 DEVELOPMENT ASSESSMENT REPORT	
<b>Application No.</b>	REV/2020/0033
<b>Address</b>	235 Norton Street LEICHHARDT NSW 2040
<b>Proposal</b>	S8.2 Review of Development Application - review of condition which required deletion of carparking space.
<b>Date of Lodgement</b>	21 December 2020
<b>Applicant</b>	Mr Paul E Ferris
<b>Owner</b>	Mr Paul E Ferris Mrs Ruth A Groves-Ferris
<b>Number of Submissions</b>	Nil
<b>Value of works</b>	\$48,500.00
<b>Reason for determination at Planning Panel</b>	Section 8.2 review request with a recommendation which does not change the prior determination.g
<b>Main Issues</b>	Streetscape, parking location, safety, loss of public parking, non-compliance with relevant Australian Standards.
<b>Recommendation</b>	Uphold previous determination.
<b>Attachment A</b>	Recommended conditions of consent in the event that the DA review application is approved
<b>Attachment B</b>	Plans of proposed development
<b>Attachment C</b>	Additional plans
<b>Attachment D</b>	DA/2020/0732 – Conditions of consent

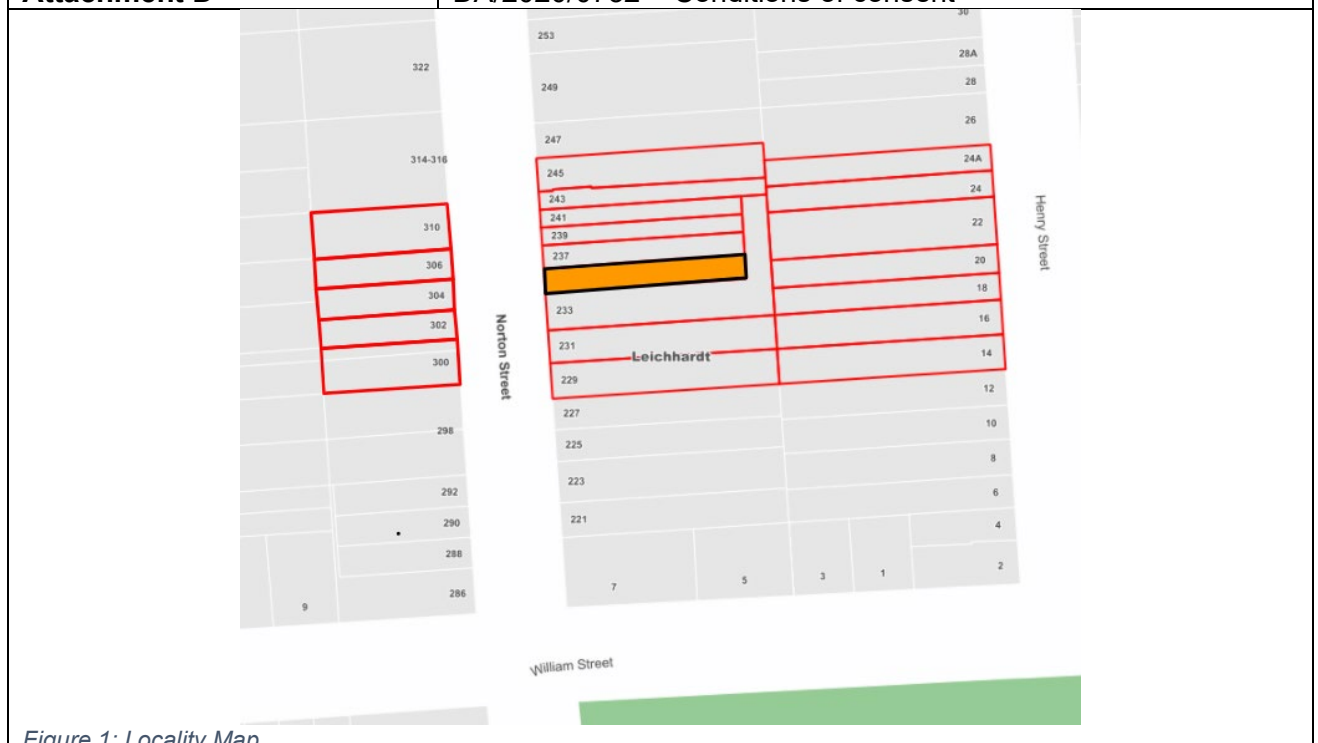







Figure 1: Locality Map

Subject Site		Objectors		N 
Notified Area		Supporters		

### 1. Executive Summary

This report is an assessment of the application submitted to Council for S8.2 Review of Development Application. Specifically, the applicant seeks a review of condition 2, which requires the deletion of the carport and vehicular crossover at 235 Norton Street, Leichhardt.

The main issues that have arisen from the application include:

- Inappropriate location of carparking forward of the building line, out of character with area and contrary to planning policy;
- Loss of public/ on-street parking;
- Pedestrian and vehicle safety; and
- Non-compliant parking space having regard to relevant Australian Standard.

The above matters continue to be non-compliant and are of unresolved concern to Council. As such, the previous determination is recommended to be upheld.

### 2. Proposal

The proposal is to review Condition 2, imposed on DA/2020/0732, which requires the deletion of the carport and vehicular crossover at 235 Norton Street, Leichhardt.

### 3. Site Description

The subject site is located on the eastern side of Norton Street, between William Street and Albert Lane. The site consists of one allotment identified as Lot Y of DP 390523. It is rectangular in shape, having a width (and frontage to the street) of 5.18m with a total area of 227.6sqm.

The site supports a two-storey townhouse. Surrounding sites consist of a variety of development, including two-storey townhouses, single-storey dwelling houses, small-scale industrial development and two to three-storey mixed use development.

The subject site is not listed as a heritage item, not within a Heritage Conservation Area and not identified as a flood prone lot.

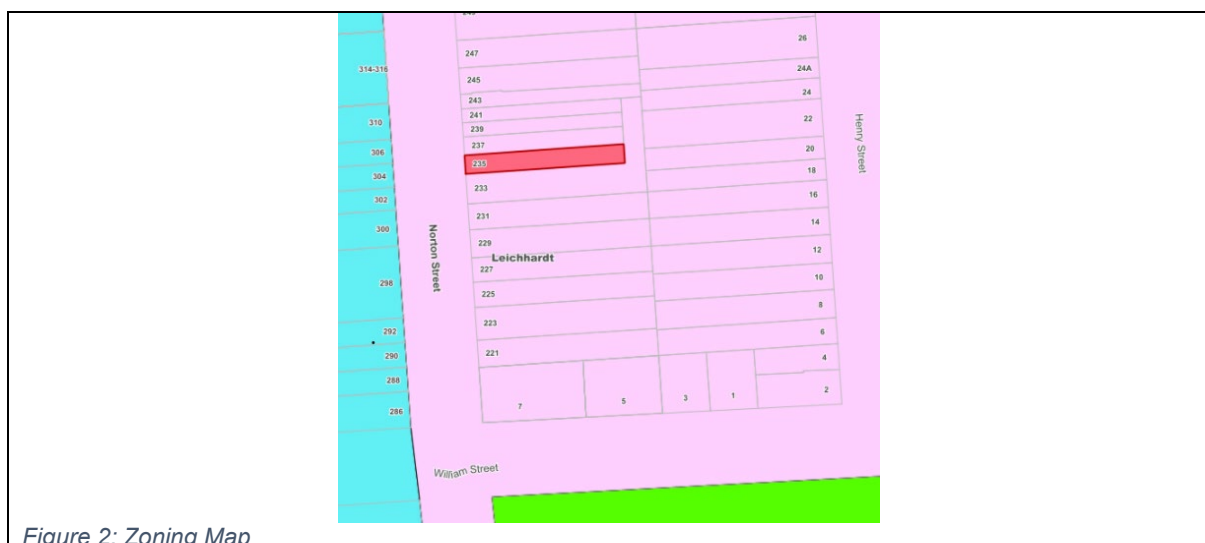


Figure 2: Zoning Map

## 4. Background

### 4(a) Site history

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

#### Subject Site

Application	Proposal	Decision & Date
D/2003/416	Development Application - New driveway crossing and garage to Norton Street and the removal of a street tree.	Approved on 30/09/2003
M/2004/41	S4.55 Modification of Development Consent - Modification to development consent D/2003/416 for the construction of a new driveway crossing to Norton Street and a new garage under the existing ground floor of the dwelling and removal of the street tree. Modification to correct a miscalculation of driveway crossing.	Approved on 27/05/2004

#### Surrounding properties

Application	Proposal	Decision & Date
D/1999/800	Development Application - Erection of single garage at No. 233 Norton Street.	Refused on 28/06/2000
D/2003/60	Construction of double garage with games area, workshop, patio and laundry/shower at the rear of site at No. 233 Norton Street.	Withdrawn on 09/06/2003
D/2004/457	New garage to rear of existing property, including bathroom and laundry facilities at No. 233 Norton Street.	Withdrawn on 10/12/2004
D/2003/667	Ground and first floor alterations and additions to an existing dwelling including a new basement garage at No. 237 Norton Street.	Deferred Commencement on 07/04/2003
PREDA/2013/25	Alterations and additions to existing dwelling at No. 237 Norton Street.	Advice Issued on 13/03/2013
D/2013/329	Alterations and additions to rear of existing dwelling at No. 237 Norton Street.	Approved on 22/11/2013
D/2016/8	Alterations and additions to the existing dwelling including a single-storey rear extension at No. 239 Norton Street.	Approved on 10/06/2021
M/2016/269	Modify D/2016/8 which approved alterations and additions. Modification seeks to increase Floor Area by increasing the building by 2.1m at No. 239 Norton Street.	Refused on 25/05/2017

#### 4(b) Application history

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

Date	Discussion / Letter / Additional Information
21/12/2021	<ul style="list-style-type: none"> <li>Application lodged</li> </ul>
17/03/2021	<ul style="list-style-type: none"> <li>The applicant contacted Council via email, requesting an update on the application.</li> <li>Council advised the applicant that it is intended to report the application to the IWLPP in May.</li> </ul>
09/04/2021	<ul style="list-style-type: none"> <li>Council contacted the applicant via phone and email, advising that, given that the application was not notified to surrounding properties, it could not be reported to the IWLPP in May and that the application would be reported to the IWLPP at the next available time after the end of the notification period. (Note: the application was notified between 15 April and 29 April 2021).</li> </ul> <p>Further, Council advised the applicant that the position regarding the proposed parking space at the front is likely maintained and that the recommendation to the IWLPP would be confirmation of the previous determination, i.e., deletion of the proposed parking space and vehicular crossover. Council advised the applicant of the option to withdraw the application.</p> <p>Note: Council attached the assessment report of DA/2020/0732 to the email.</p> <ul style="list-style-type: none"> <li>The applicant informed Council that they wish to proceed with the application.</li> </ul>
07/05/2021	<ul style="list-style-type: none"> <li>The applicant submitting additional plans and justification for the proposed carport and vehicular crossing.</li> </ul>

## 5. Assessment

The following is a summary of the assessment of the application in accordance with Section 8.2 of the *Environmental Planning and Assessment Act 1979*.

### 5(a) Environmental Planning Instruments

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

- *State Environmental Planning Policy No. 55—Remediation of Land*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*
- *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*
- *Leichhardt Local Environmental Plan 2013*

The following provides further discussion of the relevant issues:

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

State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55) provides planning guidelines for remediation of contaminated land. The LDCP 2013 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**

The estimated cost of construction is \$48,500.00. As such, the proposed development is not a BASIX affected development.

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

An assessment has been made of the matters set out in Division 2 Matters for Consideration of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005. It is considered that the carrying out of the proposed development is generally consistent with the relevant matters for consideration of the Plan and would not have an adverse effect on environmental heritage, the visual environment, the natural environment or open space and recreation facilities.

**5(a)(iv) Leichhardt Local Environment Plan 2013 (LLEP 2013)**

The application was assessed against the following relevant clauses of *the Leichhardt Local Environment Plan 2013*:

- Clause 1.2 - Aims of the Plan
- Clause 2.3 - Zone objectives and Land Use Table
- Clause 4.3A - Landscaped areas for residential accommodation in Zone R1
- Clause 4.4 – Floor Space Ratio

The proposal is considered to be inconsistent with the provisions and objectives of a number of the abovementioned Clauses as discussed in further detail below

(i) Clause 1.2 – Aims of Plan

Having regard to the condition in contention, and as elaborated in detail below, Council officers are of the opinion that the car space location and vehicular crossing are contrary to the following aims of LLEP 2013:

(b) to minimise land use conflict and the negative impact of urban development on the natural, social, economic, physical and historical environment,

(c) to identify, protect, conserve and enhance the environmental and cultural heritage of Leichhardt,

(d) to promote a high standard of urban design in the public and private domains,

(e) to protect and enhance the amenity, vitality and viability of Leichhardt for existing and future residents, and people who work in and visit Leichhardt,

(i) to provide for development that promotes road safety for all users, walkable neighbourhoods and accessibility, reduces car dependency and increases the use of active transport through walking, cycling and the use of public transport,

(l) to ensure that development is compatible with the character, style, orientation and pattern of surrounding buildings, streetscape, works and landscaping and the desired future character of the area,

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

The site is zoned R1 General Residential under the LLEP 2013. The LLEP 2013 defines the development as:

***attached dwelling*** means a building containing 3 or more dwellings, where—

- (a) each dwelling is attached to another dwelling by a common wall, and
- (b) each of the dwellings is on its own lot of land, and
- (c) none of the dwellings is located above any part of another dwelling.

The development is permitted with consent within the land use table; however, the proposed carport and vehicular crossing is inconsistent with the following objectives of the R1 zone:

- To provide housing that is compatible with the character, style, orientation and pattern of surrounding buildings, streetscapes, works and landscaped areas; and
- To protect and enhance the amenity of existing and future residents and the neighbourhood.

(iii) Clause 4.3A and 4.4 – Landscaped areas for residential accommodation in Zone R1 and Floor Space Ratio

The proposal complies with the floor space ratio, landscaped areas and site coverage development standards.

## 5(b) Draft Inner West Local Environmental Plan 2020 (Draft IWLEP 2020)

The Draft IWLEP 2020 was placed on public exhibition commencing on 16 March 2020 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 IWLEP 2020 are not especially relevant to the assessment of the application. Accordingly, the development is considered acceptable having regard to the provisions of the Draft IWLEP 2020.

## 5(c) Development Control Plans

The application has been assessed and the following provides a summary of the relevant provisions of the Leichhardt Development Control Plan 2013.

Specifically, the assessment pertains to the components of the design, which the applicant seeks to retain, namely, the provision of the carport and vehicular crossing. The other parts of the original assessment remain unaltered. Accordingly, the following assessment is provided for the Panel's assistance.

LDCP2013	Compliance
<b>Part A: Introductions</b>	
Section 3 – Notification of Applications	Yes
<b>Part C</b>	
C1.0 General Provisions	No – see discussion below
C1.3 Alterations and additions	No – see discussion below
C1.11 Parking	No – see discussion below
<b>Part C: Place – Section 2 Urban Character</b>	
C2.2.3.5 Leichhardt Commercial Distinctive Neighbourhood	No – see discussion below
C2.2.3.5(d) Norton Street - Residenziale Sub Area	No – see discussion below
<b>Part C: Place – Section 3 – Residential Provisions</b>	
C3.1 Residential General Provisions	No – see discussion below
C3.5 Front Gardens and Dwelling Entries	No – see discussion below

The applicant has requested a review of the requirement to delete the carport and vehicular crossing, presenting, *inter alia*, the following reasons in support of that request:

- *Other houses on our street have carports, including the dwellings on both sides. From the corner of William Street and Norton Street to 235 Norton St, every house (8 in total) has off street parking with vehicular crossover. A precedent has been set for off street parking and vehicular crossover.*
- *If the issue is loss of on street parking this can be remedied by moving or removing the concrete sleeper, which we presume is there to enable/reserve a space for motorcycle parking. We have not seen a motorcycle park there in the 5 years we have lived there.*
- *Should council require additional parking spaces then council should consider the removal of the planter boxes on the street, this will create much needed on street parking.*
- *If the issue is the Telstra access on the footpath, the vehicular crossover can be positioned to avoid it. The neighbours have Telstra access on their driveways/vehicular crossovers.*
- *If we do not have off street parking, our vehicle would occupy the space that would be preserved by the determination.*
- *The council promotes itself as an environmentally conscious council. We need the off-street parking to enable charging of our electric vehicle. Otherwise we would have to run an extension cord across the foot path which would be a hazard for pedestrians. Leichhardt council does not provide any electric vehicle charging stations.*
- *The only part of the proposed parking space that does not comply with Australian Standards is the head room. (The applicant outlines that, given that “other aspects of the standard” are complied with, the proposal “should have been considered on its merit”.)*
- *There are approx. 21 houses on this side of Norton street and 15 of them have some type of off-street parking namely carport, garage, or just a parking space. As this is the case then our proposal is totally not out of character with the streetscape.*
- *The main purpose of the carport was to be able to charge an EV(electric Vehicle) As there is not provision on the street to do so we will be forced to run electric leads across the footpath this will create a trip hazard and hence given we do not have any other choice we will be force to hold the council to account in the event of an accident. The are two solutions in preventing this situation 1 is to approve the off street parking and or for council to install a charging stations along norton street to cater for the changes the electric vehicles.*

The following provides comments with regard to the above-mentioned parts of the LDCP 2013 and addresses the matters raised by the applicant.

**Part C1.11 Parking, Part C2.2.3.5 Leichhardt Commercial Distinctive Neighbourhood and Part C2.2.3.5(d) Norton Street - Residenziale Sub Area**

Council's Development Engineer provided the following comments as part of DA/2020/0732 and the subject application:

- *The proposed carport and vehicular crossover are not supported for the following reasons:*
  - *The new vehicular crossing to Norton Street will result in loss of an on-street parking space. Given that there is high demand of on-street parking spaces in the area, the proposed new vehicular crossing to access the site can not be supported.*
  - *Insufficient space is available at the front of the dwelling for a car space. Plans submitted to Council have failed to demonstrate that, the vehicular access and off-street parking facilities comply with Australian Standard AS/NZS2890.1-2004 Parking Facilities – Off-Street Car Parking, Clause C1.11 Parking of the LDCP2013 and the following specific requirements:*
  - *The garage slab or driveway must rise within the property to be 170mm above the adjacent road gutter level and higher than the street kerb and footpath across the full width of the vehicle crossing. The longitudinal profile across the width of the vehicle crossing must comply with the Ground Clearance requirements of AS/NZS 2890.1-2004.*
  - *A minimum of 2200mm headroom must be provided throughout the access and parking facilities. Note that the headroom must be measured at the lowest projection from the ceiling, such as lighting fixtures, and to open garage doors.*
  - *Longitudinal sections along each outer edge of the access and parking facilities, extending to the centreline of the road carriageway must be provided at a natural scale of 1:25, demonstrating compliance with the above requirements.*
  - *The garage/parking space must have minimum clear internal dimensions of 6000mm x 3000 mm (length x width) and a door opening width of 2800 mm at the street frontage. The dimensions must be exclusive of obstructions such as walls, doors and columns, except where they do not encroach inside the design envelope specified in Section 5.2 of AS/NZS 2890.1-2004.*
  - *A plan of the proposed access and adjacent road, drawn at a 1:200 scale, demonstrating that vehicle manoeuvrability for entry and exit to the parking space complies with swept paths from AS/NZS 2890.1:2004. The plan must include any existing on-street parking spaces.*
  - *A parked vehicle would encroach on to the existing Telstra pits on Council's footpath.*

Note: Should the IWLPP approve the application, draft conditions of consent are provided in Attachment A.

Whilst the applicant's suggestion to increase the length of the parking space to six (6) metres would address the issue regarding the length, compliance with the minimum required headroom of 2200mm throughout the access and parking facilities, which is only provided for 3352mm, is not achieved.

The applicant's suggestion to remove the wheel stop in front of the subject site and reduction of the size of the tree pit, to retain/relocate one (1) on-street car parking space, is not considered to be supportable, as advised by Council's Arborist, for the following reasons:

- *The size of the tree pit is at its minimum to support the tree's growth within a road;*
- *Reduction of the pit size will result in severance of surface tree roots, which will most likely result in a slow decline in the tree's health leading to death [hence, removal of a street tree];*



- *Reduction would reduce the area of soil cover that is required for water absorption;*
- *Removal of the wheel stop and reducing the size of the pit would, potentially, result in cars hitting the tree trunk, damaging the tree;*
- *Inner West Council has established canopy targets for the Inner West LGA based on the zoning of the land. Those canopy targets are derived from the Greater Sydney Commission - District Plans and for the site (R1 Residential) is 40%;*
- *One of the core objectives of the Inner West Community Strategic Plan is to sustain and increase tree canopy. The Council owned road reserve is regarded as important space for tree planting.*

Further, currently, at least one (1) motorbike, or bicycle, can park between the wheel stop and tree pit (Figure 3). Removal/altering these would, therefore, result in the loss of one (1) on-street car parking space and one (1), or potentially two (2), on-street motorbike/bicycle parking spaces.



Figure 3: Subject Site (centre).

As such, the proposal does not comply with the following controls of Part C1.11 of the LDCP 2013:

- C1 - Approval for any new off-street parking space will be subject to meeting the requirements of Australian Standard AS 2890.1 Parking facilities and any relevant clauses outlined within this Development Control Plan.
- C7 - The vehicular access and structures above must be compliant with Australian Standard AS 2890.1 Parking Facilities and be designed to achieve safe and practical clearance over the vehicles using the parking facilities.
- C8 - Street trees represent an important Council and environmental asset. Removal of street tree(s) for the purpose of accommodating a vehicle crossover is generally not supported.
- C49 - Vehicle crossovers do not significantly adversely impact street trees, or on-street parking capacity of the street/lane.

Whilst control C48 of Part C1.11 outlines “Where no rear lane or secondary road access is available, vehicle parking may be provided from the primary street frontage”, the design of the proposed carport and vehicle crossing is contrary to the following requirements of this control to gain support for vehicle parking from the primary street frontage:

- a. The parking space/carport is not located wholly behind the front wall of the main building of the dwelling;
- d. The vehicle crossing and parking space/carport has a width that is more than 50% of the width of the front elevation of the main building on the site (front elevation approximately 5 metres, width of the carport is 3.03 metres); and
- e. The parking space/carport is not subordinate to the main building.

As such, the proposed on-site parking is also contrary to control C2 of Part C1.11 which reads:  
C2 The layout and design of parking areas shall:

- a. be sensitively located so that it does not dominate the street scene;
- b. minimise visual impacts to the building and street;
- c. maximise accessibility;
- d. provide clear, safe, direct, legible and well-lit pedestrian and cycling routes through the parking area to adjacent access points and main building entry points; and
- e. be situated away from the front of buildings and positioned at the rear, side or beneath the building.

In addition, control C3 of Part C1.11 requires, *inter alia*, that development includes tree planting in the instance that “new parking areas are sought to be located at the front”. The proposal does not include tree planting and, as outlined above, would likely result in the loss of a street tree if the design amendments suggested by the applicant would be supported.

Whilst it is acknowledged that there are other developments in the vicinity that have on-site parking, and access to it, including at No. 233 and No. 237 Norton Street, these parking spaces were either not approved under Council’s current controls and / or Council has no record of approval. Further, it is noted that the vehicular crossing at No. 233 Norton Street provides access to the rear of the site and does not provide adequate manoeuvrability to access the carport within the front setback of the site as required by the Australian Standard for Parking Facilities.

The subject site is located within the Leichhardt Commercial Distinctive Neighbourhood and Norton Street - *Residenziale* Sub Area. Control C45 of Part C1.11 of the LDCP 2013 outlines that

“Development is to be consistent with the suburb profiles and desired future character statements within the Distinctive Neighbourhood controls within Part C Section 2: Urban Character of this Development Control Plan”.

Part C2.2.3.5 and Part C2.2.3.5(d) outline specific provisions to give guidance on how to facilitate development that gives effect to the aims of the LLEP 2013 and achieves the objectives of the R1 General Residential Zone. Given the issues raised above, the proposed carport and vehicular crossing are considered to be contrary to the controls listed below and, as such, contrary to control C45 of Part C1.11, the aims of the LLEP 2013 and objectives of the R1 zone:

#### Part C2.2.3.5

- C4 Promote land uses and urban design that enhance and contribute to the character and identity of the neighbourhood whilst protecting Heritage Items and Heritage Conservation Areas that combine to help create that character.
- C6 Improve accessibility, pedestrian amenity and linkages.
- C8 Preserve existing street trees and promote further street trees, using native species when possible.

#### Part C2.2.3.5(d)

- C8 Development is to be consistent with any relevant objectives and controls within the Leichhardt Commercial Distinctive Neighbourhood.

Given the issues raised above, the proposal is considered to be contrary to the following objectives of the LDCP 2013:

#### Part C1.11 Parking

- O2 Priority is to be given to the needs of pedestrians, disabled people and cyclists above the needs of the car. This must be taken into consideration in the location and design of any parking facilities.
- O7 To provide parking that can meet the needs of building or facility users for all modes of transport.
- O8 The impact of car parking areas on the urban fabric of the neighbourhood should be minimised.
- O9 To design parking for all appropriate transport modes on private properties so that it will reinforce the quality and integrity of streetscapes, the layout, siting and use of neighbouring buildings, as well as the subject site and building design and will not detract from the amenity of adjoining areas.

- O10 To ensure the design and construction of vehicle parking, service and delivery areas and loading facilities minimises visual and amenity impacts that can be caused by traffic movements and parked vehicles.
- O12 Vehicle access, manoeuvring and parking will:
  - a. achieve a balance between encouraging public transport, pedestrians and cycling and catering for the needs of on-site residents and their visitors;
  - b. not visually dominate the building façade or streetscape;
  - e. enable the safe, convenient and efficient movement of vehicles, pedestrians and cyclists.

#### Part C2.2.3.5 Leichhardt Commercial Distinctive Neighbourhood

- O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Leichhardt Commercial Distinctive Neighbourhood.

#### Part C2.2.3.5(d) Norton Street - Residenziale Sub Area

- O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

As such, and given that, pursuant to Part C1.11.1, single dwelling houses are not required to provide on-site parking, it is recommended that the decision to delete the carport and vehicular crossing be upheld.

In addition, it is considered that the proposed carport does not comply with the following Parts of the LDCP 2013:

#### **Part C1.3 Alterations and Additions**

To accommodate the car parking space and carport at the front, it is proposed to demolish parts of the existing front wall underneath the existing front verandah. This is contrary to control C7, which outlines that “alterations and/or additions to the front of an existing dwelling must ensure that important elements of the original character of the building and its setting are retained, restored or reconstructed, where it contributes to the desired future character”. As such, and in addition to the issues raised in other sections of this report, the proposal does not achieve the following objectives of this part:

- O1 To ensure that development:
  - b. where an alteration or addition is visible from the public domain it should appear as a sympathetic addition to the existing building;
  - c. makes a positive contribution to the desired future character of the streetscape and any heritage values associated with it;
  - h. retains existing fabric wherever possible and maintains and repairs, where necessary, rather than replaces the fabric.

#### **Part C3.5 Front Gardens and Dwelling Entries**

Control C2 outlines that “The front garden includes areas of sufficient dimensions to accommodate landscaped open space where consistent with the site layout of adjoining properties. Whilst it is acknowledged that the two immediate adjoining sites, No. 233 and No. 237 Norton Street, do not have a front garden, the other sites in the vicinity, including No. 239 – No. 243, which are part of the row of townhouses, have landscaped front gardens. Whilst the subject site has only a small landscaped area along the northern boundary within the front setback, the proposed carport will further inhibit the potential for landscaping. As such, and in addition to the issues raised in other sections of this report, the proposal does not achieve the following objectives of this part:

- O1 Front gardens and dwelling entries:
  - a. provide a sensitive transition between the public and private domain and enables dwellings to achieve a high level of functional and visual engagement with the public realm;

- b. make a positive contribution to streetscape quality and softens the visual impact of the built form;
- c. enable casual surveillance of the street and provide a high level of safety and security;
- d. enable comfortable passive recreation use.

### **Part C1.0 General Provisions and Part C3.1 Residential General Provisions**

Given the above, it is considered that the proposal does not achieve the following controls and objectives:

#### **Part C1.0 General Provisions**

- O3 Adaptable: places and spaces support the intended use by being safe, comfortable, aesthetically appealing, economically viable and environmentally sustainable and have the capacity to accommodate altered needs over time.
- O6 Compatible: places and spaces contain or respond to the essential elements that make up the character of the surrounding area and the desired future character. Building heights, setbacks, landscaping and architectural style respond to the desired future character. Development within Heritage Conservation Areas or to Heritage Items must be responsive to the heritage significance of the item and locality.

#### **Part C3.1 Residential General Provisions**

- C1 Residential development is not to have an adverse effect on:
  - a. the amenity, setting or cultural significance of the place, including the portion of the existing building to be retained.
- C2 Additions to an existing building are generally:
  - a. located to the rear or the side of the existing building when viewed from the principal street frontage; and
  - b. subservient to the form of the existing building; and
  - c. maintain the form, fenestration, roof forms and chimneys of the existing building when viewed from the principal street frontage; and
  - d. of a design which is compatible with but does not compete with the architectural character of the existing building or the Building Typologies.
- O3 To ensure that alterations, additions to residential buildings and new residential development are compatible with the established setting and character of the suburb and neighbourhood and compatible with the desired future character and heritage significance of the place and its setting.

#### **5(e) The Likely Impacts**

The assessment of the application demonstrates that the design will have an adverse impact on the locality with regard to streetscape and loss of publicly available parking.

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

The application does not demonstrate that the impacts of the development can be contained without adversely impacting the streetscape and the public domain and, therefore, it is considered that the site is unsuitable to accommodate the proposal under the review request.

### 5(g) Any submissions

The application was notified in accordance with the Inner West Council Community Engagement Framework for a period of 14 days to surrounding properties. No submissions were received in response to the notification.

### 5(h) The Public Interest

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

Approval of the review is considered to be contrary to the public interest.

## 6 Referrals

### 6(a) Internal

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

- Development Engineer
- Arborist

### 6(b) External

Not required.

## 7. Section 7.11 Contributions/7.12 Levy

Section 7.11 contributions/7.12 levies are not payable for the proposal.

## 8. Conclusion

The proposal would result in unacceptable impacts on the amenity of the adjoining properties and the streetscape. Further, the proposal would result in the loss of publicly available parking. As a result, the proposal is not considered to be in the public interest and, consequently, it is recommended that the original determination is upheld.

## 9. Recommendation

- A. 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*, refuse the Review of Determination DA/2020/0732 (i.e., REV/2020/0033) for deletion of Condiiothn 2, which required deletion of the carport and vehicular crossing at 235 Norton Street LEICHHARDT NSW 2040 for the following reasons:

1. The proposed carport and vehicular crossing are contrary to the following aims of Clause 1.2 of the *Leichardt Local Environmental Plan 2013*:

(b) to minimise land use conflict and the negative impact of urban development on the natural, social, economic, physical and historical environment,

(c) to identify, protect, conserve and enhance the environmental and cultural heritage of

Leichhardt,

(d) to promote a high standard of urban design in the public and private domains,

(e) to protect and enhance the amenity, vitality and viability of Leichhardt for existing and future residents, and people who work in and visit Leichhardt,

(i) to provide for development that promotes road safety for all users, walkable neighbourhoods and accessibility, reduces car dependency and increases the use of active transport through walking, cycling and the use of public transport,

(l) to ensure that development is compatible with the character, style, orientation and pattern of surrounding buildings, streetscape, works and landscaping and the desired future character of the area.

2. The proposed carport and vehicular crossing are inconsistent with the following objectives of the R1 zone contained in the *Leichardt Local Environmental Plan 2013*:

- To provide housing that is compatible with the character, style, orientation and pattern of surrounding buildings, streetscapes, works and landscaped areas; and
- To protect and enhance the amenity of existing and future residents and the neighbourhood.

3. The proposed carport and vehicular crossing are contrary to the following provisions of Leichardt Development Control Plan 2013:

- C1.0 General Provisions
- C1.3 Alterations and additions
- C1.11 Parking
- C2.2.3.5 Leichardt Commercial Distinctive Neighbourhood
- C2.2.3.5(d) Norton Street - Residenziale Sub Area
- C3.1 Residential General Provisions
- C3.5 Front Gardens and Dwelling Entries

4. The proposed car space does not meet the requirements of Australian Standard AS/NZS2890.1-2004 Parking Facilities.

B. That the determination of the original Development Application DA/2020/0732 be upheld.

## Attachment A – Recommended conditions of consent in the event that the DA review application is approved

### CONDITIONS OF CONSENT

#### DOCUMENTS RELATED TO THE CONSENT

##### 1. Documents related to the consent

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

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
1167-2 A3	Floor Plans	28/08/2020	Petkovski & Associates
1167-3 A3	East and West Elevation	28/08/2020	Petkovski & Associates
1167-4 A3	North Elevation	28/08/2020	Petkovski & Associates
1167-5 A3	Sections	28/08/2020	Petkovski & Associates
1167-5 A3	Refurbish Existing Shed	28/08/2020	Petkovski & Associates
1167-6 A3	Roof Plan / Stormwater Plan	28/08/2020	Petkovski & Associates
1167-10 A3	Finishes	28/08/2020	Petkovski & Associates

As amended by the conditions of consent.

#### FEES

##### 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 - Standard

Prior to the commencement of demolition works or 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:	\$2,209.00
Inspection Fee:	\$236.70

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 initial 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. 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.

##### **5. 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.

##### **6. 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.

##### **7. Works Outside the Property Boundary**

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

##### **8. 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.

##### **9. Stormwater Drainage System – Simple**

Stormwater runoff from proposed new or altered roof areas may be discharged to the existing site drainage system.

Any existing component of the stormwater system that is to be retained, including any absorption trench or rubble pit drainage system, must be checked and certified by a Licensed Plumber or qualified practising Civil Engineer to be in good condition and operating satisfactorily.

If any component of the existing system is not in good condition and /or not operating satisfactorily and/or impacted by the works and/or legal rights for drainage do not exist, the drainage system must be upgraded to discharge legally by gravity to the kerb and gutter of a public road.

As there is no overland flow/flood path available from the rear courtyard to Norton Street frontage, the design of the sag pit and piped drainage system is to meet the following criteria:



- a. Capture and convey the 100 year Average Recurrence Interval flow from the contributing catchment assuming 80% blockage of the inlet and 50% blockage of the pipe.
- b. The maximum water level over the sag pit shall not be less than 150mm/300mm below the floor level or damp course of the building
- c. The design shall make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands.

A minimum 150 mm step up shall be provided between all external finished surfaces and adjacent floor areas.

#### **PRIOR TO ANY DEMOLITION**

##### **10. Dilapidation Report**

Prior to any works commencing (including demolition), the Certifying Authority and owners of identified properties, must be provided with a colour copy of a dilapidation report prepared by a suitably qualified person. The report is required to include colour photographs of all the adjoining properties at No. 233 Norton Street, Leichhardt and No. 237 Norton Street, Leichhardt to the Certifying Authority's satisfaction. In the event that the consent of the adjoining property owner cannot be obtained to undertake the report, copies of the letter/s that have been sent via registered mail and any responses received must be forwarded to the Certifying Authority before work commences.

##### **11. 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.

##### **12. 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.

##### **13. 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**

##### **14. Party Walls**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with Architectural Plans accompanied by a Structural Certificate which verifies that the architectural plans do not rely on the Party Wall for lateral or vertical support and that additions are independently supported. A copy of the Certificate & plans must be provided to all owners of the party wall/s.

**15. 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.

**16. 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*

**17. 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.

**18. Parking Facilities**

Plans and certification prepared by a suitably qualified Civil Engineer must be provided, demonstrating that the design of the vehicular access and off-street parking facilities comply with Australian Standard AS/NZS2890.1-2004 Parking Facilities – Off-Street Car Parking and the following specific requirements:

- a. Alignment levels must match the levels issued with this consent.
- b. The longitudinal profile across the width of the vehicle crossing must comply with the Ground Clearance requirements of AS/NZS 2890.1-2004.
- c. Longitudinal sections along each outer edge of the access and parking facilities, extending to the centreline of the road carriageway must be provided at a natural scale of 1:25, demonstrating compliance with the above requirements.
- d. The garage/parking space must have minimum clear internal dimensions of 5400mm x 3000 mm (length x width) and a door opening width of 2800 mm at the street frontage. The dimensions must be exclusive of obstructions such as walls, doors and columns, except where they do not encroach inside the design envelope specified in Section 5.2 of AS/NZS 2890.1-2004.
- e. A plan of the proposed access and adjacent road, drawn at a 1:200 scale, demonstrating that vehicle manoeuvrability for entry and exit to the parking space complies with swept paths from AS/NZS 2890.1:2004. The plan must include any existing on-street parking spaces.

**19. Driveway Long Section - Dwelling**

The vehicular crossing and driveway ramp to the site shall be designed to satisfy the ground clearance template (Figure C1) from AS/NZS 2890.1-2004 Parking Facilities: Off-street car parking. A long section, along both sides of the proposed vehicular crossing and ramp, drawn at a 1:20 or 1:25 natural scale, shall be submitted to and approved by Council before the issue of a Construction Certificate. The long section shall begin from the centreline of the adjacent road to a minimum of 3 metres into the property. The long section shall show both existing surface levels and proposed surface levels with changes.

**DURING DEMOLITION AND CONSTRUCTION****20. 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.

**21. Survey Prior to Footings**

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

**PRIOR TO OCCUPATION CERTIFICATE****22. 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.

**23. Protect Sandstone Kerb**

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

**24. Public Domain Works**

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

- a. Light duty concrete vehicle crossing(s) at the vehicular access location(s).
- b. Other works subject to the *Roads Act 1993* approval.

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

**25. Parking Signoff**

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with certification from a qualified practising Civil Engineer that the vehicle access and off street parking facilities have been constructed in accordance with the approved design and relevant Australian Standards.

**26. Light Duty Vehicle Crossing**

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must ensure that a light duty concrete vehicle crossing/s, in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications" have been constructed at the vehicular access locations.

**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.

**Disability Discrimination Access to Premises Code**

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

**National Construction Code (Building Code of Australia)**

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

**Notification of commencement of works**

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

- a. In the case of work for which a principal contractor is required to be appointed:
  - i. The name and licence number of the principal contractor; and
  - ii. The name of the insurer by which the work is insured under Part 6 of that Act.
- b. In the case of work to be done by an owner-builder:
  - i. The name of the owner-builder; and
  - ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

**Dividing Fences Act**

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

**Permits from Council under Other Acts**

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

- a. Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application;
- b. A concrete pump across the roadway/footpath;
- c. Mobile crane or any standing plant;
- d. Skip bins;
- e. Scaffolding/Hoardings (fencing on public land);
- f. Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.;
- g. Awning or street verandah over footpath;
- h. Partial or full road closure; 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 Corporation	Payments 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	1300 651 116 <a href="http://www.wasteservice.nsw.gov.au">www.wasteservice.nsw.gov.au</a>
Environmental Solutions	
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.

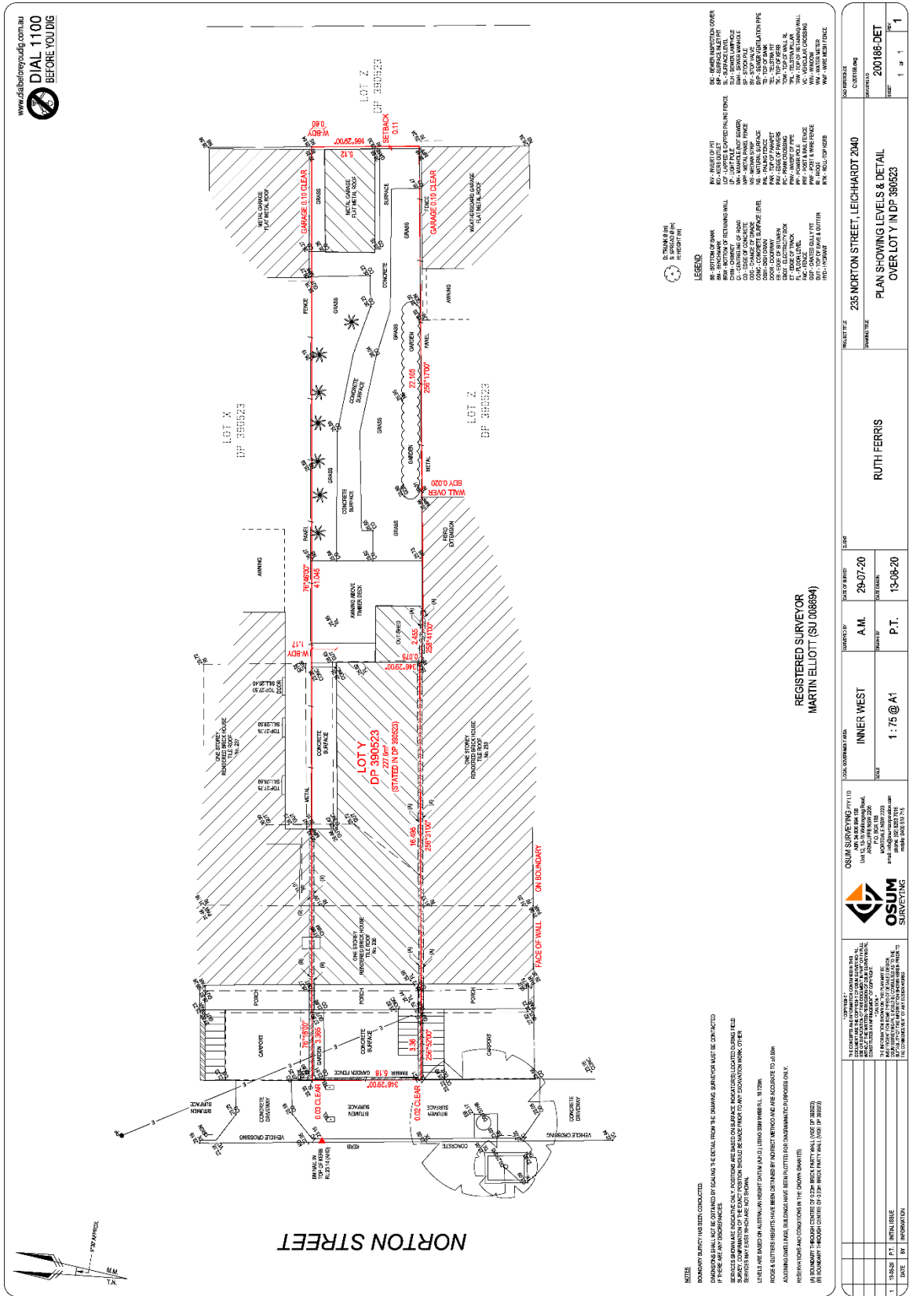
**Insurances**

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.

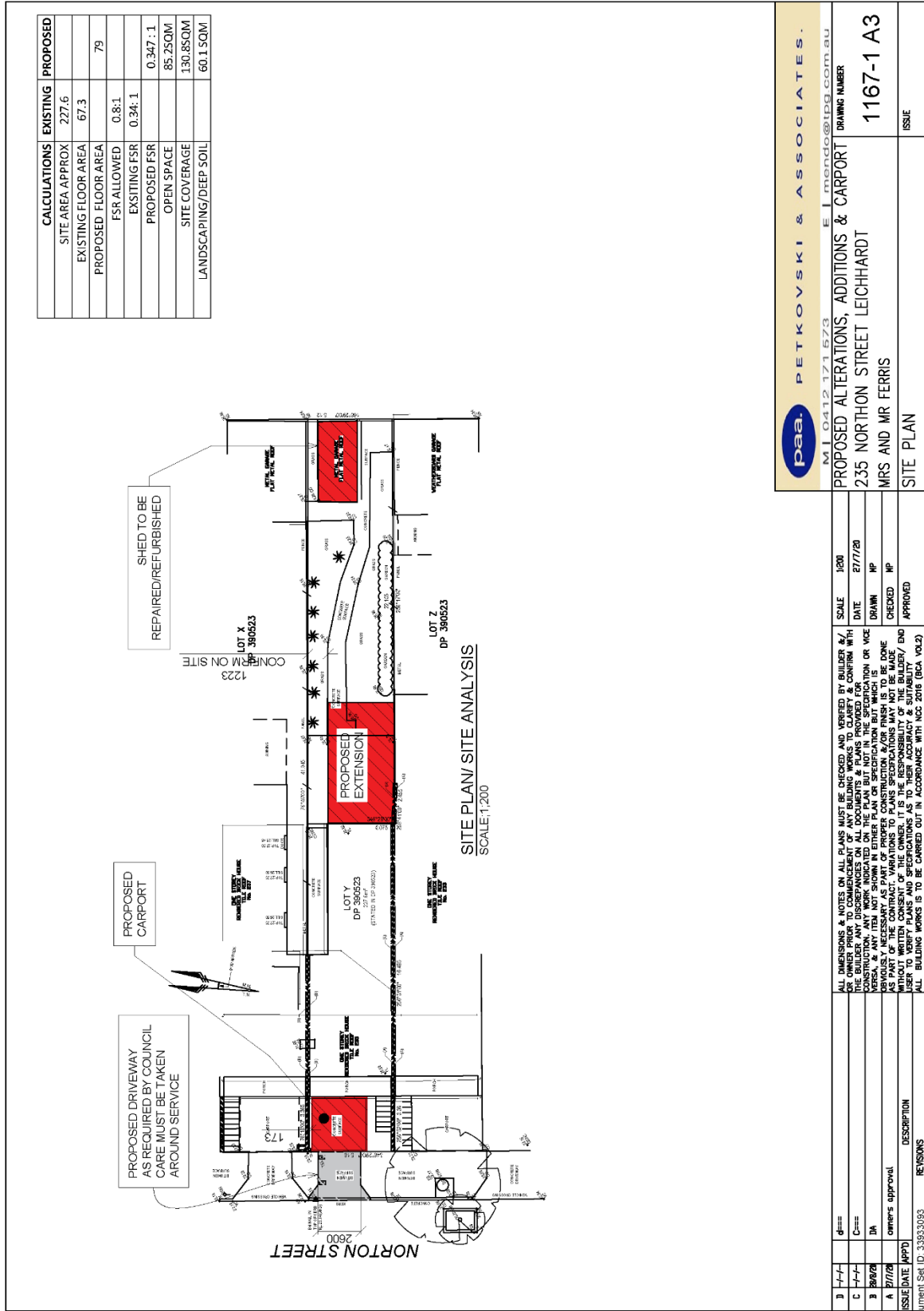
**Street Numbering**

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.

Attachment B – Plans of proposed development







**paa. PETKOVSKI & ASSOCIATES .**  
 M | 0412 171 673 E | mendo@paa.com.au

**PROPOSED ALTERATIONS, ADDITIONS & CARPORT**  
 235 NORTHON STREET LEICHHARDT  
 MRS AND MR FERRIS

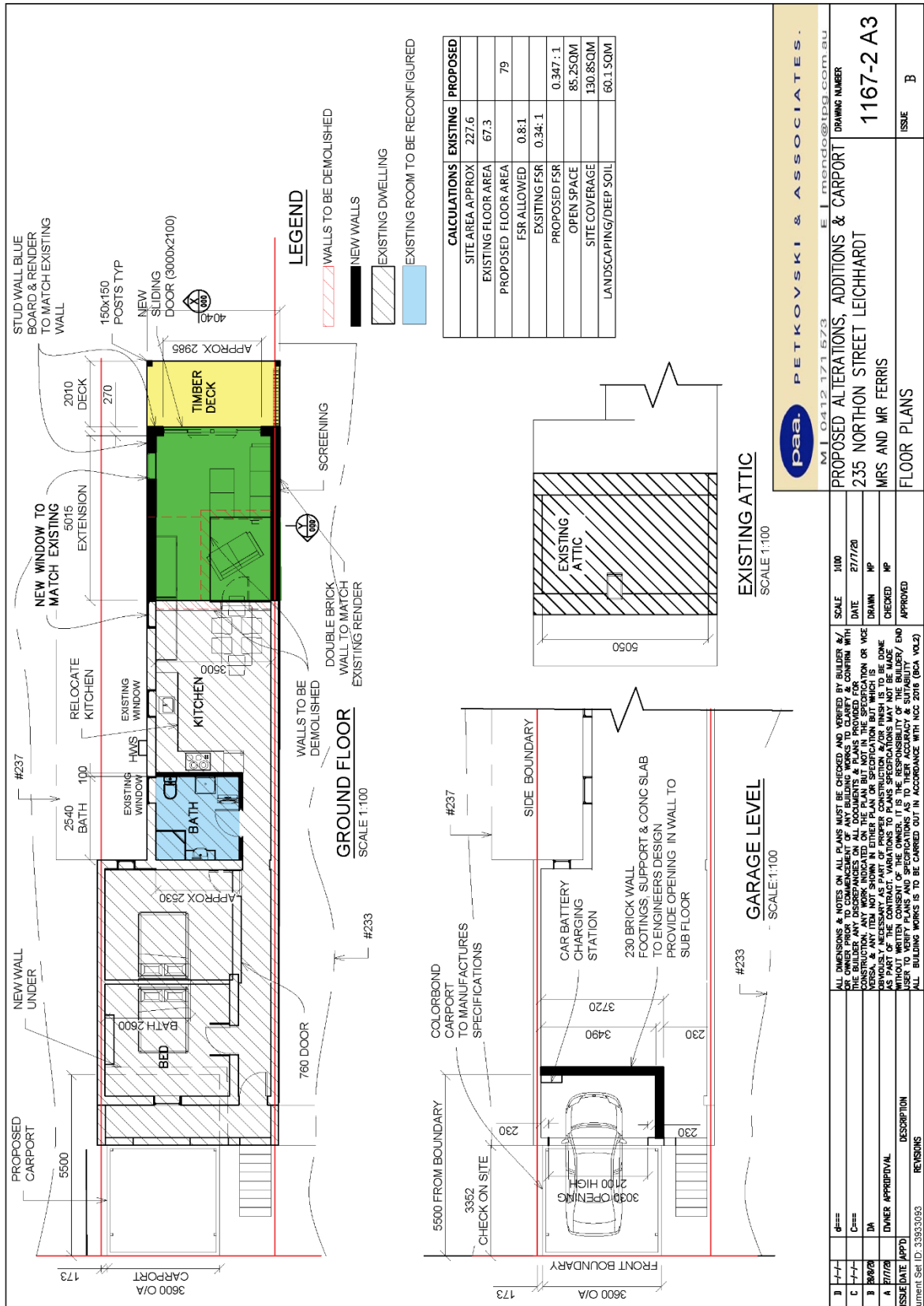
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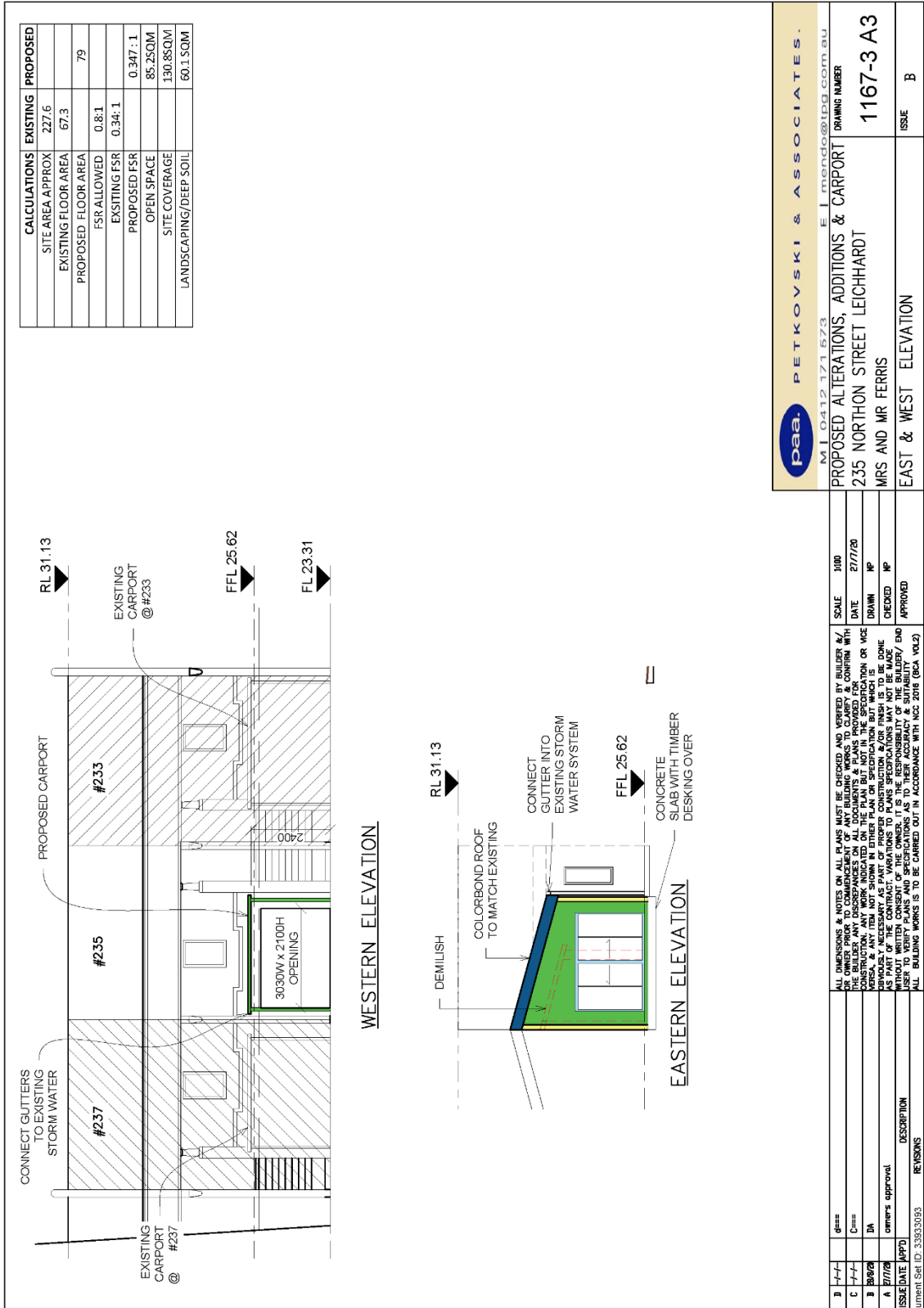
**SITE PLAN**  
 ISSUE

ISSUE	DATE	APPY	REVISIONS
A	27/7/20	DP	owners approval
B	28/8/20	DA	owners approval
C	1/9/20	Ce==	
D	1/9/20	DP==	

ALL DIMENSIONS & NOTES ON ALL PLANS MUST BE CHECKED AND VERIFIED BY BUILDER &/OR CONTRACTOR PRIOR TO COMMENCEMENT OF CONSTRUCTION. THE BUILDER MUST CONFIRM WITH THE BUILDER ANY DISCREPANCIES ON ALL DOCUMENTS & PLANS PROVIDED FOR CONSTRUCTION. ANY WORK INDICATED ON THE PLAN BUT NOT IN THE SPECIFICATION OR VICE VERSA MUST BE OBTAINED FROM THE ARCHITECT PRIOR TO COMMENCEMENT OF CONSTRUCTION. OBVIOUSLY NECESSARY AS PART OF PROPER CONSTRUCTION &/OR FINISH IS TO BE DONE AS PART OF THE CONTRACT. VARIATIONS TO PLANS SPECIFICATIONS MAY NOT BE MADE WITHOUT WRITTEN APPROVAL FROM THE ARCHITECT. ALL BUILDING WORKS IS TO BE CARRIED OUT IN ACCORDANCE WITH NCC 2016 (BCA VOL2)

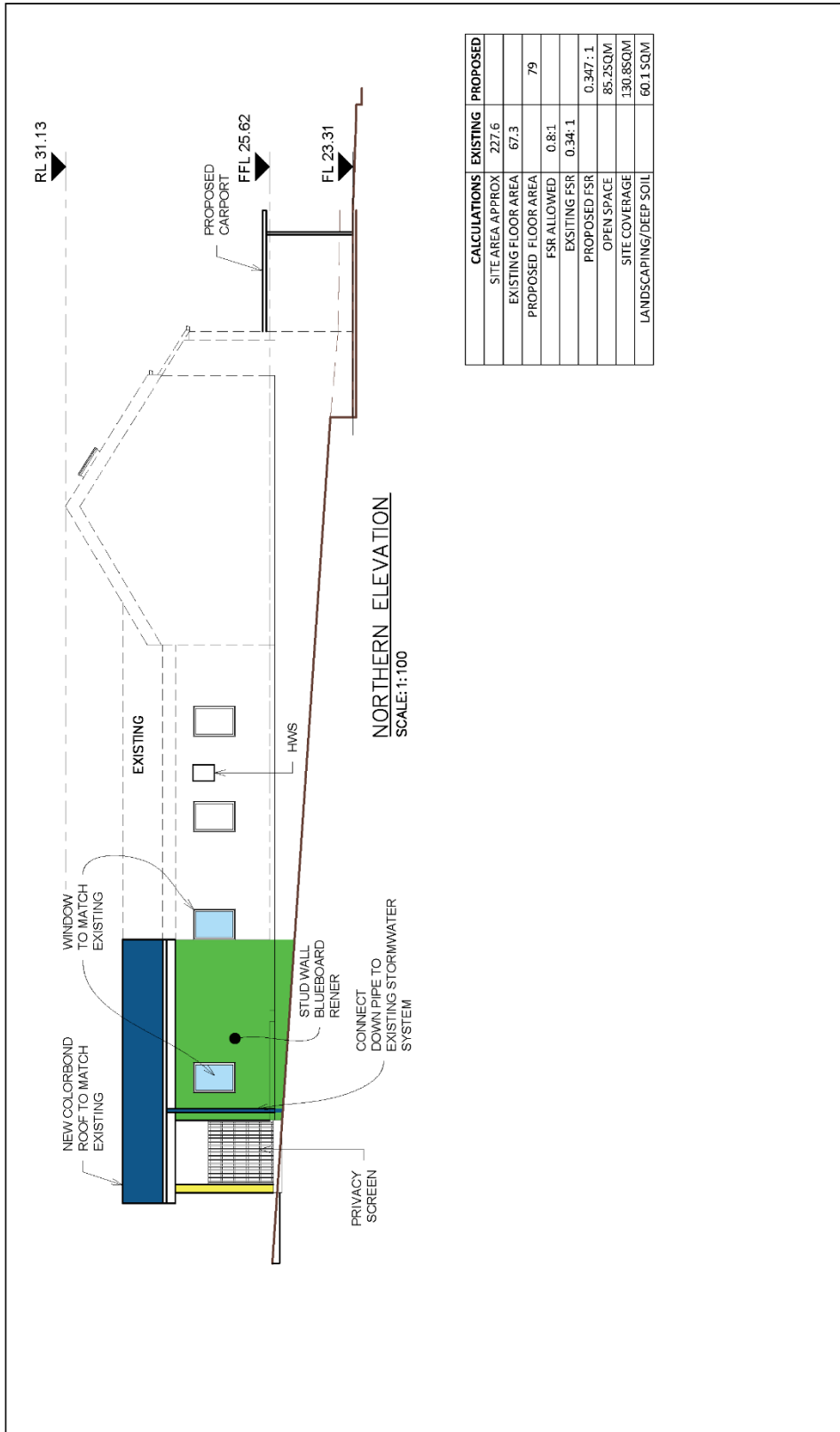
Version: 1, Version Date: 09/09/2020





CALCULATIONS	EXISTING	PROPOSED
SITE AREA APPROX	227.6	
EXISTING FLOOR AREA	67.3	
PROPOSED FLOOR AREA		79
FSR ALLOWED	0.8:1	
EXISTING FSR	0.34:1	
PROPOSED FSR		0.347:1
OPEN SPACE		85.25SQM
SITE COVERAGE		130.85SQM
LANDSCAPING/DEEP SOIL		60.1 SQM

<b>PETKOVSKI &amp; ASSOCIATES</b> MI 0412 171 573   E   mendo@paa.com.au	
PROPOSED ALTERATIONS, ADDITIONS & CARPORT 235 NORTHON STREET LEICHHARDT MRS AND MR FERRIS	
DRAWING NUMBER <b>1167-3 A3</b>	
EAST & WEST ELEVATION ISSUE B	
ISSUE DATE: 09/09/2020 DRAWN: IP CHECKED: IP APPROVED:	SCALE: 1:100 DATE: 27/7/20
ALL DIMENSIONS & NOTES ON ALL PLANS MUST BE CHECKED AND VERIFIED BY BUILDER &/OR ARCHITECT PRIOR TO COMMENCEMENT OF CONSTRUCTION. THE BUILDER MUST CONFIRM WITH THE BUILDER ANY DISCREPANCIES ON ALL DOCUMENTS & PLANS PROVIDED FOR CONSTRUCTION. ANY WORK INDICATED ON THE PLAN BUT NOT IN THE SPECIFICATION OR VICE VERSA SHALL BE CONSIDERED AS PART OF THE CONTRACT. VARIATIONS TO PLANS SPECIFICATIONS MAY NOT BE MADE UNLESS APPROVED BY THE ARCHITECT. THE USER TO VERIFY PLANS AND SPECIFICATIONS AS TO THEIR ACCURACY & SUITABILITY. ALL BUILDING WORKS IS TO BE CARRIED OUT IN ACCORDANCE WITH NCC 2016 (BCA VOL2)	



CALCULATIONS	EXISTING	PROPOSED
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EXISTING FLOOR AREA	67.3	
PROPOSED FLOOR AREA		79
FSR ALLOWED	0.8:1	
EXISTING FSR	0.34: 1	
PROPOSED FSR		0.347: 1
OPEN SPACE		85.25SQM
SITE COVERAGE		130.85SQM
LANDSCAPING/DEEP SOIL		60.1 SQM

**pa** PETKOVSKI & ASSOCIATES  
 M1 0412 371 573 E: l.mando@peg.com.au

**PROPOSED ALTERATIONS, ADDITIONS & CARPORT**  
 235 NORTON STREET LEICHHARDT  
 MRS AND MR FERRIS  
 NORTHERN ELEVATION

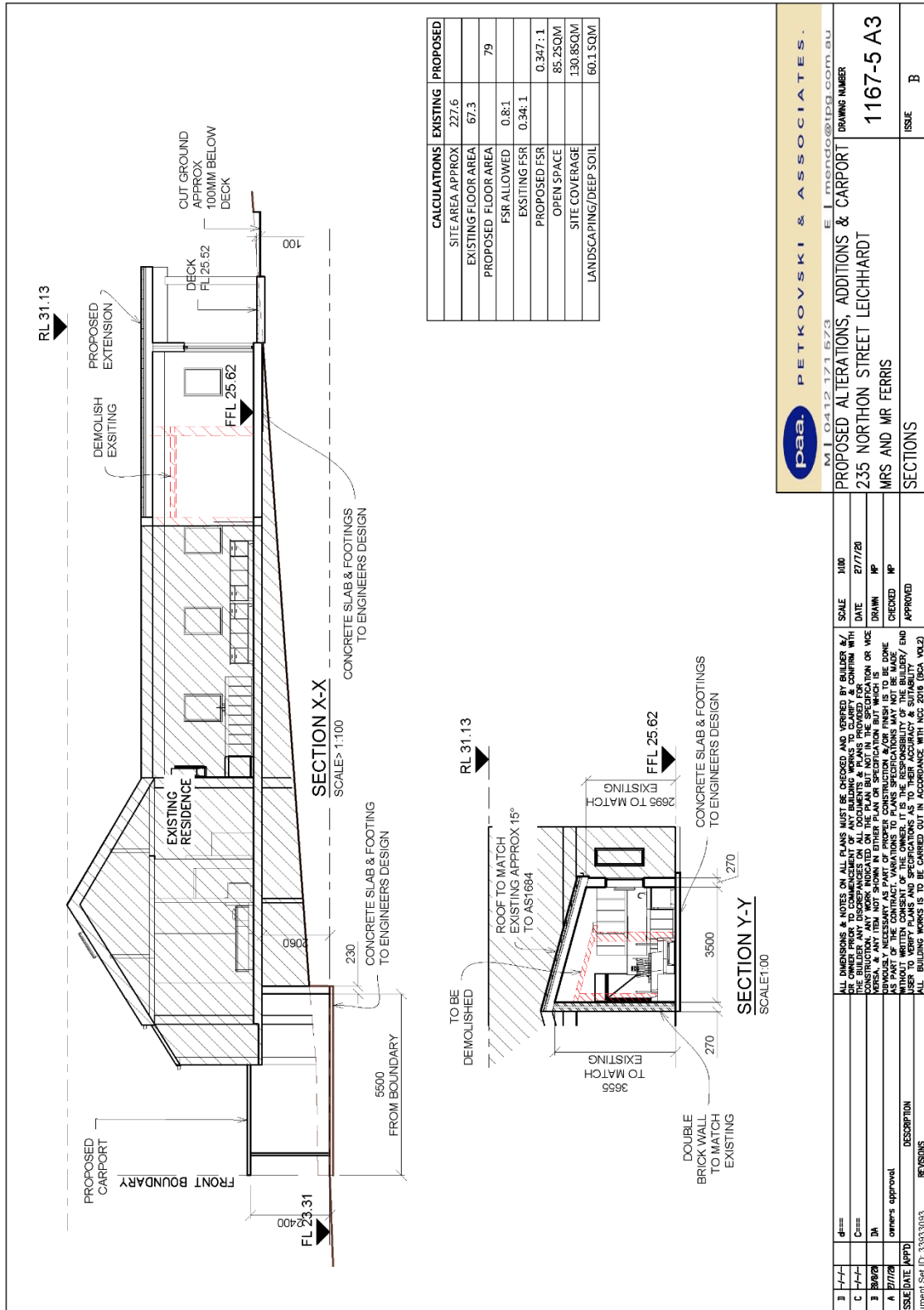
SCALE	1:100
DATE	27/7/20
DRAWN	MF
CHECKED	MF
APPROVED	

ALL DIMENSIONS & NOTES ON ALL PLANS MUST BE OBSERVED AND VERIFIED BY BUILDER / OWNER PRIOR TO COMMENCEMENT OF ANY BUILDING WORKS TO AVOID DELAYS AND COSTS. THE BUILDER / OWNER MUST BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE BUILDER / OWNER MUST BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE BUILDER / OWNER MUST BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE BUILDER / OWNER MUST BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.

ISSUE	DATE	BY	DESCRIPTION
A	27/7/20	owner's approval	
B			

Drawing Number: **1167-4 A3**  
 ISSUE: **B**

Document Set ID: 335933093      Version: 1      Version Date: 09/09/2020



**EXISTING SHED FLOOR PLAN**  
SCALE:1:00

**EXISTING SHED FRONT ELEVATION**  
SCALE:1:00

**EXISTING SHED SIDE ELEVATION**  
SCALE:1:00

**NOTE: THIS IS AN EXISTING TIMBER FRAMED SHED REPAIRS AND MAINTENANCE ARE TO BE CARRIED OUT ONLY.**

1. THE UTILITY SHED IS TO BE REPAIRED, ANY DAMAGED/DETERIORATED TIMBER FRAMES ARE TO BE REPLACED WITH SIMILAR SIZES
2. NEW TIMBER FRAMES ARE TO BE TERMITE RESISTANT AND EQUIVALENT TO EXISTING SIZES
3. EXTERIOR CLADDING TO BE REMOVED AND REPLACED WITH BLUE BOARD AND RENDERED OR PAINTED
4. THE ROOF IS TO BE REPLACED WITH COLORBOND ROOF SHEETS
5. REPAIR/REPLACE ANY DETERIORATED RAFTERS
6. WINDOWS ARE TO BE REPLACED WITH ALUMINIUM WINDOWS SIZES TO REMAIN THE SAME
7. REPLACE DOOR AND DOOR FRAME WITH WEATHER RESISTANT FRAME AND EXTERIOR FRAME, TO BE PAINTED

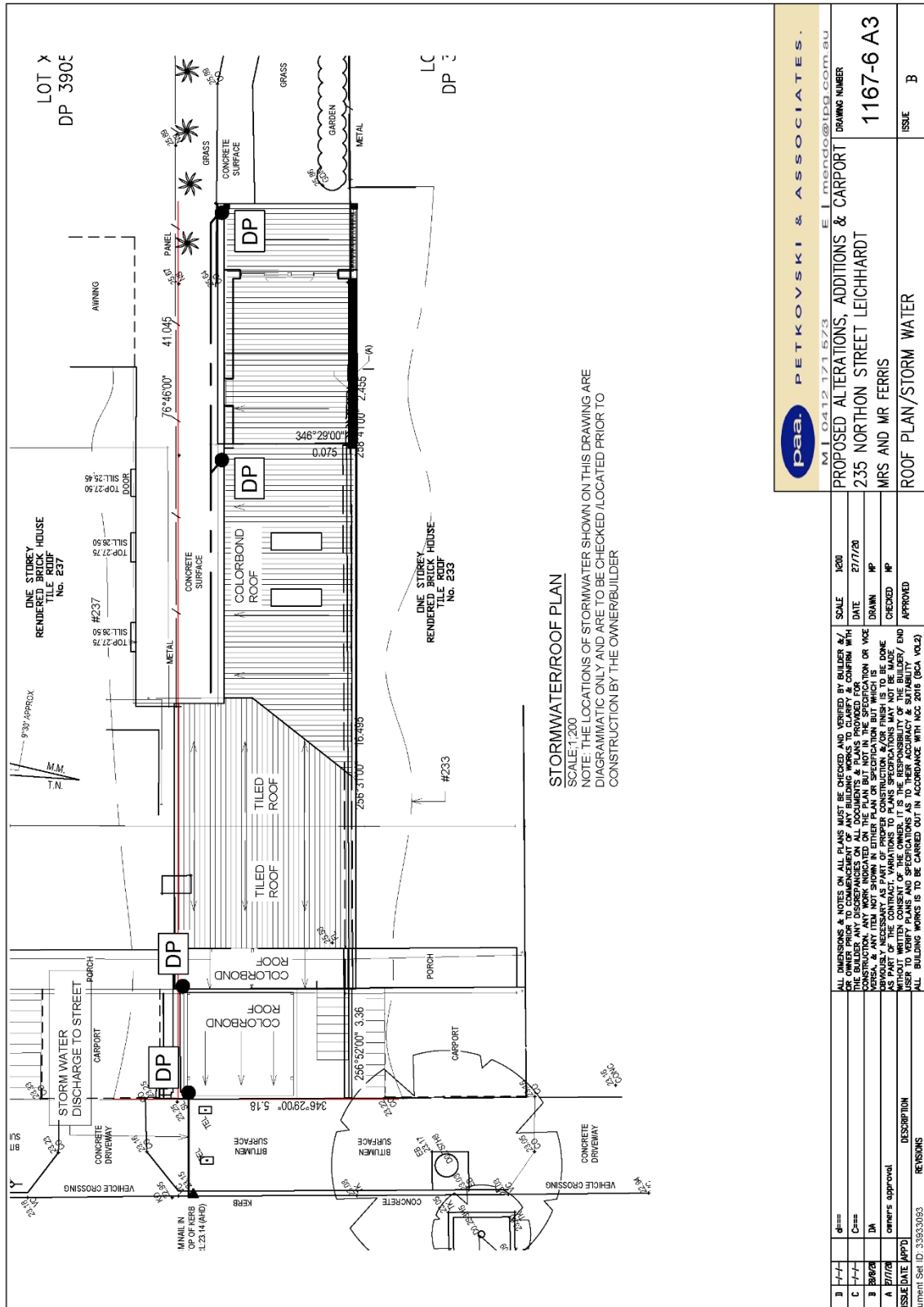
ISSUE	DATE	APP'D	DESCRIPTION	REVISIONS
A	27/7/20		owners approval	
B	28/7/20			
C	27/7/20			
D	27/7/20			

**PROPOSED ALTERATIONS, ADDITIONS & CARPORT**  
235 NORTHON STREET LEICHHARDT  
MRS AND MR FERRIS  
REFURBISH EXISTING SHED

**1167-5 A3**  
ISSUE B

**petkovski & associates**  
MIL04112-171573  
E | mendo@tpg.com.au

SCALE 1:00  
DATE 27/7/20  
DRAWN MP  
CHECKED MP  
APPROVED



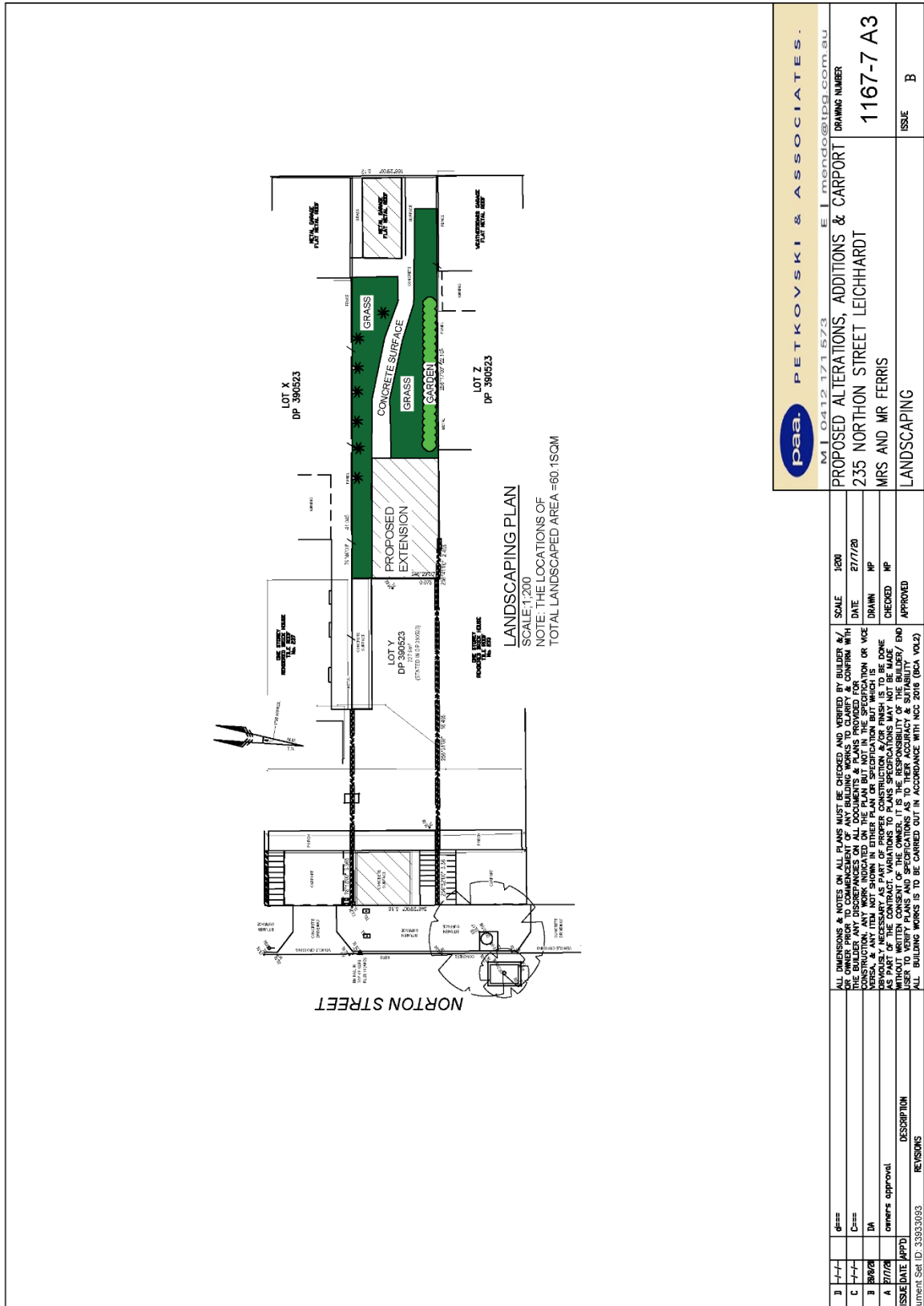
**pa.a. PETKOVSKI & ASSOCIATES.**  
 MI 0412 171 573 E mendo@tpd.com.au

**PROPOSED ALTERATIONS, ADDITIONS & CARPORT**  
 235 NORTON STREET LEICHHARDT  
 MRS AND MR FERRIS  
 ROOF PLAN/STORM WATER

DRAWING NUMBER: **1167-6 A3**  
 ISSUE: **B**

ISSUE	DATE	BY	DESCRIPTION	REVISIONS
A	27/7/20	owners approval		
B	30/8/20	DA		
C	-/-/-	Cr		
D	-/-/-	Cr		

ALL DIMENSIONS & NOTES ON ALL PLANS MUST BE CHECKED AND VERIFIED BY BUILDER & THE BUILDER MAY DISCREPANCIES ON ALL DOCUMENTS & PLANS PROVIDED FOR CONSTRUCTION. ANY WORK INDICATED ON THE PLAN BUT NOT IN THE SPECIFICATION OR VICE VERSA SHALL BE CONSIDERED AS PART OF THE CONTRACT. VARIATIONS TO PLANS SPECIFICATIONS MAY NOT BE MADE AS PART OF THE CONTRACT. VARIATIONS TO PLANS SPECIFICATIONS MAY NOT BE MADE AS PART OF THE CONTRACT. VARIATIONS TO PLANS SPECIFICATIONS AS TO THEIR ACCURACY & SUITABILITY MUST BE VERIFIED BY THE BUILDER PRIOR TO CONSTRUCTION. ALL BUILDING WORKS IS TO BE CARRIED OUT IN ACCORDANCE WITH NCC 2016 (BCA VOL2)



**pa.a. PETKOVSKI & ASSOCIATES.**  
M 0412 171 573 E l.mendo@lpa.com.au

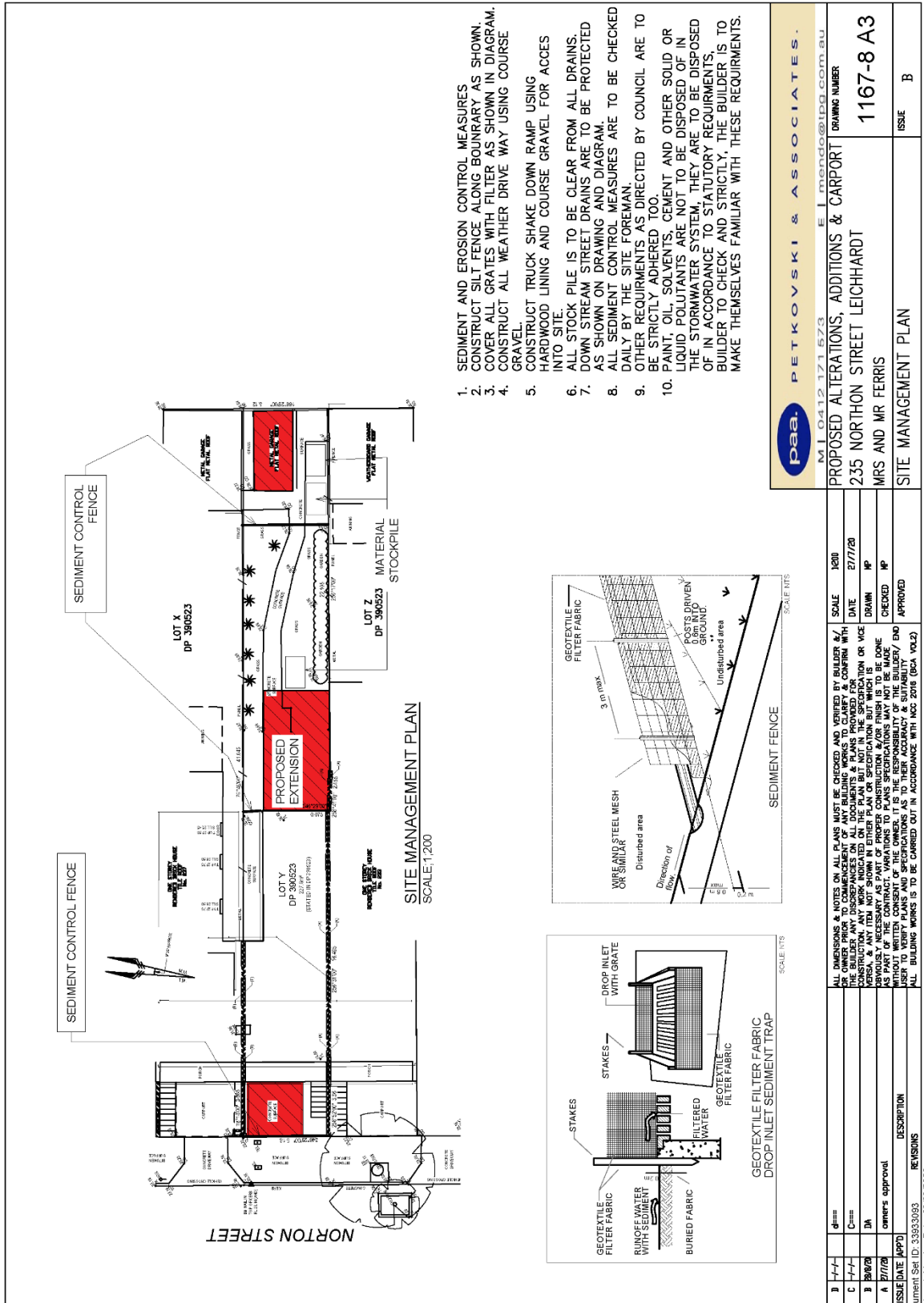
**PROPOSED ALTERATIONS, ADDITIONS & CARPORT**  
235 NORTHON STREET LEITCHHARDT  
MRS AND MR FERRIS  
LANDSCAPING

SCALE 1:200  
DATE 27/7/20  
DRAWN RP  
CHECKED RP  
APPROVED

DRAWING NUMBER  
**1167-7 A3**

ISSUE B





1. SEDIMENT AND EROSION CONTROL MEASURES CONSTRUCT SILT FENCE ALONG BOUNDARY AS SHOWN.
2. COVER ALL GRATES WITH FILTER AS SHOWN IN DIAGRAM.
3. CONSTRUCT ALL WEATHER DRIVE WAY USING COURSE GRAVEL.
4. CONSTRUCT TRUCK SHAKE DOWN RAMP USING HARDWOOD LINING AND COURSE GRAVEL FOR ACCESS INTO SITE.
5. ALL STOCK PILE IS TO BE CLEAR FROM ALL DRAINS, DOWN STREAM STREET DRAINS ARE TO BE PROTECTED AS SHOWN ON DRAWING AND DIAGRAM.
6. ALL SEDIMENT CONTROL MEASURES ARE TO BE CHECKED DAILY BY THE SITE FOREMAN.
7. OTHER REQUIREMENTS AS DIRECTED BY COUNCIL ARE TO BE STRICTLY ADHERED TO.
8. PAINT, OIL, SOLVENTS, CEMENT AND OTHER SOLID OR LIQUID POLLUTANTS ARE NOT TO BE DISPOSED OF IN THE STORMWATER SYSTEM, THEY ARE TO BE DISPOSED OF IN ACCORDANCE TO STATUTORY REQUIREMENTS.
9. BUILDER TO CHECK AND STRICTLY, THE BUILDER IS TO MAKE THEMSELVES FAMILIAR WITH THESE REQUIREMENTS.

**pa.a. PETKOVSKI & ASSOCIATES.**  
 M I 0412 171 573 E I mendo@tpg.com.au

**PROPOSED ALTERATIONS, ADDITIONS & CARPORT**  
 235 NORTHON STREET LEICHHARDT  
 MRS AND MR FERRIS

**1167-8 A3**  
 DRAWING NUMBER

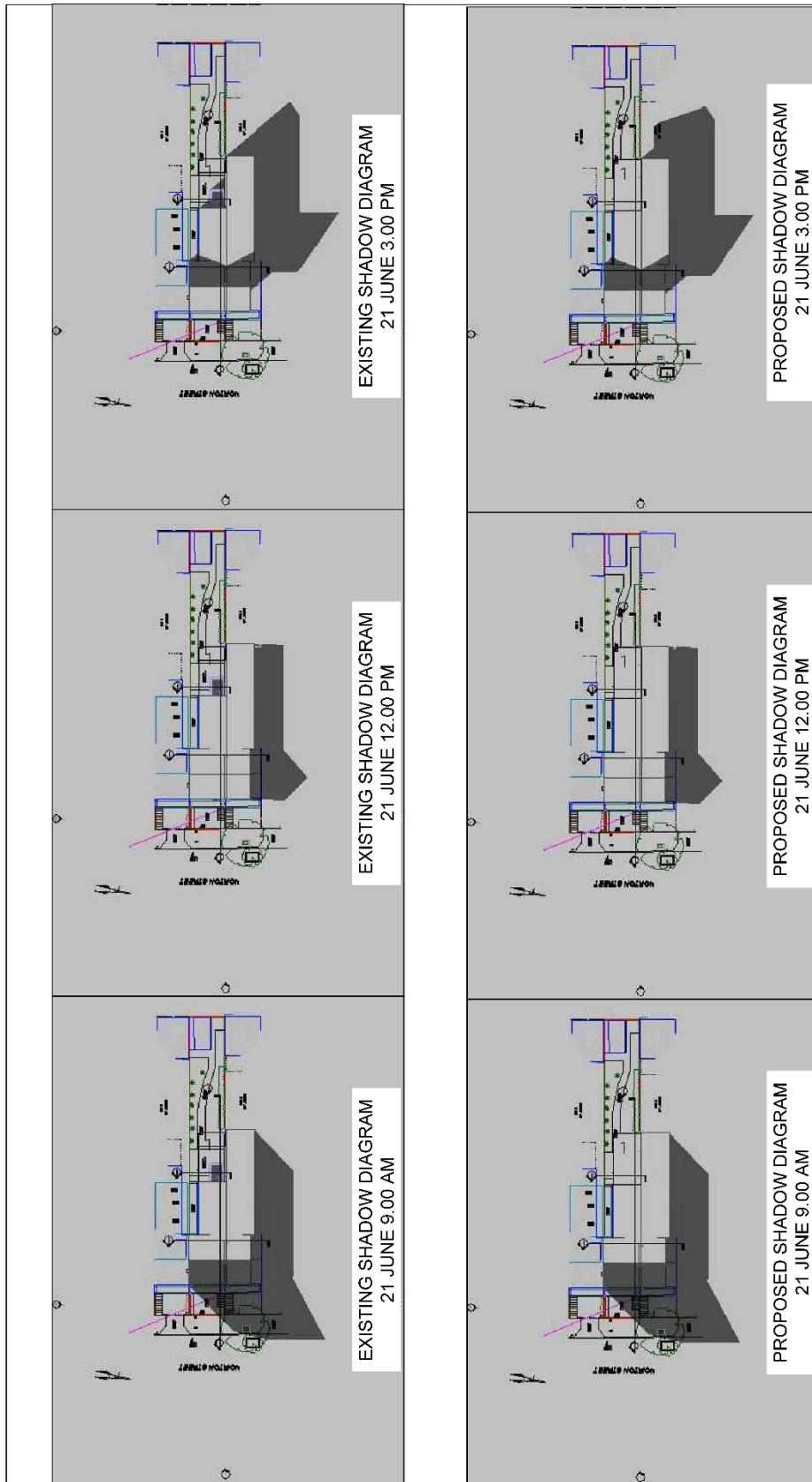
**SITE MANAGEMENT PLAN**  
 ISSUE B

SCALE	1:200
DATE	27/7/20
DRAWN BY	MF
CHECKED BY	MF
APPROVED	

ALL DIMENSIONS & NOTES ON ALL PLANS MUST BE CHECKED AND VERIFIED BY BUILDER &/ OR OWNER PRIOR TO COMMENCEMENT OF ANY BUILDING WORKS TO CLARIFY & CONFIRM WITH CONSTRUCTION. ANY WORK INDICATED ON THE PLAN BUT NOT IN THE SPECIFICATION OR VICE VERSA, & ANY ITEM NOT SHOWN IN EITHER PLAN OR SPECIFICATION BUT WHICH IS NECESSARY FOR THE WORK TO BE COMPLETED, SHALL BE THE RESPONSIBILITY OF THE BUILDER. WITHOUT WRITTEN CONSENT OF THE OWNER, IT IS THE RESPONSIBILITY OF THE BUILDER, AND NOT THE ARCHITECT, TO OBTAIN ALL NECESSARY APPROVALS AND PERMITS. VARIATIONS TO PLANS SPECIFICATIONS MAY NOT BE MADE AS PART OF THE CONTRACT. ALL BUILDING WORKS IS TO BE CARRIED OUT IN ACCORDANCE WITH NCC 2016 (BCA VOLD).

ISSUE DATE (APP)	DESCRIPTION
A 27/7/20	OWNER'S approval
B 08/09/2020	REVISIONS

Document Set ID: 33533063  
 Version: 1, Version Date: 08/09/2020

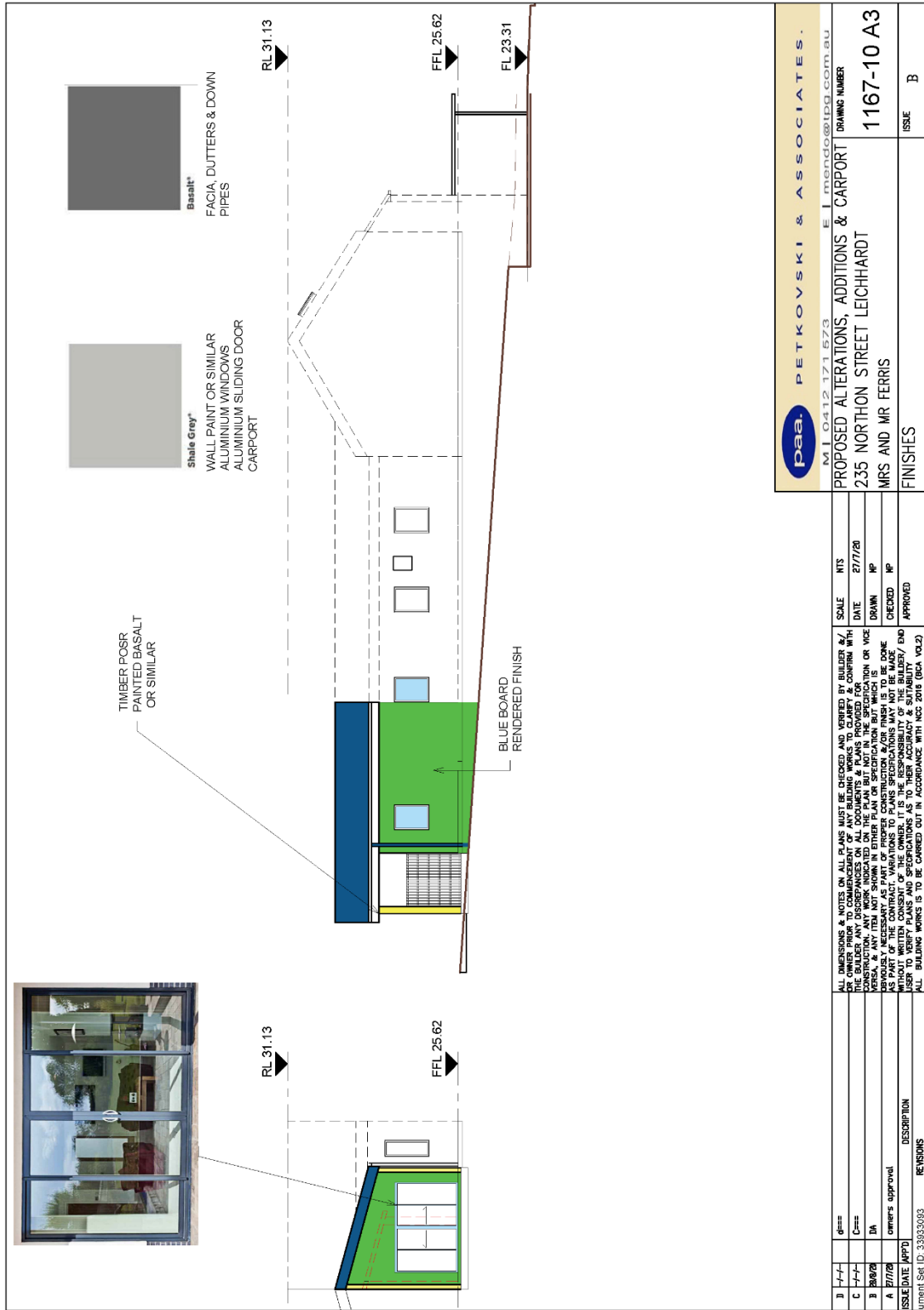


**pa** PETKOVSKI & ASSOCIATES  
 M I 0412 171 673 E I mendo@ipg.com.au  
**PROPOSED ALTERATIONS, ADDITIONS & CARPORT**  
 235 NORTHON STREET LEICHHARDT  
 MRS AND MR FERRIS  
 SHADOW DIAGRAMS 21 JUNE

SCALE	1:200
DATE	27/7/20
DRAWN	MP
CHECKED	MP
APPROVED	

ALL DIMENSIONS & NOTES ON ALL PLANS MUST BE CHECKED AND VERIFIED BY BUILDER &/ OR OWNER PRIOR TO COMMENCEMENT OF ANY BUILDING WORKS TO CLARIFY & CONFIRM WITH ARCHITECT. ANY DIMENSIONS INDICATED ON THE PLAN BUT NOT IN THE SPECIFICATION OR VICE VERSA, & ANY ITEM NOT SHOWN IN EITHER PLAN OR SPECIFICATION BUT WHICH IS SPECIFIED IN THE CONTRACT PARTICULARS TO CONSTRUCTION, SHALL BE AS SHOWN. AS PART OF THE CONTRACT PARTICULARS TO CONSTRUCTION, A LONG LIST OF BUILDING MATERIALS & SPECIFICATIONS TO BE USED IN THE BUILDING, END USER TO VERIFY PLANS AND SPECIFICATIONS AS TO THEIR ACCURACY & SUITABILITY FOR ALL BUILDING WORKS IS TO BE CARRIED OUT IN ACCORDANCE WITH MCC 2016 (BCA VOL2)

ISSUE DATE	MP/D	DESCRIPTION	REVISIONS



**paab. PETKOVSKI & ASSOCIATES.**  
 MI 0412 171 573 E | mengo@pb.com.au  
**PROPOSED ALTERATIONS, ADDITIONS & CARPORT**  
 235 NORTHON STREET LEICHHARDT  
 MRS AND MR FERRIS  
 FINISHES  
 DRAWING NUMBER: 1167-10 A3  
 ISSUE: B

ALL DIMENSIONS & NOTES ON ALL PLANS MUST BE CHECKED AND VERIFIED BY BUILDER &/OR OWNER PRIOR TO COMMENCEMENT OF ANY BUILDING WORKS TO CLARIFY & CONFIRM WITH THE CONTRACTOR. ANY WORK INDICATED ON THE PLAN BUT NOT IN THE SPECIFICATION OR VICE VERSA, & ANY ITEM NOT SHOWN IN EITHER PLAN OR SPECIFICATION BUT WHICH IS REQUIRED AS PART OF THE CONTRACT, VARIATIONS TO PLANS SPECIFICATIONS MAY NOT BE MADE WITHOUT WRITTEN CONSENT OF THE OWNER. THE RESPONSIBILITY OF THE BUILDER/ END USER TO VERIFY ALL DIMENSIONS AND SPECIFICATIONS IS TO BE CARRIED OUT IN ACCORDANCE WITH NCC 2019 (BCA VOL2)

SCALE	NTS	DATE	SCALE	NTS	DATE
1:100	1:100	27/7/20	1:100	1:100	27/7/20
1:100	1:100	27/7/20	1:100	1:100	27/7/20
1:100	1:100	27/7/20	1:100	1:100	27/7/20

**EXISTING GROUND FLOOR**  
SCALE 1:100

**EXISTING ATTIC**  
SCALE 1:100

#237	3410	3380	#233
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**p.a.a.** PETKOVSKI & ASSOCIATES.  
M 02 9412 171 573  
E Iarendo@tpg.com.au

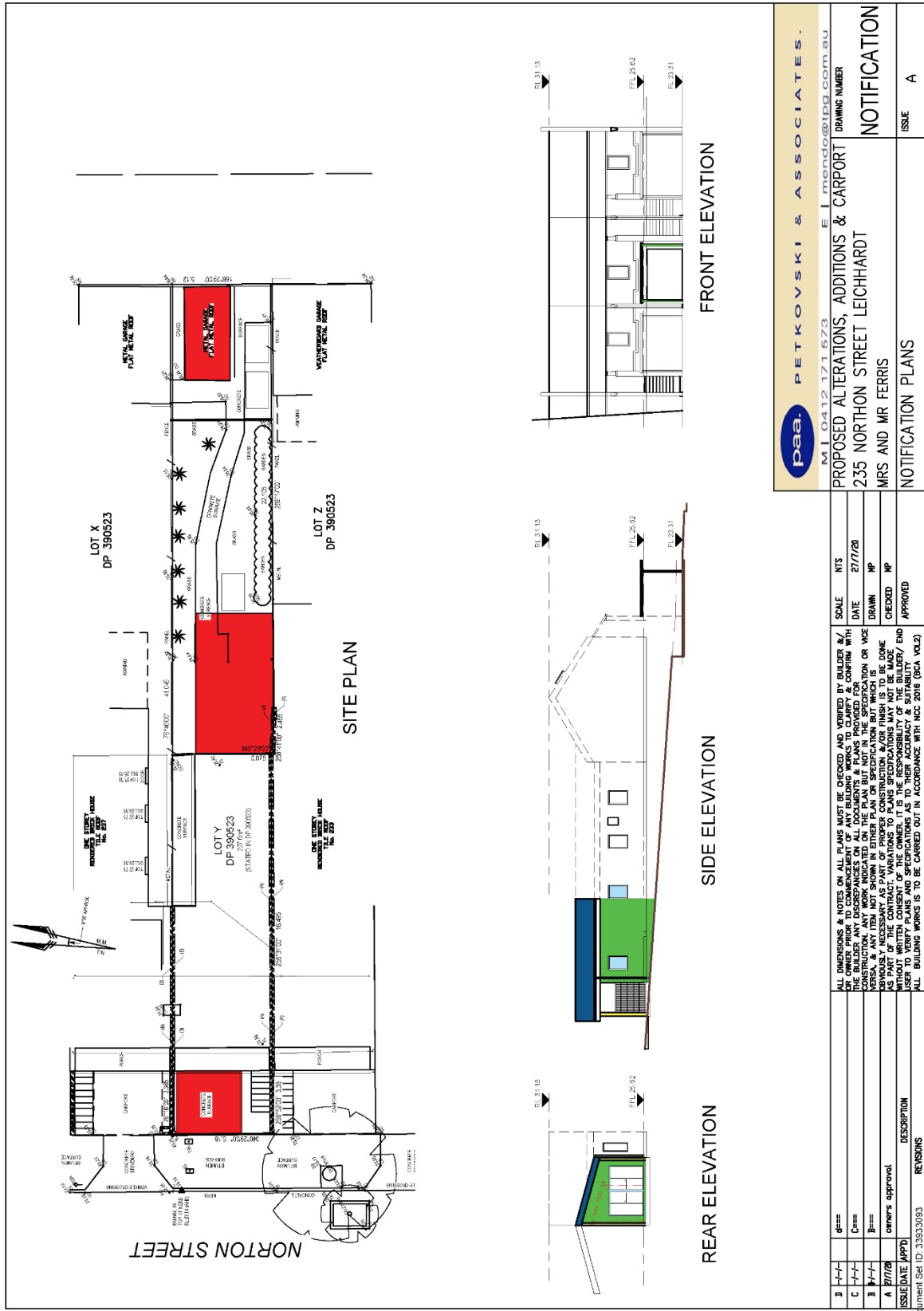
PROPOSED ALTERATIONS, ADDITIONS & CARPORT	DRAWING NUMBER	1167-11 A3
235 NORTHON STREET LEICHHARDT		
MRS AND MR FERRIS		ISSUE
EXISTING FLOOR PLANS		B

SCALE	1:100	DATE	27/7/20	DRAWN	MP	CHECKED	MP	APPROVED	
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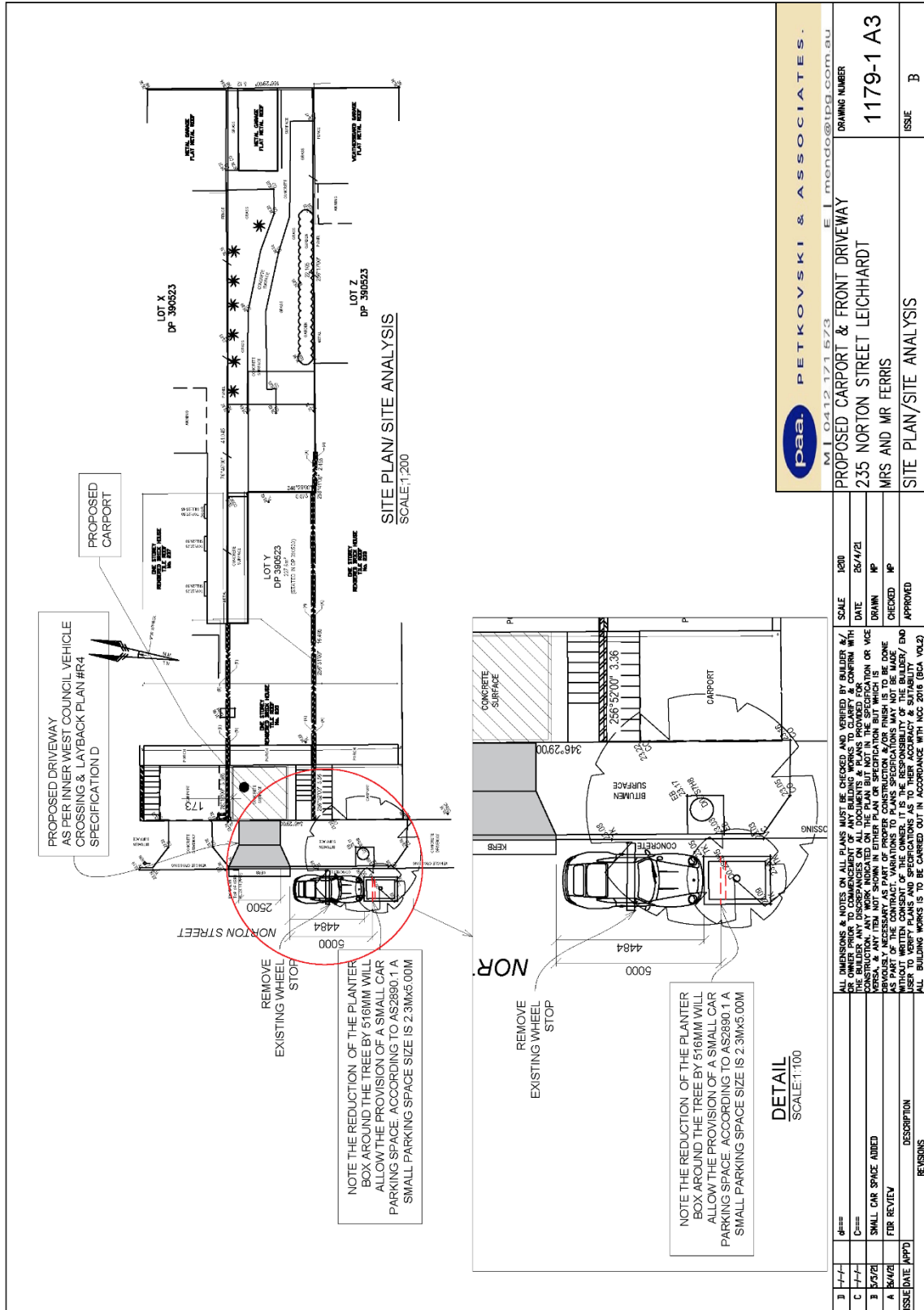
ALL DIMENSIONS & NOTES ON ALL PLANS MUST BE CHECKED AND VERIFIED BY BUILDER & CONFIRM WITH THE BUILDER ANY DISCREPANCIES ON ALL DOCUMENTS & PLANS PROVIDED FOR CONSTRUCTION. ANY WORK INDICATED ON THE PLAN BUT NOT IN THE SPECIFICATION OR VICE VERSA, MUST BE CONFIRMED BY THE BUILDER. ANY WORK INDICATED ON THE PLAN BUT NOT IN THE SPECIFICATION OR VICE VERSA, MUST BE CONFIRMED BY THE BUILDER. ANY WORK INDICATED ON THE PLAN BUT NOT IN THE SPECIFICATION OR VICE VERSA, MUST BE CONFIRMED BY THE BUILDER. ANY WORK INDICATED ON THE PLAN BUT NOT IN THE SPECIFICATION OR VICE VERSA, MUST BE CONFIRMED BY THE BUILDER. ANY WORK INDICATED ON THE PLAN BUT NOT IN THE SPECIFICATION OR VICE VERSA, MUST BE CONFIRMED BY THE BUILDER. ANY WORK INDICATED ON THE PLAN BUT NOT IN THE SPECIFICATION OR VICE VERSA, MUST BE CONFIRMED BY THE BUILDER.

ISSUE	DATE	APPD	DESCRIPTION	REVISIONS

Document Set ID: 33933093  
Version: 1, Version Date: 09/09/2020



Attachment C – Additional plans



**p.a. PETKOVSKI & ASSOCIATES.**  
E: imong@pds.com.au  
M: 0412 173 573

**PROPOSED CARPORT & FRONT DRIVEWAY**  
**235 NORTON STREET LEICHHARDT**  
**MRS AND MR FERRIS**

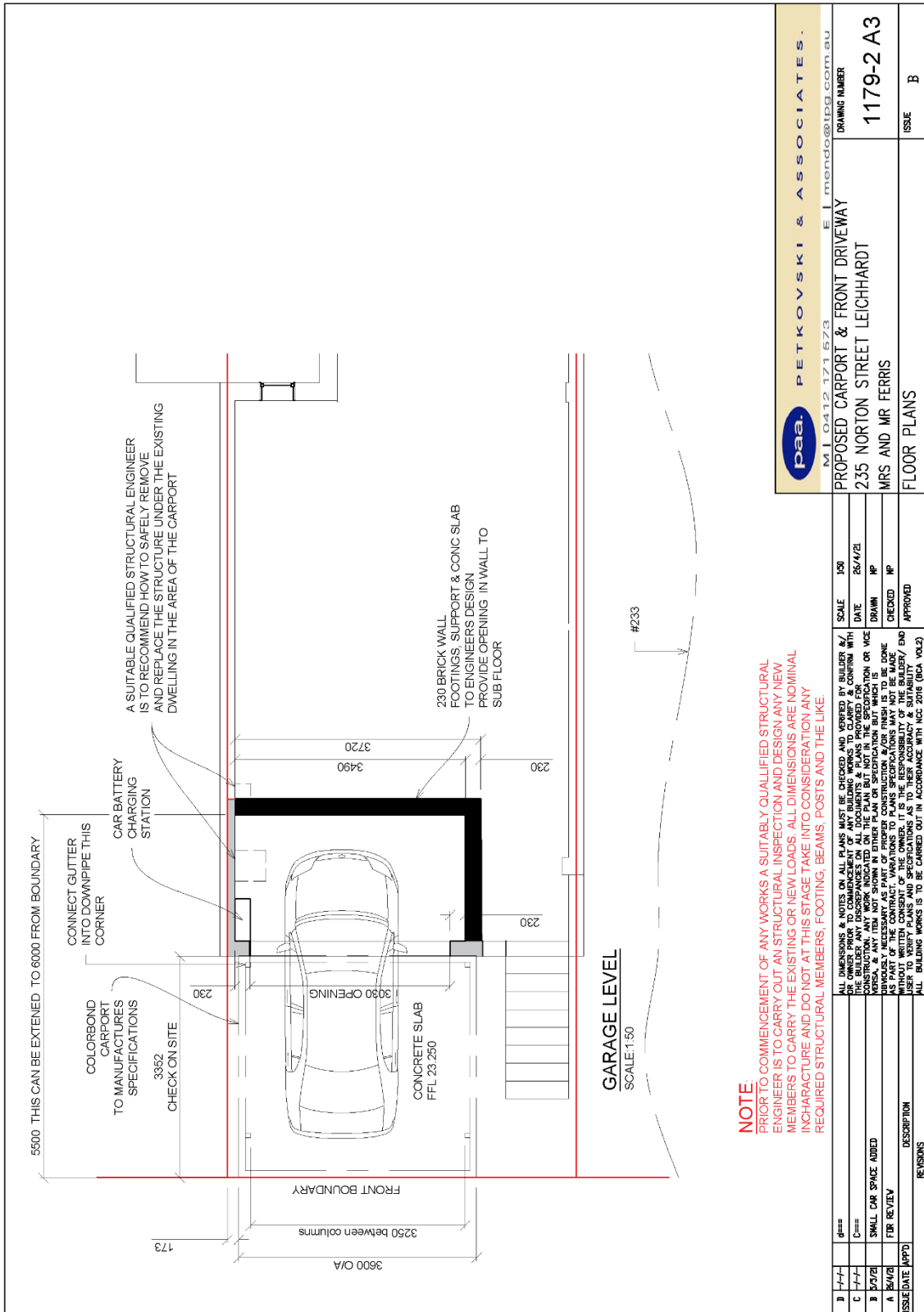
**DRAWING NUMBER**  
**1179-1 A3**

**SITE PLAN/SITE ANALYSIS**

**ISSUE** B

ISSUE DATE (M/P/D)	DESCRIPTION	REVISIONS
B	11/7/21	SCALE 1:200
C	11/7/21	DATE 26/4/21
B	6/3/21	DRAWN MP
A	30/6/20	CHECKED MP
APPROVED		

ALL DIMENSIONS & NOTES BY ALL MUST BE CHECKED AND VERIFIED BY BUILDERS & CONTRACTORS TO COMPLY WITH ANY BUILDING WORKS TO BE CARRIED OUT. THE BUILDER MUST BE RESPONSIBLE FOR ANY DISCREPANCIES ON ALL DOCUMENTS & PLANS PROVIDED FOR ANY WORK. ANY DISCREPANCIES MUST BE SHOWN IN EITHER PLAN OR SPECIFICATION BUT WHICH ONE OR MORE VERSIONS, ANY ITEM NOT SHOWN IN EITHER PLAN OR SPECIFICATION BUT WHICH ONE OR MORE VERSIONS IS NECESSARY AS PART OF PROPER CONSTRUCTION &/OR FINISH IS TO BE DONE WITHOUT WRITTEN CONSENT OF THE OWNER. IT IS THE RESPONSIBILITY OF THE BUILDER/ END USER TO VERIFY PLANS AND SPECIFICATIONS AS TO THEIR ACCURACY & SATISFACTORY. ALL BUILDING WORKS IS TO BE CARRIED OUT IN ACCORDANCE WITH NCC 2019 (DECK VOL2)



**paa. PETKOVSKI & ASSOCIATES.**  
 MI 0412 171 573 E | mendo@tpg.com.au

**PROPOSED CARPORT & FRONT DRIVEWAY**  
 235 NORTON STREET LEICHHARDT  
 MRS AND MR FERRIS  
 FLOOR PLANS

DRAWING NUMBER  
**1179-2 A3**

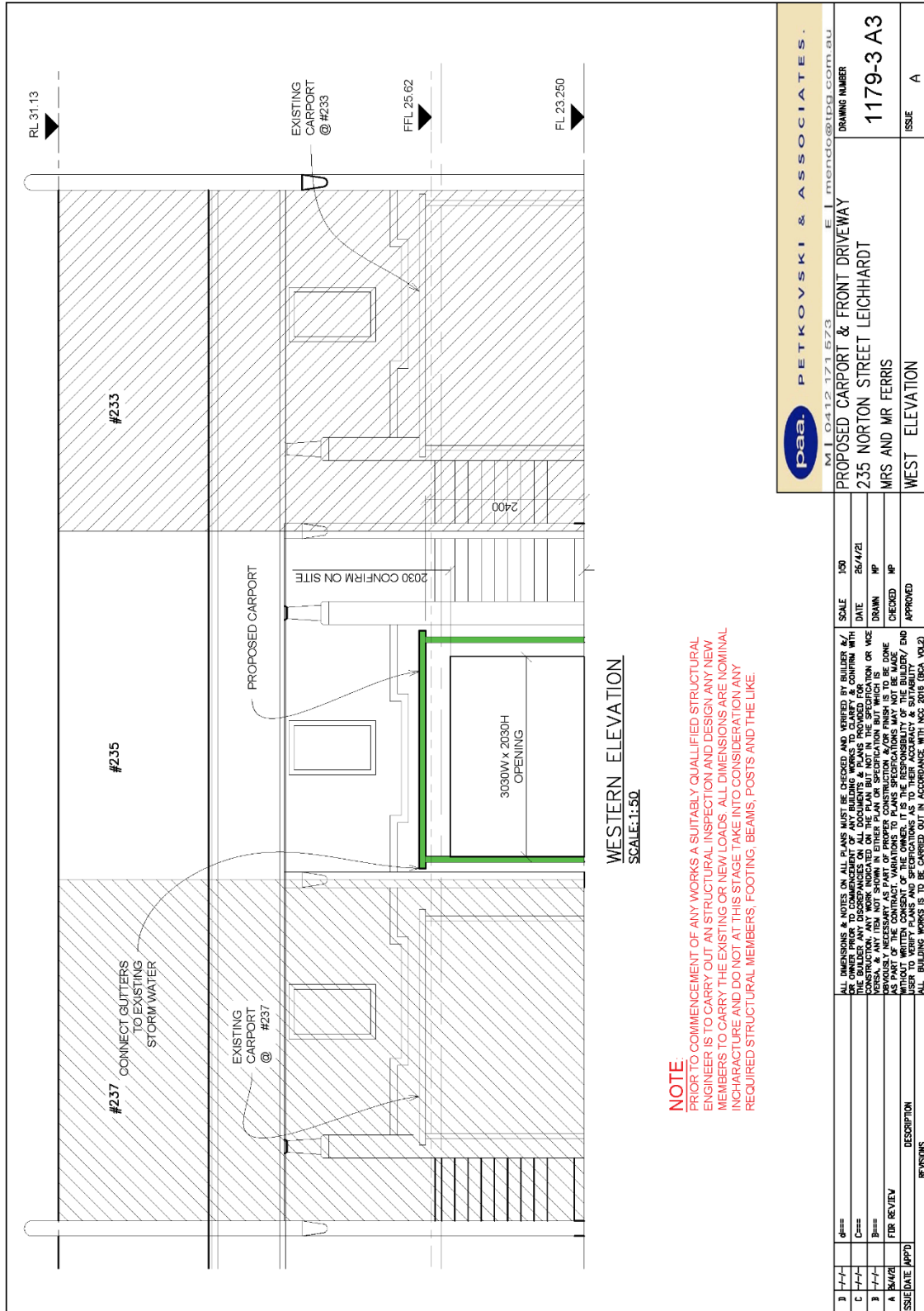
ISSUE B

REVISIONS	DATE	DESCRIPTION
B	26/4/21	SMALL CAR SPACE ADDED
C	26/4/21	FIR REVIEW
A	26/4/21	FIR REVIEW

SCALE	DATE	CHECKED	APPROVED
1:50	26/4/21	MP	MP

ALL DIMENSIONS & NOTES ON ALL PLANS MUST BE CHECKED AND VERIFIED BY BUILDER & ENGINEER PRIOR TO COMMENCEMENT OF ANY WORKS. ALL DIMENSIONS ARE NOMINAL INCHARACTURE AND DO NOT AT THIS STAGE TAKE INTO CONSIDERATION ANY REQUIRED STRUCTURAL MEMBERS, FOOTING, BEAMS, POSTS AND THE LIKE.

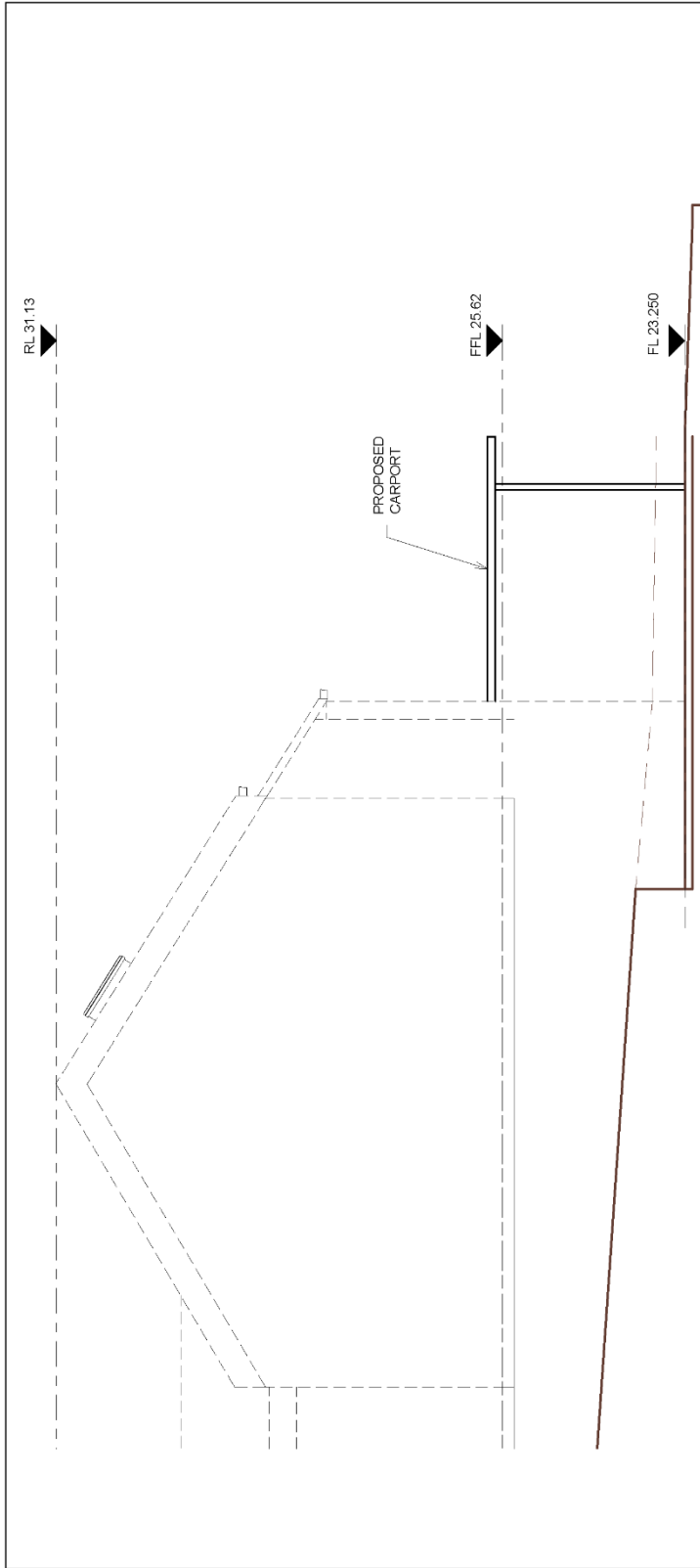


**WESTERN ELEVATION**  
SCALE: 1:50

**NOTE:** PRIOR TO COMMENCEMENT OF ANY WORKS A SUITABLY QUALIFIED STRUCTURAL ENGINEER IS TO CARRY OUT AN STRUCTURAL INSPECTION AND DESIGN ANY NEW MEMBERS TO CARRY THE EXISTING OR NEW LOADS. ALL DIMENSIONS ARE NOMINAL IN CHARACTER AND DO NOT AT THIS STAGE TAKE INTO CONSIDERATION ANY REQUIRED STRUCTURAL MEMBERS, FOOTING, BEAMS, POSTS AND THE LIKE.

<b>PETKOVSKI &amp; ASSOCIATES</b> M.L. 0412 171 673   E.L. mendo@paa.com.au		PROPOSED CARPORT & FRONT DRIVEWAY 235 NORTON STREET LEICHHARDT MRS AND MR FERRIS WEST ELEVATION		DRAWING NUMBER <b>1179-3 A3</b>	
#237 CONNECT GUTTERS TO EXISTING STORM WATER	#235	#233	3030W x 2030H OPENING	PROPOSED CARPORT	EXISTING CARPORT @ #233
RL 31.13	FFL 25.62	FL 23.250	2400	2030 CONFIRM ON SITE	EXISTING CARPORT @ #233
B	C	A	ISSUE DATE (M/P/D)	SCALE	DATE
B	C	A	150	26/4/21	26/4/21
B	C	A	DRAWN	CHECKED	APPROVED
B	C	A	M/P	M/P	M/P
B	C	A	DESCRIPTION	REVISIONS	REVISIONS

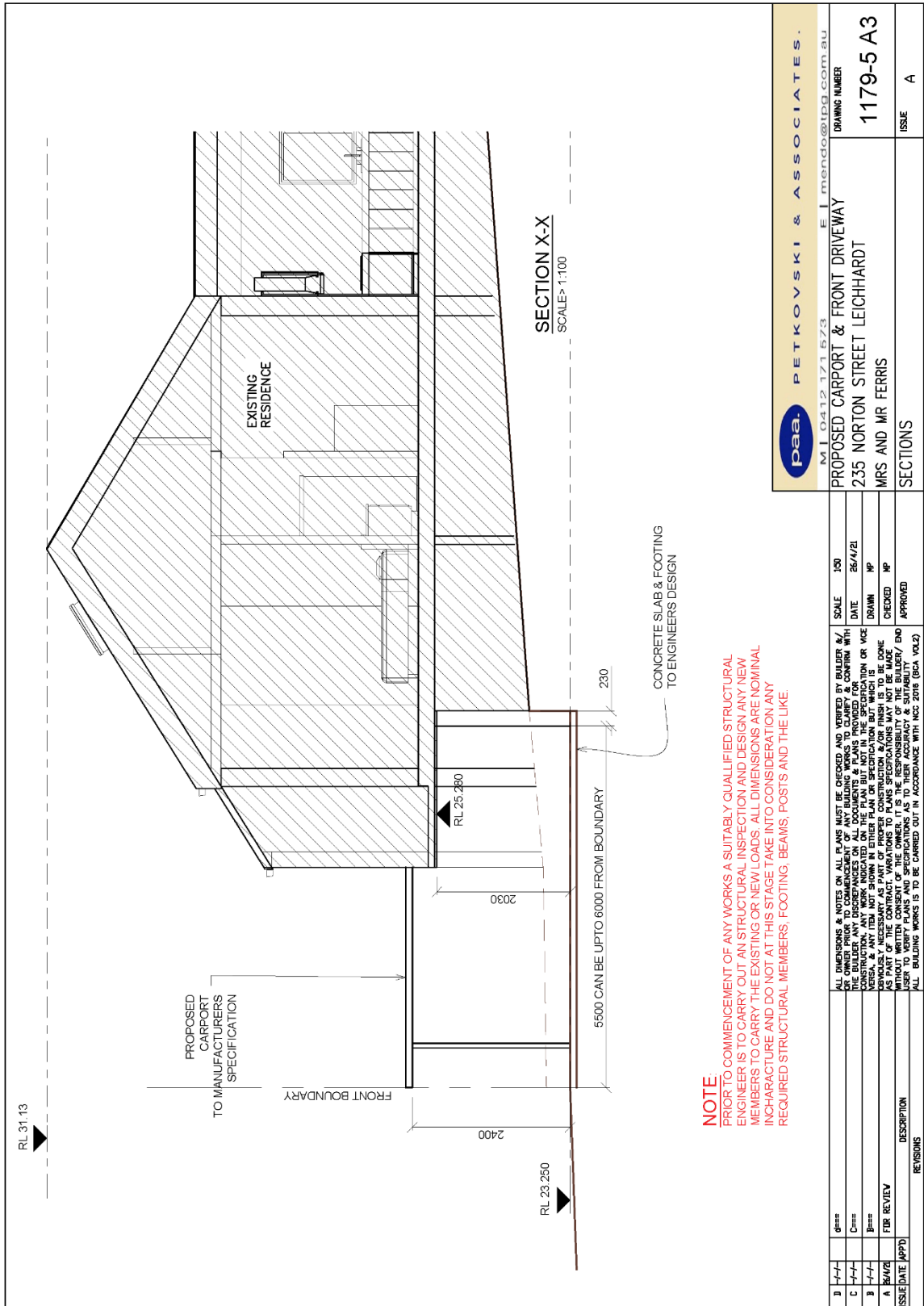




NORTHERN ELEVATION  
SCALE: 1:50

**NOTE:**  
PRIOR TO COMMENCEMENT OF ANY WORKS A SUITABLY QUALIFIED STRUCTURAL ENGINEER IS TO CARRY OUT AN STRUCTURAL INSPECTION AND DESIGN ANY NEW MEMBERS TO CARRY THE EXISTING OR NEW LOADS. ALL DIMENSIONS ARE NOMINAL IN CHARACTER AND DO NOT AT THIS STAGE TAKE INTO CONSIDERATION ANY REQUIRED STRUCTURAL MEMBERS, FOOTINGS, BEAMS, POSTS AND THE LIKE.

 <b>PETKOVSKI &amp; ASSOCIATES.</b> MI 0412 171 523 E   mendo@tpg.com.au									
PROPOSED CARPORT & FRONT DRIVEWAY 235 NORTON STREET LEICHHARDT MRS AND MR FERRIS NORTHERN ELEVATION									
DRAWING NUMBER <b>1179-4 A3</b>									
SCALE	1:50								
DATE	27/7/20								
DRAWN	MP								
CHECKED	MP								
APPROVED									
ALL DIMENSIONS & NOTES ON ALL PLANS MUST BE CHECKED AND VERIFIED BY BUILDER &/OR OWNER PRIOR TO COMMENCEMENT OF ANY BUILDING WORKS TO CLARIFY & CONFIRM WITH CONSTRUCTION. ANY WORK INDICATED ON THE PLAN BUT NOT IN THE SPECIFICATION OR VICE VERSA, & ANY ITEM NOT SHOWN IN EITHER PLAN OR SPECIFICATION BUT WHICH IS NECESSARY FOR THE PROPER CONSTRUCTION OF THE WORKS, SHALL BE CONSIDERED AS PART OF THE CONTRACT. VARIATIONS TO PLANS/SPECIFICATIONS MAY NOT BE MADE WITHOUT WRITTEN CONSENT OF THE OWNER. IT IS THE RESPONSIBILITY OF THE BUILDER/END USER TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS. ALL BUILDING WORKS IS TO BE CARRIED OUT IN ACCORDANCE WITH NCC 2018 (SICK VOL2)									
<table border="1"> <thead> <tr> <th>ISSUE</th> <th>DATE</th> <th>APPROVED</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>A</td> <td></td> <td></td> <td>FDR REVIEW</td> </tr> </tbody> </table>	ISSUE	DATE	APPROVED	DESCRIPTION	A			FDR REVIEW	REVISIONS
ISSUE	DATE	APPROVED	DESCRIPTION						
A			FDR REVIEW						



**NOTE**  
PRIOR TO COMMENCEMENT OF ANY WORKS A SUITABLY QUALIFIED STRUCTURAL ENGINEER IS TO CARRY OUT AN STRUCTURAL INSPECTION AND DESIGN ANY NEW MEMBERS TO CARRY THE EXISTING OR NEW LOADS. ALL DIMENSIONS ARE NOMINAL IN CHARACTER AND DO NOT AT THIS STAGE TAKE INTO CONSIDERATION ANY REQUIRED STRUCTURAL MEMBERS, FOOTING, BEAMS, POSTS AND THE LIKE.

**paa.** PETKOVSKI & ASSOCIATES.  
M 04 12 121 573 E 1 mendo@tpg.com.au

PROPOSED CARPORT & FRONT DRIVEWAY  
235 NORTON STREET LEICHHARDT  
MRS AND MR FERRIS

DRAWING NUMBER  
**1179-5 A3**

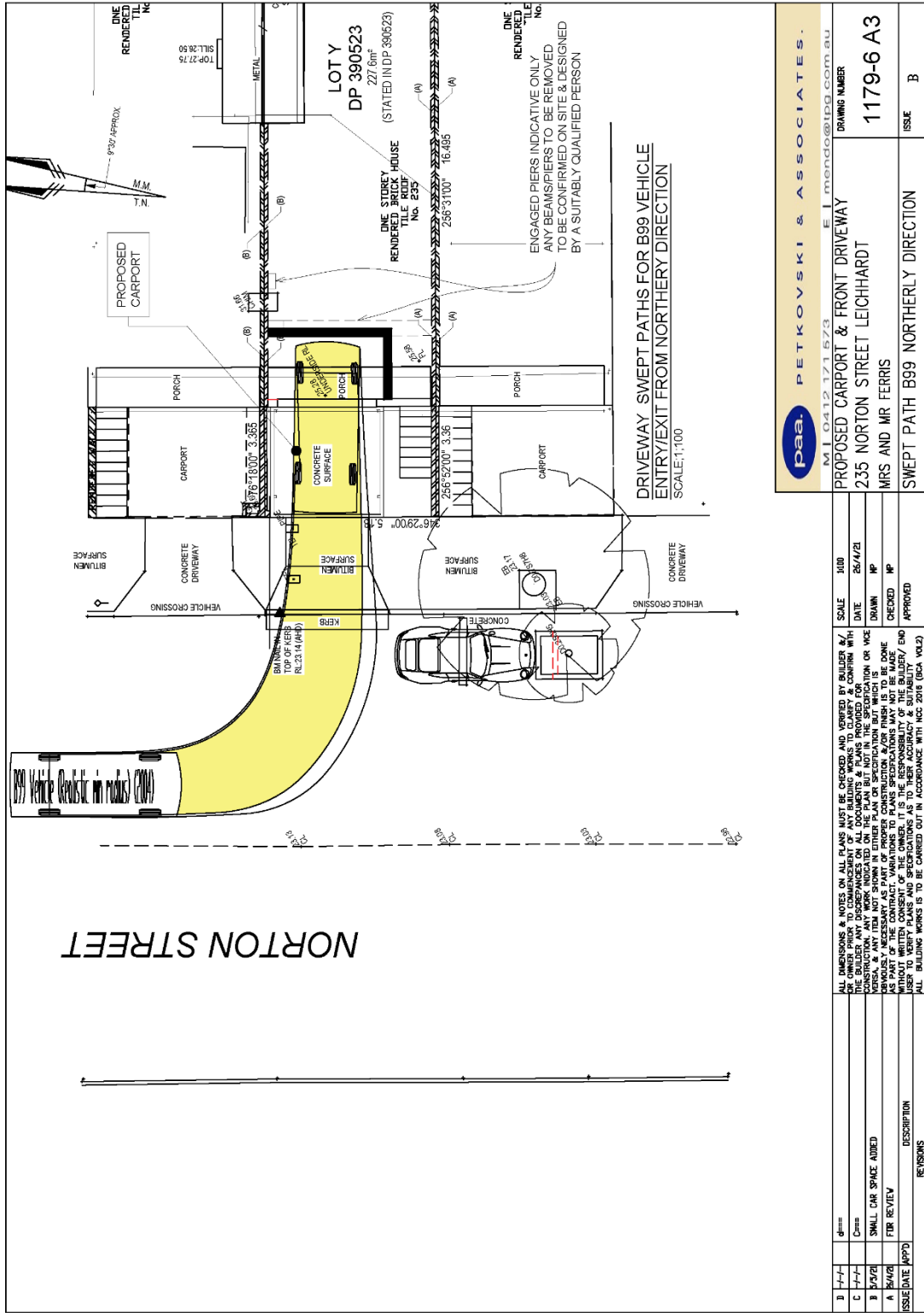
ISSUE  
A

REVISIONS	ISSUE DATE (APPD)	DESCRIPTION
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B		
C		
D		

SCALE	100
DATE	26/4/21
DRAWN	MP
CHECKED	MP
APPROVED	

ALL DIMENSIONS & NOTES ON ALL PLANS MUST BE CHECKED AND VERIFIED BY BUILDER &/OR THE BUILDER. ANY DISCREPANCIES ON ALL DOCUMENTS & PLANS PROVIDED FOR CONSTRUCTION, ANY WORK INDICATED ON THE PLAN BUT NOT IN THE SPECIFICATION OR VICE VERSA, MUST BE REPORTED TO THE ENGINEER IMMEDIATELY. ANY VARIATIONS TO BE DONE WITHOUT THE ENGINEER'S APPROVAL. VARIATIONS TO PLANS SPECIFICATIONS MAY NOT BE MADE AS PART OF THE CONTRACT. VARIATIONS TO PLANS SPECIFICATIONS MAY NOT BE MADE WITHOUT THE ENGINEER'S APPROVAL. USER TO VERIFY PLANS AND SPECIFICATIONS AS TO THEIR ACCURACY & SUITABILITY. ALL BUILDING WORKS IS TO BE CARRIED OUT IN ACCORDANCE WITH NCC 2018 (BCA VOL2)



**P3A PETKOVSKI & ASSOCIATES**  
 M1 0412 171 573 E1.mendo@p3a.com.au

**PROPOSED CARPORT & FRONT DRIVEWAY**  
 235 NORTON STREET LEICHHARDT  
 MRS AND MR FERRIS

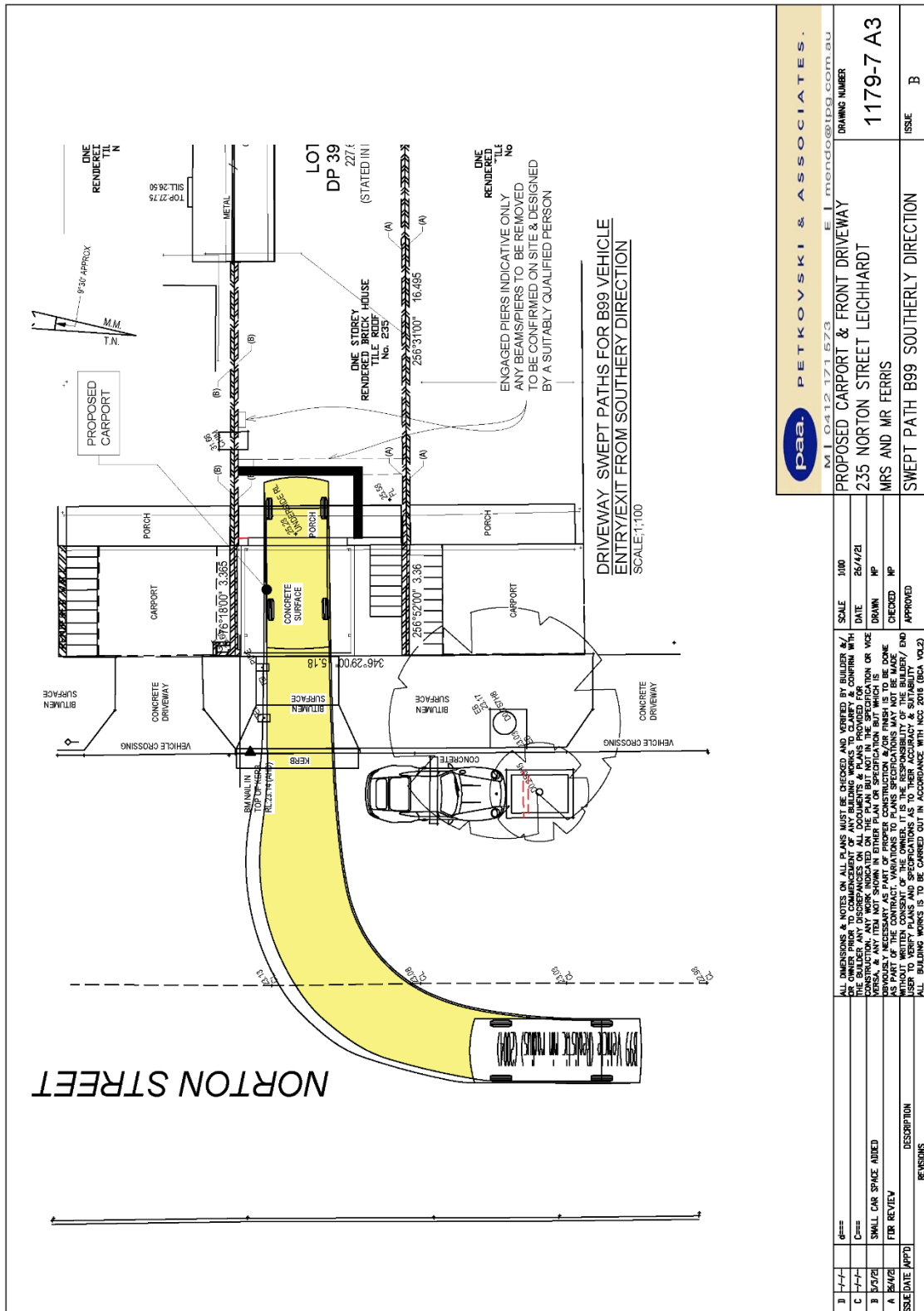
**DRAWING NUMBER**  
 1179-6-A3

**ISSUE** B

SCALE	1:100
DATE	26/4/21
DRAWN	MP
CHECKED	MP
APPROVED	

ALL DIMENSIONS & NOTES ON ALL PLANS MUST BE CHECKED AND VERIFIED BY BUILDER & CONFIRM WITH OWNER PRIOR TO COMMENCEMENT OF ANY BUILDING WORKS TO CLARIFY & CONFIRM WITH THE ARCHITECT. THE ARCHITECT'S RESPONSIBILITY IS TO CLARIFY & CONFIRM WITH THE ARCHITECT. CONSTRUCTION WORK INDICATED ON THE PLAN BUT NOT IN THE SPECIFICATION OR VICE VERSA, & ANY ITEM NOT SHOWN IN EITHER PLAN OR SPECIFICATION BUT WHICH IS REQUIRED FOR THE WORK TO BE COMPLETED AS PART OF THE CONTRACT, VARIATIONS TO PLANS SPECIFICATIONS MAY NOT BE MADE WITHOUT WRITTEN CONSENT OF THE OWNER. IT IS THE RESPONSIBILITY OF THE BUILDER/ END USER TO VERIFY ALL DIMENSIONS AND NOTES ON ALL PLANS. ALL BUILDING WORKS IS TO BE CARRIED OUT IN ACCORDANCE WITH MCC 2018 (SCA VOL2)

REVISIONS	DESCRIPTION
A	FOR REVIEW
B	FOR REVIEW
C	FOR REVIEW
D	FOR REVIEW



DRIVEWAY SWEEP PATHS FOR B99 VEHICLE ENTRY/EXIT FROM SOUTHERLY DIRECTION  
SCALE:1:100

**paa.** PETKOVSKI & ASSOCIATES.  
M I 0412 171 573 E I mendo@paa.com.au

**PROPOSED CARPORT & FRONT DRIVEWAY**  
235 NORTON STREET LEICHHARDT  
MRS AND MR FERRIS  
SWEEP PATH B99 SOUTHERLY DIRECTION

DRAWING NUMBER  
**1179-7 A3**

ISSUE **B**

ALL DIMENSIONS & NOTES ON ALL PLANS MUST BE CHECKED AND VERIFIED BY BUILDER &/OR OTHER PRIOR TO COMMENCEMENT OF ANY BUILDING WORKS TO CLARIFY & CONFIRM WITH CONSTRUCTION. ANY WORK INDICATED ON THE PLAN BUT NOT IN THE SPECIFICATION OR VICE VERSA IS NECESSARY AS PART OF THE CONTRACT. VARIATIONS TO PLANS SPECIFICATIONS MAY NOT BE MADE AS PART OF THE CONTRACT. VARIATIONS TO PLANS SPECIFICATIONS MAY NOT BE MADE UNLESS TO VERIFY PLANS AND SPECIFICATIONS AS TO THEIR ACCURACY & SUITABILITY FOR THE BUILDING WORKS TO BE CARRIED OUT IN ACCORDANCE WITH NCC 2016 (SCA VOL2)	SCALE	1:100
	DATE	26/4/21
	DRAWN	MP
	CHECKED	MP
	APPROVED	

## Attachment D – DA/2020/0732 – Conditions of consent



## APPROVED CONDITIONS OF CONSENT – DA/2020/0732

**DOCUMENTS RELATED TO THE CONSENT****1. Documents related to the consent**

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

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
1167-2 A3	Floor Plans	28/08/2020	Petkovski & Associates
1167-3 A3	East and West Elevation	28/08/2020	Petkovski & Associates
1167-4 A3	North Elevation	28/08/2020	Petkovski & Associates
1167-5 A3	Sections	28/08/2020	Petkovski & Associates
1167-5 A3	Refurbish Existing Shed	28/08/2020	Petkovski & Associates
1167-6 A3	Roof Plan / Stormwater Plan	28/08/2020	Petkovski & Associates
1167-10 A3	Finishes	28/08/2020	Petkovski & Associates

As amended by the conditions of consent.

**DESIGN CHANGE****2. Design Change**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans demonstrating the following:

- a. The proposed carport and vehicular crossover have been deleted. No consent is granted for these works.

**FEES**

**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.

<b>Security Deposit:</b>	\$2,209.00
<b>Inspection Fee:</b>	\$236.70

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 initial 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. 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.

#### **5. Stormwater Drainage System – Simple**

Stormwater runoff from proposed new or altered roof areas may be discharged to the existing site drainage system.

Any existing component of the stormwater system that is to be retained, including any absorption trench or rubble pit drainage system, must be checked and certified by a Licensed Plumber or qualified practising Civil Engineer to be in good condition and operating satisfactorily.

If any component of the existing system is not in good condition and /or not operating satisfactorily and/or impacted by the works and/or legal rights for drainage do not exist, the drainage system must be upgraded to discharge legally by gravity to the kerb and gutter of a public road.

As there is no overland flow/flood path available from the rear courtyard to Norton Street frontage, the design of the sag pit and piped drainage system is to meet the following criteria:

- a. Capture and convey the 100 year Average Recurrence Interval flow from the contributing catchment assuming 80% blockage of the inlet and 50% blockage of the pipe.
- b. The maximum water level over the sag pit shall not be less than 150mm/300mm below the floor level or damp course of the building
- c. The design shall make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands.

A minimum 150 mm step up shall be provided between all external finished surfaces and adjacent floor areas.

#### **6. 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.

#### **7. 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.

**8. 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.

**9. Works Outside the Property Boundary**

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

**PRIOR TO ANY DEMOLITION****10. 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.

**11. Dilapidation Report**

Prior to any works commencing (including demolition), the Certifying Authority and owners of identified properties, must be provided with a colour copy of a dilapidation report prepared by a suitably qualified person. The report is required to include colour photographs of all the adjoining properties at No. 233 Norton Street, Leichhardt and No. 237 Norton Street, Leichhardt to the Certifying Authority's satisfaction. In the event that the consent of the adjoining property owner cannot be obtained to undertake the report, copies of the letter/s that have been sent via registered mail and any responses received must be forwarded to the Certifying Authority before work commences.

**12. 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.

### **13. 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.

## **PRIOR TO CONSTRUCTION CERTIFICATE**

### **14. 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.

### **15. Party Walls**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with Architectural Plans accompanied by a Structural Certificate which verifies that the architectural plans do not rely on the Party Wall for lateral or vertical support and that additions are independently supported. A copy of the Certificate & plans must be provided to all owners of the party wall/s.

### **16. 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.

### **17. 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

### **DURING DEMOLITION AND CONSTRUCTION**

#### **18. 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.

#### **19. 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.

### **PRIOR TO OCCUPATION CERTIFICATE**

#### **20. 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.

#### **21. Protect Sandstone Kerb**

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

### **ADVISORY NOTES**

#### **Permits**

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

- a. Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application;

- b. A concrete pump across the roadway/footpath;
- c. Mobile crane or any standing plant;
- d. Skip Bins;
- e. Scaffolding/Hoardings (fencing on public land);
- f. Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.;
- g. Awning or street veranda over the footpath;
- h. Partial or full road closure; 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.

#### **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.

**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.

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

Department of Fair Trading 13 32 20  
[www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au)

Enquiries relating to Owner Builder Permits and Home Warranty Insurance.

Dial Prior to You Dig 1100  
[www.dialprior toyoudig.com.au](http://www.dialprior toyoudig.com.au)

Landcom 9841 8660

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

Long Service Corporation Payments 131441  
[www.lspc.nsw.gov.au](http://www.lspc.nsw.gov.au)

NSW Food Authority 1300 552 406  
[www.foodnotify.nsw.gov.au](http://www.foodnotify.nsw.gov.au)

NSW Government [www.nsw.gov.au/fibro](http://www.nsw.gov.au/fibro)  
[www.diysafe.nsw.gov.au](http://www.diysafe.nsw.gov.au)

Information on asbestos and safe work practices.

NSW Office of Environment and Heritage 131 555  
[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)

Sydney Water 13 20 92  
[www.sydneywater.com.au](http://www.sydneywater.com.au)

Waste Service - SITA 1300 651 116  
[www.wasteservice.nsw.gov.au](http://www.wasteservice.nsw.gov.au)

Water Efficiency Labelling and Standards (WELS) [www.waterrating.gov.au](http://www.waterrating.gov.au)

WorkCover Authority of NSW 13 10 50  
[www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)

Enquiries relating to work safety and asbestos removal and disposal.

**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.