
Bayside Planning Panel

28/11/2017

Item No	6.1
Application Type	Development Application
Application Number	DA-2017/353
Lodgement Date	15 May 2017
Property	47 Churchill Street, Bardwell Park
Owner	Mr P J Poulos and Ms V Patsos
Applicant	Michael Kitmiridis Architect
Proposal	Alterations and additions to existing dwelling comprised of ground and first floor addition, new front fence and vehicular footway crossing
No. of Submissions	Nil
Cost of Development	\$200,000.00
Report by	Michael Maloof, Senior Development Assessment Planner

History

On 24 October 2017 the Bayside Planning Panel considered the current development application and resolved the following:

That this item be deferred for the applicant to consider the Panel's comments on the application, and the matter be referred back to the next meeting if possible.

The applicant considered the Panel's comments and amended the architectural plans as detailed in the Supplementary Consultant's Planning Assessment Report. The consultant has considered the amendments to the plans and has recommended approval subject to the imposition of conditions of development consent.

Based on the above, the application is referred back to the Bayside Planning Panel for determination. The application is recommended for Approval.

Officer Recommendation

- 1 That development application DA-2017/353 for alterations and additions to an existing dwelling comprising of a ground and first floor addition, new front fence and vehicular footway crossing at 47 Churchill Street, Bardwell Park be **APPROVED** pursuant to Section 80(1)(a) of the Environmental Planning and Assessment Act 1979 and subject to the conditions of consent attached to this report.
 - 2 That the objector be advised of the Bayside Planning Panel's decision.
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Attachments

- 1 Supplementary Consultant Planning Assessment Report
 - 2 Supplementary Compliance Table Assessment
 - 3 Draft Notice of Determination
 - 4 Survey Plan
 - 5 Site Plan, Roof Plan and Demolition Plan
 - 6 Elevations, Streetscape, Section Plan and Finishes
 - 7 Perspectives
 - 8 Section BB Plan
 - 9 Cover Sheet and Site Analysis
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Location Plan



BAYSIDE COUNCIL

Supplementary Planning Report

Application Details

Application Number: DA-2017/353

Date of Receipt: Lodgement: 15 May 2017
Current Amended Plans: 1 November 2017

Property: 47 Churchill Street, Bardwell Park NSW 2207

Owner: Vicki Patsos and Peter John Poulos

Applicant: Michael Kitmiridis Architect

Proposal: Alterations and additions to an existing dwelling comprising of a ground and first floor addition, new front fence and vehicular footway crossing.

Recommendation: Approval, subject to conditions

Submissions: Nil

Author: Creative Planning Solutions Pty Ltd:
– Prepared by: James Arnold, Senior Planner
– Reviewed by: Ben Tesoriero, Director

Date of Report: 9 November 2017

Executive Summary

On 24 October 2017, the subject development application was referred to the Bayside Planning Panel (BPP) for determination. The Consulting Assessment Officer's report recommended approval of the application, subject to conditions including specific conditions to resolve design issues with the proposal. The BPP agreed with the design and streetscape issues raised in the assessment report, however were not satisfied that the proposed conditions of consent would resolve the issues satisfactorily. Accordingly, the BPP deferred the determination to allow the applicant the opportunity to resolve the design and streetscape issues.

On 1 November 2017, Council received amended plans and these were passed on to the Consulting Assessment Officer on 3 November 2017. The amendments are summarised in the points below and illustrated in **Figure 1** below which compares the previous western elevation with the revised western elevation.

- Rear addition lowered by 300mm;
- Rear addition western (Hutchinson Street) elevation windows changed from 700mm wide vertical windows to 1600mm wide horizontal windows;
- Garage setback to Hutchinson Street increased from nil to 800mm; and,
- BBQ portion of deck deleted and replaced with lawn resulting in the provision of a continuous strip of lawn along the rear boundary.

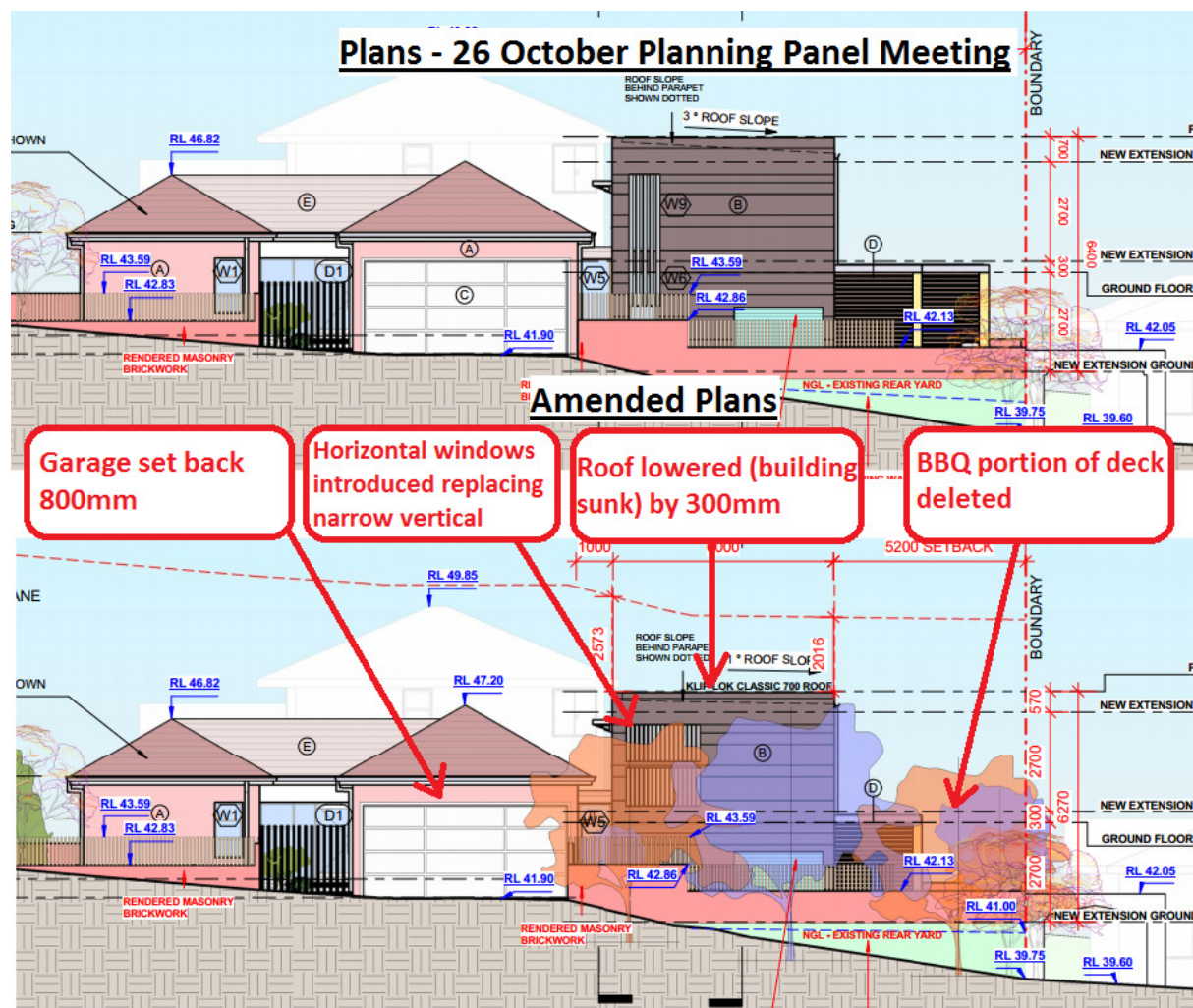


Figure 1. Comparison of Western Elevation (Hutchinson Street) of previous plans (top) to amended plans (bottom),

Source: MKA, 2017 (Marked up by CPS, 2017)

This supplementary report provides an assessment of the amended plans against the design and streetscape issues as discussed by the BPP at the 26 October 2017 meeting.

In summary, the amendments have reduced the bulk and dominance of the proposed rear addition and double garage resulting in a development that is more sympathetic to the original red brick dwelling on the site and the streetscape. The application is recommended for approval subject to the attached conditions. It is noted that the previously proposed conditions relating to design changes to the rear addition and setback of the garage no longer form part of the conditions.

Recommendation

The development application DA-2017/353 for alterations and additions to an existing dwelling comprising of a ground and first floor addition, new front fence and vehicular footway crossing at 47 Churchill Street, Bardwell Park be **APPROVED** subject to the attached conditions pursuant to Section 80(1) of the *Environmental Planning and Assessment Act 1979*.

Assessment of Panel Issues

On 24 October 2017, the BPP deferred the determination of the subject development application, with the minutes of the meeting stating the following:

That this item be deferred for the applicant to consider the Panel's comments on the application, and the matter be referred back to the next meeting if possible.

The panel's comments during the meeting were understood to reflect the design and streetscape issues which were raised in the assessment report. The issues related to the design of the rear addition being unsympathetic to the original red brick dwelling on the site and the character of the local area. In particular, the design was considered to be overly prominent and bulky in the street, and inappropriately dominant over the existing red brick dwelling to be retained on site.

The other key issue related to the previously proposed nil Hutchinson Street setback for the garage. This did not comply with the minimum 1.5m secondary street setback requirement from the Rockdale DCP 2011 and was considered unacceptable due to the prominence of the garage in the streetscape. The assessment report had recommended a condition to set back the garage 800mm and it is understood the panel were supportive of this setback.

The key amendments made to the proposal were a lowering of the rear addition by 300mm, widening of the window to the Hutchinson Street elevation of the rear addition, setting back the garage 800mm from the Hutchinson Street frontage, and deletion of the BBQ deck area.

The amendments are considered to have resulted in an improved streetscape presentation of the development. The rear addition is no longer considered to dominate the original portion of the dwelling as the height has been lowered such that the parapet is nearly aligned with the ridge of the original dwelling. Furthermore, the

narrow vertical windows to the Hutchinson Street elevation have been replaced with larger horizontally proportioned windows which provide softening and fenestration to this elevation. The horizontal proportions are also considered to reduce the perceived height and bulk of the structure and better integrate the addition with the original portion of the dwelling.

Other improvements to the proposal include the deletion of the BBQ portion of the rear deck which has resulted in a continuous strip of rear lawn being provided enhancing the usability and function of the private open space area. This BBQ area was also an issue in terms of privacy as it was raised over 300mm above existing ground levels. Furthermore, the sinking of the rear addition has resulted in the lowering of the level of the ground floor, deck and lawn by 100-170mm which will further reduce any potential overlooking and improve visual privacy for neighbouring properties.

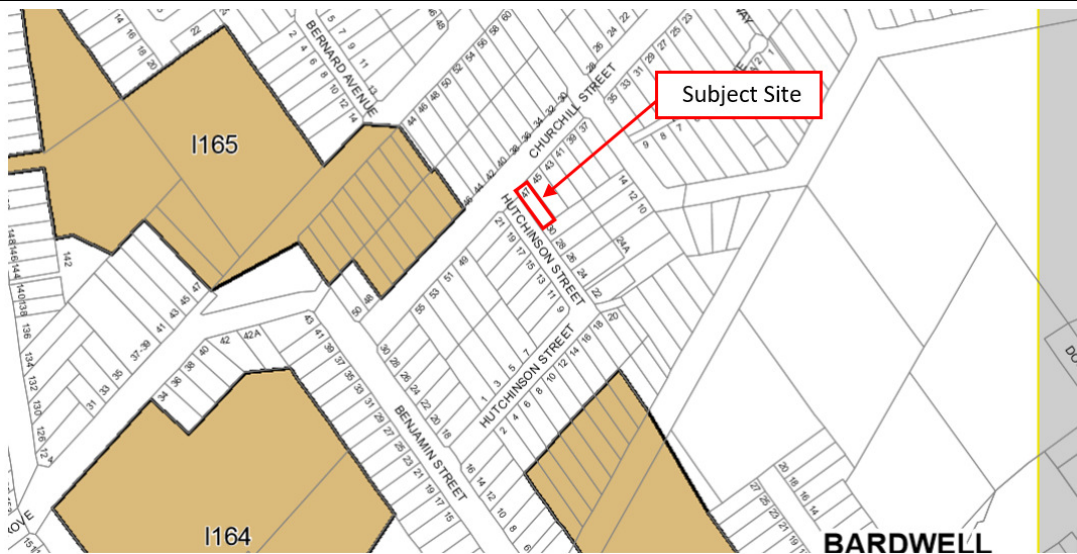
Given the above, it is considered the panel's comments have been satisfactorily addressed in the amended plans and as such the application is recommended for approval, subject to the attached conditions.

COMPLIANCE ASSESSMENT

47 Churchill Street, Bardwell Park

DA No:	DA-2017/353
Dates:	Lodged: 15 May 2017 Amended plans dated: October 2017
Address:	47 Churchill Street, Bardwell Park
Proposal:	Alterations and additions to a dwelling house including a two-storey rear addition, new front fence, and new garage.
Constraints Identified:	<ul style="list-style-type: none"> • Acid Sulfate Soils: Class 5 • Located within 100m of Heritage Item: <ul style="list-style-type: none"> ◦ I165 Stotts Reserve, 167 Slade Road, Local Heritage
Zoning	R2 – Low Density Residential

Rockdale LEP 2011	Proposal	Compliance
4.3(2) Height of buildings <ul style="list-style-type: none"> • 8.5m 	<p style="text-align: center;">6.3m</p> <ul style="list-style-type: none"> • Parapet RL: 47.55m • Lowest EGL below: RL 41.25m <p>Maximum height occurs at the south-eastern corner of the proposed rear addition.</p>	Yes
4.4(2) Floor space ratio <ul style="list-style-type: none"> • 0.5:1 	<p style="text-align: center;">0.47:1</p> <ul style="list-style-type: none"> • Ground Floor: 125.75sqm • First Floor: 50.68sqm • Gross Floor Area: 176.43sqm • Site Area: 379.4sqm (title) 	Yes
5.10 Heritage Conservation	<p>No heritage item is located on subject site.</p> <p>The site is within the vicinity and visual catchment of an item of local heritage no. I165 Stotts Reserve, 167 Slade Road. This reserve is on the opposite side of Churchill Street to the site approximately 100m to the south-west. Given the proposal is for a relatively minor addition to a dwelling house that will not affect views to or the prominence of the park, there is not considered to be any heritage impact. As such, the proposal is considered to satisfy Clause 5.10.</p>	Yes

Rockdale LEP 2011	Proposal	Compliance
		
6.1 Acid Sulfate Soils	<p>The subject site is affected by Class 5 Acid sulphate soils. Clause 6.1 states for Class 5.</p> <p><i>Works within 500m of adjacent Class 1, 2, 3 or 4 land that is below 5m AHD and by which the water table is likely to be lowered below 1m AHD on adjacent Class 1, 2, 3 or 4 land</i></p> <p>Given the development involves minimal excavation, and is not within 500m of Class 1, 2, 3 or 4 land, it does not appear the proposal would involve works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.</p>	Yes
6.2 Earthworks	<p>The proposal has generally worked with the topography of the site which slopes to the rear. The ground floor level of the rear addition has been stepped down relative to the main portion of the dwelling which has resulted in a minimisation of required earthworks.</p> <p>Some levelling through fill is proposed across portions of the rear yard which is considered acceptable as it will not lead to any significant adverse impacts on adjoining properties or the streetscape and will allow for improved amenity for the dwelling.</p>	Yes
6.6 Flood Planning	The site is not identified as flood prone on the LEP flood maps.	N/A
6.7 Storm water	Storm water plans were submitted with the subject development application and referred to Council's Development Engineer for review. No objections	Yes – Subject to condition

Rockdale LEP 2011	Proposal	Compliance
	were raised subject to standard conditions of consent.	

Rockdale DCP 2011	Proposal	Compliance
Part 4 – General Principles for Development		
Part 4.1 – Site Planning		
Part 4.1.1 – Views & Vistas		
– Development must consider any significant views to, from and across site.	There are not considered to be any significant views to, from or across the site.	N/A
– Development must retain existing views to Botany Bay.	There are no views to Botany Bay across the subject site.	N/A
– Development on highly visible sites to complement character of area.	Site is not considered highly visible in the context of district and regional view corridors.	N/A
– View corridors to landmarks and significant heritage items to be protected.	The development is in the vicinity of Stotts Reserve which is a heritage item. The proposal will not impact views to the item or have any impact on the heritage values of the item.	Yes
– Views from public spaces to the bay and districts to be preserved.	As above, there are no views across the site to the bay and districts.	N/A
– Roof forms on low side of street to be well articulated to allow public views.	As above, there are not considered to be any significant views to, from or across the site.	N/A
– Building forms enable sharing of views with surrounding residences	As above, there are not considered to be any significant views to, from or across the site.	N/A
Part 4.1.2 – Heritage Conservation		
– Heritage impact statement required for development of heritage items.	Subject site does not contain a heritage item.	N/A
– Heritage impact statement may be required for development within vicinity of heritage item.	Subject site is within the vicinity of a heritage item however the impact on the item is considered insignificant and a heritage report would not be warranted.	Yes
Development in the vicinity of Heritage Items		
– Any proposed development located adjacent to or nearby a heritage item must not have an adverse impact on the heritage item including its setting and curtilage	<p>The subject site is located within proximity and the visual catchment of the following heritage item:</p> <ul style="list-style-type: none"> • 1165 Stotts Reserve, 167 Slade Road, Local Heritage <p>The site is within the vicinity and visual catchment of an item of local heritage no. 1165 Stotts Reserve, 167 Slade Road. This reserve is opposite the site approximately</p>	Yes

Rockdale DCP 2011	Proposal	Compliance
<ul style="list-style-type: none"> - Development adjacent to a heritage item must be designed: <ul style="list-style-type: none"> o To be of a similar scale to the heritage item o To pay attention to design elements - Where new development is proposed adjacent to a heritage item in a street of buildings similar to the heritage item, new development must maintained historic streetscape pattern. 	<p>100m away. Given the proposal is for a relatively minor built form addition that will not affect views to or the prominence of the park, there is not considered to be any heritage impact.</p> <p>See above.</p>	Yes
Part 4.1.3 – Water Management		
<ul style="list-style-type: none"> • Storm water Management <ul style="list-style-type: none"> - Development to comply with Councils Technical Specs. - WSUD to be incorporated into design of stormwater drainage. 	<p>Section 2.8 of Councils Stormwater Management Technical Specs applies to the proposed development.</p> <p>Councils Development Engineer has reviewed the proposal and provides no objection subject to conditions of consent.</p> <p>Councils Development Engineer has reviewed the proposal and provides no objection subject to conditions of consent.</p>	<p>Yes</p> <p>Yes</p>
<ul style="list-style-type: none"> • Flood Risk Management <ul style="list-style-type: none"> - Development to comply with Councils Flood Management Policy. 	<p>Pursuant to the Rockdale LEP 2011, the subject site is not identified as being located in a Flood Planning Area.</p>	N/A
<ul style="list-style-type: none"> • Water Conservation <ul style="list-style-type: none"> - Residential development to be BASIX Compliant - Water efficient appliance must meet minimum WELS Scheme Standards 	<p>A compliant BASIX certificate was submitted with the application.</p> <p>Water efficient appliances are covered within the submitted BASIX certificate.</p>	<p>Yes</p> <p>Yes</p>
<ul style="list-style-type: none"> • Water Quality <ul style="list-style-type: none"> - Measures to control pollutants in stormwater discharge from development sites. - Runoff to waterways/bushland to be treated. 	<p>Councils Development Engineer has reviewed the proposal and provides no objection subject to conditions of consent.</p> <p>Subject site is not located adjacent to any waterways or bushlands.</p>	<p>Yes – Subject to condition</p> <p>Yes</p>
<ul style="list-style-type: none"> • Groundwater protection 		

Rockdale DCP 2011	Proposal	Compliance
<ul style="list-style-type: none"> Operating practices and technology must be employed to prevent contamination of groundwater Development which has potential risk to groundwater must submit a geotechnical report. Certain development in areas subject to Botany Sands Aquifer may be considered Integrated Development. 	<p>Development works will be done in accordance with the submitted Erosion and Sedimentation Control Plan.</p> <p>Only minor excavation works are proposed that does not pose any significant risk to groundwater. No geotechnical report was submitted which is acceptable.</p> <p>The proposal includes only minor excavation works which are high unlikely to intercept groundwater.</p>	<p>Yes – Subject to condition</p> <p>Yes</p> <p>Yes</p>
Part 4.1.4 – Soil Management		
<ul style="list-style-type: none"> Development must minimise soil loss Erosion and Sediment control plan required where development involves site disturbance. Development is to minimise site disturbance. 	<p>Submitted Erosion and Sedimentation Control Plan supports the minimisation of the loss of soil and soil disturbance.</p> <p>Development works will the Erosion and Sediment Control Plan</p> <p>Site disturbance has been minimised as far as practical.</p>	<p>Yes – Subject to condition</p> <p>Yes – Subject to condition</p> <p>Yes</p>
Part 4.1.5 – Contaminated Land		
<ul style="list-style-type: none"> Development on land that is likely to have contamination must follow State Environmental Planning Policy 55 – Remediation of Land. 	<p>The site is currently and has previously been used for residential purposes. There is no information available to suggest that the site may be contaminated.</p>	<p>Yes – Subject to condition</p>
Part 4.1.6 Development on Sloping Sites		
<ul style="list-style-type: none"> Deep Soil Areas Building footprint designed to minimise cut and fill Any habitable room of dwelling must have at least one external wall entirely above existing ground level. 	<p>The site slopes to the rear and to the southern frontage to Hutchinson Street. The floor level provided to the rear addition steps down with the slope of the land and is considered to have minimised earthworks requirements.</p> <p>All habitable areas are above ground level existing.</p>	<p>Yes</p> <p>Yes</p>
4.1.7 Tree Preservation		
<ul style="list-style-type: none"> Council consent required to undertake tree work for a tree that is: <ul style="list-style-type: none"> More than 3m tall or Has a circumference in excess of 300mm at a height of 1m above ground 	<p>Consent for tree removal forms part of this DA. Council's Tree Officer has reviewed the application and raised no issues with regards to tree removal.</p> <p>The proposal includes the removal of four palm trees located with the existing rear yard. Council's Tree Management Officer has reviewed the proposal and raised no objection to the proposed tree removal</p>	<p>Yes – Subject to conditions</p>

Rockdale DCP 2011	Proposal	Compliance
<ul style="list-style-type: none"> Existing significant trees and vegetation are to be incorporated into proposed landscaping Building setbacks are to preserve existing significant trees and vegetation and allow for new planting. 	<p>subject to conditions requiring replacement plantings and standard tree protection conditions.</p> <p>No existing significant trees to be retained.</p> <p>As above.</p>	<p>N/A</p> <p>N/A</p>
4.1.8 Biodiversity		
<ul style="list-style-type: none"> Development is to be sited and designed to minimise impact on indigenous flora and fauna. Indigenous species planting is encouraged Development abutting bushland, creeklines or wetland areas is to utilise local indigenous plant species Statement of Flora/Flora Impact required for development in or adjacent to bushland or wetlands Species Impact Statement required where development is to occur adjacent to threatened species or endangered ecological communities. 	<p>The land or surrounding area is not identified as biodiversity land in the Rockdale LEP 2011 maps.</p> <p>The application has been reviewed by Council's Tree Officer who has raised no objection, subject to recommended conditions for replacement plantings.</p> <p>The subject site does not abut biodiversity land.</p> <p>Subject site is not adjacent to any bushlands or vegetation.</p> <p>Subject site is not adjacent to land identified as containing threatened species or EEC.</p>	<p>N/A</p> <p>Yes – Subject to conditions</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>
4.1.9 Lot Size and Site Consolidation		
<ul style="list-style-type: none"> Lot Size and Minimum Site Frontage 		
<ul style="list-style-type: none"> Low and medium density residential <ul style="list-style-type: none"> Dwelling house minimum lot size 450sqm and minimum width of 15m at front building line. However dwelling house may be erected on parcel existing prior to 1973. Avoidance of Isolated Sites <ul style="list-style-type: none"> Adjoining parcels must be capable of being economically developed Development of existing isolated sites is not to detract from the character of the streetscape. 	<p>The proposal is for alterations and additions to an existing dwelling house and no subdivision is proposed.</p> <p>The proposal does not seek to amalgamate lots and does not unreasonably impact the development potential of neighbours due to general compliance with the key planning controls.</p> <p>The site is part of a consistent subdivision and development pattern and is therefore not considered an isolated lot.</p>	<p>N/A</p> <p>Yes</p> <p>N/A</p>
4.2 Streetscape and Site Context		

Rockdale DCP 2011	Proposal	Compliance
<ul style="list-style-type: none"> - Development is to respond and sensitively relate to the broader urban context including topography, block patterns and subdivision, street alignments, landscape, views and the patterns of development within the area 	<p>The proposal as amended (plans dated November 2017) is considered to be compatible with the local area. The rear addition has been minimised in bulk and scale via windows and screens to the Hutchinson Street elevation and some minor cutting works which lower the rear addition and reduce the height of the structure relative to the original portion of the dwelling.</p> <p>Note – Issues were raised with the streetscape appearance of the originally submitted plans and the amended plans dated July 2017. The latest set of amended plans have reduced the bulk of the rear addition by sinking the building, widening the windows to the Hutchinson Street elevation, deleting the BBQ area of deck, and setting back the garage from the street frontage.</p>	Yes
<ul style="list-style-type: none"> - Development adjoining land use zone boundaries should provide a transition in form. 	Site does not adjoin zone boundary.	N/A
<ul style="list-style-type: none"> - Buildings addressing or bordering public open space must relate positively to it. 	Proposed development does not adjoin any public parks or reserves.	N/A
<ul style="list-style-type: none"> - Cohesive streetscape must be created through building design and materials. 	As above.	Yes
<ul style="list-style-type: none"> - Consistent building setbacks from the street boundary. 	Compliant front and secondary street setbacks provided with the exception of the garage.	Yes
<ul style="list-style-type: none"> - Buildings on corner sites are to address each frontage. 	As above.	Yes
<ul style="list-style-type: none"> - Access to garages should not require major cut and fill. 	Proposed relocated garage will not require major cut and fill.	Yes
<ul style="list-style-type: none"> - First floor additions for streets of predominately single storey dwellings shall: <ul style="list-style-type: none"> o Locate addition at rear and/or o Incorporate addition into the existing roof space and/or o Use similar proportion if existing windows and doors in new work. 	Proposal locates the two storey addition at the rear of the existing dwelling.	Yes
<ul style="list-style-type: none"> - Garages and carports are not permitted in front setback 	Proposed garage is within the secondary setback which is acceptable.	Yes
<ul style="list-style-type: none"> • Pedestrian Environment 		

Rockdale DCP 2011	Proposal	Compliance
- Residential buildings must address the street	Proposal addresses the street with roof form and windows.	Yes
- Buildings adjacent to public area must have at least one habitable room window overlooking public area, to provide casual surveillance.	Does not adjoin a public area apart from the street. Windows provided to front elevation overlooking the street.	Yes
- Pedestrian and cycle thoroughfares are safe routes through: <ul style="list-style-type: none"> o Appropriate lighting o Casual surveillance from the street o Minimised opportunities for concealment o Landscaping which allows clear sight-lines between buildings and the street o Avoidance of blind corners. 	The proposal will be adequately lit to ensure pedestrian movement in and through the site is safer.	Yes
	Blind corners are avoided.	Yes
- Clearly defined public, common, semi-private and private space	The proposal clearly defines public, common, semi-private and private space.	Yes
- Discrete vehicle entries with minimal pedestrian conflict	The proposed driveway is a typical dwelling house driveway which will have minimal pedestrian conflict.	Yes
- Development it to take advantage of rear lane access to sites, where possible.	No rear access lane to the site.	N/A
• Fencing		
- Sandstone fences and walls to be retained and repaired (if necessary)	No sand stone fence present at the subject site.	N/A
- Front fences/walls to enable surveillance of street	New front fence is masonry construction for the base and open style above which will allow for surveillance of the street.	Yes
-		
- Front fences are to be maximum 1.2m above footpath level	New front fence height varies due to the sloping site however the majority of the fence will have a height of approximately 1.2m and the fence is appropriately stepped with the topography of the land.	Yes
• Sandstone Walling, Rock Outcrops and Kerbing		
- Excavation of sandstone or rock outcrops for the purpose of providing a garage is not permitted where:	Subject site does not exhibit any sandstone or rock outcrops.	N/A
- The rocky outcrop forms a significant part of the streetscape and character of the locality; or		
- Adequate on street parking is available; or		
- Alternative access to a site is available.		

Rockdale DCP 2011	Proposal	Compliance
- Where excavation of rock outcrop is considered acceptable for provision of off-street car parking, garage entry is to utilise sandstone, stone coloured mortar and a recessive coloured door.	As above	N/A
4.3 Landscape Planning and Design		
4.3.1 Open Space and Landscape Design		
- Must comply with Council's Technical Specifications	Council's Tree Officer has raised no objection to the proposed landscaping on site.	Yes
- Landscape Plan submitted and prepared by qualified Landscape Architect	Landscape Plan not required to be provided for alteration and additions to a dwelling house.	N/A
- Significant trees and natural features incorporated into design	No trees to be retained.	N/A
- Min Landscape area – low and medium density residential = 25%	132sqm or 35% of the site will be landscaped area.	Yes
4.3.2 Private Open Space		
• Dwelling with GFA greater than 125sqm – 80sqm POS minimum width 3m.	<p>The proposal has a GFA greater than 125sqm (176sqm).</p> <p>The proposal provides private open space in the form of a rear deck and adjoining turfed backyard which has a total area of 65sqm with a minimum width of 5.2m. The area does not comply with the minimum 80sqm required.</p>	No – Acceptable
4.3.3 Communal Open Space		
<ul style="list-style-type: none"> - A primary communal open space area must be provided for use by all resident of: - Multi dwelling housing >12 dwellings - RFB with >12 dwellings 	N/A – COS not required for dwelling houses.	N/A
4.4 Sustainable Building Design		
4.4.1 Energy Efficiency		
<ul style="list-style-type: none"> - Residential <ul style="list-style-type: none"> o BASIX certificate submitted 	BASIX certificate submitted.	Yes
<ul style="list-style-type: none"> - Retail, commercial and industrial development <ul style="list-style-type: none"> o A report on energy and water efficiency is to be submitted with the development application for any building works with a construction cost of \$1,000,000 or 	N/A – dwelling house proposed.	Yes

Rockdale DCP 2011	Proposal	Compliance
more. The report must address the following:		
4.4.2 Solar Access		
<ul style="list-style-type: none"> - Development must be designed and sited to minimise the extent of shadows that it casts on <ul style="list-style-type: none"> o private and communal open space within the development; o private and communal open space of adjoining dwellings; o public open space such as parkland and bushland reserves; o solar collectors of adjoining development; and o habitable rooms within the development and in adjoining developments. - Development to provide good solar access to internal and external living spaces. - Buildings must be sited and designed to reduce overshadowing - Development must have adequate solar access: <ul style="list-style-type: none"> ▪ Dwellings within the development site and adjoining properties should receive a minimum of 3 hours direct sunlight in habitable rooms and in at least 50% of the private open space between 9am and 3pm in mid winter - Shadow diagrams required for DA of any building two or more storeys - Shadow diagrams should provide information relating to the effect of the proposed development at 9am, 12pm and 3pm on: <ul style="list-style-type: none"> - 21 June (mid-winter) - 21 December (mid-summer) and - 21 March/September (equinox) - Where a significant level of overshadowing occurs, elevational shadow diagrams are to be submitted. 	<p>The development is sited appropriately such that the majority of shadows will fall onto Hutchinson Street and not on any public open space or habitable windows or private open space of adjoining properties.</p> <p>The proposal provides good solar access to internal and external living spaces.</p> <p>As above.</p> <p>The submitted shadow diagrams indicate that the living room and private open space of the proposal, as well as adjoining living rooms and private open space areas, will receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter.</p> <p>Shadow diagrams have been provided for the proposed two storey addition.</p> <p>Satisfactory shadow diagrams have been provided.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
4.4.3 Natural Lighting and Ventilation		
<ul style="list-style-type: none"> - Minimum 2.7m ceiling height for habitable residential - Minimum 2.4m ceiling height for non-habitable space 	<p>2.7m ceiling heights</p> <p>2.7m ceiling heights</p>	<p>Yes</p> <p>Yes</p>

Rockdale DCP 2011	Proposal	Compliance
<ul style="list-style-type: none"> Designed to maximise opportunities for cross flow ventilation. 	Openings on all elevations will facilitate cross ventilation.	Yes
<ul style="list-style-type: none"> Openable windows which can control airflow must be installed 	Openable windows proposed.	Yes
4.4.4 Glazing		
<ul style="list-style-type: none"> Areas of glazing are located to avoid energy loss and unwanted energy gain 	BASIX certificate provided that deals with the sustainability of the development.	Yes
<ul style="list-style-type: none"> Development provides appropriate sun protection during summer for glazed areas facing north, west and east. 	As above.	Yes
4.4.5 Visual and Acoustic Privacy		
<ul style="list-style-type: none"> Windows of habitable rooms with a direct sightline to the windows of a habitable room of an adjacent dwelling and located within 9.0m: <ul style="list-style-type: none"> Are to be sufficiently off-set to preclude views into the or have sill heights of 1.7m above floor level; or have fixed obscure glazing in any part of the window below 1.7m above floor level. Balconies, terraces, rooftop recreation areas etc are to minimise overlooking Use of roof top area for recreational purposes is permissible subject to: <ul style="list-style-type: none"> Internal stair access Usable area of roof must be set back at least 1.5m from building edge Planters/privacy screens must be utilised to protect visual and acoustic amenity of neighbouring properties Acoustic Privacy <ul style="list-style-type: none"> Driveways, open space and recreation areas must minimise noise impacts Bedrooms of one dwelling should not share walls with living rooms or garages of adjacent dwellings. Party walls must be carried to the underside of the roof AAAC Acoustical Star Rating of 5 for all except dwelling houses 	<p>Living area and rear balcony overlook the front setback areas of dwellings to the east along Hutchinson Street which is acceptable.</p> <p>The balcony is screened to the north-eastern corner to prevent views to the rear yards of adjoining dwellings which is acceptable.</p> <p>As above.</p> <p>No roof top recreational areas proposed.</p> <p>Noise impacts are considered to be appropriately minimised.</p> <p>No shared walls.</p> <p>No party walls.</p>	<p>Yes</p> <p>N/A</p> <p>N/A</p> <p>Yes</p> <p>N/A</p> <p>N/A</p>

Rockdale DCP 2011	Proposal	Compliance
<ul style="list-style-type: none"> – Acoustic Report to be submitted confirming the standards have been met – Attached dwellings and multi-unit development's internal layouts should consider acoustic privacy by locating circulation spaces and non-habitable rooms adjacent to party walls 		
4.4.6 Noise Impact		
<ul style="list-style-type: none"> – Development must comply with the Australian Standard 2021 – 2000 acoustic – aircraft noise. 	The site is not within ANEF contours.	N/A
<ul style="list-style-type: none"> – Mitigation measures must be BASIX compliant 	No mitigation measures required or proposed.	N/A
<ul style="list-style-type: none"> – Non-residential development is not to adversely affect the amenity of adjacent residential development as a result of noise, hours of operation and/or service deliveries. 	Proposal is a residential development.	N/A
<ul style="list-style-type: none"> – External walls to be constructed with material with good sound insulating quality 	External walls to be constructed in accordance with the BCA.	Yes
<ul style="list-style-type: none"> – The building plan, walls, windows, doors and roof are to be designed to reduce intrusive noise levels. 	Proposal has been designed appropriately to minimise internal acoustic privacy issues.	Yes
<ul style="list-style-type: none"> – Balconies and other external building elements are to minimise noise infiltration. 	As above.	Yes
<ul style="list-style-type: none"> – New windows to be fitted with noise attenuating glass 	As above.	Yes
<ul style="list-style-type: none"> – Design landscaping to create a buffer between new residential development and adjacent potential sources of noise. 	As above.	Yes
4.4.7 Wind Impact		
<ul style="list-style-type: none"> – Buildings must be designed and proportioned to consider the wind generation effects 	The proposal is for a small scale residential alterations and additions which is not considered to have any significant wind impacts.	Yes
4.5 Social Equity		
4.5.1 Housing Diversity and Choice		
<ul style="list-style-type: none"> – Multi-dwelling housing must be compliant with AS4299: – 1 adaptable dwelling required for >10 dwellings – 2 adaptable dwellings required for 10-30 dwellings; and 	Proposal does not require adaptable housing.	N/A

Rockdale DCP 2011	Proposal	Compliance
– 10% adaptable dwellings required for more than 30 dwellings.		
4.5.2 Equitable Access		
– Access is to meet the requirements of: <ul style="list-style-type: none"> ○ Disability Discrimination Act ○ Relevant Australian Standards ○ BCA 	Access requirements do not apply to single dwellings.	N/A
– Access Report required for DA's other than single dwellings and dual occupancies.	Proposal relates to a single dwelling house which does not require an access report.	N/A
4.6 Car Parking, Access and Movement		
<ul style="list-style-type: none"> • Retail and Commercial <ul style="list-style-type: none"> – 1 car parking space/40m² GFA for offices, – RTA Guide to Traffic Generating Developments = <ul style="list-style-type: none"> 1 spaces per 100m² for factories; 1 space per 300m² for Warehouse and; 1 space per 40m² for commercial premises. • Car Park Location and Design <ul style="list-style-type: none"> – Vehicle access points and parking areas are to be: <ul style="list-style-type: none"> ○ Easily accessible ○ Minimise traffic hazards ○ Located on secondary frontage where possible ○ Minimise loss of on-street parking, multiple driveway crossings not permitted – Car parking areas not to be visually dominant – Car parking areas must be well lit and laid out convenient to manoeuvring – Developments of four or more dwellings to be designed so that vehicles can enter and exit in forward direction – Mechanical parking systems supported subject to Council's Tech Specs – Disable parking spaces must be close to lifts 	<p>Not retail or commercial.</p> <p>Council's Development Engineer has reviewed the application and raised no objection to the proposed relocated vehicle access point.</p> <p>Garage is not considered visually dominant due as it has been setback 800mm.</p> <p>The proposed garage is considered to provide a standard manoeuvring area.</p> <p>Proposal is not for four or more dwellings.</p> <p>No mechanical parking systems proposed.</p> <p>No disabled spaces proposed.</p>	<p>N/A</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>

Rockdale DCP 2011	Proposal	Compliance
<ul style="list-style-type: none"> Garage doors must be integrated in building design. 	Garage door appropriately integrated into the building design.	Yes
<ul style="list-style-type: none"> Basement Car Parking 		
<ul style="list-style-type: none"> Is to be adequately ventilated 	No basement parking proposed.	N/A
<ul style="list-style-type: none"> Located within the building footprint 	As above.	N/A
<ul style="list-style-type: none"> Located fully below NGL 	As above.	N/A
<ul style="list-style-type: none"> Designed for safe and convenient pedestrian movement. 	As above.	N/A
<ul style="list-style-type: none"> Provided with daylight where feasible 	As above.	N/A
<ul style="list-style-type: none"> Car Wash Facilities 		
<ul style="list-style-type: none"> For buildings >5 dwellings car wash facilities must be available 	Proposal not for 5 or more dwellings.	N/A
<ul style="list-style-type: none"> Pedestrian Access and Sustainable Transport 		
<ul style="list-style-type: none"> Separate pedestrian access should be provided 	Separate pedestrian access is proposed and is legible.	Yes
<ul style="list-style-type: none"> Safe and convenient pedestrian access from car parking and public areas 	Safe and convenient pedestrian access from car parking and public area proposed.	Yes
<ul style="list-style-type: none"> Provide bicycle access which does not interfere with pedestrian access 	Bicycle parking or access not required for single dwelling house	N/A
<ul style="list-style-type: none"> Bicycle parking to be secure and minimise pedestrian obstruction 	As above.	N/A
<ul style="list-style-type: none"> Bicycle parking to cater to various users. 	As above.	N/A
<ul style="list-style-type: none"> Where bicycle parking is to be provided for residents in basement, it is to be individual bicycle lockers 	As above.	N/A
<ul style="list-style-type: none"> New development must enhance and maintain pedestrian, cycle and public transport networks. 	The proposal does not impact existing networks.	Yes
<ul style="list-style-type: none"> Design initiatives promoting sustainable transport are encouraged. 	Not required for single dwelling houses.	N/A
<ul style="list-style-type: none"> Use slip resistant ground surfaces which are traversable by wheelchairs and indicate changes of grade. 	Development will need to comply with the BCA.	Yes – Subject to condition
4.7 Site Facilities		
<ul style="list-style-type: none"> Air Conditioning and Communication Structures 		
<ul style="list-style-type: none"> Ancillary structures are: 	No ancillary structures are proposed.	N/A

Rockdale DCP 2011	Proposal	Compliance
<ul style="list-style-type: none"> ○ Not to be visually intrusive. ○ Located to have minimal impact on amenity of adjoining properties. ○ Do not have negative impact on architectural character of building. 		
<ul style="list-style-type: none"> – For each building comprising >2 dwelling a master TV antenna/satellite dish to be provided. 	The proposal does not include 2 or more dwellings.	N/A
<ul style="list-style-type: none"> • Waste Storage and Recycling Facilities 		
<ul style="list-style-type: none"> – Must comply with Council's Tech Specs 	Appropriate areas available on site for waste storage and manoeuvring to kerb.	Yes
<ul style="list-style-type: none"> – Provision of separate recycling and waste reuse facilities 	As above.	Yes
<ul style="list-style-type: none"> – Bins must be appropriately located 	As above.	Yes
<ul style="list-style-type: none"> – Must incorporate convenient access 	As above.	Yes
<ul style="list-style-type: none"> • Service Lines/Cables 		
<ul style="list-style-type: none"> – Internal communication cabling must be installed for telephone, internet and cable television use. 	Any applicable conditions of consent will ensure that internal communication cabling is installed.	Yes – Subject to condition
<ul style="list-style-type: none"> • Laundry Facilities and Drying Areas 		
<ul style="list-style-type: none"> – Laundry in each dwelling 	The proposal includes a laundry.	Yes
<ul style="list-style-type: none"> – Drying areas not to be located forward of building line or in any street frontage setback 	Drying area located within rear setback	Yes
<ul style="list-style-type: none"> – Drying areas in open, sunny part of site. 	Drying area within an open and sunny part of the site.	Yes
<ul style="list-style-type: none"> – Each dwelling in dual occ or multi-dwelling must be provided with a clothes line with min. length of 7.5m 	Not dual occ or multi dwelling.	N/A
<ul style="list-style-type: none"> • Letterboxes 		
<ul style="list-style-type: none"> – Letterbox points to be integrated with building design and located in covered area 	Letter box not shown on plans. Standard Auspost requirements will apply to letter box location which will be exempt development.	N/A
<ul style="list-style-type: none"> – Letterboxes to be centrally located and lockable 	As above.	N/A
<ul style="list-style-type: none"> – Letterboxes are to be visible for at least some dwellings 	As above.	N/A
<ul style="list-style-type: none"> • Hot Water Systems 		

Rockdale DCP 2011	Proposal	Compliance
- HWS to be encased in recessed box if located on balcony.	HWS not located on balcony.	N/A
Part 5 – Building Types		
Part 5.1 – Low and Medium Density Residential		
Storey Height		
Dwelling house & Attached dwelling - Maximum two storeys	2 storey rear addition proposed.	Yes
Setbacks		
<ul style="list-style-type: none"> Dwelling house & attached dwelling Street Setback <ul style="list-style-type: none"> - Must be consistent with the prevailing setbacks in the street - If there is not a consistent or established setback, a 6m setback Secondary Street Setback <ul style="list-style-type: none"> - Min 1.5m - If fronting lane, building to address the lane as if primary frontage Side Setback <ul style="list-style-type: none"> - min 0.9m for single storey building or ground floor of a two storey building or secondary dwelling - min 1.5m for first floor of a two storey building, except on lots with street frontages less than 15m, it may be set back a min of 1.2m - 0m between Attached Dwellings and Semi-detached Dwellings Rear setback and rear lane setback <ul style="list-style-type: none"> - min 3m for single storey building or ground floor of a two storey building - min 6m for first floor of a two storey building, except when fronting a lane may be set back 3m - Secondary Dwelling 900mm 	<p>The existing front setback to Churchill street will be maintained which is consistent with the street. Refer above.</p> <p>Secondary street setback to Hutchinson Street varies from 1.5m to the single storey portion, 800mm to the garage, and 1.5m to the double storey rear addition. The garage setback does not comply.</p> <p>No lane frontage</p> <p>1.2m setback to the northern side boundary to ground floor and first floor. The lot is less than 15m wide and therefore this setback complies.</p> <p>As above.</p> <p>Not attached or semi-detached.</p> <p>5.2m rear setback to ground floor.</p> <p>5.2m rear setback to first floor.</p> <p>The allotment depth average is greater than 30m therefore provision for a reduced rear setback is not applicable.</p>	<p>Yes</p> <p>N/A</p> <p>No – Acceptable</p> <p>N/A</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> <p>No – Acceptable</p>
Building Design		
- Building design is to interpret and respond to character of the locality.	Rear addition design is considered compatible with the locality.	Yes

Rockdale DCP 2011	Proposal	Compliance
– Building articulation must respond to environmental conditions	Generally, sufficient building articulation is incorporated in the design of the dwelling addition which takes into account the site specific environmental conditions.	Yes
– Architectural design features, are to be utilised to minimise blank walls.	It is considered that architectural design features have been incorporated to minimise blank walls. The building is generally well articulated.	Yes
– Building heights should be sympathetic to the natural land form and topographical features of the site and to existing buildings in the immediate vicinity.	Building height is well below the height limit and the rear addition appropriately steps down the site.	Yes
– Staircases leading to the first floor should be internal.	All staircases to the first floor are internal.	Yes
– Split level dwellings should be considered in situations where a two storey building will be out of character with adjoining and nearby properties.	Two storeys proposed which is not out of character.	Yes
– Balconies may be located up to 1.2m into the front setback.	No balconies within front setback.	Yes
– Garages must be integrated with the overall design of the building in terms of height, form, materials, detailing and colour.	Garage integrated into the design.	Yes
– Garages and carports are to be located a minimum distance of 300mm behind the front building line.	Garage is behind the primary front building line.	Yes
– The total width of the garage doors which address the street must be a maximum width of 6.3m or 40% of the site frontage width, whichever is lesser.	Garage width complies.	Yes
– Roof must provide continuity and character of streetscape.	Contemporary flat roof is generally considered acceptable.	Yes
– Mansard roofs are prohibited.	No mansard roof proposed	N/A
Additions to Semi-detached Buildings		
<ul style="list-style-type: none"> - Must not dominate or compromise the uniformity or geometry of the principal/street front elevation - First floor additions should be set back beyond apex or main ridge. 	Not applicable to subject development.	N/A
Attics		
<ul style="list-style-type: none"> - Attics may be habitable provided windows are small dormer windows - Attic roof space may be used provided it is: 	No attics proposed.	N/A

Rockdale DCP 2011	Proposal	Compliance
<ul style="list-style-type: none"> - contained wholly within the roof pitch - is part of the dwelling unit immediately below; and - is incapable of being used as separate unit - use of attic must not adversely impact on privacy of adjoining properties 		

Certification

I certify that all of the issues have been accurately and professionally examined by me.

Name: James Arnold

Position: Senior Planner, Creative Planning Solutions Pty Limited

Signature:



Date: 6 November 2017

Our Ref: DA-2017/353
Contact: Michael Maloof 9562 1666

Michael Kitmiridis Architect
PO BOX 7188
ALEXANDRIA NSW 2015

NOTICE OF DETERMINATION

Issued in accordance with section 81(1a) of the *Environmental Planning and Assessment Act, 1979*

Application Number:	DA-2017/353
Property:	47 Churchill Street, BARDWELL PARK (Lot 112 DP 16044)
Proposal:	Alterations and additions to existing dwelling comprised of ground and first floor addition at the rear, new front fence and vehicular footway crossing
Authority:	Delegated to Bayside Planning Panel
Determination:	Approved
Date of determination:	
Date consent commences:	
Date consent lapses:	

The above development is approved subject to the following conditions:

General Conditions

The following conditions restrict the work to the detail provided in the Development Application and are to ensure that the development is complete.

1. The term of this consent is limited to a period of five (5) years from the date of the original approval. The consent will lapse if the development does not commence within this time.
2. The development must be implemented substantially in accordance with the plans listed below, the application form and on any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

Plan/Dwg No.	Drawn by	Dated	Received by Council
Architectural Plans, Drawing Nos. DA100 to DA106 inclusive, Revision E,	Michael Kitmiridis Architects	October 2017	03.11.2017

3. All new building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA).
4. **A Construction Certificate must be obtained from Council or an Accredited Certifier prior to any building work commencing.**
5. The development must be implemented and all BASIX commitments thereafter maintained in accordance with BASIX Certificate Number (A280413) other than superseded by any further amended consent and BASIX certificate.
Note: Clause 145(1)(a1) of the Environmental Planning & Assessment Regulation 2000 provides: A certifying authority must not issue a construction certificate for building work unless it is satisfied of the following matters: -
 - (a1) that the plans and specifications for the building include such matters as each relevant BASIX certificate requires.**Note:** Clause 154B(2) of the Environmental Planning & Assessment Regulation 2000 provides: "A certifying authority must not issue a final occupation certificate for a BASIX affected building to which this clause applies unless it is satisfied that each of the commitments whose fulfilment it is required to monitor has been fulfilled."
Note: For further information please see <http://www.basix.nsw.gov.au>.
6. Further alterations and/or additions to the subject building shall not be undertaken without first obtaining approval. This includes the fitting of any form of doors and/or walls.
7. This approval is not to be construed as permission to erect any structure on or near a boundary contrary to the provisions of the Dividing Fences Act.

Development specific conditions

The following conditions are specific to the Development Application proposal.

8. The rainwater tank shall be routinely de-sludged and all contents from the de-sludging process disposed – solids to the waste disposal and de-sludged liquid to the sewer.
9. Residential air conditioners shall not cause 'offensive noise' as defined by the Protection of the Environment Operations Act 1997 or contravene provisions of the Protection of the Environment (Noise Control) Regulation 2008 where emitted noise from a residential air conditioner can be heard within a habitable room in any other residential premises at night.
10. Retaining walls over 600mm in height shall be designed and specified by a suitably qualified structural engineer.

Prior to issue of the construction certificate

The following conditions must be completed prior to the issue of the Construction Certificate.

11. The following fees shall be paid to Council prior to the issue of a Construction Certificate. If payment is made after the end of the financial year, the amount shall be adjusted in accordance with Council's adopted fees and charges.

- i. A Footpath Reserve Restoration Deposit of \$2,570.00. This is to cover repair of any damages, or other works to be done by Council. This includes construction, removal, or repair as required to: kerb and guttering, existing or new driveways; paved areas and concrete footpaths. The deposit may be lodged with Council in the form of a Bank Guarantee (Any proposed Bank Guarantee must not have an expiry date). The deposit will not be returned by Council until works are completed and all damage is restored and all specified works are completed by Council.
 - ii. An environmental enforcement fee of 0.25% of the cost of the works.
 - iii. A Soil and Water Management Sign of \$18.00.
- 12. For work costing \$25,000 or more, a Long Service Leave Levy shall be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 1441.
- 13. An application for Boundary levels shall be made to Council's Customer Service Centre prior to issue of the Construction Certificate. All boundary works, egress paths, driveways and fences shall comply with this level.
A fee is payable to Council for the determination of boundary levels. If payment is made after the end of the financial year, the amount shall be adjusted in accordance with Council's adopted fees and charges.
- 14. a. Pursuant to section 94A of the Environmental Planning and Assessment Act 1979 and Rockdale Section 94A Development Contributions Plan 2008, a report is to be submitted to Council, prior to approval of the first Part 4A certificate required for the development, identifying the proposed cost of carrying out the development, as follows:
 - i. Where the proposed cost of carrying out the development is less than \$1,000,000, a cost summary report prepared and certified by a building industry professional, or
 - ii. Where the proposed cost of carrying out the development is \$1,000,000 or more, a detailed cost report prepared and certified by a quantity surveyor registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate equivalent qualifications. This report is to be prepared in the form specified in Rockdale Section 94A Development Contributions Plan 2008 and the costs must be determined in accordance with clause 25J of the Environmental Planning and Assessment Regulation 2000.

Note:

1. Council may review the costs contained in the report and may seek the services of an independent person to verify them. In such a case, all costs associated with obtaining this advice will be at the expense of the applicant and no Part 4A certificate is to be issued until such time as these costs have been paid.
2. The proposed cost of carrying out the development excludes any part of the proposed development that is exempt from the section 94A levy by reason of a Ministerial direction or an exemption specified in Rockdale Section 94A Development Contributions Plan 2008. Where the applicant considers that the proposed development, or any part of it, is or should be exempt from the levy they may submit to Council, prior to approval of the required certificate, an application for exemption giving reasons and providing any necessary evidence for the exemption.

b. Where the proposed cost of carrying out the development, as specified in the cost summary report, the registered surveyor's detailed cost report or the independent review of costs obtained by Council (as the case may be), is more than \$100,000 a section 94A levy is to be paid to Council for the following amount:

- i. Where the proposed cost of carrying out the development is greater than \$100,000 but not more than \$200,000 – 0.5% of that cost, or
- ii. Where the proposed cost of carrying out the development is greater than \$200,000 – 1% of that cost.

This levy is to be paid prior to the issue of the first Part 4A certificate required for the development.

If the levy is not paid within the same financial year as the date on which Council accepted the cost summary report, the registered surveyor's detailed cost report or the independent review of costs (as the case may be), the amount of the levy is to be adjusted at the time of actual payment to reflect changes in construction costs, in accordance with the provisions of Rockdale Section 94A Development Contributions Plan 2008.

Note: This requirement to pay the section 94A levy does not apply if the proposed cost of carrying out the development is \$100,000 or less or Council has confirmed in writing that the proposed development is exempt from the levy.

15. Prior to the issue of the Construction Certificate, the approved plans must be submitted to Sydney Water Tap in™ online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

Sydney Water's Tap in™ online service is available at:

<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

16. Prior to issue of the Construction Certificate, a longitudinal driveway profile shall be submitted to Principal Certifying Authority for assessment and approval. The profile shall start in the centre of the road and be along the critical edge (worst case) of the driveway. Gradients and transitions shall be in accordance with Council's Code. The profile shall be drawn to a scale of 1 to 25 and shall include all relevant levels, grades (%) and lengths.
17. Prior to the issue of the Construction Certificate, amended detailed drainage design plans for the management of stormwater are to be submitted to the Private Certifying Authority (PCA) for assessment and approval.

The stormwater management plan is to be amended as outlined below:

- The stormwater plan is to be updated as per the approved architectural plans.
- Surface grates and catch pits are to be provided capturing surface runoff
- Subsoil drainage is to be provided for the retaining wall structures
- A minimum 2500 litre rainwater reuse tank is to be provided to collect all roof water runoff.

Rainwater harvested must be used in the following:

- Toilet flushing
- At least one outdoor tap in the development
- Irrigation/gardening purpose

Design certification, in the form specified in Rockdale Technical Specification Stormwater Management, and drainage design calculations are to be submitted with the Construction Certificate plans. Council's Rockdale Technical Specification Stormwater Management sets out the minimum documentation requirements for detailed design plans. Stormwater management requirements for the development site, including the final discharge/end connection point, must comply with Rockdale Technical Specification Stormwater Management.

Prior to commencement of works

The following conditions must be completed prior to the commencement of works.

18. A Soil and Water Management Plan shall be prepared. The Plan must include details of the proposed erosion and sediment controls to be installed on the building site. A copy of the Soil and Water Management Plan must be kept on-site at all times and made available on request.

Soil and sedimentation controls are to be put in place prior to commencement of any work on site. The controls are to be maintained in effective working order during construction.

Council's warning sign for soil and water management must be displayed on the most prominent point on the building site, visible to both the street and site workers. The sign shall be erected prior to commencement of works and shall be displayed throughout construction.

19. A sign must be erected at the front boundary of the property clearly indicating the Development Approval Number, description of work, builder's name, licence number and house number before commencement of work. If owner/builder, the Owner/Builder Permit Number must be displayed.
20. Prior to the commencement of work, Tree Protection Zones shall be established with protective fences at least 1.5 metres high erected outside the drip lines where possible around each tree or group of trees which is required to be retained. The protective fences shall consist of parawebbing or chain wire mesh mounted on star pickets or similar metal posts, shall be in place prior to the commencement of any work on site and shall remain until the completion of all building and hard landscape construction. Excavations for services, waste bins, storage of materials and equipment, site residue, site sheds, vehicle access or cleaning of tools and equipment are not permitted within the Tree Protection Zones at any time.
21. Prior to the commencement of any work on site, a sign shall be placed in a prominent position on each protective fence identifying the area as a Tree Protection Zone and prohibiting vehicle access, waste bins, storage of materials and equipment, site residue and excavations within the fenced off area.
22. Where it is necessary to import landfill material onto the site to fill the land to levels shown on the plans forming part of the consent, a certificate, prepared by a suitably qualified and experienced Contaminated Land Consultant, shall be submitted to Council being the Regulatory Authority prior to the commencement of works, certifying that the imported fill is suitable for the land use.
23. The site shall be secured by a 1800 mm (minimum) high temporary fence for the duration of the work. Gates shall be provided at the opening points.

During demolition / excavation / construction

The following conditions must be complied with during demolition, excavation and or construction.

24. A copy of the Construction Certificate and the approved plans and specifications must be kept on the site at all times and be available to Council officers upon request.
25. Hours of construction shall be confined to between 7 am and 6.30 pm Mondays to Fridays, inclusive, and between 8 am and 3.30 pm Saturdays with no work being carried out on Sundays and all public holidays.
26. For Class 1 and 10 structures, the building works are to be inspected during construction, by the principal certifying authority (or other suitably qualified person on behalf of the principal certifying authority) to monitor compliance with Council's approval and the relevant standards of construction encompassing the following stages:
 - i. after excavation for, and prior to the placement of, any footings, and
 - ii. prior to pouring any in-situ reinforced concrete building element, and
 - iii. prior to covering the framework for any floor, wall, roof or other building element, and
 - iv. prior to covering waterproofing in any wet areas, and
 - v. prior to covering any stormwater drainage connections, and
 - vi. after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

Documentary evidence of compliance with Council's approval and relevant standards of construction is to be obtained prior to proceeding to the subsequent stages of construction and copies of the documentary evidence are to be maintained by the principal certifying authority and be made available to Council officers upon request.

27. Upon inspection of each stage of construction, the Principal Certifying Authority (or other suitably qualified person on behalf of the Principal Certifying Authority) is also required to ensure that adequate provisions are made for the following measures (as applicable), to ensure compliance with the terms of Council's approval:
 - Sediment control measures
 - Provision of perimeter fences or hoardings for public safety and restricted access to building sites.
 - Maintenance of the public place free from unauthorised materials, waste containers or other obstructions.
28. To protect the stability of the building during demolition, steel bracework shall be erected.
29. Demolition operations shall not be conducted on the roadway or public footway or any other locations, which could lead to the discharge of materials into the stormwater drainage system.
30. All waste generated on site shall be disposed of in accordance with the submitted Waste Management Plan.
31. A Registered Surveyor's check survey certificate or compliance certificate shall be forwarded to the certifying authority detailing compliance with Council's approval at the following stage/s of construction:
 - i. After excavation work for the footings, but prior to pouring of concrete, showing the area of the land, building and boundary setbacks.

- ii. Prior to construction of each floor level showing the area of the land, building and boundary setbacks and verifying that the building is being constructed at the approved level.
 - iii. Prior to fixing of roof cladding verifying the eave, gutter setback is not less than that approved and that the building has been constructed at the approved levels.
 - iv. On completion of the building showing the area of the land, the position of the building and boundary setbacks and verifying that the building has been constructed at the approved levels.
 - v. On completion of the drainage works (comprising the drainage pipeline, pits, overland flow paths, on-site detention or retention system, and other relevant works) verifying that the drainage has been constructed to the approved levels, accompanied by a plan showing sizes and reduced levels of the elements that comprise the works.
32. When soil conditions require it:
- i. retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil shall be provided, and
 - ii. adequate provision shall be made for drainage.
33. Provide drop edge beams where and if necessary to contain all filling within the building envelope.
34. All contractors shall comply with the following during all stages of demolition and construction:
- A Waste Container on Public Road Reserve Permit must be obtained prior to the placement of any waste container or skip bin in the road reserve (i.e. road or footpath or nature strip). Where a waste container or skip bin is placed in the road reserve without first obtaining a permit, the Council's fees and penalties will be deducted from the Footpath Reserve Restoration Deposit. Permits can be obtained from Council's Customer Service Centre.
 - A Road Opening Permit must be obtained prior to any excavation in the road reserve (i.e. road or footpath or nature strip). Where excavation is carried out on the road reserve without first obtaining a permit, the Council's fees and penalties will be deducted from the Footpath Reserve Restoration Deposit. Permits can be obtained from Council's Customer Service Centre.
 - A Hoarding Permit must be obtained prior to the erection of any hoarding (Class A or Class B) in the road reserve (i.e. road or footpath or nature strip). Where a hoarding is erected in the road reserve without first obtaining a permit, the Council's fees and penalties will be deducted from the Footpath Reserve Restoration Deposit. Permits can be obtained from Council's Customer Service Centre.
 - A Crane Permit must be obtained from Council prior to the operation of any activity involving the swinging or hoisting of goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway. Permits can be obtained from Council's Customer Service Centre.
 - A current Permit to Dewater or Pump Out a site must be obtained prior to the discharge of pumped water into the road reserve, which includes Council stormwater pits and the kerb and gutter. Permits can be obtained from Council's Customer Service Centre.

35. All demolition work shall be carried out in accordance with AS2601 – 2001: The Demolition of Structures and with the requirements of the WorkCover Authority of NSW.
36. The following conditions are necessary to ensure minimal impacts during construction:
- i. Building, demolition and construction works not to cause stormwater pollution and being carried out in accordance with Section 2.8 of Council's Stormwater Pollution Control Code 1993. Pollutants such as concrete slurry, clay and soil shall not be washed from vehicles onto roadways, footways or into the stormwater system. Drains, gutters, roadways and access ways shall be maintained free of sediment. Where required, gutters and roadways shall be swept regularly to maintain them free from sediment.
 - ii. Stormwater from roof areas shall be linked via a temporary downpipe to an approved stormwater disposal system immediately after completion of the roof area.
 - iii. All disturbed areas shall be stabilised against erosion within 14 days of completion, and prior to removal of sediment controls.
 - iv. Building and demolition operations such as brickcutting, washing tools or paint brushes, and mixing mortar shall not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
 - v. Stockpiles are not permitted to be stored on Council property (including nature strip) unless prior approval has been granted. In addition stockpiles of topsoil, sand, aggregate, soil or other material shall be stored clear of any drainage line or easement, natural watercourse, kerb or road surface.
 - vi. Wind blown dust from stockpile and construction activities shall be minimised by one or more of the following methods:
 - a) spraying water in dry windy weather
 - b) cover stockpiles
 - c) fabric fences
 - vii. Access to the site shall be restricted to no more than two 3m driveways. Council's footpath shall be protected at all times. Within the site, provision of a minimum of 100mm coarse crushed rock is to be provided for a minimum length of 2 metres to remove mud from the tyres of construction vehicles.

An all weather drive system or a vehicle wheel wash, cattle grid, wheel shaker or other appropriate device, shall be installed prior to commencement of any site works or activities, to prevent mud and dirt leaving the site and being deposited on the street. Vehicular access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site is muddy. Where any sediment is deposited on roadways it is to be removed by means other than washing and disposed of appropriately.

In addition builders / demolishers are required to erect a 1.5m high fence along the whole of the street alignment other than at the two openings. Such protection work, including fences, is to be constructed, positioned and maintained in a safe condition to the satisfaction of the Principal Certifying Authority, prior to the demolition of the existing structures and

commencement of building operations.

- viii. Any noise generated during construction of the development shall not exceed limits specified in any relevant noise management policy prepared pursuant to the Protection of the Environment Operations Act, 1997 or exceed approved noise limits for the site.
- 37. Council's warning sign for soil and water management must be displayed on the most prominent point on the building site, visible to both the street and site workers. The sign must be displayed throughout construction. A copy of the sign is available from Council.
- 38. Trees located within the vicinity of the proposed rear additions may be removed.
- 39. No other trees located within the site, adjoining properties or Council's nature strip shall be removed or pruned without the prior written consent of Council in the form of a Permit issued under Council's Development Control Plan 2011.
- 40. Where drainage or paving works are proposed to be constructed in the area below the dripline of trees, the proposed works and construction methods must not damage the tree. Where either the trees or works were not shown in detail on the approved plans, then Council approval must be obtained by contacting Council's Tree Management Officer.
- 41. Underground Services such as pipelines or cables to be located close to trees, must be installed by boring or by such other method that will not damage the tree rather than open trench excavation. The construction method must be approved by Council's Tree Management Officer.
- 42. Existing soil levels within the drip line of trees to be retained shall not be altered without reference to Council's Tree Management Officer.
- 43. Building materials, site residue, machinery and building equipment shall not be placed or stored under the dripline of trees required to be retained.

Prior to issue of occupation certificate or commencement of use

The following conditions must be complied with prior to issue of the Occupation Certificate or Commencement of Use.

- 44. An Occupation Certificate shall be obtained in relation to the approved works prior to any use or occupation of the building.
- 45. Where Council's park/reserve is damaged as a result of building work or vehicular building traffic, this area shall be restored by Council at the applicant's expense. Repairs shall be completed prior to the issue of the Occupation Certificate.
- 46. All excess excavated material, demolition material, vegetative matter and builder's rubbish shall be removed to the Waste Disposal Depot or the Regional Tip prior to final inspection.
Note: Burning on site is prohibited.
- 47. All works within the road reserve, which are subject to approval pursuant to Section 138 of the Roads Act 1993, shall be completed and accepted by council.
- 48. Prior to completion of the building works, a full width vehicular entry is to be constructed to service the property. Any obsolete vehicular entries are to be removed and reconstructed with kerb and gutter. This work may be done using either a Council quote or a private contractor. There are specific requirements for approval of private contractors.
- 49. The width of the single driveway shall be maximum of 5.5m at the property boundary.

50. Prior to occupation, a registered surveyor shall certify that the driveway(s) over the footpath and within the property have been constructed in accordance with the approved driveway profile(s). The certification shall be based on a survey of the completed works. A copy of the certificate and a works-as-executed driveway profile shall be provided to Council if Council is not the Principal Certifying Authority.
51. Prior to occupation a Chartered Professional Engineer shall certify that the stormwater system has been constructed in accordance with the approved plans and as required by Rockdale Technical Specification Stormwater Management. The certificate shall be in the form specified in Rockdale Technical Specification Stormwater Management and include an evaluation of the completed drainage works. A works-as-executed drainage plan shall be prepared by a registered surveyor based on a survey of the completed works. A copy of the certificate and works-as-executed plan(s) shall be supplied to the Principal Certifying Authority. A copy shall be provided to Council if Council is not the Principal Certifying Authority.
52. The owner of the premises is required to comply with the following requirements when installing a rainwater tank:
- Inform Sydney Water that a Rainwater tank has been installed in accordance with applicable requirements of Sydney Water.
 - The overflow from the rainwater tank shall be directed to the storm water system.
 - All plumbing work proposed for the installation and reuse of rainwater shall comply with the NSW Code of Practice: Plumbing and Drainage and be installed in accordance with Sydney Water "Guidelines for rainwater tanks on residential properties.
 - A first flush device shall be installed to reduce the amount of dust, bird faeces, leaves and other matter entering the rainwater tank.

Roads Act

53. The following works will be required to be undertaken in the road reserve at the applicant's expense:
- i) construction of a new fully constructed concrete vehicular entrance;
 - ii) removal of the existing concrete vehicular entrances, and/or kerb laybacks which will no longer be required;
 - iii) removal of redundant paving;
 - iv) construction of kerb and gutter.
54. All footpath, or road and drainage modification and/or improvement works to be undertaken in the road reserve shall be undertaken by Council, or by a Private Licensed Contractor subject to the submission and approval of a Private Contractor Permit, together with payment of all inspection fees. An estimate of the cost to have these works constructed by Council may be obtained by contacting Council. The cost of conducting these works will be deducted from the Footpath Reserve Restoration Deposit, or if this is insufficient the balance of the cost will be due for payment to Council upon completion of the work.
55. This Roads Act approval does not eradicate the need for the Contractor to obtain a Road Opening Permit prior to undertaking excavation in the road or footpath.
56. Any driveway works to be undertaken in the footpath reserve by a private contractor requires an "Application for Consideration by a Private Contractor" to be submitted

to Council together with payment of the application fee. Works within the footpath reserve must not start until the application has been approved by Council.

57. Following completion of concrete works in the footpath reserve area, the balance of the area between the fence and the kerb over the full frontage of the proposed development shall be turfed with either buffalo or couch (not kikuyu).

Development consent advice

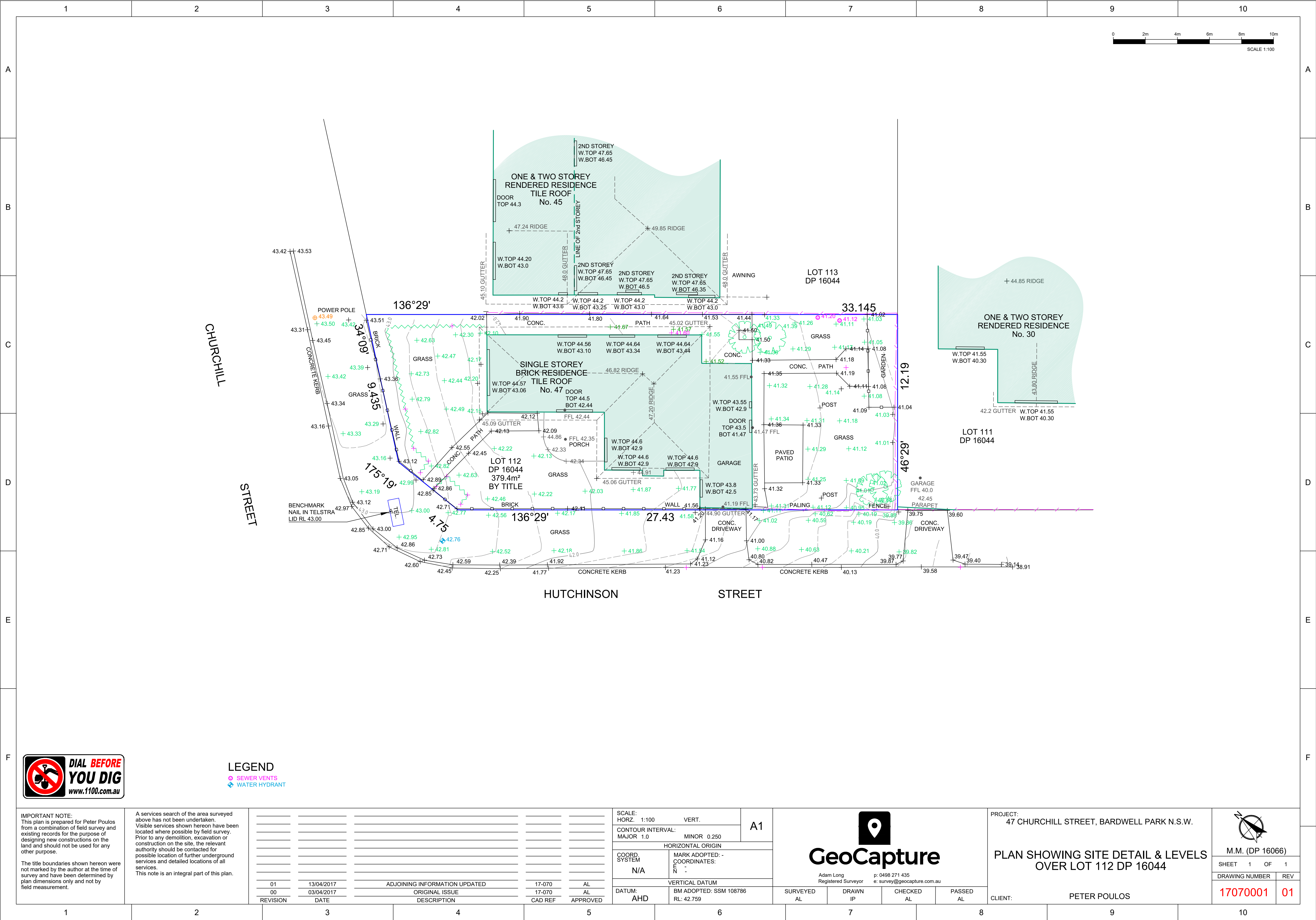
- a. You are advised to consult with your utility providers (i.e. Energy Aust, Telstra etc) in order to fully understand their requirements before commencement of any work.
- b. If Council is appointed as the Principal Certifying Authority (PCA), a fee shall be paid before a Construction Certificate is issued. If the fee is paid after the end of the financial year, it will be adjusted in accordance with Council's adopted fees and charges. The fees charged encompass all matters related to ensuring that the proposed development is carried out in accordance with the approved plans and any post inspection issues that may arise.
- c. The water from the rainwater tank should not be used for drinking, Sydney Water shall be advised of the installation of the rainwater tank.
- d. All site works shall comply with the occupational health and safety requirements of the NSW WorkCover Authority.
- e. In the event of any inconsistency between conditions of this approval and the drawings/documents referred to in condition 2, the conditions of this approval prevail.

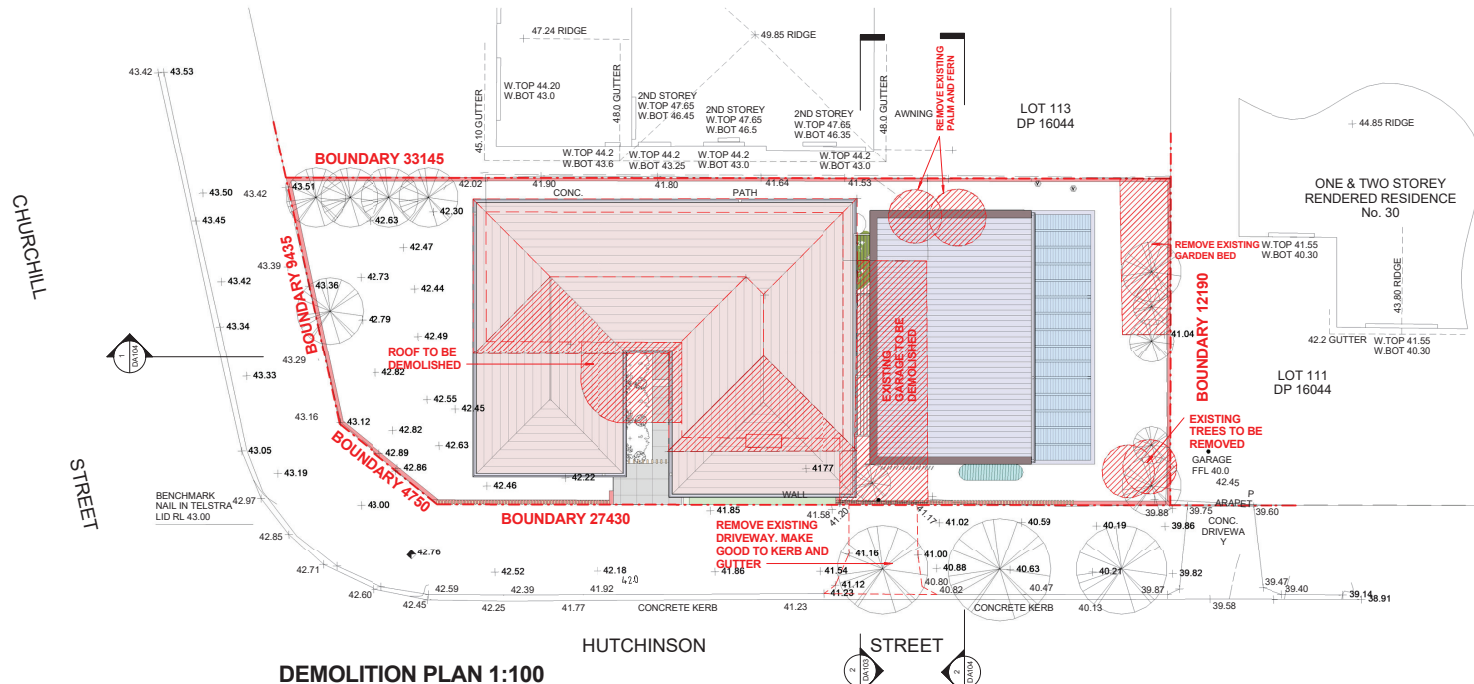
Additional Information

- To confirm the date upon which this consent becomes effective, refer to Section 83 of the *Environmental Planning and Assessment Act, 1979*. Generally the consent becomes effective from the determination date shown on the front of this notice. However if unsure applicants should rely on their own enquiries.
- To confirm the likelihood of consent lapsing, refer to Section 95 of the Act. Generally consent lapses if the development is not commenced within five (5) years of the date of approval. However if a lesser period is stated in the conditions of consent, the lesser period applies. If unsure applicants should rely on their own enquiries.
- Under Section 97 of the Act applicants who are dissatisfied with the outcome of a consent authority have a right of appeal to the Land and Environment Court. This right must be exercised within six (6) months from the date of this notice. The Court's Office is situated at Level 1, 225 Macquarie Street, Sydney (Telephone 9228 8388), and the appropriate form of appeal is available from the Clerk of your Local Court.

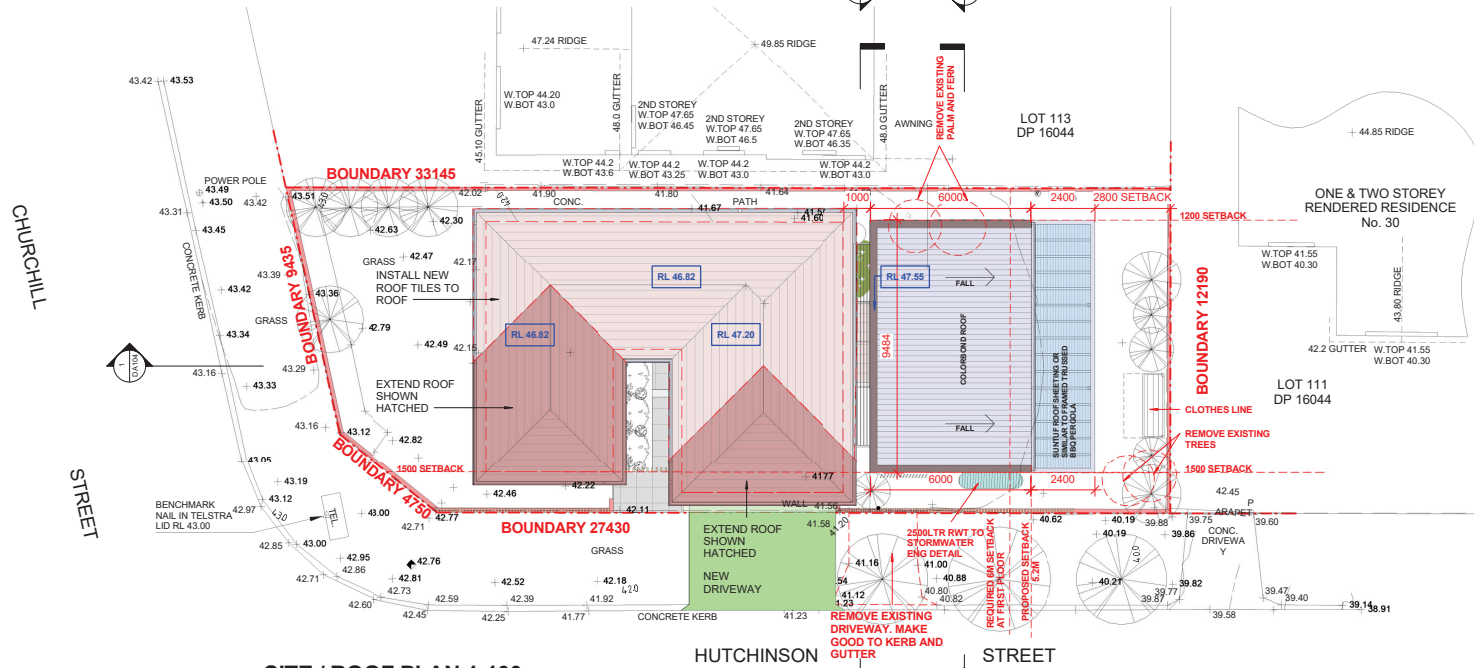
Should you have any further queries please contact Michael Maloof on 9562 1666

Luis Melim
Manager - Development Services





DEMOLITION PLAN 1:100



SITE / ROOF PLAN 1:100

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ISSUE	AMENDMENTS	DATE
A	DEVELOPMENT APPLICATION	MAY 17
B	RESUBMISSION WITH ADDITIONAL DIMENSIONS	MAY 17
C	DOUBLE GARAGE AND REDUCTION OF BEDROOMS	JULY 17
D	DOUBLE GARAGE SETBACK	OCT 17
E	SNAP REVISIONS	OCT 17



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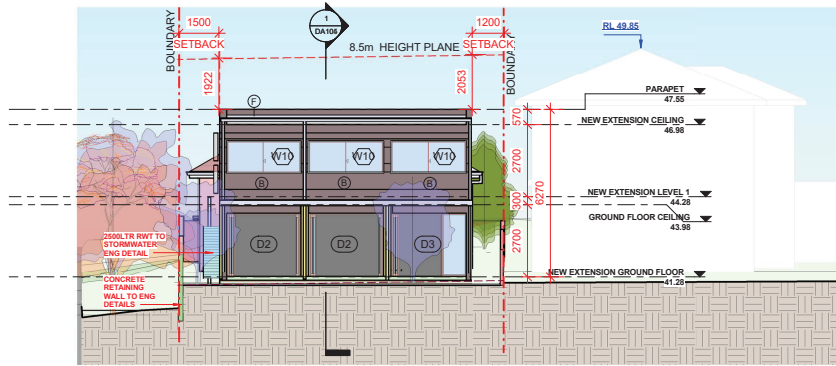


DP NUMBER(S) DP 16044
LOT NUMBERS LOT 112
SITE AREA SQM. 379.4sq

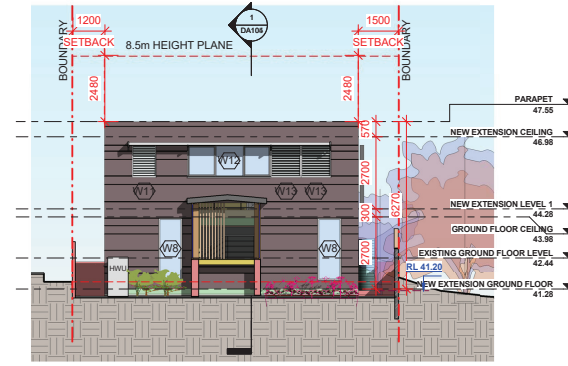
ARCHITECT MKa MICHAEL KIRIAKIDIS RAA ARCHITECT REG. NO: 5483 www.mka.net.au
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MAK Michael Kiriakidis Architect T: 02 939 7008 PO BOX 1108 Alexandria 2015
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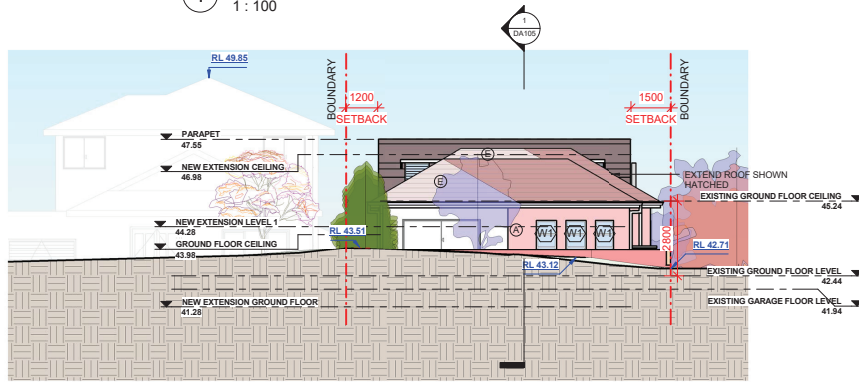
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ADDRESS: 47 CHURCHILL STREET, BARDWELL PARK	DRAWN BY	SCALE 1:100	DA101
DRAWING: SITE / ROOF PLAN / DEMOLITION PLAN			



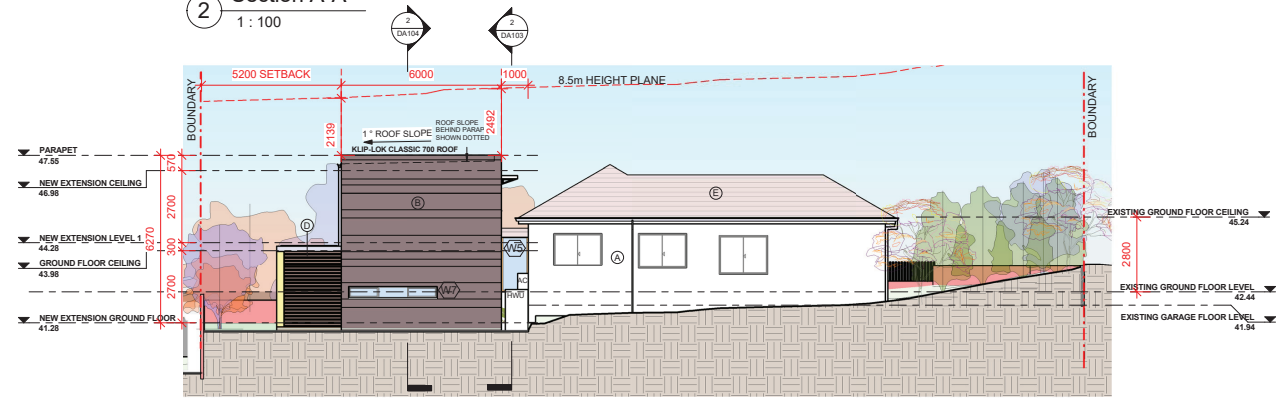
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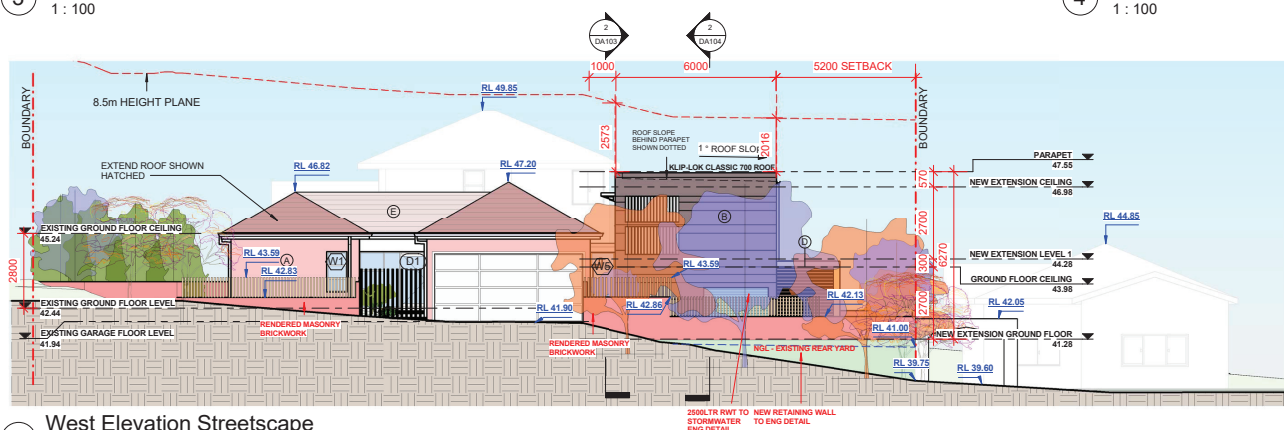
2 Section A-A
1 : 100



3 North Elevation Streetscape
1 : 100



4 East Elevation
1 : 100



5 West Elevation Streetscape
1 : 100

FINISHES SCHEDULE

KEY	MATERIALS	COLOUR / FINISH	IMAGE REFERENCE	SWATCH REF.
A	BRICK	MATCH EXISTING		
B	METAL CLADDING	METAL CLADDING - PIGMENTO RED		
C	GARAGE DOOR	COLOURBOND DOOR - DUNE		
D	TIMBER PRIVACY LOUVRES FROM MAXIM LOUVRES OR SIMILAR	RED CEDAR OR SIMILAR		
E	ROOF TILES	CONCRETE TILES AS SELECTED		
F	COLORBOND ROOF	SHALE GREY		

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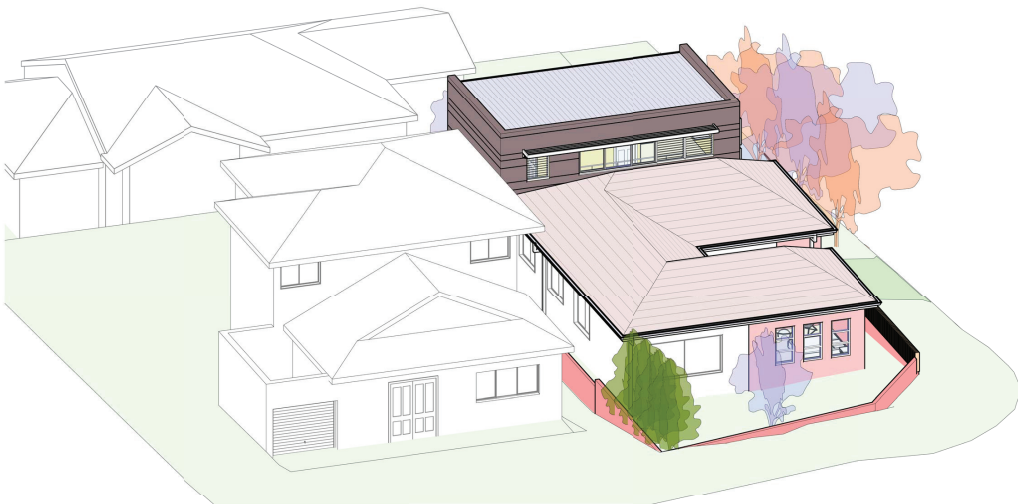
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E	SNAP REVISIONS	OCT 17

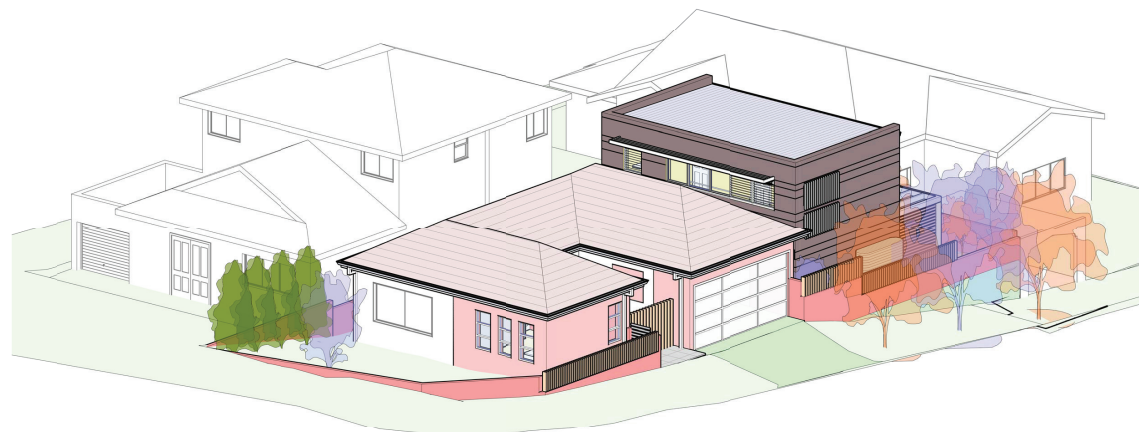


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NORTH	DP NUMBER(S) DP 16844	ARCHITECT MKa MICHAEL KTIROIDIS RAA ARCHITECT REG. NO. 5483 www.mka.net.au	PROJECT: ALTERATIONS AND ADDITIONS TO RESIDENCE ADDRESS: 47 CHURCHILL STREET, BARDWELL PARK DRAWING: ELEVATIONS / STREETSAPES / SECTION A-A / FINISHES	DATE OCT 17 DRAWN BY	PROJECT NUMBER DA103	ISSUE E
LOT NUMBERS LOT 112	SITE AREA SQM. 379.4sq	T: 02 859 7068 PO BOX 1188 Alexandria 2015	SCALE As indicated			



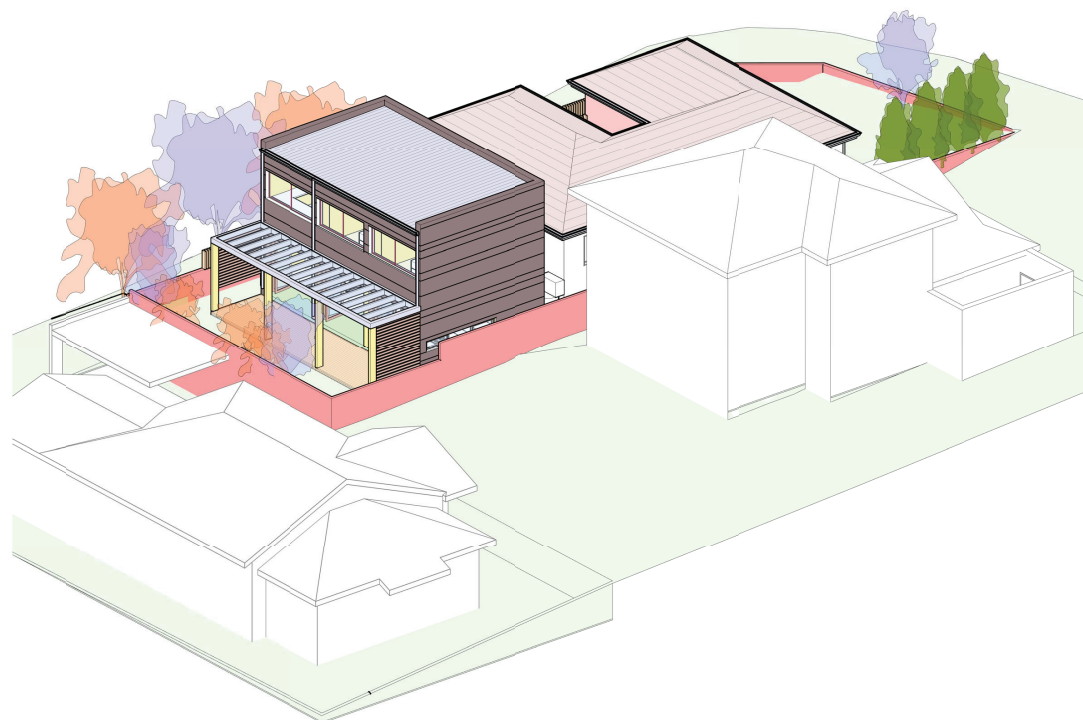
AERIAL VIEW FROM CHURCHILL STREET



AERIAL VIEW FROM CORNER OF CHURCHILL STREET AND HUTCHINSON STREET



AERIAL VIEW FROM HUTCHINSON STREET



EAST AERIAL VIEW

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NORTH

DP NUMBER(S)
DP 16844
LOT NUMBER
LOT 112
SITE AREA SQ.M.
379.4sq

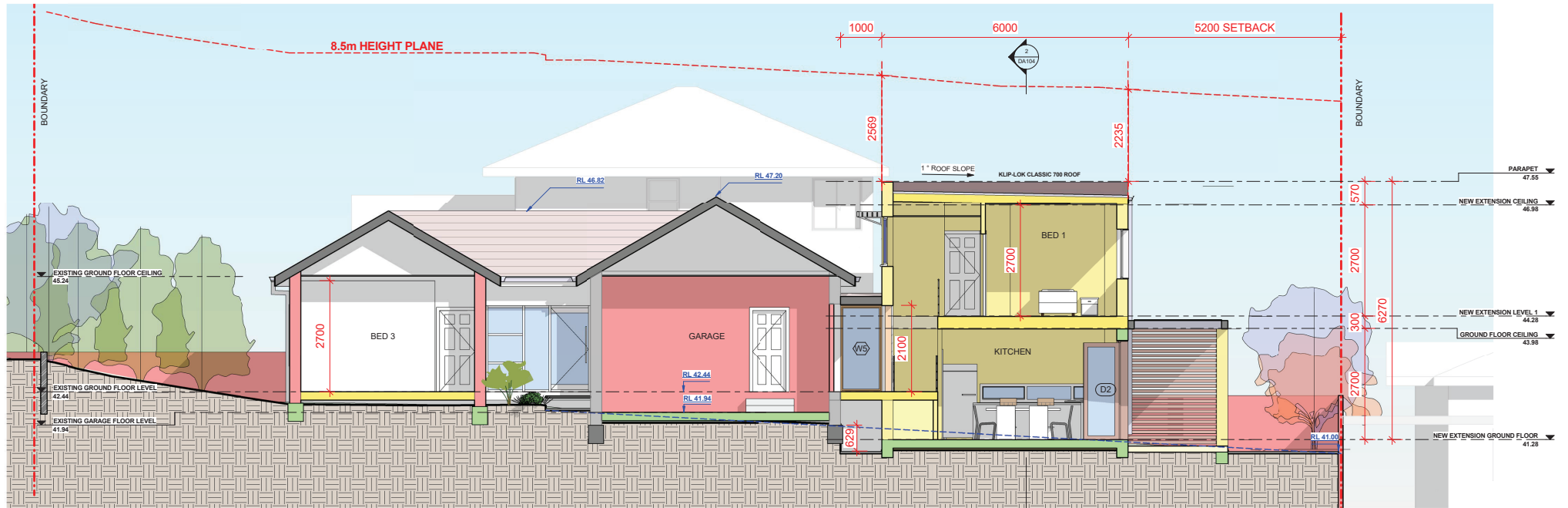
ARCHITECT
MKa
MICHAEL KTITORIDIS RAA
ARCHITECT REG. NO: 5483
www.mka.net.au



PROJECT:
ALTERATIONS AND ADDITIONS TO RESIDENCE
ADDRESS:
47 CHURCHILL STREET, BARDWELL PARK
DRAWING:
PERSPECTIVES

DATE OCT 17	PROJECT NUMBER	ISSUE E
DRAWN BY	SCALE	DA106

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1 SECTION B-B (larger scale)
1 : 50

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BABR

NORTH

DP NUMBER(S)
DP 16844
LOT NUMBER(S)
LOT 112
SITE AREA SQM.
379.4sqm

ARCHITECT
MKa
MICHAEL KITMORIDIS RIBA
ARCHITECT REG. NO. 5483
www.mka.net.au

MKa
17-02-2019 7058
PO BOX 7188 Alexandria 2015

PROJECT:
ALTERATIONS AND ADDITIONS TO RESIDENCE
ADDRESS:
47 CHURCHILL STREET, BARDWELL PARK
DRAWING:
SECTION B-B (LARGER SCALE)

DATE
OCT 17
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DEVELOPMENT APPLICATION
ALTERATIONS AND ADDITIONS TO RESIDENCE
47 CHURCHILL ST BARDWELL PARK

Sheet List	
Sheet Number	Sheet Name
DA100	COVER SHEET / SITE ANALYSIS / PERSPECTIVES
DA101	SITE / ROOF PLAN / DEMOLITION PLAN
DA102	GROUND FLOOR / FIRST FLOOR / BASIX
DA103	ELEVATIONS / STREETSCAPES / SECTION A-A / FINISHES
DA104	SECTION B-B / SECTION C-C / GFA CALCULATIONS / WINDOW AND DOOR SCHEDULE / SHADOWS
DA105	SECTION B-B (LARGER SCALE)
DA106	PERSPECTIVES
DA107	ENVELOPE COMPARISON



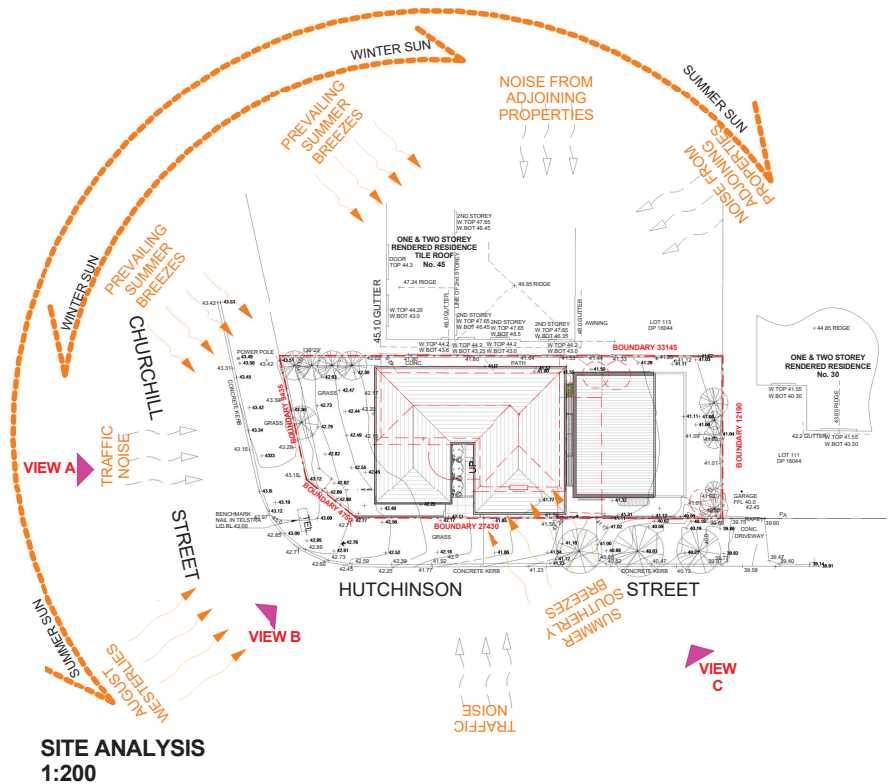
VIEW A - VIEW FROM CHURCHILL STREET



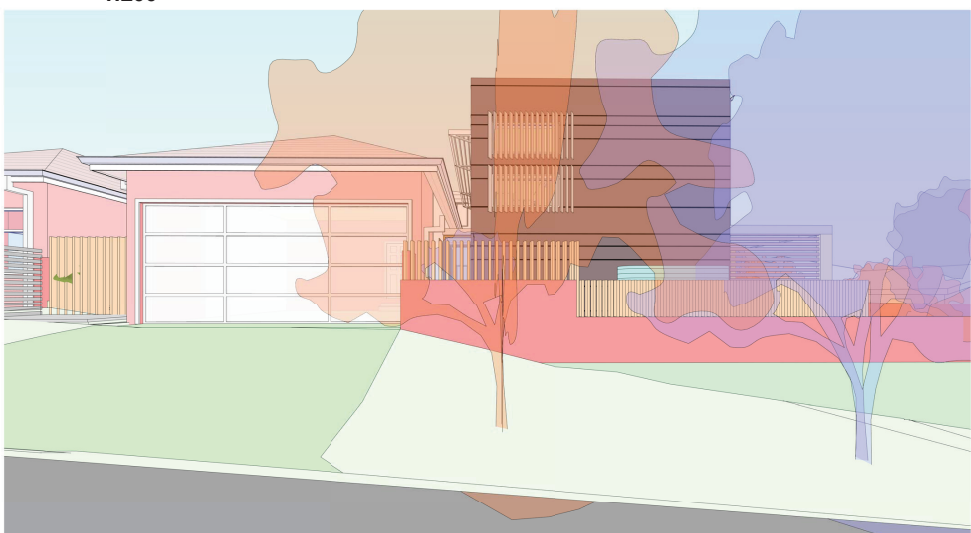
VIEW B - VIEW FROM CORNER OF CHURCHILL STREET AND HUTCHINSON STREET



VIEW C - VIEW FROM HUTCHINSON STREET



PERSPECTIVE FROM HUTCHINSON STREET



PERSPECTIVE FROM HUTCHINSON STREET

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		D	DOUBLE GARAGE SETBACK	OCT 17
		E	MAP REVISIONS	OCT 17



DP NUMBERS DP 16044	ARCHITECT MKa MICHAEL KTMIRIDIS RAA ARCHITECT REG. NO. 5483 www.mka.net.au	PROJECT: ALTERATIONS AND ADDITIONS TO RESIDENCE ADDRESS: 47 CHURCHILL STREET, BARDWELL PARK	DATE OCT 17	PROJECT NUMBER DA100	SHEET E
LOT NUMBERS LOT 112		DRAWING: COVER SHEET / SITE ANALYSIS / PERSPECTIVES	SCALE 1:200		
SITE AREA SQM. 378.4sqm					