

Subject	DEVELOPMENT APPLICATION: 10.2009.234.1 15 PARK AVENUE ASHFIELD
File Ref	10.2009.234.1
Prepared by	Andrew Johnston - Development Assessment Officer
Reasons	Application requires Council determination – new dwelling house
Objective	For Council to determine the application
Strategic Plan Link	N/A
Management Plan Activity	2.11 Development & Building Control, Strategic Planning

Overview of Report

Pursuant to Clause 78A(1) of the Environmental Planning and Assessment (EP&A) Act 1979 (as amended) this application seeks Council's consent to construct a two-storey dwelling house, front fence and rear garage.

Background

1.0 Description of Proposal

Pursuant to Clause 78A(1) of the Environmental Planning and Assessment (EP&A) Act 1979 (as amended) this application seeks Council's consent to construct a two-storey dwelling house, front fence and rear garage at 15 Park Avenue, Ashfield. The front portion of the dwelling house is to be single-storey in height, with the two-storey portion setback approximately 12m from the front boundary.

The site is currently vacant.

Plans of the proposal are included at **Attachment 1**.

This application has been lodged on behalf of the Roads and Traffic Authority (RTA) and is comparable to DA: 10.2009.235.1 which was lodged for the construction of a new dwelling house at 135 Park Avenue.

2.0 Summary Recommendation

The subject property immediately adjoins a two-storey Victorian dwelling house at 13 Park Avenue, and other two-storey buildings are present in the street. The two-storey portion of the proposed dwelling house is setback from the street, complies with Council's wall height controls and incorporates a hipped roof form to reduce its visual bulk and height. On this basis it is considered that the proposal will not detract from the character or significance of the Park Avenue Conservation Area.

DEVELOPMENT APPLICATION: 10.2009.234.1

15 PARK AVENUE ASHFIELD

The proposal is therefore recommended for conditional approval. Should Council wish to support this recommendation it should be noted that the concurrence of the RTA would be required for the imposition of the conditions.

3.0 Application Details

Applicant	:Roads and Traffic Authority
Owner	:Roads and Traffic Authority
Value of work	:\$350,000.00
Lot/DP	:LOT: 13 DP: 858369
Date lodged	:31 December 2009
Date of last amendment	:16 February 2010
Building classification	:1A, 10A and 10B
Application Type	:Local
Construction Certificate	:No
Section 94A Levy	:Yes – \$3,500.00

4.0 Site and Surrounding Development

The subject site is located on the northern side of Park Avenue, bounded by Holden Street to the east and Alma Street/Lane to the west. The property backs onto Park Lane, which may be entered off Rose Street. The property has a site area of approximately 304.5m² and is vacant. Surrounding development generally comprises of one and two-storey dwelling houses, with a mixture of Federation, Victorian, Inter-War, Post-War and some modern dwellings. The occasional residential flat building also exists in Park Avenue. Pratten Park is located north of the site. A former ticketing area, which now provides access to the park off Park Lane, is opposite the subject site to the north.

Refer to **Attachment 2** for a locality map.

5.0 Development History

5.1 History of Site

Council's records do not indicate that any building and development applications have been submitted for the subject site.

However, Council's records indicate that the land was part of the Education Park Estate subdivision in 1882. A dwelling house was constructed onsite in 1883. The site was acquired by the Department of Main Roads (the RTA) in 1972 and some time after this date the dwelling house was demolished.

The site has been vacant since this time and is currently fenced off to prevent unauthorised entry.

The subject property, like the whole northern side of Park Avenue, was zoned for road reservation purposes (the proposed 'Ashfield Bypass') however, this affectation was removed in 2007 with the gazettal of Amendment No. 114 to Ashfield Local Environmental Plan (LEP) 1985.

5.2 History of Application

- The development application was lodged with Council on 31 December 2009.
- The proposal was notified from 6 January to 2 February 2010.
- A letter requesting additional information and amended plans was sent to the applicant on 22 January 2010.
- A response to Council's letter and amended plans were received on 16 February 2010.
- The amended plans and documentation was re-notified from 17 February to 5 March 2010. The most significant aspect of the amended plans was the relocation of the garage from the eastern to the western side of the property.

Assessment

6.0 Zoning/Permissibility/Heritage

- The site is zoned 2(a)-Residential under the provisions of Ashfield LEP.
- The property is located within the Park Avenue Conservation Area.
- The property is not a heritage item.

The proposed works are permissible with Council consent.

The site was previously zoned 9(c)-County Road Widening Reservation, however, Ashfield LEP Amendment No. 114 re-zoned the land to 2(a)-Residential.

7.0 Section 79C Assessment

The following is an assessment of the application with regard to the heads of consideration under the provisions of Section 79C of the EP&A Act.

7.1 The provisions of any Environmental Planning Instrument

7.1.1 Local Environmental Plans

Ashfield Local Environmental Plan 1985 (as amended)

The subject allotment of land, which is currently vacant, is located within the Park Avenue Conservation Area. This conservation area contains a wide range of building styles (Victorian, Federation, Inter-War, Post War and modern) and as such a great variety of building forms and materials are in existence. The majority of buildings within Park Avenue are single-storey in height but there are also a number two-storey buildings, such as Victorian terraces, Post War red brick residential flat buildings and modern dwelling houses.

The supporting study document prepared for the Park Avenue Conservation Area states the area *"contains houses of diverse age, mostly of the Victorian, Federation and Inter-War periods, but with a handful of compatible more recent buildings. They form a rich variety of architectural styles, forms, materials, textures, colours and details, all essentially modest and unassuming in scale and character"*. The study document further suggests

new buildings “*should respect the old, not necessarily by imitation, but by careful reference to scale, materials and textures. Perhaps the scale of the street and its components is the most important thing to be safeguarded*”.

Council has generally advocated that the bulk, form and materials of new dwelling houses within heritage conservation areas be based on original buildings within the vicinity, yet care should be taken to avoid mimicry or the unnecessary ‘faking’ of traditional buildings. This generally means that new buildings should be similar to traditional buildings in terms of general building/roof forms, setbacks, and materials but be of a more simplified design, i.e. elaborate details and joinery should not be replicated.

In this regard it is noted that the proposed dwelling house, whilst contemporary in design, is to consist of traditional bricks and metal roof sheeting. The use of unpainted facebrick for the dwelling house matches the neighbouring semi-detached Federation dwelling houses at 17-19 Park Avenue and is reflective of Ashfield’s traditional residential character. It is further considered that the originally proposed use of rendered brickwork, when coupled with a contemporary design, would stand out to unacceptable degree within the street.

The form and bulk of the front portion of the dwelling house and its roof are simple and modest, and it is felt that the proposed verandah responds to the traditional context of the street. In particular it is felt that this aspect of the design respects the single-storey neighbour at 17-19 Park Avenue.

The two-storey portion of the dwelling house is set back approximately 12m from the front boundary (the footpath) and incorporates a simple hipped roof form. The wall height of this two-storey element satisfies Council’s height controls (see Section 7.3 of this report) and is also broken up with a section of fibro sheeting to reduce its visual bulk. As the wall height of this two-storey element is largely obscured, and the remaining roof is hipped, the two-storey dwelling house is of an acceptable bulk and scale. In light of the adjoining two-storey Victorian dwelling house at 13 Park Avenue, and other two-storey buildings in the street, it is considered that the development by virtue of its bulk, height, setback, form and materials is sympathetic to the streetscape and the context of the locality.

Therefore, having considered the provisions of Sections 32(5) and 37 of the Ashfield LEP it is considered that the proposal will not detract from the character or significance of the Park Avenue Conservation Area.

Clause 11(1)(b) of the Ashfield LEP outlines that Council shall not consent to the development of a dwelling house on an allotment of land that is less than 500m² within the 2(a)-Residential zone. However Clause 11(2) of the Ashfield LEP states “*Council may consent to the erection of a dwelling house on an allotment of land which does not comply with subclause (1) where the land was in existence as a separate allotment on the appointed day*”. As this allotment was in existence on 20 December 1985 (the appointed day) Clause 11(1)(b) does not apply and Council may consider the construction of the dwelling house despite the site having an area of 304.5m².

It should be noted that Clause 55 of the Ashfield LEP, which was introduced by Ashfield LEP Amendment No. 114, outlines a number of controls relating to minimum residential allotment sizes and contamination. However, again this is not applicable to the subject site

as it only relates to 151 Park Avenue. Instead the suitability of the dwelling house in terms of density is further discussed in Section 7.3 of this report whilst contamination is discussed in Section 7.1.3 of this report.

It is considered that the proposal generally complies with the provisions of the Ashfield LEP.

7.1.2 Regional Environmental Plans

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

It is considered that the carrying out of the proposed development is generally consistent with the objectives of the Plan and would not have any adverse effect on environmental heritage, the visual environment, the natural environment and open space and recreation facilities.

7.1.3 State Environmental Planning Policies

State Environmental Planning Policy No. 1 – Development Standards

Not applicable.

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

Noted. The subject dwelling house would be defined as a two-storey building under this Policy. Two-storey dwellings houses are permissible with the consent of Council pursuant to Clause 12(2)(a) of the Ashfield LEP.

State Environmental Planning Policy No. 55 – Remediation of land

In the rezoning of the allotment of land (with its neighbours) from 9(c)-County Road Widening Reservation to 2(a)-Residential, Council's Strategic Planners did not require any additional investigation of the site's contamination status. This is unlike the property at 151 Park Avenue which needs further investigation subject to Clause 55(3) of the Ashfield LEP. With respect to contamination the Council report dated 12 August 2005 and prepared to support Ashfield LEP Amendment No. 114 states "*the sites to be rezoned for residential ... purposes ...are unlikely to be contaminated because of past residential use*".

As detailed in Section 5.1 of this report, the subject site was originally used for residential purposes. Since the demolition of the dwelling house the site has been vacant. Given this history it is agreed that it is unlikely the site is contaminated. Therefore, the remediation of the site is not required prior to the carrying out of the proposed development.

State Environmental Planning Policy (Infrastructure) 2007

Not applicable.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Not applicable. As the subject site is less than 500m² in size the construction of a new dwelling house cannot be defined as complying development.

7.2 The provisions of any Draft Environmental Planning Instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority.

Not applicable.

7.3 The provisions of any Development Control Plan.

The proposal has been considered against the provisions of the Ashfield Development Control Plan (DCP) 2007:

C1	ACCESS AND MOBILITY	Not applicable to single dwelling houses.
C10	HERITAGE CONSERVATION	As detailed in Section 7.1.1 of this report it is considered that the proposal will not detract from the significance of the Park Avenue Heritage Conservation Area.
C11	PARKING	A single garage is to be provided to the rear of the property which is accessible off the rear lane. See comments below with respect to the location of the garage.
C12	PUBLIC NOTIFICATION IN THE PLANNING PROCESS AND ALL ASPECTS OF LAND MANAGEMENT	The proposal was notified in accordance with Council's Public Notification DCP.
C15	HOUSES AND DUAL OCCUPANCIES	See comments below.
C17	151 PARK AVENUE ASHFIELD	Not applicable.

Ashfield DCP 2007 – Part C15 – Houses and Dual Occupancies

The proposal satisfies the Houses and Dual Occupancies DCP's numerical controls:

Permissible Floor Space Ratio (FSR):	0.65:1
Proposed FSR:	Complies – 0.64:1 (based on a gross floor area of approximately 195.6m ²)
Permissible General Landscaping %:	40%
Proposed General Landscaping %:	Complies – 48% (based on an area of approximately 146.7m ²)
Permissible Soft Landscaping/Deep Planting Area %:	28%
Proposed Soft Landscaping/Deep Planting Area %:	Complies – 36% (based on an area of approximately 109.3m ²)

DEVELOPMENT APPLICATION: 10.2009.234.1**15 PARK AVENUE ASHFIELD**

Maximum Wall Height (natural ground level to top of external wall):	6m
Proposed Maximum Ceiling Height:	Complies – The wall height of the two-storey section is 5.8m.

Section 2.2 of the Houses and Dual Occupancies DCP states a “*sympathetic scale is one which takes architectural cues in terms of size, bulk, length, breadth, height and volume of a building or an element, in relation to neighbouring buildings, as well as in relation to the scale and character of the streetscape, which includes the scale of the predominant building styles*”. A number of two-storey buildings exist within the vicinity of the subject site, including two-storey Victorian dwelling houses located at 13 and 9 Park Avenue, whilst single-storey Federation semi-detached dwelling houses exist at 17-19 Park Avenue.

The single-storey front portion of the dwelling house, with its hipped roof, verandah and bricks, responds to its single-storey neighbours at 17-19 Park Avenue, whilst the rear two-storey element is setback from the street and subservient in height to the two-storey dwelling house at 13 Park Avenue. The scale of the building is therefore seen to be acceptable.

Ashfield DCP 2007 – Part C11 – Parking

The originally submitted application proposed the location of the garage on the eastern side of the rear yard. However, as detailed in Section 8.1 of this report, Council’s Tree Management Officer raised concerns with the location of this structure given its proximity to trees at 13 Park Avenue. With the submission of amended plans the garage was relocated to the western side of the property.

Bollards are located in Park Lane, blocking off traffic between the subject site and its neighbour at 17 Park Avenue. Within this laneway these bollards are set in approximately 1-1.5m from the subject site’s western boundary.

Council’s Traffic Engineer has advised that the amended location of the garage – in relation to the abovementioned bollards – is acceptable. The mountable kerb next to the former Pratten Park ticketing booth is part of the laneway and may therefore be used to access and exit the western garage.

The Parking DCP does not detail specific controls for setbacks of residential garages although Section 4.3.2 of the Houses and Dual Occupancies DCP outlines garages should be setback 1m from the rear boundary. Council’s Traffic Engineer felt this non-compliance was acceptable on the grounds that other nearby garages are located on the rear boundary line and the laneway does not experience heavy pedestrian traffic. Therefore, the Traffic Engineer supports both the location and setback of the proposed garage.

7.4 Any matters prescribed by the regulations that apply to the land to which the development application relates.

The RTA is defined as a ‘public authority’ under Clause 226(1)(a) of the EP&A Regulations 2000. As such the RTA may lodge applications under the Crown development provisions of Division 4 of Part 4 of the EP&A Act.

7.5 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality.

These matters have been considered as part of the assessment of the development application. The development will cast shadows on 17 Park Avenue in the morning, however, by midday these shadows will be limited to the subject site and the footpath. 13 Park Avenue will not be shadowed by the proposed development until the afternoon. Neither of these properties' have north-facing side windows (indeed 13 Park Avenue does not have side windows). It is therefore considered that the development will not unreasonably overshadow the neighbouring properties.

It is considered that the proposed development will have no significant adverse environmental, social or economic impacts upon the locality.

7.6 The suitability of the site for the development

These matters have been considered as part of the assessment of the development application. There are no natural hazards or other site constraints that are likely to have a significant adverse impact upon the proposed development. The proposed development is considered suitable in the context of the locality.

7.7 Any submissions made in accordance with this Act or the regulations

The proposal was notified to all adjoining and nearby affected property owners, occupants, and Councillors from 6 January until 2 February 2010. With the submission of amended plans the proposal was re-notified from 17 February to 5 March 2010.

7.7.1 Summary of submissions

Three (3) submissions (**Attachment 3**) were received during the notification of the development application. The owner of 13 Park Avenue made submissions during both notification periods:

Submissions
Mr M Young 13 Park Avenue ASHFIELD NSW 2131
Ms A Himmelreich 19 Campbell Road ST PETERS NSW 2044 (Owner of 18A/45 Rose Street)

The matters raised in these submissions are detailed below in italics, followed by a response from the assessing officer:

The proposed dwelling house is unsympathetic within the streetscape.

Officer's comment: With its front verandah, hipped roofs, material selection, picket fence and first floor setback, the proposed development is considered sympathetic within the streetscape.

The setback and total height of the building's two-storey element is comparable to the recent two-storey addition approved for 13 Park Avenue.

The submitted plans do not consider the works approved with DA: 10.2008.269.1 for the dwelling house at 13 Park Avenue.

Officer's comment: The submitted plans do not show the layout of the dwelling house as approved with DA: 10.2008.269.1, which is now nearing completion. However, the approved layout of this neighbouring property was considered in the assessment of the subject proposal.

In this regard it should be noted that no side windows were approved along the western side of the 13 Park Avenue's two-storey addition. It is further noted that the rear two-storey addition approved with DA: 10.2008.269.1 is of a comparable setback and height to that proposed with the submitted application.

The first floor portion of the dwelling house will overlook adjoining properties.

Officer's comment: The side first floor windows of the dwelling house are non-opening and obscured to a height of 1.5m. This raised height will minimise the overlooking of the neighbouring properties. It should also be noted that the neighbouring two-storey dwelling house at 13 Park Avenue, including its rear addition, does not have any side windows that may be compromised by the proposed development.

The proposed Juliet balcony is not accessible and its narrow length means it will generally service as a window for the first floor master bedroom. Privacy screens are proposed for the sides of this opening to minimise overlooking of adjoining properties.

A similar Juliet balcony was approved for 13 Park Avenue with DA: 10.2008.269.1.

The two-storey dwelling house will overlook the rear yards of the properties at 43-49 Rose Street.

Officer's comment: A separation distance of over 22m would exist from the rear first floor window (Juliet balcony) of the proposed dwelling house and the property boundary of 49 Rose Street. Given this setback distance, and the presence of structures within these rear yards that may further obscure views, it is felt that the proposal will not unreasonably impact on the privacy of residents at 43-49 Rose Street.

The raised height of the proposed development will impact on 13 Park Avenue's views of Pratten Park.

Officer's comment: 13 Park Avenue's primary views would be north towards Pratten Park, from both a ground floor rear verandah and a first floor Juliet balcony. Whilst the proposed development will partly obscure some northwestern views of the park this is not seen to be unreasonable. As detailed in the Planning Principle established in Tenacity Consulting v

Warringah Council [2004] NSWLEC, it is recognised that side views are more difficult to protect and 13 Park Avenue's primary, and more significant, northerly views would still be retained by the proposal.

It should also be noted that the existing Jacandra trees within the rear yard of 13 Park Avenue – although deciduous – obscure views of Pratten Park.

The development will impact on the health of the Jacaranda trees located within the rear yard of 13 Park Avenue.

Officer's comment: The application was referred to Council's Tree Management Officer for comment. See Section 8.1 of this report for further details.

It should be noted that the rear garage has been relocated to the western side of the property to avoid the neighbouring Jacaranda trees.

7.7.2 Mediation

Not applicable.

7.8 The public interest

The proposal generally complies with Council's planning controls and the refusal of this application would not be in the public interest.

8.0 Referrals

8.1 Internal

Heritage Adviser – Comments from Council's Heritage Adviser are included at **Attachment 4**. The Heritage Adviser is supportive of the proposal, in particular with respect to the use of hipped roofs and the material selection.

Building – The Construction Assessment Team Leader has raised no objection to the proposal subject to the imposition of standard conditions.

Engineering – Council's Design and Development Engineer and Traffic Engineer have raised no objection to the proposal subject to the imposition of conditions.

Trees – Council's Tree Management Officer has raised no objection to the proposal. The proposed garage has been relocated to the western side of the rear yard to minimise impacts to the root system of the existing Jacaranda trees (*Jacaranda mimosifolia*) located at 13 Park Avenue.

It is acknowledged that some pruning of overhanging branches would be required to allow for the construction of the dwelling house, however, this should not impact on the health of the trees. The consent of the owners at 13 Park Avenue would be required to prune the trees, however, this would be a private matter between the owners should there be a dispute.

8.2 External

Not applicable.

9.0 Other Relevant Matters

Determination of Crown development applications

Section 89 of the EP&A Act states:

- (1) A consent authority (other than the Minister) must not:*
 - (a) refuse its consent to a Crown development application, except with the approval of the Minister, or*
 - (b) impose a condition on its consent to a Crown development application, except with the approval of the applicant or the Minister.*

Therefore, should Council wish to approve this application it will have to refer the proposed conditions through to the RTA for their concurrence. The consent of the Minister of Planning would be required should Council wish to refuse the application.

Stormwater Management Code

The Design and Development Engineer has recommended conditions requiring the disposal of stormwater to Council's street gutter via a gravity system. Onsite detention is not required.

Stormwater Pipes

Council's stormwater map does not indicate that the subject property is burdened by any Council or Sydney Water stormwater pipes.

10.0 Building Code of Australia (BCA)

A Construction Certificate will be required to be applied for by condition of consent.

Financial Implications

Based on the supplied value-of-work of \$350,000.00 a Section 94A Contribution of \$3,500.00 would be payable should the application be approved.

Other Staff Comments

See Section 8.1 of this report.

Public Consultation

See Section 7.7 of this report.

Conclusion

The application has been assessed in accordance with the provisions of the EP&A Act with all matters specified under Section 79C(1) Clauses (a) to (e) having been taken into consideration. It is considered that the proposal will not detract from the character or significance of the Park Avenue Conservation Area.

The proposal is acceptable and is recommended for conditional approval.

ATTACHMENTS

Attachment 1	Plans of the Proposal	4 Pages
Attachment 2	Locality Map	1 Page
Attachment 3	Submissions	4 Pages
Attachment 4	Heritage Advice	1 Page

RECOMMENDATION

- 1/2** That Council as the consent authority pursuant to Clause 80(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) approve Development Application No. 10.2009.234.1 for the construction of a dwelling house, a garage and front fence on Lot 13 in DP: 858369, known as 15 Park Avenue, Ashfield, subject to the conditions in the report, and
- 2/2** That the prepared conditions be referred to the Roads and Traffic Authority for concurrence pursuant to Clause 89(1)(b) of the Environmental Planning and Assessment Act 1979 (as amended)

A General Conditions

(1) Approved plans stamped by Council

The development must be carried out only in accordance with the plans and specifications set out on drawing numbers DA01 Rev 'C', DA-02 Rev 'C', DA-03 Rev 'C', DA-04 Rev 'C' and DA-07 prepared by Caldis Cook Group Architects and date stamped by Council 16 February 2010, as well as any supporting documentation received with the application, except as amended by the conditions specified hereunder.

B Design Changes

Nil

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

(1) Home Building Act 1989 Insurance

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

(2) Section 94A Contribution

Pursuant to Section 80A(1) of the *Environmental Planning and Assessment Act 1979* and Ashfield Council's Section 94A Development Contributions Plan 2009 a contribution of **\$3,500.00** shall be paid to Ashfield Council. This fee is based on the supplied value-of-work of \$350,000.00.

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

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

(3) Long service levy

Compliance with Section 109F of the *Environmental Planning and Assessment Act 1979* – payment of the long service levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 (or, where such a levy is payable by instalments, the first instalment of the levy) – is required. All building works in excess of \$25,000.00 are subject to the payment of a Long Service Levy at the rate of 0.35%.

$0.35\% \times \$350,000.00 = \$1,225.00$.

(4) Damage deposit – Footpath, road, kerb and gutter

A Damage Deposit of **\$7,000.00** is to be submitted prior to the release of the Construction Certificate covering the repair and/or replacement of adjoining footpath, road shoulder, road pavement, laneway pavement, kerbing, guttering and grass verge both outside the subject site and the surrounding area. This is to be paid to Council and may be refunded subject to the satisfactory completion of the construction or demolition.

This Damage Deposit covers unforeseen damage to the above property by construction vehicles, skip bins, construction methods etc. Note: Should repair works or maintenance

be required on Council land, a Road Opening Permit must be obtained before those works take place.

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

- ♦ A charge equal to the value multiplied by the current “overdue rates interest charge” be levied, per month or part thereof, with a minimum charge of three months is to be paid upon lodgement.
- ♦ Any remaining charge is to be calculated at the prevailing "overdue rates interest rate" for each month or part thereof beyond the original three months that the Bank Guarantee was held, and paid prior to its release.
- ♦ Any costs incurred in the acceptance, administration or release of such Bank Guarantees be on-charged to the entity claiming the release of such Bank Guarantee, and that these amounts be paid prior to its release.
- ♦ At the time of lodgement, Council will seek verification of the Bank Guarantee. Please provide contact details for the branch (phone number and officer) to assist with verification of the bona fides of the Bank Guarantee.

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

(5) Footpath/roadway – Photographs to be submitted

Prior to the release of the Construction Certificate, the applicant shall lodge with Council photographs of the roadway, footpath, kerb and gutter at the property indicating the state of the relevant pavements. At the completion of construction, again at the expense of the applicant, a new set of photographs is to be taken to determine the extent, if any, of any damage which has occurred to the relevant pavements. If any damage has occurred, the applicant shall meet the full cost to repair or reconstruct these damaged areas to Council's relevant standard.

(6) Plantation or recycled timbers

To minimise damage to the environment, no rainforest timbers or timbers cut from old growth forests are to be used in these construction works. The Construction Certificate is to specify the timbers to be used. These are to be limited to plantation timbers grown on Australian farms or State Forest Plantations.

Recycled timbers may also be used but these must be inspected and approved by the Principal Certifying Authority prior to their use.

(7) Sydney Water - Section 73 Compliance Certificate

A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the “Your Business” section of the web site www.sydneywater.com.au then follow the “e-Developer” icon or telephone Sydney Water 13 20 92 for assistance.

Following application, a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the release of an occupation or subdivision certificate

D Conditions that must be complied with before work commences

(1) Notice of Commencement – Notification of Works

Work must not commence until the Principal Certifying Authority or the person having the benefit of the development consent has given notification in writing to Council no later than two (2) days before the building work commences.

A 'Notice of Commencement' form is available from Council's website:
www.ashfield.nsw.gov.au.

(2) Requirement for a Construction Certificate

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

- (a) detailed plans and specifications of the building have been endorsed with a Construction Certificate by:
 - (i) Council; or
 - (ii) an accredited certifier; and
- (b) a principal certifying authority (PCA) has been appointed and the Council has been notified in writing of the appointment, and
- (c) at least two (2) days notice, in writing, has been given to Council of the intention to commence work.

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

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

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

(3) Inspections

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

(4) Site Controls

Sediment and erosion controls must be in place before work is commenced on the site. The control strategies must be consistent with the technical requirements set out in Landcom's *Managing urban stormwater: Solis and construction Vol. 1* (The 'Blue Book').

A sediment and erosion control plan must be prepared and identify appropriate measures for bunding and siltation fencing. Any such erosion and sedimentation controls shall include the protection of stormwater inlets and gutter systems within the immediate vicinity of the site, as well as protect neighbouring properties from runoff.

This sedimentation and erosion control plan must be submitted with the application for a construction certificate.

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

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

(5) Sydney Water approval

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements and if further requirements need to be met. Plans will be appropriately stamped. For Quick Check agent details please refer to the web site: www.sydneywater.com.au, see Your Business then Building & Developing then Building & Renovating or telephone Sydney Water on 13 20 92.

(6) Structural engineer's details

To ensure compliance with the provisions of the Building Code of Australia (BCA) structural engineer's details of all structural elements shall be submitted to the Principal Certifying Authority prior to the commencement of work, including:

- (i) pier and beam footings;
- (ii) reinforced concrete slabs;
- (iii) stairs, including verandah steps;
- (iv) retaining walls;
- (v) all structural timber including floors, walls and roof; and
- (vi) all structural steel.

(7) Public liability insurance – Works on Council/public lands

The applicant or any contractors carrying out works on public or Council controlled lands shall have public liability insurance cover to the value of \$10 million and shall provide proof of such cover prior to carrying out the works.

E Conditions that must be complied with during construction or demolition

(1) Plans to be available on site

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

(2) Building materials – Storage/placement on footpath/roadway – Council approval

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

Bulk refuse bins shall not be placed on the grass verge, footpath or roadway without Council permission. Application forms and details of applicable fees are available from Council's website www.ashfield.nsw.gov.au

(3) Signs to be erected on building and demolition sites

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

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

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

(4) Demolition/excavation/construction – Hours of work

Demolition, excavation and construction work, including loading and unloading of materials and machinery, shall be restricted to between the hours of 7:00 am to 6:00 pm Monday to Friday and from 7:00 am to 12:00 pm (noon) on Saturday. Work is prohibited on Sundays and on public holidays.

(5) Security Fencing

The property is to be secured to prohibit unauthorised entry.

(6) Footpath, kerb and gutter protection

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

The applicant shall construct a temporary vehicular access crossing for vehicles entering and leaving the site across Council's footpath. Pedestrian access across this footpath must be maintained in good order at all times during work. Any damage caused will be made good by Council at Council's restoration rates, at the applicant's expense.

(7) Locate structures

The structures must stand wholly within the boundaries of the allotment.

(8) Building construction – Check survey

A check survey is to be submitted to the Principal Certifying Authority (PCA) for perusal at an early stage of construction indicating excavated levels, boundary distances, site coverage and building alignment to ensure compliance with the approved plans.

(9) Termite treatment

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

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

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

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

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

(10) Waterproofing materials/installation – BCA/Australian Standards – Class 1 & 10

Approved products that are impervious to water shall only be used as a substrate or as a lining and as a finish to floors and walls of wet areas (i.e. bathroom/shower room, WC

compartment and laundry). Floors and cubicles shall be properly graded and drained to approved outlets.

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

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

(11) Safety Glazing – BCA

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

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

(12) Balustrade design requirements

Balustrades shall be constructed in accordance with the following requirements:

- (i) The height is not less than 865mm above the nosings of the stair treads or the floor of a ramp.
- (ii) The height is not less than:
 - (a) 1m above the floor of any access path, balcony, landing or the like; or
 - (b) 865mm above the floor of a landing to a stair or ramp where the balustrade is provided along the inside edge of the landing and does not exceed a length of 500mm.
 - (c) Any opening does not permit a 125mm sphere to pass through it and for stairs the space is tested above the nosings.

(13) Fire Detection/Alarm System installation and certification

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

- (a) any storey containing bedrooms -
 - between each area containing bedrooms and the remainder of the dwelling, including any hallway associated with the bedrooms

- (b) any storey not containing bedrooms.

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

The licensed Electrical Contractor shall on completion of the installation of the smoke alarm system, submit to the Principal Certifying Authority a certificate certifying compliance with AS 3000:2007 and AS 3786:1993.

(14) Materials and colour schemes

Materials of construction are to be as specified in the schedule of finishes dated 16 February 2010 and on the approved plans, except where amended by the conditions hereunder:

- The unpainted brick surfaces to the dwelling house are not to be painted.
- In-plane skylights in clear glazing, close-fitting to the roof and of a rectangular and vertical shape are to be installed.
- A straight concrete or paved path shall be installed from the front entry gate to the front verandah.
- The western side gate shall be setback a minimum of 500mm from the front wall of the dwelling house whilst the eastern side gate shall be setback a minimum of 1000mm from the front wall of the dwelling house.
- A simple roller or panel-lift door with full width horizontal panels shall be installed for the garage, such as B&D's 'Seville' or 'Squareline' models. Sectional doors or those with openings or glazing, such as B&D's 'Statesman', 'Grange' or 'Federation' models, are not to be installed.

(15) BASIX Requirements

The new works shall be constructed in accordance with, and comply with, the undertakings given on BASIX (Building Sustainability Index) Certificate No. 261981S as obtained on 23 November 2009 from the Department of Planning.

For more information visit www.basix.nsw.gov.au

(16) Roof guttering and drainage system – Disposal of stormwater

Stormwater runoff from all roof and paved areas, including the overflow from rainwater tanks, shall be collected and discharged by means of a gravity pipe system to Council's kerb and gutter in Park Avenue. Any redundant stormwater outlets located on Council property must be replaced with concrete footpath and kerb.

The roof shall be provided with a guttering system in accordance with the provisions of Part 3.5.2 'Gutters and Downpipes' of the Building Code of Australia (BCA) and AS/NZS 3500.5:2000. On completion of the works, a qualified plumber shall furnish the Principal Certifying Authority a certificate certifying that the guttering system complies with Part 3.5.2 of the BCA and AS/NZS 3500.5 – 2000.

Advisory Note: In Planning Circular BS 08-001 the Department of Planning advised that the use of high-front guttering has been associated with water penetration into the building and non-compliance with the standard.

(17) Rainwater Tanks

Rainwater tanks must comply with the following requirements:

- (a) the tank must be designed to capture and store roof water from gutters or downpipes on a building;
- (b) the tank must not collect water from a source other than gutters or downpipes on a building or a water supply service pipe;
- (c) the tank must be structurally sound and installed in accordance with the instructions of the manufacturer or designer of the tank;
- (d) the tank must not be installed over or immediately adjacent to a water main or a sewer main, unless it is installed in accordance with any requirements of the public authority that has responsibility for the main;
- (e) the tank must be assembled and installed in accordance with the instructions of the manufacturer or designer of the tank;
- (f) a sign must be affixed to the tank clearly stating that the water in the tank is rainwater;
- (g) any overflow from the tank must be directed to the street gutter;
- (h) the tank must be enclosed, and any inlet to the tank must be screened or filtered, to prevent the entry of foreign matter or creatures, such as mosquitoes;
- (i) any plumbing work undertaken on or for the tank that affects a water supply service pipe or a water main must be undertaken:
 - (i) with the consent of the public authority that has responsibility for the water supply service pipe or water main, and
 - (ii) in accordance with any requirements by the public authority for the plumbing work, and
 - (iii) by a licensed plumber in accordance with the *New South Wales Code of Practice—Plumbing and Drainage* produced by the Committee on Uniformity of Plumbing and Drainage Regulations in New South Wales;
- (j) any motorised or electric pump used to draw water from the tank or to transfer water between tanks:
 - (i) must not create an offensive noise, and
 - (ii) in the case of a permanent electric pump, must be installed by a licensed electrician; and
- (k) the tank must be maintained at all times so as not to cause a nuisance with respect to mosquito breeding or overland flow of water.

(18) Finished ground levels at property boundary

Finished ground surface levels shall match existing levels at the property boundary.

(19) Retaining walls and drainage

If the soil conditions require it:

- (a) retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided, and
- (b) adequate provision must be made for drainage.

(20) Surface water – Regraded areas

Any regraded areas shall be free draining, away from the dwelling house, and shall not direct surface water into adjoining properties.

(21) Road opening permit – Council controlled lands

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

(22) Engineering staff to inspect roadworks/drainage

An inspection by Council's staff will be required for the new vehicular crossing, footpath, kerb and gutter at the following stages:

- (i) After excavation.
- (ii) After the erection of formwork and the placement of reinforcement and prior to pouring of concrete.
- (iii) After placement of road base course.
- (iv) After completion of any pits.
- (v) After pipes have been laid and prior to backfilling.
- (vi) On completion of works.

A minimum of 24 hours notice is required to be given to Council to obtain an inspection. Work is not to proceed until the works or activity covered by the inspection is approved.

(23) Footpath, kerb and gutter reconstruction

The public footpath and verge outside the site in Park Avenue shall be completely reconstructed to the requirements of Council's Works & Infrastructure Department at the applicant's expense. This work shall be carried out prior to the release of the Occupation Certificate.

(24) Vehicle access driveways

The applicant shall construct the following works at the rear of the site in Park Lane:

- (a) Construct a full width residential vehicular layback opposite the vehicular entrance to the site.
- (b) Construct kerb and gutter for the full site frontage in Park Lane except opposite the vehicular entrance and exit points.
- (c) Carry out a full depth one metre wide road reconstruction for the full site frontage in Park Lane.

This work shall be carried out prior to the release of the Occupation Certificate.

(25) Traffic control on public roads

Where works are undertaken on public roads, adequate traffic control in accordance with AS 1742.3 1996 “Traffic Control Devices for work on Roads”, particularly regarding traffic movement controllers, advance warning signs and directions to motorists, shall be provided. Where such measures are not satisfactorily provided to this Australian Standard, Council may provide such and recover the costs from any bonds held.

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

Nil

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

(1) Approval to use/occupy building

The dwelling house shall not be occupied or the garage used until an Occupation Certificate has been obtained from the Principal Certifying Authority (PCA). The occupation certificate is not to be released until all the undertakings detailed in the BASIX Certificate are complied with.

Note: The lodgement of an application form and the payment of the applicable fee will be required to obtain an occupation certificate should Council be elected as the Principal Certifying Authority.

H Conditions that are ongoing requirements of development consents

(1) Single dwelling use only

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

I Advisory Notes

(1) Modifications to your consent – Prior approval required

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

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

(2) Work in close proximity to the boundary

Building work in close proximity to the boundary may be a sensitive matter for each property owner and can often end in an unsatisfactory relationship between the neighbours. You are advised that the consent given to build in close proximity to the allotment boundary is in no way to be construed as permission to build on or encroach over the allotment boundary. Your attention is directed to the provisions of the *Dividing Fences Act 1991* that gives certain rights to adjoining owners, including use of the common boundary. In the absence of any structure standing well clear of the common boundary you need to make yourself aware of your legal position, which may involve a survey to identify the allotment boundary.

It is strongly recommended that a formal written agreement be arranged between the parties prior to the commencement of any building works. Such an agreement can assist in the works being completed amicably and with a minimum of inconvenience to all concerned. Noise and/or vibration during construction, repair works, stormwater disposal and fencing are some of the matters that may need to be considered and agreed upon. Where the matters of concern involve costs, contractual agreements, compensation or other private issues both parties may wish to seek their own legal advice to protect their respective interests.

Note: This consent does not override your obligations under the Dividing Fences Act 1991.

(3) Services adjustment or relocation

The applicant shall meet the full cost for Telstra, Sydney Electricity, Sydney Water or Natural Gas Company or other service authorities to adjust/relocate their services as required. The applicant shall make the necessary arrangements with the service authority.

For information on the location of these services contact the “Dial before you Dig” service on 1100 or visit their website www.dialbeforeyoudig.com.au

(4) Road Regulations and Safety

All vehicles associated with the building site must comply with road and parking regulations at all times. Where vehicular movements from the site interfere with the normal traffic of the road, accredited traffic controllers and approved devices are to be used to control the traffic. No sections of road are to be blocked off or "reserved" for the site's use without approval.



Q-97 - CLAMPED W/STON CRP FRAGMENTS
POSSIBLE FASTER FINISHED TIME (10/1/77)

[illegible]

2008 年 12 月 10 日

QUALITY CHECK

Time	Frequency	Power	Phase	Mod
0.000	1.000	1.000	0.000	0.000
0.001	1.000	1.000	0.000	0.000
0.002	1.000	1.000	0.000	0.000
0.003	1.000	1.000	0.000	0.000
0.004	1.000	1.000	0.000	0.000
0.005	1.000	1.000	0.000	0.000
0.006	1.000	1.000	0.000	0.000
0.007	1.000	1.000	0.000	0.000
0.008	1.000	1.000	0.000	0.000
0.009	1.000	1.000	0.000	0.000
0.010	1.000	1.000	0.000	0.000
0.011	1.000	1.000	0.000	0.000
0.012	1.000	1.000	0.000	0.000
0.013	1.000	1.000	0.000	0.000
0.014	1.000	1.000	0.000	0.000
0.015	1.000	1.000	0.000	0.000
0.016	1.000	1.000	0.000	0.000
0.017	1.000	1.000	0.000	0.000
0.018	1.000	1.000	0.000	0.000
0.019	1.000	1.000	0.000	0.000
0.020	1.000	1.000	0.000	0.000
0.021	1.000	1.000	0.000	0.000
0.022	1.000	1.000	0.000	0.000
0.023	1.000	1.000	0.000	0.000
0.024	1.000	1.000	0.000	0.000
0.025	1.000	1.000	0.000	0.000
0.026	1.000	1.000	0.000	0.000
0.027	1.000	1.000	0.000	0.000
0.028	1.000	1.000	0.000	0.000
0.029	1.000	1.000	0.000	0.000
0.030	1.000	1.000	0.000	0.000
0.031	1.000	1.000	0.000	0.000
0.032	1.000	1.000	0.000	0.000
0.033	1.000	1.000	0.000	0.000
0.034	1.000	1.000	0.000	0.000
0.035	1.000	1.000	0.000	0.000
0.036	1.000	1.000	0.000	0.000
0.037	1.000	1.000	0.000	0.000
0.038	1.000	1.000	0.000	0.000
0.039	1.000	1.000	0.000	0.000
0.040	1.000	1.000	0.000	0.000
0.041	1.000	1.000	0.000	0.000
0.042	1.000	1.000	0.000	0.000
0.043	1.000	1.000	0.000	0.000
0.044	1.000	1.000	0.000	0.000
0.045	1.000	1.000	0.000	0.000
0.046	1.000	1.000	0.000	0.000
0.047	1.000	1.000	0.000	0.000
0.048	1.000	1.000	0.000	0.000
0.049	1.000	1.000	0.000	0.000
0.050	1.000	1.000	0.000	0.000
0.051	1.000	1.000	0.000	0.000
0.052	1.000	1.000	0.000	0.000
0.053	1.000	1.000	0.000	0.000
0.054	1.000	1.000	0.000	0.000
0.055	1.000	1.000	0.000	0.000
0.056	1.000	1.000	0.000	0.000
0.057	1.000	1.000	0.000	0.000
0.058	1.000	1.000	0.000	0.000
0.059	1.000	1.000	0.000	0.000
0.060	1.000	1.000	0.000	0.000
0.061	1.000	1.000	0.000	0.000
0.062	1.000	1.000	0.000	0.000
0.063	1.000	1.000	0.000	0.000
0.064	1.000	1.000	0.000	0.000
0.0				

AMENDMENTS

№	Дат.	№ док.	Стр.
1	11.02.1970	1.000.000	1
2	11.02.1970	1.000.000	1
3	11.02.1970	1.000.000	1

LEGEND



NOTES

[illegible]

© Copyright Calma Cook Group Pty. Ltd.

California, where the California Department of Corrections is the largest provider of inmate services. The Department of Corrections is the largest provider of inmate services in the United States, with a population of over 100,000 inmates. The Department of Corrections is the largest provider of inmate services in the United States, with a population of over 100,000 inmates.

C L D I S A R C H I T E C T S
C O O K
G R O U P

CONSULTANTS

HYDRAULIC ENGINEERING:

Daniel Buckley & Associates
Suite 8, 39 River St
EASTWOOD NSW 2122
PH: 02 3634 8081

SURVEYOR

G. K. Wilson & Associates
4 Bradley St. Ossining, NY 10562
PH: (914) 917-9220
FAX: (914) 919-6903

CLIENT

ROADS AND TRAFFIC
AUTHORITY OF NSW

PROJECT

HOUSE AT 15 PARK AVENUE,
ASHFIELD

DRAWING

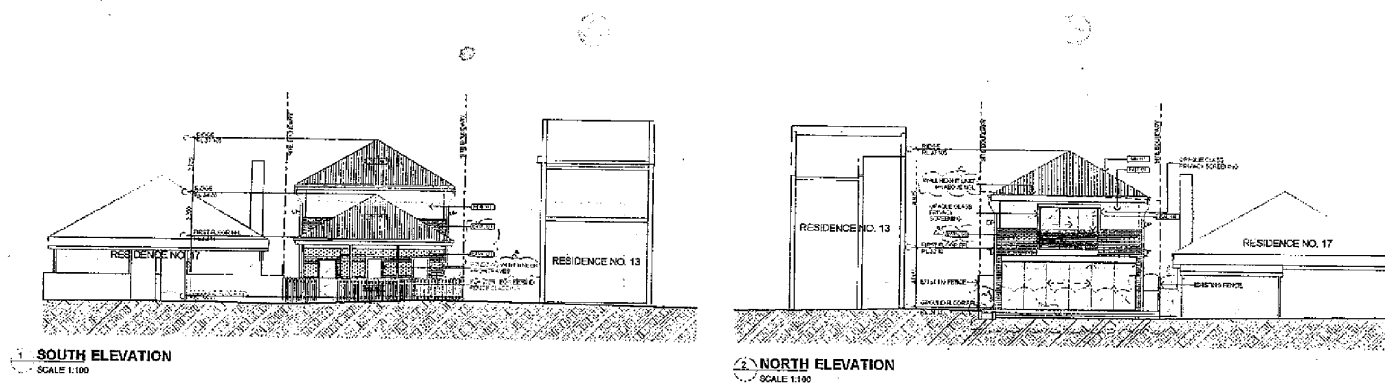
SPRINGFIELD **FALLS CHURCH** **POTOMAC**

ROOF PLANS

PROJECT No.	DWG No. DA-62
08-161	SCALE 1:100

05-101 SCALE 1:100

DA AMENDMENT



QUALITY CHECK						
STATION: A-10-1						
DATE	CAN	1-2	3-4	5-6	7-8	9-10
10	0	0.0	0.0	0.0	0.0	0.0
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						
31						
32						
33						
34						
35						
36						
37						
38						
39						
40						
41						
42						
43						
44						
45						
46						
47						
48						
49						
50						
51						
52						
53						
54						
55						
56						
57						
58						
59						
60						
61						
62						
63						
64						
65						
66						
67						
68						
69						
70						
71						
72						
73						
74						
75						
76						
77						
78						
79						
80						
81						
82						
83						
84						
85						
86						
87						
88						
89						
90						
91						
92						
93						
94						
95						
96						
97						

AMENDMENTS

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

51

52

53

54

55

56

57

58

59

60

61

62

63

64

65

66

67

68

69

70

71

72

73

74

75

76

77

78

79

80

81

82

83

84

85

86

87

88

89

90

91

92

93

94

95

96

97

LEGEND

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

51

52

53

54

55

56

57

58

59

60

61

62

63

64

65

66

67

68

69

70

71

72

73

74

75

76

77

78

79

80

81

82

83

84

85

86

87

88

89

90

91

92

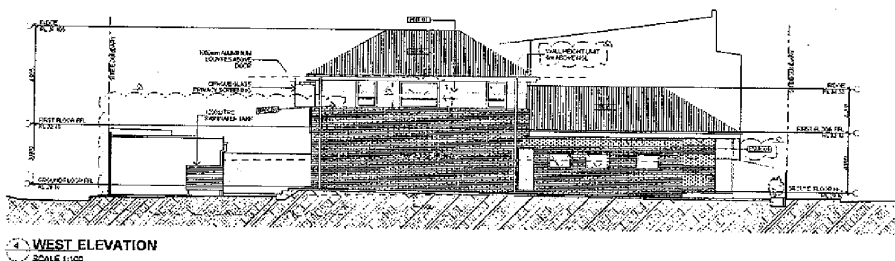
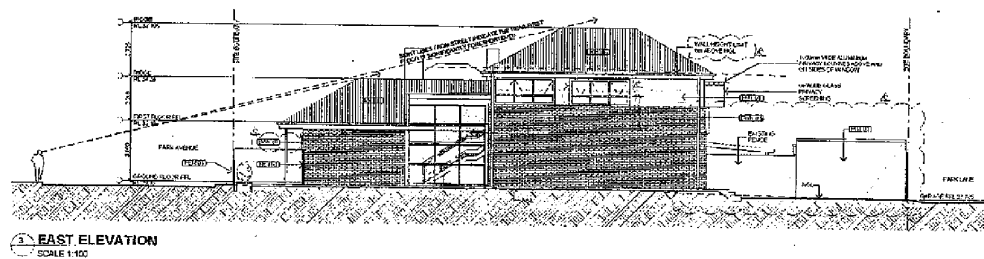
93

94

95

96

97



- [illegible]

[illegible]

C LDIS ARCHITECTS
1000 15th St. N.
Suite 100
Minneapolis, MN 55403
Tel: 612.338.1111
Fax: 612.338.1112
www.cldis.com

CONSULTANTS
HYDRAULIC ENGINEERING:
David Backe & Associates
Suite 3, 381 Rows St
EASTWOOD NSW 2122
PH: 62 8064 8800

SURVEYOR
G. K. Vallum & Associates
4 Bentley St Garmansynne 2047
PH: (02) 2176 1020
FAX: (02) 2176 1000

CLIENT
ROADS AND TRAFFIC
AUTHORITY OF NSW

PROJECT

HOUSE AT 15 PARK AVENUE,
ASHFIELD

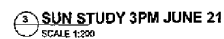
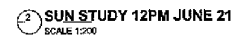
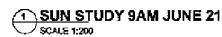
DRAWING *See* **ARTS AND CRAFTS**

ELEVATIONS

PROJECT No	OMG, No. DA-03
08-161	SCALE 1:100

DA AMENDMENT





AMENDMENTS			
No.	NOTE	Drawn	CN#
A	ISSUE FOR PDA	ITS ALPN	203750
B	ISSUE FOR DA	ITS ALPN	231128

**EXISTING MADOW CAST IN
EXISTING FENCE AND
MIS-LOCATING Building**

**ADDITIONAL APPROXIMATE
PROPOSED HOUSE & GARAGE**



Unify all dimensions and levels on x- and y-axis and report any shape/size/position characteristics of points.

Drawings are to be read in conjunction with all evidence documents.

Use Round dimensions only. Do not scale from drawings.

Using Google Group Fly List, please guarantee the accuracy of content and use it for copies of all drawings issued electronically.

The completion of the issue details characteristics and record picture is a reflection of the quality of the drawing. The drawing shall not be used for construction in issue without The Coordinator's and authorized by him as

Cable Cook Group Pty Ltd is the owner of the copyright appearing in these drawings, plans, designs and specifications. They must not be used, reproduced, or copied in whole or in part, nor may the information, ideas and concepts contained herein be disclosed to Cable Cook Group Pty Ltd be disclosed to any person without prior written consent of this company.

C L D I S ARCHITECTS
LEVEL 2
45 CHIPPEN STREET
CHIPPENSALE
WIM
TEL: 01295 5657 5000
FAX: 01295 5057 4000
MCM 013302900
Website: www.cldis.co.uk
Email: prg@cldis.co.uk

HYDRAULIC ENGINEERING:
David Muckle & Associates
Suite 8, 34 Renee St
EASTWOOD NSW 2122
Ph: 02 8361 3066

Note: Caroline
was been relocated
was #

THE SUN STUDY DIAGRAMS DEMONSTRATE THAT 5 DRAUGHT TUN AT LEAST 50% OF NEAR-ROOFTOP "PRINCIPAL PRIVATE AREAS" OF GROUND LEVEL OPEN SPACES IS NOT REDUCED TO LESS THAN THE HOOPS BETWEEN 8AM TO 5PM ON 21 JUNE. THIS ACCORDS WELL WITH THE REQUIREMENT OF 4.5% CITY COUNCIL DCP PART C15 CLAUSE 5.2 (5).

Ashfield Council

ROADS AND TRAFFIC
AUTHORITY OF NSW

PROJECT

HOUSE AT 15 PARK AVENUE,
No. ASHFIELD

1990-1991

DRAWING PLOTTED: 4:57 AM 2/17/2000

SHADOW DIAGRAMS MID-WINTER

PROJECT No.	DWG. No. DA-65
-------------	----------------

08-161 SCALE 1200

7/2/2019 3:56:13 PM

ISSUE FOR DA

DA 10.2009.234 - 15 Park Avenue



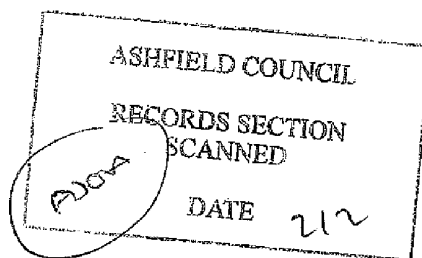
Location Plan

Site  Notification Area  Objectors 

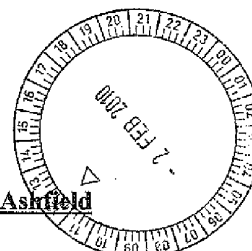


1 February 2010

General Manager
Ashfield Municipal Council
260 Liverpool Rd
Ashfield NSW 2131



Michael Young
13 Park Ave
Ashfield NSW 2131



Re: Development Application 10.2009.234 at 15 Park Avenue Ashfield

Dear Sir/Madam,

Thank you for your letter dated 5 January 2010 regarding the application for consent to construct a two storey house with detached garage at 15 Park Ave Ashfield.

My family and I live at No 13 Park Ave next to the proposed development. We have almost completed alterations and additions to our property under DA 2008.269. In reviewing the plans I wish to raise a number of concerns regarding the proposal next door and they mostly stem from the omission in the drawings of the outline of our house. Because of this omission no concern has been shown for the internal and external areas of our home.

The concerns I have are listed below.

1. **Consideration of DA 2008.269.** The plans provided do not show the impact of DA 2008.269 for alterations and additions at 13 Park Ave which received consent on 13 February 2009, the construction of which is now nearing completion. The lack of consideration of this DA will impact the intended amenity of a number of features of the proposed dwelling such as the courtyard, the amount of light entering the corridor adjacent to the stairs, the light levels for windows along the eastern wall, the shadow cast by our house on the dwelling, and the number and location of trees along the eastern boundary.
2. **Impact to existing trees.** There are several large trees in the rear garden of our home which will require significant culling or complete loss to allow the proposed 2-storey dwelling on 15 Park Ave to be erected. Previous applications we have submitted (refer to DA 2006.305) have been approved in part due to attempts in those applications to be sympathetic to the history of our house which is a Victorian 2-storey terrace (c1895) and to our street by minimising loss of green space and landscape elements such as trees, thus maintaining as far as possible the Garden Suburb style of the period. The proposal to build the 2nd storey towards the rear rather than the front of the 15 Park Ave property would maximise the losses to these trees.
3. **Impact on park views from 13 Park Ave.** The elevated position of the dwelling at 13 Park Ave relative to Pratten Park affords views of the park from both downstairs and upstairs rooms. The proposed dwelling in the application extends so far north, both upstairs and downstairs, as to block these views from most if not all rooms in our home. It would be preferred if the design delivered a more compact dwelling with the first floor built closer to the street in keeping with the other 2 storey dwellings present in the street.

4. **Sympathy with Park Ave Conservation Area.** A PDF document available on the Council website which describes the Park Ave Conservation Area¹ states "The area generally comprises houses of modest scale and unpretentious character, but there is an abundance of interesting and varied architectural detail such as verandah and gable and ridge decorations."² In relation to the townscape of the conservation area it states: "As well as its important historical beginnings, and the visual evidence of these beginnings and subsequent early changes in the street and allotment layout, this area has a strongly residential character and an attractive modesty of building scale and design."³

In contrast, the proposed plan produces a dwelling whose design maximises its footprint on the property, dominating the block by setting back the 2nd storey and including an enclosed courtyard, thus producing a house with a very large ground floor footprint to deliver the maximum allowable total floor area for the property. This is not in character with many houses in the street which are modest in scale and given the relatively small block sizes, are designed with more efficient dwelling footprint to floor space ratios, even where the permissible floor space has been maximised.

In addition, the appearance of the front of the house with its setback 2nd storey is not like any other I have noted in the street and appears to lack any of the verandah, gable and ridge features described in the Park Ave Conservation Area document. This may be compared with another fairly recent addition to the street which is described in these terms: "There is evidence that a community spirit is motivating some building refurbishment and restoration, and there is one very interesting example of a new and unashamedly modern building inserted carefully and considerately into the old streetscape (No 68)."⁴

5. **Location of Garage.** The positioning of the garage on the eastern boundary will require additional loss of tree greenery and will also impact views of Pratten Park from the ground floor of our house. It would be preferable for it to be located on the western boundary as this would not result in any loss of greenery and would reduce the impact to views. There may need to be a slight relocation of the poles and bollard in Park Lane for this relocation to occur and if required, I would be happy to discuss contributing to the cost of this work.

In conclusion much of the above could be overcome by moving the 2nd storey forward on the block to achieve a similar massing to other two storey buildings in the street. Maximising the garden space at the rear should be the favoured objective.

Thank you for your consideration of this submission. Please keep me informed of Council's progress with this application and do not hesitate to contact me if you wish to discuss any aspect of the issues I have raised. I can be contacted on 0412 361 150 or via email at Michael.L.Young@iinet.net.au.

Yours Faithfully,
Michael Young

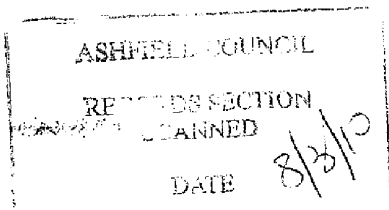


¹ http://www.ashfield.nsw.gov.au/files/heritage/heritage_items/Park_Av_CA.pdf

² Quoted from the above document on p3.

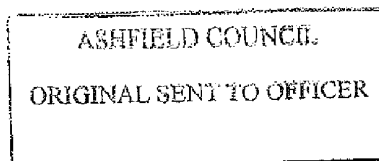
³ Also on p3.

⁴ Also on p3.

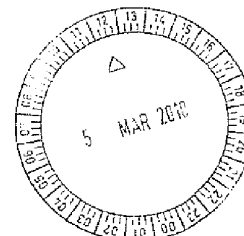


4 March 2010

General Manager
Ashfield Municipal Council
260 Liverpool Rd
Ashfield NSW 2131



Michael Young
13 Park Ave
Ashfield NSW 2131



Re: Development Application 10.2009.234 at 15 Park Avenue Ashfield

Dear Sir/Madam,

Thank you for your letter dated 17 February 2010 regarding amended plans in relation to the application for consent to construct a two storey house with detached garage at 15 Park Ave Ashfield.

Having reviewed the new plans it appears that the main concerns I outlined in my original letter regarding the DA have not been addressed. Whilst the DA has been amended to relocate the garage and shows some changes to proposed materials, it does not address the main areas of concern which I outlined in my original submission. These were: 1) a lack of consideration for our extension described in DA 2008.269, 2) impact to established trees, 3) impact to our views and 4) sympathy with the goals and intent of the Park Ave Conservation Area.

Both our home and other 2-storey houses such as No 9 Park Avenue do not extend as far back as is being proposed in this DA. The placement of the 2nd storey to the rear of the dwelling will have maximum impact on the privacy of the residents of Nos 17 and 19 and the need to remove or lop major existing trees will reduce both our privacy as well as reducing the privacy for future residents of No 15. If the proposed 2nd storey was moved to the front of the house then these issues would be avoided.

The proposal shows a sightline from the street highlighting the fact that the second storey is barely visible, yet this is not a feature of other houses in the street. The aerial perspective on the amended submission described as "from house No 13" is not from a location anywhere on our property and does not provide a true indication of the relative massing and impact on our house or garden or on that of No 15 as it does not include our extension.

In conclusion I wish to re-emphasise that the main concerns I have raised have not been addressed in the amended plans and could be overcome by moving the 2nd storey forward on the block to achieve a similar massing to that of other two storey buildings in the street.

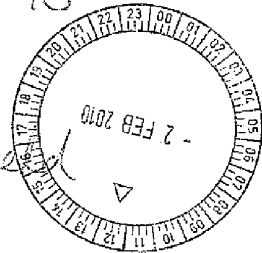
Thank you for your consideration of this submission. Please keep me informed of Council's progress with this application and do not hesitate to contact me if you wish to discuss any aspect of the concerns I have raised. I can be contacted on 0412 361 150 or via email at Michael.L.Young@iinet.net.au.

Yours Faithfully,
Michael Young

19 Campbell Rd
 87 Peters 2044
 31. 1. 10

Dear Madam/Sir

Re. DA 15 Park Ave Ashfield
 10. 2009. 234



I would like to object to the second storey as it overlooks a number of backyards in ~~Park A~~ Rose St, being no. 49, 47, 45 + 43 especially. Our privacy will be invaded and I think this will affect not just one or two people but a number of houses.

Thank-you.

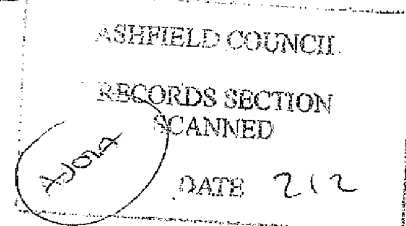
Anne Hummelneel

Anne Hummelneel

ph 95574713 hwn

9219 5875 wk

0432 182 610 mob





**DEVELOPMENT SERVICES
HERITAGE ADVISOR'S REFERRAL COMMENTS**

PDA No.:	10.2009.293
ADDRESS:	15 Park Avenue, Ashfield
ADVISOR	Robert Moore
DATE:	9 November 2009

The dwelling proposed for this site is virtually identical to that proposed at 135A Park Avenue for the same owner, applicant and by the same designers. While situated in the same conservation area, the immediate context of the site at No15 is different in that a 2 storey dwelling is located to one side at No 13 Park Avenue and a pair of semis at Nos 17 & 19 Park Avenue are presented as if one dwelling under a hipped roof straddling both properties. These circumstances make for a more comfortable fit of the design at No15 than at No.135A Park Avenue. I would suggest the same concerns apply about the rear gable and that it would be better replaced by a hipped end matching the front of the 2 storey section. The same concerns would apply in regard to the careful selection of materials and colours.

Subject to the amendment of the gable end the proposal appears to be worthy of Council's consideration.

Robert Moore

*Met with RTA
on 13/11/09 &
went through
issues. Amadee
plans to be
submitted.
RM*