






INNER WEST COUNCIL

DEVELOPMENT ASSESSMENT REPORT

Application No.	DA201700214.01
Address	15 William Street, Marrickville
Proposal	Review request under Section 82A of the Environmental Planning and Assessment Act to review Determination No. 201700214, dated 17 July 2017, being a refusal of a development application to demolish part of the premises and carry out alterations and additions to a dwelling house including the construction of vehicular crossing and garage
Date of Lodgement	23 October 2017
Applicant	David D'ettore
Owner	Pasquale Barbalace
Number of Submissions	18
Value of works	\$99,000
Reason for determination at Planning Panel	A request made under Section 82A of the <i>Environmental Planning & Assessment Act 1979</i> and there is no substantial change in recommendation on the matters subject of the Review.
Main Issues	<ul style="list-style-type: none"> • Poor architectural outcome for the street • Adverse impacts to the architectural integrity of the period dwelling house • Adverse impacts to on-street car parking • Removal of a street tree
Recommendation	Refusal



Subject Site:		Objectors:	
Notified Area:			

1 Executive Summary

This report concerns a review request under Section 82A of the Environmental Planning and Assessment Act to review Determination No. 201700214, dated 27 June 2017, being a refusal of a development application to demolish part of the premises and carry out alterations and additions to a dwelling house including the construction of vehicular crossing and garage.

The review request was notified in accordance with Council's Notification Policy and 18 submissions were received.

The proposal includes a partial demolition of the front façade of a period dwelling house to accommodate a double garage in an excavated subfloor basement beneath the dwelling, bricking up of existing windows and a side extension of the front façade to increase the size of existing bedrooms.

The development will diminish the architectural integrity of the period building and will visually detract from the streetscape. The proposed driveway crossing results in the loss of a native street tree and on-street car parking.

The proposal is contrary to the provisions of State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 in that a current BASIX Certificate was not submitted with the review request.

The proposal is contrary to the provisions in Marrickville Development Control Plan 2011 (MDCP 2011) in relation to urban design and streetscape impacts, overshadowing, car parking, tree management and impacts on period dwellings. The proposal is inconsistent with the desired future character of Newington Planning Precinct (Precinct 9) of Marrickville Development Control Plan 2011.

The application is considered unsupportable and in view of the circumstances, refusal of the application is recommended.

2. Review Request

The applicant has requested that Council review Determination No. 201700214, dated 27 June 2017, being a refusal of a development application to demolish part of the premises and carry out alterations and additions to a dwelling house including the construction of vehicular crossing and garage.

The proposal comprises of the following works:

- Partial excavation and demolition of the front façade to accommodate a double garage within an existing subfloor;
- Raising a portion of the front ground floor level by approximately 1.3 metres to accommodate the garage beneath and repositioning of 1 side window to a higher position (W3) and provision of a new bedroom window (W2) on the side (south) elevation;
- Demolition of an existing carport and side extension of the dwelling house and partial roof extension to increase the floor area of 2 existing bedrooms and provide an ensuite; and
- Partial bricking-up of 2 front windows (west elevation).

3. Site Description

The site is located on the eastern side of William Street, between Newington Road and Addison Road, Marrickville. The property comprises Lot 1 in Deposited Plan 101613 and is approximately 297.2 square metres in area.

The site contains a single story period dwelling house with a terracotta roof. A carport is located to the south of the dwelling house with direct access from William Street.

The surrounding streetscape consists mainly of single and two storey period dwelling houses.

4. Background

4(a) Site history

Development Application No. 201700214 sought consent to demolish part of the premises and carry out alterations and additions to a dwelling house including the construction of vehicular crossing and garage.

It was assessed that the proposal did not comply with the provisions of Marrickville Development Control Plan 2011 (MDCP 2011) in relation to Urban Design, Streetscape Impacts, Visual Bulk/ Scale and Tree Management.

The application was refused under delegated authority by Determination No. 201700214, dated 27 June 2017, for the following reasons:

- 1. The proposal is contrary to the Aim (h) of Marrickville Local Environmental Plan 2011 in that it fails to exhibit an acceptable level of design quality and the lack of architectural expression would have an adverse impact within the streetscape.*
- 2. The proposal is contrary to the Urban Design requirements of Part 2.1 of Marrickville Development Control Plan 2011 in that it proposes a character that fails to deliver a high design quality and a distinctive streetscape character and would establish an undesirable precedent for the future development in the street.*
- 3. The proposal is contrary to the overshadowing requirements of Part 2.7 of Marrickville Development Control Plan 2011 in that it creates additional overshadowing to the windows adjoining living areas and private open space areas of adjoining properties.*
- 4. The proposal is contrary to the good urban design guidelines as specified in Part 4.1.4 – Good Urban Design Practice of Marrickville Development Control Plan 2011 as it fails to enhance the existing built form character in the street in terms of visual bulk and scale and window design.*
- 5. The proposal does not comply with the objectives and controls contained in Part 4.1.5 – Streetscape and Design of Marrickville Development Control Plan 2011 as it fails to achieve an acceptable level of design quality and would detract from the established residential character of the street.*
- 6. The proposal is contrary to the objectives of Part 4.1.6.1 – Floor Space Ratio and Height of Marrickville Development Control Plan 2011 as the design fails to encourage development of a form that enhances the character and quality of streetscapes.*

7. *The proposal is inconsistent with the desired future character of the area identified in Part 9.9 - Strategic Context Newington Planning Precinct (Precinct 9) of Marrickville Development Control Plan 2011. In particular, the development is a poorly conceived design and its lack of architectural expression would detract from the character of the street.*
8. *The proposal is inconsistent with Part 2.20 – Tree Management of Marrickville Development Control Plan 2011 involves the removal of an existing street tree which is not supported as it detracts from the streetscape, reduces space for additional tree planting and takes away from on-street car parking.*
9. *Given the substantiated issues raised in the resident submissions in terms of the poor design outcome and adverse impact on the established streetscape character, approval of the application would not be in the public interest.*

5. Assessment

The applicant has requested that Council review Determination No. 201700214, dated 27 June 2017, under Section 82A of the Environmental Planning and Assessment Act, 1979. The following information has been submitted with the review request to address the reasons for refusal:

- A Statement addressing the reasons for refusal of Determination No. 201700214, dated 27 June 2017.

It is noted that the plans submitted with the Section 82A review request have not been amended from the original plans determined under DA201700214.

Below is an assessment of the additional information provided by the applicant as part of the Section 82A review request having regard to the grounds of refusal of the original development application and additional planning issues identified during the assessment of the review request:

- 1. The proposal is contrary to the Aim (h) of Marrickville Local Environmental Plan 2011 in that it fails to exhibit an acceptable level of design quality and the lack of architectural expression would have an adverse impact within the streetscape.**

Clause 1.2(2)(h) of MLEP 2011 aims to promote a high standard of design in the private and public domain.

The subject building is a Federation-era cottage, most likely built in the early 1900s, and is therefore categorised as a 'period building' under the control contained in MDCP 2011. While it is evident that the dwelling house has been modified over time; including the rendering of brickwork and contemporary alterations to the front porch, the modifications are reversible.

William Street primarily consists of relatively intact, single storey period dwelling houses from the Victorian and Federation era. A number of the dwelling houses have hardstand car parking or carports. Garages are not common in the street, particularly within a sub-basement area. Further, there are no double garages in the street. While there are examples of contemporary developments in the street, such as 8, 11A and 19 William Street, these developments are anomalies in the street.

In the applicant's Section 82A review statement to address reason for refusal 1, the following was stated:

“The proposal deliberately does not alter the overall design of the existing dwelling, in order to maintain the existing characteristics of the dwelling and to minimise any noticeable change to the existing dwelling. The above statement made by council is an insult to the owner of the property who takes pride in the dwelling.”

The proposal seeks to partially excavate and demolish the front façade of the dwelling house to accommodate a garage within an existing subfloor basement, create a side extension to enlarge bedrooms and provide an ensuite, relocate windows on the side (southern) elevation and brick up front windows. The above works will diminish the architectural presentation of the period dwelling façade by altering the original massing and architectural features of the dwelling house, reducing the size of window openings and creating structural elements (such as the garage door) that are not original to; and will not complement the main body of the dwelling façade when viewed from the street.

The above modifications will be obvious and noticeable and will create a poor design outcome and precedent for the street. The proposed sub-basement double garage will be a visually detractive feature for the locality and is inappropriate for the context of the street, which contains no double garages.

In view of the above reasons, the application fails to provide a reasonable level of design quality appropriate for the streetscape. The development is unsupportable and refusal of the Section 82A review request is recommended.

- 2. The proposal is contrary to the Urban Design requirements of Part 2.1 of Marrickville Development Control Plan 2011 in that it proposes a character that fails to deliver a high design quality and a distinctive streetscape character and would establish an undesirable precedent for the future development in the street.**

Part 2.1 of MDCP 2011 contains urban design guidelines for development. The guidelines relate to the following principles:

- **Principle 9: Sense of place and character in streetscapes and townscapes** - *Recognise, preserve and enhance the characteristics that give places a valued identity and create high quality and distinctive streetscapes and townscapes*
- **Principle 10: Consistency and diversity** - *Balance design consistency and diversity to create order and interest*
- **Principle 12: Sensory pleasure** - *Create places that engage the senses and delight the mind*

The applicant made the following submission to address reason for refusal 2:

“As per point 1, the proposal does not seek to change the character of the existing dwelling, simply adding a garage door, which takes up a small percentage of the front façade is not altering the character of the existing dwelling. The existing dwelling located at 8 William Street, Marrickville consists of an attached garage at ground level, therefore, the precedent for building an attached garage has already been set.

William Street and surrounds are zoned R2 low density residential, therefore it is astounding that council allowed two medium density residential dwellings to be built, one at 11A William Street and the other at 19 William Street, one being the second dwelling to the south and the other being the second dwelling to the north of number 15, this would seem to be an ‘undesirable precedent’”.

The poor architectural treatment of the proposed development would establish an undesirable precedent for the future development in the street. The development does not recognise, preserve and enhance the characteristics of the existing period dwelling house and fails to deliver a high quality streetscape outcome.

The applicant makes reference to non-period dwelling houses and residential flat buildings at 8, 11A and 15 William Streets that were approved in the 1960s-1970s and early 2000s. These development were not approved under the current planning controls, namely MLEP 2011 and MDCP 2011, and do not provide justification for the works proposed as part of this review request.

While the applicant also points out an existing garage at 8 William Street, this is an anomaly in the streetscape and the garage was designed as part of the dwelling house erected on that site. The applicant seeks to diminish the architectural integrity of an existing period building to accommodate a sub-basement garage which is a different architectural context and a poor architectural outcome for the site.

In view of the above, the application is contrary to the urban design guidelines contained in Part 2.1 of MDCP 2011 and the Section 82A review request is recommended for refusal.

3. The proposal is contrary to the overshadowing requirements of Part 2.7 of Marrickville Development Control Plan 2011 in that it creates additional overshadowing to the windows adjoining living areas and private open space areas of adjoining properties.

Part 2.7 of MDCP 2011 contains objectives and controls relating to overshadowing. Control C2 specifies that direct solar access to windows of principal living areas and principal areas of open space of nearby residential accommodation must:

- i. Not be reduced to less than two hours between 9.00am and 3.00pm on 21 June; or
- ii. Where less than two hours of sunlight is currently available on 21 June, solar access should not be further reduced.

The applicant states:

"In writing the above statement, point 3, council has not considered the topography of the land, which slopes down towards the south and east of the subject site and up towards the north and west. The existing dwelling is single storey and the proposal does not increase the height of the existing dwelling, the existing two storey dwellings located on William Street and surrounds create much larger shadows than the subject dwelling."

The development increases the overall massing of the roof to accommodate a side extension to the dwelling house to accommodate larger bedrooms and an ensuite. It appears that the development will cause additional shadow impacts to the northern (side) facing windows and private open spaces of 11 William Street and 18 Bright Street between 9.00am and 3.00pm on 21 June. However, the application was not accompanied by hourly and/or elevational shadow diagrams in the prescribed period to enable a complete and proper assessment of the shadow impacts caused by the proposed development.

In view of the above assessment, the application is unsupportable as insufficient information was submitted with the review request to enable Council to assess the development's compliance with Part 2.7 of MDCP 2011. Accordingly, the Section 82A review request is recommended for refusal.

4. The proposal is contrary to the good urban design guidelines as specified in Part 4.1.4 – Good Urban Design Practice of Marrickville Development Control

Plan 2011 as it fails to enhance the existing built form character in the street in terms of visual bulk and scale and window design.

Part 4.1.4 of MDCP 2011 contains the following guidelines for good urban design:

- Consider the characteristics of the site and the adjoining development;
- Ensure the development enhances the streetscape character of the locality; and
- Ensure the scale of the development is appropriate for the site.

The proposed development is considered to create a poor urban design outcome for the street in that diminishes the architectural presentation of the existing period building by altering the original massing and façade of the dwelling house, reducing the size of window openings and creating structural elements that are not original to; and will not complement the main body of the dwelling façade when viewed from the street.

The development is contrary to the Good Urban Design Practice Guidelines stipulated in Part 4.1.4 of MDCP 2011 and the Section 82A review request is recommended for refusal.

5. The proposal does not comply with the objectives and controls contained in Part 4.1.5 – Streetscape and Design of Marrickville Development Control Plan 2011 as it fails to achieve an acceptable level of design quality and would detract from the established residential character of the street.

As discussed above, it is considered that the development does not complement the visual cohesiveness of the streetscape and the proposed modifications to the period dwelling house do not complement the character of the area.

The development is contrary to the objectives and controls stipulated under Part 4.1.5 - Streetscape and Design of MDCP 2011 and the Section 82A review request is recommended for refusal.

6. The proposal is contrary to the objectives of Part 4.1.6.1 – Floor Space Ratio and Height of Marrickville Development Control Plan 2011 as the design fails to encourage development of a form that enhances the character and quality of streetscapes.

Part 4.1.6.1 of MDCP 2011 contains objectives and controls relating to floor space ratio and height. The objectives and controls not only relate to numerical compliance with the relevant development standards, but aim to address the broader objectives of a more compact city with a satisfactory level of amenity.

The floor space ratio and height objectives and controls of MDCP 2011 require that:

- Development is of a scale and form that enhances the character and quality of streetscapes;
- Alterations and additions to residential period dwellings do not detract from the individual character and appearance of the dwelling being added to and the wider streetscape character; and
- The bulk and relative mass of the development is acceptable for the street and adjoining dwellings in terms of overshadowing, visual impact and significant trees on the site.

As discussed above, the development architecturally diminishes the character of the locality and the period dwelling house. The development results in the removal of a street tree which is not supported by Council (to be discussed in more detail under reason for refusal 8 of this report).

The development extends the southern end of the dwelling house to accommodate larger bedrooms and an ensuite which will be highly visible to the street, thereby creating additional visual bulk to the front façade. This results in an inappropriate distortion to the original form, architectural expression and massing of the period dwelling house.

The development is contrary to the Floor Space Ratio and Height objectives and controls under Part 4.1.6.1 of MDCP 2011 in relation to additions and alterations to period dwelling houses, visual impacts to the streetscape, overshadowing and impacts to trees. Accordingly, the Section 82A review request is recommended for refusal.

- 7. The proposal is inconsistent with the desired future character of the area identified in Part 9.9 - Strategic Context Newington Planning Precinct (Precinct 9) of Marrickville Development Control Plan 2011. In particular, the development is a poorly conceived design and its lack of architectural expression would detract from the character of the street.**

The property is located in the Newington Planning Precinct (Precinct 9) under Marrickville Development Control Plan 2011. The desired future character of the area is to protect and preserve the identified period buildings within the precinct and encourage their sympathetic alteration or restoration, to protect significant landscaping in the locality and to ensure that the provision and location of off-street car parking does not adversely impact the amenity of the precinct.

As discussed throughout this report, the development fails to achieve the desired future character of the area in that it proposes unsympathetic alterations and additions to the period dwelling house that detracts from the streetscape appearance of the building and results in the removal of a street tree.

In view of the above assessment, the development fails to achieve the desired future character of the area as outlined in Part 9.9 of MDCP 2011 and the Section 82A review request is recommended for refusal.

- 8. The proposal is inconsistent with Part 2.20 – Tree Management of Marrickville Development Control Plan 2011 involves the removal of an existing street tree which is not supported as it detracts from the streetscape, reduces space for additional tree planting and takes away from on-street car parking.**

The application proposes to increase the existing single-width driveway to 6.2 metres which will require the removal of a Bottlebrush street tree fronting the site.

The application was referred to Council's Tree Management Officer (TMO) who provided the following comments:

"The proposal increases the existing single-width driveway crossover to 6.2 metres at the cost of an existing street tree. The loss of the street tree is not supported.

The property has a 12-metre wide frontage with a power / light pole in the street nearly in line with the northern side boundary. Even if removal of the existing tree was supported on the condition that a new tree was planted to replace it, the recommended 5-metre setbacks from the light pole and the expanded driveway leave no space for a new tree.

In summary, the removal of the existing tree is not supported and increasing the width of the driveway crossover at the cost of space for street tree planting is not supported."

Council's Tree Management Officer has recommended that the existing driveway be maintained at its existing width and the street tree retained.

As such the development does not satisfy the aims and objectives of Part 2.20 of MDCP 2011 and the Section 82A review request is recommended for refusal.

9. Given the substantiated issues raised in the resident submissions in terms of the poor design outcome and adverse impact on the established streetscape character, approval of the application would not be in the public interest.

The original development application (DA201700214) was advertised in accordance with Council's Notification Policy and a total of 20 submissions were received. The matters raised in those submissions were addressed as part of the assessment of that application, and a number of those issues were considered to be unresolved including impacts to the streetscape and character of the locality.

The Section 82A review request was advertised, an on-site notice displayed on the property and residents/property owners in the vicinity of the property were notified of the development in accordance with Council's Notification Policy. Council received 18 submissions which are discussed in Part 6, '*Community Consultation*' of this report.

Based on the issues discussed throughout this report, relating to urban design, streetscape, overshadowing and tree impacts, a number of the concerns raised in the resident submissions are substantiated and the Section 82A review request is recommended for refusal.

10. Other Reasons for Refusal

The issue discussed below is an additional reason for refusal as identified during the assessment of the Section 82A review request.

a) BASIX

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (the BASIX SEPP) contains provisions for the environmental performance of buildings. Pursuant to the BASIX SEPP, the development is a BASIX affected building and requires a BASIX Certificate to be submitted with the development application. No BASIX Certificate was submitted with the application. Accordingly, the Section 82A review request is recommended for refusal.

b) Additional Controls for Period Dwellings

Part 4.1.11 of MDCP 2011 contains objectives and controls for residential period buildings. The subject dwelling house is characterised as a 'Period Dwelling House', being a Federation era cottage (constructed approximately early 1900s). While it is acknowledged that the dwelling house has been altered over time (such as rendering of brickwork and verandah modifications), the alterations are reversible.

The objectives and controls under Part 4.1.11 of MDCP 2011 require that:

- Alterations and additions at the rear and the sides and above the roof line, other than reconstruction of elements removed from the period building and garden, must be subordinate to the main body of the period building when viewed from the street;
- Alterations and additions at the front should minimise impacts to the period dwelling; and
- Demolition of existing significant period features at the front will not be permitted.

As previously discussed, the application will adversely alter the original massing, roof line, windows and front façade of the period dwelling house. The application is contrary to the period building objectives and controls under Part 4.1.11 of MDCP 2011 and the Section 82A review request is recommended for refusal.

C) Car Parking

Part 4.1.7 of Marrickville Development Control Plan contains objectives and controls relating to car parking. Particularly, Control C14 specifies that car parking structures must be located and designed to:

- Conveniently and safely serve all users;
- Enable efficient use of car spaces, including adequate manoeuvrability for vehicles between the site and the street;
- Not reduce availability of kerbside parking; and
- Retain significant trees.

The application was referred to Council's Development Engineer who objected to the proposal for the following reasons:

- The proposal will result in the loss of 1 "on street" car parking space;
- The minimum headroom of 2.2m as required by AS2890.1:2004 has not been achieved;
- The cross section provided (Page 13 of 19) has insufficient detail to assess if a B85 vehicle will scrape the footpath when accessing the site. The vehicular crossing is required to satisfy the ground clearance template for a B85 vehicle (Figure C1-Australian Standard AS2890.1-2004). A cross section through both sides of the driveway and adjacent footpath (1 in 20 scale) is required for review and has not been provided; and
- The proposed vehicular crossing will result in the loss of a street tree.

In view of the above reasons, the application is contrary to the provisions of Part 4.1.7 of MDCP 2011 and the Section 82A review request is recommended for refusal.

6. Community Consultation

The Section 82A review request was advertised, an on-site notice displayed on the property and residents/property owners in the vicinity of the property were notified of the development in accordance with Council's Notification Policy. A total of 18 submissions were received raising the following submissions which have been discussed in this report:

- The development imposes adverse urban design and architectural impacts to the streetscape and is inappropriate for the context of the neighbourhood – See discussions in reasons for refusal 1, 2, 4, 5, 6 and 7;
- The proposal will result in the loss of on-street car parking – See discussions in reason for refusal 10(c);
- The bulk and relative mass of the development is inappropriate for the street – See discussions in reason for refusal 6;
- The proposal is contrary to the Residential Period Building controls under Part 4.1.11 of MDCP 2011 – See discussions in reason for refusal 10(b);
- The proposal is contrary to the future desired character of the area under Part 9.9 of MDCP 2011 – See discussions in reason for refusal 7;
- The proposal will result in the loss of a street tree – See discussions in reason for refusal 8;
- The development will increase overshadowing to 11 William Street and 18 Bright Street – See discussion in reason for refusal 3.

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

Issue: The garage will impose safety issues of pedestrians with vehicles reversing over a steep driveway and onto the street.

Comment: The application proposes the extension of the existing vehicular crossing fronting the site which will remove at least 1 car space from the street. While the above issue is acknowledged, the application was referred to Council's Development Engineer who objected to the proposal for other reasons relating to loss of off-street parking and street trees and inadequate information regarding minimum head room and vehicular clearance from the kerb to avoid scraping.

Issue: The applicant has undertaken unauthorised works; including the provision new windows, external doors and internal staircase.

Comment: Upon determining the application, the above matters will be referred to Council's Monitoring Services for investigation to address any unauthorised works carried out to the property.

Issue: The plans are inaccurate; with some discrepancies on the plans including an incorrect portrayal of 'proposed' works which are already completed on the dwelling house, such as a 'new' window on the south elevation, and incorrect floor levels.

Comment: The poor quality of the plans is noted. The application is recommended for refusal as the development is assessed to be a poor architectural outcome for the street and will result in adverse amenity impacts to adjoining residents. As previously discussed, the matter regarding unauthorised works will be referred to Council's Monitoring Services for investigation. Should a revised proposal be lodged with Council, accurate floor plans will be required for any development application lodged.

Issue: The residents of the dwelling house store products on their driveway and create unreasonable noise between 5.30am and 6.30am when loading products into their vehicle. The residents are using the property for storage of large commercial/construction items.

Comment: The above matters are compliance issues which will be referred to Council's Monitoring Services for investigation and appropriate action.

Issue: The development will result in adverse visual and acoustic privacy impacts to adjoining neighbours.

Comment: The issue of visual and acoustic privacy has not been determined as a reason for refusal under this review. The development proposes 2 windows on the side (south) elevation of the dwelling house that does not directly overlook the neighbouring side (northern) windows of 11 William Street. Being a residential development in a residential area, it is not envisaged that the development will result in unreasonable acoustic privacy issues for adjoining properties.

Issue: The resident may use the garage as a workshop or storage depot for equipment/work vehicles.

Comment: The above concern is speculative and cannot be used as a reason for refusal.

Issue: The extended vehicular driveway will result in a loss of original sandstone kerbing.

Comment: The loss of original sandstone kerbing is not supported as the site already contains an existing vehicular crossing. The application is recommended for refusal based on the planning issues raised in the main body of this report.

Issue: The side setbacks are inappropriate for the site in accordance with the side setback objectives and controls of Part 4.1.6.2 of MDCP 2011.

Comment: Under Part 4.1.6.2 of MDCP 2011, the side setbacks required for properties with frontages of 8 metres or more is 900mm for single storey developments. The site contains a width of approximately 12.3 metres and is therefore required to comply with the side setback control stipulated above. The proposed extension to the southern façade of the dwelling house results in a side setback of 900mm to the southern boundary of the site, which complies with Part 4.1.6.2 of MDCP 2011. However, based on the planning issues raised in this report, the application is recommended for refusal.

7. Referrals

7(a) Internal

The application was referred to Council's Development Engineer and the issues raised in that referral have been discussed in section 5 above.

8. Conclusion

The heads of consideration under Section 79C of the Environmental Planning and Assessment Act, 1979, as are of relevance to the application, have been taken into consideration in the assessment of this application.

The proposal is contrary to the provisions of State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 and Marrickville Development Control Plan 2011 (MDCP 2011) in relation to urban design and streetscape impacts, overshadowing, tree impacts and impacts to the existing period building. The proposal is contrary to the desired future character of Newington Planning Precinct (Precinct 9) of Marrickville Development Control Plan 2011.

The application is considered unsupportable and in view of the circumstances, refusal of the application is recommended.

9. Recommendation

- A.** That Council as the consent authority pursuant to Section 82A of the Environmental Planning and Assessment Act, 1979 confirm the original determination of **refusal** for Development Application No. 201700214 for the following reasons:
1. The proposal is contrary to the provisions of State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 in that a current BASIX Certificate was not submitted with the Section 82A Review request.
 2. The proposal is contrary to the Clause 1.2(2)(h) of Marrickville Local Environmental Plan 2011 in that it fails to exhibit an acceptable level of design quality and the poor architectural expression would have an adverse impact within the streetscape.

3. The proposal is contrary to the Urban Design requirements of Part 2.1 of Marrickville Development Control Plan 2011 in that it proposes a character that fails to deliver a high quality design for the streetscape.
 4. The proposal is contrary to the overshadowing requirements of Part 2.7 of Marrickville Development Control Plan 2011 in that insufficient information was submitted to enable a complete and proper assessment of the shadow impacts of the proposal.
 5. The proposal is contrary to the good urban design guidelines as specified in Part 4.1.4 – Good Urban Design Practice of Marrickville Development Control Plan 2011 as it fails to enhance the existing built form character of the streetscape.
 6. The proposal does not comply with the objectives and controls contained in Part 4.1.5 – Streetscape and Design of Marrickville Development Control Plan 2011 as it fails to achieve an acceptable level of design quality and would detract from the established residential character of the street.
 7. The development fails to comply with the Car Parking objectives and controls under Part 4.1.7 of Marrickville Development Control Plan 2011.
 8. The proposal does not comply with the Additional Controls for Residential Period Buildings under Part 4.1.11 of Marrickville Development Control Plan 2011 in that the alterations and additions to the period dwelling house are not subordinate and will further diminish and detract from the original architectural expression of the dwelling house.
 9. The proposal is contrary to the objectives of Part 4.1.6.1 – Floor Space Ratio and Height of Marrickville Development Control Plan 2011 as the design fails to encourage development of a form that enhances the character and quality of streetscapes.
 10. The proposal is inconsistent with the desired future character of the area identified in Part 9.9 - Strategic Context Newington Planning Precinct (Precinct 9) of Marrickville Development Control Plan 2011. In particular, the application proposes unsympathetic alterations and additions to the period dwelling house and architecturally detracts from the streetscape.
 11. The proposal is inconsistent with Part 2.20 – Tree Management of Marrickville Development Control Plan 2011 involves the removal of an existing street tree and reduces space for additional tree planting.
 12. Given the substantiated issues raised in the resident submissions under Determination No. 201700214 in terms of the poor design outcome and adverse impact on the established streetscape character and car parking, approval of the application would not be in the public interest.
- B. THAT** those persons who lodged submissions in respect to the proposal be advised of the Council's determination of the application.
- C. THAT** the matters relating to potential unauthorised building works carried out to the property and unauthorised uses of the property for industrial or commercial purposes be referred to Council's Monitoring Services for investigation and action as deemed appropriate.

Attachment A – Conditions of consent in the circumstance the application is approved

GENERAL

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

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by	Date Submitted
Page 2 of 19	Site Plan	2 May 2017	David D'ettore	23 October 2017
Page 5 of 19	Proposed Sub-Floor Area Plan	2 May 2017	David D'ettore	23 October 2017
Page 6 of 19	Proposed Ground Floor Plan	2 May 2017	David D'ettore	23 October 2017
Page 9 of 19	Proposed Elevations	2 May 2017	David D'ettore	23 October 2017
Page 10 of 19	Proposed Elevations	2 May 2017	David D'ettore	23 October 2017
Page 12 of 19	Proposed Section A-A	2 May 2017	David D'ettore	23 October 2017
Page 13 of 19	Proposed Section B-B	2 May 2017	David D'ettore	23 October 2017
Page 14 of 19	Proposed Site Plan	2 May 2017	David D'ettore	23 October 2017
Page 15 of 19	Concept Drainage Plan	2 May 2017	David D'ettore	23 October 2017
Page 16 of 19	Erosion and Sediment Control Plan	2 May 2017	David D'ettore	23 October 2017

and details submitted to Council on 23 October 2017 with the application for development consent and as amended by the following conditions.

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

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

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

3. All building work must be carried out in accordance with the provisions of the National Construction Code (Building Code of Australia).

BEFORE COMMENCING DEMOLITION, EXCAVATION AND/OR BUILDING WORK

For the purpose of interpreting this consent, a Principal Certifying Authority (PCA) means a principal certifying authority appointed under Section 109E(1) of the Environmental Planning and Assessment Act 1979. Pursuant to Section 109E(3) of the Act, the PCA is principally responsible for ensuring that the works are carried out in accordance with the approved plans, conditions of consent and the provisions of the National Construction Code (Building Code of Australia).

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

Facilities must be located so that they will not cause a nuisance.
7. The site must be enclosed with suitable fencing to prohibit unauthorised access. The fencing must be erected as a barrier between the public place and any neighbouring property, before work commences.
8. A rigid and durable sign must be erected in a prominent position on the site, before work commences. The sign is to be maintained at all times until all work has been completed. The sign must include:
 - a) The name, address and telephone number of the PCA;
 - b) A telephone number on which Principal Contractor (if any) can be contacted outside working hours; and
 - c) A statement advising: 'Unauthorised Entry To The Work Site Is Prohibited'.
9. Sediment control devices must be installed before the commencement of any work and must be maintained in proper working order to prevent sediment discharge from the construction site.
10. The person acting on this consent shall apply as required for all necessary permits including crane permits, road opening permits, hoarding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the Local Government Act, 1993 or Section 138 of the Roads Act, 1993.
11. Where it is proposed to carry out works in public roads or Council controlled lands, a road opening permit shall be obtained from Council before the carrying out of any works in public roads or Council controlled lands. Restorations shall be in accordance with Marrickville Council's Restorations Code. Failure to obtain a road opening permit for any such works will incur an additional charge for unauthorised works as noted in Council's adopted fees and charges.

BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

For the purpose of interpreting this consent the Certifying Authority (Council or an Accredited Certifier) is that person appointed to issue a Construction Certificate.

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

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

For more information on how to calculate the amount payable and where payments can be made contact the Long Services Payments Corporation.
http://www.lspc.nsw.gov.au/levy_information/?levy_information/levy_calculator.stm

13. Plans fully reflecting the selected commitments listed in BASIX Certificate submitted with the application for development consent must be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.

NOTE: The application for the Construction Certificate must be accompanied by either the BASIX Certificate upon which development consent was granted or a revised BASIX Certificate issued no earlier than 3 months before the date of lodgement of the application for the Construction Certificate. (Refer to Clause 6A of Schedule 1 to the Regulation).

14. The person acting on this consent must provide to Council a bond in the amount of \$7,860 and pay the related Section 138 (Roads Act) inspection fee of \$277.50 (GST inclusive) before the issue of a Construction Certificate to ensure the proper completion of the footpath and/or vehicular crossing works required as a result of this development.
15. Before the issue of a Construction Certificate the owner or builder shall sign a written undertaking that they shall be responsible for the full cost of repairs to footpath, kerb and gutter, or other Council property damaged as a result of construction of the proposed development. Council may utilise part or all of any Building Security Deposit (B.S.D.) or recover in any court of competent jurisdiction, any costs to Council for such repairs.
16. With regard to the vehicular access the following additional information/amendments shall be provided:
- A long section along each side of the proposed vehicle access shall be provided to check the grade transitions in accordance with the method at Appendix C of AS2890.1-2004. The ramp grades and transitions must comply with AS2890.1-2004. Particular attention shall be paid to the grade transitions at the top of the driveway ramp and the minimum headroom requirement of 2.2m; and
 - Alignment levels for the site at all pedestrian and vehicular access locations shall be provided that indicate that the existing back of footpath levels at the boundary have been matched at both sides of the pedestrian and vehicular access.

Details of compliance with the above requirements shall be submitted to and approved by Council before the issue of a Construction Certificate.

SITE WORKS

17. All excavation, demolition, construction, and deliveries to the site necessary for the carrying out of the development, must be restricted to between 7.00am to 5.30pm Mondays to

Saturdays, excluding Public Holidays. Notwithstanding the above no work must be carried out on any Saturday that falls adjacent to a Public Holiday.

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

- a) protect and support the adjoining premises from possible damage from the excavation;
- b) where necessary, underpin the adjoining premises to prevent any such damage. Where the proposed underpinning works are not "exempt development", all required consents shall be obtained prior to the required works commencing; and
- c) at least 7 days' notice is given to the owners of the adjoining land of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

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

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

23. If the proposed work is likely to cause obstruction of the public place and/or is likely to endanger users of the public place, a suitable hoarding or fence approved by Council must be erected between the work site and the public place.
Reason: To provide protection to the public place.
24. A certificate of survey from a registered land surveyor must be submitted to the PCA upon excavation of the footings and before the pouring of the concrete to verify that the structure will not encroach on the allotment boundaries.
25. The person acting on this consent must comply with the requirements of the Dividing Fences Act in respect to the alterations and additions to the boundary fences.
26. All roof and surface stormwater from the site and any catchment external to the site that presently drains to it, shall be collected in a system of pits and pipelines/channels and major storm event surface flow paths and being discharged to a stormwater drainage system in accordance with the requirements of Marrickville Council Stormwater and On Site Detention Code.

BEFORE OCCUPATION OF THE BUILDING

27. You must obtain an Occupation Certificate from your PCA before you occupy or use the building. The PCA must notify the Council of the determination of the Occupation Certificate and forward the following documents to Council within 2 days of the date of the Certificate being determined:
 - a) A copy of the determination;
 - b) Copies of any documents that were lodged with the Occupation Certificate application;
 - c) A copy of Occupation Certificate, if it was issued;
 - d) A copy of the record of all critical stage inspections and any other inspection required by the PCA;
 - e) A copy of any missed inspections;
 - f) A copy of any compliance certificate and any other documentary evidence relied upon in issuing the Occupation Certificate.
28. The Certifying Authority must be satisfied that each of the commitments listed in BASIX Certificate referred to in this Determination have been fulfilled before the issue of an Occupation Certificate (whether an interim or final Occupation Certificate).

29. The Certifying Authority must apply to the Director-General for a BASIX Completion Receipt within 2 days of the issue of a final Occupation Certificate. Completion Receipts can be applied for at www.basix.nsw.gov.au.
30. All works required to be carried out in connection with drainage, crossings, alterations to kerb and guttering, footpaths and roads resulting from the development shall be completed before the issue of the Occupation Certificate. Works shall be in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications".
31. Light duty concrete vehicle crossings, in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications" shall be constructed at the vehicular access locations before the issue of the Occupation Certificate. These works shall include the planting of a replacement tree if the existing street tree is approved for removal.
32. All redundant vehicular crossings to the site shall be removed and replaced by kerb and gutter and footpath paving in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications" before the issue of the Occupation Certificate and at no cost to Council. Where the kerb in the vicinity of the redundant crossing is predominately stone (as determined by Council's Engineer) the replacement kerb shall also be in stone.
33. No encroachments onto Council's road or footpath of any service pipes, sewer vents, boundary traps, downpipes, gutters, stairs, doors, gates, garage tilt up panel doors or any structure whatsoever shall not be permitted. Any encroachments on to Council road or footpath resulting from the building works will be required to be removed before the issue of the Occupation Certificate. These works shall include the planting of a replacement tree if the existing street tree is approved for removal.
34. Any adjustment or augmentation of any public utility services including Gas, Water, Sewer, Electricity, Street lighting and Telecommunications required as a result of the development shall be at no cost to Council and undertaken before the issue of the Occupation Certificate.
35. The existing stone kerb adjacent to the site is of local heritage value and is to be preserved at no cost to Council. Any damage to the stone kerb will require the replacement of the damaged individual stone units before the issue of the Occupation Certificate.

USE OF THE BUILDING

36. The premises must be used exclusively as a single dwelling house and must not be adapted for use as a residential flat building or boarding house and must not be used for any industrial or commercial purpose.

Attachment B – Section 82(A) Review Statement



Architectural Designer and Builder

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19 July 2017

Daniel East
Acting Team Leader Development Assessment
Inner West council

Development application number 201700214 – 15 William Street, Marrickville

Dear Sir/Madam,

I am writing this letter in response to your letter dated 27 June 2017 being the refusal of the above mentioned development application.

The reasons put forward as to why the application was refused are completely unsubstantiated, these are the reasons why:

1. The proposal is contrary to the aim (h) of Marrickville Local Environmental Plan 2011 in that it fails to exhibit an acceptable level of design quality and the lack of architectural expression would have an adverse impact within the streetscape

The proposal deliberately does not alter the overall design of the existing dwelling, in order to maintain the existing characteristics of the dwelling and to minimise any noticeable change to the existing dwelling. The above statement made by council is an insult to the owner of the property who takes pride in the dwelling.

2. The proposal is contrary to the urban design requirements of part 2.1 of the Marrickville Development Control Plan 2011 in that it proposes a character that fails to deliver a high design quality and a distinctive streetscape character and would establish an undesirable precedent for the future development in the street.

As per point 1, the proposal does not seek to change the character of the existing dwelling, simply adding a garage door, which takes up a small percentage of the front façade is not altering the character of the existing dwelling. The existing dwelling located at 8 William Street, Marrickville consists of an attached garage at ground level, therefore the precedent for building an attached garage has already been set. William Street and surrounds are zoned R2 low density residential, therefore it is

astounding that council allowed two medium density residential dwellings to be built, one at 11A William Street and the other at 19 William Street, one being the second dwelling to the south and the other being the second dwelling to the north of number 15, this would seem to be an “undesirable precedent”.

3. The proposal is contrary to the overshadowing requirements of part 2.7 of the Marrickville Development Control Plan 2011 in that it creates additional overshadowing to the windows adjoining living areas and private open space areas of adjoining properties.

The proposal creates an extremely minor increase in the shadows created by the existing dwelling, which would have no impact on the surrounding dwellings. The adjoining dwelling to the south of the site, consists of living areas located at the rear of the dwelling facing east, therefore the shadows created by the subject dwelling are not affecting the living areas. Part 2.7 Solar Access and Overshadowing of the Marrickville Development Control Plan 2011 states: “Council will consider, Any exceptional circumstances of the subject site such as heritage, built form or topography” In writing the above statement, point 3, council has not considered the topography of the land, which slopes down towards the south and east of the subject site and up towards the north and west. The existing dwelling is single storey and the proposal does not increase the height of the existing dwelling, the existing two storey dwellings located on William Street and surrounds create much larger shadows than the subject dwelling.

4. The proposal is contrary to the good urban design guidelines as specified in Part 4.1.4 – Good Urban Design Practice of Marrickville Development Control Plan 2011 as it fails to enhance the existing built form character in the street in terms of visual bulk and scale and window design.

The above statement is completely invalid as the proposal does not seek to alter the existing characteristics of the dwelling. Other dwellings on William Street and surrounds are of a greater scale than the existing dwelling including the proposed addition. The two storey dwellings and the medium density residential dwellings are of a far greater scale, create greater visual bulk and have similar window designs. The proposal does not seek to alter the existing window design, it seeks to slightly reduce the size of one of the existing windows.

5. The proposal does not comply with the objectives and controls contained in Part 4.1.5 – Streetscape and Design of Marrickville Development Control Plan 2011 as it fails to achieve an acceptable level of design quality and would detract from the established residential character of the street.

William Street consists of dwellings with a variety of scale, height, design, age and other characteristics, therefore there is no set character to the street. The proposal does not seek to alter the characteristics of the existing dwelling and in no way would detract from the character of the street.

6. The proposal is contrary to the objectives of part 4.1.6.1 – Floor Space Ratio and Height of Marrickville Development Control Plan 2011 as the design fails to encourage development of a form that enhances the character and quality of streetscapes.

The proposal complies with the floor space ratio and height limit for the zone. The proposed floor space ratio is 0.42:1, which is well below the allowable 0.6:1. The height of the dwelling will remain unchanged, being 5.77m, which is well below the allowable 9.5m. Therefore as the proposal does not exceed any of these limitations, it is not detracting from the street character by proposing to create a minor addition and alteration to the existing dwelling. William Street consists of numerous dwellings which are of a larger scale and height than the existing dwelling including the new proposal.

7. The proposal is inconsistent with the desired future character of the area identified in Part 9.9 – Strategic Context Newington Planning Precinct (Precinct 9) of Marrickville Development Control Plan 2011. In particular, the development is a poorly conceived design and its lack of architectural expression would detract from the character of the street.

As per point 1, the second half of the above statement is an insult to the owner of the dwelling as he takes pride in his residence. The proposal is extremely complementary to the existing dwelling as it does not alter any of its characteristics. It is most perplexing that on the same street as the subject site, two medium density residential dwellings were permitted to be built in an area zoned for low density residential and within a protected precinct yet a simple addition and alteration to an existing dwelling is being rejected. The proposal, in no way contradicts any of the requirements within the precinct 9 rules within the Marrickville DCP 2011, the existing dwelling is not a heritage listed item, is not a period building, does not consist of any original or ornate architectural features and does not affect any of the surrounding dwellings or public.

8. The proposal is inconsistent with part 2.20 – Tree Management of Marrickville Development Control Plan 2011 involves the removal of an existing street tree which is not supported as it detracts from the streetscape, reduces space for additional tree planting and takes away from on-street parking.

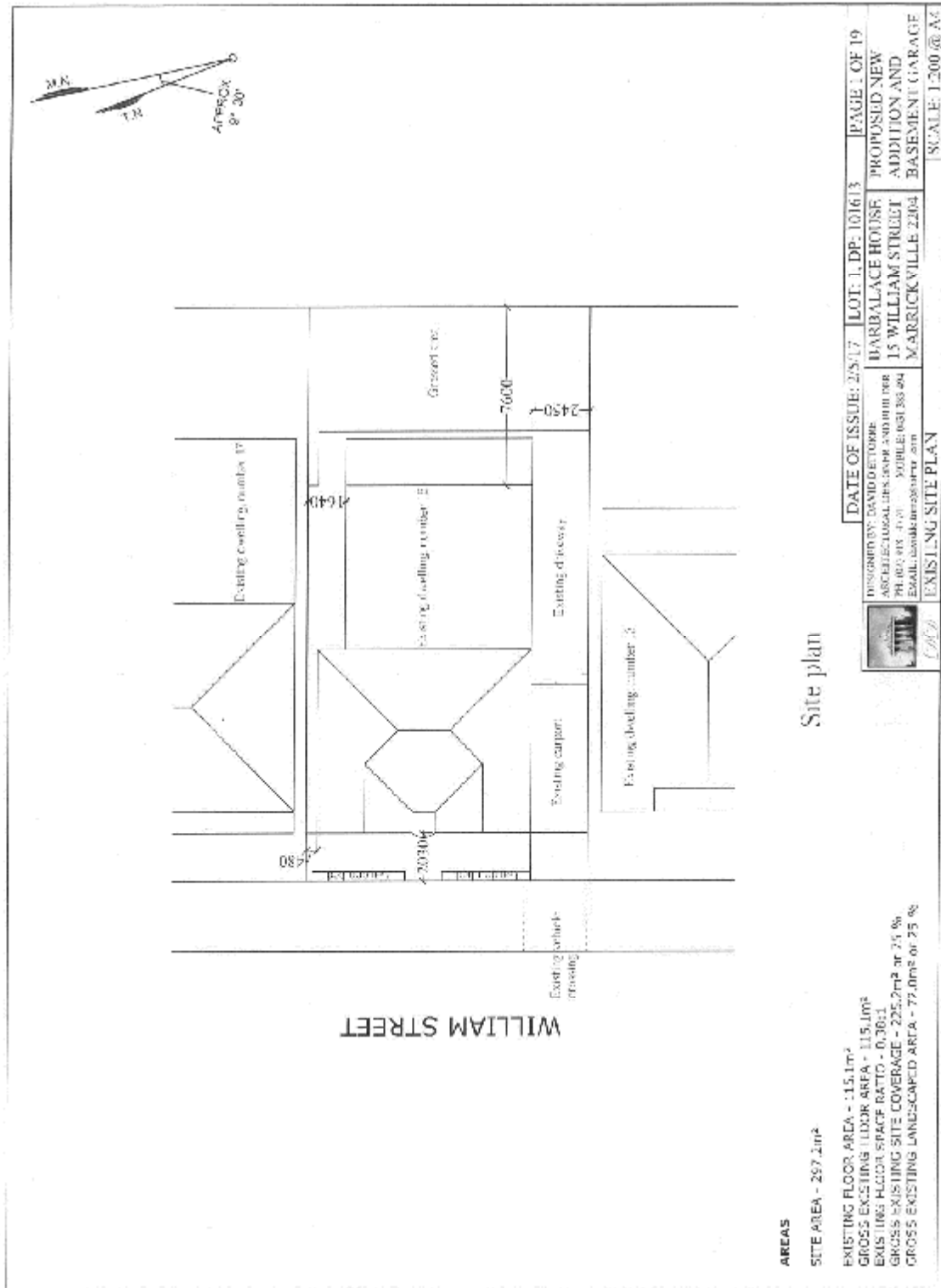
The above statement is completely incorrect and hypocritical, the reasons being, that the proposal does not seek to remove the existing street tree located in front of the subject site. The proposed widening of the existing driveway would only remove a small section of the grassed area, the remaining grassed area in front of the dwelling is more than sufficient space to plant additional trees. There are numerous sites along William Street and surrounds which consist of no street trees. The hypocrisy of the above statement is that council was willing to remove hundreds of trees along Dobroyd Parade, Haberfield over a year before any work commenced on widening that section of the Bay Run and yet there was no need to remove them as the minor widening of the Bay Run is being carried out on the opposite side of the path from where the trees were located. The owner of the subject property and his family own multiple vehicles, therefore the proposal seeks to accommodate them off the street, thus increasing the availability of on-street parking for surrounding residences and the public. The medium density residence located at 19 William Street consists of no off-street parking, thus drastically reducing the availability of on-street parking for surrounding residents and public.

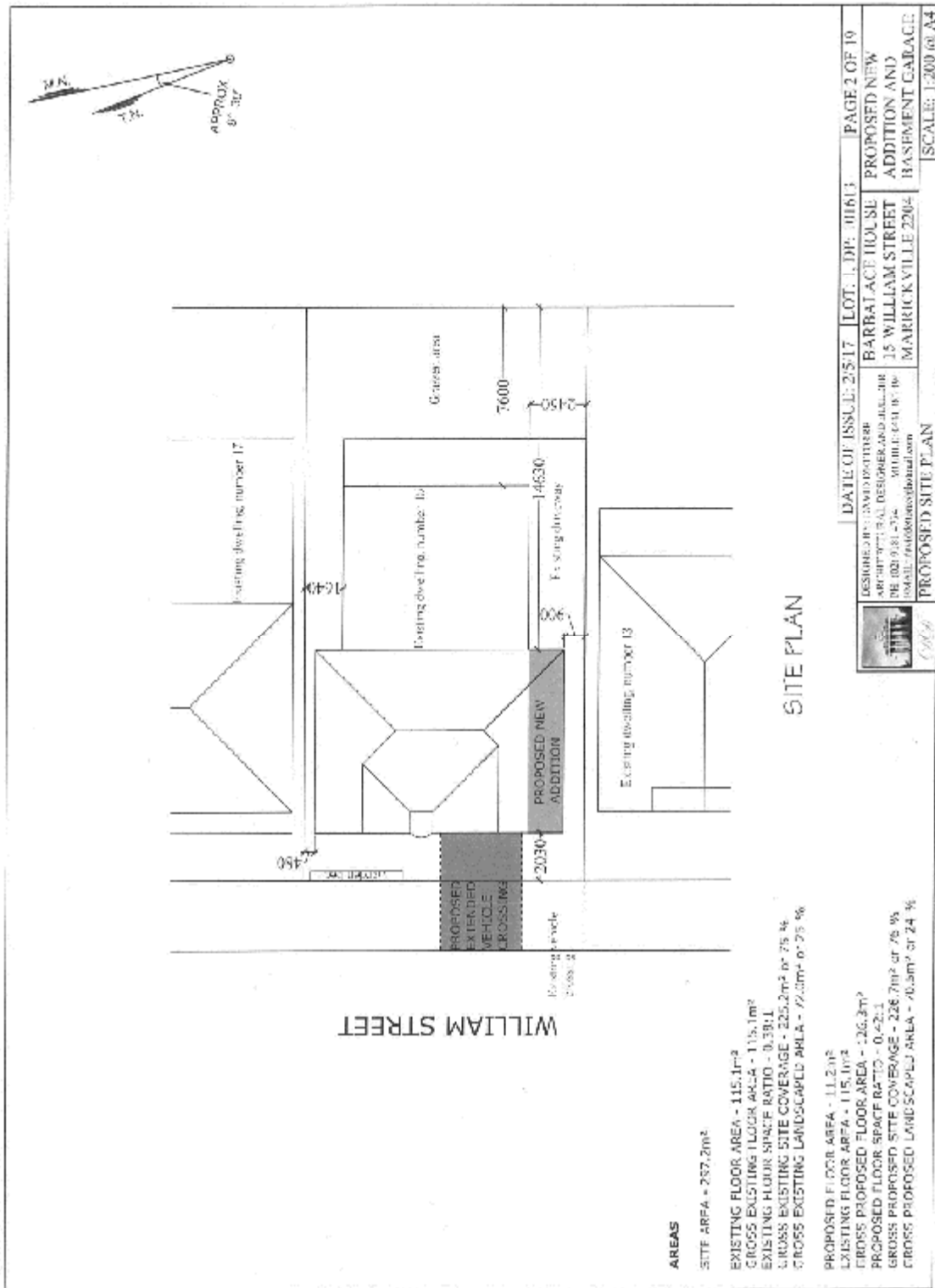
9. Given the substantiated issues raised in the resident submissions in terms of the poor design outcome and adverse impact on the established streetscape character, approval of the application would not be in the public interest.

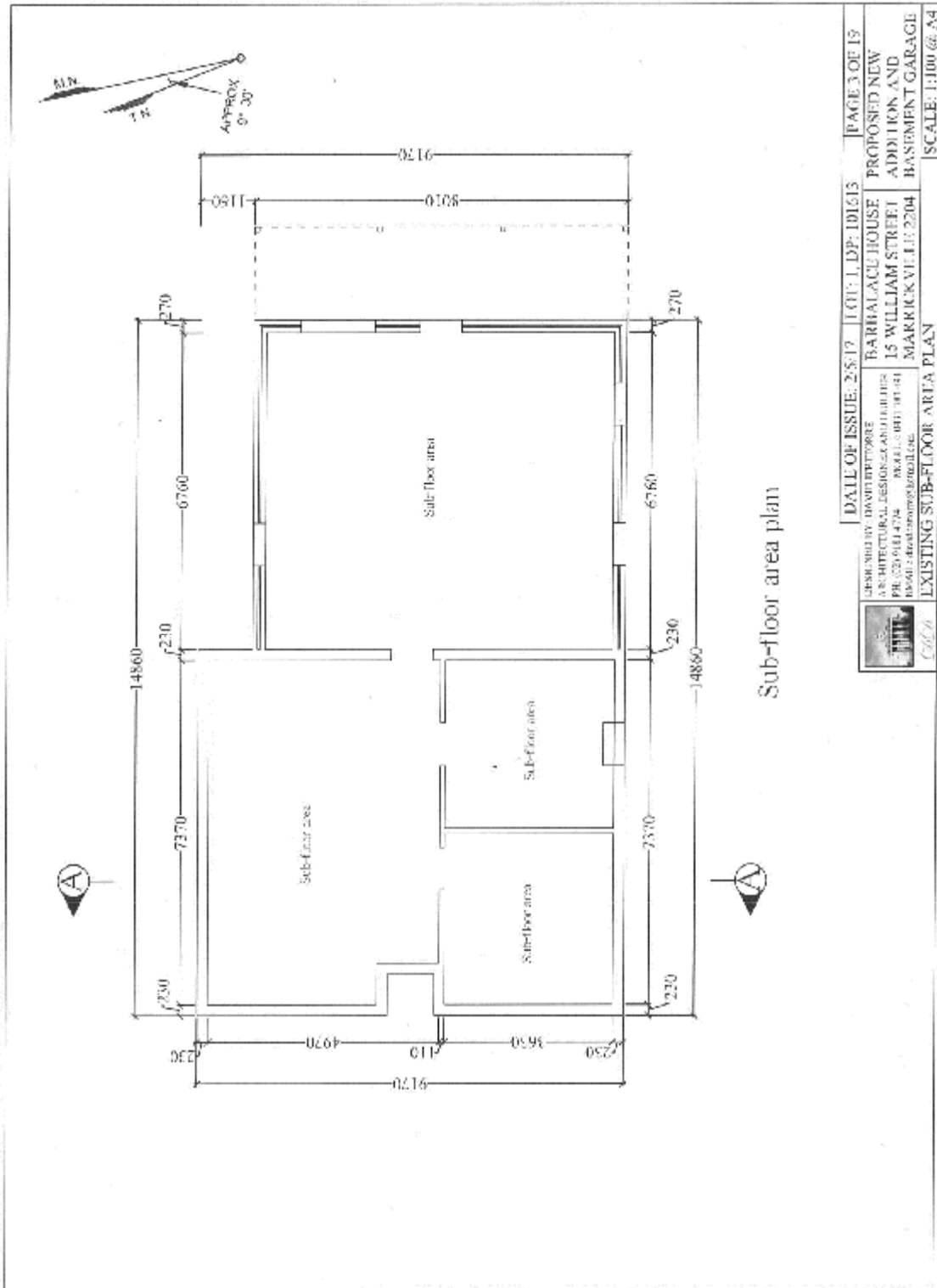
As proven in response to all the issues raised, the proposed new minor addition and alteration to the existing dwelling located at 15 William Street, Marrickville, is allowable under the relevant legislation and does not have any negative impact on the surrounds and its residents as the proposal is well within the allowable limits and seeks to maintain the character of the existing dwelling. The area surrounding the subject site, consists of numerous dwellings with an attached garage, including the dwelling located at 8 William Street. The streetscape character has been negatively impacted by the fact that two medium density residential dwellings were allowed to be built in an area zoned R2 low density residential and within a protected precinct. The responses to the issues raised prove that council should reconsider the refusal of the development application and instead approve it as it would promote continued improvement in the area.

Regards
David D'Ettorre

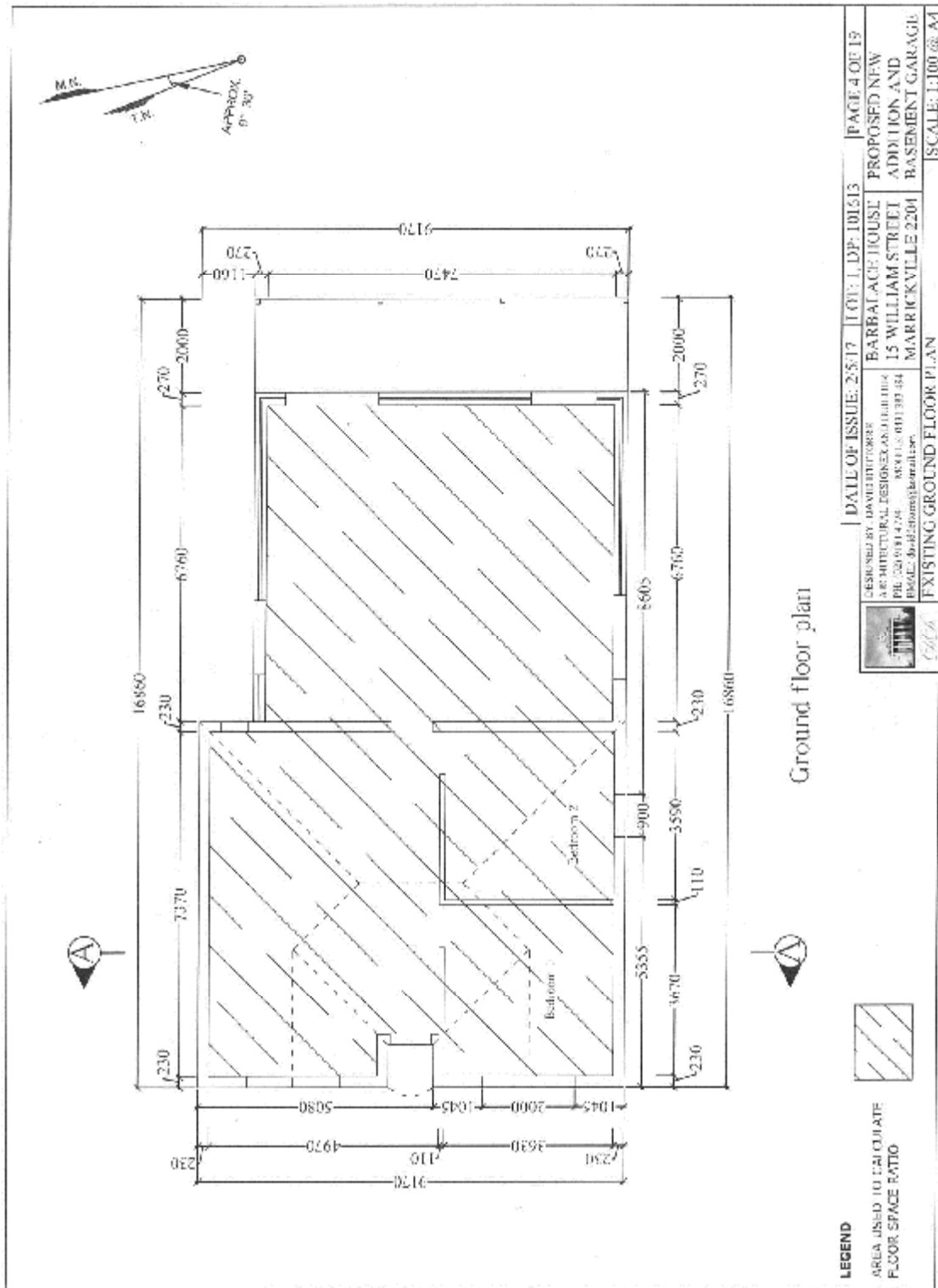
Attachment C - Plans of proposed development

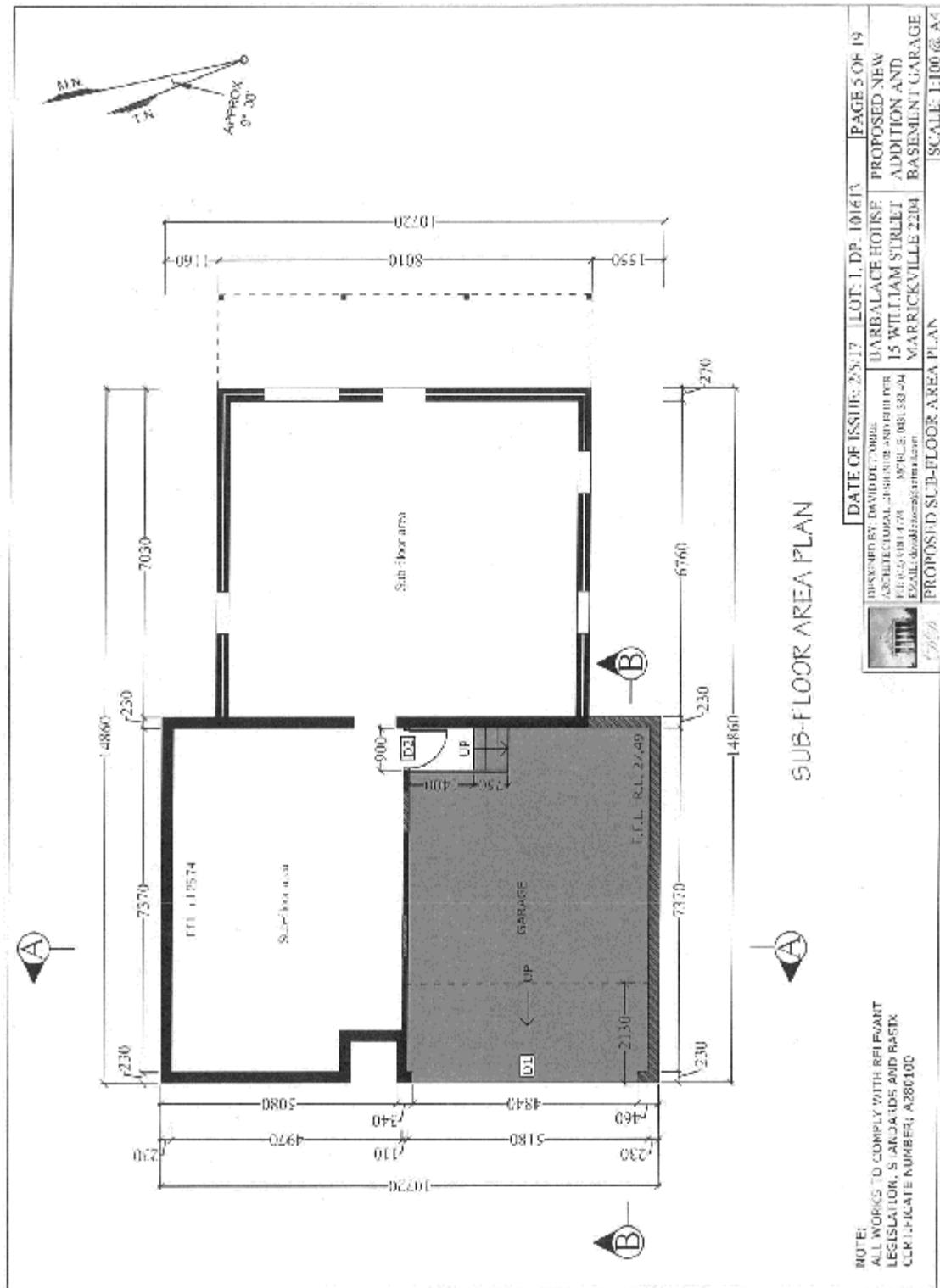


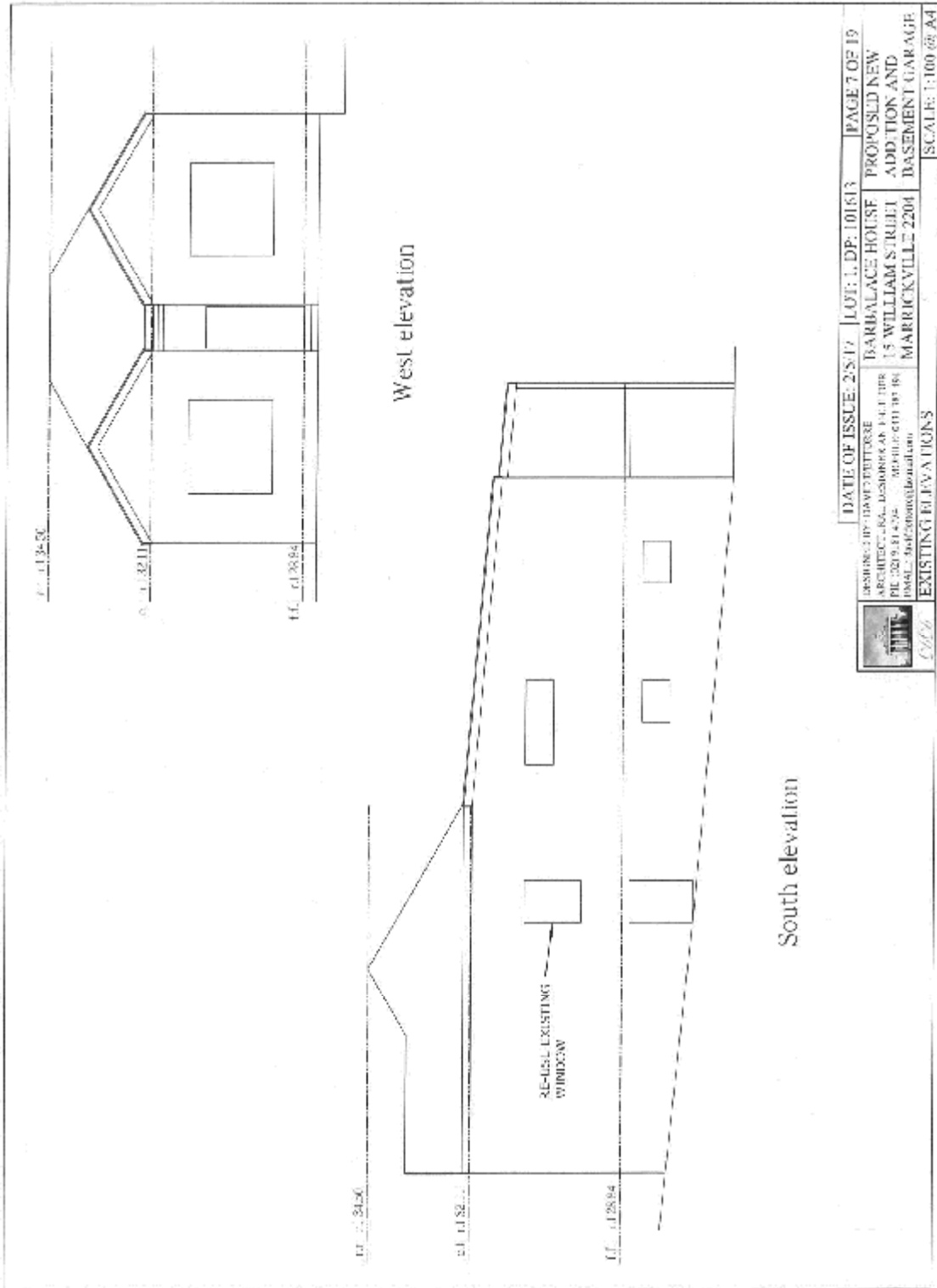


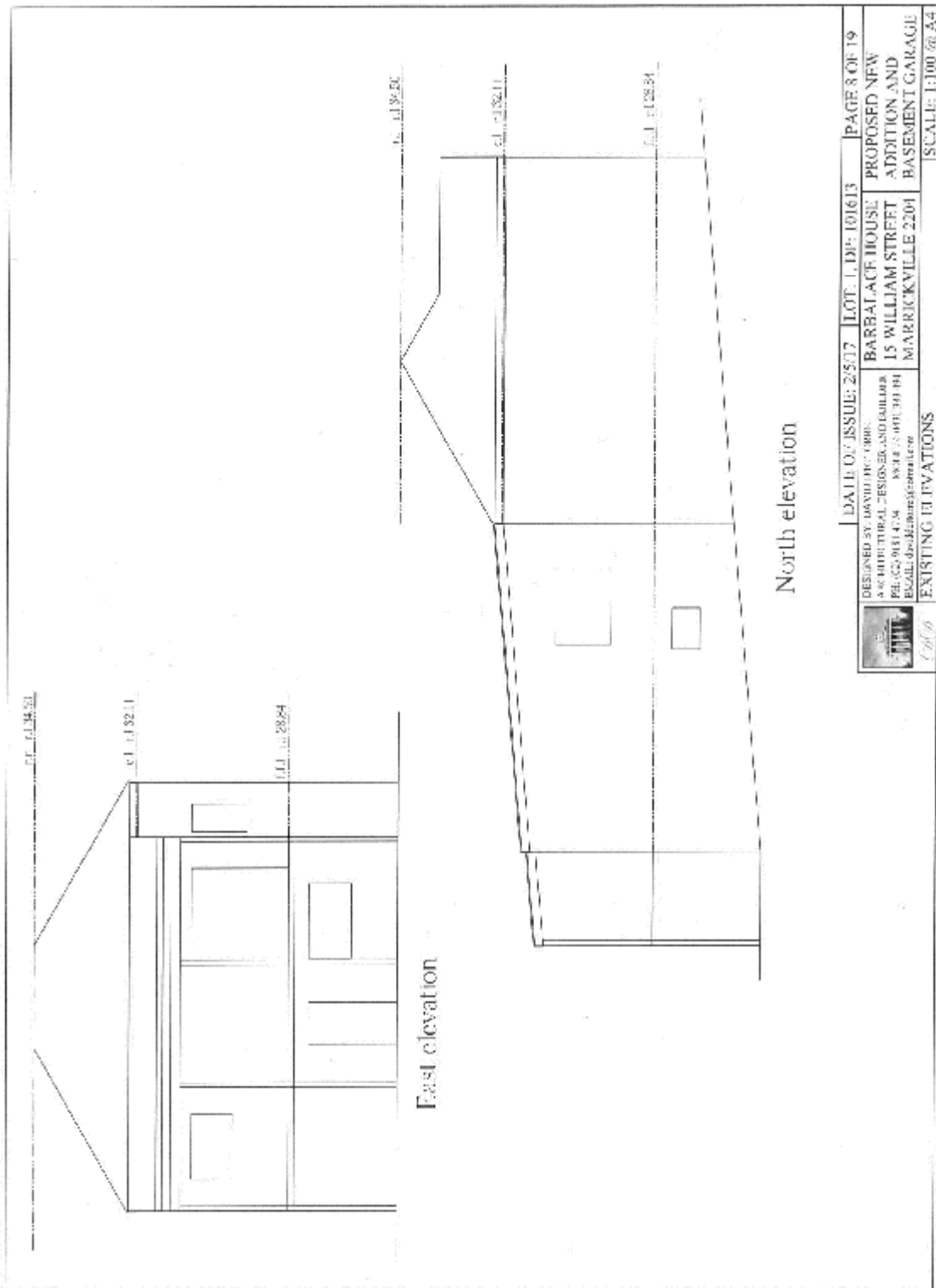


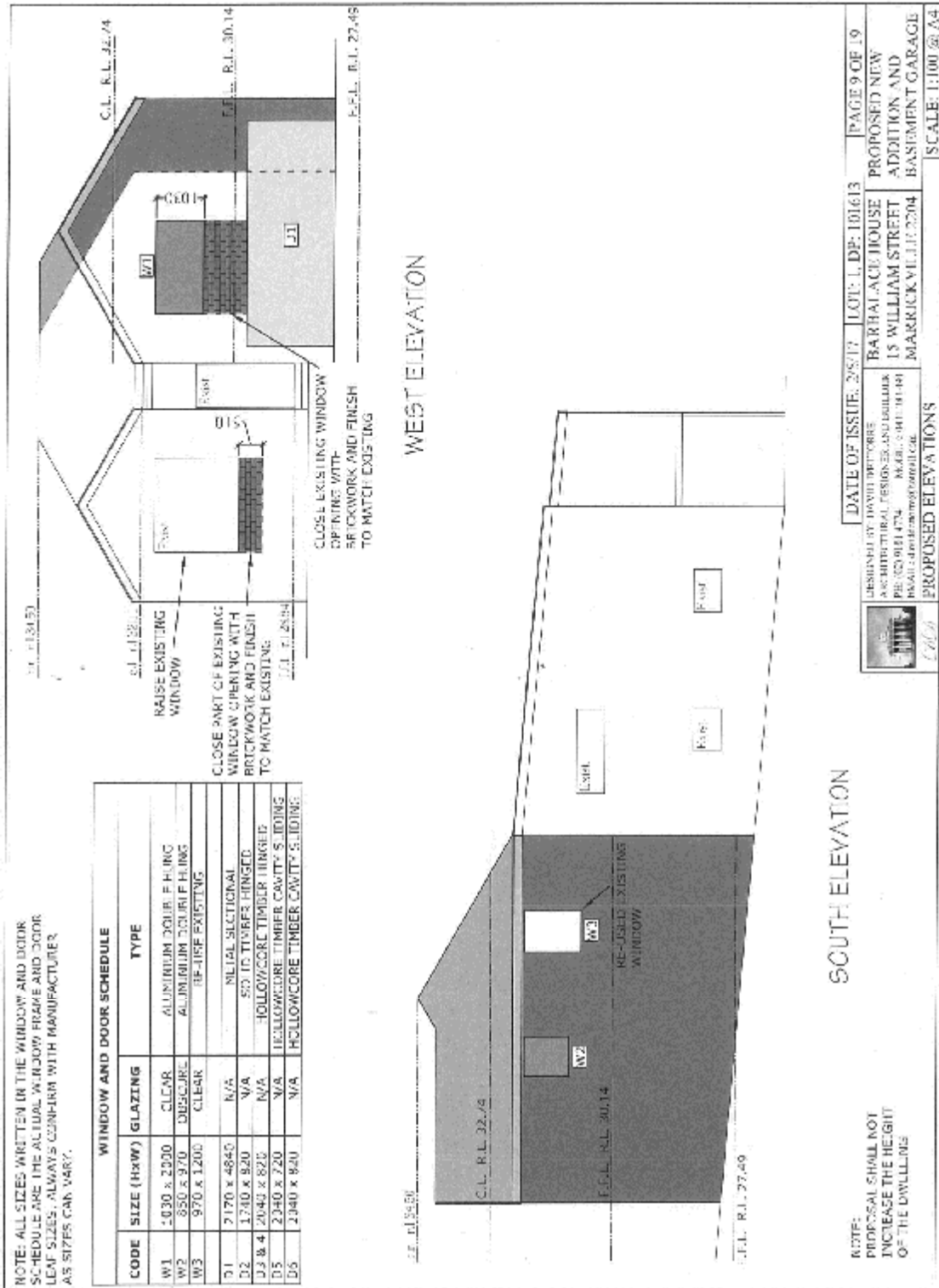
	DATE OF ISSUE: 25.11.17	PROJECT: DP: 101613	PAGE 3 OF 19
	PREPARED BY: BARBALACL HOUSE ARCHITECTURAL DESIGNS PR: 02 9411 4754 MOB: 0 401 911 911 EMAIL: barbalaclhouse@gmail.com	BARBALACL HOUSE 15 WILLIAM STREET MARRICKVILLE NSW 2204	PROPOSED NEW ADDITION AND BASEMENT GARAGE





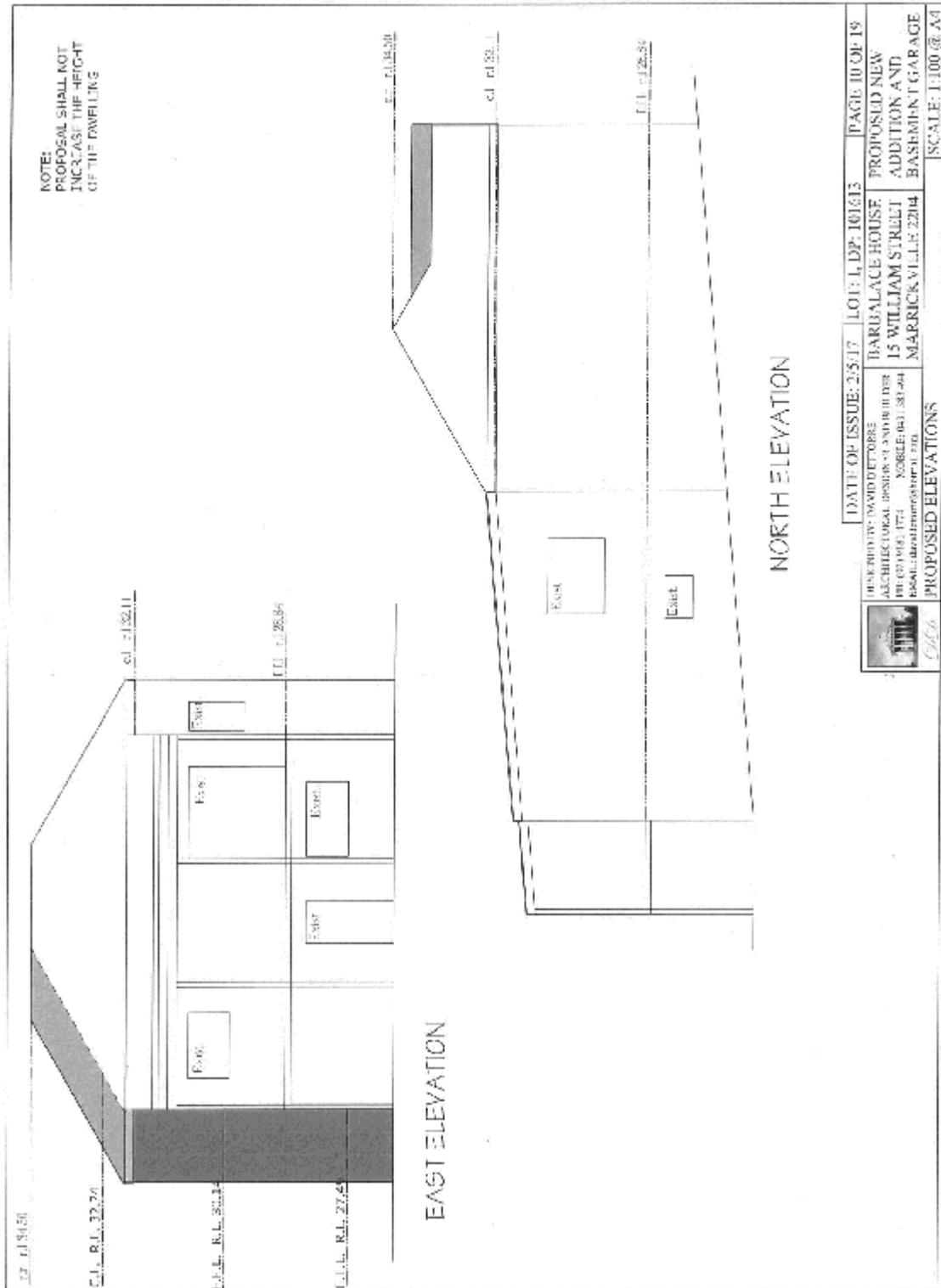


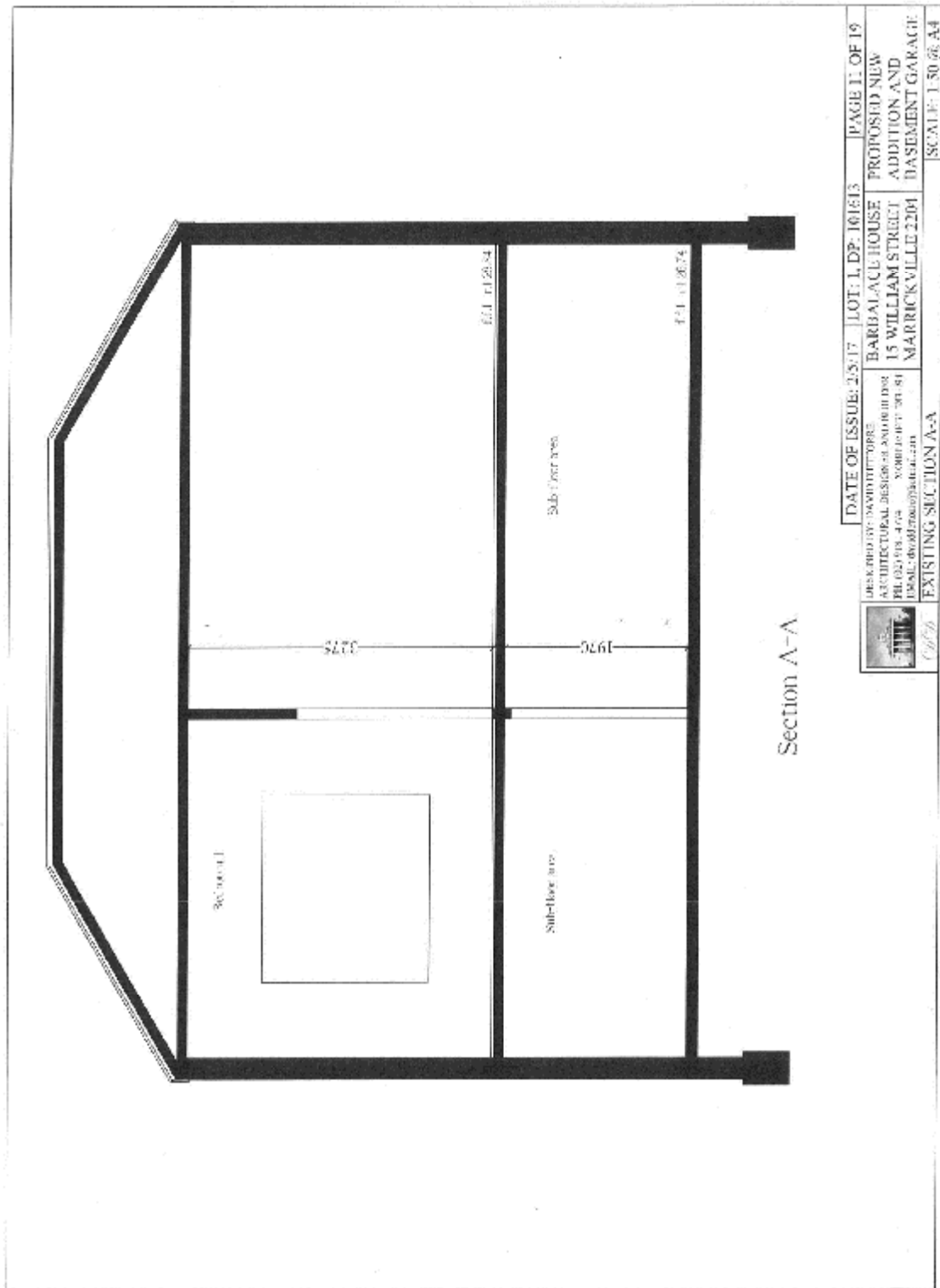




DATE OF ISSUE: 28/1/17 LOT: L DP: 101613 PAGE 9 OF 19
 RESIDENTIAL DESIGNER: BARBARA HOUSE PROPOSED NEW
 PROJECT: 15 WILLIAM STREET ADDITION AND
 MARKICKY V.L. 17/2/204 BASEMENT GARAGE
 SCALE: 1:100 @ 1/4







DATE OF ISSUE: 25/17 LOT: L DP: 101613 PAGE 1 OF 19
DESIGNED BY: WARDHILL TOPRE BARBARACE HOUSE PROPOSED NEW
ARCHITECTURAL DESIGNER: ANDREW DOD 15 WILLIAM STREET ADDITION AND
PHONE: 08 8393 4754 VOICEMAIL: 08 8393 4754 MARRICKVILLE 2204 BASEMENT GARAGE
EMAIL: andrew@wardhilltopre.com.au
EXISTING SECTION A-A SCALE: 1:50 @ A4



