



DEVELOPMENT ASSESSMENT REPORT

<b>Application No.</b>	0102019000123.1
<b>Address</b>	4 Rosemount Avenue SUMMER HILL NSW 2130
<b>Proposal</b>	Alterations and additions to an existing dwelling
<b>Date of Lodgement</b>	21 August 2019
<b>Applicant</b>	Ms Janet E Angus
<b>Owner</b>	Janet Angus
<b>Number of Submissions</b>	Thirty one (31)
<b>Value of works</b>	\$1,200,000.00
<b>Reason for determination at Planning Panel</b>	Number of submissions exceeds 10
<b>Main Issues</b>	Heritage Conservation Area
<b>Recommendation</b>	Approval with conditions
<b>Attachment A</b>	Recommended conditions of consent
<b>Attachment B</b>	Plans of proposed development
<b>Attachment C</b>	Statement of Heritage Significance



LOCALITY MAP

Subject Site		Objectors		↑ N
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 alterations and additions to an existing dwelling at 4 Rosemount Avenue, Summer Hill.

The main issues that have arisen from the application include:

- Impacts to Heritage Conservation Area
- Extent of submissions and issues raised

The issues raised have been addressed by conditions of consent and therefore the application is recommended for approval.

## 2. Proposal

The proposal seeks consent for alterations and additions to an existing dwelling house. In particular this development application seeks consent for the following works:

- Demolition of the rear wing of the existing dwelling
- Construction of a new pavilion-style addition incorporating a kitchen, dining, living room, laundry and study at ground floor
- Construction of a new master bedroom with en-suite and a study gallery at first floor of the addition
- Construction of a new carport

## 3. Site Description

The subject site is located on the eastern side of Rosemount Avenue, between Rosemount Avenue and Herbert Street. The site consists of one allotment and is generally rectangular shaped with a total area of 774.8 sqm. The land has a frontage to Rosemount Avenue of 18.29 metres and depth of 42.36 metres.

The site supports an existing single storey dwelling. The adjoining properties support similar style single storey dwellings.

The property is located within the Prospect Hall Heritage Conservation Area and is within close proximity to two heritage items listed under the Ashfield LEP 2013 known as:

- 'House, Karoola', No. 45 Henson Street, Summer Hill. SHI Database No.: 1020223.
- 'House, Ohio', No. 51 Henson Street, Summer Hill. SHI Database No.: 1020480

The following trees are located on the site and within the vicinity of the development:

- 2 x *Lophostemon confertus* (Brush Box) - Street Tree
- 1 x *Magnolia soulangiana* (Saucer Magnolia) - Located in the front garden of subject site
- 1 x *Tibouchina lepidota* 'Alstonville' (Tibouchina) – Located on southern boundary of subject site
- 1 x *Lagetroemeria indica* (Indian Summer Crepe Myrtle) - Located on the southern boundary of subject site
- 1 x *Tibouchina lepidota* 'Alstonville' (Tibouchina) - Located behind the existing garage on subject site.



Picture 1 Zoning Map (Site is zoned R2 Low Density Residential)

#### 4. Background

##### 4(a) Application history

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

Date	Discussion / Letter / Additional Information
21/08/2019	Application lodged
22/11/2019	Additional information/amended plans requested were requested. The information requested to be provided included: <ul style="list-style-type: none"> <li>- Amendments to reduce the additions bulk/scale</li> <li>- Additional information outlining the layout the original layout of the dwelling and original roof form, to enable an assessment on the extent of alterations which has already occurred.</li> <li>- Additional research to determine the original detailing and colour of the front façade;</li> <li>- Documentary evidence be provided of the original front fence.</li> <li>- The Statement of Heritage Impact be amended to satisfy the guidelines of the NSW Heritage Office;</li> <li>- Submission of amended plans detailing a revised scheme compliant with the 6m wall height control</li> <li>- Amended plans detailing treatment of window W14 to ensure visual privacy for neighbours and occupants</li> <li>- Amended landscape plan detailing compliance with the required 35% landscaped area</li> <li>- Amended shadow diagrams detailing shadow impacts to neighbouring sites.</li> </ul>
20/12/2019	Amended plans in response to the points raised in Council's

	correspondence sent on the 22/11/2019 were provided.
7/2/2020	An amended heritage impact statement and research into original building layout and roof form was provided.

The amended plans and additional information submitted on 20/12/2019 and 7/2/2020 form the basis of this planning assessment report.

## 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 (Remediation of Land)*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*

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

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

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

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

A BASIX Certificate was submitted with the application indicating that the proposal achieves full compliance with the BASIX requirements. Appropriate conditions are included in the recommendation to ensure the BASIX Certificate commitments are implemented into the development.

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

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

The application seeks the removal of 1 x *Tibouchina lepidota* ‘Alstonville’ (Tibouchina), located behind the existing garage on subject site. The application was referred to Council’s Tree Management Officer whose comments are summarised as follows:

*The tree has average health and condition and shows poor form. No objections are raised to removal and replacement of the tree.*

Overall, the proposal is considered acceptable with regard to the *Vegetation SEPP* and DCP subject to the imposition of conditions, which have been included in the recommendation of this report.

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

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

- Clause 1.2 - Aims of Plan
- Clause 2.3 - Land Use Table and Zone Objectives
- Clause 2.7 - Demolition
- Clause 4.3 - Height of buildings
- Clause 4.4 - Floor space ratio
- Clause 4.5 - Calculation of floor space ratio and site area
- Clause 5.10 - Heritage Conservation

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

The site is zoned R2 - Low Density Residential under the *ALEP 2013*. The *ALEP 2013* defines the development as works to a **dwelling house**, which is permissible as a form of 'Residential accommodation' in the zone.

The development is consistent with the objectives of the R2 zone.

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

Standard	Proposal	non compliance	Complies
<b>Height of Building</b> Maximum permissible: 8.5m	7.1m	N/A	Yes
<b>Floor Space Ratio</b> Maximum permissible: 0.5:1 or 387.4m <sup>2</sup>	0.31:1 or 239m <sup>2</sup>	N/A	Yes

5(b) *Draft Environmental Planning Instruments*

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

- Draft Inner West Local Environmental Plan 2020

Draft Inner West Local Environmental Plan 2020 (the Draft LEP) 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 are not relevant to the assessment of the application. Accordingly, the development is considered acceptable having regard to the provisions of the Draft LEP.

## 5(c) Development Control Plans

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

IWCDCP2016	Compliance
<b>Section 1 – Preliminary</b>	
B – Notification and Advertising	Yes
<b>Section 2 – General Guidelines</b>	
A – Miscellaneous	
1 - Site and Context Analysis	Yes
2 - Good Design	Yes
5 - Landscaping	Yes
8 - Parking	Yes
11 - Fencing	Yes
15 - Stormwater Management	Yes
E1 – Heritage items and Conservation Areas (excluding Haberfield)	
1 – General Controls	No – see discussion
3 – Heritage Conservation Areas (HCAs)	No – see discussion
4 – Building Types and Building Elements within HCAs	Yes
8 - Demolition	Yes
9 – Heritage Conservation Areas, Character Statements and Rankings	Yes
F – Development Category Guidelines	
1 – Dwelling Houses and Dual Occupancy	No – see discussion

The following provides discussion of the relevant issues:

#### Impact to Heritage Conservation Area

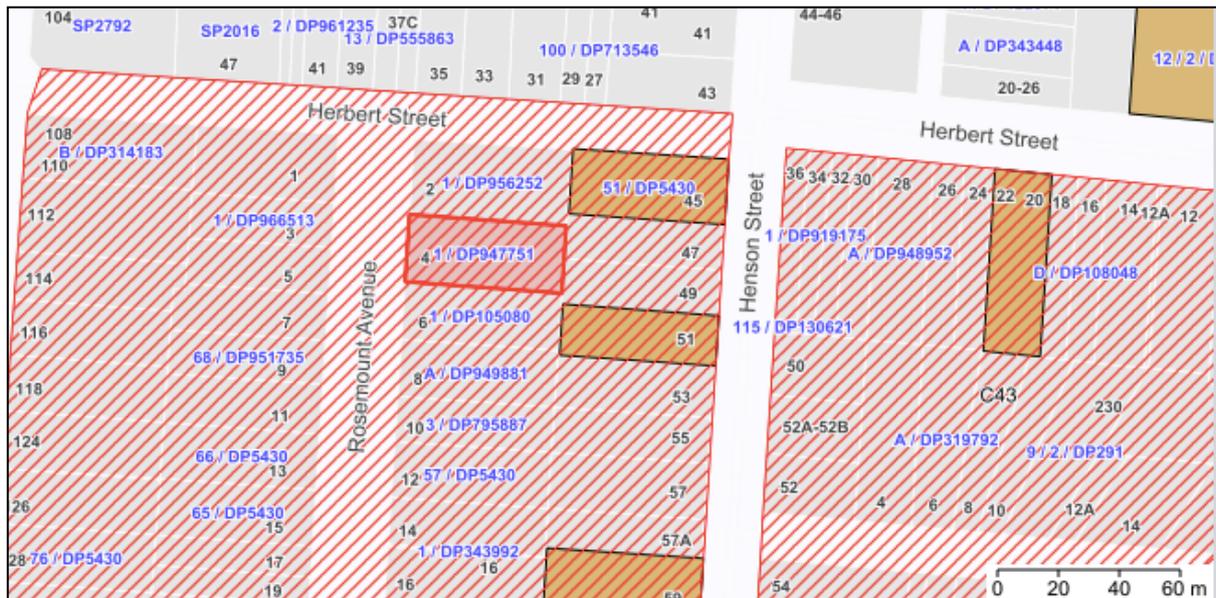
The proposal has been assessed against the provisions of the Inner West Comprehensive Development Control Plan 2016 (IWCDCP 2016) Chapter E1 – Heritage Conservation Areas and Heritage Items. The existing dwelling is ranked as a contributory 1 building within the Prospect Hall Heritage Conservation Area. Contributory 1 buildings are defined as:

*Buildings that clearly reflect a Key period of Significance for the HCA and are key elements of the character of the HCA. Contributory 1 buildings generally have a good level of intactness in their external form and materials with only visible minor changes.*

As seen below within picture 2 the subject site is also within close proximity to two heritage items listed under the Ashfield LEP 2013 known as:

- 'House, Karoola', No. 45 Henson Street, Summer Hill. SHI Database No.: 1020223.
- 'House, Ohio', No. 51 Henson Street, Summer Hill. SHI Database No.: 1020480

As such the proposal has been assessed against the provisions of section 1.8 – Development within proximity to heritage items.



Picture 2 Map of Heritage Conservation Area and Heritage Items with site identified

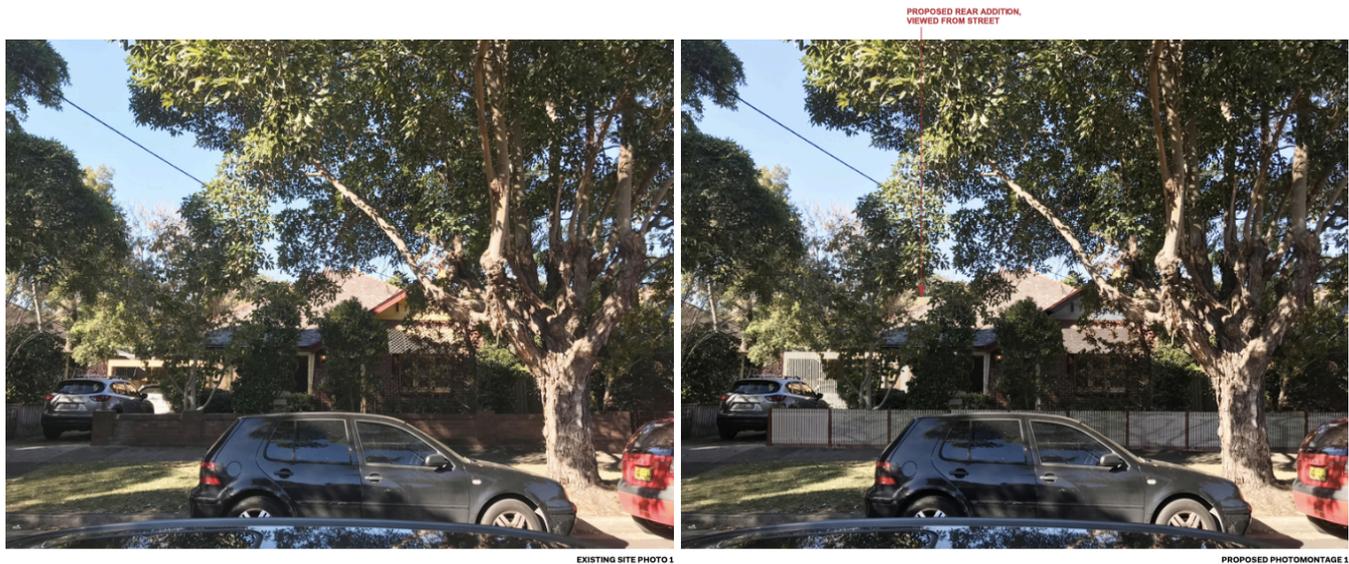
Controls within Chapter E1 – Heritage Conservation Areas and Heritage Items require that development be designed to respond to the setting, setbacks, form, scale and style of nearby heritage items, maintain significant views to and from the heritage items and heritage contributory building, reflect the bulk, mass, scale, orientation and setbacks of surrounding heritage and contributory items as well as the immediate property, respect significant original or characteristic built form, retain significant fabric.

The proposed additions have been appropriately designed to be pavilion style, physically separated from the dwelling and linked via a walkway. This walkway distinguishes between new and old and ensures minimal demolition of significant fabric. The applicant has undertaken extensive research into the original heritage fabrics and outlined that elements proposed to be demolished generally form part of more modern additions or relate to elements which have already been significantly altered. The research and documentation demonstrating such findings has been reviewed by Council’s Heritage Advisor who agreed with the findings and outlined no objection to the amended proposal, subject to suitable conditions of consent regarding the front fence and restoration of the porch. The proposal is considered to meet the controls regarding the retention of significant fabric.

The proposal has been amended throughout the course of assessment and the additions are now 400mm – 540mm lower than that originally proposed. The proposed additions now result in a total height of 7.1m and are setback roughly 18.4m from the front boundary. Analysis of the existing RL of the front garden and proposed finished floor level of the addition has highlighted that the proposed addition finished floor level will be 1.45m lower than the front of the site. The height of the proposed additions, setback from front boundary and the level differences all work to ensure that the bulk/scale of proposed additions are concealed behind the existing dwelling house and will not be readily visible from a viewpoint directly to the dwelling frontage. This is best illustrated by photomontages provided by the applicant, detailed within picture 3 below, which provides a visual representation of the height of the new structure, setbacks and level differences all working together to ensure

that the development will not dominate, compete or result in a form, massing or scale which would detract from the conservation area.

The proposed scale of the addition has also been reviewed by Council’s Heritage Advisor who outlined no objection to scale illustrated in the revised plans. In this instance the applicant has demonstrated that the scale, massing and setbacks of the addition ensure ongoing respect to the conservation area and that the addition will not be readily visible.



Picture 3 Photomontage provided by applicant.

During the course assessment the visibility of the proposed additions when viewed from a position of walking towards and from 4 Rosemount Avenue (over the side boundaries) was considered. This vantage point is best illustrated by picture 4 below.



Picture 4 – Site Photo of dwelling viewed from Rosemount Avenue

Consideration of this vantage point has highlighted that elements of the addition will be visible when traveling along the street approaching 4 Rosemount Avenue. However it is anticipated that the amended design being 400mm – 540mm lower, setback from the front boundary by 18m, stepped down 1.45m and separated from the significant dwelling by 1.75m will each combine to ensure that the proposed addition will not dominate, compete or result in a form, massing or scale which would detract from the conservation area. Instead it is anticipated that these visible elements will appear secondary to the main original dwelling, as is required by Council development controls.

The visibility of the proposed additions when viewed from Henson Street has also been examined. The proposal is setback 15m from the rear boundary of the site and roughly 57m from Henson Street. Visibility of the addition when viewed from Henson Street will be blocked by existing neighbouring dwelling houses addressing Henson Street and the substantial distance between the additions and the public domain. It is expected that the dwelling addition will not be highly visible from Henson Street. The proposed additions will not dominate, conceal or compete with the heritage significant dwellings found along Henson Street and ensures ongoing legibility of the attributes of the conservation area.

The proposed additions incorporate lateral extensions on both the ground and first floor. These lateral extensions extend beyond the setbacks of the existing dwelling house and result in a variation to the controls contained within the DCP. The intention of this control is to ensure development does not compete or dominate heritage significant elements. The visibility and amenity impacts resultant from the proposed lateral extensions has been assessed above and below within this assessment report. This assessment has found that the lateral extensions are acceptable in the circumstances of the case and as such the

proposal is recommended for support.

#### Visual Privacy

The ground floor of the proposed additions have been designed to be situated at existing ground level or below existing ground level and as such ensure that windows located along the side and rear elevations are largely screened by boundary fencing. The proposed ground floor addition is not anticipated to result in a loss of privacy for neighbouring sites or future occupants.

A review of the proposed first floor windows has been undertaken as part of this assessment, the outcome of this assessment is as follows:

- Windows W15, W16, W17 and W18 each relate to a first floor void space. The proposed void results in trafficable floor space being setback 5.4m from window glazing, this setback combined with a 15m rear boundary setback ensures minimal opportunities for overlooking into neighbouring private open space (POS). Windows W15 – W18 therefore will not result in privacy impacts and are recommended for approval.
- Window W19 relates to the proposed first floor gallery and study. This window is set back 3.4m from the side boundary and incorporates a sliding privacy screen. The proposed gallery/study is small area of the first floor addition, located away from highly trafficable transition areas such as stairs. The amount of floor space available to this locality, relationship to the master bedroom and proposed use all combine to ensure that the space will not become highly trafficked or a space of primary entertainment. The combination of a 3.4m side boundary setback and movable privacy screen ensures sufficient protection for neighbouring POS and amenity. Window W19 is recommended for approval.
- Window W14 and W24 located upon the first floor relate to the proposed master bedroom. These windows have been amended since initial lodgement following privacy concerns raised by Council. These windows now incorporate movable privacy screens. These windows relate to the master bedroom and are which is not highly trafficable and will not become a primary entertainment area. The windows are recessed behind a 300mm hood overhang. The proposed master bedroom is setback 15m from the rear boundary and 3.7m from the side boundary. The use of the space as a master bedroom means that it will be a low trafficable area. The combination of privacy screens, setbacks and proposed use ensure that privacy impacts will be minimal and in-line with that of a single dwelling house. The size and scale of the proposed windows is appropriate to ensure privacy and amenity for occupants. Windows W14 and W24 are recommended for approval.
- Window W23 relates to the proposed first floor en-suite associated with the master bedroom. This window incorporates a privacy screen and is located so that it looks over the roof of the neighbouring 2 Rosemount Avenue. The room to which this window relates (an en-suite) results in the occupants seeking a level of privacy, which will be granted through the installation of the privacy screen.

Overall visual privacy impacts resulting from the proposed development are expected to be minimal and in-line with that of a single dwelling house. The proposal incorporates additional side boundary setbacks and privacy screens for the first floor addition in an attempt to minimise opportunities for overlooking which assists to minimise impacts. The proposal is recommended for approval.

#### Solar Access

The proposal results in a variation to clause DS 13.1 which requires solar access to be maintained to at least 40% of any north-facing primary living areas for a period of at least 3 hours. The intention of this control is to ensure that development provides a desirable sunlight to main living areas.

In this instance the orientation of the lots resulting from the original subdivision pattern means that impacts of over shadowing to the neighbouring southern property at No. 6 Rosemount Avenue are unavoidable. Analysis of the provided shadow diagrams highlights that No. 6 currently does not currently comply with this control and that the proposed additions result in a negligible increase to the existing non-compliance.

The proposal is generally compliant with Council controls, being compliant with height, FSR and setbacks. The proposal maintains a compliant rate of solar access to the POS of 6 Rosemount Avenue. The orientation of the lots is such that in order to retain existing levels of solar access to north facing windows a ban on any first floor additions would need to be imposed. Such an outcome is considered to be unreasonable and inconsistent with current planning controls.

In this instance strict compliance with the control DS 13.1 is considered to be unnecessary and the current proposal is recommended for support.

#### Wall Height

The current proposal seeks consent for a 400mm variation to clause DS3.4 of Chapter F within the Inner West Comprehensive Development Control Plan 2016. This control outlines that developments are to have a maximum 6m wall height, as measured from the existing ground. The intention of the control is to ensure that development is in keeping with the scale prevailing in the street and the desired future character of the area. The proposed 400mm wall height variation relates to a portion of the northern and southern elevations of the proposed addition.

A review of the proposed design highlights that the 400mm wall height variation relates to a small portion of the proposed first floor additions towards the rear of the site along the northern and southern elevations. The proposal has been designed to not present a continuous wall to a height of 6.4m, but has instead incorporates increased setbacks for the first floor elements of the addition to break up the visual bulk of the structure. The proposed ground floor addition is setback 1.5m from the northern boundary and 980mm from the southern boundary, while the first floor addition is setback 3.7m from the northern boundary and 3.4m from the southern boundary.

The proposed variation to wall height is largely resultant from the existing slope of the site. Elements of the proposed addition which result in the variation extend for a length of roughly 3.5m along north and south elevations and at the greatest point exceed the 6m wall height control by 400mm. Such a variation is considered to be minor and does not result in any additional environmental impacts for neighbouring sites. Council has reviewed the provided shadow diagrams and determined that in this instance the proposed variation to wall height results in minor increases to shadow impacts for neighbouring sites and that strict compliance is unlikely to substantially improve solar access.

The proposed increased setbacks between ground floor and first floor walls ensures that impacts of bulk and scale are minimal. The minor nature of the variation ensures that it will not be readily registerable from neighbouring sites, while the location of the variation is such that it will not be visible from the public domain. Acceptance of the variation will not impact the future character of the area and will not impact the amenity of neighbouring sites. The proposed variation is therefore recommended for approval.

#### Setbacks

The development seeks consent for a nil side boundary setback along the northern elevation of the site. This nil side boundary setback relates to an existing garage wall and proposed carport. The proposed nil boundary setback is a variation from clause DS4.3 which requires development to have a minimum side boundary setback of 900mm for houses and 450mm for out buildings. The intention of this control is to ensure that development is consistent with the prevailing street, reduce bulk and scale, provide visual and acoustic privacy and provide adequate solar access.

The proposal seeks consent to demolish an existing garage, but retain the northern wall associated with the garage. This wall is an existing structure which does not result in an unreasonable bulk or scale given its single storey nature. Retention of the wall assists to ensure visual and acoustic privacy for neighbours to the north and only overshadows the subject site which is located directly south of the wall. Council raises no objection to the retention of this wall, subject to a condition requiring the structural stability of the wall to be certified by an appropriately qualified person.

The proposed demolition and replacement of the existing carport with a new carport has also been reviewed and is considered acceptable. The new carport is situated on the same street setback as the current structure and presents a built form and scale which is consistent with other structures along Rosemount Avenue. The proposed carport does not result in increased shadow impacts for the neighbouring 2 Rosemount Avenue and will not result in a loss of visual or acoustic privacy. The height of the proposed structure is in line with that of a carport and will not result in unreasonable bulk/scale.

#### Rear Boundary Setback

The proposed rear boundary setback for both the first floor and ground floor has been reviewed and is determined to be acceptable/recommended for support. The proposed ground floor setback generally aligns with that existing at 2 Rosemount Avenue and represents a built form permissible under current planning controls. The proposed ground floor has been designed to be cut into the existing ground level and ensures minimal impacts

of bulk/scale for neighbours. The proposed setback also provides sufficient opportunities for private open space, landscaping and vegetation. The setback does not result in environmental impacts for neighbours and is recommended for support.

The proposed first floor represents a new built form within the immediate locality and as such must be assessed on merit. The proposed first floor addition is to be setback roughly 15m from the rear boundary of the site and aligns to finish roughly in line with the pitched roof of 2 Rosemount Avenue. The applicant has demonstrated through amended plans that such a setback will not result in unreasonable loss of solar access, visual privacy impacts or bulk and dominance. The proposed first floor addition ensures that the private open spaces and subsequent visual outlook of neighbouring sites remain unobstructed by built form and presents a reasonable rear boundary setback permissible under current planning controls.

#### 5(d) The Likely Impacts

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

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

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

#### 5(f) Any submissions

The application was notified in accordance with Inner West Comprehensive Development Control Plan (DCP) 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill for a period of 14 days to surrounding properties. As a result of this notification 31 submissions were received.

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

- Impact to heritage conservation area/detracting from conservation area/dominating heritage significant dwelling – see section 5(c)
- Privacy implications– see section 5(c)
- Wall Height – see section 5(c)

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

Issue: Overdevelopment of the site

Comment: The proposal is compliant with Council's controls for height, FSR and setbacks. The development is considered to reflect a permissible built form under current planning controls.

Issue: Set a precedent for other sites

Comment: The proposal has been assessed against the merits of the site and requirements of current planning controls. The applicant has demonstrated that the addition will result in minimal impact to the heritage conservation area and as such the proposal is recommended for approval. Every development application is assessed on merit, approval of one does not create a precedent for other approvals. Any new development application must demonstrate compliance with current planning controls and minimal impact to the heritage conservation area.

Issue: Bulk/scale

Comment: The development is essentially compliant with built form controls. Variations to development controls have been assessed above, however the proposed setbacks are considered to be sufficient to ensure minimal impacts of bulk/scale for neighbouring sites.

Issue: Loss of outlook

Comment: The development is setback a minimum of 15m from the rear boundary of the site and is generally in-line with the rear building line of neighbouring sites. The proposal is not anticipated to result in a loss of visual outlook for neighbouring sites and is instead expected generally retain existing visual outlook corridors.

Issue: Stormwater Drainage/ Overland flow path

Comment: The proposed stormwater and drainage design has been reviewed by Council's development engineers, who outlined no objection to the proposal subject to suitable conditions of consent. These conditions have been incorporated into the consent and include requirements for stormwater/ drainage upgrades in accordance with the relevant Australian Standards.

Issue: Impact to property value

Comment: Impact to property values is not a matter of consideration under the Environmental Planning and Assessment Act 1979. Council cannot consider property value in the assessment of development applications.

Issue: Insufficient landscaping for the planting of trees

Comment: The proposal has been amended and is now compliant with the requirements of the DCP and rate of landscaped area. The proposal incorporates sufficient space on-site for the planting of new trees/ replacement trees. Appropriate conditions regarding tree planting are recommended for the consent.

Issue: Materials and Finishes

Comment: Appropriate conditions regarding the material finishes is recommended for the consent. This condition is recommended by Council's Heritage Advisor and ensures compliance with the heritage conservation area.

### 5(g) The Public Interest

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

The proposal is not contrary to the public interest.

## 6 Referrals

### 6(a) Internal

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

- Heritage – The proposal has been reviewed by Council’s Heritage Advisor, who initially expressed concern over the size and scale of the additions, the visibility from the street and the extent of heritage fabric to be removed.

These concerns were resolved through the submission of amended plans and an additional heritage impact statement. Council’s Heritage Advisor has reviewed this information and outlined no objection to the amended scheme subject to suitable conditions of consent.

- Engineers – The proposal has been reviewed by Council’s Development Engineers who outlined no objection to the proposal, subject to conditions of consent. These conditions are recommended for the consent and regard matters such as drainage, parking and structural stability.
- Trees - The proposal has been reviewed by Council’s Arborists who outlined no objection to the proposal, subject to conditions of consent. These conditions are recommended for the consent and regard matters such as tree protection, tree pruning and tree replacement.

### 6(b) External

No external referrals required.

## 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 \$12,000.00 would be required for the development under Ashfield Section 94/94A 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 *Ashfield Local Environmental Plan 2013* and Inner West Comprehensive Development Control Plan (DCP) 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill.

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

The application is considered suitable for the issue of a consent subject to the imposition of appropriate terms and conditions.

## 9. Recommendation

- B. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, grant consent to Development Application No. 0102019000123.1 for alterations and additions to an existing dwelling at 4 Rosemount Avenue SUMMER HILL NSW 2130 subject to the conditions listed in Attachment A below.

## Attachment A – Recommended conditions of consent

### CONDITIONS OF CONSENT

#### FEES

##### **1. Section 7.12 (formerly section 94A) Development Contribution Payments**

Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that a monetary contribution to the Inner West Council has been paid, towards the provision of infrastructure, required to address increased demand for local services generated by additional development within the Local Government Area (LGA). This condition is imposed in accordance with Section 7.12 of the *Environmental Planning and Assessment Act 1979* and in accordance with *Ashfield Section 94A Development Contributions Plan 2009 – Amendment No.3*.

Note:

Copies of these contribution plans can be inspected at any of the Inner West Council Service Centres or viewed online at <https://www.innerwest.nsw.gov.au/develop/planning-controls/section-94-contributions>

Payment amount\*:

\$12,000.00

\*Indexing of the Section 7.12 contribution payment:

##### ***Former Ashfield LGA & Former Marrickville LGA:***

The contribution amount to be paid to the Council is to be adjusted at the time of the actual payment in accordance with the provisions of the relevant contributions plan. In this regard, you are recommended to make contact with Inner West Council *prior to arranging your payment method* to confirm the correct current payment amount (at the expected time of payment).

Payment methods:

The required contribution must be paid either in cash; by unendorsed bank cheque (from an Australian Bank only); via EFTPOS (Debit only); or credit card (to a maximum of \$10,000 - Note: A 1% credit card transaction fee applies to all credit card transactions). It should be noted that personal cheques or bank guarantees cannot be accepted for the payment of these contributions. **The contribution must be paid either in cash, by unendorsed bank cheque (from an Australian Bank only), via EFTPOS (Debit only) or credit card\*.** Prior to payment contact Council's Planning Team to review charges to current indexed quarter, please allow a minimum of 2 business days for the invoice to be issued before payment can be accepted.

**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 - Custom**

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

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

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

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

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

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

The amount nominated is only current for the financial year in which the consent was issued and is revised each financial year. The amount payable must be consistent with Council's Fees and Charges in force at the date of payment.

**GENERAL CONDITIONS**

#### **4. As Built Drawings**

Prior to the issue of an occupation certificate the following is to be provided to the principle certifying authority:

##### **As built drawings**

As built drawings are to be prepared and document any salvaged joinery installed, paint scrape locations and findings and any other existing configurations that have informed the design and façade reinstatement, including photographs of the paint scrapes. In addition the source of any slate is to be documented to allow future repairs to utilise a similar stone.

#### **5. Heritage - Penetrations**

No penetrations for services through original brickwork are to be undertaken. Existing air vents are not to be reduced in size by pipework. The route of any new service lines are to be carefully worked out on site to minimise impact on significant internal fabric such as timber joinery or fibrous plaster ceilings.

#### **6. Heritage - Brickwork**

Face brickwork is not to be sealed or painted. Repairs to external brickwork are to be undertaken using the same type and strength of mortar as the existing. Hard cement mortar is not to be utilised.

#### **7. Heritage - Modern Paint Finishes**

Modern paint films are not to be employed on any building element dating from prior to 1930. Modern paint films trap moisture and salts and are prone to blistering and failure when applied to traditional building materials. Finishes such as lime wash or mineral paint that are designed to be breathable are to be utilised.

#### **8. Heritage - Tilework to the verandah**

The existing tilework to the verandah is to be retained. Any replacement tiles are to be of the vitrified porcelain tessellated tilework type traditionally used in Federation era houses laid in a geometric pattern with a border. Patterned or stamped square concrete tiles with geometric patterns are not to be used as a substitute.

**9. Heritage - Front Fence and Path**

The front fence is to be entirely constructed of timber, including timber newel posts not sandstone. The vertical timbers are to be of a similar width as the surviving verticals to the verandah and there is a top rail. Refer to the Urban Examples given in the National Trust Technical Bulletin 8.1 Fences and Gates p75 (St Louis and Kaiba,c 1905).

A typical Federation era front path should be reinstated, either a red oxide tinted path or tessellated geometric tiles with a majority of brick or terracotta coloured tiles.

Further investigation on site may reveal an earlier surface beneath the current garden path, most likely either a red oxide topping to a concrete slab or the same tessellated tiles as the verandah. This detail should be reinstated if the physical evidence survives.

**10. Heritage - Colour Scheme**

Paint scrapes are to be undertaken to the surviving façade elements to determine the original joinery colours. This colour range is to inform the final colour scheme for the front façade, with additional colours selected based on the range of available colours (primarily earth tones) of the Federation era. Modern paint colours including medium and dark greys and black are not to be employed on original or reconstructed joinery elements visible in the streetscape.

**11. Documents related to the consent**

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

<b>Plan, Revision and Issue No.</b>	<b>Plan Name</b>	<b>Date Issued</b>	<b>Prepared by</b>
01-01 Rev C	Existing Plans / Demolition	12/8/2019	Cater Williams
10-00 Rev E	Site Analysis/ Roof	3/12/2019	Cater Williams
10-01 Rev D	Landscape Concept Plan	3/12/2019	Cater Williams
10-10 Rev E	Ground	3/12/2019	Cater Williams
10-11 Rev D	Level 1	3/12/2019	Cater Williams
11-02 Rev E	East and West Elevations	22/11/2019	Cater Williams

11-03 Rev C	North and South Elevations	22/11/2019	Cater Williams
12-01 Rev C	Sections	12/8/2019	Cater Williams

As amended by the conditions of consent.

**12.Noise Levels and Enclosure of Pool/spa Pumping Units**

Noise levels associated with the operation of the pool/spa pumping units must not exceed the background noise level (L90) by more than 5dBA above the ambient background within habitable rooms of adjoining properties. Pool plant and equipment must be enclosed in a sound absorbing enclosure or installed within a building so as not to create an offensive noise as defined under the *Protection of the Environment Operations Act 1997* and *Protection of the Environment Operations (Noise Control) Regulation 2008*.

Domestic pool pumps and filters must not be audible in nearby dwellings between 8:00pm to 7:00am Monday to Saturday and 8:00pm to 8:00am Sundays and Public Holidays.

**13.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.

**14.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.

**15.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.

**16.Works Outside the Property Boundary**

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

**17. Boundary Alignment Levels**

Alignment levels for the site at all pedestrian and vehicular access locations must match the existing back of footpath levels at the boundary.

**18. Tree Protection**

No trees on public property (footpaths, roads, reserves etc.) are to be removed or damaged during works.

Prescribed trees protected by Council's Management Controls on the subject property and/or any vegetation on surrounding properties must not be damaged or removed during works unless specific approval has been provided under this consent.

Any public tree within five (5) metres of the development must be protected in accordance with Council's *Development Fact Sheet—Trees on Development Sites*.

No activities, storage or disposal of materials taking place beneath the canopy of any tree (including trees on neighbouring sites) protected under Council's Tree Management Controls at any time.

The trees identified below are to be retained and protected in accordance with the conditions of consent or approved Tree Protection Plan throughout the development (note: tree numbers must correspond with approved Tree Protection Plan if conditioned) :

Tree/location
2 x <i>Lophostemon confertus</i> (Brush Box) street trees
1 x <i>Magnolia soulangiana</i> (Saucer Magnolia) front
1 x <i>Tibouchina lepidota</i> 'Alstonville' (Tibouchina) southern boundary
1 x <i>Lagetroemeria indica</i> (Indian Summer Crepe Myrtle) southern boundary

Details of the trees must be included on all Construction Certificate plans and shall be annotated in the following way:

- a. Green for trees to be retained;
- b. Red for trees to be removed;
- c. Blue for trees to be pruned; and
- d. Yellow for trees to be transplanted.

**19. Works to Trees**

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

Tree/location	Approved works
<i>Tibouchina lepidota</i> 'Alstonville' (Tibouchina) behind existing garage	Remove

<i>Duranta repens</i> 'Sheena's Gold' (Golden Duranta) side, southern boundary	Remove
--	--------

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

**PRIOR TO ANY DEMOLITION**

**20. 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.

**21. 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.

**22. Hoardings**

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

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

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

**PRIOR TO CONSTRUCTION CERTIFICATE**

**23. 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.

**24. 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 13 20 92*

**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**

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. Comply with Council's Stormwater Drainage Code and Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3-2018 'Stormwater Drainage' and Council's DCP.
- b. Stormwater runoff from all roof and paved areas within the property shall be collected in a system of gutters, pits and pipelines and discharged by gravity to the kerb and gutter of a public road.
- c. *Roof and paved areas at the rear of the property that cannot reasonably be drained by gravity to the street may be drained to an on-site dispersal system such as an absorption system. Any on-site dispersal system must comply with the following:*
  1. Roof areas must drain via a suitably sized rainwater tank.
  2. The system must be designed not to cause nuisance or concentration of flows to other properties.
  3. The feasibility and design of the on-site dispersal system must be certified by a suitably qualified and experienced practising Civil and/or Geotechnical Engineer.
- d. All plumbing within the site shall be carried out in accordance with Australian Standard AS/NZS 3500.3-2015 Plumbing and Drainage – Stormwater Drainage
- e. The stormwater system shall not be influenced by backwater effects or hydraulically controlled by the receiving system.

- f. Plans shall specify that any components of the existing system to be retained shall be certified during construction to be in good condition and of adequate capacity to convey the additional runoff generated by the development and be replaced or upgraded if required.
- g. Charged or pump-out stormwater drainage systems are not permitted.

**27. Tree Protection Plan**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a detailed site-specific Tree Protection Plan (TPP) prepared by a AQF5 Consultant Arborist. The TPP is to be prepared in accordance with Council's *Development Fact Sheet—Trees on Development Sites*.

The TPP must certify the following:

- a) that no proposed underground services (i.e. water, sewerage, drainage, gas or other service) unless previously approved by conditions of consent, are located beneath the canopy of any tree protected under State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017, located on the subject allotment and adjoining allotments.
- b) That no mechanical excavation will be undertaken within the specified radius of the trunk(s) of the following tree(s) until root pruning by hand along the perimeter line of such works is completed:

Schedule	
Tree/location	Radius in metres
1 x <i>Tibouchina lepidota</i> 'Alstonville' (Tibouchina) southern boundary	4 metres
1 x <i>Lagetroemia indica</i> (Indian Summer Crepe Myrtle) southern boundary	4 metres

The tree protection measures contained in the TPP must be shown clearly on the Construction Certificate drawings, including the Construction Management Plan.

The Certifying Authority must ensure the construction plans and specifications submitted fully satisfy the tree protection requirements identified in the TPP.

A Project Arborist is to be appointed prior to any works commencing to monitor tree protection for the duration of works in accordance with the requirements identified in the TPP.

All tree protection measures as detailed in the approved Tree Protection Plan must be installed and certified in writing as fit for purpose by the Project Arborist.

**28. Landscape Plan**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with an amended landscape plan certified, demonstrating compliance with the following:

- a) Location of all proposed and existing planting delineating existing trees to be retained, removed or transplanted.
- b) The location of two replacement canopy trees, each capable of achieving a mature height of at least six (6) metres.
- c) Details of drainage and watering systems.

**DURING DEMOLITION AND CONSTRUCTION**

**29. Construction Hours – Class 1 and 10**

Unless otherwise approved by Council, excavation, demolition, construction or subdivision work are only permitted between the hours of 7:00am to 5:00pm, Mondays to Saturdays (inclusive) with no works permitted on, Sundays or Public Holidays.

**30. 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.

**31. Tree Protection Zone**

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

<b>Tree/Location</b>
2 x <i>Lophostemon confertus</i> (Brush Box) street trees
1 x <i>Magnolia soulangiana</i> (Saucer Magnolia) front
1 x <i>Tibouchina lepidota</i> 'Alstonville' (Tibouchina) southern boundary
1 x <i>Lagetroemeria indica</i> (Indian Summer Crepe Myrtle) southern boundary
1 x <i>Acer negundo</i> (Box Elder) 2 Rosemount Avenue, branch protect.

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

**32. Limited Root Pruning**

No tree roots of 30mm or greater in diameter located within the specified radius of the trunk(s) of the following, tree(s) shall be severed or injured in the process of any works during the construction period.

Schedule	
Tree/location	Radius in metres
1 x <i>Acer negundo</i> (Box Elder) 2 Rosemount Avenue	5 metres

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

**PRIOR TO OCCUPATION CERTIFICATE**

**33. No Encroachments**

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

**34. Protect Sandstone Kerb**

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

**35. Certification of Tree Planting**

Prior to the issue of any Occupation Certificate, the Principal Certifier is to be provided with evidence certified by a person holding a minimum qualification of AQF3 Certificate of Horticulture or Arboriculture that:

A minimum of 2 x 75 litre size additional trees, which will attain a minimum mature height of 6 metres, have been planted in suitable locations within the property at a minimum of 1.5m from any boundary or structure. The trees are to conform to AS2303—*Tree stock for landscape use*.

If the replacement trees are found to be faulty, damaged, dying or dead within twelve (12) months of planting then they must be replaced with the same species (up to 3 occurrences). If the trees are found dead before they reach a height where they are protected by Council's Tree Management Controls, they must be replaced with the same species.

**36. Project Arborist Certification**

Prior to the issue of any Occupation Certificate, the Principal Certifier is to be provided with certification from the project arborist the requirements of the conditions of consent

related to the landscape plan and the role of the project arborist have been complied with.

### **ON-GOING**

#### **37. Maintenance of tree plantings**

The tree/s planted as part of this consent is/are to be maintained in a healthy and vigorous condition for 12 months from the issue of an Occupation Certificate. If any of the tree/s is/are found faulty, damaged, dying or dead within 12 months of the issue of an Occupation Certificate it/they must be replaced with the same species within one (1) month (up to 3 occurrences).

### **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; or
- g. Development Application for subdivision if consent for subdivision is not granted by this consent.

**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.

**Swimming Pools**

Applicants are advised of the following requirements under the *Swimming Pools Act 1992*:

- a. The owner of the premises is required to register the swimming pool on the NSW State Government's Swimming Pool Register. Evidence of registration should be provided to the Certifying Authority.
- b. Access to the pool/spa is restricted by a child resistant barrier in accordance with the regulations prescribed in the. The pool must not be filled with water or be allowed to collect stormwater until the child resistant barrier is installed. The barrier is to conform to the requirements of Australian Standard AS 1926:2012.
- c. A high level overflow pipe has been provided from the back of the skimmer box to the filter backwash line discharging to the sewer. This line must not directly vent the receiving Sydney Water sewer. Evidence from the installer, indicating compliance with this condition must be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.
- d. Permanently fixed water depth markers are to be clearly and prominently displayed on the internal surface above the water line at the deep and shallow ends on in-ground pools / spas and on the outside of aboveground pools / spas.

- e. A durable cardiopulmonary resuscitation information poster sign authorised by the Life Saving Association is to be displayed in the pool / spa area in accordance with Clause 10 of the *Swimming Pool Regulation 2008*.
- f. Access to the swimming pool/spa must be restricted by fencing or other measures as required by the *Swimming Pools Act 1992* at all times.

All drainage, including any overland waters associated with the pool/spa, must be pipe-drained via the filter to the nearest sewer system in accordance with the requirements of Council & Sydney Water. No drainage, including overflow from the pool or spa must enter Council's stormwater system.

#### **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; and
- 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.

### Construction of Vehicular Crossing

The vehicular crossing and/or footpath works are required to be constructed by your own contractor. You or your contractor must complete an application for *Construction of a Vehicular Crossing & Civil Works* form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, prior to commencement of works.

### 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.

### 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 <a href="http://www.basix.nsw.gov.au">www.basix.nsw.gov.au</a>
Department of Fair Trading	13 32 20 <a href="http://www.fairtrading.nsw.gov.au">www.fairtrading.nsw.gov.au</a> Enquiries relating to Owner Builder Permits and Home Warranty Insurance.
Dial Prior to You Dig	1100 <a href="http://www.dialprior toyoudig.com.au">www.dialprior toyoudig.com.au</a>
Landcom	9841 8660 To purchase copies of Volume One of "Soils and Construction"
Long Service Payments Corporation	131441 <a href="http://www.lspc.nsw.gov.au">www.lspc.nsw.gov.au</a>
NSW Food Authority	1300 552 406

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

### Street Numbering

If any new street numbers or change to street numbers (this includes unit and shop numbers) are required, a separate application must be lodged with and approved by Council's GIS Team before being displayed.

### 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:

- 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;
- A concrete pump across the roadway/footpath;
- Mobile crane or any standing plant;
- Skip Bins;
- 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; and
- 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.

#### **Consent of Adjoining property owners**

This consent does not authorise the applicant, or the contractor engaged to do the tree works to enter a neighbouring property. Where access to adjacent land is required to carry out approved tree works, Council advises that the owner's consent must be sought. Notification is the responsibility of the person acting on the consent. Should the tree owner/s refuse access to their land, the person acting on the consent must meet the requirements of the *Access To Neighbouring Lands Act 2000* to seek access.

#### **Arborists standards**

All tree work must be undertaken by a practicing Arborist. The work must be undertaken in accordance with AS4373—*Pruning of amenity trees* and the Safe Work Australia Code of Practice—*Guide to Managing Risks of Tree Trimming and Removal Work*. Any works in the vicinity of the Low Voltage Overhead Network (including service lines—pole to house connections) must be undertaken by an approved Network Service Provider contractor for the management of vegetation conflicting with such services. Contact the relevant Network Service Provider for further advice in this regard.

#### **Tree Protection Works**

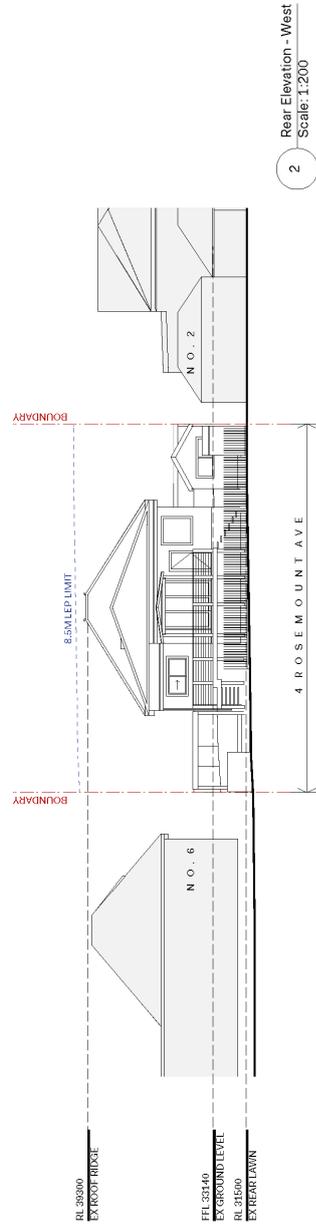
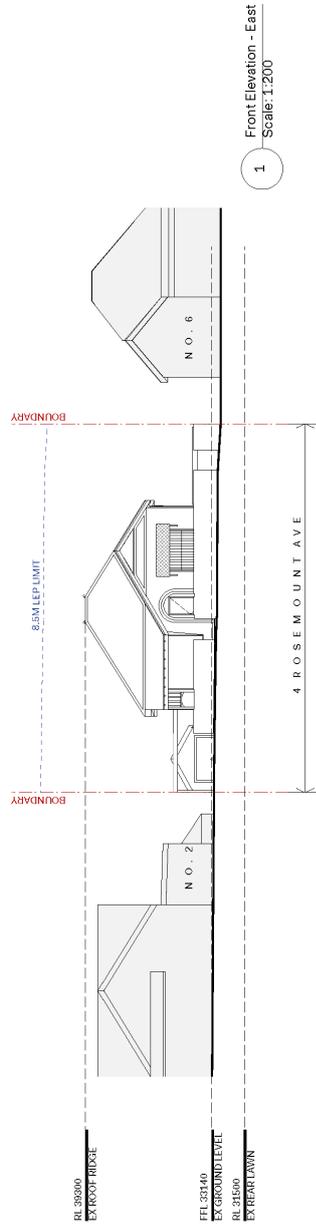
All tree protection for the site must be undertaken in accordance with Council's *Development Fact Sheet—Trees on Development Sites* and AS4970—*Protection of trees on development sites*.

**Tree Pruning or Removal (including root pruning/mapping)**

Removal or pruning of any other tree (that would require consent of Council) on the site is not approved and must be retained and protected in accordance with Council's *Development Fact Sheet—Arborist Reports*.

**REASONS FOR REFUSAL**





Existing Elevations: East and West	
Date:	A 21/5/19
	B 15/7/19
	C 12/8/19
	<b>02-01 C</b>

**Revision Note:**  
Draft for Review  
Revised Draft for Consultants  
DA Submission

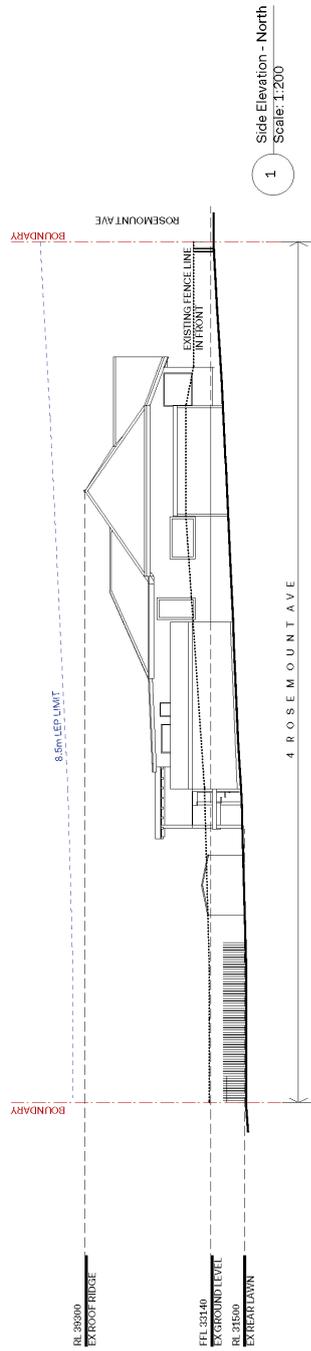
**Development Application:**  
Reference: 18252  
Clients: Paul and Janet Angus  
Address: 40 Rosemount Ave,  
Summer Hill

Description: Lot 1 DP947751  
Drawn: TU  
Checked: SC  
Scale: 2:00  
Paper: A3

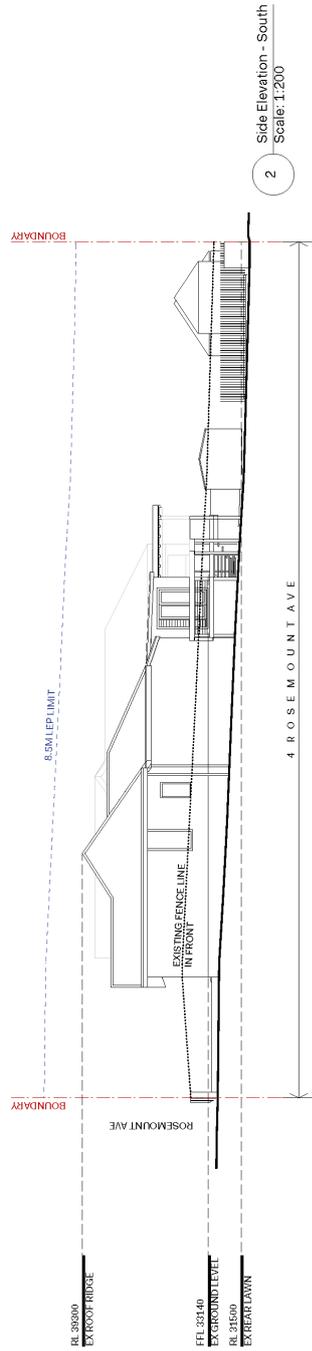
**Note:**  
Preliminary, not for construction  
The drawing is copyright  
and may not be reproduced  
without the written consent of Carter  
Williamson Architects.  
This drawing is for DA purposes only.

**Contact:**  
102 Smith Street  
Summer Hill NSW 2130  
02 9399 4472  
carterwilliamson.com  
Newmarket Architec.  
Shawn Carter 7860

**CARTER  
WILLIAMSON**



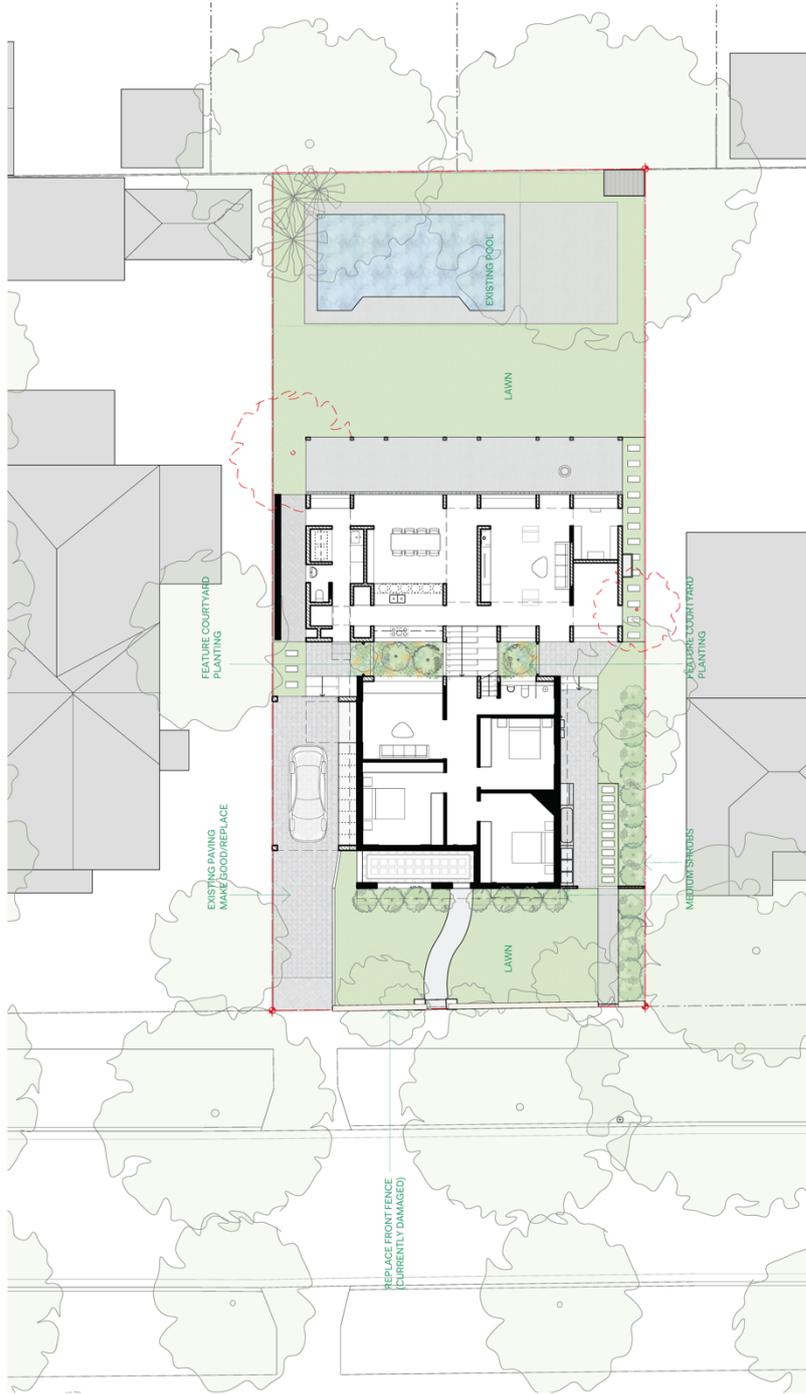
1 Side Elevation - North  
Scale: 1:200



2 Side Elevation - South  
Scale: 1:200

<b>Contact</b> 102 South Street Summer Hill NSW 2130 02 9399 4472 info@williamson.com Williamson Architects Shawn Carter 7860	<b>Note</b> Preliminary, not for construction The drawing is copyright and may not be reproduced without the written consent of Williamson Architects. The drawing is for DA purposes only.	<b>Development Application</b> Reference: 18252 Clients: Paul and Janet Angus Address: 40 Rosemount Ave, Summer Hill	Description: Lot 1 DP947751 Drawn: TU Checked: SC Scale: 2:00 Paper: A3	<b>Revision Note</b> Revised Draft for Consultants DA Submission	<b>Date</b> A 15/7/19 B 12/8/19	<b>Existing Elevations North and South</b>  02-02 B





1 Landscape Concept Plan  
Scale: 1:200

PRELIMINARY PLANTING SCHEDULE



Westringia Fulcosa - Native Rosemary	Grevillea Sericea - Silky Grevillea	Coyumbia ficifolia - Dwarf Orange Gum	Pandorea Pandorana - Wonga Vine	Licuala Remyasi - Australian Fan Fern	Crinum Pedunculatum - Swamp Lily	Passiflora Edulis - Passionfruit Vine
---	--	--	------------------------------------	--	-------------------------------------	--

10-01 D  
Landscape Concept Plan

<b>Date:</b>	A 21/6/19
B 15/7/19	
C 12/9/19	
D 31/2/19	

**Revision Note:**  
Draft for Review  
Revised Draft for Consultants  
DA Submission  
Further Information

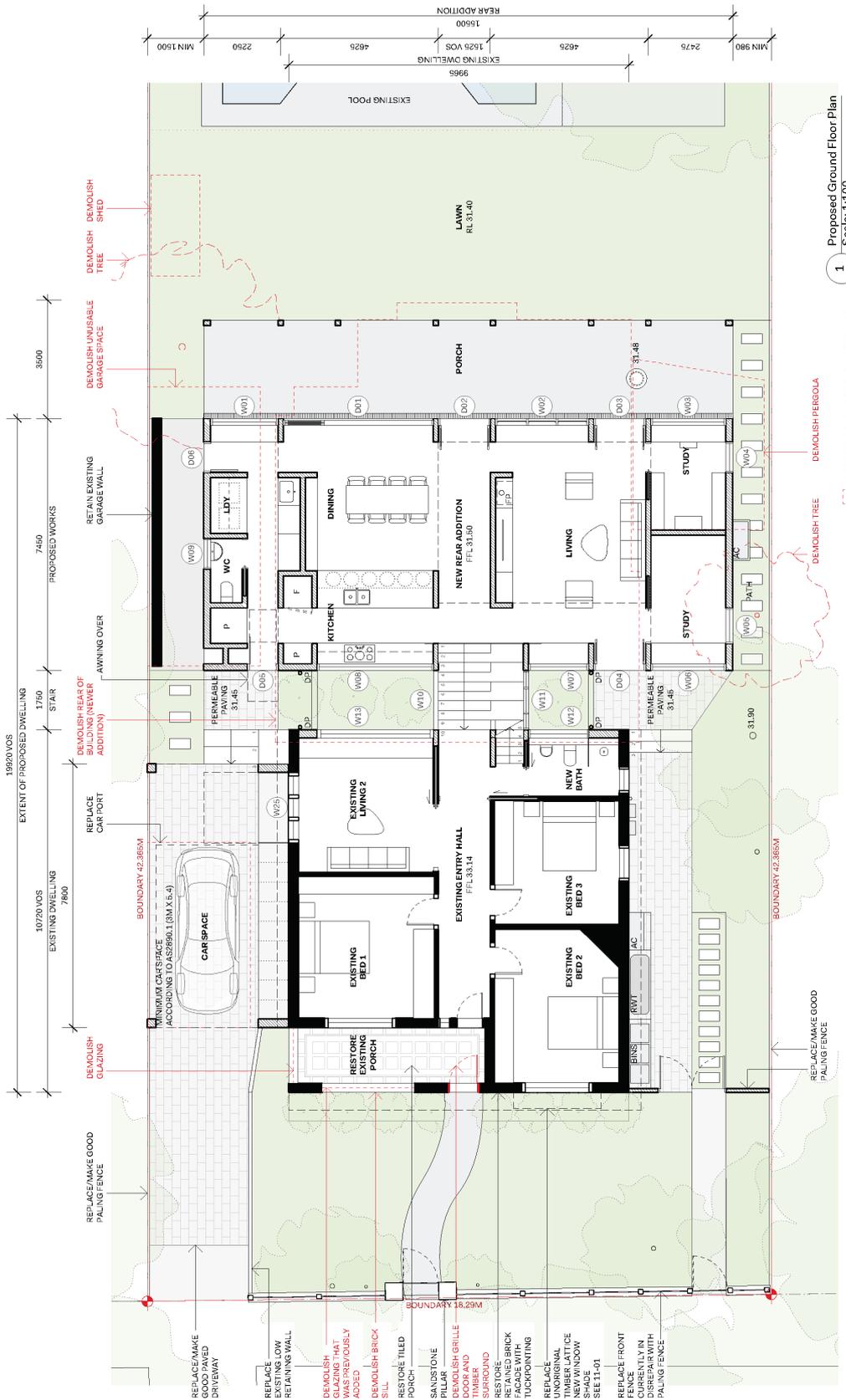
**Development Application:**  
Description: Lot 1 DP947751  
Clients: Paul and Jane Angus  
Address: 4 Stourmount Ave,  
Summer Hill, NSW 1585

**Drawn:** TL  
**Checked:** SC  
**Scale:** 1:200  
**Page:** AS

**Note:**  
Preliminary, not for construction  
This drawing is copyright  
and may not be reproduced  
without the permission of Carter  
Williamson  
This drawing is for DA purposes only.

**Contact:**  
102 Smith Street  
Summer Hill NSW 2130  
02 9799 4772  
studio@carterwilliamson.com  
www.carterwilliamson.com.au  
Shawn Carter 7890

CARTER  
WILLIAMSON  
Version: 1, Version Date: 25/02/2020



1 Proposed Ground Floor Plan  
Scale: 1:100



10-10 E

Date:  
A 21/5/19  
B 3/7/19  
C 15/7/19  
D 15/7/19  
E 3/12/19

Revision Note:  
Draft for Review  
For Heritage Consultants Review  
Revised Draft for Consultants  
Further Information

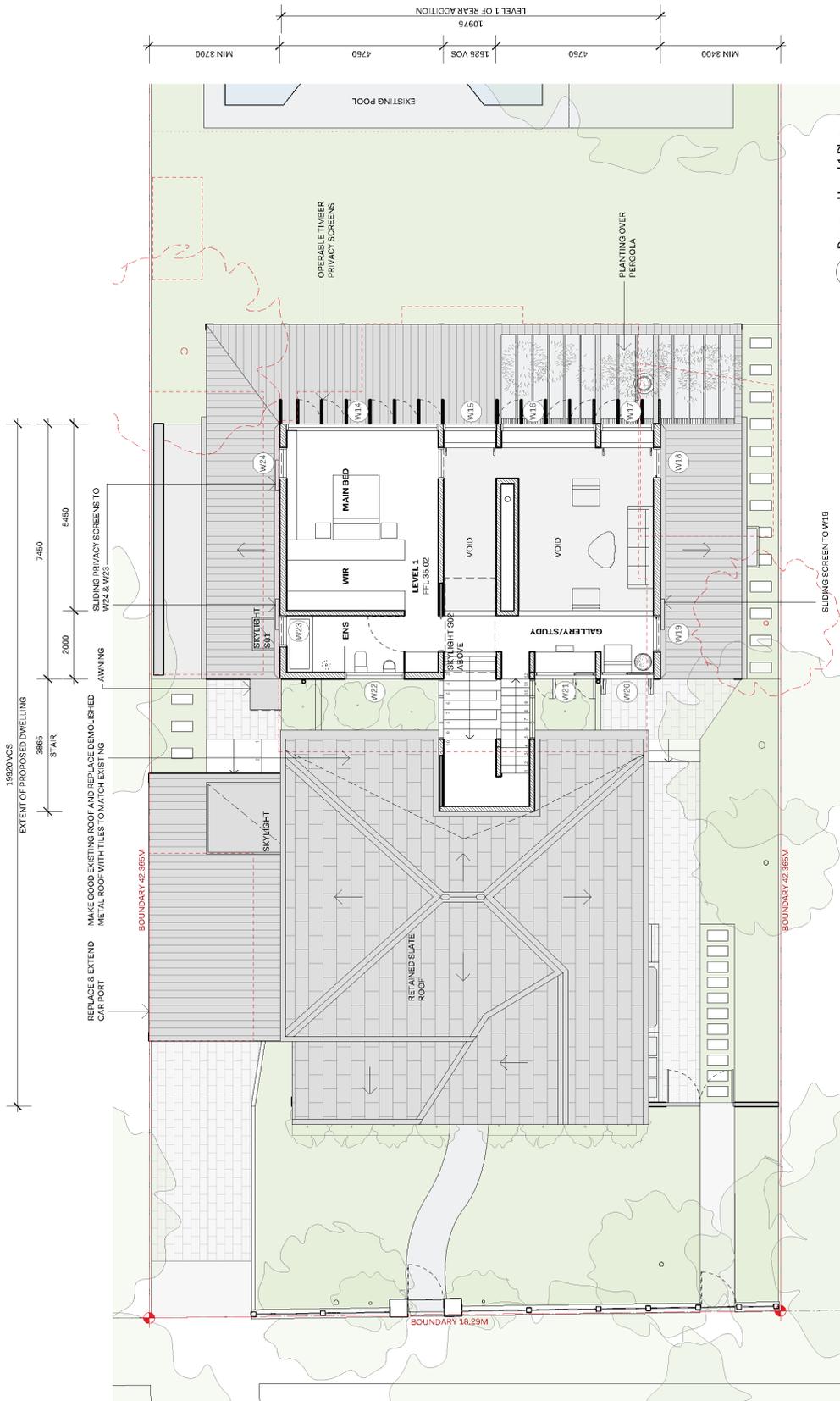
Description: Lot 1 D1947/51  
Drawn: TL  
Checked: SC  
Scale: 1:100  
Paper: A3

Development Application:  
Reference: 18232  
Clients: Paul and Janet Angus  
Address: 42-385M Boundary Ave, Summer Hill

Note:  
Preliminary, not for construction  
This drawing is copyright  
and may not be reproduced  
without the written consent of  
Williamson Architects.  
This drawing is for DA purposes only.

Contact:  
102 Smith Street  
Summer Hill NSW 2130  
02 9399 4472  
info@williamson.com.au  
Williamson Architects  
Shaun Carter / 7860

**CARTER  
WILLIAMSON**  
Version: 1, Version Date: 25/02/2020



1 Proposed Level 1 Plan  
Scale: 1:100

PROPOSED DEMOLITION SHOWN OUTLINED



10-11 D

Plan Level 1

Date	Revision
A 21/6/19	Draft for Review
B 15/7/19	Revised Draft for Consultants
C 22/8/19	DA Submission
D 9/12/19	Further Information

**Revision Note:**  
Draft for Review  
Revised Draft for Consultants  
DA Submission  
Further Information

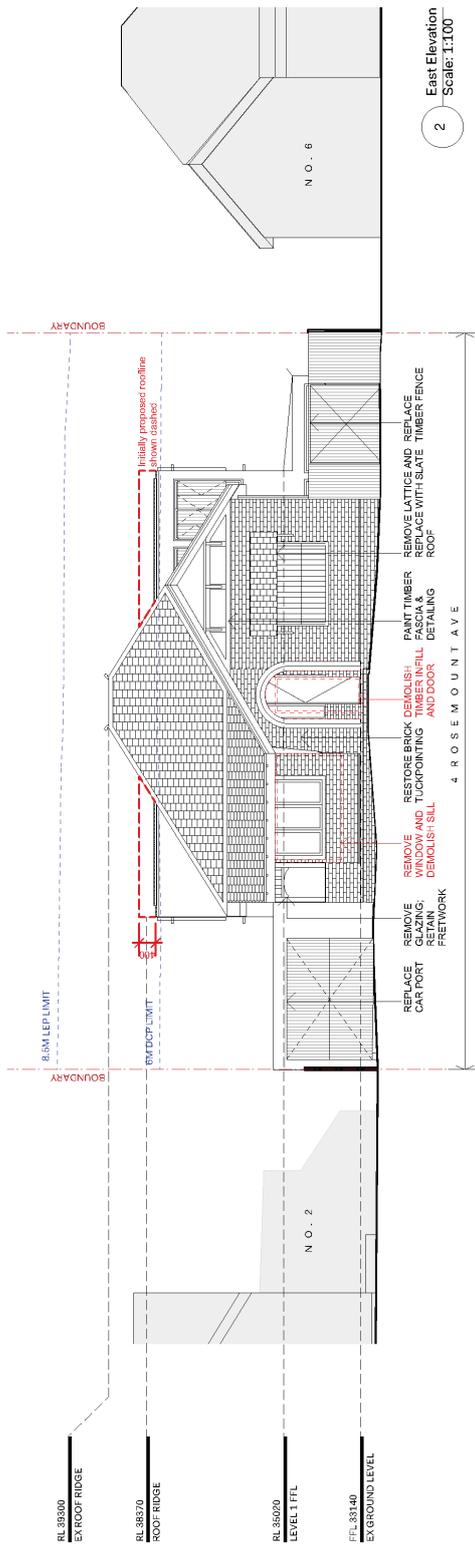
**Development Application:**  
Reference: 18232  
Clients: Paul and Janet Angus  
Drawn: TL  
Checked: SC  
Scale: 1:100  
Paper: A3

**Notes:**  
Preliminary, not for construction  
This drawing is copyright  
and may not be reproduced  
without the written consent of  
Williamson Architects  
This drawing is for DA purposes only

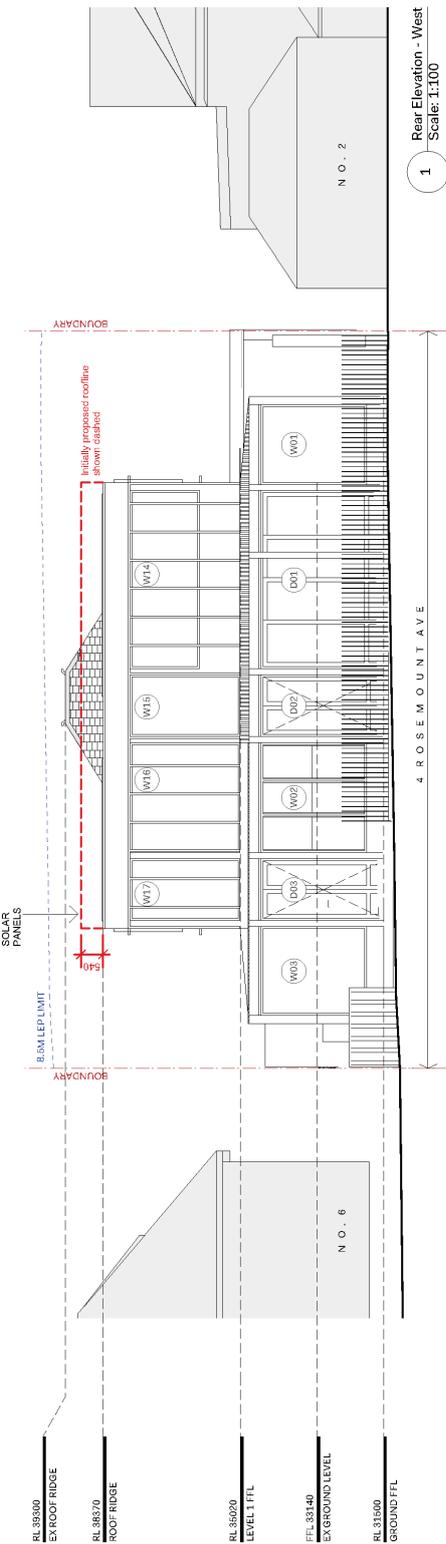
**Contact:**  
102 Smith Street  
Summer Hill NSW 2130  
02 9399 4472  
info@williamson.com.au  
Williamson Architects  
Shaun Carter / 7800

**CARTER  
WILLIAMSON  
ARCHITECTS**

Document ID: 3307573  
Version: 1, Version Date: 25/02/2020



2 East Elevation - West Scale: 1:100



1 Rear Elevation - West Scale: 1:100

11-02 E

**Revision Note:**  
 Draft for Review  
 For Heritage Consultants Review  
 Revised Draft for Consultants  
 Further Information

**Date:**  
 A 21/6/19  
 B 3/7/19  
 C 15/7/19  
 D 19/11/19  
 E 22/11/19

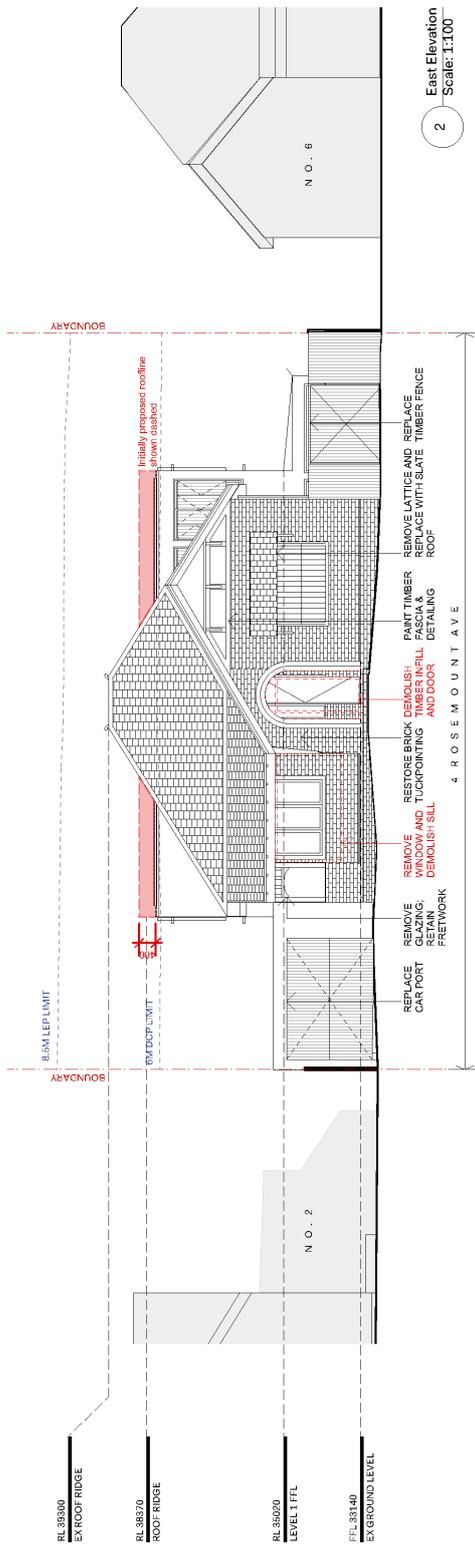
**Development Application:**  
 Reference: 18232  
 Clients: Paul and Janet Angus  
 Checked: SC  
 Scale: 1:100  
 Paper: A3

**Description:** Lot 1 D1947/751  
 Drawn: TJ  
 Checked: SC  
 Scale: 1:100  
 Paper: A3

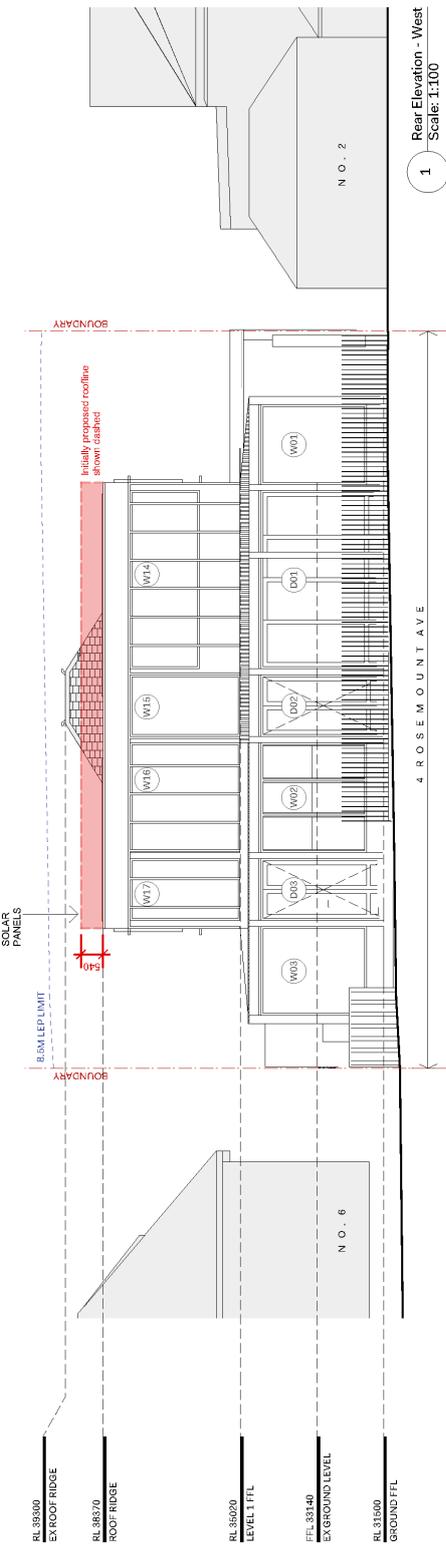
**Note:**  
 Preliminary, not for construction  
 This drawing is copyright  
 and may not be reproduced  
 without the written consent of  
 Williams Architects  
 This drawing is for DA purposes only

**Contact:**  
 102 Smith Street  
 Summer Hill NSW 2130  
 02 9399 4472  
 paul@williams.com.au  
 Williams Architects  
 Number 10  
 Shaun Carter 7860

**CARTER WILLIAMS ARCHITECTS**  
 Version: 1, Version Date: 25/02/2020



2 East Elevation - East  
Scale: 1:100



1 Rear Elevation - West  
Scale: 1:100

11-02 E

Date	Revision
21/6/19	A Draft for Review
3/7/19	B For Heritage Consultants Review
19/7/19	C Revised Draft for Consultants
22/11/19	E Further information

**Revision Note:**  
Draft for Review  
For Heritage Consultants Review  
Revised Draft for Consultants  
Further information

**Development Application:**  
Reference: 18232  
Clients: Paul and Janet Angus  
Description: Lot 1 D1947/751  
Drawn: TJ  
Checked: SC  
Scale: 1:100  
Paper: A3

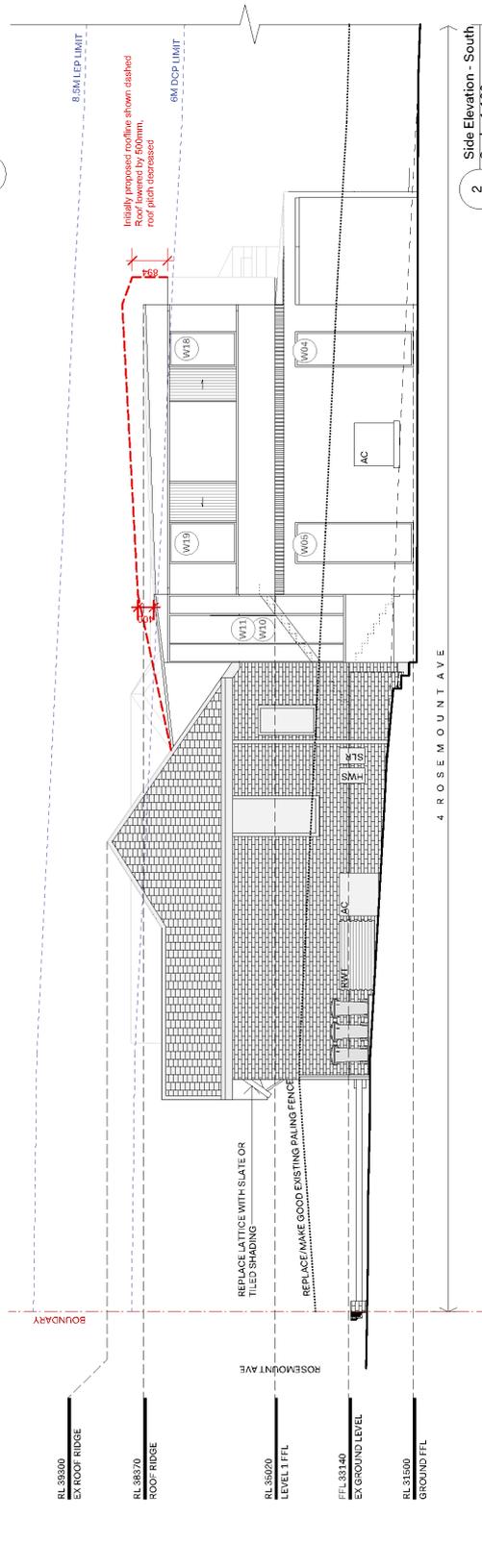
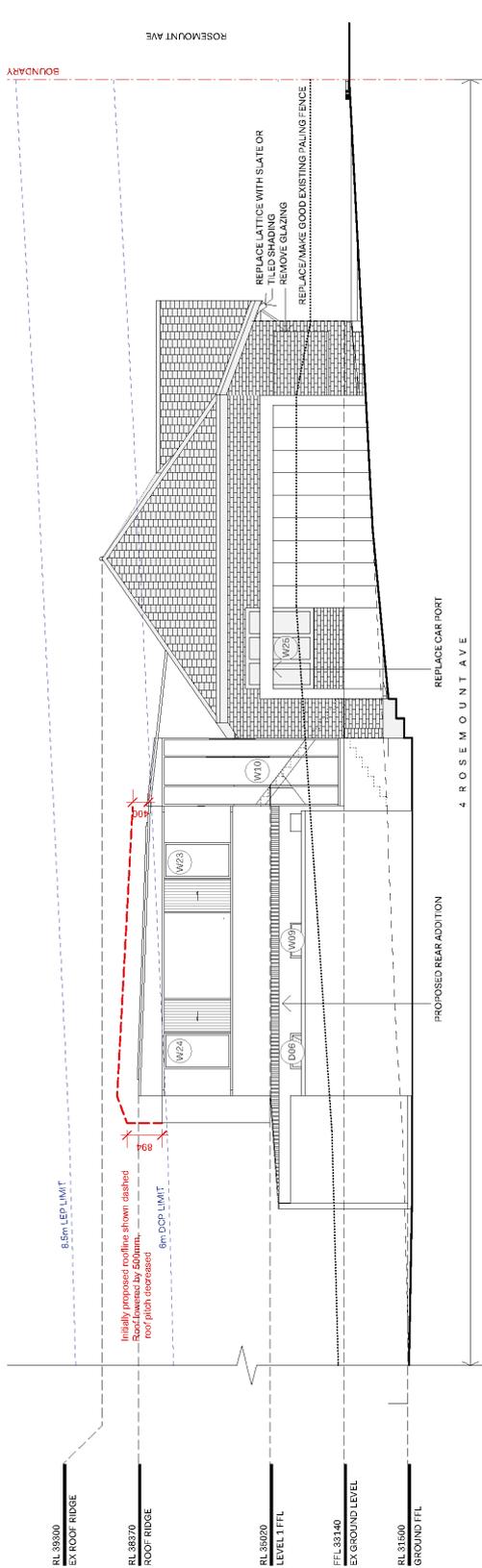
**Address:** 4 Rosemount Ave,  
Summer Hill

**Note:**  
Preliminary, not for construction  
This drawing is copyright  
and may not be reproduced  
without the written consent of  
Williamson Architects  
This drawing is for DA purposes only

**Contact:**  
102 Smith Street  
Summer Hill NSW 2130  
02 9399 4472  
info@williamson.com.au  
Williamson Architects  
Shaun Carter / 7860

**CARTER WILLIAMSON**  
Version: 1, Version Date: 25/02/2020





**11-03 C**

<b>Revision Note:</b>	<b>Date:</b>
Revised Draft for Consultants	A 15/7/19
DA Submission	B 12/8/19
Further information	C 22/11/19

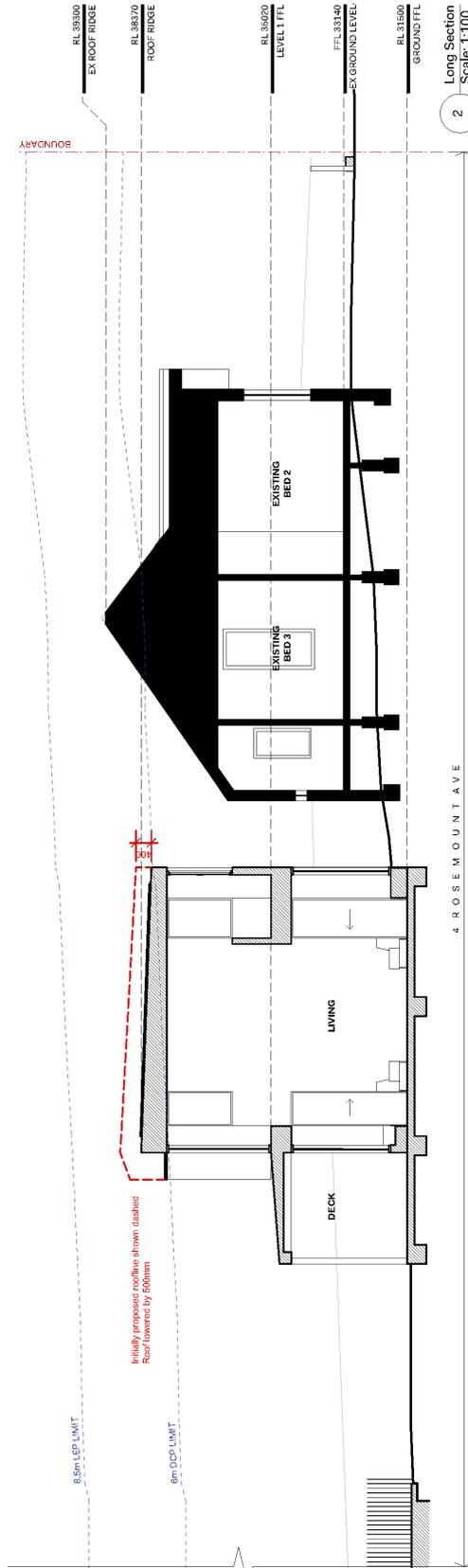
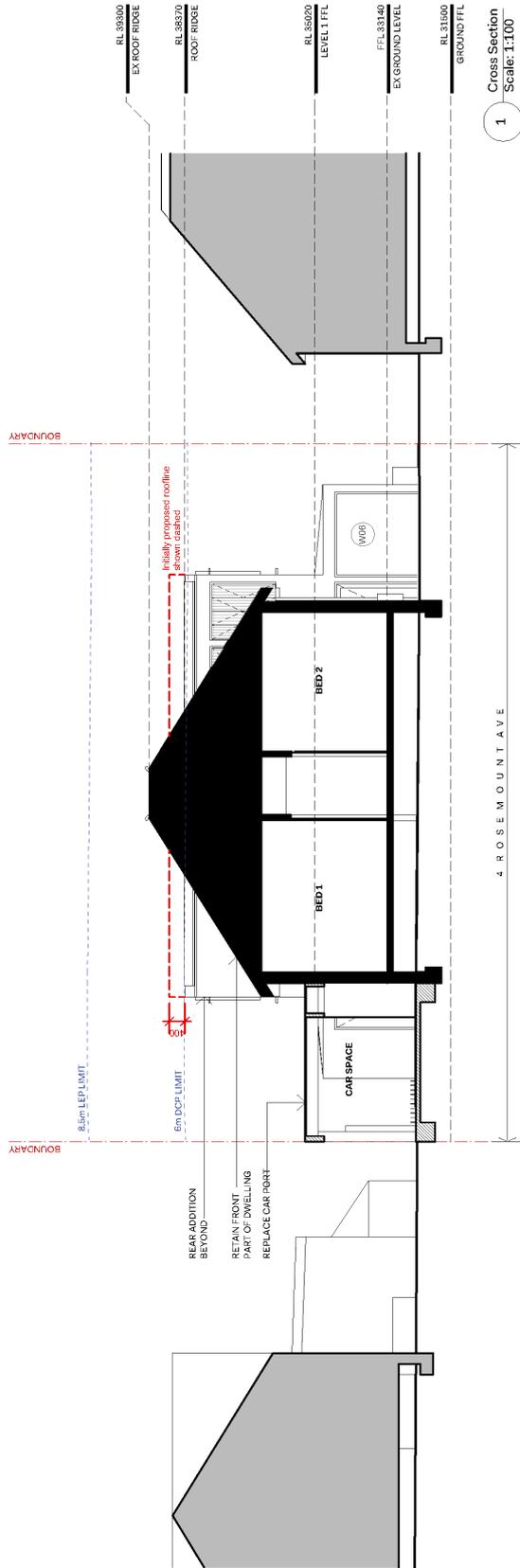
**Development Application:**  
 Reference: 18232  
 Clients: Paul and Janet Angus  
 Address: 4 Rosemount Ave, Summer Hill

**Notes:**  
 Preliminary, not for construction  
 This drawing is copyright  
 and may not be reproduced  
 without the written consent of  
 Williams Architects  
 This drawing is for DA purposes only

**Development Application:**  
 Description: Lot 1 D1947/751  
 Drawn: TJ  
 Checked: SC  
 Scale: 1:100  
 Paper: A3

**Contact:**  
 102 Smith Street  
 Summer Hill NSW 2130  
 02 9799 4472  
 paul@williams.com.au  
 paul.williams@williams.com.au  
 Williams Architects  
 Shaun Carter 7860

**Version:** 1.1, Version Date: 25/02/2020



**CARTER WILLIAMS MASON**  
 Document ID: W33077573  
 Version: 1, Version Date: 25/02/2020

**Notes:**  
 Preliminary, not for construction  
 This drawing is copyright  
 and may not be reproduced  
 without the written consent of  
 Williams Architects  
 This drawing is for DA purposes only

**Contact:**  
 102 Smith Street  
 Summer Hill NSW 2130  
 02 9399 4472  
 info@williams.com.au  
 www.williams.com.au  
 Shaun Carter / 7860

**Development Application:**  
 Reference: 18232  
 Clients: Paul and Janet Angus  
 Address: 4 Chesham Ave,  
 Summer Hill

**Revision Note:**  
 Draft for Review  
 Revised Draft for Consultants  
 DA Submission

**Date:**  
 A 21/5/19  
 B 15/7/19  
 C 12/8/19

**Sections:**  
 12-01 C

**Description:** Lot 1 D19477/51  
**Drawn:** TLI  
**Checked:** SC  
**Scale:** 3:00  
**Page:** A6

PROPOSED REAR ADDITION,  
VIEWED FROM STREET



PROPOSED PHOTOMONTAGE 1



EXISTING SITE PHOTO 1

<b>Date</b>	<b>Photomontage</b>
A 21/5/19	18-01 C
B 15/7/19	
C 12/8/19	

<b>Revision Note</b>
Draft for Review
Revised Draft for Consultants
DA Submission

<b>Description:</b>	Lot 1 DP947751
<b>Drawn:</b>	TLI
<b>Checked:</b>	SC
<b>Scale:</b>	NTS
<b>Paper:</b>	A3

<b>Development Application</b>
Reference: 18252
Clients: Paul and Janet Angus
Address: 4 Chestnut Ave, Summer Hill

**Note:**  
Preliminary, not for construction  
This drawing is copyright  
and may not be reproduced  
without the permission of Carter  
Williamson  
This drawing is for DA purposes only.

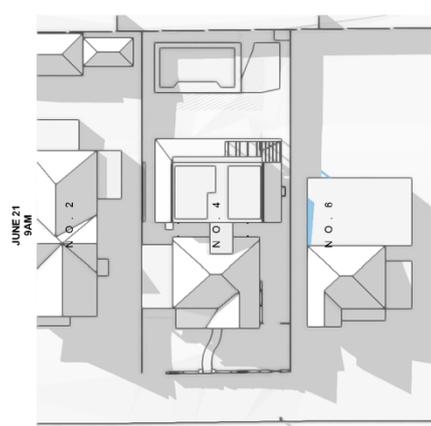
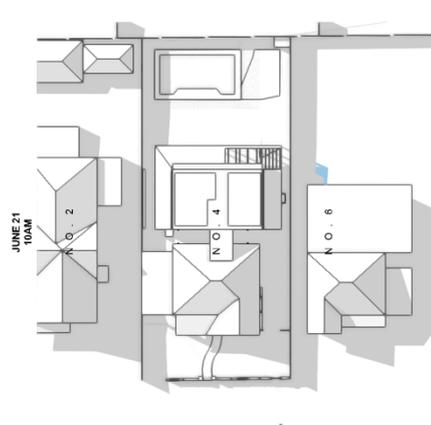
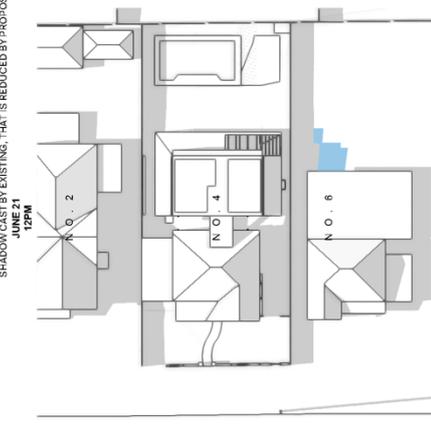
**Contact:**  
102 Smith Street  
Summer Hill NSW 2130  
02 9799 4472  
Nadia@cartwilliamson.com  
Project:  
Shaun Carter 7880

CARTER  
WILLIAMSON

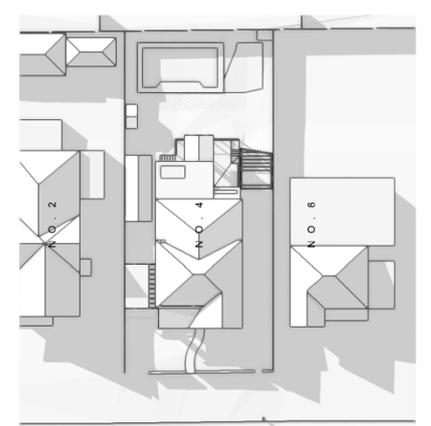
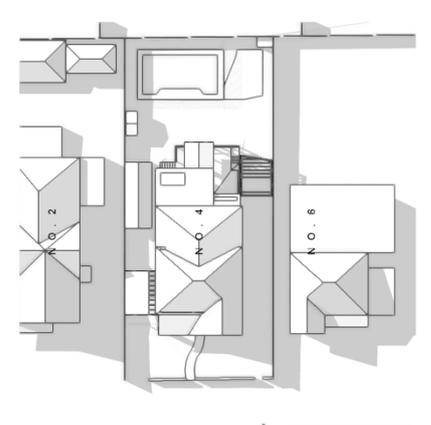
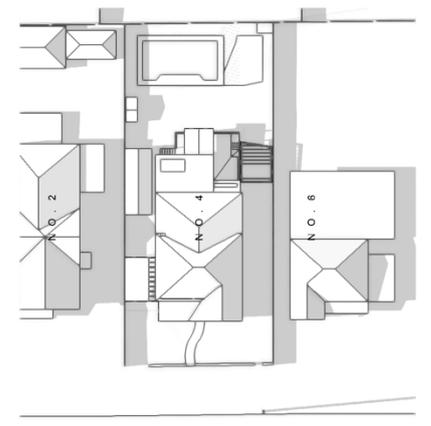
**SHADOW DIAGRAMS FOR JUNE 21  
WINTER SOLSTICE | 9AM - 12PM**

SHADOW CAST BY EXISTING THAT IS REDUCED BY PROPOSED  
 JUNE 21  
 12PM

ADDITIONAL SHADOW CAST BY PROPOSED  
 JUNE 21  
 9AM



PROPOSED



EXISTING



17-01 E

**Revision Note.**

Date	Description
A 21/5/19	Draft for Review
B 15/7/19	Revised Draft for Consultants
C 22/8/19	DA Submission
D 22/8/19	Final Decision
E 3/12/19	Further information

**Development Application.**  
 Reference: 18232  
 Clients: Paul and Janet Angus  
 Address: 4 Chesham Ave,  
 Summer Hill

**Description:** Lot 1 DP947751  
**Drawn:** TLI  
**Checked:** SC  
**Scale:** 300  
**Paper:** A3

**Note.**  
 Preliminary, not for construction  
 This drawing is copyright  
 and may not be reproduced  
 without the written consent of  
 Williams Architects  
 This drawing is for DA purposes only

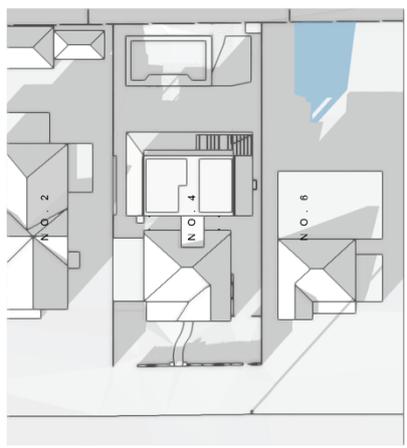
**Contact.**  
 102 Smith Street  
 Summer Hill NSW 2130  
 02 9399 4472  
 info@williams.com.au  
 Williams Architects  
 Shaun Carter 7860

**CARTER  
 WILLIAMS  
 ARCHITECTS**  
 Document ID: 33071516  
 Version: 1, Version Date: 25/02/2020

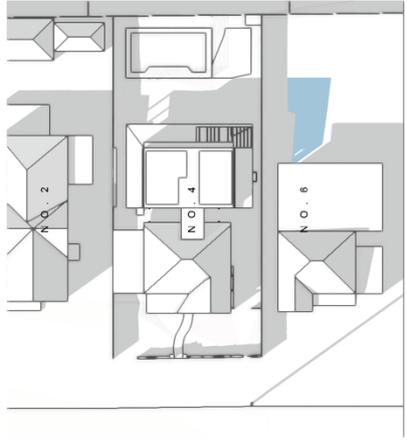
SHADOW DIAGRAMS FOR JUNE 21  
WINTER SOLSTICE | 1PM - 3PM

SHADOW CAST BY EXISTING, THAT IS REDUCED BY PROPOSED  
ADDITIONAL SHADOW CAST BY PROPOSED

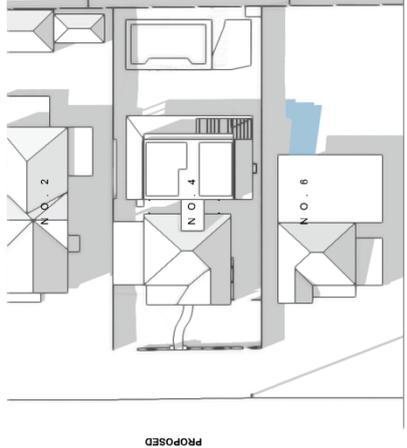
JUNE 21  
1PM



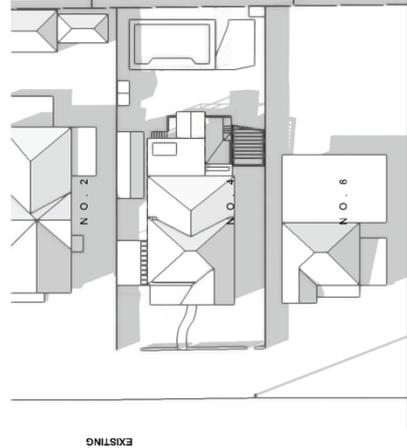
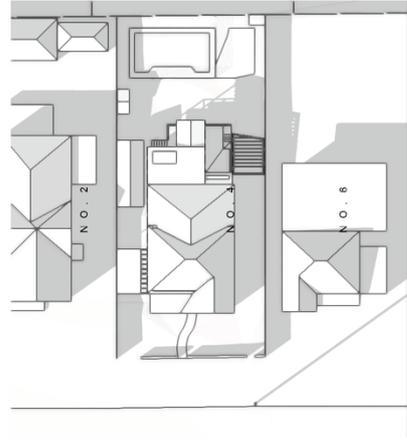
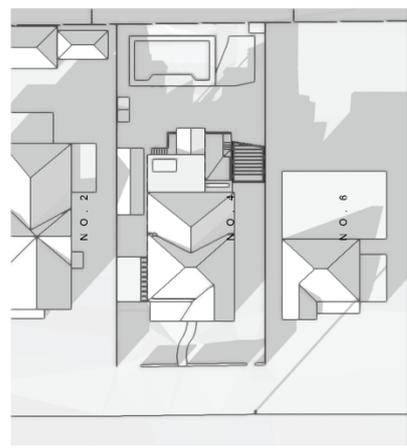
JUNE 21  
2PM



JUNE 21  
3PM



PROPOSED



EXISTING



Shadow Diagrams | June 21, 1PM-3PM  
17-02 E

Date	Revision Note
A 21/5/19	Draft for Review
B 15/7/19	Revised Draft for Consultants
C 22/8/19	DA Submission
D 22/8/19	Final Decision
E 3/12/19	Further Information

**Development Application**  
 Reference: 18232  
 Clients: Paul and Janet Angus  
 Address: 4 Chesnut Ave,  
 Summer Hill

**Description:** Lot 1, DP847751  
 Drawn: TJ  
 Checked: SC  
 Scale: 300  
 Paper: A3

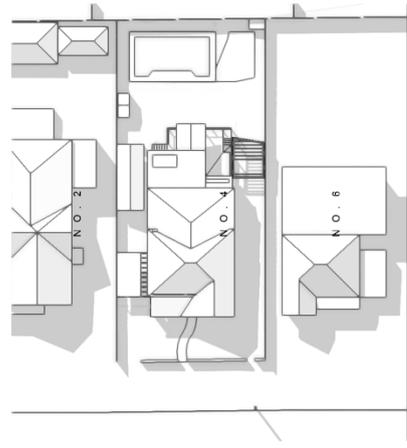
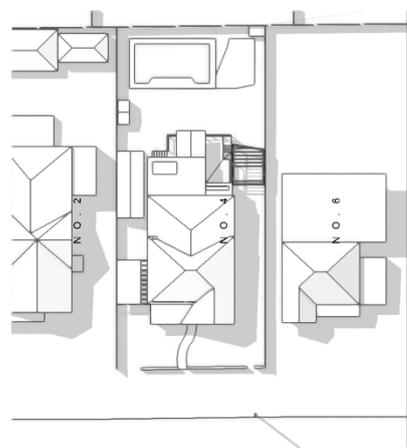
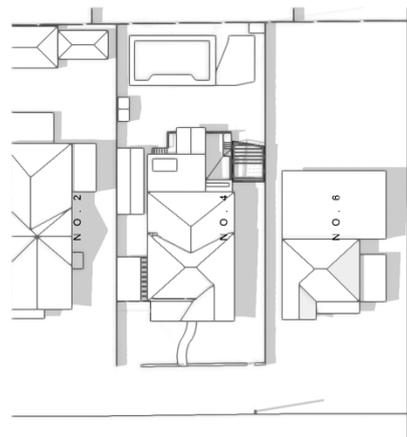
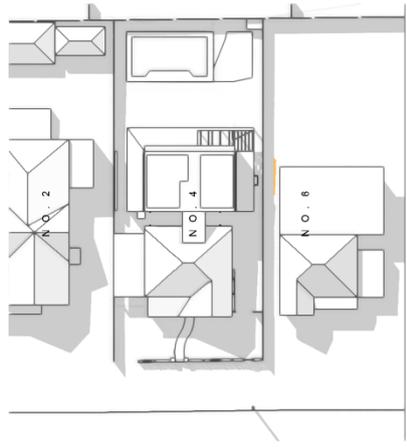
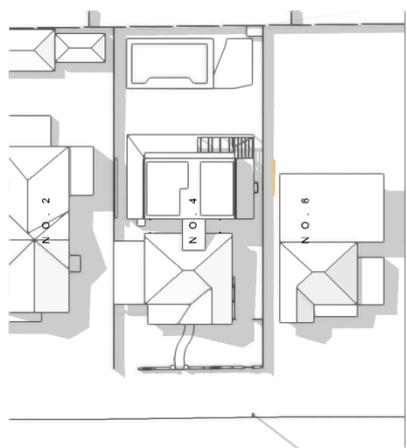
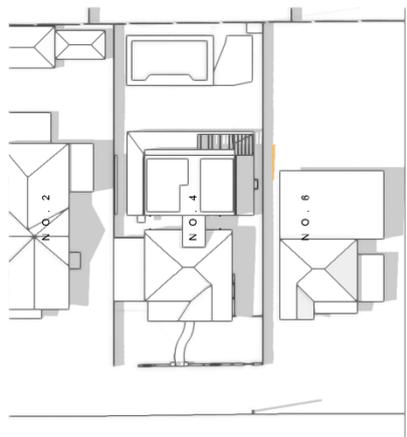
**Note:**  
 Preliminary, not for construction  
 This drawing is copyright  
 and may not be reproduced  
 without the written consent of  
 Williams Architects  
 This drawing is for DA purposes only

**Contact:**  
 102 Smith Street  
 Summer Hill NSW 2130  
 02 9399 4472  
 info@williams.com.au  
 Williams Architects  
 Shaun Carter 7860

**CARTER**  
**WILLIAMS**  
**ARCHITECTS**  
 Version: 1, Version Date: 25/02/2020

SHADOW DIAGRAMS FOR SEPTEMBER 21  
EQUINOX | 9AM - 12PM

ADDITIONAL SHADOW CAST BY PROPOSED  
SEP 21  
12PM



Shadow Diagrams | Sep 21, 9AM - 12PM  
**17-11 E**

Date	Revision Note
A 21/5/19	Draft for Review
B 15/7/19	Revised Draft for Consultants
C 22/8/19	DA Submission
D 22/8/19	Finalisation
E 3/12/19	Further information

**Development Application.**  
Reference: 18232  
Clients: Paul and Janet Argus  
Address: 4 Chesnut Ave,  
Summer Hill

Description: Lot 1 DP947751  
Drawn: TJ  
Checked: SC  
Scale: 300  
Paper: A3

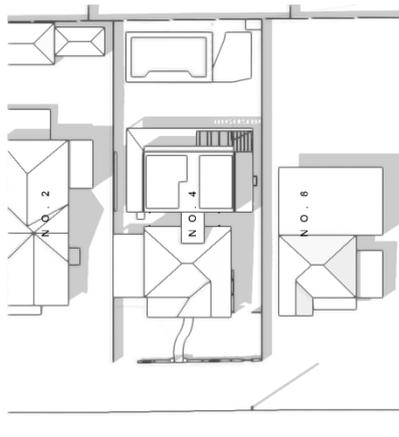
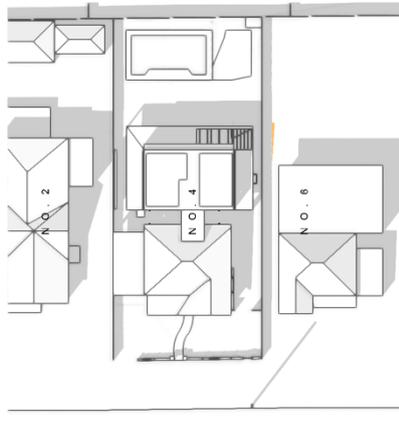
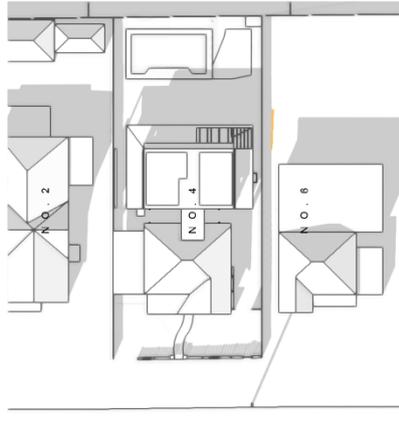
**Note.**  
Preliminary, not for construction  
This drawing is copyright  
and may not be reproduced  
without the written consent of  
Williamson Architects.  
This drawing is for DA purposes only.

**Contact.**  
102 Smith Street  
Summer Hill NSW 2130  
02 9399 4472  
info@williamson.com.au  
Williamson Architects  
Shaun Carter 7860

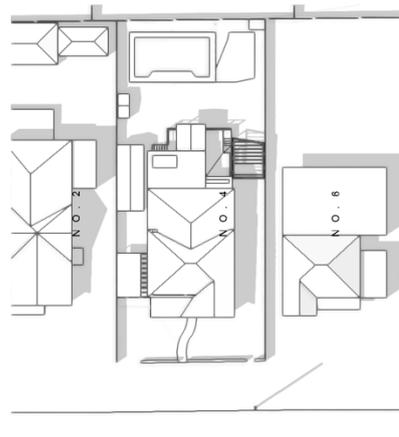
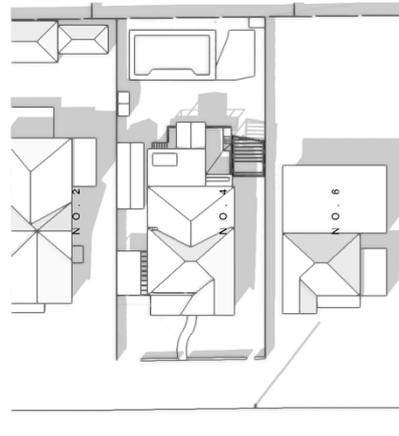
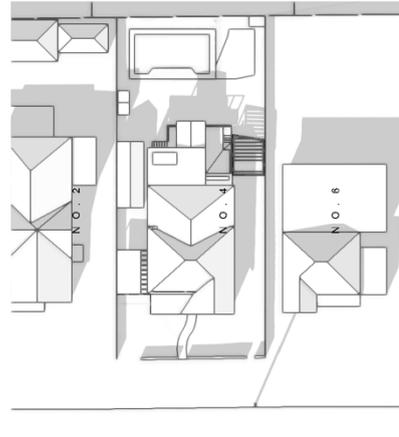
**CARTER  
WILLIAMSON  
ARCHITECTS**  
Version: 1, Version Date: 25/02/2020

SHADOW DIAGRAMS FOR SEPTEMBER 21  
EQUINOX | 1PM - 3PM

ADDITIONAL SHADOW CAST BY PROPOSED  
SEP 21  
3PM



PROPOSED



EXISTING



Shadow Diagrams | Sep 21, 1PM - 3PM  
**17-12 E**

Date	Revision Note
A 21/5/19	Draft for Review
B 15/7/19	Revised Draft for Consultants
C 22/8/19	DA Submission
D 22/8/19	Final Approval
E 3/12/19	Further Information

**Development Application.**  
Reference: 18232  
Clients: Paul and Janet Angus  
Address: 4 Chesnut Ave,  
Summer Hill  
Description: Lot 1 DP847751  
Drawn: TJ  
Checked: SC  
Scale: 300  
Paper: A3

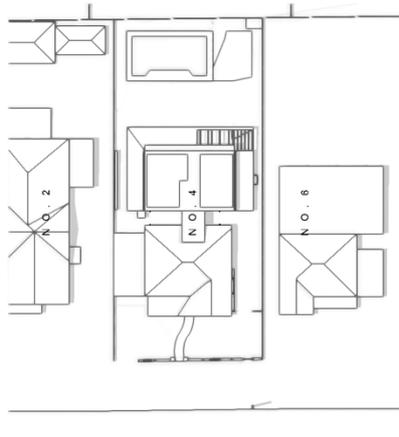
**Note.**  
Preliminary, not for construction  
This drawing is copyright  
and may not be reproduced  
without the written consent of  
Williamson Architects  
This drawing is for DA purposes only

**Contact.**  
102 Smith Street  
Summer Hill NSW 2130  
02 9399 4472  
williamson.com.au  
Williamson Architects  
Shaun Carter / 7860

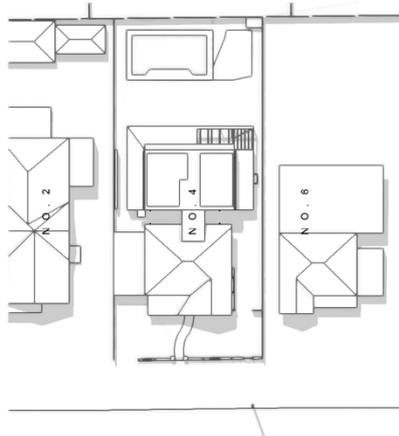
**CARTER  
WILLIAMSON  
ARCHITECTS**  
Version: 1, Version Date: 25/02/2020

SHADOW DIAGRAMS FOR DECEMBER 21  
SUMMER SOLSTICE | 9AM - 12PM

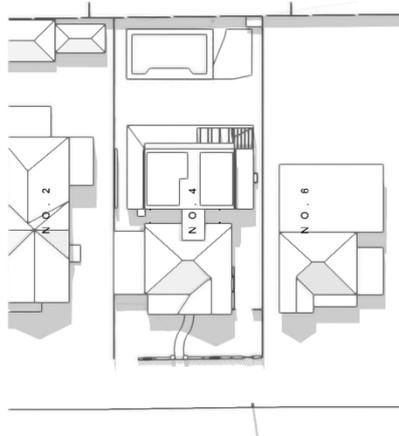
NOTE: NO ADDITIONAL SHADOW CAUSED BY PROPOSED  
DEC 21  
12PM



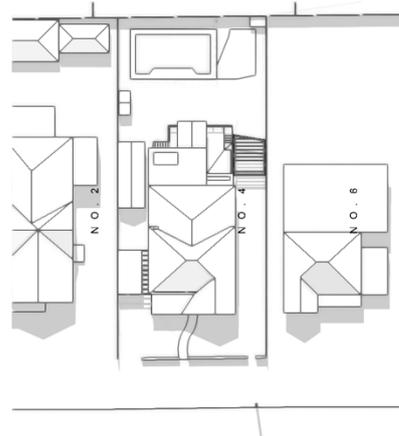
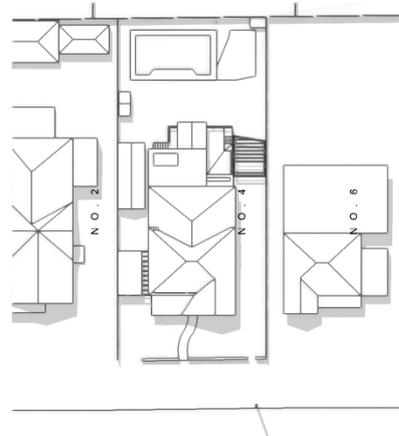
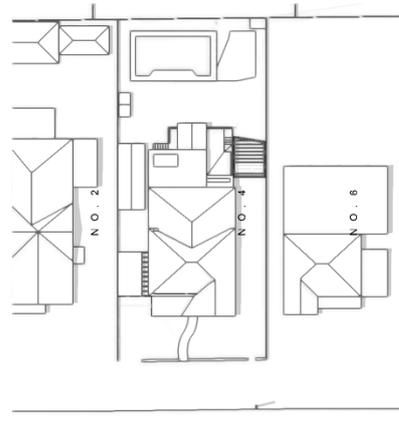
DEC 21  
10AM



DEC 21  
9AM



PROPOSED



EXISTING

Shadow Diagrams | Dec 21, 9AM - 12PM

17-21 E

Date	Revision Note
A 21/5/19	Draft for Review
B 15/7/19	Revised Draft for Consultants
C 22/8/19	DA Submission
D 22/8/19	Further Information
E 3/12/19	Further Information

**Development Application.**

Reference: 18232  
 Clients: Paul and Janet Argus  
 Address: 4 Chesnut Ave,  
 Summer Hill

Description: Lot 1 D1947/51  
 Drawn: TJ  
 Checked: SC  
 Scale: 3/500  
 Paper: A3

**Note.**  
 Preliminary, not for construction  
 This drawing is copyright  
 and may not be reproduced  
 without the written consent of  
 WJL Architects  
 This drawing is for DA purposes only

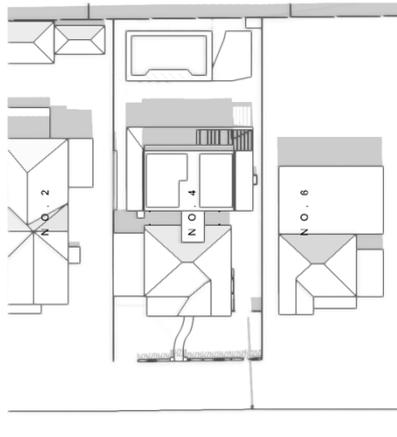
**Contact.**  
 102 Smith Street  
 Summer Hill NSW 2130  
 02 9399 4472  
 info@wjl.com.au  
 WJL Architects  
 Shaun Carter 7860

**CARTER  
 WJL ARCHITECTS  
 MASON**

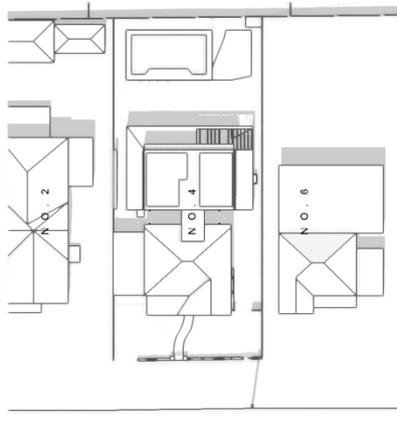
Document ID: 3307/515  
 Version: 1, Version Date: 25/02/2020

SHADOW DIAGRAMS FOR DECEMBER 21  
SUMMER SOLSTICE | 1PM - 3PM

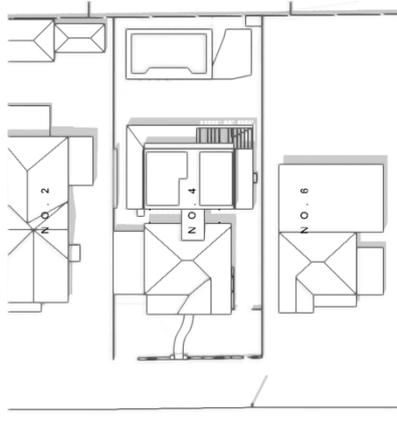
NOTE: NO ADDITIONAL SHADOW CAUSED BY PROPOSED  
DEC 21  
3PM



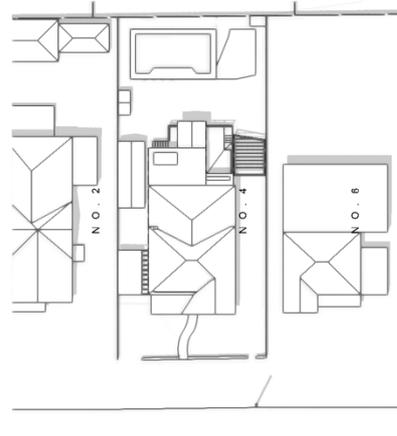
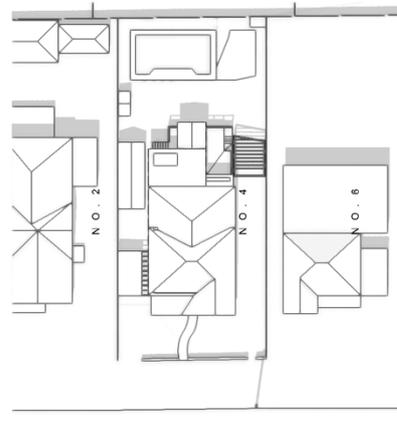
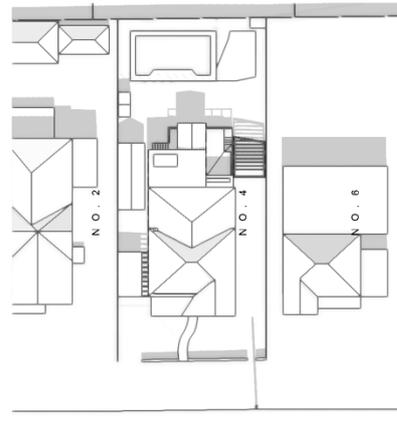
DEC 21  
2PM



DEC 21  
1PM



PROPOSED



EXISTING



Shadow Diagrams | Dec 21, 1PM - 3PM  
17-22 E

Date	Revision Note
A 21/5/19	Draft for Review
B 15/7/19	Revised Draft for Consultants
C 22/8/19	DA Submission
D 22/8/19	Final Approval
E 3/12/19	Further Information

**Development Application**  
 Reference: 18232  
 Clients: Paul and Janet Argus  
 Address: 4 Chesham Ave,  
 Summer Hill

**Description:** Lot 1 D1947/51  
**Drawn:** T.J  
**Checked:** SC  
**Scale:** 300  
**Page:** AS

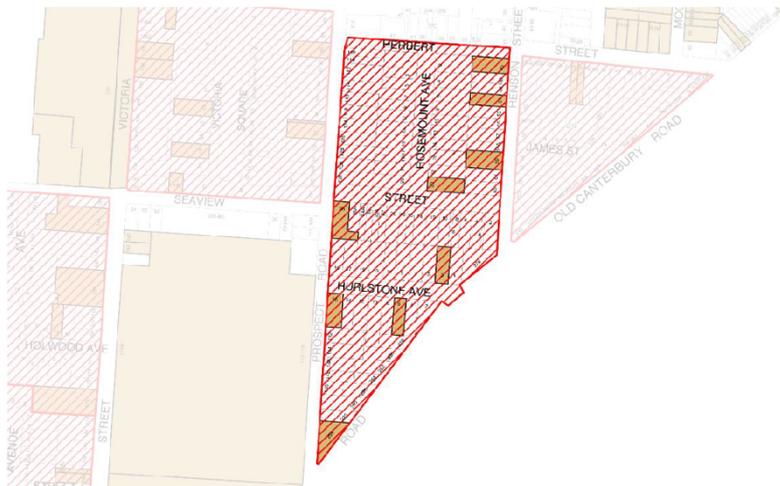
**Note:**  
 Preliminary, not for construction  
 This drawing is copyright  
 and may not be reproduced  
 without the written consent of  
 WJL Architects  
 This drawing is for DA purposes only

**Contact:**  
 102 Smith Street  
 Summer Hill NSW 2130  
 02 9399 4472  
 info@wjlarchitect.com  
 WJL Architects  
 Shaun Carter / 7860

**CARTER**  
**WJL ARCHITECTS**  
 Document ID: 3307/515  
 Version: 1, Version Date: 25/02/2020

Attachment C- Statement of Heritage Significance

C49 Prospect Hall Summer Hill  
Heritage Conservation Area



KEY PERIOD OF SIGNIFICANCE: 1908-1910 - 1940s

HCA TYPE 2: Single storey residential (i) uniform single period subdivision  
Statement of Significance

The Prospect Hall Heritage Conservation Area is of *local* heritage significance.

The area is of *historical* significance as a 1908-1910 subdivision of the Prospect Hall Estate developed by Dr Henry Hinder (1908-1910) and after 1910 by Stanton & Son.

The area has strong *historical* association with Stanton & Son, who were responsible for building of much of the housing in the area.

The area has *aesthetic* significance deriving from the 1908 subdivision pattern with little re-subdivision since, and the original building covenants applying to the subdivision, resulting in an aesthetically consistent subdivision of wide streets with grass verges, pre-1943 brush box street tree plantings, and a consistent pattern of predominantly brick single storey detached housing in the Federation Queen Anne and Inter-war California Bungalow styles built with setbacks allowing for small front gardens.

### Key Character Elements

Subdivision and public domain elements:

- Pre-1943 street tree planting of Brush box within carriageway in Rosemount Avenue, and Hurlstone Avenue, and scattered pre-1943 brush box plantings on the grass verge on the southern side of Seaview Street.
- Wide grass verges on the southern side of Seaview Street, in Rosemount Avenue
- Relatively wide carriageway in Prospect Road, Hurlstone Avenue, Henson Street
- Narrow grass verges in Hurlstone Avenue

Elements that contribute to the consistency of the streetscape (visible from the public domain)

- Front setbacks allowing for small front gardens
- Most allotments have no allowance in width for driveways, with some exceptions (for example the early 1940s house at No. 20 Seaview Street has a side driveway and rear garage).
- Very consistent streetscapes of predominantly detached face brick single storey Federation Queen Anne and Inter-war California bungalow style houses
- Unusual (heritage listed) 2-storey Federation Arts & Crafts style house at 296 Old Canterbury Road (corner Prospect Road) constructed 1909
- Late 1930s-early 1940s (pre-1943) group in Seaview Street including Inter-war Functionalist style house at 20 Seaview Street, and two pairs of semi-detached 1930s-1940s houses at Nos. 22-22A and 24-24A Seaview Street
- Original details such as:
  - Front verandahs with original detailing
  - Original roof forms with original cladding of slate or unglazed terracotta tiles and original chimneys
  - Gable ends facing the street with original timber shingled, roughcast stucco or imitation half-timbered finishes (Federation period)
  - Face brickwork (Federation period)
  - Original timber-framed windows and timber panelled doors consistent with the periods and styles of houses
- Original front fences - timber picket, low brick, brick & timber picket for Federation and Inter-war period houses
- Narrow driveways with garages to the rear or carports to the side of houses



## NON-CONTRIBUTORY ELEMENTS

- Recent infill house (resulting from a post-1943 subdivision) at No. 26A Seaview Street
- Uncharacteristic first floor additions to single storey houses which are visible from the street (examples 11, 12 Rosemount Avenue)
- Changes to materials: Cement rendering or painting of face brickwork to Federation period houses (example 47 Henson St, 130, 148 Prospect Road, 9 Rosemount Avenue); modern roof cladding (e.g. concrete roof tiles) and loss of chimneys
- Changes to windows (example aluminium framed windows at 11 Rosemount Avenue, altered windows at 9 Rosemount Avenue)
- Carports or garages in front gardens (example 10 Seaview Street)
- Modern front fences of unsympathetic design and materials, particularly high solid masonry front fences.

## Historical Development

This area was part of a land grant made to Edward Haven in 1794, which was acquired by Robert Campbell for his Canterbury Park Estate. The area was bought from Sophia Campbell after Robert Campbell's death by prominent Summer Hill builder, James Bartlett in 1869. Here he built a large house "Rosemount". By 1874 he had built another large house "Prospect Hall" and sold "Rosemount" and six acres to Dr Richard Bowker, only to buy it back in 1888. Both houses stood on the south side of Seaview Street between Prospect Road and Old Canterbury Road. Bartlett died in 1904, and part of his estate was acquired in 1908 by Dr Henry Hinder. Hinder subdivided the land and commenced selling the allotments. Both Rosemount and Prospect Hall were demolished sometime after the initial subdivision of 1908.

All allotments were subject to covenants attached to the titles requiring that each residence be built of brick or stone, with slate, tiles or shingles to the front elevation; that only one residence or two semi detached residences be built per allotment; and that no residence be used as a shop or business premises. There was a building line of 15 feet from the street.

About half the allotments had been sold by Hinder by 1910, and the balance was bought by Dr Arthur Mills of Strathfield, and Richard Stanton (also the designer and developer of Haberfield, Australia's first Garden Suburb). Whether John Spencer Stansfield, who designed many of the houses in Haberfield, designed any in the Prospect Hall area is not known, but architectural similarities suggest this possibility. Certainly by 1912 properties in the Prospect Hall Estate were being sold with the promise of "brick cottage to be erected".<sup>1</sup> A 1914 article stated that "Summer Hill in the Prospect Hall Estate, Messrs Stanton & Son sold 50ft in Rosemount Avenue, and undertook to erect a brick cottage from 845 pounds."<sup>2</sup>

The allotments were sold as the Prospect Hall Estate Summer Hill.

<sup>1</sup> See advertisement, The Sydney Morning Herald, 26 September 1912, page 9, accessed online via Trove

<sup>2</sup> Sunday Times, 7 June 1914, page 4 accessed online via Trove



**HOUSES AND LAND FOR SALE.**

**“PROSPECT HALL” ESTATE.**

This great SUBDIVISION in the heart of SUMMER HILL, within 8 minutes of the Railway Station, and within 10 minutes of the Dulwich Hill Tram Terminus, and in the direct route of the proposed tramway from Dulwich Hill to Ashfield via Constitution-road. This valuable property was the residence of the late James Bartlett, Esq., and “Rosemount,” also on the property, was occupied for many years by both Dr. Bowker and Phillip Sheridan, Esq. The

**LAND IS WONDERFULLY ELEVATED**

and from the highest points the coast from the Lighthouse at Sydney Heads right to Botany Bay lends a beautiful panoramic view.

On one side of the property is the residence of Hugh Dixon, Esq., and on the other “Hurlstone” Training College.

There is no more valuable land to be had within easy distance of the City.

**PRICES EXCEEDINGLY LOW,**

ranging from £3 up to £5 per foot, according to position. We are prepared to accept exceedingly low terms.

10 PER CENT. DEPOSIT, BALANCE EXTENDING OVER 5 YEARS, Interest 5 per cent. This is the only large area of land at present available, and for sale in this HIGHLY-FAVORED SUBURB, and is situated on the south side of the railway line.

**GAS, WATER, AND SEWERAGE AVAILABLE.**

FOR SALE, “PROSPECT HALL.” The old residence, contg. 8 large rooms, wide entrance hall, verandahs and balconies all round, large stables, coachhouse, loose box, small ballroom, etc. We are prepared to dispose of this property at a very low figure, indeed.

Also “ROSEMOUNT,” fine roomy cottage, contg. 8 rooms, kitchen, etc.

This Estate is considered one of the finest in the Western Suburbs.

Plans, all particulars, may be had from

**STANTON AND SON.**

109 PITT-STREET, AND AT STATION, SUMMER HILL.

Above: Prospect Hall Estate subdivision sales advertisement, Evening News 14 October 1908 p2 Source: accessed online via Trove

Chapter E1 – Heritage Items and Conservation Areas  
Part 9 – Heritage Conservation Areas Character Statements and Rankings

**BUILDING RANKING DEFINITIONS**

Building ranking No.	Building Ranking Definition
*	Heritage items: Buildings individually listed as heritage items in the LEP
1	Contributory 1: Buildings that clearly reflect the Key period of Significance for the HCA and are key elements of the character of the HCA
2	Contributory 2: Buildings that have been altered but are still identifiable as dating from the Key period of Significance for the HCA. They retain their overall form from the original date of construction and, even though altered, are contributory to the HCA character
3	Neutral: Buildings that are either heavily altered to an extent where the construction period is uncertain, or are from a construction period which falls outside the Key Period of Significance for the HCA, but which reflect the predominant scale and form of other buildings within the HCA, and therefore do not detract from the character of the HCA
4	Detracting: Buildings from a construction period which falls outside the Key Period of Significance for the HCA that have scale or form that is not consistent with the key characteristics of the area

Chapter E1 – Heritage Items and Conservation Areas  
Part 9 – Heritage Conservation Areas Character Statements and Rankings

Prospect Hall

Street	Side	No	Rating	Name	Style/Observations
Henson Street		63	1		
Henson Street		61	1		
Henson Street		59	*		
Henson Street		57A	1		
Henson Street		57	1		
Henson Street		55	1		
Henson Street		53	1		
Henson Street		51	*		
Henson Street		49	1		
Henson Street		47	1		
Henson Street		45	*		
Hurlstone Avenue	N	19	1		Queen Anne
Hurlstone Avenue	N	17	1		Queen Anne/Arts & Crafts
Hurlstone Avenue	N	15	1		Arts & Crafts
Hurlstone Avenue	N	13	1		Arts & Crafts
Hurlstone Avenue	N	11	1		Queen Anne
Hurlstone Avenue	N	9	2		Queen Anne
Hurlstone Avenue	N	7	1		Arts & Crafts
Hurlstone Avenue	N	5	1		Queen Anne
Hurlstone Avenue	N	3	*		Federation Bungalow
Hurlstone Avenue	N	1	1		Arts & Crafts
Hurlstone Avenue	S	2	1		Queen Anne
Hurlstone Avenue	S	4	1		Queen Anne
Hurlstone Avenue	S	6	*		Queen Anne/Arts & Crafts
Hurlstone Avenue	S	8	1		Queen Anne
Hurlstone Avenue	S	10	1		Arts & Crafts
Hurlstone Avenue	S	12	1		Queen Anne
Hurlstone Avenue	S	14	1		Californian Bungalow
Hurlstone Avenue	S	16	*		Queen Anne/Arts & Crafts
Old Canterbury Road		296a	*		

Street	Side	No	Rating	Name	Style/Observations
Old Canterbury Road		296	1		Arts & Crafts
Old Canterbury Road		292	1		Queen Anne
Old Canterbury Road		290	1		Queen Anne
Old Canterbury Road		288	1		Californian Bungalow
Old Canterbury Road		284	1		Arts & Crafts
Old Canterbury Road		282	1		Federation Bungalow
Old Canterbury Road		280	1		Arts & Crafts/Californian Bungalow
Old Canterbury Road		278	1		Arts & Crafts
Old Canterbury Road					
Old Canterbury Road		276	1		Arts & Crafts
Prospect Road		110	1		Queen Anne
Prospect Road		112	1		Queen Anne
Prospect Road		114	1		Queen Anne
Prospect Road		116	1		Queen Anne
Prospect Road		118	1		Arts & Crafts
Prospect Road		124	1		Queen Anne
Prospect Road		126	1		Arts & Crafts
Prospect Road		128	1		Queen Anne
Prospect Road		130	1		Queen Anne
Prospect Road		132	1		Queen Anne/Arts & Crafts
Prospect Road		142	1		Arts & Crafts
Prospect Road		144	1		Arts & Crafts/Californian Bungalow
Prospect Road		146	1		Arts & Crafts
Prospect Road		148	2		Bastardised Queen Anne
Prospect Road		150	1		Arts & Crafts
Rosemount Avenue	E	2	1		Federation Bungalow
Rosemount Avenue	E	4	1		Queen Anne
Rosemount Avenue	E	6	1		Queen Anne/Arts & Crafts
Rosemount Avenue	E	8	1		Queen Anne/Arts & Crafts
Rosemount Avenue	E	10	1		Arts & Crafts
Rosemount Avenue	E	12	2		Arts & Crafts/Add

Chapter E1 – Heritage Items and Conservation Areas  
Part 9 – Heritage Conservation Areas Character Statements and Rankings

Street	Side	No	Rating	Name	Style/Observations
Rosemount Avenue	E	14	1		Californian Bungalow
Rosemount Avenue	E	16	1		Queen Anne
Rosemount Avenue	E	18	1		Californian Bungalow
Rosemount Avenue	E	20	*		Queen Anne
Rosemount Avenue	W	23	1		Californian Bungalow
Rosemount Avenue	W	21	1		Arts & Crafts
Rosemount Avenue	W	19	1		Queen Anne
Rosemount Avenue	W	17	1		Queen Anne
Rosemount Avenue	W	15	2		Arts & Crafts
Rosemount Avenue	W	13	1		Arts & Crafts
Rosemount Avenue	W	11	2		Arts & Crafts/Add
Rosemount Avenue	W	9	2		Queen Anne
Rosemount Avenue	W	7	1		Queen Anne
Rosemount Avenue	W	5	1		Queen Anne
Rosemount Avenue	W	3	1		Arts & Crafts
Rosemount Avenue	W	1	1		Arts & Crafts
Seaview Street		2	1		Californian Bungalow
Seaview Street		4	1		Arts & Crafts
Seaview Street		6	1		Queen Anne
Seaview Street		8	1		Queen Anne
Seaview Street		10	1		Queen Anne
Seaview Street		12	1		Queen Anne
Seaview Street		14	1		Queen Anne
Seaview Street		16/18	1		Arts & Crafts/Californian Bungalow
Seaview Street		20	1		Functionalist
Seaview Street		22/22a	1		Inter-war Old English
Seaview Street		24/24a	1		Inter-war Mediterranean
Seaview Street		26a	3		Post-war International
Seaview Street		26	*		Federation/Inter-war Bungalow

Chapter E1 – Heritage Items and Conservation Areas  
 Part 9 – Heritage Conservation Areas Character Statements and Rankings