



INNER WEST COUNCIL

DEVELOPMENT ASSESSMENT REPORT

Application No.	D/2018/189
Address	67 Ballast Point Road, BIRCHGROVE NSW 2041
Proposal	Lower ground, ground and first floor alterations and additions to existing dwelling-house, and associated works, including construction of a new swimming pool at rear, tree removal and replacement of a shed.
Date of Lodgement	17 April 2018
Applicant	Vaughan Architects Pty Ltd
Owner	Mr R L Freeman and Mrs K J Freeman
Number of Submissions	Objections from 6 properties
Value of works	\$957,500
Reason for determination at Planning Panel	Demolition of a portion of the heritage item
Main Issues	<ul style="list-style-type: none"> • Impacts to heritage item • Bulk and scale • Impacts to trees on adjoining properties • Visual privacy
Recommendation	Deferred commencement
Attachment A	Recommended conditions of consent
Attachment B	Plans of proposed development



LOCALITY MAP

Subject Site		Objectors		↑ N
Notified Area		Supporters		

1. Executive Summary

This report is an assessment of the application submitted to Council for lower ground, ground and first floor alterations and additions to existing dwelling-house, and associated works, including construction of a new swimming pool at the rear, tree removal and replacement of a shed at 67 Ballast Point Road, Birchgrove. The application was notified to surrounding properties and submissions from 6 properties were received.

The main issues that have arisen from the application include:

- Impacts to heritage item
- Bulk and scale
- Impacts to trees on adjoining properties

The above issues can be addressed by conditions and the application is recommended for deferred commencement approval.

2. Proposal

The proposal before Council seeks alterations and additions to an existing dwelling including new swimming pool, landscaping and associated site works.

A detailed summary of the proposal is provided below.

Demolition

- Select structures throughout the subject site are proposed for removal. This is contained to existing internal walls and rear portions of the current built form, whilst maintaining the original dwelling. The shed currently located within the rear setback is proposed for removal.

Basement Level

- A new basement level is proposed at the subject site, located in a centralised position generally being between the existing building footprint and that of the proposed rear addition.
- Contained within this basement level is a storage room and cellar.
- Access will be facilitated through an internal set of stairs.

Ground Floor

- The proposed works will result in a reconfigured laundry and bathroom at the ground floor. A guest bedroom with access to an ensuite is also proposed. An open planned living area is provided toward the rear for the ground floor, offering a seamless transition to the sites rear private open space.
- Enhanced planting is proposed within the rear setback along with a new swimming pool.
- A terraced area is proposed beyond the ground floor living room, which facilitates the indoor/outdoor flow and transition inherently created through the proposed works.
- Along the north-western boundary, the existing shed will be replaced maintaining its same location. Adjoining this is a clothes drying area that will be masked from the streetscape by the proposed shed and landscaping.

First Floor

- A bridge link will connect the existing attic to the first floor of the proposed rear addition. Access will also be facilitated from the ground floor via an internal set of stairs.
- The first floor will provide for an open planned kitchen, dining and living area along with fire place, bathroom and pantry.

3. Site Description

The site is located on the north-eastern side of Ballast Point Road. The site consists of one allotment and is legally defined as Lot 1 in Deposited Plan 741486.

The site is generally regular in shape, offering a varied depth from the widest portion being toward Ballast Point Road with a general narrowing to the rear boundary. To Ballast Point Road, the sites frontage measures 11.915m with the rear boundary equalling 6.45m in length. The sites north-western boundary provides for a length of 34.88m with the south-eastern side boundary being 32.615m. Overall, the site provides for an area of 300.7m².

Located on the subject site is a two-storey weatherboard dwelling with stone foundation and a metal roof. Development in the area is typically characterised by low density residential forms, comprising a mix of single and two storey forms which are both attached and detached in their nature.

Immediately adjoining the site to the north-west is a two-storey rendered brick dwelling with tiled roof at No. 69 Ballast Point Road. Adjoining the site to the south-east at No. 65 Ballast Point Road is a two storey brick dwelling with tiled roof.

The subject site is listed as a heritage item. The property is located within a conservation area and is not identified as a flood prone lot.



Figure 1: Location of the subject site



Figure 1: View of the front of the subject property (middle)



Figure 2: View of the rear of the subject property (middle)

The following trees are located on the site and within the vicinity.

Located on council land:

- Jacaranda (*Jacaranda mimosifolia*)
- Lemon Scent Tea tree (*Leptospermum petersonii*) x 2

Located on subject site

- Pigeon Berry (*Duranta erecta*)
Located on adjoining site (65 Ballast Point Road)
- Group of mixed species palms - Archontophoenix spp., Bangalow/ Alexander Palms, Arecastrum romanzoffianum, Cocos Palms
Located on adjoining site (26 Wharf Road)
- Lemon Scent Tea tree (*Leptospermum petersonii*)
- Weeping Bottlebrush (*Callistemon viminalis*)

4. Background

4(a) Site history

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

Subject Site

Application	Proposal	Decision & Date
T/2006/205	Pruning of 1 x Eucalyptus scoparia at front of property.	Approved 31-Jul-2006
T/2013/400	Removal of 1x tree	Withdrawn 27-Feb-2014
T/2014/68	Removal of Tree. - Minor Works. Dangerous Tree.	Completed 03-Jun-2014
PREDA/2018/1	Alterations and additions to an existing house with new swimming pool	Issued 28-Feb-2018

Surrounding properties

Application	Proposal	Decision & Date
BA 90/597	<u>65 Ballast Point Rd</u> Ground floor addition and alterations	13.11.95

4(b) Application history

The following table outlines the relevant history of the subject application.

Date	Discussion / Letter/ Additional Information
1 August 2018	Request for additional information letter sent.
20 August 2018	Additional information/amended design provided including: <ul style="list-style-type: none"> • Revised set of Architectural Plans prepared by Vaughan Architects; • Arboriculture Construction Impact and Management Statement for Lodged Development Application prepared by Growing My Way Tree Consultancy, dated March 2018, updated August 2018; • Amended Stormwater Management Plans prepared by Quantum Engineers dated 13.08.18; • Amended Heritage Impact Statement prepared by City Plan Services dated August 2018; • Schedule of Conservation Works prepared by City Plan Services dated August 2018.
24 September 2018	Meeting with applicant and applicant's representatives.
16 October 2018	Response from Manager Assessment Advisory Services given to applicant in relation to heritage matters
23 October 2018	Response from Manager Assessment Advisory Services given to applicant in relation to final position on the required first floor setback
25 October 2018	Amended design provided.

This report is based on the information/amended proposal submitted to council for assessment on 25 October 2018 and included the following amendments to the originally notified proposal:

- Changes in the rear roof form including a reduction of the maximum ridge height to RL31.01 (300mm reduction)
- Solar panels over the main cottage's rear roof plane removed from proposal.
- Blade walls attached to the rear elevation removed and opaque glass up to 1.6 metres in height proposed on windows on the rear elevation.
- The first floor addition has been amended with a setback of 800mm separation from the heritage item.
- This has been amended to retain the walls and add 'portal openings' with asbestos removed and lining boards re-instated to match existing.
- The link at ground floor level have been increased.
- Change the first floor cladding from aluminum standing seam copper finish to zinc.

5. 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.

5(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
- State Environmental Planning Policy (Coastal Management) 2018
- Leichhardt Local Environmental Plan 2013

The following provides further discussion of the relevant issues:

5(a)(i) Leichhardt Local Environment Plan 2013 (LLEP 2013)

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

- Clause 1.2 – Aims of the Plan
- Clause 2.3 – Zone objectives and Land Use Table
- Clause 2.7 – Demolition Requires Development Consent
- Clause 4.3A(3)(a) – Landscaped Area for residential development in Zone R1
- Clause 4.3A(3)(b) – Site Coverage for residential development in Zone R1
- Clause 4.4 – Floor Space Ratio
- Clause 4.4A – Floor Space Incentives for active street frontages
- Clause 4.5 – Calculation of floor space ratio and site area
- Clause 4.6 – Exceptions to development standards
- Clause 5.9 – Preservation of trees or vegetation
- Clause 5.9AA – Trees or vegetation not prescribed by development control plan
- Clause 5.10 – Heritage Conservation
- Clause 6.1 – Acid Sulphate Soils
- Clause 6.2 – Earthworks

- Clause 6.3 – Flood Planning
- Clause 6.4 – Stormwater management

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

Standard (maximum)	Proposal	% of non compliance	Compliances
Floor Space Ratio Required: [0.8:1]	0.77:1 231.7m ²	Not Applicable	Yes
Landscape Area 20%	28.4% 85.5 m²	Not Applicable	Yes
Site Coverage 60%	159.5 m² 53%	Not Applicable	Yes

The following provides further discussion of the relevant issues:

Clause 5.9 – Preservation of trees or vegetation

A review of the submitted *Site/Ground Floor Plan*, prepared by *Quantum Engineers*, dated 11/04/2018, DWG No. D2 has shown two *Leptospermum petersonii* (Lemon Scented Tea Tree) located at the front of the site to be impacted by a 100mm DIA charged line to the rain water tank.

Concerns are extended to an additional *Leptospermum petersonii* (Lemon Scented Tea Tree) and *Callistemon viminalis* (Weeping Bottlebrush) located on adjoining property to the rear of the subject site. The subject trees are located along the rear boundary fence and are likely to be adversely impacted by the proposed swimming pool. These trees have not been included on any submitted plans or the mentioned within the submitted *Arboricultural Construction Impact and Management Statement* prepared by Kyle A Hill from “Grow My Way” Tree Consultancy, dated March 2018.

No other trees were assessed to be impacted by the proposed development. Additional vegetation was noted on site that was not included on the submitted site plan however, these specimens were assessed to have low landscape value and were not considered to be a constraint for the application. The removal of the *Duranta erecta* (Pigeon Berry) is supported subject to adequate compensatory replanting.

The applicant was requested to amend the design of the *Site/Ground Floor Plan* and pool design/location to ensure that all excavation and required services are excluded from TPZ of trees to be retained. The submitted *Stormwater Plan*, prepared by *Quantum Engineers*, DWG No. D2, Revision C, dated 13/08/20128 has been amended to avoid possible root incursions for two *Leptospermum petersonii* (Lemon scented tea tree) located at the front of the site in response to previous comments made on the 26th July, 2018.

Concerns exist in relation to the proposed removal of a *Callistemon viminalis* (Weeping Bottlebrush) and a *Leptospermum petersonii* (Lemon scented tea tree) located on adjoining property 26 Wharf Rd to the rear of the subject site. While it is noted that the amended arborist report dated August 2018 attached a landscaping agreement between the owners of 67 Ballast Point Road and 26 Wharf Road, given that these trees are not located on the subject site, it is considered that any proposal for tree removal shall be considered in a separate Development Application and both trees assessed on their individual merits. No approval as such can be given for the proposed pool. A deferred commencement condition is recommended which requires the proposed pool to be deleted from the plans.

It is not anticipated that the group of assorted palm species growing on adjoining property will be adversely affected by development. A condition of consent is recommended that an *AQF level 5 Project Arborist* oversees all excavation within 3m of the subject palms.

Clause 5.10 – Heritage Conservation

The subject site contains a local heritage item. Refer to a more detailed discussion in a later section of report. It can be noted that during the assessment process, it was revealed that a set of original internal stairs to the heritage item had been removed without prior approval. This matter had been referred to council’s compliance section for investigation and as part of the deferred commencement conditions, a condition will be recommended that requires the reinstatement of the original stairs.

5(b) Draft Environmental Planning Instruments

- Draft Environment SEPP

The Draft Environment Planning Instrument listed above is not applicable to this application.

5(c) Development Control Plans

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

Part	Compliance
Part A: Introductions	
Section 3 – Notification of Applications	Yes
Part B: Connections	
B1.1 Connections – Objectives	Yes
B2.1 Planning for Active Living	N/A
B3.1 Social Impact Assessment	N/A
B3.2 Events and Activities in the Public Domain (Special Events)	N/A
Part C	
C1.0 General Provisions	Yes
C1.1 Site and Context Analysis	Yes
C1.2 Demolition	N/A
C1.3 Alterations and additions	Yes
C1.4 Heritage Conservation Areas and Heritage Items	Yes, refer to below
C1.5 Corner Sites	N/A
C1.6 Subdivision	N/A
C1.7 Site Facilities	Yes
C1.8 Contamination	Yes
C1.9 Safety by Design	N/A
C1.10 Equity of Access and Mobility	N/A
C1.11 Parking	Yes
C1.12 Landscaping	Yes
C1.13 Open Space Design Within the Public Domain	N/A
C1.14 Tree Management	Yes
C1.15 Signs and Outdoor Advertising	N/A
C1.16 Structures in or over the Public Domain: Balconies, Verandahs and Awnings	N/A
C1.17 Minor Architectural Details	N/A
C1.18 Laneways	N/A
C1.19 Rock Faces, Rocky Outcrops, Cliff Faces, Steep Slopes and	N/A

Rock Walls	
C1.20 Foreshore Land	N/A
C1.21 Green Roofs and Green Living Walls	N/A
Part C: Place – Section 2 Urban Character	
Suburb Profile	
C2.2.2.6 Birchgrove Distinctive Neighbourhood	Yes
Part C: Place – Section 3 – Residential Provisions	
C3.1 Residential General Provisions	Yes
C3.2 Site Layout and Building Design	Yes, refer to below
C3.3 Elevation and Materials	Yes
C3.4 Dormer Windows	N/A
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	Yes, refer to below
C3.10 Views	Yes, refer to below
C3.11 Visual Privacy	Yes, refer to below
C3.12 Acoustic Privacy	Yes, refer to below
C3.13 Conversion of Existing Non-Residential Buildings	N/A
C3.14 Adaptable Housing	N/A
Part C: Place – Section 4 – Non-Residential Provisions	
C4.1 Objectives for Non-Residential Zones	N/A
C4.2 Site Layout and Building Design	N/A
C4.3 Ecologically Sustainable Development	N/A
C4.4 Elevation and Materials	N/A
C4.5 Interface Amenity	N/A
C4.6 Shopfronts	N/A
C4.7 Bulky Goods Premises	N/A
C4.8 Child Care Centres	N/A
C4.9 Home Based Business	N/A
C4.10 Industrial Development	N/A
C4.11 Licensed Premises and Small Bars	N/A
C4.12 B7 Business Park Zone	N/A
C4.13 Markets	N/A
C4.14 Medical Centres	N/A
C4.15 Mixed Use	N/A
C4.16 Recreational Facility	N/A
C4.17 Sex Services Premises	N/A
C4.18 Vehicle Sales or Hire Premises And Service Stations	N/A
C4.19 Vehicle Repair Station	N/A
C4.20 Outdoor Dining Areas	N/A
C4.21 Creative Industries	N/A
Part D: Energy	
Section 1 – Energy Management	Yes
Section 2 – Resource Recovery and Waste Management	Yes
D2.1 General Requirements	Yes
D2.2 Demolition and Construction of All Development	Yes
D2.3 Residential Development	Yes
D2.4 Non-Residential Development	N/A
D2.5 Mixed Use Development	N/A

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
E1.1.2 Integrated Water Cycle Plan	N/A
E1.1.3 Stormwater Drainage Concept Plan	Yes
E1.1.4 Flood Risk Management Report	N/A
E1.1.5 Foreshore Risk Management Report	N/A
E1.2 Water Management	Yes
E1.2.1 Water Conservation	Yes
E1.2.2 Managing Stormwater within the Site	Yes
E1.2.3 On-Site Detention of Stormwater	N/A
E1.2.4 Stormwater Treatment	Yes
E1.2.5 Water Disposal	Yes
E1.2.6 Building in the vicinity of a Public Drainage System	N/A
E1.2.7 Wastewater Management	N/A
E1.3 Hazard Management	N/A
E1.3.1 Flood Risk Management	N/A
E1.3.2 Foreshore Risk Management	N/A
Part F: Food	
Section 1 – Food	N/A
F1.1 Food Production	N/A
F1.1.3 Community Gardens	N/A
Part G: Site Specific Controls	
Old Ampol land, Robert Street	N/A
Jane Street, Balmain	N/A
Old Balmain Power Station	N/A
Wharf Road Birchgrove	N/A
Anka Site – No 118-124 Terry Street Rozelle	N/A
233 and 233A Johnston Street Annandale	N/A

The following provides discussion of the relevant issues:

C1.4 Heritage Conservation Areas and Heritage Items

Heritage Listing:

The subject site is listed as a local heritage item, being 'House, including interiors' on the Leichhardt LEP 2013 (I518). It is also included within the 'Birchgrove and Ballast Point Road Heritage Conservation Area' (C8).

It is in close proximity of a number of heritage items, including:

- 'House, including interiors' at 22 Wharf Road (I603)
- 'House, 'Clifton Villa', including interiors' at 73 Ballast Point Road (I519)
- 'Semi-detached House, 'Exeter Villas', including interiors' at 34 Wharf Road (I608)

The subject site is part of the Birchgrove Distinctive Neighbourhood of the Leichhardt LEP 2013.

Significance

The subject property is a heritage item; the following statement of significance for the place has been reproduced from Leichhardt Council's Heritage inventory sheet:

"No. 67 Ballast Point Road is of local historic and aesthetic significance as a good example of a single storey plus attic weatherboard Victorian Gothic style dwelling constructed in c. 1860-1880s. Despite some rear additions, the building significantly retains its overall scale, form, character and details including the weatherboard facades, steep gable roof form and timber details, chimney, roof dormers, open verandah and associated details, pattern of openings and front fence. The building is enhanced by several mature trees and garden setting and makes a positive contribution to the Ballast Point Road streetscape."

The proposal includes substantial works including partial demolition of a local heritage item. Concerns were raised in the pre-DA which were not addressed within the submitted development application. A request for additional information and amended plans resolved several of the issues however the following concerns remain outstanding:

- The applicant had not fulfil the request to reinstate the original stairs, which were removed without prior approval.
- Comprehensive repair/ conservation schedule is not satisfactory.

To address these concerns conditions of consent are recommended including:

- Deferred commencement condition which requires the stair and wall that were demolished recently in the front portion of the dwelling to be reinstated to their former detail, complete with door frame, architraves, threshold and highlight, and the former adjoining wall. Detailed drawings shall be submitted to Council showing the proposed reinstatement.
- A comprehensive repair/ conservation schedule to be provided.

Unresolved issue:**Stairs and wall removed without approval**

Unauthorised works without consent have been undertaken to this local Heritage Item, including removal of an internal staircase and replacement with a new one and removal of a door and opening up of a wall. This is evidenced in the photographs below:



Figures 3 – image of internal stairs previously existing- <https://www.realestate.com.au/property/67-ballast-point-rd-birchgrove-nsw-2041>



Figures 4: Photographs from the rent notice available online at <https://www.domain.com.au/property-profile/67-ballast-point-road-birchgrove-nsw-2041>



Figure 5: Photograph taken during site inspection (4 September 2018). Note the new internal staircase and new wall opening.

- The probably original finely crafted stairs to the attic have recently been demolished, and the door opening within the adjoining wall has been enlarged, including the removal of the former doorway and threshold, highlight window and architraves etc. A crudely built new stair has been erected in its place, without the winders and at a different pitch.

These elements were a significant component of the heritage item, and they should be reinstated to their former detail. Submitted plans do not intend to reinstate the former arrangement – ie. reinstatement of the doorway opening to its earlier form and detail complete with door frame, architraves, threshold and highlight, and the former adjoining wall.

A condition will be recommended in the form of a deferred commencement condition which requires the stair and wall that were demolished recently in the front portion of the dwelling to be reinstated to their former detail, complete with door frame, architraves, threshold and highlight, and the former adjoining wall. Detailed drawings will also need to be submitted to Council showing the proposed reinstatement.

Resolved Issues:

The following heritage issues had been adequately addressed by the amended design and additional information submitted:

1. Demolition of rear kitchen wing

The proposal aims to demolish the rear secondary wing of a local heritage item. The Applicant has not provided justification based on structural adequacy of the building, however has provided evidence of health and safety concerns related to the presence of asbestos in the rear wing (Jim's Building inspections, Asbestos Inspection and Condition Report, dated 9 August 2018).

Given the health and safety concerns raised by the presence of asbestos, removal of the rear asbestos cladded secondary wing could be supported on heritage grounds, provided that the replacement additions complement and are sympathetic to the surrounding historic context of Birchgrove.

2. Materials and Finishes

The first floor cladding from aluminum standing seam copper finish to zinc which is satisfactory.

3. Location of Basement

This was raised to address concerns with the potential impact to the existing dwelling structurally. At the Preda Council officer's requested Geotechnical and Structural information to address this matter. As this has been provided, this matter has now been addressed without the need for a setback. It should be noted that any consent will include conditions, that as recommended in the Geotech report, further testing is carried out and a further Geotech report submitted prior to the issue of a Construction Certificate.

4. 1st Floor Link

At the site inspection for the DA, it became clear that there had been removal of the original stair which was unknown at the time of providing Pre-da advice. As such the Heritage Officer sought to minimise further change to the building. It is agreed that the design has been modified to address the issues raised at Pre-da.

5. Interpretation of original rear verandah and Scale and form of rear addition

The form of the additions is generally supported given it is substantially below the ridge, however in its current location it is not considered subordinate and as such needs to be setback further to ensure it is sympathetic to the original building. It is however noted that the setback at first floor was sought to be increased at Pre-DA stage and this matter has not been satisfactorily addressed. It is recommended that the rear setback of the first floor be increased to match the original width of the rear verandah. Whilst the 1200mm is preferable, if the material is changed to a lighter toned cladding as proposed, we would be able to support an 800mm separation. The amended drawings dated 26 October 2018 satisfy this requirement.

6. Demolition of select first floor interior attic walls

The PreDA advice dated 25 February 2018 notes that "All original timber boarding within the attic level are to be conserved and the applicant is encouraged to re-instate similar original/early timber boarding to those parts of the attic where they have been removed". There is no objection to the removal of the asbestos sheeting and replacement with new timber boarding. There is insufficient evidence to suggest that these walls do not contribute to the significance of the building.

C3.2 Site Layout and Building Design

Building Location Zone

The proposed works complies with the building location zone at both the ground and first floor levels.

Side Setback

The proposed first floor additions results in non-compliance with the side setback controls as outlined in the following table:

Elevation	Proposed Maximum Wall Height (m)	Required setback (m)	Proposed setback (m)	Difference (m)
Eastern	6.09	1.9	0	1.9
Western	7.2	2.54	0	2.54

Control C8 under this part states that Council may allow walls higher than that required by the side boundary setback controls where:

- a. *The development is consistent with relevant Building Typology Statements as outlined within Appendix B – Building Typologies of this Development Control Plan;*
- b. *The pattern of development within the streetscape is not compromised;*
- c. *The bulk and scale of development is minimised by reduced floor to ceiling heights;*
- d. *The potential impacts on amenity of adjoining properties, in terms of sunlight and privacy and bulk and scale, are minimised; and*
- e. *Reasonable access is retained for necessary maintenance of adjoining properties.*

It is considered that that the proposed alterations and additions will not compromise the pattern of development within the streetscape or result in adverse impacts to the adjoining properties in relation to solar access or loss of views. The impacts in relation to visual privacy will be acceptable subject to conditions. The proposal will retain reasonable access on the western side of the property. The proposed form is consistent with the building typology being a pavilion style addition where the roof link is through an existing intrusion into the roof form.

The floor-to-ceiling heights had not been minimised. Having considered the built form of the adjoining properties at 65 and 69 Ballast Point Road, it is considered that the floor-to-ceiling heights is compatible to the bulk and scale of the adjoining properties subject to a condition that requires the northern wall hosting Window F6 to setback a minimum 14 metres from the rear boundary to minimise the bulk and scale impacts to the deck area of No. 65 Ballast Point Road.

C3.9 Solar Access

Given the adjoining sites are north-south orientated (65 Ballast Point Road) and east-west orientated (69 Ballast Point Road), the following solar access controls apply to the proposal in relation to solar access of affected properties:

- *C12 Where the surrounding allotments are orientated east/west, main living room glazing must maintain a minimum of two hours solar access between 9am and 3pm during the winter solstice.*
- *C13 – Where the surrounding allotments are orientated north/south and the dwelling has north facing glazing serving the main living room, ensure a minimum of three hours solar access is maintained between 9am and 3pm during the winter solstice.*
- *C17 – Where surrounding dwellings have north facing private open space, ensure solar access is retained for three hours between 9am and 3pm to 50% of the total area during the winter solstice.*
- *C18 Where surrounding dwellings have east/west facing private open space, ensure solar access is retained for two and a half hours between 9am and 3pm to 50% of the total area (adjacent to living room) during the winter solstice.*

Due to the orientation of the sites, the proposed works will not result in any additional overshadowing to No. 69 Ballast Point Rd between 9am and 3pm at winter solstice and therefore would comply with the controls above.

In relation to impacts to No. 65 Ballast Point Rd, the shadow diagrams that originally accompanied the development application was found to be inaccurate in regards to the shadow lengths. As part of the request of additional information, the applicant had provided amended shadow diagrams where the shadow lengths were accurate but impacts from the existing rear fence were not depicted. Taking into account of the impacts from the rear fence, the impacts to the private open space are shown on the following table:

Time	POS size (sqm)	Existing Solar Access to POS (sqm)	Existing Solar Access to POS (%)	Proposed Solar Access to POS (sqm)	Proposed Solar Access to POS (%)	Change (sqm)	Existing Solar Access Retained (%)
9:00am	102	53	52%	53	52%	0	100%
12:00pm	102	66	65%	66	65%	0	100%
3:00pm	102	29	28%	29	28%	0	10%

At 9.00am, the shadows from the proposed additions will fall within the proposed site. The additional shadows at 12pm and 3pm will fall within the existing shadows cast by the existing structures and therefore it complies with the relevant abovementioned controls.

In regards to impacts to north-facing glazing associated with the living room, the north-facing glazing adjacent to the rear deck of No. 65 Ballast Street will receive solar access between 9am and 12pm and achieve compliance with C13.

C3.10 Views

Council will consider the following steps in the assessment of reasonable view sharing as stated in C3.10 Views of Leichhardt DCP 2013:

- a. What views will be affected? In this Plan, a reference to views is a reference to water views and views of significant landmarks (e.g. Sydney Harbour, Sydney Harbour Bridge, ANZAC Bridge and the City skyline including features such as Centre Point Tower). Such views are more highly valued than district views or views without significant landmarks.*
- b. How are the views obtained and assessed? Views from private dwellings considered in development assessment are those available horizontally to an observer standing 1m from a window or balcony edge (less if the balcony is 1m or less in depth).*
- c. Where is the view enjoyed from? Views enjoyed from the main living room and entertainment areas are highly valued. Generally it is difficult to protect views from across side boundaries. It is also generally difficult to protect views from other areas within a residential building particularly if views are also available from the main living room and entertainment areas in the building concerned. Public views are highly valued and will be assessed with the observer standing at an appropriate point in a public place.*
- d. Is the proposal reasonable? A proposal that complies with all development standards (e.g. building height, floor space ratio) and planning controls (e.g. building setbacks, roof pitch etc) is more reasonable than one that breaches them."*

65 Ballast Point Road

View from Bedroom 1 windows on first floor (objector’s photos – Figure 8-10)



Figure 8



Figure 9



Figure 10

View from Bedroom 2 windows on first floor (Photos from objector – Figures 11-12)



Figure 11



Figure 12

Planner's photos from the site inspection at 65 Ballast Point Road, showing the existing views from first floor windows:



Figure 13 – Views from existing first floor windows at 65 Ballast Point Road

As indicated in the photos, there are distant water views, currently partially obstructed by vegetation and building structures, from the bedroom windows that are impacted from the development. These views are obtained across side boundaries which are generally difficult to protect. The most rear room at first floor level, which is connected to the first floor rear balcony has clear views of the water which will not be impacted by the proposed development. The current proposal complies with the Floor Space Ratio, Site Coverage and Landscaped Area development standards and whilst the proposed wall height does not comply with the side setback controls, the proposed height is compatible with the heights of the adjoining properties. It is considered that the proposal does not result in unreasonable loss of views to the adjoining property at No. 65 Ballast Road.

69 Ballast Point Road

The proposed first floor balcony of No. 67 Ballast Point Road has a rear alignment that aligns with the rear alignment of the rear first floor balcony of No. 69 Ballast Point and it is considered that the available sightlines from the first floor balcony of No. 69 Ballast Street will not be obstructed by the proposed works. (See figures 14-17 below).



Figure 14 &15 – View from first floor balcony



Figure 16 &17 – View from first floor balcony

At the second floor level terrace area, the available water views to the rear will not be impeded by the proposed development. However, there are views of the Harbour Bridge that needs to be considered:





Figure 18 & 19 – View from 2nd Floor Terrace of 69 Ballast Point Road.

Having considered the height of the proposed roof forms of the amended design (RL30.405 raising to a maximum of RL31.01) and the location of the proposed new structures, it is considered that the ability to view the harbour bridge from the subject terrace will be retained.

The amended proposal is considered to be acceptable in this regard.

C3.11 Visual Privacy

The following controls are applicable:

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.

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

The windows on the adjoining property at 69 Ballast Point had not been shown on the proposed floor plans. Having considered the floor plans of 69 Ballast Point, it is considered that the proposed glazing (i.e Window F1) associated with the roof link/corridor is likely to result in direct sightlines into the kitchen area of No. 69 Ballast Point Road and Window F2 will have sightlines into a north-facing window, therefore sightlines up to 1.6 metres should be restricted and will be addressed by conditions.

The western wall associated with the roof link does not contain any glazing and therefore there is no impact to No. 65. It is noted that the amended plans had provided opaque glazing to Window F3 and F6. It is considered that the sightlines of Window F5 will be restricted by the privacy screens that are required for the rear first floor balcony (on the western and eastern sides as well as 1 metre returns on the northern side). The proposed skylights to the ground floor link are not considered to be an element that would result in adverse privacy impacts to the adjoining properties.

The proposed first balcony in its current form is not satisfactory. There will sightlines within 9 metres and 45 degrees into the private open spaces of No. 65 and No. 69 Ballast Point Road and in order to restrict the views of the deck to the rear only, the deck must be amended to provide minimum 1 metre returns on the rear side of balcony to restrict the sightlines from this balcony. As the rear balcony is located approximately more than 9 metres away from the rear boundary, it is considered that it meets the visual privacy controls in relation to impact to the rear adjoining property at No. 26 Wharf Road.

In regards to C10, it can be noted that a secondary living had been provided at ground floor level and subject to conditions that restrict the sightlines from the proposed first floor balconies and glazing, the proposed first floor additions will not result in adverse visual privacy impacts to the adjoining properties.

C3.12 Acoustic Privacy

No. 69 Ballast Point Road contains a similar living area and terrace arrangement at first floor level.

There are no proposed new windows at first floor level on the eastern elevation where the proposed first floor living room is located and as there is a separation of approximately 3.7 metres between the eastern wall of the proposed first floor living and the bedrooms of No. 65 Ballast Road and there is a separation of approximately 7.3 metres between the proposed first floor terrace and the most rear room of No. 65 Ballast Point Road, it is considered that the proposal is satisfactory in this regard.

E1.2.2 Managing Stormwater within the Site

The submitted stormwater plan shows that the proposal results in an increase in impervious area of less than 40 square metres however this has been calculated on the basis the existing deck is impervious area. It is noted that including a portion of existing deck as pervious area as it allows runoff to pass through results in the total increase in impermeable area remaining below 40 square metres. On this basis OSD is not required under Section E1.2.3 of the DCP2013.

The revised stormwater drainage concept plan proposed an absorption trench of approximately 800mm depth. This is not a feasible proposal given the geotechnical report indicates sandstone at a depth of 600mm. An alternative proposal for disposal of stormwater that is unable to drain to Ballast Point Road by gravity is required. This will be addressed by a deferred commencement condition.

5(d) The Likely Impacts

The assessment of the Development Application demonstrates that, subject to the recommended conditions, the proposal will have minimal impact in the locality.

5(e) The suitability of the site for the development

The site is zoned R1 General Residential. Provided that any adverse effects on adjoining properties are minimised, this site is considered suitable to accommodate the proposed development, and this has been demonstrated in the assessment of the application.

5(f) Any submissions

The application was notified in accordance with Leichhardt DCP 2013 for a period of 14 days to surrounding properties. Objections from 6 Properties were received.

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

- Side setback and bulk and scale issue – see Section 5(c) – C3.2 Site Layout and Building Design – The proposal is satisfactory subject to a condition to require a larger setback of the rear first floor wall on the eastern side to reduce bulk and scale impacts when viewed from the ground floor deck of No. 65 Ballast Point Road.
- Privacy implications from the new balcony – see Section 5(c) -C3.11 Visual Privacy – A condition will be recommended that requires privacy screens to have returns 1 metre in width on the northern side of the balcony to reduce visual privacy impacts to No. 65 and 69 Ballast Point Road. As the balcony is located more than 9 metres away from the rear boundary, it complies with visual privacy controls in relation to the setback to the rear boundary.
- Impact to trees on the subject and adjoining sites – see Section 5(a) Clause 5.9 – Preservation of trees or vegetation – Satisfactory subject to conditions which includes the deletion of the proposed swimming pool and associated structures to ensure the trees on 26 Wharf Rd can be retained.
- Issues in relation to Loss of views - see Section 5(c) - C3.10 View Loss – The amended proposal is satisfactory in this regard.
- Issues in relation to Solar Access - see Section 5(c) - C3.9 Solar Access – The proposal is satisfactory in this regard.
- Streetscape and Heritage impacts - see Section 5(c) - C1.4 Heritage Conservation Areas and Heritage Items – A deferred commencement condition will be recommended that requires the original stairs that was demolished without prior approval to be reinstated.
- Noise from the main living area and deck - see Section 5(c) -C3.12 Acoustic Privacy – The proposal is satisfactory in this regard.

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

Issue: Issues in relation to maintenance and access

Comment: The existing eastern wall of the rear portions of the existing dwelling is setback 0.065 – 0.2 metres to the boundary shared boundary between 65 and 67 Ballast Road, it is considered that the proposal to provide new structures with nil setback will not result in undue additional impacts in relation to maintenance and access compared to the existing situation.

Issue: Issues in relation to the proposed pool

Comment: If the pool was supported, a condition would have been recommended to ensure the pool would comply with the provisions of the pools act. However, the pool will be required to be deleted via a deferred commencement condition due to potential impact to trees on the rear adjoining property.

Issue: Issues in relation to delimitation survey and detail survey

Comment: The delimitation status of the survey (which had been lodged with the Land Registry Services on 9/4/18) and, the location of existing garden beds and the queried heights of the existing kitchen and laundry do not hinder the ability to carry out an accurate assessment of the application. It can be noted that the reference point of the detail survey is annotated as “BM Nail in Path, RL 24.30 (AHD) Origin of Level”.

To ensure that any constructed works will be within the boundaries of the subject, a condition will be recommended that requires that, prior to the commencement of works, the boundaries to be pegged out and confirmed with a check survey by a registered surveyor.

Issue: Issues in relation to the removal of original staircase

Comment: The original stairs were likely to have been removed without prior approval. The matter had been referred to council’s compliance division for investigation and a deferred commencement condition will be imposed that requires these stairs to be reinstated.

Issue: Issues in relation to site area and Floor Space Ratio

Comment: The proposal complies with the 0.8:1 FSR standard which applies to the site.

Issue: Concerns in relation to the contents of the proposed drawings and the Statement of Environment

Comment: It is considered that the proposed drawings meet the requirements under Part 1, Schedule 1 of the Environmental Planning and Assessment Regulation 2000. The comments in relation to the Statement Environment Effects are noted and the statement will not be included as part of the approved documentation.

Issue: Loss of privacy from Pool and removal of shed

Comment: The proposed pool which is predominated located at below ground pool and have maximum levels at RL23.300 will result in acceptable impacts to the adjoining properties, however, the proposed pool will be conditioned to be deleted from the proposal due to potential impacts to the trees located at 26 Wharf Road.

5(g) 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 proposal is not contrary to the public interest.

6 Referrals

6(a) Internal

The application was referred to the following internal sections/officers and issues raised in those referrals have been discussed in section 5 above.

- Heritage Officer – Most of the heritage issues had been resolved with the exception of the issue relating to the original stairs and associated structures that were removed without approval. A deferred commencement condition will be recommended that requires the stair and wall that were demolished recently in the front portion of the dwelling to be reinstated to their former detail, complete with door frame, architraves, threshold and highlight, and the former adjoining wall. Detailed drawings will also need to be submitted to Council showing the proposed reinstatement.

- Development Engineer – The revised stormwater drainage concept plan proposed an absorption trench of approximately 800mm depth. This is not a feasible proposal given the geotechnical report indicates sandstone at a depth of 600mm. An alternative proposal for disposal of stormwater that is unable to drain to Ballast Point Road by gravity is required. This will be addressed by a deferred commencement condition.
- Landscape - Concerns exist in relation to the proposed removal of a *Callistemon viminalis* (Weeping Bottlebrush) and a *Leptospermum petersonii* (Lemon scented tea tree) located on adjoining property 26 Wharf Rd to the rear of the subject site. Given that these trees are not located on the subject site, it is considered that any proposal for tree removal shall be considered in a separate Development Application and both trees assessed on their individual merits. No approval as such can be given for the proposed pool. A deferred commencement conditions is recommended which requires the proposed pool to be deleted from the plans.

6(b) External

The application was not required to be referred to any external bodies.

7. Section 7.11 Contributions

Section 7.11 contributions are not payable for the proposal.

8. Conclusion

The proposal, subject to deferred commencement conditions to resolve heritage and landscape concerns, generally complies with the aims, objectives and design parameters contained in Leichhardt Local Environmental Plan 2013 and Leichhardt Development Control Plan 2013. The development will not result in any significant impacts on the amenity of adjoining premises and the streetscape. The application is considered suitable for the issue of a deferred commencement consent subject to the imposition of appropriate terms and conditions.

9. Recommendation

- A. That the Inner West Planning Panel exercising the functions of the Council, as the consent authority pursuant to s4.16 of the Environmental Planning and Assessment Act 1979 grant deferred commencement consent to Development Application No.: D/2018/189 for lower ground, ground and first floor alterations and additions to existing dwelling-house, and associated works, tree removal and removal of shed at 67 Ballast Point Road, Birchgrove subject to the conditions listed in Attachment A below.

Attachment A – Recommended conditions of consent

DEFERRED COMMENCEMENT

The following deferred commencement conditions shall 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 north-eastern portion of the proposed first floor addition is to be cutback so that the northern wall housing Window F6 is to setback a minimum 14 metres to the rear boundary.
 - b) The proposed pool is to be deleted from the proposal.
 - c) The stair and wall that were demolished recently in the front portion of the dwelling is to be reinstated to their former detail, complete with door frame, architraves, threshold and highlight, and the former adjoining wall. Detailed drawings shall be submitted to Council showing the proposed reinstatement.
 - d) The privacy screens on the eastern and western sides of the first floor balcony are to have 1 metre returns on the north side of the balcony.
2. A Stormwater Drainage Concept Plan (SDCP) on Drawing No 180074-D1 to D8 Revisions C and prepared by Quantum Engineers and dated 13.08.18 shall be amended to make provision for the following:
 - a) Provide a suitable on-site dispersal system to cater for minor roof and paved areas at the rear of the property that cannot reasonably be drained by gravity to the Ballast Point Road, with consideration of the shallow depth to sandstone bedrock, that addressed the following:
 - i) No increase in run-off to the rear of the site from predevelopment conditions for all storm events up to the 100 year ARI storm.
 - ii) No nuisance or concentration of flows to adjacent or downstream properties.
 - iii) No impact to nearby structures including buildings and utility services.
 - iv) Below ground infiltration systems shall be no less than 3000mm from the property boundaries.
 - v) Details of all relevant calculations and field investigations.
 - b) The design must be prepared and certified as compliant with the terms of this condition by a suitably qualified practising Civil Engineer.
 - c) Where the system relies on below ground infiltration the feasibility of the system shall be certified by a qualified practising Geotechnical Engineer.

The operational Development Consent will be issued by Council (in writing) after the applicant provides sufficient information to satisfy Council in relation to the conditions of the deferred commencement consent.

If the applicant fails to satisfy Council as to the above matters within 5 years from the date of determination this consent will lapse.

CONDITIONS OF CONSENT

3. Development must be carried out in accordance with Development Application No. D/2018/189 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
Drawing No. DA01, Issue 2: Cover Sheet, Location, BASIX	Vaughan Architects Vaughan	13.08.2018
Drawing No. DA03, Issue 3: Site & Roof Plan	Vaughan Architects Vaughan	24.10.2018
Drawing No. DA05, Issue 3: Proposed Ground Floor Plan & Demolition Plan	Vaughan Architects Vaughan	24.10.2018
Drawing No. DA06, Issue 3: Proposed First Floor Plan	Vaughan Architects Vaughan	24.10.2018
Drawing No. DA07, Issue 2: Proposed Basement Floor Plan	Vaughan Architects Vaughan	13.08.2018
Drawing No. DA08, Issue 2: Elevations – North & South	Vaughan Architects Vaughan	13.08.2018
Drawing No. DA09, Issue 3: Elevations – East & West	Vaughan Architects Vaughan	24.10.2018
Drawing No. DA10, Issue 3: Section - Longitudinal	Vaughan Architects Vaughan	24.10.2018
Drawing No. DA10, Issue 2: Section - Cross	Vaughan Architects Vaughan	13.08.2018
Drawing No. DA14, Issue 3: Finishes Schedule	Vaughan Architects Vaughan	24.10.2018
Document Title	Prepared By	Dated
BASIX Certificate No. A312813	Vaughan Architects Vaughan	11 April 2018
Drawing No 180074- D1 to D8 Revisions C	Quantum Engineers	13.08.18
Arboriculture Construction Impact & Management Statement for Lodged Development Application	Growing My Way	August 2018
Heritage Impact Statement - AMENDED	City Plan Heritage P/L	August 2018
Schedule of Conservation Works	City Plan Heritage P/L	August 2018
Geotechnical Assessment	D. Katauskas	19 March 2018

In the event of any inconsistency between the approved plans and the conditions, the conditions will prevail.

Where there is an inconsistency between approved elevations and floor plan, the elevation shall prevail.

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

The existing elements (walls, floors etc) shown to be retained on the approved plans shall not be removed, altered or rebuilt without prior consent of the consent authority.

Note: Carrying out of works contrary to the above plans and/ or conditions may invalidate this consent; result in orders, on the spot fines or legal proceedings.

Approval is given for the following works to be undertaken to trees on the site:

Tree/location	Approved works
<i>Duranta erecta</i> (Pigeon Berry) located in rear property.	Remove

Removal or pruning of any other tree (that would require consent of Council) on the site is not approved.

The approved works shall not be carried out unless this letter, or copy of it, is kept on the site. It shall be shown to any authorised Council Officer upon request.

All tree work shall be undertaken by an experienced Arborist with a minimum qualification of Level 3 under the Australian Qualification Framework (AQF). The work shall be undertaken in accordance with AS4373 – 2007 'Pruning of amenity trees' and in compliance with the Safe Work Australia Code of Practice 'Guide to Managing Risks of Tree Trimming and Removal Work'.

4. Consent is granted for the demolition of the following currently existing on the property, subject to strict compliance with the following conditions:

Elements	Location
Structures associated with the existing dwelling	As indicated on the proposed drawings
Detached Shed	At the rear of the property

- a) The adjoining residents must be notified seven (7) working days prior to demolition. Such notification is to be clearly written on A4 size paper giving the date demolition will commence, site contact details/person, elements to be demolished and be placed in the letterbox of every premises (including every residential flat or unit, if any) either side, immediately at the rear of and directly opposite the demolition site.
- b) Written notice is to be given to the Principal Certifying Authority for inspection prior to demolition. Such written notice is to include the date when demolition will commence and details of the name, address, business hours and contact telephone number and licence number of the demolisher. The following building inspections must be undertaken by the Principal Certifying Authority:
 - i) A *pre commencement* inspection when all the site works are installed on the site and prior to demolition commencing.
 - ii) A *final* inspection when the demolition works have been completed.

NOTE: If Council is nominated as your Principal Certifying Authority 24 - 48 hours notice to carry out inspections is required. Arrangement for inspections can be made by phoning 9367 9222.

- c) Prior to demolition, the applicant must erect a sign at the front of the property with the demolisher's name, licence number, contact phone number and site address.
- d) Prior to demolition, the applicant must erect a 2.4m high temporary fence, hoarding between the work site and any public property (footpaths, roads, reserves etc). Access to the site must be restricted to authorised persons only and the site must be secured against unauthorised entry when work is not in progress or the site is otherwise unoccupied.
- e) The demolition plans must be submitted to the appropriate Sydney Water Quick Check agent for a building plan approval.
- f) Demolition is to be carried out in accordance with the relevant provisions of Australian Standard 2601:2001: *Demolition of structures*.
- g) The hours of demolition work are limited to between 7:00am and 6:00pm on weekdays. No demolition work is to be carried out on Saturdays, Sundays and public holidays.
- h) Hazardous or intractable wastes arising from the demolition process must be removed and disposed of in accordance with the requirements of WorkCover New South Wales and the Environmental Protection Authority.
- i) Demolition procedures must maximise the reuse and recycling of demolished materials in order to reduce the environmental impacts of waste disposal.
- j) During demolition, public property (footpaths, roads, reserves etc) must be clear at all times and must not be obstructed by any demolished material or vehicles. The footpaths and roads must be swept (not hosed) clean of any material, including clay, soil and sand. On the spot fines may be levied by Council against the demolisher and/or owner for failure to comply with this condition.
- k) All vehicles leaving the site with demolition materials must have their loads covered and vehicles must not track soil and other materials onto public property (footpaths, roads, reserves etc) and the footpaths must be suitably protected against damage when plant and vehicles access the site.
- l) The burning of any demolished material on site is not permitted and offenders will be prosecuted.
- m) Care must be taken during demolition to ensure that existing services on the site (ie, sewer, electricity, gas, phone) are not damaged. Any damage caused to existing services must be repaired by the relevant authority at the applicant's expense. Dial before you dig www.1100.com.au should be contacted prior to works commencing.
- n) Suitable erosion and sediment control measures in accordance with the Soil and Water Management Plan must be erected prior to the commencement of demolition works and must be maintained at all times.
- o) Prior to demolition, a Work Plan must be prepared and submitted to the Principal Certifying Authority in accordance with the relevant provisions of Australian Standard 2601:2001 *Demolition of structures* by a person with suitable expertise

and experience. The Work Plan must identify hazardous materials including surfaces coated with lead paint, method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.

- p) If the property was built prior to 1987 an asbestos survey prepared by a qualified occupational hygienist is to be undertaken. If asbestos is present then:
 - i) A WorkCover licensed contractor must undertake removal of all asbestos.
 - ii) During the asbestos removal a sign "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400 mm x 300 mm is to be erected in a visible position on the site to the satisfaction of Council.
 - iii) Waste disposal receipts must be provided to Council / Principal Certifying Authority as proof of correct disposal of asbestos laden waste.
 - iv) All removal of asbestos must comply with the requirements of WorkCover and Leichhardt Council.
 - v) An asbestos clearance certificate prepared by a qualified occupation hygienist must be provided at the completion of the demolition works.

PRIOR TO THE RELEASE OF A CONSTRUCTION CERTIFICATE

- 5. In accordance with the provisions of the *Environmental Planning and Assessment Act 1979* construction works approved by this consent must not commence until:
 - a) A Construction Certificate has been issued by Council or an Accredited Certifier. Either Council or an Accredited Certifier can act as the "Principal Certifying Authority."
 - b) A Principal Certifying Authority has been appointed and Council has been notified in writing of the appointment.
 - c) At least two days notice, in writing has been given to Council of the intention to commence work.

The documentation required under this condition must show that the proposal complies with all Development Consent conditions and is not inconsistent with the approved plans, the Building Code of Australia and the relevant Australian Standards.

- 6. The privacy screens must:
 - a) be 1.6m high, measured from the floor level, and
 - b) have no individual opening more than 30mm wide, and
 - c) have a total area of all openings that is less than 25 per cent of the surface area of the screen; and
 - d) be permanently fixed and made of durable materials.

Details must be provided prior to the issue of a Construction Certificate to the satisfaction of the Principal Certifying Authority. The privacy measures must be maintained for the life of the building

7. To ensure reasonable privacy for the adjoining property, the following windows/glazing:

Window/glazing	Room	Elevation
Window F1	Bridge Link	West
Window F2	Dining	South
Window F3	Dining	North
Window F4	Lounge	West
Window F6	Lounge	North

must be treated with one of the following privacy treatments:

- have a minimum sill height of 1.6m above finished floor level. or
- be permanently fixed (that is windows are not to swing or lift open) with obscure glazing (not frosted film on clear glazing) to a height of 1.6 metres above finished floor level; or
- provided with fixed external louvers with a density of 75% and have no individual opening more than 30mm wide, and have a total area of all openings that is less than 30 per cent of the surface area of the screen and be made of durable materials. Where fixed louvered screens are used, the screen structure must be securely fixed. The louvers may tilt open from a closed position to an angle of 45 degrees in either a downward or upward position, depending on the sightlines that are to be restricted.

The treatment must ensure that the ventilation requirements of the Building Code of Australia are met. If one treatment cannot satisfy the requirements, an alternative in the list above is to be used.

Details must be provided prior to the issue of a Construction Certificate to the satisfaction of the Principal Certifying Authority. The privacy measures must be maintained for the life of the building.

8. Prior to the issue of a Construction Certificate, amended plans are to be submitted to the satisfaction of Council's Heritage and Urban Design Team Leader, incorporating the following:
- a) More detail is to be added to the existing and proposed plans of 67 Ballast Point Road that identifies the surviving elements of the original 1860s-1880s house, namely timber picket fence, walls, verandah, window and door joinery, fireplaces, timber floorings, glazing, hardware, roof detailing and plumbing, paint finishes and ceilings, timber skirtings.
 - b) More detail is to be added to the existing and proposed plans of 67 Ballast Point Road that identifies the surviving elements of the 1907-1927 Phase, namely walls, floorings, fixtures and finishes, fireplaces, window and door joinery.
 - c) More detail is to be added to the existing and proposed plans of 67 Ballast Point Road that identifies the surviving elements of the 1930s-Post War Phase.

- d) Stone, timber weatherboards, joinery and decorative architectural elements to be demolished, which include windows and doors, chimney pieces, timber flooring and ceiling roses must be catalogued, labelled, salvaged and where possible reused on the project.
 - e) Salvaged building materials surplus to the project must either be stored on site for future reuse, or transferred to an established second building material dealer for recycling.
9. Prior to a commencement of demolition, excavation or construction work, a report or certification from a practicing structural engineer experienced in dealing with heritage buildings must be submitted to and approved by Council's Heritage and Urban Design Team Leader. The report will be required to avoid heavy machinery going through the main house and to reduce structural issues to the subject and neighbouring properties caused by excavation to the rear. The proposed works are to be carried out in a manner that minimises demolition, alterations and new penetrations/fixings to the significant fabric of the existing building which is listed as a Heritage Item.
10. Prior to a Construction Certificate being issued, an archival photographic recording of the site at 67 Ballast Point Road is to be prepared to Council's satisfaction. The recording is to be in digital form, prepared in accordance with the NSW Heritage Division of the Department of Environment and Heritage guidelines titled "Photographic Recording of Heritage Items using Film or Digital Capture". One copy of the record is to be submitted to Council to be lodged with Council's Archives. The form of the recording is to be as follows:
- a) The Development Application number must be noted on the submitted information.
 - b) Include a summary report detailing the project description, date and authorship of the photographic record, method of documentation and limitations of the photographic record.
 - c) Include written confirmation, issued with the authority of both the applicant and the photographer that the Inner West Council is granted a perpetual non-exclusive licence to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.
 - d) The report is to be submitted on a USB, CD or DVD, in PDF/A format, (created directly from the digital original), with the digital catalogue of images containing the following data for each: DOS title, image subject/description and data photograph was taken.
 - e) The electronic images are to be taken with a minimum 8 megapixel camera, saved as JPEG TIFF or PDF files with a size of approximately 4-6MB, and cross referenced to the digital catalogue sheets and base plans. Choose only images that are necessary to document the process, and avoid duplicate images.
11. In the unlikely event that historical archaeological remains or deposits are exposed during the works, all work should cease while an evaluation of their potential extent and

significance is undertaken and the NSW Heritage Division notified under the requirements of the Heritage Act 1977.

12. Significant architectural elements and the built fabric of the existing building are to be protected during site preparation and construction works from potential damage. Protection systems must ensure significant fabric is not damaged or removed.
13. Prior to the issue of the Construction Certificate, joinery details of reinstated window to Room 4 shall to be submitted for the proposed new sashes windows within the existing opening.
14. Prior to the issue of the Construction Certificate, a schedule of conservation works to be undertaken concurrent with the works is to be submitted to Council's own Heritage Specialist for approval.
 - a) The schedule is to detail the conservation of all fabric identified as having a heritage significance including but not limited to the following: front picket fence, verandah, weatherboards, door and window joinery, glazing, fireplaces, hardware, timber flooring, roof plumbing, roofing and painting.
 - b) The schedule is to be supported by outline specifications, methodologies and detailed architectural sections, elevations and plans at 1:20 and 1:5 scales. The details should incorporate any structural and/or building services design for the building.
 - c) The proposed works are to be carried out in a manner that minimises demolition, alterations and new penetrations/fixings to the significant fabric of the existing building.
 - d) All conservation and adaptation works are to be in accordance with the Articles of the Australia ICOMOS Burra Charter 1999. Appropriately qualified contractors and tradespersons are to be commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of works within the heritage building.
 - e) INSPECTION AND APPROVAL: The conservation works are to be progressively inspected by, and be implemented to the satisfaction of, Council's own Heritage Specialist prior to the issue of the Occupation Certificate.
15. A stormwater drainage design prepared by a Licensed Plumber or qualified practicing Civil Engineer must be provided prior to the issue of a Construction Certificate. The design must be prepared/ amended to make provision for the following:
 - a) The design must be generally in accordance with the stormwater drainage concept plan approved in Condition DEFCON.
 - b) Charged or pump-out stormwater drainage systems are not permitted.
 - c) Stormwater runoff from all roof areas within the property must be collected in a system of gutters, pits and pipelines and be discharged together with overflow pipelines from any rainwater tank(s) by gravity to the kerb and gutter of Ballast Point Road.

Minor roof and paved areas at the rear of the property that cannot reasonably be drained by gravity to Ballast Point Road may be drained to an on-site dispersal system.

- d) The design must make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands. The design must include the collection of such waters and discharge to the Council drainage system.
- e) An overland flowpath must be provided within the setback to the north western boundary between the front of the dwelling and the rear of the dwelling.
- f) A minimum 150mm step up must be provided between all external finished surfaces and adjacent internal floor areas, except where a reduced step is permitted under Section 3.1.2.3 (b) of the Building Code of Australia for Class 1 buildings
- g) All plumbing within the site must be carried out in accordance with Australian Standard *AS/NZS 3500.3-2015 Plumbing and Drainage – Stormwater Drainage*
- h) The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system.
- i) No nuisance or concentration of flows to adjacent or downstream properties.
- j) 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.
- k) An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets.
- l) All redundant pipelines within footpath area must be removed and footpath/kerb reinstated.
- m) 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 4.0mm and a maximum section height of 100mm.
- n) New kerb outlets in stone kerb shall be carefully cored through the existing kerb stone such that the kerb outlet is perpendicular (a 90° angle) with the gutter. The pipe under the footpath shall end 30mm within the kerb stone with mass concrete around the pipe connection to the kerb stone. Purpose made pipe fittings and bends or welded joints shall be used where necessary to align the discharge pipe with the kerb outlet.
- o) Only a single point of discharge is permitted to the kerb and gutter, per frontage of the site.
- p) No increase in run-off to the rear of the site from predevelopment conditions for all storm events up to the 100 year ARI storm.
- q) No impact to nearby structures including buildings and utility services.

- r) Below ground infiltration systems shall be no less than 3000mm from the property boundaries.

The design must be certified as compliant with the terms of this condition by a suitably qualified Civil Engineer.

Details demonstrating compliance are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

- 16. Any air conditioning unit on the site must be installed and operated at all times so as not to cause "Offensive Noise" as defined by the Protection of the Environment (Operations) Act 1997.

The system/s shall be operated as follows:

- a) Domestic air conditioners must not be audible in nearby dwellings between:
 - i) 10:00pm to 7:00am on Monday to Saturday; and
 - ii) 10:00pm to 8:00am on Sundays and Public Holidays.
- b) At any other time the systems and associated equipment shall not give rise to a sound pressure level at any affected premises that exceeds the background $L_{A90, 15min}$ noise level, measured in the absence of the noise source/s under consideration by 5dB(A).

The source noise level shall be assessed as an $L_{Aeq, 15min}$ and adjusted in accordance with the NSW Environment Protection Authority's Industrial Noise Policy and Environmental Noise Control Manual (sleep disturbance).

Air conditioning units must be installed in accordance with plans referenced in condition 1 or to satisfy provisions of the State Environmental Planning Policy (Exempt & Complying Codes) 2008.

Details demonstrating compliance with the requirements of this condition and the acoustic measures to be employed to achieve compliance with this condition are to be submitted for approval to the Principal Certifying Authority prior to the issue of any Construction Certificate.

- 17. The trees identified below are to be retained:

Tree/location
<i>Jacaranda mimosifolia</i> (Jacaranda) located in nature strip.
2x <i>Leptospermum petersonii</i> (Lemon Scented Tea Tree) located in front property.
Assorted palms located on adjoining side property.
<i>Callistemon viminalis</i> (Weeping Bottlebrush) located adjoining rear property.
<i>Leptospermum petersonii</i> (Lemon Scented Tea Tree) located in adjoining rear property.

All tree protection measures shall be in accordance with the submitted *Arboricultural Construction Impact and Management Statement*, section 6. *Site Specific "Tree Management Plan"* prepared by "Growing My Way" Tree Consultancy, amended August 2018.

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

18. The person acting on this consent shall submit to the Principal Certifying Authority a dilapidation report including colour photos showing the existing condition of the footpath and roadway adjacent to the site before the issue of a Construction Certificate.
19. Before the issue of a Construction Certificate, the Principal Certifying Authority shall be satisfied that no proposed underground services (i.e. water, sewerage, drainage, gas or other service) unless previously approved by conditions of consent, are located beneath the canopy of any tree protected under State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017, located on the subject allotment and adjoining allotments.

A plan detailing the routes of these services and trees protected under the State Environmental Planning Policy shall be prepared. Details demonstrating compliance are to be shown on the plans submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

20. Prior to the issue of the Construction Certificate the Principal Certifying Authority is to ensure that the plans state that no high front gutters will be installed.
21. In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant must pay a long service levy 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. The Long Service Levy is payable prior to the issue of a Construction Certificate.

Details demonstrating compliance are to be shown on the plans submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

22. If any excavation extends below the level of the base of the footings of a building on an adjoining property, the person causing the excavation:
 - a) Must preserve and protect the adjoining building from damage
 - b) Must, at least seven (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.
 - c) The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this condition, the allotment of land includes public property.

23. The following fire upgrading is required pursuant to Clause 94 of the *Environmental Planning and Assessment Regulation 2000*:
 - The building is to be provided with smoke alarm system that complies with *AS3786-1993: Smoke Alarms* and the smoke alarms must be connected to the consumer

mains electrical power supply and interconnected where there is more than one alarm with a stand-by (battery back-up) power supply. The smoke alarm system must be installed in suitable locations on or near the ceiling in accordance with Part 3.7.2 of the Building Code of Australia.

Amended plans and specifications demonstrating compliance with this condition must be submitted to the satisfaction of the Principal Certifying Authority with the application prior to the issuing of a for a Construction Certificate.

Note: Where an existing system complying with the above requirements is already installed in the building, evidence of this should be submitted with the application for a Construction Certificate.

24. A Certificate prepared by an appropriately qualified and practising structural engineer, certifying the structural adequacy of the property and its ability to withstand the proposed additional, or altered structural loads during all stages of construction must be provided prior to the issue of a Construction Certificate to the satisfaction of the Principal Certifying Authority. The certificate shall also include all details of the methodology to be employed in construction phases to achieve the above requirements without result in demolition of elements marked on the approved plans for retention.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Certifying Authority prior to the issue of any Construction Certificate.

25. A Soil and Water Management Plan must be provided prior to the issue of a Construction Certificate. The Soil and Water Management plan must be designed to be compatible with the document Planning for Erosion and Sediment Control on Single Residential Allotments or Managing Urban Stormwater-Soils & Construction Volume 1 (2004) available at www.environment.nsw.gov.au and the Construction Management and Traffic Management Plan referred to in condition/s of this Development Consent and must address, but is not limited to the following issues:

- a) Minimise the area of soils exposed at any one time.
- b) Conservation of top soil.
- c) Identify and protect proposed stockpile locations.
- d) Preserve existing vegetation. Identify revegetation technique and materials.
- e) Prevent soil, sand, sediments leaving the site in an uncontrolled manner.
- f) Control surface water flows through the site in a manner that:
 - i) Diverts clean run-off around disturbed areas;
 - ii) Minimises slope gradient and flow distance within disturbed areas;
 - iii) Ensures surface run-off occurs at non erodable velocities;
 - iv) Ensures disturbed areas are promptly rehabilitated.
- g) Sediment and erosion control measures in place before work commences.
- h) Materials are not tracked onto the road by vehicles entering or leaving the site.

- i) Details of drainage to protect and drain the site during works.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Certifying Authority prior to the issue of any Construction Certificate.

- 26. The approved plans must be checked online with Sydney Water Tap In 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. A copy of this approval must be supplied with the Construction Certificate application. Please refer to the web site <http://www.sydneywater.com.au/tapin/index.htm> for details on the process or telephone 132092.

The Certifying Authority must ensure that the appropriate approval has been provided prior to the issue of a Construction Certificate.

- 27. Prior to the issue of a Construction Certificate, the applicant must prepare a Construction Management and Traffic Management Plan. The following matters should be addressed in the plan (where applicable):

- a) A plan view of the entire site and frontage roadways indicating:
 - i) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways.
 - ii) The locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such work zones have been approved by the Local Traffic Committee and Council.
 - iii) Location of any proposed crane and concrete pump and truck standing areas on and off the site.
 - iv) A dedicated unloading and loading point within the site for construction vehicles, plant and deliveries.
 - v) The proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period.
- b) Noise and vibration
During excavation, demolition and construction phases, noise & vibration generated from the site must be controlled. Refer to other conditions of this consent. If during excavation, rock is encountered, measures must be taken to minimise vibration, dust generation and impacts on surrounding properties. Refer to Environmental Noise Management Assessing Vibration: a technical Guideline (Department of Environment and Conservation, 2006) www.epa.nsw.gov.au for guidance and further information.
- c) Occupational Health and Safety
All site works must comply with the occupational health and safety requirements of the New South Wales Work Cover Authority.

- d) Toilet Facilities
During excavation, demolition and construction phases, toilet facilities are to be provided on the site, at the rate of one toilet for every twenty (20) persons or part of twenty (20) persons employed at the site. Details must be shown on the plan.
- e) Traffic control plan(s) for the site
All traffic control plans must be in accordance with the Roads and Maritime Services publication "Traffic Control Worksite Manual"

Approval is to be obtained from Council for any temporary road closures or crane use from public property. Applications to Council shall be made a minimum of 4 weeks prior to the activity proposed being undertaken.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Certifying Authority prior to the issue of any Construction Certificate.

28. A Waste Management Plan (WMP) is to be provided in accordance with **Part D – Waste – Development Control Plan 2013**. The Plan must address all issues identified in the DCP including but not limited to:

- a) Estimated volume (m3) or weight (t) of materials that are reused, recycled or removed from site.
- b) On site material storage areas during construction.
- c) Material and methods used during construction to minimise waste.
- d) Nomination of end location of all waste and recycling generated from a facility authorised to accept the material type for processing or disposal and retention of waste dockets to be made available to Council Officer on request
- e) A clear statement within the Waste Management Plan of responsibility for the transferral of waste and recycling bins within the property and between floors where applicable to the collection point in accordance with DCP 2013.

All requirements of the approved Waste Management Plan must be implemented during the demolition, excavation and construction of the development.

PRIOR TO WORKS COMMENCING OR ISSUE OF A CONSTRUCTION CERTIFICATE (WHICHEVER OCCURS FIRST)

29. Prior to the commencement of demolition works or a Construction Certificate being issued for works approved by this development consent (whichever occurs first), a security deposit and inspection fee must be 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 (FOOT)	\$3,500
Inspection fee (FOOTI)	\$230.65

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 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 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.

Requirements of this condition are to be met prior to works commencing or prior to release of a Construction Certificate (whichever occurs first). Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Construction Certificate.

30. Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent shall 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
 - 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.

Applications for such Permits shall be submitted and approved by Council prior to the commencement of the works associated with such activity or issue of the Construction Certificate (whichever occurs first). Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Construction Certificate.

- 31. To preserve the following tree/s and avoid soil compaction, no work shall commence nor shall a Construction Certificate be issued (whichever occurs first) until temporary measures to avoid soil compaction (e.g. rumble boards or similar as specified in Section 4.5.3 of AS4970—*Protection of trees on development sites*) beneath the canopy of the following tree/s is/are installed:

Tree/Location
2x <i>Leptospermum petersonii</i> (Lemon Scented Tea Tree) located in front property.

Requirements of this condition are to be met prior to works commencing or prior to release of a Construction Certificate (whichever occurs first). Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority.

- 32. Upon installation of the required tree protection measures, an inspection of the site by the Principal Certifying Authority is required to verify that tree protection measures comply with all relevant conditions.

Requirements of this condition are to be met prior to works commencing or prior to release of a Construction Certificate (whichever occurs first). Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Construction Certificate.

- 33. To preserve the following tree/s no work shall commence nor shall a Construction Certificate be issued (whichever occurs first) until the trunk/s/branches are protected (in accordance with AS4970-*Protection of trees on development sites*) by the placement of appropriate lengths of 50 x 100mm timbers spaced at 150mm centres and secured by wire/hoop strap over suitable protective padding material (i.e. underlay or carpet). The trunk/branch protection shall be maintained intact until the completion of all work on site.

Requirements of this condition are to be met prior to works commencing or prior to release of a Construction Certificate (whichever occurs first). Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Construction Certificate.

PRIOR TO THE COMMENCEMENT OF WORKS

- 34. A Heritage Architect experienced in heritage restoration and renovation works is to be commissioned to work with the consultant team throughout the design development, contract documentation and construction stages of the project. The Heritage Architect is to be involved in the resolution of all matters where existing significant fabric and spaces are to be subject to preservation, restoration, reconstruction, adaptive reuse,

recording and demolition. The Heritage Architect is to be provided with full access to the site and authorised by the applicant to respond directly to Council where information or clarification is required regarding the resolution of heritage issues throughout the project.

Evidence and details of the above commission on the above terms are to be provided to Council's Heritage and Urban Design Team Leader prior to commencement of work on site. The Heritage Architect must sign off the completed project and submit a final report to Council's Heritage and Urban Design Team Leader specifying how the heritage conditions are satisfied prior to the issue of an Occupation Certificate or the commencement of the use, whichever is earlier.

35. The proposed structure(s) to be erected must stand wholly within the boundaries of the subject site. No portion of the proposed structure, including gates and doors during opening and closing operations, shall encroach onto adjoining properties or upon public property.

To ensure that the location of the building satisfies the provision of the approval, the footings and walls within one (1) metre of the property boundaries must be set out by or the location certified by a registered surveyor in accordance with the approved plans, prior to the commencement of works.

To ensure that the location of the building satisfies the provision of the approval, a check survey certificate shall be submitted to the Principal Certifying Authority either prior to the pouring of the ground floor slab or at dampcourse level, whichever is applicable or occurs first, indicating the:

- a) Location of the building with respect to the boundaries of the site;

36. The site must be 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 property 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. Additionally an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling onto public property, where necessary.

Separate approval is required under the *Roads Act 1993* to erect a hoarding or temporary fence or awning on public property. Approvals for hoardings, scaffolding on public land must be obtained and clearly displayed on site for the duration of the works.

Any hoarding, fence or awning is to be removed when the work is completed and must be maintained clear of any advertising.

37. The *Home Building Act 1989* requires that insurance must be obtained from an insurance company approved by the Department of Fair Trading prior to the commencement of works approved by this Development Consent.

A copy of the certificate of insurance must be submitted to the Certifying Authority prior to the works commencing.

If the work is to be undertaken by an owner-builder, written notice of their name and owner-builder permit number must be submitted to the Certifying Authority.

In all other cases, written notice must be given to the Certifying Authority of:

- a) the name and licence number of the principal contractor; and
- b) reasons why a certificate of insurance is not required.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Certifying Authority prior to the issue of any Construction Certificate.

28. Any person or Any person acting on this consent or any contractors carrying out works on public roads or Council controlled lands shall 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.
29. Prior to the commencement of works, the Principal Certifying Authority shall be notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
30. At least forty-eight (48) hours prior to the commencement of works, a notice of commencement form (available on Council's web page) and details of the appointed Principal Certifying Authority shall be submitted to Council.
31. Prior to the commencement of works, a sign must be erected in a prominent position on the site (for members of the public to view) on which the proposal is being carried out. The sign must state:
 - a) Unauthorised entry to the work site is prohibited.
 - b) The name of the principal contractor (or person in charge of the site) and a telephone number at which that person may be contacted at any time for business purposes and outside working hours.
 - c) The name, address and telephone number of the Principal Certifying Authority for the work.

Any such sign must be maintained while the work is being carried out, but must be removed when the work has been completed.

Photographic evidence demonstrating compliance with the requirements of this condition is to be submitted to the satisfaction of the Principal Certifying Authority and Council for records purposes prior to the commencement of any onsite work.

DURING WORKS

32. If tree roots are required to be severed for the purposes of constructing the approved works, they shall be cut cleanly using a sharp and *fit for purpose tool*. The pruning shall

be undertaken under the direct supervision of a minimum Level 5 (AQF 5) qualified Arborist.

Details demonstrating compliance with the requirements of this condition are to be submitted by the Arborist undertaking the works in writing with supporting clear and coloured photographic evidence to the satisfaction of the Principal Certifying Authority.

- 33. Where a tree's canopy or root system has developed across property boundaries, consent to undertake works on the tree does not permit a person acting on the consent to trespass on adjacent lands. Where access to adjacent land is required to carry out approved tree works, Council advises that the owners 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 shall meet the requirements of the *Access To Neighbouring Lands Act 2000* to seek access.

Details demonstrating compliance with the requirements of this condition are to be submitted by the Arborist undertaking the works to the satisfaction of the Principal Certifying Authority.

- 34. All excavation within the specified radius of the trunk(s) of the following tree(s) being hand dug:

Schedule	
Tree/location	Radius in metres
Assorted palms located on adjoining side property.	3m

Details demonstrating compliance with the requirements of this condition are to be submitted by the Arborist undertaking the works to the satisfaction of the Principal Certifying Authority.

- 35. No activities, storage or disposal of materials taking place beneath the canopy of any tree protected under Council's Tree Management Controls at any time.
- 36. 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.

- 37. Building materials and machinery are to be located wholly on site unless separate consent (Standing Plant Permit) is obtained from Council/ the roads authority. Building work is not to be carried out on the footpath.

Construction materials and vehicles shall not block or impede public use of the footpath or roadway.

- 38. All excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent them from being dangerous to life or property and in accordance with the design of a suitably qualified structural engineer.

If excavation extends below the level of the base of the footings of a building on an

adjoining allotment of land, the person causing the excavation must:

- a) Preserve and protect the building from damage.
- b) If necessary, underpin and support the building in an approved manner.
- c) Give at least seven (7) days notice to the adjoining owner before excavating, of the intention to excavate within the proximity of the respective boundary.

Any proposed method of support to any excavation adjacent to adjoining properties or any underpinning is to be designed by a Chartered Civil Engineer, with National Professional Engineering Registration (NPER) in the construction of civil/structural works. Copies of the design plans must be provided to the relevant adjoining property owner/s prior to commencement of such works. Prior to backfilling, any method of support constructed must be inspected by the designing Engineer with certification provided to all relevant parties.

39. The site must be appropriately secured and fenced at all times during works.
40. All fill used with the proposal shall be virgin excavated material (such as clay, gravel, sand, soil and rock) that is not mixed with any other type of waste and which has been excavated from areas of land that are not contaminated with human made chemicals as a result of industrial, commercial, mining or agricultural activities and which do not contain sulphate ores or soils.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority.

41. Unless otherwise approved by Council, excavation, demolition, construction or subdivision work shall only be permitted during the following hours:
 - a) 7:00 am to 6.00 pm, Mondays to Fridays, inclusive (with demolition works finishing at 5pm);
 - b) 8:00 am to 1:00 pm on Saturdays with no demolition works occurring during this time; and
 - c) at no time on Sundays or public holidays.

Works may be undertaken outside these hours where they do not create any nuisance to neighbouring properties in terms of dust, noise, vibration etc and do not entail the use of power tools, hammers etc. This may include but is not limited to painting.

In the case that a standing plant or special permit is obtained from Council for works in association with this development, the works which are the subject of the permit may be carried out outside these hours.

This condition does not apply in the event of a direction from police or other relevant authority for safety reasons, to prevent risk to life or environmental harm.

Activities generating noise levels greater than 75dB(A) such as rock breaking, rock hammering, sheet piling and pile driving shall be limited to:

8:00 am to 12:00 pm, Monday to Saturday; and
2:00 pm to 5:00 pm Monday to Friday.

The Proponent shall not undertake such activities for more than three continuous hours and shall provide a minimum of one 2 hour respite period between any two periods of such works.

“Continuous” means any period during which there is less than an uninterrupted 60 minute respite period between temporarily halting and recommencing any of that intrusively noisy work.

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.

42. In addition to meeting the specific performance criteria established under this consent, the Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the demolition, construction or operation/use of the development.
43. Any new information revealed during development works that has the potential to alter previous conclusions about site contamination or hazardous materials shall be immediately notified to the Council and the Principal Certifying Authority.
44. The development must be inspected at the following stages by the Principal Certifying Authority during construction:
 - a) after excavation for, and prior to the placement of, any footings, and
 - b) prior to pouring any in-situ reinforced concrete building element, and
 - c) prior to covering of the framework for any floor, wall, roof or other building element, and
 - d) prior to covering waterproofing in any wet areas, and
 - e) prior to covering any stormwater drainage connections, and
 - f) after the building work has been completed and prior to any occupation certificate being issued in relation to the building.
45. A copy of the approved plans and this consent must be kept on site for the duration of site works and in the case of any commercial or industrial premise for the duration of the use/trading. Copies shall be made available to Council Officer's upon request.
46. Sedimentation controls, tree protection measures and safety fencing (where relevant) shall be maintained during works to ensure they provide adequate protection during the course of demolition, excavation and construction works. Materials must be stored in a location and manner to avoid material being washed to drains or adjoining properties.

The requirements of the Soil and Water Management Plan must be maintained at all times during the works and shall not be removed until the site has been stabilised to the Principal Certifying Authority's satisfaction.

Material from the site is not to be tracked onto the road by vehicles entering or leaving the site. At the end of each working day any dust/dirt or other sediment shall be swept off the road and contained on the site and not washed down any stormwater pit or gutter.

The sediment and erosion control measures are to be inspected daily and defects or system failures are to be repaired as soon as they are detected.

47. 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 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.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

48. An Occupation Certificate must be obtained prior to any use or occupation of the development or part thereof. The Principal Certifying Authority must ensure that all works are completed in accordance with this consent including all conditions.
49. The existing stone kerb adjacent to the site is of local heritage value and is to be preserved at no cost to Council. Any damage to the stone kerb will require the replacement of the damaged individual stone units before the issue of the Occupation Certificate. Non-compliance with this condition will result in loss of your security deposit.
50. 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 shall be at no cost to Council and undertaken before the issue of an Occupation Certificate.
51. Encroachments onto Council's road or footpath of any service pipes, sewer vents, boundary traps, downpipes, gutters, stairs, doors, gates, garage tilt up panel doors or any structure whatsoever resulting from the works shall not be permitted. Any encroachments on to Council road or footpath resulting from the building works will be required to be removed before the issue of the Occupation Certificate.
52. Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must ensure that the stormwater drainage system has been constructed in accordance with the approved design and relevant Australian Standards.

A plan showing pipe locations and diameters of the stormwater drainage system, together with certification by a Licensed Plumber or qualified practicing Civil Engineer that the drainage system has been constructed in accordance with the approved design and relevant Australian Standards, must be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

53. Prior to the issue of the Occupation Certificate the Principal Certifying Authority is to confirm that no high front gutters have been installed.
54. Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must

ensure that all works have been completed in accordance with the approved Waste Management Plan referred to in this development consent.

Proof of actual destination of demolition and construction waste shall be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

55. Prior to the release of an Occupation Certificate, the Principal Certifying Authority must be satisfied that the development complies with:
- the approved plans;
 - BASIX certificate (where relevant),
 - approved documentation (as referenced in this consent); and
 - conditions of this consent.

ONGOING CONDITIONS OF CONSENT

56. The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within seventy-two (72) hours of its application.
57. Any lighting of the premises shall be installed and maintained in accordance with Australian Standard AS 4282-1997: *Control of the Obtrusive Effects of Outdoor Lighting* so as to avoid annoyance to the occupants of adjoining premises or glare to motorists on nearby roads. The intensity, colour or hours of illumination of the lights shall be varied at Council's discretion if in the opinion of an Authorised Council Officer it is considered there to be have adverse effects on the amenity of the area.
58. The premises shall not be used for any purpose other than that stated in the Development Application, i.e. Dwelling House without the prior consent of the Council unless the change to another use is permitted as exempt or complying development under *Leichhardt Local Environment Plan 2013* or *State Environmental Planning policy (Exempt and Complying Codes) 2008*.

The use of the premises as a Dwelling House, is defined under the *Leichhardt Local Environmental Plan 2013*.

PRESCRIBED CONDITIONS

A. BASIX Commitments

Under clause 97A of the Environmental Planning & Assessment Regulation 2000, it is a condition of this development consent that all the commitments listed in each relevant BASIX Certificate for the development are fulfilled. The Certifying Authority must ensure that the building plans and specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

In this condition:

- a) Relevant BASIX Certificate means:
- i) a BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under section 4.55 of the Act, a BASIX Certificate that is applicable to the development when this development consent is modified); or
 - ii) if a replacement BASIX Certificate accompanies any subsequent application for a construction certificate, the replacement BASIX Certificate; and

- b) BASIX Certificate has the meaning given to that term in the Environmental Planning & Assessment Regulation 2000.

B. Building Code of Australia

All building work must be carried out in accordance with the provisions of the Building Code of Australia.

C. Home Building Act

- 1) Building work that involves residential building work (within the meaning and exemptions provided in the Home Building Act 1989) must not be carried out unless the Principal Certifying Authority for the development to which the work relates has given Leichhardt Council written notice of the following:
 - 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, or
 - 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.
- 2) If arrangements for doing residential building work are changed while the work is in progress so that the information submitted to Council is out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council), has given the Council written notice of the updated information.

Note: A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.

D. Site Sign

- 1) A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
 - a) stating that unauthorised entry to the work site is prohibited;
 - b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
 - c) showing the name, address and telephone number of the Principal Certifying Authority for the work.
- 2) Any such sign must be maintained while to building work or demolition work is being carried out, but must be removed when the work has been completed.

E. Condition relating to shoring and adequacy of adjoining property

- 1) For the purposes of section 4.17(11) of the Act, it is a prescribed condition of development consent that if the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - a) protect and support the adjoining premises from possible damage from the excavation, and
 - b) where necessary, underpin the adjoining premises to prevent any such damage.
- 2) The condition referred to in subclause (1) does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

NOTES

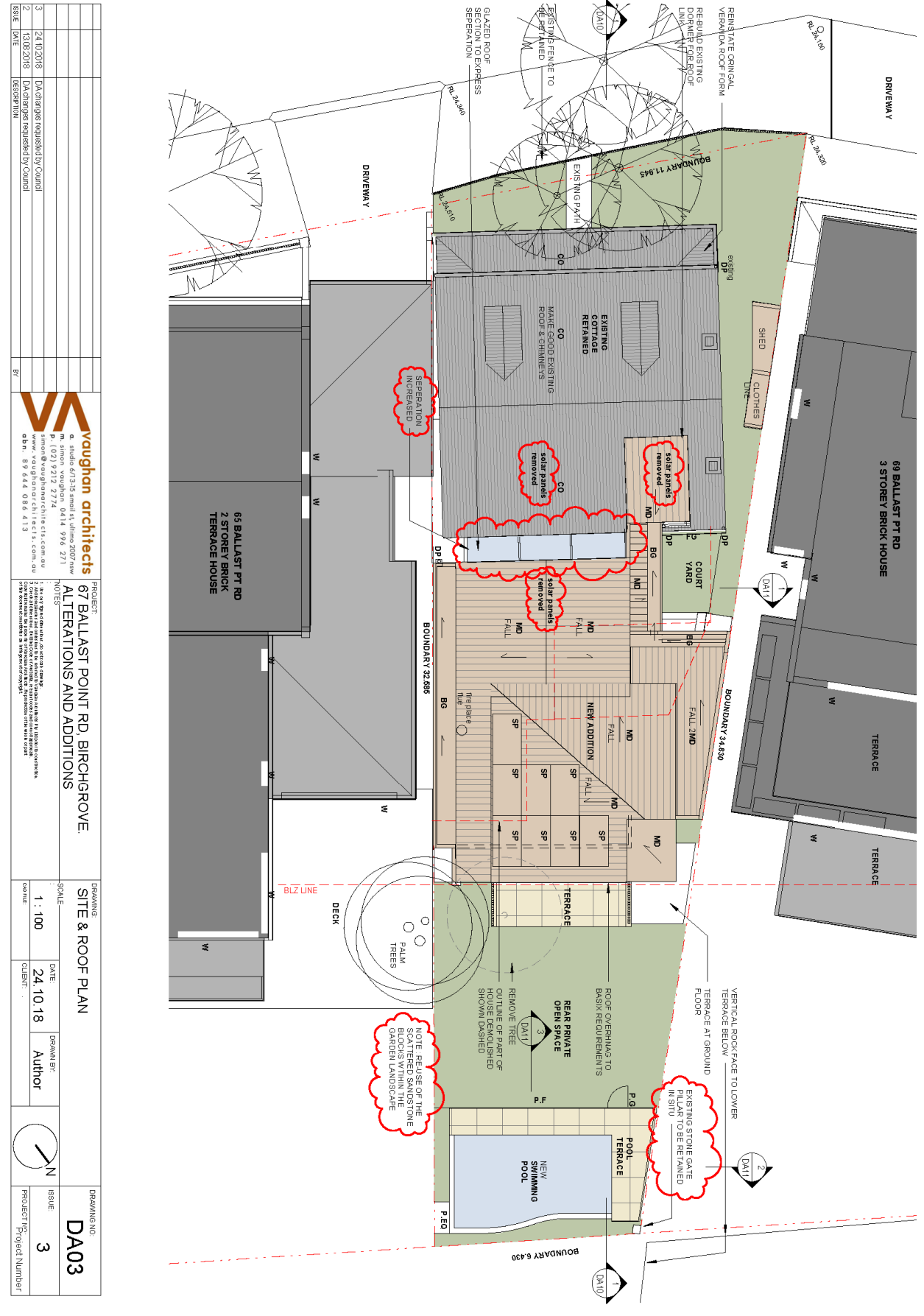
1. This Determination Notice operates or becomes effective from the endorsed date of consent.
2. Section 8.2 of the *Environmental Planning and Assessment Act 1979* provides for an applicant to request Council to review its determination. This does not apply to applications made on behalf of the Crown, designated development or a complying development certificate. The request for review must be made within six (6) months of the date of determination or prior to an appeal being heard by the Land and Environment Court. Furthermore, Council has no power to determine a review after the expiration of these periods. A decision on a review may not be further reviewed under Section 8.2.
3. If you are unsatisfied with this determination, Section 8.7 of the *Environmental Planning and Assessment Act 1979* gives you the right of appeal to the Land and Environment Court within six (6) months of the determination date.
4. 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.
5. 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*.
6. This decision does not ensure compliance with the *Disability Discrimination Act 1992*. Applicants should investigate their potential for liability under that Act.
7. 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.
 - g) Development Application for subdivision if consent for subdivision is not granted by this consent.
 - h) An application under the Roads Act 1993 for any footpath / public road occupation. A lease fee is payable for all occupations.
8. Prior to the issue of the Construction Certificate, the applicant must make contact with all relevant utility providers (such as Sydney Water, Energy Australia etc) whose services will be impacted upon by the development. A written copy of the requirements of each provider, as determined necessary by the Certifying Authority, must be obtained.

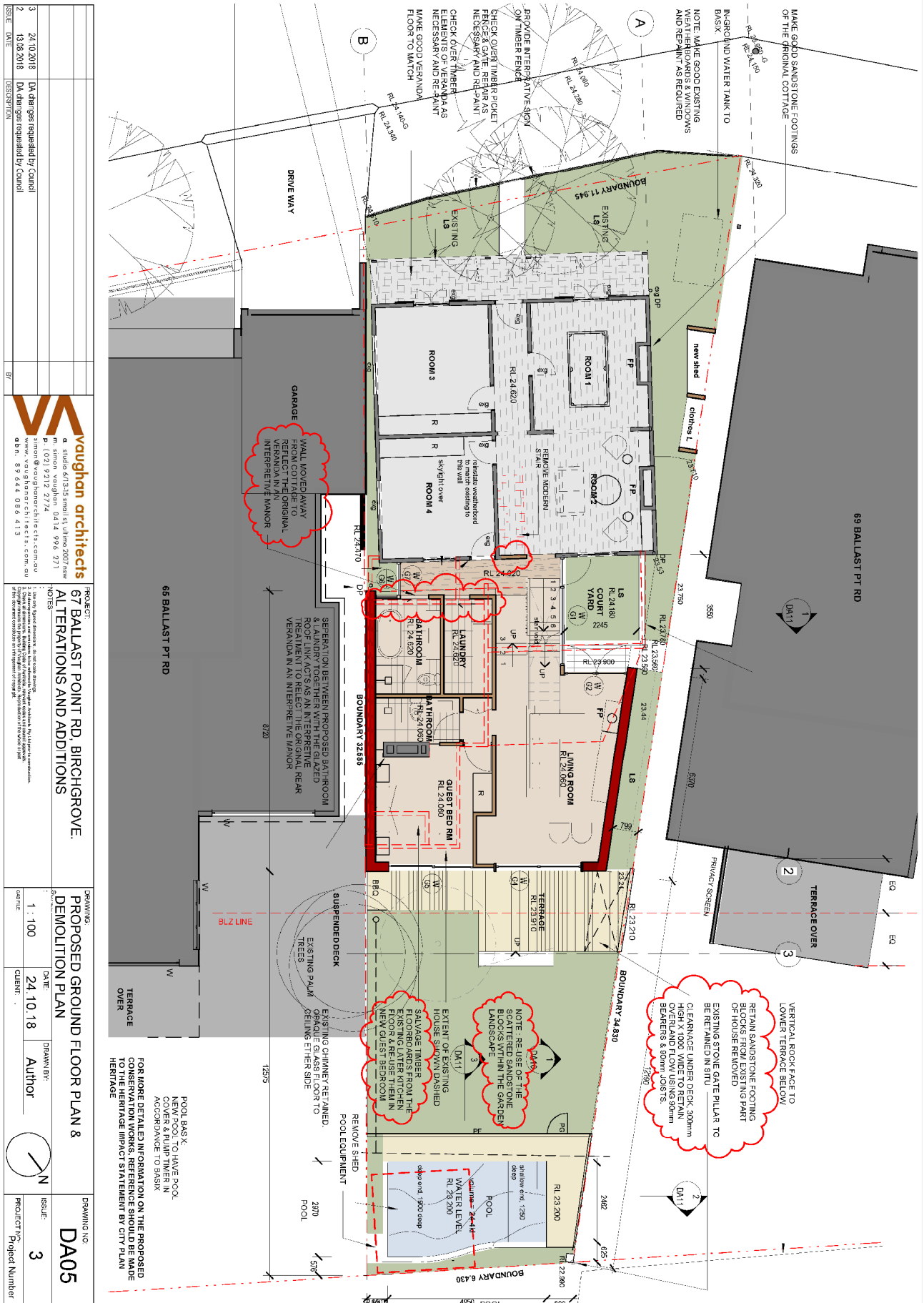
Have you made a political donation?

If you (or an associate) have made a political donation or given a gift to a Councillor, political party or candidate at the local government elections during the last two (2) years you may need to include with your application a full disclosure of this matter. For information go to Council's website at www.leichhardt.nsw.gov.au/Political-Donations.html. If you have made a reportable donation, failure to provide a completed declaration with your application is an offence under the Environmental Planning and Assessment Act, 1979 for which you may be prosecuted.

Attachment B – Plans of proposed development



<p>PROJECT:</p> <p>67 BALLAST POINT RD, BIRCHGROVE.</p> <p>ALTERATIONS AND ADDITIONS</p>		<p>DRAWING:</p> <p>SITE & ROOF PLAN</p>		<p>DRAWING NO.:</p> <p>DA03</p>	
<p>NOTES:</p> <p>1. Detail Specification of materials, finishes, etc. to be provided by the client.</p> <p>2. All dimensions are to be taken from the finished ground level unless otherwise stated.</p> <p>3. All dimensions are to be taken from the finished ground level unless otherwise stated.</p>		<p>SCALE:</p> <p>1 : 100</p>		<p>DATE:</p> <p>24.10.18</p>	
<p>BY:</p> <p>vaughan architects</p> <p>a. studio 6/13-15 steel st, uluru 2007 nsw m. stuart vaughan 0414 996 2711 info@vaughanarchitects.com.au www.vaughanarchitects.com.au o b n. 89 644 086 413</p>		<p>DRAWN BY:</p> <p>Author</p>		<p>ISSUE:</p> <p>3</p>	
<p>ISSUE DATE:</p> <p>24/10/2018 13/03/2018</p> <p>DESCRIPTION:</p> <p>DA changes requested by Council DA changes requested by Council</p>		<p>CLIENT:</p> <p>PROJECT / Project Number</p>		<p>PROJECT / Project Number</p>	



3	24.10.2018	DA changes requested by Council
2	14.08.2018	DA changes requested by Council
ISSUE	DATE	DESCRIPTION

vaughan architects
 a studio 6/153 stanton st, sydney 2007 nsw
 p. 1 (02) 9212 9774
 simon@vaughanarchitects.com.au
 www.vaughanarchitects.com.au
 a.b.n. 89 644 086 413

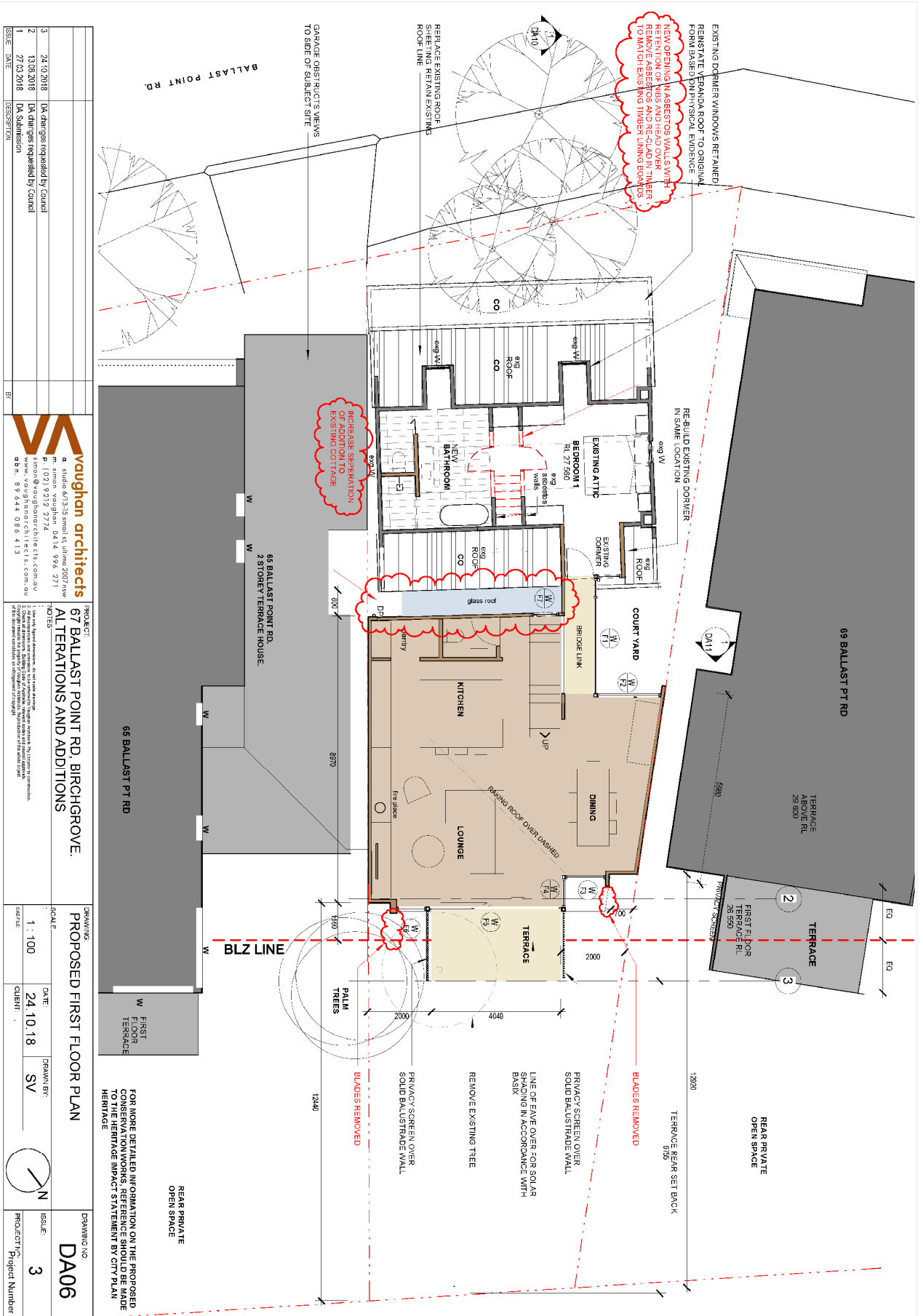
PROJECT:
 67 BALLAST POINT RD, BIRCHGROVE:
 ALTERATIONS AND ADDITIONS

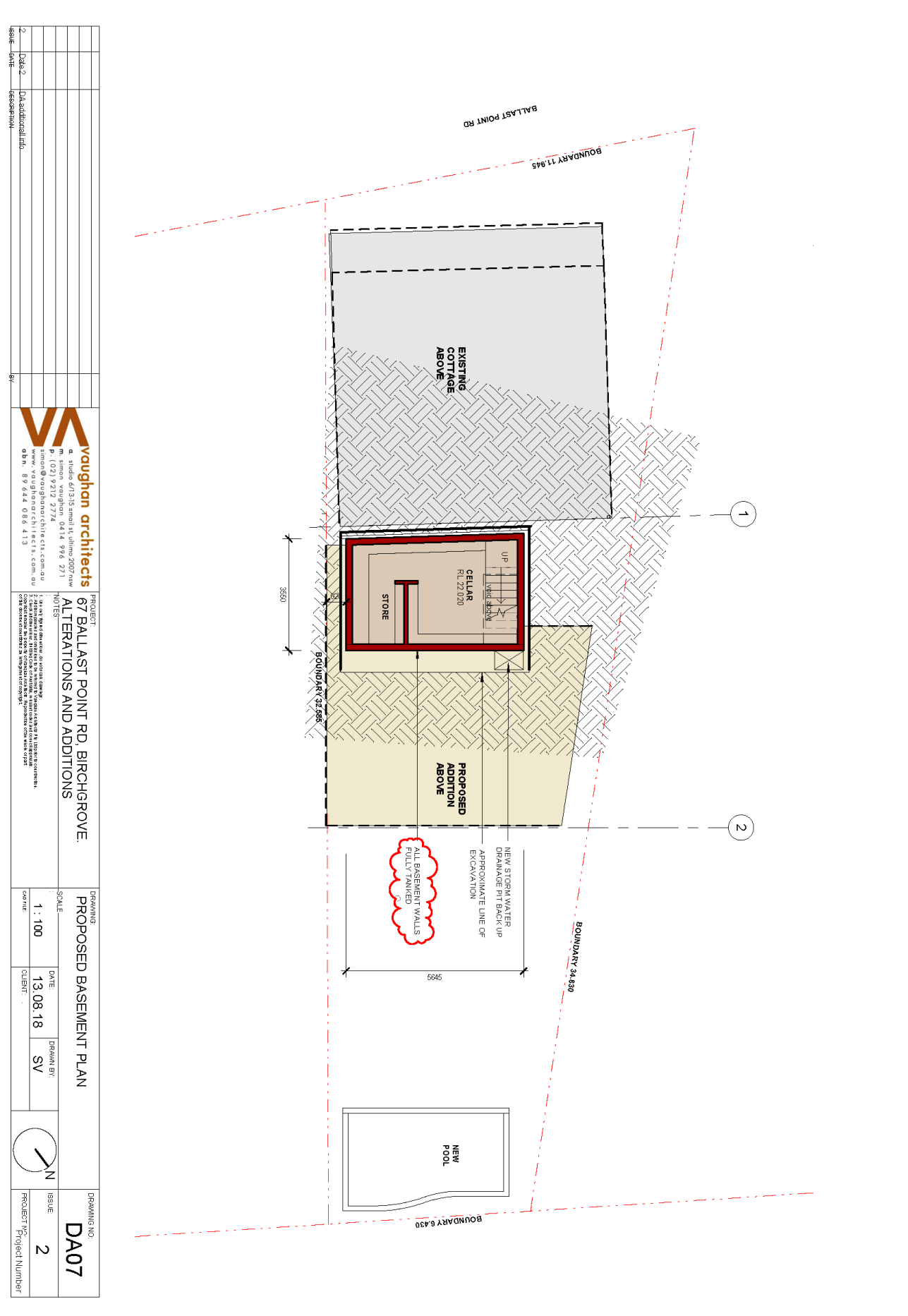
NOTES:
 1. See DA for detailed information on the proposed works.
 2. All work to be completed in accordance with the DA and any relevant council requirements.
 3. The client is responsible for obtaining all necessary council approvals.

DRAWING:	DRAWING NO:
PROPOSED GROUND FLOOR PLAN & DEMOLITION PLAN	DA05
SCALE: 1:100	DATE: 24.10.18
CLIENT: Author	ISSUE: 3
PROJECT: Project Number	

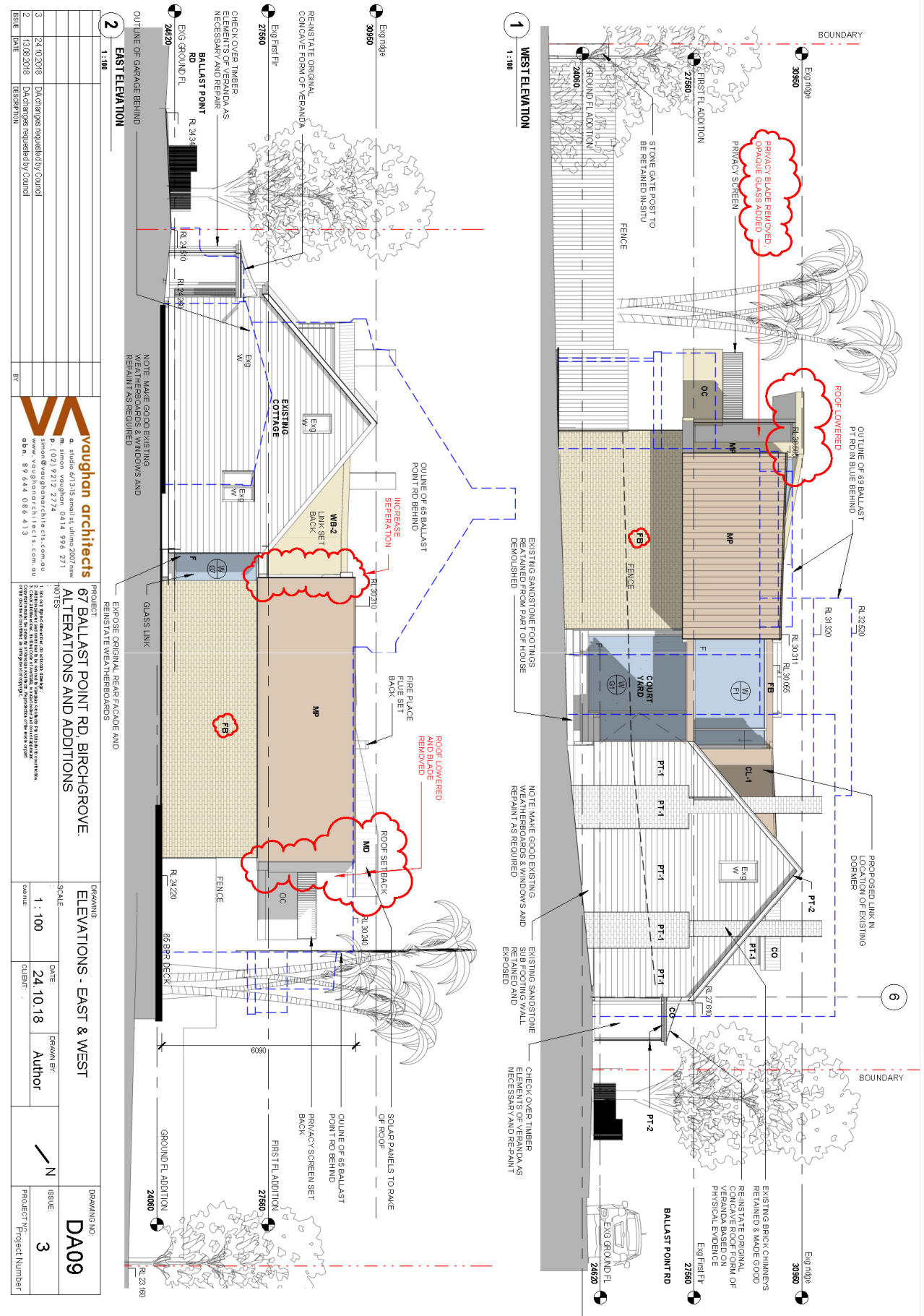
POOL BASIN.
 NEW POOL TO HAVE POOL
 COVER & RUMP TIER IN
 ACCORDANCE TO BASIX

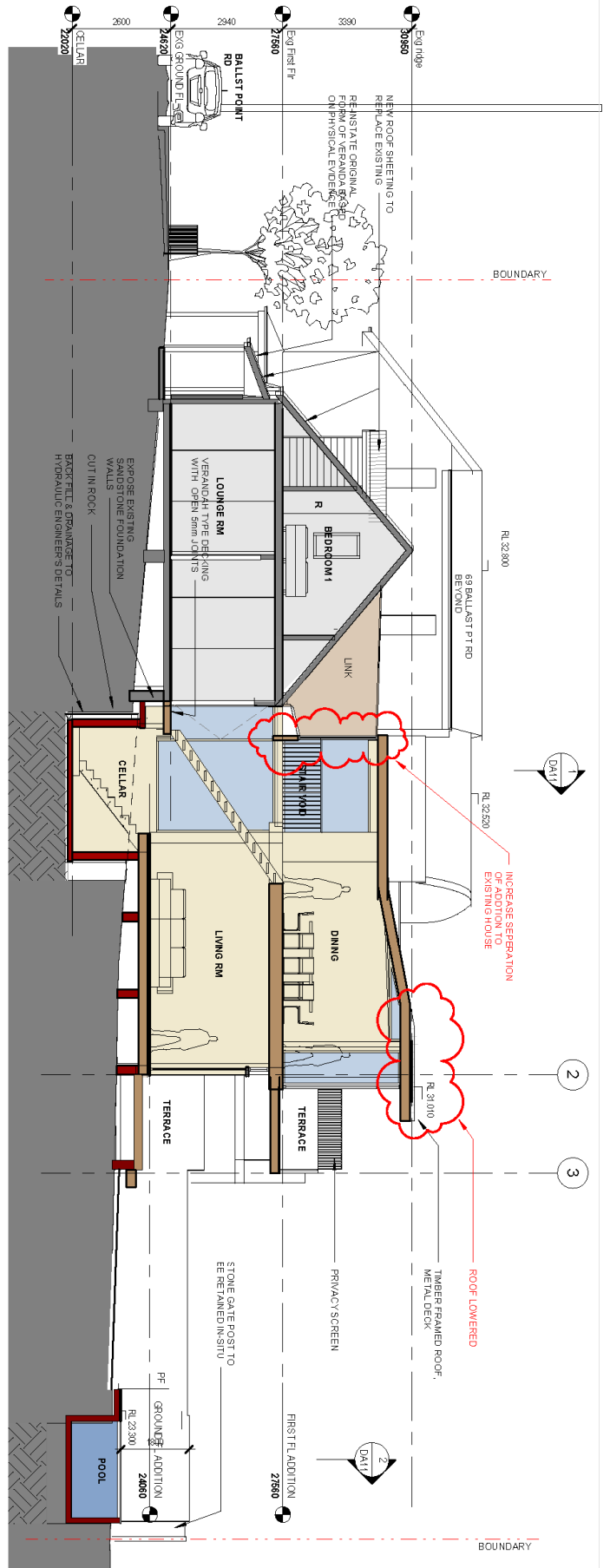
FOR MORE DETAILED INFORMATION ON THE PROPOSED
 CONSERVATION WORKS, REFERENCE SHOULD BE MADE
 TO THE HERITAGE IMPACT STATEMENT BY CITY PLAN
 HERITAGE





<p>PROJECT: 67 BALLAST POINT RD, BIRCHGROVE. ALTERATIONS AND ADDITIONS</p>		<p>DRAWING: PROPOSED BASEMENT PLAN</p>		<p>DRAWING NO.: DA07</p>			
<p>PROFESSIONAL ARCHITECTS</p> <p>vaughan architects</p> <p>a. stude 6/315 amiel st, ulima 2007/nsw p. (02) 9212 2774 simon@vaughanarchitects.com.au www.vaughanarchitects.com.au abn: 89 644 086 413</p>		<p>NOTES:</p> <p>1. TO BE IN ACCORDANCE WITH LOCAL COUNCIL REQUIREMENTS AND REGULATIONS. 2. ALL WORK TO BE COMPLETED IN ACCORDANCE WITH THE RELEVANT CODES OF PRACTICE. 3. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS. 4. THE DRAWING IS FOR INFORMATION ONLY AND DOES NOT REPRESENT A CONTRACT.</p>		<p>SCALE: 1 : 100</p> <p>DATE: 13.08.18</p> <p>CLIENT:</p>		<p>ISSUE: 2</p> <p>PROJECT: Project Number</p>	
<p>DATE: 2</p> <p>DESCRIPTION: DA additional info</p>		<p>DATE: 13.08.18</p> <p>CLIENT: SV</p>		<p>DATE: 13.08.18</p> <p>CLIENT: SV</p>			





1 LONGITUDINAL SECTION
1:100

3	24/10/2018	DA changes requested by Council
2	13/08/2018	DA changes requested by Council
ISSUE	DATE	DESCRIPTION

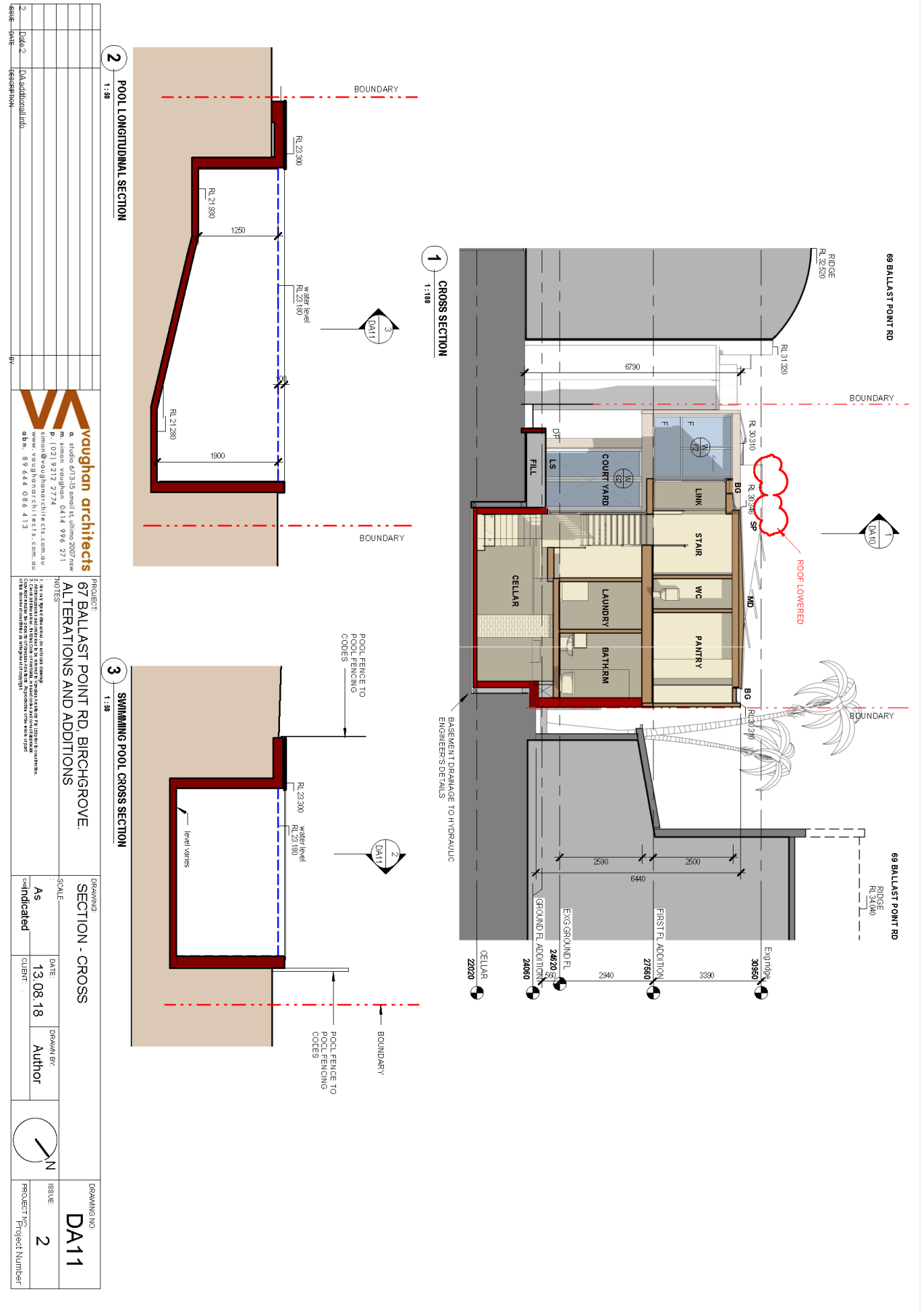
vaughan architects
 a studio at/1315 small st, ulima 2007 NSW
 phone: 02 9559 2771
 email: info@vaughanarchitects.com.au
 www.vaughanarchitects.com.au
 o.b.n. 89 644 086 413

PROJECT:
 67 BALLAST POINT RD, BIRCHGROVE
ALTERATIONS AND ADDITIONS

NOTES:
 1. See the 'Particulars of Particulars' section of the DA for further details.
 2. All dimensions are to the face of the work unless otherwise stated.
 3. All work is to be completed in accordance with the DA conditions.
 4. All work is to be completed in accordance with the DA conditions.

DRAWING NO. DA10		PROJECT/Project Number 3	
SCALE	DATE	DRAWN BY	ISSUE
1:100	24/10/18	SV	3
CAD FILE	CLIENT		

- LEGEND /NOTES**
- AC: ALUMINIUM CLADDING
 - CB: COLORBOND ROOF SHEETING
 - DP: DOWNPIPE
 - F: FIXED GLAZING
 - GB: GLASS BALUSTRADE
 - LV: GLASS LOUVER WINDOW
 - PF: POOL FENCE
 - PG: POOL GATE
 - RM: RENDERED MASONRY - PAINT FINISH
 - SS: SANDSTONE CLADDING
 - TD: TIMBER CLADDING
 - WB: WEATHERBOARD CLADDING
- NEW WORKS COLOURED**
- NEW WORKS
 - NEW GLAZING



vaughan architects
a. studio 67/1315 smeth 14, ulmine 2007 law
b. studio 2 vaughan, 0414 996 271
c. studio 3 vaughan architects, 0414 996 271
d. studio 4 vaughan architects, 0414 996 271
e. studio 5 vaughan architects, 0414 996 271
www.vaughanarchitects.com.au
o.b.n. 89 644 086 413

PROJECT:
67 BALLAST POINT RD, BIRCHGROVE
ALTERATIONS AND ADDITIONS

NOTES:
1. See the 'Particulars of the Project' for details of the proposed works.
2. All dimensions are in millimetres unless otherwise stated.
3. All dimensions are to the centre of the wall unless otherwise stated.
4. All dimensions are to the finished level unless otherwise stated.
5. All dimensions are to the finished level unless otherwise stated.

DRAWING SECTION - CROSS
SCALE: As indicated
DATE: 13.08.18
DRAWN BY: Author
PROJECT: Project Number 2

DRAWING NO: DA111
ISSUE: 2



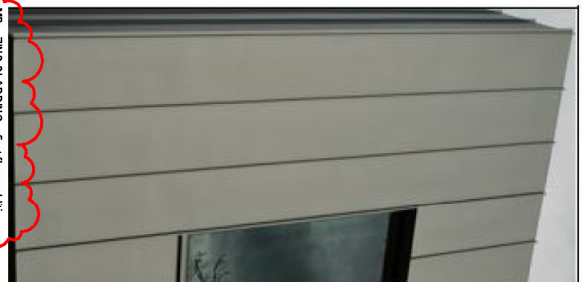
Charcoal Dulux powder coated door/window frames, first floor addition



TB-1: timber window and door frames, ground floor addition



FB: Porcelain honed masonry blocks



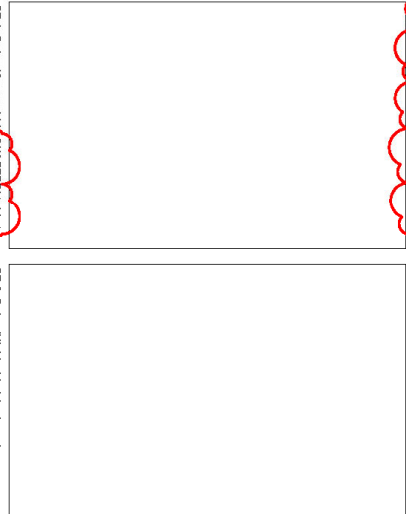
MP: ZINC CLADDING - first floor addition



MD metal deck roof sheeting, colour to add: 'WIND SPRAY'



CO - Heritage barrel rolled traditional corrugated steel, colour - natural, from fields



PT-1: Dulux 'Grey pebble QUARTZ' (white) heritage item weatherboards

PT-2: Dulux 'Wind white' heritage item windows frames and timber work

3	24/10/2018	DA changes requested by Council					
2	13/08/2018	DA changes requested by Council					
1	27/02/2018	DA SUBMISSION					
ISSUE	DATE	DESCRIPTION	BY				

a studio 6/13/15 small st, ulima 2007 NSW m. amon@vaughan.com.au 04 14 976 2711 11 mon@vaughanarchitects.com.au www.vaughanarchitects.com.au abn. 89 644 086 413	PROJECT: 67 BALLAST POINT RD, BIRCHGROVE. ALTERATIONS AND ADDITIONS NOTES: 1. ALL WORK IS TO BE COMPLETED AS SHOWN ON THESE PLANS. 2. ALL WORK IS TO BE COMPLETED IN ACCORDANCE WITH THE LOCAL GOVERNMENT'S REQUIREMENTS. 3. ALL WORK IS TO BE COMPLETED IN ACCORDANCE WITH THE LOCAL GOVERNMENT'S REQUIREMENTS. 4. ALL WORK IS TO BE COMPLETED IN ACCORDANCE WITH THE LOCAL GOVERNMENT'S REQUIREMENTS.
DRAWINGS: FINISHES SCHEDULE SCALE: _____ DATE: 24.10.18 CLIENT: _____ DRAWN BY: Author PROJECT NO: DA14 ISSUE: 3 PROJECT Number	DRAWING NO: DA14 ISSUE: 3 PROJECT Number

STORMWATER MANAGEMENT PLAN PROPOSED ALTERATIONS & ADDITIONS Lot 1, 67 BALLAST POINT ROAD, BIRCHGROVE

DRAINAGE NOTES

DRAINAGE PIPES SHALL BE 150mm DIA UNLESS OTHERWISE SPECIFIED. UNLESS OTHERWISE SPECIFIED, ALL PIPES SHALL BE 150mm DIA UNLESS OTHERWISE SPECIFIED.

- 150mm DIA UNLESS OTHERWISE SPECIFIED
- UNLESS OTHERWISE SPECIFIED, ALL PIPES SHALL BE 150mm DIA UNLESS OTHERWISE SPECIFIED

PRECAST

- 150mm DIA UNLESS OTHERWISE SPECIFIED
- UNLESS OTHERWISE SPECIFIED, ALL PIPES SHALL BE 150mm DIA UNLESS OTHERWISE SPECIFIED

PIPS WITH A GRADIENT GREATER THAN 1% WILL BE CAST IN PLACE. ALL PIPES SHALL BE 150mm DIA UNLESS OTHERWISE SPECIFIED.

PERFORATED CONCRETE PIPES

PERFORATED CONCRETE PIPES SHALL BE 150mm DIA UNLESS OTHERWISE SPECIFIED.

LOCATION	MINIMUM COVER
NOT SUBJECT TO VEHICLE LOADING	100mm MINIMUM
SUBJECT TO VEHICLE LOADING	150mm MINIMUM
UNDER SIDEWALK	100mm MINIMUM
UNDER DRIVEWAY	100mm MINIMUM
UNDER DRIVEWAY	100mm MINIMUM

SEE ACCESS INSTALLATION OF UNITS PRESS FOR FURTHER INFORMATION.

CONNECTIONS TO STORMWATER DRAINAGE BUILDINGS SHALL BE MADE IN ACCORDANCE WITH SECTION 4.3.2 OF AS3600.3:1990. ABOVE GROUND PIPING SHALL BE MADE IN ACCORDANCE WITH SECTION 4.3.2 OF AS3600.3:1990.

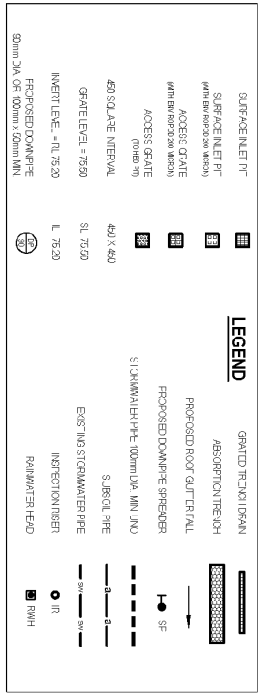
CONNECTIONS TO STORMWATER DRAINAGE BUILDINGS SHALL BE MADE IN ACCORDANCE WITH SECTION 4.3.2 OF AS3600.3:1990.

GENERAL NOTES

1. THE LOCATION OF PERFORATED PIPES TO BE DETERMINED BY THE ENGINEER.
2. THESE PIPES TO BE INSTALLED IN ACCORDANCE WITH THE RELEVANT STANDARDS AND SPECIFICATIONS.
3. ALL MATERIALS AND WORKMANSHIP TO BE IN ACCORDANCE WITH AS/NZS 3600.3:2000 STORMWATER DRAINAGE.
4. ALL PERFORATED PIPES TO BE VERIFIED BY BULLETPROOF TESTING.
5. ALL QUANTITIES TO BE VERIFIED BY BULLETPROOF TESTING.
6. THESE DRAWINGS BE THE DESIGN OF THE ENGINEER. THE ENGINEER SHALL BE RESPONSIBLE FOR THE DESIGN OF THE PERFORATED PIPES.
7. ALL PERFORATED PIPES TO BE VERIFIED BY BULLETPROOF TESTING.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PERFORATED PIPES.
9. ALL PIPES WITHIN THE PROPERTY TO BE 150mm THICK CONCRETE OVERCAST.
10. THIS PLAN IS THE PROPERTY OF QUANTUM ENGINEERS AND MUST NOT BE REPRODUCED WITHOUT WRITTEN PERMISSION FROM QUANTUM ENGINEERS.

PLAN NOTES

1. ROOF DRAINAGE: IS THE RESPONSIBILITY OF THE ARCHITECT. UNLESS OTHERWISE SPECIFIED, ALL ROOF DRAINAGE SHALL BE 150mm DIA UNLESS OTHERWISE SPECIFIED.
2. THREE PRESERVATION: IS THE RESPONSIBILITY OF THE ARCHITECT. UNLESS OTHERWISE SPECIFIED, ALL PRESERVATION SHALL BE 150mm DIA UNLESS OTHERWISE SPECIFIED.
3. ALL ROOF DRAINAGE TO BE VERIFIED BY BULLETPROOF TESTING.
4. THE ENGINEER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PERFORATED PIPES.
5. ALL PERFORATED PIPES TO BE VERIFIED BY BULLETPROOF TESTING.



APPROVED BY
ROBERT EL DOBAI
MEMBER OF THE ENGINEERING BOARD

ARCHITECT
VAUGHAN ARCHITECTS
OWNER
ROB FREEMAN

DRAWING TITLE
DETAILS, NOTES & LEGEND
PROPOSED ALTERATIONS & ADDITIONS
Lot 1, 67 BALLAST POINT ROAD,
BIRCHGROVE

REVISION	DRAWN	DESCRIPTION	DATE
A	JD	ISSUED FOR DA	03/04/2018
B	JD	RAINWATER TANK ADDED	11/04/2018
C	JD	COUNCIL REVISIONS IMPLEMENTED	10/04/2018

DESIGNED BY No. IN SET
2/ 8
SCALE - SIZE
1:100
REVISION
C
JOB NUMBER 16074
DRAWING No. D1

SITE AREA CALCULATIONS	
TOTAL SITE AREA	2867 m ²
EXISTING IMPERVIOUS AREA	1428 m ²
BUILDING FOOTPRINT AREA	1418 m ²
PAVED AREA	161 m ²
DRIVEWAY AREA	0 m ²
TOTAL IMPERVIOUS AREA	1579 m ²
IMPERVIOUS AREA PERCENTAGE	55.2%
PROPOSED DEVELOPMENT	
BUILDING FOOTPRINT AREA	168.5 m ²
PAVED AREA	25.6 m ²
DRIVEWAY AREA	0 m ²
TOTAL IMPERVIOUS AREA	1931 m ²
TOTAL IMPERVIOUS AREA PERCENTAGE	67.4%

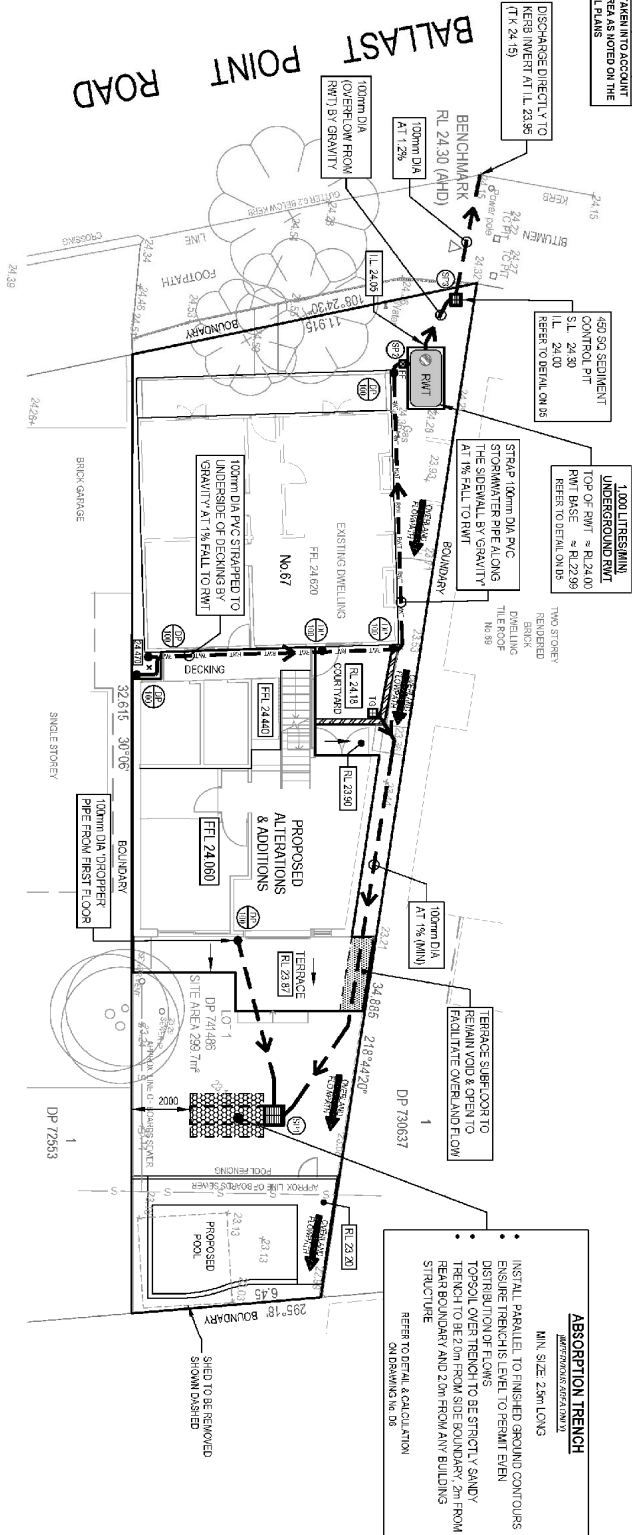
AREA CALCULATIONS HAVE TAKEN INTO ACCOUNT THE REMOVED IMPERVIOUS AREA AS NOTED ON THE ARCHITECTURAL PLANS

OSD WARRANT

LGA: INNER WEST COUNCIL
 RELEVANT CODE: LEMHAWDTP - PART A
 2867 m²
 • SITE AREA
 1579 m² (55.2%)
 • PRE-DEVELOPED IMPERVIOUS AREA
 1531 m² (54.4%)
 • POST-DEVELOPED IMPERVIOUS AREA
 1931 m² (67.4%)
 THEREFORE POST-DEV < 40% ADDITIONAL IMPERVIOUS AREA
 NO OSD REQUIRED

DRAINAGE PIPE LEGEND

EXISTING STORMWATER PIPE
 DRAINAGE PIPES VIA GRAVITY
 DRAINAGE PIPES TO RAINFALL TANK
 PRESSURE PIPE (60mm)
 NOTE: ALL PIPES TO BE 100mm DIA UNO



APPROVED BY
 ROBERT EL TORBAGI
 MIEAUSI CHENG

ARCHITECT
 VAUGHAN ARCHITECTS

OWNER
 ROB FREEMAN

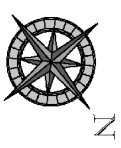
DRAWING TITLE
 SITE/GROUND FLOOR PLAN

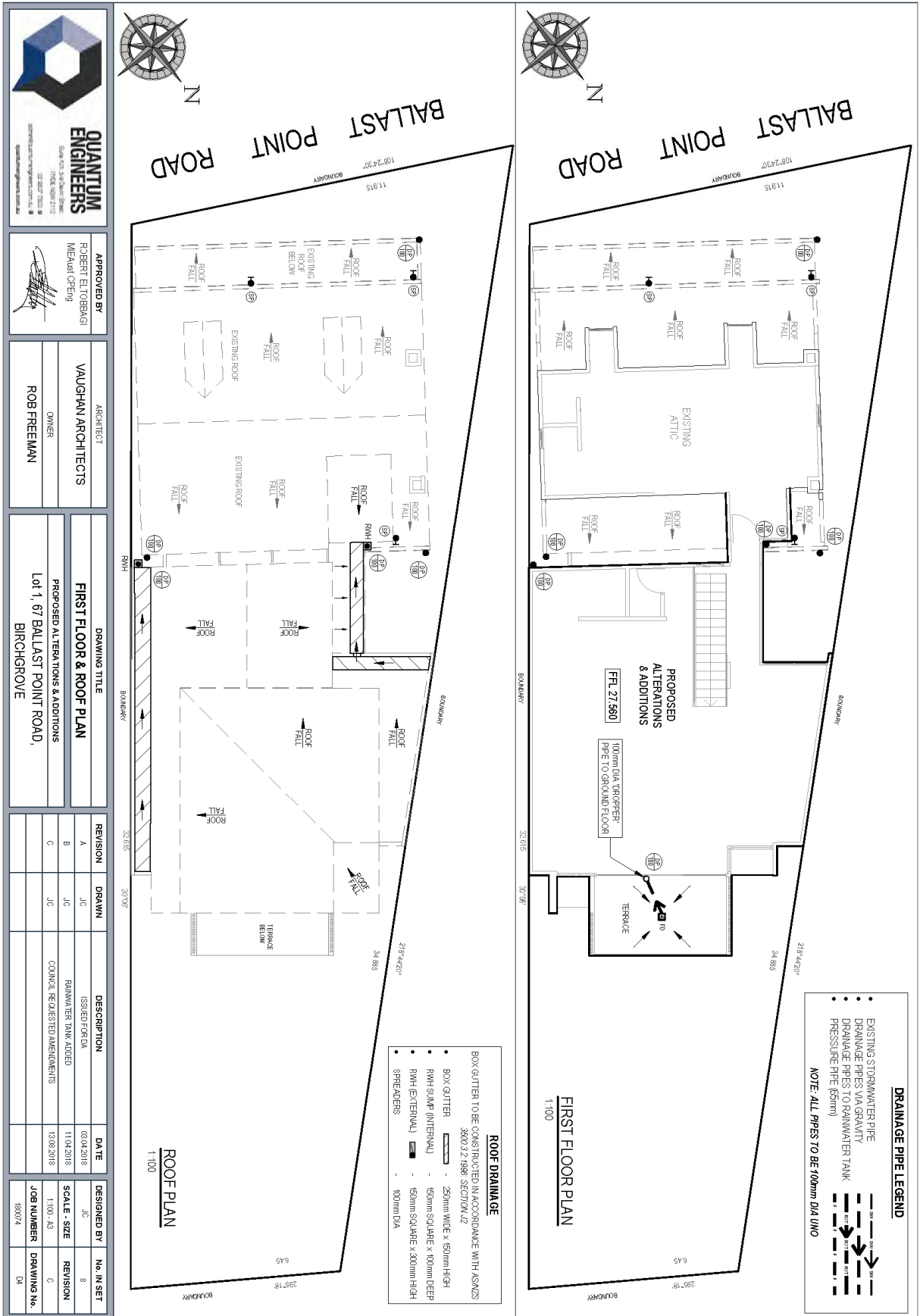
PROPOSED ALTERATIONS & ADDITIONS
 Lot 1, 67 BALLAST POINT ROAD,
 BIRCHGROVE

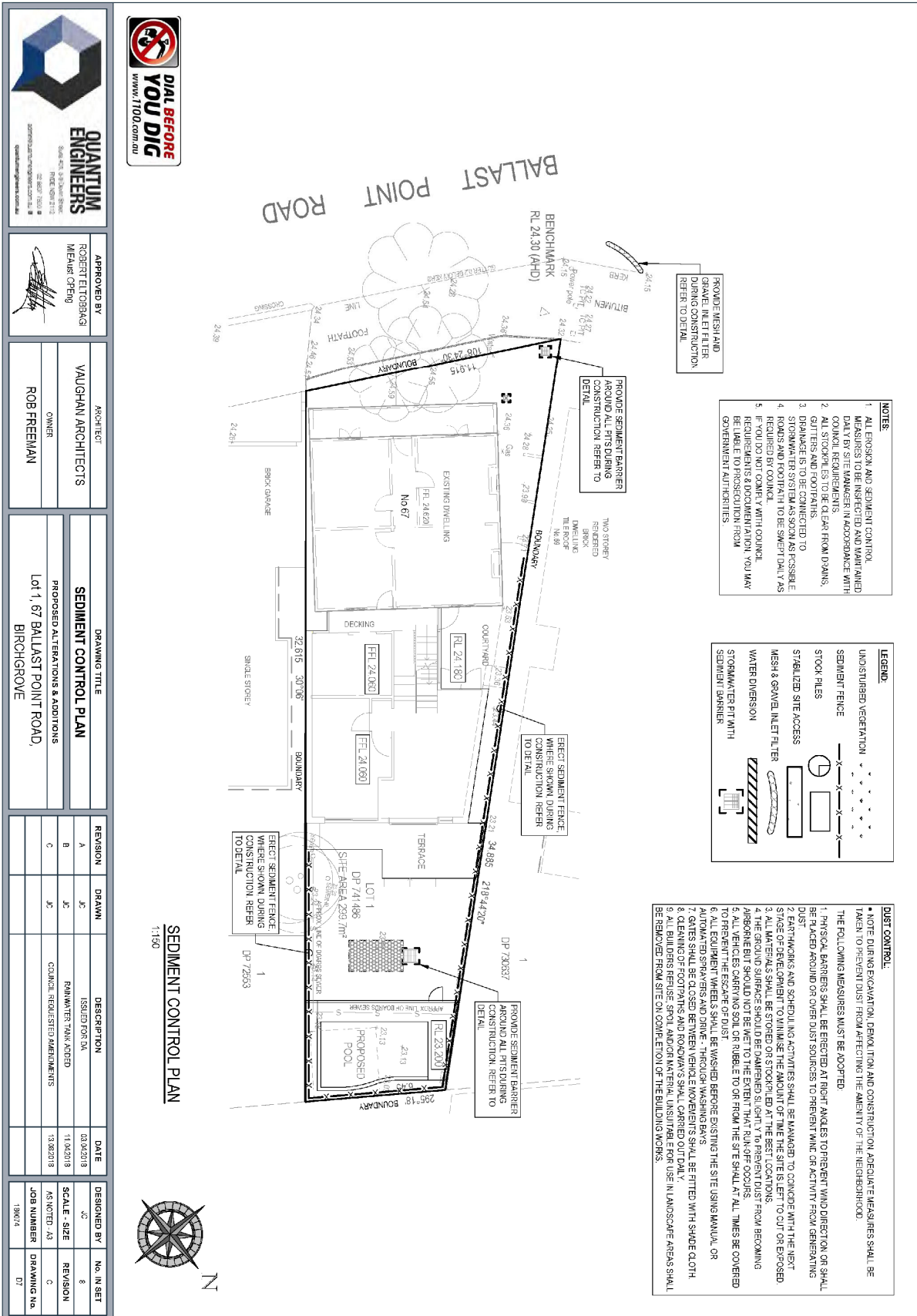
REVISION	DRAWN	DESCRIPTION	DATE
A	JC	ISSUED FOR DA	03.04.2018
B	JC	RAINFALL TANK ADDED	11.04.2018
C	JC	COUNCIL REQUESTED AMENDMENTS	13.08.2018

DESIGNED BY	NO. IN SET
JC	8
SCALE - SIZE	REVISION
1:150 - A3	C
JOB NUMBER	DRAWING NO.
180074	02

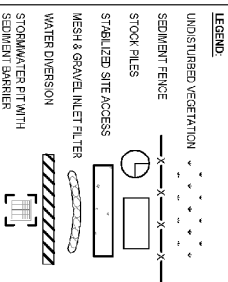
SITE/GROUND FLOOR PLAN
 1:150







- NOTES:**
1. ALL EROSION AND SEDIMENT CONTROL MEASURES TO BE INSPECTED AND MAINTAINED DAILY BY SITE MANAGER IN ACCORDANCE WITH COUNCIL REQUIREMENTS.
 2. ALL STOCKPILES TO BE CLEAR FROM DRAINS, GUTTERS AND FOOTPATHS.
 3. DRAINAGE SYSTEMS TO BE CONNECTED TO STORMWATER SYSTEM AS SOON AS POSSIBLE.
 4. ROADS AND FOOTPATHS TO BE SWEEPED DAILY AS REQUIRED BY COUNCIL, WITH COUNCIL REQUIREMENTS & DOCUMENTATION YOU MAY BE LIABLE TO PRESECUTION FROM GOVERNMENT AUTHORITIES.



- DUST CONTROL:**
- NOTE DURING EXCAVATION, DEMOLITION AND CONSTRUCTION APPROPRIATE MEASURES SHALL BE TAKEN TO PREVENT DUST FROM AFFECTING THE AMENITY OF THE NEIGHBOURHOOD.
 - THE FOLLOWING MEASURES MUST BE ADOPTED:
 - 1. PHYSICAL BARRIERS SHALL BE ERECTED AT RIGHT ANGLES TO PREVENT WIND DIRECTION OR SHALL BE PLACED AROUND OR OVER DUST SOURCES TO PREVENT WIND OR ACTIVITY FROM GENERATING DUST.
 - 2. FARTWORKS AND SCHEDULING ACTIVITIES SHALL BE MANAGED TO CONCLUDE WITH THE NEXT STAGE OF DEVELOPMENT TO MINIMIZE THE AMOUNT OF TIME THE SITE IS LEFT TO CUT OR EXPOSED.
 - 3. ALL MATERIALS SHALL BE STORED OR STORED IN THE BEST LOCATION.
 - 4. ALL MATERIALS SHALL BE COVERED TO PREVENT WIND BLOWING DUST FROM BECOMING AEROSOLIZED. DUST SHOULD NOT BE WASHED TO THE STREET THAT RUN ADJACENT.
 - 5. ALL VEHICLES CARRYING SOIL OR RUBBLE TO OR FROM THE SITE SHALL AT ALL TIMES BE COVERED TO PREVENT THE ESCAPE OF DUST.
 - 6. ALL EQUIPMENT WHEELS SHALL BE WASHED BEFORE EXISTING THE SITE USING MANUAL OR AUTOMATED SPRAYERS AND DRIVE THROUGH WASHING BAYS.
 - 7. GATES SHALL BE CLOSED BETWEEN VEHICLE MOVEMENTS SHALL BE FITTED WITH SHADE CLOTH.
 - 8. CLEANING OF FOOTPATHS AND ROADWAY'S SHALL CARRIED OUT DAILY.
 - 9. ALL BUILDERS REFUSE, SPILL AND/OR MATERIAL UNSUITABLE FOR USE IN LANDSCAPE AREAS SHALL BE REMOVED FROM SITE ON COMPLETION OF THE BUILDING WORKS.



APPROVED BY
ROBERT ELTOBCKI
MEHAR OPHU

ARCHITECT
VAUGHAN ARCHITECTS
OWNER
ROB FREEMAN

DRAWING TITLE
SEDIMENT CONTROL PLAN
PROPOSED ALTERATIONS & ADDITIONS
LOT 1, 67 BALLAST POINT ROAD,
BIRCHGROVE

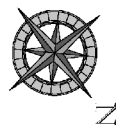
REVISION	DRAWN	DESCRIPTION	DATE
A	JC	ISSUED FOR DA	03/04/2018
B	JC	RAINWATER TRAP ADDED	11/04/2018
C	JC	COUNCIL REQUESTED MODIFICATIONS	13/08/2018

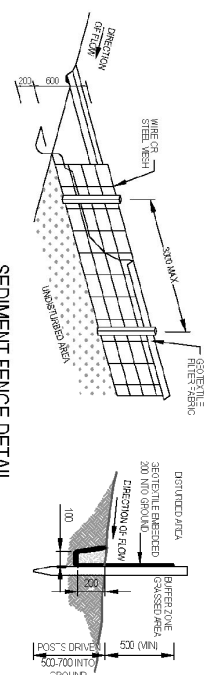
DESIGNED BY
SCALE - SIZE
REVISION

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JOB NUMBER
DRAWING NO.

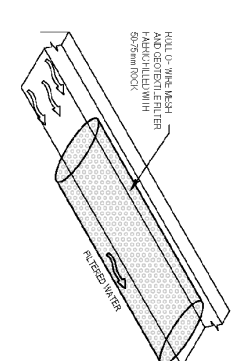
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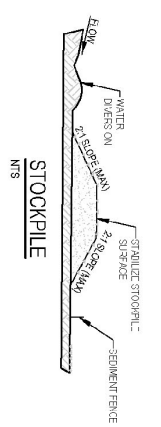
SEDIMENT FENCE DETAIL
NTS

- CONSTRUCTION NOTES:**
1. CONSTRUCT SEDIMENT FENCES AS CLOSE AS POSSIBLE TO BENCH.
 2. SHOWING THE ELEVATION TO LIMIT THE CATCHMENT AREA OF ANY ONE SECTION, THE CATCHMENT AREA SHOULD BE SMALL ENOUGH TO LIMIT WATER FLOW TO CONCENTRATED ONE POINT TO ONE DRAINAGE POINT.
 3. FENCE SHOULD BE CONSTRUCTED WITH A 10% SLOPE FROM THE TOP OF THE FENCE OUT A 10% SLOPE FROM THE PROPOSED LINE OF THE FENCE.
 4. FOR THE BOTTOM OF THE FABRIC TO BE EMBEDDED, AN APPROXIMATE 100mm DEPTH OF SAND SHOULD BE PLACED UNDER THE FABRIC.
 5. ALL LINEMENTS SHOULD BE ON THE INSIDE. USE SLOTTED SINK BOLTS TO ATTACH THE FABRIC TO THE RAILS.
 6. FABRIC SHOULD BE SPECIALLY PRODUCED FOR SEDIMENT FENCES. THE JOINTS SHOULD BE RECOMMENDED BY THE MANUFACTURER. ONLY USE THE JOINTS OF FABRIC AT A SUPPORT POST WITH A MINIMUM OVERLAP FABRIC THE TRENCH OVER THE FABRIC AND COMPACT IT THOROUGHLY OVER THE GEOTEXTILE.



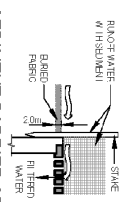
MESH AND GRAVEL FILTER
NTS

- CONSTRUCTION NOTES:**
1. INSTALL FILTERS TO GROUND LEVEL OR 100mm BELOW GROUND.
 2. FABRIC FILTERS SHOULD BE HUNG OVER THE GROUND TO ALLOW WATER TO PASS THROUGH THE FABRIC FILTER.
 3. FABRIC FILTERS SHOULD BE HUNG OVER THE GROUND TO ALLOW WATER TO PASS THROUGH THE FABRIC FILTER.
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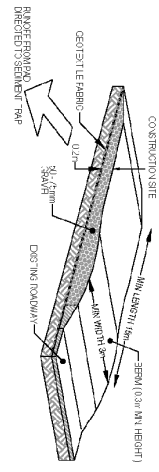
STOCKPILE
NTS

- NOTE:**
1. FACE STOCKPILE EXPOSED TO EROSION BY 1.5 METRES FROM EXISTING.
 2. FACE STOCKPILE EXPOSED TO EROSION BY 1.5 METRES FROM EXISTING.
 3. CONSTRUCT ON THE CONTROL SLOPE OF THE STOCKPILE.
 4. THE HEAVY WIRE OF STEEL MESH SHOULD BE PLACED UNDER THE FABRIC.
 5. THE HEAVY WIRE OF STEEL MESH SHOULD BE PLACED UNDER THE FABRIC.
 6. THE HEAVY WIRE OF STEEL MESH SHOULD BE PLACED UNDER THE FABRIC.



SEDIMENT BARRIER AROUND PIT
NTS

- CONSTRUCTION NOTES:**
1. STRIP THE TOPSOIL FROM THE BARRIER MADE FROM DIRECTLY ON.
 2. FOLLOW STRIP ALTERNATE SEDIMENT FENCE INSTALLATION.
 3. FOLLOW STRIP ALTERNATE SEDIMENT FENCE INSTALLATION.
 4. FOLLOW STRIP ALTERNATE SEDIMENT FENCE INSTALLATION.



STABILIZED SITE ACCESS
NTS

- CONSTRUCTION NOTES:**
1. STRIP THE TOPSOIL FROM THE SITE ACCESS.
 2. COVER THE AREA WITH HEAVY DUTY GEOTEXTILE.
 3. CONSTRUCT A 200mm THICK ROAD OVER THE GEOTEXTILE USING ROAD GRAVEL.
 4. BRIDGE THE STRUCTURE OVER THE GEOTEXTILE USING ROAD GRAVEL.
 5. BRIDGE THE STRUCTURE OVER THE GEOTEXTILE USING ROAD GRAVEL.

QUANTUM ENGINEERS
SPECIALISTS IN CIVIL ENGINEERING
CONSTRUCTION SERVICES

APPROVED BY
ROBERT ELTOBAEI
MEMBER OF ENGINEERING AUSTRALIA

ARCHITECT
VAUGHAN ARCHITECTS

OWNER
ROB FREEMAN

DRAWING TITLE
SEDIMENT CONTROL DETAILS

PROPOSED ALTERATIONS & ADDITIONS
**Lot 1, 67 BALLAST POINT ROAD,
BIRCHGROVE**

REVISION	DRAWN	DESCRIPTION	DATE
A	JD	ISSUED FOR DR	03/04/2018
B	JD	RAN WATER TANK ADDED	11/04/2018
C	JD	COUNCIL REQUIRED REVISIONS	10/06/2018

DESIGNED BY	NO. IN SET
JD	8

SCALE - SIZE	REVISION
AS NOTED - A3	C

JOB NUMBER	DRAWING NO.
190074	00