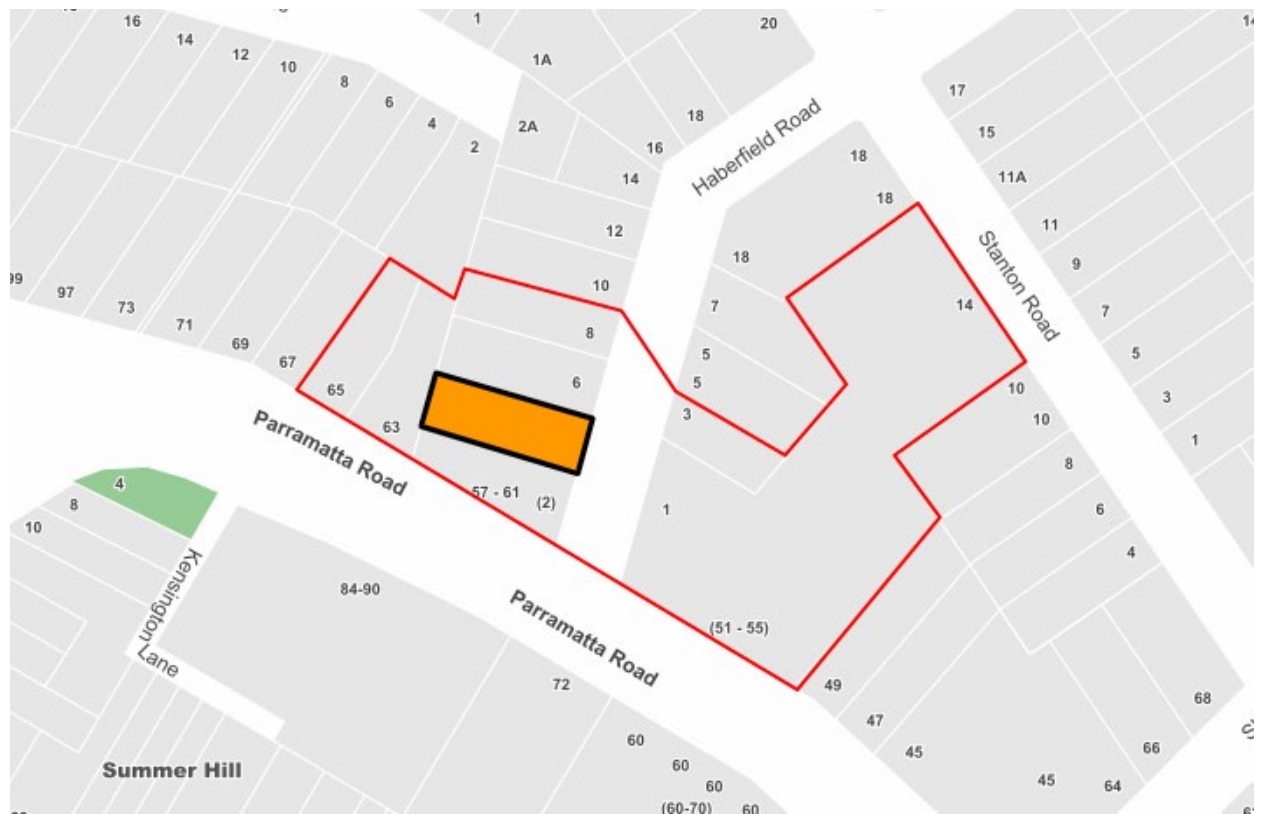


# INNER WEST

## DEVELOPMENT ASSESSMENT REPORT

<b>Application No.</b>	DA/2021/0902
<b>Address</b>	4 Haberfield Road HABERFIELD NSW 2045
<b>Proposal</b>	Secondary dwelling
<b>Date of Lodgement</b>	24 September 2021
<b>Applicant</b>	Abraham Nemra
<b>Owner</b>	Mr Paul AP Caruana Mrs Sonia C Merlino
<b>Number of Submissions</b>	Initial: 2
<b>Value of works</b>	\$120,000.00
<b>Reason for determination at Planning Panel</b>	Clause 4.6 variation exceeds 10%
<b>Main Issues</b>	Impact on Heritage Conservation Area Landscaping
<b>Recommendation</b>	Refusal
<b>Attachment A</b>	Plans of proposed development
<b>Attachment B</b>	Draft Conditions in event of approval



LOCALITY MAP

Subject Site		Objectors		N
Notified Area		Supporters		

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

## 1. Executive Summary

This report is an assessment of the application submitted to Council for a secondary dwelling at 4 Haberfield Road HABERFIELD NSW 2045.

The application was notified to surrounding properties and 2 submissions were received in response to the notification.

The main issues that have arisen from the application include:

- Impact on Heritage Conservation Area; and
- Landscaping.

The application fails to demonstrate the site is suitable for the proposed development. The application is unsupportable and in view of the circumstances, refusal of the application is recommended.

## 2. Proposal

The application proposes the demolition of an existing metal awning and concreted rear yard and construction of a two-bedroom secondary dwelling and landscaping works.

## 3. Site Description

The subject site is located on the western side of Haberfield Road, close to the intersection of Haberfield Road and Parramatta Road. The site consists of one allotment and is rectangular in shape with a total area of 689.3sqm and is legally described as Lot B DP 320843 and Lot 6 DP 926492.

The site has a frontage to Haberfield Road of 14.935 metres. The site supports a single storey dwelling house on the site with associated garage and carport. The adjoining properties support single dwelling houses and a vehicle sales premises. The property is located within the Haberfield Heritage conservation Area.

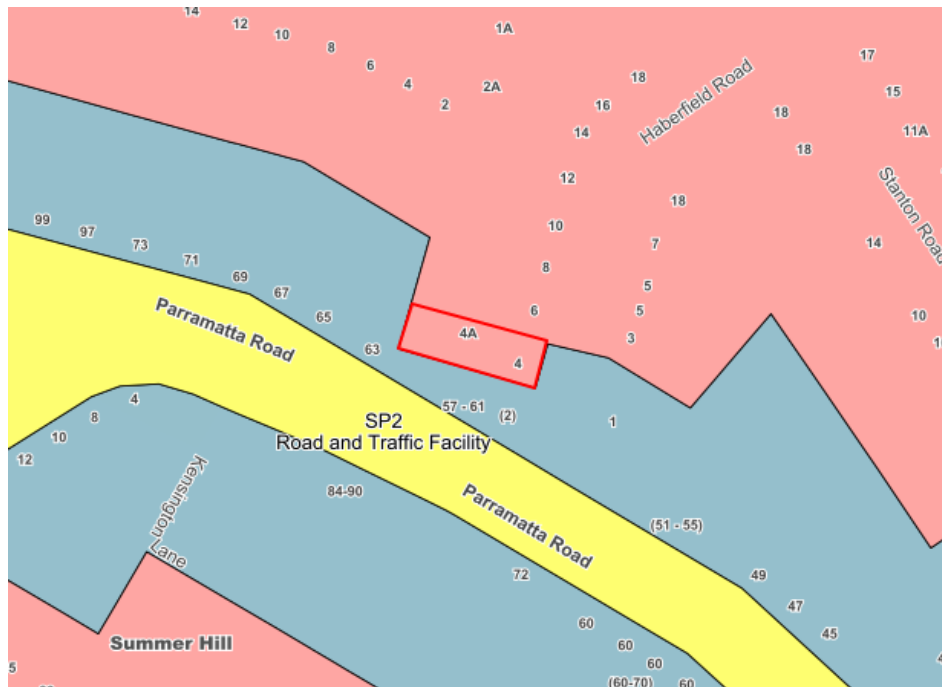


Image 1: Zoning Map



Image 2: Aerial Map

## 4. Background

### 4(a) Site history

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

**Subject Site**

Application	Proposal	Decision & Date
DA/2021/0245	Demolition and construction of a secondary dwelling.	Refused Local Planning Panel - 27/07/2021
Complying Development Certificate 16.2012.9.1	Swimming Pool/Spa	Approved – 3/012012

**Surrounding properties**

Not applicable

**4(b) Application history**

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

Date	Discussion / Letter / Additional Information
30/09/2021	Application accepted.
07/10/2021 – 21/10/ 2021	Application notified.
24/11/2021	Request for additional information sent to applicant. The following was requested: <ul style="list-style-type: none"> <li>• Additional landscaping to be provided</li> <li>• Reduction in site coverage</li> <li>• Redesign of the secondary dwelling to be more consistent with the HCA and complimentary of the detailing, materials and finishes of the main dwelling</li> <li>• Deletion of glass balustrading</li> <li>• Private open space for each dwelling to be shown on the plans</li> <li>• Further works to ensure the visual and acoustic privacy and separation of each dwelling</li> <li>• Redesign to ensure access to each dwelling does not result in use conflicts.</li> <li>• Relocation / treatment of windows</li> <li>• Revised Statement of Environmental Effects which addresses the provisions of the Housing SEPP 2021 and the Affordable Rental Housing SEPP 2009 in which the application is required to be made under.</li> </ul>

Note: Additional information was not submitted by the applicant in response to Council’s Letter dated 24/11/2021. Based on the information originally submitted with the application, the proposal is considered unsatisfactory and recommended for refusal.

**5. Assessment**

The following is a summary of the assessment of the application in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

### 5(a) Environmental Planning Instruments

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

- *State Environmental Planning Policy No. 55—Remediation of Land*
- *State Environmental Planning Policy (Housing) 2021*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas)*
- *Ashfield Local Environment Plan 2013*

The following provides further discussion of the relevant issues:

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

*State Environmental Planning Policy No. 55 - Remediation of Land* (SEPP 55) provides planning guidelines for remediation of contaminated land. The DCP 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 (Housing) 2021*

The site has an area of 689.3sqm which complies with the minimum site area requirements for a detached secondary dwelling under Clause 53 (2)(a) of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP). The secondary dwelling has a gross floor area of 60sqm and therefore complies with the provisions of Clause 52(2)(c)(i) of the Housing SEPP relating to maximum floor area.

Given the above, the proposal is considered acceptable with regard to Housing SEPP.

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

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

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

*State Environmental Planning Policy (Vegetation in Non-Rural Areas)* (Vegetation SEPP) concerns the protection/removal of vegetation identified under the SEPP and gives effect to the local tree preservation provisions of Council’s DCP.

The application does not seek the removal of vegetation from within the site or on Council land. Therefore, the proposal is considered acceptable with regard to the Vegetation SEPP.

5(b) Ashfield Local Environment Plan 2013 (ALEP 2013)

The application was assessed against the following relevant clauses of the *Ashfield Local Environmental Plan 2013*:

- Clause 1.2 - Aims of Plan
- Clause 2.3 - Land Use Table and Zone Objectives
- Clause 2.5 - Additional permitted uses for land
- Clause 2.7 - Demolition
- Clause 4.3 - Height of buildings
- Clause 4.4 - Floor space ratio
- Clause 4.5 - Calculation of floor space ratio and site area
- Clause 4.6 - Exceptions to development standards
- Clause 5.4 - Controls relating to miscellaneous permissible uses
- Clause 5.10 - Heritage Conservation
- Clause 6.1 - Earthworks
- Clause 6.5 - Development on land in Haberfield Heritage Conservation Area

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

The site is zoned R2 – Low Density Residential under the *ALEP 2013*. The *ALEP 2013* defines the development as:

**secondary dwelling** means a self-contained dwelling that—  
 (a) is established in conjunction with another dwelling (the **principal dwelling**), and  
 (b) is on the same lot of land as the principal dwelling, and  
 (c) is located within, or is attached to, or is separate from, the principal dwelling.

The development is not permitted with consent within the land use table. Notwithstanding, the development is being applied for under the Housing SEPP which permits secondary dwellings within the R2 Low Density Residential zone and as such the development is permissible with consent.

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

Standard	Proposal	Complies
<b>Height of Building</b> Maximum permissible: 7m	4.18 metres	Yes
<b>Floor Space Ratio</b> Maximum permissible: 1.5:1 or 1033.95sqm	0.29:1 or 199sqm	Yes

Standard	Proposed	Compliance
Must maintain a single storey appearance	Retains single storey appearance	Yes
Gross floor area above existing ground floor will not exceed the gross floor area of the existing roof space	No attic roof space proposed	N/A
Gross floor area below the existing ground floor level will not exceed 25% of the gross floor area of the existing ground floor	No basement level proposed	N/A
No excavation greater than 3m below existing ground level	Minor excavations for footings of extension only proposed	Yes
No dormers or gablets	No dormers or gables proposed	Yes
50% of site to be landscaped	33.53% or 231.089sqm of the site proposed to be soft landscaping  Variation of 32.95% or 113.6sqm	No – see discussion below

(i) Clause 5.10 – Heritage Conservation

The subject site is identified as being within the Haberfield Heritage Conservation Area (HCA) under *ALEP 2013* and as such is subject to Clause 5.10 of *ALEP 2013* and Chapter E2 of *IWCDCP 2016*.

The proposed development has not been appropriately designed with regard to the relevant provisions, for the following reasons:

- The proposed development does not retain the established pattern of development, consistent with the HCA, as it proposes site coverage greater than surrounding sites and is inconsistent with Part 2.3 of Chapter E2 *IWCDCP 2016*.
- The proposal involves increasing the amount of hard paving / built form on the site and is inconsistent with Part 2.45 of chapter E2 of *IWCDCP 2016* as it does not retain adequate garden space to reflect the garden setting of the Haberfield HCA.

- The architectural details of the proposed secondary dwelling does not reflect the detailing and materials of the main dwelling on the site including the use of face brick, timber joinery, terracotta roof tiles, verandahs or sun shading devices and is inconsistent with Part 2.39 of Chapter E2 of IWCDCP 2016.
- The use of glass balustrading is not appropriate for the Haberfield HCA and is inconsistent with Chapter E2 of IWCDCP 2016.

Given the above, the development results in adverse heritage impacts as it minimises the garden setting characteristic of Haberfield HCA and is inconsistent with Clause 5.10(4) of *ALEP 2013* and Chapter E2 of *CIWDCP 2016*.

(ii) Clause 6.5(3)(d) - Landscaped area

A minimum landscaped area of 50% of the site [344.65sqm] applies under Clause 6.5(d) of the *ALEP 2013*. The application proposes 33.53% or 231.089sqm of the site to be soft landscaping which results in a variation of 32.95% or 113.6sqm.

Clause 4.6 allows Council to vary development standards in certain circumstances and provides an appropriate degree of flexibility to achieve better design outcomes. A written request has not been submitted to Council in accordance with Clause 4.6(4)(a)(i) of *ALEP 2013* to justify the proposed contravention of the development standard. Therefore, the development has failed to adequately demonstrate that the proposed variation to the development standard is acceptable in accordance with Clause 4.6 of *ALEP 2013*.

The minimum landscaped area control for the Haberfield Conservation area was introduced to ensure that developments maintain a single storey appearance and retain the original garden suburb attributes as per the objectives of Clause 6.5 of *ALEP 2013*.

While the proposal maintains a single storey dwelling appearance the proposal fails to provide landscaping that reflects the garden suburb attributes and site coverage of surrounding sites in Haberfield HCA. The proposed development is considered inconsistent with the objectives of Clause 6.5 and has failed to demonstrate that the proposed variation is acceptable in accordance with Clause 4.6 of *ALEP 2013*.

5(c) [Draft Inner West Local Environmental Plan 2020 \(Draft IWLEP 2020\)](#)

The Draft IWLEP 2020 was placed on public exhibition commencing on 16 March 2020 and accordingly is a matter for consideration in the assessment of the application under *Section 4.15(1)(a)(ii) of the Environmental Planning and Assessment Act 1979*.

The Draft LEP Amendment contains provisions for amendments to Clause 1.2 - Aims of the Plan and Clause 5.10 – Heritage Conservation and the application was assessed against the following relevant clauses of the Draft IWLEP 2020:



(i) Clause 1.2 – Aims of Plan

The proposal is inconsistent with the relevant aims of the plan, in particular Clause 2(j) as the application has not included adequate information to demonstrate that it will not have an adverse impact on environmental heritage.

(ii) Clause 5.10 Heritage Conservation

The application has not provided adequate information to demonstrate it satisfies the objectives 1(a) and 1(b) of Clause 5.10 of the Draft IWLEP 2020 as the proposal has not been appropriately designed to minimise impacts to the heritage significance of the building for reasons discussed throughout this report.

5(d) Development Control Plans

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

IWCDCP2016	Compliance
<b>Section 1 – Preliminary</b>	
B – Notification and Advertising	Yes
<b>Section 2 – General Guidelines</b>	
<b>A – Miscellaneous</b>	
1 - Site and Context Analysis	Yes
2 - Good Design	No – refer to Section 5(b)
3 - Flood Hazard	N/A
4 - Solar Access and Overshadowing	Yes
5 - Landscaping	No – refer to Section 5(b) and discussion below
6 - Safety by Design	N/A
7 - Access and Mobility	N/A
8 - Parking	Yes
9 - Subdivision	N/A
10 - Signs and Advertising Structures	N/A
11 - Fencing	N/A
12 - Telecommunication Facilities	N/A
13 - Development Near Rail Corridors	N/A
14 - Contaminated Land	Yes
15 - Stormwater Management	Yes
<b>B – Public Domain</b>	N/A
<b>C – Sustainability</b>	N/A
<b>D – Precinct Guidelines</b>	N/A
<b>E1 – Heritage items and Conservation Areas (excluding Haberfield)</b>	N/A
<b>E2 – Haberfield Heritage Conservation Area</b>	
1 – Preliminary	Yes
2 – Detailed Planning measures for Residential properties	No – refer to Section 5(b) and discussion below
3 – Planning Measures for Commercial properties	N/A

4 – Miscellaneous	N/A
<b>F – Development Category Guidelines</b>	
1 – Dwelling Houses and Dual Occupancy	N/A
2 – Secondary Dwellings	No – refer to discussion below
3 – Neighbourhood Shops and Shop Top Housing in R2 zones	N/A
4 – Multi Dwelling Housing	N/A
5 – Residential Flat Buildings	N/A
6 – Boarding Houses and Student Accommodation	N/A
7 – Residential Care Facilities	N/A
8 – Child Care Centres	N/A
9 – Drive-in Take Away Food Premises	N/A
10 – Sex Industry Premises	N/A
11 – Car Showrooms	N/A

The following provides discussion of the relevant issues:

#### Landscaping and Pattern of Development

The proposed development involves the construction of a secondary dwelling within the rear yard of the subject site which results in an increase in site coverage and non-compliant landscaping on the site. Maintaining a consistent pattern of development ensures the garden suburb characteristics of Haberfield are retained as detailed within Chapter E2, Part 2.3 of IWCDCP 2016.

The proposal is inconsistent with Part 2.3(b) as it results in a site coverage that is inconsistent with surrounding dwellings in Haberfield HCA as the rear of the site will be occupied by a secondary dwelling, garage and swimming pool with limited soft landscaping provided. While the proposal includes increasing the amount of landscaping on the site, it fails to comply with the numerical requirements prescribed under the ALEP 2013. Given the extent of built form proposed the development is further inconsistent with 2.45(c) of chapter E2 of IWCDCP 2016 as it results in excessive secondary outbuildings and minimises the garden setting of the Haberfield HCA.

Furthermore, given the insufficient soft landscaping proposed on the site, the development is considered to be contrary to Chapter F, Part 2 of the IWCDCP 2016 as the secondary dwelling would result in landscaped areas being reduced to less than the minimum required for the dwelling house.

Overall, the development does not maintain the characteristics of the HCA that contribute to its significance and is inconsistent with the relevant controls contained in Chapter E2, Part 2 and Chapter F, Part 2 of IWCDCP 2016.

#### 5(e) The Likely Impacts

The assessment of the Development Application demonstrates that the proposal will have an adverse impact on the locality for the reasons discussed throughout this report.

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

It is considered that the proposal will have an adverse impact on the locality 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 Community Engagement Framework for a period of 14 days to surrounding properties. 2 submissions were received in response to the initial notification.

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

- Design – Refer to Section 5(b)
- Heritage Significance – Refer to Section 5(b)

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

Issue: “Detached dual occupancies are prohibited under Clause 4.3 of IWCDCP 2016”

Comment: The proposal seeks consent for a secondary dwelling not a dual occupancy development.

### 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 and issues raised in those referrals have been discussed in section 5 above.

- Heritage – Not acceptable (refer to body of report for discussion)
- Development Engineering – Acceptable, subject to conditions
- Urban Forest – Acceptable, subject to conditions

### 6(b) External

The application was not referred to any external bodies.

## 7. Section 7.11 Contributions/7.12 Levy

Section 7.12 levies are payable for the proposal as it includes the provision of a secondary dwelling.

The carrying out of the proposed development would result in an increased demand for public amenities and public services within the area. A condition requiring that contribution to be paid should be imposed on any consent granted.

## 8. Conclusion

The proposal does not comply with the aims, objectives and design parameters contained in *Ashfield Local Environmental Plan 2013* and Inner West Comprehensive Development Control Plan (DCP) 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill.

The development would result in significant impacts on the surrounding locality and heritage conservation area and is not considered to be in the public interest.

The application is considered unsupportable and in view of the circumstances, refusal of the application is recommended.

## 9. Recommendation

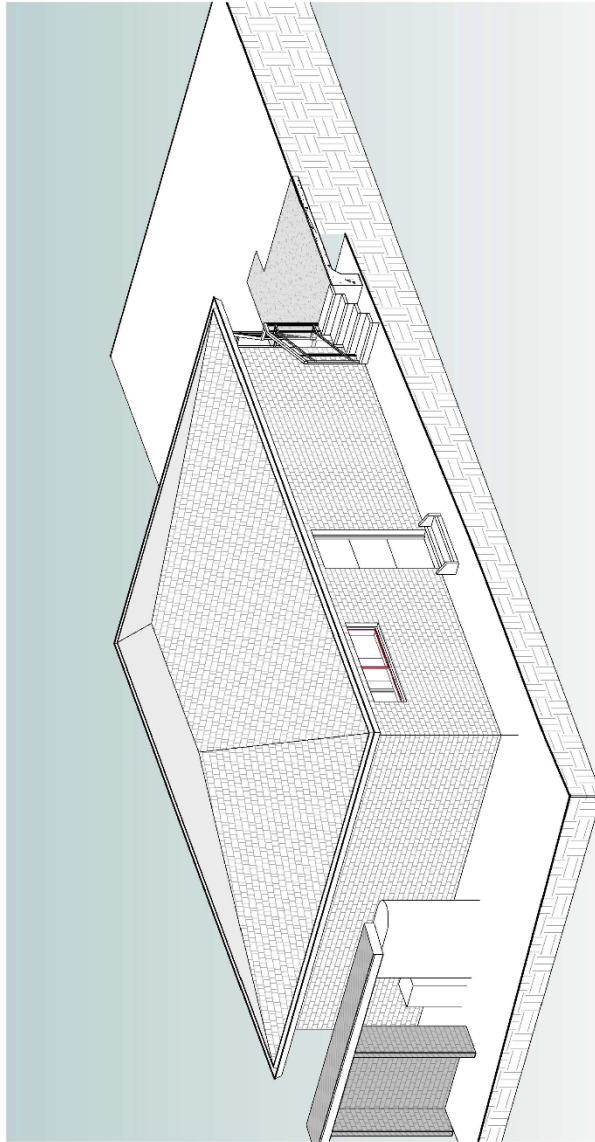
- A. The applicant has not made a written request pursuant to Clause 4.6 of the *Ashfield Local Environmental Plan 2013*. Therefore, The Panel cannot be satisfied that compliance with the standard is unnecessary in the circumstance of the case and that there are sufficient environmental grounds to support the variation. The proposed development will not be in the public interest because the exceedance is inconsistent with the objectives of the standard and of the zone in which the development is to be carried out.
- B. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, refuse Development Application No. DA/2021/0902 for Secondary dwelling at 4 Haberfield Road, Haberfield for the following reasons.

## Attachment A – Reasons for Refusal

1. The proposal is inconsistent with Clause 1.2 of *Ashfield Local Environmental Plan 2013* as the proposal will result in adverse effects on the environmental heritage of Haberfield.
2. The proposal is inconsistent with Clause 5.10 of *Ashfield Local Environmental Plan 2013* as the proposal will result in adverse effects on the Haberfield Heritage Conservation Area.
3. The proposal does not comply with the landscaped area development standard within Clause 6.5(3)(d) of *Ashfield Local Environmental Plan 2013* as the proposal does not result in at least 50% of the site being landscaped area.
4. No application pursuant to Clause 4.6 of *Ashfield Local Environmental Plan 2013* to vary the landscape area development standard within Clause 6.5(3)(d) of *Ashfield Local Environmental Plan 2013* was included with the application.
5. The proposed development is inconsistent with Part 2.3 and 2.45 of Chapter E2 and Part 2 of Chapter F of the Comprehensive Inner West Development Control Plan 2016 as the proposal does not maintain a similar pattern of development and garden elements with the surrounding locality.
6. The proposed development is inconsistent with Part 2.39 of Chapter E2 of the Comprehensive Inner West Development Control Plan 2016 as the proposal does not include traditional colour schemes and materials to the proposed structure.
7. The application has failed to adequately demonstrate that the site is suitable for the development in relation to section 4.15(1)(c) of the *Environmental Planning and Assessment Act 1979*.
8. The proposed development is inconsistent with the Clauses 1.2 and 5.10 of draft *Inner West Local Environmental Plan 2020*, pursuant to Section 4.15 (1)(a)(ii) of the *Environmental Planning and Assessment Act 1979*.

Attachment B – Plans of proposed development

**PROPOSED SECONDARY DWELLING AT  
4 HABERFIELD ROAD, HABERFIELD  
LOT 6 DP 926492 & LOT B DP 320843**



DRAWING LIST	
Sheet Number	Sheet Name
A00	COVER SHEET
A01.01	DEMOLITION PLAN
A01.02	SITE PLAN, SITE ANALYSIS PLAN & ROOF PLAN
A01.03	WASTE MANAGEMENT PLAN AND SEDIMENT & EROSION CONTROL PLAN
A01.04	LANDSCAPING PLAN
A01.05	SITE CALCULATIONS
A02	PROPOSED FLOOR PLAN
A03	ELEVATIONS & SECTION
A04	3D MODEL
A05	SCHEDULE OF COLOURS & FINISHES
A06	EXISTING FLOOR PLAN
A07	BASIX REQUIREMENTS
A08	NOTIFICATION PLANS

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STRUCTURAL ENGINEERING & ARCHITECTURAL DESIGN

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TEL: 08 4920 1000  
WWW.NEWCASTLEDDESIGN.COM.AU

**PROPOSED SECONDARY DWELLING  
LOTS 6 DP 926492 & LOT B DP 320843  
FOR BLUE GUM GRANNY FLAT**

COVER SHEET

PROJECT NO: 21032

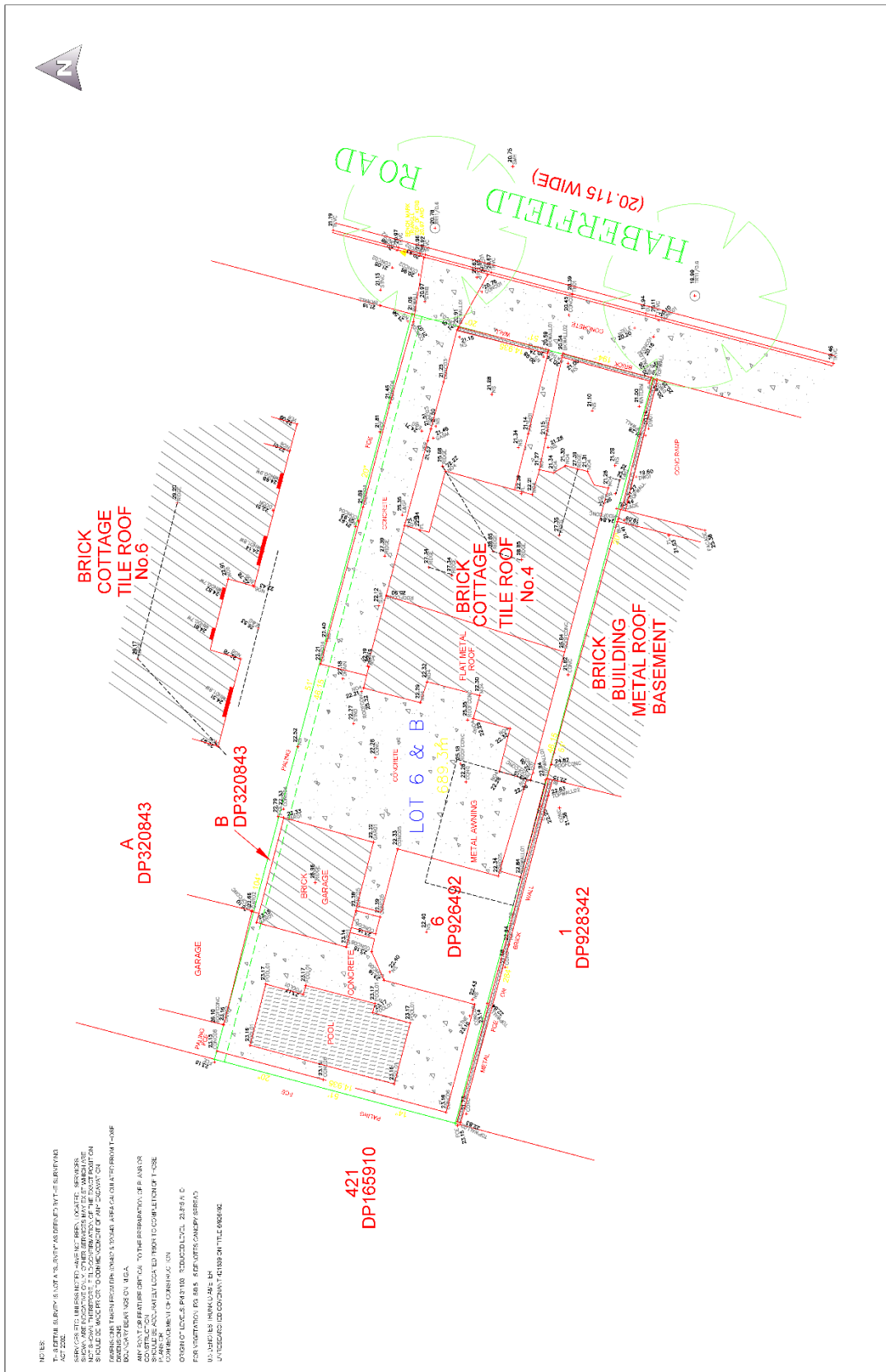
DATE: 19.02.2021

SCALE: AS SHOWN

PROJECT NO: 21032

DATE: 19.02.2021

SCALE: AS SHOWN



LOCAL GOVERNMENT AREA: HAWBEEK

PLAN NO.: 11-08-12

DETAIL SURVEY OF NO. 6 HABERFIELD RD HABERFIELD BEING LOT 6 DP 926492 & LOT 1 DP 928342

DATE: 01-11-12	APPROVED: AT
SCALE: 1:1000	DATE: 01-11-12
NO. OF SHEETS: 1	SHEET NO.: 1

**GRINSELL & JOHNS Pty Ltd**

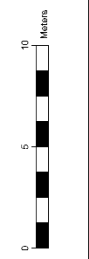
Accredited Surveyors and Consulting Surveyors

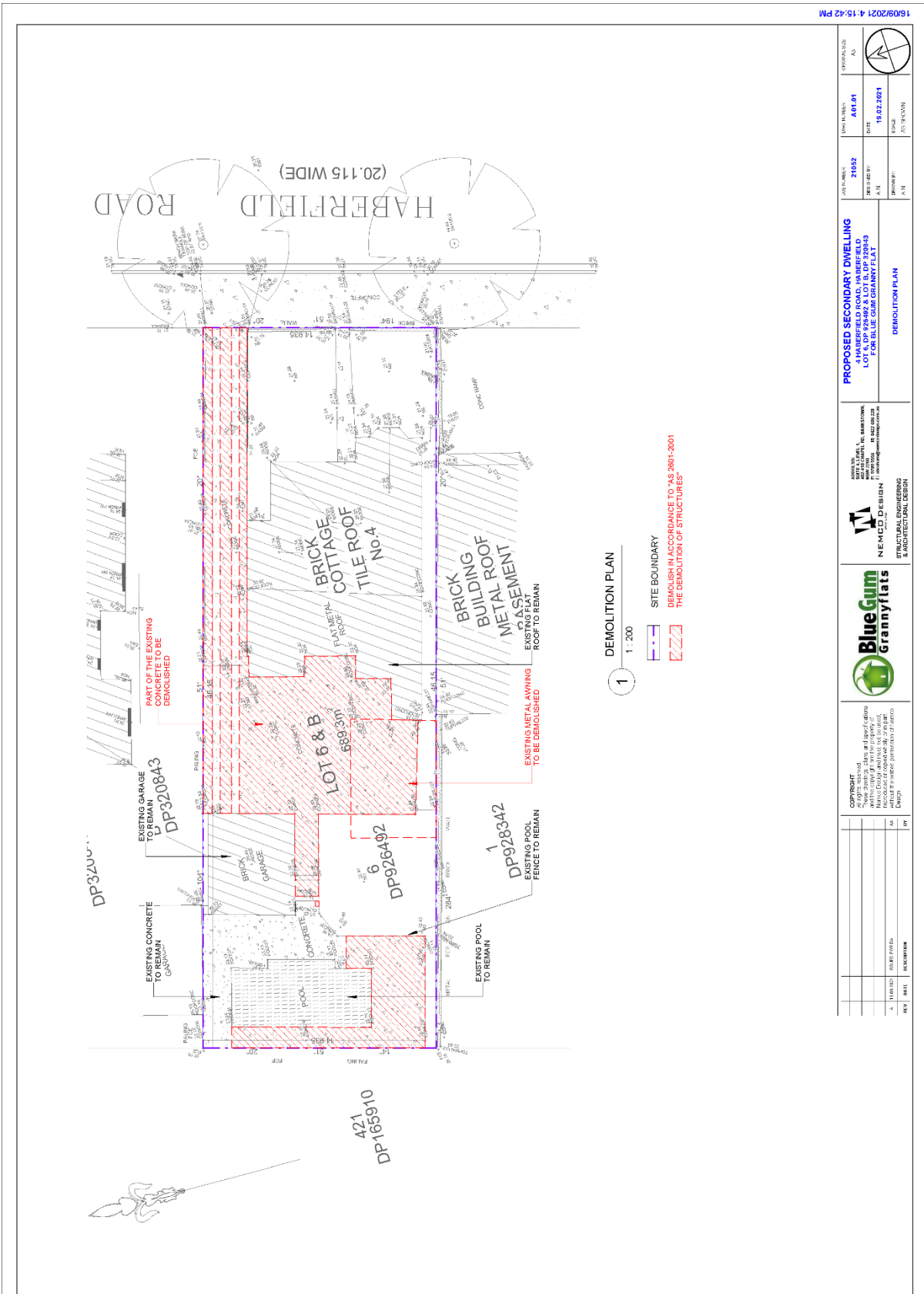
Grinnell & Johns Pty Ltd  
 Level 1, 239-241 Victoria Street, Sydney NSW 1540  
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[www.grinnellandjohns.com.au](http://www.grinnellandjohns.com.au)

NO.	DATE	DESCRIPTION	BY
1	27-03-2012	DRAWN	MT
2	27-03-2012	CHECKED	MT

NOTES:

- THIS DETAIL SURVEY IS A COPY OF THE SURVEY MADE BY THE SURVEYOR ON THE DATE INDICATED.
- THE SURVEYOR HAS NOT BEEN ADVISED OF ANY SUBSEQUENT CHANGES TO THE SURVEYED AREA.
- THE SURVEYOR HAS NOT BEEN ADVISED OF ANY CHANGES TO THE SURVEYED AREA SINCE THE DATE OF THE SURVEY.
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PROJECT NO.	21032	PROJECT DATE	19.02.2021
CLIENT	AUT B1	DESIGNER	AS
PROJECT NAME	PROPOSED SECONDARY DWELLING LOT 6 & B, DP 926492 & LOT 8, DP 320843 FOR BLUE GUM GRANNYFLAT	SCALE	AS SHOWN

**PROPOSED SECONDARY DWELLING LOT 6 & B, DP 926492 & LOT 8, DP 320843 FOR BLUE GUM GRANNYFLAT**

DEMOLITION PLAN

ADVISED BY: **NE-M DESIGN**  
 11/11/2021  
 11/11/2021  
 11/11/2021

**NE-M DESIGN**  
 STRUCTURAL ENGINEERING & ARCHITECTURAL DESIGN



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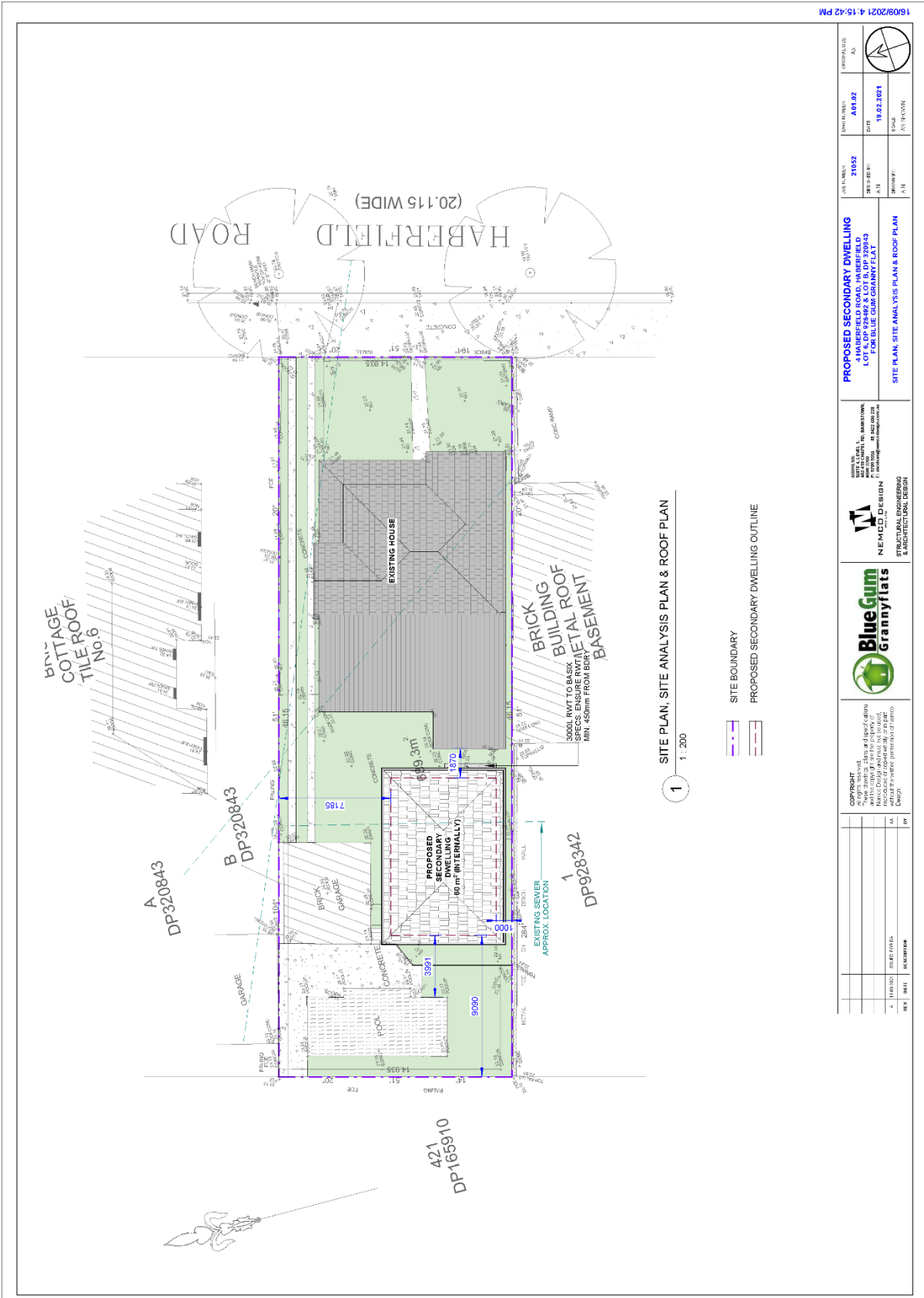
NO.	DATE	DESCRIPTION	BY
1	15/09/2021	ISSUED FOR PERMIT	AS

**1**

DEMOLITION PLAN  
 1:200

  SITE BOUNDARY  
  DEMOLISH IN ACCORDANCE TO AS 2601:2001  
  THE DEMOLITION OF STRUCTURES\*





1 SITE PLAN, SITE ANALYSIS PLAN & ROOF PLAN  
1:200

- SITE BOUNDARY
- PROPOSED SECONDARY DWELLING OUTLINE

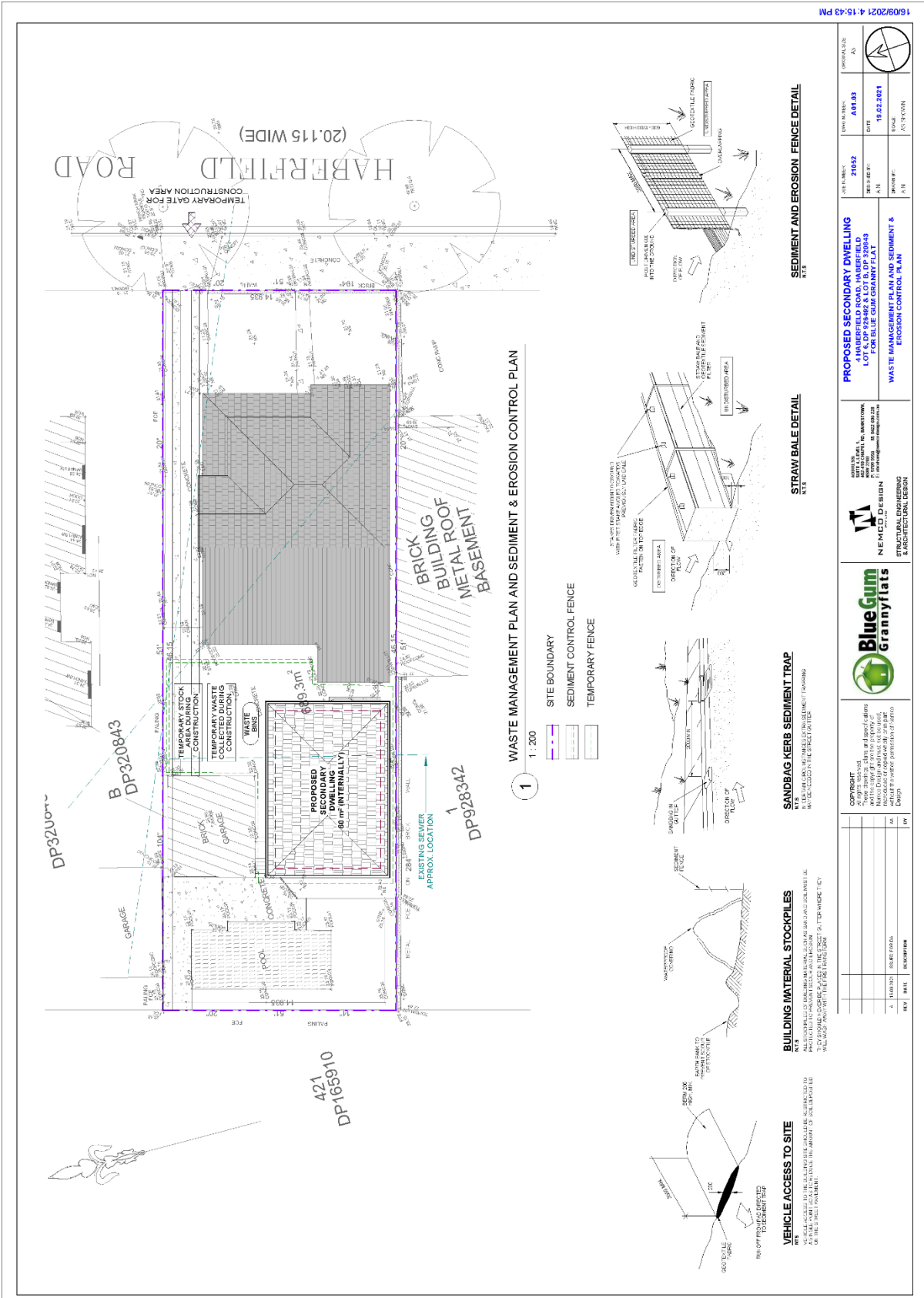
PROJECT NO.	21032	DATE	19.02.2021
CLIENT	AS	SCALE	AS SHOWN
<b>PROPOSED SECONDARY DWELLING</b> FOR BLUE GUM GRANNYFLAT LOT 8, DP 928342 & LOT 9, DP 928343			
SITE PLAN, SITE ANALYSIS PLAN & ROOF PLAN			

ADVISOR:  
 NEM DESIGN  
 STRUCTURAL ENGINEERING  
 & ARCHITECTURAL DESIGN



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REV	DATE	DESCRIPTION	BY
A	19/02/2021	REVISION	AS



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PROJECT NO.	21032	DATE	19.02.2021
CLIENT	A/N	SCALE	A3 SKETCH

PROPOSED SECONDARY DWELLING FOR BLUE GUM GRANNY FLAT	WASTE MANAGEMENT PLAN AND SEDIMENT & EROSION CONTROL PLAN
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PROJECT NO.	21032	DATE	19.02.2021
CLIENT	A/N	SCALE	A3 SKETCH

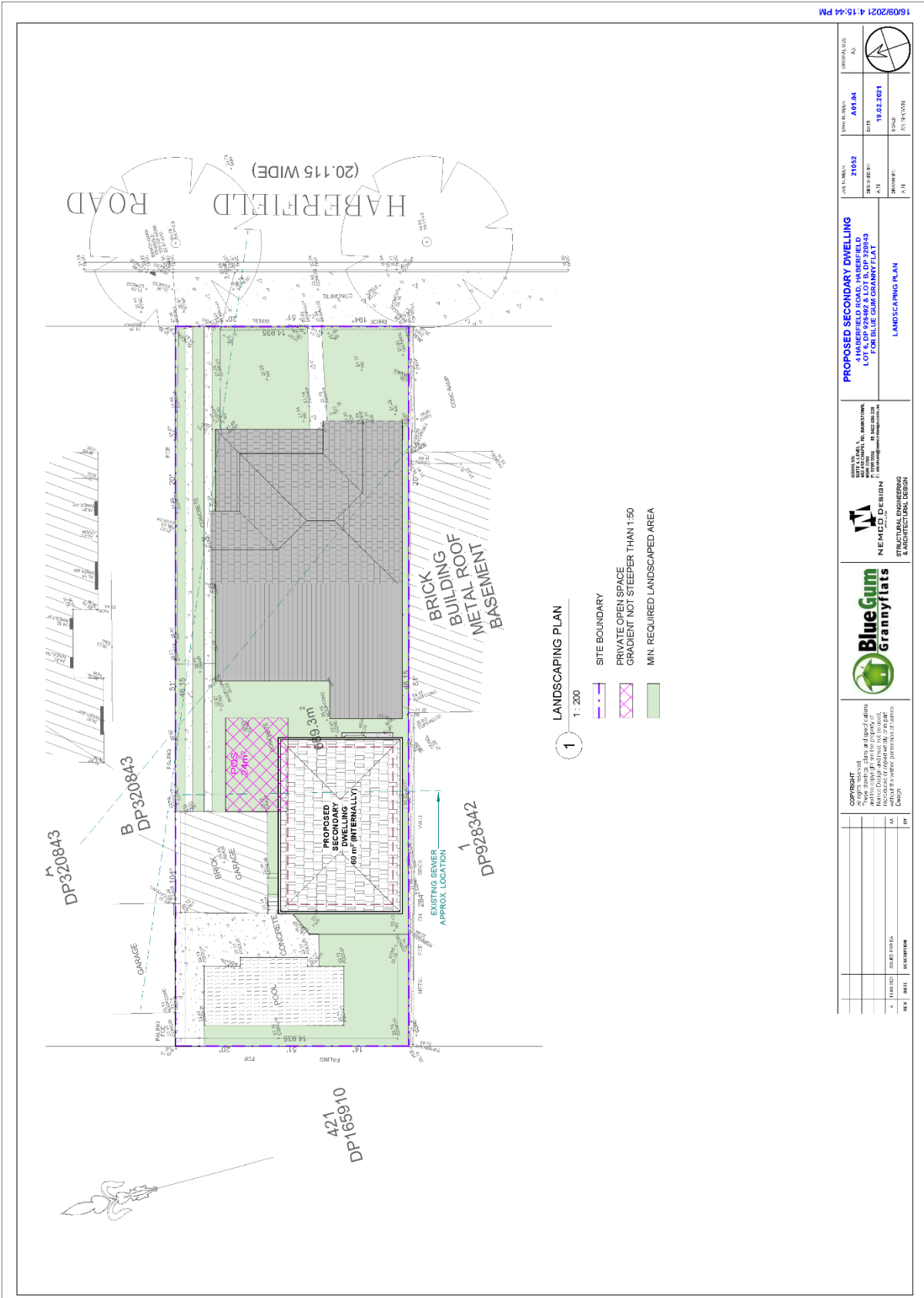
PROJECT NO.	21032	DATE	19.02.2021
CLIENT	A/N	SCALE	A3 SKETCH

PROJECT NO.	21032	DATE	19.02.2021
CLIENT	A/N	SCALE	A3 SKETCH

PROJECT NO.	21032	DATE	19.02.2021
CLIENT	A/N	SCALE	A3 SKETCH

PROJECT NO.	21032	DATE	19.02.2021
CLIENT	A/N	SCALE	A3 SKETCH

PROJECT NO.	21032	DATE	19.02.2021
CLIENT	A/N	SCALE	A3 SKETCH



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PROJECT NO.	21032	DATE	19.02.2021
CLIENT	AS	SCALE	AS SHOWN

**PROPOSED SECONDARY DWELLING**  
LOT 8, DP 928342 & LOT 9, DP 320843  
FOR BLUE GUM GRANNY FLAT

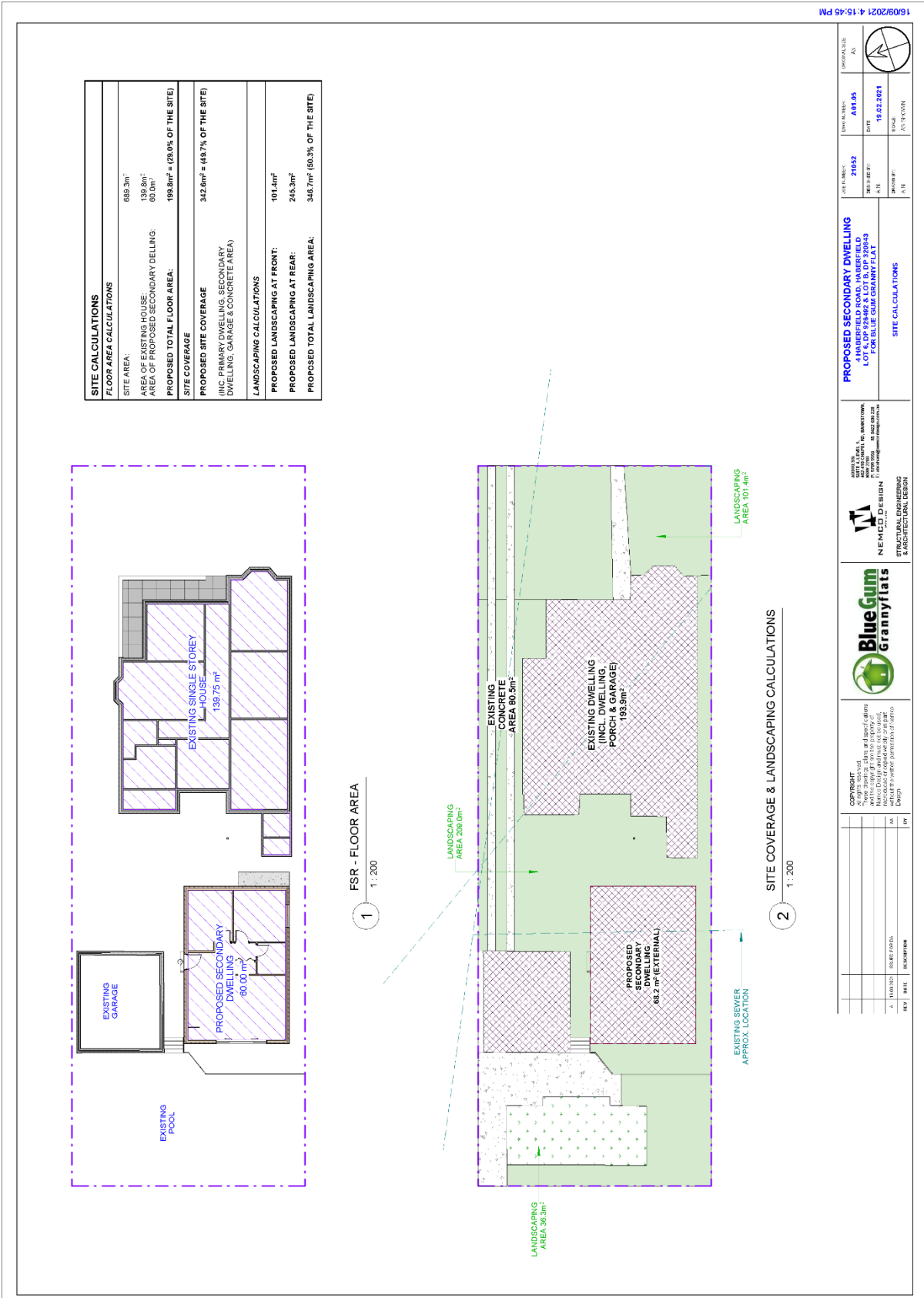
LANDSCAPING PLAN

ARCHITECT  
NEM-UM DESIGN  
STRUCTURAL ENGINEERING  
& ARCHITECTURAL DESIGN



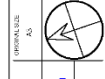
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NO.	REV.	DATE	DESCRIPTION
1	01	19/02/2021	ISSUED FOR PERMIT



SITE CALCULATIONS	
<b>FLOOR AREA CALCULATIONS</b>	
SITE AREA:	689.3m <sup>2</sup>
AREA OF EXISTING HOUSE:	139.8m <sup>2</sup>
AREA OF PROPOSED SECONDARY DWELLING:	60.0m <sup>2</sup>
<b>PROPOSED TOTAL FLOOR AREA:</b>	<b>199.8m<sup>2</sup> = (28.9% OF THE SITE)</b>
<b>SITE COVERAGE</b>	
<b>PROPOSED SITE COVERAGE</b>	<b>342.6m<sup>2</sup> = (49.7% OF THE SITE)</b>
INC. PRIMARY DWELLING, SECONDARY DWELLING, GARAGE & CONCRETE AREA	
<b>LANDSCAPING CALCULATIONS</b>	
<b>PROPOSED LANDSCAPING AT FRONT:</b>	101.4m <sup>2</sup>
<b>PROPOSED LANDSCAPING AT REAR:</b>	245.3m <sup>2</sup>
<b>PROPOSED TOTAL LANDSCAPING AREA:</b>	<b>346.7m<sup>2</sup> (50.3% OF THE SITE)</b>

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PROJECT NO.	21032
DATE	19.02.2021
SCALE	AS SHOWN

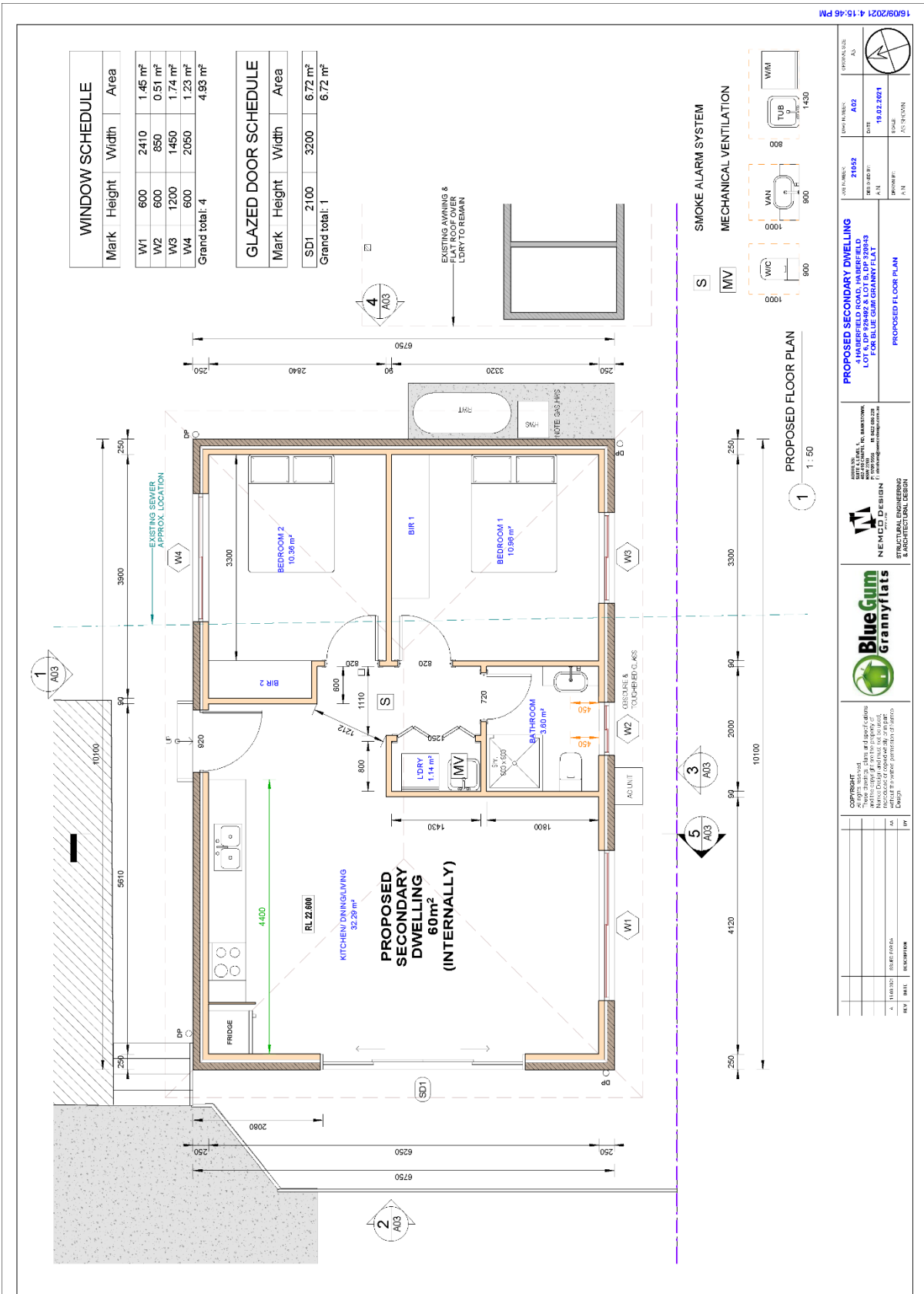
**PROPOSED SECONDARY DWELLING**  
FOR BLUE GUM GRANNYFLAT  
LOT 1, DP 93442 & LOT 2, DP 32943

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NO.	REV.	DESCRIPTION	DATE
1	1	ISSUED FOR PERMIT	19/02/2021



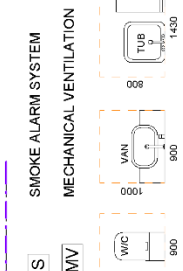
**WINDOW SCHEDULE**

Mark	Height	Width	Area
W1	600	2410	1.45 m²
W2	600	850	0.51 m²
W3	1200	1450	1.74 m²
W4	600	2050	1.23 m²
Grand total: 4			4.93 m²

**GLAZED DOOR SCHEDULE**

Mark	Height	Width	Area
SD1	2100	3200	6.72 m²
Grand total: 1			6.72 m²

1 1:50 PROPOSED FLOOR PLAN



15/03/2021 4:15:46 PM

**PROPOSED SECONDARY DWELLING**  
LOT 4 DP 95482 & LOT 5 DP 52893  
FOR BLUE GUM GRANNYFLAT

**BlueGum grannyflats**

**NEW-M DESIGN**  
STRUCTURAL ENGINEERING & ARCHITECTURAL DESIGN

**ARCHITECT**  
NEW-M DESIGN  
1/100 WILSON ST, SYDNEY NSW 2000  
P: 02 9550 1234  
F: 02 9550 1235  
E: info@new-m.com.au

**DATE** 19.02.2021

**PROJECT** BLUE GUM GRANNYFLAT

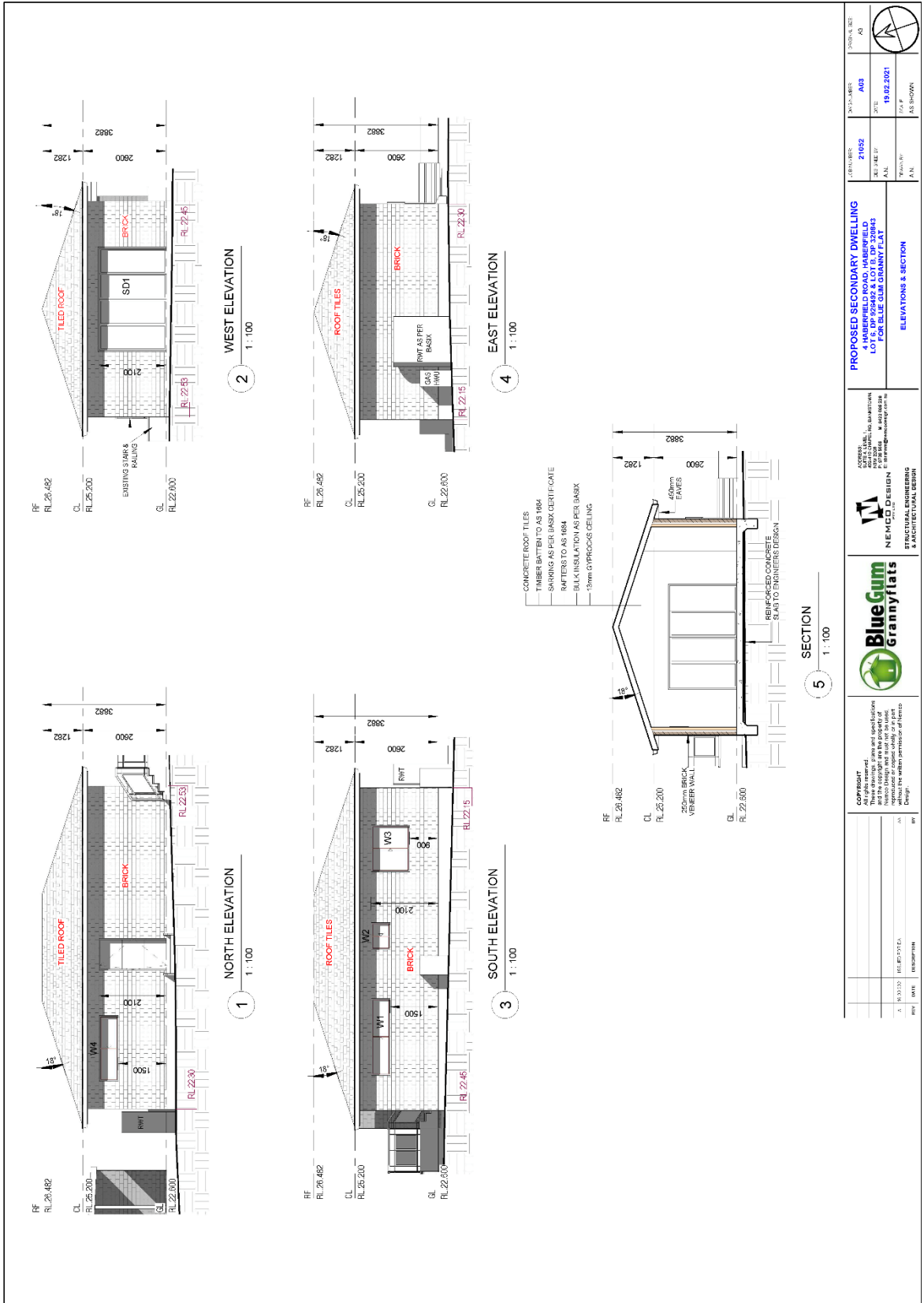
**CLIENT** AS SKOVN

**SCALE** AS SHOWN

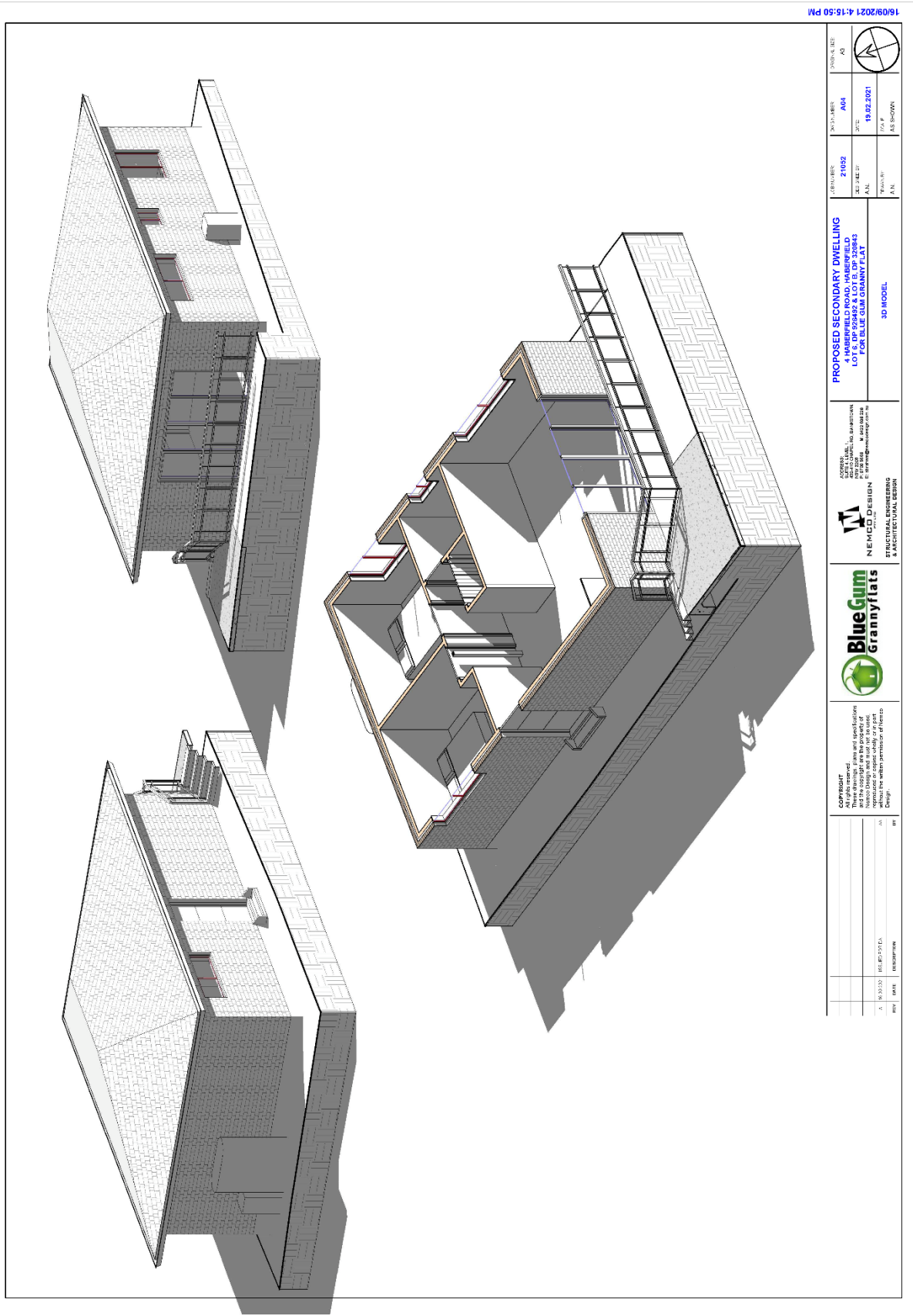
**REVISION**

NO	DATE	REVISION	BY
1	19.02.2021	ISSUED FOR PERMIT	AS

16/09/2021 4:15:48 PM



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<p>PROJECT NO: 16/09/2021</p>	<p>CLIENT: BLUE GUM GRANNY FLATS</p>	<p>ARCHITECT: NE-MAD DESIGN</p>	<p>ENGINEER: NE-MAD DESIGN</p>	<p>DATE: 19.02.2021</p>	<p>SCALE: AS SHOWN</p>	<p>PROJECT NO: 16/09/2021</p>	<p>CLIENT: BLUE GUM GRANNY FLATS</p>	<p>ARCHITECT: NE-MAD DESIGN</p>	<p>ENGINEER: NE-MAD DESIGN</p>	<p>DATE: 19.02.2021</p>	<p>SCALE: AS SHOWN</p>



16/09/2021 4:15:50 PM



DATE: 19.02.2021  
 DRAWN BY: AS-BCH/06  
 CHECKED BY: A.N.  
 PROJECT NO: 21092  
 SHEET NO: A01

**PROPOSED SECONDARY DWELLING**  
 FOR BLUE GUM GRANNYFLATS  
 LOT 6, DP 62842 & LOT 8, DP 32883  
 3D MODEL

ADDRESS:  
 402-404 GUNNIBEN RD, BUNNATHORN  
 NSW 2150  
 PROJECT NO: 21092  
 SHEET NO: A01

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 NEM DESIGN  
 STRUCTURAL ENGINEERING  
 & ARCHITECTURAL DESIGN



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1		16.09.2021	ISSUE FOR PERMIT

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1 SCHEDULE OF COLOURS & FINISHES

01. BRICK WALL

02. ALUMINIUM WINDOWS & DOORS

03. CONCRETE TILE ROOF

04. FASCIA & GUTTER

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 Design.

REV	DATE	DESCRIPTION
A	19.02.2021	ISSUED FOR DA

PROJECT NO: 21092  
 PROJECT NAME: PROPOSED SECONDARY DWELLING FOR BLUE GUM GRANNY FLAT  
 DATE: 19.02.2021  
 DRAWN BY: A.N.  
 CHECKED BY: A.N.  
 SCALE: AS SHOWN

ORIENTATION

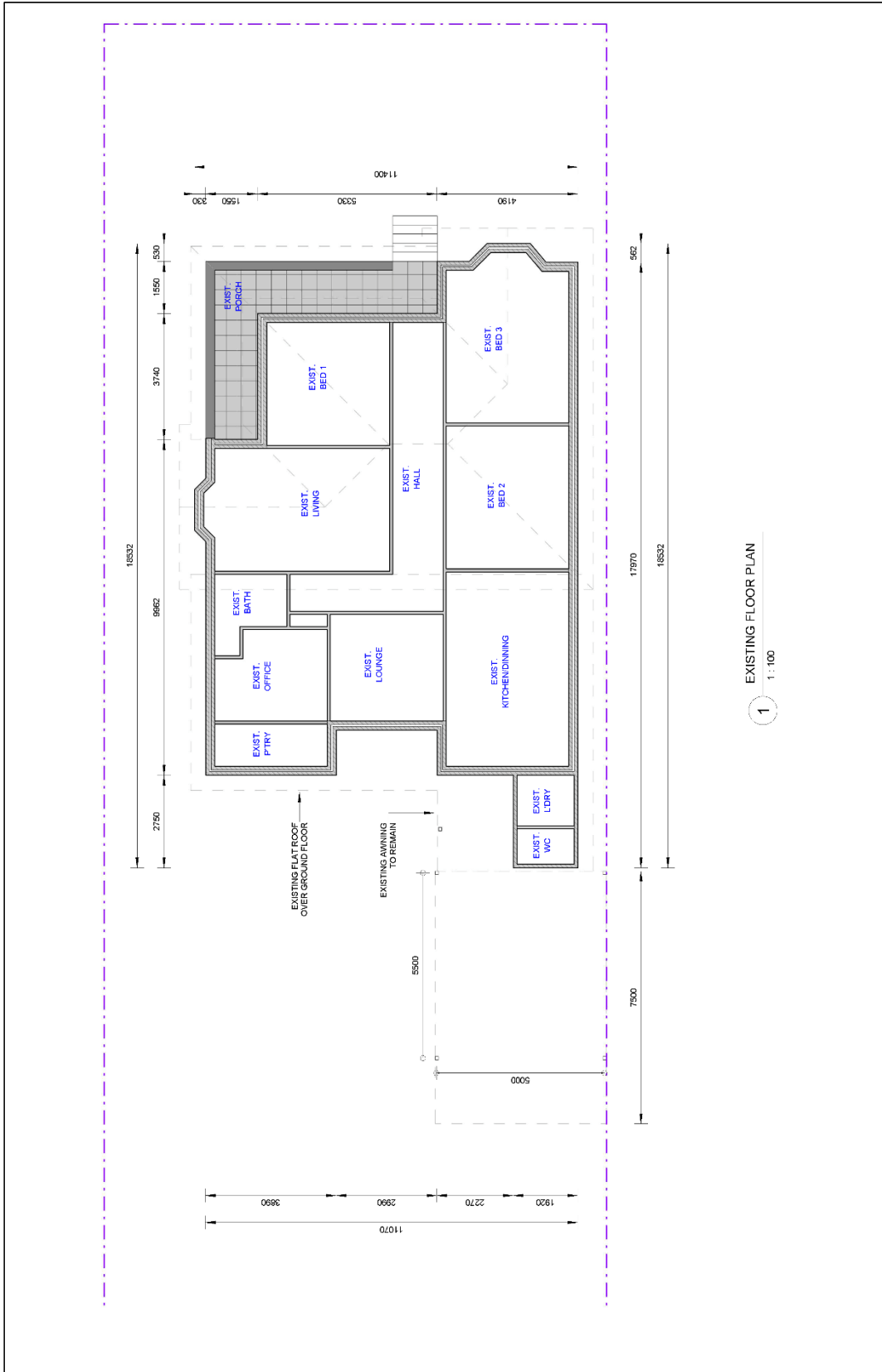
ADDRESS: 20210 GUNNERS HILL, BARKSTOWN, SA 5042  
 PROJECT NO: 21092  
 PROJECT NAME: PROPOSED SECONDARY DWELLING FOR BLUE GUM GRANNY FLAT

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**Blue Gum grannyflats**



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EXISTING FLOOR PLAN  
1 : 100

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**BASIS Certificate**  
 Building Sustainability Index (BSI) v4.0.0  
 Certificate number: 1180045\_04

The BASIS Certificate is issued by the Building Sustainability Institute of Australia (BSIA) to certify that a building has achieved a minimum BASIS score of 60. The BASIS score is a measure of the building's sustainability performance, based on the Building Sustainability Index (BSI) v4.0.0. The BASIS score is calculated based on the building's performance across a range of sustainability criteria, including energy efficiency, water efficiency, indoor air quality, and thermal comfort.

**Project Summary**

Project name	2102 - 4 Macquarie St, Macquarie, NSW
Project address	4 Macquarie Street Macquarie NSW 2102
Project type	Commercial office building
Project status	Approved
Project start date	15/09/2021
Project end date	31/03/2022
Project manager	Blue Gum grannyflats
Project designer	Blue Gum grannyflats
Project contractor	Blue Gum grannyflats

**Certificate Prepared by**

Name	Blue Gum grannyflats
Position	Project Manager
Contact	02 9550 1000

**Description of project**

Project name	2102 - 4 Macquarie St, Macquarie, NSW
Project address	4 Macquarie Street Macquarie NSW 2102
Project type	Commercial office building
Project status	Approved
Project start date	15/09/2021
Project end date	31/03/2022
Project manager	Blue Gum grannyflats
Project designer	Blue Gum grannyflats
Project contractor	Blue Gum grannyflats

**Project Details**

Project name	2102 - 4 Macquarie St, Macquarie, NSW
Project address	4 Macquarie Street Macquarie NSW 2102
Project type	Commercial office building
Project status	Approved
Project start date	15/09/2021
Project end date	31/03/2022
Project manager	Blue Gum grannyflats
Project designer	Blue Gum grannyflats
Project contractor	Blue Gum grannyflats

**Schedule of BASIS commitments**

Commitment	Due date	Status
Water Commitments	15/09/2021	Completed
Energy Commitments	15/09/2021	Completed
Indoor Air Quality Commitments	15/09/2021	Completed
Thermal Comfort Commitments	15/09/2021	Completed
Other Commitments	15/09/2021	Completed

**Water Commitments**

Water consumption	15/09/2021	Completed
Water efficiency	15/09/2021	Completed
Water recycling	15/09/2021	Completed

**Energy Commitments**

Energy efficiency	15/09/2021	Completed
Energy conservation	15/09/2021	Completed
Energy recycling	15/09/2021	Completed

**Indoor Air Quality Commitments**

Indoor air quality	15/09/2021	Completed
Indoor air quality management	15/09/2021	Completed
Indoor air quality monitoring	15/09/2021	Completed

**Thermal Comfort Commitments**

Thermal comfort	15/09/2021	Completed
Thermal comfort management	15/09/2021	Completed
Thermal comfort monitoring	15/09/2021	Completed

**Other Commitments**

Other commitments	15/09/2021	Completed
Other commitment management	15/09/2021	Completed
Other commitment monitoring	15/09/2021	Completed

**Thermal Comfort Commitments**

Thermal comfort	15/09/2021	Completed
Thermal comfort management	15/09/2021	Completed
Thermal comfort monitoring	15/09/2021	Completed

**Energy Commitments**

Energy efficiency	15/09/2021	Completed
Energy conservation	15/09/2021	Completed
Energy recycling	15/09/2021	Completed

**Indoor Air Quality Commitments**

Indoor air quality	15/09/2021	Completed
Indoor air quality management	15/09/2021	Completed
Indoor air quality monitoring	15/09/2021	Completed

**Water Commitments**

Water consumption	15/09/2021	Completed
Water efficiency	15/09/2021	Completed
Water recycling	15/09/2021	Completed

**Other Commitments**

Other commitments	15/09/2021	Completed
Other commitment management	15/09/2021	Completed
Other commitment monitoring	15/09/2021	Completed

**Thermal Comfort Commitments**

Thermal comfort	15/09/2021	Completed
Thermal comfort management	15/09/2021	Completed
Thermal comfort monitoring	15/09/2021	Completed

**Energy Commitments**

Energy efficiency	15/09/2021	Completed
Energy conservation	15/09/2021	Completed
Energy recycling	15/09/2021	Completed

**Indoor Air Quality Commitments**

Indoor air quality	15/09/2021	Completed
Indoor air quality management	15/09/2021	Completed
Indoor air quality monitoring	15/09/2021	Completed

**Water Commitments**

Water consumption	15/09/2021	Completed
Water efficiency	15/09/2021	Completed
Water recycling	15/09/2021	Completed

**Other Commitments**

Other commitments	15/09/2021	Completed
Other commitment management	15/09/2021	Completed
Other commitment monitoring	15/09/2021	Completed

**Energy Commitments**

Energy efficiency	15/09/2021	Completed
Energy conservation	15/09/2021	Completed
Energy recycling	15/09/2021	Completed

**Indoor Air Quality Commitments**

Indoor air quality	15/09/2021	Completed
Indoor air quality management	15/09/2021	Completed
Indoor air quality monitoring	15/09/2021	Completed

**Water Commitments**

Water consumption	15/09/2021	Completed
Water efficiency	15/09/2021	Completed
Water recycling	15/09/2021	Completed

**Other Commitments**

Other commitments	15/09/2021	Completed
Other commitment management	15/09/2021	Completed
Other commitment monitoring	15/09/2021	Completed

**Thermal Comfort Commitments**

Thermal comfort	15/09/2021	Completed
Thermal comfort management	15/09/2021	Completed
Thermal comfort monitoring	15/09/2021	Completed

**Energy Commitments**

Energy efficiency	15/09/2021	Completed
Energy conservation	15/09/2021	Completed
Energy recycling	15/09/2021	Completed

**Indoor Air Quality Commitments**

Indoor air quality	15/09/2021	Completed
Indoor air quality management	15/09/2021	Completed
Indoor air quality monitoring	15/09/2021	Completed

**Water Commitments**

Water consumption	15/09/2021	Completed
Water efficiency	15/09/2021	Completed
Water recycling	15/09/2021	Completed

**Other Commitments**

Other commitments	15/09/2021	Completed
Other commitment management	15/09/2021	Completed
Other commitment monitoring	15/09/2021	Completed



**Project Summary**

Project name	2102 - 4 Macquarie St, Macquarie, NSW
Project address	4 Macquarie Street Macquarie NSW 2102
Project type	Commercial office building
Project status	Approved
Project start date	15/09/2021
Project end date	31/03/2022
Project manager	Blue Gum grannyflats
Project designer	Blue Gum grannyflats
Project contractor	Blue Gum grannyflats

**PROPOSED SECONDARY DWELLING**  
 LOT 6, DP 88482 & LOT 8, DP 32883  
 FOR BLUE GUM GRANNY FLAT

**BASIS REQUIREMENTS**

**Blue Gum grannyflats**  
 STRUCTURAL ENGINEERING & ARCHITECTURAL DESIGN

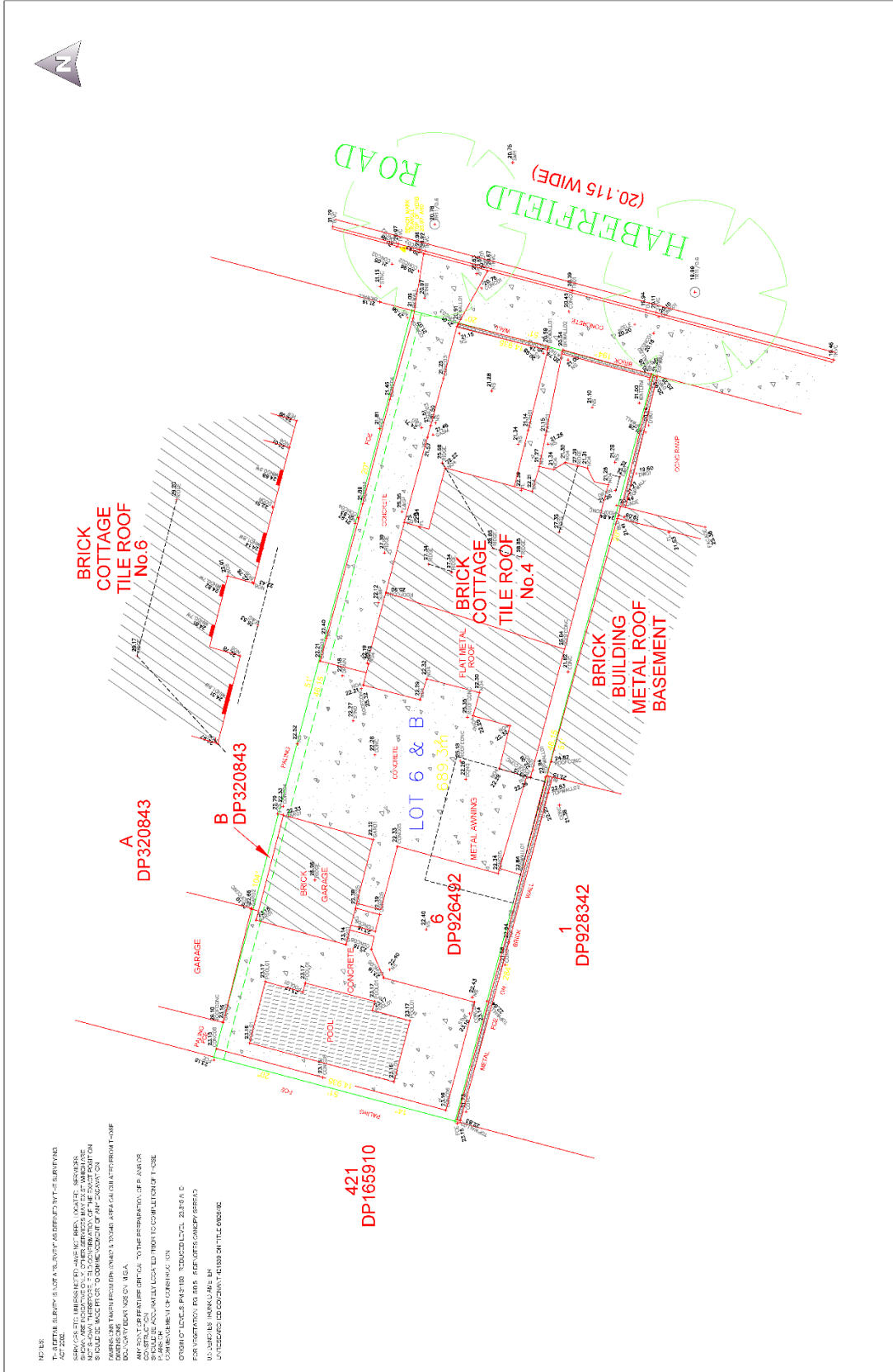
**Blue Gum grannyflats**  
 STRUCTURAL ENGINEERING & ARCHITECTURAL DESIGN

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 STRUCTURAL ENGINEERING & ARCHITECTURAL DESIGN

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 STRUCTURAL ENGINEERING & ARCHITECTURAL DESIGN



NOTES:  
 1. THIS SITE SURVEY IS A PARTIAL SURVEY AS THE SURVEYED AREA IS PART OF A LARGER SURVEY.  
 2. THE SURVEYED AREA IS PART OF A LARGER SURVEY.  
 3. THE SURVEYED AREA IS PART OF A LARGER SURVEY.  
 4. THE SURVEYED AREA IS PART OF A LARGER SURVEY.  
 5. THE SURVEYED AREA IS PART OF A LARGER SURVEY.  
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 8. THE SURVEYED AREA IS PART OF A LARGER SURVEY.  
 9. THE SURVEYED AREA IS PART OF A LARGER SURVEY.  
 10. THE SURVEYED AREA IS PART OF A LARGER SURVEY.

LOCAL GOVERNMENT AREA: HABERFIELD		PLAN NO:	11-08-12
DETAIL SURVEY OF No.4 HABERFIELD RD HABERFIELD BEING LOT 6 DP 928492 & LOT 6 DP 320843		DATE: 11/08/12	11/08/12
MAPPER: GR	CHECKED: JD	DATE: 11/08/12	11/08/12
SCALE: 1:1000	APPROVED: AT	DATE: 11/08/12	11/08/12

NO.	DATE	DESCRIPTION
1	11/08/12	ISSUED FOR COMMENT
2	11/08/12	ISSUED FOR COMMENT
3	11/08/12	ISSUED FOR COMMENT
4	11/08/12	ISSUED FOR COMMENT
5	11/08/12	ISSUED FOR COMMENT
6	11/08/12	ISSUED FOR COMMENT
7	11/08/12	ISSUED FOR COMMENT
8	11/08/12	ISSUED FOR COMMENT
9	11/08/12	ISSUED FOR COMMENT
10	11/08/12	ISSUED FOR COMMENT

GRINSELL & JOHNS Pty Ltd  
 Accredited Civil Surveyors and  
 Consulting Surveyors

10/200/009 - 02 9298 6200 - [www.grinsellandjohns.com.au](http://www.grinsellandjohns.com.au)

0 5 10 Meters

## Attachment C- Draft Conditions in event of approval

### 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
A01.02	SITE PLAN, SITE ANALYSIS PLAN & ROOF PLAN	16.09.2021	Blue Gum
A01.03	WASTE MANAGEMENT PLAN AND SEDIMENT & EROSION CONTROL PLAN	16.09.2021	Blue Gum
A02	PROPOSED FLOOR PLAN	16.09.2021	Blue Gum
A03	ELEVATIONS & SECTION	16.09.2021	Blue Gum
A05	SCHEDULE OF COLOURS & FINISHES	16.09.2021	Blue Gum
11868804S_04	BASIX CERIFICATE	16.09.2021	Nemco Designs

As amended by the conditions of consent.

#### FEES

##### 2. Security Deposit - Custom

Prior to the commencement of demolition works or prior to the issue of a Construction Certificate, the Certifying Authority must be provided with written evidence that a security deposit and inspection fee has been paid to Council to cover the cost of making good any

damage caused to any Council property or the physical environment as a consequence of carrying out the works and as surety for the proper completion of any road, footpath and drainage works required by this consent.

<b>Security Deposit:</b>	\$2254.00
<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.

**3. 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 \$10,809.66 indexed in accordance with Ashfield Development Contributions Plan ("CP") has been paid to the Council.

The above contribution is the contribution applicable as at 21/03/2022.

**\*NB** Contribution rates under Ashfield Development Contributions Plan are indexed quarterly (for the method of indexation refer to Section 2.6 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>Community Infrastructure Type:</b>	<b>Contribution (\$)</b>
Local Roads	421.94
Local Public Transport Facilities	554.22
Local Public Car Parking	0.00
Local Open Space and Recreation	8920.93
Local Community Facilities	469.73
Plan Preparation and Administration	442.83
<b>TOTAL</b>	<b>10,809.66</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.

#### 4. 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.

**GENERAL CONDITIONS****5. Tree Protection**

No trees on public property (footpaths, roads, reserves etc.) are to be removed or damaged during works unless specifically approved in this consent or marked on the approved plans for removal.

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

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

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

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

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

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

**7. Waste Management Plan**

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

**8. Erosion and Sediment Control**

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

**9. Standard Street Tree Protection**

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

**10. Verification of Levels and Location**

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

**11. Works Outside the Property Boundary**

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

**PRIOR TO ANY DEMOLITION****12. 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.

**13. Dilapidation Report**

Prior to any works commencing (including demolition), the Certifying Authority and owners of identified properties, must be provided with a colour copy of a dilapidation report prepared by a suitably qualified person. The report is required to include colour photographs of all the adjoining property/ies 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.

#### **14. Advising Neighbours 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.

#### **15. Construction Fencing**

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

### **PRIOR TO CONSTRUCTION CERTIFICATE**

#### **16. 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.

#### **17. 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 Nos. C00, C01 and C02 prepared by Nemcodesign Pty Ltd and dated 15 March 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 the 3000 L rainwater tank, 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. Pipe and channel drainage systems must be designed to cater for the twenty (20) year Average Recurrence Interval (ARI) storm event. Major event surface flow paths must be designed to cater for the one hundred (100) year ARI Storm;

- e. Charged or pump-out stormwater drainage systems are not permitted including for roof drainage other than to drain downpipes to the 3000 L rainwater tank
- 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. An overland flowpath must be provided within the setback to the side boundary;
- h. A minimum 150mm step up shall be provided between all external finished surfaces and adjacent internal floor areas;
- i. The design must make provision for the natural flow of stormwater runoff from adjacent properties;
- j. No nuisance or concentration of flows to other properties;
- k. The design plans must specify that any components of the existing system to be retained must be certified during construction to be in good condition and of adequate capacity to convey the additional runoff generated by the development and be replaced or upgraded if required;
- l. A silt arrestor pit must be installed inside the property, adjacent to the boundary, for the stormwater outlet;
- m. Only a single point of discharge is permitted to the kerb and gutter, per frontage of the site;
- n. 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;
- o. All stormwater outlets through sandstone kerbs must be carefully core drilled in accordance with Council standard drawings; and
- p. All redundant pipelines within footpath area must be removed and footpath/kerb reinstated.

#### **18. Structural Certificate for retained elements of the building**

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

#### **19. 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

**20. Concealment of Plumbing and Ductwork**

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

**DURING DEMOLITION AND CONSTRUCTION**

**21. Tree Protection**

To protect the following tree, trunk protection must be installed prior to any works commencing in accordance with the approved *Tree Protection Plan* and/or with Council's *Development Fact Sheet—Trees on Development Sites*:

Tree No.	Botanical/Common Name/Location
-	<i>Lophostemon confertus</i> (Brush Box) / street tree

**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. Public Domain Works**

Prior to the issue of an Occupation Certificate, existing damaged vehicle crossing shall be replaced or repaired in accordance with Council's approval requirements.

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

#### **25. 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.

#### **26. Certification of Tree Planting**

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

A minimum of 2 x 45 litre size trees, which will attain a minimum mature height of seven (7) metres and a mature canopy spread of five (5) metres have been planted in suitable locations within the property at a minimum of 1.5 metres from any boundary or structure and allowing for future tree growth. The trees shall be different species and must conform to AS2303—*Tree stock for landscape use*. Trees listed on the Minor Works list in the Council's Tree Management Controls, Palms, fruit trees and species recognised to have a short life span will not be accepted.

If the trees are found dead or dying before they reach a height or canopy spread where they are protected by Council's Tree Management Controls, they must be replaced with the same species in accordance with the requirements of this condition.

### **ON-GOING**

#### **27. Tree Establishment**

If the trees planted as part of this consent are found dead or dying before they reach a height or canopy spread where they are protected by Council's Tree Management Controls, they must be replaced with the same species in accordance with the requirements of this condition.

### **ADVISORY NOTES**

#### **Permits**

Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent must obtain all applicable Permits from Council in

accordance with Section 68 (Approvals) of the *Local Government Act 1993* and/or Section 138 of the *Roads Act 1993*. Permits are required for the following activities:

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

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

#### **Insurances**

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

#### **Prescribed Conditions**

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

#### **Notification of commencement of works**

At least 7 days before any demolition work commences:

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

**Storage of Materials on public property**

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

**Toilet Facilities**

The following facilities must be provided on the site:

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

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

**Infrastructure**

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

**Other Approvals may be needed**

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

**Failure to comply with conditions**

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

**Other works**

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

**Obtaining Relevant Certification**

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

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

**Disability Discrimination Access to Premises Code**

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

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

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

**Notification of commencement of works**

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

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

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

#### **Dividing Fences Act**

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

#### **Permits from Council under Other Acts**

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

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

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

#### **Noise**

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

#### **Amenity Impacts General**

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



and the operation of plant and equipment must not give rise to the transmission of a vibration nuisance or damage other premises.

**Lead-based Paint**

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

**Dial before you dig**

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

**Useful Contacts**

BASIX Information	1300 650 908 weekdays 2:00pm - 5:00pm <a href="http://www.basix.nsw.gov.au">www.basix.nsw.gov.au</a>
Department of Fair Trading	13 32 20 <a href="http://www.fairtrading.nsw.gov.au">www.fairtrading.nsw.gov.au</a> Enquiries relating to Owner Builder Permits and Home Warranty Insurance.
Dial Prior to You Dig	1100 <a href="http://www.dialprior toyoudig.com.au">www.dialprior toyoudig.com.au</a>
Landcom	9841 8660 To purchase copies of Volume One of "Soils and Construction"
Long Service Payments Corporation	131441 <a href="http://www.lspc.nsw.gov.au">www.lspc.nsw.gov.au</a>
NSW Food Authority	1300 552 406

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

**Street Numbering**

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