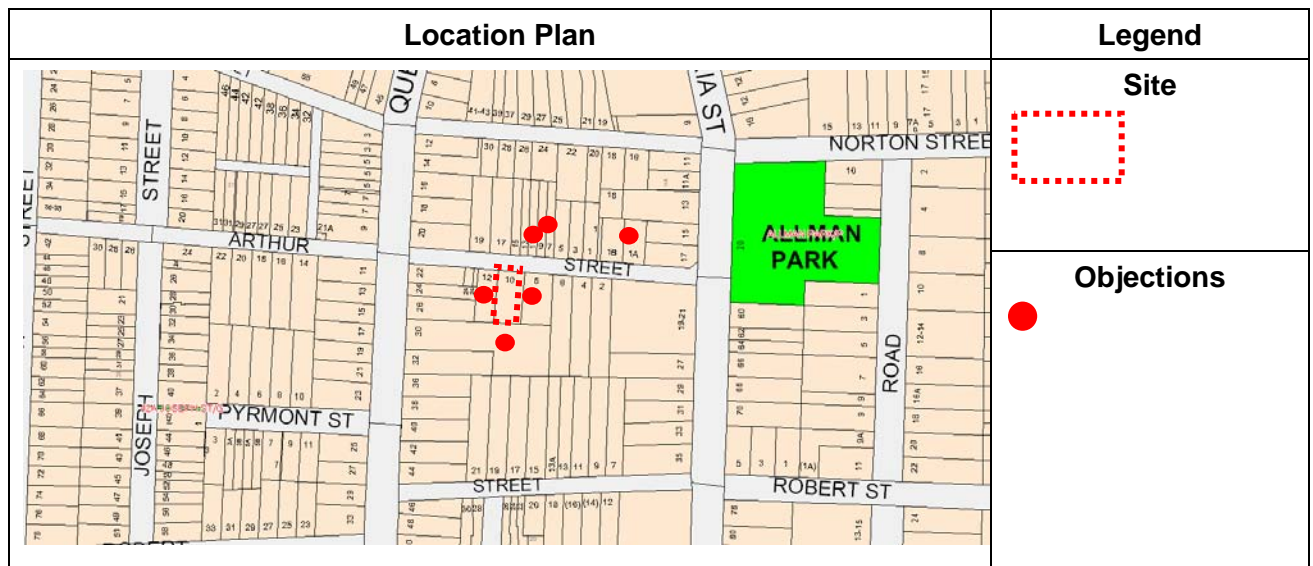




# INNER WEST COUNCIL

## DEVELOPMENT ASSESSMENT REPORT

<b>Application No.</b>	10.2017.84.1
<b>Address</b>	10 Arthur Street, Ashfield
<b>Proposal</b>	Alterations and additions to the existing dwelling involving:- <ul style="list-style-type: none"> <li>• two storey rear addition;</li> <li>• attached garage; and</li> <li>• removal of four trees</li> </ul>
<b>Date of Lodgement</b>	30 May 2017
<b>Applicant</b>	Mr W H Ho C/- James Kim
<b>Owner</b>	Ms F X Huang
<b>Number of Submissions</b>	20 submissions
<b>Value of works</b>	\$667,000.00
<b>Reason for determination at Planning Panel</b>	Number of submissions received
<b>Main Issue/s</b>	Privacy – First floor windows
<b>Recommendation</b>	Conditional approval



## 1. Executive Summary

It is proposed to make alterations and additions to the existing dwelling house to include a two storey rear addition, attached garage and removal of four trees.

The main issue that has arisen relates to privacy impact from the first floor windows.

The proposal is generally compliant with the applicable controls and the application is recommended for approval with conditions.

## 2. Proposal

Alterations and additions to existing dwelling to include:-

- two storey rear addition;
- attached garage; and
- removal of four trees

## 3. Site Description

The subject site is located on the southern side of Arthur Street, bounded by Victoria Street to the east and Queen Street to the west. The site area is approximately 695.6 square metres. An existing mid-Victorian dwelling is located on the site. Surrounding development comprises of residential development of varying densities.

## 4. Background

### 4(a) Site history

Previous building and development applications submitted to Council for the subject site include:

NO.	DATE	PROPOSAL	DECISION
10.2016.290	10/2/2017	Alterations and additions to dwelling plus a garage	Withdrawn
6.1946.398	2/4/1946	Alterations to the dwelling including a concrete stairway	Approved

### 4(b) Application history

The following table shows the background to the current application:

Application Milestones		
Date	Event	File no
30.05.2017	Development Application lodged "as-is"	10.2017.84.1

## 5. Assessment

The following is a summary of the assessment of the application in accordance with Section 79C 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 No 55—Remediation of Land
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The following provides further discussion of the relevant issues:

#### 5(a)(i) State Environmental Planning Policy No 55—Remediation of Land

The subject site has a long history of residential use and is not considered to be contaminated and therefore no further investigation would be required.

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

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ("BASIX") applies to the proposed works. BASIX Certificate No. A263721\_02 Date of Issue 16 May 2017 was submitted with the development application.

#### 5(a)(iii) Ashfield Local Environment Plan 2013 (ALEP 2013)

The application was assessed against the following relevant clauses of the Ashfield Local Environmental Plan 2013:-

<b>Ashfield Local Environmental Plan 2013 Summary Compliance Table</b>				
<b>Clause No.</b>	<b>Clause</b>	<b>Standard</b>	<b>Proposed</b>	<b>Compliance</b>
2.2	Zoning	Zone R2 Low Density Residential	Alterations and additions to the existing dwelling house and a new garage and tree removal	Yes
4.3	Height of buildings	8.5m	7.1m	Yes
4.4	Floor space ratio	0.7:1	0.46:1	Yes
5.10	Heritage Conservation	The subject site is a heritage item (item No. 26 in the LEP)  Located in the vicinity of the following heritage item: • 8 Arthur Street Ashfield (item No. 26 in the LEP)		
5.10(4)	Effect of proposed development on heritage significance	The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or the	Council's Heritage Advisor did not raise any objections to the proposal and as such is not expected to detract from the character or significance of the	Yes

		area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).	Heritage Item or the adjacent Heritage Item.	
5.10(5)	Heritage Assessment	The consent authority may, before granting consent to any development: (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),  require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.	Council's Heritage Advisor did not raise any objections to the proposal and as such is not expected to detract from the character or significance of the Heritage Item or the adjacent Heritage Item.	Yes

The proposed development satisfies all the relevant provisions of ALEP 2013.

**5(b) Draft Environmental Planning Instruments**

There are no relevant Draft Environmental Planning Instruments.

**5(c) Development Control Plans**

The application has been assessed and the following provides a summary of the relevant provisions of Inner West Development Control Plan 2016 as follows:-

CHAPTER A PART 8	PARKING	This Part requires one space per dwelling (preferably two). A minimum of one space is provided behind the front building line with capacity to provide a second car space tandem.
CHAPTER B	NOTIFICATION AND ADVERTISING	The proposal was notified in accordance with Council's Notification and Advertising DCP. Refer to Part 5(f) of this report.
CHAPTER C PART 4	TREE PRESERVATION AND MANAGEMENT	The application was reviewed by Council's tree officer who has not raised issues to the removal of the four trees and further provided recommendations on other trees to be retained on site.

CHAPTER E1 PART 2	HERITAGE ITEMS AND CONSERVATIONS AREAS (excluding Haberfield)  Heritage Items	The proposal is considered to meet the objectives of this part. In addition, Council's Heritage Advisor did not raise any objections to the proposal and as such is not expected to detract from the character or significance of the heritage item and adjacent heritage listed dwelling.
CHAPTER F PART 1	DWELLING HOUSES AND DUAL OCCUPANCY	Refer to detailed assessment below

Chapter F Development Category Guidelines – Part 1 – Dwelling Houses and Dual Occupancy

Reference	Control	Standard	Proposed	Compliance
DS8.2	Minimum Landscaped area %	35% of site area if the site has an area between 501-600sqm	37%	Yes
DS8.3	Maximum site coverage	50% percent if the site has an area between 501-600sqm	39%	Yes
DS3.4	Wall height	Maximum external wall height of 6 metres measured from the existing ground level.	Approximately 5.986m	Yes
DS4.3	Setbacks	Side setbacks are determined by compliance with the BCA. Generally, Council requires a minimum side setback of 900mm for houses	Ground & First Floor -  >900mm setback to east and west boundaries.  Garage 900mm (western boundary)	Yes
DS6.1	Garages and carports	A minimum of one carparking is required per dwelling	The subject site provides a minimum of one car space	Yes
DS13.1-13.2	Solar access	Sunlight to at least 50% (or 35m <sup>2</sup> with minimum dimension 2.5m, whichever is the lesser) of private open space areas of adjoining properties is not to be reduced to less than three (3) hours between 9am and 3pm on 21 June.  Existing solar access is maintained to at least 40% of the glazed areas of any neighbouring north facing primary living area windows for a period of at least three hours between 9am and 3 pm on 21 June.	Minimal impact on adjoining properties	Yes
DS 13.3		Requires main living areas to be located on the northern side of buildings where possible and subject to streetscape quality considerations.	Given the orientation of the site being north-south and having consideration to the existing floor layout it is not possible to achieve main living areas to the north.	Yes
DS 13.4		Requires sun shading devices such as eaves, overhangs or recessed balconies minimise the amount of direct sunlight striking facades.	A BASIX Certificate has been submitted with the application and these have been incorporated	Yes

			on the plans as required by the BASIX certificate.	
DS 11.1	Front gardens	Requires front garden to have an area and dimensions that provide sufficient soil area for ground cover, vegetation and trees.	The proposal will not alter the amount of soft landscaping within the front garden area	Yes
DS 11.2	Front gardens	Requires hard paved areas to be minimised, and driveways have a maximum width of 3 metres	The hard paved area of the site have been kept to minimum. The proposal seeks to maintain the existing driveway width.	Yes
DS 12.1	Rear gardens	Requires rear gardens to have an area and dimension that provide sufficient soil area for ground cover, vegetation and trees.	The rear garden has a sufficient soil area which is turfed and has vegetation. It has also maintained some of the existing trees.	Yes
DS14.1	Visual Privacy	Requires the number of windows to side elevations located above the ground floor to be minimised.	The rear windows to the addition are provided with filmed glazed areas and the windows along the east elevation within the alcove are also provided with film glass. A condition shall be imposed to ensure these windows are provided with obscure film in addition the two upper floor windows to the rear first floor addition shall also be conditioned to be provided with obscure film.	Yes

It is considered the application complies with the parts as indicated and ultimately achieves the aims and objectives of the Inner West Comprehensive Development Control Plan 2016.

#### 5(d) The Likely Impacts

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

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

The site is zoned R2 Low Density Residential. This site is considered suitable to accommodate the proposed alterations and additions to the existing dwelling house, and this has been demonstrated in the assessment of the application.

#### 5(f) Any submissions

The application was notified for a period of 14 days to surrounding properties from 05 June 2017 to 19 June 2017. A total of 21\* submissions were received, however one submission was later withdrawn after the proposal was clarified. In summary 18 submissions against the proposal and 2 submissions in support.

\*Due to a technical error, the description on Council’s Online Tracker described the proposal involving demolition of structures where in fact only a small portion at the rear was proposed to be demolished. A letter clarifying the proposal was sent to all submitters who raised demolition as an issue. As a result one submission was withdrawn and two submissions were modified not raising issues with demolition but still having concerns with the proposal.

Discussion of the issues raised is provided below:-

Issue	Assessing Officer’s Comment
Demolition of existing dwelling	The proposal as appeared on Council’s DA tracker was incorrect. The proposal as notified was “Alterations and additions to existing dwelling to include a two storey addition” and did not involve total demolition of the existing dwelling on the site.
Two storey addition not in keeping with the Heritage listing of the dwelling.	Council’s Heritage Advisor has been involved in the design of the proposed final scheme and does not raise any issues. It is therefore not considered that the rear two storey addition will adversely impact the heritage item or adjoining heritage item at 8 Arthur Street.
Loss of major trees.	Council’s tree officer does not have issues with the removal of 4 trees, however has made design suggestions to protect and maintain other trees worthy of protection on site. As a result the applicant made design changes such as reducing the length of the building to protect the nominated trees.
Overshadowing.	The objector is located to the east of the subject site and therefore would not adversely be impacted by any loss of solar access from the proposed rear addition.
Loss of Privacy	The proposed rear windows and the eastern windows located within the alcove area are nominated as film glazing. To confirm the notation on the plans a condition has been imposed. However the two eastern windows located on the proposed first floor do not have any notations to indicate that they are obscured or filmed and as such a further condition has been imposed.
Insufficient rear open space.	<p>Council’s controls do not provide a specific dimension for the rear garden, however does stipulate that it provide a sufficient soil area for ground cover, vegetation and trees.</p> <p>The proposal provides a rear soft landscaped garden area of approximately 4.5m X 16.4m. In addition a second (paved) courtyard is provided along the eastern side of the dwelling.</p>
Use of Premises for sub-letting or multi residential accommodation.	The proposal is seeking approval for additions to the existing dwelling house. Furthermore, the premises only contains one kitchen and laundry. A condition has been imposed that the premises only be used as a single dwelling house
In sufficient car parking for such a large house.	The proposal provides one car space within a garage and potential for a second car to be stacked behind the front building line, which is within the requirements for car parking for a dwelling house.

Additional traffic as a result of the proposal.	The proposal is for an addition to an existing dwelling house, it is not expected that there would be a significant amount of increase in traffic generation.
More on-line detail/information should be provided.	Council's on-line tracker currently provides limited information, however there are plans to provide a more uniform approach with the three service centres so that the information provided on line is consistent.
Clarification sought on rear setback and trees being removed.	Discussion at Council's counter and over the phone has occurred with the objector and clarification was made in respect to the proposed rear setback and trees being removed. No further correspondence received from the objector.

**5(g) The Public Interest**

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

The proposal is not contrary to the public interest.

**6 Referrals**

**6(a) Internal**

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

Internal Referrals		
Officer	Comments	Support
Heritage	No objections raised.	Yes
Building Surveyor	Satisfactory subject to conditions.	Yes
Tree Officer	No objections raised to the tree being removed, subject to a condition being imposed regarding compliance with the arborist report.	Yes
Drainage Engineer	Satisfactory subject to conditions.	Yes

**6(b) External**

N/A

**7. Section 94A Contributions**

Based on the estimated value-of-works of \$667,000.00 a Section 94A Contribution fee of **\$6670.00** would be payable to Council. 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 Ashfield Local Environmental Plan 2013 and the Comprehensive Inner West Development Control Plan 2016. The proposal will not result in any significant impacts on the amenity of adjoining premises or the streetscape. The application is considered suitable for the issue of consent subject to the imposition of appropriate conditions.

## 9. Recommendation

**That Council as the consent authority pursuant to Clause 80(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) approve Development Application No. 10.2017.84.1 for alterations and additions to existing dwelling to include a two storey rear addition and attached garage on Lot 2, DP 84669, known as 10 Arthur Street ASHFIELD, subject to conditions.:**

Attachment A – Recommended conditions of consent

CONDITIONS

DA 2017.84.1  
10 Arthur Street ASHFIELD 2131

**Description of Work as it is to appear on the determination:**

Alterations and additions to existing dwelling to include a two storey rear addition and attached garage and removal of four trees

**A General Conditions**

**(1) Approved plans stamped by Council**

The development must be carried out only in accordance with the plans and specifications set out on drawing numbers

No.	Issue	Title	Prepared by	Council Date Stamp
A001-C	C	Cover Page –BASIX Commitments	PLAY Architecture	17.08.2017
A102-C	C	Proposed Landscape Plan	PLAY Architecture	17.08.2017
A201-C	C	Proposed Ground Floor Plan	PLAY Architecture	17.08.2017
A202-C	C	Proposed First Floor Plan	PLAY Architecture	17.08.2017
A203-C	C	Proposed Roof Plan	PLAY Architecture	17.08.2017
A311-B	C	Proposed Elevation East West	PLAY Architecture	17.08.2017
A312-B	C	Proposed Elevation North South	PLAY Architecture	17.08.2017

and any supporting documentation received with the application, except as amended by the conditions specified hereunder.

**(2) Compliance with BCA**

All works are to comply with the Building Code of Australia and relevant Australian Standard requirements.

**(3) Air conditioning unit**

This consent does not grant approval to the installation of any air conditioning units.

**(4) Tree Protection/Arborist Report**

The recommendations made in the Arboricultural Impact Appraisal and Method Statement prepared by Andrew Scales dated 11 August 2017 are to be adhered to during construction works by the builder. Any variations to the recommendations made in the report are required to be verified by the arborist, in writing, and Council’s advice received on these changes prior to work commencing.

**(5) The trees located on the subject site**

The trees located on the subject site shall be protected at all times during the demolition and the construction stage.

**(6) Supervision of an Arborist during demolition and construction work**

An Arborist shall supervise the demolition and construction stage to ensure that the trees located on the subject site is kept in a healthy condition.

**B**     Design Changes

**(1)**           **Amended plans to be submitted**

Amended plans and specifications incorporating the following amendments are to be submitted with the application for a construction certificate

- (a)     The windows marked as filmed on the approved plans shall ensure this film is obscured film.
- (b)     The two upper floor windows in the rear addition on the eastern elevation shall be provided with obscure film.

**C**     Conditions that must be satisfied prior to issuing/releasing a Construction Certificate

**(1)**           **Erosion & sedimentation control-management plan**

Prior to issue of a construction certificate the applicant shall prepare an erosion and sedimentation control plan in accordance with Part 4 of the guidelines titled "*Pollution Control Manual for Urban Stormwater*", as recommended by the Environmental Protection Authority.

Any stormwater runoff collected from the site must be treated in accordance with the Guidelines, before discharge off the site to comply with the *Protection of the Environment Operations Act 1997* or other subsequent Acts.

Where sedimentation control basins are provided discharge shall be to the requirements of the Environmental Protection Authority.

Applicants are further advised to refer to the following publications for additional information:

- (a)     "*Sedimentation and Erosion Control*" - Department of Conservation and Land Management.
- (b)     "*Soil and Water Management for Urban Development*" - Department of Housing.

The plan must be submitted with the application for a construction certificate.

**(2)**           **Section 94A Contribution**

Pursuant to Section 80A(1) of the *Environmental Planning and Assessment Act 1979* and Ashfield Council's Section 94A Development Contributions Plan 2009 a contribution of **\$6670.00** shall be paid to Ashfield Council.

The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of Ashfield Council's Section 94A Development Contributions Plan 2009.

The contribution is to be paid prior to the issue of the construction certificate and copies of receipts(s) confirming that the contribution has been fully paid are to be provided to the Principal Certifying Authority (PCA).

**(3)**           **Long service levy**

Compliance with Section 109F of the *Environmental Planning and Assessment Act 1979* – payment of the long service levy under Section 34 of the *Building and Construction Industry Long Service Payments Acts 1986* – is required. All building of \$25,000.00 and over are subject to the payment of a Long Service Levy fee. A copy of the receipt for the payment of the Long Service Levy shall be provided to the Principal Certifying Authority (PCA) prior to the

issue of a Construction Certificate. Payments can be made at Long Service Payments Corporation offices or most Councils.

(4) **Home Building Act 1989 Insurance**

Compliance with Part 6 of *Home Building Act 1989* is required. A copy of either the Builders Home Warranty Insurance OR a copy of the Owner-Builder Permit shall be submitted to Council.

(5) **Footpath/laneway- photographs to be submitted**

Prior to the release of the Construction Certificate, the applicant shall lodge with Council photographs of the roadway and footpath at the property boundary indicating the state of the relevant pavements. At the completion of construction, again at the expense of the applicant, a new set of photographs is to be taken to determine the extent, if any, of any damage, which has occurred to the relevant pavements. If any damage has occurred, the applicant shall meet the full cost to repair or reconstruct these damaged areas to Council's relevant standard. Failure to do this will result in the applicant being held accountable for the cost of all repair works in the area near / at the site.

(6) **Damage deposit/footpath, road, kerb and gutter**

A Damage Deposit of **\$7,600** is to be submitted prior to the release of the Construction Certificate covering repair and/or replacement of adjoining footpath, road shoulder, road pavement, kerbing and guttering both outside the subject site and the surrounding area. This is to be paid to Council and may be refunded subject to satisfactory completion of construction or demolition.

This Damage Deposit covers unforeseen damage to the above property by construction vehicles, skip bins, construction methods etc. Note: Should repair works or maintenance be required on Council land, a Road Opening Permit must be obtained before those works take place.

**Bank Guarantees** are accepted in lieu of any Council security deposit/bond subject to the following:

It must be an **original with no end date** and issued in favour of Council, details of the proponent's address shall be included.

A charge equal to the value multiplied by the current "overdue rates interest charge" be levied, per month or part thereof, with a minimum charge of three months is to be paid upon lodgement.

Any remaining charge is to be calculated at the prevailing "overdue rates interest rate" for each month or part thereof beyond the original three months that the Bank Guarantee was held, and paid prior to its release.

Any costs incurred in the acceptance, administration or release of such Bank Guarantees be on-charged to the entity claiming the release of such Bank Guarantee, and that these amounts be paid prior to its release.

At the time of lodgement, Council will seek verification of the Bank Guarantee. Please provide contact details for the branch (phone number and officer) to assist with verification of the bona fides of the Bank Guarantee.

Until all items above are completed, no documents or usage sought from Council by the party lodging the Bank Guarantee can be issued. Please allow a minimum of 2 business days for this process.

The return of the Damage Deposit shall not be refunded until all conditions of Consent have been completed and the Occupation Certificate has been released.

**(7) Erosion, dust, topsoil and sediment control**

Temporary measures shall be provided during construction eg. bunding, shade cloth to prevent dust leaving the site, sandbags around Council/private stormwater pits etc. in order to prevent sediment, dust, topsoil and polluted waters discharging from the site. Plans showing such measures shall be submitted and approved by Council/certifier prior to the release of the Construction Certificate.

**(8) Payment of any Additional Fees**

If the estimated cost of works for the construction certificate application exceeds the estimate supplied with the development application, an additional fee, any contributions and bonds based on the revised estimate must be paid to Council prior to release of the Construction Certificate.

**D Conditions that must be complied with before work commences****(1) Notice of Commencement – Notification of Works**

Work must not commence until the Principal Certifying Authority or the person having the benefit of the development consent has given Notification in Writing to Council no later than two days before the building work commences.

**(2) Requirement for a Construction Certificate**

In accordance with the provisions of Section 81A of the *Environmental Planning and Assessment Act 1979* the erection of a building and/or construction works must not commence until:

- (a) detailed plans and specifications of the building have been endorsed with a Construction Certificate by:
  - (i) Council; or
  - (ii) an accredited certifier; and
- (b) a principal certifying authority (PCA) has been appointed and the Council has been notified in writing of the appointment, and
- (c) at least two days notice, in writing, has been given to Council of the intention to commence work.

The documentation required under this condition shall show that the proposal complies with all development consent conditions and the *Building Code of Australia*.

Note: If the principal certifying authority is the Council, the appointment will be subject to the payment of a fee for the service to cover the cost of undertaking building work and / or civil engineering inspections.

**WARNING:** Failure to obtain a Construction Certificate prior to the commencement of any building work is a serious breach of Section 81A(2) of the *Environmental Planning & Assessment Act 1979*. It is a criminal offence that attracts substantial penalties and may also result in action in the Land and Environment Court and orders for demolition.

**(3) Inspections required by Principal Certifying Authority**

Inspections shall be carried out at different stages of construction by Council or an accredited certifier. If Council is selected as the Principal Certifying Authority (PCA) the inspection fees must be paid for in advance which will be calculated at the rate applicable at the time of payment.

**(4) Site Controls**

Sediment and erosion controls must be in place before work is commenced on the site. The control strategies must be consistent with the technical requirements set out in the Sydney Coastal Councils' *Stormwater Pollution Control Code for Local Government*.

Material from the site is not to be tracked onto the road by vehicles entering or leaving the site. At the end of each working day any dust/dirt or other sediment shall be swept off the road and contained on the site and not washed down any stormwater pit or gutter.

A sediment and erosion control plan must be prepared and identify appropriate measures for bunding and siltation fencing. Any such erosion and sedimentation controls shall also include the protection of stormwater inlets or gutter systems within the immediate vicinity of the site.

The sediment and erosion control measures are to be inspected daily and defects or system failures are to be repaired as soon as they are detected.

**(5) Building location - check survey certificate**

To ensure that the location of the building satisfies the provision of the approval, a check survey certificate shall be submitted to the Principal Certifying Authority either prior to the pouring of the ground floor slab or at dampcourse level, whichever is applicable or occurs first, indicating the: -

- (i) location of the building with respect to the boundaries of the site;
- (ii) level of the floor in relation to the levels on the site (all levels are to be shown relative to Australian Height Datum);
- (iii) site coverage of the buildings on the site.

**(6) Asbestos sheeting removal - EPA/Workcover Authority**

Asbestos removal is to be carried prior to principal works commencing in accordance with Environmental Protection Authority and Workcover Authority requirements. Proper procedures shall be employed in the handling and removal of asbestos and products containing asbestos so as to minimise the risk to personnel and the escape of asbestos particles in the atmosphere. Work is only to be carried out with the prior consent of the Work Cover Authority.

Note: There are substantial penalties for non-compliance with the above requirements.

**(7) Sydney Water approval**

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre 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. Plans will be appropriately stamped. For Quick Check agent details please refer to the web site: [www.sydneywater.com.au](http://www.sydneywater.com.au), see Your Business then Building & Developing then Building & Renovating or telephone Sydney Water 13 20 92.

**(8) Structural Engineering Details**

Structural engineer's details prepared and certified by a practising structural engineer for all reinforced concrete and structural members is to be submitted to the Principal Certifying Authority for approval.

**E Conditions that must be complied with during construction or demolition**

**(1) Plans to be available on site**

The Council stamped approved plans, Development Consent and Construction Certificate shall be held on site to be produced unobliterated to Council's officer at any time when required.

**(2) Locate structures within boundaries**

The proposed structure(s) to be erected must stand wholly within the boundaries of the allotment.

**(3) Spoil and building materials on road and footpath**

All building materials shall be stored wholly within the property boundaries and shall not be placed on the footpath, grass verge or roadway without prior written approval of Council.

Bulk refuse bins shall not be placed on the grass verge, footpath or roadway without Council permission. Application forms and details of applicable fees are available from Council's One Stop Shop telephone 9716 1800.

**(4) Signs to be erected on building and demolition sites**

(1) A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

- (a) stating that unauthorised entry to the work site is prohibited; and
- (b) showing the name and address of the contractor for the building work and the person in charge of the work site and a telephone number at which the person may be contacted outside working hours; and
- (c) showing the name, address and telephone number of the Principal Certifying Authority appointed for the building works.

(2) Any-sign shall be maintained and not removed until work has been finished.

**(5) Demolition/excavation/construction - hours of work**

Demolition, excavation and construction work, including loading and unloading of materials and machinery, shall be restricted to between the hours of 7.00 am to 6.00 pm, Monday to Friday and from 7:00 am to 1.00 pm on Saturday. Work is prohibited on Sundays, and on public holidays.

**(6) Demolition requirements/standards**

Demolition is to be carried out in accordance with the following:

- (a) Australian Standard 2601 and any requirements of the Workcover Authority.
- (b) The Waste Management Plan submitted with the Development Application.
- (c) The property is to be secured to prohibit unauthorised entry.
- (d) All precautions are to be exercised in the handling, removal and disposal of all asbestos materials. Licensed contractors and the disposal of asbestos is to be carried out in accordance with the requirements of the Work Cover Authority.
- (e) All other materials and debris is to be removed from the site and disposed of to approved outlets.
- (f) Any demolition on the site is to be conducted in strict accordance with, but not limited to, sections 1.5, 1.6, 1.7, 3.1 and 3.9 of the AS 2601 - 1991, demolition of structures. The following measures must be undertaken for hazardous dust control:

- (h) Hazardous dust must not be allowed to escape from the site or contaminate the immediate environment. The use of fine mesh dust proof screens, wet-lead safe work practices, or other measures is required.
- (i) All contractors and employees directly involved in the removal of hazardous dusts and substances shall wear protective equipment conforming to AS 1716 Respiratory Protective Devices and shall adopt work practices in accordance with WorkSafe Requirements (in particular the WorkSafe standard for the *Control of Inorganic Lead At Work* (NOHSC: 1012, 1994) and AS 2641, 1998).
- (j) Any existing accumulations of dust (eg; ceiling voids and wall cavities must be removed by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter and disposed of appropriately.
- (k) All dusty surfaces and dust created from work is to be suppressed by a fine water spray. Unclean water from the suppressant spray is not be allowed to enter the street gutter and stormwater systems.
- (l) Demolition is not to be performed during high winds that may cause dust to spread beyond the site boundaries without adequate containment.
- (m) All lead contaminated material is to be disposed of in accordance with the NSW Environment Protection Authorities requirements.
- (n) Construction and demolition waste, particularly timber, bricks and tiles, concrete and other materials need not be disposed of- they can be recycled and resold if segregated properly from any hazardous waste contamination.

(7) **Materials and colour schemes**

Materials of construction are to be as specified in the schedule of finishes submitted with the development application and on the approved plans, except where amended by the conditions hereunder.

(8) **Grills/metal screens prohibited**

Modern-style security grilles, roll-up metal screens, metal window awnings, and non-characteristic shade treatments are not permitted.

(9) **Road opening permit- Council controlled lands**

A road opening permit shall be obtained for all works carried out in public or Council controlled lands. Contact Council's Infrastructure Services Department for details.

(10) **Termite treatment**

Treatment for the protection of the building from subterranean termites shall be carried out in accordance with AS 3660.1:2000 'Protection of Buildings from Subterranean Termites'.

On completion of the installation of the barrier the Principal Certifying Authority shall be furnished with a certificate from the person responsible, stating that the barrier complies with AS 3660.1.

A durable notice shall be permanently fixed to the building in a prominent location, such as the meter box or the like indicating:

- the method of protection;
- the date of installation;



- where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and
  - the need to maintain and inspect the system on a regular basis.

Due to the present limited effective life of soil chemical treatments, Council does not permit hand spraying as a stand alone method of termite protection. It is recommended that any soil chemical treatment should embrace a reticulation system.

**(11) Waterproofing materials/installation – BCA/Australian Standards**

Approved products that are impervious to water shall only be used as a substrate or as a lining and as a finish to floors and walls of wet areas (i.e. bathroom/shower room, WC compartment and laundry). Floors and cubicles shall be properly graded and drained to approved outlets.

The wet areas in the building shall be impervious to water as required by Part 3.8.1 of the Building Code of Australia (BCA). The junction between the floor and wall and the construction of the bath shower recess, basin, sink or the like shall be in accordance with the BCA & AS 3740:2004 'Waterproofing of wet areas within residential buildings'.

On completion of the waterproofing of the wet areas, the Principal Certifying Authority shall be furnished with a certificate from the person responsible. This is to state that the materials are suitable for the situation and that the application and/or installation has been carried out in accordance with the manufacturer's instructions, the BCA and AS 3740.

**(12) Safety Glazing - BCA**

Safety glazing complying with B1 of the Building Code of Australia (BCA) is to be used in every glazed door or panel that is capable of being mistaken for a doorway or unimpeded path of travel. The glazing must comply with AS 1288:2006 'Glass in Buildings – Selection and Installation'.

Framed panels or doors enclosing or partially enclosing a shower or bath shall be glazed with "A" or "B" grade safety glazing material in accordance with AS 1288 and Part 3.6.4 of the BCA.

**(13) Fire Detection/Alarm System installation and certification**

Smoke alarms must be installed in dwellings in accordance with Clause 3.7.2.3 of the Building Code of Australia (BCA) and AS 3786 on or near the ceiling in -

- (a) any storey containing bedrooms -
  - between each area containing bedrooms and the remainder of the dwelling, including any hallway associated with the bedrooms
- (b) any storey not containing bedrooms.

Smoke alarms must be connected to the consumer mains power and have a stand-by power supply.

The licensed Electrical Contractor shall on completion of the installation of the smoke alarm system, submit to the Principal Certifying Authority a certificate certifying compliance with AS 3000 and AS 3786:1993.

**(14) BASIX Requirements**

The new works shall be constructed in accordance with, and comply with the undertakings given on the BASIX (Building Sustainability Index) Certificate No. A263721\_02 as obtained on 16 May 2017 from the Department of Infrastructure, Planning and Natural Resources. For more information visit [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au).

(15) **Footpath, kerb and gutter protection**

The applicant is to take all precautions to ensure footpaths and roads are kept in a safe condition and to prevent damage to Council's property.

Pedestrian access across this footpath must be maintained in good order at all times during work. Any damage caused will be made good by Council at Council's restoration rates, at the applicant's expense

(16) **Roof guttering and drainage system/ disposal of stormwater**

The roof area for all the external additions shall be provided with a complete guttering and drainage system. Roofwater shall be disposed of by approved drainage lines discharging into the Council kerb pit located in the front of the site.

**F Conditions that must be complied with prior to installation of services**

nil

**G Conditions that must be complied with before the building is occupied**

(1) **Approval to use/occupy building**

The building or any part thereof must not be used or occupied until an Occupation Certificate has been obtained from the Principal Certifying Authority.

Note: If Council is chosen as the Principal Certifying Authority a fee is applicable prior to the release of the Construction Certificate.

(2) **Landscaping completion**

All site works and landscaping is to be carried out in accordance with the approved landscaping plans prior to the release/issue of any occupation certificate.

**H Conditions that are ongoing requirements of development consents**

(1) **Single dwelling use only**

The dwelling shall be used as a single domicile only and shall not be adapted or occupied in two or more parts as a dual occupancy or residential flat building.

(2) **Landscaped Area**

The landscaped area on the site shall be maintained to the satisfaction of Council.

(3) **Private Power Poles**

Private power poles are not to be erected on the subject site without Council's consent.

**I Advisory Notes**

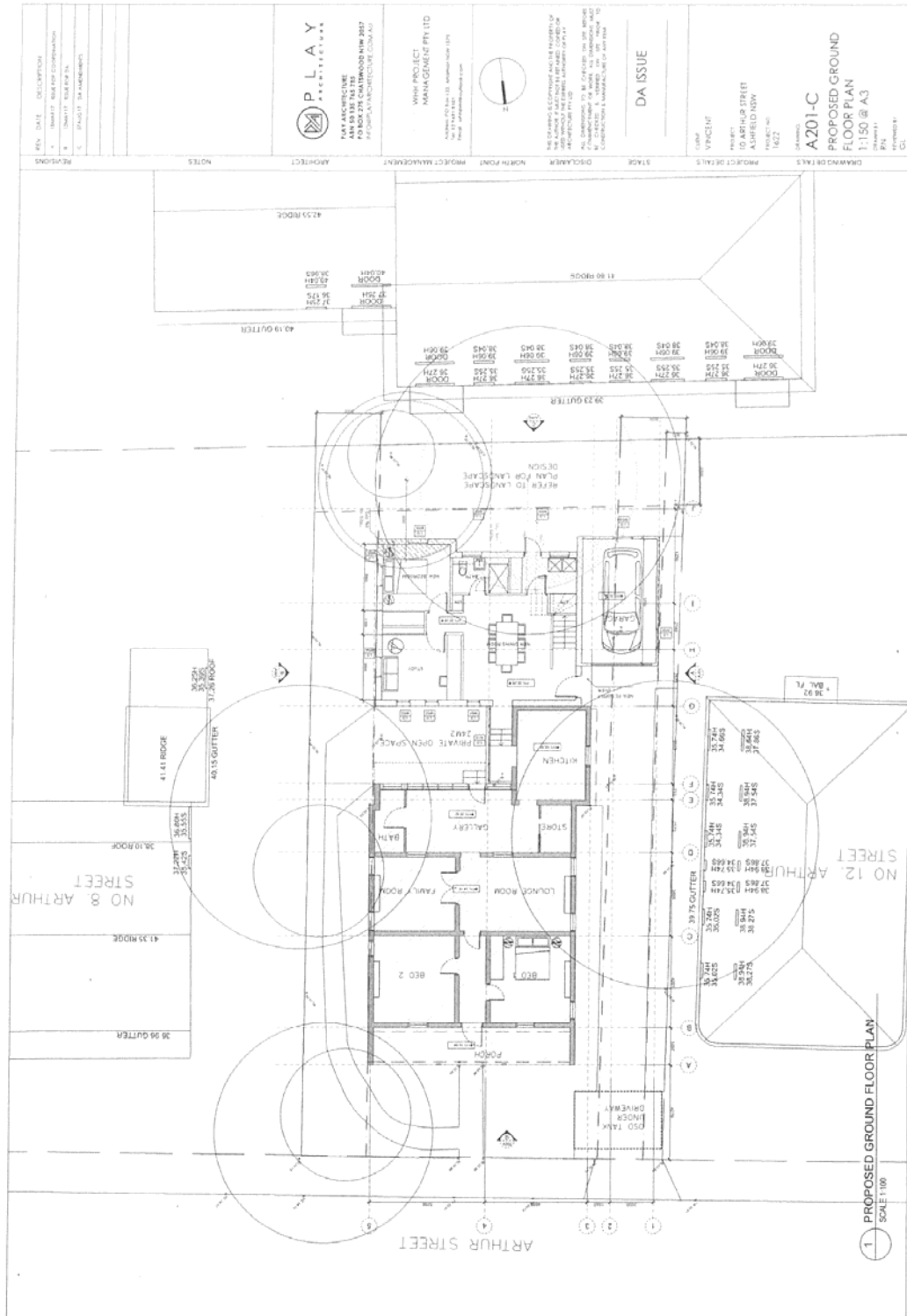
(1) **Modifications to your consent - prior approval required**

Works or activities other than those authorised by the approval including changes to building configuration or use will require the submission and approval of an application to modify the consent under Section 96 of the *Environmental Planning & Assessment Act 1979*. You are advised to contact Council immediately if you wish to alter your approved plans or if you cannot comply with other requirements of your consent to confirm whether a Section 96 modification is required.

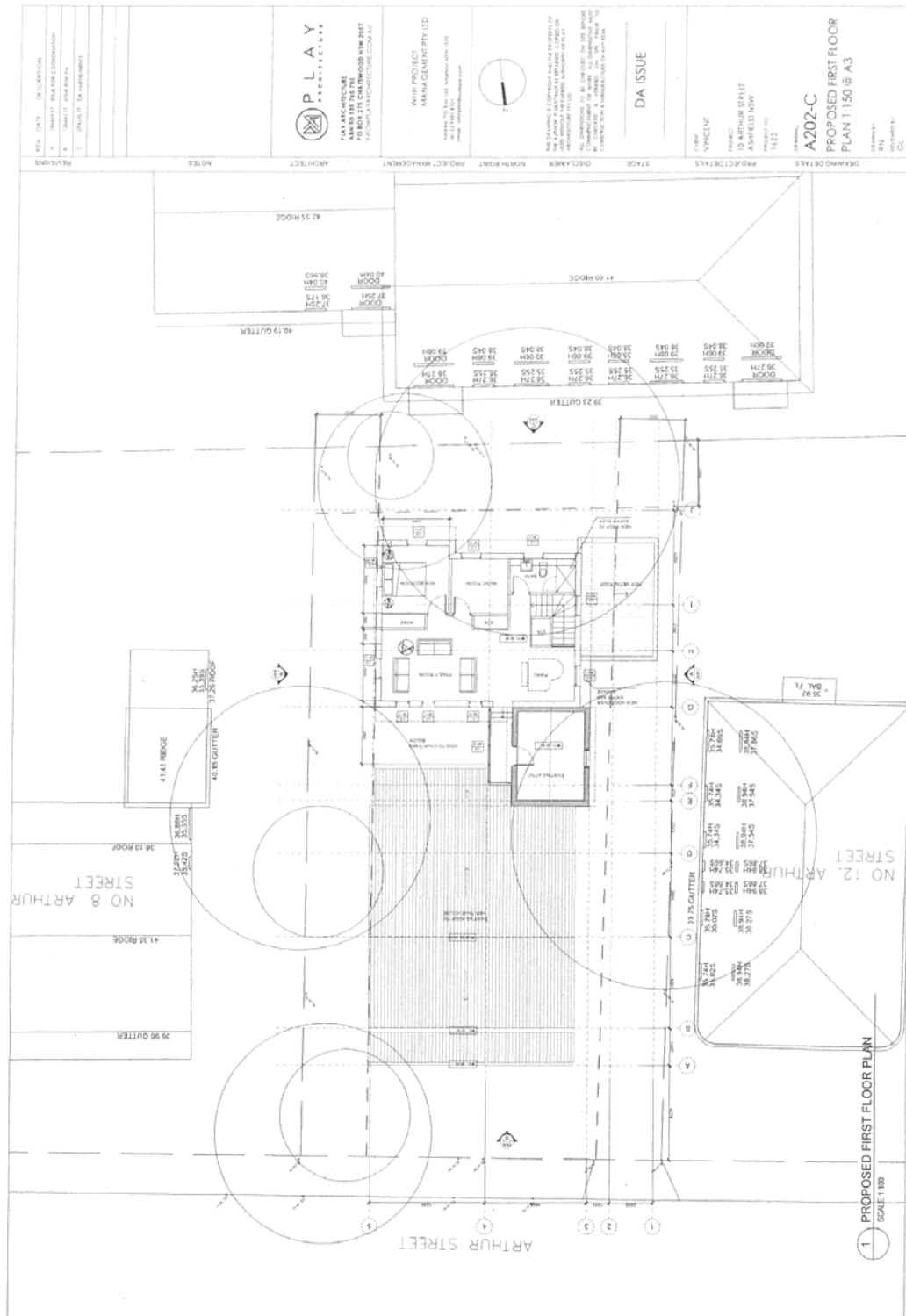
**Warning:** There are substantial penalties prescribed under the *Environmental Planning and Assessment Act 1979* for breaches involving unauthorised works or activities.







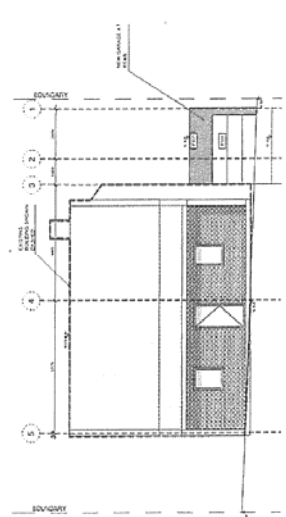
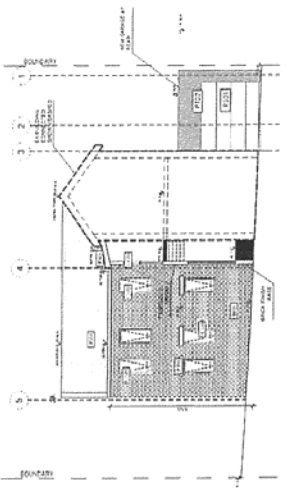
<p>REV. DATE DESCRIPTION</p> <p>A. 20/01/2023 ROAD AND COORDINATION</p> <p>B. 20/01/2023 ROAD AND COORDINATION</p> <p>C. 20/01/2023 ROAD AND COORDINATION</p>	<p>ARCHITECT</p> <p><b>PLAY</b> ARCHITECTS</p> <p>100 WILSON STREET SYDNEY NSW 2007 AUSTRALIA PH: 02 9550 1234 WWW.PLAYARCHITECTS.COM.AU</p>	<p>PROJECT MANAGEMENT</p> <p>WISH PROJECT MANAGEMENT PTY LTD</p> <p>100 WILSON STREET SYDNEY NSW 2007 AUSTRALIA PH: 02 9550 1234 WWW.WISHPROJECT.COM.AU</p>	<p>NOTES</p> <p>1. REFER TO LANDSCAPE PLAN FOR LANDSCAPE DESIGN.</p>	<p>DISCLAIMER</p> <p>THIS DRAWING IS PREPARED BY AN ARCHITECT AND IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.</p>	<p>STAGE</p> <p>DA ISSUE</p>	<p>PROJECT DETAILS</p> <p>CLIENT: VINCENT</p> <p>PROJECT: 10 ARTHUR STREET, ASHFIELD NSW</p> <p>PROJECT NO: 1622</p> <p>DRAWN BY: A201-C</p> <p>CHECKED BY: [Signature]</p>
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<p>REV. DATE DESCRIPTION</p> <p>A. URGENT REVISIONS</p> <p>B. URGENT REVISIONS</p> <p>C. URGENT REVISIONS</p> <p>D. URGENT REVISIONS</p> <p>E. URGENT REVISIONS</p>	<p>REVISIONS</p>	<p>NOTES</p> <p>1. FLOOR FINISH FROM 2007</p> <p>2. FLOOR FINISH FROM 2007</p> <p>3. FLOOR FINISH FROM 2007</p> <p>4. FLOOR FINISH FROM 2007</p> <p>5. FLOOR FINISH FROM 2007</p> <p>6. FLOOR FINISH FROM 2007</p> <p>7. FLOOR FINISH FROM 2007</p> <p>8. FLOOR FINISH FROM 2007</p> <p>9. FLOOR FINISH FROM 2007</p> <p>10. FLOOR FINISH FROM 2007</p>	<p>ARCHITECT</p> <p><b>PLAY ARCHITECTS</b></p> <p>154 ARGENTINE PO BOX 335 GARDWOOD NSW 2057 02 9337 4400 WWW.PLAYARCHITECTS.COM.AU</p>	<p>WIN PROJECT MANAGEMENT PTY LTD</p> <p>4/100A P2/34A ST. ANNAS ST NSW 1570 02 9337 4400 WWW.WINPROJECT.COM</p>	<p>DISCLAIMER</p> <p>THE DRAWING IS PREPARED BY THE ARCHITECT AND IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE ARCHITECT'S PERMISSION.</p> <p>ALL DIMENSIONS TO BE GIVEN ON THE DRAWING TO BE GIVEN AS SHOWN ON THE DRAWING UNLESS OTHERWISE SPECIFIED.</p>	<p>STAGE</p> <p>DA ISSUE</p>	<p>PROJECT DETAILS</p> <p>CLIENT: VINCENT</p> <p>PROJECT: 1/100A P2/34A ST ANNAS ST</p> <p>PROFESSION: ARCHITECT</p> <p>DATE: 16/02/2022</p>	<p>DRAWING DETAILS</p> <p>DRAWING: A312 B</p> <p>PROPOSED ELEVATION NORTH SOUTH</p> <p>DATE: 16/02/2022</p>
<p>1 PROPOSED NORTH ELEVATION</p> <p>SCALE 1:50</p> 		<p>2 PROPOSED INTERNAL NORTH ELEVATION</p> <p>SCALE 1:50</p> 		<p>3 PROPOSED SOUTH ELEVATION</p> <p>SCALE 1:50</p> 