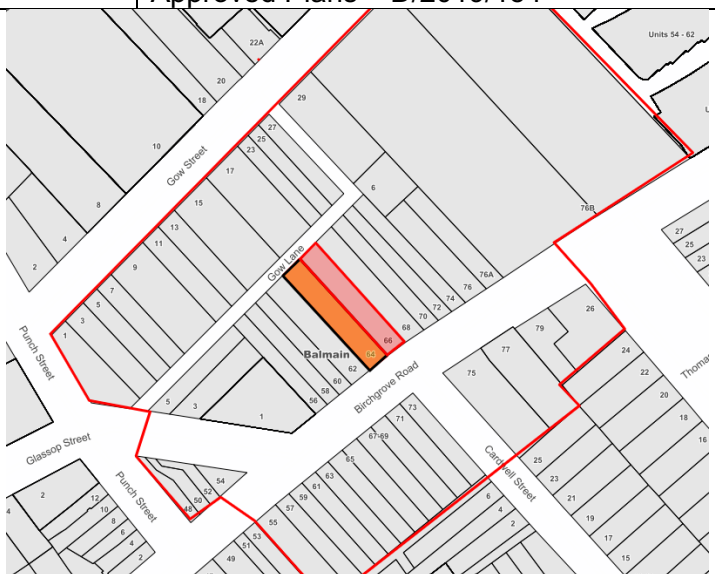

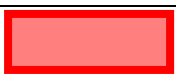



 DEVELOPMENT ASSESSMENT REPORT		
Application No.	MOD/2021/0066	
Address	64 Birchgrove Road BALMAIN NSW 2041	
Proposal	Section 4.56 Modification of Development Consent granted by the Land and Environment Court to D/2019/154 which approved demolition and construction of new dwelling, double garage, pool and associated works, seeking various changes, including: landscaping amendments; new lower ground level corridor to provide access from garage to dwelling; new lift and stair access connection to lower level; new sub-floor area, internal reconfiguration; and laundry door and rainwater tank relocation	
Date of Lodgement	24 March 2021	
Applicant	Nick Bell Architects	
Owner	Mr Andrew J Munro Mrs Sari S Munro	
Number of Submissions	One in opposition	
Value of works	\$1,974,000.00	
Reason for determination at Planning Panel	variation to FSR exceeds Officer delegations	
Main Issues	Non-compliance with FSR Development Standard	
Recommendation	Approved with Conditions	
Attachment A	Recommended and amended conditions of consent	
Attachment B	Approved Conditions – Original Development Application – D/2019/154	
Attachment C	Plans of proposed development	
Attachment D	Approved Plans – D/2019/154	
		
LOCALITY MAP		
Subject Site		Objector  
Notified Area		Supporter 

1. Executive Summary

This report is an assessment of the application submitted to Council under Section 4.56 of the Environmental Planning and Assessment Act to modify the Land and Environment Court determination D/2019/154 which approved the demolition and construction of a new dwelling, double garage, pool and associated works. The modification is seeking various changes, including: landscaping amendments; new lower ground level corridor to provide access from the garage to the dwelling; new lift and stair access connection to lower level; new sub-floor area, internal reconfiguration; and laundry door and rainwater tank relocation at 64 Birchgrove Road Balmain.

The application was notified to surrounding properties and 1 submission was received in response to the initial notification.

The modification is considered acceptable subject to the imposition of conditions.

2. Proposal

The proposal seeks to amend the Determination No. D/2019/154 dated 3 June 2020 approved by the Land and Environment Court to carry out the following:

1. Provide additional soft landscaped area to the rear of the site;
2. New basement/below ground level to provide access from the garage to the dwelling with new internal stairs;
3. Lift access extended to the proposed basement level;
4. Rainwater tank to be relocated below house;
5. Relocation of D03 (laundry door); and
6. Minor internal alterations to accommodate new stairs from basement.

3. Site Description

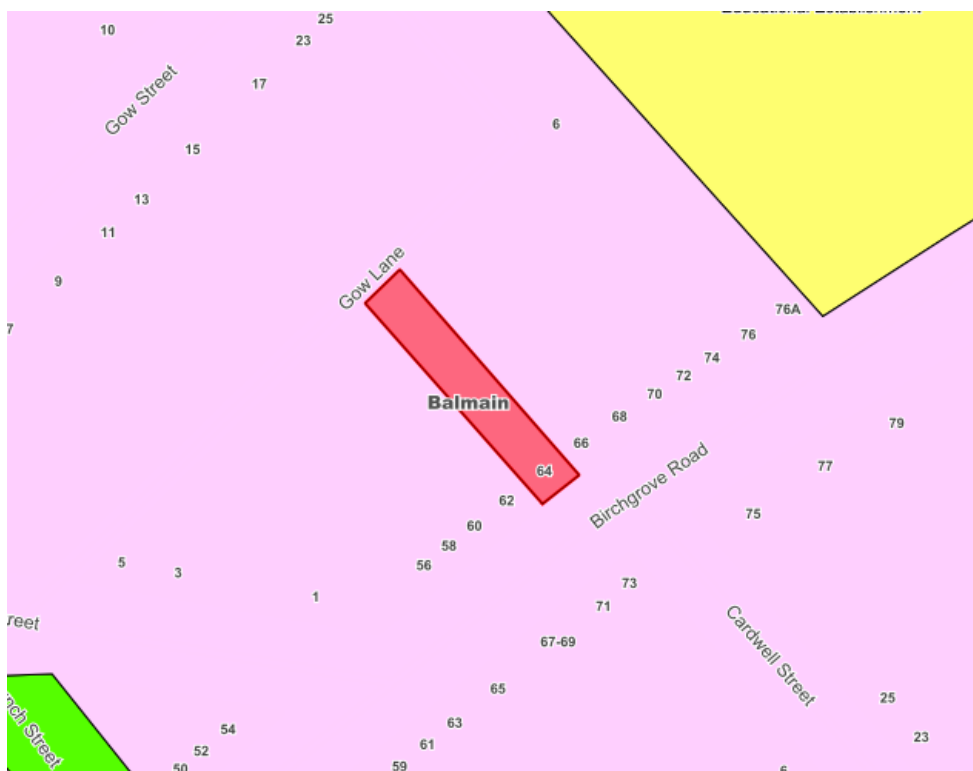
The subject site is located on the western side of Birchgrove Road and has a secondary frontage to Gow Lane. The site consists of one (1) allotment and is generally rectangular shaped with a total area of 326.6 sqm and is legally described as Lot B in DP 32268.

The site has a frontage to Birchgrove Road of 7.15 metres and a secondary frontage of approximate 7.62 metres to Gow Lane.

The site supports a single storey dwelling. The adjoining properties support two storey dwellings.

The property is located within a Heritage Conservation Area, and adjoins and is in the vicinity of a number of heritage items, including the heritage listed dwellings at 66 Birchgrove Road (I132) and 68 Birchgrove Road (I133).

There are no trees on the site impacted by the proposed modified development.



5. Section 4.56 Assessment

Under Section 4.56 of the Environmental Planning and Assessment Act 1979, the consent authority can only modify a consent if:

- (a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*
- (b) it has notified the application in accordance with—*
 - (i) the regulations, if the regulations so require, and*
 - (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (c) it has notified, or made reasonable attempts to notify, each person who made a submission in respect of the relevant development application of the proposed modification by sending written notice to the last address known to the consent authority of the objector or other person, and*
- (d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

The original development approval by the Land and Environment Court, consisted of the demolition of existing structures and construction of a new four storey dwelling-house with new pool and double garage at rear, and associated works, including new fencing and landscaping works. The development being modified is considered to be substantially the same as the development for which consent was originally granted.

No authorities or bodies were required to be consulted. The application was notified as required and one (1) submission from a neighbouring property was received. The issues raised in the objection is discussed in more detail in a later section of the report

6. Assessment

The following is a summary of the assessment of the application in accordance with Section 4.56 of the *Environmental Planning and Assessment Act 1979*.

6(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*
- *Leichhardt Local Environmental Plan 2013 (LLEP2013)*

The proposal will satisfy the provisions of the above Environmental Planning Instruments.

The following provides further discussion of the relevant issues:

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

A revised BASIX Certificate was submitted with the application and will be referenced in any modified consent granted.

6(a)(ii) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

An assessment has been made of the matters set out in Division 2 Matters for Consideration of the *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*. It is considered that the carrying out of the proposed development is consistent with the relevant matters for consideration of the Plan and would not have an adverse impact on environmental heritage, the visual environment, the natural environment and open space and recreation facilities given the distance of the site from the foreshores and waterways of the Parramatta River and lack of visibility from the waterway.

6(a)(iii) Leichhardt Local Environment Plan 2013 (LLEP 2013)

The application was assessed against the following relevant clauses of the *Leichhardt Local Environmental Plan 2013*:

- Clause 1.2 - Aims of the Plan
- Clause 2.3 - Zone objectives and Land Use Table
- Clause 2.7 - Demolition
- Clause 4.3A(3)(a) – Landscaped Area for residential development in Zone R1
- Clause 4.3A(3)(b) – Site Coverage for residential development in Zone R1
- Clause 4.4 – Floor Space Ratio
- Clause 4.5 - Calculation of floor space ratio and site area
- Clause 4.6 - Exceptions to development standards
- Clause 5.9 – Preservation of trees or vegetation
- Clause 5.10 - Heritage Conservation
- Clause 6.1 - Acid Sulfate Soils
- Clause 6.2 - Earthworks
- Clause 6.4 - Stormwater management

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

Standard (maximum)	Approved by LEC (D/2019/154)	Proposal	% of non compliance	Compliance
Floor Space Ratio Required: [0.8:1] (Includes garage)	0.98:1 321.3sqm (22.97% non compliance)	1.10:1 or 359sqm	37.40% or 97.72sqm	No
Landscape Area	13.95% 45.56sqm (30.25% non Compliance)	18.55% 60.57sqm	7.27% or 4.75sqm	No
Site Coverage	53.6% 175.1sqm	54.6% 178.4sqm	N/A	Yes

The proposed modification seeks to add gross floor area to the dwelling by way of a new basement level to provide an underground hall to connect the dwelling and the approved rear garage, resulting in an additional 37.7sqm of Gross Floor Area on the site. In addition, the proposed modification results in additional 15.01sqm of soft landscaped area.

It is noted that caselaw demonstrates that for a Section 4.55 or in this case, a Section 4.56 application, a Clause 4.6 Exception to Development Standards is not required. Notwithstanding this, Council is still required to conduct a merit assessment of any new breaches of a development standard, and the following addresses the proposed variation;

- The proposed amendment results in a minor increase in floor area (321.3m² to 359m²) and as a consequence the non-compliance with FSR is increased (0.984:1 to 1.09:1).
- Although there is a marginal increase in site coverage of 1%, the amended design provides an environmental benefit through the provision of additional deep soil and the opportunity to enhance the landscaped area of the site and the surrounds (8.2% to 9.4%).
- The proposed amendments will not result in any unreasonable amenity impacts for the site and adjoining properties.
- The proposal is considered to be consistent with the objectives of the zone and the standard.
- The environmental planning grounds which support the proposal are the absence of any unreasonable amenity impacts on the site and locality (no externalities) as the additional floor area is situated mostly below existing ground level, it provides weather protection, level and safe access for the occupants and the applicant's elderly parents to access the house directly from the garage.

Having regard to the above, it is considered that the modified development will not cause any additional amenity or visual impacts for adjoining properties or alter the streetscape presentation. Therefore, the variation proposed to the FSR development standard is considered to be reasonable in the circumstances.

The proposed modification involving a departure from FSR development standard is therefore supported.

Clause 5.10 - Heritage Conservation

The subject property at 64 Birchgrove Road, Balmain, is located within the Iron Cove Heritage Conservation Area (C6 in Schedule 5 of the Leichhardt LEP 2013). The site is adjacent to the locally listed semi-detached houses, including interiors, at 66 and 68 Birchgrove Road, Balmain. The site is also in the vicinity of the following heritage items:

- "Lilywill", including interiors at 54 Birchgrove Road, Balmain (I131);
- House, "St Kilda", including interiors at 75 Birchgrove Road, Balmain (I134);
- House, including interiors at 77 Birchgrove Road, Balmain (I135);
- Single terrace, including interiors at 79 Birchgrove Road, Balmain (I136); and
- Birchgrove Public School, including interiors at 76B Birchgrove Road, Birchgrove (I521).

The proposed modification is acceptable from a heritage perspective as it will not detract from the heritage significance of the Iron Cove Heritage Conservation Area and is in accordance with Clause 5.10 Objectives 1(a) and (b) in the Leichhardt LEP 2013 and the relevant objectives and controls in the Leichhardt DCP 2013. The works to the dwelling forming part of this modification are not visible from the public domain and therefore have no impact on the HCA and adjoining heritage items

Clause 6.2 - Earthworks

The proposal seeks to excavate approximately an additional 3.2m below the approved lower ground floor level to provide the new basement level hall way and lift access from the dwelling to the rear garage. As such, the application has been referred to Council's Development Engineer who has advised that a Construction Methodology Report has been submitted and a revised condition regarding a geotechnical assessment is to be included in any consent granted.

5(c) Draft Inner West Local Environmental Plan 2020 (Draft IWLEP 2020)

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

It is noted that the general intent of the Draft IWLEP 2020 is to harmonise the existing planning controls from Leichhardt LEP 2013, Marrickville LEP 2011, and Ashfield LEP 2013 into a consolidated LEP and as such, the proposal is generally consistent with the amended provisions contained in the Draft IWLEP 2020.

5(d) Development Control Plans

The application has been assessed and the following provides a summary of the relevant provisions of the Leichhardt Development Control Plan 2013.

LDCP2013	Compliance
Part A: Introductions	
Section 3 – Notification of Applications	Yes
Part B: Connections	
B1.1 Connections – Objectives	Yes
Part C	
C1.0 General Provisions	Yes
C1.1 Site and Context Analysis	Yes
C1.2 Demolition	Yes
C1.3 Alterations and additions	N/A
C1.4 Heritage Conservation Areas and Heritage Items	Yes
C1.5 Corner Sites	N/A
C1.6 Subdivision	N/A
C1.7 Site Facilities	Yes
C1.8 Contamination	N/A
C1.9 Safety by Design	N/A
C1.10 Equity of Access and Mobility	N/A
C1.11 Parking	Yes
C1.12 Landscaping	Yes
C1.13 Open Space Design Within the Public Domain	N/A
C1.14 Tree Management	Yes
C1.15 Signs and Outdoor Advertising	N/A
C1.16 Structures in or over the Public Domain: Balconies, Verandahs and Awnings	N/A
C1.17 Minor Architectural Details	N/A
C1.18 Laneways	Yes
C1.19 Rock Faces, Rocky Outcrops, Cliff Faces, Steep Slopes and Rock Walls	N/A
C1.20 Foreshore Land	N/A
C1.21 Green Roofs and Green Living Walls	N/A
Part C: Place – Section 2 Urban Character	
<i>C.2.2.2.6: Birchgrove Distinctive Neighbourhood</i>	Yes
Part C: Place – Section 3 – Residential Provisions	
C3.1 Residential General Provisions	Yes
C3.2 Site Layout and Building Design	Yes
C3.3 Elevation and Materials	Yes
C3.4 Dormer Windows	N/A
C3.5 Front Gardens and Dwelling Entries	N/A
C3.6 Fences	N/A

C3.7 Environmental Performance	Yes
C3.8 Private Open Space	Yes
C3.9 Solar Access	Yes
C3.10 Views	Yes
C3.11 Visual Privacy	Yes
C3.12 Acoustic Privacy	Yes
C3.13 Conversion of Existing Non-Residential Buildings	N/A
C3.14 Adaptable Housing	N/A
Part C: Place – Section 4 – Non-Residential Provisions	N/A
Part D: Energy	
Section 1 – Energy Management	Yes
Section 2 – Resource Recovery and Waste Management	
D2.1 General Requirements	Yes
D2.2 Demolition and Construction of All Development	Yes
D2.3 Residential Development	Yes
D2.4 Non-Residential Development	N/A
D2.5 Mixed Use Development	N/A
Part E: Water	
Section 1 – Sustainable Water and Risk Management	
E1.1 Approvals Process and Reports Required With Development Applications	Yes
E1.1.1 Water Management Statement	Yes
E1.1.2 Integrated Water Cycle Plan	N/A
E1.1.3 Stormwater Drainage Concept Plan	Yes
E1.1.4 Flood Risk Management Report	N/A
E1.1.5 Foreshore Risk Management Report	N/A
E1.2 Water Management	Yes
E1.2.1 Water Conservation	Yes
E1.2.2 Managing Stormwater within the Site	Yes
E1.2.3 On-Site Detention of Stormwater	Yes
E1.2.4 Stormwater Treatment	N/A
E1.2.5 Water Disposal	Yes
E1.2.6 Building in the vicinity of a Public Drainage System	N/A
E1.2.7 Wastewater Management	Yes
E1.3 Hazard Management	N/A
E1.3.1 Flood Risk Management	N/A
E1.3.2 Foreshore Risk Management	N/A
Part F: Food	N/A
Part G: Site Specific Controls	N/A

The following provides discussion of the relevant issues:

C1.14 Tree Management

The proposal seeks a new below ground basement level hall room to connect the garage to the main dwelling. The application was referred to Council’s Tree Management Officer who has indicated that the proposed modification will not impact any retained trees and is therefore considered acceptable from a tree preservation perspective.

E1.1.3 Stormwater Drainage Concept Plan

Council’s Development Engineer has reviewed the revised stormwater plans which have been submitted as part of this modification and considers the proposal in relation to

stormwater acceptable subject to strict compliance with the original approved DA engineering stormwater conditions imposed, along with minor condition amendments to reflect the design amendments and relocation of the rainwater tank.

5(e) The Likely Impacts

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

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

Provided that any adverse effects on adjoining properties are minimised, this site is considered suitable to accommodate the proposed development, and this has been demonstrated in the assessment of the application.

5(g) Any submissions

The application was notified in accordance with Council's Community Engagement Framework for a period of 14 days to surrounding properties. 1 submission was received in response to the notification.

The following concerns raised in the submission are discussed under the respective headings below:

Geotechnical Report

Issue: *"I propose that the application to make further excavations for the no. 64 development, extending from under the LGF to the garage, level with the garage floor, should not be considered without a new, detailed geotechnical investigation, and a report addressing:*

- *potential issues affecting the stability of neighbouring properties' foundations; and*
- *storm water flow and drainage under the neighbouring houses, and in the rear gardens".*

Comment: This has been addressed in the body of the report acknowledging that the proposal has been reviewed by Council's Development Engineer who has required the imposition of a further condition reflecting the requirement for a geotechnical report and amended details to reflect the new stormwater design.

Dilapidation Report

Issue: *"I propose that there is a clear need for dilapidation reports for no. 66 and 62, given the extensive excavations already approved and those involved in the new application. The application to make further excavations for the no. 64 development, extending from under the LGF to the garage, level with the garage floor, should not be considered without dilapidation reports for numbers 62 and 66 Birchgrove Road, together with a detailed geotechnical investigation."*

Comment: The requirement for a dilapidation report has already imposed by way of condition in the original determination as has the provision for a geotechnical report.

5(h) The Public Interest

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

The proposal is not contrary to the public interest.

6 Referrals

6(a) Internal

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

- Engineering - Conditions have been deleted and amended to reflect the modified proposal.
- Heritage – No objections.
- Urban Forest – No objections.

6(b) External

Not Applicable

7. Section 7.11 Contributions/7.12 Levy

Additional Section 7.11 contributions/7.12 levies are not applicable to the modification.

8. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in *Leichhardt Local Environmental Plan 2013* and *Leichhardt Development Control Plan 2013*.

The development will not result in any significant impacts on the amenity of the adjoining properties and the streetscape and is considered to be in the public interest.

The application is considered suitable for approval subject to the imposition of appropriate conditions.

9. Recommendation

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.56 of the *Environmental Planning and Assessment Act 1979*, grant consent to Application No. MOD/2021/0066 for Section 4.56 Modification of Development Consent which approved demolition and construction of new dwelling, double garage, pool and associated works, seeking various changes, including: landscaping amendments; new lower ground level corridor to provide access from garage to dwelling; new lift and stair access connection to lower level; new sub-floor area, internal reconfiguration; and laundry door and rainwater tank relocation at 64 Birchgrove Road BALMAIN subject to the amendments of the following conditions listed in Attachment A below.

Attachment A – Recommended and Amended Conditions of Consent

Attachment A – Recommended and Amended Conditions of Consent

A. **THAT Conditions 3, 4, 20 and 34 be amended in the following manner:**

3. Documents related to the consent

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

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
BIRC-DA100 B E	Roof/Site&Basement Plans	20.04.2020 23.02.2021	Nick Bell Architects
BIRC-DA101 B E	Lower Ground Floor & Ground Floor Plan	20.04.2020 23.02.2021	Nick Bell Architects
BIRC-DA102 B	First Floor & Second Floor Plans	20.04.2020	Nick Bell Architects
BIRC-DA200 B E	South-East & North-West Elevations + Section B	20.04.2020 23.02.2021	Nick Bell Architects
BIRC-DA201 B E	South-West & North-East Elevations	20.04.2020 23.02.2021	Nick Bell Architects
BIRC-DA202 B E	Section A	20.04.2020 23.02.2021	Nick Bell Architects
BIRC-DA920 A	FinishesScheduleof External Finishes	22.03.2019	Nick Bell Architects
LSCP 1300 A B	1 Landscape Site Plan	30.03.2019 1.2.2021	Tranquilly Landscape Design
LSCP 1300 A B	2 Rear Landscaping	30.03.2019 1.2.2021	Tranquilly Landscape Design
LSCP 1300 A B	3 Front Landscaping	30.03.2019 1.2.2021	Tranquilly Landscape Design
LSCP 1300 A B	4 Specifications	30.03.2019 1.2.2021	Tranquilly Landscape Design
Landscape Plan LSCP 1300 As Amended	Plan Amended by the JointReportofthe Arborists	31.03.2020	C. Mackenzie

1626-C01 A	ConceptStormwater Layout	9/4/2019 02/02/2021	R. Balas Consulting P/L
991870S_02	BASIX Certificate	11/4/2019 26/2/2021	Nick Bell D&A
44160	Asbestos Survey	8/2/2019	Airsafe
-	Arborist Report Tree Protection Plan	9/4/2019 6/2/2021	Truth About Trees

As amended by the conditions of consent.

[Condition amended by MOD/2021/0066 on 14 September 2021]

4 Design Change

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans demonstrating the following:

Joint Planning Report

- a. W21 (proposed north-east facing living room window) & W22 (proposed south-west facing living room window) be provided with a fixed obscure lower sash to a minimum height of 1.6 metres above the finished floor level.

Joint Engineering Report

- b. The pedestrian access door at the Gow Lane frontage of the site must be setback no less than 500mm from the north western (rear) property boundary.
- c. Any pedestrian door to the garage from the stairway access to Gow Lane must be amended to a sliding type door. Such that the door does not encroach into the garage area.

Engineering

- d. The architectural plans must be amended such that they are consistent with the stormwater drainage design plans approved under Stormwater Drainage System – Minor Developments (OSD is required), including the location of the OSD/OSR tank and the finished surface levels of external areas.
- e. A minimum 150mm step up must be provided between all external finished surfaces and adjacent internal floor areas, except where a reduced step is permitted under Section 3.1.3.3 of the Building Code of Australia for Class 1 buildings.

Joint Arboricultural Report

- f. The Landscape Plan is to be amended in accordance with the notes provided for by the Annotated Landscape Plan No. *Landscape Plan LSCP 1300 As Amended* prepared by C. Mackenzie dated 30.03.20 and as follows:
 1. the *Angophora costata* (Sydney red Gum) chosen for planting in the rear yard of the site is to be replaced by one of the following species:

1. Banksia integrifolia (Coastal Banksia) 10m x 6m
 2. Corymbia eximia (Yellow Bloodwood) 12m x 7m
 3. Glochidion ferdinandi (Cheese Tree) 10m x 6m
 4. Waterhousea floribunda 'Green Avenue' (Weeping Lillypilly) 15m x 9m
2. the proposed *Elaeocarpus reticulata* (Blueberry Ash) is to be re-located and replaced by the following species:
1. *Auranticarpa rhombifolia* (Diamond Leaf Pittosporum) 8m x 5m
 2. *Banksia serrata* (Old Man Banksia) 8m x 4m
 3. *Hymenosporum flavum* (Native Frangipani) 8m x 6m
 4. *Melaleuca linariifolia* (Flax-leaved Paperbark) 8m x 4m

Other

3. Where trees are located in a lawn they shall be provided with a minimum 300mm radius area kept free of lawn grass to prevent damage to the tree trunk and root flare. This may be provided by way of steel or timber edging.
 4. The boundary wall adjacent to pool planting area is to be deleted.
 5. The relocation of the two proposed trees in the rear yard to allow for a minimum 2m from any structure for the larger tree, and minimum 1.4m for the smaller tree as provided for in the Annotated Landscape Plan No. *Landscape Plan LSCP 1300 As Amended*.
1. The architectural and landscape plans are to be amended to reduce the terrace area (proposed to the north of the pool) such that the northern extent of the terrace is to be 1.5 metres from the pool coping.
 2. The architectural and landscape plans are to be amended to detail new lapped and capped timber boundary fencing as provided for as follows:
 1. North-East side boundary
 - a. Boundary fencing installed between the front boundary of the property and the front building line of the dwelling is to match the height of the proposed front boundary fence. The top of the fence to have an AHD level of 37.300.
 - b. Boundary fencing from the front building line of the dwelling to the north- west extent of the proposed deck is to be installed at a height of 1800mm above the adjacent existing ground level of no. 66 Birchgrove Road.
 - c. Boundary fencing installed from the north-west extent of the proposed deck to the south-east extent of the lawn is to have a finished height of AHD 34.130.
 - d. Boundary fencing installed from the south-east extent of the lawn to the north-west extent of the proposed garage is to be installed at a height of 1800mm above the adjacent existing ground level of no. 66 Birchgrove Rd.

- e. A timber privacy screen is to be installed above the proposed garage structure along the North-East boundary to a height of AHD 33.750 (the proposed lawn level + 1.6m) for the length of the proposed lawn.
2. South-West side boundary:
 - a. Boundary fencing installed between the front boundary of the property and the front building line of the dwelling is to match the height of the proposed front boundary fence. The top of the fence to have an AHD level of 37.300.
 - b. Boundary fencing from the front building line of the dwelling and the rear building line of the dwelling at lower ground floor level is to be installed at a height of 1800mm above the adjacent existing ground level of no. 62 Birchgrove Road.
 - c. Boundary fencing installed from the rear building line of the proposed dwelling at lower ground floor level to the south-east extent of the pool terrace is to have a finished height of AHD 34.130.
 - d. Boundary fencing installed from the south-east extent of the pool terrace to the north-west extent of the external stair landing at AHD 30.650 is to have a finished level of AHD 33.550.
 3. The garage wall with AHD level 32.550 is to form the boundary fence between the rear boundary and the north-west extent of the external stair landing at AHD level 30.650.
 4. A timber privacy screen is to be installed along the South-West side of the proposed lawn for the length of the external stairs from the garage at a height of AHD 33.750 (proposed lawn level + 1.6m).
 5. The proposed open metal fencing to the rear boundary is to be located on the inner (south-east) side of the proposed raised planter bed. The top of the fence to have an AHD level of 33.150.
 6. *The FFL of the Hall as shown on Section B of Plan SECTION A + B, DWG NO. BIRC-DA202 Rev E, is incorrectly identified at RL32.400m AHD and is to be amended to RL29.17m AHD.*
[Condition amended by MOD/2021/0066 on 14 September 2021]

20. Stormwater Drainage System – (OSD is required)

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with stormwater drainage design plans incorporating on site stormwater detention and/or on site retention/ re-use facilities (OSR/OSD), certified by a suitably qualified Civil Engineer that the design of the site drainage system complies with the following specific requirements:

- a. The design must be generally in accordance with the stormwater drainage concept plan on Drawing No. 1626-C01 **A** [*revision not stated*] prepared by R. Balas Consulting P/L and dated ~~02/02/2021~~ ~~09/04/2019~~.
- b. Stormwater runoff from all roof and paved areas within the property must be collected in a system of gutters, pits and pipelines and be discharged together overflow pipelines from any rainwater tank(s) by gravity to the kerb and gutter of a public road.

- c. Comply with Council's Stormwater Drainage Code, Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3-2018 'Stormwater Drainage' and Council's Leichhardt DCP2013.
- d. Charged or pump-out stormwater drainage systems or bladder tank systems are not permitted including for roof drainage.
- e. The Drainage Plan must detail the existing and proposed site drainage layout, size, class and grade of pipelines, pit types, roof gutter and downpipe sizes. All subsoil drainage must be show on the plans.
- f. The plans, including supporting calculations, must demonstrate that the post development flows for the 100 year ARI storm are restricted to the pre development flows for the 5 year ARI storm event in accordance with Section E1.2.3 (C2 and C3) of Council's DCP2013;
- g. OSD may be reduced or replaced by on site retention (OSR) for rainwater reuse in accordance with the relevant DCP that applies to the land.

Where this is pursued, the proposed on-site retention (OSR) tanks must be connected to a pump system for internal reuse for laundry purposes, the flushing of all toilets and for outdoor usage such as irrigation. Surface water must not be drained to rainwater tanks where the collected water is to be used to supply water inside the dwelling, such as for toilet flushing or laundry use.

- h. Pipe and channel drainage systems including gutters must be designed to convey the one hundred (100) year Average Recurrence Interval (ARI) flows from the contributing catchment to the OSD/OSR tanks.
- i. A 1 in 100-year ARI overflow route in case of failure/blockage of the drainage system must be provided with full details provided on the plan.
- j. Access opening(s) for inspection and maintenance must be provided to *all* the OSD and OSR tank(s) *and Rainwater Tanks from area external to the building*. The access openings and covers must be level with the surrounding ground surface levels and must not be covered or obstructed by structures such as decking. The access opening(s) must be provided above the outlet pipe(s) and the tank(s) base must also be sloped towards the access opening(s) and outlet. *The proposed Rainwater Tank must be relocated to comply with this condition.*
- k. An overland flowpath must be provided within the side setbacks to the northern and southern side boundaries between the front of the dwelling and the Gow Lane rear frontage. The front and rear garden areas must be graded so that bypass flows from the site drainage system are directed to the overland flowpath.
- l. A minimum 150mm step up must be provided between all external finished surfaces and adjacent internal floor areas, except where a reduced step is permitted under Section 3.1.3.3 of the Building Code of Australia for Class 1 buildings.
- m. Dry-weather flows of any seepage water ~~including seepage~~ from landscaped areas ~~or subsurface water~~ is not be permitted to be discharged to through kerb outlets. Drainage of these areas must be dispersed on-site prior to being conveyed to the site drainage system and discharged directly to the kerb and gutter of public road.
- n. The design must make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands.
- o. Details of external catchments currently draining to the site must be included on the plans. Existing natural overland flows from external catchments may not be blocked or diverted, but must be captured and catered for within the proposed site drainage system.
- p. No nuisance or concentration of flows to other properties.
- q. The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system.

- r. An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets.
- s. Only a single point of discharge is permitted to the kerb and gutter, per frontage of the site.
- t. New pipelines within the footpath area that are to discharge to the kerb and gutter must be hot dipped galvanised steel hollow section with a minimum wall thickness of 4.0mm and a maximum section height and width of 100mm.
- u. All stormwater outlets through sandstone kerbs must be carefully core drilled in accordance with Council standard drawings.
- v. All redundant pipelines within footpath area must be removed and footpath/kerb reinstated.
- w. Stormwater drainage must be located such that any waters leaving the pool must drain to pervious areas prior to potentially draining to the site stormwater drainage system.
[Condition amended by MOD/2021/0066 on 14 September 2021]

34. Retaining Wall – Support to Birchgrove and Basement

Signoff Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with certification from a suitably experienced structural engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng), that the retaining wall at the Birchgrove Road frontage of the site that supports the adjacent land that is Birchgrove Road *and the Basement works* has been inspected during and after construction works and the retaining wall *and basement works* complies with the requirements of Condition **22 Structural and Geotechnical Report - Basement and Retaining Walls Structural Report – Support to Birchgrove Road** and has been constructed in accordance with the development consent and relevant Australian Standards.

[Condition amended by MOD/2021/0066 on 14 September 2021]

B. That Condition 22 be deleted and Condition 22A be inserted as follows:

22. Structural Report – Support to Birchgrove Road

~~Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with an structural report and structural plans that address the design of the proposed New Open Metal Fence with Low Retaining Masonry Wall Under, prepared certified as compliant with the terms of this condition by a qualified practising Structural Engineer(s). The report and plans must be prepared/ amended to make provision for the following:~~

- ~~a. Retaining walls must be entirely self-supporting in the event that excavation is undertaken within the road reserve adjacent to the property boundary to the depth of the proposed structure.~~
- ~~b. Any existing or proposed retaining walls that provide support to the road reserve must be adequate to withstand the loadings that could be reasonably expected from within the constructed road and footpath area, including normal traffic and heavy construction and earth moving equipment, based on a design life of not less than 50 years.~~
- ~~c. All components of the wall(s), including footings and subsoil drainage, must shown on the plans and be located entirely within the property boundary.~~
- ~~d. No adverse impact on surrounding properties including Council's footpath and road.~~

- e. ~~The existing subsurface flow regime in the vicinity of the development must not be significantly altered as a result of the development.~~
- f. ~~Recommendations regarding the method of excavation and construction, vibration emissions and identifying risks to existing structures or those on adjoining or nearby property.~~
- g. ~~Provide relevant geotechnical/ subsurface conditions of the site, as determined by a geotechnical investigation.~~
- h. ~~All necessary works, if any, that must be undertaken to the existing retaining wall to comply with the requirements of this conditions where the existing retaining wall is proposed to be retained.~~

[Condition deleted by MOD/2021/0066 on 14 September 2021]

22A. Structural and Geotechnical Report – Basement and Retaining Walls

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with an integrated structural and geotechnical report and structural plans that address the design of the proposed basement, prepared certified as compliant with the terms of this condition by a qualified practising Structural and Geotechnical Engineer(s) who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng). The report and plans must be prepared/ amended to make provision for the following:

- g. *The basement must be fully tanked to prevent the ingress of subsurface flows unless flows are demonstrated to be minimal and intermittent.*
- h. *Retaining walls must be entirely self-supporting in the event that excavation is undertaken within the road reserve adjacent to the property boundary to the depth of the proposed structure.*
- i. *Any existing or proposed retaining walls that provide support to the road reserve must be adequate to withstand the loadings that could be reasonably expected from within the constructed road and footpath area, including normal traffic and heavy construction and earth moving equipment, based on a design life of not less than 50 years.*
- j. *All components of the basement and retaining walls, including footings and subsoil drainage, must shown on the plans and be located entirely within the property boundary.*
- k. *No adverse impact on surrounding properties including Council's footpath and road.*
- l. *The existing subsurface flow regime in the vicinity of the development must not be significantly altered as a result of the development.*
- m. *Recommendations regarding the method of excavation and construction, vibration emissions and identifying risks to existing structures or those on adjoining or nearby property.*
- n. *Address the design of the proposed New Open Metal Fence with Low Retaining Masonry Wall Under at the Birchgrove Road Frontage. All necessary works, if any, that must be undertaken to the existing retaining wall to comply with the requirements of this conditions where the existing retaining wall is proposed to be retained.*

- o. *Provide relevant geotechnical/ subsurface conditions of the site, as determined by a full geotechnical investigation.*

[Condition added by MOD/2021/0066 on 14 September 2021]

Attachment B – Approved Conditions – D/2019/154

Appeal No. 2019/247856

Annexure A
Munro v Inner West Council
 Conditions of Consent

1. Long Service Levy

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

2. Security Deposit - Custom

Prior to the commencement of demolition works or prior to the issue of a Construction Certificate, the Certifying Authority must be provided with written evidence that a security deposit and inspection fee has been paid to Council to cover the cost of making good any damage caused to any Council property or the physical environment as a consequence of carrying out the works and as surety for the proper completion of any road, footpath and drainage works required by this consent.

Security Deposit:	\$8,056.50
Inspection Fee:	\$230.65

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

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

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

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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.

General Conditions

3. Documents related to the consent

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

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
BIRC-DA100 B	Roof/Site & Basement Plans	20.04.2020	Nick Bell Architects
BIRC-DA101 B	Lower Ground Floor & Ground Floor Plan	20.04.2020	Nick Bell Architects
BIRC-DA102 B	First Floor & Second Floor Plans	20.04.2020	Nick Bell Architects
BIRC-DA200 B	South-East & North-West Elevations + Section B	20.04.2020	Nick Bell Architects
BIRC-DA201 B	South-West & North-East Elevations	20.04.2020	Nick Bell Architects
BIRC-DA202 B	Section A	20.04.2020	Nick Bell Architects
BIRC-DA920 A	Finishes Schedule of External Finishes	22.03.2019	Nick Bell Architects
LSCP 1300 A	1 Landscape Site Plan	30.03.2019	Tranquilly Landscape Design
LSCP 1300 A	2 Rear Landscaping	30.03.2019	Tranquilly Landscape Design
LSCP 1300 A	3 Front Landscaping	30.03.2019	Tranquilly Landscape Design
LSCP 1300 A	4 Specifications	30.03.2019	Tranquilly Landscape Design

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Landscape Plan LSCP 1300 As Amended	Plan Amended by the Joint Report of the Arborists	31.03.2020	C. Mackenzie
1626-C01	Concept Stormwater Layout	9/4/2019	R. Balas Consulting P/L
991870S	BASIX Certificate	11/4/2019	Nick Bell D&A
44160	Asbestos Survey	8/2/2019	Airsafe
-	Arborist Report	9/4/2019	Truth About Trees

As amended by the conditions of consent.

4. Design Change

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans demonstrating the following:

Joint Planning Report

- a) W21 (proposed north-east facing living room window) & W22 (proposed south-west facing living room window) be provided with a fixed obscure lower sash to a minimum height of 1.6 metres above the finished floor level.

Joint Engineering Report

- b) The pedestrian access door at the Gow Lane frontage of the site must be setback no less than 500mm from the north western (rear) property boundary.
- c) Any pedestrian door to the garage from the stairway access to Gow Lane must be amended to a sliding type door. Such that the door does not encroach into the garage area.

Engineering

- d) The architectural plans must be amended such that they are consistent with the stormwater drainage design plans approved under Stormwater Drainage System – Minor Developments (OSD is required), including the location of the OSD/OSR tank and the finished surface levels of external areas.
- e) A minimum 150mm step up must be provided between all external finished surfaces and adjacent internal floor areas, except where a reduced step is permitted under Section 3.1.3.3 of the Building Code of Australia for Class 1 buildings.

Joint Arboricultural Report

- f) The Landscape Plan is to be amended in accordance with the notes provided for by the Annotated Landscape Plan No. *Landscape Plan LSCP 1300 As Amended* prepared by C. Mackenzie dated 30.03.20 and as follows:
- (i) the *Angophora costata* (Sydney red Gum) chosen for planting in the rear yard of the site is to be replaced by one of the following species:

- Banksia integrifolia* (Coastal Banksia) 10m x 6m
- Corymbia eximia* (Yellow Bloodwood) 12m x 7m

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- Glochidion ferdinandi* (Cheese Tree) 10m x 6m
 - Waterhousea floribunda* 'Green Avenue' (Weeping Lillypilly) 15m x 9m
- (ii) the proposed *Elaeocarpus reticulata* (Blueberry Ash) is to be re-located and replaced by the following species:
- Auranticarpa rhombifolia* (Diamond Leaf Pittosporum) 8m x 5m
 - Banksia serrata* (Old Man Banksia) 8m x 4m
 - Hymenosporum flavum* (Native Frangipani) 8m x 6m
 - Melaleuca linariifolia* (Flax-leaved Paperbark) 8m x 4m
- (iii) Where trees are located in a lawn they shall be provided with a minimum 300mm radius area kept free of lawn grass to prevent damage to the tree trunk and root flare. This may be provided by way of steel or timber edging.
- (iv) The boundary wall adjacent to pool planting area is to be deleted.
- (v) The relocation of the two proposed trees in the rear yard to allow for a minimum 2m from any structure for the larger tree, and minimum 1.4m for the smaller tree as provided for in the Annotated Landscape Plan No. *Landscape Plan LSCP 1300 As Amended*.

Other

- (q) The architectural and landscape plans are to be amended to reduce the terrace area (proposed to the north of the pool) such that the northern extent of the terrace is to be 1.5 metres from the pool coping.
- (r) The architectural and landscape plans are to be amended to detail new lapped and capped timber boundary fencing as provided for as follows:
1. North-East side boundary
 - a. Boundary fencing installed between the front boundary of the property and the front building line of the dwelling is to match the height of the proposed front boundary fence. The top of the fence to have an AHD level of 37.300.
 - b. Boundary fencing from the front building line of the dwelling to the north-west extent of the proposed deck is to be installed at a height of 1800mm above the adjacent existing ground level of no. 66 Birchgrove Road.
 - c. Boundary fencing installed from the north-west extent of the proposed deck to the south-east extent of the lawn is to have a finished height of AHD 34.130.
 - d. Boundary fencing installed from the south-east extent of the lawn to the north-west extent of the proposed garage is to be installed at a height of 1800mm above the adjacent existing ground level of no. 66 Birchgrove Rd.
 - e. A timber privacy screen is to be installed above the proposed garage structure along the North-East boundary to a height of AHD 33.750 (the proposed lawn level + 1.6m) for the length of the proposed lawn.

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2. South-West side boundary:
 - a. Boundary fencing installed between the front boundary of the property and the front building line of the dwelling is to match the height of the proposed front boundary fence. The top of the fence to have an AHD level of 37.300.
 - b. Boundary fencing from the front building line of the dwelling and the rear building line of the dwelling at lower ground floor level is to be installed at a height of 1800mm above the adjacent existing ground level of no. 62 Birchgrove Road.
 - c. Boundary fencing installed from the rear building line of the proposed dwelling at lower ground floor level to the south-east extent of the pool terrace is to have a finished height of AHD 34.130.
 - d. Boundary fencing installed from the south-east extent of the pool terrace to the north-west extent of the external stair landing at AHD 30.650 is to have a finished level of AHD 33.550.
3. The garage wall with AHD level 32.550 is to form the boundary fence between the rear boundary and the north-west extent of the external stair landing at AHD level 30.650. A timber privacy screen is to be installed along the South-West side of the proposed lawn for the length of the external stairs from the garage at a height of AHD 33.750 (proposed lawn level + 1.6m).
4. The proposed open metal fencing to the rear boundary is to be located on the inner (south-east) side of the proposed raised planter bed. The top of the fence to have an AHD level of 33.150.

5. Waste Management Plan

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

6. Erosion and Sediment Control

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

7. Standard Street Tree Protection

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

No trees on public property (footpaths, roads, reserves etc.) are to be removed or damaged during works unless specifically approved in this consent or marked on the approved plans for removal.

Prescribed trees protected by Council's Management Controls on the subject property and/or any vegetation on surrounding properties must not be damaged or removed during works unless specific approval has been provided under this consent.

Any public tree within five (5) metres of the development must be protected in accordance with Council's Development Fact Sheet—Trees on Development Sites.

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No activities, storage or disposal of materials taking place beneath the canopy of any tree (including trees on neighbouring sites) protected under Council's Tree Management Controls at any time.

8. Works Outside the Property Boundary

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

9. Boundary Alignment Levels

Alignment levels for the site at all pedestrian and vehicular access locations must match the existing back of footpath levels at the boundary.

10. Rock Anchors

This consent does not grant consent for any rock anchors on the road reserve or Council land.

Prior to any Demolition

11. Dilapidation Report

Prior to any works commencing (including demolition), the Certifying Authority and owners of the adjoining properties, must be provided with a colour copy of a dilapidation report prepared by a suitably qualified person. The report is required to include colour photographs of all the adjoining properties to the Certifying Authority's satisfaction. In the event that the consent of the adjoining property owner cannot be obtained to undertake the report, copies of the letter/s that have been sent via registered mail and any responses received must be forwarded to the Certifying Authority before work commences.

12. Advising Neighbors Prior to Excavation

At least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

13. Construction Fencing

Prior to the commencement of any works (including demolition), the site must be enclosed with suitable fencing to prohibit unauthorised access. The fencing must be erected as a barrier between the public place and any neighbouring property.

14. Hoardings

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

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

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

Prior to Construction Certificate

15A Photographic Archival Recording.

Prior to the commencement of any works, including the dismantling of fabric or demolition, a basic Photographic Archival Recording shall be undertaken by the applicant's consulting heritage advisor and submitted to Council.

The Photographic Archival Recording is to record all existing structures upon the property.

The Photographic Archival Recording is to record the existing structures from the public domain/street, and throughout the internals of those existing structures.

The Photographic Archival Recording shall be prepared in accordance with the guidelines "*Archival Recording of Heritage Items Using Film or Digital Capture*" published by the Heritage Division of the Office of Environment and Heritage.

15B Replacement/New Vehicular Crossing

Prior to the issue of a Construction Certificate, an application is to be made for vehicular crossing and/or public domain works provided for by this development consent – namely, a '*Design of Vehicle Crossing and Public Domain Works – Step 1*' form and/or '*Construction of Vehicle Crossing and Public Domain Works – Step 2*' form.

The respective application is to include the payment/lodgement of any security bond for the works, payment of the schedule of fees and provide evidence of adequate public liability insurance. These matters must be met prior to the commencement of works.

15. Changes to design and levels

- a) See condition 4 above.

16. Asbestos Clearance Certificate

An Asbestos Clearance Certificate prepared by a suitably qualified consultant confirming that the site is free of any asbestos containing materials is to be provided to the Certifying Authority prior to the issue of a Construction Certificate for the construction of the dwelling. No objection is raised to the issue of a Construction Certificate for the demolition of the existing dwelling in the event that a Construction Certificate is so required for that demolition.

17. Dilapidation Report – Pre-Development – Minor

Prior to the issue of a Construction Certificate or any demolition, the Certifying Authority must be provided with a dilapidation report including colour photos showing the existing condition of the footpath and roadway adjacent to the site.

18. Sydney Water – Tap In

Prior to the issue of a Construction Certificate, the Certifying Authority is required to ensure approval has been granted through Sydney Water's online 'Tap In' program to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met.

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Note: Please refer to the web site <http://www.sydneywater.com.au/tapin/index.htm> for details on the process or telephone 132092.

19. Concealment of Plumbing and Ductwork

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans detailing the method of concealment of all plumbing and ductwork including stormwater downpipes within the outer walls of the building so they are not visible.

20. Stormwater Drainage System – (OSD is required)

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with stormwater drainage design plans incorporating on site stormwater detention and/or on site retention/ re-use facilities (OSR/OSD), certified by a suitably qualified Civil Engineer that the design of the site drainage system complies with the following specific requirements:

- a) The design must be generally in accordance with the stormwater drainage concept plan on Drawing No. 1626-C01 [revision not stated] prepared by R. Balas Consulting P/L and dated 09/04/2019.
- b) Stormwater runoff from all roof and paved areas within the property must be collected in a system of gutters, pits and pipelines and be discharged together overflow pipelines from any rainwater tank(s) by gravity to the kerb and gutter of a public road.
- c) Comply with Council's Stormwater Drainage Code, Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3-2018 'Stormwater Drainage' and Council's Leichhardt DCP2013.
- d) Charged or pump-out stormwater drainage systems or bladder tank systems are not permitted including for roof drainage.
- e) The Drainage Plan must detail the existing and proposed site drainage layout, size, class and grade of pipelines, pit types, roof gutter and downpipe sizes. All subsoil drainage must be show on the plans.
- f) The plans, including supporting calculations, must demonstrate that the post development flows for the 100 year ARI storm are restricted to the pre development flows for the 5 year ARI storm event in accordance with Section E1.2.3 (C2 and C3) of Council's DCP2013;
- g) OSD may be reduced or replaced by on site retention (OSR) for rainwater reuse in accordance with the relevant DCP that applies to the land.

Where this is pursued, the proposed on-site retention (OSR) tanks must be connected to a pump system for internal reuse for laundry purposes, the flushing of all toilets and for outdoor usage such as irrigation. Surface water must not be drained to rainwater tanks where the collected water is to be used to supply water inside the dwelling, such as for toilet flushing or laundry use.

- h) Pipe and channel drainage systems including gutters must be designed to convey the one hundred (100) year Average Recurrence Interval (ARI) flows from the contributing catchment to the OSD/OSR tanks.
- i) A 1 in 100-year ARI overflow route in case of failure/blockage of the drainage system must be provided with full details provided on the plan.
- j) Access opening(s) for inspection and maintenance must be provided to the OSD and OSR tank(s). The access openings and covers must be level with the surrounding ground surface levels and must not be covered or obstructed by structures such as decking. The access opening(s) must be provided above the outlet pipe(s) and the tank(s) base must also be sloped towards the access opening(s) and outlet.
- k) An overland flowpath must be provided within the side setbacks to the northern and southern

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side boundaries between the front of the dwelling and the Gow Lane rear frontage. The front and rear garden areas must be graded so that bypass flows from the site drainage system are directed to the overland flowpath.

- l) A minimum 150mm step up must be provided between all external finished surfaces and adjacent internal floor areas, except where a reduced step is permitted under Section 3.1.3.3 of the Building Code of Australia for Class 1 buildings.
- m) Dry-weather flows of any seepage water including seepage from landscaped areas or subsurface water is not be permitted to be discharged to through kerb outlets. Drainage of these areas must be dispersed on-site prior to being conveyed to the site drainage system and discharged directly to the kerb and gutter of public road.
- n) The design must make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands.
- o) Details of external catchments currently draining to the site must be included on the plans. Existing natural overland flows from external catchments may not be blocked or diverted, but must be captured and catered for within the proposed site drainage system.
- p) No nuisance or concentration of flows to other properties.
- q) The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system.
- r) An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets.
- s) Only a single point of discharge is permitted to the kerb and gutter, per frontage of the site.
- t) New pipelines within the footpath area that are to discharge to the kerb and gutter must be hot dipped galvanised steel hollow section with a minimum wall thickness of 4.0mm and a maximum section height and width of 100mm.
- u) All stormwater outlets through sandstone kerbs must be carefully core drilled in accordance with Council standard drawings.
- v) All redundant pipelines within footpath area must be removed and footpath/kerb reinstated.
- w) Stormwater drainage must be located such that any waters leaving the pool must drain to pervious areas prior to potentially draining to the site stormwater drainage system.

21. Parking Facilities – Domestic

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans and certification by a suitably qualified Civil Engineer demonstrating that the design of the vehicular access and off-street parking facilities comply with Australian Standard AS/NZS2890.1-2004 Parking Facilities – Off-Street Car Parking and the following specific requirements:

- a) The internal vehicle hardstand area must be redesigned such that the level at the boundary must match the invert level of the adjacent gutter plus 110mm at both sides of the vehicle entry. This will require the internal garage slab or hard stand area to be adjusted locally at the boundary to ensure that it matches the above-issued alignment levels.
- b) The longitudinal profile across the width of the vehicle crossing must comply with the Ground Clearance requirements of AS/NZS 2890.1-2004.
- c) A minimum of 2200mm headroom must be provided throughout the access and parking facilities. Note that the headroom must be measured at the lowest projection from the ceiling, such as lighting fixtures, and to open garage doors.
- d) Longitudinal sections along each outer edge of the access and parking facilities, extending to the centreline of the road carriageway must be provided, demonstrating compliance with the above requirements.
- e) The garage/carport/parking space must have minimum clear internal dimensions of 6000 x 5400 mm (length x width) and a minimum door opening width of 5600 mm at the street frontage. The dimensions must be exclusive of obstructions such as walls, doors and columns, except where they do not encroach inside the design envelope specified in Section 5.2 of AS/NZS 2890.1-2004.
- f) The external form and height of the approved structures must not be altered from the

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approved plans.

22. Structural Report – Support to Birchgrove Road

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with an structural report and structural plans that address the design of the proposed New Open Metal Fence with Low Retaining Masonry Wall Under, prepared certified as compliant with the terms of this condition by a qualified practising Structural Engineer(s). The report and plans must be prepared/ amended to make provision for the following:

- a) Retaining walls must be entirely self-supporting in the event that excavation is undertaken within the road reserve adjacent to the property boundary to the depth of the proposed structure.
- b) Any existing or proposed retaining walls that provide support to the road reserve must be adequate to withstand the loadings that could be reasonably expected from within the constructed road and footpath area, including normal traffic and heavy construction and earth moving equipment, based on a design life of not less than 50 years.
- c) All components of the wall(s), including footings and subsoil drainage, must shown on the plans and be located entirely within the property boundary.
- d) No adverse impact on surrounding properties including Council's footpath and road.
- e) The existing subsurface flow regime in the vicinity of the development must not be significantly altered as a result of the development.
- f) Recommendations regarding the method of excavation and construction, vibration emissions and identifying risks to existing structures or those on adjoining or nearby property.
- g) Provide relevant geotechnical/ subsurface conditions of the site, as determined by a geotechnical investigation.
- h) All necessary works, if any, that must be undertaken to the existing retaining wall to comply with the requirements of this conditions where the existing retaining wall is proposed to be retained.

23. Tree Protection Plan

- i) Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a detailed site-specific Tree Protection Plan (TPP) prepared by a AQF5 Consultant Arborist. The TPP is to be prepared in accordance with Council's Development Fact Sheet—Trees on Development Sites.
- j) The tree protection measures contained in the TPP must be shown clearly on the Construction Certificate drawings, including the Construction Management Plan.
- k) The Certifying Authority must ensure the construction plans and specifications submitted fully satisfy the tree protection requirements identified in the TPP.
- l) A Project Arborist is to be appointed prior to any works commencing to monitor tree protection for the duration of works in accordance with the requirements identified in the TPP.
- m) All tree protection measures as detailed in the approved Tree Protection Plan must be installed and certified in writing as fit for purpose by the Project Arborist.

During Demolition and Construction

24. Construction Hours – Class 1 and 10

Unless otherwise approved by Council, excavation, demolition, construction or subdivision work are only permitted between the hours of 7:00am to 5:00pm, Mondays to Saturdays (inclusive) with no works permitted on, Sundays or Public Holidays.

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25. Project Arborist

Prior to the commencement of any demolition or construction works within close proximity to protected trees a Project Arborist must be engaged for the duration of the site preparation, demolition, construction and landscaping to supervise works. Details of the Project Arborist must be submitted to the Certifying Authority before work commences.

26. Survey Prior to Footings

Upon excavation of the footings and before the pouring of the concrete, the Certifying Authority must be provided with a certificate of survey from a registered land surveyor to verify that the structure will not encroach over the allotment boundaries.

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27. Limited Root Pruning

No tree roots of 40mm or greater in diameter located from any tree located on adjoining properties must be severed or injured in the process of any works during the construction period.

If tree roots less than 40mm diameter are required to be severed for the purposes of constructing the approved works, they must be cut cleanly using a sharp and fit for purpose tool. The pruning must be undertaken by a practicing Arborist.

All excavation along the boundary lines of the site must be dug by hand or by using either pneumatic or hydraulic tools only (e.g. Airspade® or hydro excavation) to a depth of one (1) metre under direct supervision of the Project Arborist and then by mechanical means as agreed by the Project Arborist.

Prior to Occupation Certificate

28. No Encroachments

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must ensure that any encroachments on to Council road or footpath resulting from the building works have been removed, including opening doors, gates and garage doors with the exception of any awnings or balconies approved by Council.

29. Public Domain Works

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

- a) The construction of light duty vehicular crossings to all vehicular access locations and removal of all redundant vehicular crossings to the site;
- b) New concrete infill footpath and kerb and gutter along the Gow Lane frontage of the site. The kerb type (concrete or stone) must be consistent with the majority of kerb type at this location as determined by the Council Engineer.
- c) The existing stone kerb must be retained where practicable. Redundant stone kerb must be carefully removed and returned to Council depot for reuse.
- d) Restoration of any damage to Council assets at the Birchgrove Road frontage of the site relating to the construction of the New Open Metal Fence with Low Retaining Masonry Wall Under.
- e) Installation of a stormwater outlet to the kerb and gutter. Kerb outlets through sandstone kerb must be carefully core drilled.

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

30. Works as Executed – Site Stormwater Drainage System

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with Certification by a suitably qualified Civil Engineer that:

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- a) The stormwater drainage system has been constructed in accordance with the approved design and relevant Australian Standards.
- b) Works-as-executed plans of the stormwater drainage system certified by a Registered Surveyor, to verify that the drainage system has been constructed, OSD/OSR system commissioned and any pump(s) installed in accordance with the approved design and relevant Australian Standards have been submitted to Council. The works-as-executed plan(s) must show the as built details in comparison to those shown on the drainage plans approved with the Construction Certificate. All relevant levels and details indicated must be marked in red on a copy of the Principal Certifying Authority stamped Construction Certificate plans.

31. Operation and Management Plan

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with an Operation and Management Plan has been prepared and implemented for the on-site detention and on-site retention/re-use facilities and pump(s). The Plan must set out the following at a minimum:

- a) The proposed maintenance regime, specifying that the system is to be regularly inspected and checked by qualified practitioners.
- b) The proposed method of management of the facility, including procedures, safety protection systems, emergency response plan in the event of mechanical failure, etc.

32. Parking Signoff – Minor Developments

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with certification from a qualified practising Civil Engineer that the vehicle access and off street parking facilities have been constructed in accordance with the approved design and relevant Australian Standards.

33. Protect Sandstone Kerb

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must ensure that any damaged stone kerb has been replaced.

34. Retaining Wall – Support to Birchgrove Road Signoff

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with certification from a suitably experienced structural engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng), that the retaining wall at the Birchgrove Road frontage of the site that supports the adjacent land that is Birchgrove Road has been inspected during and after construction works and the retaining wall complies with the requirements of Condition Structural Report – Support to Birchgrove Road and has been constructed in accordance with the development consent and relevant Australian Standards.

35. Certification of Tree Planting

Prior to the issue of any Occupation Certificate, the Principal Certifier is to be provided with evidence certified by a person holding a minimum qualification of AQF3 Certificate of Horticulture or Arboriculture that:

A minimum of 2 x 100L(L) litre size additional trees, which will attain a minimum mature height of eight (8) metres have been planted in a suitable location within the property in accordance with Figure 2. marked up excerpt of Landscape Plan LSCP 1300 by C.Mackenzie, dated 31.03.2020.

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The trees are to conform to AS2303—Tree stock for landscape use. Trees listed as exempt species from Council's Tree Management Controls and species recognised to have a short life span will not be accepted as suitable replacements.

If the replacement trees are found to be faulty, damaged, dying or dead within twelve (12) months of planting then they must be replaced with the same species (up to 3 occurrences). If the trees are found dead before they reach a height where they are protected by Council's Tree Management Controls, they must be replaced with the same species.

36. Project Arborist Certification

Prior to the issue of any Occupation Certificate, the Principal Certifier is to be provided with certification from the project arborist the requirements of the conditions of consent related to the landscape plan, the TPP and the role of the project arborist have been complied with.

[On-going](#)

35. OSD/OSR Operation and Management Plan

The on-site detention and/or on-site retention/re-use OSD/OSR system must be maintained and the Operation and Management Plan approved with the Occupation Certificate must be implemented and kept in a suitable location on site at all times.

36. Tree Establishment

The canopy tree/s required by this consent is/are to be maintained in a healthy and vigorous condition until it/they attain a height of 5 metres whereby it/they will be protected by Council's Tree Management Controls. If the tree is found/Any of the trees found faulty, damaged, dying or dead it/they shall be replaced with the same species within 1 month (up to 3 occurrences)

Advisory notes

Prescribed Conditions

This consent is subject to the prescribed conditions of consent within clause 98-98E of the *Environmental Planning and Assessment Regulations 2000*.

Notification of commencement of works

At least 7 days before any demolition work commences:

- a) the Council must be notified of the following particulars:
 - i. the name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - ii. the date the work is due to commence and the expected completion date; and
- b) a written notice must be placed in the letter box of each directly adjoining property identified advising of the date the work is due to commence.

Storage of Materials on public property

The placing of any materials on Council's footpath or roadway is prohibited, without the prior consent of Council.

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Toilet Facilities

The following facilities must be provided on the site:

- a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
- b) a garbage receptacle for food scraps and papers, with a tight fitting lid.

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

Infrastructure

The developer must liaise with the Sydney Water Corporation, Ausgrid, AGL and Telstra concerning the provision of water and sewerage, electricity, natural gas and telephones respectively to the property. Any adjustment or augmentation of any public utility services including Gas, Water, Sewer, Electricity, Street lighting and Telecommunications required as a result of the development must be undertaken before occupation of the site.

Other Approvals may be needed

Approvals under other acts and regulations may be required to carry out the development. It is the responsibility of property owners to ensure that they comply with all relevant legislation. Council takes no responsibility for informing applicants of any separate approvals required.

Failure to comply with condition

Failure to comply with the relevant provisions of *the Environmental Planning and Assessment Act 1979* and/or the conditions of this consent may result in the serving of penalty notices or legal action.

Other works

Works or activities other than those approved by this Development Consent will require the submission of a new Development Application or an application to modify the consent under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.

Obtaining Relevant Certification

This development consent does not remove the need to obtain any other statutory consent or approval necessary under any other Act, such as (if necessary):

- a) Application for any activity under that Act, including any erection of a hoarding.
- b) Application for a Construction Certificate under the *Environmental Planning and Assessment Act 1979*.
- c) Application for an Occupation Certificate under the *Environmental Planning and Assessment Act 1979*.
- d) Application for a Subdivision Certificate under the *Environmental Planning and Assessment Act 1979* if land (including stratum) subdivision of the development site is proposed.
- e) Application for Strata Title Subdivision if strata title subdivision of the development is proposed.
- f) Development Application for demolition if demolition is not approved by this consent.
- g) Development Application for subdivision if consent for subdivision is not granted by this consent.

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National Construction Code (Building Code of Australia)

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

Notification of commencement of works

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

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

Dividing Fences Act

The person acting on this consent must comply with the requirements of the *Dividing Fences Act 1997* in respect to the alterations and additions to the boundary fences.

Swimming Pools

Applicants are advised of the following requirements under the *Swimming Pools Act 1992*:

- a) The owner of the premises is required to register the swimming pool on the NSW State Government's Swimming Pool Register. Evidence of registration should be provided to the Certifying Authority.
- b) Access to the pool/spa is restricted by a child resistant barrier in accordance with the regulations prescribed in the. The pool must not be filled with water or be allowed to collect stormwater until the child resistant barrier is installed. The barrier is to conform to the requirements of Australian Standard AS 1926:2012.
- c) A high level overflow pipe has been provided from the back of the skimmer box to the filter backwash line discharging to the sewer. This line must not directly vent the receiving Sydney Water sewer. Evidence from the installer, indicating compliance with this condition must be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.
- d) Permanently fixed water depth markers are to be clearly and prominently displayed on the internal surface above the water line at the deep and shallow ends on in-ground pools / spas and on the outside of aboveground pools / spas.
- e) A durable cardiopulmonary resuscitation information poster sign authorised by the Life Saving Association is to be displayed in the pool / spa area in accordance with Clause 10 of the *Swimming Pool Regulation 2008*
- f) Access to the swimming pool/spa must be restricted by fencing or other measures as required by the *Swimming Pools Act 1992* at all times.

All drainage, including any overland waters associated with the pool/spa, must be pipe-drained via the filter to the nearest sewer system in accordance with the requirements of Council & Sydney Water. No drainage, including overflow from the pool or spa must enter Council's stormwater system.

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Noise

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.

Amenity Impacts General

The use of the premises must not give rise to an environmental health nuisance to the adjoining or nearby premises and environment. There are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997* and Regulations. The use of the premises and the operation of plant and equipment must not give rise to the transmission of a vibration nuisance or damage other premises.

Public Domain and Vehicular Crossings

The vehicular crossing and/or public domain works are required to be constructed by your contractor. You or your contractor must complete an application for 'Design of Vehicle Crossing and Public Domain Works – Step 1' form and/or 'Construction of Vehicle Crossing and Public Domain Works – Step 2' form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, before commencement of works.

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 must be at no cost to Council

Any damage caused during construction to Council assets on the road reserve or on Council or Crown land must be repaired at no cost to Council.

Any driveway crossovers or other works within the road reserve must be provided at no cost to Council.

No consent is given or implied for any Encroachments onto Council's road or footpath of any service pipes, sewer vents, boundary traps, downpipes, gutters, eaves, awnings, stairs, doors, gates, garage tilt up panel doors or any structure whatsoever, including when open.

Insurances

Any person acting on this consent or any contractors carrying out works on public roads or Council controlled lands is required to take out Public Liability Insurance with a minimum cover of twenty (20) million dollars in relation to the occupation of, and approved works within those lands. The Policy is to note, and provide protection for Inner West Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public property.

Construction of Vehicular Crossing

The vehicular crossing and/or footpath works are required to be constructed by your own contractor. You or your contractor must complete an application for 'Construction of a Vehicular Crossing & Civil Works' form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, prior to commencement of works.

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Lead-based Paint

Buildings built or painted prior to the 1970's may have surfaces coated with lead-based paints. Recent evidence indicates that lead is harmful to people at levels previously thought safe. Children particularly have been found to be susceptible to lead poisoning and cases of acute child lead poisonings in Sydney have been attributed to home renovation activities involving the removal of lead based paints. Precautions should therefore be taken if painted surfaces are to be removed or sanded as part of the proposed building alterations, particularly where children or pregnant women may be exposed, and work areas should be thoroughly cleaned prior to occupation of the room or building.

Dial before you dig

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

Consent of Adjoining property owners

This consent does not authorise the applicant, or the contractor engaged to do the tree works to enter a neighbouring property. Where access to adjacent land is required to carry out approved tree works, Council advises that the owner's consent must be sought. Notification is the responsibility of the person acting on the consent. Should the tree owner/s refuse access to their land, the person acting on the consent must meet the requirements of the Access To Neighbouring Lands Act 2000 to seek access.

Arborists standards

All tree work must be undertaken by a practicing Arborist. The work must be undertaken in accordance with AS4373—Pruning of amenity trees and the Safe Work Australia Code of Practice—Guide to Managing Risks of Tree Trimming and Removal Work. Any works in the vicinity of the Low Voltage Overhead Network (including service lines—pole to house connections) must be undertaken by an approved Network Service Provider contractor for the management of vegetation conflicting with such services. Contact the relevant Network Service Provider for further advice in this regard.

Tree Protection Works

All tree protection for the site must be undertaken in accordance with Council's Development Fact Sheet—Trees on Development Sites and AS4970—Protection of trees on development sites.

Tree Pruning or Removal (including root pruning/mapping)

Removal or pruning of any other tree (that would require consent of Council) on the site is not approved and must be retained and protected in accordance with Council's Development Fact Sheet—Arborist Reports.

Useful Contacts

BASIX Information 1300 650 908 weekdays 2:00pm - 5:00pm

www.basix.nsw.gov.au

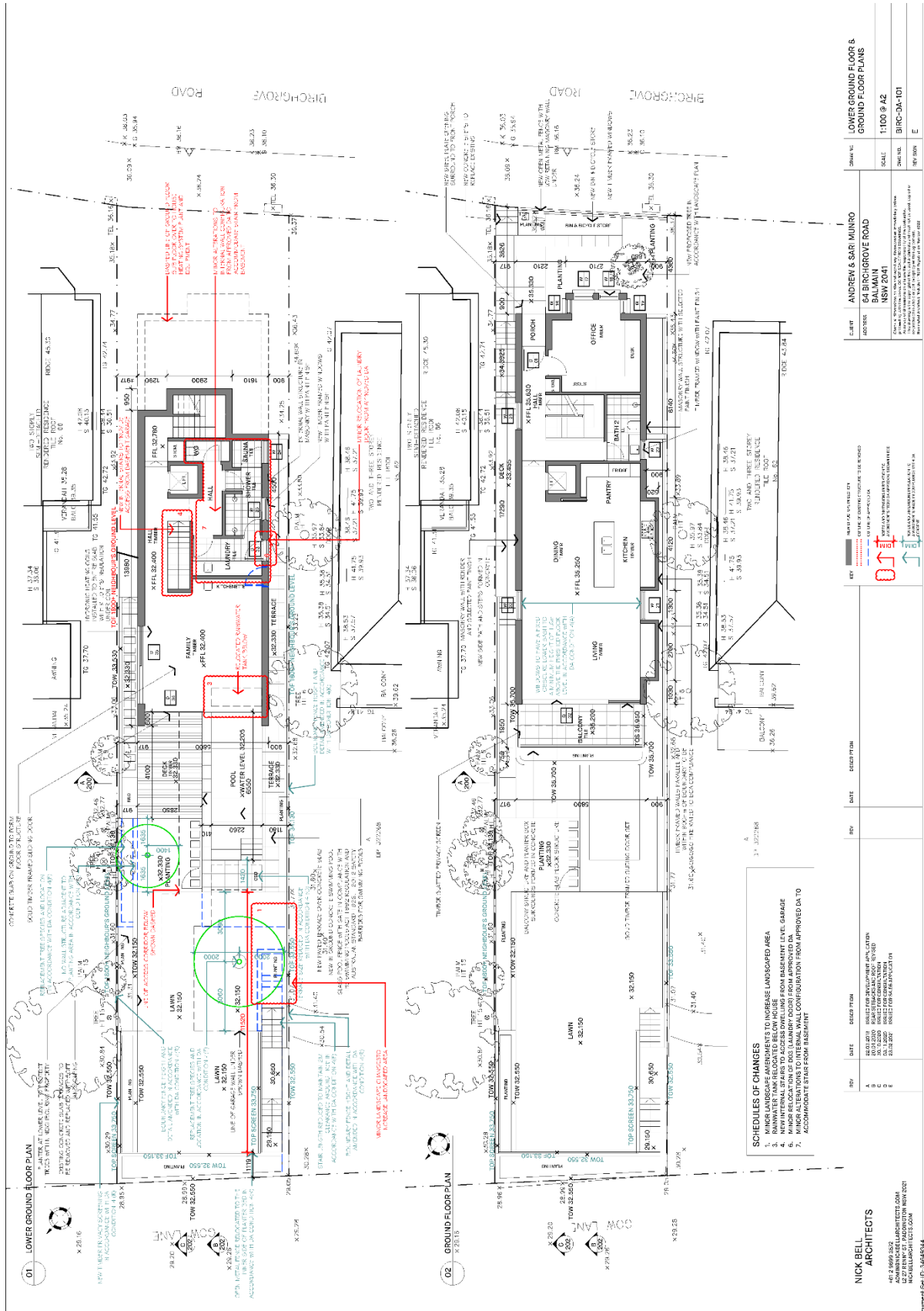
Department of Fair Trading 13 32 20

www.fairtrading.nsw.gov.au

Enquiries relating to Owner Builder Permits and
Page 18 of 19

Appeal No. 2019/247856

	Home Warranty Insurance.
Dial Prior to You Dig	1100 www.dialprior toyoudig.com.au
Landcom	9841 8660 To purchase copies of Volume One of "Soils and Construction"
Long Service Payments Corporation	131441 www.lspc.nsw.gov.au
NSW Food Authority	1300 552 406 www.foodnotify.nsw.gov.au
NSW Government	www.nsw.gov.au/fibro www.diysafe.nsw.gov.au Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	131 555 www.environment.nsw.gov.au
Sydney Water	13 20 92 www.sydneywater.com.au
Waste Service - Environmental Solutions	SITA 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.



CLIENT	ANDREW & SARI MUNRO
ADDRESS	64 BIRCHGROVE ROAD BALMAIN NSW 2041
SCALE	1:100 @ A2
DRAWN BY	BIRC-DA-01
REV	000

REV	DATE	DESCRIPTION	BY	DATE	REASON FOR REV
1	05/01/2018	ISSUED FOR PERMIT APPLICATION	NICK BELL		
2	05/01/2018	ISSUED FOR PERMIT APPLICATION	NICK BELL		
3	05/01/2018	ISSUED FOR PERMIT APPLICATION	NICK BELL		
4	05/01/2018	ISSUED FOR PERMIT APPLICATION	NICK BELL		
5	31/07/2018	ISSUED FOR PERMIT APPLICATION	NICK BELL		

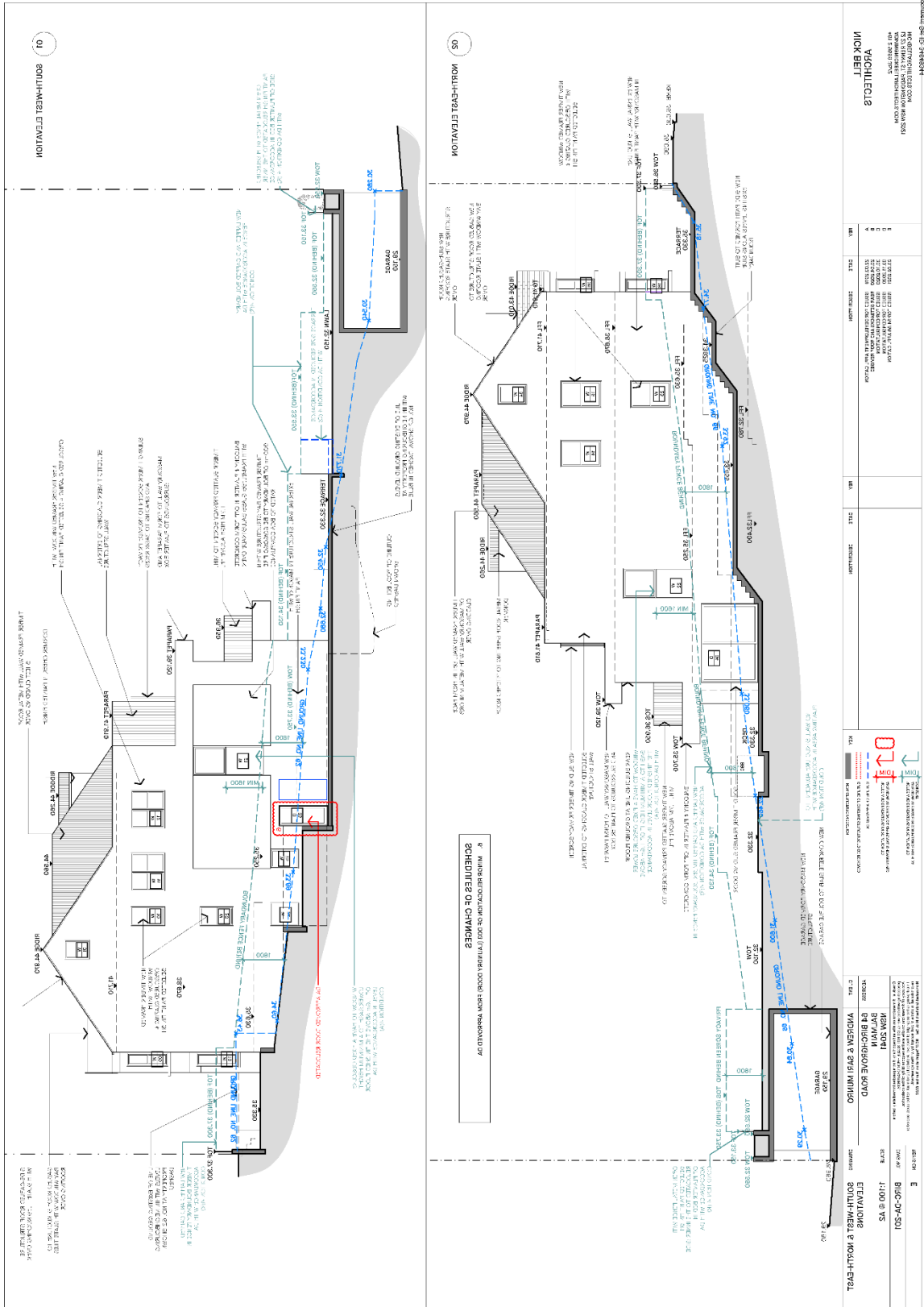
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2	05/01/2018	ISSUED FOR PERMIT APPLICATION	NICK BELL		
3	05/01/2018	ISSUED FOR PERMIT APPLICATION	NICK BELL		
4	05/01/2018	ISSUED FOR PERMIT APPLICATION	NICK BELL		
5	31/07/2018	ISSUED FOR PERMIT APPLICATION	NICK BELL		

SCHEDULES OF CHANGES

- MINOR LANDSCAPE AMENDMENTS TO INCREASE LANDSCAPED AREA
- RAINWATER TANK RELOCATED BELOW HOUSE FROM BASEMENT LEVEL GARAGE
- RELOCATED RAINWATER TANK TO GARDEN
- MAJOR RELOCATION OF DOG LAUNDRY DOOR FROM APPROVED DA
- MINOR ALTERATIONS TO INTERNAL WALL CONTRIBUTION FROM APPROVED DA TO ACCOMMODATE DOOR RELOCATION
- MINOR ALTERATIONS TO INTERNAL WALL CONTRIBUTION FROM APPROVED DA TO ACCOMMODATE DOOR RELOCATION
- ACCUMULATED CHANGES

NICK BELL ARCHITECTS
 4/5 S. 6000 5302
 400/1000 LAURISTON ST
 BALMAIN NSW 2041
 PH: 02 9550 1000
 WWW.NICKBELLARCHITECTS.COM
 NICK@NICKBELLARCHITECTS.COM

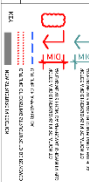
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 Version: 1, Version Date: 08/02/2018



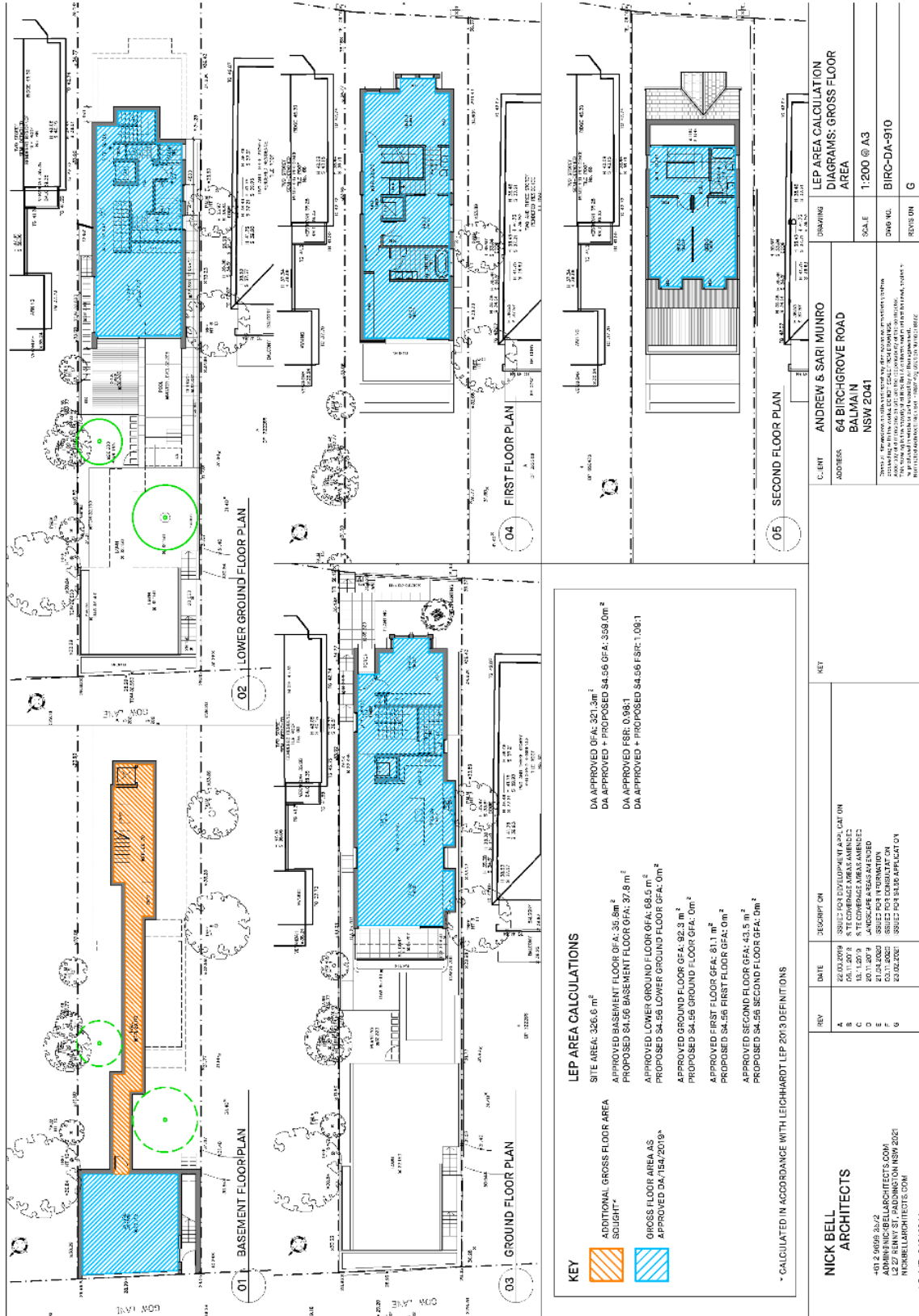
**SCHEDULE 2
NICK BEL**

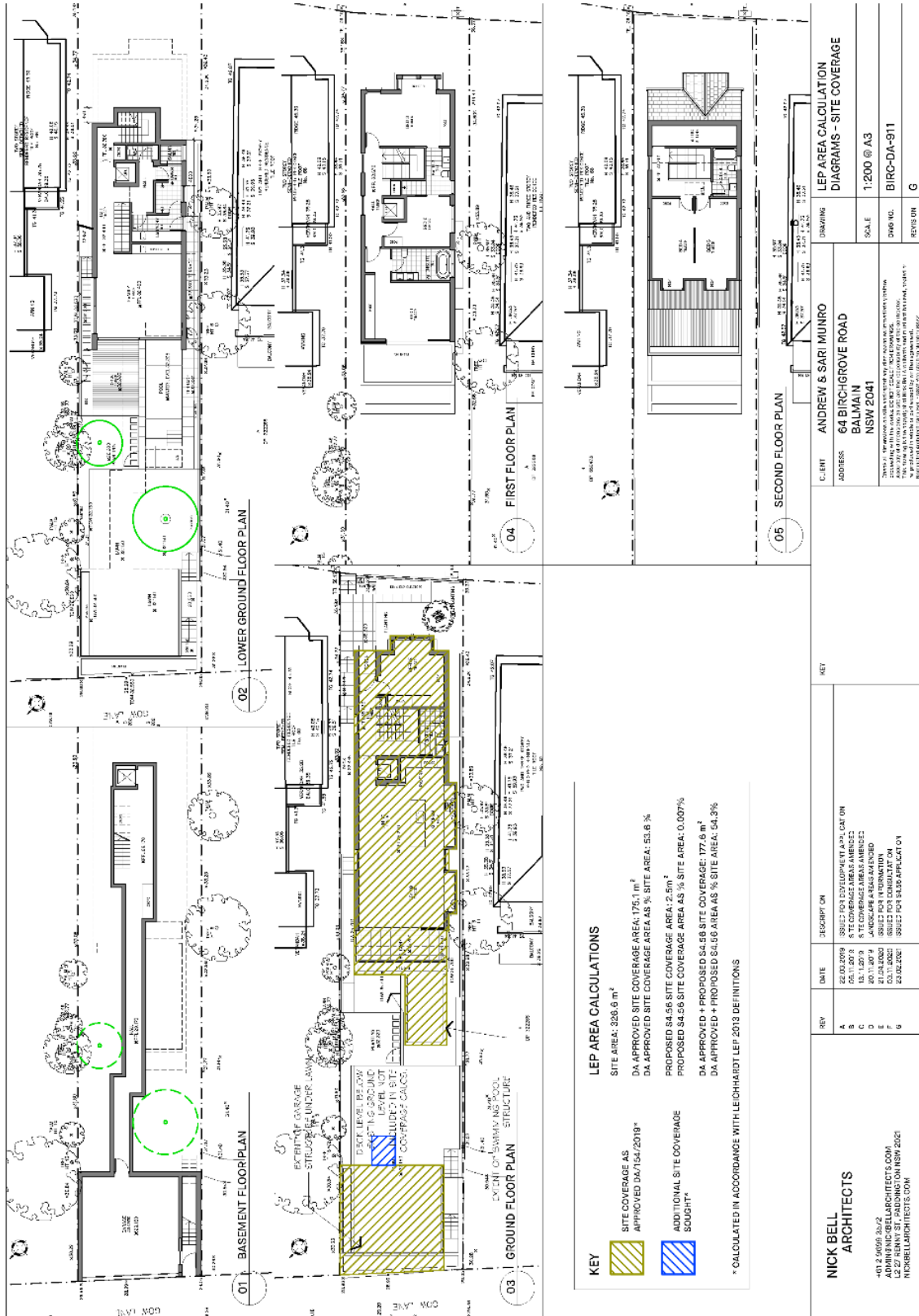
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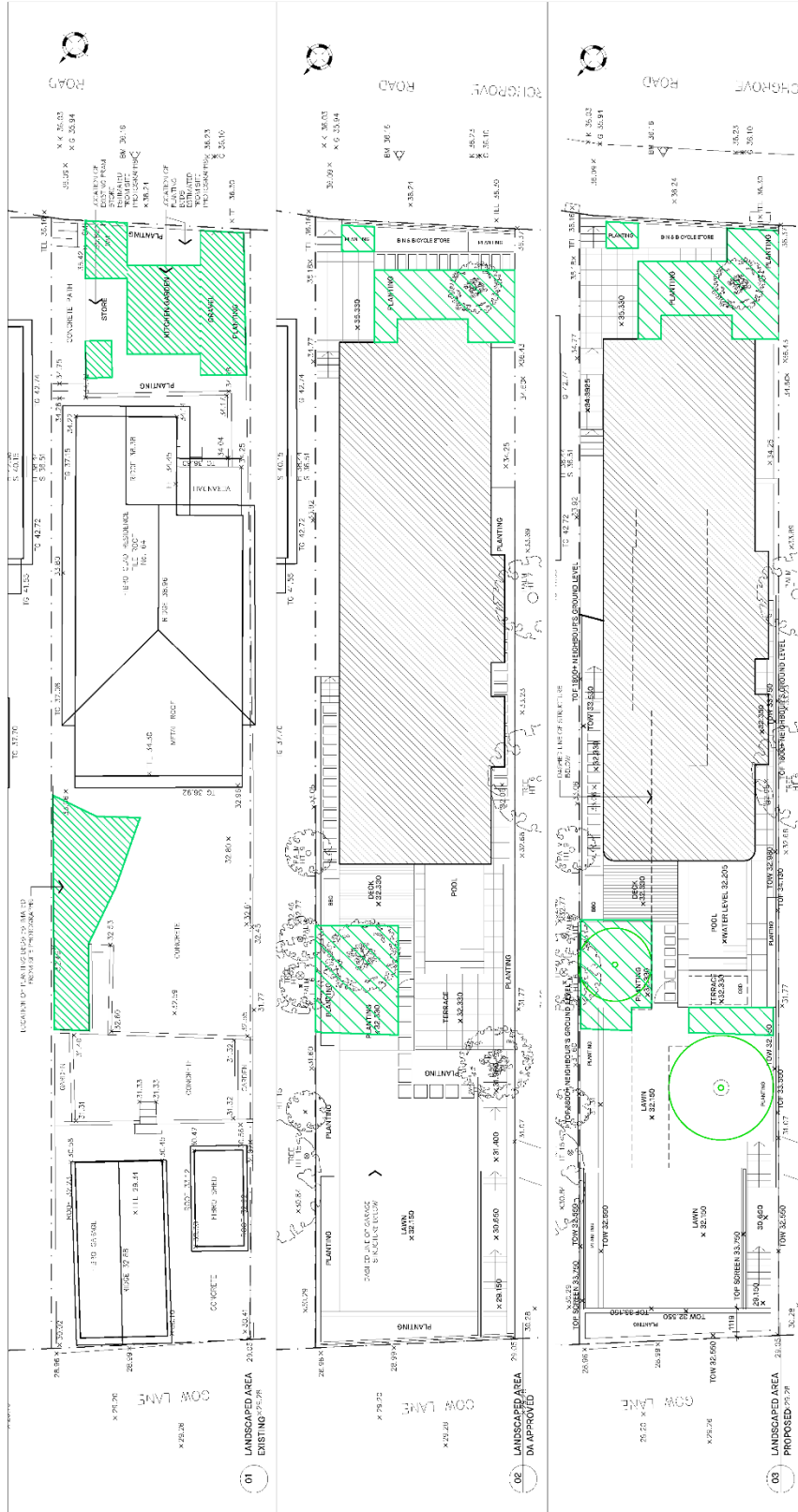
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3	2024/01/01	ISSUED FOR PERMIT
4	2024/01/01	ISSUED FOR PERMIT



PROJECT: SCHOOL BUILDING
 CLIENT: [Name]
 ADDRESS: [Address]
 DRAWING NO: [Number]
 DATE: [Date]
 SCALE: [Scale]







LANDSCAPED AREA CALCULATIONS

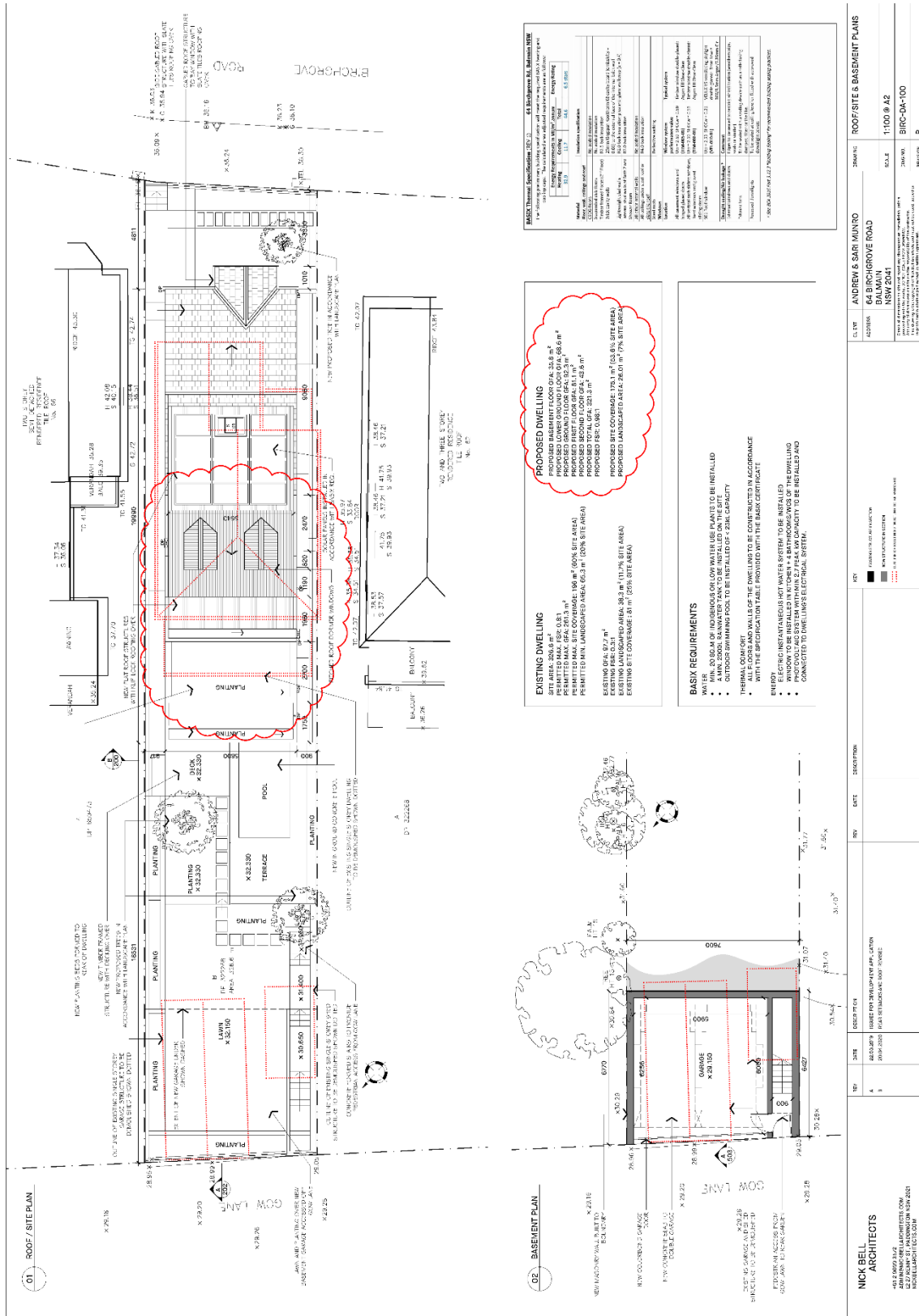
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 EXISTING LANDSCAPED AREA 402.8 m²
 EXISTING LANDSCAPED AREA AS % SITE AREA 13.09%
 LANDSCAPED AREA AS APPROVED BY DA 26.8 m²
 LANDSCAPED AREA AS % SITE AREA 0.89%
 PROPOSED LANDSCAPED AREA 31.0 m²
 LANDSCAPED AREA AS % OF SITE AREA 1.03%
 * CALCULATED IN ACCORDANCE WITH LEICHHARDT IEP 2013 DEFINITIONS

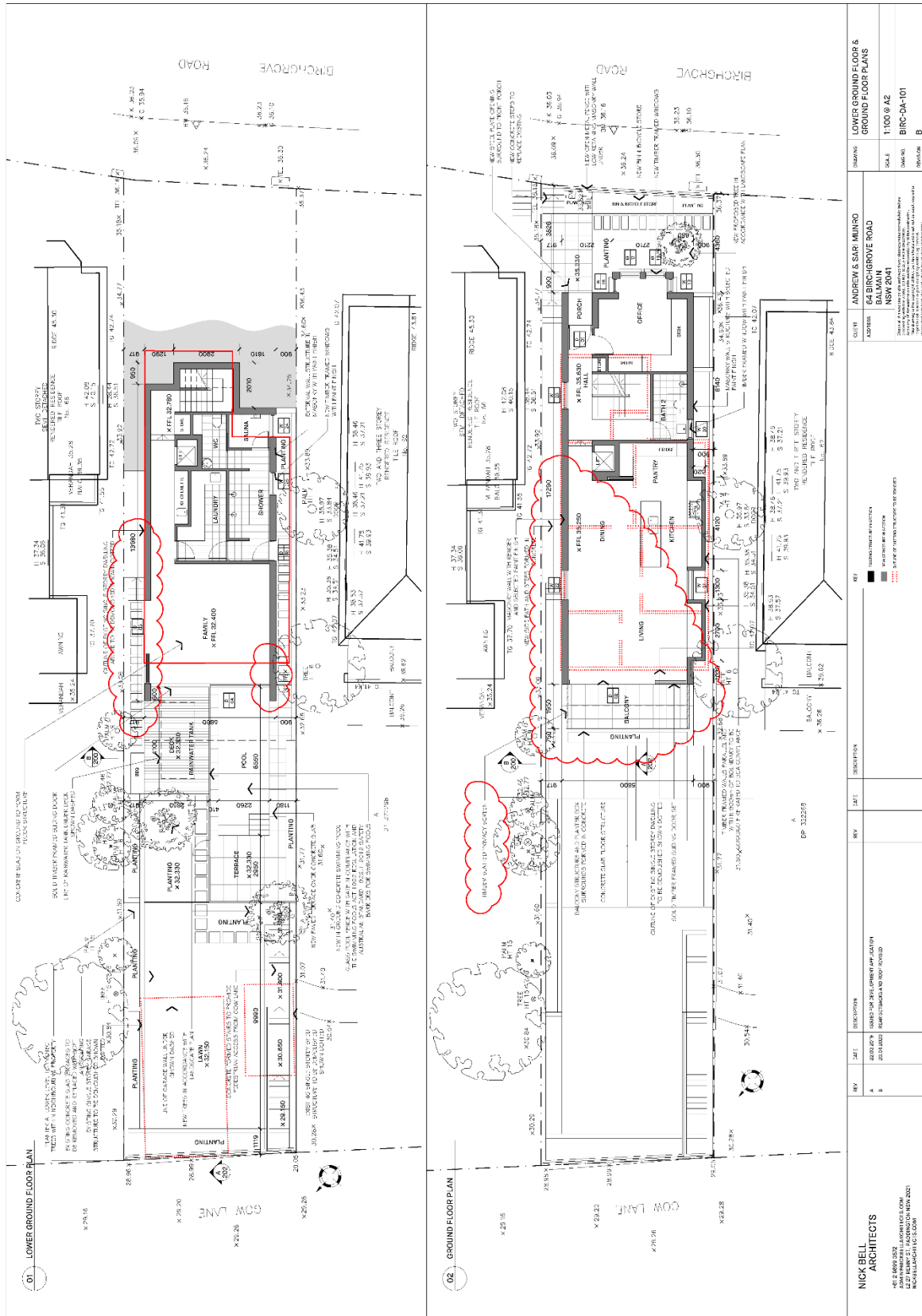
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A	20.03.2020	ISSUED FOR CONSULTATION				
B	20.03.2020	ISSUED FOR CONSULTATION				
C	20.03.2020	ISSUED FOR CONSULTATION				

NICK BELL ARCHITECTS
 12/27 ANNA ST, SYDNEY NSW 1585
 02 9550 1234
 nbell@nickbellarchitects.com
 www.nickbellarchitects.com

Client: ANDREW'S SAIR MUNRO
 Address: 64 BIRCHGROVE ROAD
 NSW 2041
 Scale: 1:100 @ A2
 Project: BIRC-DA-420
 Version: C

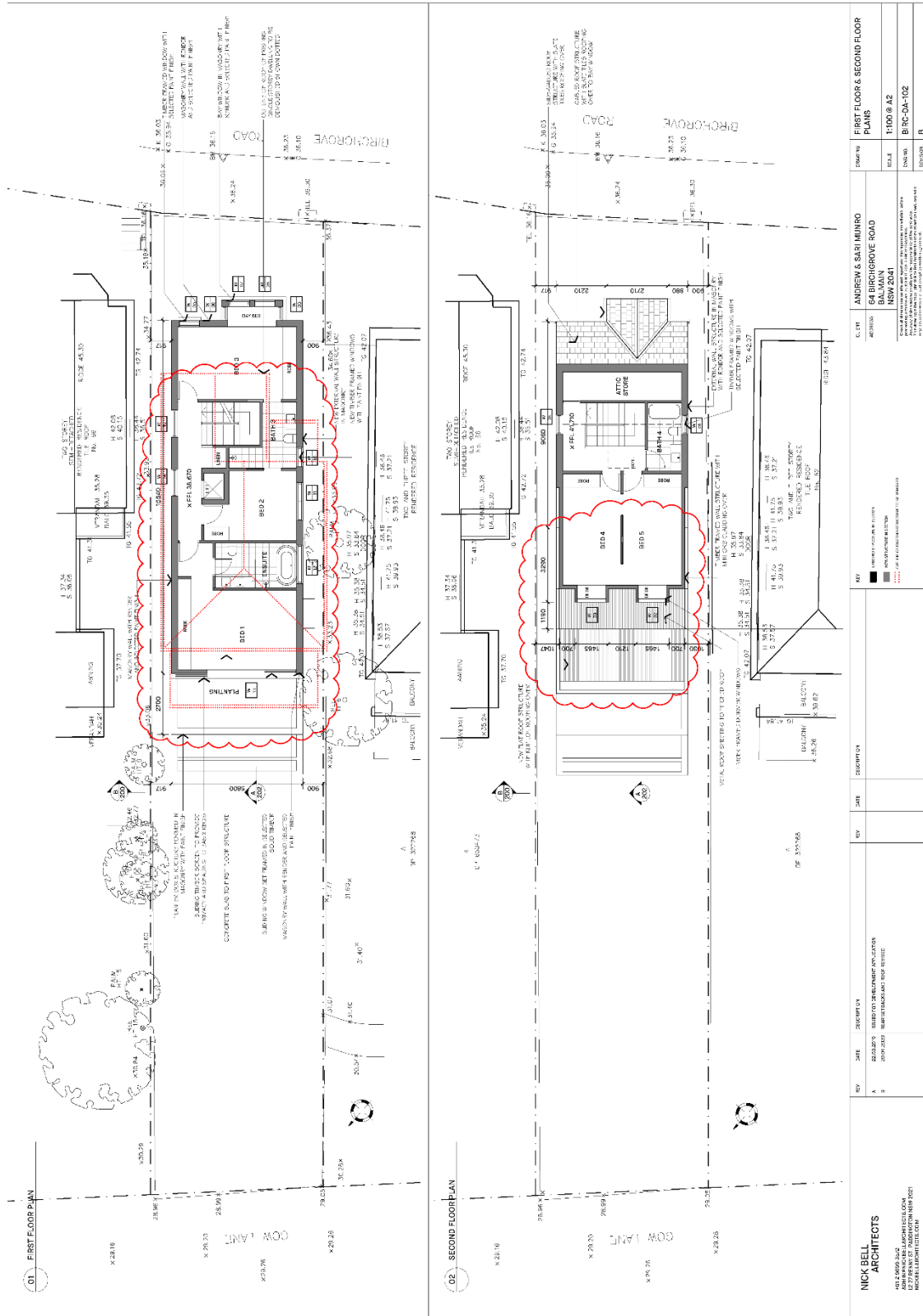
Attachment D – Approved Plans – D/2019/154





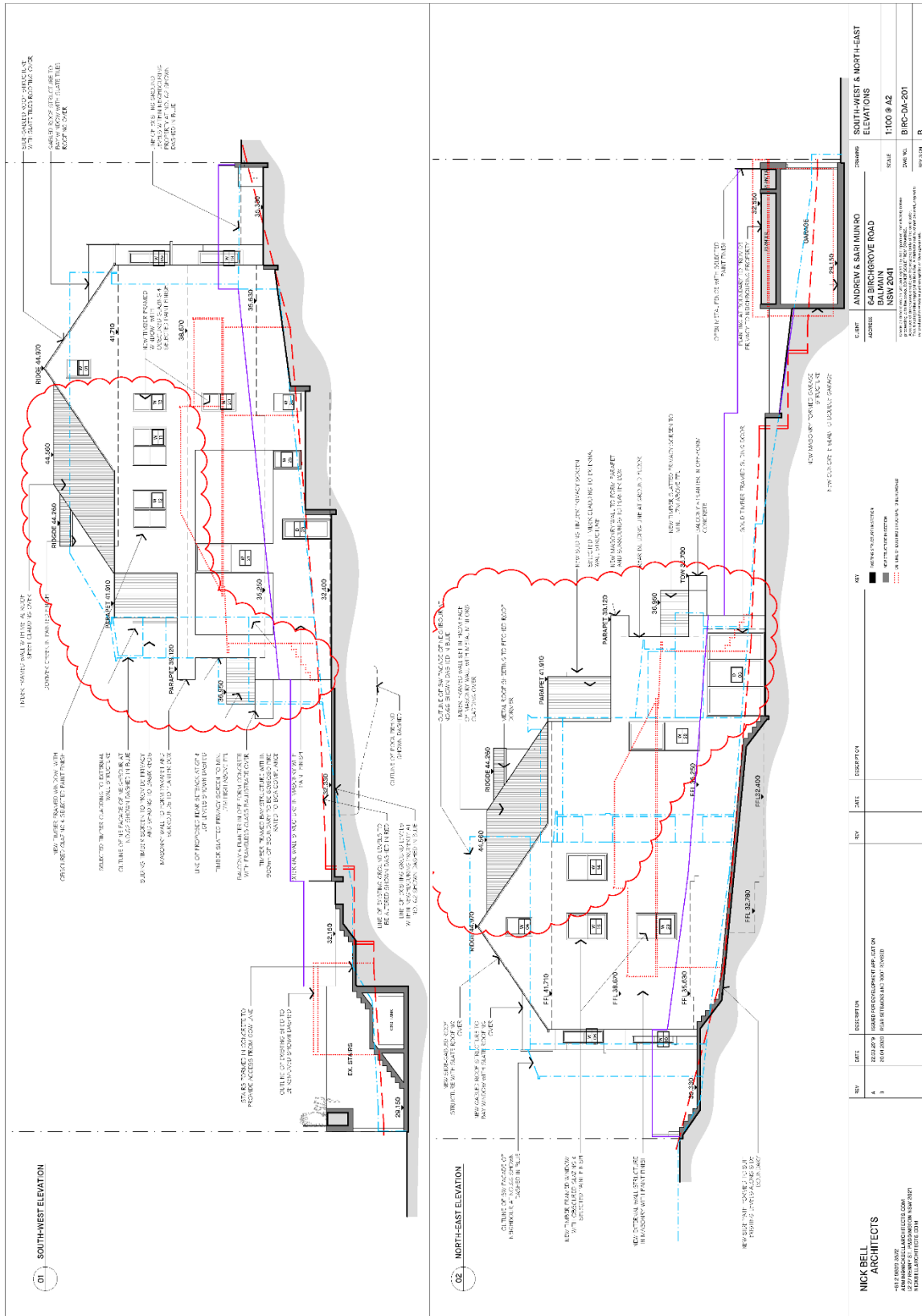
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B	20.03.20	ISSUED FOR PERMIT APPLICATION			

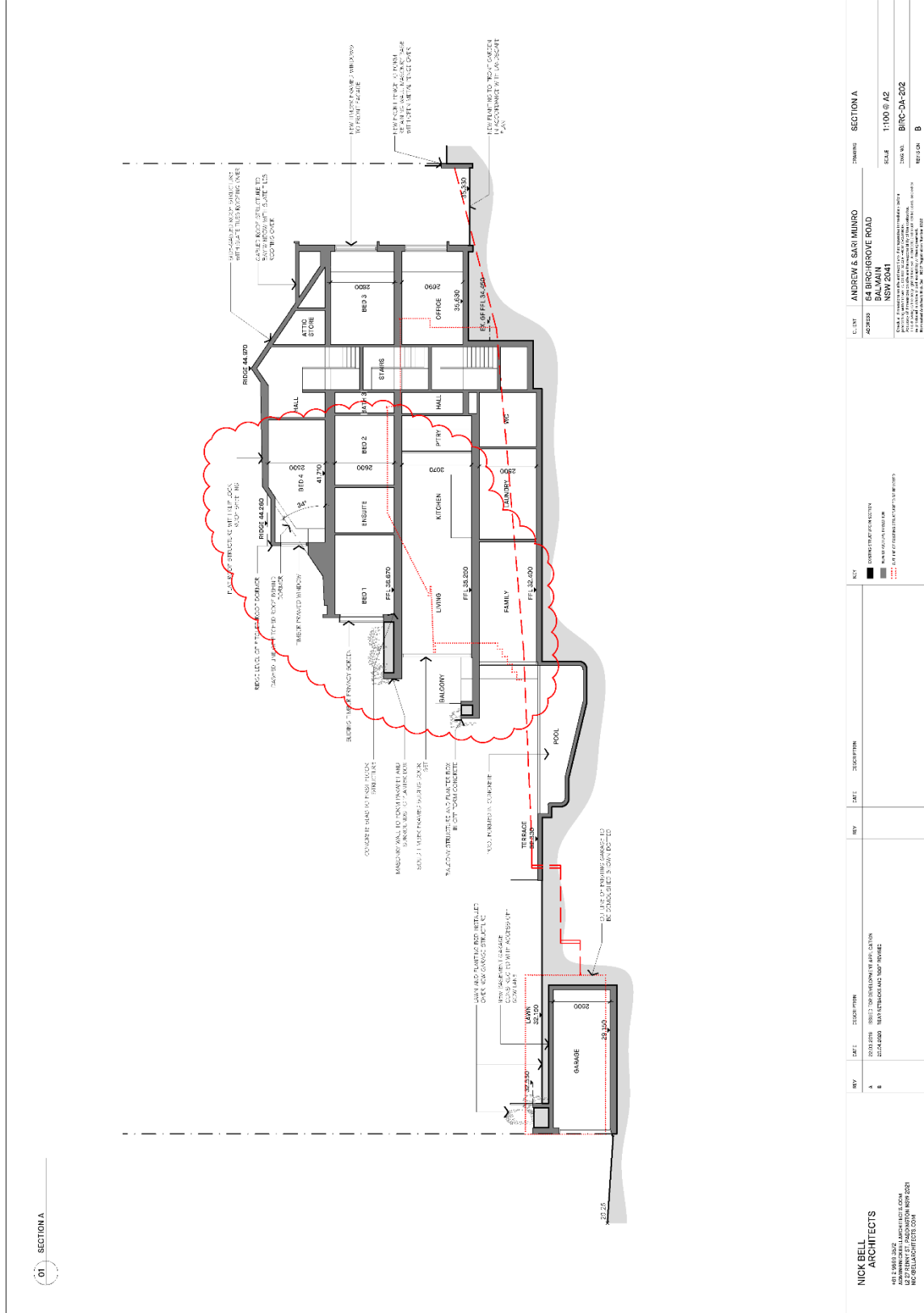
NICK BELL ARCHITECTS 4/25 BROADWAY SYDNEY NSW 2009 PH: 02 9550 3522 WWW.NICKBELLARCHITECTS.COM INFO@NICKBELLARCHITECTS.COM	CLIENT: ANDREW & SARI MUNIRO ADDRESS: 64 BIRCHGROVE ROAD BALMAIN NSW 2041 PROJECT NO: BIRC-DA-101 REVISION: B
--	--



REV	DATE	DESCRIPTION	BY	CHK	DESCRIPTION
A	20/03/2019	ISSUED FOR DEVELOPMENT APPLICATION			
B	20/03/2019	REVISIONS TRACKING FOR REVISION			

<p>NICK BELL ARCHITECTS 415 LAMAR STREET BALMAIN NSW 1501 02 9550 1100 nbell@nbellarchitects.com.au nbell.com.au</p>	<p>ANDREW & SARI MUNIRO BALMAIN 64 BIRCHGROVE ROAD BALMAIN NSW 1501</p>	<p>DATE: 20/03/2019 DRAWING NO: 11000 @ A2 DRAWING TITLE: BIRCHGROVE-102</p>
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ITEM	MATERIAL	FINISH	COLOR
F01	TRIM	PAINT	NATURAL
F02	OFF FORM CONCRETE	-	FRISKIN BRN-POC
F03	TIMBER FRAMED ROOFS & WIND.	-	RESIDUE EMATIC SEA
F04	TRIM	PAINT	RESIDUE EMATIC SEA
F05	SLATE ROOF TILES	-	RESIDUE EMATIC SEA
F06	STEEL	PAINT	RESIDUE EMATIC SEA
F07	STEEL	PAINT	RESIDUE EMATIC SEA
F08	SOLID TIMBER	PAINT	RESIDUE EMATIC SEA
F09	STEEL WOOD SLIPPING	-	RESIDUE EMATIC SEA
F10	VC BRICK ROOFS & WINDOWS	-	RESIDUE EMATIC SEA
F11	FRAMING CLASH	-	RESIDUE EMATIC SEA
F12	VC ASH CLADDING	-	RESIDUE EMATIC SEA
F13	STEEL WINDOOR	-	RESIDUE EMATIC SEA
F14	FLAT METAL SHEET	-	RESIDUE EMATIC SEA
F15	STEEL WINDOOR	-	RESIDUE EMATIC SEA
F16	TIMBER FRAMED ROOFS & WIND.	-	RESIDUE EMATIC SEA
F17	STEEL GARAGE DOOR	-	RESIDUE EMATIC SEA

REV	DATE	DESCRIPTION	BY	CHK
A	17/01/21	ISSUED FOR ARCHITECTURAL CONSULTATION		

OWNER	ADDRESS	PROJECT NO.	SCALE	SCHEDULE OF EXTERNAL FINISHES
ANDREW & SARI MUNIRO	64 BIRCHBORO ROAD	2000/01	1:100 @ A2	2000/01
BALMAIN	NSW 2041			B-RC-JA-B20

NICK BELL ARCHITECTS
 401 E 2ND ST
 ADMIRALTY BARRIERS ROOM
 1000 WASHINGTON BLVD
 WASHINGTON DC 20001