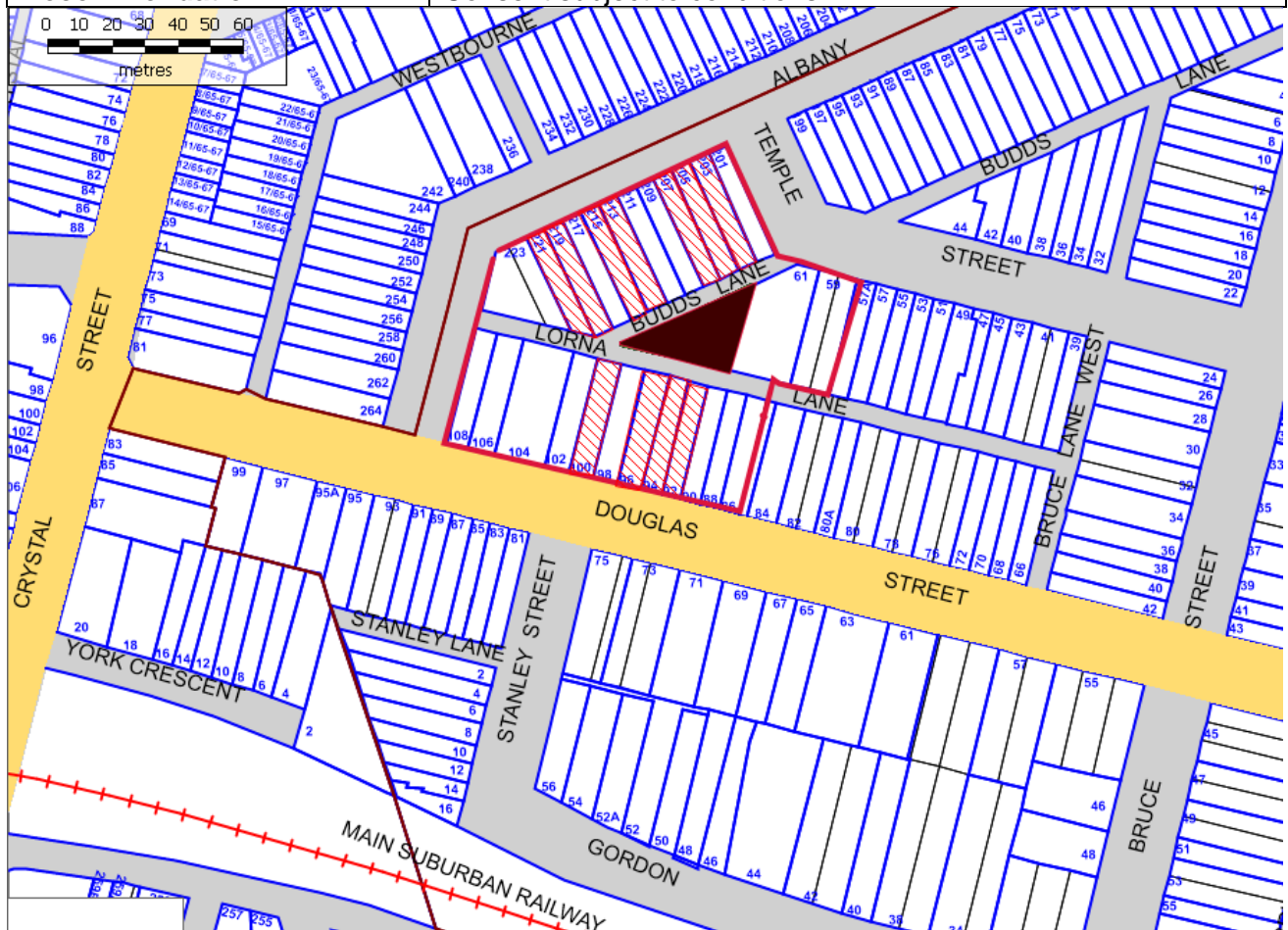




INNER WEST COUNCIL

DEVELOPMENT ASSESSMENT REPORT

Application No.	201700594
Address	2 Lorna Lane, Stanmore
Proposal	To adjust the boundaries between Lot B & C, demolish part of the existing dwelling and carry out alterations and additions to create a 2 storey dwelling on each allotment.
Date of Lodgement	29 November 2017
Applicant	Justin De Gouw
Owners	Justin De Gouw & Samantha Donnelly
Number of Submissions	10 submissions during the original notification and 6 submissions in response to amended re-notified plans.
Value of works	\$1,751,583
Reason for determination at Planning Panel	Number of submissions exceeds officer delegation
Main Issues	View Loss
Recommendation	Consent subject to conditions



Subject Site:



Objectors:



Notified Area:



1. Executive Summary

This report concerns an application to realign the boundaries between Lot B in Deposited Plan 920668 and Lot C in Deposited Plan 920712, demolish part of the existing dwelling and carry out alterations and additions to create a 2 storey dwelling on each allotment. The application was notified in accordance with Council's Notification Policy and 10 submissions were received.

The original application as lodged proposed the provision of a 2 x 2 part 3 storey dwellings on the site. During the assessment process the proposal was amended to address concerns raised by Council Assessment Officer relating to the overall bulk and architectural form of the dwellings, privacy, overshadowing and use of the dwellings. The amended proposal was re-notified in accordance with Council's Notification Policy and 6 submissions were received.

The proposal generally complies with aims, objectives and design parameters of Marrickville Local Environment Plan 2011 (MLEP 2011). The development generally complies with the provisions of Marrickville Development Control Plan 2011 (MDCP 2011). It is considered that the proposal will not result in any significant impacts on the streetscape or amenity of adjoining properties.

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

2. Proposal

Approval is sought to realign the boundaries between Lot B in Deposited Plan 920668 and Lot C in Deposited Plan 920712, demolish part of the existing dwelling and carry out alterations and additions to create a 2 storey dwelling on each allotment. The works include the following:

- Demolition of the internal walls and roof of the existing building;
- Realignment of the existing boundary between the 2 lots to the east to create an irregular jagged boundary;
- Construction of 2 x 2 storey dwellings with parking.

3. Site Description

The site comprises two allotments being:

- Lot B in Deposited Plan 920668; and
- Lot C in Deposited Plan 920712.

The site has an overall area of 415.9sqm and is triangular in shape. The site has a frontage of 32.36 metres to Lorna Lane and 41.33 metres to Budds Lane.

No. 2 Lorna Lane currently accommodates a single storey dwelling. The dwelling has a vehicular crossing on Lorna Lane to a double garage with roller door. 2 courtyards service the dwelling, one of which is located on the corner of Lorna Lane and Budd Lane and provides entry into the dwelling and the other is located on the north-eastern portion of the site. The site is bounded by a masonry wall up to 6.06 metres high which is covered in a fig vine creeper.

There are a number of bottlebrush trees in the courtyard of the site.

Surrounding development is predominately characterised by single and two storey dwellings with a number of the dwellings containing garages with first floor studios on the laneway.

4. Background

4(a) Site history

Determination No.17312, dated 7 October 1997, granted deferred commencement consent to carry out alterations and additions to the premises to convert the building into a dwelling-house.

On 17 February 2017 a pre-development application meeting (PDA201600130) was held at Council for the proposal to partially demolish the existing improvements, subdivide the site into 3 lots and construct a 3 storey attached dwelling on each allotment. A number of issues were raised with regard to setbacks, subdivision/boundary realignment, form, privacy and heritage and the conclusion of the PDA letter was that the proposed development was not supported in its present form and would be required to be amended to address the issues raised.

4(b) Application history

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

Date	Discussion / Letter/ Additional Information
29 November 2017	Application submitted to Council.
28 March 2018	Request for additional information sent to applicant regarding design issues, the provision of multiple occupancies, overshadowing and solar access & materials and finishes.
3 April 2018	Preliminary amended plans submitted to Council.
18 April 2018	Final version of amended plans submitted to Council for re-notification.
20 April 2018	Application renotified to neighbouring properties and previous objectors for a period of 14 days.
22 May	Amended plans received to include dimensions and RL's on all elevation drawings.
22 May 2018	Amended BASIX Certificates submitted for proposed development.

5. Assessment

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

5(a) Environmental Planning Instruments

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

- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017;
- Marrickville Local Environmental Plan 2011; and
- Marrickville Development Control Plan 2011.

The following sections provide further discussion of the relevant issues:

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

A BASIX Certificate was submitted with the application for each of the proposed dwellings indicating that the proposal achieves full compliance with the BASIX requirements. Appropriate conditions are included in the recommendation to ensure the BASIX Certificate commitments are implemented into the development.

5(a)(ii) State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 concerns the protection/removal of vegetation identified under Marrickville Development Control Plan 2011 (MDCP 2011). There are trees protected by MDCP 2011 in the existing courtyard of the site which are discussed later in Section 5(c)(v) of this report under the provisions of Part 2.20 of MDCP 2011.

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

The application was assessed against the following relevant clauses of the Marrickville Local Environmental Plan 2011:

- (i) Clause 2.3 - Land Use Table and Zone Objectives
- (ii) Clause 2.6 - Subdivision
- (iii) Clause 2.7 - Demolition
- (iv) Clause 4.3 - Height of Buildings
- (v) Clause 4.4 - Floor Space Ratio
- (vi) Clause 6.2 - Earthworks
- (vii) Clause 6.5 - Development in areas subject to Aircraft Noise 25-30

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

	<u>Height of Buildings</u>			<u>Floor Space Ratio</u>		
	Permitted	Proposed	Complies	Permitted	Proposed	Complies
Lot 1 (known as Lot B)	9.5 metres	8.27 metres	Yes	0.9:1	0.87:1	Yes
Lot 2 (known as Lot C)	9.5 metres	8.27 metres	Yes	0.9:1	0.84:1	Yes

The following provides further discussion of the relevant issues:

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

The property is zoned R2 – Low Density Residential under the provisions of MLEP 2011. Dwelling houses are permissible with Council's consent under the zoning provisions applying to the land.

The development is acceptable having regard to the objectives of the R2 - Low Density Residential zone.

(ii) Subdivision (Clause 2.6)

Clause 2.6 of MLEP 2011 states that land to which the Plan applies may be subdivided, but only with development consent. The development includes adjustment of the existing boundaries of the two allotments at No.2 Lorna Lane. The adjustment of the boundaries would result in the increase in size of Lot C in DP 920712 and decrease in size of Lot B in DP 920668. The issue is discussed later in this report under the heading “Marrickville Development Control Plan 2011 - Part 3 - Subdivision, Amalgamation and Movement Networks”.

(iii) Demolition (Clause 2.7)

Clause 2.7 of MLEP 2011 states that the demolition of a building or work may be carried out only with development consent. The application seeks consent for demolition works. Council's standard conditions relating to demolition works are included in the recommendation.

(iv) Height (Clause 4.3)

A maximum building height of 9.5 metres applies to the sites as indicated on the Height of Buildings Map that accompanies MLEP 2011. The development has a maximum building height of 8.27 metres which complies with the height development standard.

(v) Floor Space Ratio (Clause 4.4)

Clause 4.4(2A) of MLEP 2011 specifies a maximum floor space ratio (FSR) for a dwelling house on land identified as “F” on the Floor Space Ratio Map based on site area as follows:

Site area	Maximum floor space ratio
>200sqm but ≤250sqm	0.9:1

The following table provides a breakdown of the floor space ratio of the dwelling houses, in relation to the prescribed FSR control, on their respective lots:

Proposed Lot	Site Area (sqm)	Max FSR Permitted	FSR Proposed	Complies?
Lot 1	203	0.9:1	0.87:1	Yes
Lot 2	213	0.9:1	0.84:1	Yes

As indicated in the table above, the dwelling houses proposed on each of the sites comply with the prescribed development standard.

(vi) Heritage

The site is located in the Annandale Farm Heritage Conservation Area (HCA 6) under Clause 5.10 of MLEP 2011.

The application was referred to Council's Heritage and Urban Design Officer who provided the following comments regarding the proposal:

“The site falls within the Annandale Farm Heritage Conservation Area (HCA 6) and contains a residential single-storey building that is not contributory to the HCA. The green perimeter walls have urban design merits.”

The architectural and urban design merits of the proposal have improved substantially since Pre-DA. The proposal is generally supported from a heritage and urban design perspective. I provide the following comments:

- 1. EC2 – Lower wall cladding Weathertex EcoWall Smooth” wall panel is supported. Please state that the panels will have vertical express jointing.*
- 2. EC1 - Upper wall cladding: corrugated “Zincalume” (horizontal) to be replaced with a different metal cladding with low reflectivity.*
- 3. I have reservations about the amenity of Bed4/retreat of Unit 1 as a dual occupancy space. It is recommended that the separate stairwell be removed and the bedroom incorporated as part of the main dwelling house. Planning to consider it further.*
- 4. If Bed4/retreat of Unit 2 is to be used as a dual occupancy, a proper kitchen should be provided at Ground Level.*
- 5. The balconies facing Lorna Lane are supported from an urban design perspective as they help to activate the lane and improve streetscape quality.*
- 6. The proposal seeks some relaxation in setback controls to preserve the perimeter green walls. The green walls have urban design merit and thus its preservation is supported. However, it is recommended that a condition of consent be included requesting engineering certified drawings be provided before CC showing how the perimeter green walls will be protected and preserved during demolition and construction. If damage to the wall occurs during construction, works should stop immediately and the applicant should seek advice from Council on how to proceed.”*

Amended plans were requested during the assessment of the application which included the removal of the second storey and resultant upper wall zincalume cladding and reconfiguration of the internal layout in line with the Heritage and Urban Design Officer's comments. As a result the proposal addresses the concerns raised above and results in a built form that is considered acceptable with regard to Clause 5.10 of MLEP 2011 and Part 8 of MDCP 2011 with the proposal considered to be an appropriate infill development.

(vii) Earthworks (Clause 6.2)

The development includes minimal earthworks as the proposal includes slab on ground construction and no basement. The earthworks proposed are reasonable having regard to Clause 6.2 of MLEP 2011.

(viii) Development in areas subject to Aircraft Noise (Clause 6.5)

The land is located within the 25-30 Australian Noise Exposure Forecast (2033) Contour and as such the development is likely to be affected by aircraft noise.

The development would need to be noise attenuated in accordance with AS2021:2015. An Acoustic Report was submitted with the application which details that the development could be noise attenuated from aircraft noise to meet the indoor design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS2021:2015. Conditions are included in the recommendation to ensure that the requirements recommended within the acoustic Report are incorporated into the development.

5(b) Draft Environmental Planning Instruments

5(b)(i) Draft Marrickville Local Environmental Plan 2011 (Amendment 4)

Draft Marrickville Local Environmental Plan 2011 (Amendment 4) (the Draft LEP Amendment) was placed on public exhibition commencing on 3 April 2018 and accordingly is a matter for consideration in the assessment of the application under Section 4.15(1)(a)(ii) of the Environmental Planning and Assessment Act 1979.

The amended provisions contained in the Draft LEP Amendment are not relevant to the assessment of the application. Accordingly, the development is considered acceptable having regard to the provisions of the Draft LEP Amendment.

5(c) Development Control Plans

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

Part	Compliance
Part 2.6 Acoustic and Visual Privacy	Yes – see discussion
Part 2.7 Solar Access and Overshadowing	Yes – see discussion
Part 2.9 Community Safety	Yes
Part 2.10 Parking	Yes – see discussion
Part 2.16 Energy Efficiency	Yes
Part 2.18 Landscaping and Open Spaces	No – see discussion
Part 2.20 Tree Management	Yes – see discussion
Part 2.21 Site Facilities and Waste Management	Yes
Part 2.24 Contaminated Land	Yes – see discussion
Part 2.25 Stormwater Management	Yes
Part 3 Subdivision, Amalgamation and Movement Networks	Yes – see discussion
Part 4.1 Low Density Residential Development	Yes – see discussion
Part 8 Heritage	Yes – see discussion under Clause 5.10 of MLEP 2011
Part 9 Strategic Context	Yes – see discussion

The following provides discussion of the relevant issues:

PART 2 – Generic Provisions

(i) Acoustic and Visual Privacy (Part 2.6)

The development maintains adequate levels of acoustic and visual privacy for the surrounding residential properties and ensures an adequate level of acoustic and visual privacy for future occupants of the development.

The development generally provides windows and areas of private open space on the ground floor facing Budds Lane which is protected by the existing boundary wall and would not result in any overlooking of adjoining properties.

Unit 1 (on Lot B in Deposited Plan 920668)

Northern Elevation

The northern elevation of Lot 1 services a bedroom with en-suite. Glazed sliding doors are proposed leading onto a balcony 1.4 metres deep with a maximum area of 8.2m² facing north-east. A 1.8 metre high privacy screen is proposed to the eastern side boundary to protect the privacy of the adjoining property to the east at No.61 Temple Street. The balcony is setback 6.6 metres at the closest point to the rear boundary and over 12 metres to the adjoining rear boundaries of the properties along Budds Lane. The properties adjoining Budds Lane at Nos.205 and 203 Albany Road have 2 storey structures on the rear boundary which removes the ability of the balcony to overlook their principal private open space and as a result the balcony and glazed sliding doors servicing a bedroom is considered acceptable.

Southern Elevation

The first floor of Lot 1 contains 2 bedroom windows facing Lorna Lane being to the south of the site. The bedroom windows proposed are highlight windows and as they are not highly trafficable rooms no concern regarding privacy is raised. Similarly the bathroom window proposed on Lorna Lane would not result in any privacy impacts to the adjoining properties. A family room window is proposed facing the laneway and like all windows on this elevation is to be setback 1.6 metres from the boundary. This window is screened by the existing boundary wall to a height of 1.3 metres above floor level. It is considered that the window should be fixed with obscure glazing to a height of 1.6 metres above finished floor level to ensure that the privacy of the adjoining properties private open space on the opposite side of Lorna Lane are protected. Conditions to such effect are included in the recommendation of this report.

Unit 2 (on Lot C in Deposited Plan 920712)

Northern Elevation

The first floor of the development of Lot 2 contains a family room window, 2 x en-suite windows and glazed sliding doors to a balcony off bedroom 1 on the northern elevation facing Budds Lane. All windows on the northern elevation of the first floor have a minimum setback of 9 metres to the rear boundaries of the properties fronting Budds Lane. The en-suite windows are small highlight windows that are not considered to result in any privacy implications. Similarly the window servicing bedroom 2 is acceptable.

The family room window is orientated to maximise views to the north-east, however living rooms are not encouraged on the first floor as they are considered 'active use' rooms. A condition is included in the recommendation for fixed obscure glazing to a height of 1.6 metres above floor level to protect the privacy of the adjoining properties. A balcony is proposed off bedroom 1 which is 1.6 metres in depth and a total of 4.5m² in area. The balcony serves a bedroom which is considered a non-active use room. The balcony is setback a minimum of 10.5 metres to the rear boundaries of the properties on Budds Lane and is orientated to the north-east. The balcony would be partially screened by the existing boundary wall and this combined with its limited size and the use of the room attached is

considered to provide appropriate privacy to the adjoining properties on Budds Lane. A solid wall is shown between the two lots on the subject site with a privacy screen extending out 2 metres to reduce overlooking of the ground floor private open space of Lot 1.

Western Elevation

A small window servicing the hallway and stair landing is proposed on the first floor and is not considered to create any privacy impacts. Glazed sliding doors are proposed onto a balcony on the corner of Budds Lane and Lorna Lane. The balcony is 1.1 metres deep and 4.5m² in area and has a solid balustrade. The balcony and sliding doors would overlook the laneway entry of Lorna Lane and would not result in any detrimental privacy impacts.

Southern Elevation

The southern elevation of Lot 2 contains a window servicing bedroom 3. The window is a highlight window and being a 'non-active use' room no concerns regarding privacy are raised.

Given the above the development is reasonable having regard to the objectives and controls relating to visual and acoustic privacy as contained in MDCP 2011 subject to the condition included in the recommendation for fixed obscure glazing to the first floor family rooms.

(ii) Solar Access and Overshadowing (Part 2.7)

Overshadowing

The shadow diagrams submitted with the application illustrate the extent of overshadowing as a result of the development. The development will result in increased overshadowing of the adjoining properties on the opposite side of Lorna Lane known as No.98, 96, 94 and 92 Douglas Street and No.61 Temple Street.

The additional overshadowing will be cast between 9am and 11am on the 21 June. The additional overshadowing to Nos. 98, 96, & 94 Douglas Street would be minimal and not prevent the properties from maintaining in excess of 2 hours of solar access to the principal private open space areas between 9am and 3pm on 21 June. The overshadowing will not extend to the principal living areas of these properties.

The additional overshadowing of No.92 Douglas Street is cast over the existing garage and a small portion of the principal private open space area which is currently mostly overshadowed on 21 June. The proposed development results in a nominal amount of additional overshadowing and only occurs at 9am and would not impact upon the living areas of the dwelling. Furthermore, no additional overshadowing of the property at No.92 Douglas Street will occur at March 21 as a result of the development.

The proposed development is below the maximum height and floor space ratio permitted on the site and the built form is considered appropriate given the context of the site and its irregular size and shape. The minor increase in overshadowing for 1 hour on 21 June is considered satisfactory.

Additional shadow will be cast over the roof of the garage to the adjoining property to the east at No.61 Temple Street on 21 June. This will occur from 12.00 noon onwards. The additional shadow will not reduce the solar access to the principal area of private open space with solar access and will not extend to the living room windows of the property. The overshadowing is considered reasonable.

Having regard to the above, the development is considered acceptable having respect to Part 2.7 of MDCP 2011.

Solar Access

The site's solar access is currently restricted by the existing boundary walls which are to a height of up to 6.06 metres on the northern side. The development has been designed in an energy efficient manner for the following reasons:

- The living area glazed sliding doors of Lot 1 receive in excess of 2 hours solar access on 21 June;
- Between 12.00 noon and 2pm the glazed living room doors of Lot 2 receive solar access to at least 50% of its finished surface at winter solstice;
- At least one habitable room for each dwelling has a window having an area not less than 15% of the floor area of the room, positioned within 30 degrees east and 20 degrees west of true north and will allow for direct sunlight for at least two hours over a minimum of 50% of the glazed surface between 9:00am and 3:00pm on 21 June;
- The principal private open space provided for each dwelling house will not receive a minimum two hours of direct sunlight over 50% of its finished surface between 9.00am and 3.00pm at solstice. However in equinox both dwellings principal private open space will receive solar access in excess of 2 hours over 50% of the finished surfaces; and
- Lot 2 has access to a second terrace area on the corner of Budds Lane and Lorna Lane which receives a minimum of 2 hours of solar access to 50% of the finished surface on 21 June. Similarly the balconies proposed for the dwellings on the first floor will receive full solar access as they are north facing.

Given the above the development is reasonable having regard to the objectives and controls relating to solar access and overshadowing as contained in MDCP 2011.

(iii) Parking (Part 2.10)

In accordance with Part 2.10 of MDCP 2011, each dwelling house requires the provision of 1 off-street car parking space. The development provides a double garage for Lot 1 which is existing and a single garage for Lot 2 which complies with these requirements.

The application was referred to Council's Development Engineer who raised no objection to the proposal subject to a condition requiring that the garage doors be widened to 2.7 metres to allow for the 85th percentile vehicle prior to the issue of a construction certificate and that the splay be increased from 2 metres by 2 metres to 3 metres by 3 metres for dedication to Council to improve sight lines for vehicles utilising the adjoining laneways. The conditions from Council's Development Engineer are included in the recommendation.

The development is acceptable having regard to Part 2.10 of MDCP 2011.

(iv) Landscaping and Open Spaces (Part 2.18)

Part 2.18 of MDCP 2011 prescribes the following for dwellings houses:

- A minimum of 45sqm or 20% of the total site area whichever is greater, with no dimension being less than 3 metres is to be retained as private open space; and
- In excess of 50% of the private open space is to be maintained as pervious landscaping.

The development provides the following areas of private open space and pervious landscaping:

Proposed Lot	Site Area (sqm)	Private Open Space	Pervious Landscaping	Complies?
Lot 1	203	70sqm	22%	No
Lot 2	213	45sqm + second terrace 22sqm	40%	No

As indicated above, the development complies with Council's controls for private open space (POS) area however the pervious landscaping of these POS areas does not meet the minimum requirement of 50%.

Whilst not complying with the 50% pervious numerical control, the private open space provided increases the area of pervious open space above what is currently available on site and will maintain the existing fig vine creeper on the perimeter wall of the site. It is noted the existing site was formerly part of an industrial conversion and as such landscaping on the site is minimal. The proposed private open space areas are in excess of the required 45sqm and provide for an appropriate space adjacent to the living areas.

The private open space for the dwellings meets the objectives of Part 2.18 of MDCP 2011 and is considered acceptable.

(v) Tree Management (Part 2.20)

There are a number of *Callistemon viminalis* (bottlebrush) within the inner courtyard of the site covered by and protected under Part 2.20 of MDCP 2011. No trees are proposed for removal. The application was referred to Council's Tree Management Officer who raised no concerns regarding the proposed development subject to conditions regarding tree protection fencing which have been included in the recommendation.

(vi) Contamination (Part 2.24)

State Environmental Planning Policy No. 55 - Remediation of Land requires Council to consider whether land is contaminated prior to granting consent to carrying out of any development on that land.

The site is currently used for residential purposes and has been since approval in 1997 for the purpose of a dwelling house. The proposed continued use for residential accommodation is considered acceptable with regard to Part 2.24 of MDCP 2011.

PART 3 – Subdivision, Amalgamation and Movement Networks

(vii) Torrens Title Subdivision and Amalgamation (Part 3.2)

The development involves the realignment of the existing boundary between the 2 lots to create 2 lots capable of supporting a dwelling on each rather than one dwelling over the 2 allotments. It is noted that the subject site is an anomaly in the street as it is triangular in shape. The existing allotment known as Lot C in DP 920712 is approximately 92sqm in area and Lot B in DP 920668 is approximately 323.9sqm in area with a total combined site area of 415.9sqm.

The boundary adjustment will result in the following lot measurements:

Proposed Lot	Site Area (sqm)	Lot width	Lot Depth
Lot 1	203sqm	Up to 13.5 metres	Up to 25.7 metres
Lot 2	213sqm	Up to 28 metres	Up to 14.9 metres

Part 3.2 of MDCP 2011 does not contain minimum lot width or area requirements for subdivision, but rely on performance based controls that aim to ensure that new lots facilitate development that is compatible with the immediate area.

In response to the diversity of household sizes and open space needs, Council's subdivision controls permit a variety of lot sizes provided the allotment size and shape relate to the existing subdivision pattern of the locality, the context of the site, and can adequately provide room for open space, parking and landscaping.

The proposed lots can be compared with those adjoining and on the opposite sides of Budds Lane and Lorna Lane known as Albany Road, Douglas Street and Temple Street. As indicated in the table below the proposed lots would generally be consistent with the lot areas and widths of surrounding adjoining development as follows:

Number	Site Area	Frontage	Number	Site Area	Frontage
201 Albany Road	211sqm	5.7 metres	84 Douglas Street	331sqm	9 metres
203 Albany Road	223sqm	6.2 metres	86 Douglas Street	222sqm	8.8 metres
205 Albany Road	226sqm	5.7 metres	88 Douglas Street	219sqm	5.7 metres
207 Albany Road	219sqm	6.3 metres	90 Douglas Street	220sqm	6.3 metres
209 Albany Road	215sqm	5.9 metres	92 Douglas Street	222sqm	6.5 metres
211 Albany Road	223sqm	5.9 metres	94 Douglas Street	224sqm	6.3 metres
213 Albany Road	226sqm	6 metres	96 Douglas Street	274sqm	7.6 metres
215 Albany Road	214sqm	5.7 metres	98 Douglas Street	274sqm	8 metres
217 Albany Road	230sqm	6.3 metres	100 Douglas Street	270sqm	7.5 metres
219 Albany Road	215sqm	5.6 metres	59 Temple Street (2 lots)	225sqm & 217sqm	12.2 metres

221 Albany Road	201sqm	5.4 metres	57A Temple Street	212sqm	5.7 metres
223 Albany Road (2 lots)	181sqm & 242sqm	6.4 metres & up to 21 metres	57 Temple Street	229sqm	6.2 metres
Proposed Lot 1*	203sqm	16.8 metres (to Lorna Lane)	55 Temple Street	219sqm	6.5 metres
Proposed Lot 2*	213sqm	13.5 metres (to Lorna Lane)	53 Temple Street	216sqm	6.7 metres

As the above table demonstrates there is considerable variation in the lot size and dimensions in the street. The subdivision would result in lots which are considered to be consistent with the lower scale of lot sizes found within Douglas Street, Temple Street and Albany Road and would not be the smallest allotment with that being 221 Albany Road which measures 201sqm in area.

The application provides the following justification, in summary, for the proposed subdivision:

“Proposed new subdivisions should attempt to match the existing subdivision pattern; in this instance the most prominent pattern is long thin sites (~200-220sqm) suitable to terrace houses. However, the subject site is an irregular shaped property in a secondary location (2 rear lanes); it does not currently conform to the prevailing pattern and so its subdivision would not detract from this pattern any more than the current situation.”

The streetscape and immediate locality is generally characterised by single and 2 storey dwellings on a mix of narrow and wide lots. As outlined earlier, the site is an anomaly in the cadastral pattern being located at the corner of an intersection between Budds Lane and Lorna Lane which both serve as rear laneways, generally with garage access to properties fronting Douglas Street, Albany Road and Temple Street. The subject site is the only allotment with the street and postal address of “Lorna Lane” with a lack of street frontage that would be typical of a traditional dwelling house. It is therefore considered that the site should be considered in isolation when assessing the merits of the proposed shape of the allotments. The irregular shape of the proposed allotments should be assessed based on their capacity to provide an appropriate built form and resultant amenity for the future occupants and adjoining developments.

The subdivision would allow for continuation of a built form which is consistent with the pattern of development found in Albany Road and Douglas Street, being 2 storey dwellings with off street parking. Solar access, open space, car parking and other amenity impacts of the proposal have been discussed elsewhere in the report and the proposed allotments are considered to allow for built forms which comply with Council's requirements with respect to those issues.

Overall it is considered that the proposed realignment of the existing 2 allotments would have consideration for the unique site features and constraints and relate to the existing residential use, therefore the proposal would be consistent with the objectives of Part 3 of MDCP 2011 and is supported.

Part 4.1 - Low Density Residential Development

Part 4.1 of MDCP 2011 provides controls relating to Low Density Residential provisions including building form, building detail and desired future character guidelines and controls for specific centres. An assessment of the development having regard to the relevant provisions of Part 4.1 of MDCP 2011 is provided below.

(viii) Good Urban Design Practise (Part 4.1.4)

The development as originally proposed was referred to Council's Urban Design Advisor whose comments were discussed in Section 5(a)(vi) of this report under Clause 5.10 – Heritage. The proposal has removed the corrugated wall cladding originally proposed on the 3rd floor as the 3rd floor has been removed entirely. The proposed use of contemporary materials is considered to provide an appropriate contrast to the surrounding period homes and would not result in any detrimental impacts on the adjoining properties or heritage conservation area.

The development, provides appropriate massing and articulation and would not be 'out of character' with the laneway in which it sits. The development incorporates high quality self-finished materials. The ground floor and large portion of the first floor will be screened by the existing perimeter wall being retained.

The development is considered to satisfy the objectives and controls for contemporary dwellings as contained in Part 4.1.4 of MDCP 2011 and is supported.

(ix) Streetscape and Design (Part 4.1.5)

The development satisfies the streetscape and design controls outlined in MDCP 2011 in that:

- The development complements the uniformity and visual cohesiveness of the bulk, scale and height of surrounding development;
- The proposed additions are of a contemporary design that complements the character of the area and provides a contrast to the retained vine covered perimeter walls;
- The dwelling houses address the relevant laneway frontage with internal courtyards provided as a first point of entry to the sites with a secondary front door accessed from the courtyard/landing areas; and
- The architectural treatment of the façade interprets and translates positive characteristics in the locality, including the use of cladding for the external walls.

(x) Built Form and Character

4.1.6.1 Floor Space Ratio and Height

The development satisfies the floor space ratio and height controls outlined in MDCP 2011 in that:

- The FSR for both dwellings complies with the FSR development standard under MLEP 2011;
- The height for both dwellings complies with the height standard under MLEP 2011;
- The bulk and relative mass of development is acceptable for the street and adjoining dwellings in terms of overshadowing and privacy, streetscape (bulk and

- scale), building setbacks, landscape requirements, significant trees on site and lot size, shape and topography;
- The development does not unreasonably impact on the existing views of adjacent properties;
- The development is of a scale and form that enhances the character and quality of the streetscape; and
- The development allows adequate provision to be made on site for infiltration of stormwater and deep soil tree planting, landscaping and areas of private open space for outdoor recreation.

4.1.6.2 Building Setbacks

The proposed development maintains the existing perimeter boundary walls of the site which reduces the ability of the development to provide typical front, side and rear boundary setbacks with a landscaped setting. The first floor of the development is setback 1.6 metres from the southern boundary, 0.9 metres at a minimum from the northern boundary, 1.7 metres from the western boundary and a nil setback from the eastern boundary. The irregular shape of the existing and proposed allotments requires a merit assessment.

The setbacks of the proposed first floor are considered acceptable as they would not result in detrimental privacy or amenity impacts including overshadowing to the adjoining properties. The proposal is considered to provide for adequate separation between buildings and would allow an increased area for soft landscaping improving the amenity of the site.

The development would maintain the existing setbacks of the site which satisfies the objectives of Part 4.1.6.2 of MDCP 2011.

(xi) Car Parking (Part 4.1.7)

Section 4.1.7 of the MDCP 2011 outlines design parameters for the location and design of car parking structures for single dwelling houses. Control C14 specifies the following in relation to car parking structures:

“C14 Car parking structures must be located and designed to:

- i. Conveniently and safely serve all users;*
- ii. Enable efficient use of car spaces, including adequate manoeuvrability for vehicles between the site and the street;*
- iii. Not dominate or detract from the appearance of the existing dwelling or new development and the streetscape;*
- iv. Be compatible in scale, form, materials and finishes with the associated dwelling or development on the site;*
- v. Not reduce availability of kerbside parking;*
- vi. Retain any significant trees; and*
- vii. Have minimal impact on existing fences and garden areas that contribute to the setting of the associated dwelling and the character of the streetscape.*

The development maintains the existing vehicular crossings to the property for the double garage which is proposed to be retained for Lot 1. A new single garage is proposed for Lot 2 which will require construction of a new vehicular crossing. Given the site fronts a laneway there will be no loss of on-street parking.

The driveways and garages are acceptable for the following reasons:

- The garage doors are consistent with the character of the laneway being a ‘back of house’ service laneway for vehicles;
- The vehicular crossings do not reduce the availability of kerbside parking; and
- The appearance of the 3 garage doors will not detract from the streetscape and would not impact upon any trees.

The application was referred to Council’s Development Engineer who raised no objections to the proposed parking arrangements.

PART 9 – Strategic Context

(xii) Desired future character (Part 9.3)

The development is considered to be consistent with the desired future character of the Stanmore North Planning Precinct as it achieves the following objectives:

- Preserves the low density character of the area;
- Ensures the provision of off-street car parking;
- Does not adversely impact the amenity of the precinct; and
- Protects the value of the conservation area.

OTHER MATTERS

View Loss

The adjoining properties which have a rear boundary to Lorna Lane at Nos. 92, 94 and 96 Douglas Street contain 2 storey (some with attic) terrace houses fronting Douglas Street with parking and private open space located at the rear fronting Lorna Lane. Currently, distant views of the city central business district and the Anzac Bridge are available from the first floor bedrooms of these 3 dwellings. Objections were received by the property owners of Nos. 92, 94 and 96 Douglas Street regarding view loss as a result of the development under the original proposal, however under the re-notification process only 1 objection regarding view loss was raised by No.94 Douglas Street.

The image below illustrates the direction of the city views enjoyed by the residential properties at Nos. 92, 94, and 96 Douglas Street, Stanmore.



Image 10: Direction of city views enjoyed by residents of Nos. 92, 94 & 96 Douglas Street

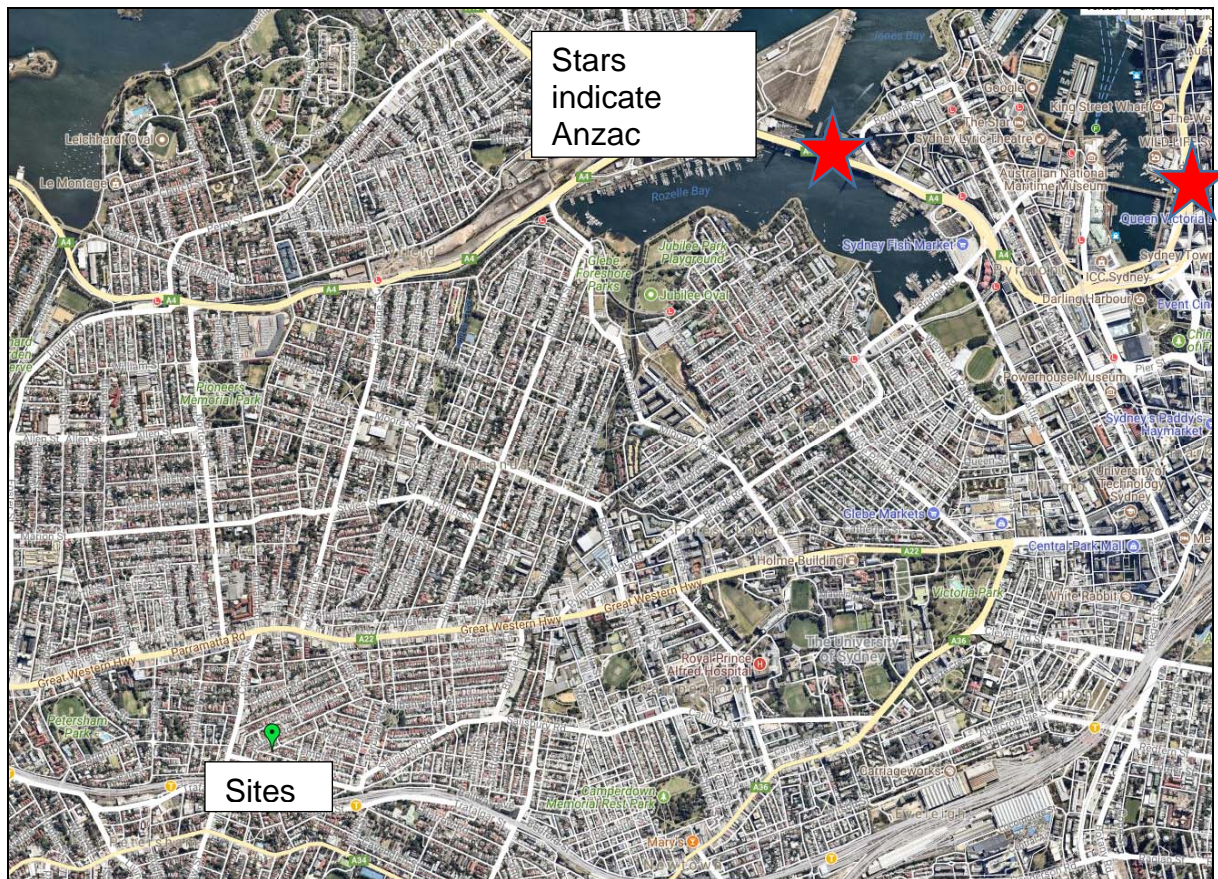


Image 11: Map demonstrating location of objectors to Anzac Bridge & CBD

The images below demonstrate the view obtained from the first floor bedroom (at standing height) from No.96 Douglas Street.



Image 12: View from the rear elevation bedroom window of No. 96 Douglas Street, Stanmore

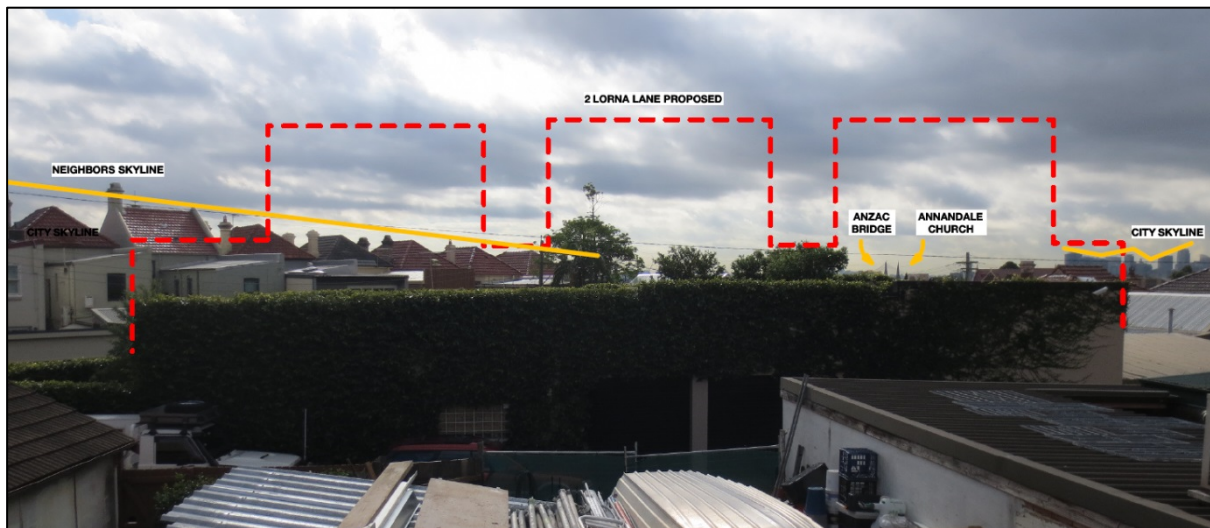


Image 13: View from rear elevation bedroom window of No.94 Douglas Street, Stanmore

In Land and Environment Court proceedings *Tenacity Consulting v Warringah Council* [2004] NSWLEC 140, Senior Commissioner Roseth established a view sharing principle for the assessment of view losses as a result of development which is reproduced below:

- 25 *The notion of view sharing is invoked when a property enjoys existing views and a proposed development would share that view by taking some of it away for its own enjoyment. (Taking it all away cannot be called view sharing, although it may, in some circumstances, be quite reasonable.) To decide whether or not view sharing is reasonable, I have adopted a four-step assessment.*
- 26 *The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (e.g. of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.*
- 27 *The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.*
- 28 *The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.*
- 29 *The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.*

An assessment of the potential view losses has been carried out in accordance with the above principle as detailed below:

(i) First Step: Type of views to be affected

The views that would be affected by the proposed development include distant views of the Sydney City Business District (CBD) skyline from the 3 adjoining properties and distant views of Anzac Bridge and the tip of the Annandale Church spire from Nos. 92 and 94 only.

There are no views obtained from the ground floor of the properties. However the views from the first floor bedrooms of the 3 dwellings are generally captured over the roofs of dwellings between the site and the CBD and Anzac Bridge which are currently single storey in the immediate vicinity with the exception of the 2 storey dwelling at No.57 Temple Street which obstructs views to the south-east of the CBD.

(ii) Second Step: Where the views are obtained

The views are obtained from the rear elevation windows on the first and attic floor levels looking in the direction of the neighbouring properties towards No. 2 Lorna Lane, 61-57A Temple Street to the CBD and over the roofs of these properties and others.

The view is gained at a distance through and over the subject site generally from both standing and seated positions from the first floor bedrooms.

Notwithstanding this, the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In this instance the view in question is obtained from rear windows but over a side boundary.

It is noted that No. 94 Douglas Street has current DA approval under Determination No. 201700582 dated 12 March 2018 for alterations and additions to the existing dwelling house, including demolition of rear wing, construction of a new 2 storey living kitchen, dining on the ground floor and master bedroom with en-suite and first floor balcony which would allow increased access to the view shown in Image 13. However it would be largely screened by fixed aluminium louvers the full length and height of the balcony which would restrict the visibility of the view that would be attainable. An attic bedroom with a Juliette balcony is approved within an enlarged roof space on the second floor. The finished floor level of this attic room and Juliette balcony would be RL50.21, however it should be noted that the maximum RL of the proposed development is RL50.049 therefore the view obtained from the bedroom and Juliette balcony of the 'attic level' would not be impacted by the proposed development.

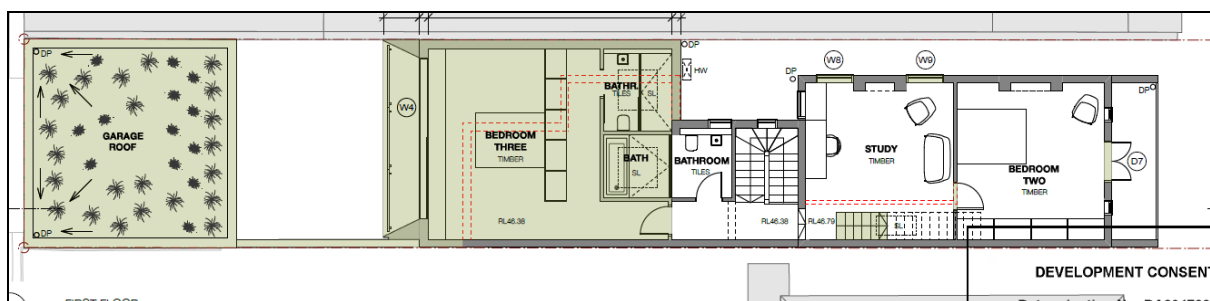


Image 14: Approved First Floor Plan – No.94 Douglas Street, Stanmore

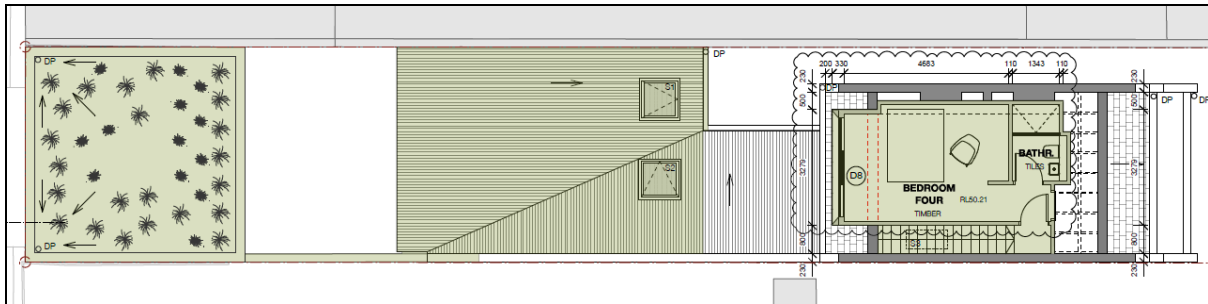


Image 15 Approved Second Floor Plan – No.94 Douglas Street, Stanmore



Image 16: Approved Rear Elevation showing metal louvers – No.94 Douglas Street, Stanmore

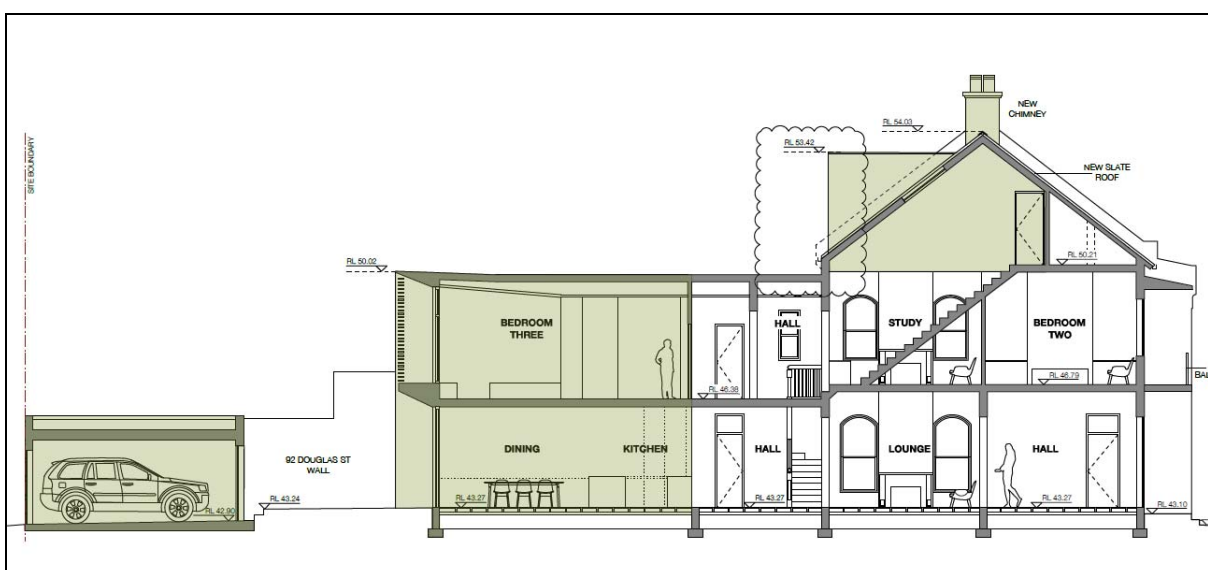


Image 17: Approved Works – Section Plan – No.94 Douglas Street, Stanmore

(iii) Third Step: Extent of the impact

It is anticipated that the current views over the side boundary of No.96 Douglas will be lost, the views from the first floor of No.94 Douglas will be lost, but maintained from the approved attic room. The views from the first floor of No.92 Douglas Street are likely to be impacted but not completely affected.

Whilst the losses are attributed to the proposed development, there is nothing preventing neighbours to the north-east developing their properties to include first floor additions which would obstruct the views. It is also anticipated that the properties along Douglas Street, could like those along Budds Lane propose first floor studios such as that at No.88 Douglas Street which would obstruct views.

(iv) Fourth Step: Reasonableness of the proposal

As detailed in the assessment provided within this report, the proposed development appropriately responds to Council's planning controls. The development complies with the prescribed height and FSR controls, with the dwellings on the sites along Douglas Street having maximum heights in excess of 10 metres, well above the 9.5 metre maximum prescribed under Clause 4.4 of MLEP 2011.

The proposed development has a height of 8.27 metres at the northern most point of the dwelling, which slopes down to 6.69 metres at the southern point towards Lorna Lane, well below the maximum permitted under MLEP 2011 (i.e. 9.5 metres). Similarly, neighbouring dwellings to the north east have the potential to have a height of 9.5 metres which would obscure the subject views in question.

Having regard to the development potential of the subject site provided by MLEP 2011 and MDCP 2011 and the site orientation, it is not considered that a more skilful design could provide the applicant with the same level of development and amenity and reduce the impact on the existing views enjoyed by the neighbour. This is largely due to the fact that the distant views currently enjoyed are obtained over the top of the existing relatively undeveloped sites. The development potential of the subject site would have to be significantly reduced below that available under MLEP 2011 and MDCP 2011 in order to maintain a greater level of view sharing. The positioning of the subject site creates the greatest obstacle with the proposed dwellings located between two rear lanes servicing terrace style housing orientated to opposite streets. The properties rely on No. 2 Lorna Lane to remain as a low scale existing building (and neighbouring properties) in order to obtain the distant views across and over the site.

The existing views are obtained from a distance of more than 5 kilometres from the source (CBD) and more than 3.5 kilometres to the Anzac Bridge and across a significant number of properties, a considerable number of which are situated within the adjoining City of Sydney Local Government Area.

Having regard to the building envelope permitted on the subject site and on sites further east of the development site along Temple Street and Albany Road under MLEP 2011, it is unreasonable to expect that the existing views enjoyed from Nos. 92, 94 and 96 would remain unaffected by any future proposed development on the subject site and adjoining sites. Accordingly, it is considered that it would be difficult to retain any view corridors across the rear boundary looking north-east for the affected properties and in light of this assessment the extent of view loss from the first floor rooms of these properties is considered acceptable.

5(d) The Likely Impacts

The assessment of the Development Application demonstrates that, subject to the recommended conditions, the proposal will not result in significant or unreasonable impacts in the locality.

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

The site is zoned R2 Low Density Residential under MLEP 2011. Provided that any adverse effects on adjoining properties are minimised, this site is considered suitable to accommodate the proposed development, and this has been demonstrated in the assessment of the application.

5(f) Any submissions

The application was advertised, an on-site notice displayed on the property and residents/property owners in the vicinity of the property were notified of the development in accordance with Council's Notification Policy. A total of 10 submissions were received.

During the assessment process the proposal was amended to address a concerns raised by Council Officers relating to the overall scale of the development, privacy, overshadowing and potential use of the development. The amended proposal was re-notified in accordance with Council's Notification Policy and 6 submissions were received.

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

- Conflict with heritage values – See Section 5(a)(iii)(vi)
- Loss of visual privacy for adjoining dwellings – See Section 5(c)(i);
- Overshadowing impacts – See Section 5(c)(ii);
- Inadequate setbacks – See Section 5(c)(viii)
- Lack of car parking - See Section 5(c)(iii);
- Lack of private open space and landscaping – See Section 5(c)(iv);
- Contamination – See Section 5(c)(vi);
- Subdivision not compatible with street – See Section 5(c)(vii);
- Height of building and bulk and scale not in accordance with streetscape – See Section 5(c)(viii);
- Materials and Finishes out of character – See Section 5(c)(viii);

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

Issue: Overdevelopment of the site

Comment: The proposal complies with the FSR, Height of Building and subdivision controls. The development is considered to strike an appropriate balance between development potential of the site and protection of the adjoining properties right to amenity. The proposal would not result in an overdevelopment of the site.

Issue: Development will result in reduced property values along Albany Road, Temple Street and Douglas Street

Comment: This is not a matter for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979* and there is no evidence to suggest that this is the case.

Issue: Traffic Generation as a result of the development

Comment: Council's Development Engineer reviewed the proposal and raised no concern regarding traffic.

Issue: Inefficient use of space due to layout

Comment: The layout of the development was amended at the request of Council. The excessive number of staircases and entry points and potential use as multiple occupancies has been rectified through amended drawings submitted.

All relevant matters raised in the submissions able to be considered under the provisions of Section 4.15 of the Environmental Planning and Assessment Act have been discussed in the report.

5(g) The Public Interest

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments, and by Council ensuring that any adverse effects on the surrounding area and the environment are appropriately managed.

The development is consistent with the aims, and design parameters contained in Marrickville Local Environmental Plan 2011 and Marrickville Development Control Plan 2011 and other relevant Environmental Planning Instruments. As discussed throughout this report, the development will not result in any significant impacts on the amenity of adjoining premises and the streetscape and thus the development is considered to be in the public interest.

6. Referrals

6(a) Internal

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

- Development Engineer
- Tree Management Officer
- Heritage & Urban Design Advisor

7. Section 7.11 Contributions

Section 7.11 contributions are payable for the proposal. The carrying out of the development would result in an increased demand for public amenities and public services within the area. A contribution of \$20,000 would be required for the development under Marrickville Section 94 Contributions Plan 2014. A condition requiring that contribution to be paid is included in the recommendation.

8. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in Marrickville Local Environmental Plan 2011 (MLEP 2011). The proposal is generally consistent Marrickville Development Control Plan 2011. The development will not result in any significant impacts on the amenity of adjoining premises and the streetscape. The application is suitable for the issue of consent subject to appropriate terms and conditions.

9. Recommendation

That the Panel, as the consent authority pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, grant consent to Development Application No. 201700594 to adjust the boundaries between Lot B and C, demolish part of the existing dwelling and carry out alterations and additions to create a 2 storey dwelling on each allotment subject to the conditions listed in Attachment A below.

Attachment A – Recommended conditions of consent

GENERAL

1. The development must be carried out in accordance with plans and details listed below:

Plan, Revision and Issue No.	Plan Name/ Certificate Type	Date Issued	Prepared by	Date Submitted
DA110, Revision C	Proposed Ground Floor Plan	Nov 2017	Justin de Gouw	23 May 2018
DA111, Revision C	Proposed Level 1 Floor Plan	Nov 2017	Justin de Gouw	23 May 2018
DA121, Revision C	Proposed Roof Plan	Nov 2017	Justin de Gouw	23 May 2018
DA210, Revision C	Proposed Section	Nov 2017	Justin de Gouw	23 May 2018
DA310, Revision C	Proposed Elevations	Nov 2017	Justin de Gouw	23 May 2018
DA311, Revision A	Courtyard Elevation	Nov 2017	Justin de Gouw	23 May 2018
DA930, Revision B	Window Elevations	Nov 2017	Justin de Gouw	23 May 2018
DA070, Revision B	Landscaping Plan	Nov 2017	Justin de Gouw	20 April 2018
DA012, Revision B	Subdivision Plan	Nov 2017	Justin de Gouw	20 April 2018
DA011, Revision B	Sediment Control Plan	Nov 2017	Justin de Gouw	20 April 2018
2017-573	Acoustic Report – Aircraft Noise	20 November 2017	Acoustic Noise & Vibration Solutions P/L	29 November 2017
868299S_02	BASIX Certificate Lot B (1)	23 May 2018	Greenview Consulting Pty Ltd	23 May 2018
868334S_02	BASIX Certificate Lot C (2)	23 May 2018	Greenview Consulting Pty Ltd	23 May 2018

and details submitted to Council on 29 November 2017, additional information submitted on 19 April 2018, 20 April 2018, 23 May 2018 with the application for development consent and as amended by the following conditions.

2. Where any plans and/or information forming part of a construction certificate issued in relation to this consent are inconsistent with:
 - (a) the plans and/or information approved under this consent; or
 - (b) any relevant requirements of this consent,

the plans, information and/or requirements of this consent (as the case may be) shall prevail to the extent of the inconsistency.

All development approved under this consent shall be carried out in accordance with the plans, information and/or requirements of this consent taken to prevail by virtue of this condition.

3. The premises on each allotment must be used exclusively as a single dwelling-house and not be adapted for use as a dual occupancy, residential flat building, backpackers' hostel or boarding house and must not be used for any industrial or commercial purpose.
4. 2 off-street car parking space must be provided for Lot B in DP 920668 and 1 off-street car parking space must be provided for Lot C in DP 920712 and maintained at all times for each dwelling house in accordance with the standards contained within Part 2.10 of Marrickville Development Control Plan 2011 - Parking.
5. All prescribed trees shall be retained and protected in accordance with these conditions and with the Australian Standard *Protection of Trees on Development Sites* AS 4970—2009 unless their removal, pruning or other works is explicitly approved under the terms of this consent.
6. The developer must liaise with the Sydney Water Corporation, Ausgrid, AGL and Telstra concerning the provision of water and sewerage, electricity, natural gas and telephones respectively to the property.
7. All building work must be carried out in accordance with the provisions of the National Construction Code (Building Code of Australia).
8. Any adjustment or augmentation of any public utility services including Gas, Water, Sewer, Electricity, Street lighting and Telecommunications required as a result of the development must be at no cost to Council and undertaken before occupation of the site.

BEFORE COMMENCING DEMOLITION, EXCAVATION AND/OR BUILDING WORK

10. No work must commence until:
 - a) A PCA has been appointed. Where an Accredited Certifier is the appointed, Council must be notified within 2 days of the appointment; and
 - b) A minimum of 2 days written notice must be given to Council of the intention to commence work.
11. A Construction Certificate must be obtained before commencing building work. Building work means any physical activity involved in the construction of a building. This definition includes the installation of fire safety measures.
12. Sanitary facilities must be provided at or in the vicinity of the work site in accordance with the WorkCover Authority of NSW, Code of Practice 'Amenities for Construction'. Each toilet must be connected to the sewer, septic or portable chemical toilet before work commences.

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

13. All demolition work must:
 - a) Be carried out in accordance with the requirements of Australian Standard AS 2601 'The demolition of structures' and the Work Health and Safety Act and Regulations; and
 - b) Where asbestos is to be removed it must be done in accordance with the requirements of the WorkCover Authority of NSW and disposed of in accordance with requirements of the Department of Environment, Climate Change and Water.
14. Where any loading, unloading or construction is to occur from a public place, Council must be contacted to determine if any permits or traffic management plans are required to be obtained from Council before work commences.
15. All services in the building being partially demolished must be disconnected in accordance with the requirements of the responsible authorities before work commences.
16. 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, before work commences.
17. A rigid and durable sign must be erected in a prominent position on the site, before work commences. The sign must be maintained at all times until all work has been completed. The sign must include:
 - a) The name, address and telephone number of the PCA;
 - b) A telephone number on which Principal Contractor (if any) can be contacted outside working hours; and
 - c) A statement advising: 'Unauthorised Entry To The Work Site Is Prohibited'.
18. A Soil and Water Management Plan must be prepared in accordance with Landcom Soils and Construction, Volume 1, Managing Urban Stormwater (Particular reference is made to Chapter 9, "Urban Construction Sites") and submitted to and accepted by the PCA. A copy of this document must be submitted to and accepted by PCA before work commences. The plan must indicate:
 - a) Where the builder's materials and waste are to be stored;
 - b) Where the sediment fences are to be installed on the site;
 - c) What facilities are to be provided to clean the wheels and bodies of all vehicles leaving the site to prevent the tracking of debris and soil onto the public way; and
 - d) How access to the site will be provided.

All devices must be constructed and maintained on site while work is carried out.

19. The person acting on this consent is responsible for arranging and meeting the cost of a dilapidation report prepared by a suitably qualified person. The report is to include colour photographs and must be submitted to the Certifying Authority's satisfaction, with a colour copy being provided to Council and the property owner of the identified property, before work commences, on the building on the adjoining property at No.61

Temple Street, Stanmore, if the consent of the adjoining property owner can be obtained. In the event that the consent of the adjoining property owner cannot be obtained copies of the letter/s that have been sent via registered mail and any responses received must be forwarded to the PCA before work commences.

20. Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent shall obtain all applicable Permits from Council in accordance with Section 68 (Approvals) of the Local Government Act 1993 and/or Section 138 of the Roads Act 1993. Permits are required for the following activities:
- a) Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application.
 - b) A concrete pump across the roadway/footpath
 - c) Mobile crane or any standing plant
 - d) Skip bins
 - e) Scaffolding/Hoardings (fencing on public land)
 - f) Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.
 - g) Awning or street verandah over footpath
 - h) Partial or full road closure
 - i) Installation or replacement of private stormwater drain, utility service or water supply

Contact Council's Road Access team to ensure the correct Permit applications are made for the various activities.

Applications for such Permits shall be submitted and approved by Council prior to the commencement of the works associated with such activity or issue of the Construction Certificate (whichever occurs first). Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Construction Certificate.

21. A Tree Protection Zone (TPZ) fence shall be erected around the perimeter of the inner courtyard to isolate the existing bottlebrush trees from the central area of the courtyard, before work commences.
22. If new street numbers or a change to street numbers are required, a separate application must be made to and approved by Council prior to those street numbers being displayed.

BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

23. Amended Plans are required to be submitted to and approved by Council's Development Assessment Section prior to the issue of a Construction Certificate demonstrating the following:
- a) The proposed land dedication for the splayed corner at the intersection of Lorna Lane and Budds Lane shall be increased 3metres x 3metres;
 - b) The landscape bed and landscaping at the intersection of Lorna Lane and Budds Lane shall be no higher than 500mm above the adjacent kerb so as to maintain sight distance;

- c) The proposed new single vehicle entry/garage door width shall be increased in width to a minimum 2.7m so as to provide suitable access for the 85th percentile vehicle;
 - d) The two existing single vehicle entries/garage doorways shall be modified to a minimum 2.7m so as to provide suitable access for the 85th percentile vehicle. Note: Combining the two existing entries into a single double garage would be an acceptable alternative;
 - e) Amendment to the family room window W2.13 for Lot 2 (Lot C DP 920712) to adjust the fixed glass lower pane to be a minimum height of 1.6 metres above finished floor level and to be of obscure glazing; and
 - f) Increase in sill height of the family room window W2.05 for Lot 1 (Lot B DP 920668) to have a minimum height of 1.6 metres above finished floor level.
24. Prior to the issue of a Construction Certificate engineering and landscape details certifying how the works will be carried out without damaging the perimeter walls including the fig-vine growing on these walls are required to be submitted to the Principal Certifying Authorities satisfaction. The details must include how the walls will be protected and preserved during demolition and construction. If any damage occurs to the walls or fig-vine during construction works are required to immediately cease and instruction from Council is required on how to proceed.
25. The approved plans must be checked online with Sydney Water Tap In 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. A copy of this approval must be supplied with the Construction Certificate application. Please refer to the web site <http://www.sydneywater.com.au/tapin/index.htm> for details on the process or telephone 132092.

The Certifying Authority must ensure that the appropriate approval has been provided before the issue of a Construction Certificate.

26. Section 7.11 Contribution

- a) This condition is imposed in accordance with Section 7.11 of the Environmental Planning and Assessment Act 1979.
- b) Before the issue of a Construction Certificate/issue of a Subdivision Certificate (whichever occurs first), the Council must be paid a monetary contribution of \$20,000 indexed in accordance with Marrickville Section 94/94A Contributions Plan 2014 ("CP").

The above contribution is the contribution applicable as at 24 May 2018.

***NB** Contribution rates under Marrickville Section 94/94A Contributions Plan 2014 are indexed quarterly (for the method of indexation refer to Section 2.15 of the Plan).

The indexation of the contribution rates occurs in the first week of the months of February, May, August and November each year, following the release of data from the Australian Bureau of Statistics.

(CONTRIBUTION PAYMENT REFERENCE NO. DC002291)

- c) The contribution payable has been calculated in accordance with the CP and relates to the following public amenities and/or services and in the following amounts:

Community Facilities	\$2,097.78
Plan Administration	\$392.14
Recreation Facilities	\$17,148.36
Traffic Facilities	\$361.72

- d) A copy of the CP can be inspected at Council's offices at 2-14 Fisher Street, Petersham or online at <http://www.marrickville.nsw.gov.au>.
- e) The contribution must be paid either in **cash, by unendorsed bank cheque (from an Australian Bank only), via EFTPOS (Debit only) or credit card***.

*NB A 1% credit card transaction fee applies to all credit card transactions.

27. Noise attenuation measures must be incorporated into the development complying with Australian Standard 2021-2015 in relation to interior design sound levels, in accordance with details to be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate together with certification by a suitably qualified acoustical engineer that the noise attenuation measures satisfy the requirements of Australian Standard 2021-2015.
28. Plans fully reflecting the selected commitments listed in BASIX Certificate submitted with the application for development consent must be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.

NOTE: The application for the Construction Certificate must be accompanied by either the BASIX Certificate upon which development consent was granted or a revised BASIX Certificate (Refer to Clause 6A of Schedule 1 to the Regulation).

29. Lighting details of the entrances to the dwelling houses must be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.
30. Evidence of payment of the building and construction industry Long Service Leave Scheme must be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate. (The required payment can be made at the Council Offices).

NOTE: The required payment is based on the estimated cost of building and construction works and the long service levy rate, set by the Long Service Payments Corporation. The rate set by the Long Service Payments Corporation is currently of 0.35% of the cost of the building and construction work.

For more information on how to calculate the amount payable and where payments can be made contact the Long Services Payments Corporation.

http://www.lspc.nsw.gov.au/levy_information/?levy_information/levy_calculator.stm

31. The person acting on this consent shall submit to the Principal Certifying Authority a dilapidation report including colour photos showing the existing condition of the footpath and roadway adjacent to the site before the issue of a Construction Certificate.
32. Any person acting on this consent or any contractors carrying out works on public roads or Council controlled lands shall 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.
33. Prior to the commencement of demolition works or a Construction Certificate being issued for works approved by this development consent (whichever occurs first), a security deposit and inspection fee must be paid to Council to cover the cost of making good any damage caused to any Council property or the physical environment as a consequence of carrying out the works and as surety for the proper completion of any road, footpath and drainage works required by this consent.

Security Deposit (FOOT)	7860.00
Inspection fee (FOOTI)	\$225.00

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

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

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

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

The amount nominated is only current for the financial year in which the 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.

Requirements of this condition are to be met prior to works commencing or prior to release of a Construction Certificate (whichever occurs first). Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Construction Certificate.

34. A detailed Traffic Management Plan to cater for construction traffic shall be submitted to and approved by Council before commencement of works. Details shall include haulage routes, estimated number of vehicle movements, truck parking areas, work zones, crane usage, etc., related to demolition/construction activities.

35. Alignment levels for the site at all pedestrian and vehicular access locations shall match the existing back of footpath levels at the boundary. For vehicular access off laneways the level at the boundary shall match the invert level of the adjacent gutter plus 150mm at both sides of the vehicle entry. Amended plans shall be submitted to and approved by Council before the issue of the Construction Certificate.

Note: This may require the internal site levels to be adjusted locally at the boundary to ensure that they match the above alignment levels. Failure to comply with this condition will result in vehicular access being denied.

SITE WORKS

36. Unless otherwise approved by Council, excavation, demolition, construction or subdivision work shall only be permitted during the following hours:
- a) 7:00 am to 6.00 pm, Mondays to Fridays, inclusive (with demolition works finishing at 5pm);
 - b) 8:00 am to 1:00 pm on Saturdays with no demolition works occurring during this time; and
 - c) at no time on Sundays or public holidays.

Works may be undertaken outside these hours where they do not create any nuisance to neighbouring properties in terms of dust, noise, vibration etc and do not entail the use of power tools, hammers etc. This may include but is not limited to painting.

In the case that a standing plant or special permit is obtained from Council for works in association with this development, the works which are the subject of the permit may be carried out outside these hours.

This condition does not apply in the event of a direction from police or other relevant authority for safety reasons, to prevent risk to life or environmental harm.

Activities generating noise levels greater than 75dB(A) such as rock breaking, rock hammering, sheet piling and pile driving shall be limited to:

8:00 am to 12:00 pm, Monday to Saturday; and
2:00 pm to 5:00 pm Monday to Friday.

The Proponent shall not undertake such activities for more than three continuous hours and shall provide a minimum of one 2 hour respite period between any two periods of such works.

“Continuous” means any period during which there is less than an uninterrupted 60 minute respite period between temporarily halting and recommencing any of that intrusively noisy work.

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

37. The area surrounding the building work must be reinstated to Council's satisfaction upon completion of the work.
38. The placing of any materials on Council's footpath or roadway is prohibited, without the consent of Council. The placement of waste storage containers in a public place requires Council approval and must comply with Council's Policy – 'Placement of Waste Storage Containers in a Public Place'.
39. All demolition work must be carried out in accordance with the following:
- a) compliance with the requirements of Australian Standard AS 2601 'The demolition of structures' with specific reference to health and safety of the public, health and safety of the site personnel, protection of adjoining buildings and protection of the immediate environment;
 - b) all works involving the demolition, removal, transport and disposal of asbestos cement must be carried out in accordance with the 'Worksafe Code of Practice for Removal of Asbestos' and the requirements of the WorkCover Authority of NSW and the Department of Environment, Climate Change and Water;
 - c) all building materials arising from the demolition must be disposed of in an approved manner in accordance with Part 2.21 of Marrickville Development Control Plan 2011 – Site Facilities and Waste Management and any applicable requirements of the Department of Environment, Climate Change and Water;
 - d) sanitary drainage, stormwater drainage, water, electricity and telecommunications must be disconnected in accordance with the requirements of the responsible authorities;
 - e) the generation of dust and noise on the site must be controlled;
 - f) the site must be secured to prohibit unauthorised entry;
 - g) suitable provision must be made to clean the wheels and bodies of all vehicles leaving the site to prevent the tracking of debris and soil onto the public way;
 - h) all trucks and vehicles associated with the demolition, including those delivering to or removing material from the site, must only have access to the site during work hours nominated by Council and all loads must be covered;
 - i) all vehicles taking materials from the site must be loaded wholly within the property unless otherwise permitted by Council;
 - j) no waste collection skips, spoil, excavation or demolition material from the site must be deposited on the public road, footpath, public place or Council owned property without the approval of Council; and
 - k) the person acting on this consent must ensure that all contractors and sub-contractors associated with the demolition are fully aware of these requirements.
40. The works are required to be inspected at critical stages of construction, by the PCA or if the PCA agrees, by another Certifying Authority. The last inspection can only be carried out by the PCA. The critical stages of construction are:
- a) At the commencement of the building work;
 - b) After excavation for, and prior to the placement of, any footings;
 - c) Prior to pouring any in-situ reinforced concrete building element;
 - d) Prior to covering of the framework for any floor, wall, roof or other building element;
 - e) Prior to covering waterproofing in any wet areas;
 - f) Prior to covering any stormwater drainage connections; and
 - g) After the building work has been completed and prior to any occupation certificate being issued in relation to the building.

You are advised to liaise with your PCA to establish if any additional inspections are required.

41. If the development involves an excavation that extends below the level of the base of the footings of a building on the adjoining allotments, including a public place such as a footway and roadway, the person acting on the consent, at their own expense must:
- a) protect and support the adjoining premises from possible damage from the excavation, and
 - b) where necessary, underpin the adjoining premises to prevent any such damage. Where the underpinning works are not "exempt development", all required consents must be obtained prior to the required works commencing; and
 - c) at least 7 days notice is given to the owners of the adjoining land of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

Where a dilapidation report has not been prepared on any building adjacent to the excavation, the person acting on this consent is responsible for arranging and meeting the cost of a dilapidation report prepared by a suitably qualified person. The report must be submitted to and accepted by the PCA before works continue on site, if the consent of the adjoining property owner can be obtained.

Copies of all letter/s that have been sent via registered mail to the adjoining property owner and copies of any responses received must be forwarded to the PCA before work commences.

42. All vehicles carrying materials, to or from the site, must have their loads covered with tarpaulins or similar covers.
43. A certificate of survey from a registered land surveyor must be submitted to the PCA upon excavation of the footings and before the pouring of the concrete to verify that the structure will not encroach on the allotment boundaries.
44. The Tree Protection Zone (TPZ) fencing must be maintained in place for the duration of works (except where these conditions permit otherwise).
45. The new tree must be planted in accordance with the following criteria:
- a) The new tree shall be located in accordance with the landscape plan.
 - b) The species of the new tree shall be as detailed in the landscape plan or as otherwise approved in writing by council.
 - c) The planting stock size shall be at least 25 litres.
 - d) The planting stock shall comply with the Australian Standard *Tree Stock for Landscape Use* AS 2303-2015.
 - e) The new tree shall be planted in accordance with the relevant tree planting detail included in the Marrickville Street Tree Master Plan 2014. Please note that planting holes for trees shall not be excavated deeper than the root ball and that new trees shall not be staked.
 - f) The new tree shall be planted by a qualified horticulturist or arborist, with a minimum qualification of Certificate 3.

- g) The replacement tree shall be maintained in a healthy and vigorous condition until it attains a height of 5 metres, from which time it is protected by Council's Development Control Plan (DCP).
 - h) If the tree dies or needs to be removed before that time it shall be replaced with a similar tree in accordance with these conditions at the expense of the applicant.
46. All stormwater drainage must be designed in accordance with the provisions of the 1987 Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3.2-1998 'Stormwater Drainage-Acceptable Solutions' and Marrickville Council Stormwater and On Site Detention Code. Pipe and channel drainage systems must be designed to cater for the 20 year Average Recurrence Interval (A.R.I.) storm in the case of low and medium residential developments, the 20 year A.R.I. storm in the case of high density residential development and commercial and/or industrial developments and the 50 year A.R.I. storm in the case of heavy industry. In all cases the major event surface flow paths must be designed to cater for the 100 year A.R.I. storm.
47. The works are required to be inspected at critical stages of construction, by the PCA or if the PCA agrees, by another Certifying Authority. The last inspection can only be carried out by the PCA. The critical stage inspections are:
- a) after excavation for, and prior to the placement of, any footings;
 - b) prior to pouring any in-situ reinforced concrete building element;
 - c) prior to filling the pool with water a satisfactory inspection of the swimming pool barrier must be carried out;
 - d) after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

BEFORE THE ISSUE OF A SUBDIVISION CERTIFICATE

48. The Section 7.11 Contribution must be paid before the issue of a Subdivision Certificate.
49. The Section 73 Certificate must be submitted to the Principal Certifying Authority before the issue of a Subdivision Certificate.
- a) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Make early application for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.
 - b) Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Providers > Lists or telephone 13 20 92.
50. All instruments used to create easements, rights and/or restrictions as to user must include in them provisions that such may not be revoked or modified without the prior approval of Council.
51. Separate drainage systems must be provided to drain each proposed lot. Plans detailing the proposed system must be submitted to and accepted by Council before the issue of a Subdivision Certificate.

BEFORE OCCUPATION OF THE BUILDING

52. You must obtain an Occupation Certificate from your PCA before you occupy or use the building. The PCA must notify the Council of the determination of the Occupation Certificate and forward the following documents to Council within 2 days of the date of the Certificate being determined:
- a) A copy of the determination;
 - b) Copies of any documents that were lodged with the Occupation Certificate application;
 - c) A copy of Occupation Certificate, if it was issued;
 - d) A copy of the record of all critical stage inspections and any other inspection required by the PCA;
 - e) A copy of any missed inspections; and
 - f) A copy of any compliance certificate and any other documentary evidence relied upon in issuing the Occupation Certificate.
53. The subdivision/boundary adjustment of the land into 2 lots being registered at the NSW Department of Lands before the issue of an Occupation Certificate.
54. The landscaping of the site must be carried out prior to occupation or use of the premises in accordance with the approved landscape plan, and must be maintained at all times to Council's satisfaction.
55. a) Upon completion of the required noise attenuation measures referred to in the "Before the Issue of a Construction Certificate" Section of this Determination, and prior to the occupation of the dwelling-houses a report must be prepared and submitted to the Certifying Authority's satisfaction by an accredited Acoustics Consultant certifying that the final construction meets AS2021-2015 as set down in the subject condition of this consent. Such report must include external and internal noise levels to ensure that the external noise levels during the test are representative of the typical maximum levels that may occur at this development; and
- b) Where it is found that internal noise levels are greater than the required dB(A) rating due to faulty workmanship or the like, necessary corrective measures must be carried out and a further certificate being prepared and submitted to Council in accordance with the requirements as set down in Part a) of this condition.
56. The Certifying Authority must be satisfied that each of the commitments listed in BASIX Certificate referred to in this Determination have been fulfilled before the issue of an Occupation Certificate (whether an interim or final Occupation Certificate).
57. The Certifying Authority must apply to the Director-General for a BASIX Completion Receipt within 2 days of the issue of a final Occupation Certificate. Completion Receipts can be applied for at www.basix.nsw.gov.au.
58. Before the issue of an Occupation Certificate, a street number and identifier of separate occupancies (if applicable) must be clearly displayed in a readily visible location (numbers having a height of not less than 75mm). If any new street numbers or change to street numbers (this includes unit and shop numbers) are required they must have the prior approval of council before being displayed.

59. All works required to be carried out in connection with drainage, crossings, alterations to kerb and guttering, footpaths and roads resulting from the development shall be completed before the issue of an Occupation Certificate. Works shall be in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2- "Roadworks Specifications".
60. Light duty concrete vehicle crossings, in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2- "Roadworks Specifications" shall be constructed at the vehicular access locations before the issue of the Occupation Certificate and at no cost to Council.
61. The stormwater disposal from each proposed lot shall be connected to the existing kerb outlets discharging to the kerb and gutter drainage system.

Each lot shall be connected to the kerb and gutter drainage system by separate kerb outlets. Kerb outlets shall be clear of any vehicle crossing and no 'charged' lines are permitted.

All redundant kerb outlet connections along the property frontage shall be removed.

Where connection is made to the existing property stormwater system or kerb outlet, the system shall be tested by a qualified plumber to ensure it functions satisfactory in discharging water to the street gutter. If it does not, the system shall be repaired to operate satisfactorily.

62. The redundant vehicular crossing to the site located on the western site boundary at the intersection of Lorna Lane and Budds Lane shall be removed and replaced by stone kerb and concrete gutter and concrete footpath paving in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2- "Roadworks Specifications" before the issue of the Occupation Certificate and at no cost to Council.
63. You are advised that Council has not undertaken a search of existing or proposed utility services adjacent to the site in determining this application. Any adjustment or augmentation of any public utility services including Gas, Water, Sewer, Electricity, Street lighting and Telecommunications required as a result of the development shall be at no cost to Council and undertaken before the issue of an Occupation Certificate.
64. Encroachments onto Council's road or footpath of any service pipes, sewer vents, boundary traps, downpipes, gutters, stairs, doors, gates, garage tilt up panel doors or any structure whatsoever shall not be permitted. Any encroachments on to Council road or footpath resulting from the building works will be required to be removed before the issue of the Occupation Certificate.
65. The existing stone kerb adjacent to the site is of local heritage value and is to be preserved at no cost to Council. Any damage to the stone kerb will require the replacement of the damaged individual stone units before the issue of the Occupation Certificate. All existing sandstone kerb that is being replaced by a vehicular crossing shall be carefully removed without damage and either used to reinstate sandstone kerb along the property frontage or stored on site for Council to collect for reuse.

66. To provide for sight-distance for vehicles and pedestrians at intersections the 3m x 3m splay at the intersection of Lorna Lane and Budds Lane must be dedicated to the public for road widening before the issue of an Occupation Certificate.
67. The Principal Certifying Authority shall certify in writing before the issue of the Occupation Certificate that the conditions relating to tree protection and tree planting have been complied with, or if not, detail the nature of any departure from the conditions and shall report breaches of the conditions to Inner West Council.

ADVISORY NOTES

- A complete assessment of the application under the provisions of the National Construction Code (Building Code of Australia) has not been carried out.
- The approved plans must be submitted to the Customer Centre of any office of Sydney Water before the commencement of any work to ensure that the work meets the requirements of Sydney Water. Failure to submit these plans before commencing work may result in the demolition of the structure if found not to comply with the requirements of Sydney Water.
- 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 Vehicle Crossing and Public Domain Works' form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, before commencement of works.
- Any natural light or ventilation gained by windows within 900mm of the boundary will not be taken into consideration in the event that the adjoining property owner makes application to Council to carry out building works on their property. The window has been consented to on the basis that alternative sources of light and ventilation are available to the room.
- Buildings built or painted before 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 building alterations, particularly where children or pregnant women may be exposed, and work areas should be thoroughly cleaned before occupation of the room or building.
- Contact "Dial Before You Dig" before commencing any building activity on the site.
- Useful Contacts

BASIX Information

☎ 1300 650 908 weekdays 2:00pm - 5:00pm
www.basix.nsw.gov.au

Department of Fair Trading

☎ 13 32 20
www.fairtrading.nsw.gov.au

Enquiries relating to Owner Builder Permits and Home Warranty Insurance.

Dial Before You Dig

☎ 1100

www.dialbeforeyoudig.com.au

Landcom

☎ 9841 8660

To purchase copies of Volume One of “Soils and Construction”

Long Service Payments Corporation

☎ 131441

www.lspc.nsw.gov.au

NSW Government

www.nsw.gov.au/fibro

www.diysafe.nsw.gov.au

Information on asbestos and safe work practices.

NSW Office of Environment and Heritage

☎ 131 555

www.environment.nsw.gov.au

Sydney Water

☎ 13 20 92

www.sydneywater.com.au

Waste Service - SITA Environmental Solutions

☎ 1300 651 116

www.wasteservice.nsw.gov.au

Water Efficiency Labelling and Standards (WELS)

www.waterrating.gov.au

WorkCover Authority of NSW

☎ 13 10 50

www.workcover.nsw.gov.au

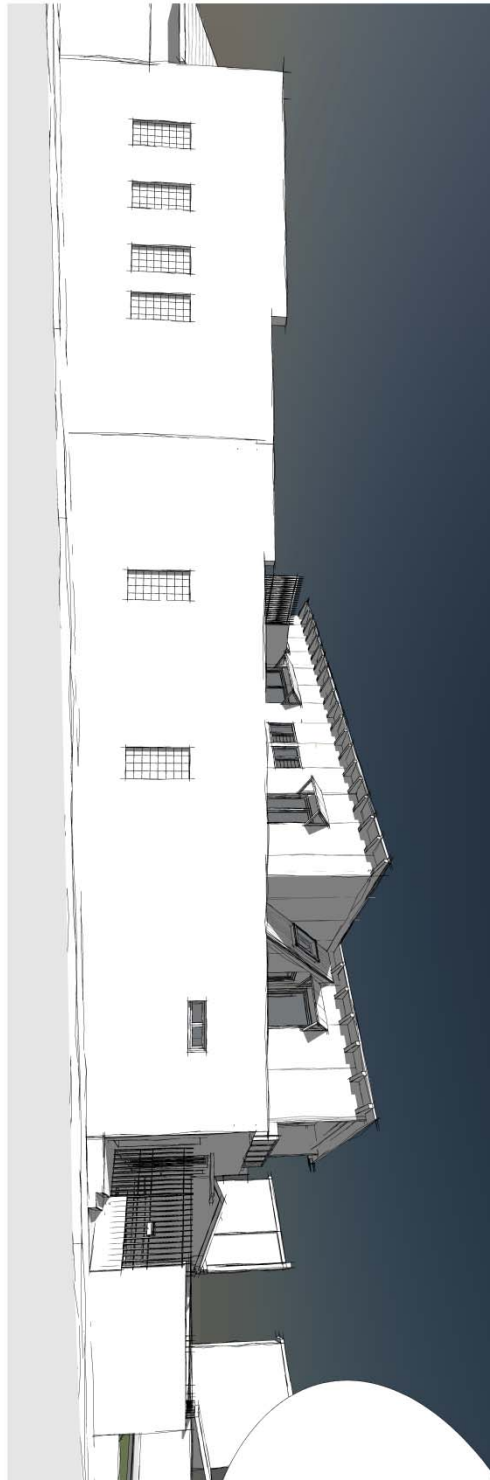
Enquiries relating to work safety and asbestos removal and disposal.

Attachment B – Architectural Plans

2 Lorna Lane, **Stammore**

Development Application

DA001 A	Cover Page	DA052 A	Shadow Study June 21st June 11am
DA002 A	Notification Plan	DA053 A	Shadow Study June 21st June 12noon
DA003 A	Notification Plan	DA054 A	Shadow Study June 21st June 1pm
DA010 B	Site Analysis	DA055 A	Shadow Study June 21st June 1pm
DA011 B	Sediment Control	DA056 A	Shadow Study June 21st June 2pm
DA012 B	Subdivision Plan	DA070 B	Shadow Study June 21st June 3pm
DA015 B	GFA Analysis	DA100 B	Landscape Plan
DA030 A	Shadow Study March 21 9am	DA110 B	Existing Plan
DA031 A	Shadow Study March 21 10am	DA111 C	Proposed Ground Floor Plan
DA032 A	Shadow Study March 21 11am	DA112 C	Proposed Level 1 Floor Plan
DA033 A	Shadow Study March 21 12noon	DA121 C	Existing Roof Plan
DA034 A	Shadow Study March 21 1pm	DA120 C	Proposed Roof Plan
DA035 A	Shadow Study March 21 2pm	DA121 C	Proposed Section
DA036 A	Shadow Study March 21 3pm	DA300 B	Existing Elevations
DA037 A	Shadow Study March 21 4pm	DA301 B	Proposed Elevations
DA050 B	Shadow Study 21st June 9am	DA311 A	Window Elevation
DA051 A	Shadow Study 21st June 10am	DA350 B	Window Elevations

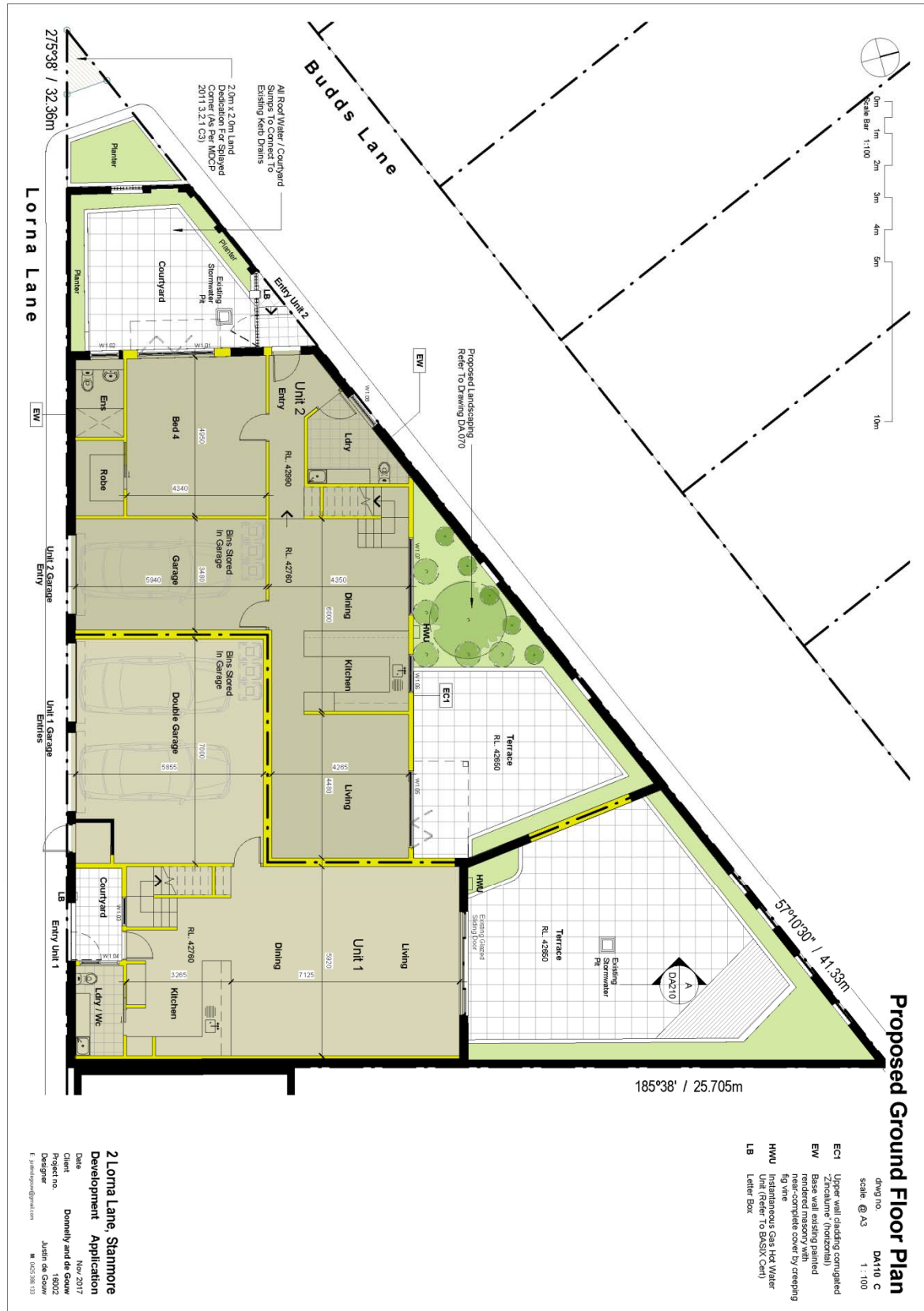


Cover Page
dwg no. DA001 C

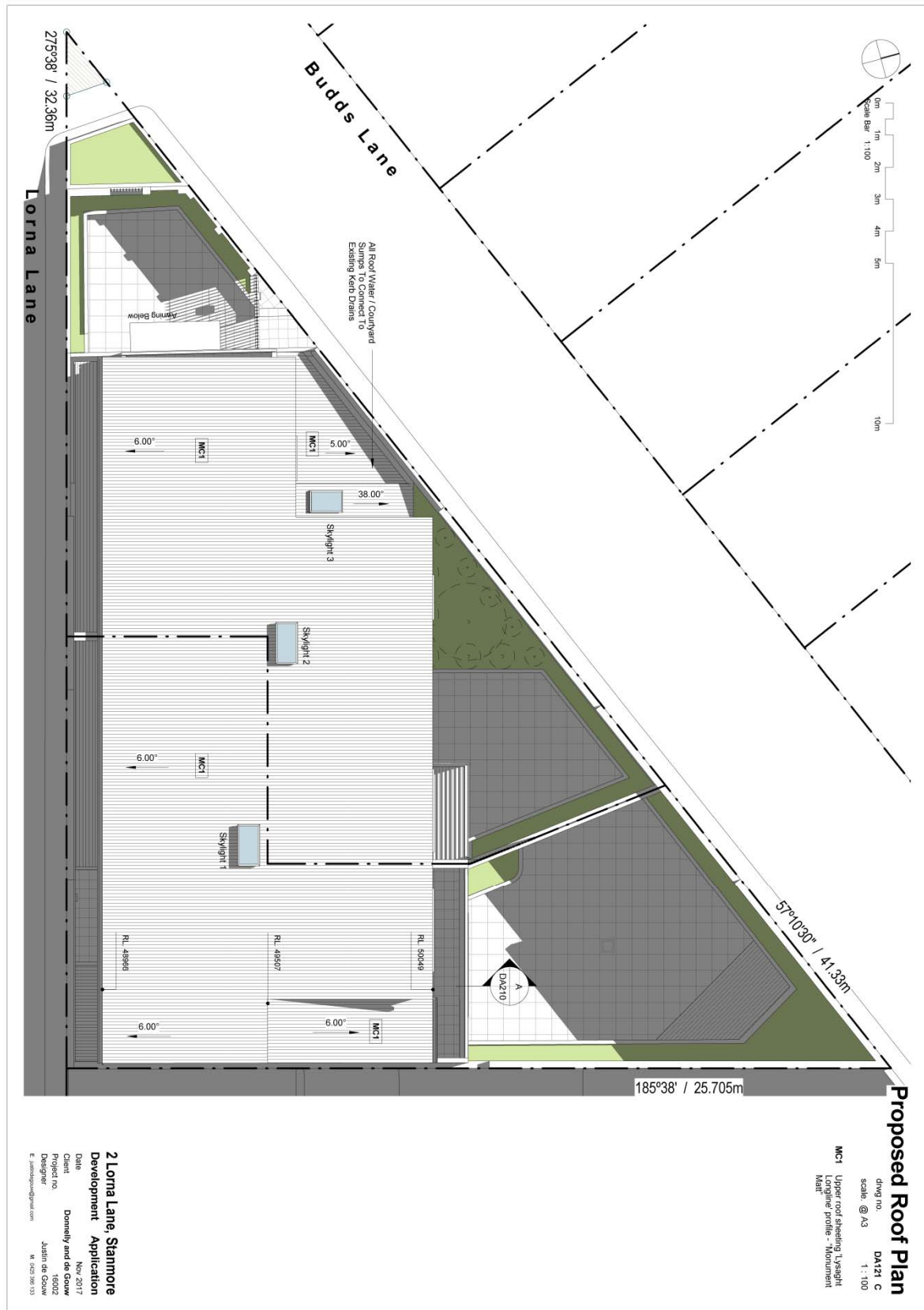
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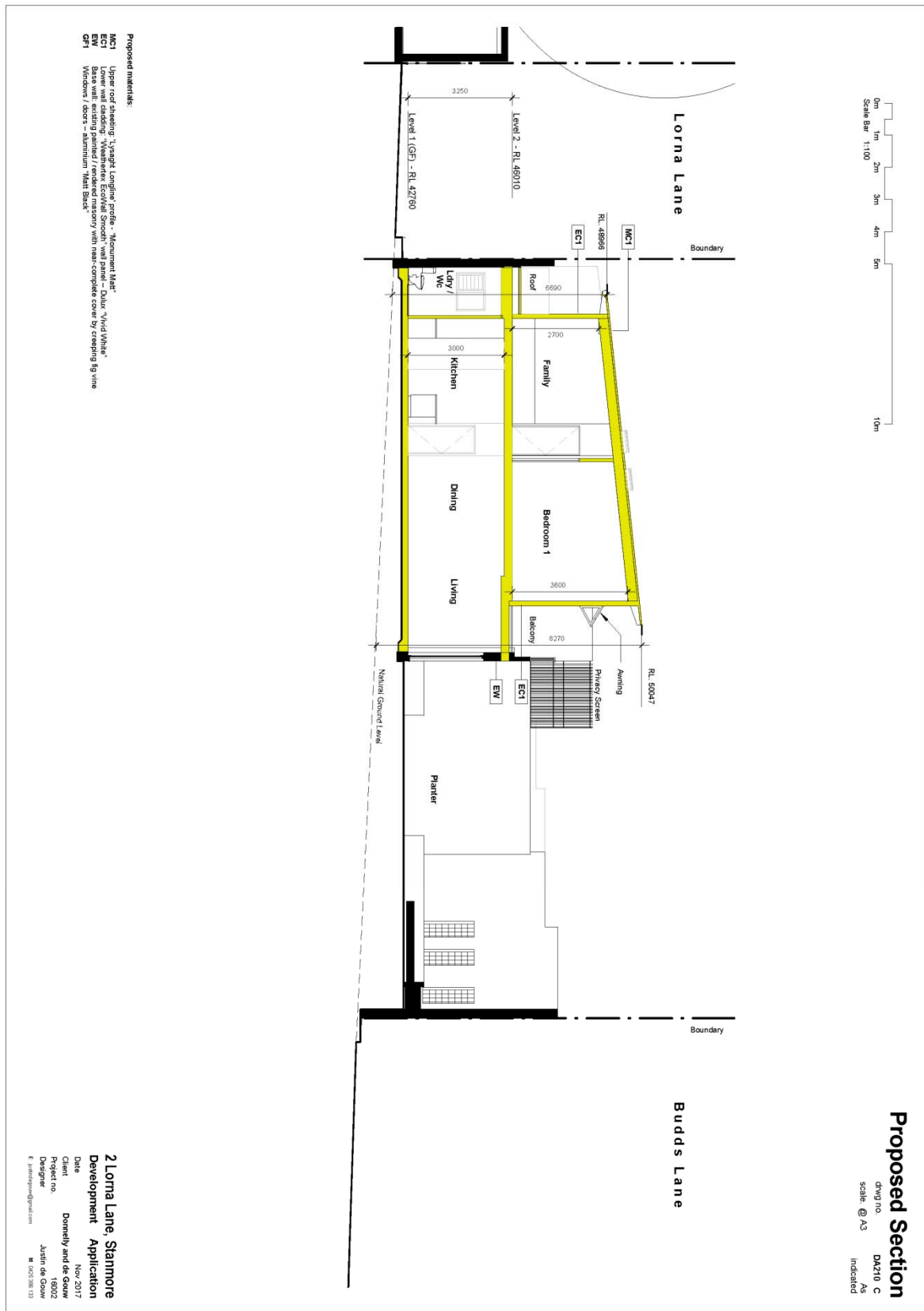
2 Lorna Lane, Stanmore
Development Application

Date Nov 2017
Client Donnelly and de Gouw
Project no. 16002
Designer Justin de Gouw
E justindegouw@gmail.com
M 0425 366 133



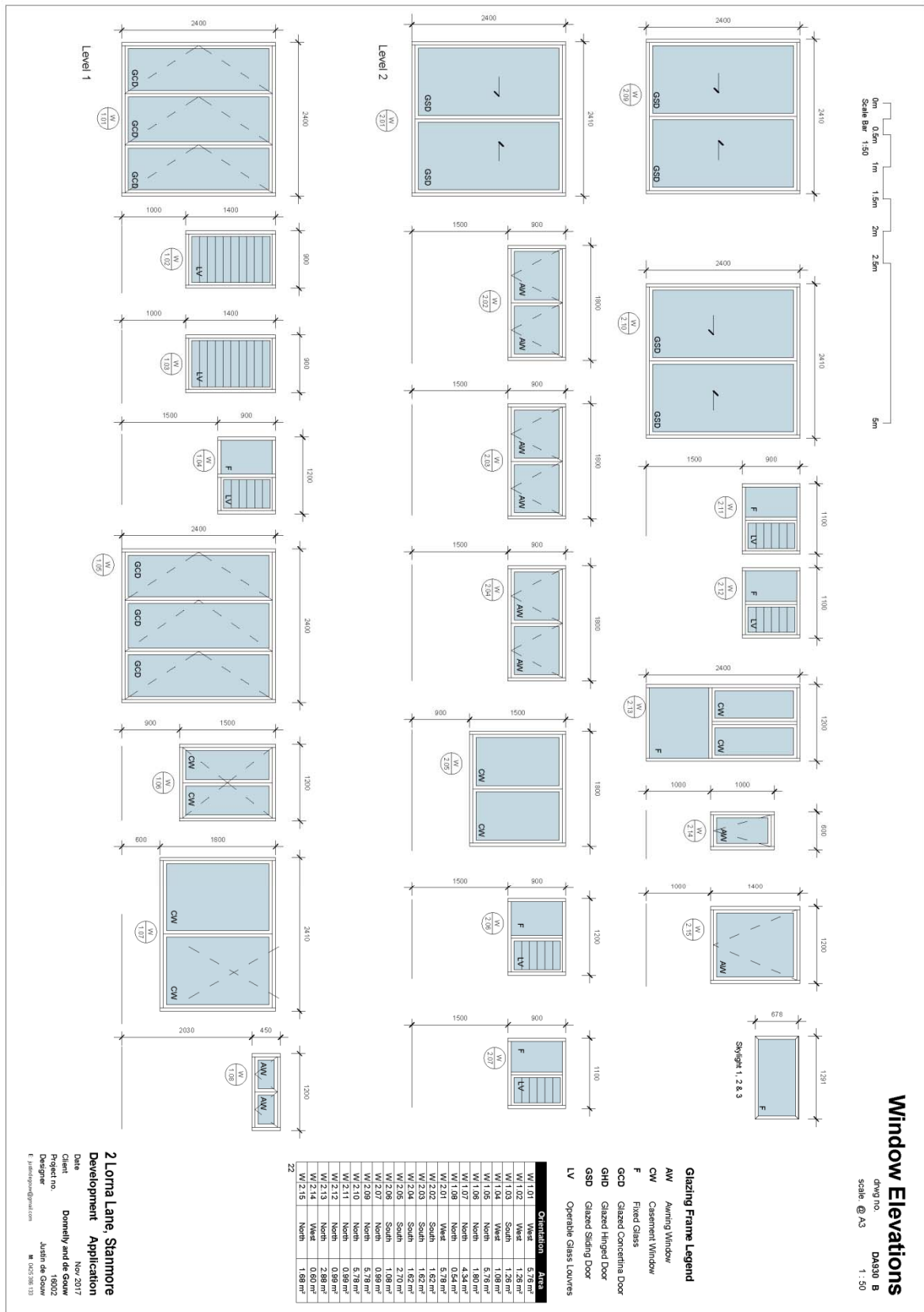




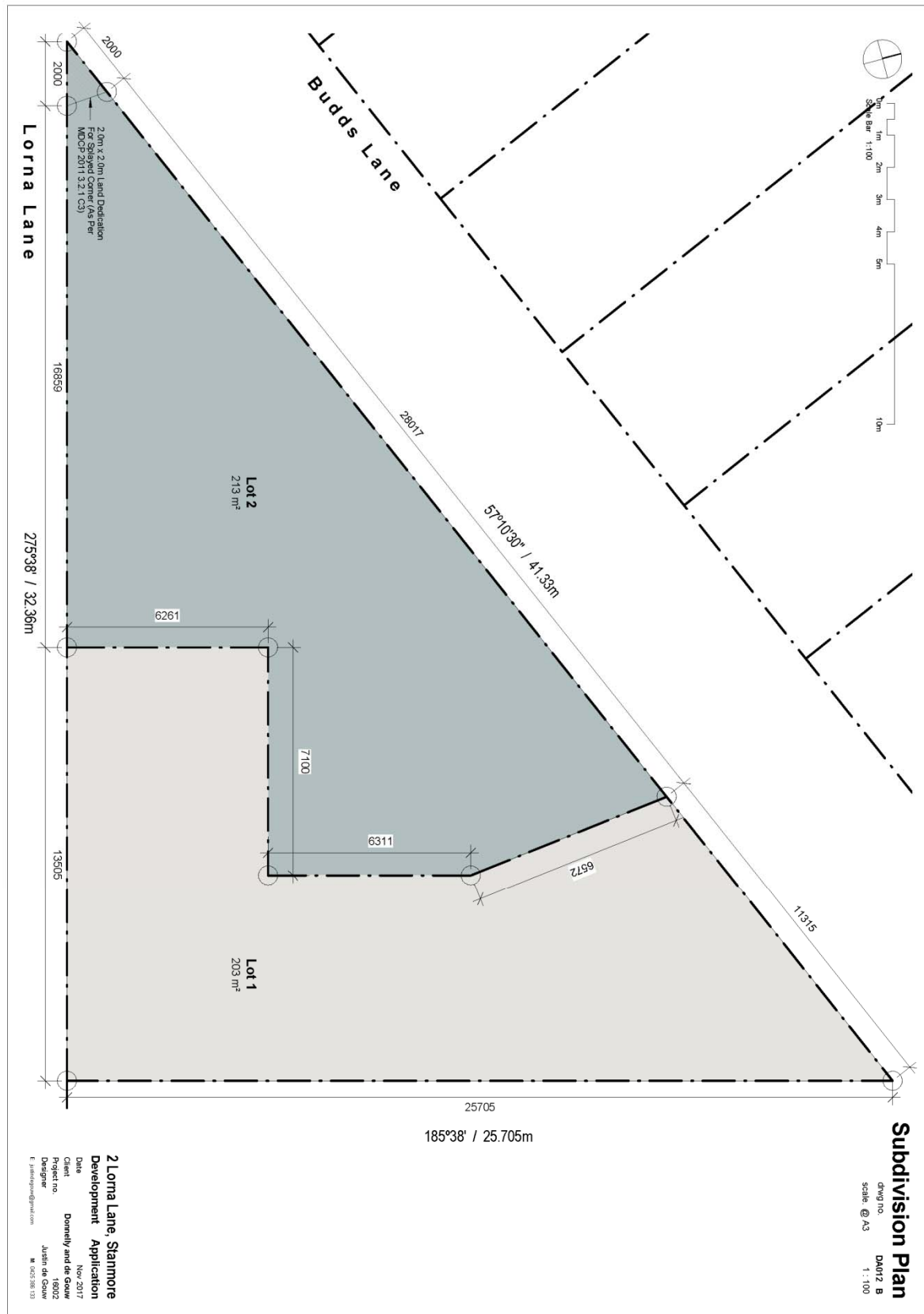


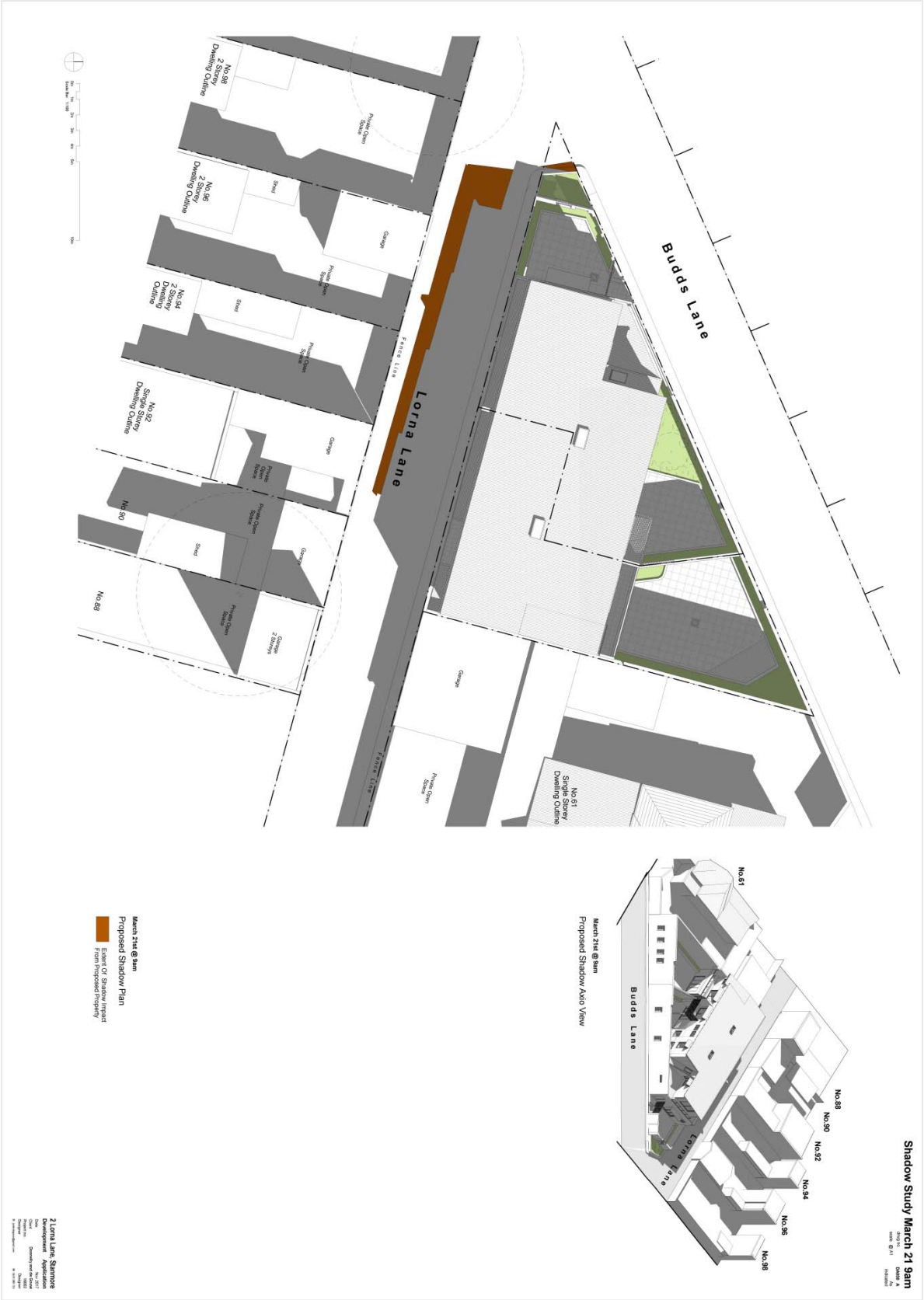


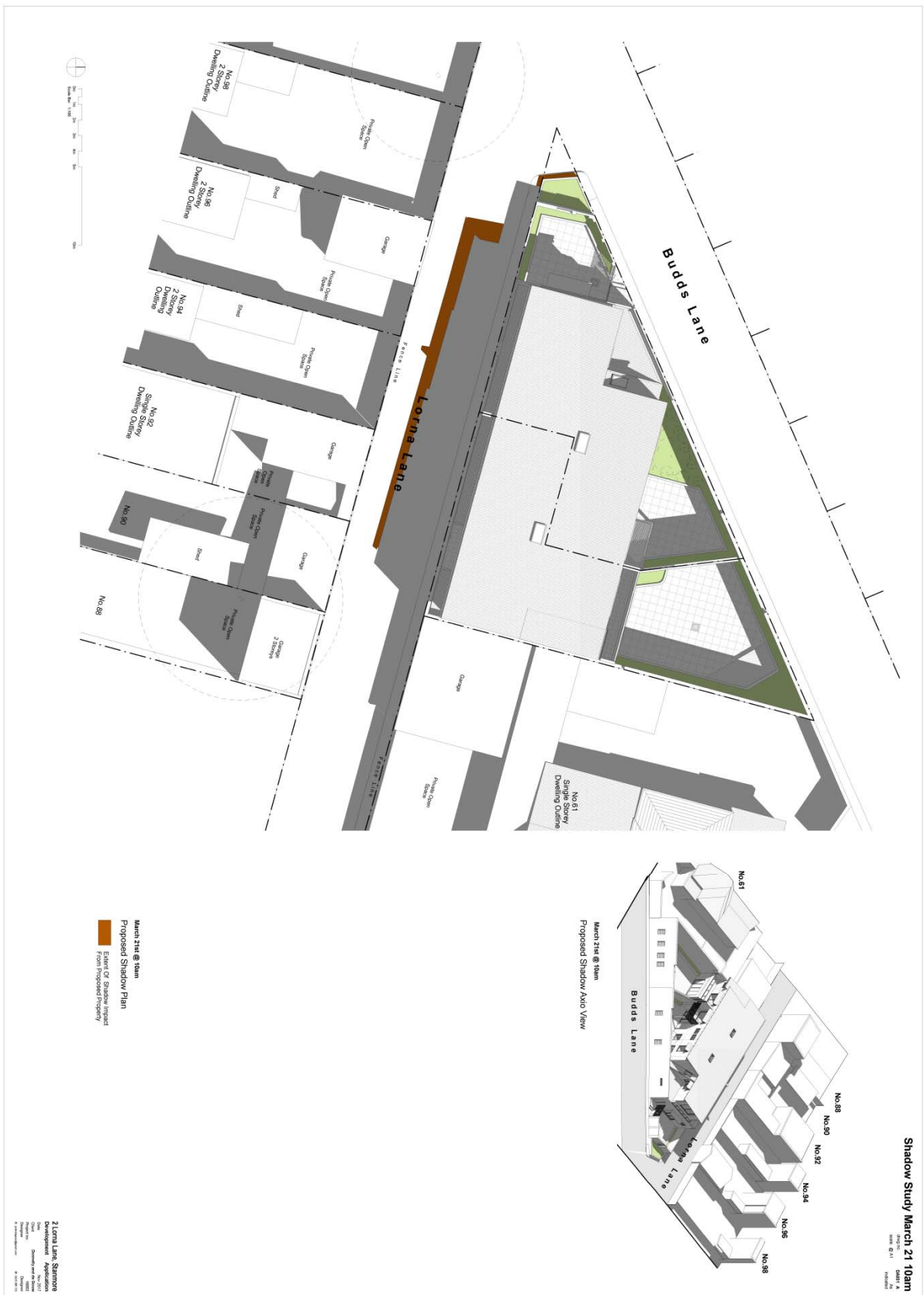


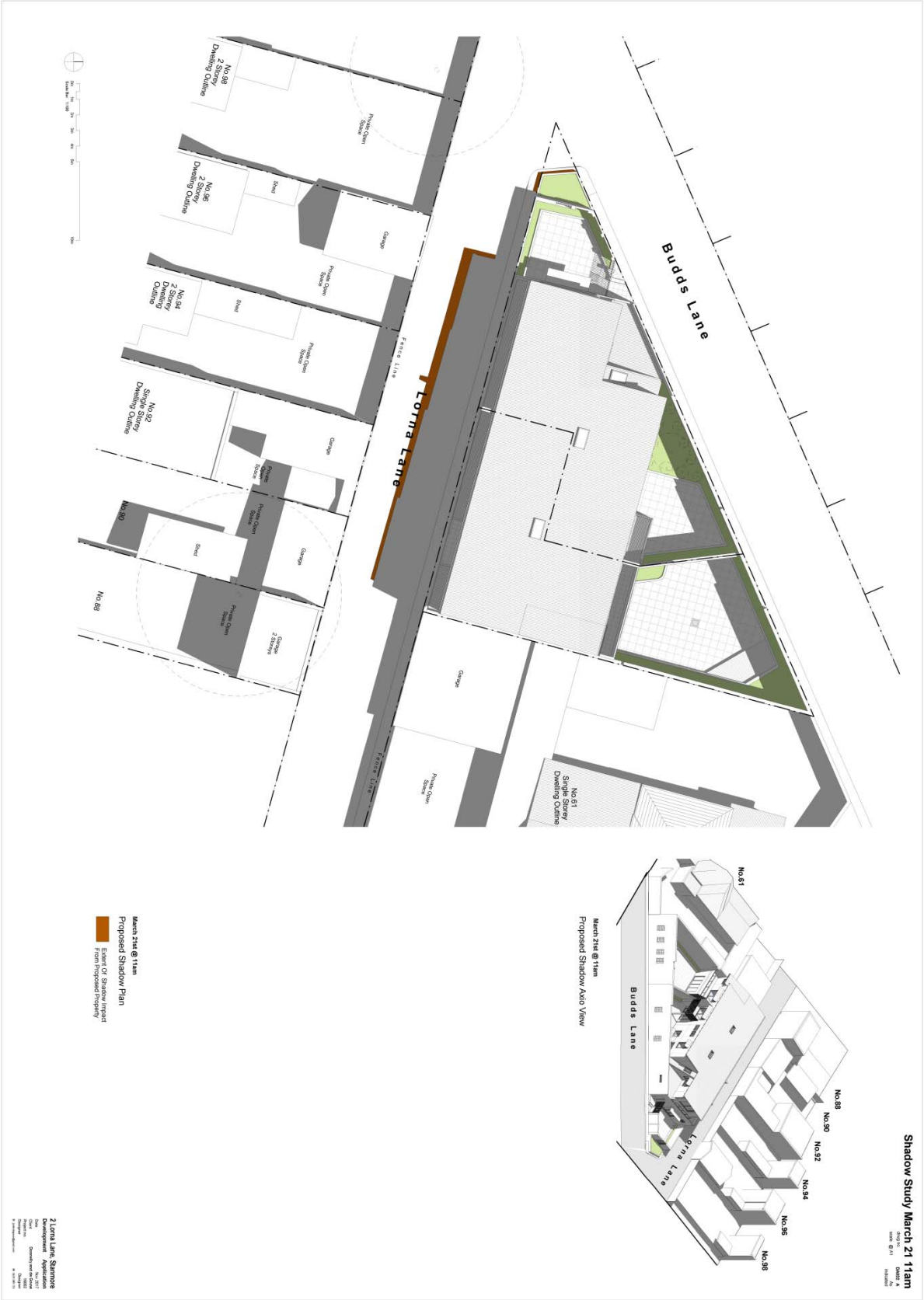


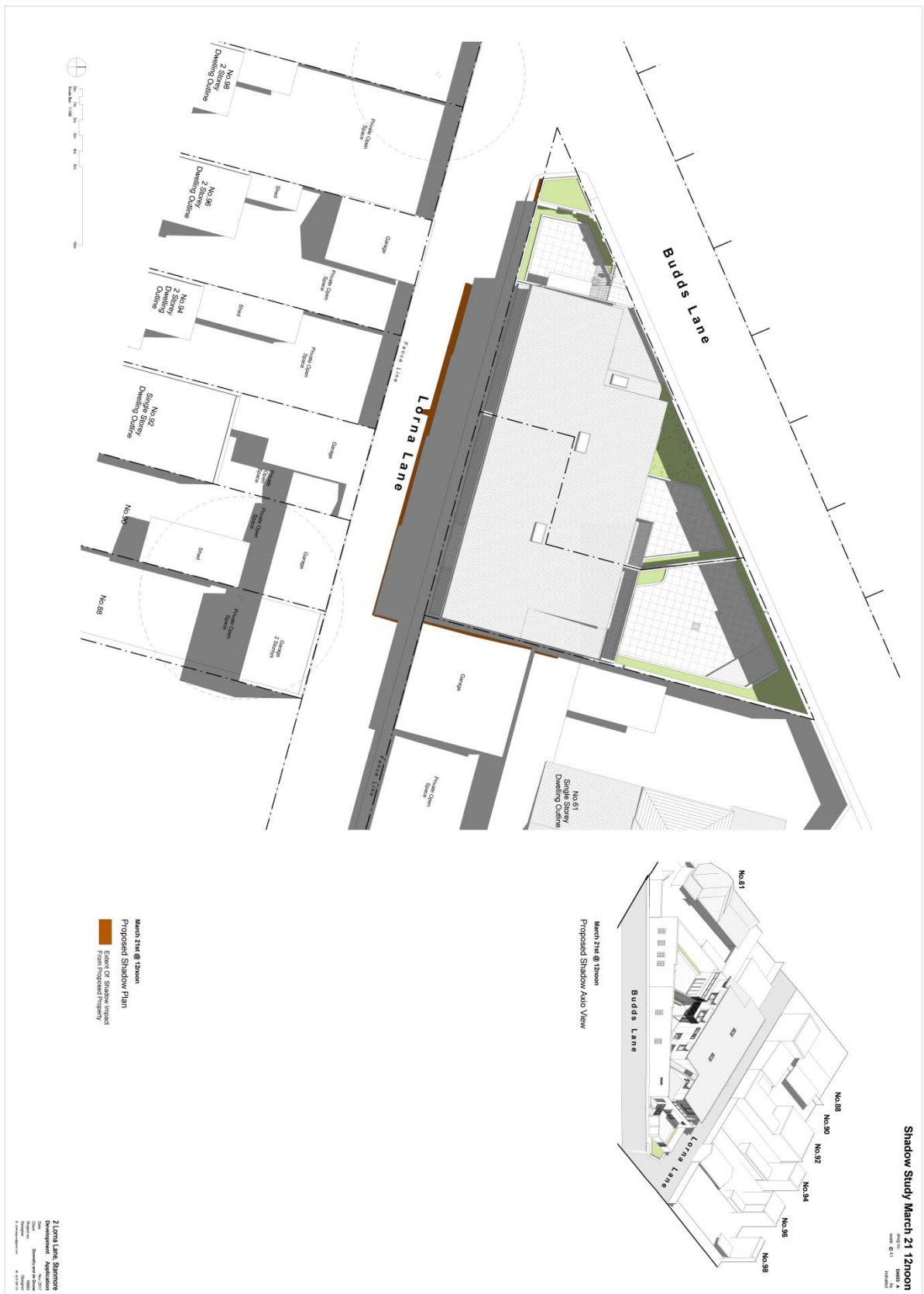


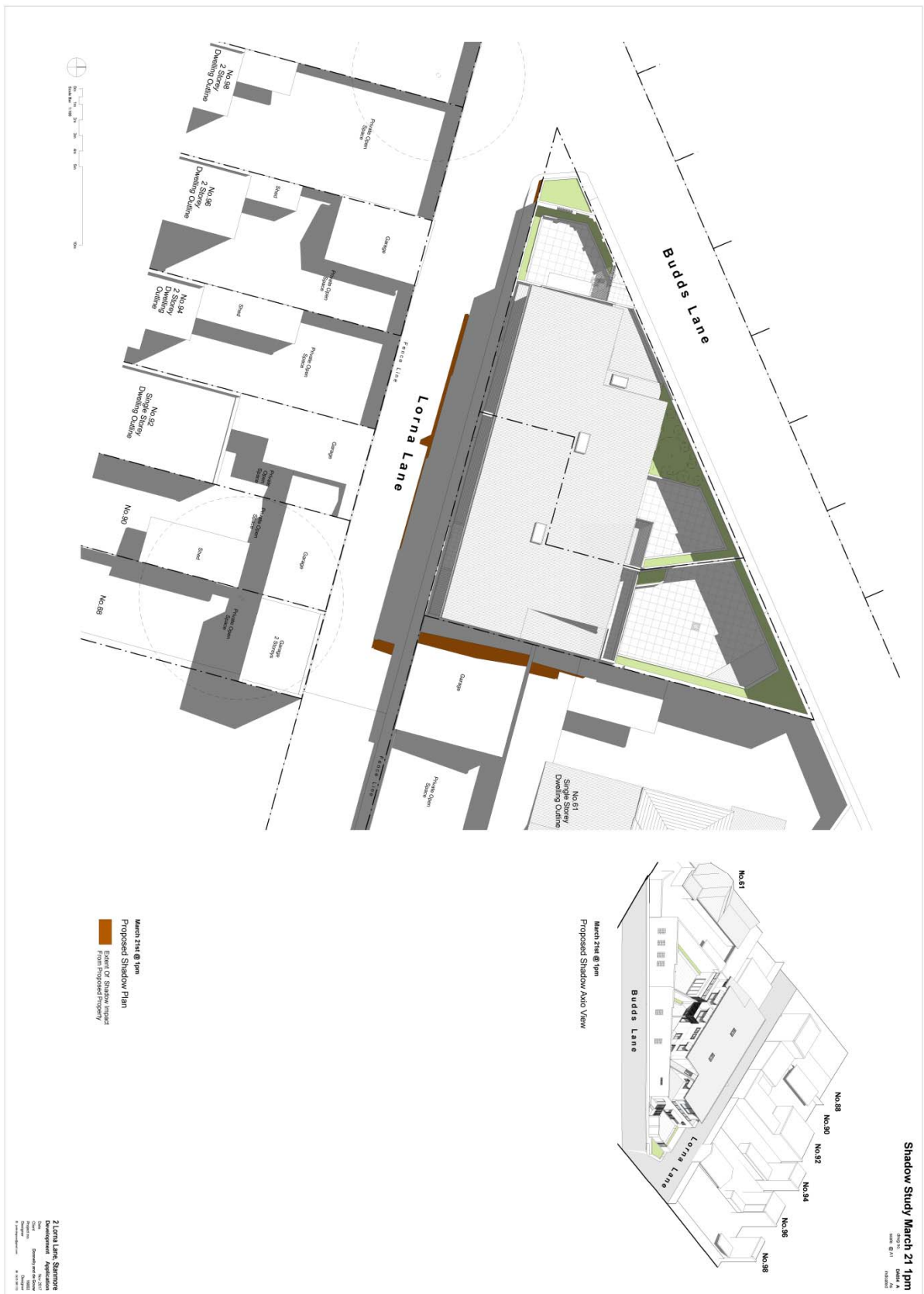


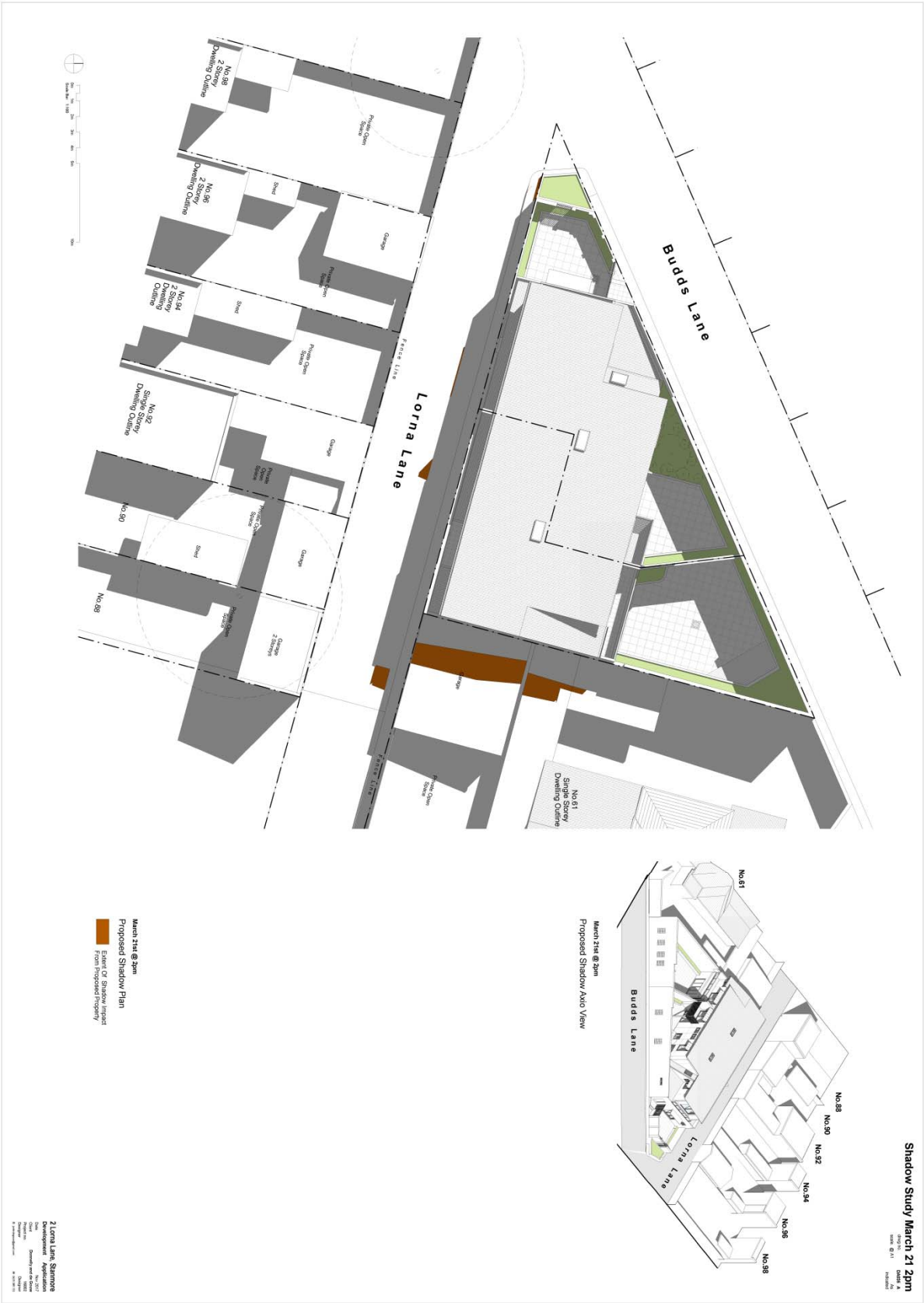


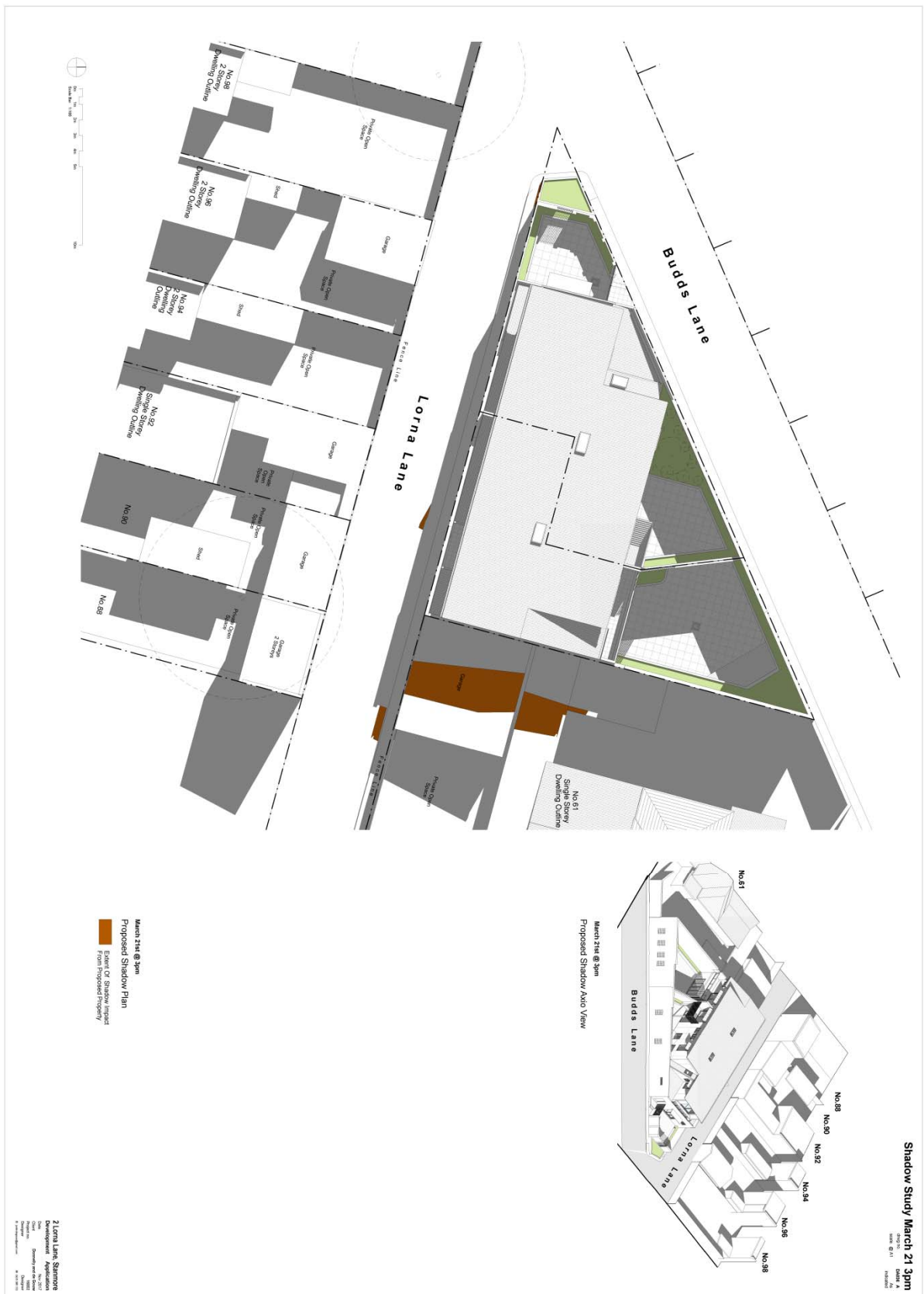


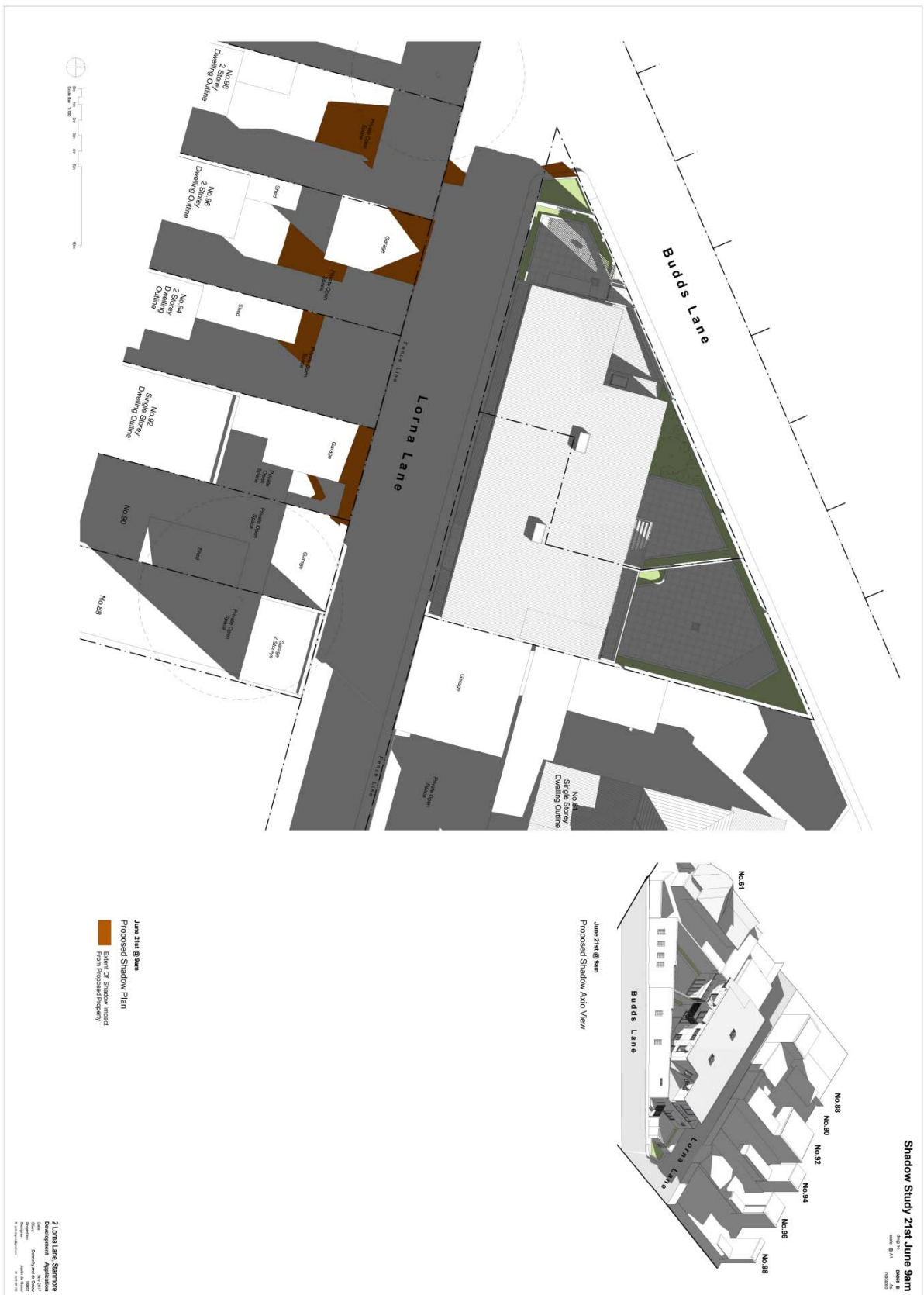


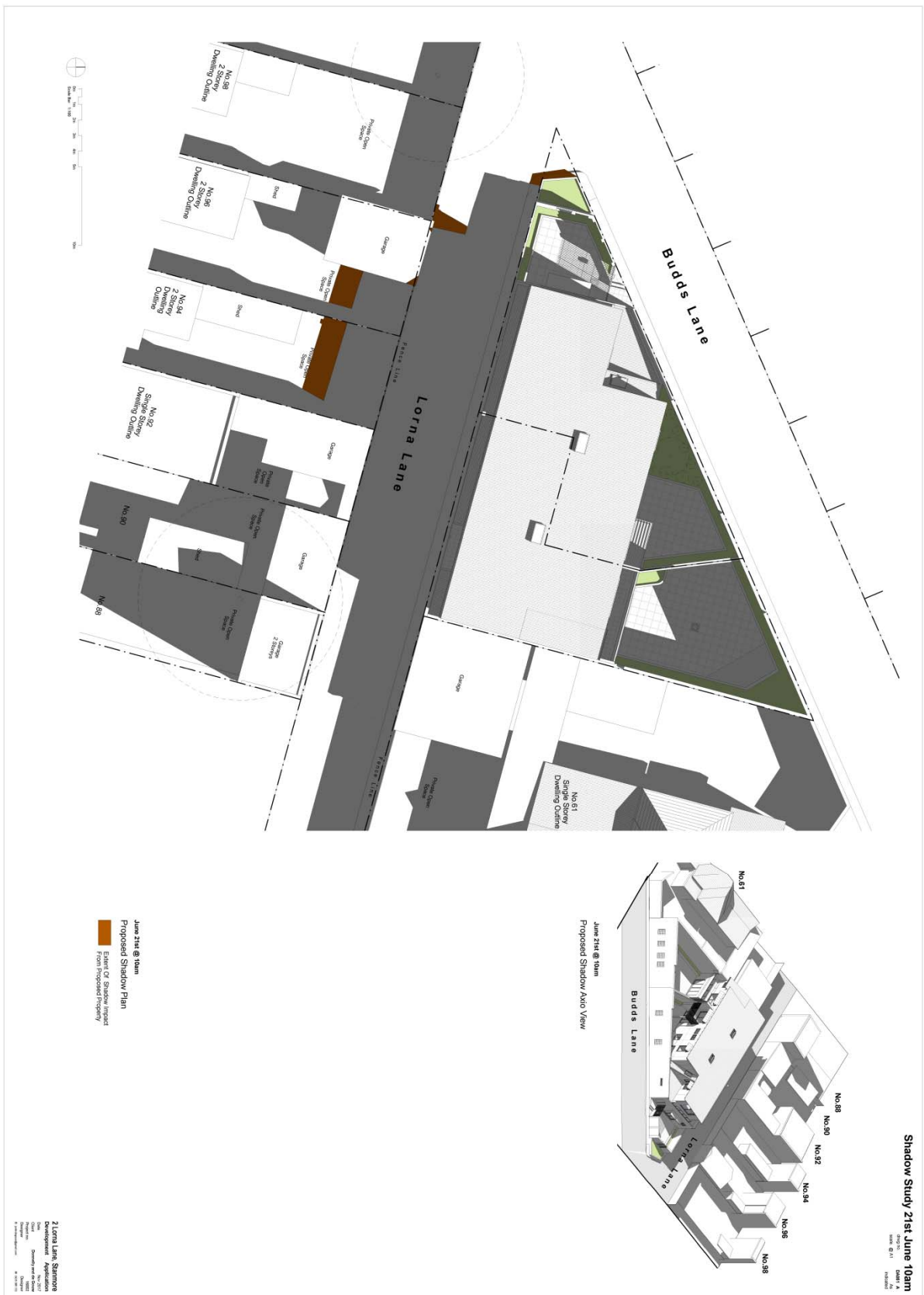


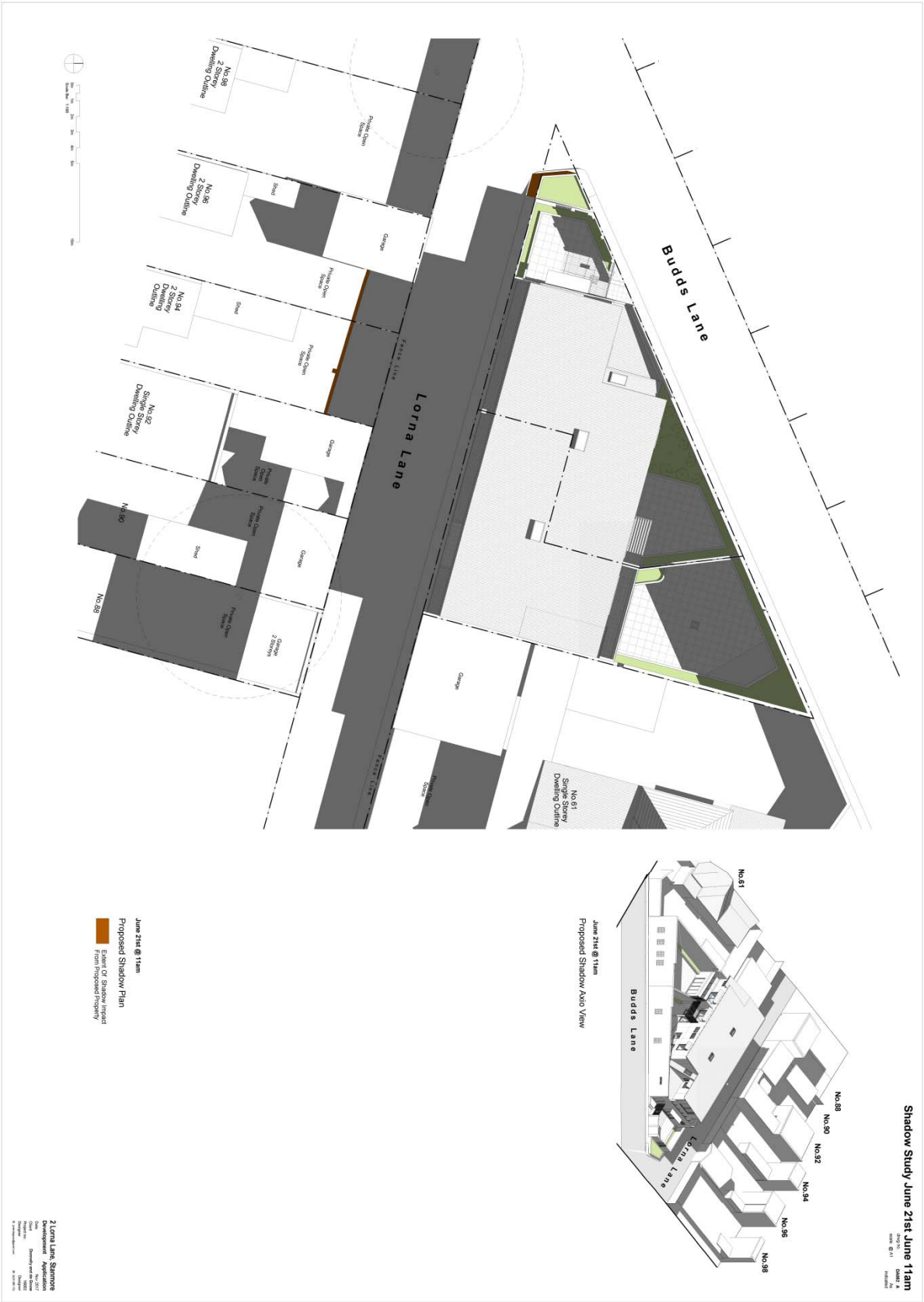


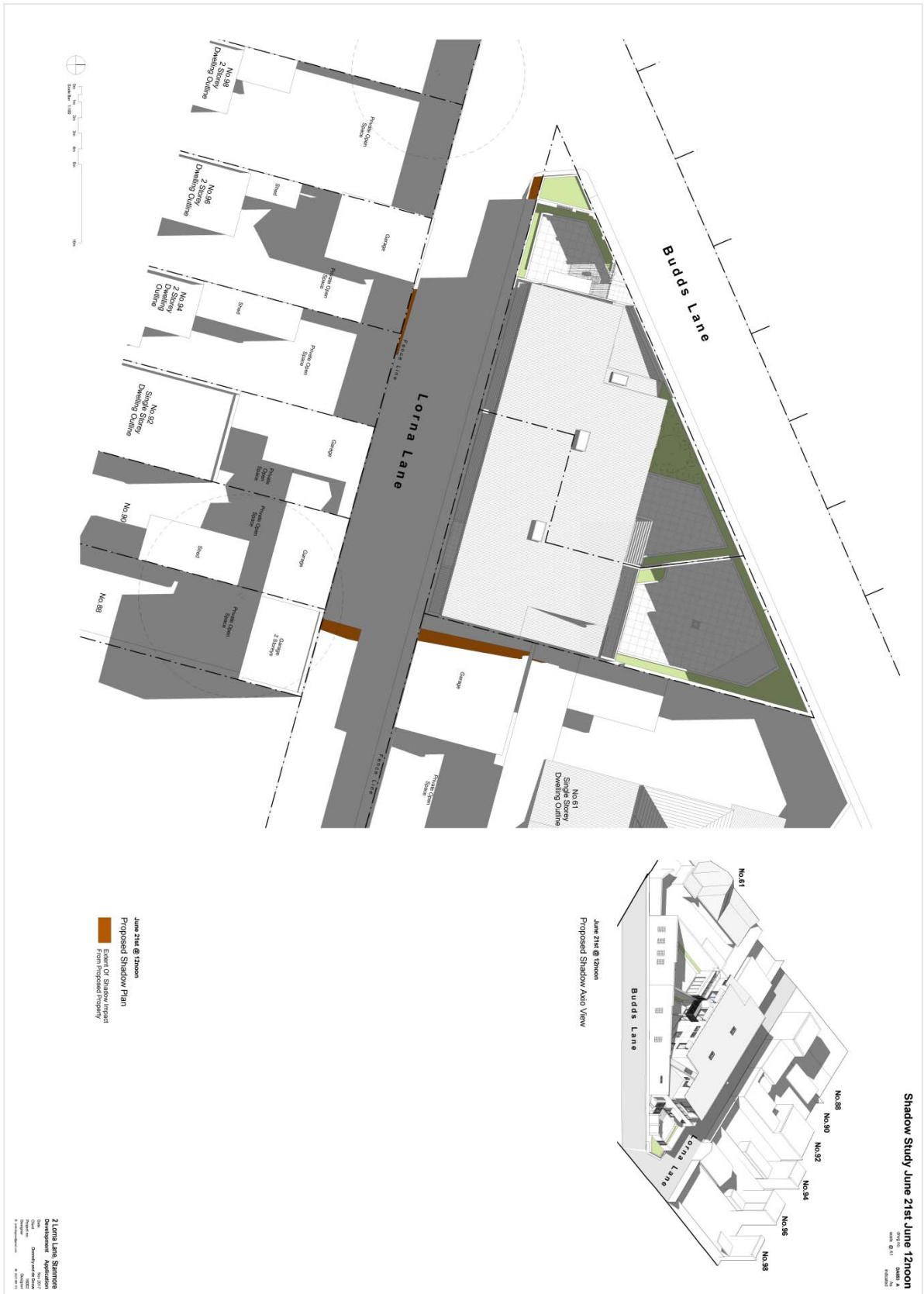


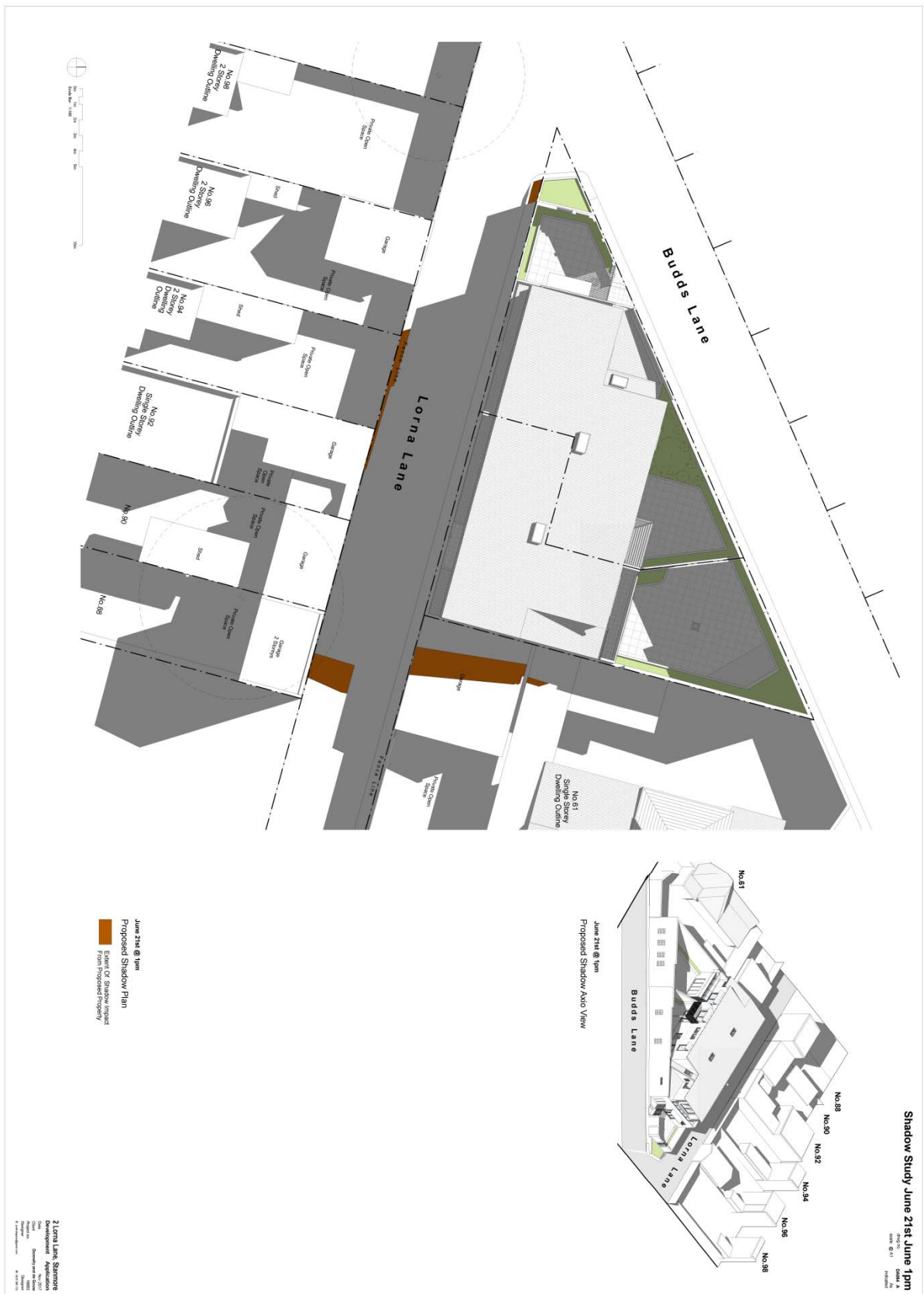


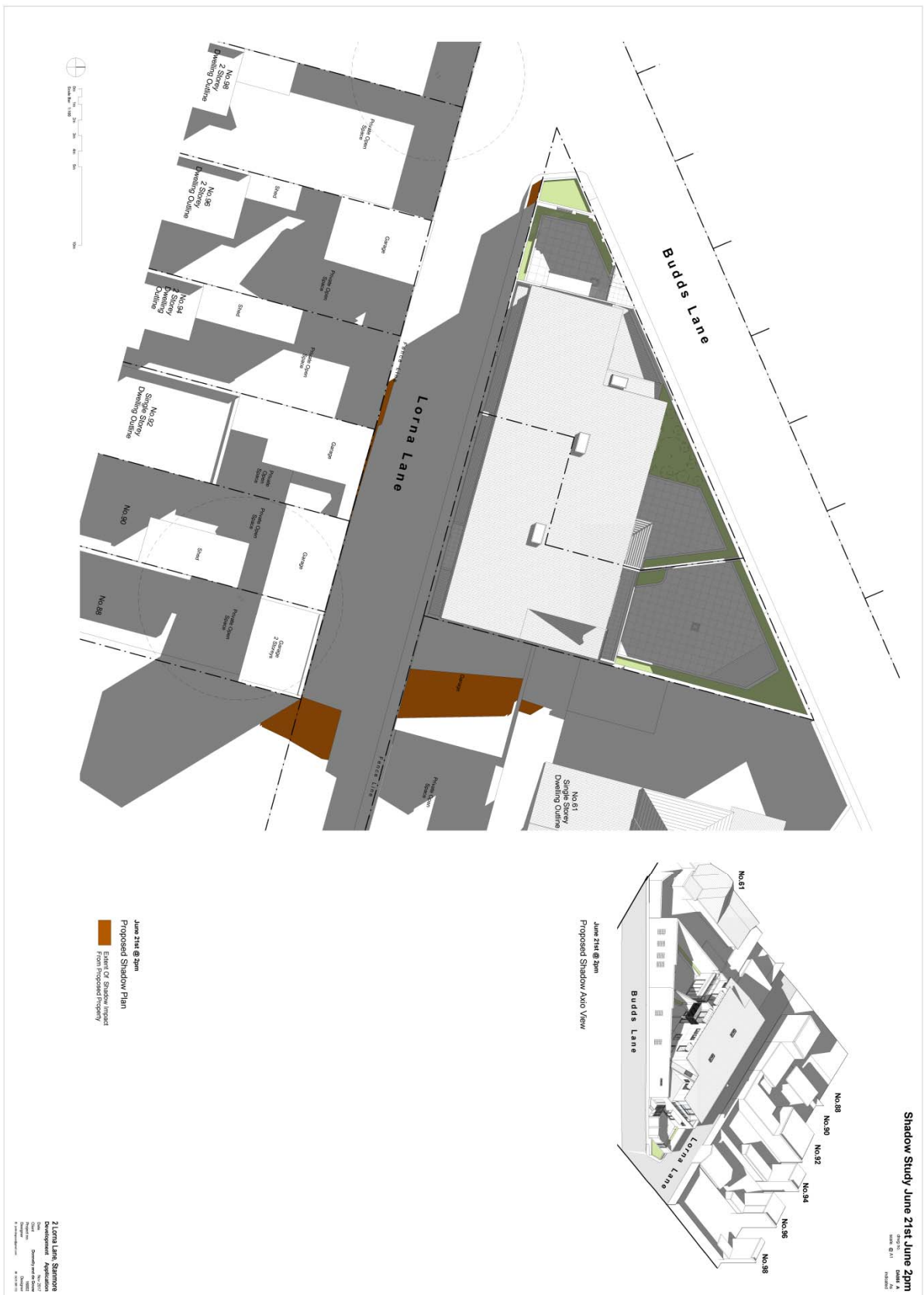


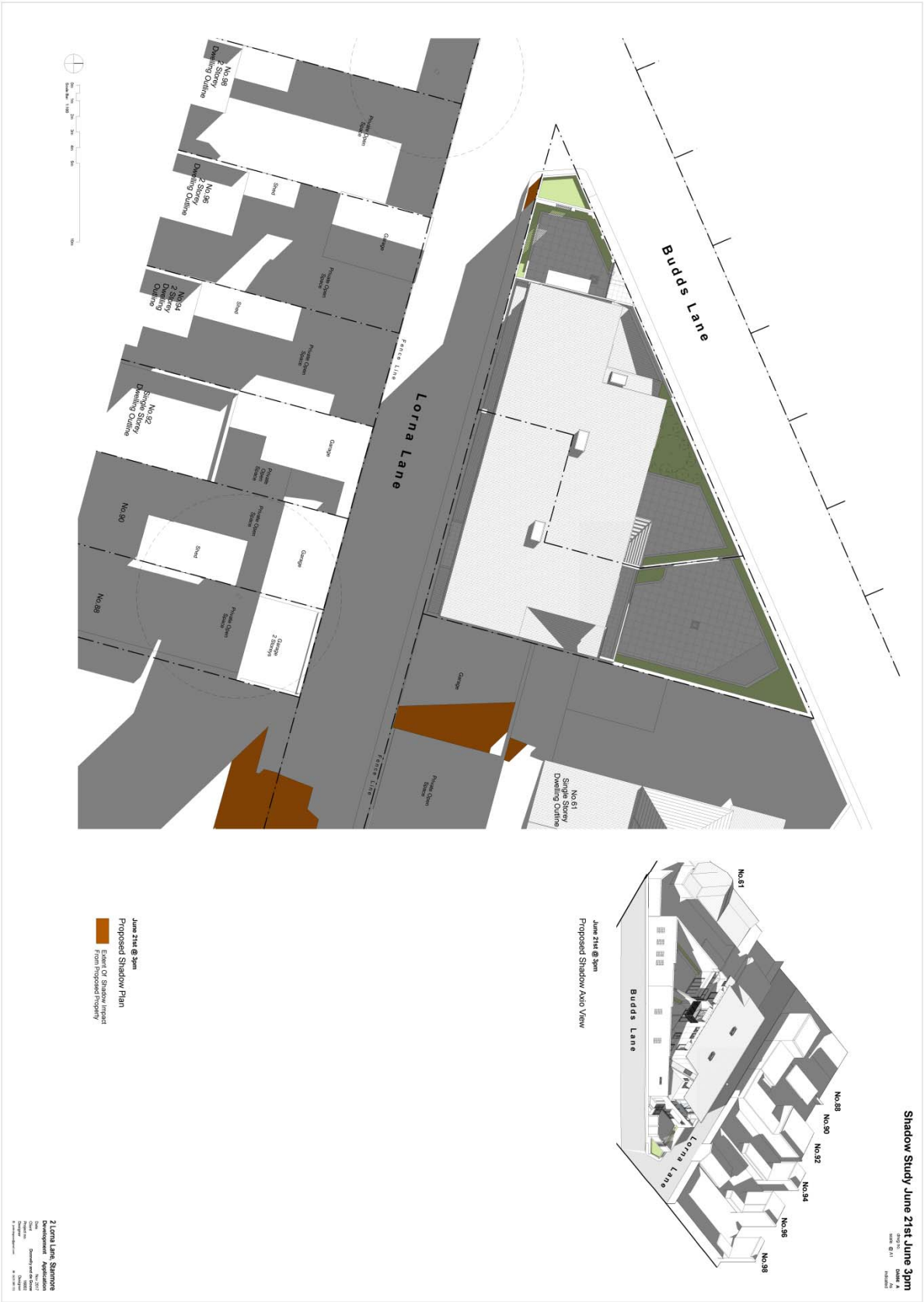


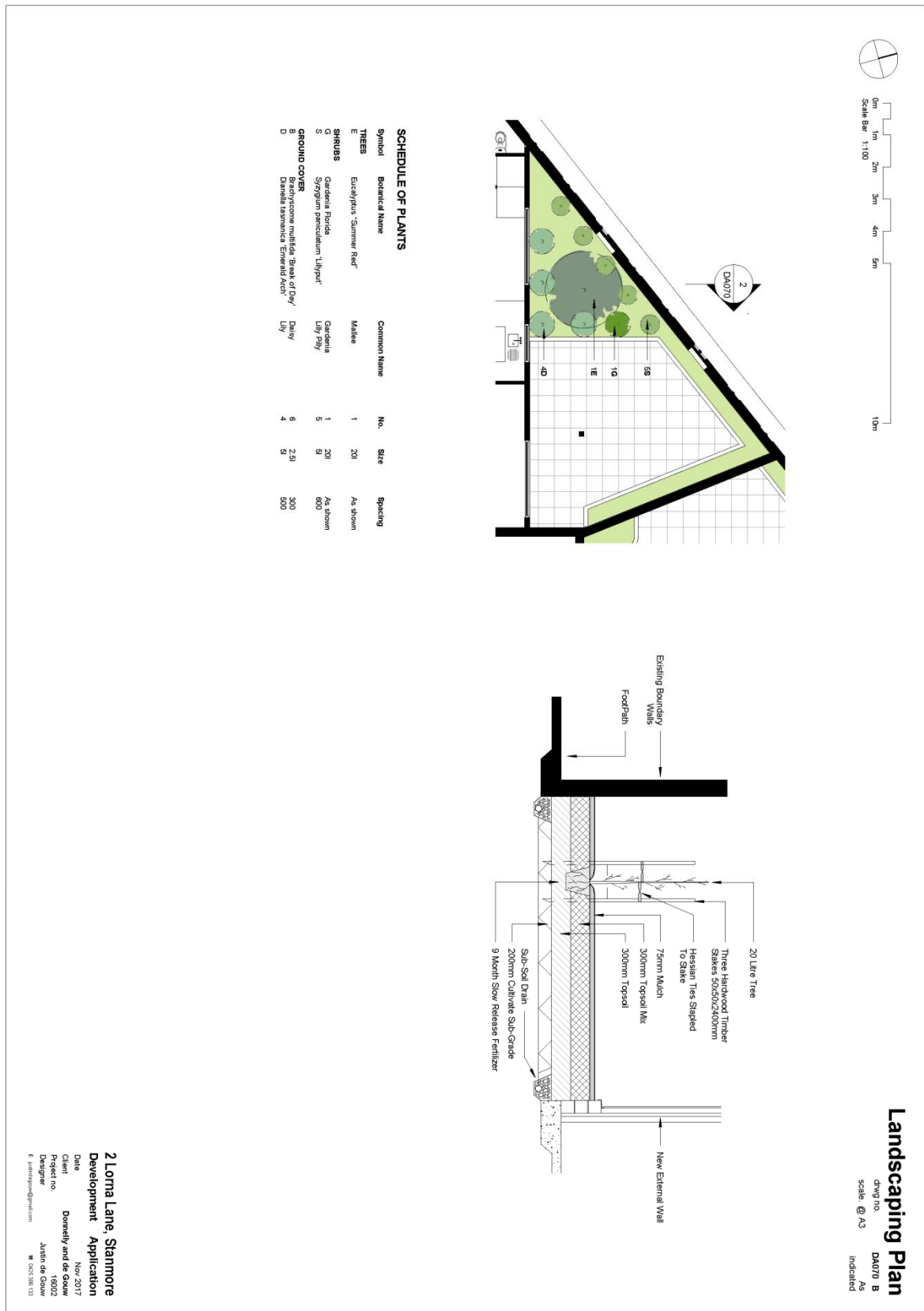






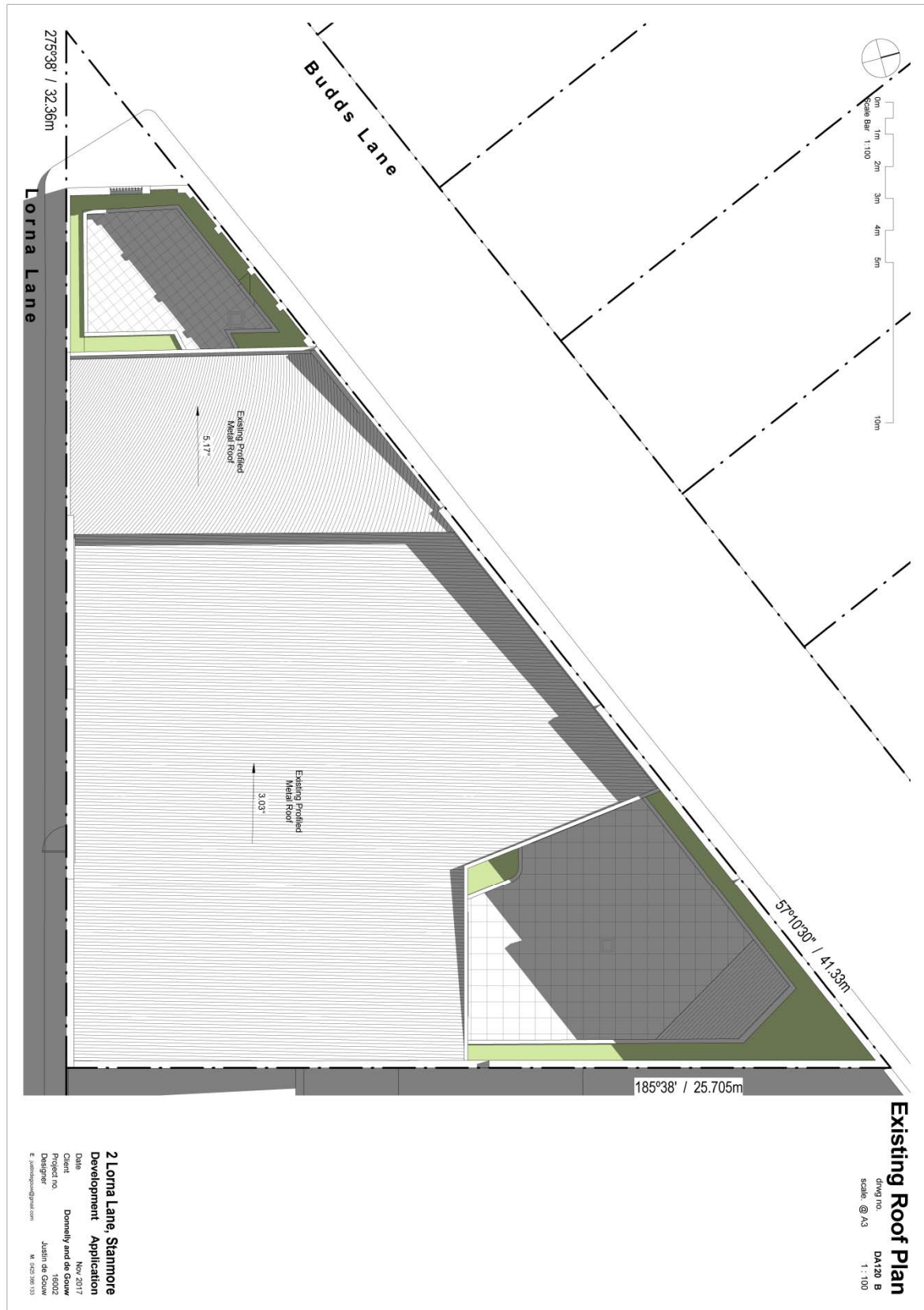












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