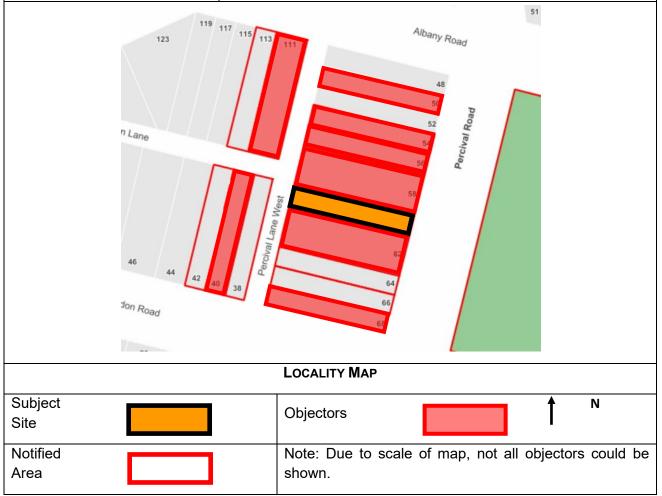
INDER WEST		
DEV	ELOPMENT ASSESSMENT REPORT	
Application No.	REV/2022/0010	
Address	60 Percival Road STANMORE NSW 2048	
Proposal	S8.2 Review Application of DA/2021/0457 to demolish part of the	
	premises and carry out ground and first floor alterations and	
	additions to a dwelling house.	
Date of Lodgement	13 May 2022	
Applicant	Blu Print Designs Pty Ltd	
Owner	Matthew E Boukas	
Number of Submissions	13 (10 unique)	
Value of works	\$320,800.00	
Reason for determination at	Number of submissions	
Planning Panel		
Main Issues	Contentious development	
Recommendation	Approved with Conditions	
Attachment A	Recommended conditions of consent	
Attachment B	Plans of proposed development	
Attachment C	Heritage Impact Statement	
Attachment D	Refused plans	



# 1. Executive Summary

This report is an assessment of the application submitted to Council pursuant to Section 8.2 of the *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)* for a review of Determination No. DA/2021/0457, which refused the demolition of part of the premises and carry out ground and first floor alterations and additions to a dwelling house at 60 Percival Road STANMORE NSW 2048. The application was refused for the following reasons:

- 1. The development is inconsistent with the following provisions of the Marrickville Local Environmental Plan 2011:
  - a. Clause 1.2 Aims of Plan, in that the proposal does not protect the heritage of the area and does not provide a high standard of design as a result of streetscape and amenity impacts.
  - b. Clause 5.10 Heritage Conservation, in that the proposal adversely impacts a contributory building within the Annandale Farm Heritage Conservation Area and does not conserve the heritage significance of the area.
- 2. The development is inconsistent with the following provisions of the draft Inner West Local Environmental Plan 2020:
  - a. Clause 1.2 Aim of Plan, in that the proposal does not protect the heritage of the area, does not provide adequate open space to the dwelling and results in adverse amenity impacts to neighbouring properties.
  - b. Clause 2.3 Zone objectives and Land Use Table, in that the proposal is inconsistent with the objectives of the R2 Low Density Residential zone as the additions are not compatible with the surrounding buildings and streetscape and does not enhance the amenity of the neighbourhood due to amenity and streetscape impacts resulting from the additions.
  - c. Clause 5.10 Heritage Conservation, in that the proposal adversely impacts a contributory building within the Annandale Farm Heritage Conservation Area and fails to conserve the heritage significance of the area.
- 3. The development is inconsistent with the following Parts of the Marrickville Development Control Plan 2011:
  - a. Part 2.1 Urban Design, in that the proposal is inconsistent with Principle 9 and Principle 11.
  - b. Part 2.7 Solar Access and Overshadowing, in that the proposal results in adverse overshadowing impacts to the southern neighbouring property.
  - c. Part 2.18 Landscaping and Open Spaces, in that the proposal prioritises car parking and does not provide the required area of private open space for the dwelling house.
  - d. Part 2.25 Stormwater Management, in that the proposal was not supported with a Concept Stormwater Plan and roof water runoff from the first floor addition may be discharged to neighbouring properties.
  - e. Part 4.1.6 Built Form and Character, in that the proposal is of a bulk and scale that results in adverse amenity and visual bulk impacts to neighbouring properties and the northern side setback proposed does not conform to the established side setback of the site.

- f. Part 4.1.7 Car Parking, in that the double roller door presenting to the rear lane is inconsistent with the scale and form of other development in the laneway.
- g. Part 8 Heritage, in that the proposal is non-compliant with a number of design controls for development within conservation areas and the additions overwhelm the original dwelling house and result in the loss of period elements which contribute to the heritage significance of the Annandale Farm Heritage Conservation Area.
- *h.* Part 9.3 Stanmore North (Precinct 3), in that the proposal is inconsistent with the desired future character of the precinct as a result of the heritage impacts.

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

A review of the determination under Section 8.2 of the *EP&A Act 1979* has been requested. The application was notified to surrounding properties and thirteen submissions (ten (10) unique) were received in response to the initial notification.

The main issues that have arisen from the application include:

• Ten (10) unique submissions were received.

Despite the issues raised within the submissions, 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 approval subject to the imposition of appropriate terms and conditions.

# 2. Proposal

The application seeks a review of Determination No. DA/2021/0457 under Section 8.2 of the *EP&A Act 1979*. The original application was for the demolition part of the premises and carry out ground and first floor alterations and additions to a dwelling house at 60 Percival Road, Stanmore. The original application was refused by delegation on 27 October 2021.

The following provides a summary of the amendments that have been made to the development as proposed in DA/2020/0457. An assessment of these modifications has been undertaken throughout this report:

- A reduction in overall building height and lowering of roof pitch orientation;
- A corresponding reduction to the bulk and scale of the first floor;
- An increased side setback to the north for the proposed first floor;
- Retention of the original courtyard to the northern boundary;
- Reduction in car parking spaces from 2 spaces to 1 and corresponding increase to private open space area.

# 3. Site Description

The subject site is located on the western side of Percival Road, between Albany Road and Clarendon Road. The site consists of one (1) allotment, is generally rectangular in shape with a total area of 222.9sqm and is legally described as 60 Percival Road STANMORE NSW 2048.

The site has a frontage to Percival Road of 6.09m and a secondary frontage of approximate 6.09m to Percival Lane West.

The site supports a single storey dwelling house and detached carport to the rear lane. The adjoining properties support single storey dwelling houses. Weekley Park is situated to the east. The property is located within a heritage conservation area.



Figure 1: Zoning map



Figure 2: Aerial Map

# 4. Background

### 4(a) Site history

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

### Subject Site

Application	Proposal	Decision & Date
DA/2021/0457	To demolish part of the premises and carry out	27/10/2021
	ground and first floor alterations and additions to a	Refused
	dwelling house	
PDA/2020/0448	Alterations and additions to existing dwelling.	03/02/2021
	Construction of a garage at rear	Advice issued
PDA201900136	to demolish existing improvements and construct a 2	25/10/2019
	storey dwelling with a double garage at the rear of	Advice issued
	the site	

### Surrounding properties

66 Percival Road, Stanmore NSW 2048

Application	Proposal	Decision & Date
DA201600596	to demolish part of the premises and carry out	01/05/2017
	ground floor alterations and additions to a dwelling house	Approved

# 4(b) Application history

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

Date	Discussion / Letter / Additional Information
28 July 2022	Council requested that additional information be submitted to address
	the following matters:
	Building height
	Heritage conservation
	Rear lane frontage
10 August 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.

# Section 8.2 Review

The application was lodged under Section 8.2 of the *Environmental Planning and Assessment Act* 1979.

A development application "to demolish part of the premises and carry out ground and first floor alterations and additions to a dwelling house" was refused by delegation under Development Application No. DA/2021/0457 on 27/10/2021.

The application is supported by plans and documentation that have been amended from those forming part of the original lodgement. The following is an assessment of the amendments with regard to each reason for refusal:

- 1. The development is inconsistent with the following provisions of the Marrickville Local Environmental Plan 2011:
  - a. Clause 1.2 Aims of Plan, in that the proposal does not protect the heritage of the area and does not provide a high standard of design as a result of streetscape and amenity impacts.
  - b. Clause 5.10 Heritage Conservation, in that the proposal adversely impacts a contributory building within the Annandale Farm Heritage Conservation Area and does not conserve the heritage significance of the area.

The current proposal has been amended with respect to protecting the heritage of the area as it retains the features and fabric of the original dwelling. Further, the amended proposal is considered to be of high standard and will improve presentation within the streetscape and surrounding conservation area. The proposal is considered to meet the provisions of the Clauses for the following reasons:

- The proposal has been lowered in height to protect the single storey presentation of the contributory dwelling within the heritage area and streetscape.
- The setbacks at the main part of the contributory building are retained, including the courtyard to the northern boundary.
- The proposal includes restorative façade works which are considered to improve the presentation of the contributory building and area.

- 2. The development is inconsistent with the following provisions of the draft Inner West Local Environmental Plan 2020:
  - a. Clause 1.2 Aim of Plan, in that the proposal does not protect the heritage of the area, does not provide adequate open space to the dwelling and results in adverse amenity impacts to neighbouring properties.
  - b. Clause 2.3 Zone objectives and Land Use Table, in that the proposal is inconsistent with the objectives of the R2 Low Density Residential zone as the additions are not compatible with the surrounding buildings and streetscape and does not enhance the amenity of the neighbourhood due to amenity and streetscape impacts resulting from the additions.
  - c. Clause 5.10 Heritage Conservation, in that the proposal adversely impacts a contributory building within the Annandale Farm Heritage Conservation Area and fails to conserve the heritage significance of the area.

The proposal is considered to meet the provisions of the Draft Inner West Local Environmental Plan 2020 as follows:

- As discussed above, the proposal has been amended with respect to protecting heritage significance of the contributory building and the Annandale Farm Heritage Conservation Area.
- The reduction in proposed car spaces to the rear of site, from two (2) to one (1) results in additional area for the provision of open space.
- The design changes to the proposal, including the reduction in overall building height and increased side setbacks see that the proposed development does not result in adverse amenity impacts to neighbouring properties.
- The proposed additions are considered compatible with the surrounding buildings and streetscape and will enhance streetscape presentation.
- 3. The development is inconsistent with the following Parts of the Marrickville Development Control Plan 2011:
  - a. Part 2.1 Urban Design, in that the proposal is inconsistent with Principle 9 and Principle 11.
  - b. Part 2.7 Solar Access and Overshadowing, in that the proposal results in adverse overshadowing impacts to the southern neighbouring property.
  - c. Part 2.18 Landscaping and Open Spaces, in that the proposal prioritises car parking and does not provide the required area of private open space for the dwelling house.
  - d. Part 2.25 Stormwater Management, in that the proposal was not supported with a Concept Stormwater Plan and roof water runoff from the first floor addition may be discharged to neighbouring properties.
  - e. Part 4.1.6 Built Form and Character, in that the proposal is of a bulk and scale that results in adverse amenity and visual bulk impacts to neighbouring properties and the northern side setback proposed does not conform to the established side setback of the site.

- f. Part 4.1.7 Car Parking, in that the double roller door presenting to the rear lane is inconsistent with the scale and form of other development in the laneway.
- g. Part 8 Heritage, in that the proposal is non-compliant with a number of design controls for development within conservation areas and the additions overwhelm the original dwelling house and result in the loss of period elements which contribute to the heritage significance of the Annandale Farm Heritage Conservation Area.
- *h.* Part 9.3 Stanmore North (Precinct 3), in that the proposal is inconsistent with the desired future character of the precinct as a result of the heritage impacts.

As discussed within this report, the modified development achieves compliance with the provisions of the Marrickville Development Control Plan 2011.

### 5(a) Environmental Planning Instruments

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

- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The following provides further discussion of the relevant issues:

### 5(a)(i) State Environmental Planning Policy (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) 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	<ul> <li>The proposal satisfies the relevant aims of the Plan as follows:</li> <li>the proposal has been designed to conserve the environmental and cultural heritage of Marrickville;</li> <li>the proposal is considered to result in a satisfactory impact on the private and public domain.</li> </ul>	Yes

### Part 2 – Permitted or prohibited development

Control	Proposed	Compliance
Clause 2.3 Zone objectives and Land Use Table <i>R2 Low Density</i> <i>Residential</i>	<ul> <li>The proposal satisfies this clause as follows:</li> <li>The application alterations and additions to a <i>dwelling house</i>, which is permissible with consent in the R2 Low Density Residential zone; and,</li> <li>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.</li> </ul>	Yes
Control	Proposed	Compliance
Clause 2.7 Demolition requires development consent	<ul> <li>The proposal satisfies the clause as follows:</li> <li>Demolition works are proposed, which are permissible with consent; and</li> <li>Standard conditions are recommended to manage impacts which may arise during demolition.</li> </ul>	Yes - subject to conditions

Control	Proposed		Compliance
Clause 4.3	Maximum	J – 9.5m	Yes
Height of building	Proposed	7.3m	
Clause 4.4	Maximum	0.9:1 (200.6sqm)	Yes
Floor space ratio	Proposed	0.62:1 (137.4sqm)	
Clause 4.5 Calculation of floor space ratio and site area		bor space ratio for the proposal has been lance with the clause.	Yes

# Part 4 – Principal development standards

# Part 5 – Miscellaneous provisions

Control	Proposed	Compliance
Clause 5.10 Heritage conservation	<ul> <li>The proposal achieves the objectives of this clause as follows:</li> <li>The subject site contains a contributory building located within the Annandale Farm Heritage Conservation Area (HCA 6);</li> <li>The proposal was amended during assessment with respect to maintaining the character and form of the contributory building and surrounding HCA. The amendments required a further reduction in building height and that the original side setback and courtyard to the northern boundary be retained;</li> <li>As such, the proposed development has been adequately designed to preserve contributory elements and fabric of the dwelling and the addition is adequately setback so as to not overwhelm the contributory dwelling within the streetscape;</li> <li>It is considered that the development adequately responds to the significance of the HCA and has been designed to conserve the environmental and cultural heritage of Marrickville.</li> </ul>	Yes

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	<ul> <li>The site is located within the ANEF 25-30 contour. An Acoustic Report was not submitted with the application, however, the proposal is capable of satisfying this clause as follows:</li> <li>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 <i>MLEP 2011</i> and Part 2.6 of the MDCP 2011, respectively.</li> </ul>	Yes – subject to conditions

### Part 6 – Additional local provisions

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

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

## 5(d) 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	The proposal satisfies the relevant provisions of this Part as	Yes
Urban Design	follows:	
	• The proposal does not impact the definition between the public and private domain and is appropriate for the character of the locality given its form, massing, siting and detailing; and	
	• The proposal preserves the existing character of the streetscape and protects the street elevation of the existing dwelling.	

		······
Part 2.6 Acoustic and Visual Privacy	<ul> <li>The proposal satisfies the relevant provisions of this Part as follows:</li> <li>The proposed windows predominantly face into the site;</li> </ul>	Yes
	<ul> <li>The side-facing windows to the first floor are adequately offset from windows at adjoining properties and employ privacy devices, thereby protecting existing privacy levels for surrounding occupiers;</li> </ul>	
	• The principal living areas and areas of POS are located to align with those at adjoining properties.	
Part 2.7 Solar Access and Overshadowing	<ul> <li>The development results in less than the minimum of 2 hours direct solar access to a window at the neighbouring property at 62 Percival Road, however, is considered acceptable on merit, as discussed below.</li> <li>A minimum of 2 hours of direct solar access is maintained to principal areas of open space of nearby residential properties between 9:00am and 3:00pm on 21 June is retained.</li> <li>The development will not result in adverse amenity impacts as a result of overshadowing;</li> <li>At least one habitable room of the dwelling has 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 will 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; and</li> <li>The private open space provided for the dwelling house receives a minimum two hours of direct sunlight over 50% of its finished surface between 9.00am and 3.00pm on 21 June.</li> </ul>	No but acceptable, see discussion below
Part 2.10 Parking	<ul> <li>One (1) car parking space is retained on site, accessed from the rear lane.</li> </ul>	Yes
Part 2.18 Landscaping and Open Spaces	<ul> <li>The entire front setback is to consist of pervious landscaping with the exception of the pathway and driveway;</li> <li>The Landscape Plan identifies that 45sqm, with no dimension being less than 3 metres) is to be retained as private open space (POS); and</li> <li>The Landscape Plan indicates that in excess of 50% (30sqm) of POS be pervious landscaping.</li> </ul>	Yes

Part 2.21	The proposal satisfies the relevant provisions of the Part as	Yes, subject to
Site Facilities and Waste Management	<ul> <li>follows:</li> <li>Standard conditions are recommended to ensure the appropriate management of waste during any upgrade works and ongoing use of the premises of a dwelling house.</li> </ul>	condition
Part 2.25 Stormwater Management	Standard conditions are recommended to ensure the appropriate management of stormwater.	Yes, subject to condition

### Part 2.7 Solar Access and Overshadowing

The proposal seeks variation to the requirements of control C2 within Part 2.7 of MDCP 2011 as the development results in overshadowing impacts to a window at the adjoining property. The proposal maintains a suitable level of solar access to the neighbouring private open space (POS), however, a north facing window to the rear of 62 Percival Road is impacted, resulting in solar access being reduced to less than 2 hours between 9.00am and 3.00pm on June 21, contrary to the requirements of control C2. As the applicant has not demonstrated the use of the room that the window serves, it is assumed to be a living area and assessed as such.

Where a development proposal results in a decrease in sunlight available on 21 June resulting in less than two hours of solar access for the adjoining property, the proposal may be considered on merit with regard to the criteria of points (a) to (d) in control C2, Part 2.7 of MDCP 2011. The planning principle regarding access to sunlight as developed in the case law *Benevolent Society v Waverley Council [2010] NSWLEC 1082* is also used as a tool to interpret the following control.

C2(ii) of Part 2.7.3 of MDCP 2011 states:

*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;

The development potential of the site prescribed by the development standards under the *MLEP 2011* as a maximum 9.5 metre height limit and 0.9:1 FSR. In addition, the subject site is zoned R2 Low Density Residential under *MLEP 2011*, which permits mainly low-density residential development.

The following is noted with respect to this matter:

- The development readily complies with the 9.5m height development standard under the *MLEP 2011*, as a maximum height of 7.3m is proposed;
- The development complies with the 0.9:1 (200.6sqm) FSR development standard under the *MLEP 2011*, as an FSR of 0.62:1 (137.4sqm) is proposed;
- The proposed retains the use of the *dwelling house*, which is a form of low density, residential development permissible within the R2 Low Density Residential zone under *MLEP 2011*;
- The site is located within a heritage conservation area and contains a contributory building, as such the location of any first floor is limited (to the proposed location) so as to protect the appearance of the dwelling fronting the street, and the wider conservation area

Based on the above, it is considered the development is within its development potential and has not maximised or exceeded its potential.

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;

With respect to the above, the following circumstances are noted:

- The east-west orientation of the subject and surrounding sites, along with the narrow allotment of the subject site and density of existing development within the locality contribute to the solar access non-compliance. Further, the neighbouring window impacted by the development receives solar access to approximately 50% of its glazed area at 1pm and full solar access by 2pm, which is considered a minor variation to the requirement. The living area also receives ambient light by way of an additional window which is not impacted by the development and receives 3 hours of sunlight between 9am and 3pm at winter solstice.
  - c. Any exceptional circumstances of the subject site such as heritage, built form or topography; and

d.

With respect to the above, the following circumstances of 60 Percival Road are noted:

- The site is a contributory building within the Annandale Farm Heritage Conservation Area and the location, size and massing of the first floor is considered a balanced design solution.
  - e. 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.

Shadow diagrams in plan form for the equinox were submitted to demonstrate the impact of the development during this time. Based on an assessment of these diagrams, the following is evident:

• The development does not significantly reduce sunlight to the principal living area and principal areas of open space and retains a minimum of 2 hours direct solar access to the window that serves the living area at the rear of the adjoining property at 62 Percival Road between 9:00am and 3:00pm on March 21.

In assessment of the above and solar access principles, it is considered that the impacts are reasonable, and that the proposal satisfies the objectives of Part 2.7 of MDCP 2011.

# Part 4 – Low Density Residential Development

# Part 8 – Heritage

Control	Assessment	Compliance
Part 8.2.8 Annandale Farm Heritage Conservation Area (HCA 6)	<ul> <li>As discussed within this report, the proposal is considered to have been designed with respect to maintaining the building and elements on the site which were constructed during the period of significance of the conservation area.</li> </ul>	Yes
Part 8.3.2.3 Building setbacks	• The development maintains existing building front and side setbacks, including the original courtyard to the northern boundary.	Yes
Part 8.3.2.4 Building heights	• Whilst the proposed additions to the contributory dwelling are higher than the existing roof form and height of the original building, the addition is adequately positioned to the rear of the contributory building so as to not overwhelm the existing built form.	Yes
Part 8.3.2.5 Building form	<ul> <li>The proposed additions to the dwelling have been designed to minimise visibility from the Percival Road frontage and are consistent with the overall form and massing of the building.</li> </ul>	Yes

Part 8.3.2.6 Roof form	<ul> <li>The development maintains the original roof form to the front elevation and for the length of the main roof to the side elevations.</li> <li>The materials to the original roof and suitable to the building and conservation area.</li> </ul>	Yes
Part 8.3.2.7 Building facades	<ul> <li>The proposal includes appropriately designed restoration works to the façade to reinstate the original character of the dwelling house.</li> </ul>	Yes
Part 8.3.2.8 Verandahs and porches	• The proposal seeks to reinstate previously altered and removed elements of the front verandah in accordance with the character of the dwelling house.	Yes
Part 8.3.2.9 Windows and doors	<ul> <li>The development seeks to appropriately reinstate new front windows to their original position.</li> <li>The new windows to the rear of the property have limited visibility and are of proportions appropriate the conservation area and dwelling.</li> </ul>	Yes

Part 8.3.2.10 Façade materials	• The original materials to the front portion of the dwelling are maintained.	Yes
materials	• The new additions to the rear exhibit materials that are compatible with the conservation area.	

### Part 9 – Strategic Context

Control	Assessment	Compliance
Part 9.3 Stanmore North (Precinct 3)	<ul> <li>The proposal protects the existing contributory dwelling on the site;</li> <li>The proposal protects the original building and retains its original built form including roof forms, original detailing and finishes and seeks to appropriately reinstate previously altered elements and fabric.</li> </ul>	Yes

### 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. Thirteen (13) submissions (ten (10) unique submissions) were received in response to the initial notification.

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

- Impacts to contributory building, streetscape and heritage conservation area see Sections 5(a)(iii) and 5(d)
- Visual and acoustic privacy see Section 5(a)(iii)
- Solar access and overshadowing see Section 5(d)
- Height, bulk and scale see Section 5(d)
- Parking see Section 5(d)
- Stormwater see Section 5(d)

In addition to the above issues, the submissions raised the following concerns which are discussed in the table below:

Concern	Comment
The application does not adequately	The proposed development (as amended) is
address the previous reasons for refusal	considered to adequately address the reasons
	for refusal of the original DA.

### 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

### 6(a) Internal

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

- Heritage
- Development Engineer

# 7. Section 7.12 Levy

Section 7.12 levies are payable for the proposal.

The carrying out of the development would result in an increased demand for public amenities and public services within the area. A contribution of \$3,208.00 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 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 approval subject to the imposition of appropriate 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. REV/2022/0010 for S8.2 Review Application of DA/2021/0457 to demolish part of the premises and carry out ground and first floor alterations and additions to a dwelling house at 60 Percival Road, Stanmore subject to the conditions listed in Attachment A below.

# **Attachment A – Recommended conditions of consent**

#### CONDITIONS OF CONSENT

#### **DOCUMENTS RELATED TO THE CONSENT**

#### 1. Documents related to the consent

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

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
DA.01 Rev. C	Site, Roof & Sediment Erosion Control Plan	08/08/2022	Blu Print Designs
DA.02 Rev. C	Sediment Control Notes	08/08/2022	Blu Print Designs
DA.03 Rev C	BASIX Notes	08/08/2022	Blu Print Designs
DA04 Rev. C	Ground Floor Demolition Plan	08/08/2022	Blu Print Designs
DA.05 Rev. C	Ground Floor Plan	08/08/2022	Blu Print Designs
DA.06 Rev. C	First Floor Plan	08/08/2022	Blu Print Designs
DA.07 Rev. C	Roof Plan	08/08/2022	Blu Print Designs
DA.08 Rev. C	Street Elevations	08/08/2022	Blu Print Designs
DA.09 Rev. C	East & West Elevations	08/08/2022	Blu Print Designs
DA.10 Rev. C	North & South Elevations	08/08/2022	Blu Print Designs
DA.11 Rev. C	Sections	08/08/2022	Blu Print Designs
DA.14 Rev C	Materials Sample Board	08/08/2022	Blu Print Designs
A412327_02	BASIX Certificate	08/08/2022	Blu Print Designs

As amended by the conditions of consent.

#### FEES

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

Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that a monetary contribution to the Inner West Council has been paid, towards the provision of infrastructure, required to address increased demand for local services generated by additional development within the Local Government Area (LGA). This condition is imposed in accordance with Section 7.12 of the *Environmental Planning and Assessment Act 1979* and in accordance with *Marrickville Section 94/94A Contributions Plan 2014.* 

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

Payment amount\*:

\$3,208.00

#### \*Indexing of the Section 7.12 contribution payment:

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

#### Payment methods:

The required contribution must be paid either 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.

#### 3. Long Service Levy

Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that the long service levy in accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* has been paid at the prescribed rate of 0.35% of the total cost of the work to either the Long Service Payments Corporation or Council for any work costing \$25,000 or more.

#### 4. Security Deposit - 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.



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

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

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

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

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

#### **GENERAL CONDITIONS**

#### 5. Waste Management Plan

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

#### 6. Erosion and Sediment Control

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

#### 7. Standard Street Tree Protection

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

#### 8. Works Outside the Property Boundary

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

#### PRIOR TO ANY DEMOLITION

#### 9. Dilapidation Report

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

#### 10. 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.

#### 11. 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.

#### 12. Hoardings

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

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

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

#### PRIOR TO CONSTRUCTION CERTIFICATE

#### 13. 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

#### 14. 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.

#### 15. 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.

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

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

- 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;
- b. 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;
- c. Pipe and channel drainage systems must be designed to cater for the twenty (20) year Average Recurrence Interval (ARI) storm. The major event surface flow paths must be designed to cater for the one hundred (100) year ARI Storm;
- 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. 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;
- g. No nuisance or concentration of flows to other properties;
- The design plans must specify that any components of the existing system to be retained must be certified during construction to be in good condition and of adequate capacity to convey the additional runoff generated by the development and be replaced or upgraded if required;
- i. An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets;

- j. Only a single point of discharge is permitted to the kerb and gutter, per frontage of the site;
- k. 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;
- I. All stormwater outlets through sandstone kerbs must be carefully core drilled in accordance with Council standard drawings;
- m. All redundant pipelines within footpath area must be removed and footpath/kerb reinstated; and
- n. No impact to street tree(s).

#### 17. Public Domain Works – Prior to Construction Certificate

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

a. The construction of a light duty vehicular crossing to the vehicular access location All works must be completed prior to the issue of an Occupation Certificate.

#### 18. Alignment Levels – Rear Lane

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

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

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

#### 19. 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 garage must have minimum clear internal dimensions of 5400 x 3000 mm (length x width). The dimensions must be exclusive of obstructions such as walls, doors and columns, except where they do not encroach inside the design envelope specified in Section 5.2 of AS/NZS 2890.1-2004;
- c. A plan of the proposed access and adjacent laneway, drawn at a 1:100 scale, demonstrating that vehicle manoeuvrability for entry and exit to the parking space complies with swept paths from AS/NZS 2890.1:2004. The plan must include any existing on-street parking spaces;
- d. 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
- e. The external form and height of the approved structures must not be altered from the approved plans.

#### 20. Structural Certificate for retained elements of the building

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

#### **DURING DEMOLITION AND CONSTRUCTION**

#### 21. 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.

#### 22. 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

#### 23. Aircraft Noise –Alterations and Additions

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

#### 24. Public Domain Works

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

- a. Light duty concrete vehicle crossing at the vehicular access location; and
- b. Other works subject to the Roads Act 1993 approval.

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

#### 25. 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.

#### 26. 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.

#### 27. 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.

#### **ADVISORY NOTES**

#### **Prescribed Conditions**

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

#### Permits from Council under Other Acts

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

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

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

#### Noise

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

#### 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	
Landcom	9841 8660	
	To purchase copies of Volume One of "Soils and Construction"	
Long Service Payments	131441	
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 Standards (WELS)	www.waterrating.gov.au		
WorkCover Authority of NSW	13 10 50		
	www.workcover.nsw.gov.au		
	Enquiries relating to work safety and asbestos removal and disposal.		

#### 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.

#### 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.

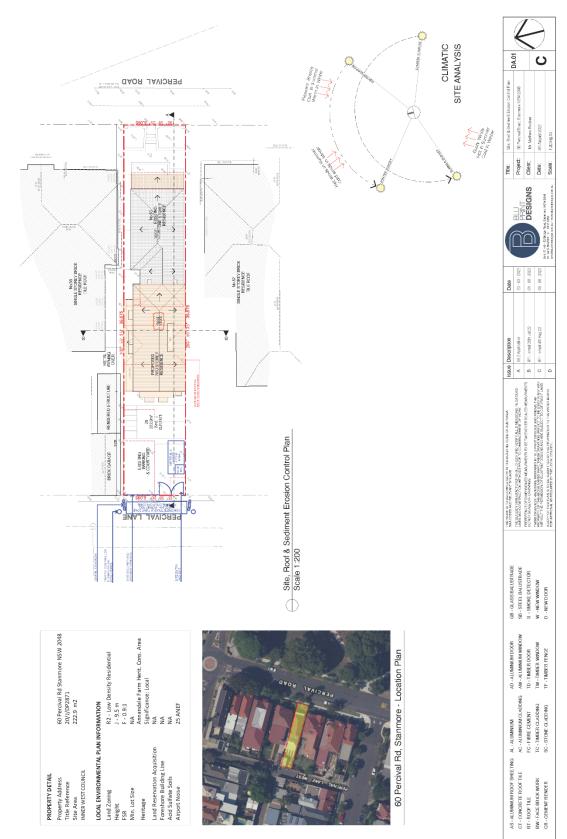
#### Amenity Impacts General

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.

#### Dial before you dig

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

# Attachment B – Plans of proposed development



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# Inner West Local Planning Panel

Fixtures and systems		Showon DA Plans	on Show on ans CC/CDC Plans & specs	a Certifier Click	Glaaring requirements	
Hot water					Windows and glazed doors	
The applicant must install the following het water systemeter	or system in the development: gas instantaneous.	>	>	>	The applicant must install the windows, glazed doors and shading devices, in accordance with the specifications listed in the table below.	
Lighting					Hereveni oversidikorvanji stecarizationis miss de satisted ne exart whow and jazzed dor.	
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The applicant must ensure new or altered taps have a	have a flowrate no greater than 9 litres per minute or minimum 3 star water rating.		>		only. Alternative systems with complying U-value and SHGC may be substituted.	
					For projections described in millimetres, the leading edge of each eave, pergola, verandah, baloony or avaing must be no more than 500 mm above the head of the vindow or glazed door and no more than 2400 mm above the sell.	
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must also be satisfied in relation to each glazed

The following require slazed roofs

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 Glazed roof glazing
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eave/verandah/pergola/balcony

eave/verand

W-B3 W-82 W-82 W-81

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raked ceiling, pitched/skillion root: framed fiat ceiling, fiat root: framed external wall: framed (weatherboard, fibro, metal clad)

aluminian, single LoTsol low-e, (U-value: 56, SHCS: 0.30) 56, SHCS: 0.305 stanted aluminian, single clear, (or U-value: 755, SHGS: 0.755 aluminian, single LoTsol low-e, (U-value: 56, SHGS: 0.259

aturninium, single pyrolytic towe, : 5.7, SHGC: 0.47)

ndah/pergola/balcomy

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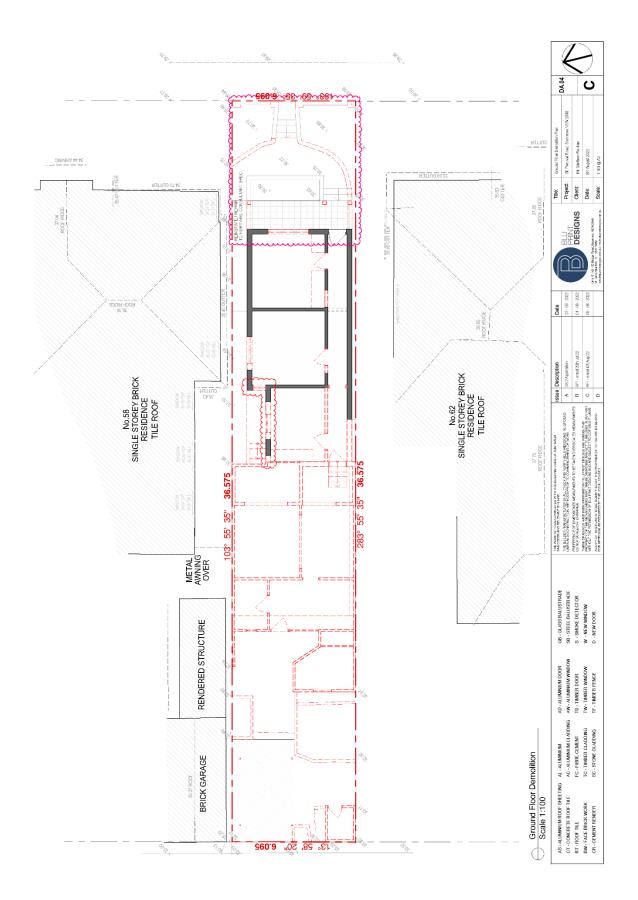
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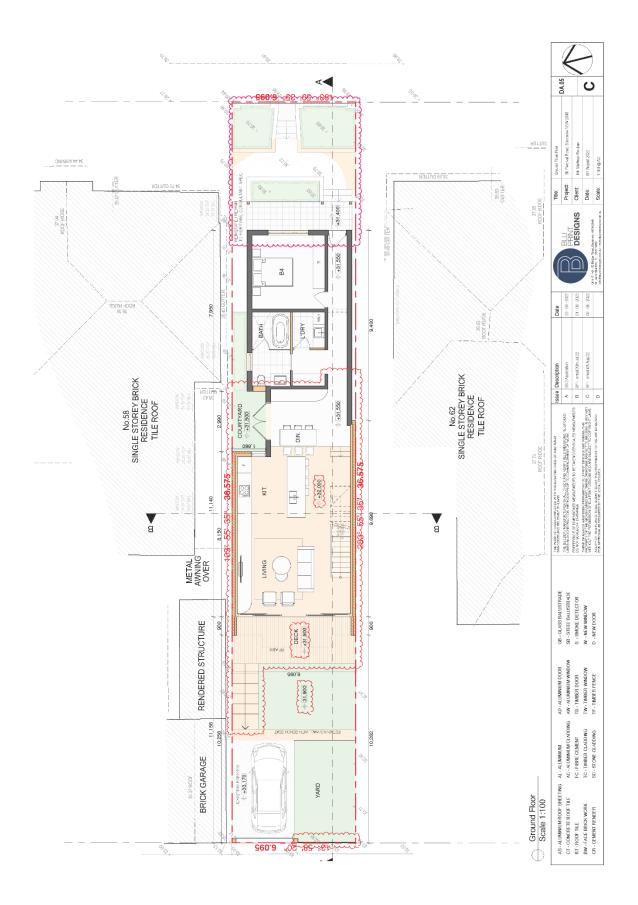
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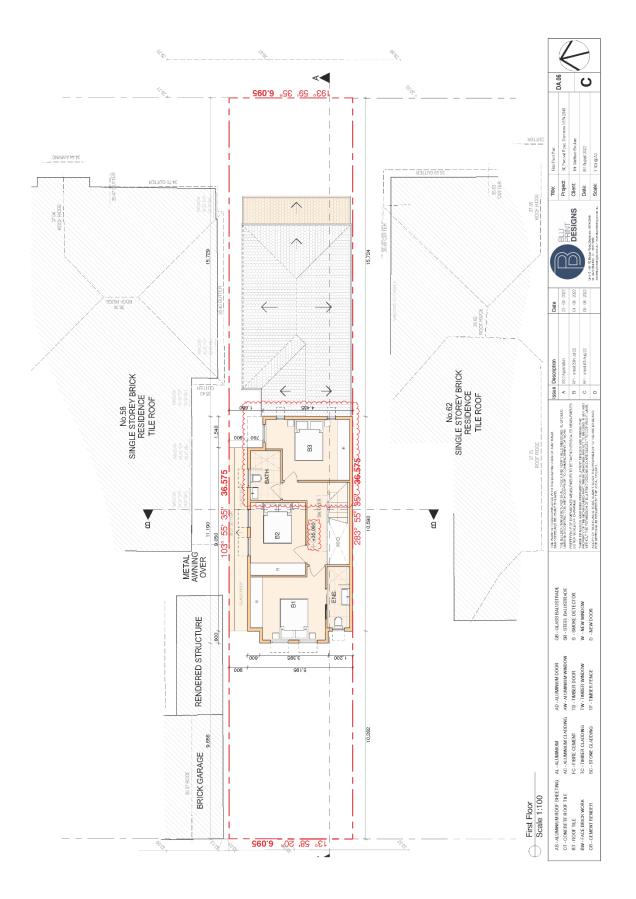
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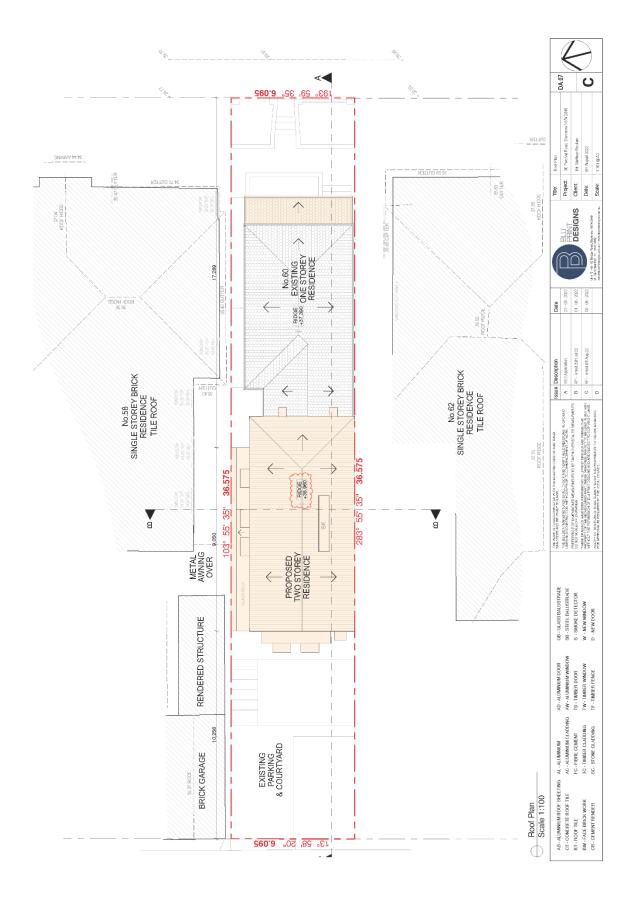
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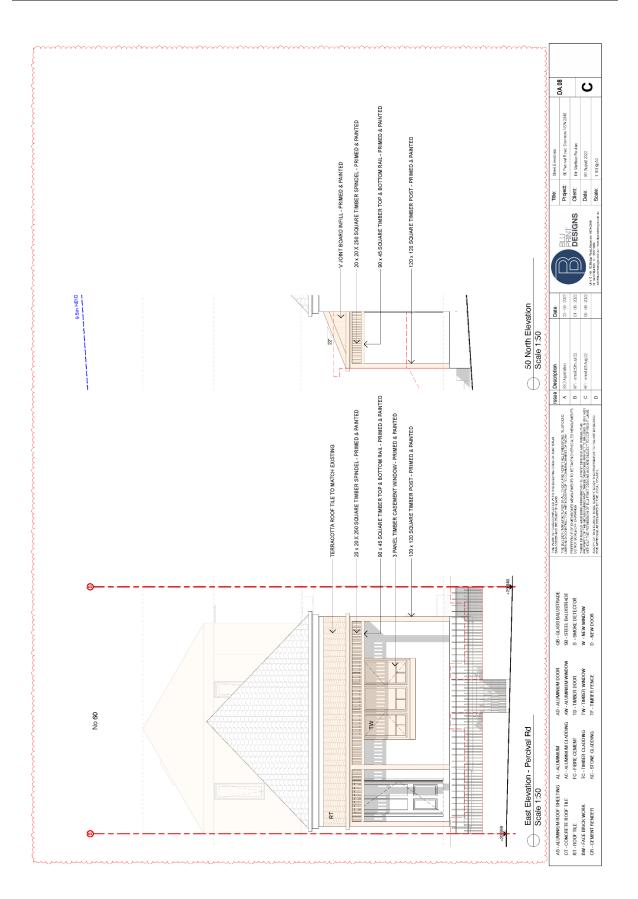
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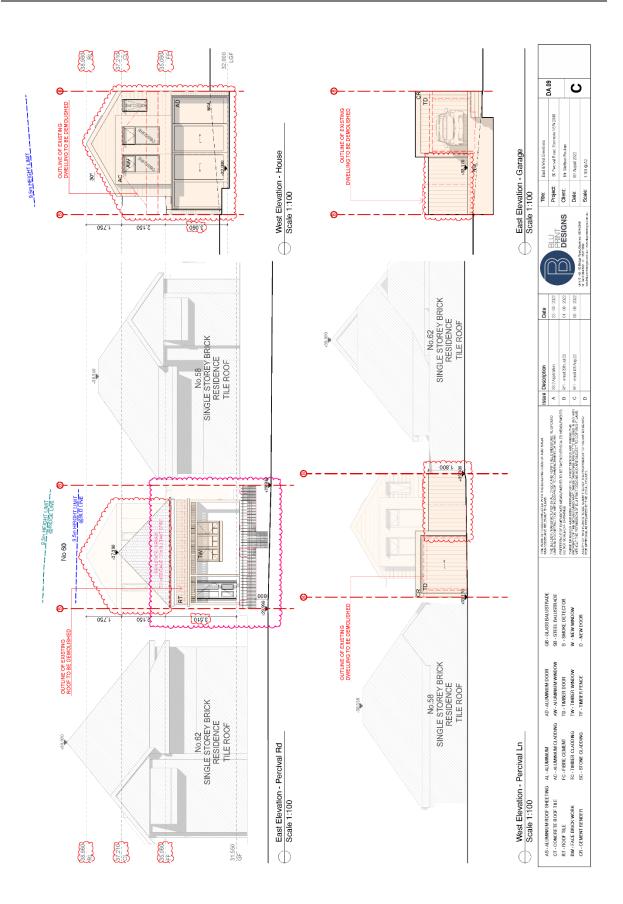


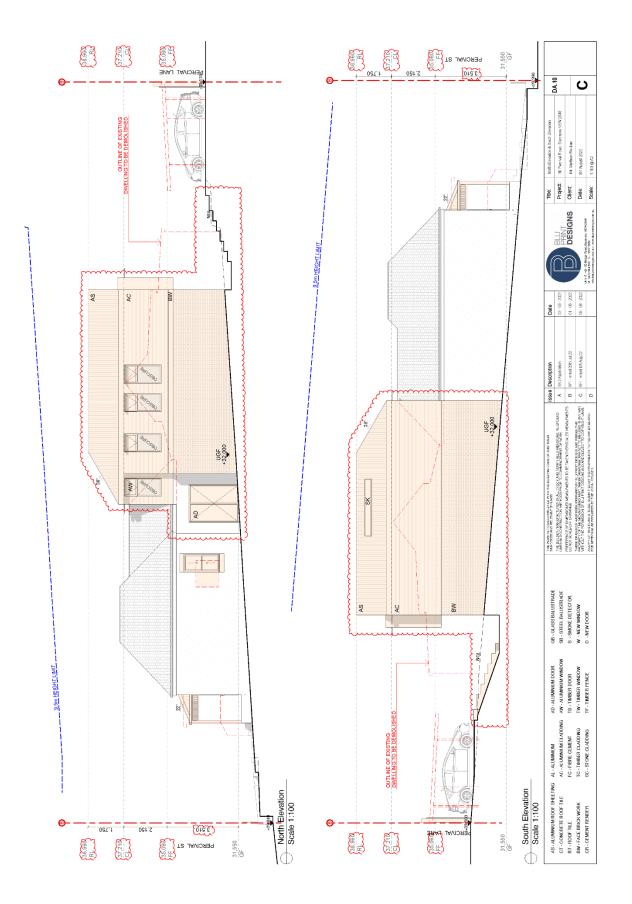


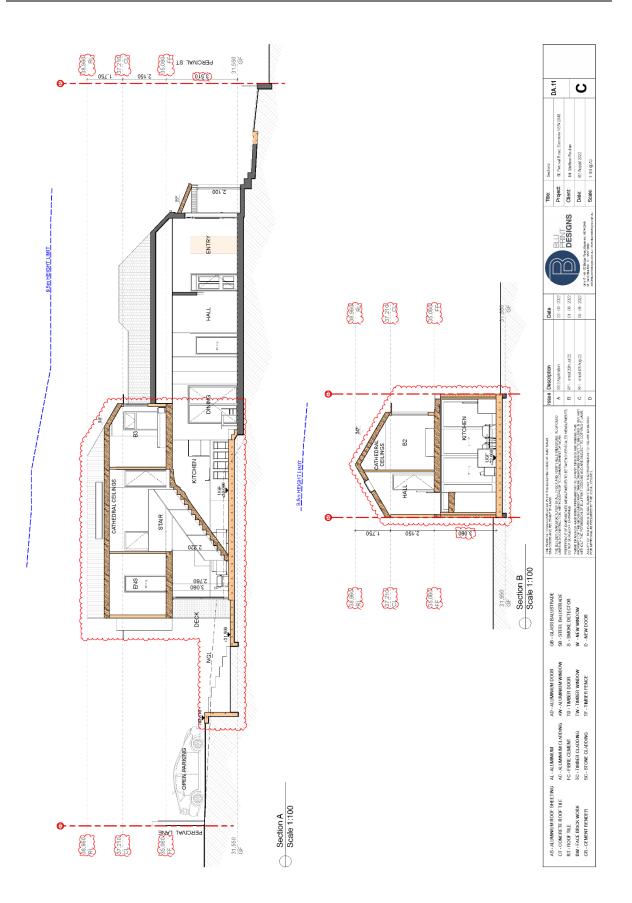


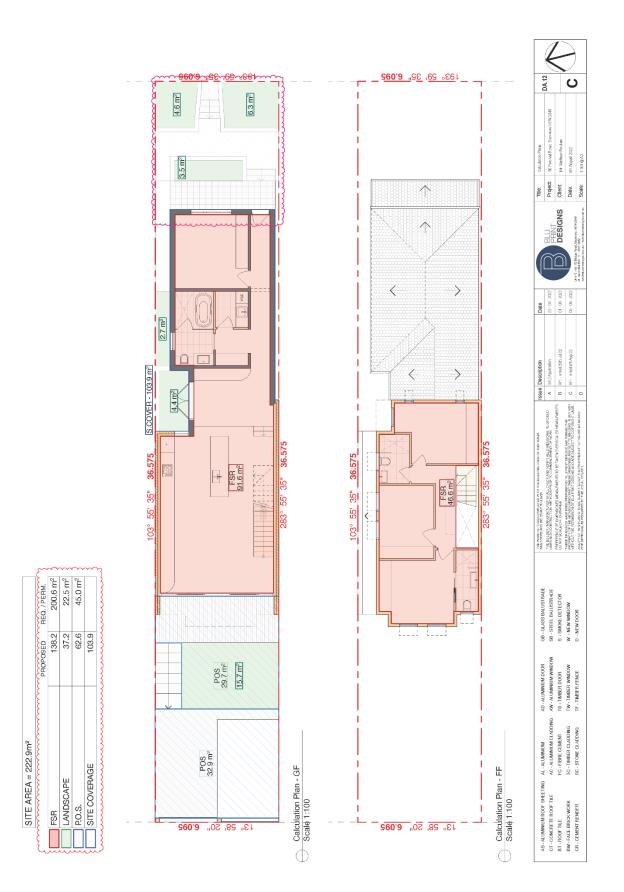


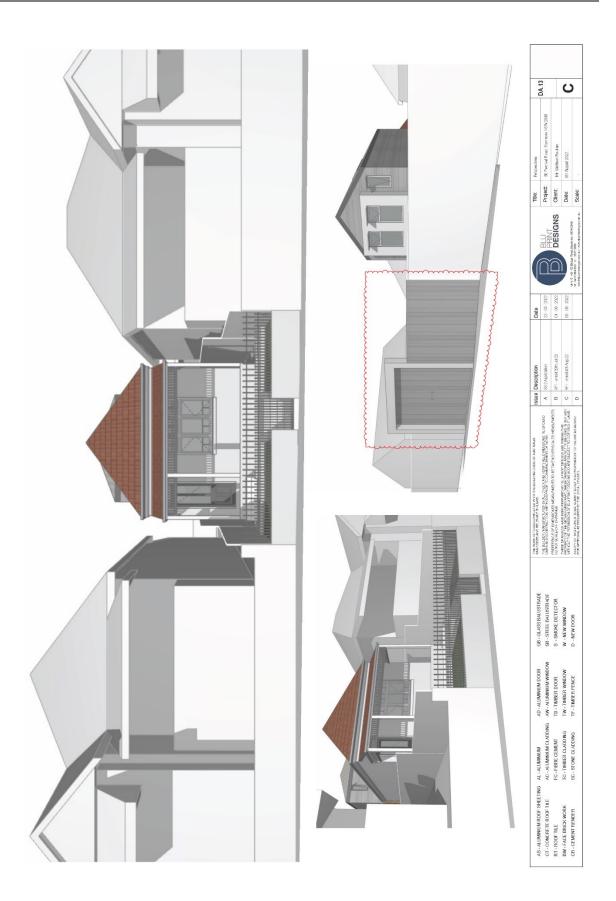




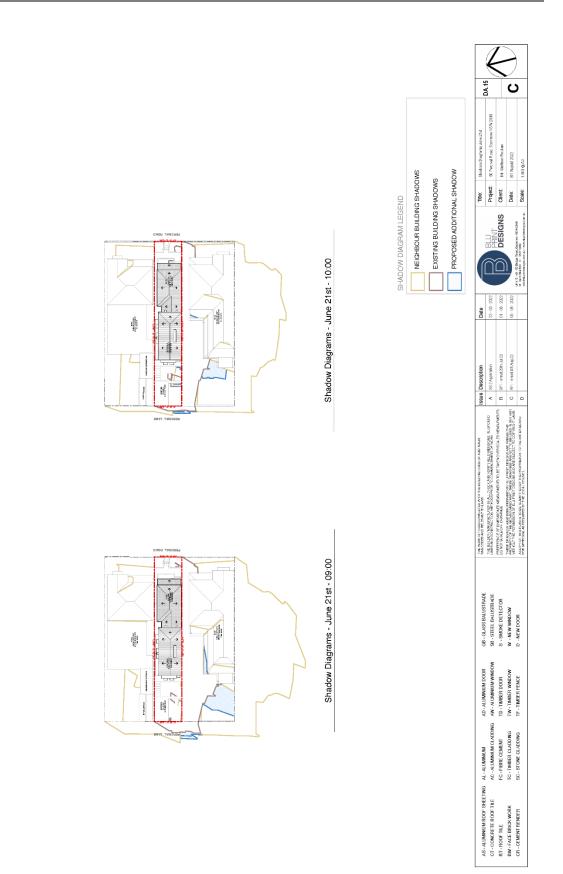




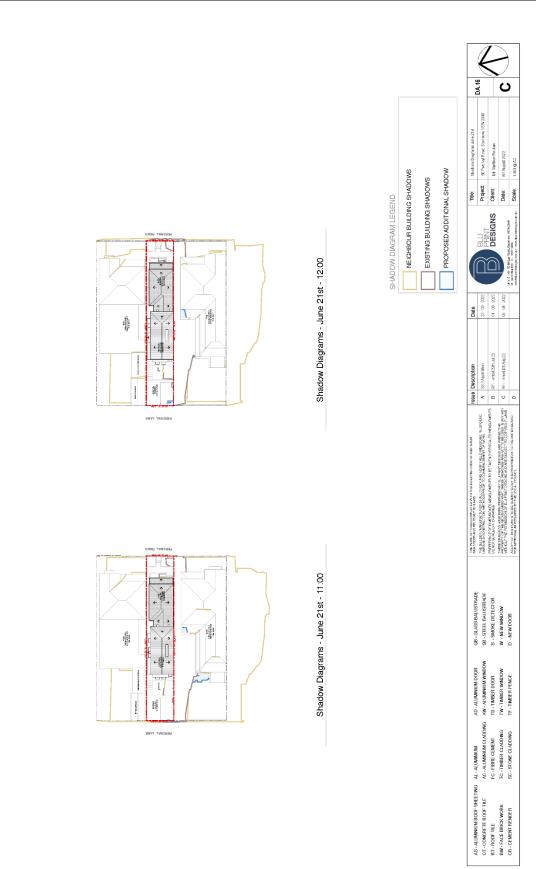


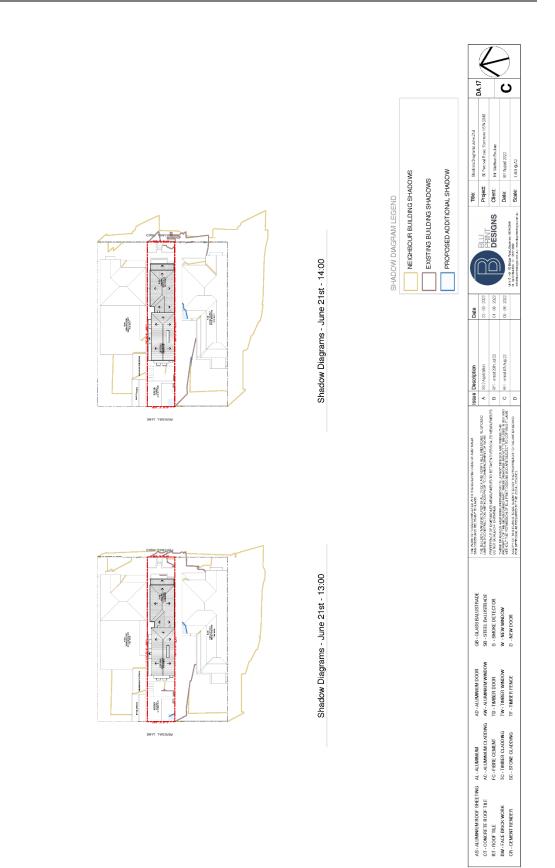


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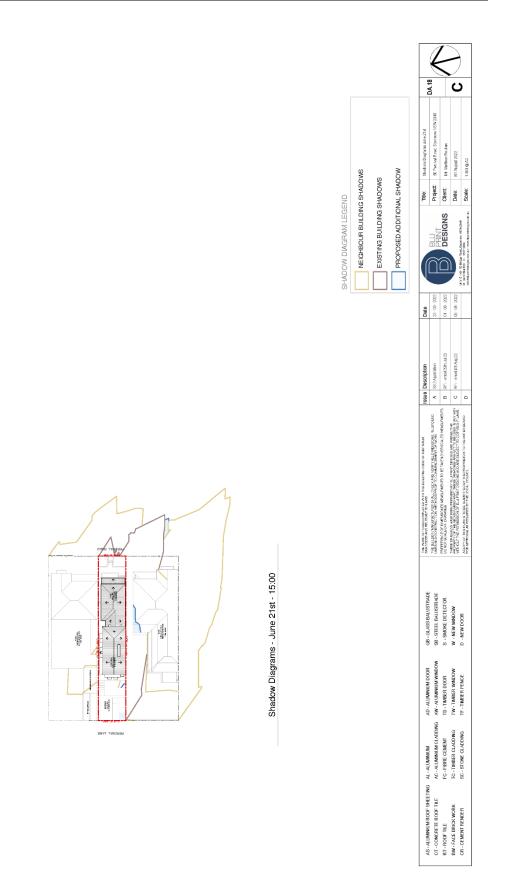


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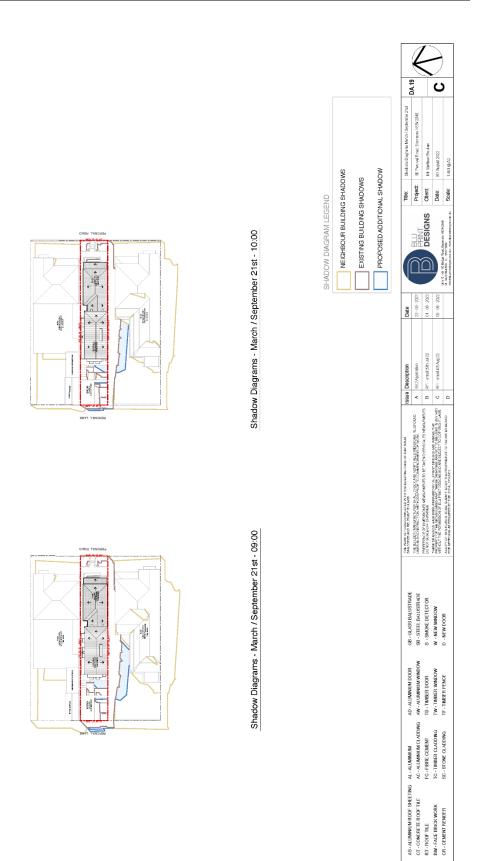




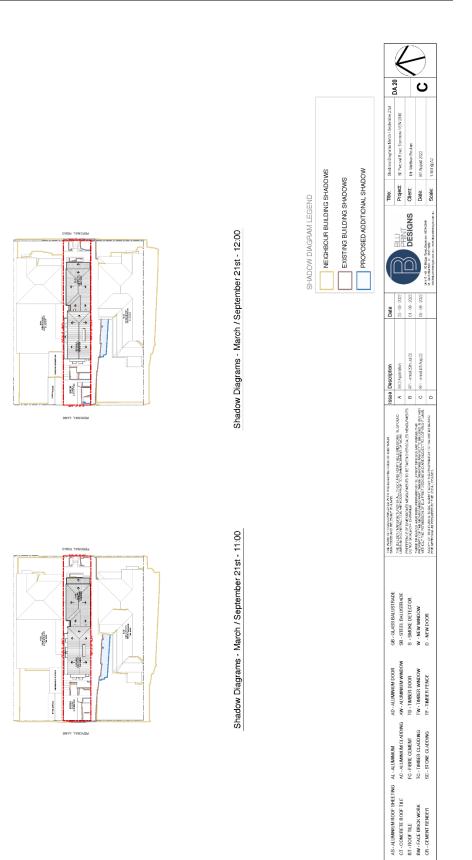
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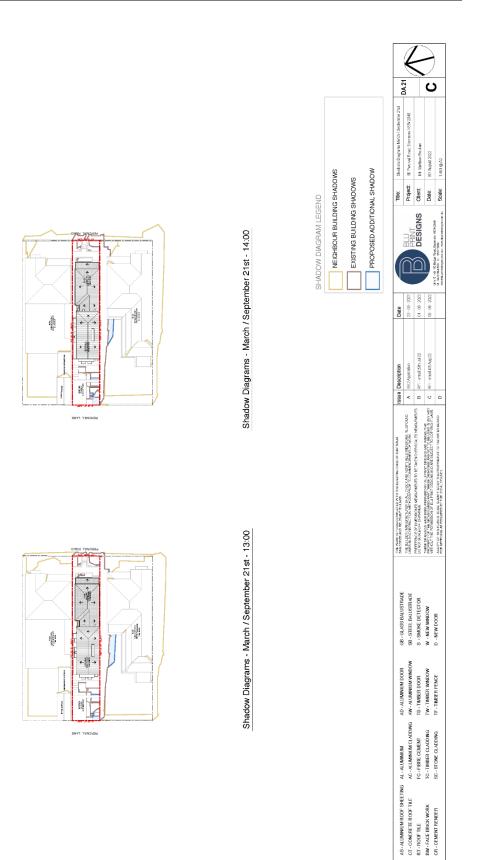


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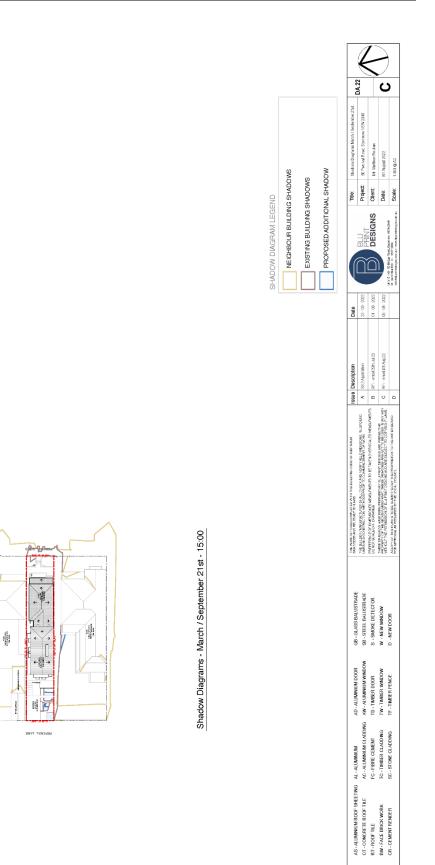


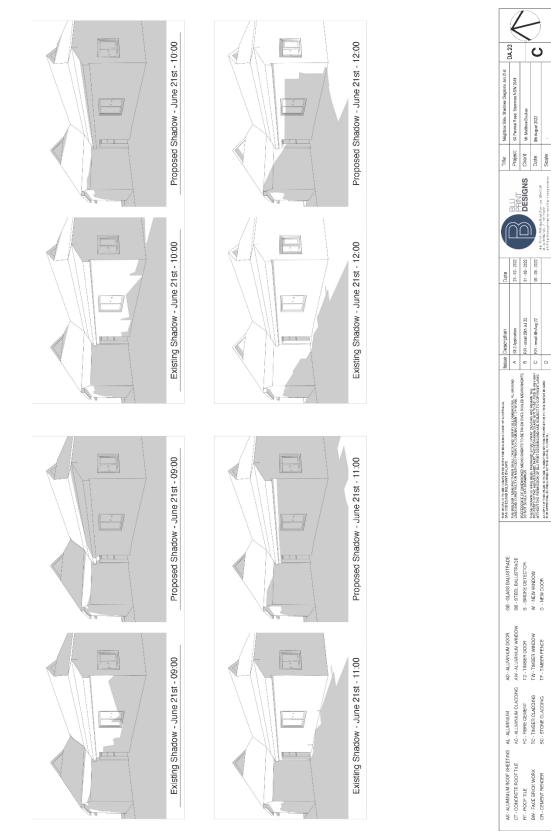
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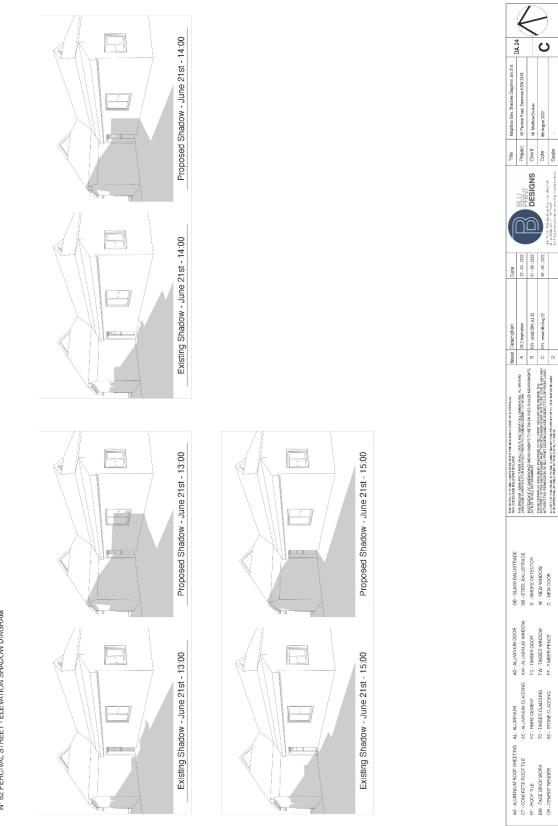


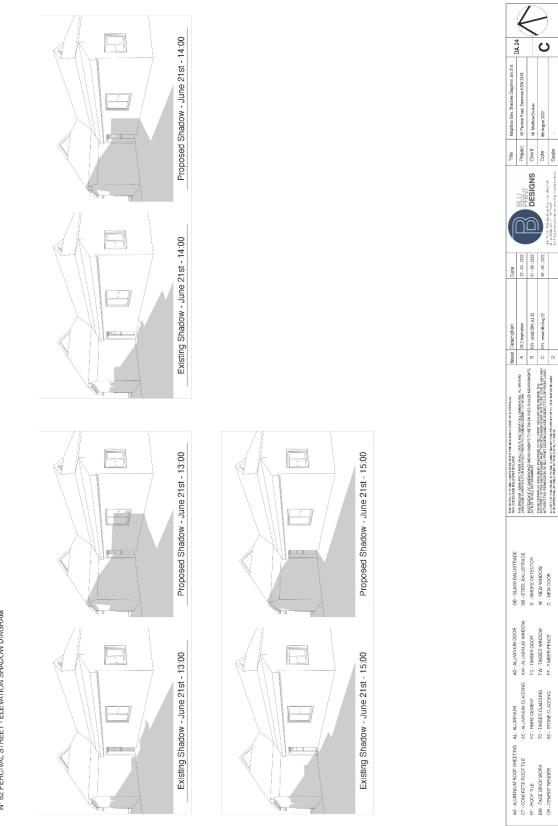


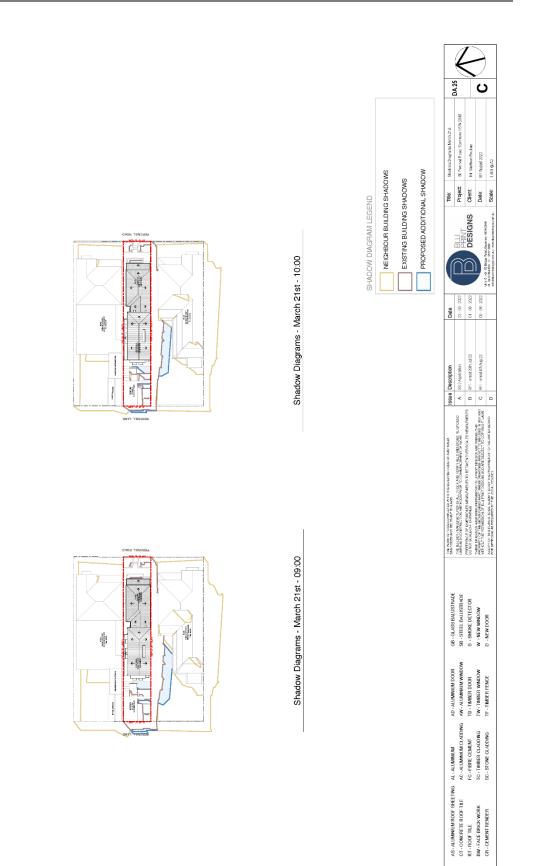




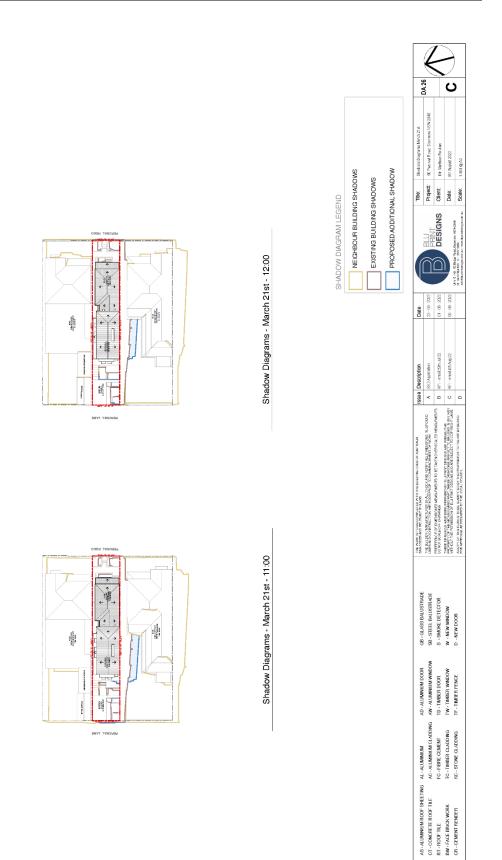
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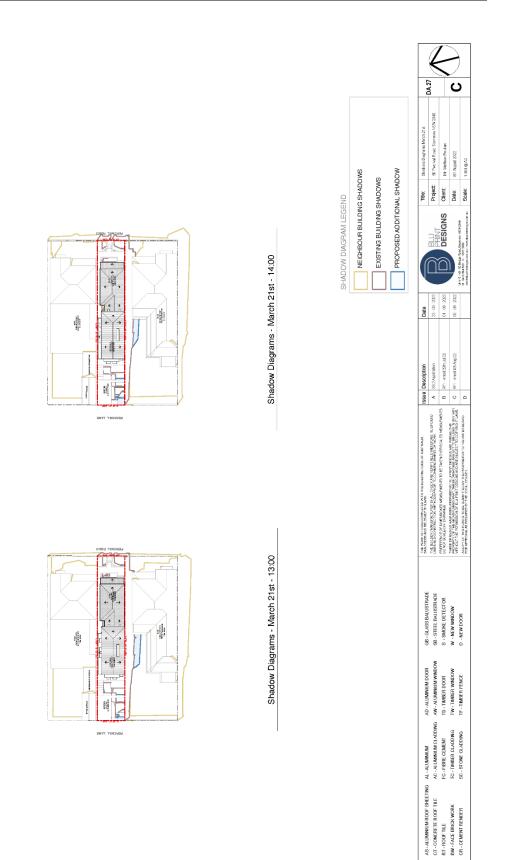




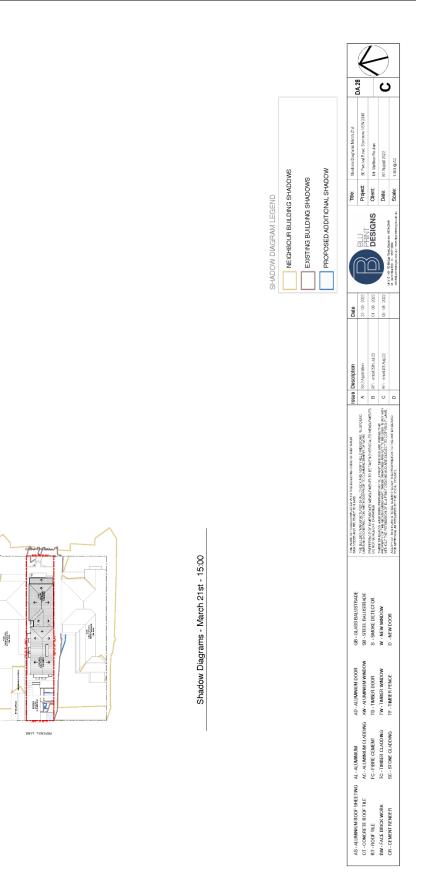
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# Attachment C- Clause 4.6 Exception to Development Standards

ARCHITELLE Architecture & Interiors

Architecture & Interior

12 Denison Street, Hornsby NSW 2077 (02) 9477 3092 ms.architelle@gmail.com ABN 44 173 768 426

8 August, 2022

Inner West Council PO Box 14 Petersham NSW 2049

Attention: The General Manager

RE: FACADE RESTORATION 60 Percival Street, Stanmore

#### Introduction

The following has been prepared in response to Council's request for more information in relation to the proposed facade restoration of the existing dwelling at 60 Percival Street, Stanmore.

The proposed facade restoration is shown on the *Street Elevations* drawing DA-08, which has been prepared by Blu Print Designs in consultation with heritage advice provided by Architelle

The property is not heritage listed but is located within the Annandale Farm Heritage Conservation Area, No C6 in Schedule 5 of the Marrickville Local Environmental Plan 2011 (LEP)

### Authorship

This supporting letter has been prepared by Margaret Skilbeck, Registered Architect NSW No 6144, heritage consultant listed with NSW Office of Environment and Heritage, and principal architect of Architelle, Architecture & Interiors.

This letter should be read in conjunction with the more detailed Statement of Heritage Impact prepared by Architelle to accompany the Development Application for proposed renovations to the subject house.

#### **Existing Conditions**

The existing house is an example of a single storey, detached dwelling, typical of early 1900's development in the Stanmore area.

The existing dwelling on the property is made up of sections that have clearly been constructed at different times. It is likely the hipped metal roof portion of the dwelling located centrally on the site is part of an original dwelling from the early 1890's. It has the form of a two room weatherboard cottage with a verandah to the front and skillion to the rear, typical of modest workers cottages of that time.

The front three rooms and hall, constructed of

60 Percival Road, Stanmore

cavity brick with a hipped tiled roof, are presumed to have been added later. The front of the dwelling has a scale and form characteristic of later Federation era development, so was possibly added during the predominant period of development that characterises the section of Percival Road from Albany Road to Clarendon Road to which it belongs. In this block only two lots were occupied up until 1900 (The subject site and No 68 to corner of Clarendon Road). By 1906 all lots in this block were listed in the Sands Directory as occupied.

Although the overall form of the original dwelling remains, most of the period detailing has been removed from the external facades so the original architectural character has been lost. The changes are characteristic of make-overs carried out by post WWII immigrants that settled in the area.

#### **Proposed Facade Restoration**

The following modifications to the front facade of the existing dwelling are proposed to reinstate architectural details that are characteristic of Federation style development in the Annandale Farm Heritage Conservation Area:

- Replace the front verandah, including new verandah posts, fretwork, and roof. 1.
- Replace the front window 2.
- 3. Install a new front door to the existing opening

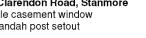
#### **Documentary Evidence**

There is no available documentary evidence to guide the restoration of the facade, such as old photos of the original conditions. On-site investigations have not revealed any meaningful clues as to the original character and details of the facade.

As such, the facade restoration has been based on details from characteristic dwellings that were developed at a similar time within the South Annandale Farm subdivision, that share a similar scale and form, as follows:

31 Clarendon Road, Stanmore Triple casement window Verandah roof form Verandah post setout













**11-15 Macaulay Road, Stanmore** Verandah fretwork Casement Windows Palisade front fence



**62-66 Macaulay Road, Stanmore** Triple casement windows Verandah post setout Palisade front fences



#### Conclusion

The proposed facade restoration is consistent with the character of Federation style houses constructed at a similar time within the Annandale Farm subdivision, that share a similar scale and form.

The changes proposed will enhance the presentation of the property to the street and the contribution it makes to the integrity of the streetscape and the wider Annandale Farm Heritage Conservation Area.

Having regard to the above, the heritage aspects of the proposed facade restoration are worthy of approval.

Yours faithfully

MARGARET SKILBECK B Arch (Hons) AIA Registered Architect NSW No 6144 Heritage Consultant, NSW Heritage Council

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# STATEMENT of HERITAGE IMPACT



Proposed Development to

60 PERCIVAL ROAD STANMORE NSW 2048 Lot 20, Section J, DP 2871

Alterations and additions to an existing dwelling

12 May, 2021

ARCHITELLE Architecture & Interiors

12 Denison Street Hornsby NSW 2077 (02) 9477 3092 architelle.houzz.com.au

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SHI - 60 PERCIVAL ROAD, STANMORE ARCHITELLE 12 May, 2021 C:\Users\archi\Documents\architelle\Doc\2020\2020-54 Percival\HIS\SHI-2020-54.wpd

## 1. INTRODUCTION

#### 1.1 Background

This Statement of Heritage Impact was commissioned to accompany a DA submission to Inner West Council for alterations and additions to the existing dwelling at 60 Percival Street, Stanmore, NSW.

The development proposed includes:

- demolition of rear outbuildings
  - alterations and two storey additions to the rear of the existing single storey building

The proposed development is shown on drawings prepared by Blu Print Designs, as attached to this Statement in Appendix B.

#### 1.2 Heritage Listings

60 Percival Road, Stanmore is:

listed as being located within the Annadale Farm Heritage Conservation Area, No C6 in Schedule 5 of the Marrickville Local Environmental Plan 2011 (LEP)
 located in the vicinity of Weekley Park, listed as a heritage item (No I254) of local significance in the LEP. The park is located opposite the subject site in Percival Road.

Under Clause 5.10 (4) of Part 5 (Miscellaneous Provisions) of the Marrickville LEP 2011, Council must:

before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned.

#### 1.3 The Site

The subject site to which the Development Application relates currently accommodates a single storey dwelling.

The site has two street frontages: the primary frontage is to Percival Road on the east side of the site; the secondary frontage is to Percival Lane West to the rear the property. To the north and south the site is bounded by single storey residential properties.

The context of the site is residential where there is a mix of detached and semi-detached housing, which is predominantly single storey.

The subject site is formally identified as Lot 20, Section J, DP 2871.

#### 1.4 Authorship

This assessment of potential heritage impact has been prepared by Margaret Skilbeck, Registered Architect NSW No 6144, heritage consultant listed with NSW Office of Environment and Heritage, and principal architect of Architelle, Architecture & Interiors.

The history of Stanmore and the Annandale Farm Heritage Conservation Area are largely taken from Meader, Chrys, Stanmore, Dictionary of Sydney, 2008, http://dictionaryofsydney.org/entry/stanmore, viewed 18 Feb 2020

#### 2. HISTORICAL BACKGROUND

#### 2.1 History of Stanmore

The First Inhabitants

Prior to the arrival of Europeans, the area now known as Stanmore was inhabited by the Gadigal people of the Eora Nation. The Aboriginal name for the area is Bulanaming. Gadigal land lies south of Port Jackson and stretches from South Head to Petersham with part of the

SHI - 60 PERCIVAL ROAD, STANMORE ARCHITELLE 12 May, 2021 C:\Users\archi\Documents\architelle\Doc\2020\2020-54 Percival\HIS\SHI-2020-54.wpd

southern boundary lying on the Cooks River. On the western border lies the territory of the Wangal clan, which extends along the southern shore of the Parramatta River to Parramatta.

The arrival of Europeans beginning with the First Fleet in 1788, had a devastating effect on the local people, mainly from the introduction of smallpox, to which the indigenous people had little resistance.

#### European Settlement

By 1790, a rough track had been built between the colony's two settlements at Sydney Cove and Parramatta. This route later became the main artery of the expanding Greater Sydney and, as the northern boundary of what is now Stanmore, dictated early British settlement in the area.

In 1792 Governor Phillip was instructed by a despatch from London to make land grants to officers. The most flamboyant of the early Stanmore settlers was Lieutenant George Johnston, who arrived as a marine on the First Fleet. Johnston would later transfer to the New South Wales Corps, known colloquially as the Rum Corps. Lieutenant Thomas Rowley arrived in 1792 as an officer of the New South Wales Corps on the Pitt. Edward Laing, a surgeon's mate, was also aboard the Pitt where he and Rowley established a long-lasting friendship, working side by side during a virulent smallpox epidemic.

The future suburb of Stanmore was now in the hands of influential officers of the New South Wales Corps. George Johnston would go down in Australian history for his arrest of Governor Bligh during the so called Rum Rebellion. Johnston was also involved in putting down the Irish convict rebellion at the Battle of Vinegar Hill. Governor Bligh's own estate of Camperdown bordered the lands of both Johnston and Rowley.

George Johnston took up his land grant of 670 acres and named it Annandale, after his Scottish birthplace. The Annandale Estate straddled both sides of Parramatta Road. The northern side, which still bears the suburb name of Annandale, was mainly farmland. The house, gardens and orchards where he lived with his convict de facto wife Esther Abrahams, were located on the southern side. Parramatta Road was the physical boundary between North Annandale and South Annandale, which subsequently became part of Stanmore.

#### 2.2 South Annandale Farm

The death of Robert in 1883 marked the beginning of the declining years of the Annandale Estate. The original farm with its fields of barley, wheat and oats was still intact. The head of the family was now his widow Fanny Johnston, but ownership of South Annandale passed to their sons.

The proximity of Stanmore and Petersham railway stations made the area attractive to developers. The opening of the Sydney-Parramatta railway line in 1855, led to a population explosion in the area, although Stanmore station was not opened until 1879. The railway station provided access to the city of Sydney at reasonable cost for those who worked or owned businesses in Sydney. Wealthy businessmen and tradespeople lived side by side as Stanmore developed as a desirable residential address. In 1886 Fanny Johnston contributed £3,000 to the cost of new buildings at Stanmore station.

Fanny died in 1896 at Annandale House. Gradually the outer lands of South Annandale were sold off until Annandale House was surrounded and left standing alone on a large suburban block. The main subdivisions occurred between 1883 and 1906. The demolition of Annandale House in 1905 marked the start of the final phase of subdivision and building. On 13 October 1917 the last sale of land on the South Annandale Estate took place.

The fields and small creeks of South Annandale Estate disappeared under early twentieth-century development, and Annandale as a place name vanished from the southern side of Parramatta Road.

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By the early years of the twentieth century Stanmore was a residential suburb of Victorian villas and Federation houses. It had largely escaped the industrial development of its suburban neighbours such as Marrickville.

From the late 1940s onwards, many of the large Victorian villas, which had been built for large families, were converted to boarding houses. The 1960s also saw the demolition of homes on large sites and the ubiquitous red brick flats replacing them, but there was not the wholesale demolition of homes in Stanmore that occurred elsewhere. Most Stanmore streets have changed little from the early years of the twentieth century.

#### 2.3 60 Percival Road

The initial subdivision of South Annandale Farm from 1883 included lots located to the west of the estate. The subject site was part of the 'First Subdivision' and was first auctioned for sale in 1892. A subsequent auction of this area of land, advertised for sale in 1899 as 'The Hill', indicated lots that had been previously sold by shading. The subject lot is shown shaded, one of the few sold along the west side of Percival Road that are located away from Stanmore Station.

Percival Road was first listed in the Sands Directory of 1894, with only two occupants noted, including a James Hatton.

In later Sands Directories, it becomes clear that James Hatton occupies 60 Percival Road, so it is assumed that there was a dwelling on the subject property from at least 1894. James Hatton continued to live at 60 Percival Road until at least 1915.

The existing dwelling on the property is made up of sections that have clearly been constructed at different times. It is likely the hipped metal roof portion of the dwelling located centrally on the site is part of the original dwelling from the early 1890's. It has the form of a two room weatherboard cottage with a verandah to the front and skillion to the rear, typical of modest workers cottages of that time.

The front three rooms and hall, constructed of cavity brick with a hipped tiled roof, are presumed to have been added later. The front of the dwelling has a scale and form characteristic of later Federation era development, so was possibly added during the predominant period of development that characterises the section of Percival Road from Albany Road to Clarendon Road to which it belongs. In this block only two lots were occupied up until 1900 (The subject site and No 68 to corner of Clarendon Road). By 1906 all lots in this block were listed in the Sands Directory as occupied.

## 3. HERITAGE IMPACT ASSESSMENT

# 3.1 Heritage Significance of the Place

Annandale Farm Heritage Conservation Area The following statement of heritage significance for the Annandale Farm Heritage Conservation Area (HCA) is taken from the Marrickville Development Control Plan (DCP) 2011, Part 8 Heritage:

The Annandale Farm Heritage Conservation Area is of historical significance as a distinctive area developed 1884 to 1910 from the last subdivisions (1884 to 1906) of the Annandale Farm Estate, an important early colonial estate. The association with Annandale Farm remains through discernible elements in the landscape (such as street alignments) following the original Farm boundaries and the potential gatehouse lodge now relocated to the rear garden of 96 Corunna Road.

The Annandale Farm HCA is a representative residential area of late Victorian and Federation period housing, corner shops and retailing and includes some high quality examples from the different architectural periods. Streetscapes are highly cohesive and roofscapes rhythmical due

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to the staged subdivision release and the development of many groups and runs of houses of a single pattern.

It is distinguished from surrounding areas by its later development and predominance of late Victorian and Federation period housing, wide streets, and by its most substantial housing being Railway Villas located at a low point purposely to attract affluent potential purchasers to the subdivision.

The Annandale Farm HCA is considered locally rare (a heritage criteria) as an area, which retains discernible elements in the landscape (such as street alignments), which relate to an early Colonial estate.

The HCA also has the potential to demonstrate significant archaeological relics in the vicinity of the former farmhouse, outbuildings, garden areas and burial ground.

The core period of heritage significance is 1883 -1920.

60 Percival Road

The subject property accommodates an example of a modest single storey dwelling, likely to have been constructed in the early 1890's as one of the first houses in Percival Road. The later front facades of the dwelling present to the street with a form and scale that are consistent with early 1900's development along Percival Road. Although it dates from the Conservation Area's key period of significance and the overall form of the dwelling is generally intact, most period details that would have contributed to its architectural character have been removed or detrimentally altered, including the front verandah and windows. As such it makes a positive, but limited, contribution to the HCA.

#### 3.2 Description of the Existing Property

The Dwelling

The existing building is located on a suburban site that slopes from the Percival Road frontage up towards the rear. The site area is 222.9  $m^2$ .

The front areas of the dwelling that are visible from Percival Road are characteristic of modest, Pre-WWI era development. Constructed of brick with a terra cotta tile hipped roof, the single fronted facade has an entrance door to one side and an aluminium framed window to the front room. The facade has generally been stripped of its original architectural detail. A metal framed verandah supported on aluminium 'Corinthian' style columns now spans across the front facade, and features a colonnaded balustrade. The brick walls have been rendered and timber windows replaced with aluminium. The changes are characteristic of make-overs carried out by post WWII immigrants that settled in the area.

The rear areas of the house are of framed construction, clad in weatherboard with a corrugated metal roof, and mostly likely consist of the original dwelling on the site that has been altered and incorporated into the current house.

Although the original layout can still be discerned, the interiors of all parts of the dwelling have been altered over time. Throughout the building windows have been replaced with aluminium. Wall and ceiling linings and associated trims have also been replaced with contemporary plasterboard sheet and trims. The floor to the rear 'cottage' has been replaced with timber parquetry. Fireplaces have been removed. Little remains of any original internal fabric or period detail of note.

#### The Grounds

The dwelling has a small front setback that provides an area of garden, an access path and steps up to the front verandah. Although not original, the brick front fence with metal palisade infill panels is compatible with the character of the street.

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The rear yard is utilitarian and consists mostly of paving. A Colorbond roller door, set within a rear Colorbond fence, provides access from the rear lane to a metal framed flat roofed Carport. A redundant outhouse remains at the rear boundary.

There are no trees located within the property.

#### 3.3 Proposed Works

The main aims of the proposed development are to:

- alter and add to the existing building to provide accommodation suitable for a
- contemporary family lifestyle
- respect the amenity of neighbouring properties
- respect the contribution the property makes to the heritage significance of the locality

The proposed works include:

- demolition of rear outbuildings
- alterations and two storey additions to the rear of the existing single storey building
- restoration of front facade

#### 3.4 Assessment of Potential Heritage Impact

The following assessment is based on the guidelines set out by the NSW Heritage Office publication 'Statements of Heritage Impact', 2002.

The questions adopted are those applicable to changes within a heritage conservation area.

### 3.4.1 The following aspects of the proposal respect or enhance the heritage significance of the Heritage Conservation Area for the following reasons:

- The property is not heritage listed and the heritage significance of the property is largely restricted to the form and remaining period detail at the front of the building which contributes to its streetscape value in Percival Road and the scale relationship it has with adjoining buildings.

- The street front facades and roof form to the front of the house are to be retained, to ensure the characteristic form of the front areas of the property are maintained, and the original single storey scale of the building can continue to be legible.

- The front facade and verandah are proposed to be restored, including replacing the front door, installation of timber framed windows (casement to the front facade, double hung to the north side) and timber framed verandah with architectural character consistent with Federation style dwellings of similar scale and period. The front fence is also proposed to be replaced with a palisade fence on a rendered base, using intact fences to 66 and 68 Percival Street as the basis for the fence design. This will enhance the contribution the property makes to the character of the streetscape.

- New additions are located remotely from the Percival Road front facade and behind the main hipped roof form at the front of the house to allow the original roof form to continue to be legible and to ensure the development positively fits in with the prevailing single storey development character of the streetscape.

- New alterations and additions maintain the existing side setbacks to reinforce the development pattern established within the street.

- The front facade of the new addition is positioned symmetrically behind the existing dwelling, with a hipped roof form to mirror the existing building.

- Although the form, scale and roof pitch of the additions are commensurate with the existing and adjoining dwellings, the new work is materially differentiated so original and new fabric can be clearly discerned

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- There will be no adverse impact to any trees or to the landscape setting of the Conservation Area due to the proposed development.

# 3.4.2 The following aspects of the proposal could detrimentally impact on heritage significance. The reasons are explained as well as the measures to be taken to minimise impacts:

- New contemporary buildings have the potential to have an intrusive impact on the consistent materials and forms that collectively give a Conservation Area its character. However, measures have been taken to ensure the proposed alterations and additions incorporate materials and form that are complementary to the existing building and contributory buildings in the locality, so there will be no detrimental impact. The new work has been designed with a simple form and an unembellished pitched roof. Overtly bold or intrusive contemporary architectural elements have been avoided to ensure the new work is visually recessive.

- Two storey development within a streetscape that predominantly features single storey dwellings can dominate and erode the character of the area. Percival Road accommodates a mix of single storey and two storey development, however the dwellings in the immediate vicinity of the subject site are single storey. Measures have been taken to ensure the proposed two storey additions respect the scale and character of the streetscape, as follows:

- The new first floor additions are located to the rear, so the original single storey form of the dwelling can continue to be discerned.

- The proposed first floor additions are to be located behind the main roof forms of the adjacent dwellings (Nos 58 & 62) to ensure the new additions do not have an adverse impact on the established scale relationships within the streetscape.

- The new roof ridge height is consistent with adjoining dwellings, to maintain the scale relationships within the streetscape.

- The front of the first floor addition has a hipped roof to minimise the wall height facing the street and to create a gradual transition from the original building height up to the new addition.

- The additions have a roof pitch and hipped form that is sympathetic to the existing front roof form and characteristic of the streetscape.

- The height of the new two storey addition is minimal. Measures taken to achieve this include the use of:

- minimum internal ceiling heights
- floor levels cut into the natural ground level towards the rear, as the topography slopes up.

- To the rear, setbacks provided are adequate to ensure the new additions do not dominate the scale of the rear lane

- Demolition within a Conservation Area can result in a loss of consistency of the character of the area. The building is not a heritage item, nor is it a highly intact example of a dwelling from the identified Key Period of Significance for the Conservation Area. The contribution it makes to the area is largely restricted to its streetscape value in Percival Road and the scale relationship it has with adjoining buildings. These scale relationships are retained in the application and the proposed facade restoration will enhance the positive contribution the property makes to the streetscape.

The property has potential to provide a document of life in Stanmore through time, from its 1890's origins, through to more recent post WWII alterations and additions. While there may be some historical interest in the development of the property over time, it would be unreasonable to require the existing building to be retained in its current form just for that purpose. Partial demolition will allow the property to be redeveloped to make it suitable for a contemporary family lifestyle, providing impetus for the front areas to be restored and maintained to ensure it makes an appropriate and enhanced contribution to the Conservation Area into the future.

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### 3.4.3 The following aspects of the proposal respect or enhance the heritage significance of heritage items in the vicinity

The subject property is located within the vicinity of Weekley Park, listed in the LEP as an item of local significance, item number l254.

#### Description

Weekley Park is a small Federation period park surrounded by largely unaltered residential streetscapes of the same period. The Park was donated by the Johnston family in c.1905. It was later named in honour of JAH Weekley who served as an alderman for 29 years and was mayor of Petersham in 1916-18 and 1926.



It has an area of 7930 m<sup>2</sup> and contains a largely intact planting scheme of Canary Island Date

2. Looking south through weekey Fark

Palms, Brush Box, Camphor laurel and flower beds. A large part of the park is used for a childrens' playground. Walkways cross at a focal point of a rendered rockwork flower bed. A dwarf castellated stone wall marks the boundary and the entries are identified by pergolas. The park also includes expansive lawn areas, playground equipment, seating and picnic tables, and a toilet block.

#### Heritage Significance

The following Statement of Heritage Significance is based on the NSW Heritage Inventory Sheet for Weekley Park:

This park is socially important for the surrounding community, being heavily used for both active and passive recreation. The aesthetics are outstanding as a Park representative of the Federation era with intact setout and planting. The surrounding residential areas are in scale with the park and make an important contribution to its character.

#### Heritage Impact

Proposed changes to the subject property's dwelling are to the rear and of a height and form that is commensurate with adjoining dwellings and sympathetic with the streetscape. There will be no change to the building envelope that would have an adverse effect on the scale relationship to the adjacent heritage item and no alterations proposed that would have any detrimental impact to the amenity of the Park.

The subject property will continue to be partially screened from view from Weekley Park by established street trees in front of the property and to the perimeter of the Park.

The proposed works will have no adverse impact on views to or from Weekley Park.

### 3.4.4 The following sympathetic solutions have been considered and discounted for the following reasons:

The final design is the result of input in heritage terms by Council's Heritage Advisor (Pre-DA PDA/2020/0448, 29 January 2021) and the applicant's heritage consultant. Some modifications to have been incorporated as suggested to arrive at an outcome that would allow for the development of the property with no adverse impact on the integrity of the streetscape and wider conservation area.

Further alternatives to those already investigated are not warranted and the current application represents an appropriate form of development for this location.

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#### 4. CONCLUSION

The proposed works are acceptable in terms of their potential impact on the identified heritage significance of the Annandale Farm Heritage Conservation Area, and the heritage item in the vicinity.

The new additions will have no adverse affect on the presentation of the property to the public domain. The new work has been designed with appropriate scale and form to be sympathetic to the conservation area and subservient to the existing building and contributory buildings in the vicinity, so will not have a detrimental impact to the identified heritage significance of the place.

The proposed works will have no adverse impact to the landscape setting of the property or the wider Conservation Area.

The facade and front fence restoration works proposed will enhance the positive contribution the property will make to the streetscape and wider Conservation Area.

The changes are compatible with reasonable expectations of contemporary use of the property as a family home. Having regard to the above assessment, the heritage aspects of this application are worthy of approval.

Statement prepared by:

Margaret Skilbeck B Arch (Hons) AIA Registered Architect NSW No 6144 Heritage Consultant, NSW Heritage Council

ARCHITELLE Architecture & Interiors (02) 9477 3092

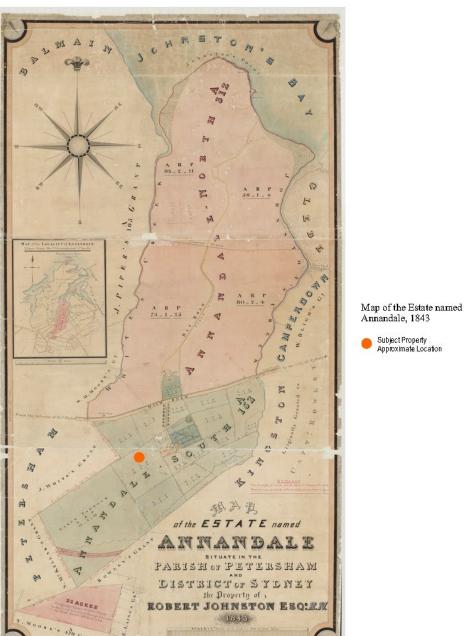
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# APPENDIX A

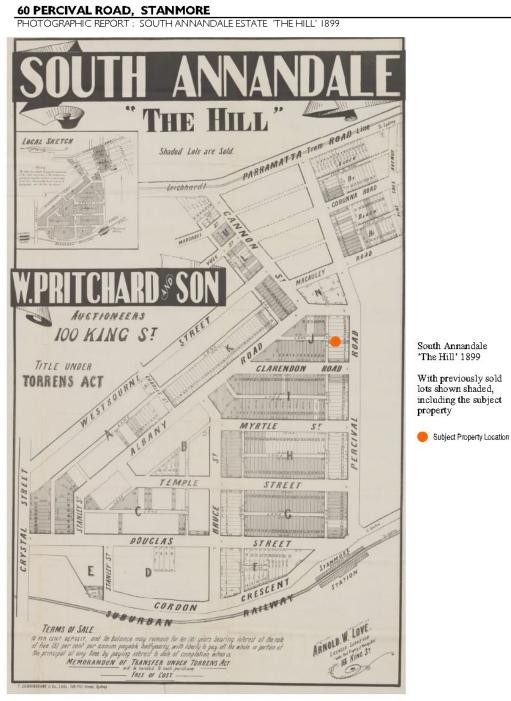
### Photographic Report

Annandale Estate 1843 South Annandale 'The Hill' 1899 Aerial Photograph 1943 Aerial Photograph Streetscape

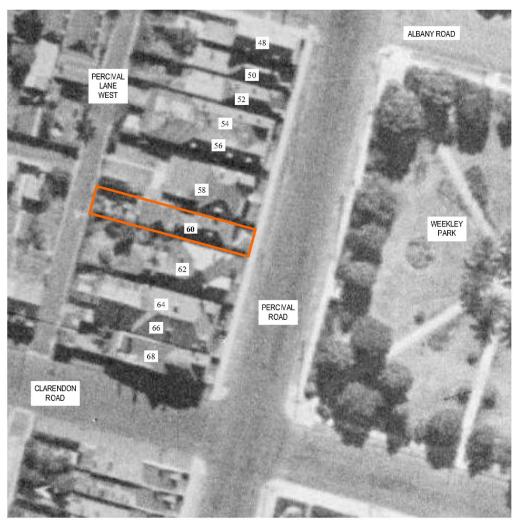
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60 PERCIVAL ROAD, STANMORE PHOTOGRAPHIC REPORT : ANNANDALE ESTATE 1843



60 PERCIVAL ROAD, STANMORE PHOTOGRAPHIC REPORT : AERIAL PHOTOGRAPH 1943



Source: SIX Maps NSW, Aerial Photograph 1943

Subject Property Boundary



# 60 PERCIVAL ROAD, STANMORE PHOTOGRAPHIC REPORT : AERIAL PHOTOGRAPH



Source: SIX Maps NSW, Aerial Photograph. Viewed 28 April 2021

Subject Property Boundary



# 60 PERCIVAL ROAD, STANMORE PHOTOGRAPHIC REPORT : STREETSCAPE



Nos 58-64 to the west side of Percival Road. The diminutive dwelling on the subject site is to the centre.

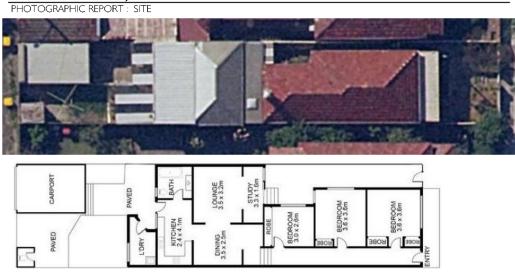


Garage door and rear of the subject property viewed from Percival Lane West.



Percival Road looking south, with single storey Federation style development predominating. The subject property can be seen on the right, and Weekley Park is to the left.

Source: Google Streetview. Viewed 31 August 2020



### 60 PERCIVAL ROAD, STANMORE

Aerial photograph of the subject site and corresponding existing floor plan. It is likely the hipped metal roof portion of the dwelling (Lounge/Dining) is an original dwelling from the early 1890's, with the front tiled roof portion of the house added later. The front of the dwelling has a scale and form characteristic of Federation era development, so was possibly added during the predominant period of development in this section of Pereival Road (1902-1906).



Lounge & Dining Room looking through to the Study and front of the house. No period detail of note remains. Original doors, windows, linings, decorative trims, etc have all been removed.



Second bedroom. Typical of the front rooms in the house, no period detail of note remains. Original windows, decorative trims, etc have been replaced.



Lounge & Dining Room looking through to the kitchen at the rear of the house

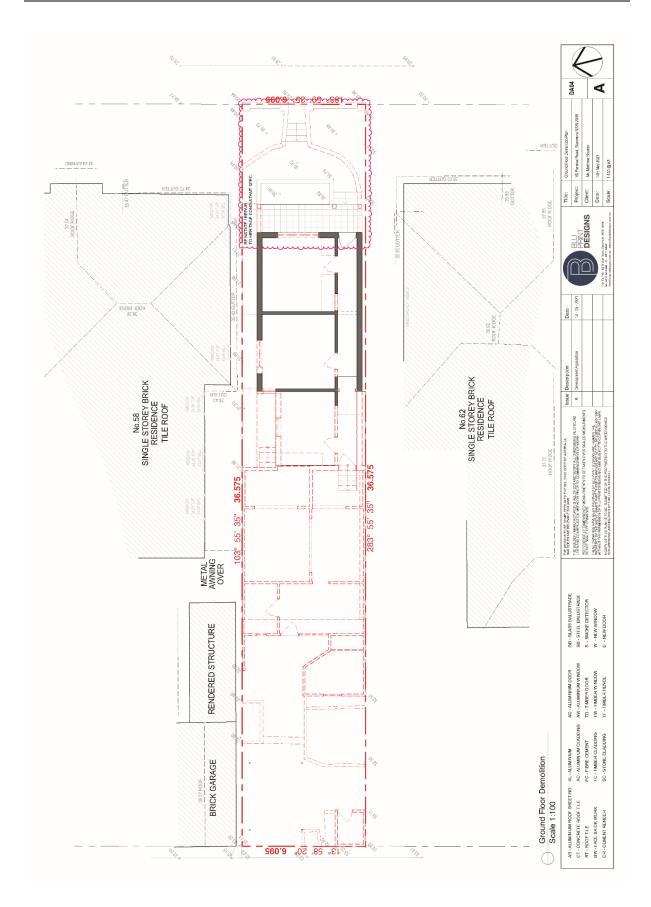


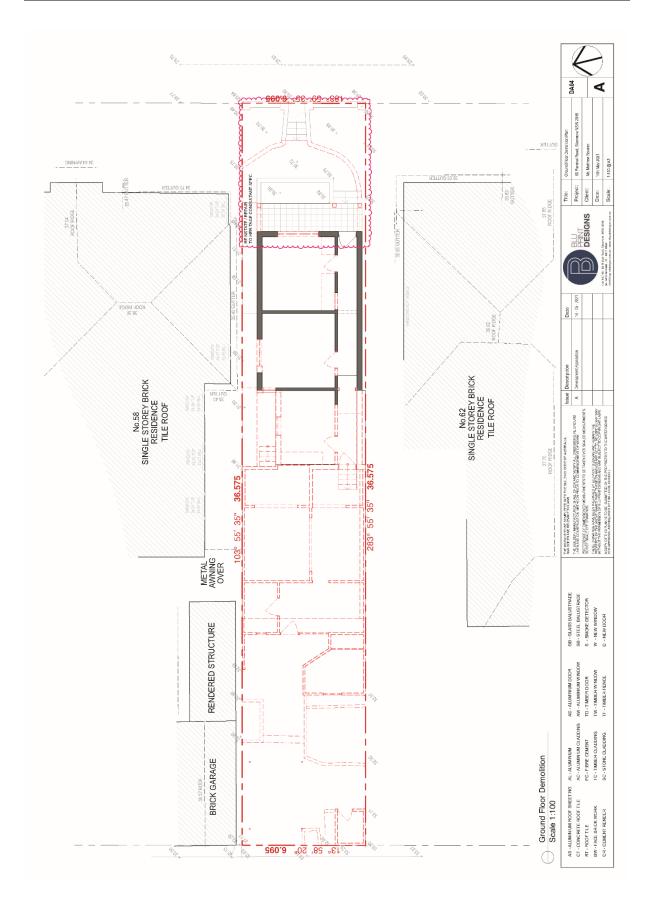
Kitchen, looking out to the rear laundry structure. No period detail of note remains. Original windows, decorative trims, etc have been removed.

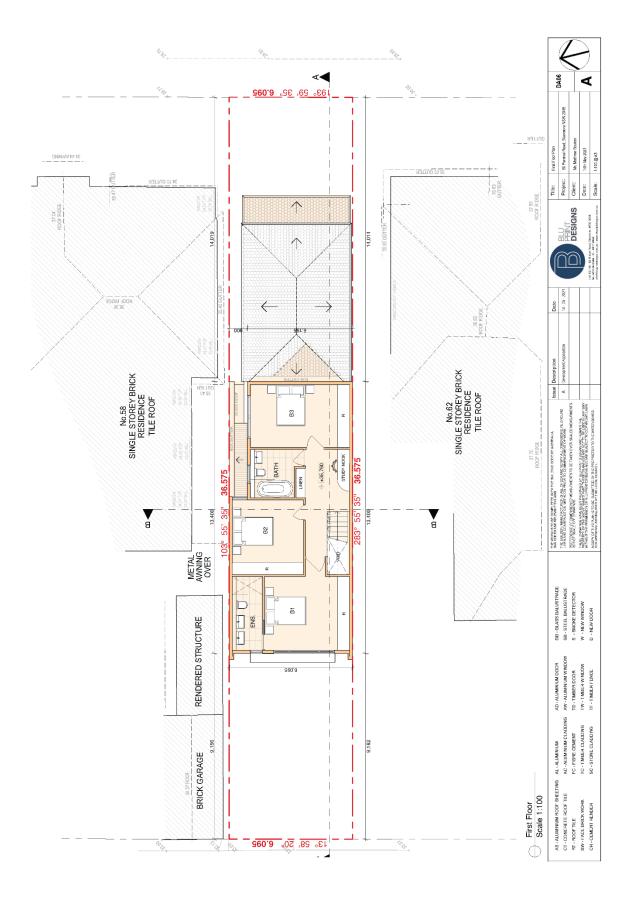
# APPENDIX B

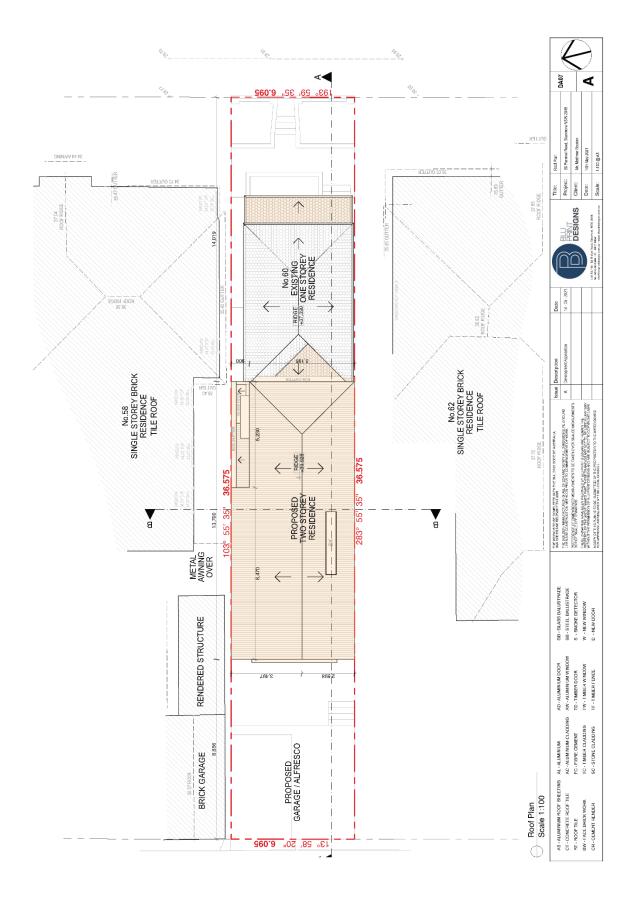
### Architectural Drawings

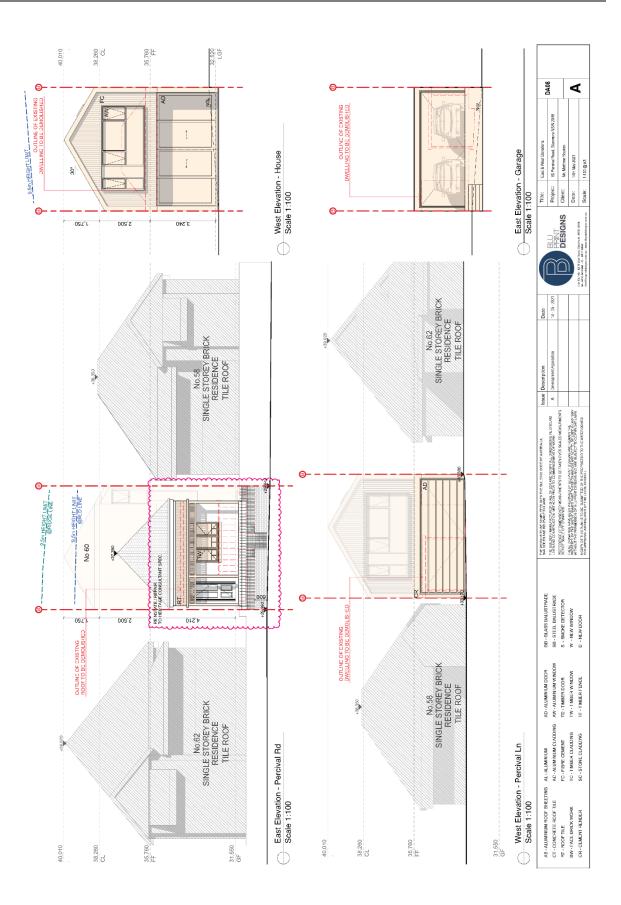
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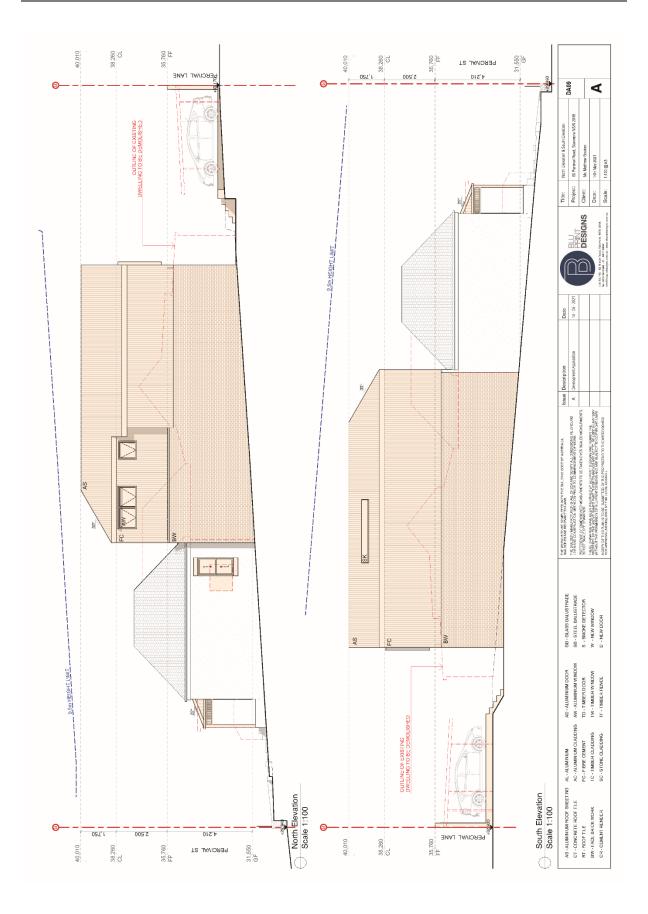


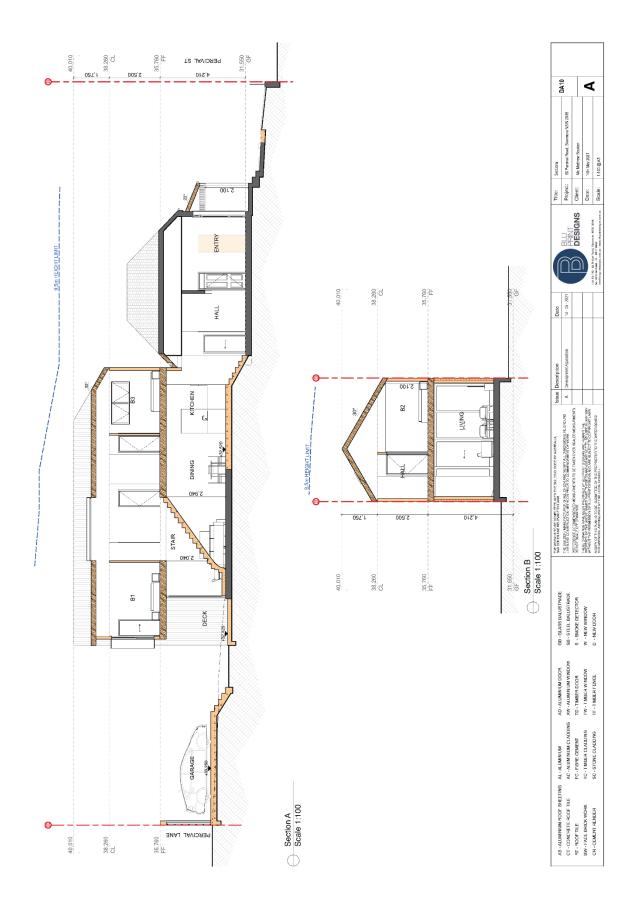


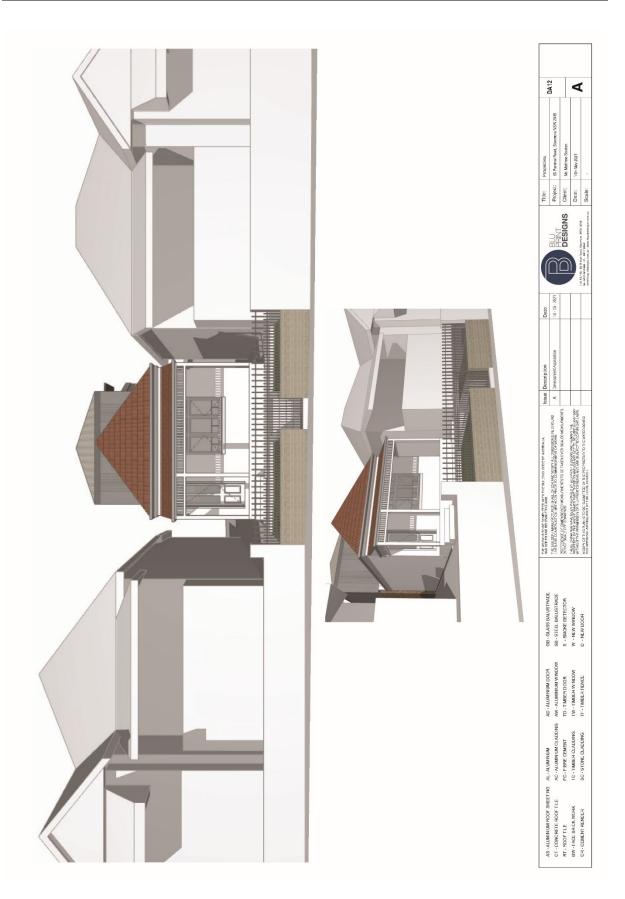






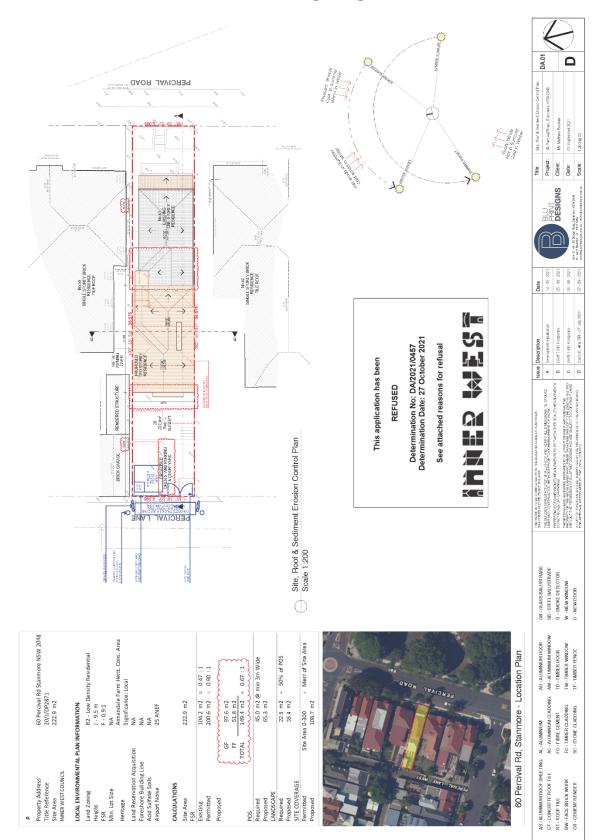








### Attachment D – Statement of Heritage Significance



MALING CONDUCTION This application has been REFUSED Determination No: DA/2021/0457 Determination No: DA/2021/0457 See attached reasons for refusal See attached reasons for refusal CONDUCTION	The participant of the participa	Date         Table         Served C undrillose         DA.02           1- 45: 2011         Contract C undrillose         DA.02         DA.02           6: 16: 2011         Contract C undrillose         DA.02         DA.02           1: 40: 2011         Contract C undrillose         DA.02         DA.02
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The applicant must install the following hot water system in the development: gas instantaneous.	>	>	The applicant must install the windows: glazed doors and shading devices, in accordance with the specifications listed in the table below. Relevant overshadowing specifications must be satisfied for each window and glazed door.	>	>	>	
cejuurig The applicant must ensure a minimum of 4.0% of new or alleved luch fixtures are lifted with fluorescent, compact fluorescent, or	~	>	The following requirements must also be satisfied in relation to each window and glazed door:		>	>	
light-eintithig-deote (LED) lamps. Fixtures	·	-	Each wholew or gluzed door with standard aluminium or finners and single clear or fored gluss may other match the discription, or, have at U-thin and a Stark Held Sain Conflictorin (SRGC) no gravit train that list list on the hist list held system U-wains and SIGGs much be calculated in accuration of matching of concertaints of adjust ATEC's concertaints.		>	>	
The amiliant must versue resure starved structures beau a flow rate no prester than 9 fibres per minute or a 3 size worker ratio.		1			`	`	
The applicant must construct we are also determined where a flow rate in og outer than 4 lifters per average flush or a minimum. Star weler rating	> >	> >	can mouve or pacted usor war introverulantes, or provincioner spaces of creation gaptical gazati, or introval gazati processi gazati inte have a U-value and a Sokir Heat Gain Coefficient (SHGC) no grader timb fall Bedo in the table biow. Total system U-values and SHGCs finave be calculated in accordance with National Fends dian Ration Council Ne FRC) conditions. The description is provided for findernation		>	>	
The applicant must ensure new or attered taps have a flow rate no greater than 9 litres per minute or minimum 3 star water rating	>		only. Alternative systems with compaying U-value and SHGC may be substituted.				
			For projections described in millimetres, the leading edge of each eave, pergola, verandah, baloony or awhing must be no more than 500 mm above the head of the window or glazed door and no more than 2400 mm above the skil.	>	>	>	
Construction	Show on Show DA Plans CC/CI	ron Certifier DC Check	Pergodas with polycarbonate root or similar translucent meteral must have a shading coefficient of less than 0.35.		> '	> `	
	Plans &		Pergobase winn incoronomenis musis make normen paramento or more winnow or gazeer cook accow and/or minior may are paragola area stated and/ow. The spacing between batterism must not be more than 50 mm.		>	>	
Insulation requirements			Overshardowing buildings or vegotation must be of the height and distance from the centre and the base of the window and glazed door, as specified in the "overshardowing" column in the table below.	>	>	>	
The applicant must construct the new or altered construction (floor(s), walls, and cellingstools) in accordance with the specifications listed in the table hours we cost in that a) additional installout in transfer point of the analysis of the additional installout and the analysis of the construction is less than 2m2, b) installation specified is one neutropoint dynamic and new costs in the additional installout and new hours benefician below costs.	>	>	Windows and glazad doore glazing requirements Window door cheration Area of Overstactwaing Stading device Frame and glast type				
Construction Additional insulation contract (E-value) Other schedifications			110. Oldss Haight Distance trans. (m) (m)				
In world floor			(m2)				
or building.			W1-BATH N 1.6 3 0.995 none standard atumhum, single clear, (or U-value: 7.63, SHGC; 0.75)				
			W2-KIT E 1.1 0 0 none aluminium single to-Tsol towes, (U-value:				
external wall: framed (weatherboard, fibro, R.1.30 (or R.1.70 including construction)			W3-R3 N 1.9 0 0 exervitiveandah/pergolachalcomy latination and entiminant, simple toned, for >=4.50 mm				
raked ceiling, pit cheddskillion root; framed ceiling; R2.50 (up), root; foll/sarking medum (solar absorptance 0.475 - 0.70)							
			WS-B2 E 1.3 0 0 eeveberandahipergalataieony standarmini singe toneu. (or summer singer				
-							
	Г		Skylights	_			
			The applicant must install the skylights in accordance with the specifications listed in the table below.	>	>	>	
			The following requirements must also be satisfied in relation to each skylight:		>	>	
I NIS application has been			Each stylight may either match the description, or, have a U-value and a Solar Heat Gain Coefficient (SHCC) no greater than that listed in the table below.		>	>	
REFUSED			tta	-			
			Skylight number Area of glazing Shading dewice Inc. frame (m2)				
Determination No: DA/2021/0457			S1 1.6 In o shading Iurber, double dearrain fill, (or U-value: 4.3, SHGC: 0.5)	_			
			Glazed roots				
See attached reasons for refusal			Clazify generients	Show on DA Plans	Show on CC/CDC Plans & specs	Certilier Check	
			The applicant must install the glazed roots described in the table below, in accordance with the specifications listed in the table.	>	>	>	
			The following requirements must also be satisfied in relation to each glazed root:		>	>	
			Each glocot from Mit avarder durationer or franze frances and storp, do not not orded gases travy other match the description, or have a Livania and Stark Hard Each Coefficient (SHGC) nor greater than that Hask of the balle below. Total system U-values and SHGCs must be outstated in accordances with National Fenetration Rafing Council NFRC) conditions.		>	>	
	٦		Glazed roofs glazing requirements Blaxerione Anau o gazing Strading bekke Glassityee muteer mož				
			C1 (0.9 Ino shacking standard aluminium, single clear, (or U-value: 7.63, SHGC; 0.75)				

DA.03 Δ 
 Title:
 Baux Nuka

 Project:
 07 Pac. val Frau. Starmore VSV/246

 Offent:
 NP Mahene Soulan

 Date:
 74 Suptemore 722\*

 Stale:
 PRINT Christics And - 53 Didge Table, Diservice, NDW104 Diservice, NDW104 Diservice, 0.1 55 Diservice, NDW104 Diservice, 0.1 51 Diservice, 0.1 5  $\bigcirc$ Date 14-05-2021 05-08-2021 31-08-2021 07-08-2021 
 Issue
 Description

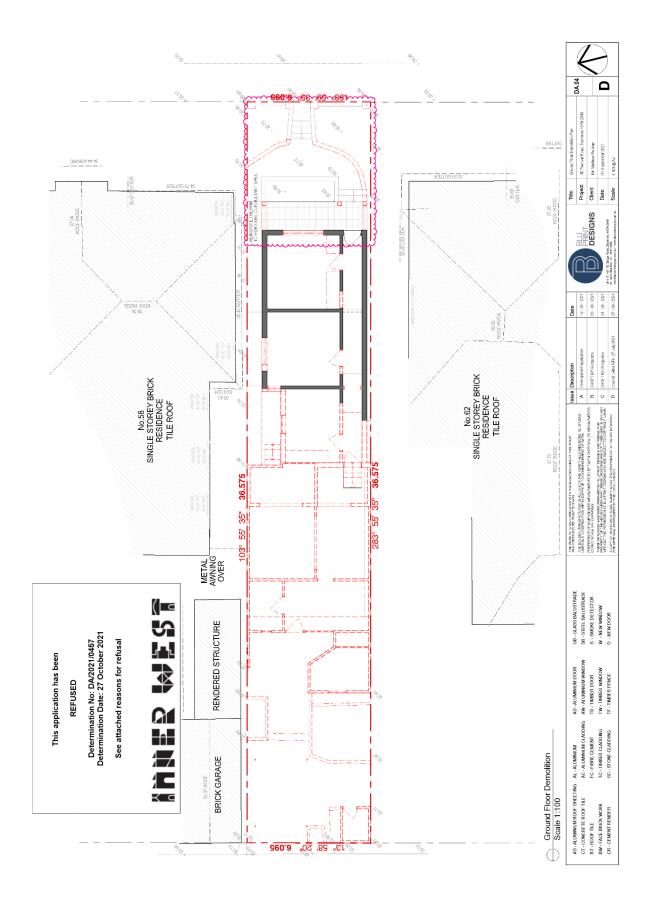
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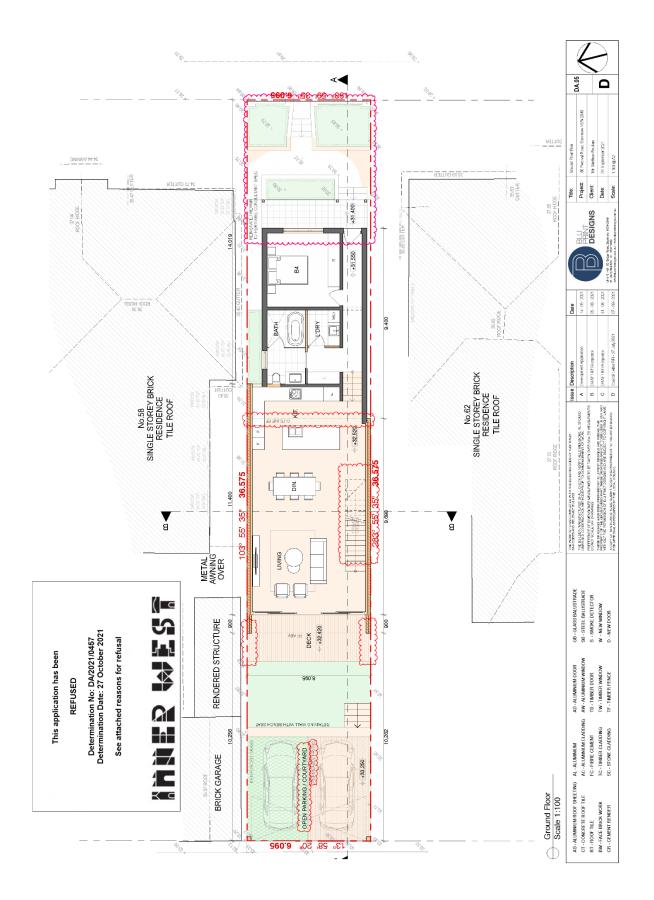
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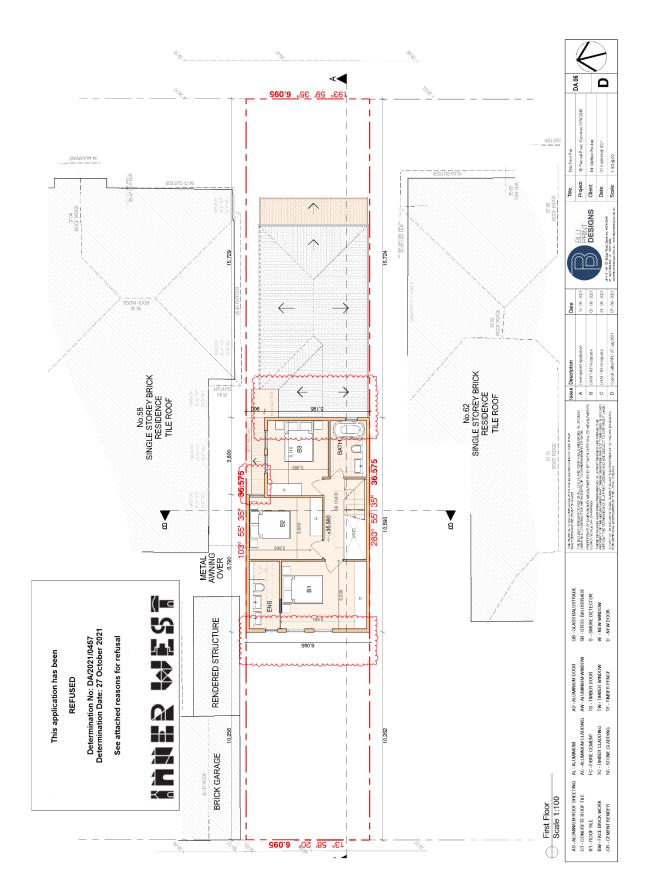
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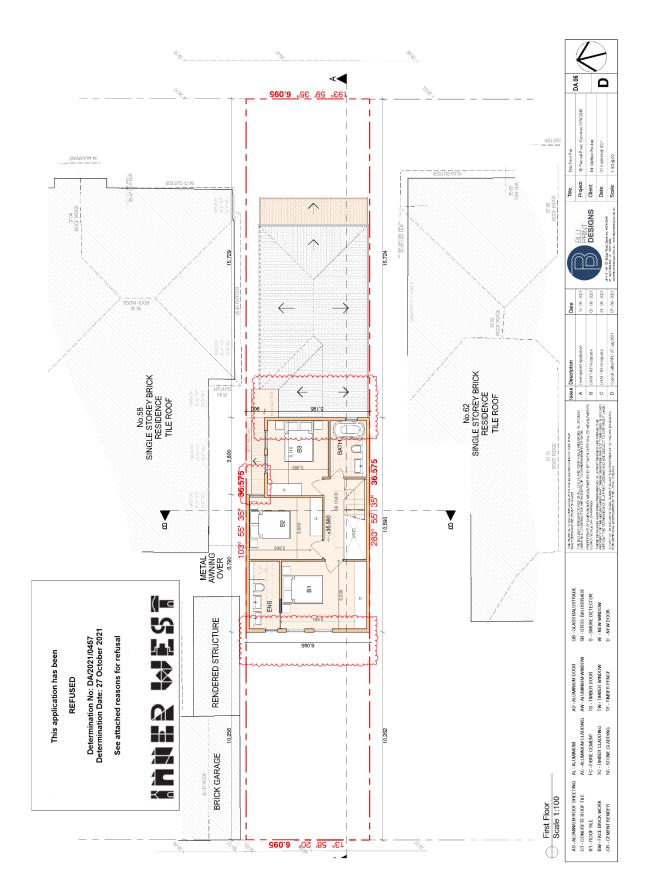
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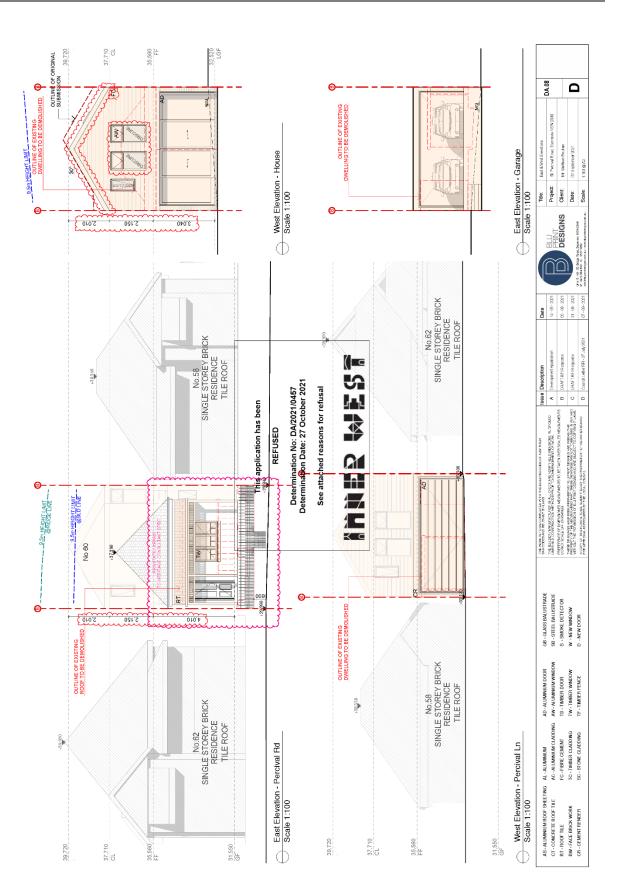
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 Description
 Mar Report has the second GB - GLASS BALUSTRADE SB - STEEL BALUSTRADE S - SMOKE DETECTOR W - NEW WADOW D - NEW DOOR AD - ALUMINIUM DOOR A W- ALUANNUM WINDOW TD - TIMBER DOOR TW - TIMBER WINDOW TF - TIMBER FENCE AS -ALUMINUM ROOF SPEETING AL -ALUMINUM AD C1-CONDETE ROOF THE DC -LUMINUM CLARONG AN R1-ROOF THE DC -FIBIE CLARONG IN 10-BW - FACE BRIAK WORK IC 0- INBERIS CLARONG IN C1- OF BRIES CLARONG IN C1- INBERIS CLARONG IN C1- INBERIS CLARONG IN-C1- INBERIS CLARONG IN-

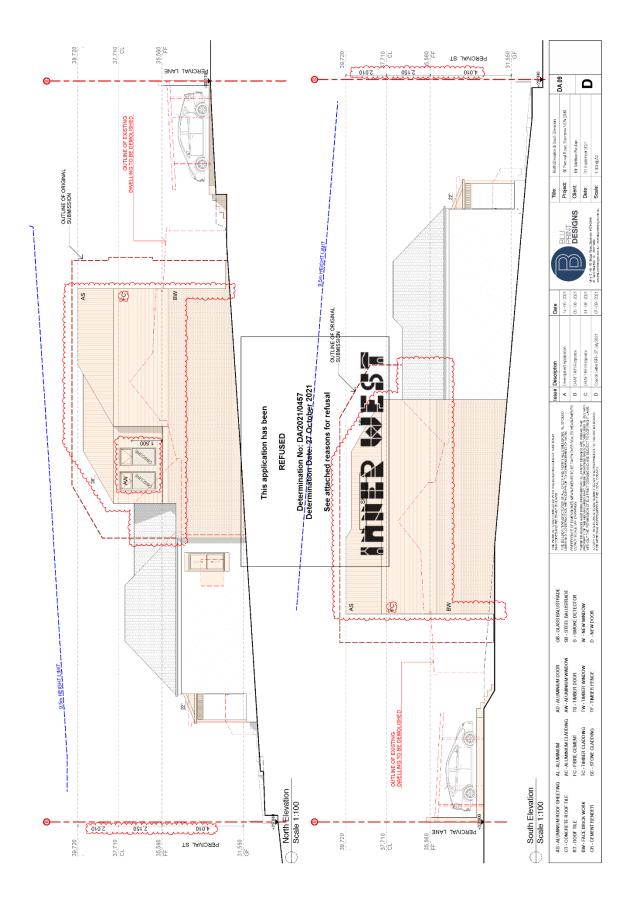


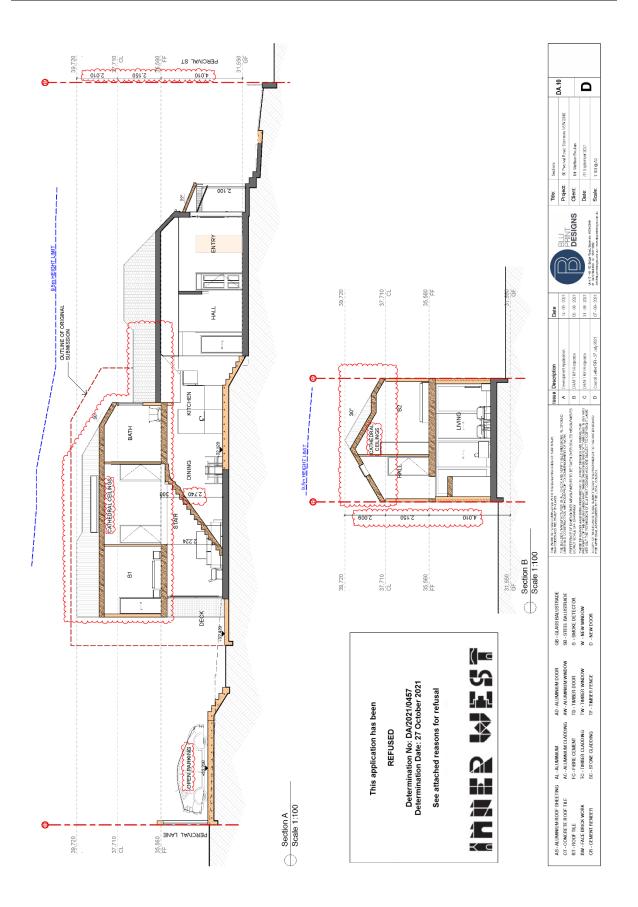


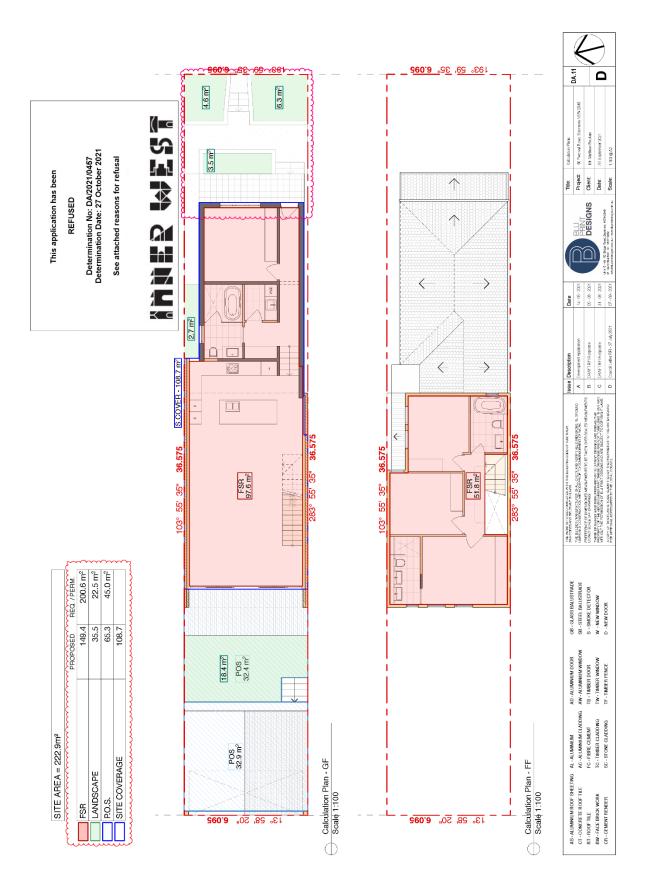












This application has been REFUSED Determination No: DA2021/0457 Determination Date: 27 October 2021 See attached reasons for refusal	The:         The:         Presenting         DA.12           PRIME         20.9 million         20.9 million         DA.12
	Date         Date <thdate< th="">         Date         Date         <thd< th=""></thd<></thdate<>
	AS-ALUMINIUM FOOD SHEETING         AL-ALUMINIUM         AD-ALUMINIUM DOOR         GB-GLASS BALISTIADE           GT-CONDERTER FOOT TE         RD-ALUMINIUM COOR         AN-ALUMINIUM COOR         GB-GLASS BALISTIADE           RT-FOOD TE         RD-ALUMINIUM COOR         AN-ALUMINIUM COOR         SB-STEET BULISTIADE           RT-FOOD TE         FO-FIBRE CARENT         TD-FIBRE FOOD         S-SMOKE DETECTOR           BW-FIGE BROX WOOK         TO-FIBBERT RADOR         W - ALUMINIUM COOR         W - ALUMINIUM COOR           BW-FIGE BROX WOOK         TO-FIBBERT RADOR         W - ALUMINIUM COOR         W - ALUMINIUM COOR

