





 DEVELOPMENT ASSESSMENT REPORT				
Application No.	DA/2021/1211			
Address	539 Darling Street ROZELLE NSW 2039			
Proposal	Alterations and additions to an existing townhouse and associated works			
Date of Lodgement	17 December 2021			
Applicant	Christopher Jordan			
Owner	Chathuri U Dissanayake Prem PS Pillay			
Number of Submissions	Initial: 0			
Value of works	\$114,600.00			
Reason for determination at Planning Panel	Floor Space Ratio variation greater than 10% within Strata Scheme			
Main Issues	Floor Space Ratio development standard variation			
Recommendation	Approved with Conditions			
Attachment A	Recommended conditions of consent			
Attachment B	Plans of proposed development			
Attachment C	Clause 4.6 Exception to Development Standards - Clause 4.3A - Landscaped areas for residential accommodation in Zone R1			
Attachment D	Clause 4.6 Exception to Development Standards - Clause 4.4 - Floor space ratio			
Attachment E	Statement of Heritage Significance			
				
LOCALITY MAP				
Subject Site		Objectors		 N
Notified Area		Supporters		

1. Executive Summary

This report is an assessment of the application submitted to Council for alterations and additions to an existing townhouse and associated works at 539 Darling Street Rozelle.

The application was lodged on 17 December 2021 and then notified in accordance with the Community Engagement Framework for a period of 14 days to surrounding properties from 11 January till 27 January 2022. No submissions were received in response to the initial notification.

The main issues that have arisen from the application include:

- Retention of the existing variation to Clause 4.3A - Landscaped areas for residential accommodation in Zone R1 within the Leichhardt *Local Environment Plan (LLEP) 2013*. The applicant seeks to retain the existing variation of 24% or 41.1sqm.
- A further variation to Clause 4.4- Floor Space Ratio of the *LLEP 2013*. The subject site currently benefits from a varied FSR of 0.78:1 (647.4sqm). The proposal seeks an additional Gross Floor Area of 9.6sqm resulting in a FSR of 0.80:1 (657smq) seeking an additional 1.6% variation. The site will have a non-compliance of 80sqm or 13.8%.

The non-compliances are acceptable as discussed in the body text of this report and therefore the application is recommended for approval.

2. Proposal

This application seeks consent for alterations and additions to existing an townhouse and associated works. Specifically, the proposal involves the following works:

- To increase to the FSR by adding a roof over the existing courtyard to enclose the space. The existing development FSR is approximately 0.78:1 (647.4sqm) and the proposed modified development would have an FSR of 0.80:1 (657sqm);
- Replace existing windows and doors with new windows and doors. The proposal does not seek to increase the size of the windows or doors; and
- Minor internal demolition to wall associated with the ground floor kitchen and first floor ensuite.

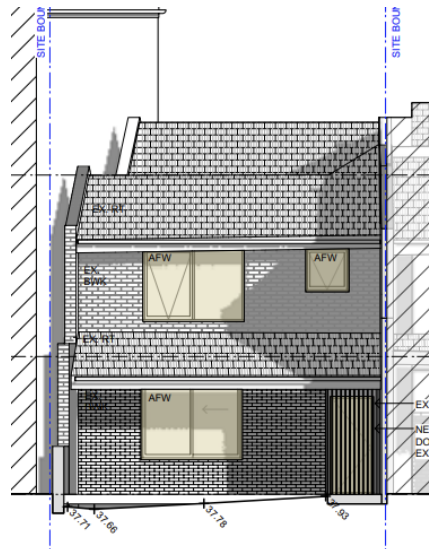


Figure 1: Proposed Eastern Elevation

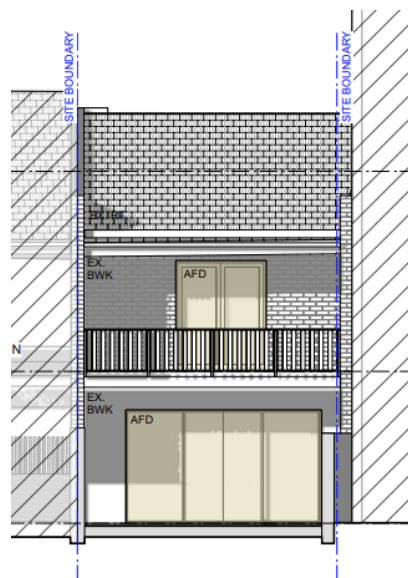
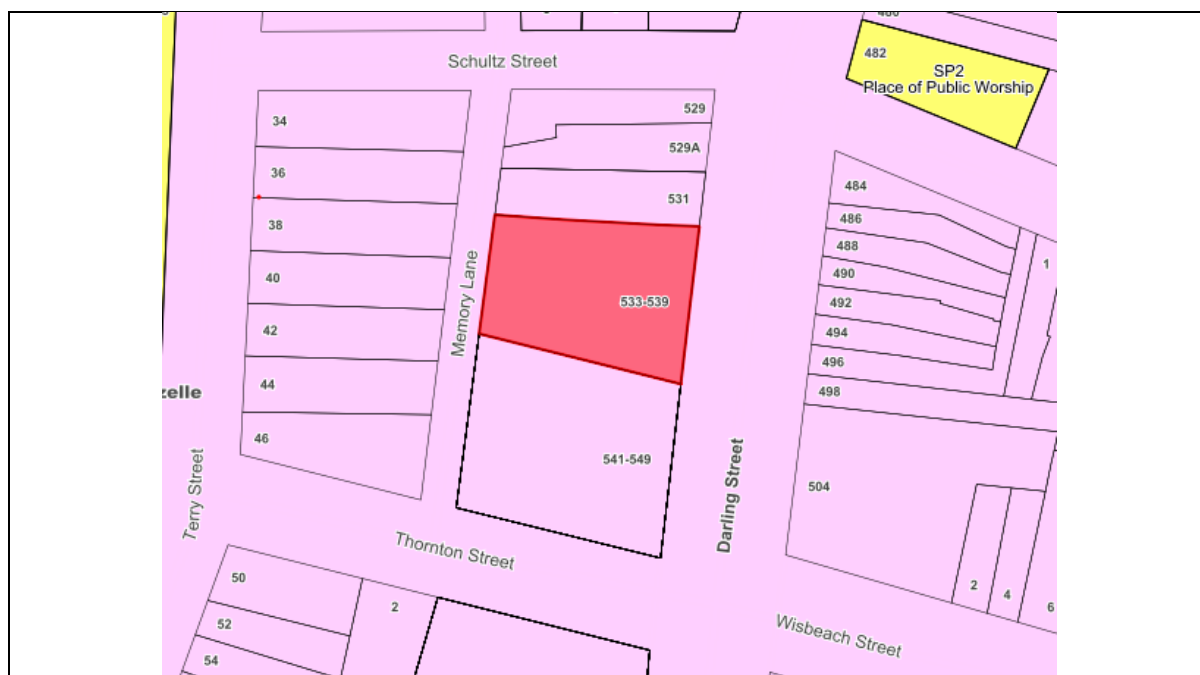


Figure 2: Proposed Western Elevation

3. Site Description

The subject site is legally known as PT 1 of SP45806 and is commonly known as 539 Darling Street Rozelle. The site is located on the western side of Darling Street and is bounded by Memory Lane to the rear, Thornton Street to the south and Schultz Street/Hight Street to the north. The site is irregular in shape with a site area of approximately 825sqm and a frontage of 26.74m to Darling Street. The subject site is not listed as a heritage item, however, is located within the Iron Cove Conservation Area.

The site supports four (4) attached two storey townhouses all brick with a tiled roof construction. Immediately adjoining the site to the north is an attached dwelling within the same townhouse complex and to the south is a part three (3) part four (4) mixed use development. On the opposite side of Darling Street is single storey commercial building containing offices.



Zone Map – R1 – General Residential

4. Background

4(a) Site history

A review of Council records identified that there are no previous approvals of relevance.

4(b) Application history

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

Date	Discussion / Letter / Additional Information
17 December 2021	Application Lodged
11 - 27 January 2022	Application was placed on notification

5. Assessment

The following is a summary of the assessment of the application in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

5(a) Environmental Planning Instruments

The application has been assessed against the relevant Environmental Planning Instruments listed below:

State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021 provides planning guidelines for remediation of contaminated land. The SEPP requires the consent authority to be satisfied that “the site is, or can be made, suitable for the proposed use” prior to the granting of consent.

It is considered that the site will not require remediation in accordance with the SEPP as:

- the site and adjoining properties appear to have been continuously used for residential purposes; and
- that no significant excavation is proposed.

On this basis, the site is considered suitable in its present state for the proposed alterations and additions. No further investigations of contamination are considered necessary. The proposal is satisfactory in relation to the Resilience and Hazards SEPP.

SEPP (Building Sustainability Index: BASIX) 2004

A BASIX Certificate (No. A439441) was submitted with the application indicating that the proposal achieves full compliance with the BASIX requirements. Appropriate conditions are included in the recommendation to ensure the BASIX Certificate commitments are implemented into the development.

Leichhardt Local Environment Plan 2013 (LLEP 2013)

The application was assessed against the following relevant clauses of *the Leichhardt Local Environmental Plan 2013*:

- Clause 1.2 - Aims of the Plan
- Clause 2.3 - Zone objectives and Land Use Table
- Clause 2.7 - Demolition
- Clause 4.3A - Landscaped areas
- Clause 4.4 - Floor Space Ratio
- Clause 4.6 - Exceptions to development standards
- Clause 5.10 - Heritage Conservation
- Clause 6.1 - Acid Sulfate Soils
- Clause 6.4 - Stormwater management

Clause 2.3 - Land Use Table and Zone Objectives

The site is zoned LR1 under the *LLEP 2011*. The *LLEP 2013* defines the development as multi dwelling housing which means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building. The development is permitted with consent within the land use table. The development is consistent with the objectives of the LR1 zone.

Clause 4.3A - Landscaped areas for residential accommodation in Zone R1

Clause 4.4 - Floor Space Ratio

The following table provides an assessment of the application against the relevant development standards:

Standard	Proposal	Non-compliance	Complies
Landscape Area Minimum permissible: 20% or 165sqm	15% or 123.9sqm	41.1smq or 24%	No
Site Coverage Maximum permissible: 60% or 495sqm	47.1% or 388.8sqm	N/A	Yes

<p>Floor Space Ratio Maximum permissible: 07:1 or 577 sqm</p>	<p>The subject site currently benefits from a varied FSR of 0.78:1 (647.4sqm). The proposal seeks an additional variation of 9.6sqm seeking an FSR of 0.80:1 (657smq).</p>	<p>9.6sqm or 1.6%. There will an overall site non-compliance of 80sqm or 13.8%</p>	<p>No</p>
--	---	---	-----------

The application does not comply with either Clause 4.3A(a)(ii) or Clause 4.4 of the *LLEP 2013*. The applicant has provided separate Clause 4.6 Exceptions to development standards which is discussed later in the report.

Clause 4.6 Exceptions to Development Standards

As outlined in table above, the proposal results in a breach of the following development standards:

- Clause 4.3A(a)(ii); and
- Clause 4.4

Clause 4.3A - Landscaped areas for residential accommodation in Zone R1

The applicant seeks to retain the existing variation of 24% or 41.1sqm to the Landscaped areas for residential accommodation in Zone R1 development standard under Clause 4.3A(ii) of the *Leichhardt Local Environment Plan 2013*. No works are proposed that would either decrease or increase on site landscaping.

Clause 4.6 allows Council to vary development standards in certain circumstances and provides an appropriate degree of flexibility to achieve better design outcomes. In order to demonstrate whether strict numeric compliance is unreasonable and unnecessary in this instance, the proposed exception to the development standard has been assessed against the objectives and provisions of Clause 4.6 of the *Leichhardt Local Environment Plan 2013* below.

The objectives of the Landscaped areas for residential accommodation in Zone R1 standard are as follows:

- a) to provide landscaped areas that are suitable for substantial tree planting and for the use and enjoyment of residents,
- b) to maintain and encourage a landscaped corridor between adjoining properties,
- c) to ensure that development promotes the desired future character of the neighbourhood
- d) to encourage ecologically sustainable development by maximising the retention and absorption of surface drainage water on site and by minimising obstruction to the underground flow of water,
- e) to control site density,
- f) to limit building footprints to ensure that adequate provision is made for landscaped areas and private open space.

The objectives of the Zone R1 General Residential zone are as follows:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To improve opportunities to work from home.
- To provide housing that is compatible with the character, style, orientation and pattern of surrounding buildings, streetscapes, works and landscaped areas.
- To provide landscaped areas for the use and enjoyment of existing and future residents.
- To ensure that subdivision creates lots of regular shapes that are complementary to, and compatible with, the character, style, orientation and pattern of the surrounding area.
- To protect and enhance the amenity of existing and future residents and the neighbourhood.

A written request has been submitted to Council in accordance with Clause 4.6(4)(a)(i) of the Leichhardt Local Environment Plan 2013 justifying the proposed contravention of the development standard which is summarised as follows:

- *The proposed works do not alter the existing soft landscaped area.*
- *The design of the development retains the original principle building form as existing.*
- *The landscaped area development standard departure does not itself create any adverse impact by way of privacy or bulk and scale that could be viewed by neighbours or those passing the site within the public domain.*
- *No additional amenity impacts arise as a result of the proposal.*
- *The development achieves the aims and objectives of LLEP 2013.*
- *The proposal satisfies the zone objectives.*

The applicant's written rationale adequately demonstrates compliance with the development standard is unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

It is considered the development is in the public interest because it is consistent with the objectives of the LR1, in accordance with Clause 4.6(4)(a)(ii) of the *Leichhardt Local Environment Plan 2013* for the following reasons:

- The proposal does not seek to change the existing landscaped area on site.
- The proposal protects and enhances the amenity of existing dwelling and provide improved amenity for future residents and the neighbourhood.
- The development promotes the desired future character of the neighbourhood,
- The building footprint provides adequate provision for landscaped areas and private open space
- The proposal retains expanded housing type designed to meet the housing needs of the community.
- The proposed additions enable facilities or services to meet the day to day needs of residents.
- The proposal provides housing that is compatible with the character, style, orientation and pattern of surrounding buildings, streetscapes, works and landscaped areas.

The concurrence of the Planning Secretary may be assumed for matters dealt with by the Local Planning Panel.

The proposal thereby accords with the objective in Clause 4.6(1)(b) and requirements of Clause 4.6(3)(b) of the *Leichhardt Local Environment Plan 2013*. For the reasons outlined above, there are sufficient planning grounds to justify the departure from Landscaped areas for residential accommodation in Zone R1 and it is recommended the Clause 4.6 exception be granted.

Clause 4.4 – Floor Space Ratio

The proposal seeks to further vary the Floor Space Ratio development standard under Clause 4.4 of the *Leichhardt Local Environment Plan 2013*. The subject site currently benefits from a varied FSR of 0.78:1 (647.4sqm). The proposal seeks an additional GFA of 9.6sqm resulting in a FSR of 0.80:1 (657smq) seeking an additional 1.6% variation. The site will have a non-compliance of 80sqm or 13.8%.

Clause 4.6 allows Council to vary development standards in certain circumstances and provides an appropriate degree of flexibility to achieve better design outcomes. In order to demonstrate whether strict numeric compliance is unreasonable and unnecessary in this instance, the proposed exception to the development standard has been assessed against the objectives and provisions of Clause 4.6 of the *Leichhardt Local Environment Plan 2013* below.

The objectives of the Floor Space Ratio for residential accommodation in Zone R1 standard are as follows:

- a) to ensure that residential accommodation—
 - (i) is compatible with the desired future character of the area in relation to building bulk, form and scale, and
 - (ii) provides a suitable balance between landscaped areas and the built form, and
 - (iii) minimises the impact of the bulk and scale of buildings,
- b) to ensure that non-residential development is compatible with the desired future character of the area in relation to building bulk, form and scale.

The objectives of the Zone R1 General Residential zone are as follows:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To improve opportunities to work from home.
- To provide housing that is compatible with the character, style, orientation and pattern of surrounding buildings, streetscapes, works and landscaped areas.
- To provide landscaped areas for the use and enjoyment of existing and future residents.
- To ensure that subdivision creates lots of regular shapes that are complementary to, and compatible with, the character, style, orientation and pattern of the surrounding area.
- To protect and enhance the amenity of existing and future residents and the neighbourhood.

A written request has been submitted to Council in accordance with Clause 4.6(4)(a)(i) of the *Leichhardt Local Environment Plan 2013* justifying the proposed contravention of the development standard which is summarised as follows:

- *The proposal does not seek to alter the external envelope of the building, setbacks or height. The external elevations of the building and material composition will remain unchanged. The visual appearance of the building will remain unchanged. There are no changes to the existing landscaped area.*
- *The proposed works are minimal, being only the infill of an internal lightwell for a sitting room*
- *Given the proposal does not alter the overall building footprint, setbacks or height of the building will remain unchanged, and the proposal will not result in changes to the visual or solar impacts upon adjoining properties. The amenity of existing and future residents and the neighbourhood will remain unchanged. The retention of the principle original structure of the building will be encouraged by Council.*
- *The proposal provides exceptional amenity to the existing dwelling in terms of natural light, privacy and ventilation and does not compromise amenity of the remaining habitable rooms of the dwelling.*
- *The proposal satisfies the zone objectives.*

The applicant's written rationale adequately demonstrates compliance with the development standard is unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

It is considered the development is in the public interest because it is consistent with the objectives of the LR1, in accordance with Clause 4.6(4)(a)(ii) of the *Leichhardt Local Environment Plan 2013* for the following reasons:

- The subject site is of sufficient orientation, shape, area and allotment width so as to accommodate the proposed development whilst ensuring that there are no impacts to neighbouring properties.
- The proposed development provides an appropriate built form, intensity and public domain response on the subject site and contributes to the desired future character of the area.
- The proposal provides a development that facilitates the orderly economic development of the site in an appropriate manner that will also not prevent redevelopment of adjoining properties.
- The urban design response in the form of the proposed development achieves a high quality urban form which allows for increased housing opportunities and choice for future occupants without adversely impacting on the amenity of adjoining properties.

The concurrence of the Planning Secretary may be assumed for matters dealt with by the Local Planning Panel.

The proposal thereby accords with the objective in Clause 4.6(1)(b) and requirements of Clause 4.6(3)(b) of the *Leichhardt Local Environment Plan 2013*. For the reasons outlined above, there are sufficient planning grounds to justify the departure from Landscaped areas for residential accommodation in Zone R1 and it is recommended the Clause 4.6 exception be granted.

Clause 5.10 - Heritage Conservation

The subject property 539 Darling Street Rozelle is not listed as a heritage item, however, is located within the Iron Cove Conservation Area.

Councils' Heritage Advisor has reviewed the proposal and outlined no objection subject to conditions that the exterior colours are to match existing. The recommended design changes have been included in the recommended conditions. Given the above, the development preserves the environmental heritage of the Inner West, and the proposal is consistent with the objectives and requirements of Clause 5.10.

Clause 6.1 – Acid Sulfate Soils

Acid Sulfate Soils (ASS) – Class 5 affect the property. The proposal does not involve any excavation below natural ground level and will not impact upon the water table and the proposal is subjected to conditions of consent. The proposal is consistent with the objectives and requirements of Clause 6.1.

Clause 6.4 – Stormwater management

The proposal is considered to comply with the relevant requirements for stormwater management. The application has been reviewed by Council's engineers, who outlined no objection subject to suitable conditions of consent. The proposal meets the objectives of this clause.

5(d) Development Control Plans

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

LDCP2013	Compliance
Part A: Introductions	
Part C	
C1.0 General Provisions	Yes
C1.1 Site and Context Analysis	Yes – see discussion
C1.2 Demolition	Yes
C1.3 Alterations and additions	Yes – see discussion
C1.7 Site Facilities	Yes
C1.9 Safety by Design	Yes
C1.12 Landscaping	Yes – see discussion
Part C: Place – Section 2 Urban Character	
Insert distinctive neighbourhood	Yes – see discussion
Part C: Place – Section 3 – Residential Provisions	
C3.1 Residential General Provisions	Yes
C3.3 Elevation and Materials	Yes
C3.5 Front Gardens and Dwelling Entries	Yes
C3.8 Private Open Space	Yes
C3.11 Visual Privacy	Yes – see discussion
C3.12 Acoustic Privacy	Yes – see discussion
Part D: Energy	
D2.1 General Requirements	Yes
Part E: Water	
E1.2.2 Managing Stormwater within the Site	Yes

The following provides discussion of the relevant issues:

C1.1 - Site and Context Analysis

The proposed extension is internal and will not be noticeable from the public domain. The proposal maintains a well-designed development that appropriately considers the context, scale, built form, density and resource, energy and water efficiency, streetscape, travel networks and connections, social dimensions and aesthetics subject to the conditions.

C1.3 - Alterations and additions

The proposed extension is internal and as such ensures the existing development complements the scale, form and materials of the streetscape and neighbourhood character. The proposal subject to the conditions, will appear as a sympathetic addition to the existing building; maintains views from the public domain and reasonably protects views obtained from surrounding development

C1.12 - Landscaping

As addressed in the report above the subject site currently does not comply with the requirements for on-site landscaping. The application does not seek to make any modifications or reduce on site landscaping and maintaining the existing variation is deemed acceptable.

C2 - Iron Cove Distinctive Neighbourhood - Darling Street Sub Area

The proposal is considered to comply with the relevant controls and will result in a development that will preserve the current residential character and uses along the part of Darling Street. The development will maintain and enhance the scale and character of existing dwellings, retains the roof form and ensures that the proposed materials reflect the cohesiveness of the streetscape, subject to conditions.

C3.1 - Residential General Provisions

The proposal seeks to increase the gross floor area internally by enclosing the existing courtyard and by adding a roof. Any additional bulk or scale will not be recognised from the public domain. The application also proposes changes to replace existing windows which are of a design that is compatible with the existing character subject to conditions which will not compete with the architectural character of the existing building subject to conditions.

C3.3 Elevation and Materials

The application was not accompanied by a schedule of Materials and Finishes, however a condition is included in the recommendation requiring that the exterior colours are to match existing the scheme.

C3.11 - Visual Privacy

The application only seeks to replace the current windows and doors. The DA does not seek to create any new opening or enlarge existing ones. The retention of all openings ensure that surveillance is provided to both Darling Street and Memory Lane.

C3.12 - Acoustic Privacy

The proposal has been appropriately designed to avoid significant impacts of acoustic privacy for neighbouring dwellings. Any acoustic impacts from the proposal are expected to be in-line with that of a multi dwelling housing development and no greater than existing.

5(e) The Likely Impacts

The assessment of the Development Application demonstrates that, subject to the recommended conditions, the proposal will have minimal impact in the locality.

5(f) The suitability of the site for the development

Provided that any adverse effects on adjoining properties are minimised, this site is considered suitable to accommodate the proposed development, and this has been demonstrated in the assessment of the application.

5(g) Any submissions

The application was notified in accordance with the Community Engagement Framework for a period of 14 days to surrounding properties from 11 January till 27 January 2022. No submissions were received in response to the initial notification.

5(h) The Public Interest

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments, and by Council ensuring that any adverse effects on the surrounding area and the environment are appropriately managed. The proposal is not contrary to the public interest.

6 Referrals

6(a) Internal

The application was referred to the following internal sections/officers and issues raised in those referrals have been discussed in section 5 above.

Referrals	Summary of Response
Engineer	The plans have been reviewed by Council’s Development engineer who outlined no objections to the proposal, subject to suitable conditions of consent.
Heritage Officer	The plans have been reviewed by Council’s Heritage Officer who outlined no objections proposal subject to exterior colours to match the existing development.

7. Section 7.12 Levy

Section 7.12 levies are payable for the proposal. The carrying out of the development would result in an increased demand for public amenities and public services within the area. A contribution of \$5,730 would be required for the development Leichhardt Section 94A Contributions Plan 2014. A condition requiring that contribution to be paid is included in the recommendation.

8. Conclusion

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

The development will not result in any significant impacts on the amenity of the adjoining premises/properties and the streetscape and is considered to be in the public interest.

The application is considered suitable for approval subject to the imposition of appropriate conditions.

9. Recommendation

- A. The applicant has made a written request pursuant to Clause 4.3A(3)(ii) of the *Leichhardt Local Environmental Plan 2013*. After considering the request, and assuming the concurrence of the Secretary has been given, the Panel is satisfied that compliance with the standard is unnecessary in the circumstance of the case and that there are sufficient environmental grounds to support the variation. The proposed development will be in the public interest because the exceedance is not inconsistent with the objectives of the standard and of the zone in which the development is to be carried out.
- B. The applicant has made a written request pursuant to Clause 4.4 of the *Leichhardt Local Environmental Plan 2013*. After considering the request, and assuming the concurrence of the Secretary has been given, the Panel is satisfied that compliance with the standard is unnecessary in the circumstance of the case and that there are sufficient environmental grounds to support the variation. The proposed development will be in the public interest because the exceedance is not inconsistent with the objectives of the standard and of the zone in which the development is to be carried out.
- C. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the Environmental Planning and Assessment Act 1979, grant consent to Development Application No. DA/2021/1211 for alterations and additions to an existing townhouse and associated works at 539 Darling Street, Rozelle subject to the conditions listed in Attachment A.

Attachment A – Recommended conditions of consent

CONDITIONS OF CONSENT

DOCUMENTS RELATED TO THE CONSENT

1. Documents related to the consent

The development must be carried out in accordance with plans and documents listed below:

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
Sheet No. 02 Revision C	Site roof plan	15/12/21	Christopher Jordan Architecture and Design
Sheet No. 03 Revision A	Site roof plan	15/12/21	Christopher Jordan Architecture and Design
Sheet No. 04 Revision F	Ground Floor Plan	15/12/21	Christopher Jordan Architecture and Design
Sheet No. 05 Revision F	First Floor Plan	15/12/21	Christopher Jordan Architecture and Design
Sheet No. 06 Revision C	Elevations East	15/12/21	Christopher Jordan Architecture and Design
Sheet No. 07 Revision C	Elevations West	15/12/21	Christopher Jordan Architecture and Design
Sheet No. 08 Revision C	Elevations North and South	15/12/21	Christopher Jordan Architecture and Design

Sheet No. 09	Section A and B	15/12/21	Christopher Jordan Architecture and Design
Revision C			

As amended by the conditions of consent.

DESIGN CHANGE

2. Design Change

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

- a. The finish of the new windows and doors are to be in keeping with the that of the existing materials and colour scheme

FEES

3. Security Deposit - Custom

Prior to the commencement of demolition works or prior to the issue of a Construction Certificate, the Certifying Authority must be provided with written evidence that a security deposit and inspection fee has been paid to Council to cover the cost of making good any damage caused to any Council property or the physical environment as a consequence of carrying out the works and as surety for the proper completion of any road, footpath and drainage works required by this consent.

Security Deposit:	\$2,254.00
Inspection Fee:	\$241.50

Payment will be accepted in the form of cash, bank cheque, EFTPOS/credit card (to a maximum of \$10,000) or bank guarantee. Bank Guarantees must not have an expiry date.

The inspection fee is required for the Council to determine the condition of the adjacent road reserve and footpath prior to and on completion of the works being carried out.

Should any of Council's property and/or the physical environment sustain damage during the course of the demolition or construction works, or if the works put Council's assets or the environment at risk, or if any road, footpath or drainage works required by this consent are not completed satisfactorily, Council may carry out any works necessary to repair the damage, remove the risk or complete the works. Council may utilise part or all of the security deposit to restore any damages, and Council may recover, in any court of competent jurisdiction, any costs to Council for such restorations.

A request for release of the security may be made to the Council after all construction work has been completed and a final Occupation Certificate issued.

The amount nominated is only current for the financial year in which the initial consent was issued and is revised each financial year. The amount payable must be consistent with Council's Fees and Charges in force at the date of payment.

4. Section 7.12 (formerly section 94A) Development Contribution Payments

Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that a monetary contribution to the Inner West Council has been paid, towards the provision of infrastructure, required to address increased demand for local services generated by additional development within the Local Government Area (LGA). This condition is imposed in accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 and in accordance with Former Leichhardt Local Government Area Section 7.12 Development Contributions Plan 2020.

Note:

Copies of these contribution plans can be inspected at any of the Inner West Council Service Centres or viewed online at <https://www.innerwest.nsw.gov.au/develop/planning-controls/section-94-contributions>

Payment amount*:

\$ 5,730

*Indexing of the Section 7.12 contribution payment:

The contribution amount to be paid to the Council is to be adjusted at the time of the actual payment in accordance with the provisions of the relevant contributions plan. In this regard, you are recommended to make contact with Inner West Council *prior to arranging your payment method* to confirm the correct current payment amount (at the expected time of payment).

Payment methods:

The required contribution must be paid either *by BPAY (to a maximum of \$500,000); unendorsed bank cheque (from an Australian Bank only); EFTPOS (Debit only); credit card (Note: A 1% credit card transaction fee applies to all credit card transactions; cash (to a maximum of \$10,000))*. It should be noted that personal cheques or bank guarantees cannot be accepted for the payment of these contributions. **Prior to payment contact Council's Planning Team to review charges to current indexed quarter, please allow a minimum of 2 business days for the invoice to be issued before payment can be accepted.**

5. Long Service Levy

Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that the long service levy in accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* has been paid at the prescribed rate of 0.35% of the total cost of the work to either the Long Service Payments Corporation or Council for any work costing \$25,000 or more.

GENERAL CONDITIONS

6. Boundary Alignment Levels

Alignment levels for the site at all pedestrian and vehicular access locations must match the existing back of footpath levels at the boundary.

7. Stormwater Drainage System – Simple

Stormwater runoff from proposed new or altered roof areas may be discharged to the existing site drainage system.

Any existing component of the stormwater system that is to be retained, must be checked and certified by a Licensed Plumber or qualified practising Civil Engineer to be in good condition and operating satisfactorily.

If any component of the existing system is not in good condition and /or not operating satisfactorily and/or impacted by the works and/or legal rights for drainage do not exist, the drainage system must be upgraded to discharge legally by gravity to the kerb and gutter of a public road.

8. Waste Management Plan

Prior to the commencement of any works (including any demolition works), the Certifying Authority is required to be provided with a Recycling and Waste Management Plan (RWMP) in accordance with the relevant Development Control Plan.

9. Erosion and Sediment Control

Prior to the issue of a commencement of any works (including any demolition works), the Certifying Authority must be provided with an erosion and sediment control plan and specification. Sediment control devices must be installed and maintained in proper working order to prevent sediment discharge from the construction site.

10. Standard Street Tree Protection

Prior to the commencement of any work, the Certifying Authority must be provided with details of the methods of protection of all street trees adjacent to the site during demolition and construction.

11. Works Outside the Property Boundary

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

PRIOR TO ANY DEMOLITION**12. Hoardings**

The person acting on this consent must ensure the site is secured with temporary fencing prior to any works commencing.

If the work involves the erection or demolition of a building and is likely to cause pedestrian or vehicular traffic on public roads or Council controlled lands to be obstructed or rendered inconvenient, or building involves the enclosure of public property, a hoarding or fence must be erected between the work site and the public property. An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling onto public property.

Separate approval is required from the Council under the *Roads Act 1993* to erect a hoarding or temporary fence or awning on public property.

13. Advising Neighbours Prior to Excavation

At least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

14. Construction Fencing

Prior to the commencement of any works (including demolition), the site must be enclosed with suitable fencing to prohibit unauthorised access. The fencing must be erected as a barrier between the public place and any neighbouring property.

PRIOR TO CONSTRUCTION CERTIFICATE**15. Dilapidation Report – Pre-Development – Minor**

Prior to the issue of a Construction Certificate or any demolition, the Certifying Authority must be provided with a dilapidation report including colour photos showing the existing condition of the footpath and roadway adjacent to the site.

16. Structural Certificate for retained elements of the building

Prior to the issue of a Construction Certificate, the Certifying Authority is required to be provided with a Structural Certificate prepared by a practising structural engineer, certifying the structural adequacy of the property and its ability to withstand the proposed additional, or altered structural loads during all stages of construction. The certificate must also include all details of the methodology to be employed in construction phases to achieve the above requirements without result in demolition of elements marked on the approved plans for retention.

17. Sydney Water – Tap In

Prior to the issue of a Construction Certificate, the Certifying Authority is required to ensure approval has been granted through Sydney Water's online 'Tap In' program to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met.

Note: Please refer to the web site <http://www.sydneywater.com.au/tapin/index.htm> for details on the process or telephone 13 20 92

DURING DEMOLITION AND CONSTRUCTION**18. Construction Hours – Class 1 and 10**

Unless otherwise approved by Council, excavation, demolition, construction or subdivision work are only permitted between the hours of 7:00am to 5:00pm, Mondays to Saturdays (inclusive) with no works permitted on, Sundays or Public Holidays.

PRIOR TO OCCUPATION CERTIFICATE**19. No Encroachments**

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

20. Protect Sandstone Kerb

Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that any stone kerb, damaged as a consequence of the work that is the subject of this development consent, has been replaced.

ADVISORY NOTES**Permits**

Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent must obtain all applicable Permits from Council in accordance with Section 68 (Approvals) of the *Local Government Act 1993* and/or Section 138 of the *Roads Act 1993*. Permits are required for the following activities:

- a. Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application;
- b. A concrete pump across the roadway/footpath;
- c. Mobile crane or any standing plant;

- d. Skip Bins;
- e. Scaffolding/Hoardings (fencing on public land);
- f. Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.;
- g. Awning or street veranda over the footpath;
- h. Partial or full road closure; and
- i. Installation or replacement of private stormwater drain, utility service or water supply.

If required contact Council's Road Access team to ensure the correct Permit applications are made for the various activities. Applications for such Permits must be submitted and approved by Council prior to the commencement of the works associated with such activity.

Insurances

Any person acting on this consent or any contractors carrying out works on public roads or Council controlled lands is required to take out Public Liability Insurance with a minimum cover of twenty (20) million dollars in relation to the occupation of, and approved works within those lands. The Policy is to note, and provide protection for Inner West Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public property.

Prescribed Conditions

This consent is subject to the prescribed conditions of consent within clause 98-98E of the *Environmental Planning and Assessment Regulations 2000*.

Notification of commencement of works

At least 7 days before any demolition work commences:

- a. the Council must be notified of the following particulars:
 - i. the name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - ii. the date the work is due to commence and the expected completion date; and
- b. a written notice must be placed in the letter box of each directly adjoining property identified advising of the date the work is due to commence.

Storage of Materials on public property

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

Toilet Facilities

The following facilities must be provided on the site:

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

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

Infrastructure

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

Other Approvals may be needed

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

Failure to comply with conditions

Failure to comply with the relevant provisions of *the Environmental Planning and Assessment Act 1979* and/or the conditions of this consent may result in the serving of penalty notices or legal action.

Other works

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

Obtaining Relevant Certification

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

- a. Application for any activity under that Act, including any erection of a hoarding;

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

Disability Discrimination Access to Premises Code

The *Disability Discrimination Act 1992* (Commonwealth) and the *Anti-Discrimination Act 1977* (NSW) impose obligations on persons relating to disability discrimination. Council's determination of the application does not relieve persons who have obligations under those Acts of the necessity to comply with those Acts.

National Construction Code (Building Code of Australia)

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

Notification of commencement of works

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

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

Dividing Fences Act

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

Permits from Council under Other Acts

Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent must obtain all applicable Permits from Council in accordance with Section 68 (Approvals) of the *Local Government Act 1993* and/or Section 138 of the *Roads Act 1993*. Permits are required for the following activities:

- a. Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application;
- b. A concrete pump across the roadway/footpath;
- c. Mobile crane or any standing plant;
- d. Skip bins;
- e. Scaffolding/Hoardings (fencing on public land);
- f. Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.;
- g. Awning or street verandah over footpath;
- h. Partial or full road closure; and
- i. Installation or replacement of private stormwater drain, utility service or water supply.

Contact Council's Road Access team to ensure the correct Permit applications are made for the various activities. A lease fee is payable for all occupations.

Noise

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

Amenity Impacts General

The use of the premises must not give rise to an environmental health nuisance to the adjoining or nearby premises and environment. There are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997* and Regulations. The use of the premises and the operation of plant and equipment must not give rise to the transmission of a vibration nuisance or damage other premises.

Dial before you dig

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

Useful Contacts

BASIX Information	1300 650 908 weekdays 2:00pm - 5:00pm www.basix.nsw.gov.au
Department of Fair Trading	13 32 20 www.fairtrading.nsw.gov.au Enquiries relating to Owner Builder Permits and Home Warranty Insurance.
Dial Prior to You Dig	1100 www.dialpriortoyoudig.com.au
Landcom	9841 8660 To purchase copies of Volume One of "Soils and Construction"
Long Service Payments Corporation	131441 www.lspc.nsw.gov.au
NSW Food Authority	1300 552 406 www.foodnotify.nsw.gov.au
NSW Government	www.nsw.gov.au/fibro www.diysafe.nsw.gov.au Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	131 555 www.environment.nsw.gov.au
Sydney Water	13 20 92 www.sydneywater.com.au

Waste Service - SITA 1300 651 116
Environmental Solutions www.wasteservice.nsw.gov.au

Water Efficiency Labelling and Standards (WELS) www.waterrating.gov.au

WorkCover Authority of NSW 13 10 50
www.workcover.nsw.gov.au

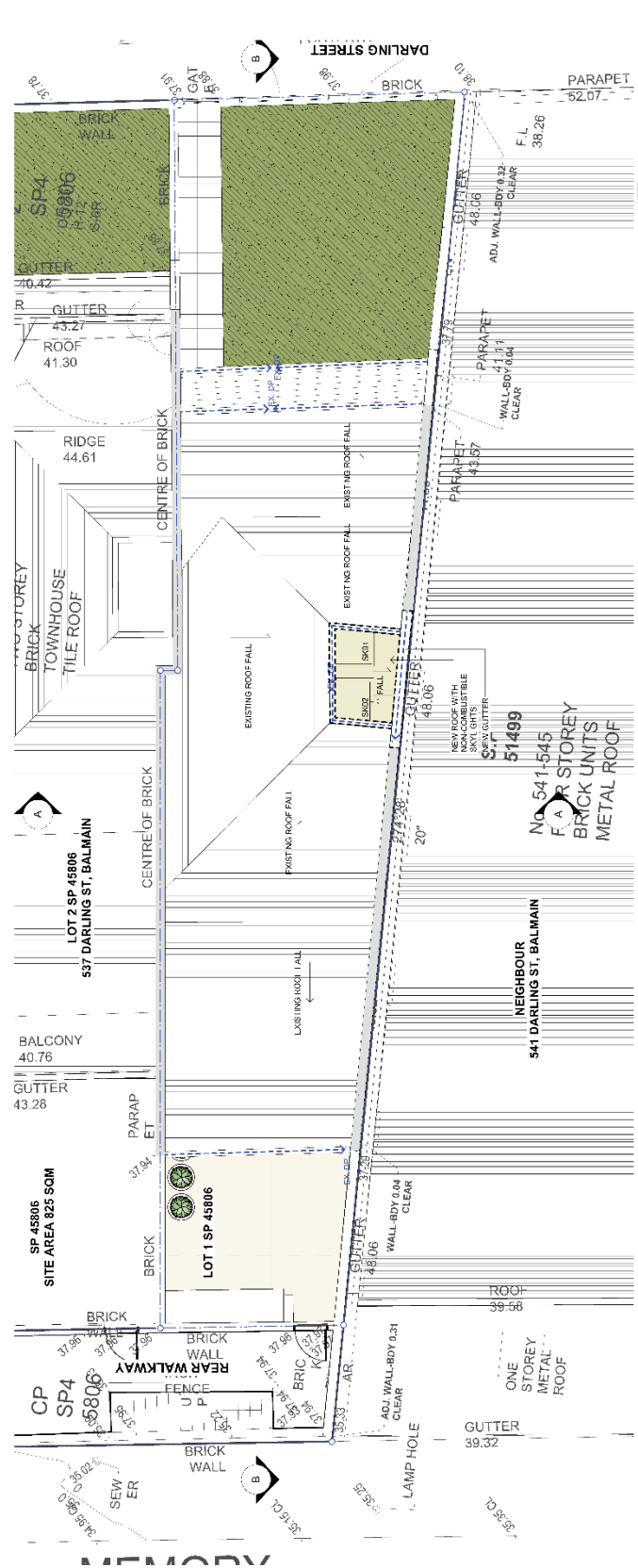
Enquiries relating to work safety and asbestos removal and disposal.

REASONS FOR REFUSAL

Attachment B – Plans of proposed development

DEVELOPMENT APPLICATION ALTERATIONS AND ADDITIONS 539 DARLING ST, ROZELLE

Drawn's List	Sheet No.	Sheet Name	Scale
1	1	CP SP4 5806	AS SHOWN
2	2	CP SP4 5806	AS SHOWN
3	3	CP SP4 5806	AS SHOWN
4	4	CP SP4 5806	AS SHOWN
5	5	CP SP4 5806	AS SHOWN
6	6	CP SP4 5806	AS SHOWN
7	7	CP SP4 5806	AS SHOWN
8	8	CP SP4 5806	AS SHOWN
9	9	CP SP4 5806	AS SHOWN
10	10	CP SP4 5806	AS SHOWN
11	11	CP SP4 5806	AS SHOWN
12	12	CP SP4 5806	AS SHOWN
13	13	CP SP4 5806	AS SHOWN
14	14	CP SP4 5806	AS SHOWN
15	15	CP SP4 5806	AS SHOWN
16	16	CP SP4 5806	AS SHOWN
17	17	CP SP4 5806	AS SHOWN
18	18	CP SP4 5806	AS SHOWN
19	19	CP SP4 5806	AS SHOWN
20	20	CP SP4 5806	AS SHOWN
21	21	CP SP4 5806	AS SHOWN
22	22	CP SP4 5806	AS SHOWN
23	23	CP SP4 5806	AS SHOWN
24	24	CP SP4 5806	AS SHOWN
25	25	CP SP4 5806	AS SHOWN
26	26	CP SP4 5806	AS SHOWN
27	27	CP SP4 5806	AS SHOWN
28	28	CP SP4 5806	AS SHOWN
29	29	CP SP4 5806	AS SHOWN
30	30	CP SP4 5806	AS SHOWN
31	31	CP SP4 5806	AS SHOWN
32	32	CP SP4 5806	AS SHOWN
33	33	CP SP4 5806	AS SHOWN
34	34	CP SP4 5806	AS SHOWN
35	35	CP SP4 5806	AS SHOWN
36	36	CP SP4 5806	AS SHOWN
37	37	CP SP4 5806	AS SHOWN
38	38	CP SP4 5806	AS SHOWN
39	39	CP SP4 5806	AS SHOWN
40	40	CP SP4 5806	AS SHOWN
41	41	CP SP4 5806	AS SHOWN
42	42	CP SP4 5806	AS SHOWN
43	43	CP SP4 5806	AS SHOWN
44	44	CP SP4 5806	AS SHOWN
45	45	CP SP4 5806	AS SHOWN
46	46	CP SP4 5806	AS SHOWN
47	47	CP SP4 5806	AS SHOWN
48	48	CP SP4 5806	AS SHOWN
49	49	CP SP4 5806	AS SHOWN
50	50	CP SP4 5806	AS SHOWN



NOTE:
 - ROOF JOINTS, WALLS AND WINDOWS TO BE AS SHOWN WITHIN BOUNDARY.
 - EXISTING EXTERNAL WALLS TO BE ACID WASHED AND REPOINTED WHERE NECESSARY.

FOR DEVELOPMENT APPLICATION ONLY

TITLE NO. 11100
 PLAN NO. P1505
 DRAWN BY: 9/03
 CHECKED BY: 02
 DATE: 02/02/20
 SCALE: 1:100
 SHEET NO. 02 OF 02

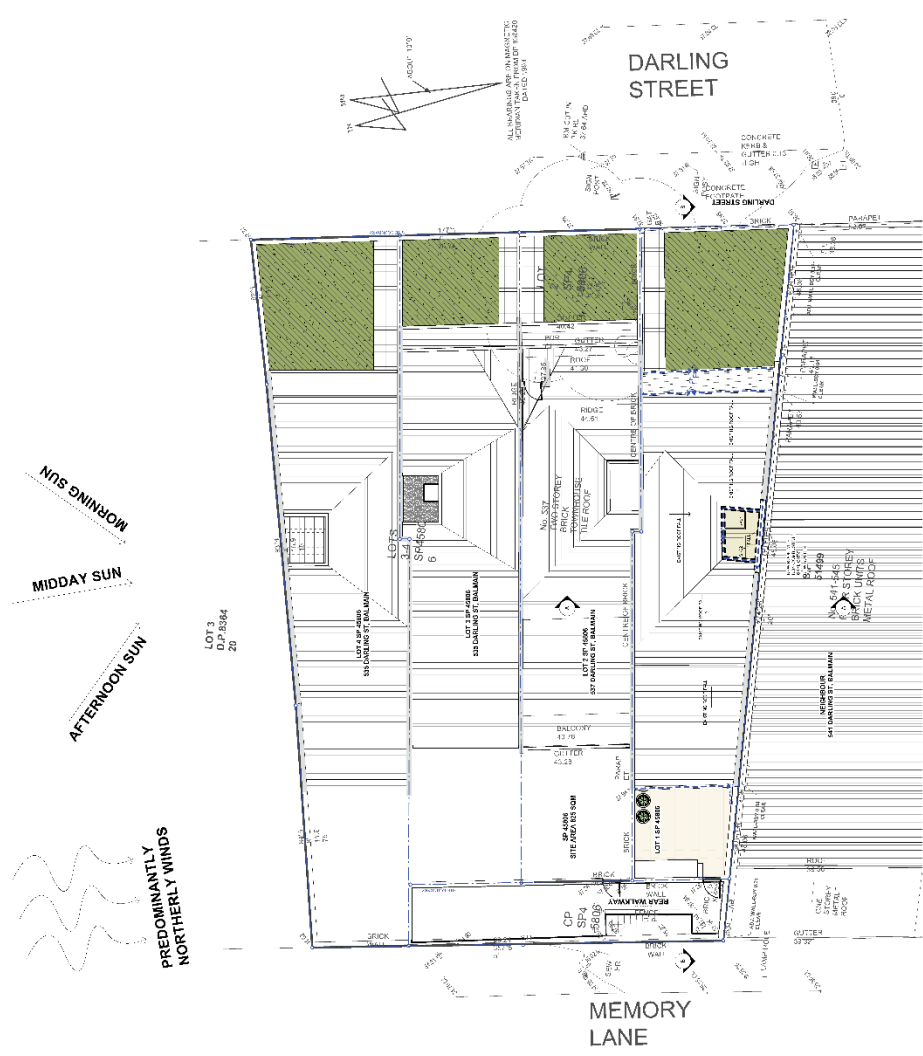
SITE / ROOF PLAN
 DEVELOPMENT APPLICATION
 539 DARLING STREET, ROZELLE
 ALTERATIONS AND ADDITIONS

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
2	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
3	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
4	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
5	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
6	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
7	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
8	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
9	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
10	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
11	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
12	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
13	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
14	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
15	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
16	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
17	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
18	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
19	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
20	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
21	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
22	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
23	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
24	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
25	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
26	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
27	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
28	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
29	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
30	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
31	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
32	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
33	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
34	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
35	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
36	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
37	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
38	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
39	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
40	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
41	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
42	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
43	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
44	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
45	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
46	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
47	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
48	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
49	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03
50	ISSUED FOR DEVELOPMENT APPLICATION	02/02/20	9/03

SITE / ROOF PLAN PLAN

CLIPSHOP Pty Ltd
 3/120 Darling Street, Rozelle, NSW 1585
 Phone: (02) 9550 1200
 Email: info@clishop.com.au
 Website: www.clishop.com.au

Document Set ID: 26452788
 Version: 1, Version Date: 25/05/2022



NOTE:
 - ROOF JOINTS, WALLS AND WINDOWS TO BE SEALED AGAINST WEATHER.
 - EXISTING EXTERNAL WALLS TO BE ACID WASHED AND REPOINTED WHERE NECESSARY.

FOR DEVELOPMENT APPLICATION ONLY



Scale: 1:100
 Date: 25/05/2022

Project No: 1200
 Plan No: P1505
 Title: 538 DARLING STREET ROZELLE
 City: ALTERNATIONS AND ADDITIONS

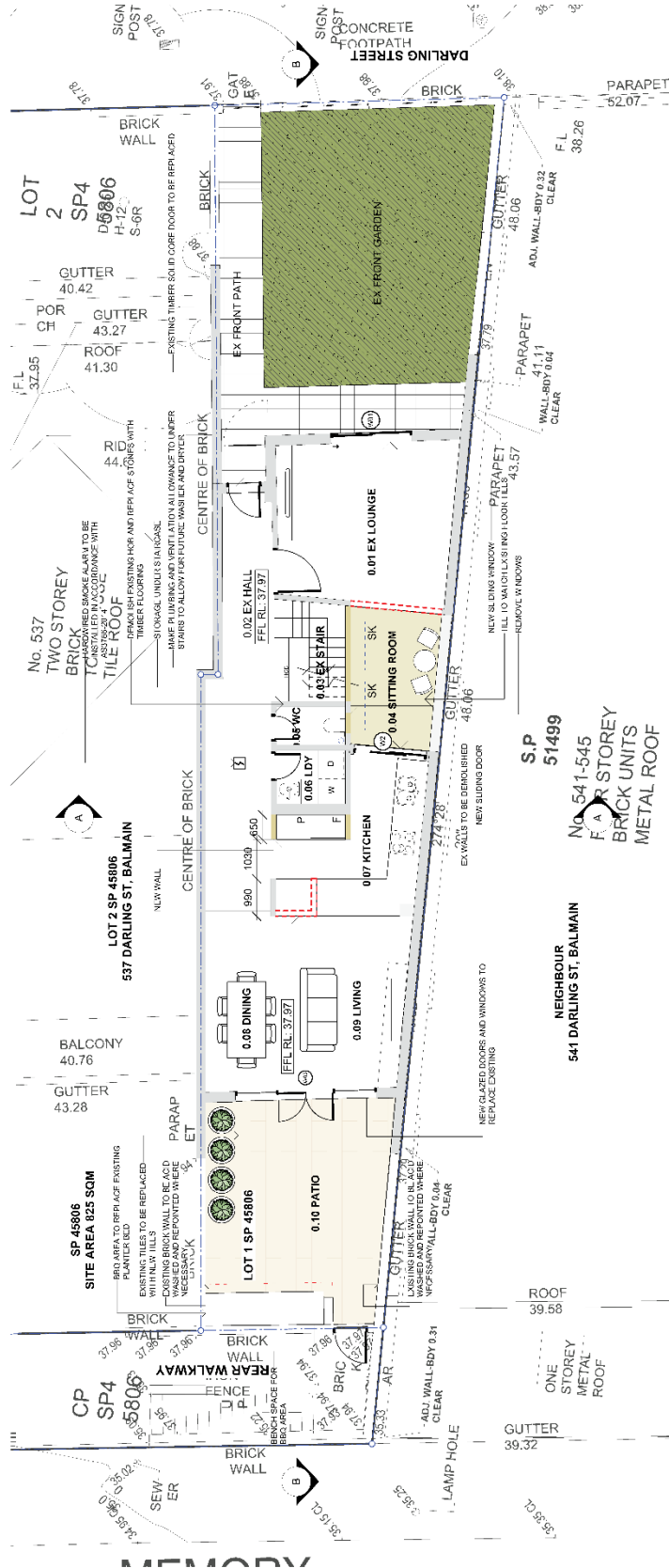
Client: 538 DARLING STREET ROZELLE
 Architect: CHRISTOPHER JORDAN ARCHITECTS
 1/100 DUNLOP STREET, SYDNEY NSW 1585
 Phone: 02 9550 1234
 Email: info@cjarchitects.com.au

Site No: 538 DARLING STREET
 Block No: 1
 Lot No: 1-20

Site Area: 10,000 sqm
 Building Area: 5,000 sqm
 Floor Area: 10,000 sqm
 Total Area: 15,000 sqm

Site / Roof Plan
 Christopher Jordan
 Architect
 1/100 DUNLOP STREET
 SYDNEY NSW 1585
 Phone: 02 9550 1234
 Email: info@cjarchitects.com.au

Document Set ID: 36362788
 Version: 1, Version Date: 25/05/2022



NOTE:
 - ROOF JOINTS, WALLS AND WINDOWS TO BE REPAIRED AND REPOINTED WHERE NECESSARY.
 - EXISTING EXTERNAL WALLS TO BE ACID WASHED AND REPOINTED WHERE NECESSARY.

FOR DEVELOPMENT APPLICATION ONLY



Scale	1:100
Project No.	P1505
Client	541 DARLING STREET BALMAIN
Drawn By	04
Check By	F

Project Name	541 DARLING STREET BALMAIN
Project Address	541 DARLING STREET BALMAIN
Project Type	ALTERATIONS AND ADDITIONS
Project Status	FOR DEVELOPMENT APPLICATION

Room No.	Room Name	Area (sqm)
0.01	EX LOUNGE	1.11
0.02	EX HALL	3.97
0.03	EX STAIR	1.11
0.04	SITTING ROOM	11.11
0.05	LDY	1.11
0.06	BR	1.11
0.07	KITCHEN	11.11
0.08	DINING	11.11
0.09	LIVING	11.11
0.10	PATIO	11.11

Item	Description	Quantity	Unit
1	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
2	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
3	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
4	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
5	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
6	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
7	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
8	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
9	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
10	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE

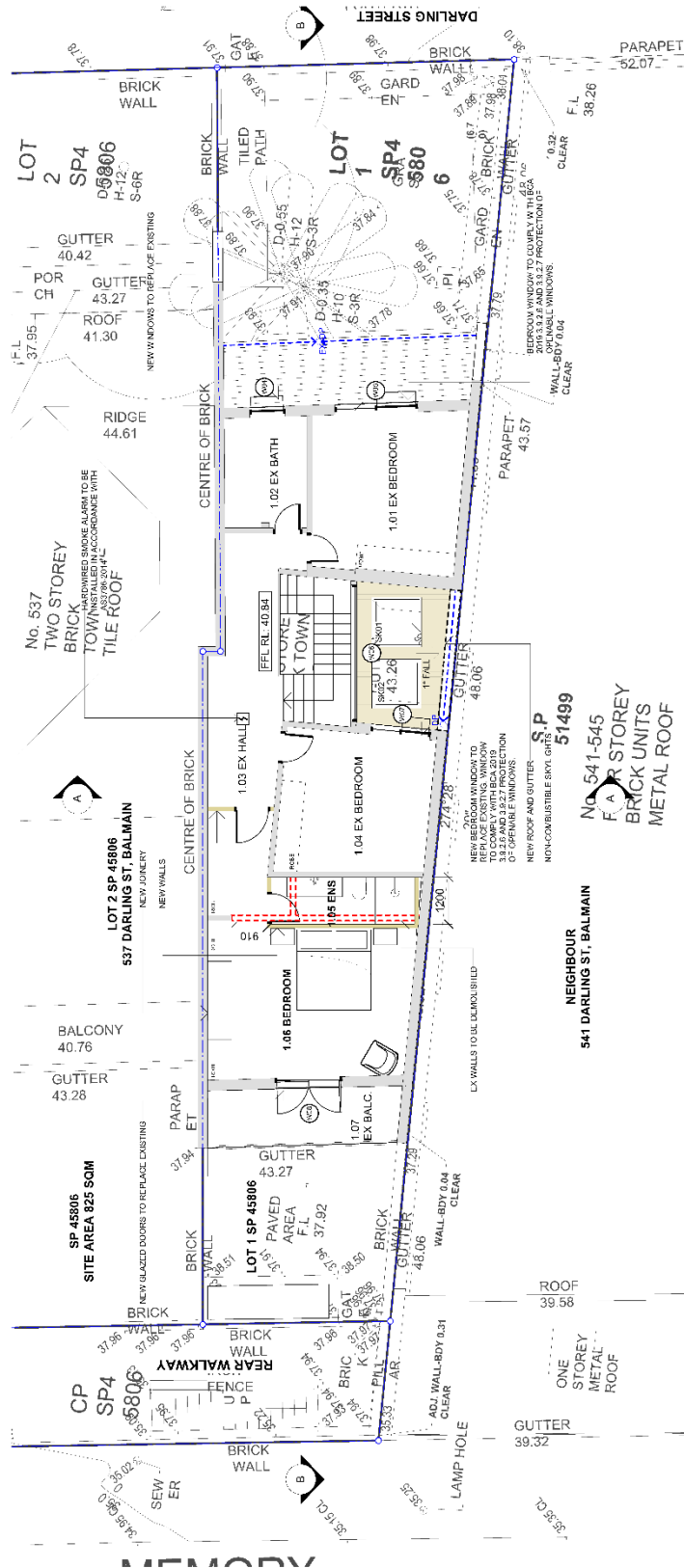
Item	Description	Quantity	Unit
11	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
12	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
13	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
14	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
15	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
16	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
17	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
18	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
19	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
20	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE

Item	Description	Quantity	Unit
21	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
22	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
23	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
24	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
25	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
26	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
27	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
28	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
29	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE
30	NEW BRICK WALL TO IN ACCORD WITH LOCAL COUNCIL REQUIREMENTS	1	LINEAR METRE

GROUND FLOOR PLAN

Christopher Jordan
 Architect
 1/111 Darling Street, Balmain NSW 1535
 Phone: 02 9550 1111
 Email: info@christopherjordan.com.au

Document Set ID: 36362788
 Version: 1, Version Date: 25/05/2022



NOTE:
 - ROOF JOINTS, WALLS AND WINDOWS TO BE REPAIRED AND REFINISHED WHERE NECESSARY.
 - EXISTING EXTERNAL WALLS TO BE ACID WASHED AND REPOINTED WHERE NECESSARY.

FOR DEVELOPMENT APPLICATION ONLY



DATE	11/00	SCALE	1:100
PROJECT	51499	CLIENT	PILBOS
DESIGNER	CHRISTOPHER JORDAN ARCHITECTS	DATE	05
PROJECT NO.	51499	SCALE	F

DESCRIPTION	1.06 BEDROOM	1.04 BEDROOM	1.02 BEDROOM	1.01 BEDROOM	1.07 BEDROOM	1.03 HALLWAY	1.02 BATH	KITCHEN	LIVING	REAR BALCONY
AREA	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00

ITEM	1	2	3	4	5	6	7	8	9	10
DESCRIPTION	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY
AREA	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00

ITEM	1	2	3	4	5	6	7	8	9	10
DESCRIPTION	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY
AREA	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00

ITEM	1	2	3	4	5	6	7	8	9	10
DESCRIPTION	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY
AREA	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00

ITEM	1	2	3	4	5	6	7	8	9	10
DESCRIPTION	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY
AREA	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00

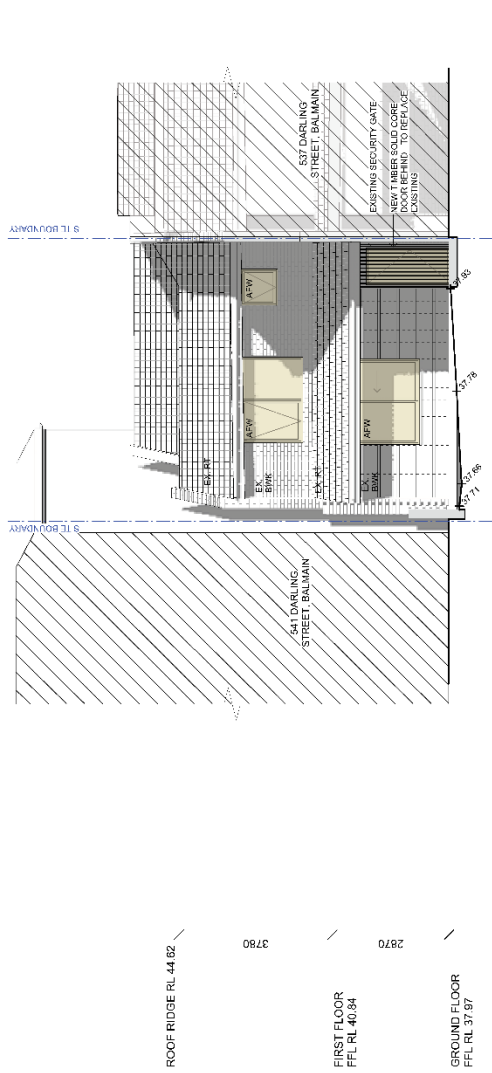
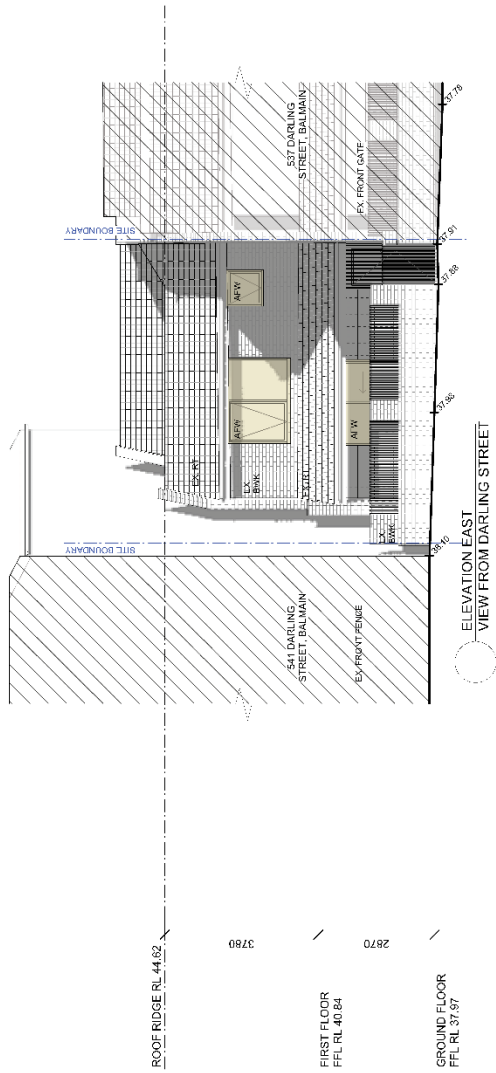
ITEM	1	2	3	4	5	6	7	8	9	10
DESCRIPTION	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY
AREA	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00

ITEM	1	2	3	4	5	6	7	8	9	10
DESCRIPTION	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY	REAR BALCONY
AREA	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00

FIRST FLOOR PLAN

CHRISTOPHER JORDAN ARCHITECTS
 1/100 BALMAIN ROAD
 BALMAIN NSW 1510
 PH: (02) 9550 1234
 WWW.CHA.AU

Document Set ID: 36362788
 Version: 1, Version Date: 25/05/2022



NOTE:
 - ROOF JOINTS, WALLS AND WINDOWS TO BE ACID WASHED WHEN WITHIN SUBMITTAL.
 - EXISTING EXTERNAL WALLS TO BE ACID WASHED AND REPOINTED WHERE NECESSARY.

FOR DEVELOPMENT APPLICATION ONLY



Scale: 1:100
 Project No: P11505
 Date: 06/2022
 Drawing No: 06
 Revision: C

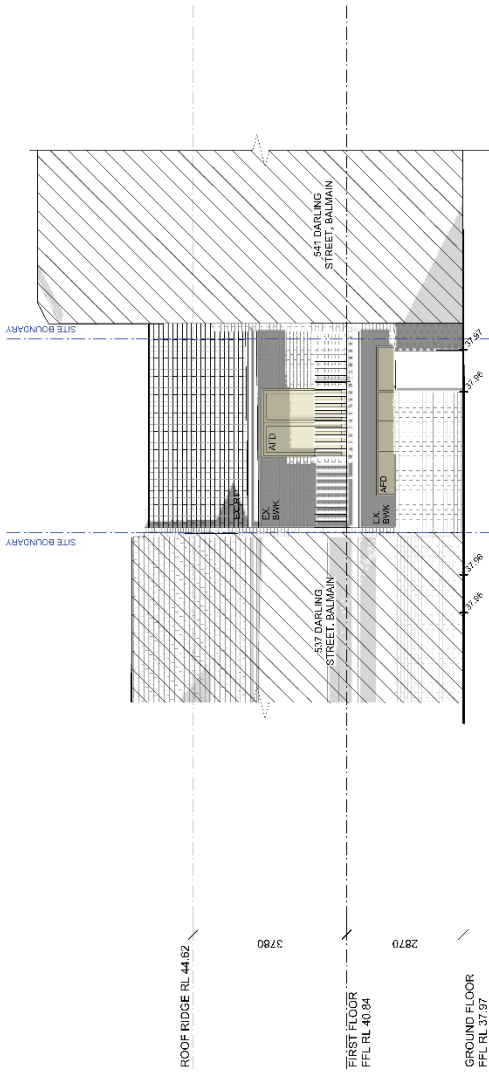
ILLUSTRATIONS LAST
 DEVELOPMENT APPLICATION
 537 DARLING STREET BALMAIN
 ALTERATIONS AND ADDITIONS

DATE: 06/2022
 DRAWN BY: J. JORDAN
 CHECKED BY: J. JORDAN
 TITLE: ALTERATIONS AND ADDITIONS

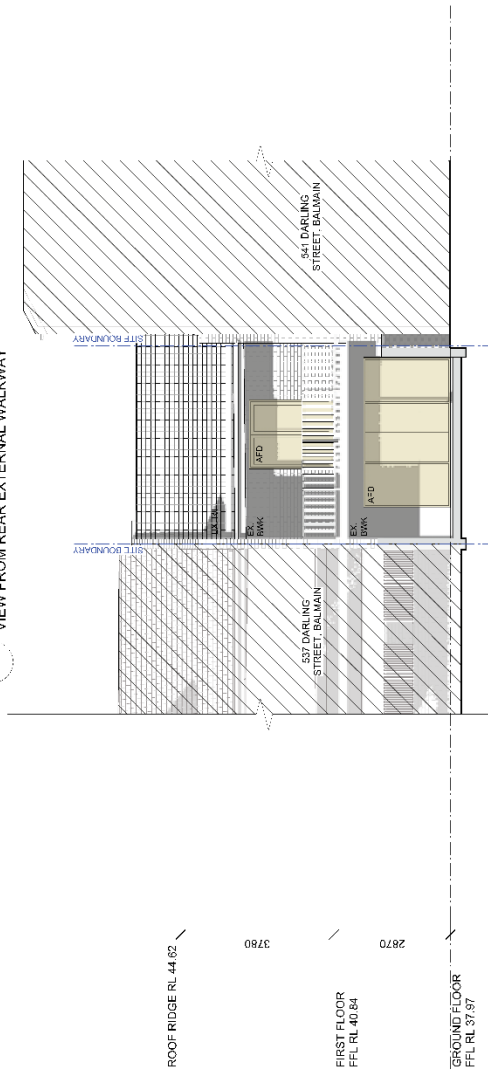
NO. OF SHEETS: 06
 SHEET NO: 06
 PROJECT NO: P11505
 DRAWING NO: 06
 REVISION: C

CHRISTOPHER JORDAN
 ARCHITECTURE & DESIGN
 1/100 DUNDAS STREET
 BALMAIN NSW 1535
 PH: 02 9550 1234
 WWW.CJAD.COM.AU

Document Set ID: 36362788
 Version: 1, Version Date: 25/05/2022



ELEVATION WEST
VIEW FROM REAR EXTERNAL WALKWAY



ELEVATION WEST

NOTE:
- ROOF, JUNCTIONS, WALLS AND WINDOWS TO BE ACID ANODIZED WHEN WITHIN SUBMIT
- EXISTING EXTERNAL WALLS TO BE ACID ANODIZED WHERE NECESSARY.

FOR DEVELOPMENT APPLICATION ONLY



Scale: 1:100
Date: 07/05/2022
Drawing No: PLS05
Sheet: C

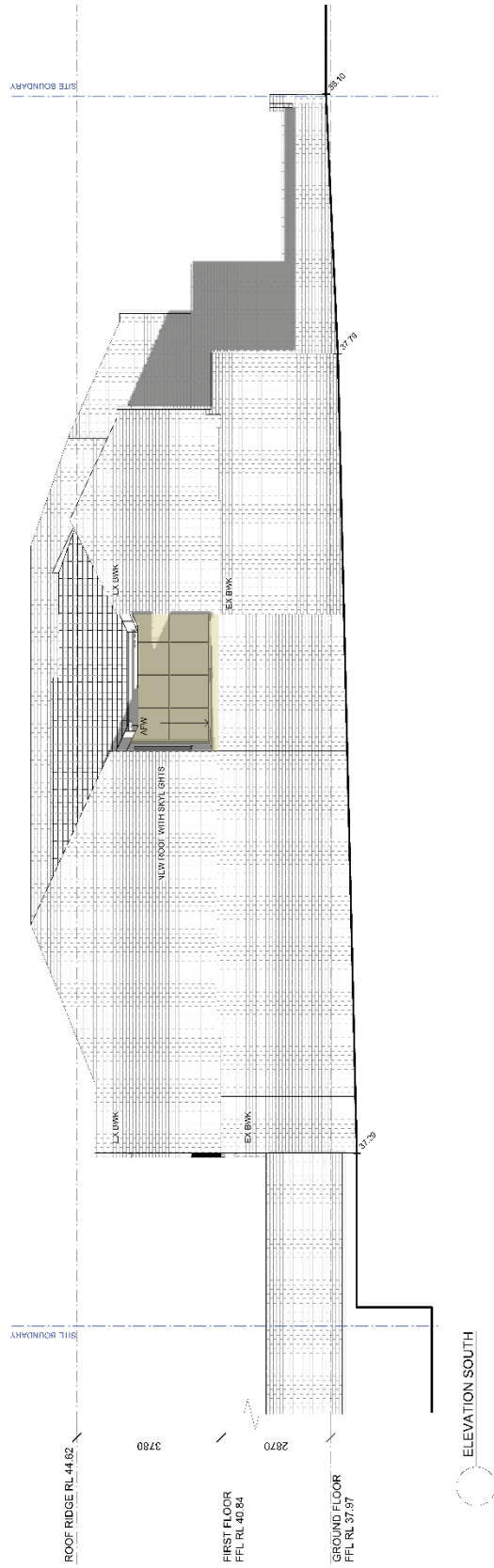
ILLUSTRATIONS
DEVELOPMENT APPLICATION
537 DARLING STREET, BALMAIN
ALTERATIONS AND ADDITIONS

1. 1:100
2. 1:100
3. 1:100
4. 1:100
5. 1:100
6. 1:100
7. 1:100
8. 1:100
9. 1:100
10. 1:100
11. 1:100
12. 1:100
13. 1:100
14. 1:100
15. 1:100
16. 1:100
17. 1:100
18. 1:100
19. 1:100
20. 1:100
21. 1:100
22. 1:100
23. 1:100
24. 1:100
25. 1:100
26. 1:100
27. 1:100
28. 1:100
29. 1:100
30. 1:100
31. 1:100
32. 1:100
33. 1:100
34. 1:100
35. 1:100
36. 1:100
37. 1:100
38. 1:100
39. 1:100
40. 1:100
41. 1:100
42. 1:100
43. 1:100
44. 1:100
45. 1:100
46. 1:100
47. 1:100
48. 1:100
49. 1:100
50. 1:100
51. 1:100
52. 1:100
53. 1:100
54. 1:100
55. 1:100
56. 1:100
57. 1:100
58. 1:100
59. 1:100
60. 1:100
61. 1:100
62. 1:100
63. 1:100
64. 1:100
65. 1:100
66. 1:100
67. 1:100
68. 1:100
69. 1:100
70. 1:100
71. 1:100
72. 1:100
73. 1:100
74. 1:100
75. 1:100
76. 1:100
77. 1:100
78. 1:100
79. 1:100
80. 1:100
81. 1:100
82. 1:100
83. 1:100
84. 1:100
85. 1:100
86. 1:100
87. 1:100
88. 1:100
89. 1:100
90. 1:100
91. 1:100
92. 1:100
93. 1:100
94. 1:100
95. 1:100
96. 1:100
97. 1:100
98. 1:100
99. 1:100
100. 1:100

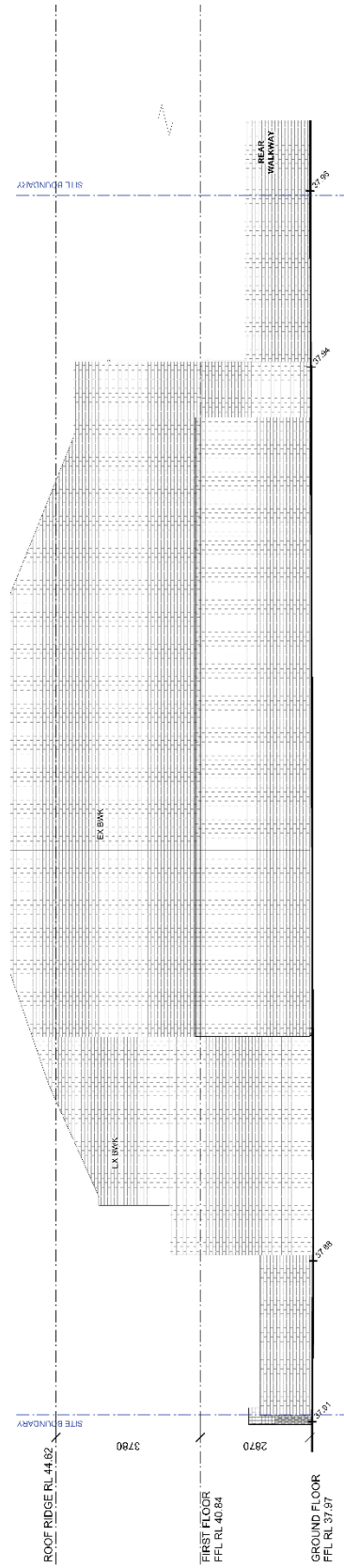
1. 1:100
2. 1:100
3. 1:100
4. 1:100
5. 1:100
6. 1:100
7. 1:100
8. 1:100
9. 1:100
10. 1:100
11. 1:100
12. 1:100
13. 1:100
14. 1:100
15. 1:100
16. 1:100
17. 1:100
18. 1:100
19. 1:100
20. 1:100
21. 1:100
22. 1:100
23. 1:100
24. 1:100
25. 1:100
26. 1:100
27. 1:100
28. 1:100
29. 1:100
30. 1:100
31. 1:100
32. 1:100
33. 1:100
34. 1:100
35. 1:100
36. 1:100
37. 1:100
38. 1:100
39. 1:100
40. 1:100
41. 1:100
42. 1:100
43. 1:100
44. 1:100
45. 1:100
46. 1:100
47. 1:100
48. 1:100
49. 1:100
50. 1:100
51. 1:100
52. 1:100
53. 1:100
54. 1:100
55. 1:100
56. 1:100
57. 1:100
58. 1:100
59. 1:100
60. 1:100
61. 1:100
62. 1:100
63. 1:100
64. 1:100
65. 1:100
66. 1:100
67. 1:100
68. 1:100
69. 1:100
70. 1:100
71. 1:100
72. 1:100
73. 1:100
74. 1:100
75. 1:100
76. 1:100
77. 1:100
78. 1:100
79. 1:100
80. 1:100
81. 1:100
82. 1:100
83. 1:100
84. 1:100
85. 1:100
86. 1:100
87. 1:100
88. 1:100
89. 1:100
90. 1:100
91. 1:100
92. 1:100
93. 1:100
94. 1:100
95. 1:100
96. 1:100
97. 1:100
98. 1:100
99. 1:100
100. 1:100

1. 1:100
2. 1:100
3. 1:100
4. 1:100
5. 1:100
6. 1:100
7. 1:100
8. 1:100
9. 1:100
10. 1:100
11. 1:100
12. 1:100
13. 1:100
14. 1:100
15. 1:100
16. 1:100
17. 1:100
18. 1:100
19. 1:100
20. 1:100
21. 1:100
22. 1:100
23. 1:100
24. 1:100
25. 1:100
26. 1:100
27. 1:100
28. 1:100
29. 1:100
30. 1:100
31. 1:100
32. 1:100
33. 1:100
34. 1:100
35. 1:100
36. 1:100
37. 1:100
38. 1:100
39. 1:100
40. 1:100
41. 1:100
42. 1:100
43. 1:100
44. 1:100
45. 1:100
46. 1:100
47. 1:100
48. 1:100
49. 1:100
50. 1:100
51. 1:100
52. 1:100
53. 1:100
54. 1:100
55. 1:100
56. 1:100
57. 1:100
58. 1:100
59. 1:100
60. 1:100
61. 1:100
62. 1:100
63. 1:100
64. 1:100
65. 1:100
66. 1:100
67. 1:100
68. 1:100
69. 1:100
70. 1:100
71. 1:100
72. 1:100
73. 1:100
74. 1:100
75. 1:100
76. 1:100
77. 1:100
78. 1:100
79. 1:100
80. 1:100
81. 1:100
82. 1:100
83. 1:100
84. 1:100
85. 1:100
86. 1:100
87. 1:100
88. 1:100
89. 1:100
90. 1:100
91. 1:100
92. 1:100
93. 1:100
94. 1:100
95. 1:100
96. 1:100
97. 1:100
98. 1:100
99. 1:100
100. 1:100

Document Set ID: 36362788
Version: 1, Version Date: 25/05/2022



ELEVATION SOUTH



ELEVATION NORTH

NOTE:
 - ROOF JOINTS, WALLS AND WINDOWS TO BE FINISHED TO EXISTING LEVELS UNLESS OTHERWISE SHOWN.
 - EXISTING EXTERNAL WALLS TO BE ACID WASHED AND REPOINTED WHERE NECESSARY.

FOR DEVELOPMENT APPLICATION ONLY



Project No.	1100
Drawn By	9/43
Checked By	PILS05
Scale	1:100
Sheet	08
Drawn Date	C

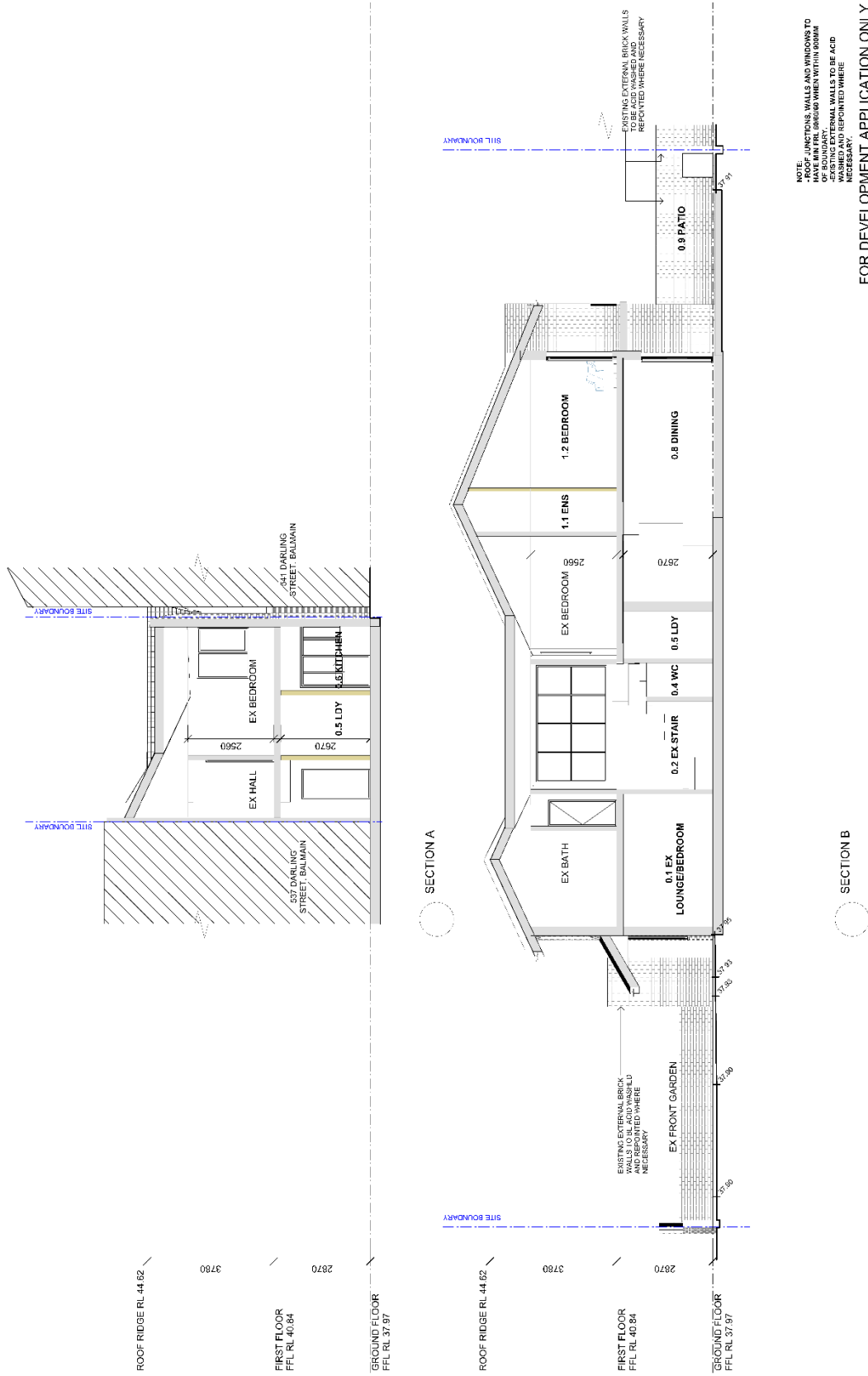
ILLUSTRATIONS NORTH AND SOUTH DEVELOPMENT APPLICATION FOR 538 CHARLING STREET BALMAIN ALTERATIONS AND ADDITIONS

Client	538 CHARLING STREET BALMAIN
Project	ALTERATIONS AND ADDITIONS
Architect	CHRISTOPHER JORDAN ARCHITECTS
Address	538 CHARLING STREET BALMAIN NSW 2104
Scale	1:100
Sheet	08
Date	25/05/2022

1	ROOF RIDGE	44.62
2	FIRST FLOOR	40.84
3	GROUND FLOOR	37.87
4	ROOF RIDGE	44.62
5	FIRST FLOOR	40.84
6	GROUND FLOOR	37.87

1	ROOF RIDGE	44.62
2	FIRST FLOOR	40.84
3	GROUND FLOOR	37.87
4	ROOF RIDGE	44.62
5	FIRST FLOOR	40.84
6	GROUND FLOOR	37.87

CHRISTOPHER JORDAN ARCHITECTS
 1/115 GARRIBY STREET BALMAIN NSW 2104
 PH: 02 9550 1234
 WWW.CHRIJARCH.COM.AU



NOTE:
 - ROOF JOINTS, WALLS AND WINDOWS TO BE REPLACED WITHIN SUBMITTAL PERIOD.
 - EXISTING EXTERNAL WALLS TO BE ACID WASHED AND REPOINTED WHERE NECESSARY.

FOR DEVELOPMENT APPLICATION ONLY



DATE: 09/03/2022
 PROJECT: P11505
 DRAWING NO: 09
 SHEET: C

SUBJECT: DEVELOPMENT APPLICATION
 FOR 1/15 DARLING STREET BALMAIN
 ALTERATIONS AND ADDITIONS

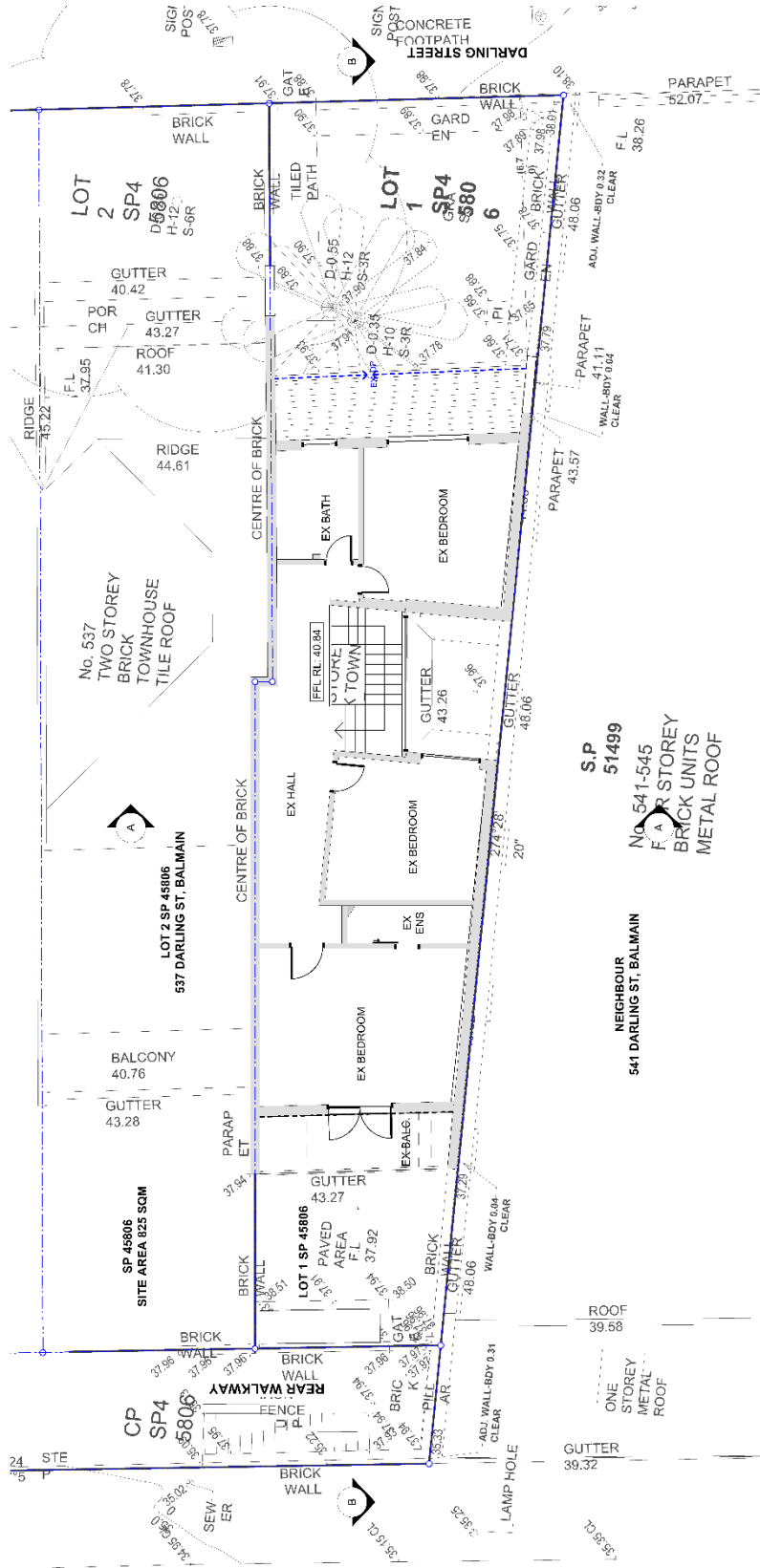
DATE: 09/03/2022
 DRAWN BY: J. JORDAN
 CHECKED BY: J. JORDAN
 TITLE: ARCHITECT

NO. OF SHEETS: 09
 SHEET NO: 09
 SHEET TITLE: C

ALL WORK TO BE DONE IN ACCORDANCE WITH THE BUILDING CODE OF PRACTICE AND THE LOCAL COUNCIL'S DEVELOPMENT CONTROL REGULATIONS.
 ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
 ALL LEVELS ARE TO THE FINISHED FLOOR LEVEL UNLESS OTHERWISE SPECIFIED.
 ALL WALLS TO BE CONSTRUCTED IN ACCORDANCE WITH THE BUILDING CODE OF PRACTICE.
 ALL ROOFING TO BE CONSTRUCTED IN ACCORDANCE WITH THE BUILDING CODE OF PRACTICE.
 ALL WINDOWS AND DOORS TO BE CONSTRUCTED IN ACCORDANCE WITH THE BUILDING CODE OF PRACTICE.
 ALL EXTERNAL WALLS TO BE ACID WASHED AND REPOINTED WHERE NECESSARY.
 ALL ROOF JOINTS, WALLS AND WINDOWS TO BE REPLACED WITHIN SUBMITTAL PERIOD.

Christopher Jordan
 Architect
 1/15 Darling Street
 Balmain NSW 1585
 Phone: 02 9550 1234
 Email: info@christopherjordan.com.au

Document Set ID: 36362788
 Version: 1, Version Date: 25/05/2022



EX FIRST FLOOR PLAN

FOR DEVELOPMENT APPLICATION ONLY



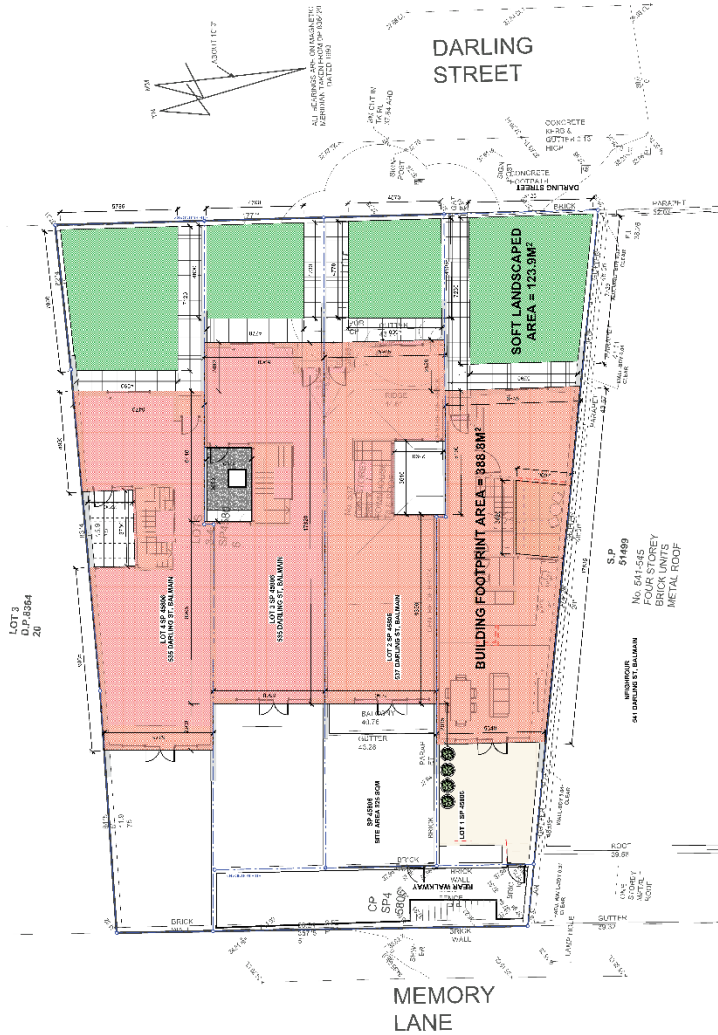
DATE	1100	SCALE	1:11
PROJECT	PILS05	DATE	11
CLIENT	1100	SCALE	E

NO.	DESCRIPTION	DATE
1.	FOR DEVELOPMENT APPLICATION	11/05/2022
2.	FOR DEVELOPMENT APPLICATION	11/05/2022
3.	FOR DEVELOPMENT APPLICATION	11/05/2022
4.	FOR DEVELOPMENT APPLICATION	11/05/2022
5.	FOR DEVELOPMENT APPLICATION	11/05/2022
6.	FOR DEVELOPMENT APPLICATION	11/05/2022
7.	FOR DEVELOPMENT APPLICATION	11/05/2022
8.	FOR DEVELOPMENT APPLICATION	11/05/2022
9.	FOR DEVELOPMENT APPLICATION	11/05/2022
10.	FOR DEVELOPMENT APPLICATION	11/05/2022

NO.	DESCRIPTION	DATE
1.	FOR DEVELOPMENT APPLICATION	11/05/2022
2.	FOR DEVELOPMENT APPLICATION	11/05/2022
3.	FOR DEVELOPMENT APPLICATION	11/05/2022
4.	FOR DEVELOPMENT APPLICATION	11/05/2022
5.	FOR DEVELOPMENT APPLICATION	11/05/2022
6.	FOR DEVELOPMENT APPLICATION	11/05/2022
7.	FOR DEVELOPMENT APPLICATION	11/05/2022
8.	FOR DEVELOPMENT APPLICATION	11/05/2022
9.	FOR DEVELOPMENT APPLICATION	11/05/2022
10.	FOR DEVELOPMENT APPLICATION	11/05/2022

NO.	DESCRIPTION	DATE
1.	FOR DEVELOPMENT APPLICATION	11/05/2022
2.	FOR DEVELOPMENT APPLICATION	11/05/2022
3.	FOR DEVELOPMENT APPLICATION	11/05/2022
4.	FOR DEVELOPMENT APPLICATION	11/05/2022
5.	FOR DEVELOPMENT APPLICATION	11/05/2022
6.	FOR DEVELOPMENT APPLICATION	11/05/2022
7.	FOR DEVELOPMENT APPLICATION	11/05/2022
8.	FOR DEVELOPMENT APPLICATION	11/05/2022
9.	FOR DEVELOPMENT APPLICATION	11/05/2022
10.	FOR DEVELOPMENT APPLICATION	11/05/2022

Document Set ID: 36362788
 Version: 1, Version Date: 25/05/2022
 © 2022 Christopher Jordan Architects and Design
 ALL RIGHTS RESERVED
 THIS DOCUMENT IS THE PROPERTY OF CHRISTOPHER JORDAN ARCHITECTS AND DESIGN. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED. IT IS NOT TO BE REPRODUCED, COPIED, EITHER WHOLLY OR IN PART, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF CHRISTOPHER JORDAN ARCHITECTS AND DESIGN. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.



PROPOSED LANDSCAPED AREA: 123.9m²
 SITE AREA = 825m²
 LANDSCAPED AREA = 15.0% (AS EXISTING)
 (UNCOMPLIANT < 20%)

BUILDING FOOTPRINT 388.8m² (47.1%)
 LANDSCAPE (DEEP) 123.9m² (15.0%)
 EXISTING BUILDING FOOTPRINT 381.5m² (46.2%)
 EXISTING LANDSCAPED AREA 123.9m²

BUILDING FOOTPRINT DIAGRAM

FOR DEVELOPMENT APPLICATION ONLY

<p>AS PER THE LATEST BALMAIN CITY COUNCIL DEVELOPMENT APPLICATION REF: 25/04/2022</p> <p>Client: Christopher Jordan Address: 155 Darling St, Balmain Date: 25/04/2022</p>		<p>Project No: 1100 Date: 09/03/2022 Drawn By: [Name] Checked By: [Name] Scale: F</p>	
<p>PROJECT TITLE: BUILDING FOOTPRINT DIAGRAM</p> <p>PROJECT ADDRESS: 155 DARLING STREET BALMAIN</p> <p>PROJECT TYPE: ALTERATIONS AND ADDITIONS</p>		<p>DATE: 09/03/2022</p> <p>SCALE: F</p>	
<p>PROJECT DESCRIPTION: BUILDING FOOTPRINT DIAGRAM</p> <p>PROJECT TYPE: ALTERATIONS AND ADDITIONS</p>		<p>DATE: 09/03/2022</p> <p>SCALE: F</p>	

Document Set ID: 36362788
 Version: 1, Version Date: 25/05/2022

Attachment C- Clause 4.6 Exception to Development Standards

Christopher Jordan
Architecture & Design

Clause 4.6 Variation: Landscape Area

539 DARLING ST ROZELLE

4.6 Exceptions to development standards

(1) The objectives of this clause are as follows:

(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,

(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and

(b) that there are sufficient environmental planning grounds to justify contravening the development standard.

(4) Development consent must not be granted for development that contravenes a development standard unless:

(a) the consent authority is satisfied that:

(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and

(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and

(b) the concurrence of the Director-General has been obtained.

(5) In deciding whether to grant concurrence, the Director-General must consider:

(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and

(b) the public benefit of maintaining the development standard, and

(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.

(6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:

(a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or

(b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.

Note. When this Plan was made it did not include any of these zones.

(7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).

(8) This clause does not allow development consent to be granted for development that would contravene any of the following:

(a) a development standard for complying development,

(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,

Christopher Jordan Architecture & Design | Phone 0402 357 698 | ABN 67 203 541 537
79 Beattie Street Balmain NSW 2041 | www.christopherjordan.com.au | chris@christopherjordan.com.au



539 Darling St, Rozelle

(c) clause 5.4.

The applicant requests a variation under Clause 4.6 contained under clause 4.3A 3(a)(ii) for landscape area of LLEP 2013. The LLEP legislation states that the development needs to meet the landscape criteria of 20% of the site area and that site coverage does not exceed 60% of the site area.

The proposed works do not affect landscape area of the site. The area remains unchanged.

Any variation request must justify the need to vary the particular development standard by considering the following:

- *whether strict compliance with the standard, in the particular case, would be unreasonable or unnecessary and why, and*
- *demonstrate that there are sufficient environmental planning grounds to justify contravening the development standard.*

Strict application of the development standard is considered unreasonable and unnecessary in the circumstances of the case for the following reasons:

1. The proposed works do not alter the existing soft landscaped area.
2. The design of the development retains the original principle building form as existing.
3. The landscaped area development standard departure does not itself create any adverse impact by way of privacy or bulk and scale that could be viewed by neighbours or those passing the site within the public domain.
4. No additional amenity impacts arise as a result of the proposal.
5. The development achieves the aims and objectives of LLEP 2013.
6. The proposal satisfies the zone objectives.

The relevant objectives are as follows and a comment is provided in relation to each objective demonstrating adequacy of the proposal and the requested variation:

(1) The objectives of this clause are as follows:

(a) to provide landscaped areas that are suitable for substantial tree planting and for the use and enjoyment of residents,

The existing site has opportunities for substantial tree planting. The existing soft landscaped area is 15% of the site area. The proposal does not alter the existing landscaped area. The landscaped area to the front of the site allows for large trees and shrubs to be planted. As can be seen, the existing trees to the front of the Eastern boundary have achieved a significant height, allowing for suitable privacy between properties and additionally create a suitable microclimate and shading to the adjacent entrance pathway. This soft landscaped area is to be retained as part of the proposal.

(b) to maintain and encourage a landscaped corridor between adjoining properties,

The existing soft landscaped area is to be retained.

(c) to ensure that development promotes the desired future character of the neighbourhood,

The proposal results in an appropriate and sensitive development, providing increased amenity to the existing residence, whilst being respectful of the surrounding built form and desired future character.

(d) to encourage ecologically sustainable development by maximising the retention and absorption of surface drainage water on site and by minimising obstruction to the underground flow of water,

The proposal retains the existing soft landscaped areas, which allow for adequate retention and absorption of surface drainage water on site.

(e) to control site density,

Christopher Jordan Architecture & Design

Page 2

539 Darling St, Rozelle

The proposal retains the existing site density.

(f) to limit building footprints to ensure that adequate provision is made for landscaped areas and private open space.

The proposal slightly increases the building footprint, however, it is still considerably under the site coverage control for the site. The proposed building footprint is 47.1% of site area, which is 12.9% under the site coverage control for the site (being 60%).

In order for council to consider a variation the proposal must be consistent with the zone objectives:

1 Objectives of zone

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To improve opportunities to work from home.*
- *To provide housing that is compatible with the character, style, orientation and pattern of surrounding buildings, streetscapes, works and landscaped areas.*
- *To provide landscaped areas for the use and enjoyment of existing and future residents.*
- *To ensure that subdivision creates lots of regular shapes that are complementary to, and compatible with, the character, style, orientation and pattern of the surrounding area.*
- *To protect and enhance the amenity of existing and future residents and the neighbourhood.*

The subject proposal satisfies the stated residential objectives given that:

- The proposal improves the livability and increased amenity of the house.
- The proposal is compatible with the grain of development due to the retention of the original principle building.

It is considered that the clause 4.6 is reasonable and should be accepted by council as the proposed development does not have an adverse impact on the surrounding environment and the design is within the guidelines outlined in the Leichhardt LEP 2013 and DCP.

Yours Sincerely,



Chris Jordan, Director

Christopher Jordan Architecture & Design

Page 3

Document Set ID: 36362765
Version: 1, Version Date: 25/05/2022

Attachment D – Clause 4.6 Exception to Development Standards

Christopher Jordan
Architecture & Design

Clause 4.6 Variation: FLOOR SPACE RATIO

To Accompany
Development Application
For Alterations & Additions

539 Darling St Rozelle

4.6 Exceptions to development standards

(1) The objectives of this clause are as follows:

(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and (b) that there are sufficient environmental planning grounds to justify contravening the development standard.

(4) Development consent must not be granted for development that contravenes a development standard unless:

(a) the consent authority is satisfied that:

(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and (b) the concurrence of the Director-General has been obtained.

(5) In deciding whether to grant concurrence, the Director-General must consider:

(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and

(b) the public benefit of maintaining the development standard, and

(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.

(6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:

(a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or

(b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.

Note. When this Plan was made it did not include any of these zones.

(7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).

(8) This clause does not allow development consent to be granted for development that would contravene any of the following:

(a) a development standard for complying development,

(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,

(c) clause 5.4.

Christopher Jordan Architecture & Design | Phone 0402 357 698 | ABN 67 203 541 537
79 Beattie St Balmain NSW 2041 | www.christopherjordan.com.au | chris@christopherjordan.com.au

539 Darling St Rozelle

The applicant requests a variation under Clause 4.6 to the floor space ratio standard contained under Clause 4.4 of LLEP 2013.

Any variation request must justify the need to vary the particular development standard by considering the following:

- *whether strict compliance with the standard, in the particular case, would be unreasonable or unnecessary and why, and*
- *demonstrate that there are sufficient environmental planning grounds to justify contravening the development standard.*

The Proposal

The applicant seeks approval to undertake internal alterations to the existing dwelling to construct a new roof over an existing light well. The proposal will slightly increase the FSR from 0.78:1 (existing) to 0.80:1 (proposed). It should be noted, that presently the site does not comply with the permitted maximum floor space ratio for the site being 0.7:1. The proposal has been developed in an attempt to improve the amenity of the subject site, whilst ensuring that there are no negative impacts to neighbouring dwellings, the streetscape and the broader conservation area.

Clause 4.6 provides an avenue to enable the flexibility of development standards where it is demonstrated that the proposed variation to a development standard may, in some circumstances, achieve the underlying purpose of the standard as much as one which complies. If the development is consistent with the underlying purpose of the standard and also the wider planning objectives for the locality, strict compliance with the standard can be considered to be unreasonable and unnecessary and Council may approve an exception.

Strict application of the floor space ratio standard is considered unreasonable and unnecessary in the circumstances of the case for the following reasons:

1. The proposal does not seek to alter the external envelope of the building, setbacks or height. The external elevations of the building and material composition will remain unchanged. The visual appearance of the building will remain unchanged. There are no changes to the existing landscaped area.
2. The proposed works are minimal, being only the infill of an internal lightwell for a sitting room and minor internal reconfigurations.
3. Given the proposal does not alter the setbacks, the height of the building will remain unchanged, and the proposal will not result in changes to the visual or solar impacts upon adjoining properties, the proposal should be considered favourable by council. The amenity of existing and future residents and the neighbourhood will remain unchanged.
4. The retention of the principle original structure of the building will be encouraged by Council.
5. The proposal provides exceptional amenity to the existing dwelling in terms of natural light, privacy and ventilation and does not compromise amenity of the remaining habitable rooms of the dwelling.
6. The proposal satisfies the zone objectives.

The relevant objectives are as follows and a comment is provided in relation to each objective demonstrating adequacy of the proposal and the requested variation:

- (1) The objectives of this clause are as follows—
- (a) to ensure that residential accommodation—
- (i) is compatible with the desired future character of the area in relation to building bulk, form and scale, and
-The proposal does not include changes to the existing dwelling in relation to the building bulk, form and scale.
- (ii) provides a suitable balance between landscaped areas and the built form, and
-The existing landscaped area will remain as existing. The built form and site coverage will remain unchanged.
- (iii) minimises the impact of the bulk and scale of buildings,
-The proposal does not include changes to the bulk and scale of the existing building.
- (b) to ensure that non-residential development is compatible with the desired future character of the area in relation to building bulk, form and scale.
-The proposal is for alterations to an existing residential building, with bulk, form and scale remaining unchanged.

Christopher Jordan Architecture & Design

Page 2

Document Set ID: 36362766
Version: 1, Version Date: 25/05/2022

539 Darling St Rozelle

- (2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.
- (2A) Despite subclause (2), the floor space ratio for development for a purpose other than residential accommodation on land in Zone R1 General Residential is not to exceed 1:1.
- Not applicable.
- (2B) Despite subclause (2), the floor space ratio for development for the purpose of residential accommodation— (d) on land shown edged yellow on the Floor Space Ratio Map is not to exceed—
- (iii) in the case of development on a lot with an area of 300 square metres or more—0.7:1,**
- The current floor space ratio of the subject site is 0.78:1 (647.4m²). The proposal includes enclosing the existing lightwell and hence increasing the FSR for the site to 0.80:1 (657.0m²). This is deemed appropriate due to the reasons previously mentioned.

The proposal demonstrates that the built form is compatible with the desired future character in the area. There is no potential for this development to have a jarring effect on the streetscape or landscaped area. There are no changes to the bulk and scale of the property.

In order for council to consider a variation the proposal must be consistent with the zone objectives:

1 Objectives of zone

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To improve opportunities to work from home.
- To provide housing that is compatible with the character, style, orientation and pattern of surrounding buildings, streetscapes, works and landscaped areas.
- To provide landscaped areas for the use and enjoyment of existing and future residents.
- To ensure that subdivision creates lots of regular shapes that are complementary to, and compatible with, the character, style, orientation and pattern of the surrounding area.
- To protect and enhance the amenity of existing and future residents and the neighbourhood.

The subject proposal satisfies the stated residential objectives given that:

- The amenity is enhanced by the development due to space being better utilized in providing for a sitting room.
- The proposal is compatible with the grain of the surrounding development due to the retention of the existing façade.
- The proposal will enhance the long-term amenity of the neighbourhood, compatible with the desired character of the area yet sympathetic to its past use.
- The proposal retains the existing soft landscaped area which is 15% of site area
- The proposal is well under the site coverage control.

It is considered that the variation to the specified floor space ratio in this case is reasonable and should be accepted by council as the proposed development does not have an adverse impact on the surrounding environment and the design is within the guidelines outlined in the Leichhardt LEP 2013 and DCP.

Yours Sincerely,



Christopher Jordan Architecture & Design

Page 3

539 Darling St Rozelle

Christopher Jordan, Director

Christopher Jordan Architecture & Design

Page 4

Document Set ID: 36362766
Version: 1, Version Date: 25/05/2022

Attachment E – Statement of Heritage Significance

Christopher Jordan
Architecture & Design

Heritage Impact Statement

To accompany a Development Application
for Alterations & Additions at

539 Darling Street,
Rozelle NSW 2039

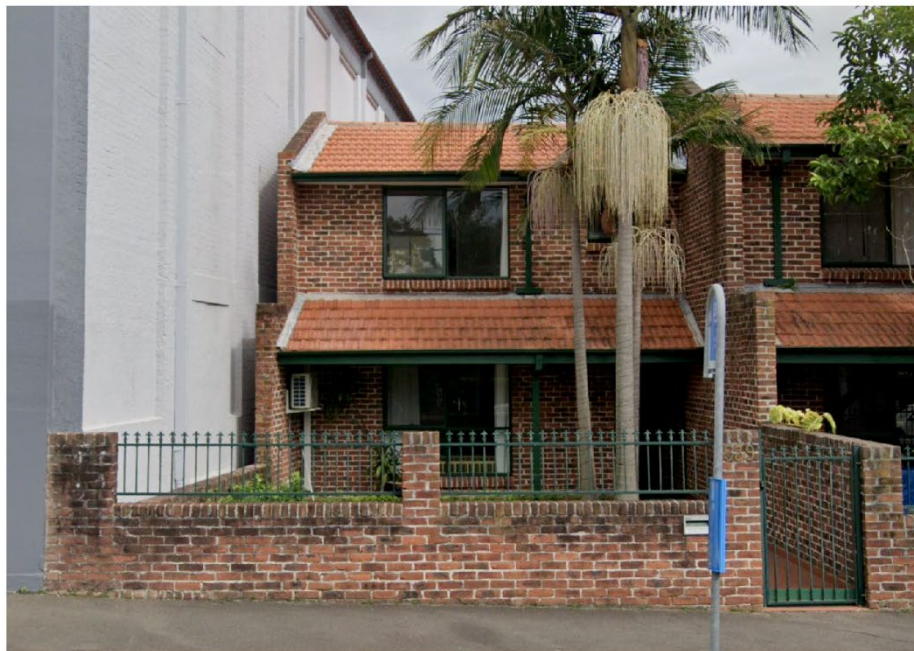


Image 1 – Street photo of the subject property 539 Darling St, Rozelle.

Christopher Jordan Architecture & Design | Phone 0402 357 698 | ABN 67 203 541 537
79 Beattie Street Balmain NSW 2041 | www.christopherjordan.com.au | chris@christopherjordan.com.au



Document Set ID: 36362767
Version: 1, Version Date: 25/05/2022

539 Darling St, Rozelle

1.0 Heritage Impact Statement

The site is located within The General Conservation Area – Iron Cove Conservation Area, and as Clause 16(8) states, adverse development would affect the heritage significance of the conservation area. The proposal has made all attempts to adhere to the heritage attributes of the area.

The proposal essentially retains the existing presentation to Darling Street, with only minor façade alterations, being the replacement of external doors and windows to be aluminium framed and double glazed to ensure better thermal performance. Upgrading the existing external doors and windows to aluminium framed will not negatively impact the primary street frontage, as the replacement windows and doors are to be of the same proportion and colour palette as the existing.

The design process carefully considered the form, scale, siting, and use of materials. This can be demonstrated as follows:

- Replacement of existing external doors and windows to be aluminium framed and double glazed will ensure better environmental performance when compared to the existing single glazed windows and doors. The new double glazed windows and doors will additionally allow for better acoustic performance, minimising noise from the bus stop outside of the subject dwelling to Darling Street.
- The proposed infilling of the new roof and skylights to the external courtyard will not be visible from the primary street frontage to Darling Street.
- The existing front door is to be replaced with a new solid core timber door, painted to match the existing (shown in external finishes schedule).
- The materials and colour palette used to the Ground and First Floors are sympathetic to the surrounding neighbours. The colour palette of the proposed windows and doors will match the existing (shown in external finishes schedule).
- The proposed internal alterations will not negatively impact the heritage conservation area, being included only to improve the internal amenity of the subject dwelling.
- The replacement of existing tiles with new tiles and grouting to the rear private open space, will improve the condition of this area.
- The proposal maintains a density of built form and site coverage, consistent with the neighbourhood.
- The original primary roof forms and eaves are to be retained as part of the proposal.

It is considered that the proposed works will not negatively affect the heritage significance of the subject site nor impact the conservation area.

539 Darling St, Rozelle

2.0 Conclusion

This application has been assessed under the heads of consideration of Section 4.15 of the Environmental Planning and Assessment Act 1979 and all relevant instruments and policies.

The proposed development is of high quality contemporary design, and respectful of the conservation area. It is consistent with the development and planning controls, as demonstrated within this Statement, and adheres to the requirements for height, massing, floor space ratio, scale and bulk of the subject site and existing building.

The design has been developed as a result of a site analysis that identified the optimal approach, siting and orientation of the additions to maximise liveability and environmental performance.

The proposed development sits comfortably within the locality and creates no unreasonable adverse impacts on any neighbouring property. The proposal is compatible with the existing and future surrounding development.

It is maintained that the proposed development is permissible within the statutory zone, consistent with the majority of provisions of statutory and non-statutory controls applicable to the site and performs well from an environmental planning perspective.

Consequently, on any balanced assessment of the proposed development under the provisions of section 4.15 of the Environmental Planning and Assessment Act, it would be concluded that the proposed development is acceptable. On this basis, the proposal is worthy of favourable consideration by Council.

Yours Sincerely,



Chris Jordan, Director

Christopher Jordan Architecture & Design

Page 3

Document Set ID: 36362767
Version: 1, Version Date: 25/05/2022