



CUMBERLAND  
CITY COUNCIL

Council Ref: OA2021/0009

20 September 2022

NSW Department of Planning and Environment  
Locked Bag 5022  
PARRAMATTA NSW 2124

Dear Sir/Madam,

**Subject: Request for Comments - State Significant Development (SSD)**  
**Application No: SSD-17899480**  
**Property: 23-27 Lytton Street WENTWORTHVILLE NSW 2145,**  
**Proposal: Amended plans - Redevelopment of Wentworthville Northside West Clinic, including demolition of a two-storey west wing building and southern car park, tree removal and construction and operation of a four-storey extension, alterations and additions to the Stage 1 building, landscaping and new car parking**

Reference is made to the Department of Planning and Environment letter received on 26 August 2022 by Cumberland City Council (**Council**) in relation to the above application. Please find Council's response as follows.

**Development standards**

1. Council maintains the objection to the development application with regard to the proposed breach in the development standards.

Council notes that the proposal has attempted to address the issues raised notably by reducing the building height breach from 30.7% to 24.5%. Matters raised in the objection previously submitted however continue to remain.

Council considers that the proposed building component where it contravenes the permitted height standard by 24.5%, or 3.67m above the maximum height of 15m, to be inconsistent with the bulk and scale of the existing adjoining developments and the future character envisaged for the immediate locality.

The amended section plans indicate that the proposed floor area situated above the permitted building height line particularly contains proposed rooms that will be used as habitable areas, which in turn results in the breach of the FSR standard by 9.45%.

If the building height were to be further reduced, this will assist in the reduction the FSR standard breach. Council would support any variation of the building height standard with regard to the areas, such as, privacy screen, roof section, plant/services room or lift overrun.

2. The following matters that were previously raised in Council's submission could be resolved subject to additional and/or amended information.

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Welcome *Belong* Succeed

*Council Pipeline/Easement*

- a) A minimum of 5.6 metres vertical clearance stated on the stormwater letter prepared by Stellen Consulting dated 8 June 2022 over the Council's stormwater pipe and/or associated easements shall be indicated and annotated on the architectural plans to ensure that the minimum clearance proposed is achieved.
- b) The proposed substation shall be located in area where it is clear of the realigned Council's stormwater easement.
- c) Separate section 68 approval shall be obtained for the stormwater deviation.

*Flooding*

- d) Development shall comply with the recommendations and conclusion as stated in Flooding and Overland Flow Impact Study dated 24. 06. 2022 prepared Acor.

*Traffic/Access*

- e) The number of the car parking spaces proposed are not adequate and will have a shortfall of 18 off-street spaces. A minimum of 95 parking spaces shall be provided based on the current parking rate. Short fall of parking will have cumulative impact on the on-street parking provision. Relevant condition shall be imposed to minimise the impact of car parking shortfall within the immediate locality, along with proper consultation with Council.

*Acoustic impact*

- f) Development shall comply with the recommendations and conclusion as stated in an updated Noise & Vibration Impact Assessment for SSDA (SSD – 17899480) (Project No. 210190) (Rev E) dated 19/04/2022 that was prepared by JHA.

*Land Contamination*

- g) Condition shall be imposed for a submission of a Long-Term Environmental Management Plan for the contamination capping to Council to ensure that contamination notations can be captured by the planning certificates under section 10.7 of the *Environmental Planning and Assessment Act 1979*. If the burrow Pit is to be constructed on sit then the remedial works plan report should be submitted to Council for review of the location and the works that will be carried out at the site. It is recommended that all validation reports are submitted to Council for review on completion of works.

*Waste Management*

- h) Due to the development being commercial in nature, a private waste collection has been proposed, condition to maintain such private waste collection arrangement should the development be approved in its current form is recommended.

*Parkland and Open Space*

- i) Development works to be coordinated to ensure access through Council's Reserve is not required. There is no provision under the Local Government Act 1993 for the use of community land for private development. Temporary access or occupation of community will be considered only in special circumstances on application.

*Tree Management*

- j) It is recommended that all trees that are to be retained as part of the proposed upgrade of this site are appropriately protected as per AS4970 – 2009 Protection of trees on development.

- k) As per the recommendations of the Arboricultural Impact Assessment by Birds Tree Consultancy, prior to demolition and construction a project arborist should be appointed to ensure tree protection recommendations of the report are adhered to and all trees on the site and within the neighbouring reserve are retained and suitably protected throughout the life of the development.
- l) Reference is made in the report to Tree 41. It is recommended that further investigation via picus sonic tomograph by a suitably qualified AQF5 arborist to determine the presence and extent of internal decay. dependant on the findings the removal of this tree may be necessary.
- m) During construction or any time during the development, any pruning works should be carried out to AS4373 – 2007 Pruning of amenity trees by a minimum AQF3 qualified arborist.
- n) All associated landscape works should be carried out by a minimum AQF3 qualified landscaper to industry standards. All works should be inspected to ensure works have been carried out to a satisfactory standard prior to issuing of an occupation certificate.

Should you have any further enquiries please do not hesitate to contact Olivia Yana on 8757 9544 in relation to this matter.

Yours faithfully,



Olivia Yana  
**Executive Planner**