

**NSLPP MEETING HELD ON 06/04/22****Attachments:**

1. Site Plan
2. Architectural Plans

**ADDRESS/WARD:** 64 Rangers Road, Cremorne**APPLICATION No:** DA 368/2021**PROPOSAL:** Construction of a studio and alterations to existing semi-detached dwelling.**PLANS REF:**

Plan No.	Rev No.	Description	Prepared by	Dated
Dwg No. 1	-	Site Analysis	Munro Davison	14.10.2021
Dwg No. 2	-	Floor Plan & Elevation	Munro Davison	14.10.2021
Dwg No. 3	-	Front Elevation	Munro Davison	14.10.2021
-	-	Compliance Diagrams	Munro Davison	18.11.2021
S1	-	Stormwater Diagram	Munro Davison	14.10.2021

**APPLICANT:** Council Approval Group**AUTHOR:** Report of Thomas Holman, Assessment Officer**DATE OF REPORT:** 28 February 2022**DATE LODGED:** 04 November 2021**RECOMMENDATION:** Approval

## EXECUTIVE SUMMARY

This development application seeks approval for alterations and additions to the semi detached dwelling including works to the front façade comprising the replacement of a brick balustrade for a timber picketed balustrade and the provision of a skylight on the front roof slope. The development application also seeks a detached studio within the rear garden.

**The development application is reported to the North Sydney Local Planning Panel for determination because the development application received more than 10 unique submissions by way of objection.**

Eleven (11) unique submissions raising particular concerns about the nature and use of the proposed studio, its proximity to boundaries, privacy, loss of palms, stormwater, insufficient landscaping, and the likely impact to the surrounding conservation area. The assessment has considered the concerns as well as the performance of the application against Council's planning requirements.

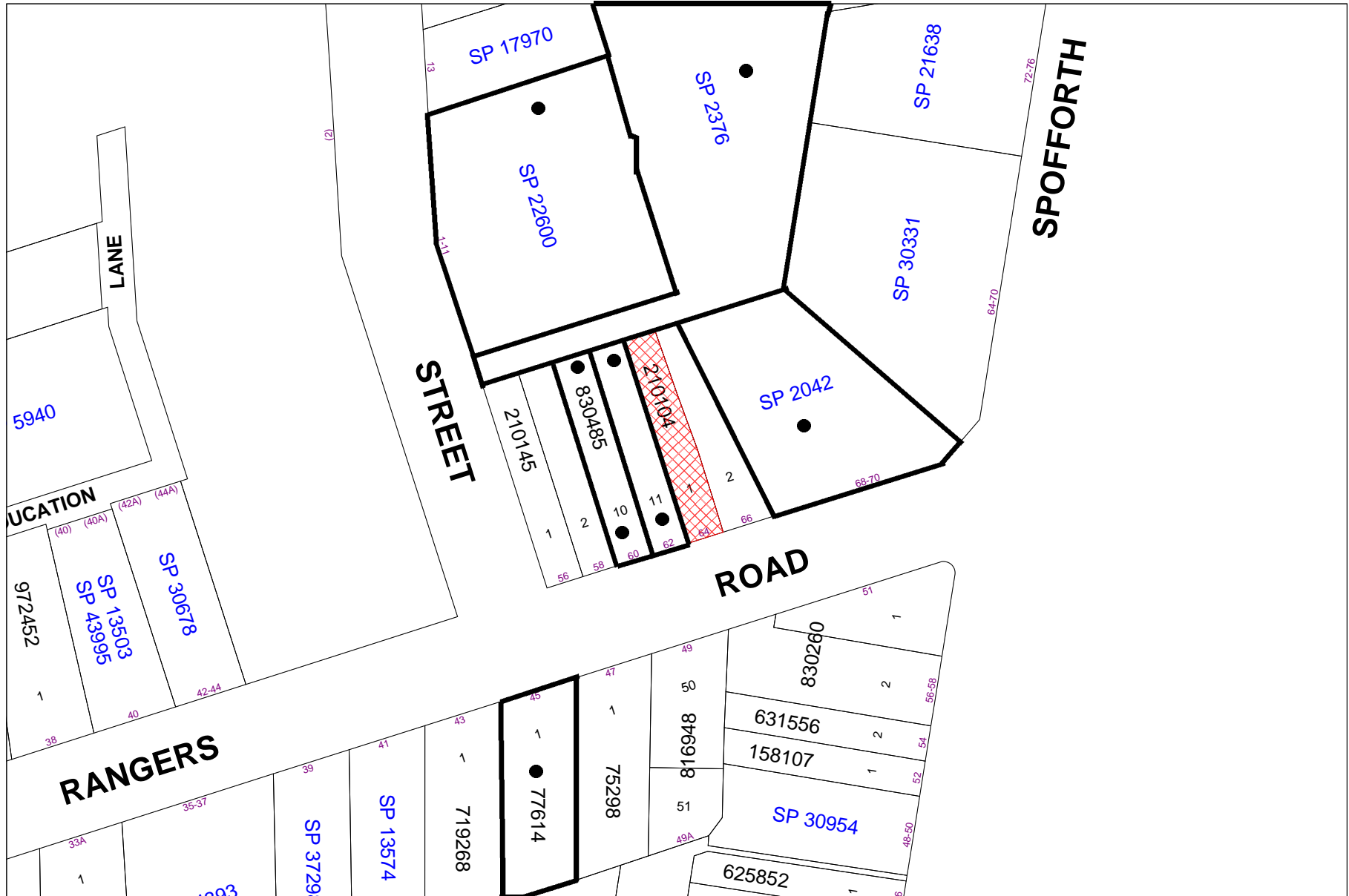
The detached studio is supported because it is ancillary to the primary use of the site subject to an appropriate condition of consent. The detached studio with a height under 3m and floor area of 25m<sup>2</sup> is much smaller in scale than the existing semi detached dwelling maintaining the low density character of the site. The detached studio is appropriately sited to the rear of the site with modest openings and the provision of privacy screens. A condition is also recommended requiring tree planting to ensure a high level of neighbouring amenity is maintained.

The site inclusive of the detached studio has an appropriate density complying with the maximum site coverage stipulated in s1.5.5 of the NSDCP 2013 and the site complies with landscaping and un-built upon areas as stipulated in s1.5.6 of the NSDCP 2013 subject to a condition of consent requiring additional landscaping to be provided.

The proposed works conserve the heritage significance of the Cremorne Conservation Area subject to deletion of the skylight from the front roof plane facing Rangers Road and the detached studio is appropriately located to the rear not visible from the surrounding conservation area.

Following this assessment, the development application is considered to be reasonable in the circumstances and is recommended for **approval** subject to conditions.

**LOCATION MAP**



□ Property/Applicant ● Submitters - Properties Notified

### DESCRIPTION OF PROPOSAL

The applicant is seeking development consent for alterations and additions to the subject site proposing the following works:

#### Detached Studio

- A detached studio is proposed within the rear garden measuring 2.92m in height, 6.05m - 6.18m in length with a width of 4.1m.
- The floor area of the proposed detached studio is 25m<sup>2</sup>, rectangular in shape with a flat roof.
- The detached studio will have a 200mm rear setback and a nil side setback to the eastern side boundary adjoining 66 Rangers Road. The detached studio has a setback to the western side boundary of 920-950mm.

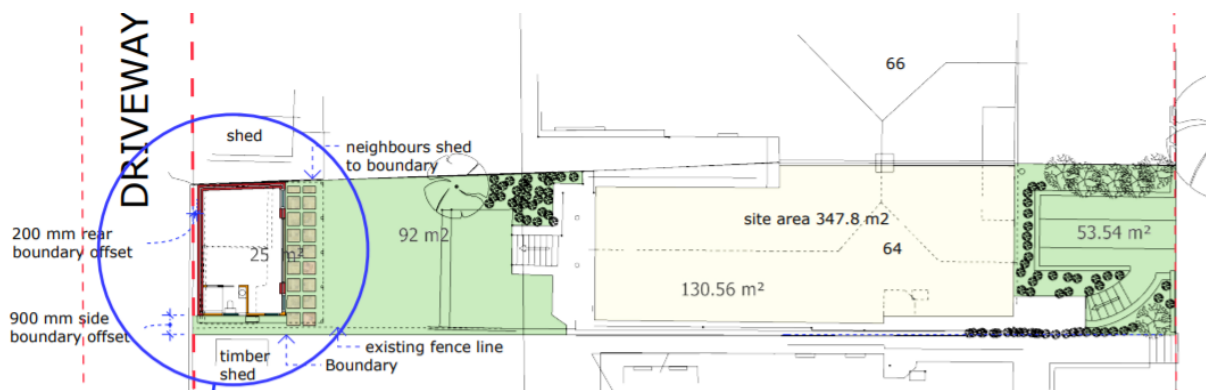


Figure 1 – Site Plan (Dwg 1 dated 14 October 2021)

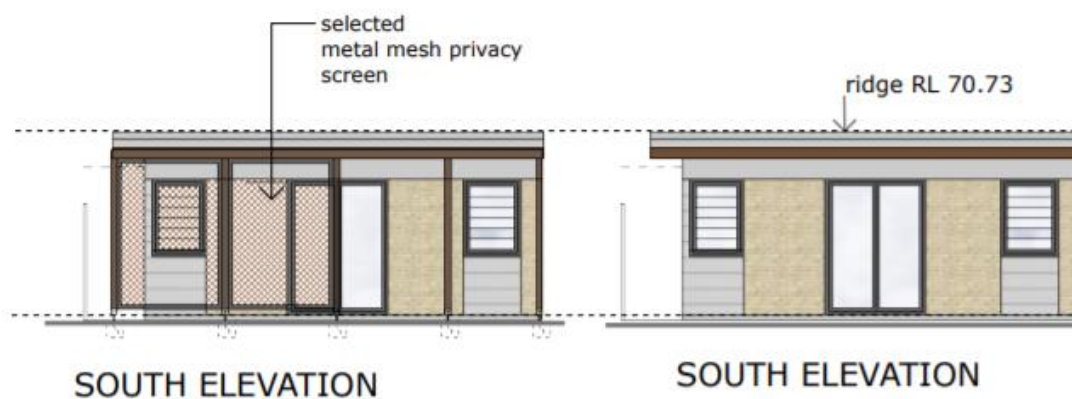


Figure 2 – South Elevation including with pergola (Dwg 2 dated 14 October 2021)

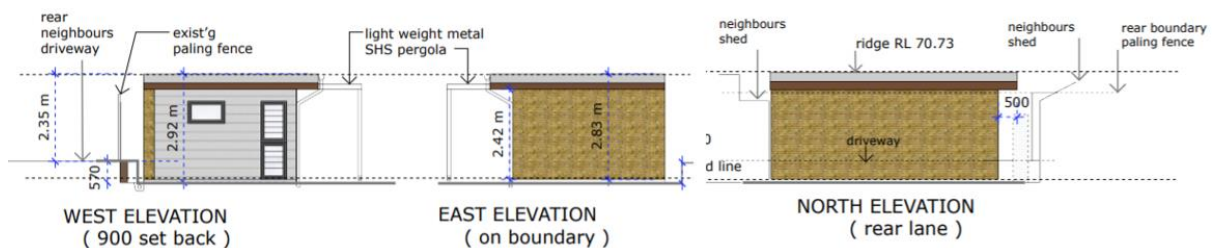


Figure 3 – West, East & North Elevation (Dwg 2 dated 14 October 2021)



## Landscaping

- Additional landscaping is proposed within the rear garden to replace existing paving and an existing metal shed.

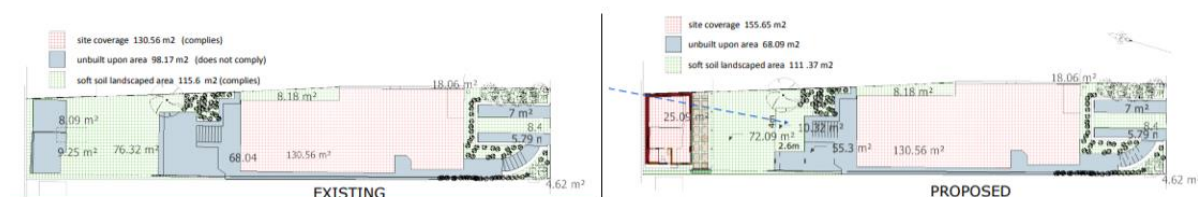


Figure 4 – Existing and Proposed Compliance Diagrams (18 October 2021)

## Alterations to Front Façade

- The replacement of an existing brick balustrade on the front southern elevation with a timber picket balustrade.
- A 600 x 900mm velux skylight is proposed for the front roof slope facing Rangers Road.

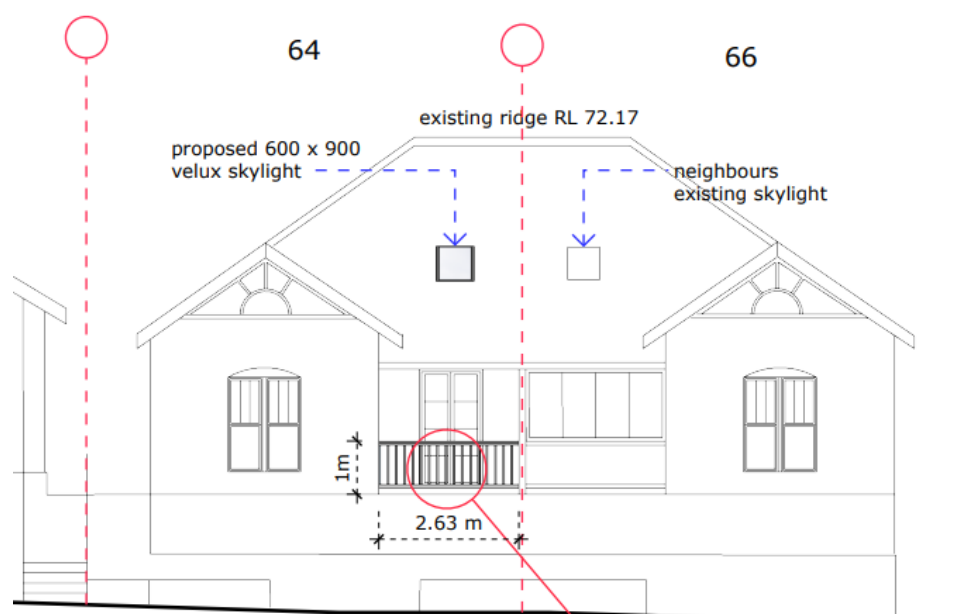


Figure 5 – Front Elevation - Dwg No 3 dated 14 October 2021

## STATUTORY CONTROLS

### North Sydney LEP 2013

- Zoning – R2 Low Density Residential Zone
- Item of Heritage - No
- In Vicinity of Item of Heritage - Yes (I0067 'SCEGGS Redlands' & I0068 'Former Cremorne Hall')
- Conservation Area - CA03 Cremorne Conservation Area
- Foreshore Building Line – No
- North Sydney Local Infrastructure Contributions Plan 2020
- Environmental Planning & Assessment Act 1979 (As amended)
- Environmental Planning & Assessment Regulation 2021
- SREP (Biodiversity and Conservation) 2021

- Chapter 2 – Vegetation in non-rural areas
- Chapter 10 – Sydney Harbour Catchment
- SEPP (Resilience and Hazards) 2021
- Chapter 4 – Remediation of Land
- SEPP (Building Sustainability Index: BASIX) 2004
- Local Development

## POLICY CONTROLS

NSDCP 2013

NS CONTRIBUTIONS PLAN 2020

## DESCRIPTION OF LOCALITY

The subject site is legally described as Lot 1 DP 210104 also known as 64 Rangers Road. The site is one half of a pair of single storey semi-detached Federation dwellings located on the northern side of Rangers Road between Allister Street and Spofforth Street. The site is rectangular in shape with a site area of 347.8m<sup>2</sup> comprising of a semi detached dwelling with a front and rear garden. The rear boundary abuts a driveway providing vehicular access to 13 Cranbrook Avenue.



Figure 6 – Photo of site from Rangers Road (left), photo of rear garden (centre) and photo from garden towards the semi-detached dwelling (right)

The site is a contributory item within the Cremorne Conservation Area, providing an intact Federation character to the streetscape. The wider surrounding area is residential with a variety of dwelling types and apartment buildings.



Figure 7 – Heritage Map (left), Height of Building Map (centre) and Land Zoning Map (right) – site hatched in red

It is understood that there is a boundary dispute between the subject site and 62 Rangers Road with a boundary fence not located on the boundary but within the land of the subject site as shown in the Site Plan and Survey Plan prepared by Frank M Mason & Co. Pty Ltd. For the purposes of determining setbacks to the western boundary the applicant is relying on the Survey Plan prepared by Frank M Mason & Co. Pty Ltd.

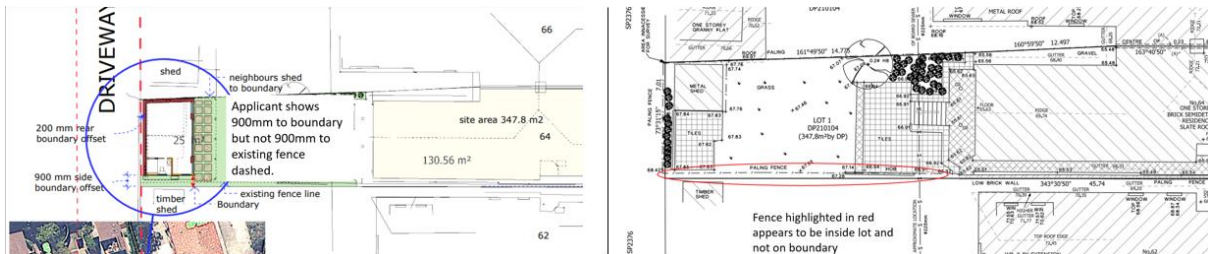


Figure 8 – Annotated Site Plan - Dwg No. 1 (left) and Annotated Survey Plan – Dwg No. 33484-04 (right)

**RELEVANT HISTORY**

**Previous applications**

Date	Action
21/10/02	Development Application No. 416/02 was granted consent by Council on 21 October 2002 for a single storey extension, internal alterations and a new parking space at the front of the site. No approval was granted for a proposed carport.
26/11/07	<p>Development Application No. 358/07 was granted consent by Council on 26 November 2007 for a new driveway and vehicular crossing. Other modifications were proposed to the front garden including provision of a retaining wall around the driveway and removal of a tree.</p>
07/07/08	A Modification Application No. 358/07/2 was granted consent by Council on 07 July 2008 for alterations to the dimensions of the driveway and front boundary wall.

### **Current Application**

<i>Date</i>	<i>Action</i>
04/11/2021	Development Application No. 368/21 was lodged on 04 November 2021.
03/12/2021	The subject application was notified to adjoining properties and the Harrison Precinct between 19/11/2021 – 03/12/2021.
10/02/2022	Site Visit.

### **INTERNAL REFERRALS**

#### **Building**

The proposed works the subject of this application have not been assessed in accordance with compliance with the National Construction Code of Australia. This would need to be undertaken prior to the issue of a Construction Certificate. Should significant changes be required to achieve compliance with NCC standards, a Section 4.55 application would be necessary.

#### **HERITAGE**

The application has been referred to Council's Heritage Officer who provided the following comments (*in italics*):

*The subject site is a contributory item to the Cremorne Conservation Area as are the adjoining group of semi detached dwellings adjoining Rangers Road. The semi detached dwelling is a single storey federation house which is a significant architectural element within the Cremorne Conservation Area.*

*The studio does not comply with the Cremorne Area Character Statement and should have a pitched roof plane.*

*Nevertheless, a Schedule of Finishes is required as per Part B Section 13.9.4 P13 of NSDCP 2013. The walls of the studio may be brick, sandstone, rendered masonry or weatherboard. The roofing may be corrugated metal roof sheeting or slate to match the existing dwelling.*

*The skylight on the front roof plane is not supported and does not comply with Part B Section 13.9.1 of NSDCP 2013. It is recommended that this skylight be deleted. The existence of the skylight next door does not set a precedent for this proposed skylight.*

*No objection is raised to the proposed new front balustrade.*

**Planning Comment:** The proposed studio is modest in bulk and scale and located within the rear garden therefore having no visual impact on the surrounding conservation area. The provision of a schedule of finishes and materials can be submitted to the certifying authority via a condition of consent. The condition of consent will require the materials and finishes to be sympathetic to the character of the conservation area (C12 Colours, Finishes and Materials (Conservation Areas)).

Council's Conservation Planner does not support the provision of a skylight on the front roof plane given that it is an uncharacteristic element of the Cremorne Conservation Area as stipulated in Part C, Section 6.3 of the NSDCP 2013 so a condition of consent is recommended deleting the skylight on the front elevation.

## ENGINEERING

The application has been referred to Council's Development Engineer who provided the following comments (*in italics*):

*Council's Development Engineer reviewed the development application raising no objections subject to standard conditions of consent. Conditions of consent are recommended including a dilapidation survey and report recording the condition of public infrastructure (C1 – Dilapidation Report Damage to Public Infrastructure) and a \$2,500 bond for potential damage to public infrastructure (C41 – Bond for Damage and Completion of Infrastructure Works – Stormwater, Kerb and Gutter, Footpaths, Vehicular Crossing and Road Pavement).*

## SUBMISSIONS

### Original proposal

On 19 November 2021, Council notified adjoining properties and the Harrison Precinct of the proposed development seeking comment between 19/11/2021 – 03/12/2021. Council received twelve (12) submissions of which eleven (11) submissions were considered to be unique submissions against the proposal.

The issues raised in the submissions are summarised below and addressed later in this report. The original submissions may be viewed by way of DA tracking on Council's website [https://www.northsydney.nsw.gov.au/Building\\_Development/Current\\_DAs](https://www.northsydney.nsw.gov.au/Building_Development/Current_DAs) and are available for review by NSLPP members.

### **Basis of Submissions**

- The mature palms of >4m height would require removal changing our outlook and privacy.
- The windows of the proposed studio will have a direct line of sight into our bedroom impacting our privacy.
- The metal mesh privacy screens are not compatible with the characteristic built elements of the heritage conservation area.
- The architectural plans submitted with the application do not clearly outline the proposed finishes, colours and materials.
- The plans seem to indicate a mixture of materials such as brick, weatherboard, fibre cement, metal mesh screens which is not in keeping with the neighbourhood or surrounding dwellings.
- The inclusion of a bathroom in the studio dwelling indicates its use for overnight accommodation causing a loss of privacy.
- The inclusion of a bathroom also provides the owners with the ability to sub-let the studio as accommodation for guests which creates a further security concern for all neighbours.
- A revised SEE and the inclusion of an HIS written by a suitably qualified person should be submitted and neighbours given an extended notification period to assess.
- The proposed skylight is intrusive on the heritage significance of No. 64 Rangers Road and row of semi-detached dwellings detracting from the character of the conservation area.
- Skylights on front elevations are uncharacteristic elements in the South Cremorne Area.
- The studio will create a direct line of sight into existing living areas and the bedrooms of neighbours.

- Currently all neighbouring structures at the rear boundary feature gable roofs, however the proposal has a skillion roof.
- Privacy screening to the front of the studio should cover the full length of the southern elevation or opaque glass should be installed to the south facing windows.
- The development is a self-contained dwelling in close proximity to neighbouring dwellings that is likely to cause a noise nuisance to adjoining properties.
- The site is zoned R2 Low Density Residential, and the proposed development is inconsistent with the character of the neighbourhood.
- Outbuildings at the rear of the property should consist of only sheds not granny flats, habitable studios.
- Erosion and sediment control with any shoring for excavation should not be undertaken along our shared boundary.
- Any stormwater works should be designed and signed off by a hydraulics engineer to prevent any negative impacts on our property.
- If approved, 50% of the site should be pervious as per s1.6.8 P13 so to mitigate against overland stormwater flows into our property.
- The proposed studio, bathroom and toilet will require extensive excavation therefore the bathroom is not suitable for a narrow block, in close proximity to the common boundaries and causing potential issues with stormwater and sewer connection.
- There appears to be errors in the site calculations for landscaping.
- Soft landscaping is identified in the driveway between the trye strips, however the area is tiled not inclusive of landscaping.
- No Landscape Plan is provided in accordance with the DA checklist.
- The DA plans seek to remove the palm trees on the northern boundary which provide essential privacy screening to several neighbours.
- No agreement has been given to the studio being built to the side boundary.
- The construction of a Granny Flat in close proximity to the rear boundary fence is detrimental to the appearance of the driveway serving 13 Cranbrook Avenue.
- Development in the Cremorne Conservation Area should be subject to a planning policy to maintain the front and rear facades of properties.

## **CONSIDERATION**

The relevant matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (as amended), are assessed under the following headings:

### **SEPP (Biodiversity and Conservation) 2021 – Chapter 10 – Sydney Harbour Catchment**

On 1 March 2022 the SEPP (Biodiversity and Conservation) 2021 came into effect, consolidating several planning policies including the former SREP (Sydney Harbour Catchment) 2005. The proposed works to the site are not considered to be detrimental to the Harbour and will not unduly impose upon the character of the foreshore given the minor scale of the works and substantial distance of the site from the foreshore. As such, the development is acceptable having regard to the provisions contained within SREP 2005 now contained in Chapter 10 of the SEPP (Biodiversity and Conservation) 2021.

### **SEPP (Resilience and Hazards) 2021 – Chapter 4 – Remediation of Land**

On 1 March 2022, the SEPP (Resilience and Hazards) 2021 came into effect, consolidating several planning policies to form chapters within the new SEPP without significant amendment. Chapter 4 of this SEPP comprises the former SEPP 55 – Remediation of Land and requires Council to consider the likelihood that the site has previously been contaminated and to address the methods necessary to remediate the site. The subject site has only previously been used for residential purposes and as such is unlikely to contain any contamination; therefore, the requirements of SEPP 55 and the Draft SEPP have been satisfactorily addressed.

### **SEPP (Biodiversity and Conservation) 2021 – Chapter 2 – Vegetation in non-rural areas**

On 1 March 2022, the SEPP (Biodiversity and Conservation) 2021 came into effect, consolidating several planning policies to form chapters within the new SEPP without significant amendment. Under Chapter 2 of this SEPP, which comprises the former SEPP (Vegetation in Non-Rural Areas) 2017, the proposed development meets the aims of the former SEPP by preserving the amenity of the area through sufficient landscaping provision and planting to replace the palms (*Dypsis lutescens*) removed along the rear boundary of the site.

### **SEPP (Building Sustainability Index: BASIX) 2004**

A valid BASIX Certificate (*No. 1249076S\_03 dated 28 October 2021*) for the detached studio at 64 Rangers Road has been submitted with the application to satisfy the Aims of the SEPP. **(See Condition No. C17, G5)**

### **NORTH SYDNEY LOCAL ENVIRONMENT PLAN (NSLEP 2013)**

#### **1. Permissibility**

The proposed works can be defined as alterations and additions to a semi-detached dwelling which is permissible in the zone with development consent.

The proposed detached studio is defined below as outlined in Cl. 1.2 'Interpretation' of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*:

***detached studio*** means a habitable building that is used for purposes ancillary to a dwelling house such as a home office, entertainment area, art studio or guest room and –

- (a) *is established in conjunction with a dwelling house, and*
- (b) *is on the same lot of land as the dwelling house, and*
- (c) *is separate from the dwelling house, and*
- (d) *is not used as a separate dwelling house, and*
- (e) *does not contain any cooking facilities.*

Consequently, the development being ancillary to the primary use of the site (semi-detached dwelling) is permissible with consent and the plans confirm the detached studio is in conjunction with the dwelling house, on the same lot of land, detached from the semi-detached dwelling and does not contain any cooking facilities. As a result, the proposed detached studio is an ancillary development not changing the use of the site.



## 2. Objectives of the zone

The objectives for a R2 Low Density Residential Zone are stated below:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage development of sites for low density housing, including dual occupancies, if such development does not compromise the amenity of the surrounding area or the natural or cultural heritage of the area.
- To ensure that a high level of residential amenity is achieved and maintained.

The proposal is consistent with the relevant objectives of the zone by providing an ancillary habitable space for the use of residents of the semi-detached dwelling. The modest scale of the detached studio retains the low density character of the site and surrounds ensuring a high level of residential amenity is maintained.

## Part 4 – Principal Development Standards

Principal Development Standards – North Sydney Local Environmental Plan 2013			
Site Area – 347.8m <sup>2</sup>	Proposed – Detached Studio	Control	Complies
Clause 4.3 – Heights of Building	2.92m	8.5m	YES

## 3. Height of Building

The following objectives for the permissible height limit of 8.5m pursuant to clause 4.3 in NSLP 2013 are stated below:

- to promote development that conforms to and reflects natural landforms, by stepping development on sloping land to follow the natural gradient,*
- to promote the retention and, if appropriate, sharing of existing views,*
- to maintain solar access to existing dwellings, public reserves and streets, and to promote solar access for future development,*
- to maintain privacy for residents of existing dwellings and to promote privacy for residents of new buildings,*
- to ensure compatibility between development, particularly at zone boundaries,*
- to encourage an appropriate scale and density of development that is in accordance with, and promotes the character of, an area.*

The proposed detached studio has a maximum height of 2.92m as shown in figure 3 of this report therefore the studio complies with the permissible height limit of 8.5m in accordance with clause 4.3 in NSLEP 2013.



#### **4. Heritage Conservation**

The subject site is located in the Cremorne Conservation Area under Schedule 5 in NSLEP 2013 so the following planning objectives apply to the site:

- (a) to conserve the environmental heritage of North Sydney,*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) to conserve archaeological sites,*
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.*

The proposed works are considered to be generally compliant with the objectives in Cl. 5.10 (Heritage Conservation) within NSLEP 2013 because the studio is suitably located at the rear of the site not visible from the surrounding conservation area. No concerns are raised with regards to the front timber picket balustrade, however the skylight is not supportable because it is likely to detract from the heritage significance of the heritage conservation area therefore it is recommended this addition is deleted from the approved works (see condition C# Delete Skylight).

#### **5. Earthworks**

The proposal involves minor earthworks to construct the detached studio with works restricted to the floor slab and provision of any associated stormwater provisions and underground services to and from the detached studio. Other minor earthworks involve the removal of tiles within the rear garden to be replaced with landscaping and all works to the semi detached dwelling are above ground level.

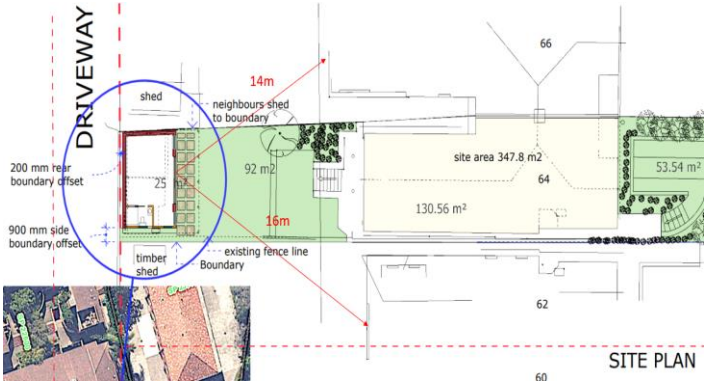

The earthworks proposed require minor excavation that are unlikely to disrupt or have any detrimental effect on drainage patterns, soil stability, disturb aboriginal objects or have an adverse impact on the amenity of adjoining properties.


Following assessment of the proposal against matters for consideration outlined in Clause 6.10 'Earthworks' in NSLEP 2013 it is evident the earthworks would not have a detrimental impact on the environmental functions, neighbouring uses or heritage of the site and surrounding land.

#### **NORTH SYDNEY DEVELOPMENT CONTROL PLAN 2013**


The proposal has been assessment under the following heading within NSDCP 2013:

<b>DEVELOPMENT CONTROL PLAN 2013 – Part B Section 1- Residential Development</b>		
	<i>complies</i>	<i>Comments</i>
<b>1.3 Environmental Criteria</b>		
<b>1.3.1 Topography</b>	Yes	<p>The proposed detached studio largely replaces an existing shed and paved area not requiring the removal of rock outcrops, the ground level of the rear garden is to remain and although the detached studio is within 500mm of property boundaries the extent of earthworks is minor comprising excavation for laying of a floor slab and any necessary infrastructure such as stormwater/sewer pipes to/from the studio. The below Section confirms the minor excavation below the existing ground level.</p> <div style="text-align: center;"> <p><b>SECTION A</b></p> </div> <p style="text-align: center;"><b>Figure 10 – Section A (Dwg No 2 dated 14 Oct 2021)</b></p> <p>The scale of development and necessary earthworks are minor and unlikely to result in an adverse impact upon the land stability of the site and not require the removal of rock/sandstone outcrops and the structural integrity of adjoining properties is not likely to be adversely affected due to the minor earthworks to construct the studio and side setbacks to adjoining boundaries. The development therefore generally complies with provisions in within s1.3.1 of the NSDCP 2013.</p>
<b>1.3.2 Bushland</b>	N/A	The site pursuant to Appendix 4 (Bushland Buffer Map) of NSDCP 2013 is not on bushland buffer land therefore Section 15 – Bushland of the NSDCP does not require consideration.
<b>1.3.3 Bush Fire Prone Land</b>	N/A	The site is not located on bushfire prone land.
<b>1.3.4 Foreshore Frontage</b>	N/A	The site is located on land adjacent to the foreshore area.
<b>1.3.6 Views</b>	Yes	<p>The alterations and additions to the semi detached dwelling include alterations to the front façade such as provision of a skylight and replacement of a brick balustrade for a timber picketed balustrade maintaining existing views from adjoining properties and public places.</p> <p>The detached studio does not detract from existing views from surrounding properties because the detached studio is modest in size and height and appropriately located to the rear of the site. Furthermore, due to the orientation of adjoining properties, views are either towards the streetscape or to the rear principal private open spaces therefore the detached studio will have no impact on views from surrounding properties.</p>
<b>1.3.7 Solar Access</b>	Yes	No solar access diagrams are provided. However, in this instance no solar access diagrams are considered necessary due to the single storey form of the building comprising a height no more than 2.92m which is 1.12m above the height of corresponding boundary fencing. Furthermore, the studio is located to the northern rear corner of the site therefore shadows from the detached studio will fall south predominantly affecting the rear garden of the subject site.
<b>1.3.8 Acoustic Privacy</b>	Yes	<p>The detached studio is appropriately sited to the rear boundary of the site not near habitable rooms of adjoining properties. The studio provides an acceptable number of windows/doors to provide amenity for occupants of the studio whilst minimising noise transmission from the use of the studio to rooms of adjoining properties.</p> <p>The detached studio is appropriately designed and sited to ensure neighbouring residents maintain a reasonable level of privacy.</p>
<b>1.3.9 Vibration</b>	Yes	Consideration of Cl. 87 and 102 of SEPP (Infrastructure) 2007 is not required because the site is located more than 60m from a railway corridor nor adjacent to a road corridor capable of a daily traffic volume of more than 40,000 vehicles.



<p><b>1.3.10 Visual Privacy</b></p>	<p>Yes</p>	<p>The detached studio is located to the rear of the site adjacent to the rear boundary. By positioning the studio in close proximity to the rear boundary of the site close views from the proposed studio to adjoining properties living areas are prevented. Furthermore, the single storey nature of the studio and proposed privacy screens attached to the studio entry pergola further assist in minimising overlooking to adjoining properties.</p>  <p><b>Figure 11 – Annotated Site Plan showing distances from the detached studio to the rear elevation of adjoining properties</b></p>
		<p>Below are photographs taken from the site visit detailing existing views from the rear garden to corresponding neighbouring properties confirming existing 1.8m side boundary fences that reduces views to habitable rooms of adjoining properties and prevents views to the private open space of neighbours.</p>  <p><b>Figure 12 – Photo taken from the rear of the site towards the western boundary and adjoining neighbour 66 Rangers Road (North Sydney Council, 10 February 2022)</b></p>

		 <p><b>Figure 13 – Photo taken from the rear of the site towards the eastern boundary and adjoining neighbour 62 Rangers Road (North Sydney Council, 10 February 2022)</b></p> <p>Due to the appropriate siting of the detached studio to the rear boundary, the modest openings, and the provision of privacy measures to the detached studio would meet the objective of s1.3.10 'Visual Privacy' by ensuring a reasonable level of visual privacy for adjoining properties.</p>
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**1.4 Quality built form**

<p><b>1.4.1 Context</b></p>	<p>Yes</p>	<p>The detached studio is appropriately sited and designed taking into consideration the existing characteristics of the site and its surrounds most notably the siting of ancillary buildings to the rear boundary. The below photos highlight the location of the detached studio is contextually appropriate with neighbouring outbuildings abutting the rear driveway of 13 Cranbrook Avenue.</p>  <p><b>Figure 14 – Photo taken from driveway of 13 Cranbrook Avenue towards subject site and 66 Rangers Road (North Sydney Council, 10 February 2022)</b></p>
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		 <p><b>Figure 15 – Photo taken from driveway of 13 Cranbrook Avenue towards subject site and 56 Rangers Road (North Sydney Council, 10 February 2022)</b></p>																
<p><b>1.4.2 Subdivision Pattern</b></p>	<p>Yes</p>	<p>The proposed development maintains the lot size, shape and orientation of the site.</p>																
<p><b>1.4.3 Streetscape</b></p>	<p>Yes</p>	<p>The proposed works are within the site not affecting the existing streetscape including adjoining footpaths, kerb and guttering or existing street trees. However, construction activity has the potential to damage public infrastructure therefore standard conditions of consent are recommended to record the condition of public infrastructure and a bond is required for payment to Council to ensure security for damages to public land during construction (see condition C1 Dilapidation Report Damage to Public Infrastructure &amp; C10 Bond for Damage and Completion of Infrastructure Works).</p> <p>A <i>Photinia</i> is located on the grass verge opposite 64/66 Rangers Road. To ensure its retention and protection during construction a tree bond condition is recommended (C11 – Tree Bond for Public Trees).</p>																
<p><b>1.4.5 Siting</b></p>	<p>Yes</p>	<p>The semi detached dwelling will remain as a single dwelling form addressing Rangers Road. The siting of the semi detached dwelling will remain located centrally on the site with a front/rear garden as per the siting described in the relevant area character statement (Cremorne Conservation Area).</p>																
<p><b>1.4.6 Setback – Front</b></p>	<p>Yes</p>	<p>The existing front setback of the semi-detached dwelling will remain aligning with the primary facades of adjoining properties on Rangers Road.</p>  <p><b>Figure 16 – Aerial image of site and surrounds confirming existing front alignment of 56-66 Rangers Road (North Sydney Council, 2018)</b></p>																
<p><b>1.4.6 Setback – Side</b></p>	<p>Merit</p>	<table border="1" data-bbox="786 1827 1377 2067"> <thead> <tr> <th>Control</th> <th>Proposed Studio</th> <th>Detached</th> <th>Compliance</th> </tr> </thead> <tbody> <tr> <td colspan="4"><b>Zone R2 (Low Density Residential)</b></td> </tr> <tr> <td>R2 -1<sup>st</sup> storey (Up to 4m) 900mm</td> <td>920-950mm (w)</td> <td></td> <td>Yes</td> </tr> <tr> <td></td> <td>Nil (e)</td> <td></td> <td>No (Merit assessment below)</td> </tr> </tbody> </table> <p>The proposed detached studio would have a nil setback to the eastern side boundary.</p>	Control	Proposed Studio	Detached	Compliance	<b>Zone R2 (Low Density Residential)</b>				R2 -1 <sup>st</sup> storey (Up to 4m) 900mm	920-950mm (w)		Yes		Nil (e)		No (Merit assessment below)
Control	Proposed Studio	Detached	Compliance															
<b>Zone R2 (Low Density Residential)</b>																		
R2 -1 <sup>st</sup> storey (Up to 4m) 900mm	920-950mm (w)		Yes															
	Nil (e)		No (Merit assessment below)															

		<p>For buildings with a nil side setback questions in the Land &amp; Environment Court Planning Principle “Building to the side boundary in residential areas” established in Galea v Marrickville Council [2003] NSWLEC must be considered.</p> <p>(a) Is the street characterized by terrace housing?</p> <p>Rangers Road is not characterized by terrace housing with the predominant housing comprising of detached dwellings or an educational establishment (SCEGGS Redlands). However, semi detached dwellings comprising nil setbacks are part of Rangers Road and permissible in the R2 Low Density Residential Zone. The row of properties 56-66 Rangers Road which includes the subject site are a group of semi-detached dwellings comprising of a nil setback therefore building to the boundary is not uncharacteristic to Rangers Road.</p> <p>(b) What is the height and length of the wall on the boundary?</p> <p>The detached studio wall which abuts the boundary of 66 Rangers Road has a height of 2.83m and length of 4.1m. The height and length of the detached studio is not considered excessive similar to other outbuildings within the rear gardens of Rangers Road. The height and length of the wall adjoining the boundary with 66 Rangers Road is modest having no adverse impact in terms of overshadowing and visual privacy.</p> <p>(c) Has the applicant control over the adjoining site(s) or the agreement of their owners?</p> <p>The applicant does not have control over the adjoining site or the agreement of the neighbouring owners at 66 Rangers Road to construct the detached studio which would adjoin the boundary with 66 Rangers Road. However, the walls of the detached studio are to be contained within the boundary of the subject site and minimal maintenance of the wall is likely during the lifetime of the detached studio given that it would be constructed with bricks.</p> <p>(d) What are the impacts on the amenity and/or development potential of adjoining sites?</p> <p>The impact to the amenity of the eastern neighbour (66 Rangers Road) is reasonable with minimal impact from shadows cast over the neighbour and there would be no loss of visual privacy due to the detached studio eastern elevation comprising no windows directing views to the private open space of the adjoining property.</p> <p>(e) Are there arrangements in place for the maintenance of the wall or gutters?</p> <p>The detached studio is single storey and modest in size therefore repairs and maintenance to the building including walls/gutters can be completed within the subject site. Furthermore, the eastern elevation which abuts the boundary of 66 Rangers Road is constructed of face brick which is unlikely to require maintenance during the lifetime of the studio.</p> <p>In this instance considering the applicable questions for nil side setbacks in Galea v Marrickville Council [2003] NSWLEC the detached studio immediately abutting the eastern boundary of the site is acceptable due to the limited bulk and scale of the ancillary building not causing an adverse impact on the eastern neighbour 66 Rangers Road and the structure due to its moderate scale and simple solidity of the eastern elevation brick wall will ensure access and maintenance can be achieved without separation from the eastern side boundary.</p>
<p><b>P5 Rear Setback – Rear</b></p>	<p>Yes</p>	<p>The rear setback of the semi detached dwelling will remain with no additions to the rear of the property. The studio is detached from the semi detached dwelling not altering the rear setback alignment of the property with adjoining dwellings and is considered to be sited appropriately to the rear of the site which is characteristic of other neighbouring ancillary buildings.</p> <p>The detached studio is located off the rear boundary by approximately 200mm and this is acceptable noting adjoining outbuildings on Rangers Road are sited close to rear boundaries evident referring to Figures 14 and 15.</p>

<b>1.4.7 Form Massing Scale</b>	Yes	<p>The detached studio complies with the height limit stipulated in cl. 4.3 of NSLEP 2013, the building would not be evident from the public domain and the detached studio with a height under 3m and floor area of 25m<sup>2</sup> is much smaller in scale than the existing semi detached dwelling complying with the requirements of Provision P6, s1.4.7 of the NSDCP 2013.</p> <p>The detached studio generally complies with the relevant provisions in s1.4.7 of the NSDCP 2013.</p>
<b>1.4.8 Built Form Character</b>	Yes	<p>Provision P1, s1.4.8 of the NSDCP 2013 requires alterations and additions to the front of a building but only where those alterations and additions contribute to the character of the group of buildings.</p> <p>The proposed skylight to the front roof of the semi detached dwelling is not supported because it is contrary to Provision P1, s1.4.8 being highly visible from the street and not sympathetic to the character of the group of semi detached dwellings which encompass limited roof additions to the front roof planes.</p>
<b>1.4.9 Dwelling Entry</b>	Yes	The semi detached dwelling retains a sense of address with the existing entry and windows on the front façade orientated to the street.
<b>1.4.10 Roofs</b>	Yes	<p>The detached studio has a flat roof which is a supportable roof form complying with directions in Provision P5, s1.4.10 of the NSDCP 2013.</p> <p>The flat roof for the ancillary building is supportable because the building is located to the rear of the site not visible from the street and more flexibility in type of roof forms is therefore permissible.</p>
<b>1.4.12 Colours and Materials</b>	Yes	The modest scale of works proposed comprising an ancillary outbuilding (detached studio) located within the rear garden would have a minimal impact on the character of the conservation area and although a detailed schedule of finishes and materials is not included within the application the appropriate colours and materials can be addressed via condition of consent. It is recommended a standard condition of consent to ensure finishes, materials and colours are sympathetic to the character of the conservation area (C5 Colours, Finishes and Materials – Conservation Areas).
<b>1.4.14 Front Fences</b>	Yes	The existing low sandstone wall adjoining the Rangers Road footpath will remain which is a characteristic height and material for walls in the Cremorne Conservation Area.
<b>1.5 Quality Urban Environment</b>		
<b>1.5.3 Safety and Security</b>	Yes	The front of the property would retain views of the street from the dwelling with works primarily to the rear of the subject site. The safety and security of the premises will be unaffected by the proposed works.
<b>1.5.4 Vehicle Access and Parking</b>	Yes	No works are proposed to the existing car parking provision within the front setback approved under DA 358/07 and subsequently modified under DA 358/07/2. The pedestrian access to the site would remain off Rangers Road with a side external access providing occupants of the subject site with access to the rear private open space and proposed detached studio.
<b>1.5.5 Site Coverage</b>	Yes	<p>The site has a maximum site coverage of 50% as stipulated in Table B-1.6 of Provision P1, s1.5.5 of the NSDCP 2013.</p> <p>The proposed site area is 155.65m<sup>2</sup> (44.7%) which complies with the maximum site coverage in Table B-1.6.</p>
<p><b>Note:</b> a minor inaccuracy was identified in the existing site coverage with the existing ancillary shed in the rear garden shown as unbuilt upon area not site coverage. However, this inconsistency does not affect the determination on the suitability of the proposed development.</p>		

<b>1.5.6 Landscape Area</b>	Yes	<p>The proposed landscaped area and un-built upon areas do not comply with the minimum 30% landscaping requirement and maximum 20% un-built upon area as stipulated in Table B-1.7 of the NSDCP 2013.</p> <p>As per the below annotated plans there are inaccuracies in the compliance diagram with retaining walls in the front garden (12.69m<sup>2</sup>) not calculated as un-built upon area and an area between the tyre strips (8.4m<sup>2</sup>) in the front driveway incorrectly considered as landscaped area. A condition of consent is recommended (C#### Landscape Plan) requiring additional landscaping to ensure compliance is achieved for both landscaped area and un-built upon area as annotated below.</p> <p>Compliance with both landscaped area and un-built upon areas is required to ensure the site provides a landscaped buffer between adjoining properties, generally promotes landscaping including tree planting and maximises the retention of and absorption of stormwater on the site therefore complying with the applicable objectives contained in s1.5.6 of the NSDCP 2013.</p>	<table border="1"> <thead> <tr> <th>Control</th> <th>Existing</th> <th>Proposed</th> <th>Compliance</th> </tr> </thead> <tbody> <tr> <td>Site coverage Max 50%</td> <td>130.56m<sup>2</sup> (38%)</td> <td>155.65m<sup>2</sup> (45%)</td> <td>Yes</td> </tr> <tr> <td>Landscaped area Min 30%</td> <td>115.6m<sup>2</sup> (33%)</td> <td>102.97m<sup>2</sup> (29%)</td> <td>No</td> </tr> <tr> <td>Unbuilt-upon area Max 20%</td> <td>101.64m<sup>2</sup> (29%)</td> <td>89.18m<sup>2</sup> (26%)</td> <td>No</td> </tr> </tbody> </table>	Control	Existing	Proposed	Compliance	Site coverage Max 50%	130.56m <sup>2</sup> (38%)	155.65m <sup>2</sup> (45%)	Yes	Landscaped area Min 30%	115.6m <sup>2</sup> (33%)	102.97m <sup>2</sup> (29%)	No	Unbuilt-upon area Max 20%	101.64m <sup>2</sup> (29%)	89.18m <sup>2</sup> (26%)	No
			Control	Existing	Proposed	Compliance													
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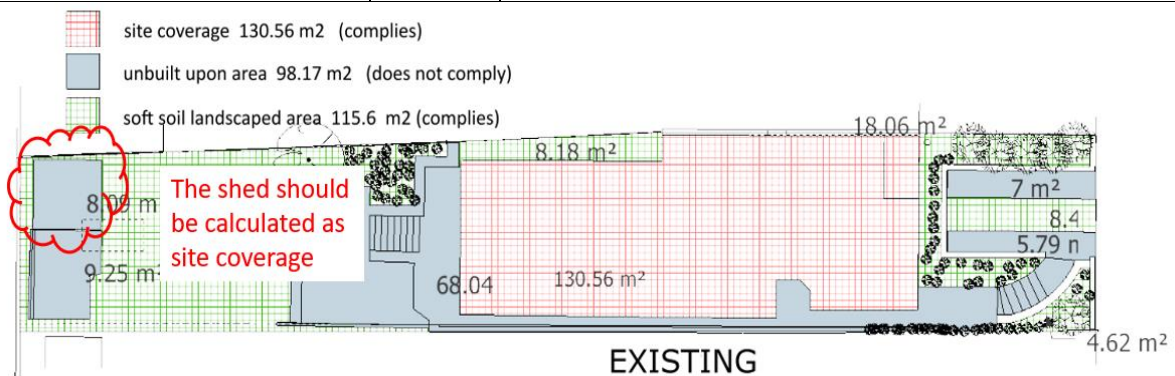


Figure 18 – Existing Compliance Diagram dated 18 November 2021

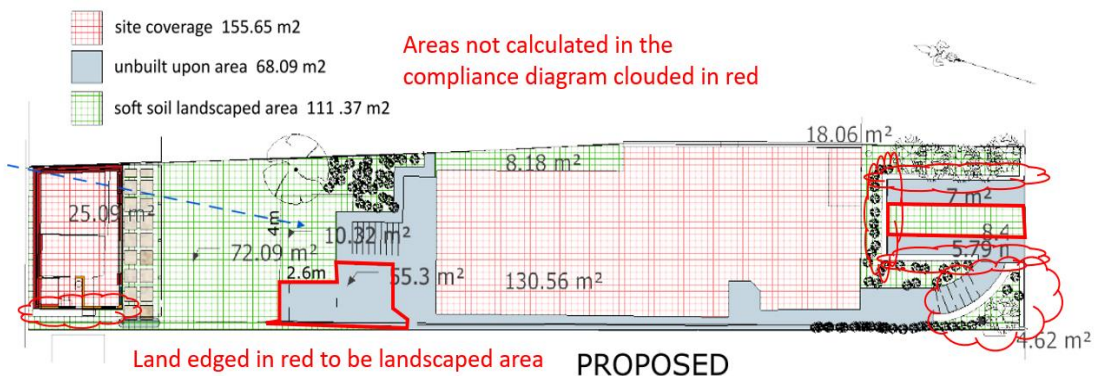



Figure 19 – Proposed Compliance Diagram dated 18 November 2021



<p><b>1.5.7 Landscaping</b></p>	<p>Yes</p>	<p>Existing vegetation and landscaping are predominantly retained with the studio replacing an existing shed and associated paving. Furthermore, additional landscaping is recommended subject to condition of consent (C18 Landscape Plan) to ensure compliance with the 30% landscaped area as stipulated in Table B-1.7. It is noted that some existing small palms under 5m (<i>Dyopsis lutescens</i>) are sought for removal to accommodate the detached studio. They are identified below.</p>  <p><b>Figure 20 – Photo from rear garden towards the <i>Dyopsis lutescens</i></b></p> <p>Council’s Landscape Development Officer has reviewed the palms raising no concerns for their removal subject to the provision of a suitable canopy tree within the rear garden to compensate for the loss of the palms (C14 Tree Planting).</p>									
<p><b>1.5.8 Front Gardens</b></p>	<p>Yes</p>	<p>No works are proposed to the front garden with the site features including hedging and shrubs being retained softening the built form of the dwelling as viewed from Rangers Road.</p>									
<p><b>1.5.9 Private and Communal Open Space</b></p>	<p>Yes</p>	<table border="1" data-bbox="794 1146 1369 1227"> <thead> <tr> <th>Control – lot size</th> <th>Proposed</th> <th>Compliance</th> </tr> </thead> <tbody> <tr> <td><b>Dwellings</b></td> <td></td> <td></td> </tr> <tr> <td>Up to 499m<sup>2</sup> – 40m<sup>2</sup></td> <td>60m<sup>2</sup></td> <td>Yes</td> </tr> </tbody> </table> <p>The proposed detached studio would retain approximately 60m<sup>2</sup> of private open space with dimensions greater than 4m located at the rear of the site and accessible from the semi detached dwelling primary living area.</p> <p>The site would retain sufficient private open space ensuring a reasonable level of outdoor amenity for occupants in accordance with provisions and objectives of s1.5.9 of the NSDCP 2013.</p>	Control – lot size	Proposed	Compliance	<b>Dwellings</b>			Up to 499m <sup>2</sup> – 40m <sup>2</sup>	60m <sup>2</sup>	Yes
Control – lot size	Proposed	Compliance									
<b>Dwellings</b>											
Up to 499m <sup>2</sup> – 40m <sup>2</sup>	60m <sup>2</sup>	Yes									
<p><b>1.5.13 Garbage Storage</b></p>	<p>Yes</p>	<p>The site affords sufficient storage space for the bins required in Table B-1.10 of the NSDCP 2013.</p>									
<p><b>1.6 Efficient Use of Resources</b></p>											
<p><b>1.6.1 Energy Efficiency</b></p>	<p>Yes</p>	<p>A BASIX Certificate (1249076S_03) dated 28 October 2021 is submitted accompanying the development application.</p>									

**South Cremorne Planning Area (Cremorne Conservation Area) – Part C of NSDCP 2013**

The application has been assessed against the relevant controls in the Character Statements in Part C in NSDCP 2013 below:

**4.5.6 Characteristic buildings**

*P1 Single and two storey detached late Victorian, Federation and Edwardian dwelling houses. Inter war residential flat buildings.*

The dwelling would remain as a single storey federation style semi detached dwelling with the predominant works contained within the rear of the site not evident from the surrounding conservation area.

### **Form, massing and scale**

- P2 Two storey terraces. Single and two storey detached dwellings. Reduced scale to the rear. Low, multi-storey residential flat buildings.

The subject site supports a semi detached dwelling being part of a group of semi detached dwellings with many contributing characteristics to the character of the conservation area including the single storey form of the semi detached dwelling. The detached studio is single storey and is therefore subordinate in bulk and scale to the main semi-detached dwelling.

### **Roofs**

- P3 Pitched, hipped and gables roofs pitched between 30 and 45 degrees with skillion roofs to rear. Brick and rendered chimneys. Parapets to flat roof residential flat buildings.

The proposal does not seek to alter the existing hipped roof profile of the semi detached dwelling. The detached studio will comprise of a flat roof which is considered acceptable noting that skillion roofs are an acceptable roof form to the rear of sites that are not highly visible from the public domain.

### **Materials**

- P4 Walls: Face and rendered brick on sandstone foundations; dark brick to Inter-war residential flat buildings.
- P5 Roofs: Slate; terracotta tile and corrugated metal to the rear; flat roofs to residential flat buildings.
- P6 Timber verandahs and Federation and Arts and Crafts detailing.

The plans indicate the use of face brick for the south, east and north elevations which is a characteristic material for the Cremorne Conservation Area.

To ensure the finishes, materials and exterior colours are complementary to the character of the conservation area a condition of consent is recommended (C13 – Colours, Finishes and Materials – Conservation Areas).

### **6.3.7 Uncharacteristic elements**

- P1 Over-scaled additions; dormers and skylights to front roof slopes; roof terraces; carports and garages to the street; paved hardstand areas within front setbacks high solid fences to the street; rendering and painting of face brick; loss of original detail; modern infill development and residential flat buildings.

Part of the proposed works include the provision of a skylight to the front roof slope facing Rangers Road. The skylight is not supported by Council's Heritage Officer being an uncharacteristic element within the conservation area. It is therefore recommended as part of a condition of consent that this element is not approved and should be deleted from the consented works (C6 Delete Skylight).

## LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN

The subject application has been assessed against the North Sydney Local Infrastructure Contribution Plan 2020 and is not subject to payment of contributions towards the provision of local infrastructure. The reason being that the development cost is less than \$100,000 therefore exempted from contributions pursuant to s1.3.2 of the contribution plan. Furthermore, the detached studio is not defined as a secondary dwelling, secondary dwellings are required to accrue contributions because they have a net increase in dwellings on land as stipulated in s1.3.2 of the contributions plan. Confirmation of no contributions payable are accordance with Council's Contributions Plan is as follows:

### Contribution amounts payable

Applicable contribution type		
<b>s7.12 contribution details</b>	Development cost:	\$62,500.00
<i>(payment amount subject to indexing at time of payment)</i>	Contribution:	Nil

## ALL LIKELY IMPACTS OF THE DEVELOPMENT

All likely impacts of the proposed development have been considered within the context of this report.

ENVIRONMENTAL APPRAISAL	CONSIDERED
1. Statutory Controls	Yes
2. Policy Controls	Yes
3. Design in relation to existing building and natural environment	Yes
4. Landscaping/Open Space Provision	Yes
5. Traffic generation and Carparking provision	Yes
6. Loading and Servicing facilities	N/A
7. Physical relationship to and impact upon adjoining development (Views, privacy, overshadowing, etc.)	Yes
8. Site Management Issues	N/A
9. All relevant S4.15 considerations of Environmental Planning and Assessment (Amendment) Act 1979	Yes

## **SUBMITTERS CONCERNS**

The application was notified to adjoining properties and the Harrison Precinct. Council received elevation (11) unique submissions. Summarised content of the matters raised in the submissions are below in bullet points:-

- ***The mature palms of >4m height would require removal changing our outlook and privacy.***

The palms (*Dyopsis lutescens*) are to be removed to accommodate the detached studio, however a condition of consent is recommended to ensure sufficient tree canopy is provided within the rear garden of the site improving the vegetated outlook for adjoining properties. The detached studio comprises privacy measures such as metal mesh screens and combined with the existing 1.8m high side boundary fencing the single storey detached studio is considered to retain reasonable privacy for adjoining properties.

- ***The windows of the proposed studio will have a direct line of sight into our bedroom impacting our privacy.***

The windows and glazed entry door to the studio are considered modest in size and coupled with proposed metal mesh privacy screens and tree planting plus existing side boundary fencing is considered sufficient to retain reasonable privacy to adjoining properties.

- ***The metal mesh privacy screens are not compatible with the characteristic built elements of the heritage conservation area.***

The metal mesh privacy screens albeit not characteristic are not extensive and not visible from the streetscape including the surrounding conservation area therefore their use in mitigating against loss of neighbouring amenity and amenity of users of the detached studio is considered acceptable.

- ***The architectural plans submitted in the application do not clearly outline the proposed finishes, colours and materials.***

A condition of consent is recommended requiring the provision of materials and exterior colours complementary to the character of the conservation area (C13 – Colours, Finishes and Materials – Conservation Areas).

- ***The plans seem to indicate a mixture of materials such as brick, weatherboard, fibre cement, and metal mesh screens which is not in keeping with the neighbourhood or surrounding dwellings.***

Brick is a characteristic material for the Cremorne Conservation Area as stipulated in Part C of the NSDCP 2013. The single storey subordinate scale of the outbuilding coupled with its appropriate siting to the rear of the site provides greater flexibility in terms of the use of materials including the use of metal mesh screens.

- ***The inclusion of a bathroom in the studio dwelling indicates its use for overnight accommodation causing a loss of privacy.***

The inclusion of a bathroom is permitted retaining the outbuilding as a detached studio pursuant to the definition (*below in italics*) in Cl.1.5 'Interpretation' of the SEPP (Exempt and Complying Development Codes) 2008. The plans do not contain a kitchen/cooking facilities pursuant to the definition of a detached studio therefore restricting the use of the building as a separate habitable building (see condition I# Restrictions on the use of the Detached Studio).

***detached studio*** means a habitable building that is used for purposes ancillary to a dwelling house such as a home office, entertainment area, art studio or guest room and –

- (a) *is established in conjunction with a dwelling house, and*
- (b) *is on the same lot of land as the dwelling house, and*
- (c) *is separate from the dwelling house, and*
- (d) *is not used as a separate dwelling house, and*
- (e) *does not contain any cooking facilities.*

The detached studio can be used as a guest room and therefore for overnight accommodation and as addressed in the above paragraphs there are sufficient measures to retain a reasonable level of visual privacy.

- ***The inclusion of a bathroom also provides the owners with the ability to sub-let the studio as accommodation for guests which creates a further security concern for all neighbours.***

Under the above definition the detached studio may be used as a guest room. There are no safety or security concerns from the use of the detached studio noting it is appropriately located within the rear of the site only accessible from the dwelling or side footpath and the rear garden is fully enclosed by boundary fencing.

- ***A revised SEE and inclusion of an HIS written by a suitably qualified person should be submitted and neighbours given an extended notification period to assess.***

The SEE and heritage comments within the SEE are sufficient to address the scope of works and consider the potential impact from the works. It is considered unnecessary given the modest scope of works primarily to the rear not visible from the surrounding conservation area for a revised HIS to be prepared by a suitably qualified person and under Cl. 5.10(5) 'Heritage Assessment' Council **may require** but are not always required to consider a heritage management document for development within a heritage conservation area. The information provided within the SEE inclusive of heritage comments prepared by the Council Approval Group is satisfactory to assess the extent of impact on the conservation area. A detailed HIS prepared by a suitably qualified person is more of a requirement for major demolition, alterations and additions to heritage items and major works to properties within a conservation area.

Furthermore, the application was notified to adjoining properties between 19/11/2021 – 03/12/2021 and all submissions received have been considered as part of this assessment.

- ***The proposed skylight is intrusive on the heritage significance of No. 64 Rangers Road and row of semi detached dwellings detracting from the character of the conservation area.***

The skylight located on the front roof slope would be highly visible from Rangers Road is also an uncharacteristic element within the Cremorne Conservation Area therefore a condition of consent will require its deletion from the scope of approved works (C# Delete Skylight).

- ***The studio will create a direct line of sight to existing living areas and bedrooms of neighbours.***

The studio is appropriately located adjacent to the rear boundary therefore the line of sight from the studio to adjoining properties is 14-16m not in close proximity to the windows within the habitable rooms of adjoining properties. Additional privacy measures such as the use of the metal mesh screens, tree planting and combined with existing side boundary fencing and modest sized windows ensures reasonable visual privacy would be maintained for adjoining properties.

Below is an annotated site plan showing the potential overlooking, the existing side boundary fencing and distances from the proposed studio to the windows within adjoining properties. It is noted that there is already some mutual overlooking from the centre of the rear garden and first floor windows of 62 Rangers Road but the studio is designed to not exacerbate the current degree of mutual overlooking between the two properties.



**Figure 21 – Annotated Site Plan with photos considering the existing/proposed views and privacy between adjoining properties.**

- ***Currently all neighbouring structures at the rear boundary feature gable roofs, however, the proposal has a skillion roof.***

The detached studio has a flat roof rather than a skillion roof. The proposal does not seek to alter the roof form of the dwelling as viewed from the conservation area. The flat roof of the detached studio is considered acceptable because outbuildings within the rear garden that are not evident from the streetscape have more flexibility in regard to the appropriateness of roof form including the use of skillion or flat roofs.

- ***Privacy screening to the front of the studio should cover the full length of the southern elevation or opaque glass should be installed to the south facing windows.***

Privacy screening that covers the entire south elevation and/ or opaque glass is considered excessive and some outlook to the garden is acceptable improving the amenity of occupiers utilising the detached studio.

- ***The development is a full self-contained dwelling and in close proximity to neighbouring dwellings therefore likely to cause a noise nuisance to adjoining properties.***

The building is defined as a detached studio and pursuant to the definition in Cl.1.5 'Interpretation' of the SEPP (Exempt and Complying Development Codes) 2008 the detached studio cannot include cooking facilities or be used as a separate dwelling. Conditions of consent will require on-going use of the detached studio as not a separate dwelling with no provision of cooking facilities (I# Detached Studio).

- ***The site is zoned R2 Low Density Residential, and the proposed development is inconsistent with the character of the neighbourhood.***

The proposed works have been considered subject to the objectives of the R2 Low Density Residential Zone and the development generally meets the objectives. Where necessary additional conditions of consent are recommended to maintain a high level of residential amenity such as additional tree planting and ongoing condition for the use of the studio (C14 Tree Planting & I1 Detached Studio). The proposed development would not compromise the amenity of the area subject to a condition of consent deleting a skylight from the front roof slope (C6 Delete Skylight).

- ***Buildings at the rear should be outbuildings and sheds not granny flats, habitable studios.***

There are no provisions requiring the restriction of outbuildings for use to store garden and household items only and subject to satisfactory compliance with relevant clauses in NSLEP 2013 and provisions of NSDCP 2013 a detached studio may be permitted with consent.

- ***It is requested erosion and sediment control and compliant shoring to be undertaken along our shared boundary.***

Council's Development Engineer has reviewed the proposed works and recommended standard conditions of condition that includes preparation of a sediment control plan to be submitted to the certifying authority (C3 – Sediment Control) and installation and maintenance of sediment control during construction (E11 – Installation and maintenance of Sediment Control).

- ***Any stormwater works should be designed and signed off by a hydraulics engineer to prevent any negative impacts on our property.***

The development will be subject to a condition of consent (C9 – Stormwater Disposal Drainage Plan) requiring a stormwater drainage plan to be prepared by a licensed plumber or drainage engineer which is acceptable level of detail for the scale of works proposed.

- ***If approved, 50% of the site should be pervious as per s1.6.8 P13 so to mitigate against overland stormwater flows into our property.***

Provision P13, s1.6.8 of the NSDCP 2013 requires paved areas to be at least 50% pervious. The development provides an acceptable percentage of landscaping subject to condition of consent (C18 Landscape Plan). Furthermore, paving stones are provided to the front of the studio to allow groundcover to grow in between each paving stone therefore permeable. The site as proposed provides sufficient landscaping throughout to ensure retention and absorption of stormwater run-off.

- ***The proposed studio, bathroom and toilet will require extensive excavation therefore the bathroom is not suitable to the narrow block, proximity to shared boundaries and potential problematic issues with stormwater and sewer connection.***

The proposal involves minor earthworks to construct the detached studio with works restricted to the floor slab of the studio and provision of any associated stormwater provisions and underground services to and from the detached studio. Other minor earthworks entail removal of tiles in the rear garden to be replaced with landscaping and all works to the semi-detached dwelling are above ground requiring no earthworks.

The proposed earthworks require minor excavation and is unlikely to disrupt or have any detrimental effect on drainage patterns, soil stability, disturb aboriginal objects or have an adverse impact on the amenity of adjoining properties.

Furthermore, appropriate conditions of consent are recommended to manage sediment control during excavation/construction and site drainage plans are prepared to ensure proper disposal of stormwater.

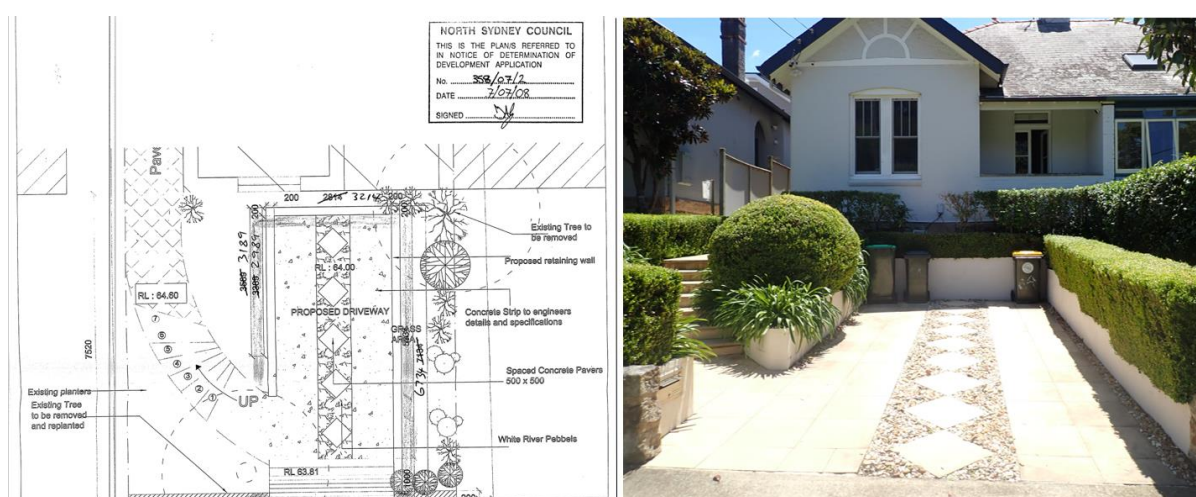
- ***There appears to be errors in the site calculations for landscaping.***

An assessment of the existing and proposed compliance diagrams confirms there are minor miscalculations but these have been addressed in the assessment report and a condition will ensure additional landscaping is provided (C18 Landscape Plan).



- ***Soft landscaping is identified in the driveway between the trye strips, however, the area is tiled not inclusive of landscaping.***

The driveway with diamond shaped tiles and pebbles in between the tiles and concrete driveway strips was approved under DA 358/07 and a subsequent modification DA 358/07/2 as per the approved plan below. The area between the concrete trye strips is not landscaping pursuant to the definition in Provision P2, s1.5.6 of the NSDCP 2013. Landscaped area is defined as all parts of a site used for growing plants, grasses and trees but does not include any hard paved area. The subject site proposed landscaped area marginally complies with the minimum landscaped area of 30% stipulated in Table B-1.7, s1.5.6 of the NSDCP 2013 when accounting for the landscaping between the trye strips. A condition of consent will require the area between the driveway strips to be soft landscaping comprising of grasses/groundcovers (C#### Landscape Plan) or 30% landscaped area to be achieved within the site without alterations to the pavers/pebbles between the existing driveway strips.



**Figure 22 – Approved Driveway under DA 358/07/2 and photo of existing driveway (North Sydney Council, February 2022)**

- ***No Landscape Plan is provided in accordance with the DA checklist.***

A landscape plan is a requirement for significant works to the site whereby the site is subject to a replacement dwelling or the site is to be fully redeveloped. The scale of works is considered not to require a Landscape Plan at lodgement. However, following a review of the development including inaccuracies in the compliance diagram, a requirement for tree planting and additional landscaping required a landscape plan is recommended to be provided as a condition of consent (C18 Landscape Plan).

- ***The DA plans seek to remove the palm trees on the northern boundary which provide essential privacy screening to several neighbours.***

3 x palms under 5m (*Dyopsis lutescens*) are sought for removal to accommodate the detached studio. Council's Landscape Development Officer has reviewed the palms raising no concerns for their removal provided a suitable canopy tree is planted within the rear garden to compensate for the loss of the palms (C14 Tree Planting).

- **No agreement has been given to the studio being built to the side boundary.**

The detached studio would have a nil side setback to the eastern boundary. Development consent is needed for works that affect a party wall. In this instance the studio is permissible subject to meeting the applicable questions for nil side setbacks in *Galea v Marrickville Council* [2003] NSWLEC. The detached studio with a nil side setback is acceptable due to the limited bulk and scale of the ancillary building not causing an adverse impact on the eastern neighbour 66 Rangers Road and the structure due to its moderate scale and the solidity and simplicity of the eastern elevation comprising brick is unlikely to require significant maintenance benefiting from separation to the eastern side boundary.

- **The construction of a Granny Flat in close proximity to the rear boundary fence is detrimental to the appearance of the driveway serving 13 Cranbrook Avenue.**

The detached studio will have a 200mm setback to the rear boundary fence. Approximately 700mm of the studio would be visible from the adjoining driveway as per the below annotated plan. The majority of the studio would be obscured behind the rear fence not obtrusive or dominant in context with the driveway.

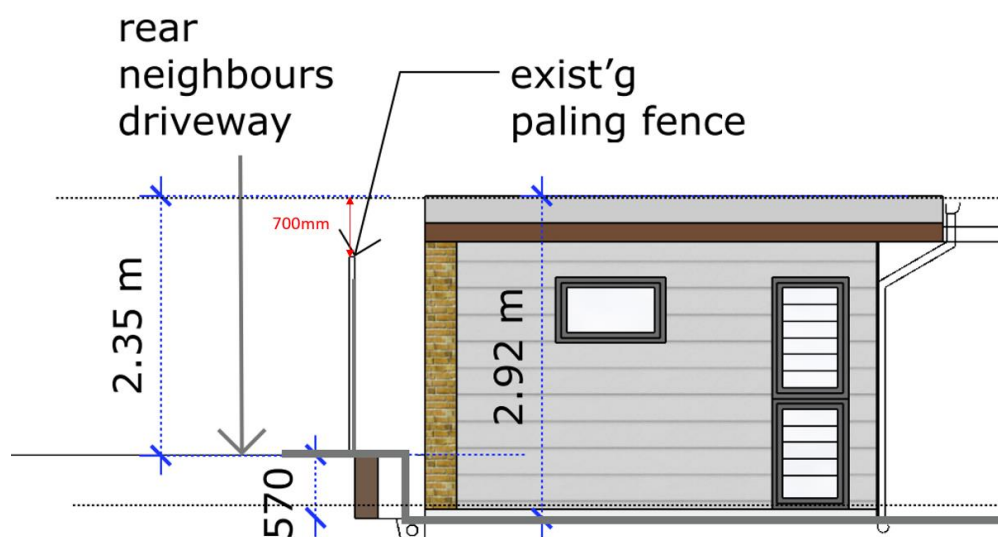


Figure 23 – Annotated West Elevation (Dwg 2 of 3) dated 14 October 2021

- **Development in the Cremorne Conservation Area should be subject to planning policy to maintain the front and rear facades of properties.**

Development within the Cremorne Conservation Area is subject to the character statement in Part C of the NSDCP 2013 that describes the significance of the conservation area, its significant elements, and uncharacteristic elements. The development generally complies with the relevant provisions in the character statement, however a condition of consent is recommended for deletion of the skylight which is uncharacteristic of the conservation area (C6 Delete Skylight).

## PUBLIC INTEREST

The proposal is considered to be in the public interest for the reasons stated throughout this report.

## **SUITABILITY OF THE SITE**

The proposal would be located in a R2 Low Density Residential Zone where semi-detached dwellings are a permissible form of development. The proposed works seek alterations to the semi-detached dwelling and a detached studio ancillary to the semi detached dwelling therefore the primary use of the site would remain. Consequently, the proposal is considered to be suitable for the site having regard to the merits of the proposal as described in the above report.

## **CONCLUSION + REASONS**

The proposal was considered under the relevant Environmental Planning Instruments and policies including NSLEP 2013 and NSDCP 2013 and general found to be satisfactory.

The application proposes alterations and additions to a semi detached dwelling which is a permissible form of development in R2 Low Density Residential Zone.

The detached studio is supported because it would have an ancillary use to the primary dwelling subject to a condition restricting the use of the studio (I# Detached Studio) and the detached studio with a height under 3m and floor area of 25m<sup>2</sup> is much smaller in scale than the existing semi detached dwelling maintaining the low density character of the site. The detached studio is appropriately sited to the rear of the site with modest openings and the provision of privacy screens coupled with a condition recommending tree planting (C14 Tree Planting) ensures a high level of neighbouring amenity is maintained.

The site inclusive of the detached studio has an appropriate density complying with the maximum site coverage stipulated in s1.5.5 of the NSDCP 2013 and the site complies with landscaping as stipulated in s1.5.6 of the NSDCP 2013 subject to condition of consent (C18 Landscape Plan).

The proposed works conserve the heritage significance of the Cremorne Conservation Area subject to deletion of the skylight from the front roof plane facing Rangers Road and the detached studio is appropriately located at the rear of the property not visible from the surrounding conservation area. A condition of consent is recommended ensuring appropriate finishes, materials and colours are proposed for the studio sympathetic to the character of the conservation area.

Council received eleven (11) unique submissions that raised concerns about privacy, noise, safety, landscaping and heritage that have been discussed in this report and addressed with appropriate conditions of consent.

Having regard to the merits of the proposal, the application is recommended for approval, subject to appropriate standard and site specific conditions.

## **HOW WERE THE COMMUNITY VIEWS TAKEN INTO CONSIDERATION?**

The subject application was notified to adjoining properties and the Harrison Precinct for 14 days where a number of issues were raised that have been addressed in this report where appropriate conditions of consent have been recommended to maintain the amenity of adjoining properties and the character of the conservation area.

## **RECOMMENDATION**

PURSUANT TO SECTION 4.16 OF ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (AS AMENDED)

**THAT** the North Sydney Local Planning Panel exercising the functions of Council as the consent authority grant consent to Development Application No. 368/21 for alterations and additions including a detached studio to on land at 64 Rangers Road, Cremorne subject to the following site specific and attached standard conditions:-

### **Delete Skylight**

- C6. The proposed skylight is not approved and is to be deleted from the front southern roof plane. The skylight that is not approved is clouded in red on the approved South Elevation (Dwg No. 3 dated 14 October 2021).

The above changes must be made to the plans prior to the issue of any construction certificate and the certifier is to ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To retain roof appearance that contributes to the significance character and significance of the conservation area)

### **Works to be Contained within the Subject Site**

- C7. The approved works must be wholly contained within the site of No. 64 Rangers Road, Cremorne, and must not result in any encroachment into neighbouring lots or Council's Road reserve. Under no circumstances shall the boundary fence/detached studio extend or altered into adjoining lots without the prior written consent of the adjoining owner(s).

Plans and specifications which comply with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate.

The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, in order to fully satisfy the requirements of this condition.

(Reason: To ensure the protection and structural integrity of adjoining properties, and that common law property rights are recognised)

### Tree Planting

C14. The following trees are required to be planted and retained as part of the development consent in accordance with AS 4970-2009 – Protection of trees on development sites:

Tree	Location	Container Size (l)
1 x local native tree. Suitable local native tree species are listed on Council's website.	Within rear garden of subject site	75l

Plans and specifications complying with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure that tree planting provided enhances environmental and landscaped amenity)

### Landscape Plan

C18. A Landscape Plan is to be prepared detailing the following planting requirements:

- Planting of 1 local native canopy tree with a minimum mature height of 6m (pot size 75l) within the rear garden of the subject site.
- Removal of pavers and pebbles within driveway between paved tyre strips to be replaced with groundcovers/grasses.
- The existing pavers and pebbles within the driveway between the paved tyre strips may remain if the Landscape Plan sufficiently ensures the provision of a minimum 30% (104.34m<sup>2</sup>) landscaped area within the site as defined in Provision P2, s1.5.6 of the North Sydney Development Control Plan 2013.
- Removal of pavers within rear garden to be replaced with groundcovers/shrubs or grasses (area to become soft landscaping annotated on Compliance Diagram).
- The gravel area (annotated in red on the Compliance Diagram) within the eastern side setback is to be replaced with either groundcovers/shrubs or grasses.

A landscape plan complying with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate.

The Certifying Authority must ensure that the amended landscape plan and other plans and specifications submitted fully satisfy the requirements of this condition.

(Reason: To ensure an adequate level of planting, tree canopy and native plant species is provided)

### **Restrictions on the Use of the Detached Studio**

11. Nothing in this consent authorises the use of the detached studio other than for purposes ancillary to the semi-detached dwelling including use as a home office, art studio or guest room. At no time should the detached studio contain cooking facilities. The detached studio may only be used strictly as defined in Cl. 1.5 of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

(Reason: To ensure compliance with the terms of this consent)

**THOMAS HOLMAN**  
**ASSESSMENT OFFICER**

**ROBYN PEARSON**  
**TEAM LEADER**

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**STEPHEN BEATTIE**  
**MANAGER DEVELOPMENT SERVICES**

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**NORTH SYDNEY COUNCIL**  
**CONDITIONS OF DEVELOPMENT APPROVAL**  
**64 RANGERS ROAD, CREMORNE**  
**DEVELOPMENT APPLICATION NO. 368/21**

**A. Conditions that Identify Approved Plans**

**Development in Accordance with Plans/Documentation**

- A1. The development must be carried out in accordance with the following drawings and documentation and endorsed with Council's approval stamp, except where amended by the following conditions of this consent.

Plan Nos	Revision No.	Description of Works	Prepared by	Received
1	-	Site Plan/Site Analysis	Munro Davison	04/11/2021
2	-	Floor Plan & Elevations	Munro Davison	04/11/2021
3	-	Front Elevations	Munro Davison	04/11/2021
-	-	Compliance Diagram	Munro Davison	19/11/2021

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information)

**Plans on Site**

- A2. A copy of all stamped approved plans, specifications and documents (including the plans, specifications and documents submitted and approved with the Construction Certificate) must be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

All documents kept on site in accordance with this condition must be provided to any officer of the Council or the certifying authority upon their request.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information and to ensure ongoing compliance)

**No Demolition of Extra Fabric**

- A3. Alterations to, and demolition of the existing building shall be limited to that documented on the approved plans.

(Reason: To ensure compliance with the approved development)

**C. *Prior to the Issue of a Construction Certificate (and ongoing, where indicated)*****Dilapidation Report Damage to Public Infrastructure**

- C1. A dilapidation survey and report (including photographic record) must be prepared by a suitably qualified consultant which details the pre-developed condition of the existing public infrastructure in the vicinity of the development site. Particular attention must be paid to accurately recording any pre-developed damaged areas so that Council is fully informed when assessing any damage to public infrastructure caused as a result of the development. A copy of the dilapidation survey and report is to be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate.

The developer may be held liable for all damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded and demonstrated as pre-existing under the requirements of this condition.

The developer shall bear the cost of carrying out works to restore all public infrastructure damaged as a result of the carrying out of the development, and no occupation of the development shall occur until damage caused as a result of the carrying out of the development is rectified.

A copy of the dilapidation survey and report must be lodged with North Sydney Council by the Certifying Authority with submission of the Construction Certificate documentation.

(Reason: To record the condition of public infrastructure prior to the commencement of construction)

**Dilapidation Report Private Property (Excavation)**

- C2. A full dilapidation survey and report on the visible and structural condition of all neighbouring structures within the 'zone of influence' of the required excavations must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The zone of influence is to be defined as the horizontal distance from the edge of the excavation face to twice the excavation depth.

The dilapidation report and survey are to be prepared by a consulting structural/geotechnical engineer agreed to by both the applicant and the owner of any affected adjoining property.

All costs incurred in achieving compliance with this condition shall be borne by the person entitled to act on this Consent.



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In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant MUST DEMONSTRATE, in writing, to the satisfaction of Council that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Written concurrence must be obtained from Council in such circumstances.

Note: This documentation is for record keeping purposes only and may be used by the developer or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from the works. It is in the applicant's and adjoining owner's interest for it to be as full and detailed as possible.

(Reason: To record the condition of property/i.e., prior to the commencement of construction)

**Sediment Control**

- C3. Where construction or excavation activity requires the disturbance of the soil surface or existing vegetation, erosion and sediment control techniques, as a minimum, are to be in accordance with the publication *Managing Urban Stormwater: Soils and Construction* (4th edition, Landcom, 2004) commonly referred to as the "Blue Book" or a suitable and effective alternative method.

A Sediment Control Plan must be prepared and submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate and prior to any works commencing. The Sediment Control Plan must be consistent with the Blue Book and disclose:

- a) All details of drainage to protect and drain the site during the construction processes;
- b) All sediment control devices, barriers and the like;
- c) Sedimentation tanks, ponds or the like;
- d) Covering materials and methods; and
- e) A schedule and programme of the sequence of the sediment and erosion control works or devices to be installed and maintained.
- f) Methods for the temporary and controlled disposal of stormwater during construction.

All works must be undertaken in accordance with the approved Sediment Control plan.

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The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

**Waste Management Plan**

- C4. A Waste Management Plan is to be submitted for approval by the Certifying Authority prior to the issue of any Construction Certificate. The plan must include, but not be limited to:
- a) The estimated volume of waste and method of disposal for the construction and operation phases of the development;
  - b) The design of the on-site waste storage and recycling area; and
  - c) Administrative arrangements for waste and recycling management during the construction process.

The approved Waste Management Plan must be complied with at all times in the carrying out of the development.

(Reason: To encourage the minimisation of waste and recycling of building waste)

**Colours, Finishes and Materials (Conservation Areas)**

- C5. The finishes, materials and exterior colours shall be complementary to the architectural style of the original building and sympathetic to the character of the Conservation Area. A schedule of finishes, materials and external colours shall be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted fully satisfy the requirements of this condition prior to the release of the Construction Certificate.

(Reason: To ensure that the completed colours, finishes and materials are complementary to the Conservation Area)

**Delete Skylight**

- C6. The proposed skylight is not approved and is to be deleted from the front southern roof plane. The skylight that is not approved is clouded in red on the approved South Elevation (Dwg No. 3 dated 14 October 2021).

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The above changes must be made to the plans prior to the issue of any construction certificate and the certifier is to ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To retain roof appearance that contributes to the significance character and significance of the conservation area)

**Works to be Contained within the Subject Site**

- C7. The approved works must be wholly contained within the site of No. 64 Rangers Road, Cremorne, and must not result in any encroachment into neighbouring lots or Council's Road reserve. Under no circumstances shall the boundary fence/detached studio extend or altered into adjoining lots without the prior written consent of the adjoining owner(s).

Plans and specifications which comply with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate.

The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, in order to fully satisfy the requirements of this condition.

(Reason: To ensure the protection and structural integrity of adjoining properties, and that common law property rights are recognised)

**Roofing Materials - Reflectivity**

- C8. Roofing materials must be factory pre-finished with low glare and reflectivity properties to be compatible with the colours of neighbouring buildings. The selected roofing material must not cause a glare nuisance or excessive reflectivity to adjoining or nearby properties. Plans and specifications which comply with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure that excessive glare or reflectivity nuisance from roofing materials does not occur as a result of the development)

**Stormwater Disposal – Drainage Plan**

- C9. Prior to the issue of any Construction Certificate, site drainage plans must be prepared by a licensed plumber or drainage engineer. The site drainage plans must –be designed in accordance with the following criteria:

- a) compliance with BCA drainage requirements and current Australian Standards and guidelines;

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- b) stormwater runoff and subsoil drainage generated by the approved development must be conveyed in a controlled manner by gravity to the existing kerb outlet on Rangers Road;
- c) new pipelines within council land shall be hot dipped galvanised steel hollow section with a minimum wall thickness of 4.0 millimetres and a section height of 100 millimetres;
- d) the design and installation of the Rainwater Tanks shall comply with BASIX and Sydney Water requirements. Overflow from tank shall be connected by gravity to the stormwater disposal system; and
- e) prevent any stormwater egress into adjacent properties by creating physical barriers and surface drainage interception.

Drainage plans and specifications which comply with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: Proper disposal of stormwater)

**Bond for Damage and Completion of Infrastructure Works - Stormwater, Kerb and Gutter, Footpaths, Vehicular Crossing and Road Pavement**

- C10. Prior to the issue of any Construction Certificate, security deposit or bank guarantee must be provided to Council to the sum of \$2,500.00 to be held by Council for the payment of cost for any/all of the following:
- a) making good any damage caused to any property of the Council as a consequence of the doing of anything to which this consent relates,
  - b) completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with this consent.
  - c) remedying any defects in any such public work that arise within six months after the work is completed.

The security required by this condition and in the schedule contained later in these conditions must be provided by way of a deposit with the Council; or other such guarantee that is satisfactory to Council (such as a bank guarantee). Any guarantee provided as security must name North Sydney Council as the nominated beneficiary and must not be subject to an expiry date.

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The security will be refundable following the expiration of six months from the issue of any final Occupation Certificate or completion of public work required to be completed (whichever is the latest) but only upon inspection and release by Council's Engineers.

Council shall have full authority to make use of the bond for such restoration works as deemed necessary by Council in circumstances including the following:

- where the damage constitutes a hazard in which case Council may make use of the security immediately;
- the applicant has not repaired or commenced repairing damage within 48 hours of the issue by Council in writing of instructions to undertake such repairs or works;
- works in the public road associated with the development are to an unacceptable quality; and
- the Certifying Authority must ensure that security is provided to North Sydney Council prior to issue of any Construction Certificate.

(Reason: To ensure appropriate security for works on public land and an appropriate quality for new public infrastructure)

**Tree Bond for Public Trees**

- C11. Prior to the issue of any construction certificate, security in the sum of \$3,000.00 must be provided to Council for the protection of trees in public places, including the making good of any damage caused to such trees. The security is to be provided in accordance with the Schedule below.

The security required by this condition and in the schedule contained later in these conditions must be provided by way of a deposit with the Council; or other such guarantee that is satisfactory to Council (such as a bank guarantee). Any guarantee provided as security must name North Sydney Council as the nominated beneficiary and must not be subject to an expiry date.

The security will be refundable following the expiration of 6 months from the issue of any final Occupation Certificate but only upon inspection and release by Council's Landscape Development Officer.

If any tree is removed or damaged Council may deduct from this security the reasonable cost of replacement with a tree of the same species and to a similar stage of growth it would have attained at the completion of the work.

In the case of any tree, which cannot be replaced with a similar specimen, the security for that tree will be forfeited to Council and used to provide replacement street plantings.

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**SCHEDULE**

Tree	Location	Height (m)	Tree Bond
1 x Photinia	Tree on grass verge opposite 64 & 66 Rangers Road	5m	\$3,000.00

(Reason: Protection of existing environment public infrastructure, community assets and significant trees)

**Protection of Trees**

C12. The following tree(s) are required to be protected and retained as part of the development consent in accordance with AS 4970-2009 - Protection of trees on development sites:

Tree	Location	Height (m)
1 x Photinia	Tree on grass verge opposite 64 & 66 Rangers Road	5m

Plans and specifications complying with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

Any tree(s) shown as being retained on the approved plans (regardless of whether they are listed in the above schedule or not) must be protected and retained in accordance with this condition.

(Reason: Protection of existing environmental and community assets)

**Approval for removal of Trees**

C13. The following tree(s) are approved for removal in accordance with the development consent:

Tree	Location	Height (m)
Dyopsis lutescens(s)	Rear northern boundary of 64 Rangers Road	3-4m

Removal or pruning of any other tree on the site is not approved, excluding species exempt under Council's Tree Preservation Order.

Any tree(s) shown as being retained on the approved plans (regardless of whether they are listed in the above schedule or not) must be protected and retained in accordance with this condition.

(Reason: Protection of existing environmental and community assets)

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**Tree Planting**

- C14. The following trees are required to be planted and retained as part of the development consent in accordance with AS 4970-2009 – Protection of trees on development sites:

Tree	Location	Container Size (l)
1 x local native tree. Suitable local native tree species are listed on Council's website.	Within rear garden of subject site	75l

Plans and specifications complying with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure that tree planting provided enhances environmental and landscaped amenity)

**Asbestos & Hazardous Material Survey**

- C15. A report must be prepared by a suitably qualified person in relation to the existing building fabric to be demolished and/or disturbed identifying the presence or otherwise of asbestos contamination and, if asbestos contamination is present, making recommendations as to the work required to safely address the contamination.

Any demolition works or other works identified in the report as having to be carried out must be carried out in accordance with the recommendations of the report and the following:

- a) the removal of asbestos must be undertaken by a WorkCover licensed contractor;
- b) all removal must be in strict accordance with the requirements of the WorkCover Authority in relation to the removal, handling and disposal of material containing asbestos and any Work Safe Australia requirements.
- c) during the removal of any asbestos a sign stating "DANGER ASBESTOS REMOVAL IN PROGRESS" must be erected in a visible position at the boundary of the site; and
- d) Waste disposal receipts must be provided to the Certifying Authority as proof of correct disposal of asbestos laden waste.

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The report must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the report, and other plans, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure the long-term health of workers on site and occupants of the building is not put at risk unnecessarily)

**Security Deposit/Guarantee Schedule**

C16. All fees and security deposits/guarantees in accordance with the schedule below must be provided to Council prior to the issue of any Construction Certificate:

<b>Security Deposit/Guarantee</b>	<b>Amount (\$)</b>
Tree Bond	\$3,000.00
Footpath Damage Bond	\$2,500.00
<b>TOTAL BONDS</b>	<b>\$5,500.00</b>

The security required by the above schedule must be provided by way of a deposit with the Council; or other such guarantee that is satisfactory to Council (such as a bank guarantee). Any guarantee provided as security must name North Sydney Council as the nominated beneficiary and must not be subject to an expiry date.

(Reason: Compliance with the development consent)

**BASIX Certificate**

C17. Under clause 97A(3) of the Environmental Planning and Assessment Regulation 2000, it is a condition of this development consent that all the commitments listed in BASIX Certificate No. 1249076S\_03 for the development are fulfilled. Plans and specifications complying with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure the proposed development will meet the Government's requirements for sustainability and statutory requirements)

**Landscape Plan**

C18. A Landscape Plan is to be prepared detailing the following planting requirements:

- Planting of 1 local native canopy tree with a minimum mature height of 6m (pot size 75l) within the rear garden of the subject site.
- Removal of pavers and pebbles within driveway between paved tyre strips to be replaced with groundcovers/grasses.



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- The existing pavers and pebbles within the driveway between the paved tyre strips may remain if the Landscape Plan sufficiently ensures the provision of a minimum 30% (104.34m<sup>2</sup>) landscaped area within the site as defined in Provision P2, s1.5.6 of the North Sydney Development Control Plan 2013.
- Removal of pavers within rear garden to be replaced with groundcovers/shrubs or grasses (area to become soft landscaping annotated on Compliance Diagram).
- The gravel area (annotated in red on the Compliance Diagram) within the eastern side setback is to be replaced with either groundcovers/shrubs or grasses.

A landscape plan complying with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate.

The Certifying Authority must ensure that the amended landscape plan and other plans and specifications submitted fully satisfy the requirements of this condition.

(Reason: To ensure an adequate level of planting, tree canopy and native plant species is provided)

***D. Prior to the Commencement of any Works (and continuing where indicated)***

**Protection of Trees**

- D1. All trees that are specifically nominated to be retained by notation on plans or by condition as a requirement of this consent must be maintained and protected during demolition, excavation and construction on the site in accordance with AS4970-2009 (Protection of trees on development sites). A report containing recommendations, and methods of tree protection prepared by an appropriately qualified person must be provided to the Certifying Authority for approval by an appropriately qualified person prior to commencement of any works on the site. Any recommendations must be undertaken for the duration of works on the site.

(Reason: To ensure compliance with the requirement to retain significant planting on the site)

**Public Liability Insurance - Works on Public Land**

- D2. Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$20 million in relation to the occupation of public land and the undertaking of approved works within Council's road reserve or public land, as approved by this consent. The Policy is to note and provide protection/full indemnification for North Sydney Council, as an interested party. A copy of the Policy must be submitted to Council prior to commencement of any works. The Policy must be valid for the entire period that the works are being undertaken.

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Note: Applications for hoarding permits, vehicular crossings etc will require evidence of insurance upon lodgement of the application.

(Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land)

**Sydney Water Approvals**

- D3. Prior to the commencement of any works, the approved plans must be submitted to Sydney Water to determine whether the development application will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The Certifying Authority must ensure that Sydney Water has appropriately stamped the plans before the commencement of building works.

Notes: **Sydney Water Building Plan Approvals** can be obtained from the Sydney Water Tap in™ online service. Building plans must be submitted to the Tap in™ 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. For further information visit <http://www.sydneywater.com.au/tapin/index.htm> or call 13 000 TAP IN (1300 082 746) for further information.

(Reason: To ensure compliance with Sydney Water requirements)

**Asbestos Material Survey**

- D4. Prior to the commencement of any works, a report must be prepared by a suitably qualified person in relation to the existing building fabric to be demolished and/or disturbed identifying the presence or otherwise of asbestos contamination and, if asbestos contamination is present, making recommendations as to the work required to safely address the contamination.

Any demolition works or other works identified in the report as having to be carried out must be carried out in accordance with the recommendations of the report and the following:

- a) the removal of asbestos must be undertaken by a WorkCover licensed contractor;
- b) all removal must be in strict accordance with the requirements of the WorkCover Authority in relation to the removal, handling and disposal of material containing asbestos and any Work Safe Australia requirements.
- c) during the removal of any asbestos a sign stating "DANGER ASBESTOS REMOVAL IN PROGRESS" must be erected in a visible position at the boundary of the site; and
- d) Waste disposal receipts must be provided to the Certifying Authority as proof of correct disposal of asbestos laden waste.

The report must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the report, and other plans, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure the long-term health of workers on site and occupants of the building is not put at risk unnecessarily)

### **Commencement of Works' Notice**

D5. Building work, demolition or excavation in accordance with this development consent must not be commenced until the developer has given at least two days' notice to North Sydney Council of the person's intention to commence building work, demolition or excavation in accordance with this development consent.

(Reason: To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

### ***E. During Demolition and Building Work***

#### **Parking Restrictions**

E1. Existing public parking provisions in the vicinity of the site must be maintained at all times during works. The placement of any barriers, traffic cones, obstructions or other device in the road shoulder or kerbside lane is prohibited without the prior written consent of Council. Changes to existing public parking facilities/restrictions must be approved by the North Sydney Local Traffic Committee. The Developer will be held responsible for any breaches of this condition and will incur any fines associated with enforcement by Council regulatory officers.

(Reason: To ensure that existing kerbside parking provisions are not compromised during works)

#### **Road Reserve Safety**

E2. All public footways and roadways fronting and adjacent to the site must be maintained in a safe condition at all times during the course of the development works, with no obstructions caused to the said footways and roadways. Construction materials and plant must not be stored in the road reserve without approval of Council. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to any public access ways fronting the construction site.

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DEVELOPMENT APPLICATION NO. 368/21**

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Where public infrastructure is damaged, repair works must be carried out in when and as directed by Council officers (at full Developer cost). Where pedestrian circulation is diverted on to the roadway or verge areas, clear directional signage and protective barricades must be installed in accordance with AS1742-3 (1996) "Traffic Control Devices for Work on Roads". **If pedestrian circulation is not satisfactorily maintained across the site frontage, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.**

(Reason: Public Safety)

**Temporary Disposal of Stormwater Runoff**

E3. During construction, stormwater runoff must be disposed in a controlled manner that is compatible with the erosion and sediment controls on the site. Immediately upon completion of any impervious areas on the site (including roofs, driveways, paving) and where the final drainage system is incomplete, the necessary temporary drainage systems must be installed to reasonably manage and control runoff as far as the approved point of stormwater discharge. Such ongoing measures must be to the satisfaction of the Certifying Authority.

(Reason: Stormwater control during construction)

**Removal of Extra Fabric**

E4. Should any portion of the existing building, trees, or curtilage of the site which is indicated on the approved plans to be retained be damaged for whatever reason, all the works in the area of the damaged portion are to cease and written notification of the damage is to be given to Council forthwith. No work is to resume until the written approval of Council to do so is obtained. Failure to comply with the provisions of this condition may result in the Council taking further action including legal proceedings if necessary.

(Reason: To ensure compliance with the terms of this development consent)

**Dust Emission and Air Quality**

E5. The following must be complied with at all times:

- (a) Materials must not be burnt on the site.
- (b) Vehicles entering and leaving the site with soil or fill material must be covered.
- (c) Dust suppression measures must be carried out to minimise wind-borne emissions in accordance with the NSW Department of Housing's 1998 guidelines - Managing Urban Stormwater: Soils and Construction.

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- (d) Odour suppression measures must also be carried out where appropriate so as to prevent nuisance occurring at adjoining properties.

(Reason: To ensure residential amenity is maintained in the immediate vicinity)

**Noise and Vibration**

- E6. The works must be undertaken in accordance with the "Interim Construction Noise Guideline" published by the NSW Environment Protection Authority, to ensure excessive levels of noise and vibration do not occur so as to minimise adverse effects experienced on any adjoining land.

(Reason: To ensure residential amenity is maintained in the immediate vicinity)

**Developer's Cost of Work on Council Property**

- E7. The developer must bear the cost of all works associated with the development that occurs on Council's property, including the restoration of damaged areas.

(Reason: To ensure the proper management of public land and funds)

**No Removal of Trees on Public Property**

- E8. No trees on public property (footpaths, roads, reserves, etc.) unless specifically approved by this consent shall be removed or damaged during construction including for the erection of any fences, hoardings or other temporary works.

(Reason: Protection of existing environmental infrastructure and community assets)

**Trees to be Removed**

- E9. All trees on the site must be protected and retained save for those expressly identified below as being approved for removal:

Tree	Location	Height (m)
Dypsis lutescens(s)	Rear northern boundary of 64 Rangers Road	3-4m

(Reason: To ensure compliance with the terms of this development consent)

**Construction Hours**

- E10. Construction activities and works approved under this consent must be carried out only within the hours stipulated in the following table:

**64 RANGERS ROAD, CREMORNE  
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Location	Standard Construction Hours	
	Day	Hours
R2 Low Density Residential	Monday - Friday	7.00 am - 5.00 pm
	Saturday	8.00 am - 1.00 pm
	Sunday, Public holiday	No work permitted

Construction activities for development approved under this consent must be carried out in accordance with the standard construction hours above and any Construction Noise Management Plan required under this consent.

In the event of breach to the approved hours of construction Council take may take enforcement action under Part 9 of the EP&A Act 1979 and in accordance with Council's adopted Compliance and Enforcement Policy.

(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

#### **Installation and Maintenance of Sediment Control**

- E11. Erosion and sediment controls must be installed and maintained at all times in accordance with the Sediment and erosion control plan submitted and approved with the Construction Certificate.

Erosion and sediment measures must be maintained in accordance with the publication Managing Urban Stormwater: Soils and Construction (4th edition, Landcom, 2004), commonly referred to as the "Blue Book" and can only be removed when development activities have been completed and the site fully stabilised.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

#### **Sediment and Erosion Control Signage**

- E12. A durable sign must be erected during building works in a prominent location on site, warning of penalties should appropriate erosion and sedimentation control devices not be maintained. A sign of the type referred to in this condition is available from Council.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

#### **Site Amenities and Facilities**

- E13. Where work involved in the erection and demolition of a building is being carried out, amenities which satisfy applicable occupational health and safety and construction safety regulations, including any WorkCover Authority requirements, must be provided and maintained at all times. The type of workplace determines the type of amenities required.

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Further information and details can be obtained from the Internet at [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au).

(Reason: To ensure the health and safety of the community and workers on the site)

**Health and Safety**

- E14. All work undertaken must satisfy applicable occupational health and safety and construction safety regulations, including any WorkCover Authority requirements to prepare a health and safety plan. Site fencing must be installed sufficient to exclude the public from the site. Safety signs must be erected that warn the public to keep out of the site and provide a contact telephone number for enquiries.

Further information and details regarding occupational health and safety requirements for construction sites can be obtained from the internet at [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au).

(Reason: To ensure the health and safety of the community and workers on the site)

**Prohibition on Use of Pavements**

- E15. Building materials must not be placed on Council's footpaths, roadways, parks or grass verges, (unless a permit is obtained from Council beforehand). A suitable sign to this effect must be erected adjacent to the street alignment.

(Reason: To ensure public safety and amenity on public land)

**Plant and Equipment Kept Within Site**

- E16. All plant and equipment used in the undertaking of the development/ works, including concrete pumps, wagons, lifts, mobile cranes, hoardings etc, must be situated within the boundaries of the site (unless a permit is obtained from Council beforehand) and so placed that all concrete slurry, water, debris and the like must be discharged onto the building site, and is to be contained within the site boundaries.

Details of Council requirements for permits on public land for standing plant, hoardings, storage of materials and construction zones and the like are available on Council's website at [www.northsydney.nsw.gov.au](http://www.northsydney.nsw.gov.au).

(Reason: To ensure public safety and amenity on public land)

**Waste Disposal**

- E17. All records demonstrating the lawful disposal of waste must be retained and kept readily accessible for inspection by regulatory authorities such as North Sydney Council and the Environmental Protection Authority.

(Reason: To ensure the lawful disposal of construction and demolition waste)

**Asbestos Removal**

E18. All demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with National Occupational Health and Safety Commission.

(Reason: To ensure works are carried out in accordance with relevant WorkCover requirements)

**F. Prescribed Conditions imposed under EP&A Act and Regulations and other relevant Legislation****National Construction Code**

F1. All building work must be carried out in accordance with the provisions of the National Construction Code.

(Reason: Prescribed - Statutory)

**Home Building Act**

F2. 1) Building work that involves residential building work (within the meaning and exemptions provided in the Home Building Act 1989) for which the *Home Building Act 1989* requires there to be a contract of insurance under Part 6 of that Act must not be carried out unless the Principal Certifying Authority for the development to which the work relates has given North Sydney Council written notice of the contract of insurance being issued and of the following:

a) in the case of work for which a principal contractor is required to be appointed:

- i) the name and licence number of the principal contractor, and
- ii) the name of the insurer by which the work is insured under Part 6 of that Act, or

(b) in the case of work to be done by an owner-builder:

- (i) the name of the owner-builder, and
- (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.



- 2) If arrangements for doing residential building work are changed while the work is in progress such that the information submitted to Council in accordance with this conditions is out of date, work must cease and no further work may be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council), has given the Council written notice of the updated information.

Note: A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.

(Reason: Prescribed - Statutory)

### **Appointment of a Principal Certifying Authority (PCA)**

- F3. Building work, demolition or excavation in accordance with the development consent must not be commenced until the developer has appointed a Principal Certifying Authority for the building work in accordance with the provisions of the EP&A Act and its Regulations.

(Reason: Statutory: To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

### **Construction Certificate**

- F4. Building work, demolition or excavation in accordance with the development consent must not be commenced until a Construction Certificate for the relevant part of the building work has been issued in accordance with the provisions of the EP&A Act and its Regulations.

(Reason: Statutory: To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

### **Occupation Certificate**

- F5. A person must not commence occupation or use of the whole or any part of a new building (new building includes an altered portion of, or an extension to, an existing building) unless an Occupation Certificate has been issued in relation to the building or part. Only the Principal Certifying Authority appointed for the building work can issue an Occupation Certificate.

(Reason: Statutory)

**Commencement of Works**

- F6. Building work, demolition or excavation in accordance with this development consent must not be commenced until the developer has given at least two (2) days' notice to North Sydney Council of the person's intention to commence the erection of the building.

(Reason: Statutory: To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

**Excavation/Demolition**

- F7. 1) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
- 2) All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- 3) Demolition work must be undertaken in accordance with the provisions of AS2601- Demolition of Structures.

(Reason: To ensure that work is undertaken in a professional and responsible manner and protect adjoining property and persons from potential damage)

**Site Sign**

- F8. 1) A sign must be erected in a prominent position on the site
- a) stating that unauthorised entry to the work site is prohibited;
- b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
- c) showing the name, address and telephone number of the Principal Certifying Authority for the work.
- 2) Any such sign must be maintained while building work or demolition work is being carried out but must be removed when the work has been completed.

(Reason: Prescribed - Statutory)

**G. Prior to the Issue of an Occupation Certificate****Infrastructure Repair and Completion of Works**

- G1. Prior to the issue of any Occupation Certificate any and all works relating to the development:
- a. in the road reserve must be fully completed; and
  - b. to repair and make good any damaged public infrastructure caused as a result of any works relating to the development (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concrete vehicles) must be fully repaired;

to the satisfaction of Council Engineers at no cost to Council.

(Reason: Maintain quality of public assets)

**Damage to Adjoining Properties**

- G2. All precautions must be taken to prevent any damage likely to be sustained to adjoining properties. Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.

(Reason: To ensure adjoining owner's property rights are protected)

**Utility Services**

- G3. All utility services shall be adjusted to the correct levels and/or location/s required by this consent, prior to issue of an occupation certificate. This shall be at no cost to Council.

(Reason: To ensure compliance with the terms of this consent)

**Asbestos Clearance Certificate**

- G4. For building works where asbestos based products have been removed or altered, an asbestos clearance certificate signed by an appropriately qualified person (being an Occupational Hygienist or Environmental Consultant) must be submitted to and approved by the Certifying Authority (and a copy forwarded to Council if it is not the Certifying Authority) for the building work prior to the issue of any Occupation Certificate, the asbestos clearance certificate must certify the following:

- a) the building/land is free of asbestos; or
- b) the building/land has asbestos that is presently deemed safe.

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The certificate must also be accompanied by tipping receipts, which detail that all asbestos waste has been disposed of at an approved asbestos waste disposal depot. If asbestos is retained on site the certificate must identify the type, location, use, condition and amount of such material.

Note: Further details of licensed asbestos waste disposal facilities can be obtained from [www.epa.nsw.gov.au](http://www.epa.nsw.gov.au).

(Reason: To ensure that building works involving asbestos based products are safe for occupation and will pose no health risks to occupants)

**BASIX Completion Certificate**

G5. In accordance with Clause 154C of the Environmental Planning and Assessment Regulation 2000, prior to issuing a final occupation certificate the Certifying Authority must apply to the Director-General for a BASIX completion receipt.

(Reason: To ensure compliance with the specified BASIX Certificate)

**Landscaping**

G6. The landscaping shown in the approved via Condition C18 Landscape Plan, must be completed prior to the issue of any Occupation Certificate

(Reason: To ensure compliance)

**Compliance with Certain conditions**

G7. Prior to the issue of any Occupation Certificate Conditions C6, C7, C14 and C18 must be certified as having been implemented on site and complied with.

(Reason: To ensure the development is completed in accordance with the requirements of this consent)

***I. Ongoing/Operational Conditions***

**Restrictions on the Use of the Detached Studio**

I1. Nothing in this consent authorises the use of the detached studio other than for purposes ancillary to the semi-detached dwelling including use as a home office, art studio or guest room. At no time should the detached studio contain cooking facilities. The detached studio may only be used strictly as defined in Cl. 1.5 of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

(Reason: To ensure compliance with the terms of this consent)

**Maintenance of Approved Landscaping**

12. The owner of the premises is to maintain the landscaping approved by this consent.

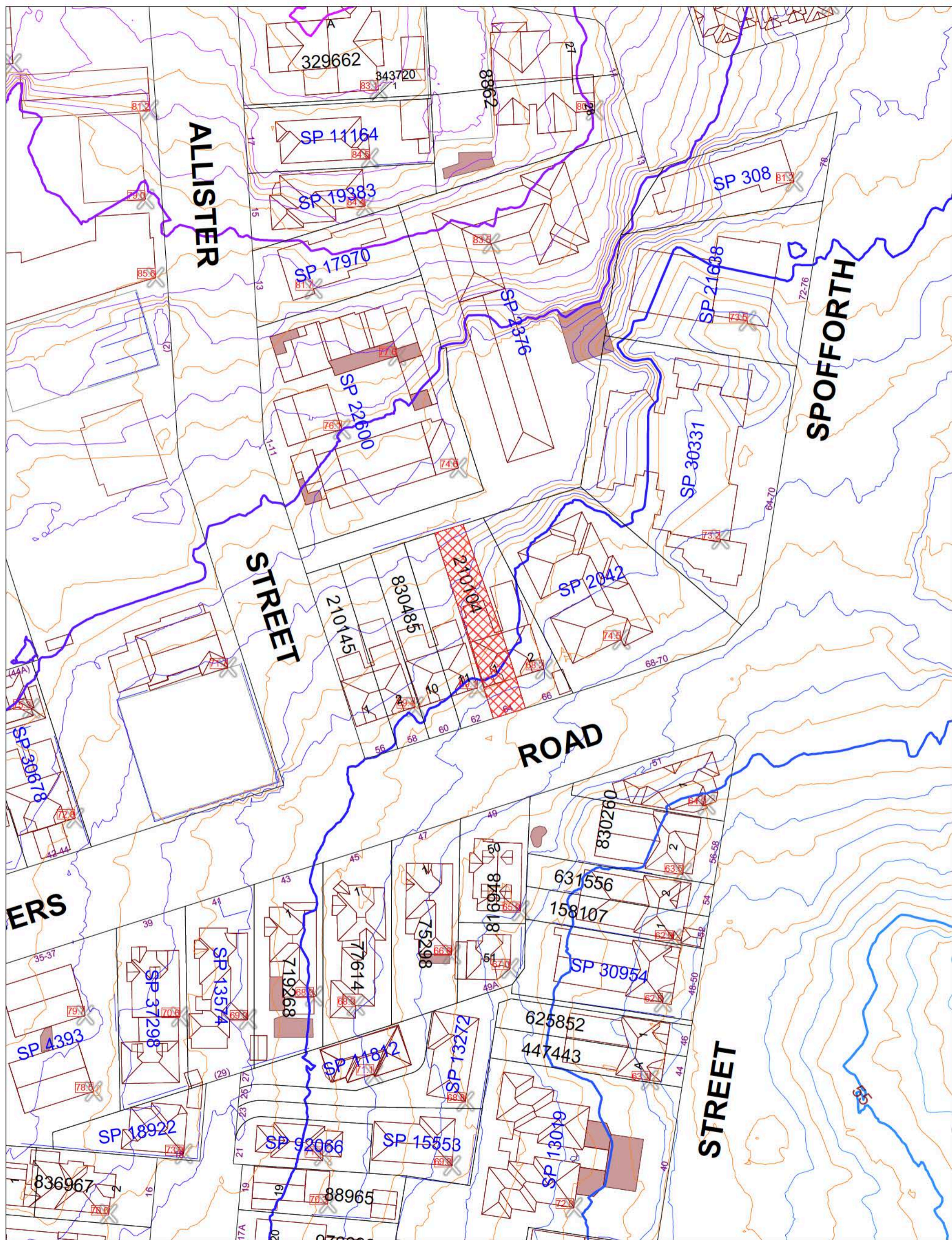
Any replacement plants required shall be advanced in growth and be selected to maintain the anticipated mature height, canopy density and nature of those plant species as originally approved.

Should it be desired to substitute plants which are not of the same mature height, canopy density and nature (particularly flowering for non-flowering, native for exotic, deciduous for non-deciduous or the reverse of any these) a modification to this consent will be required.

The owner of the premises at 64 Rangers Road is to maintain the tree required by Condition C14 Tree Planting.

(Reason: To ensure maintenance of the amenity and tree coverage of the site)





**North Sydney Council**

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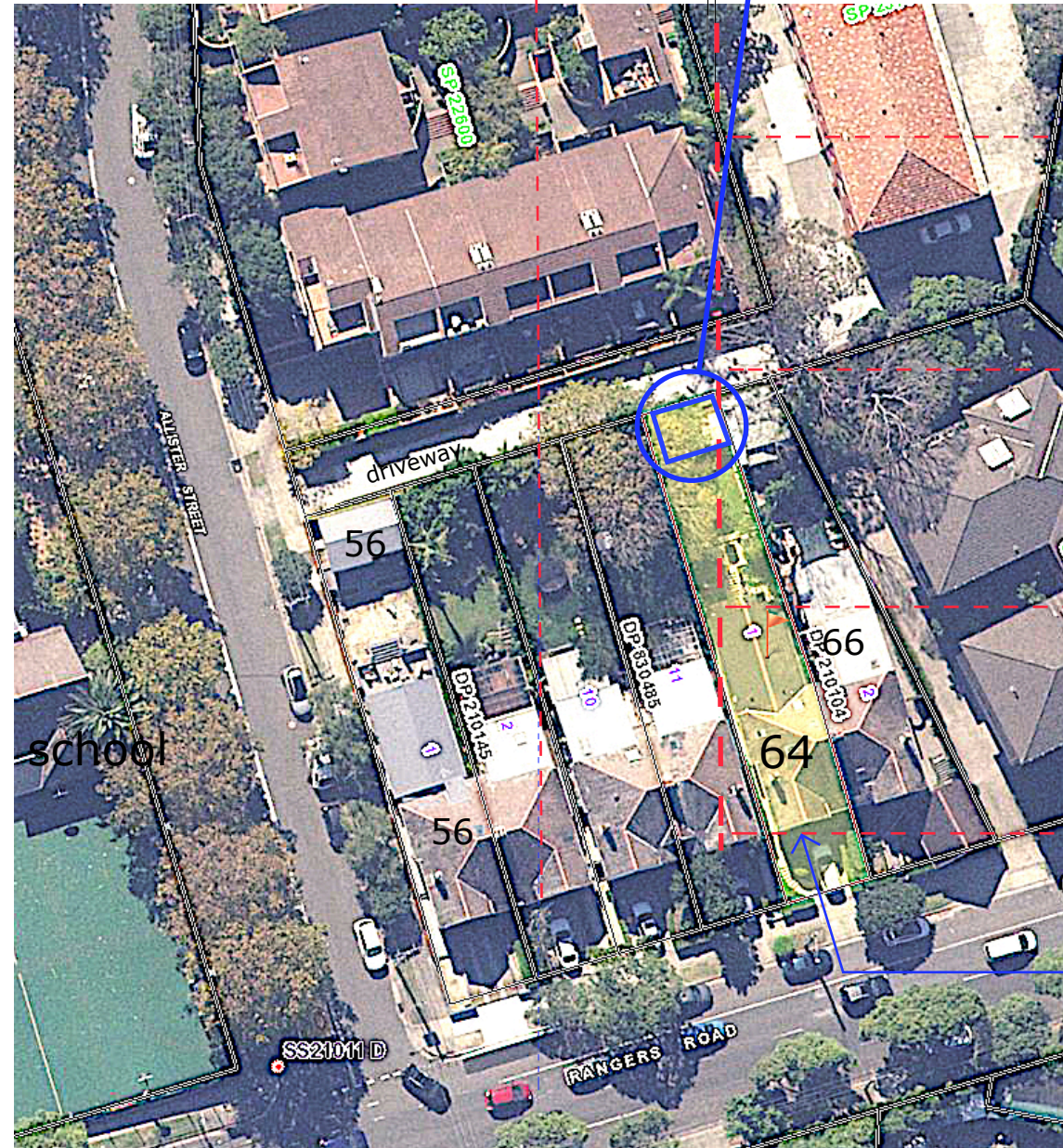
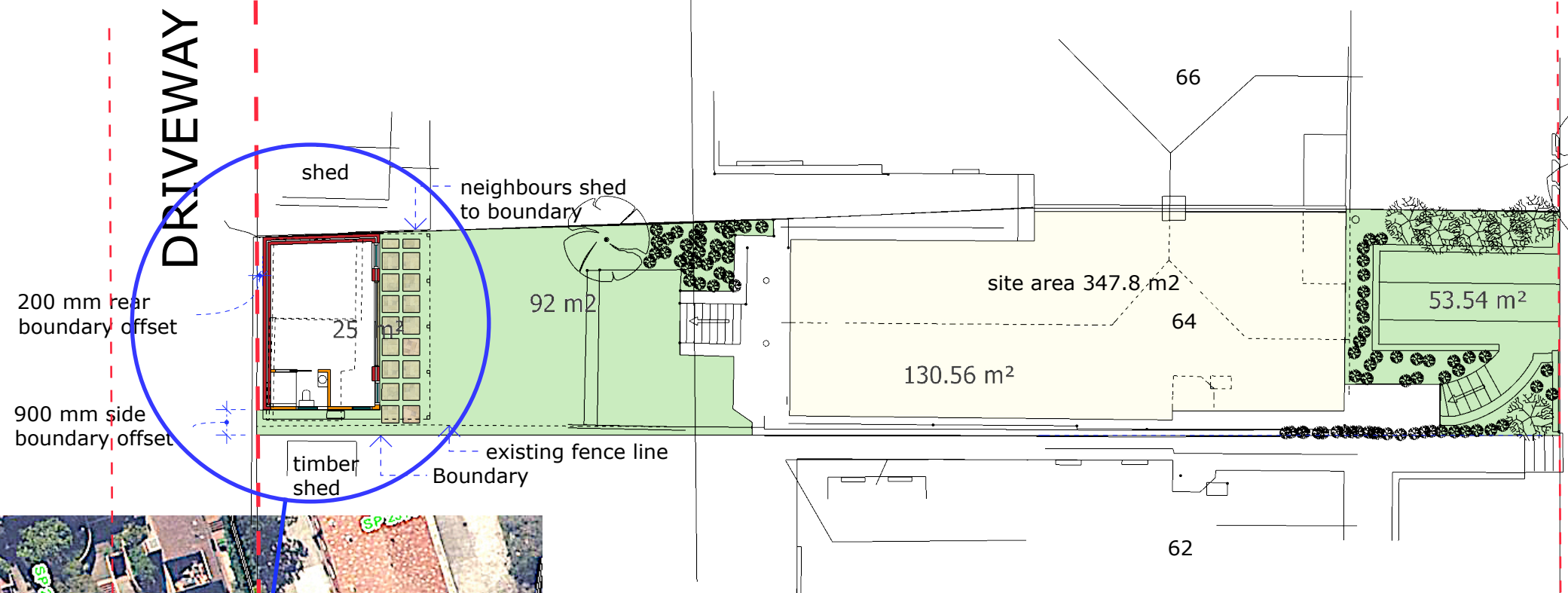
Further details can be obtained by calling (02) 9936 8100 or e-mail [mapping@northsydney.nsw.gov.au](mailto:mapping@northsydney.nsw.gov.au).





mark.md@mac.com  
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NORTH

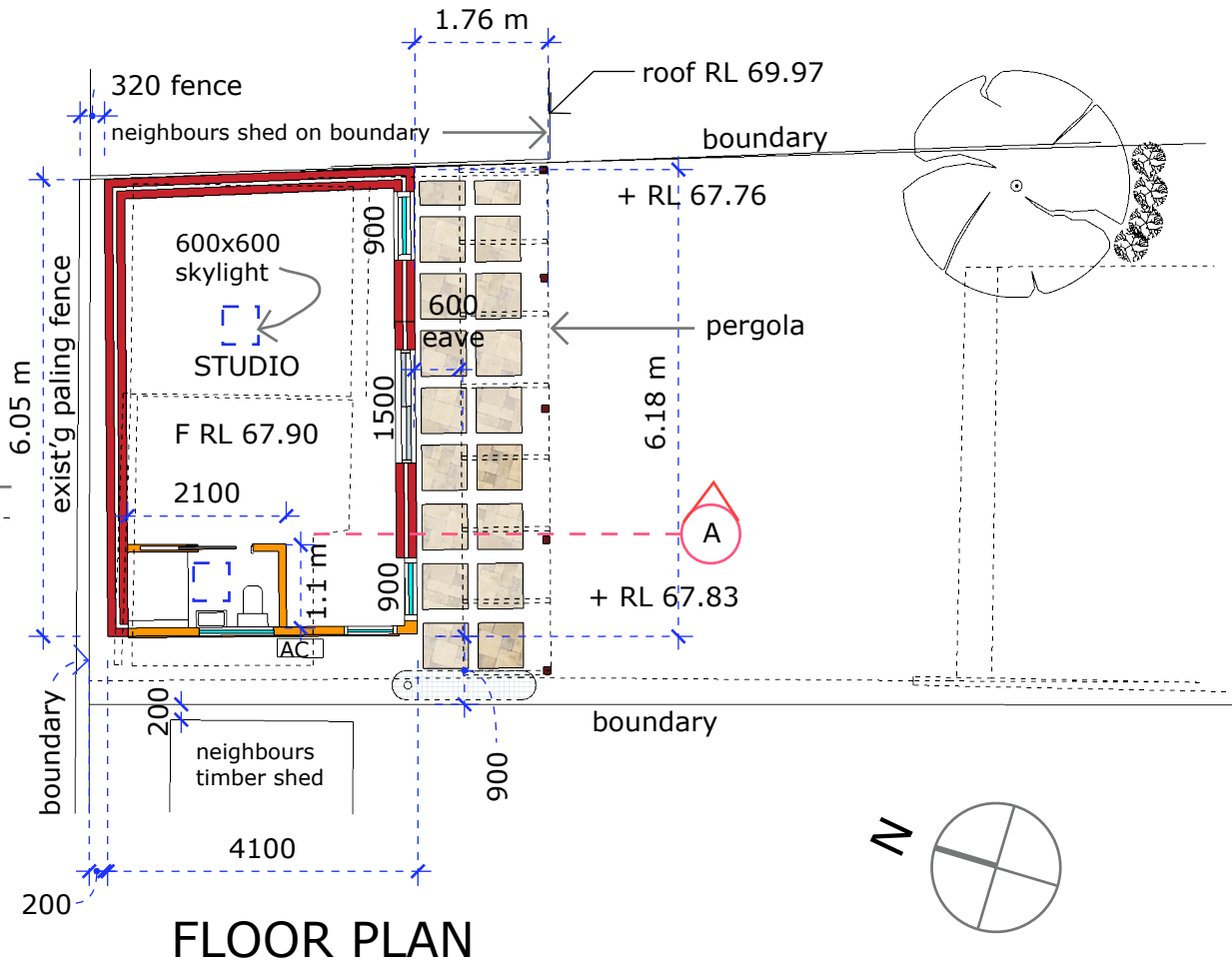
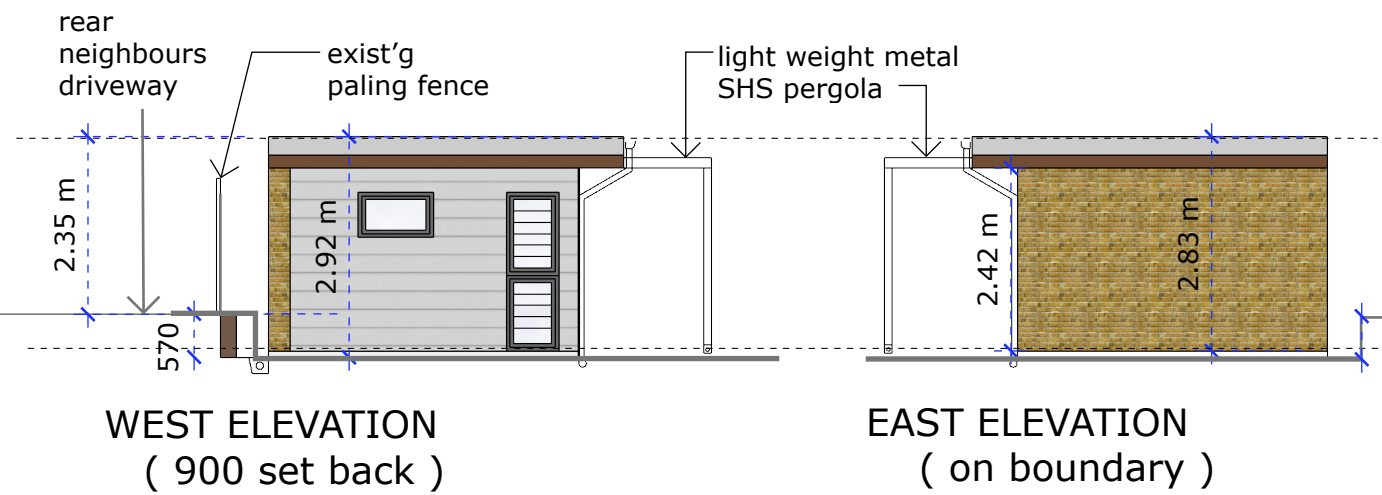
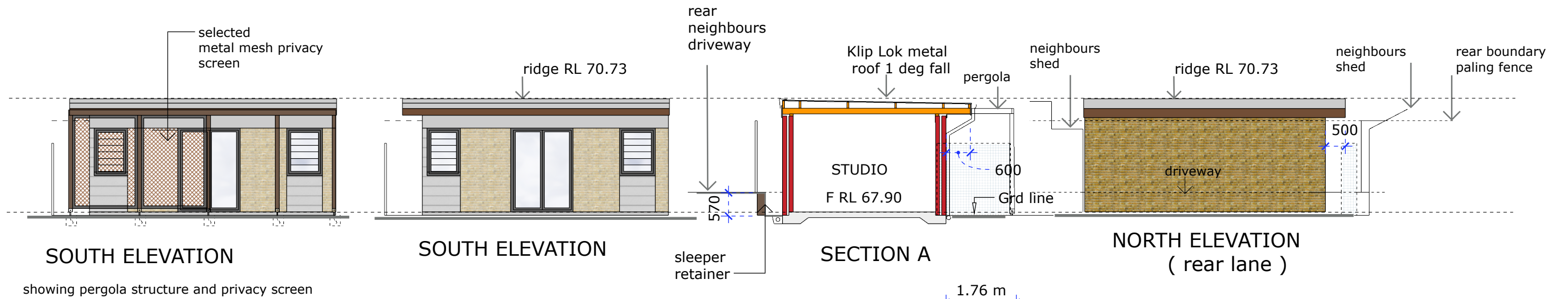


LOCATION MAP  
row of 6 terrace dwellings

SITE PLAN  
scale 1:200 A3

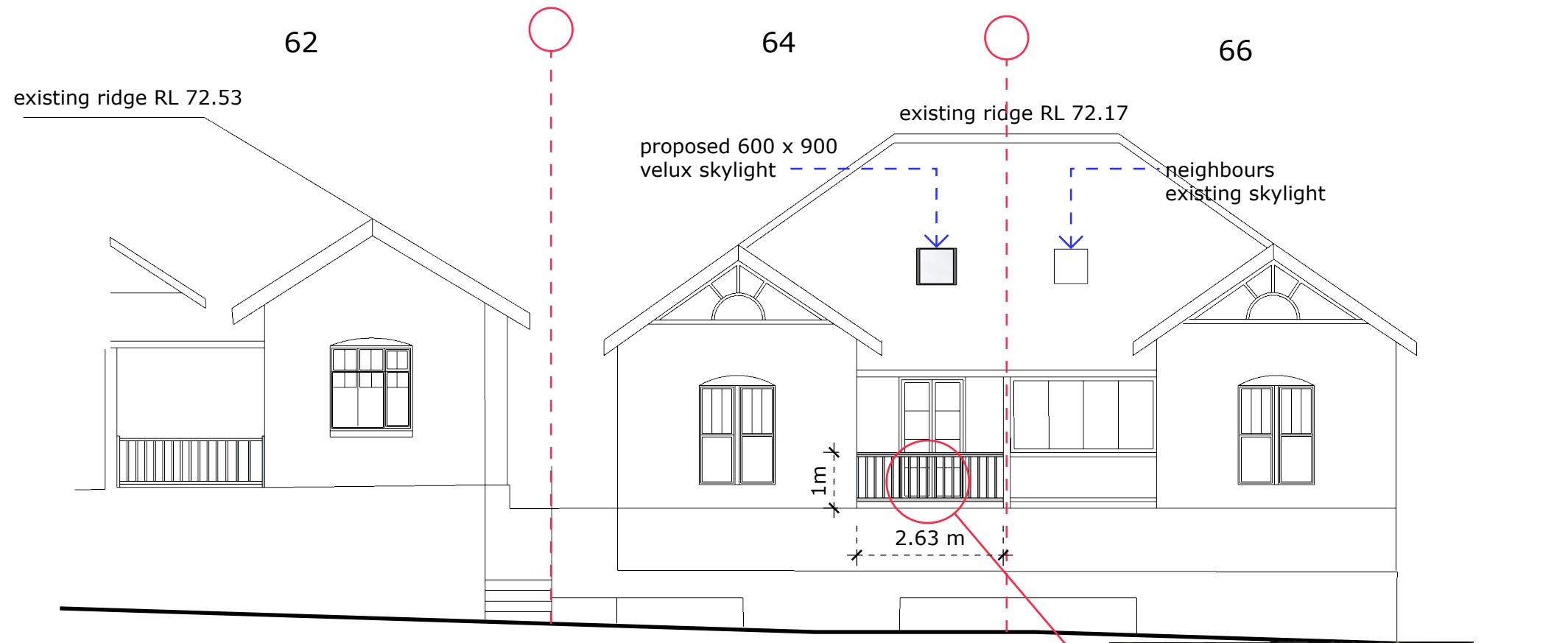
ALLISTER STREET





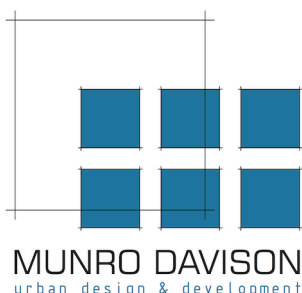
mark.md@mac.com  
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### SOUTH ELEVATION

- existing brick balustrade infill to be removed
- Proposed timber picketed balustrade
- selected pickets spaced > 120 mm apart
- tulip relief cutouts x 4



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64 Rangers Road Cremorne

FRONT ELEVATION

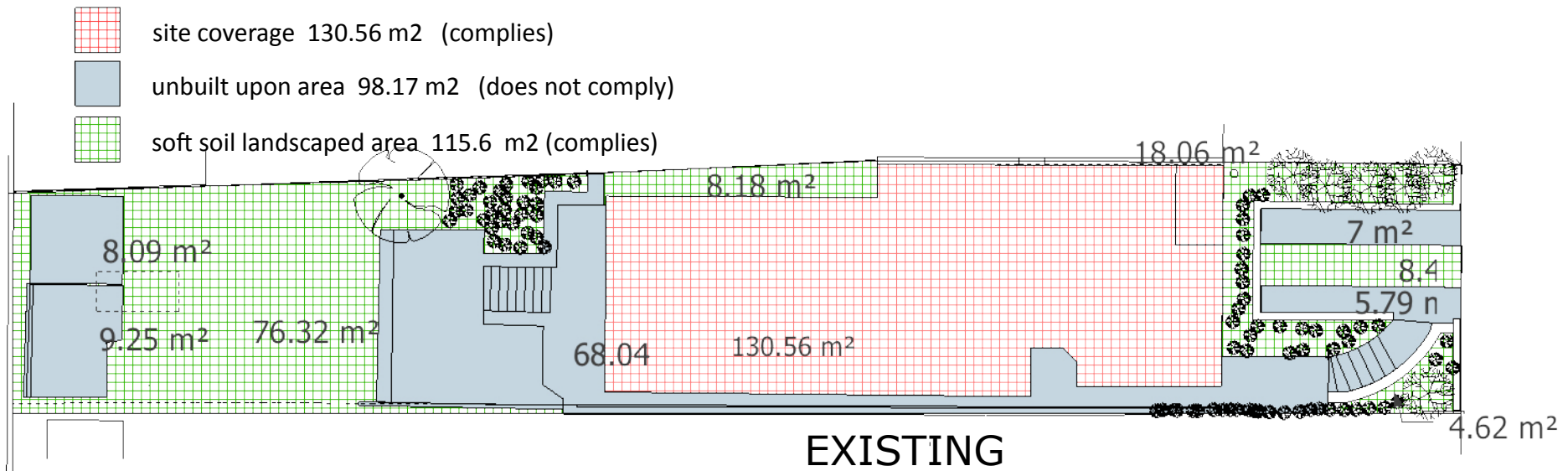
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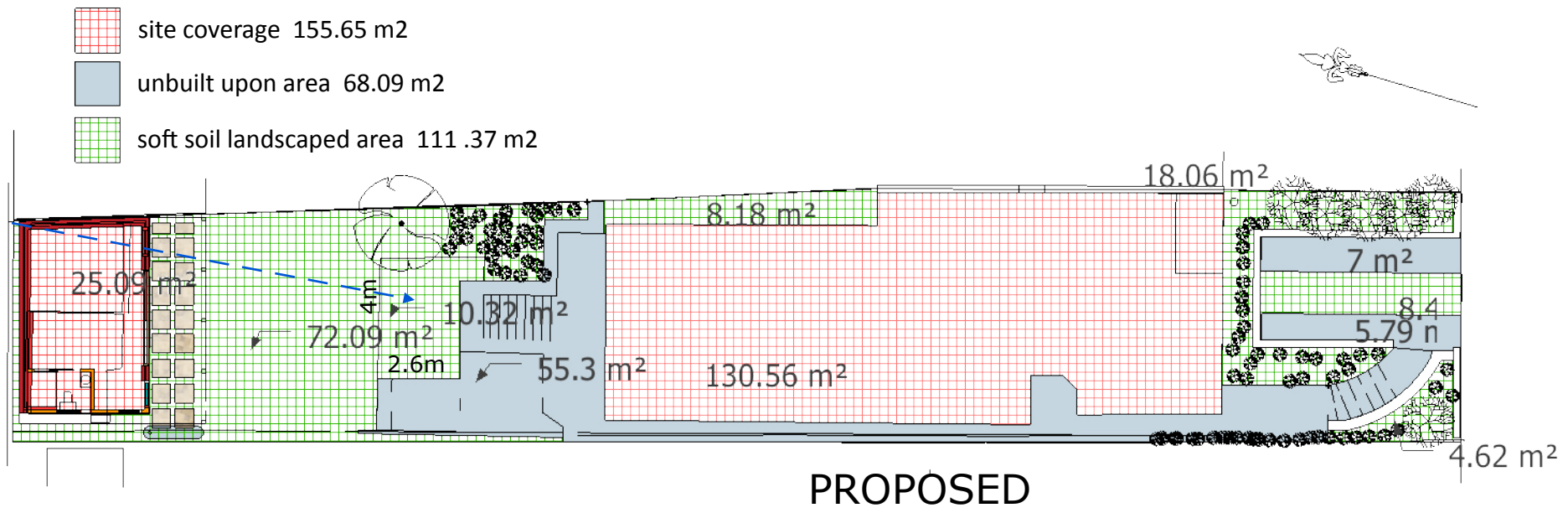
14 Oct 2021

DA DWG

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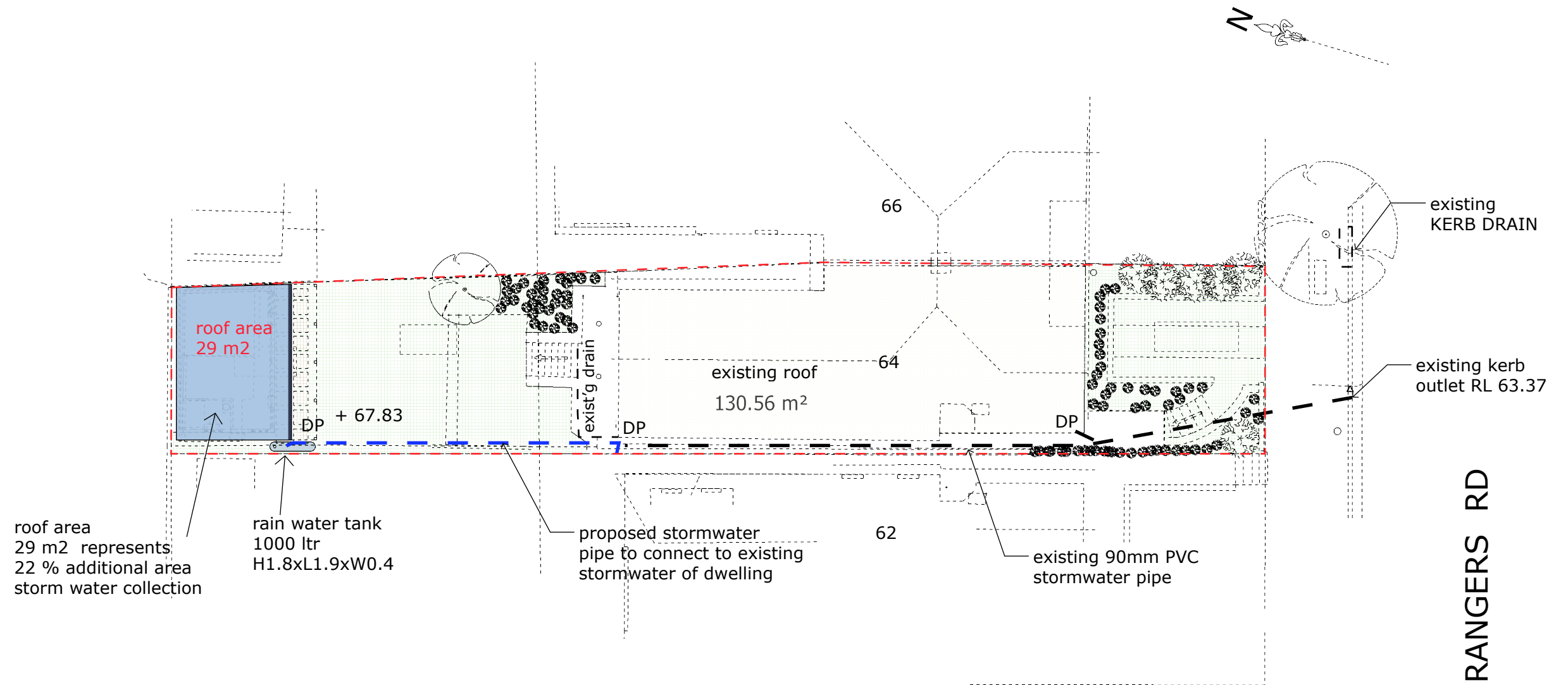


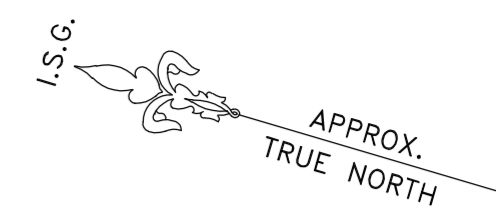
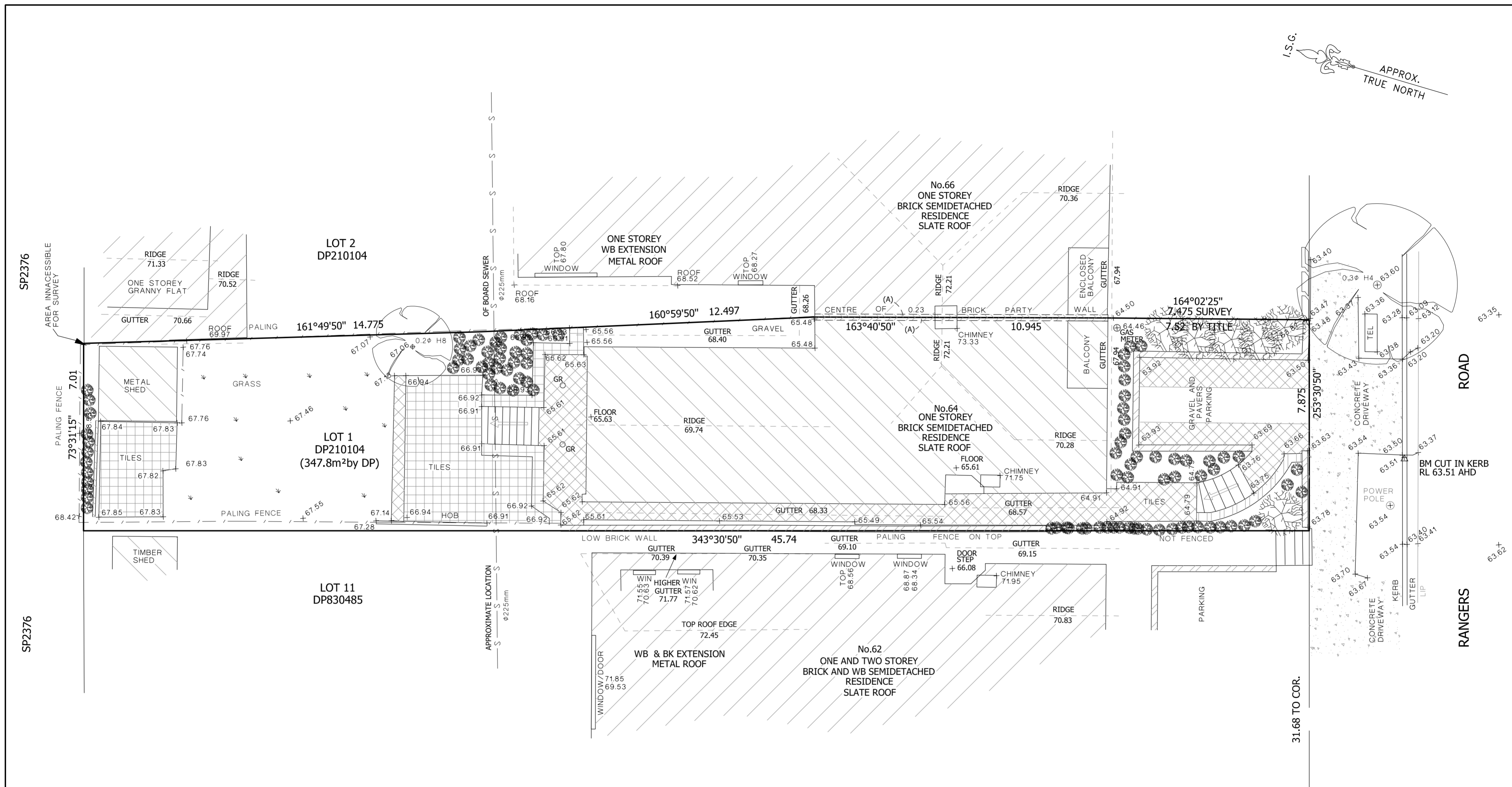
NOTE: PROPOSED  
 An area of 10.32m<sup>2</sup> of existing paved area to be removed to achieve compliance with un-built Upon area



Site Area 347.8 m <sup>2</sup>	
Site Coverage (230-499) 50% = 173.9 m <sup>2</sup>	proposed 155.65 m <sup>2</sup> 44.7% COMPLIES
Un-built Upon Area (max) (230-499) 20% = 69.56 m <sup>2</sup>	proposed 68.09 m <sup>2</sup> (19.5%) COMPLIES
Landscaped Area (min) (230-499) 30% = 104.34 m <sup>2</sup>	proposed 111.37 m <sup>2</sup> (32.0%) COMPLIES







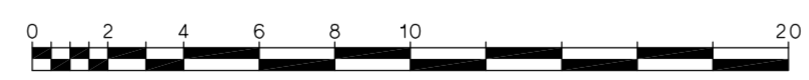
(A) DENOTES CROSS EASEMENT AFFECTING PARTY WALL SHOWN ON COMMON BOUNDARY OF LOTS 1 AND 2 DP210104 (J29001)

- NOTES:
1. THE RELATIONSHIP BETWEEN FEATURES AND BOUNDARIES IS DIAGRAMMATIC ONLY.
  2. NO INVESTIGATION HAS BEEN MADE OF UNDERGROUND SERVICES ON OR ADJACENT TO THIS LAND.
  3. RESTRICTION ON BUILDINGS MAY APPLY TO THIS LAND.
  4. ORIGIN OF LEVELS PM 39002 ADOPTED AS RL 60.962 A.H.D.
  5. — S — S — DENOTES APPROXIMATE LOCATION OF SEWER BOARD SCANNED FROM SYDNEY WATER SERVICE DIAGRAM No. 640490 (APPROXIMATE POSITION INDICATED ONLY)

www.dialbeforeyoudig.com.au

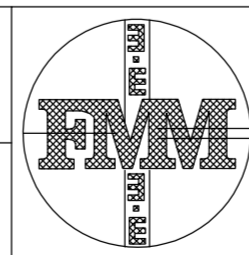
DIAL BEFORE YOU DIG SHOULD BE CONTACTED PRIOR TO ANY EXCAVATION ON SITE

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 Tel 02 9929 6233  
 02 9955 5385

PLAN SHOWING RELATIVE HEIGHTS AND FEATURES OF LOT 1 DP210104 BEING LAND AT CREMORNE IN THE L.G.A. OF NORTH SYDNEY

Drawn RS	Surveyor RS	Datum	Date 30.08.2021
Reduction Ratio 1:100	Size A2	Drawing Name 33484-04	Sheet of