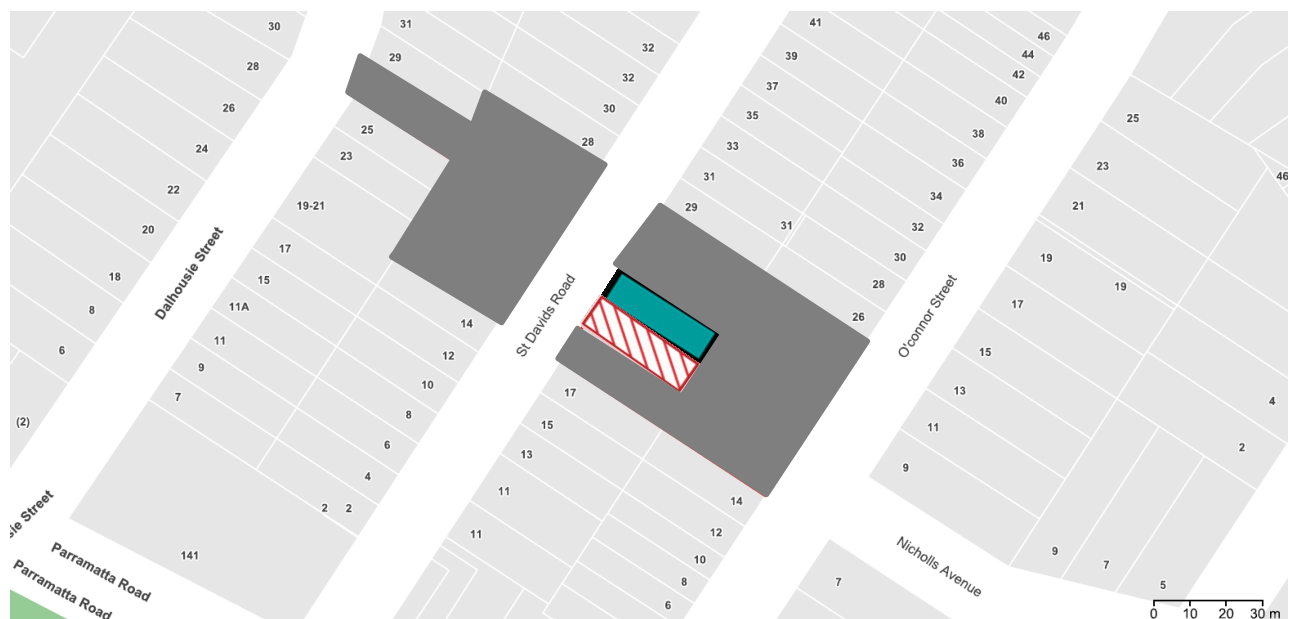




INNER WEST COUNCIL

DEVELOPMENT ASSESSMENT REPORT

Application No.	10.2019.34.1
Address	23 St David's Road, Haberfield
Proposal	Alterations and additions to an existing dwelling house
Date of Lodgement	6 March 2019
Applicant	Filmer Architects
Owner	Mr G W Newey & Ms K R Lindsay
Number of Submissions	One (1)
Value of works	\$437,800.00
Reason for determination at Planning Panel	Clause 4.6 variation exceeds 10%
Main Issues	FSR Variation, Variation to Haberfield Heritage Conservation Controls
Recommendation	Approval subject to conditions
Attachment A	Recommended conditions of consent
Attachment B	Plans of proposed development
Attachment C	Clause 4.6 Exception to Development Standards
Attachment D	Statement of Heritage Significance



LOCALITY MAP

Subject Site		Objectors		↑ N
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 at 23 St David's Road, Haberfield. The application was notified to surrounding properties and one (1) submission was received.

The main issues that have arisen from the application include:

- 15% Variation to FSR Development Standard
- 105% Variation to Haberfield Heritage Conservation Development Standard
- Side Setbacks

The non-compliances are acceptable given the nature of the proposal and the existing site constraints and therefore the application is recommended for approval.

2. Proposal

Pursuant to Clause 4.12 of the Environmental Planning and Assessment (EP&A) Act 1979 (as amended) this application seeks Council's consent for alterations and additions to an existing dwelling house. In particular the proposal seeks consent for the following works:

- Partial demolition of existing structures on-site
- Construction of a new lower ground floor area incorporating two bedrooms, laundry and a rumpus room.
- Construction of a new ground floor extension consisting of a bathroom, dining room, kitchen and new veranda
- Construction of a new front fence
- Replace the existing asbestos sheeting with cypress pine rusticated weatherboard
- Replace the existing roof with Colorbond Custom Orb Roofing

3. Site Description

The subject site is located on the eastern side of St David's Road, between O'Connor Street and Parramatta Road. The site consists of one allotment and is generally rectangular in shape with a total area of 338 sqm and is legally described as Lot: 15 Sec: B DP: 1772.

The site has a frontage to St David's Road of 10 metres and a maximum depth of 33.5m . The site is not identified as being affected by any easements.

The site supports a single storey fibro, brick and timber dwelling house with a metal roof. The adjoining properties currently support single storey dwelling houses.

The property is located within the Haberfield Heritage Conservation area. The property is not identified as being flood prone land.

Located at the rear of the property are four (4) trees ranging from 12m to 7m in height. These trees are identified as being retained under the current application and are not impacted by the proposed works.



Picture 1: Site photo

4. Background

4(a) Site history

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

Subject Site

Application	Proposal	Decision & Date
006.1992.376	Underpinning Dwelling	30/11/1992 - Approved

Surrounding properties

21 St David's Road

Application	Proposal	Decision & Date
10.2003.356	Alterations and additions to a dwelling	14/10/2003 – Approved

4(b) Application history

Not applicable

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*
- *Ashfield 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

State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55) provides planning guidelines for remediation of contaminated land. IWDCP 2016 provides controls and guidelines for remediation works. *SEPP 55* requires the consent authority to be satisfied that “the site is, or can be made, suitable for the proposed use” prior to the granting of consent.

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

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

A BASIX Certificate was submitted with the application and will be referenced in any consent granted.

5(a)(iii) State Environmental Planning Policy (Vegetation in Non-Rural Areas) (Vegetation SEPP)

Vegetation SEPP concerns the protection/removal of vegetation identified under the SEPP and gives effect to the local tree preservation provisions of Council’s DCP.

The application does not seek to remove vegetation from the site or on Council land. The proposal is considered acceptable with regard to the *Vegetation SEPP* and DCP subject to the imposition of conditions, which have been included in the recommendation of this report.

5(a)(iv) Ashfield Local Environment Plan 2013 (ALEP 2013)

The application was assessed against the following relevant clauses of the *Ashfield Local Environmental Plan 2011*:

- Clause 1.2 - Aims of Plan
- Clause 2.3 - Land Use Table and Zone Objectives
- Clause 2.7 - Demolition
- Clause 4.3 - Height of buildings

- 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 5.10 - Heritage Conservation
- Clause 6.1 - Earthworks
- Clause 6.5 - Development on land in Haberfield Heritage Conservation Area

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

The site is zoned R2 Low Density Residential Zone under the ALEP 2013. The *ALEP 2013* defines the development as, alterations and additions to an existing dwelling.

The development is permitted with consent within the land use table. The development is consistent with the objectives of the R2 Low Density Residential zone.

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

Ashfield Local Environmental Plan 2013 Summary Compliance Table				
Clause No.	Clause	Standard	Proposed	Compliance
2.2	Zoning	R2 Low Density Residential	Alterations and additions to an existing dwelling	Yes
4.1	Minimum subdivision lot size	500sqm	338sqm	N/A
4.3	Height of buildings	7m	7m	Yes
4.4	Floor space ratio	0.5:1 (169m ²)	0.58:1 (194.7m ²)	No – 15% Refer to discussion below
5.10	Heritage Conservation	Haberfield Conservation Area		
5.10(4)	Effect of proposed development on heritage significance	The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or the area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).	The proposal has been referred to Council's Heritage Advisor who outlined some concerns about the proposal and the impact to the heritage conservation area.	Yes – Subject to conditions. See assessment below

<p>5.10(5)</p>	<p>Heritage assessment</p>	<p>The consent authority may, before granting consent to any development:</p> <ul style="list-style-type: none"> (a) On land on which heritage item is located, or (b) On land that is within a heritage conservation area, or (c) On land that is within the vicinity of land referred to in paragraph (a) or (b), <p>Require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p>	<p>Appropriate documentation regarding heritage management and impacts upon heritage significance have been prepared and submitted as part of this development application.</p>	<p>Yes</p>
<p>6.5</p>	<p>Development on land in Haberfield Heritage Conservation Area</p>	<p>Development consent must not be granted to development for the purposes of a dwelling house on land to which this clause applies unless the consent authority is satisfied that:</p> <p>If the development involves an existing building:</p> <p>the gross floor area above the existing ground floor level will not exceed the gross floor area of the existing roof space, and</p> <p>the gross floor area below the existing ground floor level will not exceed 25% of the gross floor area of the existing ground floor, and</p> <p>The development will not involve excavation in excess of 3 metres below ground level (existing), and</p> <p>The development will not involve the installation of dormer or gable windows, and</p> <p>at least 50% of the site will be landscaped area. (310m²)</p>	<p>Gross floor area above ground floor above ground floor not proposed</p> <p>Proposal results in 51% of the gross floor area of the existing ground floor</p> <p>1.82m excavation proposed.</p> <p>No dormer windows proposed</p> <p>50.61%</p>	<p>N/A</p> <p>No - Refer to discussion below (105% variation)</p> <p>Yes</p> <p>N/A</p> <p>Yes</p>

Clause 4.6 Exceptions to Development Standards*Clause 4.4 – Floor Space Ratio*

As outlined in table above, the proposal results in a breach of the following development standard/s:

- Clause 4.4 - Floor space ratio
- Clause 6.5 - Development on land in Haberfield Heritage Conservation Area

The applicant seeks a variation to the FSR development standard under Clause 4.4 of the applicable local environmental plan by 15% (25 sqm).

Clause 4.6 allows Council to vary development standards in certain circumstances and provides an appropriate degree of flexibility to achieve better design outcomes.

In order to demonstrate whether strict numeric compliance is unreasonable and unnecessary in this instance, the proposed exception to the development standard has been assessed against the objectives and provisions of Clause 4.6 of the applicable local environmental plan below.

A written request has been submitted to Council in accordance with Clause 4.6(4)(a)(i) of the applicable local environmental plan justifying the proposed contravention of the development standard which is summarised as follows:

- *In this proposal the ground floor area has decreased marginally, the bulk of the building has been reduced at the rear and the ground line has been retained. The increase in overall floor area is a result of the basement rooms, none of which contribute to an increase in bulk.*
- *All of the lower ground floor is contained within the existing foundation walls and ground levels. The only visible evidence of lower ground floor rooms is the glazed doors in the rear elevation and minor windows in the foundation wall facing the driveway. None of the above is visible from the road or a public place.*
- *The objectives of this Clause are listed in 4.4(1). The intent of the clause is to maintain the attributes of the garden suburb which are, in part, single dwellings on individual sites separated by areas of landscaped open space. In this case the intent of the clause will be satisfied as the extent of the landscaped open area surrounding the dwelling has been increased.*

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

It is considered the development is in the public interest because it is consistent with the objectives of the R2 Low Density Residential zone, in accordance with Clause 4.6(4)(a)(ii) of the applicable local environmental plan for the following reasons:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

- The proposal enables the construction of a four bedroom dwelling house, in-line with modern living requirements and ensures a range of housing options within the locality.
- The proposed variation does not result in a development density or intensity out of character with the immediate locality and maintains a low density residential environment.
- The development maintains the desired future character of the R2 Low Density residential zone and the Haberfield Heritage Conservation area, by providing a single storey dwelling house.
- The development of the proposal results in an housing option adequate to meet day to day living and needs of residents.

It is considered the development is in the public interest because it is consistent with the objectives of the FSR development standard, in accordance with Clause 4.6(4)(a)(ii) of the applicable local environmental plan for the following reasons:

- *To establish standards for development density and intensity of land use,*
- *To provide consistency in the bulk and scale of new development with existing development,*
- *To minimise adverse environmental impacts on heritage conservation areas and heritage items,*
- *To protect the use or enjoyment of adjoining properties and the public domain,*
- *To maintain an appropriate visual relationship between new development and the existing character of areas that are not undergoing, and are not likely to undergo, a substantial transformation.*
- The proposal does not result in a density out of character with the locality or surrounding developments. The proposed variation has been restricted to the proposed lower ground floor, which is not readily visible from the public domain.
- The development maintains a single storey appearance to the St David's Road frontage in-line with the requirements of the Haberfield Heritage Conservation Area. The proposed variation will not impact upon the significance of the Heritage Conservation Area.
- The proposal results in the creation of a 4 bedroom dwelling house, which is in-line/ common with neighbouring dwellings and therefore the variation does not result in an intensity out of character with the locality.
- The proposed variation does not result in a loss of enjoyment for adjoining properties or the public domain.

The contravention of the development standard does not raise any matter of significance for State and Regional Environmental Planning. The concurrence of the Secretary may be assumed.

The proposal thereby accords with the objective in Clause 4.6(1)(b) and requirements of Clause 4.6(3)(b) of the applicable local environmental plan. For the reasons outlined above, there are sufficient planning grounds to justify the departure from FSR development standard and it is recommended the Clause 4.6 exception be granted.

Clause 6.5 - Development on land in Haberfield Heritage Conservation Area

The applicant seeks a variation to the Haberfield Heritage Conservation Area development standard under Clause 6.5(3)(a)(ii) of the Ashfield Local Environmental Plan by 105% (33.8sqm).

Clause 4.6 allows Council to vary development standards in certain circumstances and provides an appropriate degree of flexibility to achieve better design outcomes.

In order to demonstrate whether strict numeric compliance is unreasonable and unnecessary in this instance, the proposed exception to the development standard has been assessed against the objectives and provisions of Clause 4.6 of the applicable local environmental plan below.

A written request has been submitted to Council in accordance with Clause 4.6(4)(a)(i) of the applicable local environmental plan justifying the proposed contravention of the development standard which is summarised as follows:

- *The existing development on the site has a lower ground floor area of 14.7sqm or a ratio of 11% of the ground floor area, however, the existing underfloor area is much larger but not all of the area is enclosed as required by the definition of 'floor area'.*
- *The proposed lower ground floor area will be increased to 68.4sqm or a ratio of 51% of the existing ground floor area. The additional lower ground floor area is not visible from outside of the building except for the window openings on the northern or driveway elevation.*
- *The current lower ground floor has been developed in the foundation area of the building. The existing pier layout has previously been altered to achieve large open areas. These areas are currently used as an enclosed laundry, a separate wc and general storage. Not all of this area is enclosed by walls.*
- *The objective of this Clause is listed as "... to maintain the single storey appearance of dwellings in the Haberfield Heritage Conservation Area." The intent of the clause is to maintain the attributes of the garden suburb which are, in part, single dwellings on individual sites separated by areas of landscaped open space. In this case the intent of the clause will be satisfied as the existing foundation walls will be retained and the extent of the open space around the dwelling enhanced. The lower ground floor areas are not visible to the public as they do not have windows facing St David's Rd.*

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

It is considered the development is in the public interest because it is consistent with the objectives of the R2 Low Density Residential Zoning, in accordance with Clause 4.6(4)(a)(ii) of the applicable local environmental plan for the following reasons:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *The proposal enables the construction of a four bedroom dwelling house, in-line with modern living requirements and ensures a range of housing options within the locality.*
- *The proposed variation does not result in a development density or intensity out of character with the immediate locality and maintains a low density residential environment.*

- The development maintains the desired future character of the R2 Low Density Residential Zone and the Haberfield Heritage Conservation area, by providing a single storey dwelling house.
- The development of the proposal results in a housing option adequate to meet day to day living and needs of residents.

It is considered the development is in the public interest because it is consistent with the objectives of Clause 6.5(3)(a)(ii) Haberfield Heritage Conservation Area development standard, in accordance with Clause 4.6(4)(a)(ii) of the applicable local environmental plan for the following reasons:

- *The objective of this clause is to maintain the single storey appearance of dwellings in the Haberfield Heritage Conservation Area.*
- The proposal maintains the single storey appearance of a dwelling house. The proposed variation to the development standard cannot be registered from the public domain and does not result in a development with a two storey appearance.

The contravention of the development standard does not raise any matter of significance for State and Regional Environmental Planning. The concurrence of the secretary may be assumed.

The proposal thereby accords with the objective in Clause 4.6(1)(b) and requirements of Clause 4.6(3)(b) of the applicable local environmental plan. For the reasons outlined above, there are sufficient planning grounds to justify the departure from Haberfield Heritage Conservation Area – below ground area development standard and it is recommended the Clause 4.6 exception be granted.

Clause 5.10 Heritage Conservation

The proposal was referred to Council's Heritage Advisor who outlined that the proposed scheme is generally in accordance with the requirements and desired future character of the DCP and LEP. In this instance Council's Heritage Advisor outlined that the repair of the front main section of the dwelling follows the evidence of the fabric and modest repair facilitated by the demolition and replacement of the rear service wing, whose condition supports the reasonability of such an approach. Also, the strategy of including basement rooms allows the existing footprint and site cover to be essentially retained, and the scale and bulk of the dwelling to be appropriately managed. The proposed variation to the FSR and Haberfield Heritage Conservation Area controls was also commented on stating that:

these variations have no adverse heritage impact, and would enable a proposal that avoids the heritage impacts that would be occasioned by other strategies to reasonably achieve the same accommodation, no objections are raised to the proposals and submissions. Notably, the required landscaped area for the site is provided.

However the Heritage Advisor has asked for the following modifications to the proposal to ensure that the development is in-line/maintains consistency within the Haberfield Heritage Conservation Area:

1. The rear glass balustrade should be amended to a timber detailed balustrade, or metal balustrade resembling the stair railings;
2. The windows of the north-east elevation require amendment ; the strip highlight windows W3 are incompatible and should be replaced by either a pair of square windows, or matching double hung sash windows (same as the adjacent window W1). The basement windows W5 should then be relocated to sit aligned under the amended windows W3 as W6 is aligned with W1;

Appropriate conditions to ensure compliance with these requirements have been recommended for the consent.

5(c) Development Control Plans

The application has been assessed and the following provides a summary of the relevant provisions of Inner West Comprehensive Development Control Plan (DCP) 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill.

IWCDCP2016	Compliance
Section 1 – Preliminary	
B – Notification and Advertising	Yes
Section 2 – General Guidelines	
A – Miscellaneous	
1 - Site and Context Analysis	Yes
2 - Good Design	Yes
4 - Solar Access and Overshadowing	Yes
5 - Landscaping	Yes
8 - Parking	Yes
11 - Fencing	Yes
15 - Stormwater Management	Yes
E2 – Haberfield Heritage Conservation Area	
1 – Preliminary	Yes
2 – Detailed Planning measures for Residential properties	Yes
4 – Miscellaneous	Yes
F – Development Category Guidelines	
1 – Dwelling Houses and Dual Occupancy	No – see discussion

The following provides discussion of the relevant issues:

Side Setback

The development proposes a variation to the DCP control for side setbacks of dwelling houses, which requires a minimum 900mm. The proposal in its current form seeks consent for a side setback of 245mm – 150mm. This setback is a continuation of the existing building form/setback currently on the site. In this instance the proposed setback is considered acceptable because of the developments generally single storey nature, the minor impacts of overshadowing or amenity loss for neighbouring sites and the nature of the development continuing on an existing setback. Any requirement for an increased setback is likely to result in a building form visible from the street frontage and out of character with the Heritage Conservation area. The proposal has been appropriately designed so that the rear building line of the new works generally aligns with the rear building line of 21 St David's Road and ensures minimal impacts of bulk and scale for the neighbouring site. The proposal has appropriately incorporated privacy screening into the design of the proposed veranda in order to minimise any potential for direct sightlines.

The proposed setback has been assessed and is considered worthy of support, subject to conditions of consent regarding compliance with the BCA and the installation of the proposed privacy screens prior to any occupation certificate being issued.

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

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 Inner West Comprehensive Development Control Plan (DCP) 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill for a period of 14 days to surrounding properties. A total of one submission was received as a result.

The submission raised the following concerns which are discussed under the respective headings below:

Issue: Encroachment of the eaves over No.21 St David's Road

Comment: Appropriate conditions regarding no structures to encroach over the boundaries of the site have been recommended for the consent.

Issue: RC stair with metal railing at rear is too close to the boundary/fence between No.21 St Davids Road.

Comment: The proposed side boundary setbacks have been assessed above and are considered to be acceptable in the circumstances of the case.

Issue: As the rear proportion of the dwelling is to be removed/rebuilt, the new structure should have a reasonable boundary setback.

Comment: The proposed side boundary setbacks have been assessed above and are considered to be acceptable in the circumstances of the case.

5(g) The Public Interest

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

The proposal is not contrary to the public interest.

6 Referrals

6(a) Internal

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

- Heritage Advisor - The proposal was referred to Council's Heritage Advisor who outlined that the proposed scheme is generally in accordance with the requirements and desired future character of the DCP and LEP. In this instance Council's Heritage Advisor outlined that the repair of the front main section of the dwelling follows the evidence of the fabric and modest repair facilitated by the demolition and replacement of the rear service wing, whose condition supports the reasonability of such an approach. Also, the strategy of including basement rooms allows the existing footprint and site cover to be essentially retained, and the scale and bulk of the

dwelling to be appropriately managed. The proposed variation to the FSR and Haberfield Heritage Conservation Area controls was also commented on stating that:

these variations have no adverse heritage impact, and would enable a proposal that avoids the heritage impacts that would be occasioned by other strategies to reasonably achieve the same accommodation, no objections are raised to the proposals and submissions. Notably, the required landscaped area for the site is provided.

However the Heritage Advisor has asked for the following modifications to the proposal to ensure that the development is in-line/maintains consistency within the Haberfield Heritage Conservation Area:

1. The rear glass balustrade should be amended to a timber detailed balustrade, or metal balustrade resembling the stair railings;
2. The windows of the north-east elevation require amendment ; the strip highlight windows W3 are incompatible and should be replaced by either a pair of square windows, or matching double hung sash windows (same as the adjacent window W1). The basement windows W5 should then be relocated to sit aligned under the amended windows W3 as W6 is aligned with W1;

Appropriate conditions to ensure compliance with these requirements have been recommended for the consent.

- *Development Engineer* – The proposal was referred to Council’s Development Engineering Team, who outlined no objections, subject to standard conditions of consent regarding damage security bonds, stormwater and services.

7. Section 7.11 Contributions/7.12 Levy

Section 7.12 levies are payable for the proposal.

The carrying out of the development would result in an increased demand for public amenities and public services within the area. A contribution of \$4,378.00 would be required for the development under Ashfield Section 94/94A Contributions Plan 2013. A condition requiring that contribution to be paid is included in the recommendation.

8. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in *Ashfield Local Environmental Plan 2013* and Inner West Comprehensive Development Control Plan (DCP) 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill.

The development will not result in any significant impacts on the amenity of the adjoining properties and the streetscape and is considered to be in the public interest. The development would result in significant impacts on the amenity of the adjoining properties and the streetscape and is not considered to be in the public interest.

The application is considered suitable for approval subject to the imposition of appropriate conditions.

9. Recommendation

- A. The applicant has made a written request pursuant to Clause 4.6 of the *Ashfield Local Environmental Plan 2013*. After considering the request, and assuming the concurrence of the Secretary, the Panel is satisfied that compliance with the standard is unnecessary in the circumstance of the case and that there are sufficient environmental grounds to support the variation. The proposed development will be in the public interest because the exceedance is not inconsistent with the objectives of the standard and of the zone in which the development is to be carried out.

- B. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, grant consent to Development Application No. 10.2019.34.01 for alterations and additions to an existing dwelling house at 23 St David's Road, Haberfield subject to the conditions listed in Attachment A below.

Attachment A – Recommended conditions of consent

CONDITIONS

DA 2019.34.1

23 St Davids Road HABERFIELD 2045

Description of Work as it is to appear on the determination:

Alterations and additions to an existing dwelling

A General Conditions

(1) **Approved Documents**

The development must be carried out only in accordance with the plans and specifications set out on drawing numbers

Drawing No.	Issue	Title	Prepared by	Date
DA 1.0.0	A	Site Analysis	Filmer Architects	26/2/2019
DA 1.1.0	A	Proposed Roof Plan	Filmer Architects	26/2/2019
DA 1.1.1	A	Proposed Ground Floor	Filmer Architects	26/2/2019
DA 1.1.2	A	Proposed Lower Ground Floor	Filmer Architects	26/2/2019
DA 1.2.1	A	Elevations	Filmer Architects	26/2/2019
DA 1.2.2	A	Elevations	Filmer Architects	26/2/2019
DA 1.2.3	A	Sections	Filmer Architects	26/2/2019
DA 1.4.1	A	Stormwater Concept	Filmer Architects	26/2/2019

and any supporting documentation received with the application, except as amended by the conditions specified hereunder.

(2) **Compliance with BCA**

All architectural drawings, specifications and related documentation shall comply with the Building Code of Australia (BCA). All work must be carried out in accordance with the requirements of the Building Code of Australia (BCA).

(3) **Private Power Poles**

Private power poles are not to be erected on the subject site without Council's Consent.

B Design Changes

(1) **Amendments required to approved plans**

The proposed development is to incorporate the following amendments marked in red and initialled on the approved plans:

1. The rear glass balustrade should be amended to a timber detailed balustrade, or metal balustrade resembling the stair railings;

2. The windows of the north-east elevation require amendment ; the strip highlight windows W3 are incompatible and should be replaced by either a pair of square windows, or matching double hung sash windows (same as the adjacent window W1). The basement windows W5 should then be relocated to sit aligned under the amended windows W3 as W6 is aligned with W1;

Amended plans are to be submitted to the principle certifying authority for approval, prior to the issue of a construction certificate.

C Conditions that must be satisfied prior to issuing/releasing a Construction Certificate

(1) Waste Management Plan

Prior to the issue of a Construction Certificate, the applicant shall prepare and submit a Waste Management Plan in accordance with the provisions of Inner West Council Comprehensive Development Control Plan 2016 - Planning For Less Waste and the Waste Planning Guide for Development Applications (Planning for Less Waste, prepared by the Regional Waste Boards), including:

- (a) Estimations of quantities and type of materials to be reused, recycled or left over for removal from site;
- (b) Identification on a plan of on site material storage areas during construction, waste storage, recycling and composting areas;
- (c) Details of construction materials and methods to be used to minimise the production of waste in the completion of the new building work.
- (d) How waste is to be treated on the site.
- (e) How any residual non-reusable and non-recyclable waste is to be disposed of and including details of the approved waste disposal outlets where disposal will take place.

(2) Erosion & sedimentation control-management plan

Prior to issue of a construction certificate the applicant shall prepare an erosion and sedimentation control plan in accordance with Part 4 of the guidelines titled "*Pollution Control Manual for Urban Stormwater*", as recommended by the Environmental Protection Authority.

Any stormwater runoff collected from the site must be treated in accordance with the Guidelines, before discharge off the site to comply with the *Protection of the Environment Operations Act 1997* or other subsequent Acts.

Where sedimentation control basins are provided discharge shall be to the requirements of the Environment Protection Authority.

Applicants are further advised to refer to the following publications for additional information:

- (a) "*Sedimentation and Erosion Control*" - Department of Conservation and Land Management.
- (b) "*Soil and Water Management for Urban Development*" - Department of Housing.

The plan must be submitted with the application for a construction certificate.

Further information may be obtained from:
Environment Protection Officer
Environment Protection Authority
Inner Sydney Region
Locked Bag 1502

BANKSTOWN NSW 2200
(3) Security Deposit

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

Security Deposit:	\$2,152.50
Inspection Fee:	\$230.65

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

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

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

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

The amount nominated is only current for the financial year in which the 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.

(4) Long service levy

Compliance with Section 109F of the Environmental Planning and Assessment Act 1979 – payment of the long service levy under Section 34 of the Building and Construction Industry Long Service Payments Acts 1986 – is required. All building of \$25,000.00 and over are subject to the payment of a Long Service Levy fee. A copy of the receipt for the payment of the Long Service Levy shall be provided to the Principal Certifying Authority (PCA) prior to the issue of a Construction Certificate. Payments can be made at Long Service Payments Corporation offices or most Councils.

(5) Public Liability Insurance

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.

(6) Services and infrastructure adjustment/relocation

The applicant shall meet the full cost for Telstra, Sydney Water, Energy Australia, AGL Electricity/AGL Retail Energy or alternative service/energy providers to adjust/relocate their services/infrastructure as required. The applicant shall make the necessary arrangements with the relevant service authority or relevant retail energy company.

(For information on the location of services contact the "Dial before you Dig" service on 1100.)

Documentary evidence from the utility authorities/retail energy company confirming that all of their requirements have been satisfied shall be submitted to Council with the Construction Certificate.

(7) Section 7.12 Contributions

A Section 7.12 Contribution fee of \$4,378.00 is to be paid in accordance with Section 7.12 of the *Environmental Planning and Assessment Act 1979*.

(8) Hoardings

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

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

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

(9) Stormwater Drainage System – Minor Developments

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with stormwater drainage design plans certified by a suitably qualified Civil Engineer that the design of the site drainage system complies with the following specific requirements:

- a) The design must generally be in accordance with the Stormwater Drainage Concept plan on Drawing No.1.4.1 Revision A prepared by Filmer Architects and dated 26/2/2019.
- b) All stormwater drainage being designed in accordance with the provisions of the Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3-2018 'Stormwater Drainage' and Council's DCP.
- c) Pipe and channel drainage systems must be designed to cater for the twenty (20) year Average Recurrence Interval (ARI) storm in the case of low and medium residential developments, the twenty (20) year ARI Storm in the case of high-density residential development and commercial and/or industrial developments and the fifty (50) year ARI Storm in the case of heavy industry. In all cases, the major event surface flow paths must be designed to cater for the one hundred (100) year ARI Storm.
- d) Charged or pump-out stormwater drainage systems are not permitted including for roof drainage **(charged pipe to the rainwater tank may be permitted if gravity drainage is not achievable)**.
- e) To provide for adequate site drainage all roof and surface stormwater from the site and any catchment external to the site that presently drains to it, must be collected in a system of pits and pipelines/channels and major storm event surface flow paths and being discharged to a stormwater drainage system in accordance with the requirements of Council's DCP. Please note any stormwater outlets through sandstone kerbs must be carefully core drilled.
- f) The Drainage Plan must detail the existing and proposed site drainage layout, size, class and grade of pipelines, pit types, roof gutter and downpipe sizes.
- g) The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system.
- h) An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets.

- i) Only a single point of discharge is permitted to the kerb and gutter, per frontage of the site.
- j) All redundant pipelines within footpath area must be removed and footpath/kerb reinstated.
- k) No impact to street tree(s).

(10) Dilapidation Report – Pre-Development – Minor

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

D Conditions that must be complied with before work commences

(1) Requirement for a Construction Certificate

In accordance with the provisions of Section 81A of the *Environmental Planning and Assessment Act 1979* the erection of a building and/or construction works must not commence until:

- (a) detailed plans and specifications of the building have been endorsed with a Construction Certificate by:
 - (i) Council; or
 - (ii) an accredited certifier; and
- (b) a principal certifying authority (PCA) has been appointed and the Council has been notified in writing of the appointment, and
- (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 shall show that the proposal complies with all development consent conditions and the *Building Code of Australia*.

Note: If the principal certifying authority is the Council, the appointment will be subject to the payment of a fee for the service to cover the cost of undertaking building work and / or civil engineering inspections.

WARNING: Failure to obtain a Construction Certificate prior to the commencement of any building work is a serious breach of Section 81A(2) of the *Environmental Planning & Assessment Act 1979*. It is a criminal offence that attracts substantial penalties and may also result in action in the Land and Environment Court and orders for demolition.

(2) Inspections required by Principal Certifying Authority

Inspections shall be carried out at different stages of construction by Council or an accredited certifier. If Council is selected as the Principal Certifying Authority (PCA) the inspection fees must be paid for in advance which will be calculated at the rate applicable at the time of payment.

(4) Sanitary facilities - demolition/construction sites

Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.

(5) Site Controls

Sediment and erosion controls must be in place before work is commenced on the site. The control strategies must be consistent with the technical requirements set out in the Sydney Coastal Councils' *Stormwater Pollution Control Code for Local Government*.

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.

A sediment and erosion control plan must be prepared and identify appropriate measures for bunding and siltation fencing. Any such erosion and sedimentation controls shall also include the protection of stormwater inlets or gutter systems within the immediate vicinity of the site.

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.

(6) Tree preservation order - approvals required

A Tree Preservation Order applies to the whole of the Inner West Council area. In this regard it will be necessary to make a separate application to Council prior to the removal or lopping of any trees. Contact Council's Customer Service Centre, telephone 9392 5000 to apply for a "Tree Preservation Order Permit" for Pruning or Removal of protected trees.

(7) Layout of buildings

The layout of all external walls, including retaining walls and contiguous piling must be checked and verified by survey prior to the commencement of construction to ensure that building construction complies with the development consent and does not encroach beyond the boundaries of the site.

(8) Building location - check survey certificate

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: -

- (i) location of the building with respect to the boundaries of the site;
- (ii) level of the floor in relation to the levels on the site (all levels are to be shown relative to Australian Height Datum);
- (iii) site coverage of the buildings on the site.

(9) Boundary identification prior to construction

The boundary shall be identified by survey prior to the pouring of any footings and concrete slabs.

(10) Protection of public places - erection or demolition of building

- If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient or involves the enclosure of a public place; a hoarding or fence must be erected between the work site and the public place.
- If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

- Any such hoarding, fence or awning is to be erected prior to works commencing and only with Council approval in accordance with Workcover requirements. The temporary structures are to be removed when the work has been completed.

(11) Demolition work plan

Prior to demolition, the applicant shall submit a Work Plan prepared in accordance with AS 2601 by a person with suitable expertise and experience to the Principal Certifying Authority. The Work Plan shall identify any hazardous materials, the method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.

(12) Asbestos sheeting removal - EPA/Workcover Authority

Asbestos removal is to be carried prior to principal works commencing in accordance with Environmental Protection Authority and Workcover Authority requirements. Proper procedures shall be employed in the handling and removal of asbestos and products containing asbestos so as to minimise the risk to personnel and the escape of asbestos particles in the atmosphere. Work is only to be carried out with the prior consent of the Work Cover Authority.

Note: There are substantial penalties for non-compliance with the above requirements.

(13) Asbestos and/or lead removal certification

The existing structures/land on the site potentially contain asbestos and/or lead. Following removal of any asbestos/lead located on site a clearance must be provided to the Principal Certifying Authority certifying that no such asbestos/lead remains on site from a suitably qualified person.

A copy of the clearance Certificate must be forwarded to Council before any other demolition work is commenced.

(14) Garbage skips on Council land - Council approval

Bulk refuse bins or garbage skips shall not be placed on grass verge, footpath or roadway without Council permission. Application forms and details of applicable fees are available from Council's Customer Service on telephone 9392 5000.

(15) Sydney Water approval

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre 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. Plans will be appropriately stamped. For Quick Check agent details please refer to the web site: www.sydneywater.com.au, see Your Business then Building & Developing then Building & Renovating or telephone Sydney Water 13 20 92.

(16) Slabs/footings - standards

To ensure compliance with the provision of Section B of the *Building Code of Australia*, all reinforced concrete to footings and slabs shall comply with all relevant provisions of AS 2870.1-1996 "Residential Slabs and Footings Construction" or, alternatively structural engineers details of all structural elements shall be submitted to the Principal Certifying Authority with the Construction Certificate.

(17) Structural engineer's details

To ensure compliance with the provision of Section B of the *Building Code of Australia* structural engineer's details of all structural elements shall be submitted to the Principal Certifying Authority prior to commencement of work, including:

- (i) pier and beam footings;
- (ii) reinforced concrete slabs;
- (iii) stairs, including patio steps;
- (iv) retaining walls
- (v) all structural timber including floors, walls and roof; and
- (vi) all structural steel.

(18) Structural engineer's certificate - superimposed loads

A practicing structural engineer's certificate to be submitted to the Principal Certifying Authority with the Construction Certificate application certifying that the existing dwelling is structurally capable of supporting the superimposed loads of the addition prior to commencement of any building work.

E Conditions that must be complied with during construction or demolition**(1) Plans to be available on site**

The Council stamped approved plans, Development Consent and Construction Certificate shall be held on site to be produced unobliterated to Council's officer at any time when required.

(2) Building construction - check survey

A check survey is to be submitted to the Principal Certifying Authority for perusal at an early stage of construction indicating excavated levels, boundary distances, site coverage and building alignment to ensure compliance with the approved plans.

(3) Locate structures within boundaries

The proposed structure(s) to be erected must stand wholly within the boundaries of the allotment.

(4) Storage of building materials

Building materials and spoil are to be located wholly on site and not placed in a position that may result in materials being washed onto the roadway or into the stormwater system.

(5) Roof water, surface and subsoil drainage

Roofwater, surface and subsoil drainage shall be piped to the street gutter or to an easement – absorption pits are not acceptable and are not approved.

(6) Signs to be erected on building and demolition sites

- (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; and
 - (b) showing the name and address of the contractor for the building work and the person in charge of the work site and a telephone number at which the person may be contacted outside working hours; and
 - (c) showing the name, address and telephone number of the Principal Certifying Authority appointed for the building works.

(2) Any-sign shall be maintained and not removed until work has been finished.

(7) Waste Management Plan – compliance

- (a) All requirements of the approved Waste Management Plan must be implemented during the demolition and/or excavation and construction period of the development. Adequate measures need to be in place to ensure the ongoing waste management of the site.
- (b) Keep receipts of where waste will be taken to be treated or disposed. The receipts must be presented to the Principal Certifying Authority prior to issue of the occupation certificate.

(8) Lead Removal - Renovation and Refurbishment

Any paint containing lead on residential and commercial buildings is to be managed in accordance with the Australian Standard AS 4361.2, Guideline to Lead Paint Management Part 2: Residential and Commercial Buildings without causing any contamination to the environment.

Removal of lead paint and protective coatings, using methods such as abrasive blasting, from larger buildings and industrial infrastructure where higher lead protective coatings continued to be used is to be done in accordance with AS 4361.1 Guide for Lead Paint Management in Industrial Applications 1995.

The following measures must be undertaken when removing lead:

- (a) For outside works lay plastic sheeting under and around the work area to contain debris; close windows and doors. For indoor works, seal the work area off from the rest of the building and outside by covering floors, doors and windows with plastic and tape; remove soft furnishings, curtains, carpets and other household items or cover them with plastic.
- (b) Removal methods that distribute paint dust or flakes into the surrounding environment must not be used unless adequate protection and containment measures are taken such as wet-sanding and wet-scraping. All paint debris including dust and flakes must be collected and safely disposed of in a sealed container. No paint dust or flakes should be allowed to pollute the interior or exterior environment.
- (c) A high- efficiency particulate air (HEPA) vacuum cleaner is to be used to collect particles.
- (d) All workers shall wear an approved (AS1716) respirator fitted with P1 (dust) or P2 (dust & fumes) filters, and coveralls to prevent exposure to lead dust and fumes. Protective clothing (long sleeves and pants) that does not catch dust or flakes in pockets or cuffs (or disposable overalls and plastic boots) are to be worn.
- (e) The manufacturer's instructions are to be strictly adhered to if solvent or caustic chemical strippers are being used.
 - (f) Following removal, the entire area is to be wet washed with a detergent, such as liquid soap and rinse with clean water. Where children will reoccupy the premises, consideration should be given to having a clearance test to ensure lead paint and dust has been thoroughly removed.
- g) All lead-contaminated material is to be disposed of in accordance with the NSW Environment Protection Authorities requirements.

(9) Construction hours

Unless otherwise approved by Council, excavation, demolition, construction or subdivision work shall only be permitted during the following hours:

- a) 7:00 am to 6:00 pm, Mondays to Fridays, inclusive (with demolition works finishing at 5pm);
- b) 8:00 am to 1:00 pm on Saturdays with no demolition works occurring during this time; and
- c) at no time on Sundays or public holidays.

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

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

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

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

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

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

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

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

(10) Demolition/excavation/construction - noise - Protection of the Environment Operations Act 1997

Noise arising from demolition/excavation/construction works shall be controlled in accordance with the requirements of *Protection of the Environment Operations Act 1997* and guidelines currently contained in the *NSW EPA Environmental Noise Control Manual*.

(11) Demolition requirements/standards

Demolition of is to be carried out in accordance with the following:

- (a) Australian Standard 2601 and any requirements of the Workcover Authority.
- (b) The Waste Management Plan submitted with the Development Application.
- (c) The property is to be secured to prohibit unauthorised entry.
- (d) All precautions are to be exercised in the handling, removal and disposal of all asbestos materials. Licensed contractors and the disposal of asbestos is to be carried out in accordance with the requirements of the Work Cover Authority.

- (e) All other materials and debris is to be removed from the site and disposed of to approved outlets.
- (f) Any demolition on the site is to be conducted in strict accordance with, but not limited to, sections 1.5, 1.6, 1.7, 3.1 and 3.9 of the AS 2601 - 1991, demolition of structures. The following measures must be undertaken for hazardous dust control:
- (g) Prior to demolition, the applicant shall submit a Work Plan prepared in accordance with AS 2601 by a person with suitable expertise and experience to the Principal Certifying Authority. The Work Plan shall identify any hazardous materials, the method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- (h) Hazardous dust must not be allowed to escape from the site or contaminate the immediate environment. The use of fine mesh dust proof screens, wet-lead safe work practices, or other measures is required.
- (i) All contractors and employees directly involved in the removal of hazardous dusts and substances shall wear protective equipment conforming to AS 1716 Respiratory Protective Devices and shall adopt work practices in accordance with WorkSafe Requirements (in particular the WorkSafe standard for the *Control of Inorganic Lead At Work* (NOHSC: 1012, 1994) and AS 2641, 1998).
- (j) Any existing accumulations of dust (eg; ceiling voids and wall cavities must be removed by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter and disposed of appropriately.
- (k) All dusty surfaces and dust created from work is to be suppressed by a fine water spray. Unclean water from the suppressant spray is not be allowed to enter the street gutter and stormwater systems.
- (l) Demolition is not to be performed during high winds that may cause dust to spread beyond the site boundaries without adequate containment.
- (m) All lead contaminated material is to be disposed of in accordance with the NSW Environment Protection Authorities requirements.
- (n) Construction and demolition waste, particularly timber, bricks and tiles, concrete and other materials need not be disposed of- they can be recycled and resold if segregated properly from any hazardous waste contamination.
- (o) Following demolition activities, soil must be tested by a person with suitable expertise to ensure the soil lead levels are below acceptable health criteria for residential areas. Full certification is to be provided for approval by the Principal Certifying Authority.

(12) Materials and colour schemes

Materials of construction are to be as specified in the schedule of finishes submitted with the development application and on the approved plans, except where amended by the conditions hereunder.

(13) Road and footpath – safety and access requirements

The contractor is to take all precautions to ensure footpaths and roads are kept in a safe condition and to prevent damage to Council's property.

Heavy vehicles entering and leaving the site must only cross the footpath where it is adequately timbered and strapped. Pedestrian access across this footpath must be maintained in good order at all times during the work. Any damage caused must be made good by Council at Council's restoration rates, at the applicant's or builder's expense.

(14) Redundant vehicle crossings – removal and replacement

All redundant vehicular crossings shall be removed and replaced with concrete footpath, sandstone kerb and concrete gutter at no cost to Council at the applicant's expense.

(15) Road opening permit – Council controlled lands

A road opening permit shall be obtained for all works carried out in public or Council controlled lands. Contact Council's Engineering Services for details.

This road opening permit covers the direct costs involved in the repair/replacement of works where the public or Council controlled lands are specifically damaged/saw cut etc for the construction of services, stormwater pipes, kerb works, bitumen works, footpath works etc. It is *separate* from a Damage Deposit as listed elsewhere in these Conditions of Consent.

(16) Surface run-off

Allowance shall be made for surface run-off from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other properties.

(17) Termite treatment

Treatment for the protection of the building from subterranean termites shall be carried out in accordance with AS 3660.1:2000 'Protection of Buildings from Subterranean Termites'.

On completion of the installation of the barrier the Principal Certifying Authority shall be furnished with a certificate from the person responsible, stating that the barrier complies with AS 3660.1.

A durable notice shall be permanently fixed to the building in a prominent location, such as the meter box or the like indicating:

- the method of protection;
- the date of installation;
- where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and
- the need to maintain and inspect the system on a regular basis.

Due to the present limited effective life of soil chemical treatments, Council does not permit hand spraying as a stand alone method of termite protection. It is recommended that any soil chemical treatment should embrace a reticulation system.

(18) Balustrade design requirements

Balustrades shall be constructed in accordance with the following requirements:

- (i) The height is not less than 865mm above the nosings of the stair treads or the floor of a ramp.
- (ii) The height is not less than:
 - (a) 1m above the floor of any access path, balcony, landing or the like; or
 - (b) 865mm above the floor of a landing to a stair or ramp where the balustrade is provided along the inside edge of the landing and does not exceed a length of 500mm.
 - (c) Any opening does not permit a 125mm sphere to pass through it and for stairs the space is tested above the nosings.

(19) Plantation or recycled timbers to be used

To minimise the damage to the environment, no rainforest timbers or timbers cut from old growth forests are to be used in the construction of buildings. These are to be limited to plantation timbers grown on Australian farms, or State Forest Plantations, or recycled timbers.

(20) Waterproofing materials/installation – BCA/Australian Standards

Approved products that are impervious to water shall only be used as a substrate or as a lining and as a finish to floors and walls of wet areas (i.e. bathroom/shower room, WC compartment and laundry). Floors and cubicles shall be properly graded and drained to approved outlets.

The wet areas in the building shall be impervious to water as required by Part 3.8.1 of the Building Code of Australia (BCA). The junction between the floor and wall and the construction of the bath shower recess, basin, sink or the like shall be in accordance with the BCA & AS 3740:2004 'Waterproofing of wet areas within residential buildings'.

On completion of the waterproofing of the wet areas, the Principal Certifying Authority shall be furnished with a certificate from the person responsible. This is to state that the materials are suitable for the situation and that the application and/or installation has been carried out in accordance with the manufacturer's instructions, the BCA and AS 3740.

(21) Safety Glazing - BCA

Safety glazing complying with B1 of the Building Code of Australia (BCA) is to be used in every glazed door or panel that is capable of being mistaken for a doorway or unimpeded path of travel. The glazing must comply with AS 1288:2006 'Glass in Buildings – Selection and Installation'.

Framed panels or doors enclosing or partially enclosing a shower or bath shall be glazed with "A" or "B" grade safety glazing material in accordance with AS 1288 and Part 3.6.4 of the BCA.

(22) Fire Detection/Alarm System installation and certification

Smoke alarms must be installed in dwellings in accordance with Clause 3.7.2.3 of the Building Code of Australia (BCA) and AS 3786 on or near the ceiling in -

- (a) any storey containing bedrooms -
 - between each area containing bedrooms and the remainder of the dwelling, including any hallway associated with the bedrooms
- (b) any storey not containing bedrooms.

Smoke alarms must be connected to the consumer mains power and have a stand-by power supply.

The licensed Electrical Contractor shall on completion of the installation of the smoke alarm system, submit to the Principal Certifying Authority a certificate certifying compliance with AS 3000 and AS 3786:1993.

F Conditions that must be complied with prior to installation of services

nil

G Conditions that must be complied with before the building is occupied**(1) Compliance with submitted ridge height**

A survey report to be submitted upon completion of the works and prior to occupation verifying compliance with the approved ridge height details.

(2) Approval to use/occupy building

The building or any part thereof must not be used or occupied until an Occupation Certificate has been obtained from the Principal Certifying Authority.

Note: If Council is chosen as the Principal Certifying Authority a fee is applicable prior to the release of the Construction Certificate.

(3) Street Number

A street number appropriately designed to complement the character of the must be displayed in a position clearly visible from the street, in numbers having a height of not less than 75 mm. The number must be in place before the premises can be occupied.

(4) Public Domain Works

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with written evidence from Council that the following works on the Road Reserve have been completed in accordance with the requirements of the approval under Section 138 of the *Roads Act 1993* including:

- a) The redundant vehicular crossing to the site must be removed and replaced by kerb and gutter and footpath. Where the kerb in the vicinity of the redundant crossing is predominately stone (as determined by Council's Engineer) the replacement kerb must also be in stone.
- b) Other works subject to the Roads Act 1993 approval.

All works must be constructed in accordance with Council's standards and specifications and AUS-SPEC#2-"Roadworks Specifications".

(5) No Encroachments

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

(6) Protect Sandstone Kerb

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

(7) Redundant Vehicle Crossing

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

(8) Dilapidation Report – Post-Development

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with a second Dilapidation Report addressing the public infrastructure identified in approved predevelopment dilapidation report, including a photographic survey, structural condition and CCTV inspections which was compiled after the completion of works. As the report details public infrastructure, a copy is to be furnished to Council at the same time.

H Conditions that are ongoing requirements of development consents**(1) Single dwelling use only**

Dwelling shall be used as a single domicile only and shall not be adapted or occupied in two or more parts as a residential flat building.

I Advisory Notes**(1) Permits**

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

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

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

(2) Works and requirements of other authorities

- Sydney Water may require the construction of additional works and/or the payment of additional fees. Other Sydney Water approvals may also be necessary prior to the commencement of construction work. You should therefore confer with Sydney Water concerning all plumbing works, including connections to mains, installation or alteration of systems, and construction over or near existing water and sewerage services.
- Contact Sydney Water, Rockdale (Urban Development Section) regarding the water and sewerage services to this development.
- Australia Post has requirements for the positioning and dimensions of mail boxes in new commercial and residential developments. A brochure is available from your nearest Australia Post Office.
- Energy Australia/AGL Electricity/AGL Retail Energy or other alternative service/energy providers have requirements for the provision of connections.
- Energy Australia has a requirement for the approval of any encroachments including awnings, signs, etc over a public roadway or footway. The Engineer Mains Overhead Eastern Area should be contacted on 9663 9408 to ascertain what action, if any, is necessary.
- Telstra has requirements concerning access to services that it provides.

(3) Modifications to your consent - prior approval required

Works or activities other than those authorised by the approval including changes to building configuration or use will require the submission and approval of an application to modify the consent under Section 96 of the *Environmental Planning & Assessment Act 1979*. You are advised to contact

Council immediately if you wish to alter your approved plans or if you cannot comply with other requirements of your consent to confirm whether a Section 96 modification is required.

Warning: There are substantial penalties prescribed under the *Environmental Planning and Assessment Act 1979* for breaches involving unauthorised works or activities.

(4) Occupational health and safety

All site works must comply with the occupational health and safety requirements of the NSW Work Cover Authority.

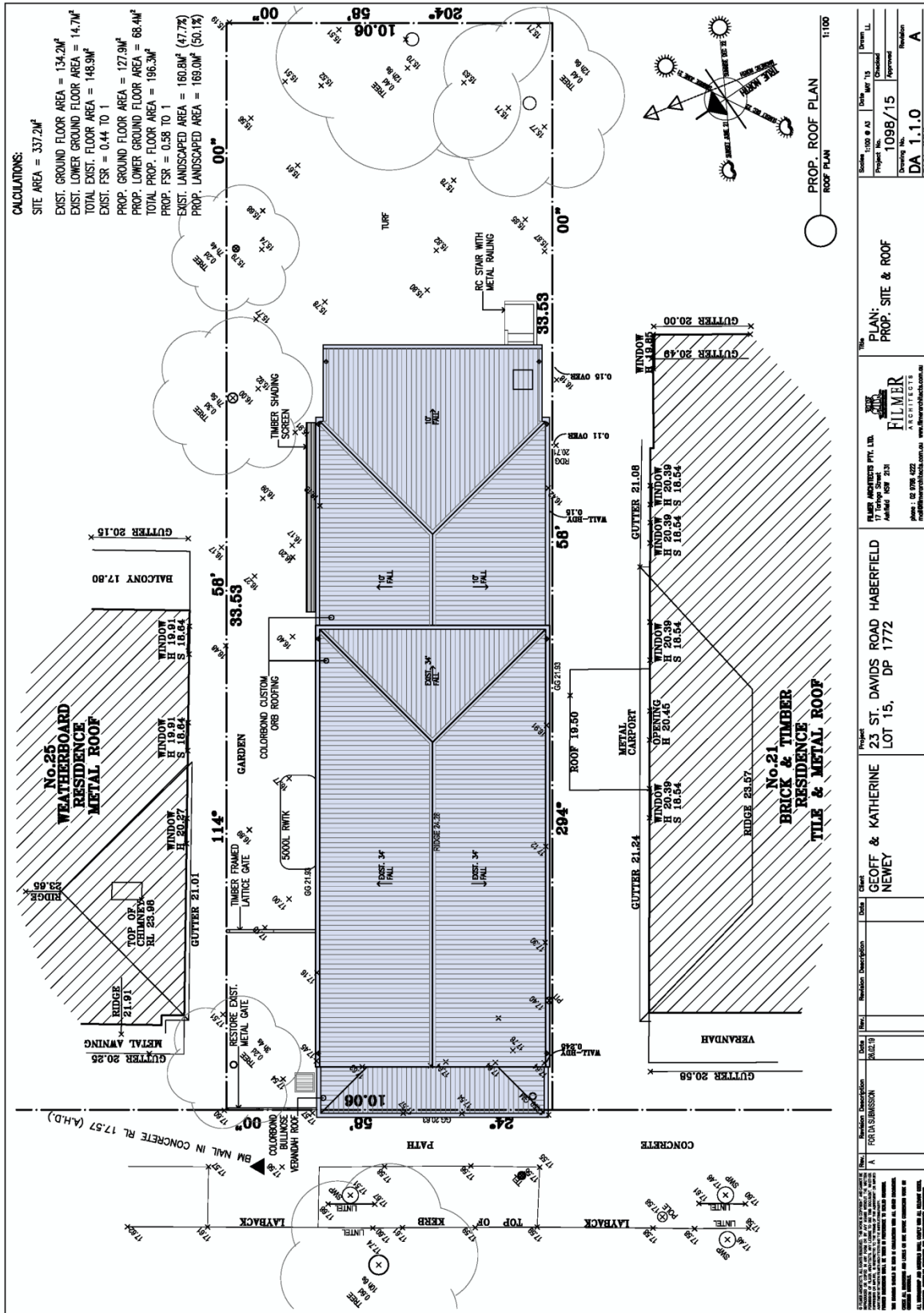
(5) Tree preservation

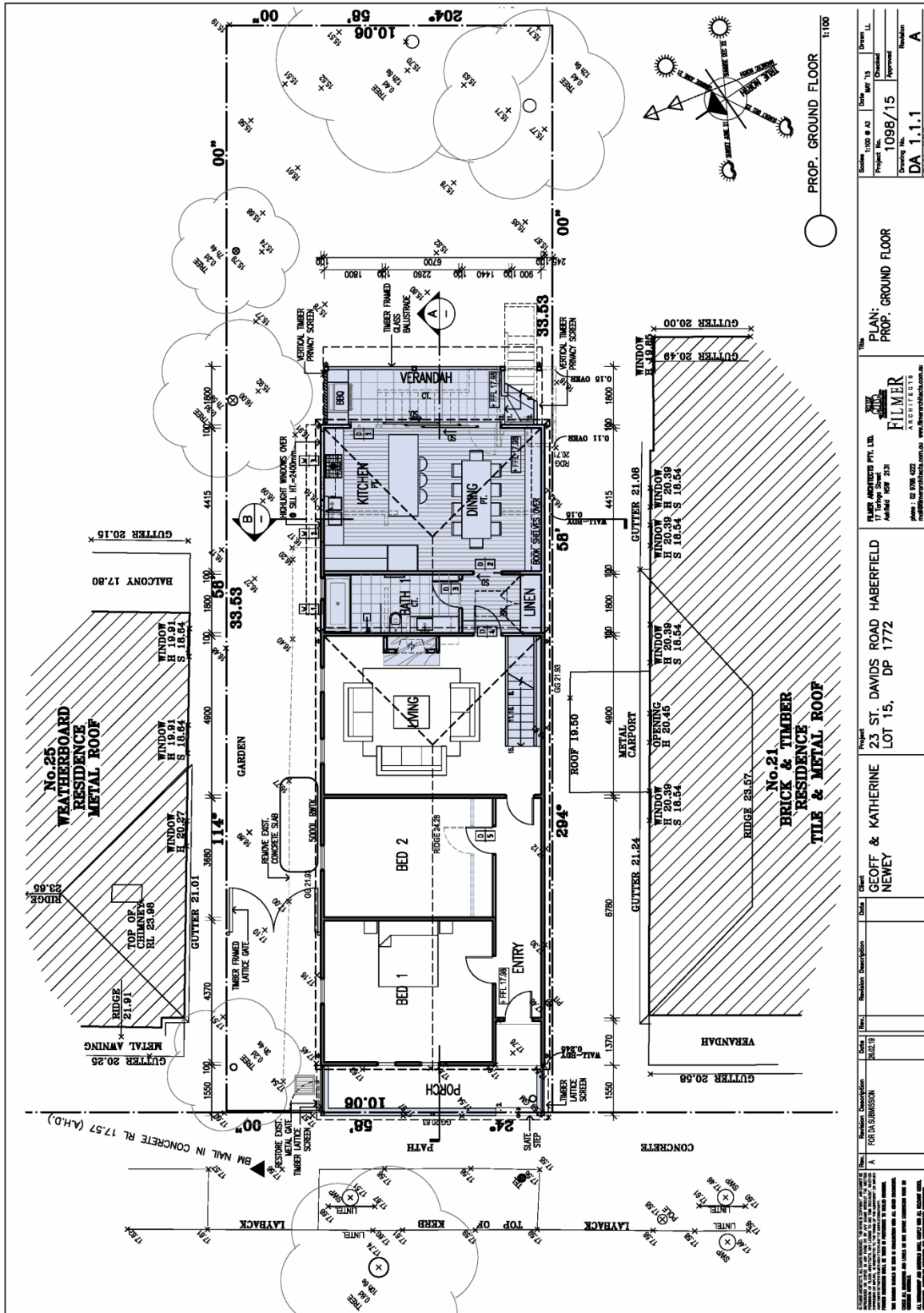
Where tree removal or work has not been approved by this Development Consent, the developer is notified that a general Tree Preservation Order applies to all trees (with the exception of certain species) in the Inner West Council area with a height greater than five (5) metres. This order prohibits the ringbarking, cutting down, topping, lopping*, pruning, transplanting, injuring or wilful destruction of such trees except with the prior approval of the Council. Written consent from Council for such tree works must be in the form of a "Tree Preservation Order Permit for Pruning or Removal of Protected Trees" to be obtained from Council.

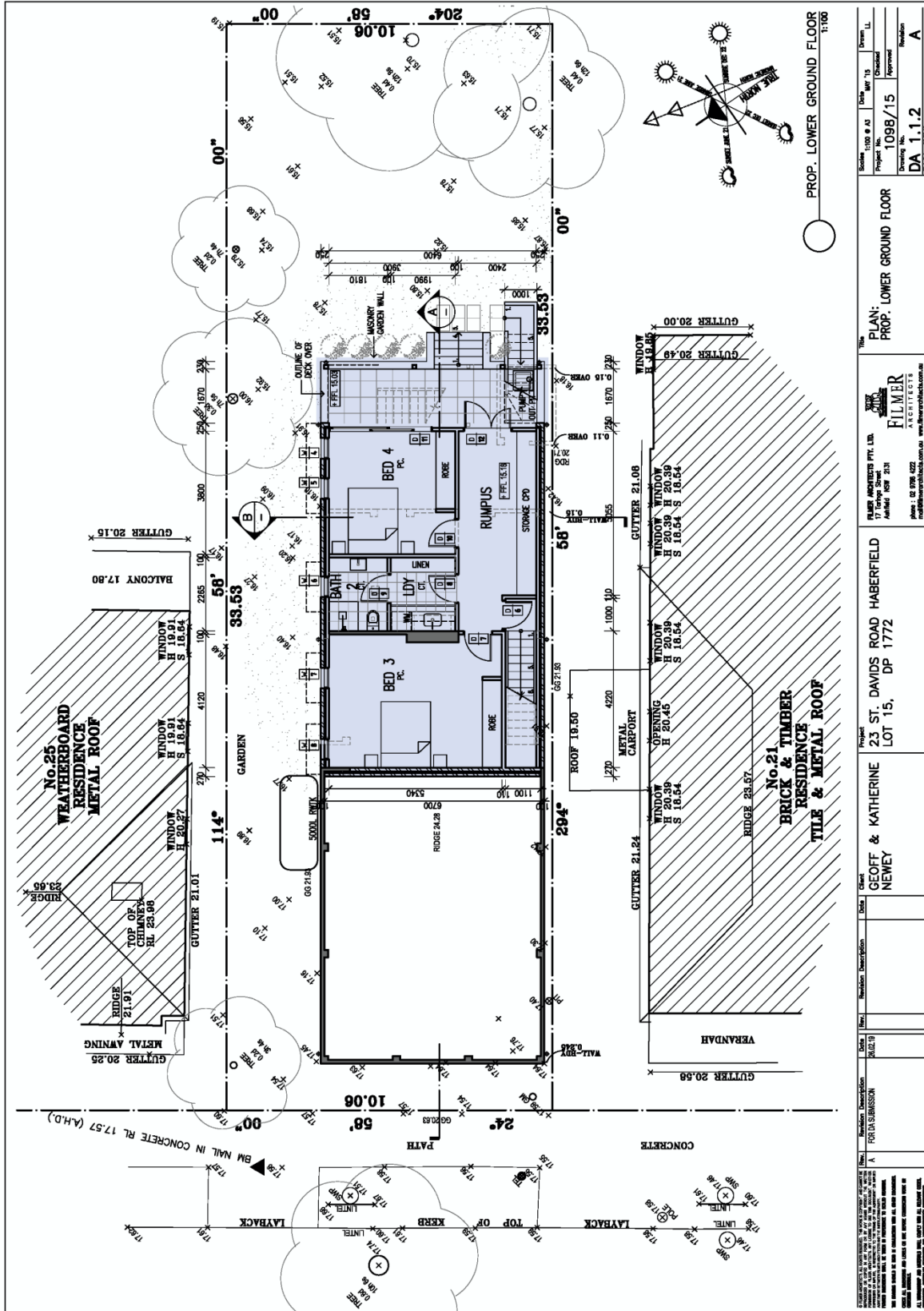
* Lopping may be carried out without consent only to maintain a minimum clearance of 500mm from power lines, pruning to remove dead wood/branches and minor pruning of branches overhanging buildings to a height of 2 metres only with the agreement of the owner of the tree. Contact Council's Customer Service Centre - telephone 9392 5000, for details of the Tree Preservation Order.

(6) Relocation of stormwater drainage

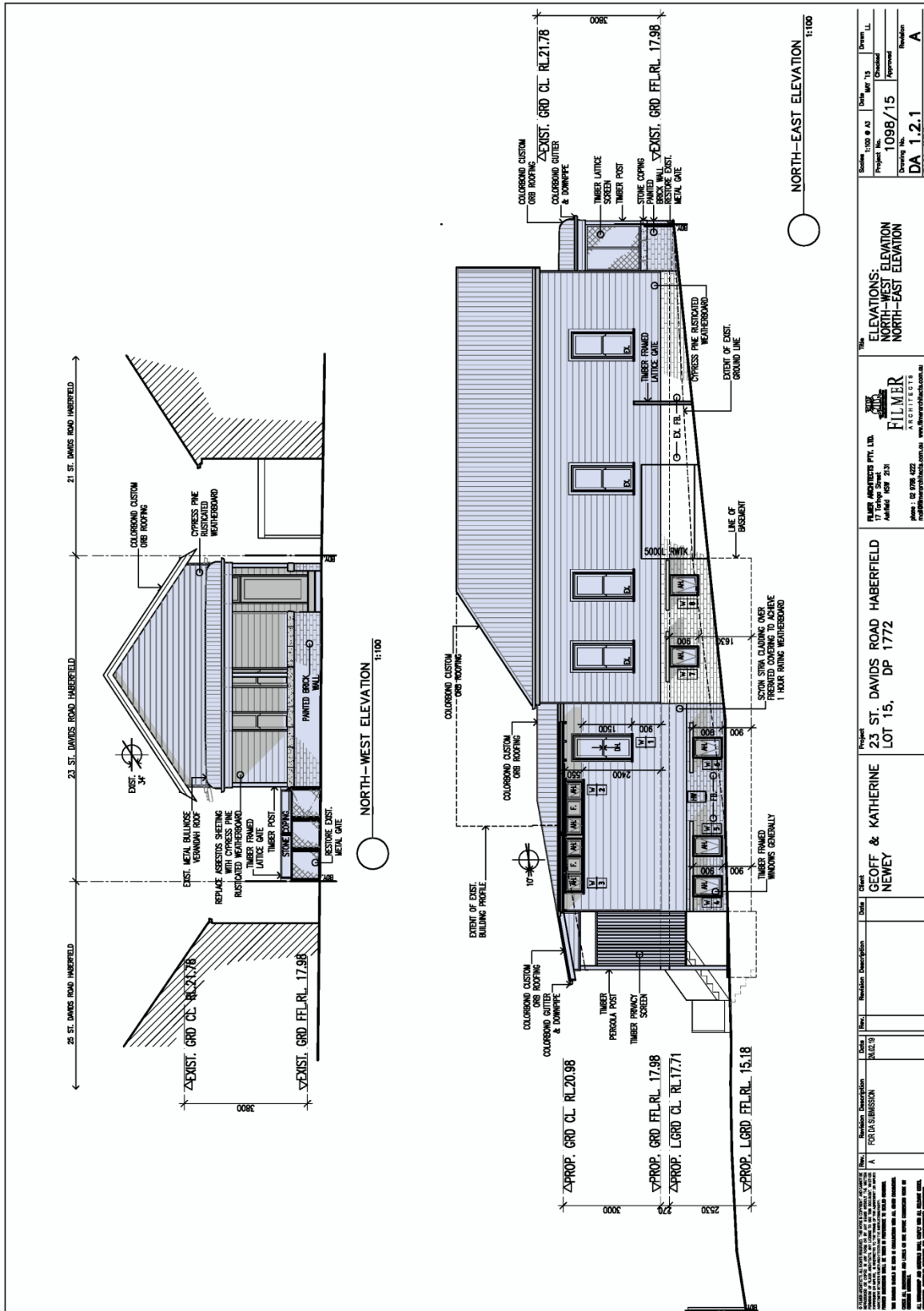
Council is not responsible for the cost of relocating Council's stormwater drainage pipes through the subject property.







<p>Scale: 1:100 @ A1 Project No: 1098/15 Drawing No: DA 1.1.2 Date: 15 APR 2015 Rev: 001</p>	<p>Client: GEORGE & KATHERINE NEWNEY 23 ST. DAVIDS ROAD HABERFIELD LOT 15, DP 1772</p>	<p>Architect: FLUOR ARCHITECTS PTY. LTD. 17 Forbes Street Ashfield NSW 2131 Phone: 61 615 955 052 info@fluorarchitects.com.au www.fluorarchitects.com.au</p>	<p>Project Name: PLAN: LOWER GROUND FLOOR Revision: A</p>
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Date	Description	Scale	Drawn	Checked	Revised
1:00 @ A1	1098/15	1:100	1098/15	1098/15	

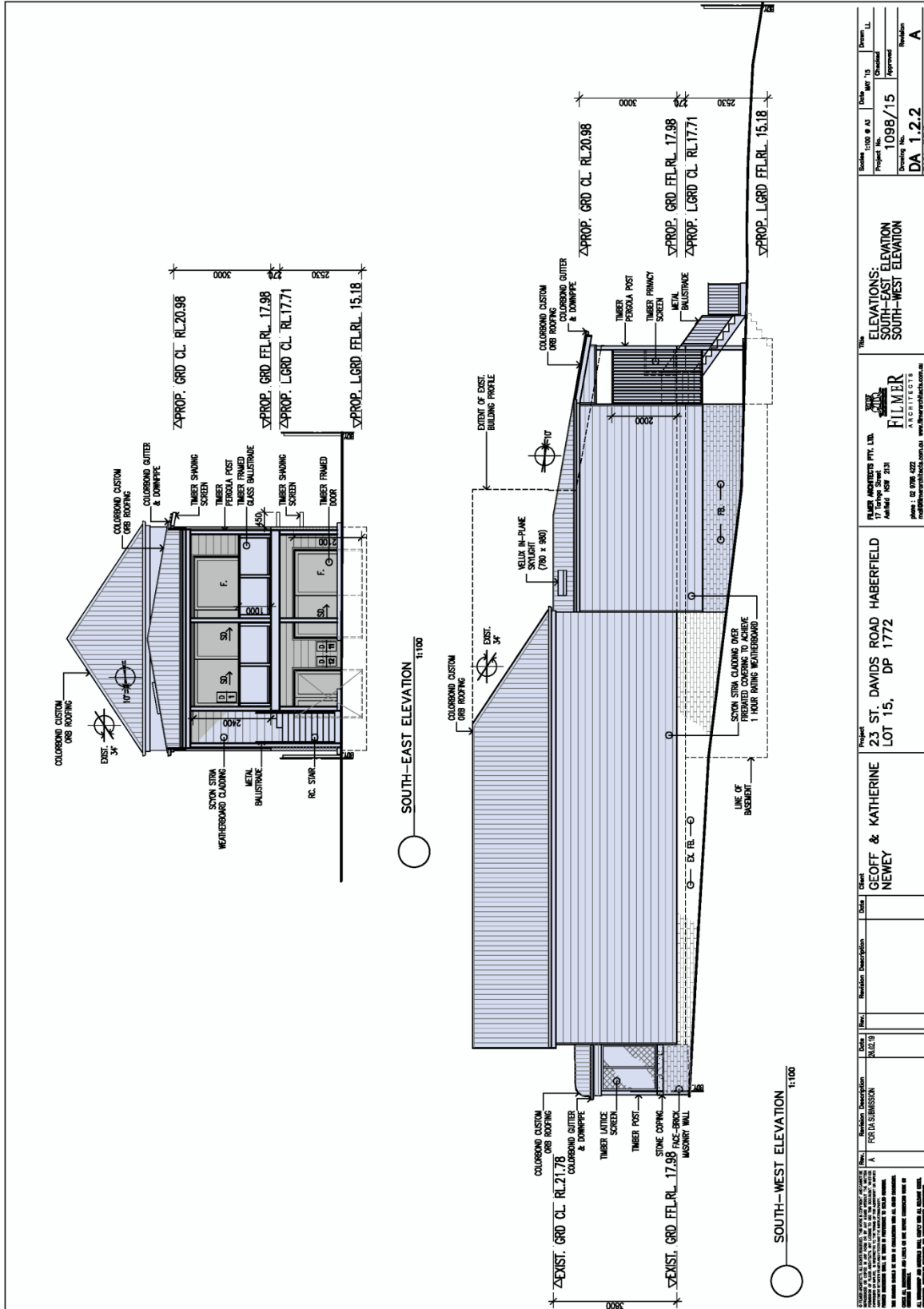
ELEVATIONS:
 NORTH-WEST ELEVATION
 NORTH-EAST ELEVATION

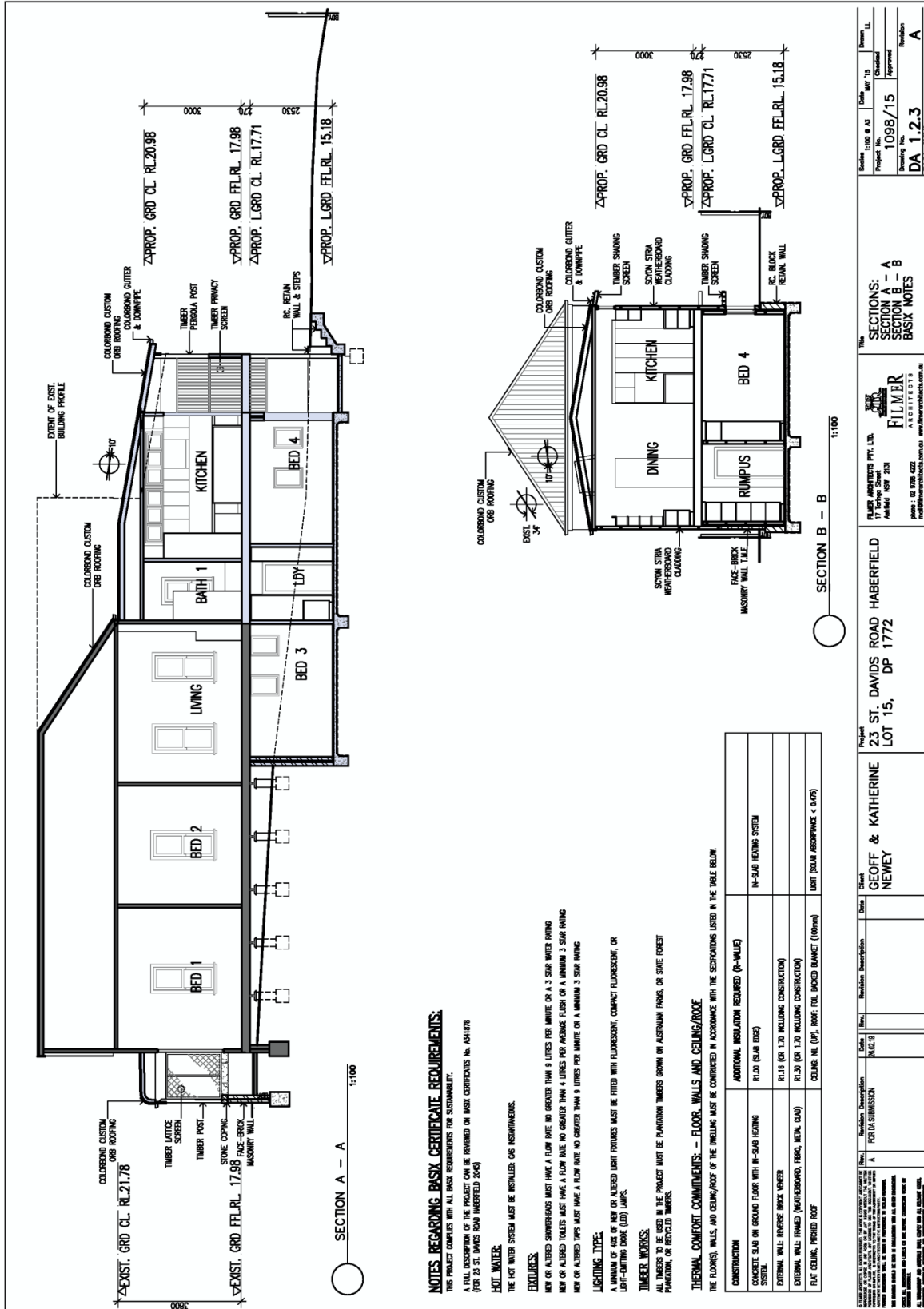
FILMER
 FILM ARCHITECTS PTY. LTD.
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 Adelaide 5000 SA
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 www.filmerarchitects.com.au

GEORF & KATHERINE NEWNEY
 23 ST. DAVIDS ROAD HABERFIELD
 LOT 15, DP 1772

No.	Revisions	Description	Date
1	FOR DA SUBMISSION		2016/08

FOR INFORMATION ONLY - THESE DRAWINGS ARE PRELIMINARY AND MAY BE SUBJECT TO CHANGE WITHOUT NOTICE.
 ALL DIMENSIONS ARE UNLESS OTHERWISE SPECIFIED IN METERS AND MILLIMETERS.
 ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS.
 THE CLIENT ACCEPTS RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THE ARCHITECT.
 THE ARCHITECT HAS NOT CONDUCTED ANY VISUAL IMPACT ASSESSMENT OR ENVIRONMENTAL IMPACT ASSESSMENT.
 THIS DRAWING IS TO BE USED ONLY FOR THE PURPOSES SPECIFIED IN THE COVER SHEET.
 NO OTHER RIGHTS OR INTERESTS ARE CLAIMED IN THIS DRAWING.





NOTES REGARDING BASIX CERTIFICATE REQUIREMENTS:

THIS PROJECT COMPLES WITH ALL BASIX REQUIREMENTS FOR SUSTAINABILITY.
 A FULL DESCRIPTION OF THE PROJECT CAN BE VIEWED ON BASIX CERTIFICATE No. 1414709
 (FOR 23 ST. DAVIDS ROAD HABERFIELD 2043)

- HOT WATER:**
THE HOT WATER SYSTEM MUST BE INSTALLED: GAS INSTRUMENTED.
- EXHAUST:**
NEW OR ALTERED SHOWERS MUST HAVE A FLOW RATE NO GREATER THAN 8 LITRES PER MINUTE OR A 3 STAR WATER RATING.
NEW OR ALTERED TOILETS MUST HAVE A FLOW RATE NO GREATER THAN 4 LITRES PER AVERAGE FLUSH OR A MINIMUM 3 STAR RATING.
NEW OR ALTERED TAPS MUST HAVE A FLOW RATE NO GREATER THAN 8 LITRES PER MINUTE OR A MINIMUM 3 STAR RATING.
- LIGHTING TYPES:**
A MINIMUM OF 40% OF NEW OR ALTERED LIGHT FIXTURES MUST BE FITTED WITH FLUORESCENT, COMPACT FLUORESCENT, OR LIGHT-EMITTING DIODE (LED) LAMPS.
- TIMBER WORKS:**
ALL TIMBERS TO BE USED IN THE PROJECT MUST BE FLAMETON TIMBERS GROWN ON AUSTRALIAN FARMS, OR STATE FOREST PLANTATION, OR RECYCLED TIMBERS.
- THERMAL COMFORT COMMITMENTS - FLOOR, WALLS AND CEILING/ROOF:**
THE FLOORS, WALLS, AND CEILING/ROOF OF THE BUILDING MUST BE CONSTRUCTED IN ACCORDANCE WITH THE SPECIFICATIONS LISTED IN THE TABLE BELOW.

CONSTRUCTION	ADDITIONAL INSULATION REQUIRED (R-VALUE)
CONCRETE SLAB ON GROUND FLOOR WITH IN-SLAB HEATING SYSTEM	R-1.0 (SLAB EDGE)
EXTERNAL WALL: REVERSE BRICK VENEER	R-1.0 (OR 1.20 INCLUDING CONSTRUCTION)
EXTERNAL WALL: FINISH (WEATHERBOARD, FIBRO, METAL CLAD)	R-1.20 (OR 1.20 INCLUDING CONSTRUCTION)
FLAT CEILING, PITCHED ROOF	CEILING: R6 (UP); ROOF: FOL BACKED BLANKET (100mm)
	LIGHT (SUNAR ABSORPTANCE < 0.45)

PROJECT: 23 ST. DAVIDS ROAD HABERFIELD LOT 15, DP 1772
CLIENT: GEOFF & KATHERINE NEWNEY
ARCHITECT: FLIMMER ARCHITECTS PTY. LTD.
 17 Forbes Street, Haberfield NSW 2011
 Phone: 02 958 0252
 info@flimmerarchitects.com.au www.flimmerarchitects.com.au

DATE: 1:00 @ A2
PROJECT NO.: 1098/15
DRAWING NO.: DA 1.2.3
DATE: 15 APR 2015

SECTIONS:
 SECTION A - A
 SECTION B - B
 BASIX NOTES

SCALE: 1:100
DATE: 17 MAY '15
STATUS: CHECKED
APPROVED:

Attachment C- Clause 4.6 Exception to Development Standards



STATEMENT OF ENVIRONMENTAL EFFECTS

PROPOSED ALTERATIONS TO PROPERTY

23 ST DAVID'S ROAD, HABERFIELD

Prepared by
Filmer Architects Pty Ltd
mail@filmerarchitects.com.au
9798 4222

Submitted to
INNER WEST COUNCIL
February 2019

1. INTRODUCTION

This report constitutes a Statement of Environmental Effects and accompanies a Development Application for proposed alterations and additions to 23 St David's Road, Haberfield.

The purpose of this report is to:

- Describe the proposal and the locality in which it is situated;
- Discuss the potential environmental effects of the proposal;
- Draw conclusions as to whether those impacts are significant; and,
- Make a recommendation to Council as to whether the Development Application should be supported.

This report should be read in conjunction with the following information:

- Architectural Plans: 1098/15-DA, 1.0.0A, 1.0.1A, 1.0.2A, 1.1.0A, 1.1.1A, 1.1.2A, 1.2.1A, 1.2.2A, 1.2.3A, 1.3.1A, 1.3.2A, 1.4.1A, SHDW01A,
- BASIX Certificate #A341878

2. LOCALITY & PLANNING

The property is located within the boundaries of the area covered by the Inner West Council Local Environmental Plan (Ashfield LEP 2013) and the Inner West Comprehensive Control Plan 2016.

3. SITE ANALYSIS

3.1 SITE DESCRIPTION

3.1.1 Site Characteristics

The character of the site is atypical of this part of the suburb. The site is one of the few single fronted weatherboard properties in St David's Rd.

The total site area is 337.2m² and is identified as Lot 15, SEC B, in Deposited Plan 1772.

The subject site has a fall to the rear sufficient for the lower ground floor areas to be constructed.

Adjoining the site to the south is a free standing dwelling No.21 and to the north is a free standing dwelling No25.

3.1.2 Contamination

Given the long existence of the original dwelling and use of the property it is unlikely that the site has been contaminated.

3.1.3 Site works – Building

On site is a single fronted timber framed and clad dwelling with a steel roof ending in a (non original) gable at the rear. The dwelling contains 2 bedrooms, a bathroom, a living room and a combined kitchen and a family room. There is a laundry and store room under the house at the rear. A series of photos of the existing house are attached.

3.1.4 Existing vegetation

The existing rear and side gardens are predominantly grassed, with areas of paving and landscaping. There is no soft landscape in the front.

3.1.5 Access & parking

There is side access on the north side but is tight for a car to park.

3.1.6 Utility Services

Services including water, electricity, sewer are currently connected to the site. There is no stormwater evident on the site.

3.1.7 Views & vistas

There are no particular views available other than of neighbouring properties.

3.2 LOCAL CONTEXT

The area is zoned R2, Low Density Residential. It is within the Haberfield Conservation Area. (HCA)

4.0 PROPOSED DEVELOPMENT**4.1 ARCHITECTURAL DESIGN**

It is proposed to remove the rear portion of the cottage extending from the chimney back. This will be replaced with a new bathroom, kitchen and family area over bedrooms below. The plate height will be lower than the original and the roof pitch lower. The remain front portion of the cottage will be reclad in the original weatherboard profile and reroofed. The front verandah will be reconstructed to the original detail. Two bedrooms and a laundry / bathroom are proposed for the lower ground level.

4.2 LANDSCAPING

The proposal will slightly increase the area of landscaping on the site. Disturbed areas will be restored with grass and vegetation.

4.3 ACCESS AND CIRCULATION

St David's Road caters to some through traffic but, more generally, to local vehicle traffic.

The development will not alter the level of traffic in the street.

4.4 WATER MANAGEMENT AND SEDIMENT CONTROL

The current stormwater system has been lost. The whole in-ground system will be replaced. Refer to the Concept Stormwater Plan on drawing DA1.4.1A

The diagrams indicate there is a minimal increase in the water collection area and this can be dealt with under Council's stormwater code. All of the stormwater systems shall connect direct to the street gutter via a rainwater storage tank.

4.5 WASTE MANAGEMENT

The proposal has endeavoured to comply with council's preferred solutions as outlined in Council's code.

During construction, rubble and off-cut waste will be disposed of into a suitable skip located on the site. The skip will not impede / interfere with the traffic flow.

All waste material from the demolition and construction stages of the development (including brick, timber, concrete, plasterboard, roofing tiles and sheet steel) will be disposed of by an approved contractor (as listed in the "Construction & Demolition Recycling Directory"). Where possible, material will be recycled and used in the construction of the proposed development.

4.6 NOISE AND SAFETY

During construction of the works, attempts will be made to provide against undue nuisance to adjoining properties from dust and noise.

The works will be constructed in accordance with the Occupation Health and Safety Act 2000, the Regulation 2001 and relevant Codes of Practice.

5 ASSESSMENT UNDER THE DEVELOPMENT CONTROL AND ENVIRONMENTAL PLANNING ACT 1979

5.1 THE FOLLOWING CODES APPLY

Environmental Planning Instruments

Local Environmental Plans

1. Ashfield LEP 2013

Development control plans

2. Inner West Comprehensive Control Plan 2016

5.1.1 ALEP Zoning

R2 Low Density Residential

Complies

5.1.2 ALEP 4.3 Height

Height permissible:

7m

Proposed:

7m

Complies

5.1.3 ALEP 4.4(2) Floor Space Ratio

Dwelling Floor Space Ratio (FSR) permissible:

0.5 : 1

Site area

337.2m²

Total proposed floor area

196.3m²

FSR of proposed development

0.58:1

Does not comply

5.1.4 Exception to Development Standards (Cl 4.6)

The objectives of Clause 4.6 are:

- (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.*

In this instance the Ashfield LEP 2013 Clause 4.4(2) states;
At least 50% of the site will be landscaped area.

In this proposal the floor area will increase from 44.2% to 58.2%, and exceed the 50% max required by the standard. The development standard referred to is unreasonable or unnecessary in the particular circumstances of this project for the following reasons:

- (a) In this proposal the ground floor area has decreased marginally, the bulk of the building has been reduced at the rear and the ground line has been retained. The increase in overall floor area is a result of the basement rooms, none of which contribute to an increase in bulk.*
- (b) All of the lower ground floor is contained within the existing foundation walls and ground levels. The only visible evidence of lower ground floor rooms is the glazed doors in the rear elevation and minor windows in the foundation wall facing the driveway. None of the above is visible from the road or a public place.*
- (c) The objectives of this Clause are listed in 4.4(1) The intent of the clause is to maintain the attributes of the garden suburb which are, in part, single dwellings on individual sites separated by areas of landscaped open space. In this case the intent of the clause will be satisfied as the extent of the landscaped open area surrounding the dwelling has been increased.*

5.1.5 ALEP 6.5(3)(a)(ii)

....the gross floor area below the existing ground floor level will not exceed 25% of the gross floor area of the existing ground floor,

Area of existing ground floor	134.2sqm
Proposed lower ground floor area	68.4sqm (51%)

Does not comply

5.1.6 Exception to Development Standards (Cl 4.6)

The objectives of Clause 4.6 are:

- (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.*

In this instance the Ashfield LEP 2013 Clause 6.5(3)(a)(ii) states;
....the gross floor area below the existing ground floor level will not exceed 25% of the gross floor area of the existing ground floor,

In this proposal the lower ground floor area will increase from 11% (enclosed floor area) to 51% of the existing ground floor and exceed the standard of 25%. The development standard referred to is unreasonable or unnecessary in the particular circumstances of this project for the following reasons:

(a) The existing development on the site has a lower ground floor area of 14.7sqm or a ratio of 11% of the ground floor area, however, the existing underfloor area is much larger but not all of the area is enclosed as required by the definition of 'floor area'.

The proposed lower ground floor area will be increased to 68.4sqm or a ratio of 51% of the existing ground floor area. The additional lower ground floor area is not visible from outside of the building except for the window openings on the northern or driveway elevation.

(b) The current lower ground floor has been developed in the foundation area of the building. The existing pier layout has previously been altered to achieve large open areas. These areas are currently used as an enclosed laundry, a separate wc and general storage. Not all of this area is enclosed by walls.

(c) The objective of this Clause is listed as "... to maintain the single storey appearance of dwellings in the Haberfield Heritage Conservation Area." The intent of the clause is to maintain the attributes of the garden suburb which are, in part, single dwellings on individual sites separated by areas of landscaped open space. In this case the intent of the clause will be satisfied as the existing foundation walls will be retained and the extent of the open space around the dwelling enhanced. The lower ground floor areas are not visible to the public as they do not have windows facing St David's Rd.

5.1.7 ALEP 6.5(3)(b)

....the development will not involve excavation in excess of 3 metres below ground level (existing),

Complies

5.1.8 ALEP 6.5(3)(c)

....the development will not involve the installation of dormer or gablet windows,

Complies

5.1.9 ALEP 6.5(3)(d)

....at least 50% of the site will be landscaped area.

Site area	337.2m ²
Existing landscape area	160.8m ² (47.7%)
Proposed landscape area	168.6m ² (50%)

Complies

5.1.10 Inner West Comprehensive Development Control Plan 2016

Section F Development Category Guidelines
Part 1 Dwelling Houses and Dual Occupancy
The proposal generally complies with this Part.

DS3.1 to 3.8 Scale

The house presents to St David's Road as a tall single storey, single fronted dwelling with a single gable behind a bullnosed verandah. The alterations and additions at the rear are of a lower height and achieve a much more appropriate scale.

DS4.1 to 4.6 Building Setbacks

The front, side and rear setbacks remain unaltered.

Complies

DS8.1 to 8.4 Landscaped areas and site coverage

Complies

DS9.1 Principal private open space

The private open space is directly accessible at much the same level as the lower ground floor areas. It comprises an area in excess of 110sqm which exceeds the minimum area and dimension.

Complies

DS10.1 Deep soil planting

All of the landscaped area is capable of deep soil planting.

Complies

DS13.1 to 13.4 Solar access

The proposal complies with this clause as the proposed work has a lower roof line than the existing. The elevations show the reduced heights.

Shadow diagrams have not been produced for this reason.

DS14.1 to 14.3 Visual privacy

The proposal generally complies with this clause.

DS19.1 Stormwater disposal

A stormwater concept plan is included with this application. Refer to Drawing DA 1.4.1A. There is no increase in the impervious area on the site.

5.1.11 Waste Management DCP

Refer to the Waste Management Statement attached.

5.1.12 Heritage Statement

A Heritage Statement is attached.

6 CONCLUSION

The aim of this statement of environmental effects has been to:

- Describe the proposal
- To illustrate the proposal's compliance with relevant statutory considerations; and,
- To provide an assessment of the likely environmental effects of the proposal.

The proposal will result in a total refurbishment of a dilapidated house including new service areas, a new rear verandah and general repair of all internal areas.

The proposal has demonstrated that it satisfies the relevant planning controls for the site and will have no detrimental impact on the surrounding environment.

Having regard to the analysis and assessment within this Statement of Environmental Effects, it is recommended that Council support the development application.

FILMER ARCHITECTS PTY LTD

Filmer Architects Pty. Ltd.



St David's Rd, frontage



St David's Rd, frontage

Heritage Impact Statement

23 St Davids Road, Haberfield

Filmer Architects Pty. Ltd.



Side driveway



Rear view

Heritage Impact Statement

23 St Davids Road, Haberfield

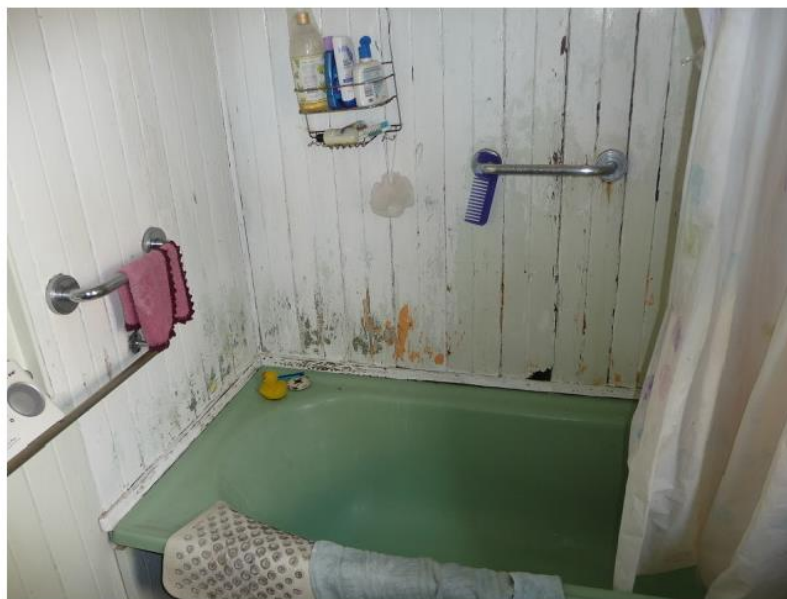
Filmer Architects Pty. Ltd.



Heritage Impact Statement

23 St Davids Road, Haberfield

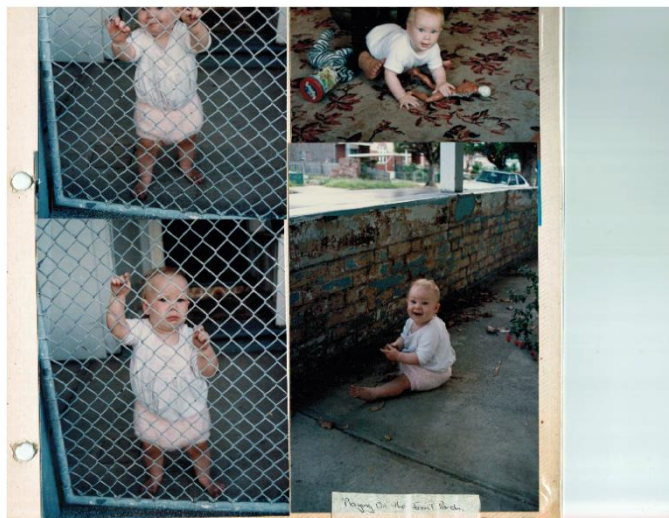
Filmer Architects Pty. Ltd.



Heritage Impact Statement

23 St Davids Road, Haberfield

Filmer Architects Pty. Ltd.



Family photo on front verandah



Family photo on front verandah (note balustrade and gable finish)

Heritage Impact Statement

Attachment D – Statement of Heritage Significance

Haberfield has historic significance as the first successful comprehensively planned and marketed Garden Suburb in Australia. Designed and developed by real estate entrepreneur and town planning advocate, Richard Stanton, its subdivision layout and tree lined streets, its pattern of separate houses on individual lots (the antithesis of the unhealthy crowded inner suburbs of the period) and its buildings and materials, clearly illustrate his design and estate management principles. Haberfield pre-dates the first Garden Suburbs in Britain by some five years.

It is significant in the history of town planning in NSW. The separation of land uses, exclusion of industry and hotels, designation of land for community facilities and its comprehensive provision of utility services and pre-development estate landscaping profoundly affected housing trends, state subdivision practice and planning legislation in 20th century Australia.

It is significant in the history of Australian domestic architecture for its fine ensemble of Federation houses and their fences, and shops, most with their decorative elements intact.

It is outstanding for its collection of modest Federation houses displaying skilful use of materials and a high standard of workmanship of innovative design and detail particularly reflective of the burgeoning naturalistic spirit of the Federation era in which they were built.

The form, materials, scale and setback of buildings and their landscaped gardens fronting tree lined streets together provide mature streetscapes of aesthetic appeal.

Haberfield is a major research repository of the Federation era, garden design and plant material, architectural detail, modest house planning, public landscaping and utility provision.