





INNER WEST

DEVELOPMENT ASSESSMENT REPORT

Application No.	DA/2023/0166
Address	44 Park Avenue ASHFIELD NSW 2131
Proposal	Alterations and additions to the existing dwelling house including extension of first floor and reconfiguration of first floor rooftop terrace.
Date of Lodgement	14 March 2023
Applicant	Ms Stacy Warren
Owner	Ms Alaine Z De Saram Ms Stacy Warren
Number of Submissions	Nil
Value of works	\$144,720.00
Reason for determination at Planning Panel	Overall floor space ratio exceeding 10%
Main Issues	Non-compliance with floor space ratio
Recommendation	Approved with Conditions
Attachment A	Recommended conditions of consent
Attachment B	Plans of proposed development
Attachment C	Clause 4.6 Variation Request
Attachment D	Heritage Impact Statement



LOCALITY MAP

Subject Site		Objectors		↑ N
Notified Area		Supporters		

1. Executive Summary

This report is an assessment of the application submitted to Council for alterations and additions to the existing dwelling house including an extension to the first floor and reconfiguration of the first floor rooftop terrace at 44 Park Avenue ASHFIELD.

The application was notified to surrounding properties and no submissions were received in response to the notification.

The main issue that has arisen from the application includes:

- Non-compliance with floor space ratio – 29.12% or 22.56m² variation to development standard.

The non-compliance is acceptable and therefore the application is recommended for approval.

2. Proposal

The current application seeks consent for alterations and additions to the existing dwelling including extension to the first floor and reconfiguration of the first floor rooftop terrace.

In particular the following works are proposed:

- Removal of the dining room rear facing window and replacement with new bifold windows;
- Installation of a new sliding door with an awning to the eastern side of dining room;
- Minor increase in the height of the corridor door facing the eastern side boundary and installation of an awning;
- Demolition of the metal shed;
- Reconfiguration of the first floor terrace by construction of a bathroom off the study room;
- Use of the existing main roof space for storage;
- Demolition of the existing main roof space for installation of a skylight; and
- Replacement of the existing rear swing gate with a new sliding gate.

3. Site Description

The subject site is located on the southern side Park Avenue between Holden Street and Shepherd Lane. The site is a regular allotment and legally described as Lot 1 in DP 745309. The site area is approximately 154m² with a primary frontage to Park Avenue and rear access from Palace Lane. An existing 2 storey semi-detached dwelling and a detached single storey shed is located on the site.

Surrounding land uses are predominantly single and two storey dwelling houses and semi-detached dwellings.

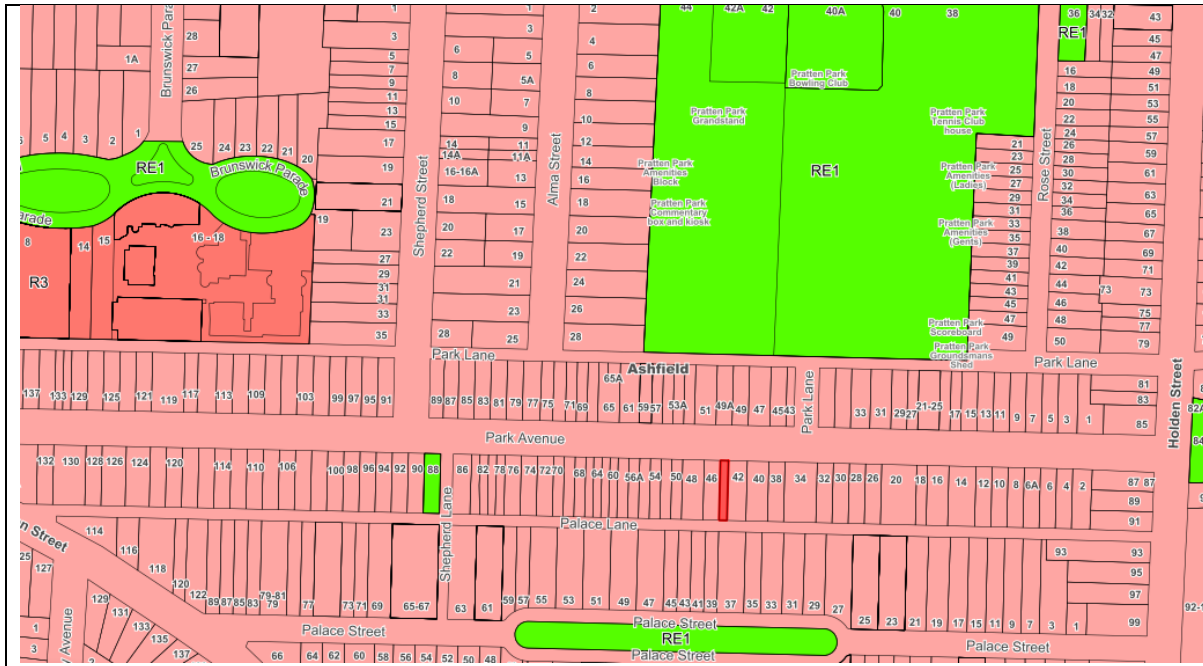


Figure 1: Zoning Map – Subject site identified by red box

4. Background

4(a) Site history

The following application outlines the relevant development history of the subject site and any relevant applications on surrounding properties.

Subject Site

Application	Proposal	Decision & Date
010.2013.00000193.001	Alterations and additions to dwelling including new first floor and a deck.	Approved – 26/12/2013

Surrounding Properties

No recent approvals of relevance

4(b) Application history

A Pre-DA was submitted to Council for alterations and additions to the rear of the heritage listed semi-detached dwelling. The advice issued on 23 November 2022 raised the following matters to be addressed;

- Impact on Heritage Item/Conservation Area;
- Non-compliance with FSR development standard and provision of a Clause 4.6 variation as part of any future DA;
- Bulk and scale, siting, envelope; and
- Parking limitations.

5. Assessment

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

5(a) Environmental Planning Instruments

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

- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*

The following provides further discussion of the relevant issues:

5(a)(i) SEPP (Resilience and Hazards) 2021

Chapter 4 Remediation of land

Section 4.16 (1) of the SEPP requires the consent authority not consent to the carrying out of any development on land unless:

- “(a) *it has considered whether the land is contaminated, and*
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.”*

In considering the above, there is no evidence of contamination on the site.

There is no indication of uses listed in Table 1 of the contaminated land planning guidelines within Council's records. The land will be suitable for the use as there is no indication of contamination.

5(a)(ii) SEPP (Building Sustainability Index: BASIX) 2004

The applicant has included a BASIX Certificate as part of the lodgement of the application (lodged within 3 months of the date of the lodgement of this application) in compliance with the *EP&A Regulation 2021*.

5(a)(iii) *Inner West Local Environment Plan 2022 (IWLEP 2022)*

The application was assessed against the following relevant clauses of the *Inner West Local Environmental Plan 2022*:

- Clause 1.2 - Aims of Plan
- Clause 2.3 - Land Use Table and Zone Objectives
- Clause 2.7 - Demolition
- Clause 4.3 - Height of buildings
- 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 5.10 – Heritage Conservation

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

The site is zoned R2 – Low Density Residential under the IWLEP 2022. The IWLEP 2013 defines the development as:

Semi-detached dwelling means a dwelling that is on its own lot of land and is attached to only one other dwelling.

The development is permitted with consent within the land use table. The development is consistent with the objectives of the R2 – Low Density Residential zone.

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

Standard	Proposal	non compliance	Complies
Height of Building Maximum permissible: 8.5m	Proposal does not alter the existing building height, and additions proposed to be 5.8 metres in height.	N/A	Existing
Floor Space Ratio Maximum permissible: 0.5:1 or 77.45m ²	Existing: 0.605:1 or 93.71m ² Proposed: 0.646:1 or 100.01m ² Increase from existing Gross Floor Area: 6.78% or 6.3m ²	N/A	No – See discussion below

(ii) Clause 4.6 – Exceptions to Development StandardsClause 4.4(2) – Floor Space Ratio development standard

The applicant seeks a variation to the Floor Space Ratio Development Standard prescribed by Clause 4.4 of the *IWLEP 2022* by 22.56m² or 29.12%, noting the proposed variation above the existing approved FSR is 6.78% or 6.3m².

Clause 4.6 allows Council to vary development standards in certain circumstances and provides an appropriate degree of flexibility to achieve better design outcomes.

In order to demonstrate whether strict numeric compliance is unreasonable and unnecessary, in this instance, the proposed exception to the development standard has been assessed against the objectives and provisions of Clause 4.6 of the *Inner West Local Environmental Plan 2022* below.

The objectives of the Floor Space Ratio development standard are as follows:

- *To establish a maximum floor space ratio to enable appropriate development density,*
- *To ensure development density reflects its locality,*
- *To provide an appropriate transition between development of different densities,*
- *To minimise adverse impacts on local amenity,*
- *To increase the tree canopy and to protect the use and enjoyment of private properties and the public domain.*

The objectives of the R2 Low Density Residential zone are as follows:

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

A written request has been submitted to Council in accordance with section 4.6(4)(a)(i) of the *IWLEP 2022* justifying the proposed contravention of the development standard which is summarised as follows:

- The existing dwelling is already over FSR. The proposal seeks approval for an additional 6.38m², which is minimal within this context. The proposed variation to the currently approved FSR is only 6.78% and sits entirely within the existing terrace and current building footprint and will not have any detrimental effects on the surrounding properties.
- The works will retain the existing dwelling and character, while improving its functionality, liveability, and sustainability. The works better address the needs of the current owners, make best use of available space and provides better connection between internal and external spaces.

- Other than the FSR exceedance, the proposal complies with all development standards and requirements under the Inner West LEP (2022) and the Inner West Comprehensive Development Control Plan 2016 (DCP 2016).
- The proposal is considered satisfactory with a minimal variation to the standard. The proposed additions have been kept to the minimum with additional floor area to facilitate a second bathroom to better accommodate the current owner's needs.
- The only increase in GFA is a result of the partial enclosure of the existing first floor terrace to build a new ensuite bathroom.
- The proposed overall bulk and scale will not be out of place on the site and the development is comparable in scale to neighbouring developments. The proposed built form is consistent with the existing development.
- The proposed built form is consistent with heritage conservation values and will maintain the contribution of the site to the streetscape of Park Avenue. In the context, the proposal will provide a built form outcome compatible in terms of bulk, scale, character and visual impact.
- The proposal will not materially affect the solar access or privacy of adjoining properties.

The applicant's written rationale has adequately demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

It is considered the development is in the public interest because it is consistent with the objectives of the R2 Low Density Residential zone, in accordance with Section 4.6(4)(a)(ii) of the *IWLEP 2022* for the following reasons:

- The proposed alterations and additions enhance the useability of the existing dwelling on the site, thus providing for the housing needs of the community within a low-density residential environment.
- The proposed alterations and additions would maintain the character of the built and natural features in the surrounding area.

It is considered that the development is in the public interest because it is consistent with the objectives of the floor space ratio development standard, in accordance with Clause 4.6(4)(a)(ii) of the *Inner West Local Environmental Plan 2022* for the following reasons:

- The existing built form significantly departs from the FSR standard, in which the departure marginally increases.
- The alterations and additions are proposed at the rear wing of the existing dwelling not visible from the street including an increase in GFA as a result of the partial enclosure of the existing first floor terrace to build a new ensuite bathroom. The visual bulk and scale of the building as a result of the proposed alterations and additions would be consistent with the pattern of surrounding developments.

The contravention of the development standard does not raise any matter of significance for State and Regional Environmental Planning. Council may assume the concurrence of the Director-General under the Planning Circular PS 18-003 issued in February 2018 in accordance with section 4.6(4)(b) of the Local Environmental Plan.

The proposal therefore, accords with the objective of Clause 4.6(1)(b) and requirements of Clause 4.6(3)(b) of the IWLEP 2022 and for the reasons outlined above, the Clause 4.6 exception request is supported.

(iii) Clause 5.10 – Heritage Conservation

The subject property at 44 Park Avenue, Ashfield, is listed as a heritage item ‘Semi-detached house, including interiors’, in Schedule 5 of the Inner West Local Environmental Plan 2022 (ITEM NO. I318). The subject site is also located within Park Avenue Heritage Conservation Area.

The application was referred to Council’s Heritage Advisor for comments who did not raise objections to the proposal from a heritage perspective subject to design changes identified below:

- A pre-coloured traditional corrugated steel shall be used for the new bathroom roofing, finished in a colour equivalent to Colorbond colours “Windspray” or “Wallaby”.
- The slat privacy screen on the terrace is to be made using traditional timber materials.
- Deletion of the proposed skylight in the rear of the original roof form.

The above recommendations have been imposed as conditions in the recommended conditions of consent.

5(b) Development Control Plans

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

IWCDCP2016	Compliance
Section 2 – General Guidelines	
A – Miscellaneous	
1 - Site and Context Analysis	Yes
2 - Good Design	Yes
3 - Flood Hazard	Yes
4 - Solar Access and Overshadowing	Yes
6 - Safety by Design	Yes
7 - Access and Mobility	Yes
8 - Parking	Yes
C - Sustainability	
1 – Building Sustainability	Yes
2 – Waste and Recycling Design & Management Standards	Yes
E – Heritage Items and Conservation Areas (excluding Haberfield)	
2 – Heritage Items	Yes
3 – Heritage Conservation Areas	Yes
F – Development Category Guidelines	
1 – Dwelling houses and dual occupancy	Yes

The following provides discussion of the relevant issues:

Good Design and Visual Privacy

The development is well designed and appropriately considers context, scale, built form, density, energy and water efficiency, landscape, amenity, safety and security and aesthetics.

The development proposes a 1m high privacy screen on the first floor level terrace to screen off the proposed bathroom from the adjoining property to the east. A search of the Council's records revealed that a 1.7m high privacy screen was approved for the first floor level courtyard under development application 10.2013.193.1. A site inspection at the subject site revealed that unauthorised works have been carried out without Council's consent including replacement of the 1.7m high privacy screen with a 1m high aluminium privacy screen. A design change condition has been recommended requiring installation of a 1.7m high timber privacy screen on the terrace to avoid any opportunities for overlooking into the living area of the adjoining property to the east. Subject to this condition, the design of the development is considered acceptable.

Heritage Items

The proposal includes the addition of a skylight in the rear of the original roof form. This will result in the partial demolition of the original roof form. A skylight has previously been added, and this provides the necessary light and ventilation to the roof storage space. The development proposes use of the roof space as a storage space or study as stated in the accompanying Statement of Environmental Effects, however the plans do not show the use of this room changing nor provides adequate information demonstrating that it can meet the requirements of the National Construction Code as habitable space. Use of the roof space for habitable purpose and conversion into an attic is not supported. A design change condition has been recommended to be imposed on any consent requiring the deletion of the proposed new skylight that will limit the use of the roof space to storage only.

Subject to recommended conditions of consent the revised design meets the objectives and controls for good design as outlined within the DCP. The proposal is acceptable and recommended for approval.

5(c) The Likely Impacts

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

5(d) 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(e) Any submissions

The application was notified in accordance with the Community Engagement Framework for a period of 14 days to surrounding properties. No submissions were received in response to the notification.

5(f) The Public Interest

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

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.

- Development Engineering
- Heritage

7. Section 7.11 Contributions/7.12 Levy

N/A

8. Conclusion

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

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

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

9. Recommendation

That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the Environmental Planning and Assessment Act 1979, grant consent to Development Application No. DA/2023/0166 for alterations and additions to the existing dwelling house including extension to the first floor and reconfiguration of first floor rooftop terrace at 44 Park Avenue, Ashfield, subject to the conditions listed in Attachment A below.

Attachment A – Recommended conditions of consent

CONDITIONS OF CONSENT

DOCUMENTS RELATED TO THE CONSENT

1. Documents related to the consent

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

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
WAR-01, Revision D	Site Plan	02/03/2023	Hecticrat Architects
WAR-02, Revision D	Ground Floor	02/03/2023	Hecticrat Architects
WAR-03, Revision D	First Floor	02/03/2023	Hecticrat Architects
WAR-04, Revision D	Ground Floor	02/03/2023	Hecticrat Architects
WAR-05, Revision D	First Floor	02/03/2023	Hecticrat Architects
WAR-06, Revision D	Elevations (1)	02/03/2023	Hecticrat Architects
WAR-07, Revision D	Elevations (2)	02/03/2023	Hecticrat Architects
WAR-08, Revision D	Colours and Materials	02/03/2023	Hecticrat Architects
A486562	BASIX Certificate	29/01/2023	Hecticrat Architects

As amended by the conditions of consent.

FEES

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:	\$2,800.00
Inspection Fee:	\$350.00

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

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

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

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

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

GENERAL CONDITIONS**3. Stormwater Drainage System – Simple**

Stormwater runoff from all roof and paved areas within the property must be collected in a system of gutters, down pipe, pits and pipelines discharged by gravity to the kerb and gutter of a public road. Stormwater runoff from proposed new or altered roof areas may be discharged to the existing site drainage system.

Any existing component of the stormwater system that is to be retained, must be checked and certified by a Licensed Plumber or qualified practising Civil Engineer to be in good condition and operating satisfactorily.

If any component of the existing system is not in good condition and /or not operating satisfactorily and/or impacted by the works, the drainage system must be upgraded to discharge by gravity to the kerb and gutter of a public road.

4. Design Change

Prior to the issue of a Construction Certificate, the Certifying Authority is required to be provided with amended plans with the following design changes:

- a. A pre-coloured traditional corrugated steel must be used for the new bathroom roofing, finished in a colour equivalent to Colorbond colours "Windspray" or "Wallaby".
- b. The slat privacy screen on the terrace must be 1.7 metre in height and made using traditional timber materials and have a 75% blockout density.
- c. The skylight proposed in the rear of the original roof form must be deleted.
- d. The timber fence at the rear of the site is to be amended such that two out of the three timber rear fence panels are to be fixed in place to prevent vehicular parking.

5. Works Outside the Property Boundary

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

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. Waste Management Plan

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

8. Use of Roof Space

The roof space must not be used as a habitable space.

9. 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.

PRIOR TO ANY DEMOLITION

10. Hoardings

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

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

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

11. Construction Fencing

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

12. Dilapidation Report

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

13. Advising Neighbours Prior to Excavation

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

PRIOR TO CONSTRUCTION CERTIFICATE**14. 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.

15. Sydney Water – Tap In

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

Note: Please refer to the web site <http://www.sydneywater.com.au/tapin/index.htm> for details on the process or telephone 13 20 92

16. Structural Certificate for retained elements of the building

Prior to the issue of a Construction Certificate, the Certifying Authority is required to be provided with a Structural Certificate prepared by a practising structural engineer, certifying the structural adequacy of the property and its ability to withstand the proposed additional, or altered structural loads during all stages of construction. The certificate must also include all details of the methodology to be employed in construction phases to achieve the above

requirements without result in demolition of elements marked on the approved plans for retention.

DURING DEMOLITION AND CONSTRUCTION

17. 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.

PRIOR TO OCCUPATION CERTIFICATE

18. Protect Sandstone Kerb

Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that any stone kerb, damaged as a consequence of the work that is the subject of this development consent, has been replaced.

ADVISORY NOTES

Permits

Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent must obtain all applicable Permits from Council in accordance with Section 68 (Approvals) of the *Local Government Act 1993* and/or Section 138 of the *Roads Act 1993*. Permits are required for the following activities:

- a. Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application;
- b. A concrete pump across the roadway/footpath;
- c. Mobile crane or any standing plant;
- d. Skip Bins;
- e. Scaffolding/Hoardings (fencing on public land);
- f. Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.;
- g. Awning or street veranda over the footpath;
- h. Partial or full road closure; and
- i. Installation or replacement of private stormwater drain, utility service or water supply.

If required contact Council's Road Access team to ensure the correct Permit applications are made for the various activities. Applications for such Permits must be submitted and approved by Council prior to the commencement of the works associated with such activity.

Insurances

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

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.

Useful Contacts

BASIX Information	1300 650 908 weekdays 2:00pm - 5:00pm www.basix.nsw.gov.au
Department of Fair Trading	13 32 20 www.fairtrading.nsw.gov.au

		Enquiries relating to Owner Builder Permits and Home Warranty Insurance.
Dial 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 Corporation	Payments 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.

Dial before you dig

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

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.

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.

Dividing Fences Act

The person acting on this consent must comply with the requirements of the *Dividing Fences Act 1991* in respect to the alterations and additions to the boundary fences.

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.

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.

Obtaining Relevant Certification

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

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

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*.

Failure to comply with conditions

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

Other 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.

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.

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.

Prescribed Conditions

This consent is subject to the prescribed conditions of consent within Sections 69-86 of the *Environmental Planning and Assessment Regulations 2021*.

Permits from Council under Other Acts

Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent must obtain all applicable Permits from Council in accordance with Section 68 (Approvals) of the *Local Government Act 1993* and/or Section 138 of the *Roads Act 1993*. Permits are required for the following activities:

- a. Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application;
- b. A concrete pump across the roadway/footpath;
- c. Mobile crane or any standing plant;
- d. Skip bins;
- e. Scaffolding/Hoardings (fencing on public land);
- f. Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.;
- g. Awning or street verandah over footpath;
- h. Partial or full road closure; and
- i. Installation or replacement of private stormwater drain, utility service or water supply.

Contact Council's Road Access team to ensure the correct Permit applications are made for the various activities. A lease fee is payable for all occupations.

Asbestos Removal

A demolition or asbestos removal contractor licensed under the Work Health and Safety Regulations 2011 must undertake removal of more than 10m² of bonded asbestos (or otherwise specified by WorkCover or relevant legislation).

Removal of friable asbestos material must only be undertaken by a contractor that holds a current Class A Friable Asbestos Removal Licence.

Demolition sites that involve the removal of asbestos must display a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos has been removed from the site to an approved waste facility.


All asbestos waste must be stored, transported and disposed of in compliance with the Protection of the Environment Operations (Waste) Regulation 2014. All receipts detailing method and location of disposal must be submitted to Council as evidence of correct disposal.

Noise

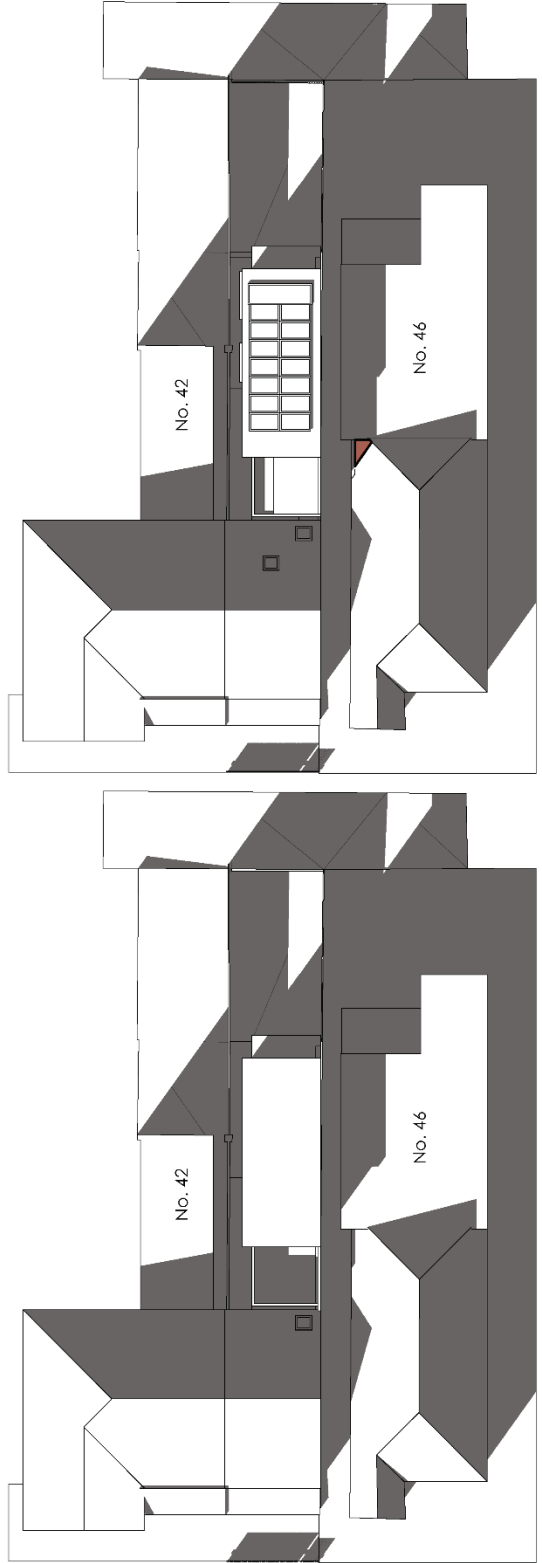
Noise arising from the works must be controlled in accordance with the requirements of the *Protection of the Environment Operations Act 1997*.

Attachment B – Plans of proposed development

A3 SHEET SIZE



N



June 0900 Existing
1:200

June 0900 Proposed
1:200

hecticrat architects	15 Park Ave, Ashfield NSW 1530 PHONE 9832 3779/98 admin@hcticrat.com.au	Client STACY WARREN	TITLE ADDITIONS & ALTERATIONS 44 PARK AVENUE ASHFIELD	PROJECT CODE SHADOWS (JUNE - 0900)	DATE 09/06/2023 DRAWN BY PBE CHECKED BY PBE DATE OF DRAWING 09/06/2023	PROJECT ID WAR-10
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Document Set ID: 37518574
Version: 1, Version Date: 14/03/2023

A3 SHEET SIZE

June 1000 Existing
1:200

June 1000 Proposed
1:200

hecticrat architects

Client: **STACY WARREN**

Project: **ADDITIONS & ALTERATIONS**
44 PARK AVENUE
ASHFIELD

Scale: **DEVELOPMENT APPLICATION**

NO.	DATE	DESCRIPTION	BY	CHKD.

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Scale: 1:200

Date: 11/08/2024

Scale: 1:200


Date: 12/08/2024

Project No: **WAR-11 D**

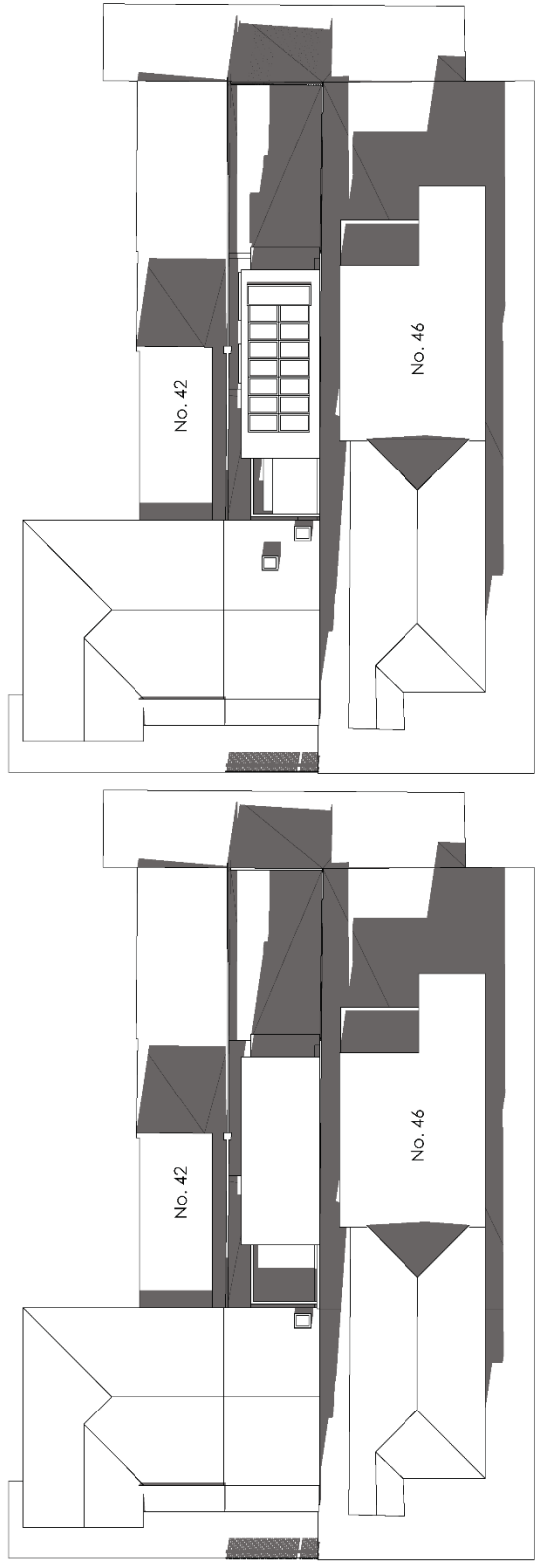
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Document Set ID: 37516574
Version: 1, Version Date: 14/03/2023

A3 SHEET SIZE



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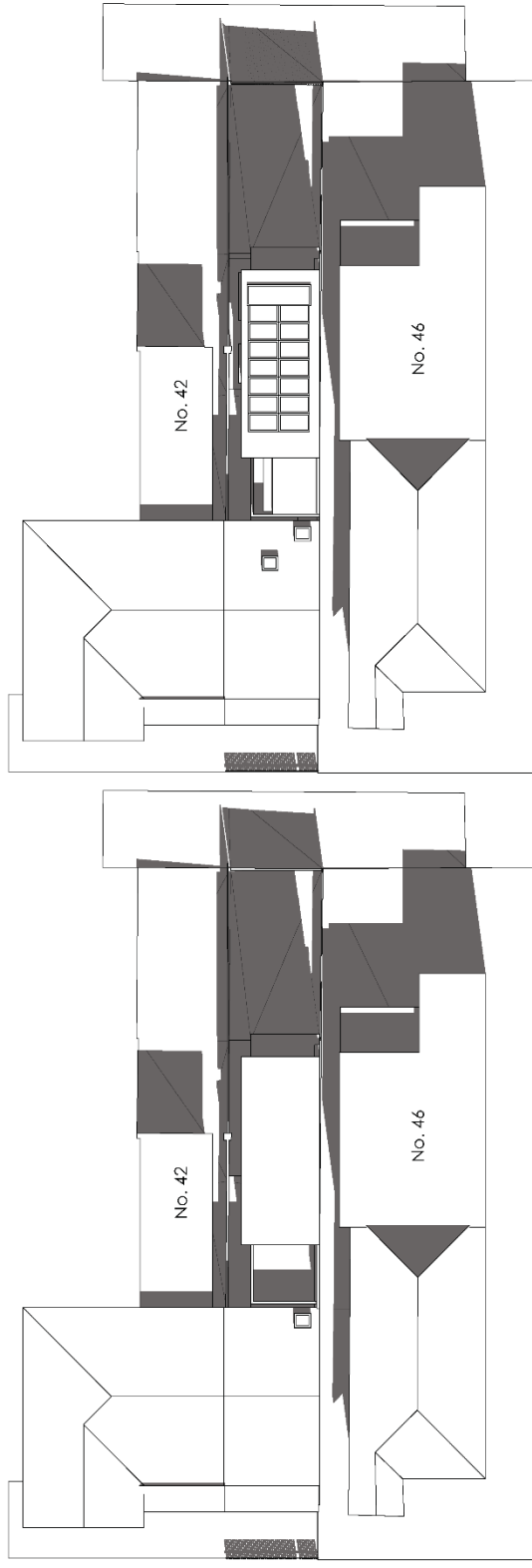
<p>hecticrat architects</p> <p>10/100-10/100-1000 10/100-1000-1000 10/100-1000-1000 10/100-1000-1000</p>	<p>Client STACY WARREN</p>	<p>ADDITIONS & ALTERATIONS 44 PARK AVENUE ASHFIELD</p> <p>TYPE: DEVELOPMENT APPLICATION</p>	<p>DATE: 11/08/2023 DATE: 11/08/2023</p>	<p>DATE: 11/08/2023 DATE: 11/08/2023</p>	<p>DATE: 11/08/2023 DATE: 11/08/2023</p>
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Document Set ID: 37516574
Version: 1, Version Date: 14/03/2023

A3 SHEET SIZE



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June 1200 Existing
1:200


June 1200 Proposed
1:200

<p>hecticrat architects</p> <p>PO Box 467, 55148 Road Dunedin 9102 Mobile 02142 317938 central@hecticrat.com.au</p>	<p>Client STACY WARREN</p>	<p>ADDITIONS & ALTERATIONS 44 PARK AVENUE ASHFIELD</p> <p>TYPE: DEVELOPMENT APPLICATION</p>	<p>DATE: 12/03/2023 SCALE: 1:100 (LVD) DATE: 02/04/2023</p>	<p>DATE: 02/04/2023 SCALE: 1:100 (LVD) DATE: 02/04/2023</p>	<p>DATE: 02/04/2023 SCALE: 1:100 (LVD) DATE: 02/04/2023</p>
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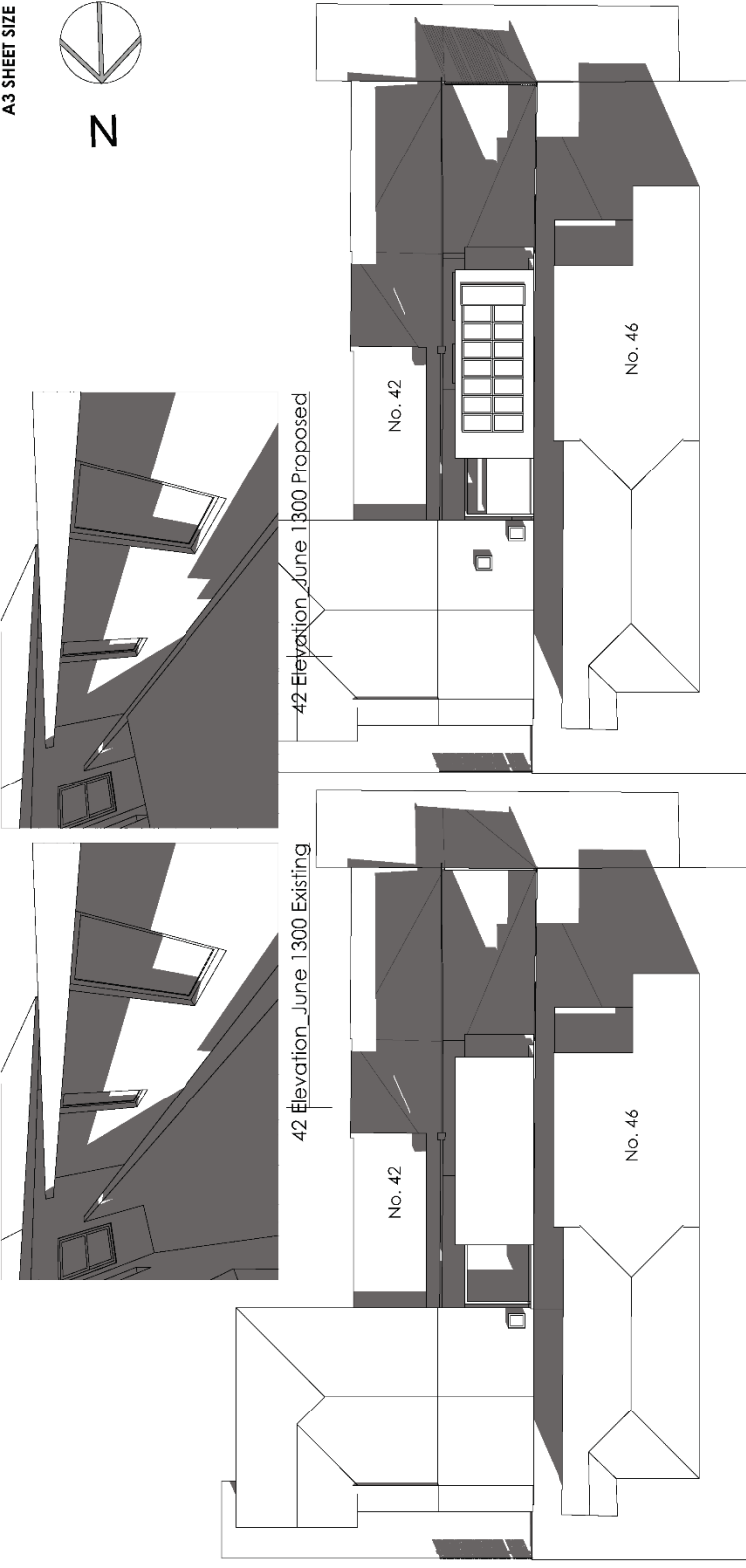
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Document Set ID: 37516574
Version: 1, Version Date: 14/03/2023

A3 SHEET SIZE



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CLIENT	STACY WARREN	PROJECT	ADDITIONS & ALTERATIONS 44 PARK AVENUE ASHFIELD	DATE	11/06/2024
ARCHITECT	hecticrat architects	DATE	11/06/2024	SCALE	1:100 (LVD)
PROJECT NO.	SHADOWS (JUNE - 1300)	DATE	11/06/2024	SCALE	1:100 (LVD)
PROJECT NO.	WAR-14 ID	DATE	11/06/2024	SCALE	1:100 (LVD)
PROJECT NO.	WAR-14 ID	DATE	11/06/2024	SCALE	1:100 (LVD)

Document Set ID: 37516574
Version: 1, Version Date: 14/03/2023

A3 SHEET SIZE



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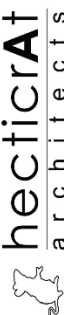
42 Elevation June 1400 Existing

June 1400 Existing
1:200

42 Elevation June 1400 Proposed

June 1400 Proposed
1:200

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17. Project Name 18. Project Address 19. Project Location 20. Project Description 21. Project Status 22. Project Date 23. Project Description	24. Project Name 25. Project Address 26. Project Location 27. Project Description 28. Project Status 29. Project Date 30. Project Description



hecticrat
architects

Client: STACY WARREN

Project: 44 PARK AVENUE ASHFIELD

Project Name: ADDITIONS & ALTERATIONS 44 PARK AVENUE ASHFIELD

Project Description: DEVELOPMENT APPLICATION

Scale: 1:200

Issue Date: 11/08/2024

Project No: 1403

Project Title: SHADOWS (JUNE - 1400)

Project Status: WAR-15 D

PAGE 621

Document Set ID: 37516574
Version: 1, Version Date: 14/03/2023

A3 SHEET SIZE



N



June 1500 Existing
1:200

June 1500 Proposed
1:200

hecticrat architects

Client: **STACY WARREN**
 44 PARK AVENUE
 ASHFIELD

Project: **ADDITIONS & ALTERATIONS**
 44 PARK AVENUE
 ASHFIELD

Scale: **DEVELOPMENT APPLICATION**

Project No: 37516574
 Date: 04/04/2023
 Mobile: 0842 317 938
 www.hecticrat.com.au

Scale: 1:100 (LVD)
 Date: 02/04/2023

Project No: 1981
 Scale: 1:200
 Rev: **WAR-16 D**

A3 SHEET SIZE

Existing first floor terrace to be partially enclosed, no changes to existing roof.

Subject site viewed from rear lane.

Existing backyard and gates (to be replaced)

ROOF 1:200

ADDITIONS & ALTERATIONS
44 PARK AVENUE
ASHFIELD

DEVELOPMENT APPLICATION

Client
STACY WARREN

Project No: 44/2023
Date: 09/04/2024
Mobile: 0412 37 7938
Email: stacy@w-warren.com.au

Project Title
SITE PLAN

Drawing No: 7083
Drawn: 7083
Date: 09/04/2024

Scale: 1:1000 (LVD)
Drawing Date: 09/04/2024

Fixtures and systems

Hot water
The applicant must install the following hot water system in the development: solar (gas-booster) system that is eligible to create Renewable Energy Certificates under the Commonwealth Renewable Energy (Electricity) Regulations 2000 (incorporating minimum Regulations 2000 (No. 2)).

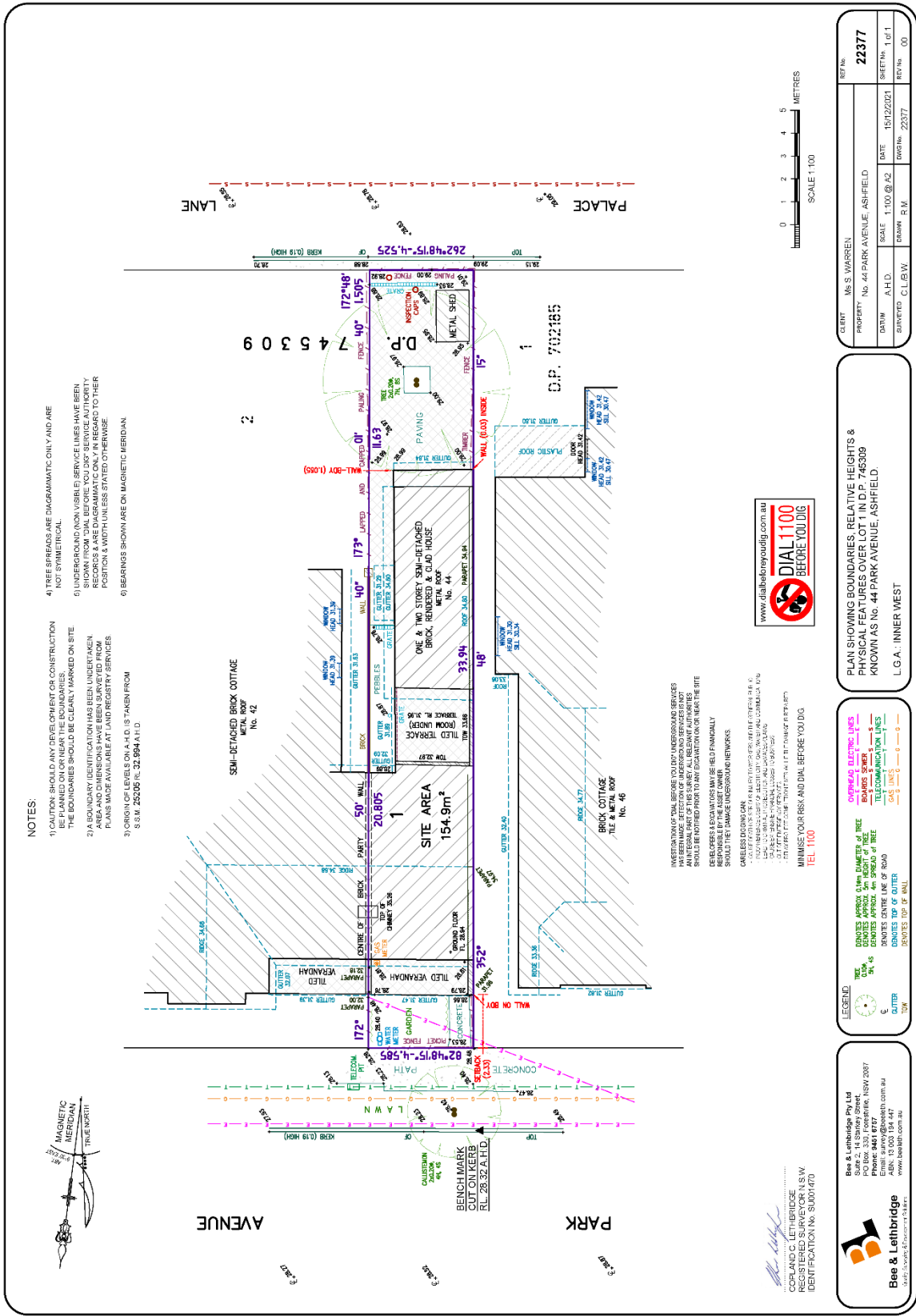
Lighting
The applicant must ensure a minimum of 40% of new or altered light fixtures are fitted with fluorescent, compact fluorescent, or light-emitting diode (LED) lamps.

Fixtures
The applicant must ensure new or altered showerheads have a flow rate no greater than 9 litres per minute or a 3 star water rating.
The applicant must ensure new or altered toilets have a flow rate no greater than 4 litres per average flush or a minimum 3 star water rating.
The applicant must ensure new or altered taps have a flow rate no greater than 3 litres per minute or minimum 3 star water rating.

Construction	Additional insulation required (3 or 4 star)	Other specifications
Floor above existing ceiling or building (warranted floor)	R1.30 (or R1.70 including construction)	light (noise absorption < 0.475)
Roofing, flat roof frames	ceiling R1 (R2 Upl), roof battening	

Windows and glazed doors glazing requirements

Uplow	Uplow height (m)	Uplow distance (m)	Glazing device	Frame and glass type
WYU	4.3	0	600x600mm double glazing	timber or uPVC, single clear, (or Uplow 5.71, SHGC: 0.60)
WOD	2	0	600x600mm double glazing	timber or uPVC, single clear, (or Uplow 5.71, SHGC: 0.60)
WOC	2	0	600x600mm double glazing	timber or uPVC, single clear, (or Uplow 5.71, SHGC: 0.60)
WAG	8.1	0	none	timber or uPVC, single clear, (or Uplow 5.71, SHGC: 0.60)
WTU	2.5	0	600x600mm double glazing	timber or uPVC, single clear, (or Uplow 5.71, SHGC: 0.60)



Fixtures and systems

Hot water
The applicant must install the following hot water system in the development, solar (gas-booster) system that is eligible to create Renewable Energy Certificates under the Commonwealth Renewable Energy (Electricity) Regulations 2000 (incorporating minimum Regulations 2000 (No. 2)).

Lighting
The applicant must ensure a minimum of 40% of new or altered light fixtures are fitted with fluorescent, compact fluorescent, or light-emitting diode (LED) lamps.

Fixtures
The applicant must ensure new or altered showerheads have a flow rate no greater than 6 litres per minute or a 3 star water rating.
The applicant must ensure new or altered toilets have a flow rate no greater than 4 litres per average flush or a minimum 3 star water rating.
The applicant must ensure new or altered taps have a flow rate no greater than 3 litres per minute or minimum 3 star water rating.

Construction	Additional insulation required (32 or 40)	Other specifications
Floor above existing ceiling or building (metal stud)	R1.30 (or R1.70 including construction)	
Roofing, flat roof framed	ceiling R1.02 (up), roof battening	light (lower absorbance < 0.475)

Windows and glazed doors glazing requirements

U-value	E	g	U-value	g	U-value	g	U-value	g	U-value	g
WV10	4.3	0	0	0	0	0	0	0	0	0
W02	2	0	0	0	0	0	0	0	0	0
W03	2	0	0	0	0	0	0	0	0	0
W04	2	0	0	0	0	0	0	0	0	0
W05	2	0	0	0	0	0	0	0	0	0
W06	2	0	0	0	0	0	0	0	0	0
W07	2.5	0	0	0	0	0	0	0	0	0

Roof
The applicant must ensure new or altered showerheads have a flow rate no greater than 6 litres per minute or a 3 star water rating.
The applicant must ensure new or altered toilets have a flow rate no greater than 4 litres per average flush or a minimum 3 star water rating.
The applicant must ensure new or altered taps have a flow rate no greater than 3 litres per minute or minimum 3 star water rating.

Additional insulation required (32 or 40)

Other specifications

Light (lower absorbance < 0.475)

Windows and glazed doors glazing requirements

U-value	E	g	U-value	g	U-value	g	U-value	g	U-value	g
WV10	4.3	0	0	0	0	0	0	0	0	0
W02	2	0	0	0	0	0	0	0	0	0
W03	2	0	0	0	0	0	0	0	0	0
W04	2	0	0	0	0	0	0	0	0	0
W05	2	0	0	0	0	0	0	0	0	0
W06	2	0	0	0	0	0	0	0	0	0
W07	2.5	0	0	0	0	0	0	0	0	0

Additional insulation required (32 or 40)

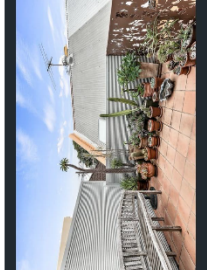
Other specifications

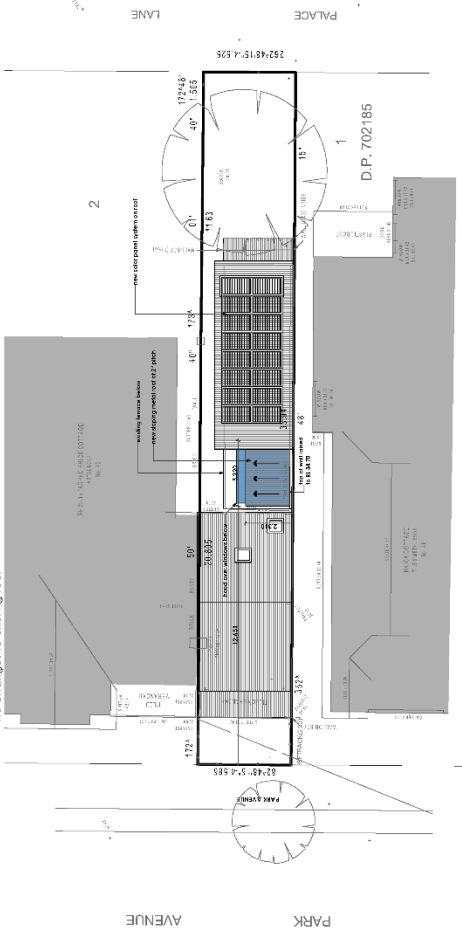
Light (lower absorbance < 0.475)

Windows and glazed doors glazing requirements


U-value	E	g	U-value	g	U-value	g	U-value	g	U-value	g
WV10	4.3	0	0	0	0	0	0	0	0	0
W02	2	0	0	0	0	0	0	0	0	0
W03	2	0	0	0	0	0	0	0	0	0
W04	2	0	0	0	0	0	0	0	0	0
W05	2	0	0	0	0	0	0	0	0	0
W06	2	0	0	0	0	0	0	0	0	0
W07	2.5	0	0	0	0	0	0	0	0	0

Existing first floor terrace to be partially enclosed, no changes to existing roof







Existing backyard and gates (to be replaced)




Existing house viewed from front, no changes visible from street





Subject site viewed from rear lane

ROOF 1:200



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Client: **STACY WARREN**

Project: **ADDITIONS & ALTERATIONS 44 PARK AVENUE ASHFIELD**

Project No: 111901 UNO

Issue Date: 11/08/2023

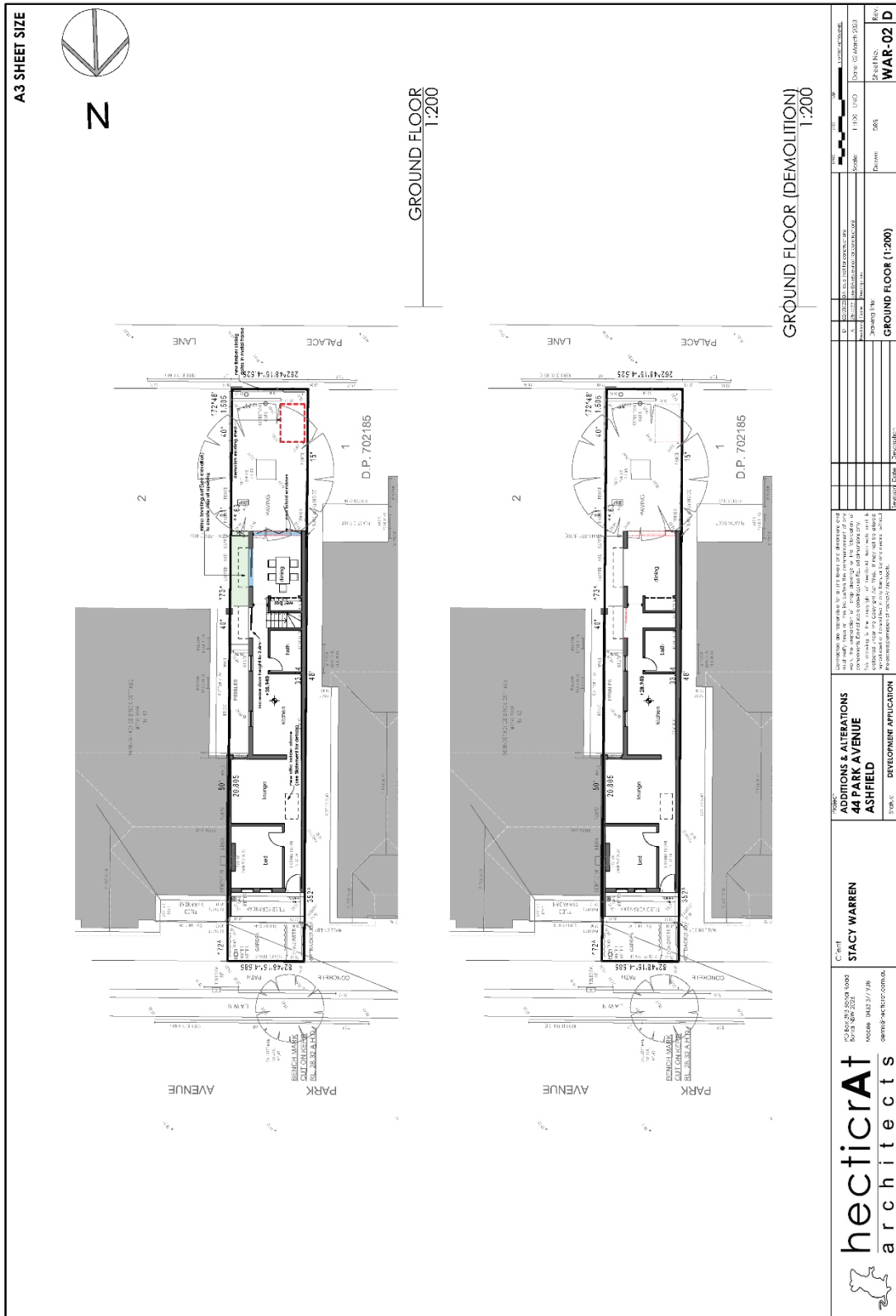
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Drawn: DRS

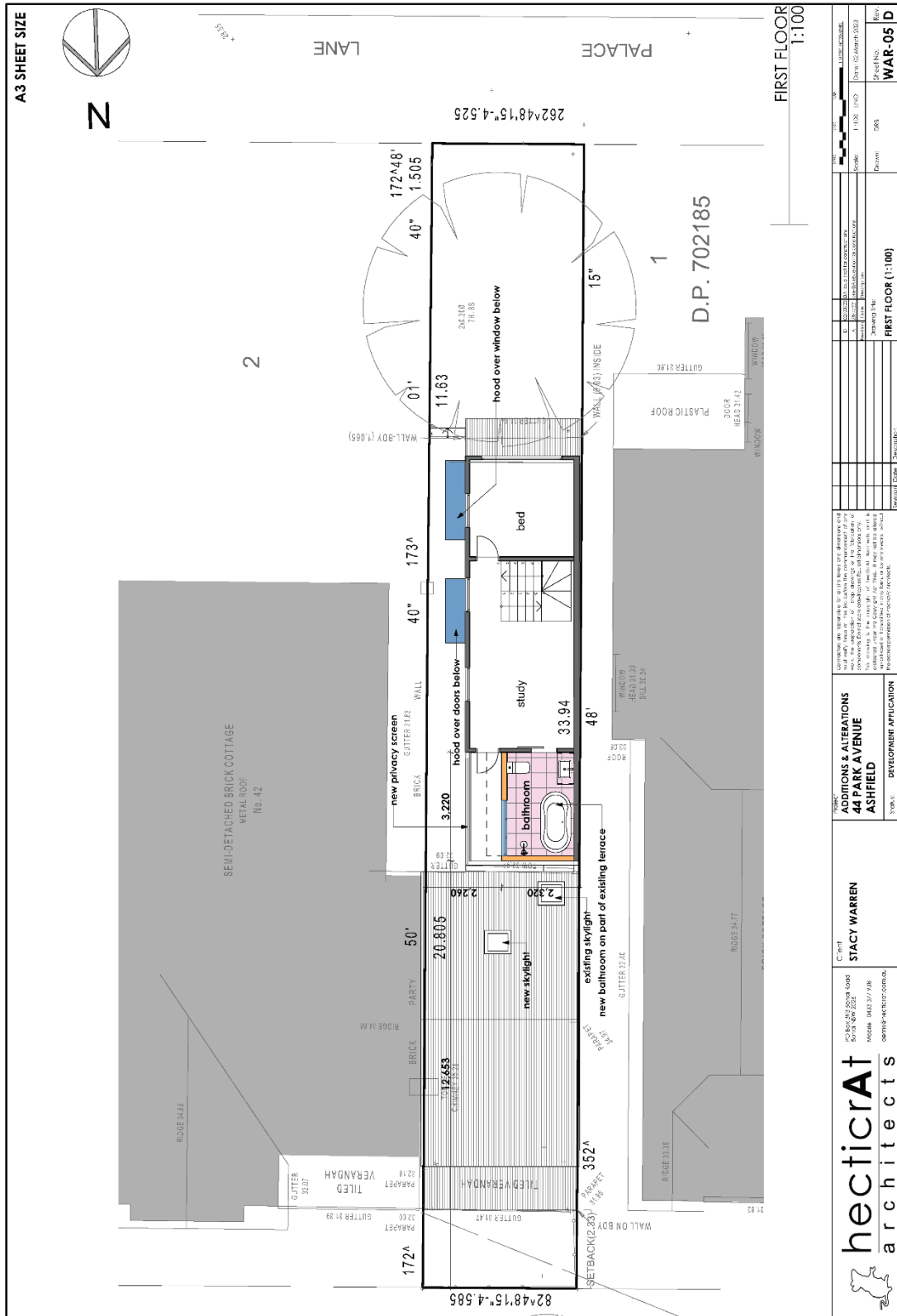
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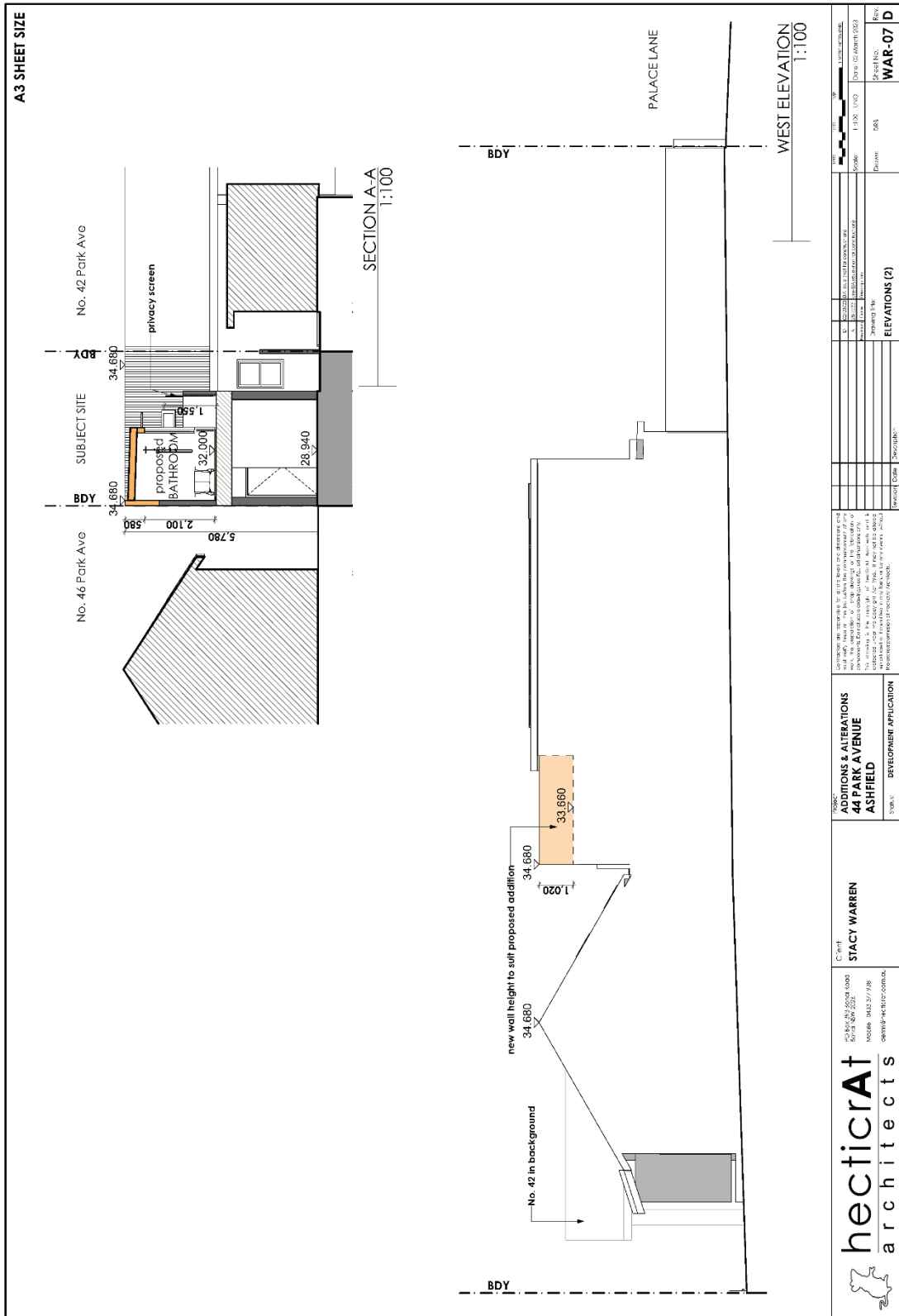
Project Title: **SITE PLAN**

Project No: **WAR-01 D**



	Client STACY WARREN	Project: ADDITIONS & ALTERATIONS 44 PARK AVENUE ASHFIELD	Date: 02/08/2023
	Project No: 30018	Scale: 1:200	Date: 02/08/2023
Development Application			Drawing No: WAR-02 D





Document Set ID: 37516574
Version: 1, Version Date: 14/03/2023

A3 SHEET SIZE

powdercoated aluminium slat privacy screens

lightweight hoods over openings as shown, Heka metal hoods or similar ColorBond or similar metal roofing - Suzulist colour

proposed lightweight addition with fibre cement cladding, rendered and painted to match existing

<p>Customer: 44 Park Avenue, Ashfield NSW 1585 44 Park Avenue, Ashfield NSW 1585 Phone: 02 9512 3798 Email: stacy@stacywarren.com.au</p>		<p>Project No: 11106 (VVO) Date: 02 March 2023</p>
<p>Client: STACY WARREN</p>		<p>Drawn: DRS Scale: 1:100 Project No: WAR-08 ID</p>
<p>Project: ADDITIONS & ALTERATIONS 44 PARK AVENUE ASHFIELD</p>		<p>COLOURS AND MATERIALS</p>
<p>TYPE: DEVELOPMENT APPLICATION</p>		

Customer: 44 Park Avenue, Ashfield NSW 1585
 44 Park Avenue, Ashfield NSW 1585
 Phone: 02 9512 3798
 Email: stacy@stacywarren.com.au

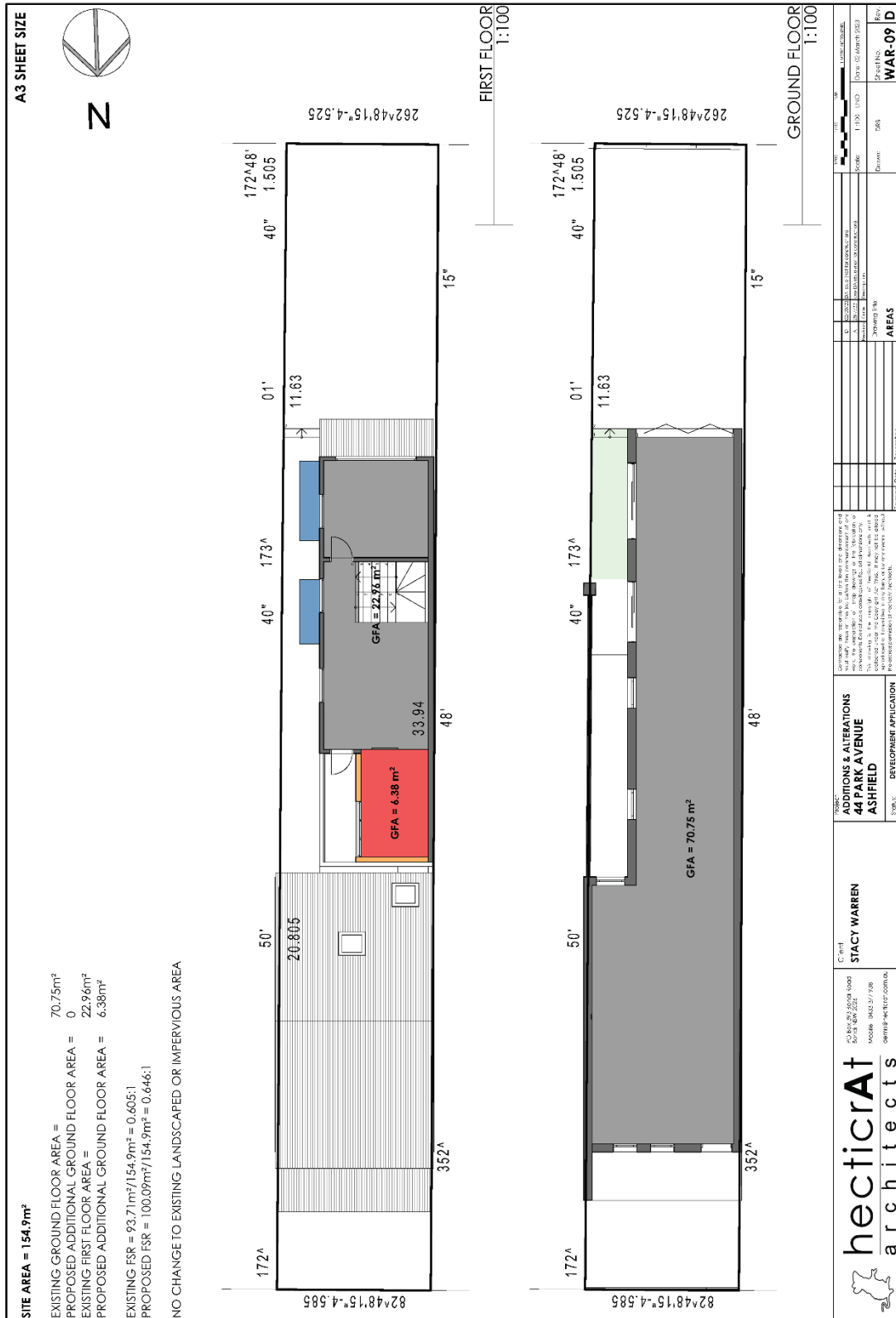
Client: STACY WARREN

Project: ADDITIONS & ALTERATIONS
 44 PARK AVENUE
 ASHFIELD

TYPE: DEVELOPMENT APPLICATION

Project No: 11106 (VVO)
 Date: 02 March 2023


Drawn: DRS
 Scale: 1:100
 Project No: WAR-08 ID



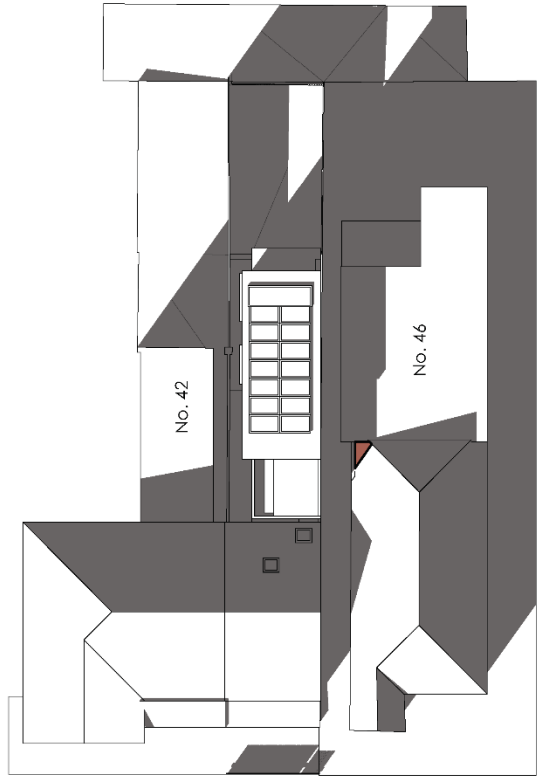
SITE AREA = 154.9m²
 EXISTING GROUND FLOOR AREA = 70.75m²
 PROPOSED ADDITIONAL GROUND FLOOR AREA = 0
 EXISTING FIRST FLOOR AREA = 22.96m²
 PROPOSED ADDITIONAL GROUND FLOOR AREA = 6.38m²
 EXISTING FSR = 93.71m²/154.9m² = 0.605:1
 PROPOSED FSR = 100.09m²/154.9m² = 0.646:1
 NO CHANGE TO EXISTING LANDSCAPED OR IMPERVIOUS AREA

<p>hecticrat architects</p> <p>17/18-19/20 Park Avenue Ashfield NSW 1513 Phone: 9442 3778 Mobile: 9442 3778 Email: info@hecticrat.com.au</p>		<p>Client: STACY WARREN</p>		<p>PROJECT: ADDITIONS & ALTERATIONS 44 PARK AVENUE ASHFIELD</p>		<p>DATE: 11/03/2023</p>	
<p>Scale: 1:100</p>		<p>Scale: 1:100</p>		<p>Scale: 1:100</p>		<p>Scale: 1:100</p>	
<p>Author: STACY WARREN</p>		<p>Author: STACY WARREN</p>		<p>Author: STACY WARREN</p>		<p>Author: STACY WARREN</p>	
<p>Check: STACY WARREN</p>		<p>Check: STACY WARREN</p>		<p>Check: STACY WARREN</p>		<p>Check: STACY WARREN</p>	
<p>Drawn: STACY WARREN</p>		<p>Drawn: STACY WARREN</p>		<p>Drawn: STACY WARREN</p>		<p>Drawn: STACY WARREN</p>	
<p>Project No: WAR-09 D</p>		<p>Project No: WAR-09 D</p>		<p>Project No: WAR-09 D</p>		<p>Project No: WAR-09 D</p>	

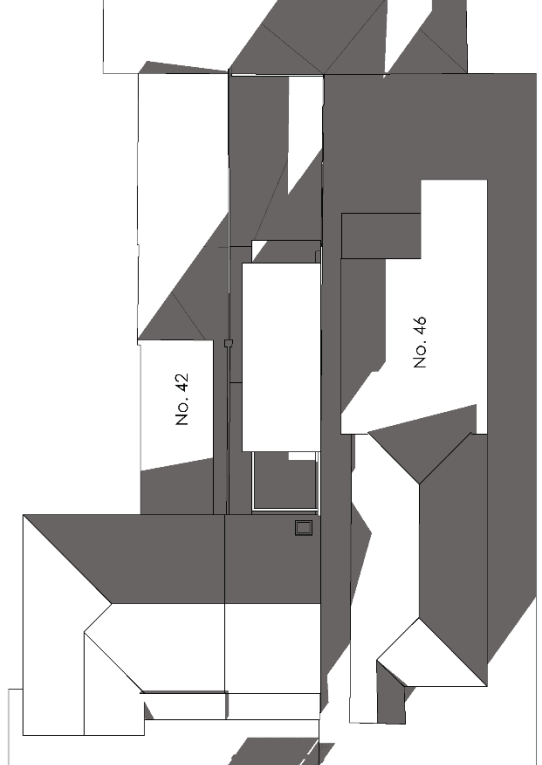
A3 SHEET SIZE



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June 0900 Existing 1:200



June 0900 Proposed 1:200


Scale: 1:1000 (VIC)
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 Check: [blank]
 Rev: [blank]
 Project No: [blank]
 Title: SHADOWS (JUNE - 0900)
 Revision: [blank]

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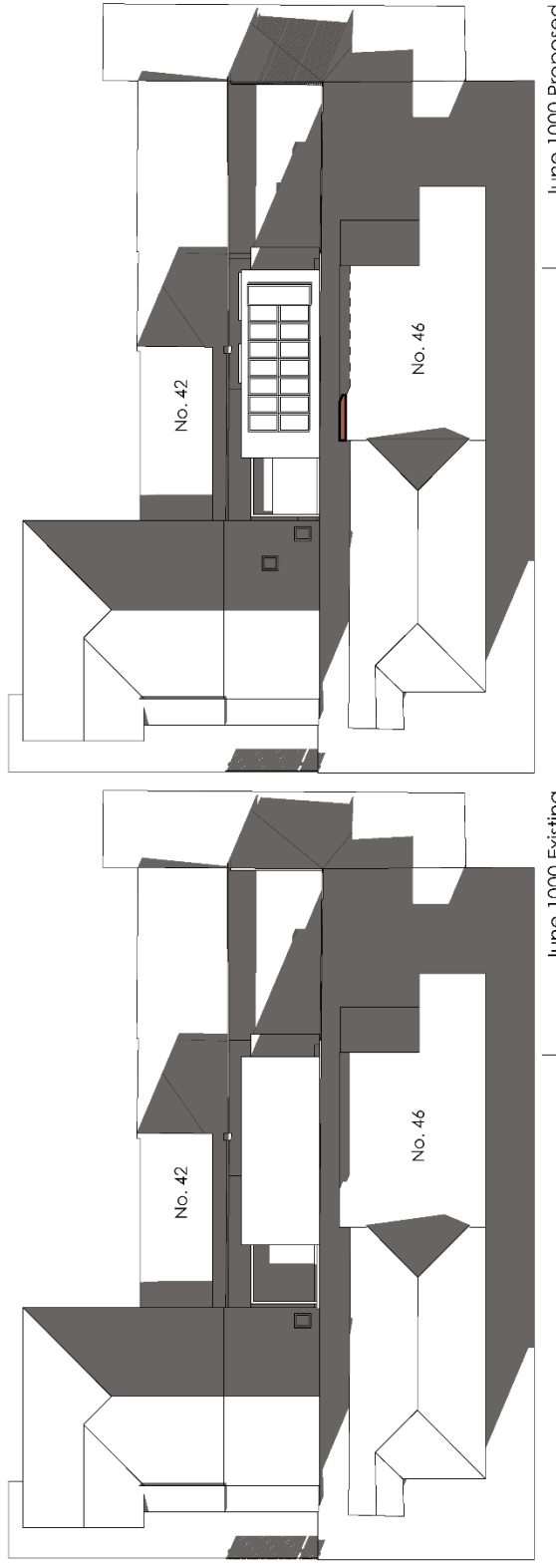
Client: STACY WARREN
 44 PARK AVENUE
 ASHFIELD
 DEVELOPMENT APPLICATION

Document Set ID: 37516574
 Version: 1, Version Date: 14/03/2023

A3 SHEET SIZE



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June 1000 Existing
1:200

June 1000 Proposed
1:200

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Client: **STACY WARREN**

Project: **ADDITIONS & ALTERATIONS 44 PARK AVENUE ASHFIELD**

Project No: 37516574
Date: 14/03/2023
Mobile: 0842 317 938
www.hecticrat.com.au

Scale: 1:100 (LVD)
Date: 02/04/2023

Project No: **WAR-11 D**


Revision: 001

Project Name: **SHADOWS (JUNE - 1000)**

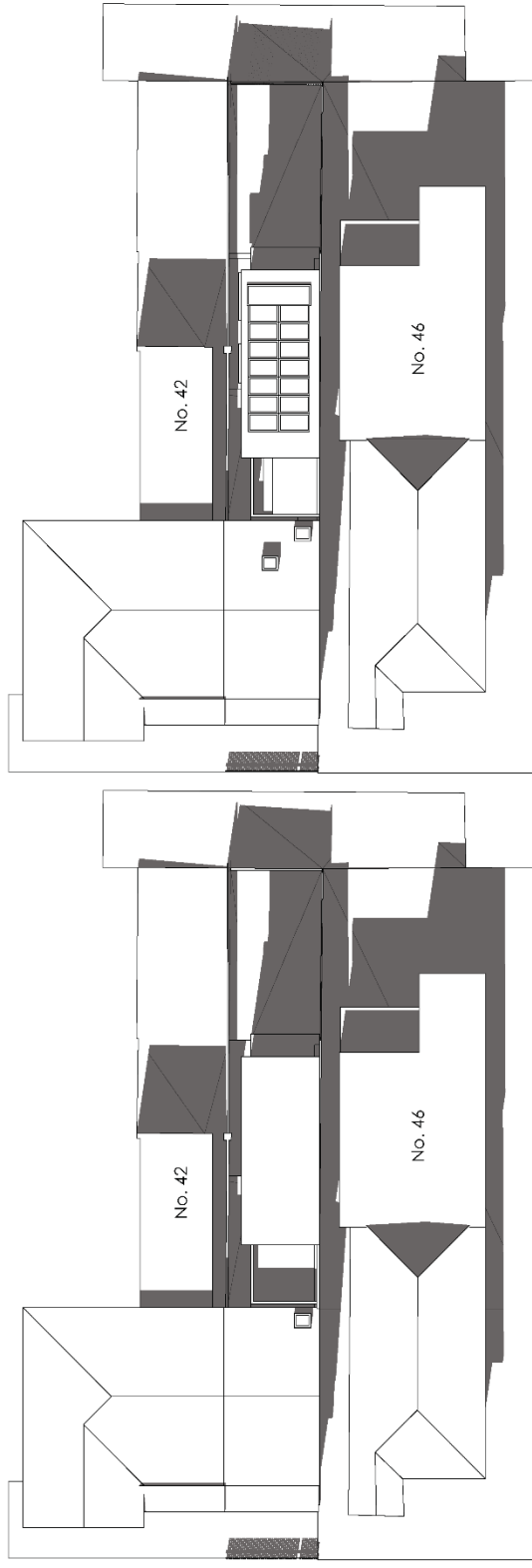
Revision: 001

Project No: **WAR-11 D**

A3 SHEET SIZE




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June 1100 Existing 1:200

June 1100 Proposed 1:200



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Client: **STACY WARREN**

Project: **ADDITIONS & ALTERATIONS 44 PARK AVENUE ASHFIELD**

Project No: 19423/198 | www.hecticrat.com.au

Project Name: **SHADOWS (JUNE - 1100)**

Project Type: **DEVELOPMENT APPLICATION**

Project Location: **WAR-12 ID**

Project Date: **12/08/2023**

Project Status: **WAR-12 ID**

A3 SHEET SIZE

N

June 1200 Existing 1:200

June 1200 Proposed 1:200

Customer: Mr. Stacy Warren, 44 Park Avenue, Ashfield NSW 1585. Date: 11/06/2024. Scope: Shadows Study. Drawn: DRS. Check: DRS. Date: 12/06/2024.

Project: SHADOWS (JUNE - 1200)

Client: STACY WARREN


Project: ADDITIONS & ALTERATIONS 44 PARK AVENUE ASHFIELD

hcticrat architects

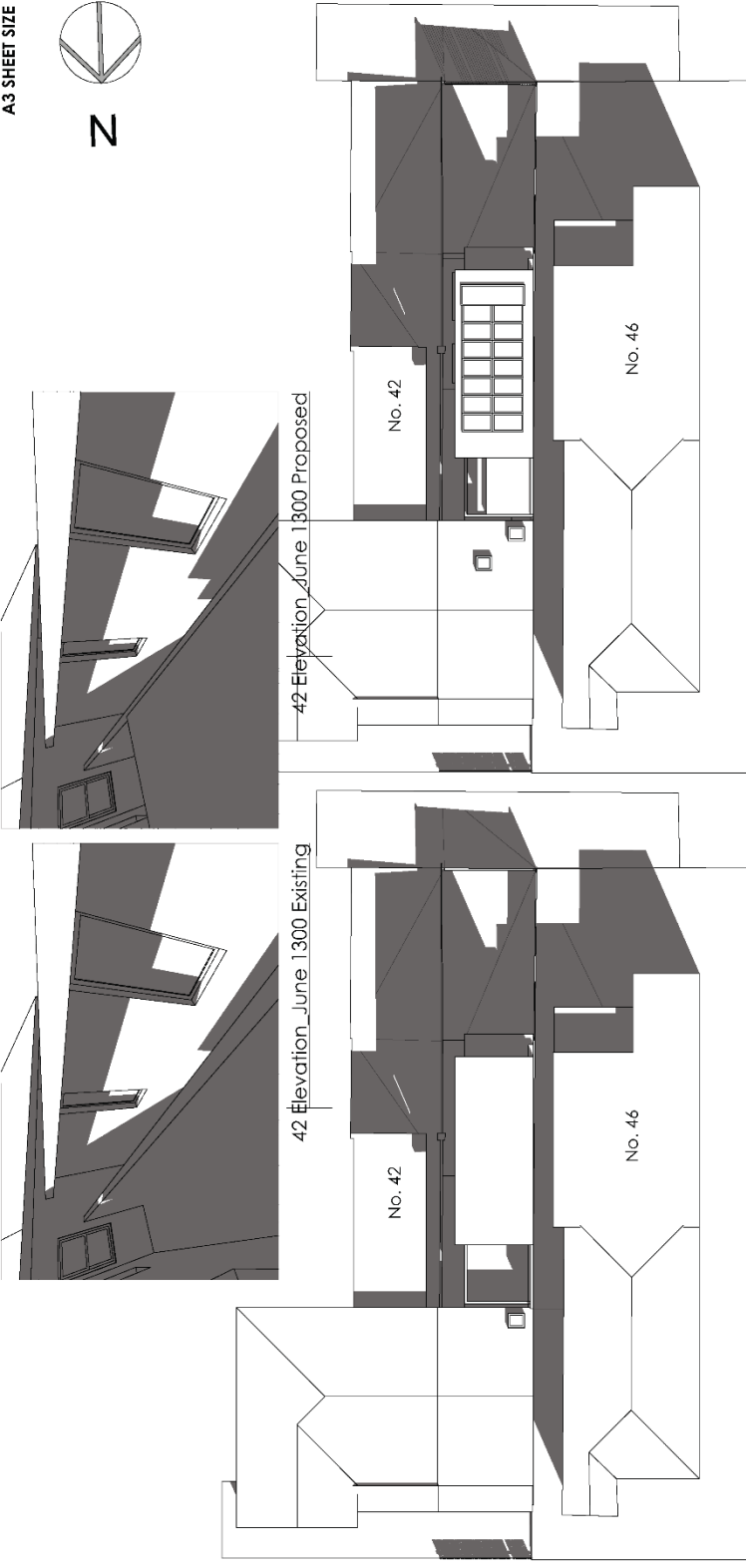
Document Set ID: 37516574
Version: 1, Version Date: 14/03/2023

Revised	By	Date	Description

A3 SHEET SIZE



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June 1300 Existing
1:200

June 1300 Proposed
1:200

hecticrat architects

Client: **STACY WARREN**

Project: **ADDITIONS & ALTERATIONS 44 PARK AVENUE ASHFIELD**

Project No: 2023/001

Issue: 01/2023

Scale: 1:100 (LVD)

Date: 02/08/2023

Drawn: DRS

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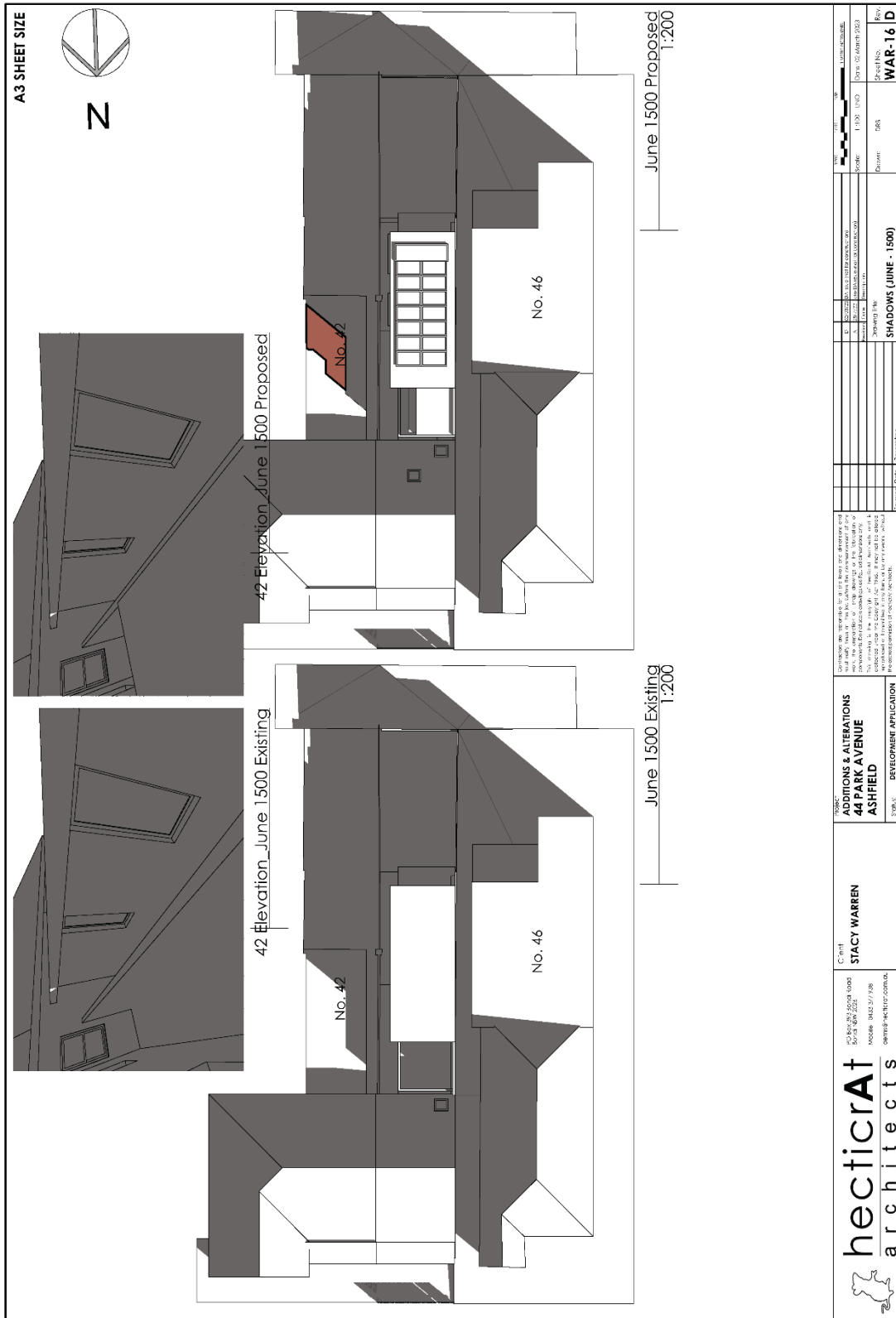
42 Elevation June 1400 Existing

June 1400 Existing
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42 Elevation June 1400 Proposed


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Client STACY WARREN	Project ADDITIONS & ALTERATIONS 44 PARK AVENUE ASHFIELD	Scale 1:1000 (LVO)	Drawn DWS	Check DWS
Contractor hecticrat architects PO Box 447, 52148 Road Dunlop NSW 2104 Mobile 0842 377 938 www.hecticrat.com.au		Project Title SHADOWS (JUNE - 1400)		
Project Description ADDITIONS & ALTERATIONS 44 PARK AVENUE ASHFIELD		Revision		
Project Location 44 PARK AVENUE ASHFIELD		Revision		
Project Status Development Application		Revision		
Project Reference None		Revision		
Project Date None		Revision		
Project Description None		Revision		




Document Set ID: 37516574
Version: 1, Version Date: 14/03/2023

A3 SHEET SIZE



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GROUND FLOOR
1:200



GROUND FLOOR (DEMOLITION)
1:200

Client
STACY WARREN

Project
**ADDITIONS & ALTERATIONS
44 PARK AVENUE
ASHFIELD**

Project No.
37516574

Issue No.
1403/2023

Issue Date
14/03/2023

Scale
1:200

Date
12/03/2023

Author
DWS

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DWS

Drawn
DWS

Scale
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Date
12/03/2023

Project No.
37516574

Issue No.
1403/2023

Issue Date
14/03/2023

Scale
1:200

Date
12/03/2023

Author
DWS

Check
DWS

Drawn
DWS

Scale
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Date
12/03/2023

Project No.
37516574

Issue No.
1403/2023

Issue Date
14/03/2023

Scale
1:200

Date
12/03/2023

Author
DWS

Check
DWS

Drawn
DWS

Scale
1:200

Date
12/03/2023

Project No.
37516574

Issue No.
1403/2023

Issue Date
14/03/2023

Scale
1:200

Date
12/03/2023

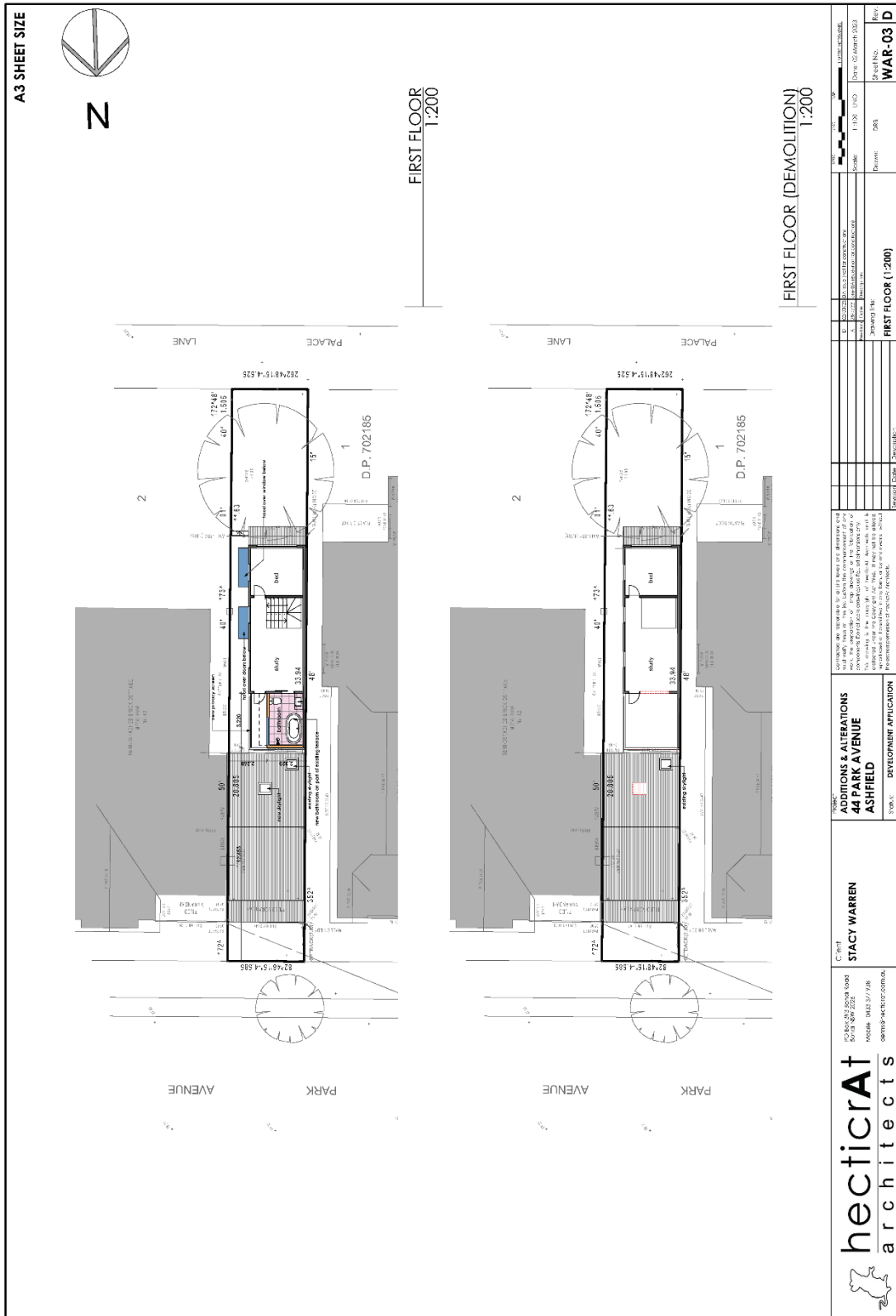
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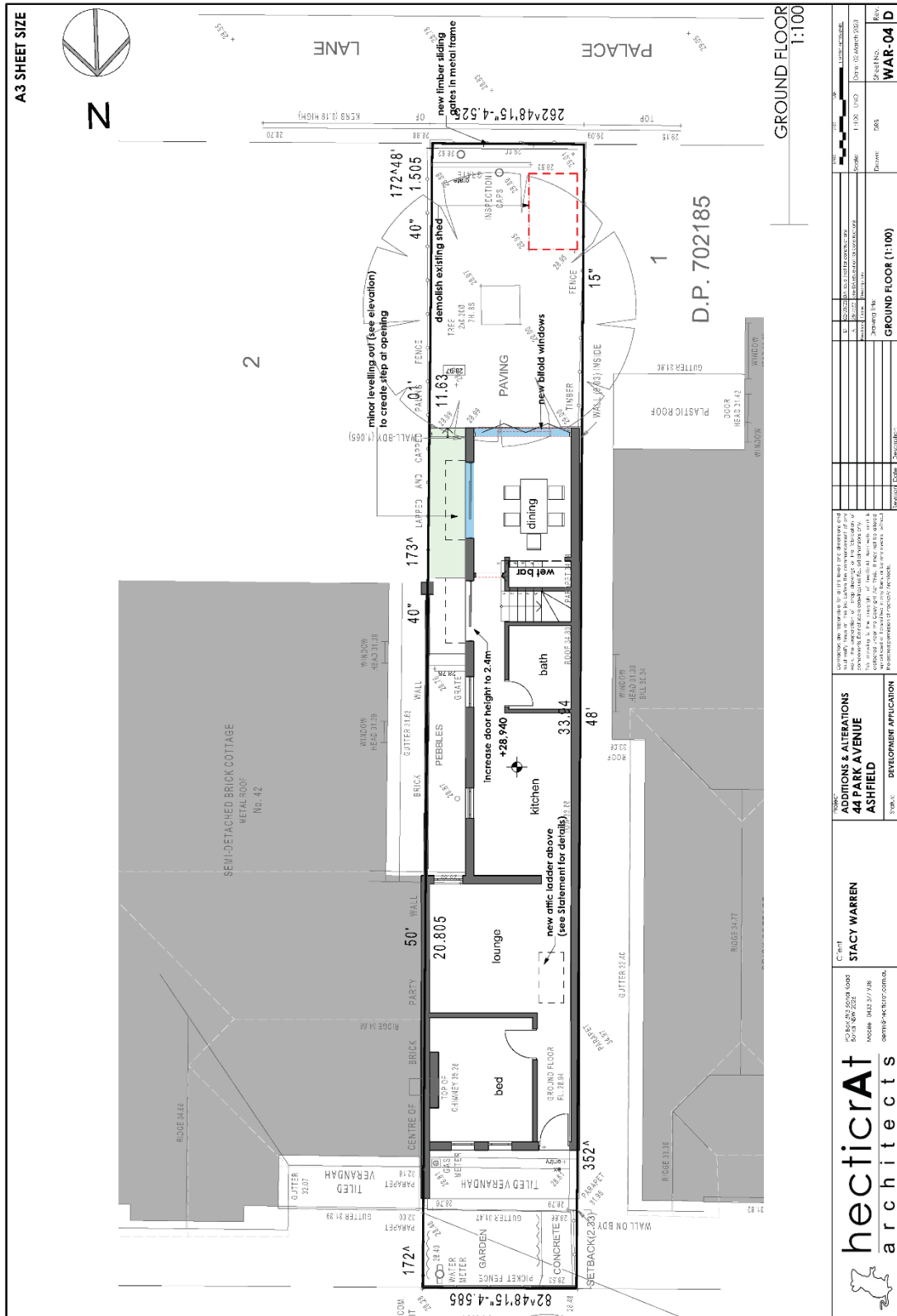
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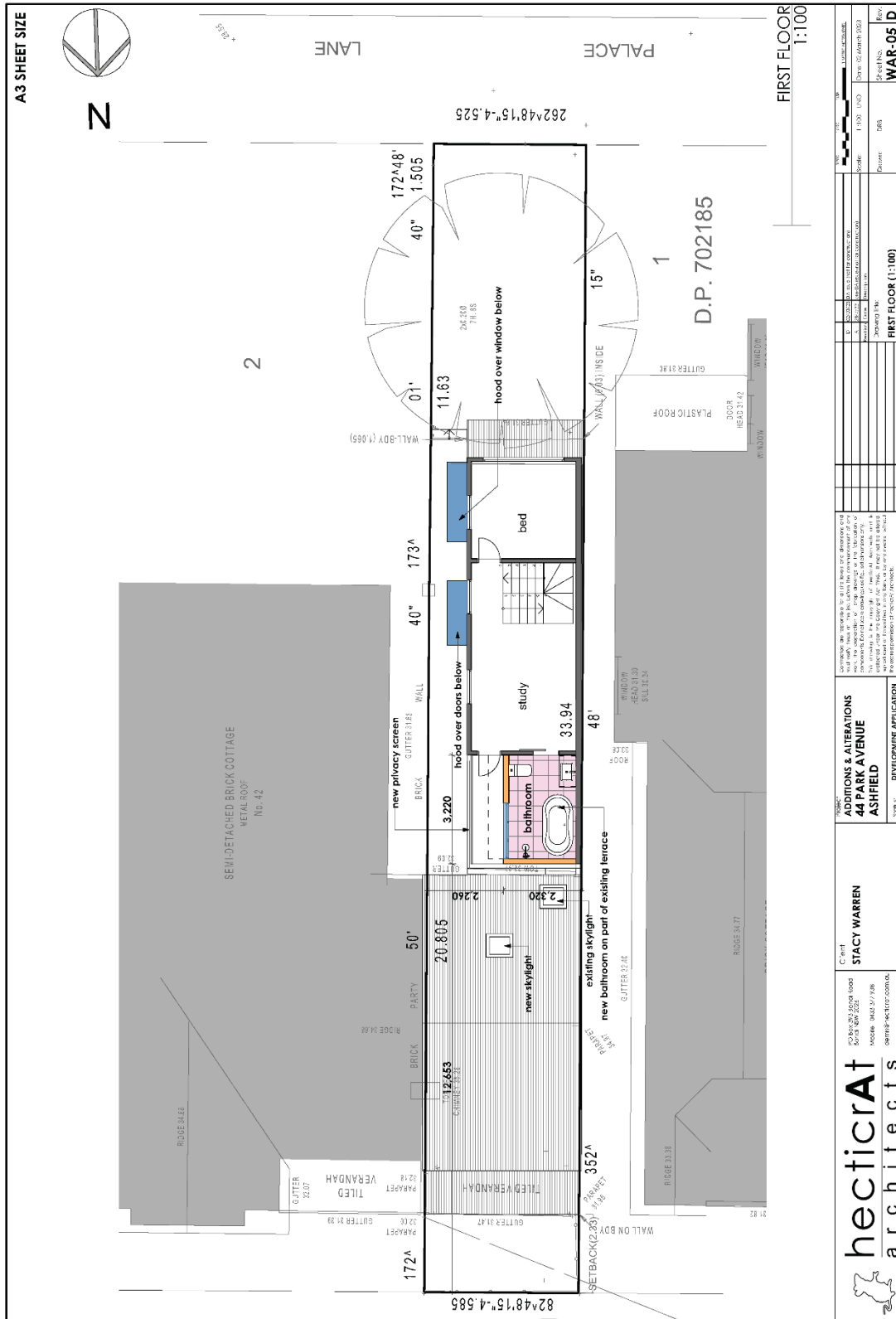
Date
12/03/2023





		Client STACY WARREN 44 Park Avenue Ashfield NSW 2120 Phone: 02 9550 1111 Email: info@hecticrat.com.au	Project Name ADDITIONS & ALTERATIONS 44 PARK AVENUE ASHFIELD	Date 11/03/2023 Drawn DRS Scale 1:100
Project No. WAR-04 D		Description GROUND FLOOR (1:100)		

Document Set ID: 37516574
 Version: 1, Version Date: 14/03/2023



hecticrat architects 44 Park Avenue, Ashfield Sydney NSW 2133 Phone: 9423 3798 Email: info@hecticrat.com.au		Client: STACY WARREN		PROJECT: ADDITIONS & ALTERATIONS 44 PARK AVENUE ASHFIELD	
Scale: 1:100 Date: 12/04/2023 Drawn: DRS Checked: DRS Project No: WAR-05 Rev: D		Scale: 1:100 Date: 12/04/2023 Drawn: DRS Checked: DRS Project No: WAR-05 Rev: D		Scale: 1:100 Date: 12/04/2023 Drawn: DRS Checked: DRS Project No: WAR-05 Rev: D	

Document Set ID: 37516574
 Version: 1, Version Date: 14/03/2023

A3 SHEET SIZE

powdercoated aluminium slat privacy screens

lightweight hoods over openings as shown, Heka metal hoods or similar ColorBond or similar metal roofing - Suzulist colour

proposed lightweight addition with fibre cement cladding, rendered and painted to match existing

WAR-08 ID

Customer: 44 Park Avenue, Ashfield NSW 1513

Project: 44 Park Avenue, Ashfield NSW 1513

Project No: 44 Park Avenue, Ashfield NSW 1513

Project Date: 14/03/2023

Project Description: ADDITIONS & ALTERATIONS 44 PARK AVENUE ASHFIELD

Project Status: DEVELOPMENT APPLICATION

Project Manager: STACY WARREN

Project Contact: stacy@stacywarren.com.au

Project Phone: 02 9423 7788

Project Email: stacy@stacywarren.com.au

Project Website: www.stacywarren.com.au

Project Address: 44 Park Avenue, Ashfield NSW 1513

Project Postcode: 1513

Project State: NSW

Project Country: Australia

Project Date: 14/03/2023

Project Version: 1

Project Author: Stacy Warren

Project Reviewer: Stacy Warren

Project Approver: Stacy Warren

Project Status: Approved

Project Reference: WAR-08 ID

Attachment C – Clause 4.6 Variation

ATTACHMENT A

CLAUSE 4.6 EXCEPTION TO THE STANDARD DEVELOPMENT APPLICATION

This submission accompanies a development application for alterations and additions to the existing house at 44 Park Ave, Ashfield, as shown in the suite of attached drawings dated 3 March 2023 prepared by HectricRat.

The proposal will increase the floor space ratio (FSR) of the building on the site above the maximum of 0.5:1 Local Environmental Plan Inner West Local Environmental Plan 2022 (LEP 2022). Because the building as proposed to be extended exceeds the development standard for FSR, a submission under clause 4.6 of the LEP is required seeking an exception to the standard.

The proposal wishes to seek an exception to the standard relating to Floor Space Ratio under Clause 4.4 of LEP 2021.

The Objectives of the above standard are:

- to establish a maximum floor space ratio to enable appropriate development density,
- to ensure development density reflects its locality,
- to provide an appropriate transition between development of different densities,
- to minimise adverse impacts on local amenity,
- to increase the tree canopy and to protect the use and enjoyment of private properties and the public domain.

Where an applicant wishes to vary a development standard, the application must be accompanied by a well-founded, written objection which demonstrates:

- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
- (b) that there are sufficient environmental planning grounds to justify contravening the development standard

Proposal

The Architect has calculated that the proposed additions will increase the GFA of the existing building by 6.3 m² to 93.71 m². The existing approved FSR is 0.605:1. The proposed FSR, subject to this proposal is 0.646:1, representing an increase of 6.78% to the previous approval.

An exception to the standard is sought under clause 4.6 of the LEP because the proposal does not comply with the development standard for floor space ratio.

Exception to Development Standard (Floor space ratio)

Clause 4.6 allows consent to be granted for development that would contravene a development standard if the applicant has made a written request seeking justify the contravention of the development standard by demonstrating:

- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
- (b) that there are sufficient environmental planning grounds to justify contravening the development standard.

Development consent must not be granted for development that contravenes a development standard unless:

- (a) the consent authority is satisfied that:
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3) (i.e. issues above), and
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
- (b) the concurrence of the Planning Secretary has been obtained.

These matters are addressed in detail in the following sections.

Why is compliance with the standard unreasonable or unnecessary? What are the special circumstances in this case?

The existing dwelling is already over FSR. The proposal seeks approval for an additional 6.38m², is which minimal within this context.

The proposed variation to the currently approved FSR is only 6.78% and sits entirely within the existing terrace and current building footprint.

In recognition of the preliminary concerns raised by Council as part of the pre-DA engagement, the Applicant has reviewed the design to minimise additional floor space. The proposal also focuses on ensuring any proposed increase is adding greater functionality and value for the current and future owners.

The applicant has also been careful to ensure there is no adverse impact to neighbours.

The merits of the FSR exceedance, has been addressed as follows:

- The shadow diagrams demonstrate that there are no overshadowing impacts as a result of the increased FSR.
- The architectural plans demonstrate that there are negligible bulk and scale impacts resulting from the particular areas where the floor space will be accommodated.
- The sections and elevations showing the outline of built form on the adjacent properties further demonstrate that impact is negligible.

What are the environmental planning grounds that justify contravening the development standard?

The existing FSR is over the allowable maximum. The proposed increase of 6.38m², located wholly within the existing approved building footprint, is minimal and will not have any detrimental effects on the surrounding properties.

The additions are considered acceptable and do not create any additional bulk to the adjoining properties.

The proposal carefully considers all aspects of the LEP & DCP and the design solution will fit comfortably within its surroundings.

The proposal will not have any impacts on the streetscape.

The form, bulk & scale are considered satisfactory. Amenity to the site and neighbouring properties will not be compromised.

***Is the proposal consistent with the objectives of the relevant development standard?
Is the proposal consistent with the objectives of the relevant zone?***

The proposal is consistent with the following objectives of the R2 Low Density Residential.

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

The works will retain the existing dwelling and character, while improving its functionality, liveability, and sustainability. The works better address the needs of the current owners, make best use of available space and provides better connection between internal and external spaces.

Other than the FSR exceedance, the proposal complies with all development standards and requirements under the Inner West LEP (2022) and the Inner West Comprehensive Development Control Plan 2016 (DCP 2016).

The proposal is considered satisfactory with a minimal variation to the standard. The proposed additions have been kept to the minimum with a additional floor area to facilitate a second bathroom to better accommodate the current owner's needs.

Following discussion with Council staff and further consideration, the proposed works have been reduced in scale since the pre-DA discussion.

There will be no extension into the rear yard or side breezeway, no dormer extension nor any changes to the height.

The only increase in GFA is a result of the partial enclosure of the existing first floor terrace to build a new ensuite bathroom.

The proposed overall bulk and scale will not be out of place on the site and the development is comparable in scale to neighbouring developments. The proposed built form is consistent with the existing development.

The proposed built form is consistent with heritage conservation values and will maintain the contribution of the site to the streetscape of Park Avenue
In the context, the proposal will provide a built form outcome compatible in terms of bulk, scale, character and visual impact.

The works are not visible from the public domain.

The proposal will not materially affect the solar access or privacy of adjoining properties.

The proposal will provide a good contemporary standard of inner-suburban accommodation with enhanced opportunities to work from home.

Will the proposed development be in the public interest because it is consistent with the objectives of the development standard? [clause 4.6(4)(a)(ii) of the LEP]

The discussion above in response to clause 4.6(3)(a) has demonstrated that the proposed development will achieve the objectives of the standard; therefore it will also be consistent with those objectives and is the public interest.

Will the proposed development be in the public interest because it is consistent with the objectives of the zone? [clause 4.6(4)(a)(ii) of the LEP]

The relevant objectives of this zone are to:

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

By enhancing the useability of the accommodation on the site, the proposed alterations and additions better provide for the housing needs of the community, whilst maintain the character of the surrounding area.

The circumstances of the case should be balanced against the usual presumption of public benefit in maintaining a development standard. The non-compliance is justified as set out above. The variation sought will enhance the utility and amenity of the development, furthering the objectives of the *Environmental Planning and Assessment Act 1979*, without material adverse impacts on neighbouring amenity or the public domain.

The concurrence of the Planning Secretary has been obtained.

The concurrence of the Secretary can be assumed by Council. The implications of a single house development not complying with a floor space ratio development standard of the Inner West LEP are local in scope and raise no matters of significance for State or regional environmental planning.

3. CONCLUSION

This submission shows that, in the circumstances of the case, compliance with the development standard is unreasonable and unnecessary, that there are sufficient environmental planning grounds to justify contravening the development standard and that the proposed development will be in the public interest because it is consistent with the objectives of the development standard and with those of the R2 Low Density Residential.

Attachment D – Heritage Impact Statement

ATTACHMENT B

HERITAGE IMPACT STATEMENT – 44 PARK AVE, ASHFIELD

Executive Summary

The following Heritage Impact Statement was prepared to assess the heritage impacts of the proposed works at 44 Park Avenue, Ashfield. The statement has been prepared by Stacy Warren in relation to the subject proposal prepared by HecticRat. The current Heritage Impact Statement has been further informed by the May 2013 Heritage Impact Statement, prepared by Urbis to support the previous Development Application for more substantial works, as lodged by the former owner of the property.

The proposal has been assessed against the provisions of the Inner West Local Environmental Plan 2022 (LEP 2022) and the Inner West Comprehensive Development Control Plan (DCP) 2016 (DCP 2016). The works comprise minor alterations largely to the rear of the property, which includes elements of the dwelling which are not part of the original heritage fabric and are not visible from the public domain.

The report has assessed that the proposal will have a minimal effect on the significance of the building, its surrounding heritage items, streetscape and character, and the overall conservation area. The proposed works will be sympathetic to the existing building and adjoining dwelling, and will be subtle and contemporary in bulk, scale, size and design.

1. Introduction

The dwelling is listed as part of an individual heritage item at 42 - 44 Park Avenue, Ashfield and is situated within the Park Avenue, Ashfield Heritage Conservation Area (C14) under the Inner West LEP 2022.

The statement has been prepared in response to Council's request as part of the pre-DA advice for a Heritage Impact Statement to be lodged in support of the development application. The proposed works have been significantly refined and reduced in scale since the pre-DA advice to ensure the proposal fully responds to Council's concerns.

The Heritage Impact Statement has assessed the heritage impact of the reviewed proposal, which are far more minor than considered during Council's pre-DA assessment.

1.1. Site location

The subject site is 44 Park Avenue Ashfield NSW (Lot 1 Deposited Plan 745309).

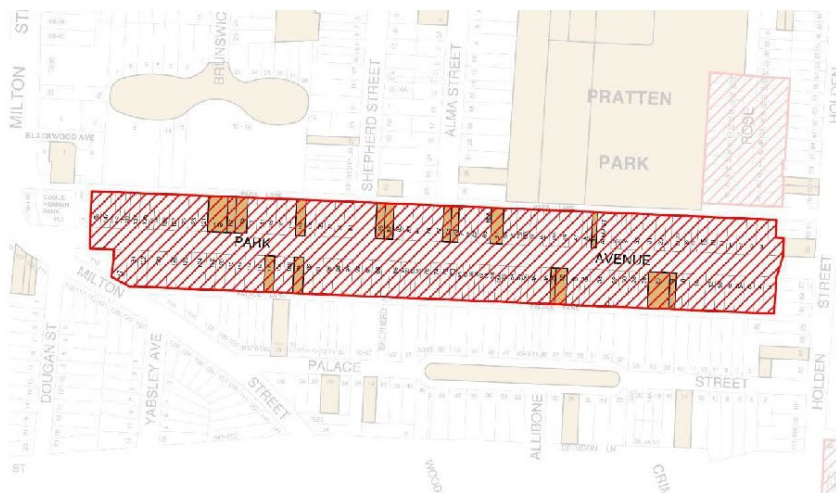
The site is located approximately 8.3 kms west of the Sydney CBD, between Park Avenue and Palace Lane in the suburb of Ashfield in the Local Government Area of Inner West Council.

Figure 1 – Subject site (Source: Spatial Information Exchange, 2013)



The site sits within the C14 Park Avenue, Ashfield Conservation Area.

Figure 2. C14 Park Avenue, Ashfield Conservation Area



1.2. Methodology

The Heritage Impact Statement has been prepared in accordance with the NSW Heritage Manual 'Statements of heritage Impact' and 'Assessing Heritage Impact Significance'.

The proposal has been assessed against the provisions of the Inner West Local Environmental Plan 2022 (LEP 2022) and the Inner West Comprehensive Development Control Plan (DCP) 2016 (DCP 2016).

1.3. Author identification

The report has been prepared by the applicant, Stacy Warren. Ms Warren brings more than 20 years' experience in statutory, strategic development assessment and urban planning. She holds qualifications in Urban Planning, Law and Public Administration.

The current Heritage Impact Statement, for minor works, has been informed by the original Elton May 2013 Heritage Impact Statement, prepared by Urbis.

1.4. The proposal

The proposal involves the following works:

- The removal of the window in rear room and replacement with a larger bifold window
- Installation of new sliding door on eastern side of the rear room and increase in height for the existing sliding door at the base of the stairs
- Installation of new upstairs bathroom through partial enclosure of existing terrace
- Replacement of existing swing rear swing gate with a new sliding gate
- Installation of solar panels on the first floor roof

The report was written with reference to the architectural drawings by HectricRat, which accompany the Statement of Environmental Effects.

2. Site description

The site is situated on a regular lot with an approximate land size of 154m² with a north south orientation with its primary elevation facing north onto Park Avenue. The dwelling comprises a semi-detached dwelling in modest Victoria Filigree Style, with a single storey to the front and double storey the rear.

The dwelling's roof rom comprises of a corrugated iron with a bull nose tip off the veranda roof. The veranda roof edge has an attached simple iron frieze. The dwelling's firewall includes ornate moulding on the edge of the property and comprises a double fronted window.

The front façade of the subject site is of relatively good conditions. Its colour pallet comprises largely of 'Dulux 'Coppersmith', with a green trim. Although the external paint has been refreshed in recent years, the colour scheme is within the Victorian heritage palette.

Figure 3. Front façade of the heritage property



Figure 4. Lounge room



Figure 5. Hallway



Figure 6 – Front bedroom



Figure 7 – Rear bedroom (referred to as ‘the rear room’ in this application)



Figure 8. First floor terrace



Figure 9. Park Ave street scape



The site is located within a residential setting comprised of mainly single and double storey homes on regular allotments.

3. Historical overview

3.1. Local area

Ashfield was one of the earliest occupied areas in the colony's history. One of the first colonists to have lived in the area was Governor Phillip's surveyor – Augustus Alt, who in 1794 received the land grant of 100 acres in the Croydon area. By the early 1800s, the land that comprises the municipality of Ashfield was predominantly granted to the officers and men of the Rum Corps.

In 1801 Augustus Alt acquired 20 acres of land which covered most of Ashfield and named it Hermitage Farm. Another early grant that was made in the area was to Lieutenant John Townson in 1793, which he named Marsh Gate Farm.

Townson sold his land to Samuel Terry, who in turn sold it in 1813 to Robert Campbell the nephew of the Sydney merchant of the same name. In 1914, Campbell build a substantial two-story house on the land he owned in what we now call North Croydon. Campbell eventually bought others farms in the area to make an estate of 480 acres. Campbell then named the area Ashfield after his Scottish ancestral home.

By the 1820s, much of the original grant was amalgamated into four larges estates – Ashfield Park, Dobroyd Farm, Kable's Farm, and the Canterbury Estate. In 1838, the owner

of Ashfield Park, Elizabeth Underwood, subdivided lots along the northern side of Liverpool Road and Alt Street. The subdivision was called the Village of Ashfield. In 1855 the opening of the railways from Redfern to Granville gave impetus to the development of Ashfield.

Park Avenue formed the spine of a subdivision in the South Ward of Ashfield known as Education Park, owned by what was then the Council of Education. The allotments were first offered for auction sale in 1882, by Watkin & Watkin, who acted on behalf of the Excelsior Land, Investment and Building Company and Bank, of York Street, Sydney. Section 1, on the north side of Park Avenue, contained 92 lots, while Section 2, on the south side, had 85 lots. The Conservation Area comprises virtually all of that historic subdivision.



Above: 1882 Subdivision plan for Education Park, Ashfield Source: NSW State Library, online subdivision plans for Ashfield



[SOURCE: ASHFIELD COUNCIL, 2012]

3.2. Site History

The land on which 42 and 44 Park Avenue stand was purchased by John Lapish on 16 June 1893. In 1915, the larger eastern house (no. 42) was sold, but the small western house (no. 44) remained in the ownership of Lapish until his death in 1934, being sold by his executors in 1937.

Lapish was a builder who came to Ashfield in early 1890s and was a building inspector in nearby councils before joining the staff of Ashfield Municipal Council, where he spent ten years as a building inspector.

He was elected alderman for South Ward at the end of World War I, and served as Mayor in 1932 and 1933. He was rector's warden of St James' Church, Croydon for nearly 40 years and served as a member of the Board of Western Suburbs Hospital from 1894 until his death in 1934.

The subject site, 44 Park Avenue, is part of a semidetached pair of houses with no. 42 being twice as wide as no. 44, suggesting a distinctive "build-two-rent-one" concept. This style of development is evidenced in some areas of Sydney, though is rare in Ashfield Municipality (another notable pair is 18-20 Park Avenue).

3.3. Property Owners

Table 1 lists owner of the subject from the historical records:

Date	Owner
June 1893	John Lapish
1937	Unknown
December 1989	BA Winters and BP Winters
January 1998	Wilkie
September 2003	Tory
July 2020	Warren and de Saram

3.4. Date of construction

The land of the subject site was purchased by builder Lapish in mid-1893. It is likely that the subject property was constructed around this time.

3.5. Alterations and additions

Other than the development application approved by council on 26 November 2013 for works to the rear of the dwelling, there are no alterations or additions recorded to the property in the Heritage Inventory Sheets.

4. Significance

4.1. What is heritage significance?

Before making decisions to change a heritage item, it is important to understand its values. This leads to decisions that will retain these valued in the future. Statements of heritage significance summarise a place's heritage values – why it is important, why a statutory listing was made to protect these values.

4.2. Significance assessment

Criteria	Significance assessment
<p>A. Historical significance An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area);</p>	The item is of Historical Significance as it is an example of entrepreneurial development in the area.
<p>B. Associative significance An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area);</p>	The item does not meet the criteria for Associative Significance
<p>C. Aesthetic significance An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area);</p>	The item is largely intact and is of Aesthetic significance as it demonstrated the typical Victoria Filigree Style that was development on the area during the late 19 th and early 20 th century.
<p>D. D. Social significance An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons;</p>	The item of social significance as it is part of the characteristic of Ashfield, providing a sense of place for the communities
<p>E. Research potential An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area);</p>	The item does not meet the criteria for Research potential.
<p>F. Rarity An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area);</p>	The item is not rare as a dwelling however it is an example of the "build two-rent one" development model typical of inner city terraced developments.
<p>G. Representative An item is important in demonstrating the principal characteristics of a class of NSW's • cultural or natural places; or • cultural or natural environments. (or a class of the local area's • cultural or natural places; or • cultural or natural environments.</p>	The dwelling is a representative example of a single storey terraced dwelling of the late Victorian period.

4.3. Statement of significance

The following Statement of Significance has been taken from the Ashfield Heritage Inventory for the two joined houses at No. 42-44 Park Avenue, which have been assessed as being rare historically, aesthetically and socially.

The Statement of Significance for the pair of dwellings notes:

One of the very few known Ashfield examples of the entrepreneurial dwelling form known colloquially as "build two, rent one", consisting of a semi-detached pair of unequal houses.

The dwelling in itself is a compact single story terraced style dwelling with intact breezeway. The dwelling contributes aesthetically to the mixed streetscape if Park Street. The dwelling is representative of its type and period and does not satisfy the criterion for associative, technical or research significance.

The Park Avenue Heritage Conservation Area is of local heritage significance. The area is of historical significance for its distinctive 1882 subdivision pattern with east-west oriented Park Avenue and laneways to the north (Park Lane) and south (Palace Lane), representative of a typical late 19th century planned subdivision.

The area is of aesthetic significance for:

- its wide main street (Park Avenue) with its pre-1943 Brush box street tree planting in the carriageway and rear laneways ensuring vehicle (or cart) access did not affect the main street scape.
- its varied mix of one and two storey detached, semi-detached and terrace housing dating from 1882 into the 1930s, constructed on narrow allotments with small front gardens; and its two storey inter-war residential flat buildings.

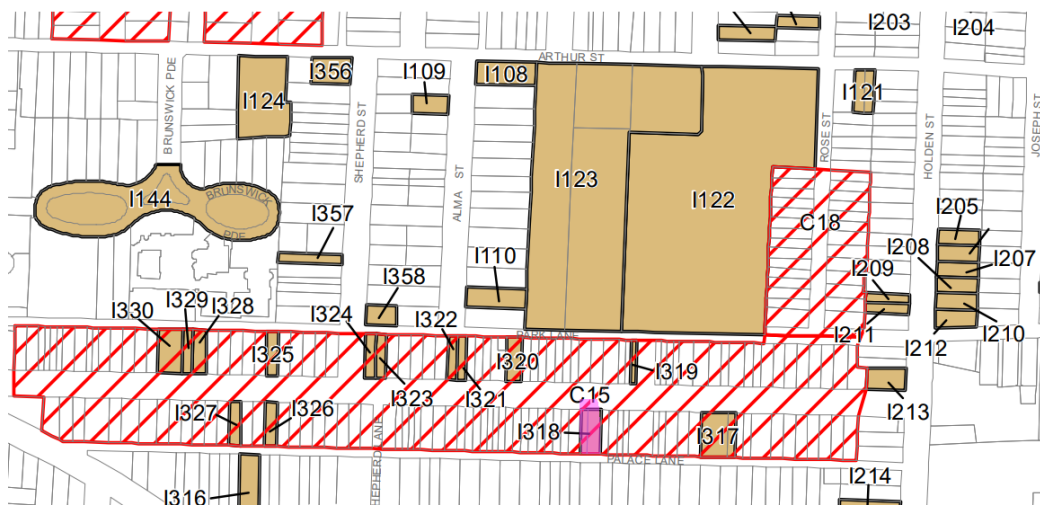
The area has an aesthetic consistency arising particularly from the subdivision pattern and street tree planting.

4.4. Impact assessment

4.4.1. Heritage listing

The subject house at No. 44 Park Avenue is listed as part of an individual heritage item at 42 – 44 Park Avenue, Ashfield.

The site is identified as Item I318 under Part 1, Schedule 5 f the Inner West LEP 2022 and is situated within the Park Avenue, Ashfield Heritage Conservation Area (C15) under the Inner West LEP 2022.



Source: Inner West LEP 2022

4.4.2. Statutory controls

Inner West Local Environment Plan (LEP) 2022

A detailed assessment of the relevant provisions of the LEP 2022 and Inner West DCP is provided in Section 5.2 of the supporting Statement of Environmental Effects.

The proposal has also benefited from the pre-DA advice, which concluded that:

*The proposal involves minor changes to the existing dwelling, which already has
A substantial rear addition. The changes to the rear addition are acceptable on
heritage grounds.*

In response to Council's feedback, the proposal was amended to remove the former window. The Applicant also determined not to extend into the breezeway, which further minimised the heritage impact of the proposal.

The assessment indicates that the proposal complies with all objectives, controls and requirements.