropriate remediation in accordance with this RAP and the State Environmental Planning Policy No. 55 Managing Land Contamination: Planning Guidelines (SEPP 55)"*.

A condition of consent has been imposed upon the development ensuring compliance with the requirements of the Preliminary Remediation Action Plan as follows:

68. The development shall comply at all times with the recommendations made in the Report on Environmental Remediation Action Plan (Preliminary) prepared by Oz Geos Geotechnical & Structural dated 9 August 2022. Details are to be submitted to the PCA for approval **prior to the issue of the Construction Certificate**.

In light of the above, the proposed development is considered to satisfy the requirements of the SEPP (Resilience and Hazards) 2021 and can be supported.

State Environmental Planning Policy (Industry and Employment) 2021

Any development application for proposed signage must give consideration to the provisions of Chapter 3 of the Industry and Employment SEPP. It will also be subject to the following legislation and should demonstrate compliance with any applicable Local Environmental Plan and Development Control Plan. It is noted that the Industry and Employment SEPP supersedes the former State Environmental Planning Policy No 64 – Advertising and Signage (SEPP64).

The proposal, subject to this application relates to Chapter 3 of the Industry and Employment SEPP which aims to ensure that outdoor advertising is compatible with desired amenity and visual character of an area, provides effective communication in suitable locations and is of high-quality design and finish.

The application proposes the installation of one area of business identification signage, which is located on the northern elevation (Cowdery Lane). The signage is located on an external wall, and is illuminated. The signage is shown in the below perspective under Figure 21:



Figure 21: Perspective of proposed building along Cowdery Lane (northern elevation) looking south-east. The proposed business identification signage shown on the brick component of the northern external wall. Source: HPI

Schedule 5 of the Infrastructure and Employment SEPP outlines the following signage assessment criteria. The applicant has provided the following assessment of the proposed signage as reproduced in the below table.

Table : Signage and Advertising Assessment	
Criteria	Applicant's Assessment
<u>Character of the area</u> Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? Is the proposal consistent with a particular theme for outdoor advertising in the area of locality?	<i>The proposal is compatible with the existing and desired character of the area and seeks to provide logical and appropriate signage for the proposed hospital development. By virtue, the Site adjoins Cowdery Lane to the north which provides an increased setback to the heritage item at 45 Wentworth Road, Strathfield and as demonstrated within the accompanying HIA at Appendix 9 would be within acceptable limits.</i>
<u>Special areas</u> Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	<i>The Site does not detract from the amenity or visual quality of any environmentally sensitive areas and is minor in scale.</i>
<u>Views and vistas</u> Does the proposal obscure or compromise important views? Does the proposal dominate the skyline and reduce the quality of vistas? Does the proposal respect the viewing rights of other advertisers?	<i>The proposed signage would be of a height and scale consistent with the elevation of the elevation and would not compromise any important views or dominate the skyline. The proposal would not obstruct any other signage or advertising and would respect the viewing rights of other advertisers.</i>
<u>Streetscape, setting or landscape</u> Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? Does the proposal contribute to the visual interest of the streetscape, setting or landscape? Does the proposal reduce clutter by rationalising and simplifying existing advertising? Does the proposal	<i>The size of the proposed signage is consistent with the streetscape of the surrounding locality. The proposed signage has been designed in respect of the built form on the Site to effectively identify the existing hospital development from Cowdery Lane.</i> <i>The proposed signage is sympathetic to the surrounding residential character of the surrounding</i>

<p>screen unsightliness? Does the proposal protrude above buildings, structures or tree canopies in the area or locality? Does the proposal require ongoing vegetation and management?</p>	<p><i>The signage has been designed by a reputable designer to create visual interest. The proposed signage zones would visually define the hospital on the Site and would be integrated with the façade treatment to create a visually coherent built form.</i></p> <p><i>The proposed signage reduces clutter by limiting the number of signs.</i></p> <p><i>The proposed signage is not used as a visual screen and does not screen any unsightliness. The proposed signage will not protrude above buildings, or above structures or tree canopies. The proposed signage requires minimal maintenance and does not require ongoing vegetation management.</i></p>
<p><u>Site and building</u> Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? Does the proposal respect important features of the site or building, or both? Does the proposal show innovation and imagination in its relationship to the site or building or both?</p>	<p><i>The proposed signage is compatible with the scale of the building on the Site. The proposed signage seamlessly integrates with the Site and provides clear business identification for the development.</i></p> <p><i>The proposed signage is of a suitable scale and design for its intended purpose to effectively identify the hospital and would integrate with the proposed built form and façade design to achieve visual coherence.</i></p> <p><i>The proposed signs are suitably located within the Site and have been logically positioned to ensure that important features of the building are not obscured.</i></p> <p><i>The signage has been designed to respect the existing built form and complement its design by providing appropriate business identification</i></p>
<p><u>Associated devices and logos with advertisements and advertising structures</u> Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</p>	<p>No safety devices, platforms, lighting devices or logos have been integrated within the signage.</p>
<p><u>Illumination</u> Would illumination result in unacceptable glare? Would illumination affect safety for pedestrians, vehicles or aircraft? Would illumination detract from the amenity of any residence or other form of accommodation? Can the intensity of the illumination be adjusted if necessary? Is the illumination subject to a curfew?</p>	<p><i>The proposed signage will not affect the safety or obstruct the visibility of pedestrians, vehicles or aircrafts. The proposed sign will be of appropriate intensity and is not anticipated to detract from the amenity of the Site and its surrounding area. No curfew is proposed for the illumination.</i></p> <p><i>Given that the proposed signs have been aesthetically designed and are located away from residential properties, any illumination will not detract from the amenity of the Site and its surroundings.</i></p>
<p><u>Safety</u> Would the proposal reduce the safety for any public road? Would the proposal reduce the safety for pedestrians or bicyclists? Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</p>	<p><i>The proposal will not reduce the safety of any road users or any public road as the proposed signs are located with the Site boundaries and are adequately set back from the street and surrounds.</i></p> <p><i>The proposed signage would not obstruct any pedestrian or cycle routes and hence would not negate the safety of pedestrians or cyclists. The proposal will not obscure sightlines from public areas frequented by</i></p>

pedestrians. Neither would the proposed signage obstruct any vehicle sightlines from public roads.

Officer comment:


The proposed business identification signage has been assessed under the provisions of the SEPP and Council's signage requirements (see below DCP compliance table). The proposed signage is considered to be compatible with the amenity and visual character of the surrounding area and will facilitate business identification and wayfinding purposes for the alterations and additions to the hospital.

The proposed signage is located wholly within the site boundaries, the signage is not illuminated and will not create any adverse amenity impacts upon adjoining development, or impact on the operation or safety of the surrounding area.

Based on the above assessment and also in consideration of the DCP signage requirements in the below table, the proposal is considered consistent with the provisions of Chapter 3 of the Industry and Employment SEPP with relation to signage and can be supported.

Burwood Local Environmental Plan 2012

BLEP 2012 Assessment			
Development Standard	Requirement	Proposed	Compliance
Land Use Table	The site is zoned R1 General Residential	The proposed use of the subject site is a "hospital" which is included within the definition of a "health services facility", which is permitted within the R1 zone as an innominate use per "any development not specified in 2 or 4".	Complies
Clause 4.3 – Height of Buildings	Maximum building height of 14 metres	The proposed alterations and additions to the hospital have an overall building height of 12.4m above n.g.l. and complies with Clause 4.3.	Complies
Clause 4.4 – Floor space ratio	FSR Maximum floor space ratio 2:1 applies. The overall site area is 4,366.9sq.m. The maximum permitted GFA for the site is : 8,732sq.m.	The proposal alterations and additions to the hospital result in an overall GFA of 7,520.92sq.m which equates to an FSR of 1.72:1 which complies with Clause 4.4. Breakdown of GFA across entire hospital site: Lower Ground Level: 700.76sq.m Ground Level: 1937.94sq.m Level 1: 2,2435.31sq.m Level 2: 2, 446.91sq.m.	Complies
Clause 4.6 – Exceptions to development standards	Development standards to be considered where a variation is proposed.	No variations to any development standards are sought by the proposed development.	Not applicable
Clause 5.10 – Heritage Conservation	Heritage management document required if development is on or adjacent to land containing a heritage item / heritage conservation area.	The site is not located in a HCA or contains a heritage item. The site is located in close proximity to a number of heritage items being: ▪ I207 – Victorian Villa – 45 Wentworth Road, Strathfield; ▪ I190 – Victorian House – 2 Copper Street, Strathfield;	Complies

BLEP 2012 Assessment			
Development Standard	Requirement	Proposed	Compliance
		<ul style="list-style-type: none"> ▪ I116 – Tablikoom – 40 Wentworth Road, Burwood; ▪ I117 – Strathview and Wentworth – 50 and 50A Wentworth Road, Burwood.  <p>A Heritage Impact Statement has been submitted with the application which concludes that the proposed development is acceptable on the grounds of heritage impact upon the adjoining heritage items.</p> <p>Council's Heritage Advisor has reviewed the proposed development and has raised no issues with the development subject to conditions of consent in relation to suitable materials and finishes.</p>	
Clause 6.1 – Acid Sulfate Soils	Class 5.	The site is located within Class 5, however, it is not within 500 metres of Class 1, 2, 3 or 4 ASS and is not lowering the water table below 1 metres AHD.	Complies

Development Control Plan 2013

BDCP 2013 Assessment			
Control	Requirement	Proposed	Compliance
Site and Environmental Planning			
2.3 Views and Vistas			
P1	Development applications must identify existing views and vistas significant to the proposal, assess the impacts of the development and demonstrate how significant views and vistas are to be protected and enhanced.	<p>The subject site is located adjacent to the existing hospital site, and is zoned R1. There are no existing views or vistas to any landmarks or water available from the subject site.</p> <p>The subject site is located in close proximity to heritage item I207 at 45 Wentworth Road, Strathfield and I190 at 2 Copper Street, Strathfield.</p> <p>Views to these heritage items will not be impacted upon by the proposed development, and Council's Heritage Advisor has reviewed the proposal and has</p>	Complies

BDCP 2013 Assessment			
Control	Requirement	Proposed	Compliance
		raised no objections in relation to the proposed positioning or setback of the development on the site in relation to the heritage items.	
P2	Development applications must demonstrate how building design, location and landscaping will encourage view sharing between properties	<p>As above stated there are no significant views or vistas to any landmarks or water views. However, the site is located within close proximity to heritage items.</p> <p>The development has undergone a Pre-DA process in which the setback of the development to Wentworth Road has been increased from a nil setback to a 6m setback to provide for suitable views to the heritage item at No. 45 Wentworth Road as viewed looking north from Wentworth Road.</p> <p>In this regard, the amended design as proposed under this Development Application is considered to be acceptable in relation to control P2.</p>	Complies
P3	Assessment of views and vistas must take account of other planning policies and development standards in this DCP and the BLEP 2012, e.g. building height, setbacks.	<p>The proposed development is consistent with the maximum height of building and floor space ratio development standards of the BLEP 2012.</p> <p>The proposal appropriately considers its integration within the existing streetscape including protecting existing views to adjoining heritage item I207.</p>	Complies
P4	Developments must have particular regard to high quality and priority views and vistas identified in other parts of this DCP, e.g. in relation to heritage items and heritage conservation areas.	As above discussed.	Complies
2.4 Streetscapes			
P1	Development applications must identify streetscape characteristics, assess the impacts of the development and demonstrate how significant streetscape qualities are to be protected and enhanced.	<p>The subject site currently contains an existing single storey dwelling which is proposed to be demolished to facilitate the development.</p> <p>Development surrounding the site is varied in nature and consists of single storey residential dwellings to the south, two storey with</p>	Complies

BDCP 2013 Assessment			
Control	Requirement	Proposed	Compliance
		<p>basement residential development to the east, a 3 storey hospital building to the west, and a 2 storey heritage item used as a boarding house to the north.</p> <p>The architectural style of the surrounding development that forms the streetscape is also varied and is a mix of traditional heritage style, and contemporary (90's) style.</p> <p>The proposed development seeks to match the style of the existing hospital in terms of overall form, bulk and scale. The proposed alterations and additions are 3 storeys in height to the very west of the extension and 2 storeys toward the east of the site. The development is 12.4m and is fully compliant with the 14m maximum HOB development standard. The development is appropriately setback to Wentworth Road by 3m, and has a 1m setback to Cowdery Lane.</p>	
P2	Development applications must demonstrate how building design, location and landscaping will encourage the protection and enhancements of streetscapes.	As above discussed.	Complies
P3	Developments must have particular regard to high quality streetscapes identified in other parts of this DCP, e.g. in relation to heritage items and conservation areas.	<p>As discussed above the proposed development is considered to be acceptable in relation to its relationship with the adjoining heritage items.</p> <p>Council's Heritage Advisor has reviewed the proposed development and has raised no issues with the proposal on heritage grounds.</p>	Complies
Development in Residential Areas			
4.7. Heritage in Residential Areas	This section applies to the development of heritage items (including potential or draft heritage items), properties in a Heritage Conservation Area, and development in the vicinity of a heritage item or conservation area where the developable property or heritage property is located in a residential area. A reference to	The proposed development is not identified as heritage conservation nor located within a heritage conservation zone. Notwithstanding, the Site is in vicinity to a number of locally listed heritage items including 45A Wentworth Road to the north of the Site opposite Cowdery Lane.	Complies

BDCP 2013 Assessment			
Control	Requirement	Proposed	Compliance
	'heritage property' herein means a property containing a heritage item, potential or draft heritage item, or a property within a Heritage Conservation Area. Heritage items and heritage conservation areas are listed in Schedule 5 of the BLEP 2012.		
Objectives	<p>Objectives</p> <p>O1 To support the retention of heritage properties and maintain their heritage significance.</p> <p>O2 To ensure that alterations or additions to heritage properties are sympathetic to the heritage significance of the property and in keeping with its character.</p> <p>O3 To ensure that any alterations or additions to heritage properties reflect the predominant scale, height, proportion, character and setbacks of the existing property, and surrounding development.</p> <p>O4 To ensure that development located in the vicinity of a heritage property is designed and sited in a manner sympathetic to the significance of the heritage property and its setting.</p>	<p>The proposed development is consistent with the objectives of the Section 4.7 of the BDCP as it appropriately considers its relationship with 45 Wentworth Road to the north and surrounding heritage items.</p> <p>The development provides a 6m setback to the Wentworth Road frontage which ensures views are available to the heritage item.</p> <p>Additionally, the design of the development including materials and finishes ensures both a sympathetic and complimentary response to the surrounding streetscape.</p>	Complies
P3	Council will require the submission of a heritage statement, prepared in accordance with the NSW Heritage Branch guideline Statements of Heritage Impact, where development is proposed adjacent to a heritage property.	A Heritage Impact Statement prepared by NBRS Architecture & Heritage has been submitted with the application.	Complies
P35	<p>Development of a heritage property, or development in its vicinity, must:</p> <ul style="list-style-type: none"> - Provide an adequate area of land around the development to allow interpretation of the significant building or place 	The site is separated from the nearby heritage items by Cowdery Lane which is a 3m wide lane. In addition to this, the proposed building is setback 6m from Wentworth Road and 1m from Cowdery Lane. This is considered to be suitable separation distance to enable interpretation of the heritage items, specifically No. 45 Wentworth Road.	<p>Complies</p> <p>Complies</p>

BDCP 2013 Assessment			
Control	Requirement	Proposed	Compliance
	<p>- Not detract from the setting of the heritage property</p> <p>- Retain and respect significant views/vistas from the public domain to a heritage property, as well as the views/vistas originating from the heritage property itself</p>	<p>As above stated, the setting of the heritage item at No. 45 Wentworth Road is not compromised by the proposed development.</p> <p>A view corridor has been maintained as a result of a 6m setback to Wentworth Road which incorporates landscaping to the south-eastern corner of the Site</p>	Complies
Development in the Vicinity of a Heritage Property P40	<p>New development, or alterations and additions to existing development, that is located in the vicinity of a heritage property, must be designed and sited to:</p> <ul style="list-style-type: none"> • Have regard for, and be compatible with, the significance of the heritage property • Reflect the bulk, scale, height and proportion of the heritage property • Respect the front garden setting, any established setbacks, and views and vistas of the heritage property <p>Be recessive in character and not dominate the heritage property</p> <ul style="list-style-type: none"> • Interpret the materials and architectural detailing of the heritage property • Respond to the building alignment of the heritage property. 	<p>The application is accompanied by a Heritage Impact Statement.</p> <p>The proposed development is of a scale commensurate of the existing building and would not unduly impinge on the character of Item I207 at 45A Wentworth Road.</p> <p>Materials and finishes utilised by the proposed development are consistent with the surrounding locality.</p> <p>Council's Heritage Advisor has reviewed the proposed development and raises no issues on the grounds of heritage impacts.</p>	Complies
P40A	Any development having three storeys or more which is contiguous to a heritage property will be expected to observe a 5m minimum setback from the heritage property's boundary (and 4m minimum setback for any below-ground excavation/basement).	<p>The proposed development will be 3 storeys at the west of the site where the development "connects" to the existing 3 storey hospitable building, and 2 storeys at the east and north of the site (Wentworth Road and Cowdery Lane).</p> <p>Given that the site is already separated from the nearby Heritage Items by Cowdery Lane which is 3m wide, in addition to the further 1m setback of the proposed alterations and additions to the northern boundary, and the setback of the existing heritage items on their respective sites, there is well in excess of a 5m setback as required by the DCP.</p>	Complies
Other Development Provisions			
5.6 Signage and Advertising			

BDCP 2013 Assessment			
Control	Requirement	Proposed	Compliance
P1	<p>Council generally does not support the following types of signage:</p> <ul style="list-style-type: none"> ▪ Roof signs. ▪ Above awning signs. ▪ Signage on awning extensions. ▪ Signage on window blinds or shutters. ▪ Fly or bill posters on public property. ▪ Large advertising balloons. <p>Flashing, moving or running signs.</p> <ul style="list-style-type: none"> ▪ Advertising on parked vehicles, trailers, shipping containers, whether or not registered, where the principal purpose is for advertising. 	The proposed signage is a wall sign located wholly within the site and therefore is considered to be an appropriate style of business identification.	Complies
P3	New signage schemes should be taken as an opportunity to remove or replace earlier inappropriate signage types. In all cases, new signage will be considered on the basis of its cumulative impact upon the visual presentation of a building, having regard to any existing signage which is proposed to be retained.	The proposed signage is incorporated onto the northern elevation to activate visual interest and access to Cowdery lane.	Complies
P4	Council discourages signage prone to deterioration in appearance and may order removal of redundant, unsightly, dilapidated or objectionable signage.	The proposed signage will be constructed of high quality materials and would not be unsightly or impact upon the amenity of the surrounding area.	Complies
P5	Council may require a provision for maintenance of signage and discourages signage on common boundaries where maintenance difficulties could occur	No maintenance issues will arise as a result of the location of the signage to Cowdery Lane.	Complies
P6	Council discourages signage that could cause distraction to motorists in close proximity to traffic lights, pedestrian crossings, etc. Signage that uses digital and LED technology also falls within this category. Moving, flashing or running light signage is not permitted.	The proposed business identification signage will not cause distraction to motorists. The signage is not illuminated.	Complies
P7	Signs facing roads with high traffic volumes, traffic lights or major intersections may be referred to the NSW Roads and Maritime Services (RMS) for comment. Advertising signs greater than 20 sqm in area and within 250 metres of a classified	The proposed business identification signage will not cause distraction to motorists. The signage is not illuminated.	Complies

BDCP 2013 Assessment			
Control	Requirement	Proposed	Compliance
	road will be referred to the RMS for concurrence prior to a decision being made.		
P8	The glare and/or light spillage from illuminated signage shall not cause a nuisance to adjoining and surrounding residents.	Not applicable – Signage is not illuminated.	Complies
P9	Electrical wiring to illuminated signage or spotlights is to be concealed in the interests of safety and visual appearance	Not applicable – Signage is not illuminated.	Complies
P10	The content of signage is to generally relate to goods and services available on the premises.	The proposed business identification signage appropriately identifies the hospital for the northern elevation of the building.	Complies
P11	Large scale advertising (i.e. other than a building/business identification sign) on classified roads such as Parramatta Road and Liverpool Road contrary to this requirement will be considered on its merits, and may also be subject to SEPP No. 64.	The proposed business identification signage appropriately identifies the hospital for the northern elevation of the building and is of an acceptable scale.	Complies
P12	Written text upon signage is to be predominately in English. Foreign language text may be permitted where an English translation is provided, and where the foreign language text is provided in smaller lettering or characters.	The written text of the signage is in English.	Complies
P13	In considering applications for signage in association with public facilities (such as seating, telephone booths, waste bins or bus shelters), attention will be given to the appropriate placement of such signs. The specific location, design and maintenance requirements should form part of a formal agreement, and the signage would be subject to a Development Application.	The proposed signage is located wholly within the boundary of the Site.	Complies
P14	Signage for large commercial developments and those that contain multiple tenancies should be the subject of a coordinated signage scheme as part of the overall development.	One (1) business identification sign is proposed for the alterations and additions to the existing hospital. The sign is appropriately incorporated into the overall building and is of an acceptable scale.	Complies
P15	Signage for new developments should be incorporated in the architecture of the building or site and approved as part of the initial development approval.	Signage is proposed under the Development Application and is considered to be architecturally appropriate in relation to scale and location.	Complies

BDCP 2013 Assessment			
Control	Requirement	Proposed	Compliance
P16	The proportions of signs should relate to major architectural elements of the building, including window heads, sills, etc.	The proposed scale and location of the signage is acceptable.	Complies
Signage in a Residential Zone and Associated with a Commercial Use			
P9	A maximum of two signs, being building identification sign and/or business identification signs per development are permitted.	One (1) sign is proposed for the new alterations and additions to the existing hospital.	Complies
5.6.5 Signs on, or in the Vicinity of, Heritage Properties character of these areas.			
General	<p>The provisions of the BLEP 2012 should be consulted for provisions relating to heritage properties. Buildings or sites may be listed as heritage items either individually or as part of a group or a conservation area.</p> <p>There are a number of heritage items and heritage conservation areas within the Burwood LGA recognised by the community as having heritage significance. Any development, including signage, should preserve and enhance the character of these areas.</p>	<p>The proposed sign faces the northern elevation however is minor in scale and as demonstrated by the accompanying HIA would not impact upon the fabric settings and views of the surrounding items.</p> <p>In addition to the above Council's Heritage Advisor has reviewed the proposed development and raises no issues with regard to heritage impacts.</p>	Complies
P1	Signage should never dominate the architectural features of the building. Advertising should preferably be placed in locations on the building or item, which would traditionally have been used as advertising areas. Opportunities for advertising therefore, may be somewhat limited	The proposed signage is considered to be minor in scale having regard to the length of the northern elevation of the proposed extension and would not dominate the architectural features of the building.	Complies
P2	<p>Generally, sign panels can be determined by dividing a building into a grid and identifying locations on:</p> <ul style="list-style-type: none"> ▪ A solid parapet above a cornice. ▪ The horizontal panel below a cornice. ▪ Verandah or awning fascia. ▪ Notice boards or plaques on ground floor piers/beside entrance doors. ▪ Small signs on individual architectural elements such as rendered blocks. ▪ Side walls/party walls able to be viewed above adjacent buildings 	Sign panels are not proposed.	Complies

BDCP 2013 Assessment			
Control	Requirement	Proposed	Compliance
P4	<p>The following additional matters should be taken into consideration in heritage areas:</p> <p>(a) As the external colours applied in different historical periods varied and were more limited in range than those available today, it is wise to research appropriate colour ranges for buildings in heritage areas. Generally, however, the following muted colours are suggested dark green, maroon, brown, terracotta, charcoal, etc. highlighted with creams, pinks, ochres and earth tones.</p> <p>(b) Heritage lettering styles may involve shaded letters, the mixing of styles and letters and ornamental scrolls as relevant to the period of the building.</p>	<p>The subject site is not located within a HCA.</p> <p>The proposed signage to Cowdery Lane is not considered to impact upon the fabric settings and views of the surrounding heritage items and is of colours that are sympathetic to the surrounding area.</p> <p>In addition to the above Council's Heritage Advisor has reviewed the proposed development and raises no issues with regard to heritage impacts.</p>	Complies
Environmental Management			
6.1 Preservation of Trees or Vegetation			
6.1.3	<p>Development Application Required Any proposed tree works which are ancillary to or associated with any new construction or development on the land will be considered through the Development Application process under Part 4 of the Environmental Planning and Assessment Act 1979.</p>	<p>The development application seeks consent for the removal of 23 site trees in order to facilitate the proposed development.</p> <p>An Arborist Report was submitted with the application in support of the proposed development.</p> <p>Further to the above Council's Tree Management Officer has reviewed the proposed development and the arborist report and has not raised any objection to the removal of the site trees, subject to compliance with the proposed Landscape planting scheme and design for the proposed development.</p>	Complies
6.1.9	<p>Arborists Reports that are submitted to Council To assist assessment and determination of applications, Council requires that an Arborist's report in relation to an application is to be prepared by a consulting Arborist who holds a minimum qualification of a Diploma (AQF Level 5) in Arboriculture</p>	<p>An Arborist Report prepared by Birds Tree Consultancy, has been submitted with the application.</p> <p>The report was prepared by Glenn Bird who holds a qualification of AQF Level 5 as required by Council's DCP.</p>	Complies
6.2 Waste Management			

BDCP 2013 Assessment			
Control	Requirement	Proposed	Compliance
General	Submission of a Waste Management Plan prepared in accordance with the requirements of Part 6.2 of Council's DCP.	<p>A Waste Management Plan prepared in accordance with Part 6.2 has been submitted with the application.</p> <p>The waste management plan provides a detailed assessment for waste management process during construction and demolition, as well as waste produced during occupation within the development. The waste management incorporates detailed regarding minimization of the amount of waste generated, maximise the reuse, recycling and reprocessing construction waste materials and minimise the volume of materials disposed to landfill.</p>	Complies
6.5 Stormwater Management			
General	Submission of Concept Stormwater Plans prepared in accordance with Part 6.5 of Council's DCP.	<p>Concept Stormwater Plans have been prepared in accordance with Part 6.5 of Council's DCP and have been submitted with the application.</p> <p>The Stormwater Plans have been reviewed by Council's Development Engineer who has raised no objection subjects to conditions of consent which have been imposed in the attached schedule.</p>	Complies
6.6 Landscaping for Development			
General	<p>Council has adopted a separate Landscaping Code that aims to provide guidelines for the preparation of Landscape Plans as an integral component of new development in Burwood.</p> <p>The Landscaping Code has been prepared to raise awareness of the aesthetic, functional and environmental benefits of landscaping. It aims to maintain and enhance existing themes and elements of the BTC and streetscapes of Burwood.</p> <p>The guidelines in the Code provide scope for creative design solutions for landscaping consistent with the intent of this Code. The</p>	<p>A Landscape design for the proposed development including a Landscape Plan and Planting Scheme has been submitted with the application and prepared in accordance with Part 6.6 of the DCP.</p> <p>Council's Tree Management Officer has reviewed the Landscape Design and has raised no objection subject conditions of consent.</p>	Complies

BDCP 2013 Assessment			
Control	Requirement	Proposed	Compliance
	Landscaping Code does not form part of this DCP. It is available on Council's website.		
6.7 – Energy Efficiency			
P3-P8	<p>The non-residential component of any development must aim to achieve at least a minimum of a 4.5 star rating under the National Australian Built Environment Rating (NABERS) system.</p> <p>Improve the control of mechanical space heating and cooling by designing heating/cooling systems to target only those spaces which require heating or cooling, not the whole building.</p> <p>All non-residential development Class 5-9 will need to comply with the Building Code of Australia energy efficiency provisions.</p> <p>An Energy Efficiency Report from a suitably qualified consultant that demonstrates a commitment to achieve no less than 4 stars under the Australian Building Greenhouse Rating Scheme or equivalent must be provided for all commercial and industrial development with a construction cost of over \$5 million. An Energy Efficiency Report from a suitably qualified consultant that demonstrates a commitment to achieve no less than 4 stars under the Australian Building Greenhouse Rating Scheme or equivalent must be provided for all commercial and industrial development with a construction cost of over \$5 million.</p>	<p>The application is supported by a BCA Report which includes an assessment of the application under Section J. The report demonstrates that the proposed development satisfies the provisions of Part 6.7 of the DCP.</p> <p>Further to the above, in response to the matters raised by the SECPP in their Briefing Meeting, the applicant has provided a detailed description of the sustainability measures that have been incorporated into the development with respect to:</p> <ul style="list-style-type: none"> • Water conservation • Lighting • Building Envelope • Glazing • Building Fabric • External Shading and Daylighting • Heating Cooling and Ventilation Systems • Electricity Metering • Photovoltaics • Fittings and Fixtures • Water Sensitive Urban Design (WSUD) • Indoor Air Qualities • Sustainable materials • Waste <p>This has been discussed in detail under the section titled <u>'SECPP Briefing Meeting of 15 September 2022'</u> in the above report.</p>	Complies

Referrals – Internal

Further to the above, the amended plans and documentation have been referred to Council's internal departments for review and comments received as follows:

- Traffic Manager – no objections subject to conditions of consent
- Heritage Advisor – no objections subject to conditions of consent
- Development Engineer - no objections subject to conditions of consent
- Building Surveyor - no objections subject to conditions of consent
- Tree Management Officer - no objections subject to conditions of consent

Submissions

Initial Notification – Round 1

The Development Application underwent public exhibition from 4 May until 22 May 2022. Two (2) submissions were received in response. The matters raised in the submissions are listed in summary below.

- Potential for the Application to trigger the requirements of Integrated Development due to the use of Ethylene Oxide;
- Overshadowing and solar access impacts;
- Privacy and amenity impacts;
- Insufficient provision of on-site parking;
- Cumulative traffic impacts;
- Earthworks and Owner's Consent;
- Contamination;
- Insufficient planning assessment;
- Provision of outdoor seating area and potential for social impact.

Amended plans were received by Council on 17 August 2022 as a result of Council's Request for Additional Information letter dated 13 July 2022 which also raised the above concerns in the submissions received. The above issues were addressed by the additional information and documentation received by Council as discussed below.

- Potential for the Application to trigger the requirements of Integrated Development;

Officer comment: Information provided by the applicant confirmed that the development is not Integrated as the hospital does not use Ethylene Oxide for Sterilisation.

- Overshadowing and solar access impacts;

Officer comment: Shadow Plans drawn in plan and elevational form were submitted including a Solar Access summary were submitted to Council for further consideration.

- Privacy and amenity impacts;

Officer comment: Amended plans were received providing additional privacy mitigation measures to the windows and the door in the southern elevation including amended to highlight windows with vertical angled screening incorporated into the design and the incorporation of an acoustic fence to assist in mitigating acoustic privacy impacts upon the adjoining properties to the south was submitted to Council. In relation to the acoustic issues raised in the submission a Noise and Vibration Impact Assessment prepared by Stantec dated 14 July 2022 was also submitted to Council.

- Insufficient provision of on-site parking;

Officer comment: Additional information in the form of an addendum to the Traffic Impact Assessment prepared by Traffix Traffic and Transport Planners was submitted to Council.

- Cumulative traffic impacts;

Officer comment: Additional information in the form of an addendum to the Traffic Impact Assessment was submitted to Council.

- Earthworks and Owner's Consent;

Officer comment: A structural statement regarding the proposed shoring structure of the basement level to the adjacent boundary was submitted to Council. Confirmation from the applicant that the earthworks and shoring will be undertaken wholly within the property boundary and therefore Owner's consent from the adjoining properties to the south is not required was also submitted to Council.

- Contamination issues;

Officer comment: The applicant submitted a Preliminary Remediation Action Plan to Council for further consideration.

- Insufficient planning assessment undertaken under S4.15 of the Act;

Officer comment: An updated Statement of Environmental Effects, including a Compliance table against the provisions of the DCP was submitted to Council.

- Provision of outdoor seating area and potential for social impact.

Officer comment: The applicant submitted a CPTED report prepared by Dave Neal of Neal Consulting Solutions dated 9 August 2022 was submitted to Council addressing this matter.

- Review of application against CPTED principles

Officer comment: The applicant submitted a CPTED report prepared by Dave Neal of Neal Consulting Solutions dated 9 August 2022 was submitted to Council addressing this matter

Amended Information Re-notification – Round 2

The amended plans and information as discussed above was re-notified to the two (2) properties that lodged submissions for the original round of notification, for a period of 14 days expiring on the 6 September 2022.

A further one (1) submission was received prepared on behalf of the two (2) properties that lodged submissions for the original round of notification, the matters raised in the submission are discussed in detail below.

Issue 1: Insufficient on-site visitor parking – clarification is required over the use of the proposed additional parking spaces at the subject site.

Officer comment: The alterations and additions to the existing hospital carried out primarily at No. 47A Wentworth Road propose a total of 21 car parking spaces over 2 levels of basement of which all of the car parking spaces are dedicated to staff parking. This is clearly noted on the amended DA plans that have been submitted. Council's Traffic Manager has reviewed the proposed parking arrangements and has raised no issues subject to conditions of consent which have been imposed upon the development.

Issue 2 - Noise and Vibration Impact Assessment - The Application's accompanying Noise and Vibration Impact Assessment prepared by Stantec dated 14 July 2022 contains insufficient information to enable the consent authority to undertake a detailed assessment of the likely noise impacts associated with the proposal. It is Precise Planning Addendum to Public Submission – DA 10.2022.16.1 4 noted that no assessment has been undertaken within the Noise and Vibration Impact Assessment of the acoustic impact associated with the operation of mechanical plants and machinery.

Officer comment: An Addendum to the Noise and Vibration Impact Assessment Report prepared by Stantec dated 14 September 2022 was submitted to Council specifically addressing the concerns raised in the above submission comments. The report addendum states:

Noise generation by mechanical equipment in association with the proposed development is to be managed to ensure external noise emissions are not intrusive and do not impact the amenity of the nearest sensitive receivers.

To meet the external noise emissions requirements for noise generated by the mechanical plant and equipment the following are some typical practices to mitigate noise from operation of mechanical plant and equipment located on a rooftop.

- *Where possible, locate plant as far away from possible noise sensitive receivers as practical to minimise the aggregate noise level.*
- *Select low noise mechanical equipment.*
- *Acoustic louvres or solid barriers may be required, surrounding plant items on the rooftop. This mitigation will likely be driven by internal noise criteria within the residential spaces of the proposed development.*
- *Where possible, locate noisy plant within an enclosed plant space.*

A detailed acoustic assessment of the mechanical plant noise is recommended prior to Construction Certificate to ensure no adverse noise impacts from external mechanical plant in accordance with the criteria outlined in Table 1. It is unlikely that the noise impact from the operational conditions of the proposed development will adversely impact the local noise environment and nearby noise affected receivers.

A condition of consent requiring full compliance with the Vibration Impact Assessment Report and Addendum has been imposed in the attached schedule as follows:

70. The development shall comply with the recommendations made in the Noise and Vibration Impact Assessment prepared by Stantec dated 14 July 2022 and Addendum dated 14 September 2022. Details indicating compliance with the Noise and Vibration Impact Assessment shall be provided on the plans prior to the issue of the Construction Certificate.

Issue 3 - Crime Risk Assessment – the Crime Risk Report recommends the provision of palisade fencing and sliding gates around the parking area, *'it is considered that the provision of palisade fencing, sliding gates and perforated metal screening will be unsympathetic to the fabric of the adjoining heritage item at 45 Wentworth Road, Strathfield.'*

Officer comment: The amended development includes a palisade style sliding gate to the entrance to the at grade and basement car parking area from Wentworth Road, and from the service entrance to the site from Cowdery Lane. The amended development also includes perforated metal screening to the northern elevation of the at grade parking area, this screening is located behind the proposed landscape planting along this boundary and is considered to be acceptable in terms of providing additional security measures for the development. The proposed palisade gates and perforated metal screening are acceptable on the grounds of heritage impacts, furthermore Council's Heritage Advisor has reviewed the proposed development and raises no concerns in relation to heritage impacts.

Issue 4: Shoring Walls and Adjoining Owner's Consent – the plans indicate a zero setback relation to the proposed cantilever shoring wall on the common boundary with the adjoining properties to the south of the site. Owner's consent has not been sought for the proposed works on the common boundary.

Officer comment: The applicant has confirmed in writing that the proposed works are to be contained wholly within the property boundary. Additionally, the following Condition of consent has been imposed upon the development requiring the preparation and submission of Dilapidation Surveys for the adjoining properties:

67. Dilapidation surveys are to be carried out by a Practising Structural Engineer, which is to include a full photographic record of the exterior and interior of the buildings at the applicant's/owners expense on all premises adjoining the site (specifically No.'s 1 & 1A Everton Road, Strathfield) and the survey is to be submitted to Council and the adjoining land owners **prior to the commencement of any works**. A further dilapidation survey is also to be carried out and submitted to Council and the adjoining owners **prior to the issuing of an Occupation Certificate**. The dilapidation surveys shall be dated accordingly.

Issue 5 – Overshadowing and Solar Access - *It is noted that additional information has been provided by the proponent in response to concerns raised in relation to overshadowing and solar access. The amended shadow diagrams and Overshadowing Analysis confirms that more than half of the principal private recreation areas for 1 and 1A Everton Road will receive less than three hours' solar access on 21 June 2022. Moreover, the amended solar diagrams illustrate a small, unusable strip of solar access will be provided within the principal private recreation areas of 1 and 1A Everton Road as a result of the development.*

Officer comment: No. 47A Wentworth Road has an east-west orientation, and share a common boundary with No.'s 1 & 1A Everton Road that have a north-south orientation. In order to minimize the shadow impacts created by the proposed alterations and additions to the existing hospital, upon the adjoining properties to the south of the site No's 1 & 1A Everton Road the following design factors were applied:

- Siting of the proposed alterations and additions to the existing hospital building on the northern side of the site toward Cowdery Lane boundary.
- Providing a 3m setback to the southern boundary
- Utilisation of the 3m setback area to provide the vehicular access to the at grade parking area and basement carpark along the southern boundary.

- Constructing the building below the maximum 14m height of building development standard that applies to the subject site, with an overall height of 12.4m above n.g.l.

Submitted with the application were shadow plans for the proposed development, and further to Council's Additional Information Request letter dated 13 July 2022 updated shadow plans which included an hourly assessment of shadows and shadows in elevation along with a Solar Access Summary was submitted to Council.

Whilst Council's DCP requirements for solar access do not stipulate the degree of POS where the 3 hours of solar access must be retained or provided, the plans and the solar access summary confirm that there will be a reduction in solar access provision to the POS of No.1A Everton Road by 29% but no change to the solar access provision for No. 1 Everton Road during the Winter solstice between the time stations of 9am and 3pm.

The shadow plans prepared in elevation demonstrate that the windows and door openings in the northern external walls of both No.'s 1 & 1A Everton Road are not impacted by the proposed development from 9am until approximately 1pm, where shadows begin to be cast upon the windows and door opening of No. 1A Everton Road which complies with the DCP requirements for 3 hours of solar access during the winter solstice.

It could also be reasonably assumed that a similar degree of overshadowing upon the adjoining properties to the south at No. 1 & 1A Everton Road would result from the construction of a two storey dwelling on the subject site with reduced setbacks to side boundaries of 900-1500mm as permitted under the DCP.

In summary, whilst the proposed development will create shadow impacts upon the adjoining properties to the south, the extent of overshadowing is not considered to be sufficient to warrant redesign or refusal of the proposed development particularly given that the site is zoned (high density) R1 General Residential zoning. In this respect the proposed degree of overshadowing upon the adjoining properties to the south of the site is supported by Council Officers.

Issue 6 – Construction Vibration Impacts - No detail has been provided by the proponent on mitigation measures to be undertaken to reduce the impacts of vibration associated with proposed demolition and excavation works. Given the close proximity of outbuildings at 1 and 1A Everton Road to the proposed works at 47A Wentworth Road, additional information should be provided at the development application stage to confirm the potential for structural damage on adjoining properties. A construction and excavation methodology statement should be provided by the proponent.

Officer comment: This level of detail is not required at DA stage. Council imposes a specific condition of consent in relation to construction vibration impacts which requires the submission of Dilapidation Surveys for all adjoining sites prior to the issue of the Construction Certificate for the development. This condition has been imposed, as reproduced under Issue 4 above.

Issue 7 - Site Isolation - Additional information is required to be provided by the applicant to demonstrate that the development of 47A Wentworth Road would not inhibit the ability of 1 Everton Road and 1A Everton Road from providing an appropriate built form with an acceptable level of amenity. Given the extensive amenity impacts identified by the applicant (in terms of solar access, visual and acoustic privacy), it is likely that the proposal is inconsistent with the principles relating to site isolation. Amendments to the proposal should be considered including reduction of building envelope and increase in boundary setbacks (including for basement level), to ensure that the proposal will not prejudice reasonable development at the adjoining sites.

Officer comment: The applicant has provided to Council evidence of genuine formal attempts to secure the adjoining properties to the south of the site, No's 1 & 1A Everton Road, Strathfield offering to purchase the sites well above the current market value. The owner/s of the properties have either not responded /declined these offers. In relation to site isolation as a result of any approval of the proposed development the applicant has provided the following comments specifically in relation to this matter which are reproduced as follows:

"It is noted that Section 3.1 of the Burwood Development Control Plan is not applicable to land zoned R1 General Residential and strictly speaking the provisions of the section are not applicable in this instance. Notwithstanding, an assessment against the provisions of the Site

Isolation Principe per Karavellas v Sutherland Shire Council [2004] NSWLEC 251 at 17-19 has been carried out below.

In Land and Environment Court proceedings Karavellas v Sutherland Shire Council [2004] NSWLEC 251 at 17-19, Commissioner Tuor established a planning principle for the isolation of sites. The 'Isolation of site by redevelopment of adjacent site(s)' Planning Principle that was developed as a result of that judgement is used hereunder to assess the merits of the development, specifically paragraphs 17-19. Paragraph 17 is reproduced below:

17 The general questions to be answered when dealing with amalgamation of sites or when a site is to be isolated through redevelopment are:

- Firstly, is amalgamation of the sites feasible?*
- Secondly, can orderly and economic use and development of the separate sites be achieved if amalgamation is not feasible?*

Having regard to the first question it is noted that numerous reasonable attempts were made by the proponent to enable purchase of the adjoining Sites at both 1 and 1A Everton Road, Strathfield as per Appendix 4.

Having regard to the second question, it is considered that 1 and 1A Everton Road can continue to be orderly developed in accordance with the relevant planning framework and controls for the following reasons:

- Both Sites are in excess of the minimum lot size of 400m² under the Burwood Local Environmental Plan 2012 (BLEP 2012).*
- The following uses are permitted in the zone under the BLEP 2012:*
 - Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Group homes; Home industries; Hostels; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pondbased aquaculture; Residential flat buildings; Respite day care centres; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4*
- All uses are able to be accommodated on the Site having regard to the controls of the BDCP. Additionally, it should be noted that site isolation does not occur for the circumstance of residential flat buildings (RFB) as, in any case, RFB development would not be permitted individually on each Site per P8 of Section 4.1 of the BDCP as each Site would not have frontage of at least 20m. Accordingly, RFB on each individual Site would not be permitted and the orderly and economic use of the land can be achieved.*

Given the above, it is considered that 1 and 1A Everton Road, will not be isolated as a result of the proposed development as a compliant, orderly and economic development can be achieved in accordance with the relevant planning framework. Preparation of separate concept plans are not considered necessary in this case, as it is considered that the adjoining Sites would not constitute site isolation. It is further highlighted that the proposed offers as demonstrated at Appendix 4 are supported by RPData at Appendix 5 which indicates the offers made were reasonable and the proponent has made every effort to acquire the adjoining Sites in any case.

Council Officers agree with the applicant's argument presented above and are of the opinion that approval of the proposed development would not result in the isolation of the adjoining properties to the south being No. 1 & 1A Everton Road.

Issue 8 - Alterations to Sewer Main - No detail has been provided by the applicant on the augmentation and possible relocation of the sewer main. It is unclear whether the applicant intends to keep the sewer main in its present location but underneath the proposed basement structure. Further detail is required on potential disruption of sewage connection to 1 and 1A Everton Road, as well as requirements for removal of the sewer main from the site stipulated by Sydney Water.

Officer comment: Conditions of consent have been imposed to ensure the appropriate Sydney Water approvals are obtained prior to the issue of a Construction Certificate as follows:

44. **Utility Services**

Before Construction – apply early as building of water and sewer services can be time consuming or may impact on other parts of your development.

Section 73 Compliance Certificate

A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Our assessment will determine the availability of water and sewer services, which may require extension, adjustment or connection to our mains. A Section 73 Compliance Certificate must be completed before an occupation certificate will be issued. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC).

Go to <http://www.sydneywater.com.au/section73> or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

Submission Received outside of the Public Exhibition Period

On 28 September 2022, a submission was received by the assessment officer by email, the submission did not contain any contact details (surname, phone number or postal/residential address) other than an email address. The submission contained one sentence as reproduced below:

- *I am concerned regarding the development applications potential traffic impacts.*

Officer comment: Due to the lack of information provided in the submission in relation to what specific traffic impacts the concern relates to, a general response is provided. The application was supported by a Traffic Impact Assessment prepared by Traffix Traffic and Transport Planning, and makes the following conclusions in relation to the proposed development:

- *“The proposal seeks approval for additions and alterations at the Strathfield Private Hospital located at 5 Everton Road in Strathfield and 47A Wentworth Road. The alterations involve an additional 13 inpatient beds with 21 car parking spaces in an expanded basement and at-grade car parking areas.*
- *The subject site is well connected to the public transport network with reliable access to regular bus and rail services.*
- *Based on the existing parking provision the development is required to provide an additional eight (8) parking spaces for the additional 13 beds. The proposed increase of 21 spaces is greater than the requirement however the existing car park is over capacity and therefore the proposed additional parking is to improve the current arrangement, which is considered acceptable and supportable.*
- *The traffic generation arising from the development has been assessed as a net increase over existing conditions and equates to an increase of seven (7) vehicle trips per hour during the morning and site peak periods and an increase of three (3) trips during weekday the evening peak period. As such, no external improvements are required to facilitate the proposed development. The traffic impacts of the development are therefore considered acceptable.*
- *The new vehicular access, at-grade and basement car parks have been assessed to comply with the requirements of AS 2890.1 (2004), AS 2890.2 (2002) and AS 2890.6 (2009) thereby ensuring safe and efficient operation.*

This traffic impact assessment therefore demonstrates that the subject application is supportable on traffic planning grounds.”

Further to the above Council's Traffic Manager has reviewed the proposed development, and the Traffic Impact Assessment and has raised no objections to the development subject to conditions of consent which have been imposed in the attached schedule.

Submission received by the SECPP - forwarded to Council

A further submission from Precise Planning on behalf of the owners of No. 1 & 1A Everton Road Strathfield was received in relation to the proposed development, the submission was made to the SECPP and not to Council. However, at the request of the Panel, the matters listed in the letter have been addressed as follows:

- *Significant concerns are raised regarding the assessment process that Council has undertaken.*

Officer comment: A detailed history of the DA process has been provided in this report. The application has undergone a comprehensive assessment process, which initially began with a Pre-Development Application. Since lodgment the Development Application itself has undergone 2 separate rounds of notification, at both times the matters raised in the submissions have been directly communicated to the applicant, with additional information submitted in response to the concerns raised. This report contains a detailed explanation of how the applicant has addressed the concerns raised with amended plans and additional documentation submitted where required.

- *A briefing report and 'recommended conditions of consent' report was prepared by Council Assessment Officer Emma Buttress-Grove and distributed to Council on 2 September 2022..... It is evident that Council officers had formed their recommendation prior to the second public exhibition process concluding and prior to the consideration of the additional public submission provided by our firm. It is considered that the Council has not satisfactorily exercised their statutory duties under s. 4.15(1)(d) of the Environmental Planning and Assessment Act 1979 in taking into consideration "any submissions made in accordance with this Act or the regulations."*

Officer comment: A Draft set of conditions of consent were prepared as requested by the Panel for the development application.

The date for the Briefing Meeting was one that was provided by the SECPP. It was clearly stated in the Briefing report that the amended information was undergoing re-notification and at the time of preparing the report, this period had not expired and that it was envisaged that further submissions would be received.

Regardless of the above, as Council is not the determining authority for the development application, a recommendation made on the basis on an assessment of the information received at the date the report was prepared for the Briefing meeting can be made by Council officers. It was considered by Council Officers that the nature of the matters raised was not fundamentally detrimental to the application and that in the opinion of Council Officers were matters that could be dealt with by further information and/or amended plans.

Further to the above, a phone discussion occurred between Precise Planning representative and Council's assessment officer where the assessment officer explained the process for applications referred to the SECPP. The assessment officer also advised that the Draft Conditions are a requirement for applications being referred to the Panel, and that the recommendation for approval was not a final recommendation as this was only a Briefing and not a determination meeting.

- *in our view, contrary, to a number of the 'participation principles' set out in Part 6, Table 1 of Burwood Council's Community Participation Plan, most relevantly that 'Community participation is timely' and 'Community participation is meaningful'. In this circumstance, it cannot be said that a reasonable time was given for the community to provide input when the briefing report issued prior to the expiry of the notification period included a recommendation for approval.*

Officer comment: As detailed above, the date for the Briefing Meeting was provided by the SECPP. The Briefing report clearly stated that the amended information was currently on re-notification and that it was envisaged that further submissions would be received.

As also noted above, as Council is not the determining authority for the application there is nothing preventing Council officers from giving the SECPP any preliminary recommendation regarding the

direction that the application is headed in terms of approval or refusal based on information received at that time.

- *Schedule 1 of the Sydney and Regional Planning Panel Operational Procedures stipulates that the chair of the Panel may invite persons who made submissions on an application or matter to attend a site visit or briefing.*

The invitation of such parties is at the discretion of the Chair. It is requested that the Chair exercise their discretion to invite our firm to attend a site visit or briefing (provided this has not already occurred). In addition, it is requested that the Chair invite our firm to provide an oral submission at the Panel meeting.

Officer comment: This is a matter for the SECPP.

Summary

The amended Development Application is considered to have satisfactorily addressed the matters raised in the Pre-Development Application assessment, and the request for Additional Information issued during the assessment of the application, also in response to matters raised in the submissions received as a result of the public exhibition period.

The development application has been comprehensively assessed and found as detailed in this report to have minimal impacts upon the natural and built environment and can be supported on planning grounds

The matters for consideration as outlined by Section 4.15(1) of the EP&A Act have been satisfactorily addressed. In light of the above, the proposed development is considered to be worth of support by the SECCP.

Recommendation

That Development Application DA 2022.16 for the alterations and additions to Strathfield Private hospital for the demolition of the existing dwelling at 47A Wentworth Road, tree removal and the construction of a 3 storey building containing basement and ground level parking, 13 additional beds, 2 operating theatres and ancillary services is recommended **for approval**, subject to conditions of consent listed below.

Conditions of Approval

1. The development being carried out in accordance with the plans and documentation in the table below except where amended by the conditions of consent.

Plans/Documents	Author	Dated/Received
Architectural Plans – Cover Page Lower Ground Floor Plan – SPH-DA-P-LG/5 Ground Floor Plan – SPH-DA-P-G/5 Level 1 - SPH-DA-P-1/5 Level 2 - SPH-DA-P-2/5 Roof Level - SPH-DA-P-3/5 Elevation - SPH-DA-E1/5 Section - SPH-DA-S/5 Perspective SPH-DA-E2/5 Streetscape View 1- SPH-DA-E3/5 Streetscape View 2 - SPH-DA-E4/5	HPI Architects and Health Facility Planners	Dated 21 September 2022

Fence Design - SPH-DA-GD-1/4 Window Privacy Screen - SPH-DA-GD-2/2 Window Privacy Screen - SPH-DA-GD-3/2 Shadow Diagram June Winter Solstice Existing - SPH-DA-SD-1/5 Shadow Diagram June Winter Solstice Proposal SPH-DA-SD-2/5 Shadow Diagram December Summer Solstice Existing SPH-DA-SD-3/5 Shadow Diagram December Summer Solstice Proposal SPH-DA-SD-4/5 Northern Elevation of Adjoining Property Solar Access Study Existing Winter Solstice - SPH-DA-SD-5/2 Northern Elevation of Adjoining Property Solar Access Study Proposal Winter Solstice - SPH-DA-SD-6/2 Site Plan - SPH-DA-SITE/5 Lower Ground GFA - SPH-DP-5/2 Ground Floor GFA - SPH-DP-2/2 Level 1 GFA – SPH-DP-3/2 Level 2 GFA – SPH-DP-4/2 Windows Schedule & Legend SPH-DA-WN-1/1		
Survey Plans – Issue 1 Sheets 1-3	LTS	Dated 12 November 2021
Landscape Plan Sheets 1-23 Issue D	Arcadia	Dated 27 July 2022
Stormwater Drainage Plans C101-001 – A C101-101 – A C103-001 – A C103-201 – A C108-001 – A C108-301 – A C108-302 - A	ACOR Consultants Pty Ltd	Dated 25 February 2022
Revised Statement of Environmental Effects	Willowtree Planning	Dated 15 August 2022
Heritage Impact Assessment	NBRS Architecture Heritage	Dated 1 March 2022
Solar Access Summary Report	HPI Architects and Health Facility Planners	Dated 14 July 2022

Cost Estimate Report	M5 Property and Construction Advisors	Dated 22 February 2022
Crime Risk Assessment	NEAL Consulting Solutions	Dated 9 August 2022
Noise & Vibration Impact Assessment Addendum to Noise & Vibration Impact Assessment	Stantec	Dated 14 July 2022 Dated 14 September 2022
Waste Management Report	MRA Consulting Group	Dated 28 February 2022
Geotechnical Report	Douglas Partners	Dated February 2022
Report on Environmental Remediation Action Plan (Preliminary)	Oz Geos Geotechnical and Structural	Dated 9 August 2022
Structural Statement – Shoring to Adjacent Boundary Structural Statement – Shoring to Adjacent Boundary – Revision 02	ACOR Consultants	Dated 7 August 2022 Dated 14 September 2022
Traffic Impact Assessment Traffic Statement Traffic Response to RFI	Trafix Traffic and Transport Planners	Dated March 2022 Dated 11 April 2022 Dated 13 September 2022
Arboricultural Development Impact Assessment Report	Birds Tree Consultancy	Dated 11 February 2022
Regulatory Compliance Report	Mckenzie Group	Dated 1 March 2022
Accessibility Review Report	ABE Consulting	Dated 2 March 2022

FEES

- The fees and/or bonds shown in the Table of Fees, are to be paid to Council or another approved collection agency (the Long Service Levy Corporation and its agents and an approved insurer under the *Home Building Act 1989*) and suitable evidence of payment is to be provided to the Principal Certifier **prior to the issuing of a Construction Certificate.**

TABLE OF FEES

FEES/BONDS TO BE PAID TO COUNCIL OR TO THE NOMINATED BODY PRIOR TO ISSUING A CONSTRUCTION CERTIFICATE

- Building and Construction Industry Long Service Corporation levy **\$69,856.00(Payment to be made to Council, the Corporation or its Agent).**
- Damage Deposit - security deposit against damage occurring to Council's assets (footpath, road, stormwater drainage system, kerb and gutter, etc.) during building work

\$25,100.00 (Payment to be made to Council as a bond **prior to issue of a Construction Certificate** and/or commencement of demolition/bulk excavation).

Note: This deposit is refundable if no damage occurs.

5. Pursuant to Section 7.12 of the *Environmental Planning and Assessment Act 1979* and the Section 7.12 Contributions Plan for the Burwood Local Government Area (Excluding Burwood Town Centre), the following monetary contribution towards public services and amenities is required:

Contribution Element	Contribution
A levy of 1% for development outside of the Burwood Town Centre of the cost of carrying out the development, where the cost calculated and agreed by Council is \$19,959,000.00	\$199,590.00

Index Period	June 2022	CPI ₁	125.7
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Office Use: T56

The above contribution will be adjusted at the time of payment. Applicants are advised to contact Council for the adjusted amount immediately prior to arranging payment.

The contribution will be adjusted in accordance with the following formula:

$$\text{Contribution (at time of payment)} = \frac{C \times \text{CPI}_2}{\text{CPI}_1}$$

Where:

C: The original contributions amount as shown in the development consent

CPI₂: The Consumer Price Index: All Groups Index for Sydney, for the immediate past quarter (available from the Australian Bureau of Statistics at the time of payment), and

CPI₁: The Consumer Price Index: All Groups Index for Sydney, applied at the time of granting the development consent as shown on the development consent.

Note: The minimum payment will not be less than the contribution amount stated on the consent.

The contribution is to be paid to Council, or evidence that payment has been made is to be submitted to the Principal Certifier, **prior to the issuing of a Construction Certificate.**

Council may accept works in kind or other material public benefits in lieu of the contribution required by this condition subject to and in accordance with the requirements specified in the Section 7.12 Contributions Plan for the Burwood Local Government Area (Excluding Burwood Town Centre).

Note: The payment of a Section 7.12 contribution over an amount of \$5,000.00 may only be paid by Bank Cheque (i.e. personal or company cheques will not be accepted). Contributions of \$5,000.00 or less may be paid by cash, EFTPOS, cheque or credit card. Payments by credit card may be subject to a surcharge.

PLANNING

6. The subject site No. 47A Wentworth Road, Strathfield shall be amalgamated with the main hospital site at 3-5 Everton Road Strathfield. Evidence of such amalgamation shall be submitted to Council prior to the release of any Construction Certificate or any works being carried out on the site.
7. Any fencing within the site is not to exceed 1.8 metres from the natural ground level and shall comply with the provisions of Burwood DCP 2013.

8. No further signage is permitted to be installed or erected on the property other than the signage approved under this development consent.
9. Adequate lighting is required to be provided for the following to ensure the safety and security of residents and users of the development to all access pathways leading to/from entrance and exit points of the buildings, bin collection points, external communal open space areas and driveways leading to the basement parking levels. The installed lighting is to be of sufficient quality to ensure the effective operation of the CCTV system referred to in the following conditions. Details on all of these matters are to be submitted to the Principal Certifying Authority **prior to the issue of a Construction Certificate** for above ground works.
10. The development shall not cause any adverse impacts upon adjoining properties in relation to light spill from any external lighting sources.
11. CCTV cameras shall be installed for the building so that they can survey the entrances and all external and internal access path ways, and the vehicular entrance to the driveway to ground level and basement car parking. The CCTV system shall provide a quality image that can assist with the detection of crime and be used by the NSW Police in any investigation (preferably a quality digital system). CCTV system footage shall be retained for a period of no less than fourteen days and be available upon request by the NSW Police when required. Details on all of these matters are to be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate for above ground works.
12. Compliance with the recommendations in Crime Risk Assessment Report prepared by NEAL Consulting Solutions dated 9 August 2022. Details to be shown on the plans **prior to the issue of the Construction Certificate**.
13. Compliance with the recommendations in the Accessibility Review Report prepared by ABE Consulting dated 2 March 2022. Details to be shown on the plans **prior to the issue of the Construction Certificate**.
14. If photovoltaic (PV) panels are to be installed on the roof of the new building, details including the proposed location on roof and elevations in plan shall be provided to Council for approval prior to the issue of the Construction Certificate to ensure that there are no visual or reflective impacts upon adjoining properties or the heritage item at No. 45 Wentworth Road Strathfield.

HERITAGE

15. Strict compliance with the approved Colours, Finishes and Materials as shown on Plan No. SPH-DA-E1 prepared by HPI dated 29 July 2022 and received by Council on 17 August 2022.

BUILDING

16. Where residential building work (within the meaning of the Home Building Act 1989) is proposed to be carried out, either of the following is to be provided to the Principal Certifier **prior to the issuing of a Construction Certificate**: -
 - a. Where work is carried out by a Principal Contractor:
 - i. written advice of the Principal Contractor's name and licence number, and
 - ii. a certificate purporting to be issued by an approved insurer under Part 6 of the *Home Building Act 1989* to the effect that a person is the holder of an insurance contract issued for the purposes of that Part.
 - OR
 - b. Where work is carried out by an owner-builder:
 - i. written advice of the person's name and Owner-Builder Permit number, or

- ii. a signed declaration from the owner of the land that states the reasonable market cost of the labour and materials involved in the work is not high enough for the owner to need an Owner-Builder's Permit to do the work.
- 17. Toilet facilities are to be provided, at or in the vicinity of the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided:
 - a. must be a standard flushing toilet, and
 - b. must be connected:
 - i. to a public sewer, or
 - ii. to an approved chemical closet facility.

The toilet facilities are to be completed before any other work is commenced.

- 18. All excavations and backfilling associated with the erection or demolition of a building shall be carried out in a safe and careful manner and in accordance with appropriate professional standards. All necessary planking and strutting shall be of sufficient strength to retain the sides of excavations. A Certificate verifying the suitability of structural details for any proposed shoring is to be submitted to the Principal Certifier before excavating.
- 19. All excavations associated with the erection or demolition of the building are to be properly guarded and protected to prevent them from being dangerous to life or property.
- 20. Where soil conditions require it:
 - a. retaining walls must be provided so as to prevent soil movement; and
 - b. adequate provision must be made for drainage.
- 21. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
 - a. must preserve and protect the building from damage, and
 - b. if necessary, must underpin and support the building in an approved manner, and
 - c. must, at least 7 days before excavation below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

Allotment of land includes a public road and any other public place.

- 22. If the work involved in the erection or demolition of a building:
 - a. is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - b. building involves the enclosure of a public place.

A hoarding or fence must be erected between the work site and the public place.

If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

Any such hoarding, fence or awning is to be removed when the work has been completed.

23. The builder is to take all precautions to ensure footpaths and roads are kept in a safe condition and to prevent damage to Council's property. Pedestrian access across the footpath must be maintained at all times. Any damage caused will be made good by Council at Council's restoration rates, at the builder's expense.
24. No materials are to be stored on Council's roads, footpaths, nature strips or parks.
25. No opening is to be made in any road or footpath, nor is any hoarding to be erected without the prior consent of Council. The builder is to obtain the relevant permit for which fees will be charged in accordance with Council's current Schedule of Fees and Charges.
26. The builder shall erect and maintain in good order all necessary hoardings, barricades and warning signs required to provide adequate public safety. Night warning lamps are to be provided where necessary. A Principal Certifier sign should also be displayed in a prominent position at the front of the development site.
27. Hours of work shall be from 7:00am to 6:00pm Mondays to Fridays inclusive, and from 7:00am to 4:00pm on Saturdays. Demolition, excavation and/or construction works that involve heavy machinery, noisy trades or the like are not permitted to be carried out from 1:00pm to 4:00pm on Saturdays. No work shall be carried out on Sundays or Public Holidays. The owner/builder shall be responsible for the compliance of this condition by all sub-contractors, including demolishers.
28. The approved structure shall not be used or occupied unless an Occupation Certificate as referred to in Section 6.4 (c) of the *Environmental Planning & Assessment Act 1979* has been issued
(Vide Section 6.9 *Environmental Planning & Assessment Act 1979*)
29. An application for a Construction Certificate is to be made to Council or an Accredited Certifier. The NSW Planning Portal is to be used where application is made to Council. A Construction Certificate must be obtained prior to the commencement of any building work.
30. Dial Before You Dig is a free national community service designed to prevent damage and disruption to the vast pipe and cable networks which provides Australia with the essential services we use everyday – electricity, gas, communications and water.

Before you dig call "Dial Before You Dig" on 1100 (listen to the prompts) or register on line at www.1100.com.au for underground utility services information for any excavation areas.

The Dial Before You Dig service is also designed to protect Australia's excavators. Whether you are a backyard renovator, an individual tradesman or a professional excavator, the potential for injury, personal liability and even death exists everyday. Obtaining accurate information about your work site significantly minimises these risks.

Reason: To ensure that essential services such as electricity, gas, communications and water are not affected by excavation or construction works.

31. All building works being erected wholly within the boundaries of the property.
32. All sanitary plumbing being concealed in suitably enclosed ducts. Such ducts are to be constructed internally (i.e. not on the outside face of an external wall) and are to be adequately sound-proofed.
33. All plumbing and drainage work being carried out by licensed tradesmen and in accordance with the requirements of the Plumbing Code of Australia.

34. The floor of the wet areas being of a material impervious to moisture and graded and drained to the sewers of Sydney Water.
35. The noise emitted by any air-conditioning equipment being inaudible in your neighbours' homes between 10:00pm and 7:00am weekdays and 10:00pm and 8:00am on weekends and public holidays. Council is to be consulted prior to the installation of any air-conditioning equipment.
36. All building work must be carried out in accordance with the provisions of the Building Code of Australia.
37. Safety glazing complying with B1.4 of the Building Code of Australia used in every glazed door or panel that is capable of being mistaken for a doorway or unimpeded path of travel. The glazing must comply with Australian Standard AS 1288–2006: Glass in Buildings - Selection and Installation. Details of the method of complying with this requirement must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**
38. Framed panels or doors enclosing or partially enclosing a shower or bath shall be glazed with "A" or "B" grade safety glazing material in accordance with Australian Standard AS 1288-2006, Table 4.5 SAA Glass Installation Code (Human Impact Considerations) and B1.4 of the Building Code of Australia. Details of the method of complying with this requirement must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**
39. Treatment for the protection of the building from subterranean termites must be carried out in accordance with Australian Standard AS 3660.1-2014 "Termite management - New building Work."
40. If the method of protection is to be by way of a chemical barrier, it becomes the responsibility of the owner to maintain a suitable maintenance procedure in accordance with the manufacturer's requirements. Such responsibility is placed solely upon the owner.

Details showing compliance with this requirement must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**

After treatment the following is to be carried out:

- a. A durable notice must be permanently fixed to the building in a prominent location, such as the meter box, indicating:
 - i. The method of protection.
 - ii. The date of installation of the system.
 - iii. Where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label.
 - iv. The installer's or manufacturer's recommendation for the scope and frequency of future inspection for termite activity.
 - b. Provide the Principal Certifier with a Certificate which verifies that termite protection has been provided in accordance with Australian Standard AS 3660.1-2014. In the case of Reinforced Concrete Slab construction, the Certificate is to verify that the protection incorporates both beneath slab (Part A) and slab penetrations (Part B) treatment.
41. Dividing Fences Act 1991 - Your attention is directed to any obligations or responsibilities under the Dividing Fences Act 1991 in respect of adjoining property owner/s which may arise from this application.

42. A Registered Surveyor's certificate being submitted to the Principal Certifier, **prior to the issue of an Occupation Certificate**, as follows:
- a. Before pouring of concrete slab on every level to indicate the height of the finished floor level and to show boundary clearances; and
 - b. On completion of the building to indicate the height of the finished floor levels, the height of the roof ridge/parapet/lift over run and to show boundary clearances and areas of the site occupied by the buildings.
43. Prior to the commencement of any works, the following is to be carried out:
- a. Submit to Council a "Notice of Intention to Commence Building Work and Appointment of a Principal Certifier" via the NSW Planning Portal. The NSW Planning Portal is also to be used where application is made to Council.
 - b. Ensure detailed plans and specifications of the building are endorsed with a Construction Certificate by Council or an Accredited Certifier. The NSW Planning Portal is to be used where application is made to Council.
(Vide Section 6.6 *Environmental Planning & Assessment Act 1979*)
44. The building being known as No. 14A Grosvenor Street, Croydon and this number (at least 150mm in height) being clearly displayed on the site **prior to the issuing of an Occupation Certificate**.

45. **Utility Services**

Before Construction – apply early as building of water and sewer services can be time consuming or may impact on other parts of your development.

Section 73 Compliance Certificate

A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Our assessment will determine the availability of water and sewer services, which may require extension, adjustment or connection to our mains. A Section 73 Compliance Certificate must be completed before an occupation certificate will be issued. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC).

Go to <http://www.sydneywater.com.au/section73> or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

46. Structural engineer's details prepared and certified by a practicing Structural Engineer for all reinforced concrete and structural members being submitted to the Principal Certifier for approval **prior to the issuing of a Construction Certificate**.
47. The Principal Certifier or Structural Engineer is to also supervise the construction. All Certificates from the supervising Structural Engineer are to be submitted to the Principal Certifier before an Occupation Certificate is issued stating that all reinforced concrete and/or structural members have been erected in accordance with his/her requirements and the relevant SAA Codes.
48. Timber sizes and the framework in general are to conform with the requirements of Australian Standard AS 1684 "Residential timber-framed construction."
49. Mechanical ventilation/air conditioning details are to be submitted to the Principal Certifier for approval **prior to the issuing of a Construction Certificate** and must include the following: -
- a. The location and size of proposed ductwork.
 - b. The location of equipment.
 - c. The performance characteristics of the proposed motor/s and fan/s.

- d. The air flow characteristics of the system.

At the completion of work a Certificate from an Accredited Certifier, Mechanical Engineer or other suitably qualified person, to the effect that the ventilation system has been installed and performs in accordance with the provisions of Part F4 of the Building Code of Australia, Australian Standard AS 1668 "SAA Mechanical Ventilation and Air Conditioning Code", Part 1 and Part 2, Australian Standard AS 3666-1989 and the *Noise Control Act 1975*, must be submitted to the Principal Certifier **prior to the issue of an Occupation Certificate**.

50. Fire Resistance Levels of all structural members, including external and internal walls, spandrels, external and internal columns, lift shafts and stair shafts, ventilation, pipe and like shafts, floors and roofs shall comply with the requirements of Specification C1.1 of the Building Code of Australia. Details of the method of achieving this must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate**.
51. All materials used in the building must comply with early fire hazard criteria of Specification C1.10 of the Building Code of Australia.
52. The Commonwealth Disability Discrimination Act 1992 may apply to this particular proposal. Submissions and/or approval of the application does not imply or confer compliance with this Act. Applicants should satisfy themselves and make their inquiries to the Human Rights and Equal Opportunity Commission.
53. Continuous balustrades shall be provided along the side/s of any stairway or ramp, any corridor, hallway, balcony, access bridge or the like, any path of access to a building if:
- a. It is not bounded by a wall; and
 - b. The change in level is more than one (1) metre, or five (5) risers in the case of a stairway, from the floor or ground surface beneath;

except where specific exemptions are provided in the Building Code of Australia.

Balustrades shall prevent as far as practicable:

- a. Children climbing over or through it; and
- b. Persons accidentally falling from the floor; and
- c. Objects which might strike a person at a lower level falling from the floor surface.

Balustrade heights and designs shall comply with Part D2.16 of the Building Code of Australia and Australian Standard AS/NZS 1170 Part 1 – Structural design actions. Height above nosings of stair treads, landing, corridors and the like shall generally be not less than 865mm.

Details of the method of satisfying these requirements must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate**.

54. The building being equipped with a smoke alarm system as required by Table E2.2a of the Building Code of Australia. The system is to satisfy the requirements of Specification E2.2a of the Building Code of Australia and in particular is to comply with the relevant parts of AS 3786-2014 and AS 1670.1-2004. Details of the method of complying with this requirement must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate**.
55. Protection of openings (where required) is to be in accordance with Part C3.2 and C3.4 of the Building Code of Australia. Details of the method of satisfying this requirement must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate**.
56. Protection of openable windows (where required) is to be in accordance with Part D2.24 of the Building Code of Australia. Details of the method of satisfying this requirement must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate**.

57. A Fire Safety Certificate is to be given to the Principal Certifier prior to applying for an Occupation Certificate and thereafter once in every 12-month period an Annual Fire Safety Statement is to be given to Council. The certificate and statement attest to both the inspection of all essential fire safety measures by a suitably qualified person and to the regular maintenance of the fire safety measures. A copy of the Fire Safety Certificate and the Fire Safety Schedule are to be given to the Commissioner of Fire and Rescue NSW by the building owner and copies of these documents are to be prominently displayed in the building. Similarly copies of Annual Fire Safety Statements are also to be given to the Commissioner and displayed in the building.

(Vide clause 153 & Division 3 of the Environmental Planning & Assessment Regulation 2000)

58. Noise transmission and insulation ratings for building elements being in accordance with Specification Part F5 of the Building Code of Australia.

Details of the method of satisfying this requirement must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**

59. Engineering Design – Basement Excavation

The following engineering details or design documentation shall be submitted to the Principal Certifier (Council or Accredited Certifier) **prior to the issuing of a Construction Certificate:**

- a. Documentary evidence prepared by a suitably qualified professional Geotechnical Engineer that confirms the suitability of the site for the proposed excavation and building, as well as certifying the suitability and adequacy of the proposed design and construction of the building for the site.
- b. A report shall be prepared by a professional engineer **prior to the issuing of a Construction Certificate**, detailing the proposed methods of excavation, shoring or pile construction including details of vibration emissions and detailing any possible damage which may occur to adjoining or nearby premises due to building and excavation works. Any practices or procedures specified in the Engineer's Report in relation to the avoidance or minimisation of structural damage to nearby premises, are to be fully complied with and incorporated into the plans and specifications for the Construction Certificate.

A copy of the Engineer's Report is to be submitted to Council, even if the Council is not the Principal Certifier.

60. **ADVISORY NOTE:**

Telecommunications infrastructure in new developments

Developers, home, property and business owners are responsible for providing telecommunications infrastructure in their developments. To provide this infrastructure, developers, home, property and business owners need to contract a carrier to install telecommunications infrastructure in their new development. Individuals are free to choose which carrier they want to service their development.

For larger developments (100 lots or more) nbn is the infrastructure provider of last resort. This means nbn is obliged to service the development on commercially agreed terms if you apply to nbn.

Telstra is the infrastructure provider of last resort in smaller developments (less than 100 lots) until nbn publicly identifies an area as "ready for service" in its fixed line rollout region.

Developers, home, property and business owners are requested to apply at least six (6) months before the required date of service to ensure a connection is ready when residents move in.

DEMOLITION

61. Removal of any asbestos must be undertaken in compliance with the requirements of SafeWork NSW. Refer to their Code of Practice "How to Safely Remove Asbestos" dated September 2016.
62. Demolition of the building is to be carried out in accordance with the requirements of Australian Standard AS 2601 – 2001, where applicable.
63. Hours of demolition work shall be from 7:00am to 6:00pm Mondays to Fridays inclusive, and from 7:00am to 4:00pm on Saturdays. Demolition works that involve heavy machinery, noisy trades or the like are **not permitted** to be carried out from 1:00pm to 4:00pm on Saturdays. No demolition work shall be carried out on Sundays or Public Holidays. The owner/builder shall be responsible for the compliance of this condition by all sub-contractors, including demolishers.
64. Access to the site is to be restricted and the site is to be secured when demolition work is not in progress or the site is otherwise occupied.
65. The demolition site is to be provided with measures to mitigate against dust nuisances arising on adjoining sites and roadways. To achieve this, a fence or barrier is to be erected around the site. The construction may be steel mesh which is covered with a suitable filtering medium or such other construction acceptable to Council. An effective program of watering the site is also required to be maintained.
66. All demolition, excavation and construction materials are to be removed from the site or disposed of on-site using methods that comply with relevant environmental protection legislation. When demolition of any existing building is involved, burning of any demolition materials on the site is prohibited.
67. Dilapidation surveys are to be carried out by a Practising Structural Engineer, which is to include a full photographic record of the exterior and interior of the buildings at the applicant's/owners expense on all premises adjoining the site and the survey is to be submitted to Council and the adjoining land owners **prior to the commencement of any works**. A further dilapidation survey is also to be carried out and submitted to Council and the adjoining owners **prior to the issuing of an Occupation Certificate**. The dilapidation surveys shall be dated accordingly.

ENVIRONMENTAL MANAGEMENT

Environmental Management

68. The development shall comply at all times with the recommendations made in the Report on Environmental Remediation Action Plan (Preliminary) prepared by Oz Geos Geotechnical & Structural dated 9 August 2022. Details are to be submitted to the PCA for approval **prior to the issue of the Construction Certificate**.
69. An Environmental Management Plan (EMP) is to be submitted to the PCA for approval, prior to the commencement of any works, detailing the control and management methods to be implemented in addressing the following issues during the demolition, excavation and construction phases of the project:
 - Noise and vibration control
 - Dust and odour suppression and control
 - Storm water control and discharge
 - Erosion control
 - Waste storage and recycling control

- Litter control
- Construction material storage
- Truck cleaning methods on site so as to prevent spread of soil and like materials onto Council's roadways

A copy of the EMP shall be provided to Council for its records.

70. The use of the premises, building services, equipment, machinery and ancillary fittings shall not give rise to "offensive noise" as defined under the provision of the Protection of the Environment Operation Act 1997. The sound level output shall not exceed 5 dB(A) above the ambient background level at the received boundary.
71. The development shall comply with the recommendations made in the Noise and Vibration Impact Assessment prepared by Stantec dated 14 July 2022 and Addendum dated 14 September 2022. Details indicating compliance with the Noise and Vibration Impact Assessment shall be provided on the plans **prior to the issue of the Construction Certificate.**

Health

72. All medical practices and procedures are to be carried out in accordance with the requirement and approval of the NSW Health.
73. Storage and disposal of clinical waste is to be in accordance with the requirements of the Environment Protection Authority (EPA) of the Department of Planning Industry and Environment (NSW).
74. Where X-Ray equipment is installed or provided at the premises it shall be installed in accordance with the requirements of the Environment Protection Authority (EPA) of the Department of Planning Industry and Environment (NSW). A copy of the certificate of compliance and / or registration is to be provided to the Council.
75. Approved sharps containers are to be provided in each examination or treatment room and used for the disposal of used sharps. The applicant is to furnish to Council in writing the details of the company engaged to dispose of these sharps containers.
76. Any storage of chemicals is to be in accordance with the Occupational Health and Safety Act 2000, S 135A - Dangerous Good as administered by SafeWork (NSW).
77. Where any mechanical ventilation and or exhaust ventilation is provided it shall be installed in accordance with the requirements of Australian Standards A.S.1668 pt 1 & 2. A certificate of compliance is to be provided to Council upon completion and prior to occupancy.
78. The plant platform equipment, machinery, services etc shall not generate "offensive noise" as defined under the provisions of the Protection of the Environmental Operation Act 1997. The sound level shall not exceed +5dB(A) above the ambient background level measured at the boundary of the nearest residential property.

Waste Management

79. All garbage and recycling material shall be stored in a designated garbage area, which includes provision for the storage of all putrescible waste and recyclable material emanating from the premises. Adequate natural or mechanical ventilation is required where bins are stored in an enclosed area and meet fire safety standards in accordance with the Building Code of Australia
80. Waste and recycling bins shall be kept in a clean and hygienic condition. Bins are to be washed regularly within the garbage storage room with any waste water being discharged to the sewer by way of the grated drain.

81. The occupier of the premises is to enter an agreement with registered waste company or provider for the regular collection of all waste and recyclable material generated from the premises. A copy of the agreement is to be retained on site and produced to an authorized Council officer if requested.

ENGINEERING – GENERAL

82. All activities and works external to the site, or that affect public roads, are to be carried out in accordance with Council's Policies including but not limited to the Works on Council's Road Reserve Assets Policy, Rubbish Skips Policy, Work Zone Policy and Temporary Road Closure (Including Standing Plant) Policy.
83. A road-opening permit shall be obtained for all works carried out on public or Council controlled lands. Restoration of landscaping, roads and paths shall be carried out by Council at the applicant's expense in accordance with Council's **Schedule of Fees and Charges**. The applicant or any contractors carrying out works in public or Council controlled lands shall have public liability insurance cover to the value of \$20 million, and shall provide proof of such cover to the Principal Certifier prior to carrying out the works. Please see **Burwood Council's web site** www.burwood.nsw.gov.au - Go to Rates and Payments/ Works on Council Property/ Application for Works on Council Property
84. Spoil and building materials shall not be placed, stored, thrown or caused to fall on any public roadway or footpath. Waste containers shall be placed in accordance with Council's Rubbish Skips Policy. Contact Council for a list of approved skip bin suppliers.
85. The builder is to ensure footpaths and roads affected by construction works are kept safe and prevent any damage to Council property. The builder shall erect and maintain where necessary approved hoardings, barricades, warning signs and night warning lamps to ensure public safety. Pedestrian access across the footpath must be maintained at all times.
86. The following matters shall apply to the damage deposit listed in the Table of Fees:
- a. This deposit is refundable if no damage occurs. Any damage caused will be repaired at Council's restoration rates, at the applicant's expense. All or part of the deposit will be forfeited to cover damage to Council's property during the course of demolition and/or construction.
 - b. Council will carry out two inspections of the Council's footpath, kerb and gutter, stormwater drainage system and roadway, prior to works commencing and at the completion of all work covered by this consent. Council is aware that damage may be caused by individual contractors that culminate in the damage inspected at Council's final inspection. The applicant is responsible for attributing any part of the damage to their individual contractors. Council will not refund any part of a damage deposit until the completion of the work covered by this consent.
87. All demolition and excavation materials are to be removed from the site or disposed off-site using methods that comply with relevant environmental protection legislation.
88. The following matters apply to the construction of the proposed vehicular crossings.
- a. A 3m wide vehicular crossing on Wentworth Road and the same on Cowdery Lane shall be constructed by the applicant/ Council at applicant's cost.
 - b. The vehicular crossings shall be 1m clear of any pits, lintels, poles and 2m clear of trees in the road reserve.
 - c. Any redundant crossing on Cowdery Lane shall be removed and replaced with kerb and gutter and footpath at no cost to Council.

- d. Internal driveway levels shall be designed and constructed to conform with existing road profiles such that vehicles are not damaged while accessing the property. Council footpath and road profiles will not be altered for this purpose.
89. The applicant shall have to prepare a longitudinal section of the proposed vehicular ramp access to basement car park, drawn at 1:25 natural scale. The longitudinal section shall be prepared by a competent practicing civil engineer in accordance with AS 2890.1.

Bulk Earthwork & Shoring

90. The builder shall erect and maintain in good order all necessary hoardings, barricades and warning signs required to provide adequate public safety. Night warning lamps are to be provided where necessary.
91. Public roads to be kept clean and free of any material which may fall from vehicles or plant. Waste containers shall be placed in accordance with Council's Code for Activities Affecting Roads and are subject to the payment of appropriate fees.
92. Heavy vehicles entering and leaving the site must only cross the footpath where it is adequately timbered and strapped. Pedestrian access across footpath must be maintained in good order at all times during the excavation work.
93. The contractor shall strictly implement all erosion and sediment control (ESCP) measures prior to the commencement of excavation. Such measures shall be inspected at site by a competent practicing hydraulic/civil engineer and the PCA shall be provided with a compliance certificate that all the ESCP measures have been implemented.
94. The Applicant shall prepare detailed survey reports of all existing service authority assets in and around the site of the proposed development that may be affected in any way by the proposed excavation. Surveys should include, but not be limited to, high and low voltage electricity, water, stormwater, sewer, gas, telecommunications, street lighting and drainage assets, etc.
95. The Applicant shall liaise with all relevant service authorities (including, but not limited to electricity, water, stormwater, sewer, gas, telecommunications, street lighting and drainage) to develop final designs that satisfy all requirements of the service authority providers in respect of protection, termination or relocation of existing assets, temporary access and future permanent access for maintenance of assets.

Stormwater Drainage

96. Stormwater from all roof and paved surfaces shall be collected and discharged by means of a gravity pipe to Council's underground pipe drainage system.
97. Pump drainage shall be designed for the basement car park where the finished slab is below the ground level and shall satisfy the following conditions:
- (i) The holding tank for the pump shall be capable of storing runoff from a one hour, 1 in 100 year ARI storm event.
 - (ii) The pump system shall consist of two (2) pumps, connected in parallel, with each pump being capable of emptying the holding tank at a rate equal to the lower of the allowable on site detention discharge rate, or the rate of inflow for the one hour duration storm.
 - (iii) An overflow, flashing light and audible alarm are to be provided, to warn of pump failure.
 - (iv) Full details of the holding tank, pump type, discharge rate and the delivery line size are to be documented.
- i. Pumping system details shall be submitted to Council or an Accredited

Certifier - Civil Engineering, **prior to the issuing of a Construction Certificate.**

- ii. The applicant shall submit written evidence to the Principal Certifying Authority that a contract has been let for the regular maintenance of the pumping system for a minimum period of 12 months. Information to be submitted to the Principal Certifying Authority **prior to issuing of an Occupation Certificate.**

98. The invert of Council's kerb inlet pit on Everton Road used for drainage connection shall be investigated and provided on plan to determine the flow condition. A submersed orifice flow condition shall not be supported by Council.

99. A Positive Covenant under section 88E of the Conveyancing Act shall be created on the title of the property(s) detailing the

- i) *On-site Stormwater Detention system*
- ii) *Pump and rising main system*

incorporated in the development. The wording of the Instrument shall include but not be limited to the following:

- a. The proprietor of the property agrees to be responsible for keeping clear and the maintenance of the facilities consisting of:

- i) *On-site Stormwater Detention system*
- ii) *Pump and rising main system*

- b. The proprietor agrees to have the facilities inspected annually by a competent practicing Hydraulic/Civil Engineer.

- c. The Council shall have the right to enter upon the land referred to above, at all reasonable times to inspect, construct, install, clean repair and maintain in good working order the facilities in or upon the said land; and recover the costs of any such works from the proprietor.

- d. The registered proprietor shall indemnify the Council and any adjoining land owners against damage to their land arising from failure of any component of the facilities.

The applicant shall bear all costs associated with the preparation of the 88E Instrument. The wording of the Instrument shall be submitted to, and approved by Council prior to lodgment at the Land and Property Information office. Evidence that the Instrument has been registered at the Land and Property Information office shall be submitted to Council, **prior to issuing of an Occupation Certificate.**

100. The stormwater works on the development property and connection to Council's stormwater system are to be inspected during construction by a competent practicing hydraulic/civil engineer.

101. Following completion of all drainage works:-

- a. Works-as-executed (WAE) plans, prepared and signed by a registered surveyor, shall be submitted to Council. These plans shall include levels and location for all drainage structures and works, buildings (including floor levels) and finished ground and pavement surface levels. These plans are to be reviewed by the competent practicing hydraulic/civil engineer that inspected the works during construction.

- b. The Principal Certifying Authority is to be provided with a Certificate from a competent practicing hydraulic/civil engineer. The Certificate shall state that all stormwater drainage and related work has been constructed in accordance with

the approved plans and consent conditions as shown on the work-as-executed plans, prior to the issuing of an Occupation Certificate.

102. Temporary measures shall be provided during demolition, excavation and/or construction to prevent sediment and polluted waters discharging from the site. In this regard a proper Erosion and Sediment Control Plan (ESCP) shall be submitted. All relevant erosion and sediment control measures identified in the ESCP must be implemented during and throughout the entire demolition and construction period.
103. Public Domain Plan shall be prepared and submitted to Council for Cowdery Lane improvement. The plan shall show the entire frontage of the property for improvement e.g. footpath, kerb & gutter, pram ramps etc. including mill & re-sheeting of the asphalt pavement as will be determined by Council engineer on final inspection prior to obtaining the Occupation Certificate.
104. The Applicant shall liaise with all relevant service authorities to satisfy all requirements of the service authority providers in respect of protection, termination or relocation of existing assets prior to construction. A written consent shall be required where a service authority asset will be affected.

LANDSCAPING

105. The row of Lilly Pilly trees must be allowed to grow to heights of at least 4 metres, at which point they may be pruned and maintained as a hedge at that height.
106. Landscaping to be installed as per the Landscape Plan sheet set by Arcadia, Issue D, dated 27 July 2022.
107. Landscaping to be completed prior to the issuing of an Occupation Certificate or Interim Occupation Certificate.
108. Landscaping to be maintained at all times following installation. This includes replacement of any dead, damaged, stolen, or unhealthy plants with like for like.

TRAFFIC

109. A total of 73 off-street car parking spaces must be provided on-site. The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 - 2004 Parking facilities Part 1: Off-street car parking and Council's Development Control Plan.
110. Courier spaces and loading docks must be located close to the service entrance and away from other parking areas, as detailed below:
 - (a) A minimum of 1 Small Rigid Vehicle loading dock
111. Accessible car parking spaces must be designed and provided for accessible car parking for people with mobility impairment in accordance with Australian Standard AS/NZS 2890.6 - 2009 Parking facilities Part 6: Off-street parking for people with disabilities. Accessible car parking spaces must have a minimum headroom of 2.5m and must be clearly marked and appropriately located as accessible parking for people with mobility impairment.
112. The following signs must be provided and maintained within the site at the point(s) of vehicle egress:
 - (a) Regulatory "STOP" sign (R1-1) compelling drivers to stop before proceeding onto the footway
 - (b) "Give Way to Pedestrians" sign compelling drivers to give way to pedestrians before crossing the footway.

113. All loading and unloading operations associated with servicing the site must be carried out within the confines of the site, at all times and must not obstruct other properties/units or the public way.
114. At all times the service vehicle docks, car parking spaces and access driveways must be kept clear of goods and must not be used for storage purposes, including garbage storage.
115. Any proposals for alterations to the public road, involving traffic facilities and/or parking restrictions, excluding the construction of a vehicular crossing, must be designed in accordance with RMS Technical Directives and must be referred to and agreed to by the Traffic Committee prior to any work commencing on site.
116. All costs associated with the construction of any new road works including kerb and gutter, road pavement, street lighting, drainage system and footway shall be borne by the developer. The new road works must be designed and constructed in accordance with any relevant Australian Standards, Austroads Guides and RMS Technical Directions.
117. All costs associated with signposting for any kerbside parking restrictions and traffic management measures, including any relocation of parking meters, associated with the development shall be borne by the developer.
118. A Construction Traffic Management Plan must be submitted and approved by Council prior to the commencement of demolition and excavation or issuing of the Construction Certificate (whichever occurs first). The Construction Traffic Management Plan must be complied with at all times. The following matters should be addressed in the plan (where applicable):
 - a) A plan view of the entire site and frontage roadways indicating:
 - i) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and all vehicles in the frontage roadways.
 - ii) Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all vehicles on the site.
 - iii) The proposed locations of work zones where it is not possible for loading/unloading to occur on the site in the frontage roadways (which will require separate approval by Council).
 - iv) Location of any proposed crane and concrete pump and truck standing areas on and off the site (which will require separate approval by Council).
 - v) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries.
 - vi) Traffic routes to and from the site from the closest arterial road in all directions.
 - b) Traffic control plan(s) for the site must be in accordance with the Roads and Maritime Services publication "Traffic Control Worksite Manual" and prepared by a suitably qualified person. The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each stage.
119. All works carried out in conjunction with the development including during the course of demolition, excavation and construction must be implemented in accordance with the approved Construction Traffic Management Plan (CTMP) and/or approved permits from Council or any other Road authority.
120. Heavy vehicles approaching, entering and exiting the site must approach, enter and exit the site in accordance with the approved route(s) as set out in the Construction Traffic Management Plan (CTMP)

121. All heavy vehicles must comply with the approved CTMP, once heavy vehicles have exited the Burwood LGA via the approved routes stated in the CTMP, only State Roads (Parramatta Road, The Boulevarde, Coronation Parade, Liverpool Road and Georges River Road) are permitted to be used on re-entry into Burwood LGA.
122. Should works require any of the following on public property (footpaths, roads, reserves), an application shall be submitted and approved by Council prior to the commencement of the works associated with such activity
- i) Work zone.
 - ii) Temporary closure of roadway/footpath.
 - iii) Mobile crane or any standing plant
 - iv) Scaffolding/Hoardings (fencing on public land)
 - v) Road works including vehicle crossing/kerb & guttering, footpath, stormwater provisions etc.
 - vi) Installation or replacement of private stormwater drain, utility service or water supply

END CONDITIONS