



## DEVELOPMENT ASSESSMENT PANEL REPORT

<b>Application No.</b>	DA/2024/0822
<b>Address</b>	12 Forbes Street CROYDON PARK NSW 2133
<b>Proposal</b>	Alterations and additions to an existing detached dwelling, including partial demolition of existing structures, construction of ground floor and first floor addition, construction of a garage with within the rear yard, and construction of an in-ground swimming pool.
<b>Date of Lodgement</b>	1 October 2024
<b>Applicant</b>	Sandbox Studio Pty Ltd
<b>Owner</b>	Ahmed Moolla Tasneem A Mayat
<b>Number of Submissions</b>	Initial: 8 Renotification: 7
<b>Cost of works</b>	\$1,500,000.00
<b>Reason for determination at Planning Panel</b>	Number of submissions
<b>Main Issues</b>	Heritage conservation, matters raised in submissions
<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>	Statement of Heritage Significance



## LOCALITY MAP

Subject Site		Objectors		↑ N
Notified Area		Supporters		

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

## 1. Executive Summary

This report is an assessment of the application submitted to Council for alterations and additions to an existing detached dwelling, including partial demolition of existing structures, construction of ground floor and first floor addition, construction of a garage within the rear yard, and construction of an in-ground swimming pool at 12 Forbes Street Croydon Park.

The application was notified to surrounding properties and 8 submissions were received in response to the initial notification.

7 submissions were received in response to renotification of the amended application.

The main issues that have arisen from the application include:

- Impact of the proposed development on the Heritage Conservation Area. The key heritage matters related to the proposed scale and form of the proposed addition and the scale of the proposed garage structure; and
- Amenity impacts associated with the proposed bulk and scale of the proposal.

Initial matters associated with the heritage and amenity impacts have been resolved in the amended plans - Revision E, dated 7 March 2025. In particular, the scale and form of the proposed addition and garage structure have been modified. It is considered that the amended proposal has been designed to respond positively to the heritage character of adjoining and nearby heritage buildings and heritage features in the public domain. The proposal is therefore recommended for approval.

## 2. Proposal

The proposal involves the following works:

- Demolition of the rear portion of the existing dwelling;
- Internal demolition of the existing bathroom and minor demolition to create openings for new doors;
- Demolition of the existing garage, side and rear fences and miscellaneous paving;
- Minor internal reconfiguration of the retained portion of the dwelling to incorporate;
  - Two (2) x bedrooms;
  - Rumpus;
  - Home office/ library; and
  - One (1) ensuite
- Construction of a new two-storey addition to the rear incorporating at ground floor level:
  - Dining/ Living area and Kitchen;
  - Ensuite, WC and laundry;
  - Stair to first floor
- First floor level in new addition incorporating:
  - Two (2) x bedrooms;

- Two (2) x ensuites;
- Walk in robes and storage.
- Construction of an external covered patio with privacy screen;
- Construction of a new double garage;
- Construction of a new pool and associated fencing;
- Construction of new side and rear boundary fencing; and
- Miscellaneous external works including paving, stepping stones and landscaping.

### 3. Site Description

The subject site is located on the eastern side of Forbes Street, between Georges River Road and Alison Street, Croydon Park. The site consists of one allotment and is rectangular shaped with a total area of 541.5 sqm and is legally described as Lot A in DP 166946.

The site has a frontage to Forbes Street of 12.19 metres and a secondary frontage of approximately 12.21 metres to an unnamed rear lane.

The site supports a single storey dwelling house and single garage. The surrounding properties generally support single storey dwellings, some with two storey rear additions, including the adjacent properties at 10 and 14 Forbes Street. There are a mix of single storey garages, outbuildings and some secondary dwellings located at the rear of surrounding properties fronting either side of the unnamed rear lane. Further to the north, on Forbes Street, there are two storey, commercial premises, located within the Zone E1 - Local Centre on Georges River Road.

The property is located within a conservation area.

There are no prescribed trees located on the subject site. One (1) street tree - a *syzygium smithii* (lilly pilly) is located in front of the property.



Figure 1: Zoning Map (subject site in red)



Figure 2: Aerial Image of the subject site shown shaded green





*Figure 3: Photo of Subject site from Forbes Street (the roof form of the adjacent two storey additions to 10 Forbes Street (left side) and 14 Forbes Street (right side) can be seen setback from the original front roof form of the respective properties).*



*Figure 4: Photo of the subject site from rear lane (rear two storey addition at 14 Forbes Street on left and 10 Forbes Street on right).*





Figure 5: Photo of rear of existing dwelling



Figure 6: Photo of the backyard of subject site

## 4. Background

### Application history

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

Date	Discussion / Letter / Additional Information
28/09/2024	The application was lodged.
	Application notified.
21/10/2024	Site Inspection
16/12/2024	<p>A request for further information (RFI) was sent to the applicant outlining a number of matters that needed to be addressed as follows:</p> <ul style="list-style-type: none"> <li>• Amended plans were requested to address the following heritage matters: <ul style="list-style-type: none"> <li>○ Scale and form of the rear addition not being in keeping with the predominant single storey form of surrounding development. It was requested that the overall height be substantially reduced, the lateral extension to the east be deleted and revisions made to the rear building alignment;</li> <li>○ The roof form of the addition amended to be a simpler, symmetrical and traditional roof form;</li> <li>○ The proposed hardstand and driveway to the front yard to be deleted;</li> <li>○ The scale of the rear garage structure to be reduced to be consistent with the predominately single storey laneway character;</li> <li>○ The existing front fence to be retained and proposed metal fence to be deleted;</li> <li>○ The colour scheme to be amended to utilise a traditional colour scheme appropriate to the age and architectural style of the building;</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• The floor space to be reduced to address the non-compliance with the 4.4 Floor Space Ratio (FSR) development standard in the Inner West Local Environmental Plan 2022 (IWLEP 2022);</li> <li>• It was noted that the 4.6 variation request to vary the 4.4 FSR Development standard had been considered but was not supported;</li> <li>• The plans amended to increase the landscaped area on the site to comply with the 35% landscaped area required under in Part 1 of Chapter F of the Comprehensive Inner West Council Development Control Plan (2016) (DCP);</li> <li>• Plans to be amended to address amenity impacts associated with bulk and scale;</li> <li>• Revisions to various windows to address privacy impacts associated with overlooking of neighbouring properties;</li> <li>• Updated shadow diagrams to be submitted;</li> <li>• Clarification regarding the proposed use of the studio;</li> <li>• The garage to be set back a minimum of 1m from rear lane to allow for sufficient sight lines;</li> <li>• Stormwater Drainage Concept Plan to be submitted; and</li> <li>• Clarification of proposed rear and side fencing.</li> </ul>
31/01/2025	Amended plans and supporting documentation were received.
11/02/25 25/02/2025	- The application was renotified.
5/03/2025	<p>Phone call with applicant and follow up email. Council advised that there were some remaining heritage matters in the amended plans and that a deferred Commencement was likely to be recommended. Council gave the applicant the opportunity to amend the plans to address the remaining heritage matters which included:</p> <ul style="list-style-type: none"> <li>• The scale of the rear addition to be further reduced. It was recommended that the ridge height and roof form be lowered a further 400mm;</li> <li>• The bulk and scale of the garage/studio structure to be reduced; and</li> <li>• The colour scheme to be amended to utilise a traditional colour scheme utilising warm, earthy tones.</li> </ul>
7/03/2025	<p>Amended plans were received. Renotification was not required in accordance with Council's Community Engagement Strategy.</p> <p>The amended plans Revision E – dated 7 March 2025 are the subject of this report.</p>

## 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).

## A. Environmental Planning Instruments

The application has been assessed and the following provides a summary of the relevant Environmental Planning Instruments.

### State Environmental Planning Policies (SEPPs)

#### SEPP (Resilience and Hazards) 2021

##### Chapter 4 Remediation of land

Section 4.6(1) of the *Resilience and Hazards 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.

#### SEPP (Sustainable Buildings) 2022

##### Chapter 2 Standards for residential development - BASIX

The application was accompanied by a BASIX Certificate in compliance with the *EP&A Regulation 2021*.

#### SEPP (Transport and Infrastructure) 2021

##### Chapter 2 Infrastructure

##### Development likely to affect an electricity transmission or distribution network

The proposed development meets the criteria for referral to the electricity supply authority within Section 2.48 of the *Transport and Infrastructure SEPP* and has been referred for comment for 21 days.



Ausgrid provided comments with regard to overhead powerlines in the vicinity of the development which have been included as advisory notes in the recommendation.

Overall, subject to compliance with relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice the proposal satisfies the relevant controls and objectives contained within Chapter 2 Infrastructure of the *Transport and Infrastructure SEPP*.

(A) *SEPP (Biodiversity and Conservation) 2021*

Chapter 6 Water Catchments

Section 6.6 under Part 6.2 of the *Biodiversity and Conservation SEPP* provides matters for consideration which apply to the proposal. The subject site is located within the designated hydrological catchment of the Sydney Harbour Catchment and is subject to the provisions contained within Chapter 6 of the above *Biodiversity Conservation SEPP*.

It is considered that the proposal remains consistent with the relevant general development controls under Part 6.2 of the *Biodiversity Conservation SEPP* and would not have an adverse effect in terms of water quality and quantity, aquatic ecology, flooding, or recreation and public access.

**Inner West Local Environmental Plan 2022**

The application was assessed against the following relevant sections of the *Inner West Local Environmental Plan 2022 (IWLEP 2022)*.

**Part 1 – Preliminary**

Section	Proposed	Complies
Section 1.2 Aims of Plan	The proposal satisfies the section as follows: <ul style="list-style-type: none"> <li>The proposal conserves and maintains the natural, built and cultural heritage of Inner West, and</li> <li>The proposal encourages diversity in housing to meet the needs of, and enhance amenity for, Inner West residents.</li> </ul>	Yes

**Part 2 – Permitted or prohibited development**

Section	Proposed	Complies
Section 2.3 Zone objectives and Land Use Table R2 – Low Density Residential Zone	<ul style="list-style-type: none"> <li>The application proposes alterations and additions to a dwelling house, <b>dwelling houses</b> are permissible with consent in the R2 zone.</li> <li>The proposal is consistent with the relevant objectives of the zone, as it will assist to provide for the housing needs of the community within a low density residential environment.</li> </ul>	Yes
Section 2.7	The proposal satisfies the section as follows:	Yes, subject to conditions

Section	Proposed	Complies
Demolition requires development consent	<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>	

#### Part 4 – Principal development standards

Section	Proposed		Complies
Section 4.3 Height of buildings	Maximum	8.5m	Yes
	Proposed	7m	
	Variation	NA	
Section 4.4 Floor space ratio	Maximum	0.5:1 or 270.75sqm	Yes
	Proposed	0.44:1 or 240.3sqm	
	Variation	NA	
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 section.		Yes

#### Part 5 – Miscellaneous provisions

Section	Proposed	Complies
Section 5.10 Heritage conservation	<p>The dwelling on the site is considered to be a Contributory 1 item within the Goodlet Heritage Conservation Area (HCA).</p> <p>The Goodlet HCA is described in C39 of Chapter E1 of the Comprehensive Inner West Development Control Plan 2016 (DCP) as follows <i>“The area is of aesthetic significance as an area uniformly developed with detached single storey brick Inter-war California bungalows with terracotta tile roofs on wide streets with grass verges.”</i> Contributory 1 buildings make an important and significant contribution to the character and significance of the HCA.</p> <p>Initial heritage concerns, related to the originally submitted plans, included the following:</p> <ul style="list-style-type: none"> <li>The overall scale of the rear addition, not being consistent with the HCA and the controls for Contributory buildings in Chapter E1 of the DCP. In particular, it was considered that the size, height and form of the proposed addition, resulted in a highly visible two storey form that overwhelmed the existing and modest single storey dwelling;</li> <li>The existing side building line and setback on the north of the dwelling not being maintained as the proposed addition incorporated a two storey, lateral form;</li> <li>The proposed irregular and asymmetrical roof form not being in keeping with the architectural character of the original building or subordinate to the original roof in form and size;</li> </ul>	Yes

Section	Proposed	Complies
	<ul style="list-style-type: none"> <li>• The scale of the two storey, rear garage/studio structure not being consistent with the single storey laneway character;</li> <li>• The proposed changes to the front garden setting, including the introduction of a parking space and partial demolition of the fence, being inappropriate to the Inter War origins of the building and contrary to the DCP; and</li> <li>• The proposed colours to the dwelling not being complementary to the earthy tones of the dwelling and precinct at large.</li> </ul> <p>Initial heritage concerns have been addressed in the amended plans (Revision E – dated 7 March 2025). In particular, the following is noted:</p> <ul style="list-style-type: none"> <li>• The proposed rear addition was reduced in scale and height from the originally submitted plans. The ridgeline of the proposed roof is comparable (60mm higher) to that of the existing retained roof form;</li> <li>• The lateral extension was deleted and the proposed addition retains the existing side building alignment;</li> <li>• The roof form has been modified and a traditional roof form proposed;</li> <li>• The proposed studio was deleted and the scale and form of the proposed garage was made consistent with surrounding structures on the laneway;</li> <li>• The proposed front hard stand was deleted and the existing fence retained;</li> <li>• An amended colour scheme was provided that is complementary to the earthy tones of the existing dwelling.</li> </ul> <p>Furthermore, it is noted that the main front portion of the original building has been maintained in the proposal, and the original main roof form has been kept intact. The use of the pyramid roof form and associated pavilion style addition is consistent with the provisions of Chapter E1 of the DCP, which encourage rear pavilion additions as a design approach to maintain the main building form without affecting the main building.</p> <p>Given the above, the proposal achieves the objectives of this section as the development (as amended in Revision E – dated 7 March 2025), has been designed to respond to the significance of the conservation area and preserve contributory elements and fabric of the existing building.</p> <p>Given the above the proposal preserves the environmental heritage of the Inner West.</p>	



**Part 6 – Additional local provisions**

Section	Proposed	Complies
Section 6.2 Earthworks	<ul style="list-style-type: none"> <li>The proposed earthworks are unlikely to have a detrimental impact on environmental functions and processes, existing drainage patterns, or soil stability.</li> </ul>	Yes
Section 6.3 Stormwater Management	<ul style="list-style-type: none"> <li>The development maximises the use of permeable surfaces, includes on site retention as an alternative supply and subject to standard conditions would not result in any significant runoff to adjoining properties or the environment.</li> </ul>	Yes, subject to conditions

**B. Development Control Plans****Summary**

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

CIWDCP 2016	Complies
<b>Section 2 – General Guidelines</b>	
A – Miscellaneous	
2 - Good Design	Yes
8 - Parking	Yes
15 - Stormwater Management	Yes
<b>C – Sustainability</b>	
1 – Building Sustainability	Yes
3 – Waste and Recycling Design & Management Standards	Yes
4 – Tree Management	Yes
<b>E1 – Heritage items and Conservation Areas (excluding Haberfield)</b>	
1 – General Controls	Yes
3 – Heritage Conservation Areas (HCAs)	Yes
4 – Building Types and Building Elements within HCAs	Yes
<b>F – Development Category Guidelines</b>	
1 – Dwelling Houses	Yes

The following provides discussion of the relevant issues:

## Comprehensive Inner West Development Control Plan 2016

The application was assessed against the following relevant parts of the Comprehensive Inner West Development Control Plan for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill 2016 (CIWDCP 2016).

### Chapter A – Miscellaneous

Control	Assessment	Complies
Part 2 – Good Design	<ul style="list-style-type: none"> <li>The development is well designed and appropriately considers context, scale, built form, density and resource, energy and water efficiency, landscape, amenity, safety and security, social dimensions and aesthetics.</li> </ul>	Yes
Part 8 – Parking	<ul style="list-style-type: none"> <li>The proposal is consistent with this part, which requires 1 space (preferably 2) car spaces per dwelling.</li> <li>The configuration and design of the car parking is in accordance with this part of the Plan.</li> <li>Standard conditions are recommended to ensure compliance with the design requirements for the driveway.</li> </ul>	Yes, subject to conditions
Part 15 – Stormwater Management	<ul style="list-style-type: none"> <li>Standard conditions are recommended to ensure the appropriate management of stormwater.</li> </ul>	Yes, subject to conditions

### Chapter C – Sustainability

Control	Assessment	Complies
Part 1 – Building Sustainability	<ul style="list-style-type: none"> <li>The proposal demonstrates good environmental design and performance and will achieve efficient use of energy for internal heating and cooling.</li> </ul>	Yes
Part 3 – Waste and Recycling Design & Management Standards	<ul style="list-style-type: none"> <li>Adequate waste storage areas and access to these areas have been provided.</li> <li>Waste management has been designed to minimise impacts on residential amenity.</li> <li>Standard conditions are recommended to ensure the appropriate ongoing management of waste and during the construction phase.</li> </ul>	Yes, subject to conditions
Part 4 – Tree Management	<ul style="list-style-type: none"> <li>No prescribed trees were found on the property. Given the site area is 541.5sqm, two (2) x tree plantings are recommended to be conditioned in accordance with C12 of this part.</li> </ul>	Yes, subject to conditions

### Chapter E1 – Heritage Items and Conservation Areas (excluding Haberfield)

Control	Assessment	Complies
Part 1 – General	<ul style="list-style-type: none"> <li>The proposal will maintain the character and heritage significance of the heritage conservation area. The development is designed to respond positively to the heritage character of adjoining and nearby heritage buildings and heritage features in the public domain.</li> </ul>	Yes

Control	Assessment	Complies
Part 3 - Heritage Conservation Areas	<p><u>3.2 Contributory Buildings (Building Rankings Contributory 1 and 2)</u></p> <p>Under this part, alterations and additions are to be designed to retain and complement the character and significance of the conservation area. The proposal satisfies the requirements of this part as follows:</p> <ul style="list-style-type: none"> <li>• The original and intact main roof form remains unaltered;</li> <li>• The front, main section of the contributory building is retained;</li> <li>• Appropriate materials, finishes and colours are utilised;</li> <li>• The second storey is set back behind the main roof form and does not visually dominate the main roof of the house when viewed from Forbes Street;</li> <li>• The proposal incorporates a rear addition with a ridge height that is similar to the existing ridge height of the subject dwelling (only 60mm higher);</li> <li>• The scale of the two-storey addition is generally consistent with the predominant scale of contributory items in the street. The adjacent properties at 10 and 14 Forbes Street have two storey rear additions which have respective ridge heights the same as and slightly higher than, the original main roof form (refer to previous Figure 3 in Section 3 of this report).</li> <li>• The pavilion style addition is consistent with the provisions of Chapter E1 of the DCP, which encourage rear pavilion additions as a design approach to maintain the main building form without affecting the main building.</li> </ul>	Yes
	<p><u>3.3 Form, Massing and Scale</u></p> <p>The proposal satisfies the requirements of this part as follows:</p> <ul style="list-style-type: none"> <li>• The alterations and additions generally reflect the bulk, mass, scale, orientation and setbacks of surrounding contributory items as well as the immediate property.</li> <li>• The proposal is consistent with Control C2 of this part which outlines that <i>“Alterations and additions should complement the predominant architectural scale and form of the area but are not required to imitate the existing style of buildings”</i>.</li> <li>• The characteristic front setback and existing building alignment is retained as no additional structures are proposed to the front of the dwelling;</li> <li>• The proposed addition adopts the pattern of side setbacks of heritage and contributory items in the vicinity of the site as the existing side setbacks are maintained.</li> </ul>	
4 – Building Types and Building Elements within HCAs	<p>The proposal satisfies the requirements of this part as follows:</p> <ul style="list-style-type: none"> <li>• The proposed addition incorporates a traditional roof form.</li> <li>• The massing form and scale of the proposed garage is sympathetic to the streetscape of the rear lane and appears as a secondary structure.</li> </ul>	



## Chapter F – Development Category Guidelines

Control	Assessment	Complies
Part 1 - Dwelling houses	<u>PC2 Heritage</u> <ul style="list-style-type: none"> <li>As required by this part, it is considered that the proposal does not detract from the heritage values of the heritage conservation area.</li> </ul>	Yes
	<u>PC6 Garage, carports and driveways</u> <ul style="list-style-type: none"> <li>At least one carparking space is provided.</li> <li>The garage, which is accessed off the rear lane, is setback a minimum of 1 metre from the rear boundary to allow sight lines that facilitate manoeuvring into and out of the garage.</li> </ul>	Yes
	<u>PC7 Boundary fences and gates</u> <ul style="list-style-type: none"> <li>The existing front fence is retained and does not exceed 1.2m in height</li> <li>The side and rear boundary fences do not exceed 1.8m in height.</li> </ul>	Yes
	<u>PC8 Landscaped area and site coverage</u> <ul style="list-style-type: none"> <li>Minimum landscaped area required: <ul style="list-style-type: none"> <li>501sqm+ - 35%</li> <li>206.7sqm (38%) landscaped area proposed.</li> </ul> </li> <li>Maximum site coverage required: <ul style="list-style-type: none"> <li>501sqm+ - 50%</li> <li>244.1sqm (45%) site coverage proposed.</li> </ul> </li> </ul>	Yes
	<u>PC9 Principal private open space</u> <ul style="list-style-type: none"> <li>The proposed private open space is directly accessible from the ground floor living area, is at least 20sqm with a minimum dimension of at least 3.5m and has an appropriate level of solar access, natural ventilation and privacy.</li> </ul>	Yes
	<u>PC10 Deep Soil Planting</u> <ul style="list-style-type: none"> <li>The proposed landscaped area is capable of deep soil planting.</li> </ul>	Yes
	<u>PC13 Solar access</u> <ul style="list-style-type: none"> <li>The proposal maintains sunlight to at least 50% of private open space areas of adjoining properties for at least 3 hours between 9.00am and 3.00pm on 21 June.</li> <li>Existing solar access is maintained to at least 40% of the glazed areas of the neighbouring north facing primary living area windows for at least 3 hours between 9.00am and 3.00pm on 21 June.</li> </ul>	Yes
	<u>PC14 Visual privacy</u> <ul style="list-style-type: none"> <li>With regard to the consideration of potential privacy impacts on the adjacent property at 14 Forbes Street, the following is noted: <ul style="list-style-type: none"> <li>Proposed window W006 is a full height window to a bathroom and has an elevated floor level above existing</li> </ul> </li> </ul>	Yes, subject to conditions

Control	Assessment	Complies
	<p>ground level. The glazing to this window is noted as being obscure glass however contains operable louvers. To ensure mutual privacy is maintained between the properties, a condition is recommended requiring fixed and obscured glazing up to 1.6m above the FFL of the bathroom;</p> <ul style="list-style-type: none"> <li>○ While Door D002 to the ground floor laundry is glazed. The existing fence provides sufficient screening to prevent overlooking of the neighbouring property;</li> <li>○ W109 on the first floor is shown as having obscure and fixed glazing up to 1.6m high from FFL which will ensure there are no likely overlooking impacts from the window;</li> <li>○ Windows W108 and W110 have sill heights that measure at approximately 1.6m above the finished floor level and will not result in overlooking of the neighbouring property. A condition has been included in the recommendation that the dimension of 1.6m minimum be annotated on drawing A14 to ensure the sill height is no lower than 1.6m above FFL;</li> <li>○ While not annotated, the South Elevation indicates a screen of 1.6m to the southern side of the rear patio. The level of transparency though this screen is not clear and the screen is not shown on the ground floor plan. As such, a condition has been recommended to ensure a sufficient privacy screen is provided in this location to prevent lateral overlooking to the neighbouring property; and</li> <li>○ The plans indicate timber batten privacy screens to the Window W107 (to the master bedroom), W105 (to Bed 3) and W106 (to the ensuite) at first floor level. It is unclear what sill height is proposed to these windows or the level of transparency proposed for the screens to ensure there is no lateral overlooking of the neighbours' rear yard. As such, a condition has been included in the recommendation to ensure a sufficient privacy screen is utilised. Alternatively, fixed obscure glass or cladding to a minimum height of 1.2m above the FFL should be utilised for the rear windows to minimise opportunities for overlooking.</li> </ul> <ul style="list-style-type: none"> <li>• With regards to the consideration of potential privacy impacts on the adjacent property at 10 Forbes Street, the following is noted: <ul style="list-style-type: none"> <li>○ Windows W002, W003, W103 and W104 are shown as having obscure and fixed glass up to a height of 1.6m above finished floor level. This will ensure that there are no adverse privacy impacts associated with overlooking from these windows.</li> </ul> </li> </ul>	

Control	Assessment	Complies
	<u>PC20 Swimming pools</u> <ul style="list-style-type: none"> <li>The finished ground level of the areas around the swimming pool is not raised.</li> <li>Appropriate conditions of consent are recommended.</li> </ul>	Yes, subject to conditions

## C. The Likely Impacts

These matters have been considered as part of the assessment of the development application. It is considered that the proposed development will not have significant adverse environmental, social or economic impacts upon the locality.

## D. The Suitability of the Site for the Development

The proposal is of a nature in keeping with the overall function of the site. The premises are in a residential surrounding and amongst similar uses to that proposed.

## E. Submissions

The application was required to be notified in accordance with Council's Community Engagement Strategy between 8 October 2024 to 22 October 2024.

A total of 8 submissions were received in response to the initial notification.

The amended application was re-notified between 11 February 2025 to 26 February 2025 and 7 submissions were received.

It is important to note that a further set of amended plans – Revision E - was submitted on 7 March 2025 (after all submissions were received) which would likely resolve some concerns that had been outlined in the various submissions. This especially relates to concerns regarding the two storey garage structure and the proposed colours and materials. The additional changes did not require notification under the Community Engagement Strategy as they were considered to have a similar/reduced impact the plans already re-notified.

For reference, an extract from each set of submitted plans has been provided below:



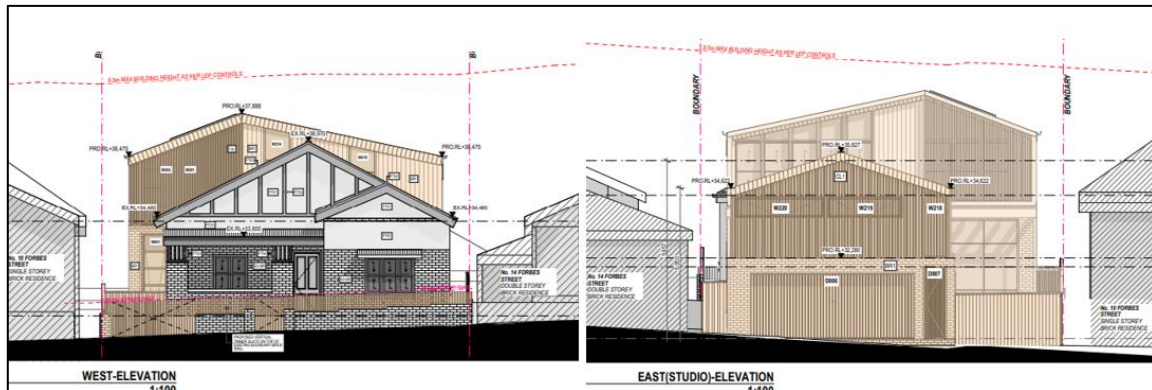
i. Extracts of Plans for the rear addition

Figure 7: Originally Submitted Plans - **Revision A** (Subject of Initial Notification)  
West Elevation (Forbes Street) and East Elevation (rear lane)

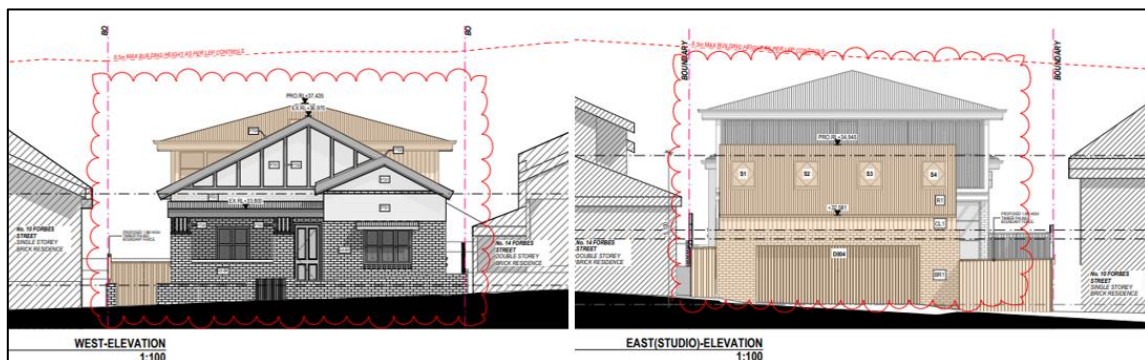


Figure 8: Amended Plans - **Revision D** (Subject of second Notification)  
West Elevation (Forbes Street) and East Elevation (rear lane)

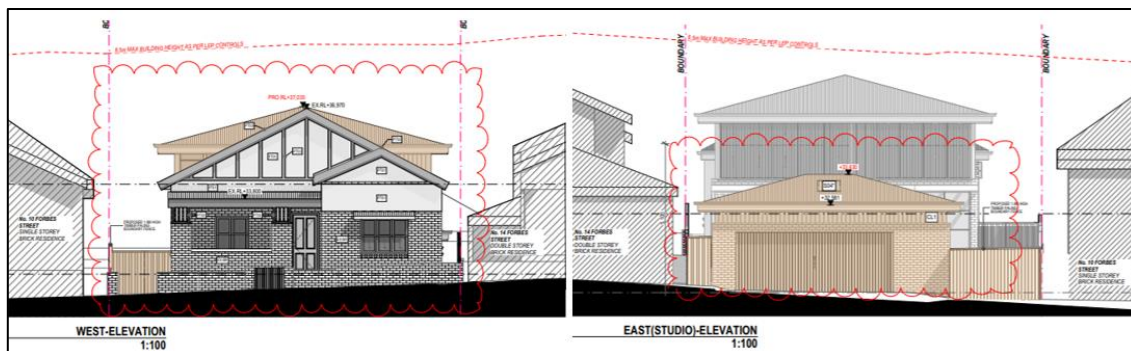


Figure 9: Amended Plans - **Revision E** (subject of this report)  
West Elevation (Forbes Street) and East Elevation (rear lane)

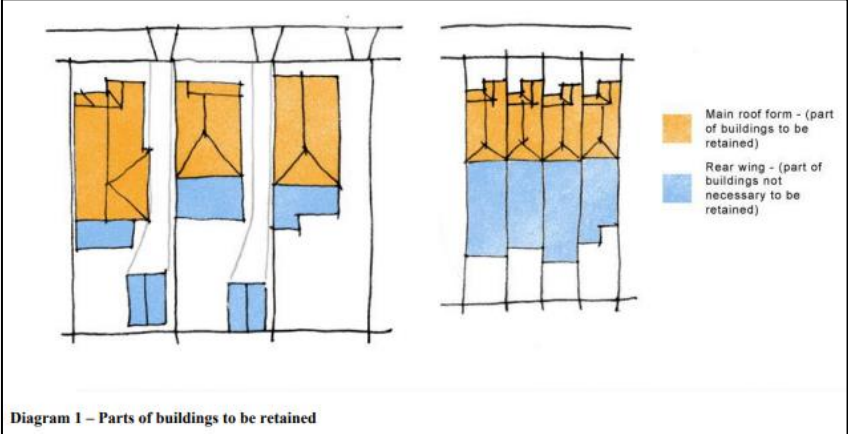
- ii. 3D images showing the amendments to the scale, form and materials of the proposed garage



Figure 10: Amendments to scale, form and materials of proposed garage from originally submitted plans – Revision A (left), Revision D (middle) and Revision E (right)

Issues raised in the submissions received are discussed below:

Concern	Comment
General Heritage Concern	<p>All submissions were concerned with the impact on the HCA and included concerns that the proposed development was not in keeping with the HCA, the surrounding properties or the existing, original dwelling on the subject site. A submission noted that the proposal adopts a <i>“design approach that does not respect or acknowledge the clearly recognisable character of the Goodlet HCA. It is at a scale which would dominate neighbouring properties and the remaining portion of the existing bungalow. It would be clearly discernible in the streetscape of Forbes Street and in the rear lane.”</i></p> <p>Key heritage matters included:</p> <ul style="list-style-type: none"> <li>• The scale, form, massing and proportion of the rear addition;</li> <li>• The scale and form of the initially proposed double storey garage structure on the rear lane;</li> <li>• The visibility of the proposal in the streetscape of Forbes Street and in the rear lane; and</li> <li>• The proposed colours and materials.</li> </ul> <p>As outlined above, Council also had a number of heritage concerns with the originally submitted plans (Revision A) and heritage issues remained with the amended Plans (Revision D).</p> <p>It is considered that the final set of amended plans (Revision E), submitted after the latest submissions, have generally addressed the remaining heritage matters. As previously outlined in Section B, the proposal was assessed against each relevant Part of Chapter E1 of the DCP. The proposal satisfies the various heritage provisions in the DCP for Heritage Conservation Areas in Part 3, including for Contributory Buildings (part 3.2) and <i>Form, Massing and Scale</i> (Part 3.3). The proposal is also consistent with part 4 – <i>Building Types and Building Elements within Heritage Conservation Areas</i>. Furthermore, the plans were referred to Council’s heritage advisor who considered the amended plans appropriate from a heritage perspective.</p>
Extent of proposed demolition	<p>Submissions raised concern with the extent of demolition proposed, and that a total of “70%” of the dwelling was being demolished.</p>

	<p>The proposal is consistent with Control C3 of part 3.2 of Chapter E1 which requires that <i>“The front or main section of contributory buildings are to be retained (this is usually the building below the main roof form).”</i> The proposal is also consistent with the associated Diagram 1 (reproduced below in Figure 11) that shows areas in blue that are <i>“not necessary to be retained”</i>.</p>  <p>Diagram 1 – Parts of buildings to be retained</p> <p>Figure 11: Diagram 1 - Parts of buildings to be retained from Part 3.2 of Chapter E1</p>
Design appearance and	<p>Concern was raised that the design was “too modern”, “too wide and not complimentary to surrounding dwellings. Another submission outlined that the front façade should be complimentary to the streetscape.</p> <p>This matter has been generally addressed in amended plans as the lateral form to the north was deleted so that the proposed extension matches the width of the existing dwelling. The asymmetrical and non-traditional roof form was deleted and replaced with a traditional hipped roof form. The amended materials and finishes schedule incorporate colours complimentary to the existing dwelling, with a key change being the use of face brick rather than painted brick.</p>
The heritage Impact Assessment and proposal not referencing/ being in keeping with the character Statement for the HCA	<p>A submission outlined that <i>“The submitted HIA from the applicant does not reference the Goodlet HCA, nor its character statement”</i> and the proposed works were not complementary to the character and significance of the HCA as set out in its Character Statement.”</p> <p>It is acknowledged that the initially submitted proposal had not appropriately considered the Character statement for the Goodlet HCA. As discussed in the report, the amended plans (Revision E) are considered to be an appropriate response to the HCA.</p>
The proposed pavilion form	<p>A submission outlined concerns that the amended plans included <i>“a two-storey square ‘box’ of the same width as the remaining dwelling, that abuts on the southern side with a minimal 1.5m lightwell on the northern side”</i>. The submission expressed concern that this was not in keeping with the intent of the design guidance/sketches in the DCP for pavilion additions.</p> <p>It is noted that the Amended plans Revision E reduced the scale of the addition by further reducing height, however the footprint and configuration remains the same with regard to the pavilion addition. Notwithstanding, it is considered that the proposal is consistent with the pavilion design</p>


	<p>approach as shown in the conceptual sketch (see Figure 12 below), as follows:</p> <ul style="list-style-type: none"> <li>• A low link roof means that there is no impact on the original main roof form and original building;</li> <li>• The separation between the original main building form and proposed pavilion form (as shown in the ground floor plan on drawing A10) is similar to the sketch in diagram 2 of Chapter E1 of the DCP (It is noted that the roof overhangs of each built form means that the extent of separation is not as clear on the roof plan/site plan);</li> <li>• The pavilion sketch shows a square 3D shape, with a pyramid roof which is similar to the subject proposal.</li> </ul> <p>As such, it is considered that the pavilion style addition proposed is consistent with the controls.</p> <div data-bbox="507 689 1356 1214"> <p>Diagram 2 - Conceptual examples of Pavilion additions</p> </div> <p>Figure 12: Extract from Diagram 2- Conceptual examples of Pavilion additions Part 3.2 of Chapter E1</p>
Materials and finishes	<p>Concern was raised in a number of submissions that the colours and materials were not appropriate for the conservation area. Concerns included:</p> <ul style="list-style-type: none"> <li>• The painting of new brickwork;</li> <li>• The proposed colour scheme, particularly use of off white, vivid white, with surf mist and light grey;</li> <li>• The use of colorbond, including for the building façade, finishes and the roof;</li> <li>• A submission noted it would <i>“be out of character if terracotta roof tiles were not used”</i> and</li> <li>• A further submission noted that <i>“Matching bricks should be used for the garage for streetscape reasons”</i></li> </ul> <p>As previously discussed, the RFI requested that the colour scheme be amended to utilise a traditional colour scheme appropriate to the age and architectural style of the building. While the materials and finishes were updated in the Finishes Schedule on drawing A02- Revision D, they were still not considered acceptable from a heritage viewpoint.</p> <p>An amended colour scheme was provided, in the amended plans - Revision E, that is complementary to the earthy tones of the existing</p>

	<p>dwelling. It is noted that face bricks have been used instead of painted brick. Colorbond roofing is a common and acceptable roof material for rear additions and garage structures in an HCA. As such, the proposed materials and finishes are considered acceptable from a heritage viewpoint.</p>
Vehicular Access to front yard	<p>Concern was raised with the proposed hardstand parking in the front yard. Reference was made to Section 4.3 of Part 3 of the DCP which does not permit parking at the front when there is vehicular access from a rear lane.</p> <p>This issue has been resolved in the amended plans as the proposed hardstand in the front yard was deleted from the proposal.</p>
Impact on front fence	<p>Concern was raised that the provision of vehicular access from Forbes Street would require removal of a section of the original bull-nose topped brick front fence, contrary to the controls. It was also noted that the white pickets proposed on the existing fence were inappropriate in the heritage context.</p> <p>These issues were addressed in amended plans as the hardstand in the front yard was deleted and the existing front fence is shown as being retained, with no proposed removal for openings or picket additions.</p>
Overdevelopment of the site	<p>A submission in response to the initial notification outlined that the <i>“DA proposal is clearly an overdevelopment of the site.”</i> After renotification, this sentiment remained as outlined in a submission:</p> <p><i>“I note again that the existing dwelling contains four (4) bedrooms and was purchased from long-standing owners in March 2024. It does not present itself as a modest home requiring significant additions. With the amended plans of a footprint similar to the original plans, up to seven (7) bedrooms plus the sizeable living areas could result. The amended DA plans remain an overdevelopment of the site...”</i></p> <p>As previously discussed, Council sent a Request for additional Information that outlined concerns related to the scale of the proposal. The RFI included various recommendations to reduce the scale of the built form. After the renotification and the second round of submissions were received, the applicant provided a further set of amended plans – Revision E, that deleted the studio space above the garage and further reduced the height of the proposed addition.</p> <p>As outlined in this report, the subject proposal – Revision E, is compliant with Height of Building, Floor Space Ratio development standards in the IWLEP and the site coverage controls in Chapter F of the DCP, which are in place (amongst other reasons) to ensure the scale of the development minimises impacts on neighbouring development and the subject site. The proposal also achieves the minimum landscaped area for the site of 35% as required in the DCP. As such, the proposal complies with the relevant development standards in the LEP and DCP and is not considered to constitute over-development.</p>



Height of the rear addition	<p>Concern was raised about the height of the proposed addition. One submission outlined that the proposal should be no higher than the current heights of buildings that are adjacent to it. The impacts raised, associated with height, included privacy at 9 Leopold Street and overshadowing impacts on the property at 12 Forbes Street.</p> <p>The ridge height was reduced by 400mm in the amended plans (Revision D). In response to the renotification period, concern remained regarding the height. A subsequent submission noted that the second storey addition was <i>“way above the existing roof and clearly visible from the street”</i>.</p> <p>The height of the proposal complies with the Section 4.3 Height of buildings development standard in the IWLEP. The maximum height permissible is 8.5m and a height of 7m is proposed.</p> <p>With regard to height of the proposed addition in relation to the height of the existing dwelling and surrounding development, the following is noted:</p> <ul style="list-style-type: none"> <li>• The subject proposal (Revision E) incorporates a ridge height of 37.05 which is 825mm lower than the ridge height at 14 Forbes St (RL 37.86) and 650mm higher than the ridge height at 10 Forbes Street (RL 37.86). This step down in ridge levels from south to north (from 14 Forbes Street down to 10 Forbes Street) generally reflects the slope of the natural levels across the sites and the associated ground floor levels for each respective dwelling; and</li> <li>• Furthermore, the adjacent properties at 10 and 14 Forbes Street have two storey rear additions which have ridge heights similar to their respective original, main roof forms (the same as in the case of No. 10 and slightly higher than in the case of no 14). The proposal is consistent with the adjacent properties as it incorporates a rear addition with a ridge height that is similar to the existing ridge height (being a minor dimension of 60mm higher than the existing roof).</li> </ul> <p>Given the above, the proposed height is considered acceptable and is consistent with the relevant controls.</p>
Privacy impact from the proposed rear Patio	<p>Concern was raised with the location of the proposed rear patio at 14 Forbes street which <i>“Impacts privacy and is visually obtrusive”</i>.</p> <p>The amended plans include a lowered roof form with a lowered privacy screen to the side which reduced the overall bulk and scale of this component. The southern privacy screen ensures that lateral view lines to the neighbouring property at 14 are reasonably obstructed.</p>
Loss of view from back verandah at 14 Forbes Street due to the two storey garage	<p>A submission outlined that there would be a loss of view from the rear verandah at 14 Forbes Street if the garage was erected.</p> <p>The amended plans have deleted the second storey to the garage and reduced the height and bulk of the roof form. This means the resulting form is modest in scale and an appropriate form for the rear lane. It is noted there is an outlook rather than a view across the subject property from the neighbouring site and any reduced outlook is reasonable given the appropriate scale of the proposed garage structure.</p>
Roof line of rear addition	<p>A submission noted that <i>“The roof line of the 2nd storey addition should follow the same angle to ensure it is not protruding and visible from the front of the house. This was the reasoning and the decision we were</i></p>



	<p><i>provided with when we built our home to ensure we were in line with the existing character of the street and its heritage design”.</i></p> <p>It is acknowledged that a positive design approach would be for the roof slope of the rear addition to match the slope of the original, main roof. However, it is considered that the lowered ridge height and roof form in the amended plans, combined with the distance the roof form is setback from the front boundary(19 metres) mean that the rear extension will not be highly visible from Forbes Street as illustrated in the street perspective below.</p>  <p><i>Figure 13: Extract from street perspective showing the extension is set back from the street front</i></p>
Laundry door impacts	<p>A submission noted concern with the impacts of the side laundry door on 14 Forbes Steet as it would <i>“increase noise of people constantly walking alongside the house to the backyard. This door will also impede our privacy and look directly into our home”.</i></p> <p>The acoustic impacts associated with an opening side door to a laundry are in-line with that expected of existing neighbouring residential properties and in-keeping with today’s expectations for low density residential zones. As previously discussed, the side fence will create sufficient visual screening from the laundry door to the adjacent property.</p>
Second floor window privacy impacts	<p>Concern was raised with privacy impacts of the first floor window W213 to 14 Forbes Street.</p> <p>Previous W213 has been renamed W109 on amended plans and is shown as having obscure and fixed glazing up to 1.6m high from FFL which will ensure there are no likely overlooking impacts from the window.</p>
Use of the second storey garage	<p>A submission sought clarification on the use of the large two storey garage and raised concern that it would be used as an unauthorised residence. Other submissions raised concern with unauthorised residential use.</p> <p>This issue has been resolved in the amended plans as the first floor studio has been deleted.</p>
Inconsistencies in the plans for the front yard	<p>A submission noted that while Revision D indicated that the existing brick front fence was to remain unaltered, the street design perspective still showed a car on a hardstand.</p> <p>The amended plans Revision E show the hardstand deleted.</p>

<p>Previous applications for proposals in the area (including two storey structures on the rear lane) have not been supported by Council</p>	<p>A submission outlined that “<i>Other dwellings in the local area have been subject to rejection and have not proceeded for far less significant issues than this entire proposal, including matters related to height, overall size, and aesthetics.</i>” A number of submissions noted that applications for two storey garages had been rejected/not allowed/not approved in the past.</p> <p>As previously discussed, the amended plans - Revision E, were not renotified and hence the submissions refer to Revision A or D. The amended plans - Revision E have addressed matters raised by Council with the originally submitted plans (Revision A) and amended plans (Revision D). In particular, the scale, height and form of the rear addition have been amended, the second storey to the garage has been deleted and the materials and finishes have been updated to be complementary to the existing dwelling and the HCA.</p> <p>As detailed in this report, an independent assessment against the relevant planning controls/policies was carried out on the merits of the proposal. In summary, the proposal is considered to satisfy the relevant provisions. With regard to the refusal (or approval) of other applications in the area as precedents, such applications would have been subject to an assessment against the relevant planning and heritage provisions and based on the unique site circumstances and merits of the respective applications.</p>
<p>Impacts created by parking in the rear lane</p>	<p>Concern was raised with the potential hindrance caused by extra cars that would park in the lane if the studio was rented out, creating manoeuvring issues when using the garage at 13 Leopold Street. The submission outlined that parking was already an issue in the rear lane and the proposal would make it worse.</p> <p>While the applicant clarified in the RFI response that the studio was not intended to be used as a separate occupancy, the studio was subsequently deleted in the amended plans and as such parking in the lane as a result of a studio use is now not relevant to the subject proposal.</p>

## F. 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.

This has been achieved in this instance.

## 6. Section 7.12 Contributions

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 **\$15,000.00** would be required for the development under the Inner West Local Infrastructure Contributions Plan 2023.

A condition requiring that contribution to be paid is included in the recommendation.

## 7. Referrals

The following internal referrals were made, and their comments have been considered as part of the above assessment:

- Heritage Specialist; and
- Development Engineer

The following external referrals were made, and their comments have been considered as part of the above assessment:

- Ausgrid

## 8. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in *Inner West Local Environmental Plan 2022* and Inner West Comprehensive Development Control Plan 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill

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

That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, grant consent to Development Application No. DA/2024/0822 for alterations and additions to an existing detached dwelling, including partial demolition of existing structures, construction of ground floor and first floor addition, construction of a garage within the rear yard, and construction of an in-ground swimming pool at 12 Forbes Street, CROYDON PARK subject to the conditions listed in Attachment A below.

## Attachment A – Recommended conditions of consent

### CONDITIONS OF CONSENT

#### GENERAL CONDITIONS

	Condition
1.	<p><b>Boundary Alignment Levels</b></p> <p>Alignment levels for the site at all pedestrian and vehicular access locations must match the existing back of footpath levels at the boundary unless levels are otherwise approved by Council via a S138 approval.</p> <p>Reason: To allow for pedestrian and vehicular access.</p>
2.	<p><b>Permits</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>• 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;</li> <li>• A concrete pump across the roadway/footpath;</li> <li>• Mobile crane or any standing plant;</li> <li>• Skip Bins;</li> <li>• Scaffolding/Hoardings (fencing on public land);</li> <li>• Public domain works including vehicle crossing, kerb &amp; guttering, footpath, stormwater, etc.;</li> <li>• Awning or street veranda over the footpath;</li> <li>• Partial or full road closure; and</li> <li>• Installation or replacement of private stormwater drain, utility service or water supply.</li> </ul> <p>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.</p> <p>Reason: To ensure works are carried out in accordance with the relevant legislation.</p>
3.	<p><b>Insurances</b></p> <p>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.</p> <p>Reason: To ensure Council assets are protected.</p>

4.	<b>Documents related to the consent</b>																																																																
The development must be carried out in accordance with plans and documents listed below:																																																																	
<table><tr><th>Plan, Revision and Issue No.</th><th>Plan Name</th><th>Date Issued/Received</th><th>Prepared by</th></tr><tr><td>A02 Rev E</td><td>Finishes Schedule</td><td>7 March 2025</td><td>Sandbox Studio</td></tr><tr><td>A07 Rev E</td><td>Ground Floor Demolition Plan</td><td>7 March 2025</td><td>Sandbox Studio</td></tr><tr><td>A08 Rev E</td><td>Site Plan</td><td>7 March 2025</td><td>Sandbox Studio</td></tr><tr><td>A09 Rev E</td><td>Roof Plan</td><td>7 March 2025</td><td>Sandbox Studio</td></tr><tr><td>A10 Rev E</td><td>Ground Floor</td><td>7 March 2025</td><td>Sandbox Studio</td></tr><tr><td>A011 Rev E</td><td>First Floor</td><td>7 March 2025</td><td>Sandbox Studio</td></tr><tr><td>A12 Rev E</td><td>Elevations</td><td>7 March 2025</td><td>Sandbox Studio</td></tr><tr><td>A13 Rev E</td><td>Elevations</td><td>7 March 2025</td><td>Sandbox Studio</td></tr><tr><td>A14 Rev E</td><td>Elevations</td><td>7 March 2025</td><td>Sandbox Studio</td></tr><tr><td>A15 Rev E</td><td>Elevations (Studio)</td><td>7 March 2025</td><td>Sandbox Studio</td></tr><tr><td>A16 Rev E</td><td>Sections</td><td>7 March 2025</td><td>Sandbox Studio</td></tr><tr><td>A17 Rev E</td><td>Sections</td><td>7 March 2025</td><td>Sandbox Studio</td></tr><tr><td>A18 Rev A</td><td>Landscape Plan</td><td>7 March 2025</td><td>Sandbox Studio</td></tr><tr><td>C01 Rev A</td><td>Stormwater Drainage Plan</td><td>24 January 2025</td><td>Aidan Hogan</td></tr><tr><td>C02 Rev A</td><td>Drainage Details</td><td>24 January 2025</td><td>Aidan Hogan</td></tr></table>	Plan, Revision and Issue No.	Plan Name	Date Issued/Received	Prepared by	A02 Rev E	Finishes Schedule	7 March 2025	Sandbox Studio	A07 Rev E	Ground Floor Demolition Plan	7 March 2025	Sandbox Studio	A08 Rev E	Site Plan	7 March 2025	Sandbox Studio	A09 Rev E	Roof Plan	7 March 2025	Sandbox Studio	A10 Rev E	Ground Floor	7 March 2025	Sandbox Studio	A011 Rev E	First Floor	7 March 2025	Sandbox Studio	A12 Rev E	Elevations	7 March 2025	Sandbox Studio	A13 Rev E	Elevations	7 March 2025	Sandbox Studio	A14 Rev E	Elevations	7 March 2025	Sandbox Studio	A15 Rev E	Elevations (Studio)	7 March 2025	Sandbox Studio	A16 Rev E	Sections	7 March 2025	Sandbox Studio	A17 Rev E	Sections	7 March 2025	Sandbox Studio	A18 Rev A	Landscape Plan	7 March 2025	Sandbox Studio	C01 Rev A	Stormwater Drainage Plan	24 January 2025	Aidan Hogan	C02 Rev A	Drainage Details	24 January 2025	Aidan Hogan	
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5.	<b>Noise Levels and Enclosure of Pool/spa Pumping Units</b>																																																																
Noise levels associated with the operation of the pool/spa pumping units must not exceed the background noise level (L90) by more than 5dBA above the ambient background within habitable rooms of adjoining properties. Pool plant and equipment must be enclosed in a sound absorbing enclosure or installed within a building so as not to create an offensive noise as defined under the Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Noise Control) Regulation 2008.																																																																	
Domestic pool pumps and filters must not be audible in nearby dwellings between 8:00pm to 7:00am Monday to Saturday and 8:00pm to 8:00am Sundays and Public Holidays.																																																																	
Reason: To ensure that acoustic privacy treatment protects the amenity of the neighbourhood.																																																																	

6.	<p><b>Works Outside the Property Boundary</b></p> <p>This development consent does not authorise works outside the property boundaries on adjoining lands.</p> <p>Reason: To ensure works are in accordance with the consent.</p>
7.	<p><b>Storage of materials on public property</b></p> <p>The placing of any materials on Council's footpath or roadway is prohibited, without the prior consent of Council.</p> <p>Reason: To protect pedestrian safety.</p>
8.	<p><b>Other works</b></p> <p>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 <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>Reason: To ensure compliance with legislative requirements.</p>
9.	<p><b>National Construction Code (Building Code of Australia)</b></p> <p>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.</p> <p>Reason: To ensure compliance with legislative requirements.</p>
10.	<p><b>Notification of commencement of works</b></p> <p>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:</p> <ol style="list-style-type: none"> <li>a. In the case of work for which a principal contractor is required to be appointed: <ol style="list-style-type: none"> <li>i. The name and licence number of the principal contractor; and</li> <li>ii. The name of the insurer by which the work is insured under Part 6 of that Act.</li> </ol> </li> <li>b. In the case of work to be done by an owner-builder: <ol style="list-style-type: none"> <li>i. The name of the owner-builder; and</li> <li>ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.</li> </ol> </li> </ol> <p>Reason: To ensure compliance with legislative requirements.</p>
11.	<p><b>Dividing Fences Act</b></p> <p>The person acting on this consent must comply with the requirements of the <i>Dividing Fences Act 1991</i> in respect to the alterations and additions to the boundary fences.</p> <p>Reason: To ensure compliance with legislative requirements.</p>



12.	<p><b>Swimming Pools</b></p> <p>Applicants are advised of the following requirements under the <i>Swimming Pools Act 1992</i>:</p> <ol style="list-style-type: none"> <li>The owner of the premises is required to register the swimming pool on the NSW State Government's Swimming Pool Register. Evidence of registration should be provided to the Certifying Authority.</li> <li>Access to the pool/spa is restricted by a child resistant barrier in accordance with the regulations prescribed in the. The pool must not be filled with water or be allowed to collect stormwater until the child resistant barrier is installed. The barrier is to conform to the requirements of Australian Standard AS 1926:2012.</li> <li>A high level overflow pipe has been provided from the back of the skimmer box to the filter backwash line discharging to the sewer. This line must not directly vent the receiving Sydney Water sewer. Evidence from the installer, indicating compliance with this condition must be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.</li> <li>Permanently fixed water depth markers are to be clearly and prominently displayed on the internal surface above the water line at the deep and shallow ends on in-ground pools / spas and on the outside of aboveground pools / spas.</li> <li>A durable cardiopulmonary resuscitation information poster sign authorised by the Life Saving Association is to be displayed in the pool / spa area in accordance with Clause 10 of the <i>Swimming Pool Regulation 2008</i>.</li> <li>Access to the swimming pool/spa must be restricted by fencing or other measures as required by the <i>Swimming Pools Act 1992</i> at all times.</li> </ol> <p>All drainage, including any overland waters associated with the pool/spa, must be pipe-drained via the filter to the nearest sewer system in accordance with the requirements of Council &amp; Sydney Water. No drainage, including overflow from the pool or spa must enter Council's stormwater system.</p> <p>Reason: To ensure the pool does not result in any ongoing safety or amenity issues.</p>
13.	<p><b>Construction of Vehicular Crossing</b></p> <p>The vehicular crossing and/or footpath works are required to be constructed by your own contractor. You or your contractor must complete an application for Construction of a Vehicular Crossing &amp; Civil Works form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, prior to commencement of works.</p> <p>Reason: To protect assets, infrastructure and pedestrian safety.</p>
14.	<p><b>Lead-based Paint</b></p> <p>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</p>

	<p>pregnant women may be exposed, and work areas should be thoroughly cleaned prior to occupation of the room or building.</p> <p>Reason: To protect human health.</p>
15.	<p><b>Dial before you dig</b></p> <p>Contact "Dial Before You Dig" prior to commencing any building activity on the site.</p> <p>Reason: To protect assets and infrastructure.</p>
16.	<p><b>Bin Storage - Residential</b></p> <p>All bins are to be stored within the property. Bins are to be returned to the property within 12 hours of having been emptied.</p> <p>Reason: To ensure resource recovery is promoted and residential amenity is protected.</p>
17.	<p><b>Asbestos Removal</b></p> <p>Hazardous and industrial waste arising from the use must be removed and / or transported in accordance with the requirements of the NSW Environment Protection Authority (EPA) and the New South Wales WorkCover Authority.</p> <p>Reason: To ensure compliance with the relevant environmental legislation.</p>
18.	<p><b>Ausgrid Requirements</b></p> <p>The applicant/developer should note the following comments below regarding any proposal within the proximity of existing electrical network assets.</p> <p>Ausgrid Overhead Powerlines are in the vicinity of the development</p> <ul style="list-style-type: none"> <li>• The developer should refer to SafeWork NSW Document – Work Near Overhead Powerlines: Code of Practice. This document outlines the minimum separation requirements between electrical mains (overhead wires) and structures within the development site throughout the construction process. It is a statutory requirement that these distances be maintained throughout the construction phase.</li> <li>• Consideration should be given to the positioning and operating of cranes, scaffolding, and sufficient clearances from all types of vehicles that are expected be entering and leaving the site.</li> <li>• The "as constructed" minimum clearances to the mains must also be maintained. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid's website at <a href="http://www.ausgrid.com.au">www.ausgrid.com.au</a>.</li> <li>• It is the responsibility of the developer to verify and maintain minimum clearances onsite. In the event where minimum safe clearances are not able to be met due to the design of the development, the Ausgrid mains may need to be relocated in this instance. Any Ausgrid asset relocation works will be at the developer's cost.</li> <li>• Additional information can be found in the Ausgrid Quick Reference Guide for Safety Clearances "Working Near Ausgrid Assets - Clearances". This document can be found by visiting the following Ausgrid website: <a href="http://www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries">www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries</a></li> </ul>

	<ul style="list-style-type: none"> <li>For new connections or to alter the existing electrical connection to the property from the Ausgrid network, the proponent should engage an Accredited Service Provider and submit a connection application to Ausgrid as soon as practicable.</li> <li>Visit the Ausgrid website for further details: <a href="https://www.ausgrid.com.au/Connections/Get-connected">https://www.ausgrid.com.au/Connections/Get-connected</a></li> </ul> <p>Reason: To ensure the safety of the community</p>
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## BUILDING WORK

### BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

	Condition				
<b>19.</b>	<p><b>Security Deposit - Custom</b></p> <p>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.</p> <table border="1"> <tr> <td>Security Deposit:</td><td>\$15,000.00</td></tr> <tr> <td>Inspection Fee:</td><td>\$389.90</td></tr> </table> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>	Security Deposit:	\$15,000.00	Inspection Fee:	\$389.90
Security Deposit:	\$15,000.00				
Inspection Fee:	\$389.90				

	<p>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.</p> <p>Reason: To ensure required security deposits are paid.</p>
20.	<p><b>Dilapidation Report – Pre-Development – Minor</b></p> <p>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 roadways (Forbes Street and rear lane) adjacent to the site</p> <p>Reason: To ensure Council assets are protected.</p>
21.	<p><b>Stormwater Drainage System – Minor Developments (OSD is not required)</b></p> <p>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:</p> <ol style="list-style-type: none"> <li>The design must generally be in accordance with the Stormwater Drainage Concept plan on Drawing Nos.C01 and C02 prepared by Aidan Hogan and dated 24 January 2025.</li> <li>Stormwater runoff from all roof and paved areas within the property must be collected in a system of gutters, pits and pipelines and be discharged together overflow pipeline from 5000 L rainwater tank by gravity to the kerb and gutter of a public road.</li> <li>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.</li> <li>Charged or pump-out stormwater drainage systems are not permitted including for roof drainage other than to drain downpipes to the rainwater tank. The rainwater tank must be connected to all new/upgraded toilets and garden taps.</li> <li>The Drainage Plan must detail the existing and proposed site drainage layout, size, class and grade of pipelines, pit types, roof gutter and downpipe sizes.</li> <li>Existing overland flow paths must be maintained within the setback to the side boundaries.</li> <li>The design must make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands.</li> <li>No nuisance or concentration of flows to other properties.</li> <li>The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system.</li> <li>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</li> </ol>

	<p>adequate capacity to convey the additional runoff generated by the development and be replaced or upgraded if required.</p> <ul style="list-style-type: none"> <li>k. An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets.</li> <li>l. Only a single point of discharge is permitted to the kerb and gutter, per frontage of the site.</li> <li>m. 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.</li> <li>n. All stormwater outlets through sandstone kerbs must be carefully core drilled in accordance with Council standard drawings.</li> <li>o. All redundant pipelines within footpath area must be removed and footpath/kerb reinstated.</li> <li>p. No impact to street tree.</li> </ul> <p>Reason: To ensure that the adequate provision of stormwater drainage is provided.</p>
22.	<p><b>Public Domain Works – Prior to Construction Certificate</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>a. The construction of light duty vehicular crossing to the vehicular access location and removal of any part of the redundant vehicular crossing to the site.</li> <li>b. The vehicular crossing and driveway ramp to the site shall be designed to satisfy the ground clearance template for a B85 vehicle using dynamic ground clearance software. A long section, along both sides of the vehicular crossing and ramp, drawn at a 1:20 or 1:25 natural scale, shall be provided for review. The long section shall begin from the centreline of the adjacent road to a minimum of 3 metres into the property. The long section shall show both existing and proposed surface levels including information including chainages.</li> <li>c. New concrete footpath and kerb and gutter along the frontage of the site (rear lane). The kerb type (concrete or stone) must be consistent with the majority of kerb type at this location as determine by the Council Engineer.</li> <li>d. Cross sections are to be provided at the boundary at a minimum distance of every 5m and at all pedestrian and vehicular access locations. Note, the cross fall of the footpath must be set at 2.5%. These sections will set the alignment levels at the boundary.</li> <li>e. Installation of a stormwater outlet to the kerb and gutter.</li> </ul> <p>All works must be completed prior to the issue of an Occupation Certificate.</p> <p>Reason: To ensure public domain works are constructed to Council's standards.</p>

23.	<p><b>Long Service Levy</b></p> <p>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 0.25% of the total cost of the work to either the Long Service Payments Corporation or Council for any work costing \$250,000 or more.</p> <p>Reason: To ensure the long service levy is paid.</p>
24.	<p><b>Privacy</b></p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans indicating the following:</p> <ul style="list-style-type: none"> <li>• The proposed privacy screen to Windows W105, 106 and 107 must be fixed with a minimum block out density of 75% OR Windows W105, 106 and 107 must have fixed obscure glass or wall cladding to a minimum height of 1.2m above the finished floor level (the currently proposed timber screening must remain)</li> <li>• The plans must be annotated to show a minimum sill height of 1.6m above finished floor level for windows W108 and W110.</li> <li>• The privacy screen to the south of the patio must have a minimum block out density of 75% with a minimum height of 1.6m above finished floor level of the patio.</li> </ul> <p>Reason: To ensure that visual privacy treatment protects the amenity of the neighbourhood.</p>
25.	<p><b>Sydney Water – Tap In</b></p> <p>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.</p> <p>Note: Please refer to the web site <a href="http://www.sydneywater.com.au/tapin/index.htm">http://www.sydneywater.com.au/tapin/index.htm</a> for details on the process or telephone 13 20 92.</p> <p>Reason: To ensure relevant utility and service provides requirements are provided to the certifier.</p>
26.	<p><b>Section 7.12 Development Contribution Payments</b></p> <p>In accordance with section 7.12 of the <i>Environmental Planning and Assessment Act 1979</i> and the Inner West Local Infrastructure Contribution Plan 2023 (the Plan), a monetary contribution of <b>\$15,000.00</b> shall be paid to Council for the purposes of the provision, extension or augmentation of local infrastructure identified in the Plan.</p> <p>At the time of payment, the monetary contribution payable will be adjusted for inflation in accordance with indexation provisions in the Plan in the following manner:</p> <p><math>C_{\text{payment}} = C_{\text{consent}} \times (CPI_{\text{payment}} \div CPI_{\text{consent}})</math></p>



	<p>Where:</p> <ul style="list-style-type: none"> <li>• Cpayment = is the contribution at time of payment</li> <li>• Cconsent = is the contribution at the time of consent, as shown above</li> <li>• CPIconsent = is the Consumer Price Index (All Groups Index) for Sydney at the date the contribution amount above was calculated being 139.7 for the December quarter 2024.</li> <li>• CPIpayment = is the Consumer Price Index (All Groups Index) for Sydney published by the Australian Bureau of Statistics that applies at the time of payment</li> </ul> <p>Note: The contribution payable will not be less than the contribution specified in this condition.</p> <p>The monetary contributions must be paid to Council (i) if the development is for subdivision – prior to the issue of the subdivision certificate, or (ii) if the development is for building work – prior to the issue of the first construction certificate, or (iii) if the development involves both subdivision and building work – prior to issue of the subdivision certificate or first construction certificate, whichever occurs first, or (iv) if the development does not require a construction certificate or subdivision certificate – prior to the works commencing.</p> <p><b>It is the professional responsibility of the principal certifying authority to ensure that the monetary contributions have been paid to Council in accordance with the above timeframes.</b></p> <p>Council's Plan may be viewed at <a href="http://www.innerwest.nsw.gov.au">www.innerwest.nsw.gov.au</a> or during normal business hours at any of Council's customer service centres.</p> <p>Please contact any of Council's customer service centres on 9392 5000 or <a href="mailto:council@innerwest.nsw.gov.au">council@innerwest.nsw.gov.au</a> to request an invoice confirming the indexed contribution amount payable. Please allow a minimum of 2 business days for the invoice to be issued.</p> <p>Once the invoice is obtained, payment can be made via (i) BPAY (preferred), (ii) credit card / debit card (AMEX, Mastercard and Visa only; log on to <a href="http://www.innerwest.nsw.gov.au/invoice">www.innerwest.nsw.gov.au/invoice</a>; please note that a fee of 0.75 per cent applies to credit cards), (iii) in person (at any of Council's customer service centres), or (iv) by mail (make cheque payable to 'Inner West Council' with a copy of your remittance to PO Box 14 Petersham NSW 2049).</p> <p>The invoice will be valid for 3 months. If the contribution is not paid by this time, please contact Council's customer service centres to obtain an updated invoice. The contribution amount will be adjusted to reflect the latest value of the Consumer Price Index (All Groups Index) for Sydney.</p> <p>Reason: To ensure payment of the required development contribution.</p>
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**BEFORE BUILDING WORK COMMENCES**

	Condition
<b>27.</b>	<p><b>Hoardings</b></p> <p>The person acting on this consent must ensure the site is secured with temporary fencing prior to any works commencing.</p> <p>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.</p> <p>Separate approval is required from the Council under the Roads Act 1993 to erect a hoarding or temporary fence or awning on public property.</p> <p>Reason: To ensure the site is secure and that the required permits are obtained if enclosing public land.</p>
<b>28.</b>	<p><b>Waste Management Plan</b></p> <p>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.</p> <p>Reason: To ensure resource recovery is promoted and local amenity is maintained.</p>
<b>29.</b>	<p><b>Erosion and Sediment Control</b></p> <p>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.</p> <p>Reason: To ensure resource recovery is promoted and local amenity is maintained.</p>
<b>30.</b>	<p><b>Standard Street Tree Protection</b></p> <p>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.</p> <p>Reason: To protect and retain trees.</p>
<b>31.</b>	<p><b>Dilapidation Report</b></p> <p>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 the identified properties at 10 and 14 Forbes Street to the Certifying Authority's satisfaction. In the event that the consent of the adjoining property owner cannot be obtained to undertake the report, copies of the letter/s that</p>

	<p>have been sent via registered mail and any responses received must be forwarded to the Certifying Authority before work commences.</p> <p>Reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.</p>
<b>32.</b>	<p><b>Construction Fencing</b></p> <p>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.</p> <p>Reason: To protect the built environment from construction works.</p>

### DURING BUILDING WORK

	Condition
<b>33.</b>	<p><b>Advising Neighbours Prior to Excavation</b></p> <p>At least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, reasonable notice must be provided to the owner of the adjoining allotment of land including particulars of the excavation.</p> <p>Reason: To ensure surrounding properties are adequately notified of the proposed works.</p>
<b>34.</b>	<p><b>Construction Hours – Class 1 and 10</b></p> <p>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.</p> <p>Reason: To protect the amenity of the neighbourhood.</p>

### BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

	Condition
<b>35.</b>	<p><b>Public Domain Works</b></p> <p>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:</p> <ol style="list-style-type: none"> <li>Light duty concrete vehicle crossing at the vehicular access location.</li> <li>If applicable, the redundant vehicular crossing to the site must be removed and replaced by kerb and gutter and footpath. Where the kerb in the vicinity</li> </ol>

	<p>of the redundant crossing is predominately stone (as determined by Council's Engineer) the replacement kerb must also be in stone.</p> <p>c. The existing concrete footpath or payment across the frontage of the site (rear lane) must be reconstructed.</p> <p>d. Other works subject to the Roads Act 1993 approval.</p> <p>All works must be constructed in accordance with Council's standards and specifications and AUS-SPEC#2-"Roadworks Specifications".</p> <p>Reason: To ensure Council assets are protected, and that works that are undertaken in the public domain maintain public safety.</p>
36.	<p><b>No Encroachments</b></p> <p>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.</p> <p>Reason: To maintain and promote vehicular and pedestrian safety.</p>
37.	<p><b>Protect Sandstone Kerb</b></p> <p>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.</p> <p>Reason: To ensure Council assets are protected.</p>
38.	<p><b>Dilapidation Report</b></p> <p>Prior to the issue of an Occupation Certificate, the Certifying Authority and owners of identified properties must be provided with a second colour copy of a dilapidation report prepared by a suitably qualified person. The report is required to include colour photographs of all the identified properties at 10 and 14 Forbes Street to the Certifying Authority's satisfaction. In the event that the consent of the adjoining property owner cannot be obtained to undertake the report, copies of the letter/s that have been sent via registered mail and any responses received must be forwarded to the Certifying Authority before work commences.</p> <p>Reason: To determine potential construction impacts.</p>
39.	<p><b>Certification of Tree Planting</b></p> <p>Prior to the issue of any Occupation Certificate, the Certifying Authority is to be provided with evidence in the form of an image and a purchase invoice to confirm that:</p> <p>A minimum of two (2) x 75 litre size trees, which will attain a minimum mature height of 8 metres and a minimum canopy of 5 metres, have been planted in suitable locations within the property (at least 1 metre from any boundary and 1.5 metres from any structure) and allowing for future tree growth. The tree must meet the requirements of AS2303—<i>Tree stock for landscape use</i>. Trees listed as exempt</p>

	<p>species from Council's Tree Management Development Control Plan and species recognised to have a short life span, will not be accepted.</p> <p>Trees required by this condition must be maintained and protected until they are protected by Council's Tree Management DCP. Any replacement trees found damaged, dying or dead must be replaced with the same species in the same container size within one month.</p> <p>Reason: To ensure appropriate landscaping is undertaken.</p>
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### OCCUPATION AND ONGOING USE

	Condition
<b>40.</b>	<p><b>Tree Establishment</b></p> <p>If any of the trees planted as a part of this consent are found dead or dying before they reach dimensions where they are subject to the Tree Management Development Control Plan (DCP) they must be replaced in accordance with the relevant conditions.</p> <p>Reason: To protect and retain trees.</p>

### DEMOLITION WORK

#### BEFORE DEMOLITION WORK COMMENCES

	Condition
<b>41.</b>	<p><b>Hoardings</b></p> <p>The person acting on this consent must ensure the site is secured with temporary fencing prior to any works commencing.</p> <p>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.</p> <p>Separate approval is required from the Council under the Roads Act 1993 to erect a hoarding or temporary fence or awning on public property.</p> <p>Reason: To ensure the site is secure and that the required permits are obtained if enclosing public land.</p>

## Attachment B – Plans of proposed development

# DEVELOPMENT APPLICATION

12 Forbes Street, Croydon Park NSW 2133

## DRAWING SCHEDULE


DRAWING No.	DESCRIPTION	
A01	TITLE PAGE	A34
A02	FINISHES SCHEDULE	A35
A03	BASIX	A36
A04	SITE ANALYSIS	A37
A05	AREA DIAGRAMS	A38
A06	EX. GROUND PLAN	A39
A07	GROUND FLOOR DEMOLITION PLAN	A40
A08	SITE PLAN	
A09	ROOF PLAN	
A10	GROUND FLOOR	
A11	FIRST FLOOR	
A12	ELEVATIONS	
A13	ELEVATIONS	
A14	ELEVATIONS	
A15	ELEVATIONS (STUDIO)	
A16	SECTIONS	
A17	SECTIONS	
A18	CONCEPT LANDSCAPE PLAN	
A19	CONCEPT STORMWATER PLAN	
A20	EX SHADOW DIAGRAM - 21 JUN 0900h	
A21	PRO. SHADOW DIAGRAM - 21 JUN 0900h	
A22	EX SHADOW DIAGRAM - 21 JUN 1000h	
A23	PRO. SHADOW DIAGRAM - 21 JUN 1000h	
A24	EX SHADOW DIAGRAM - 21 JUN 1100h	
A25	PRO. SHADOW DIAGRAM - 21 JUN 1100h	
A26	EX SHADOW DIAGRAM - 21 JUN 1200h	
A27	PRO. SHADOW DIAGRAM - 21 JUN 1200h	
A28	EX SHADOW DIAGRAM - 21 JUN 1300h	
A29	PRO. SHADOW DIAGRAM - 21 JUN 1300h	
A30	EX SHADOW DIAGRAM - 21 JUN 1400h	
A31	PRO. SHADOW DIAGRAM - 21 JUN 1400h	
A32	EX SHADOW DIAGRAM - 21 JUN 1500h	
A33	PRO. SHADOW DIAGRAM - 21 JUN 1500h	

**LOCATION PLAN (NTS)**

[illegible]







**BASIX Certificate**  
Affidavit of Compliance

For the purpose of this certificate, the following information was provided by the applicant and verified by the BASIX assessor:

Project Name: **CLARET TANSEEM NAVAT & AHMED MOULLA**  
Address: **12 FIJEROS STREET, CROYDON PARK NSW 2133**  
Date of Assessment: **17/03/2025**  
Assessor: **DAEJIX**

The applicant has provided the following information to the BASIX assessor:

Project Name: **CLARET TANSEEM NAVAT & AHMED MOULLA**  
Address: **12 FIJEROS STREET, CROYDON PARK NSW 2133**  
Date of Assessment: **17/03/2025**  
Assessor: **DAEJIX**

Item	Item Description	Item Status	Item Action	Item Date	Item Location	Item Notes
1	CLARET TANSEEM NAVAT & AHMED MOULLA	✓	✓	✓	✓	✓
2	12 FIJEROS STREET, CROYDON PARK NSW 2133	✓	✓	✓	✓	✓
3	17/03/2025	✓	✓	✓	✓	✓
4	DAEJIX	✓	✓	✓	✓	✓

Project Name: **CLARET TANSEEM NAVAT & AHMED MOULLA**  
Address: **12 FIJEROS STREET, CROYDON PARK NSW 2133**  
Date of Assessment: **17/03/2025**  
Assessor: **DAEJIX**

Item	Item Description	Item Status	Item Action	Item Date	Item Location	Item Notes
1	CLARET TANSEEM NAVAT & AHMED MOULLA	✓	✓	✓	✓	✓
2	12 FIJEROS STREET, CROYDON PARK NSW 2133	✓	✓	✓	✓	✓
3	17/03/2025	✓	✓	✓	✓	✓
4	DAEJIX	✓	✓	✓	✓	✓

Project Name: **CLARET TANSEEM NAVAT & AHMED MOULLA**  
Address: **12 FIJEROS STREET, CROYDON PARK NSW 2133**  
Date of Assessment: **17/03/2025**  
Assessor: **DAEJIX**

Item	Item Description	Item Status	Item Action	Item Date	Item Location	Item Notes
1	CLARET TANSEEM NAVAT & AHMED MOULLA	✓	✓	✓	✓	✓
2	12 FIJEROS STREET, CROYDON PARK NSW 2133	✓	✓	✓	✓	✓
3	17/03/2025	✓	✓	✓	✓	✓
4	DAEJIX	✓	✓	✓	✓	✓

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2	12 FIJEROS STREET, CROYDON PARK NSW 2133	✓	✓	✓	✓	✓
3	17/03/2025	✓	✓	✓	✓	✓
4	DAEJIX	✓	✓	✓	✓	✓

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2	12 FIJEROS STREET, CROYDON PARK NSW 2133	✓	✓	✓	✓	✓
3	17/03/2025	✓	✓	✓	✓	✓
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Item	Item Description	Item Status	Item Action	Item Date	Item Location	Item Notes
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2	12 FIJEROS STREET, CROYDON PARK NSW 2133	✓	✓	✓	✓	✓
3	17/03/2025	✓	✓	✓	✓	✓
4	DAEJIX	✓	✓	✓	✓	✓

Project Name: **CLARET TANSEEM NAVAT & AHMED MOULLA**  
Address: **12 FIJEROS STREET, CROYDON PARK NSW 2133**  
Date of Assessment: **17/03/2025**  
Assessor: **DAEJIX**

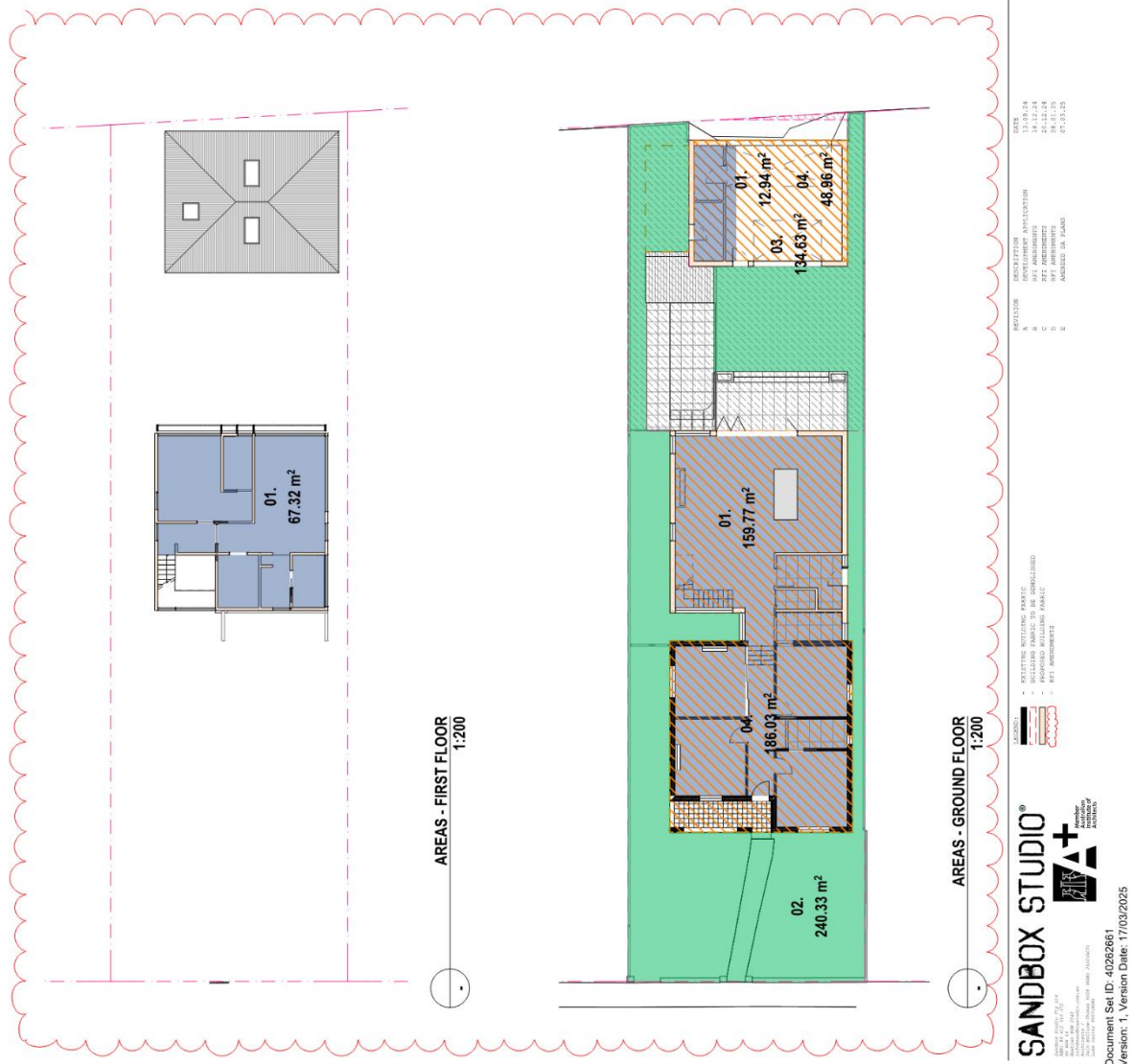
Item	Item Description	Item Status	Item Action	Item Date	Item Location	Item Notes
1	CLARET TANSEEM NAVAT & AHMED MOULLA	✓	✓	✓	✓	✓
2	12 FIJEROS STREET, CROYDON PARK NSW 2133	✓	✓	✓	✓	✓
3	17/03/2025	✓	✓	✓	✓	✓
4	DAEJIX	✓	✓	✓	✓	✓

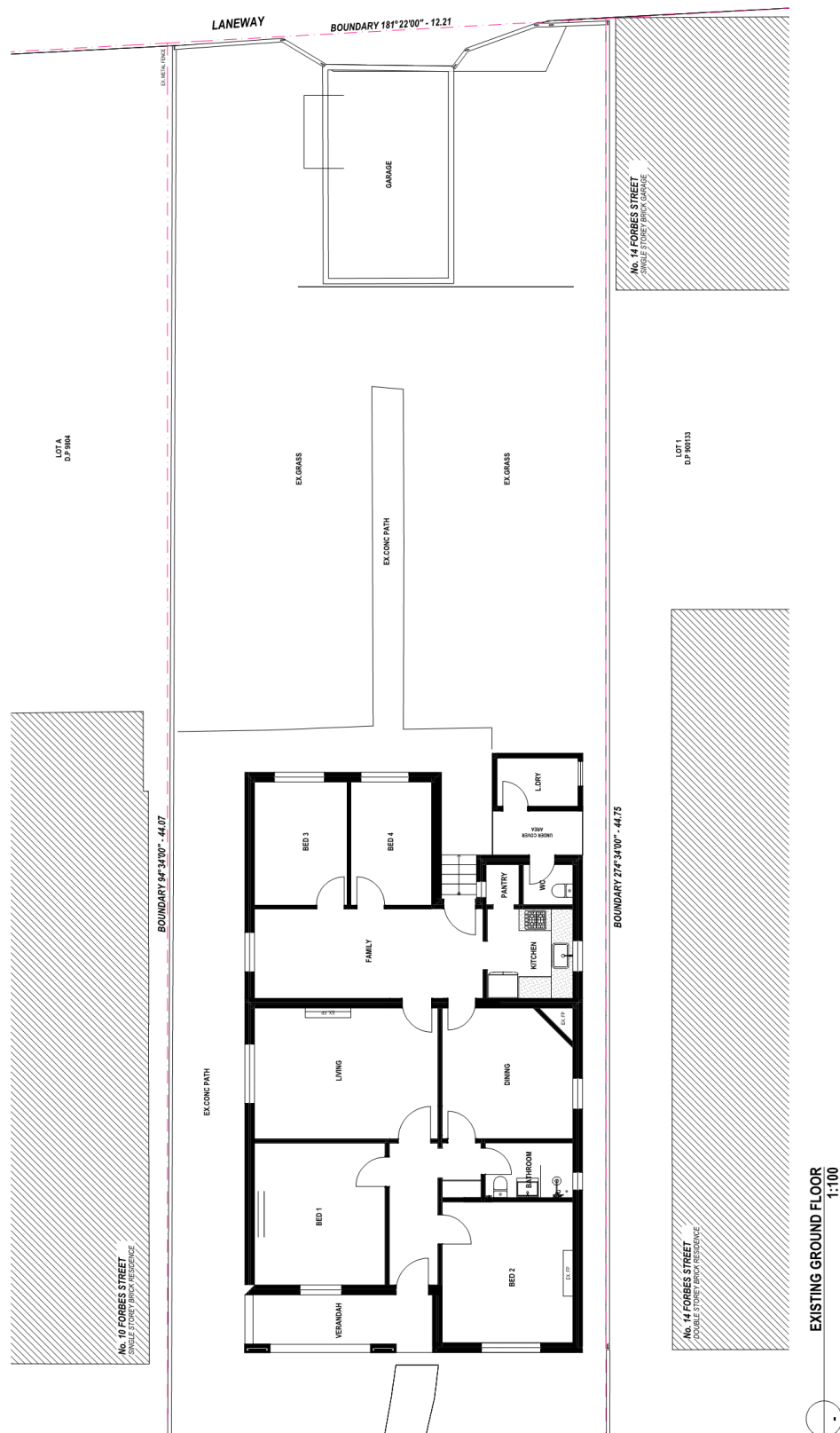
Project Name: **CLARET TANSEEM NAVAT & AHMED MOULLA**  
Address: **12 FIJEROS STREET, CROYDON PARK NSW 2133**  
Date of Assessment: **17/03/2025**  
Assessor: **DAEJIX**

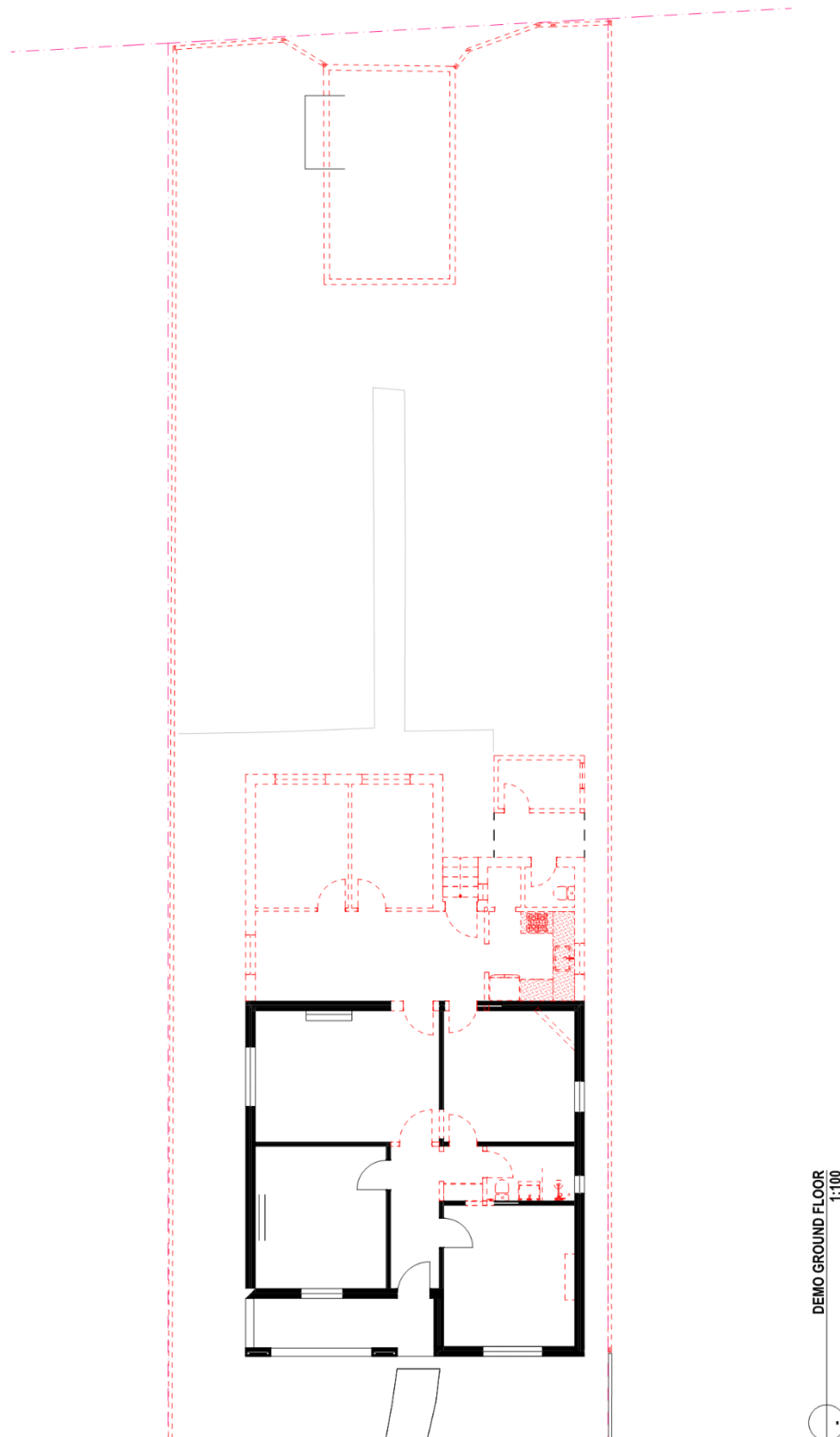
Item	Item Description	Item Status	Item Action	Item Date	Item Location	Item Notes
1	CLARET TANSEEM NAVAT & AHMED MOULLA					











## DEMOLITION NOTES

DEMOLITION NOTES  
- DEMOLISH AND REMOVE AS INDICATED BY RED DASHED LINE.

\* DEMOLISH AND REMOVE AS INDICATED BY RED DOTTED LINE.

Click all questions in this and other reports you discontinue immediately before proceeding with the purchase. We seek your feedback. Delivery of documents in print on the responsibility of the client.

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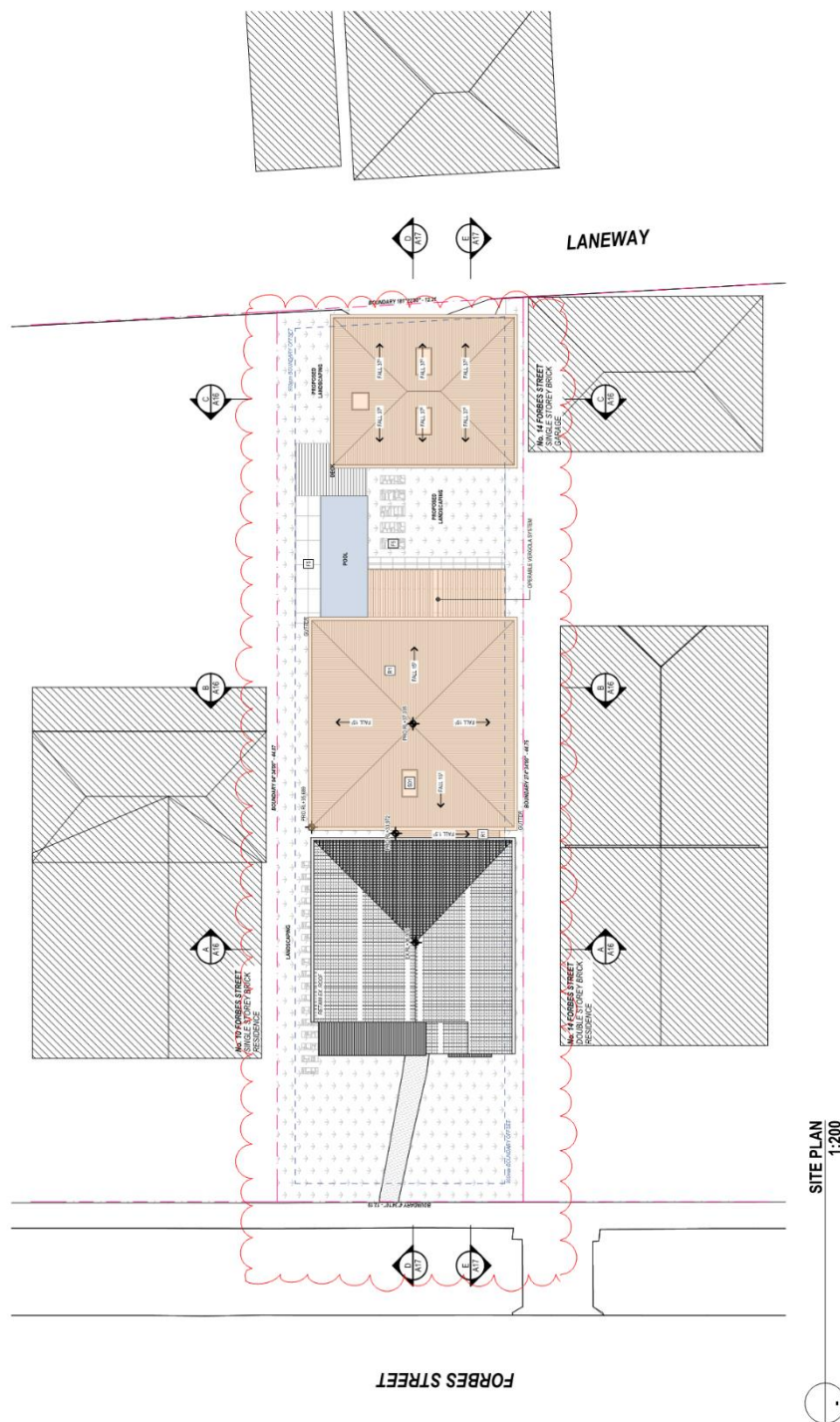
Client: (S) TANGHEM MAYAT & AHMED MOOLLA  
Address: 12 Forbes Street, Croydon Park NSW 2133  
PAGE: GROUND FLOOR DEMOLITION PLAN

**E** NO. **A07**  
PAGE 328. **A3**  
NOT FOR CONSTRUCTION

CANDOR STUDIOS®

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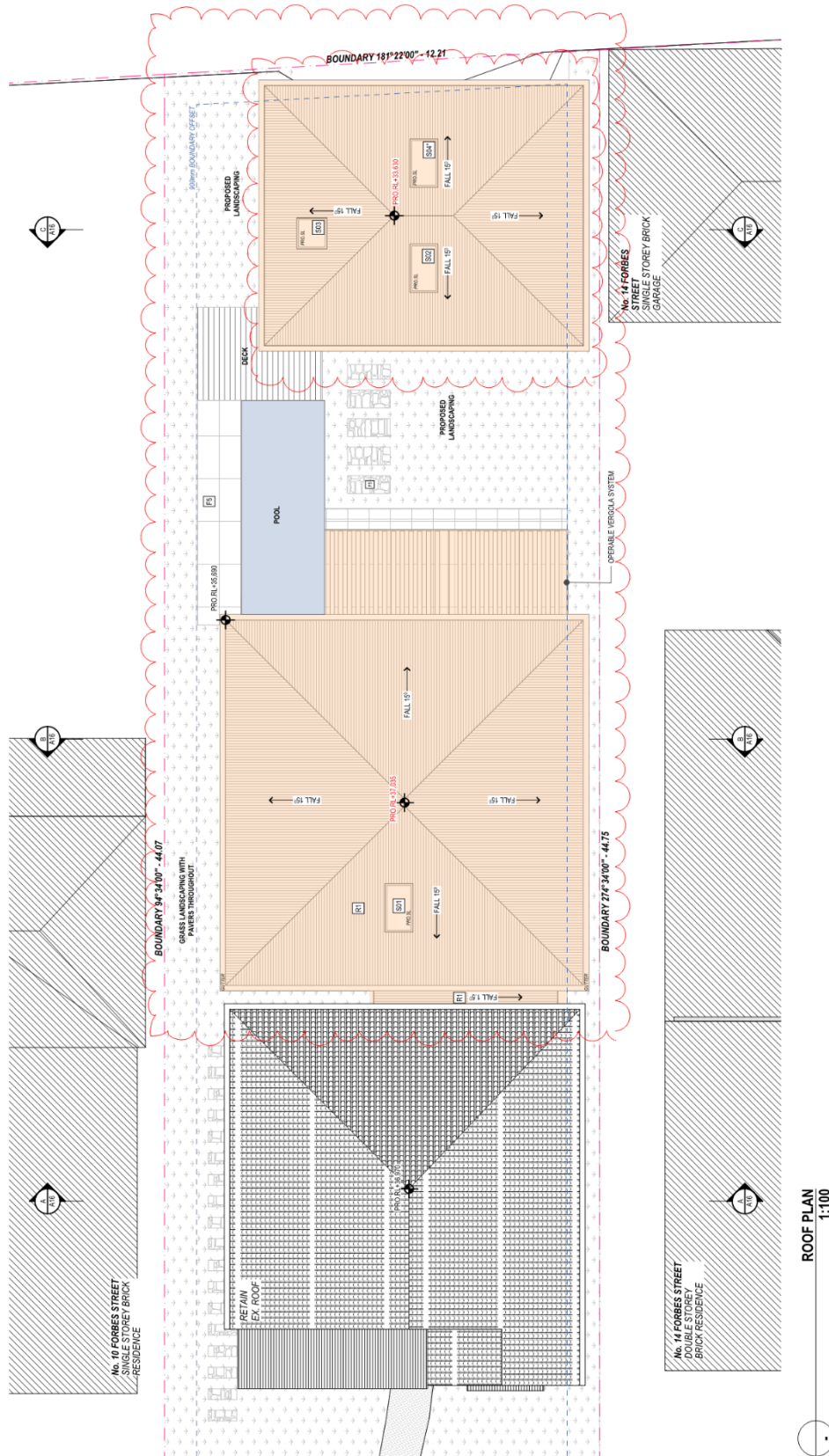
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**SITE PLAN**  
**1:200**

[illegible]





ROOM LIST

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100	200	200	200

NO. 14 FORBES STREET  
SINGLE STOREY BRICK  
RESIDENCE

NO. 14 FORBES STREET  
SINGLE STOREY BRICK  
GARAGE

NO. 14 FORBES STREET  
SINGLE STOREY BRICK  
RESIDENCE

NO. 14 FORBES STREET  
SINGLE STOREY BRICK  
RESIDENCE

NO. 14 FORBES STREET  
SINGLE STOREY BRICK  
RESIDENCE

NO. 14 FORBES STREET  
SINGLE STOREY BRICK  
RESIDENCE

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SINGLE STOREY BRICK  
RESIDENCE

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RESIDENCE

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RESIDENCE

NO. 14 FORBES STREET  
SINGLE STOREY BRICK  
RESIDENCE

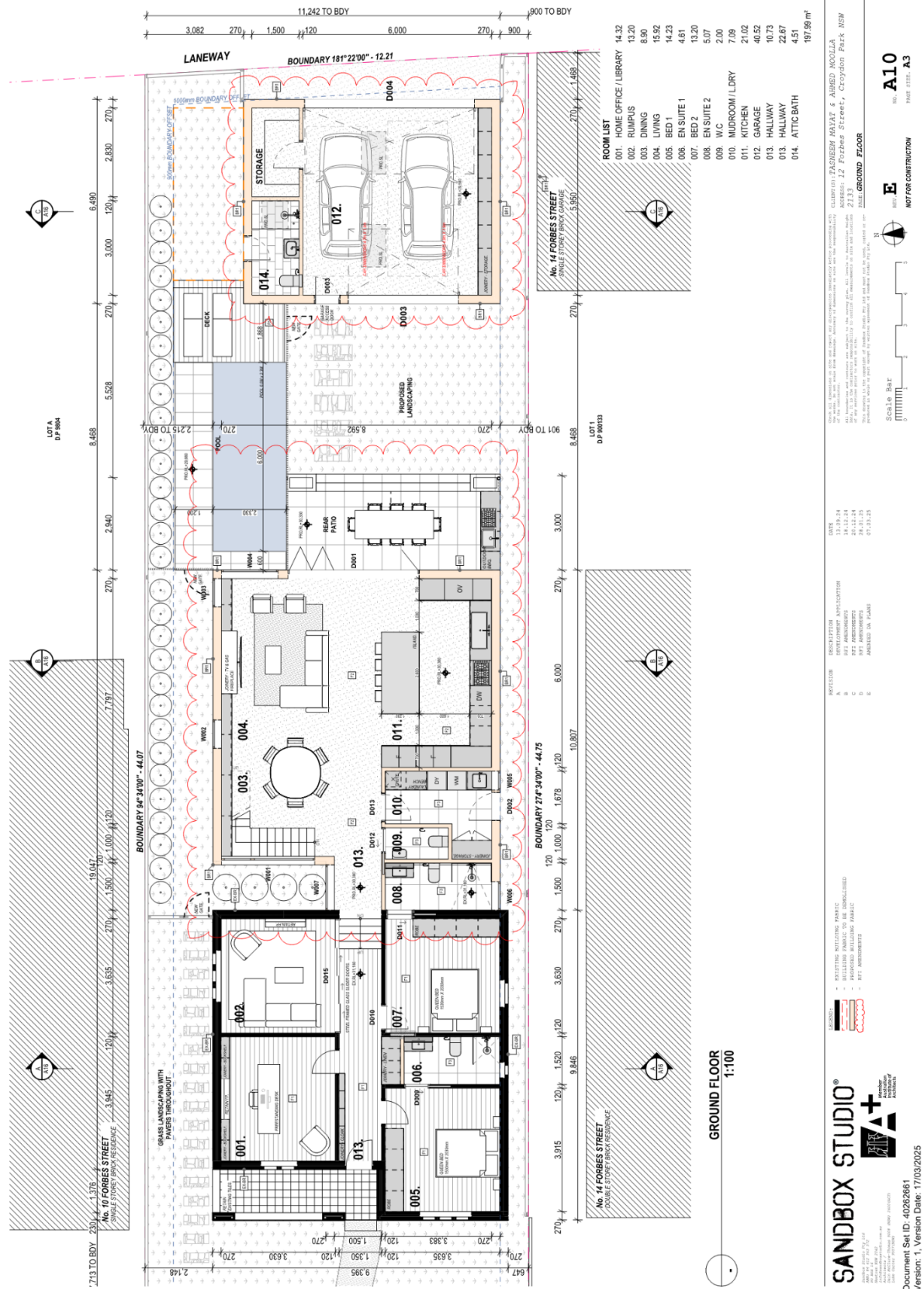
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SINGLE STOREY BRICK  
RESIDENCE

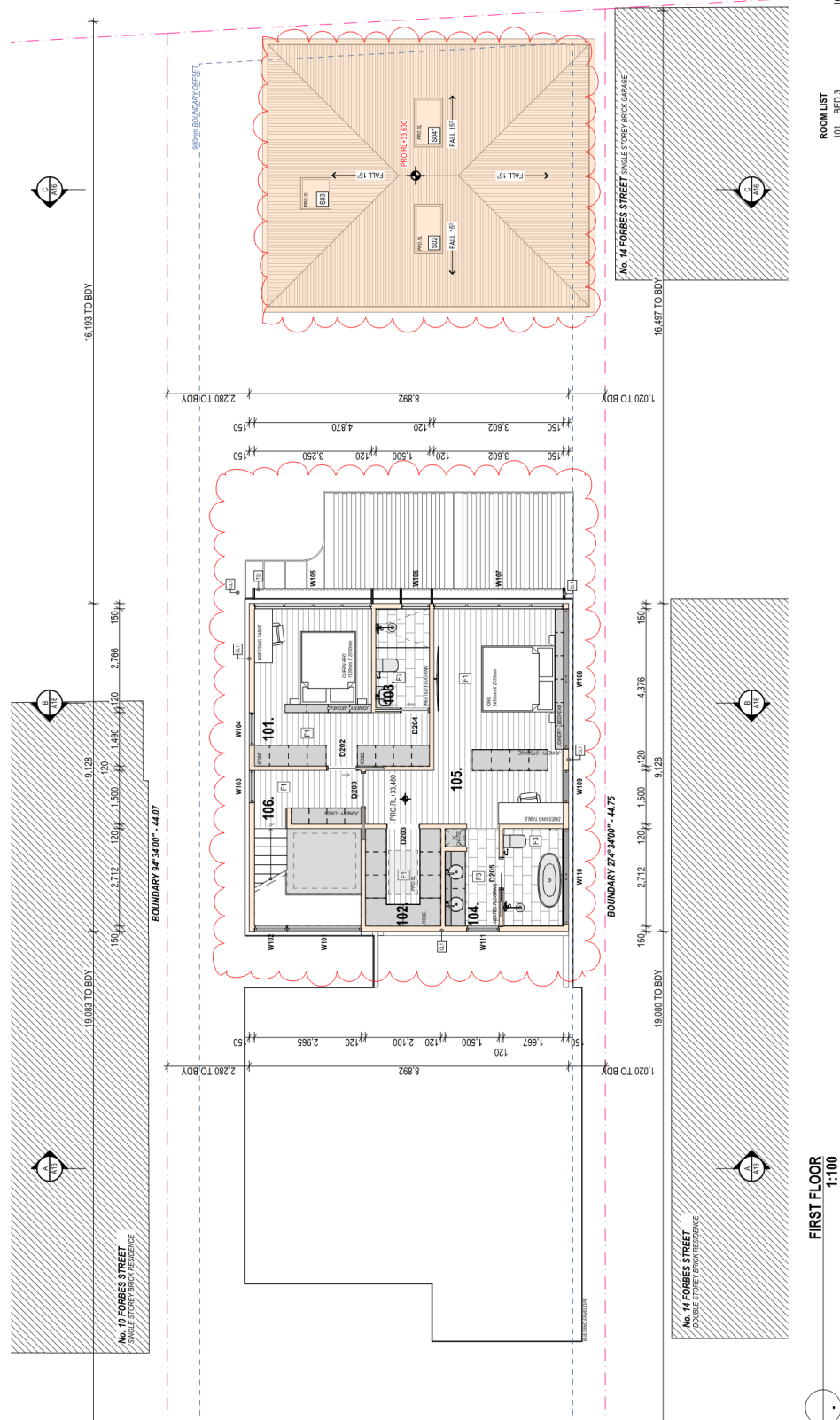
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SINGLE STOREY BRICK  
RESIDENCE

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Version: 1, Version Date: 17/03/2025







ROOM LIST		
101. BED 3		16.62
102. MASTER (WIR)		5.71
103. BED 3 (EN SUITE)		4.15
104. MASTER (EN SUITE)		8.91
105. MASTER BED		24.54
106. HALLWAY		4.51
		64.44 m <sup>2</sup>

Check ALL quantities in title and against any discrepancies immediately before proceeding with the work. Do not rely on the above. Delivery of materials in bulk on the responsibility of the client.

ALL quantities and contents are subject to the survey data. To be used to Australian weight 200kg. To be the contractor's responsibility to confirm ALL measurements of site and locations. Any variation prior to work of site.

CLIENT (1) TASNEEM MAYAT & AHMED MOOLLA  
ADDRESS: 12 Forbes Street, Croydon Park NSW  
2133  
PAGE: FIRST FLOOR

**E** NO. **A11**  
REV. PAGE SIZE, **A3**  
**NOT FOR CONSTRUCTION**

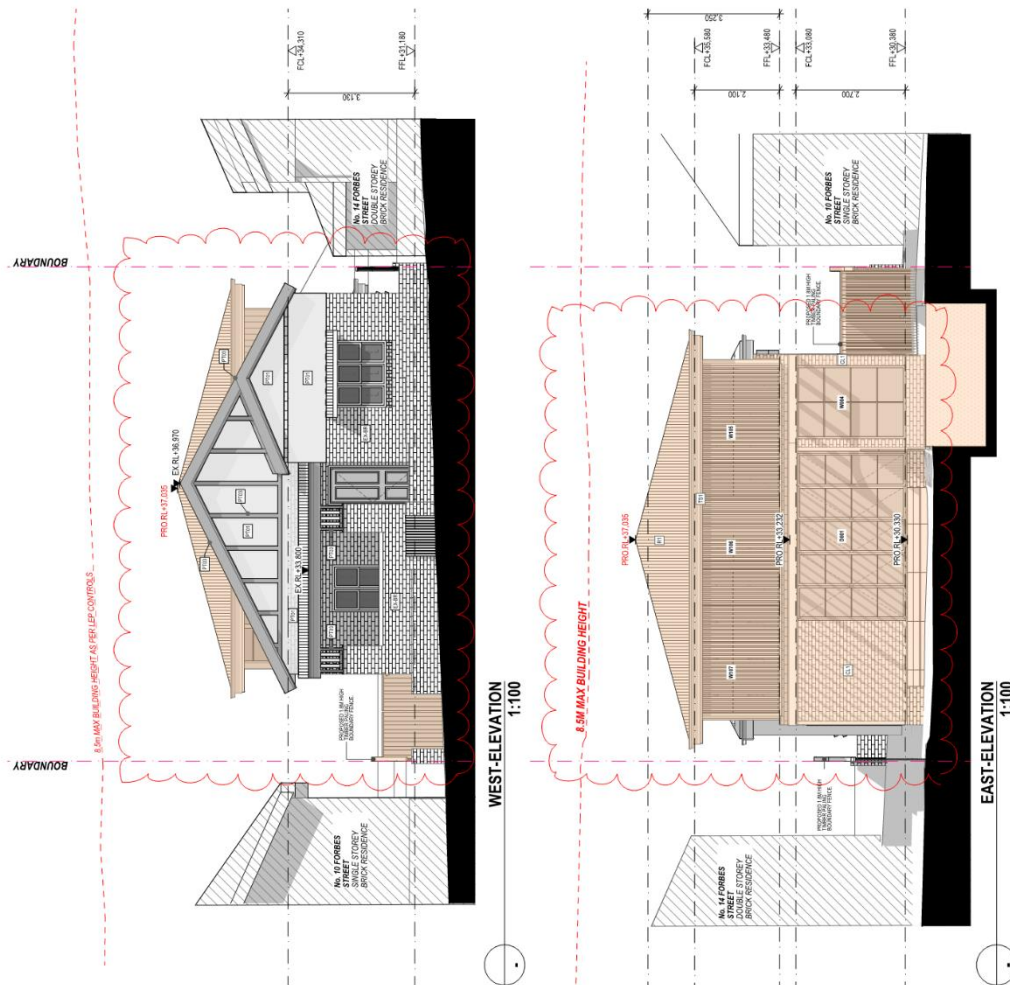
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B	RPI AMENDMENTS	28.12.24
C	RPI AMENDMENTS	20.12.24
D	RPI AMENDMENTS	28.01.25
E	AMENDED DA PLANS	07.03.25

LEGEND:

- EXISTING BUILDING FABRIC
- BUILDING FABRIC TO BE DEMOLISHED
- PROPOSED BUILDING FABRIC
- RFT ADJACENTS

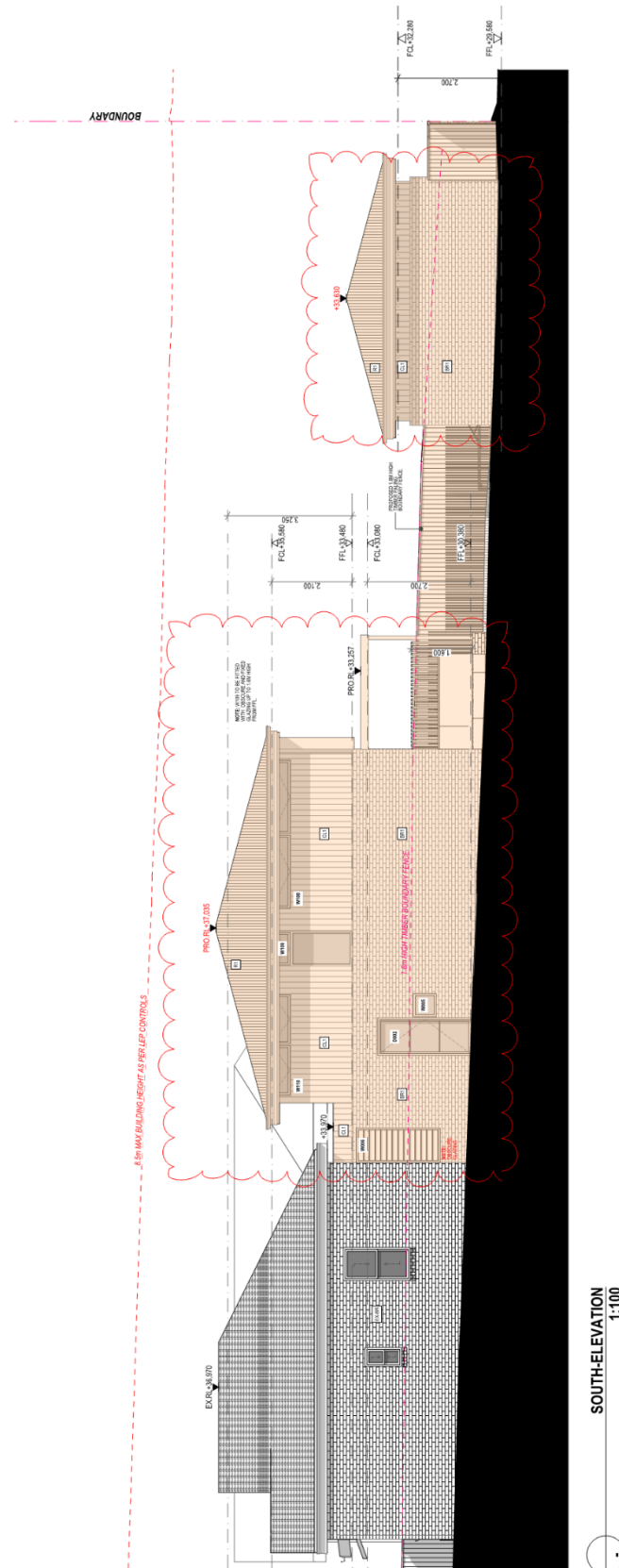
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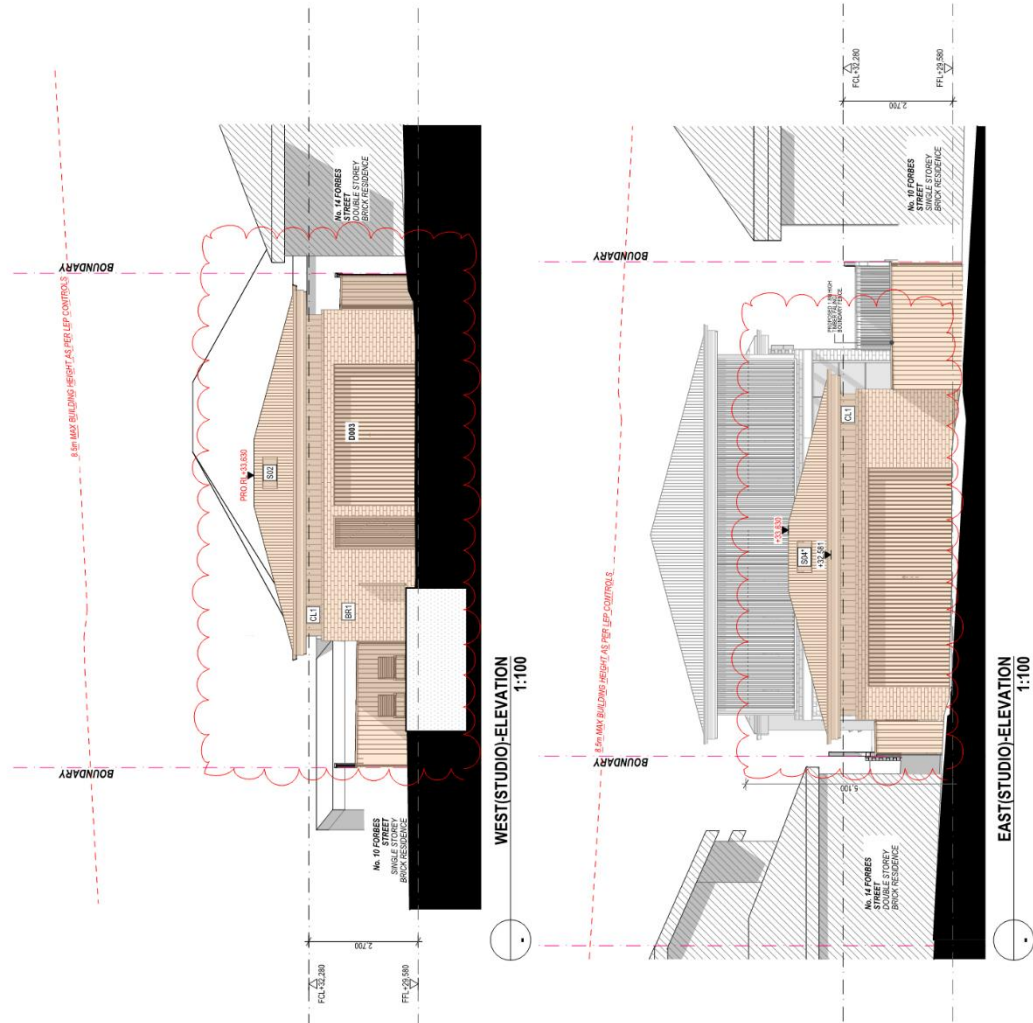
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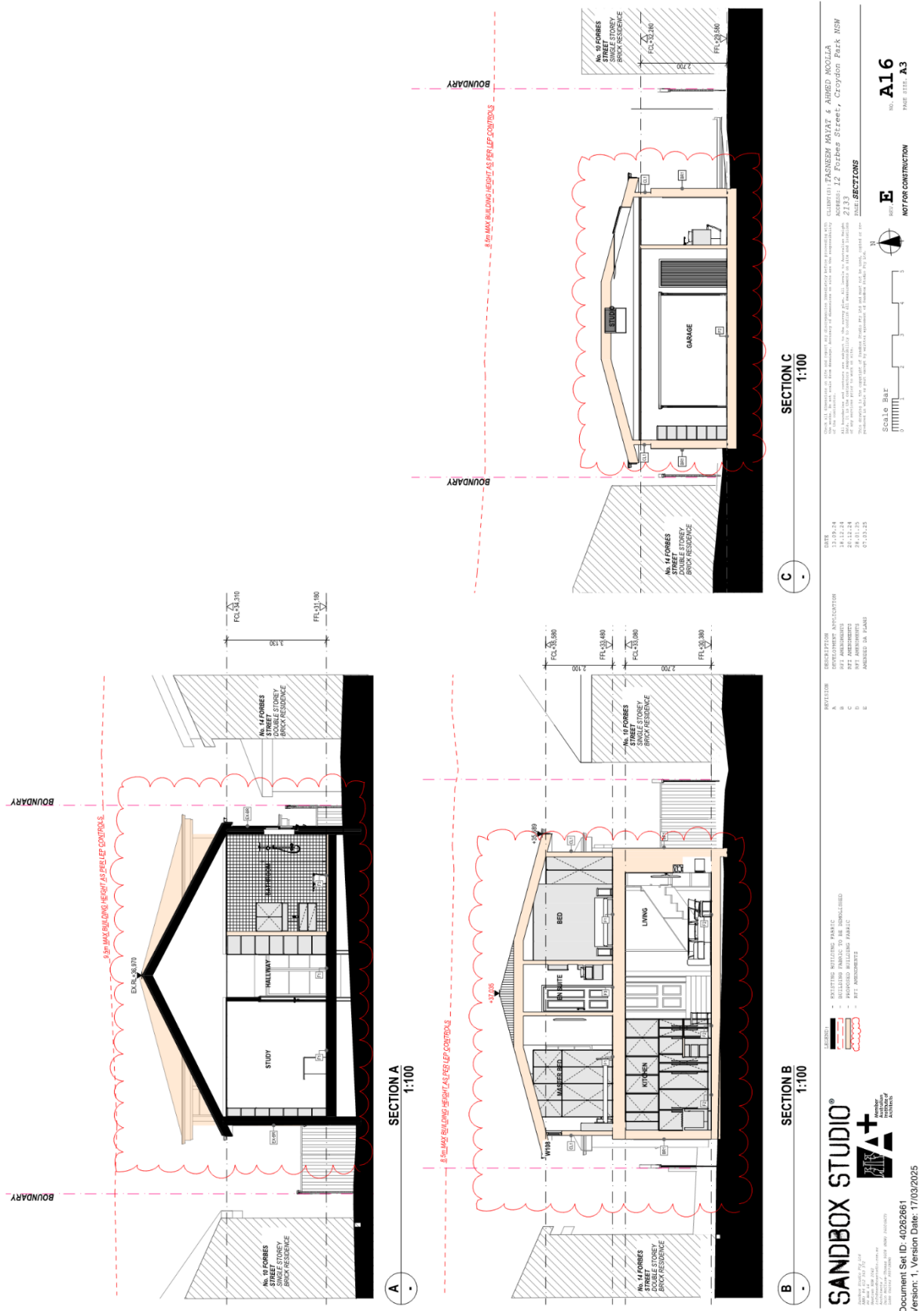


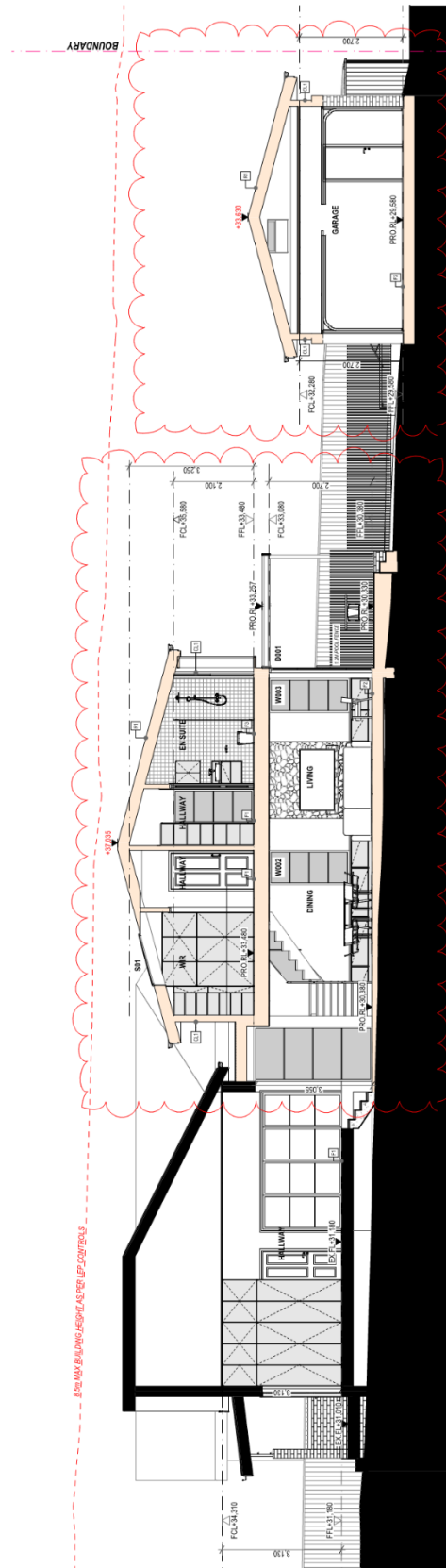


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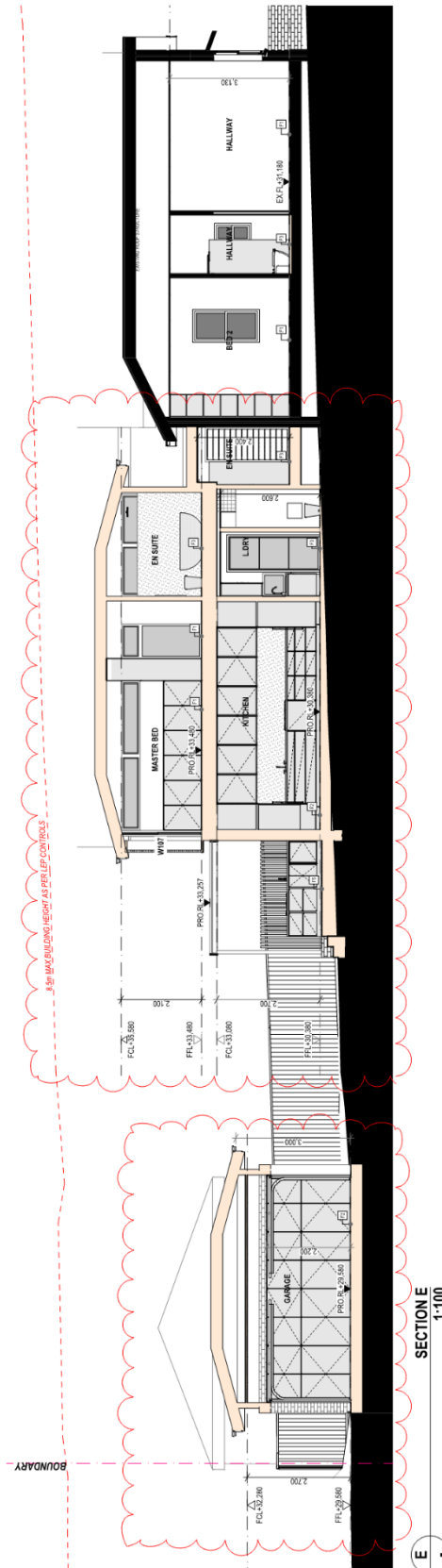


**SANDBOX STUDIO®**  
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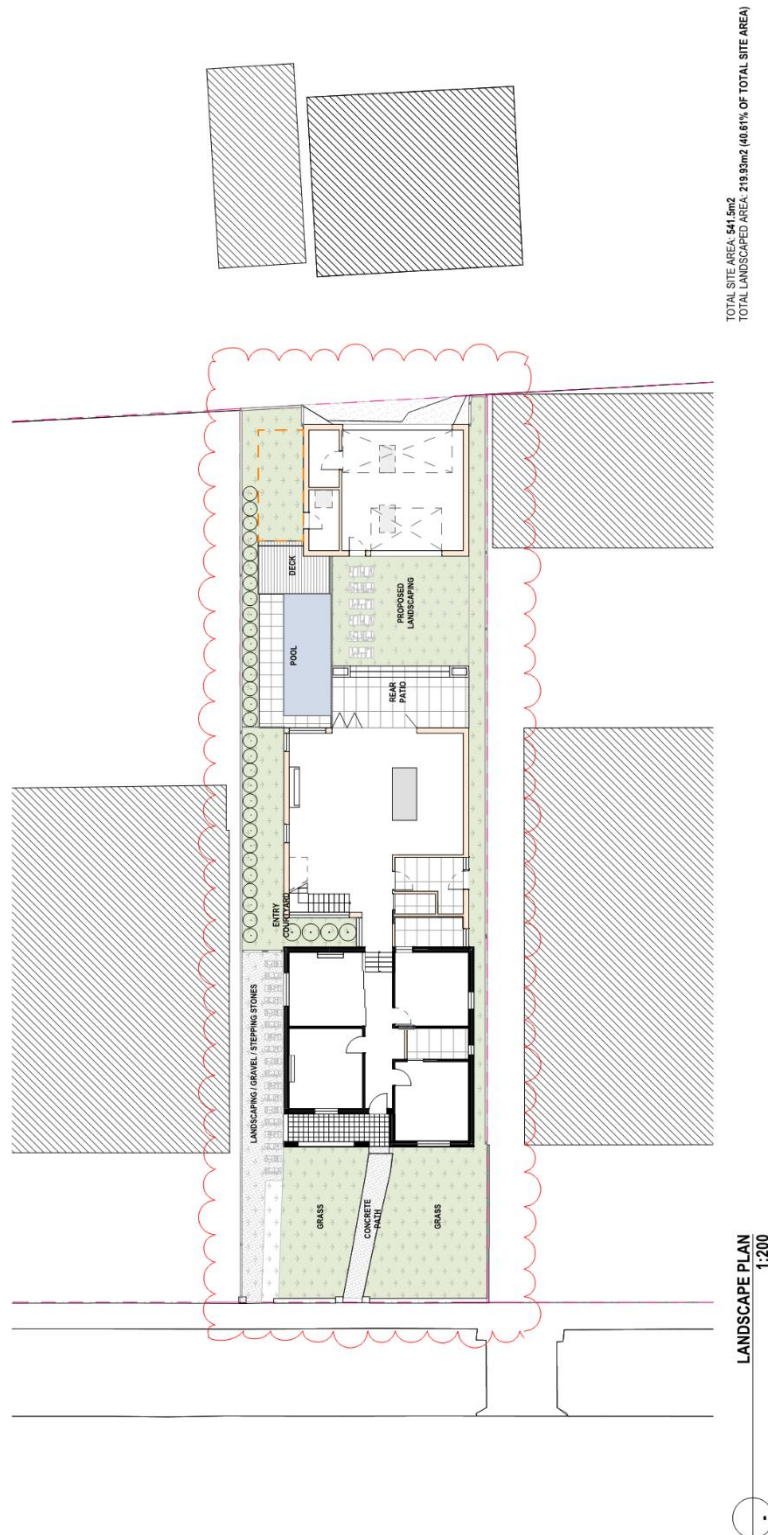
**SECTION D**  
**1:100**



**SECTION E**  
**1:100**

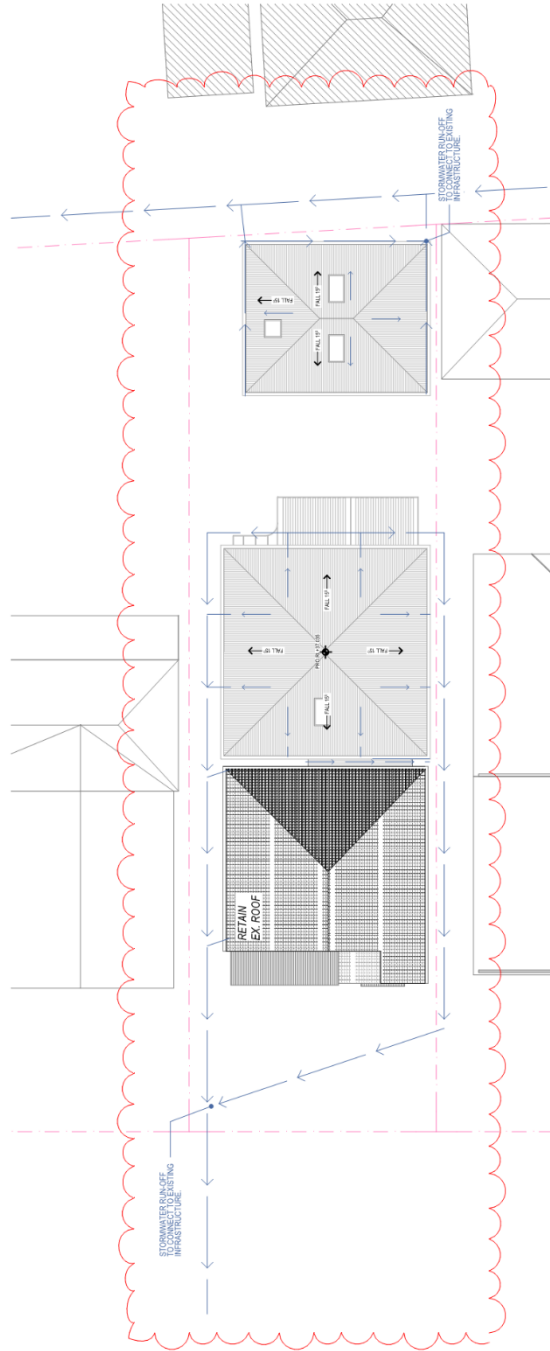
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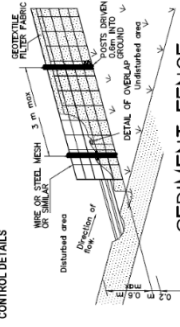
TOTAL SITE AREA: 541.5m<sup>2</sup>  
TOTAL LANDSCAPED AREA: 219.93m<sup>2</sup> (40.61% OF TOTAL SITE AREA)

LANDSCAPE PLAN  
1:200



CONCEPT STORMWATER PLAN  
1:200

EROSION & SEDIMENT  
CONTROL DETAILS



SEDIMENT FENCE

SILT FENCE IS TO BE ERECTED PRIOR TO COMMENCING WORK. FENCE TO BE MAINTAINED IN WORKING ORDER DURING TIME OF CONSTRUCTION.

W.A.E. DRAWING BY A REGISTERED SURVEYOR IS REQUIRED PRIOR TO CERTIFICATION OF DRAINAGE.

U.N.O. ALL DOWN PIPES ARE TO BE 100#.

U.N.O. ALL DOWN PIPES ARE TO BE 100# CLASS 'SH' WITH 1% MIN. SLOPE.

ALL THE DOWNPIPES FROM THE ROOF GUTTER TO RAINWATER TANK SHOULD BE SOLVENT WELD JOINED.

PROVIDE FIRST FLUSH SYSTEM TO ALL DOWN PIPES PRIOR TO CONNECTING TO RAIN WATER TANK.

ALL PIPES TO BE 100# UPVC U.N.O. WITH 1% MIN. SLOPE.

SANDBOX STUDIO®



Document Set ID: 4022661  
Version: 1, Version Date: 17/03/2025



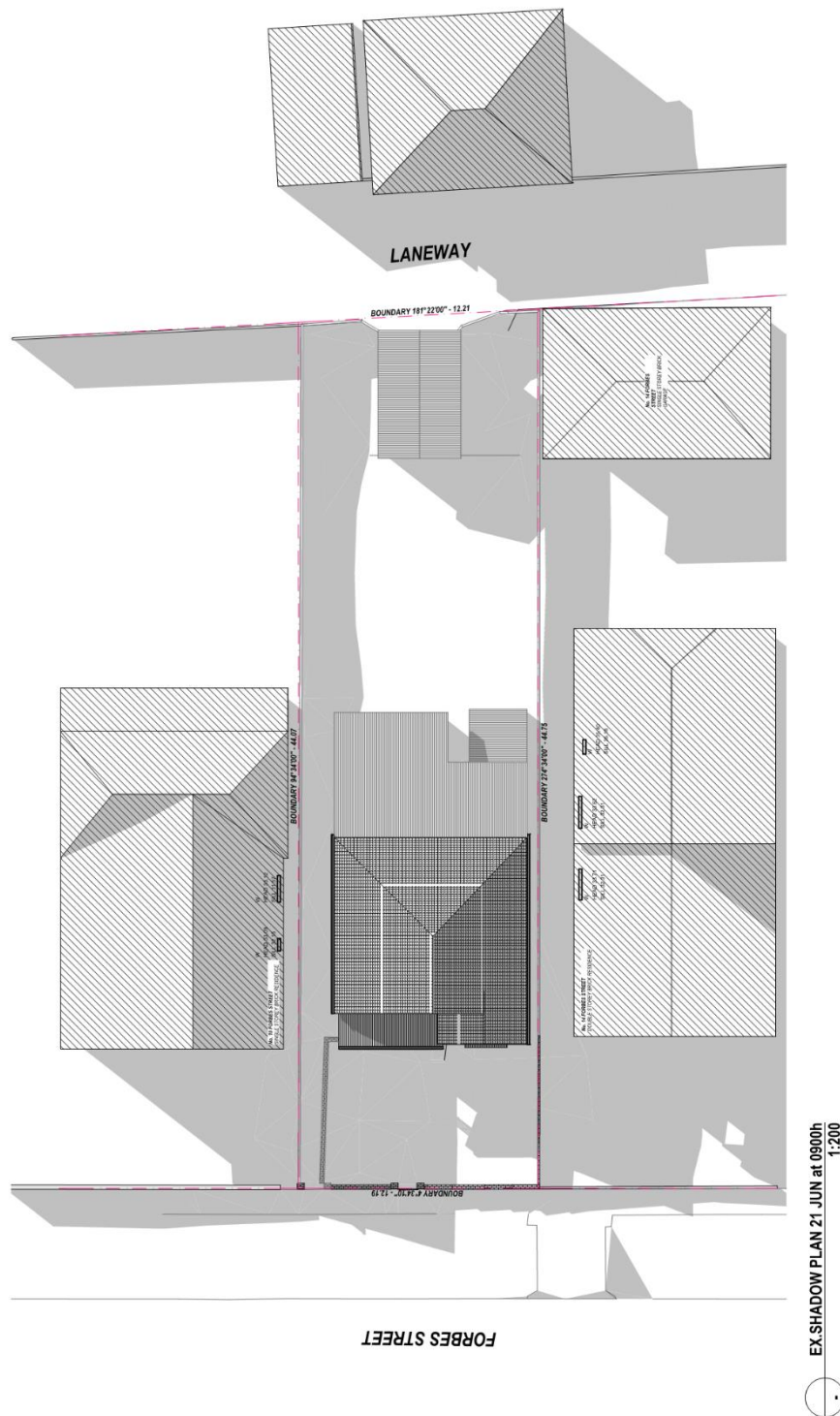
LEGEND  
- EXISTING RETAINING FABRIC  
- PROPOSED RETAINING FABRIC  
- PROPOSED BALLING FABRIC

REVISION  
A. EXISTING RETAINING FABRIC  
B. PROPOSED RETAINING FABRIC  
C. PROPOSED BALLING FABRIC  
D. PROPOSED BALLING FABRIC  
E. PROPOSED BALLING FABRIC

DATE  
13.09.24  
14.10.24  
14.10.24  
14.10.24  
14.10.24

SCALE BAR  
0 1 2 3  
NOT FOR CONSTRUCTION  
REV. E  
NO. A19  
PAGE 11 OF 13

DESIGNED BY: SANDBOX STUDIO  
DRAWN BY: SANDBOX STUDIO  
CHECKED BY: SANDBOX STUDIO  
APPROVED BY: SANDBOX STUDIO  
DATE: 13.09.24  
PROJECT: 2233  
SHEET: 11 OF 13  
TITLE: CONCEPT STORMWATER PLAN



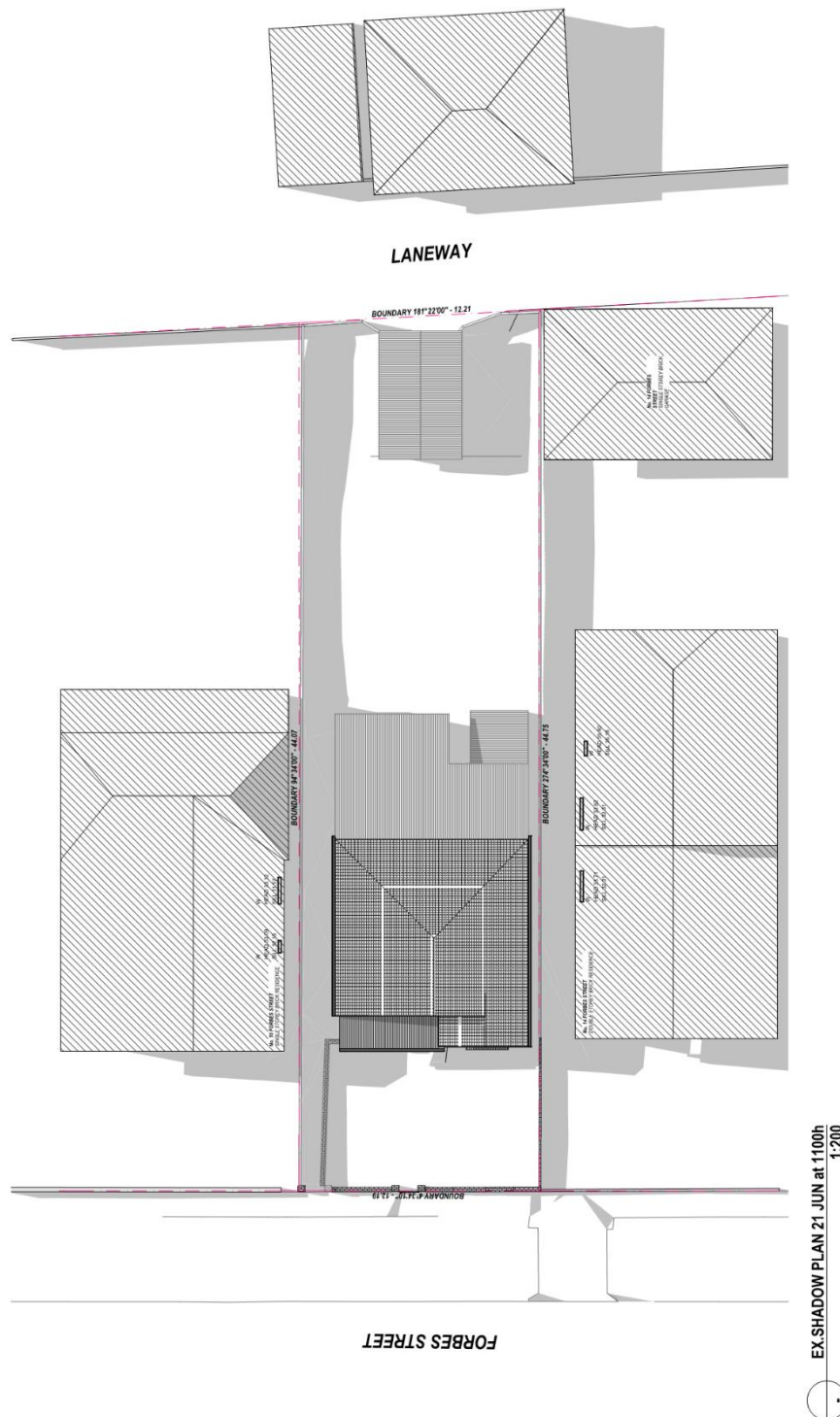






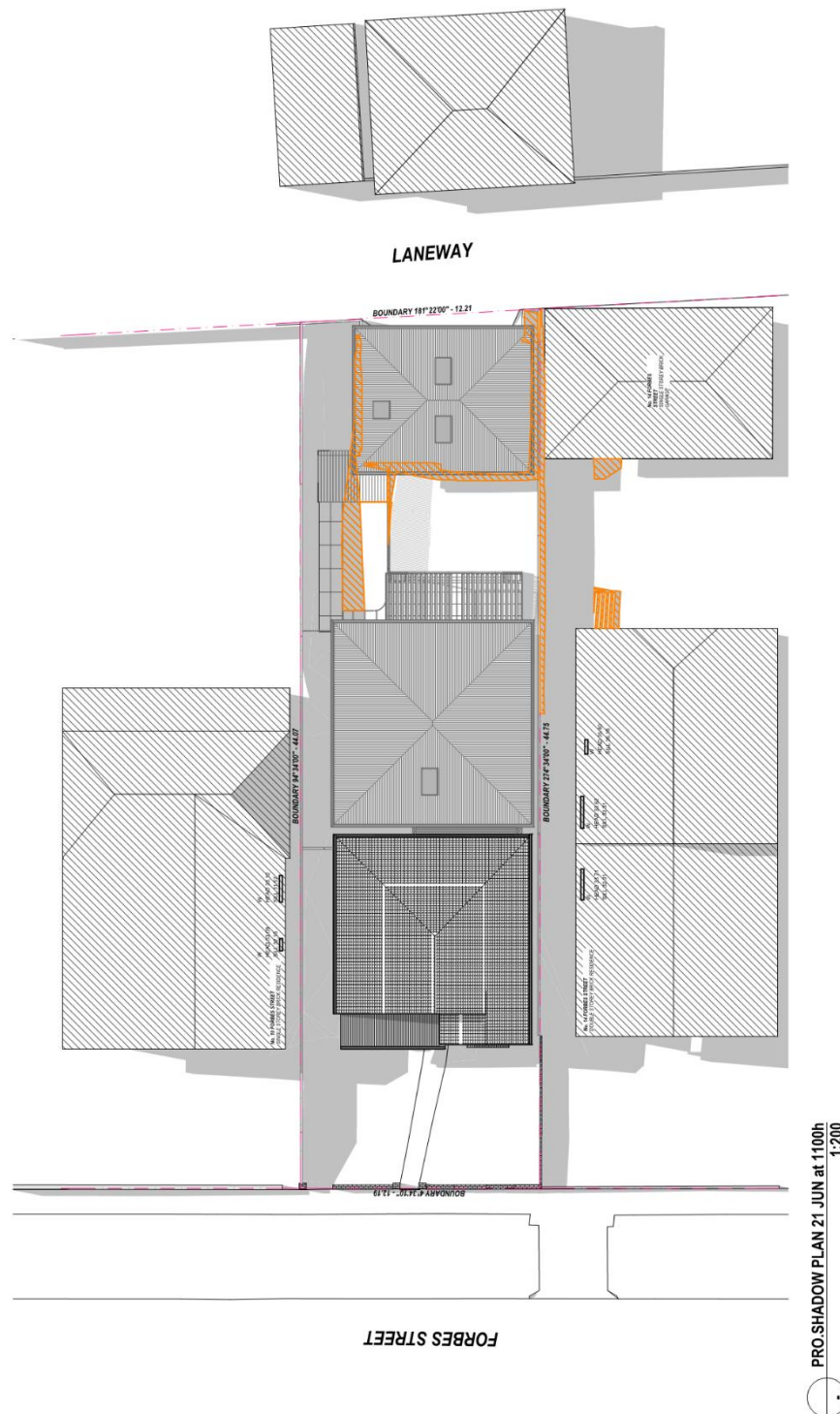






**EX.SHADOW PLAN 21 JUN at 1100h**  
**1:200**

[illegible]



PRO.SHADOW PLAN 21 JUN at 1100h  
1:200

CANDOR STUDIOS®

[illegible]

Document Set ID: 40262661  
Version: 1, Version Date: 17/03/2025

- EXISTING BUILDING FABRIC
- BUILDING FABRIC TO BE DEMOLISHED
- PROPOSED BUILDING FABRIC
- OVERLAPMENT CAUSED BY PROPOSED

LEGEND:

PROVISION
A
B
C
D
E

DISCUSSION

DATE	13 08 14
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Check all diagnostic on site and report any discrepancies immediately before proceeding with the mine. Do not leave from diagnosis. Accuracy of diagnosis on site sets the responsibility of the mine.

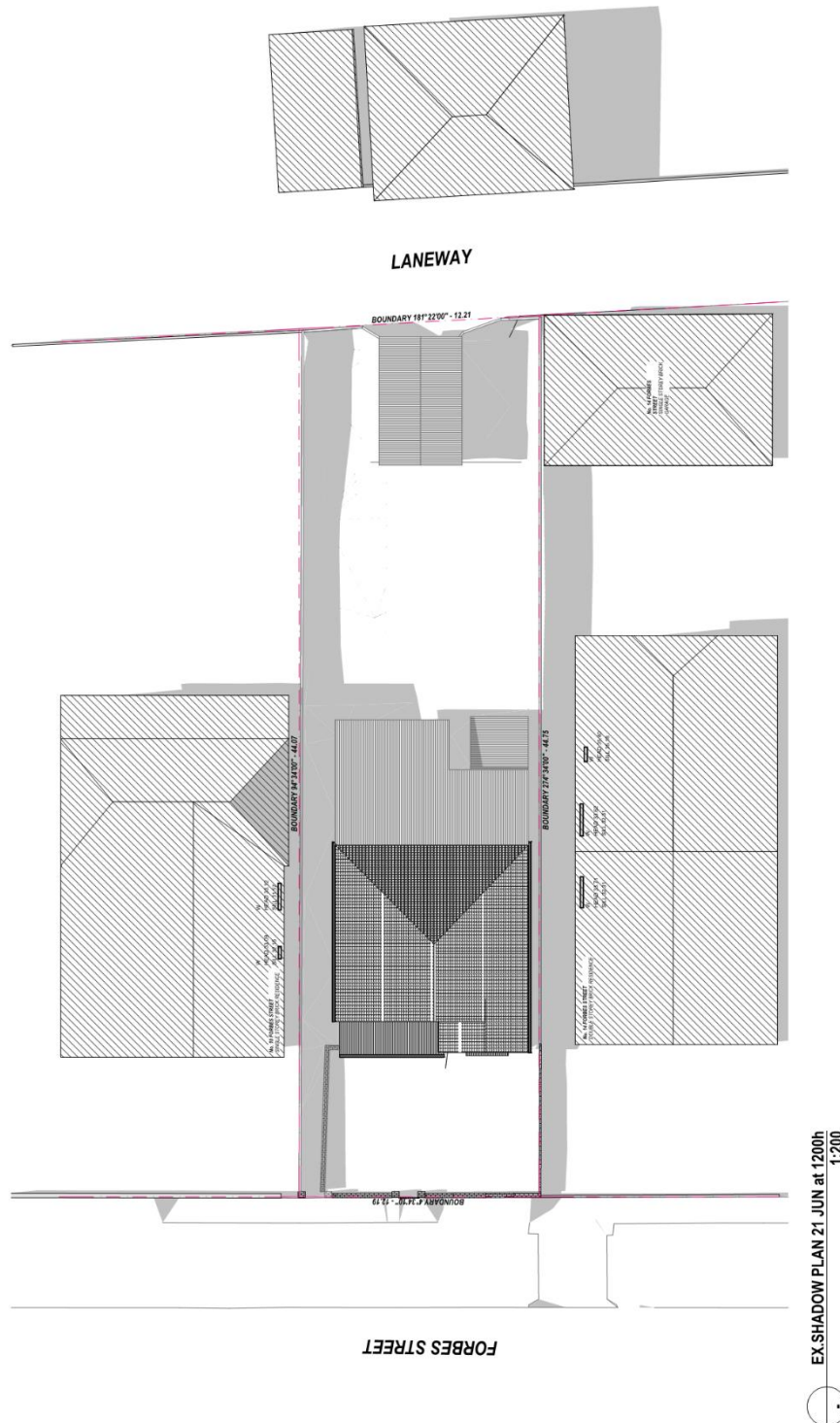
CLIENT (S) : TASNEEM MAYAT & AHMED MOOLLA  
ADDRESS: 12 Forbes Street, Croydon Park NSW  
2133  
PAGE: PRO-SHADOW DIAGRAM - 21 JUN 1100h

NO. **A25**  
PAGE SIZE. **A3**

**NOT FOR CONSTRUCTION**

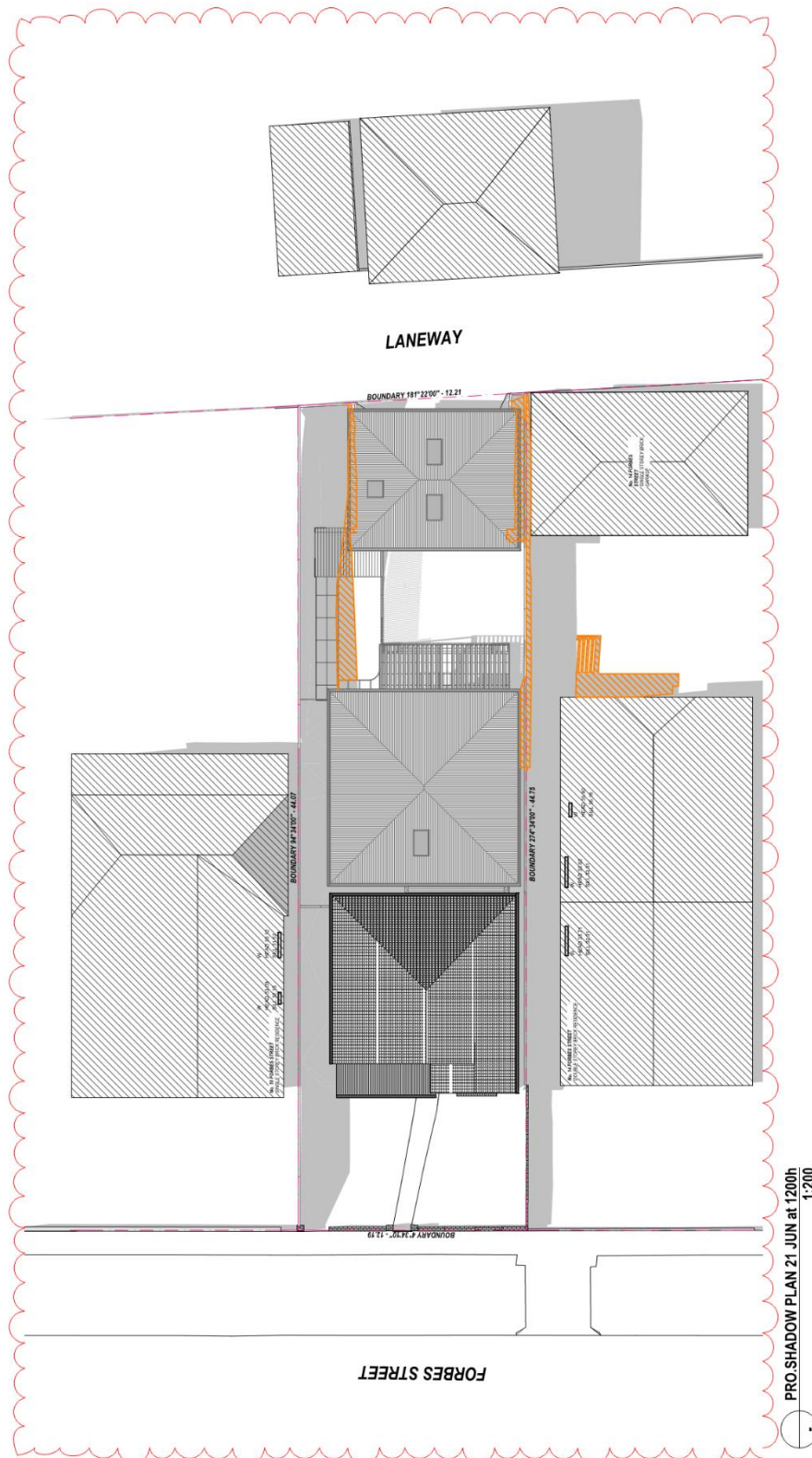
A horizontal scale bar with markings at 0, 1, 2, 3, 4, and 5. The text "Scale Bar" is written vertically below the 0 mark.

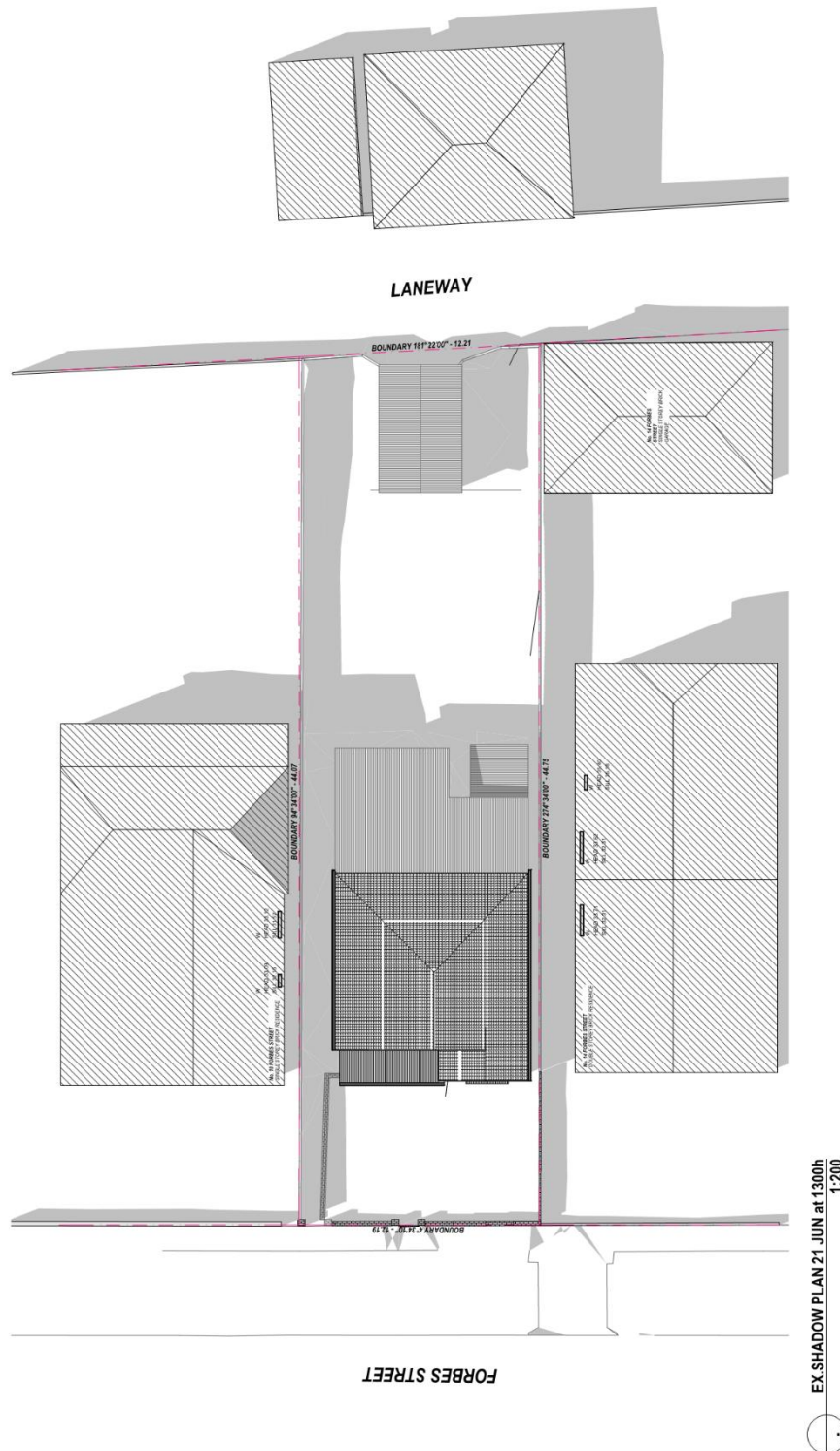




**EX.SHADOW PLAN 21 JUN at 1200h**  
**1:200**

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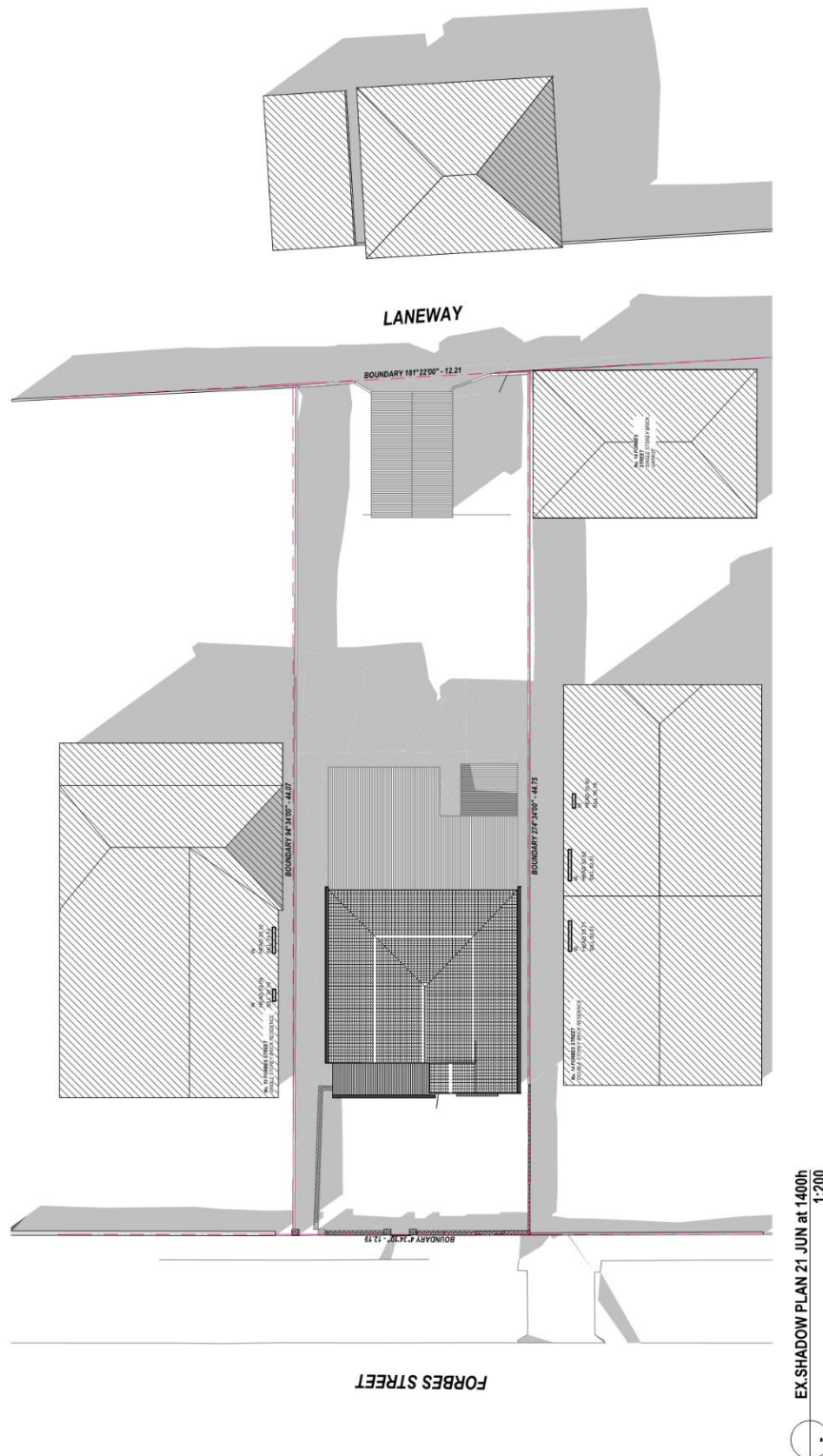


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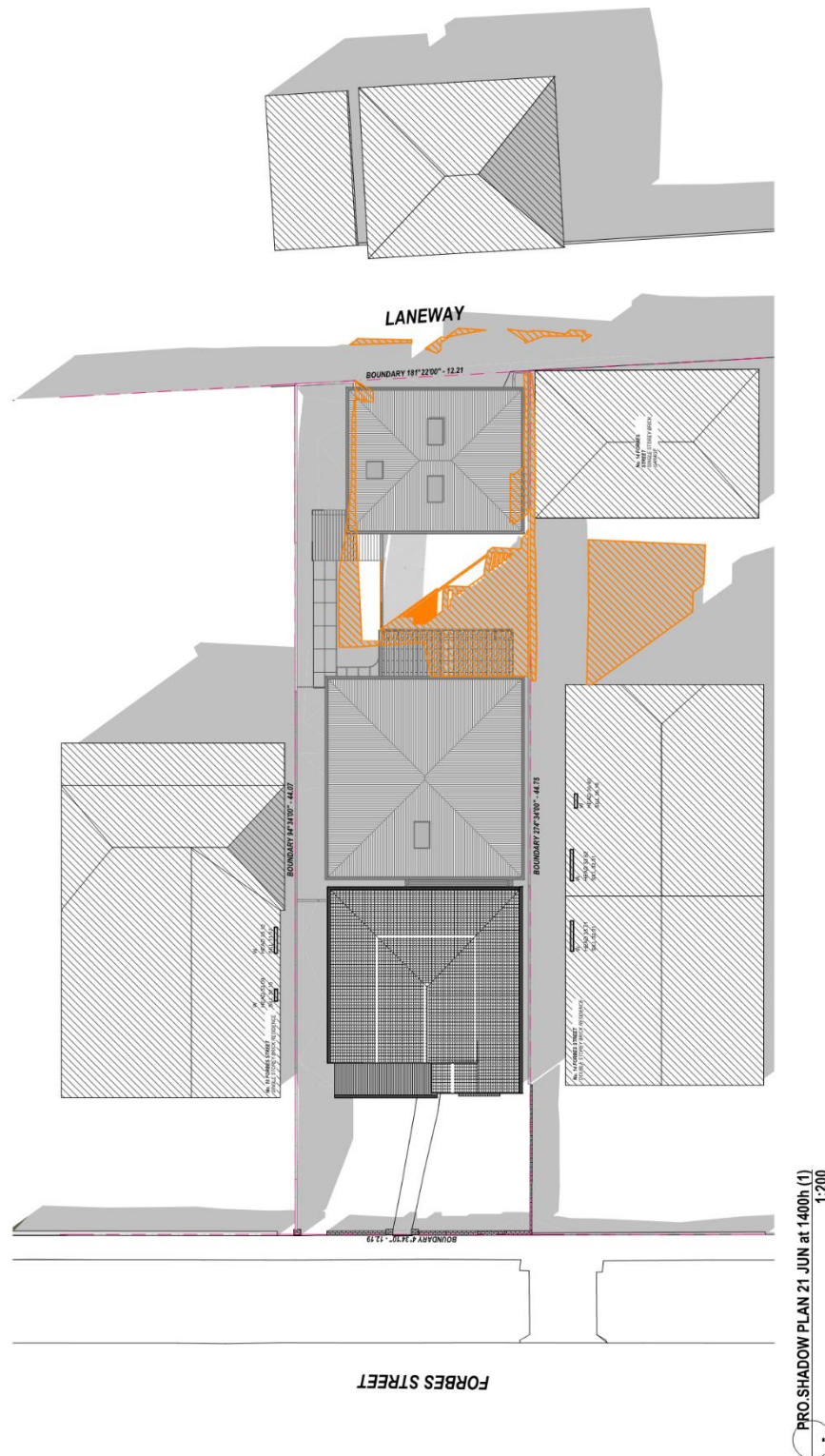






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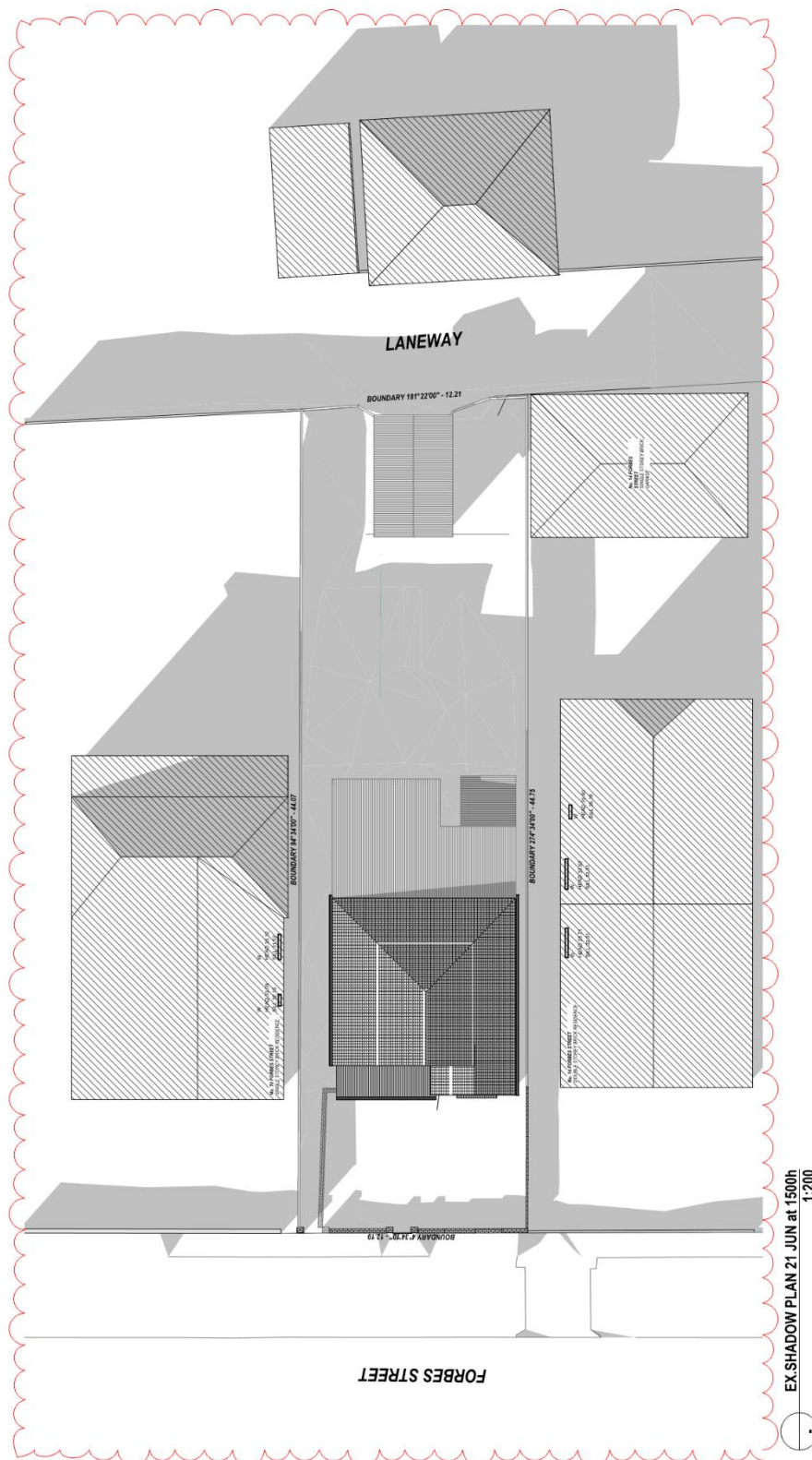
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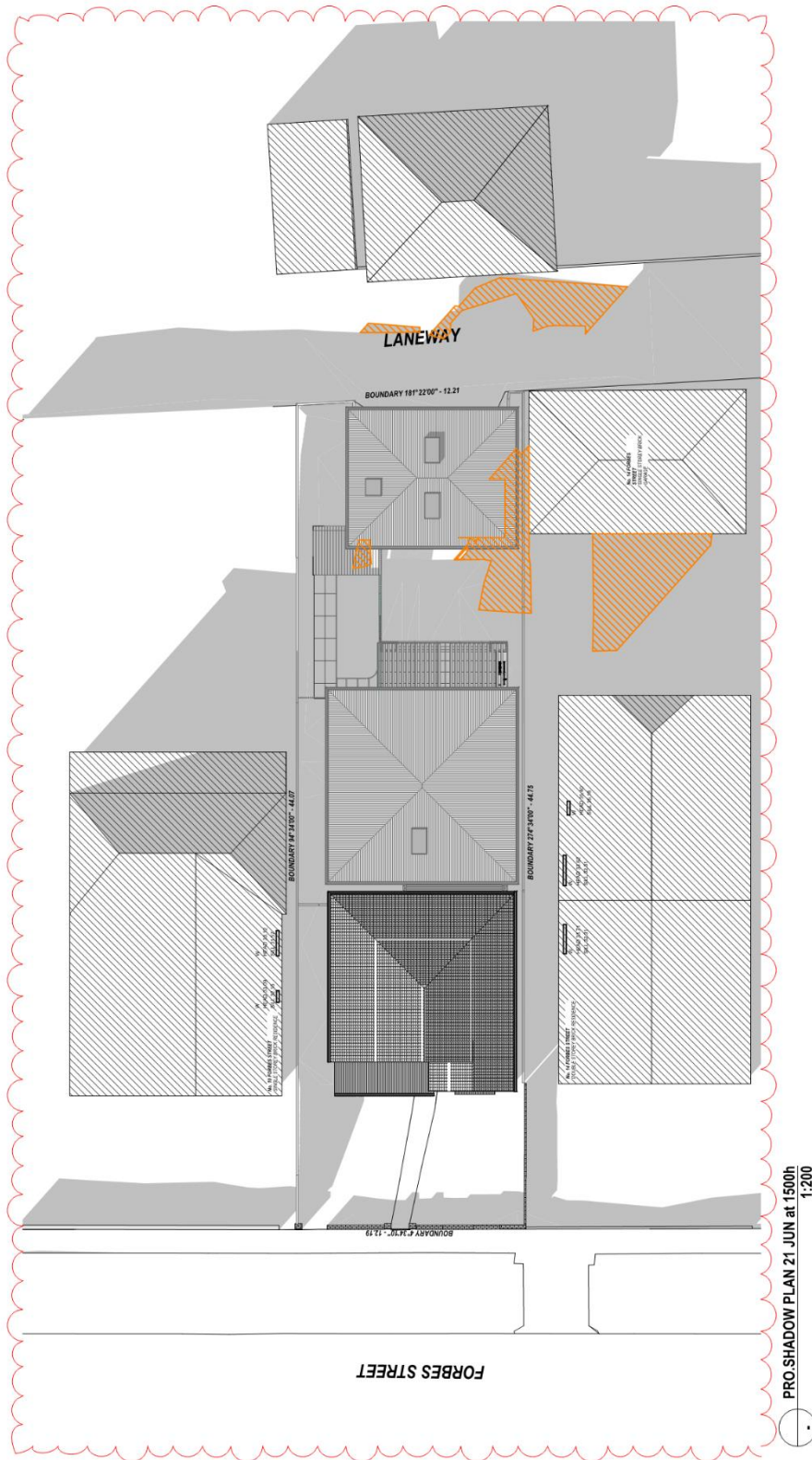


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 402/2661  
 17/03/2025  
 Version: 1.0  
 Document Set ID: 4022661  
 Version: 1.0  
 Date: 17/03/2025

**LEGEND**

- EXISTING BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT

**PROPOSITION**

PROPOSED BUILDING FOOTPRINT

PROPOSED BUILDING FOOTPRINT

PROPOSED BUILDING FOOTPRINT

PROPOSED BUILDING FOOTPRINT

PROPOSED BUILDING FOOTPRINT

**DATE**

13.09.24

13.09.24

13.09.24

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13.09.24

**CLIENT**

STANLEY HAYAT & ABDEL MOUSTAFA

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**SCALE BAR**

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**NOT FOR CONSTRUCTION**

**A33**

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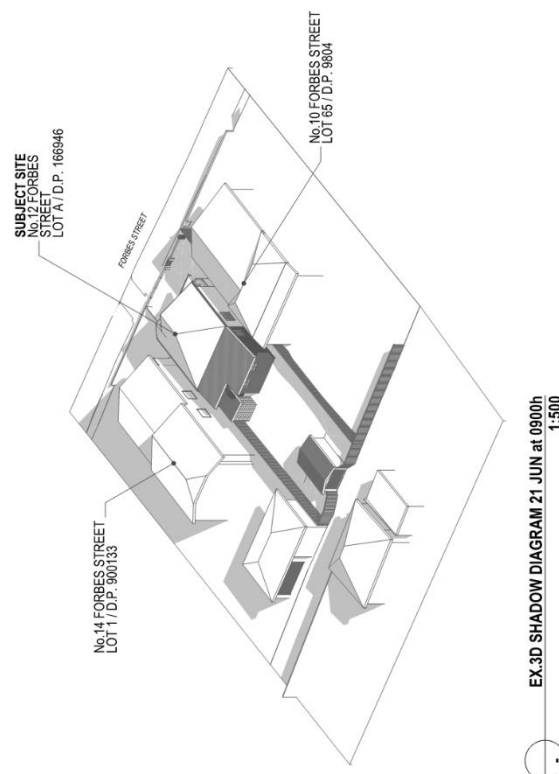
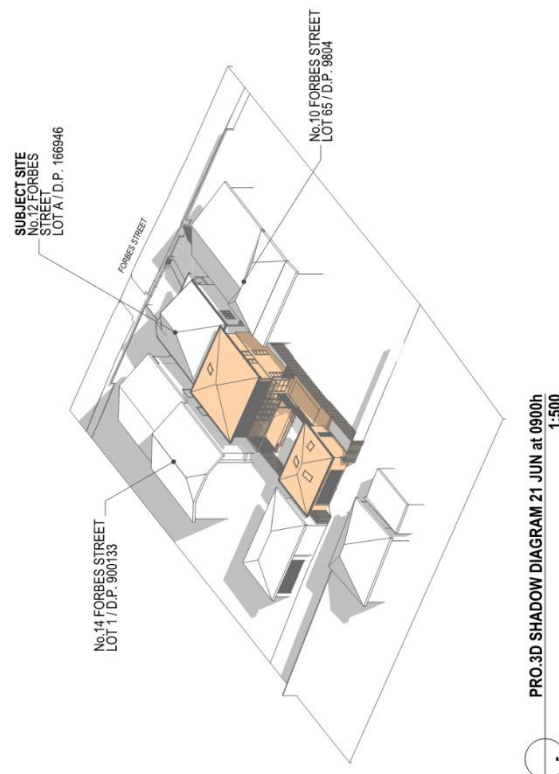
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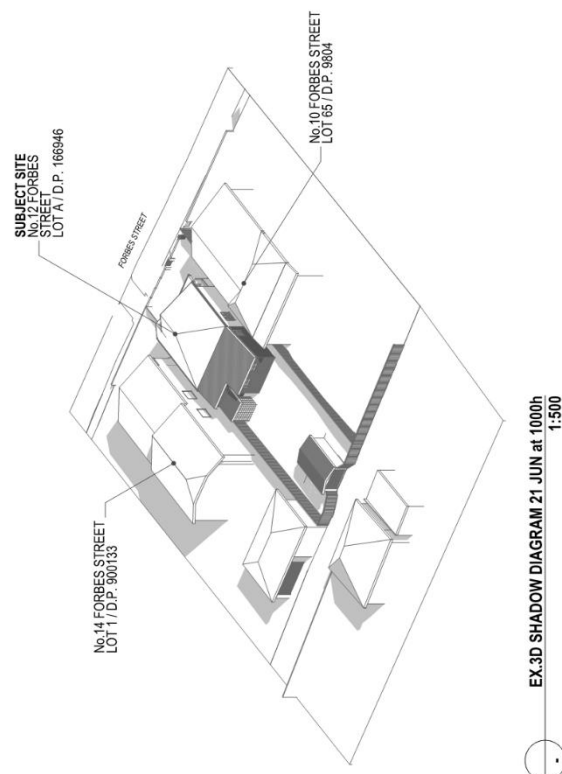
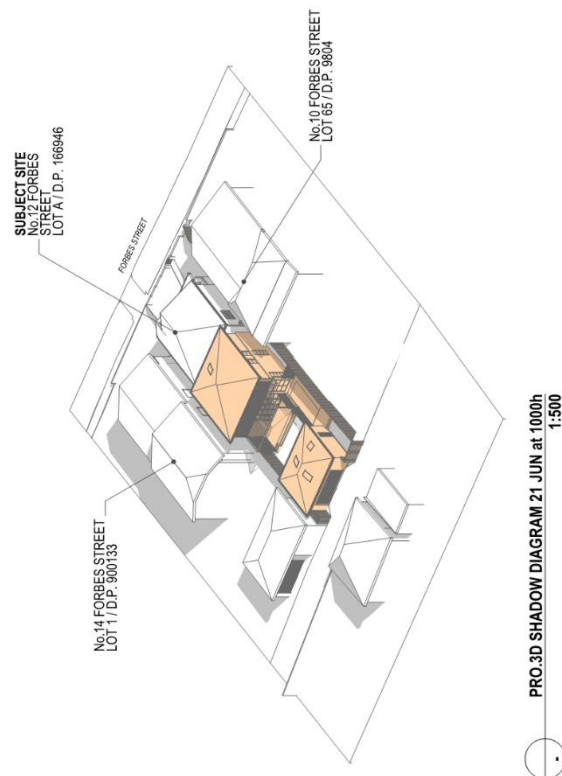
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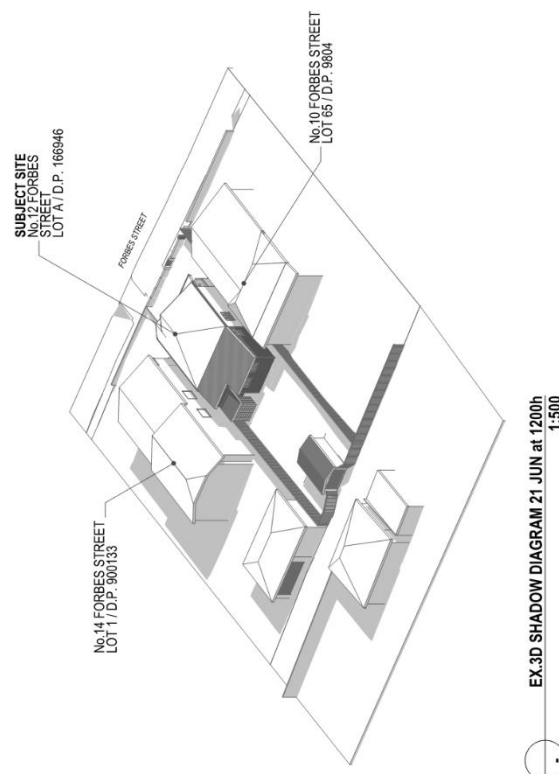
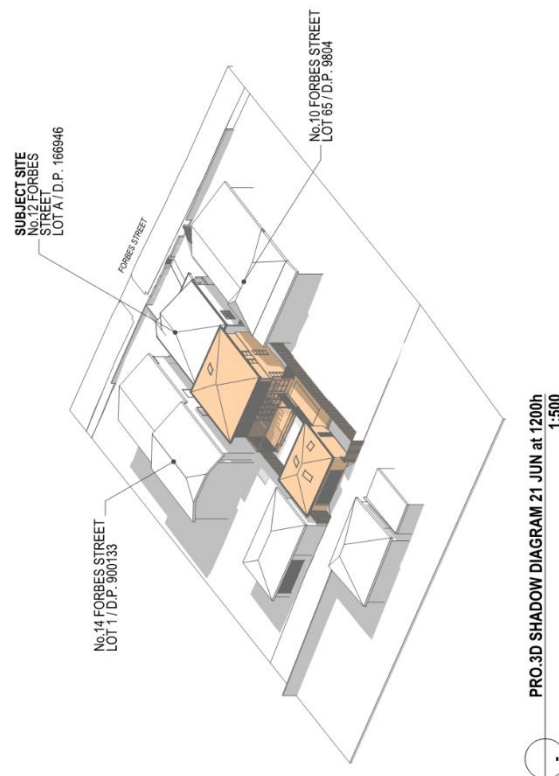
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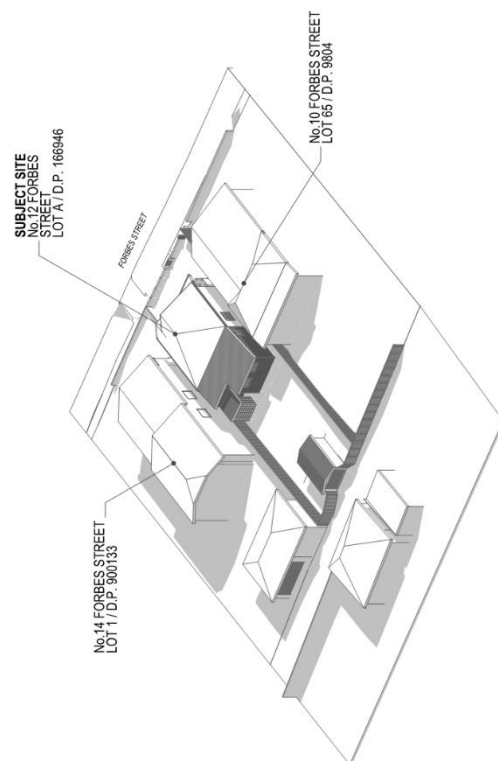
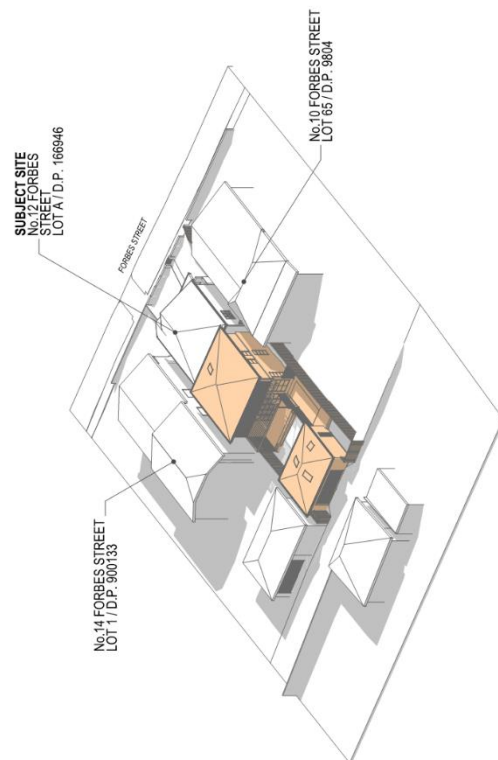


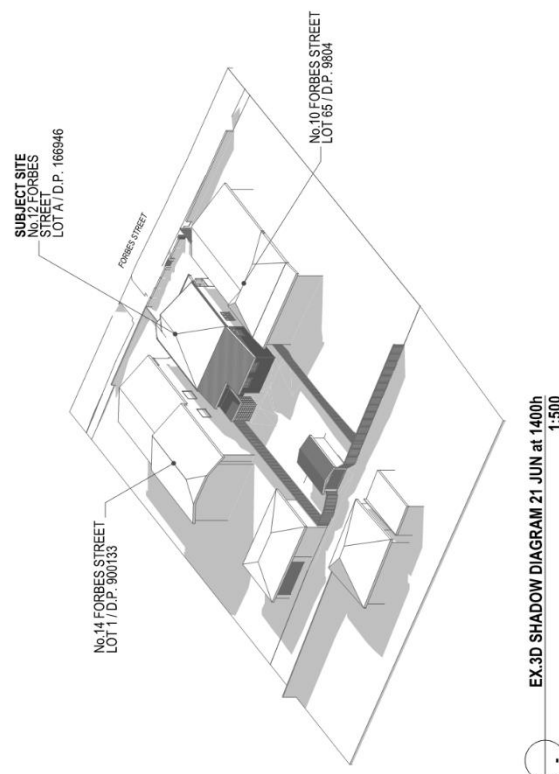
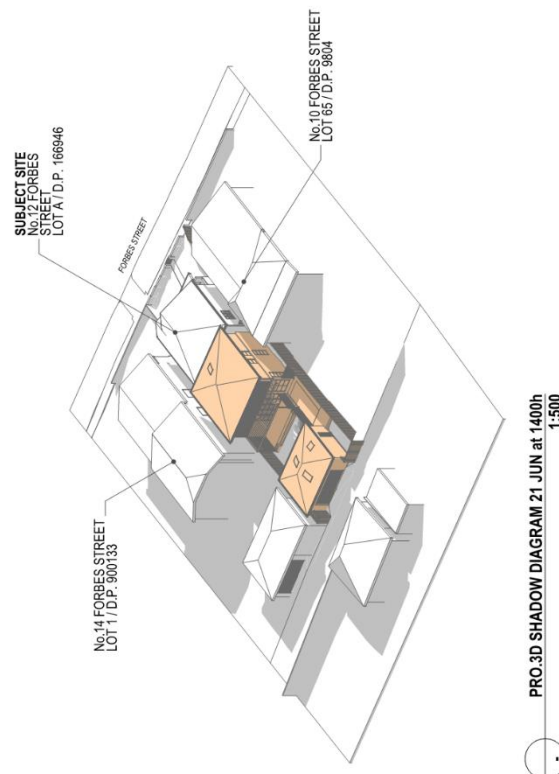
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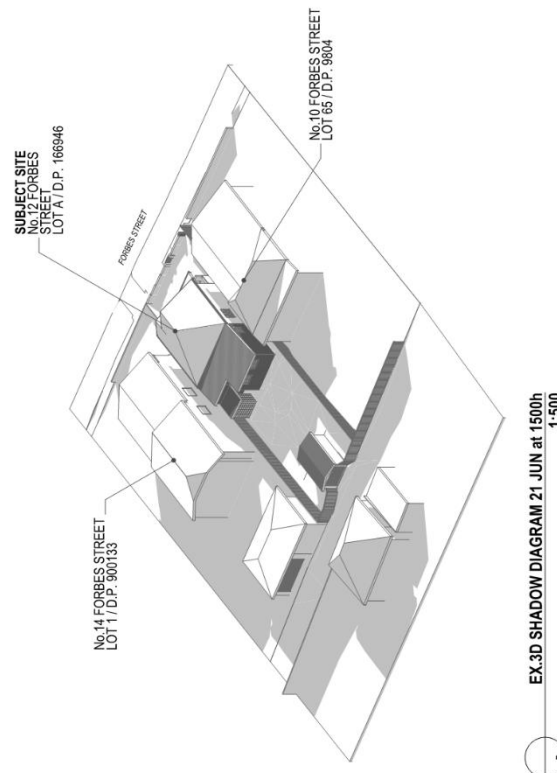
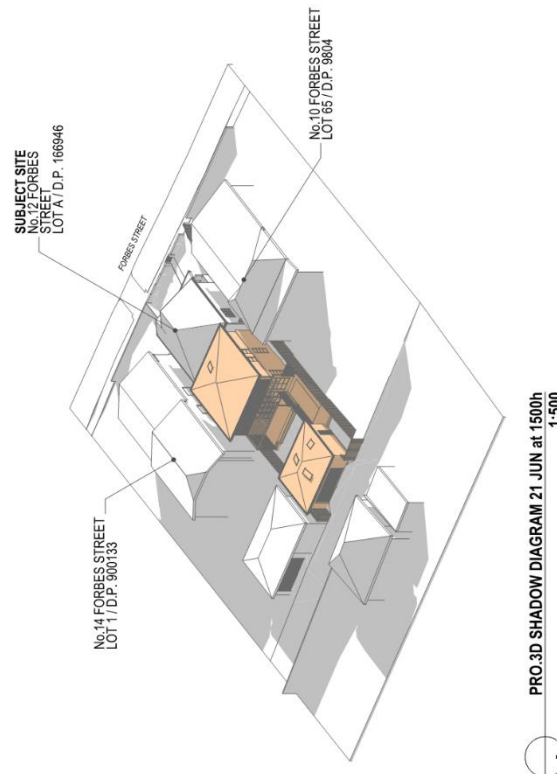




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## Attachment C – Statement of Heritage Significance



### Heritage Impact Statement

**Project:**

12 Forbes Street, Croydon Park NSW 2133

**Applicant:**

c/o Sandbox Studio Pty Ltd

**Date:** 11.09.24

Sydney: Timbermill, 1/70 Shepherd St Marrickville NSW 2204

Canberra: Keep Co, Building 3.3, 1 Dairy Rd Fyshwick ACT 2609

E: [info@sandboxstudio.com.au](mailto:info@sandboxstudio.com.au)

Nominated Architects: Dain McClure-Thomas NSW 9008 ACT 2600 / Luke Carter NSW 9557

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## CONTENTS

- 1.0 Existing Site
- 2.0 The Proposal
- 3.0 Inner West Local Environmental Plan 2022
- 4.0 Inner west Comprehensive Development Control Plan 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park, and Summer Hill
- 5.0 Summary

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### 1.0 Existing Site

The existing site is currently occupied by an existing single storey rendered dwelling. The property is not a heritage item but it is within the General Conservation Area (Map 10 of the Inner West LEP 2022).

The existing site is currently occupied by an existing single storey rendered dwelling. The site slopes West to East and is in the middle of the street. The site boundary is regular in shape, with a frontage of 12.190m with an orientation of 4°34'10" to Forbes Street with a boundary depth of 44.755m with an orientation of 274°34'00" with an overall site area of 541.5m<sup>2</sup>.

The immediate locality is comprised of single and two storey freestanding dwellings. Adjoining neighbouring properties No.10 Forbes Street is a single storey brick dwelling with No.14 Forbes Street being a two-storey brick dwelling both with no pending Development Applications. The proposal has been assessed against these existing dwellings where possible impacts are relevant.

Existing site





## 2.0 The Proposal

The proposal requests approval for modifications and extensions to an existing residence, which include expanding the ground floor and adding a second story, along with comprehensive landscaping. All glazing will comply with BASIX standards. The new construction will feature a new roof over the extended areas, while preserving the original structure in full. Interior upgrades will include new flooring, joinery, and HVAC systems throughout, ensuring that all heritage elements of the existing dwelling are respected.





### 3.0 Inner West Local Environmental Plan 2022

To investigate and explore the pros and cons of the subject site, 12 Forbes Street, Croydon Park NSW 2133. To research the development controls outlined within the local council, Inner West and comment on potential future development for the subject site.

#### Site Info

Zone: R2 - Low Density Residential  
 Site Area: 541.5m<sup>2</sup>  
 Heritage: Goodlet General Conservation Area.

ITEM		CONTROL	PROPOSED	COMMENTS	COMPLIANCE
4.3	Height of Buildings	8.5m	7.5m	The proposed works do not exceed existing height	Yes
4.4	Floor Space Ratio	0.5:1 270.75m <sup>2</sup>	312.51m <sup>2</sup>	Please refer to the Clause 4.6 Variation statement attached with this submission	NO
5.10	Heritage Conservation			General Conservation Area	Yes
6.1	Acid Sulfate Soils				N/A
6.3	Flood Planning				N/A

#### Zone R2 Low Density Residential

##### **1 Objectives of zone**

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide residential development that maintains the character of built and natural features in the surrounding area.

##### **2 Permitted without consent**

Home occupations

##### **3 Permitted with consent**

Bed and breakfast accommodation; Centre-based child care facilities; Dwelling houses; Group homes; Home businesses; Home industries; Hostels; Neighbourhood shops; Oyster aquaculture;

Sandbox Studio Pty Ltd | Sydney | Canberra | PO Box 16 Newtown NSW 2042  
 info@sandboxstudio.com.au | +61 431 084 105 | www.sandboxstudio.com.au  
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*Pond-based aquaculture; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Tank-based aquaculture; Any other development not specified in item 2 or 4*

### **4 Prohibited**

*Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boarding houses; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Emergency services facilities; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Port facilities; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies*

**The proposed development for dwellings is permitted under the LEP.**

**The proposed development for dwellings is permitted under the LEP.**

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### 4.0 Inner West Comprehensive Development Control Plan 2016

To investigate and explore the pros and cons of the subject site, 12 Forbes Street, Croydon Park NSW 2133. To research the development controls outlined within the local council, Inner West and comment on potential future development for the subject site.

### Chapter E1 - All Heritage items and Conservations Areas (except Haberfield)

#### PART 2 - HERITAGE ITEMS

ITEM	COMMENT	COMPLIANCE
<b>2.2</b>	<b>External Form and setting</b>	
	<p>"01 - Ensure changes to heritage items are based on an understanding of the heritage significance of the heritage item.</p> <p>02 - Ensure significant elements and features of heritage items are retained and conserved.</p> <p>03 - Ensure development is sympathetic to significant features with particular regard to bulk, form, style, character, scale, setbacks and materials.</p> <p>04 - Encourage reinstatement of missing significant details and the removal of unsympathetic changes.</p> <p>05 - Allow changes to the rear of heritage items where the new work does not impact the heritage significance of the heritage item.</p> <p>06 - Ensure that new uses of heritage items are compatible with the fabric and heritage significance of the item.</p> <p>07 - Encourage changes to significant parts of the place to be reversible where possible.</p> <p>08 - Retain significant settings, garden and landscape features and details."</p>	
	<b>Controls</b>	<b>COMPLIANCE</b>
<b>C1</b>	<p>"Retain features (including landscape features) that contribute to the significance of the item."</p> <p>The original dwelling is to be retained as existing with no structural works to proposed to the exterior. Front garden is also to be retained. Painting/repairing the existing façade will be proposed, please refer to the External Finishes Schedule.</p>	<b>YES</b>
<b>C2</b>	<p>"New work is to be consistent with the setback, massing, form and scale of the heritage item."</p> <p>The proposed rear extension and addition is consistent with the existing heritage dwelling setback, massing, form, and scale.</p>	<b>YES</b>
<b>C3</b>	<p>"Ensure development is sympathetic to significant features with particular regard to bulk, form, style, character, scale, setbacks and materials."</p> <p>The proposal is sympathetic to the significant features and takes into consideration the overall bulk, form, style, character, setbacks and materials.</p>	<b>YES</b>
<b>C4</b>	<p>"Retain significant fabric, features or parts of the heritage item that represent key periods of the item."</p>	<b>YES</b>

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	All existing heritage related items are to be retained and/or repaired if required within the proposal.	
C5	<p>"Alterations and additions are to be generally located away from original and intact areas of the heritage item."</p> <p>The proposal's alterations and additions throughout the site subject are located away from the original and aims to retain all existing heritage related elements.</p>	YES
C6	<p>"Maintain the integrity of the building form (including the roof form and profile) so that the original building is retained and can be clearly discerned, particularly when viewed from the public domain."</p> <p>The proposal ensures that the existing dwelling is clearly discerned and is centre of attention from the public domain. The proposed areas only compliment and are sympathetic to the existing heritage building.</p>	YES

ITEM	COMMENT	COMPLIANCE
2.3	<b>Interior Elements of Heritage Items</b>	
	"01 - To ensure that significant interior layouts and elements of heritage items are retained and conserved."	
	<b>Controls</b>	COMPLIANCE
C1	<p>"Minimise change to significant internal room configurations, layouts and finishes of heritage items."</p> <p>Internal finishes and room configurations are to be retained and improved upon. All the existing room configurations are to be retained.</p>	YES
C2	<p>"Generally retain original significant building entrances and associated hallways."</p> <p>The main entrance and hallways are to remain.</p>	YES
C3	<p>"Locate changes away from main rooms that have intact or significant features."</p> <p>The proposal does not intend to alter the existing room form at all. The proposed roof respects and designed after the heritage dwelling.</p>	YES
C4	<p>"New openings in internal walls must retain the structural integrity of the building and should retain significant ceilings and cornices. The ability to interpret original wall positions and room proportions is desirable"</p> <p>All internal openings have been designed to retain its structural integrity of the building and will be a distinction from the existing and proposed.</p>	YES
C5	<p>"Retain internal original or significant features including joinery, door sets, fireplaces, flooring, decorative plasterwork, ceilings, etc."</p> <p>The proposal seeks to retain all internal features such as fireplaces, decorative plasterwork and ceilings within the</p>	YES

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	existing heritage dwelling.	
C6	<p>"Avoid locating kitchen, bathroom or laundry fitouts within primary rooms of significance"</p> <p>All original room configurations within the existing dwelling are to be retained and repaired/improved.</p>	YES
C7	<p>"Allow for reversibility of internal changes to significant areas where possible."</p> <p>This has been considered within the design.</p>	YES

### PART 3 – Heritage Conservation Areas (HCA's)

ITEM	COMMENT	COMPLIANCE
3.2	<b>Contributory Buildings (Building rankings contributory 1 and 2)</b>	
	<p>"01 - Ensure that contributory buildings are retained, conserved and maintained for their streetscape heritage value.</p> <p>02 - Ensure that additions and alterations are designed to retain and complement the character and significance of the conservation area as set out in the Area Character Statements, generally with new work located at the rear or away from the public domain.</p> <p>03 - Encourage uncharacteristic, unsympathetic or intrusive elements to be removed or reversed and the significant form of contributory buildings to be recovered."</p>	
	<b>Controls</b>	COMPLIANCE
C1	<p>"Contributory buildings (buildings ranked Contributory 1 or 2) are to be retained and conserved with their significant setting except in exceptional circumstances where the consent authority determines replacement is justified."</p> <p>12 Forbes St, is considered a Contributory Building 1.</p>	YES
C2	<p>"Original or largely intact main roof forms are to remain unaltered. Where it is stylistically appropriate, minor changes such as dormer windows, skylights and solar panels may be considered. Where minor changes are proposed they should be located towards the rear and not on main roof planes"</p> <p>The proposal intends to retain the existing roof with all proposed works not affecting the existing dwelling.</p>	YES
C3	<p>"The front or main section of contributory buildings are to be retained (this is usually the building below the main roof form."</p> <p>The proposal will not alter the existing façade of the existing dwelling. Paint work to be proposed to the front façade, please refer to the External Finishes Schedule.</p>	YES
C4	<p>"Alterations and additions to a Contributory building are to:</p> <p>a) respect significant original or characteristic built form;</p> <p>b) retain significant fabric;</p> <p>c) retain, and where possible reinstate or reconstruct significant features and building elements. Such work should be based on research rather than conjecture.</p> <p>d) remove unsympathetic alterations and additions, including inappropriate building elements;</p> <p>e) use appropriate materials, finishes and colours; and</p>	YES

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	<p><i>f) respect the pattern, style and dimensions of original windows and doors, verandahs and other design features.</i></p> <p><i>g) alterations and additions to contributory buildings including for rear additions, which apply to existing parts of buildings to be retained such as shown in locations in Diagram 1 in orange, are not required to have previously altered building elements brought back to their original state. Owners may choose to reinstate original features in accordance with Clause 4 ( c) should they wish to do so."</i></p> <p><b>The proposal meets all the above-mentioned points and has been considered throughout the design.</b></p>	
C5	<p>"Second storey additions to the rear of contributory buildings should not visually dominate contributory buildings or the streetscape. They may be considered where:</p> <p>a) a second storey is set back behind the main roof form and does not visually dominate the main roof of the house when viewed from the street;</p> <p>b) a second storey is in the form of a rear pavilion addition that is separated from the main building;</p> <p>c) an additional storey does not alter the form or scale of the main roof form of the building;</p> <p>d) alterations and additions are designed to fit into the character of the heritage conservation area;</p> <p>e) the scale of a second floor addition is consistent with the predominant scale of contributory items in the street."</p> <p><b>The proposal's second storey addition does not visually dominate the contributory building or the streetscape. It is separated from the original and is of reasonable scale, form, and design.</b></p>	YES
C6	<p>"Single storey rear additions should be designed to be in sympathy with the scale and form of the existing contributory building. They should</p> <p>a) not be visually dominant on the site</p> <p>b) where they are a direct addition from the rear of the existing main building not extend the building form without modulation, step backs and articulation from the existing building</p> <p>c) where a direct roof extension is required set new roofs within the existing rear plane so that the rear roof plan remains discernible"</p> <p><b>The single storey extension and addition does not dominant the site with an emphasis on the existing dwelling.</b></p>	YES
C7	<p>"Retain established garden settings, including mature trees, original and early pathways, gates and front fencing particularly forward of the building line"</p> <p><b>The proposal does not seek to alter the existing front garden.</b></p>	YES
C8	<p>"Development should not obscure or reduce the visual relationship of Contributory buildings to each other within a precinct, or to the street frontage."</p> <p><b>The proposed development does not negatively impact the visual relationship between the contributory buildings and/or the street frontage.</b></p>	YES

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ITEM	COMMENT	COMPLIANCE
<b>3.3</b>	<b>Form, Massing, and Scale</b>	
	<p>"01 - To ensure that development maintains and enhances the identified streetscape character of each heritage conservation area.</p> <p>02 - To ensure that alterations and additions are compatible with existing buildings and streetscapes.</p> <p>03 - To ensure that the established historical pattern of development is continued in terms of siting, levels and front, side and rear building setbacks.</p> <p>04 - To retain the patterns of height, bulk and scale that are significant and distinctive to individual streetscapes and heritage conservation areas.</p> <p>05 - To maintain visual consistency of building forms to ensure that new buildings do not dominate. "</p>	
	<b>Controls</b>	<b>COMPLIANCE</b>
<b>C1</b>	<p>"Alterations and additions should reflect the bulk, mass, scale, orientation and setbacks of surrounding heritage and contributory items as well as the immediate property."</p> <p>The alterations and additions proposed reflects the areas acceptable, bulk, scale, orientation, and setbacks of neighbouring properties. It is sympathetic to its streetscape and is minimalistic in design.</p>	<b>YES</b>
<b>C2</b>	<p>"Alterations and additions should complement the predominant architectural scale and form of the area but are not required to imitate the existing style of buildings (Owners may wish to add to their building in matching style and this is appropriate, however, contemporary design approaches may also be acceptable - see C5)."</p> <p>The alterations and additions are sympathetic and considers the existing scale and form of the area. The style however, does not imitate the existing but is complimentary to the existing style and value.</p>	<b>YES</b>
<b>C3</b>	<p>"Established or characteristic front setbacks or building alignments are to be retained"</p> <p>The proposal does not seek to alter the front setback or building alignments.</p>	<b>YES</b>
<b>C4</b>	<p>"Alterations and additions should adopt the pattern of side setbacks of heritage and contributory items in the vicinity of the site"</p> <p>The Alterations and additions does embrace the side setbacks of the heritage and contributory items and meets the DCP controls and is consistent throughout the proposal.</p>	<b>YES</b>

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## PART 4 - Particular Building Types and Building Elements for Heritage Items and Contributory Buildings within Heritage Conservation Areas

ITEM	COMMENT	COMPLIANCE
<b>4.3</b>	<b>Driveways, Garages, and Carports</b>	
	<p>"01 - To ensure that where on-site car parking and driveways are appropriate that the access or any associated structures do not dominate or detract from the appearance of existing buildings and the local streetscape.</p> <p>02 - To only provide for vehicle access where parking can be provided behind the front building line.</p> <p>03 - To ensure the massing form and scale of new garages and carports are sympathetic to the streetscape, historic context and setting of existing buildings and appear as secondary structures."</p>	
	<b>Controls</b>	<b>COMPLIANCE</b>
<b>C1</b>	<p>"Where car access is available to the rear or side of a property, apart from a driveway (where side access is possible), parking is not permitted within the building front garden area."</p> <p>The proposal seeks to include a garage to the rear with rear lane access. We are also proposing a hardstand 6m x 3m in front of the building line. We note to council several other properties on Forbes Street with similar front of building line hardstand car parking areas.</p>	<b>NO</b>
<b>C3</b>	<p>"Original fences are not to be removed to create car access from the main street frontage unless there is sufficient space to access a side driveway"</p> <p>The original fences in the main street frontage are to remain as is.</p>	<b>YES</b>
<b>C7</b>	<p>"The form, size, detailing and materials or any new structure should complement the existing contributory building or heritage item and not mimic an earlier style."</p> <p>The proposed garage form, size, detailing, and materials complement the existing contributory building and does not mimic an earlier style.</p>	<b>YES</b>
<b>C11</b>	<p>"Loft or studios over garages are not permitted unless the garage is located in a rear area of a house and other planning controls are satisfied."</p> <p>Please refer to our response in the Statement of Environmental Effects</p>	<b>YES</b>
<b>C12</b>	<p>"If a property has an accessible rear lane and where there is an established pattern of rear lane access, vehicular access is to be from the rear and will not be permissible from the main street"</p> <p>As the property has rear lane access no vehicular access will be proposed from the main street.</p>	<b>YES</b>

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ITEM	COMMENT	COMPLIANCE
<b>4.5</b>	<b>Building Materials, Finishes and colour</b>	
	<p>"01 - To retain and conserve traditional materials, finishes and details where they are found in heritage items and contributory buildings.</p> <p>02 - To conserve original significant external finishes.</p> <p>03 - To provide for flexibility in the use of external paint schemes to reflect changing tastes.</p> <p>04 - To promote high quality design, materials, finishes and detailing to additions and alterations that is appropriate to the architectural style of the place and the historic context.</p> <p>05 - To allow for infill development to be of contemporary design but to 'fit' within the overall form and context of the setting."</p>	
	<b>Controls</b>	<b>COMPLIANCE</b>
<b>C5</b>	<p><b>Alteration and Additions</b></p> <p>"New materials, finishes, textures and details on elevations visible from the public domain, must be appropriate to the architectural style of the building. Materials may but do not have to replicate original materials, however if different materials are proposed a design statement must be provided to support any visual change to the building and streetscape."</p> <p><b>Materials, finishes, textures and details proposed on elevations which are visible from the public domain have been considered and are sympathetic and complement the Architectural Style of the building.</b></p>	<b>YES</b>



## 5.0 Summary

As outlined in the Statement of Environmental Effects, the proposed development is reasonable in scale, with the desired outcome being consistent with that exhibited by both the existing and future development within the locality.

All the proposed works are all contained to the rear of the property behind the heritage dwelling, with exception to the garage. The proposed garage which is in the same location as the existing will reflect materials that will only enhance the existing heritage facades and finishes.

The overall proposal has no impact on the heritage conservation streetscape along Forbes Street or to any of its surrounding relevant neighbours. No works impact any of the existing form, mass, materials, or finishes of the existing heritage dwelling.

All changes and proposed works have considered and have been designed in accordance with the Inner West Council's LEP and DCP objectives and controls. It is of our opinion that the proposed development on 22 Edwin Street will not be detrimental to the character or the heritage significance of the General Conservation Area it is situated within. The proposal is sympathetic in nature to the existing dwelling and streetscape. The design will increase the amenity to the property, meaning that the existing heritage dwelling will remain and can be upgraded for future occupancy.

The design is permissible within the statutory zone, consistent with the statutory and non-statutory controls applicable to the site and therefore the proposal is worthy of favourable consideration by council.