





# INNER WEST

## DEVELOPMENT ASSESSMENT REPORT

<b>Application No.</b>	MOD/2023/0178
<b>Address</b>	60 Percival Road STANMORE NSW 2048
<b>Proposal</b>	Section 4.55 (2) application to modify determination REV/2022/0010 to reintroduce the ensuite bathroom increasing the size of the approved first floor addition.
<b>Date of Lodgement</b>	22 June 2023
<b>Applicant</b>	The Trustee for Blu Print Family Trust
<b>Owner</b>	Matthew E Boukas
<b>Number of Submissions</b>	Three (3)
<b>Value of works</b>	\$320,800.00
<b>Reason for determination at Planning Panel</b>	Application seeks modification to conditions imposed by Panel
<b>Main Issues</b>	Heritage Conservation
<b>Recommendation</b>	Approved with Conditions
<b>Attachment A</b>	Recommended conditions of consent to be modified
<b>Attachment B</b>	Conditions of consent REV/2022/0010
<b>Attachment C</b>	IWLPP Report REV/2022/0010
<b>Attachment D</b>	Plans of proposed development
<b>Attachment E</b>	Statement of Heritage Significance



### LOCALITY MAP

Subject Site		Objectors		↑ N
Notified Area		Supporters		

## 1. Executive Summary

This report is an assessment of the application submitted to Council under Section 4.55(2) of the *Environmental Planning and Assessment Act 1979* to modify determination REV/2022/0010, dated 13 September 2022 so as to reduce the setbacks of the first floor to reintroduce the ensuite bathroom increasing the size of the approved first floor addition at 60 Percival Road Stanmore.

The application was notified to surrounding properties and four (4) submissions were received in response to the notification.

The main issues that have arisen during the assessment of the application relate to heritage conservation. At the request of Council, the application was amended during assessment with respect to retaining the heritage fabric of the dwelling.

The applicant amended the proposal in response and accordingly 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, *Inner West Local Environmental Plan 2022*, 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 modified 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 to modify Determination No. REV/2022/0010 dated 13 September 2022 under Section 4.55(2) of the *EP and A Act 1979*. The original application was for the demolition of part of the premises and to carry out ground and first floor alterations and additions to a dwelling house. The application was approved with deferred commencement conditions imposed by the Inner West Local Planning Panel on 13 September 2022. The deferred commencement condition is reproduced below:

*Prior to the consent becoming operational amended plans are to be submitted to the satisfaction of the Council illustrating the following:*

- a. *The western portion of the roof over first floor addition shall take the form of a hip roof*
- b. *The first floor western elevation shall be setback 1 meter (from its current location of Bed 1)*
- c. *The first floor ensuite on the southern boundary shall be deleted*
- d. *The courtyard doors on the ground floor adjoining the dining room shall be deleted and replaced with a window*
- e.



The applicant submitted amended plans which satisfied the above, and an operative consent was issued on 9 March 2023.

The subject application seeks to the following modifications to the approved development:

- Reinstatement of the first floor ensuite (which was deleted under REV/2022/0010 as per operative consent point (c).
- Associated internal changes of the first floor to reconfigure the layout
- Amendments to ground floor to provide single level living and dining areas
- Change in location of stairs.

### 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.

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
REV/2022/0010	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.	13/09/2022 Deferred Commencement - Local Planning Panel  09/03/2023 Operative Consent Issued
DA/2021/0457	To demolish part of the premises and carry out ground and first floor alterations and additions to a dwelling house	27/10/2021 Refused
PDA/2020/0448	Alterations and additions to existing dwelling. Construction of a garage at rear	03/02/2021 Advice issued
PDA201900136	to demolish existing improvements and construct a 2 storey dwelling with a double garage at the rear of the site	25/10/2019 Advice issued

**Surrounding properties**

66 Percival Road, Stanmore NSW 2048

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

**4(b) Application history**

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

Date	Discussion / Letter / Additional Information
01/08/2023	Council issued a letter to the applicant requesting that amended plans be submitted which deleted the proposed additional incursion to the main roof form.
08/08/2023	A meeting was held between Council's planner, heritage specialist and the applicant to discuss the above request.
09/10/2023	The applicant submitted additional information to address the request. 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 (EP&A Act 1979)*.

### 5(a) Section 4.55 Modification of Consent

The following is a summary of the assessment of the application in accordance with Section 4.55 of the *Environmental Planning and Assessment Act 1979* (EPA Act 1979).

Section 4.55(2) of the *EPA Act 1979* allows a consent authority to modify a development consent granted by it, if:

- (a) *it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and*
- (b) *it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*
- (c) *it has notified the application in accordance with—*
  - (i) *the regulations, if the regulations so require, or*
  - (ii) *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) *it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.*

In considering the above:

- The essence of the development as modified is substantially the same as the original consent.
- The environmental impacts are minimal.
- The application was notified, and submissions received considered.

In consideration of Section 4.55(3) of the *EPA Act 1979* the IWLPP resolved that the application be approved as per the recommendation contained in the assessment report subject to the imposition of the deferred commencement condition. The assessment report reasoned that the development was supportable as:

*“...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.”*

The deferred commencement condition is reproduced below, item (c) of which is proposed to be deleted under the subject application.

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

- 1. Prior to the consent becoming operational amended plans are to be submitted to the satisfaction of the Council illustrating the following;*
  - a. The western portion of the roof over first floor addition shall take the form of a hip roof*
  - b. The first floor western elevation shall be setback 1 meter (from its current location of Bed 1)*
  - c. The first floor ensuite on the southern boundary shall be deleted*
  - d. The courtyard doors on the ground floor adjoining the dining room shall be deleted and replaced with a window*

It is considered that the modified proposal has adequately considered those reasons that the original development consent was granted.

## 5(b) Environmental Planning Instruments

The application does not alter compliance with the relevant Environmental Planning Instruments. A discussion of the relevant matters is included below.

### 5(b)(i) Inner West Local Environmental Plan 2022 (IWLEP 2022)

The application was assessed against the following relevant sections of IWLEP 2022.

#### Part 4 – Principal development standards

Section	Proposed		Compliance
Section 4.3 Height of building	Maximum	9.5m	Yes
	Proposed	7.3m	
Section 4.4 Floor space ratio	Maximum	0.9:1 (200.6sqm)	Yes
	Proposed	0.6:1 (134.3sqm)	
Section 4.5 Calculation of floor space ratio and site area	The site area and floor space ratio for the proposal has been calculated in accordance with the clause.		Yes

**Part 5 – Miscellaneous provisions**

Section	Proposed	Compliance
Section 5.10 Heritage conservation	<p>The proposal achieves the objectives of this section as follows:</p> <ul style="list-style-type: none"> <li>• The subject site contains a contributory building located within the Annandale Farm Heritage Conservation Area.</li> <li>• The proposed modifications have been adequately designed to preserve contributory elements and fabric of the dwelling and retains adequate setbacks, 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 Inner West.</li> </ul> <p>Given the above, the development preserves the environmental heritage of Inner West.</p>	Yes

**5(c) Development Control Plans**

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

**Part 2 – Generic Provisions**

Control	Proposed	Compliance
Part 2.6 Acoustic and Visual Privacy	<p>The modified proposal satisfies the relevant provisions of this Part as follows:</p> <ul style="list-style-type: none"> <li>• The proposed windows predominantly face into the site.</li> <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>	Yes
Part 2.7 Solar Access and Overshadowing	<ul style="list-style-type: none"> <li>• The modified proposal does not further reduce solar access to neighbouring properties, than that considered by the panel and assessed by Council staff as acceptable. However, given the first floor en-suite was required to be deleted and is now proposed under this modification to be re-instated there are increased overshadowing impacts than that approved by the panel.</li> </ul>	Acceptable – see discussion below

	<ul style="list-style-type: none"> <li>• Notwithstanding, the development results in less than the minimum of two hours direct solar access to a window (room use unknown as such assessed as worst case being living room) at the neighbouring property at 62 Percival Road, however, is considered acceptable on merit, as discussed below.</li> <li>• A minimum of two 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>	
<p>The proposal seeks a 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 two 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.</p> <p>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 <i>Benevolent Society v Waverley Council</i> [2010] NSWLEC 1082 is also used as a tool to interpret the following control.</p> <p>C2(ii) of Part 2.7.3 of MDCP 2011 states:</p> <p style="padding-left: 40px;"><i>If the development proposal results in a further decrease in sunlight available on 21 June, Council will consider:</i></p> <p style="padding-left: 80px;"><i>a. The development potential of the site;</i></p> <p>The development potential of the site prescribed by the development standards under the <i>IWLEP 2022</i> 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 <i>IWLEP 2022</i>, which permits mainly low-density residential development.</p> <p>The following is noted with respect to this matter:</p> <ul style="list-style-type: none"> <li>• The development readily complies with the 9.5m height development standard under the <i>IWLEP 2022</i>, as a maximum height of 7.3m is proposed;</li> </ul>		



- The development complies with the 0.9:1 FSR development standard under the *IWLEP 2022*, as an FSR of 0.6:1 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 *IWLEP 2022*.

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 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*

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 ensuring the significance of the building is maintained.

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

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 style="list-style-type: none"> <li>As discussed within this report, the modified proposal is considered to have been designed with respect to maintaining the contributory building and elements on the site which were constructed during the period of significance of the conservation area.</li> </ul>	Yes
Part 8.3.2.5 Building form	<ul style="list-style-type: none"> <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 style="list-style-type: none"> <li>The modified development maintains the original roof form to the front elevation and for the length of the main roof to the side elevations.</li> <li>As discussed within this report, the proposed alterations to the first floor layout were amended during assessment so as to not further incur upon the original rear roof form.</li> <li>The materials to the original roof and suitable to the building and conservation area.</li> </ul>	Yes

### 5(d) The Likely Impacts

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

### 5(e) 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(f) Any submissions

The application was notified in accordance with the Community Engagement Framework for a period of 14 days to surrounding properties. Three (3) unique submissions were received in response to notification.

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

- The development is not substantially the same as that approved – see Section 5(a)
- The proposal adversely impacts the character of the area – see Section 5(c)

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

Issue	Comment
The proposed modifications to the first-floor setbacks create additional building bulk and amenity impacts to neighbouring properties.	The proposal was amended during assessment of the application to retain the front and rear setback as per the previous approval. Notwithstanding, as discussed within this report, the reinstatement of the ensuite to the first floor is not considered to impose unacceptable visual bulk impacts to neighbouring properties.
The first floor ensuite deleted by way of the IWLPP should remain so, as determined by the panel.	As discussed within this report, the proposed reinstatement of the first floor ensuite is acceptable. Notwithstanding, as the application seeks to modify the proposed design change imposed by the IWLPP, this application cannot be determined by delegation to Council staff and accordingly has been reported for determination to the IWLPP.
The windows to the first-floor pose overlooking and visual privacy impacts	There are no new windows proposed on the first floor as part of this application. The ground floor north facing dining room window is being amended from a large window to 2 smaller vertically proportioned windows which is an improved outcome and does not raise any privacy impacts as boundary fencing obscures any potential sightlines.
The proposed cost of works indicates that the quality of the build will be poor.	The development is required to be built in accordance with the National Construction Codes.

### 5(g) 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 in the public interest.

## 6. Referrals

The application was referred to Council's internal heritage specialist and issues raised in those referrals have been discussed in section 5 above.

## 7. Section 7.12 Levy

A condition requiring that a 7.12 contribution be paid is retained in the consent.

## 8. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in *Inner West Local Environmental Plan 2022* and *Marrickville Development Control Plan 2011*.

The modified 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

That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.55(2) of the *Environmental Planning and Assessment Act 1979*, grant consent to Application No. MOD/2023/0178 which seeks to modify REV/2022/0010 dated 13 September 2022 to reintroduce the ensuite bathroom increasing the size of the approved first floor addition at 60 Percival Road, Stanmore subject to the amendments listed in Attachment A below.

## Attachment A – Recommended conditions of consent

That condition 1 be amended as follows;

### 1. Documents Related to the Consent:

Documents & Plans - Revision and Issue No.	Prepared by	Dated
<del>DA.01 Issue E, S4.55.01 Issue C</del> , Site, Roof & Sediment Erosion Control Plan Site, Roof & Sediment Erosion Control Plan	Blu Print Designs	<del>22/02/2023</del> 09/10/2023
<del>DA.02 Issue E, S4.55.02 Issue C</del> Sediment Control Notes	Blu Print Designs	<del>22/02/2023</del> 09/10/2023
<del>DA.03 Issue E, S4.55.03 Issue C</del> BASIX Notes	Blu Print Designs	<del>22/02/2023</del> 09/10/2023
<del>DA.04 Issue E, S4.55.04 Issue C</del> Ground Floor Demolition Plan	Blu Print Designs	<del>22/02/2023</del> 09/10/2023
<del>DA.05 Issue E, S4.55.05 Issue C</del> Ground Floor Plan	Blu Print Designs	<del>22/02/2023</del> 09/10/2023
<del>DA.06 Issue E, S4.55.06 Issue C</del> First Floor Plan	Blu Print Designs	<del>22/02/2023</del> 09/10/2023
<del>DA.07 Issue E, S4.55.07 Issue C</del> Roof Plan	Blu Print Designs	<del>22/02/2023</del> 09/10/2023
<del>DA.08 Issue E, S4.55.08 Issue C</del> Street Elevations	Blu Print Designs	<del>22/02/2023</del> 09/10/2023
<del>DA.09 Issue E, S4.55.09 Issue C</del> East & West Elevations	Blu Print Designs	<del>22/02/2023</del> 09/10/2023
<del>DA.10 Issue E, S4.55.10 Issue C</del> North Elevation & South Elevation	Blu Print Designs	<del>22/02/2023</del> 09/10/2023
<del>DA.11 Issue E, S4.55.11 Issue C</del> Sections	Blu Print Designs	<del>22/02/2023</del> 09/10/2023
<del>DA.12 Issue E, S4.55.12 Issue C</del> Calculation Plans	Blu Print Designs	<del>22/02/2023</del> 09/10/2023
<del>DA.13 Issue E, S4.55.13 Issue C</del> Perspectives	Blu Print Designs	<del>22/02/2023</del>

		<b>09/10/2023</b>
DA.14 Issue E, Material Sample Board	Blu Print Designs	22/02/2023
DA.15 – DA.18 Issue E, Shadow Diagrams June 21st	Blu Print Designs	22/02/2023
DA.19 – DA.22 Issue E, Shadow Diagrams March/Sept 21st	Blu Print Designs	22/02/2023
DA.23 – DA.24 Issue E, Neighbour Elev. Shadows Diagrams Jun 21st	Blu Print Designs	22/02/2023
DA.25 – DA.28 Issue E, Shadow Diagrams March 21 <sup>st</sup>	Blu Print Designs	22/02/2023

*(Amended under MOD/2023/0178 by IWLPP on 12/12/2023)*



**Attachment B – Operative Consent + conditions of approval**  
**REV/2022/0010**

Blu Print Designs Pty Ltd  
Unit 15 43-53 Bridge Road  
STANMORE NSW 2048

09 March 2023

Dear Sir/Madam

**ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979 ("the Act")**  
**OPERATIVE CONSENT LETTER**

I refer to **Development Application REV/2022/0010** determined on a deferred commencement basis, on 13 September 2022 relating to property situated at:

**60 Percival Road STANMORE NSW 2048**

Council is satisfied as to the matter(s) referred to in Part A of the Determination. The documentation listed in the table below now forms part of the determination.

<b>Documents &amp; Plans - Revision and Issue No.</b>	<b>Prepared by</b>	<b>Dated</b>
DA.01 Issue E, Site, Roof & Sediment Erosion Control Plan	Blu Print Designs	22/02/2023
DA.03 Issue E, BASIX Notes	Blu Print Designs	22/02/2023
DA.05 Issue E, Ground Floor Plan	Blu Print Designs	22/02/2023
DA.06 Issue E, First Floor Plan	Blu Print Designs	22/02/2023
DA.07 Issue E, Roof Plan	Blu Print Designs	22/02/2023
DA.08 Issue E, Street Elevations	Blu Print Designs	22/02/2023
DA.09 Issue E, East & West Elevations	Blu Print Designs	22/02/2023
DA.10 Issue E, North Elevation & South Elevation	Blu Print Designs	22/02/2023
DA.11 Issue E, Sections	Blu Print Designs	22/02/2023
DA.13 Issue E, Perspectives	Blu Print Designs	22/02/2023
DA.14 Issue E, Material Sample Board	Blu Print Designs	22/02/2023

**Inner West Council**  
innerwest.nsw.gov.au  
02 9392 5000

council@innerwest.nsw.gov.au  
PO Box 14, Petersham NSW 2049

This Consent operates from 09 March 2023 and will lapse unless the proposed development is commenced in accordance with Section 4.53 of the Act. The consent is subject to the conditions set out in the Determination.

If you wish to discuss the matter please contact **Angela Berryman** on **(02) 9392 5979** or [angela.berryman@innerwest.nsw.gov.au](mailto:angela.berryman@innerwest.nsw.gov.au).

*Kaitlin Zieme*

Kaitlin Zieme  
**Team Leader – Development Assessment**



### DEFERRED COMMENCEMENT - APPROVAL

*Issued under Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979, in accordance with the provisions of section 4.16(3)*

<b>Development Application No.</b>	REV/2022/0010
<b>Applicant</b>	Blu Print Designs Pty Ltd
<b>Land to be developed</b>	60 Percival Road STANMORE NSW 2048
<b>Approved development</b>	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.
<b>Cost of development</b>	\$320,800.00
<b>Determination</b>	The application was determined by Local Planning Panel and was granted a deferred commencement consent <b>subject to the conditions attached.</b>
<b>Other Approvals</b>	Before commencing <i>building work</i> or <i>subdivision work</i> , a relevant Construction Certificate must be obtained from Council or an Accredited Certifier. Council must be appointed the Principal Certifier for any <i>subdivision work</i> under the Act.
<b>Date of determination</b>	13 September 2022
<b>Consent is to operate from</b>	Not yet operational
<b>Consent will lapse on</b>	Five years from date consent becomes operational

**Inner West Council**  
innerwest.nsw.gov.au  
02 9392 5000

council@innerwest.nsw.gov.au  
PO Box 14, Petersham NSW 2049

Document Set ID: 38216074  
Version: 1, Version Date: 18/10/2023

**Reasons for conditions**

To protect the environmental amenity of the area and the public interest.

**Right of appeal**

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

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

For further information please contact **Angela Berryman** on (02) 9392 5979 or [angela.berryman@innerwest.nsw.gov.au](mailto:angela.berryman@innerwest.nsw.gov.au).



Ruba Osman  
**Acting Manager – Development Assessment (South)**

**CONDITIONS OF CONSENT**

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

Prior to the consent becoming operational amended plans are to be submitted to the satisfaction of the Council illustrating the following;

- a. The western portion of the roof over first floor addition shall take the form of a hip roof
- b. The first floor western elevation shall be setback 1 meter (from its current location of Bed 1)
- c. The first floor ensuite on the southern boundary shall be deleted
- d. The courtyard doors on the ground floor adjoining the dining room shall be deleted and replaced with a window

**(Adopted IWLPP - REV/2022/0010 - 13/09/2022)**

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

**DOCUMENTS RELATED TO THE CONSENT****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	22/03/2022	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/planning-controls/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.

<b>Security Deposit:</b>	\$5600.00
<b>Inspection Fee:</b>	\$350.00

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

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

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

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

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

#### **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:

- a. 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;
- h. 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;
- l. 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;

- e. Application for Strata Title Subdivision if strata title subdivision of the development is proposed;
- f. Development Application for demolition if demolition is not approved by this consent; or
- g. Development Application for subdivision if consent for subdivision is not granted by this consent.

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

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

**Notification of commencement of works**

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

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

**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 <a href="http://www.basix.nsw.gov.au">www.basix.nsw.gov.au</a>
Department of Fair Trading	13 32 20 <a href="http://www.fairtrading.nsw.gov.au">www.fairtrading.nsw.gov.au</a> Enquiries relating to Owner Builder Permits and Home Warranty Insurance.
Dial Prior to You Dig	1100 <a href="http://www.dialprior toyoudig.com.au">www.dialprior toyoudig.com.au</a>
Landcom	9841 8660 To purchase copies of Volume One of "Soils and Construction"

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

### 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.


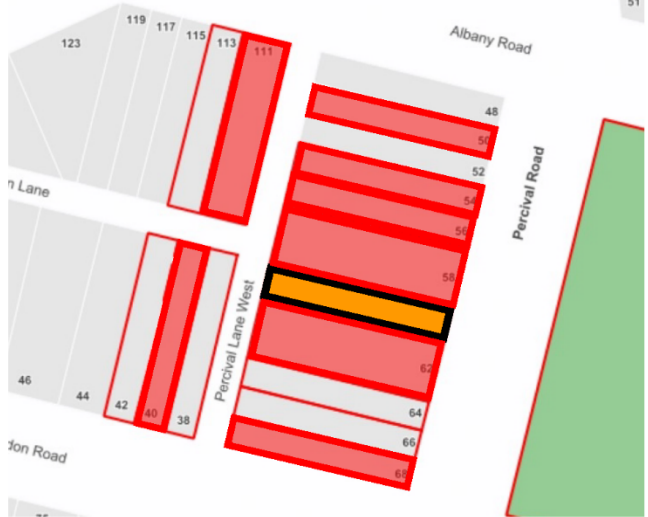




#### **Amenity Impacts General**

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 C- IWLPP Report REV/2022/0010

	
DEVELOPMENT ASSESSMENT REPORT	
<b>Application No.</b>	REV/2022/0010
<b>Address</b>	60 Percival Road STANMORE NSW 2048
<b>Proposal</b>	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.
<b>Date of Lodgement</b>	13 May 2022
<b>Applicant</b>	Blu Print Designs Pty Ltd
<b>Owner</b>	Matthew E Boukas
<b>Number of Submissions</b>	13 (10 unique)
<b>Value of works</b>	\$320,800.00
<b>Reason for determination at Planning Panel</b>	Number of submissions
<b>Main Issues</b>	Contentious development
<b>Recommendation</b>	Approved with Conditions
<b>Attachment A</b>	Recommended conditions of consent
<b>Attachment B</b>	Plans of proposed development
<b>Attachment C</b>	Heritage Impact Statement
<b>Attachment D</b>	Refused plans
	
LOCALITY MAP	
<b>Subject Site</b> 	<b>Objectors</b>   N
<b>Notified Area</b> 	Note: Due to scale of map, not all objectors could be shown.



## 1. Executive Summary

This report is an assessment of the application submitted to Council 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:

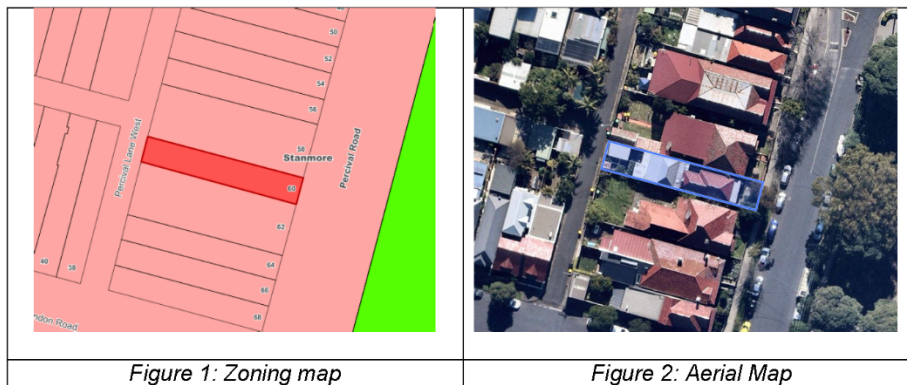
- A reduction in overall building height and lowering of roof pitch orientation;
- A corresponding reduction to the bulk and scale of the first floor;
- An increased side setback to the north for the proposed first floor;
- Retention of the original courtyard to the northern boundary;
- Reduction in 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.



#### 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 ground and first floor alterations and additions to a dwelling house	27/10/2021 Refused
PDA/2020/0448	Alterations and additions to existing dwelling. Construction of a garage at rear	03/02/2021 Advice issued
PDA201900136	to demolish existing improvements and construct a 2 storey dwelling with a double garage at the rear of the site	25/10/2019 Advice issued

##### Surrounding properties

66 Percival Road, Stanmore NSW 2048

Application	Proposal	Decision & Date
DA201600596	to demolish part of the premises and carry out ground floor alterations and additions to a dwelling house	01/05/2017 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: <ul style="list-style-type: none"> <li>• Building height</li> <li>• Heritage conservation</li> <li>• Rear lane frontage</li> </ul>
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:*
- 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.*
  - 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.*
  - 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:*
- Part 2.1 - Urban Design, in that the proposal is inconsistent with Principle 9 and Principle 11.*
  - Part 2.7 - Solar Access and Overshadowing, in that the proposal results in adverse overshadowing impacts to the southern neighbouring property.*
  - 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.*
  - 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.*
  - 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.*
  - 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 Environment Plan 2011 (MLEP 2011)*.

**Part 1 – Preliminary**

Control	Proposed	Compliance
Clause 1.2 Aims of Plan	The proposal satisfies the relevant aims of the Plan as follows: <ul style="list-style-type: none"> <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 Residential</i>	The proposal satisfies this clause as follows: <ul style="list-style-type: none"> <li>The application alterations and additions to a <b>dwelling house</b>, 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	The proposal satisfies the clause as follows: <ul style="list-style-type: none"> <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



**Part 4 – Principal development standards**

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

**Part 5 – Miscellaneous provisions**

Control	Proposed	Compliance
Clause 5.10 Heritage conservation	<p>The proposal achieves the objectives of this clause as follows:</p> <ul style="list-style-type: none"> <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> <p>Given the above, the development preserves the environmental heritage of the Inner West.</p>	Yes

**Part 6 – Additional local provisions**

Control	Proposed	Compliance
Clause 6.2 Earthworks	The proposed earthworks are unlikely to have a detrimental impact on environmental functions and processes, existing drainage patterns, or soil stability.	Yes
Clause 6.5 Development subject to aircraft noise	<p>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:</p> <ul style="list-style-type: none"> <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 Cl. 6.5 <i>MLEP 2011</i> and Part 2.6 of the MDCP 2011, respectively.</li> </ul>	Yes – subject to conditions

**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 Urban Design	<p>The proposal satisfies the relevant provisions of this Part as follows:</p> <ul style="list-style-type: none"> <li>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</li> <li>The proposal preserves the existing character of the streetscape and protects the street elevation of the existing dwelling.</li> </ul>	Yes

Part 2.6 Acoustic and Visual Privacy	<p>The proposal satisfies the relevant provisions of this Part as follows:</p> <ul style="list-style-type: none"> <li>• The proposed windows predominantly face into the site;</li> <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> <li>• The principal living areas and areas of POS are located to align with those at adjoining properties.</li> </ul>	Yes
Part 2.7 Solar Access and Overshadowing	<ul style="list-style-type: none"> <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 style="list-style-type: none"> <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 style="list-style-type: none"> <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 Site Facilities and Waste Management	<p>The proposal satisfies the relevant provisions of the Part as follows:</p> <ul style="list-style-type: none"> <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>	Yes, subject to 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*

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

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

Control	Assessment	Compliance
Part 4.1.4 Good Urban Design Practice	The height, bulk and scale of the development complement existing developments in the street and the architectural style of the proposal is in keeping with the character of the area.	Yes
Part 4.1.5 Streetscape and Design	<ul style="list-style-type: none"> <li>• The application proposes restoration works to the façade that are considered to improve the streetscape presentation of the dwelling within Percival Road and the heritage conservation area;</li> <li>• The proposal has been appropriately designed to complement the characteristic elements of the building and surrounds.</li> </ul>	Yes
Part 4.1.6 Built form and character  <u>Front setback</u> <ul style="list-style-type: none"> <li>• Consistent with adjoining developments</li> </ul> <u>Side setbacks</u> <ul style="list-style-type: none"> <li>• Lot width &lt;8m – on merit</li> </ul> <u>Rear setback</u> <ul style="list-style-type: none"> <li>• On merit</li> </ul> <u>Site coverage</u>	<ul style="list-style-type: none"> <li>• The existing front setback of the dwelling is to remain unaltered by the proposal;</li> <li>• The side setbacks proposed are considered satisfactory, as the proposal has an acceptable impact on adjoining properties in terms of overshadowing, visual bulk and privacy.</li> <li>• In addition, the proposal retains the side setbacks of the original dwelling house and are consistent with the established setback pattern of the street;</li> <li>• The proposed ground and first floor rear setbacks are considered appropriate, as they will not create adverse impacts on adjoining properties in terms of visual bulk, overshadowing or privacy; and</li> <li>• The proposal seeks to increase the existing site coverage by a minor amount. The overall site coverage of the development is considered acceptable, as it is consistent with the pattern development of the street and will have an acceptable impact on adjoining properties.</li> </ul>	Yes

On merit (0-300m <sup>2</sup> allotments)		
---	--	--

**Part 8 – Heritage**

Control	Assessment	Compliance
Part 8.2.8 Annandale Farm Heritage Conservation Area (HCA 6)	<ul style="list-style-type: none"> <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	<ul style="list-style-type: none"> <li>The development maintains existing building front and side setbacks, including the original courtyard to the northern boundary.</li> </ul>	Yes
Part 8.3.2.4 Building heights	<ul style="list-style-type: none"> <li>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.</li> </ul>	Yes
Part 8.3.2.5 Building form	<ul style="list-style-type: none"> <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 style="list-style-type: none"> <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 style="list-style-type: none"> <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	<ul style="list-style-type: none"> <li>The proposal seeks to reinstate previously altered and removed elements of the front verandah in accordance with the character of the dwelling house.</li> </ul>	Yes
Part 8.3.2.9 Windows and doors	<ul style="list-style-type: none"> <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	<ul style="list-style-type: none"> <li>The original materials to the front portion of the dwelling are maintained.</li> <li>The new additions to the rear exhibit materials that are compatible with the conservation area.</li> </ul>	Yes

**Part 9 – Strategic Context**

Control	Assessment	Compliance
Part 9.3 Stanmore North (Precinct 3)	<ul style="list-style-type: none"><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 address the previous reasons for refusal	The proposed development (as amended) is 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
DA.04 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/planning-controls/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.

Security Deposit:	\$5600.00
Inspection Fee:	\$350.00

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

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

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

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

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

#### **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 (RVMP) 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:

- a. 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;
- h. 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;
- l. 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;
- e. Application for Strata Title Subdivision if strata title subdivision of the development is proposed;
- f. Development Application for demolition if demolition is not approved by this consent; or

- g. Development Application for subdivision if consent for subdivision is not granted by this consent.

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

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

**Notification of commencement of works**

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

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

**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 <a href="http://www.basix.nsw.gov.au">www.basix.nsw.gov.au</a>
Department of Fair Trading	13 32 20 <a href="http://www.fairtrading.nsw.gov.au">www.fairtrading.nsw.gov.au</a> Enquiries relating to Owner Builder Permits and Home Warranty Insurance.
Dial Prior to You Dig	1100 <a href="http://www.dialprior toyoudig.com.au">www.dialprior toyoudig.com.au</a>
Landcom	9841 8660 To purchase copies of Volume One of "Soils and Construction"
Long Service Corporation	Payments 131441 <a href="http://www.lspc.nsw.gov.au">www.lspc.nsw.gov.au</a>

NSW Food Authority	1300 552 406 <a href="http://www.foodnotify.nsw.gov.au">www.foodnotify.nsw.gov.au</a>
NSW Government	<a href="http://www.nsw.gov.au/fibro">www.nsw.gov.au/fibro</a> <a href="http://www.diyasafe.nsw.gov.au">www.diyasafe.nsw.gov.au</a> Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	131 555 <a href="http://www.environment.nsw.gov.au">www.environment.nsw.gov.au</a>
Sydney Water	13 20 92 <a href="http://www.sydneywater.com.au">www.sydneywater.com.au</a>
Waste Service - SITA Environmental Solutions	1300 651 116 <a href="http://www.wasteservice.nsw.gov.au">www.wasteservice.nsw.gov.au</a>
Water Efficiency Labelling and Standards (WELS)	<a href="http://www.waterrating.gov.au">www.waterrating.gov.au</a>
WorkCover Authority of NSW	13 10 50 <a href="http://www.workcover.nsw.gov.au">www.workcover.nsw.gov.au</a> Enquiries relating to work safety and asbestos removal and disposal.

#### 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.

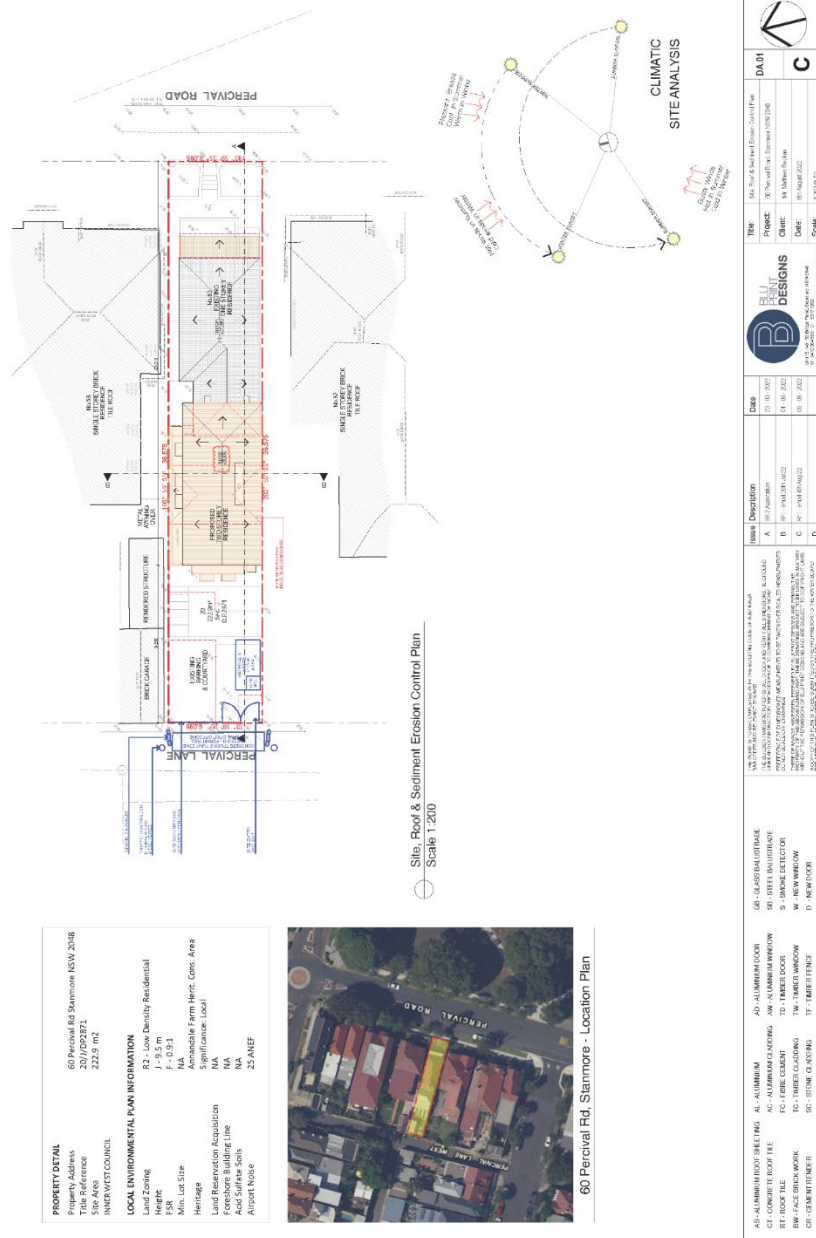
#### **Amenity Impacts General**

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



Document Set ID: 36248039

Version: 1, Version Date: 28/08/2023



## SURVEY NOTES

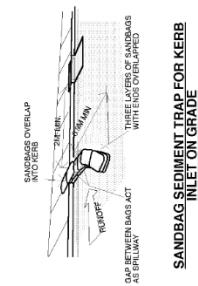
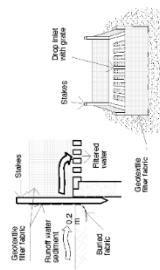
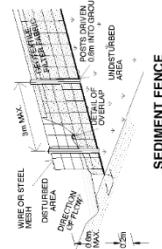
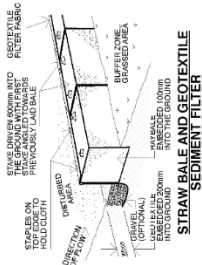
THE EXISTING SITE CONDITIONS SHOWN ON THE FOLLOWING DRAWINGS HAVE BEEN INVESTIGATED BY C.V. FORSHAW CONSULTING LAND AND ENGINEERING SURVEYORS, BEING REGISTERED SURVEYORS. THE INFORMATION IS SHOWN TO PROVIDE A BASIS FOR DESIGN, AT WHICH MEDIA INFORMATION DOES NOT GUARANTEE THE ACCURACY OR COMPLETENESS OF THE SURVEY BASE OF ITS SUITABILITY AS A BASIS FOR CONSTRUCTION DRAWINGS.

## SITE WORKS NOTES

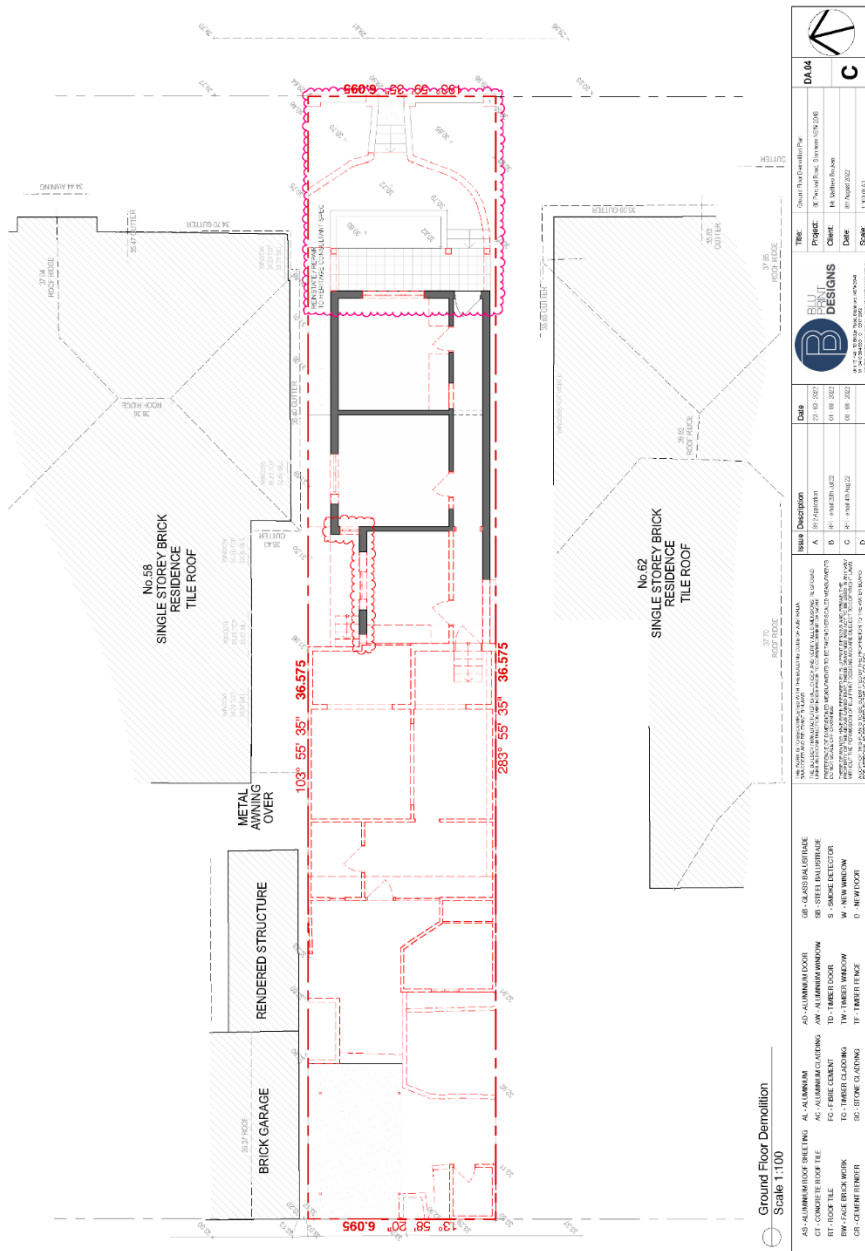
[illegible]

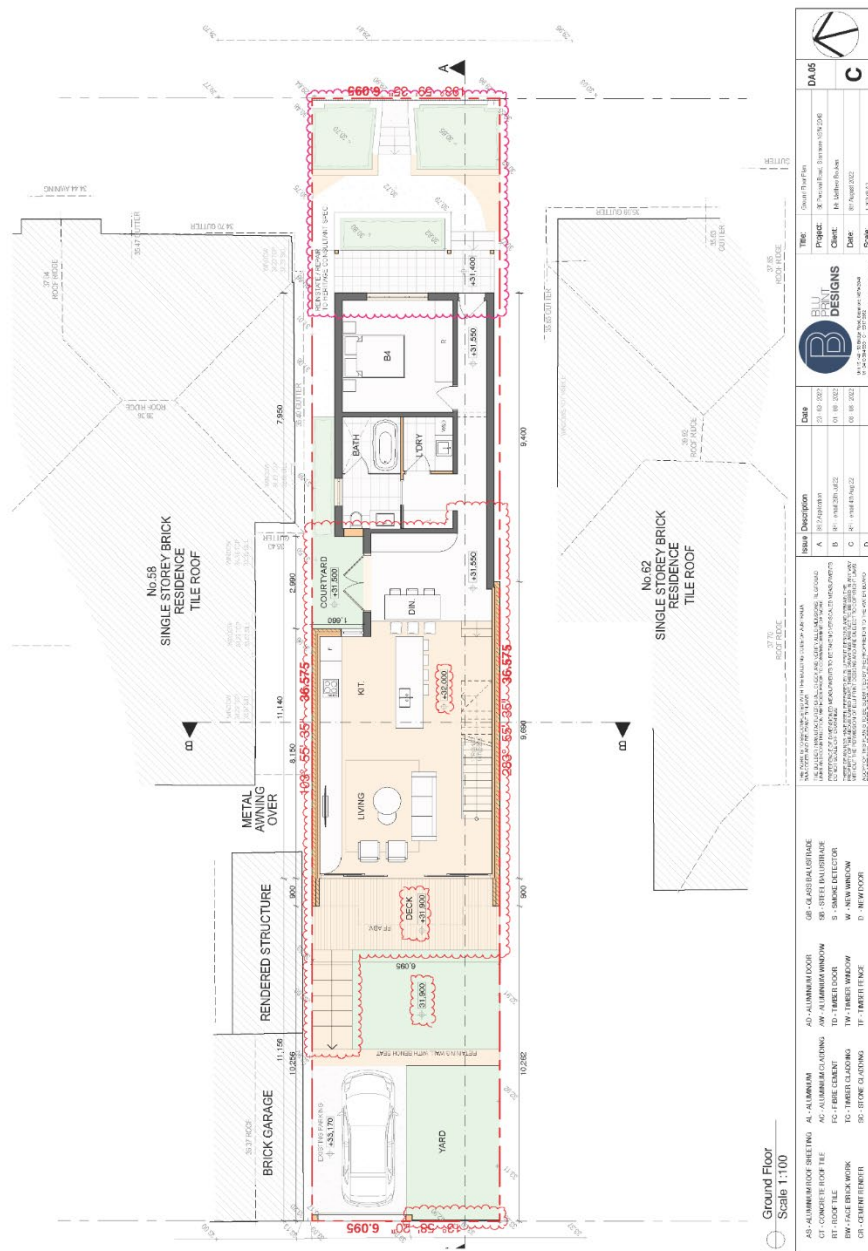
**EROSION AND SEDIMENT CONTROL NOTES**

1. ALL WORK SHALL BE GENERALLY CARRIED OUT IN ACCORDANCE WITH:
  - A. THE CITY OF LOS ANGELES' LOCAL ORDINANCES
  - B. EPA REQUIREMENTS
  - C. NEW DEPARTMENT OF HOUSING MANUAL
  - D. THE CALIFORNIA STATE OF CALIFORNIA'S STATEWIDE, SOLID AND CONSTRUCTION, 3RD EDITION, 1988
  - E. THE CALIFORNIA STATE OF CALIFORNIA'S STATEWIDE, SOLID AND CONSTRUCTION, 3RD EDITION, 1988
2. MAINTAIN THE EROSION CONTROL DEVICES TO THE SATISFACTION OF THE SUPERINTENDENT AND THE LOCAL AUTHORITY.
3. PROVIDE SUFFICIENT EROSION CONTROL DEVICES TO PREVENT SITE RUNOFF ENTERING NEARBY SUELS FLOWERS ARE ERECTED AND ADJUTS.
4. CONTRACTOR IS TO ENSURE ALL EROSION & SEDIMENTATION CONTROL DEVICES ARE MAINTAINED IN GOOD WORKING ORDER AND IMMEDIATELY REPAIR OR REPLACE ANY DEFECTIVE DEVICES AS SOON AS THEY ARE IDENTIFIED.
5. SUFFICIENT EROSION CONTROL DEVICES ARE REQUIRED, PARTICULARLY FOLLOWING STORM EVENTS.

[illegible]







Document Set ID: 36248039

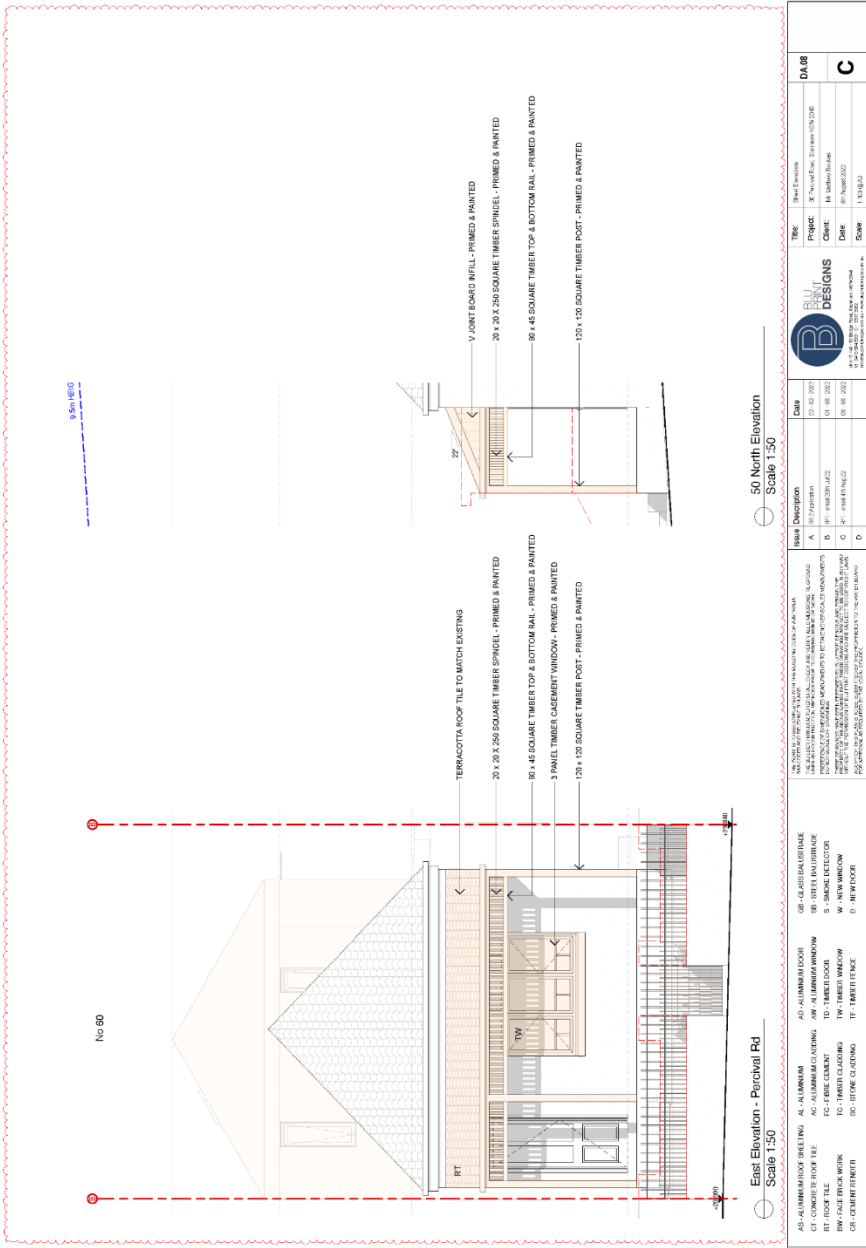
Version: 1, Version Date: 28/08/2023

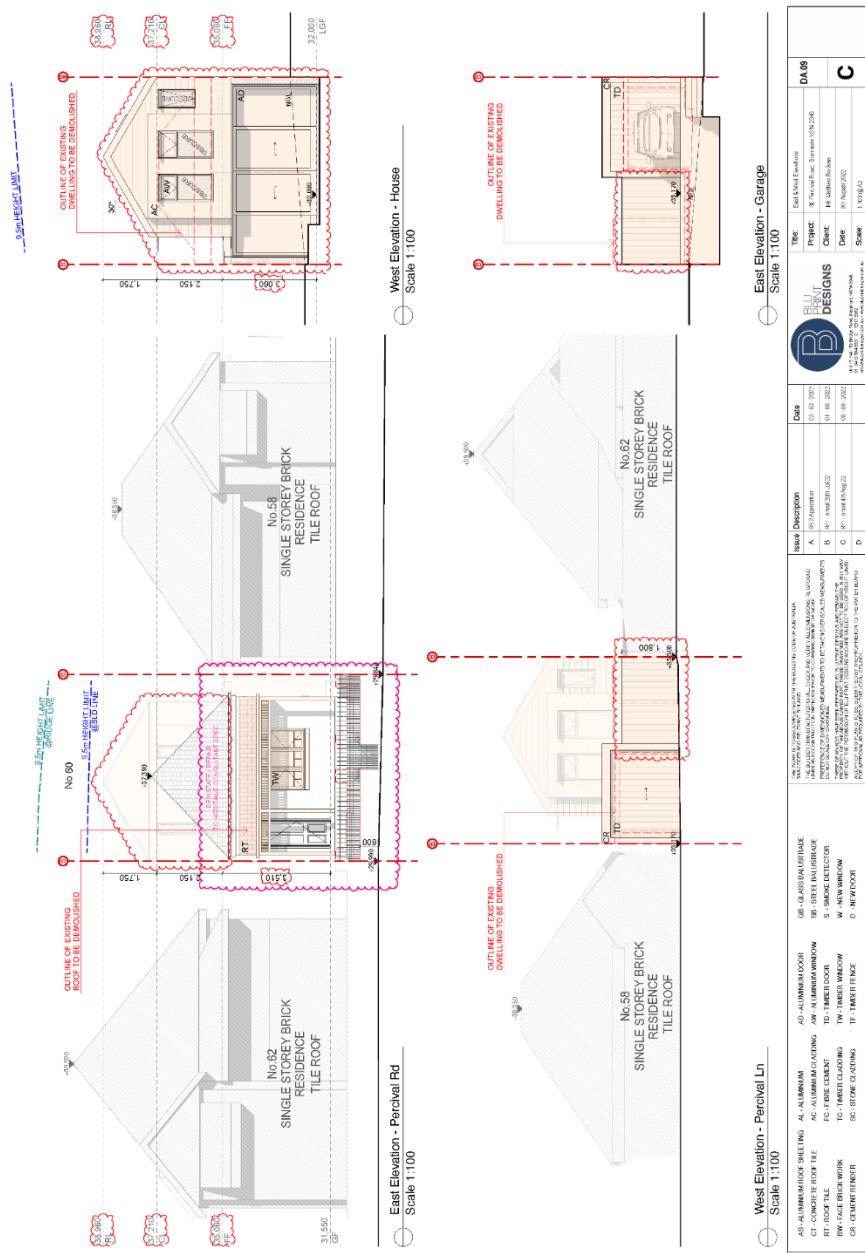


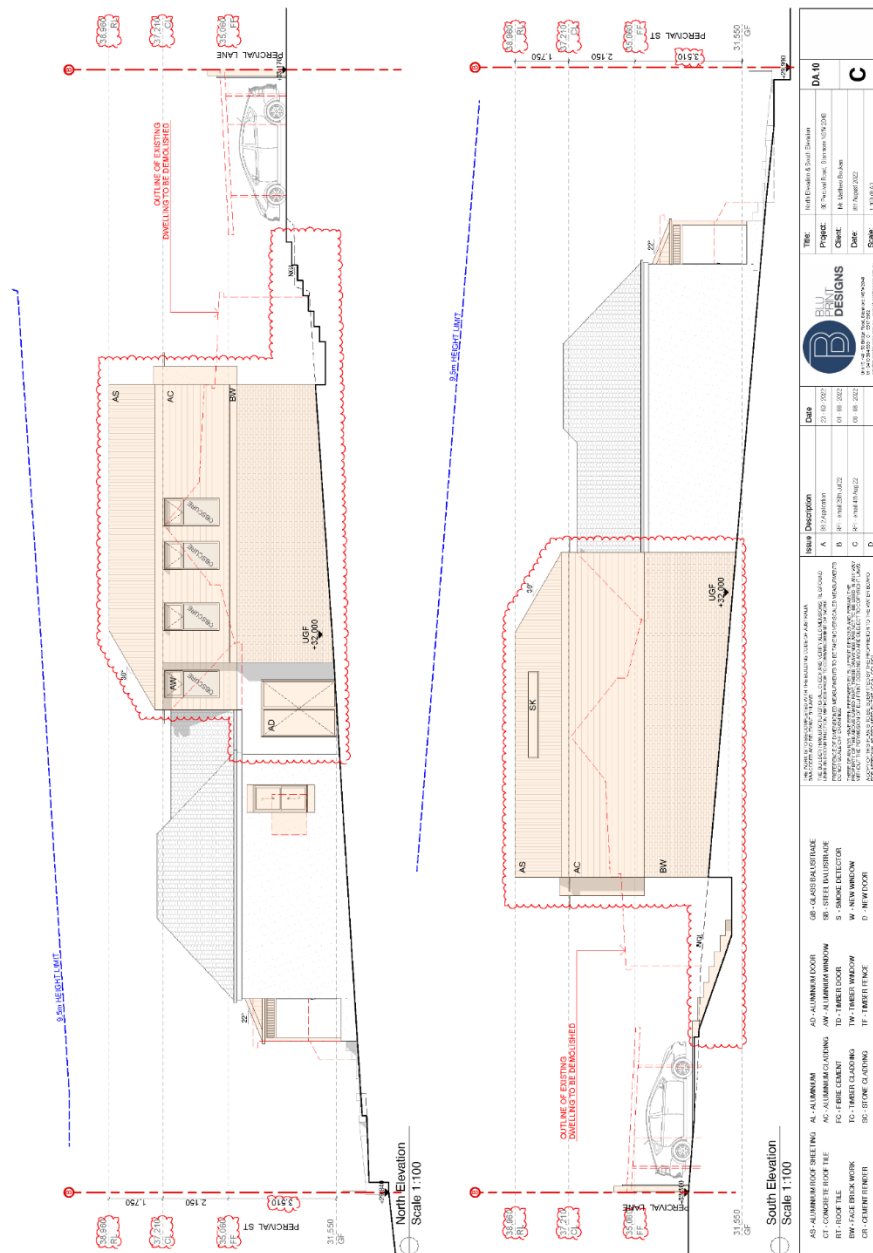




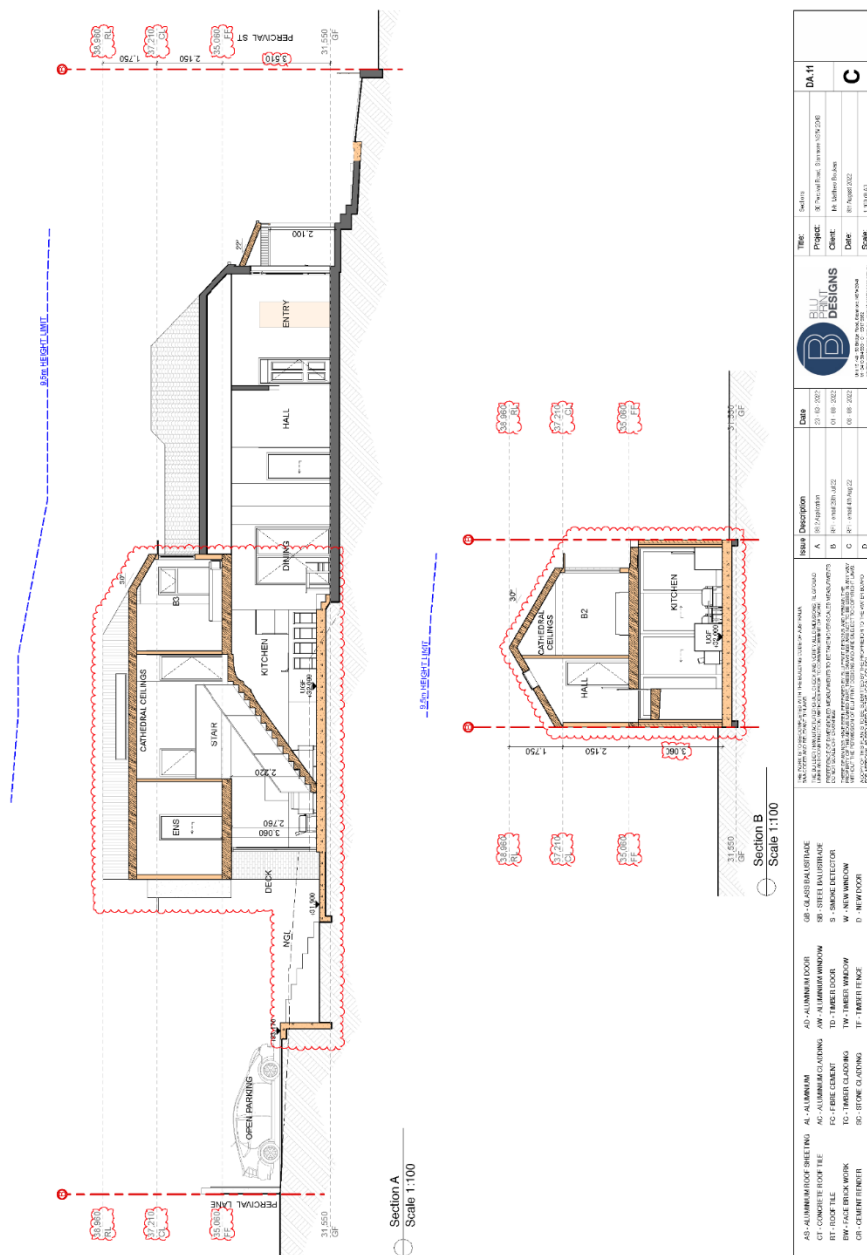








Document Set ID: 36243039  
Version: 1, Version Date: 26/08/2023



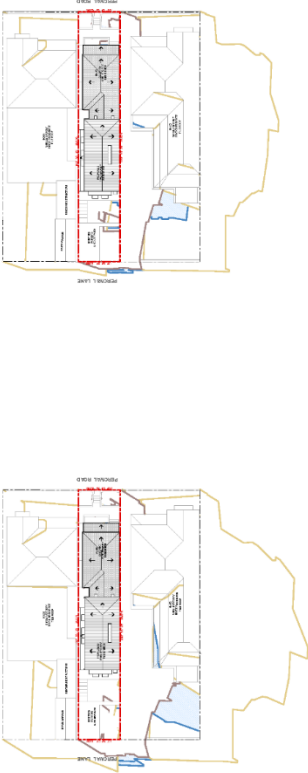
Document Set ID: 36243039  
Version: 1, Version Date: 26/08/2023







Item	Material	Colour	Notes	Quantity	Unit	Value
1	Corrugated roof sheeting	Colourbond - Sunmist	100m <sup>2</sup>	100	m <sup>2</sup>	100
2	Timber doors & windows	Front facade - Dulux - White	10m <sup>2</sup>	10	m <sup>2</sup>	10
3	Aluminium gutters & downpipes	Dulux - Sunmist	10m	10	m	10
4	Brickwork	Dry pressed common	100m <sup>3</sup>	100	m <sup>3</sup>	100
5	Aluminium horizontal cladding	Ultraclad shadowline weatherboard	100m <sup>2</sup>	100	m <sup>2</sup>	100
6	Front fence	Palisade - Single rail - Spear	10m	10	m	10
7	Cement render	Dulux - Natural White	10m <sup>2</sup>	10	m <sup>2</sup>	10
8	Dulux paint	Natural White	10m <sup>2</sup>	10	m <sup>2</sup>	10



Shadow Diagrams - June 21st - 09:00

Shadow Diagrams - June 21st - 10:00

SHADOW DIAGRAM LEGEND

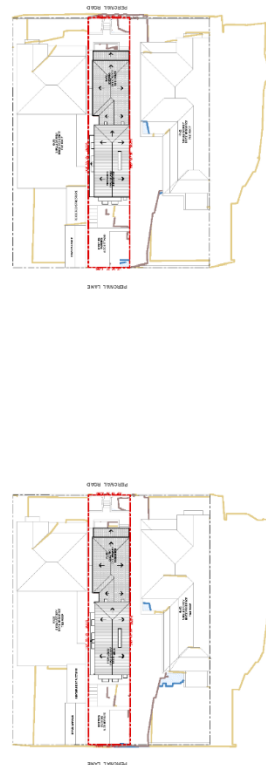
NEIGHBOUR BUILDING SHADOWS

EXISTING BUILDING SHADOWS

PROPOSED ADDITIONAL SHADOW

AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GS - GLASS GATE SURFACE	Issue Description	Date	Time	DA 15
BS - BRICK ROOF TILE	BS - BRICK ROOF TILE	BS - BRICK ROOF TILE	BS - BRICK ROOF TILE	A - Proposed	25.10.2022	Project: 17/10/2022	DA 15
BT - ROOF TILE	BT - ROOF TILE	BT - ROOF TILE	BT - ROOF TILE	B - Proposed	01.10.2022	Client: 18/10/2022	C
BW - FACE BRICK WORK	TC - TIMBER CLADDING	TC - TIMBER CLADDING	TC - TIMBER CLADDING	C - Proposed	08.10.2022	Date: 18/10/2022	
CR - CEMENT FINISH	DC - STONE CLADDING	TF - TIMBER FENCE	DF - NEW FLOOR	D - Proposed		Scale: 1:100	

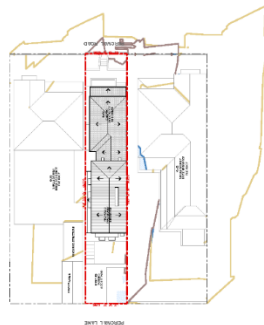




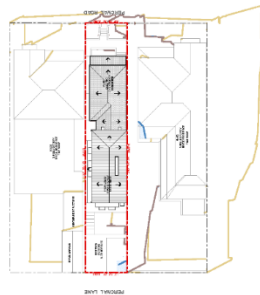
Shadow Diagrams - June 21st - 12:00

Shadow Diagrams - June 21st - 11:00

[illegible]



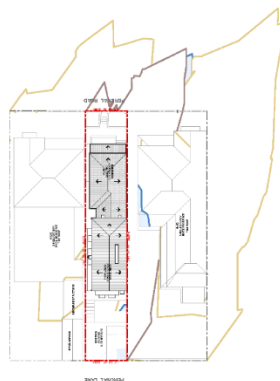
Shadow Diagrams - June 21st - 14:00



Shadow Diagrams - June 21st - 13:00



Issue Description		Date	Time	Project	Client	Date	Scale	DA 17
A. Proposed		20.10.2022	14:00	Bluebird Designs Pty Ltd	Bluebird Designs Pty Ltd	20.10.2022	1:100	DA 17
B. Proposed		01.10.2022	14:00	Bluebird Designs Pty Ltd	Bluebird Designs Pty Ltd	01.10.2022	1:100	C
C. Proposed		01.10.2022	14:00	Bluebird Designs Pty Ltd	Bluebird Designs Pty Ltd	01.10.2022	1:100	
D. Proposed		01.10.2022	14:00	Bluebird Designs Pty Ltd	Bluebird Designs Pty Ltd	01.10.2022	1:100	



Shadow Diagrams - June 21st - 15:00

[illegible]



Shadow Diagrams - March / September 21st - 10:00

Shadow Diagrams - March / September 21st - 09:00

[illegible]



Shadow Diagrams - March / September 21st - 12:00

Shadow Diagrams - March / September 21st - 11:00

SHADOW DIAGRAM LEGEND		DATE		TITLE		SHEET NUMBER	
NEIGHBOUR BUILDING SHADOWS	EXISTING BUILDING SHADOWS	PROPOSED ADDITIONAL SHADOW	10/10/2021	11/10/2021	12/10/2021	13/10/2021	14/10/2021
15/10/2021	16/10/2021	17/10/2021	18/10/2021	19/10/2021	20/10/2021	21/10/2021	22/10/2021
23/10/2021	24/10/2021	25/10/2021	26/10/2021	27/10/2021	28/10/2021	29/10/2021	30/10/2021
31/10/2021	01/11/2021	02/11/2021	03/11/2021	04/11/2021	05/11/2021	06/11/2021	07/11/2021
08/11/2021	09/11/2021	10/11/2021	11/11/2021	12/11/2021	13/11/2021	14/11/2021	15/11/2021
16/11/2021	17/11/2021	18/11/2021	19/11/2021	20/11/2021	21/11/2021	22/11/2021	23/11/2021
24/11/2021	25/11/2021	26/11/2021	27/11/2021	28/11/2021	29/11/2021	30/11/2021	01/12/2021
02/12/2021	03/12/2021	04/12/2021	05/12/2021	06/12/2021	07/12/2021	08/12/2021	09/12/2021
10/12/2021	11/12/2021	12/12/2021	13/12/2021	14/12/2021	15/12/2021	16/12/2021	17/12/2021
18/12/2021	19/12/2021	20/12/2021	21/12/2021	22/12/2021	23/12/2021	24/12/2021	25/12/2021
26/12/2021	27/12/2021	28/12/2021	29/12/2021	30/12/2021	31/12/2021	01/01/2022	02/01/2022
03/01/2022	04/01/2022	05/01/2022	06/01/2022	07/01/2022	08/01/2022	09/01/2022	10/01/2022
11/01/2022	12/01/2022	13/01/2022	14/01/2022	15/01/2022	16/01/2022	17/01/2022	18/01/2022
19/01/2022	20/01/2022	21/01/2022	22/01/2022	23/01/2022	24/01/2022	25/01/2022	26/01/2022
27/01/2022	28/01/2022	29/01/2022	30/01/2022	31/01/2022	01/02/2022	02/02/2022	03/02/2022
04/02/2022	05/02/2022	06/02/2022	07/02/2022	08/02/2022	09/02/2022	10/02/2022	11/02/2022
12/02/2022	13/02/2022	14/02/2022	15/02/2022	16/02/2022	17/02/2022	18/02/2022	19/02/2022
20/02/2022	21/02/2022	22/02/2022	23/02/2022	24/02/2022	25/02/2022	26/02/2022	27/02/2022
28/02/2022	29/02/2022	01/03/2022	02/03/2022	03/03/2022	04/03/2022	05/03/2022	06/03/2022
07/03/2022	08/03/2022	09/03/2022	10/03/2022	11/03/2022	12/03/2022	13/03/2022	14/03/2022
15/03/2022	16/03/2022	17/03/2022	18/03/2022	19/03/2022	20/03/2022	21/03/2022	22/03/2022
23/03/2022	24/03/2022	25/03/2022	26/03/2022	27/03/2022	28/03/2022	29/03/2022	30/03/2022
31/03/2022	01/04/2022	02/04/2022	03/04/2022	04/04/2022	05/04/2022	06/04/2022	07/04/2022
08/04/2022	09/04/2022	10/04/2022	11/04/2022	12/04/2022	13/04/2022	14/04/2022	15/04/2022
16/04/2022	17/04/2022	18/04/2022	19/04/2022	20/04/2022	21/04/2022	22/04/2022	23/04/2022
24/04/2022	25/04/2022	26/04/2022	27/04/2022	28/04/2022	29/04/2022	30/04/2022	01/05/2022
02/05/2022	03/05/2022	04/05/2022	05/05/2022	06/05/2022	07/05/2022	08/05/2022	09/05/2022
10/05/2022	11/05/2022	12/05/2022	13/05/2022	14/05/2022	15/05/2022	16/05/2022	17/05/2022
18/05/2022	19/05/2022	20/05/2022	21/05/2022	22/05/2022	23/05/2022	24/05/2022	25/05/2022
26/05/2022	27/05/2022	28/05/2022	29/05/2022	30/05/2022	31/05/2022	01/06/2022	0



Shadow Diagrams - March / September 21st - 14:00

Shadow Diagrams - March / September 21st - 13:00

SHADOW DIAGRAM LEGEND									
<div><div>NEIGHBOUR BUILDING SHADOWS</div><div>EXISTING BUILDING SHADOWS</div><div>PROPOSED ADDITIONAL SHADOW</div></div>									
AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GB - GLASS BALUSTRADE	14 - 1200 x 2000 mm glass balustrade with 100 mm x 40 mm x 3 mm glass	Notes	Description	Date	Project	Site
CT - CONCRETE FOOT TIE	AW - ALUMINIUM WINDOW	AW - ALUMINIUM WINDOW	SB - STREET LIGHTS	15 - 1200 x 2000 mm glass balustrade with 100 mm x 40 mm x 3 mm glass	A - 10/10/2023	1. 10/10/2023	10/10/2023	10/10/2023	10/10/2023
BR - CLAMP BRACKET	TT - TIMBER TRUSS	TT - TIMBER TRUSS	AW - ALUMINIUM WINDOW	16 - 1200 x 2000 mm glass balustrade with 100 mm x 40 mm x 3 mm glass	B - 10/10/2023	2. 10/10/2023	10/10/2023	10/10/2023	10/10/2023
	TC - TIMBER CLADDING	TC - TIMBER CLADDING	AW - ALUMINIUM WINDOW	17 - 1200 x 2000 mm glass balustrade with 100 mm x 40 mm x 3 mm glass	C - 10/10/2023	3. 10/10/2023	10/10/2023	10/10/2023	10/10/2023
	IS - IRON CLADDING	IS - IRON CLADDING	AW - ALUMINIUM WINDOW	18 - 1200 x 2000 mm glass balustrade with 100 mm x 40 mm x 3 mm glass	D - 10/10/2023	4. 10/10/2023	10/10/2023	10/10/2023	10/10/2023
	TT - TIMBER TRUSS	TT - TIMBER TRUSS	AW - ALUMINIUM WINDOW	19 - 1200 x 2000 mm glass balustrade with 100 mm x 40 mm x 3 mm glass	E - 10/10/2023	5. 10/10/2023	10/10/2023	10/10/2023	10/10/2023
	TT - TIMBER TRUSS	TT - TIMBER TRUSS	AW - ALUMINIUM WINDOW	20 - 1200 x 2000 mm glass balustrade with 100 mm x 40 mm x 3 mm glass	F - 10/10/2023	6. 10/10/2023	10/10/2023	10/10/2023	10/10/2023
	TT - TIMBER TRUSS	TT - TIMBER TRUSS	AW - ALUMINIUM WINDOW	21 - 1200 x 2000 mm glass balustrade with 100 mm x 40 mm x 3 mm glass	G - 10/10/2023	7. 10/10/2023	10/10/2023	10/10/2023	10/10/2023
	TT - TIMBER TRUSS	TT - TIMBER TRUSS	AW - ALUMINIUM WINDOW	22 - 1200 x 2000 mm glass balustrade with 100 mm x 40 mm x 3 mm glass	H - 10/10/2023	8. 10/10/2023	10/10/2023	10/10/2023	10/10/2023
	TT - TIMBER TRUSS	TT - TIMBER TRUSS	AW - ALUMINIUM WINDOW	23 - 1200 x 2000 mm glass balustrade with 100 mm x 40 mm x 3 mm glass	I - 10/10/2023	9. 10/10/2023	10/10/2023	10/10/2023	10/10/2023
	TT - TIMBER TRUSS	TT - TIMBER TRUSS	AW - ALUMINIUM WINDOW	24 - 1200 x 2000 mm glass balustrade with 100 mm x 40 mm x 3 mm glass	J - 10/10/2023	10. 10/10/2023	10/10/2023	10/10/2023	10/10/2023
	TT - TIMBER TRUSS	TT - TIMBER TRUSS	AW - ALUMINIUM WINDOW	25 - 1200 x 2000 mm glass balustrade with 100 mm x 40 mm x 3 mm glass	K - 10/10/2023	11. 10/10/2023	10/10/2023	10/10/2023	10/10/2023
	TT - TIMBER TRUSS	TT - TIMBER TRUSS	AW - ALUMINIUM WINDOW	26 - 1200 x 2000 mm glass balustrade with 100 mm x 40 mm x 3 mm glass	L - 10/10/2023	12. 10/10/2023	10/10/2023	10/10/2023	10/10/2023
	TT - TIMBER TRUSS	TT - TIMBER TRUSS	AW - ALUMINIUM WINDOW	27 - 1200 x 2000 mm glass balustrade with 100 mm x 40 mm x 3 mm glass	M - 10/10/2023	13. 10/10/2023	10/10/2023	10/10/2023	10/10/2023
	TT - TIMBER TRUSS	TT - TIMBER TRUSS	AW - ALUMINIUM WINDOW	28 - 1200 x 2000 mm glass balustrade with 100 mm x 40 mm x 3 mm glass	N - 10/10/2023	14. 10/10/2023	10/10/2023	10/10/2023	10/10/2023
	TT - TIMBER TRUSS	TT - TIMBER TRUSS	AW - ALUMINIUM WINDOW	29 - 1200 x 2000 mm glass balustrade with 100 mm x 40 mm x 3 mm glass	O - 10/10/2023	15. 10/10/2023	10/10/2023	10/10/2023	10/10/2023
	TT - TIMBER TRUSS	TT - TIMBER TRUSS	AW - ALUMINIUM WINDOW	30 - 1200 x 2000 mm glass balustrade with 100 mm x 40 mm x 3 mm glass	P - 10/10/2023	16. 10/10/2023	10/10/2023	10/10/2023	10/10/2023
	TT - TIMBER TRUSS	TT - TIMBER TRUSS	AW - ALUMINIUM WINDOW	31 - 1200 x 2000 mm glass balustrade with 100 mm x 40 mm x 3 mm glass	Q - 10/10/2023	17. 10/10/2023	10/10/2023	10/10/2023	10/10/2023
	TT - TIMBER TRUSS	TT - TIMBER TRUSS	AW - ALUMINIUM WINDOW	32 - 1200 x 2000 mm glass balustrade with 100 mm x 40 mm x 3 mm glass	R - 10/10/2023	18. 10/10/2023	10/10/2023	10/10/2023	10/10/2023
	TT - TIMBER TRUSS	TT - TIMBER TRUSS	AW - ALUMINIUM WINDOW	33 - 1200 x 2000 mm glass balustrade with 100 mm x 40 mm x 3 mm glass	S - 10/10/2023	19. 10/10/2023	10/10/2023	10/10/2023	10/10/2023
	TT - TIMBER TRUSS	TT - TIMBER TRUSS	AW - ALUMINIUM WINDOW	34 - 1200 x 2000 mm glass balustrade with 100 mm x 40 mm x 3 mm glass	T - 10/10/2023	20. 10/10/2023	10/10/2023	10/10/2023	10/10/2023
	TT - TIMBER TRUSS	TT - TIMBER TRUSS	AW - ALUMINIUM WINDOW	35 - 1200 x 2000 mm glass balustrade with 100 mm x 40 mm x 3 mm glass	U - 10/10/2023	21. 10/10/2023	10/10/2023	10/10/2023	10/10/2023
	TT - TIMBER TRUSS	TT - TIMBER TRUSS	AW - ALUMINIUM WINDOW	36 - 1200 x 2000 mm glass balustrade with 100 mm x 40 mm x 3 mm glass	V - 10/10/2023	22. 10/10/2023	10/10/2023	10/10/2023	10/10/2023

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

0.31

C

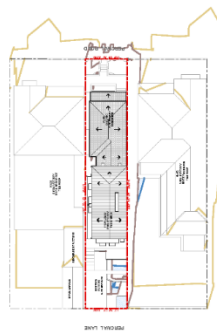
0.31

C

0.31

C

<



Shadow Diagrams - March / September 21st - 15:00

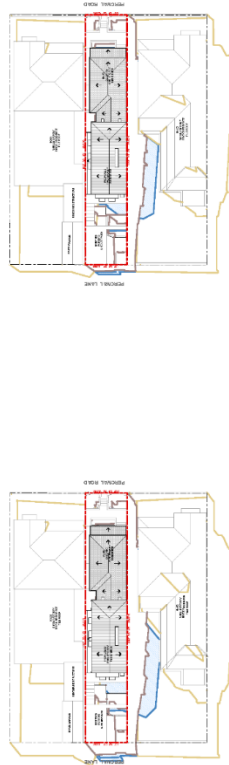
[illegible]











Shadow Diagrams - March 21st - 10:00

Shadow Diagrams - March 21st - 09:00



Issue Description		Date	Time	Project	Client	Date	Scale	DA 25
A. Proposed building shadows		25.10.2022	10:00	Project: 10/2022	Client: 10/2022	10/2022	1:1000	
B. Proposed building shadows		01.10.2022	10:00	Project: 10/2022	Client: 10/2022	10/2022	1:1000	
C. Proposed building shadows		01.10.2022	10:00	Project: 10/2022	Client: 10/2022	10/2022	1:1000	
D. Proposed building shadows		01.10.2022	10:00	Project: 10/2022	Client: 10/2022	10/2022	1:1000	



Shadow Diagrams - March 21st - 12:00

Shadow Diagrams - March 21st - 11:00

[illegible]



Shadow Diagrams - March 21st - 14:00

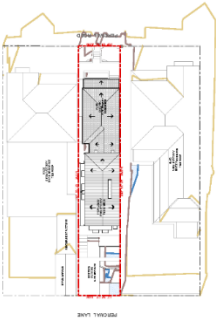
Shadow Diagrams - March 21st - 13:00



Issue	Description	Date	Time
A	Initial submission	25.10.2022	10:00 AM
B	Revised submission	01.11.2022	10:00 AM
C	Revised submission	08.11.2022	10:00 AM
D	Revised submission	08.11.2022	10:00 AM

Project	Revised Submission
Client	Revised Submission
Date	08.11.2022
Scale	1:100

DA 27	C
-------	---



Shadow Diagrams - March 21st - 15:00

SHADOW DIAGRAM LEGEND

NEIGHBOUR BUILDING SHADOWS

EXISTING BUILDING SHADOWS

PROPOSED ADDITIONAL SHADOW

AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GS - GLASS GATE SURFACE	Issue Description	Date	Time	Project	Client	Date	Scale	DA 28
BS - BRICK ROOF TILE	FC - FACE CLADDING	TD - TIMBER DOOR	ST - STAINLESS STEEL	A - Initial Design	20.10.2022	8:00 AM	100/100	100/100	100/100	100/100	C
BT - BRICK TILES	TC - TIMBER CLADDING	TF - TIMBER FENCE	SD - SHIMMER DOOR	B - Final Design	01.10.2022	8:00 AM	100/100	100/100	100/100	100/100	
BW - FACE BRICK WORK	DC - STONE CLADDING	TT - TIMBER TILES	WF - NEW WINDOW	C - Final Design	08.10.2022	8:00 AM	100/100	100/100	100/100	100/100	
CS - CEMENT FINISH			DN - NEW DOOR	D - Final Design	08.10.2022	8:00 AM	100/100	100/100	100/100	100/100	

## Attachment C- Clause 4.6 Exception to Development Standards

ARCHITELLE  
*Architecture & Interiors*

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.



60 Percival Road, Stanmore

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.

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:

1. Replace the front verandah, including new verandah posts, fretwork, and roof.
2. Replace the front window
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

**26 Clarendon Road, Stanmore**

Triple casement window  
Verandah post setout

**128 Macaulay Road, Stanmore**

Verandah fretwork





**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*

C:\Users\archi\Documents\archi\elle\Doc\2020\2020-54 Percival\HIS\SHI-Facade Addendum 2020-54.wpd

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

## TABLE OF CONTENTS

<b>1.</b>	<b>INTRODUCTION</b>	<b>3</b>
1.1	Background	3
1.2	Heritage Listings	3
1.3	The Site	3
1.4	Authorship	3
<b>2.</b>	<b>HISTORICAL BACKGROUND</b>	<b>3</b>
2.1	History of Stanmore	3
2.2	South Annandale Farm	4
2.3	60 Percival Road	5
<b>3.</b>	<b>HERITAGE IMPACT ASSESSMENT</b>	<b>5</b>
3.1	Heritage Significance of the Place	5
3.2	Description of the Existing Property	6
3.3	Proposed Works	7
3.4	Assessment of Potential Heritage Impact	7
3.4.1	The following aspects of the proposal respect or enhance the heritage significance of the heritage conservation area	7
3.4.2	The following aspects of the proposal could detrimentally impact on heritage significance	8
3.4.3	The following aspects of the proposal respect or enhance the heritage significance of heritage items in the vicinity	9
3.4.4	The following sympathetic solutions have been considered and discounted	9
<b>4.</b>	<b>CONCLUSION</b>	<b>10</b>
	<b>APPENDIX A</b> Photographic Report	
	<b>APPENDIX B</b> Architectural Drawings	

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

2

## 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
- restoration of front facade

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 1254) 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 Annadale 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

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.

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 roofscape rhythmic due*

*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<sup>2</sup>.

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 parquet. 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.

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



- 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.

### 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 I254.

#### 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.



Looking south through Weekley Park

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

#### 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

## APPENDIX A

### Photographic Report

Annandale Estate 1843

South Annandale 'The Hill' 1899

Aerial Photograph 1943

Aerial Photograph

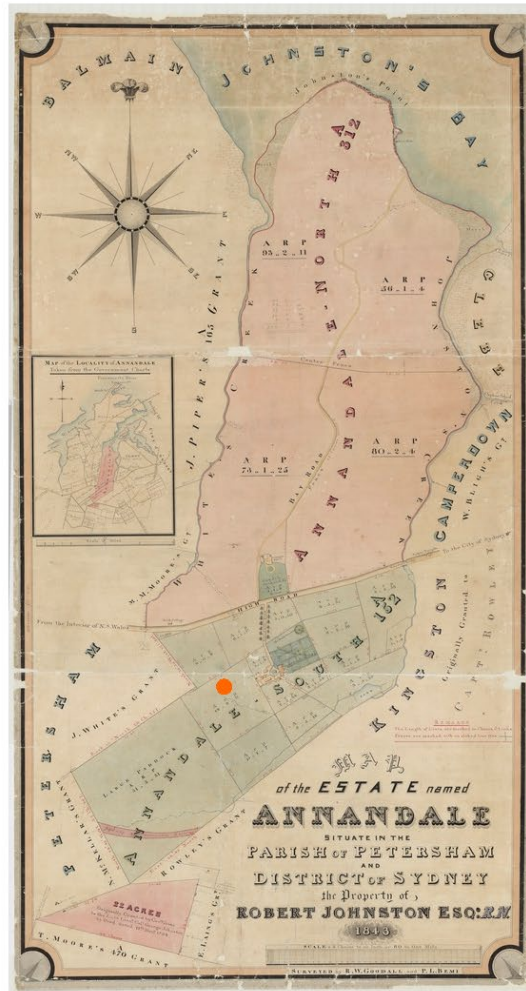
Streetscape

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

Document Set ID: ~~38743039~~  
Version: 1, Version Date: ~~26/06/2023~~

**60 PERCIVAL ROAD, STANMORE**

PHOTOGRAPHIC REPORT : ANNANDALE ESTATE 1843



Map of the Estate named Annandale, 1843

● Subject Property  
○ Approximate Location

**ARCHITELLE***Architecture & Interiors*12 Denison Street, Hornsby NSW 2077  
(02) 9477 3092

**60 PERCIVAL ROAD, STANMORE**

PHOTOGRAPHIC REPORT : SOUTH ANNANDALE ESTATE 'THE HILL' 1899

South Annandale  
'The Hill' 1899With previously sold  
lots shown shaded,  
including the subject  
property

● Subject Property Location

**ARCHITELLE**

Architecture &amp; Interiors

12 Denison Street, Hornsby NSW 2077  
(02) 9477 3692

**60 PERCIVAL ROAD, STANMORE**

PHOTOGRAPHIC REPORT : AERIAL PHOTOGRAPH 1943



Source: SIX Maps NSW, Aerial Photograph 1943

 Subject Property Boundary**ARCHITELLE***Architecture & Interiors*12 Denison Street, Hornsby NSW 2077  
(02) 9477 3092

Document Set ID: 38240039

Version: 1, Version Date: 28/08/2022



**60 PERCIVAL ROAD, STANMORE**

PHOTOGRAPHIC REPORT : AERIAL PHOTOGRAPH



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

Subject Property Boundary

**ARCHITELLE***Architecture & Interiors*12 Denison Street, Hornsby NSW 2077  
(02) 9477 3092

Document Set ID: 38240039

Version: 1, Version Date: 28/09/2022



**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.



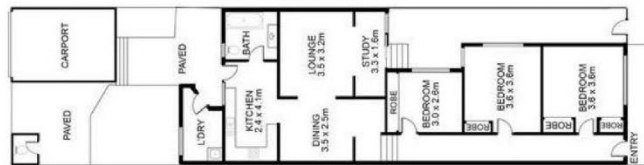
Percival Road looking south, with single storey Federation style development predominating. The subject property can be seen on the right, and Weekley Park is to the left .

Source: Google Streetview.  
Viewed 31 August 2020

**ARCHITELLE**  
*Architecture & Interiors*  
12 Denison Street, Hornsby NSW 2077  
(02) 9477 3092

**60 PERCIVAL ROAD, STANMORE**

PHOTOGRAPHIC REPORT : SITE



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 Percival 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.



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



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



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

**ARCHITELLE***Architecture & Interiors*

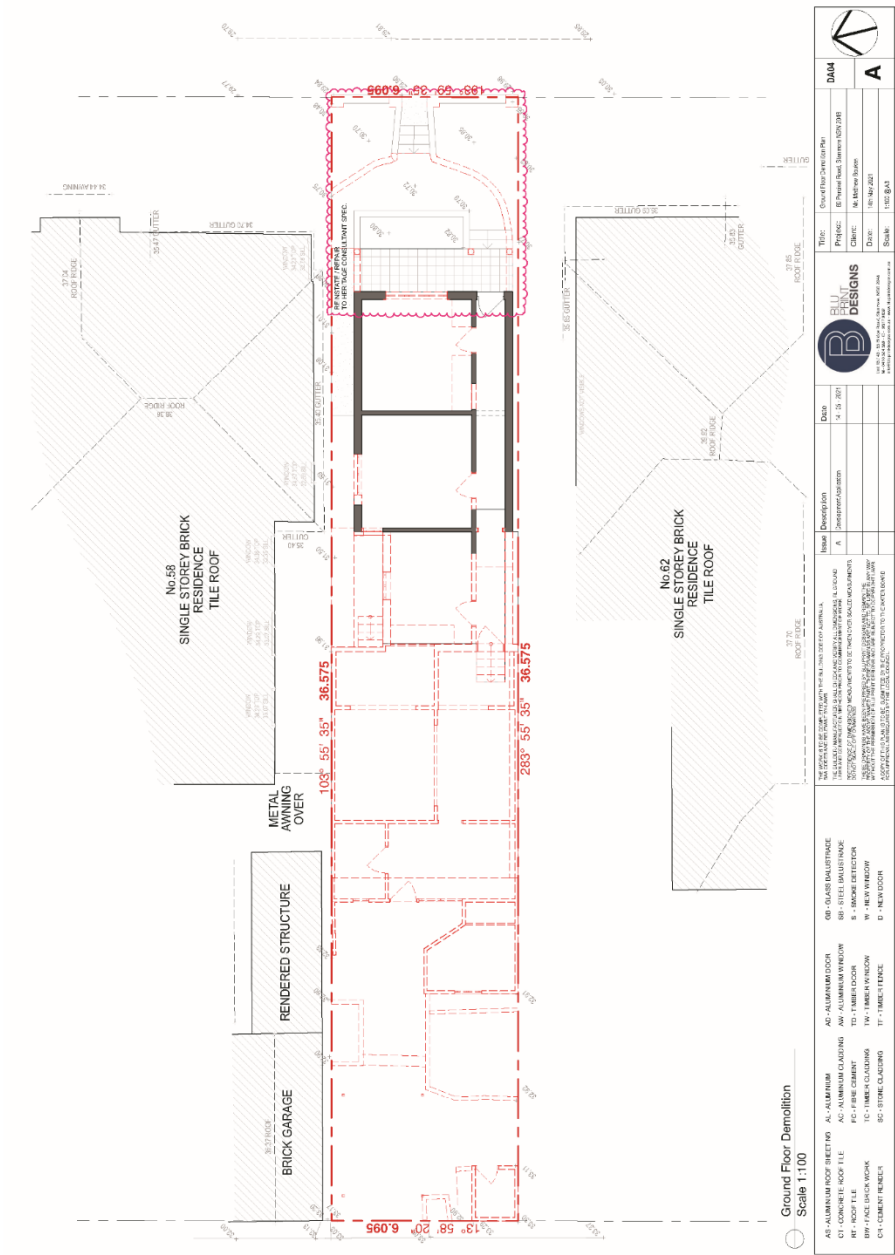
12 Denison Street, Hornsby NSW 2077  
(02) 9477 5092

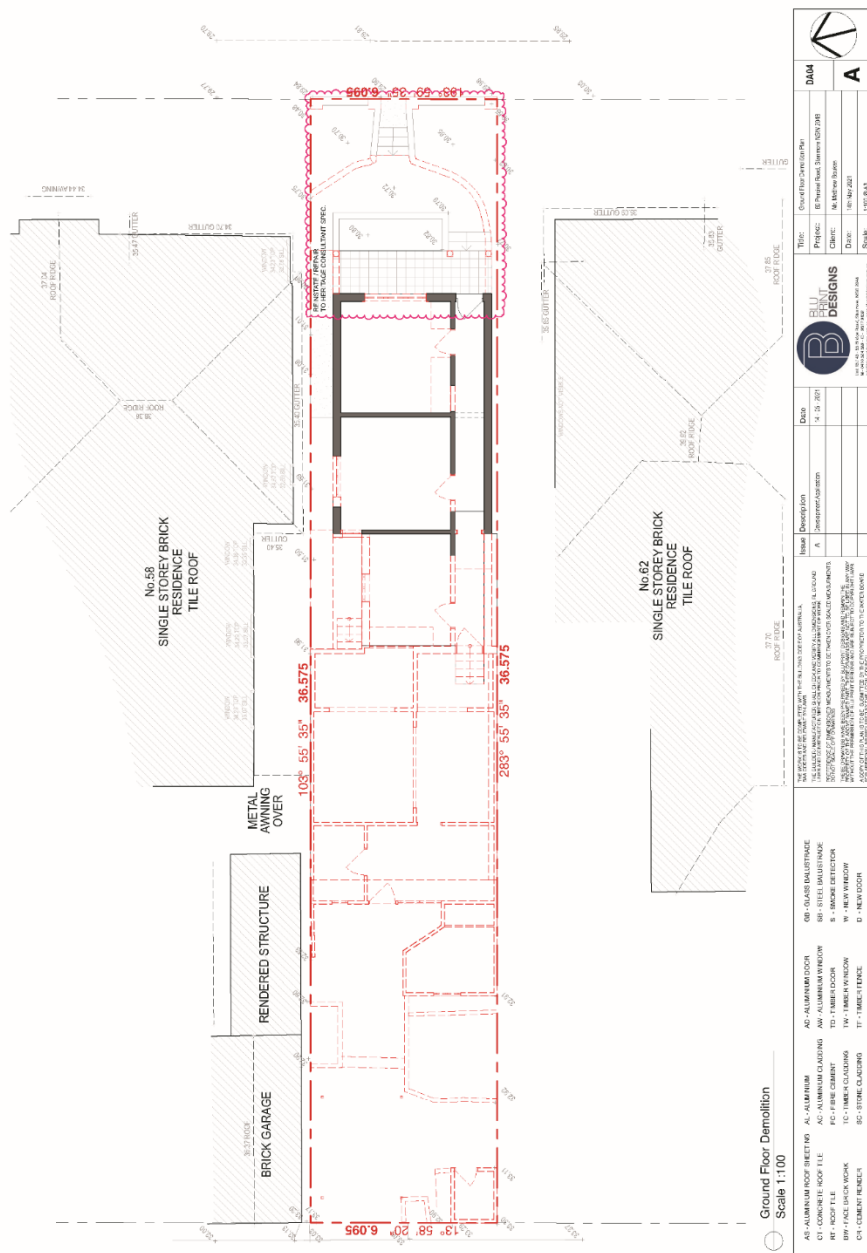
APPENDIX B

Architectural Drawings

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

Document Set ID: ~~38743039~~  
Version: 1, Version Date: ~~26/06/2023~~

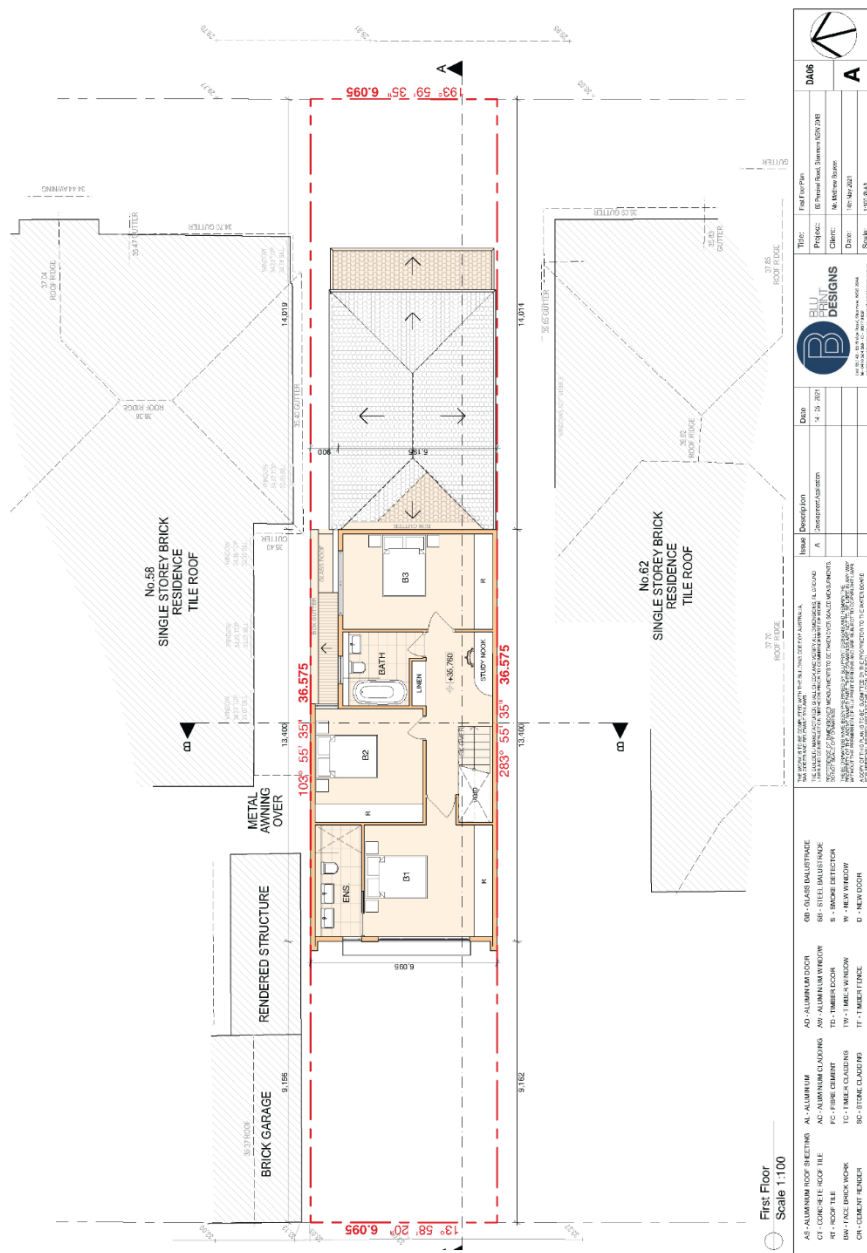




Document Set ID: 36243039

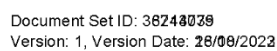
Version: 1, Version Date: 28/08/2023





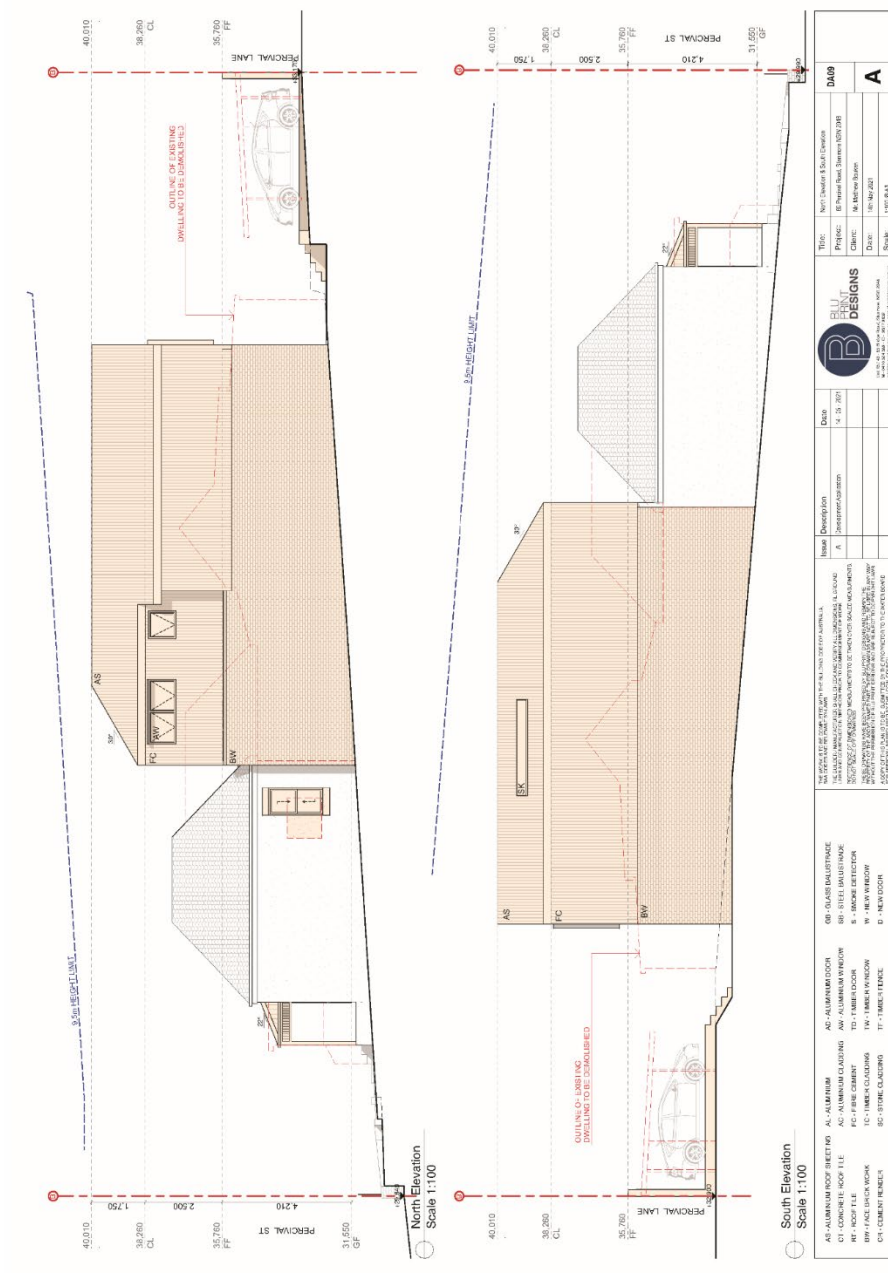
Document Set ID: 36243039

Version: 1, Version Date: 28/08/2023

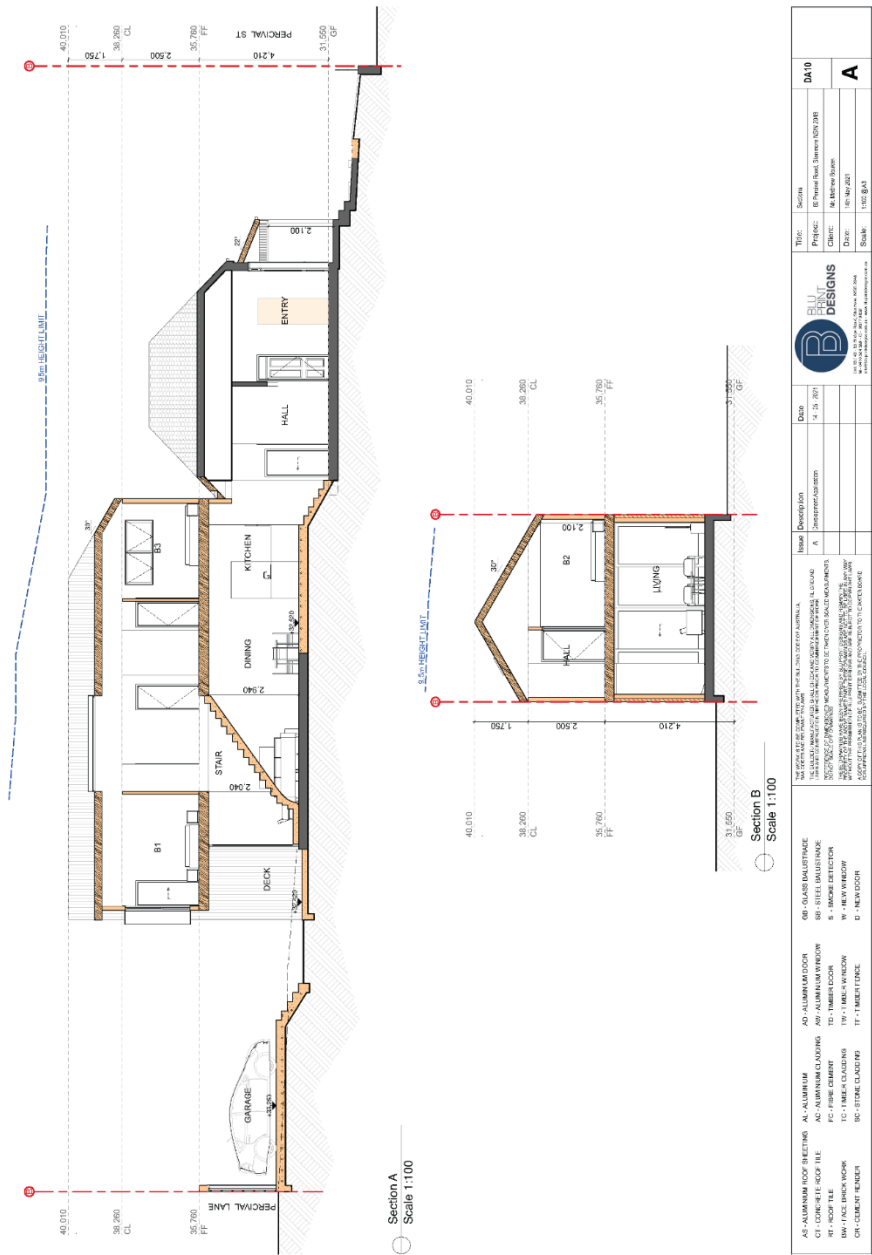








Document Set ID: 38240039  
Version: 1, Version Date: 28/09/2023

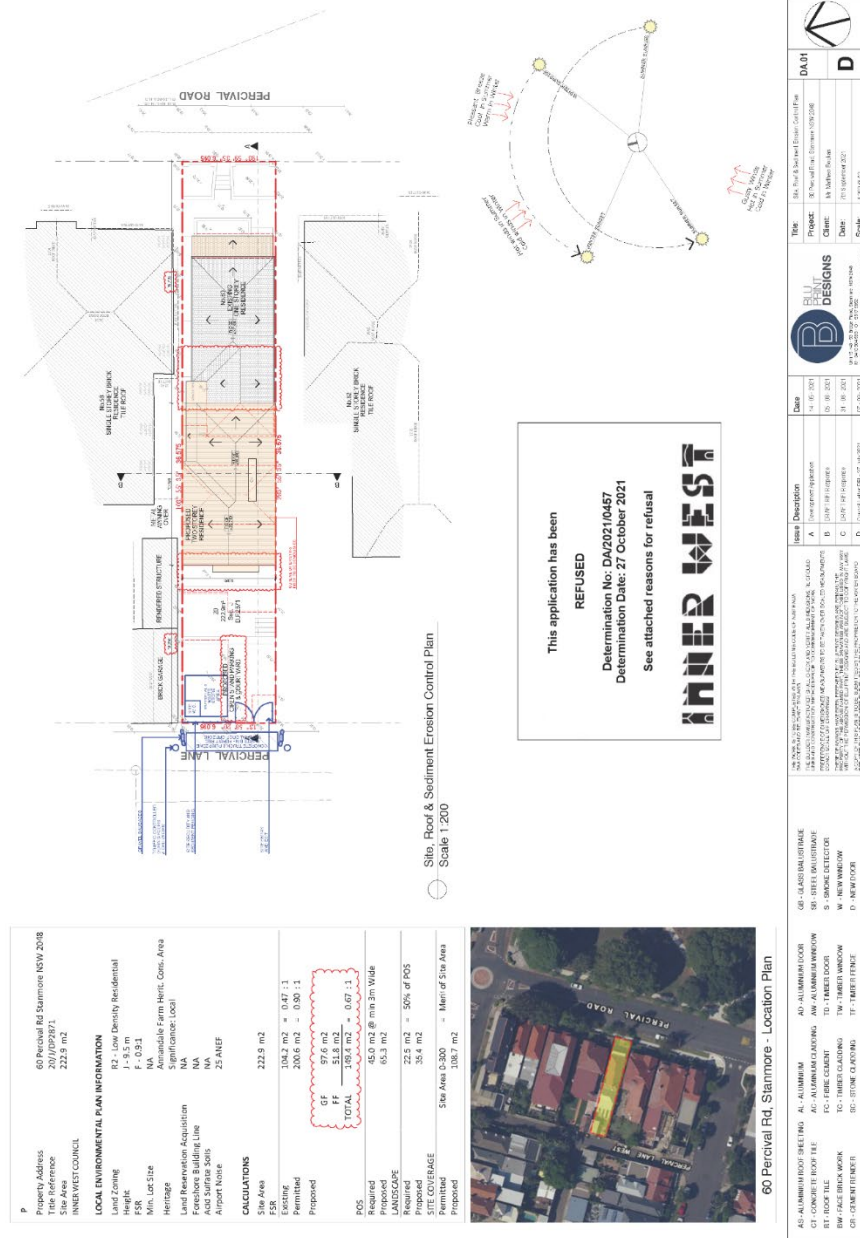


Document Set ID: 38240039  
Version: 1, Version Date: 28/08/2023





## Attachment D – Statement of Heritage Significance



Document Set ID: 38240039

Version: 1, Version Date: 28/09/2022



## BASIX NOTES

[illegible][illegible]

This application has been  
**REFUSED**  
Determination No: DA/2021/0457  
Determination Date: 27 October 2021  
See attached reasons for refusal

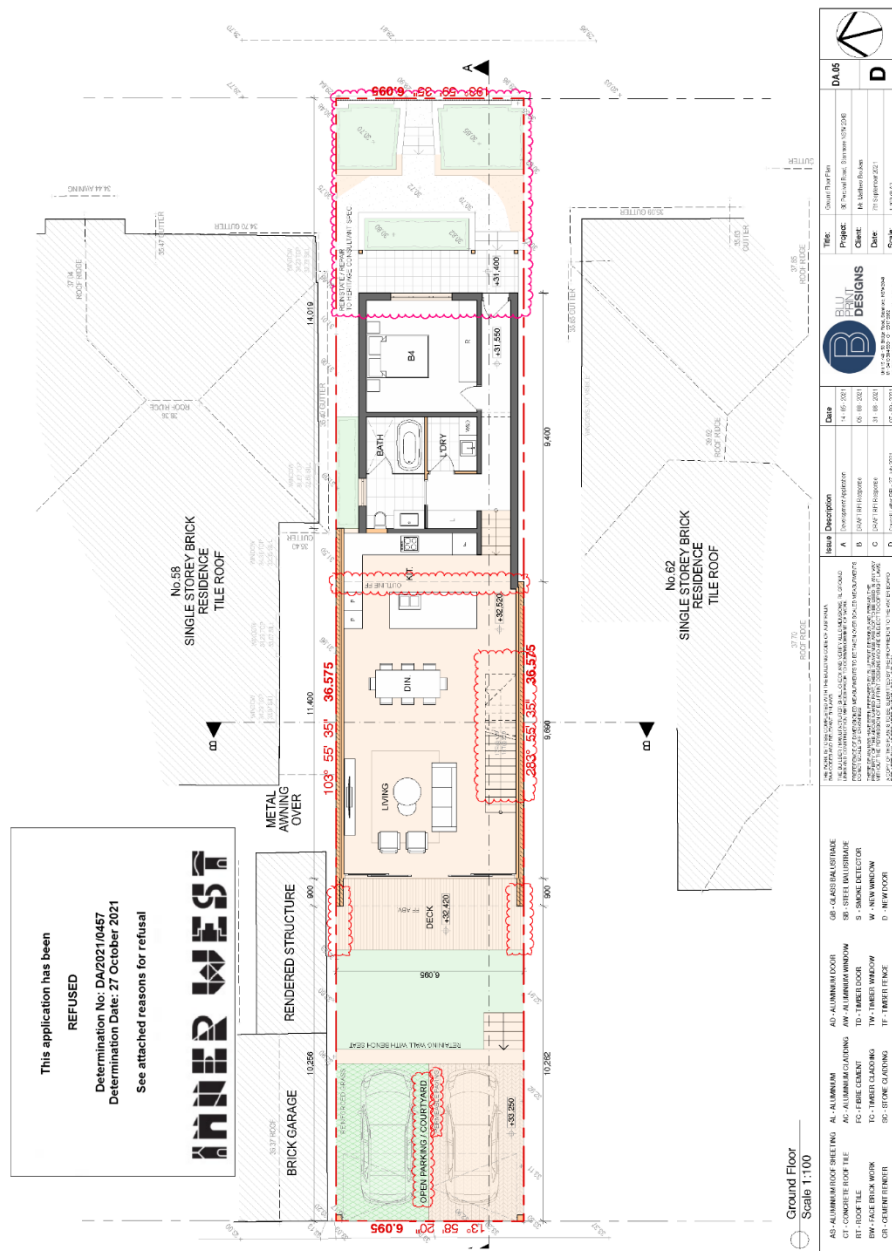


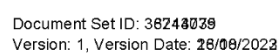
AS: ALUMINUM/STEE SHEET	AL: ALUMINUM	GB: GULF STAR ESTATE	NO: NO. 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908,
-------------------------	--------------	----------------------	--



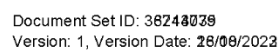




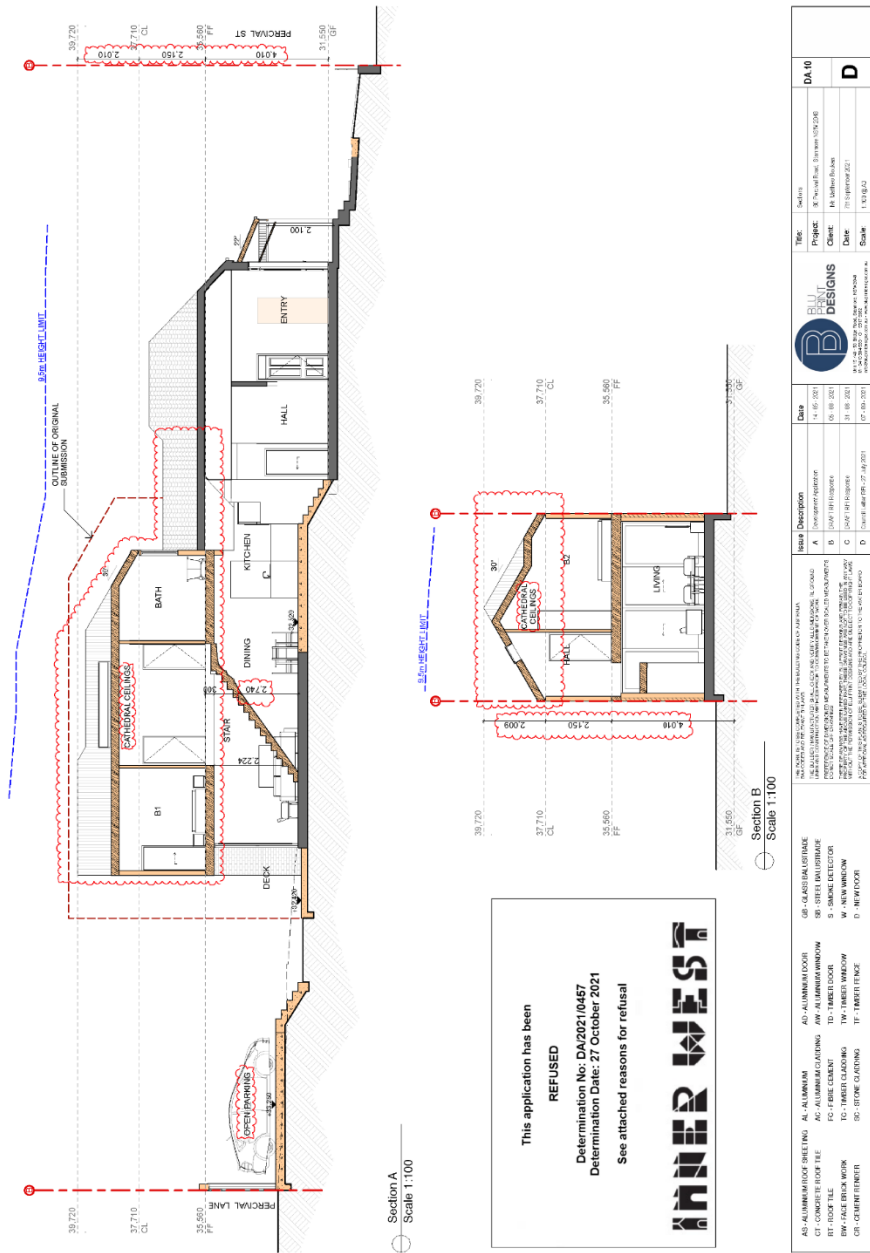




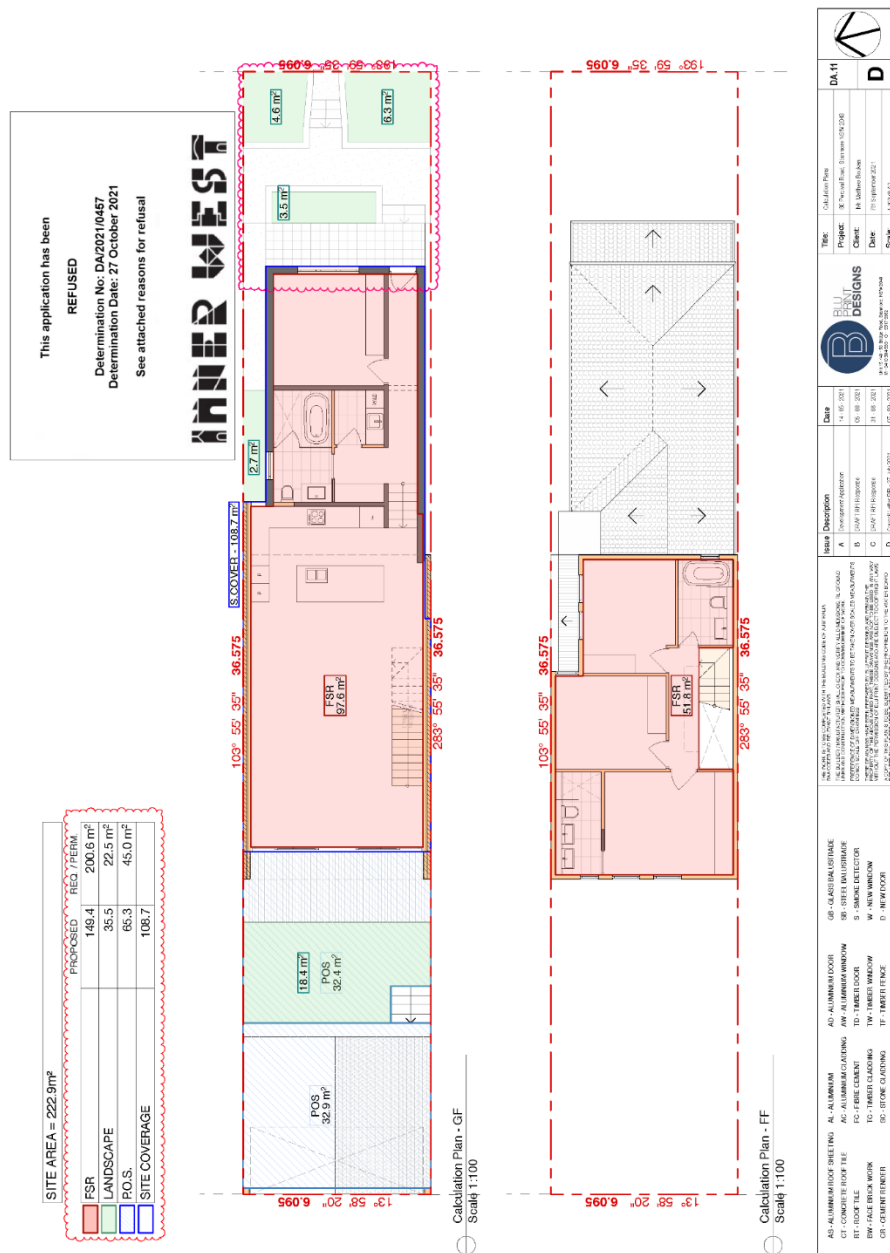


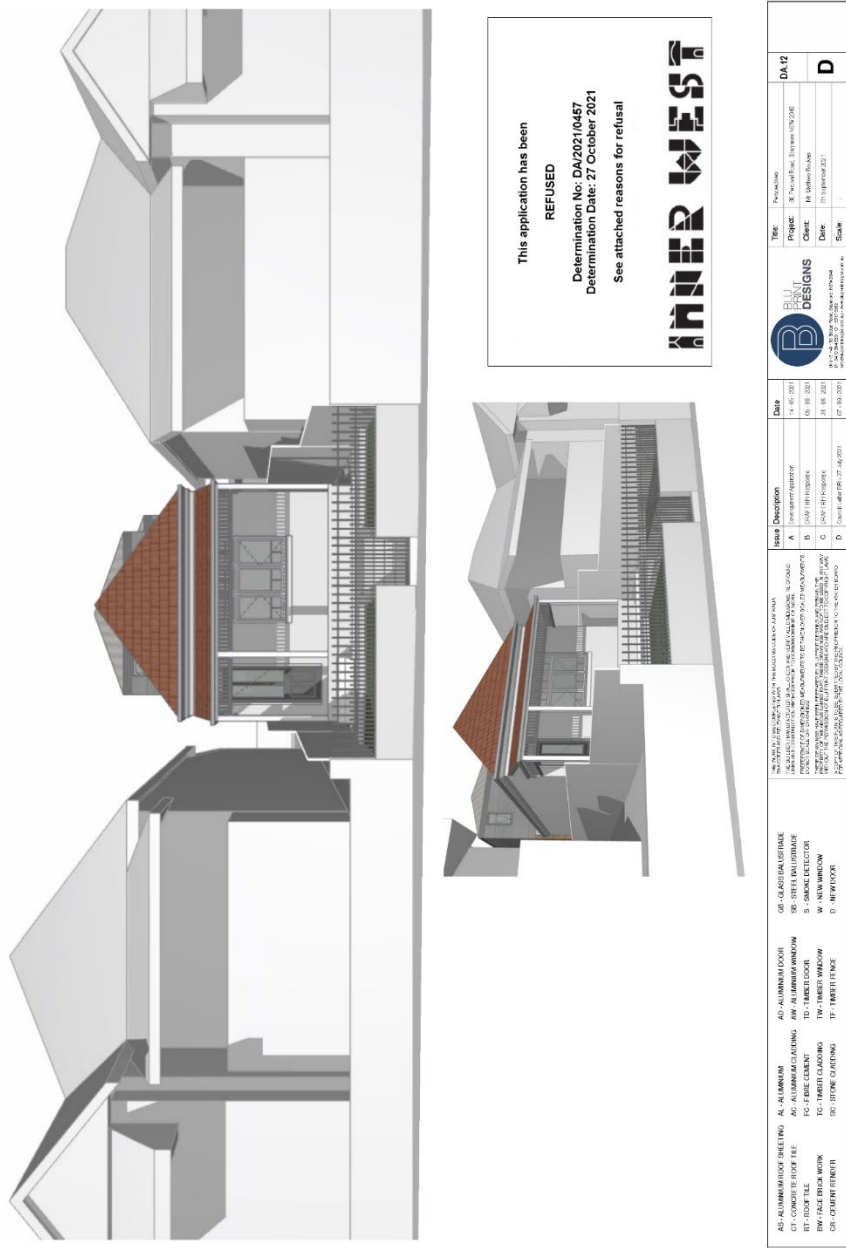






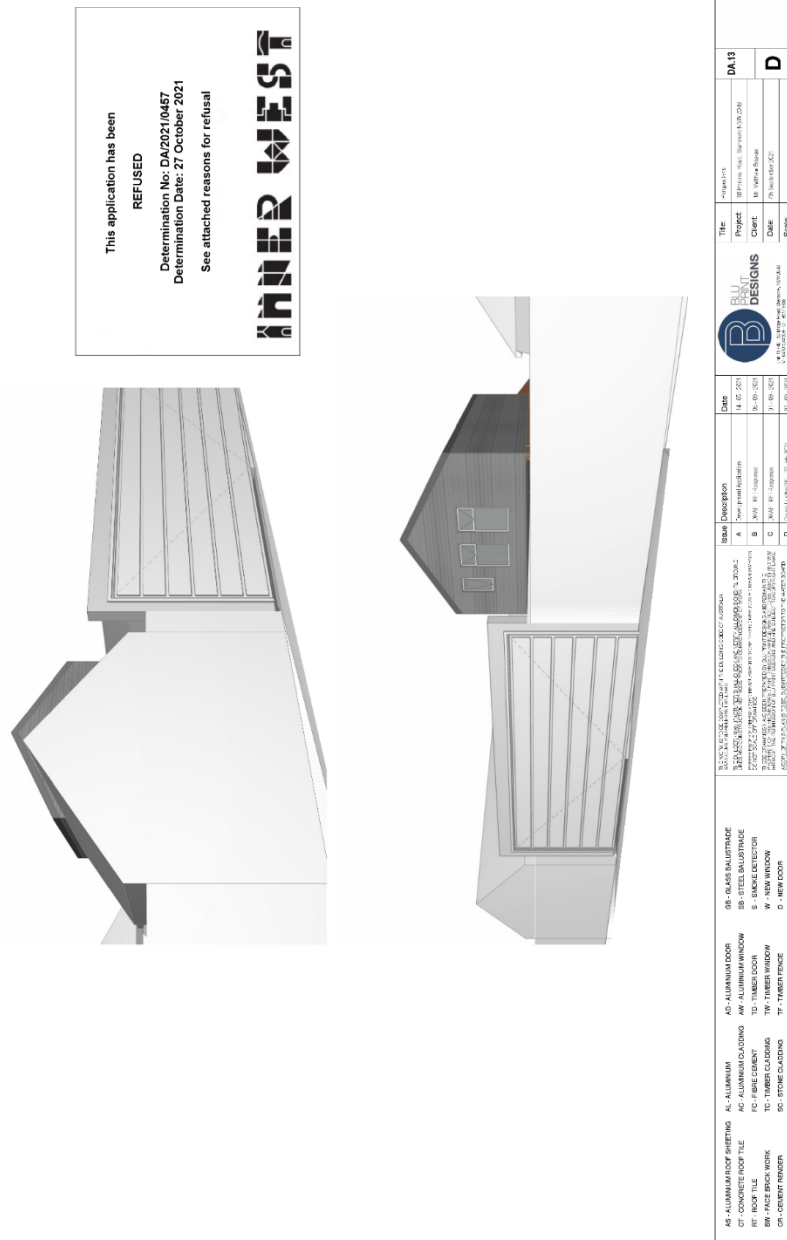






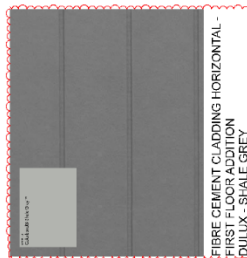
Issue	Description	Date	Project	Client	Date	Scale	DA 12
A	Pre-application meeting	14.10.2021	Project	Client	14.10.2021	1:100	D
B	2021-10-19-2021	15.10.2021	Project	Client	15.10.2021	1:100	D
C	2021-10-19-2021	15.10.2021	Project	Client	15.10.2021	1:100	D
D	2021-10-19-2021	15.10.2021	Project	Client	15.10.2021	1:100	D







**BRICK WORK  
DRY PRESSED COMMON  
BOUNDARY WALLS**



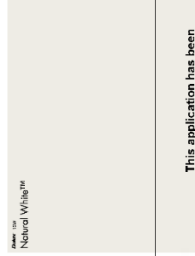
FIBRE CEMENT CLADDING HORIZONTAL -  
FIRST FLOOR ADDITION  
DULUX - SHALE GREY



ALUMINIUM GUTTERS & DOWNPIPES -  
DULUX - SURFMIST



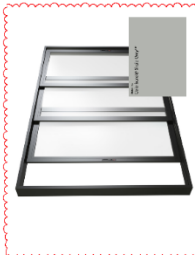
CORRUGATED ROOF SHEETING  
COLOURBOND - SURMIST



**This application has been**  
**CEMENT RENDER      REFUSED**  
**DULUX - NATURAL WHITE**  
**Determination No: DA/2021/044**  
**Determination Date: 27 October**  
**See attached reasons for refusal**



FRONT FENCE - PALISADE -  
SINGLE RAIL - SPEAR



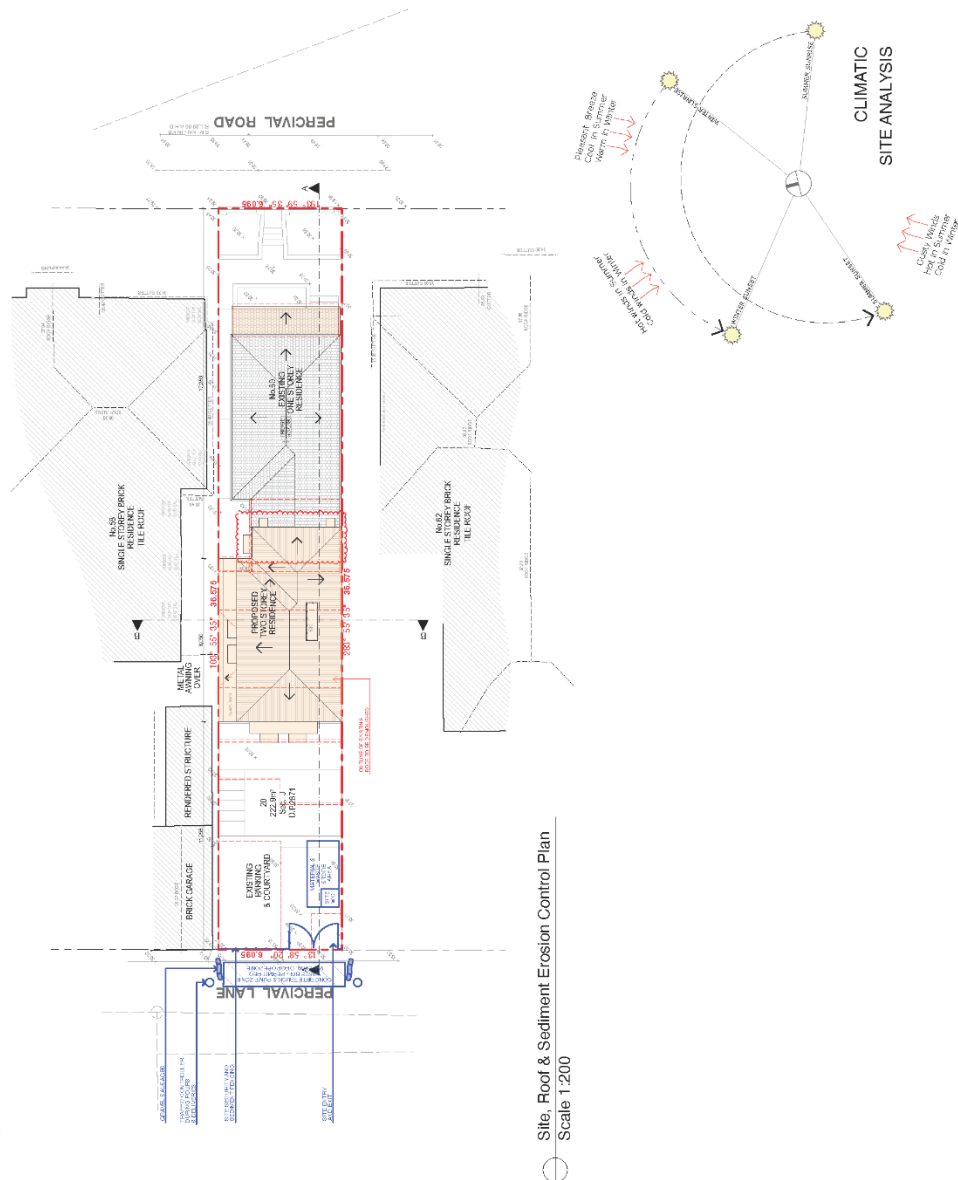
ALUMINIUM DOORS & WINDOWS - REAR &  
SIDE FACADES - DULUX - SHALE GREY



**TIMBER DOORS & WINDOWS - FRONT  
FACADE - DULUX - WHITE**

Project Information		Design Details		Material Specifications		Construction Notes	
Item No.	Description	Material	Quantity	Unit	Notes	Remarks	Remarks
1	Excavation and foundation work	Concrete	100	m³	Foundation for main structure	Excavation depth 1.5m	Foundation for main structure
2	Structural steel reinforcement	Steel	50	kg	Reinforcement for main structure	Reinforcement for main structure	Reinforcement for main structure
3	Roofing and waterproofing	Roofing	20	m²	Roofing for main structure	Roofing for main structure	Roofing for main structure
4	Interior finishing and painting	Paint	10	kg	Interior finishing for main structure	Interior finishing for main structure	Interior finishing for main structure
5	Electrical and plumbing work	Electrical	5	m	Electrical and plumbing work for main structure	Electrical and plumbing work for main structure	Electrical and plumbing work for main structure
6	Landscaping and site work	Landscaping	10	m²	Landscaping and site work for main structure	Landscaping and site work for main structure	Landscaping and site work for main structure
7	Final inspection and handover	Final inspection	1	unit	Final inspection and handover for main structure	Final inspection and handover for main structure	Final inspection and handover for main structure

## Attachment D – Plans of proposed development



Site, Roof & Sediment Erosion Control Plan  
Scale 1:200

<b>PROPERTY DETAIL</b>	
Property Address	60 Percival Rd Stanmore NSW 2048
Title Reference	20/1/DP2871
Site Area	222.9 m <sup>2</sup>
INNER WEST COUNCIL	
<b>LOCAL ENVIRONMENTAL PLAN INFORMATION</b>	
Land Zoning	R2 - Low Density Residential
Height	J - 9.5 m
FSR	F - 0.9:1
Min. Lot Size	NA
Heritage	Annandale Farm Herts. Cons. Area
Land Reservation Acquisition	NA
Foreshore Building Line	NA
Acid Sulfate Soils	NA
Airport Noise	25 ANEF



60 Percival Rd, Stanmore - Location Plan

<b>PROJECT INFORMATION</b>		<b>DATE</b>	<b>ISSUE</b>	<b>DESCRIPTION</b>
<b>Title</b>	Site, Roof & Sediment Erosion Control Plan	20/08/2023	A	14.02.2023
<b>Project</b>	60 Percival Rd, Stanmore NSW 2048	22/08/2023	B	14.02.2023
<b>Client</b>	M. N. N. N. N.	09/10/2023	C	14.02.2023
<b>Date</b>	09/10/2023		D	14.02.2023
<b>Scale</b>	1:200 @ A3			

Document Set ID: 30243977  
Version: 1.1 Version Date: 18/10/2023



## SITE WORKS NOTES

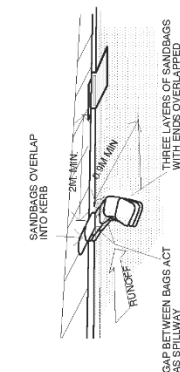
1. DATUM: REFER SURVEY NOTES
2. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND EXISTING LEVELS ON SITE PRIOR TO COMMENCEMENT OF WORK. ANY DISCREPANCIES TO BE CORRECTED IMMEDIATELY.
3. STRIP ALL TOPSOIL FROM CONSTRUCTION AREA AND STOCKPILE ON SITE TO BE LATER SPREAD OR REMOVED FROM SITE AS DIRECTED BY THE SUPERINTENDENT.
4. ALL TRENCH BACKFILL MATERIAL SHALL BE COMPACTED TO THE SAME DENSITY AS THE ADJACENT MATERIAL.
5. ALL SERVICES TRENCHES UNDER VEHICULAR PAVEMENTS SHALL BE COMPACTED TO A MINIMUM 98% STANDARD DENSITY IN ACCORDANCE WITH A51289 5.11.
6. PROVIDE 10mm WIDE EXPANSION JOINTS BETWEEN BUILDING AND DRIVEWAY.
7. ASPHALTIC CONCRETE SHALL CONFORM TO RTA FORM 612.
8. ALL BASE COURSE MATERIAL TO COMPLY WITH RTA FORM 3051 (UNBOUND), RTA FORM 3052 (BOUND), COMPACTED TO MINIMUM 98% STANDARD DENSITY.
9. COMPACTION TESTING SHALL NOT BE LESS THAN 1 TEST PER 50m<sup>2</sup> OF BASECOURSE MATERIAL PLACED.
10. ALL SUB-BASE COURSE MATERIAL TO COMPLY WITH RTA FORM 3051 (UNBOUND), RTA FORM 3052 (BOUND), MIN. 95% MODIFIED DENSITY IN ACCORDANCE WITH A51289 5.21.
11. ALL LINE MARKING TO AS1742.
12. WHERE NOTED ON THE DRAWINGS, ALL WORKS ARE TO BE CARRIED OUT IN ACCORDANCE WITH THE SPECIFICATIONS AND STANDARDS THAT SHALL BE RESPONSIBLE FOR THE CO-ORDINATION OF THESE WORKS.

## SURVEY NOTES

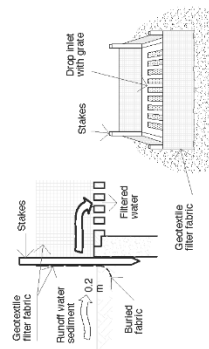
THE EXISTING SITE CONDITIONS SHOWN ON THE FOLLOWING DRAWINGS HAVE BEEN INVESTIGATED BY C.V. FORSHAW CONSULTING LAND AND ENGINEERING SURVEYORS, BEING REGISTERED SURVEYORS. THE INFORMATION IS SHOWN TO PROVIDE A BASIS FOR DESIGN. ARCH MEDIA SOLUTIONS DOES NOT GUARANTEE THE ACCURACY OR COMPLETENESS OF THE SURVEY BASE OF ITS SUITABILITY AS A BASIS FOR CONSTRUCTION DRAWINGS.

## EROSION AND SEDIMENT CONTROL NOTES

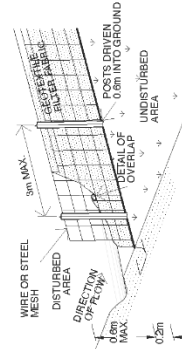
1. ALL WORK SHALL BE GENERALLY CARRIED OUT IN ACCORDANCE WITH:
  - a. THE "MANAGING URBAN STORMWATER" HANDBOOK, 2<sup>ND</sup> EDITION, AUGUST 1988.
  - b. NEW REQUIREMENTS OF HOUSING MANUAL
  - c. LOCAL AUTHORITY REQUIREMENTS
  - d. EPA REQUIREMENTS
  - e. NSW REQUIREMENTS OF HOUSING MANUAL
2. MAINTAIN THE EROSION CONTROL DEVICES TO THE SATISFACTION OF THE SUPERINTENDENT AND THE LOCAL AUTHORITY.
3. THE EROSION CONTROL DEVICES ARE TO BE MAINTAINED TO PREVENT SITE RUNOFF FROM THE EROSION CONTROL DEVICES BEING EJECTED AROUND PITS.
4. A CONTRACTOR IS TO ENSURE ALL EROSION & SEDIMENTATION CONTROL DEVICES ARE MAINTAINED IN GOOD WORKING ORDER AND OPERATE EFFECTIVELY. REPAIRS AND MAINTENANCE SHALL BE COMPLETED AS THRUHEARD, PARTICULARLY FOLLOWING STORM EVENTS.



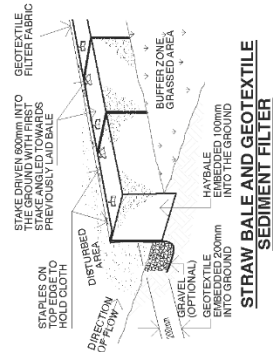
**SANDBAG SEDIMENT TRAP FOR KERB**  
**INLET ON GRADE**



**GEOTEXTILE FILTER FABRIC SURROUND**



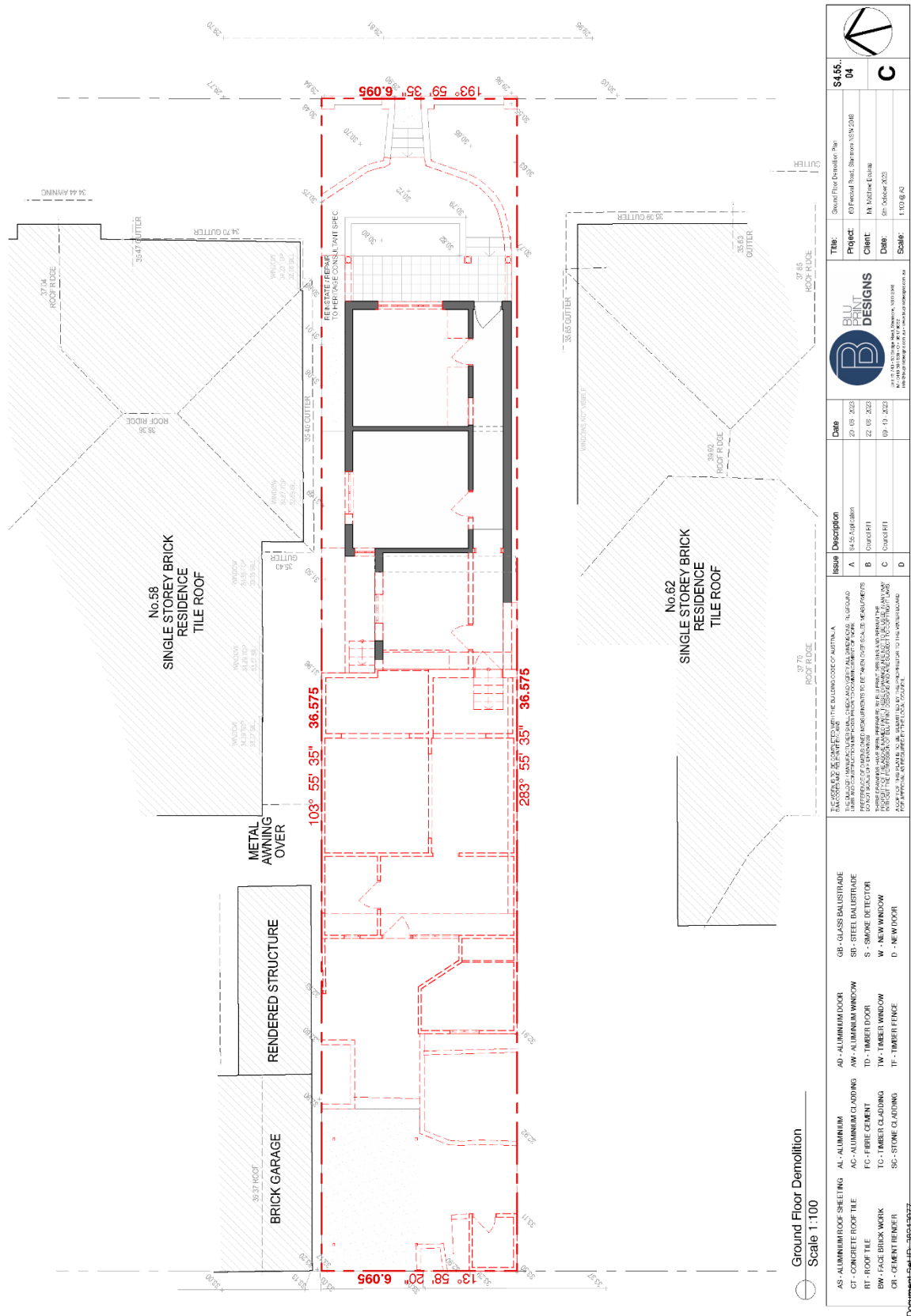
## SEDIMENT FENCE



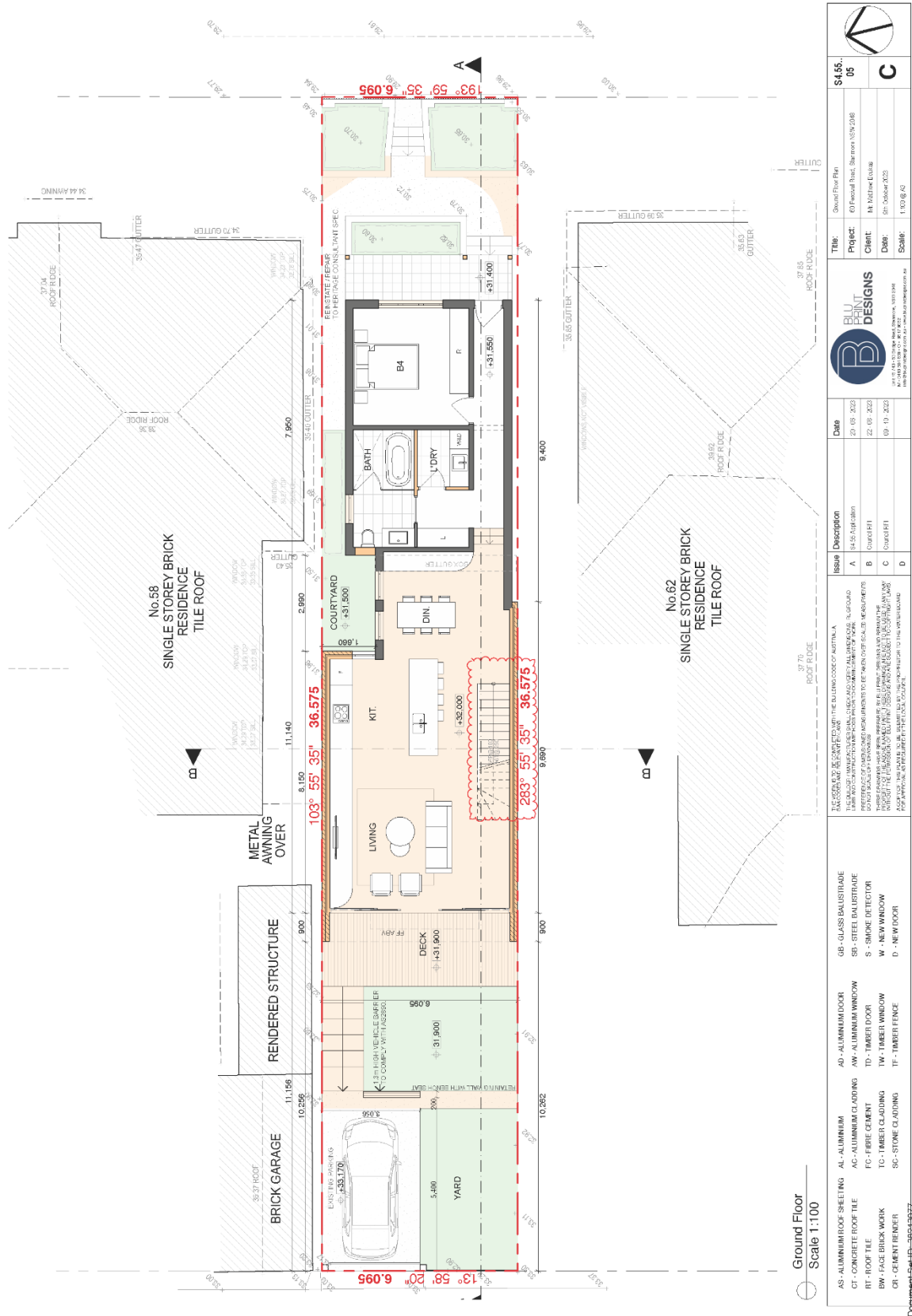
**BALE AND GEOTEXTILE  
SEDIMENT FILTER**

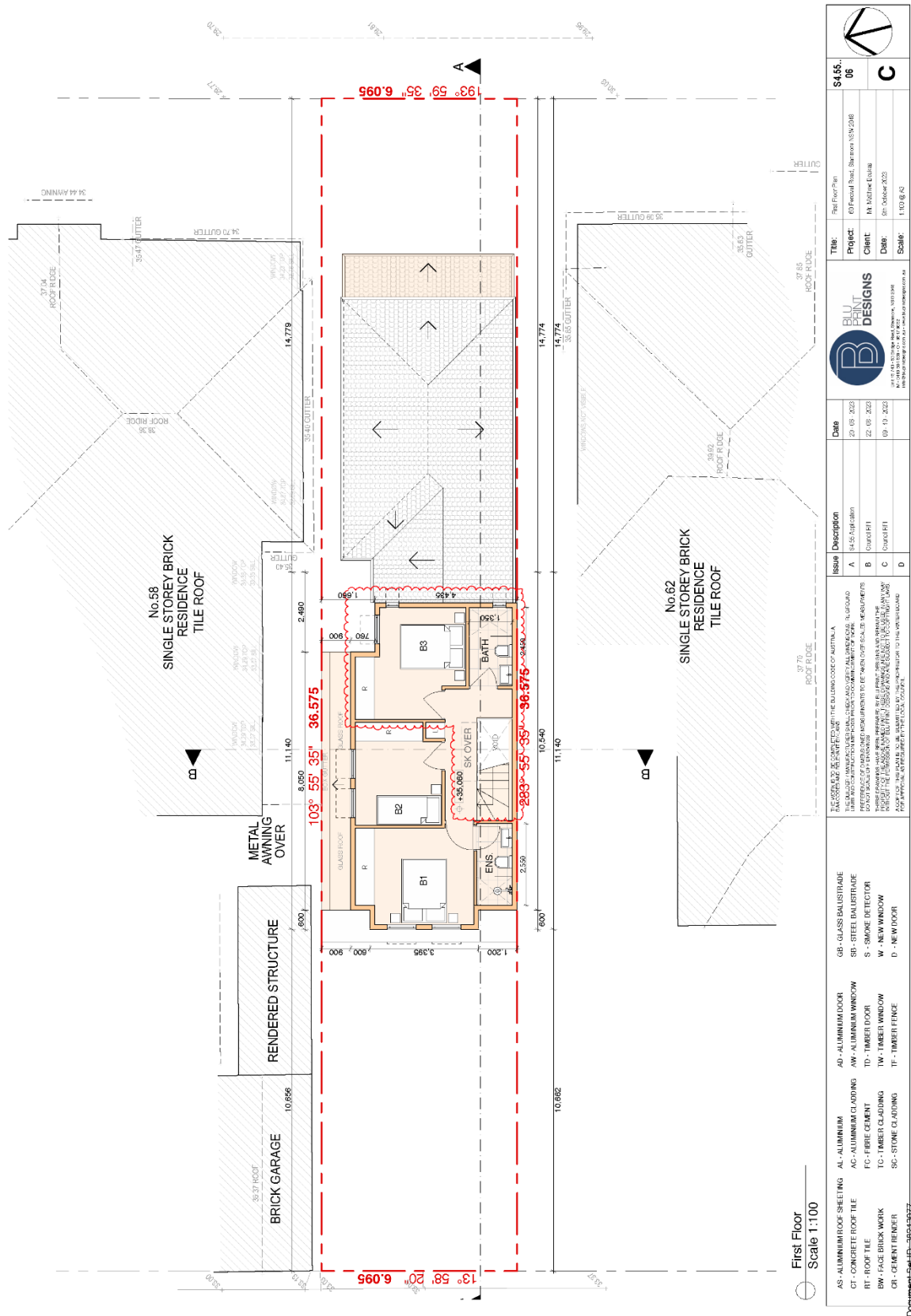
[illegible]



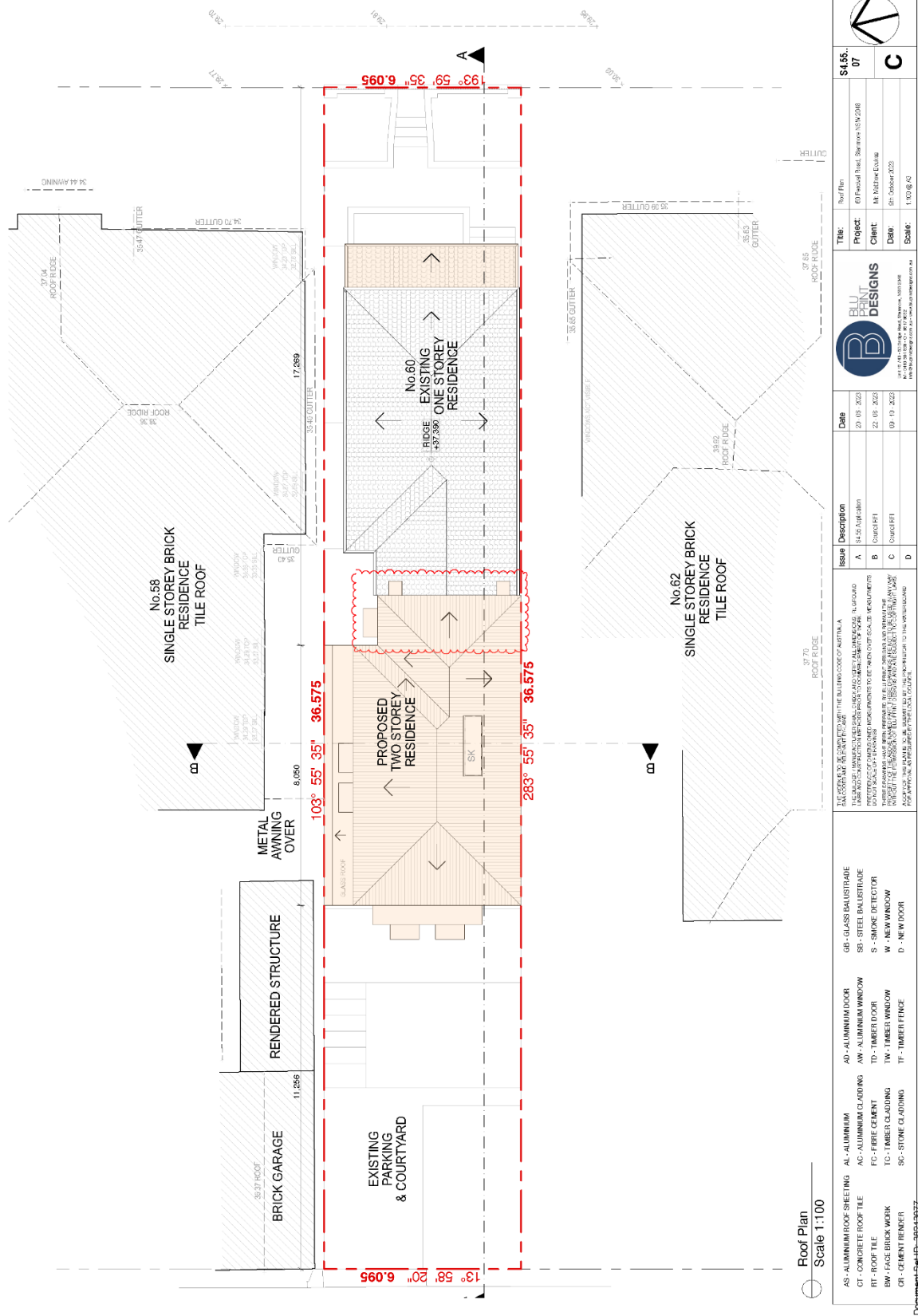


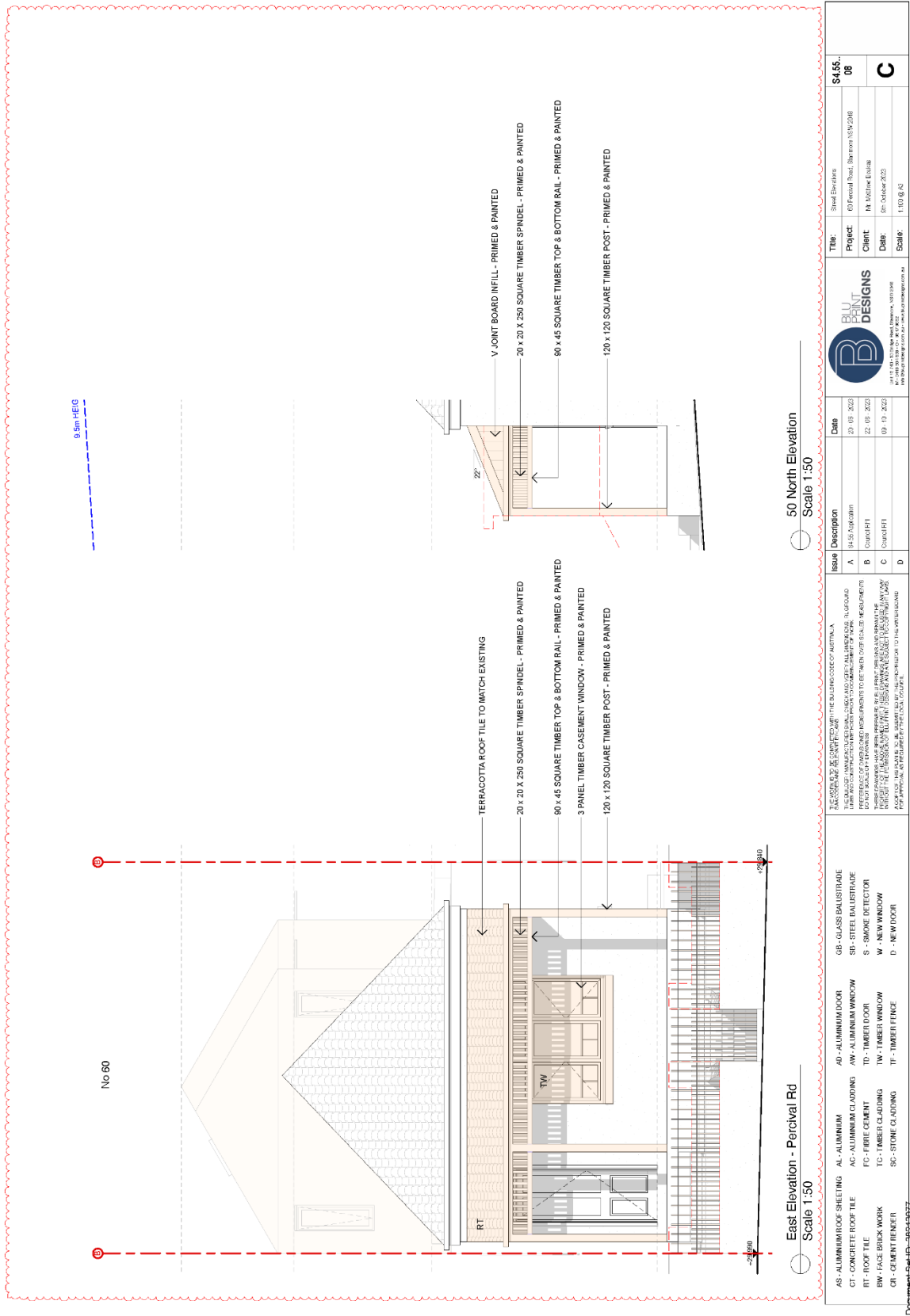


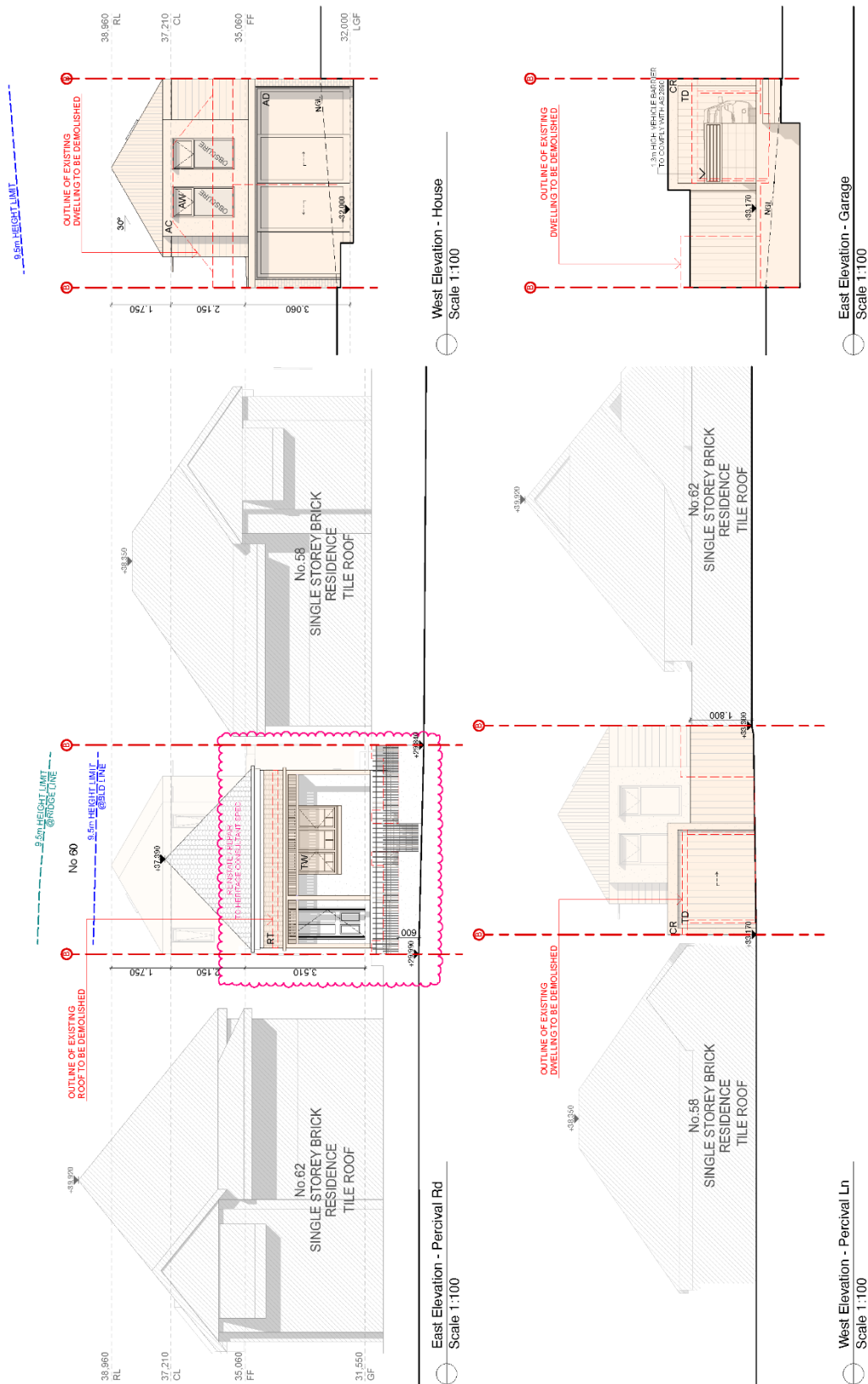




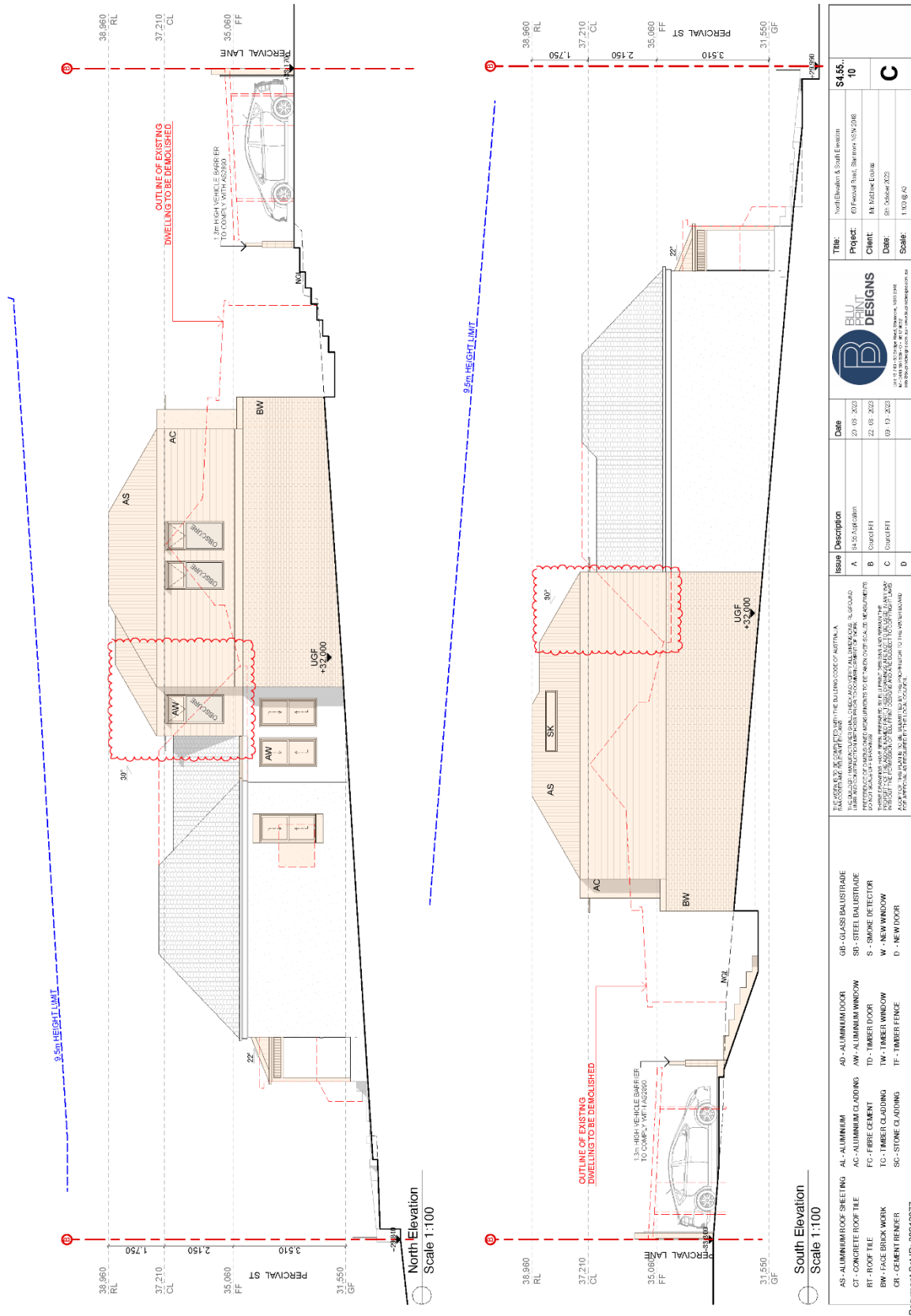


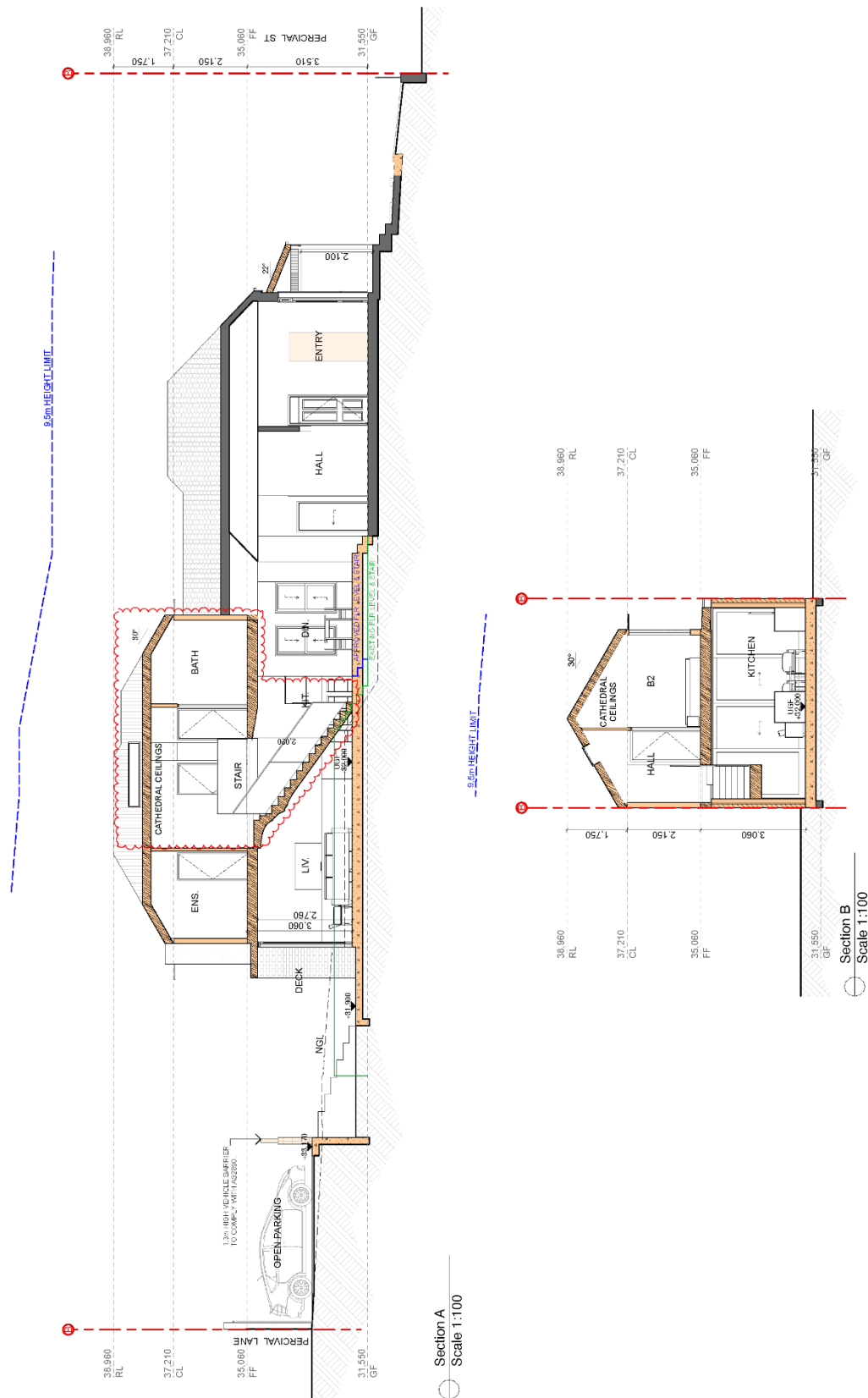






AS - ALUMINIUM DOOR SKEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GR - GLASS BALUSTRADE	Issue	Date	 <b>BLUE PRINT DESIGNS</b> 247 12 143 1234 The West Chamber, 2401 220 Unit 202/203 100/100 COFFEE ST, WILLOWBUSH NSW 1585 www.blueprintdesigns.com.au or 02 9550 4444	Title:	End & West Elevations	\$455.00
CT - CONCRETE ROOF TILE	AC - ALUMINIUM CLADDING	AW - ALUMINIUM WINDOW	SB - STEEL BALUSTRADE	A	20 09 2025		Project:	O'Connell Road, Narramatta NSW 2466	
RT - ROOF TILE	CF - FIBRE CEMENT	TD - TIMBER DOOR	S - SMOKE DETECTOR	B	22 09 2025		Client:	M. Kesteven Estate	
BW - FACE BRICK WORK	TC - TIMBER CLADDING	TW - TIMBER WINDOW	W - NEW WINDOW	C	09 10 2025		Date:	Site Location: 2025	C
RF - CEMENT RENDER	SC - STONE CLADDING	TF - TIMBER FENCE	D - NEW DOOR	D			Scale:	1:100 @ A2	

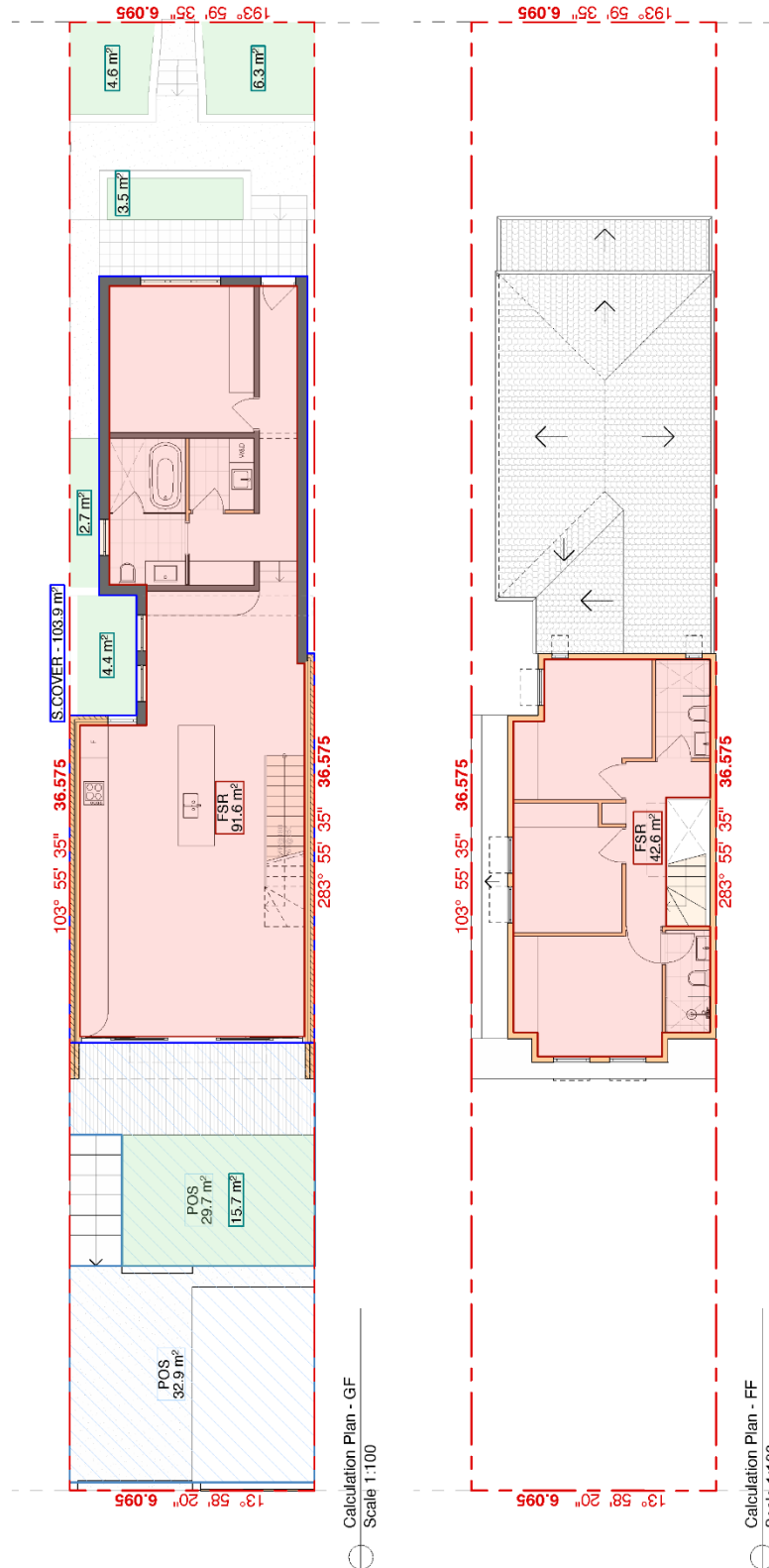


[illegible]

Document Set ID: 35213077  
Version: 1, Version Date: 18/10/2023

SITE AREA = 222.9m<sup>2</sup>

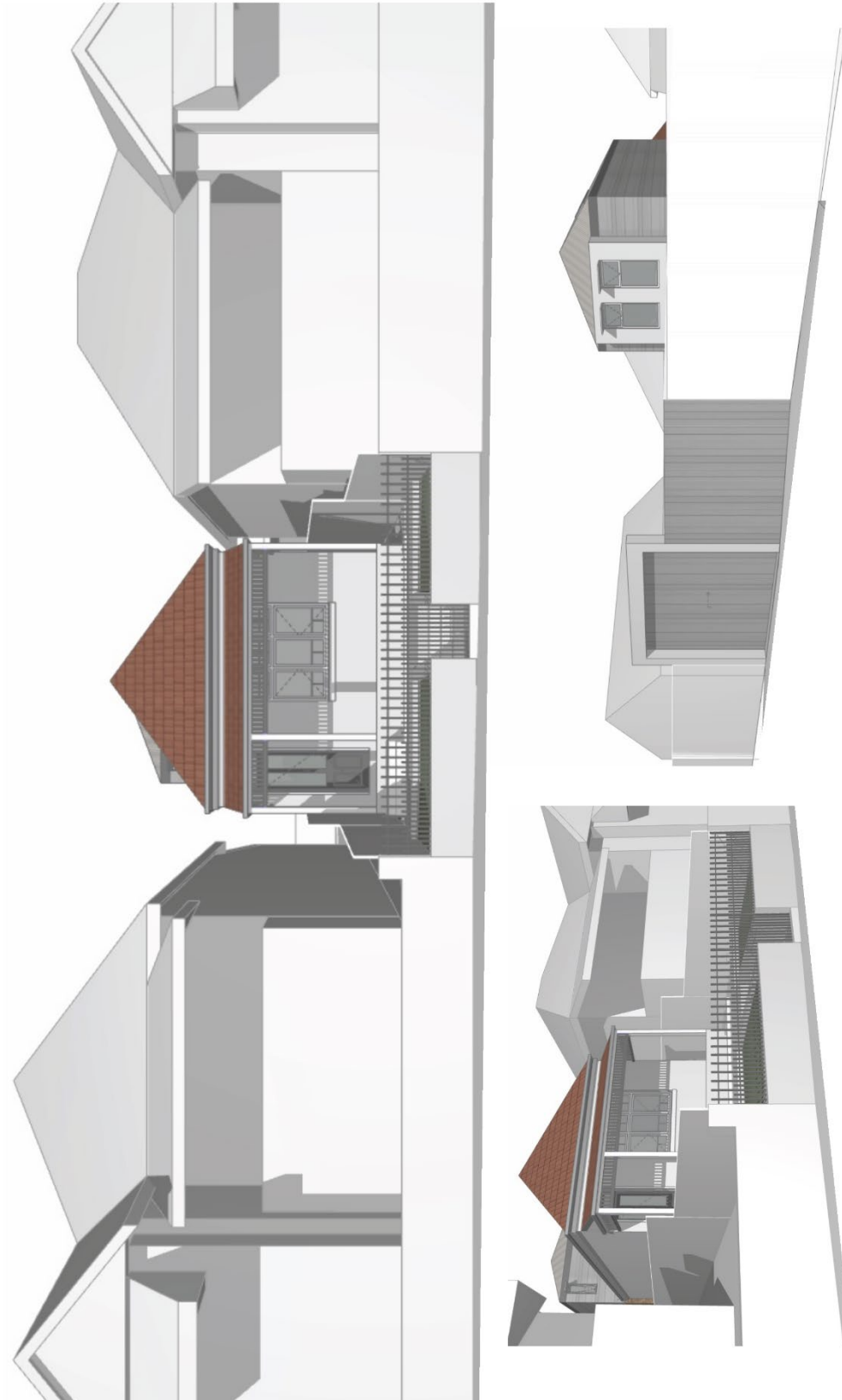
	PROPOSED	REQ. / PERM.
FSR	134.2	200.6 m <sup>2</sup>
LANDSCAPE	37.2	22.5 m <sup>2</sup>
P.O.S.	62.6	45.0 m <sup>2</sup>
SITE COVERAGE	103.9	



AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GE - GLASS BALUSTRADE	REVISIONS TO BE COMPLETED WITH THE BUILDING CODE OF AUSTRALIA	Issue	Description	Date	Title	Calculation Plans	\$4,450
CT - CONCRETE ROOF TILE	AC - ALUMINIUM CLADDING	AW - ALUMINIUM WINDOW	SR - STEEL BALUSTRADE	1. REVISIONS TO BE COMPLETED WITH THE BUILDING CODE OF AUSTRALIA	A	1st Revision	20/08/2023	Project:	60 Fossil Road, Burmore NSW 2148	12
RT - ROOF TILE	FC - FIBRE CEMENT	TD - TIMBER DOOR	S - SMOKE DETECTOR	2. REVISIONS TO BE COMPLETED WITH THE BUILDING CODE OF AUSTRALIA	B	2nd Revision	22/08/2023	Client:	M. Velline Estate	C
BW - FACE BRICK WORK	TC - TIMBER CLADDING	TW - TIMBER WINDOW	W - NEW WINDOW	3. REVISIONS TO BE COMPLETED WITH THE BUILDING CODE OF AUSTRALIA	C	3rd Revision	09/10/2023	Date:	09/10/2023	
CR - CEMENT RENDER	SC - STONE CLADDING	TF - TIMBER FENCE	D - NEW DOOR	4. REVISIONS TO BE COMPLETED WITH THE BUILDING CODE OF AUSTRALIA	D	4th Revision	16/10/2023	Scale:	1:100 & A2	

Document Set ID: 36243677  
Version: 1, Version Date: 16/10/2023





Issue	Description	Date	Title:	Project:	Client:	Date:	Scale:
1	1.4.2.5 Addition	20.09.2025	Project: O'Hara's Farm, Narrawong NSW 2466				\$4,55,000
2	2.2.2.1 Addition	22.09.2025	Client: M. Kishine Estate				13
3	3.2.2.1 Addition	09.10.2025					C



BLU  
PRINT  
DESIGNS

247 ST. LOUIS ST. THE HART CHURCH, 2413 2000  
 100/100 ST. LOUIS ST. THE HART CHURCH, 2413 2000  
 100/100 ST. LOUIS ST. THE HART CHURCH, 2413 2000

Document Set ID: 35213077  
Version: 1, Version Date: 18/10/2023

## Attachment E- Statement of Heritage Significance

# STATEMENT of HERITAGE IMPACT



### Section 4.55 Modification

to Development Consent  
REV/2022/10  
for

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

9 June, 2023

**ARCHITELLE**  
*Architecture & Interiors*

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



## TABLE OF CONTENTS

<b>1.</b>	<b>INTRODUCTION</b>	<b>3</b>
1.1	Background	3
1.2	Heritage Listings	3
1.3	The Site	3
1.4	Authorship	3
<b>2.</b>	<b>HERITAGE IMPACT ASSESSMENT</b>	<b>4</b>
2.1	Heritage Significance of the Place	4
2.2	Description of Existing Conditions & Approved Works	
2.2.1	Existing Buildings & Grounds	5
2.2.2	Works Approved by Development Consent DA/2017/324	5
2.3	Proposed Modifications to the Approved Works	5
2.4	Assessment of Potential Heritage Impact	
2.4.1	The following aspects of the modifications to the proposal respect or enhance the heritage significance of the conservation area	6
2.4.2	The following aspects of the modifications to the proposal could detrimentally impact on heritage significance	6
<b>3.</b>	<b>CONCLUSION</b>	<b>7</b>
	<b>APPENDIX A</b> Modified Development Drawings	

SHI Section 4.55 - 60 PERCIVAL ROAD, STANMORE  
ARCHITELLE 09 June, 2023  
C:\Users\archi\Documents\architelle\Doc\2020\2020-54 Percival\HIS Sec455\SHI-Sec455-2020-54.wpd

2

## 1. INTRODUCTION

### 1.1 Background

This Statement of Heritage Impact was commissioned to accompany a Section 4.55 application to Inner West Council to modify Development Consent REV/2022/10, for alterations and additions to the existing dwelling at 60 Percival Street, Stanmore, NSW.

The approved development includes:

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

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

### 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.

## 2. HERITAGE IMPACT ASSESSMENT

### 2.1 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 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.

#### Weekley Park

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.*

## 2.2 Description of Existing Conditions & Approved Works

### 2.2.1 Existing Buildings & Grounds

#### 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<sup>2</sup>.

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 parquet. 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.

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.

### 2.2.2 Works Approved by Development Consent REV/2022/10

The approved works include the following:

- Alterations & two storey additions to the rear of the existing single storey dwelling
- Facade and front fence restoration
- Demolition of miscellaneous rear outbuildings

## 2.3 Proposed Modifications to the Approved Works

Modifications to the approved development include the following:

1. Addition of an ensuite to the rear south-west corner of the first floor addition
2. Reduction in the front setback of the first floor additions
3. Modifications to the internal layout of the new additions

## 2.4 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 to a contributory property in a conservation area. The site is not heritage listed and its contribution is largely related to the streetscape value that it provides to Percival Road and the backdrop to Weekley Park.

### 2.4.1 The following aspects of the modifications to the proposal respect or enhance the heritage significance of the conservation area for the following reasons:

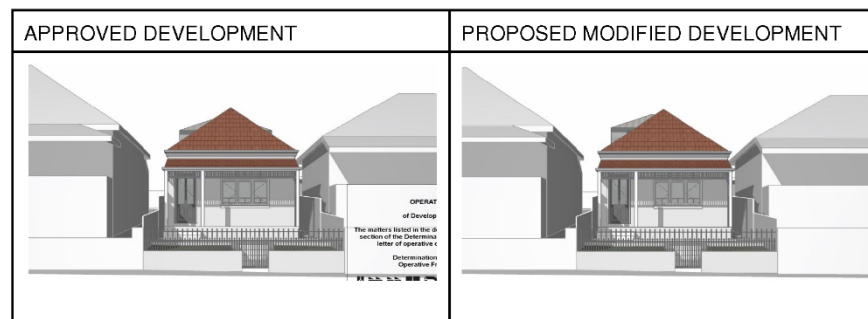
#### Addition of an ensuite to the rear south-west corner of the first floor addition

The ensuite addition is an infill to the rear corner of the approved development. It is consistent with the rear and side setbacks, height and building envelope of the approved additions. As such, there will be no substantial change to scale and siting relationships the proposed additions will have with the rear lane and adjoining development. The proposed rear additions will continue to respect the scale and character of the rear lanescape and adjoining residential development.

#### Reduction in the front setback of the first floor additions

The front of the first floor addition is proposed to be extended towards Percival Road by 1.4 m, to align with the rear wall of the main front section of the existing dwelling. The extension is minor, and is consistent with the approved building envelope, height and side setbacks. The first floor addition will continue to be substantially screened from view from Percival Road and Weekley Park by the existing dwelling and the residences on the adjoining properties. The single storey scale and character of the existing dwelling will continue to dominate the presentation of the property to the public domain, and make a positive contribution to the integrity of the streetscape.

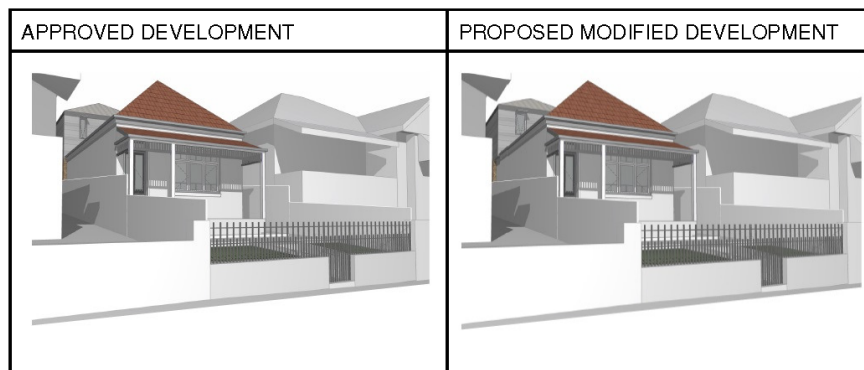
3D imagery below indicates that the impact on the presentation of the property to Percival Road due to the modified front setback of the first floor is negligible. The addition continues to be subservient in scale to the existing dwelling and adjoining residences, and will remain substantially screened from view.



SHI Section 4.55 - 60 PERCIVAL ROAD, STANMORE  
ARCHITELLE 09 June, 2023

C:\Users\archi\Documents\architelle\Doc\2020\2020-54 Percival\HIS Sec455\SHI-Sec455-2020-54.wpd

6



Modifications to the internal layout of the new additions

The proposed internal modifications within the new additions will have no impact on the external building envelope, setbacks, height or siting of the proposed additions. Some adjustment to the position of window openings will result, however the scale and proportions of the windows will remain as approved and will continue to be sympathetic with the character of the existing dwelling and surrounding contributory development. No internal modifications are proposed to the original front portion of the dwelling.

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

Reduction in the front setback of the first floor additions

Some loss of the roof over the rear wing of the existing dwelling will result from the proposed forward extension of the first floor. The rear wing roof to be removed is not highly visible from the street so makes a limited contribution to the character of the existing building. The main front portion of the pitched, hipped roof that makes a substantial contribution to the scale and character of the dwelling will be retained. The footprint of the existing dwelling, with its characteristic inset light well, will also be maintained, allowing separation and distinction between the existing building and the new additions to continue to be provided. There will be no adverse impact on the presentation of the property to the public domain due to the changes proposed to the rear wing roof.

### 3. CONCLUSION

The proposed modified works continue to be 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 modifications proposed are minor in nature and will have no adverse effect on the presentation of the property to the public domain. The modifications have been designed to be consistent with the acceptable scale and form of the approved works, to continue to be sympathetic to the character of the conservation area and subservient to the existing building and contributory buildings in the vicinity.

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 continue to enhance the contribution the property will make to the integrity of the streetscape, the backdrop to Weekley Park and the wider Conservation Area.

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

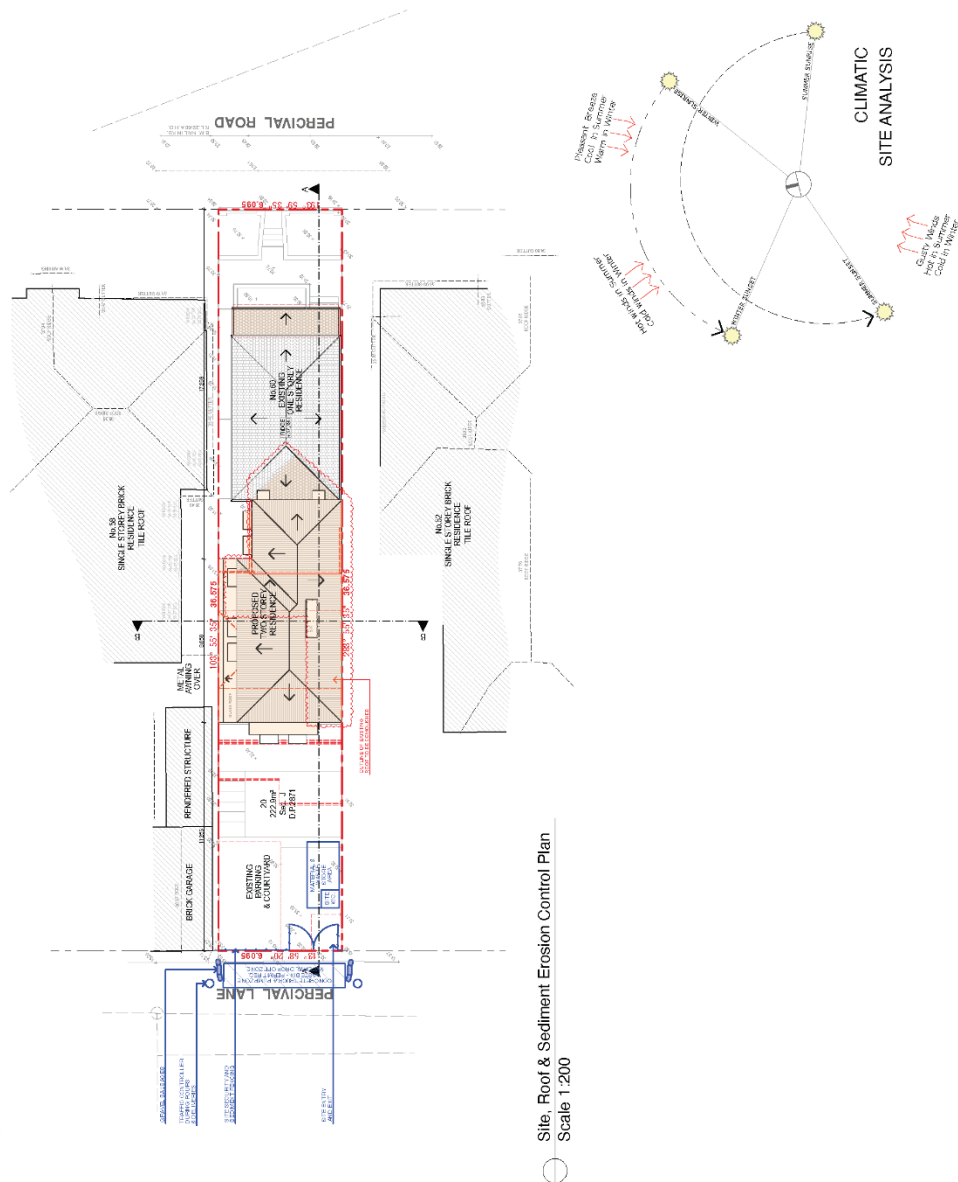
# APPENDIX A

## Development Drawings

SHI Section 4.55 - 60 PERCIVAL ROAD, STANMORE  
ARCHITELLE 09 June, 2023  
C:\Users\archi\Documents\architelle\Doc\2020\2020-54 Percival\HIS Sec455\SHI-Sec455-2020-54.wpd

Document Set ID: 38213076  
Version: 1, Version Date: 18/10/2023





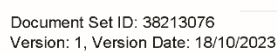
60 Percival Rd, Stanmore - Location Plan

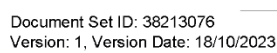
Title		Project		Client		Date		Scale	
S4.55.		01		A		1:200 @ A3			
Site, Roof & Sediment Erosion Control Plan		60 Percival Rd, Stanmore NSW 2048		Mr. Michael Brown		30th May 2023			
Issue		Description		Date					
A		14.05.2023		30.05.2023					
B									
C									
D									

Document Set ID: 38213076  
Version: 1, Version Date: 18/10/2023

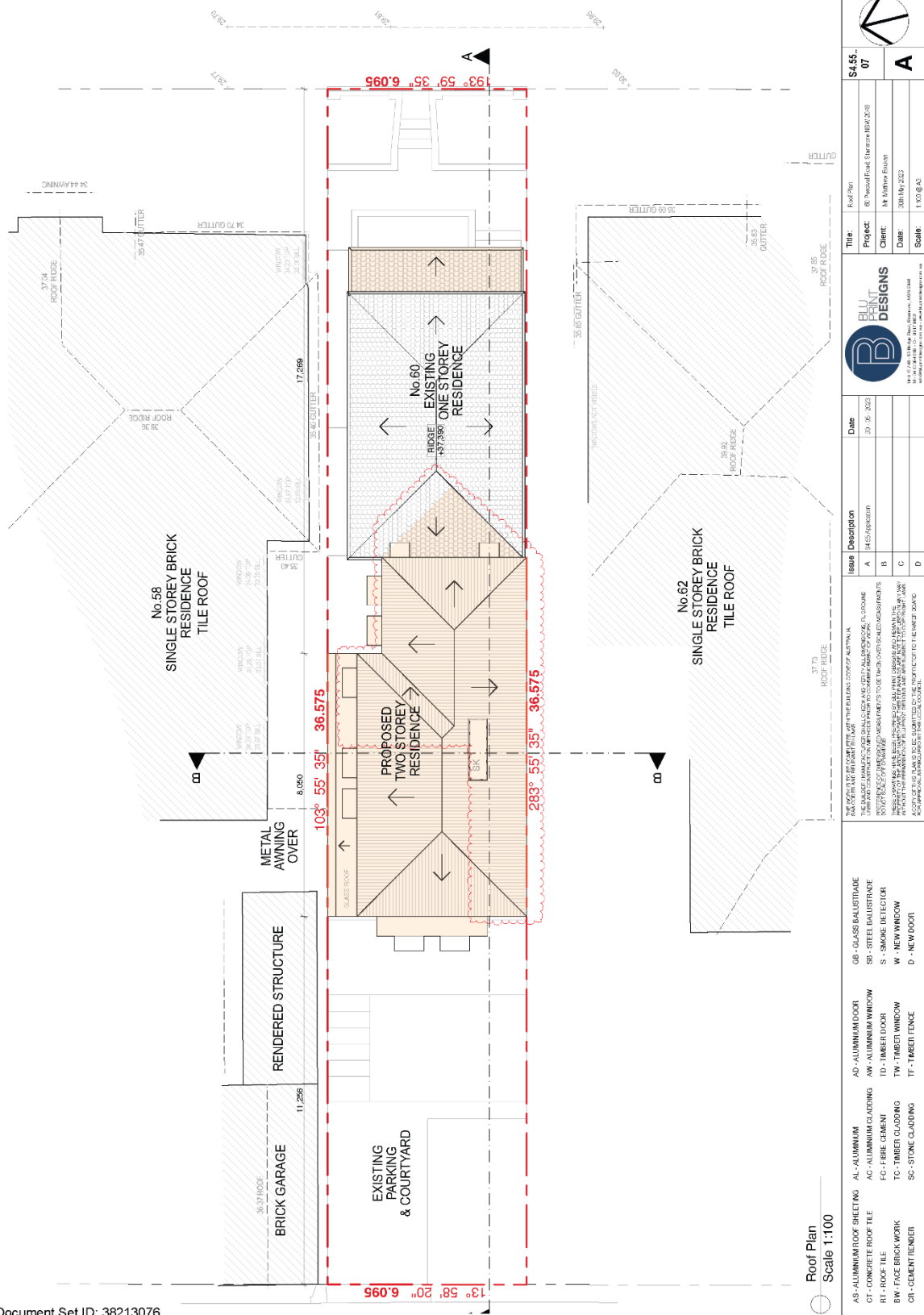


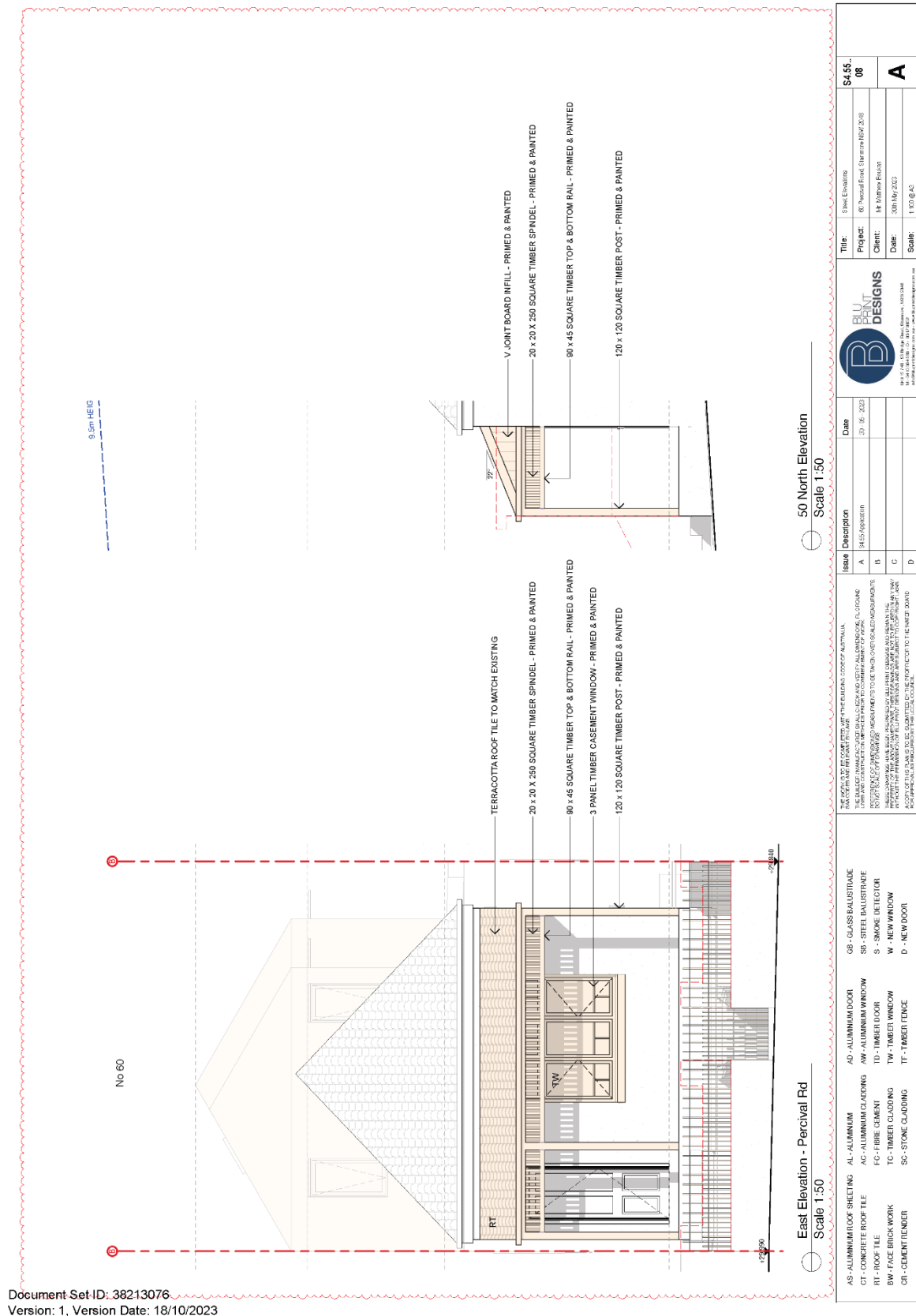
AS-ALUMINIUM ROOF SHEETING	AD-ALUMINIUM DOOR	GB-GLASS BALUSTRADE	Issue Description	Date
CT-CONCRETE ROOF TILE	AW-ALUMINIUM WINDOW	SB-STEEL BALUSTRADE	A 14-05-2023	20-10-2023
RF-ROOF TILE	FD-FIBRE CEMENT	S-SMOKED GLASS	B	
BW-FIBRE CEMENT	T-TRIMER DOOR	W-WINDOW	C	
RT-TRIMER WINDOW	TW-TRIMER WINDOW	D-NEW DOOR	D	
TT-TRIMER FENCE	TT-TRIMER FENCE			
SC-STONE CLADDING	SC-STONE CLADDING			



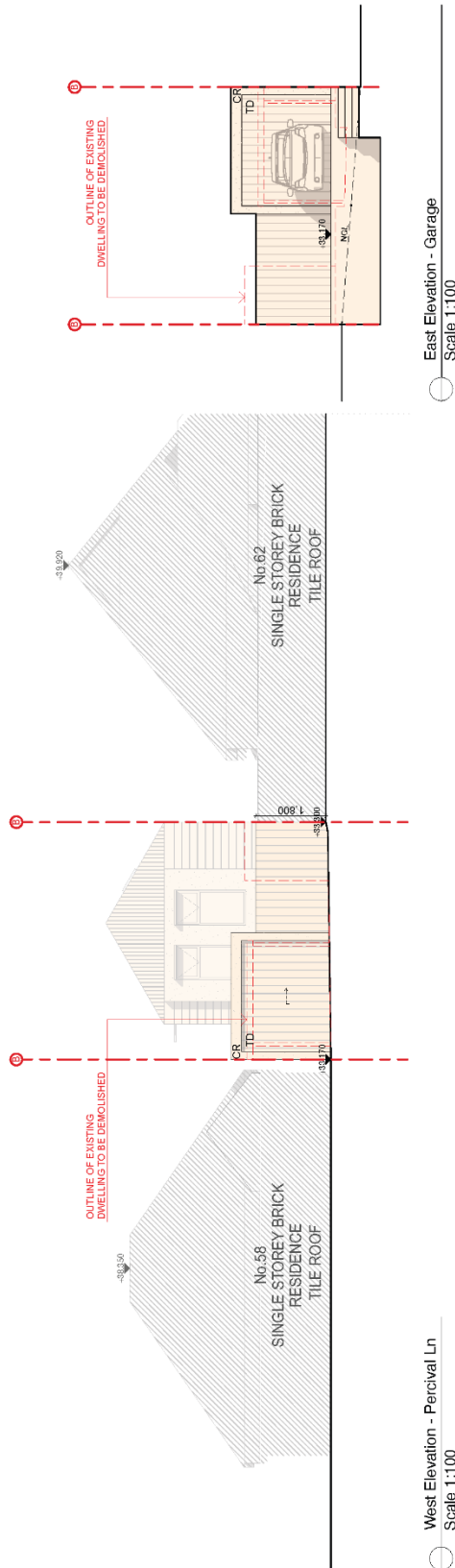
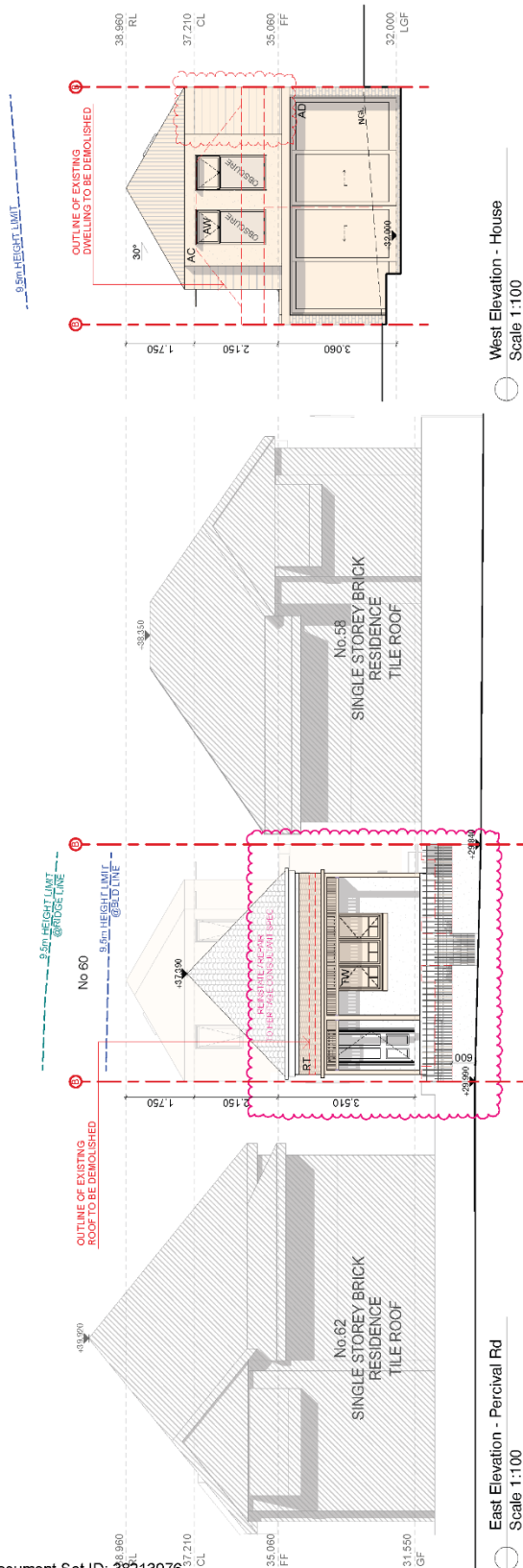




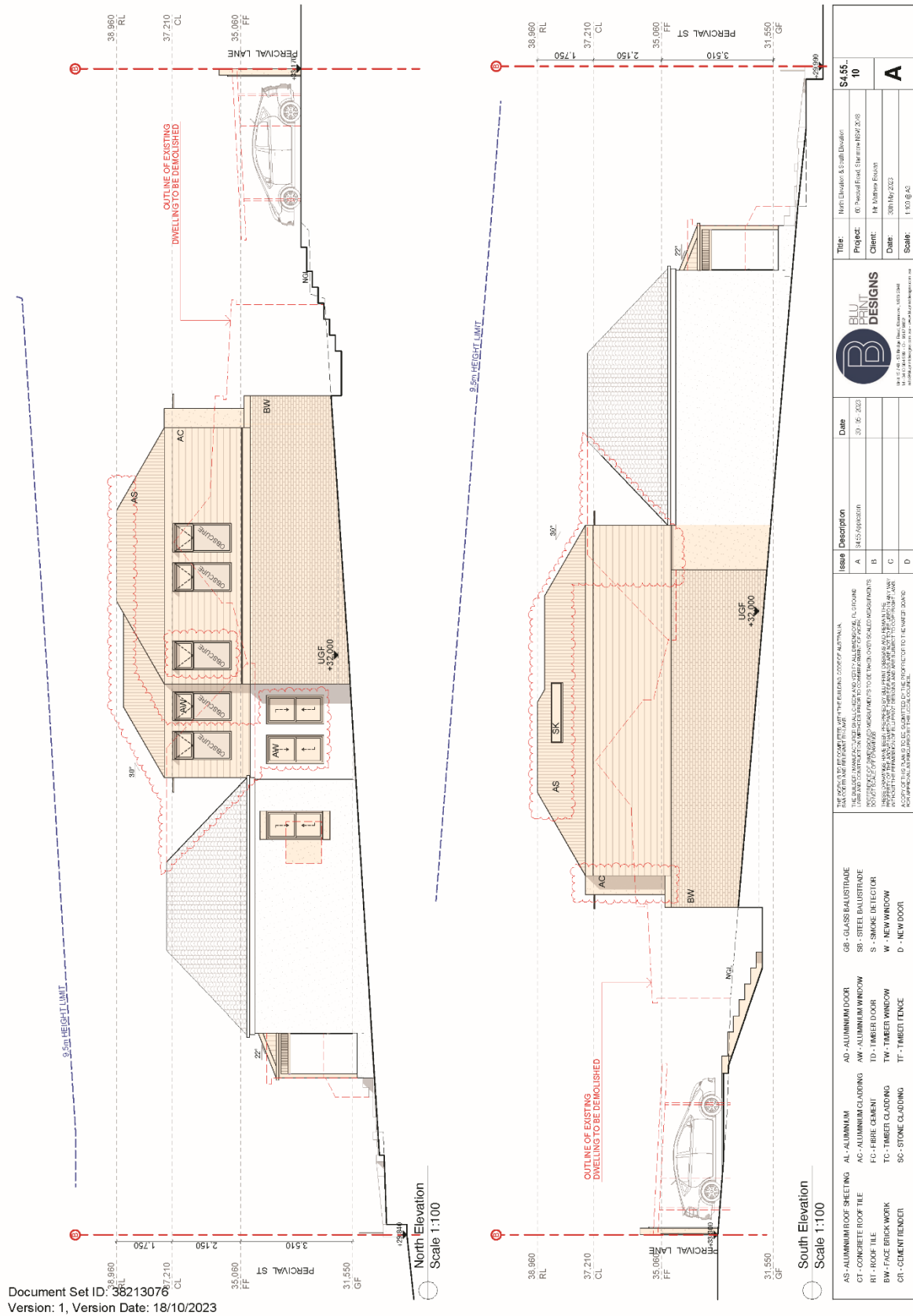




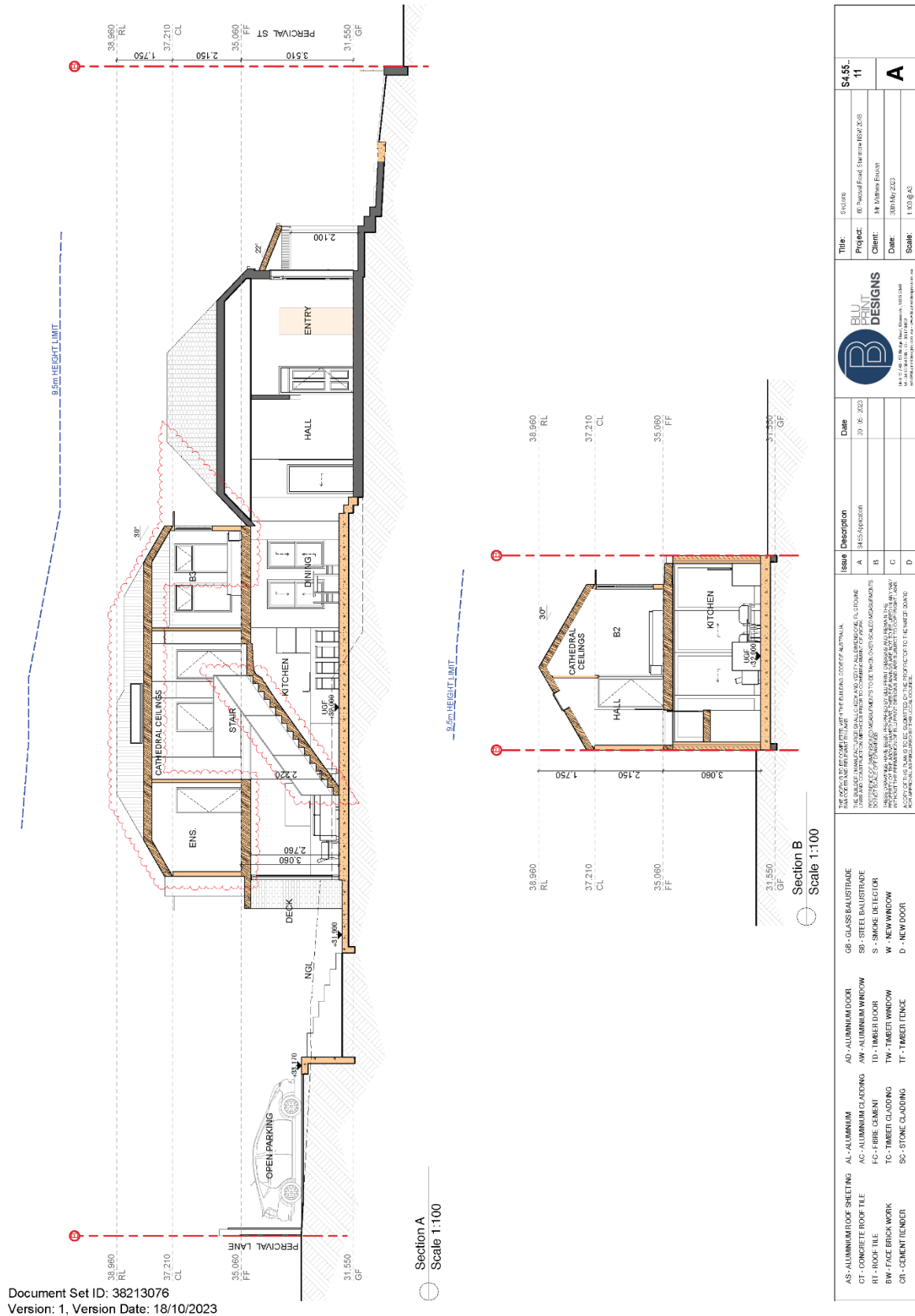
Document Set ID: 38213076  
Version: 1, Version Date: 18/10/2023



Issue	Description	Date	Title	Scale
A	14.05.2023	14.05.2023	East & West Elevation	S4.55.
B	14.05.2023	14.05.2023	Project: 06 Percival Road, Sydney NSW 2058	09
C	14.05.2023	14.05.2023	Client: Mr. Matthew Brown	A
D	14.05.2023	14.05.2023	Date: 18/10/2023	
			Scale: 1:100 @ A2	









Document Set ID: 38213076  
Version: 1, Version Date: 18/10/2023


AS- ALUMINIUM ROOF SHEETING	AD- ALUMINIUM DOOR	GB- GLASS BALUSTRADE	Issue Description	Date	 <div>Project: R/ Resound Road, Sharnbrook 2/68 Client: M/ Mervyn Evans Date: 3/28 May 2023 Scale: 1:100</div>
CT- CONCRETE ROOF TILE	AW- ALUMINIUM WINDOW	SB- STEEL BALUSTRADE	A 14/25 Application	29- 16- 2023	
RF- ROOF TILE	AC- ALUMINIUM CLADDING	SF- STONE BRICKWORK	B 15		
BW- FACE BRICK	FC- FIBRE CEMENT	S- SMOKE EXTRACTOR	C		
TT- TIMBER CLADDING	FW- TIMBER DOOR	W- WINDOW	D		
CR- CEMENT RENDER	TT- TIMBER FENCE	D- NEW DOOR			
SC- STONE CLADDING					



CORRUGATED ROOF SHEETING  
COLOURBOND - SURMIST




ALUMINIUM GUTTERS & DOWNPIPES -  
DULUX - SURFMIST



ALUMINIUM HORIZONTAL CLADDING -  
ULTRACLAD SHADOWLINE WEATHERBOARD  
FIRST FLOOR ADDITION  
DULUX - SHALE GREY




BRICK WORK  
DRY PRESSED COMMON  
BOUNDARY WALLS



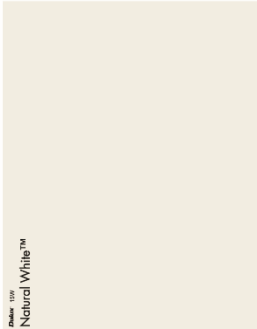
TIMBER DOORS & WINDOWS - FRONT  
FACADE - DULUX - WHITE



ALUMINIUM DOORS & WINDOWS - REAR &  
SIDE FACADES - DULUX - SHALE GREY



FRONT FENCE - PALISADE -  
SINGLE RAIL - SPEAR



CEMENT RENDER  
DULUX - NATURAL WHITE

AS - ALUMINIUM ROOF SHEETING	AL - ALUMINIUM	AD - ALUMINIUM DOOR	GB - GLASS BALUSTRADE	THE BOARD IS TO BE COMPLETED WITH THE FOLLOWING CODE OF PRACTICE: S44 CODE AND THE CODE OF PRACTICE S44 CODE AND THE CODE OF PRACTICE S44 CODE AND THE CODE OF PRACTICE	Issue	Description	Date	Title:	Internal Sample Board	S4.55
CT - CONCRETE ROOF TILE	AC - ALUMINIUM CLADDING	AW - ALUMINIUM WINDOW	SBS - STEEL BALUSTRADE	UNITED STATES OF AMERICA UNITED STATES OF AMERICA UNITED STATES OF AMERICA	A	14.15 Application	31. 05. 2023	Project:	60 Period East, 31st Street NSW 2048	14
RT - ROOF TILE	FC - FIBRE CEMENT	TD - TIMBER DOOR	S - SMOKE DETECTOR	UNITED STATES OF AMERICA UNITED STATES OF AMERICA UNITED STATES OF AMERICA	B			Client:	M. Matthew Buzan	
BW - FACE BRICK WORK	TC - TIMBER CLADDING	TW - TIMBER WINDOW	W - NEW WINDOW	UNITED STATES OF AMERICA UNITED STATES OF AMERICA UNITED STATES OF AMERICA	C			Date:	30/05/2023	
CR - CEMENT RENDER	SC - STONE CLADDING	TF - TIMBER FENCE	D - NEW DOOR	UNITED STATES OF AMERICA UNITED STATES OF AMERICA UNITED STATES OF AMERICA	D			Scale:		A