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	ELOPMENT ASSESSMENT REPORT	
Application No.	DA/2022/0034	
Address	9 Westbourne Street STANMORE NSW 2048	
Proposal	Demolition of existing building. Torrens Title Subdivision of	
	existing lot into 2 lots. Construction of a semi-detached dwelling	
	with a garage and studio above at rear to each lot. Landscaping	
Date of Ladramant	and associated works.	
Date of Lodgement	1 February 2022	
Applicant	Monument Plan Pty Ltd	
Owner	Ms Maria L Saraceno	
Number of Cubmissions	Mr Andrea Vedovato	
Number of Submissions Value of works	12	
Reason for determination at	\$915,000.00 Number of submissions	
Planning Panel	Number of submissions	
Main Issues	Solar access and overshadowing; building massing and setbacks;	
	façade design and streetscape; submissions	
Recommendation	Deferred Commencement Approval	
Attachment A	Recommended conditions of consent	
Attachment B	Plans of proposed development	
36 34 32 30 28 26 24 22 30 36 34 32 30 28 26 34 29 27 36 36 37 35 33 31 29 27 37 35 37 35 37 35 37 35 37 35 37 35 37 37 39 37 37 37 37 37 37 37 37 37 37 37 37 37	28 Macaulay Lane 28 Macaulay Lane 30 18 18 6 4 2 32 1 3 3	
	LOCALITY MAP	
Subject Site	Objectors	
Notified Area	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 the demolition of the existing building, Torrens title subdivision of the existing lot into two (2) lots, and construction of a semi-detached dwelling with a garage and studio above at the rear to each lot including landscaping and associated works at 9 Westbourne Street, Stanmore. The application was notified to surrounding properties and 11 submissions were received in response to the initial notification.

The main issues that have arisen from the application include:

- Overshadowing impacts to neighbouring properties and solar access to the proposed dwellings;
- Proposed building massing and setbacks are inconsistent with the established setback pattern of the street;
- Façade design and streetscape presentation are inconsistent with the character of the street; and,
- Proposed garage and studio structures at the rear result in adverse visual impacts to the character of the rear lane:
- Proposed colours, materials, and finishes are inconsistent and incompatible with those existing in the street; and,
- Twelve (12) submissions were received.

Despite the issues noted above, it is considered that the proposed development is capable of generally complying with the aims, objectives, and design parameters contained in the relevant State Environmental Planning Policies, *Marrickville Local Environmental Plan 2011*, and Marrickville Development Control Plan 2011 subject to the imposition of conditions included in the recommendation.

The potential impacts to the surrounding environment have been considered as part of the assessment process. Any potential impacts from the development are considered to be acceptable, given the context of the site and the desired future character of the precinct.

Given the above, the application is considered suitable for the issue of a deferred commencement consent subject to the imposition of appropriate terms and conditions.

2. Proposal

The application proposes demolition of the existing structures on the site, Torrens title subdivision of the existing lot into two (2) new allotments, and the construction of a three storey semi-detached dwelling on each new lot comprising:

- Living room, WC, kitchen and dining room on the ground floor that opens onto an alfresco area;
- Three bedrooms, an ensuite, bathroom, and laundry at the first floor;
- A bedroom and ensuite at the second floor;
- A detached single garage with studio above:
- An above-ground spa; and,
- Associated landscaping.

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 (1) allotment and is generally rectangular in shape with a total area of 374sqm and is legally described as 9 Westbourne Street Stanmore.

The site has a frontage to Westbourne Street of 12.9 metres and a secondary rear frontage of 12.9 metres to Westbourne Lane.

The site currently supports a two storey detached dwelling house. The adjoining properties support a two storey detached dwelling house and a three storey semi-detached dwelling with a two storey garage with studio above at the rear.



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.

Property	Application	Proposal	Outcome
7 Westbourne	REV/2021/0009	S8.2 Review Application of DA/2020/0827	Approved
Street		for demolition of existing building. Torrens	12/10/2021
		Title Subdivision of existing lot into 2 lots.	
		Construction of a semi-detached dwelling	
		with a garage to each lot. Landscaping and	
		associated works.	
	MOD/2021/0543	S4.55 Application to REV/2021/0009.	Approved
		Modification involves various internal and	23/05/2022
		external design changes.	
	DA/2022/0486	Alterations and additions to construct a first	Under
		floor studio above the garage of each	assessment
		dwelling.	
11 Westbourne	DA201100350	To demolish existing improvements,	Approved
Street		subdivide the land into two (2) allotments	07/11/2011
		and erect a two (2) storey with attic	
		dwelling house and a garage at the rear on	
		each allotment	

 Westbourne reet	CDCP/2022/0001	Demolition of existing structures.	Approved 29/12/2021
	DA/2022/0045	Subdivision of the site into two (2) lots and construction of a semi-detached dwelling on each lot, with carport with first floor above at rear. Landscaping and associated works.	Under assessment

4(b) Application history

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

Date	Discussion / Letter / Additional Information			
26 April 2022	Council requested that additional information be submitted to address			
	the following matters:			
	Floor space ratio			
	Building form and scale			
	First floor studios			
	Private open space			
	Tree planting			
	Streetscape and materiality			
	Solar access and overshadowing			
30 May 2022	Additional information was submitted by the applicant. This information			
	forms the basis of the following assessment.			

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* (*EPA Act 1979*).

5(a) Environmental Planning Instruments

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

5(a)(i) State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of land

Section 4.16 (1) of the SEPP requires the consent authority not consent to the carrying out of any development on land unless:

- "(a) it has considered whether the land is contaminated, and
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose."

In considering the above, there is no evidence of contamination on the site.

There is also no indication of uses listed in Table 1 of the contaminated land planning guidelines within Council's records. The land will be suitable for the proposed use as there is no indication of contamination.

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

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

5(a)(iii) State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in non-rural areas

State Environmental Planning Policy (Biodiversity and Conservation) 2021 concerns the protection and removal of vegetation identified under the SEPP and gives effect to the local tree preservation provisions of Council's DCP.

The application seeks the removal of vegetation from within the site that is identified on the Council Minor Works List of the DCP. The proposed removal of this vegetation is generally acceptable subject to suitable replacement trees.

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

5(a)(iv) Marrickville Local Environment Plan 2011 (MLEP 2011)

The application was assessed against the following relevant clauses of the *Marrickville Local Environmental Plan 2011* (*MLEP 2011*).

Part 1 – Preliminary

Control	Proposed	Compliance
Clause 1.2 Aims of Plan	The proposal satisfies the relevant aims of the Plan as follows: • Subject to the recommended conditions discussed below, the proposal is considered to result in a satisfactory impact on the private and public domain.	Yes – subject to conditions

Part 2 – Permitted of prohibited development

Control	Proposed	Compliance
Clause 2.3 Zone objectives and Land Use Table R2 Low Density Residential	 The proposal satisfies this clause as follows: The application proposes Torrens title subdivision of the land and the construction of two <i>semi-detached dwellings</i>, which is permissible with consent in the R2 Low Density Residential zone; and, The proposal satisfies the relevant objectives of the zone as it provides for housing that meets the needs of the community in a low density residential environment. 	Yes

Part 4 – Principal development standards

Control	Proposed		Compliance
Clause 4.3	Maximum	J – 9.5m	Yes
Height of building	Proposed	9.4m	
Clause 4.4	Maximum	Lot 1 (eastern)	Yes
Floor space ratio		1:1 (187sqm)	
		Lot 2 (western)	
		1:1 (187sqm)	
	Proposed	Lot 1 (eastern)	
		1:1 (187sqm)	
		L = + 0 (= +=)	
		Lot 2 (western)	
Clause 4.5	The site area and fle	1:1 (186.5sqm) oor space ratio for the proposal has been	Yes
Calculation of floor		dance with the clause.	168
space ratio and	Calculated III accord	dance with the clause.	
site area			
site area			

Part 6 - Additional local provisions

Control	Proposed	Compliance
Clause 6.2 Earthworks	The proposed earthworks are unlikely to have a detrimental impact on environmental functions and processes, existing drainage patterns, or soil stability.	Yes
Clause 6.5 Development 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 as follows: • A condition has been included in the development consent to ensure that the proposal will meet the relevant requirements of Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021:2015, thereby ensuring the proposal's compliance with the relevant provisions CI. 6.5 MLEP 2011 and Part 2.6 of the MDCP 2011, respectively.	Yes – subject to conditions

5(b) Draft Environmental Planning Instruments

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

5(b)(i) 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 *EPA Act 1979*. The development is considered acceptable having regard to the provisions of the Draft IWLEP 2020.

5(c) Development Control Plans

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

Part 2 - Generic Provisions

Control	Proposed	Compliance
Part 2.1 Urban Design	The proposal satisfies the relevant provisions of this Part as follows: • Subject to the recommended conditions discussed below, the proposal is capable of not adversely impacting the definition between the public and private domain and being appropriate for the character of the locality given its form, massing, siting, and detailing.	Yes – subject to conditions
Part 2.6 Acoustic and Visual Privacy	 The proposal satisfies the relevant provisions of this Part as follows: The side-facing windows to each dwelling generally face onto blank walls of the adjoining properties; The rear-facing windows of the first floor bedroom of each dwelling are appropriately set off the side boundaries and orientated towards the rear of the subject site. Additionally, bedrooms are considered low-use rooms that are unlikely to result in significant adverse privacy impacts; The first floor north-facing windows of the studio over each garage are appropriately set off the side boundaries and orientated towards the centre of the subject site; and, The first floor southern rear-facing windows of the studio over each garage have sill heights of 2m and as such, these windows are considered unlikely to result in any adverse privacy impacts. 	Yes
Part 2.7	See below.	Yes
Solar Access and Overshadowing		

Overshadowing

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:
 - 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, any two storey development on the site will likely result in additional overshadowing of the neighbouring dwelling at no. 11 Westbourne Street, which is located directly southwest of the site.

No. 11 Westbourne Street is occupied by a three storey semi-detached dwelling. The living room is located at the front of this dwelling with a northern orientation, while the private open space (POS) is located to the south of the dwelling at the rear and is accessed via a sliding glass door on the southern elevation.

Elevational and plan shadow diagrams were submitted for June 21st and March/December. An assessment of the proposal against C2 above 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.

Windows of principal living areas

The submitted shadow diagrams demonstrate that the proposed development does not result in any additional overshadowing of the north-facing windows of the principal living area of no. 11 Westbourne Street.

Principal areas of private open space

The shadow diagrams demonstrate that the principal area of POS of no. 11 Westbourne Street directly adjacent to the rear of the dwelling is significantly overshadowed by the existing dwelling. Currently, the POS receives less than 2 hours of direct solar access between 9.00am-3.00pm during midwinter, with less than 1sqm of POS receiving direct solar access between 11.00am-1.00pm during midwinter. The proposed development results in additional overshadowing of the POS such that no part of the POS receives any solar access between 9.00am-3.00pm during midwinter.

The shadow diagrams also demonstrate that the proposed development does not result in any additional overshadowing of the POS in December, and only minor additional overshadowing in March such that a minimum of 2 hours of direct solar access is retained between 9.00am-3.00pm during these times.

Given the above, it is considered that the proposed development has been appropriately designed to not result in significant adverse overshadowing and solar access impacts to the adjoining property at no. 11 Westbourne Street and the proposal satisfies the requirements of control C2 and the relevant objectives of this Part.

Neighbouring properties on Albany Road

In addition to the above, it is noted that the shadow diagrams indicate the proposed garage and studio structures at the rear of the site will result in additional overshadowing of the rear lane and southern neighbouring properties. The additional overshadowing between 9.00am-11.00am predominately falls over the road reserve of Westbourne Lane. However, the shadow diagrams indicate additional overshadowing between 10.00am-3.00pm falls over the rear of nos. 124, 126, and 128 Albany Road.

Nos. 124 and 126 Albany Road – the proposed development results in additional overshadowing of the rear of nos. 124 and 126 Albany Road between 10.00am-3.00pm and 12.00pm-3.00pm, respectively. This overshadowing predominately falls over the existing garages and sheds on these properties, and where the overshadowing extends beyond the existing structures it is considered likely that these areas would already experience overshadowing caused by the structures and fencing of these properties. As such, the proposed development is not considered to result in any significant adverse impacts to nos. 124 and 126 Albany Road.

No. 128 Albany Road – the proposed development results in minor additional overshadowing of the rear POS of this property between 10.00am-12.00pm. However, it is considered these areas would already be overshadowed by the existing boundary fencing of this property and as such the proposed development is not considered to result in any significant adverse impact to no. 128 Albany Road.

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 site has a northwest-southeast orientation with a north-western frontage to Westbourne Street. As such, the POS of each new dwelling is located at the rear towards the south-eastern end of the site. The principal living area of each dwelling is located at the front of the site and has a north-

western orientation. A secondary living area comprising the kitchen and dining room are provided adjacent to the POS area at the rear of the dwelling (see Fig. 1 below).

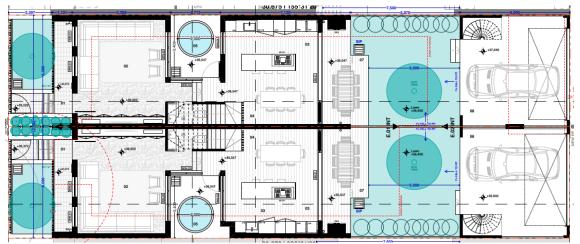


Figure 1: Ground floor plan of proposed development showing location of principal living area and principal area of private open space.

The windows of the principal living area of each dwelling will receive a minimum of 2 hours of direct solar access between 9.00am-3.00pm during midwinter.

The orientation of the site makes compliance with C8(ii) difficult to achieve in this case, and the submitted shadow diagrams indicate the POS of each dwelling does not receive any direct solar access between 9.00am-3.00pm during midwinter. However, additional shadow diagrams for March and December 21st demonstrate the POS of each allotment will receive a minimum of 2 hours of direct solar access to greater than 50% of the total surface area of the POS areas between 9.00am-3.00pm during these times.

Given the above, the proposed development is considered acceptable with regard to the requirements of control C8 and the objectives of this Part.

Part 2.9 Community Safety	The proposal satisfies the relevant provisions of this Part as follows: • The principal entrance to the dwellings is visible from the street; and, • The dwellings and studios above have been designed to overlook the street and rear lane.	Yes
Part 2.10 Parking	The proposal satisfies the relevant provisions of this Part as follows: • Each new allotment is provided with one on-site car parking space, which meets the minimum requirements.	Yes
Part 2.18 Landscaping and Open Spaces	 The proposal satisfies the relevant provisions of this Part as follows: The entire front setback is to consist of pervious landscaping with the exception of the pathway and driveway; An area of 45sqm, with no dimension being less than 3m, is provided as private open space; and, In excess of 50% of the private open space is to be maintained as pervious landscaping. 	Yes

Part 2.21 Site Facilities and Waste Management	The proposal satisfies the relevant provisions of this Part as follows: The application was accompanied by a waste management plan in accordance with the Part; and, Standard conditions are recommended to ensure the appropriate management of waste during the construction of the proposal.	Yes – subject to conditions
Part 2.25 Stormwater Management	The proposal satisfies the relevant provisions of this Part as follows: • Standard conditions are recommended to ensure the appropriate management of stormwater.	Yes – subject to conditions

Part 3 - Subdivision, Amalgamation and Movement Networks

Control	Assessment	Compliance
Part 3.2.2 Residential Torrens title subdivision and amalgamation controls	 The proposal satisfies the relevant provisions of this Part as follows: The subdivision is consistent with and retains the prevailing cadastral pattern of the lots fronting the same street; The subdivision would allow for continuation of the dominant built form of development in the street; Solar access, open space, parking, and other amenity impacts of the proposal have been discussed elsewhere in the report and the proposed allotments are considered to allow for built forms which generally comply with Council's requirements with respect to those issues; and, The subdivision maintains suitable amenity to neighbouring properties and provides suitable amenity for future occupants 	Yes

Part 3.1.1.2 of MDCP 2011 does not contain minimum lot width or area requirements for subdivisions, but rather relies on performance-based controls that aim to ensure that new lots facilitate development that is compatible with the immediate area.

The application proposes to subdivide the property into two new allotments. The streetscape and immediate locality is generally characterised by a mix of single and two storey dwellings on a mix of narrow and wide lots. The following table illustrates the proposed lot dimensions and the approximate dimensions of lots within the street:

Property	Width	Area
1 Westbourne	5.3m	172.1sqm
3 Westbourne	6.6m	220.5sqm
7 Westbourne	6.09m	187sqm
7 Westbourne	6.09m	187sqm
9 Westbourne (E)	6.096m	187sqm

Property	Width	Area
2 Westbourne	6.2m	177.8sqm
4 Westbourne	10.6m	320sqm
6 Westbourne	11.9m	370.6sqm
8 Westbourne	12.3m	379.8sqm
10 Westbourne	6.2m	190.5sqm

9 Westbourne (W)	6.096m	187sqm
11 Westbourne	6.1m	188.7sqm
11A Westbourne	6.1m	188.7sqm
13 Westbourne	6m	186.4sqm
15 Westbourne	6.3m	192.9sqm
17 Westbourne	6.6m	195.9sqm

12 Westbourne	6.2m	189.5sqm
14 Westbourne	11.7m	368.8sqm
16 Westbourne	6.2m	191.6sqm
18 Westbourne	6.2m	189.8sqm
20 Westbourne	6.2m	192.1sqm

As the above table demonstrates, adjoining properties range between 5.3m to 12.3m in width and 177.8sqm to 379.8sqm in area. The subdivision would result in each new allotment being 6.096m in width and 187sqm in area, which is within the range of the prevailing cadastral pattern. The shape of the allotments being generally rectangular and fronting Westbourne Street demonstrates the compliance of the proposal with the subdivision requirements.

The assessment of the application against the other relevant controls in MDCP 2011 demonstrates that the lots satisfy controls C6 and C7. The proposal ultimately achieves the aims and objectives of Part 3.2 of MDCP 2011.

Part 4 – Low Density Residential Development

Control	Assessment	Compliance
Part 4.1.4 Good Urban	The height, bulk, and scale of the development complement existing developments in the street and the architectural style	Yes
Design Practice	of the proposal is in keeping with the character of the area.	
Part 4.1.5	See below.	Yes – subject
Streetscape and		to conditions
Design		

The overall height and bulk of the proposed dwellings as presented to Westbourne Street is considered to be generally consistent with and complementary to the existing streetscape. Additionally, the proposed dwellings have been appropriately designed to address the principal street frontage and are orientated to complement the existing pattern of development found in the street.

However, the architectural treatment of the façade of each dwelling is not considered to complement or embellish the streetscape character, or positively interpret and translate characteristics of the locality. The design of the balconies and balustrading is considered to disrupt the vertical proportions of the façade and as such, a deferred commencement condition has been included in the recommendation requiring the following changes:

- The metal slat 'trim' feature under the awning of the first floor balconies must be deleted.
- The metal slat balustrading to the first floor balconies must not extend below the slab of the first floor.

Part 4.1.6	See below.	Yes – subject
Built form and		to conditions
character		

The proposal satisfies the provisions of this Part as follows:

- The proposed front and side setbacks are consistent with the prevailing pattern of development in the street; and,
- The proposed site coverage is consistent with the pattern of development of the street and allows adequate provision to be made on site for stormwater infiltration, deep soil landscaping and tree planting, and POS.

However, as demonstrated in Figures 4 and 5 below, the massing at the rear of the proposed first and second floor of each dwelling does not align with the approved and existing first and second floor of nos. 7 and 11 Westbourne Street, respectively. In this regard, the proposal is not considered to have been integrated with the established setback character of the street and is considered to result in adverse visual bulk impacts to the adjoining properties.

Notwithstanding, it is considered that the proposed development can be amended to be consistent with the established pattern of development, thereby resulting in an overall bulk and scale that would not result in adverse visual bulk impacts. As such, a deferred commencement condition has been included in the recommendation requiring the following:

- The southern rear wall of the first floor rear bedroom is to be setback a minimum of 12.4m from the rear boundary so as to align with the setback of the adjoining dwelling at 7 Westbourne Street and not protrude beyond 11 Westbourne Street.
- The first floor rear bathroom of each dwelling is to be deleted.
- The southern rear wall of the second floor of each dwelling is to be setback a minimum of 15.5m from the rear boundary.
- The eastern and western elevation walls of the second floor bedroom are to be setback 1.5metres from their respective side boundary.



Figure 4: Floor plan of proposed first floor (centre), approved development at no. 7 Westbourne Street (top), and existing development at no. 11 Westbourne Street (bottom).

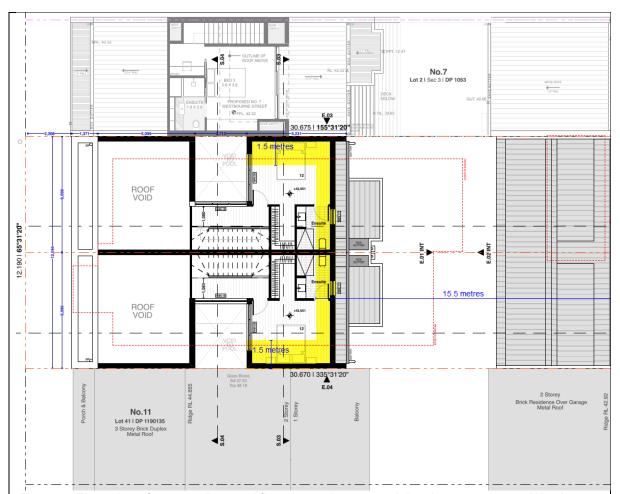


Figure 5: Floor plan of proposed second floor (centre), approved development at no. 7 Westbourne Street (top), and existing development at no. 11 Westbourne Street (bottom).

Part 4.1.7 See below.
Car Parking

Yes – subject to conditions

The proposal satisfies the provisions of this Part as follows:

- The garage and car parking space provided to each dwelling complies with the design requirements and minimum dimensions for car parking within Part 2.10 of MDCP 2011;
- The garages are located to the rear of the site and are safely and conveniently located for use: and.
- The location of the driveway to each dwelling is suitable within the laneway and will not impact traffic or parking.

However, the overall bulk and scale of the proposed garage and studio structures, particularly the two storey presentation, is considered to be inconsistent and incompatible with the existing and desired future character of the lane. The structures are considered to be a dominant element on the site when compared to other structures in the lane, therefore resulting in adverse visual bulk impacts. Additionally, the proposed materiality, including the use of cladding to the upper portion of the rear building wall facing the lane, is considered to exacerbate the perceived scale of the structures. In this regard, the proposal is not considered to satisfy the relevant provisions of this Part in its current form.

Notwithstanding, it is considered that the structures are capable of satisfying the provisions of this Part subject to design changes. In this regard, a deferred commencement condition has been included in the recommendation requiring the following changes:

The internal floor-to-ceiling height of the first floor studios must be a maximum of 2.4m. The roof over the first floor must be lowered by 300mm accordingly. The southern rear wall of the garage and studio structures must be a maximum height of 40.374m AHD. The southern rear wall of the garage and studio structures must be of face brickwork for the full height of the wall. Part 4.1.9 The proposed materials, colours, and finishes are considered Yes – subject Additional to be inconsistent and incompatible with the character of the to conditions Controls for street. As such, a deferred commencement condition has been Contemporary included in the recommendation requiring an amended **Dwellings** materials and finishes schedule that adopts light colours that

have a hue and tonal relationship with those existing in the

Part 9 - Strategic Context

street.

Control	Assessment	Compliance
Part 9.3 Stanmore North	 The proposal satisfies the relevant provisions of this Part as follows: The proposal is consistent with the prevailing subdivision pattern; The proposal preserves the low density residential character of the precinct; and, Subject to the recommended conditions, the provision and location of the proposed off-street parking does not adversely impact the amenity of the precinct. 	Yes – subject to conditions

5(e) The Likely Impacts

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

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

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

5(g) Any submissions

The application was notified in accordance with the Community Engagement Framework for a period of 14 days to surrounding properties. Twelve (12) submissions were received in response to the notification.

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

- Out of character and desired future character.
- Streetscape.
- Height, bulk, and scale.
- Building setbacks.

- Overshadowing and solar access.
- Traffic and parking.
- Privacy.
- Outlook.
- · Materials, colours, and finishes.

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

Concern	Comment
Cumulative impact of multiple proposed developments	Concern was raised regarding the cumulative impacts to the locality due to the number of similar proposed developments in the street. Each proposed development is considered on its individual merits and with consideration to the context of the development site. Notwithstanding, the current application is considered to be in keeping with the desired future character of the locality and as noted above, satisfies the relevant planning provisions.
Use of the proposed studios	Concern was raised that the studios would later be converted to separate accommodation that could be rented out. The use of the studios as separate accommodation would require development consent. Notwithstanding, any unauthorised works or uses of these spaces would be subject to investigation by Council's Regulatory team.
Increase in population density	The development is of a form, scale, and density that is anticipated in, and has been envisaged for, the R2 Low Density Residential zone in which this site is located.

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 not contrary to the public interest.

6 Referrals

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

- Development Engineer.
- Urban Forest.
- Waste Management.

7. Section 7.11 Contributions/7.12 Levy

Section 7.11 contributions are payable for the proposal.

The carrying out of the development would result in an increased demand for public amenities and public services within the area. A contribution of \$20,000 would be required for the development under Marrickville Section 94/94A Contributions Plan 2014. A condition requiring that contribution to be paid is included in the recommendation.

8. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in *Marrickville Local Environmental Plan 2011* and Marrickville Development Control Plan 2011.

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

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

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*, grant consent to Development Application No. DA/2022/0034 for the demolition of existing building, Torrens Title subdivision of existing lot into 2 lots. Construction of a semi-detached dwelling with a garage and studio above at rear to each lot. Landscaping and associated works. at 9 Westbourne Street, Stanmore subject to the conditions listed in Attachment A.

Attachment A - Recommended conditions of consent

CONDITIONS OF CONSENT

The following is a Deferred Commencement condition imposed pursuant to Section 4.16(3) of the *Environmental Planning and Assessment Act 1979*. This Consent will not operate and may not be acted upon until the Council is satisfied as to the following matter(s):

Amended Architectural Plans

Amended architectural plans incorporating the following changes must be submitted to the satisfaction of Council:

- a. The southern rear wall of the first floor rear bedroom of each dwelling labelled '12' on plan number 2114 DA.07 Rev 2 prepared by Piensa Architects and dated May 2022 must be setback a minimum of 12.4m from the rear boundary.
- b. The first floor rear bathroom of each dwelling labelled '13' on plan number 2114 DA.07 Rev 2 prepared by Piensa Architects and dated May 2022 must be deleted.
- c. The southern rear wall of the second floor of each dwelling must be setback a minimum of 15.5m from the rear boundary.
- **d.** The eastern and western elevation walls of the second floor bedrooms are to be setback 1.5metres from their respective side boundary.
- e. The internal floor-to-ceiling height of the first floor studio above the garage must be a maximum of 2.4m. The roof over the studio must be lowered by 300mm accordingly.
- f. The southern rear wall of each garage must be a maximum height of 40.374m AHD.
- g. The southern rear wall of each garage and studio structure must be of face brickwork for the full height of the wall.
- h. The metal slat 'trim' feature under the awning of the first floor street facing balcony of each dwelling must be deleted.
- i. The metal slat balustrading to the first floor balcony of each dwelling must not extend below the slab of the first floor.
- j. An amended schedule of materials and finishes adopting light colours that have a hue and tonal relationship with those existing in the street.

Evidence of the above matter(s) must be submitted to Council within 2 years otherwise the Consent will not operate.

DOCUMENTS RELATED TO THE CONSENT

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
2114 DA.03 Rev 2	Subdivision Plan	May 2022	Piensa Architects
2114 DA.04 Rev 2	Demolition Plan	May 2022	Piensa Architects
2114 DA.06 Rev 2	Ground Floor	May 2022	Piensa Architects
2114 DA.07 Rev 2	First Floor	May 2022	Piensa Architects
2114 DA.08 Rev 2	Loft Floor	May 2022	Piensa Architects
2114 DA.09 Rev 2	Roof Plan	May 2022	Piensa Architects
2114 DA.010 Rev 2	Elevation North Streetscape	May 2022	Piensa Architects
2114 DA.011 Rev 2	Elevation South + Internal	May 2022	Piensa Architects
2114 DA.012 Rev 2	Elevation East + West	May 2022	Piensa Architects
2114 DA.013 Rev 2	Sections Long	May 2022	Piensa Architects
2114 DA.014 Rev 2	Section Short	May 2022	Piensa Architects
2114 DA.015 Rev 2	Window/Door Schedule	May 2022	Piensa Architects
2114 DA.018 Rev 2	Schedule of Finishes	May 2022	Piensa Architects
21-4579 LO1- LO2 Sheets 1 and 2	Landscape Plan	08/12/2021	Zenith Landscape Designs
2021-458	Acoustic Report	25/11/2021	Acoustic Noise & Vibration Solutions P/L
1258945M	BASIX Certificate	19/11/2021	Greenworld Architectural Drafting
210996 C00.0- C02.02 Rev D	Stormwater Drainage Plans	08/12/2021	Engineering Studio

As amended by the conditions of consent.

FEES

Security Deposit - Custom

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

Security Deposit:	\$18200.00
Inspection Fee:	\$350.00

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.

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 13 July 2022.

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:

Public Amenities Type:	Contribution \$
Recreation Facilities	17,398.20
Community Facilities	2,029.48
Traffic Facilities	180.16
Plan Administration	392.16
TOTAL	20,000

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.

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

Project Arborist

Prior to the commencement of any demolition or construction works within close proximity to protected trees a Project Arborist must be engaged for the duration of the site preparation, demolition, construction and landscaping to supervise works. Details of the Project Arborist must be submitted to the Certifying Authority before work commences.

Works to Trees

Approval is given for the following works to be undertaken to trees on the site after the issuing of a Construction Certificate:

Tree/location	Approved works
Morus nigra (Mulberry) - front	Removal

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.

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.

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.

Works Outside the Property Boundary

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

PRIOR TO ANY DEMOLITION

Resource Recovery and Waste Management Plan - Demolition and Construction

Prior to any demolition works, the Certifying Authority must be provided with a Resource Recovery and Waste Management Plan - Demolition and Construction that includes details of materials that will be excavated and their proposed destination or reuse.

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.

Dilapidation Report

Prior to any works commencing (including demolition), the Certifying Authority and owners of nos. 7 and 11 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 all the adjoining properties to the Certifying Authority's satisfaction. In the event that the consent of the adjoining property owner cannot be obtained to undertake the report, copies of the letter/s that have been sent via registered mail and any responses received must be forwarded to the Certifying Authority before work commences.

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.

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

Bin Storage Area - Residential

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a report detailing the ongoing waste generation requirements of the development and demonstrate that bin storage areas are to be provided within the site that will fully accommodate the number of bins required for all waste generated by a development of this type and scale. The number of bins required must be calculated based on a weekly collection of garbage, and a fortnightly collection of recycling.

The area must also include 50% allowance for manoeuvring of bins. The bin storage area is to be located away from habitable rooms, windows, doors and private useable open space, and to minimise potential impacts on neighbours in terms of aesthetics, noise and odour.

The bin storage area is to meet the design requirements detailed in the Marrickville DCP 2011 and must include doorways/entrance points of 1200mm.

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.

Stormwater Drainage System – Minor Developments (OSD is required)

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with stormwater drainage design plans incorporating on site stormwater detention and/or on site retention/ re-use facilities (OSR/OSD), 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 be generally in accordance with the stormwater drainage concept plan on Drawing No. C02.01 Rev D prepared by Engineering Studio and dated 08/12/2021, 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/directly to Council's piped drainage system via the OSD/OSR tanks as necessary;

- 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;
- e. 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;
- f. The on-site detention system must be designed for all storm events from the 1 in 5 years to the 1 in 100 year storm event, with discharge to a Council controlled storm water system limited to pre-development conditions with the maximum allowable discharge to Council's street gutter limited to 25 litres/second (20 years ARI/100years ARI);
- g. OSD may be reduced or replaced by on site retention (OSR) for rainwater reuse in accordance with the relevant DCP that applies to the land. Where this is pursued, the proposed on-site retention (OSR) tanks must be connected to a pump system for internal reuse for laundry purposes, the flushing of all toilets and for outdoor usage such as irrigation. Surface water must not be drained to rainwater tanks where the collected water is to be used to supply water inside the dwelling, such as for toilet flushing or laundry use;
- h. Pipe and channel drainage systems including gutters must be designed to convey the one hundred (100) year Average Recurrence Interval (ARI) flows from the contributing catchment to the OSD/OSR tanks;
- i. Details of the 100-year ARI overflow route in case of failure\blockage of the drainage system must be provided;
- j. 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:
 - 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;
 - ii. 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
 - iii. The design shall make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands.
- k. 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;

- m. An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets;
- n. Only a single point of discharge is permitted to the kerb and gutter, per frontage of the lot;
- 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;
- p. All stormwater outlets through sandstone kerbs must be carefully core drilled in accordance with Council standard drawings;
- q. All redundant pipelines within footpath area must be removed and footpath/kerb reinstated;
- r. Stormwater drainage must be located such that any waters leaving the pool must drain to pervious areas prior to potentially draining to the site stormwater drainage system; and
- s. No impact to street trees.

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 public domain along all frontages of the site inclusive of footpath paving, kerb, landscaping, etc. must be reconstructed and upgraded in accordance with the Street Tree Master plan and the Public Domain Design Guide or scheme;
- b. The construction of light duty vehicular crossings to all vehicular access locations and removal of all redundant vehicular crossings to 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. Note, the cross fall of the footpath must be set at 2.5%. These sections will set the alignment levels at the boundary; and
- d. Installation of stormwater outlet to the kerb and gutter.

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

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. A minimum of 2200mm headroom must be provided throughout the access and parking facilities. Note that the headroom must be measured at the lowest projection from the ceiling, such as lighting fixtures, and to open garage doors;
- b. The maximum gradients within the parking module must not exceed 1 in 20 (5%), measured parallel to the angle of parking and 1 in 16 (6.25%), measured in any other direction in accordance with the requirements of Section 2.4.6 of AS/NZS 2890.1-2004; and
- c. The external form and height of the approved structures must not be altered from the approved plans.

Power Pole Relocation

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with evidence that the power and any Ausgrid services are relocated to a position clear of the proposed vehicular crossing.

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 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.

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.

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.

Sydney Water - Tap In

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

Note: Please refer to the web site http://www.sydneywater.com.au/tapin/index.htm for details on the process or telephone 13 20 92

DURING DEMOLITION AND CONSTRUCTION

Documentation of Demolition and Construction Waste

All waste dockets from the recycling and/or disposal of any demolition and construction waste generated from the works must be retained on site.

Tree Protection

To protect the following tree, trunk and branch 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*:

Botanical/Common Name/Location

Callistemon viminalis (Weeping Bottlebrush) - Council verge

Inspections by Project Arborist

The trees to be retained must be inspected, monitored and treated by the Project Arborist during and after completion of development works to ensure their long-term survival. Regular

inspections and documentation from the Project Arborist to the Certifying Authority are required at the following times or phases of work:

Time of Inspection	Key stage/ Hold point
Prior to commencement of works	 i. Inspection and sign off installation of tree protection measures.
During Works	b. Supervise all works inside or above the TPZ.

Recommendations to ensure the tree/s long term survival must be carried out immediately upon receipt of the report.

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.

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

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:

- i. Light duty concrete vehicle crossing(s) at the vehicular access location(s);
- ii. 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;

- iii. The existing concrete footpath across the frontage of the site must be reconstructed; and
- iv. 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".

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.

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.

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:

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

Operation and Management Plan

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with an Operation and Management Plan has been prepared and implemented for the on-site detention and/or on-site retention. The Plan must set out the following at a minimum:

- a. The proposed maintenance regime, specifying that the system is to be regularly inspected and checked by qualified practitioners; and
- b. The proposed method of management of the facility, including procedures, safety protection systems, emergency response plan in the event of mechanical failure, etc.

Parking Signoff – Minor Developments

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

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.

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.

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 two (2) x 100 litre size additional trees, which will attain a minimum mature height of eight (8) metres, must be planted at rear, one per lot. They should not be planted less than 2.5m from a dwelling house or garage, and may not be planted less than 1m from other structures or services, allowing for future tree growth. The trees are to conform to AS2303—*Tree stock for landscape use.* Tree species listed on C7 Tree Minor Works, Palms, fruit trees and species recognised to have a short life span will not be accepted as suitable replacements.

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

Project Arborist Certification

Prior to the issue of any Occupation Certificate, the Principal Certifier is to be provided with certification from the project arborist the requirements of the conditions of consent related to the replacement trees and the role of the project arborist have been complied with.

Aircraft Noise -Alterations and Additions

Prior to the issue of any Occupation Certificate, the Principal Certifier must be provided with a report prepared and submitted by an accredited Acoustics Consultant certifying that the final construction meets AS2021-2015 with regard to the noise attenuation measures referred to in the "Before the Issue of a Construction Certificate" Section of this Determination. Such report must include external and internal noise levels to ensure that the external noise levels during the test are representative of the typical maximum levels that may occur at this development.

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.

PRIOR TO SUBDIVISION CERTIFICATE

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.

Civil Engineer Verification

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

Torrens Title Subdivision

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

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.

Release of Subdivision Certificate

Prior to the release of a Subdivision Certificate, the Certifying Authority must be provided with a copy of the Final Occupation Certificate.

ON-GOING

Bin Storage

All bins are to be stored within the site. Bins are to be returned to the properties within 12 hours of having been emptied.

Operation and Management Plan

The Operation and Management Plan for the on-site detention and/or on-site retention/reuse, approved with the Occupation Certificate, must be implemented and kept in a suitable location on site at all times.

ADVISORY NOTES

Notice to Council to deliver Residential Bins

Council should be notified of bin requirements three weeks prior to the occupation of the building to ensure timely delivery.

Council will place an order for the required bins. Delivery will occur once the applicant has completed a Request for New Service.

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 2021.*

Notification of commencement of works

At least 7 days before any demolition work commences:

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

Storage of Materials on public property

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

Toilet Facilities

The following facilities must be provided on the site:

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

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

Infrastructure

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

Other Approvals may be needed

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

Failure to comply with conditions

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

Other works

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

Obtaining Relevant Certification

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

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

National Construction Code (Building Code of Australia)

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

Notification of commencement of works

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

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

Dividing Fences Act

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

Swimming Pools

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

- a. The owner of the premises is required to register the swimming pool on the NSW State Government's Swimming Pool Register. Evidence of registration should be provided to the Certifying Authority.
- b. Access to the pool/spa is restricted by a child resistant barrier in accordance with the regulations prescribed in the. The pool must not be filled with water or be allowed to collect stormwater until the child resistant barrier is installed. The barrier is to conform to the requirements of Australian Standard AS 1926:2012.
- c. A high level overflow pipe has been provided from the back of the skimmer box to the filter backwash line discharging to the sewer. This line must not directly vent the receiving Sydney Water sewer. Evidence from the installer, indicating compliance with

this condition must be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

- d. Permanently fixed water depth markers are to be clearly and prominently displayed on the internal surface above the water line at the deep and shallow ends on inground pools / spas and on the outside of aboveground pools / spas.
- e. A durable cardiopulmonary resuscitation information poster sign authorised by the Life Saving Association is to be displayed in the pool / spa area in accordance with Clause 10 of the Swimming Pool Regulation 2008.
- f. Access to the swimming pool/spa must be restricted by fencing or other measures as required by the *Swimming Pools Act 1992* at all times.

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

Permits from Council under Other Acts

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

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

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

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.

Useful Contacts

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

www.basix.nsw.gov.au

Department of Fair Trading 13 32 20

www.fairtrading.nsw.gov.au

Enquiries relating to Owner Builder Permits and

Home Warranty Insurance.

Dial Prior to You Dig 1100

www.dialprior toyoudig.com.au

9841 8660 Landcom

To purchase copies of Volume One of "Soils and

Construction"

Service Payments 131441 Long

Corporation

www.lspc.nsw.gov.au

NSW Food Authority 1300 552 406

www.foodnotify.nsw.gov.au

NSW Government www.nsw.gov.au/fibro

www.diysafe.nsw.gov.au

Information on asbestos and safe work

practices.

NSW Office of Environment and 131 555

Heritage

www.environment.nsw.gov.au

Sydney Water 13 20 92

www.sydneywater.com.au

Waste Service SITA 1300 651 116

Environmental Solutions

www.wasteservice.nsw.gov.au

Water Efficiency Labelling and www.waterrating.gov.au

Standards (WELS)

WorkCover Authority of NSW 13 10 50

www.workcover.nsw.gov.au

Enquiries relating to work safety and asbestos

removal and disposal.

Street Numbering

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

Noise

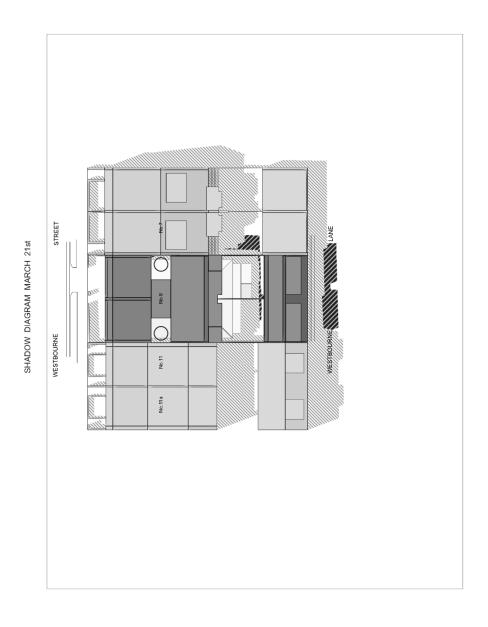
Noise arising from the works must be controlled in accordance with the requirements of the *Protection of the Environment Operations Act 1997.*

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.

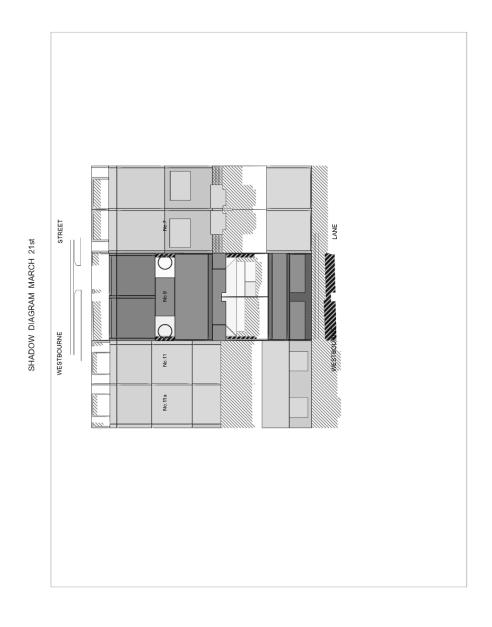
Attachment B – Plans of proposed development



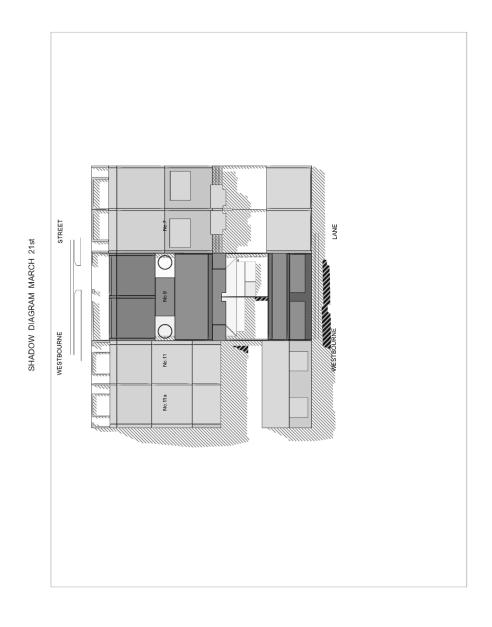


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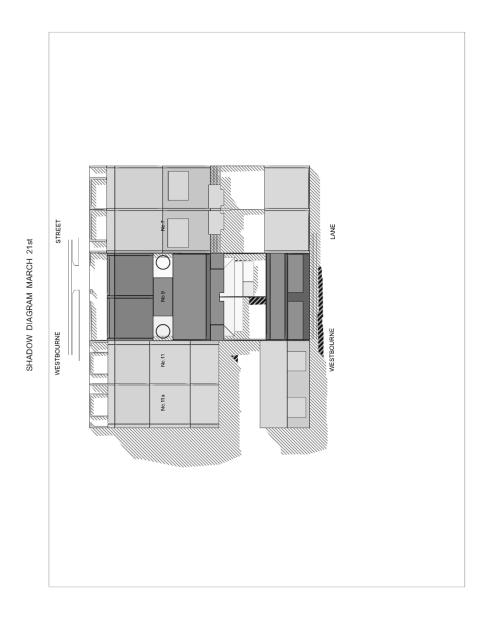


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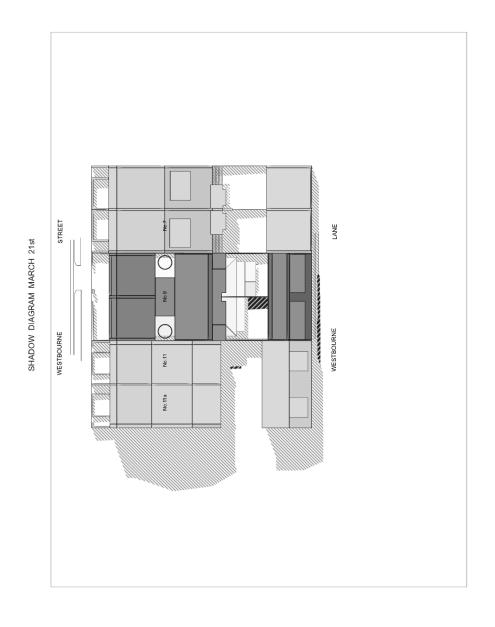
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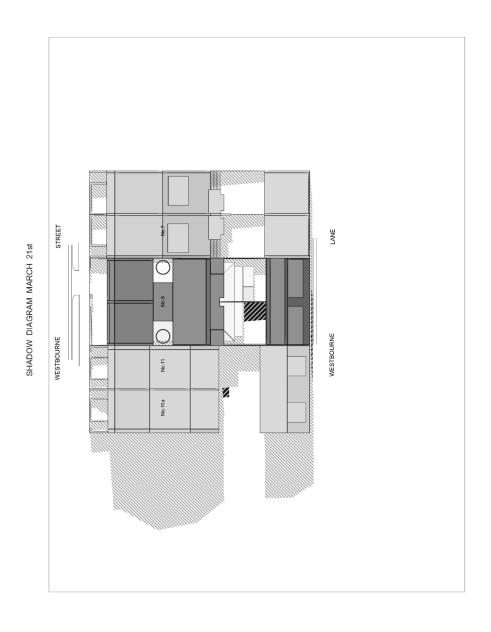


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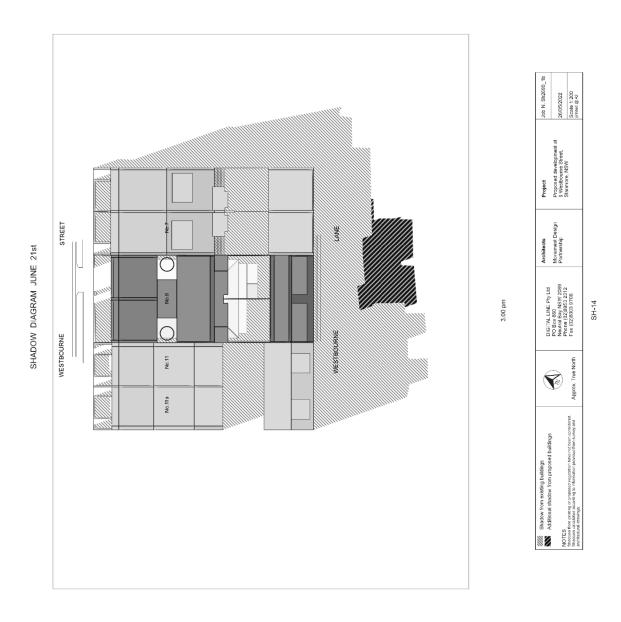


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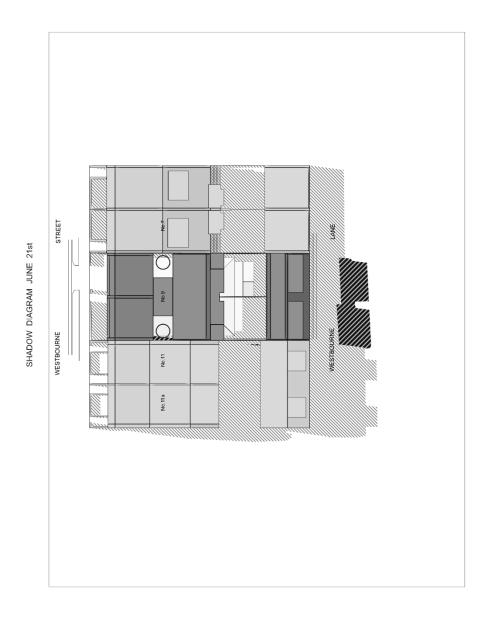
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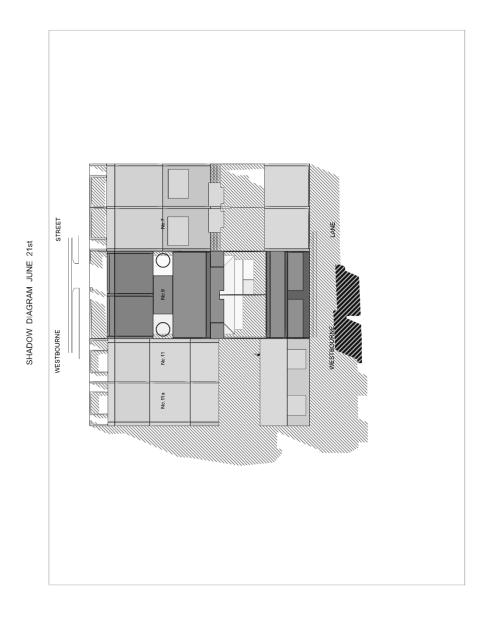
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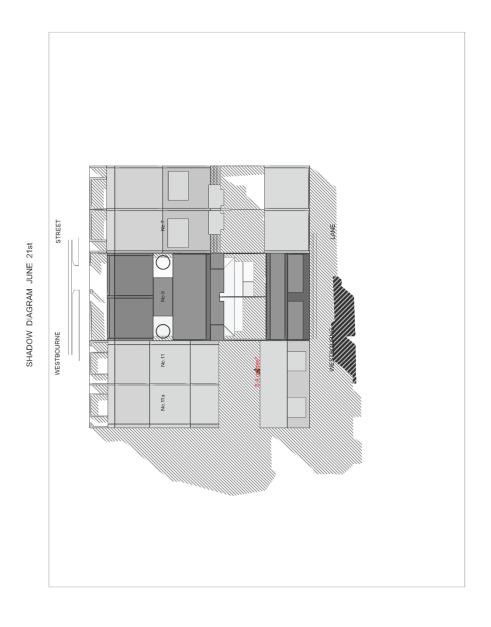
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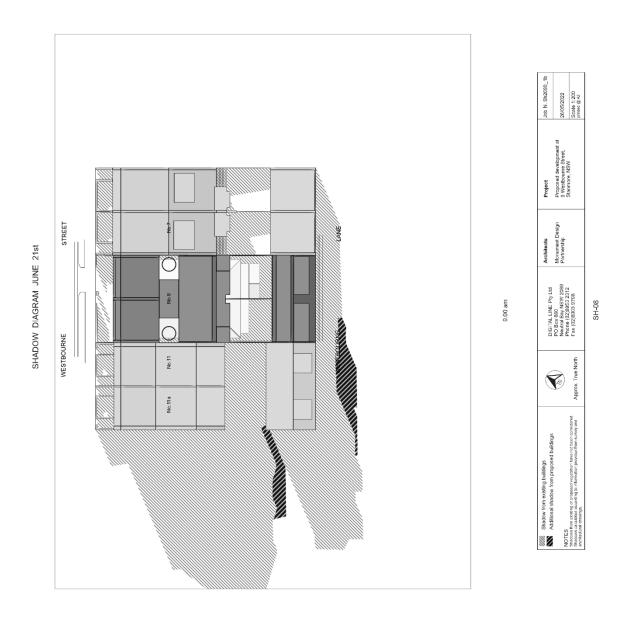
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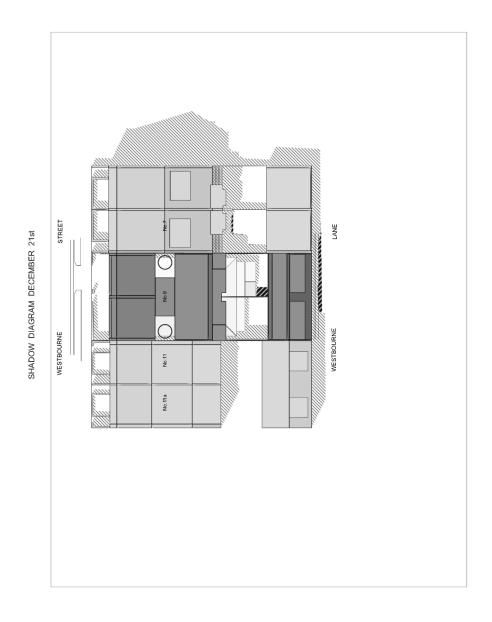


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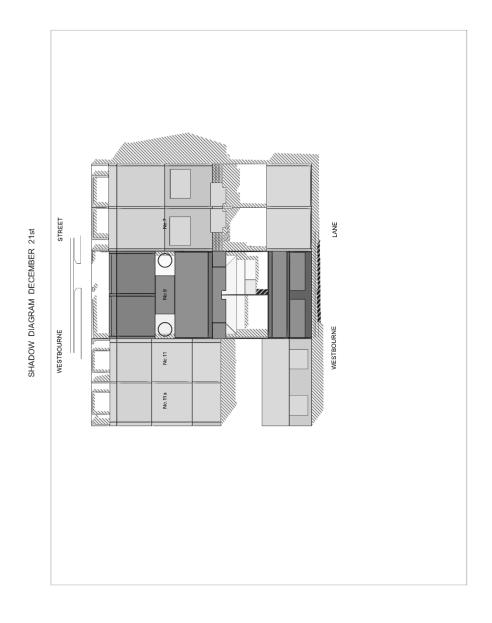
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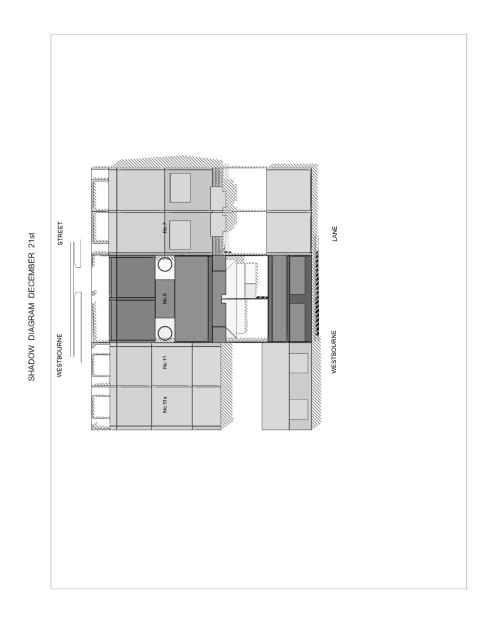
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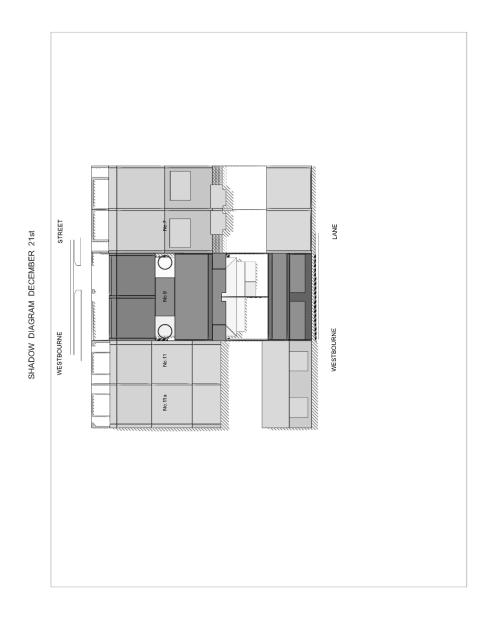


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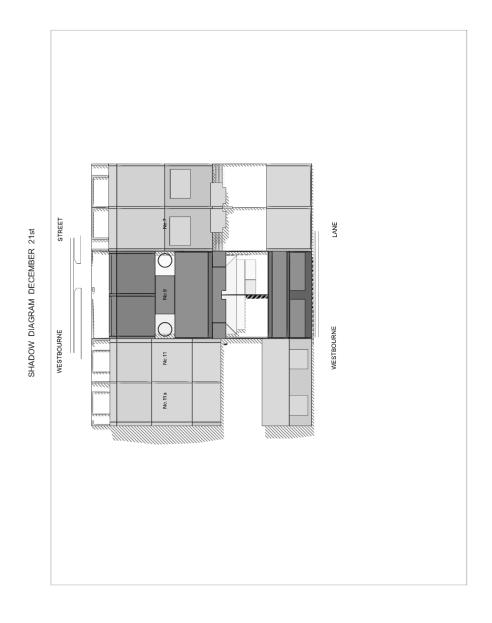


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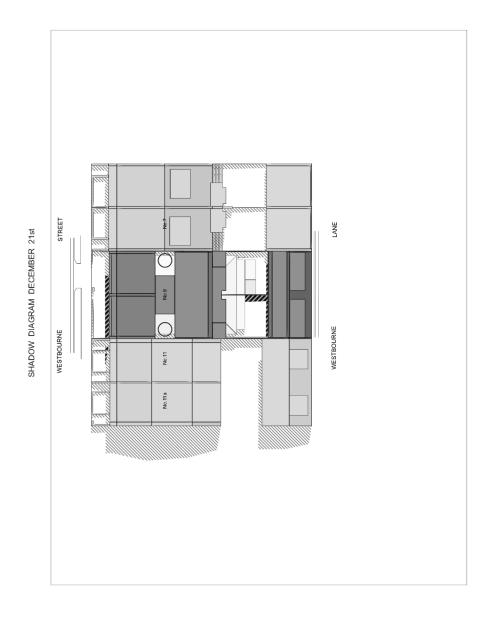
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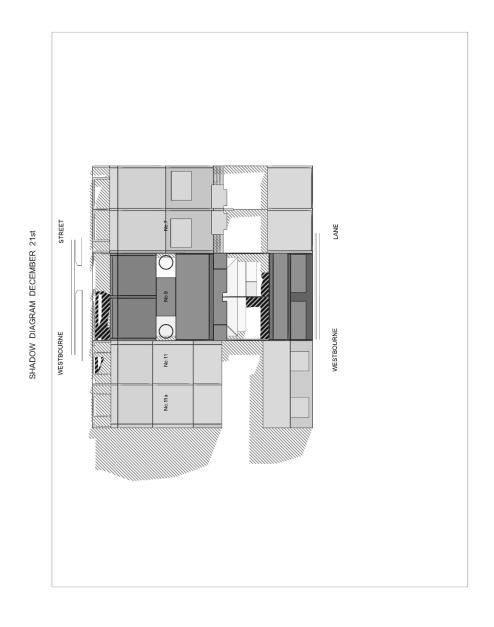


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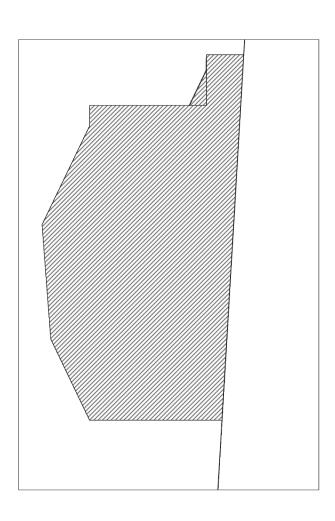


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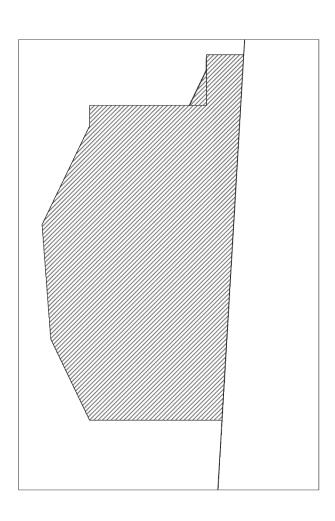
SHADOW DIAGRAM EAST ELEVATION OF Nº 11 WESTBOURNE STREET MARCH 21st



Shadow from existing buildings Additional shadow from proposed buildings	DIGITAL LINE Pty Ltd	Architects	Project	Job N. Sh2690_3b
NOTES	PO Box 860 Neutral Bay NSW 2089 Phone (02)8953 2312	Monument Design Partnership	Proposed development at 9 Westbourne Street,	26/05/2022
Shadows from existing or proposed vegetation have not been considered. Shadows calculated according to information provided from survey and architectural drawings.	Fax (02)8003 9708			Scale 1:100 printed @ A3

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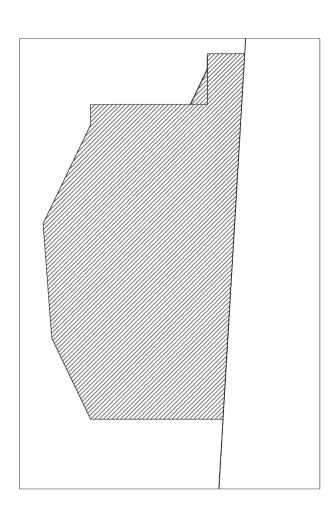
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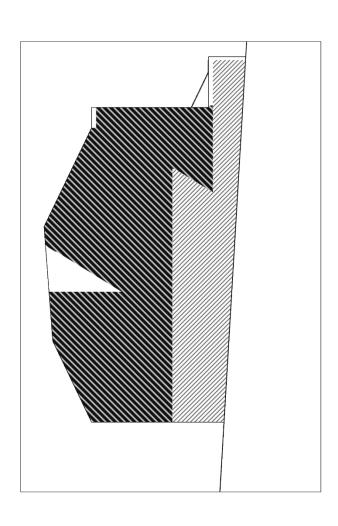
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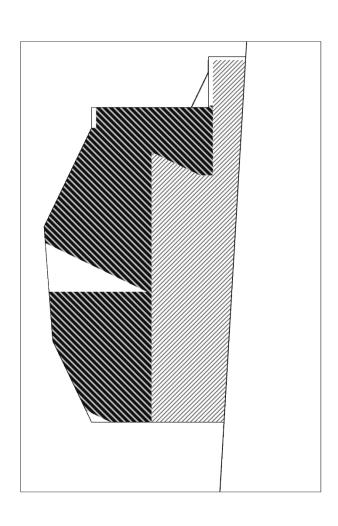


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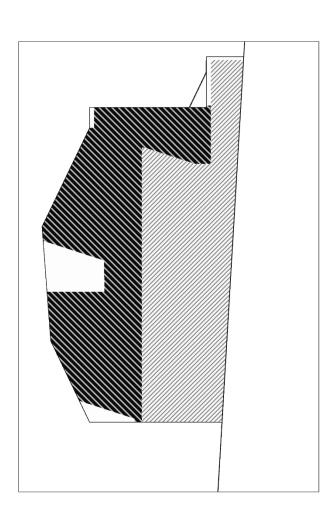
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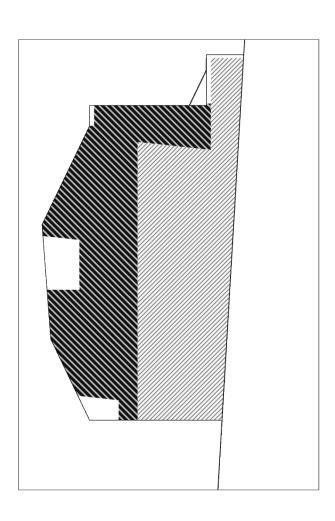
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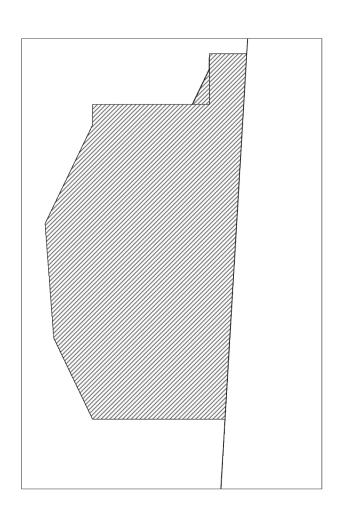
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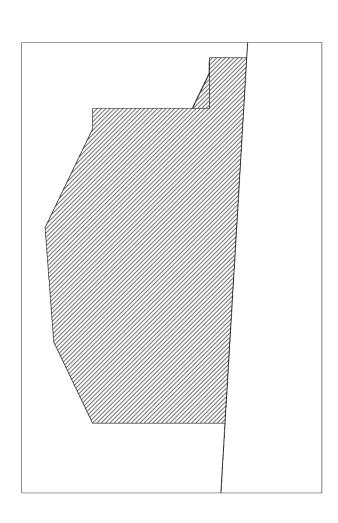
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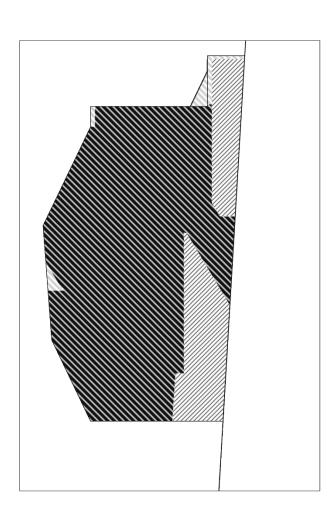
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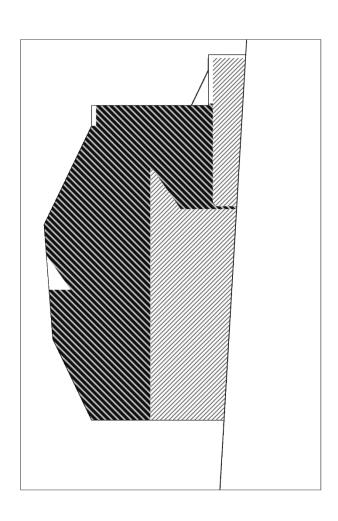
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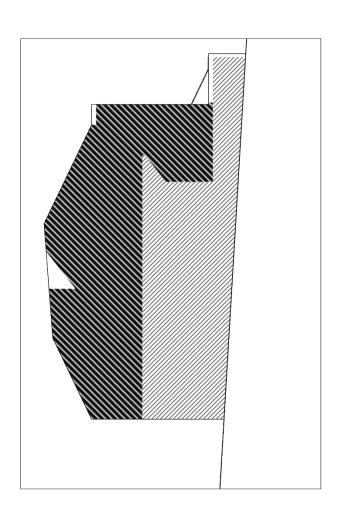
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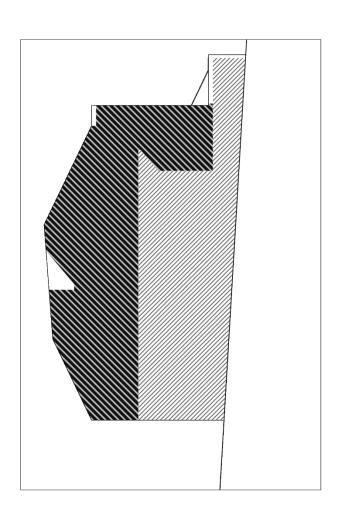
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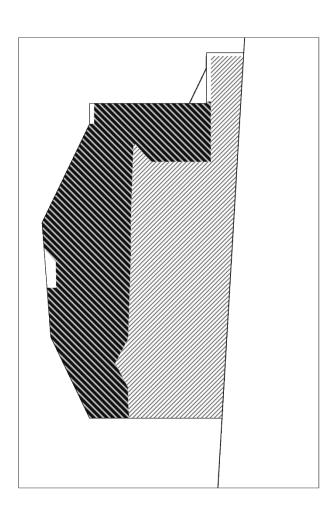


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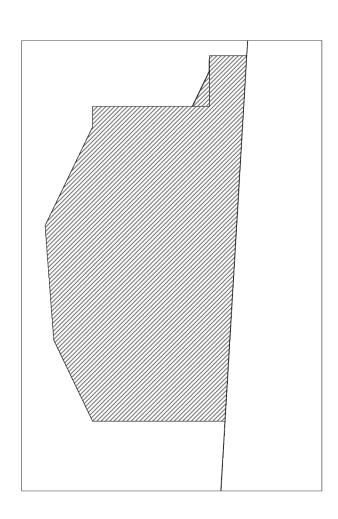
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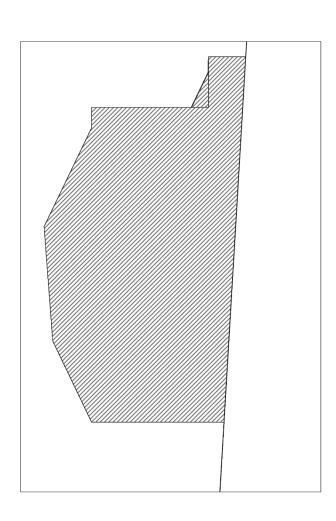
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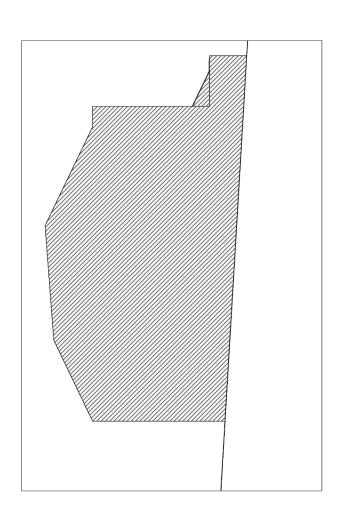
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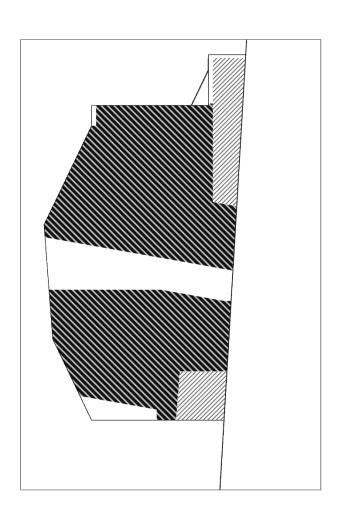
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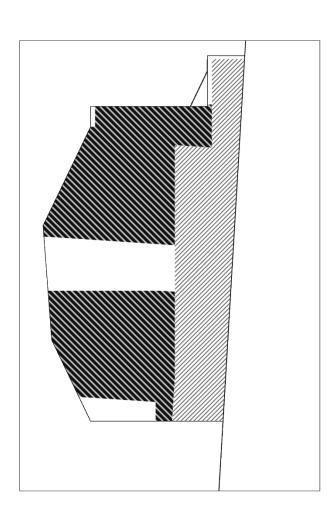


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Shadows from existing or proposed vegatation have not been considered. Shadows calculated according to information provided from survey and architectural drawings.	Fax (02)8003 9708		otalificie, novv	Scale 1:100 printed @ A3

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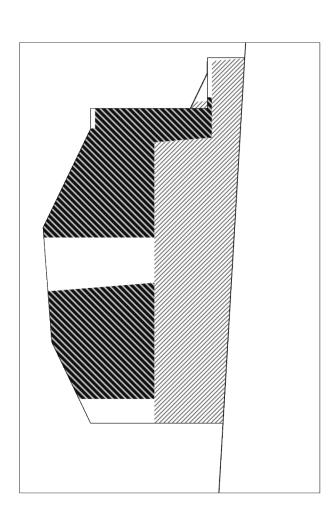
SHADOW DIAGRAM EAST ELEVATION OF Ne 11 WESTBOURNE STREET DECEMBER 21st



Shadow from existing buildings Additional shadow from proposed buildings	DIGITAL LINE Pty Ltd	Architects	Project	Job N. Sh2690_3b
_	PO Box 860 Neutral Bay NSW 2089 Phone (103/9453 2312	Monument Design Partnership	Proposed development at 9 Westbourne Street,	26/05/2022
Shadows from existing or proposed vegetation have not been considered. Shadows calculated according to information provided from survey and architectural drawings.	Fax (02)8003 9708		Starifficie, INSWV	Scale 1:100 printed @ A3

PAGE 311

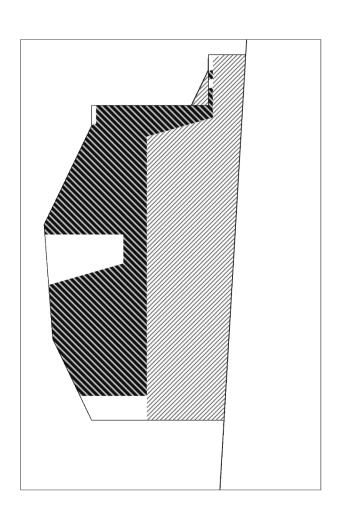
SHADOW DIAGRAM EAST ELEVATION OF Nº 11 WESTBOURNE STREET DECEMBER 21st



Shadow from existing buildings Aprilional sharlow from proposed huildings	DIGITAL LINE PIV Ltd	Architects	Project	Job N. Sh2690_3b
		Monument Design Partnership	Proposed development at 9 Westbourne Street,	26/05/2022
Stradows from existing or proposed vagatation have not been considered. Stradows calculated according to information provided from survey and architectural drawings.	Fax (02)8003 9708		Statiffore, NOVV	Scale 1:100 printed @ A3

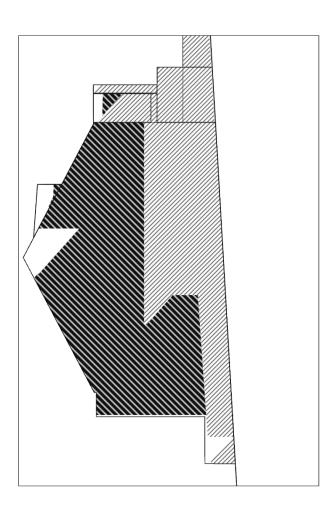
PAGE 312

SHADOW DIAGRAM EAST ELEVATION OF Nº 11 WESTBOURNE STREET DECEMBER 21st



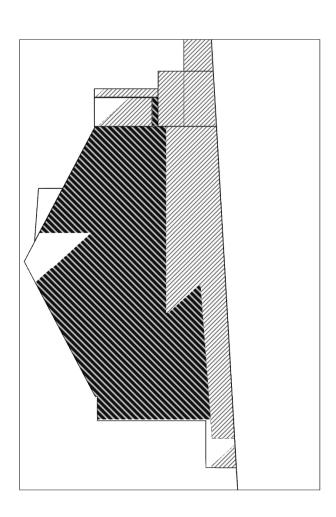
Shadow from existing buildings Additional shadow from proposed buildings	DIGITAL LINE Pty Ltd	Architects	Project	Job N. Sh2690_3b
	PO Box 860 Neutral Bay NSW 2089 Phone (02)9953 2312	Monument Design Partnership	Proposed development at 9 Westbourne Street,	26/05/2022
Shadows from safsing or proposed vagatation have not been considered. Shadows calculated according to information provided from survey and architectural drawings.	Fax (02)8003 9708		Otaliilois, INGW	Scale 1:100 printed @ A3

SHADOW DIAGRAM WEST ELEVATION OF Ng 7 WESTBOURNE STREET MARCH 21st



Shadow from existing buildings Additional shadow from pronosed buildings	DIGITAL LINE Pty Ltd	Architects	Project	Job N. Sh2690_2b
NOTES	PO Box 860 Neutral Bay NSW 2089 Phone (02)9953 2312	Monument Design Partnership	Proposed development at 9 Westbourne Street,	26/05/2022
Shadows from existing or proposed vaparation have not been considered. Shadows calculated according to information provided from survey and architectural drewings.	Fax (02)8003 9708		olaninore, novv	Scale 1:100 printed @ A3

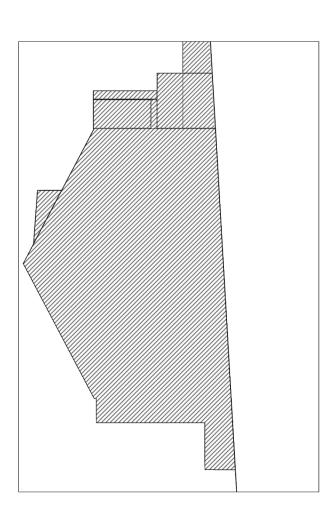
SHADOW DIAGRAM WEST ELEVATION OF Ng 7 WESTBOURNE STREET MARCH 21st



Shadow from existing buildings Additional shadow from proposed buildings	DIGITAL LINE PIY Ltd	Architects	Project	Job N. Sh2690_2b
NOTES	PO Box 860 Neutral Bay NSW 2089 Phone (02)9953 2312	Monument Design Partnership	Proposed development at 9 Westbourne Street, Standard NSW	26/05/2022
Shadows from existing or proposed vegetation have not been considered. Shadows calculated according to information provided from survey and architectural drawings.	Fax (02)8003 9708			Scale 1:100 printed @ A3

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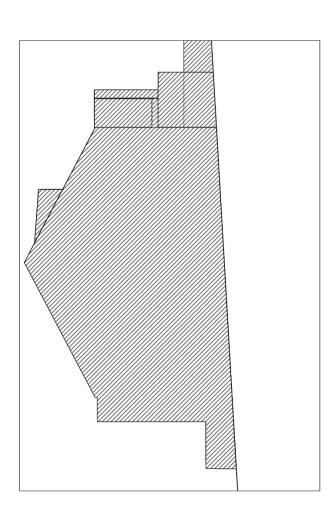
SHADOW DIAGRAM WEST ELEVATION OF Nº 7 WESTBOURNE STREET MARCH 21st



Job N. Sh2690_2b	26/05/2022	Scale 1:100 printed @ A3
Project	Proposed development at 9 Westbourne Street, Stamore New	, AOA (2)
Architects	Monument Design Partnership	
DIGITAL LINE Pty Ltd	PO Box 860 Neufral Bay NSW 2089 Phone (02)9953 2312	Fax (02)8003 9708
Shadow from existing buildings Additional shadow from proposed buildings		Shadows from existing or proposed vegetation have not been considered. Shadows calculated according to information provided from survey and architectural drawings.
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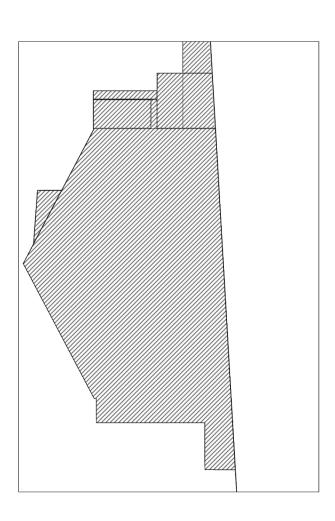
SHADOW DIAGRAM WEST ELEVATION OF Nº 7 WESTBOURNE STREET MARCH 21st



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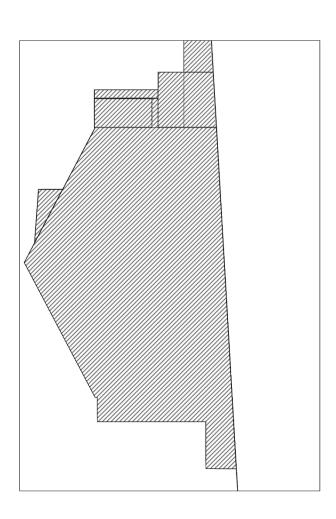
Shadow from existing buildings Additional shadow from proposed buildings	DIGITAL LINE Ply Ltd	Architects	Project	Job N. Sh2690_2b
NOTES	≥4	Monument Design Partnership	Proposed development at 9 Westbourne Street,	26/05/2022
Stradows from susting or proposed vegetation have not been considered. Stradows calculated according to information provided from survey and architectural drawings.	Fax (02)8003 9708		Glattiller, 1909V	Scale 1:100 printed @ A3

SHADOW DIAGRAM WEST ELEVATION OF № 7 WESTBOURNE STREET MARCH 21st



Job N. Sh2690_2b	26/05/2022	Scale 1:100 printed @ A3
Project	Proposed development at 9 Westbourne Street, Glamore New	Callings, NOV
Architects	Monument Design Partnership	
DIGITAL LINE Pty Ltd	PO Box 860 Neutral Bay NSW 2089 Phone (02)9953 2312	Fax (02)8003 9708
Shadow from existing buildings Additional shadow from proposed buildings	S	Shadows from existing or proposed vegetation have not been considered. Shadows calculated according to information provided from survey and architectural drawings.
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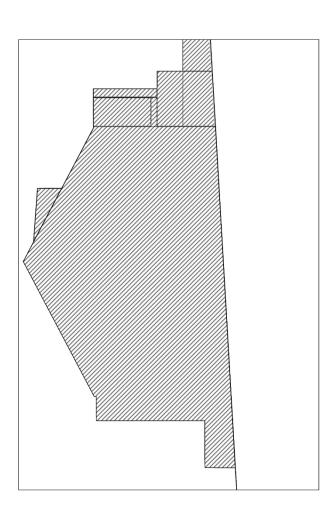
SHADOW DIAGRAM WEST ELEVATION OF № 7 WESTBOURNE STREET MARCH 21st



PO Box 860 Monument Design Neutral Bay NSW 2089 Monument Design Neutral Bay NSW 2089 Partnership Phone (02)99553 23.12 Phone (02)99553 23.12 Fax (02)8003 9708 Stanmore, NSW	Shadow from existing buildings Additional shadow from proposed buildings	DIGITAL LINE Ply Ltd	Architects	Project	Job N. Sh2690_2b
Fax (02)8003 9708	NOTES	PO Box 860 Neutral Bay NSW 2089 Phone (02)9953 2312	Monument Design Partnership	Proposed development at 9 Westbourne Street, Stronger, NSW	26/05/2022
	Shadows from estimpt or proposed vegetation have not been considered. Shadows calculated according to information provided from survey and architectural drawings.	Fax (02)8003 9708		olannore, racev	Scale 1:100 printed @ A3

PAGE 319

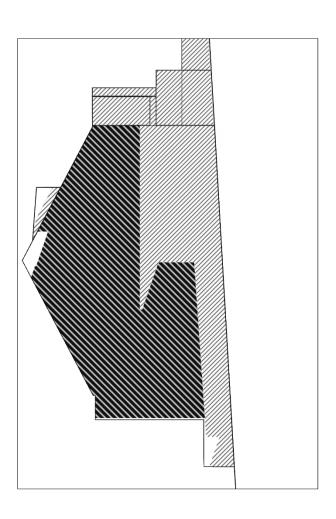
SHADOW DIAGRAM WEST ELEVATION OF № 7 WESTBOURNE STREET MARCH 21st



Shadow from existing buildings Additional shadow from pronosed buildings	DIGITAL LINE Piv Ltd	Architects	Project	Job N. Sh2690_2b
ŕ	PO Box 860 Neutral Bay NSW 2089 Phone (02)8053 2312	Monument Design Partnership	Proposed development at 9 Westbourne Street,	26/05/2022
Shadows from existing or proposal vagatation have not been considered. Shadows calculated according to information provided from survey and architectural drewings.	Fax (02)8003 9708		ordiniore, Now	Scale 1:100 printed @ A3

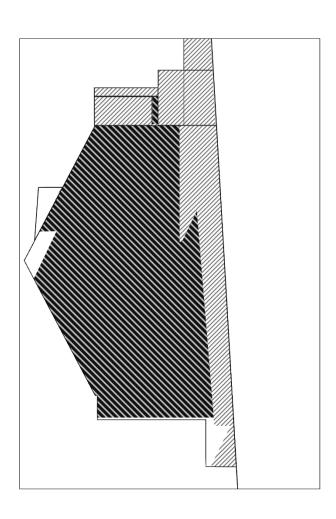
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SHADOW DIAGRAM WEST ELEVATION OF Ng 7 WESTBOURNE STREET JUNE 21st



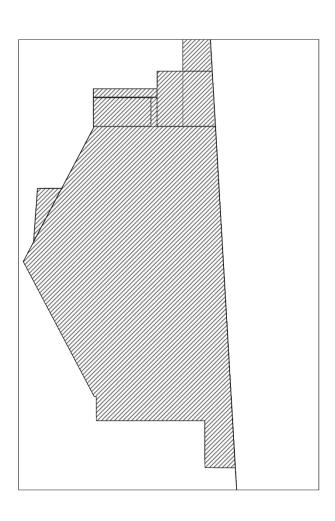
Shadow from existing buildings Additional shadow from proposed buildings	DIGITAL LINE Pty Ltd	Architects	Project	Job N. Sh2690_2b
	PO Box 860 Neutral Bay NSW 2089 Dhone 1/2/0453 2312	Monument Design Partnership	Proposed development at 9 Westbourne Street,	26/05/2022
Shedows from existing or proposed vegetation have not been considered. Shedows calculated according to information provided from survey and architectural drawings.	Fax (02)8003 9708		olanmore, novv	Scale 1:100 printed @ A3

SHADOW DIAGRAM WEST ELEVATION OF Ng 7 WESTBOURNE STREET JUNE 21st



Job N. Sh2690_2b	26/05/2022	Scale 1:100 printed @ A3
Project	Proposed development at 9 Westbourne Street, Stammer New	0.000
Architects	Monument Design Partnership	
DIGITAL LINE Pty Ltd	PO Box 860 Neutral Bay NSW 2089 Phone (02)9953 2312	Fax (02)8003 9708
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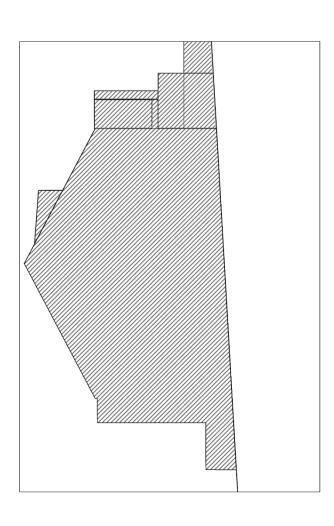
SHADOW DIAGRAM WEST ELEVATION OF Nº 7 WESTBOURNE STREET JUNE 21st



Shadow from existing buildings Project	Job N. Sh2690_2b	26/05/2022	Scale 1:100 printed @ A3
DIGITAL LINE Pty Ltd PO Box 860 Neutral Bay NSW 2089 Phone (02)9953 2312 Fax (02)8003 9708	Project	Proposed development at 9 Westbourne Street, Standard NSW	, No. 100
	Architects	Monument Design Partnership	
Shadow from existing buildings Additional shadow from proposed buildings 5S so analysing or proposed vapatation have not been considered. se salicitated according to information provided from survey and	DIGITAL LINE Pty Ltd	PO Box 860 Neutral Bay NSW 2089 Phone (02)9953 2312	Fax (02)8003 9708
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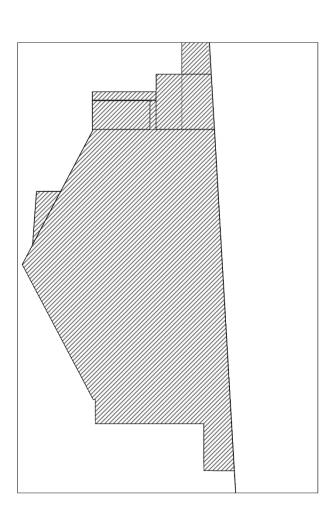
SHADOW DIAGRAM WEST ELEVATION OF Nº 7 WESTBOURNE STREET JUNE 21st



12.00 noon

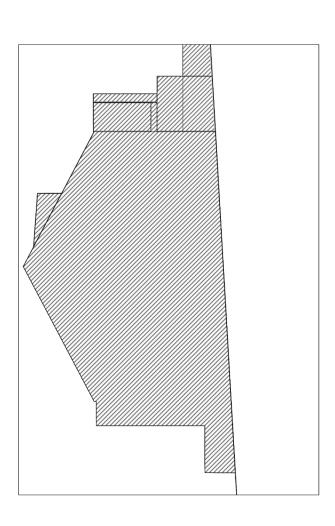
	Shadow from existing buildings Additional shadow from proposed buildings	DIGITAL LINE PIV Ltd	Architects	Project	Job N. Sh2690_2b
NOTES	2.	PO Box 860 Neutral Bay NSW 2089 Phone (02)0953 2312	Monument Design Partnership	Proposed development at 9 Westbourne Street,	26/05/2022
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SHADOW DIAGRAM WEST ELEVATION OF Nº 7 WESTBOURNE STREET JUNE 21st

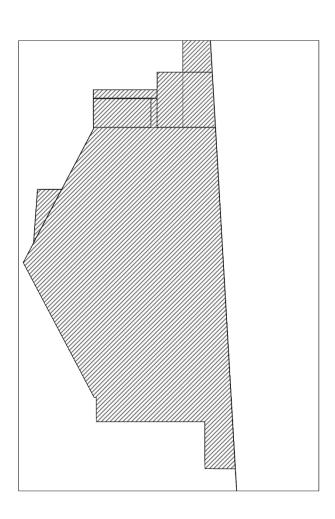


Additional shadow from proposed buildings	DIGITAL LINE Pty Ltd	Architects	Project	Job N. Sh2690_2b
	Σů	Aonument Design Partnership	Proposed development at 9 Westbourne Street,	26/05/2022
Shadows from existing or proposed vegetation have not been considered. Shadows calculated according to information provided from survey and architectural drawings.	Fax (02)8003 9708			Scale 1:100 printed @ A3

SHADOW DIAGRAM WEST ELEVATION OF Nº 7 WESTBOURNE STREET JUNE 21st



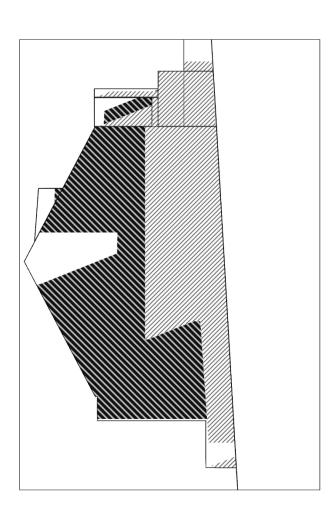
SHADOW DIAGRAM WEST ELEVATION OF Ng 7 WESTBOURNE STREET JUNE 21st



from proposed buildings	E Pty Ltd	Architects	Project	Job N. Sh2690_2b
ŭ ž à	PO Box 860 Neufral Bay NSW 2089 Parti	Monument Design Partnership	Proposed development at 9 Westbourne Street,	26/05/2022
Fa	ax (02)8003 9708			Scale 1:100 printed @ A3

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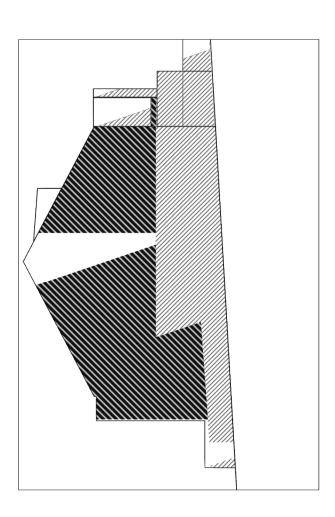
SHADOW DIAGRAM WEST ELEVATION OF Nº 7 WESTBOURNE STREET DECEMBER 21st



Shadow from existing buildings Additional shadow from proposed buildings	DIGITAL LINE Pty Ltd	Architects	Project	Job N. Sh2690_2b
NOTES	PO Box 860 Neutral Bay NSW 2089 Phone (02)9953 2312	Monument Design Partnership	Proposed development at 9 Westbourne Street,	26/05/2022
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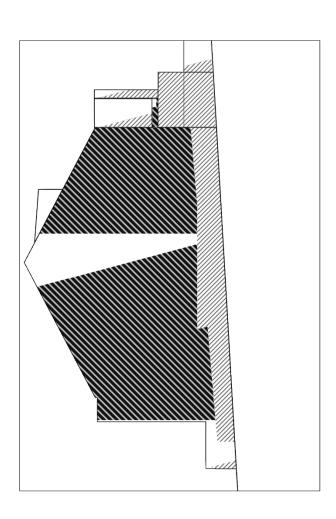
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SHADOW DIAGRAM WEST ELEVATION OF Ng 7 WESTBOURNE STREET DECEMBER 21st



Shadow from existing buildings Additional shadow from pronosed buildings	DIGITAL LINE Ply Ltd	Architects	Project	Job N. Sh2690_2b
	PO Box 860 Neutral Bay NSW 2089 Phone (02)9953 2312	Monument Design Partnership	Proposed development at 9 Westbourne Street, Standard New	26/05/2022
Shadows from susting or proposed vagetation have not been considered. Shadows calculated according to information provided from survey and architectural drawings.	Fax (02)8003 9708		Granificity, INGW	Scale 1:100 printed @ A3

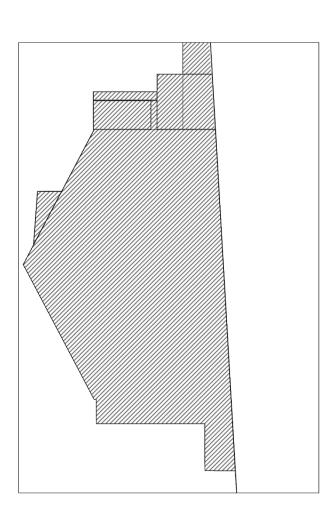
SHADOW DIAGRAM WEST ELEVATION OF Nº 7 WESTBOURNE STREET DECEMBER 21st



Shadow from existing buildings Additional shadow from promosed buildings	DIGITAL LINE Pty Ltd	Architects	Project	Job N. Sh2690_2b
	PO Box 860 Neutral Bay NSW 2089 Phone (10)0953 2312	Monument Design Partnership	Proposed development at 9 Westbourne Street,	26/05/2022
Shadows from existing or proposed vegetation have not been considered. Shadows calculated according to information provided from survey and straitecture drawings.	Fax (02)8003 9708		otalinde, now	Scale 1:100 printed @ A3

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SHADOW DIAGRAM WEST ELEVATION OF Nº 7 WESTBOURNE STREET DECEMBER 21st

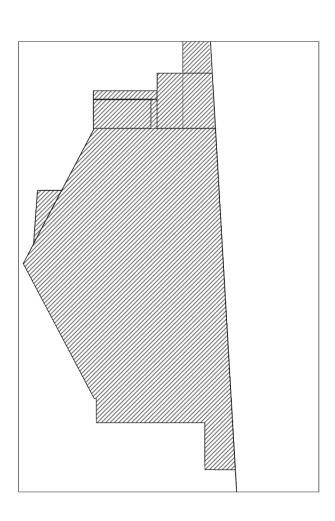


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Job N. Sh2690_2b	lopment at 26/05/2022	Scale 1:100 printed @ A3
Project	Proposed development at 9 Westbourne Street,	500
Architects	Monument Design Partnership	
DIGITAL LINE Pty Ltd	PO Box 860 Neutral Bay NSW 2089 Phone (02)9953 2312	Fax (02)8003 9708
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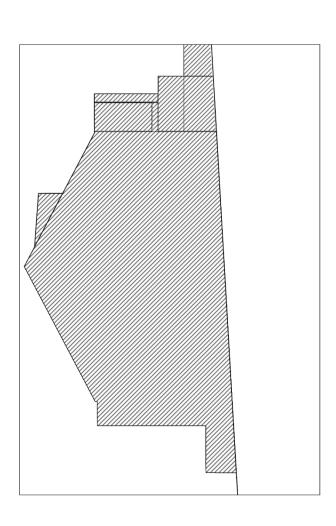
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SHADOW DIAGRAM WEST ELEVATION OF Nº 7 WESTBOURNE STREET DECEMBER 21st



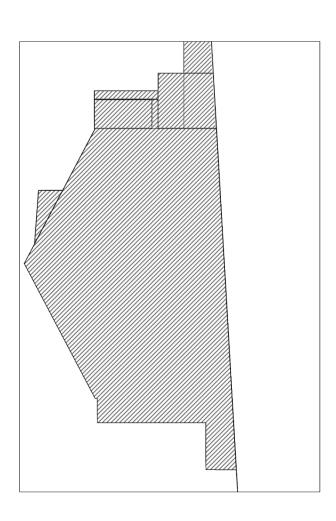
Shadow from existing buildings Additional shadow from proposed buildings	DIGITAL LINE Pty Ltd	rchitects	Project	Job N. Sh2690_2b
	Ž Å	fonument Design artnership	Proposed development at 9 Westbourne Street,	26/05/2022
Shadows from existing or proposed vegetation have not been considered. Shadows escalated according to information provided from survey and architectural drawings.	Fax (02)8003 9708		otaliilois, Novy	Scale 1:100 printed @ A3

SHADOW DIAGRAM WEST ELEVATION OF Nº 7 WESTBOURNE STREET DECEMBER 21st



Job N. Sh2690_2b	26/05/2022	Scale 1:100 printed @ A3
Project	Proposed development at 9 Westbourne Street, Glamore New	MANA MANA
Architects	Monument Design Partnership	
DIGITAL LINE Pty Ltd	PO Box 860 Neutral Bay NSW 2089 Phone (02)9953 2312	Fax (02)8003 9708
Shadow from existing buildings Additional shadow from proposed buildings	S	Shadows from existing or proposed Vegetation have not been considered, Shadows calculated according to information provided from survey and architectural drawings.
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SHADOW DIAGRAM WEST ELEVATION OF Nº 7 WESTBOURNE STREET DECEMBER 21st



Shadow from existing buildings Additional shadow from proposed buildings	DIGITAL LINE Pty Ltd	Architects	Project	Job N. Sh2690_2b
	≥4	Monument Design Partnership	Proposed development at 9 Westbourne Street,	26/05/2022
Shadows from existing or proposed vegetation have not been considered. Shadows calculated according to information provided from survey and architectural drawings.	Fax (02)8003 9708		otaliilois, Novv	Scale 1:100 printed @ A3

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Project No 2114

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BASIX Commitments

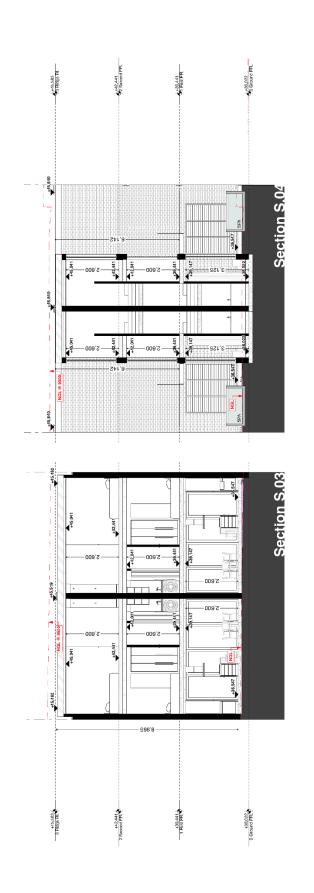
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\perp	,	,	T	Aber study comes tolleds tolleds about tolleds tolleds	1, in these commitments, 'applicant' means the person compile out the development.
ugu	•	,		Sylviene Sylviene Sylviene 4 1 pres pres pres	 The applicant must sharify, and they are dominen are lead to the additionle, on the principality in yelevations, and on the place and specifications accompanying the application for a complantion refinitely development benticely, for the proposed development, using the remine pertugging their or
 (c) the native is specified in the table below for a flowing or applicant on the institute in the dwalling, the applicant must ensure that each and flower and ampliance made the policy application. 		,	,	accritiforms acconfigures acconfigures acconfigures (declared) (delicated) (delicated) (delicated) (delicated)	The rule applies if the proposed development around the building for both reciberted and non-reciberted purposes (or the change of use of a building for both. 3. This rule applies if the proposed development arounds the recipies of a building for both.
(d) The applicant must retail as an domand but watter rediscission system which regulates at hot water use discaplication discipling, where highway because the eventing to the TMM rectinuities and herestern of the subsite below.		,	,		restants and correctional pulgetes). Commissioners in the cellinate which are specified to apply to a commissioners of a building or the development, apply only to that part of the building or development to be used for restanted purposes.
(e) The applicant must redait				Inditional pool Inditional spa Appliances & other efficiency measures	 If his certificity bits a certal system as a commitment to a covering or public, encital, system will also entroy any other development, the ceresponent, then the system energy or building within the ceresponent, then the system energy or building, and the ceresponent, then the system energy or building or building.
lact, a hot water directain system to all chouses, kitchen sinks and all basins in the eveiling, where indicated for a dwelling in the 14th rediscustant or directain" calamn of the table belaw, and		,	>	Dishwasher Clothes Clothes	5. It is also or other rating is specified in a commitment, the it is minimum rating.
(bb) a separate discrimina turik (or zonis) connected to the hot water discribin systems of all least 100 libra. The applicant must connect the list water discrimination to all beliefs in the developing.		,	,	Spiritus average special speci	 An experience of the state of t
-	,	,		acustic .	Application on compact in more than product in the compact in the
	•	,		All electric yes gas cocking A . no na yes contracted a contractory.	Pegand
	+	,	T		ı
_	>	>		Alternative energy	1. Administrate statistical is a in the work at the Library obtaining a province of the proposed development, in development application is to be deposed development.
 (ii) The applicant must install, fur the desting, each absentible water supply systum, with the specified size, leads for that overling in the table below. Each system must be configured to collect rule off from the crosses specified peoplacing any sizes which exposites. 	,	,	,	Dwelling no. Photovotate system (min rand electrical output in peak kitt)	2. Commitments sherified with a 🗸 in the 10 tow on CCCCUC plans and speed column stable elevan in the piece and speed colorent accompanying the application for a construction
ary constraints when supply system, and to does oversities as specified. Each system may be connected as specified.	i		I	3.0	To committee a design at the Confirm that the confirm and the confirm and the confirm and the confirmation and the confirmation of the confirmatio
All forces day and the Waterner Period Proof	П			All other develops.	occupation certificate (effect mem or final) for a building listed in this certificate, or for any pand of such a building, letted it is catached that each of the commitments showe fulliment
shawer. Bushing kitches bathroom retireulation clothes washers (max cover location house contents have	m) poperts	(max cover shaded	hided		The makes are a second or a
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alings 4.6 but				UADIATIS DIBITIS A SPECIS	
T-VALVE C		_	-	"Assessed Calculators to the development applications and considerable to the approach development (or, in the applicant is applying for a cormplaint development certificate from a proposed development, the applicant the applying for a cormplaint development certificate from a proposed development, it this application. The applicant	O satisfied an expension of Octobries
				must also allock the Acessor Certificate to the applicabilities at all occupation certificate by the proposed certificate for	Certificate number: 1230345IM
Allemative water source				volicate must have been locured by an Accredited Authoropor in acconductor with the Thermal Contint Protocal.	Date of issue: Friday, 19 November 2021
cling no. Alternative water Size Configuration Landscape Tollet	Tollet Laundry Pool		da-dot edg	(B) Thermal Confort Shev on Store on CACCO C Certifies The plans plans & spece class of the charge	
monopolitico.	roullection	dada			
All denotings includual mater tank (ms. Trank size To delect run off from all loads	u u	du sal		Conflictible, including the detailer proon in the Thermal Laber Table below.	
				(ii) The agreed made found on the points accompanied to the absolutional application or the proposed determination in making which the bloomed Control Photologogies to be provin on those plants must been a claim of a restriction to control and accompanied to the control accompanied to the	
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0.0 equate mellee of pleater tox ores.				or ordinate in Explosion, on the many operations on on or the Assessor Criticals, and larger species of the Control of the Assessor Criticals, and larger species of the Assessor Criticals, and all proposed operations are proposed proposed on the Assessor Criticals, and all proposed on	
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(II) Eliveryy (III) E	DA plans plans	Show on CC/CDC	Special	(g) Where there is an analysis leading or conting agreem, the applicant must.	
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.					
(3) The applicant most install each hot water bytions specified for the diseasing in the table below, or that the developed in the adentity in the adentity cuptated by that eyidem. If the table operation a central hot water system for the diverting, then the applicant must contest that it is a positive and accounted that it is a specific or and a second that it is a specific or and a second that it is a specific or a second that it is a specific or a second that it is a second to the second that it is a specific or a second that it is a second to the second that it is a second that it is a second to the second that it is a second to the seco	>	,	>	(Reb) (The structed that a result insulation with an H-rabe of notices than 1.8 underseablithe about and around the vertical offers of the company of the co	
ential system to the dwelling, so that the eventing after water is supplied by that central system.					
(c) The applicant must retail in each patheron, kitchen and kundry of the owelling, the ventilation gratem specified for that room in the table before. Each wich ventilation system must have the operation certified specified for it in the father.		,	>	>>	
he applicant must make the occurs and heating systems specified for the overling under the "Lang shear" and "Bedroom pages, heatings of the "Challent" and "Bedroom" ordered as the languages where I have been allowed the resulting if		,	,		
once account or county out meanly dutation in some time, in consistent or county in the content, in no config of nearly system is considered in the labble of Lung account, ever, feet no systems may be natione in any such a rose, if the feet man "soon'd testing of such and confidering system, than this system must provide for daymight control pervises that a rose, and destination.					
1	Show on Show	Show on CO/CDC C	Certifier	CODO DESSACI	
		J	seek	rojutora meteng roda (in marriyy)	
(a) This commitments against occur on care and medium parket increases to a relaxage to the "Arman of the same above that only the second specified in the commitment of the same are the "primary past of inflicted lighted" by each act of commitment of the second relaxage of the same are the "primary past of inflicted lighted" by each act of commitment of the second relaxage of the same are the primary past of inflicted lighted to a positive to man in each, then it may be the soon on new man my be expected the same first of the appropriate the same and the same are the		,	,		
		T.	Τ.	Construction of floors and waits	
the babe below (but only to the eithert specified for that room or area). The applicant most existe that each such room or area is after with a window and/or singlight.	,	•	,	Dwelling no. Concrete side on ground(in?) Supposed floor with opin Suspended floor with opin Suspended floor above Printshy ramined earth or and sold and supposed interesting an analysis and supposed floor above.	
(g) This commitment applies if the applicant matrix is water beating system for the dwelfing's pool or spix. The applicant mist.				and of the s	
(as) instal the system specified for the pool in the "institutal Prof" column of the table below for alternatively must not hated any secretar for the pool. If specified the pools are not hated a time, to contribine pools current		,		ments for common areas and central systems/facilities for the development (non-building specific)	
(tb) instal the system specified for the upon in the "fishedual Opa" column of the table below (or afternatively must not make				(A) Common wave and content to column Kerillian	
any system for the spain of the position, and approach must retain a their to common the parties parties.		,	T		
(sa) the littless casking and own specified for that dwilling in the "Applanose & other efficiency measured" calcon of the				(I) Walke Control CODE Coeffie Coeffie Coeffie Coeffie	
ISSE DEDA.		•			
Key own appliance at which a range a specified at macrowing in the Appliances a other thickney instanted definition that the appliance has that minimum rating; and		,	>	`	
(c) any clothes drying line specified for the detelling in the "Appliances & other efficiency measures" column of the table.		,		(ii) The applicant most results for emeasure that the theoretical byth the elements when empty dependent most entire that the above is not the applicant in several positional association, and a somewhat, as "Contrain applicants or character for the above the contraints applicants or contracted, as	
(i) if opocified in the table, the applicant must carry cut the development to that each religarated opace in the exciting is "well				approximation in the tables.	
scallated".		,		(c) A wallowing pool or spa lessed in the table must not have a volume (in K.d.) grades than that apacified for the pool or spa in the leaves.	
 The applicant must restal the photocolous system specified for the develop under the Photocolous system. Neading of the "Absentitive anargy" column of the table ballow, and connect the system to that divoling's electrical system. 	,	,	,		
Hot water Dathroom ventilation system Kitchen ventilation system	Laundry ventill	veriflation system	I	,	
droi each kilichen Operation control	Each laundry	Operation control	pathol	>	
All gas instruktorocus 5 instruktor ten, durind manual center center instruktus firm, ducind manual senter center instruktus from ducing	stivitual fan, duch	manual cetter owoff	n owor		
			1	Showernessos rolling no common facility	
				ogen.	
				(ii) Enlegy Show on COCDC Cedities On when a release them.	
				the formation or the december of the supplication to the Transport Local of Military Indiana, the supplication of the San Company and the San Comp	

Project No 2114 STN GM 9 WESTBOURNE STREET STAMMORE TORRENS TITLE SUBDIVISION AND MET-LOT 3 I DP 735289 FRECTION OF TWO DWELLINGS TCEM.

Window schedule	anle												
<u>Q</u>	WIN.01	WIN.01-O	WIN.02	WIN.02	WIN.03	WIN.04	WIN.05	WIN.06	WIN.07	WIN.08	WIN:09	WIN.10	WIN.11
Glass Type	Clear	Obscure	Clear	Clear	Clear	Clear	Obscure	Olear	Clear	Clear	Clear	Clear	Obscure
Window Type	Louvre	Louvre	Louvre	Louvre	Louvre	Louvre	Louvre	Louvre	Louvre	Louvre	Louvre	Louvre	Louvre
Quantity	4	01	Ø	22	4	-	23	21	23	53	21	81	63
Wallhole Dimensions W x H	1,100×2,200	1,100x2,200 1,100x1,850	2,476×2,500	2,476×2,500	1,713x2,500 1,200x2,500 1,790x1,400	1,200×2,500	1,790×1,400	2,700×1,000	3,496×1,800	3,496x712	600×712	2,713x2,500	800×1,200
Sill height	800	800	625	100	100	100	1,200	1,600	006	1,988	1,988	100	1,400
Head height	3,000	2,650	3,125	2,600	2,600	2,600	2,600	2,600	2,700	2,700	2,700	2,600	2,600
Glazed area in sqm	2.42	2.04	6.19	6.18	4.28	3.00	2.51	2.70	6.29	2.49	0.43	6.78	96.0
2D Symbol									c				
2D Elevation													

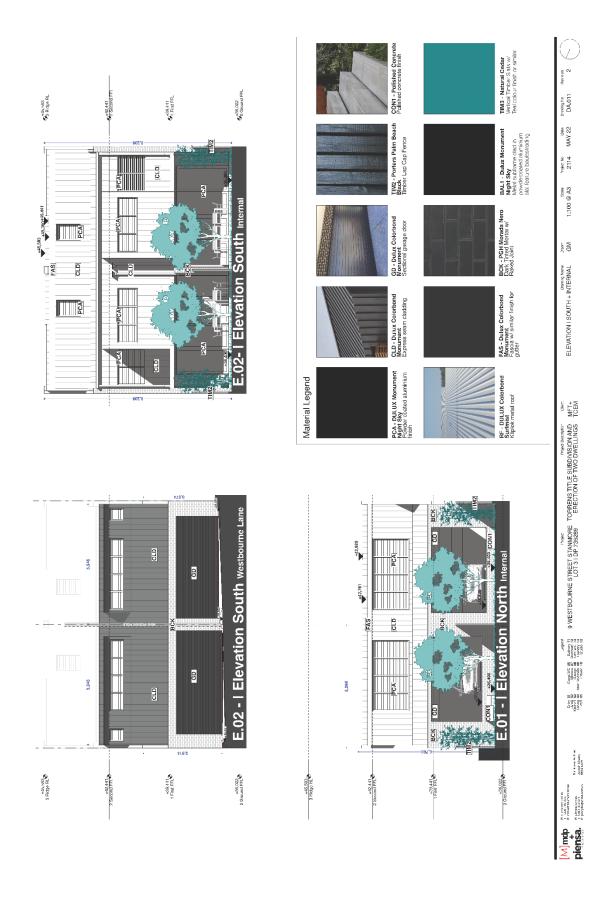
Glazed doc	Glazed door schedule		natHERS Sp	natHERS Spec summary		
Ω	SD.01	SD.06	Floor slab	Concrete ground floor	Glazing	Thermally broken Al. double glazed - High solar gain Low-E
Quantity	Q	21		Timber first & attic floors		To stairwell glazing - Tybe A (U-Value: 3.1. SHGC: 0.39)
Wallhole Dimension W x H	5,026×2,600	3,100×2,600	Exterior wal	Exterior walls Brick veneer wall with foil +R2.5 batts in cavity to plasterboard lining, or wall system reacting total R-walue (R3.62) to or wall system reacting total R-walue (R3.62) Lightweight clad wall with foil +R2.5 batts in cavity to plasterboard		- Type B (U-Value: 3.1, SHGC: 0.49) Double glazed - High solar gain Low-E, with aluminium framing:
Sill height	0	20		niming, or wan system reaching a rotal R-value (R3.16). Modelled with default medium colour finishes. As per stamped plans		10 Office National Good Type A (U-Value: 4.3, SHGC: 0.47) - Type B (U-Value: 4.3, SHGC: 0.53)
Head height	2,600	2,650	Ceiling	R4.0 ceiling insulation to all ceilings to roof		Single clear class with aliminium framing:
Glazed area in sqm	13.07	8.06		Modelled with sealed LED downlights & wet area exhaust fans		Modelled to all ensuites battooms - Type A (L-Value: 6.7, SHGC: 0.57)
2D Symbol			Roof	Metal roofs with 'Anticon 90' glasswool/foil under (or similar R2.0 rated product), modelled with light colour finishes, and as unventilated		- Type B (U-Value: 6.7, SHGC: 0.70) High solar gain Low-E glass, with aluminium framing: To remaining glazing - Type A (U-Value: 5.4, SHGC: 0.49) - Type B (U-Value: 5.4, SHGC: 0.58)
2D Elevation			Please refer	Please refer to MatHERS individual certificates for further details		U-Value & SHGC are combined glass and frame ligures





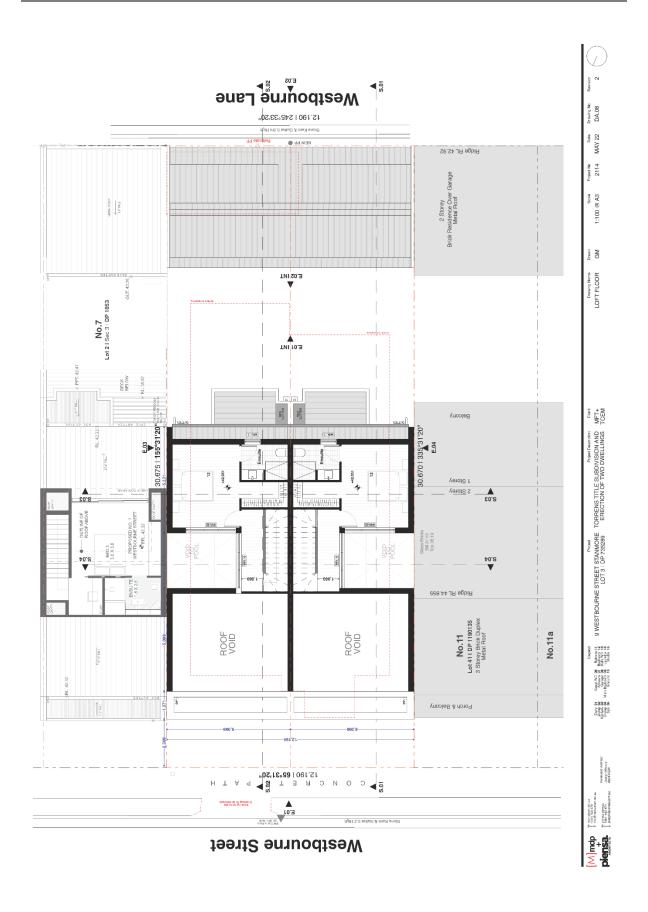




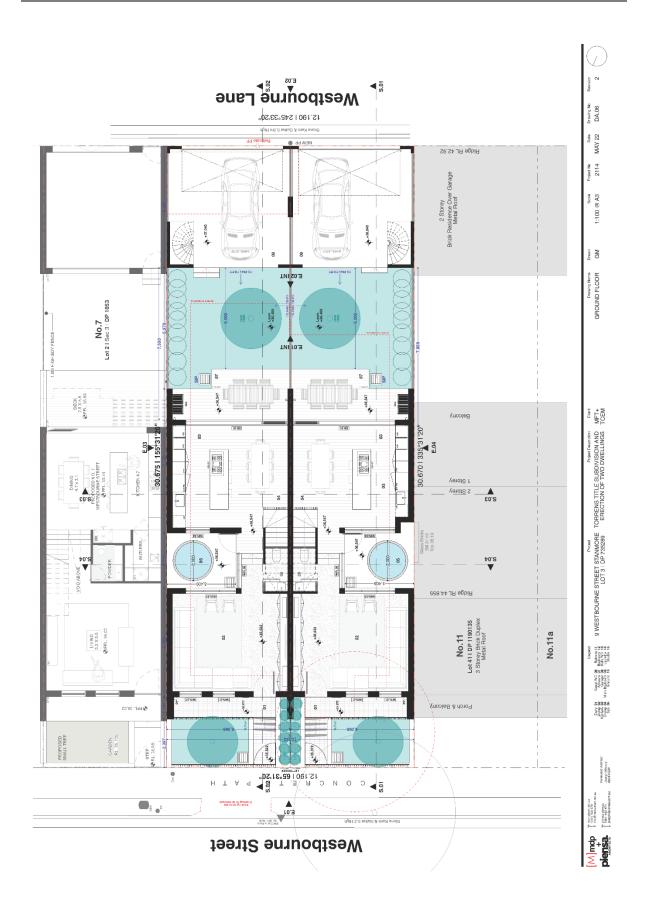


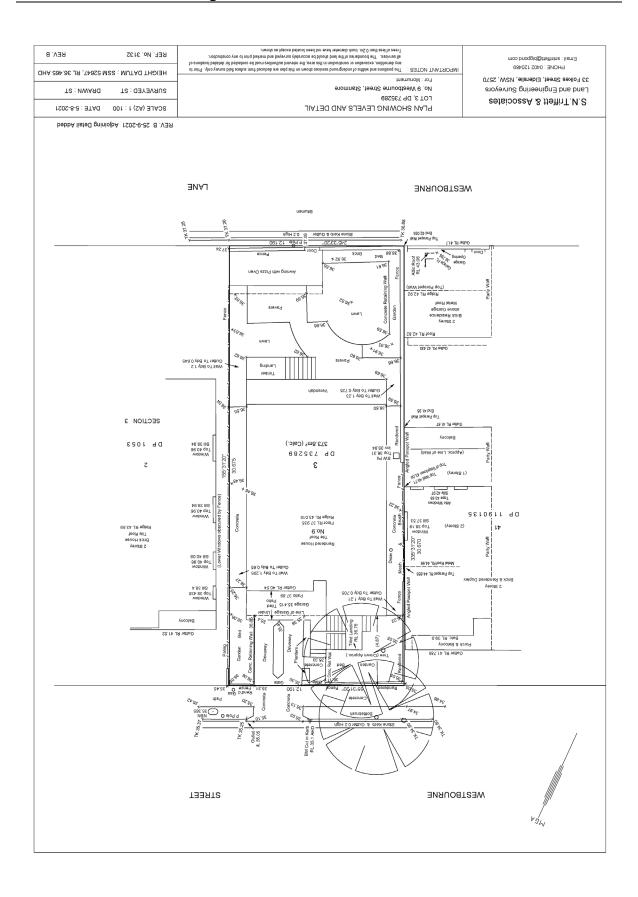


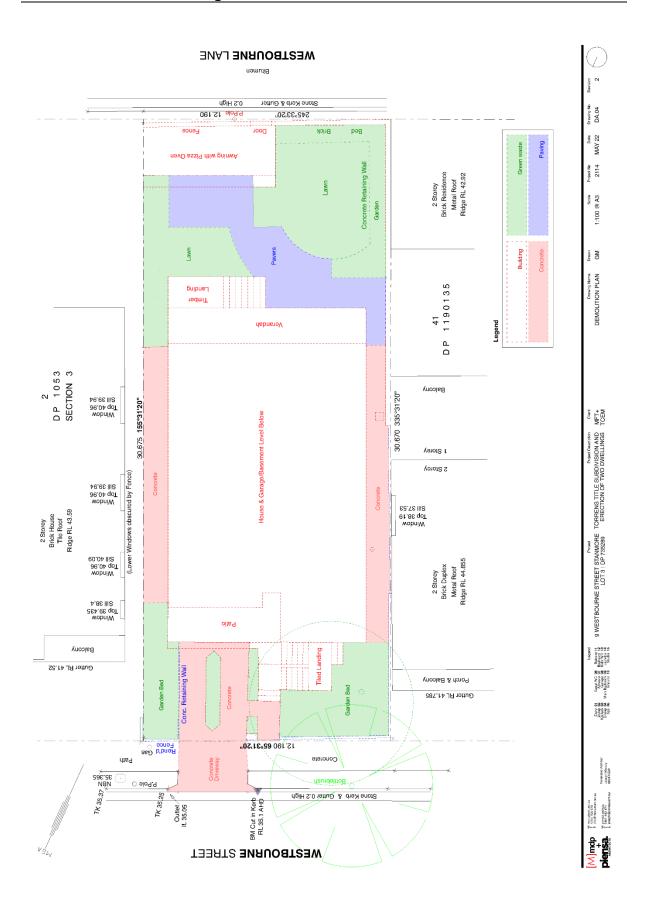


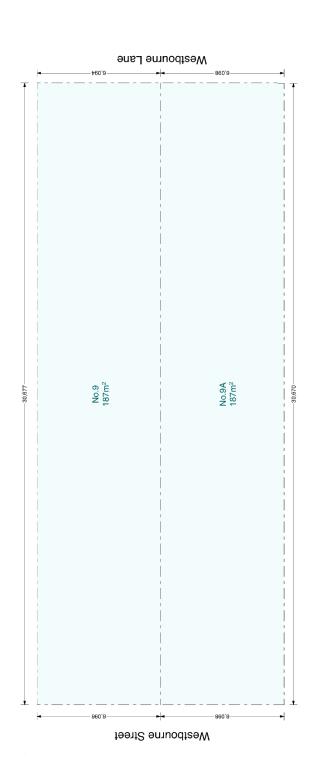


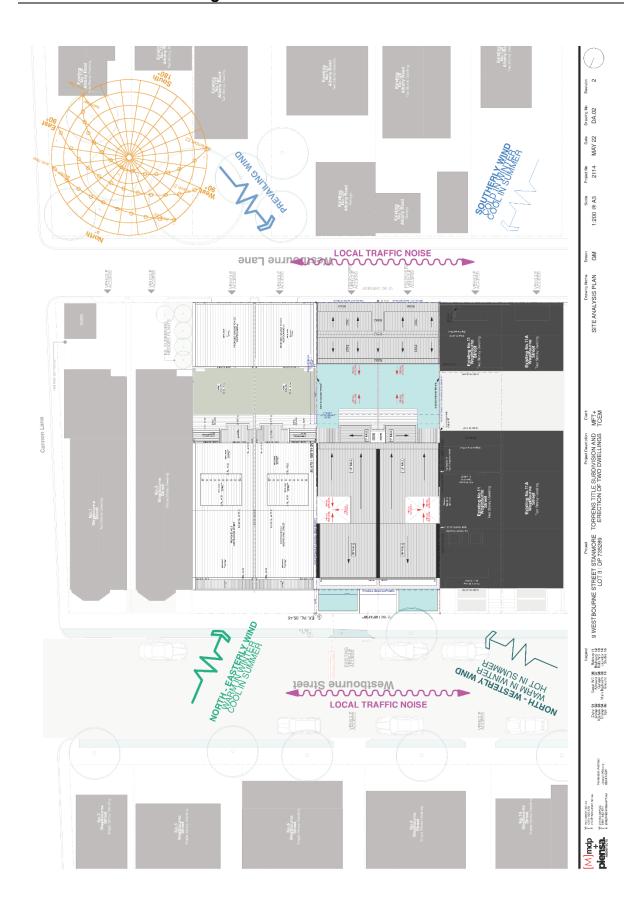
















| Shadow from existing buildings | Actitional shadow from proposed buildings | Approx. Trial North | Approx. T

3.00 pm

8 0 2