




	
DEVELOPMENT ASSESSMENT REPORT	
<b>Application No.</b>	REV/2021/0009
<b>Address</b>	7 Westbourne Street STANMORE NSW 2048
<b>Proposal</b>	S8.2 Review Application of DA/2020/0827 for demolition of existing building, Torrens Title Subdivision of existing lot into 2 lots, construction of a semi-detached dwelling with a secondary dwelling and garage to each lot. Landscaping and associated works.
<b>Date of Lodgement</b>	30 April 2021
<b>Applicant</b>	Urban Future Organisation
<b>Owner</b>	Grey Gum Investments Pty Ltd
<b>Number of Submissions</b>	Initial: 2
<b>Value of works</b>	\$961,941.00
<b>Reason for determination at Planning Panel</b>	Recommendation of refusal of Section 8.2 application
<b>Main Issues</b>	<ul style="list-style-type: none"> <li>• Solar access to private open space of proposed dwellings.</li> <li>• Building height, bulk, scale and setbacks.</li> <li>• Streetscape</li> <li>• Appropriateness of subdivision and replacement dwellings.</li> </ul>
<b>Recommendation</b>	Refusal
<b>Attachment A</b>	Reasons for refusal
<b>Attachment B</b>	Plans of proposed development
<b>Attachment C</b>	Without prejudice conditions if consent is granted
<b>Attachment D</b>	Reasons for refusal of DA/2020/0827
<b>Attachment E</b>	Stamped refused plans for DA/2020/0827
	
LOCALITY MAP	
<b>Subject Site</b> 	<b>Objectors</b>  
<b>Notified Area</b> 	

## 1. Executive Summary

This report is an assessment of the application submitted to Council pursuant to Section 8.2 of the *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)* for a review of Determination No. DA/2020/0827, which refused the demolition of the existing building, Torrens title subdivision of the existing lot into two lots, and the construction of a semi-detached dwelling with a secondary dwelling and garage to each lot at 7 Westbourne Street, Stanmore. The application was refused for the following reasons:

1. *The proposal fails to demonstrate compliance with Clause 22(3)(a) of State Environmental Planning Policy (Affordable Rental Housing) 2009.*
2. *The proposal is inconsistent and has not demonstrated compliance with the following clauses of Marrickville Local Environmental Plan 2011, pursuant to Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979:*
  - a. *Clause 1.2 - Aims of Plan;*
  - b. *Clause 4.4 - Floor Space Ratio; and*
  - c. *Clause 4.6 - Exceptions to development standards.*
3. *The proposal is inconsistent and has not demonstrated compliance with the following clauses of Draft Inner West Local Environmental Plan 2020, pursuant to Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979:*
  - a. *Clause 1.2(2)(i) Aims of Plan; and*
  - b. *Land Use Table - Objectives of Zone*
4. *The proposal is inconsistent and has not demonstrated compliance with the Marrickville Development Control Plan 2011, pursuant to Section 4.15 (1)(a)(iii) of the Environmental Planning and Assessment Act 1979 having regard to:*
  1. *Part 2.1 – Urban Design*
  2. *Part 2.7 – Solar Access and Overshadowing*
  3. *Part 2.9 – Community Safety*
  4. *Part 2.18 – Landscaping and Open Spaces*
  5. *Part 4.1 – Low Density Residential Development*
5. *The proposal will result in adverse environmental impacts in the locality, pursuant to Section 4.15 (1)(b) of the Environmental Planning and Assessment Act 1979.*
6. *The proposal has not demonstrated that the site is suitable for the development, pursuant to Section 4.15 (1)(c) of the Environmental Planning and Assessment Act 1979.*
7. *The proposal has not demonstrated it is in the public interest, pursuant to Section 4.15 (1)(e) of the Environmental Planning and Assessment Act 1979.*

A copy of the refused plans is included as Attachment E to this report.

A review of the determination under Section 8.2 of the *EP&A Act 1979* has been requested. The application was notified to surrounding properties and two (2) submissions were received.

The main issues that have arisen from the application include:

- Solar access to private open space of proposed dwellings.
- Building height, bulk, and setbacks.



- Streetscape impact
- Appropriateness of subdivision and replacement dwellings.

In addition to the matters noted above, the proposal is not considered to satisfy the aims, objectives, and design parameters contained in the relevant State Environmental Planning Policies, *Marrickville Local Environmental Plan 2011 (MLEP 2011)*, and Marrickville Development Control Plan 2011 (MDCP 2011).

The application is considered unsupportable and in view of the circumstances, it is recommended that the original decision of refusal of the application be maintained.

## 2. Proposal

The application seeks a review of Determination No. DA/2020/0827 under Section 8.2 of the *EP&A Act 1979*. The original application was for the demolition of the existing building, Torrens title subdivision of the existing lot into two lots, and the construction of a semi-detached dwelling with a secondary dwelling and garage to each lot at the site. The original application was refused under delegated authority by Council staff on 22 February 2021.

The following amendments have been made to the development as proposed in DA/2020/0827 and an assessment of these modifications has been undertaken throughout this report:

- Deletion of the secondary dwelling above the detached garages;
- Increased front setback at each level;
- Reduced rear setback at each level;
- Internal reconfiguration at each level;
- Deletion of street-facing dormer window to first floor roof;
- Modification of façade design, including design and placement of windows, and deletion of brick privacy screen at ground floor; and,
- Modification of materials and finishes.

## 3. Site Description

The subject site is located on the southern side of Westbourne Street, close to the intersection of Westbourne Street and Cannon Lane, Stanmore. The site consists of one allotment and is generally rectangular in shape with a total area of 374sqm and is legally described as 7 Westbourne Street, Stanmore NSW 2048.

The site has a 12.2m wide primary frontage to Westbourne Street and a 12.2m wide secondary frontage to Westbourne Lane at the rear.

The site currently supports a two storey detached dwelling house. The adjoining properties support single and two storey detached and semi-detached dwellings.

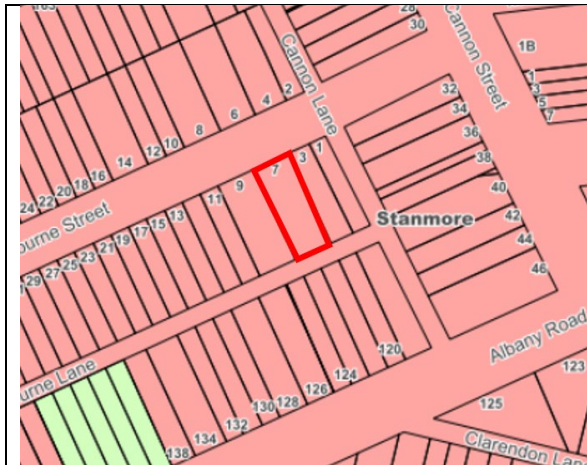


Figure 1: Zoning map

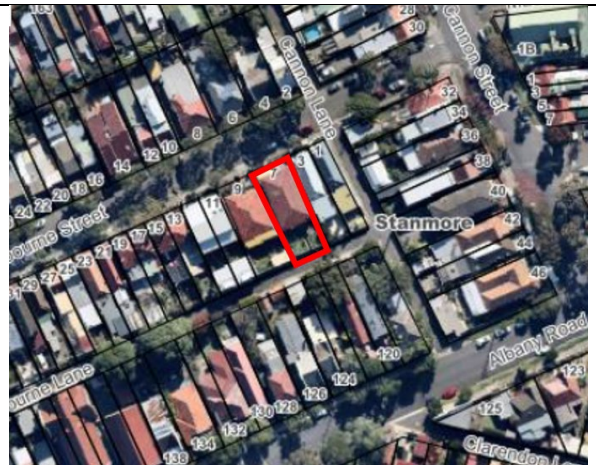


Figure 2: Aerial map

## 4. Background

### 4(a) Site history

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

#### Subject Site

Application	Proposal	Decision
DA/2020/0827	Demolition of existing building. Torrens Title Subdivision of land into 2 lots. Construction of a semi-detached dwelling with a secondary dwelling and garage to each lot. Landscaping and associated works.	Refused 22/02/2021

#### Surrounding properties

Property	Application	Proposal	Decision
11 Westbourne Street	DA201100350	To demolish existing improvements, subdivide the land into two (2) allotments and erect a two (2) storey with attic dwelling house and a garage at the rear on each allotment	Approved 07/11/2011
23 Westbourne Street	DA201200480	To demolish part of the premises and carry out ground floor alterations and additions to a dwelling house	Approved 14/01/2013
25 Westbourne Street	DA201100083	Demolish part of the premises and carry out ground floor alterations and additions to a dwelling house and erect a new side and rear masonry wall with a roller door providing vehicular access to Westbourne Lane	Approved 29/03/2011

#### 4(b) Application history

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

Date	Discussion / Letter / Additional Information
22 February 2021	A notice of determination was issued for DA/2020/0827 refusing the proposed development.
30 April 2021	Application lodged.
11 to 25 May 2021	Application notified.
30 June 2021	Council requested that additional information be submitted to address the following matters: <ul style="list-style-type: none"> <li>• Building setbacks</li> <li>• Building height</li> <li>• Solar access and overshadowing</li> </ul>
15 July 2021	A response was submitted by the applicant (Note: No further amended plans were submitted in response).

### 5. Assessment

The following is a summary of the assessment of the application in accordance with Sections 4.15 and 8.2 of the *EP&A 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*

The following provides further discussion of the relevant issues:

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

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) provides planning guidelines for remediation of contaminated land. MDCP 2011 provides controls and guidelines for remediation works. *SEPP 55* requires the consent authority to be satisfied that “the site is, or can be made, suitable for the proposed use” prior to the granting of consent.

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

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

A BASIX Certificate was submitted with the application indicating that the proposal achieves full compliance with the BASIX requirements. The implementation of the commitments listed in the BASIX Certificate can be included as conditions if development consent is granted. The application does not seek the removal of any vegetation from within the site or on Council land.

**5(a)(iii) Marrickville Local Environment Plan 2011 (MLEP 2011)**

The application was assessed against the following relevant clauses of *MLEP 2011*:

Control	Proposed	Compliance
Clause 1.2 Aims of Plan	<p>The proposal is inconsistent with the Clause 1.2(2)(h) as follows:</p> <ul style="list-style-type: none"> <li>The modified proposal does not promote a high standard of design as it results in adverse overshadowing and solar access impacts to the subject site and adjoining properties.</li> <li>The form and scale of the proposal is uncharacteristic and excessively bulky having regard to the prevailing character of Westbourne Street and affords inadequate amenity to future occupants which is demonstrated through a number of non-compliances with Council's controls as identified throughout this assessment report</li> </ul>	No
Clause 2.3 Zone objectives and Land Use Table	<p>The proposal satisfies the clause as follows:</p> <ul style="list-style-type: none"> <li>The application proposes the subdivision of the existing allotment and the construction of a new semi-detached dwelling on each new lot. <b>Semi-detached dwellings</b> are permissible with consent in the R2 Low Density Residential zone; and,</li> <li>The proposal is consistent with the relevant objectives of the zone, as it has the potential to provide for the housing needs of the community within a low density residential environment. Notwithstanding, it is considered the amenity of those dwellings is not of a standard which is acceptable to Council and this is discussed in greater detail throughout this report</li> </ul>	Yes , however see comments
Clause 2.7 Demolition requires development consent	<p>The proposal satisfies the clause as follows:</p> <ul style="list-style-type: none"> <li>Demolition works are proposed, which are permissible with consent; and,</li> <li>Any impacts that may arise during demolition can be appropriately managed through conditions if development consent is granted.</li> </ul>	Yes – subject to conditions
Clause 4.3 Height of Buildings J – 9.5m	The application proposes a compliant building height of 9.5m	Yes
Clause 4.4 Floor space ratio F – 1:1 (187sqm)	The application proposes a compliant floor space ratio of 0.95:1 (177sqm) for each lot.	Yes
Clause 4.5 Calculation of floor space ratio and site area	The site area and floor space ratio for the proposal has been calculated in accordance with the clause.	Yes
Clause 6.2 Earthworks	The application is considered to adequately satisfy this clause in that the proposed earthworks are unlikely to have a detrimental impact on environmental functions	Yes

	and processes, existing drainage patterns, or soil stability.	
Clause 6.5 Development in areas subject to aircraft noise	The site is located within the ANEF 25-30 contour and as such an Acoustic Report was submitted with the application. The proposal is capable of satisfying this clause subject to conditions if development consent is granted.	Yes – subject to condition

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

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 *EP&A Act 1979*.

Draft IWLEP 2020 contains provisions for amended aims of Clause 1.2 Aims of Plan and amended objectives for the R2 Low Density Residential zone.

The proposed development is not considered to satisfy the following amended aims of Clause 1.2(2):

- (i) to achieve a high-quality urban form and open space in the public and private domain by ensuring new development exhibits architectural and urban design excellence,
- (j) to protect and enhance the amenity, vitality and viability of Inner West for existing and future residents, workers and visitors.

The following matters were identified in the assessment of the original development application and are considered to remain outstanding/unresolved by the current design;

The proposal fails to provide housing that is compatible with the character, style, pattern of surrounding buildings, streetscape nor does the proposal protect or enhance the amenity of existing and future residents for the following reasons;

- The architectural style is at odds with the character of the street. The elongated roof form which is taller than nearby development results in a building which is considerably large and at odds with the streetscape character particularly the adjoining single storey dwellings and as such fails to provide an adequate transition between adjoining development;
- The roof form itself is uncharacteristic of prevailing development in the street. Terrace style developments generally employ shorter roof forms and as such the proposal fails to pick on upon positive development cues in the street. For example 2 Westbourne Street contains a terrace of which the main roof form extends no more than 10.5 metres, whilst the rest of the dwelling is setback from the eastern boundary. However the subject proposal contains a main roof form that extends for 13.3 metres, of which the subject roof pitch fails to pick up on cues of the prevailing character of the street. It appears the proposal seems to partially mimic the development at 11 and 11a Westbourne Street with its 3 storey form. In this regard, development which results in a poor streetscape outcome should not be replicated and used as a precedent for future development, it is also noteworthy that the subdivision and approval of the dwellings at 11 Westbourne Street were approved prior to the gazettal of MLEP 2011 and MDCP 2011 and as such are not subject to the same planning controls as the subject application.
- The boundary to boundary construction for the development limits the ability for light and ventilation with all bathrooms on the ground, first and second floors required to be mechanically ventilated. Furthermore the nil boundary results in the presentation of



one long unarticulated wall to the eastern and western elevations accentuating the bulk of the proposal.

- The height of the proposal, combined with the proposed setbacks and extent of built form results in the Private Open Space for each of the proposed dwellings receiving little solar access affording poor amenity for future occupants.
- In addition to the above the applicant has proposed the provision of a void adjoining the stairwell on the first floor in the access corridor. The purpose of this void seems unwarranted and is considered to be oddly placed especially as this void has no access to light and air from a window as it is surrounded by enclosed rooms and a ceiling above. Overall the proposal fails to provide adequate amenity for future residents

Furthermore, the proposed development is not considered to satisfy the following amended objective of the R2 Low Density Residential zone under Draft IWLEP 2020:

- To protect and enhance the amenity of existing and future residents and the neighbourhood.

Given the above, the proposed development is not considered to satisfy the provisions of Draft IWLEP 2020.

### 5(c) Development Control Plans

The application has been assessed and the following provides a summary of the relevant provisions of MDCP 2011:

Control	Proposed	Compliance
<i>Part 2 – Generic Provisions</i>		
Part 2.1 – Urban Design	<p>The modified proposal does not satisfy the 12 urban design principles as follows:</p> <ul style="list-style-type: none"> <li>• The development fails to satisfy Principle 9: Sense of place and character in streetscapes and townscape. The application has not demonstrated that the scale, massing and form of the proposed development is appropriate for the site and that it does not result in adverse amenity impacts to the subject and adjoining properties.</li> </ul>	No
Part 2.6 – Acoustic and Visual Privacy	<p>The modified proposal satisfies the requirements of this Part as follows:</p> <ul style="list-style-type: none"> <li>• The windows proposed predominantly face into the site or are adequately offset from adjoining windows, thereby protecting existing privacy levels for surrounding occupiers;</li> <li>• The proposed first floor rear-facing balconies are appropriately designed and located to reduce any adverse overlooking and privacy impacts; and,</li> <li>• The private open space (POS) of the principal and secondary dwellings have been appropriately located on the site to</li> </ul>	Yes

	reduce adverse visual and acoustic amenity impacts to neighbours.	
Part 2.7 – Solar Access and Overshadowing	See Section 5(c)(i) below.	No
Part 2.9 – Community Safety	The modified proposal satisfies the requirements of this Part as follows: <ul style="list-style-type: none"> <li>• The principal entrance to each dwelling house is visible from the street; and,</li> <li>• The dwelling house has been designed to overlook the street.</li> </ul>	Yes
Part 2.10 – Parking	The modified proposal satisfies the requirements of this Part as follows: <ul style="list-style-type: none"> <li>• One car parking space is provided to each dwelling.</li> </ul>	Yes
Part 2.11 – Fencing	The modified proposal satisfies the requirements of this Part as follows: <ul style="list-style-type: none"> <li>• The 1.2m high palisade fencing along the front boundary is consistent and compatible with the character of the area.</li> </ul>	Yes
Part 2.18 – Landscaping and Open Spaces	The modified proposal satisfies the requirements of this Part as follows: <ul style="list-style-type: none"> <li>• The entire front setback is to consist of pervious landscaping with the exception of the pathways;</li> <li>• A minimum area of 45sqm, with no dimension being less than 3m, is to be retained as private open space; and,</li> <li>• In excess of 50% of the private open space is to be maintained as pervious landscaping.</li> </ul>	Yes, the quantum required complies, but as discussed under Part 2.7 of MDCP 2011, the amenity of this space is poor as it will not receive a reasonable level of solar access
Part 2.21 – Site Facilities and Waste Management	The modified proposal satisfies the requirements of this Part as follows: <ul style="list-style-type: none"> <li>• The application was accompanied by a waste management plan in accordance with the Part; and,</li> <li>• The appropriate management of waste during the construction of the proposal can be addressed through conditions if development consent is granted.</li> </ul>	Yes – subject to conditions
Part 2.25 – Stormwater Management	The development is capable of satisfying the requirements of this Part subject to conditions if development consent is granted.	Yes – subject to conditions
<b>Part 3 – Subdivision, Amalgamation and Movement Networks</b>		
Part 3.2.2 – Residential Torrens title subdivision and amalgamation controls	See Section 5(c)(ii) below.	No

<i>Part 4.1 – Low Density Residential Development</i>		
Part 4.1.4 – Good Urban Design Practice	<p>The modified proposal is not considered to satisfy the requirements of this Part as follows:</p> <ul style="list-style-type: none"> <li>• The proposed development has not been designed to achieve good solar access to the POS of each dwelling;</li> <li>• The proposed POS is not considered to be of a high quality as it does not achieve an appropriate level of amenity; and,</li> <li>• The proposed development has not demonstrated that it is of an appropriate scale for the site as it results in adverse amenity impacts.</li> </ul>	No
Part 4.1.5 – Streetscape and Design	<p>The modified proposal fails to satisfy the requirements of this Part as follows:</p> <ul style="list-style-type: none"> <li>• the overall height of the proposed development is over scaled and uncharacteristic of development in the locality. Comparatively the nearby more recently constructed terraces at 11 and 11a Westbourne Street have an overall height of 8.9 metres. The proposed development is set higher in the street and is considered to be at odds with the streetscape character. The proposal extends well above the single storey terraces to the east and would be extremely prominent because of the wall height proposed to be constructed to a nil boundary setback, and the proposal fails to provide an adequate transition between the dwellings to the east and west of the site.</li> <li>• The development exhibits a height and form which does not pick up on cues in the street and results in a development that is not uniform and cohesive with the streetscape;</li> <li>• The proposal is not an appropriate infill development and fails to demonstrate a design that complements and embellishes the character of the area.</li> </ul>	No
Part 4.1.6 – Built form and character	See Section 5(c)(iii) below.	No
Part 4.1.7 – Car Parking	<p>The modified proposal satisfies the requirements of this Part as follows:</p> <ul style="list-style-type: none"> <li>• The garage and car parking space comply with the design requirements and minimum dimension for car parking within Part 2.10 of MDCP 2011;</li> </ul>	Yes

	<ul style="list-style-type: none"> <li>• The garage is located to the rear of the site and is safely and conveniently located for use;</li> <li>• The design of the garage is appropriate to the dwelling house and the presentation of the garage to the laneway is consistent in height and form with other approved development in the laneway; and,</li> <li>• The location of the driveway is suitable within the laneway and will not impact traffic or parking.</li> </ul>	
Part 4.1.9 – Additional Controls for Contemporary Dwellings	<p>The modified proposal fails to satisfies the requirements of this Part as follows:</p> <ul style="list-style-type: none"> <li>• The overall height of the proposed development is over scaled and uncharacteristic of development in the locality and the proposal fails to provide an adequate transition between the dwellings to the east and west of the site.</li> <li>• The proposal seeks to employ a contemporary terrace style design however the design of the elongated roof the dwellings results in a development whose bulk, form and style is at odds with the locality</li> <li>• The roof form is uncharacteristic of the prevailing character in the street and has been designed as such to accommodate the 3 floors to be built to the boundary. This is turn results in an unacceptable bulk to the adjoining property boundary and is highly visible to the street.</li> </ul>	No
<i>Part 9 – Strategic Context</i>		
Part 9.3 – Stanmore North	<p>The modified proposal fails to satisfy the requirements of this Part as follows:</p> <ul style="list-style-type: none"> <li>• the proposed development is over scaled and uncharacteristic of development in the locality</li> </ul>	No

(ii) Part 2.7 Solar Access and OvershadowingOvershadowing

Part 2.7 of MDCP 2011 sets objectives and controls that aim to maximise solar access and reduce adverse overshadowing impacts to proposed developments and neighbouring properties. In this regard, control C2 reads as follows:

- C2 Direct solar access to windows of principal living areas and principal areas of open space of nearby residential accommodation must:*
- i. Not be reduced to less than two hours between 9.00am and 3.00pm on 21 June; or*
  - ii. Where less than two hours of sunlight is currently available on 21 June, solar access should not be further reduced. However, if the development proposal results in a further decrease in sunlight available on 21 June, Council will consider:*
    - a. The development potential of the site;*
    - b. The particular circumstances of the neighbouring site(s), for example, the proximity of any residential accommodation to the boundary, the resultant proximity of windows to the boundary, and whether this makes compliance difficult;*
    - c. Any exceptional circumstances of the subject site such as heritage, built form or topography; and*
    - d. Whether the sunlight available in March to September is significantly reduced, such that it impacts upon the functioning of principal living areas and the principal areas of open space. To ensure compliance with this control, separate shadow diagrams for the March/September period must be submitted in accordance with the requirements of C1;*

*Where less than two hours of sunlight is currently available on 21 June and the proposal is not reducing it any further, Council will still consider the merits of the case having regard to the above criteria described in points a to d.*

The subject site has a northwest-southeast orientation and as such, a 3 storey development on the site will likely result in additional overshadowing of the neighbouring properties at nos. 3 and 9 Westbourne Street, which are located to the northeast and southwest, respectively.

*No. 3 Westbourne Street*

No. 3 Westbourne Street is occupied by a single storey semi-detached dwelling with a nil setback to the common boundary. The shadow diagrams submitted for June 21<sup>st</sup> and the March/September equinox demonstrate that the proposed development results in additional overshadowing of the rear private open space (POS) of the neighbouring property between 2.00pm-3.00pm. The overshadowing is a result of the proposed single storey garage at the rear of the site, which is provided with a nil setback to the common boundary. However it is noted that the POS does not receive more than 2 hours of solar access during solstice at present to more than 50% of the space, and this is marginally increased by the proposed development.

Notwithstanding the additional overshadowing, the POS of no. 3 Westbourne Street maintains greater than 2 hours of direct solar access to 50% of the POS between 9.00am and 3.00pm at the March/September equinoxes.

*No. 9 Westbourne Street*



No. 9 Westbourne Street is occupied by a part-single, part-two storey detached dwelling with a 1.2m setback to the common boundary. One window, which services an internal living area, is located on the northeast elevation of the dwelling toward the centre of the elevation. Whilst the shadow diagrams provided by the applicant label this room as a bedroom, it is evident that this room serves as a dining room, thereby being a principal living area. A detached ancillary structure/pergola is also located within the rear POS at the southeast corner of the site with a nil setback to the common and rear boundaries.

Elevational and plan shadow diagrams were submitted for June 21<sup>st</sup> and the March/September equinox. An assessment of the proposal against Control 2 is provided below.

- i. *Direct solar access to windows of principal living areas and principal areas of open space of nearby residential accommodation must not be reduced to less than two hours between 9.00am and 3.00pm on 21 June.*

The submitted shadow diagrams demonstrate that the side-facing dining room window of no. 9 Westbourne Street currently receives some level of direct solar access between 11.00am-12.00pm during midwinter and at the March equinox, and that the proposed development would result in overshadowing of this window for that period. As such, this window receives less than 2 hours direct solar access between 9.00am-3.00pm during midwinter.

The shadow diagrams also demonstrate that the principal area of POS of no. 9 Westbourne Street directly adjacent to the rear of the dwelling does not receive 2 hours direct solar access between 9.00am-3.00pm during winter as it is overshadowed by the existing dwelling. Additionally, less than 50% of the total area of POS currently receives 2 hours of direct solar access.

The proposed development does result in additional overshadowing of the POS; however, this largely occurs over the existing ancillary structure in the rear southeast corner of the site. Additional overshadowing also occurs between 1.00pm-2.00pm to the area of POS adjacent to the eastern side boundary.

- ii. *Where less than two hours of sunlight is currently available on 21 June, solar access should not be further reduced. However, if the development proposal results in a further decrease in sunlight available on 21 June, Council will consider:*
  - a. *The development potential of the site;*
  - b. *The particular circumstances of the neighbouring site(s), for example, the proximity of any residential accommodation to the boundary, the resultant proximity of windows to the boundary, and whether this makes compliance difficult;*
  - c. *Any exceptional circumstances of the subject site such as heritage, built form or topography; and*
  - d. *Whether the sunlight available in March to September is significantly reduced, such that it impacts upon the functioning of principal living areas and the principal areas of open space. To ensure compliance with this control, separate shadow diagrams for the March/September period must be submitted in accordance with the requirements of C1.*

As the proposed development results in the decrease of sunlight available during midwinter, points (a)-(d) above are relevant to this application and are considered below.

- a. *The development potential of the site;*

The site is located within the R2 Low Density Residential zone and is limited to a maximum building height of 9.5m. The existing lot is also subject to a maximum FSR of 0.6:1 (224.4sqm).

However, the proposed Torrens title subdivision of the existing lot into two new lots results in each lot having a maximum FSR of 1:1 (187sqm), as such increasing the total maximum gross floor area of the site by approximately 150sqm. Whilst the proposed development complies with the maximum height and FSR development standards, these maximums are not an as of right, and need to be considered in the context of adjoining development and as discussed throughout this report the overall height of the proposed development is over scaled and uncharacteristic of development in the locality. The adverse impacts to neighbouring development is a result of the proposal not having adequate regard to external impacts.

- b. The particular circumstances of the neighbouring site(s), for example, the proximity of any residential accommodation to the boundary, the resultant proximity of windows to the boundary, and whether this makes compliance difficult;*

The affected window of no. 9 Westbourne Street whilst orientated towards the side boundary, is located reasonably 1.2m from the common side boundary.

- c. Any exceptional circumstances of the subject site such as heritage, built form or topography; and*

There are no exceptional circumstances that affect the ability of the proposed development to comply with the requirements of this control.

- d. Whether the sunlight available in March to September is significantly reduced, such that it impacts upon the functioning of principal living areas and the principal areas of open space. To ensure compliance with this control, separate shadow diagrams for the March/September period must be submitted in accordance with the requirements of C1.*

The submitted shadow diagrams demonstrate that direct solar access is currently available to a small portion of the affected window of no. 9 Westbourne Street between 11.00am-12.00pm at the March/September equinox and the proposed development will result in a total loss of solar access to this dining room window.

Considering the above, the development is considered to result in an unreasonable impact on the adjoining property and it is considered that a more sensitive design could potentially preserve a reasonable level of solar access to the neighbouring development. As such, the proposal fails to comply with the controls and objectives of Part 2.7 of MDCP 2011.

#### Solar access

In addition to the above, C8 of Part 2.7 reads as follows:

- C8 Where site orientation permits, new buildings and additions must be sited and designed to maximise direct solar access to north-facing living areas and outdoor recreation areas such that:*
- i. At least one habitable room (other than a bedroom) must have a window having an area not less than 15% of the floor area of the room, positioned within 30 degrees east and 20 degrees west of true north and allow for direct sunlight for at least two hours over a minimum of 50% of the glazed surface between 9.00am and 3.00pm on 21 June.*
  - ii. Private open space receives a minimum two hours of direct sunlight over 50% of its finished surface between 9.00am and 3.00pm on 21 June.*

The submitted shadow diagrams demonstrate that the northwest-facing windows of the ground floor living room of each dwelling receive greater than 2 hours of direct solar access to more than 50% of the window area between 9.00am-3.00pm during midwinter.

However, the submitted shadow diagrams also demonstrate that the POS of each dwelling does not receive a minimum of 2 hours of direct sunlight over 50% of its finished surface between 9.00am-3.00pm during midwinter. The proposed eastern dwelling receives direct solar access to less than 5% of its finished surface between 11.00am-12.00pm during midwinter, while the western dwelling receives direct solar access to less than 5% of its finished surface between 9.00am-10.00am during midwinter.

During the assessment of the application, it was requested by Council that a 900mm setback be provided to the northeast and southwest side boundaries to enable greater solar access to the POS of each dwelling. The proposed development was not amended as requested; however, indicative shadow diagrams were submitted for comparison demonstrating the overshadowing and solar access impacts with a 900mm setback.

The indicative shadow diagrams demonstrate that a 900mm side setback does result in additional solar access being provided to the POS of each dwelling. As such, it has been demonstrated that despite the orientation of the site, alternative designs can provide increased solar access and enhanced amenity on the site.

Notwithstanding the southern orientation of the proposed areas of POS, it is considered the dwellings have not been designed to maximise solar access to their respective areas of POS. As detailed further in this report, this is attributed the bulk and scale of the development, which is exacerbated by the extent of the proposed first and second floor, overall height, roof form and zero side setbacks. As such, it is considered the proposal does not comply with C8 of Part 2.7.5 and O2 of Part 2.7.1

(iii) Part 3.2.2 Residential Torrens title subdivision and amalgamation controls

The application proposes the Torrens title subdivision of the existing allotment into two new allotments. Each new allotment will have a total area of 187sqm, a width of 6.09m, and a depth of 30.68m.

While the proposed subdivision satisfies objectives O3 and O5 of Part 3.2.2 of MDCP 2011 with respect to retaining the prevailing cadastral character of the street, the proposed development is not considered to satisfy objective O4, which reads as follows:

*O4 To ensure that the size of new allotments caters for a variety of dwelling and household types and permits adequate solar access, areas for open space, landscaping and car parking.*

As noted in Section 5(c)(i) above, the proposed new dwelling on each allotment has not been designed to ensure adequate solar access can be provided to the POS of each lot. As such, the application has not demonstrated that the subdivision of the existing allotment is appropriate in this case.

(iv) Part 4.1.6 Built form and character

Part 4.1.6 of MDCP 2011 sets objectives and controls that aim to facilitate an acceptable bulk and scale of development. In this regard, the following control and objective are relevant to this development:

- C8 *Notwithstanding compliance with the numerical standards, applicants must demonstrate that the bulk and relative mass of development is acceptable for the street and adjoining dwellings in terms of:*
- i. *Overshadowing and privacy;*
  - ii. *Streetscape (bulk and scale);*
  - iii. *Building setbacks;*
  - iv. *Parking and landscape requirements;*
  - v. *Visual impact and impact on existing views (Council encourages view sharing between surrounding residences);*
  - vi. *Any significant trees on site; and*
  - vii. *Lot size, shape and topography.*
- O13 *To ensure adequate separation between buildings for visual and acoustic privacy, solar access and air circulation.*

As noted above, the proposed development has not been designed to ensure adequate direct solar access is provided to the POS of each proposed dwellings despite numerical compliance with the maximum building height and FSR development standards.

Building setbacks are determined on merit having regard to maintaining solar access and reducing visual bulk to neighbouring development of which the proposal development fails to demonstrate is adequate.

The bulk and relative mass of the dwellings results in adverse impacts in terms of visual bulk to surrounding properties, and the streetscape, and this is attributed to their respective scales, heights and lengths.

As discussed in Section 5(c)(i) above, whilst it is acknowledged that the orientation of the site makes total compliance with the solar access requirements difficult to achieve, it is considered that alternative building designs could result in an adequate level of solar access being provided to the POS of each dwelling.

Given the above, the proposed development does not satisfy the provisions of Part 4.1.6 of MDCP 2011.

#### 5(d) Section 8.2 of the *Environmental Planning and Assessment Act 1979*

The following is an assessment of the application against the requirements of Sections 8.2 and 8.3 of the *EP&A Act 1979*:

Provision	Comment
<b>8.2 Determinations and decisions subject to review</b>	
(1) The following determinations or decisions of a consent authority under Part 4 are subject to review under this Division— (a) the determination of an application for development consent by a council, by a local planning panel, by a Sydney district or regional planning panel or by any person acting as delegate of the Minister (other than the Independent Planning Commission or the Planning Secretary), (b) the determination of an application for the modification of a development consent by a council, by a local planning panel, by a Sydney district or regional planning panel or by any person acting as delegate of the Minister (other than the Independent Planning Commission or the Planning Secretary),	The subject application seeks the review of a determination made by Council.

(c) the decision of a council to reject and not determine an application for development consent.	
(2) However, a determination or decision in connection with an application relating to the following is not subject to review under this Division— (a) a complying development certificate, (b) designated development, (c) Crown development (referred to in Division 4.6).	The subject application does not relate to the listed application types.
(3) A determination or decision reviewed under this Division is not subject to further review under this Division.	Noted.
<b>8.3 Application for and conduct of review</b>	
(1) An applicant for development consent may request a consent authority to review a determination or decision made by the consent authority. The consent authority is to review the determination or decision if duly requested to do so under this Division.	The applicant has requested that the determination made by Council be reviewed.
(2) A determination or decision cannot be reviewed under this Division— (a) after the period within which any appeal may be made to the Court has expired if no appeal was made, or (b) after the Court has disposed of an appeal against the determination or decision.	The application was lodged and will be considered by the Inner West Local Planning Panel for determination prior to the period within which any appeal may be made to the Court has expired being 21/02/2022.
(3) In requesting a review, the applicant may amend the proposed development the subject of the original application for development consent or for modification of development consent. The consent authority may review the matter having regard to the amended development, but only if it is satisfied that it is substantially the same development.	The subject proposed development remains substantially the same development as that originally proposed.
(4) The review of a determination or decision made by a delegate of a council is to be conducted— (a) by the council (unless the determination or decision may be made only by a local planning panel or delegate of the council), or (b) by another delegate of the council who is not subordinate to the delegate who made the determination or decision.	The review has been assessed by a Council delegate who is not subordinate to the delegate who made the original decision. Additionally, the application is being presented to the Inner West Local Planning Panel for determination.
(5) The review of a determination or decision made by a local planning panel is also to be conducted by the panel.	This report has been prepared for the consideration of and determination by the Inner West Local Planning Panel.
(6) The review of a determination or decision made by a council is to be conducted by the council and not by a delegate of the council.	N/A
(7) The review of a determination or decision made by a Sydney district or regional planning panel is also to be conducted by the panel.	N/A
(8) The review of a determination or decision made by the Independent Planning Commission is also to be conducted by the Commission.	N/A



(9) The review of a determination or decision made by a delegate of the Minister (other than the Independent Planning Commission) is to be conducted by the Independent Planning Commission or by another delegate of the Minister who is not subordinate to the delegate who made the determination or decision.	N/A
---	-----

An assessment of the amended proposal against the reasons for refusal issued under the original determination is provided below:

**1. The proposal fails to demonstrate compliance with Clause 22(3)(a) of State Environmental Planning Policy (Affordable Rental Housing) 2009.**

The application was modified to delete the secondary dwelling provided to each lot above the garage. As such, *State Environmental Planning Policy (Affordable Rental Housing) 2009* is not applicable to this review.

**2. The proposal is inconsistent and has not demonstrated compliance with the following clauses of Marrickville Local Environmental Plan 2011, pursuant to Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979:**

- a. Clause 1.2 – Aims of Plan;
- b. Clause 4.4 – Floor Space Ratio; and
- c. Clause 4.6 – Exceptions to development standards.

As noted above, the proposal as modified is not considered to satisfy Clause 1.2(2)(h) of *MLEP 2011* as it results in adverse solar access and overshadowing impacts to the subject site and neighbouring properties. As such, reason 2(a) of the original refusal remains applicable.

Regarding reasons 2(b) and (c), the proposed development has been modified to reduce the total gross floor area and as such provide a compliant floor space ratio. The modified development complies with the applicable development standards and therefore Clause 4.6 is not applicable to this development.

**3. The proposal is inconsistent and has not demonstrated compliance with the following clauses of Draft Inner West Local Environmental Plan 2020, pursuant to Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979:**

- a. Clause 1.2(2)(i) Aims of Plan; and
- b. Land Use Table - Objectives of Zone

As noted above, the modified proposal is not considered to satisfy Clause 1.2(2)(i) and (j) or Clause 2.3 with respect to the objectives of the R2 Low Density Residential zone, of Draft Inner West Local Environmental Plans 2020. As such, reason 3 of the original refusal remains applicable.

**4. The proposal is inconsistent and has not demonstrated compliance with the Marrickville Development Control Plan 2011, pursuant to Section 4.15 (1)(a)(iii) of the Environmental Planning and Assessment Act 1979 having regard to:**

- 1. Part 2.1 – Urban Design
- 2. Part 2.7 – Solar Access and Overshadowing
- 3. Part 2.9 – Community Safety
- 4. Part 2.18 – Landscaping and Open Spaces
- 5. Part 4.1 – Low Density Residential Development

As noted above, the modified proposal satisfies the provisions of Parts 2.9 and 2.18 of MDCP 2011. However, the provisions of Parts 2.1, 2.7, 3, and 4.1 of MDCP 2011 have not been satisfied and as such reason 4(1), (2), and (5) of the original refusal remain applicable.

**5. The proposal will result in adverse environmental impacts in the locality, pursuant to Section 4.15 (1)(b) of the *Environmental Planning and Assessment Act 1979*.**

The modified proposal is considered to result in adverse environmental impacts on the locality and as such reason 5 of the original refusal remains applicable.

**6. The proposal has not demonstrated that the site is suitable for the development, pursuant to Section 4.15 (1)(c) of the *Environmental Planning and Assessment Act 1979*.**

The modified proposal has not demonstrated that the site is suitable for the proposed development and as such reason 6 of the original refusal remains applicable.

**7. The proposal has not demonstrated it is in the public interest, pursuant to Section 4.15 (1)(e) of the *Environmental Planning and Assessment Act 1979*.**

The modified proposal has not demonstrated that it is in the public interest and as such reason 7 of the original refusal remains applicable.

**5(e) The Likely Impacts**

As discussed in the assessment above, the proposed development will have an adverse impact on the locality.

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

It is considered that the proposal will have an adverse impact on the adjoining properties and therefore it is considered that the site is unsuitable to accommodate the proposed development.

**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. Two (2) submissions were received in response to the initial notification.

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

- Solar access and overshadowing – see Section 5(c)(i).
- Height, bulk, and scale – see Section 5(c).
- Privacy – see Section 5(c).

In addition to the above issues, the submissions raised the following concerns:

Concern	Comment
Concern was raised that the proposed development would adversely impact the outlook from neighbouring properties	The visual bulk and massing of the proposal is considered unacceptable and unsympathetic to adjoining development and is recommended for refusal.

### 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.

The proposal is contrary to the public interest.

## 6 Referrals

### 6(a) Internal

The application was referred to the following internal sections/officers whose comments have been taken into consideration in the assessment of the application:

- Development Engineer

## 7. Section 7.11 Contributions/7.12 Levy

The carrying out of the proposed development would result in an increased demand for public amenities and public services within the area and as such Section 7.11 contributions would be payable for the proposed development.

## 8. Conclusion

The proposal does not comply with the aims, objectives, and design parameters contained in *Marrickville Local Environmental Plan 2011* and Marrickville Development Control Plan 2011.

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

The application is considered unsupportable and in view of the circumstances, it is recommended that the original decision of refusal of the application be maintained.

## 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** Development Application No. REV/2021/0009 for S8.2 Review Application of DA/2020/0827 for demolition of existing building. Torrens Title Subdivision of existing lot into 2 lots, construction of a semi-detached dwelling with a garage to each lot, landscaping and associated works at 7 Westbourne Street, Stanmore for the following reasons:

1. The proposed development is inconsistent with and has not demonstrated compliance with the *Marrickville Local Environmental Plan 2011* pursuant to Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, including:
  - a. Clause 1.2(2)(h).

2. The proposed development is inconsistent with and has not demonstrated compliance with the Draft Inner West Local Environmental Plan 2020 pursuant to Section 4.15(1)(a)(ii) of the *Environmental Planning and Assessment Act 1979*, including:
  - a. Draft Clause 1.2(2)(i) and (j).
  - b. Draft Clause 2.3 Zone objectives and Land Use Table.
3. The proposed development is inconsistent with and has not demonstrated compliance with the Marrickville Development Control Plan 2011 pursuant to Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*, including:
  - a. Part 2.1 Urban Design.
  - b. Part 2.7 Solar Access and Overshadowing.
  - c. Part 3 Subdivision, Amalgamation and Movement Networks.
  - d. Part 4.1 Low Density Residential Development.
4. The proposed development will result in adverse environmental impacts in the locality pursuant to Section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*.
5. The proposal has not demonstrated that the site is suitable for the development pursuant to Section 4.15(1)(c) of the *Environmental Planning and Assessment Act 1979*.
6. The proposal has not demonstrated it is in the public interest pursuant to Section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*.

## Attachment A – Reasons for refusal

### Attachment A – Reasons for refusal

1. The proposed development is inconsistent with and has not demonstrated compliance with the *Marrickville Local Environmental Plan 2011* pursuant to Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, including:
  - a. Clause 1.2(2)(h).
2. The proposed development is inconsistent with and has not demonstrated compliance with the Draft Inner West Local Environmental Plan 2020 pursuant to Section 4.15(1)(a)(ii) of the *Environmental Planning and Assessment Act 1979*, including:
  - a. Draft Clause 1.2(2)(i) and (j).
  - b. Draft Clause 2.3 Zone objectives and Land Use Table.
3. The proposed development is inconsistent with and has not demonstrated compliance with the Marrickville Development Control Plan 2011 pursuant to Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*, including:
  - a. Part 2.1 Urban Design.
  - b. Part 2.7 Solar Access and Overshadowing.
  - c. Part 3 Subdivision, Amalgamation and Movement Networks.
  - d. Part 4.1 Low Density Residential Development.
4. The proposed development will result in adverse environmental impacts in the locality pursuant to Section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*.
5. The proposal has not demonstrated that the site is suitable for the development pursuant to Section 4.15(1)(c) of the *Environmental Planning and Assessment Act 1979*.
6. The proposal has not demonstrated it is in the public interest pursuant to Section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*.



## Attachment B – Plans of proposed development

INNER WEST COUNCIL  
SECTION 8.2 REVIEW SUBMISSION TO THE DEVELOPMENT APPLICATION DA / 2020 /0827  
PROPOSED DEMOLITION OF EXISTING BUILDING. TORRENS TITLE SUBDIVISION OF LAND INTO 2 LOTS. CONSTRUCTION OF A SEMI-DETACHED  
TWO STOREY DWELLING WITH ATTIC, DETACHED GARAGE TO EACH LOT. LANDSCAPING ASSOCIATED WORKS TO:  
7 WESTBOURNE STREET STANMORE NSW 2048 I LOT 2 SECTION 3 DP1053 I

LOCALITY MAP



DRAWING LIST

NO.	TITLE	LOCALITY MAP + DRAWING LIST
1	SITE ANALYSIS PLAN	
1.1	DEMOLITION PLAN	
1.2	CONSTRUCTION PLAN	
2	AREA CALCULATIONS + COMPLIANCE TABLE	
2.1	EXISTING + PROPOSED STREETSCAPE	
3	PROPOSED GROUND/FLOOR PLAN	
3.1	PROPOSED GROUND/FLOOR PLAN	
3.2	PROPOSED ATTIC PLAN	
3.3	PROPOSED ROOF PLAN	
4	PROPOSED NEIGHBORHOOD DWELLINGS ELEVATIONS	
4.1	PROPOSED NEIGHBORHOOD DWELLINGS ELEVATIONS	
4.2	PROPOSED EAST ELEVATION	
4.3	PROPOSED WEST ELEVATION	
5	PROPOSED SECTION A	
5.1	PROPOSED SECTION A	
5.2	PROPOSED SECTION B	
5.3	PROPOSED DRIVEWAY PROFILES	
6	PROPOSED SHADOW DIAGRAM 21 JUNE - 09:00 AM TO 10:00 AM	
6.1	PROPOSED SHADOW DIAGRAM 21 JUNE - 11:00 AM TO 12:00 PM	
6.2	PROPOSED SHADOW DIAGRAM 21 JUNE - 03:00 PM	
6.3	PROPOSED SHADOW DIAGRAM 21 JUNE - 03:00 PM	
6.4	PROPOSED SHADOW DIAGRAM 21 MARCH - 09:00 AM TO 10:00 AM	
6.5	PROPOSED SHADOW DIAGRAM 21 MARCH - 11:00 AM TO 12:00 PM	
6.6	PROPOSED SHADOW DIAGRAM 21 MARCH - 03:00 PM	
6.7	PROPOSED SHADOW DIAGRAM 21 MARCH - 03:00 PM	
6.8	PROPOSED SHADOW DIAGRAM 21 MARCH - 03:00 PM	
6.9	PROPOSED ELEVATIONAL SHADOW DIAGRAM 21 JUNE - 09:00 AM TO 10:00 AM	
6.10	PROPOSED ELEVATIONAL SHADOW DIAGRAM 21 JUNE - 11:00 AM TO 12:00 PM	
6.11	PROPOSED ELEVATIONAL SHADOW DIAGRAM 21 JUNE - 03:00 PM	
7	SECONDARY DWELLING SUNLIGHT DIAGRAMS - 21 JUNE 08:00 AM TO 03:00 PM	
7.1	EXTERNAL FINISHES SCHEDULE + MATERIAL SAMPLE BOARD	
8	LANDSCAPE PLAN	
8.1	LANDSCAPE PLAN	
9	WASTE MANAGEMENT PLAN	

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Document Set ID: 34840491  
Version: 1, Version Date: 30/04/2021

**BASIX® Certificate**  
Building Sustainability Index [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)  
**Multi Dwelling**

Certificate number: 1125850M\_02

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIS Definitions" dated 10/09/2009 published by the Department. This document is available at [www.basik.nsw.gov.au](http://www.basik.nsw.gov.au)

**Secretary**  
Date of Issue: Thursday, 20 April 2006

Date of issue: Thursday, 22 April 2021  
To be valid, this certificate must be lodged within 3 months of the date of issue.



Project summary	
Project name	7 Walkdown St, Elmwood, 03
Project location	7 Walkdown St, Elmwood 2048
Local Government Area	Irwin West Council
Plan type and plan number	disposited 1053
Lot no.	2
Section no.	3
No. of residential flat buildings	0
No. of units in residential flat buildings	0
No. of multi-dwelling houses	2
No. of single dwelling houses	0
Project score	
Water	40
Thermal Comfort	Pass
Energy	53

Certificate Prepared by

Name / Company Name: Greenworld Architectural Drafting

ABN (if applicable): 70203970543



LEGEND

1976]

7 WESTBOURNE ST. STA  
LOT 2 SEC 3 - DP 1053]

ISSUE	DESCRIPTION	DATE
A	SQL FOR DEVELOPMENT APPLICATION	27 SEP 2022
B	SQL FOR PROD. ENV. FURTHER INFORMATION	28 JAN 2024
C	REVISION SECTION 3.2	26 APR 2024

### DRAWING TITLE

#### LOCALITY MAP + DRAWING LIST

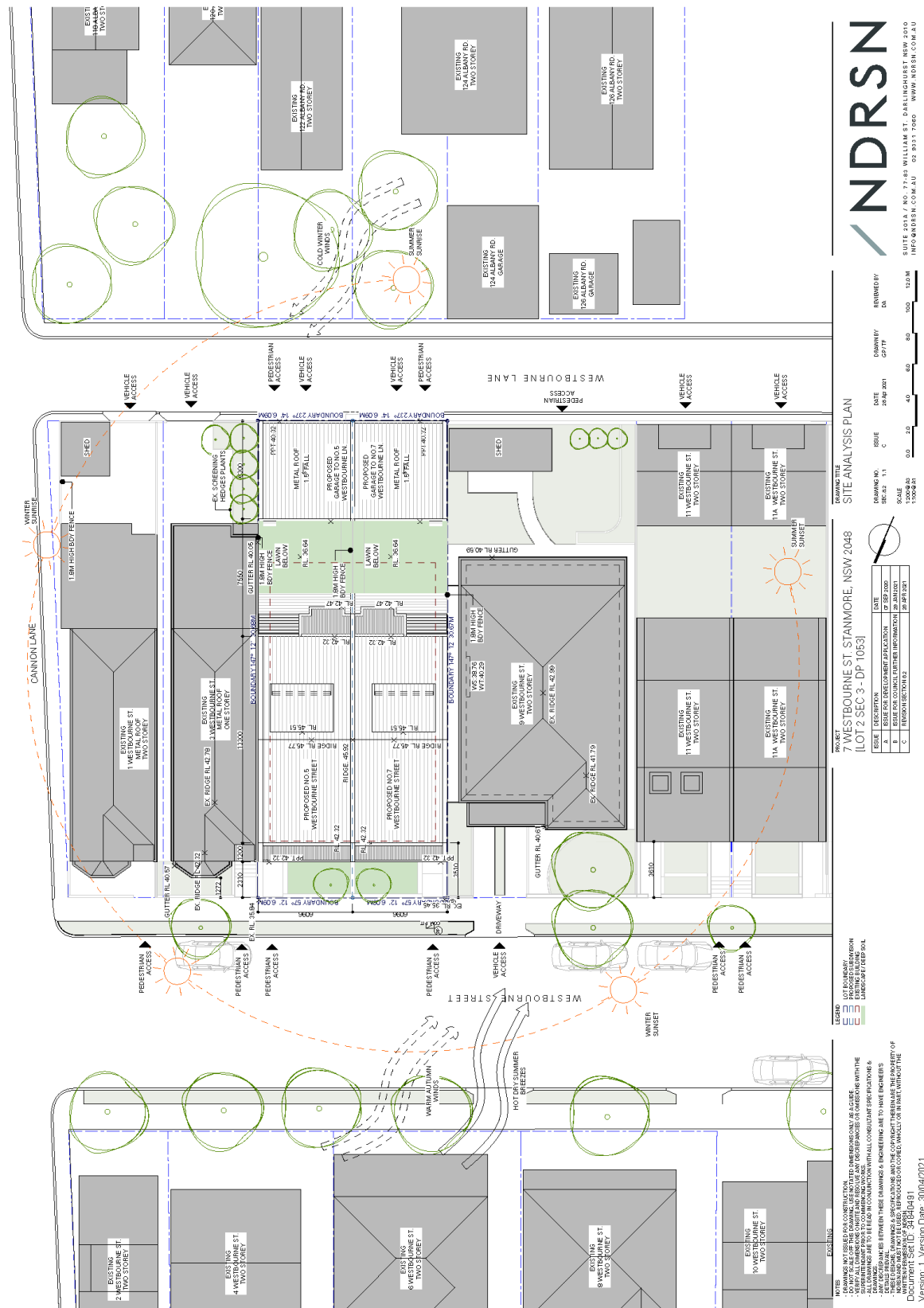
LOCALITY NAME &amp; DRAWING LIST

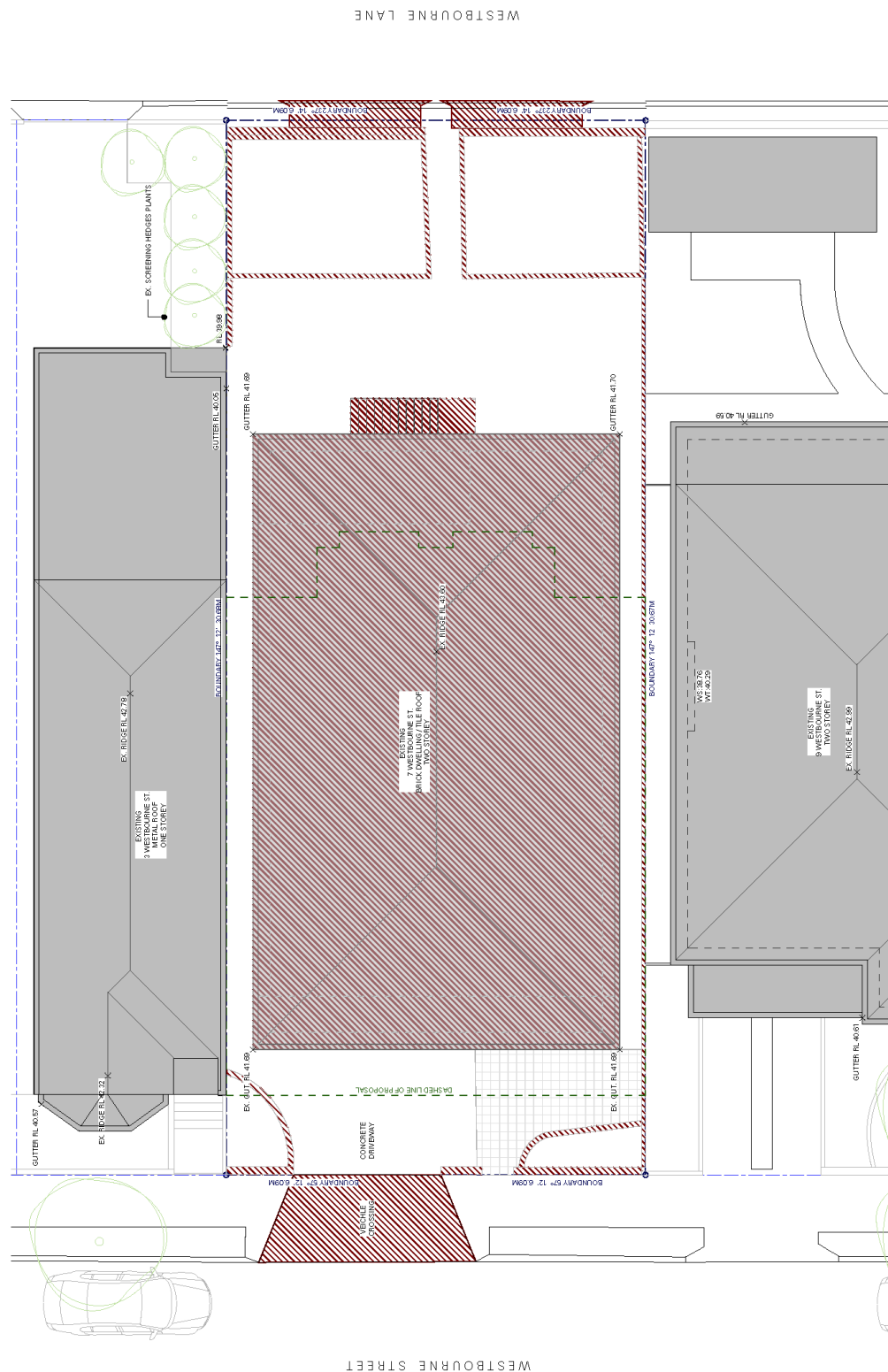
COMPANY INC	SIZE	DATE	INDUSTRY	REGISTRATION
...	...	...	...	...

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NDRSN

SUITE 201A / RD. 77-85 WILLIAM ST. DALLINGHURS - RSW 2010  
INFO@NDRSW.COM AU 07 93317030 WWW.NDRSW.COM AU





Salmon

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**LEGEND**

LEGEND

- LOT BOUNDARY
- EXISTING STRUCTURE TO BE DEMOLISHED
- EXTENT OF PROPOSED DEVELOPMENT

PROJECT

PROJECT  
77 WESTBOURNE ST, STANMORE, NSW 2048  
LOT 2 SEC 2 - DP 10621

ISSUE	DESCRIPTION	DATE
A	ISSUE FOR DEVELOPMENT APPLICATION	07 SEP 2020
B	ISSUE FOR COUNCIL FURTHER INFORMATION	29 JAN 2021
C	REVISION SECTION 8.2	26 APR 2021



**DRAWING TITLE**  
**DEMOLITION PLAN**

DRAWING NO.  
SEC. A2 1.2

SCALE  
1:1000 G.M.

DATE	DRAWN BY	REVIEWED BY
04 Apr 2021	GP/TF	DA

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LEGEND

- PROPOSED LOT BOUNDARY
- PROPOSED SUBDIVISION
- EXISTING LOT

ISSUE	DESCRIPTION	DATE
A	ISSUE FOR DEVELOPMENT APPLICATION	07 SEP 2020
B	ISSUE FOR COUNCIL FURTHER INFORMATION	29 JAN 2021
C	REVISION SECTION B.2	20 APR 2021

PROJECT  
7 WESTBOURNE ST. STANMORE, NSW 2048  
LOT 2 SEC 3 - DP 10531

DEADING TITLE  
SUBDIVISION PLAN

DRAWING TITLE

**SUBDIVISION PLAN**

DRAWING NO.

SEC. 8.2 1.3

ISSUE

C

DATE

28-Aug-2021

OWNED BY

GP / TP

REVIEWED BY

DA

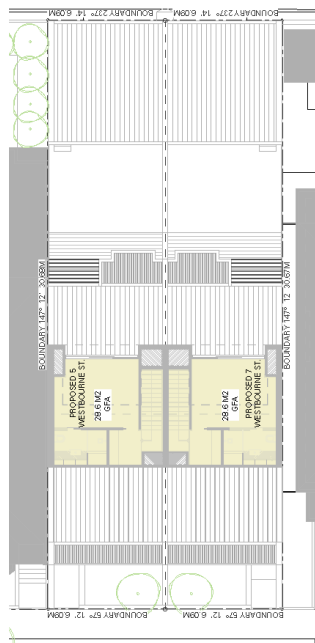
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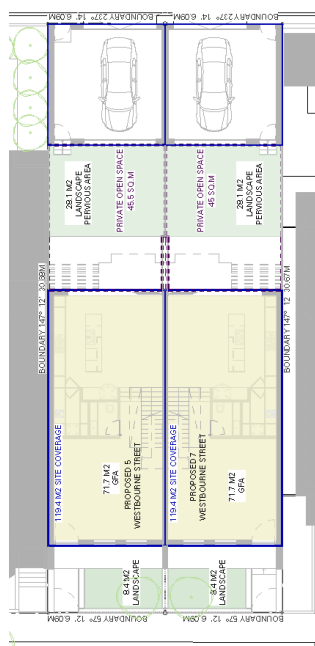
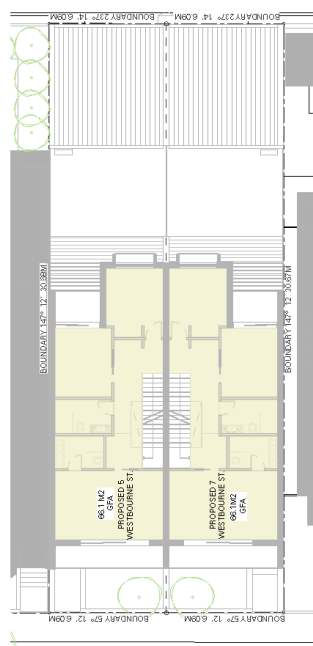
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### ATTIC AREA CALCULATION

GROUND FLOOR AREA CALCULATIONFIRST FLOOR AREA CALCULATION

COMPLIANCE TABLE - LOT 2	
MLEP 2011 1160702020	
NO 7 WESTBROOK STREET, STANMORE NSW 2048	
PROJECT TYPE: R2 LOW DENSITY RESIDENTIAL	
LOT AREA: 187.9 M2	
DOP/EP CONTROLS	
FSR	1.00: 1
GEA	187.0 M2
BUILDING HEIGHT	MAX 9.5 M
SITE COVERAGE	HERIT
	60.8% (110.4 M2)
	PROPOSED NO.7
	0.88: 1
	106.4M2
	COMPLIES

COMPLIANCE TABLE - LOT 1	
MLEP 2011 (16/07/2020)	
NO. 5 WESTEROUN STREET, STANNMORE NSW 2048	
PROJECT NAME: R2 LOW DENSITY RESIDENTIAL	
LOT AREA: 187.0 M2	PROPOSED NO.7
FSR	1.00 : 1
GFA	187.0 M2
BUILDING HEIGHT	100.4 M2
MAX F.M.M	COMPLIES
SITE COVERAGE	83.9% (1194.4 M2)
DATE: 14/06/2020	

**NOTES**

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LEGEND

- LOT BOUNDARY
- GROSS FLOOR AREA
- PRIVATE OPEN SPACE
- LANDSCAPED AREA

ISSUE	DESCRIPTION	DATE
A	ISSUE FOR DEVELOPMENT APPLICATION	27 SEP 2000
B	ISSUE FOR COUNCIL FURTHER INFORMATION	20 JAN 2001
C	REVISION SECTION 82	26 FEB 2001

DRAWING TITLE	DRAWING NO.	SCALE
AREA CA	SEC 5.2 1.4	1:200 G 20 1:100 G 20

ISSUE	DATE	DRAWN BY	REVIEWED BY
C	20 Apr 2021	GS/TF	DA



SUITE 201A / NO. 77-03 WILLIAM ST. DARLINGHURST NSW 2010  
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[illegible]

**LEGEND**

	LOT BOUNDARY
	ADJUTANT GENERAL'S BUILDING
	ADJUTANT GENERAL'S BUILDING NATURAL GROUND
	ADJUTANT GENERAL'S BUILDING HEIGHT CONTROL
	OG
	OFFICIAL GLAZING
	BANKS
	BRICKWORK
	METAL SCREENING
	METAL
	TABLE
	TABLE BRICKWORK
	SSM
	STANDING SEDIMENTATION
	METAL

PROJECT	DATE
7 WESTBOURNE ST. STANMORE, NSW 2048 [LOT 2 SEC 3 - DP 1053]	
ISSUE	DESCRIPTION
A	ISSUE FOR DEVELOPMENT APPLICATION
B	ISSUE FOR COUNCIL FURTHER INFORMATION
C	REVISION SECTION 6.2

DRAWING TITLE	DRAWING NO.	ISSUE	DATE	DRAWN BY	REVIEWED BY
EXISTING & PROPOSED STREETSCAPE	SEC. A.2 2.1	C	26 MAR 2021	GP/TF	DA

SCALE: 1" = 30'-0"

0.0' 1.5' 3' 4.5' 6' 7.5' 9.0' 10.5'

**NDRSN**  
SUITE 2014 / NO. 77-03 WILLIAM ST. DARLINGHURST NSW 2010  
INFO@NDRSN.COM.AU 02 9331 7069 WWW.NDRSN.COM.AU





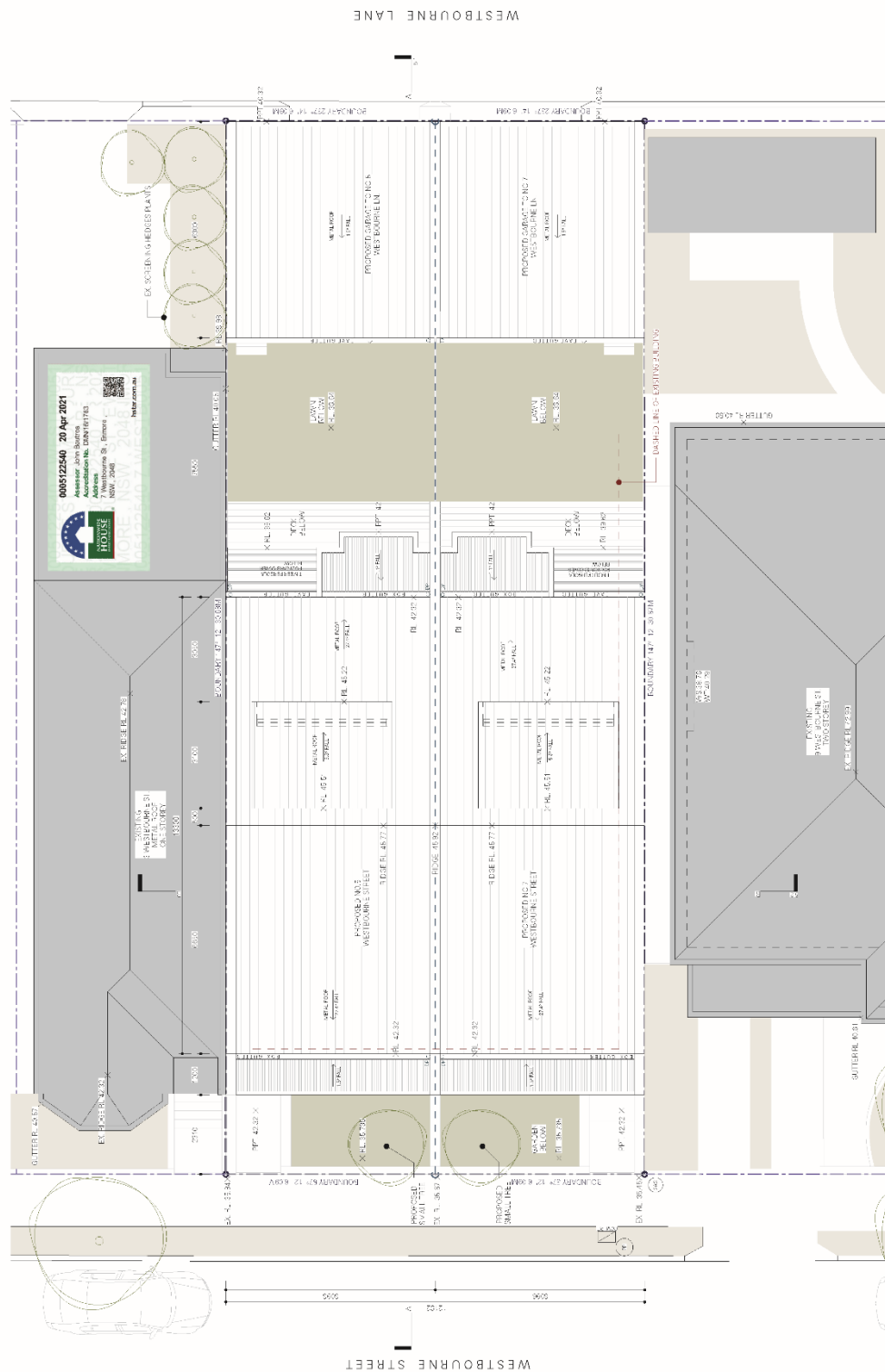




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NDRSN

SUITE 205A / NO. 77-80 WILLIAM ST. JARLINGHILL, VT 05456-2050  
INFO@WDRN.COM AL 82-933-7000 WWW.WDRN.COM AU

[illegible]

Document Set ID: 34840491

0000-0001-7407-0000  
ORCID  
HONG HONG CHEN  
HONG HONG CHEN  
ANGELICA DE JESU  
CHEN HONG HONG

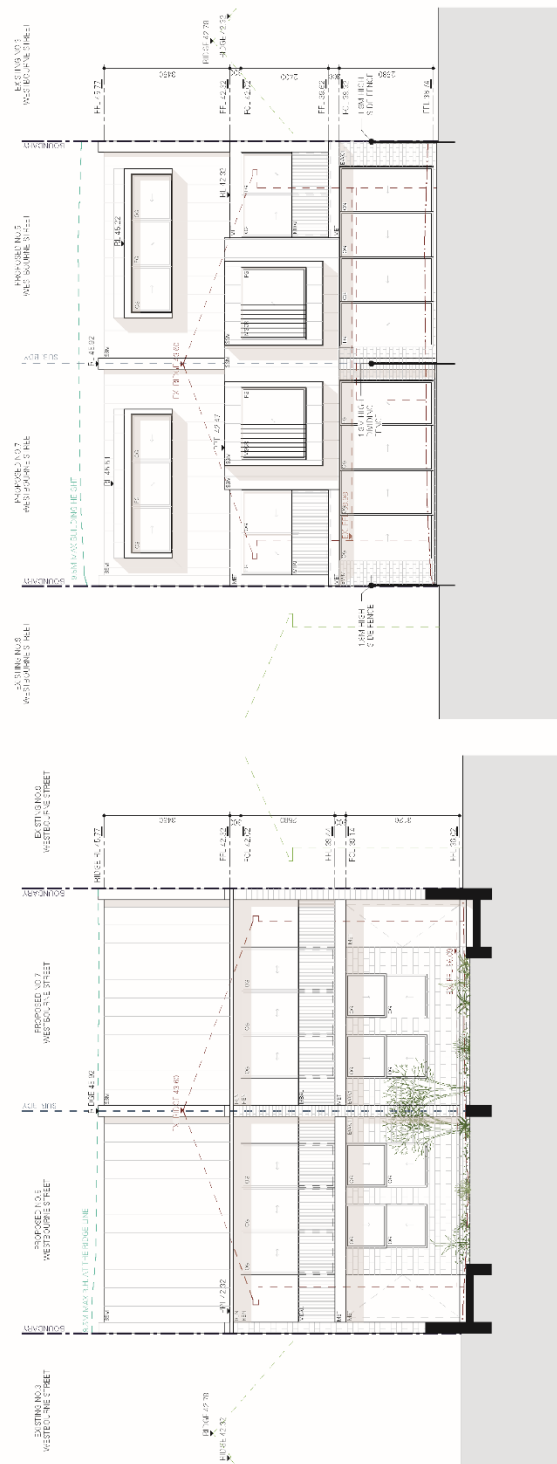
NAME	DESCRIPTION	DATE
A	ISSUE FOR COMPLAINT APPLICATION	07 SEP 2020
B	ISSUE FOR COMPLAINT APPLICATION	08 JAN 2021

7 WESTBOURNE ST. STANMORE, NSW 2048  
LOT 2 SEC 3 - DP 10531

PROPOSED ROOF PLAN

2009	0.9
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2011	0.9
2012	0.9
2013	0.9
2014	0.9
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**INFORMA NDRS N**  
TEL: 0039 02 7743 411100 Q1 DA: 16-06-2011 MSG 3072  
INFORMA@NDRS.COM 02 7743 7000 0909 488888 20 40



NORTH ELEVATION

— SOUTH ELEVATION



1972] *THE EFFECTS OF SUBSTITUTIONS IN A LOGIC* 39

Document Set ID: 34640491  
Version: 1, Version Date: 30/04/2021

[illegible]

7 WESTBOURNE ST. STANMORE, NSW 2048  
(LOT 2 SEC 3 - DP 1053)

STATE	DECEASED	DATE
A	1930 TO 1939	1930
B	1940 TO 1949	1940
C	1950 TO 1959	1950

**LEARNING TEST**

**PROPOSED MAIN DWELLING  
ELEVATIONS [NORTH & SOUTH]**

SCALE: 1/8" = 1'-0"

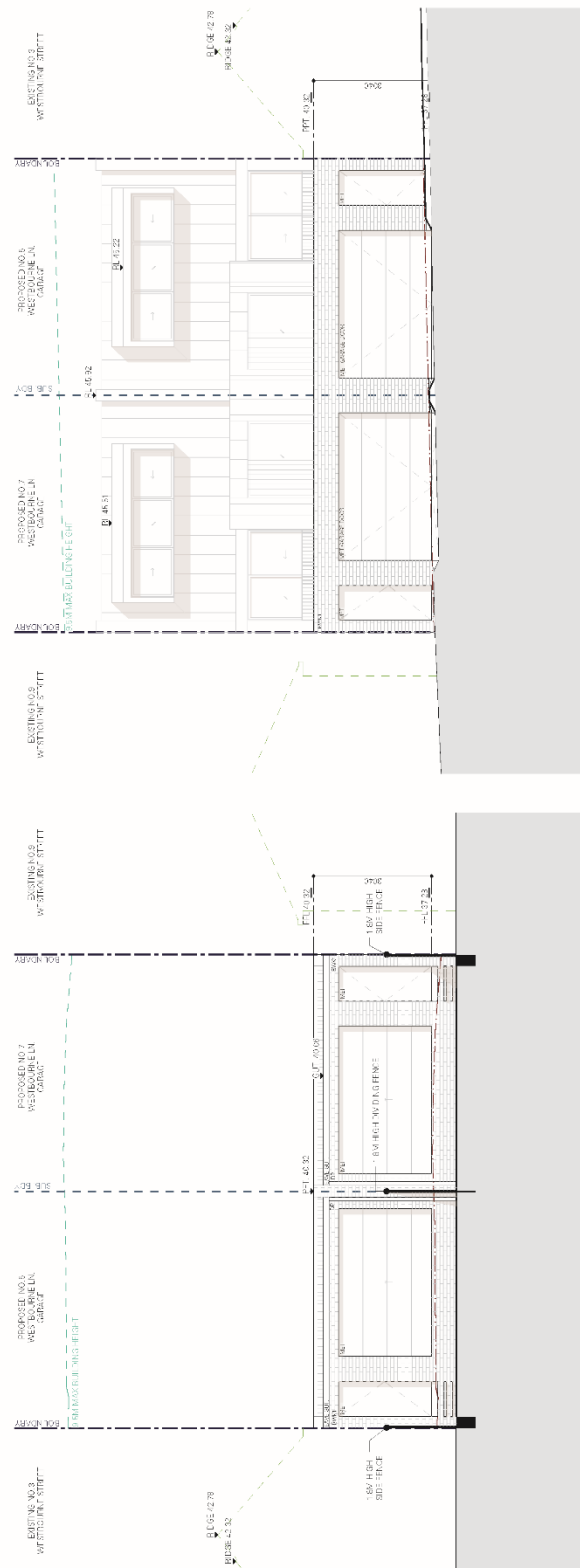
DATE: 07-17-2017

DRAWN BY: C.A.

REVIEWED BY: C.A.

0' 6" 12" 18" 24" 30" 36" 42" 48" 54" 60"

**NDRSN**



NORTH ELEVATION

— SOUTH ELEVATION

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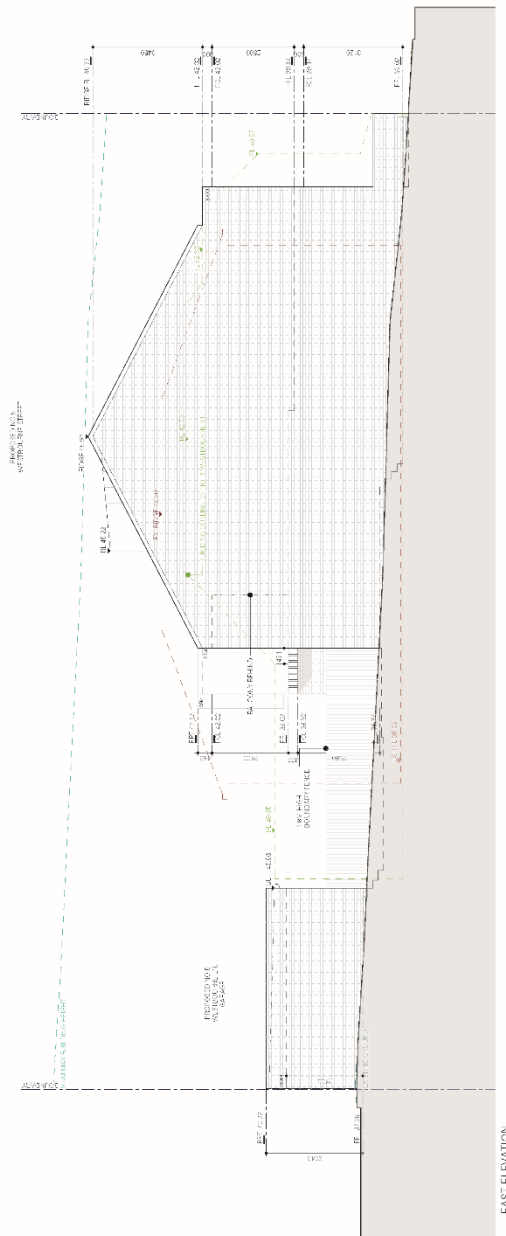
LEADERS

01	CONSOLE GLAZING
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03	FRONT " " " " GLAZING
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7 WESTBOURNE ST, STANMORE, NSW 2048  
[LOT 2 SEC 3 - DP 1053]

[illegible]

**NDRSN**  
PO BOX 7700 WILLIAMSBURG, VA 23186  
WWW.NDRSN.COM 800.333.7316



**PROPOSED EAST ELEVATION**

**7 WESTBOROUGH ST, STANMORE NSW 2048**  
(LOT 2 SEC 3 - DP 1083)

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT APPLICATION	20 APR 2021
2	FOR INFORMATION ONLY	20 APR 2021

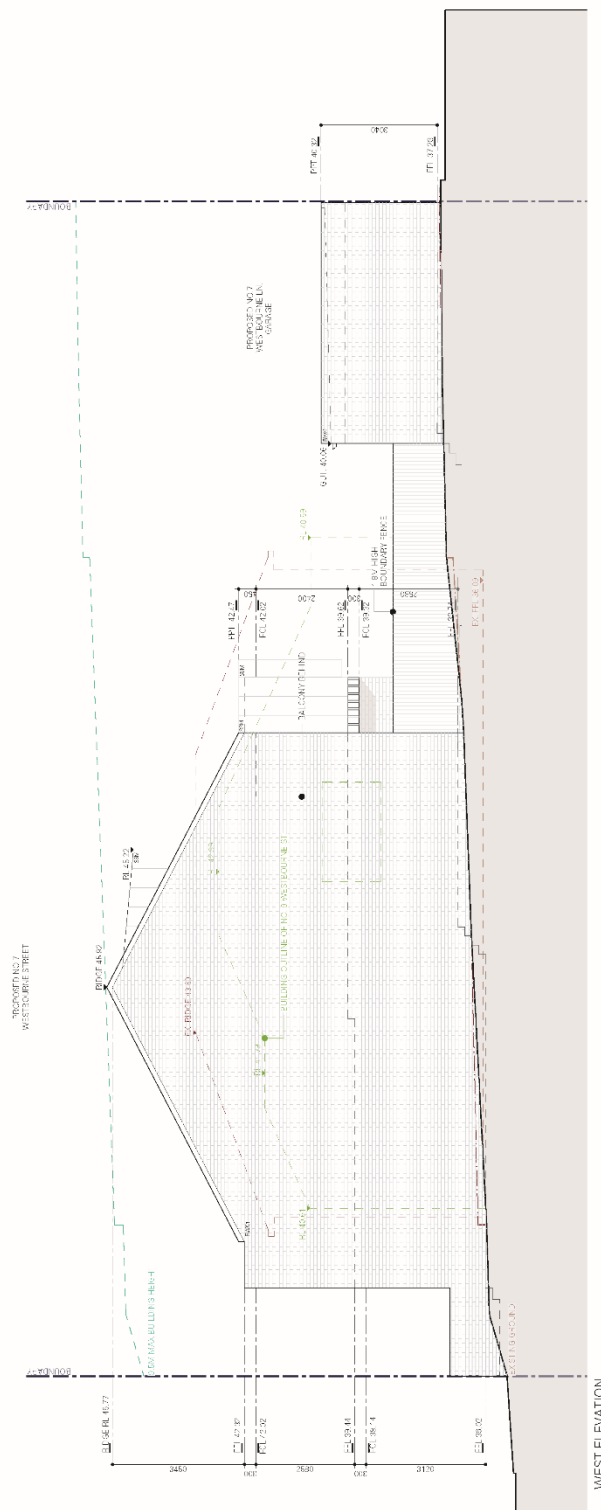
**Version 1, Version Date 30/04/2021**

**PROPOSED EAST ELEVATION**

**7 WESTBOROUGH ST, STANMORE NSW 2048**  
(LOT 2 SEC 3 - DP 1083)

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT APPLICATION	20 APR 2021
2	FOR INFORMATION ONLY	20 APR 2021

**Version 1, Version Date 30/04/2021**

[illegible]

LOT	DEVELOPER	DATE
A	POWELL COASTAL DEVELOPMENTS	27 JULY 2009
B	POWELL COASTAL DEVELOPMENTS	29 JULY 2007
C	POWELL COASTAL DEVELOPMENTS	29 JULY 2007

[illegible]

**NDRSN**  
SUITE 2014 / 1077 W. LA ST. DALLAS, TX 75201-2014

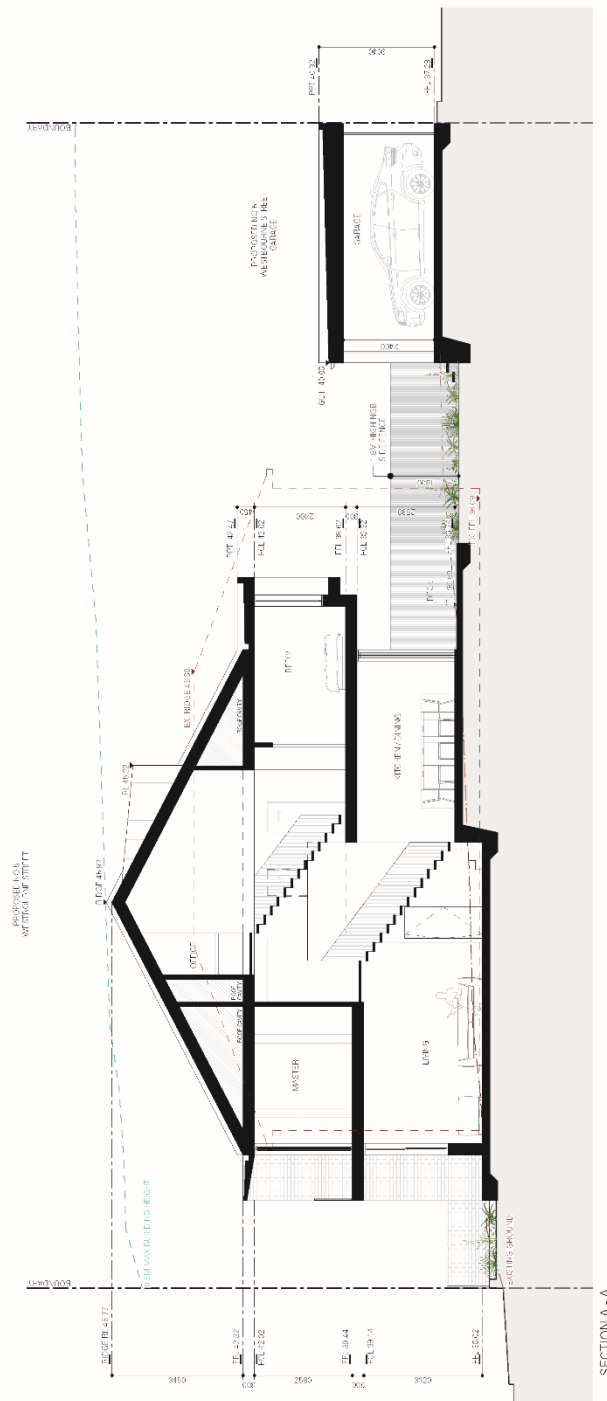


FIG. 25  
7 WESTBOURNE ST. STANMORE, NSW 2048  
[LOT 2 SEC 3 - DP 1053]

ISSUE	DESCRIPTION	DATE
A	ISSUE FOR DEVELOPING THE APPLICATION	07 SEP 2000
B	ISSUE FOR COUNCIL FURTHER INFORMATION	28 JAN 2001
C	DISAGREE TO RESOLUTION	01 FEB 2001

[illegible][illegible]

DRAWING TITLE  
PROPOSED SECTION A-A

ENDORSING NO.	DATE	COPIES OF	RECEIVED BY
505-8-2	28-NOV-2007	6-2-11	DM
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2.5	3.0	3.5	4.0
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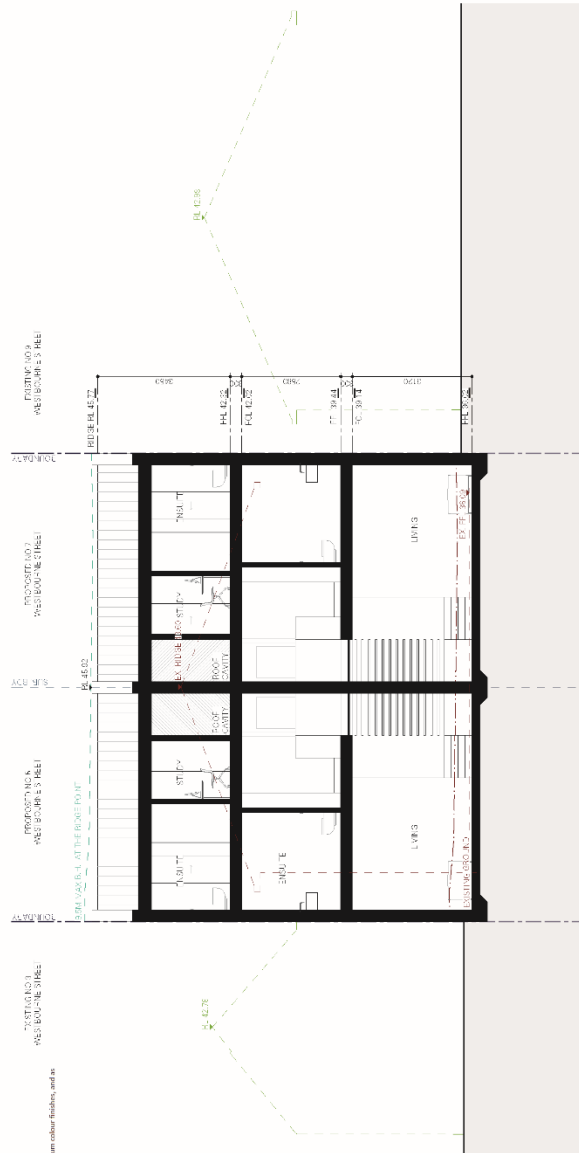
NDRSN

SUITE 201A / BOX 77-90 WILLIAM ST. DARLINGTON, MS 39040  
 VESNOR@SN.COM.AU 02 9334 7693 WWW.VESNOR.COM.AU

**NatHERS Specs Summary:**

- Floor slabs:
  - Concrete ground floor.
  - Timber upper floors. R-3.0 floor insulation to areas over rooftop or outside air.
- Exterior walls:
  - No.5 boundary walls. Cavity brick - modified with no insulation. On wall system of R1.02 rating.
  - No.10 boundary walls. Cavity brick - modified with no insulation. On wall system of R1.02 rating.
  - No.15 boundary walls. Cavity brick - modified with no insulation. On wall system of R1.02 rating.
  - No.20 boundary walls. Cavity brick - modified with no insulation. On wall system of R1.02 rating.
  - No.25 boundary walls. Cavity brick - modified with no insulation. On wall system of R1.02 rating.
  - No.30 boundary walls. Cavity brick - modified with no insulation. On wall system of R1.02 rating.
  - No.35 boundary walls. Cavity brick - modified with no insulation. On wall system of R1.02 rating.
  - No.40 boundary walls. Cavity brick - modified with no insulation. On wall system of R1.02 rating.
  - No.45 boundary walls. Cavity brick - modified with no insulation. On wall system of R1.02 rating.
  - No.50 boundary walls. Cavity brick - modified with no insulation. On wall system of R1.02 rating.
  - No.55 boundary walls. Cavity brick - modified with no insulation. On wall system of R1.02 rating.
  - No.60 boundary walls. Cavity brick - modified with no insulation. On wall system of R1.02 rating.
  - No.65 boundary walls. Cavity brick - modified with no insulation. On wall system of R1.02 rating.
  - No.70 boundary walls. Cavity brick - modified with no insulation. On wall system of R1.02 rating.
  - No.75 boundary walls. Cavity brick - modified with no insulation. On wall system of R1.02 rating.
  - No.80 boundary walls. Cavity brick - modified with no insulation. On wall system of R1.02 rating.
  - No.85 boundary walls. Cavity brick - modified with no insulation. On wall system of R1.02 rating.
  - No.90 boundary walls. Cavity brick - modified with no insulation. On wall system of R1.02 rating.
  - No.95 boundary walls. Cavity brick - modified with no insulation. On wall system of R1.02 rating.
  - No.100 boundary walls. Cavity brick - modified with no insulation. On wall system of R1.02 rating.
- Glazing:
  - Single and double glazing.
  - Single glazing: Type A (U-value: 6.2, SHGC: 0.57).
  - Double glazing: Type B (U-value: 3.5, SHGC: 0.75).
- Ceilings:
  - R3.0 ceiling insulation to all ceilings with bakery over.
  - No.5 ceiling insulation to all ceilings with bakery over.
  - No.10 ceiling insulation to all ceilings with bakery over.
  - No.15 ceiling insulation to all ceilings with bakery over.
  - No.20 ceiling insulation to all ceilings with bakery over.
  - No.25 ceiling insulation to all ceilings with bakery over.
  - No.30 ceiling insulation to all ceilings with bakery over.
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  - No.40 ceiling insulation to all ceilings with bakery over.
  - No.45 ceiling insulation to all ceilings with bakery over.
  - No.50 ceiling insulation to all ceilings with bakery over.
  - No.55 ceiling insulation to all ceilings with bakery over.
  - No.60 ceiling insulation to all ceilings with bakery over.
  - No.65 ceiling insulation to all ceilings with bakery over.
  - No.70 ceiling insulation to all ceilings with bakery over.
  - No.75 ceiling insulation to all ceilings with bakery over.
  - No.80 ceiling insulation to all ceilings with bakery over.
  - No.85 ceiling insulation to all ceilings with bakery over.
  - No.90 ceiling insulation to all ceilings with bakery over.
  - No.95 ceiling insulation to all ceilings with bakery over.
  - No.100 ceiling insulation to all ceilings with bakery over.
- Roof:
  - Metal roofing: Metal roof (with insulation) modified with default medium colour finishes, and as unventilated.

Please refer to NatHERS technical certificates for further details.



SECTION B - B

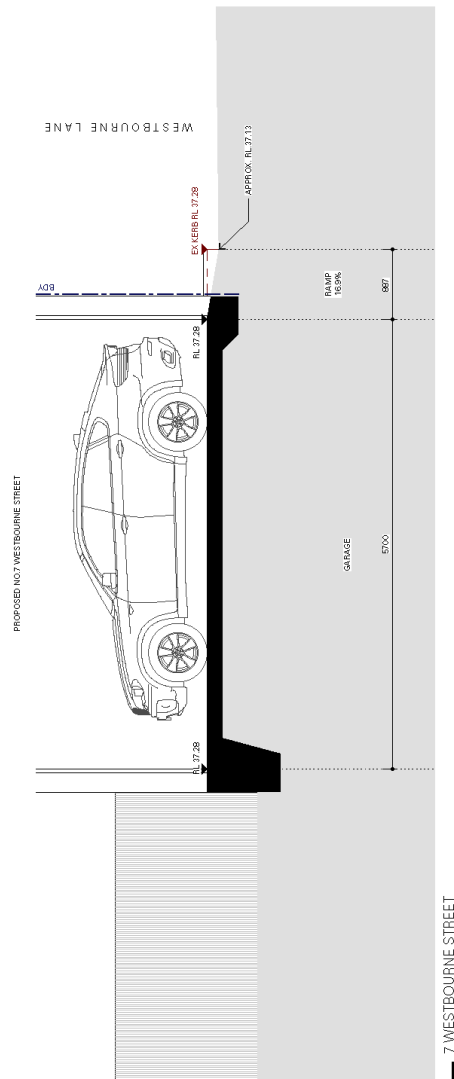
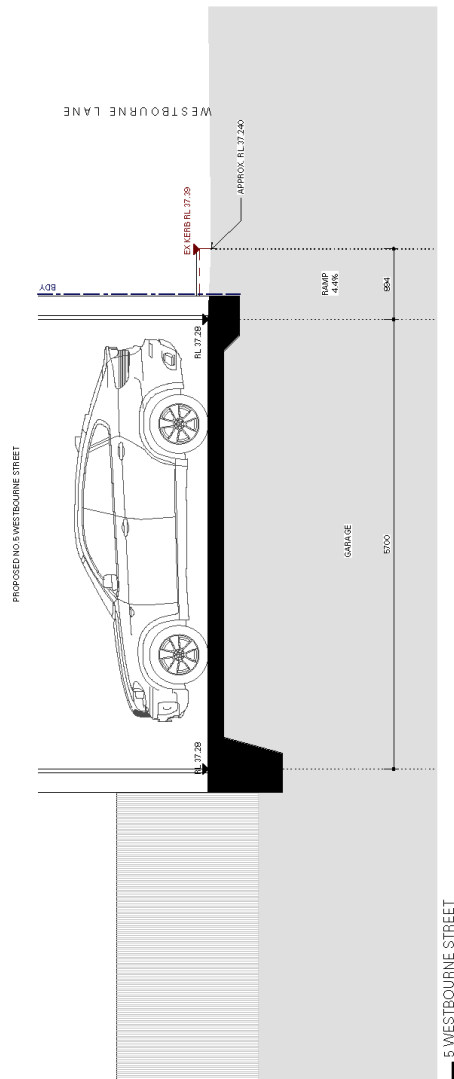
Version: 1, Version Date: 30/04/2021

7 WESTBOURNE ST, STANMORE, NSW 2048  
(LOT 2 SEC 3 - DP 1053)

PROPOSED SECTION B-B

NDRSN





NOTES

DRAWINGS NOT ISSUED FOR CONSTRUCTION. THESE DRAWINGS ARE FOR INFORMATION ONLY. NO COURSE SUPERINTENDENT SHALL BE RESPONSIBLE FOR ANY DISCREPANCIES OR OMISSIONS WITH THE VERTICAL ALIGNMENT PRIOR TO COMMENCING WORKS.

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Document No: 248800491

WRITTEN PERMISSION OF NARSN  
Document Set ID: 34840491  
Version: 1, Version Date: 30/04/2021

LEGEND

**LEGEND**

	LOT BOUNDARY		09 FRAMBLE GLAZING
	SURVEYOR'S EDDY		10 FRED GLAZING
	EXISTING BUILDING / NATURAL GROUND		11 RAIN
	5' SH BUILDING HEIGHT CONTROL		12 MCIR
			METAL SCREENING
			METAL BALUSTRADE
			METAL
			13 TIMBER FENCING
			14 SLOPE STABILIZING SEAM CLADDING
			15 MET

PROJECT

PROJECT  
77 WESTBOURNE ST. STANMORE, NSW 2048  
PLOT 2 SEC 3 DP 10521

ISSUE	DESCRIPTION	DATE
A	ISSUE FOR DEVELOPMENT APPLICATION	05 SEP 2020
B	ISSUE FOR COUNCIL FURTHER INFORMATION	20 JAN 2021
C	REVISION SECTION 62	30 APR 2021

FORMING TITLE

DRAWING TITLE  
PROPOSED DRIVEWAY PROFILES

DRAWING NO.	DATE	ISSUE	DRAWN BY	REVIEWED BY
SEC-82 5.3	28 Apr 2021	C	GP/TF	Da

SCALE  
1:100 @ 2  
1:50 @ 1



SUITE 201A / NO. 77-83 WILLIAM ST. DARLINGHURST NSW 2010  
 INFO@NDRSN.COM.AU 02 9331 7060 WWW.NDRSN.COM.AU

[illegible]

LEGEND

	LOT BOUNDARY
	EXISTING BUILDING
	EXISTING SHADOW IMPACTS
	PROPOSED ADDITIONAL SHADOW IMPACTS
	MINIMAL OPEN SPACE

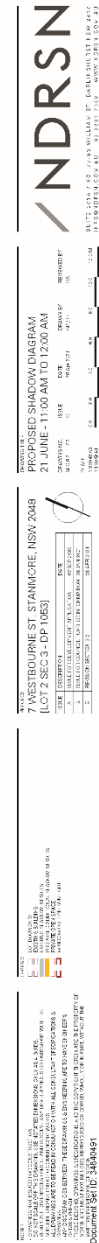
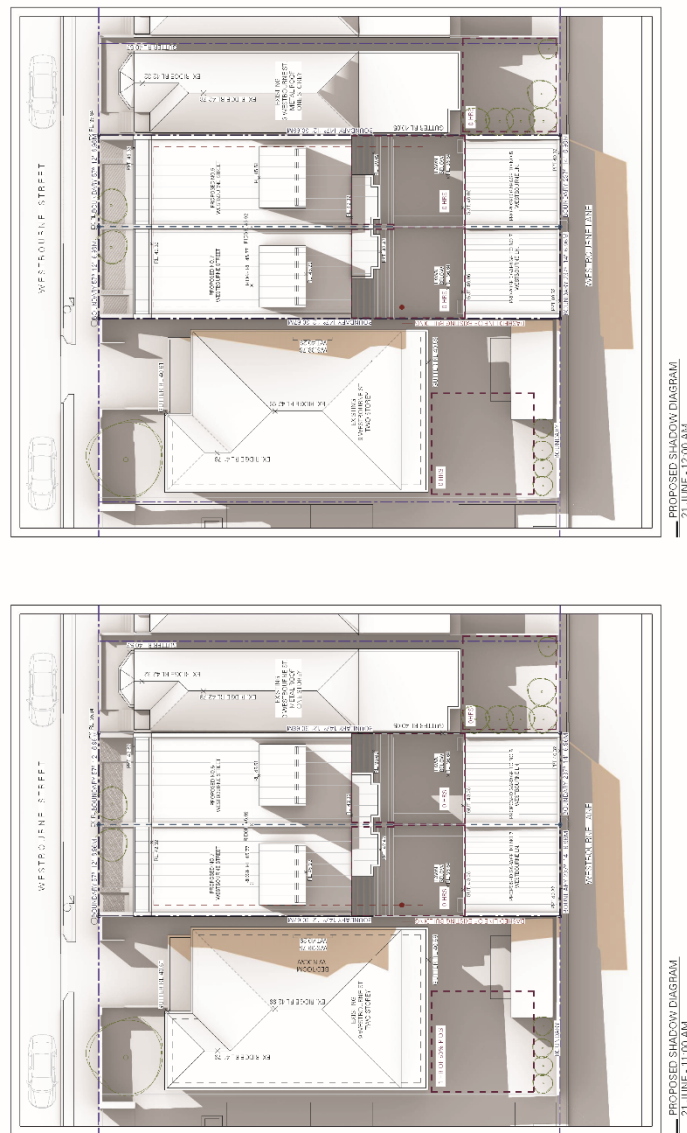
ISSUE	DESCRIPTION	DATE
A	ISSUE FOR DEVELOPMENT APPLICATION	07 SEP 2020
B	ISSUE FOR COUNCIL FURTHER INFORMATION	29 JAN 2021
C	REVISION SECTION 8.2	20 APR 2021

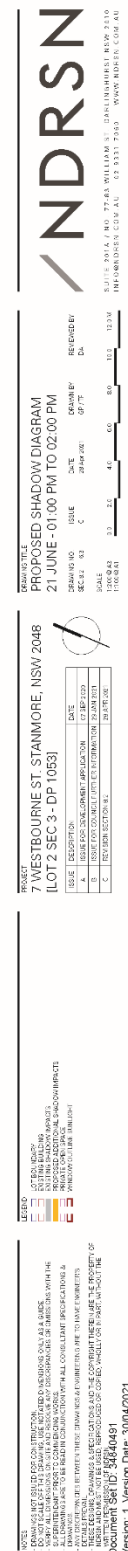
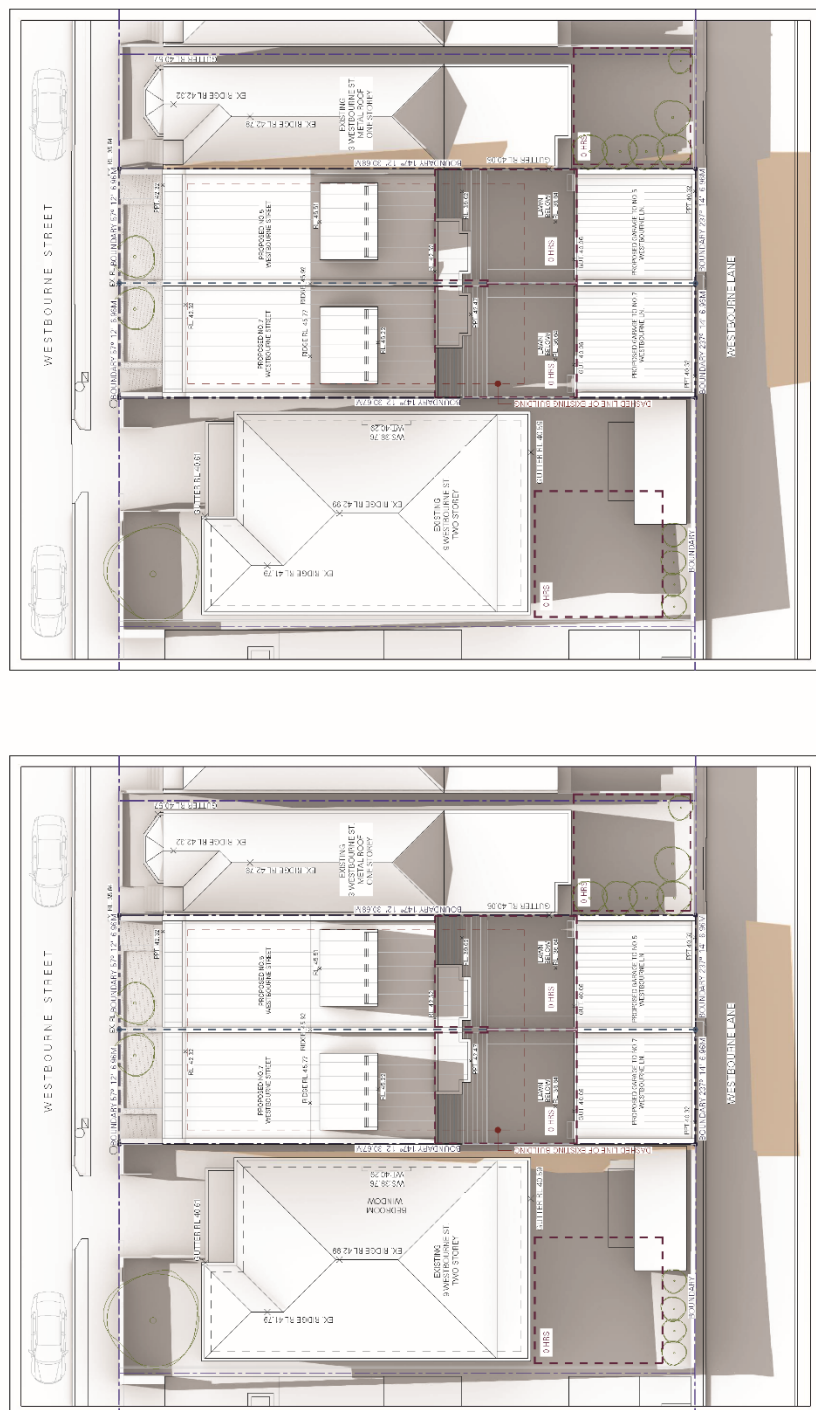
PROJECT  
7 WESTBOURNE ST, STANMORE, NSW 2048  
LOT 2 SEC 3 - DP 10531

PROPOSED SHADOW DIAGRAM  
21 JUNE - 09:00 AM TO 10:00 AM

[illegible]

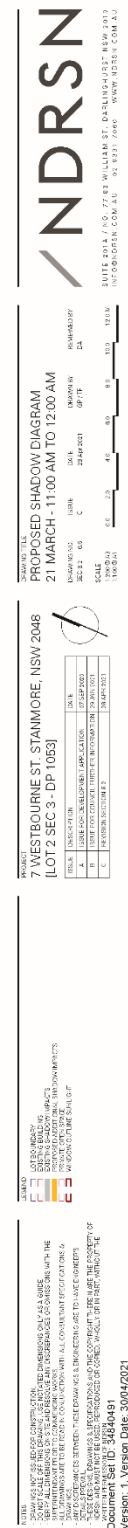
**NDRSN**  
JITE 2018 / NO. 72-63 WILLIAM ST. DARLINGHURST NEW 2019  
#NDRSN COM.A 02 9531 7060 WWW.NDRSN.COM.AU



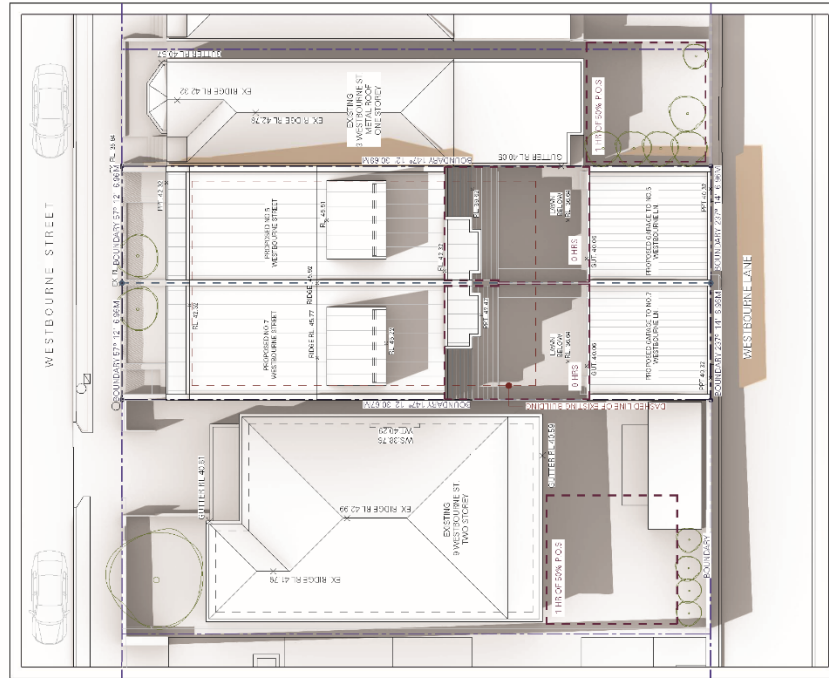




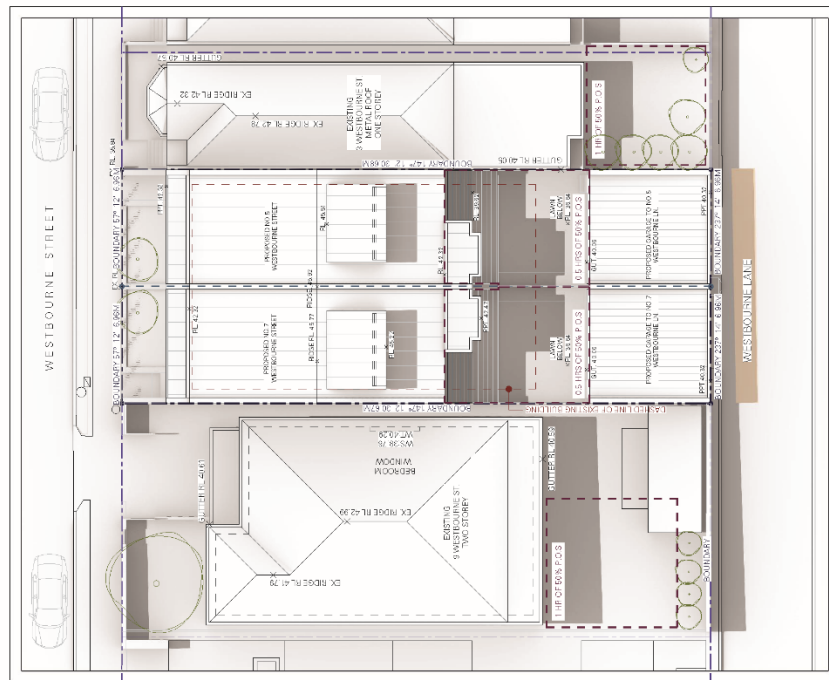








PROPOSED SHADOW DIAGRAM  
21 MARCH - 01:00 PM



PROPOSED SHADOW DIAGRAM  
21 MARCH - 02:00 PM

NOTES:  
- SHADOWS ARE BASED ON THE PROPOSED BUILDING DESIGN.  
- SHADOWS ARE BASED ON THE PROPOSED BUILDING DESIGN.  
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- SHADOWS ARE BASED ON THE PROPOSED BUILDING DESIGN.

LEGEND  
EXISTING BUILDING  
PROPOSED BUILDING  
PROPOSED SHADOWS  
PROPOSED SHADOWS

PROJECT  
7 WESTBOURNE ST, STANMORE, NSW 2048  
[LOT 2 SEC 3 - DP 1053]

ITEM	DESCRIPTION	DATE
A	ISSUE FOR CONSULTATION: RPA CATION	17 SEP 2025
B	ISSUE FOR CONSULTATION: RPA CATION	17 SEP 2025
C	ISSUE FOR CONSULTATION: RPA CATION	17 SEP 2025

DESIGNED BY  
21 MARCH - 01:00 PM TO 02:00 PM  
21 MARCH - 01:00 PM TO 02:00 PM  
21 MARCH - 01:00 PM TO 02:00 PM

SCALE  
1:1000  
1:1000  
1:1000

NDRSN  
NDRSN  
NDRSN





PROPOSED SHADOW DIAGRAM  
21 MARCH - 03:00 PM

NOTES  
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**LEGEND**

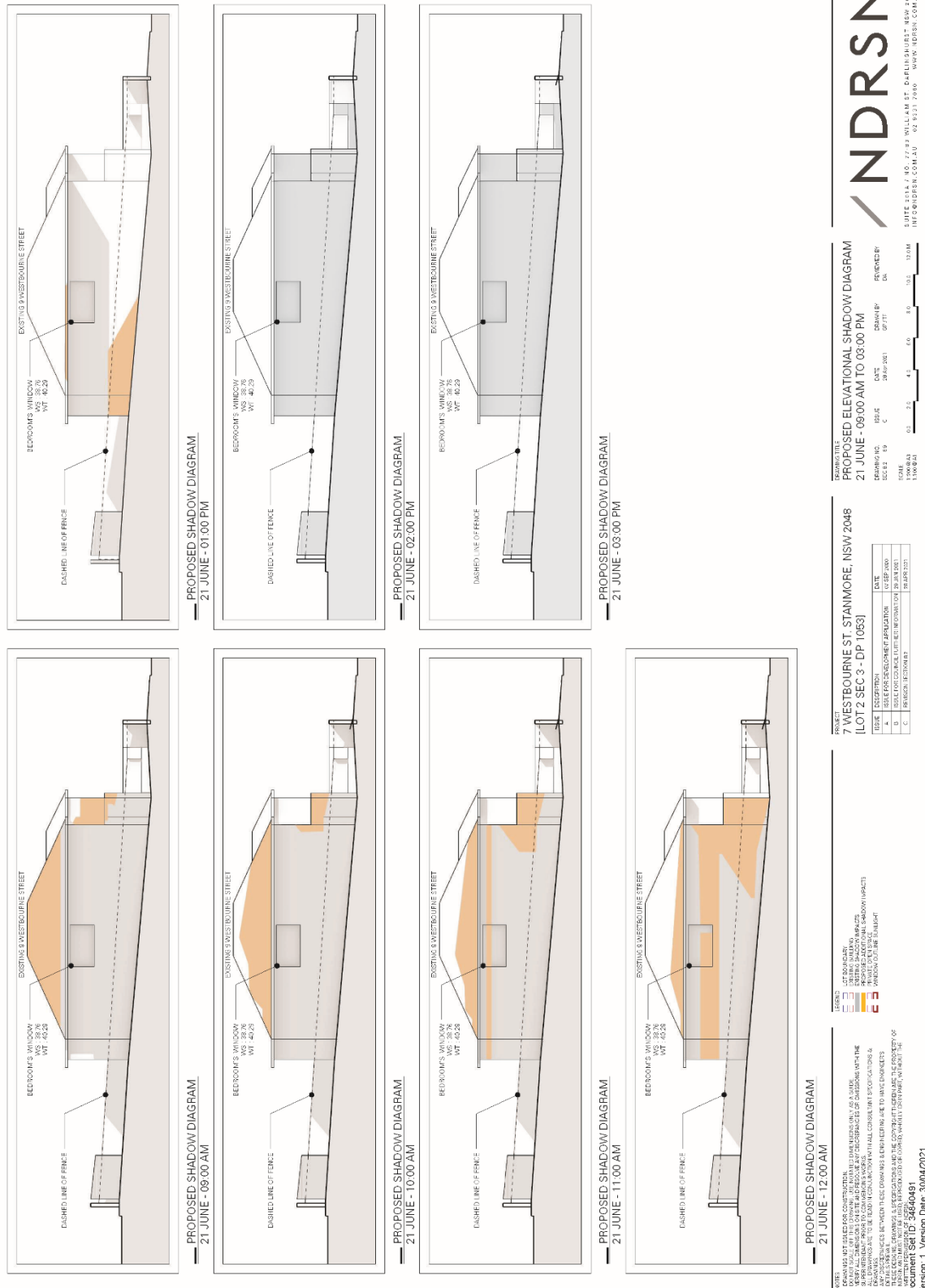
- LOT BOUNDARY
- EXISTING BUILDING
- EXISTING SHADOW IMPACTS
- PROPOSED ADDITIONAL SHADOW IMPACTS
- PRIVATE OPEN SPACE
- WINDOW OUTLINE SUNLIGHT

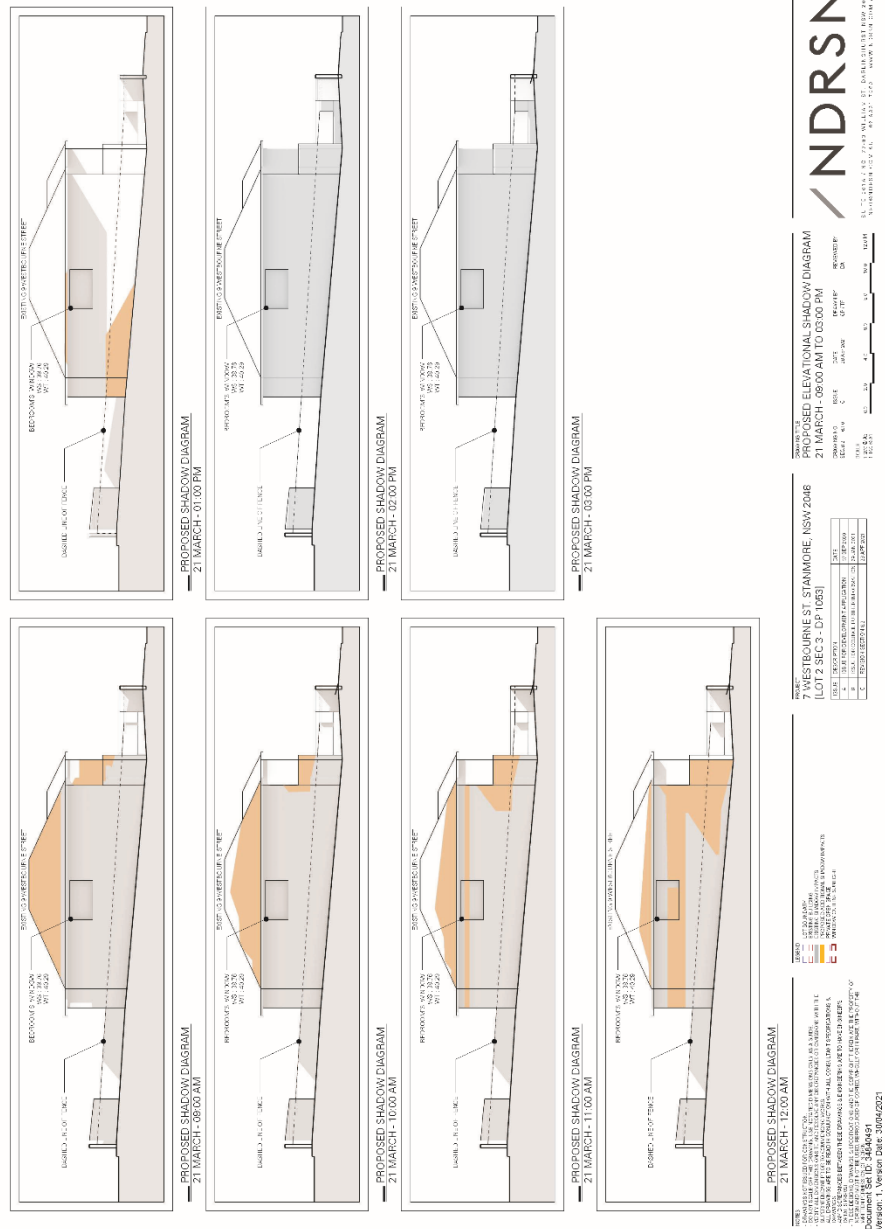
PROJECT	ISSUE	DESCRIPTION	DATE
7 WESTBOURNE ST. STANMORE, NSW (LOT 2 SEC 3 - DP 1053)	A	ISSUE FOR DEVELOPMENT APPLICATION	17 SEP 2009
	B	ISSUE FOR COUNCIL FURTHER INFORMATION	21 JUN 2011
	C	REMEDIAL ACTION	28 APR 2011

PROJECT  
7 WESTBOURNE ST. STANMORE, NSW 2048  
(LOT 2 SEC 3 - DP 1053)

DRAWING TITLE  
**PROPOSED SHADOW DIAGRAM**  
 21 MARCH - 03:00 PM  
 DRAWING NO. 15548 DATE 28-MAR-2021 DRAWN BY GPT/TF  
 SEC 6.2 0.0 4.0 6.0 8.0 10.0 12.0 M  
 SCALE 1:200 @ 2.4' 1:600 @ 6.1'

**NDRSN**









7 VALSBOURN LANE, SANKOHL NSW 2048  
[LOT 2 SEC 3 DP 1083]

NO.	DESCRIPTION	DATE	BY
1.	PRELIMINARY DESIGN	10/01/2021	ARCHITECT
2.	FINAL DESIGN	10/01/2021	ARCHITECT

Version: 1, Version Date: 30/01/2021

7 VALSBOURN LANE, SANKOHL NSW 2048  
[LOT 2 SEC 3 DP 1083]

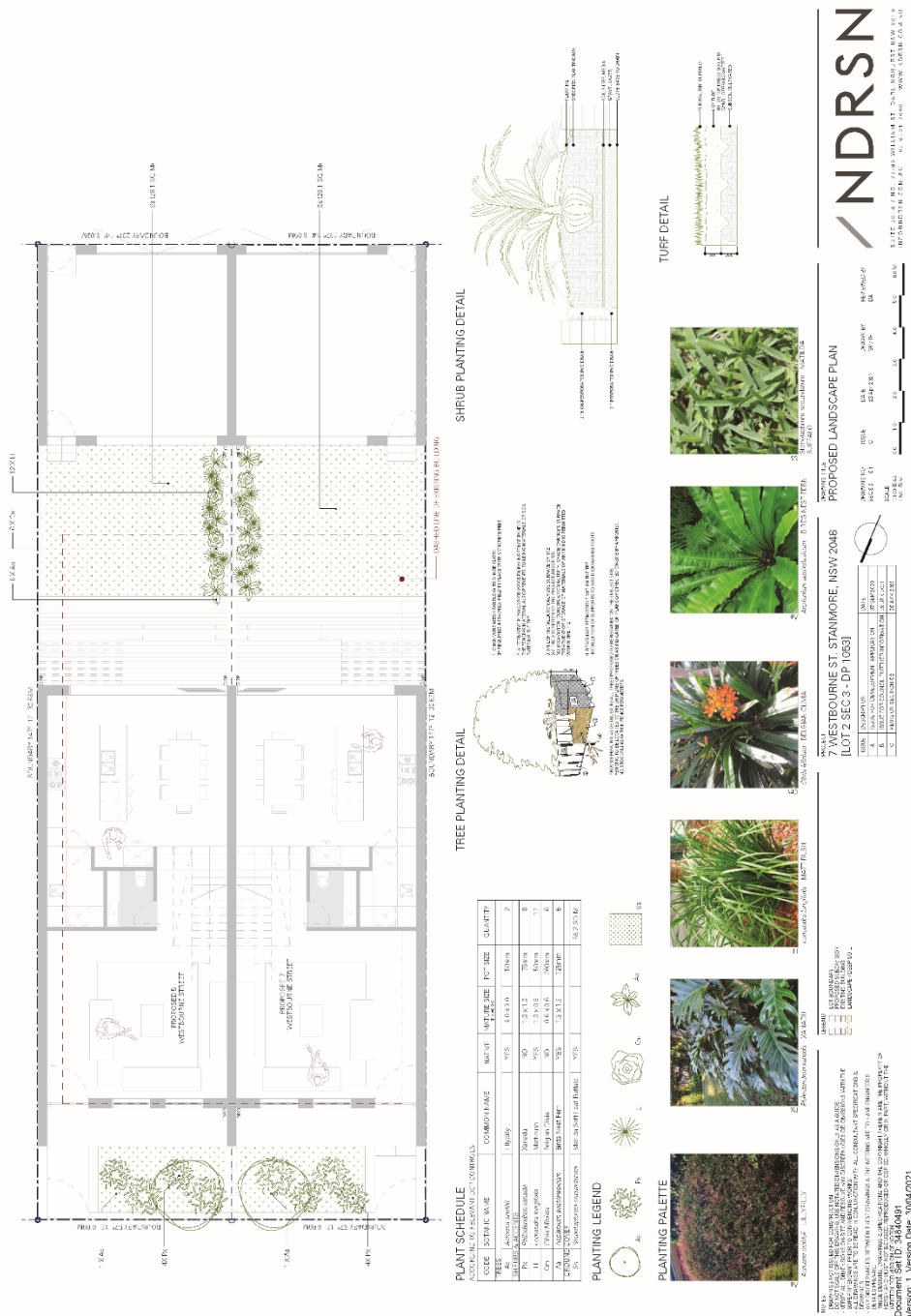
NO.	DESCRIPTION	DATE	BY
1.	PRELIMINARY DESIGN	10/01/2021	ARCHITECT
2.	FINAL DESIGN	10/01/2021	ARCHITECT

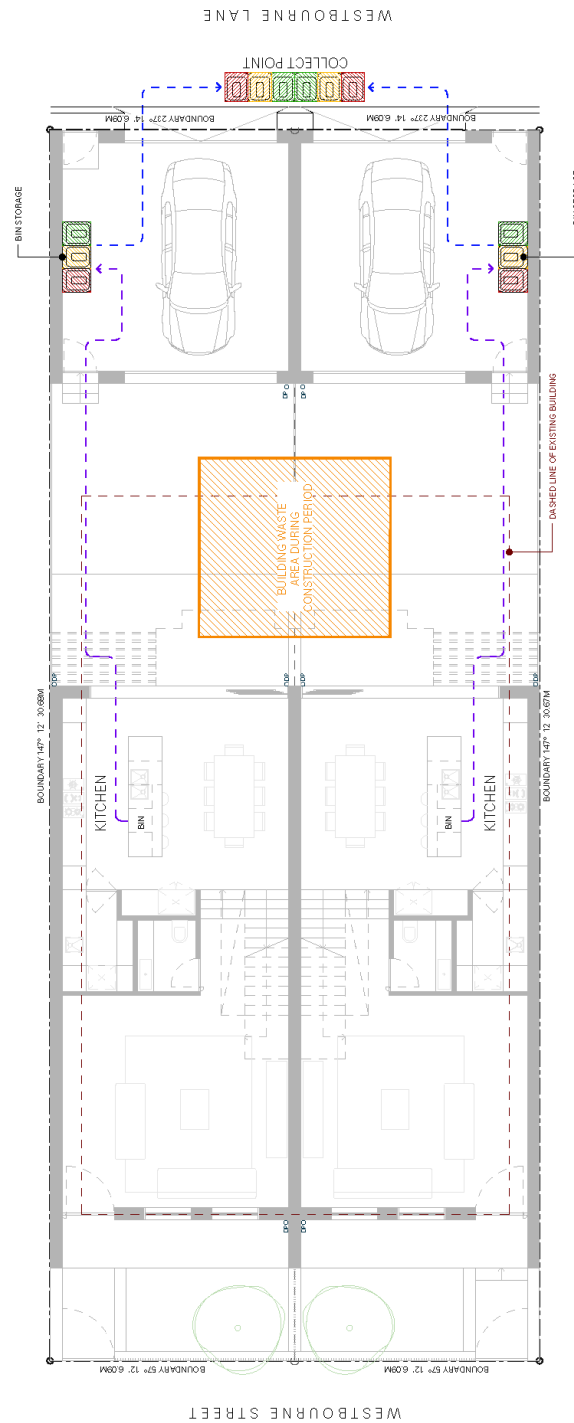
Version: 1, Version Date: 30/01/2021

7 VALSBOURN LANE, SANKOHL NSW 2048  
[LOT 2 SEC 3 DP 1083]

NO.	DESCRIPTION	DATE	BY
1.	PRELIMINARY DESIGN	10/01/2021	ARCHITECT
2.	FINAL DESIGN	10/01/2021	ARCHITECT

Version: 1, Version Date: 30/01/2021





**NOTES**

- DRAWINGS NOT ISSUED FOR CONSTRUCTION.
- VERIFY ALL DIMENSIONS ON SITE AND RECORD ANY DISCREPANCIES OR OMISSIONS IN THE DRAWINGS.
- ALL DIMENSIONS ARE TO BE READ IN CONJUNCTION WITH ALL CONSULTANT SPECIFICATIONS & NOTES.
- THESE DRAWINGS ARE THE PROPERTY OF THE ENGINEER AND ARE NOT TO BE REPRODUCED OR USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER.

Version 1, Version Date: 30/04/2021

**LEGEND**

- LOT BOUNDARY
- STREET BOUNDARY
- RECYCLABLE WASTE BIN
- GENERAL WASTE BIN
- BUILDING WASTE AREA DURING CONSTRUCTION PERIOD
- ROUTE TO WASTE COLLECTION POINT

**PROJECT**  
7 WESTBOURNE ST, STANMORE, NSW 2048  
[LOT 2 SEC 3 - DP 1053]

ISSUE	DESCRIPTION	DATE
A	ISSUE FOR DEVELOPMENT APPLICATION	07 SEP 2020
B	ISSUE FOR COUNCIL FURTHER INFORMATION	29 JAN 2021
C	REVISION SECTION 8.2	28 APR 2021

**WASTE MANAGEMENT PLAN**

WASTE NO. 501  
ISSUE C  
DATE 28 APR 2021  
DRAWN BY GP/TF  
ENGINEER BY DA

SCALE 1:1000 A3  
1:1000 A4

**NDRSN**

SUITE 201A / 7-9 WILLIAM ST, DARLINGHURST NSW 2010  
INFO@NDRSN.COM.AU 02 9531 7060 WWW.NDRSN.COM.AU



## Attachment C – Without prejudice conditions if consent is granted

### Attachment C – Without prejudice conditions if consent is granted

#### 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
Sec 8.2 1.2 Issue C	Demolition Plan	28/04/2021	NDRSN
Sec 8.2 1.3 Issue C	Subdivision Plan	28/04/2021	NDRSN
Sec 8.2 3.1 Issue C	Proposed Ground Floor Plan	28/04/2021	NDRSN
Sec 8.2 3.2 Issue C	Proposed First Floor Plan	28/04/2021	NDRSN
Sec 8.2 3.3 Issue C	Proposed Attic Plan	28/04/2021	NDRSN
Sec 8.2 3.4 Issue C	Proposed Roof Plan	28/04/2021	NDRSN
Sec 8.2 4.1 Issue C	Proposed Main Dwelling Elevation (North & South)	28/04/2021	NDRSN
Sec 8.2 4.2 Issue C	Proposed Rear Studio Elevations (North & South)	28/04/2021	NDRSN
Sec 8.2 4.3 Issue C	Proposed East Elevation	28/04/2021	NDRSN
Sec 8.2 4.4 Issue C	Proposed West Elevation	28/04/2021	NDRSN
Sec 8.2 5.1 Issue C	Proposed Section A-A	28/04/2021	NDRSN
Sec 8.2 5.2 Issue C	Proposed Section B-B	28/04/2021	NDRSN
Sec 8.2 5.3 Issue C	Proposed Driveway Profiles	28/04/2021	NDRSN
Sec 8.2 7.1 Issue C	External Finishes Schedule & Material Sample Board	28/04/2021	NDRSN
Sec 8.2 8.1 Issue C	Proposed Landscape Plan	28/04/2021	NDRSN
04-213	Noise Assessment Report	April 2021	Alan Parks Consulting
1125850M_02	BASIX Certificate	22/04/2021	Greenworld Architectural Drafting
DG 2074 Sheets 1 to 3 Issue B	Drainage Concept Plan	21/04/2021	KD Stormwater Pty Ltd

As amended by the conditions of consent.



## **FEES**

### **2. Section 7.11 (Former Section 94) Contribution**

Prior to the issue of a Construction Certificate written evidence must be provided to the Certifying Authority that a monetary contribution of \$20,000 indexed in accordance with Marrickville Section 94/94A Contributions Plan 2014 ("CP") has been paid to the Council.

The above contribution is the contribution applicable as at 17 August 2021.

**\*NB** Contribution rates under Marrickville Section 94/94A Contributions Plan 2014 are indexed quarterly (for the method of indexation refer to Section 2.15 of the Plan).

The indexation of the contribution rates occurs in the first week of the months of February, May, August and November each year, following the release of data from the Australian Bureau of Statistics.

The contribution payable has been calculated in accordance with the CP and relates to the following public amenities and/or services and in the following amounts:

<b>Public Amenities Type:</b>	<b>Contribution \$</b>
Recreation Facilities	17,034.72
Community Facilities	2,190.79
Traffic Facilities	382.33
Plan Administration	392.16
<b>TOTAL</b>	<b>20,000</b>

A copy of the CP can be inspected at any of the Inner West Council Services Centres or viewed online at:

<https://www.innerwest.nsw.gov.au/develop/planning-controls/section-94-contributions>

Payment methods:

The required contribution must be paid either *by BPAY (to a maximum of \$500,000); unendorsed bank cheque (from an Australian Bank only); EFTPOS (Debit only); credit card (Note: A 1% credit card transaction fee applies to all credit card transactions; cash (to a maximum of \$10,000)).* It should be noted that personal cheques or bank guarantees cannot be accepted for the payment of these contributions. **Prior to payment contact Council's Planning Team to review charges to current indexed quarter, please allow a minimum of 2 business days for the invoice to be issued before payment can be accepted.**

**\*NB** A 0.75% credit card transaction fee applies to all credit card transactions.

### **3. 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.

### **4. 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.

<b>Security Deposit:</b>	\$8,432.00
<b>Inspection Fee:</b>	\$241.50

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**

##### **5. 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.

##### **6. 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.

##### **7. Verification of Levels and Location**

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

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

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

##### **9. 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.

**PRIOR TO ANY DEMOLITION****10. Dilapidation Report**

Prior to any works commencing (including demolition), the Certifying Authority and owners of no. 3 Westbourne Street, 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 no. 3 Westbourne Street 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. 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*

**15. Acoustic Report – Aircraft Noise**

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

**16. Fibre-ready Facilities**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with evidence that arrangements have been made for:

- a. The installation of fibre-ready facilities to all individual lots and/or premises the development so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose.
- b. The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises the development demonstrated through an agreement with a carrier.

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

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

- a. The design must generally be in accordance with the Stormwater Drainage Concept plan on Drawing/Job No. DG 2074 Issue B by KD Stormwater Pty Ltd and dated 21/04/2021 as amended to comply with the following;
- b. Stormwater runoff from all roof areas within the property being collected in a system of gutters, pits and pipeline and be discharged, together with overflow pipelines from any rainwater tank(s), by gravity to the kerb and gutter of a public road;
- c. Comply with Council's Stormwater Drainage Code, Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3-2018 'Stormwater Drainage' and Council's DCP;
- d. Charged or pump-out stormwater drainage systems are not permitted including for roof drainage other than to drain downpipes to the rainwater tank(s);
- e. To provide for adequate site drainage all roof and surface stormwater from the site and any catchment external to the site that presently drains to it, must be collected in a system of pits and pipelines/channels and major storm event surface flow paths and being discharged to a stormwater drainage system in accordance with the requirements of Council's DCP;
- f. The design plans must detail the existing and proposed site drainage layout, size, class and grade of pipelines, pit types, roof gutter and downpipe sizes;
- g. As there is no overland flow/flood path available from the rear and central courtyards to the Westbourne Street frontage, the design of the sag pit and piped drainage system is to meet the following criteria:
  1. 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;
  2. The maximum water level over the sag pit shall not be less than 150mm below the floor level or damp course of the building; and,
  3. The design shall make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands.
- h. A minimum 150mm step up shall be provided between all external finished surfaces and adjacent internal floor areas except where a reduced step is permitted under Section 3.1.2.3(b) of the Building Code of Australia for Class 1 buildings;
- i. No nuisance or concentration of flows to other properties;

- j. New pipelines within the footpath area that are to discharge to the kerb and gutter must be hot dipped galvanised steel hollow section with a minimum wall thickness of 4.0mm and a maximum section height and width of 100mm or sewer grade uPVC pipe with a maximum diameter of 100mm;
- k. All stormwater outlets through sandstone kerbs must be carefully core drilled in accordance with Council standard drawings;
- l. All redundant pipelines within footpath area must be removed and footpath/kerb reinstated.

#### **19. Public Domain Works – Prior to Construction Certificate**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a public domain works design, prepared by a qualified practising Civil Engineer and evidence that the works on the Road Reserve have been approved by Council under Section 138 of the *Roads Act 1993* incorporating the following requirements:

- a. The construction of light duty vehicular crossings to all vehicular access locations and removal of all redundant vehicular crossings to the site;
- b. Reconstruction of the footpath for the full frontage of the site;
- c. Cross sections are to be provided at the boundary at a minimum distance of every 5m and at all pedestrian and vehicular access locations. These sections will set the alignment levels at the boundary.

All works must be completed prior to the issue of an Occupation Certificate.

#### **20. Alignment Levels – Rear Lane**

The internal vehicle hardstand area shall be redesigned such that the level at the boundary shall match the invert level of the adjacent gutter plus 110mm at both sides of the vehicle entry. This will require the internal garage slab or hard stand area to be adjusted locally at the boundary to ensure that it matches the above Alignment Levels. Amended plans shall be submitted to and approved by Council before the issue of the Construction Certificate.

The garage slab or driveway must then rise within the property to be 170mm above the adjacent road gutter level. The longitudinal profile across the width of the vehicle crossing must comply with the Ground Clearance requirements of AS/NZS 2890.1-2004.

Longitudinal sections along each outer edge of the access and parking facilities, extending to the centreline of the road carriageway must be provided, demonstrating compliance with the above requirements.

#### **21. Parking Facilities - Domestic**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans certified by a suitably qualified Civil Engineer demonstrating that the design of the vehicular access and off-street parking facilities must comply with Australian Standard AS/NZS2890.1-2004 Parking Facilities – Off-Street Car Parking and the following specific requirements:

- a. Longitudinal sections along each outer edge of the access and parking facilities, extending to the centreline of the road carriageway must be provided, demonstrating compliance with AS/NZS2890.1-2004.

**DURING DEMOLITION AND CONSTRUCTION****22. 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.

**23. 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****24. Torrens Title Subdivision to Occur before Occupation**

Prior to the issue of an Occupation Certificate for any dwelling on the site, the certifying authority is to be provided with evidence that the subdivision that forms part of this consent has been registered with the NSW Land Registry Services.

**25. Aircraft Noise –Alterations and Additions**

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

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

**26. Section 73 Ce****27. rtificate**

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with a Section 73 Certificate under the *Sydney Water Act 1994*.

**28. Public Domain Works**

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

- a. Light duty concrete vehicle crossing(s) at the vehicular access location(s);
- b. Reconstruction of the footpath for the full frontage of the site;
- c. The redundant vehicular crossing to the site must be removed and replaced by kerb and gutter and footpath. Where the kerb in the vicinity of the redundant crossing is predominately stone (as determined by Council's Engineer) the replacement kerb must also be in stone;
- d. 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”.

**29. 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.

**30. Protect Sandstone Kerb**

Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that any stone kerb, damaged as a consequence of the work that is the subject of this development consent, has been replaced.

**31. Works as Executed – Site Stormwater Drainage System**

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with Certification by a suitably qualified Civil Engineer that the stormwater drainage system has been constructed in accordance with the approved design and relevant Australian Standards.

**32. Redundant Vehicle Crossing**

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

**33. Light Duty Vehicle Crossing**

Prior to the issue of an Occupation Certificate, the Principal Certifier 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.

**PRIOR TO SUBDIVISION CERTIFICATE**

**34. Section 73 Certificate**

Prior to the issue of a Subdivision Certificate, the Certifying Authority must be provided with the Section 73 Certificate. A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation.

**35. Release of Subdivision Certificate**

Prior to the issue of a Subdivision Certificate, the Certifying Authority must verify that the physical works within this consent have been constructed.

**36. Civil Engineer Verification**

Prior to the issue of a Subdivision Certificate, the Principal Certifier must be provided with written verification from a suitably experienced practising Civil Engineer, stating that all stormwater drainage and related work has been and constructed in accordance with the approved plans.

**37. Redundant Vehicle Crossing**

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

**38. Separate Drainage Systems**

Prior to the issue of a Subdivision Certificate, the Principal Certifier must be provided with a plan detailing that separate drainage systems must be provided to drain each proposed lot.

**ADVISORY NOTES****Prescribed Conditions**

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

**Notification of commencement of works**

At least 7 days before any demolition work commences:

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

**Storage of Materials on public property**

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

**Toilet Facilities**

The following facilities must be provided on the site:

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

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

**Infrastructure**

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

**Other Approvals may be needed**

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

**Failure to comply with conditions**

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

**Other works**

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

**Obtaining Relevant Certification**

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

- a. Application for any activity under that Act, including any erection of a hoarding;



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

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

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

**Notification of commencement of works**

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

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

**Dividing Fences Act**

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

**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.

**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.

**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.

**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

Landcom	<a href="http://www.dialprior toyoudig.com.au">www.dialprior toyoudig.com.au</a> 9841 8660 To purchase copies of Volume One of "Soils and Construction"
Long Service Payments Corporation	131441 <a href="http://www.lspc.nsw.gov.au">www.lspc.nsw.gov.au</a>
NSW Food Authority	1300 552 406 <a href="http://www.foodnotify.nsw.gov.au">www.foodnotify.nsw.gov.au</a>
NSW Government	<a href="http://www.nsw.gov.au/fibro">www.nsw.gov.au/fibro</a> <a href="http://www.diysafe.nsw.gov.au">www.diysafe.nsw.gov.au</a> Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	131 555 <a href="http://www.environment.nsw.gov.au">www.environment.nsw.gov.au</a>
Sydney Water	13 20 92 <a href="http://www.sydneywater.com.au">www.sydneywater.com.au</a>
Waste Service - SITA Environmental Solutions	1300 651 116 <a href="http://www.wasteservice.nsw.gov.au">www.wasteservice.nsw.gov.au</a>
Water Efficiency Labelling and Standards (WELS)	<a href="http://www.waterrating.gov.au">www.waterrating.gov.au</a>
WorkCover Authority of NSW	13 10 50 <a href="http://www.workcover.nsw.gov.au">www.workcover.nsw.gov.au</a> Enquiries relating to work safety and asbestos removal and disposal.

## Attachment D – Reasons for refusal of DA/2020/0827

**NOTICE OF DETERMINATION – REFUSAL**

*Issued under Section 4.16(1)(b) of the Environmental Planning and Assessment Act 1979*

<b>Development Application No.</b>	DA/2020/0827
<b>Applicant</b>	Ndrsn Architecture
<b>Land to be developed</b>	7 Westbourne Street STANMORE NSW 2048
<b>Proposed development</b>	Demolition of existing building. Torrens Title Subdivision of land into 2 lots. Construction of a semi-detached dwelling with a secondary dwelling and garage to each lot. Landscaping and associated works.
<b>Cost of development</b>	\$1,108,741.00
<b>Determination</b>	The application was determined by Delegation to Staff and consent was <b>refused</b> .
<b>Date of refusal</b>	22 February 2021

**Reasons for refusal**

1. The proposal fails to demonstrate compliance with Clause 22(3)(a) of State Environmental Planning Policy (Affordable Rental Housing) 2009.
2. The proposal is inconsistent and has not demonstrated compliance with the following clauses of Marrickville Local Environmental Plan 2011, pursuant to Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979:
  - a. Clause 1.2 - Aims of Plan;
  - b. Clause 4.4 - Floor Space Ratio; and
  - c. Clause 4.6 - Exceptions to development standards.

3. The proposal is inconsistent and has not demonstrated compliance with the following clauses of Draft Inner West Local Environmental Plan 2020, pursuant to Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979:
  - a. Clause 1.2(2)(i) Aims of Plan; and
  - b. Land Use Table - Objectives of Zone
4. The proposal is inconsistent and has not demonstrated compliance with the Marrickville Development Control Plan 2011, pursuant to Section 4.15 (1)(a)(iii) of the Environmental Planning and Assessment Act 1979 having regard to:
  1. Part 2.1 - Urban Design
  2. Part 2.7 – Solar Access and Overshadowing
  3. Part 2.9 - Community Safety
  4. Part 2.18 - Landscaping and Open Spaces
  3. Part 4.1 - Low Density Residential Development
5. The proposal will result in adverse environmental impacts in the locality, pursuant to Section 4.15 (1)(b) of the Environmental Planning and Assessment Act 1979.
6. The proposal has not demonstrated that the site is suitable for the development, pursuant to Section 4.15 (1)(c) of the Environmental Planning and Assessment Act 1979.
7. The proposal has not demonstrated it is in the public interest, pursuant to Section 4.15 (1)(e) of the Environmental Planning and Assessment Act 1979.

**Right of appeal**

If you are dissatisfied with this decision, Section 8.7 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court in accordance with the timeframes set out in [Section 8.10](#) of the *Environmental Planning and Assessment Act 1979*. In addition to the above, third party appeal rights are set out in the *Environmental Planning and Assessment Act 1979* and may be applicable.

Section 8.2 of the *Environmental Planning and Assessment Act 1979* provides that the applicant may request the Council to review the determination. Section 8.2 does not apply to complying development, designated development, a determination made by Council under Section 4.2 in respect of Crown applications, or a decision that is already subject to a Section 8.2 review.

For further information please contact **Suzannah Byers** on **02 9335 2116** or [suzannah.byers@innerwest.nsw.gov.au](mailto:suzannah.byers@innerwest.nsw.gov.au).



Ruba Osman  
**Team Leader Development Assessment**

INNER WEST COUNCIL  
DEVELOPMENT APPLICATION SUBMISSION  
PROPOSED TWO SEMI-DETACHED TWO STOREY DWELLINGS WITH ATTIC, DETACHED  
GARAGES&SECONDARY DWELLINGS ABOVE AND TORRENS TITLE SUBDIVISION TO :  
7 WESTBOURNE STREET STANMORE NSW 2048 ( LOT 2 SECTION 3 DP1053 )  
LOCALITY MAP



This application has been  
**REFUSED**  
Determination No: DA/2020/0827  
Determination Date: 22 February 2021  
See attached reasons for refusal



Planning,  
Industry &  
Environment

Description of project

Project address	
Project name	7 Westbourne St, Barnmore
Street address	7 Westbourne Street Barnmore 2048
Local Government Area	Inner West Council
Plot type and plot number	deposited 1503
Lot no.	2
Section no.	3
Project type	
No. of residential lot buildings	0
No. of units in residential lot buildings	0
No. of multi-dwelling houses	4
No. of single dwelling houses	0
Site details	
Site area (m <sup>2</sup> )	374
Plot area (m <sup>2</sup> )	207
Non-residential floor area (m <sup>2</sup> )	0.0
Residential car spaces	2

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PROJECT	ISSUE	DESCRIPTION	DATE
7 WESTBOURNE ST. STANMORE, NSW (LOT 2 SEC 3 - DP 1053)	A	ISSUE FOR DEVELOPMENT APPLICATION	07 SEP 2020
	B	ISSUE FOR COGNIC FURTHER INFORMATION	29 JAN 2021

DRAWING TITLE	DRAWING NO.	ISSUE	DATE	DRAWN BY
LOCALITY MAP + DRAWING LIST	DA 0581	01	28 May 2001	GP/TJ
SCALE			NOT TO SCALE	

**NDRSN**  
SUITE 201A / NO. 77-83 WILLIAM ST. DARLINGHURST NSW 2104  
INFO@NDRSN.COM.AU 02 8331 7062 WWW.NDRSN.COM.AU









NDRSN

SUITE 2014 / NO. 77-83 WILLIAM ST. DARLINGHURST NSW 2010  
INFO@NDRN.COM.AU 02 9331 7060 WWW.NDRN.COM.AU

DRAWING TITLE  
SUBDIVISION PLAN

DRAWING NO.	DATE	DRAWN BY	REVIEWED BY
DA 001	28 Jan 2001	GP/TF	DA
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94.0	95.0	97.0	99.0
95.0	96.0	98.0	100.0

PROJECT  
77 WESTBOURNE ST. STANMORE, NSW 2048  
(LOT 2 SEC 3 - DP 1053)

ISSUE	DESCRIPTION	DATE
A	ISSUE FOR DEVELOPMENT APPLICATION	07 SEP 2020

LEGEND

PROPOSED LOT BOUNDARY  
PROPOSED SUBDIVISION

[illegible]





**NDRSN**

SHUTE 0014 / NO. 77-93 WILLIAM ST DARLINGHURST NSW 2101  
INFO@NDRSN.COM.AU 02 9331 7980 WWW.NDRSN.COM.AU

**EXISTING & PROPOSED STREETScape**

DATE: 07/11/2020  
DRAWN BY: 07/11/2020  
REVIEWED BY: 07/11/2020

**PROJECT**

**7 WESTBOURNE ST, STANMORE, NSW 2048**  
**LOT 2 SEC 3 - DP 10831**

NO.	DESCRIPTION	DATE
A	ISSUE FOR CONSIDERATION	2 SEP 2020
B	FINAL APPROVAL FOR CONSIDERATION	12 SEP 2021

**LEGEND**

**EXISTING BUILDING**

**PROPOSED BUILDING**

**EXISTING ROOF**

**PROPOSED ROOF**

**EXISTING WALL**

**PROPOSED WALL**

**EXISTING WINDOW**

**PROPOSED WINDOW**

**EXISTING DOOR**

**PROPOSED DOOR**

**EXISTING PORCH**

**PROPOSED PORCH**

**EXISTING BALCONY**

**PROPOSED BALCONY**

**EXISTING TERRACE**

**PROPOSED TERRACE**

**EXISTING DRIVEWAY**

**PROPOSED DRIVEWAY**

**EXISTING FENCE**

**PROPOSED FENCE**

**EXISTING GARDEN**

**PROPOSED GARDEN**

**EXISTING PARKING**

**PROPOSED PARKING**

**EXISTING ROAD**

**PROPOSED ROAD**

**EXISTING SIDEWALK**

**PROPOSED SIDEWALK**

**EXISTING STREET LIGHT**

**PROPOSED STREET LIGHT**

**EXISTING SIGN**

**PROPOSED SIGN**

**EXISTING FURNITURE**

**PROPOSED FURNITURE**

**EXISTING PLANTING**

**PROPOSED PLANTING**

**EXISTING UTILITIES**

**PROPOSED UTILITIES**

**EXISTING OTHER**

**PROPOSED OTHER**

**NOTES**

1. ALL PROPOSED CHANGES TO THE EXISTING BUILDING MUST BE APPROVED BY THE LOCAL COUNCIL BEFORE CONSTRUCTION.

2. THE PROPOSED CHANGES TO THE EXISTING BUILDING MUST BE APPROVED BY THE LOCAL COUNCIL BEFORE CONSTRUCTION.

3. THE PROPOSED CHANGES TO THE EXISTING BUILDING MUST BE APPROVED BY THE LOCAL COUNCIL BEFORE CONSTRUCTION.

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8. THE PROPOSED CHANGES TO THE EXISTING BUILDING MUST BE APPROVED BY THE LOCAL COUNCIL BEFORE CONSTRUCTION.

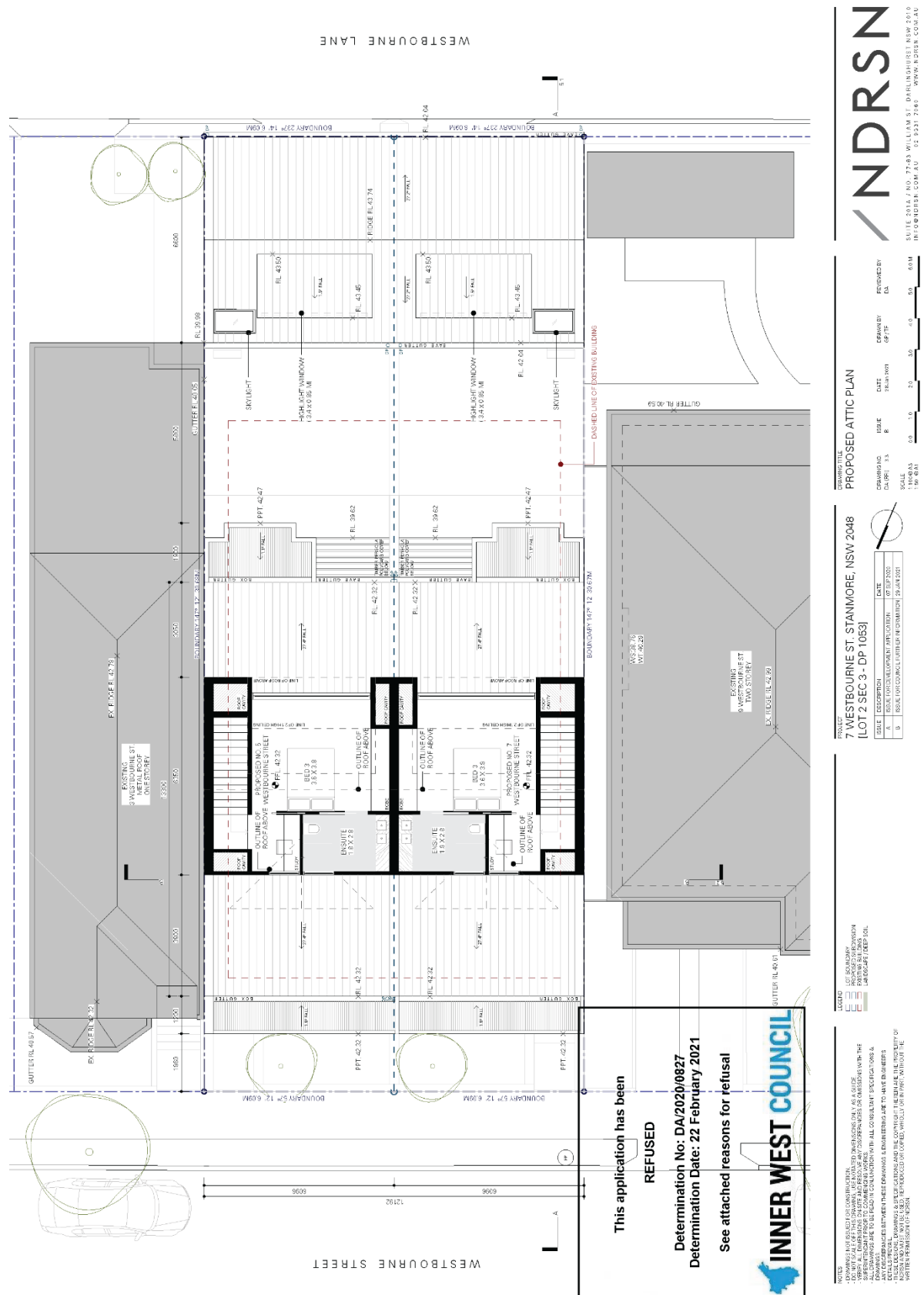
9. THE PROPOSED CHANGES TO THE EXISTING BUILDING MUST BE APPROVED BY THE LOCAL COUNCIL BEFORE CONSTRUCTION.

10. THE PROPOSED CHANGES TO THE EXISTING BUILDING MUST BE APPROVED BY THE LOCAL COUNCIL BEFORE CONSTRUCTION.















**This application has been**

REFUSED

Determination No: DA/2020/0827

Determination No: DA/2020/0827  
Determination Date: 22 February 2021

See attached reasons for refusal

[illegible]

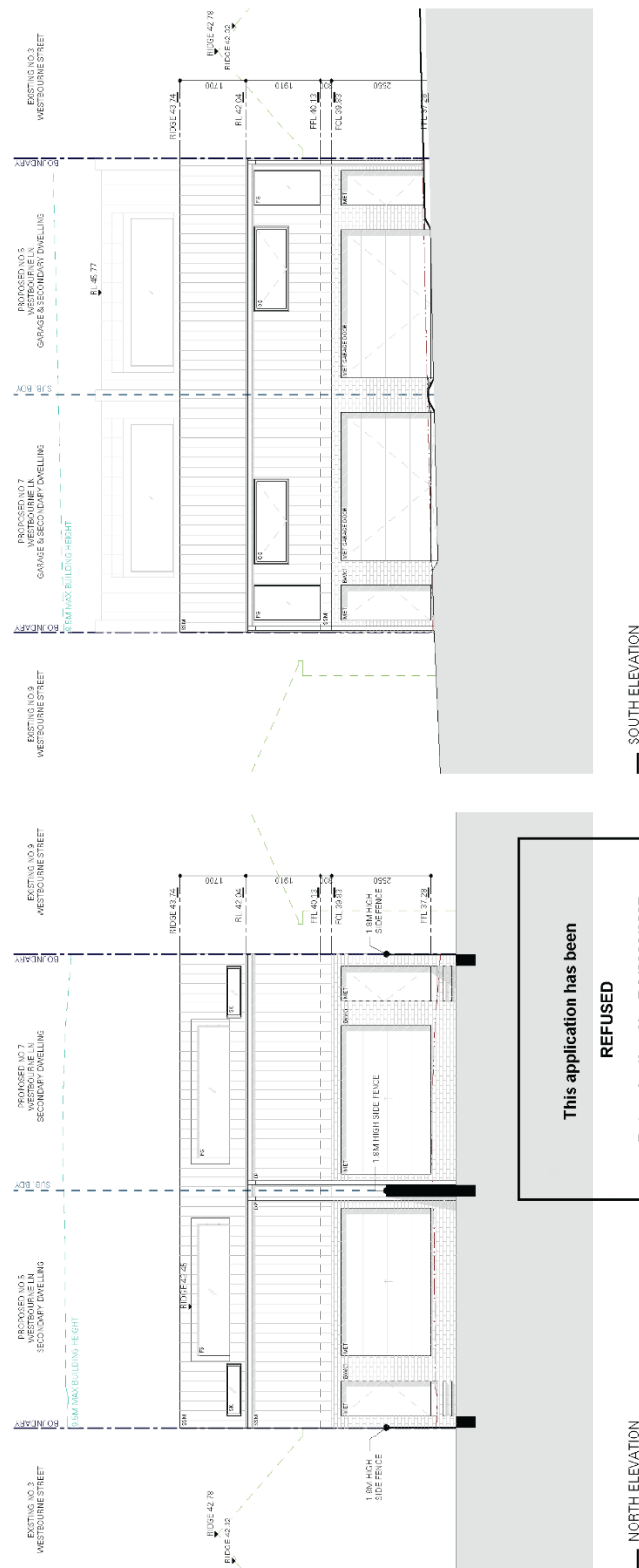
PROJECT  
7 WESTBOURNE ST. STANMORE, NSW 2048  
[LOT 2 SEC 3 - DP 1053]

ISSUE	DESCRIPTION	DATE
A	ISSUE FOR DEVELOPMENT ATTENTION	07 SEP 2020
B	ISSUE FOR COUNCIL FURTHER INFORMATION	26 JAN 2021

**DRAWING TITLE**  
**PROPOSED MAIN DWELLING**  
**ELEVATIONS (NORTH & SOUTH)**

ISSUE NO.	DATE	CHANGED BY	REVISION
1.0	20.01.2021	CH/TF	01

**NDRSN**



**This application has been**

REFUSED

Determination No: DA/2020/0827

Determination Date: 22 February 2021

See attached reasons for refusal



NORTH ELEVATION

SOUTH ELEVATION

[illegible]

LEGEND

- LOT BOUNDARY
- SUBDIVISION B'DY
- EXISTING BUILDING FOOTPRINT
- NEW BUILDING FOOTPRINT

DOE OPERABLE GLAZING  
EQ FIXED GLAZING  
INSET WINDOW  
ROOF OVERHANG  
HIT LAMES BLOCK WORK  
SPRINKLER  
METAL SCREENING  
METAL BALUSTRADE  
MESH  
TRUSS FENCING  
TOWER  
SCREENING BEAM CLOSING  
NET

PROJECT  
7 WESTBOURNE ST. STANMORE, NSW 2048  
(LOT 2 SEC 3 - DP 1053)

ISSUE	DESCRIPTION	DATE
A	ISSUE FOR DEVELOPMENT APPLICATION	07 SEP 2020
B	ISSUE FOR COUNCIL FURTHER INFORMATION	29 JUL 2021

DRAWING TITLE  
PROPOSED REAR STUDIO  
ELEVATIONS [NORTH & SOUTH]

DATE 21 Jan 2021

SCALE 0.0 1.0 2.0 3.0 4.0 5.0 6.0 M

CHIRPERS TO 11000 A3

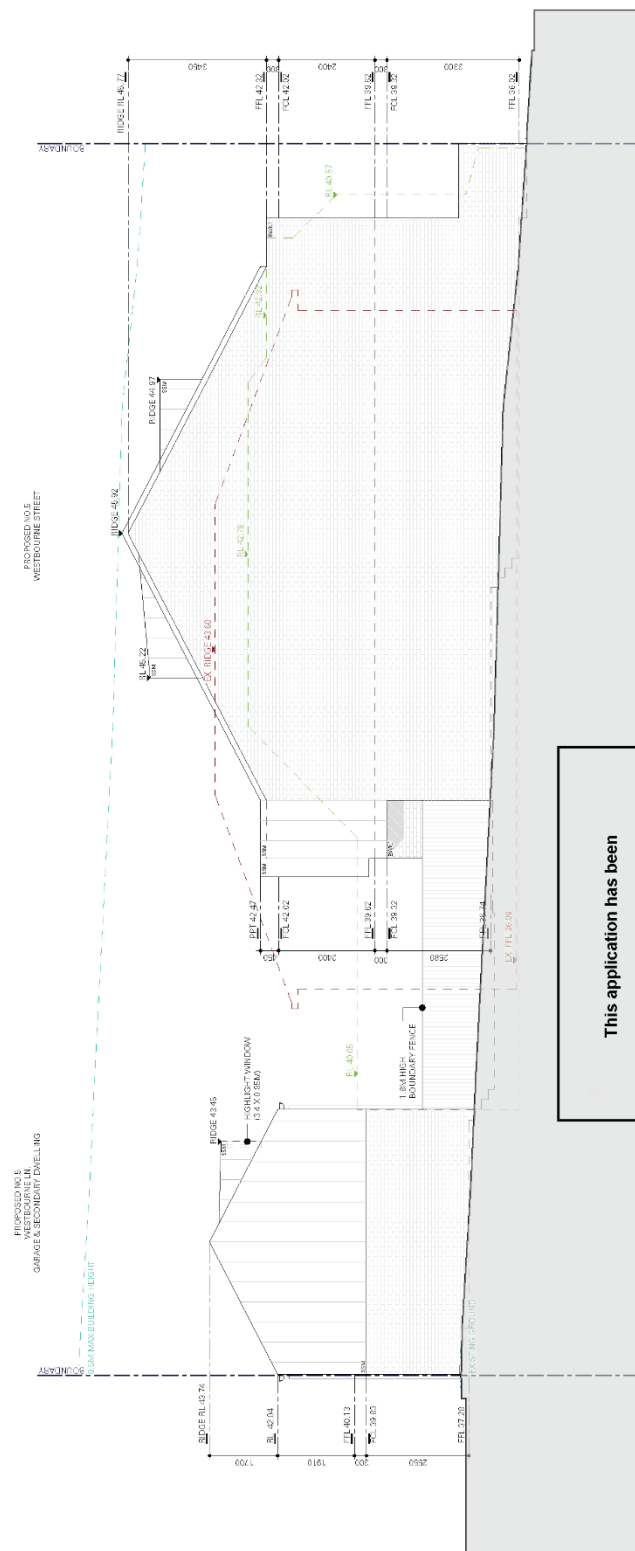
DA #51 4.2 30.0 A1

RECEIVED BY 0271E

RECEIVED BY

NDRS

SUITE 201A / NO. 77-03 WILLIAM ST. DARLINGHURST NEW 2019  
INFO@NCRN.COM.AU 02 9331 7060 WWW.NCRN.COM.AU



**This application has been**

**REFUSED**

Determination No: DA/2020/0827  
Determination Date: 22 February 2021

**See attached reasons for refusal**



**NOTES**  
DRAWING  
DO NOT  
VERIFY A  
SUPERIN  
ALL DIM  
DRAWING  
ANY DIM  
DETAILS  
THESE C  
NEEDS A  
WATTEN

[illegible]

**LEGEND**

	LOT BOUNDARY
	SUBDIVISION RDY
	EXISTING BUILDING / N

#### LEGAL BACKGROUND

DO	OPENABLE GLAZING
FG	FIXED GLAZING
BR	BRICKWORK
WB	VERTICAL BRICK WORK
MB	HIT & MISS BRICK WORK
SC	METAL SCREENING
GB	METAL BALU STRAPS
TR	TIMBER FENCING
SS	STANDING SEAM CLADDING
ST	METAL

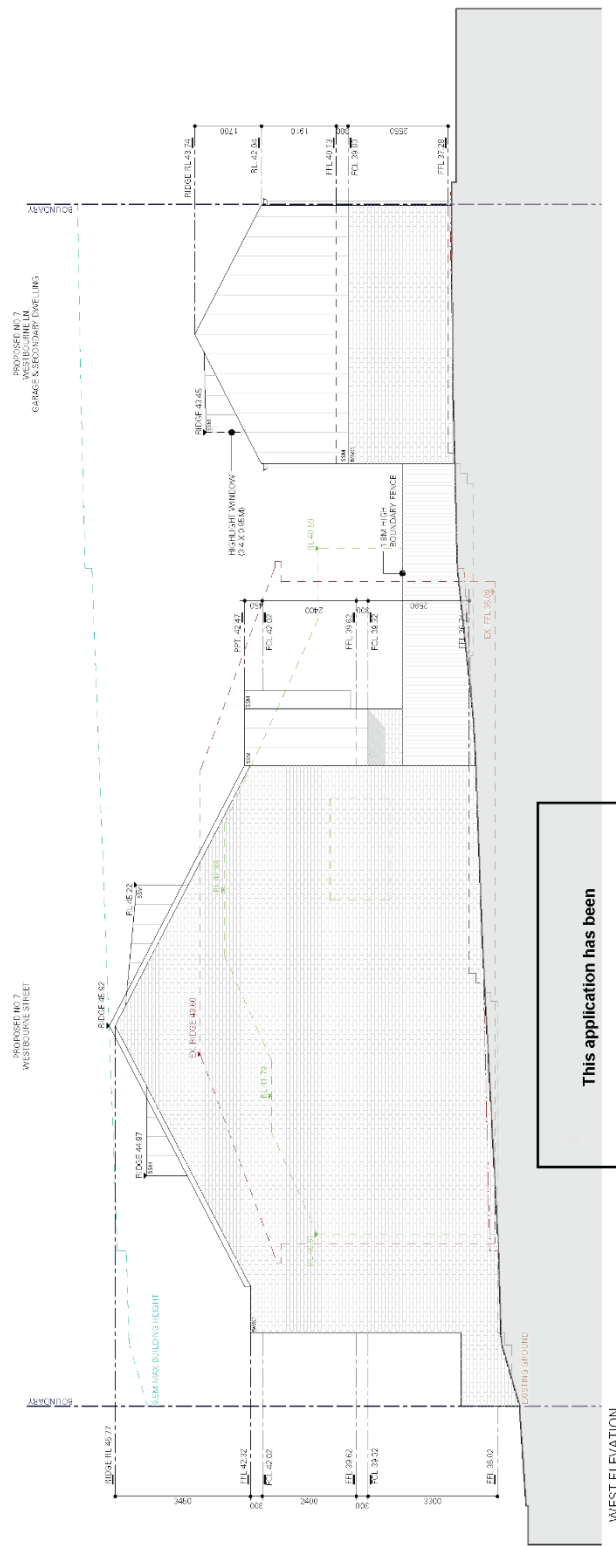
PROJECT  
7 WESTBOURNE ST. STA  
LOT 2 SEC 3 - DP 10531

IORE, NSW 2048

DRAWING TITLE  
PROPOSED EAST ELEVATION

BY	REVIEWED BY	CA	5.0	6.0 M

**NDRSN**



**REFUSED**

Determination No: DA/2020/0827  
Determination Date: 22 February 2021  
See attached reasons for refusal

[illegible]

LEAD	LOT NUMBER BY SURVEYOR KEY	OG	OPTICAL GLAZING
	EXISTING BUILDING, NATURAL LIGHTING	F5	ROAD GLAZING
	NEW BUILDING WEIGHT CONTROL	B01	ROOF GLAZING
		B02	STAINLESS STEEL WORK
		B03	HYDRAULIC BRACK WORK
		B04	METAL COPIERING
		B05	METAL COPIERING
		B06	METAL COPIERING
		B07	METAL COPIERING
		B08	METAL COPIERING
		B09	METAL COPIERING
		B10	METAL COPIERING
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		B21	METAL COPIERING
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		B99	METAL COPIERING
		B00	METAL COPIERING

PROJECT  
7 WESTBOURNE ST. STANMORE, NSW 2048  
(LOT 2 SEC 3 - DP 1053)

ISSUE	DESCRIPTION	DATE
A	ISSUE FOR DEVELOPMENT ATTENTION	07 SEP 2000
B	ISSUE FOR COUNCIL FURTHER INFORMATION	26 JAN 2001

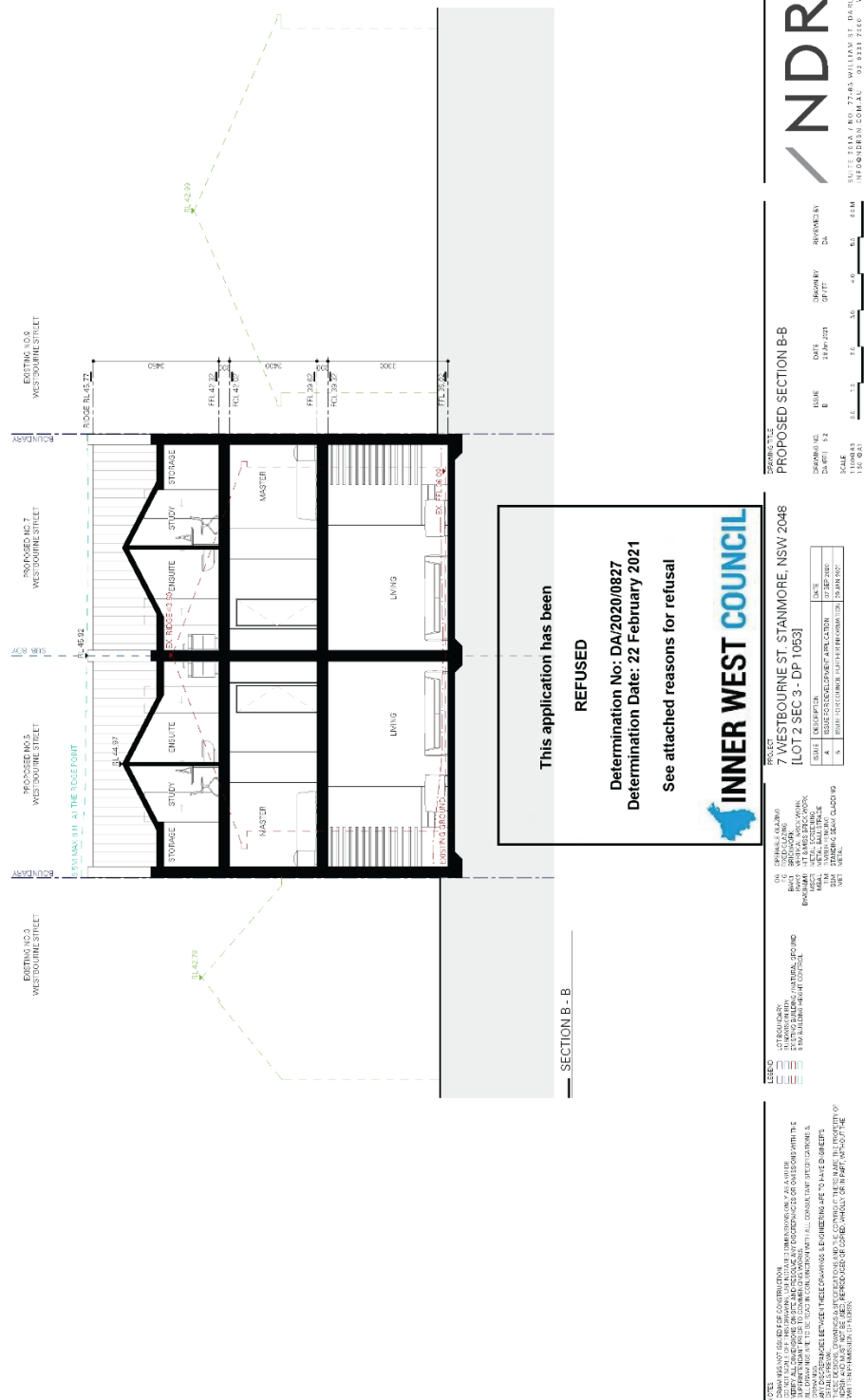
DRAWING TITLE  
PROPOSED WEST ELEVATION

DISEASING NO. DA 301 44	ISLE R	DATE 20 Jan 2021	DISEASING BY CPT	RECEIVED BY DA
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1:000 G A3				
1:500 G A1				
			4.0	5.0
				6.0 M

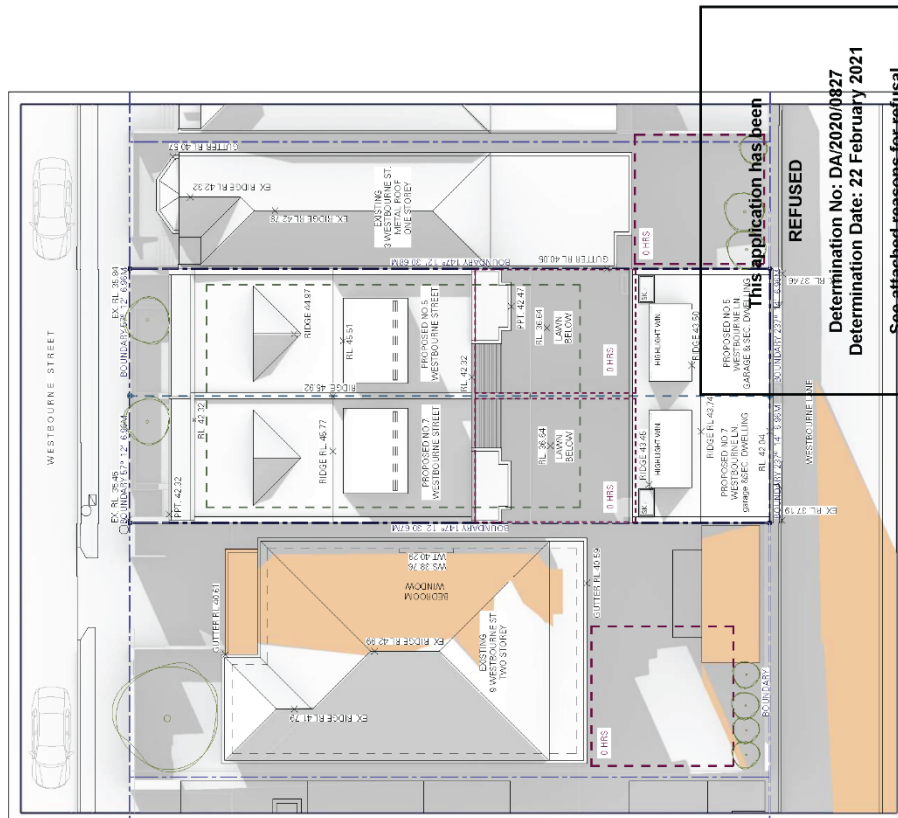
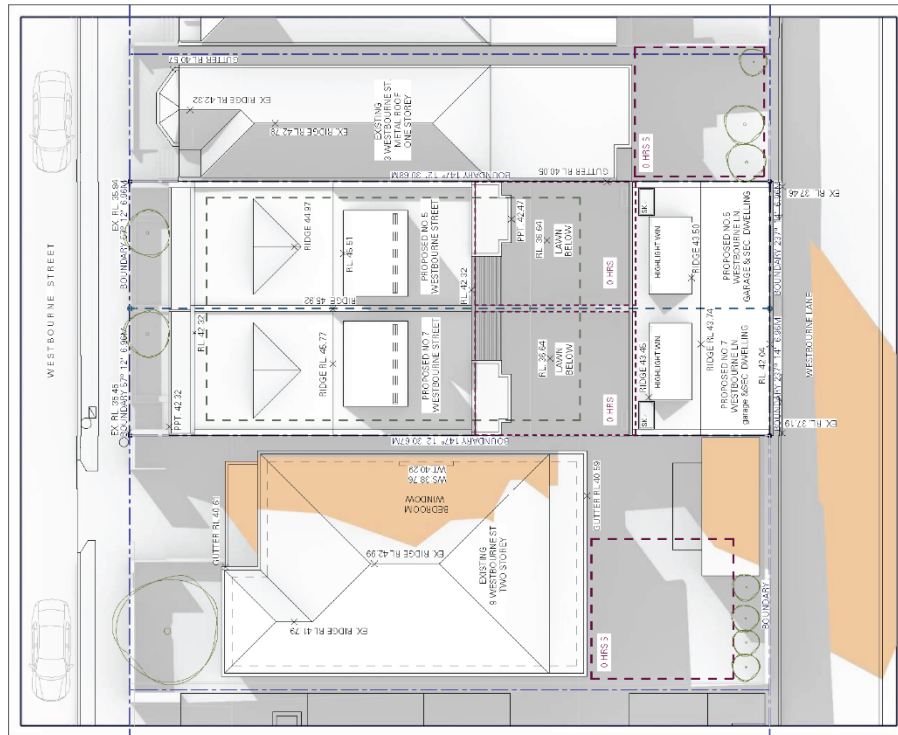
**NDRSN**

SUITE 201A / NO. 77-90 WILLIAM ST, DARLINGHURST NSW 2010  
 INFO@NDREN.COM.AU 02 9331 7060 WWW.NDREN.COM.AU









**REFUSED**  
Determination No: DA/2020/0827  
Determination Date: 22 February 2021

See attached reasons for refusal



**NOTES**

1. DRAWINGS HAVE BEEN PREPARED FOR INFORMATION ONLY. THEY ARE NOT TO BE USED FOR CONSTRUCTION OR AS A BASIS FOR ANY DECISIONS. THE COUNCIL DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED IN THESE DRAWINGS AND IS NOT RESPONSIBLE FOR ANY LOSS OR DAMAGE ARISING FROM THEIR USE.

2. THE COUNCIL DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED IN THESE DRAWINGS AND IS NOT RESPONSIBLE FOR ANY LOSS OR DAMAGE ARISING FROM THEIR USE.

3. THE COUNCIL DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED IN THESE DRAWINGS AND IS NOT RESPONSIBLE FOR ANY LOSS OR DAMAGE ARISING FROM THEIR USE.

**LEGEND**

LOT BOUNDARY  
EXISTING BUILDING  
PROPOSED BUILDING  
PROPOSED SHADOW IMPACTS  
PROPOSED SHADOW IMPACTS  
PROPOSED SHADOW IMPACTS  
PROPOSED SHADOW IMPACTS

**7 WESTBOURNE ST STANMORE, NSW 2048  
(LOT 2 SEC 3 - DP 1053)**

DATE	ISSUE	DATE	ISSUE
07 SEP 2020 <td>01</td> <td>07 SEP 2020 <td>01</td> </td>	01	07 SEP 2020 <td>01</td>	01
22 JAN 2021 <td>02 <td>22 JAN 2021 <td>02 </td></td></td>	02 <td>22 JAN 2021 <td>02 </td></td>	22 JAN 2021 <td>02 </td>	02

SCALE: 1:1000

DATE: 21 JUNE 2021

ISSUE: 01

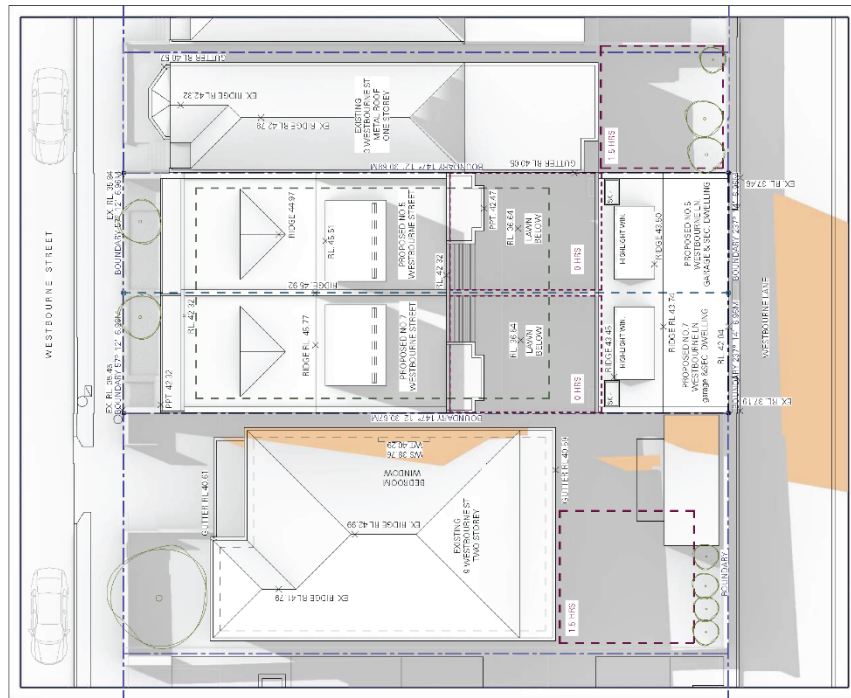
DATE: 21 JUNE 2021

ISSUE: 01

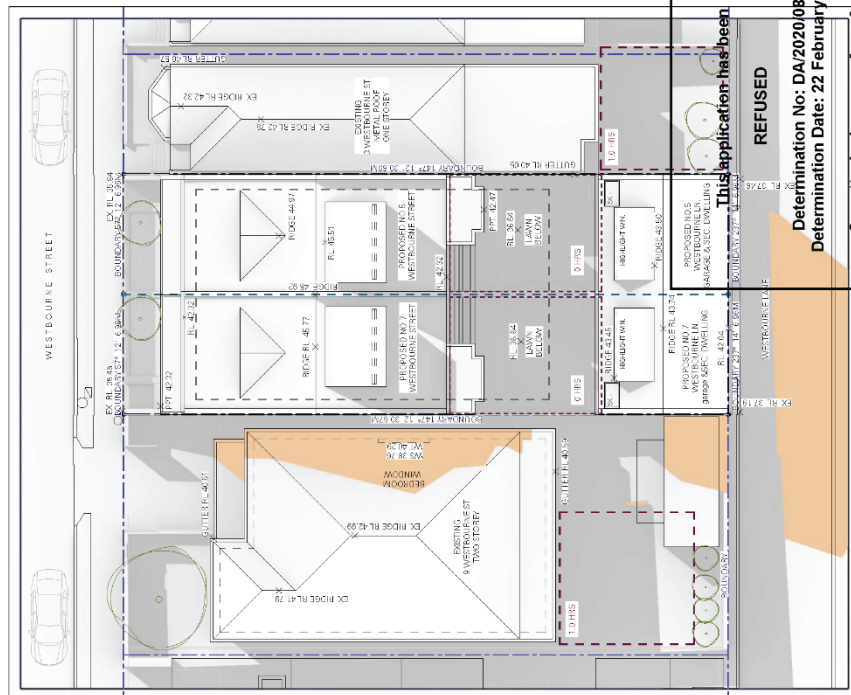
**NDRSN**

SUITE 201A, 1/NO 77-83 WILLIAM ST DARLINGHURST NSW 2159  
INFO@NDRSN.COM.AU 02 9331 7965 WWW.NDRSN.COM.AU





PROPOSED SHADOW DIAGRAM  
21 JUNE - 12:00 AM



PROPOSED SHADOW DIAGRAM  
21 JUNE - 11:00 AM

**This application has been REFUSED**  
Determination No: DA/2020/0827  
Determination Date: 22 February 2021  
See attached reasons for refusal



PROJECT  
7 WESTBOURNE ST, STANMORE, NSW 2048  
[LOT 2 SEC 3 - DP 1053]

DATE	DESCRIPTION	BY	DATE
20 JUN 2021	ISSUED FOR COMMENT	DA/2020/0827	20 JUN 2021
22 FEB 2021	REFUSED	DA/2020/0827	22 FEB 2021

NOTES

1. THIS SHADOW DIAGRAM IS FOR INFORMATION ONLY AND DOES NOT REPRESENT A GUARANTEE OF SHADOWS.
2. SHADOWS ARE BASED ON A SOLAR POSITION OF 35.28° S AND 151.21° E, WHICH IS THE STANDARD POSITION FOR THE INNER WEST LOCAL PLANNING PANEL.
3. SHADOWS ARE BASED ON A SOLAR POSITION OF 35.28° S AND 151.21° E, WHICH IS THE STANDARD POSITION FOR THE INNER WEST LOCAL PLANNING PANEL.
4. SHADOWS ARE BASED ON A SOLAR POSITION OF 35.28° S AND 151.21° E, WHICH IS THE STANDARD POSITION FOR THE INNER WEST LOCAL PLANNING PANEL.
5. SHADOWS ARE BASED ON A SOLAR POSITION OF 35.28° S AND 151.21° E, WHICH IS THE STANDARD POSITION FOR THE INNER WEST LOCAL PLANNING PANEL.

NOTES

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3. SHADOWS ARE BASED ON A SOLAR POSITION OF 35.28° S AND 151.21° E, WHICH IS THE STANDARD POSITION FOR THE INNER WEST LOCAL PLANNING PANEL.
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5. SHADOWS ARE BASED ON A SOLAR POSITION OF 35.28° S AND 151.21° E, WHICH IS THE STANDARD POSITION FOR THE INNER WEST LOCAL PLANNING PANEL.



PROPOSED SHADOW DIAGRAM  
21 JUNE - 11:00 AM TO 12:00 AM

DATE	DESCRIPTION	BY	DATE
20 JUN 2021	ISSUED FOR COMMENT	DA/2020/0827	20 JUN 2021
22 FEB 2021	REFUSED	DA/2020/0827	22 FEB 2021

NOTES

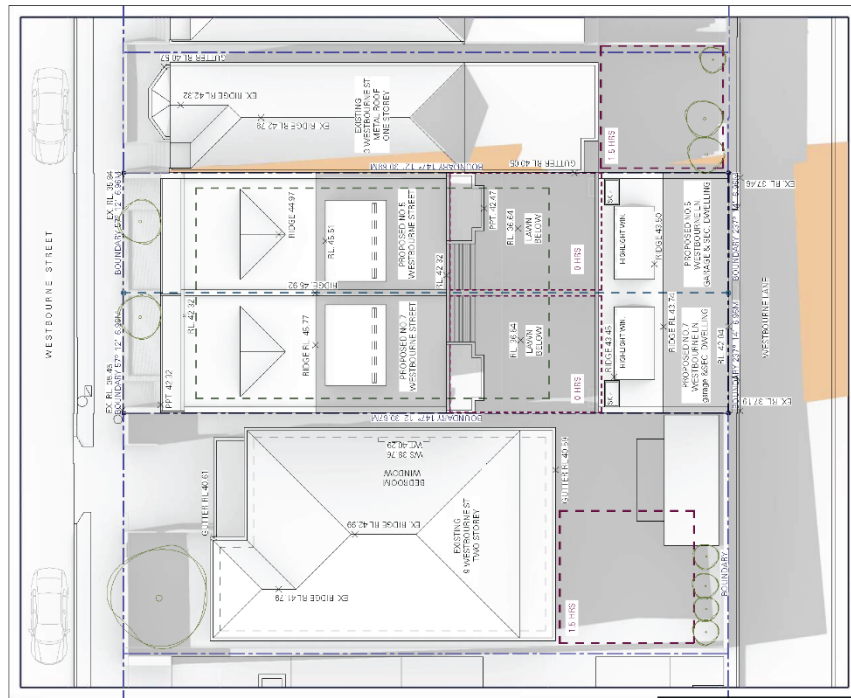
1. THIS SHADOW DIAGRAM IS FOR INFORMATION ONLY AND DOES NOT REPRESENT A GUARANTEE OF SHADOWS.
2. SHADOWS ARE BASED ON A SOLAR POSITION OF 35.28° S AND 151.21° E, WHICH IS THE STANDARD POSITION FOR THE INNER WEST LOCAL PLANNING PANEL.
3. SHADOWS ARE BASED ON A SOLAR POSITION OF 35.28° S AND 151.21° E, WHICH IS THE STANDARD POSITION FOR THE INNER WEST LOCAL PLANNING PANEL.
4. SHADOWS ARE BASED ON A SOLAR POSITION OF 35.28° S AND 151.21° E, WHICH IS THE STANDARD POSITION FOR THE INNER WEST LOCAL PLANNING PANEL.
5. SHADOWS ARE BASED ON A SOLAR POSITION OF 35.28° S AND 151.21° E, WHICH IS THE STANDARD POSITION FOR THE INNER WEST LOCAL PLANNING PANEL.

NOTES

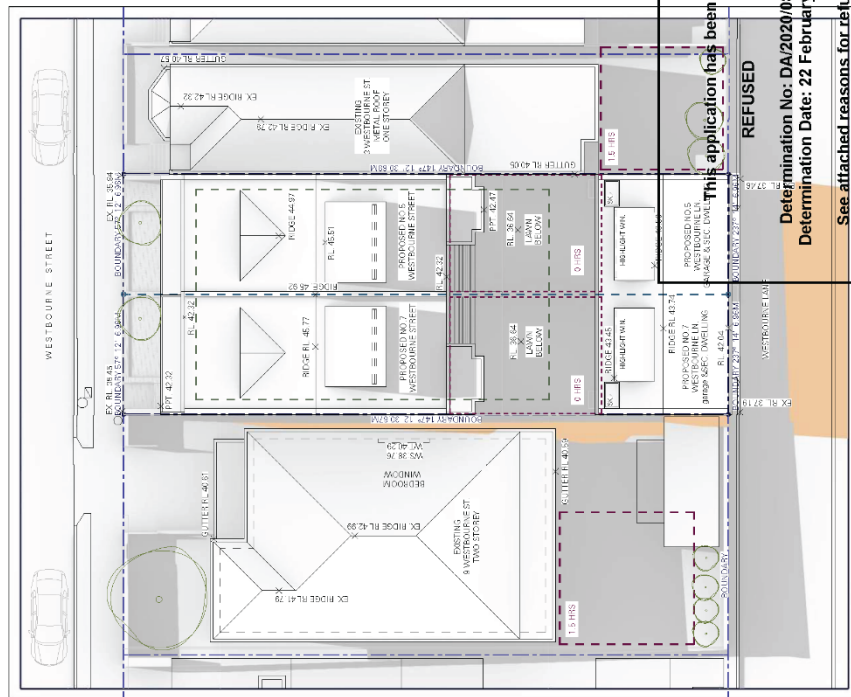
1. THIS SHADOW DIAGRAM IS FOR INFORMATION ONLY AND DOES NOT REPRESENT A GUARANTEE OF SHADOWS.
2. SHADOWS ARE BASED ON A SOLAR POSITION OF 35.28° S AND 151.21° E, WHICH IS THE STANDARD POSITION FOR THE INNER WEST LOCAL PLANNING PANEL.
3. SHADOWS ARE BASED ON A SOLAR POSITION OF 35.28° S AND 151.21° E, WHICH IS THE STANDARD POSITION FOR THE INNER WEST LOCAL PLANNING PANEL.
4. SHADOWS ARE BASED ON A SOLAR POSITION OF 35.28° S AND 151.21° E, WHICH IS THE STANDARD POSITION FOR THE INNER WEST LOCAL PLANNING PANEL.
5. SHADOWS ARE BASED ON A SOLAR POSITION OF 35.28° S AND 151.21° E, WHICH IS THE STANDARD POSITION FOR THE INNER WEST LOCAL PLANNING PANEL.

NOTES

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2. SHADOWS ARE BASED ON A SOLAR POSITION OF 35.28° S AND 151.21° E, WHICH IS THE STANDARD POSITION FOR THE INNER WEST LOCAL PLANNING PANEL.
3. SHADOWS ARE BASED ON A SOLAR POSITION OF 35.28° S AND 151.21° E, WHICH IS THE STANDARD POSITION FOR THE INNER WEST LOCAL PLANNING PANEL.
4. SHADOWS ARE BASED ON A SOLAR POSITION OF 35.28° S AND 151.21° E, WHICH IS THE STANDARD POSITION FOR THE INNER WEST LOCAL PLANNING PANEL.
5. SHADOWS ARE BASED ON A SOLAR POSITION OF 35.28° S AND 151.21° E, WHICH IS THE STANDARD POSITION FOR THE INNER WEST LOCAL PLANNING PANEL.



PROPOSED SHADOW DIAGRAM  
21 JUNE - 02:00 PM



PROPOSED SHADOW DIAGRAM  
21 JUNE - 01:00 PM

NOTES:  
1. THIS SHADOW DIAGRAM IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED.  
2. THE SHADOW DIAGRAM IS BASED ON THE ASSUMPTION THAT THE SUN IS AT AN ALTITUDE OF 15 DEGREES.  
3. THE SHADOW DIAGRAM IS BASED ON THE ASSUMPTION THAT THE BUILDING IS A RECTANGULAR PRISM.  
4. THE SHADOW DIAGRAM IS BASED ON THE ASSUMPTION THAT THE BUILDING IS A RECTANGULAR PRISM.  
5. THE SHADOW DIAGRAM IS BASED ON THE ASSUMPTION THAT THE BUILDING IS A RECTANGULAR PRISM.

LEGEND:  
1. LOT BOUNDARY  
2. EXISTING BUILDING  
3. PROPOSED BUILDING  
4. EXISTING METAL ROOF  
5. EXISTING 3 WESTBOURNE ST  
6. EXISTING METAL ROOF  
7. EXISTING METAL ROOF  
8. EXISTING METAL ROOF  
9. EXISTING METAL ROOF  
10. EXISTING METAL ROOF

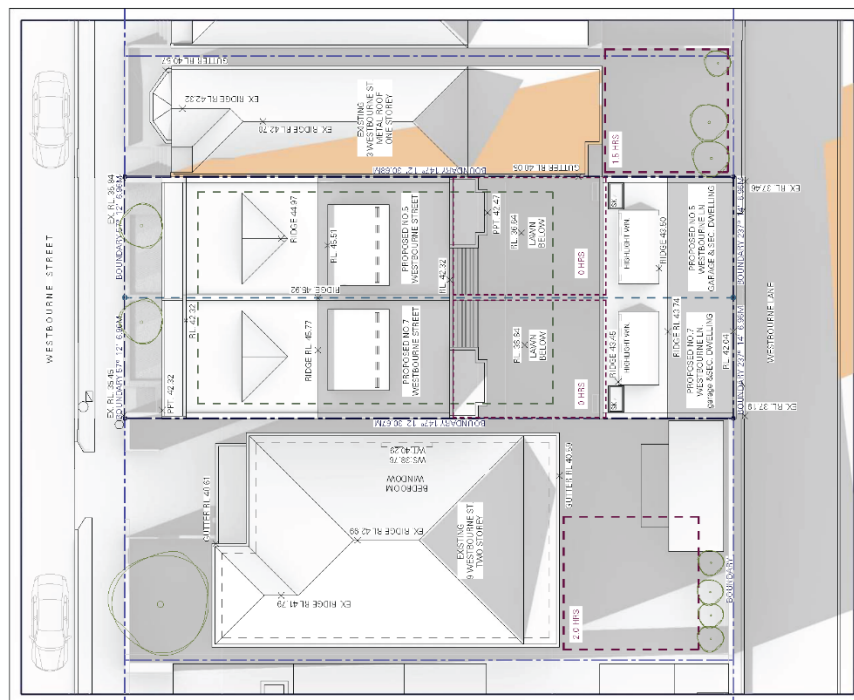
7 WESTBOURNE ST, STANMORE, NSW 2048  
[LOT 2 SEC 3 - DP 1053]

DATE	DESCRIPTION	DATE
20 JUN 2021	REVISION 1	20 JUN 2021
20 JUN 2021	REVISION 2	20 JUN 2021
20 JUN 2021	REVISION 3	20 JUN 2021
20 JUN 2021	REVISION 4	20 JUN 2021
20 JUN 2021	REVISION 5	20 JUN 2021

PROPOSED SHADOW DIAGRAM  
21 JUNE - 01:00 PM TO 02:00 PM

DATE	DESCRIPTION	DATE
20 JUN 2021	REVISION 1	20 JUN 2021
20 JUN 2021	REVISION 2	20 JUN 2021
20 JUN 2021	REVISION 3	20 JUN 2021
20 JUN 2021	REVISION 4	20 JUN 2021
20 JUN 2021	REVISION 5	20 JUN 2021

**NDRSN**  
SUITE 201A / NO. 77-83 WILLIAM ST, DOULDS BUSH NSW 2103  
INFORMATION@NDRSN.COM.AU 02 9331 7860 WWW.NDRSN.COM.AU



PROPOSED SHADOW DIAGRAM  
21 JUNE - 03:00 PM

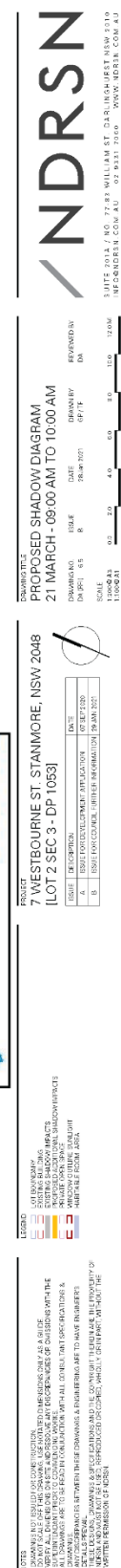
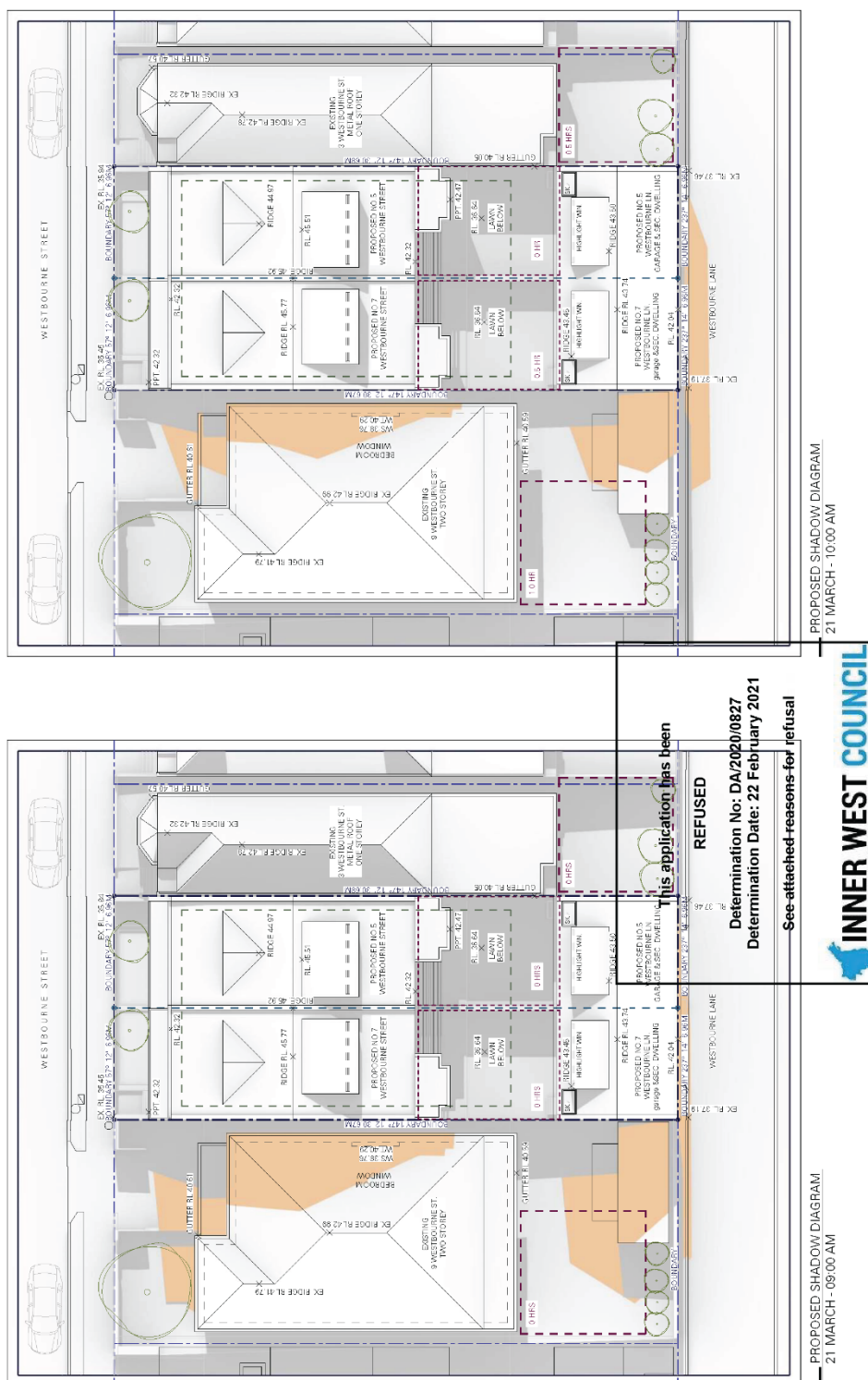
**This application has been**

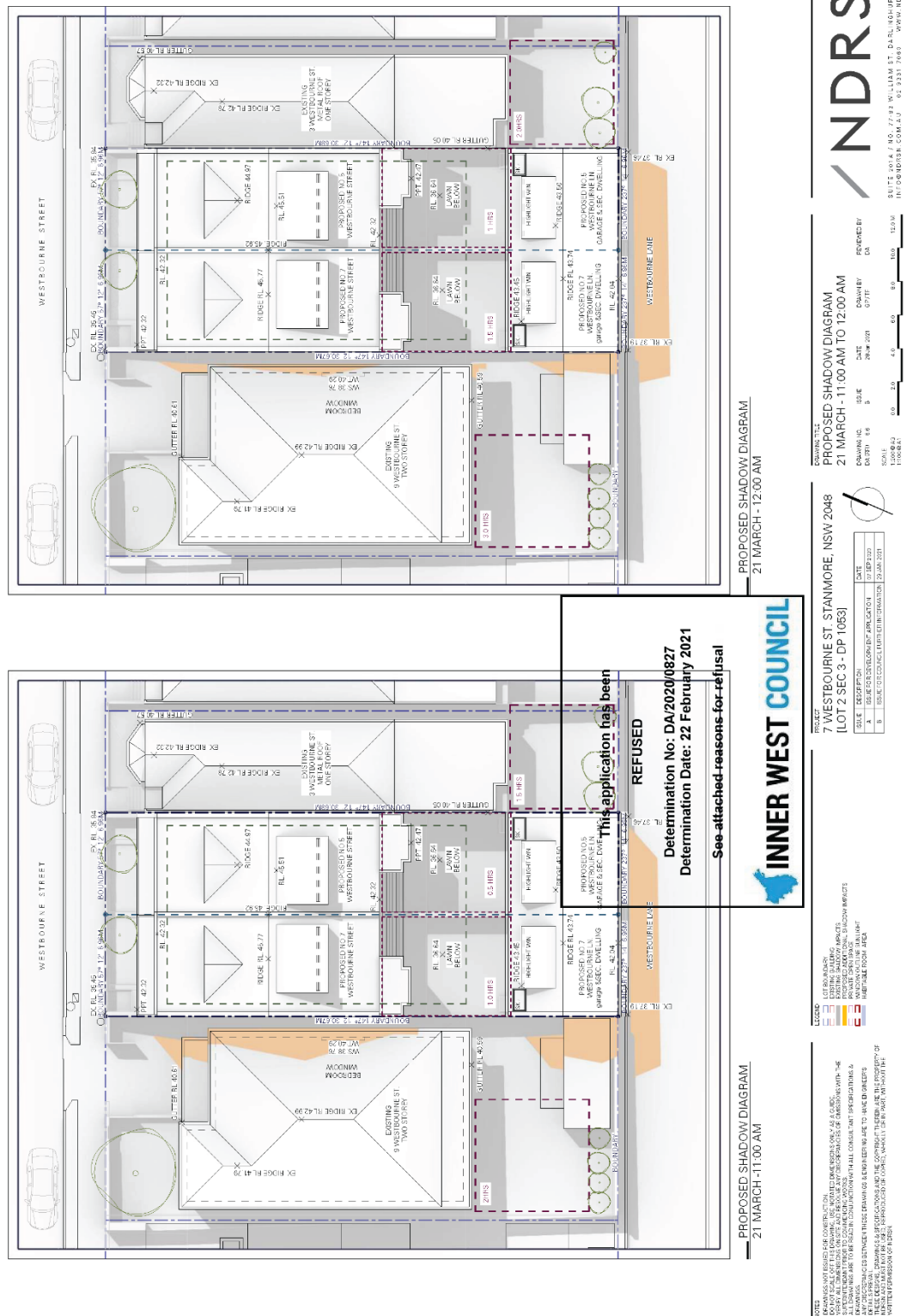
**REFUSED**

Determination No: DA/2020/0827  
Determination Date: 22 February 2021

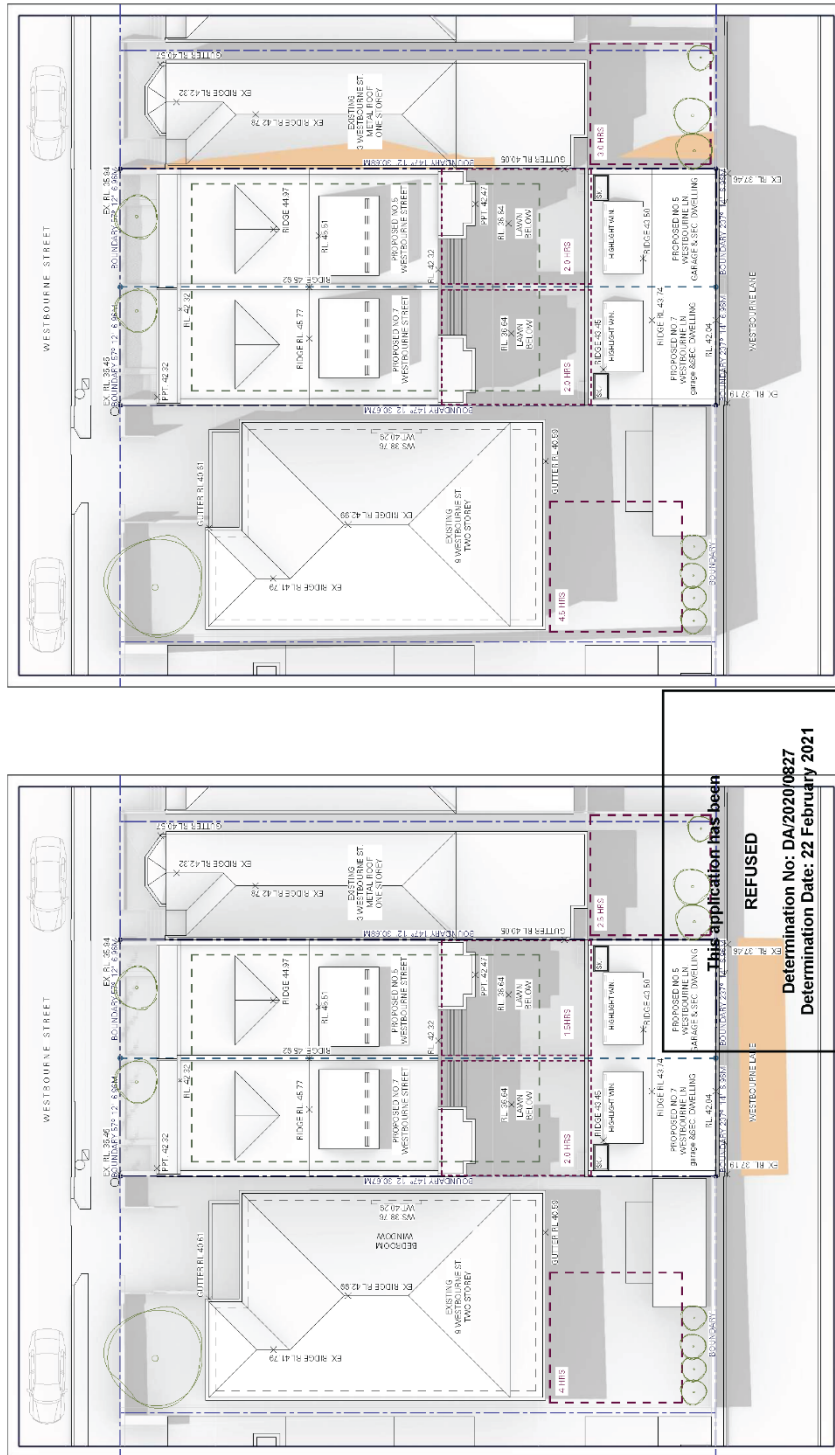
See attached reasons for refusal

[illegible]









PROPOSED SHADOW DIAGRAM  
21 MARCH - 02:00 PM

PROPOSED SHADOW DIAGRAM  
21 MARCH - 01:00 PM

**REFUSED**  
This application has been refused

Determination No: DA/2020/0827  
Determination Date: 22 February 2021



NOTES:  
1. SHADOWS ARE BASED ON A STANDARD 1.5M TALL OBSERVER.  
2. SHADOWS ARE BASED ON A STANDARD 1.5M TALL OBSERVER.  
3. SHADOWS ARE BASED ON A STANDARD 1.5M TALL OBSERVER.  
4. SHADOWS ARE BASED ON A STANDARD 1.5M TALL OBSERVER.  
5. SHADOWS ARE BASED ON A STANDARD 1.5M TALL OBSERVER.

7 WESTBOURNE ST, STANMORE, NSW 2048  
(LOT 2 SEC 3 - DP 1009)

NO.	DESCRIPTION	DATE
1	PRELIMINARY DESIGN INFORMATION	20 MAR 2021
2	PRELIMINARY DESIGN INFORMATION	20 MAR 2021
3	PRELIMINARY DESIGN INFORMATION	20 MAR 2021

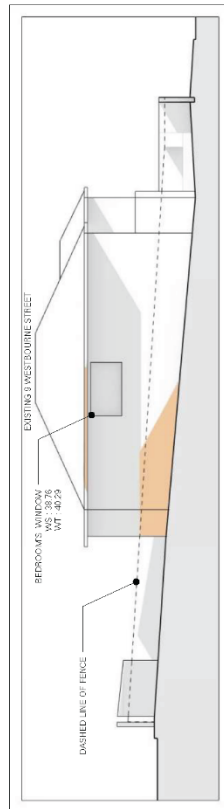
PROPOSED SHADOW DIAGRAM  
21 MARCH - 01:00 PM TO 02:00 PM

NO.	DESCRIPTION	DATE
1	PRELIMINARY DESIGN INFORMATION	20 MAR 2021
2	PRELIMINARY DESIGN INFORMATION	20 MAR 2021
3	PRELIMINARY DESIGN INFORMATION	20 MAR 2021

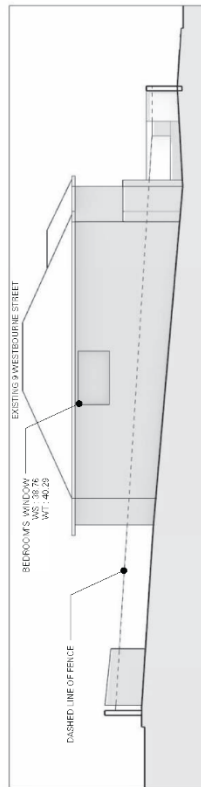
**NDRSN**

SUITE 201A / NO 77A WILLIAM ST, SYDNEY NSW 2100  
INFO@NDRSN.COM.AU 04 9331 7080 WWW.NDRSN.COM.AU

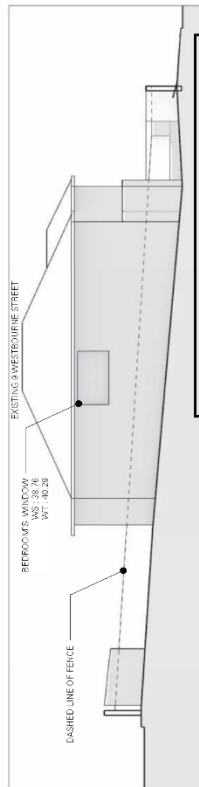




PROPOSED SHADOW DIAGRAM  
21 JUNE - 01:00 PM



21 JUNE - 02:00 PM



PROPOSED SHADOW DIAGRAM  
21 JUNE - 03:00 PM

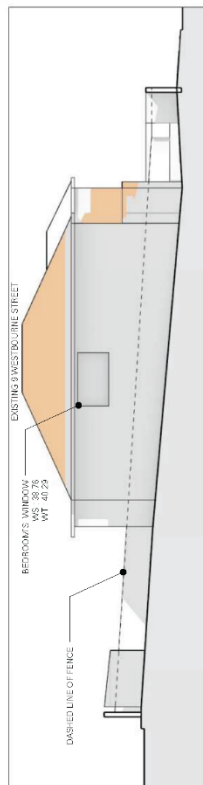
**This application has been**

**REFUSED**

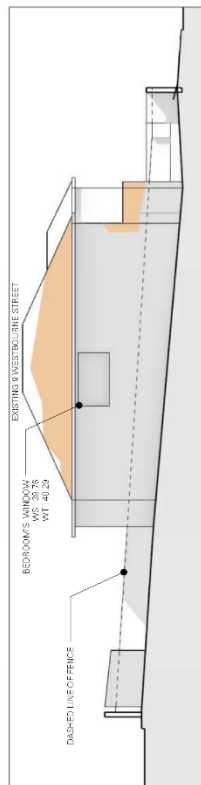
Determination No: DA/2020/0827

Determination NO: DA/2020/0827  
Determination Date: 22 February 2021

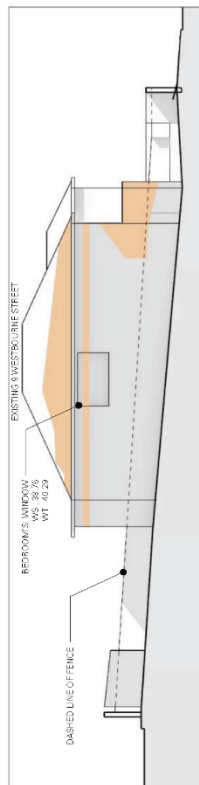
See attached reasons for refusal



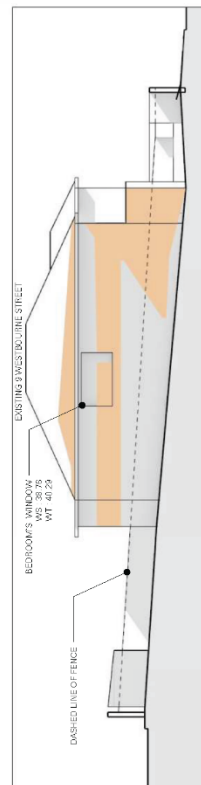
PROPOSED SHADOW DIAGRAM  
21 JUNE - 09:00 AM



PROPOSED SHADOW DIAGRAM  
21 JUNE - 10:00 AM



PROPOSED SHADOW DIAGRAM  
21 JUNE - 11:00 AM



PROPOSED SHADOW DIAGRAM  
21 JUNE - 12:00 AM

PROJECT	ISSUE	DESCRIPTION	DATE
7 WESTBOURNE ST, STANMORE, NSW LOT 2 SEC 3 - DP 10531	A.	ISSUE FOR DEVELOPMENT APPLICATION	07 SEP 2020
	B.	ISSUE FOR COUNCIL FURTHER INFORMATION	26 JAN 2021

DRAWING TITLE		PROPOSED ELEVATIONAL SHADOW DIAGRAM	
21 JUNE - 09:00 AM TO 03:00 PM			
DRAWING NO.	ISSUE	DATE	DESIGNED BY
DA 091	B	2 JULY 2021	GP/TE
DA 091			REVIEWED BY
			DA

LEGEND

- LOT BOUNDARY
- EXISTING BUILDING
- EXISTING SHADOW IMPACTS
- PROPOSED ADDITIONAL SHADOW IMPACTS
- PRIVATE OPEN SPACE
- WINDOW OUTLINE SUNLIGHT
- HABITABLE ROOM AREA

[illegible]

SUITE 201A / NO. 77-83 WILLIAM ST. DARLINGHURST NSW 2010  
INFO@NDRSN.COM.AU 02 9331 7060 WWW.NDRSN.COM.AU

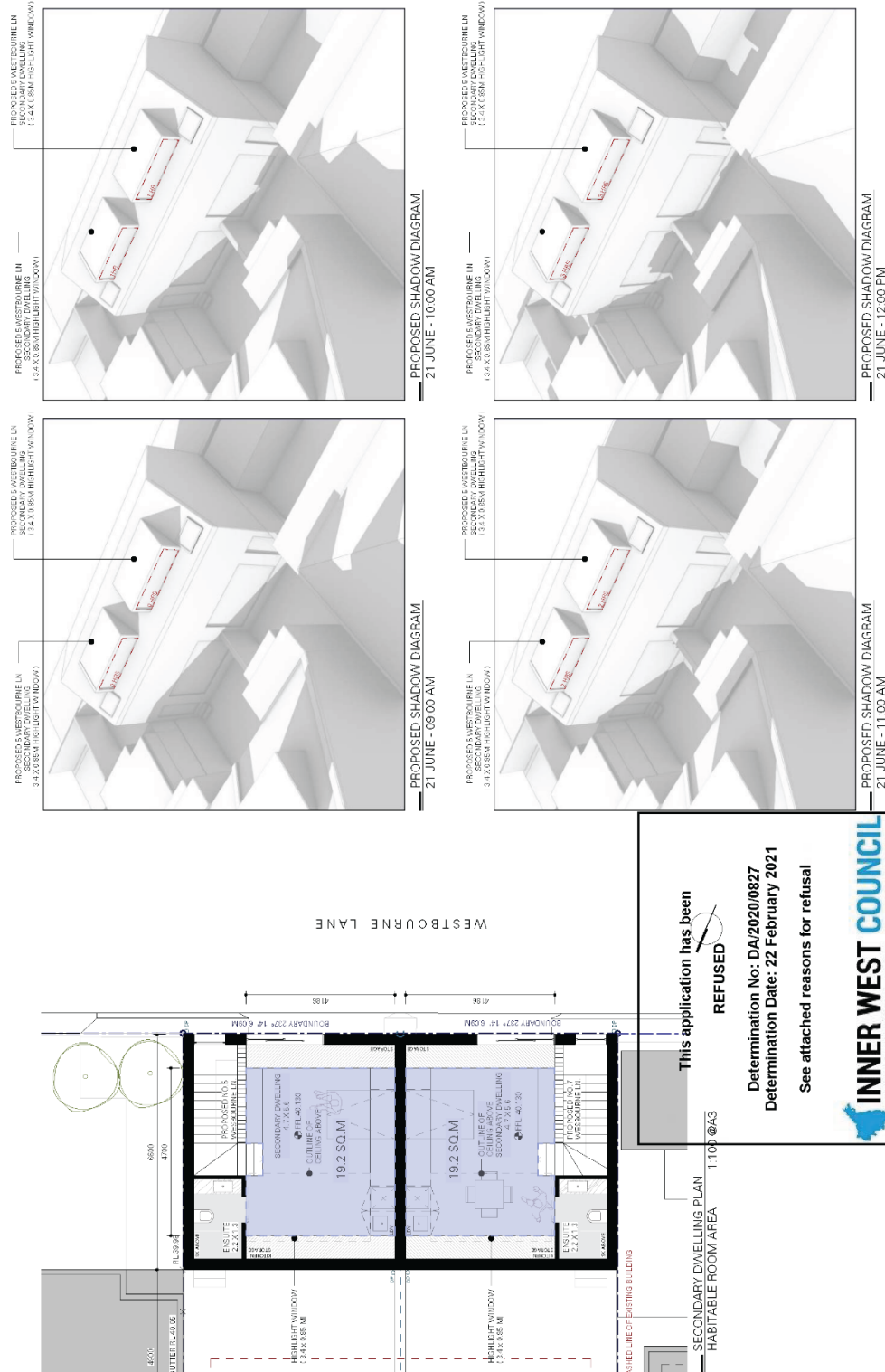




DRAWING TITLE  
PROPOSED ELEVATION SHADOW DIAGRAM  
21 MARCH - 09:00 AM TO 03:00 PM

	SCALE	0.0	2.0	4.0	6.0	8.0	10.0	12.0M
DRAWING NO.	B							
ISSUE	B							
DATE	28.09.2021							
DRAWN BY	GPT/TJ							
CHECKED BY	DA							

**NDRSN**  
SUITE 201A / NO. 77-03 WILLIAM ST. DUBLINGHURST, NSW 2100



**NDRSN**

SUITE 201A / NO. 77-83 WILLIAM ST. DAPHLIN DIST NSW 2010  
INFORM@NDRSN.COM.AU 02 9331 7860 WWW.NDRSN.COM.AU

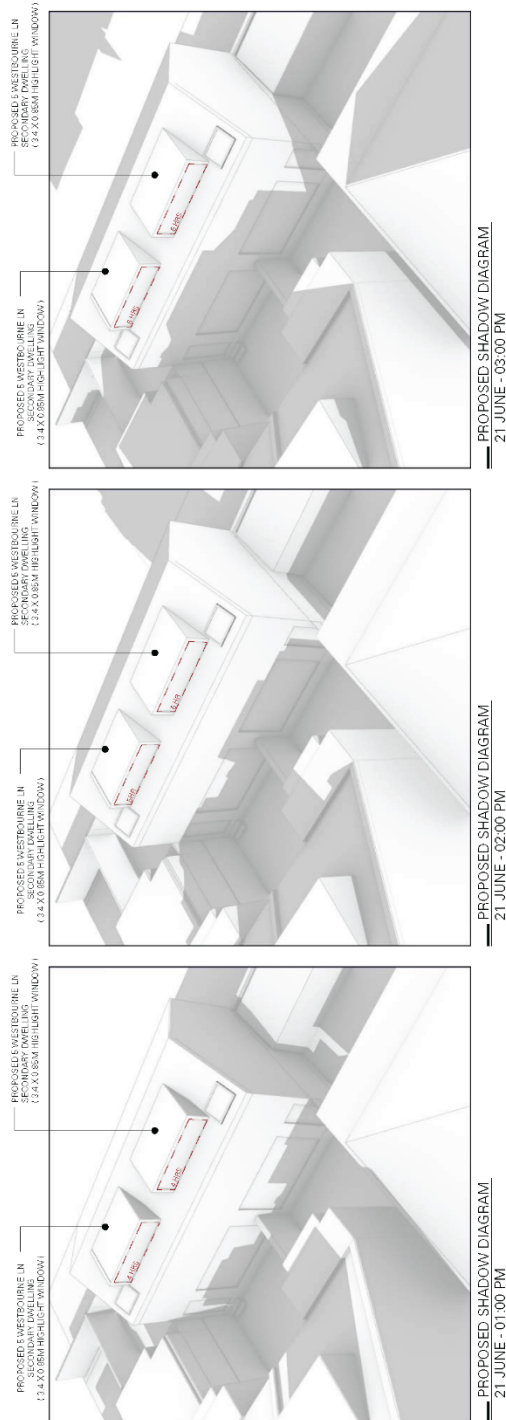
**7 WESTBOURNE ST. STANMORE, NSW 2048**  
**[LOT 2 SEC 3 - DP 1053]**

TABLE	DESCRIPTION	DATE	REVISION
1	PRELIMINARY DESIGN	20/04/2020	01
2	REVISED DESIGN	20/04/2020	02
3	REVISED DESIGN	20/04/2020	03
4	REVISED DESIGN	20/04/2020	04
5	REVISED DESIGN	20/04/2020	05

**Inner West Council**

**NOTES:**

- 1. THIS DRAWING IS FOR INFORMATION ONLY AND DOES NOT REPRESENT A COMMITMENT BY THE COUNCIL.
- 2. THE COUNCIL DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED IN THIS DRAWING.
- 3. THE COUNCIL DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED IN THIS DRAWING.
- 4. THE COUNCIL DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED IN THIS DRAWING.
- 5. THE COUNCIL DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED IN THIS DRAWING.



This application has been  
**REFUSED**

Determination No: DA/2020/0827  
Determination Date: 22 February 2021  
See attached reasons for refusal



**NOTES**

- DRAWINGS NOT ISSUED FOR CONSTRUCTION
- THESE DRAWINGS ARE FOR INFORMATION ONLY AND DO NOT REPRESENT A COMMITMENT BY THE COUNCIL
- ALL DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ALL CONSULTANT SPECIFICATIONS & CONDITIONS
- ANY DISCREPANCIES BETWEEN THESE DRAWINGS & ENGINEERING ARE TO HAVE ENGINEERS' DRAWINGS TAKE PRECEDENCE
- THESE DRAWINGS & SPECIFICATIONS ARE THE PROPERTY OF NDRSN & ARE NOT TO BE REPRODUCED OR COPIED, WHOLLY OR IN PART, WITHOUT THE WRITTEN PERMISSION OF NDRSN

**LEGEND**

- LOT BOUNDARY
- EXISTING SHADOWS
- PROPOSED SHADOWS
- PROPOSED OPEN SPACE
- PROPOSED HIGH-LIGHT WINDOW
- HANDMADE ROOM AREA

**PROJECT**

7 WESTBOURNE ST, STANMORE, NSW 2048  
(LOT 2 SEC 3 - DP 1053)

DATE	DESCRIPTION	DATE
21 JUNE 2020	ISSUE FOR COUNCIL REFERENCE	21 JUNE 2020
21 JUNE 2020	ISSUE FOR COUNCIL REFERENCE	21 JUNE 2020

**DRAWING TITLE**

SECONDARY DWELLING SUNLIGHT DIAGRAM  
21 JUNE 01:00PM TO 03:00PM

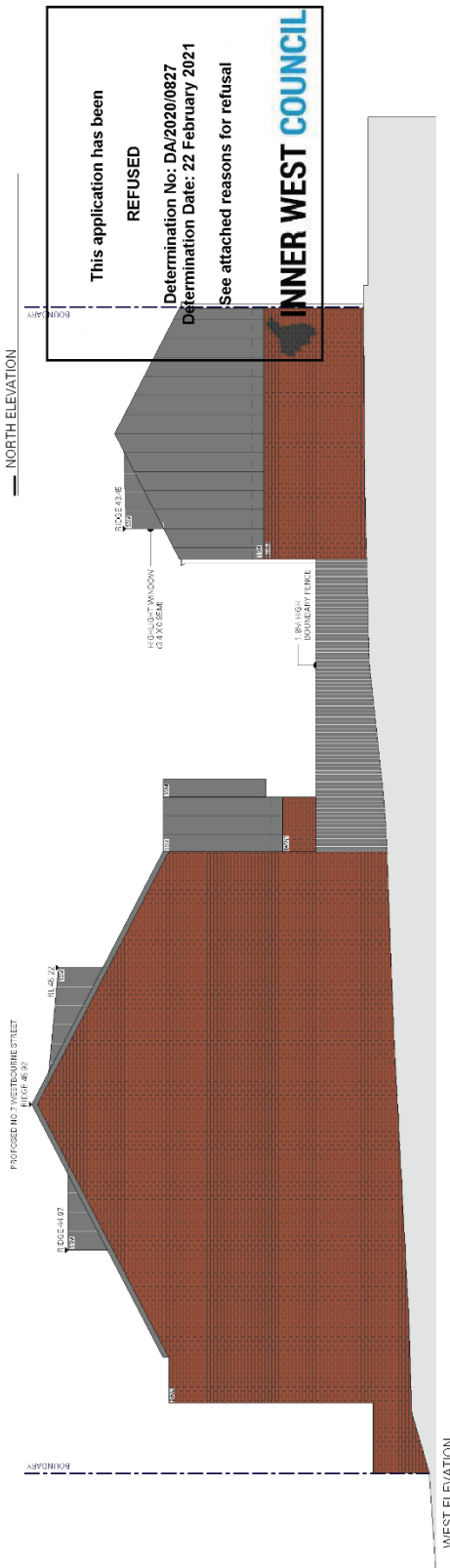
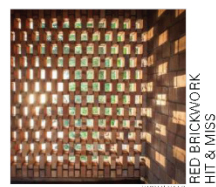
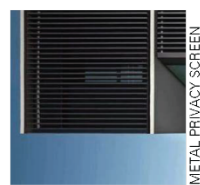
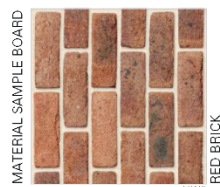
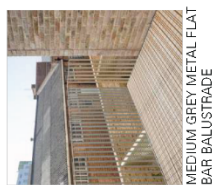
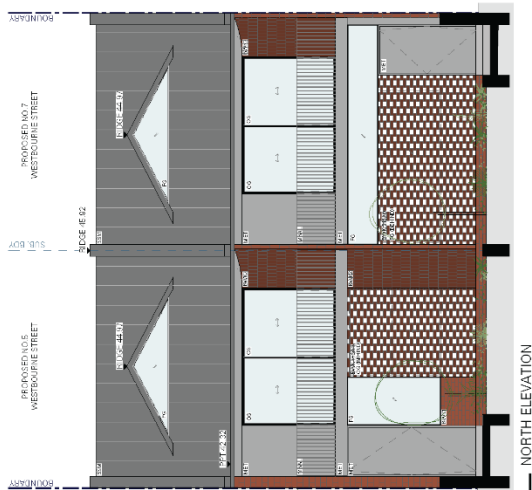
DATE	DESCRIPTION	DATE
21 JUNE 2020	ISSUE FOR COUNCIL REFERENCE	21 JUNE 2020
21 JUNE 2020	ISSUE FOR COUNCIL REFERENCE	21 JUNE 2020

**SCALE**

AS INDICATED

**INFORMATION**

SUITE 2014 / NO. 77-83 WILLIAM ST, DARLINGHURST NSW 2019  
INFO@NDRSN.COM.AU 02 9351 7066 WWW.NDRSN.COM.AU



## NOTES

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.  
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## LEGEND

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## DRAWING TITLE

EXTERNAL FINISHES SCHEDULE & MATERIAL SAMPLE BOARD

DRAWING NO.	DATE	REVISION	DATE	REVISION
1	2020/08/27	1	2020/08/27	1
2	2020/08/27	2	2020/08/27	2
3	2020/08/27	3	2020/08/27	3
4	2020/08/27	4	2020/08/27	4
5	2020/08/27	5	2020/08/27	5
6	2020/08/27	6	2020/08/27	6
7	2020/08/27	7	2020/08/27	7
8	2020/08/27	8	2020/08/27	8
9	2020/08/27	9	2020/08/27	9
10	2020/08/27	10	2020/08/27	10

## SCALE

1:100  
1:200  
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1:500  
1:600  
1:700  
1:800  
1:900  
1:1000

## PROJECT

7 WESTBOURNE ST. STAMMORE, NSW 2048  
(LOT 2 SEC 3 - DP 1083)

## SHEET

1 OF 1

## DRAWING NO.

DA/2020/0827

## DATE

22 FEB 2021

## REVISION

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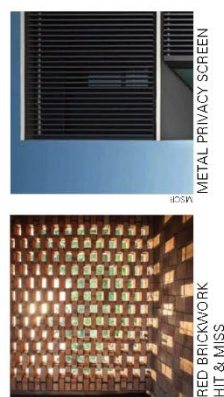
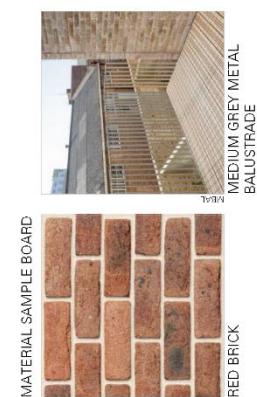
## REVISION

99

## REVISION

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DRAWING TITLE  
**VISUALIZATION**

DRAWING NO  
04 (P1) 7.1

ISSUE  
B

SCALE  
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1:50 @ A1

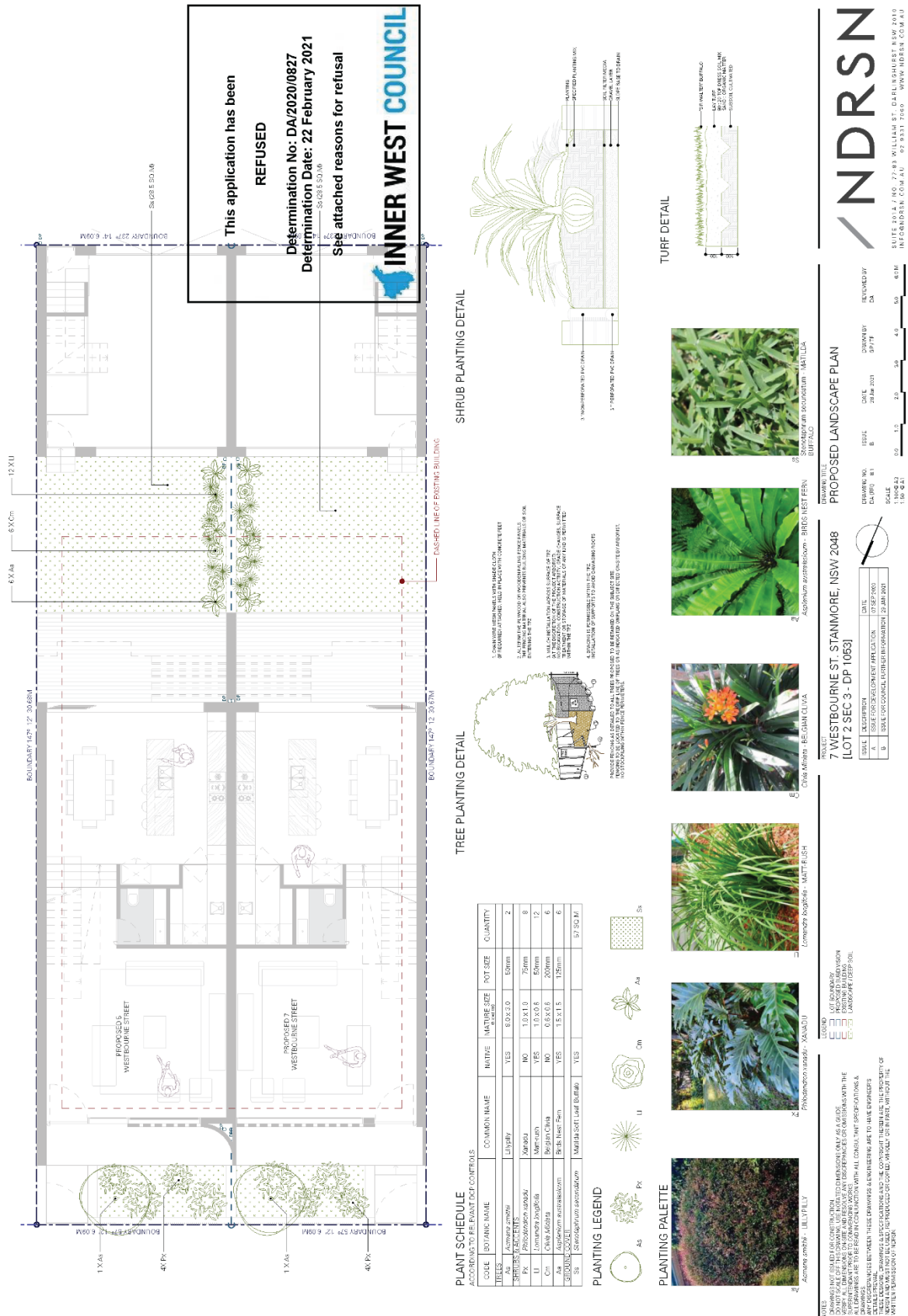
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ISSUE	DESCRIPTION	DATE
A	ISSUE FOR DEVELOPMENT APPLICATION	07 SEP 2020
B	ISSUE FOR COUNCIL PUBLIC INFORMATION	19 JAN 2021

CO	OFFSHORE GLAZING
EG	FIXED GLAZING
BWAC	BRICKWORK
BWAC2	VERTICAL BRICK WORK
HM1	HIT & MISS BRICK WORK
MECP	METAL SCHEDING
MSF	METAL SHELTER FENCE
VSAL	METAL FLAT BAR SALL STRADE
TM	TIMBER FENCING
SSM	STANDING SEAM METAL CLATCHING
NET	METAL

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NOTES  
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