



INNER WEST COUNCIL

DEVELOPMENT ASSESSMENT REPORT

Application No.	201900010
Address	16 Holt Street Stanmore
Proposal	To demolish part of the premises and carry out ground and first floor alterations and additions to a boarding house.
Date of Lodgement	10 January 2019 with amended plans submitted on 8 May 2019 and 25 May 2019
Applicant	Orangeville Properties Pty Ltd
Owner	Orangeville Properties Pty Ltd
Number of Submissions	Five
Value of works	Originally \$492,500 Amended proposal \$372,000
Reason for determination at Planning Panel	Clause 4.6 Variation exceeding 10%
Main Issues	Variation to Floor Space Ratio development standard
Recommendation	Approve with 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
Attachment E	Access & Mobility Report
Attachment F	Basix Certificate
Attachment G	Plan of Management



LOCALITY MAP

Subject Site		Objectors		
Notified Area		Supporters		

Note: Due to scale of map, not all objectors could be shown.

1. Executive Summary

This report is an assessment of the application submitted to Council for demolition of part of the premises and ground and first floor alterations and additions to an existing Boarding House at 16 Holt Street, Stanmore. The application was notified to surrounding properties and five submissions were received.

The main issues that have arisen from the application include:

- Non-compliance with the FSR development standard
- Additional visual bulk
- Parking impacts
- Solar access to common areas
- Visual privacy

The applicant has amended the plans to address these issues and while the proposed development still results in a variation to the FSR development standard, the variation is acceptable and has an acceptable justification, therefore the application is recommended for approval.

2. Proposal

The development originally proposed alterations and additions to an existing boarding house including:

- The addition of four boarding rooms (to the existing 17)
- The addition of a communal living room, laundry and bathroom
- New deck and balconies
- Bin Storage area
- Internal alterations

After Council advised that they would not support the original proposal, the applicant submitted amended plans that:

- Reconfigure the existing rooms without adding any additional rooms
- Reduce the FSR from 0.811:1 to 0.763:1
- Provide two rooms with ensuites
- Provide a first floor communal living area in addition to the ground floor living area
- Amend the proposal so that additional visual bulk was not presented to Cavendish Street
- Increase first floor setback from western boundary from 0.9m to 4.2m
- Remove first floor balconies

3. Site Description

The subject site is located on the corner of Holt Street and Cavendish Street, on the north-western side of the corner. The site is regular in shape, with a total area of 533.5sqm and is described legally as Lot 122 DP 227165.

The site has a frontage to Holt Street of 20.115m metres and a frontage to Cavendish Street of 26.525m. The site is unencumbered by easements.

The site currently contains a two-storey boarding house containing 17 rooms. The adjoining properties contain attached and detached dwelling

The site is located within the Kingston South Heritage Conservation Area.

4. Background

4(a) Site history

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

The site does not have a history of development applications but does have a history of significant maintenance being required as part of annual inspections from Council.

Surrounding properties

Application	Proposal	Decision & Date
DA200200514	Alterations and additions to the dwelling At 12 Holt Street	Approved 4/11/2002
BA164/66	135 Cavendish Street Stanmore	Approved

4(b) Application history

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

Date	Discussion / Letter / Additional Information
9 April 2019	Council Officers wrote to the applicant indicating that the application could not be supported and recommending withdrawal.
18 April 2019	The applicant requested the opportunity to submit amended plans.
8 May 2019	The applicant submits amended plans
25 May 2019	The applicant submits further details related to the amended plans

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 (Affordable Rental Housing) 2009*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *Marrickville Local Environmental Plan 2011*

The following provides further discussion of the relevant issues:

5(a)(i) *State Environmental Planning Policy (Affordable Rental Housing) 2009*

Note: The application is subject to the transitional provisions within clause 54C and as a result is assessed under the provisions prior to *State Environmental Planning Policy (Affordable Rental Housing) Amendment (Boarding House Development) 2019*, with the amendments having the weight of a draft EPI that is imminent and certain

The site is located within Zone R2 Low Density Residential and pursuant to clause 26 the SEPP is applicable to the development. Pursuant to Clause 27 the division only applies in the case that the site is located within an accessible area. The site has a travel distance of 122m to Stanmore Station Platform 3 and as a result is within an accessible area.

No bonus FSR is applicable under Clause 29 (1)(c) of the *SEPP (ARH)* due to the operation of clause 6.9 of the *Marrickville Local Environmental Plan 2011* development as a Residential Flat Building is only permitted with consent were the development relates to a building that was designed and constructed for an industrial or warehouse purpose, and was erected before the commencement of this Plan.

Solar access for 3 hours to the ground floor communal rooms is achieved in mid-winter between 9am and 3pm. The development provides for greater than 20m² private open space. The proposal does not provide any car parking however, the proposal has been amended to not increase the number of rooms in existing and therefore does not increase the car parking impacts of the boarding house. The proposed room sizes are consistent the requirements of Clause 29 (2)(f).

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) Marrickville Local Environment Plan 2011 (MLEP 2011)

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

- Clause 1.2 - Aims of the Plan
- Clause 2.3 - Zone objectives and Land Use Table
- Clause 2.7 - Demolition
- Clause 4.3 - Height of buildings
- Clause 4.4 - Floor space ratio
- Clause 4.6 - Exceptions to development standards
- Clause 5.10 - Heritage Conservation
- Clause 6.5 - Development in areas subject to aircraft noise
- Clause 6.6 - Airspace operations

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

Standard	Proposal	non compliance	Complies
Height of Building Maximum permissible:9.5m	6.69 m	n/a	Yes
Floor Space Ratio Maximum permissible: 0.6:1 or 320.1m ²	0.763:1 or 407 sqm	86.9 sqm or 27.15%	No

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

The site is zoned R2 Low Density Residential zone under the *MLEP 2011*. The *MLEP 2013* defines the development as:

“boarding house means a building that:
(a) is wholly or partly let in lodgings, and
(b) provides lodgers with a principal place of residence for 3 months or more, and
(c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
(d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,
but does not include backpackers’ accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment”

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

Clause 4.6 Exceptions to Development Standards

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

- Clause 4.4 - Floor space ratio

The applicant seeks a variation to the floor space ratio development standard under Clause 4.4 of the applicable local environmental plan by 27.15% (86.9 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(3) of the applicable local environmental plan justifying the proposed contravention of the development standard which is summarised as follows:

- The proposal is limited to improvements to residential amenity.
- There is an absence of material impacts caused by the non-compliance.
- The proposal meets the objectives of the zone and the objective of the FSR development standard.
- The development provides heritage benefits through the restoration of the tessellated tiles of the front veranda and the installation of the iron palisade fence.
- The development does not result in amenity impacts on the adjoining properties.
- The development improves the amenity of the affordable housing which is supported by objectives within Clause 1.3 of the *EPA Act 1979*.

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, which are:

- *“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.*
- *To provide for multi dwelling housing and residential flat buildings but only as part of the conversion of existing industrial and warehouse buildings.*
- *To provide for office premises but only as part of the conversion of existing industrial and warehouse buildings or in existing buildings designed and constructed for commercial purposes.*
- *To provide for retail premises in existing buildings designed and constructed for commercial purposes.”*

The proposed development provides for and improves the amenity of an existing residential use and is consistent with the zone objectives.

It is considered the development is in the public interest because it is consistent with the objectives of the floor space ratio development standard, in accordance with Clause 4.6(4)(a)(ii) of the applicable local environmental plan, which include:

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

The proposed development does not result in any significant additional visual bulk when viewed from the Holt Street or Cavendish Street. The development does not result in any significant amenity impacts on the residents of the surrounding 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 for matters determined by the Local Planning Panel.

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 floor space ratio and it is recommended the Clause 4.6 exception be granted.

Clause 5.10 Heritage Conservation

The site is located within the Kingston South Heritage Conservation Area. The building is a contributory item. The application is considered to have acceptable heritage impacts on the heritage values of the conservation area and is recommended for approval.

Clause 6.5 Development in areas subject to aircraft noise

The site is located with ANEF contour 25 and 30. The recommended conditions of consent require the building to be compliant with AS 2021:2015 and will ensure the development is compliant and satisfactory levels of residential amenity are provided in this respect.

5(b) Draft Environmental Planning Instruments

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

- State Environmental Planning Policy (Affordable Rental Housing) Amendment (Boarding House Development) 2019
- Draft Marrickville Local Environmental Plan 2011 (Amendment 4)

The following provides further discussion of the relevant issues:

5(b)(i) State Environmental Planning Policy (Affordable Rental Housing) Amendment (Boarding House Development) 2019

This amendment, which is now in effect and as such has the status of imminent and certain draft EPI. Clause 30AA of the amendment states

“30AA Boarding houses in Zone R2 Low Density Residential

A consent authority must not grant development consent to a boarding house on land within Zone R2 Low Density Residential or within a land use zone that is equivalent to that zone unless it is satisfied that the boarding house has no more than 12 boarding rooms.”

The existing development exceeds this requirement; however, the amended proposal maintains the existing level of non-compliance. Granting development consent in this instance would not undermine the intent of the amendment.

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

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

The amended provisions contained in the Draft LEP Amendment are not relevant to the assessment of the application. Accordingly, the development is considered acceptable having regard to the provisions of the Draft LEP Amendment.

5(c) Development Control Plans

The application has been assessed and the following provides a summary of the relevant provisions of Marrickville Development Control Plan 2011.

MDCP 2011 Part of MDCP 2011	Compliance
Part A.26- Plan of Management (PoM)	Yes
Part 2.1 – Urban Design	Yes
Part 2.3 – Site and Context Analysis	Yes
Part 2.5 – Equity of Access and Mobility	Yes
Part 2.6 – Acoustic and Visual Privacy	Yes
Part 2.7 – Solar Access and Overshadowing	Yes
Part 2.9 – Community Safety	Yes
Part 2.10 – Parking	See Discussion
Part 2.11 – Fencing	Yes
Part 2.18 – Landscaping and Open Space	No – see discussion
Part 2.21 – Site Facilities and Waste Management	Yes
Part 2.25 – Stormwater Management	Yes subject to engineering conditions
Part 4.3 – Boarding Houses	No – see discussion
Part 8 – Heritage	Yes

Part 9 – Strategic Context	Yes
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The following provides discussion of the relevant issues:

Part 2.10 – Parking

The proposed development has been amended so as not to increase the parking demand or increase the level of non-compliance with the DCP/ SEPP parking requirements.

2.18.11.4 C17 Landscaped Area and Communal Open Space

The development complies with the requirements of this clause except that the proposal provides for 34% of the site area as landscaped area rather than the 45% of the site area set out in the numeric requirements. It is noted that:

- The proposed development provides for landscaping that is consistent with the pattern of development in the locality.
- The site provides for largely landscaped area as its hard surface area is minimised.
- The proposed development integrates communal areas with the open space and in doing so improves its usability.

The proposal meets the relevant objectives contained 2.18.1 and is acceptable on merit.

Part 4.3 – Boarding Houses

The proposal is generally consistent with the boarding house controls with the exception that there is no car space or private open space for the onsite manager. It is noted that this is an existing non-compliance. The proposed new rooms comply with the area requirements and the proposal increases there amenity for the existing rooms through providing two common areas. The common areas are considered to be of an acceptable size given the occupancy rate, provide for sufficient services and solar access. The proposal is consistent with the objectives O7 and O8 contained within 4.3.3.6.

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 Marrickville Development Control Plan 2011 for a period of 14 days to surrounding properties on the original plan. A total of five submissions were received. As the amended plans did not result in an increased environmental impact re-notification was unnecessary.

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

Issue: Increase number of rooms and associated impacts.

Comment: The proposal as amended maintains the existing number of rooms and only provides for communal spaces and bathrooms that improve the amenity of the existing boarding house rooms.

Issue: The communal room will become another boarding room.

Comment: The proposal does not seek to use the communal rooms as boarding rooms. A condition of consent is recommended to prevent this. Council also engages in yearly inspections to prevent this occurring.

Issue: Visual bulk

Comment: The proposal as amended does not result in significant additional visual bulk.

Issue: impact on on-street parking from new tenants

Comment: The proposal has now been amended so that it does not provide for additional tenants.

Issue: Overlooking from the rear veranda

Comment: The proposal as amended does not result in significant visual privacy impacts. The first floor balconies have been deleted. The rear landing off the laundry is unlikely to result in amenity impacts given the room use and noting the landscaped hedge noted on the plans.

Issue: Excessive footprint

Comment: The proposal as amended results in a small increase to the building footprint, however this is considered acceptable in balance, in light of the application seeking to improve the amenity of the existing boarding house rooms without increasing the density.

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. This is considered to have been achieved in this instance.

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
- Engineering

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 \$3,720 (based on the amended cost of works) would be required for the development under Marrickville Section 94A Contributions Plan 2014. 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 *Marrickville Local Environmental Plan 2011* and Marrickville Development Control Plan 2011.

The development will not result in any significant impacts on the amenity of the adjoining premises/properties and the streetscape and is 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 *Marrickville Local Environmental Plan 2011*. 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 Section 4.16 of the *Environmental Planning and Assessment Act 1979*, grant consent to Development Application No. 201900010 for To demolish part of the premises and carry out ground and first floor alterations and additions to a boarding house at 16 Holt Street Stanmore subject to the conditions listed in Attachment A.

Attachment A – Recommended conditions of consent

noted that personal cheques or bank guarantees cannot be accepted for the payment of these contributions.

2. Long Service Levy

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

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:	\$5876.00
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.

General Conditions

4. Documents related to the consent

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

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
1714_DA04 – 1714_DA14 Issue B	Architectural Plans	08/05/19	RJK Architects Pty Ltd
1714_DA17 Issue B	Material Schedules	08/05/19	RJK Architects Pty Ltd
1714_DA20-1714_DA21 Issue B	Demolition Plan	08/05/19	RJK Architects Pty Ltd
02083_C01 Revision 2	Stormwater Drainage Plan	14/05/19	Civil and Hydraulic Engineering Design and Project Management
M470187	Operational Plan of Management	10/07/2019	Planning Ingenuity
986915M_02	BASIX Certificate	29 May 2019	
	Access & Mobility Report	17 May 2019	John Van der Have

As amended by the conditions of consent.

5. Change to Plan of Management

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plan of management indicating that the communal rooms are to be available to residents at all times.

6. Boarding House

The development must provide and maintain:

- a) A minimum of two accessible boarding rooms.
- b) All rooms within the boarding house must be connected to a centralised electricity, water and gas (if installed) service.

7. Waste Management Plan

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

8. Erosion and Sediment Control

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

9. Standard Street Tree Protection

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

10. Verification of Levels and Location

Prior to the pouring of the ground floor slab or at dampcourse level, whichever is applicable or occurs first, the Principal Certifier must be provided with a survey levels certificate prepared by a Registered Surveyor indicating the level of the slab and the location of the building with respect to the boundaries of the site to AHD.

11. Works Outside the Property Boundary

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

12. Colours

New external colours to the main walls of the building are to be Dulux classic cream or similar with a traditional colour used to highlight architectural mouldings.

New roof sheeting shall be Colorbond Windspray, Shale Grey or equivalent.

13. Tessellated tiles

Remnant tessellated tiles are to be salvaged, carefully removed and relayed to match the existing pattern arrangement where required. Where new tiles are to be provided these are to match the existing remnant tiles in colour, pattern, finish and arrangement.

14. Windows

New windows to Room 3 are to be timber framed and painted Dulux Vivid White.

15. Bin Storage

Bin storage shall be set a minimum of 2m behind the front building line.

16. Stormwater Drainage System

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

Prior to any Demolition

17. Dilapidation Report

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

18. Advising Neighbors Prior to Excavation

At least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

19. Construction Fencing

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

20. Construction Traffic Management Plan

Prior to any demolition, the Certifying Authority, must be provided with a detailed Construction Traffic Management Plan (CTMP) to cater for construction prepared by a person with RMS accreditation to prepare a work zone traffic management plan. Details must include haulage routes, estimated number of vehicle movements, truck parking areas, work zones, crane usage, etc., related to demolition/construction activities. A work zone approval must be obtained.

Prior to Construction Certificate**21. Structural Certificate for retained elements of the building**

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

22. Sydney Water – Tap In

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

Note: Please refer to the web site <http://www.sydneywater.com.au/tapin/index.htm> for details on the process or telephone 132092.

23. Acoustic Report – Aircraft Noise

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans detailing the recommendations of an acoustic report prepared by a suitably qualified Acoustic Engineer demonstrating compliance of the development with the relevant provisions of Australian Standard AS 2021:2015 Acoustics – Aircraft noise intrusion – Building siting and construction.

24. Concealment of Plumbing and Ductwork

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans detailing the method of concealment of all plumbing and ductwork including stormwater downpipes within the outer walls of the building so they are not visible.

25. 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.

26. Stormwater Drainage System – Minor Developments (OSD is not required)

The Stormwater Drainage Plan dated 14 May 2019 and prepared C & M Consulting Engineers has been assessed as a concept plan only.

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) 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.
- b) Pipe and channel drainage systems must be designed to cater for the twenty (20) year Average Recurrence Interval (ARI) storm. The major event surface flow paths must be designed to cater for the one hundred (100) year ARI Storm.
- c) Charged or pump-out stormwater drainage systems are not permitted including for roof drainage.

- d) 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.
- e) 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.
- f) The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system.
- g) An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets.
- h) Only a single point of discharge is permitted to the kerb and gutter, per frontage of the site.
- i) All redundant pipelines within footpath area must be removed and footpath/kerb reinstated.

During Demolition and Construction

27. Survey Prior to Footings

Upon excavation of the footings and before the pouring of the concrete, the Certifying Authority must be provided with a certificate of survey from a registered land surveyor to verify that the structure will not encroach over the allotment boundaries.

Prior to Occupation Certificate

28. Aircraft Noise –Alterations and Additions

Prior to the issue of an Occupation Certificate (whether an interim or final Occupation Certificate), the Principal Certifier must be provided with a report from a suitably qualified person demonstrating that each of the commitments listed in Aircraft Noise Assessment Report required by this consent has been satisfied.

Where it is found that internal noise levels are greater than the required dB(A) rating due to faulty workmanship or the like, necessary corrective measures must be carried out and a further certificate being prepared and submitted to the Principal Certifier in accordance with this condition.

29. Smoke Alarms - Certification of upgrade to NCC requirements

Prior to the issue of any Occupation Certificate, the Principal Certifier is required to be satisfied the existing building has been upgraded to comply with the provisions of the National Construction Code (Building Code of Australia) in relation to smoke alarm systems.

30. 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.

31. Protect Sandstone Kerb

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

32. Dilapidation Report – Post-Development

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

33. Works as Executed – Site Stormwater Drainage System

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

- a) The stormwater drainage system has been constructed in accordance with the approved design and relevant Australian Standards.

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

On-going

34. Boarding House

The use of the premises as a boarding house must comply at all times with the following:

- a) The use must comply at all times with the Plan of Management referred to in condition 4 above and as amended by the conditions in this Determination;
- b) A copy of the Plan of Management and House Rules must be annexed to each and every tenancy/occupation agreement for a room;
- c) A copy of the approved Plan of Management and House Rules must be clearly displayed within every common room in the building at all times;
- d) The Plan of Management must not to be amended without the prior consent of Council and must be made available to Council officers and the Police upon request;
- e) All tenancy/occupation agreements for rooms within the premises must be for a minimum period of three (3) months;
- f) The premises must be used exclusively as a boarding house containing a maximum total of 16 lodger's rooms and one on-site manager's room with not more than 19 adult lodgers and one adult on-site managers residing in the premises at any one time;
- g) A maximum of one person may occupy a single room, and a maximum of two people may occupy a double room;
- h) The premises must not be adapted for use as backpacker's accommodation, serviced apartments or a residential flat building;
- i) All common rooms/areas and recreation rooms/areas must be maintained at all times for the use of the lodgers;
- j) Communal rooms are not to be used as boarding rooms at any time; and
- k) Each self-contained room and shared kitchen must be fitted out with washing up facilities, a cooktop, oven, fridge and storage space with such utilities being maintained in working order at all times.

Advisory notes

Prescribed Conditions

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

Notification of commencement of works

At least 7 days before any demolition work commences:

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

Storage of Materials on public property

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

Toilet Facilities

The following facilities must be provided on the site:

- a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
- b) a garbage receptacle for food scraps and papers, with a tight fitting lid.

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

Infrastructure

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

Other Approvals may be needed

Approvals under other acts and regulations may be required to carry out the development. It is the responsibility of property owners to ensure that they comply with all relevant legislation. Council takes no responsibility for informing applicants of any separate approvals required.

Failure to comply with conditions

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

Other works

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

Obtaining Relevant Certification

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

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

Disability Discrimination Access to Premises Code

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

National Construction Code (Building Code of Australia)

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

Notification of commencement of works

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

- a) in the case of work for which a principal contractor is required to be appointed:
 - i. the name and licence number of the principal contractor, and
 - ii. the name of the insurer by which the work is insured under Part 6 of that Act,

- b) in the case of work to be done by an owner-builder:
 - i. the name of the owner-builder, and
 - ii. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

Dividing Fences Act

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

Permits from Council under Other Acts

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

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

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

Noise

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

Amenity Impacts General

The use of the premises must not give rise to an environmental health nuisance to the adjoining or nearby premises and environment. There are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997* and Regulations. The use of the premises and the operation of plant and equipment must not give rise to the transmission of a vibration nuisance or damage other premises.

Fire Safety Certificate

The owner of the premises, as soon as practicable after the Final Fire Safety Certificate is issued, must:

- a) Forward a copy of the Final Safety Certificate and the current Fire Safety Schedule to the Commissioner of Fire and Rescue New South Wales and the Council; and
- b) Display a copy of the Final Safety Certificate and Fire Safety Schedule in a prominent position in the building (i.e. adjacent the entry or any fire indicator panel).

Every 12 months after the Final Fire Safety Certificate is issued the owner must obtain an Annual Fire Safety Certificate for each of the Fire Safety Measures listed in the Schedule. The Annual Fire Safety Certificate must be forwarded to the Commissioner and the Council and displayed in a prominent position in the building.

Boarding House – Registration with Fair Trading

Boarding houses with two or more residents who have additional needs or five or more residents who do not have additional needs are required to register with the Department of Fair Trading.

Lead-based Paint

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

Asbestos Removal

A demolition or asbestos removal contractor licensed under the Work Health and Safety Regulations 2011 must undertake removal of more than 10m² of bonded asbestos (or otherwise specified by WorkCover or relevant legislation).

Removal of friable asbestos material must only be undertaken by a contractor that holds a current AS1 Friable Asbestos Removal Licence.

Demolition sites that involve the removal of asbestos must display a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos has been removed from the site to an approved waste facility.

All asbestos waste must be stored, transported and disposed of in compliance with the Protection of the Environment Operations (Waste) Regulation 2005. All receipts detailing

method and location of disposal must be submitted to Council as evidence of correct disposal.

Chartered/Registered Engineer

An engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng).

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.

Insurances

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

commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public property.

Dial before you dig

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

Useful Contacts

BASIX Information 1300 650 908 weekdays 2:00pm - 5:00pm

www.basix.nsw.gov.au

Department of Fair Trading 13 32 20

www.fairtrading.nsw.gov.au

Enquiries relating to Owner Builder Permits and Home Warranty Insurance.

Dial Prior to You Dig 1100

www.dialprior toyoudig.com.au

Landcom 9841 8660

To purchase copies of Volume One of "Soils and Construction"

Long Service Payments Corporation 131441

www.lspc.nsw.gov.au

NSW Food Authority 1300 552 406

www.foodnotify.nsw.gov.au

NSW Government	www.nsw.gov.au/fibro
	www.diysafe.nsw.gov.au
	Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	131 555 www.environment.nsw.gov.au
Sydney Water	13 20 92 www.sydneywater.com.au
Waste Service - SITA Environmental Solutions	1300 651 116 www.wasteservice.nsw.gov.au
Water Efficiency Labelling and Standards (WELS)	www.waterrating.gov.au
WorkCover Authority of NSW	13 10 50 www.workcover.nsw.gov.au
	Enquiries relating to work safety and asbestos removal and disposal.

Attachment B – Plans of Proposed Development

**16 HOLT ST, STANMORE
EXTENSION & ALTERATION**
INNERWEST COUNCIL
PO BOX 111111 ST PETERS QLD 4120

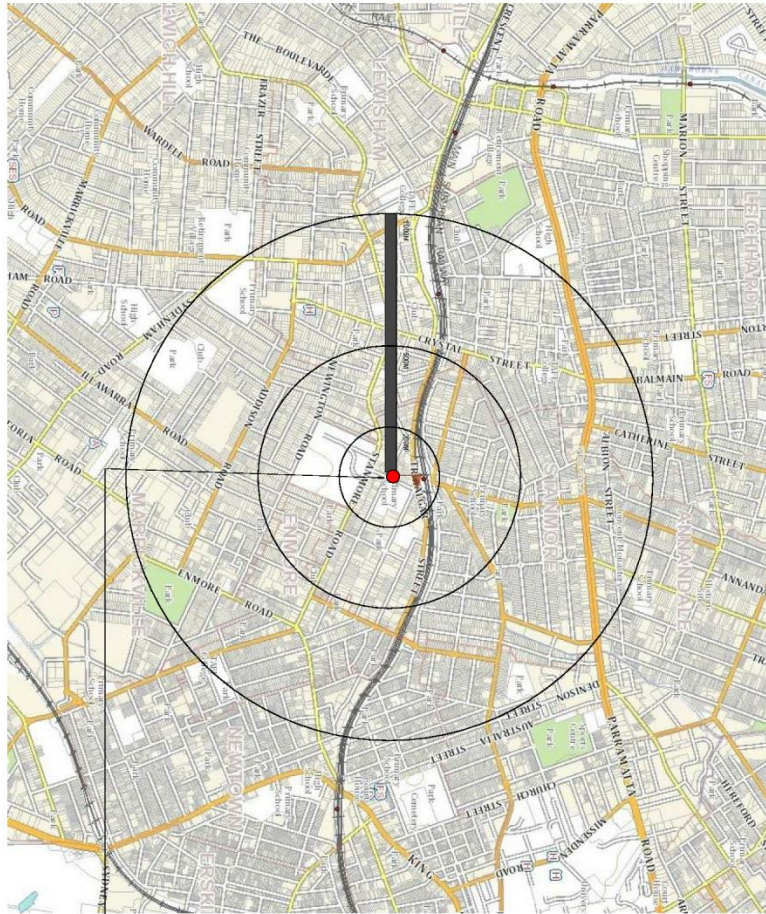


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RK ARCHITECTS
 PO Box 304, Araratville NSW 2038
 Phone: (02) 8081 0000 Fax: (02) 8081 0001
 Email: info@rkarchitects.com.au
 Website: www.rkarchitects.com.au

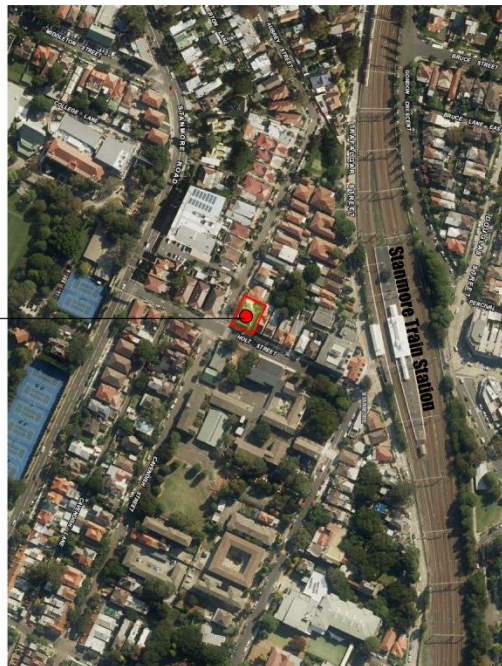
ISSUE	DESCRIPTION	DATE	DRAWN	CHECKED
A	Issue for Development Application	17/05/18	CS	JK
B	Issue for Development Application	18/12/20	CS	JK



SITE LOCATION



Site Location





Photos of surrounding



1. No 18 Holt Street
3 storey brick residential flat



2. No 16 Holt Street
2 storey existing boarding



3. No 14 Holt Street
2 storey dwelling



4. No 12-10 Holt Street
2 storey terrace houses



5. Stanmore Public School Library



6. Stanmore Train station



7. Local shop next to train station



8. Pedestrian overpass in front of Newington College along Stanmore road

SITE ANALYSIS

**16 HOLT ST. STANMORE
EXTENSION & ALTERATION**

AMENDMENT
FOR DEMONSTRATE TRUST PTY LTD



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Phone: (02) 9439 5522, Fax: (02) 9439 5510
Mobile: (02) 9439 5522, Email: info@rjk.com.au

ISSUE	AMENDMENT	DATE	DRAWN	CHECKED
B	Issue for Development Application	18 05 18	GS	JK
A	Issue for Development Application	18 12 20	GS	JK



**NO.16 HOLT ST, STANMORE
LOT 122
DP 227165**

PROPOSED EXTENSION AND ALTERATION
ON EXISTING BOARDING HOUSE

ZONING: R2 - LOW RESIDENTIAL

HERITAGE: CONSERVATION AREA - GENERAL

LANDSCAPE: 184 M²

ADDITION OF 4 ROOMS, 1 COMMON LIVING RM
AND AMENITIES

NO PARKING PROVIDED

SITE AREA: 5335 M²
EXISTING GFA 330.6 M²
PROPOSED GFA 407 M²
GFA INCREASE 76.4 M²(23%)

PERMISSIBLE FSR 1: 0.06
EXISTING FSR 1: 0.617
PROPOSED FSR 1: 0.763
FSR INCREASE 0.146 (23.6 %)
FSR EXCEEDANCE 0.163 (27.1 %)

BASIC COMMITMENTS

TO BE SEED INCORPORATION WITH
BASIX CERTIFICATE NO. 986315W

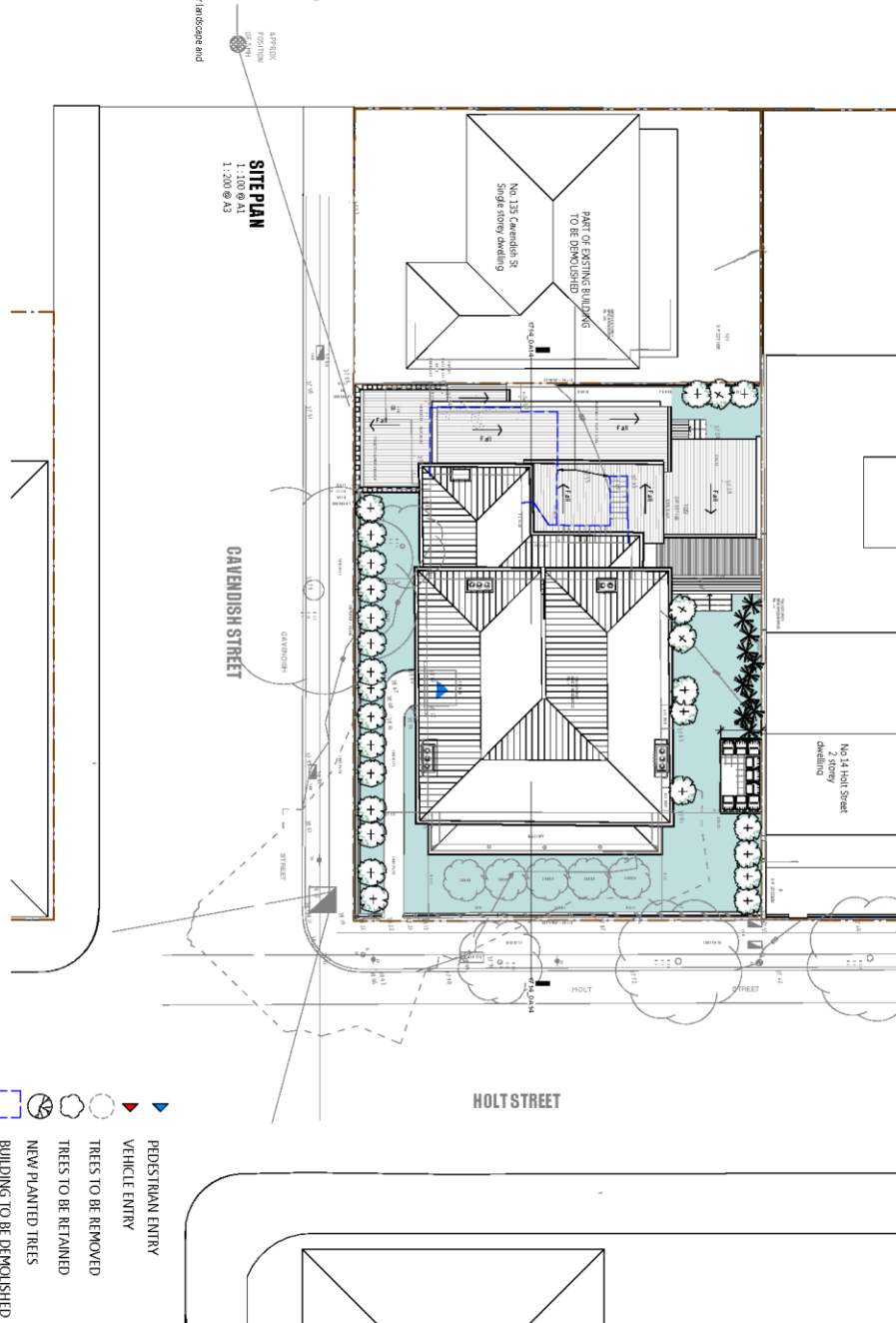
The applicant must plant indigenous or low water use species of vegetation throughout the area of land specified on the lodge

PRIORITIES

- 1. Showers: 5 to 8 Lit/min
- 2. Toilets: 4 star
- 3. Air conditioning and cooling system
- 4. Air dehumidifiers: 4 star (WELS)
- 5. Dishwashers: 4 star (WELS)
- 6. Refrigerators: 4 star (WELS)
- 7. 150L central rainwater tank collecting at least 130 m² of roof and used for landscape and toilet flushing

- 8. Refrigerators: 5 star hot water system
- 9. No heating and cooling in dwellings (w/w A/C)
- 10. Ge cook top & gas oven
- 11. Dishwasher: 3 star
- 12. Common area dryer: 3 star
- 13. Central solar electric (PV) 2.1 kW (w/w 13 kW)

SITE PLAN

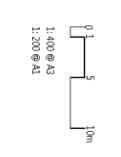


**16 HOLT ST, STANMORE
EXTENSION & ALTERATION**



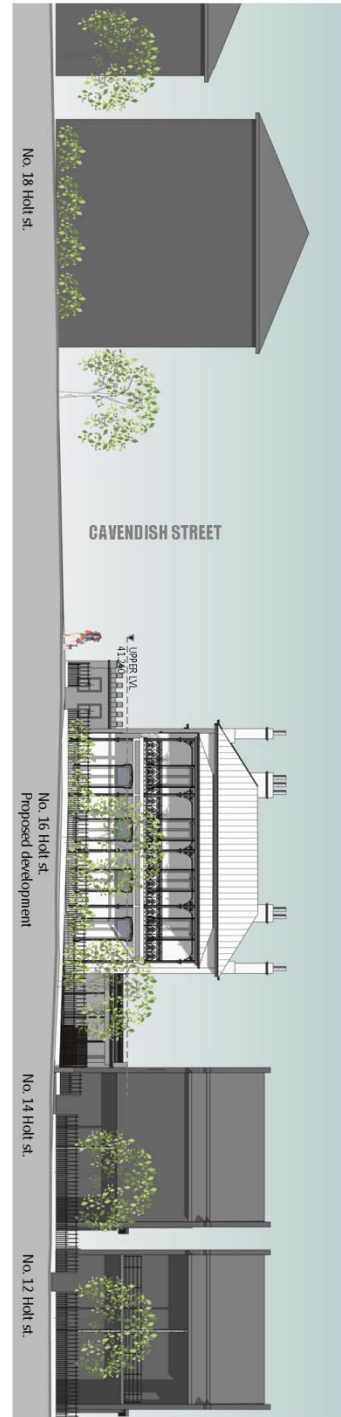
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16 HOLT ST, STANMORE NSW 2122
Newmarket NSW 1511 (02) 9550 1111

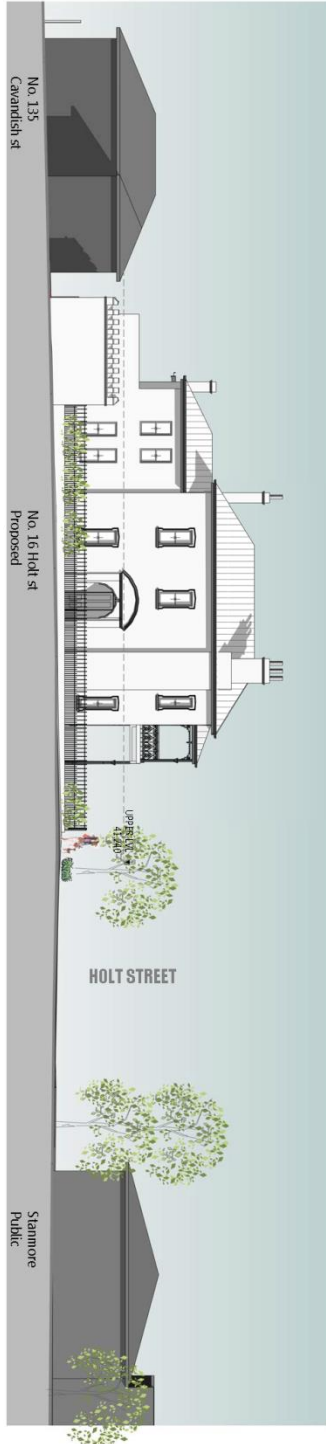


ISSUE	AMENDMENT	DATE	DRAWN	CHECKED
A	Issue for Development Application	15/05/18	GS	K
B	Issue for Development Application	18/12/20	GS	K





STREETSCAPE ELEVATION - HOLT STREET
1:200 @ A3
1:200 @ A3



STREETSCAPE ELEVATION - CAVENDISH STREET
1:100 @ A1
1:200 @ A3

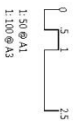
STREETSCAPE ELEVATION

16 HOLT ST. STANMORE
EXTENSION & ALTERATION

INNERWEST COUNCIL
FOR ORANGEVILLE TRUST PTY LTD



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 15/155 St Andrews NSW 2168
 02 9207 4122 rk@rk.com.au
 Newmarket NSW 1510 Tel: 93 59 59



ISSUE	DESCRIPTION	DATE	DRAWN	CHECKED
B	Issue for Development Application	15/05/18	CS	K
A	Issue for Development Application	18/12/20	CS	K
	AMENDMENT			



**16 HOLT ST. STANMORE
EXTENSION & ALTERATION**
INNERWEST COUNCIL
FOR ORANGEVILLE TRUST PTY LTD



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New South Wales Australia Tel: 02 9550 7610

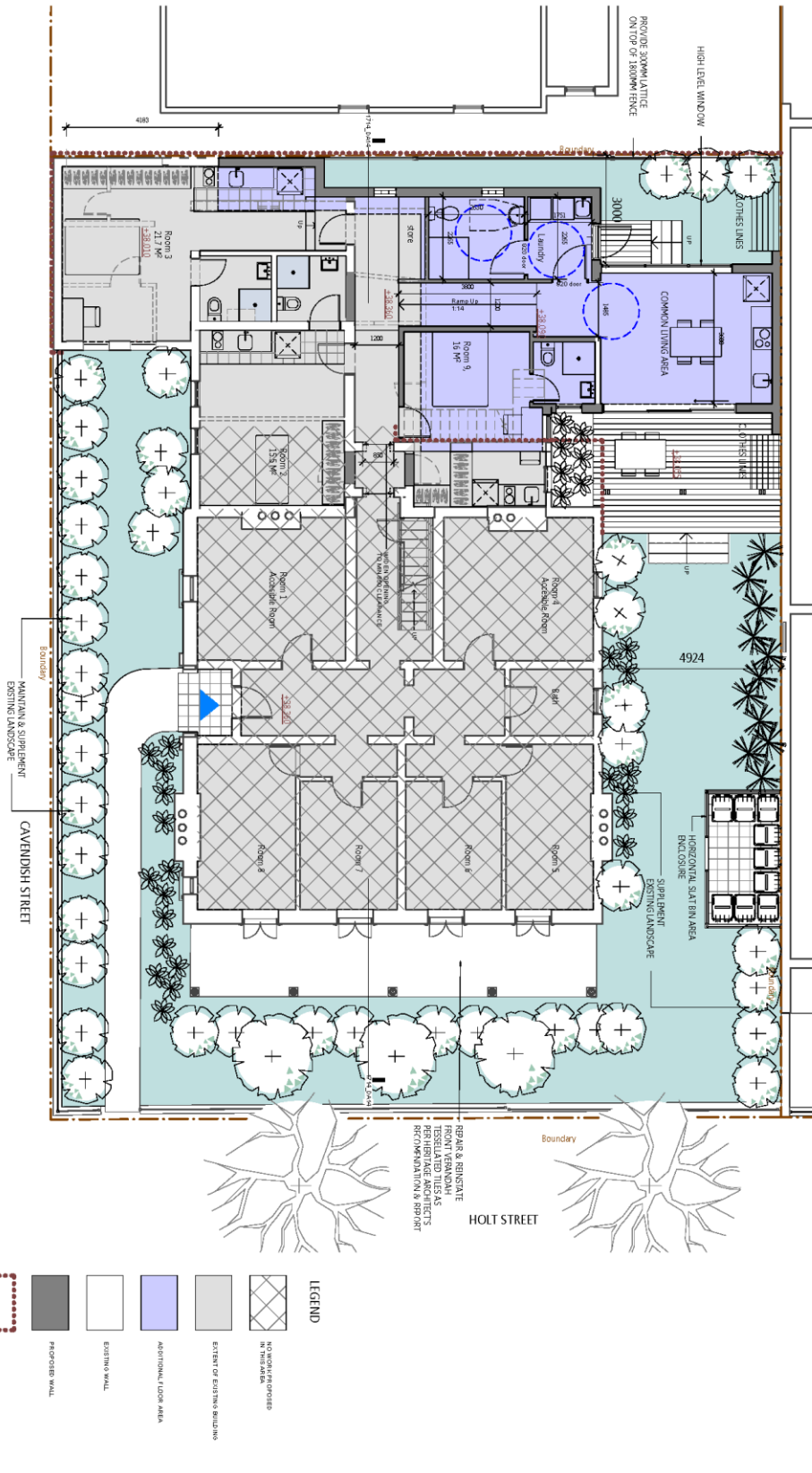
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B	Issue for Development Application	18/12/20	GS	K



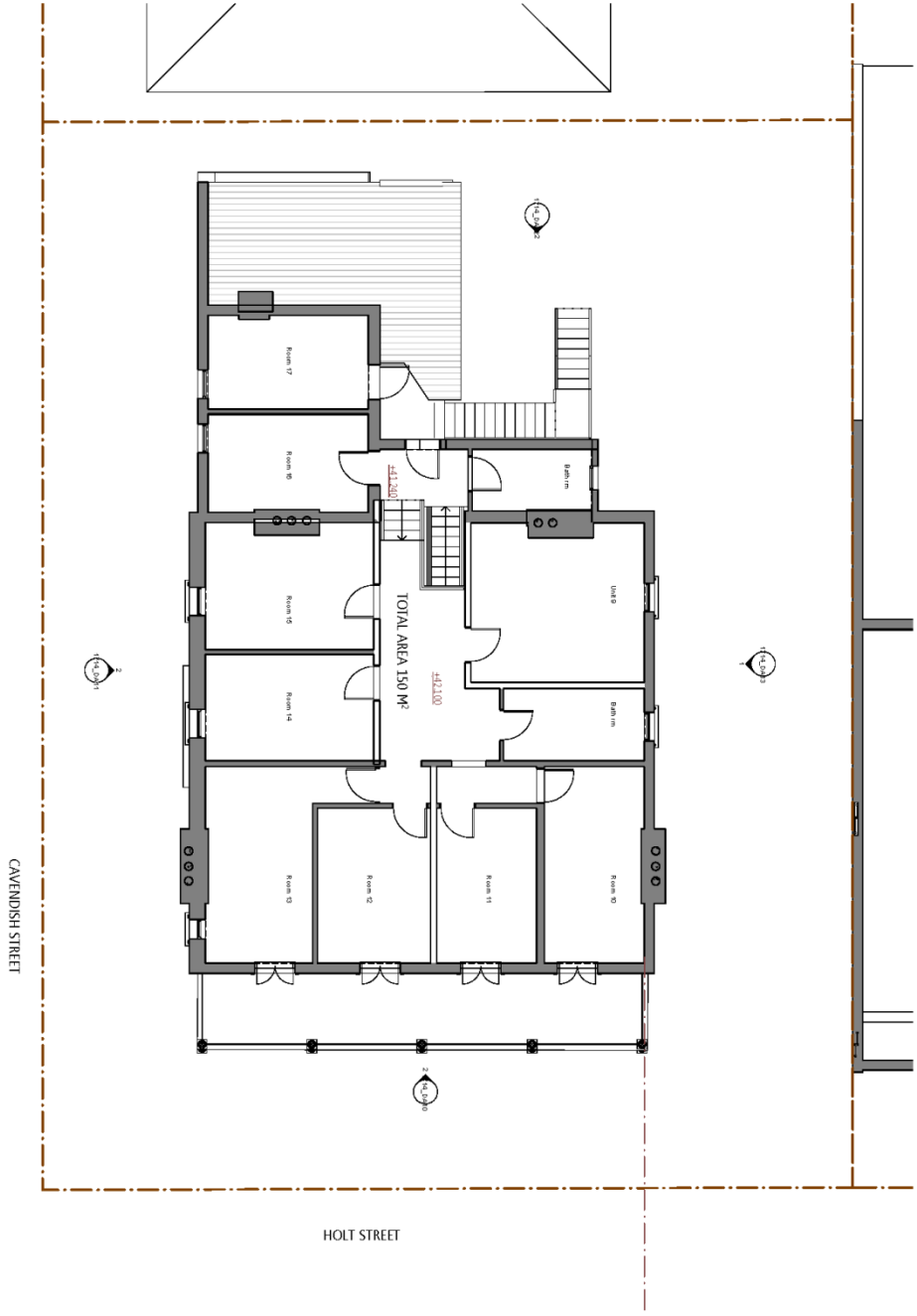
GROUND FLOOR - PROPOSED FLOOR PLAN

GROUND FL - PROPOSED
1:50 @ A1
1:100 @ A3



FIRST FLOOR - EXISTING FLOOR PLAN

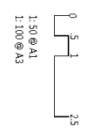
LVL EXISTING
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 1:100 @ A3



**16 HOLT ST. STANMORE
 EXTENSION & ALTERATION**
 INNERWEST COUNCIL
 FOR ORANGEVILLE TRUST PTY LTD

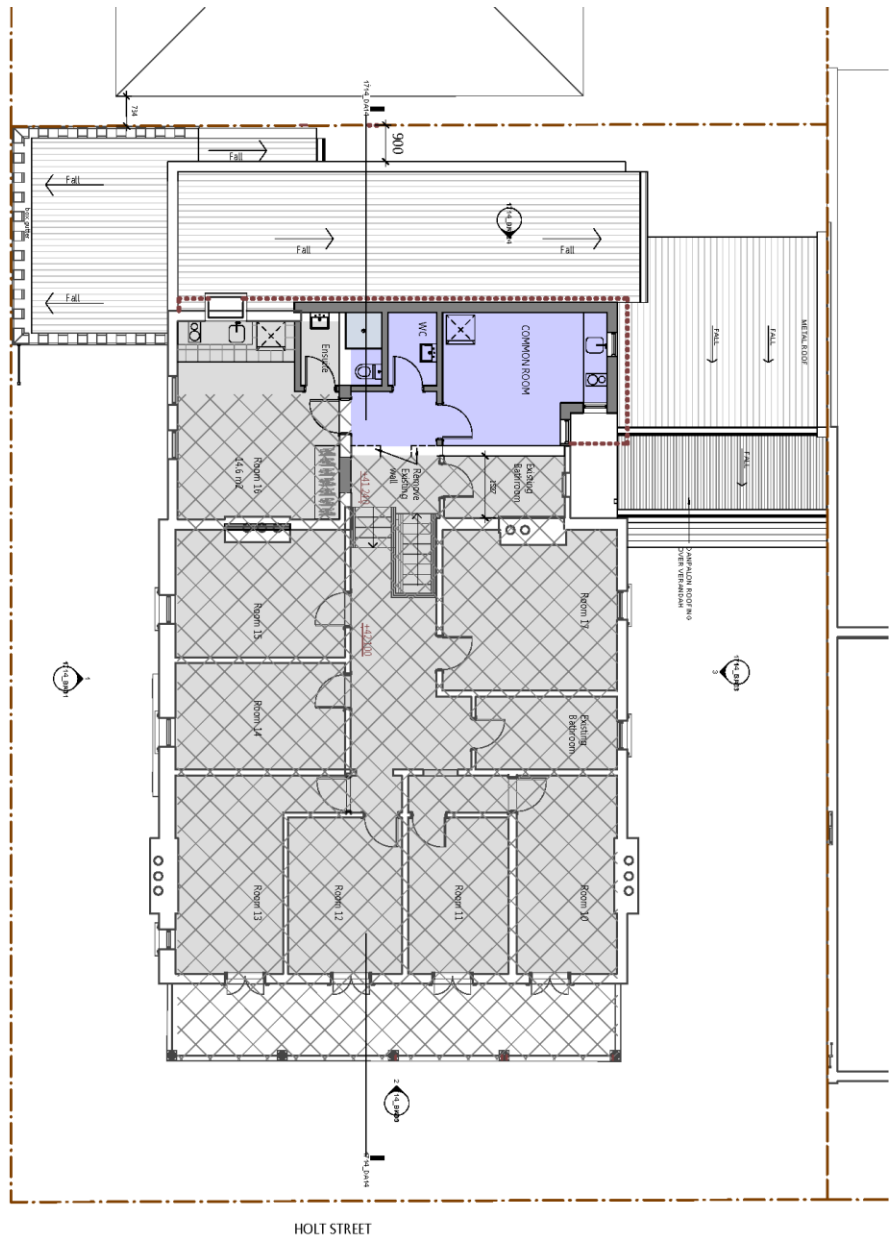


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 (02) 9550 4422 Fax: (02) 9550 4420
 Newmarket NSW 1585
 NSW Reg. No. 100175



ISSUE	DESCRIPTION	DATE	DRAWN	CHECKED
B	Issue for Development Application	19/05/18	CS	K
A	Issue for Development Application	18/12/20	CS	K

DRAWING NO. **1714_DIA08**
 ISSUE **B**



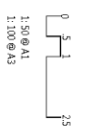
FIRST FLOOR - PROPOSED FLOOR PLAN

LVL 1 - PROPOSED
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1:100 @ A3

**16 HOLT ST. STANMORE
EXTENSION & ALTERATION**
INNERWEST COUNCIL
FOR ORANGEVILLE TRUST PTY LTD



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160/162 Holt Street, Stanmore NSW 2122
Newmarket Arcade, Stanmore NSW 2122
Tel: 02 9550 1234



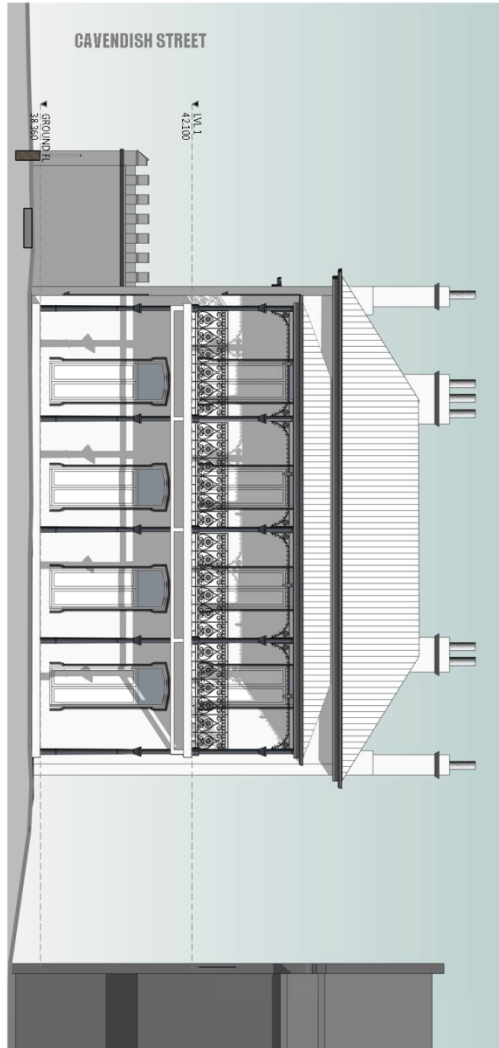
ISSUE	DESCRIPTION	DATE	DRAWN	CHECKED
A	Issue for Development Application	15/05/18	GS	K
B	Issue for Development Application	15/12/20	GS	K
	AMENDMENT			

LEGEND

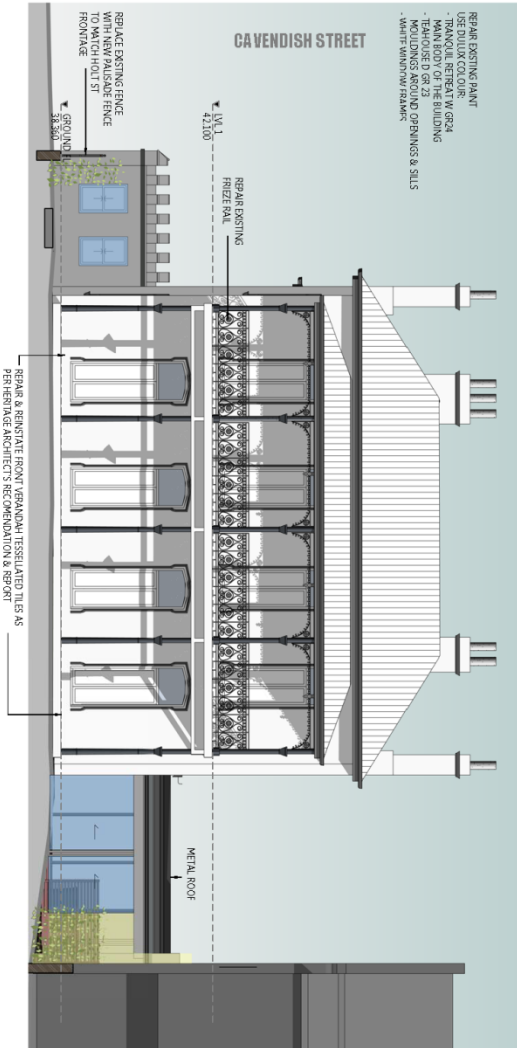
- NO WORK PROPOSED IN THIS AREA
- EXISTING BUILDING
- ADDITIONAL LIVING AREA
- EXISTING WALL
- PROPOSED WALL
- PROPOSED EXTERIOR BUILDING WORKS

ISSUE NO: 1714_D1A09
ISSUE: **B**

HOLT ST EXISTING ELEVATION
1:50 @ A1
1:100 @ A3



HOLT ST PROPOSED ELEVATION
1:50 @ A1
1:100 @ A3



- LEGEND:**
- PROPOSED MASONRY
 - PROPOSED MASONRY & PAINTED WALLS OR SIMILAR
 - NEW LEAN-TO CONSTRUCTION
 - NEW COLONNAD ROOF

**16 HOLT ST, STANMORE
EXTENSION & ALTERATION**
INNERWEST COUNCIL
FOR ORANGEVILLE TRUST PTY LTD



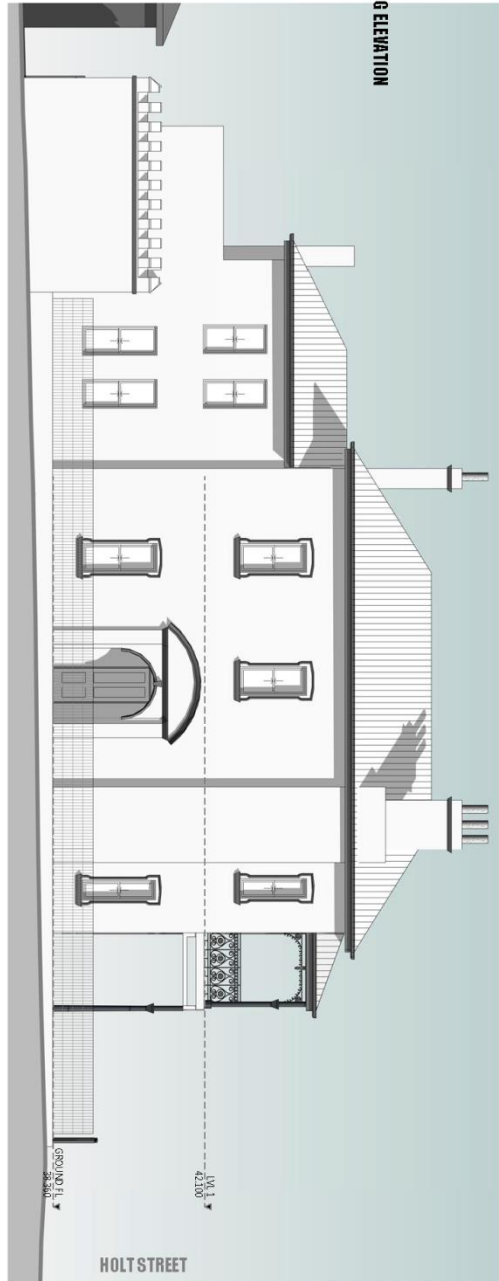
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 15/150 Stoddart Street, North Sydney NSW 1588
 02 9550 4477 Fax: 02 9550 4478
 15/150 Stoddart Street, North Sydney NSW 1588

0 5 2.5
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 1:100 @ A3

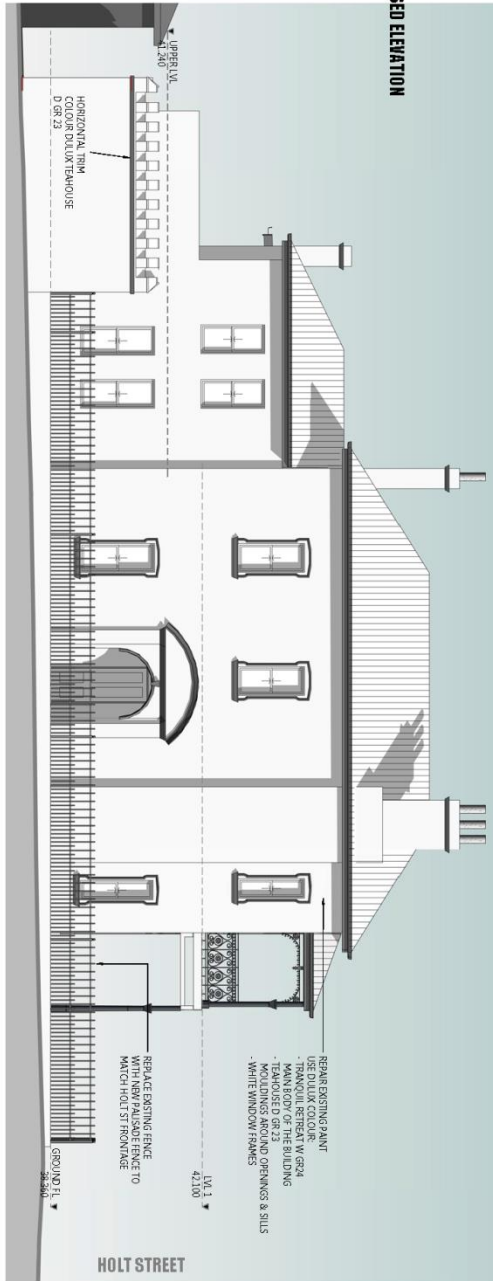
ISSUE	DESCRIPTION	DATE	DRAWN	CHECKED
A	Issue for Development Application	15/05/18	CS	K
B	Issue for Development Application	18/12/20	CS	K



GAVENDISH ST EXISTING ELEVATION
1:50 @ A1
1:100 @ A3



GAVENDISH ST PROPOSED ELEVATION
1:50 @ A1
1:100 @ A3



ELEVATIONS

**16 HOLT ST. STANMORE
EXTENSION & ALTERATION**
INNERWEST COUNCIL
FOR ORANGEVILLE TRUST PTY LTD



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 Telephone: 02 9387 4222 Fax: 02 9387 4222
 Email: info@rkarchitects.com.au

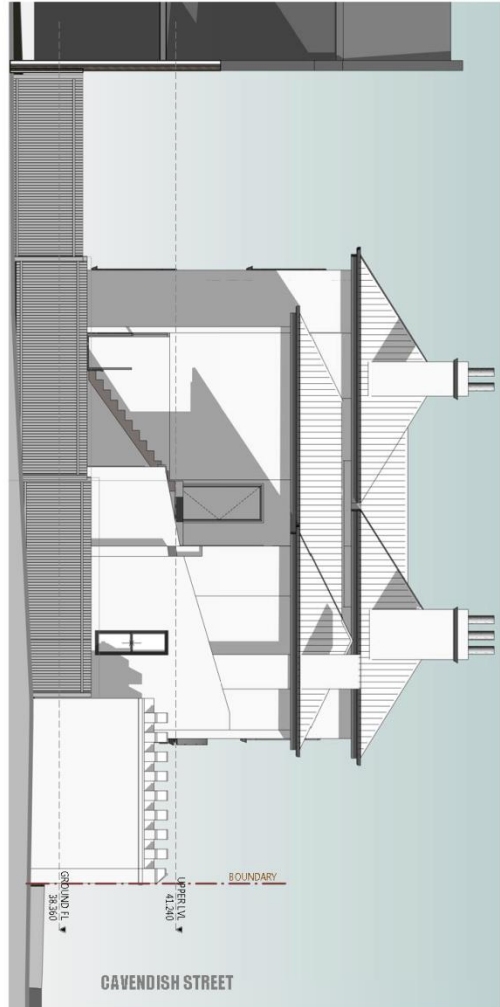
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ISSUE	DESCRIPTION	DATE	DRAWN	CHECKED
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B	Issue for Development Application	19.05.18	CS	K
AMENDMENT				

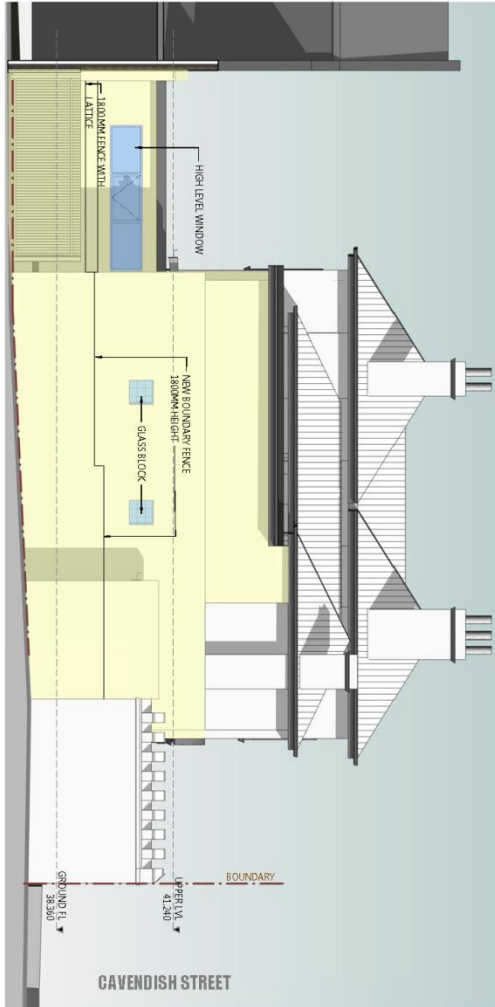
- LEGEND:**
- PROPOSED GLAZING
 - PROPOSED REPAIRS & PAINTED WALLS OR BRICKS
 - NEW COLORING ROOF
 - NEW LIGHT WEIGHT CONSTRUCTION



REAR ELEVATION EXISTING
1:50 @ A1
1:100 @ A3



REAR ELEVATION PROPOSED
1:50 @ A1
1:100 @ A3



LEGEND:

- PROPOSED GLAZING
- PROPOSED MATERIALS DRAWN TO AS PER SPEC
- NEW LIGHT WEIGHT CONSTRUCTION
- NEW COLORBOND ROOF

ELEVATIONS

**16 HOLT ST. STANMORE
EXTENSION & ALTERATION**
INNERWEST COUNCIL
FOR ORANGEVILLE TRUST PTY LTD



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 10/100 STANMORE ROAD
 STANMORE NSW 2124
 NSW
 Australia
 Tel: 02 9387 5959
 Fax: 02 9387 5959

1:50 @ A1
1:100 @ A3

ISSUE	DESCRIPTION	DATE	DRAWN	CHECKED
B	Issue for Development Application	15/05/18	CS	K
A	Issue for Development Application	18/12/20	CS	K
	AMENDMENT			

DATE: 17/4 2021
 ISSUE: **B**

**16 HOLT ST. STANMORE
EXTENSION & ALTERATION**
INNERWEST COUNCIL
FOR ORANGEHILL TRUST PTY LTD



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 02 9550 4222 or 0400 907 000
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1:50 @ A1
1:100 @ A3

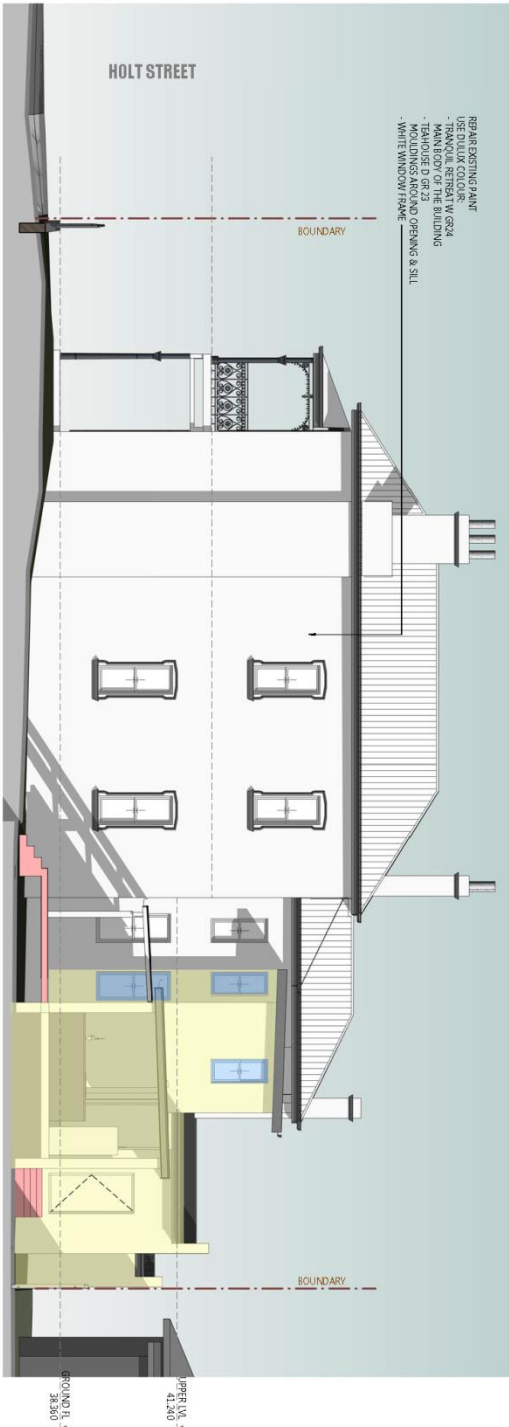
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B	18/12/20	CS	K

AMENDMENT

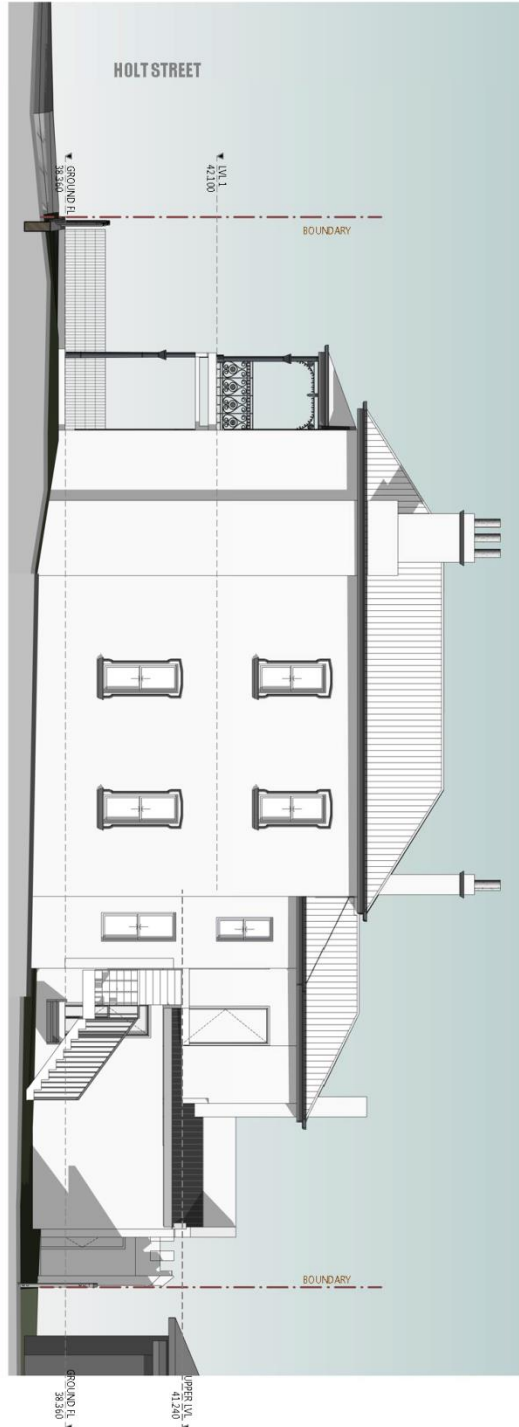


ELEVATIONS

SIDE ELEVATION PROPOSED
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1:100 @ A3

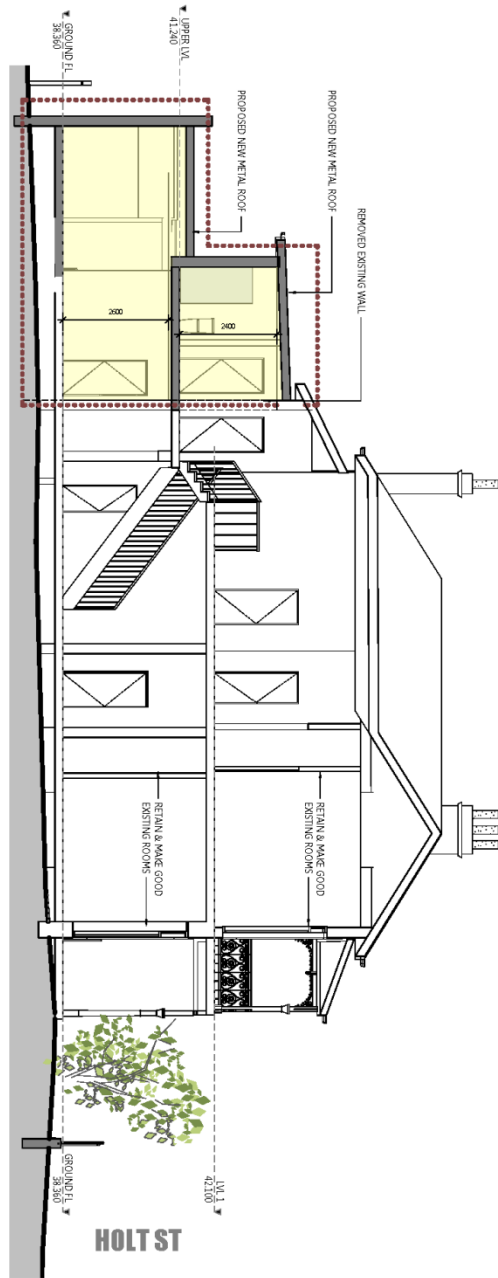


SIDE ELEVATION EXISTING
1:50 @ A1
1:100 @ A3



LEGEND:

- PROPOSED WORKS
- PROPOSED NEW ROOF & PAINTED WALLS OR SIMILAR
- NEW COLOURS ROOF
- NEW LIGHT WEIGHT CONSTRUCTION



SECTION A - A
1:30 @ A1
1:100 @ A3

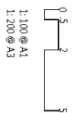
SECTION

16 HOLT ST. STANMORE
EXTENSION & ALTERATION

INNERWEST COUNCIL
FOR ORANGEVILLE TRUST PTY LTD



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 027 522 4222, 0800 694 644, 0800 694 644
 181 King Street, Orangeville NSW 2208

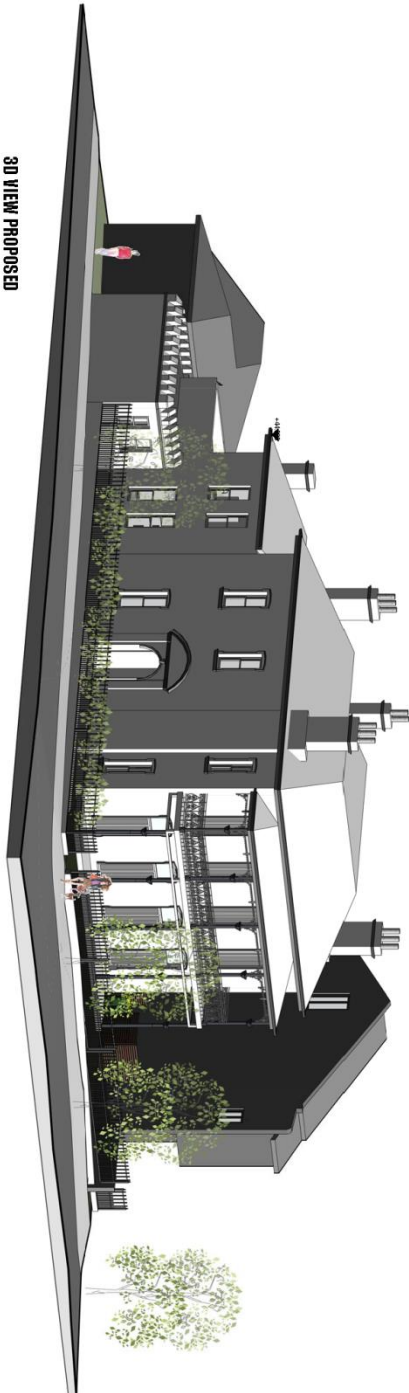
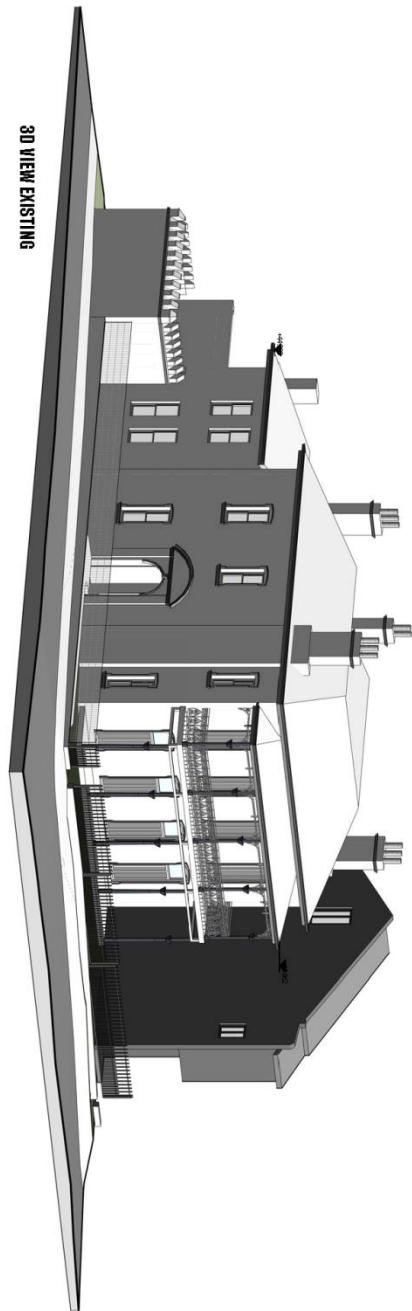


ISSUE	DESCRIPTION	DATE	DRAWN	CHECKED
B	Issue for Development Application	15/05/18	CS	K
A	Issue for Development Application	18/12/20	CS	K

DATE DRAWN CHECKED

17/4 DATA
ISSUE
B

- LEGEND:
- PROPOSED SUZBANS
 - PROPOSED METAL ROOF & PAINTED WALLS OR SKYLIGHT
 - NEW LIGHT WEIGHT CONSTRUCTION
 - NEW COLORBOND ROOF



3D VIEW

**16 HOLT ST. STANMORE
EXTENSION & ALTERATION**
INNERWEST COUNCIL
FOR DORMERHILL TRUST PTY LTD

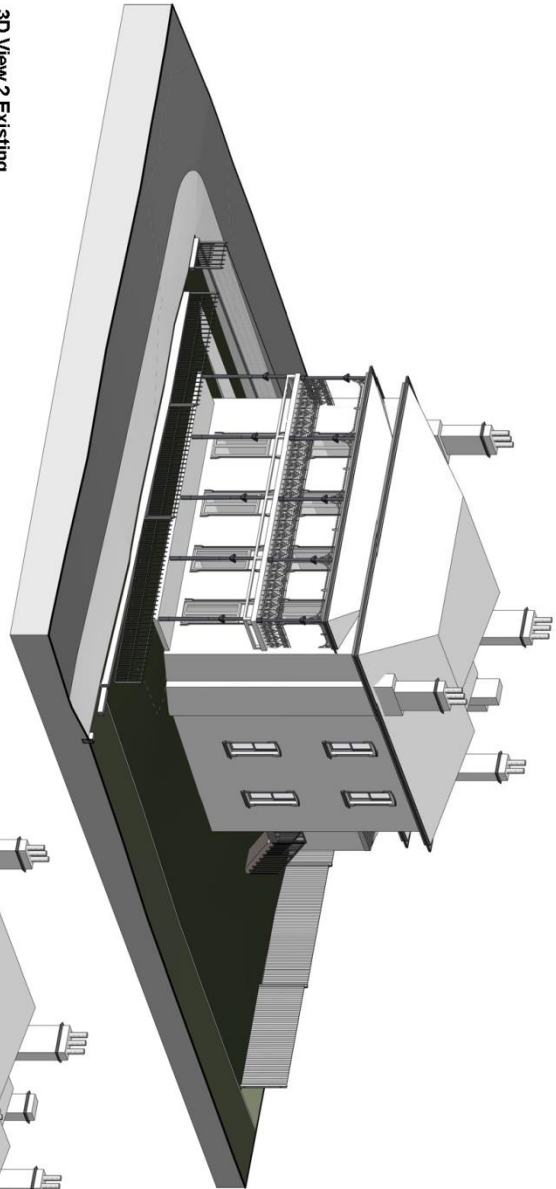


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 Website: www.rkarchitects.com.au

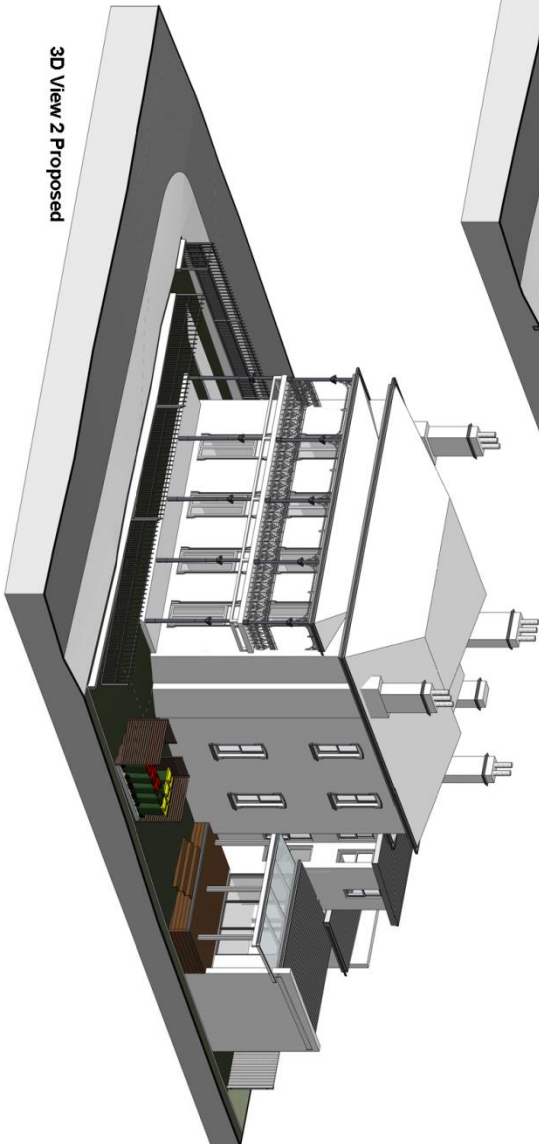
ISSUE	DATE	BY	CHECKED
B	15/05/18	CS	K
A	18/12/20	CS	K
AMENDMENT			



3D View 2 Existing



3D View 2 Proposed



3D VIEW

**16 HOLT ST. STANMORE
EXTENSION & ALTERATION**
MARRIMIST COUNCIL
FOR OMBARETTLE TRUST PTY LTD



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 RJK ARCHITECTS PTY LTD
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 02 9550 4122, 02 9550 4120
 15/05/2018 10:15:59

ISSUE	DESCRIPTION	DATE	DRAWN	CHECKED
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A	Issue for Development Application	18/12/20	CS	K
	AMENDMENT			

NOV 2018
 ISSUE
B
 THE DATE

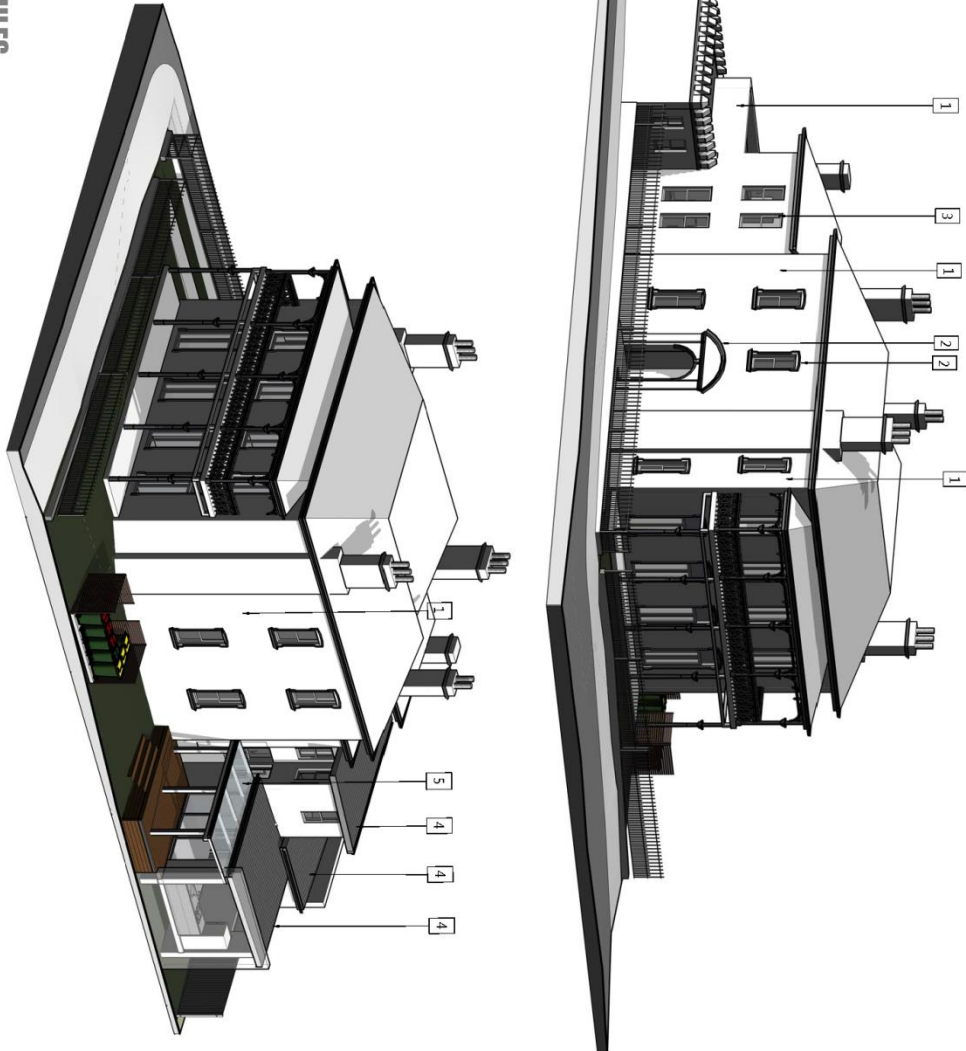
MATERIAL SCHEDULES

**16 HOLT ST. STANMORE
EXTENSION & ALTERATION**

MANERBIST CONSULTING
FOR DIMENSIONAL JUST PVT LTD



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 02 9250 4122, 04 9100 9100
 15/150 SYDNEY ROAD, SYDNEY NSW 2008



MATERIAL SCHEDULE

- 1. DULUX TRANQUIL RETREAT GR 24
- 2. DULUX TEA HOUSE GR 23
- 3. WINDOW FRAME DULUX VIVID WHITE
- 4. ROOFING CUSTOM ORB COLORBOND COLOUR BASALT
- 5. DAMPALLON ROOFING MULTICELL COLOUR - ICE

ISSUE	DESCRIPTION	DATE	DRAWN	CHECKED
B	Issue for Development Application	15/05/18	CS	K
A	Issue for Development Application	18/12/20	CS	K
AMENDMENT				





PHOTOMONTAGE

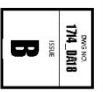
**16 HOLT ST. STANMORE
EXTENSION & ALTERATION**

INNERWEST COUNCIL
FOR DUNBERRILLE TRUST PTY LTD



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 02 9551 4122 02 9551 4123
 15/151-151/153A Pittwater NSW 2038

ISSUE	DESCRIPTION	DATE	DRAWN	CHECKED
B	Issue for Development Application	15/05/18	CS	K
A	Issue for Development Application	18/12/20	CS	K
	AMENDMENT			



**16 HOLT ST. STANMORE
EXTENSION & ALTERATION**

INNERWEST COUNCIL
FOR ORANGEVILLE TRUST PTY LTD



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 1/110/0/A1
 1/200/A3
 15/15/18/20/21
 15/15/18/20/21

1:100 @ A1
1:200 @ A3

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A	18/12/20	CS	K

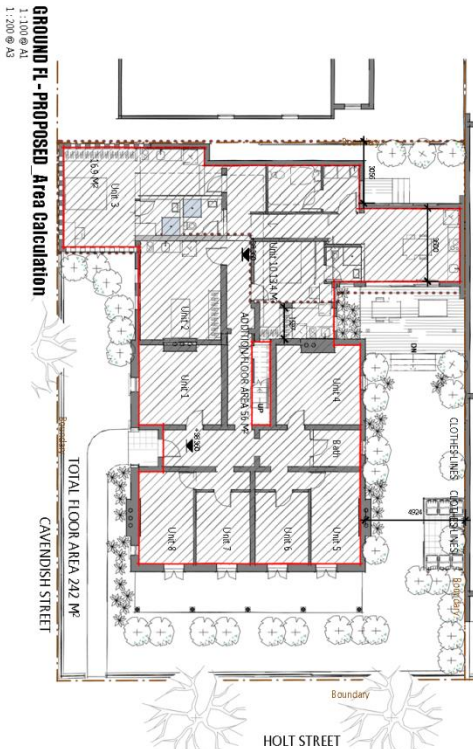
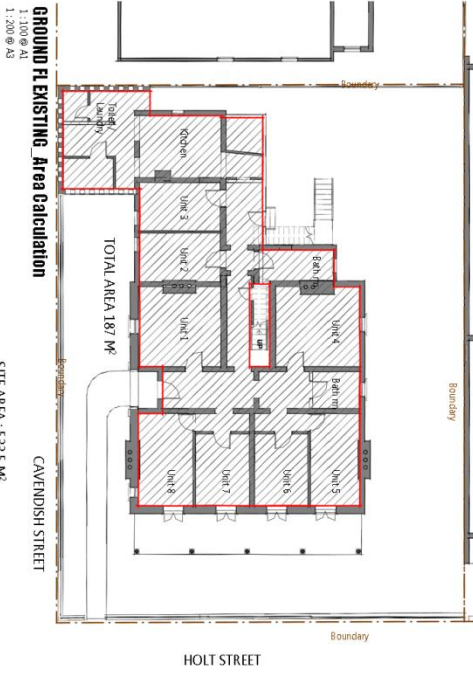


AREA CALCULATION

GROUND FL EXISTING Area Calculation
 1:100 @ A1
 1:200 @ A3

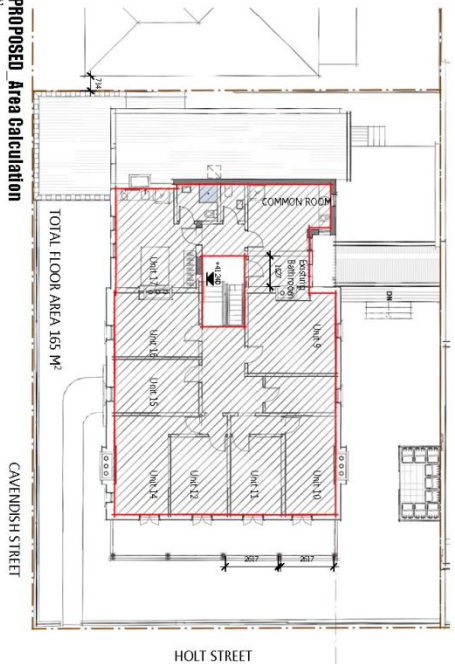
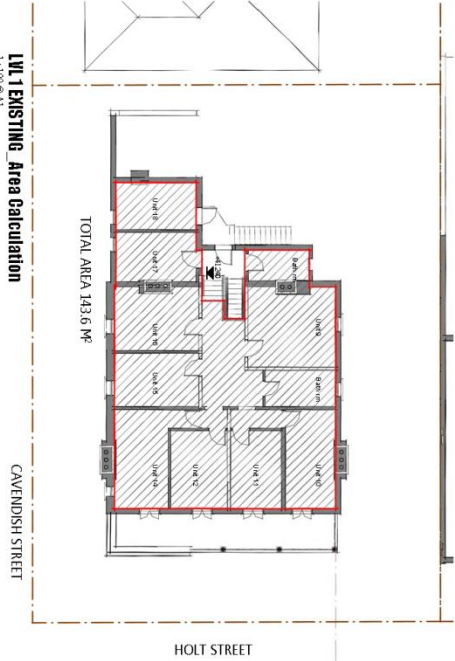
PROPOSED FLOOR AREA:
 GROUND 242 M²
 FIRST FL 165 M²
 TOTAL 407 M²

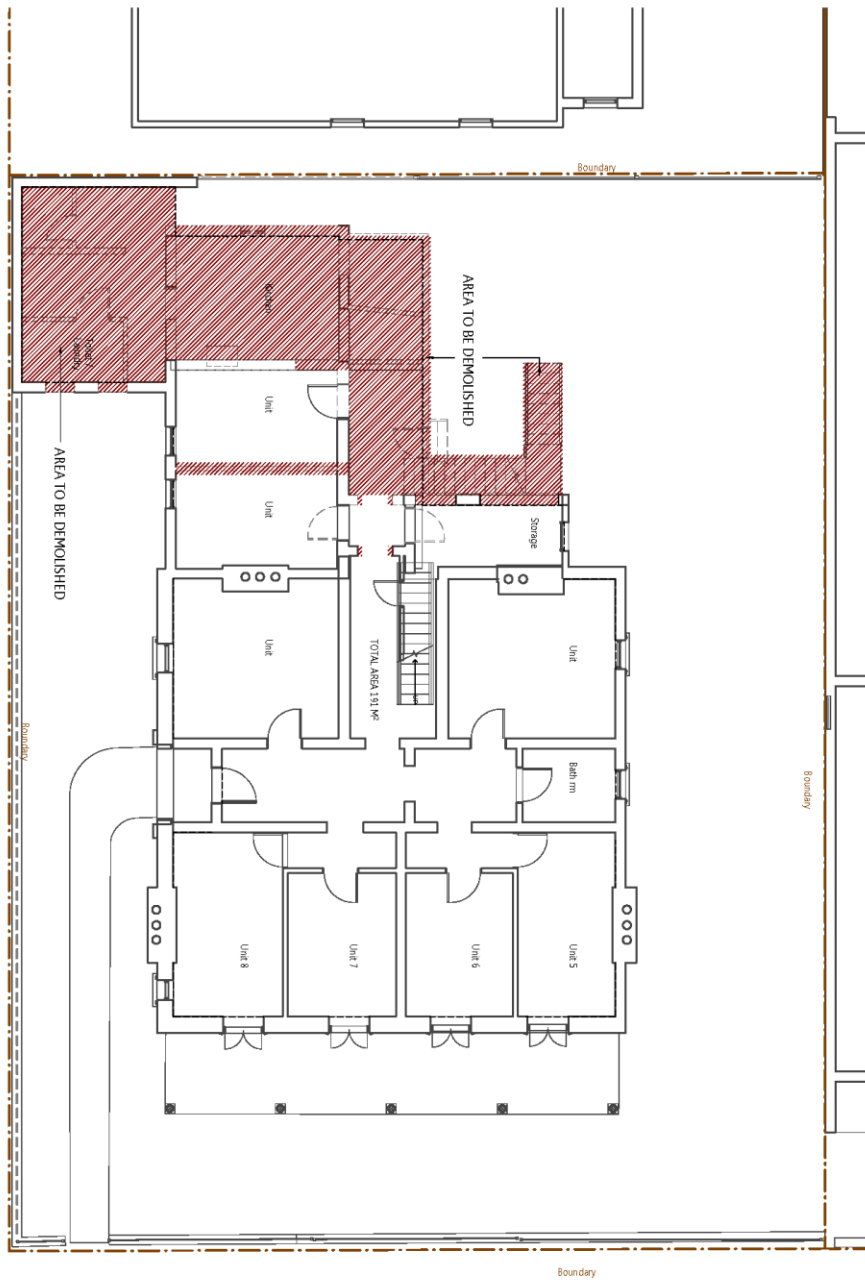
EXISTING FLOOR AREA:
 GROUND 187 M²
 FIRST FL 143.6 M²
 TOTAL 330.6 M²



LVL 1 EXISTING Area Calculation
 1:100 @ A1
 1:200 @ A3

LVL 1 - PROPOSED Area Calculation
 1:100 @ A1
 1:200 @ A3



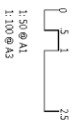


GROUND FLOOR DEMOLITION PLAN
 1:50 @ A1
 1:100 @ A3
DEMOLITION PLAN - GROUND FL

16 HOLT ST. STANMORE
EXTENSION & ALTERATION
 INNERWEST COUNCIL
 FOR ORANGEVILLE TRUST PTY LTD

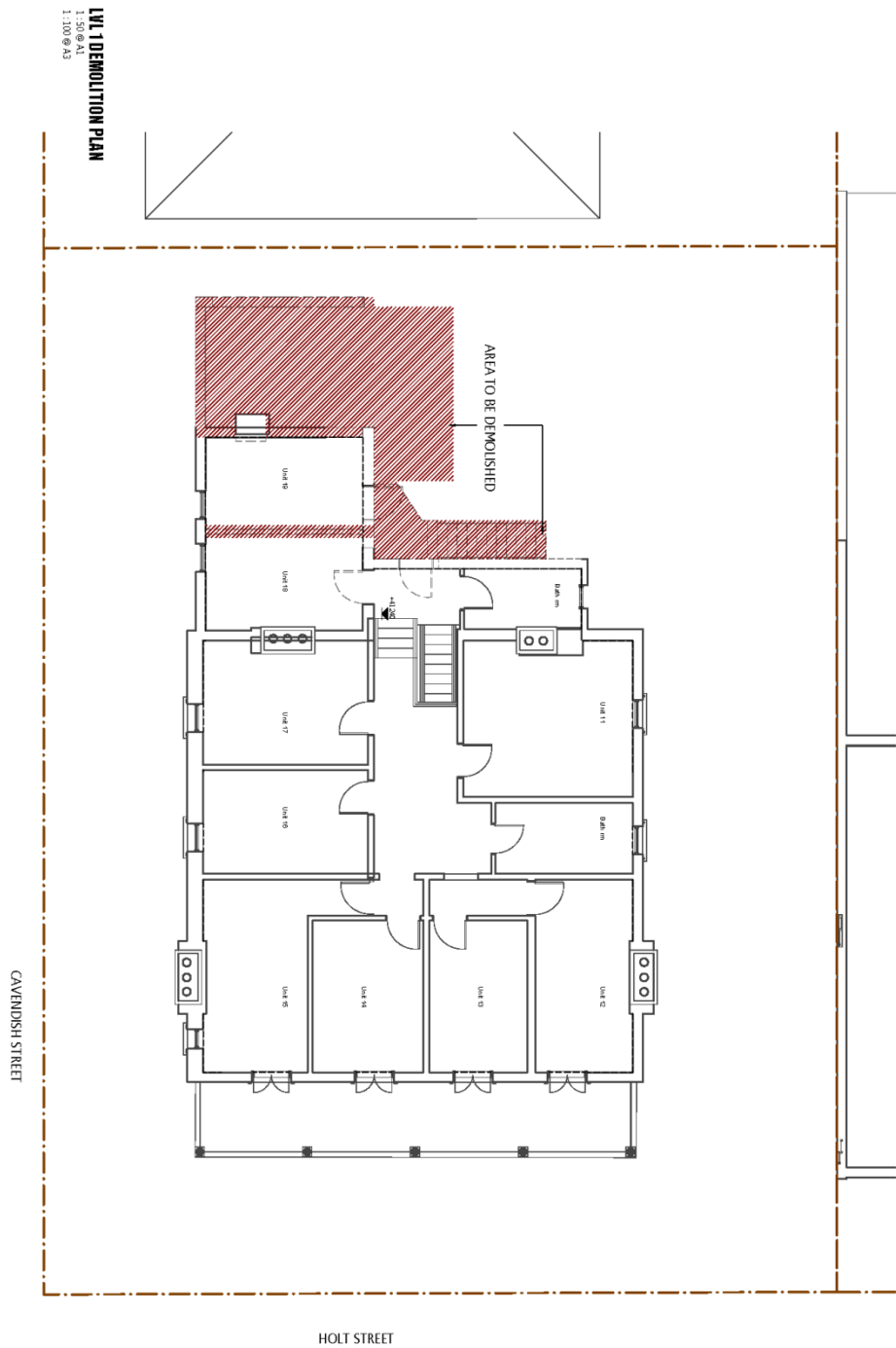


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B	Issue for Development Application	15/12/20	GS	K
	AMENDMENT			





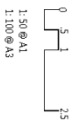
DEMOLITION PLAN - LEVEL 1

**16 HOLT ST. STANMORE
EXTENSION & ALTERATION**

INNERWEST COUNCIL
FOR ORANGEVILLE TRUST PTY LTD



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 Website: www.rkarchitects.com.au

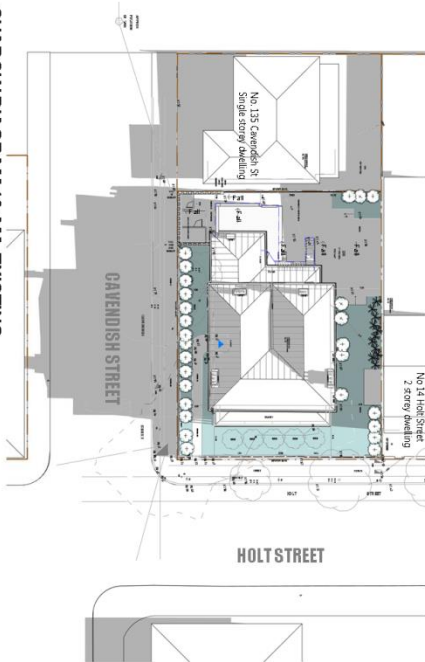


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	AMENDMENT			

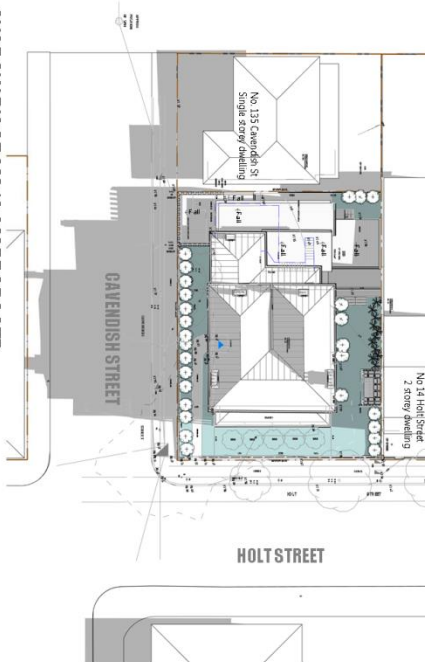


SHADOW COMPARISON SKETCH

SHADOW DIAGRAM 10 AM EXISTING

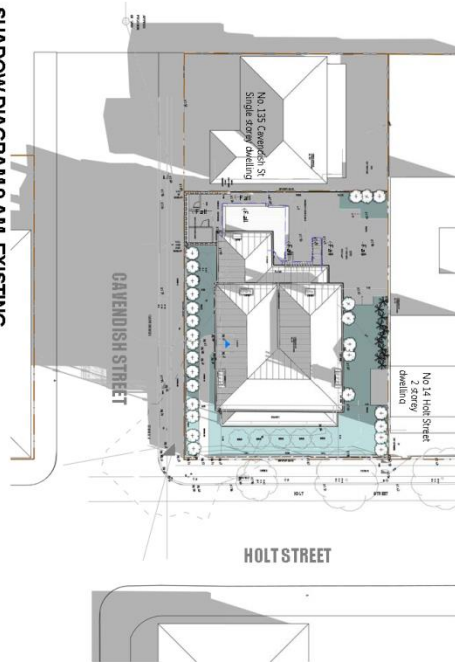


SHADOW DIAGRAM 10 AM PROPOSED



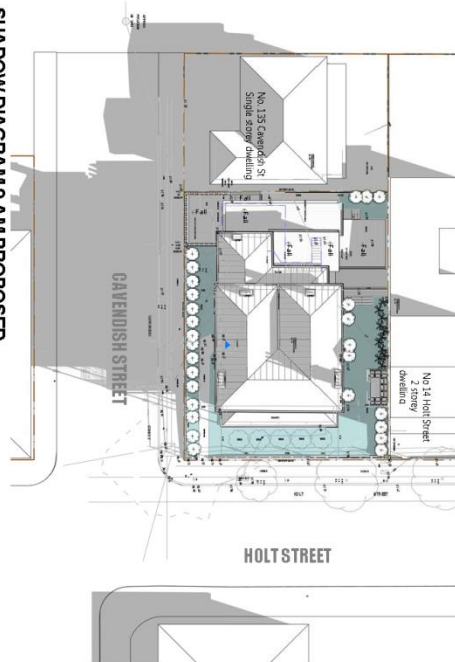
EXISTING SHADOW

SHADOW DIAGRAM 9 AM EXISTING



PROPOSED SHADOW

SHADOW DIAGRAM 9 AM PROPOSED



**16 HOLT ST. STANMORE
EXTENSION & ALTERATION**

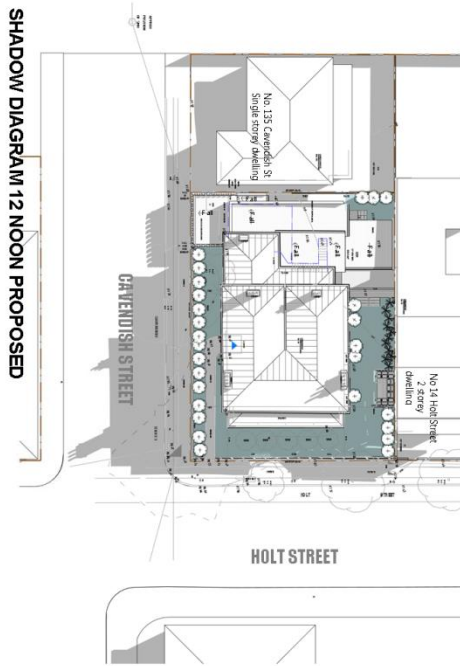
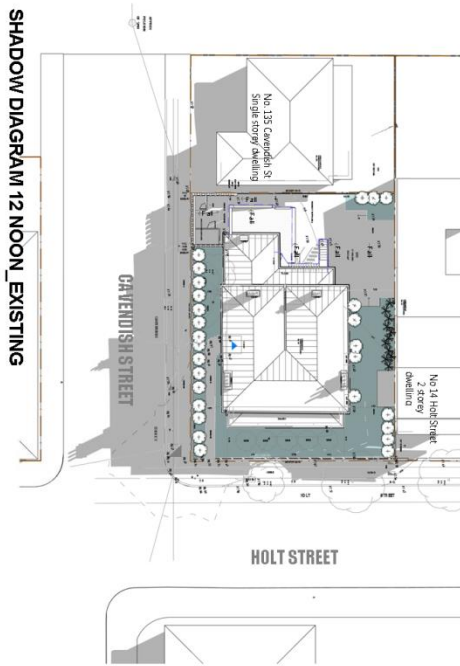
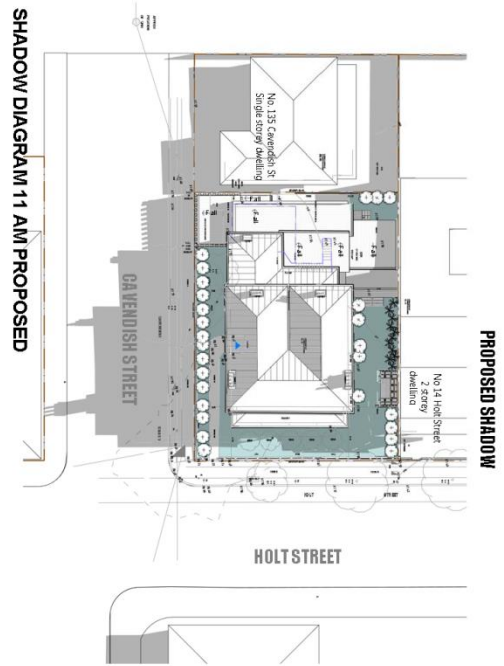
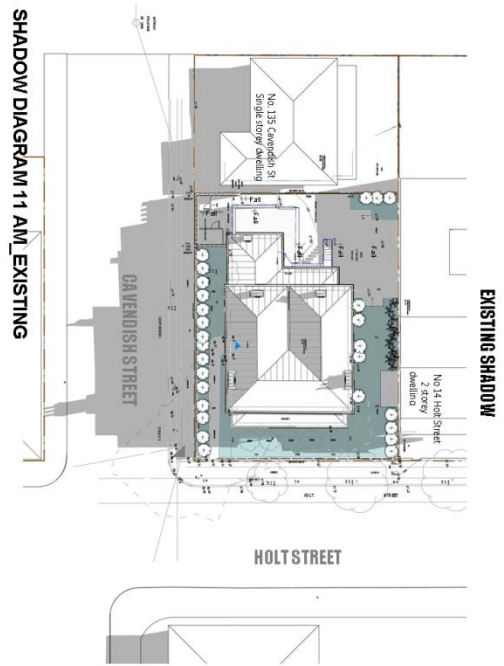
MEMBERS COUNCIL
FOR DUNDEE MOUNTAIN



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 PK ARCHITECTS, 10/100 Pitt Street, Sydney, NSW 2000
 NSW 2000
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 Fax: (02) 9251 1112
 Email: info@pkarchitects.com.au

ISSUE	DATE	DRAWN	CHECKED
1			
2			
3			
4			
5			
6			
7			
8	15/05/08	CS	K





SHADOW COMPARISON SKETCH

**16 HOLT ST. STANMORE
EXTENSION & ALTERATION**

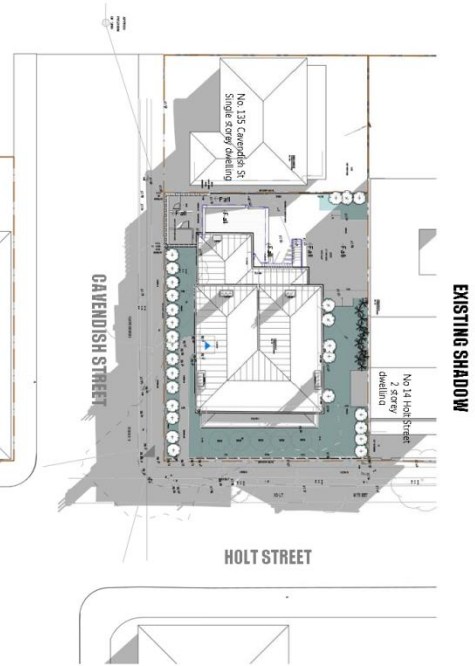
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FOR DRAINAGE MUST FIT TO



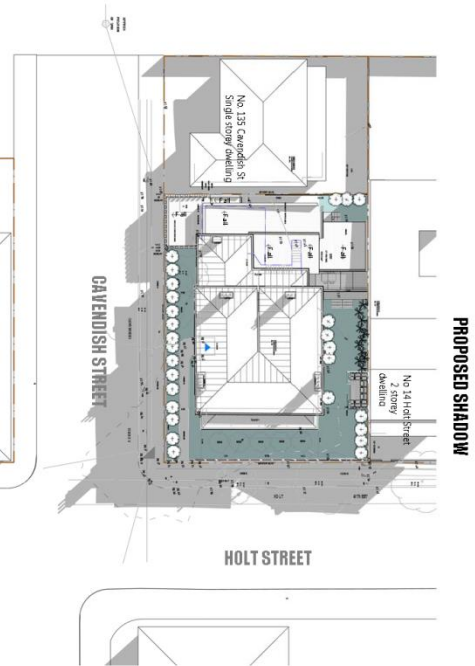
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ISSUE	Issue for Development Application AMENDMENT	DATE	DRAWN	CHECKED
8		15/05/18	CS	K

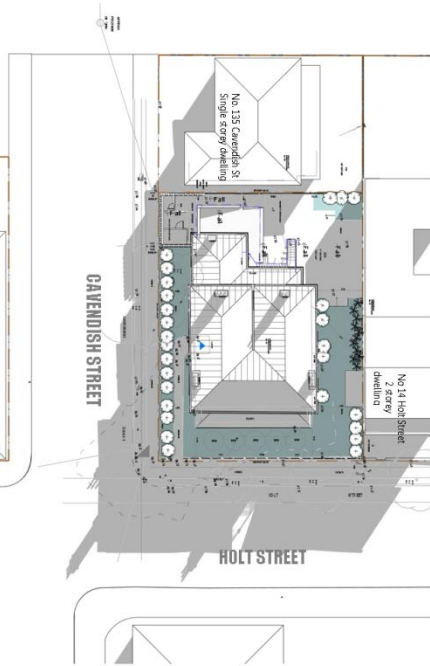




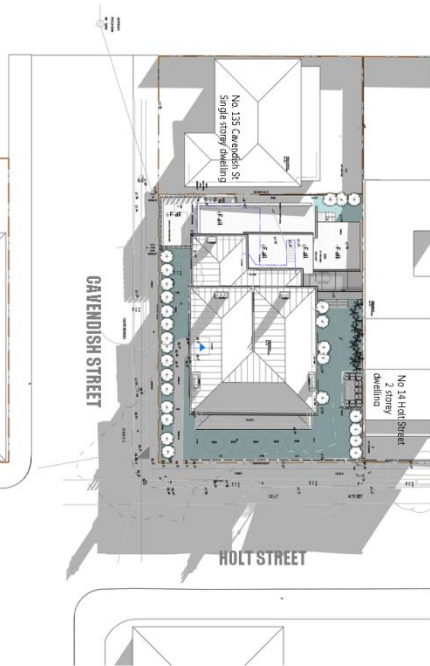
SHADOW DIAGRAM 1 PM EXISTING



SHADOW DIAGRAM 1 PM PROPOSED



SHADOW DIAGRAM 2 PM EXISTING



SHADOW DIAGRAM 2 PM PROPOSED

SHADOW COMPARISON SKETCH

**16 HOLT ST. STANMORE
EXTENSION & ALTERATION**

INNER WEST COUNCIL
FOR DUNDEE HILL MOUNT PTY LTD

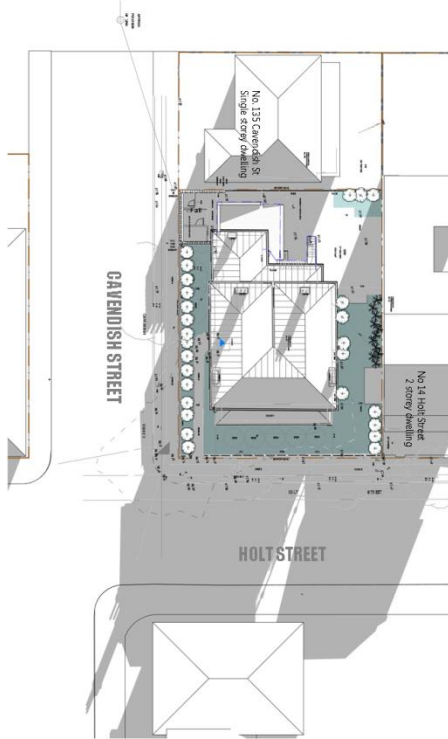


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 15/05/18
 15/05/18

ISSUE	FOR DEVELOPMENT APPLICATION	AMENDMENT	DATE	DRAWN	CHECKED
8			15/05/18	CS	K

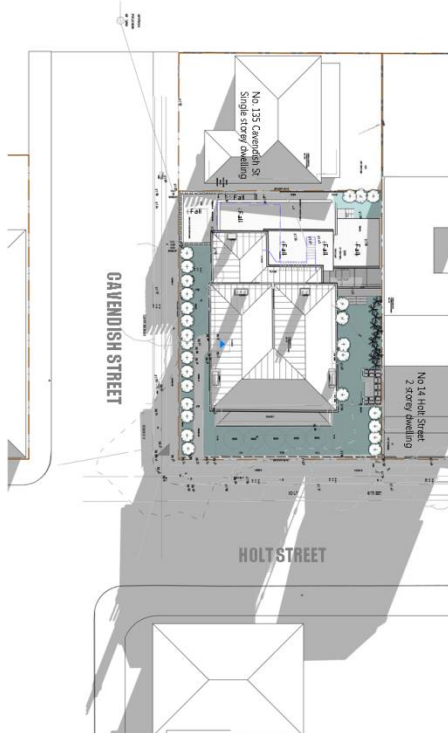


EXISTING SHADOW



SHADOW DIAGRAM 3 PM EXISTING

PROPOSED SHADOW



SHADOW DIAGRAM 3 PM PROPOSED

SHADOW COMPARISON SKETCH

16 HOLT ST. STANMORE
EXTENSION & ALTERATION

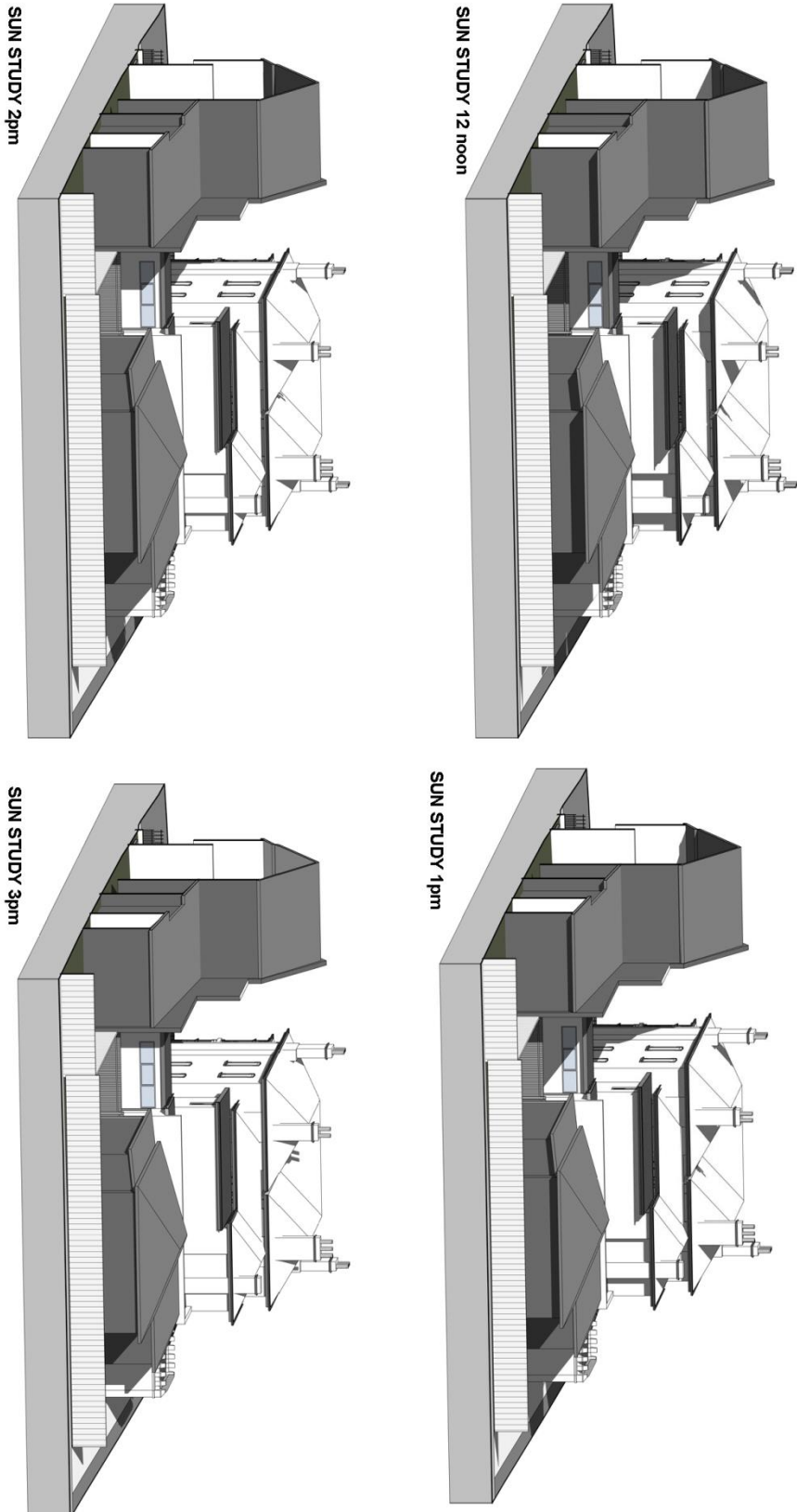
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1/215 Holt St, Stanmore NSW 2122
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ISSUE	AMENDMENT	DATE	DRAWN	CHECKED
8	Issue for Development Application	15/05/18	CS	K





COMMON ROOMS SOLAR ACCESS STUDY

**16 HOLT ST. STANMORE
EXTENSION & ALTERATION**

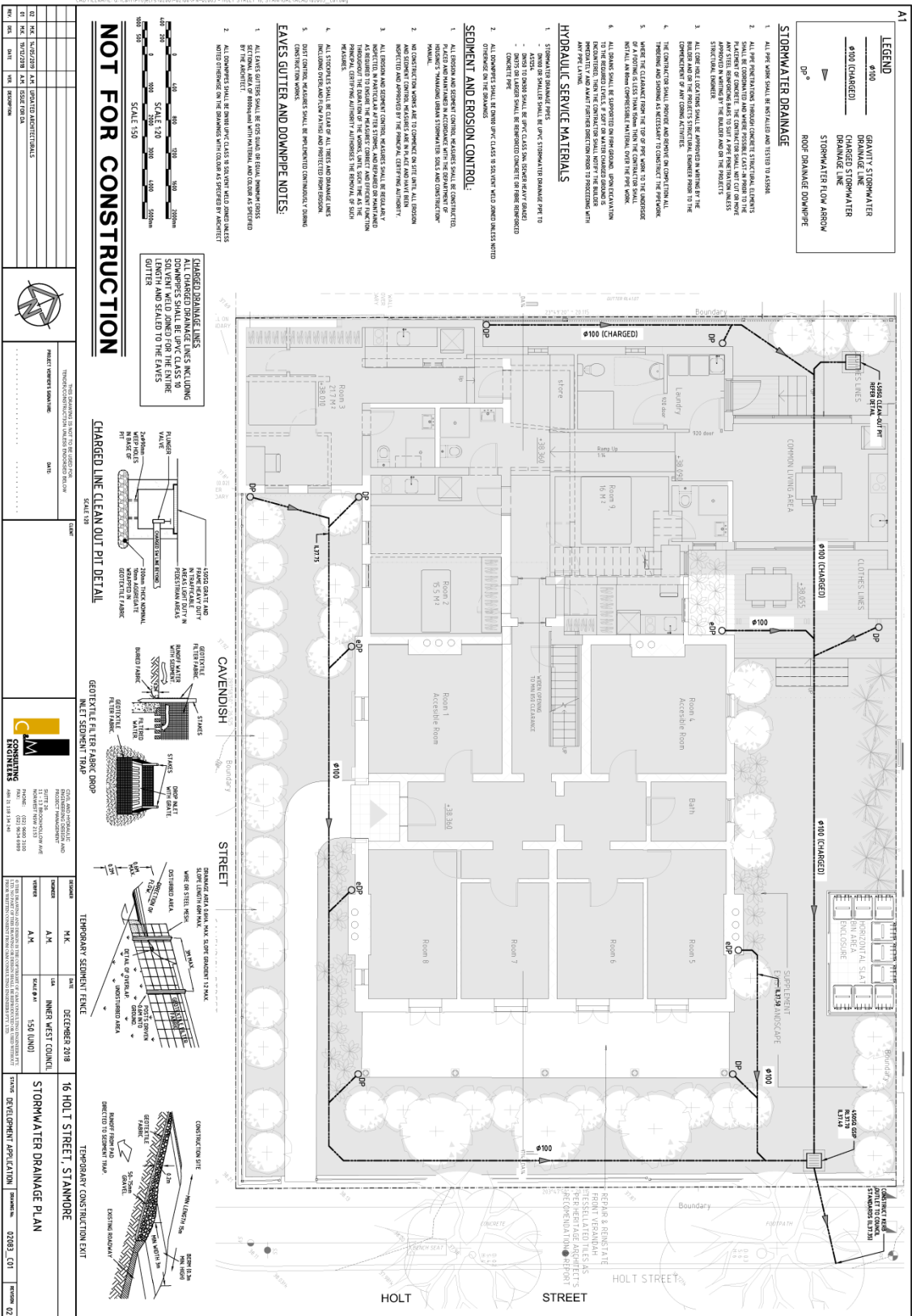
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ISSUE	15/05/18	DATE	CS	DRAWN	CHECKED
8	Issue for Development Application				

NOV 18
 17th Issue
B



NOT FOR CONSTRUCTION

NO.	DATE	BY	REVISION
1	16/12/2018	AK	ISSUE FOR PERMIT
2	16/12/2018	AK	REVISED PERMIT CONDITIONS
3	16/12/2018	AK	ISSUE FOR PERMIT
4	16/12/2018	AK	REVISED PERMIT CONDITIONS
5	16/12/2018	AK	ISSUE FOR PERMIT

PROJECT NUMBER	DATE	TYPE
16 HOLT STREET STANMORE	16/12/2018	STORMWATER DRAINAGE PLAN

CONSULTANT	PROJECT MANAGER	DESIGNER
AK CONSULTING	AK CONSULTING	AK CONSULTING
11/11 BONDURUM DRIVE STANMORE NSW 2124	11/11 BONDURUM DRIVE STANMORE NSW 2124	11/11 BONDURUM DRIVE STANMORE NSW 2124
PHONE: 02 922 840 999	PHONE: 02 922 840 999	PHONE: 02 922 840 999
FAX: 02 922 840 999	FAX: 02 922 840 999	FAX: 02 922 840 999
EMAIL: info@akconsulting.com.au	EMAIL: info@akconsulting.com.au	EMAIL: info@akconsulting.com.au
WEBSITE: www.akconsulting.com.au	WEBSITE: www.akconsulting.com.au	WEBSITE: www.akconsulting.com.au

APPROVED	DATE	BY	FOR
AK	16/12/2018	AK	INNER WEST COUNCIL

STATE	DEVELOPMENT APPLICATION	DATE	EXPIRES
16 HOLT STREET, STANMORE	20283_001	16/12/2018	16/12/2020

Attachment C- Clause 4.6 Exception to Development Standards



BOARDING HOUSE +

Clause 4.6 Variation Statement
Prepared for: Orangeville Trust Pty Ltd
Ref: M170187
Date: 8 May 2019



Clause 4.6 Variation Statement – Floor Space Ratio (Clause 4.4)

1. Introduction

This Variation Statement has been prepared in accordance with Clause 4.6 of *Marrickville Local Environmental Planning Plan 2011* to accompany Development Application No. 20190010. The application seeks consent for alterations and additions to an existing boarding house at No. 16 Holt Street, Stanmore ('the site').

2. Proposed variation

The floor space ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area. Gross floor area is defined to mean:

...the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes:

- (a) the area of a mezzanine, and*
- (b) habitable rooms in a basement or an attic, and*
- (c) any shop, auditorium, cinema, and the like, in a basement or attic,*
but excludes:
- (d) any area for common vertical circulation, such as lifts and stairs, and*
- (e) any basement:*
 - (i) storage, and*
 - (ii) vehicular access, loading areas, garbage and services, and*
- (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and*
- (g) car parking to meet any requirements of the consent authority (including access to that car parking),*
and
- (h) any space used for the loading or unloading of goods (including access to it), and*
- (i) terraces and balconies with outer walls less than 1.4 metres high, and*
- (j) voids above a floor at the level of a storey or storey above.*

Clause 4.4 (2) of *Marrickville Local Environmental Plan 2011* (MLEP 2011) relates to maximum permitted floor space ratio for a site and refers to the *Floor Space Ratio Map*. The relevant map identifies the floor space ratio controls that apply to No.16 Holt Street, Stanmore as shown in the extract of the map in Figure 14 (with the subject site outlined in blue). A maximum floor space ratio of 0.6:1 applies to the site.

A survey plan of the site indicates that the site area is 533.5m². The proposed GFA is 407m² which equates to an FSR of 0.763:1 and is therefore non-compliant. The additional 0.163:1 FSR equates to 86.9m² of gross floor area and a variation of 27%.

The floor space ratio control is a "development standard" to which exceptions can be granted pursuant to clause 4.6 of MLEP 2011.

3. Objectives and Provisions of Clause 4.6

The objectives and provisions of clause 4.6 to MLEP 2011 are as follows:

4.6 Exceptions to development standards

(1) The objectives of this clause are as follows:

(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,

(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and

(b) that there are sufficient environmental planning grounds to justify contravening the development standard.

(4) Development consent must not be granted for development that contravenes a development standard unless:

(a) the consent authority is satisfied that:

(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and

(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and

(b) the concurrence of the Secretary has been obtained.

(5) In deciding whether to grant concurrence, the Secretary must consider:

(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and

(b) the public benefit of maintaining the development standard, and

(c) any other matters required to be taken into consideration by the Secretary before granting concurrence.

(6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:

(a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or

(b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.

Note.

When this Plan was made it did not include Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living.

(7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).

(8) This clause does not allow development consent to be granted for development that would contravene any of the following:

(a) a development standard for complying development,

(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building

*Sustainability Index: BASIX 2004 applies or for the land on which such a building is situated,
(c) clause 5.4,
(ca) clause 6.17 or 6.18.*

The development standards in clause 4.4 are not "expressly excluded" from the operation of clause 4.6.

Objective 1(a) of clause 4.6 is satisfied by the discretion granted to a consent authority by virtue of subclause 4.6(2) and the limitations to that discretion contained in subclauses (3) to (8). This request addresses the requirements of subclauses 4.6(3) and 4.6(4) in order to demonstrate to the consent authority that the exception sought is consistent with the exercise of "an appropriate degree of flexibility" in applying the development standard, and is therefore consistent with objective 1(a). In this regard, the extent of the discretion afforded by subclause 4.6(2) is not numerically limited, in contrast with the development standards referred to in subclause 4.6(6).

4. Compliance with the development standard is unreasonable and unnecessary in the circumstances of the case (Clause 4.6(3)(a))

In *Wehbe V Pittwater Council* (2007) NSW LEC 827 Preston CJ sets out ways of establishing that compliance with a development standard is unreasonable or unnecessary. This list is not exhaustive. It states, inter alia:

"An objection under SEPP 1 may be well founded and be consistent with the aims set out in clause 3 of the Policy in a variety of ways. The most commonly invoked way is to establish that compliance with the development standard is unreasonable or unnecessary because the objectives of the development standard are achieved notwithstanding non-compliance with the standard."

The judgement goes on to state that:

"The rationale is that development standards are not ends in themselves but means of achieving ends. The ends are environmental or planning objectives. Compliance with a development standard is fixed as the usual means by which the relevant environmental or planning objective is able to be achieved. However, if the proposed development proffers an alternative means of achieving the objective strict compliance with the standard would be unnecessary (it is achieved anyway) and unreasonable (no purpose would be served)."

Preston CJ in the judgement then expressed the view that there are 5 different ways in which an objection may be well founded and that approval of the objection may be consistent with the aims of the policy, as follows (with emphasis placed on numbers 1 and 3 for the purposes of this Clause 4.6 variation [our underline]):

1. The objectives of the standard are achieved notwithstanding non-compliance with the standard;
2. The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary;
3. The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable.
4. The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable;
5. The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard that would be unreasonable or unnecessary. That is, the particular parcel of land should not have been included in the particular zone.

Relevantly, in *Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118* (paragraph 16), Preston CJ refers to *Wehbe* and states:

"...Although that was said in the context of an objection under State Environmental Planning Policy No 1 – Development Standards to compliance with a development standard, the discussion is equally applicable to a written request under cl 4.6 demonstrating that compliance with a development standard is unreasonable or unnecessary."

Compliance with the maximum FSR development standard is considered to be unreasonable and unnecessary as the objectives of that standard are achieved for the reasons set out in this statement. Objectives (b) and (c) of the control would be thwarted if strict compliance was required. For the same reasons, the objection is considered to be well-founded as per the first method underlined above.

Notably, under Clause 4.6(4)(a)(ii) a consent authority must now be satisfied that the contravention of a development standard will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out. Clause 4.6(4)(a)(ii) is addressed in Section 6 below.

5. Sufficient environmental planning grounds (Clause 4.6(3)(b))

Having regard to Clause 4.6(3)(b) and the need to demonstrate that there are sufficient environmental planning grounds to justify contravening the development standard, the following planning grounds are submitted to justify contravening the maximum FSR:

1. The proposed development will provide significant improvements to occupant amenity which would otherwise not occur. The additional FSR provides two new communal living areas, additional bathrooms, ensuites and kitchenettes and a new laundry;
2. It is considered that there is an absence of any material impacts of the proposed non-compliance on the amenity of the environmental values of the locality, the amenity of future building occupants and on area character;
3. The proposed development meets the objectives of the development standard and meets the objectives of the R2 Low Density Residential zone (as further detailed in Section 7 below);
4. The proposed development provides heritage benefits which include the restoration of the tessellated tiles on the front verandah and the installation of the iron palisade fence along the Cavendish frontage to match the existing fence along the Holt Street frontage;
5. The site is well located, being situated 160m walking distance from Stanmore Station and services and facilities located adjoining the station;
6. There is an absence of adverse impacts to the subject site and to adjoining sites; and
7. The proposed development will allow for improved affordable housing with a high level of amenity for residents in the Stanmore locality, consistent with the objectives in Section 1.3 of the EP&A Act 1979, specifically:
 - (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,
 - (c) to promote the orderly and economic use and development of land,
 - (d) to promote the delivery and maintenance of affordable housing,

- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),
- (g) to promote good design and amenity of the built environment,
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants.

The development proposes a careful and detailed response to the existing building on the site and the relationship to the heritage conservation area and heritage items within proximity to the site. The above environmental planning grounds are not general propositions and are unique circumstances to the proposed development. The additional FSR allows for a development that achieves this and provides significant benefits for the subject site. The FSR of the proposal is also compatible with the context of the site and locality.

It is noted that in *Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118*, Preston CJ clarified what items a Clause 4.6 does and does not need to satisfy. Importantly, there does not need to be a "better" planning outcome:

86. The second way is in an error because it finds no basis in cl 4.6. Clause 4.6 does not directly or indirectly establish a test that the non-compliant development should have a neutral or beneficial effect relative to a compliant development. This test is also inconsistent with objective (d) of the height development standard in cl 4.3(1) of minimising the impacts of new development on adjoining or nearby properties from disruption of views or visual intrusion. Compliance with the height development standard might be unreasonable or unnecessary if the non-compliant development achieves this objective of minimising view loss or visual intrusion. It is not necessary, contrary to what the Commissioner held, that the non-compliant development have no view loss or less view loss than a compliant development.

87. The second matter was in cl 4.6(3)(b). I find that the Commissioner applied the wrong test in considering this matter by requiring that the development, which contravened the height development standard, result in a "better environmental planning outcome for the site" relative to a development that complies with the height development standard (in [141] and [142] of the judgment). Clause 4.6 does not directly or indirectly establish this test. The requirement in cl 4.6(3)(b) is that there are sufficient environmental planning grounds to justify contravening the development standard, not that the development that contravenes the development standard have a better environmental planning outcome than a development that complies with the development standard.

As outlined above, it is considered that in many respects, the proposal will provide for a better planning outcome than a strictly compliant development. At the very least, there are sufficient environmental planning grounds to justify contravening the development standard.

6. Clause 4.6(4)(a)

Preston CJ in *Initial Action Pty Ltd v Woollahra Municipal Council* details how Clause 4.6(4)(a) needs to be addressed (paragraphs 15 and 26 are rephrased below):

The first opinion of satisfaction, in clause 4.6(4)(a)(i), is that a written request seeking to justify the contravention of the development standard has adequately addressed the matters required to be demonstrated by clause 4.6(3). These matters are twofold: first, that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case (clause 4.6(3)(a)) and, secondly, that there are sufficient environmental planning grounds to justify contravening the development standard (clause 4.6(3)(b)). This written request has addressed Clause 4.6(3)(a) in Section 4 above (and furthermore in terms of meeting the objectives of the development standard this is addressed in 7a below). Clause 4.6(3)(b) is addressed in Section 5 above.



The second opinion of satisfaction, in clause 4.6(4)(a)(ii), is that the proposed development will be in the public interest because it is consistent with the objectives of the particular development standard that is contravened and the objectives for development for the zone in which the development is proposed to be carried out. The second opinion of satisfaction under cl 4.6(4)(a)(ii) differs from the first opinion of satisfaction under clause 4.6(4)(a)(i) in that the consent authority, or the Court on appeal, must be directly satisfied about the matter in clause 4.6(4)(a)(ii), not indirectly satisfied that the applicant's written request has adequately addressed the matter in clause 4.6(4)(a)(ii). The matters in Clause 4.6(4)(a)(ii) are addressed in Section 7 below.

7. The proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out (Clause 4.6(4)(a)(ii))

7a. Objectives of the development standard

The objectives of clause 4.4 floor space ratio are as follows, inter alia:

- (1) *The objectives of this clause are as follows:*
 - (a) *to establish the maximum floor space ratio,*
 - (b) *to control building density and bulk in relation to the site area in order to achieve the desired future character for different areas,*
 - (c) *to minimise adverse environmental impacts on adjoining properties and the public domain.*

As previously noted, the *Floor Space Ratio Map* nominates a maximum floor space ratio of 0.6:1 on the site. It is hereby requested that an exception to this development standard be granted pursuant to clause 4.6 so as to permit a floor space ratio of 0.763:1, as previously described.

In order to address the requirements of subclause 4.6(4)(a)(ii), the objectives of clause 4.4 are addressed in turn below.

OBJECTIVE (A): TO ESTABLISH THE MAXIMUM FLOOR SPACE RATIO

This objective articulates the ultimate function of the floor space ratio development standard. The floor space ratio for buildings on land within the former Marrickville Local Government Area is identified on the Floor Space Ratio Map. As previously described, the maximum floor space ratio permitted on the subject site is 0.6:1 and the maximum floor space ratio for the proposal is 0.763:1. The proposal contravenes the standard, which has prompted the preparation of this written variation request. Despite the nature and scale of development proposed by the development application, Clause 4.4 achieves the objective of establishing a maximum floor space ratio for the site, using the Floor Space Ratio Map as a mechanism to do so. This written request identifies the extent of variation proposed and explains why the variation is acceptable in the circumstances.

OBJECTIVE (B): TO CONTROL BUILDING DENSITY AND BULK IN RELATION TO THE SITE AREA IN ORDER TO ACHIEVE THE DESIRED FUTURE CHARACTER FOR DIFFERENT AREAS

Extensive consultation with the applicant's heritage consultant as well as Council staff during the pre-DA process has ensured that the proposed development is sympathetic to the existing building. The proposed addition is below the existing roof line, located to the rear of the development, set back from Cavendish Street and has been architecturally treated to ensure it is not visually prominent and does not add significant bulk to the existing building. Section 4.2.2.1 of this Statement provides detailed discussion and analysis of the proposal's consistency with the desired future character of the Stanmore South precinct. Overall, it is considered that the proposed development provides an acceptable density for the site and the proposed variation to floor space ratio does not detract from the development's ability to do so. In fact, the proposed development provides opportunity for the site to contribute positively to the desired





future character through the restoration of certain historical elements such as the tessellated tiles on the front verandah and the replacement of the fence to Cavendish Street with a new palisade fence to match the existing fence to Holt Street.

Notwithstanding, as it relates to the actual floor space variation, it is considered that the most appropriate way to reflect the desired character of the locality is to retain, to the extent practicable, the contributory built form and to allow for a use that will facilitate ongoing upkeep and maintenance to preserve the building's contribution to the HCA. In this regard, it is considered that the proposed development retains the significant facades of the building and the proposed new works to the building exterior are minor and do not detract from the contribution that the existing building makes to the character of the locality.

OBJECTIVE (C): TO MINIMISE ADVERSE ENVIRONMENTAL IMPACTS ON ADJOINING PROPERTIES AND THE PUBLIC DOMAIN

In terms of environmental impacts on the locality, it is noted that there will be no detrimental impacts on surrounding properties and the public domain in terms of solar access, privacy or views. The proposed addition is located to the rear of the property and is setback from Cavendish Street such that the views from the street are unaltered. The proposal is also setback from the rear boundary and fencing provides screening to the adjoining property to the west, ensuring the aural and visual privacy of No.135 Cavendish is maintained. In addition, the proposed development will not have any unreasonable or unexpected impacts in terms of aural and visual privacy on the public domain. In terms of solar access, the development performs well with shadows cast generally falling to Cavendish Street. Adjoining properties will receive more than the required solar access and overshadowing of the street is not unreasonable and will not have any detrimental environmental impacts. The proposed development is sympathetic to the existing built form and given the lack of any significant impacts is a suitable form of development at the subject site.

The proposed development is therefore consistent with the objectives for floor space ratio, despite the minor numeric non-compliance.

7b. Objectives of the zone

Clause 4.6(4) also requires consideration of the relevant zone objectives. The objectives of Zone R2 Low Density Residential are as follows:

- *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.*
- *To provide for multi dwelling housing and residential flat buildings but only as part of the conversion of existing industrial and warehouse buildings.*
- *To provide for office premises but only as part of the conversion of existing industrial and warehouse buildings or in existing buildings designed and constructed for commercial purposes.*
- *To provide for retail premises in existing buildings designed and constructed for commercial purposes.*

It is noted that only the first objective is relevant to the subject development. The proposed development is demonstrably consistent with the relevant zone objective in that the proposed works will continue to provide for the housing needs of the community in a low density environment, consistent with the historic use of the site.

8. The concurrence of the secretary has been obtained (Clause 4.6(4)(b))

The second precondition in cl 4.6(4) that must be satisfied before the consent authority can exercise the power to grant development consent for development that contravenes the development standard is that the concurrence of the Secretary (of the Department of Planning and the Environment) has been obtained (cl 4.6(4)(b)). Under cl 64 of the *Environmental Planning and Assessment Regulation 2000*, the Secretary has given written notice dated 21 February



2018, attached to the Planning Circular PS 18-003 issued on 21 February 2018, to each consent authority, that it may assume the Secretary's concurrence for exceptions to development standards in respect of applications made under cl 4.6, subject to the conditions in the table in the notice.

9. Whether contravention of the development standard raises any matter of significance for State or regional environmental planning (Clause 4.6(5)(b))

Contravention of the maximum FSR development standard proposed by this application does not raise any matter of significance for State or regional environmental planning.

10. The public benefit of maintaining the development standard (Clause 4.6(5)(b))

As detailed in this submission there are no unreasonable impacts that will result from the proposed variation to the maximum FSR. As such there is no public benefit in maintaining strict compliance with the development standard. Whilst the proposed building FSR exceeds the maximum permitted on the site by 27% the proposed development is consistent with the objectives of the development standard and the objectives for development of the zone in which the development is proposed to be carried out. It is the proposed development's consistency with the objectives of the development standard and the objectives of the zone that make the proposed development in the public interest.

11. Conclusion

Having regard to all of the above, it is our opinion that compliance with the maximum FSR development standard is unreasonable and unnecessary in the circumstances of this case as the development meets the objectives of that standard and the zone objectives. The proposal has also demonstrated sufficient environmental planning grounds to support the variation.

Therefore, insistence upon strict compliance with that standard would be unreasonable. On this basis, the requirements of Clause 4.6(3) are satisfied and the variation supported.



Attachment D – Statement of Heritage Significance

This DA proposal also includes a range of mitigative restoration and reconstruction works, including repairs to the tessellated tile front verandah (with missing slate edging) reconstruction of tessellated tiles to the side entry porch and the reconstruction of an iron palisade fence to Cavendish Street.

Yours sincerely,



Geoff Ashley
PRINCIPAL

23 May 2019



Attachment E – Access & Mobility Report

PROPOSED EXTENSION & ALTERATIONS TO EXISTING BOARDING HOUSE 6 HOLT STREET, STANMORE 2

- 1714_DA11/B Elevations - Proposed
- 1714_DA12/B Rear Elevation - Existing & Proposed
- 1714_DA13/B Elevations - Existing & Proposed
- 1714_DA14/B Section
- 714_DA15/B 3D Views
- 1714_DA16/B 3D Views

The above drawings, prepared by RJK Architects Pty Ltd, describe proposed alterations and additions to the existing Boarding House on the above site. This report is based on the information contained in the above drawings.

I have reviewed the above drawings in terms of the requirements of the reference documents listed in Section 2 below. In my review I have also considered the requirements of the Commonwealth Disability Discrimination Act 1992.

2. REFERENCE DOCUMENTS

I have relied on the following documents in completing this report:

- Disability (Access to Premises – Buildings) Standards 2010, including the Access Code [Access to Premises Standards]
- Building Code of Australia 2016 – Volume One [BCA]
- AS 1428.1- 2009 Australian Standard AS 1428.1 - 2009 *Design for access and mobility Part 1: General requirements for access – New building work*
- AS 1428.2 Australian Standard AS 1428.2 - 1992 *Design for access and mobility Part 2: Enhanced and additional requirements – Buildings and facilities*
- AS/NZS 1428.4.1 Australian Standard AS 1428.4.1 - 2009 *Design for access and mobility Part 4.1: Means to assist the orientation of people with vision impairment – Tactile ground surface indicators*
- AS 1735.12 Australian Standard 1735 *Lifts, escalators and moving walks Part 12: Facilities for persons with disabilities*
- AS/NZS 2890.6 Australian Standard AS 2890.6 - 2009 *Parking facilities Part 6: Off-street parking for people with disabilities*
- AS 3745 Australian Standard 3745 - 2010 *Planning for emergencies in facilities*
- AS/NZS 1680.0 Australian Standard AS 1680.0 – 1998 *Interior lighting Part 0: Safe movement*
- Australian Standard AS 4299 - 1995, Adaptable housing (AS 4299)*
- Australian Standard AS 4586 - 2013, *Slip resistance classification of new pedestrian surface materials (AS 4586)*
- SA HB 198:2014 *Handbook Guide to the specification and testing of slip resistance of pedestrian surfaces*
- Miscellaneous additional research reports

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3. DESCRIPTION OF PROPOSED WORKS

The proposal is for alterations and additions to the existing Boarding House, including a new Common Area, Laundry, Bathroom, and other changes to the Ground Floor, and a new Common Room and WC on the Upper Floor, all as described on the drawings. The existing Boarding House has heritage significance as it is located within a Conservation Zone - the Kingston South Heritage Conservation Area, as identified in Marrickville Local Environmental Plan 2011.

4. COMMENTS & RECOMMENDATIONS

- The proposed works include both a 'new part' and an 'affected part' in terms of the requirements of the Disability (Access to Premises – Buildings) Standards 2010 and the Access Code.
- Under the Access Code and the BCA, the building is a Class 3 *Boarding House*. Access for people with disabilities is required as follows:

‘To Common areas:

From a pedestrian entrance **required** to be **accessible** to at least 1 floor containing **sole-occupancy units** and to the entrance doorway of each **sole-occupancy unit** located on that level.

To and within not less than 1 of each type of room or space for use in common by the residents, including a cooking facility, sauna, gymnasium, **swimming pool**, common laundry, games room, TV room, individual shop, dining room, public viewing area, ticket purchasing service, lunch room, lounge room, or the like.

Where a ramp complying with AS 1428.1 or a passenger lift is installed—

(a) to the entrance doorway of each **sole-occupancy unit**; and

(b) to and within rooms or spaces for use in common by the residents, located on the levels served by the lift or ramp.’

To Sole-occupancy units:

‘Not more than 2 required accessible sole- occupancy units may be located adjacent to each other.

Where more than 2 **accessible sole- occupancy units** are **required**, they must be representative of the range of rooms available.’

[BCA and the Access Code D3.1]

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- The proposed extension will result in 21 sole-occupancy units. For this scale of development two units are required to be accessible.
[BCA and the Access Code D3.1]

COMMENT

Two sole-occupancy units are proposed to be accessible. These are Units 1 and 4, both located on the Ground Floor.

- Access for people with disabilities is required from the existing principal pedestrian entrance. This is shown in Photograph 2 below.



Photograph 2: View of principal pedestrian entrance and doorway to Unit 1

COMMENTS

1. The existing front door has a clear opening width of 860 mm, thereby complying with the width requirement of AS 1428.1. It contains adequate hinge and latch-side circulation space.
2. The entry door to Unit 1, shown to the right in Photograph 2 above, has a clear opening width of 850 mm, thereby complying with the width requirement of AS 1428.1. Circulation space at this doorway also complies with the requirements of AS 1428.1.
3. The entry door to Unit 4 also has a clear opening width of 850 mm, thereby complying with the width requirement of AS 1428.1. Circulation space at this doorway also complies with the requirements of AS 1428.1. The doorway to Unit 4 is shown in Photograph 3 below.
4. Accordingly, two units (No's 1 and 4) may be regarded as accessible in terms of the requirements of the BCA and the Access Code.

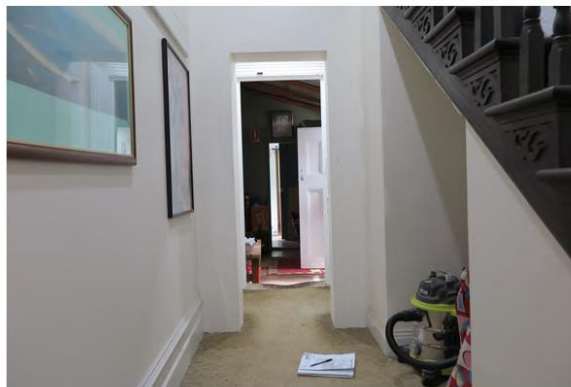
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Photograph 3: View of doorway to Unit 1

- ❑ Access for people with disabilities is required to the proposed new common areas on the Ground Floor - ie the proposed Common Living Room, Laundry and Bathroom.
- ❑ The hallway on the Ground Floor to the west of the existing stairs, contains an opening of 680 mm width. Beyond this, near the entrances to Units 10 and 2, is a further similar opening, of 810 clear width. The opening of 680 mm clear width is shown in Photograph 4 below.



Photograph 4: Opening in hallway

RECOMMENDATION 1: Enlarge the above two openings within the Ground Floor hallway to result in clear width of minimum 850mm in each case.

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RECOMMENDATION 2: The proposed new ramp leading to the Common Living Area shall have a clear width between handrails of minimum 1000 mm, with maximum gradient of 1:14. Provide a handrail to each side of the ramp, all to comply with the requirements of AS 1428.1.

RECOMMENDATION 3: Provide warning type tactile ground surface indicators (TGSIs) to both top and bottom of the ramp, all to comply with the requirements of AS 1428.4.1.

RECOMMENDATION 4: Proposed new doors to the Laundry and Accessible Bathroom, and also the opening door leaf between the Common Living Area and the adjacent Deck, shall each be minimum 920mm wide door leaves (to result in clear opening width of minimum 850mm).

RECOMMENDATION 5: Provide a level difference between the floor of the Common Living Area and the adjacent Deck of 35 mm. Provide a threshold ramp of rise 35 mm and length 280 mm, all to comply with AS 1428.1 Clause 10.5, to take up this level difference.

RECOMMENDATION 6: Provide an Accessible Laundry and an Accessible Bathroom. The internal area for the Accessible Bathroom shall be minimum 2630 mm length x 2265 mm width. The Accessible Laundry shall have a wheelchair turning area of 1540 mm diameter in front of the washing machines.

RECOMMENDATION 7: Provide a new accessible unisex toilet, with WC pan, seat, backrest, basin, grabrails, shelf, etc, all to comply with BCA F2.4 and AS 1428.1 Clause 15.

(NOTE: Grabrails fixed to studwork walls require reinforced [20 mm plywood] areas of wall to enable secure fixing – Contact the undersigned if necessary prior to lining walls).

RECOMMENDATION 8: All new door handles and hardware shall be detailed in accordance with the requirements of AS 1428.1 Clause 13.5.

RECOMMENDATION 9: Any new electrical switches shall be mounted at 900-1100mm above the finished floor surface.

RECOMMENDATION 10: All further detailing shall be in accordance with the requirements of the BCA Part D3 'Access for People with Disabilities' and AS 1428.1.

COMMENT - HERITAGE

This project involves alterations and additions to an existing building that is in a Conservation Zone (Kingston South Heritage Conservation Area, as identified in

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PROPOSED EXTENSION & ALTERATIONS TO EXISTING BOARDING HOUSE 6 HOLT STREET, STANMORE 7

Marrickville Local Environmental Plan 2011). Linking in the new work to the existing work has been proposed in a way that reduces the need to intervene unduly in the existing fabric of the premises, while at the same time meeting the requirement of provision of access for people with disabilities. Access has been provided 'to the degree necessary' [Performance Requirement DP 1], without negative impact on the heritage qualities of the premises.

[BCA and the Access Code, Performance Requirement DP1]

5. CONCLUSION

The changes as described in the plans for proposed alterations and additions, and also as contained within the above recommendations, will result in a significant overall improvement in access for people with disabilities, compared to the current access provisions for people with disabilities.

I hereby verify that, upon implementation of all of the above recommendations, the proposed new work and accessways will comply with the relevant requirements of the Disability (Access to Premises – Buildings) Standards, the Building Code of Australia 2016 Volume One, (Parts D3 and F2.4), and AS 1428.1.

If any clarification is required at any stage, including through the construction stage, please contact the undersigned.

Yours faithfully

BIO-BUILDING DESIGN PTY LTD

John Van der Have

John Van der Have M Sc (Bldg)

Access Consultant

Accredited Member, Association of Consultants in Access, Australia - ACAA 1

PS: A manually signed version of this Statement follows by post

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Attachment F – Basix Certificate

Description of project

Project address	
Project name	New Units - 16 Holt St RJ32_02
Street address	16 Holt Street Stanmore 2048
Local Government Area	Inner West Council
Plan type and plan number	deposited 227165
Lot no.	122
Section no.	-
Project type	
No. of residential flat buildings	1
No. of units in residential flat buildings	3
No. of multi-dwelling houses	0
No. of single dwelling houses	0
Site details	
Site area (m ²)	536
Roof area (m ²)	261
Non-residential floor area (m ²)	0.0
Residential car spaces	0
Non-residential car spaces	0

Common area landscape	
Common area lawn (m ²)	11.0
Common area garden (m ²)	23.0
Area of indigenous or low water use species (m ²)	10.0
Assessor details	
Assessor number	BDAV/12/1451
Certificate number	0003899250
Climate zone	56
Project score	
Water	40 Target 40
Thermal Comfort	Pass Target Pass
Energy	45 Target 45

Description of project

The tables below describe the dwellings and common areas within the project

Residential flat buildings - Building 1, 3 dwellings, 2 storeys above ground

3	Dwelling no.
1	No. of bedrooms
23.0	Conditioned floor area (m ²)
0.0	Unconditioned floor area (m ²)
0.0	Area of garden & lawn (m ²)
0.0	Indigenous species (min area m ²)

9	Dwelling no.
1	No. of bedrooms
19.0	Conditioned floor area (m ²)
3.0	Unconditioned floor area (m ²)
0.0	Area of garden & lawn (m ²)
0.0	Indigenous species (min area m ²)

16	Dwelling no.
1	No. of bedrooms
24.0	Conditioned floor area (m ²)
0.0	Unconditioned floor area (m ²)
0.0	Area of garden & lawn (m ²)
0.0	Indigenous species (min area m ²)

Description of project

The tables below describe the dwellings and common areas within the project

Common areas of unit building - Building1

Common area	Floor area (m ²)
Common Living Area	19.0
WC	6.0

Common area	Floor area (m ²)
Common Room	18.0

Common area	Floor area (m ²)
Laundry	4.0

Schedule of BASIX commitments

1. Commitments for Residential flat buildings - Building 1
 - (a) Dwellings
 - (i) Water
 - (ii) Energy
 - (iii) Thermal Comfort
 - (b) Common areas and central systems/facilities
 - (i) Water
 - (ii) Energy
2. Commitments for multi-dwelling houses
3. Commitments for single dwelling houses
4. Commitments for common areas and central systems/facilities for the development (non-building specific)
 - (i) Water
 - (ii) Energy

BASIX

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Version: 3.0 / DARWINIA_3_10_0

Certificate No.: 986915M_02

Wednesday, 29 May 2019

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Schedule of BASIX commitments

The commitments set out below regulate how the proposed development is to be carried out. It is a condition of any development consent granted, or complying development certificate issued, for the proposed development, that BASIX commitments be complied with.

1. Commitments for Residential flat buildings - Building1

(a) Dwellings

(j) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must plant indigenous or low water use species of vegetation throughout the area of land specified for the dwelling in the "Indigenous species" column of the table below, as private landscaping for that dwelling. (This area of indigenous vegetation is to be contained within the "Area of garden and lawn" for the dwelling specified in the "Description of Project" table).	✔	✔	✔
(c) If a rating is specified in the table below for a fixture or appliance to be installed in the dwelling, the applicant must ensure that each such fixture and appliance meets the rating specified for it.		✔	✔
(d) The applicant must install an on demand hot water recirculation system which regulates all hot water use throughout the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below.		✔	✔
(e) The applicant must install: (aa) a hot water diversion system to all showers, kitchen sinks and all basins in the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below; and (bb) a separate diversion tank (or tanks) connected to the hot water diversion systems of at least 100 litres. The applicant must connect the hot water diversion tank to all toilets in the dwelling.	✔	✔	✔
(e) The applicant must not install a private swimming pool or spa for the dwelling, with a volume exceeding that specified for it in the table below.	✔	✔	
(f) If specified in the table, that pool or spa (or both) must have a pool cover or shading (or both).	✔	✔	
(g) The pool or spa must be located as specified in the table.	✔	✔	
(h) The applicant must install, for the dwelling, each alternative water supply system, with the specified size, listed for that dwelling in the table below. Each system must be configured to collect run-off from the areas specified (excluding any area which supplies any other alternative water supply system), and to divert overflow as specified. Each system must be connected as specified.	✔	✔	✔

Dwelling no.	Fixtures			Appliances		Individual pool			Individual spa					
	All shower-heads (> 7.5 but <= 9 L/min)	All toilet flushing systems	All kitchen taps	All bathroom taps	HW recirculation or diversion	All clothes washers	All dish-washers	Volume (max volume)	Pool cover	Pool location	Pool shaded	Volume (max volume)	Spa cover	Spa shaded
All dwellings	3 star (> 7.5 but <= 9 L/min)	4 star	3 star	3 star	no	-	4 star	-	-	-	-	-	-	-

Dwelling no.	Alternative water supply systems	Size	Configuration	Alternative water source										
				Landscaping connection	Toilet connection (\$)	Laundry connection	Pool top-up	Spa top-up	Spa shaded	Certifier check				
All dwellings	central water tank (no. 1)	See central systems	See central systems	no	yes	no	no	no	no	no	no	no	no	no
None	-	-	-	-	-	-	-	-	-	-	-	-	-	-

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must install each hot water system specified for the dwelling in the table below, so that the dwelling's hot water is supplied by that system. If the table specifies a central hot water system for the dwelling, then the applicant must connect that central system to the dwelling, so that the dwelling's hot water is supplied by that central system.	✓	✓	✓
(c) The applicant must install, in each bathroom, kitchen and laundry of the dwelling, the ventilation system specified for that room in the table below. Each such ventilation system must have the operation control specified for it in the table.		✓	✓
(d) The applicant must install the cooling and heating systems specified for the dwelling under the "Living areas" and "Bedroom areas" headings of the "Cooling" and "Heating" columns in the table below, in/for at least 1 living/bedroom area of the dwelling. If no cooling or heating system is specified in the table for "Living areas" or "Bedroom areas", then no systems may be installed in any such areas. If the term "zoned" is specified beside an air conditioning system, then the system must provide for day/night zoning between living areas and bedrooms.		✓	✓
(e) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Artificial lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that the "primary type of artificial lighting" for each such room in the dwelling is fluorescent lighting or light emitting diode (LED) lighting. If the term "dedicated" is specified for a particular room or area, then the light fittings in that room or area must only be capable of being used for fluorescent lighting or light emitting diode (LED) lighting.		✓	✓

(ii) Energy		Show on DA plans	Show on CC/CDC plans & specs	Certifier check
<p>(f) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Natural lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that each such room or area is fitted with a window and/or skylight.</p>		✓	✓	✓
<p>(g) This commitment applies if the applicant installs a water heating system for the dwelling's pool or spa. The applicant must:</p> <p>(aa) install the system specified for the pool in the "Individual Pool" column of the table below (or alternatively must not install any system for the pool), if specified, the applicant must install a timer, to control the pool's pump; and</p> <p>(bb) install the system specified for the spa in the "Individual Spa" column of the table below (or alternatively must not install any system for the spa). If specified, the applicant must install a timer to control the spa's pump.</p>			✓	
<p>(h) The applicant must install in the dwelling:</p> <p>(aa) the kitchen cook-top and oven specified for that dwelling in the "Appliances & other efficiency measures" column of the table below;</p> <p>(bb) each appliance for which a rating is specified for that dwelling in the "Appliances & other efficiency measures" column of the table, and ensure that the appliance has that minimum rating; and</p> <p>(cc) any clothes drying line specified for the dwelling in the "Appliances & other efficiency measures" column of the table.</p>			✓	✓
<p>(i) If specified in the table, the applicant must carry out the development so that each refrigerator space in the dwelling is "well ventilated".</p>			✓	

Dwelling no.	Hot water system		Bathroom ventilation system		Kitchen ventilation system		Laundry ventilation system				
	Hot water system	Each bathroom	Operation control	Each kitchen	Operation control	Each laundry	Operation control				
All dwellings	gas instantaneous 6 star	individual fan, ducted to facade or roof	manual switch on/off	individual fan, ducted to facade or roof	manual switch on/off	individual fan, ducted to facade or roof	manual switch on/off				
Cooling		Heating		Artificial lighting				Natural lighting			
Living areas	bedroom areas	living areas	bedroom areas	No. of bedrooms &/or study	No. of living &/or dining rooms	Each kitchen	All bathrooms/ toilets	Each laundry	All hallways	No. of bedrooms, kitchen &/or toilets	Main kitchen
-	-	-	-	1	1	yes	yes	yes	yes	1	no

Dwelling no.	Cooling		Heating		Artificial lighting					Natural lighting		
	living areas	bedroom areas	living areas	bedroom areas	No. of bedrooms &/or study rooms	No. of living &/or dining rooms	Each Kitchen	All bathrooms/ toilets	Each laundry	All hallways	No. of bedrooms &/or toilets	Main Kitchen
All other dwellings	-	-	-	-	1	1	yes	yes	yes	yes	0	no

Dwelling no.	Individual pool		Individual spa		Appliances & other efficiency measures							
	Pool heating system	Timer	Spa heating system	Timer	Kitchen cooktop/oven	Refrigerator	Well ventilated fridge space	Dishwasher	Clothes washer	Clothes dryer	Indoor or sheltered clothes drying line	Private outdoor or unsheltered clothes drying line
All dwellings	-	-	-	-	gas cooktop & gas oven	-	no	3.5 star	-	-	no	no

(iii) Thermal Comfort

	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must attach the certificate referred to under "Assessor details" on the front page of this BASIX certificate (the "Assessor Certificate") to the development application and construction certificate application for the proposed development (or, if the applicant is applying for a complying development certificate for the proposed development, to that application). The applicant must also attach the Assessor Certificate to the application for a final occupation certificate for the proposed development.			
(b) The Assessor Certificate must have been issued by an Accredited Assessor in accordance with the Thermal Comfort Protocol.			
(c) The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX Certificate, including the details shown in the "Thermal Loads" table below.			
(d) The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Thermal Comfort Protocol requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor, to certify that this is the case.	✓		
(e) The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.		✓	

(iii) Thermal Comfort		Show on DA plans	Show on CC/CDC plans & specs	Certifier check
<p>(f) The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.</p>			✓	✓
<p>(g) Where there is an in-slab heating or cooling system, the applicant must:</p> <p>(aa) Install insulation with an R-value of not less than 1.0 around the vertical edges of the perimeter of the slab; or</p> <p>(bb) On a suspended floor, install insulation with an R-value of not less than 1.0 underneath the slab and around the vertical edges of the perimeter of the slab.</p>		✓	✓	✓
<p>(h) The applicant must construct the floors and walls of the development in accordance with the specifications listed in the table below.</p>		✓	✓	✓
Thermal loads				
Dwelling no.	Area adjusted heating load (in m²/m²/yr)	Area adjusted cooling load (in m²/m²/yr)		
3	13.2	0.1		
9	0.6	9.0		
All other dwellings	13.2	15.6		

(b) Common areas and central systems/facilities

(j) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a showerhead, toilet, tap or clothes washer into a common area, then that item must meet the specifications listed for it in the table.	☑	☑	☑
(b) The applicant must install (or ensure that the development is serviced by) the alternative water supply system(s) specified in the "Central systems" column of the table below. In each case, the system must be sized, be configured, and be connected, as specified in the table.	☑	☑	☑
(c) A swimming pool or spa listed in the table must not have a volume (in kLs) greater than that specified for the pool or spa in the table.	☑	☑	
(d) A pool or spa listed in the table must have a cover or shading if specified for the pool or spa in the table.		☑	
(e) The applicant must install each fire sprinkler system listed in the table so that the system is configured as specified in the table.		☑	☑
(f) The applicant must ensure that the central cooling system for a cooling tower is configured as specified in the table.		☑	☑

Common area	Showerheads rating	Toilets rating	Taps rating	Clothes washers rating
All common areas	no common facility	4 star	6 star	3.5 star

Central systems	Size	Configuration	Connection (to allow for...)
Central water tank - rainwater or stormwater (No. 1)	1500.0	To collect run-off from at least: - 130.0 square metres of roof area of buildings in the development - 0.0 square metres of impervious area in the development - 0.0 square metres of garden/lawn area in the development - 0.0 square metres of planter box area in the development (excluding, in each case, any area which drains to, or supplies, any other alternative water supply system).	- Irrigation of 24.0 square metres of common landscaped area on the site - car washing in 0 car washing bays on the site

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a ventilation system to service a common area specified in the table below, then that ventilation system must be of the type specified for that common area, and must meet the efficiency measure specified.		✓	✓
(b) In carrying out the development, the applicant must install, as the "primary type of artificial lighting" for each common area specified in the table below, the lighting specified for that common area. This lighting must meet the efficiency measure specified. The applicant must also install a centralised lighting control system or Building Management System (BMS) for the common area, where specified.		✓	✓
(c) The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table below. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.	✓	✓	✓

Common area ventilation system		Common area lighting			
Common area	Ventilation system type	Ventilation efficiency measure	Primary type of artificial lighting	Lighting efficiency measure	Lighting control system/BMS
Common Living Area	air conditioning system	time clock or BMS controlled	compact fluorescent	motion sensors	No
Common Room	air conditioning system	time clock or BMS controlled	compact fluorescent	motion sensors	No
Laundry	ventilation exhaust only	interlocked to light	compact fluorescent	manual on / manual off	No
WC	ventilation exhaust only	interlocked to light	compact fluorescent	manual on / manual off	No

4. Commitments for common areas and central systems/facilities for the development (non-building specific)

(b) Common areas and central systems/facilities

(i) Water	Show on DA plans	Show on plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a showerhead, toilet, tap or clothes washer into a common area, then that item must meet the specifications listed for it in the table.		☑	☑
(b) The applicant must install (or ensure that the development is serviced by) the alternative water supply system(s) specified in the "Central systems" column of the table below. In each case, the system must be sized, be configured, and be connected, as specified in the table.	☑	☑	☑
(c) A swimming pool or spa listed in the table must not have a volume (in kL.s) greater than that specified for the pool or spa in the table.	☑	☑	
(d) A pool or spa listed in the table must have a cover or shading if specified for the pool or spa in the table.		☑	
(e) The applicant must install each fire sprinkler system listed in the table so that the system is configured as specified in the table.		☑	☑
(f) The applicant must ensure that the central cooling system for a cooling tower is configured as specified in the table.		☑	☑

Common area	Showerheads rating	Toilets rating	Taps rating	Clothes washers rating
All common areas	no common facility	4 star	6 star	3.5 star

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a ventilation system to service a common area specified in the table below, then that ventilation system must be of the type specified for that common area, and must meet the efficiency measure specified.		☑	☑
(b) In carrying out the development, the applicant must install, as the "primary type of artificial lighting" for each common area specified in the table below, the lighting specified for that common area. This lighting must meet the efficiency measure specified. The applicant must also install a centralised lighting control system or Building Management System (BMS) for the common area, where specified.		☑	☑
(c) The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table below. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.	☑	☑	☑

Central energy systems	Type	Specification
Alternative energy supply	Photovoltaic system	Rated electrical output (min): 2.7 peak kW
Other	Common area clothes drying line installed? yes Common area electric/gas clothes dryer rating: 3 star Common area clothes washer rating: 3 star	

BASIX

Planning & Environment

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Notes

1. In these commitments, "applicant" means the person carrying out the development.
2. The applicant must identify each dwelling, building and common area listed in this certificate, on the plans accompanying any development application, and on the plans and specifications accompanying the application for a construction certificate / complying development certificate, for the proposed development, using the same identifying letter or reference as is given to that dwelling, building or common area in this certificate.
3. This note applies if the proposed development involves the erection of a building for both residential and non-residential purposes (or the change of use of a building for both residential and non-residential purposes). Commitments in this certificate which are specified to apply to a "common area" of a building or the development, apply only to that part of the building or development to be used for residential purposes.
4. If this certificate lists a central system as a commitment for a dwelling or building, and that system will also service any other dwelling or building within the development, then that system need only be installed once (even if it is separately listed as a commitment for that other dwelling or building).
5. If a star or other rating is specified in a commitment, this is a minimum rating.
6. All alternative water systems to be installed under these commitments (if any), must be installed in accordance with the requirements of all applicable regulatory authorities. NOTE: NSW Health does not recommend that stormwater, recycled water or private dam water be used to irrigate edible plants which are consumed raw, or that rainwater be used for human consumption in areas with potable water supply.

Legend

1. Commitments identified with a "u" in the "Show on DA Plans" column must be shown on the plans accompanying the development application for the proposed development (if a development application is to be lodged for the proposed development).
2. Commitments identified with a "c" in the "Show on CC/CDC plans and specs" column must be shown in the plans and specifications accompanying the application for a construction certificate / complying development certificate for the proposed development.
3. Commitments identified with a "v" in the "Certifier check" column must be certified by a certifying authority as having been fulfilled. (Note: a certifying authority must not issue an occupation certificate (either interim or final) for a building listed in this certificate, or for any part of such a building, unless it is satisfied that each of the commitments whose fulfilment it is required to monitor in relation to the building or part, has been fulfilled).

Attachment G – Plan of Management



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1. THE PREMISES

This plan of management ("Plan") relates to the boarding house at 16 Holt Street, Stanmore ("Premises").

Throughout this plan the term "Owners" or "Owner's Representatives" describes the following:

- a) The owners of the Premises; or
- b) Any representative engaged by the owners to manage the Premises or any aspect of its day to day running, maintenance or the like.

Note: The Owner or Owner's Representatives will not be required to reside on-site as the development is not required to provide an on-site manager. Equally, a resident at the premises may provide a service to the Owner.

2. OBJECTIVES

The objectives of this Plan are to:

- a) ensure that the premises are managed to ensure an acceptable level of amenity and accommodation to meet the needs of both residents, owners and neighbours;
- b) provide operational guidelines and "house rules" with regard to use of indoor and outdoor communal areas;
- c) ensure the appropriate level of fire safety on the premises;
- d) make available to all relevant persons including the community and regulatory authorities ("Stakeholders") a written record of the management practices and procedures which will be applied in the management and operation of the Premises;
- e) provide a mechanism by which the management practices and procedures can be assessed and improved on an ongoing basis to provide an acceptable outcome to all Stakeholders;
- f) minimise and where possible eliminate antisocial behaviour of residents both within the Premises and in the vicinity of the Premises; and
- g) ensure that the operation of the Premises does not unreasonably impact upon or detract from the amenity of the surrounding residences and the neighbourhood.

Where there is any conflict between the provisions of this Plan and the objectives the conflict will be resolved in a way which best gives effect to the objectives.

A copy of this Plan will be provided to each resident, kept in a readily accessible place on the Premises, will be provided to all persons involved in the operation and management of the Premises and made available for inspection by any other Stakeholder upon request.

3. ACCOMMODATION

The boarding house can accommodate up to 19 residents in a total of 17 rooms (2 x double room and 15 x single rooms).

A common living area and outdoor private open space are provided on the Ground Floor and a common room on the First Floor.

No parking spaces are provided for the residents.

4. COMMON AREAS

The common outdoor area is only to be used between the hours of 7.00am and 10.00pm.



Signs are to be displayed reminding residents to keep noise to a minimum when using the communal areas.

The outdoor open space area is not to be used for parties or amplified music.

All common areas, including corridors, the stairwell, and entrance lobby will be cleaned by a professional contractor at least once per week.

5. FIRE SAFETY

A Fire Emergency Strategy that includes an evacuation plan, fire blanket and fire extinguisher locations will be developed and displayed in prominent locations.

All rooms will contain an evacuation plan, fire blanket and extinguisher.

Annual inspection and certification of fire safety equipment will be carried out by a fire safety specialist. A copy of the annual fire safety compliance statement shall be displayed on the notice board in the ground floor lobby.

6. MANAGEMENT

All residents are to take responsibility for the cleanliness, fire safety and daily operation of the premises. Commercial services will be appointed to clean and maintain common interior and exterior spaces.

The contact details of the Owners or Owner's Representative will be displayed at the front of the building. Adjoining neighbours will be given a copy of these details. This will ensure ongoing communication with adjacent property owners and residents aimed at identifying and addressing matters of concerns.

A notice board located in the ground floor lobby will notify residents of revisions to the House Rules, any matters of concern with neighbours, garbage and recycling collection and scheduled maintenance.

All occupants will be given the Owners or Owner's Representative's contact details.

Specifically, the Owners or Owner's Representative's responsibilities include:

- Ensuring that the maximum number of residents residing in the boarding house, including the maximum number of residents permitted to reside in each room is not exceeded.
- Ensuring that there is a record of all residents' details including name, room number, length of stay, bond, tariffs, payments and receipts.
- Supplying residents with a key to their individual room, entrance doors, security gates, accessible drying area and common areas of the building upon signing a lease agreement.
- Supplying the fire brigade with a key to the security entrance door in case of emergency.
- Ensuring residents have read or understood the House Rules prior to signing the lease agreement with particular emphasis on non-smoking, noise, cleanliness and fire evacuation procedures.
- Ensuring that the House Rules, the Owners or Owner's representative's contact phone number and emergency services phone numbers are fixed to the inside face of entry doors to all rooms, including the common living areas.
- Ensuring all residents are familiar with the fire safety procedures including location of fire extinguishers, evacuation procedures and assembly areas.
- Ensuring that all entry doors to rooms have an evacuation plan fixed to the inside face.
- Maintaining a fire safety plan including details such as the location and number of fire extinguishers, smoke alarms, emergency lighting and records of maintenance.



- Ensuring fire safety inspections are undertaken annually.
- Ensuring all fire safety equipment is working on a regular basis.
- Ensuring the premises are kept in a clean and tidy condition including all common areas.
- Ensuring waste and recycling bins are placed on the footpath for collection and returned.
- Ensuring rubbish such as furniture and household items not able to fit within the allocated bins is removed from site by a private contractor at the resident's expense.
- Ensuring all waste and recyclable bins including bin storage areas are kept clean.
- Ensuring noise emanating from the premises does not unreasonably impact upon neighbours.
- Ensuring that good relations are maintained with neighbours.
- Ensuring that the Owners or Owner's Representative's contact details are provided to the residents, owners or body corporate of neighbouring properties and to the Council.
- Ensuring the common open space area is only used between the hours of 7.00am and 10.00pm.
- Maintaining a complaints register and an incident report register.
- Ensuring furniture and fittings are maintained in good working order.
- Ensuring rooms are cleaned prior to releasing to a new resident and that a cleaning service is available to residents.
- Landscape management.

7. WASTE MANAGEMENT

Residents are responsible for removing waste and recycling from their boarding room and depositing it in the appropriate bin within the garbage storage area. Signage will be positioned to ensure the garbage storage area is easily identifiable and that general waste and recycling bins are clearly marked.

The Owners or Owner's Representatives are responsible for moving the bins from the garbage storage area to the kerbside collection point and to move the bins back to the storage area once waste has been collected.

The Owners or Owner's Representatives must move bins before 10pm on the night prior to collection day and return bins to the garbage room as soon as possible and before 2pm on collection day.

Bulky items for disposal must only be moved to the kerbside on determined Council bulk waste collection days, or prior to an agreed date with Council or a private waste collector.

8. RESIDENT ELIGIBILITY REQUIREMENTS

The Affordable Rental Housing SEPP defines affordable housing as:

affordable housing means housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument.

(1) In this Policy, a household is taken to be a very low income household, low income household or moderate income household if the household:

(a) has a gross income that is less than 120 per cent of the median household income for the time being for the Greater Sydney (Greater Capital City Statistical Area) (according to the Australian Bureau of Statistics) and pays no more than 30 per cent of that gross income in rent, or

(b) is eligible to occupy rental accommodation under the National Rental Affordability Scheme and pays no more rent than that which would be charged if the household were to occupy rental accommodation under that scheme.

It is expected that residents will conform to this definition of 'very low income households, low income households or moderate income households'. In addition rental and employment history background checks will be undertaken for all potential residents upon application (as allowable under the Boarding Houses Act 2012).

Each resident will be required to sign a Tenancy Agreement, which complies with the New South Wales Boarding Houses Act 2012. This agreement will be explained in detail to the resident prior to signing to ensure that each resident fully understands their rights and responsibilities under the agreement.

This will include information on ending tenancies in line with the Boarding Houses Act 2012. Following this, the resident will be asked to sign the lease to show that they agree to the terms and conditions contained within the lease. The Owners or Owner's Representative will also sign the lease and a copy will be given to the resident. The Tenancy Agreement, once signed by both parties becomes a legally binding document.

The minimum length of stay is 3 months. However, a range of tenure periods will be offered to prospective residents who meet the eligibility criteria and provide acceptable references. The Owners and Owner's Representatives preference is for 6 month contracts or longer and these will be encouraged. Priority will be given to existing residents seeking to extend their current tenancy, provided they have complied with the House Rules and eligibility requirements.

No more than 1 adult allowed per single room and 2 adults allowed per double room, a total of 19 residents.

Induction Programme

As part of the resident induction programme the Owners or Owner's Representatives will:

- Ensure residents have read and understood the House Rules;
- Ensure residents are aware of preferred lease length and conditions under which a tenancy agreement may be terminated (including a schedule of breaches and timing termination); and
- Ensure residents are aware of their responsibility to maintain a good relationship with adjoining neighbours.

9. HOUSE RULES

A set of House Rules will be enforced. All Residents are required to comply with the House Rules throughout the duration of their stay. Guest behaviour is controlled through the establishment of House Rules.

Any resident failing to observe the rules in any cases of serious misconduct will be dealt with by the Owner or Owner's Representative who may require a resident to leave the premises. Examples of serious misconduct include, but are not limited to drug or alcohol abuse, sexual, racial or religious discrimination or harassment, theft or violence.

The House Rules and emergency contact details will be displayed within each borders room.

A copy of the House Rules is below.

1. Occupation Rate

A maximum of one person may occupy a single room, and a maximum of two people may occupy a double room. Any change in occupancy is to be notified to the Owners or Owner's Representatives.



2. Smoking

Smoking is not permitted in any room or any indoor common areas.

3. Alcohol

The consumption of alcohol must occur in a responsible manner.

There is to be no consumption of alcohol in any common areas including the indoor/outdoor communal living areas without the express permission of the Owners or Owner's Representatives. The Owners or Owner's Representatives reserve the right to terminate a lease agreement if there is alcohol abuse on the premises.

4. Illegal Substances

Illegal substances are not permitted on the premises. Any resident found to be supplying or in possession of illegal substances will have their lease agreement terminated and the matter referred to the police.

5. Noise

At all times residents are to consider the amenity of other residents and neighbours when participating in any activity that generates noise. The Owners or Owner's Representatives will monitor activities that contravene the House Rules and government regulations concerning noise emission. Excessive noise or unruly behaviour will not be tolerated and may result in the termination of the resident's lease agreement.

6. Visitor Policy

No visitors are permitted on the premises after 10pm or before 7am. No keys are to be provided to visitors without the express permission of the Owners or Owner's Representatives.

7. Hours of Use of Areas

To minimise noise disturbance to neighbours and residents the doors to the outdoor communal area will be locked between the hours of 10pm and 7am, seven days a week.

8. Pets

No pets of any kind are permitted on the premises without the written approval of the Owners or Owner's Representatives.

9. Hygiene

Individual rooms, common areas and facilities are to be kept in a clean and hygienic state at all times. Residents are to maintain their rooms in a clean and tidy manner and place their waste in the respective waste and recycling bins.

10. Inspections

Rooms are to be made available for inspection upon notice from the Owners or Owner's Representatives.

11. Theft

The Owners or Owner's Representatives are not responsible for the theft of any belongings from the premises. Please keep your room door locked at all times to prevent theft. Should you have articles stolen on the premises please advise the Owners or Owner's Representative. Incidents of theft will require an incident report to be filled out and the police notified. Residents caught stealing will have their lease agreements terminated.





12. Fire Precautions

No smoking is permitted in rooms.

In the case of fire follow the fire safety procedures as indicated on the fire safety evacuation plan.

Generally this procedure is as follows:

- Alert other residents if you see smoke or flame.
- If possible evacuate the building via the exit stairs.
- Remain at the assembly area until directed otherwise.
- If unable to evacuate the building stay in your room and signal your presence from a window.

13. Unruly Behaviour

Unruly behaviour that is likely to offend or cause nuisance to other residents or neighbours will not be tolerated. The Owners or Owner's Representatives reserve the right to terminate a resident's lease agreement should the resident not comply with the house rules.

10. COMMUNITY LIAISON

In order to engage with stakeholders and continually refine operations of the facility, the Owners or Owner's Representatives will make provisions for regular contact and discussions with a community liaison officer from Inner West Council, NSW Police Local Area Command and neighbours as necessary.

11. COMPLAINTS MANAGEMENT

1. An "Incident" includes:
 - a) any breach of this Plan; or
 - b) any complaint by any person about the operation of the Premises; or
 - c) any event that may cause alarm or concern to residents or persons passing or in the vicinity of the Premises as a result of the conduct or act of any person identifiable as a resident or visitor of the group home at that time.
2. The Owners or Owner's Representative must maintain a "Complaints Book" recording details of any Incident that occurs including the time of the Incident, a detailed description of the Incident and any actions taken by the Owners or Owner's Representatives of the Premises in response to the Incident. All complaints must include the details of the person reporting the incident including a contact phone number so that the Owners or Owner's Representatives may follow up any complaint. The option will be given to a complainant as to whether a complaint is confidential or non-confidential.
3. The Complaints Book must be updated within 24 hours of any Incident. The Owners or Owner's Representative must review and initial and date all entries made in the Complaints Book in his absence whenever he/she is next on the Premises.
4. The Complaints Book must be made available to Council officers or the NSW Police for inspection upon request.
5. Complaints must remain in the Complaints Book for a minimum period of two years from the date of reporting.
6. The Owners or Owner's Representatives contact details are to be clearly displayed to enable local residents to contact the Owners or Owner's Representatives in the event of excessive noise generation.





7. The Owners or Owner's Representative shall be available at all times to deal with any Incident as to the operation and management of the premises. Any such Incident shall be dealt with as soon as possible.
8. If an Incident relates to noise, the Owners or Owner's Representative must:
 - a) take all reasonable steps to stop or reduce the source of the noise to prevent future occurrences; and
 - b) attempt to rectify the situation immediately; and
 - c) contact the individual who reported the Incident to verify that the problem has been addressed.

The Owners or Owner's Representative must review the Complaints Book regularly and where appropriate amend this Plan or any House Rules so as to eliminate the possibility of the Incident recurring or to minimise the impacts of the incident should it recur.

