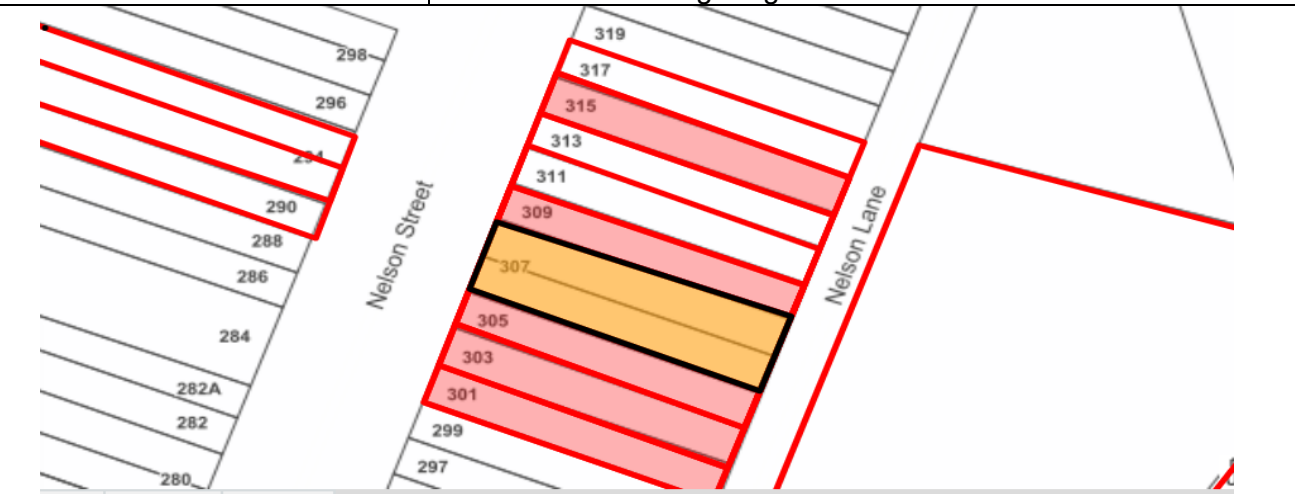




 DEVELOPMENT ASSESSMENT REPORT				
Application No.	MOD/2021/0142			
Address	307 Nelson Street ANNANDALE NSW 2038			
Proposal	Section 4.55(1A) Modification of Development Consent DA/2020/0627 which approved new dwellings and associated works, seeking various changes, including to delete various conditions, including required design change conditions to the front of the house and that require the lowering of the pool and rear deck levels, and various tree protection conditions			
Date of Lodgement	20 April 2021			
Applicant	Candella Properties Pty Ltd			
Owner	Mr Wallace H Chu Ms Sylvia A Attard			
Number of Submissions	Initial: 10			
Value of works	\$1,093,200.00			
Reason for determination at Planning Panel	Number of submissions exceeds Officer delegations and the proposed modifications seek to delete design change conditions imposed by Inner West Planning Panel			
Main Issues	<ul style="list-style-type: none"> • Impact to Trees on the adjoining property • Impact to heritage conservation area • Amenity impacts to adjoining properties 			
Recommendation	Part Approval			
Attachment A	Recommended conditions of consent			
Attachment B	Original conditions of consent			
Attachment C	Plans of proposed development			
Attachment D	Statement of Heritage Significance			
				
LOCALITY MAP				
Subject Site		Objectors		↑ N
Notified Area		Supporters		
Note: Due to scale of map, not all objectors could be shown.				

1. Executive Summary

This report is an assessment of the application submitted to Council under Section 4.55(1A) of the Environmental Planning and Assessment Act 1979 seeking to modify Development Consent DA/2020/0627 which approved new dwellings and associated works, seeking various changes, including to delete various conditions, including required design change conditions to the front of the house to ensure acceptable streetscape / heritage impacts, that require the lowering of the pool and rear deck levels to address visual privacy amenity impacts, and various tree protection conditions, at 307 Nelson Street Annandale.

The application was notified to surrounding properties and 10 submissions were received in response to the initial notification.

The main issues that have arisen from the application include:

- Impact to trees on the adjoining property; and
- Impact to heritage conservation area.

The proposed deletion of streetscape / heritage related conditions are not supported.

The proposal modification to 'Deferred Commencement' Consent conditions relating to tree protection can only be supported subject to retention of existing tree protection conditions that formed part of the consent and in which the applicant submits were unlawfully imposed – see Section 2 of this report for further details in this regard.

The application is therefore recommended for Part Approval.

2. Proposal

The modification application seeks to delete the following conditions:

- 'Deferred Commencement' Consent Conditions 1(a), 1(b), 1(c), 1(d), 1(e), 1(f), 1(g), 1(h), 2, 3, 4 pertaining to streetscape / heritage / amenity / tree protection.
- General Conditions 5, 12, 13, 14, 26, 27, 28, 29, 30, 31, 32, 33, 41, 42, 45 pertaining to pertaining to tree protection; and
- Advisory notes in relation to: Consent of Adjoining property owners, Arborist standards, Tree Protection Works and Tree Pruning or Removal (including root pruning/mapping)

It should be noted that tree protection Conditions 5, 12, 13, 14, 26, 27, 28, 29, 30, 31, 32, 33, 41, 42, 45 were added to the Notice of Determination due to an administrative error.

See Attachment B for wording of the relevant conditions sought to be deleted.

3. Site Description

The subject site is located on the eastern side of Nelson Street, between Rose Street and Piper Street. The site consists of 2 allotments and is generally rectangular shaped with a total area of 367.9 sqm and is legally described as 307 Nelson Street ANNANDALE NSW 2038.

The combined site has a frontage of 10.06m to both Nelson Street and Nelson Lane, a depth of 36.585m and an overall area of 367.9m², including the following two (2) allotments:

- 307a Nelson Street (Lot 35 Section 15 DP 1865): southern allotment with a frontage of 5.03m and area of 183.95m²; and
- 307b Nelson Street (Lot 36 Section 15 DP 1865): northern allotment with a frontage of 5.03m and area of 183.95m².

The site is currently occupied by a single dwelling house, spread over both lots along with a detached single garage at the rear of Lot 36. The adjoining properties to the north and the south consist of two storey dwellings. The combined site contains three (3) mature trees and has a fall of some 3.9m from the front to the rear. Private open space at the rear of Lot 35 is elevated some 1.6m above Nelson Lane.

The subject site is not a heritage item but is located within a heritage conservation area.



4. Background

4(a) Site history

The following application outlines the relevant development history of the subject site and any relevant applications on surrounding properties.

Subject Site

Application	Proposal	Decision & Date
D/1999/997	Construction of deck and carport to rear of existing dwelling and construction of fence on Nelson Lane frontage.	Approved on 24 February 2000
CDCP/2015/107	Demolition of all existing structures including single storey dwelling, rear garage, perimeter fencing and retaining walls	Issued 8 July 2015.
D/2015/739	This DA proposed the construction of two dwellings each with rear garage, one with roof terrace on garage, removal of trees and associated landscape works.	Refused 10 February 2016
TREE/2020/0104	Tree Permit (Tree/2020/0104) was approved on 11 May	Approved 11

	2020 for the removal of the <i>Alnus jorrulensis</i> (Evergreen Alder)	May 2020
DA/2020/0627	Construction of a terrace style dwelling-houses, each located on existing Torrens title allotments, and associated works including swimming pool and carport fronting Nelson Lane	23/02/2021 Approved - Local Planning Panel
EPA/2021/0229	To not demolish the premises at 307 Nelson Street ANNANDALE NSW 2038 Lot 35 Sec 15 DP 1865, Lot 36 Sec 15 DP 1865. <u>Note:</u> The applicant has lodged a Class 1 appeal in the Land and Environment Court on 27 July 2021 against EPA/2021/0229.	Issued 30-Jun-2021 On Appeal

Surrounding properties

Application	Proposal	Decision & Date
D/2012/491	<u>311 Nelson Street</u> Alterations and additions to an existing two storey dwelling, construction of new two storey addition with first floor balcony, demolition of the existing garage construction of new garage and landscape works.	22/05/2013 - Approved by Land and Environment Court
M/2014/79	Section 4.55 application to modify D/2012/491 which approved alterations and additions to an existing two storey dwelling, construction of new two storey addition with first floor balcony, demolition of the existing garage construction of new garage and landscape works. Modifications entail, increase size of garage and associated excavation, increase size of terrace above garage, reduce masonry walls on boundary and replace with open balustrade, lower ground level in lightwell, internal changes, new clerestory pop up to roof with additional glazing, new windows & doors to Nelson Street as indicated on plans.	Approved 09/07/201

4(b) Application history

Not applicable

5. Section 4.55(1A) Assessment

Under Section 4.55 (1A) Modifications involving minimal environmental impact A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if—

- (a) *it is satisfied that the proposed modification is of minimal environmental impact, and*

The proposed modification seeks to delete a number of conditions in relation to tree protection, as well as conditions in relation to the design and appearance of the proposed in-fill new dwellings to ensure acceptable streetscape and heritage impacts.

There are a number of general conditions, i.e. Conditions 5, 12, 13, 14, 26, 27, 28, 30, 31, 32, 33, 41, 42, 45, and Advisory Notes - "Consent of Adjoining property owners", "Arborist standards", "Tree Protection Works" and "Tree Pruning or Removal (including root pruning/mapping)" that were added to the Notice of Determination due to an administrative error. However, as the applicant seeks to delete 'Deferred Commencement' conditions in relation to tree protection (i.e. conditions 2, 3 and 4), this is only supported subject to retention of the conditions imposed administratively in error as noted above to ensure the subject tree on the adjoining property will not be adversely impacted by the proposed development. This is discussed in more detail in a later section of the report.

However, in relation to the design changes conditions (i.e. Conditions 1(a) – 1(h) that is in relation to heritage conservation, it is considered that the deletion of these conditions will result in a development that is incompatible with the existing streetscape and the heritage conservation area in which the site is located, and result in adverse amenity / visual privacy impacts. Therefore, the deletion of these conditions are not considered to be of minimal environmental impact and would not satisfy section 4.55(1A)(a).

- (b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*

Comment: The proposed modification seeks to delete a number of conditions in relation to tree protection and design changes conditions in relation to the proposed in-fill new dwellings and will result in a development that is substantially the same development as the development for which the consent was originally granted.

- (c) it has notified the application in accordance with—*
- (i) the regulations, if the regulations so require, or*
 - (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

The application was notified as required and submissions from 10 neighbouring properties were received. The issues raised in the objections is discussed in more detail in a later section of the report.

6. Assessment

The following is a summary of the assessment of the application in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

6(a) Environmental Planning Instruments

The application has been assessed against the relevant Environmental Planning Instruments listed below:

- *State Environmental Planning Policy No. 55—Remediation of Land*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*
- *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*
- *Leichhardt Local Environmental Plan 2013*

The following provides further discussion of the relevant issues:

6(a)(i) State Environmental Planning Policy No 55—Remediation of Land

State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55) provides planning guidelines for remediation of contaminated land. The LDCP2013 provides controls and guidelines for remediation works. *SEPP 55* requires the consent authority to be satisfied that “the site is, or can be made, suitable for the proposed use” prior to the granting of consent.

The site has not been used in the past for activities which could have potentially contaminated the site. It is considered that the site will not require remediation in accordance with *SEPP 55*.

6(a)(ii) State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

BASIX Certificates were submitted satisfying the provisions of SEPP BASIX.

6(a)(iii) State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 concerns the protection of trees identified under the Leichhardt Development Control Plan 2013.

No trees are proposed to be removed as part of this application, and therefore, the proposal raises no issues that are contrary to the requirements of the Vegetation SEPP.

6(a)(iv) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

An assessment has been made of the matters set out in Clause 20 of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005. It is considered that the carrying out of the proposed development is generally consistent with the objectives of the Plan and would not have an adverse effect on environmental heritage, the visual environmental, the natural environment and open space and recreation facilities.

6(a)(v) Leichhardt Local Environment Plan 2013 (LLEP 2013)

The application was assessed against the following relevant clauses of *the Leichhardt Local Environment Plan 2013*:

- Clause 1.2 - Aims of the Plan
- Clause 2.3 - Zone objectives and Land Use Table
- Clause 2.5 - Additional permitted uses for land
- Clause 2.7 - Demolition
- Clause 4.3A - Landscaped areas for residential accommodation in Zone R1
- Clause 4.4 – Floor Space Ratio
- Clause 4.4A - Exception to maximum floor space ratio for active street frontages
- Clause 4.5 - Calculation of floor space ratio and site area
- Clause 4.6 - Exceptions to development standards
- Clause 5.10 - Heritage Conservation
- Clause 6.1 - Acid Sulfate Soils
- Clause 6.2 - Earthworks
- Clause 6.3 - Flood Planning

- Clause 6.4 - Stormwater management
- Clause 6.8 - Development in areas subject to aircraft noise

(i) Clause 2.3 - Land Use Table and Zone Objectives

The site is zoned R1 under the *LLEP 2013*. The *LLEP 2013* defines the development as:

“Dwelling House”

The development is permitted with consent within the land use table. The development is consistent with the objectives of the R1 zone.

The following table provides an assessment of the application against the development standards:

Dwelling 1 (307a – Southern dwelling)

Standard	Proposal	non compliance	Complies
Floor Space Ratio Maximum permissible: 0.8:1 or 147.2 sqm	0.8:1 or 147 sqm	N/A	Yes
Landscape Area Minimum permissible: 15% or 27.6 sqm	25.6% or 47sqm	N/A	Yes
Site Coverage Maximum permissible: 60% or 110 sqm	60% or 110sqm	N/A	Yes

Dwelling 2 (307b – Northern dwelling)

Standard	Proposal	non compliance	Complies
Floor Space Ratio Maximum permissible: 0.8:1 or 147.2 sqm	0.8:1 or 147 sqm	N/A	Yes
Landscape Area Minimum permissible: 15% or 27.6 sqm	21.8% or 40sqm	N/A	Yes
Site Coverage Maximum permissible: 60% or 110 sqm	65% or 119 sqm	9 sqm or 9%	No

*** Note: No proposed changes to development standards from the approved development.**

Clause 5.10 - Heritage Conservation

The subject property at 307 Nelson Street, Annandale, is a contributory dwelling located within the Annandale Heritage Conservation Area (C1 in Schedule 5 of the Leichhardt LEP 2013).

Clause 5.10: Heritage Conservation from the Leichhardt LEP 2013 and *Parts C1.2: Demolition, C1.3: Alterations and additions, C1.4: Heritage conservation areas and heritage*

items, C1.19: Rock faces, rocky outcrops, cliff faces, steep slopes and rock walls, C.2.2.1.6: Nelson Street Distinctive Neighbourhood, C2.2.1.6(a) Nelson Street Laneways Sub Area, C3.4: Dormers and C3.6: Fences from the Leichhardt DCP 2013 applies to the proposal.

The Cover Letter prepared by Candella Properties Pty Limited, dated 13 April 2021, and the Heritage Advice prepared by Weir Phillips Heritage & Planning, dated 13 April 2021, were reviewed as part of this assessment.

Council granted a deferred commencement approval for the construction of terrace style dwelling-houses, each located on existing Torrens title allotments, and associated works including swimming pool and carport fronting Nelson Lane, on 23 February 2021 (DA/2020/0627).

The proposed modification seeks to remove a number of conditions included in the deferred commencement. No new drawings have been provided as part of the modification. The applicant is relying on the stamped drawings, dated 9 December 2021.

The heritage related conditions sought to be amended include deferred commencement condition 1a, 1b., 1c., 1d., 1f., 1g and 1h., and Condition 29.

The Cover letter states:

“The current design is a carefully considered response and is consistent with other contemporary infill development in the conservation areas.”

As the site is located in the Annandale HCA, infill development must be consistent with the desired future character of the area. The first point of the Statement of Significance for the Annandale HCA states:

“One of a number of conservation areas that collectively illustrate the nature of Sydney’s early suburbs and Leichhardt’s suburban growth particularly between 1871 and 1891, with pockets of infill up to the end of the 1930s (ie prior to World War II).”

The HIS states *“The proposed dwellings have been thoughtfully designed and considered to read as a modern insertion into the Annandale Heritage Conservation area.”* Infill development needs to relate to the character of the conservation area, being building stock from between 1871 and 1891. It is irrelevant to relate the character of the development with other contemporary development in conservation areas as this erodes the character of the conservation area and is inconsistent with the desired future character of the area. Other contemporary examples may have been approved under previous controls and would not be supported under the current controls. Such examples do not create precedent to continue uncharacteristic development within conservation areas.

Below are individual assessments in respect to each condition proposed to be deleted as part of the modification.

- a. *The recessed door and windows to the front façade of dwelling 307A are to be deleted and redesigned so they sit within a simple front façade, and as part of this simplification, the eaves storage at the first floor is to be deleted.*

Comment: The Heritage Advice states *“The proposed recessed door and windows to the front elevation of No.307A Nelson Street looks at a modern interpretation of the Victorian verandah and balcony recesses to provide articulation, texture and shadow to the elevation.”*

As stated in the original heritage referral for the DA, the recessed door and windows to the front façade of 307A are not acceptable and are to be deleted as they are not characteristic of door and window openings within the streetscape. They are also not complementary to the character of window and door openings in the Annandale HCA. The deletion of this condition is not supported.

- b. *Large expanses of glass are not to be used in areas visible from the public domain, e.g. in the west (front) or east (rear) elevations. Openings must be vertically proportioned, employing traditional design (timber sash or French doors) and materials (timber frame).*

Comment: The Heritage Advice states “*The areas of glass to the Nelson Street elevation, noted by Council, are tempered and balanced by the areas of solid wall, fascias, vertical screening and balustrade detail.*”

As stated in the original heritage referral for the DA, large expanses of glass are not to be used in areas visible from the public domain, e.g. in the west (front) or east (rear) elevations. Openings must be vertically proportioned, employing traditional design (timber sash or French doors) and materials (timber frame). The window and door fenestration proposed are too large and do not complement the established character of window and door fenestration within the streetscape and the HCA. The deletion of this condition is not supported.

- c. *The sloping glass skylights to the east elevation of the dwellings is to be deleted. If skylights are required, they are to sit flush with the rear roof plane.*

Comment: The Heritage Advice states “*The sloping glass skylights and solar panels are located on the rear elevations of the dwellings. They are not visible from Nelson Street which is the principal presentation of the site to the Heritage Conservation Area. The design of the skylights are in keeping with the modern design of the proposal. Views to the rear of the properties are highly obscured and mitigated by the narrowness of Nelson Lane and dense tree foliage within Smith, Hogan and Spindlers Park.*”

The skylights will be visible from the rear elevation, from Nelson Lane. As stated in the original heritage referral for the DA, the skylights are not supported and are to be deleted as they are not characteristic of the character within the HCA. If skylights are required, they are to sit flush with the rear roof plane. The deletion of this condition is not supported.

- d. *Solar panels are to be designed and installed so they sit behind the ridgeline of the main roof form to the street and are to sit flush with the roof.*

Comment: The solar panels are proposed to be located to the rear of the dwellings, which is acceptable. However, they are proposed to sit at an angle from the roof plane. This condition is to remain so the solar panels are installed so they sit flush to the roof plane as they will be visible from Nelson Lane.

- f. *Proposed rear decking to the northern dwelling should be lowered to a maximum RL of 10.00 to minimise any overlooking impacts and any proposed privacy screens to the fencing on the northern boundary to be deleted.*

Comment: Refer to Section 6(d) – C3.111 – Visual Privacy, LDPC 2013 for consideration of this condition.

- g. *Lower the pool level of the southern dwelling to a maximum finished level to be no higher than the levels of the rear deck of 305 Nelson Street (RL9.75) and provided privacy screens with a height of 1.8 metres from this level and*

the privacy screen to not extend beyond the rear alignment of the rear deck at 305 Nelson Street (excluding the landing).

Comment: Refer to Section 6(d) – C3.111 – Visual Privacy, LDPC 2013 for consideration of this condition.

h. *BASIX certificates consistent with the changes to be provided.*

Comment: The above condition still remains relevant as the deletion of the above condition is not supported.

Condition 29: Materiality Board:

Prior to commencement of any excavation, demolition or construction work, the Materiality Board is to be revised replacing the proposed Standing Seam for the roofing with a pre-coloured traditional corrugated steel roofing, finished in a colour equivalent to Colorbond colours “Windspray” or “Wallaby”.

Comment: The Heritage Advice states “The material palette of render, timber, metal and stone is in keeping with the modern and contemporary design of the proposal and has been carefully and thoughtfully selected for its muted tones, architectural texture and clarity to read as recessive to and separate to the more intricate details characteristic of Victorian era.”

As stated in the original heritage referral for the DA, Standing seam roofing (MR) is not supported as this is not a sympathetic roofing material within the Annandale HCA and is to be replaced with a pre-coloured traditional corrugated steel roofing, finished in a colour equivalent to Colorbond colours “Windspray” or “Wallaby”.

The proposed modification to conditions 1(a) – 1(e) is not acceptable from a heritage perspective as it will result in an infill development with detailing and materials that will detract from the heritage significance of the Annandale Heritage Conservation Area. The design change conditions 1a, 1b., 1c., 1d., 1f., 1g and 1h., and Condition 29 regarding the Materiality Board are to be retained to ensure the development is in accordance with Clause 5.10 Objectives 1(a) and (b) in the Leichhardt LEP 2013 and the relevant objectives and controls in the Leichhardt DCP 2013.

It is further noted that, as part of the investigations under EPA/2021/0229, confirmation from the Department of Planning had been received that the two year covid extension does not apply to complying development certificates and therefore CDCP/2015/107 has expired on 8 July 2020. As DA/2020/0627 is formed in a way where demolition is not part of the original Development Application, this does not impact the assessment of this application, however, the applicant is also unable to demolish the existing dwelling under DA/2020/0627 as demolition is not part of the original development application. In light of this, it is recommended that an additional Deferred Commencement condition to be imposed that requires the applicant to provide evidence that demonstrates that there is a valid approval for demolition of the existing structures currently existing on the site. Further to the above, the applicant has filed a Class 1 appeal on 27 July 2021 to the Land Environment Court against EPA/2021/0229.

6(b) Draft Environmental Planning Instruments

There are no relevant Draft Environmental Planning Instruments.

6(c) Draft Inner West Local Environmental Plan 2020 (Draft IWLEP 2020)

The Draft IWLEP 2020 was placed on public exhibition commencing on 16 March 2020 and accordingly is a matter for consideration in the assessment of the application under *Section 4.15(1)(a)(ii) of the Environmental Planning and Assessment Act 1979*.

The proposal raises no issues that are contrary to the relevant provisions of the Draft IWLEP 2020.

6(d) Development Control Plans

The application has been assessed and the following provides a summary of the relevant provisions of Leichhardt Development Control Plan 2013.

LDCP2013	Compliance
Part A: Introductions	
Section 3 – Notification of Applications	Yes
Part B: Connections	
B1.1 Connections – Objectives	Yes
Part C	
C1.0 General Provisions	Yes
C1.1 Site and Context Analysis	Yes
C1.2 Demolition	See discussion above under 5.10 – Heritage in Section 6(a)(v) of this report
C1.3 Alterations and additions	N/A
C1.4 Heritage Conservation Areas and Heritage Items	No – see discussion
C1.7 Site Facilities	Yes
C1.8 Contamination	Yes
C1.11 Parking	Yes
C1.12 Landscaping	Yes
C1.14 Tree Management	No – see discussion
C1.18 Laneways	Yes
C1.19 Rock Faces, Rocky Outcrops, Cliff Faces, Steep Slopes and Rock Walls	Yes
Part C: Place – Section 2 Urban Character	
C2.2.1.6 Nelson Street Distinctive Neighbourhood	No – see discussion
Part C: Place – Section 3 – Residential Provisions	
C3.1 Residential General Provisions	No – see discussion
C3.2 Site Layout and Building Design	No – see discussion
C3.3 Elevation and Materials	No – see discussion
C3.4 Dormer Windows	Yes
C3.5 Front Gardens and Dwelling Entries	Yes
C3.6 Fences	Yes
C3.7 Environmental Performance	Yes
C3.8 Private Open Space	Yes
C3.9 Solar Access	No – see discussion
C3.10 Views	Yes – see discussion
C3.11 Visual Privacy	No – see discussion

C3.12 Acoustic Privacy	Yes
Part D: Energy	
Section 1 – Energy Management	Yes
Section 2 – Resource Recovery and Waste Management	
D2.1 General Requirements	Yes
D2.2 Demolition and Construction of All Development	Yes
D2.3 Residential Development	Yes
Part E: Water	
Part E: Water	
Section 1 – Sustainable Water and Risk Management	Yes
E1.1 Approvals Process and Reports Required With Development Applications	Yes
E1.1.1 Water Management Statement	Yes, subject to conditions
E1.1.3 Stormwater Drainage Concept Plan	Yes, subject to conditions
E1.2 Water Management	Yes
E1.2.1 Water Conservation	Yes
E1.2.2 Managing Stormwater within the Site	Yes, subject to conditions
E1.2.3 On-Site Detention of Stormwater	Yes, subject to conditions
E1.2.4 Stormwater Treatment	Yes
E1.2.5 Water Disposal	Yes

The following provides discussion of the relevant issues:

A1.9 The Structure of this Development Control Plan

Pursuant to Part A1.9 of the LDCP2013:

“Part C is called Place and includes Suburb Profiles, Distinctive Neighbourhood Character Statements, objectives and controls, General Provisions including controls for both residential and non-residential development; Residential Provisions for all types of residential development, irrespective of the zone; INTRODUCTION PART A – 6 and Non-residential Provisions which provides for types of non-residential development, irrespective of the zone.”

On this basis, the proposal has been assessed against the following controls of the LDCP2013.

Clause C1.0 General Provisions

As discussed in earlier and later sections of the report, the proposal to delete conditions 1(a) – 1(h) will result in development that will be incompatible with the heritage area and that will result in adverse amenity impacts to adjoining properties, and therefore, is considered to inconsistent with the following objectives under this part:

- *O4 Amenable: places and spaces provide and support reasonable amenity, including solar access, privacy in areas of private open space, visual and acoustic privacy, access to views and clean air.*
- *O6 Compatible: places and spaces contain or respond to the essential elements that make up the character of the surrounding area and the desired future character. Building heights, setbacks, landscaping and architectural style respond to the desired*

future character. Development within Heritage Conservation Areas or to Heritage Items must be responsive to the heritage significance of the item and locality.

The proposed deletion of 'Deferred Commencement' conditions in relation to tree protection (i.e. conditions 2, 3 and 4) is only supported subject to retention of the conditions imposed administratively in error (see discussions above and below in this regard) to ensure the subject tree on the adjoining property will not be adversely impacted by the proposed development.

C1.4 Heritage Conservation Areas and Heritage Items, C3.3 Elevation and Materials

As discussed in an earlier section of the report under Clause 5.10 – Heritage Conservation of the Leichhardt LEP 2013, the proposed modifications to delete the design change conditions will result in a development that is considered to be incompatible with the existing streetscape and the heritage conservation area in which the site is located.

The proposed modifications is also considered to be contrary to the Objectives O1d and O1e and control C8 of C.14 Heritage Conservation Areas and Heritage Items.

- *O1 Development:*
 - d. *is compatible with the setting or relationship of the building with the Heritage Conservation Area in terms of scale, form, roof form, materials, detailing and colour of the building and conforms with the Burra Charter.*
 - e. *new buildings are sympathetic in scale, form, architectural detail, fenestration and siting to the Heritage Conservation Area or Heritage Item and conforms with the Burra Charter.*
- *C8 New development need not seek to replicate period details of original buildings in proximity to the site, but rather, demonstrate respect for the form, scale and siting of the immediate area.*

The proposed modifications is also considered to be contrary to the Objectives O1a under C3.3 – Elevations and Materials:

- *O1 Building elevation and materials visible from the public domain:*
 - a. *complement the prevailing or desired future character of the neighbourhood, in particular responding to the vertical and horizontal rhythm of the streetscape.*

Therefore the proposed changes to the conditions 1(a) – 1(h) are not supported.

C1.14 Tree Management

The issues in relation to Tree Management was referred to the Urban Forest team and incorporated into the assessment below.

Conditions 5, 2, 13, 14, 26, 28, 30, 31, 32, 33, 41, 42, 45 and four (4) Advisory Notes titled "Consent of Adjoining property owners" were not part of the draft conditions that formed as part of the agenda of the IWLPP meeting that the original development application was determined at and these conditions were imposed in the final determination notice due to an administrative error. The administrative error could have been addressed by a section 4.55(1A) application, as adequate tree protection measures would have been fulfilled by the deferred commencement conditions (i.e. condition 2 – 4).

However, as part of the application, the applicant is also seeking to delete Conditions 2 – 4 (as reproduced below):

2. *The applicant is to engage the services of an AQF level 5 Consulting Arborist to undertake a non-destructive root investigation along the northern boundary of the site within the vicinity of the potentially impacted tree located in 309 Nelson Street in accordance with Council's Development Fact Sheet 3. Root Mapping Reports. Root mapping must be carried out to verify the quantity, type, size and location of roots from trees on adjoining property.*
3. *Upon the root mapping investigation being undertaken, the applicant is required to provide an updated Tree Protection Plan containing tree-specific and site-specific protection measures for trees on adjoining property, including the location of TPZ fencing to be installed. If fencing cannot be erected around the TPZ, the report should specify the location of alternative tree protection measures within the TPZ.*
4. *Amended architectural plans are to be submitted reflecting any recommendations of the arborist report required by 'Deferred Commencement' Conditions 1-5 to ensure the future retention, health and stability of all existing trees on adjoining properties.*

Conditions to be deleted

The application to delete the Deferred Commencement (DA/2020/0627) Conditions 2, 3 and 4 is supported.

It is noted that Tree 5 (*Jacaranda mimosifolia* - Jacaranda) is located at the rear of 305 Nelson Street and not at 309 as stated in the condition 2 of the deferred commencement conditions.

As detailed in the letter of Arboricultural Advice prepared by Tree Wise Men (Ref: 2706(L)ArbLetter), submitted with the application to modify conditions, there are no encroachments into the Structural Root Zone (SRZ) or Tree Protection Zone (TPZ) of Tree 5 and root mapping is not required subject to adequate conditions provided in relation to the protection of the trees on the adjoining property and adequate tree planting.

Conditions to be reintroduced as a result of the deletion of conditions 2 - 4

The applicant is also seeking to delete Conditions 5, 2, 13, 14, 26, 28, 30, 31, 32, 33, 41, 42, 45 and four (4) Advisory Notes titled "Consent of Adjoining property owners", "Arborist standards", "Tree protection Works" and "Tree pruning or Removal (including root pruning/mapping)".

These conditions sought to be deleted are those that were included in the Notice of Determination due to an administration error.

However, as the application is seeking to delete conditions 2 – 4, adequate tree protection conditions must be introduced. Therefore, as a result of deleting conditions 2 - 4, Conditions 5, 2, 13, 14, 26, 27, 28, 30, 31, 32, 33, 41, 42, 45 and the four (4) Advisory Notes titled "Consent of Adjoining property owners", "Arborist standards", "Tree protection Works" and "Tree pruning or Removal (including root pruning/mapping)" must be retained, and therefore, the deletion of these conditions are not supported from a tree management/ arboricultural perspective. Therefore, the deletion of the abovementioned Conditions 5, 2, 13, 14, 26, 27, 28, 30, 31, 32, 33, 41, 42, 45 and the four (4) Advisory Notes titled "Consent of Adjoining property owners", "Arborist standards", "Tree protection Works" and "Tree pruning or Removal (including root pruning/mapping)" is not supported.

C2.2.1.6 Nelson Street Distinctive Neighbourhood

As discussed in more detail in an earlier section of the report in relation to Heritage Conservation, the deletion of the design change conditions (i.e. condition 1(a) – 1(e)) will result in a development where the box form, materials used and articulation of the front elevation is considered to be inconsistent with the character within the immediate vicinity and the desired future character for the Nelson Street Distinctive Neighbourhood. Therefore, the proposed modifications will be inconsistent with C11 under this part, i.e.

C11 Maintain the harmony/character of the neighbourhood by ensuring development is complementary in form and materials, and reflects the cohesiveness of the streetscape.

Therefore the deletion of conditions 1(a) – 1(e) is not recommended to be supported.

C3.1 Residential General Provisions

As discussed in earlier and later sections of the report, the proposed modifications to delete the design change conditions are considered to be incompatible with the heritage area and will result in adverse amenity impacts to adjoining properties, and therefore, is considered to be inconsistent with the following objectives under this part:

- *O3 To ensure that alterations, additions to residential buildings and new residential development are compatible with the established setting and character of the suburb and neighbourhood and compatible with the desired future character and heritage significance of the place and its setting.*
- *O7 To ensure that the amenity, including solar access and visual privacy, of the development and adjacent properties is not adversely impacted.*

C3.11 Visual Privacy

The following controls are applicable in C3.11 Visual Privacy

- *C1 Sight lines available within 9m and 45 degrees between the living room or private open space of a dwelling and the living room window or private open space of an adjoining dwelling are screened or obscured unless direct views are restricted or separated by a street or laneway.*
- *C5 The provision of landscaping may be used to complement other screening methods but cannot be solely relied upon as a privacy measure.*
- *C7 New windows should be located so they are offset from any window (within a distance of 9m and 45 degrees) in surrounding development, so that an adequate level of privacy is obtained/retained where such windows would not be protected by the above controls (i.e. bathrooms, bedrooms).*
- *C9 Balconies at first floor or above at the rear of residential dwellings will have a maximum depth of 1.2m and length of 2m unless it can be demonstrated that due to the location of the balcony there will be no adverse privacy impacts on surrounding residential properties with the provision of a larger balcony.*
- *C10 Living areas are to be provided at ground floor level to minimise opportunities for overlooking of surrounding residential properties.*

It is noted that, while the internal floor levels are required to be lifted to address the engineering issues, the rear deck and the pool is not required to be lifted. Contrary to this, the external surfaces must be 150mm below the internal levels, and therefore, regardless of the visual privacy impacts, the levels of the rear deck to the proposed northern dwelling and the pool levels of the proposed southern dwelling must be lowered to RL10.00.

In regard to the potential visual privacy at the ground floor level, the amended design includes a reduction of the proposed rear deck of the northern dwelling (which now has the same setback to the rear boundary as the existing timber decking) and the proposed pool of the southern dwelling and some minor reduction of the proposed fencing/privacy screens on the northern and southern boundaries associated with these structures. It should be noted that privacy screening is proposed on top of the fencing to the side boundaries which add to the bulk and scale concerns when viewed from the adjoining properties, which is considered unsatisfactory.

In regard to impacts to 309 Nelson Street, any proposed rear decking to the northern dwelling should be lowered to a maximum RL of 10.00 to minimise any overlooking impacts and any proposed privacy screens to the fencing on the northern boundary should be deleted.

In regard to impacts to 305 Nelson Street, it is noted that the existing elevated deck at 305 Nelson Street will have sightlines into the rear yard of No. 307 Nelson Street. On balance, a reasonable approach will be to lower the pool level to a maximum finished level to be no higher than the levels of the rear deck of 305 Nelson Street (RL9.75) and provided privacy screens with a height of 1.8 metres from this level and the privacy screen to not extend beyond the rear alignment of the rear deck at 305 Nelson Street (excluding the landing).

Conditions 1(f) and 1(g) were conditions imposed to address the above issues and the deletion of these conditions will result in adverse amenity impacts to the adjoining properties.

C3.12 – Acoustic Privacy

The following controls are applicable in C3.12 Acoustic Privacy

C3 Noise generating areas that are not contained within buildings, such as private outdoor open space, parking and service equipment, is located and oriented away from bedroom windows on adjoining sites.

C8 Private open space is encouraged to be located away from bedrooms on adjoining properties to ensure minimal acoustic impacts.

The living areas and private open spaces are provided at ground floor level and are located away from bedroom windows and therefore is considered to be satisfactory in this regard. However, the application for refusal for reasons outlined elsewhere in the report.

6(e) The Likely Impacts

The assessment of the Development Application demonstrates that the proposal will have an adverse impact on the locality in the following way:

Impact to heritage and desired future character of the area

The proposal deletion of conditions 1(a) – 1(e) will result in a development that is considered to be incompatible with the existing streetscape and the heritage conservation area that it is located in. If approved, it will set an undesired precedent of the type and form of in-fill new dwellings located within the Annandale Heritage Conservation Area.

Amenity impacts to adjoining properties

The proposal deletion of conditions 1(f) and 1(g) will result in a development that will result in unnecessary and excessive adverse amenity impacts to the adjoining properties.

Therefore, only a part approval is recommended.

6(f) The suitability of the site for the development

It is considered that the proposed deletion of conditions 1(a) – 1(h) will have an adverse impact on the adjoining properties and is incompatible with the existing streetscape and heritage conservation area and therefore it is considered that the site is unsuitable to accommodate the proposed development if conditions 1(a) – 1(h) is deleted from the conditions of consent.

6(g) Any submissions

The application was notified in accordance with Council's Community Engagement Framework for a period of 14 days to surrounding properties.

Submissions were received from 10 properties.

The following issues raised in submissions have been discussed in this report:

- Issues in relation to impact to the heritage conservation area – see Section 6(d) - C1.3 Alterations and additions, C1.4 Heritage Conservation Areas and Heritage Items, C2.2.1.6 Nelson Street Distinctive Neighbourhood and C3.2 Site Layout and Building Design
- Issues in relation visual privacy– see Section 6(d) - C3.11 Visual and Acoustic Privacy.

In addition to the above issues, the submissions raised the following concerns which are discussed under the respective headings below:

Issue:

- the lack of consideration that the Local Planning Panel has given to the concerns and decisions made in the Development Assessment Team's Report for DA 2020/0627 in assurance that, in part at least, the required Conditions attached to the approval are met in full the need to safeguard council's DCP and LEP requirements and ensure variations remain within acceptable boundaries and are not inconsistently applied

Comment: As discussed in throughout the report, the deletion condition 2 – 4 in relation to tree protections can be removed subject to the introduction of adequate tree protection conditions. Conditions 1(a) – 1(h) are not supported for removal due to adversely impacts to the heritage conservation area and amenity to adjoining properties.

Issue: Solar Access impacts

Comment: The conditions proposed to be deleted as part of this modification will not result in adverse additional impacts in relation solar access, compared to the development that was previously approved. However, the deletion of conditions 1(a) – 1(h) is not supported due to reasons outlined elsewhere in the report.

Issue in relation to demolition of existing dwelling

Comment: As part of the investigations under EPA/2021/0229, confirmation from the Department of Planning had been received that the two year covid extension does not apply to complying development certificates and therefore CDCP/2015/107 has expired on 8 July 2020. As DA/2020/0627 is formed in a way where demolition is not part of the original development application, this does not impact the assessment of this application. However, the applicant is also unable to demolish the existing dwelling under DA/2020/0627 as demolition is not of the original development application. In light of this, it is recommended

that an additional Deferred Commencement condition to be imposed that requires the applicant to provide evidence that demonstrates that there is a valid approval for demolition of the existing structures currently existing on the site.

6(h) The Public Interest

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments, and by Council ensuring that any adverse effects on the surrounding area and the environment are appropriately managed.

The proposed deletion of conditions 1(a) – 1(h) and 5, 12, 13, 14, 26, 28, 30, 31, 32, 33, 41, 42, 45 and four (4) Advisory Notes titled “Consent of Adjoining property owners” are considered to be contrary to public interest.

7 Referrals

7(a) Internal

The application was referred to the following internal sections/officers and issues raised in those referrals have been discussed in Section 6 above.

- Heritage
- Urban Forest

7(b) External

The application was not required to be required to an external bodies.

8. Section 7.11 Contributions/7.12 Levy

The carrying out of the proposed development would result in an increased demand for public amenities and public services within the area. In the event that approval of the application is recommended, Section 7.11 contributions are payable for the proposal. The condition in relation to section 7.11 contributions will be retained.

9. Conclusion

The proposed deletion of conditions 1(a) – 1(h) would result in significant impacts on the amenity of the adjoining properties and the streetscape, and is not considered to be in the public interest.

The proposed deletion of conditions 2 – 4 can only be supported subject to adequate tree protection conditions being introduced, and while the deletion of conditions 2 – 4 can be recommended, Conditions 5, 12, 13, 14, 26, 28, 30, 31, 32, 33, 41, 42, 45 and four (4) Advisory Notes titled “Consent of Adjoining property owners” will need to reinstated/retained to provide adequate tree protection measures.

- General Conditions 5, 12, 13, 14, 26, 27, 28, 29, 30, 31, 32, 33, 41, 42, 45
- Advisory notes in relation to: Consent of Adjoining property owners, Arborist standards, Tree Protection Works and Tree Pruning or Removal (including root pruning/mapping)

10. Recommendation

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.55(1A) of the *Environmental Planning and Assessment Act 1979*, grant *part approval* for Modification Application No. MOD/2021/0142 for Section 4.55(1A) Modification of Development Consent DA/2020/0627 which approved new dwellings and associated works, seeking various changes, including to delete various conditions, including required design change conditions to the front of the house and that require the lowering of the pool and rear deck levels, and various tree protection conditions at 307 Nelson Street ANNANDALE NSW 2038 subject to the conditions listed in Attachment A below:

Attachment A – Recommended conditions of consent

Attachment A – Recommended conditions of consent

The Deferred Commencement condition to be amended as follows:

The following is a Deferred Commencement condition imposed pursuant to Section 4.16(3) of the *Environmental Planning and Assessment Act 1979*. This Consent will not operate and may not be acted upon until the Council is satisfied as to the following matter(s):

A. Ad-Hoc Deferred Commencement Condition 1

The following deferred commencement conditions must be complied with to the satisfaction of Council, prior to the issue of an operational Development Consent.

1. Amended plans are to be submitted incorporating the following amendments:
 - a. The recessed door and windows to the front façade of dwelling 307A are to be deleted and redesigned so they sit within a simple front façade, and as part of this simplification, the eaves storage at the first floor is to be deleted.
 - b. Large expanses of glass are not to be used in areas visible from the public domain, e.g. in the west (front) or east (rear) elevations. Openings must be vertically proportioned, employing traditional design (timber sash or French doors) and materials (timber frame).
 - c. The sloping glass skylights to the east elevation of the dwellings is to be deleted. If skylights are required, they are to sit flush with the rear roof plane.
 - d. Solar panels are to be designed and installed so they sit behind the ridgeline of the main roof form to the street and are to sit flush with the roof.
 - e. The footpath design for Dwelling 307B is to be reverted back to the straight rectangular form as proposed in the Issue B of the drawings prepared by ETCH Studio, dated 30 October 2020.
 - f. Proposed rear decking to the northern dwelling should be lowered to a maximum RL of 10.00 to minimise any overlooking impacts and any proposed privacy screens to the fencing on the northern boundary to be deleted.
 - g. Lower the pool level of the southern dwelling to a maximum finished level to be no higher than the levels of the rear deck of 305 Nelson Street (RL9.75) and provided privacy screens with a height of 1.8 metres from this level and the privacy screen to not extend beyond the rear alignment of the rear deck at 305 Nelson Street (excluding the landing).
 - h. BASIX certificates consistent with the changes to be provided.
- ~~2. The applicant is to engage the services of an AQF level 5 Consulting Arborist to undertake a non-destructive root investigation along the northern boundary of the site within the vicinity of the potentially impacted tree located in 309 Nelson Street in accordance with Council's *Development Fact Sheet 3. Root Mapping Reports*. Root mapping must be carried out to verify the quantity, type, size and location of roots from trees on adjoining property. (Condition deleted by MOD/2021/0142 dated XX)~~
- ~~3. Upon the root mapping investigation being undertaken, the applicant is required to provide an updated Tree Protection Plan containing tree-specific and site-specific protection measures for trees on adjoining property, including the location of TPZ fencing to be installed. If fencing cannot be erected around the TPZ, the report should specify the location of alternative tree protection measures within the TPZ. (Condition deleted by MOD/2021/0142 dated XX)~~
- ~~4. Amended architectural plans are to be submitted reflecting any recommendations of the arborist report required by 'Deferred Commencement'~~

~~Conditions 1-5 to ensure the future retention, health and stability of all existing trees on adjoining properties. (Condition deleted by MOD/2021/0142 dated XX).~~

5. *Evidence to be provided that demonstrates that there is a valid approval for demolition of the existing structures currently existing on the site. (Condition added by MOD/2021/0142 dated XX).*

If the applicant fails to satisfy Council as to the above matters within 2 years from the date of determination this consent will lapse.

Evidence of the above matter(s) must be submitted to Council within 2 years otherwise the Consent will not operate.

Attachment B – Original Conditions of Consent



DEFERRED COMMENCEMENT - APPROVAL

Issued under Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979, in accordance with the provisions of section 4.16(3)

Development Application No.	DA/2020/0627
Applicant	Candella Group Pty Ltd
Land to be developed	307 Nelson Street ANNANDALE NSW 2038
Approved development	Construction of a terrace style dwelling-houses, each located on existing Torrens title allotments, and associated works including swimming pool and carport fronting Nelson Lane
Cost of development	\$1,093,200.00
Determination	The application was determined by Local Planning Panel and was granted a deferred commencement consent subject to the conditions in Part A and B.
Other Approvals	Before commencing <i>building work</i> or <i>subdivision work</i> , a relevant Construction Certificate must be obtained from Council or an Accredited Certifier. Council must be appointed the Principal Certifier for any <i>subdivision work</i> under the Act.
Date of determination	23 February 2021
Consent is to operate from	Not yet operational
Consent will lapse on	Five years from date consent becomes operational

Inner West Council
 innerwest.nsw.gov.au
 02 9392 5000

council@innerwest.nsw.gov.au
 PO Box 14, Petersham NSW 2049

Reasons for conditions

To protect the environmental amenity of the area and the public interest.

Right of appeal

If you are dissatisfied with this decision, Section 8.7 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court in accordance with the timeframes set out in [Section 8.10](#) of the *Environmental Planning and Assessment Act 1979*. In addition to the above, third party appeal rights are set out in the *Environmental Planning and Assessment Act 1979* and may be applicable.

Section 8.2 of the *Environmental Planning and Assessment Act 1979* provides that the applicant may request the Council to review the determination. Section 8.2 does not apply to complying development, designated development, a determination made by Council under Section 4.2 in respect of Crown applications, or a decision that is already subject to a Section 8.2 review.

For further information please contact **Eric Wong** on **02 9392 5229** or eric.wong@innerwest.nsw.gov.au.

Yours faithfully



Luke Murtas
Manager Development Assessment (South)

CONDITIONS OF CONSENT

The following is a Deferred Commencement condition imposed pursuant to Section 4.16(3) of the *Environmental Planning and Assessment Act 1979*. This Consent will not operate and may not be acted upon until the Council is satisfied as to the following matter(s):

A. Ad-Hoc Deferred Commencement Condition 1

The following deferred commencement conditions must be complied with to the satisfaction of Council, prior to the issue of an operational Development Consent.

1. Amended plans are to be submitted incorporating the following amendments:
 - a. The recessed door and windows to the front façade of dwelling 307A are to be deleted and redesigned so they sit within a simple front façade, and as part of this simplification, the eaves storage at the first floor is to be deleted.
 - b. Large expanses of glass are not to be used in areas visible from the public domain, e.g. in the west (front) or east (rear) elevations. Openings must be vertically proportioned, employing traditional design (timber sash or French doors) and materials (timber frame).
 - c. The sloping glass skylights to the east elevation of the dwellings is to be deleted. If skylights are required, they are to sit flush with the rear roof plane.
 - d. Solar panels are to be designed and installed so they sit behind the ridgeline of the main roof form to the street and are to sit flush with the roof.
 - e. The footpath design for Dwelling 307B is to be reverted back to the straight rectangular form as proposed in the Issue B of the drawings prepared by ETCH Studio, dated 30 October 2020.
 - f. Proposed rear decking to the northern dwelling should be lowered to a maximum RL of 10.00 to minimise any overlooking impacts and any proposed privacy screens to the fencing on the northern boundary to be deleted.
 - g. Lower the pool level of the southern dwelling to a maximum finished level to be no higher than the levels of the rear deck of 305 Nelson Street (RL9.75) and provided privacy screens with a height of 1.8 metres from this level and the privacy screen to not extend beyond the rear alignment of the rear deck at 305 Nelson Street (excluding the landing).
 - h. BASIX certificates consistent with the changes to be provided.
2. The applicant is to engage the services of an AQF level 5 Consulting Arborist to undertake a non-destructive root investigation along the northern boundary of the site within the vicinity of the potentially impacted tree located in 309 Nelson Street in accordance with Council's *Development Fact Sheet 3. Root Mapping Reports*. Root mapping must be carried out to verify the quantity, type, size and location of roots from trees on adjoining property.

3. Upon the root mapping investigation being undertaken, the applicant is required to provide an updated Tree Protection Plan containing tree-specific and site-specific protection measures for trees on adjoining property, including the location of TPZ fencing to be installed. If fencing cannot be erected around the TPZ, the report should specify the location of alternative tree protection measures within the TPZ.
 4. Amended architectural plans are to be submitted reflecting any recommendations of the arborist report required by 'Deferred Commencement' Conditions 1-5 to ensure the future retention, health and stability of all existing trees on adjoining properties
- If the applicant fails to satisfy Council as to the above matters within 2 years from the date of determination this consent will lapse.

Evidence of the above matter(s) must be submitted to Council within 2 years otherwise the Consent will not operate.

DOCUMENTS RELATED TO THE CONSENT

1. Documents related to the consent

The development must be carried out in accordance with plans and documents listed below:

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
Drawing Number A101, Issue C	SITE PLAN/SITE ANALYSIS	09.12.20	Etch Studio
Drawing Number A110, Issue C	PLAN - ROOF	09.12.20	Etch Studio
Drawing Number A111, Issue C	PLAN - FIRST	09.12.20	Etch Studio
Drawing Number A112, Issue C	PLAN - GROUND	09.12.20	Etch Studio
Drawing Number A113, Issue C	PLAN - BASEMENT	09.12.20	Etch Studio

Drawing Number A121, Issue C	CARPORT/CROSSOVER DETAILS	09.12.20	Etch Studio
Drawing Number A201, Issue C	SECTION A	09.12.20	Etch Studio
Drawing Number A202, Issue C	SECTION B	09.12.20	Etch Studio
Drawing Number A203, Issue C	SECTION C	09.12.20	Etch Studio
Drawing Number A301, Issue C	NORTH ELEVATION	09.12.20	Etch Studio
Drawing Number A302, Issue C	SOUTH ELEVATION	09.12.20	Etch Studio
Drawing Number A303, Issue C	EAST ELEVATION	09.12.20	Etch Studio
Drawing Number A304, Issue C	WEST ELEVATION	09.12.20	Etch Studio
Drawing Number A801, Issue C	MATERIALITY	09.12.20	Etch Studio
Drawing Number A802, Issue C	FACADE RATIONAL	09.12.20	Etch Studio
1084726M_02	BASIX Certificate No.	12 May 2020	IGS

L-01, Issue B	LANDSCAPE PLAN	15-12-20	Ecodesign
PROJECT: 2011	ARBORICULTURAL IMPACT ASSESSMENT REPORT	15th May 2020	STURT NOBLE ARBORICULTURE
Ref: 19106- 003-SR	Structural Design Report	19 June 2020	ABC Consults Structural Engineers

As amended by the conditions of consent.

FEES

2. Section 7.11 (Former Section 94) Contribution

Prior to the issue of a Construction Certificate works written evidence must be provided to the Certifying Authority that a monetary contribution of \$21,560.78 in accordance with Developer Contributions Plan No.1 – Open Space and Recreation; Developer Contributions Plan No.2 – Community Facilities and Services (2005); and Leichhardt Developer Contributions Plan – Transport and Access (“CP”) has been paid to the Council.

The above contribution is the contribution applicable as at 21 January 2021.

The contribution payable has been calculated in accordance with the CP and relates to the following public amenities and/or services and in the following amounts:

Local Infrastructure Type:	Contribution \$
Open Space and Recreation	\$18,480.00
Community Facilities and Services	\$2,824.00
Light Rail Access Works	\$18.90
Local Area Traffic Management	\$203.75
Bicycle Works	\$34.13
TOTAL	\$21,560.78

A copy of the CP can be inspected at any of the Inner West Council Services Centres or viewed online at:

<https://www.innerwest.nsw.gov.au/develop/planning-controls/section-94-contributions>

Payment methods:

The required contribution must be paid either **by BPAY (to a maximum of \$500,000); unendorsed bank cheque (from an Australian Bank only); EFTPOS (Debit only); credit card (Note: A 1% credit card transaction fee applies to all credit card transactions); cash (to a maximum of \$10,000)**. It should be noted that personal cheques or bank guarantees cannot be accepted for the payment of these contributions. **Prior to payment contact Council's Planning Team to review charges to current indexed quarter, please allow a minimum of 2 business days for the invoice to be issued before payment can be accepted.**

*NB A 0.75% credit card transaction fee applies to all credit card transactions.

3. Long Service Levy

Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that the long service levy in accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* has been paid at the prescribed rate of 0.35% of the total cost of the work to either the Long Service Payments Corporation or Council for any work costing \$25,000 or more.

4. Security Deposit - Custom

Prior to the commencement of demolition works or prior to the issue of a Construction Certificate, the Certifying Authority must be provided with written evidence that a security deposit and inspection fee has been paid to Council to cover the cost of making good any damage caused to any Council property or the physical environment as a consequence of carrying out the works and as surety for the proper completion of any road, footpath and drainage works required by this consent.

Security Deposit:	\$5000.00
Inspection Fee:	\$236.70

Payment will be accepted in the form of cash, bank cheque, EFTPOS/credit card (to a maximum of \$10,000) or bank guarantee. Bank Guarantees must not have an expiry date.

The inspection fee is required for the Council to determine the condition of the adjacent road reserve and footpath prior to and on completion of the works being carried out.

Should any of Council's property and/or the physical environment sustain damage during the course of the demolition or construction works, or if the works put Council's assets or the environment at risk, or if any road, footpath or drainage works required by this consent are not completed satisfactorily, Council may carry out any works necessary to repair the damage, remove the risk or complete the works. Council may utilise part or all of the security deposit to restore any damages, and Council may recover, in any court of competent jurisdiction, any costs to Council for such restorations.

A request for release of the security may be made to the Council after all construction work has been completed and a final Occupation Certificate issued.

The amount nominated is only current for the financial year in which the initial consent was issued and is revised each financial year. The amount payable must be consistent with Council's Fees and Charges in force at the date of payment.

5. Security Deposit - Parks or Street Trees

Prior to any demolition works or the issue of a Construction Certificate (whichever occurs first), the Certifying Authority must be provided with written evidence that a security deposit and inspection fee has been paid to Council to ensure Council street and/or parks are protected and maintained for the duration of development.

Tree Security Deposit:	\$10,000.00
Inspection Fee x2:	\$ 165.00 (x2)

Payment will be accepted in the form of cash, bank cheque, EFTPOS/credit card (to a maximum of \$10,000) or bank guarantee. Bank Guarantees must not have an expiry date.

The inspection fee is required for Council to determine the condition of the street/park tree and prior to commencement and then on completion of the works being carried out. The applicant must arrange an inspection by Council's Public Tree Coordinator to inspect the tree/s.

Should any Council tree sustain damage (including damage to roots within the site) during the course of the demolition or construction works, or if the works put Council's tree or the environment at risk, Council may carry out any works necessary to repair the damage, remove the risk or complete the works. Council may utilise part or all the security deposit to restore any damages, and Council may recover, in any court of competent jurisdiction, any costs to Council for such restorations.

A request for release of the security bond may be made to Council after all construction work has been completed and a final Occupation Certificate issued. The Project Arborist must provide written certification that all conditions relating to the protection of the street tree (including the roots from the tree within the site) have been satisfied. The amount nominated is only current for the financial year in which the initial consent was issued and is revised each financial year. The amount payable must be consistent with Council's Fees and Charges in force at the date of payment.

GENERAL CONDITIONS

6. Noise Levels and Enclosure of Pool/spa Pumping Units

Noise levels associated with the operation of the pool/spa pumping units must not exceed the background noise level (L90) by more than 5dBA above the ambient background within habitable rooms of adjoining properties. Pool plant and equipment must be enclosed in a sound absorbing enclosure or installed within a building so as not to create an offensive noise as defined under the *Protection of the Environment Operations Act 1997* and *Protection of the Environment Operations (Noise Control) Regulation 2008*.

Domestic pool pumps and filters must not be audible in nearby dwellings between 8:00pm to 7:00am Monday to Saturday and 8:00pm to 8:00am Sundays and Public Holidays.

7. Waste Management Plan

Prior to the commencement of any works (including any demolition works), the Certifying Authority is required to be provided with a Recycling and Waste Management Plan (RWMP) in accordance with the relevant Development Control Plan.

8. Erosion and Sediment Control

Prior to the issue of a commencement of any works (including any demolition works), the Certifying Authority must be provided with an erosion and sediment control plan and specification. Sediment control devices must be installed and maintained in proper working order to prevent sediment discharge from the construction site.

9. Standard Street Tree Protection

Prior to the commencement of any work, the Certifying Authority must be provided with details of the methods of protection of all street trees adjacent to the site during demolition and construction.

10. Works Outside the Property Boundary

This development consent does not authorise works outside the property boundaries on adjoining lands.

11. Boundary Alignment Levels

Alignment levels for the site at all pedestrian and vehicular access locations must match the existing back of footpath levels at the boundary.

12. Tree Protection

No trees on public property (footpaths, roads, reserves etc.) are to be removed or damaged during works unless specifically approved in this consent or marked on the approved plans for removal.

Prescribed trees protected by Council’s Management Controls on the subject property and/or any vegetation on surrounding properties must not be damaged or removed during works unless specific approval has been provided under this consent.

Any public tree within five (5) metres of the development must be protected in accordance with Council’s *Development Fact Sheet—Trees on Development Sites*.

No activities, storage or disposal of materials taking place beneath the canopy of any tree (including trees on neighbouring sites) protected under Council’s Tree Management Controls at any time.

The trees identified below are to be retained and protected in accordance with the conditions of consent or approved Tree Protection Plan throughout the development (note: tree numbers must correspond with approved Tree Protection Plan if conditioned) :

Tree No.	Botanical/Common Name	Location
1	<i>Platanus x hybrida</i> (London Plane Tree)	Street tree
2	<i>Jacaranda mimosifolia</i> (Jacaranda)	Front
3	<i>Alnus jorullensis</i> (Evergreen Alder)	Rear
4	<i>Angophora costata</i> (Sydney Red Gum)	Rear
5	<i>Jacaranda mimosifolia</i> (Jacaranda)	Rear - 305 Nelson Street

Note - the removal of Tree 3 was approved under TREE/2020/0104

Details of the trees must be included on all Construction Certificate plans and shall be annotated in the following way:

- a. Green for trees to be retained;

- b. Red for trees to be removed;
- c. Blue for trees to be pruned; and
- d. Yellow for trees to be transplanted.

NOTE: Reference should be made to the Arboricultural Impact Assessment Report prepared by Stuart Noble Arboriculture dated 15th May 2020 and letter dated 11 January 2021 for tree numbering and locations.

13. Project Arborist

Prior to the commencement of any demolition or construction works within close proximity to protected trees a Project Arborist must be engaged for the duration of the site preparation, demolition, construction and landscaping to supervise works. Details of the Project Arborist must be submitted to the Certifying Authority before work commences.

14. Ground Level Changes Near Trees

Prior to the issue of a Construction Certificate, the Certifying Authority is required to be provided with amended plans that show no ground level changes over the soft landscaping area within the TPZ (radius of 4.5 m) of Tree 4 (*Angophora costata* - Sydney Red Gum).

PRIOR TO ANY DEMOLITION

15. Dilapidation Report

Prior to any works commencing (including demolition), the Certifying Authority and owners of identified properties, must be provided with a colour copy of a dilapidation report prepared by a suitably qualified person. The report is required to include colour photographs of all the adjoining properties to the Certifying Authority's satisfaction. In the event that the consent of the adjoining property owner cannot be obtained to undertake the report, copies of the letter/s that have been sent via registered mail and any responses received must be forwarded to the Certifying Authority before work commences.

16. Advising Neighbors Prior to Excavation

At least 7 days before excavating 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.

17. Construction Fencing

Prior to the commencement of any works (including demolition), the site must be enclosed with suitable fencing to prohibit unauthorised access. The fencing must be erected as a barrier between the public place and any neighbouring property.

18. Hoardings

The person acting on this consent must ensure the site is secured with temporary fencing prior to any works commencing.

If the work involves the erection or demolition of a building and is likely to cause pedestrian or vehicular traffic on public roads or Council controlled lands to be obstructed or rendered inconvenient, or building involves the enclosure of public property, a hoarding or fence must be erected between the work site and the public property. An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling onto public property.

Separate approval is required from the Council under the *Roads Act 1993* to erect a hoarding or temporary fence or awning on public property.

PRIOR TO CONSTRUCTION CERTIFICATE**19. Sydney Water – Tap In**

Prior to the issue of a Construction Certificate, the Certifying Authority is required to ensure approval has been granted through Sydney Water's online 'Tap In' program to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met.

Note: Please refer to the web site <http://www.sydneywater.com.au/tapin/index.htm> for details on the process or telephone 13 20 92

20. Structural and Geotechnical Report

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with an integrated structural and geotechnical report and structural plans that address the design of the proposed basement, prepared certified as compliant with the terms of this condition by a qualified practicing Structural and Geotechnical Engineer(s) who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng). The report and plans must be prepared/ amended to make provision for the following:

- a. The basement must be fully tanked to prevent the ingress of subsurface flows;
- b. Retaining walls must be entirely self-supporting in the event that excavation is undertaken within the road reserve adjacent to the property boundary to the depth of the proposed structure;
- c. Any existing or proposed retaining walls that provide support to the road reserve must be adequate to withstand the loadings that could be reasonably expected from within the constructed road and footpath area, including normal traffic and heavy construction and earth moving equipment, based on a design life of not less than 50 years;
- d. All components of the basement, including footings, must be located entirely within the property boundary;
- e. No adverse impact on surrounding properties including Council's footpath and road;
- f. The existing subsurface flow regime in the vicinity of the development must not be significantly altered as a result of the development;
- g. Recommendations regarding the method of excavation and construction, vibration emissions and identifying risks to existing structures or those on adjoining or nearby property; and
- h. Provide relevant geotechnical/ subsurface conditions of the site, as determined by a full geotechnical investigation.

21. Dilapidation Report – Pre-Development – Minor

Prior to the issue of a Construction Certificate or any demolition, the Certifying Authority must be provided with a dilapidation report including colour photos showing the existing condition of the footpath and roadway adjacent to the site.

22. Stormwater Drainage System – Minor Developments (OSD is required)

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with stormwater drainage design plans incorporating on site stormwater detention and/or on site retention/ re-use facilities (OSR/OSD), certified by a suitably qualified Civil Engineer that the design of the site drainage system complies with the following specific requirements:

- a. The stormwater drainage concept plan on Drawing No. 19106/C02.01-C03.01 prepared by abc Consultants and dated 4 January 2021 must be amended to comply with the following;
- b. Stormwater runoff from all roof areas within the property being collected in a system of gutters, pits and pipeline and be discharged, together with overflow pipelines from any rainwater tank(s), by gravity to the kerb and gutter of a public road/directly to Council's piped drainage system via the OSD/OSR tanks as necessary;
- c. Comply with Council's Stormwater Drainage Code, Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3-2018 'Stormwater Drainage' and Council's DCP;

- d. Charged or pump-out stormwater drainage systems are not permitted including for roof drainage;
- e. The design plans must detail the existing and proposed site drainage layout, size, class and grade of pipelines, pit types, roof gutter and downpipe sizes;
- f. The plans, including supporting calculations, must demonstrate that the post development flows for the 100 year ARI storm are restricted to the pre development flows for the 5 year ARI storm event in accordance with Section E1.2.3 (C2 and C3) of Council's DCP2013 and the maximum allowable discharge to Council's street gutter limited to 15 litres/second (100year ARI);
- g. OSD may be reduced or replaced by on site retention (OSR) for rainwater reuse in accordance with the relevant DCP that applies to the land. Where this is pursued, the proposed on-site retention (OSR) tanks must be connected to a pump system for internal reuse for laundry purposes, the flushing of all toilets and for outdoor usage such as irrigation. Surface water must not be drained to rainwater tanks where the collected water is to be used to supply water inside the dwelling, such as for toilet flushing or laundry use;
- h. Pipe and channel drainage systems including gutters must be designed to convey the one hundred (100) year Average Recurrence Interval (ARI) flows from the contributing catchment to the OSD/OSR tanks;
- i. Where a combined OSD/OSR is proposed, only roof water is permitted to be connected to the OSD/OSR. The over flow from the storage tank must be connected under gravity to the kerb and gutter of a public road. Stormwater outlet pipe at a lower level of the storage tank and orifice plate is not required;
- j. Details of the 100-year ARI overflow route in case of failure/blockage of the drainage system must be provided;
- k. Depth of the OSD tank must comply with the confined space requirements, easy access must be available to the OSD/OSR for cleaning and maintenance purposes.
- l. The Stormwater Drainage Concept Plan must be prepared on a copy of the ground floor plan of approved architectural plans. The proposed OSD/OSR under the living area is not permitted;
- m. Drainage pipes under the floor slabs must be laid straight without bends, inspection openings must be provided on the upstream and downstream ends for cleaning purposes. Access must be available to all downpipe connections;
- n. Drainage pipes must be laid at a minimum grade of 1%. All pipes' diameter and invert level and pits surface and invert level must be shown on the amended drainage plans;
- o. A 150mm step up shall be provided between the finished surface level of the external areas and the finished floor level of the internal rooms.
- p. As there is no overland flow/flood path available from the rear and central courtyards to the Nelson Lane frontage, the design of the sag pit and piped drainage system is to meet the following criteria:

- a. Capture and convey the 100 year Average Recurrence Interval flow from the contributing catchment assuming 80% blockage of the inlet and 50% blockage of the pipe;
- b. The maximum water level over the sag pit shall not be less than 150mm below the floor level or damp course of the building; and
- c. The design shall make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands.
- q. A minimum 150mm step up shall be provided between all external finished surfaces and adjacent internal floor areas;
- r. No nuisance or concentration of flows to other properties;
- s. Plans must specify that any components of the existing system to be retained must be certified during construction to be in good condition and of adequate capacity to convey the additional runoff generated by the development and be replaced or upgraded if required;
- t. An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets;
- u. Only a single point of discharge is permitted to the kerb and gutter, per frontage of the site;
- v. New pipelines within the footpath area that are to discharge to the kerb and gutter must be hot dipped galvanised steel hollow section with a minimum wall thickness of 4.0 mm and a maximum section height and width of 100 mm or sewer grade uPVC pipe with a maximum diameter of 100 mm;
- w. All stormwater outlets through sandstone kerbs must be carefully core drilled in accordance with Council standard drawings;
- x. All redundant pipelines within footpath area must be removed and footpath/kerb reinstated;
- y. Stormwater drainage must be located such that any waters leaving the pool must drain to pervious areas prior to potentially draining to the site stormwater drainage system;
- z. No impact to street tree(s).

23. Changes to Levels

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans incorporating the following amendments:

- a. A 150 mm step up must be provided between the finished surface level of the external area and the finished floor level of the internal room.

24. Parking Facilities - Domestic

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans certified by a suitably qualified Civil Engineer demonstrating that the design of the vehicular access and off-street parking facilities must comply with Australian Standard AS/NZS2890.1-2004 Parking Facilities – Off-Street Car Parking and the following specific requirements:

- a. The garage/carport slab or driveway must rise within the property to be 170mm above the adjacent road gutter level and higher than the street kerb and footpath across the full width of the vehicle crossing. The longitudinal profile across the width of the vehicle crossing must comply with the Ground Clearance requirements of AS/NZS 2890.1-2004;
- b. A minimum of 2200mm headroom must be provided throughout the access and parking facilities. Note that the headroom must be measured at the lowest projection from the ceiling, such as lighting fixtures, and to open garage doors;
- c. Longitudinal sections along each outer edge of the access and parking facilities, extending to the centreline of the road carriageway must be provided, demonstrating compliance with the above requirements;
- d. The garage/carport/parking space must have minimum clear internal dimensions of 6000 mm x 3000 mm (length x width) and a door opening width of 3000 mm at the street frontage. The dimensions must be exclusive of obstructions such as walls, doors and columns, except where they do not encroach inside the design envelope specified in Section 5.2 of AS/NZS 2890.1-2004;
- e. A plan of the proposed access and adjacent laneway, drawn at a 1:100 scale, demonstrating that vehicle manoeuvrability for entry and exit to the parking space complies with swept paths from AS/NZS 2890.1:2004. The plan must include any existing on-street parking spaces;
- f. The maximum gradients within the parking module must not exceed 1 in 20 (5%), measured parallel to the angle of parking and 1 in 16 (6.25%), measured in any other direction in accordance with the requirements of Section 2.4.6 of AS/NZS 2890.1-2004; and
- g. The external form and height of the approved structures must not be altered from the approved plans.

25. Driveway Long Section - Dwelling

The vehicular crossing and driveway ramp to the site shall be designed to satisfy the ground clearance template (Figure C1) from AS/NZS 2890.1-2004 Parking Facilities: Off-street car parking. A long section, along both sides of the proposed vehicular crossing and ramp, drawn at a 1:20 or 1:25 natural scale, shall be submitted to and approved by Council before the issue of a Construction Certificate. The long section shall begin from the centreline of the adjacent road to a minimum of 3 metres into the property. The long section approved by Council shall

define the Alignment Levels at the property boundary. The long section shall show both existing surface levels and proposed surface levels with changes.

26. Construction Methods to Minimise Impact on Trees

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with details certified by a suitably qualified Arborist demonstrating that the footings of the approved structures will utilise tree sensitive construction techniques (such as isolated pier or pier and beam construction) within the specified radius of the trunk/s of the following tree/s if woody tree roots that are not approved for removal are encountered during excavation:

Tree No.	Botanical/Common Name	Radius in metres
1	<i>Platanus x hybrida</i> (London Plane Tree)	6.5 m
2	<i>Jacaranda mimosifolia</i> (Jacaranda)	4.5 m
4	<i>Angophora costata</i> (Sydney Red Gum)	4.5 m

27. Tree Protection Plan

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a detailed site-specific Tree Protection Plan (TPP) prepared by a AQF5 Consultant Arborist. The TPP is to be prepared in accordance with Council’s *Development Fact Sheet—Trees on Development Sites* and the specifications in Section 5.4 of the *Arboricultural Impact Assessment report prepared by Stuart Noble Arboriculture and dated 15th May 2020*.

The trees identified below are to be retained and protected throughout the development:

Tree No.	Botanical/Common Name	Location
1	<i>Platanus x hybrida</i> (London Plane Tree)	Street
2	<i>Jacaranda mimosifolia</i> (Jacaranda)	Front
4	<i>Angophora costata</i> (Sydney Red Gum)	Rear
5	<i>Jacaranda mimosifolia</i> (Jacaranda)	Rear adjacent site - 305 Nelson Street

The tree protection measures contained in the TPP must be shown clearly on the Construction Certificate drawings, including the Construction Management Plan.

The Certifying Authority must ensure the construction plans and specifications submitted fully satisfy the tree protection requirements identified in the TPP.

A Project Arborist is to be appointed prior to any works commencing to monitor tree protection for the duration of works in accordance with the requirements identified in the TPP.

All tree protection measures as detailed in the approved Tree Protection Plan must be installed and certified in writing as fit for purpose by the Project Arborist.

28. Paving/Decking Within the Vicinity of Trees

Prior to the issue of the Construction Certificate, the Certifying Authority must be provided with detailed plans certified by the Project Arborist, demonstrating that the pavement works (including sub grade) within the specified radius of the trunks of the following trees are constructed in a way so as to ensure that existing moisture infiltration and gaseous exchange are maintained or improved. When preparing an area for paving with the specified radius, the soil surface must not be skimmed or excavated. The new surface and subgrade must be established at/above grade.

Tree No.	Botanical/Common Name	Radius in Metres
1	<i>Platanus x hybrida</i> (London Plane Tree)	9 m
2	<i>Jacaranda mimosifolia</i> (Jacaranda)	3.5 m

DURING DEMOLITION AND CONSTRUCTION

29. Materiality Board

Prior to commencement of any excavation, demolition or construction work, the Materiality Board is to be revised replacing the proposed Standing Seam for the roofing with a pre-coloured traditional corrugated steel roofing, finished in a colour equivalent to Colorbond colours “Windspray” or “Wallaby”.

30. Inspections by Project Arborist

The trees to be retained must be inspected, monitored and treated by the Project Arborist during and after completion of development works to ensure their long-term survival. Regular inspections and documentation from the Project Arborist to the Certifying Authority are required at the following times or phases of work:

Tree No./ Botanical/ Common Name/ Location	Time of Inspection	Key stage/ Hold point
<p><i>Tree 1 - Platanus x hybrida</i> (London Plane Tree)</p> <p><i>Tree 2 - Jacaranda mimosifolia</i> (Jacaranda)</p>	<p>Prior to commencement of works</p>	<ul style="list-style-type: none"> • Inspection and sign off installation of tree protection measures.
<p><i>Tree 4 - Angophora costata</i> (Sydney Red Gum)</p> <p><i>Tree 5 - Jacaranda mimosifolia</i> (Jacaranda)</p>	<p>During Works</p>	<ul style="list-style-type: none"> • Supervise all site preparation and demolition works within the TPZ; • Supervise all works inside or above the TPZ; • Supervise all excavation, trenching works, landscaping works and tree/planting

		replenishment within the TPZ; <ul style="list-style-type: none"> Supervise all tree work.
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Recommendations to ensure the tree/s long term survival must be carried out immediately upon receipt of the report.

31. Limited Root Pruning

No tree roots of 30mm/50mm (as specified) or greater in diameter located within the specified radius of the trunks of the following trees may be severed or injured in the process of any works during the construction period (stairs below existing grade at rear excepted):

Tree No.	Botanical/Common Name	Radius in metres
1	<i>Platanus x hybrida</i> (London Plane Tree) - 50mm	6.5 m
2	<i>Jacaranda mimosifolia</i> (Jacaranda) - 30mm	4.5 m
4	<i>Angophora costata</i> (Sydney Red Gum) - 30mm	4.5 m
5	<i>Jacaranda mimosifolia</i> (Jacaranda) - 30mm	3.6 m

If tree roots less than 30mm diameter are required to be severed for the purposes of constructing the approved works, they must be cut cleanly using a sharp and *fit for purpose tool*. The pruning must be undertaken by a practicing Arborist.

32. Canopy and Root Pruning

Canopy pruning of any tree which is necessary to accommodate the approved building works must be undertaken by, or directly supervised by, the Project Arborist.

The person acting on this consent has approval under Council's Tree Management Controls to achieve a clearance of the structure. Pruning is limited to those branches that will come into direct contact the built structure.

33. Excavation Methods to Limit Impacts to Trees

Excavation for the installation of any services within the TPZ of the trunk/s of any tree must utilise the thrust boring method or non-destructive excavation method such as either pneumatic or hydraulic tools only (e.g.. *Airspade*® or hydro excavation) as specified by the Project Arborist. Thrust boring being carried out at least 600mm beneath natural ground level to minimise damage to tree/s root system.

Along the alignment of the structure closest to Trees 1, 2, 4 and 5 - Excavation for construction of the dwellings must be undertaken under the direct supervision of, and as specified by the Project Arborist. All woody roots not approved (refer relevant condition) for removal must be retained and protected.

Excavation for any fence posts or any piers within the TPZ of Trees 1, 2, 4, and 5 must be undertaken under the direct supervision of the Project Arborist. Woody roots that are not approved for removal (refer relevant condition) must be retained and protected. Posts and piers to be located accordingly.

PRIOR TO OCCUPATION CERTIFICATE

34. No Encroachments

Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that any encroachments on to Council road or footpath resulting from the building works have been removed, including opening doors, gates and garage doors with the exception of any awnings or balconies approved by Council.

35. Protect Sandstone Kerb

Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that any damaged stone kerb has been replaced.

36. Works as Executed – Site Stormwater Drainage System

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with Certification by a suitably qualified Civil Engineer [who holds current](#) Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) that:

- a. The stormwater drainage system has been constructed in accordance with the approved design and relevant Australian Standards; and
- b. Works-as-executed plans of the stormwater drainage system certified by a Registered Surveyor, to verify that the drainage system has been constructed, OSD/OSR system commissioned and stormwater quality improvement device(s) and any pump(s) installed in accordance with the approved design and relevant Australian Standards have been submitted to Council. The works-as-executed plan(s) must show the as built details in comparison to those shown on the drainage plans approved with the Construction Certificate. All relevant levels and details indicated must be marked in red on a copy of the Principal Certifier stamped Construction Certificate plans.

37. Operation and Management Plan

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with an Operation and Management Plan has been prepared and implemented for the on-site detention and/or on-site retention/re-use facilities and stormwater quality improvement device(s) and pump(s). The Plan must set out the following at a minimum:

- a. The proposed maintenance regime, specifying that the system is to be regularly inspected and checked by qualified practitioners; and
- b. The proposed method of management of the facility, including procedures, safety protection systems, emergency response plan in the event of mechanical failure, etc.

38. Redundant Vehicle Crossing

Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that all redundant vehicular crossings to the site have been removed and replaced by kerb and gutter and footpath paving in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications". Where the kerb in the vicinity of the redundant crossing is predominantly stone the replacement kerb must also be in stone.

39. Parking Signoff – Minor Developments

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with certification from a qualified practising Civil Engineer that the vehicle access and off street parking facilities have been constructed in accordance with the approved design and relevant Australian Standards.

40. Dilapidation Report – Post-Development

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with a second Dilapidation Report addressing the public infrastructure identified in approved predevelopment dilapidation report, including a photographic survey, structural condition and

CCTV inspections which was compiled after the completion of works. As the report details public infrastructure, a copy is to be furnished to Council at the same time.

41. Certification of Tree Planting

Prior to the issue of any Occupation Certificate, the Principal Certifier is to be provided with evidence certified by a person holding a minimum qualification of AQF5 in Arboriculture that:

In accordance with the approval for TREE/2020/0104 a minimum of 1 x 75 litre size tree which will attain a minimum mature height of eight (8) metres, must be planted in a suitable location within the property at a minimum of 1.5 metres from any boundary, 1 metre from the deck and stairs and 2.2 metres from a garage or dwelling wall allowing for future tree growth.

Note - the location of the tree shown on the Landscape Plan prepared by Ecodesign (L-01, Rev B) and dated 15/12/20 does not comply and the plan must be amended to comply with this condition. The size and configuration of the deck and stairs may need to be reduced to enable compliance with this condition.

The tree is to conform to AS2303—*Tree stock for landscape use*. Trees listed as exempt species from Council's Tree Management Controls, Palms, fruit trees and species recognised to have a short life span will not be accepted as suitable replacements.

If the trees is found dead or dying before it reaches a height where it is protected by Council's Tree Management Controls, it must be replaced with the same species at the same size as conditioned.

42. Project Arborist Certification

Prior to the issue of any Occupation Certificate, the Principal Certifier is to be provided with certification from the project arborist the requirements of the conditions of consent related to the landscape plan and the role of the project arborist have been complied with.

PRIOR TO SUBDIVISION CERTIFICATE

43. Separate Drainage Systems

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with a plan detailing that separate drainage systems must be provided to drain each proposed lot.

ON-GOING**44. Operation and Management Plan**

The Operation and Management Plan for the on-site detention and/or on-site retention/re-use, approved with the Occupation Certificate, must be implemented and kept in a suitable location on site at all times.

45. Tree Establishment

The tree/s planted as part of this consent are to be maintained in a healthy and vigorous condition until they attain a height whereby they are subject to Council's Tree Management Controls.

ADVISORY NOTES**Prescribed Conditions**

This consent is subject to the prescribed conditions of consent within clause 98-98E of the *Environmental Planning and Assessment Regulations 2000*.

Notification of commencement of works

At least 7 days before any demolition work commences:

- a. the Council must be notified of the following particulars:
 - i. the name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - ii. the date the work is due to commence and the expected completion date; and
- b. a written notice must be placed in the letter box of each directly adjoining property identified advising of the date the work is due to commence.

Storage of Materials on public property

The placing of any materials on Council's footpath or roadway is prohibited, without the prior consent of Council.

Toilet Facilities

The following facilities must be provided on the site:

- a. Toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees; and

- b. A garbage receptacle for food scraps and papers, with a tight fitting lid.

Facilities must be located so that they will not cause a nuisance.

Infrastructure

The developer must liaise with the Sydney Water Corporation, Ausgrid, AGL and Telstra concerning the provision of water and sewerage, electricity, natural gas and telephones respectively to the property. Any adjustment or augmentation of any public utility services including Gas, Water, Sewer, Electricity, Street lighting and Telecommunications required as a result of the development must be undertaken before occupation of the site.

Failure to comply with conditions

Failure to comply with the relevant provisions of *the Environmental Planning and Assessment Act 1979* and/or the conditions of this consent may result in the serving of penalty notices or legal action.

Other works

Works or activities other than those approved by this Development Consent will require the submission of a new Development Application or an application to modify the consent under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.

Obtaining Relevant Certification

This development consent does not remove the need to obtain any other statutory consent or approval necessary under any other Act, such as (if necessary):

- a. Application for any activity under that Act, including any erection of a hoarding;
- b. Application for a Construction Certificate under the *Environmental Planning and Assessment Act 1979*;
- c. Application for an Occupation Certificate under the *Environmental Planning and Assessment Act 1979*;
- d. Application for a Subdivision Certificate under the *Environmental Planning and Assessment Act 1979* if land (including stratum) subdivision of the development site is proposed;
- e. Application for Strata Title Subdivision if strata title subdivision of the development is proposed;
- f. Development Application for demolition if demolition is not approved by this consent; or
- g. Development Application for subdivision if consent for subdivision is not granted by this consent.

Disability Discrimination Access to Premises Code

The *Disability Discrimination Act 1992* (Commonwealth) and the *Anti-Discrimination Act 1977* (NSW) impose obligations on persons relating to disability discrimination. Council's determination of the application does not relieve persons who have obligations under those Acts of the necessity to comply with those Acts.

National Construction Code (Building Code of Australia)

A complete assessment of the application under the provisions of the National Construction Code (Building Code of Australia) has not been carried out. All building works approved by this consent must be carried out in accordance with the requirements of the National Construction Code.

Notification of commencement of works

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the PCA (not being the council) has given the Council written notice of the following information:

- a. In the case of work for which a principal contractor is required to be appointed:
 - i. The name and licence number of the principal contractor; and
 - ii. The name of the insurer by which the work is insured under Part 6 of that Act.
- b. In the case of work to be done by an owner-builder:
 - i. The name of the owner-builder; and
 - ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

Dividing Fences Act

The person acting on this consent must comply with the requirements of the *Dividing Fences Act 1991* in respect to the alterations and additions to the boundary fences.

Swimming Pools

Applicants are advised of the following requirements under the *Swimming Pools Act 1992*:

- a. The owner of the premises is required to register the swimming pool on the NSW State Government's Swimming Pool Register. Evidence of registration should be provided to the Certifying Authority.
- b. Access to the pool/spa is restricted by a child resistant barrier in accordance with the regulations prescribed in the. The pool must not be filled with water or be allowed to

collect stormwater until the child resistant barrier is installed. The barrier is to conform to the requirements of Australian Standard AS 1926:2012.

- c. A high level overflow pipe has been provided from the back of the skimmer box to the filter backwash line discharging to the sewer. This line must not directly vent the receiving Sydney Water sewer. Evidence from the installer, indicating compliance with this condition must be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.
- d. Permanently fixed water depth markers are to be clearly and prominently displayed on the internal surface above the water line at the deep and shallow ends on in-ground pools / spas and on the outside of aboveground pools / spas.
- e. A durable cardiopulmonary resuscitation information poster sign authorised by the Life Saving Association is to be displayed in the pool / spa area in accordance with Clause 10 of the *Swimming Pool Regulation 2008*.
- f. Access to the swimming pool/spa must be restricted by fencing or other measures as required by the *Swimming Pools Act 1992* at all times.

All drainage, including any overland waters associated with the pool/spa, must be pipe-drained via the filter to the nearest sewer system in accordance with the requirements of Council & Sydney Water. No drainage, including overflow from the pool or spa must enter Council's stormwater system.

Permits from Council under Other Acts

Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent must obtain all applicable Permits from Council in accordance with Section 68 (Approvals) of the *Local Government Act 1993* and/or Section 138 of the *Roads Act 1993*. Permits are required for the following activities:

- a. Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application;
- b. A concrete pump across the roadway/footpath;
- c. Mobile crane or any standing plant;
- d. Skip bins;
- e. Scaffolding/Hoardings (fencing on public land);
- f. Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.;
- g. Awning or street verandah over footpath;
- h. Partial or full road closure; and
- i. Installation or replacement of private stormwater drain, utility service or water supply.

Contact Council's Road Access team to ensure the correct Permit applications are made for the various activities. A lease fee is payable for all occupations.

Noise

Noise arising from the works must be controlled in accordance with the requirements of the *Protection of the Environment Operations Act 1997* and guidelines contained in the New South Wales Environment Protection Authority Environmental Noise Control Manual.

Construction of Vehicular Crossing

The vehicular crossing and/or footpath works are required to be constructed by your own contractor. You or your contractor must complete an application for *Construction of a Vehicular Crossing & Civil Works* form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, prior to commencement of works.

Lead-based Paint

Buildings built or painted prior to the 1970's may have surfaces coated with lead-based paints. Recent evidence indicates that lead is harmful to people at levels previously thought safe. Children particularly have been found to be susceptible to lead poisoning and cases of acute child lead poisonings in Sydney have been attributed to home renovation activities involving the removal of lead based paints. Precautions should therefore be taken if painted surfaces are to be removed or sanded as part of the proposed building alterations, particularly where children or pregnant women may be exposed, and work areas should be thoroughly cleaned prior to occupation of the room or building.

Dial before you dig

Contact "Dial Prior to You Dig" prior to commencing any building activity on the site.

Useful Contacts

BASIX Information 1300 650 908 weekdays 2:00pm - 5:00pm
www.basix.nsw.gov.au

Department of Fair Trading 13 32 20
www.fairtrading.nsw.gov.au
 Enquiries relating to Owner Builder Permits and Home Warranty Insurance.

Dial Prior to You Dig 1100
www.dialprior toyoudig.com.au

Landcom 9841 8660
 To purchase copies of Volume One of "Soils and Construction"

Long Service Corporation Payments 131441
www.lspc.nsw.gov.au

NSW Food Authority 1300 552 406
www.foodnotify.nsw.gov.au

NSW Government www.nsw.gov.au/fibro
www.diySAFE.nsw.gov.au
 Information on asbestos and safe work practices.

NSW Office of Environment and Heritage 131 555
www.environment.nsw.gov.au

Sydney Water 13 20 92
www.sydneywater.com.au

Waste Service - SITA 1300 651 116
Environmental Solutions www.wasteservice.nsw.gov.au

Water Efficiency Labelling and Standards (WELS) www.waterrating.gov.au

WorkCover Authority of NSW 13 10 50
www.workcover.nsw.gov.au

Enquiries relating to work safety and asbestos removal and disposal.

Street Numbering

If any new street numbers or change to street numbers (this includes unit and shop numbers) are required, a separate application must be lodged with and approved by Council's GIS Team before being displayed.

Permits

Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent must obtain all applicable Permits from Council in accordance with Section 68 (Approvals) of the *Local Government Act 1993* and/or Section 138 of the *Roads Act 1993*. Permits are required for the following activities:

- a. Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application;
- b. A concrete pump across the roadway/footpath;
- c. Mobile crane or any standing plant;
- d. Skip Bins;
- e. Scaffolding/Hoardings (fencing on public land);
- f. Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.;
- g. Awning or street veranda over the footpath;
- h. Partial or full road closure; and
- i. Installation or replacement of private stormwater drain, utility service or water supply.

If required contact Council's Road Access team to ensure the correct Permit applications are made for the various activities. Applications for such Permits must be submitted and approved by Council prior to the commencement of the works associated with such activity.

Insurances

Any person acting on this consent or any contractors carrying out works on public roads or Council controlled lands is required to take out Public Liability Insurance with a minimum cover of twenty (20) million dollars in relation to the occupation of, and approved works within those lands. The Policy is to note, and provide protection for Inner West Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public property.

Public Domain and Vehicular Crossings

The vehicular crossing and/or footpath works are required to be constructed by your contractor. You or your contractor must complete an application for *Design of Vehicle Crossing and Public Domain Works – Step 1* form and *Construction of Vehicle Crossing and Public Domain Works – Step 2* form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, before commencement of works.

You are advised that Council has not undertaken a search of existing or proposed utility services adjacent to the site in determining this application. Any adjustment or augmentation of any public utility services including Gas, Water, Sewer, Electricity, Street lighting and Telecommunications required as a result of the development must be at no cost to Council

Any damage caused during construction to Council assets on the road reserve or on Council or Crown land must be repaired at no cost to Council.

Any driveway crossovers or other works within the road reserve must be provided at no cost to Council.

No consent is given or implied for any Encroachments onto Council's road or footpath of any service pipes, sewer vents, boundary traps, downpipes, gutters, eaves, awnings, stairs, doors, gates, garage tilt up panel doors or any structure whatsoever, including when open.

Consent of Adjoining property owners

This consent does not authorise the applicant, or the contractor engaged to do the tree works to enter a neighbouring property. Where access to adjacent land is required to carry out approved tree works, Council advises that the owner's consent must be sought. Notification is the responsibility of the person acting on the consent. Should the tree owner/s refuse access to their land, the person acting on the consent must meet the requirements of the *Access To Neighbouring Lands Act 2000* to seek access.

Arborists standards

All tree work must be undertaken by a practicing Arborist. The work must be undertaken in accordance with AS4373—*Pruning of amenity trees* and the Safe Work Australia Code of Practice—*Guide to Managing Risks of Tree Trimming and Removal Work*. Any works in the vicinity of the Low Voltage Overhead Network (including service lines—pole to house connections) must be undertaken by an approved Network Service Provider contractor for the management of vegetation conflicting with such services. Contact the relevant Network Service Provider for further advice in this regard.

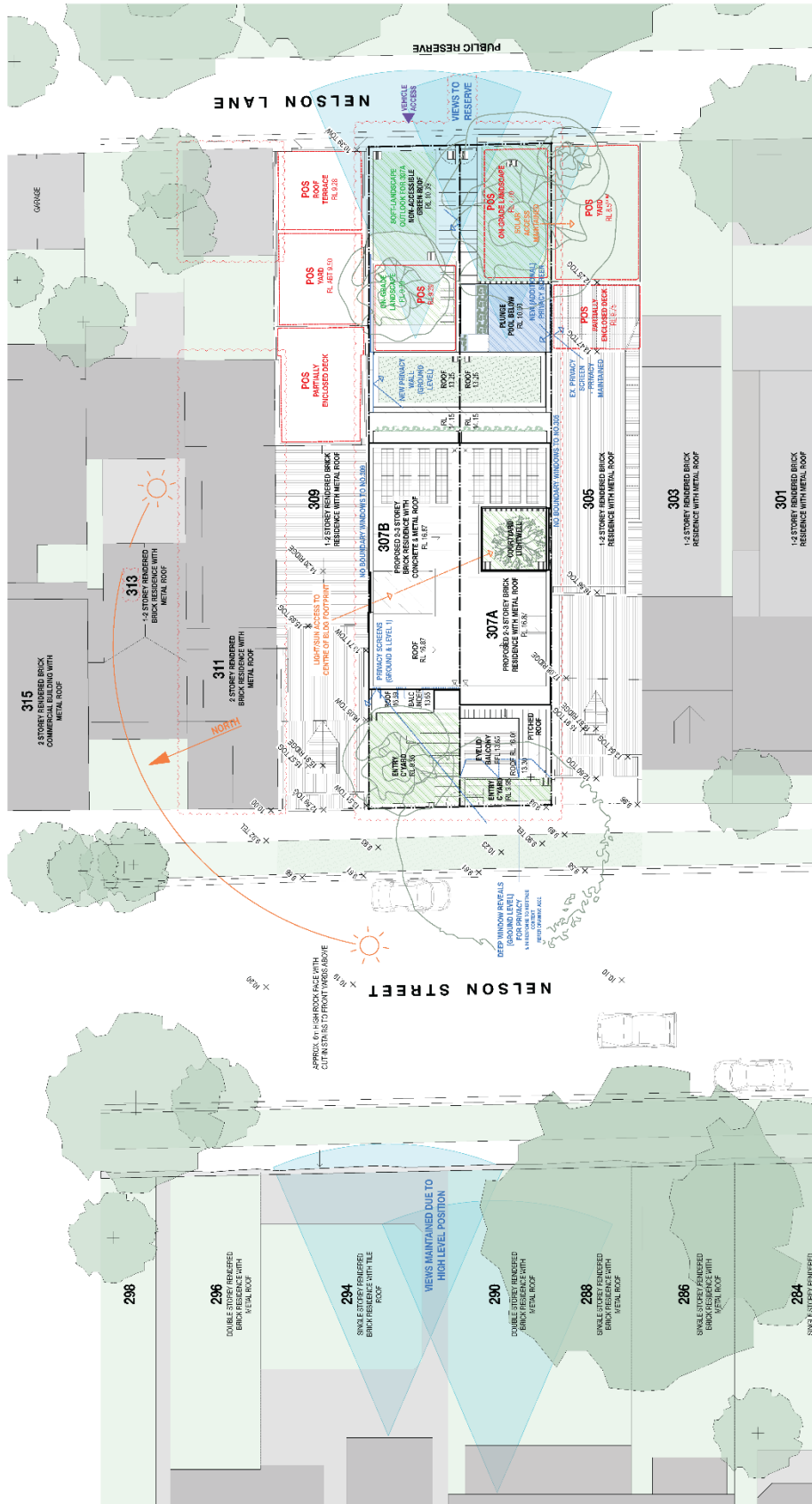
Tree Protection Works

All tree protection for the site must be undertaken in accordance with Council’s *Development Fact Sheet—Trees on Development Sites* and AS4970—*Protection of trees on development sites*.

Tree Pruning or Removal (including root pruning/mapping)

Removal or pruning of any other tree (that would require consent of Council) on the site is not approved and must be retained and protected in accordance with Council’s *Development Fact Sheet—Arborist Reports*.

Attachment C- Plans of Proposal



01 SITE PLAN / SITE ANALYSIS
SCALE 1:100 @ 1/1,200 @ A3

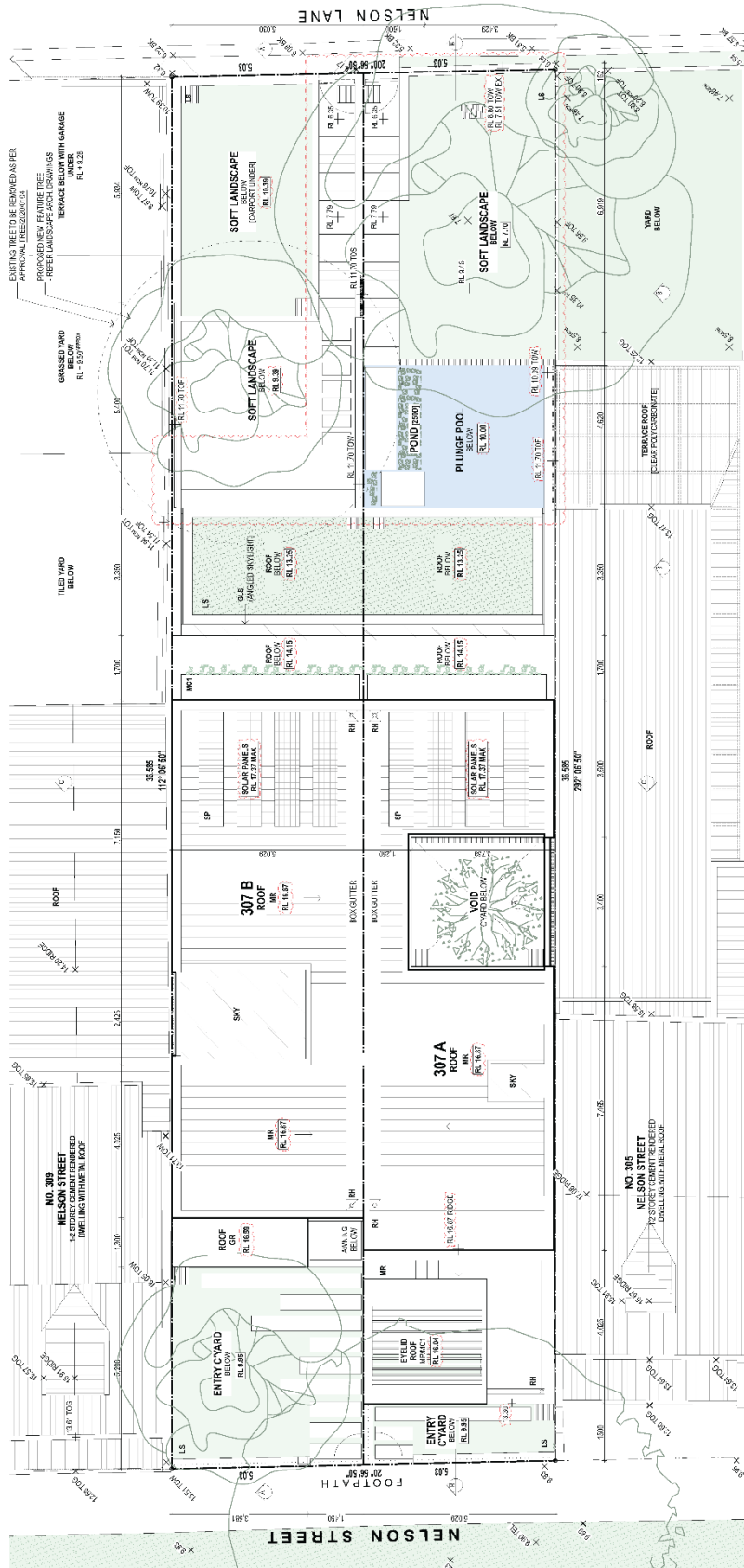
ETCH
Engineering, Technical & Construction
11/11/2024

PROJECT: 2024/0001 - SITE PLAN ANALYSIS
DRAWING: 01 - SITE PLAN ANALYSIS
DATE: 11/11/2024
SCALE: 1:100 @ 1/1,200 @ A3

PRELIMINARY - NOT FOR CONSTRUCTION

REVISIONS:

NO.	DATE	DESCRIPTION
01	11/11/2024	ISSUE FOR PERMIT
02	11/11/2024	REVISED PER PERMIT CONDITIONS
03	11/11/2024	REVISED PER PERMIT CONDITIONS
04	11/11/2024	REVISED PER PERMIT CONDITIONS
05	11/11/2024	REVISED PER PERMIT CONDITIONS
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49	11/11/2024	REVISED PER PERMIT CONDITIONS
50	11/11/2024	REVISED PER PERMIT CONDITIONS



PRELIMINARY - NOT FOR CONSTRUCTION

Scale: 1:50 @ A1: 11.00 @ A3

Client: **ETCH** (Engineering & Technical Consulting)

Project Name: ANNANDALE TERRACES

Site No: 080

Scale: 1:50 @ A1: 11.00 @ A3

Author: [Name]

Check: [Name]

Drawn: [Name]

Date: [Date]

Development Application: [Number]

Site No: 080

Scale: 1:50 @ A1: 11.00 @ A3

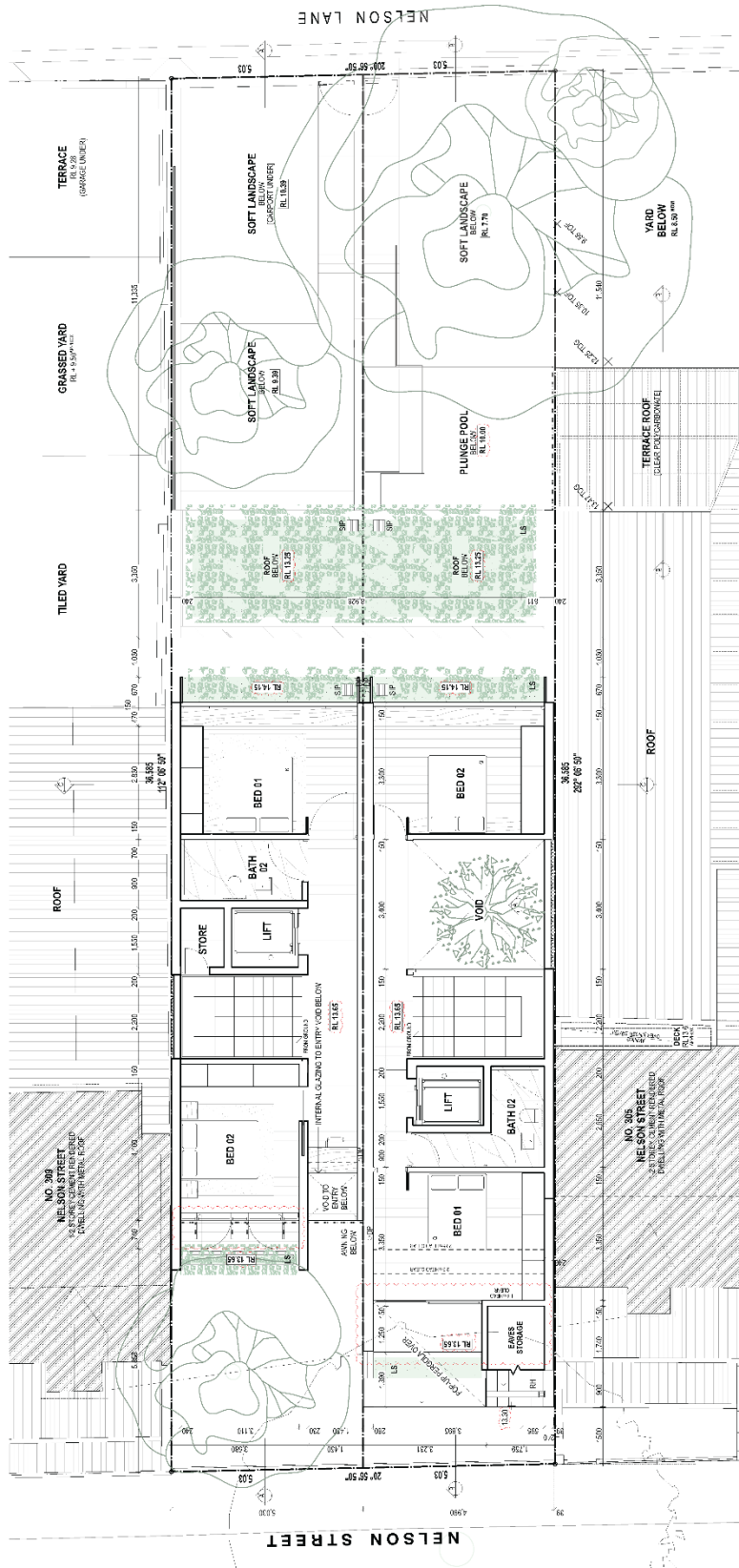
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Check: [Name]

Drawn: [Name]

Date: [Date]

Development Application: [Number]

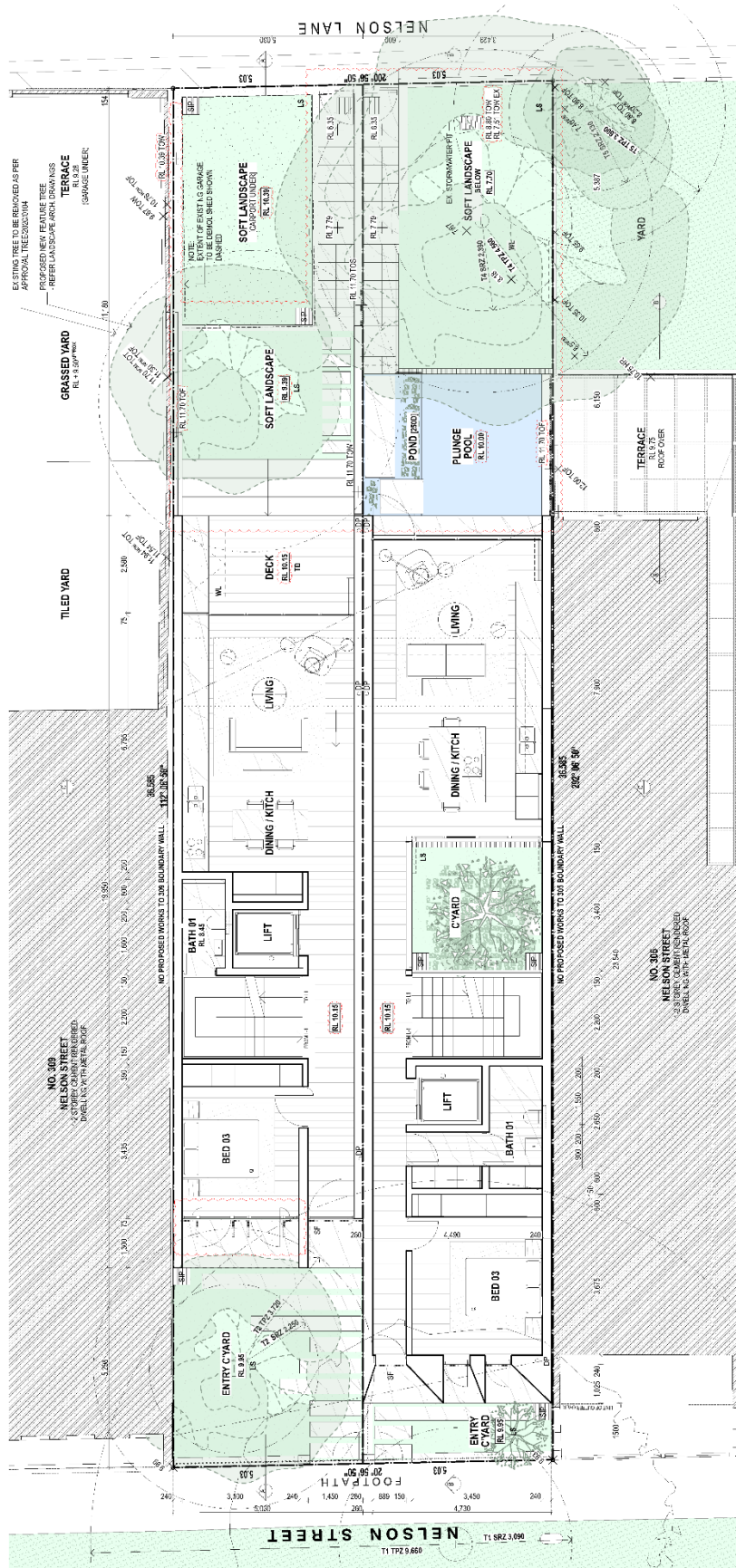


01 PLAN - FIRST FLOOR
SCALE 1:100 @ A1 (1:100 @ A1)

PRELIMINARY - NOT FOR CONSTRUCTION
Project Name: ANNANDALE TERRACES
Client: ANANDALE TERRACES
Architect: ETCH
Date: 20/08/2024



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5: 2000
6: 5000
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50: 2000000000000000000



01 PLAN - GROUND FLOOR
SCALE 1:500 (A1) 11/10/2023

ETCH
 5/5/2023
 11/10/2023

Client: **Annandale Terraces**
 Project No: **000**
 Drawing Number: **A112**

Author: **Nathanial Scott-Coomes**
 Check: **[Signature]**
 Date: **11/10/2023**

PRELIMINARY - NOT FOR CONSTRUCTION

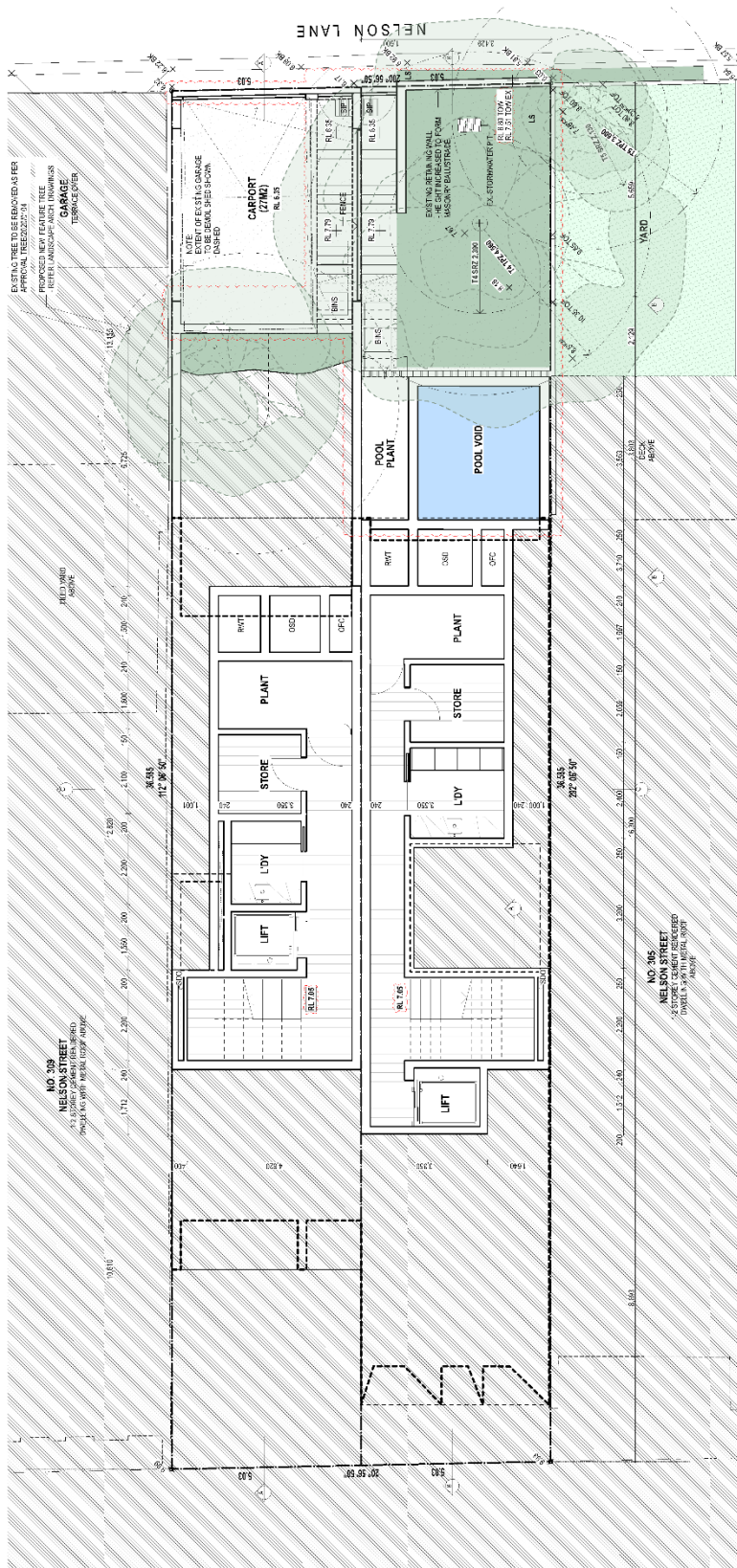
Scale: Development Application

NO. 308
 NELSON STREET
 DWELLING UNIT AREA GROUP

NO. 309
 NELSON STREET
 DWELLING UNIT AREA GROUP

NO. 308
 NELSON STREET
 DWELLING UNIT AREA GROUP

NO. 309
 NELSON STREET
 DWELLING UNIT AREA GROUP



01 PLAN - BASEMENT
SCALE 1:500 @ A1 (1:100 @ A3)

PRELIMINARY - NOT FOR CONSTRUCTION

ETCH ENGINEERING CONSULTANTS
 10/31 HORSLEY DRIVE
 HORSLEY VILLAGE NSW 1585
 TEL: 15 937 1800
 WWW.ETCH.NSW.COM.AU

Client: CRIBSIA GROUP
 Project: ANNANDALE TERRACES
 Project Number: 001
 Drawing Number: A115

Drawn: JAMIE MITCHELL
 Check: JAMIE MITCHELL
 Date: 15/12/2023

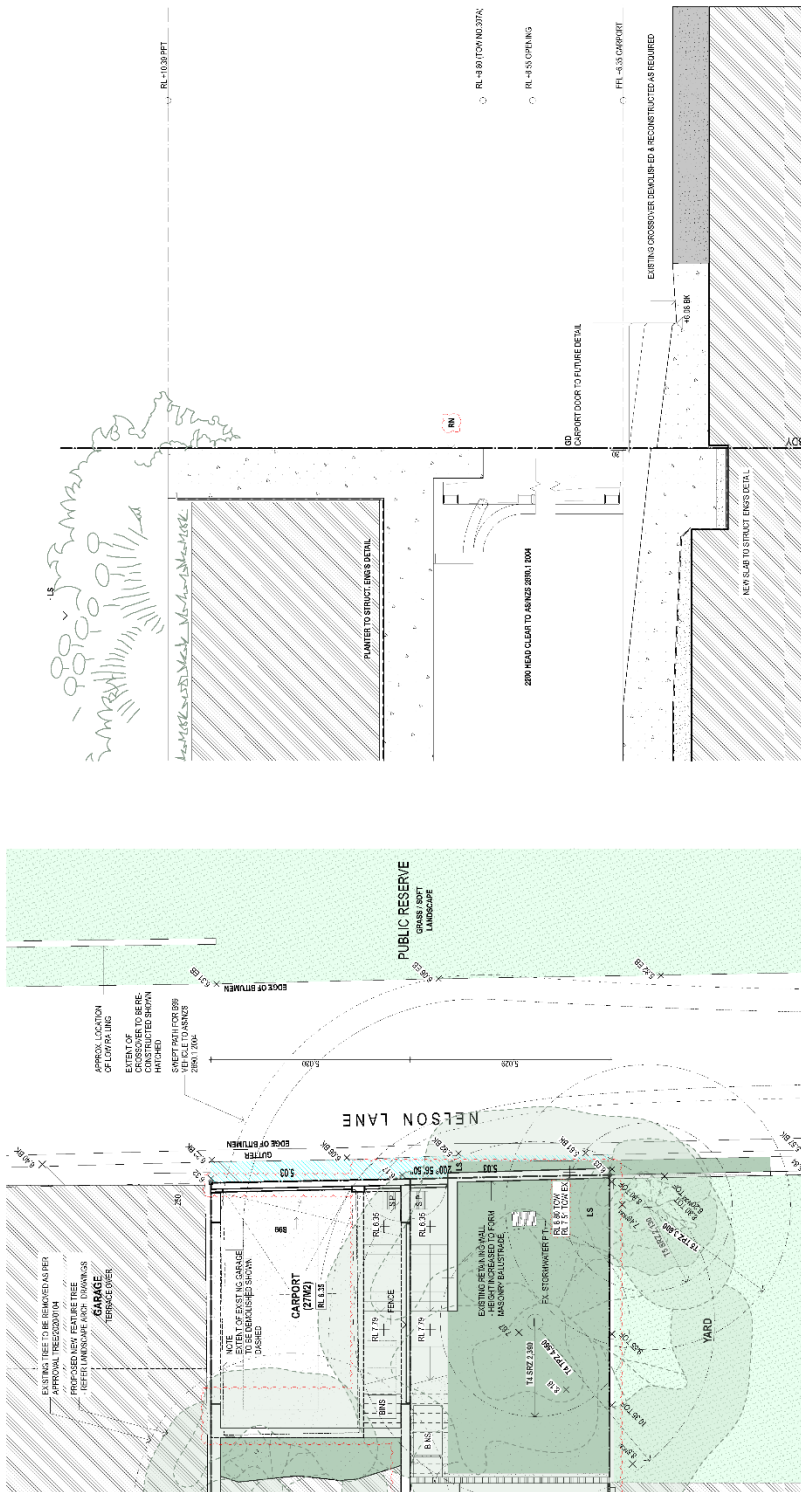
Author: JAMIE MITCHELL
 Date: 15/12/2023

Approved: JAMIE MITCHELL
 Date: 15/12/2023

City Council: ANNANDALE CITY COUNCIL
 Panel: ANNANDALE LOCAL PLANNING PANEL
 Item: ANNANDALE TERRACES
 Date: 15/12/2023

01 PLAN - BASEMENT

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 100 SECTION



02 SECTION DETAIL - CROSSOVER
SCALE 1:100 @ A1 / 1:200 @ A3

01 PLAN - CARPORT
SCALE 1:50 @ A1 / 1:100 @ A3

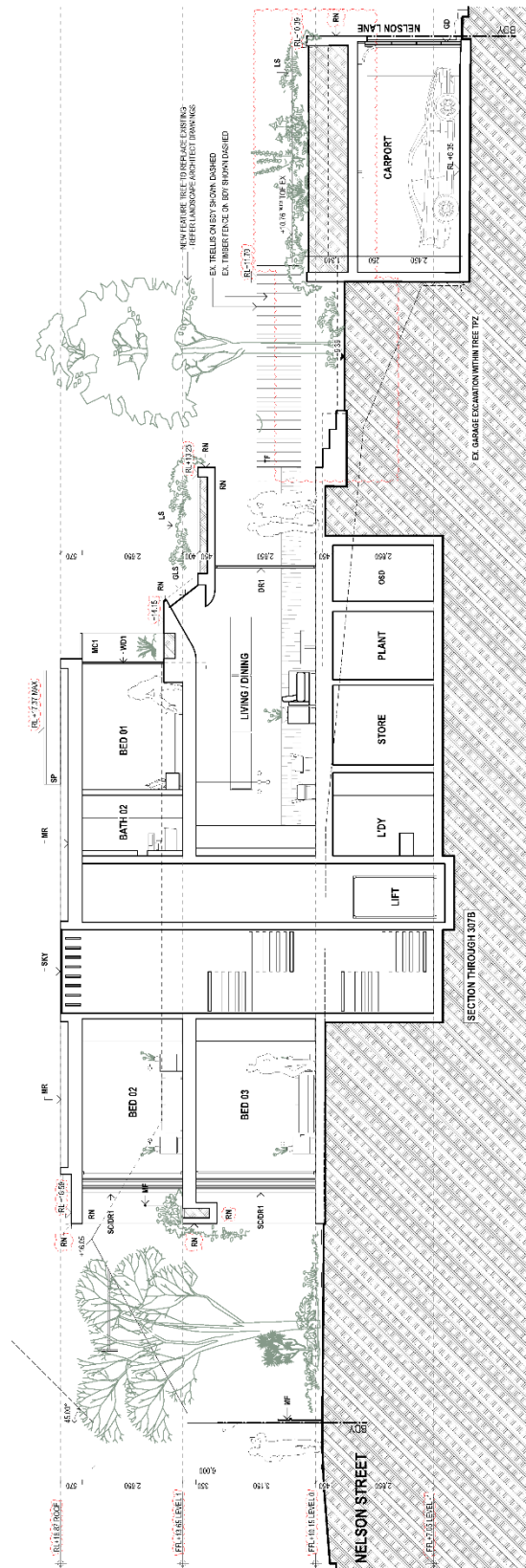
PRELIMINARY - NOT FOR CONSTRUCTION

ETCH Engineering & Technical Consulting
 15/150 WILSON ROAD, WILSON PROMENADE, WEST PERTH, WA 6150
 TEL: 9448 4100 FAX: 9448 4101
 WWW.ETCHWA.COM.AU

Project: CARPORT CROSSOVER DETAILS
 Client: GARDNER GROUP
 Date: 11/08/2011
 Drawn: J. WILSON
 Checked: J. WILSON
 Title: CARPORT CROSSOVER DETAILS
 Scale: 1:50 @ A1 / 1:100 @ A3

LEGEND

1	EXISTING CARPORT
2	PROPOSED CARPORT
3	EXISTING DRIVEWAY
4	PROPOSED DRIVEWAY
5	EXISTING PAVEMENT
6	PROPOSED PAVEMENT
7	EXISTING FENCE
8	PROPOSED FENCE
9	EXISTING WALL/STAIRS
10	PROPOSED WALL/STAIRS
11	EXISTING PAVEMENT TO BE RECONSTRUCTED TO MATCH EXISTING DRIVEWAY
12	PROPOSED PAVEMENT TO BE RECONSTRUCTED TO MATCH EXISTING DRIVEWAY
13	EXISTING MASONRY WALL/STAIRS
14	PROPOSED MASONRY WALL/STAIRS
15	EXISTING PAVEMENT TO BE RECONSTRUCTED TO MATCH EXISTING DRIVEWAY
16	PROPOSED PAVEMENT TO BE RECONSTRUCTED TO MATCH EXISTING DRIVEWAY
17	EXISTING MASONRY WALL/STAIRS
18	PROPOSED MASONRY WALL/STAIRS
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21	EXISTING MASONRY WALL/STAIRS
22	PROPOSED MASONRY WALL/STAIRS
23	EXISTING PAVEMENT TO BE RECONSTRUCTED TO MATCH EXISTING DRIVEWAY
24	PROPOSED PAVEMENT TO BE RECONSTRUCTED TO MATCH EXISTING DRIVEWAY
25	EXISTING MASONRY WALL/STAIRS
26	PROPOSED MASONRY WALL/STAIRS
27	EXISTING PAVEMENT TO BE RECONSTRUCTED TO MATCH EXISTING DRIVEWAY
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30	PROPOSED MASONRY WALL/STAIRS
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45	EXISTING MASONRY WALL/STAIRS
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50	PROPOSED MASONRY WALL/STAIRS
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57	EXISTING MASONRY WALL/STAIRS
58	PROPOSED MASONRY WALL/STAIRS
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60	PROPOSED PAVEMENT TO BE RECONSTRUCTED TO MATCH EXISTING DRIVEWAY



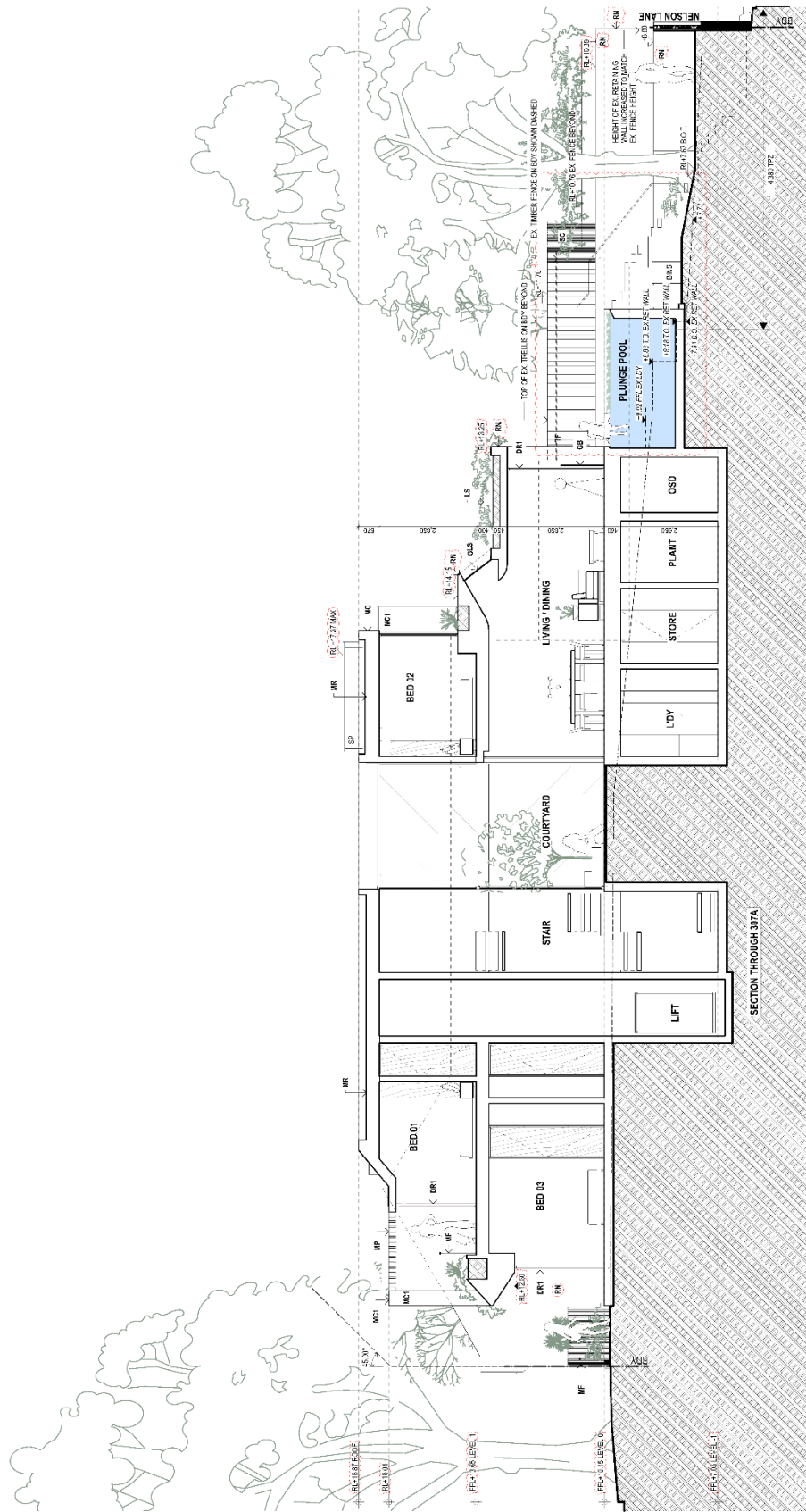
01 - SECTION A
SCALE 1:50 @ A1:1100 @ A3

PRELIMINARY - NOT FOR CONSTRUCTION

ETCH
Engineering & Technical Consulting
10/11-13/15 WILSON STREET, SYDNEY NSW 1570
TEL: 02 9550 9999
WWW.ETCHNSW.COM.AU

CLIENT: GARDALL GROUP
PROJECT: 22 MARY ST PERMOSES
SECTION: SECTION A
DATE: 10/11/2023
SCALE: 1:50 @ A1:1100 @ A3
PROJECT NO.: 2203/23/001
DESIGNER: [Name]
CHECKER: [Name]
DATE: 10/11/2023

LEGEND:
 1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.
 2. DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED.
 3. DIMENSIONS TO CENTERLINE UNLESS OTHERWISE SPECIFIED.
 4. DIMENSIONS TO SURFACE UNLESS OTHERWISE SPECIFIED.
 5. DIMENSIONS TO FINISH UNLESS OTHERWISE SPECIFIED.
 6. DIMENSIONS TO EXISTING UNLESS OTHERWISE SPECIFIED.
 7. DIMENSIONS TO PROPOSED UNLESS OTHERWISE SPECIFIED.
 8. DIMENSIONS TO CENTERLINE OF ROAD UNLESS OTHERWISE SPECIFIED.
 9. DIMENSIONS TO SURFACE OF ROAD UNLESS OTHERWISE SPECIFIED.
 10. DIMENSIONS TO FINISH OF ROAD UNLESS OTHERWISE SPECIFIED.
 11. DIMENSIONS TO EXISTING FINISH UNLESS OTHERWISE SPECIFIED.
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 13. DIMENSIONS TO EXISTING CURB UNLESS OTHERWISE SPECIFIED.
 14. DIMENSIONS TO PROPOSED CURB UNLESS OTHERWISE SPECIFIED.
 15. DIMENSIONS TO EXISTING KERB UNLESS OTHERWISE SPECIFIED.
 16. DIMENSIONS TO PROPOSED KERB UNLESS OTHERWISE SPECIFIED.
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 18. DIMENSIONS TO PROPOSED GROUND UNLESS OTHERWISE SPECIFIED.
 19. DIMENSIONS TO EXISTING ROOF UNLESS OTHERWISE SPECIFIED.
 20. DIMENSIONS TO PROPOSED ROOF UNLESS OTHERWISE SPECIFIED.
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 45. DIMENSIONS TO EXISTING MCK UNLESS OTHERWISE SPECIFIED.
 46. DIMENSIONS TO PROPOSED MCK UNLESS OTHERWISE SPECIFIED.
 47. DIMENSIONS TO EXISTING VCH UNLESS OTHERWISE SPECIFIED.
 48. DIMENSIONS TO PROPOSED VCH UNLESS OTHERWISE SPECIFIED.
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 50. DIMENSIONS TO PROPOSED CARPORT UNLESS OTHERWISE SPECIFIED.



SECTION - B
SCALE 1:50 @ A1 / 1:10 @ A3

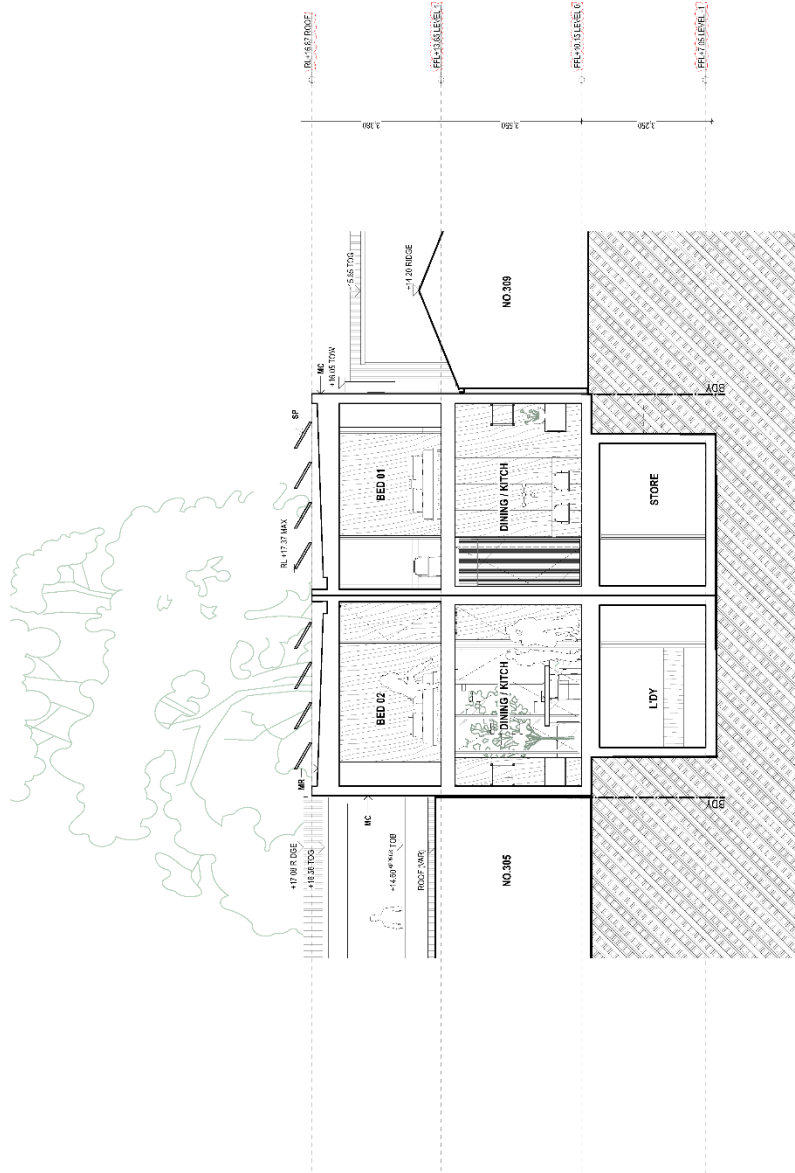
PRELIMINARY - NOT FOR CONSTRUCTION

Client: **ETCH** Group
 Project: **ANNANDALE TERRACES**
 Site: **080**
 Drawing No: **080**
 Date: **15/03/2024**

Author: **ETCH**
 Designer: **ETCH**
 Checker: **ETCH**
 Approver: **ETCH**
 Date Printed: **15/03/2024**

NO.	REVISION	DATE
001	ISSUE FOR PERMIT	15/03/2024
002	ISSUE FOR PERMIT	15/03/2024
003	ISSUE FOR PERMIT	15/03/2024
004	ISSUE FOR PERMIT	15/03/2024
005	ISSUE FOR PERMIT	15/03/2024
006	ISSUE FOR PERMIT	15/03/2024
007	ISSUE FOR PERMIT	15/03/2024
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015	ISSUE FOR PERMIT	15/03/2024
016	ISSUE FOR PERMIT	15/03/2024
017	ISSUE FOR PERMIT	15/03/2024
018	ISSUE FOR PERMIT	15/03/2024
019	ISSUE FOR PERMIT	15/03/2024
020	ISSUE FOR PERMIT	15/03/2024

NO.	REVISION	DATE
021	ISSUE FOR PERMIT	15/03/2024
022	ISSUE FOR PERMIT	15/03/2024
023	ISSUE FOR PERMIT	15/03/2024
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030	ISSUE FOR PERMIT	15/03/2024
031	ISSUE FOR PERMIT	15/03/2024
032	ISSUE FOR PERMIT	15/03/2024
033	ISSUE FOR PERMIT	15/03/2024
034	ISSUE FOR PERMIT	15/03/2024
035	ISSUE FOR PERMIT	15/03/2024
036	ISSUE FOR PERMIT	15/03/2024
037	ISSUE FOR PERMIT	15/03/2024
038	ISSUE FOR PERMIT	15/03/2024
039	ISSUE FOR PERMIT	15/03/2024
040	ISSUE FOR PERMIT	15/03/2024



SECTION - C
SCALE 1:50 @ A1 / 1:100 @ A3

PRELIMINARY - NOT FOR CONSTRUCTION

ETCH

Project: **PERMITS AND ERECTION**

Client: **000**

Drawn by: **A203**

Checked by:

Scale: **1:50**

Date: **10/11/2023**

Author: **Development Applications**

Project Name: **Development Applications**

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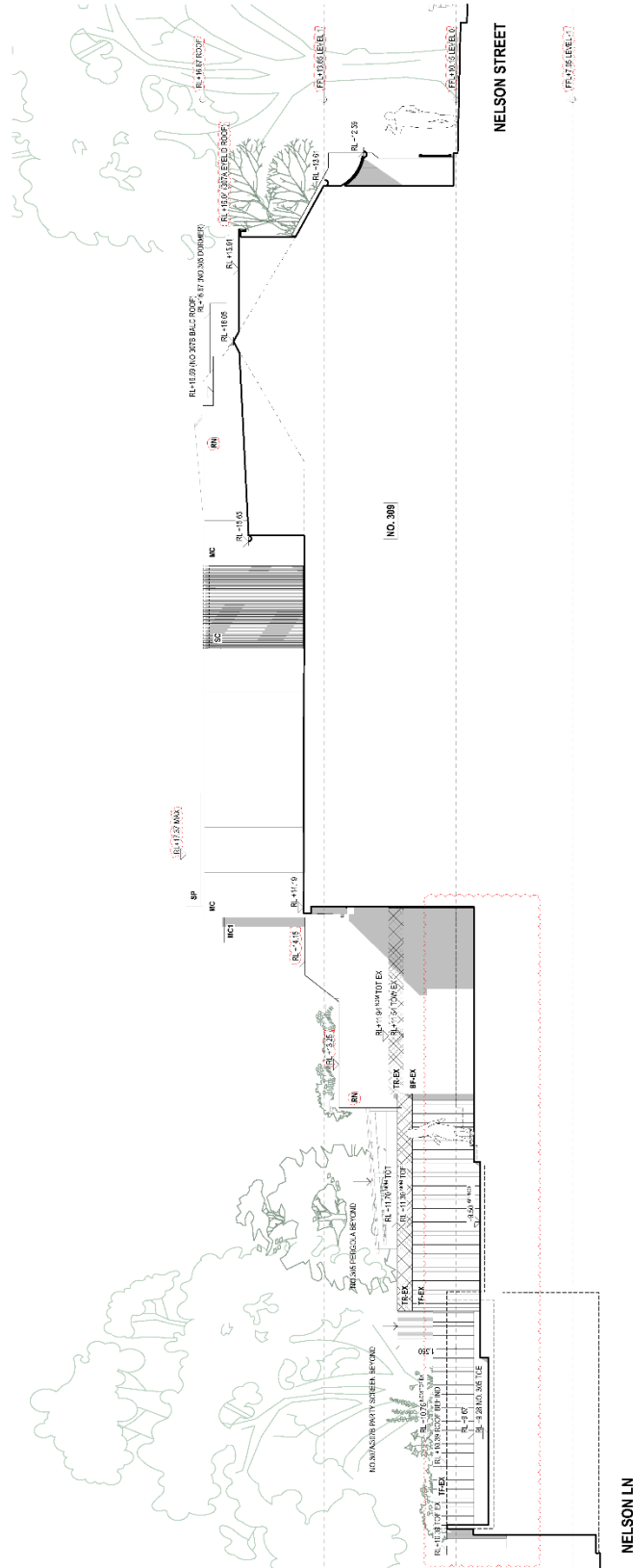
96. 10/11/2023

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98. 10/11/2023

99. 10/11/2023

100. 10/11/2023



01 - ELEVATION - NORTH
SCALE 1:500 @ 17/11/2018

PRELIMINARY - NOT FOR CONSTRUCTION

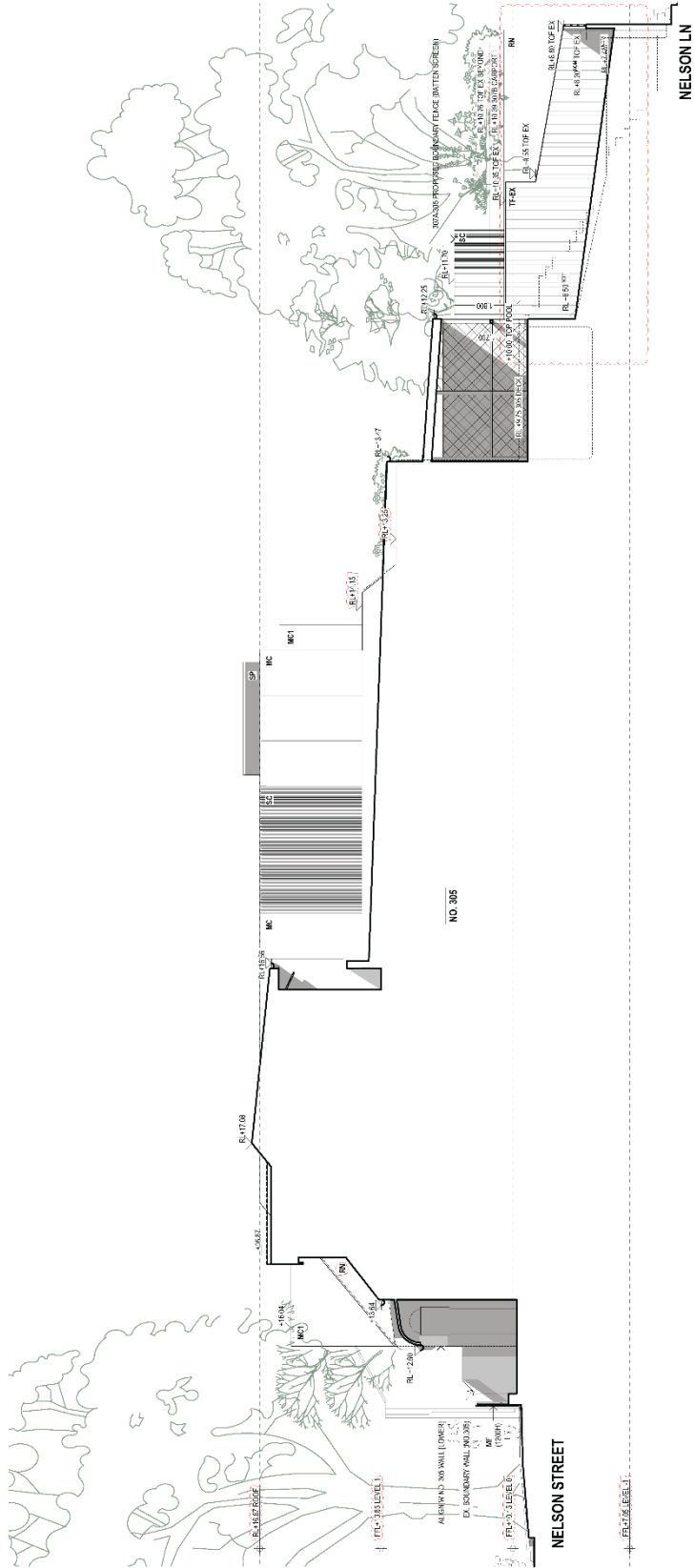
ETCH
Engineering & Technical Consulting
10/11-13/15 WILSON ROAD, WILSON
VIC 3207
TEL: 03 9447 1111
WWW.ETCHVIC.COM.AU

ANNDALE TERRACES
Project Name
10/11-13/15 WILSON ROAD
VIC 3207

NORTH ELEVATION
North Elevation
Date: 17/11/2018
Author: [Name]
Checked: [Name]
Approved: [Name]
Development Application

NO.	REVISION	DATE
1	ISSUE FOR PERMIT	17/11/2018
2	REVISED PERMIT CONDITIONS	17/11/2018
3	REVISED PERMIT CONDITIONS	17/11/2018
4	REVISED PERMIT CONDITIONS	17/11/2018
5	REVISED PERMIT CONDITIONS	17/11/2018
6	REVISED PERMIT CONDITIONS	17/11/2018
7	REVISED PERMIT CONDITIONS	17/11/2018
8	REVISED PERMIT CONDITIONS	17/11/2018
9	REVISED PERMIT CONDITIONS	17/11/2018
10	REVISED PERMIT CONDITIONS	17/11/2018

NO.	REVISION	DATE
11	REVISED PERMIT CONDITIONS	17/11/2018
12	REVISED PERMIT CONDITIONS	17/11/2018
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15	REVISED PERMIT CONDITIONS	17/11/2018
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19	REVISED PERMIT CONDITIONS	17/11/2018
20	REVISED PERMIT CONDITIONS	17/11/2018



01 ELEVATION - SOUTH
SCALE 1:50 @ A11.11.16 @ AS

PRELIMINARY - NOT FOR CONSTRUCTION

Client: **CHARLES Group**
 Project: **MANALE TERRACES**
 Site: **111-113 Nelson Street, Manale**
 Date: **11.11.16**
 Drawn: **ADZ**
 Checked: **ADZ**
 Approved: **ADZ**
 Development Application: **ADZ**

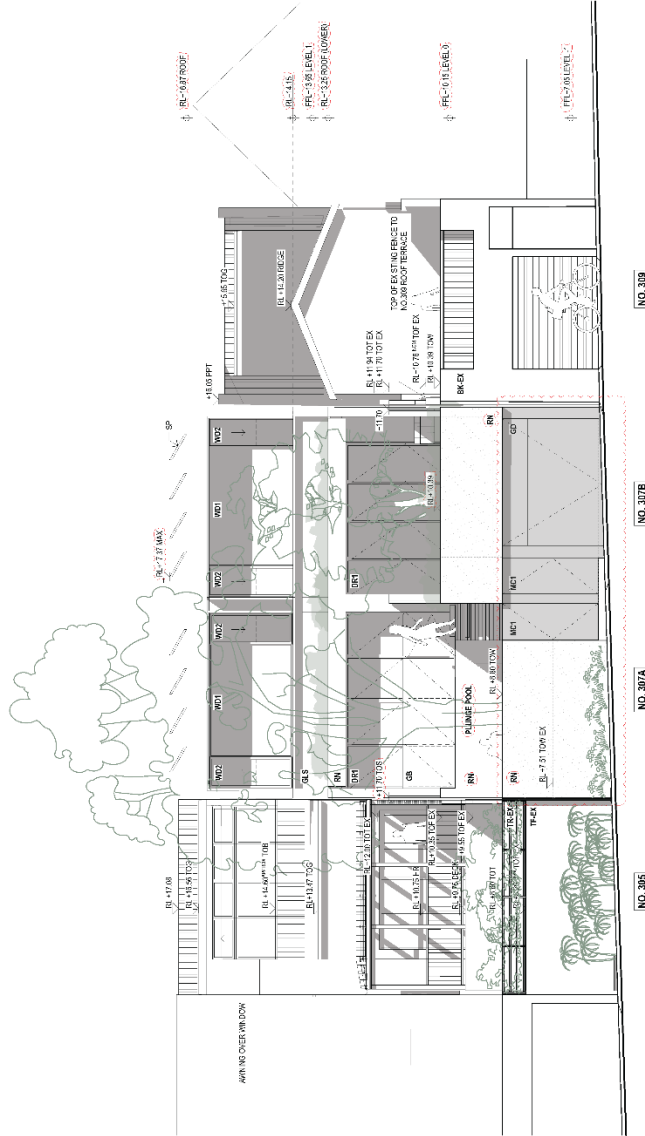


ETCH
 SUSTAINABLE DESIGN
 111-113 Nelson Street, Manale
 Phone: 08 943 8888
 Email: info@etch.co.nz
 Website: www.etch.co.nz

1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
 3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.
 4. ALL DIMENSIONS ARE TO EXTERIOR UNLESS OTHERWISE SPECIFIED.
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(D1) ELEVATION - EAST (NELSON LANE)
SCALE 1:50 @ A17 (1:10 @ A3)

PRELIMINARY - NOT FOR CONSTRUCTION

ETCH
 Environmental & Technical Consulting
 1/100 The Esplanade, North Sydney, NSW 1585
 Phone: (02) 9439 1000
 Fax: (02) 9439 1001
 Email: info@etch.com.au
 Website: www.etch.com.au

Client: ANIMALE SERVICES
 Project: ANIMALE SERVICES
 Date: 15/08/2024
 Drawn: [Name]
 Checked: [Name]
 Date PLO: [Date]
 Date PLO: [Date]

NO. 305 NO. 307A NO. 307B NO. 309

AWN OVER WINDOW
 PLASTER POOL
 TILES
 RL-047 FODE
 RL-045
 RL-036 LRLT
 RL-036 DFOGEN
 RL-036 ELEV0
 RL-036 ELEV1
 RL-036 ELEV2
 RL-036 ELEV3
 RL-036 ELEV4
 RL-036 ELEV5
 RL-036 ELEV6
 RL-036 ELEV7
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NO. 305 NO. 307A NO. 307B NO. 309

AWN OVER WINDOW
 PLASTER POOL
 TILES
 RL-047 FODE
 RL-045
 RL-036 LRLT
 RL-036 DFOGEN
 RL-036 ELEV0
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NO. 305 NO. 307A NO. 307B NO. 309

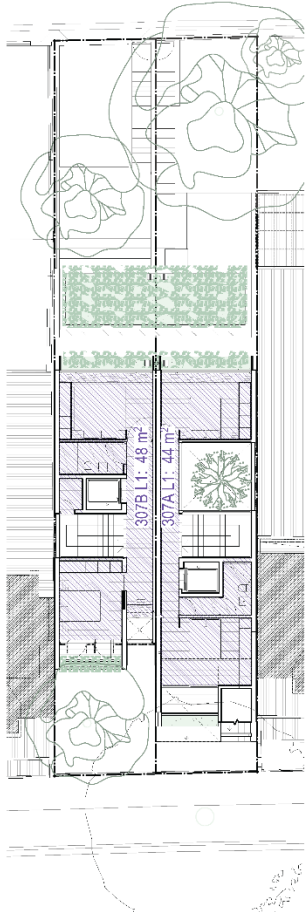
AWN OVER WINDOW
 PLASTER POOL
 TILES
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 RL-045
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 RL-036 DFOGEN
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 RL-036 ELEV100

SITE AREA: 18m² (each allotment)
 FIP FSA: 0.8:1
 LEF GFA: 117.2m²

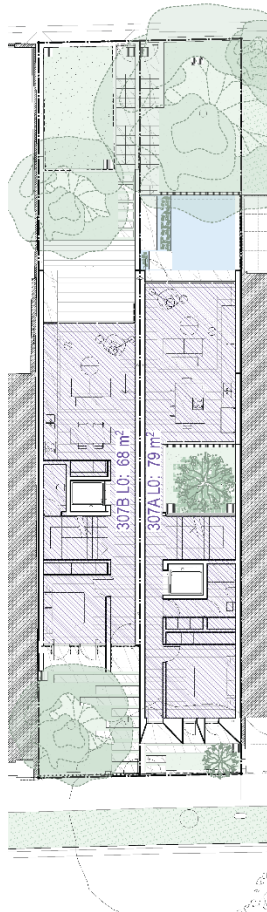
AREA SCHEDULE:

307A
 L1: 79m²
 L2: 24m²
 Total: 103m²

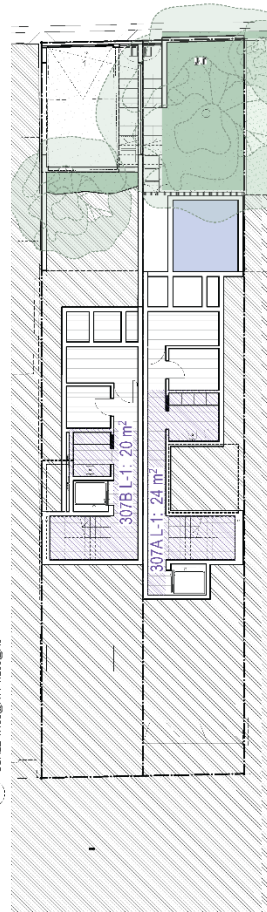
307B
 L1: 48m²
 L2: 68m²
 L3: 68m²
 Total: 184m²



01. GFA - FIRST FLOOR
 SCALE 1:100@A1 / 1:200@A3



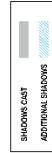
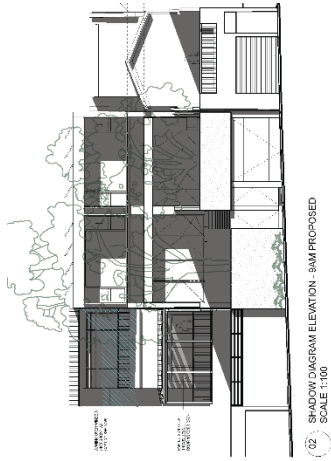
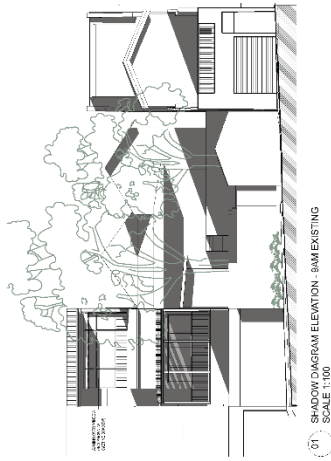
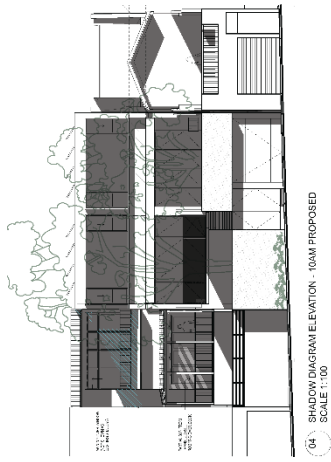
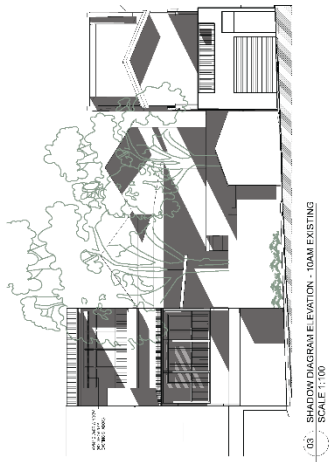
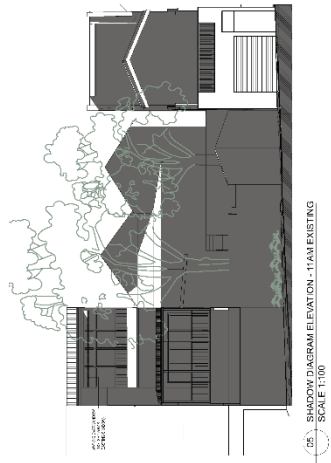
02. GFA - GROUND FLOOR
 SCALE 1:100@A1 / 1:200@A3



03. GFA - BASEMENT
 SCALE 1:100@A1 / 1:200@A3

DATE: 15/01/2024
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO: [Number]
 SHEET NO: [Number]
 TOTAL SHEETS: [Number]

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 Environmental & Technical Consulting
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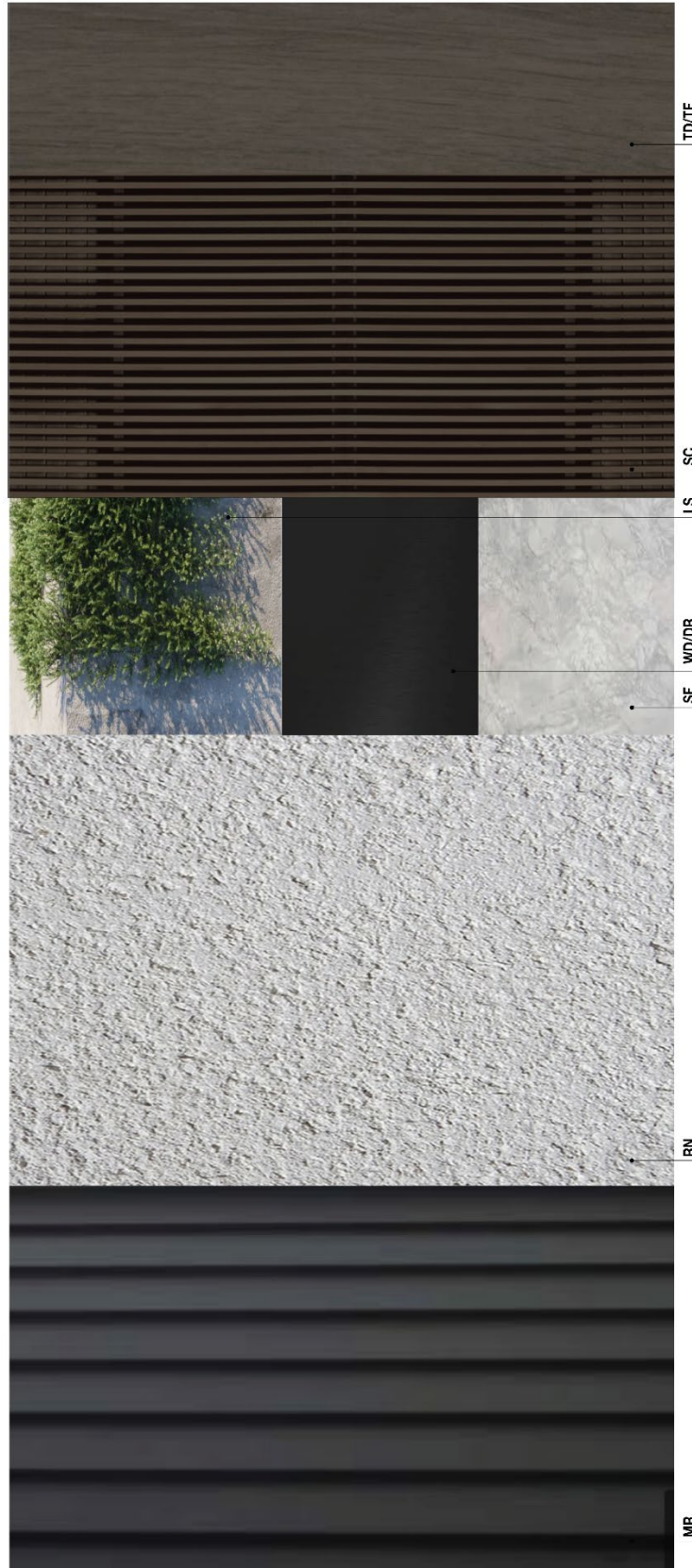


PRELIMINARY - NOT FOR CONSTRUCTION

<p>ETCH ARCHITECTURE 10/100 WILSON STREET, SYDNEY NSW 1588 TEL: 02 9550 2222 WWW.ETCHARCHITECTURE.COM</p>	<p>Client Group Project Site Date Scale Author Checked Date Priced Date Plotted</p>	<p>Project Zetocable Group Zetocable Group Project Site Date Scale Author Checked Date Priced Date Plotted</p>	<p>Diagram - Shadow Elevation Date Scale Author Checked Date Priced Date Plotted</p>
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REVISIONS

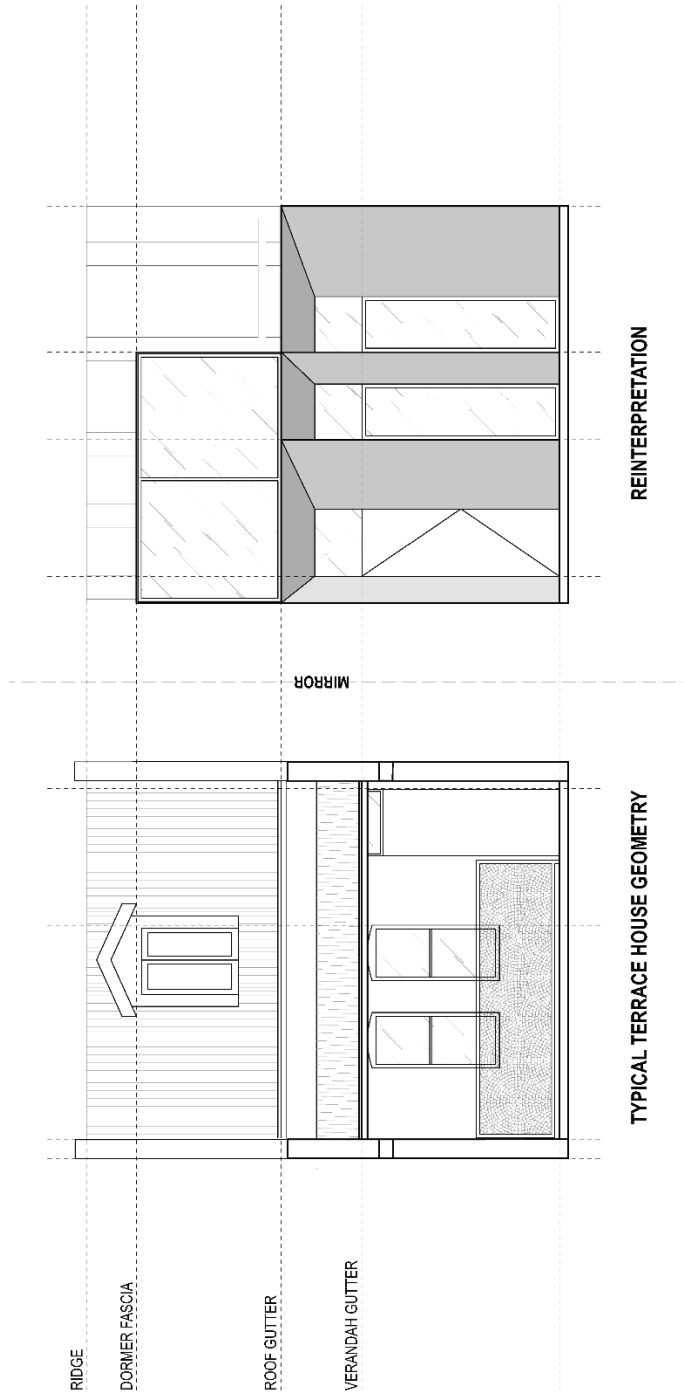
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2	Issue for Council	11/06/21
3	Issue for Council	11/06/21
4	Issue for Council	11/06/21
5	Issue for Council	11/06/21
6	Issue for Council	11/06/21
7	Issue for Council	11/06/21
8	Issue for Council	11/06/21
9	Issue for Council	11/06/21
10	Issue for Council	11/06/21



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PRELIMINARY - NOT FOR CONSTRUCTION

Client: Geraldine Group
Project: ANNANDALE TERRACES
Address: 102/103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000



PRELIMINARY - NOT FOR CONSTRUCTION

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 Environmental & Technical Consulting
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1. ALL WORK TO BE DONE IN ACCORDANCE WITH THE LOCAL GOVERNMENT ACT 1995 AND THE LOCAL GOVERNMENT (GENERAL) REGULATIONS 1996.

2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND OTHER RELEVANT AUTHORITIES.

3. THIS DRAWING IS THE PROPERTY OF ETCH AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF ETCH.

10/2020

Attachment D – Statement of Heritage Significance

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Area 18 Annandale Conservation Area

Landform

A wide ridge of land between Whites Creek and Johnstons Creek running due north to Rozelle Bay, with views from cross streets, and from the northern end of the suburb to the harbour, Anzac Bridge and the city, and west towards Leichhardt.



Figure 18.1 Annandale Conservation Area Map.

History

George Johnston, a marine officer of the First Fleet, received a grant of 290 acres on the northern side of Parramatta Road in 1799, an area now known as Annandale, named after Johnston's home town in Dumfriesshire, Scotland where he was born in 1764. Annandale House, designed in the Georgian style, was occupied by the Johnston family from 1800, and despite development closing in on all sides, their Annandale estate remained intact until 1876.

The first subdivision of 1876 reveals a grid of streets and allotments covering the land bounded by Parramatta Road, Johnston, Collins and Nelson Streets. Robert Johnston transferred this portion to his son, George Horatio, in June 1876 who sold off 75 lots to John Young, who then purchased the remainder of the estate for 121,000 pounds in October 1877. Young then sold the land to the Sydney Freehold Land and Building Investment Co Ltd, which he formed in 1878 to subdivide and sell the 280 acre estate. Building contractor and entrepreneur John Young, the company's chairman for the rest of its life, and its second largest shareholder, left an indelible impression on Annandale's development. Other directors of the company were politicians Samuel Gray and Robert Wisdom, developers John North and AW Gillies, soap and candle manufacturer WA Hutchinson and Henry Hudson.

Architect and surveyor Ferdinand Reuss junior won a prize of 150 pounds offered by the company for the best design for the subdivisional layout for Annandale

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and designed many of the houses. Reuss widened Johnston Street, a major design feature which followed the spine of the ridge from 66ft to 100ft and the topography of the estate encouraged the symmetrical street grid pattern.

Annandale Street, 80 feet wide, almost rivalled Johnston Street, but its opposite number, Trafalgar Street, retained the 66ft width determined by the 1876 plan. On the western side, Young Street matched the 66ft wide Nelson Street, which for topographical reasons terminated at Booth Street. The four cross-streets, Collins, Booth, Piper and Rose Streets were also 66ft wide. The centrepiece of the plan was an open space at the junction of Johnston and Piper Streets, which became Hinsby Reserve. The plan also featured two other large reserves and six smaller ones. The company's original policy of 'no back lanes' was an enlightened planning policy: access for night soil collection was to be by side passage from the front street. Terrace housing was therefore not part of their plans, indicating that they were aiming for a middle class market. Even the lesser streets were 50ft wide, still above the standard widths of other suburban streets.

The majority of the building lots were generous, directed again to a middle class market: 66ft frontages with depths of about 90ft, ideal for freestanding houses. Most of the allotments sold up to 1881 were in Johnston and Annandale Streets. Allotments on the slopes above the creeks were largely ignored. Though extension of the tram track along Parramatta Road reached the junction of Annandale's main artery in 1883, the track was not built along Johnston Street. Land sales were sluggish and in 1882 the company was forced to revise its original policy on lot sizes. Though Johnston and Annandale Streets remained typical of the kind of middle class suburb the company originally envisaged, elsewhere a proliferation of small lots were created by resubdivisions. The company began with land on the creek slopes near Parramatta Road, re-subdividing sections 26 and 30 (creating Mayes Street), 34 (Ferris Street) and 37 on the western side, and eastern sections 28 and 33. The smaller lots did attract working class buyers, largely missing before 1882.

Between 1884 and 1886 more sections were resubdivided, increasing the number of sales up to 1889. Section 25, creating Alfred Street, and 35 were resubdivided, and sections 9-11 and 16-19 were halved to create sections 50 and 56 (along the banks of Whites Creek). The company undertook further resubdivisions in 1887 and 1888 involving sections 13, 21, 22, 24, 29, 39 and 40. As land sales reached their peak Annandale ratepayers began petitioning to secede from Leichhardt Council and incorporate the new Borough of Annandale which occurred in 1894. Between 1894 and 1930 Annandale Council was filled with self-employed local businessmen - timber merchants, builders and contractors, printers, grocers, butchers and a long serving carrier. They provided social leadership in their community. Many of the builders of the suburb's physical fabric possessed local addresses. The number of Annandale's builders and contractors rose from one in 1884 to fourteen in 1886 to seventeen in 1889. Apart from John Young, a partnership comprising John Wise, Herbert Bartrop and John Rawson was especially active in 1881/2, making twenty-five separate purchases. Other prominent local builders of Annandale's houses were Robert Shannon, William Nicholls, William Baker, Albert Packer, Owen Ridge,

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George McDonald, George Bates, Hans Christensen, Cornelius Gorton, William Wells and Phillip Newland.

The Sydney Freehold Land and Building Investment Co Ltd, after thirty-eight years of having a controlling interest in Annandale, went into liquidation in 1916. The remaining unsold lots which were, in the main, located at the suburb's northern end, were bought by the Intercolonial Investment Land and Building Co Ltd. Annandale's last major land sales began in 1909 when Young's Kentville Estate was subdivided into ninety allotments.

By 1893, of Annandale's 1,189 residences, 906 were constructed of brick and 250 of weatherboard. The whole process of building up the streets of Annandale stretched over a long time. At the 1901 census there were 1,729 houses increasing to 2,363 by 1911 and reaching 2,825 in 1921. Annandale had 3,265 residences at the 1947 census.

The bubonic plague first appeared in The Rocks in 1901, and led to quarantine areas in Glebe and other inner areas. It affected attitudes to inner city/suburban housing, so that by 1910 those who could afford to were moving out, particularly to the railway suburbs. Inner suburban areas such as Annandale began to be seen as slums. It was at this time, and particularly after World War I, that industry began to appear in peripheral areas, along Johnstons and Whites creeks and in the swampy head of Rozelle Bay (later to be reclaimed).

John Young, with architectural and engineering experience in England including as superintendent for Crystal Palace, purchased the North Annandale land, established the Sydney Freehold Land & Building Investment Co to lay out the subdivision and finance the residential building.

The subdivision in the 1870s was premature, forcing the company to re-subdivide many of the large 'villa' allotments along Annandale Street and Trafalgar Street for smaller scale housing attracting working class residents. Johnston Street for the most part still exhibits the single villa ideals envisaged by the company for the three main streets.

Sources

Information provided by Max Solling.

Significant Characteristics

- Close relationship between landform and layout of the suburb with widest street along ridge top.
- The highest land has the widest streets and the largest buildings with the deeper setbacks
- Streets, buildings and setbacks diminish in size towards creeks.
- Important civic, ecclesiastical and educational buildings sited on top of the ridge facing Johnston Street, giving spire of Hunter Bailey Church high visibility from wide arch of Sydney suburbs.

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- A notable group of buildings, 'the witches hats' sited on northern edge of Johnston Street ridge as it falls towards Rozelle Bay.
- Tree-lined streets, particularly of brush box, planted within the carriageway.
- Industrial buildings occur randomly, but generally marginalised to creek edges, the northern end of Annandale and round Booth Street.
- Variety of domestic buildings 1880s-1930s including single and double-fronted freestanding, semidetached and terrace houses and pre-World War II flats from one to three storeys.
- Small collection of weatherboard dwellings.
- Victorian Italianate boom period villas generally along southern end of Johnston Street, nearer to Parramatta Road.
- Uninterrupted commercial buildings with attached dwelling along Parramatta Road, with parapets and balconies or suspended awnings and some original shop fronts.
- Group of shops, pub, post office, church at intersection of Booth Street.
- Occasional corner shops throughout suburb.
- Skyline of chimneys, decorative fire wall dividers on terraces, ridge capping and finials.
- Wealth of decorative elements – iron fences, coloured tiles in paths, steps and verandahs, plaster moulding finishes above door and window openings, coloured glass, chimneys, verandah awnings.
- Walls of rendered brick (1870s and 1880s), and dry pressed face brick (available from c1890s).
- Roof cladding of terracotta tiles, slate, and some iron, particularly on verandahs.
- Irregular occurrence of back lanes.
- Iron palisade fences on low sandstone plinth.
- Continuous kerbs and gutters – many of sandstone.
- Rock outcrops within footpath and road alignments.

Statement of Significance or Why the Area is Important

- One of a number of conservation areas that collectively illustrate the nature of Sydney's early suburbs and Leichhardt's suburban growth particularly between 1871 and 1891, with pockets of infill up to the end of the 1930s (ie prior to World War II). This area is important as a well planned nineteenth-century suburb, and for illustrating development particularly from 1880s-1890s, aimed initially at the middle class market. The surviving development from this period forms the major element of its identity along with an area of 1910s-1930s development at its northern end.

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- Demonstrates the vision of John Young, architect, engineer and property entrepreneur.
- Demonstrates, arguably, the best and most extensive example of the planning and architectural skills of Ferdinand Reuss, a designer of a number of Sydney's Victorian suburbs, including South Leichhardt (the Excelsior Estate) and Birchgrove.
- Clearly illustrates all the layers of its suburban development from 1878, through the 1880s boom and resubdivision, the 1900 slump and the appearance of industry, and the last subdivision around Kentville/Pritchard Streets to the 1930s, with the early 1880s best illustrated along Johnston and Annandale Streets.
- Demonstrates a close relationship between landform and the physical and social fabric of the suburb.
- In its now rare weatherboard buildings it can continue to demonstrate the nature of that major construction material in the fabric of early Sydney suburbs, and the proximity of the timber yards around Rozelle Bay and their effect on the building of the suburbs of Leichhardt.
- Displays a fine collection of large detached Victorian Italianate boom-period villas with most decorative details still intact, set in gardens.
- Displays fine collection of densely developed Victorian commercial buildings.
- Through the absence/presence of back lanes, changes in the subdivision pattern, and the range of existing buildings it illustrates the evolution of the grand plan for Annandale, in response to the market, from a suburb of middle class villas to one of terraces and semis for tradesmen and workers.

Management of Heritage Values

Generally

This is a conservation area. Little change can be expected other than modest additions and discrete alterations. Buildings which do not contribute to the heritage significance of the area may be replaced with sympathetically designed infill.

Retain

- All pre-1939 buildings and structures because they are important to understanding the history of the growth of this suburb.
- All weatherboard buildings, their rarity adds to their significance.
- Green garden space to all residential buildings – an important part of the character of Annandale.
- Original plastered walls (generally belonging to pre-1890s buildings).
- Original dry pressed face brick walls (generally belonging to post-1890s buildings).

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- All original architectural details.
- Original iron palisade fences.
- Back lanes in their early configuration.
- Brush box tree planting, replace where necessary in original position within the alignment of the carriageway.
- All sandstone kerbs and gutter uninterrupted by vehicular access.

Avoid

- Amalgamation to create any more wider allotments that would further disrupt the Victorian pattern of development.
- Demolition of any pre-1939 building unless it is so compromised that it can no longer contribute to an understanding of the history of the area.
- Plastering or painting of face brick walls.
- Removal of plaster from walls originally sealed with plaster.
- Removal of original architectural details.
- Changes to the form of the original house. Second or third storey additions.
- Posted verandahs over footpaths to commercial premises or former commercial premises where no evidence can be provided to support their reconstruction.
- Additional architectural detail for which there is no evidence.
- High masonry walls or new palisade fences on high brick bases.
- Alteration to back laneways.
- Road chicanes which cut diagonally across the line of the streets.

Further Work

Use Water Board Detailed Survey of 1890 to identify which buildings remain from that time.

Compile photographic record of the conservation area from photos available since the late nineteenth century to the present time, as a means of assisting in appropriate reconstruction/'restoration'.