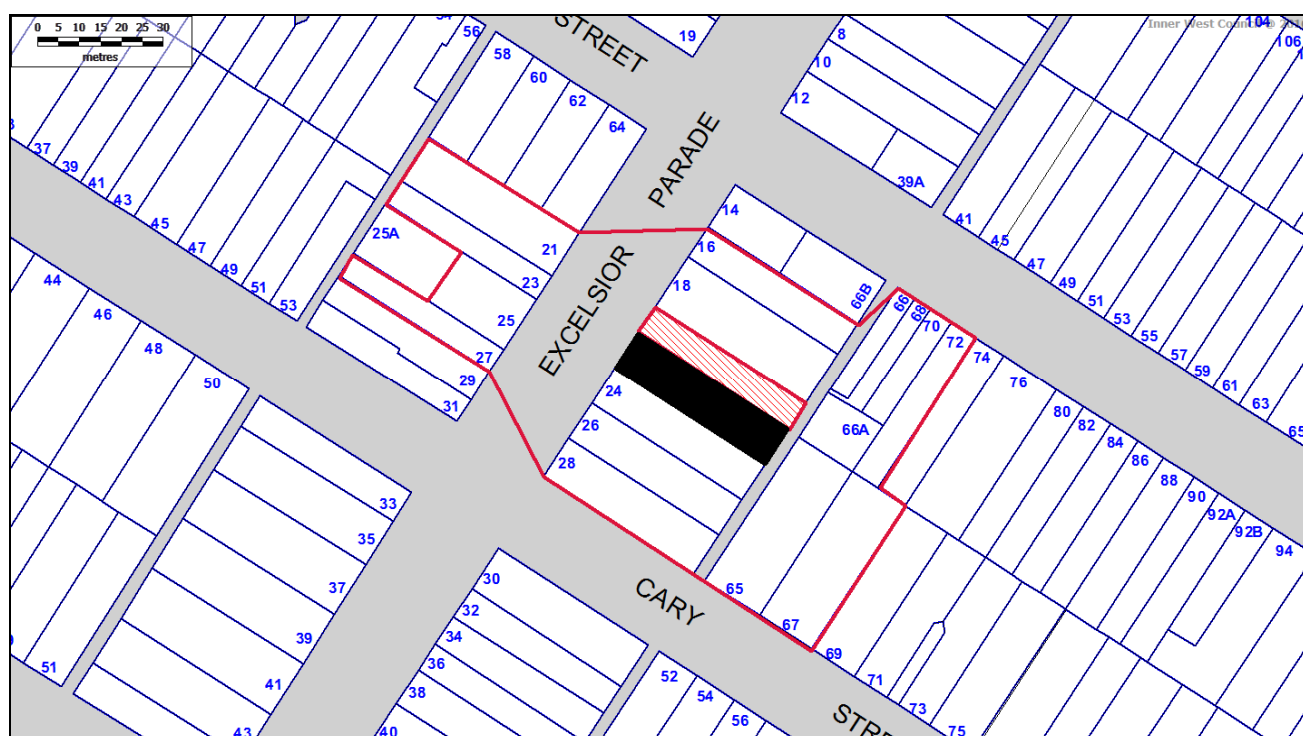







# INNER WEST COUNCIL

## DEVELOPMENT ASSESSMENT REPORT

<b>Application No.</b>	DA201100468.01
<b>Address</b>	22 Excelsior Parade, Marrickville
<b>Proposal</b>	Modify Determination No. 201100468 to carry out modifications to all floors, convert the cellar to a bedroom, bathroom and laundry on the lower floor plan, modify openings and providing a linking roof on the topmost floor to attic.
<b>Date of Lodgement</b>	16 August 2018
<b>Applicant</b>	GRAPHIO AM
<b>Owner</b>	Mr S Angelopoulos
<b>Number of Submissions</b>	1 submission
<b>Value of works</b>	Nil
<b>Reason for determination at Planning Panel</b>	The variation to FSR development standard exceeds 10%
<b>Main Issues</b>	Rear setback
<b>Recommendation</b>	Consent subject to conditions
<b>Attachment A</b>	Recommended Modified conditions of consent
<b>Attachment B</b>	Architectural Plans
<b>Attachment C</b>	Consent Determination No. 201100468
<b>Attachment D</b>	Approved Plans Determination No. 201100468



<b>Subject Site:</b> 	<b>Objectors:</b> 
<b>Notified Area*:</b> 	<b>*Previous objectors to DA201100468 also notified.</b>

## 1. Executive Summary

This report concerns an application under Section 4.55 of the Environmental Planning and Assessment Act to modify Determination No. 201100468 dated 10 November 2011 to carry out modifications to all floors, convert the cellar to a bedroom, bathroom and laundry on the lower floor plan, modify openings and providing a linking roof on the topmost floor to attic. The application was notified in accordance with Council's notification policy and 1 submission was received.

The application is referred to the Inner West Local Planning Panel for determination because the development results in a variation to the floor space ratio development standard prescribed by Clause 4.4 of MLEP 2011 of 36sqm or 17.2%.

It is considered the proposal generally complies with the provisions of Marrickville Local Environmental Plan 2011 (MLEP 2011) with the exception of the variation to the FSR development standard as above. The development is generally consistent with the provisions of Marrickville Development Control Plan 2011 (MDCP 2011), however the proposed rear extension results in unreasonable impacts on the amenity of neighbouring development and is not consistent with Council's rear setback controls.

The potential impacts to the surrounding environment have been considered as part of the assessment process. It is considered that subject to the rear building alignment being reverted back to the original approval, the proposal is acceptable.

The application is recommended for approval subject to appropriate conditions.

## 2. Proposal

Approval was granted by Determination No. 201100468 on 10 November 2011 to demolish part of the premises and carry out lower ground, ground and first floor alterations and additions to a dwelling house on the above property.

Approval is now sought to modify the consent to carry out modifications to all floors including converting the approved cellar to a bedroom, bathroom and laundry on the lower floor plan, modify openings and extend the rear alignment of the ground floor and modify openings, provide a linking roof and extend the rear alignment on the topmost floor to attic

Specifically, the works include the following:

### *Lower Ground Floor*

- Storage cellar converted into guest bedroom
- New laundry area & relocation of bath
- Rumpus area converted into bar
- New windows W2, W5, W6, W7, W8

### *Ground Floor*

- Juliette balcony extended by 1 metre
- New sitting area off dining room, floor plan extended by 850mm toward rear
- Void next to stairwell
- Window in dressing to be bricked up
- New window W11, W12, W7, W13

*First Floor*

- Access to roof space of existing dwelling
- Extend floor by 1000mm to the rear
- Window 14 reduced in size
- Window 15 reduced in size
- Window 16 increased by 300mm
- New window 17

Amended plans were submitted to Council on 8 December 2018 indicating the deletion of the lower ground floor bar, the overall height dropped by 100mm and the size of the first floor link to the existing roof reduced in height and width. The amended plans are the subject of this assessment.

### 3. Site Description

The site is located on the eastern side of Excelsior Parade, between Renwick Street and Cary Street, Marrickville. The site is legally described as Lot 2 in Deposited Plan 959397, having a 10.06 metre frontage to Excelsior Parade, a depth of 42.67 metres and is 429.1sqm in area. The site has a rear frontage of 10.06 metres to Johnston Lane.

The site currently contains a 2 storey dwelling house and a rear garage. Vehicular access to the site is obtained from Johnston lane.

The surrounding area is characterised by low density residential development. To the north of the site is 20 Excelsior Parade which contains a recently constructed 2 part 3 storey dwelling house and to the south is 24 Excelsior Parade which contains a 2 storey dwelling house.

### 4. Background

#### 4(a) Site history

Determination No. 201100468 dated 10 November 2011 approved an application to demolish part of the premises and carry out lower ground, ground and first floor alterations and additions to a dwelling house on the above property.

#### 4(b) Application history

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

Date	Event
16 August 2018	Subject application lodged.
8 December 2019	Amended plans provided to Council.

### 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:

- Marrickville Local Environmental Plan 2011
- Marrickville Development Control Plan 2011

The following provides further discussion of the relevant issues:

### 5(a)(i) Marrickville Local Environment Plan 2011 (MLEP 2011)

The application was assessed against the following relevant clause of MLEP 2011:

- Clause 4.4 – Floor Space Ratio

#### (i) Floor Space Ratio (Clause 4.4)

Clause 4.4(2A) of MLEP 2011 specifies a maximum floor space ratio for a dwelling house on land labelled “F” on the Floor Space Ratio Map that is based on site area as follows:

Site area	Maximum floor space ratio
>400sqm	0.5:1

A maximum floor space ratio (FSR) of 0.5:1 applies to the land as indicated on the Floor Space Ratio Map that accompanies MLEP 2011. The development has a gross floor area (GFA) of 251.53sqm which equates to a FSR of 0.58:1 on the 429.1sqm site and does not comply with the FSR development standard. The development results in a variation to the FSR development standard by 36sqm or 17.2%.

The development exceeds the maximum floor space ratio development standard prescribed under Clause 4.4 of MLEP 2011. Whilst a S4.55 application is not required to submit a written request for exceptions to development standard under Clause 4.6 of MLEP 2011, the application was accompanied by a written submission which seeks to justify the variations. The submission makes the following comments, in part:

- The proposed new dwelling follows the objectives set out in the building typologies with the new proposed works concentrated at the rear of the parent allotment with building articulation and roof forms sensitive to neighbouring properties and the streetscape appearance from Excelsior Parade.*
- The proposal when viewed from the street is well articulated with a centralised built form and façade incorporating design interest and efficiencies. Notably, the streetscape appearance, through material selection (refer to street elevation plan) & architectural design will complement the streetscape character of the locality.*
- The proposed new development works are sympathetic in scale in the general context of the streetscape and the surrounding locality, with the immediate area containing one and two storey attached residential developments.*
- Numerous examples of first floor additions and two storey residences are present on the subject street, as well as the surrounding locality. The proposed development will not set a precedent in the area.*
- Visual privacy to neighbouring properties is preserved by incorporating design elements and inclusions such as privacy screens where needed.*
- Solar access to the private open space of neighbouring dwellings is detailed in the accompanying shadow diagrams and is demonstrated to have no appreciable adverse impacts.*
- The building envelope, landscape & private open space are all numerically compliant, preserving neighbours amenities & keeping the local character of concord preserved.*



The development seeks to add an additional 22.53sqm to the original approved scheme. It is noted that the original scheme was approved with a variation of 5.1% and the variation was considered acceptable at the time of assessment.

The assessment of the original application was done in the context of the subject site being the only substantial redevelopment or addition to any dwelling on the western side of Excelsior Parade. Since that time, a significantly alteration and addition to the adjoining dwelling to the north of the site at No. 20 Excelsior Parade was approved and given Council's merit-based controls for rear building setbacks, the assessment of that application concluded that the rear building alignment should specifically match that of the approved development on the subject site to ensure a consistent rear boundary alignment and respect the precedent set by the subject site. Modified Determination No. 201600083 dated 27 March 2017 approved an application to carry out lower ground, ground and first floor alterations and additions to the dwelling at No. 20, and the rear boundary alignment of the ground and first floor levels were approved to match those of the subject approval.

The objectives of the FSR development standard as prescribed by Clause 4.4 of MLEP 2011 are as follows:

- “(a) to establish the maximum floor space ratio,*
- (b) to control building density and bulk in relation to the site area in order to achieve the desired future character for different areas,*
- (c) to minimise adverse environmental impacts on adjoining properties and the public domain.”*

As discussed throughout this report as part of the assessment of the application under the built form controls contained in MDCP 2011, the development is considered to result in unreasonable building density and bulk and results in adverse impacts on adjoining dwellings. The proposed built form would not be consistent with the existing or emerging character of the area. The development, as proposed to be amended, is therefore not consistent with the objectives of Clause 4.4 of MLEP 2011.

Notwithstanding, it is considered that the proposal is acceptable subject to a condition requiring the rear building alignment to be reverted back to the original approval. A condition to such effect is included in the recommendation.

It is noted in Section 5(B)(i) below that the provisions of Draft Marrickville Local Environmental Plan 2011 (Amendment 4), specifically under *Recommendation L-4.4 (01)* would make the maximum FSR for the site 0.6:1 and therefore the proposal would comply with the FSR development standard should the Draft LEP Amendment be gazetted. Notwithstanding future compliance with the numerical control, consistency with the objectives of the standard has not been achieved.

## 5(b) Draft Environmental Planning Instruments

### 5(b)(i) Draft Marrickville Local Environmental Plan 2011 (Amendment 4)

Draft Marrickville Local Environmental Plan 2011 (Amendment 4) (the Draft LEP Amendment) was placed on public exhibition commencing on 3 April 2018 and accordingly is a matter for consideration in the assessment of the application under Section 4.15(1)(a)(ii) of the Environmental Planning and Assessment Act 1979.

The amendments are primarily housekeeping matters that seek to address misdescriptions, errors, omissions, anomalies and inconsistencies in the written instrument and maps, ensure consistency in the application of controls, or improve communication in the Plan.

The following extract from the draft instrument is provided below to illustrate the proposed changes to Clause 4.4(2A) of MLEP 2011 which are of relevance to the proposal:

*“Under Clause 4.4 (2A) the maximum floor space ratio for various forms of residential accommodation (namely attached dwellings, bed and breakfast accommodation, dwelling houses and semi-detached dwellings) on land labelled “F” on the Floor Space Ratio Map with a site area greater than 400sqm is restricted to 0.5:1.*

*To ensure consistency in the FSR controls with the other forms of development permitted, it is recommended that the upper site area listing for sites greater than 400sqm for development for the purposes of attached dwellings, bed and breakfast accommodation, dwelling houses and semi-detached dwellings) on land labelled “F” on the Floor Space Ratio Map be deleted.*

*The deletion of the upper site area listing of “> 400 square metres” from the table to Clause 4.4 (2A) would mean that a maximum floor space ratio of 0.6:1 would apply to attached dwellings, bed and breakfast accommodation, dwelling houses and semi-detached dwellings on land labelled “F” on the Floor Space Ratio Map, on land with a site area greater than 350 square metres, the same maximum FSR that applies to other forms of development permitted on such land.*

**Recommendation L-4.4 (01):**

*That the Site area and Maximum floor space ratio table in Clause 4.4 (2A) of MLEP 2011 be amended by the deletion:*

<i>“&gt; 350 ≤ 400 square metres</i>	<i>0.6:1</i>
<i>&gt; 400 square metres</i>	<i>0.5:1”</i>

*and the insertion of:*

<i>“&gt; 350 square metres</i>	<i>0.6:1”</i>
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The amended provisions the Draft LEP Amendment would make the maximum FSR on the site 0.6:1 and therefore the proposal would comply with the maximum FSR development standard.

## 5(c) Development Control Plans

### 5(c)(i) Marrickville Development Control Plan 2011 (MDCP 2011)

The provisions contained in MDCP 2011 that are relevant to the assessment of the application are considered below:

#### (i) Visual and Acoustic Privacy (Part 2.6)

The development includes a number of new and relocated windows as follows:

#### **Lower ground floor**

The development includes a relocated W1 and new windows W2, W3A, W5, W6, W7 and W8. All new windows are generally obscured by the existing boundary fencing at ground level. Furthermore, the windows generally service low activity areas including a laundry, bathroom, bedroom and storeroom, with the exception of window W3A which is 355mm wide and window W6 which services a stairway. No concern is raised over these windows in regards to visual privacy.

A submission was received raising visual privacy concerns over the windows on the northern elevation, being windows W5, W6, W7 and W8. It is noted that there is a solid masonry wall along the entire length of the southern elevation of No. 20 to the north and therefore there are no visual privacy concerns raised over these windows.

### **Ground floor**

The development includes new windows W3B, W7, W11, W12, W13. Window W13 replaces 2 approved windows in a similar location servicing an ensuite and window W7 is 355mm wide and services a void and therefore no visual privacy concerns are raised over these windows.

Windows W11 and W12 replace approved full height glazing along the entire length of the northern elevation. The windows are reduced in size and include full height timber screening to ameliorate any potential privacy impacts on the neighbouring dwelling to the north at No.20 and therefore there are no visual privacy concerns raised over these windows.

The window servicing the kitchen which is not numbered is a splashback height window. This window is approved however was previously covered with fixed timber screening and has the potential for overlooking into the neighbouring dwelling to the south at No. 24. Given the potential visual privacy impacts, a condition is included in the recommendation requiring this window to be either fixed and treated with translucent glazing or for the timber louvres to extend in front of this window.

Window W10 and door D2 on the eastern elevation retain the approved full height timber screening and therefore no concern is raised in regards to visual privacy.

### **First floor**

The development includes a reduction in size of windows W15 and W16 and a new window W17.

Windows W15 and W16 are reduced in size and service an ensuite and stair well. Condition 14 of the original determination required the ensuite window to be appropriately screened. It is recommended that this condition be modified to include both windows W15 and W16 to ameliorate any potential visual privacy impacts on No. 20 to the north.

W17 services an attic storage and access way and is indicated on the plans and being fixed and treated with translucent glazing and therefore no concern is raised in regards to privacy.

Window W14 and door D3 on the eastern elevation retain the approved full height operable louvres and therefore no concern is raised in regards to visual privacy

The BASIX Certificate submitted with the application indicates a number of inconsistencies regarding screening to the ground and first floor windows. Whilst the plans prevail over any inconsistency with BASIX, a condition is included in the recommendation requiring an amended BASIX Certificate to be submitted addressing those inconsistencies in accordance with the approved plans.

#### **(ii) Built Form and Character (Part 4.1.6)**

##### **4.1.6.1 Floor space ratio and height**

Council's floor space ratio (FSR) and height development standards aim to facilitate an acceptable bulk and scale of development that maintains a satisfactory relationship with adjoining development and the wider street context. Control C8 prescribes that notwithstanding compliance with the numerical development standards, development must

present a bulk and relative mass that is acceptable for the street and adjoining dwellings in terms of overshadowing and privacy; bulk and scale; and building setbacks, among other things.

The development involves an increase to the overall height of the development by 236mm and has an overall height of 8.69 metres which complies with the height development standard. The development includes an increased floor area of 22.53sqm and the development results in a variation to the floor space ratio development standard prescribed by 36sqm or 17.2%.

As discussed below, the development does not present a bulk and scale that is acceptable and does not comply with the objectives for rear boundary setbacks. The reduced rear setback would not be consistent with the precedent for rear setbacks set by the original approval on the subject site and the approval on the site to the north at No. 20. The reduced rear setback would exacerbate overshadowing impacts on the neighbour to the south at No. 24 and this is not considered reasonable considering the significant variation to the FSR development standard.

Notwithstanding the above, it is considered that a condition requiring the rear building alignment to be reverted back to the original approval would ameliorate the most significant additional impacts of the proposed increase in building envelope on neighbouring properties.

Subject to this relatively minor adjustment, the proposed schedule of modifications are acceptable. A condition to such effect is included in the recommendation.

#### 4.1.6.2 Building setbacks

Part 4.1.6.2 prescribes objectives and controls for setbacks.

No change to the existing side boundary setbacks is proposed as part of this application therefore the appropriateness of those setbacks has not been reassessed.

Control C10iii prescribes the following for rear setbacks:

- “iii. Rear setback must:*
- a. Where a predominant first storey rear building line exists, is consistent and visible from the public domain, aim to maintain that upper rear building line;*
  - b. In all other cases, be considered on merit with the adverse impacts on the amenity of adjoining properties being the primary consideration along with ensuring adequate open space “*

The subject site currently has approval for a 3 storey addition to the rear of the existing dwelling. The rear boundary setbacks vary per storey and are outlined below:

	Approved setback	Proposed setback
<b>Ground Floor</b>	21.36m - 20.70m	No change
<b>First Floor</b>	20.57m – 18.67m	19.57m – 17.57 (1m to 1.1m reduced)
<b>Second Floor</b>	20.33 – 19.03	19.08 – 18.08 (1.25m to 0.95m reduced)

As indicated above, the development generally reduces the rear boundary setback by 1,250mm to 950mm.

The approved development currently under construction on the adjoining property to the north at No. 20 is the only other development on the eastern side of Excelsior Parade with a

3 storey rear form. The development at No. 20 provides rear setback on the ground and first floor level to be consistent with the original approval on the subject site.

Whilst it is acknowledged that a predominant first storey rear building alignment does not exist, a precedent has been set by the original approval and the development under construction at No. 20. The extension of the ground and first floor rear alignments to extend beyond that of No. 20 would encourage other future developments to use the reduced, non-compliant setback as a precedent. The reduced setback, if repeated down the street, will fail to provide adequate private open space and area for planting.

Amended shadow diagrams were not submitted with the subject application to illustrate any additional impact as a result of the increase floor plate on the upper levels, however it can be extrapolated that the extent of overshadowing on the private open space of No. 24 to the south would be exacerbated, both due to the increased overall height and length of the addition. Whilst complying with Council's controls, it is considered that the increased in the already non-compliant FSR on site would cause increased overshadowing impacts to No. 24 and this would not represent an improved planning outcome.

The 'Impact on neighbouring properties' Planning Principle specified in *Davis v Penrith City Council [2013] NSWLEC 1141* at 121 provides matters to consider when assessing the impact caused by a development. These are outlined below:

***"121 Revised planning principle: criteria for assessing impact on neighbouring properties"***

*The following questions are relevant to the assessment of impacts on neighbouring properties:*

- How does the impact change the amenity of the affected property? How much sunlight, view or privacy is lost as well as how much is retained?*
- How reasonable is the proposal causing the impact?*
- How vulnerable to the impact is the property receiving the impact? Would it require the loss of reasonable development potential to avoid the impact?*
- Does the impact arise out of poor design? Could the same amount of floor space and amenity be achieved for the proponent while reducing the impact on neighbours?*
- Does the proposal comply with the planning controls? If not, how much of the impact is due to the non-complying elements of the proposal?"*

When considering the matters above, it is emphasised that the proposal represents a significant variation to the FSR development standard, being 36sqm or 17.2%. It is acknowledged that the original approval did allow a variation, however the increase to the variation is almost entirely caused by the increased floor plate on the ground and first floor levels. Therefore, the entirety of the increased overshadowing and visual bulk impacts can be attributed to the non-complying elements of the proposal.

Although the approved development did result in some overshadowing and bulk impacts, this was considered reasonable given the relatively minor variation to FSR,. The subject application seeks a 17.2% variation to FSR and therefore is considered an overdevelopment of the site.

Notwithstanding the above, it is considered that subject to a condition requiring the rear building alignment to be reverted back to the original approval, the proposal is acceptable. A condition to such effect is included in the recommendation.

### 5(e) The Likely Impacts

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

### 5(f) The suitability of the site for the development

The site is zoned R2 Low Density Residential under the provisions of MLEP 2011. 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(g) Any submissions

The application was advertised, an on-site notice displayed on the property and residents/property owners in the vicinity of the property were notified of the development in accordance with Council's policy. 1 submission was received raising the following concerns which have already been discussed throughout the main body of this report:

- (i) Increased height – See Section 5(c)(ii)
- (ii) Reduced rear boundary setback – 5(c)(ii)
- (iii) Side Setbacks – See Section 5(c)(ii)
- (iv) Inconsistencies with BASIX Certificate – See Section s(c)(i)
- (v) Visual Privacy – See Section s(c)(i)

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

Issue: Capital investment value is extremely low

Comment: The application form submitted with the application states a cost of works of \$240,000. Whilst it is acknowledged that the cost may be low for a development of this size, the cost of works is generally only relevant for calculating the application fee S7.11 levy payable. The application fee in this instance is based on the historical DA fee and there is no S7.11 levy payable on this development given that no condition was imposed on the original approval. Having considered the above, the cost of works being potentially underquoted is not detrimental to the approval of the subject application.

Issue: Concerns regarding RL heights

Comment: Concern is raised over conflicting RL heights for the subject site and the neighbouring dwelling to the north at No. 20. The inconsistency is a result of the survey for the subject site adopting an assumed benchmark of RL20.00 at the kerb in the front of the site. The benchmark for the kerb in the front of the site at No 20 is RL15.84 AHD. Based on the survey at No. 20, there appears to be a difference of 2.38 metres between corresponding ridge lines of both dwellings with the land sloping down towards the north.

Notwithstanding, the development generally maintains the approved floor levels with the exception of the lower ground FFL reducing slightly and the overall height increasing slightly. No concern is raised in this regard.

Issue: Concerns regarding dilapidation report

Comment: Concern is raised that no dilapidation report has been completed and works have commenced on site. Any damage to adjoining properties is a civil matter



and therefore the requirement for a dilapidation report does not form part of this consent.

**Issue:** Concern regarding inadequate drainage and construction management plan

**Comment:** Concern is raised in regards to inadequate drainage plan and construction management plan. A Construction Management Plan which includes drainage details was submitted with the application and is considered to be acceptable.

**Issue:** No updated Schedule of materials and finishes

**Comment:** No change to the approved materials and finishes are proposed as part of the subject application and therefore no updated schedule is required.

### 5(h) The Public Interest

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

Whilst a submission has been received, the outcomes of this application are considered suitable for the reasons discussed within this report. The proposal is not contrary to the public interest.

## 6 Referrals

Nil

## 7. Section 7.11/7.12 Contribution/Levy

No S7.12 levy is applicable to this development as no levy was imposed on the original determination.

## 8. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in the MLEP 2011 and MDCP 2011. Subject to the imposition of appropriate conditions, the development will not result in any significant impacts on the amenity of the surrounding locality. The application is suitable for approval subject to the imposition of appropriate conditions.

## 9. Recommendation

- A. THAT the Inner West Local Planning Panel exercising the functions of the Council as the consent authority pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, modify the development consent Determination No. 201100468 dated 10 November 2011 under Section 4.55 of the Environmental Planning and Assessment Act to carry out modifications to all floors, convert the cellar to a bedroom, bathroom and laundry on the lower floor plan, modify openings and providing a linking roof on the topmost floor to attic subject to the conditions listed in Attachment A.
- B. THAT the person who lodged a submission be advised of the outcome of the determination.

**Attachment A – Recommended modified conditions of consent**

- A. THAT** the application under Section 4.55 of the Environmental Planning and Assessment Act 1979 to modify Determination No. 201100468 dated 10 November 2011 be **APPROVED** and a modified Determination be issued with the Determination being modified in the following manner:

(i) **THAT** the conditions 1, 13 and 14 being amended as follows:

1. The development must be carried out in accordance with plans and details listed below:

<b>Plan No. and Issue</b>	<b>Plan/ Certificate Type</b>	<b>Date Issued</b>	<b>Prepared by</b>	<b>Date Submitted</b>
DA00 to DA06	Architectural Plans	Sept 2011	Arch Media Solutions	29/9/11
Single A4 sheet	Schedule of Finishes	undated	Arch Media Solutions	29/9/11
A77778_02	BASIX Certificate	7/11/11	The Department of Planning	7/11/11

with the application for development consent and as amended by the plans and details listed below:

<b>Plan/Document No. and Issue</b>	<b>Plan/Cert Type</b>	<b>Date Issued</b>	<b>Prepared by</b>	<b>Date Submitted</b>
S96_2.00 4	Site Plan	19 December 2018	Graphio AM	8 December 2018
S96_2.01 1	Construction Management Plan	19 December 2018	Graphio AM	8 December 2018
S96_3.00 4	Lower Ground Floor Plan	19 December 2018	Graphio AM	8 December 2018
S96_3.001 4	Ground Floor Plan	19 December 2018	Graphio AM	8 December 2018
S96_3.002 4	First Floor Plan	19 December 2018	Graphio AM	8 December 2018
S96_4.00 4	Section	19 December 2018	Graphio AM	8 December 2018
S96_5.00 4	Elevation	19 December 2018	Graphio AM	8 December 2018
S96_6.00 4	Elevation	19 December 2018	Graphio AM	8 December 2018

A77778_03	BASIX Certificate	10 July 2018	Planning & Infrastructure	16 August 2018
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and details submitted to the Council on 16 August 2018 and 8 December 2018 with the application under Section 4.55 of the Environmental Planning and Assessment Act and the following conditions.

Reason: To confirm the details of the application as submitted by the applicant.

13. Plans and specifications fully reflecting the selected commitments listed in the amended BASIX Certificate, including an updated window schedule to reflect the window treatments on the approved plans, being submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.

**Note:** The application for the Construction Certificate must be accompanied by either the BASIX Certificate upon which development consent was granted or a revised BASIX Certificate issued no earlier than 3 months before the date of lodgement of the application for the Construction Certificate. (Refer to Clause 6A of Schedule 1 to the Regulation)

Reason: To ensure that the BASIX commitments are incorporated into the development.

14. Before the issue of a Construction Certificate amended plans shall be submitted to Council's satisfaction indicating windows W15, W16 and the unnumbered kitchen window on the southern elevation altered to comply with one of the following requirements:

- a) A minimum sill height of 1.6m above the floor level;
- b) Fixed and translucent glazing to a minimum level of 1.6m above the floor level; or
- c) Suitable externally fixed screening with a minimum blockout density of 75% to a level of 1.6m above the floor level.

Reason: To protect the privacy of the adjoining properties.

(ii) **THAT** the following additional condition be included in the Determination:

- 14A. Before the issue of a Construction Certificate amended plans shall be submitted to Council's satisfaction indicating the rear alignment of the ground and first floor level not extending any further than the scheme approved as part of Determination No. 201100468 dated 10 November 2011.

Reason: To protect the amenity of adjoining properties.

## Attachment B – Plans of proposed development

**SURVEY NOTES**

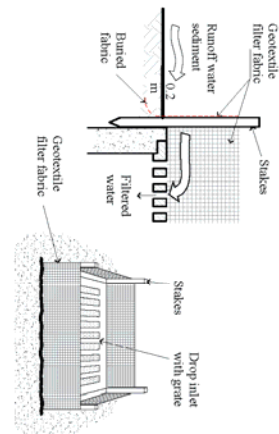
THE EXISTING SITE CONDITIONS SHOWN ON THE FOLLOWING DRAWINGS HAVE BEEN INVESTIGATED BY APEN SURVEYING, BEING REGISTERED SURVEYORS. THE INFORMATION IS SHOWN TO PROVIDE A BASIS FOR DESIGN. ARCH MEDIA SOLUTIONS DOES NOT GUARANTEE THE ACCURACY OR COMPLETENESS OF THE SURVEY BASED ON ITS SUITABILITY AS A BASIS FOR CONSTRUCTION DRAWINGS.

**SITEWORKS NOTES**

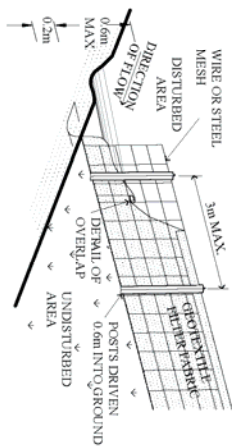
1. DATUM: REFER SURVEY NOTES
2. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND EXISTING LEVELS ON SITE PRIOR TO COMMENCEMENT OF WORK. ANY DISCREPANCIES TO BE REPORTED TO THE ENGINEER/SUPERINTENDENT.
3. STRIP ALL TOPSOIL FROM CONSTRUCTION AREA AND STOCKPILE ON SITE TO BE LATER SPREAD OR REMOVED FROM SITE AS DIRECTED BY THE SUPERINTENDENT.
4. MAKE SMOOTH CONNECTION WITH EXISTING WORKS.
5. ALL TRENCH BACKFILL MATERIAL SHALL BE COMPACTED TO THE SAME DENSITY AS THE ADJACENT MATERIAL.
6. ALL SERVICES TRENCHES UNDER VEHICULAR PAVEMENTS SHALL BE BACKFILLED WITH SAND OR AN APPROVED GRANULAR MATERIAL AND COMPACTED TO A MINIMUM 98% STANDARD DENSITY, IN ACCORDANCE WITH AS1289 5.1.1.
7. PROVIDE 100mm WIDE EXPANSION JOINTS BETWEEN BUILDING AND ALL CONCRETE OR UNIT PAVEMENTS.
8. ASPHALTIC CONCRETE SHALL CONFORM TO RTA FORM 612.
9. ALL BASE COURSE MATERIAL TO COMPLY WITH RTA FORM 3051 (UNBOUND), RTA FORM 3052 (BOUND) COMPACTED TO MINIMUM 98% MODIFIED DENSITY IN ACCORDANCE WITH AS1289 5.2.1. FREQUENCY OF COMPACTION TESTING SHALL NOT BE LESS THAN 1 TEST PER 50m OF BASE COURSE MATERIAL PLACED.
10. ALL SUB-BASE COURSE MATERIAL TO COMPLY WITH RTA FORM 3051 AND COMPACTED TO A MINIMUM 95% MODIFIED DENSITY IN ACCORDANCE WITH AS1289 5.2.1.
11. ALL LINE MARKING TO AS1742.
12. WHERE NOTED ON THE DRAWINGS THAT WORKS ARE TO BE COMPLETED BY OTHERS (ADJUSTMENT SERVICES), THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CO-ORDINATION OF THESE WORKS.

**EROSION AND SEDIMENT CONTROL NOTES**

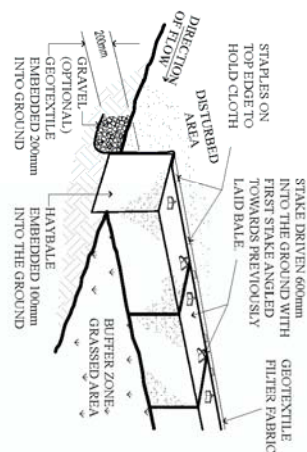
1. ALL WORK SHALL BE GENERALLY CARRIED OUT IN ACCORDANCE WITH A LOCAL AUTHORITY REQUIREMENTS.
2. MAINTAIN THE EROSION CONTROL DEVICES TO THE SATISFACTION OF THE SUPERINTENDENT AND THE LOCAL AUTHORITY.
3. WHEN STORMWATER PITS ARE CONSTRUCTED, PREVENT SITE RUNOFF ENTERING UNLESS SILT FENCES ARE ERECTED AROUND PITS.
4. CONTRACTOR IS TO ENSURE ALL EROSION & SEDIMENTATION CONTROL DEVICES ARE MAINTAINED IN GOOD WORKING ORDER AND OPERATE EFFECTIVELY. REPAIRS AND/OR MAINTENANCE SHALL BE UNDERTAKEN AS REQUIRED, PARTICULARLY FOLLOWING STORM EVENTS.

**GEOTEXTILE FILTER FABRIC SURROUND**

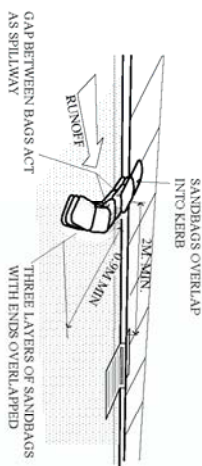
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**SEDIMENT FENCE**

N.T.S.

**STRAW BALE AND GEOTEXTILE SEDIMENT FILTER**

N.T.S.

**SANDBAG SEDIMENT TRAP FOR KERB INLET ON GRADE**

N.T.S.

NO.	REVISION	DATE
1	FOR REVIEW	10/12/2010
2	FOR REVIEW	10/12/2010
3	FOR REVIEW	10/12/2010
4	FOR REVIEW	10/12/2010

FOR S&W, DA, CC / LANDSCAPE INSET ONLY

**GRAPHIO**  
 12 KINGSFORD ROAD, KINGSFORD, NSW 2148  
 02 9307 1234  
 FOR MR & MRS ANGELOPOULOS  
 Erosion & Sediment Control Plan  
 Scale: 1:50  
 500, 1:500, 1:1000

PAGE 378



## CONSTRUCTION NOISE & VIBRATION PLAN

**Objectives**

- Provide a clear understanding of ways to identify and minimise construction noise impacts
- Focus on applying all 'feasible' and 'reasonable' work practices to minimise construction noise impacts
- Encourage construction to be undertaken only during the permitted hours of construction
- Streamline the assessment and approval stages and reduce time spent dealing with complaints at the project implementation stage
- Provide a clear understanding of the noise and vibration work practices needed to minimise these impacts

All building operations for the erection or alteration of a new building must be restricted to the hours of 7:00am-5:00pm Monday through to Saturday. No mechanical building equipment can be used after 12:00noon. No work is allowed on Sundays or Public Holidays.

The recommended standard hours for construction work are shown in Table 1; however, they are not mandatory. There are some circumstances where construction work may be required to be undertaken outside of these hours. The likely noise impacts and the ability to undertake works during the recommended standard hours should be considered when scheduling work.

## DEMOLITION PLAN

Demolition must be prepared for the development in accordance with Australian Standard AS2591:2001.

Demolition of structures is relevant environmental / occupational health & safety requirements.

Contractor: THC

Licensee:

Demolition:

Demolition will begin February 2015

Method of demolition:

- Hand demolition will be used where applicable
- Hand held small machinery will also be used where needed

No objects have been detected on site. If during the demolition process, asbestos is detected, appropriate measures will be taken in the removal process.

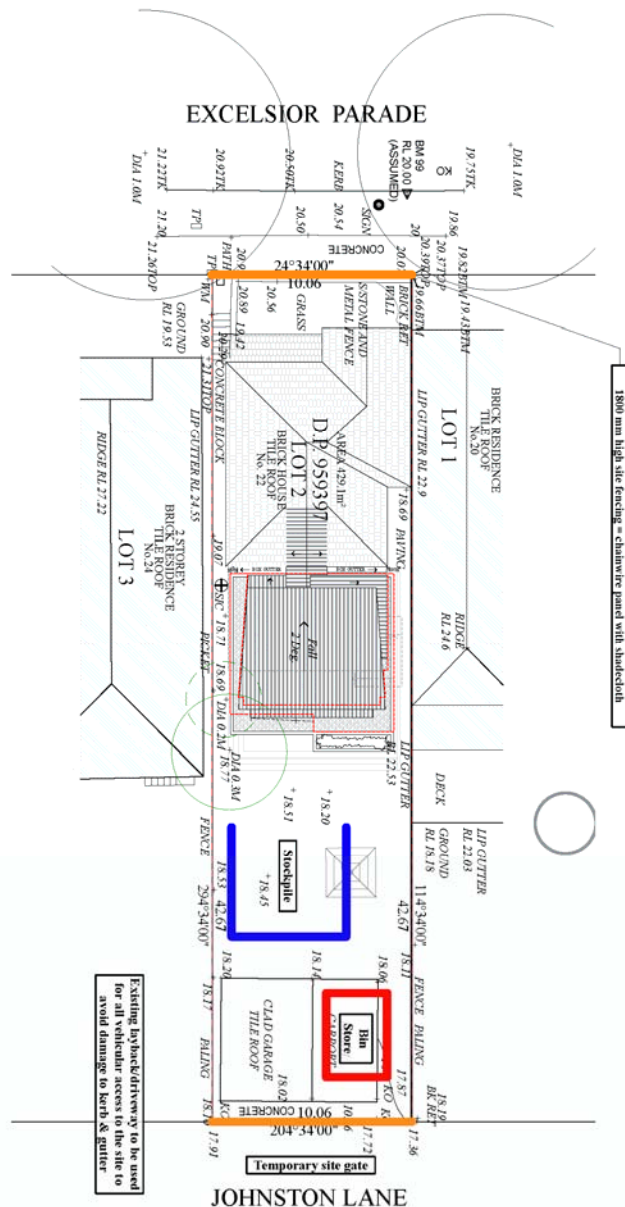
## CONSTRUCTION MANAGEMENT PLAN

Construction of the following measures on site will be undertaken to minimise waste and save resources:

- Minimise the use of materials
- Minimise the quantity of materials
- Minimising site disturbance
- Careful separation of off-cuts to facilitate re-use, resale or efficient recycling
- Co-ordination sequencing of various trades
- Refer to plan for specific designated areas

## STORMWATER DRAINAGE NOTES

1. All work shall be in accordance with the Building Code of Australia AS3600, current standard specification codes and the satisfaction of the engineering authority.
2. Minimum grades for all pipe - 1.0%
3. Proposed second level addition is directly above existing impervious areas, therefore no additional impervious area has resulted and no on-site detention is required.
5. Future proposed roof area downpipes are directed into existing downpipes.
5. All design levels shown on plan shall be verified onsite prior to the commencement of any work.
6. Any discrepancies or omissions shall be referred to the design engineer for resolution.



Notes

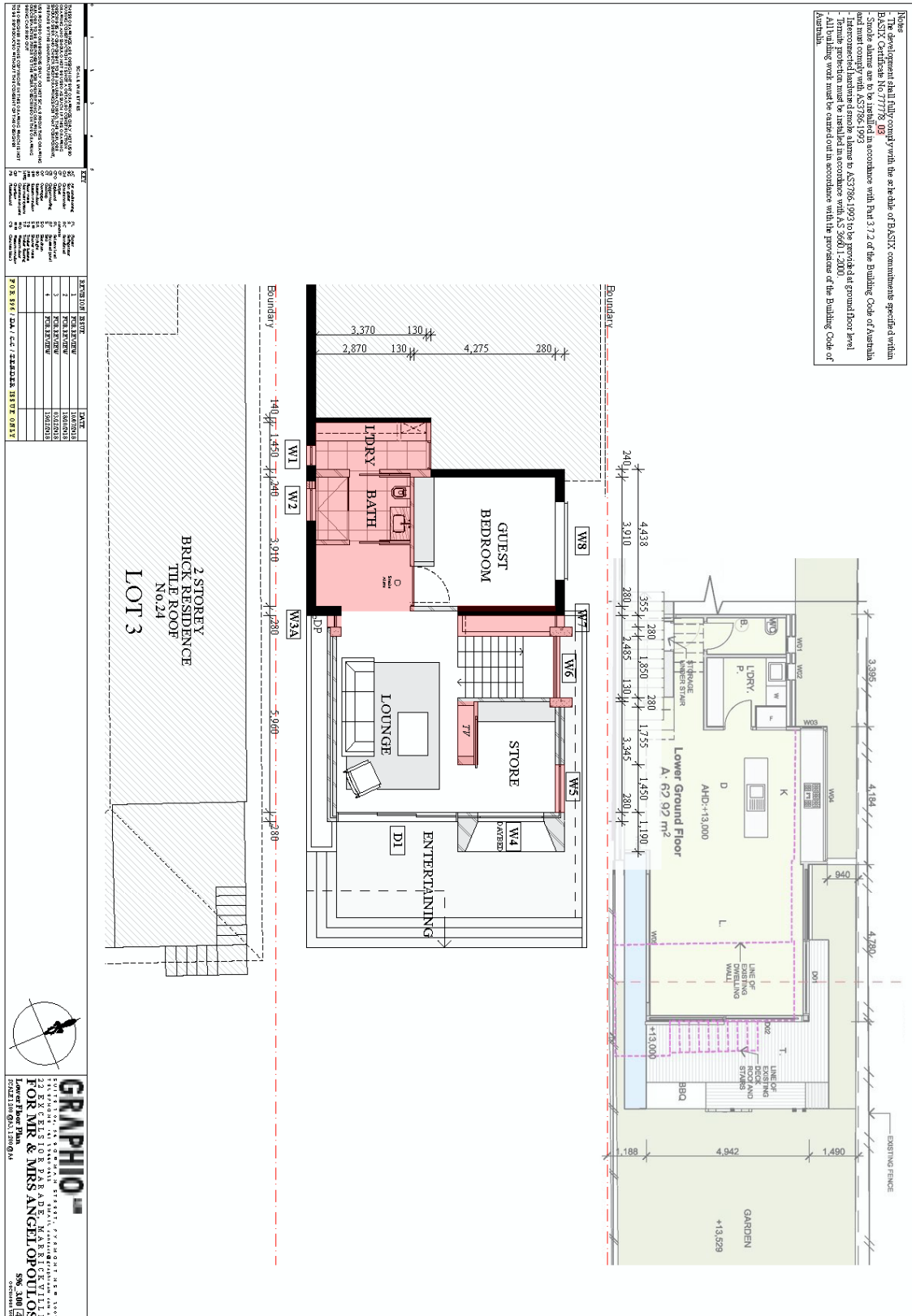
- The development shall fully comply with the schedule of BASIX commitments specified within BASIX Certificate No. 777778. 03
- Smoke alarms are to be installed in accordance with Part 3.7.2 of the Building Code of Australia
- Interconnected hardwired smoke alarms to AS1786-1:2001 to be provided at ground floor level
- Fencing protection must be installed in accordance with AS 1660.1:2000
- All building work must be carried out in accordance with the provisions of the Building Code of Australia

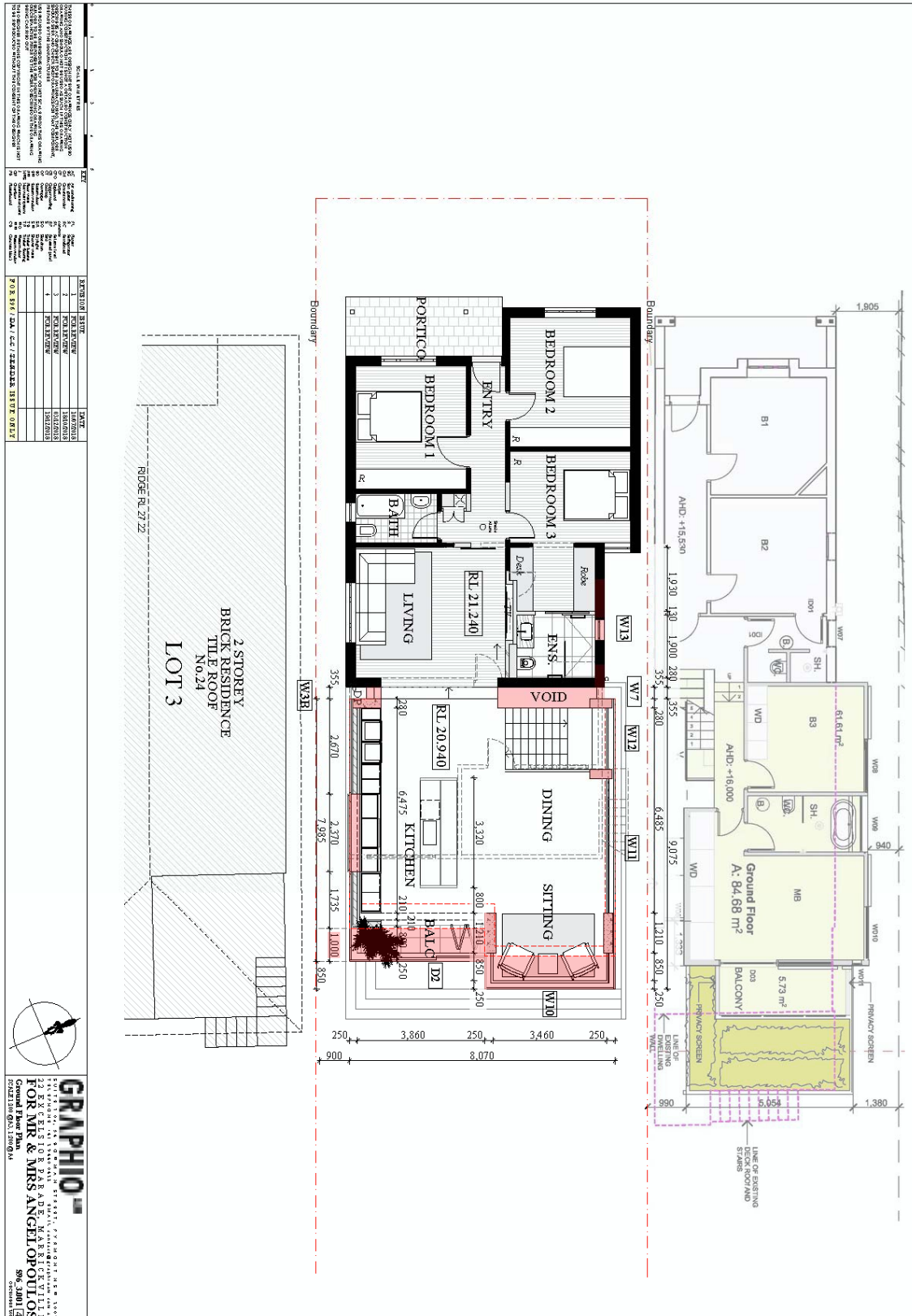
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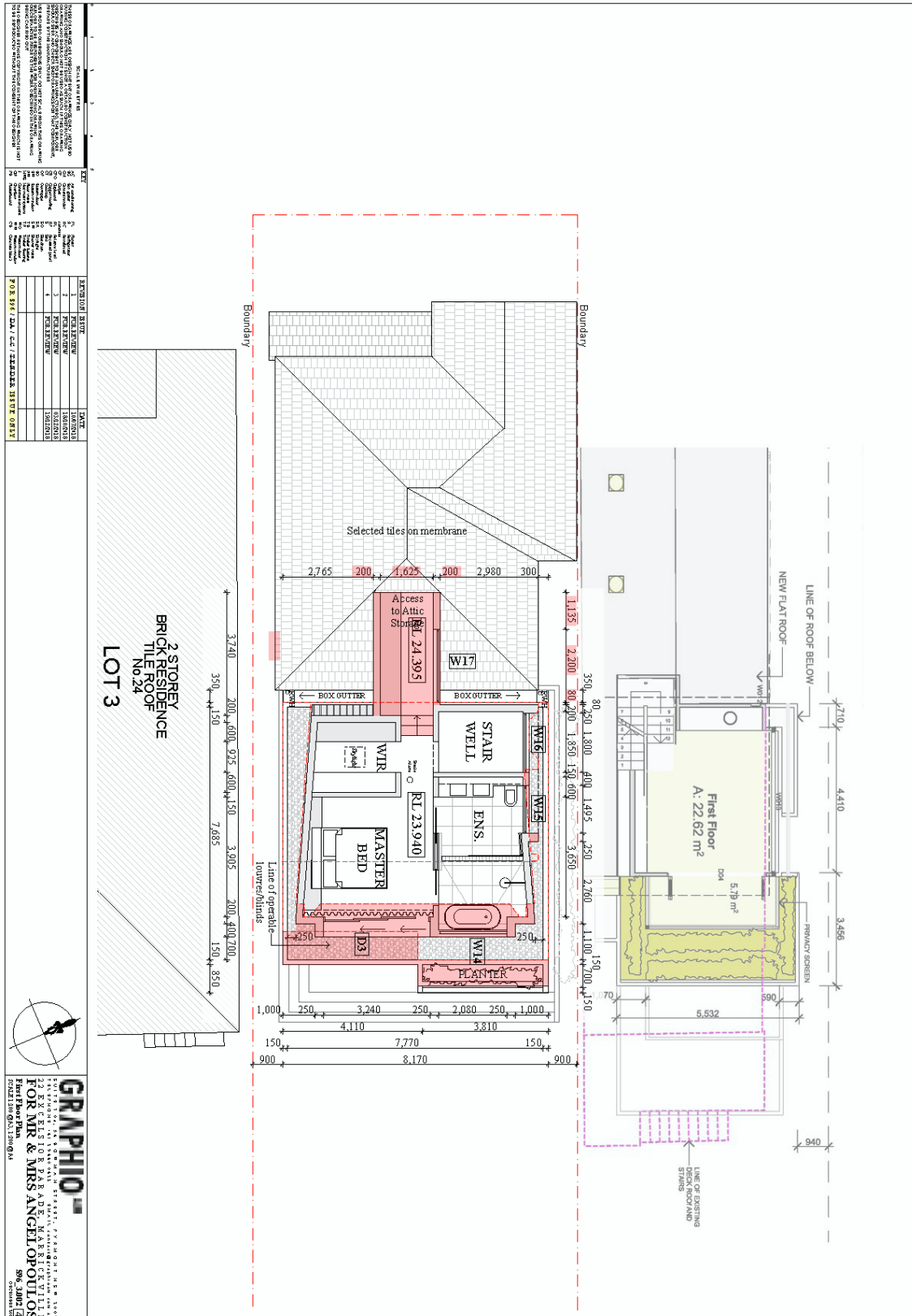
**GRAPHIO**

23 EXCELSIOR PARADE, MARIBYTTVILLE  
Construction Management Plan  
506 201 131





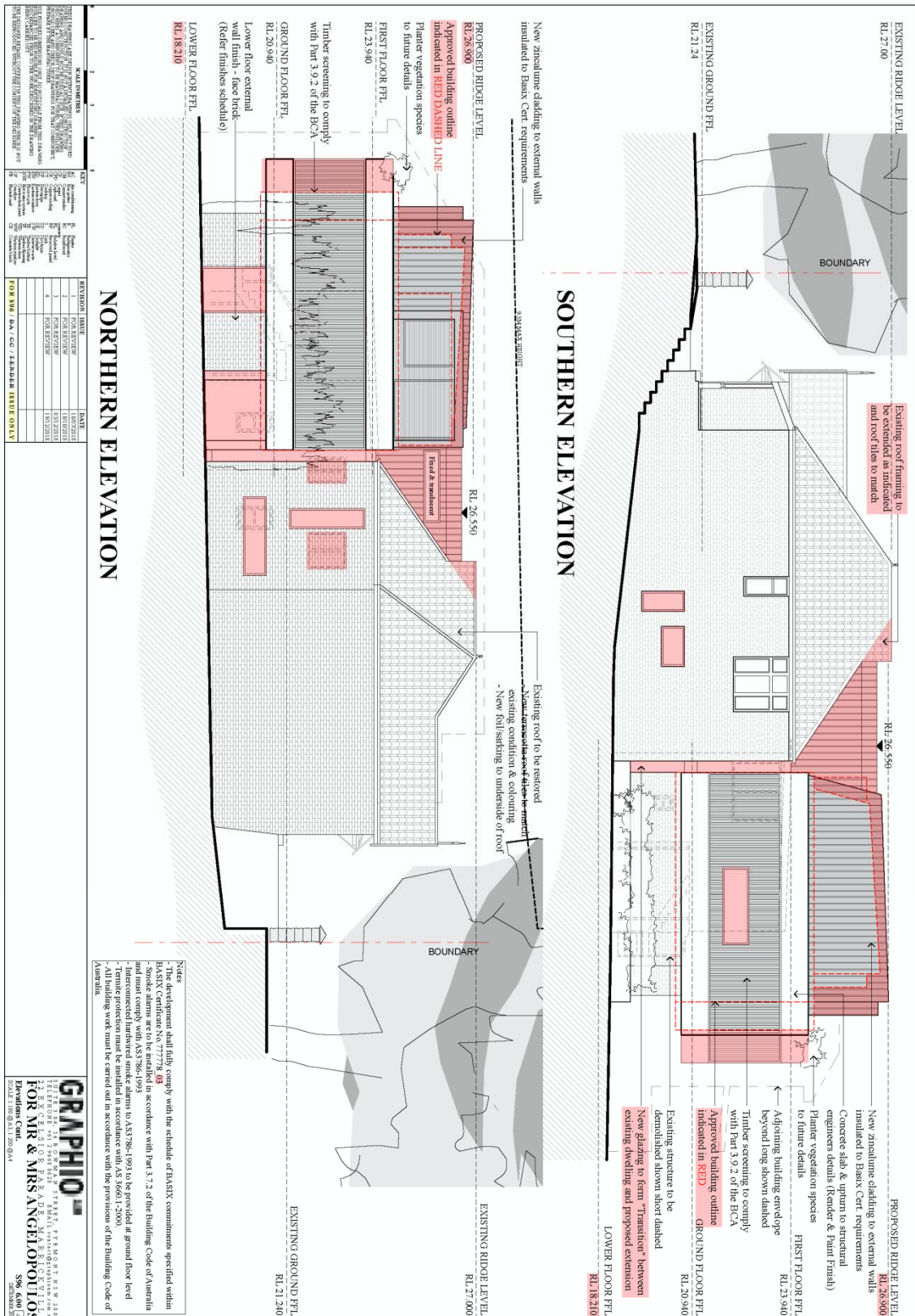














**Attachment C –Determination No. 201100468 dated to 10 November 2011**

DA201100468 CLEN4

**DETERMINATION NO. 201100468**

10 November 2011

MR G ANGELOPOULOS  
22 Excelsior Parade  
MARRICKVILLE NSW 2204

Dear Sir/Madam

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 ("THE ACT")  
NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION**

Pursuant to Section 81 of the Act, notice is hereby given of the determination by the Council of **Development Application No. 201100468** to demolish part of the premises and carry out lower ground, ground and first floor alterations and additions to a dwelling house relating to property situated at:

**22 EXCELSIOR PARADE, MARRICKVILLE**

In determining this application, the Council considered all matters listed under Section 79C of the Act that were relevant to the Development Application.

The Development Application was determined on 10 November 2011 by the granting of **CONSENT** subject to the following conditions:

1. The development must be carried out in accordance with plans and details listed below:

Plan No. and Issue	Plan/ Certificate Type	Date Issued	Prepared by	Date Submitted
DA00 to DA06	Architectural Plans	Sept 2011	Arch Media Solutions	29/9/11
Single A4 sheet	Schedule of Finishes	undated	Arch Media Solutions	29/9/11
A77778_02	BASIX Certificate	7/11/11	The Department of Planning	7/11/11

with the application for development consent and as amended by the following conditions.

Reason: To confirm the details of the application submitted by the applicant.

2. All building work must be carried out in accordance with the provisions of the Building Code of Australia.  
Reason: To ensure the work is carried out to an acceptable standard and in accordance with the Building Code of Australia.

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

Schedule	
Tree/location	Approved works
<i>Camellia japonica</i> (Japanese Camellia) located on the rear southern side boundary	Removal

Removal or pruning of any other tree on the site is not approved.

Reason: To ensure that the development is in accordance with the determination of Council.

#### **BEFORE COMMENCING DEMOLITION, EXCAVATION AND/OR BUILDING WORK**

For the purpose of interpreting this consent, a Principal Certifying Authority (PCA) means a principal certifying authority appointed under Section 109E(1) of the Environmental Planning and Assessment Act 1979. Pursuant to Section 109E(3) of the Act, the PCA is principally responsible for ensuring that the works are carried out in accordance with the approved plans, conditions of consent and the provisions of the Building Code of Australia.

4. No work shall commence until:
- A PCA has been appointed. Where Council is appointed ensure all payments and paper work are completed (contact Council for further information). Where an Accredited Certifier is the appointed, Council shall be notified within two (2) days of the appointment; and
  - A minimum of two (2) days written notice given to Council of the intention to commence work.

Reason: To comply with the provisions of the Environmental Planning and Assessment Act.

5. The PCA shall be provided with either of the following documents before work commences on site.
- A copy of the 'Contract of Insurance' (where the value of work exceeds \$12,000) and the details of the name and licence number of the builder/contractor who has been contracted to do or intends to do the work; or
  - A copy of a current owner-builder's permit (where the value of work exceeds \$5,000) issued by the Department of Fair Trading stating the name and permit number of the owner-builder who intends to do the work.

If these arrangements change, work shall cease until the Council has been given written notification of the updated information.

For information regarding Home Warranty insurance or owner-builder permits contact the Department of Fair Trading.

Reason: To comply with provisions of the Environmental Planning and Assessment Regulation.

6. A waste management plan shall be prepared in accordance with Marrickville Development Control Plan No. 27 - Waste Management and submitted to and accepted by the PCA before work commences.  
Reason: To ensure the appropriate disposal and reuse of waste generated on the site.
7. A Construction Certificate shall be obtained before commencing building work. Building work means any physical activity involved in the construction of a building. This definition includes the installation of fire safety measures.  
Reason: To comply with the provisions of the Environmental Planning and Assessment Act.
8. The site shall be enclosed with suitable fencing to prohibit unauthorised access. The fencing shall be erected as a barrier between the public place and any neighbouring property, before work commences.  

Enquiries for site fencing and hoardings in a public place, including the need for Council approval, can be made by contacting Council's Infrastructure Services Division.  
Reason: To secure the area of the site works maintaining public safety.
9. A rigid and durable sign shall be erected in a prominent position on the site, before work commences. The sign is to be maintained at all times until all work has been completed. The sign is to include:
  - a) The name, address and telephone number of the PCA;
  - b) A telephone number on which Principal Contractor (if any) can be contacted outside working hours; and
  - c) A statement advising: 'Unauthorised Entry To The Work Site Is Prohibited'.

Reason: To maintain the safety of the public and to ensure compliance with the Environmental Planning and Assessment Regulations.
10. Sediment control devices must be installed before the commencement of any work and must be maintained in proper working order to prevent sediment discharge from the construction site.  
Reason: To prevent soil erosion and sedimentation of Council's stormwater drainage system.
11. Where it is proposed to carry out works in public roads or Council controlled lands, a road opening permit shall be obtained from Council before the carrying out of any works in public roads or Council controlled lands. Restorations shall be in accordance with Marrickville Council's Restorations Code. Failure to obtain a road opening permit for any such works will incur an additional charge for unauthorised openings as provided for in Council's adopted fees and charges.  
Reason: To ensure that all restoration works are in accordance with Council's Code.

#### **BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE**

For the purpose of interpreting this consent the Certifying Authority (Council or an Accredited Certifier) is that person appointed to issue a Construction Certificate.

12. Evidence of payment of the building and construction industry Long Service Leave Scheme shall be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate. (The required payment can be made at the Council Offices).

**NB:** The required payment is based on the estimated cost of building and construction works and the long service levy rate, set by the Long Service Payments Corporation. The rate set by the Long Service Payments Corporation is currently of 0.35% of the cost of the building and construction work.

For more information on how to calculate the amount payable and where payments can be made contact the Long Services Payments Corporation.  
[http://www.lspc.nsw.gov.au/levy\\_information/?levy\\_information/levy\\_calculator.stm](http://www.lspc.nsw.gov.au/levy_information/?levy_information/levy_calculator.stm)

**Reason:** To ensure that the required levy is paid in accordance with the Building and Construction Industry Long Service Payments Act.

13. Plans and specifications fully reflecting the selected commitments listed in BASIX Certificate submitted with the application for development consent being submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.

**Note:** The application for the Construction Certificate must be accompanied by either the BASIX Certificate upon which development consent was granted or a revised BASIX Certificate issued no earlier than 3 months before the date of lodgement of the application for the Construction Certificate. (Refer to Clause 6A of Schedule 1 to the Regulation)

**Reason:** To ensure that the BASIX commitments are incorporated into the development.

14. Before the issue of a Construction Certificate an amended plans and details shall be submitted to the Certifying Authority's satisfaction indicating the ensuite window located on the top most floor altered to comply with one of the following requirements:

- A minimum sill height of 1.6m above the floor level;
- Fixed (non-openable) and translucent glazing to a minimum level of 1.6m above the floor level;
- Suitable externally fixed screening with a minimum blockout density of 75% to a level of 1.6m above the floor level.

**Reason:** To protect the privacy of the adjoining properties.

15. Before the issue of a Construction Certificate an amended plan shall be submitted to the Certifying Authority's satisfaction indicating the existing building being upgraded to comply with the provision of the Building Code of Australia in relation to smoke detection systems.

**Reason:** To ensure the building is suitable for the proposed use.

16. Before the issue of a Construction Certificate the owner or builder shall sign a written undertaking that they shall be responsible for the full cost of repairs to footpath, kerb and gutter, or other Council property damaged as a result of construction of the proposed development. Council may utilise part or all of any Building Security Deposit (B.S.D.) or recover in any court of competent jurisdiction, any costs to Council for such repairs.

**Reason:** To ensure that all damages arising from the building works are repaired at no cost to Council.

17. Sediment control devices must be constructed and maintained in proper working order to prevent sediment discharge from the construction site. Sediment control plans and specifications complying with the 'Urban Erosion and Sediment Control' Handbook, published by the NSW Department of Conservation and Land Management (CALM) must be submitted to the Principal Certifying Authority before the issue of a Construction Certificate.

Reason: To prevent soil erosion and sedimentation of Council's stormwater drainage system.

18. The person acting on this consent shall plant at least one replacement tree which at the time of planting will be equivalent to 45 litre (min) containerised stock and grown to the standards identified in the NATSPEC Guide: Specifying Trees. The replacement tree shall be capable of achieving a mature height of at least 5 metres on the site. The replacement tree should be planted within the land parcel in a suitable location and in consideration of adjacent properties.

The additional tree to be planted shall be shown on the Landscape Plan/Site Plan. The plan shall be prepared by a Landscape Architect, qualified Landscape Designer or Horticulturist and shall be submitted to, and approved by, the Principal Certifying Authority before the issue of a Construction Certificate. The tree shall be planted before the completion of works on the site.

Reason: Ensuring the replacement of the canopy cover in the local area.

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 Council's Tree Preservation Order, located on the subject allotment and adjoining allotments.

Note: A plan detailing the routes of these services and trees protected under the Tree Preservation Order shall be submitted to the Principal Certifying Authority.

Reason: To ensure the protection of trees.

#### SITE WORKS

20. All excavation, demolition, construction, and deliveries to the site necessary for the carrying out of the development, are restricted to between 7.00am to 5.30pm Mondays to Saturdays, excluding Public Holidays. Notwithstanding the above no work being carried out on any Saturday that falls adjacent to a Public Holiday.

Reason: To minimise the effect of the development during the construction period on the amenity of the surrounding neighbourhood.

21. The works are required to be inspected at critical stages of construction, by the PCA or if the PCA agrees, by another Certifying Authority. The last inspection (e) can only be carried out by the PCA. The critical stages of construction are:

- 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) after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

Reason: To ensure the building work is carried out in accordance with the Environmental Planning and Assessment Regulations and the Building Code of Australia.

22. All demolition work being carried out in accordance with the following:
- a) compliance with the requirements of Australian Standard AS 2601 'The demolition of structures' with specific reference to health and safety of the public, health and safety of the site personnel, protection of adjoining buildings and protection of the immediate environment;
  - b) all works involving the demolition, removal, transport and disposal of material containing asbestos is to be carried out by suitably qualified persons in accordance with the 'Worksafe Code of Practice for Removal of Asbestos' and the requirements of the WorkCover Authority of NSW and the Department of Environment, Climate Change and Water;
  - c) all building materials arising from the demolition are to be disposed of in an approved manner in accordance with Marrickville Development Control Plan No. 27 - Waste Management and any applicable requirements of the Department of Environment, Climate Change and Water;
  - d) sanitary drainage, stormwater drainage, water, electricity and telecommunications are to be disconnected in accordance with the requirements of the responsible authorities;
  - e) the generation of dust and noise on the site must be controlled;
  - f) the site must be secured to prohibit unauthorised entry;
  - g) suitable provision must be made to clean the wheels and bodies of all vehicles leaving the site to prevent the tracking of debris and soil onto the public way;
  - h) all trucks and vehicles associated with the demolition, including those delivering to or removing material from the site, only having access to the site during work hours nominated by Council and all loads must be covered;
  - i) all vehicles taking materials from the site must be loaded wholly within the property unless otherwise permitted by Council;
  - j) no waste collection skips, spoil, excavation or demolition material from the site being deposited on the public road, footpath, public place or Council owned property without the approval of Council; and
  - k) the person acting on this consent is responsible for ensuring that all contractors and sub-contractors associated with the demolition are fully aware of these requirements.

Reason: To ensure that the demolition work is carried out safely and impacts on the surrounding area are minimised.

23. The placing of any materials on Council's footpath or roadway is prohibited, without the consent of Council. The placement of waste storage containers in a public place requires Council approval and shall comply with Council's Policy – 'Placement of Waste Storage Containers in a Public Place'. Enquiries are to be made with Council's Infrastructure Services Division.

Reason: To ensure the public ways are not obstructed and the placement of waste storage containers in a public place are not dangerous to the public.

24. All roof and surface stormwater from the site any catchment external to the site that presently drains to it, shall be collected in a system of pits and pipelines/channels and major storm event surface flow paths and being discharged to a Council controlled stormwater drainage system in accordance with the requirements of Marrickville Council Stormwater and On Site Detention Code. The maximum discharge allowable to Council's street gutter is 25 litres/second.

Reason: To provide for adequate site drainage.

25. If the proposed work is likely to cause obstruction of the public place and/or is likely to endanger users of the public place, a suitable hoarding or fence approved by Council



must be erected between the work site and the public place. Enquiries for site fencing and hoardings in a public place including Council approval, can be made through Council's Infrastructure Services Division on ☐ 9335 2223.

Reason: To provide protection to the public place.

26. The area surrounding the building work being reinstated to Council's satisfaction upon completion of the work.  
Reason: To ensure that the area surrounding the building work is satisfactorily reinstated.
27. All vehicles carrying materials to, or from the site must have their loads covered with tarpaulins or similar covers.  
Reason: To ensure dust and other particles are not blown from vehicles associated with the use.
28. No activities, storage or disposal of materials taking place beneath the canopy of any tree protected under Council's Tree Preservation Order at any time.  
Reason: To protect existing trees.
29. All builders' refuse, spoil and/or material unsuitable for use in landscape areas being removed from the site on completion of the building works.  
Reason: To protect the environment.
30. If tree roots are required to be severed for the purposes of constructing the approved works, they shall be cut cleanly by hand, by an experienced Arborist/Horticulturist with a minimum qualification of Horticulture Certificate or Tree Surgery Certificate.  
Reason: To protect existing trees.

#### **BEFORE OCCUPATION OF THE BUILDING**

31. You shall obtain an Occupation Certificate from your PCA before you occupy or use the building. The PCA shall notify the Council of the determination of the Occupation Certificate and forward the following documents to Council within two (2) days of the date of the Certificate being determined:
  - a) A copy of the determination;
  - b) Copies of any documents that were lodged with the Occupation Certificate application;
  - c) A copy of Occupation Certificate, if it was issued;
  - d) A copy of the record of all critical stage inspections and any other inspection required by the PCA;
  - e) A copy of any missed inspections; and
  - f) A copy of any compliance certificate and any other documentary evidence relied upon in issuing the Occupation Certificate.

Reason: To comply with the provisions of the Environmental Planning and Assessment Regulations.
32. The PCA must be satisfied that each of the commitments listed in BASIX Certificate referred to in this Determination have been fulfilled before the issue of an Occupation Certificate (whether an interim or final Occupation Certificate).  
Reason: To ensure that all of the BASIX commitments have been fulfilled and to comply with the requirements under Section 154B of the Environmental Planning and Assessment Regulations 2000.
33. The PCA must apply to the Director-General for a BASIX Completion Receipt within 2 days of the issue of a final Occupation Certificate. Completion Receipts can be applied for at

[www.basix.nsw.gov.au](http://www.basix.nsw.gov.au).

Reason: To ensure compliance with the requirements under Section 154C of the Environmental Planning and Assessment Regulations 2000.

34. All works required to be carried out in connection with drainage, crossings, alterations to kerb and guttering, footpaths and roads resulting from the development shall be completed before occupation of the site. Works shall be in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications".

Reason: To ensure that the person acting on this consent completes all required work.

35. Before the issue of the Occupation Certificate the Principal Certifying Authority is to be satisfied that all landscape works including the planting of a replacement tree has been undertaken in accordance with the approved plan(s) and conditions of consent.

Reason: To ensure that the landscape works are consistent with the development consent.

#### USE OF THE BUILDING

36. The premises being used exclusively as a single dwelling house and not being adapted for use as a residential flat building or boarding house and not being used for any industrial or commercial purpose.

Reason: To ensure that the premises are used exclusively as a single dwelling house.

#### ADVISORY NOTES

- A complete assessment of the application under the provisions of the Building Code of Australia has not been carried out. However, you are advised that the proposal may not comply with the fire separation requirements of the Building Code of Australia, Volume Two (Class 1 and Class 10 Buildings) in relation to windows located within 900mm of the property boundary.
- The approved plans must be submitted to the Customer Centre of any office of Sydney Water before the commencement of any work to ensure that the proposed work meets the requirements of Sydney Water. Failure to submit these plans before commencing work may result in the demolition of the structure if found not to comply with the requirements of Sydney Water.
- The subject property lies within the 20-25 Australian Noise Exposure Forecast (ANEF) Contour (2029), as advised by the Commonwealth Department of Aviation, and it would be advisable to noise attenuate the proposed development in accordance with Australian Standard AS 2021 'Acoustics - Aircraft noise intrusion - Building siting and construction'.
- Please be advised any natural light or ventilation gained by the window(s) within 900mm of the boundary will not be taken into consideration in the event that the adjoining property owner makes application to Council to carry out building works on their property. The window has been consented to on the basis that alternative sources of light and ventilation are available to the room.

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

Further information and brochures on how to reduce exposure to lead based paints is available from Council's Planning and Environmental Services Division, ☎9335-2222.

- Contact "Dial Before You Dig" before commencing any building activity on the site.
- Useful Contacts

BASIX Information	☎ 1300 650 908 weekdays 2:00pm - 5:00pm <a href="http://www.basix.nsw.gov.au">www.basix.nsw.gov.au</a>
Department of Environment, Climate Change and Water	☎ 9995 5000 <a href="http://www.environment.nsw.gov.au">www.environment.nsw.gov.au</a>
Department of Fair Trading	☎ 13 32 20 <a href="http://www.fairtrading.nsw.gov.au">www.fairtrading.nsw.gov.au</a> Enquiries relating to Owner Builder Permits and Home Warranty Insurance.
Dial Before You Dig	☎ 1100 <a href="http://www.dialbeforeyoudig.com.au">www.dialbeforeyoudig.com.au</a>
Landcom	☎ 9841 8660 To purchase copies of Volume One of "Soils and Construction"
Long Service Payments Corporation	☎ 13 14 41 <a href="http://lspc.nsw.gov.au">http://lspc.nsw.gov.au</a>
Marrickville Council	☎ 9335 2222 <a href="http://www.marrickville.nsw.gov.au">www.marrickville.nsw.gov.au</a> Copies of all Council documents and application forms can be found on the web site.
NSW Food Authority	☎ 1300 552 406 <a href="http://www.foodnotify.nsw.gov.au">www.foodnotify.nsw.gov.au</a>
NSW Government	<a href="http://www.nsw.gov.au/fibro">www.nsw.gov.au/fibro</a> <a href="http://www.diysafe.nsw.gov.au">www.diysafe.nsw.gov.au</a> Information on asbestos and safe work practices.
Sydney Water	☎ 13 20 92 <a href="http://www.sydneywater.com.au">www.sydneywater.com.au</a>
Waste Service NSW - Environmental Solutions	<a href="http://www.wasteservice.nsw.gov.au">www.wasteservice.nsw.gov.au</a>
Water Efficiency Labelling and Standards	<a href="http://www.waterrating.gov.au">www.waterrating.gov.au</a>

(WELS)

WorkCover Authority of NSW

☎ 13 10 50

[www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)

Enquiries relating to work safety and asbestos removal and disposal.

This consent is effective and operates from 10 November 2011. The consent will lapse unless the proposed development is commenced in accordance with Section 95 of the Act.

Under Section 82A of the Act you may, within six (6) months of receipt of this notice, request Council to review this determination. A review request of this determination may be made under Section 82A of the Act. That review request must be made and determined by Council within six (6) months of the date hereon.

Under Section 97 of the Act you may, within six (6) months of receipt of this notice, appeal to the Land and Environment Court if you are dissatisfied with the Council's determination.

All conditions imposed by the Council must be observed. Breach of a condition is a breach of the Act and may also constitute an offence.

Yours faithfully



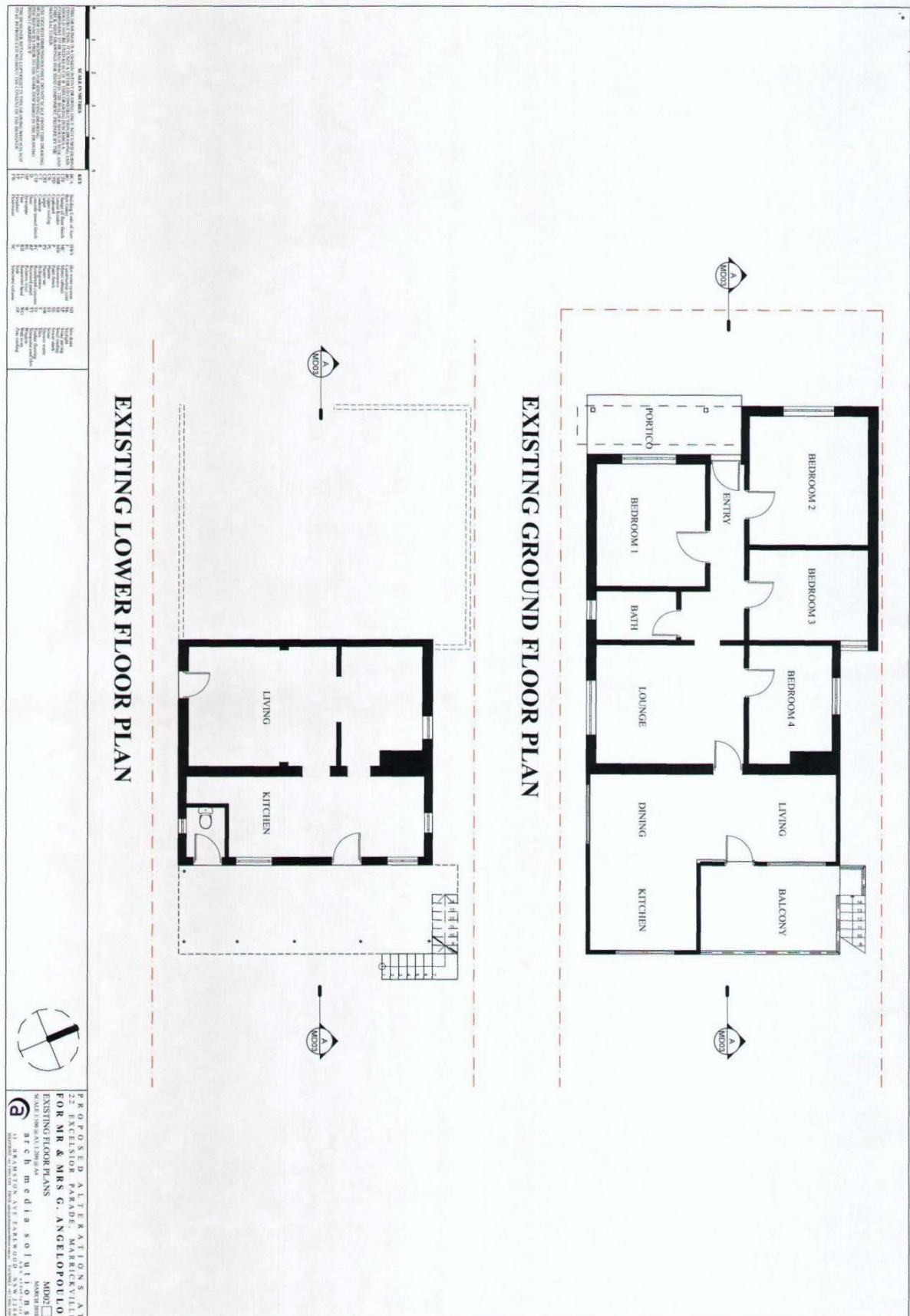
Judy Clark  
Manager Development Assessment

Enquiries: Stephen Kaposi on 9335 2178.

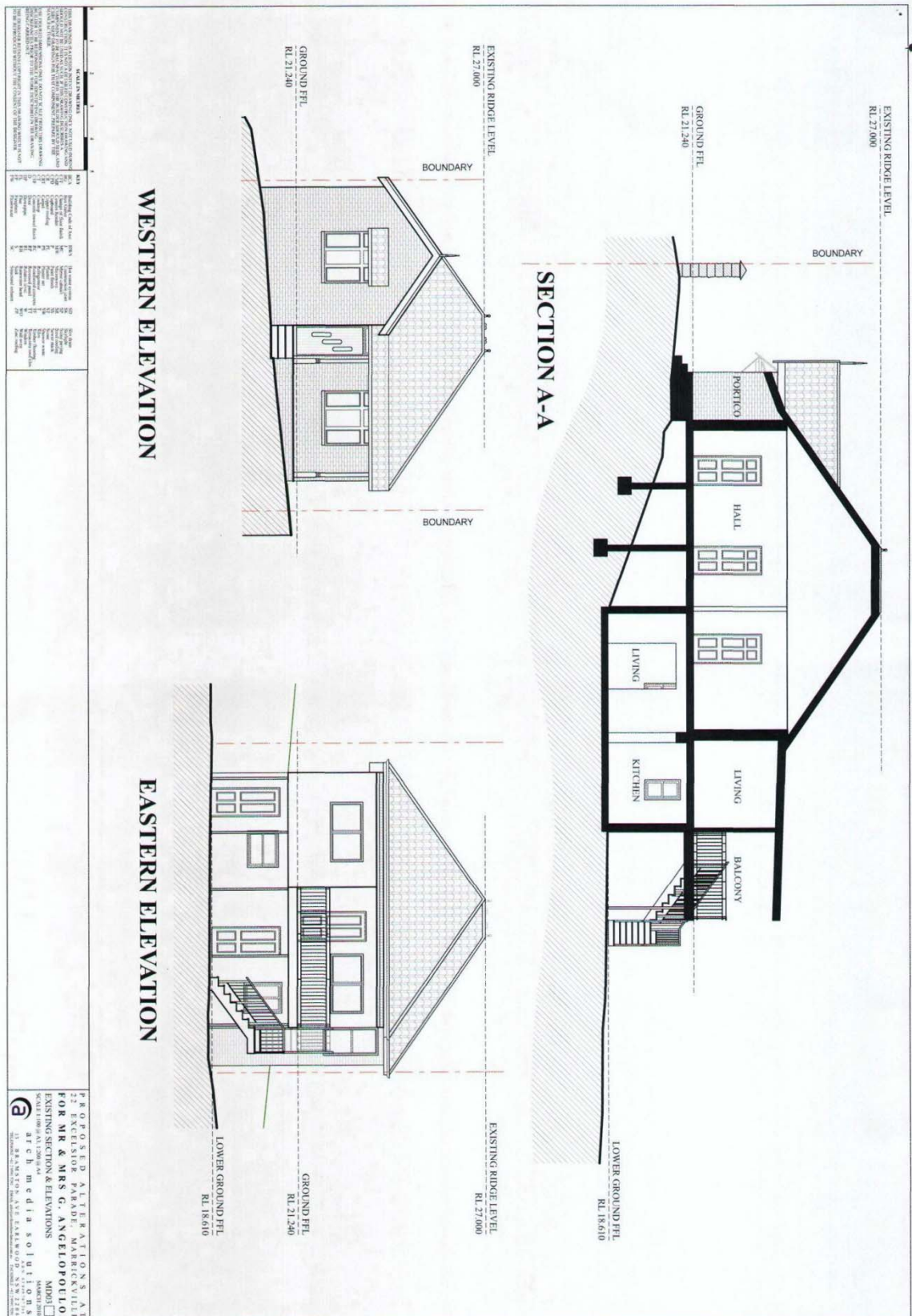
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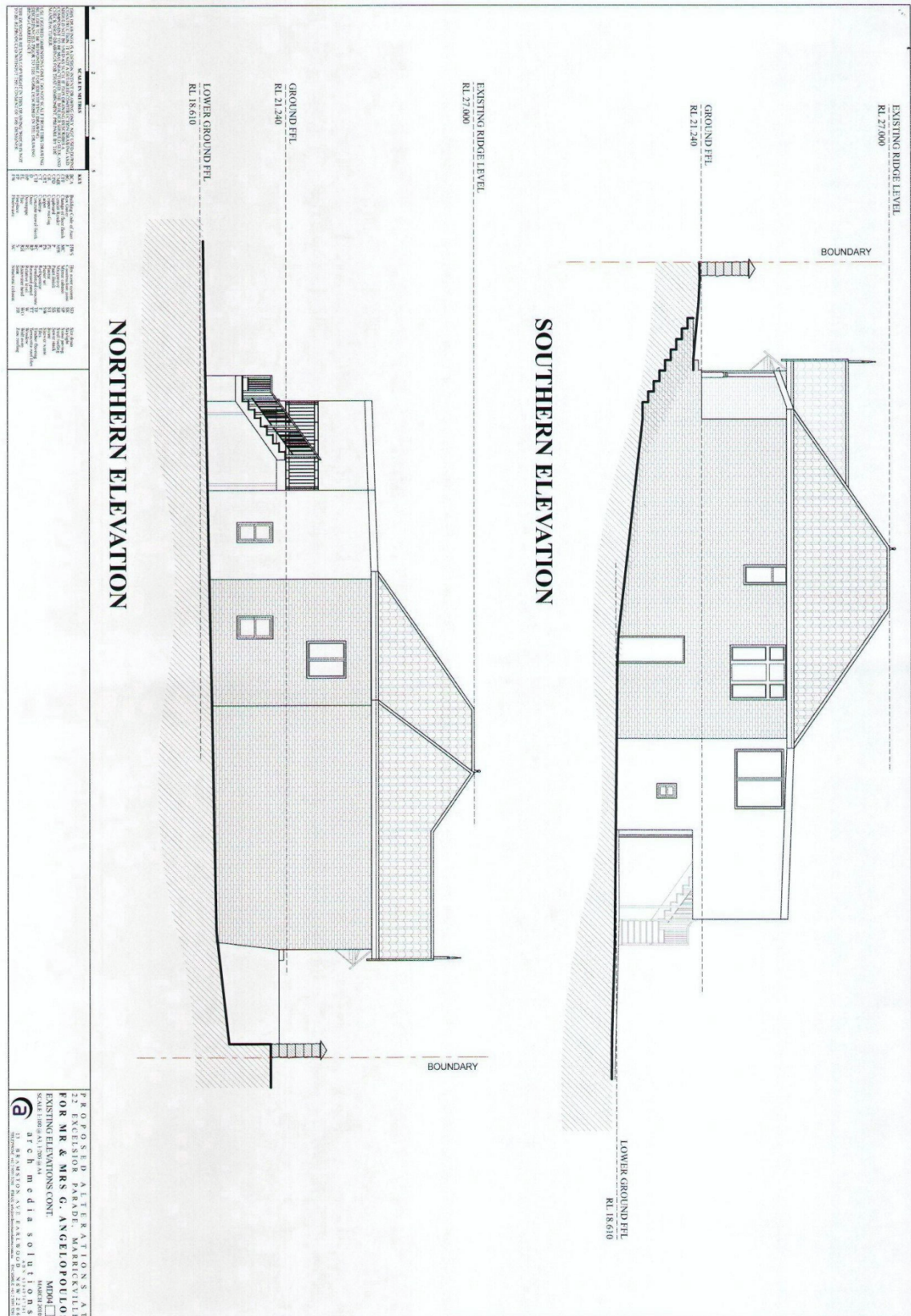










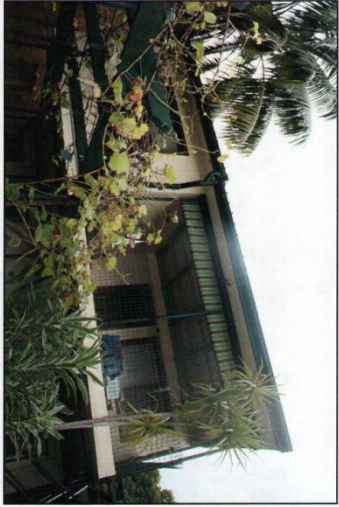











**PROPOSED ALTERATIONS AT 22 EXCELSIOR PARADE, MARRICKVILLE FOR MR & MRS G. ANGELOPOLLO**

EXISTING DWELLING IMAGES

3000S ☐ 3000S ☐

atch media solutions

21 BAKERSIDE AVE ESKRIDGE NSW 2129

02 9550 1234

## Exterior Finishes Schedule



**arch media solutions**  
acn 134 910 357


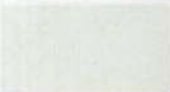



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**p/f** +61 2 9591 5291  
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**w** www.archmediasolutions.com.au

Wednesday, 7 September 2011

CONSULTANT	PROJECT	CLIENT
Dean Kizi George Bouropoulos	22 Excelsior Parade Marrickville NSW 2204	Mr & Mrs Angelopoulos

DESCRIPTION	COLOUR	COLOUR SAMPLE
Roof / Downpipes	Craft Metals Titanium Zinc - Rheinzink - Graphite Grey	
External rendered masonry walls / Eaves / Soffits	Dulux - White on White	 B22 White On White
Window / Door Frames	Anodised Silver	
Timber Screening	Woodform Architectural - 32mm x 20mm - Burnt Ash	
Lower Ground External Brick	Brick to Match Existing	



# **PROPOSED ALTERATIONS & ADDITIONS AT 22 EXCELSIOR PARADE, MARRICKVILLE**

## **Drawing List**

### **Existing**

- MID01 - EXISTING SITE PLAN
- MID02 - EXISTING FLOOR PLANS
- MID03 - EXISTING SECTION & ELEVATIONS
- MID04 - EXISTING ELEVATIONS CONT.
- MID05 - EXISTING DWELLING IMAGES

### **Proposed**

- DA00 - COVER SHEET / DRAWING LIST
- DA01 - SOIL & WATER MANAGEMENT PLAN
- DA02 - PROPOSED SITE PLAN
- DA03 - PROPOSED FLOOR PLANS
- DA04 - PROPOSED ELEVATIONS
- DA05 - PROPOSED ELEVATIONS CONT.
- DA06 - PROPOSED SECTION
- DA07 - SHADOW DIAGRAMS WINTER SOLSTICE 9am - 11am
- DA08 - SHADOW DIAGRAMS WINTER SOLSTICE 12 Noon & 1pm
- DA09 - SHADOW DIAGRAMS WINTER SOLSTICE 2pm & 3pm



<p><b>PROPOSED ALTERATIONS AT 22 EXCELSIOR PARADE, MARRICKVILLE FORM &amp; MRS G. ANGELOPOULOS</b></p>		<p><b>DA00</b></p>	
<p><b>COVER SHEET</b></p>		<p><b>arch media solutions</b></p>	
<p><b>DATE: 20/08/2018</b></p>		<p><b>PROJECT: 22 EXCELSIOR PARADE, MARRICKVILLE</b></p>	
<p><b>CLIENT: FORM &amp; MRS G. ANGELOPOULOS</b></p>		<p><b>ARCHITECT: arch media solutions</b></p>	
<p><b>DESIGNER: arch media solutions</b></p>		<p><b>DATE: 20/08/2018</b></p>	
<p><b>PROJECT: 22 EXCELSIOR PARADE, MARRICKVILLE</b></p>		<p><b>ARCHITECT: arch media solutions</b></p>	
<p><b>DESIGNER: arch media solutions</b></p>		<p><b>DATE: 20/08/2018</b></p>	



## SURVEY NOTES

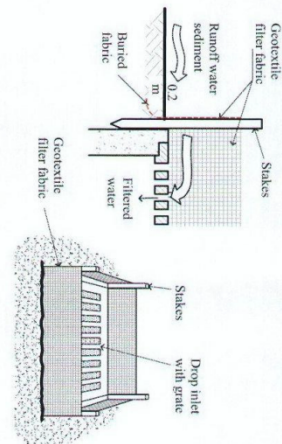
THE EXISTING SITE CONDITIONS SHOWN ON THE FOLLOWING DRAWINGS HAVE BEEN INVESTIGATED BY APX SURVEYING, BEING REGISTERED SURVEYORS. THE INFORMATION IS SHOWN TO PROVIDE A BASIS FOR DESIGN. ARCH MEDIA SOLUTIONS DOES NOT GUARANTEE THE ACCURACY OR COMPLETENESS OF THE SURVEY BASE OF ITS SUITABILITY AS A BASIS FOR CONSTRUCTION DRAWINGS.

## SITEWORKS NOTES

1. DATUM: REFER SURVEY NOTES
2. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND EXISTING LEVELS ON SITE PRIOR TO COMMENCEMENT OF WORK. ANY DISCREPANCIES TO BE REPORTED TO THE ENGINEER/SUPERINTENDENT.
3. STRIP ALL TOPSOIL FROM CONSTRUCTION AREA AND STOCKPILE ON SITE TO BE LATER SPREAD OR REMOVED FROM SITE AS DIRECTED BY THE SUPERINTENDENT.
4. MAKE SMOOTH CONNECTION WITH EXISTING WORKS.
5. ALL TRENCH BACKFILL MATERIAL SHALL BE COMPACTED TO THE SAME DENSITY AS THE ADJACENT MATERIAL.
6. ALL SERVICES TRENCHES UNDER VEHICULAR PAVEMENTS SHALL BE BACKFILLED WITH SAND OR AN APPROVED GRANULAR MATERIAL AND COMPACTED TO A MINIMUM 98% STANDARD DENSITY IN ACCORDANCE WITH AS1289 5.1.1.
7. PROVIDE 100mm WIDE EXPANSION JOINTS BETWEEN BUILDING AND ALL CONCRETE OR UNIT PAVEMENTS.
8. ASPHALTIC CONCRETE SHALL CONFORM TO RTA FORM 612.
9. ALL BASE COURSE MATERIAL TO COMPLY WITH RTA FORM 3051 (UNBOUND), RTA FORM 3052 (BOUND) COMPACTED TO MINIMUM 98% MODIFIED DENSITY IN ACCORDANCE WITH AS1289 5.2.1. FREQUENCY OF COMPACTION TESTING SHALL NOT BE LESS THAN 1 TEST PER 30m OF BASE COURSE MATERIAL PLACED.
10. ALL SUB-BASE COURSE MATERIAL TO COMPLY WITH RTA FORM 3051 AND COMPACTED TO MINIMUM 95% MODIFIED DENSITY IN ACCORDANCE WITH AS1289 5.2.1.
11. ALL LINE MARKING TO AS1742.
12. WHERE NOTED ON THE DRAWINGS THAT WORKS ARE TO BE CARRIED OUT BY OTHERS, (ADJUSTMENT SERVICES), THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CO-ORDINATION OF THESE WORKS.

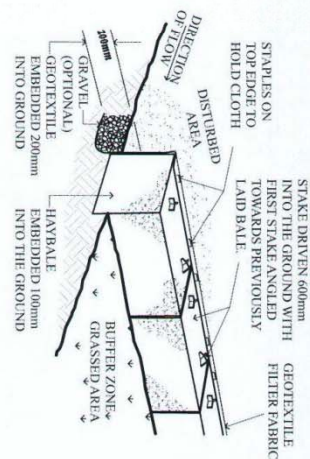
## EROSION AND SEDIMENT CONTROL NOTES

1. ALL WORK SHALL BE GENERALLY CARRIED OUT IN ACCORDANCE WITH:
  - A. LOCAL AUTHORITY REQUIREMENTS
  - B. EPA REQUIREMENTS
  - C. NSW DEPARTMENT OF HOUSING MANUAL, EDITION, AUGUST 1998.
2. MAINTAIN THE EROSION CONTROL DEVICES TO THE SATISFACTION OF THE SUPERINTENDENT AND THE LOCAL AUTHORITY.
3. WHEN STORMWATER PITS ARE CONSTRUCTED, PREVENT SITE RUNOFF ENTERING UNLESS SILT FENCES ARE EFFECTED AROUND PITS.
4. CONTROL DEVICES IS TO ENSURE ALL EROSION & SEDIMENTATION OPERATE EFFECTIVELY REPAIRS AND/OR MAINTENANCE SHALL BE UNDERTAKEN AS REQUIRED, PARTICULARLY FOLLOWING STORM EVENTS.



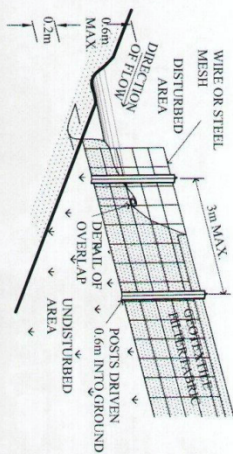
## GEOTEXTILE FILTER FABRIC SURROUND

N.T.S.



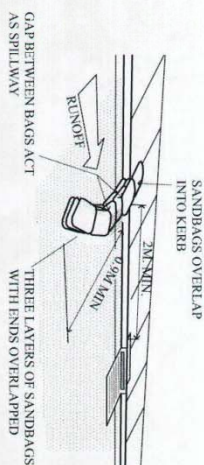
## STRAW BALE AND GEOTEXTILE SEDIMENT FILTER

N.T.S.



## SEDIMENT FENCE

N.T.S.



## SANDBAG SEDIMENT TRAP FOR KERB INLET ON GRADE

N.T.S.

PROPOSED ALTERATIONS AT 22 EXCELSIOR PARADE, MARRICKVILLE FOR MR & MRS G. ANGELOPOULOS SOIL AND WATER MANAGEMENT PLAN DAH	ARCH MEDIA SOLUTIONS 11 BRANSTON AVE EASTWOOD NSW 2122 Tel: 02 9370 1000 Fax: 02 9370 1001
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