





 DEVELOPMENT ASSESSMENT PANEL REPORT				
Application No.	MOD/2024/0085			
Address	77 Glassop Street BALMAIN NSW 2041			
Proposal	Section 4.56 Modification of Development Consent to DA/2022/0684 which approved demolition of existing structures and construction of residential flat building including basement parking and landscaping works, seeking consent for various internal and external modifications at all levels, including roof changes			
Date of Lodgement	03 April 2024			
Applicant	Chanine Design Pty Ltd			
Owner	Ms Catherine Tuhetoka			
Number of Submissions	Initial: 11 After Renotification: 6			
Cost of works	\$3,288,563.00			
Reason for determination at Planning Panel	Number of submissions exceed Officer delegations			
Main Issues	Impact to Heritage Conservation Area; amenity impacts to adjoining properties.			
Recommendation	Approved with Conditions			
Attachment A	Recommended changes to conditions of consent			
Attachment B	Plans of proposed development			
Attachment C	Original Court approved drawings			
Attachment D	Original Land and Environment Court judgment and conditions			
				
LOCALITY MAP				
Subject Site		Objectors		 N
Notified Area		Supporters		
Note: Due to scale of map, not all objectors could be shown.				

1. Executive Summary

This report is an assessment of the application submitted to Council under Section 4.56 of the *Environmental Planning and Assessment Act 1979 (EP & A Act 1979)* to modify Development Consent DA/2022/0684 dated 10 October 2023 which approved the demolition of existing structures and construction of a residential flat building including basement parking and landscaping works. The modification seeks consent for various internal and external modifications at all levels, including roof changes at 77 Glassop Street BALMAIN.

The application was notified to surrounding properties and eleven (11) submissions were received in response to the initial notification and six (6) submissions were received in response to renotification of the amended application

The main issues that have arisen from the application include:

- Impact to the heritage conservation area
- Amenity impacts to adjoining properties.

The design was amended to address concerns raised above and subject to conditions, the application is considered for approval.

2. Proposal

The proposal seeks to carry out various internal and external changes to an approved residential flat building at 77 Glassop Street, Balmain. The proposal maintains the use of the approved residential flat building and will not result in any increase in the number of approved dwellings. Proposed modifications include:

- Size of lift changed and lift shaft modified;
- Privacy louvres removed and replaced with translucent glazing;
- Modification to windows and openings;
- The materiality of glazing frames and pergolas to be changed from timber to aluminium;
- Modifications to basement footprint and envelope;
- Modifications to internal arrangement, including storage, services, and parking;
- Modification to OSD Tank;
- Enclosure added to car lift and relocated;
- Hydrant booster assembly added in front setback;
- Level 3 entry levels & landscaping amended;
- Roof top terrace increased in size;
- Roof form modified to replace flat portion and provide for a pitched roof with a RL36.25;
- Roof extended towards the rear;
- Exhaust louvre incorporated into roof design; and
- Non-trafficable roof opening provided for views.

In response to the request for additional information from Council dated 28 June, the proposal was amended and amended plans were lodged in the NSW Planning Portal on 2 August 2024 which comprised of the following amendments:

- Booster assembly and water meter provided within an enclosure, to respond to streetscape and heritage concerns;
- Roof top terrace reduced in size to minimise impacts, and made consistent with originally approved development;
- Rear roof form modified to be consistent with the originally approved development;
- Awning windows now provided as double hung and casement, to improve ventilation;
- Window shutters reinstated;
- Front door fenestration revised as originally approved;
- Window framing provided as timber, per original approval; and
- Landscaping amended to reflect revised booster assembly, ensuring compliance with the LEP.

This assessment report is based on the amended plans which were renotified between 20/08/2024 and 10/09/2024.

3. Site Description

The subject site is located on the northern side of Glassop Street, between Carieville Street and Elliot Street. The site consists of one allotment and is generally rectangular in shape with a total area of 576 sqm and is legally described as Lot 1 Sec 1 in DP 565.

The site has a frontage to Glassop Street of 15.24 metres. The site currently supports a two-storey dwelling house with swimming pool in the rear yard and vehicular access is located on the north-eastern side boundary.

The site is situated between two existing part three, part four-storey residential flat buildings to the east and west which define the immediate character of the locality and streetscape. A two storey single dwelling is located to the north.

The subject site is not listed as a heritage item, however, the property is located within a Heritage Conservation Area.

The following trees are located on the site and within the vicinity:

- *Cinnamomum camphora* (Camphor Laurel);
- *Platanus x hybrida* (London Plan Tree);
- *Washingtonia robusta* (Mexican Fan Palm);
- *Ficus benjamina* (Weeping Fig); and
- *Brachychiton acerifolius* (Illawarra Flame).



Figure 1: Zoning Map



Figure 2: The Subject Site at 77 Glassop Street

4. Background

Site history

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

Subject Site

Application	Proposal	Decision & Date
DA/2022/0684	Demolition of existing structures and construction of residential flat building including basement parking and landscaping works, seeking consent for various internal and external modifications at all levels, including roof changes	Approved on Appeal in Land and Environment Court 10/10/2023
PDA/2021/0472	Demolition of existing structures and construction of a five (5) storey residential flat building over 1 basement parking level.	Advice issued on 21/02/2022

Surrounding Properties

Application	Proposal	Decision & Date
DA/2496/1964	75 Glassop Street Erect 3 storey building of 12 flats	Approved 06/10/1964
M/2011/101	108 Glassop Street Section 96 application to modify D/2006/24 which approved alterations and additions to existing dwelling including new garage. Modification entails internal changes, changes to windows, garden and entry and addition of lounge room & as detailed in schedule of changes.	Approved 18/08/2011
M/2018/176	102A Glassop Street Modification of Development Consent D/2014/440 seeking to various changes, including: extension of existing entrance at lower ground floor; modify garage roof; extend lounge room at ground floor and two bedrooms at first floor.	Approved 31/01/2019
M/2016/192	104 Glassop Street Modify existing approval issued under DAREV/2015/11 to delete condition 3a which required dormer removal	Approved 30/09/2016
D/2014/359	2 Phoebe Street Alterations and additions to the existing three storey house including a new two storey wing to the rear, extension of the existing upper level, a new pool, internal modifications and a new sliding vehicular gate to Phoebe St. Tree removal.	Approved 11/11/2014

Application History

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

Date	Discussion / Letter / Additional Information
28/06/2024	Request for additional information letter sent to applicant outlining the following concerns: <ul style="list-style-type: none"> • Design and privacy impacts • Clarification/additional information with respect to Landscaped Areas • Issues in relation to heritage conservation • Issues in relation to loss of water views to 102A Glassop Street • Solar Access/Shadow Diagrams
02/08/2024	Applicant provided additional information and an amended design that includes the following changes: <ul style="list-style-type: none"> • Booster assembly and water meter provided within an enclosure, to respond to streetscape and heritage concerns; • Roof top terrace reduced in size to be the size as originally approved development; • Rear roof form modified to be consistent with the originally approved development; • Awning windows now provided as double hung and casement, to improve ventilation; • Window shutters reinstated; • Front door fenestration revised as originally approved; • Window framing provided as timber, per original approval; and • Landscaping amended to reflect revised booster assembly, ensuring compliance with the LEP.
20/08/2024 - 10/09/2024	The application was renotified

5. Section 4.56 Modification of Consent

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

Section 4.56

Section 4.56 of the *EP & A Act 1979* allows a consent authority to modify a development consent granted by it, if:

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

In considering the above:

- The essence of the development as modified is substantially the same as the original consent.
- The environmental impacts are acceptable subject to conditions.
- No requirement for concurrence or General Term of Agreement from any approval body.
- The application was notified to persons who made a submission against the original application sought to be modified.
- Submissions received have been considered.

6. 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 (EPA Act 1979)*.

A. Environmental Planning Instruments

The application has been assessed and the following provides a summary of the relevant Environmental Planning Instruments.

State Environmental Planning Policies (SEPPs)

SEPP (Resilience and Hazards) 2021

Chapter 4 Remediation of Land

Section 4.6(1) of the *Resilience and Hazards 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 and has a long history of previous residential use.

SEPP (Housing) 2021

Chapter 2 Affordable Housing

The development as approved relied on Clause 17 of the *SEPP (Housing) 2021* to provide affordable housing for an increased FSR Development standard.

Based on Council's calculation, the approved development provided a gross floor area of 660 sqm with a FSR of 1.15:1. The modified proposal as amended seeks to provide 315sqm out of 665 sqm (i.e 47%) of the GFA as affordable housing, and is therefore permitted a bonus of 0.47:1 and overall maximum FSR of 1.17:1. The modified development provides a GFA of 665 sqm and FSR of 1.16:1 which complies with the allowable GFA.

Chapter 4 Design of Residential Apartment Development

Section 146 of the *Housing SEPP* requires the consent authority to consider any comments from the Council's Architectural Excellence Design Review Panel (AEDRP), the design principles set out in Schedule 9 and the Apartment Design Guide (ADG).

A statement from a qualified Architect was submitted with the application verifying that they designed, or directed the design of, the development. The statement also provides an explanation that verifies how the design quality principles are achieved within the development

and demonstrates, in terms of the ADG, how the objectives in Parts 3 and 4 of the guide have been achieved.

In accordance with Section 149 of the *Housing SEPP*, certain provisions for residential apartment development contained within the LDCP 2013 have no effect if the ADG also specifies provisions to the same matter.

This application as lodged was referred to Council's Architectural Excellence Design Review Panel (AEDRP), which provided the following comments:

"The Panel notes that the overall outcome for the project in terms of the building envelope, gross floor area calculations, and number of apartments is consistent with the previous court-approved scheme. The main matters for the Panel are the private rooftop terrace area and consistency of architectural language.

In the Panel's view, the proposed changes to architectural details in comparison to the court approved design diminish the design quality of the project, which is particularly important as the proposal is located within a Heritage Conservation Area. These changes mainly include – removal of the traditional shutters screening the windows along the side elevations, conversion of window frames from timber to aluminium, and simplification of the door and fenestration design, and front fence details. The Panel prefers the proposal retains these elements as part of the previous court approval.

Furthermore, awning windows should be replaced by double hung windows, to allow effective natural ventilation within habitable areas while achieving a consistent architectural language. If visual privacy needs to be resolved then the Panel supports frosted glass provided within the windows if any screening along the side boundaries is proposed to be removed.

The Panel extensively discussed the private rooftop terrace which has increased from 19m² to 60m² in the modified scheme. In the Panel's view, this creates potential acoustic privacy issues for the neighbours. The Panel considers that if the area is increased significantly then it should create overall community benefits for all residents within the building, rather than creating benefit for one particular resident. The Panel would offer support for an increased rooftop terrace area if it is offered as a communal open space, however issues of access and concealment of the lift overrun would require design resolution. Additionally, a potential rooftop communal space should be provided with improved amenity such as landscaped planters along the perimeter to avoid potential privacy and cross-viewing issues with the neighbours. In the case that a communal rooftop space is unachievable, the terrace area should be reduced to 19 m².

The Panel strongly encourages the applicant to incorporate further sustainability provisions within the project, including but not limited to – rooftop photovoltaic cells, provision of ceiling fans to all habitable areas, rainwater tank for collection and reuse within the site."

The amended design lodged through the NSW Planning Portal on 2 August 2024 comprises of the following changes in response to the above:

- Booster assembly and water meter provided within an enclosure, to respond to streetscape and heritage concerns;
- Roof top terrace reduced in size to be the size as originally approved;
- Rear roof form modified to be consistent with the originally approved development;
- Awning windows now provided as double hung and casement, to improve ventilation;
- Window shutters reinstated;
- Front door fenestration revised as originally approved;
- Window framing provided as timber, per original approval; and
- Landscaping amended to reflect revised booster assembly, ensuring compliance with the LEP.

The amended scheme is considered to be consistent with the advice of the Architectural Excellence Design Review Panel and the following comment was provided by Council’s Urban Design Advisor (AEDRP Coordinator) in relation to these changes:

- *The rooftop terrace is now reduced back to the original court approval (19m2). I think this is a positive in comparison to their 60m2 proposed in the previous scheme reviewed by the Panel.*
- *The traditional shutters along the side elevations are re-instated. (There could be a DA condition of consent if Council prefers the window frames be in timber and not in aluminium).*

Comment: In response to the above, the proposal will be conditioned to require the design to be amended so that window frames be in timber and not in aluminium.

Communal and Open Space

The ADG prescribes the following requirements for communal and open space:

- Communal open space has a minimum area equal to 25% of the site.
- Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9.00am and 3.00pm on 21 June (mid-winter).

Comment: No change to originally approved development in this regard (where no communal open space was provided).

Deep Soil Zones

The ADG prescribes the following minimum requirements for deep soil zones:

Site Area	Deep Soil Zone (% of site area)
Less than 650sqm	7% (28sqm)

Comment: The proposal provides 98 sqm of deep soil or 17% which complies with the above control.

Visual Privacy/Building Separation

The ADG prescribes the following minimum required separation distances from buildings to the side and rear boundaries:

Room Types	Minimum Separation
<i>Up to 12 metres (4 storeys)</i>	
Habitable rooms and balconies	6m
Non-habitable rooms	3m

Comment: The development retains the side separation of 3 metres and 3.5 metres which is consistent with the originally approved development and retains at least a 6 metre separation between the building and the rear boundary and therefore complies.

Solar and Daylight Access

The ADG prescribes the following requirements for solar and daylight access:

- Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9.00am and 3.00pm at mid-winter.
- A maximum of 15% of apartments in a building receive no direct sunlight between 9.00am and 3.00pm at mid-winter.

Comment: Complies.

Natural Ventilation

The ADG prescribes the following requirements for natural ventilation:

- At least 60% of apartments are naturally cross ventilated in the first 9 storeys of the building. Apartments at 10 storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.
- Overall depth of a cross-over or cross-through apartment does not exceed 18 metres, measured glass line to glass line.

Comment: Complies.

Ceiling Heights

The ADG prescribes the following minimum ceiling heights:

Minimum Ceiling Height	
Habitable Rooms	2.7m
Non-Habitable	2.4m

Comment: The floor to ceiling height on each level is approximately 2.8 metres and therefore complies.

Apartment Size and Layout

The ADG prescribes the following minimum apartment sizes:

Apartment Type	Minimum Internal Area
1 bedroom	50sqm
2 Bedroom	70sqm
3 Bedroom	90sqm

Note: The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5sqm each.

In addition to the above, the ADG prescribes the following requirements for apartment layout requirements:

- Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.
- Habitable room depths are limited to a maximum of 2.5 x the ceiling height.
- In open plan layouts (where the living, dining, and kitchen are combined) the maximum habitable room depth is 8 metres from a window.
- Master bedrooms have a minimum area of 10sqm and other bedrooms 9sqm (excluding wardrobe space).
- Bedrooms have a minimum dimension of 3 metres (excluding wardrobe space).
- Living rooms or combined living/dining rooms have a minimum width of 4 metres for 2 bedroom apartments.
- The width of cross-over or cross-through apartments are at least 4 metres internally to avoid deep narrow apartment layouts.

Comment: The following apartment sizes are proposed:

- 1 Bedroom units – Apartment 2 (65 sqm), Apartment 4 (56 sqm)
- 2 Bedroom units – Apartment 3 (92 sqm), Apartment 5 (81 sqm)
- 3 Bedroom units – Apartment 1 (204 sqm), Apartment 6 (166 sqm)

Given the above, the proposed apartment sizes are all compliant.

Further to the above, all the main living areas will have widths of at least 4 metres and within 8 metres of a window and the all the bedrooms comply with the required room sizes. Therefore, the development is considered to be satisfactory in this regard.

Private Open Space and Balconies

The ADG prescribes the following sizes for primary balconies of apartments:

Dwelling Type	Minimum Area	Minimum Depth
Studio apartments	4sqm	-
1 bedroom apartments	8sqm	2m
2 Bedroom apartments	10sqm	2m

Note: The minimum balcony depth to be counted as contributing to the balcony area is 1 metre.

Comment: All the balconies comply with the exception of Apartment 5 which is a two bedroom unit that has a balcony that is 8.7 sqm in size, however, this apartment has access to a private garden area of approximately 14 sqm and is therefore satisfactory.

Storage

The ADG prescribes the following storage requirements in addition to storage in kitchen, bathrooms and bedrooms:

Apartment Type	Minimum Internal Area
Studio	4 sqm
1 Bedroom	6 sqm
2 Bedroom apartments	8 sqm
3+ Bedroom apartments	10 sqm

Note: At least 50% of the required storage is to be located within the apartment.

Comment: The following tables reflect the amount of storage proposed and is considered to compliant with the requirements mentioned above:

INTERNAL STORAGE		
APARTMENT NUMBER	ROOM NAME	VOLUME
APARTMENT 1	BEDROOM 1	9.62 m ³
APARTMENT 1	BEDROOM 2	2.75 m ³
APARTMENT 1	BEDROOM 3	2.75 m ³
APARTMENT 1	LINEN	1.64 m ³
APARTMENT 1	STORE ROOM	80.20 m ³
TOTAL		96.96 m ³
APARTMENT 2	BEDROOM 1	2.59 m ³
APARTMENT 2	LINEN	0.95 m ³
TOTAL		3.54 m ³
APARTMENT 3	BEDROOM 1	3.60 m ³
APARTMENT 3	BEDROOM 2	5.79 m ³
APARTMENT 3	LINEN	0.98 m ³
APARTMENT 3	STORE ROOM	34.01 m ³
TOTAL		44.38 m ³
APARTMENT 4	BEDROOM 1	2.93 m ³
APARTMENT 4	LINEN	0.88 m ³
TOTAL		3.82 m ³
APARTMENT 5	BEDROOM 1	5.82 m ³
APARTMENT 5	LINEN	0.77 m ³
TOTAL		6.59 m ³
APARTMENT 6	BEDROOM 1	8.23 m ³
APARTMENT 6	BEDROOM 2	2.75 m ³
APARTMENT 6	BEDROOM 3	2.75 m ³
APARTMENT 6	LINEN	1.10 m ³
TOTAL		14.83 m ³

BASEMENT STORAGE	
LEVEL	VOLUME
B1 ST.1	3.59 m ³
B1 ST.4	6.22 m ³
B1 ST.5	6.22 m ³
B1 ST.6	6.22 m ³
B1 ST.2	3.59 m ³
B1 ST.3	6.22 m ³

Table 1: Storage provided within the development

The development is considered to be consistent with the requirements of the SEPP with the exception of:

- Apartment 5 which is a two bedroom unit that has a balcony that is 8.7 sqm in size, however, this apartment has access to a private garden area of approximately 14 sqm, and therefore, is satisfactory.
- The traditional shutters along the side elevations are re-instated but should be in timber and not in aluminium to achieve consistency with the architectural language. These issues will be addressed by conditions of consent.

In considering the above, it is considered that the modified proposal is acceptable on merit against the Schedule 1 design quality principals and the applicable objectives of the ADG.

In light of the above, the development as modified, and as conditioned, is considered to satisfy the requirements under *SEPP Housing*.

SEPP (Sustainable Buildings) 2022

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

SEPP (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in non-rural areas

The *Biodiversity and Conservation SEPP* requires consideration for the protection and/or removal of vegetation and gives effect to the local tree preservation provisions of C1.14 Tree Management of the LDCP 2013.

The original development approved the removal of the following trees on site:

- *Cupressus sempervirens* (Italian Cypress)
- *Lagerstroemia indica* (Crepe Myrtle)
- *Camellia japonica* (Camellia)
- *Ficus elastica* (Rubber Tree)
- *Jacaranda mimosifolia* (Jacaranda)
- *Cupressus sempervirens* (Italian Cypress)

No additional trees are proposed to be removed as part of this modification application.

Further to the above, a neighbouring tree at 2 Phoebe Street is located within the vicinity of the development and the owner of that property provided an Arboricultural Impact Assessment (AIA) dated 27/9/24 as part of their objection to this application.

In response to this AIA, which identifies the impacted tree as being a different species of tree and a different tree protection zone measurement, the following conditions will be added and or amended:

- One additional condition has been added requiring all services to be located outside of any TPZ.
- In light of the AIA prepared by Craig Kenworthy (commissioned by the property owner of 2 Phoebe Street), condition 32 is to be amended to include a more rigorous inspection regime
- The title of condition 33 should be amended to state: canopy pruning

- All TPZ measurements relating to Trees 10 and 11 have been updated to reference the said report
- Conditions referencing tree 11 as a *Ficus benjamina* have been updated to the correct species: *Brachychiton acerifolius*

Refer to attachment A for details regarding the added and amended conditions.

The proposal as conditioned will satisfy the provisions of this part of the SEPP and the *Tree Management* controls contained in Part C1.14 of the Leichhardt Development Control Plan 2013.

Chapter 6 Water Catchments

While the site is located in the Sydney Harbour Catchment, the site is not located in a foreshores and waterways area, and will not have any adverse impacts on water quality, aquatic ecology or the scenic qualities of the foreshore. Given the above, the proposal raises no issues that will be contrary to the provisions of this part of the SEPP.

Inner West Local Environmental Plan 2022 (IWLEP 2022)

The application was assessed against the following relevant sections of the *Inner West Local Environmental Plan 2022 (IWLEP 2022)*.

Part 1 – Preliminary

Section	Proposed	Compliance
Section 1.2 Aims of Plan	<p>The development, as modified and as conditioned, will result in acceptable streetscape / heritage and amenity outcome and will be respectful of the existing pattern of development adjoining and in the vicinity, and hence, will satisfy the relevant Aims of Plan as follows:</p> <ul style="list-style-type: none"> • The proposal encourages development that demonstrates efficient and sustainable use of energy and resources in accordance with ecologically sustainable development principles, • The proposal conserves and maintains the natural, built and cultural heritage of Inner West, • The proposal reduces community risk from and improves resilience to urban and natural hazards, • The proposal encourages diversity in housing to meet the needs of, and enhance amenity for, Inner West residents, • The proposal prevents adverse social, economic and environmental impacts on the local character of Inner West, 	Yes, as conditioned

Section	Proposed	Compliance
	<ul style="list-style-type: none"> The proposal prevents adverse social, economic and environmental impacts, including cumulative impacts 	

Part 2 – Permitted or Prohibited Development

Section	Proposed	Compliance
Section 2.3 Zone Objectives and Land Use Table	<p>The application proposes amendments to a Residential Flat Building which is permissible with consent in the R1 zone.</p> <p>The proposal is consistent with the relevant objectives of the zone in providing the housing needs of the community and provides variety of housing types and densities.</p>	Yes
Section 2.7 Demolition Requires Development Consent	<p>The proposal satisfies the section as follows:</p> <ul style="list-style-type: none"> Demolition works are proposed, which are permissible with consent; and Standard conditions have been included in the original determination to manage impacts which may arise during demolition. 	Yes, subject to relevant conditions which are retained.

Part 4 – Principal Development Standards

Former Leichhardt Controls

Section	Proposed	Compliance
Section 4.3C (3)(a) Landscaped Area	Minimum	15% (site area < 235sqm)/ 20% (site area > 235sqm)
	Proposed	20.1% (115.7 sqm)
	Variation	Complies
Section 4.3C (3)(b) Site Coverage	Maximum	60%
	Proposed	43% (248.5 sqm)
	Variation	Complies
Section 4.4 Floor Space Ratio	Maximum	1.17:1 or 672sqm
	Proposed	1.16:1 or 665sqm (5sqm increase from approved)
	Variation	Complies
Section 4.5 Calculation of Floor Space Ratio and Site Area	The site area and floor space ratio for the proposal has been calculated in accordance with the section.	Yes

Part 5 – Miscellaneous Provisions

Section	Compliance	Compliance
Section 5.10 Heritage Conservation	<p>The subject site is a contributory building within the Iron Cove Heritage Conservation Area (HCA).</p> <p>The proposal achieves the objectives of this section as follows:</p> <ul style="list-style-type: none"> • There are concerns in relation to the size of the booster enclosure and it was explored whether the height could be decreased. However, to comply with the booster specifications, alternative options to use a lower assembly (340mm lesser in height) would necessitate to increase the width of the enclosure to 3.145m internally. On balance, the design with the lesser width will have less of a visual impact than the 3.145m wide design and therefore is considered to be acceptable. • The roof terrace and associated roof form had been amended as requested and a condition has been included in the recommendation requiring timber framed windows be provided instead of aluminium windows. • Subject to conditions, it is considered that the development has been designed to respond to the significance of the conservation area and preserve contributory elements and fabric of the existing building. <p>Given the above the proposal preserves the environmental heritage of the Inner West</p>	Yes, subject to conditions.

Part 6 – Additional Local Provisions

Section	Proposed	Compliance
Section 6.1 Acid Sulfate Soils	The site is identified as containing Class 5 acid sulfate soils. The proposal is considered to adequately satisfy this section as the application does not propose any works that would result in any significant adverse impacts to the watertable.	Yes
Section 6.2 Earthworks	No additional works are proposed that are likely to have a detrimental impact on environmental functions and processes, existing drainage patterns, or soil stability.	Yes

Section 6.3 Stormwater Management	The development maximises the use of permeable surfaces, includes on site retention as an alternative supply and subject to standard conditions would not result in any significant runoff to adjoining properties or the environment.	Yes, no significant change to approved development.
Section 6.9 Design Excellence	<p>The proposed development is for the construction of a new building that exceeds 14 metres in height. The development is therefore required to demonstrate design excellence.</p> <p>In considering if the proposal exhibits design excellence, the application was referred to the Architectural Excellence & Design Review Panel (AEDRP) for comment. The recommendations from the AEDRP have been largely resolved or recommended as conditions of consent as detailed further in this report.</p> <p>The proposal satisfies this section as follows:</p> <ul style="list-style-type: none"> ○ Refer to 6.9(4) for discussion points noting that a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved. 	Yes, subject to conditions

B. Development Control Plans

Summary

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

LDCP2013	Compliance
Part A: Introductions	
Section 3 – Notification of Applications	Yes
Part B: Connections	
B1.1 Connections – Objectives	Yes
B2.1 Planning for Active Living	Yes
Part C	
C1.0 General Provisions	Yes
C1.1 Site and Context Analysis	Yes
C1.2 Demolition	Yes
C1.4 Heritage Conservation Areas and Heritage Items	Yes
C1.7 Site Facilities	Yes
C1.8 Contamination	Yes
C1.9 Safety by Design	Yes

C1.10 Equity of Access and Mobility	Yes
C1.11 Parking	Yes - see discussion
C1.12 Landscaping	Yes
C1.14 Tree Management	Yes
C1.17 Minor Architectural Details	Yes
C1.19 Rock Faces, Rocky Outcrops, Cliff Faces, Steep Slopes and Rock Walls	Yes
Part C: Place – Section 2 Urban Character	
C2.2.2.6 Birchgrove Distinctive Neighbourhood	Yes – see discussion
Part C: Place – Section 3 – Residential Provisions	
C3.1 Residential General Provisions	Yes
C3.2 Site Layout and Building Design	Yes – see discussion
C3.3 Elevation and Materials	Yes – see discussion
C3.5 Front Gardens and Dwelling Entries	Yes
C3.6 Fences	Yes
C3.7 Environmental Performance	Yes
C3.8 Private Open Space	Yes – see discussion
C3.9 Solar Access	Yes– see discussion
C3.10 Views	Yes– see discussion
C3.11 Visual Privacy	Yes – see discussion
C3.12 Acoustic Privacy	Yes – see discussion
Part D: Energy	
Section 1 – Energy Management	Yes
Section 2 – Resource Recovery and Waste Management	
D2.1 General Requirements	Yes
D2.2 Demolition and Construction of All Development	Yes
D2.3 Residential Development	Yes
Part E: Water	
Section 1 – Sustainable Water and Risk Management	
E1.1 Approvals Process and Reports Required With Development Applications	Yes
E1.1.1 Water Management Statement	Yes
E1.1.2 Integrated Water Cycle Plan	Yes

E1.1.3 Stormwater Drainage Concept Plan	Yes
E1.2 Water Management	Yes
E1.2.1 Water Conservation	Yes
E1.2.2 Managing Stormwater within the Site	Yes
E1.2.3 On-Site Detention of Stormwater	Yes
E1.2.4 Stormwater Treatment	Yes
E1.2.5 Water Disposal	Yes
E1.2.6 Building in the vicinity of a Public Drainage System	Yes
E1.2.7 Wastewater Management	Yes

The following provides discussion of the relevant issues:

C1.4 Heritage Conservation Areas and Heritage Items, C2.2.2.6 Birchgrove Distinctive Neighbourhood and C3.3 Elevation and Materials

As discussed in more detail in earlier sections of the report under the SEPP (Housing) 2021 and 5.10 - Heritage Conservation of the *IWLEP 2022*, the proposed modification has been amended to address initial concerns which included reducing the roof terrace to the originally approved area of 19 sqm and explored alternatives to the fire hydrant booster design.

The proposed development is considered to be acceptable subject to conditions requiring awning windows to be replaced by double hung windows to achieve consistency with the architectural language and a condition requiring that timber framed windows are used instead of aluminium windows.

C1.11 Parking

The proposed modifications include an increase of car parking from six (6) (previously approved) to eight (8) car parking spaces and reconfiguration of the basement. The parking requirements under C1.11 – Parking are as follows:

Table C4: General vehicle parking rates

Parking Rates				
Land Use	Residents		Visitors	
	Minimum	Maximum	Minimum	Maximum
Residential				
Single dwelling house	Nil	2 spaces per dwelling house	Nil	Nil
Bed-sit / Studio	Nil	0.5 space per dwelling	1 space per 11 dwellings	0.125 spaces per dwelling
1 bedroom unit	1 space per 3 dwellings	0.5 space per dwelling	1 space per 11 dwellings	0.125 spaces per dwelling
2 bedroom unit	1 space per 2 dwellings	1 space per dwelling	1 space per 11 dwellings	0.125 spaces per dwelling
3+ bedrooms unit	1 space per dwelling	1.2 spaces per dwelling	1 space per 11 dwellings	0.125 spaces dwelling
Boarding Houses	1 space per resident employee and 0.5 space per boarding room			

The proposed development provides 2 x one bedroom units, 2 x two bedroom units and 2 x 3 Bedroom units and therefore the maximum car parking spaces allowed is 5.4 spaces and 1 visitor car parking space.

The proposal was reviewed by council’s engineering section which includes reviewing the Traffic and parking assessment report prepared by Varga Traffic Planning dated 7 March 2024. No objections were raised to the proposed modifications having regard to parking and traffic generation and the additional parking spaces are considered to be acceptable in this instance.

C1.14 Tree Management

The proposal, subject to recommended conditions, satisfies the provisions and objectives of this part of the DCP - see *SEPP (Biodiversity and Conservation) 2021* assessment previously in this report for further details.

C3.2 Site Layout and Building Design, C3.8 Private Open Space and C3.11 Visual Privacy

As Chapter 4 of SEPP (Housing) 2021 applies to this development, the siting, visual privacy and private open space requirements of the Apartment Design Guide/SEPP (Housing) 2021 prevails over the requirements in the LDCP 2013. It is noted that the side setbacks and wall heights of the amended design are now consistent with those of the originally approved development, and the rear setbacks and private open spaces are considered to be generally consistent with SEPP (Housing) 2021 as discussed in an earlier section of the report.

It is also acknowledged that the originally approved development did require privacy mitigation measures to the side elevations, and the proposed modifications have included shutters on the eastern and western elevations which result in a general improvement to the original approved development with respect to visual privacy considerations. However, noting that there is a change to the internal planning of Apartment 6, and W14 is associated with the living room window of this apartment, this is likely to have sightlines within 9 metres to the adjoining residential flat building at 75 Glassop Street, as such it is reasonable to require shutters to also apply to this window to mitigate overlooking impacts from this window. A condition is included in the recommendation to reflect this.

C3.9 Solar Access

As Chapter 4 of SEPP (Housing) 2021 applies to this development, solar access to new dwellings requirement of the Apartment Design Guide / SEPP (Housing) 2021 prevails over the requirements in the Leichhardt DCP 2013.

With regard to potential solar access impacts to adjoining properties, as the subject and surrounding sites are generally north-south in orientation, the following requirements apply:

Main Living Room Glazing

- C13 Where the surrounding allotments are orientated north/south and the dwelling has north facing glazing serving the main living room, ensure a minimum of three hours solar access is maintained between 9am and 3pm during the winter solstice.
- C15 Where surrounding dwellings currently receive less than the required amount of solar access to the main living room between 9am and 3pm during the winter solstice, no further reduction of solar access is permitted.

Private open space

- C17 Where surrounding dwellings have north facing private open space, ensure solar access is retained for three hours between 9am and 3pm to 50% of the total area during the winter solstice.
C19 Where surrounding dwellings currently receive less than the required amount of solar access to their private open space between 9am and 3pm during the winter solstice, no further

Amended shadow diagrams (hourly intervals between 9am and 3pm at winter solstice) have been provided with the amended design which have demonstrated the following:

- 75 Glassop Street - there are no additional impacts to No. 75 Glassop Street.
- Properties on the southern side of Glassop Street – additional impacts will be limited to the front yard, and therefore, no private open space or north-facing glazing will be impacted.
- 79 Glassop Street – No additional impacts to private open space and no additional impacts to any north-facing glazing.

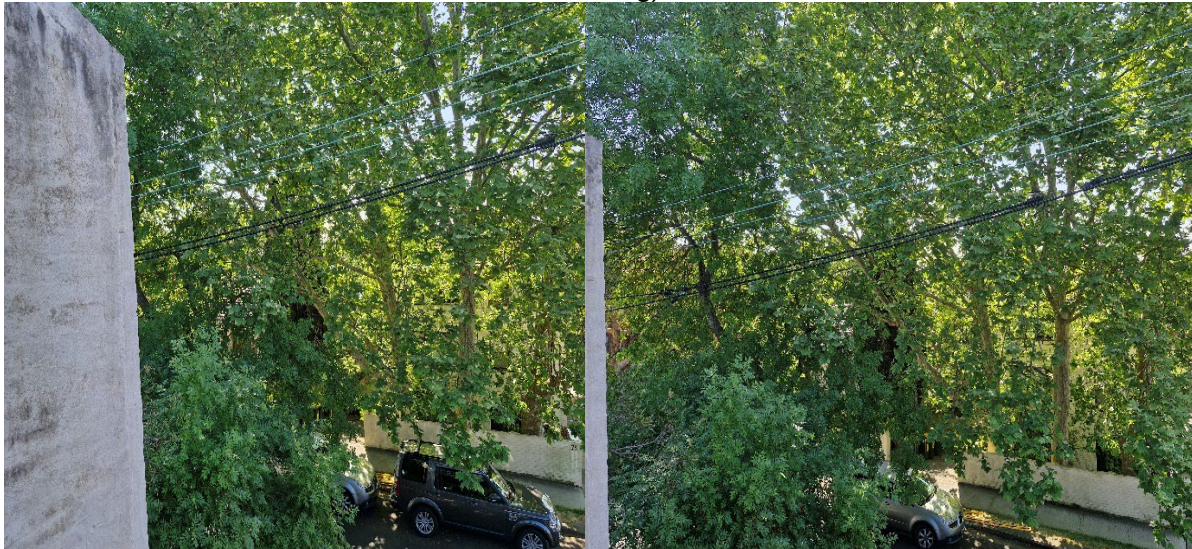
Therefore, the proposal is considered to be satisfactory in this regard.

C3.10 View

Submissions were received from 102A, 106 Glassop Street, 108 Glassop Street and properties from the residential units at 75 Glassop Street that specifically raised concerns about view loss from their properties and a submission on behalf of 104 Glassop Street that raised a general concern about impact to views of adjoining properties.

The following views were observed from the abovementioned properties:

102A Glassop Street (Figures 3 and 4 - view from first floor balcony at the front of the dwelling)



106 Glassop Street (Figures 5 and 6 – view from front first floor balcony)



108 Glassop Street (Figures 7 and 8 - view from front balcony at elevated ground level and first floor bedroom)



10/75 Glassop Street (Figures 9 and 10 – images from submission)



Outlook from only windows in only living space in the apartment. Looking West across 77 Glassop St.



The same living space, looking South-West towards Glassop St across 77 Glassop St

12/75 Glassop Street (Figures 11 and 12 - images from submitter/owner depicting view from the kitchen and the balcony)



Council considers the *following factors in the assessment of reasonable view sharing*:

- a. *“What views will be affected? In this Plan, a reference to views is a reference to water views and views of significant landmarks (e.g. Sydney Harbour, Sydney Harbour Bridge, ANZAC Bridge and the City skyline including features such as Centre Point Tower). Such views are more highly valued than district views or views without significant landmarks.*
- b. *How are the views obtained and assessed? Views from private dwellings considered in development assessment are those available horizontally to an observer standing 1m from a window or balcony edge (less if the balcony is 1m or less in depth).*
- c. *Where is the view enjoyed from? Views enjoyed from the main living room and entertainment areas are highly valued. Generally it is difficult to protect views from across side boundaries. It is also generally difficult to protect views from other areas within a residential building particularly if views are also available from the main living room and entertainment areas in the building concerned. Public views are highly valued and will be assessed with the observer standing at an appropriate point in a public place.*
- d. *Is the proposal reasonable? A proposal that complies with all development standards (e.g. building height, floor space ratio) and planning controls (e.g. building setbacks, roof pitch etc) is more reasonable than one that breaches them.”*

Apartments from 75 Glassop Street

As demonstrated from the images submitted with these objections, the view loss will be in relation to the loss of views to the sky/general outlook. View of the sky/general outlook is not considered to be a significant view that is required to be protected.

102 A Glassop

As demonstrated from the images taken from a site inspection, any potential views of the water are currently heavily obstructed views, and therefore, there is no adverse view loss at the current time. But it is noted that if there was no vegetation, there could be water views.

106 and 108 Glassop Street

These properties have views of the water that are obtained from the front balconies of these properties, and it is acknowledged that the originally approved development is likely to be of a form that will have an impact to these views.

Noting that the original development was approved on appeal, the question is whether the proposed modifications will result in further adverse impacts compared to the development that has already been approved.

The applicant has provided the following perspectives to demonstrate what the difference in built form will look like when viewed from the south-adjointing property at 102A Glassop Street if not impacted by the vegetation.



DA APPROVED VIEW

NOTE
 VIEW TAKEN 1600mm ABOVE RL 33.00
 FROM THE UPPER VERANDAH OF 102A
 GLASSOP STREET, BALMAIN.

Figure 13 – View Analysis of 102A Glassop Street

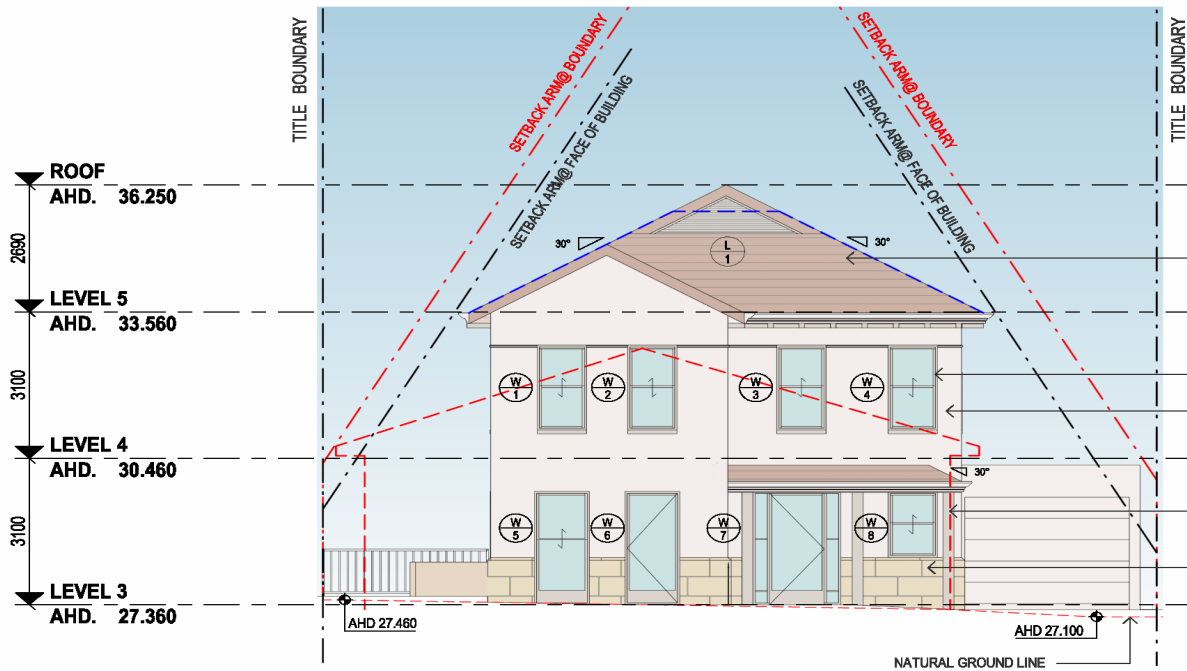


PROPOSED VIEW

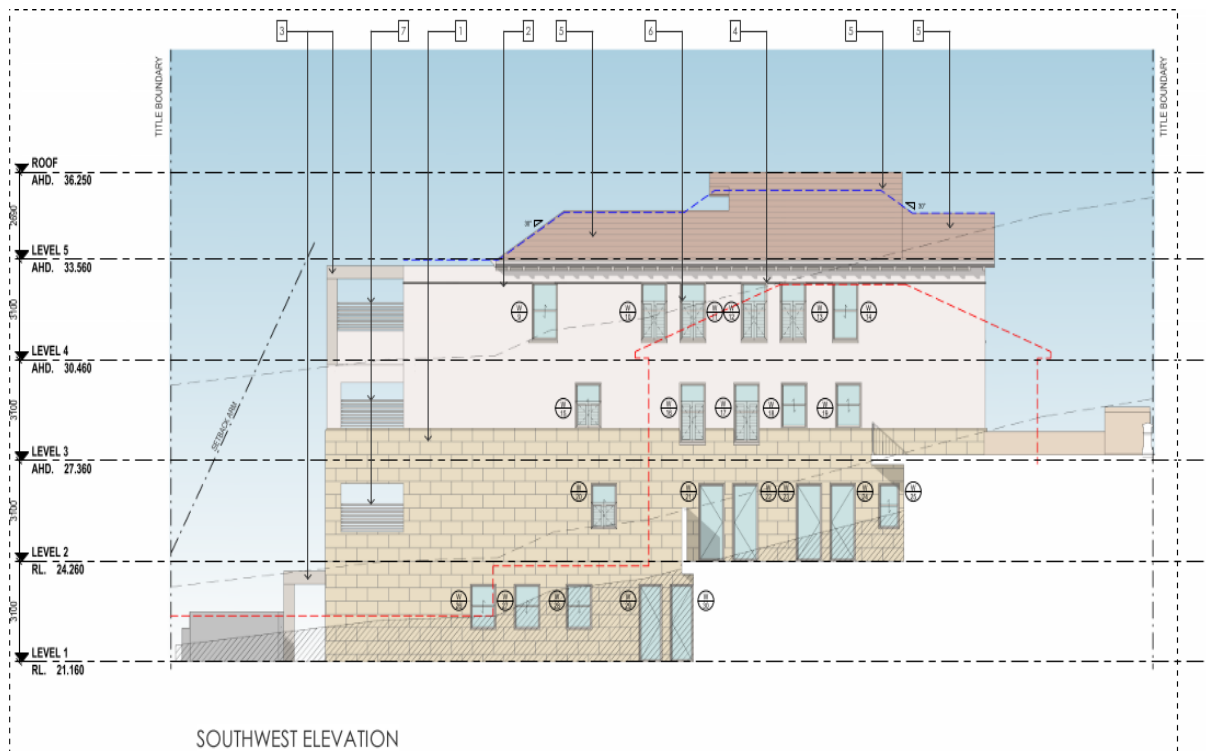
NOTE
 VIEW TAKEN 1600mm ABOVE RL 33.00
 FROM THE UPPER VERANDAH OF 102A
 GLASSOP STREET, BALMAIN.

Figure 14 – View Analysis of 102A Glassop Street

As requested by council, the current modification application was amended to reduce the size of the roof-terrace back to the form that was originally approved and the only significant increase in height will occur in the form of changing a hipped roof form into a gable roof form to accommodate the lift/lift-over run and the other heights are generally the same as the development originally approved (see extracts of the current proposal below which also shows an outline of the originally approved development application in blue:



SOUTHEAST ELEVATION
Figure 15 – Proposed Street Elevation



SOUTHWEST ELEVATION
Figure 15 – Proposed Southwest Elevation

While there is an increase in height, it will follow the angles of the existing roof pitch in the forming of the gable roof form, and hence, it is unlikely to result in a significant increase in view loss compared to the originally approved development.

Therefore, it is noted that whilst there will be view loss impacts, this is a result of the built form that was originally approved and the proposed modifications forming part of this application are unlikely to result in significant additional impacts in this regard.

C3.12 Acoustic Privacy

The proposed roof terrace has been reduced in size to the 19 sqm that was originally approved and therefore is considered to be acceptable. The setbacks are generally consistent with the originally approved development and therefore there are no additional adverse acoustic privacy impacts from the proposed modifications.

C. The Likely Impacts

These matters have been considered as part of the assessment of the development application. It is considered that the proposed modified development will not have significant adverse environmental, social or economic impacts upon the locality.

D. The Suitability of the Site for the Development

The proposal is of a nature in keeping with the overall function of the site. The premises are in a residential surrounding and amongst similar uses to that proposed.

E. Submissions

The application was notified in accordance with Council's Community Engagement Strategy between 20 August 2024 to 18 September 2024.

A total of eleven (11) submissions were received in response to the initial notification.

The application was renotified due to amended plans being submitted and six (6) submissions were received. Issues raised as follows have been discussed in this report:

- Issues in relation to visual privacy and acoustic privacy impacts – see assessment for State Environment Planning Policy (Housing) 2021 and C3.11 – Visual Privacy and C3.12 – Acoustic Privacy under the LDCP 2013
- Issues in relation to impact to streetscape and Heritage Conservation Area – see assessment for 5.10 – Heritage under the *IWLEP 2022*
- Issues in relation to car parking - See assessment for C1.11– Car Parking under the LDCP 2013
- Issues in relation to Solar Access impacts – See assessment for C3.9 – Solar Access under the LDCP 2013
- Issues in relation to view loss impacts - See assessment for C3.10 – View Loss under the LDCP 2013

Further issues raised in the submissions received are discussed below:

Concern	Comment
Impact to tree located on the neighbouring property at 2 Phoebe Street	To ensure the trees located on the adjoining property at 2 Phoebe Street is not impacted by the proposed works, relevant conditions will be amended and added. Refer to attachment A for the relevant added and amended conditions.
Traffic generation, generation of additional Infrastructure and Services	Council engineers have reviewed the traffic report that accompanied the application and raised no objection to the modified proposal. As the proposed modifications do not seek an increase to the number of dwellings to the originally approved development, there are no additional impacts in relation to infrastructure and conditions requiring Sydney Water approval will be retained.
The lowered surrounding wall to the rooftop garden will allow people using the roof top garden to look into our outdoor areas and windows that face that rooftop garden.	The amended design had reduced the roof terrace's area to approximately 19 sqm which is similar to the originally approved development. The amended elevations and sections indicate that the walls around the roof terrace will be similar to the originally approved development.
Enclosure of car lift	This aspect had been reviewed by the Architectural Design Excellence Review Panel and is considered to be satisfactory.
The proposal inaccurately depicts the building at 75 Glassop Street	The application includes a detailed site survey. As the amended proposal has reduced the size of the roof terrace to approximately 19 sqm, the potential privacy impacts are considered to be similar to the originally approved development. This proposal also includes window shutters which is an improvement to the previously approved application with regard to privacy impacts and a condition is included in the recommendation requiring shutters to be provided to W14 which is associated with Apartment 6 that faces 75 Glassop Street.
Applicant's intention to give low cost housing units to his children	Condition 50 will be retained where the four dwellings (apartments 2, 3, 4 and 5) are not be used for any purpose other than affordable housing (as defined in cl 21 of State Environmental Planning Policy (Housing) 2021) managed by a registered community housing provider.
If the changes to level 4 are approved, then fixed privacy screens and solid balustrades should be required on level 4 at the rear.	The rear elevation to Level 4 remains unchanged and privacy impacts from this elevation were considered in the assessment of the original application which deemed the approved arrangement to be acceptable.

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.

This has been achieved in this instance.

7. Section 7.11 / 7.12 Contributions

Section 7.11 contributions are payable for the proposal.

The proposed modifications would not trigger any changes to the contributions as they appear on the current consent.

8. Housing and Productivity Contributions

As the original development application was lodged prior to 1 October 2023 and the current proposal does not result in an increase of dwellings, this is not applicable to this application.

9. Referrals

The following internal referrals were made, and their comments have been considered as part of the above assessment:

- Heritage Specialist;
- Development Engineer;
- Urban Forest;
- Building Certification

The application was not required to be referred to any external bodies.

10. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in *Inner West Local Environmental Plan 2022* and *Leichhardt Development Control Plan 2013*.

The development will not result in any significant impacts on the amenity of the adjoining premises/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.

11. Recommendation

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.56 of the *Environmental Planning and Assessment Act 1979*, grant consent to Development Application No. MOD/2024/0085 which seeks to modify DA/2022/0684 dated 10 October 2023 to carry out various internal and external modifications at all levels, including roof changes at 77 Glassop Street, Balmain subject to the conditions listed in Attachment A below

Attachment A – Recommended conditions of consent

It is recommended that the application under Section 4.55 of the *Environmental Planning and Assessment Act 1979* be APPROVED subject to the consent being modified in the following manner:

A. Amend the following Condition/s to read as follows:

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
TP01	Neighbourhood & Site Context Plan	November 2021	Nicholas Day Architect
TP02	Immediate Site Context Plan	November 2021	Nicholas Day Architect
TP03	Existing Streetscape Photomontage	November 2021	Nicholas Day Architect
TP04	Demolition Plan	November 2021	Nicholas Day Architect
TP05B	Design Response Plan	22 May 2023	Nicholas Day Architect
-E	Cover Sheet	02.08.2024	CDA Architects
TP06B G	Site Plan	22 May 2023 02.08.2024	Nicholas Day Architect CDA Architects
TP07A D	Basement Plan	22 May 2023 02.08.2024	Nicholas Day Architect CDA Architects
TP08B F	Level 1 Plan	22 May 2023 02.08.2024	Nicholas Day Architect CDA Architects
TP09-B F	Level 2 Plan	22 May 2023 02.08.2024	Nicholas Day Architect CDA Architects
TP10-B G	Level 3 Plan	22 May 2023 02.08.2024	Nicholas Day Architect CDA Architects
TP11-B F	Level 4 Plan	22 May 2023 02.08.2024	Nicholas Day Architect CDA Architects
TP12-B F	Level 5 Plan	22 May 2023 02.08.2024	Nicholas Day Architect CDA Architects
TP13-B F	Roof Plan	22 May 2023 02.08.2024	Nicholas Day Architect CDA Architects

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
TP14-B <i>F</i>	Elevations Sheet 1	22 May 2023 02.08.2024	Nicholas Day Architect CDA Architects
TP15-B <i>F</i>	Elevations Sheet 2	22 May 2023 02.08.2024	Nicholas Day Architect CDA Architects
TP16-B <i>G</i>	Section A, B & C Cut and Fill Plan <i>D</i>	22 May 2023 02.08.2024	Nicholas Day Architect CDA Architects
TP17B	Streetscape & Backyard Elevations	22 May 2023	Nicholas Day Architect
TP18B	Shadow Diagrams	22 May 2023	Nicholas Day Architect
TP19B	Shadow Diagrams	22 May 2023	Nicholas Day Architect
TP20B	Eye from Sun	22 May 2023	Nicholas Day Architect
TP21B	Eye from Sun	22 May 2023	Nicholas Day Architect
TP22B	SEPP 65 Diagrams	22 May 2023	Nicholas Day Architect
TP23B	Area Diagrams	22 May 2023	Nicholas Day Architect
TP24B	Floor Space Ratio Diagrams	22 May 2023	Nicholas Day Architect
TP25B	Gross Floor Area Diagrams	22 May 2023	Nicholas Day Architect
TP26-B <i>F</i>	Storage Area Diagrams	22 May 2023 02.08.2024	Nicholas Day Architect CDA Architects
TP27B	Natural Ventilation Diagrams	22 May 2023	Nicholas Day Architect
TP28B	Private Open Space Diagrams	22 May 2023	Nicholas Day Architect
TP29A	Streetscape Perspectives	22 May 2023	Nicholas Day Architect
TP30A	CUT AND FILL PLAN	22 May 2023	Nicholas Day Architect
SW200F	Stormwater Concept Design – Basement Plan	1 June 2023	SGC Consulting Engineers
SW201F	Stormwater Concept Design – Level 01 Plan	1 June 2023	SGC Consulting Engineers
SW202F	Stormwater Concept Design – Level 02 Plan	1 June 2023	SGC Consulting Engineers
SW203F	Stormwater Concept Design – Level 03 Plan	1 June 2023	SGC Consulting Engineers
SW204F	Stormwater Concept Design – Roof Plan	1 June 2023	SGC Consulting Engineers
SW300F	Stormwater Concept Design – Details Sheet (1 of 2)	1 June 2023	SGC Consulting Engineers

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
SW301F	Stormwater Concept Design – Details Sheet (2 of 2)	1 June 2023	SGC Consulting Engineers
SW400F	Stormwater Concept Design – Erosion and Sediment Control Plan and Details	1 June 2023	SGC Consulting Engineers
400J:	Site Plan	15 September 2023	Site Image Landscape Architects
401I	Level 01	15 September 2023	Site Image Landscape Architects
402G	Level 02	15 September 2023	Site Image Landscape Architects
403I	Level 03	15 September 2023	Site Image Landscape Architects
404G	Rooftop Terrace	15 September 2023	Site Image Landscape Architects
501B	Details	15 September 2023	Site Image Landscape Architects
23198 s4.55 1-3, Rev. B	LEGEND / DETAILS / PLANT SCHEDULE	31/3/24	Vision dynamics pty ltd.
23198 s4.55 2-3, Rev. B	LANDSCAPE PLAN	31/3/24	Vision dynamics pty ltd.
23198 s4.55 3-3, Rev. B	LANDSCAPE PLAN	31/3/24	Vision dynamics pty ltd.
Report No.E2335-1	Acid Sulphate Soils Management Plan	15 February 2023	GCA
20230180.1	Noise Impact Assessment	09 March 2023	Acoustic Logic
G22212-1-Rev A	Geotechnical Investigation Report	21st July 2022	SSTG Property Pty Ltd
23177.2-Access	ACCESSIBILITY ASSESSMENT REPORT	8th March 2024	NEST Consulting Group
Certificate No.: 1310615M_08 1738891M	BASIX Certificate	26 September 2023 07 March 2024	EcoResults Green Star Energy Solutions

As amended by the conditions of consent.

(Condition amended – MOD/2024/0085 – 12/11/2024).

25. Stormwater Drainage System – Minor Developments (OSD is required)

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

- a. The design must be generally in accordance with the stormwater drainage concept plan on Drawing Nos. SW200, SW201, SW202, SW203, SW204, SW300, SW301, SW400 and SW500 (Rev F) prepared by SGC and dated 1/6/23, as amended to comply with the following;
- b. Stormwater runoff from all roof areas within the property being collected in a system of gutters, pits and pipeline and be discharged, , by gravity to the kerb and gutter of a public road/directly to Council's piped drainage system via the OSD/OSR tanks as necessary; Minor roof and paved areas at the rear of the property that cannot reasonably be drained by gravity to the street may drained to an on-site dispersal system such as an absorption system or otherwise, , no nuisance or concentration of flows to other properties and the feasibility and design of the on-site dispersal system being certified by a suitably qualified and experienced practising Civil and/or Geotechnical Engineer;
- c. Comply with Council's Stormwater Drainage Code, Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3-2018 'Stormwater Drainage' and Council's DCP;
- d. Charged or pump-out stormwater drainage systems are not permitted including for roof drainage other than to drain downpipes to the rainwater tank(s);
- e. The plans, including supporting calculations, must demonstrate that the post development flows for the 100 year ARI storm are restricted to the pre development flows for the 5 year ARI storm event in accordance with Section E1.2.3 (C2 and C3) of Council's DCP2013 and the maximum allowable discharge to Council's street gutter limited to 15 litres/second (100year ARI);
- f. OSD may be reduced or replaced by on site retention (OSR) for rainwater reuse in accordance with the relevant DCP that applies to the land. Where this is pursued, the proposed on-site retention (OSR) tanks must be connected to a pump system for internal reuse for laundry purposes, the flushing of all toilets and for outdoor usage such as irrigation;
- g. Pipe and channel drainage systems including gutters must be designed to convey the one hundred (100) year Average Recurrence Interval (ARI) flows from the contributing catchment to the OSD/OSR tanks;
- h. Details of the 100-year ARI overflow route in case of failure\blockage of the drainage system must be provided;
- i. A minimum 150mm step up shall be provided between all external finished surfaces and adjacent internal floor areas except where a reduced step is permitted under the Building Code of Australia for Class 1 buildings;
- j. Details of external catchments currently draining to the site must be included on the plans. Existing natural overland flows from external catchments may not be blocked or diverted, but must be captured and catered for within the proposed site drainage;
Where necessary an inter-allotment drainage system must be incorporated into the design;
- k. No nuisance or concentration of flows to other properties;
- l. An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets;
- m. Only a single point of discharge is permitted to the kerb and gutter, per frontage of the site;

- n. No impact to street tree(s) or any trees on the adjoining properties and
- o. Water quality filtration basket(s) with screening bag or similar primary treatment device(s) must be installed on the site stormwater drainage system such that all water entering the site stormwater drainage system is filtered by the device(s).

(Condition amended – MOD/2024/0085 – 12/11/2024).

32. Inspections by Project Arborist

The Project Arborist must oversee various stages of work within the Tree Protection Zone (TPZ) of any tree listed for retention including street trees. The Arborist must certify compliance with each key milestone detailed below:

- a. The installation of tree protection measures prior to the commencement of any construction works;
- b. During demolition of any ground surface materials (pavers, concrete, grass etc.) within the Tree Protection Zone (TPZ) of any tree to be retained;
- c. During any excavation and trenching within the TPZ;
- d. During any Landscape works within the TPZ which has been approved by Council.

An Arboricultural Compliance Report which includes photographic evidence and provides details on the health and structure of tree/s must be submitted to and acknowledged by certifying authority at each hold-point listed below:

- e. Certification that tree protection measures have been installed in accordance with these consent conditions
- f. Certification of compliance with each key milestone listed above within 48 hours of completion;
- g. Details of any other works undertaken on any tree to be retained or any works within the TPZ which has been approved by Council.
- h. A final compliance report must be submitted to and approved by certifying authority prior to the issue of any Occupation Certificate.

(Condition amended – MOD/2024/0085 – 12/11/2024).

33. Canopy Pruning

Canopy and/or root pruning of the following tree/s which is necessary to accommodate the approved building works must be undertaken by, or directly supervised by, the Project Arborist.

Tree No.	Botanical/Common Name	Radius in metres
1	<i>Cinnamomum camphora</i> (Camphor Laurel)	Approved TPP
2	<i>Platanus x hybrida</i> (London Plane Tree)	Approved TPP
4	<i>Washingtonia robusta</i> (Mexican Fan Palm)	Approved TPP
10	<i>Ficus benjamina</i> (Weeping Fig)	
11	<i>Brachychiton acerifolius</i> (Illawarra Flame)	4.56

The person acting on this consent has approval under Council's Tree Management Controls to; prune the trees to achieve a clearance of the structure. Pruning is limited to those branches

that will come into direct contact the built structure and where branch diameter (at its point of attachment) does not exceed 40 mm.

(Condition amended – MOD/2024/0085 – 12/11/2024).

34. Limited Root Pruning

No tree roots of 30mm or greater in diameter located within the specified radius of the trunk/s of the following tree/s must be severed or injured in the process of any works during the construction period:

Tree No.	Botanical/Common Name	Radius in metres
1	<i>Cinnamomum camphora</i> (Camphor Laurel)	Approved TPP
2	<i>Platanus x hybrida</i> (London Plan Tree)	Approved TPP
4	<i>Washingtonia robusta</i> (Mexican Fan Palm)	Approved TPP
10	<i>Ficus benjamina</i> (Weeping Fig)	8.4
11	<i>Brachychiton acerifolius</i> (Illawarra Flame)	4.56

All excavation within the specified radius of the trunk(s) of the above tree(s) being hand dug using either pneumatic or hydraulic tools only (e.g. *Airspade*® or hydro excavation) to a depth of one (1) metre under direct supervision of the Project Arborist and then by mechanical means as agreed by the Project Arborist. If tree roots less than 30mm diameter are required to be severed for the purposes of constructing the approved works, they must be cut cleanly using a sharp and *fit for purpose tool*. The pruning must be undertaken by a practicing Arborist.

(Condition amended – MOD/2024/0085 – 12/11/2024).

35. Tree Protection Zone

To protect the following tree/s, no work must commence until its/their Protection Zone is fenced off at the specified radius from the trunk/s to prevent any activities, storage or the disposal of materials within the fenced area in accordance with the Tree Protection Plan included in the Arboricultural Impact Assessment report dated 9 August 2022 and prepared by Peter Richards of TALC. The fence/s (including existing boundary fencing) must be maintained intact until the completion of all demolition/building work on site.

Tree No.	Botanical/Common Name	Radius in metres
1	<i>Cinnamomum camphora</i> (Camphor Laurel)	Approved TPP
2	<i>Platanus x hybrida</i> (London Plane Tree)	Approved TPP
4	<i>Washingtonia robusta</i> (Mexican Fan Palm)	Approved TPP
10	<i>Ficus benjamina</i> (Weeping Fig)	8.4
11	<i>Brachychiton acerifolius</i> (Illawarra Flame)	4.56

(Condition amended – MOD/2024/0085 – 12/11/2024).

B. Add the following Condition/s to read as follows:

35A. Construction Methods to Minimise Impact on Trees

Prior to the issue of a Construction Certificate, the Certifying Authority must verify that no proposed underground services are located beneath the canopy of any prescribed tree/s

located on the subject site and adjoining sites (including trees located within the public domain):

Tree No.	Botanical/Common Name	Radius in metres
1	<i>Cinnamomum camphora</i> (Camphor Laurel)	Approved TPP
2	<i>Platanus x hybrida</i> (London Plan Tree)	Approved TPP
4	<i>Washingtonia robusta</i> (Mexican Fan Palm)	Approved TPP
10	<i>Ficus benjamina</i> (Weeping Fig)	8.4
11	<i>Brachychiton acerifolius</i> (Illawarra Flame)	4.56

(Condition added – MOD/2024/0085 – 12/11/2024).

36A. Design Change

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

- a. Windows are to be timber framed and not in aluminium and all shutters shall also be timber.
- b. Shutters are to be applied to W14 which is associated with Apartment 6. These privacy shutters shall match those located on windows 10-13 in size and placement.

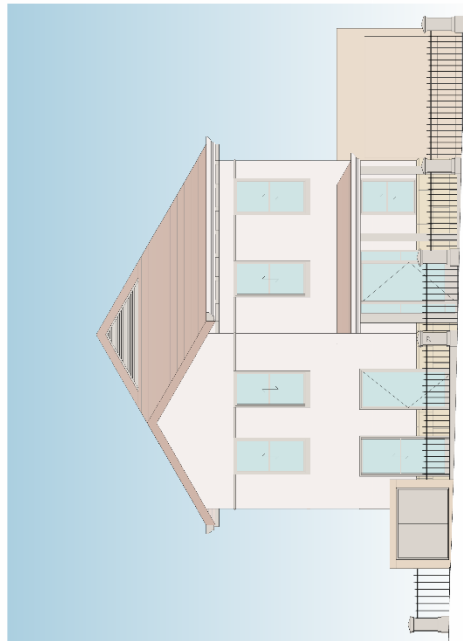
(Condition added – MOD/2024/0085 – 12/11/2024).

Attachment B – Plans of Proposed Development

SCHEDULE OF REVISIONS

77 GLASSOP STREET, BALMAIN

DRAWING NUMBER	DRAWING NAME	CURRENT REVISION	CURRENT REVISION DATE
TP06	COVER SHEET	E	02.08.2024
TP06	SITE PLAN	G	02.08.2024
TP07	BASEMENT	D	02.08.2024
TP08	LEVEL 1	F	02.08.2024
TP09	LEVEL 2	F	02.08.2024
TP10	LEVEL 3	G	02.08.2024
TP11	LEVEL 4	F	02.08.2024
TP12	LEVEL 5	F	02.08.2024
TP13	ROOF PLAN	F	02.08.2024
TP14	ELEVATIONS SHEET 1	F	02.08.2024
TP15	ELEVATIONS SHEET 2	F	02.08.2024
TP16	SECTIONS A-C & D	F	02.08.2024
TP18	SHADOW DIAGRAMS	G	02.08.2024
TP18	SUN PATH DIAGRAM	F	02.08.2024
TP20	EYE FROM SUN - APPROVED	D	02.08.2024
TP20b	EYE FROM SUN	A	02.08.2024
TP21a	EYE FROM SUN - APPROVED	D	02.08.2024
TP21b	EYE FROM SUN	A	02.08.2024
TP22	SEPARS DIAGRAM	F	02.08.2024
TP23	AREA DIAGRAM	C	02.08.2024
TP25	GROSS FLOOR AREA DIAGRAMS	F	02.08.2024
TP26	STOREAGE AREA DIAGRAMS	F	02.08.2024
TP27	NATURAL VENTILATION DIAGRAMS	F	02.08.2024
TP28	PRIVATE OPEN SPACE DIAGRAMS	F	02.08.2024
TP31	DA-APPROVED & PROPOSED VIEW COMPARISON	A	02.08.2024



77 GLASSOP STREET, BALMAIN
CDARCHITECTS

Rev. Date Description
E 22.08.2024 84181900100000191

77 GLASSOP STREET
BALMAIN
NSW 2041

CDARCHITECTS
LEVEL 3, 80 PARK STREET
SPRUEY PARK NSW 2020
P: 02 9550 2044
O: 02 9550 2044
A: 02 9550 2044

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of the
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Institution of
Australia

PROPOSED APARTMENT DEVELOPMENT

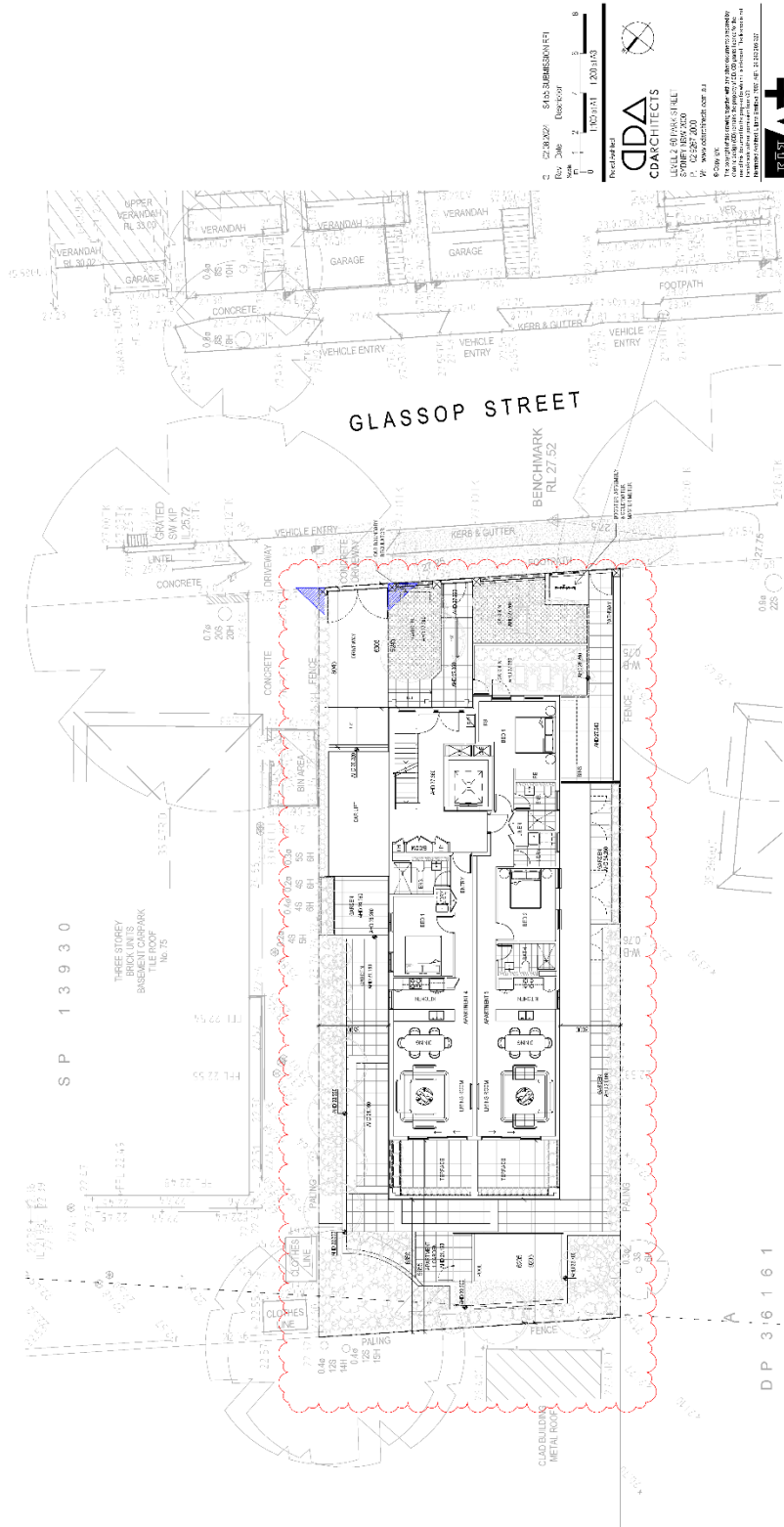
77 GLASSOP ST,
BALMAIN
NSW 2041

COVER SHEET

SALES SUBMISSION
Sheet No. J23600C - E
APPLICATION NO. DA20220884
APPROVAL DATE: 10/10/2023

NOTE:
ORIGINAL DESIGN BY NICHOLAS
DAY ARCHITECTS
APPLICATION NO. DA20220884
APPROVAL DATE: 10/10/2023

CDARCHITECTS
100 BALMAIN ROAD, BALMAIN NSW 2041



C 02/30/2020 5:45 SUBMISSION (F)
 Rev 206 Electrical
 1 2 3 4 5 6
 0 1 2 3 4 5 6
 1:200 1:100 1:50 1:20 1:10 1:50 1:100 1:200 1:400

CIDA
CD ARCHITECTS
 LEVEL 2 40/408 STUELL
 SPRIFF NSW 2020
 Ph: (02) 9550 2000
 F: (02) 9550 2001
 www.cidaarchitects.com.au
 6-20th ST
 The architectural design is prepared by the architect or architect-in-charge and is not to be used for any other purpose without the written consent of the architect.

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PROPOSED APARTMENT DEVELOPMENT
 77 GLASSOPP ST.
 BALMAIN
 NSW 1544

SITE PLAN

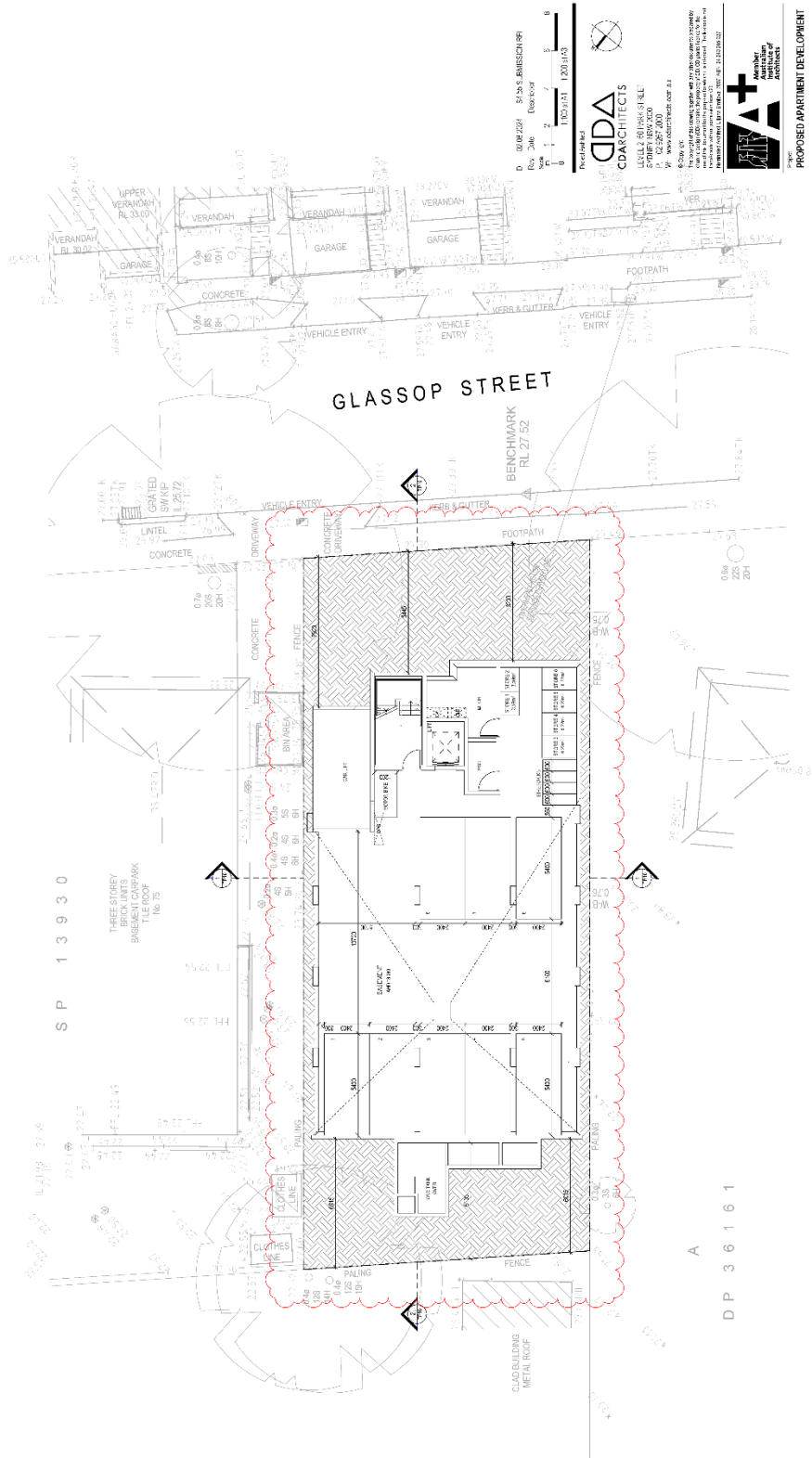
NOTE:
 ORIGINAL DESIGN BY NICHOLAS
 DAY ARCHITECTS
 APPLICATION NO: DA6/22/0884
 APPROVAL DATE: 10/10/2023

SLS SUBMISSION
 5/10/2023
 J23600C TP063
 Date of: 5/10/2023
 Author: CL/abw
 Checked: JN/abw
 Approved: JN/abw

S P 1 3 9 3 0

D P 3 6 1 6 1

DRAWING NO: DA6/22/0884
 DATE: 10/10/2023



D 00/02/2014 S. JAY S. BIRNBAUM
 Rev 2/06 Electrical
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 1:200 (A1)
 1:200 (A2)

CDIDA
CD ARCHITECTS
 LEVEL 2 40/408 STUELL
 SPRIEF NSW 2020
 P 61 259 2000
 F 61 259 6111
 W www.cdarchitects.com.au

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Architects
of
N.S.W.

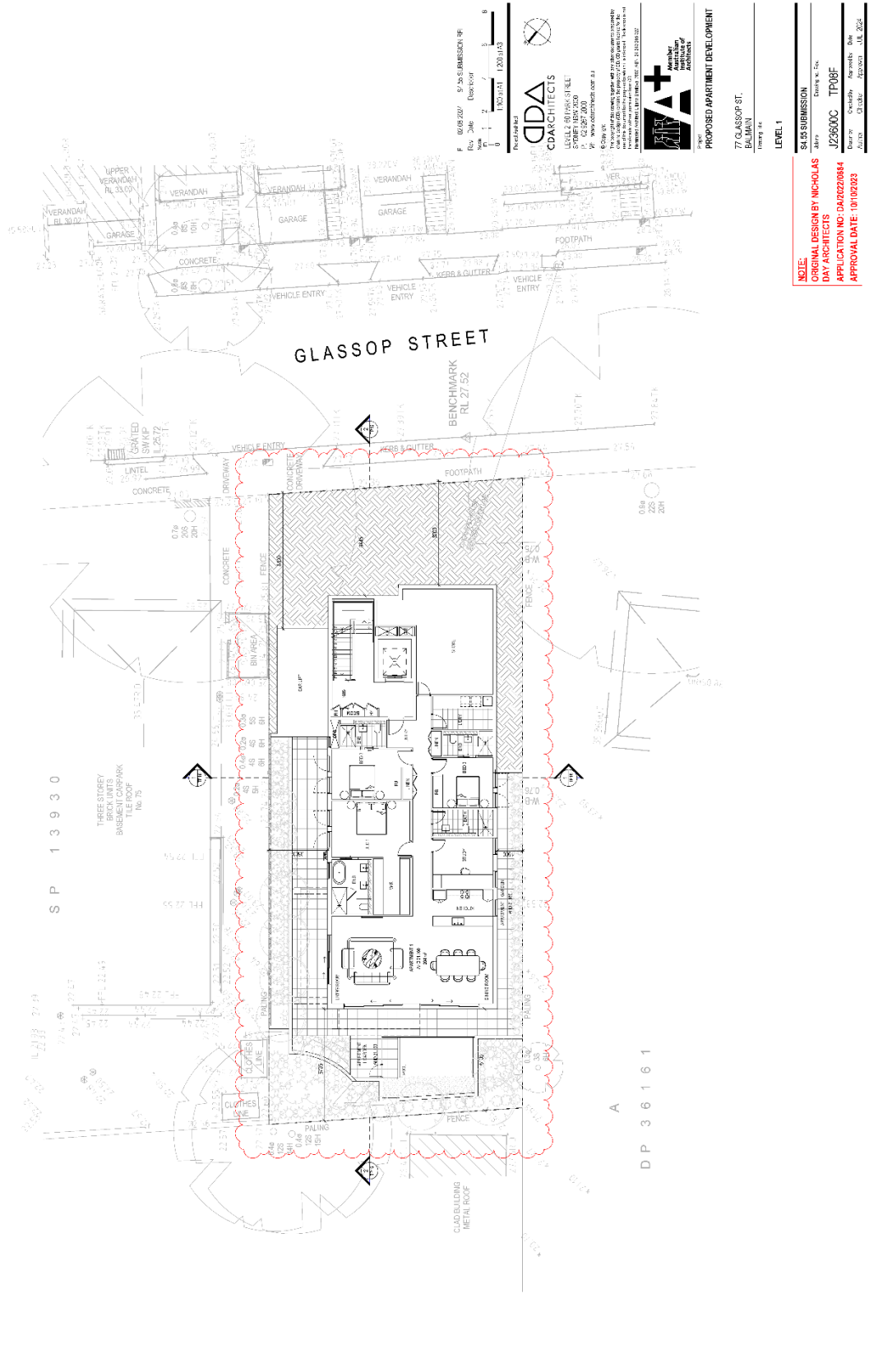
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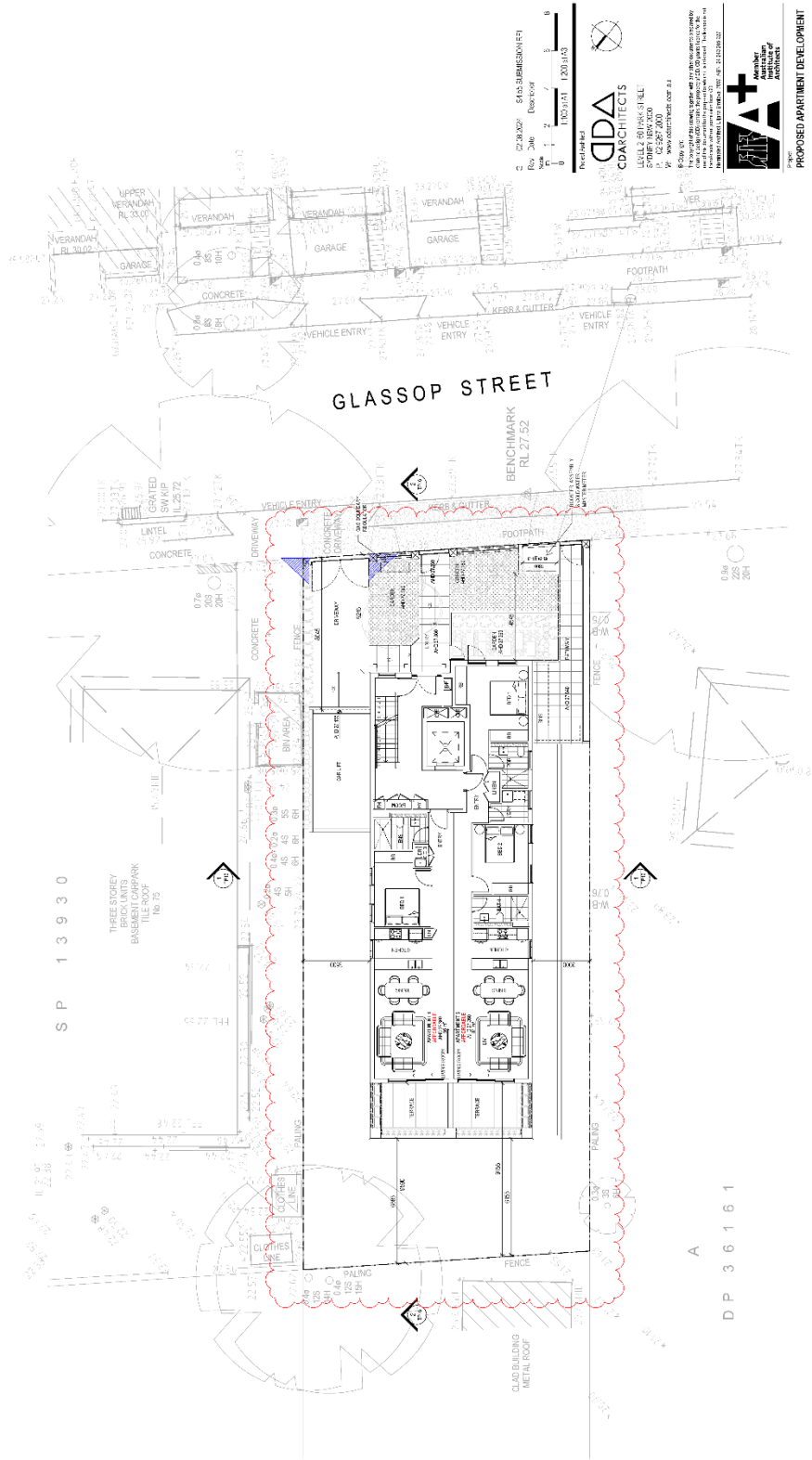
PROPOSED APARTMENT DEVELOPMENT
 77 GLASSOPP ST.
 BALMAIN
 NSW 1545

NOTE:
 ORIGINAL DESIGN BY NICHOLAS
 DAY ARCHITECTS
 APPLICATION NO: DA/2022/0884
 APPROVAL DATE: 10/11/2023

SUS BURMISON
 Director
 J23600C TP70D
 Date of Issue: 10/11/2023
 Date of Approval: 10/11/2023

Document No: DA/2022/0884
 Version: 02/11/2023 11:20:23





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 LEVEL 2 40/408 STUELL
 SPRIFF NSW 2200
 P: 02 9297 2000
 F: 02 9297 2001
 W: www.cdida.com.au
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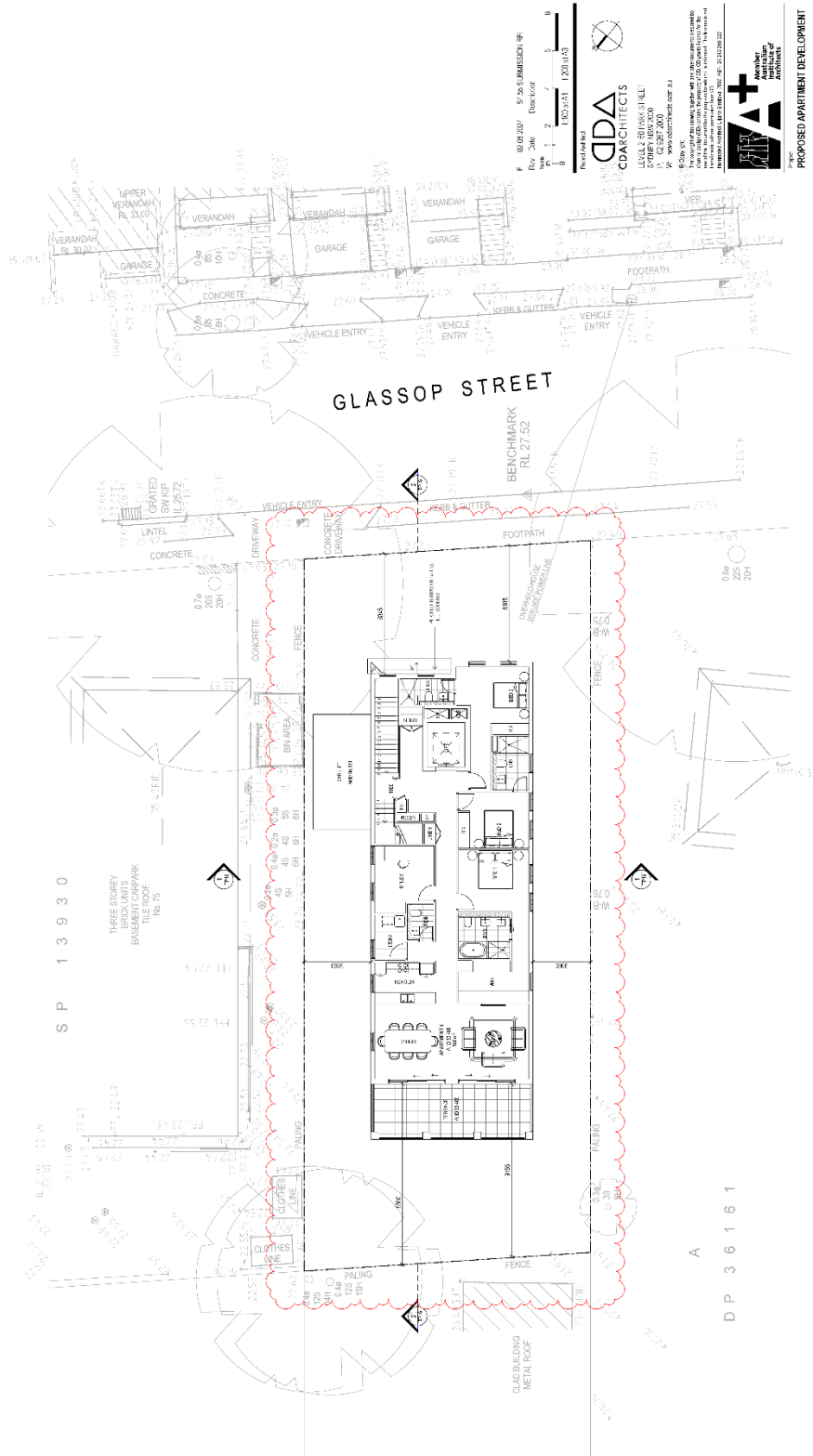
PROPOSED APARTMENT DEVELOPMENT
 77 GLASSOPP ST.
 BALMAIN
 NSW 1540

LEVEL 3
 S.I.S. SURMISON
 4/100
 ORIGINAL DESIGN BY NICHOLAS DAY ARCHITECTS
 APPLICATION NO: DA/2022/0884
 APPROVAL DATE: 10/10/2023

S P 1 3 9 3 0

A
D P 3 6 1 6 1

DRAWN BY: S.I.S. SURMISON
 CHECKED BY: NICHOLAS DAY



F 02/08/2021 SLS SURMISON PTY LTD
 Rev 206 Electronic
 0 1 2 3 4 5 6
 1:200 (A1)
 1:200 (A2)

SLS SURMISON
CD ARCHITECTS
 LEVEL 2, 40 PARK STREET
 SYDNEY NSW 2000
 P 61 9399 2000
 F 61 9399 2001
 W www.slsurmison.com.au

The architect certifies that this drawing was prepared by a suitably qualified person under the supervision of a suitably qualified person who is a member of the Institute of Architects.
 I AM A MEMBER OF THE INSTITUTE OF ARCHITECTS
 I AM A REGISTERED ARCHITECT

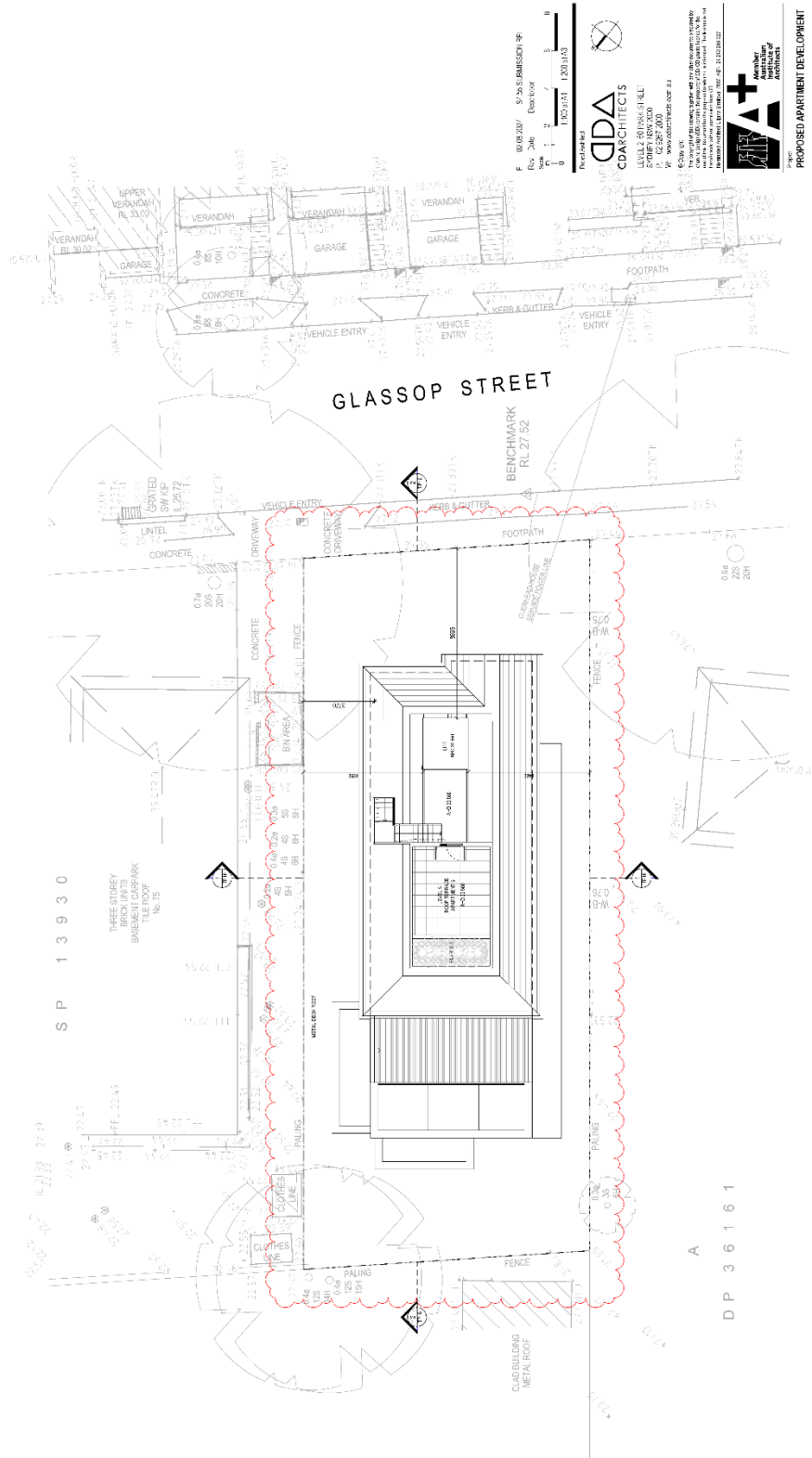
PROPOSED APARTMENT DEVELOPMENT
 77 GLASSOPP ST.
 BALMAIN
 NSW 1545

NOTE:
 ORIGINAL DESIGN BY NICHOLAS
 DAY ARCHITECTS
 APPLICATION NO: DA6/22/0884
 APPROVAL DATE: 10/10/2023

LEVEL 4

SLS SURMISON
 40 Park St.
 Sydney NSW 2000
 P 61 9399 2000
 F 61 9399 2001
 W www.slsurmison.com.au

10/10/2023 11:28 AM



F 02/09/2021 9:56 S. SIMMONSON SR
 Rev 206 Electrical
 0 1 2 3 4 5 6
 1:200 1:100 1:50


CIDA
 CD ARCHITECTS
 LEVEL 2 40 MARK STREET
 SYDNEY NSW 2000
 P 61 9399 2000
 F 61 9399 2001
 W www.cidaarchitects.com.au
 The principal architect for this project is S. Simmonson SR. The principal architect for this project is S. Simmonson SR. The principal architect for this project is S. Simmonson SR.



PROPOSED APARTMENT DEVELOPMENT

77 GLASSOP ST.
 BALMAIN
 NSW 1545

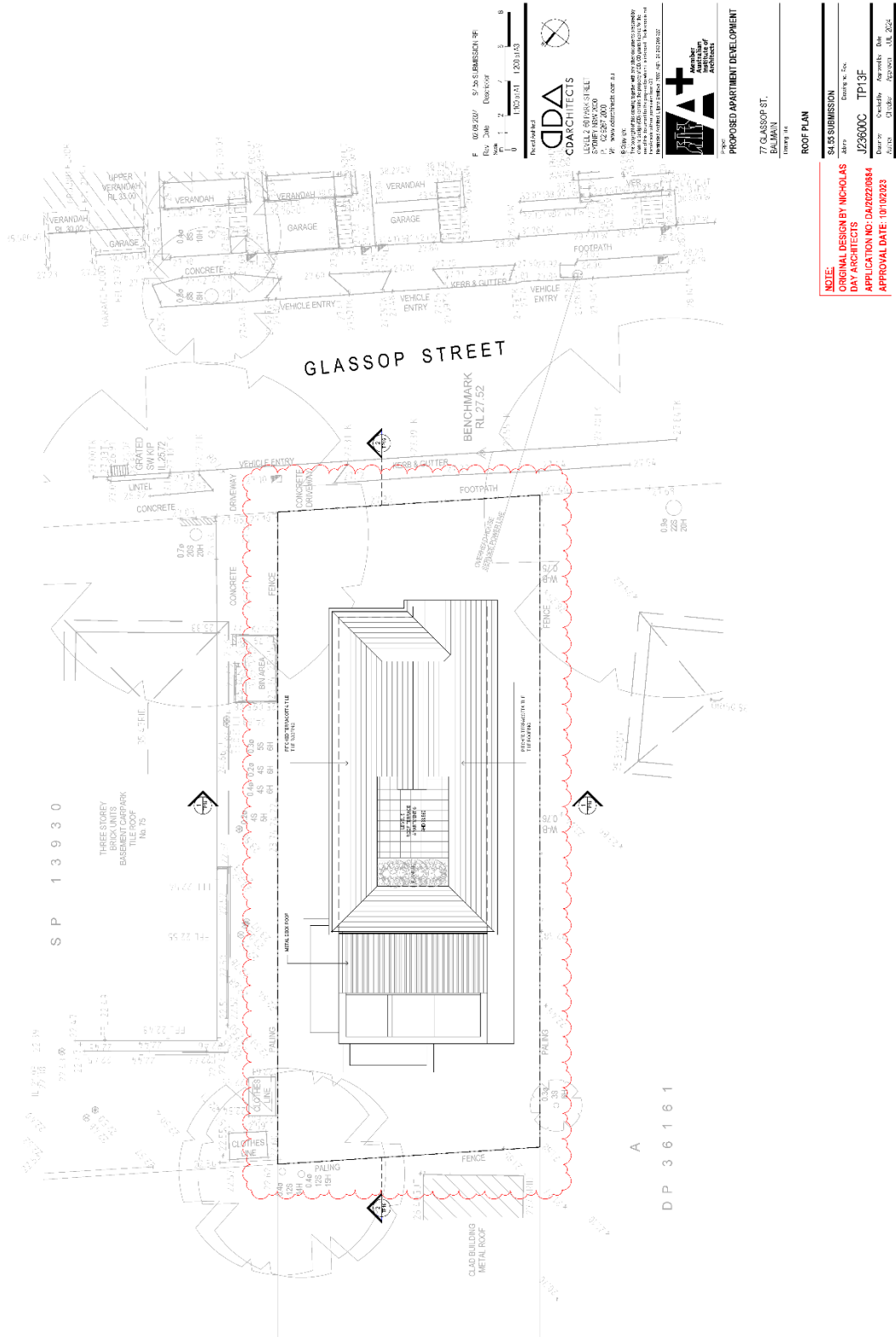
LEVEL 5

NOTE:	S. S. SIMMONSON	Senior Archt.
ORIGINAL DESIGN BY NICHOLAS DAY ARCHITECTS	DAY ARCHITECTS	TP12F
APPLICATION NO: DA/2022/0884	DA/2022/0884	Application No.
APPROVAL DATE: 10/10/2023	10/10/2023	Approval Date

S P 1 3 9 3 0

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 D P 3 6 1 6 1

Drawn by: S. Simmonson SR
 Date: 02/09/2021



Vertical: 10/10/2023 11:00 AM



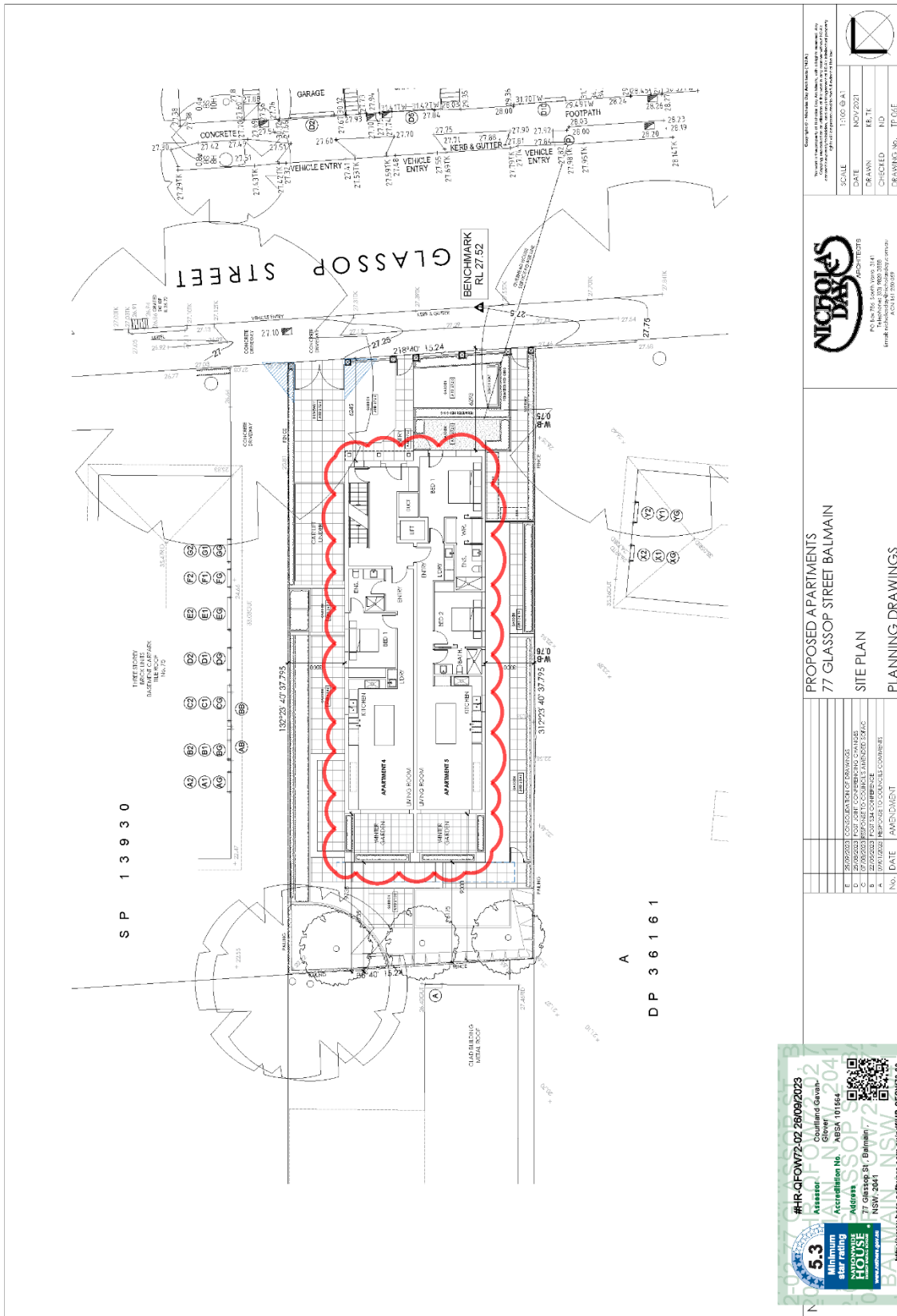
#IR-OPW77-02 26/09/2023
 Assessor: Courtland Grayan
 Accreditation No.: ABEA 100564
 Address: 77 Glassop St, Balmain, NSW, 2041
 Maximum star rating: 5.3
 HOUSE
 BALMAIN NSW 2041
 http://www.harp-surveyors.com.au/pdf/IR-OPW77-02

PROPOSED APARTMENT DEVELOPMENT
 77 GLASSOP STREET, BALMAIN
 IMMEDIATE SITE CONTEXT PLAN
 PLANNING DRAWINGS

SCALE	NFS
DATE	NOV 2021
DRAWN	K.B.
CHECKED	N.D.
DRAWING No.	TP02



Document Set ID: 36105405
 Version: 1, Version Date: 14/10/2023



#R-QPW72-02 28/09/2023
 Assessor: Courtland Gavah
 Accreditation No. ABEA 101664
 Address: 77 Glassop St, Balmain NSW 2041

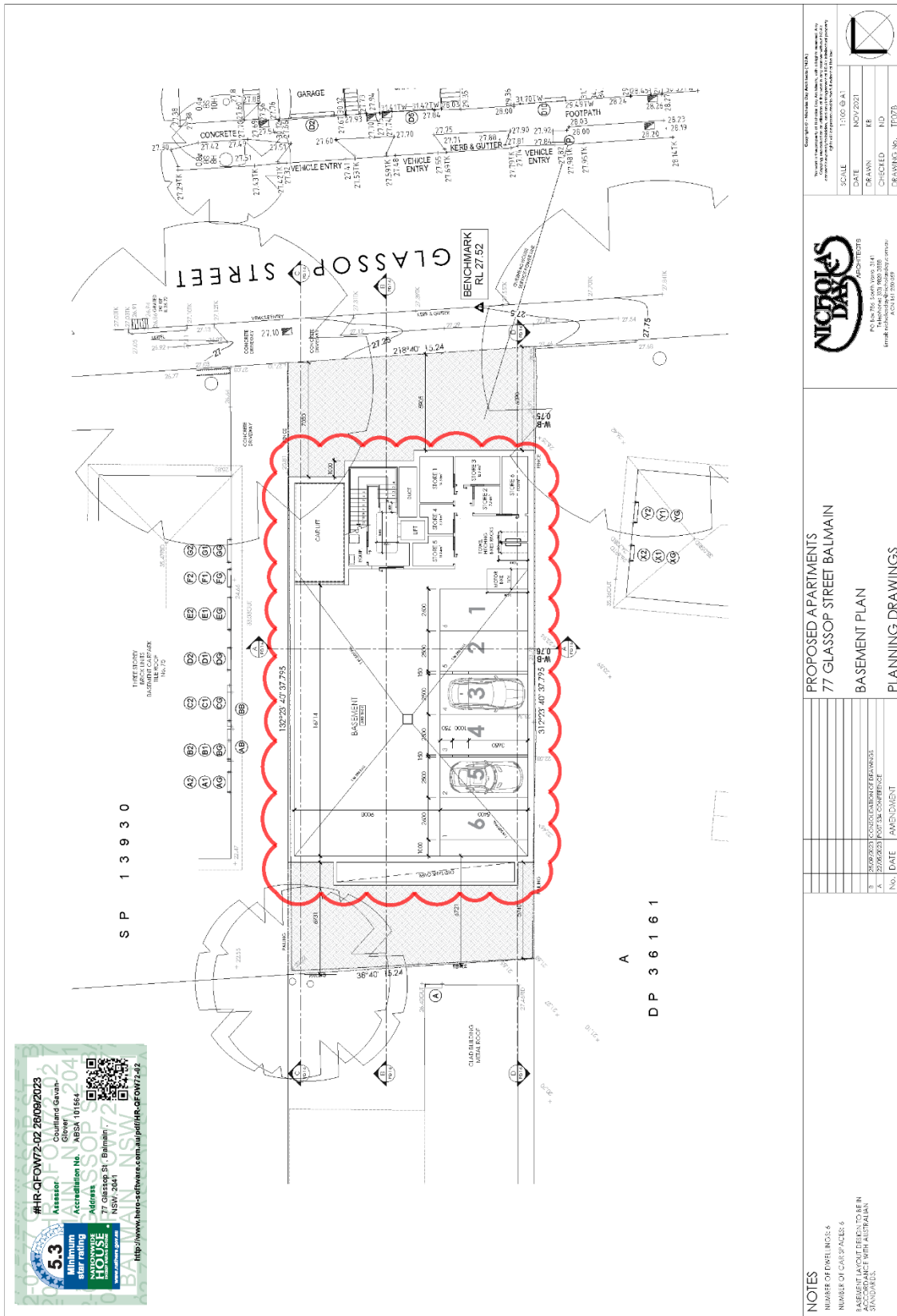
5.3
 Minimum star rating
 AUSTRALIAN HOUSE

https://www.home-softwares.com.au/pdf/#R-QPW72-02

PROPOSED APARTMENTS
 77 GLASSOP STREET BALMAIN
 SITE PLAN
 PLANNING DRAWINGS

SCALE: 1:100 @ A1
 DATE: NOV 2021
 DRAWN: K.B.T.
 CHECKED: N.D.
 DRAWING NO.: TP-06E





#IR-QFOW72-02 29/09/2023
 Assessor: Courtland Gavah
 Glebe
 Accreditation No. ABSA 101664
 Address: 77 Glassop St, Balmain,
 NSW 2041
<http://www.white-software.com.au/pdf/IR-QFOW72-02>

5.3
 Minimum
 star rating
**NAUTONWIDE
 HOUSE**
 www.nautonwide.com.au

S P 1 3 9 3 0

A
 D P 3 6 1 6 1

Scale 1:100 @ A1

DATE NOV 2021

DRAWN KR

CHECKED ND

DRAWING NO. T007B



PROPOSED APARTMENTS
 77 GLASSOP STREET BALMAIN
 BASEMENT PLAN
 PLANNING DRAWINGS

No.	DATE	AMENDMENT
1	28/09/2023	POST CONSTRUCTION
2	28/09/2023	POST CONSTRUCTION
3	28/09/2023	POST CONSTRUCTION
4	28/09/2023	POST CONSTRUCTION

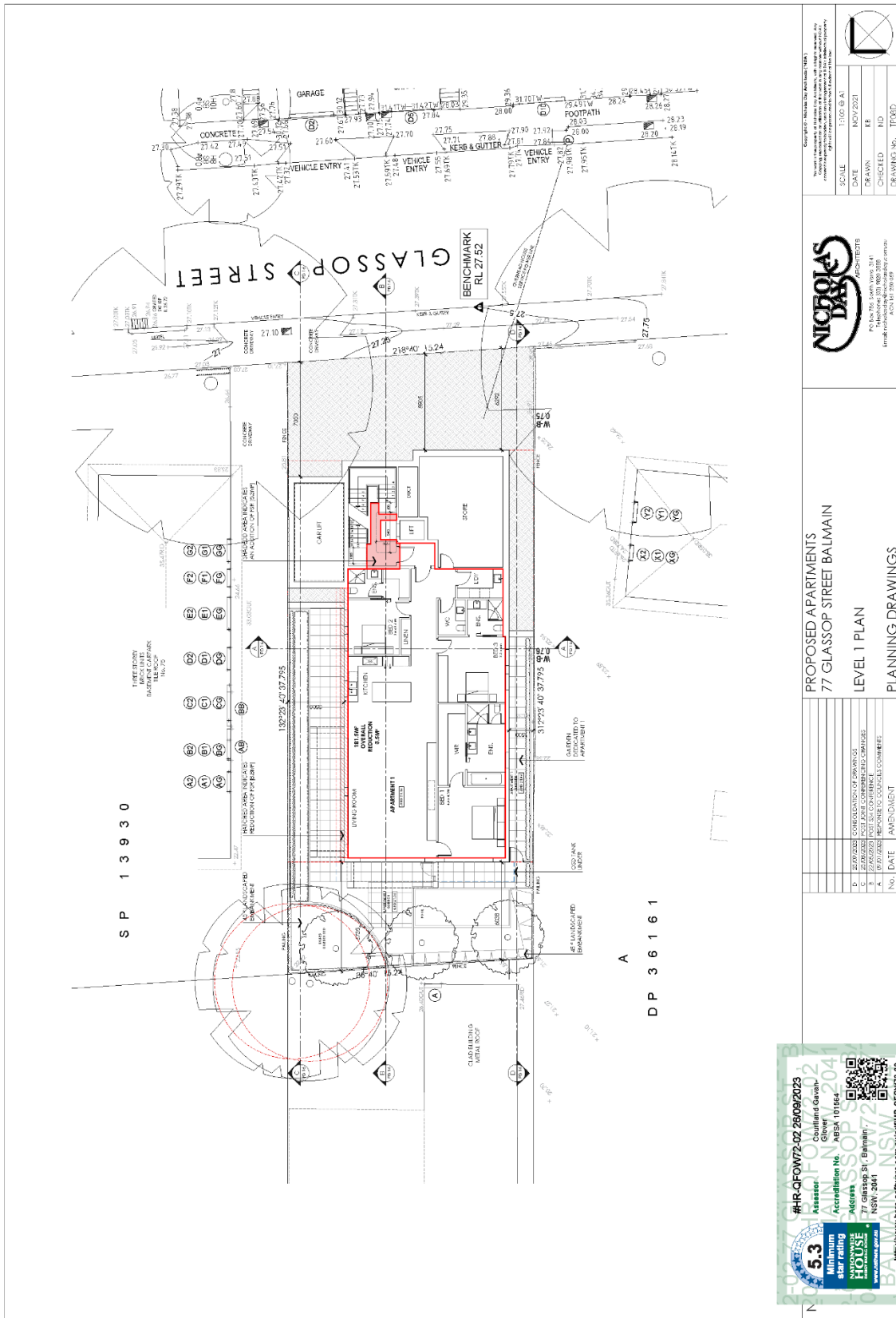
NOTES

NUMBER OF DWELLING UNITS: 6

NUMBER OF CAR SPACES: 6

BASEMENT LAYOUT INTEND TO BE IN ACCORDANCE WITH AUSTRALIAN STANDARDS.

Document Set ID: 39168586
 Version: 1, Version Date: 14/10/2023



SCALE	1:100 @ A1
DATE	NOV 2021
DRAWN	KR
CHECKED	ND
DRAWING NO.	TR00D



**PROPOSED APARTMENTS
77 GLASSOP STREET BALMAIN
LEVEL 1 PLAN
PLANNING DRAWINGS**

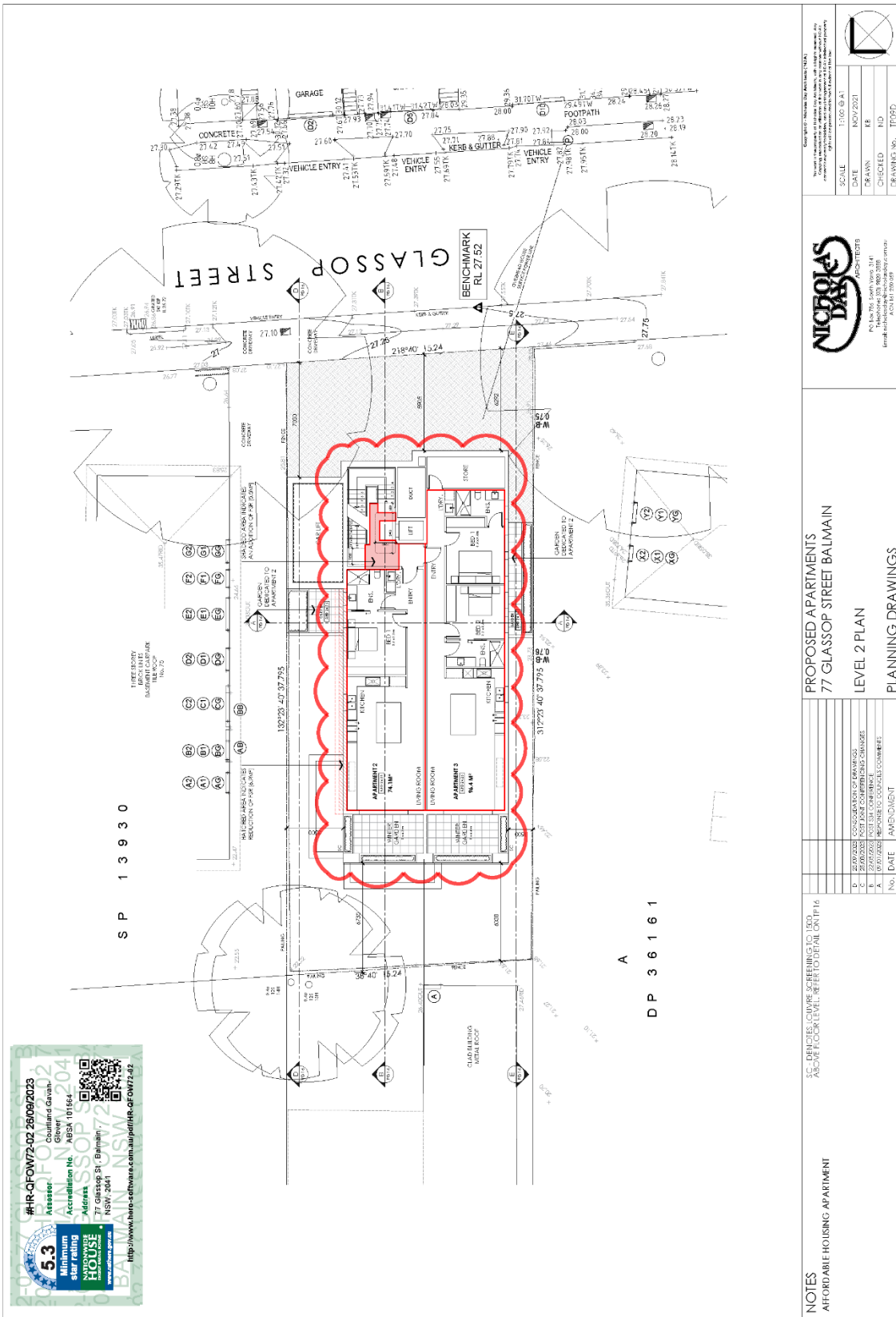
No.	DATE	AMENDMENT
D	24/09/2022	CONSOLIDATION OF DRAWINGS
C	27/03/2022	ADD FLOOR CORNER DETAIL CHANGES
B	07/02/2022	REVISIONS TO CHANGING ROOMS
A	07/02/2022	REVISIONS TO COMMONS CORNERS

#R-QFOW72-02 28/09/2023
Assessor: Courtland Gavah
Glebe, NSW 1516
Accreditation No. ABEA 101664
Address: 77 Glassop St, Balmain, NSW, 2041

5.3 Maximum star rating
APPROVED HOUSE
www.assessor.gov.au

https://www.nsw-softwars.com.au/pdf/#R-QFOW72-02

Document Set ID: 39168899
Version: 1, Version Date: 14/10/2023



5.3 Minimum star rating **HOUSE**

#HR-OPW72-02 26/09/2023
 Assessor: Courland Gavett
 Accreditation No. ARSA 101664
 Address: 77 Glassop St, Balmain
 NSW 2041
<http://www.hiro-eofwawa.com.au/pdf/HR-OPW72-02>

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D P 3 6 1 6 1

Scale: 1:100 @ A1

DATE: NOV 2021

DRAWN: KR

CHECKED: ND

DRAWING NO.: TPOFD



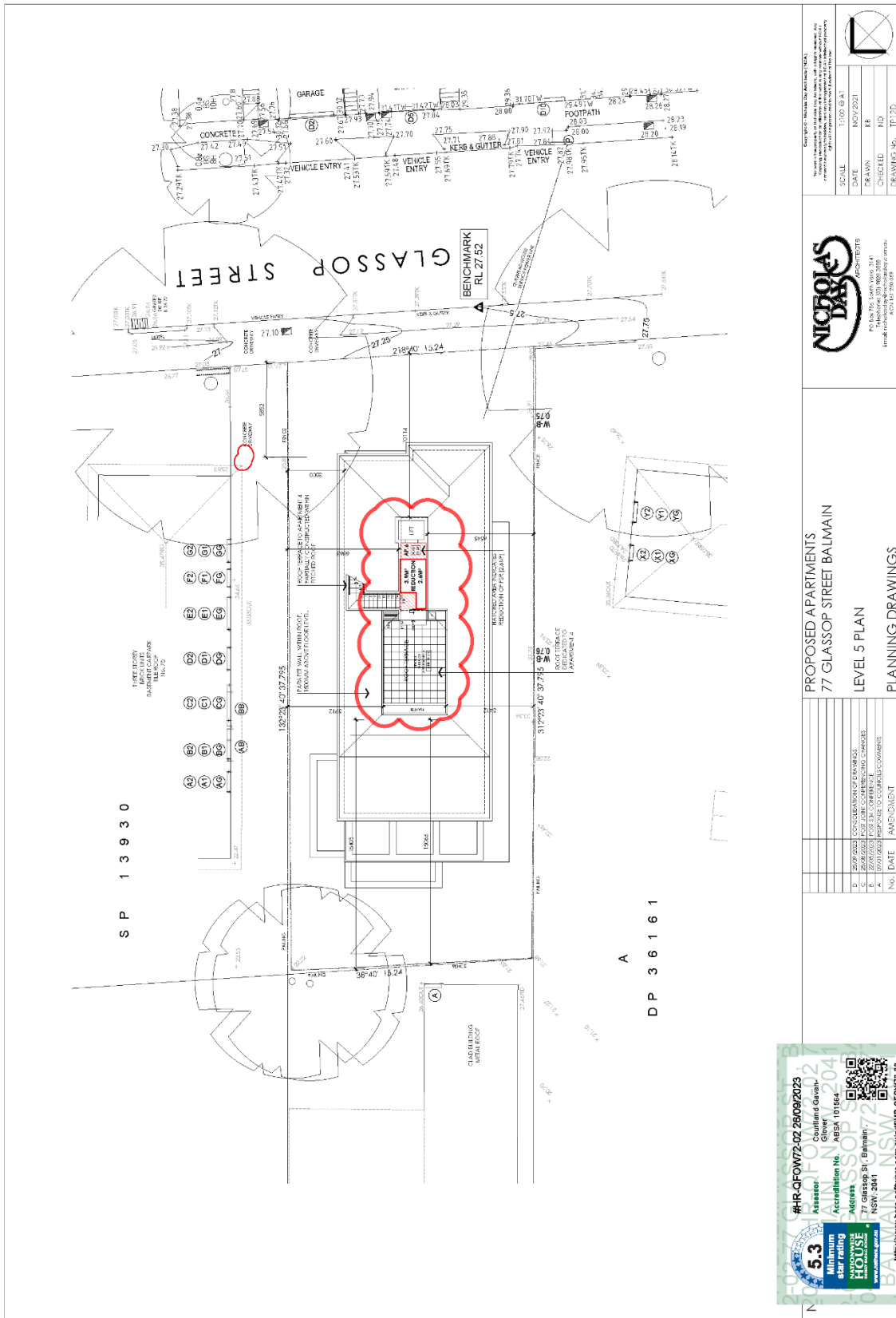
**PROPOSED APARTMENTS
 77 GLASSOP STREET BALMAIN
 LEVEL 2 PLAN
 PLANNING DRAWINGS**

No.	DATE	AMENDMENT
D	26/09/2023	CONSIDERATION OF ENVIRO/SP
C	26/09/2023	POST JURY COMMENTS CHANGES
B	26/09/2023	RESPONSE TO LOCALS COMMENTS
A		

USE: AFFORDABLE HOUSING APARTMENT
 AS-SET FLOOR LEVEL REFER TO DETAIL DX1/1/16

NOTES
 AFFORDABLE HOUSING APARTMENT

Document Set ID: 39765896
 Version: 1, Version Date: 14/10/2023

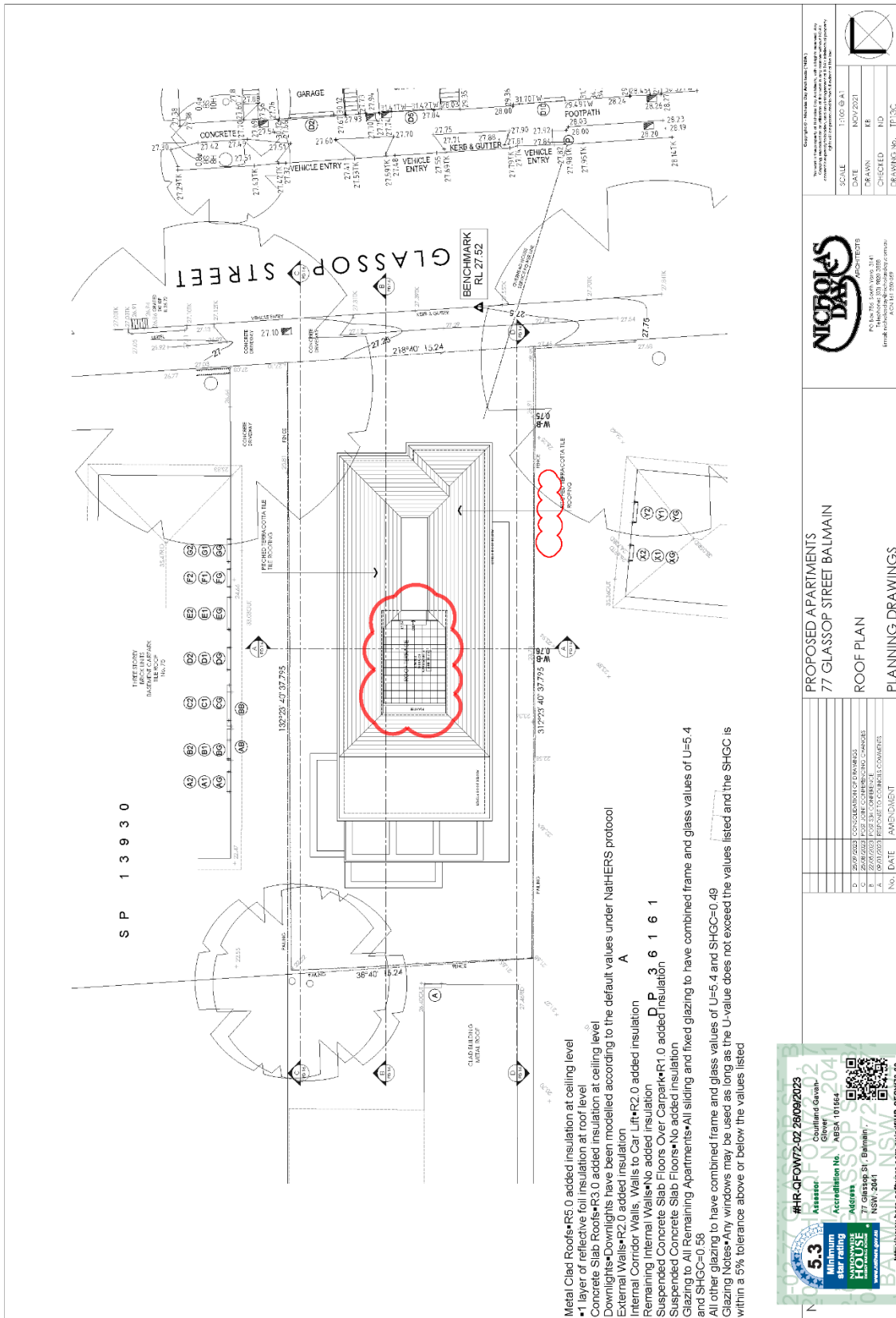


#HR-QPOW72-02 28/09/2023
 Assessor: Courtland Gavah
 County: Glebe
 Accreditation No.: AESA 101664
 Address: 77 Glassop St, Balmain
 NSW, 2041

5.3
 Minimum star rating
 AUSTRALIAN HOUSE

https://www.hub-softwares.com.au/pdf/HR-QPOW72-02

Document Set ID: 39165859
 Version: 1, Version Date: 14/10/2023



Metal Clad Roofs•R5.0 added insulation at ceiling level
 •1 layer of reflective foil insulation at roof level
 Concrete Slab Roofs•R3.0 added insulation at ceiling level
 Downlights•Downlights have been modelled according to the default values under NatHERS protocol
 External Walls•R2.0 added insulation
 Internal Corridor Walls, Walls to Car Lift•R2.0 added insulation
 Remaining Internal Walls•No added insulation
 Suspended Concrete Slab Floors Over Carpark•R1.0 added insulation
 Suspended Concrete Slab Floors•No added insulation
 Glazing to All Remaining Apartments•All sliding and fixed glazing to have combined frame and glass values of U=5.4 and SHGC=0.58
 and SHGC=0.58
 All other glazing to have combined frame and glass values of U=5.4 and SHGC=0.49
 Glazing Notes•Any windows may be used as long as the U-value does not exceed the values listed and the SHGC is within a 5% tolerance above or below the values listed

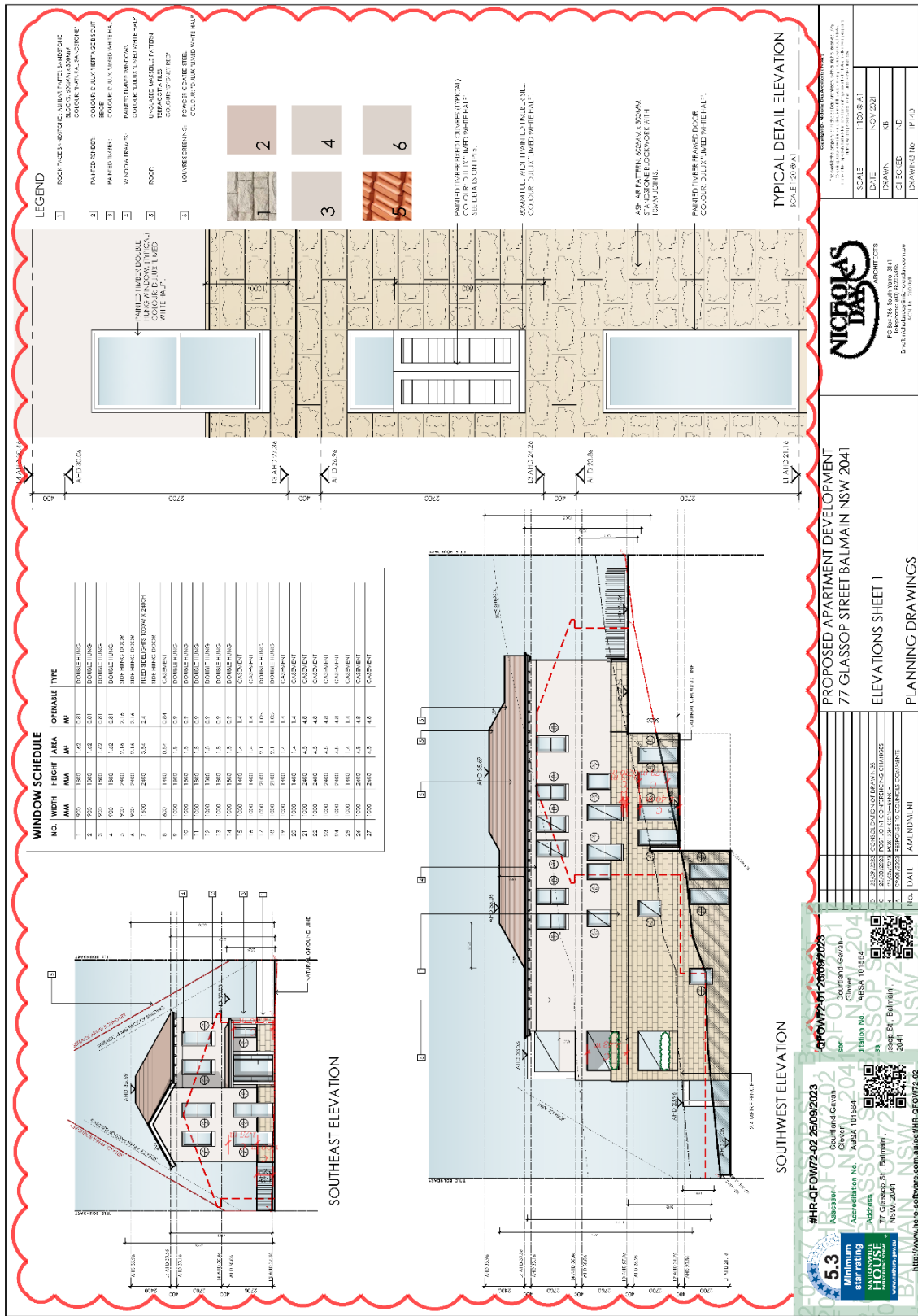
#HR-QPOW72-02 25/09/2023
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 Accreditation No. ABEA 101664
 Address: 77 Glassop St, Balmain, NSW, 2041

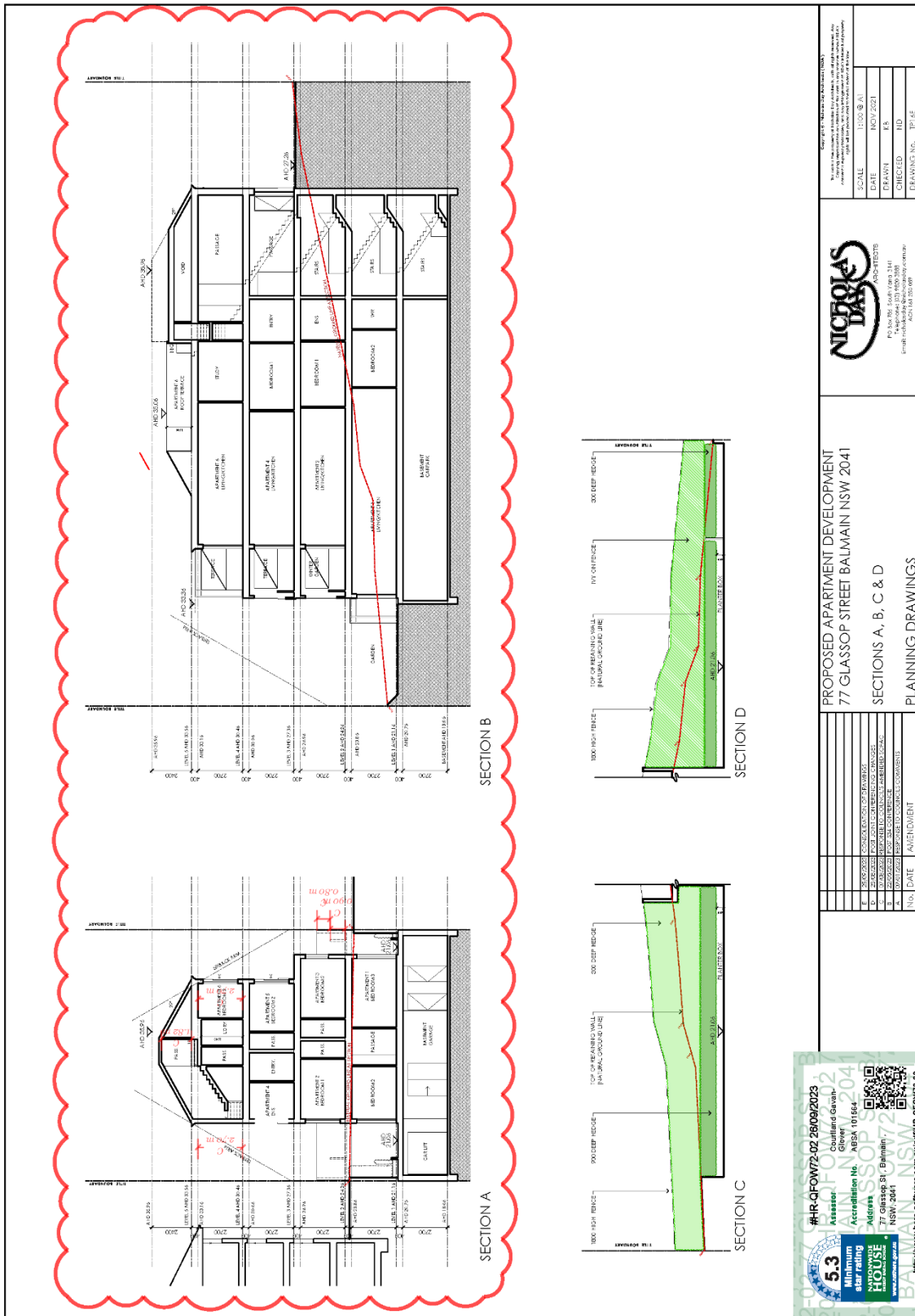


5.3 star rating
 AUTONOMOUS HOUSE

https://www.home-softwares.com.au/profile/HR-QPOW72-02

Document Set ID: 39165859
 Version: 1, Version Date: 14/10/2023





SCALE	1:100 @ A1
DATE	NOV 2021
DRAWN	ER
CHECKED	RD
DRAWING NO.	TP-4E



PROPOSED APARTMENT DEVELOPMENT
77 GLASSOP STREET BALMAIN NSW 2041
SECTIONS A, B, C & D
PLANNING DRAWINGS

No.	DATE	AMENDMENT
1	25/05/2021	ISSUED FOR PRELIMINARY COMMENTS
2	27/05/2021	LOCAL COUNCIL COMMENTED ON PLANNING DRAWINGS
3	28/05/2021	REVISIONS TO PLANNING DRAWINGS MADE
4	28/05/2021	ISSUED FOR PRELIMINARY COMMENTS

#1R-QPOW72-02 28/09/2023
Assessor
County of Gosford
Accreditation No. ABEA 101664
Address
77 Glassop St, Balmain
NSW, 2041

5.3
star rating
AUTONOMOUS HOUSE

https://www.nsw.gov.au/assessors/assessors/qpo72-02

Document Set ID: 39168389
Version: 1, Version Date: 14/10/2023

NOTES

#HR-QFOW72-02 28/09/2023
 Accredited Geometrist
 Accreditation No. ABSA 101664
 Address: 77 Glassopp St, Balmain NSW 2041
<http://www.nicholas-darras.com.au/pdf/HR-QFOW72-02>

5.3
 Planning
 status
 BALMAIN
 HOUSE
 BALMAIN NSW

NO.	DATE	DESCRIPTION
1	20/09/2023	ISSUED FOR PERMITS
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3	20/09/2023	ISSUED FOR PERMITS
4	20/09/2023	ISSUED FOR PERMITS
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78	20/09/2023	ISSUED FOR PERMITS
79	20/09/2023	ISSUED FOR PERMITS
80	20/09/2023	ISSUED FOR PERMITS
81	20/09/2023	ISSUED FOR PERMITS
82	20/09/2023	ISSUED FOR PERMITS
83	20/09/2023	ISSUED FOR PERMITS
84	20/09/2023	ISSUED FOR PERMITS
85	20/09/2023	ISSUED FOR PERMITS
86	20/09/2023	ISSUED FOR PERMITS
87	20/09/2023	ISSUED FOR PERMITS
88	20/09/2023	ISSUED FOR PERMITS
89	20/09/2023	ISSUED FOR PERMITS
90	20/09/2023	ISSUED FOR PERMITS
91	20/09/2023	ISSUED FOR PERMITS
92	20/09/2023	ISSUED FOR PERMITS
93	20/09/2023	ISSUED FOR PERMITS
94	20/09/2023	ISSUED FOR PERMITS
95	20/09/2023	ISSUED FOR PERMITS
96	20/09/2023	ISSUED FOR PERMITS
97	20/09/2023	ISSUED FOR PERMITS
98	20/09/2023	ISSUED FOR PERMITS
99	20/09/2023	ISSUED FOR PERMITS
100	20/09/2023	ISSUED FOR PERMITS

PROPOSED APARTMENT DEVELOPMENT
 77 GLASSOPP STREET
 BALMAIN, NSW 2041

STREESCAPE & BACKYARD ELEVATIONS PLANNING DRAWINGS

Scale: 1:100 B. A.I.
 Date: NOV. 2021
 Drawn: A.M.
 Checked: N.D.
 Drawing No.: TP-170

Document Set ID: 39165859
 Version: 1, Version Date: 14/10/2023

NOTES

- SHADOWS INDICATED AT WINTER SOLSTICE WITH REFERENCE TO TRUE NORTH.
- DIAGRAMS INDICATE SHADOWS CAST OVER BUILDINGS AND FENCES, AND ABOVE SHADOWS CAST BY EXISTING BUILDINGS AND FENCES.

NOTE: ADDITIONAL SURROUNDING BUILDING FOOTPRINTS TAKEN FROM AERIAL PHOTOGRAPHY.

SHADOW BY PROPOSED BUILDING:

ADDITIONAL SHADOW FROM PROPOSED BUILDING:

SHADOW BY EXISTING DWELLINGS AND FENCES:

#HR-QF072-02-28/09/2023
Assessor
 Certified Garbhan
 Accreditation No. 8854-01654
 Address: 77 Glassop St. Balmain NSW 2041
<http://www.here-software.com.au/pdf/hr-qf072-02>

5.3
 Minimum star rating
HOUSE
 Energy Rating Council

PROPOSED APARTMENTS
 77 GLASSOP STREET
 BALMAIN

SHADOW DIAGRAMS
 PLANNING DRAWINGS

NICOLAAS DAVIES ARCHITECTS
 pro. helen davies, arch. nicolaas davies
 1/100-1/102-1/104-1/106-1/108-1/110-1/112-1/114-1/116-1/118-1/120-1/122-1/124-1/126-1/128-1/130-1/132-1/134-1/136-1/138-1/140-1/142-1/144-1/146-1/148-1/150-1/152-1/154-1/156-1/158-1/160-1/162-1/164-1/166-1/168-1/170-1/172-1/174-1/176-1/178-1/180-1/182-1/184-1/186-1/188-1/190-1/192-1/194-1/196-1/198-1/200-1/202-1/204-1/206-1/208-1/210-1/212-1/214-1/216-1/218-1/220-1/222-1/224-1/226-1/228-1/230-1/232-1/234-1/236-1/238-1/240-1/242-1/244-1/246-1/248-1/250-1/252-1/254-1/256-1/258-1/260-1/262-1/264-1/266-1/268-1/270-1/272-1/274-1/276-1/278-1/280-1/282-1/284-1/286-1/288-1/290-1/292-1/294-1/296-1/298-1/300-1/302-1/304-1/306-1/308-1/310-1/312-1/314-1/316-1/318-1/320-1/322-1/324-1/326-1/328-1/330-1/332-1/334-1/336-1/338-1/340-1/342-1/344-1/346-1/348-1/350-1/352-1/354-1/356-1/358-1/360-1/362-1/364-1/366-1/368-1/370-1/372-1/374-1/376-1/378-1/380-1/382-1/384-1/386-1/388-1/390-1/392-1/394-1/396-1/398-1/400-1/402-1/404-1/406-1/408-1/410-1/412-1/414-1/416-1/418-1/420-1/422-1/424-1/426-1/428-1/430-1/432-1/434-1/436-1/438-1/440-1/442-1/444-1/446-1/448-1/450-1/452-1/454-1/456-1/458-1/460-1/462-1/464-1/466-1/468-1/470-1/472-1/474-1/476-1/478-1/480-1/482-1/484-1/486-1/488-1/490-1/492-1/494-1/496-1/498-1/500-1/502-1/504-1/506-1/508-1/510-1/512-1/514-1/516-1/518-1/520-1/522-1/524-1/526-1/528-1/530-1/532-1/534-1/536-1/538-1/540-1/542-1/544-1/546-1/548-1/550-1/552-1/554-1/556-1/558-1/560-1/562-1/564-1/566-1/568-1/570-1/572-1/574-1/576-1/578-1/580-1/582-1/584-1/586-1/588-1/590-1/592-1/594-1/596-1/598-1/600-1/602-1/604-1/606-1/608-1/610-1/612-1/614-1/616-1/618-1/620-1/622-1/624-1/626-1/628-1/630-1/632-1/634-1/636-1/638-1/640-1/642-1/644-1/646-1/648-1/650-1/652-1/654-1/656-1/658-1/660-1/662-1/664-1/666-1/668-1/670-1/672-1/674-1/676-1/678-1/680-1/682-1/684-1/686-1/688-1/690-1/692-1/694-1/696-1/698-1/700-1/702-1/704-1/706-1/708-1/710-1/712-1/714-1/716-1/718-1/720-1/722-1/724-1/726-1/728-1/730-1/732-1/734-1/736-1/738-1/740-1/742-1/744-1/746-1/748-1/750-1/752-1/754-1/756-1/758-1/760-1/762-1/764-1/766-1/768-1/770-1/772-1/774-1/776-1/778-1/780-1/782-1/784-1/786-1/788-1/790-1/792-1/794-1/796-1/798-1/800-1/802-1/804-1/806-1/808-1/810-1/812-1/814-1/816-1/818-1/820-1/822-1/824-1/826-1/828-1/830-1/832-1/834-1/836-1/838-1/840-1/842-1/844-1/846-1/848-1/850-1/852-1/854-1/856-1/858-1/860-1/862-1/864-1/866-1/868-1/870-1/872-1/874-1/876-1/878-1/880-1/882-1/884-1/886-1/888-1/890-1/892-1/894-1/896-1/898-1/900-1/902-1/904-1/906-1/908-1/910-1/912-1/914-1/916-1/918-1/920-1/922-1/924-1/926-1/928-1/930-1/932-1/934-1/936-1/938-1/940-1/942-1/944-1/946-1/948-1/950-1/952-1/954-1/956-1/958-1/960-1/962-1/964-1/966-1/968-1/970-1/972-1/974-1/976-1/978-1/980-1/982-1/984-1/986-1/988-1/990-1/992-1/994-1/996-1/998-1/1000-1/1002-1/1004-1/1006-1/1008-1/1010-1/1012-1/1014-1/1016-1/1018-1/1020-1/1022-1/1024-1/1026-1/1028-1/1030-1/1032-1/1034-1/1036-1/1038-1/1040-1/1042-1/1044-1/1046-1/1048-1/1050-1/1052-1/1054-1/1056-1/1058-1/1060-1/1062-1/1064-1/1066-1/1068-1/1070-1/1072-1/1074-1/1076-1/1078-1/1080-1/1082-1/1084-1/1086-1/1088-1/1090-1/1092-1/1094-1/1096-1/1098-1/1100-1/1102-1/1104-1/1106-1/1108-1/1110-1/1112-1/1114-1/1116-1/1118-1/1120-1/1122-1/1124-1/1126-1/1128-1/1130-1/1132-1/1134-1/1136-1/1138-1/1140-1/1142-1/1144-1/1146-1/1148-1/1150-1/1152-1/1154-1/1156-1/1158-1/1160-1/1162-1/1164-1/1166-1/1168-1/1170-1/1172-1/1174-1/1176-1/1178-1/1180-1/1182-1/1184-1/1186-1/1188-1/1190-1/1192-1/1194-1/1196-1/1198-1/1200-1/1202-1/1204-1/1206-1/1208-1/1210-1/1212-1/1214-1/1216-1/1218-1/1220-1/1222-1/1224-1/1226-1/1228-1/1230-1/1232-1/1234-1/1236-1/1238-1/1240-1/1242-1/1244-1/1246-1/1248-1/1250-1/1252-1/1254-1/1256-1/1258-1/1260-1/1262-1/1264-1/1266-1/1268-1/1270-1/1272-1/1274-1/1276-1/1278-1/1280-1/1282-1/1284-1/1286-1/1288-1/1290-1/1292-1/1294-1/1296-1/1298-1/1300-1/1302-1/1304-1/1306-1/1308-1/1310-1/1312-1/1314-1/1316-1/1318-1/1320-1/1322-1/1324-1/1326-1/1328-1/1330-1/1332-1/1334-1/1336-1/1338-1/1340-1/1342-1/1344-1/1346-1/1348-1/1350-1/1352-1/1354-1/1356-1/1358-1/1360-1/1362-1/1364-1/1366-1/1368-1/1370-1/1372-1/1374-1/1376-1/1378-1/1380-1/1382-1/1384-1/1386-1/1388-1/1390-1/1392-1/1394-1/1396-1/1398-1/1400-1/1402-1/1404-1/1406-1/1408-1/1410-1/1412-1/1414-1/1416-1/1418-1/1420-1/1422-1/1424-1/1426-1/1428-1/1430-1/1432-1/1434-1/1436-1/1438-1/1440-1/1442-1/1444-1/1446-1/1448-1/1450-1/1452-1/1454-1/1456-1/1458-1/1460-1/1462-1/1464-1/1466-1/1468-1/1470-1/1472-1/1474-1/1476-1/1478-1/1480-1/1482-1/1484-1/1486-1/1488-1/1490-1/1492-1/1494-1/1496-1/1498-1/1500-1/1502-1/1504-1/1506-1/1508-1/1510-1/1512-1/1514-1/1516-1/1518-1/1520-1/1522-1/1524-1/1526-1/1528-1/1530-1/1532-1/1534-1/1536-1/1538-1/1540-1/1542-1/1544-1/1546-1/1548-1/1550-1/1552-1/1554-1/1556-1/1558-1/1560-1/1562-1/1564-1/1566-1/1568-1/1570-1/1572-1/1574-1/1576-1/1578-1/1580-1/1582-1/1584-1/1586-1/1588-1/1590-1/1592-1/1594-1/1596-1/1598-1/1600-1/1602-1/1604-1/1606-1/1608-1/1610-1/1612-1/1614-1/1616-1/1618-1/1620-1/1622-1/1624-1/1626-1/1628-1/1630-1/1632-1/1634-1/1636-1/1638-1/1640-1/1642-1/1644-1/1646-1/1648-1/1650-1/1652-1/1654-1/1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NOTES

- SHADOWS INDICATED AT WINTER SOLSTICE WITH REFERENCE TO TRUE NORTH.
- DIAGRAMS INDICATE SHADOWS CAST OVER AND ABOVE SHADOWS CAST BY EXISTING BUILDINGS AND FENCES.

NOTE: ADDITIONAL SURROUNDING BUILDING FOOTPRINTS TAKEN FROM AERIAL PHOTOGRAPHY.

SHADOW BY PROPOSED BUILDING.

 ADDITIONAL SHADOW FROM PROPOSED BUILDING.

 SHADOW BY EXISTING DWELLINGS AND FENCES.



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 Minister for Planning
 Accreditation No. ABA 101664
 Address: 77 Glassop St, Balmain NSW 2041
<http://www.hero-software.com.au/pdf/HR-QF0W72-02>

PROPOSED APARTMENTS
 77 GLASSOP STREET
 BALMAIN

SHADOW DIAGRAMS

PLANNING DRAWINGS

NICOLAS DAVIES ARCHITECTS
 pro. lic. 726, south coast 214
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APARTMENT NUMBER	ROOM NAME	SOLAR COMPLIANCE
APARTMENT 1		Y
APARTMENT 2		Y
APARTMENT 3		Y
APARTMENT 4		Y
APARTMENT 5		Y
APARTMENT 6		Y
TOTAL	6	100% COMPLIANCE

SOLAR COMPLIANT

No.	DATE	AMENDMENT
D	22/09/2023	COORDINATION OF DRAWINGS
C	22/09/2023	POST JURE CORRECTIONS - CHANGES
B	09/01/2024	RESPONSE TO LOCAL COUNCIL COMMENTS

PROPOSED APARTMENTS
77 GLASSOP STREET BALMAIN
SEPP 65 DIAGRAMS
PLANNING DRAWINGS

SCALE: 1:200 @ A1
DATE: NOV 2023
DRAWN: KR
CHECKED: ND
DRAWING NO.: TP22D

NICHOLAS BASS
P/L
1/100 BALMAIN RD
BALMAIN NSW 1522
Tel: (02) 9550 1000
www.nicholasbass.com.au

5.3 Maximum star rating AUSTRALIAN HOUSE

 #IR-QPOW72-02 29/09/2023

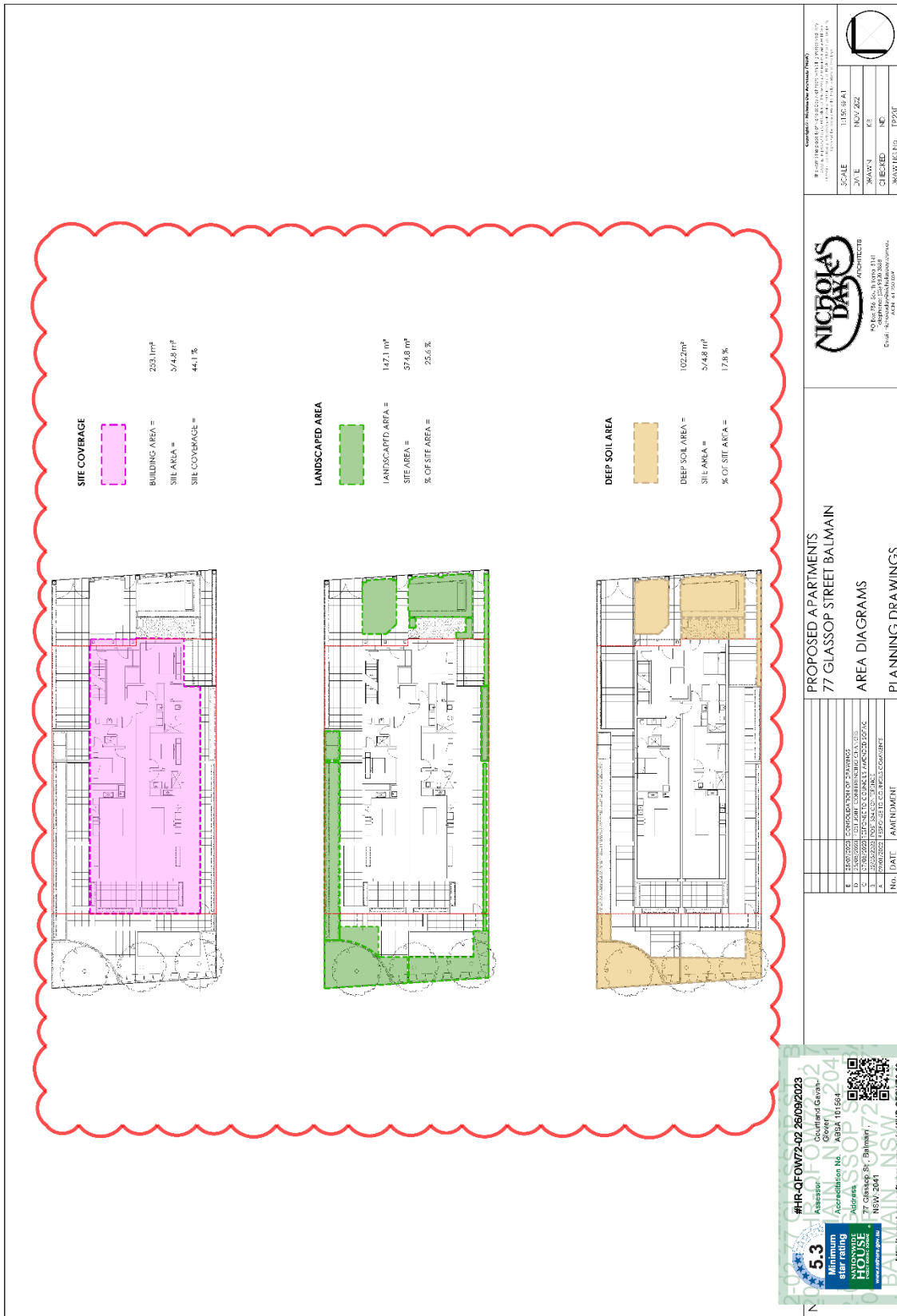
 Assessor: Courtland Gavah

 Accreditation No. AESA 101664

 Address: 77 Glassop St, Balmain, NSW, 2041

<https://www.nsw-lsb.com.au/pdf/IR-QPOW72-02>

Document Set ID: 39168589
Version: 1, Version Date: 14/10/2023



GROSS FLOOR AREA
 = (181.5 + 176.6 + 160.4 + 156 + 3.9) m²
 = 678.4 m²

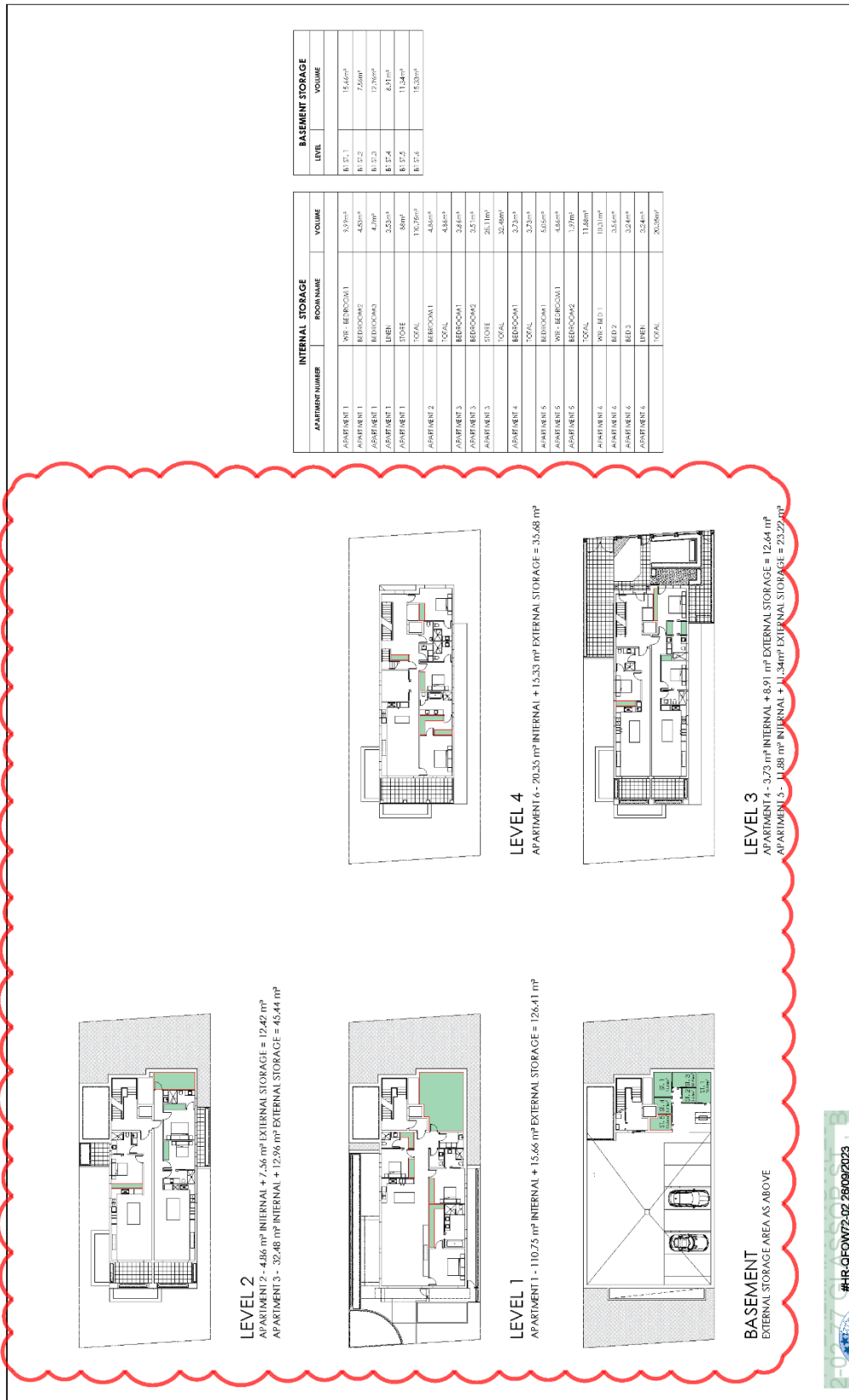
FLOOR SPACE RATIO
 TOTAL FLOOR AREA - 678.4m²
 SITE AREA - 574.8m²
 F.S.R. = 1.18:1

AFFORDABLE HOUSING AREA
 TOTAL FLOOR AREA - 678.4m²
 APARTMENTS 2, 3, 4 & 5 - 337m²
 AFFORDABLE HOUSING AREA % = 49.7%

PROPOSED APARTMENTS
 77 GLASSOP STREET BALMAIN
 GROSS FLOOR AREA DIAGRAMS
 PLANNING DRAWINGS

SCALE: 1:500 @ A1
 DATE: NOV 2021
 DRAWN BY: KR
 CHECKED BY: ND
 DRAWING NO.: TP2ED

NICOLA BASO
 Planning & Design Services
 Pty Ltd
 1/111-113/115-117/119-121/123-125/127-129/131-133/135-137/139-141/143-145/147-149/151-153/155-157/159-161/163-165/167-169/171-173/175-177/179-181/183-185/187-189/191-193/195-197/199-201/203-205/207-209/211-213/215-217/219-221/223-225/227-229/231-233/235-237/239-241/243-245/247-249/251-253/255-257/259-261/263-265/267-269/271-273/275-277/279-281/283-285/287-289/291-293/295-297/299-301/303-305/307-309/311-313/315-317/319-321/323-325/327-329/331-333/335-337/339-341/343-345/347-349/351-353/355-357/359-361/363-365/367-369/371-373/375-377/379-381/383-385/387-389/391-393/395-397/399-401/403-405/407-409/411-413/415-417/419-421/423-425/427-429/431-433/435-437/439-441/443-445/447-449/451-453/455-457/459-461/463-465/467-469/471-473/475-477/479-481/483-485/487-489/491-493/495-497/499-501/503-505/507-509/511-513/515-517/519-521/523-525/527-529/531-533/535-537/539-541/543-545/547-549/551-553/555-557/559-561/563-565/567-569/571-573/575-577/579-581/583-585/587-589/591-593/595-597/599-601/603-605/607-609/611-613/615-617/619-621/623-625/627-629/631-633/635-637/639-641/643-645/647-649/651-653/655-657/659-661/663-665/667-669/671-673/675-677/679-681/683-685/687-689/691-693/695-697/699-701/703-705/707-709/711-713/715-717/719-721/723-725/727-729/731-733/735-737/739-741/743-745/747-749/751-753/755-757/759-761/763-765/767-769/771-773/775-777/779-781/783-785/787-789/791-793/795-797/799-801/803-805/807-809/811-813/815-817/819-821/823-825/827-829/831-833/835-837/839-841/843-845/847-849/851-853/855-857/859-861/863-865/867-869/871-873/875-877/879-881/883-885/887-889/891-893/895-897/899-901/903-905/907-909/911-913/915-917/919-921/923-925/927-929/931-933/935-937/939-941/943-945/947-949/951-953/955-957/959-961/963-965/967-969/971-973/975-977/979-981/983-985/987-989/991-993/995-997/999-1001/1003-1005/1007-1009/1011-1013/1015-1017/1019-1021/1023-1025/1027-1029/1031-1033/1035-1037/1039-1041/1043-1045/1047-1049/1051-1053/1055-1057/1059-1061/1063-1065/1067-1069/1071-1073/1075-1077/1079-1081/1083-1085/1087-1089/1091-1093/1095-1097/1099-1101/1103-1105/1107-1109/1111-1113/1115-1117/1119-1121/1123-1125/1127-1129/1131-1133/1135-1137/1139-1141/1143-1145/1147-1149/1151-1153/1155-1157/1159-1161/1163-1165/1167-1169/1171-1173/1175-1177/1179-1181/1183-1185/1187-1189/1191-1193/1195-1197/1199-1201/1203-1205/1207-1209/1211-1213/1215-1217/1219-1221/1223-1225/1227-1229/1231-1233/1235-1237/1239-1241/1243-1245/1247-1249/1251-1253/1255-1257/1259-1261/1263-1265/1267-1269/1271-1273/1275-1277/1279-1281/1283-1285/1287-1289/1291-1293/1295-1297/1299-1301/1303-1305/1307-1309/1311-1313/1315-1317/1319-1321/1323-1325/1327-1329/1331-1333/1335-1337/1339-1341/1343-1345/1347-1349/1351-1353/1355-1357/1359-1361/1363-1365/1367-1369/1371-1373/1375-1377/1379-1381/1383-1385/1387-1389/1391-1393/1395-1397/1399-1401/1403-1405/1407-1409/1411-1413/1415-1417/1419-1421/1423-1425/1427-1429/1431-1433/1435-1437/1439-1441/1443-1445/1447-1449/1451-1453/1455-1457/1459-1461/1463-1465/1467-1469/1471-1473/1475-1477/1479-1481/1483-1485/1487-1489/1491-1493/1495-1497/1499-1501/1503-1505/1507-1509/1511-1513/1515-1517/1519-1521/1523-1525/1527-1529/1531-1533/1535-1537/1539-1541/1543-1545/1547-1549/1551-1553/1555-1557/1559-1561/1563-1565/1567-1569/1571-1573/1575-1577/1579-1581/1583-1585/1587-1589/1591-1593/1595-1597/1599-1601/1603-1605/1607-1609/1611-1613/1615-1617/1619-1621/1623-1625/1627-1629/1631-1633/1635-1637/1639-1641/1643-1645/1647-1649/1651-1653/1655-1657/1659-1661/1663-1665/1667-1669/1671-1673/1675-1677/1679-1681/1683-1685/1687-1689/1691-1693/1695-1697/1699-1701/1703-1705/1707-1709/1711-1713/1715-1717/1719-1721/1723-1725/1727-1729/1731-1733/1735-1737/1739-1741/1743-1745/1747-1749/1751-1753/1755-1757/1759-1761/1763-1765/1767-1769/1771-1773/1775-1777/1779-1781/1783-1785/1787-1789/1791-1793/1795-1797/1799-1801/1803-1805/1807-1809/1811-1813/1815-1817/1819-1821/1823-1825/1827-1829/1831-1833/1835-1837/1839-1841/1843-1845/1847-1849/1851-1853/1855-1857/1859-1861/1863-1865/1867-1869/1871-1873/1875-1877/1879-1881/1883-1885/1887-1889/1891-1893/1895-1897/1899-1901/1903-1905/1907-1909/1911-1913/1915-1917/1919-1921/1923-1925/1927-1929/1931-1933/1935-1937/1939-1941/1943-1945/1947-1949/1951-1953/1955-1957/1959-1961/1963-1965/1967-1969/1971-1973/1975-1977/1979-1981/1983-1985/1987-1989/1991-1993/1995-1997/1999-2001/2003-2005/2007-2009/2011-2013/2015-2017/2019-2021/2023-2025/2027-2029/2031-2033/2035-2037/2039-2041/2043-2045/2047-2049/2051-2053/2055-2057/2059-2061/2063-2065/2067-2069/2071-2073/2075-2077/2079-2081/2083-2085/2087-2089/2091-2093/2095-2097/2099-2101/2103-2105/2107-2109/2111-2113/2115-2117/2119-2121/2123-2125/2127-2129/2131-2133/2135-2137/2139-2141/2143-2145/2147-2149/2151-2153/2155-2157/2159-2161/2163-2165/2167-2169/2171-2173/2175-2177/2179-2181/2183-2185/2187-2189/2191-2193/2195-2197/2199-2201/2203-2205/2207-2209/2211-2213/2215-2217/2219-2221/2223-2225/2227-2229/2231-2233/2235-2237/2239-2241/2243-2245/2247-2249/2251-2253/2255-2257/2259-2261/2263-2265/2267-2269/2271-2273/2275-2277/2279-2281/2283-2285/22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PROPOSED APARTMENTS
 77 GLASSOP STREET BALMAIN

STORAGE AREA DIAGRAMS
 PLANNING DRAWINGS

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 SYDNEY NSW 1585
 n.d@nicolasdardes.com.au
 61 2 9151 2300

Scale: 1:200 @ A1
 Date: NOV 2021
 Drawn: RB
 Checked: ND
 Drawing No.: TP26D

53
 Minimum star rating
 AUSTRALIAN HOUSE
 #HR-QPOW72-02-2909/2023
 Assessor: Cotillard Gavah
 Accreditation No. ABEA 101664
 Address: 77 Glassop St, Balmain, NSW, 2041

Document Set ID: 3916589
 Version: 1, Version Date: 14/10/2023

LEVEL 5

LEVEL 4

LEVEL 3

LEVEL 2

LEVEL 1

BASEMENT

PROPOSED APARTMENTS
77 GLASSOP STREET BALMAIN

NATURAL VENTILATION DIAGRAMS

PLANNING DRAWINGS

No.	DATE	AMENDMENT
D	26/07/2023	COORDINATION OF DRAWINGS
C	26/07/2023	POST-FINAL CORRECTIVE CHANGES
A	09/07/2022	RESPONSE TO LOCAL GOVERNMENT

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SCALE 1:200 @ A1

DATE NOV 2021

DRAWN KR

CHECKED ND


DRAWING NO. TP27D



PROPOSED APARTMENTS
77 GLASSOP STREET BALMAIN

NATURAL VENTILATION DIAGRAMS

PLANNING DRAWINGS




Professional Architect
1/111 Macquarie Street, Sydney NSW 2000
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PROPOSED APARTMENTS
77 GLASSOP STREET BALMAIN

NATURAL VENTILATION DIAGRAMS

PLANNING DRAWINGS



#IR-QP072-02 28/09/2023
Assessor: Courtland Gavah
Glebe, NSW, 15166
Accreditation No. ABA 10166
Address: 77 Glassop St, Balmain, NSW, 2041
<https://www.humb-certificats.com.au/pdf/IR-QP072-02>

Document Set ID: 39165859
Version: 1, Version Date: 14/10/2023

APARTMENT	PRIVATE OPEN SPACE AREA
APARTMENT 1	14.9m ²
APARTMENT 2	14.7 + 9.45 = 24.15m ²
APARTMENT 3	14.9m ²
APARTMENT 4	12.7m ²
APARTMENT 5	11.1 + 12.76 = 23.86m ²
APARTMENT 6	26.12 + 26.2 = 52.32m ²

LEVEL 5

LEVEL 4

LEVEL 3

LEVEL 2

LEVEL 1

BASEMENT

**PROPOSED APARTMENTS
77 GLASSOP STREET BALMAIN**

PRIVATE OPEN SPACE DIAGRAM

PLANNING DRAWINGS

NICOLA DABO ARCHITECTURE
 11/12-13/14 The Arcade, Balmain NSW 1522
 Phone: 02 9550 3647
 Email: nicola@nicoladabo.com.au
 Lic: 14123029

SCAFFOLDING: 125X @ 11
 DATE: NOV 2021
 DRAWN: KB
 CHECKED: MB
 DRAWING NO.: 17/28C

#1R-QF0W72-02 25/09/2023
 Assessor: Courtney Gray
 Accreditation No.: ABA 101504
 Address: 77 Glassop St, Balmain, NSW 2041
 www.nsw.gov.au

5.3 Minimum star rating
NATIONWIDE HOUSE
 www.nationwide.gov.au

https://www.nationwide-soft.com.au/pdf/1R-QF0W72-02
 Version: 1, Version Date: 14/10/2023

VIEW 1

VIEW 2

VIEW 3

VIEW 4

VIEW 5

VIEW 6

VIEW 8

VIEW 9

**PROPOSED APARTMENTS
77 GLASSOP STREET BALMAIN
STREETSCAPE PERSPECTIVES
PLANNING DRAWINGS**

NO DATE

A 22/09/2023

77 GLASSOP ST BALMAIN
NSW 2041

5.3
Mandatory
star rating
NATIONWIDE
HOUSE

#HR-OP0W72-02 26/09/2023
Assessor: Countliffe Gayah-Glover
ABSA ID: 1954
Accreditation No. 77 Glassop St Balmain
Address: NSW 2041

http://www.halo-software.com.au/policies/circular22.pdf

NICHOLAS DAVIS ARCHITECTS

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SCALE: 1:100

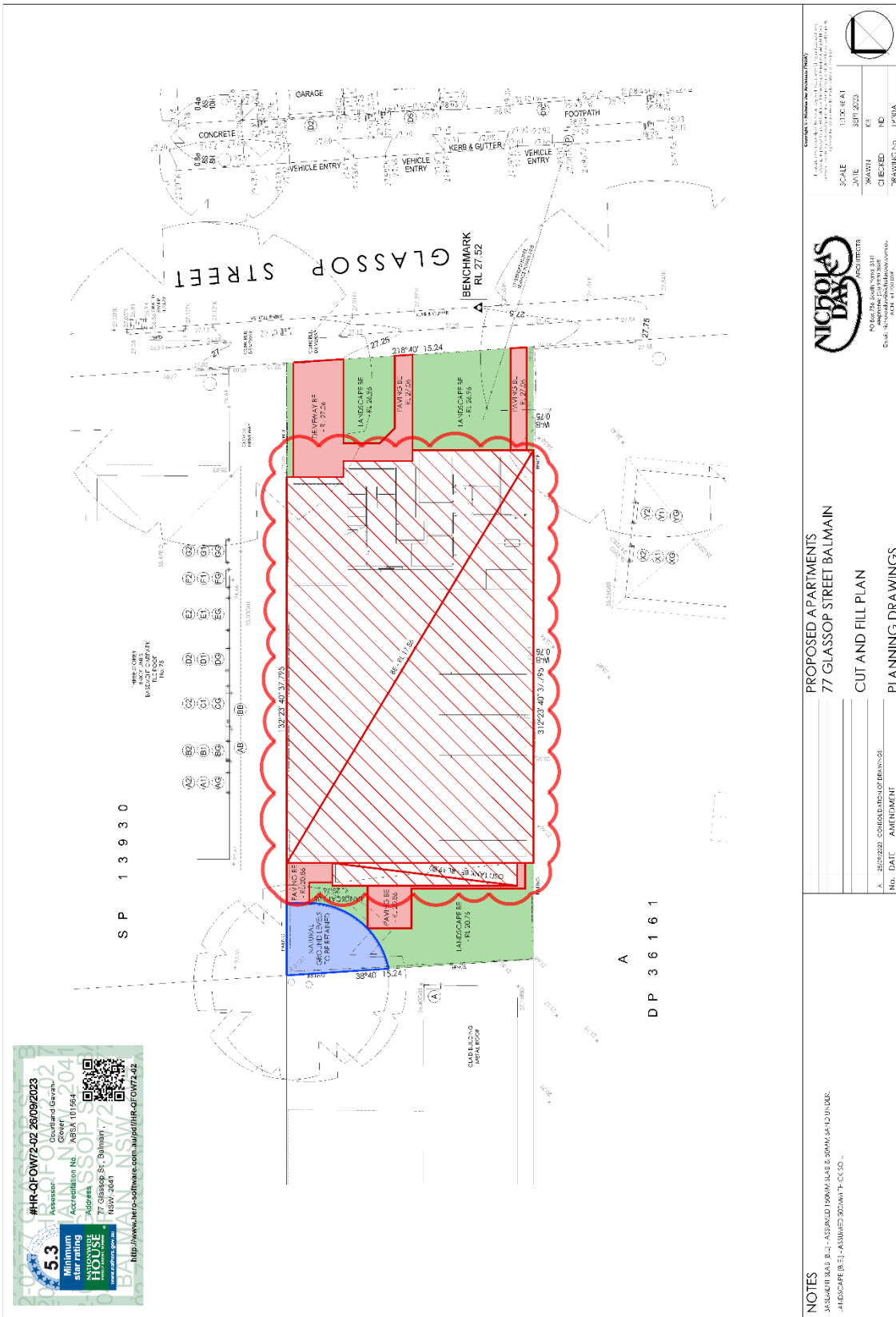
DATE: 22/02/2023

DRAWN: KS

CHECKED: ND

DRAWING NO.: 1022

Document-Serial: -38930289
Version: 1, Version Date: 14/10/2023



5.3 Minimum star rating
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 NSW 2041
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NOTES
 -A-SUBJECT B.A.1, B.1 - ASSUMED 150MM SLAB & 50MM SK D UNDER.
 -A-FIDSCAPE (B-E) - ASSUMED 900MM T.C.S. 50 ..

PROPOSED APARTMENTS
77 GLASSOP STREET BALMAIN
CUT AND FILL PLAN
PLANNING DRAWINGS

No. DATE AMENDMENT
 A. 28/09/2023 CORRECTION OF ERRORS

NICOLA DAVIS ARCHITECTS
 Registered Architect
 Professional Certificate No. 1111
 Email: nicola@nicoladavis.com.au

SCALE 1:100 @ A1
 DATE 28/09/2023
 DRAWN KJ
 CHECKED ND
 DRAWING NO. 1750A

Attachment D – Original Land and Environment Court judgment and conditions



Land and Environment Court
New South Wales

Case Name:	The Trustee for SSTG Property Group v Inner West Council
Medium Neutral Citation:	[2023] NSWLEC 1590
Hearing Date(s):	Conciliation conference on 26 September 2023
Date of Orders:	10 October 2023
Decision Date:	10 October 2023
Jurisdiction:	Class 1
Before:	O'Neill C
Decision:	The orders of the Court are: (1) The appeal is upheld. (2) The Applicant is to pay the Respondent's costs that are thrown away as a result of the amendment of the development application, as agreed or assessed, pursuant to s 8.15(3) of the Environmental Planning and Assessment Act 1979. (3) Development Application No. 2022/0684, as amended, for the demolition of existing structures and the construction of a residential flat building including basement parking and landscape works, at 77 Glassop Street, Balmain, is determined by the grant of consent, subject to the conditions of consent at Annexure A.
Catchwords:	DEVELOPMENT APPLICATION – construction of a residential flat building – conciliation conference – agreement between the parties – orders
Legislation Cited:	Environmental Planning and Assessment Act 1979 ss 4.16, 8.15, 8.7 Environmental Planning and Assessment Regulation 2021, s 38 Inner West Local Environmental Plan 2022, cl 4.6, 6.14 Land and Environment Court Act 1979, s 34, 39

	State Environmental Planning Policy (Housing) 2021, Pt 2, Div 1, ss 16, 17, 18 State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development, cl 4, 28 State Environmental Planning Policy (Resilience and Hazards) 2021, s 4.6
Cases Cited:	Cumming v Cumberland Council (No 2) [2021] NSWLEC 117 Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90 Initial Action Pty Ltd v Woollahra Municipal Council (2018) 236 LGERA 256; [2018] NSWLEC 118 RebelMH Neutral Bay Pty Limited v North Sydney Council [2019] NSWCA 130 Wehbe v Pittwater Council (2007) 156 LGERA 446; [2007] NSWLEC 827
Texts Cited:	Eton Consulting, Our Inner West Housing Strategy 2020 (March 2020)
Category:	Principal judgment
Parties:	The Trustee for SSTG Property Group (Applicant) Inner West Council (Respondent)
Representation:	Counsel: M Staunton (Applicant) S Philips (Respondent) Solicitors: Mills Oakley (Applicant) Inner West Council (Respondent)
File Number(s):	2022/307191
Publication Restriction:	Nil

JUDGMENT

- 1 **COMMISSIONER:** This is an appeal pursuant to the provisions of s 8.7(1) of the *Environmental Planning and Assessment Act 1979* (EPA Act) against the refusal of Development Application No. 2022/0684 for the demolition of existing structures and the construction of a residential flat building including basement

parking and landscape works (the proposal), at 77 Glassop Street, Balmain (the site), by Inner West Council (the Council).

- 2 The Court arranged a conciliation conference under s 34 of the *Land and Environment Court Act 1979* (LEC Act) between the parties, which was held on 26 September 2023. I presided over the conciliation conference. At the conciliation conference, the parties reached agreement as to the terms of a decision in the proceedings that would be acceptable to the parties.
- 3 Under s 34(3) of the LEC Act, I must dispose of the proceedings in accordance with the parties' decision if the parties' decision is a decision that the Court could have made in the proper exercise of its functions. The parties' decision involves the Court exercising the function under s 4.16 of the EPA Act to grant consent to the development application.
- 4 There are preconditions to the exercise of power to grant development consent for the proposal.

Expert evidence

- 5 The Applicant relied on the expert evidence of Jeff Mead (planning), Philip North (heritage), Sam Haddad (stormwater engineering) and Tom Steal (parking).
- 6 The Council relied on the expert evidence of Jeremy Swan (planning), Lisa Trueman (heritage), Joe Bertacco (stormwater engineering and parking).

Public submissions

- 7 One resident objector gave evidence at the commencement of the hearing onsite and the Court, in the company of the parties and their experts, viewed the site from two properties on the opposite side of the street. The objector's concern is that the proposal will obstruct views of the harbour from both properties as those views are across the top of the existing hipped roof on the site.
- 8 The planning experts agreed that the proposal complies with the floor space ratio (FSR) development standard of 1.18:1, and as such, the building envelope of the proposal is reasonable in all of the circumstances.

The application is amended

- 9 Inner West Council, as the relevant consent authority, has agreed under s 38(1) of the Environmental Planning and Assessment Regulation 2021 to the Applicant amending the development application in accordance with the plans and documents listed under condition 1 of the conditions of consent at Annexure A.
- 10 The Applicant is not required to lodge the amended development application on the NSW Planning Portal pursuant to s 38(4) of the Environmental Planning and Assessment Regulation 2021. The Applicant filed the amended development application with the Court on 26 September 2023.

Jurisdictional pre-conditions to the grant of consent

- 11 I am satisfied that the site is suitable for the proposal, pursuant to s 4.6 of State Environmental Planning Policy (Resilience and Hazards) 2021, as the site has a history of residential use.
- 12 Division 1 In-fill affordable housing, of Pt 2 Development for affordable housing of State Environmental Planning Policy (Housing) 2021, applies to the proposal at s 16(1). The proposal is afforded a bonus FSR of 0.5:1 under s 17. The proposal complies with the non-discretionary development standards under s 18.
- 13 State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development (SEPP 65) applies to the proposal at cl 4. I am satisfied, pursuant to cl 28(2) of SEPP 65, that the proposal is consistent with the design quality principles under SEPP 65, on the basis of the architect's statement submitted with the amended application and dated 25 September 2023.
- 14 The site is zoned R1 General Residential under the Inner West Local Environmental Plan 2022 (LEP 2022) and the proposal is permissible with consent. The objectives of the zone, to which regard must be had, are:
- To provide for the housing needs of the community.
 - To provide for a variety of housing types and densities.
 - 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.

15 Clause 6.14 of LEP 2022 is in the following terms:

6.14 Diverse housing

(1) The objective of this clause is to ensure the provision of a mix of dwelling types in residential flat buildings and mixed use development that includes shop top housing.

(2) This clause applies to the following development involving at least 4 dwellings on land identified as "Area 1" on the Key Sites Map—

(a) development for the purposes of residential flat buildings,

(b) mixed use development that includes shop top housing.

(3) Development consent must not be granted to development to which this clause applies unless—

(a) at least 25% of the dwellings will be—

(i) studio dwellings, or

(ii) dwellings containing only 1 bedroom, and

(b) no more than 30% of the dwellings will be dwellings containing at least 3 bedrooms.

Contravention of the diverse housing development standard

16 The proposal does not comply with cl 6.14(3)(b) of LEP 2022 as the proposal has 33.3% of dwellings with at least 3 bedrooms, being two apartments of the total of six apartments.

17 The Applicant provided a written request seeking to justify the contravention of the diverse housing development standard, prepared by Planning Ingenuity and dated 26 September 2023.

18 Clause 4.6(4) of LEP 2022 establishes preconditions that must be satisfied before a consent authority or the Court exercising the functions of a consent authority can exercise the power to grant development consent (*Initial Action Pty Ltd v Woollahra Municipal Council* (2018) 236 LGERA 256; [2018] NSWLEC 118 at [13] (*"Initial Action"*)). The consent authority must form two positive opinions of satisfaction under cl 4.6(4)(a). As these preconditions are expressed in terms of the opinion or satisfaction of a decision-maker, they are a "jurisdictional fact of a special kind", because the formation of the opinion of satisfaction enlivens the power of the consent authority to grant development consent (*Initial Action* [14]). The consent authority, or the Court on appeal,

must be satisfied that the applicant's written request has adequately addressed the matters required to be addressed by cl 4.6(3) and that the proposal development will be in the public interest because it is consistent with the objectives of the contravened development standard and the zone, at cl 4.6(4), as follows:

(4) 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), 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 Secretary has been obtained.

- 19 On appeal, the Court has the power under cl 4.6(2) to grant consent to development that contravenes a development standard without obtaining or assuming the concurrence of the Secretary of the Department of Planning and Environment, pursuant to s 39(6) LEC Act, but should still consider the matters in cl 4.6(5) of LEP 2022 (*Initial Action* at [29]).

The applicant's written request to contravene the diverse housing development standard

- 20 The first opinion of satisfaction required by cl 4.6(4)(a)(i) is that the applicant's written request seeking to justify the contravention of a development standard has adequately addressed the matters required to be demonstrated by cl 4.6(3) (see *Initial Action* at [15]), as follows:

(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

- 21 The applicant bears the onus to demonstrate that the matters in cl 4.6(3) have been adequately addressed by the written request in order to enable the Court, exercising the functions of the consent authority, to form the requisite opinion of satisfaction (*Initial Action* at [25]). The consent authority has to be satisfied that the applicant's written request has in fact demonstrated those matters required to be demonstrated by cl 4.6(3) and not simply that the applicant has

addressed those matters (*RebelMH Neutral Bay Pty Limited v North Sydney Council* [2019] NSWCA 130 at [4]).

- 22 The common ways in which an applicant might demonstrate that compliance with a development standard is unreasonable or unnecessary are summarised by Preston CJ in *Wehbe v Pittwater Council* (2007) 156 LGERA 446; [2007] NSWLEC 827 at [42]-[51] ("*Wehbe*") and repeated in *Initial Action* [17]-[21]:
- the objectives of the development standard are achieved notwithstanding non-compliance with the standard;
 - the underlying objective or purpose of the development standard is not relevant to the development, so that compliance is unnecessary;
 - the underlying objective or purpose would be defeated or thwarted if compliance was required, so that compliance is unreasonable;
 - the development standard has been abandoned by the council;
 - the zoning of the site was unreasonable or inappropriate so that the development standard was also unreasonable or unnecessary (note this is a limited way of establishing that compliance is not necessary as it is not a way to effect general planning changes as an alternative to strategic planning powers).
- 23 The five ways to demonstrate compliance is unreasonable or unnecessary are not exhaustive, and it may be sufficient to establish only one way (*Initial Action* [22]).
- 24 The applicant's written request justifies the contravention of the diverse housing development standard on the basis that compliance is unreasonable or unnecessary because the proposal includes two high quality, generously sized three/four bedroom dwellings which will deliver housing that will meet the needs of the community, as sought in the "Our Inner West Housing Strategy 2020" (the Housing Strategy). The Housing Strategy identifies that housing for growing families, including more affordable housing, is in demand within the Balmain locality and therefore the higher percentage of larger apartments within this proposal will contribute to meeting the continuing demand for this household type.
- 25 The grounds relied on by the applicant in the written request under cl 4.6 must be "environmental planning grounds" by their nature, and environmental planning grounds is a phrase of wide generality (*Four2Five Pty Ltd v Ashfield*

Council [2015] NSWLEC 90 at [26]) as they refer to grounds that relate to the subject matter, scope and purpose of the EPA Act, including the objects of the Act (*Initial Action* at [23]). The environmental planning grounds relied upon must be sufficient to justify contravening the development standard and the focus is on the aspect of the development that contravenes the development standard, not the development as a whole (*Initial Action* at [24] and *Cumming v Cumberland Council* (No 2) [2021] NSWLEC 117 at [78]). Therefore, the environmental planning grounds advanced in the written request must justify the contravention of the development standard and not simply promote the benefits of carrying out the development as a whole (*Initial Action* at [24]).

- 26 I am satisfied, pursuant to cl 4.6(4)(a)(i), that the applicant's written request has adequately addressed the matters required to be demonstrated by cl 4.6(3). The applicant's written request defends the exceedance of the housing diversity development standard of no more than 30% of the dwellings will contain at least 3 bedrooms as a justified by the de minimis numerical exceedance and the Housing Strategy. I am satisfied that justifying the aspect of the development that contravenes the development standard as a considered response to achieving the objectives of the clause, while taking into account the documented need for affordable accommodation for families in the Balmain locality, can be properly described as an environmental planning ground within the meaning identified by his Honour in *Initial Action* at [23].

Whether the proposal is in the public interest because it is consistent with the objectives of the contravened development standard and the zone

- 27 The second opinion of satisfaction in cl 4.6(4)(a)(ii) is that the proposed development will be in the public interest because it is consistent with the objectives of the development standard that is contravened and the zone objectives. The consent authority must be satisfied that the development is in the public interest because it is consistent with these objectives, not simply that the development is in the public interest (*Initial Action* at [27]). The consent authority must be directly satisfied about the matters in cl 4.6(4)(a)(ii) (*Initial Action* at [26]).
- 28 I am satisfied that the small numerical percentage exceedance of the 30% maximum for three-bedroom dwellings does not thwart the objectives of the

clause to ensure the provision of a mix of dwelling types in a residential flat building, because the proposal offers a broad mix of dwelling sizes across the six apartments and the zone objectives are met by the proposal.

Conclusion

29 I have considered the submissions made by the Council's outline of relevant jurisdictional provisions filed with the Court on 26 September 2023 and I am satisfied on the basis of the evidence before me that the agreement of the parties is a decision that the Court could have made in the proper exercise of its functions.

Orders

30 The orders of the Court are:

- (1) The appeal is upheld.
- (2) The Applicant is to pay the Respondent's costs that are thrown away as a result of the amendment of the development application, as agreed or assessed, pursuant to s 8.15(3) of the *Environmental Planning and Assessment Act 1979*.
- (3) Development Application No. 2022/0684, as amended, for the demolition of existing structures and the construction of a residential flat building including basement parking and landscape works, at 77 Glassop Street, Balmain, is determined by the grant of consent, subject to the conditions of consent at Annexure A.

Susan O'Neill

Commissioner of the Court

[Annexure A \(316309, pdf\)](#)

DISCLAIMER - Every effort has been made to comply with suppression orders or statutory provisions prohibiting publication that may apply to this judgment or decision. The onus remains on any person using material in the judgment or decision to ensure that the intended use of that material does not breach any such order or provision. Further enquiries may be directed to the Registry of the Court or Tribunal in which it was generated.

Annexure A

DETERMINATION OF DEVELOPMENT APPLICATION BY GRANT OF CONSENT

Development Application No: DA/2022/0684

Development: Demolition of the existing structures and construction of a part two and part four storey residential flat building with basement parking, landscaping and associated works. Four units nominated as affordable housing to be registered with a community housing provider.

Site: 77 Glassop Street, Balmain (Lot 1 DP 565)

The above development application has been determined by the granting of consent subject to the conditions specified in this consent.

Date of determination:

Date from which consent takes effect: Date the consent is registered on the NSW Planning Portal.

TERMINOLOGY

In this consent:

- (a) Any reference to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to such a certificate as defined in the *Environmental Planning and Assessment Act 1979*.
- (b) Any reference to the "applicant" means a reference to the applicant for development consent or any person who may be carrying out development from time to time pursuant to this consent.
- (c) Any reference to the "site", means the land known as 77 Glassop Street, Balmain (Lot 1 DP 565).

The conditions of consent are as follows:

CONDITIONS OF CONSENT

The following is a Deferred Commencement condition imposed pursuant to Section 4.16(3) of the *Environmental Planning and Assessment Act 1979*. This Consent will not operate and may not be acted upon until the Council is satisfied as to the following matter(s):

A. Easement - Over Downstream Landholders

The site drainage must be designed to drain under gravity. As the site falls to the rear an easement for drainage over the downstream properties 75 Glassop Street, Balmain will be required to be created. Written documentation of the creation of or legal agreement to create an easement for drainage must be submitted to Council.

Evidence of the above matter(s) must be submitted to Council within 2 years otherwise the Consent will not operate.

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
TP01	Neighbourhood & Site Context Plan	November 2021	Nicholas Day Architects
TP02	Immediate Site Context Plan	November 2021	Nicholas Day Architects
TP03	Existing Streetscape Photomontage	November 2021	Nicholas Day Architects
TP04	Demolition Plan	November 2021	Nicholas Day Architects
TP05D	Design Response Plan	25 September 2023	Nicholas Day Architects
TP06E	Site Plan	25 September 2023	Nicholas Day Architects
TP07B	Basement Plan	25 September 2023	Nicholas Day Architects
TP08D	Level 1 Plan	25 September 2023	Nicholas Day Architects

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
TP09D	Level 2 Plan	25 September 2023	Nicholas Day Architects
TP10E	Level 3 Plan	25 September 2023	Nicholas Day Architects
TP11D	Level 4 Plan	25 September 2023	Nicholas Day Architects
TP12D	Level 5 Plan	25 September 2023	Nicholas Day Architects
TP13C	Roof Plan	25 September 2023	Nicholas Day Architects
TP14D	Elevations Sheet 1	25 September 2023	Nicholas Day Architects
TP15D	Elevations Sheet 2	25 September 2023	Nicholas Day Architects
TP16E	Section A, B & C	25 September 2023	Nicholas Day Architects
TP17D	Streetscape & Backyard Elevations	25 September 2023	Nicholas Day Architects
TP18D	Shadow Diagrams	25 September 2023	Nicholas Day Architects
TP19D	Shadow Diagrams	25 September 2023	Nicholas Day Architects
TP20B	Eye from Sun	22 May 2023	Nicholas Day Architects
TP21B	Eye from Sun	22 May 2023	Nicholas Day Architects
TP22D	SEPP 65 Diagrams	25 September 2023	Nicholas Day Architects
TP23E	Area Diagrams	25 September 2023	Nicholas Day Architects
TP25D	Gross Floor Area Diagrams	25 September 2023	Nicholas Day Architects
TP26D	Storage Area Diagrams	25 September 2023	Nicholas Day Architects
TP27D	Natural Ventilation Diagrams	25 September 2023	Nicholas Day Architects
TP28C	Private Open Space Diagrams	25 September 2023	Nicholas Day Architects
TP29A	Streetscape Perspectives	25 August 2023	Nicholas Day Architects

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
TP30A	Cut and Fill Plan	25 September 2023	Nicholas Day Architects
SW200F	Stormwater Concept Design – Basement Plan	1 June 2023	SGC Consulting Engineers
SW201F	Stormwater Concept Design – Level 01 Plan	1 June 2023	SGC Consulting Engineers
SW202F	Stormwater Concept Design – Level 02 Plan	1 June 2023	SGC Consulting Engineers
SW203F	Stormwater Concept Design – Level 03 Plan	1 June 2023	SGC Consulting Engineers
SW204F	Stormwater Concept Design – Roof Plan	1 June 2023	SGC Consulting Engineers
SW300F	Stormwater Concept Design – Details Sheet (1 of 2)	1 June 2023	SGC Consulting Engineers
SW301F	Stormwater Concept Design – Details Sheet (2 of 2)	1 June 2023	SGC Consulting Engineers
SW400F	Stormwater Concept Design – Erosion and Sediment Control Plan and Details	1 June 2023	SGC Consulting Engineers
100J:	Site Plan	15 September 2023	Site Image Landscape Architects
101I	Level 01	15 September 2023	Site Image Landscape Architects
102G	Level 02	15 September 2023	Site Image Landscape Architects
103I	Level 03	15 September 2023	Site Image Landscape Architects
104G	Rooftop Terrace	15 September 2023	Site Image Landscape Architects
501B	Details	15 September 2023	Site Image Landscape Architects
Report No. E2335-1	Acid Sulphate Soils Management Plan	15 February 2023	GCA
20230180.1	Noise Impact Assessment	09 March 2023	Acoustic Logic
Certificate No. 1310615M_08:	BASIX Certificate	26 September 2023	EcoResults

As amended by the conditions of consent.

FEES

2. Long Service Levy

Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that the long service levy in accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* has been paid at the prescribed rate of 0.25% of the total cost of the work to either the Long Service Payments Corporation or Council for any work costing \$250,000 or more.

3. Section 7.11 Contribution

In accordance with section 7.11 of the *Environmental Planning and Assessment Act 1979* and the Inner West Local Infrastructure Contribution Plan 2023 (the Plan), the following monetary contributions shall be paid to Council to cater for the increased demand for local infrastructure resulting from the development:

Contribution Category	Amount
Open Space & Recreation	\$71,500.00
Community Facilities	\$13,252.00
Transport	\$9,400.00
Plan Administration	\$918.00
Drainage	\$4,930.00
TOTAL	\$100,000.00

At the time of payment, the contributions payable will be adjusted for inflation in accordance with indexation provisions in the Plan in the following manner:

$$C_{\text{payment}} = C_{\text{consent}} \times (CPI_{\text{payment}} \div CPI_{\text{consent}})$$

Where:

C_{payment} = is the contribution at time of payment

C_{consent} = is the contribution at the time of consent, as shown above

CPI_{consent} = is the Consumer Price Index (All Groups Index) for Sydney at the date the contribution amount above was calculated being [insert CPI value] for the [insert latest quarter and year].

CPI payment = is the Consumer Price Index (All Groups Index) for Sydney published by the Australian Bureau of Statistics that applies at the time of payment

Note: The contribution payable will not be less than the contribution specified in this condition.

The monetary contributions must be paid to Council (i) if the development is for subdivision – prior to the issue of the subdivision certificate, or (ii) if the development is for building work – prior to the issue of the first construction certificate, or (iii) if the development involves both subdivision and building work – prior to issue of the subdivision certificate or first construction certificate, whichever occurs first, or (iv) if the development does not require a construction certificate or subdivision certificate – prior to the works commencing.

It is the professional responsibility of the principal certifying authority to ensure that the monetary contributions have been paid to Council in accordance with the above timeframes.

Council's Plan may be viewed at www.innerwest.nsw.gov.au or during normal business hours at any of Council's customer service centres.

Please contact any of Council's customer service centres at council@innerwest.nsw.gov.au or 9392 5000 to request an invoice confirming the indexed contribution amount payable. Please allow a minimum of 2 business days for the invoice to be issued.

Once the invoice is obtained, payment may be made via (i) BPAY (preferred), (ii) credit card / debit card (AMEX, Mastercard and Visa only; log on to www.innerwest.nsw.gov.au/invoice; please note that a fee of 0.75 per cent applies to credit cards), (iii) in person (at any of Council's customer service centres), or (iv) by mail (make cheque payable to 'Inner West Council' with a copy of your remittance to PO Box 14 Petersham NSW 2049).

The invoice will be valid for 3 months. If the contribution is not paid by this time, please contact Council's customer service centres to obtain an updated invoice. The contribution amount will be adjusted to reflect the latest value of the Consumer Price Index (All Groups Index) for Sydney.

4. 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:	\$32,855.00
Inspection Fee:	\$374.50

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

4A Amended plans

Prior to the issue of a construction certificate, amended plans are required to show no trees on the roof terrace.

5. Tree Protection

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

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

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

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

Details of the trees must be included on all Construction Certificate plans and shall be annotated in the following way:

- a. Green for trees to be retained;
- b. Red for trees to be removed;
- c. Blue for trees to be pruned; and
- d. Yellow for trees to be transplanted.

6. Project Arborist

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

7. Works to Trees

Approval is given for the following works to be undertaken to trees on the site (as referenced in the Arboricultural Impact Assessment report dated 9 August 2022 and prepared by Peter Richards of TALC) after the issuing of a Construction Certificate:

Tree/location	Approved works
3. <i>Cupressus sempervirens</i> (Italian Cypress)	Removal
5. <i>Lagerstroemia indica</i> (Crepe Myrtle)	Removal
6. <i>Camellia japonica</i> (Camellia)	Removal
7. <i>Ficus elastica</i> (Rubber Tree)	Removal
8. <i>Jacaranda mimosifolia</i> (Jacaranda)	Removal
9. <i>Cupressus sempervirens</i> (Italian Cypress)	Removal

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

8. 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.

9. 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.

10. Works Outside the Property Boundary

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

11. Rock Anchors

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

12. Geotechnical investigation

Following demolition of existing onsite infrastructures, additional machine drilled boreholes and installation of further standpipe piezometer/s should be undertaken within the site, including periodic groundwater monitoring and permeability assessment of the underlying soils and bedrock. The additional machine drilled boreholes would also be necessary to confirm ground conditions within the site and provide any additional recommendations from a geotechnical engineering perspective.

13. Use of 4 dwellings as affordable housing for 15 years

Four dwellings within the development (apartments 2, 3, 4 and 5) must be used for 15 years from the date of the issue of the Occupation Certificate for affordable housing as defined by the *Environmental Planning and Assessment Act 1979* and managed by a registered community housing provider.

PRIOR TO ANY DEMOLITION**14. Resource Recovery and Waste Management Plan - Demolition and Construction**

Prior to any demolition works, the Certifying Authority must be provided with a Resource Recovery and Waste Management Plan - Demolition and Construction that includes details of materials that will be excavated and their proposed destination or reuse.

15. 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.

16. 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.

17. 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.

18. Construction Traffic Management Plan – Detailed

Prior to Any Demolition, the Certifying Authority, must be provided with a detailed Construction Traffic Management Plan (CTMP), prepared by an appropriately qualified Traffic Management Consultant with Transport for NSW accreditation. The Certifying Authority must approved by the CTMP prior to the commencement of any works, including demolition. The Certifying Authority must ensure that the CTMP instructs vehicles to use State and Regional and Collector Roads to the maximum extent with the use of Local Roads as final approach to the development site via the most suitable direct route.

The following matters should be addressed in the CTMP (where applicable):

- a. Description of the demolition, excavation and construction works;
- b. Site plan/s showing the site, roads, footpaths, site access points and vehicular movements;
- c. Size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site);
- d. Proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network;

- e. Impacts of the work and vehicular movements on the road network, traffic and pedestrians and proposed methods to safely manage pedestrians and construction related vehicles in the frontage roadways;
- f. Any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.);
- g. Proposed hours of construction related activities and vehicular movements to and from the site;
- h. Current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority);
- i. Any activities proposed to be located or impact upon Council's road, footways or any public place;
- j. Measures to maintain public safety and convenience;
- k. Any proposed road and/or footpath closures;
- l. Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;
- m. Locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such work zones have been approved by the Local Traffic Committee and Council;
- n. Location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road);
- o. A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
- p. Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
- q. On-site parking area for employees, tradespersons and construction vehicles as far as possible;
- r. Proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period; and
- s. How it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.
- t. Swept Paths for the proposed construction vehicles to demonstrate that the needed manoeuvres can be achieved without causing any nuisance.

PRIOR TO CONSTRUCTION CERTIFICATE

19. Bin Storage Area - Residential

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a report detailing the ongoing waste generation requirements of the development and demonstrate that the bin storage area is to be provided within the site that will fully

accommodate the number of bins required for all waste generated by a development of this type and scale. The number of bins required must be calculated based on a weekly collection of garbage, and a fortnightly collection of recycling.

The area must also include 50% allowance for manoeuvring of bins. The bin storage area is to be located away from habitable rooms, windows, doors and private useable open space, and to minimise potential impacts on neighbours in terms of aesthetics, noise and odour.

The bin storage area is to meet the design requirements detailed in the Leichhardt DCP 2013 and must include doorways/entrance points of 1200mm.

20. Waste Transfer Route

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a plan demonstrating that the path of travel between the bin storage area/bulky waste storage area and the designated waste/recycling collection point is has a minimum 1200mm wall-to-wall clearance, be slip-proof, of a hard surface, be free of obstructions and at no point have a gradient exceeding 1:12.

21. Each Dwelling is to have Access to a Disposal Point for All Waste Streams

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a plan demonstrating that the disposal point is to be within 30m of the dwelling access (distance covered by lifts excluded).

22. 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.

23. Sydney Water – stormwater plans

Prior to the issue of a construction certificate, the Applicant is to submit stormwater plans confirming that the location of the proposed stormwater pipe complies with the requirements set out in the letter prepared by Land Partners dated 31 August 2023 to ensure the requirements of Sydney Water are met.

24. 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

25. Stormwater Drainage System – Minor Developments (OSD is required)

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

- a. The design must be generally in accordance with the stormwater drainage concept plan on Drawing Nos. SW200, SW201, SW202, SW203, SW204, SW300, SW301, SW400 and SW500 (Rev F) prepared by SGC and dated 1/6/23, as amended to comply with the following;
- b. Stormwater runoff from all roof areas within the property being collected in a system of gutters, pits and pipeline and be discharged, , by gravity to the kerb and gutter of a public road/directly to Council's piped drainage system via the OSD/OSR tanks as necessary; Minor roof and paved areas at the rear of the property that cannot reasonably be drained by gravity to the street may drained to an on-site dispersal system such as an absorption system or otherwise, , no nuisance or concentration of flows to other properties and the feasibility and design of the on-site dispersal system being certified by a suitably qualified and experienced practising Civil and/or Geotechnical Engineer;
- c. Comply with Council's Stormwater Drainage Code, Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3-2018 'Stormwater Drainage' and Council's DCP;
- d. Charged or pump-out stormwater drainage systems are not permitted including for roof drainage other than to drain downpipes to the rainwater tank(s);
- e. The plans, including supporting calculations, must demonstrate that the post development flows for the 100 year ARI storm are restricted to the pre development

- flows for the 5 year ARI storm event in accordance with Section E1.2.3 (C2 and C3) of Council's DCP2013 and the maximum allowable discharge to Council's street gutter limited to 15 litres/second (100year ARI);
- f. OSD may be reduced or replaced by on site retention (OSR) for rainwater reuse in accordance with the relevant DCP that applies to the land. Where this is pursued, the proposed on-site retention (OSR) tanks must be connected to a pump system for internal reuse for laundry purposes, the flushing of all toilets and for outdoor usage such as irrigation.;
 - g. Pipe and channel drainage systems including gutters must be designed to convey the one hundred (100) year Average Recurrence Interval (ARI) flows from the contributing catchment to the OSD/OSR tanks;
 - h. Details of the 100-year ARI overflow route in case of failure/blockage of the drainage system must be provided;
 - i. A minimum 150mm step up shall be provided between all external finished surfaces and adjacent internal floor areas except where a reduced step is permitted under the Building Code of Australia for Class 1 buildings;
 - j. Details of external catchments currently draining to the site must be included on the plans. Existing natural overland flows from external catchments may not be blocked or diverted, but must be captured and catered for within the proposed site drainage system. Where necessary an inter-allotment drainage system must be incorporated into the design;
 - k. No nuisance or concentration of flows to other properties;
 - l. An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets;
 - m. Only a single point of discharge is permitted to the kerb and gutter, per frontage of the site;
 - n. No impact to street tree(s).
 - o. Water quality filtration basket(s) with screening bag or similar primary treatment device(s) must be installed on the site stormwater drainage system such that all water entering the site stormwater drainage system is filtered by the device(s);

26. Structural and Geotechnical Report

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

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

27. Public Domain Works – Prior to Construction Certificate

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a public domain works design, prepared by a qualified practising Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) and evidence that the works on the Road Reserve have been approved by Council under Section 138 of the *Roads Act 1993* incorporating the following requirements:

- a. The construction of heavy duty vehicular crossings to all vehicular access locations and removal of all redundant vehicular crossings to the site;
- b. New half width footpath and kerb and gutter along the frontage of the site. The kerb type (concrete or stone) must be consistent with the majority of kerb type at this location as determine by the Council Engineer;
- c. Cross sections are to be provided at the boundary at a minimum distance of every 5m and at all pedestrian and vehicular access locations. Note, the cross fall of the footpath must be set at 2.5% towards the kerb. These sections will set the alignment levels at the boundary.
- d. The existing Council drainage system in Phoebe must be extended by an appropriately sized pipeline (minimum 375mm diameter) adjacent to the rear of 75 Glassop Streett as per the approved concept stormwater plans. The connection to Phoebe Street must be made via a new Kerb inlet pit; and
- e. Pipes must be Class 4 Steel Reinforced Concrete Pipe or approved equivalent and Pits must be cast in-situ. Plans, long sections and details must be provided including location of utility services;

All works must be completed prior to the issue of an Occupation Certificate.

28. Parking Facilities –(including basement)

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans certified by a suitably qualified Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) demonstrating that the design of the vehicular access, off-street parking facilities and associated vehicle standing areas comply with Australian Standard AS/NZS 2890.1-2004 Parking Facilities and AS/NZS 2890.3-2015 Parking facilities: Bicycle Parking, AS/NZS 2890.6-2009 Parking facilities and the following specific requirements:

- a. A minimum of 2200mm headroom must be provided throughout the access and parking facilities. Note that the headroom must be measured at the lowest projection from the ceiling, such as lighting fixtures, and to open garage doors;
- b. The layout and minimum dimensions of any standing area comply with clause 2.4 of AS/NZS 2890.1-2004 such that:
 - i. Car spaces adjacent to walls or fences are increased in width by an additional 300mm;
 - ii. End spaces are provided with an additional 1m aisle extension; and
 - iii. The location of columns within the carpark complies with figure 5.1 of AS/NZS 2890.1-2004.
- c. At the property boundary the access from the road to a standing area is (as near as practicable) perpendicular to the line of the adjacent road;
- d. The vehicle egress is designed such that there are no obstructions to lines of sight, along with the footpath and the roadway for drivers of egressing vehicles;

29. Driveway Long Section - Dwelling

The vehicular crossing and driveway ramp to the site shall be designed to satisfy the ground clearance template for a B85 vehicle (Figure C1) from AS/NZS 2890.1-2004 Parking Facilities: Off-street car parking. A long section, along both sides of the proposed vehicular crossing and ramp, drawn at a 1:20 or 1:25 natural scale, shall be submitted to and approved by Council before the issue of a Construction Certificate. The long section shall begin from the centreline of the adjacent road to a minimum of 3 metres into the property. The long section approved by Council shall define the Alignment Levels at the property boundary. The long section shall show both existing surface levels and proposed surface levels with changes.

30. 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.

DURING DEMOLITION AND CONSTRUCTION

31. Documentation of Demolition and Construction Waste

All waste dockets from the recycling and/or disposal of any demolition and construction waste generated from the works must be retained on site.

32. Inspections by Project Arborist

The trees to be retained must be inspected, monitored and treated by the Project Arborist during and after completion of development works to ensure their long-term survival. Regular inspections and documentation from the Project Arborist to the Certifying Authority are required at the following times or phases of work:

Tree No./ Botanical/ Common Name/ Location	Time of Inspection	Key stage/ Hold point
Trees 1, 2, 4, 10 and 11 as referenced in the Arboricultural Impact Assessment report dated 9 August 2022 and prepared by Peter Richards of TALC	In accordance with the Arboricultural Impact Assessment report dated 9 August 2022 and prepared by Peter Richards of TALC and section 4 of AS4970—	<i>Protection of trees on development sites.</i>

Recommendations to ensure the tree/s long term survival must be carried out immediately upon receipt of the report.

33. Canopy and Root Pruning

Canopy and/or root pruning of the following tree/s which is necessary to accommodate the approved building works must be undertaken by, or directly supervised by, the Project Arborist.

Tree No.	Botanical/Common Name	Radius in metres
1	<i>Cinnamomum camphora</i> (Camphor Laurel)	Approved TPP
2	<i>Platanus x hybrida</i> (London Plane Tree)	Approved TPP
4	<i>Washingtonia robusta</i> (Mexican Fan Palm)	Approved TPP

10	<i>Ficus benjamina</i> (Weeping Fig)	Approved TPP
11	<i>Ficus benjamina</i> (Weeping Fig)	Approved TPP

The person acting on this consent has approval under Council's Tree Management Controls to; prune the trees to achieve a clearance of the structure. Pruning is limited to those branches that will come into direct contact the built structure and where branch diameter (at its point of attachment) does not exceed 40 mm.

34. Limited Root Pruning

No tree roots of 30mm or greater in diameter located within the specified radius of the trunk/s of the following tree/s must be severed or injured in the process of any works during the construction period:

Tree No.	Botanical/Common Name	Radius in metres
1	<i>Cinnamomum camphora</i> (Camphor Laurel)	Approved TPP
2	<i>Platanus x hybrida</i> (London Plan Tree)	Approved TPP
4	<i>Washingtonia robusta</i> (Mexican Fan Palm)	Approved TPP
10	<i>Ficus benjamina</i> (Weeping Fig)	Approved TPP
11	<i>Ficus benjamina</i> (Weeping Fig)	Approved TPP

All excavation within the specified radius of the trunk(s) of the above tree(s) being hand dug using either pneumatic or hydraulic tools only (e.g. *Airspade*® or hydro excavation) to a depth of one (1) metre under direct supervision of the Project Arborist and then by mechanical means as agreed by the Project Arborist. If tree roots less than 30mm diameter are required to be severed for the purposes of constructing the approved works, they must be cut cleanly using a sharp and *fit for purpose tool*. The pruning must be undertaken by a practicing Arborist.

35. Tree Protection Zone

To protect the following tree/s, no work must commence until its/their Protection Zone is fenced off at the specified radius from the trunk/s to prevent any activities, storage or the disposal of materials within the fenced area in accordance with the Tree Protection Plan included in the Arboricultural Impact Assessment report dated 9 August 2022 and prepared by Peter Richards of TALC. The fence/s (including existing boundary fencing) must be maintained intact until the completion of all demolition/building work on site.

Tree No.	Botanical/Common Name	Radius in metres
1	<i>Cinnamomum camphora</i> (Camphor Laurel)	Approved TPP
2	<i>Platanus x hybrida</i> (London Plane Tree)	Approved TPP

4	<i>Washingtonia robusta</i> (Mexican Fan Palm)	Approved TPP
10	<i>Ficus benjamina</i> (Weeping Fig)	Approved TPP
11	<i>Ficus benjamina</i> (Weeping Fig)	Approved TPP

36. 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.

37. Survey Prior to Footings

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

PRIOR TO OCCUPATION CERTIFICATE

38. Project Arborist Certification

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

39. Certification of Tree Planting

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

Replacement trees as nominated in the approved Landscape Plan must as per their specified location. The trees are to conform to AS2303—*Tree stock for landscape use*. Trees listed as exempt species from Council’s Tree Management Controls, palms , fruit trees and species recognised to have a short life span will not be accepted as suitable replacements.

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

40. Public Domain Works

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

- a. Heavy duty concrete vehicle crossing(s) at the vehicular access location(s);
- b. The existing concrete footpath and kerb and gutter across the frontage of the site must be reconstructed;
- c. Extension of the Council's Stormwater System adjacent to the rear of 75 Glassop Street; and
- d. Other works subject to the *Roads Act 1993* approval.

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

41. No Encroachments

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

42. 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.

43. Parking Signoff – Minor Developments

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with certification from a qualified practising Civil Engineer that the vehicle access and off street parking facilities have been constructed in accordance with the approved design and relevant Australian Standards as required by Condition 28.

44. Works as Executed – Site Stormwater Drainage System

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with Certification by a suitably qualified Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) that:

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

45. Operation and Management Plan

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

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

46. Easements, Restrictions on the Use of Land and Positive Covenants

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with evidence that Easements, Restrictions on the Use of Land and Positive Covenants under Section 88B or 88E, whichever is relevant to the subject development, of the *Conveyancing Act 1919*, has been created on the title of the property detailing the following :

- a. Easement for drainage of water;
- b. Restrictions on the Use of Land related to on Site Stormwater Detention System or stormwater quality improvement devices;
- c. Positive Covenant related to on-site stormwater detention and/or retention system;
- d. Positive Covenant related to stormwater quality improvement devices; and
- e. Positive Covenant related to maintenance of the car lift.

The wording in the Instrument must be in accordance with Councils Standard wording.

47. Basement/Retaining Wall Signoff – Major Development

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with certification from a suitably experienced structural and geotechnical engineer, who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with

Professionals Australia (RPEng), that the basement and driveway has been constructed in accordance with the development consent and relevant Australian Standards.

48. Stormwater Drainage and Road Works – Certification

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with Certification by a qualified Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) that:

- a. All works required to be undertaken on public roads must be designed and constructed in accordance with Council's approved plans;
- b. Video inspection (CCTV) in accordance with WSA 05-2013 Conduit Inspection Reporting Code of Australia has been carried out of completed stormwater drainage works that are to revert to Council by an accredited operator;
- c. Full works-as-executed plans in PDF and CAD format (dwg or dxf files), prepared and signed by a Registered Surveyor have been submitted to Council; and
- d. Certification by a Registered Surveyor that the as-built Council Stormwater pipeline is located totally within the drainage easement.

49. Dilapidation Report – Post-Development

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with a second Dilapidation Report addressing the public infrastructure identified in approved predevelopment dilapidation report, including a photographic survey, structural condition and CCTV inspections which was compiled after the completion of works. As the report details public infrastructure, a copy is to be furnished to Council at the same time.

50. Four dwellings to be used as affordable housing for 15 years

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with evidence that a restriction on the use of the Land has been placed on the land under Section 88E of the *Conveyancing Act 1919*, requiring that, for a minimum period of fifteen years from the date of issue of an Occupation Certificate, the four dwellings (apartments 2, 3, 4 and 5) are not be used for any purpose other than affordable housing (as defined in cl 21 of *State Environmental Planning Policy (Housing) 2021*) managed by a registered community housing provider.

ON-GOING

51. Bin Storage

All bins are to be stored within the site. Bins are to be returned to the property within 12 hours of having been emptied.

52. Operation and Management Plan

The Operation and Management Plan for the on-site detention and/or on-site retention/re-use and/or stormwater quality improvement devices and/or Pump facilities, approved with the Occupation Certificate, must be implemented and kept in a suitable location on site at all times.

53. Vehicles Leaving the Site

All vehicles must enter and exit the site in a forward direction.

54. Maintenance of car lift

The owner of the land is to service and maintain the car lift system for the life of the development in accordance with the manufacturer's requirements/recommendations. Any breakdown of the car lift systems must be repaired within 3 business days of any breakdown. A copy of the proposed maintenance schedule shall be submitted to Council before the installation of the car lift. The car lift is to be operative before occupation of the site.

55. Noise Levels and Enclosure of Pool/spa Pumping Units

Noise levels associated with the operation of the pool/spa pumping units must not exceed the background noise level (L90) by more than 5dBA above the ambient background within habitable rooms of adjoining properties. Pool plant and equipment must be enclosed in a sound absorbing enclosure or installed within a building so as not to create an offensive noise as defined under the *Protection of the Environment Operations Act 1997* and *Protection of the Environment Operations (Noise Control) Regulation 2008*.

Domestic pool pumps and filters must not be audible in nearby dwellings between 8:00pm to 7:00am Monday to Saturday and 8:00pm to 8:00am Sundays and Public Holidays.

56. Swimming Pools

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

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

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

ADVISORY NOTES

Notice to Council to deliver Residential Bins

Council should be notified of bin requirements three weeks prior to the occupation of the building to ensure timely delivery. Council will place an order for the required bins. Delivery will occur once the applicant has completed a Request for New Service.

Recycling / Garbage / Organics Service Information and Education

The building manager / strata title manager or body corporate is responsible for ensuring all tenants are kept informed regarding Council's services, and best practice waste and recycling source separation.

Arborists standards

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

Consent of Adjoining property owners

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

Tree Protection Works

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

Tree Pruning or Removal (including root pruning/mapping)

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

Prescribed Conditions

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

Notification of commencement of works

At least 7 days before any demolition work commences:

- a. The Council must be notified of the following particulars:
 - i. the name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - ii. the date the work is due to commence and the expected completion date; and

- b. A written notice must be placed in the letter box of each directly adjoining property identified advising of the date the work is due to commence.

Storage of Materials on public property

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

Toilet Facilities

The following facilities must be provided on the site:

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

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

Infrastructure

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

Other Approvals may be needed

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

Failure to comply with 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 works

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

Obtaining Relevant Certification

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

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

National Construction Code (Building Code of Australia)

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

Notification of commencement of works

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

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

Dividing Fences Act

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

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.

Noise

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

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.

Construction of Vehicular Crossing

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

Lead-based Paint

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

Dial before you dig

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

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.

Street Numbering

If there are any changes to the number of occupancies including any additional occupancies created, a street numbering application must be lodged and approved by Council's GIS team before any street number is displayed. Link to [Street Numbering Application](#)

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.

Electrical Substations

Should the proposed development require the provision of an electrical substation, such associated infrastructure must be incorporated wholly within the development site and may be the subject of an application for modification of consent.

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.

Easement and Covenant Process

The following documents must be submitted to Council as part of the Easement and Covenant process and requirements, for the site on-site detention/on-site retention/reuse facilities (OSD/OSR) and stormwater quality improvement devices (SQIDS):

a. Work-As-Executed Plans

A "Work-as-Executed" plan prepared and signed by a Registered Surveyor must be submitted to the Council's Development Assessment Engineer at the completion of the works showing the location of the detention basin and SQIDS with finished surface levels, contours at 0.2-metre intervals and volume of storage available. Also, the outlet pipe from the detention basin to its connection to the Council's drainage system must be shown together with the following information: location; pipe diameter; gradient; pipe material, i.e. PVC or RCP etc.; pits sizes; orifice size; trash screen at orifice; emergency overflow dimensions and RL; all buildings (including floor levels) and finished ground and pavement surface levels and full details of SQIDS.

b. Engineer's Certificate

A qualified practising Civil Engineer must certify on the completion of drainage works in respect of:

- c. The soundness of the storage structure;
- d. The capacity of the detention storage;
- e. The emergency overflow system being in place;
- f. The works being constructed in accordance with the Development Application Consent and Council's Stormwater Management DCP/Code;
- g. The freeboard from maximum water surface level to the finished floor and garage levels are at or above the minimum required in Council's Stormwater Management DCP/Code;
- h. Basement car park pumps are class one zone two; and
- i. OSR pumps and SQIDS have been installed and commissioned.

c. Restriction-As-To-User

A "Restriction-as-to-User" must be placed on the title of the subject property to indicate the location and dimensions of the detention area and stormwater quality improvement device(s) (SQIDS). This is to ensure that works, which could affect

the function of the stormwater detention system and SQIDS, must not be carried out without the prior consent in writing of the Council.

Such restrictions must not be released, varied or modified without the consent of the Council.

A typical document is available from Council's Development Assessment Engineer.

- d. A Maintenance Schedule.

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.

Public Domain and Vehicular Crossings

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

You are advised that Council has not undertaken a search of existing or proposed utility services adjacent to the site in determining this application. Any adjustment or augmentation of any public utility services including Gas, Water, Sewer, Electricity, Street lighting and Telecommunications required as a result of the development must be at no cost to Council

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

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

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