



# INNER WEST COUNCIL

## DEVELOPMENT ASSESSMENT REPORT

<b>Application No.</b>	D/2018/462
<b>Address</b>	26 Young Street, ANNANDALE NSW 2038
<b>Proposal</b>	Alterations and additions to existing dwelling-house and associated landscaping works.
<b>Date of Lodgement</b>	31 August 2018
<b>Applicant</b>	Ms M Chang
<b>Owner</b>	Mr J F Groom and Ms M Chang
<b>Number of Submissions</b>	Nil
<b>Value of works</b>	\$148,115
<b>Reason for determination at Planning Panel</b>	Variation to site coverage development standard exceeds officer delegation.
<b>Main Issues</b>	<ul style="list-style-type: none"> <li>• Site Coverage non-compliance</li> <li>• Solar access and bulk and scale impacts</li> </ul>
<b>Recommendation</b>	Approve subject to conditons
<b>Attachment A</b>	Recommended conditions of consent
<b>Attachment B</b>	Plans of proposed development
<b>Attachment C</b>	Statement of Significance



LOCALITY MAP

Subject Site		Objectors		
Notified Area		Supporters		

## 1. Executive Summary

This report is an assessment of the application submitted to Council for alterations and additions to an existing dwelling-house and associated landscaping works at 26 Young Street, Annandale.

The application was notified to surrounding properties and no submissions were received.

The main issues that have arisen from the application include:

- Non-compliance with Site Coverage development standard
- Overshadowing and bulk and scale impacts to neighbouring properties
- Visual privacy impacts resulting from the relocated rear first floor rear balcony
- Impacts to Golden Robinia tree in the rear yard of the subject property
- Non-compliance with minimum 16m<sup>2</sup> of private open space
- Unsatisfactory stormwater management (gravity fed drainage to Young Street required)

The application has been amended which includes revised stormwater management design, demolition of existing outhouse and incorporation of a 1.6m privacy screen to the southern elevation of the first floor rear balcony.

Whilst the amended design is considered to have satisfactorily addressed the stormwater, visual privacy and private open space issues, the extent of non-compliance with the site coverage development standard and subsequent impacts to the amenity of the southern neighbouring property have not been adequately addressed.

Accordingly, the application is recommended for approval subject to conditions, including a 1m reduction of the ground floor rear alignment. This reduction will effectively mitigate bulk and scale and solar access impacts to the southern neighbouring property.

## 2. Proposal

This proposal seeks approval for alterations and additions to existing dwelling-house, and associated landscaping works. The proposed works are detailed as follows;

### Ground Floor

- Rear ground floor extension comprising an open plan dining/kitchen area with bathroom and laundry
- Increased central light-well to the northern boundary
- Installation of two skylights to the rear ground floor extension
- Demolition of rear outbuilding.

### First Floor

- Replace existing rear deck serving master bedroom with smaller deck and incorporation of a 1.6m including privacy screen to the southern elevation of deck
- Cut back the existing roof eave over light well.

## 3. Site Description

The subject site is located on the western side of Young Street. The site consists of a single rectangular shaped allotment with a total area of 91m<sup>2</sup> and is legally described as Lot 4 DP 222909.

The site has a single frontage to Young Street of 4.13m. The site is affected by a party wall easement to the southern boundary shared with No. 24 Young Street.

The site supports a one and two storey attached brick terrace dwelling, corrugated roof and single dormer within the front roof plane and small outbuilding in the rear yard. The adjoining properties support a one and two storey brick terrace to the south at No. 24 Young Street and double fronted two storey brick terrace dwelling to the north at 28 Young Street.

The subject dwelling forms part of a row of three workers cottages, including 22 and 24 Young Street, all with a single storey appearance from the street.

The property is located within a conservation area, however is not a heritage listed property. The site is not identified as a flood prone lot.

The site supports a single Golden Robinia Tree in the rear garden towards the northern boundary, which is sought to be retained.

Site photos shown in **Figure 1** below.

**Figure 1** Site photos

 <p>Subject site as viewed from Young Street</p>	 <p>View of rear courtyard and outbuilding</p>
 <p>Rear view of property</p>	 <p>View from existing first floor balcony</p>

Source: Statement of Environmental Effects, dated August 2018 by Navon Solutions

## 4. Background

### 4(a) Site history

There is no recent nor relevant development history pertaining to the subject site nor the immediate adjoining properties.

### 4(b) Application history

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

Date	Discussion / Letter/ Additional Information
21 Nov 2018	<p>Council wrote to the Applicant requesting information and amended plans summarised as follows;</p> <ul style="list-style-type: none"> <li>• A significant reduction in the proposed site coverage breach is required to reduce bulk and scale and solar access impacts to the southern neighbouring property including:                             <ul style="list-style-type: none"> <li>- a 1m reduction in the rearward extent of the proposed ground level rear additions;</li> <li>- demolition of the existing rear outhouse; and</li> <li>- a reduction in the size of the proposed central light well/courtyard.</li> </ul> </li> <li>• Proposal does not comply with minimum 16m<sup>2</sup> of private open space (POS). Reduction of ground floor addition and demolition of outhouse is required to ensure compliance</li> <li>• Setback first floor rear balcony from side boundary with no. 24 Young Street by a minimum of 350mm and incorporate a 1.6m privacy screen</li> <li>• All roof water is required to be discharged to gutter in Young Street by gravity. Amended roof and stormwater design required to ensure this is achieved</li> <li>• Provide amended solar access diagrams in plan and elevation at hourly intervals demonstrating compliance with the relevant controls</li> <li>• Arborist report required addressing impacts on any tree within 5m of works</li> <li>• Materials and finishes schedule</li> <li>• Revised Clause 4.6 in relation to site coverage non-compliance.</li> </ul>
18 Jan 2019	<p>The Applicant provided additional information/amended plans in response to Council's written request, summarised as follows;</p> <ul style="list-style-type: none"> <li>• Amended stormwater management design and concept plan including rear ground floor roof flipped to achieve gravity drainage to Young Street</li> <li>• Demolition of existing outhouse which enables compliance with the minimum POS requirements</li> <li>• Incorporation of a 1.6m privacy screen to the first floor rear balcony and setback 350mm from southern side boundary</li> <li>• Rear setback analysis plan.</li> </ul> <p>The amended plans are the subject of this assessment report.</p> <p>The amended plans lodged did not require re-notification as they were considered to fall within <i>Control C5. Section A3.13 - Specific Circumstances Where Notification Is Not Required, Part A: Introduction, Leichhardt Development Control Plan 2013</i>, which does not require the re-notification of amended plans to an undetermined application.</p>

## 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
- Leichhardt Local Environmental Plan 2013

The following provides further discussion of the relevant issues:

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

The site and nearby sites are not identified as contaminated on Council's records. The site has historically been used for a residential use and is not considered to raise any contamination issues. As such, the site is considered suitable for the proposed use having regard to SEPP 55.

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

A current and relevant BASIX Certificate was submitted with the application and as such the requirements of the SEPP have been met.

#### 5(a)(iii) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

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

#### 5(a)(iv) 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 4.5 – Calculation of floor space ratio and site area
- Clause 4.6 – Exceptions to development standards
- Clause 5.9 – Preservation of trees or vegetation
- Clause 5.10 – Heritage Conservation

- Clause 6.1 – Acid Sulphate Soils
- Clause 6.2 – Earthworks
- Clause 6.4 – Stormwater management
- Clause 6.8 – Development in areas subject to aircraft noise

The site is located within the **R1 – General Residential** zone under the Leichhardt Local Environmental Plan 2013. The development is permissible with development consent under the zoning provisions applying to the land.

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

Standard	Proposal	% of non-compliance	Complies
<b>Floor Space Ratio</b> Max 0.9:1 or 82.2m <sup>2</sup>	0.83:1 or 76m <sup>2</sup>	Nil	Yes
<b>Landscape Area</b> Min 15% or 13.77m <sup>2</sup>	18% or 16m <sup>2</sup>	Nil	Yes
<b>Site Coverage</b> Max 60% or 55m <sup>2</sup>	73% or 67m <sup>2</sup>	22%	No

The following provides further discussion of the relevant issues:

#### Clause 4.6 Exceptions to Development Standards

Clause 4.6(2) specifies that development consent may be granted for development even though the development would contravene a development standard.

1. *The objectives of clause 4.6 are as follows:*
  - (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
  - (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*
2. *Development consent may be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument.*

Comment: As demonstrated in the table above, the proposal does not comply with the 60% (55m<sup>2</sup>) maximum site coverage development standard pursuant to Clause 4.3A(3)(b) of the LLEP 2013. The proposal seeks a site coverage of 73% (67m<sup>2</sup>) which equates to a subsequent 22% non-compliance.

Given existing characteristics of the site and the built environment on surrounding nearby properties it is considered appropriate to allow a degree of flexibility in this instance to applying the development standard.

**Figure 2** View from first-floor balcony showing the the pattern of development in surrounding properties



3. *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
  - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.*

Comment: The applicant has provided the following justification in relation to the breach:

- *The site comprises an existing non-compliance with site coverage and compliance is unreasonable.*
- *Despite the variation, the proposal is consistent and compatible with the character of the surrounding area.*
- *Despite the variation, the proposal does not cause any significant adverse amenity impacts on the site or adjoining properties.*
- *The broad application of site coverage provision does not recognise the prevalence of established narrow rectangular like shaped lots. The application of site coverage controls must be nuanced to consider the historical settlement patterns of narrow rectangular like shaped lots in the surrounding area and the impracticability of applying broad site coverage controls to all properties in conjunction with Council's DCP provisions.*
- *The site coverage provision does not consider the ability for a site to accommodate floor areas for reasonably sized dwellings on smaller lots. Unlike the FSR provision, the site coverage provision comprises a single rate of 60% applicable to all sites in Leichhardt LGA, including Annandale.*

The applicant has addressed the relevant matters required under Clause 4.6(3) Exceptions to development standards.

- (4) *Development consent must not be granted for development that contravenes a development standard unless:*
- (a) *the consent authority is satisfied that:*
- (i) *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
  - (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
- (b) *the concurrence of the Secretary has been obtained.*

Comment: The applicant's written request adequately demonstrates compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

In terms of determining if the non-compliance is in the public interest, the objectives of the standard and relevant zone must be considered.

The relevant objectives of the R1 General Residential zone are as follows:

- a) *to ensure that residential accommodation:*
- i. *is compatible with the desired future character of the area in relation to building bulk, form and scale, and*
  - ii. *provides a suitable balance between landscaped areas and the built form, and*
  - iii. *minimises the impact of the bulk and scale of buildings, and the objectives for development within the zone.*

The objectives of the site coverage development standard are as follows:

- a) *to provide landscaped areas that are suitable for substantial tree planting and for the use and enjoyment of residents,*
- b) *to maintain and encourage a landscaped corridor between adjoining properties,*
- c) *to ensure that development promotes the desired future character of the neighbourhood,*
- d) *to encourage ecologically sustainable development by maximising the retention and absorption of surface drainage water on site and by minimising obstruction to the underground flow of water,*
- e) *to control site density,*
- f) *to limit building footprints to ensure that adequate provision is made for landscaped areas and private open space*

It is generally agreed that strict compliance with the site coverage development standard is unreasonable in the circumstances, given the context and small and narrow lot constraints. Notwithstanding, the non-compliance directly results in unreasonable impacts to the amenity of neighbouring properties, specifically bulk and scale and overshadowing impacts to 45 Young Street. This contravenes the objectives of the zone.

Accordingly, a variation to the site coverage development standard can be supported, only subject to condition which requires the rear alignment of the ground floor be reduced by 1m in length. This reduction will effectively mitigate bulk and scale and solar access impacts to the southern neighbouring property. **The reduction will also reduce the site coverage by 4m<sup>2</sup>, resulting in an overall site coverage of 69% and subsequent breach of 15.29%.**



Subject to the reduction of the ground floor rear alignment, the proposal will not result in a detrimental impact on the public interest and can satisfy the objectives of the development standard and General Residential zoning, as demonstrated below:

- The proposal is compatible with the desired future character of the area in relation to building bulk, form and scale, as viewed from the street
- Retains the tree in the rear garden
- Despite the non-compliance, the proposed development, as amended, will retain a private open space that meets the minimum requirements of the DCP (16sqm) and is of an acceptable size (4mx4m) for recreational purposes
- The proposal complies with the Floor Space Ratio and Landscaped Area standards, providing a suitable balance between landscaped areas and the built form
- Provide soft landscaping in the rear garden where it is currently absent, improving surface drainage absorption
- The siting of the building is within the building location zone established by the immediate adjoining properties
- Subject to condition, the proposal does not result in any adverse amenity impacts to the surrounding properties.

The concurrence of the Secretary has been granted.

#### C5.10 Heritage Conservation

The subject property at 26 Young Street, Annandale, is located within the Annandale Heritage Conservation Area (C1 in Schedule 5 of the Leichhardt LEP 2013) and in the Young Street Distinctive Neighbourhood (Leichhardt Development Control Plan 2013). The site is not listed as a heritage item and there are no heritage items in the vicinity.

*Clause 5.10: Heritage Conservation* from the Leichhardt LEP 2013 and *Sections C1.3: Alterations and Additions, C1.4: Heritage conservation areas and heritage items* and *C.2.2.1.2: Annandale Distinctive Neighbourhood* from the Leichhardt DCP 2013 apply to the proposal.

The front portion of the original dwelling, will be largely preserved with the exception of a small portion of roof to be removed to accommodate the increased light well. As the additions are located at the rear of the ground floor and are single storey, it will not be discernible from the street and will be subservient to the existing original building.

The subject building is part of a group of 3 terraces, including 22 and 24 Young Street. The subject terrace and its neighbour at No. 24 have attic additions with dormer windows in the front roof plane. There is a first balcony to the rear of the terrace. A number of the terraces have rear alterations. The rear first floor balcony is visible from Ferris Street to the west of the site, over the roof of the single storey garage at No. 3.

The proposed works include demolition of the rear wing and a new ground floor addition with combined kitchen / dining, bathroom and laundry. No changes are proposed to the front elevation or the original front two rooms of the terrace. It is proposed to demolish the first floor rear balcony, reconstruct adjacent to the southern boundary and cut back part of the rear eave over the light-well and to install 2 skylights over the new addition.

The ground floor addition is appropriate as it is in accordance with Section 6.1: Suggested Design Approach 5 for single storey terraces, from Appendix B of the Leichhardt DCP 2013. No change is proposed to the ridge height of the existing rear addition.

The Materials and Finishes Schedule indicates timber or aluminium for the rear windows and painted steel or timber for the rear balcony balustrade. Timber shall be used for as the first-floor alterations to the rear which will be visible from Ferris Street.

The Schedule does not specify the material and colour for the proposed roofing. A pre-coloured traditional corrugated steel shall be used, finished in a colour to match the colour of the existing roofing, or equivalent to Colorbond colours “Windspray” or “Wallaby” to comply with C8 of C1.4 of the DCP.

Overall, the proposal is acceptable from a heritage perspective as it is located to the rear of the terrace, which has been altered and the original building form will not be affected. Therefore, there will be minimal impact on the heritage significance of the Annandale HCA.

The proposal is acceptable from a heritage perspective providing it is carried out in accordance with the recommended conditions.

## 5(b) Draft Environmental Planning Instruments

### Draft Environment State Environmental Planning Policy

The NSW government has been working towards developing a new State Environmental Planning Policy (SEPP) for the protection and management of the natural environment. The Explanation of Intended Effect (EIE) for the Environment SEPP was on exhibition from 31 October 2017 until 31 January 2018.

This consolidated SEPP proposes to provide a single set of planning provisions for catchments, waterways, bushland and protected areas. Changes proposed include consolidating seven existing SEPPs including Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005. The proposed development would be consistent with the intended requirements within the Draft Environment SEPP.

## 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
<b>Part A: Introductions</b>	
Section 3 – Notification of Applications	Yes
<b>Part B: Connections</b>	
B1.1 Connections – Objectives	Yes
B2.1 Planning for Active Living	Yes
B3.1 Social Impact Assessment	N/A
B3.2 Events and Activities in the Public Domain (Special Events)	N/A
<b>Part C</b>	
C1.0 General Provisions	Yes
C1.1 Site and Context Analysis	Yes
C1.2 Demolition	Yes
C1.3 Alterations and additions	Yes
C1.4 Heritage Conservation Areas and Heritage Items	Yes
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	Yes
C1.10 Equity of Access and Mobility	N/A
C1.11 Parking	N/A
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 Rock Walls	N/A
C1.20 Foreshore Land	N/A
C1.21 Green Roofs and Green Living Walls	N/A
<b>Part C: Place – Section 2 Urban Character</b>	
Suburb Profile	
C2.2.1.1 Young Street Distinctive Neighbourhood, Annandale	Yes
<b>Part C: Place – Section 3 – Residential Provisions</b>	
C3.1 Residential General Provisions	Yes
C3.2 Site Layout and Building Design	No
C3.3 Elevation and Materials	Yes
C3.4 Dormer Windows	N/A
C3.5 Front Gardens and Dwelling Entries	N/A
C3.6 Fences	Yes
C3.7 Environmental Performance	Yes
C3.8 Private Open Space	Yes
C3.9 Solar Access	No
C3.10 Views	Yes
C3.11 Visual Privacy	Yes
C3.12 Acoustic Privacy	Yes
C3.13 Conversion of Existing Non-Residential Buildings	N/A
C3.14 Adaptable Housing	N/A
<b>Part C: Place – Section 4 – Non-Residential Provisions</b>	
<b>Part D: Energy</b>	
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
<b>Part E: Water</b>	
Section 1 – Sustainable Water and Risk Management	Yes
E1.1 Approvals Process and Reports Required With Development Applications	
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	
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	N/A
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	Yes
E1.3 Hazard Management	
E1.3.1 Flood Risk Management	N/A
E1.3.2 Foreshore Risk Management	N/A
<b>Part F: Food</b>	<b>N/A</b>
<b>Part G: Site Specific Controls</b>	<b>N/A</b>

The following provides discussion of the relevant issues:

#### C1.14 Tree Management

The subject *Robinia pseudoacacia* 'Frisia' (Golden Robinia) located at the rear of the site was observed on site to be in a good state of health and vigour at the time of assessment. The specimen was considered to be positively contributing to the aims and objectives of Council's Tree Management Controls

However, the tree may be viewed to inhibit the development potential of that particular area of the site. Should this be accepted, the loss of amenity, biodiversity and vegetation will need to be off-set.

The submitted *Site Drainage Concept Plan*, prepared by Michal Korecky, DWG No. 18036, dated 28/05/2018 has shown the subject tree to be impacted by a proposed Infiltration pit and clean out pit.

Should the above plan be amended to allow for stormwater to drain to Young St, thus allowing more available area at the rear of the site to establish a replacement tree, the removal of the *Robinia pseudoacacia* 'Frisia' (Golden Robinia) would be supported.

The replacement tree shall be a native specimen growing to a minimum mature height of 6m.

Using a soil volume calculator it is estimated that approximately 15m<sup>3</sup> will be required to sustain a mature specimen in the landscape.

Given the above, the submitted landscape plan submitted must be amended to reflect the above necessary soil volumes and required replacement tree before issuing a Construction Certificate.

#### C3.2 – Site Layout and Building Design

##### **Building Location Zone**

Building Location Zone (BLZ) is determined by the average front and rear setbacks of both the adjacent dwellings. The rear alignment of the proposed ground floor addition technically complies with the average setbacks of both immediate neighbouring dwellings, noting that the rear alignment of No. 28 to the north is uncharacteristically deep in the context of surrounding development, as demonstrated in **Figure 3** below.

**Figure 3** Site plan showing subject site outlined red

Source: Sixmaps, accessed 22 January 2019

### **Side Setbacks**

The proposed height of the rear ground floor addition reaches a maximum of 3.8m to the southern elevation and 3.5m to the northern elevation. Consistent with the existing dwelling, the rear extension is built to both side boundaries. Pursuant to the sliding scale requirements of the Clause, these wall heights require a setback of approximately 500mm, thus presenting a breach of the side setback controls under the clause. This wall height contributes to additional bulk and scale and overshadowing impacts to the rear private open space of 24 Young Street.

Accordingly, a condition of consent is recommended which requires a 1m reduction to the rear alignment of the ground floor addition. This will effectively reduce bulk and scale and overshadowing impacts to the southern neighbour whilst reducing the site coverage non-compliance.

### C3.9 Solar Access

The subject and adjoining sites are orientated east-west, thus the following solar access controls apply;

*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.*

*C19 Where surrounding dwellings currently receive less than the required amount of solar access to their private open space between 9am and 3pm during the winter solstice, no further reduction of solar access is permitted.*

During the assessment of the application the applicant submitted shadow diagrams in hourly increments, between 9am and 3pm. The shadow diagrams confirm that the proposed ground floor rear alignment will result in overshadowing of the southern neighbouring properties rear private open space between 11am and 12pm mid-winter, which currently receives below the required 50% during the winter solstice (Refer to **Figure 3** below). It is not certain if the area of additional shadow is adjacent to the internal living room of No. 24 Young Street.

Figure 4 Solar access impacts of the proposed development at mid-winter



Source: Solar access diagrams drawn by Commonplace, 05/212/2018

In assessing the reasonableness of solar access impact to adjoining properties, and in particular, in any situation where controls are sought to be varied, Council will also have regard to the ease or difficulty in achieving the nominated controls having regard to:

- a) the reasonableness of the development overall, in terms of compliance with other standards and controls concerned with the control of building bulk and having regard to the general form of surrounding development;
- b) site orientation;
- c) the relative levels at which the dwellings are constructed;
- d) the degree of skill employed in the design to minimise impact; and
- e) whether reasonably available alternative design solutions would produce a superior result.

As discussed above, the proposed additions result in a substantial departure from the maximum site coverage development standard, and it is this non-compliance that directly contributes to the non-compliant overshadowing impacts to No. 24 Young Street.

A 1m reduction of the ground floor rear alignment will materially improve the solar access to the southern property whilst reducing perceived bulk and scale impacts, which are exacerbated when they are experienced from small and narrow rear courtyards (such as that located at the southern neighbouring property).

Based on the submitted shadow diagrams, the current proposal cast an additional shadow of 1.35m<sup>2</sup> at 11am & 0.3m<sup>2</sup> at 12 noon. The recommended condition for the 1m reduction of the proposed addition will decrease the overshadowing in the rear yard by 1.1m<sup>2</sup> at 11am & eliminate it at noon. This is considerable for rear yards of such limited size & increases solar access to the rear POS from 19% to 23.66%.

This reduction (approximately 4m<sup>2</sup>) is not considered to have an adverse impact on the amenity or functionality of the open dining and kitchen area, noting the dwelling's living area

is to the front of the dwelling and will not be impacted by the reduction. It is also noted that the proposed ground floor addition seeks a ceiling height of approximately 3.3m, which will contribute to amenity within the dwelling and the perception of space.

#### 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 the Leichhardt Development Control Plan 2013 for a period of 14 days to surrounding properties. No submissions were received.

#### 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.

Subject to conditions, 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.

- Development Engineer; Acceptable subject to conditions
- Landscape; Detailed discussion in Part 5 above. The application is supported subject to conditions
- Heritage: Detailed discussion in Part 5 above. Acceptable subject to conditions.

### 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 generally complies with the aims, objectives and design parameters contained in Leichhardt Local Environmental Plan 2013 and Leichhardt Development Control Plan 2013. Subject to conditions, the development will not result in any significant impacts on the amenity of adjoining premises and the streetscape. The application is considered suitable for approval subject to the imposition of appropriate conditions.

## 9. Recommendation

- A. The variation to Clause 4.3A(3)(b) Site Coverage be supported under the provisions of Clause 4.6 exceptions to development standards, subject to condition requiring a reduction of the ground floor rear alignment.
- B. That the Inner West Local Planning Panel, as the consent authority pursuant to s4.16 of the Environmental Planning and Assessment Act 1979, grant consent to Development Application No: D/2018/462 for alterations and additions to existing dwelling-house, and associated landscaping works. at 26 Young Street, Annandale subject to the conditions listed in Attachment A below.



## Attachment A – Recommended conditions of consent

### CONDITIONS OF CONSENT

- Development must be carried out in accordance with Development Application No. D/2018/462 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
DA-07 Rev B - Site Plan	Commonplace	05/12/18
DA-08 Rev B - Prop Ground Floor Plan	Commonplace	05/12/18
DA-09 Rev B – Prop Level One Floor Plan	Commonplace	05/12/18
DA-10 Rev B – Prop Roof Plan	Commonplace	05/12/18
DA-11 Rev C – Prop East & West Elevation	Commonplace	18/01/19
DA-12 Rev B – Prop Section AA	Commonplace	05/12/18
DA-13 Rev B – Prop Section BB	Commonplace	05/12/18
DA-43 Rev C - Prop North Elevation	Commonplace	18/01/19
DA-44 Rev C – Prop South elevation	Commonplace	18/01/19
DA-15 Rev A - Landscape Plan	Commonplace	24/08/18
Stormwater Plans	Prepared By	Dated
DWG No. 18036, Rev 2 - Sheets SW-1, SW-2 & SW-3	Michal Korecky	05/12/18
Document Title	Prepared By	Dated
BASIX Certificate No. A323812	Commonplace	31/08/18

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.

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

Tree/location	Approved works
<i>Robinia pseudoacacia</i> 'Frisia' (Golden Robinia)	If the Robinia tree cannot be retained as result of the proposed works, removal is permitted.

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'.

3. Consent is granted for demolition in accordance with the approved plans scheduled under condition 1 of this development consent, currently existing on the property, subject to strict compliance with the following conditions:
  - 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](http://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**

4. Amended plans are to be submitted incorporating the following amendments:
  - a) The proposed ground floor rear alignment is to be reduced by 1m in length.

Details demonstrating compliance with the requirements of this condition are to be marked on the plans and be submitted to the Principal Certifying Authority's satisfaction prior to the issue of any Construction Certificate.
5. A landscape plan must be provided prior to the issue of a Construction Certificate. The plan must include:
  - a) Location of all proposed and existing planting delineating existing trees to be retained, removed or transplanted.
  - b) If the Golden Robinia tree in the rear garden must be removed to accommodate the proposed works, one canopy tree capable of achieving a mature height of at least six (6) metres is to be planted in a suitable location.
  - c) Details of earthworks including mounding, retaining walls (consistent with the approved architectural plans), and planter boxes.
  - d) Details of drainage and watering systems.

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.

6. In the event that the Golden Robinia tree in the rear garden cannot be retained and must be removed to facilitate the proposed works, the following replacement trees must be planted:

Tree/species	Quantity	Location
Native specimen capable of attaining a minimum height of 6m upon maturity.	1	Rear property.

The minimum container size of the new tree shall be 200L litres at the time of planting, and shall comply with AS 2303—*Tree Stock for Landscape Use*.

Council is to be notified when the replacement tree has been planted and an inspection arranged with Council's Tree Assessment Officer. If the replacement is found to be faulty, damaged, dying or dead prior to being protected under the Tree Management Controls of the Leichhardt Development Control Plan 2013, the replacement tree shall be replaced with the same species, which will comply with

the criteria above.

Council encourages the uses of replacement trees that are endemic to the Sydney Basin to increase biodiversity in the local environment and provide a natural food source for native birds and marsupials. Note: Any replacement tree species must not be a palm tree species or be a plant declared to be a noxious weed under the Noxious Weeds Act 1993 or tree species listed as an exempt species under Section C1.14 (Tree Management) of the Leichhardt Development Control Plan 2013.

7. Prior to the issue of a Construction Certificate, a Structural Certificate must be provided to the Principal Certifying Authority. The Certificate must verify that the structural integrity of the existing "Party Walls" are adequate to accept the additional loads imposed thereon by the proposal. A copy of the Certificate must be provided to the consent authority and all owners of the party wall.
8. The design of the stormwater drainage concept plan on Drawing No. 18036/SW-3 prepared by MICHAEL KORECKY on 5 December 2018 must be amended to address items listed below. Amended plans must be submitted before the issue of a construction certificate.
  - a) Stormwater runoff from the roof of the proposed development 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 in Young Street.
  - b) Downpipe connections to the street gutter shall be under the floor slab at a minimum grade of 1%. Pipes' diameter and invert level and pits' surface and invert level must be shown on the drainage plans.
  - c) Where feasible down pipe connections to the street gutter shall be carried out through the light well to allow for inspection/cleaning eyes.
  - d) Charged or pump-out stormwater drainage systems are not permitted
  - e) A minimum 150mm step up must be provided between all external finished surfaces and adjacent internal floor areas.
  - f) 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.
  - g) All redundant stormwater pipelines within the footpath area must be removed and the footpath and kerb reinstated.
  - h) New pipelines within the footpath area that are to discharge to the kerb and gutter shall be hot dipped galvanised steel hollow section with a minimum wall thickness of 4.0mm and a maximum section height of 100mm.
  - i) Only a single point of discharge is permitted to the kerb and gutter, per frontage of the site.
  - j) New kerb along the frontage of the site shall be reconstructed to allow for connection of the outlet conduit to the gutter. Details for reconstruction of the new kerb and gutter and adjustment to existing kerb and gutter must be submitted for Council's approval.
  - k) The design must be certified as compliant with the terms of this

condition by a suitably qualified Civil Engineer.

- l) Details demonstrating compliance are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.
  - m) All plumbing within the site must be carried out in accordance with Australian Standard *AS/NZS3500.3.2015 Plumbing and Drainage – Stormwater Drainage*.
9. 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.

10. 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.
11. 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.

12. The following requirements are to be incorporated into the development detailed on the Construction Certificate plans and provided prior to the issue of a Construction Certificate:
  - a) No rainforest timbers or timbers cut from old growth forests are to be used in the construction of the development. Timbers to be used are to be limited to any plantation, regrowth or recycled timbers, or timbers grown on Australian Farms or State Forest Plantations.

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

13. 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.

14. Materials and finishes must be complementary to the predominant character and streetscape of the area, and any existing buildings and the period of construction of the buildings. In this regard;
  - a) The roofing of the addition shall comprise of either heritage barrel rolled traditional corrugated galvanised steel or pre-coloured traditional corrugated galvanised steel in a colour equivalent to Colorbond colour "Windspray" or "Wallaby" which are suitable modern equivalents of traditional roofing in the Leichhardt Municipality;
  - b) Materials must be designed so as to not result in glare (maximum normal specular reflectivity of visible light 20%) or that causes any discomfort to pedestrians or neighbouring properties; and
  - c) The rear first floor windows and balustrade to the rear balcony balustrade are to be constructed in timber.

The Materials and Finishes Schedule must be updated to address the above and to the satisfaction of the Certifying Authority prior to issue of a Construction Certificate.

15. Any existing original unpainted brick surfaces are not to be painted, bagged or rendered but to remain as original brick work. The Construction Certificate plans must clearly depict all original brickwork with a notation that they are to remain unpainted to the satisfaction of the Principal Certifying Authority.

16. 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.

17. 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.

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.

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.

19. 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.

20. 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](http://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.

21. The approved plans must be submitted to a Sydney Water Quick Check agent 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. For Quick Check agent details please refer to the web site <http://www.sydneywater.com.au/SW/plumbing-building-developing/building/quick-check-agents/index.html>

The Principal Certifying Authority must ensure the Quick Check agent/Sydney Water has appropriately stamped the plans prior to the issue of a Construction Certificate.

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.

22. 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](http://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.

23. 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)**

24. Prior to the commencement of demolition works on the subject site or a Construction Certificate being issued for works approved by this development consent (whichever occurs first), a security deposit and inspection fee as detailed below 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.

Security Deposit (FOOT)	\$ 2,152.50
Inspection fee (FOOT)	\$230.65

Payment will be accepted in the form of cash, bank cheque or 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 & footpath prior to & 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, Council may carry out any works necessary to repair the damage and/or remove the risk. The cost of these works will be deducted from the security deposit.

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.

- 25. A dilapidation report including a photographic survey of the following adjoining properties must be provided to Principal Certifying Authority prior to any demolition or works commencing on the site or the issue of a Construction Certificate (whichever comes first). The dilapidation report must detail the physical condition of those properties, both internally and externally, including walls, ceilings, roof, structural members and other similar items.

Property	Structures / Area
28 Young Street	Dwelling
24 Young Street	Dwelling

If excavation works are proposed the dilapidation report must report on the visible and structural condition of neighbouring structures within the zone of influence of the excavations. This zone is defined as the horizontal distance from the edge of the excavation face to twice the excavation depth.

The dilapidation report is to be prepared by a practising Structural Engineer. All costs incurred in achieving compliance with this condition shall be borne by the applicant. A copy of the report must be provided to Council, the Principal Certifying Authority and the owners of the affected properties prior to any works commencing.

In the event that access for undertaking the dilapidation report is denied by an adjoining owner, the applicant must demonstrate, in writing that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Written correspondence from the owners of the affected properties or other evidence must be obtained and submitted to the Principal Certifying Authority in such circumstances that demonstrates such documentation has been received. The Principal Certifying Authority must be satisfied that the requirements of this condition have been met prior to commencement of any works.

Note: This documentation is for record keeping purposes and may be used by an applicant or affected property owner to assist in any action required to resolve any civil dispute over damage rising from the works.

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.

26. 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.

#### **PRIOR TO THE COMMENCEMENT OF WORKS**

27. 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;
28. You are advised that Council has not undertaken a search of existing or proposed utility services adjacent to the site in determining this application. It is responsibility of applicant's contractor to verify location of the utility services with the relevant service authority. 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.

29. 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.

30. 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.

31. 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.
32. 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.
33. 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.

34. 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**

35. 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.

36. 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.

37. The site must be appropriately secured and fenced at all times during works.

38. 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.

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

40. 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.

41. 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.
42. 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.
43. 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.
44. Stormwater runoff from all roof and paved areas within the property must be collected in a system of gutters, pits and pipelines discharged by gravity to the kerb and gutter of a public road.

Any existing component of the stormwater system that is to be retained must be checked and certified by a Licensed Plumber or qualified practicing Civil Engineer to be in good condition and operating satisfactorily.

If any component of the existing system is not in good condition and /or not operating satisfactorily, it must be upgraded.

45. 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.

46. 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.

47. 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.

#### **PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE**

48. A second Dilapidation Report including photos of any damage evident at the time of inspection must be submitted after the completion of works. A copy of this Dilapidation Report must be given to the property owners referred to in this Development Consent. The report must:

- Compare the post construction report with the pre-construction report required by these conditions,
- Clearly identify any recent damage and whether or not it is likely to be associated with the development works including suggested remediation methods.

A copy must be lodged with Council and the Principal Certifying Authority prior to the issue of an Occupation Certificate. Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issuing of any Occupation Certificate

49. 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.

50. Prior to the issue of the Occupation Certificate the Principal Certifying Authority is to confirm that no high front gutters have been installed.

51. 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.

52. 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.

53. 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 the issue of an Occupation Certificate. Works shall be in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications".
54. Any sand 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.
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.
56. Prior to issue of the Occupation Certificate the person acting on this consent shall obtain from Council a compliance Certificate(s) stating that all Road, Footpath, Vehicle Crossing and Public Domain Works on Council property required to be undertaken as a result of this development have been completed satisfactorily and in accordance with Council approved plans and specifications.
57. 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 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.
58. Prior to the issue of any Occupation Certificate, the Principal Certifying Authority is to be satisfied that all landscape works, including the removal of all noxious weed species and planting of canopy trees, have been undertaken in accordance with the approved landscape plan and/or conditions of Development Consent.

#### **ONGOING CONDITIONS OF CONSENT**

59. 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.
60. 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.
61. The canopy replenishment trees required by this consent are to be maintained in a healthy and vigorous condition until they attain a height of 6 metres whereby they will be protected by Council's Tree Management Controls. Any of the trees

found faulty, damaged, dying or dead shall be replaced with the same species within 2 months.

62. The premises shall not be used for any purpose other than that stated in the Development Application, i.e. Dwelling 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, 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 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.

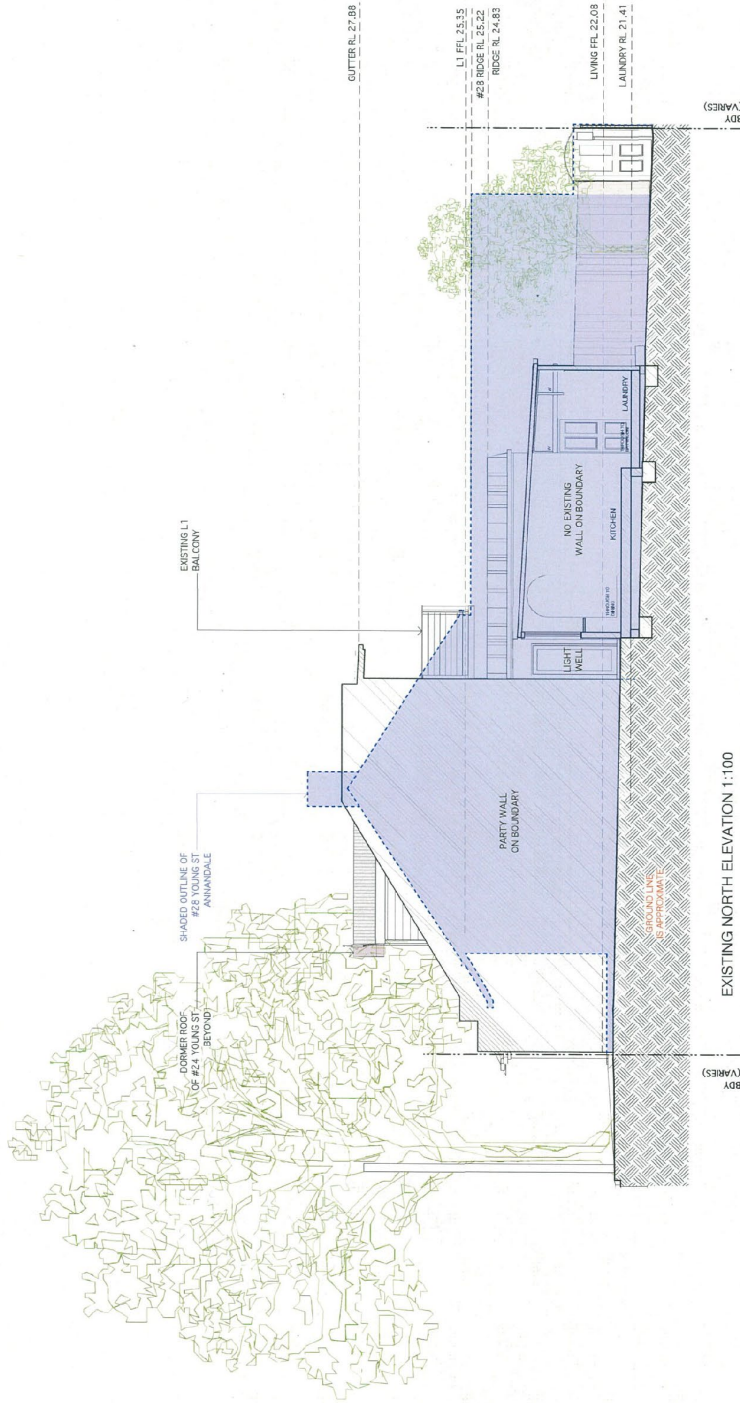
**NOTES**

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.

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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.

Attachment B – Plans of proposed development



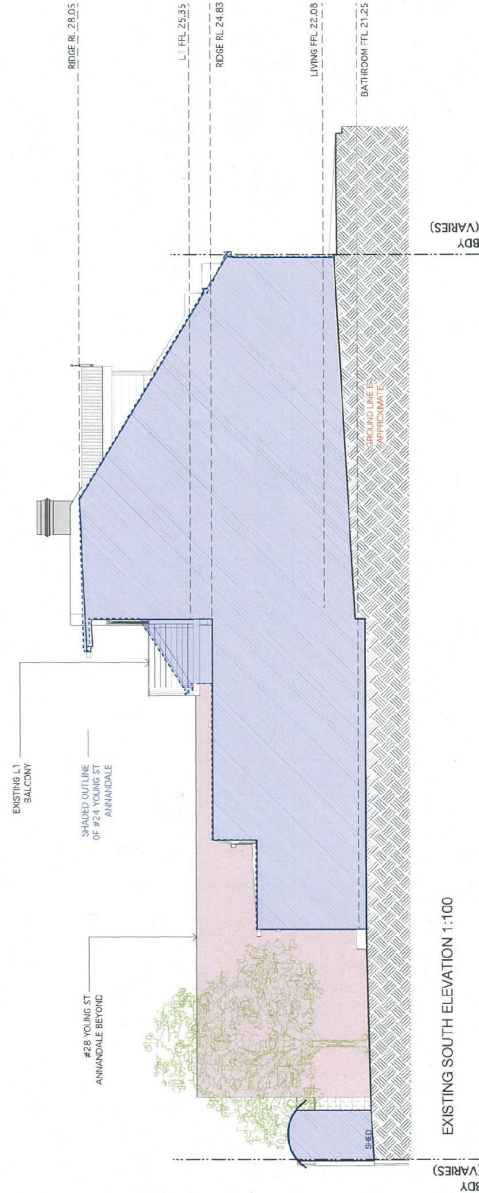
NOTE:  
 A good faith effort has been made to ensure details of neighbouring properties are as accurate as possible based on available information: google maps, survey data + site visits.

LEGEND



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PROJECT #	1711
CLIENT	26 Young St, Annandale
DATE	18/01/19
SCALE & A	1:100
PROJECT NAME	EX NORTH ELEVATION
PREPARED BY	DAVID C
CHECKED BY	N/A
DATE	N/A
PROJECT	DA-41
CONTACT	hellocommonplace@gmail.com



NOTE:  
 A good faith effort has been made to ensure details of neighbouring properties are as accurate as possible based on available information: google maps, survey data + site visits.

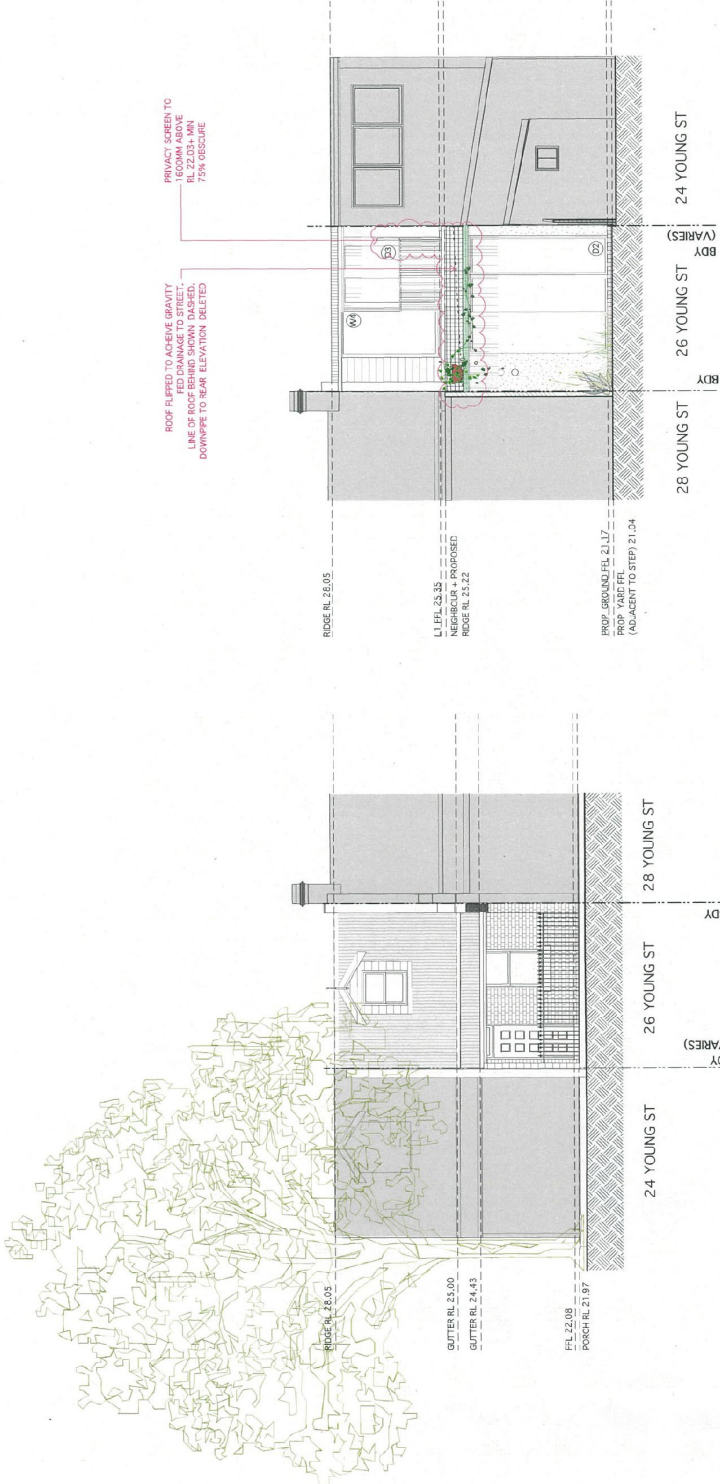
LEGEND  
 existing

Project: 26 Young St, Annandale  
 Client: Monica + James  
 Date: 18/07/19  
 Scale: 1:100  
 Project # 1711  
 Sheet # 1  
 Drawing # DA-42  
 Commonplace: ABN 97 605 517 753 : lvl 3 101-111 william st darlinghurst 2010 : fiona +61406403391 : kelliie +61423277657 : hellocommonplace@gmail.com









NOTE:  
A good faith effort has been made to ensure details of neighbouring properties are as accurate as possible based on available information: google maps, survey data + site visits.

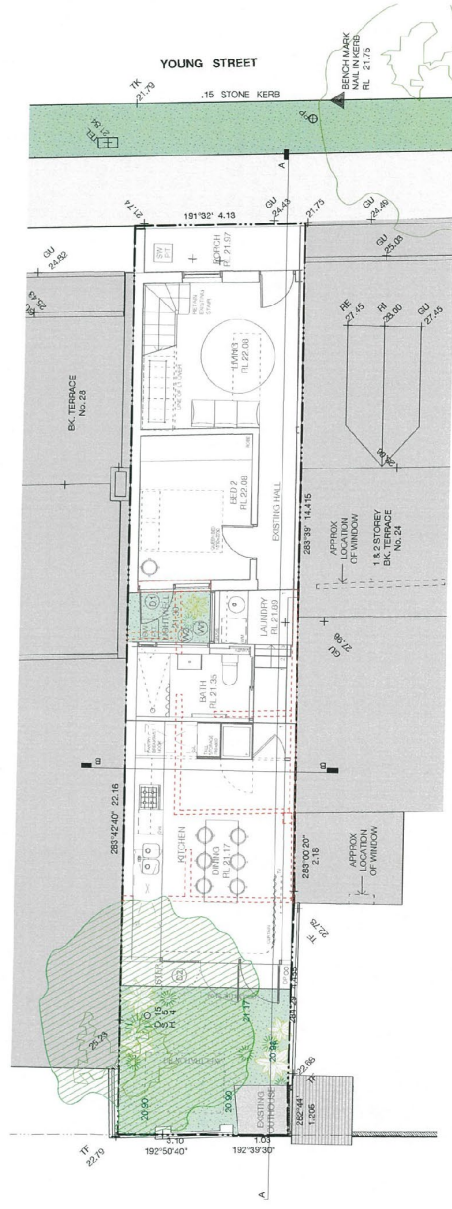
PROPOSED WEST ELEVATION 1:100

PROPOSED EAST ELEVATION 1:100  
**NO CHANGE**

...to...  
Notes:  
- All work to be undertaken in accordance with the relevant standards and specifications.  
- Figures shown are approximate and may vary slightly from the actual figures to be shown on the final construction drawings.  
- The above information is for information only and does not constitute an offer of any financial product or service.  
- The above information is for information only and does not constitute an offer of any financial product or service.  
- The above information is for information only and does not constitute an offer of any financial product or service.

PROJECT #	1711
SUBJECT	26 Young St, Annandale
DATE #	AUG 2016
SCALE #	A3
DRAWN	1:100
CHECKED	
DATE	
PROJECT	DA-11
DESCRIPTION	PROP EAST + WEST ELEVATION
CONTACT	hello@commonplace@gmail.com

DA	18/0/1/19	DA ISSUE C
B	08/8/18	N/A
C	08/8/18	DA ISSUE B
D	08/8/18	DA ISSUE A
E	08/8/18	DA ISSUE D
F	08/8/18	DA ISSUE E
G	08/8/18	DA ISSUE F
H	08/8/18	DA ISSUE G
I	08/8/18	DA ISSUE H
J	08/8/18	DA ISSUE I
K	08/8/18	DA ISSUE J



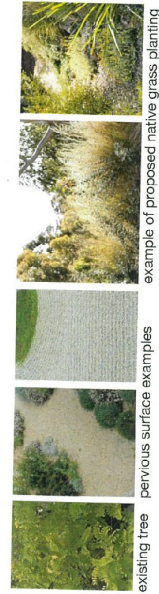
LANDSCAPE PLAN 1:100

**CALCULATIONS**

existing landscape area: 0m<sup>2</sup> = 0%  
 proposed landscape area: 15.4m<sup>2</sup> = 16.7%

**LEGEND + LANDSCAPE DETAILS**

-  existing tree:  
 species (referenced to be Rubus/Pseudotsuga/Ficus)  
 spread: 5m  
 height: 4m  
 trunk: 0.15m
-  gravel/ crushed sandstone pervious landscaping
-  Indicates area of potential planting



existing tree pervious surface examples example of proposed native grass planting

PROJECT # 1711  
 DATE # AUG 2013  
 DRAWN BY MONICA + JAMES  
 SCALE 1:100  
 SHEET # DA-15  
 PROJECT NAME 26 Young St, Amundale  
 CLIENT Monica + James  
 DATE 24/09/18  
 DRAWN BY MONICA + JAMES  
 PROJECT NAME LANDSCAPE PLAN  
 COMMONPLACE : AEN 37 605 517 753 : LV1 3 101-111 William St Scarborough 2010 : Flora +61408403391 : Kellie +61423277657 : hellocommonplace@gmail.com

**GENERAL NOTES**

ALL PLUMBING WITHIN THE SITE MUST BE CARRIED OUT IN ACCORDANCE WITH ALL PLUMBING PROVISIONS OF AUSTRALIAN STANDARD AS/NZS 3500.3-2003 RELEVANT AND DRAINAGE STORMWATER DRAINAGE.

THE COLLECTION SYSTEM AND ALL NEW PLUMBING AND DRAINAGE FOR THE NEW ADDITION AT NO 13A GLENAYR AVENUE, BONDI NSW SHALL BE IN ACCORDANCE WITH THE RELEVANT CLAUSES OF THE FOLLOWING:  
WAVERLEY DEVELOPMENT CONTROL PLAN 2010 - 64  
WATER MANAGEMENT TECHNICAL GUIDELINES DECEMBER 2007

ALL LEVELS ARE TO AUSTRALIAN HEIGHT DATUM, (AHD)

DO NOT SCALE FROM THE DRAWINGS.

THE CONTRACTOR MUST VERIFY ALL DIMENSIONS AND EXISTING LEVELS ON SITE PRIOR TO COMMENCEMENT OF WORKS. REPORT ANY DISCREPANCIES TO THE SUPERINTENDENT OR DESIGN ENGINEER.

ALL WORK IS TO BE CARRIED OUT IN ACCORDANCE WITH THE DETAILS SHOWN ON THE DRAWINGS AND SPECIFICATION.

READ THESE PLANS IN CONJUNCTION WITH APPROVED ARCHITECTURAL, STRUCTURAL, HYDRAULIC AND MECHANICAL DRAWINGS AND SPECIFICATION.

WHERE NEW WORK ABUTS EXISTING, THE CONTRACTOR SHALL ENSURE THAT A SMOOTH EVEN PROFILE, FREE FROM ABRUPT CHANGES, IS OBTAINED.

DESIGN LEVELS GIVEN ARE TO FINISHED SURFACE LEVEL AND INCLUSIVE OF TOPSOIL. (TOPSOIL DEPTH VARIES).

THE CONTRACTOR SHALL ARRANGE ALL SURVEY SETOUT TO BE CARRIED OUT BY A REGISTERED SURVEYOR.

CARE IS TO BE TAKEN WHEN EXCAVATING NEAR EXISTING SERVICES. NO MECHANICAL EXCAVATIONS ARE TO BE UNDERTAKEN OVER TELECOM OR ELECTRICAL SERVICES. HAND EXCAVATE IN THESE AREAS.

ALL BUILDING SURROUND SHOULD BE GRADED TO ENSURE OVERLAND FLOW FROM UPSTREAM AREAS CAN DRAIN AROUND THE FOUNDATIONS, WALLS OF BUILDING.

ALL EXCAVATION SHORING OF EXCAVATION AND STABILITY OF ADJACENT STRUCTURES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.

DURING CONSTRUCTION, THE STRUCTURE SHALL BE MAINTAINED IN A STABLE CONDITION AND NO PART SHALL BE OVERSTRESSED.

WORKMANSHIP AND MATERIALS SHALL CONFORM WITH THE REQUIREMENTS OF THE RELEVANT SAA CODES, BCA REQUIREMENTS AND THE SPECIFICATION, BY-LAWS AND ORDINANCES OF THE RELEVANT AUTHORITIES.

PROPRIETARY PRODUCTS USED SHALL BE INSTALLED TO MANUFACTURERS SPECIFICATION AND TO THE SATISFACTION OF THE SUPERINTENDENT.

**EXTERNAL WORKS**

ALL ACTIVITIES AND WORKS EXTERNAL TO THE SITE, OR THAT AFFECT PUBLIC ROADS, ARE TO BE CARRIED OUT IN ACCORDANCE WITH COUNCIL'S CODES AND STANDARDS.

PUBLIC FOOTPATHS SHALL BE RECONSTRUCTED TO THE SATISFACTION OF COUNCIL'S DIRECTOR OF ENGINEERING SERVICES. A ROAD OPENING PERMIT MUST BE OBTAINED FROM COUNCIL PRIOR TO THE COMMENCEMENT OF WORKS. PUBLIC OR PRIVATE ROADS, DRIVEWAYS AND RESTORATION OF LANDSCAPING, ROADS AND DRIVEWAYS SHALL BE TO COUNCIL'S REQUIREMENTS AND OTHER RESTORATION SHALL BE TO THE SATISFACTION OF THE AFFECTED PARTIES.

WHERE WORKS ARE UNDERTAKEN ON PUBLIC ROADS, ADEQUATE TRAFFIC CONTROL AND DIRECTIONS TO MOTORISTS SHALL BE PROVIDED.

**DRAINAGE PITS**  
PITS DEEPER THAN 1200mm TO BE FITTED WITH STEP IRONS AT 300mm CENTRES AND STAGGERED.

APPROVED PRECAST PITS MAY BE USED.

DIAMETER 100mm HOLE FOR SUBSOIL DRAINAGE OUTLET TO BE LOCATED 100mm ABOVE INLET OF ALL INLET PIPES. DIAMETER 100mm SUBSOIL DRAINAGE TO EXTEND FOR A DISTANCE OF 3.0m UPSTREAM OF PIT (AT EACH INLET PIT) WITH THE EXISTING DRAINAGE.

ALL CONNECTIONS TO THE EXISTING DRAINAGE PITS SHALL BE MADE IN A TRADESMAN LIKE MANNER AND THE INTERNAL WALL OF THE PIT AT THE POINT OF ENTRY SHALL BE CEMENT RENDERED TO ENSURE A SMOOTH FINISH.

PIT GRATES AND SOLID COVERS SHALL BE CLASS 'B' IN NON TRAFFIC AREAS AND CLASS 'D' IN TRAFFIC AREAS IN ACCORDANCE WITH AS 3986.

**DRAINAGE PIPES**  
EXISTING PIPES WHICH FORMING PART OF THE DRAINAGE SYSTEM SHALL BE REMOVED OR SANDFILLED AS INDICATED ON THE PLANS.

Pipe lengths measured ARE BETWEEN PIT CENTRES.

ALL DRAINAGE PIPES LESS THAN 300mm DIAMETER SHALL BE SEWER GRADE UPVC WITH SOLVENT WELDED JOINTS (U.N.O.). ALL PIPE JOINTS AND TAPERS SHALL BE V.A. PURPOSE MADE FITTINGS.

MINIMUM GRADE TO DRAINAGE PIPES TO BE 1.5% U.N.O.

MINIMUM PIPE SIZE TO BE 100mm DIAMETER U.N.O.

THE CONTRACTOR IS TO SUPPLY AND INSTALL ALL FITTINGS AND SPECIALS INCLUDING VARIOUS PIPE ADAPTORS TO ENSURE PROPER CONNECTION BETWEEN DISSIMILAR PIPEWORK.

**RAINWATER RE-USE, NOTES AND SPECIFICATIONS**

ROOF WATER ONLY TO BE DRAINED TO THE RAINWATER STORAGE TANKS. THE RAINWATER STORAGE TANKS ARE TO BE CONNECTED FOR RE-USE AS REQUIRED BY THE OWNER.

RAINWATER STORAGE TANKS TO BE CONFIGURED IN ACCORDANCE WITH STONEY WATER SPECIFICATIONS 'GUIDELINES FOR RAINWATER TANKS ON RESIDENTIAL PROPERTIES'.

PROVIDE MAINS 'TOP-UP' SUPPLY TO RAINWATER TANKS. MAINS 'TOP-UP' ZONE TO BE BASED ON THE DAILY NON-POTABLE USAGE THAT MAY BE EXPECTED FROM THE TANK.

PROVIDE A MECHANICAL PUMPING ARRANGEMENT (IN SOUND-PROOF HOUSING) TO PUMP SUPPLIERS SPECIFICATION TO SUIT INTENDED USAGE OF RAINWATER STORAGE. PUMPING ARRANGEMENTS MUST COMPLY WITH EPA GUIDELINES.

INLETS TO RAINWATER TANKS MUST BE SCREENED TO PREVENT THE ENTRY OF FOREIGN MATTER, ANIMALS OR INSECTS.

A SIGN MUST BE AFFIXED TO THE RAINWATER TANKS CLEARLY STATING THAT THE WATER IN THE TANK IS RAINWATER AND IS NOT TO BE USED FOR HUMAN CONSUMPTION.

'FIRST FLUSH' DEVICE TO BE PROVIDED TO EACH DOWNSPIPE OR IF PREFERRED A SINGLE DEVICE TO BE PROVIDED ON THE UPSTREAM SIDE OF STORAGE TANK FOR EACH PIPED INLET TO RETENTION TANK. A SINGLE FIRST FLUSH DEVICE MAY BE PROVIDED IN LIEU OF EACH DOWNSPIPE.

RAINWATER TANKS TO BE PLACED ON A STRUCTURALLY ADEQUATE BASE IN ACCORDANCE WITH THE MANUFACTURER'S OR STRUCTURAL ENGINEER'S DETAILS.

THE TANK MUST NOT BE INSTALLED OVER ANY MAINTENANCE STRUCTURE OR FITTINGS USED BY A PUBLIC AUTHORITY.

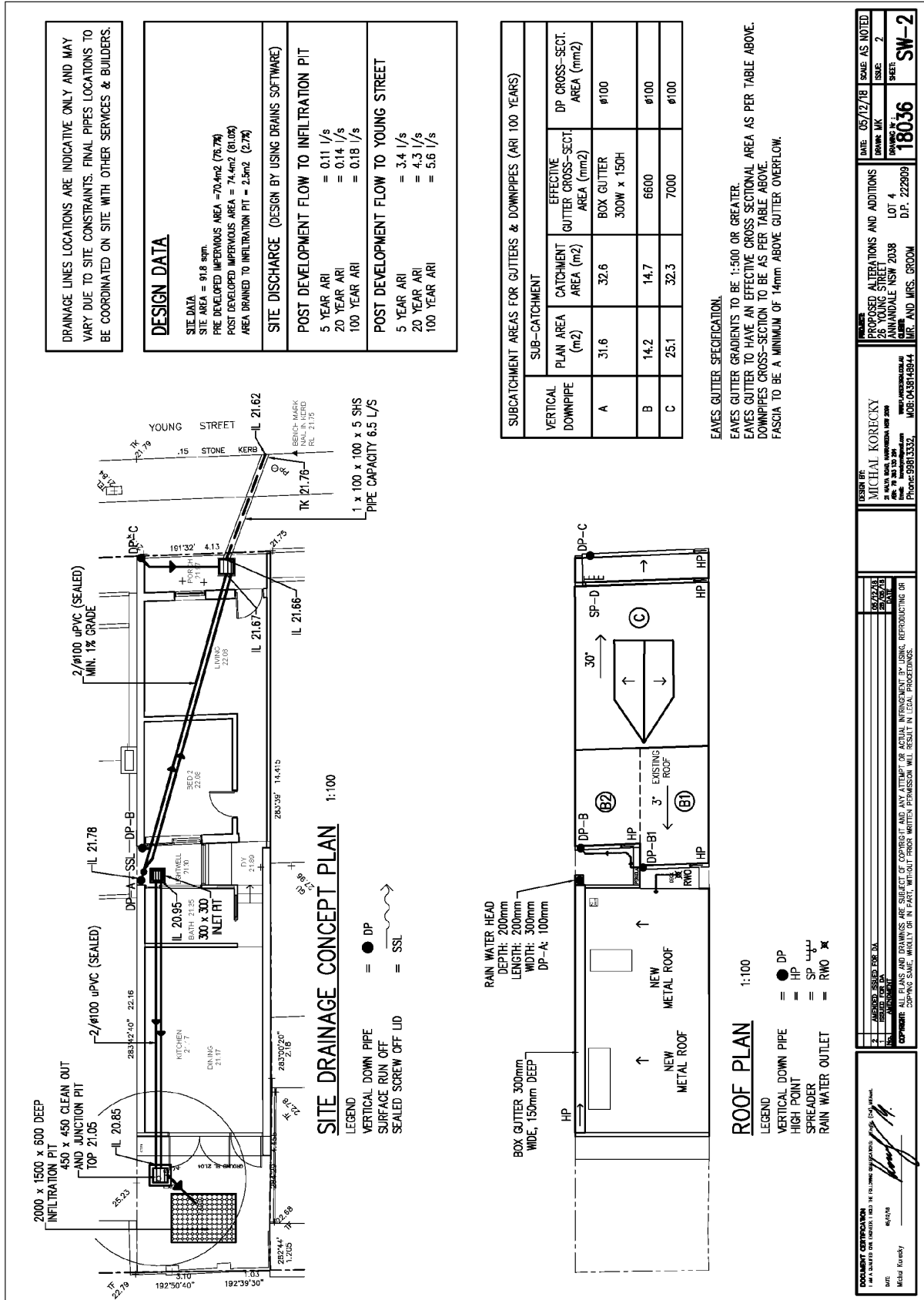
RAINWATER TANKS AND ASSOCIATED PLUMBING WORKS TO BE INSTALLED AND CONFIGURED BY A LICENSED PLUMBER. PUMP TO BE INSTALLED BY A LICENSED ELECTRICIAN.

**DOCUMENT CERTIFICATION**  
I AM A QUALIFIED ENGINEER (REG. NO. 1412) IN THE ENGINEERING PROFESSION.  
DATE: 04/12/18  
Michael Korecky

**DESIGNER:**  
MICHAEL KORECKY  
21 BALNA HAVENWAY UNIT 2008  
BONDI NSW 1530  
Phone: 99813332, MOBI: 0438149844

**PROPOSED ALTERATIONS AND ADDITIONS**  
13A GLENAYR AVENUE  
BONDI NSW 1538  
LOT 4  
D.P. 2229009  
MR. AND MRS. GROOM

**DATE:** 05/12/18  
**SCALE:** AS NOTED  
**DRAWING NO.:** 18036  
**SHEET:** SW-1



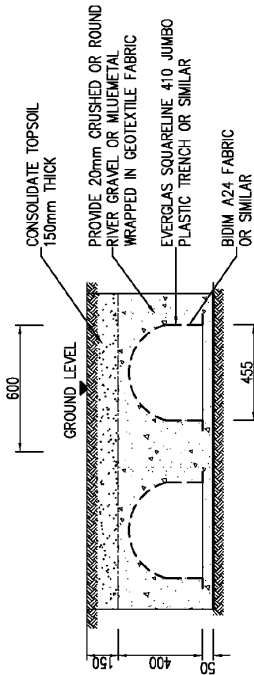
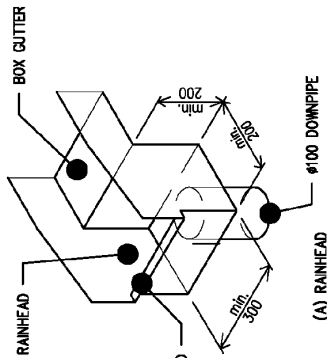
**BOX GUTTERS SPECIFICATION**

THE MINIMUM WIDTH OF BOX GUTTERS USED FOR COMMERCIAL CONSTRUCTION IS 300 MM. BOX GUTTERS 200 MM WIDE MAY BE USED FOR DOMESTIC CONSTRUCTION, BUT THEY ARE MORE PRONE TO BLOCKAGES AND SHOULD BE SUBJECT TO FREQUENT INSPECTIONS AND MAINTENANCE. ADDITIONAL HEIGHT IS RECOMMENDED WHERE POSSIBLE.

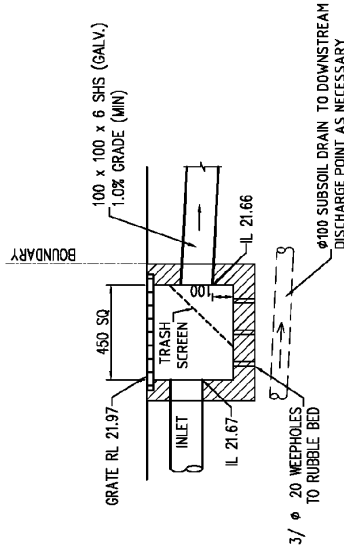
BOX GUTTERS SHALL:

- (I) BE STRAIGHT (WITHOUT CHANGE IN DIRECTION);
- (II) IN A CROSS-SECTION HAVE A HORIZONTAL CONSTANT WIDTH BASE (SOLE) WITH VERTICAL SIDES;
- (III) HAVE A CONSTANT LONGITUDINAL SLOPE BETWEEN 1:200 AND 1:40;
- (IV) DISCHARGE AT THE DOWNSTREAM END WITHOUT CHANGE OF DIRECTION (I.E. NOT TO THE SIDE); AND
- (V) BE SEALED TO THE RAINEHEADS AND SUMPS.

37.6 DOWNPIPES  
DOWNPIPES SHALL BE FITTED VERTICALLY TO THE BASE OF A RAINEHEAD OR SUMP



**INFILTRATION PIT SECTION 1**  
1:20



**SITE OUTLET PIT**  
1:20

**UNDERGROUND SERVICES**  
DIAL 1100 BEFORE YOU DIG FOR LOCATION OF UNDERGROUND SERVICES PRIOR TO ANY CONSTRUCTION WORKS.  
CONTACT TELSTRA FOR WRITTEN PERMISSION TO MAINTAIN OR RELOCATE ANY EXISTING SERVICE PIT.  
ALL SERVICES ARE TO MATCH INTO THE NEW FOOTPATH LEVELS CONTACT THE RELEVANT AUTHORITY FOR ADJUSTMENT TO SERVICES.

**LEAF GUARD**  
TO BE INSTALLED TO EACH DOWN PIPE

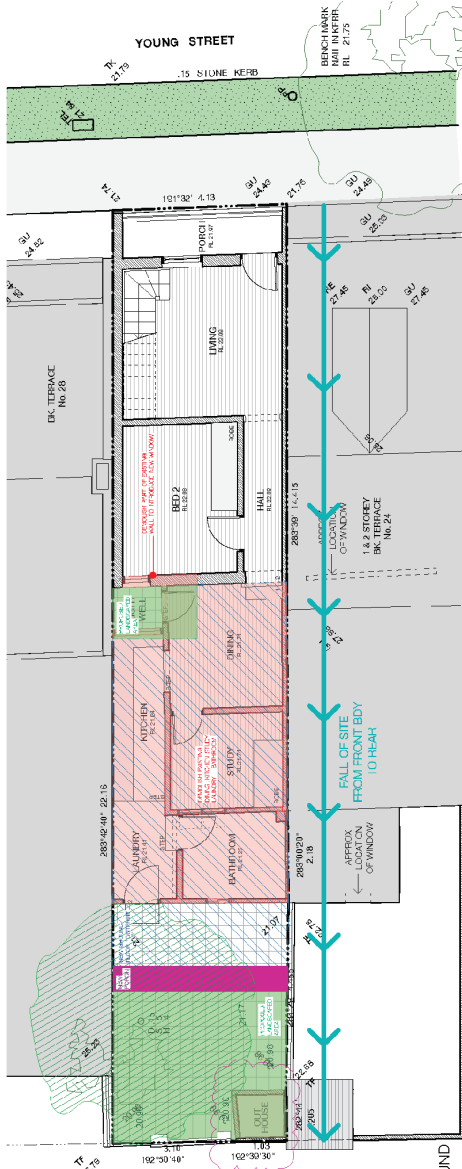
DRAINAGE LINES LOCATIONS ARE INDICATIVE ONLY AND MAY VARY DUE TO SITE CONSTRAINTS. FINAL PIPES LOCATIONS TO BE COORDINATED ON SITE WITH OTHER SERVICES & BUILDERS.

**CONNECTION WITH 150mm CONCRETE KERB**  
1:20

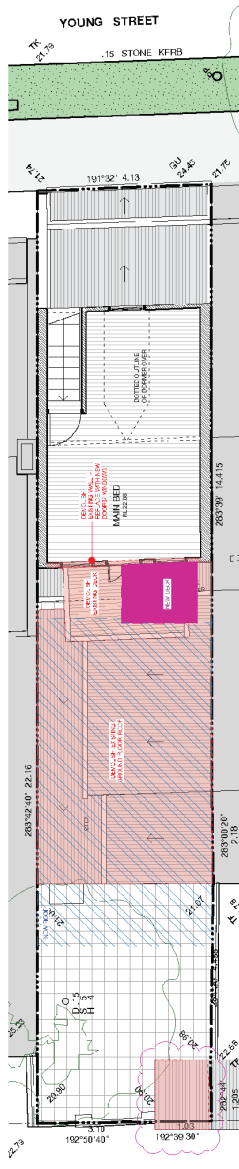


- NOTES**
1. INTERNAL HEIGHT OF RECTANGULAR SECTION ACROSS THE FOOTPATH SHALL BE 100mm MAXIMUM.
  2. RECTANGULAR SECTION ACROSS FOOTPATH SHALL BE HOT DIP GALVANISED RHS.
  3. CONVERT STORMWATER PIPES WITHIN PROPERTY TO SHS ACROSS FOOTPATH USING STORMWATER PIT.

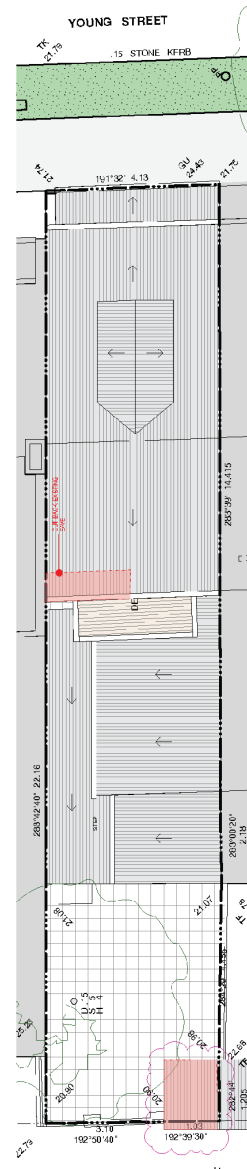
<p><b>PROPOSED ALTERATIONS AND ADDITIONS</b> 26 YOUNG STREET ANNANDALE NSW 2038 LOT 4 D.P. 222809</p> <p><b>CLIENT FOR:</b> MICHAEL KORECKY 10/10 Young Street Annandale NSW 2038 Phone: 99033392 Mobile: 99033392</p>	<p>DATE: 05/12/18</p>	<p>SCALE AS NOTED</p>
	<p>DRAWING NO.: 18036</p>	<p>ISSUE: 2</p>
<p>PROJECT NO.: 18036</p>	<p>ALL PLANS AND DRAWINGS ARE SUBJECT OF COPYRIGHT AND ANY ATTEMPT OF ACTUAL INTRODUCTION, REPRODUCTION OR COPYING, IN ANY MANNER, WITHOUT WRITTEN PERMISSION WILL RESULT IN LEGAL PROSECUTION.</p>	



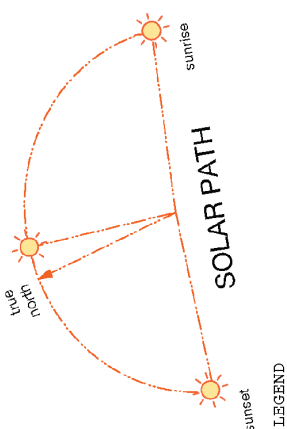
SITE PLAN GROUND  
1:100



SITE PLAN L1  
1:100



SITE PLAN ROOF  
1:100



- LEGEND**
- proposed demolition
  - existing
  - outline of proposed new footprint
  - outline of proposed deck/porch
  - proposed landscaped area
  - existing tree to be retained:  
Species: Elm  
Height: 4m  
Trunk: 8-5m
  - 21.17** Indicates RL
  - Indicates fall of site

**CALCULATIONS**

site area: 91.8m<sup>2</sup>  
 existing GFA: 76.8m<sup>2</sup>  
 proposed GFA: 77.9m<sup>2</sup>  
 existing FSR: 0.83: 1  
 proposed FSR: 0.84: 1

existing private open space: 18.3m<sup>2</sup>  
 proposed private open space: 16.9m<sup>2</sup>  
 existing landscaped area: 0m<sup>2</sup>  
 proposed landscaped area: 16.9m<sup>2</sup> = 18.3%  
 existing site coverage: 64.1m<sup>2</sup> = 69%  
 proposed site coverage: 67m<sup>2</sup> = 73%

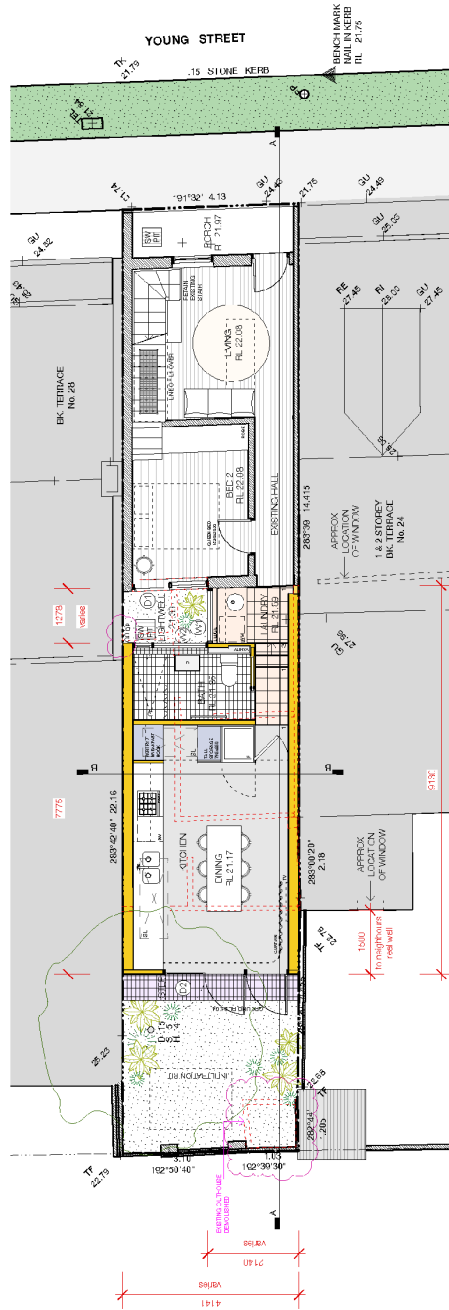
**NOTES:**

- do not scale drawings - Measurements in mm unless otherwise noted. All dimensions on drawings are to face unless otherwise stated. All dimensions are to be taken from the site plan to commencement of all walls and/or any drawings - before any discrepancies to the author and final instruction - The builder is responsible for all work for the construction. All work shall be carried out in accordance with the BCA, SAA codes and conditions of council - Site - All demolition is to be carried out in detail, from or not, they shall contact council prior to construction to discuss

1711  
 26 Young St, Annandale  
 Monica + James  
 SITE PLAN  
 DA-07







PROPOSED GROUND FLOOR PLAN 1:100

LEGEND

- masonry
- concrete
- timber
- metal
- existing
- demolition
- cloud denotes issue
- B amendments

**NOTE:**  
 A good faith effort has been made to ensure details of neighbouring properties are as accurate as possible based on available information: google maps, survey data + site visits.

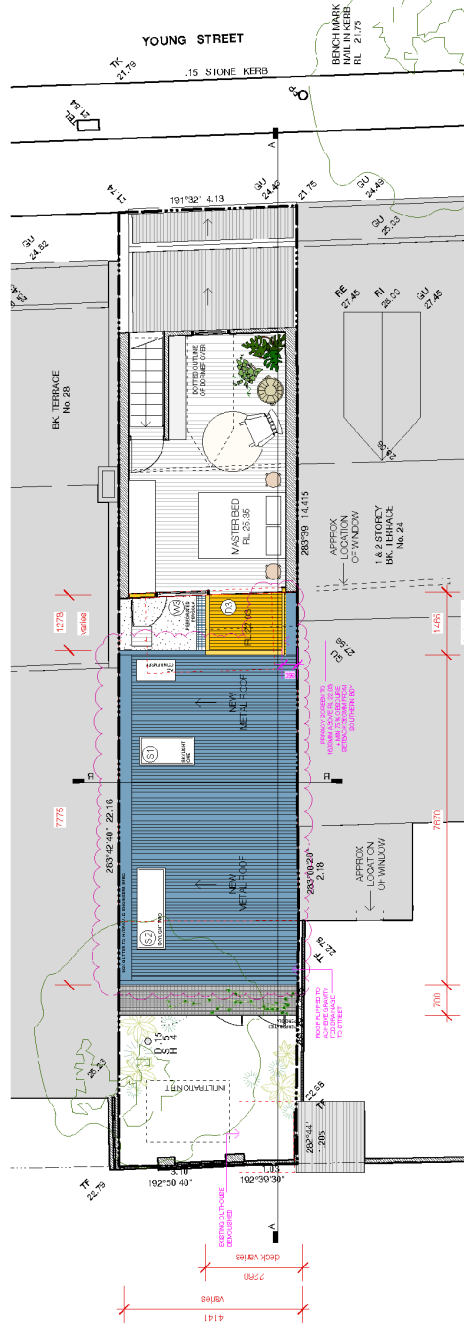
SEALS AND STAMPS ARE LEGALLY PROTECTED, AND SHALL NOT BE COPIED, REPRODUCED, LENT OR USED FOR ANY PURPOSES OTHER THAN AS ORIGINALLY INTENDED WITHOUT THE WRITTEN PERMISSION OF COMPAGNE P/BY LTD.

Notes:  
 - DO NOT SCALE DRAWINGS IN ANY DIRECTIONS IN ANY UNLESS OTHERWISE NOTED  
 - SITE PRINT TO COMMENCEMENT OF ALL WORK AND/OR SHOP DRAWINGS - REFER ANY DISCREPANCIES TO THE ARCHITECT IMMEDIATELY  
 - ESTABLISH MARK PROFILES - WATER SECURITY AND WATER LIGHTINGS FOR ALL DETAILS FOR THE CONSTRUCTION  
 - ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH THE BCA, SNA CODES AND ALL APPLICABLE REGULATIONS AND STANDARDS  
 - IF THE BUILDER IS CONCERNED ABOUT ANY CONSTRUCTION DETAIL, DRAWING OR NOT, THEY SHALL CONTACT COMPAGNE PRIOR TO CONSTRUCTION TO DISCUSS

CLIENT: 26 Young St, Annandale  
 ARCHITECT: MONICA + JAMES  
 DRAWN BY: DAVID DAVIDSON  
 DATE: 24/06/18  
 SCALE: A3  
 SHEET: 1 OF 1  
 PROJECT: PROP GROUND FLOOR PLAN  
 REVISION: B

PROJECT # 1711  
 DATE # AUG 2018  
 DRAWN BY DAVIDSON  
 SCALE # A3  
 SHEET # 1 OF 1  
 PROJECT # DA-08  
 REVISION # B

COMPAGNE: ABN 97 605 517 753 : lvl 3 -01-111 william st darlinghurst 2010 : fiona +6106403391 : kylie +6123277657 : hello@compomplace@gmail.com



PROPOSED LEVEL ONE FLOOR PLAN 1:100

**LEGEND**

- masonry
- concrete
- timber
- metal
- existing
- demolition
- cloud denotes issue
- B amendments

Plans drawn in accordance with the Building Code of Australia (BCA) and shall not be copied, reproduced, lent or used for any purpose other than as originally intended without the written permission of commorplace Pty. Ltd.

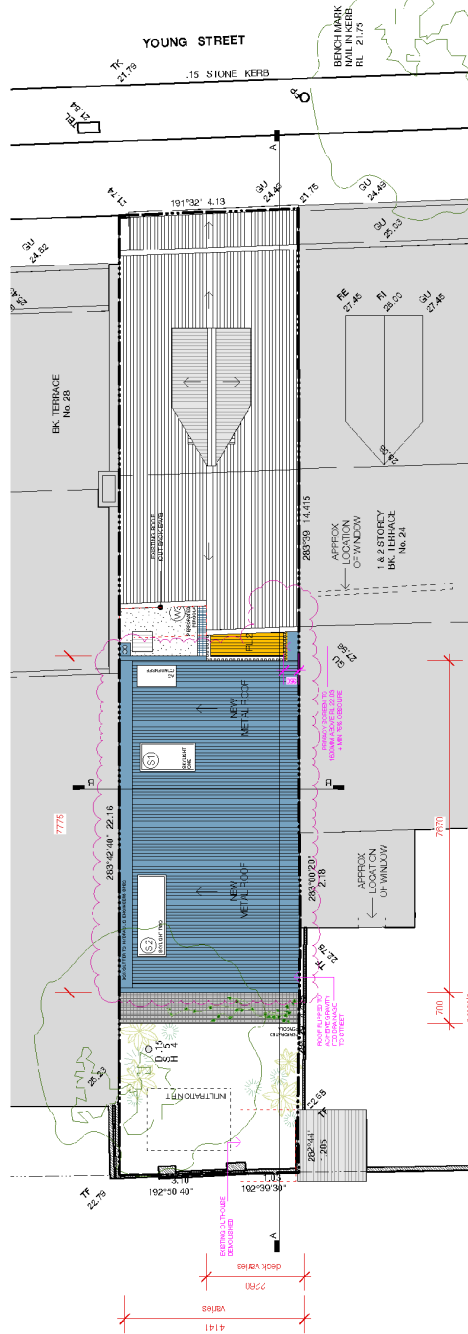
Notes:

- All dimensions are in millimetres unless otherwise stated.
- Planned dimensions shall be taken in reference to scale - Verify all dimensions on site prior to commencement of all works and/or shop drawings - Refer any discrepancies to the architect immediately.
- All work shall be carried out in accordance with the BCA, SWA codes of practice, and any other applicable codes of practice.
- If the builder is concerned about any construction detail, item or not, they shall contact commorplace prior to construction to discuss.

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PROJECT # 1711  
 CLIENT Monica + James  
 PROJECT NAME PROP LEVEL ONE FLOOR PLAN  
 DATE # 24/06/18  
 DRAWN BY CS/2/18  
 CHECKED BY DA/SS/EB  
 DATE 24/06/18  
 SCALE B  
 REVISION # 100  
 DRAWN BY DA-09  
 CHECKED BY B





PROPOSED ROOF PLAN 1:100

- LEGEND**
- masonry
  - concrete
  - timber
  - metal
  - existing
  - demolition
  - cloud denotes issue B amendments

Notes: - All drawings are subject to approval by the Council. All drawings shall be completed, dated and sealed for any purpose other than as originally intended without the written approval of the architect. The architect shall not be responsible for any errors or omissions in the drawings or for any consequences arising therefrom. The architect shall not be responsible for any errors or omissions in the drawings or for any consequences arising therefrom. The architect shall not be responsible for any errors or omissions in the drawings or for any consequences arising therefrom.

1. NO SCALE DRAWINGS - Measurements in an unless otherwise noted shall be taken from the finished floor level. All dimensions are given in millimetres unless otherwise stated. The architect shall not be responsible for any errors or omissions in the drawings or for any consequences arising therefrom. The architect shall not be responsible for any errors or omissions in the drawings or for any consequences arising therefrom. The architect shall not be responsible for any errors or omissions in the drawings or for any consequences arising therefrom.

26 Young St, Annandale

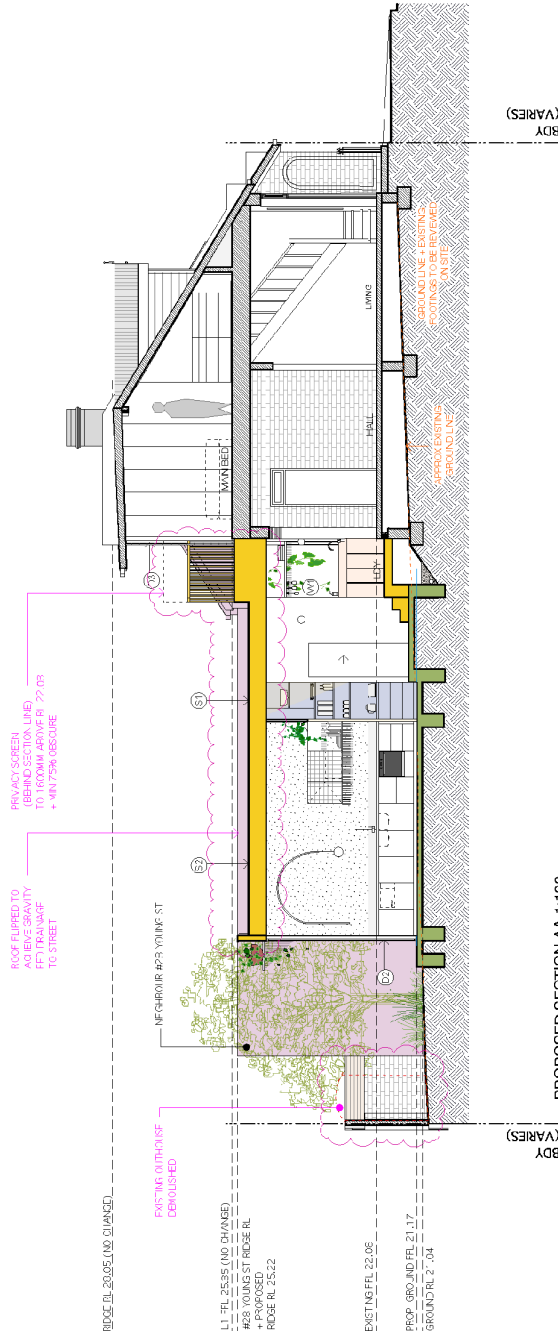
Monica + James

PROP ROOF PLAN

PROJECT #	AK2010-002	1711
DATE	2010	
SCALE	1:100	
NO.	DA-10	
DESCRIPTION	PROPOSAL	



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PROPOSED SECTION AA 1:100

L.BGBND

- masonry
  - concrete
  - timber
  - metal
  - existing
  - demolition
- cloud denotes issue  
B amendments

**NOTE:**  
A good faith effort has been made to ensure details of neighbouring properties are as accurate as possible based on available information: google maps, survey data + site visits.

...submitting the project, applicants, and shall not be copied, reproduced, lent, or used for any purpose other than as expressly intended without the written permission of commorplace Pty. Ltd.

Do not scale drawings - Measurements in an unless otherwise noted  
- Figured dimensions shall be taken in preference to scale - Verify all dimensions on site  
- The architect shall be responsible for all dimensions to the building and any discrepancies to the above and shall instruct the builder as responsible for all water resistance, water proofing, water security and water tightness for all details for construction. The architect shall be responsible for all dimensions to the building and any discrepancies to the above and shall instruct the builder as responsible for all construction in accordance with AS6001-200 - If the builder is concerned about any construction detail, draw or set, they shall contact commorplace prior to construction to discuss.

26 Young St, Annandale

Monica + James

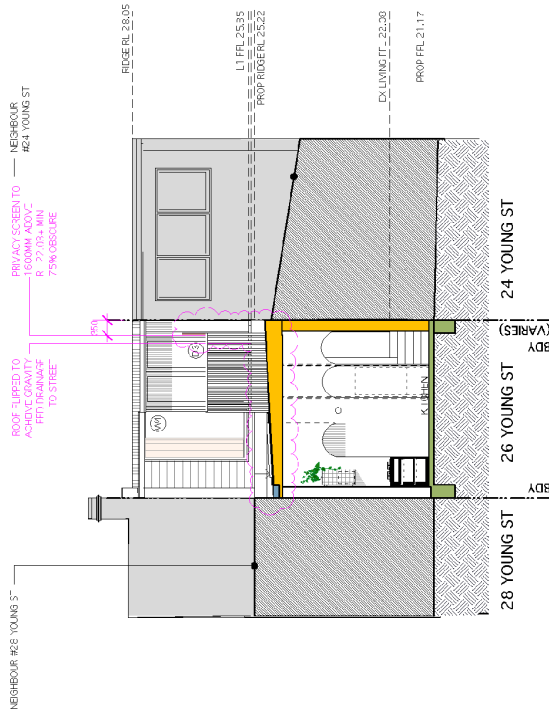
PROP SECTION AA

PROJECT #	1711
DATE #	AUG 2018
DATE #	10C
DATE #	DA-12
DATE #	B
DATE #	B

DATE #	CS/2/18	DA/SS/LEB
DATE #	24/06/18	DA/SS/LEB

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PROPOSED SECTION BB 1:100

- LEGEND**
- masonry
  - concrete
  - timber
  - metal
  - existing
  - demolition
  - cloud denotes issue B amendment

**NOTE:**  
 A good faith effort has been made to ensure details of neighbouring properties are as accurate as possible based on available information: google maps, survey data + site visits.

26 Young St, Annandale Monica + James PROP SECTION BB		1711 AUG 2010 DA-13
28 YOUNG ST BDY (VARIES)	24 YOUNG ST BDY	24 YOUNG ST BDY
CS/2/18 24/06/18	DA/ISSUE B DA/ISSUE A	1711 DA-13
commorplace : ABN 97 605 517 753 : lvl 3 .01-111 william st darlinghurst 2010 : fiona +61406403391 : kelliie +61423277657 : hellocommorplace@gmail.com		



## Attachment C – Statement of Significance

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### Area 18 Annandale Conservation Area

#### Landform

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



Figure 18.1 Annandale Conservation Area Map.

#### History

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

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

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

Godden Mackay Logan

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

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

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

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

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

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

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

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

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

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

#### Sources

Information provided by Max Solling.

#### Significant Characteristics

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



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

#### Statement of Significance or Why the Area is Important

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

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

#### Management of Heritage Values

##### Generally

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

##### Retain

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

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

Avoid

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

Further Work

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

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