

Council DA reference number	Lot number	DP number	Apartment/Unit number	Street number	Street name	Suburb/Town	Postcode	Category of development	Environmental planning instrument	Zoning of land	Development standard to be varied	Justification of variation	Extent of variation	Concurring authority	Date DA determined dd/mm/yyyy
DA/2020/1032	0	42098		23	May Street	ST PETERS	2044	7: Tourist	Marrickville LEP	IWDB5	Clause 4.4 Floor Space Ratio	The proposal complies with the maximum height of building standard	5.18% or 118sqm	Delegation to Staff	13/07/2021
DA/2020/1120	52	4705		63	Northumberland Avenue	STANMORE	2048	4: Residential - New multi unit	Marrickville LEP	IWDB1	Clause 4.4 - Floor Space Ratio	Compliance with the floor space ratio standard is unreasonable/unreasonable	64.83sqm or 34.4%	Local Planning Panel	27/07/2021
DA/2020/1154	29	1576		21	Windsor Road	DULWICH HILL	2203	1: Residential - Alterations & additions	Marrickville LEP	IWDR2	Clause 4.4 - Floor Space Ratio	Not supported - recommended for refusal	9.8% or 18.43sqm	Delegation to Staff	01/07/2021
DA/2020/1184	101	777246		220	Young Street	ANNANDALE	2038	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	cl.4.3A(3)(b)	The landscaped areas are suitable for substantial tree planting and	13.44% 12.9m2	Local Planning Panel	10/08/2021
DA/2020/1188	32	1865		301	Nelson Street	ANNANDALE	2038	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	4.3A(3)(b) - Site Coverage	*Heritage constraints in regards to the existing cottage limited the	18.66% = 20.6sqm	Delegation to Staff	03/09/2021
MOD/2020/0484	29	2063		38	Breilat Street	ANNANDALE	2038	2: Residential - Single new dwelling	Leichhardt LEP	IWDR1	Floor Space Ratio	The additional GFA is located on the lower ground floor and will not	8.18% (13.62sqm)	Delegation to Staff	05/07/2021
DA/2021/0026	D	348085		35	Taylor Street	ANNANDALE	2038	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	Soft landscaping	No change to existing which is still contributory within the setting.	5.53%	Delegation to Staff	05/07/2021
DA/2021/0038	1	61420		5	Bungay Street	LEICHHARDT	2040	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	Clause 4.3A - Landscaped areas	*The proposal significantly enhances occupant amenity and makes	51.85% / 34sqm	Local Planning Panel	27/07/2021
DA/2021/0068	70	662136		7	Northwood Street	CAMPERDOWN	2050	2: Residential - Single new dwelling	Marrickville LEP	IWDR4	FSR	Existing variation, minimal impact, environmental planning ground	8.5%	Delegation to Staff	30/07/2021
DA/2021/0109	1	1261618		538	Darling Street	ROZELLE	2039	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	FSR - Clause 4.4	The proposal will result in minimal adverse amenity impacts to adjacent	2.26% or 2.81sqm	Delegation to Staff	22/07/2021
DA/2021/0154	1	437265		79	Catherine Street	LEICHHARDT	2040	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	Clause 4.4 - Floor Space Ratio	The proposed development will be compatible with the desired future	4.20% or 4.032sqm	Delegation to Staff	20/07/2021
MOD/2021/0078	7	20459		11	Dibble Avenue	MARRICKVILLE	2204	4: Residential - New multi unit	Marrickville LEP	IWDR1	FSR	Additional FSR provided within building envelope.Additional FSR	7.18% or 82.49sqm	Delegation to Staff	12/08/2021
DA/2021/0216	4	2637		252	Catherine Street	LEICHHARDT	2040	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	soft landscaping	The site currently has no landscaping and limited opportunities to	71.76%	Delegation to Staff	22/07/2021
DA/2021/0221	1	111603		29	Percy Street	ROZELLE	2039	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	Site Coverage	*The proposal will improve the existing site coverage non-compliance	6.66% or 4.96sqm	Delegation to Staff	06/09/2021
DA/2021/0234	11	192318		132	Salisbury Road	CAMPERDOWN	2050	1: Residential - Alterations & additions	Marrickville LEP	IWDR2	Clause 4.3 - height of building	The extend of variation applies to the addition of skylights to an existing	400millimetres or 4%	Delegation to Staff	09/07/2021
DA/2021/0240	4	979145		6	Norman Street	ROZELLE	2039	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	Clause 4.3A (3)(b) - Site Coverage	The design complies with landscaped area and FSR development	7.83% or 8.87sqm	Delegation to Staff	23/09/2021
MOD/2021/0120	B	359491		16	Louisa Road	BIRCHGROVE	2041	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	4.3A (3)(a) - Landscaped Area	The variation is existing and no changes are proposed to the soft	13.02% or 17.12sqm	Delegation to Staff	08/07/2021
DA/2021/0291	12	746846		9	Collins Street	ANNANDALE	2038	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	C4.4 Floor Space Ratio	* The proposal seeks to add minimal GFA and FSR to the site, conforming	7.59% or 16.81sqm	Delegation to Staff	11/08/2021
DA/2021/0346	1	938239		219	Trafalgar Street	ANNANDALE	2038	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	4.4 - Floor Space Ratio	*The proposal is compatible with the desired future character of the	5.86% or 16.73sqm	Delegation to Staff	30/09/2021
DA/2021/0368	2	217135		24	Mary Street	LILYFIELD	2040	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	cl.4.3A(3)(b)	Adequate Landscaped Area is proposed on site	9.13%	Delegation to Staff	19/07/2021
DA/2021/0366	30	99302	12	45	Nelson Street	ANNANDALE	2038	8: Commercial / retail / office	Leichhardt LEP	IWDB2	Clause 4.4 - Floor Space Ratio	*The proposed development does not result in any additional bulk	34.46% or 836.1sqm	Local Planning Panel	14/09/2021
DA/2021/0389	A	444944		235	Annandale Street	ANNANDALE	2038	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	Cl.4.3A(3)(a)	The proposal results in an increase in Landscaped Area on the site	19.9%	Delegation to Staff	20/07/2021
DA/2021/0402	1	1250712		18	Theodore Street	BALMAIN	2041	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	Landscaped area	The proposed works are compatible with the desired future character	16.22% (-9.83sqm)	Delegation to Staff	14/07/2021
DA/2021/0432	1	1226393		30	Carrington Street	LILYFIELD	2040	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	Landscaped Area	The proposal is not reducing the landscaped area on the site;The	43.91% (-26.17sqm)	Delegation to Staff	29/07/2021
DA/2021/0446	Y	442969		1	Weynton Street	ANNANDALE	2038	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	C4.3A(3)(a) - Landscaped Area	The existing landscaped area is below the minimum of 20%, and the	45.14% or 22.57sqm	Delegation to Staff	28/07/2021
DA/2021/0471	10	837984		21	Donnelly Street	BALMAIN	2041	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	cl.4.3(a)(i) - Landscaped Area	The landscaped areas are suitable for substantial tree planting and	9.23%	Delegation to Staff	30/07/2021
DA/2021/0472	B	508664		277	King Street	NEWTOWN	2042	8: Commercial / retail / office	Marrickville LEP	IWDB2	Clause 4.4 - Floor Space Ratio	Compliance with the floor space ratio standard is unreasonable/unreasonable	72.15sqm or 19%	Local Planning Panel	14/09/2021
DA/2021/0474	D	107484		170	Trafalgar Street	ANNANDALE	2038	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	Site Coverage	The proposal maintains compliance with the prescribed level of landscaping	22.09% or 15.65sqm	Delegation to Staff	27/08/2021
MOD/2021/0234	A	363900		5	Reynolds Avenue	ROZELLE	2039	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	Floor Space Ratio	The additional GFA is namely the result of converting part of the area	1.81% or 2.96sqm	Delegation to Staff	31/08/2021
MOD/2021/0242	1	511078		15	View Street	ANNANDALE	2038	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	Clause 4.4 Floor Space Ratio	*The proposal complies with the landscaped area development standard	3.94% or 4.45sqm	Delegation to Staff	12/08/2021
DA/2021/0517	1	935599		8	Deakin Avenue	HABERFIELD	2045	1: Residential - Alterations & additions	Ashfield LEP 20	IWDR2	6.5(3)(d)	No reduction in landscaping	32%	Delegation to Staff	18/08/2021
DA/2021/0536	B	101247		251	Annandale Street	ANNANDALE	2038	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	Landscaped Area	The proposal does not seek to further reduce the existing provision	65.69% or -67.98sqm	Delegation to Staff	15/09/2021
DA/2021/0541	1122	878812		55	Norton Street	LEICHHARDT	2040	8: Commercial / retail / office	Leichhardt LEP	IWDB2	Floor Space Ratio	*The proposed indoor recreational facility complies with the object	Unknown	Delegation to Staff	26/08/2021
DA/2021/0547	10	14057	10	1	Glassop Street	BALMAIN	2041	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	C4.3A - Landscaped Area	No change to existing non-compliant landscaped area	No change	Delegation to Staff	27/07/2021
MOD/2021/0264	105	1232769		5	Prosper Street	ROZELLE	2039	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	Site Coverage	* The proposal provides ample landscaped area that is suitable for	8.2% (11.49sqm)	Delegation to Staff	17/09/2021
DA/2021/0556	B	34136		34	Nelson Street	ANNANDALE	2038	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	4.3A(3)(a)	No change to existing non-compliance	5.28%	Delegation to Staff	04/08/2021
DA/2021/0553	C	440713		27	Carlisle Street	LEICHHARDT	2040	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	Landscape Area	*The proposal's compliance with the standard is unreasonable because	7.34% or 4.17m2	Delegation to Staff	25/08/2021
DA/2021/0560	B	439960		29	Darling Street	BALMAIN EAST	2041	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	cl.4.3A(3)(a) - Landscaped Area	The landscaped area is increased and suitable for the enjoyment	69.8%	Delegation to Staff	24/09/2021
MOD/2021/0272	0	103134	1	17	Gower Street	SUMMER HILL	2130	4: Residential - New multi unit	Ashfield LEP 20	R2	Clause 4.4 - FSR	*The additional GFA and FSR non-compliance does not increase	7.64% or 92sqm	Delegation to Staff	28/09/2021
DA/2021/0605	4	812688		112	Beattie Street	BALMAIN	2041	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	4.3A(3)(b) - Site Coverage	*The proposed variation is minor;*The proposal provides Landscaped	1.25% or 0.8sqm	Delegation to Staff	08/09/2021
DA/2021/0677	7	814		137	Nelson Street	ANNANDALE	2038	1: Residential - Alterations & additions	Leichhardt LEP	IWDR1	4.3A(3)(b)	The proposal is compatible in building form, bulk and scale with the	1% or 2.3sqm	Delegation to Staff	10/09/2021

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DA/2020/1130	37	9116		20	Glover Street LILYFIELD NSW 2040	LILYFIELD	2040	1	Leichhardt LEP 2013	IWDR1	Clause 4.3A(3)(a) – Landscaped Area	<ul style="list-style-type: none"> The proposed development increases the landscaped area by 8.30sqm to 11.30sqm or 5% of the site. Locating the additions within the existing footprint has reduced the bulk and scale of the proposal. Existing Open Private Space areas remain unchanged due to the proposed development. The proposal will comply with the FSR and Sit coverage development standards. Building orientation and separation remains "as is" and building presentation will be enhanced through incorporation of contemporary design, materials and finishes. 	63.55% or 20sqm	Delegation to Staff	20/10/2021
REV/2020/0035	6	131508		40	Milton Street ASHFIELD NSW 2131	ASHFIELD	2131	4	Ashfield LEP 2013	IWDR3	Clause 4.3 Height of buildings	<ul style="list-style-type: none"> The development proposal will provide a diverse and additional housing choice with superior amenity. 	42.4%	Local Planning Panel	12/10/2021
DA/2021/0094	1	220829		20	Beattie Street BALMAIN NSW 2041	BALMAIN	2041	1	Leichhardt LEP 2013	IWDR1	Clause 4.4 Floor Space Ratio	<ul style="list-style-type: none"> Development satisfies objectives of development standard and zone 	34.8sqm or 28%	Local Planning Panel	09/11/2021
DA/2021/0140	51	1272033		64	Terry Street ROZELLE NSW 2039	ROZELLE	2039	1	Leichhardt LEP 2013	IWDR1	Clause 4.4 – Floor space ratio	<ul style="list-style-type: none"> The proposed development will be compatible with the desired future character of the area in relation to building bulk, form and scale. The proposal will provide a suitable balance between landscaped areas and the built form as the proposal complies with the landscaping and site coverage development standards as per the Leichhardt LEP 2013 	7.86% or 14.64sqm	Delegation to Staff	05/10/2021
DA/2021/0175	1	1119812		27	Percy Street ROZELLE NSW 2039	ROZELLE	2039	13	Leichhardt LEP 2013	IWDR1	Site Coverage	<ul style="list-style-type: none"> Existing variation to site coverage 	3.4sqm or 4.23%	Local Planning Panel	09/11/2021
DA/2021/0257	12	50		42	Mullens Street BALMAIN NSW 2041	BALMAIN	2041	1	Leichhardt LEP 2013	IWDR1	4.3A3(a) - Landscaped Area	<ul style="list-style-type: none"> The development provides for the housing needs of the community; The development, as proposed and conditioned, provides housing that is compatible with the character, style, orientation and pattern of (existing and approved) surrounding buildings, streetscapes, works and Landscaped Areas; and The development provides Landscaped Areas for the use and enjoyment of existing and future residents and does not result in any undue adverse amenity impacts. The proposed non-compliances will not result in any undue adverse amenity impacts on adjoining sites and improved on-site amenity outcomes. The proposal provides Landscaped Areas that are suitable for substantial tree planting and for the use and enjoyment of residents; The proposal maintains and encourages a landscaped corridor between adjoining properties and is compatible with the desired future character; The proposal provides adequate retention and absorption of surface drainage water on the site; The proposal is of an acceptable density by way of complying with the Floor Space Ratio development standard, achieving compliant Landscaped Area if areas greater than 500mm above existing ground level could be included in the calculations, and a Site Coverage that is not out of character with the pattern of development in the street; and The proposal provides a suitable balance between private open space and built form. 	100%	Local Planning Panel	12/10/2021
DA/2021/0305	1	127422		70	Trafalgar Street ANNANDALE NSW 2038	ANNANDALE	2038	1	Leichhardt LEP 2013	IWDR1	Clause 4.3A - Landscaped area	<ul style="list-style-type: none"> a)The proposal provides residential accommodation which is compatible with the character, pattern of development and streetscape of the neighbourhood. b)The relationship between the landscaped areas on the site and the built form will not change dramatically, and it is noted that the site coverage for the site remains unchanged and the soft landscaping at the front and middle of the site will not be reduced. c)The proposed development will maintain the existing permeable area of the site will not affect the underground flow of water. d)The proposed development will not affect the existing building footprint and complies with Council's controls for site coverage and the provision of private open space. 	33.80sqm or 46%	Local Planning Panel	12/10/2021
DA/2021/0304	B	23369		187	Young Street ANNANDALE NSW 2038	ANNANDALE	2038	1	Leichhardt LEP 2013	IWDR1	Clause 4.3A(3)(a) - Landscaped Area	<ul style="list-style-type: none"> Non-compliance is existing Non-compliance will not result in any undue adverse amenity impacts to neighbours. Development is consistent with similar developments 	74.44% or 14.94sqm	Delegation to Staff	22/10/2021
DA/2021/0342	B	928973		343	Enmore Road MARRICKVILLE NSW 2204	MARRICKVILLE	2204	1	Marrickville LEP 2011	IWDR2	Clause 4.4 Floor Space Ratio	<ul style="list-style-type: none"> The minor nature of the variation is acceptable as there are no detrimental environmental or amenity impacts. If the site was 1sqm larger the FSR would be compliant. The 2.07sqm variation is negligible. 	2.07sqm or 1.1%	Delegation to Staff	12/11/2021
DA/2021/0358	7	5908		17	Crescent Street HABERFIELD NSW 2045	HABERFIELD	2045	1	Ashfield LEP 2013	IWDR2	clause 6.6(3)(a)(ii) of ALEP 2013	<ul style="list-style-type: none"> House maintains single storey appearance from the street 	144.6%	Local Planning Panel	09/11/2021
DA/2021/0428	15	3341		13	Kalgoorlie Street LEICHHARDT NSW 2040	LEICHHARDT	2040	2	Leichhardt LEP 2013	IWDR1	c.4.4 FSR	<ul style="list-style-type: none"> The proposal will provide adequate residential amenity for the occupants of the subject dwelling without any significant adverse impacts to the amenity of surrounding properties. It achieves the objectives of the standard. 	11.78%	Local Planning Panel	23/11/2021
DA/2021/0447	2	376394		20	Terry Street BALMAIN NSW 2041	BALMAIN	2041	1	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(b) – Site Coverage	<ul style="list-style-type: none"> The proposal results in a compliant FSR and Landscaped Area. The proposed site coverage is compatible with the desired future character of the area. The proposal is consistent in relation to building bulk, form and scale. The proposed site coverage will result in acceptable amenity impacts to the surrounding properties. 	11.95% or 11.79sqm	Delegation to Staff	05/11/2021
DA/2021/0451	2	1248925		11	Trafalgar Street ANNANDALE NSW 2038	ANNANDALE	2038	1	Leichhardt LEP 2013	IWDR1	4.3A(3)(b) – Site Coverage	<ul style="list-style-type: none"> The non-compliance is an existing site condition, equating to 64% of the site area and 5.66sqm over the maximum, and the non-compliance is a minor variance from the existing condition by approximately 4sqm. Proposal does not result in any uncharacteristic scale, bulk or density Compliance with the standard would require removal of existing fabric The proposal mainly sits within the footprint of the existing house and the extent of site coverage remains similar Compliance with the development standard would unnecessarily impact the amenity of residents with no discernible planning benefit due to the small and irregular shape of the subject site. 	13.62%, or 9.96sqm	Delegation to Staff	11/10/2021
DA/2021/0499	100	1266174		26	Mackenzie Street LEICHHARDT NSW 2040	LEICHHARDT	2040	2	Leichhardt LEP 2013	R1	cl4.3B -Site Coverage	<ul style="list-style-type: none"> Whilst the proposal does result in a Site Coverage above the maximum standard the proposal is a positive adaptive reuse of a building, with an acceptable level of amenity for the future occupants and without any adverse impacts to the amenity of surrounding properties. 	28.65%	Local Planning Panel	12/10/2021
DA/2021/0466	10	1352		22	Fitzroy Avenue BALMAIN NSW 2041	BALMAIN	2041	1	Leichhardt LEP 2013	IWDR1	Landscaped Area	<ul style="list-style-type: none"> The proposal complies with the site coverage development standard and there are sufficient opportunities to improve soft landscaping. The proposal is consistent with the R1 - General Residential zone objectives. The proposal is consistent with the objectives for the Landscaped Area development standard. The deficiency in landscaped area is minor in nature and does not impact on the site's contribution to the well-maintained landscaped setting of the locality. The proposal will not result in any undue adverse amenity impacts to surrounding properties. 	8.98% (-5.34sqm)	Delegation to Staff	19/11/2021

DA/2021/0494	3	518773	155	Annandale Street ANNANDALE NSW 2038	ANNANDALE	2038	1	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(a)(i) – Landscaped Area	<ul style="list-style-type: none"> •Landscape Area = 0 m2 as existing but via removal of paving in the rear yard, will be increased to 16.46 m2 or 6.5% landscaping area. •The proposal does not involve removal of any vegetation; •The given the general lack of impact arising from the additions and considerations of the non-compliance against the stated objectives of the R1 General Residential zone and Clause 4.3A objectives, requiring full compliance when there is no alteration to existing levels of amenity and no adverse impacts to the local area, it is considered to be unreasonable in the circumstances. •The development demonstrably improves upon the existing site conditions without detrimental impacts to the significance, established setting of the building and results in acceptable impacts to adjoining properties. •As noted above in the objective analysis, the breach of the standard allows a built form that is consistent with the desired future character of the surrounding area, particularly the buildings that are located on the adjoining properties or recent approvals in the area. 	67.38% or 34sqm	Delegation to Staff	10/12/2021
DA/2021/0539	1	198287	37	Gipps Street BIRCHGROVE NSW 2041	BIRCHGROVE	2041	1	Leichhardt LEP 2013	IWDR1	Site Coverage	<p>The existing lot is relatively small with the existing site coverage already exceeding the site coverage control at 71% (97.67m2), above the 60% control;</p> <p>The proposal results in an overall reduction of site coverage to 70.87% (97.24m2). In this instance, it is considered that the improved site coverage, increased and compliant Landscaped Area and compliant level of FSR is a positive outcome for the site. The proposal considered to satisfy the objectives of the R1 – General Residential zone and the Site Coverage development standard, in accordance with Clause 4.6(4)(a)(ii) of the LLEP 2013; and,</p> <p>The proposal does not result in any undue adverse amenity impacts to surrounding properties.</p>	18.12% or 14.92sqm	Delegation to Staff	29/10/2021
MOD/2021/0265	53	499597	39	Smith Street SUMMER HILL NSW 2130	SUMMER HILL	2130	4	Ashfield LEP 2013	R3	Clause 4.4 - FSR	<ul style="list-style-type: none"> •The proposal has been amended to be consistent with the building footprint approved building envelope under development consent DA/2020/0981 and the changes do not result in adverse visual bulk impacts when viewed from neighbouring properties. •The height of the development has been amended to be consistent with the maximum height approved under development consent DA/2020/0981. •The additional gross floor area (GFA) being pursued at the upper levels relate to the approved townhouses and do not result in increased density or further intensification of the site beyond the initial consent. Furthermore, the additional GFA being pursued at this level does not result in adverse amenity impacts to neighbouring properties or the adjoining HCA. •The proposal is consistent with the desired future character as a medium density area and remains compatible with the approvals on the surrounding sites at 33 Smith Street and 27-29 Smith Street. •The proposed changes improve the level amenity for future occupants. 	15.73% or 100.173 sqm	Delegation to Staff	05/10/2021
DA/2021/0569	1	772320	16	Cambridge Street ENMORE NSW 2042	ENMORE	2042	1	Marrickville LEP 2011	IWDR2	Clause 4.4 Floor space ratio	The proposed development will be compatible with the desired future character of the area in relation to building bulk, form and scale.	9.7% (16.6sqm)	Delegation to Staff	07/12/2021
DA/2021/0593	1	80589	21	Bruce Street ROZELLE NSW 2039	ROZELLE	2039	1	Leichhardt LEP 2013	IWDR1	4.3A (3)(a)(i) – Landscaped Area	No change to existing landscaped area	100%	Delegation to Staff	18/11/2021
DA/2021/0589	6	216857	6	Woodlark Street ROZELLE NSW 2039	ROZELLE	2039	1	Leichhardt LEP 2013	IWDR1	4.3A Landscaped Area	No change to existing non-compliant landscaped area	37.45% or 12.6sqm	Delegation to Staff	07/10/2021
DA/2021/0603	5	708952	39	Short Street BIRCHGROVE NSW 2041	BIRCHGROVE	2041	1	Leichhardt LEP 2013	IWDR1	4.3A(3)(a)(i) - Landscaped Area	Not supported - No Clause 4.6 provided	20.74% or 10.60m2	Delegation to Staff	14/10/2021
DA/2021/0610	21	601209	9	Jabez Street MARRICKVILLE NSW 2204	MARRICKVILLE	2204	11	Marrickville LEP 2011	IWDIN1	Clause 4.4 - Floor Space Ratio	<p>The proposed increase in GFA is wholly internal to the site and the existing building bulk and envelope will be maintained as a result.</p> <p>The non-compliant FSR will not alter the existing building envelope and will maintain the presentation of the building to the public domain and therefore will not directly impact on the amenity of adjoining and neighbouring land.</p>	44.9sqm - 5.59%	Delegation to Staff	28/10/2021
DA/2021/0635	41	1259431	9	Burt Street ROZELLE NSW 2039	ROZELLE	2039	1	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(a)(i) – Landscaped Area	<ul style="list-style-type: none"> •The proposal will be consistent with the desired future character controls applicable to the site and the pattern of adjoining development. •The Landscaped Area provision will not change the retention and absorption of existing surface drainage water on site. •The proposal does not alter existing site density or building footprint and is compatible with the desired future character of the area in relation to building bulk, form and scale. 	0.87% or 0.47sqm.	Delegation to Staff	29/11/2021
DA/2021/0643	1	546028	70	Birchgrove Road BALMAIN NSW 2041	BALMAIN	2041	1	Leichhardt LEP 2013	IWDR1	4.3A(3)(a) - Landscaped Area	<p>oThe development proposal provides an increase of 4.86m2 in the level of landscaped area upon the site that meets the provisions of clause 4.3A (4)(b)(ii) of the Leichhardt LEP 2013, however presents a shortfall of 31.61m2, to the development standard, with the total landscape area on the site that meets the provisions of clause 4.3A (4)(b)(ii) of the Leichhardt LEP 2013 being 20.45m2 , 7.85% of site area.</p> <p>oThe fundamental role of clause 4.6 in any local environmental plan is reflected in the recent decision of Commissioner Clay in SJD DB2 Pty Ltd v Woollahra Municipal Council [2020] NSWLEC 1112. In particular, Commissioner Clay notes at [73] of his decision that: "First, it should be noted cl 4.6 of WLEP is as much a part of WLEP as the clauses with development standards. Planning is not other than orderly simply because there is reliance on cl 4.6 for an appropriate planning outcome." The objectives of clause 4.6 facilitate the flexible application of development standards to particular development in order to achieve an improved environmental planning outcome</p> <p>oThe contravention to the landscaped area development standard is acceptable in the circumstances of this case and compliance with the development standard is considered unreasonable and unnecessary because the proposed dwelling house is consistent with the objectives of the development standard, notwithstanding non-compliance with the standard.</p> <p>oThe proposed alterations and additions to the dwelling house meet the objectives of the landscaped area development standard based on the following assessment:</p> <p>oObjective (a): The development proposal presents an increase in the level of existing landscaped area at the site from 15.59m2 . 5.9% to 20.45m2 & 7.85% of site area, and increase of 4.86m2 of landscaped area. Furthermore, the additional 21.17m2 of landscaped area provided above the existing garage, although not technically included in landscape area calculations, adds to the function of the private open space as a whole and the landscaped setting</p>	91.05% or -47.4sqm	Delegation to Staff	14/12/2021
DA/2021/0646	9	3863	8	Albert Street LEICHHARDT NSW 2040	LEICHHARDT	2040	1	Leichhardt LEP 2013	IWDR1	cl.4.3A - LA	Existing breach	54.4%	Delegation to Staff	14/12/2021
DA/2021/0655	B	314183	110	Prospect Road SUMMER HILL NSW 2130	SUMMER HILL	2130	13	Ashfield LEP 2013	IWDR2	Clause 4.1 - Minimum subdivision lot size	<ul style="list-style-type: none"> •The proposal seeks to subdivide an existing dual occupancy that visually presents as two dwellings with two street numbers. •The proposal maintains the existing subdivision pattern and is consistent with the pattern of development. •The proposal results in two equal lots which are compatible in terms of lot sizes and dimensions with the surrounding area. •The proposal will not impact the streetscape, HCA or amenity of adjoining properties given minimal building works are proposed to formalise the current dual occupancy on the site. 	106.35sqm or 21.27%	Local Planning Panel	14/12/2021
DA/2021/0656	89	1908	154	Trafalgar Street ANNANDALE NSW 2038	ANNANDALE	2038	1	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(b) Site Coverage	The proposal will result in additional landscaping within the front and rear setbacks of the site.	6.75sqm or 8.89%	Delegation to Staff	17/12/2021
DA/2021/0659	1	927332	9	North Avenue LEICHHARDT NSW 2040	LEICHHARDT	2040	1	Leichhardt LEP 2000	IWDR1	Landscaped Area	The proposal is for ground floor additions to the existing dwelling and does not alter the existing non-compliance with the Landscaped Area development standard.	35.39%	Delegation to Staff	13/10/2021
DA/2021/0660	8A	1935	238	Annandale Street ANNANDALE NSW 2038	ANNANDALE	2038	1	Leichhardt LEP 2013	IWDR1	C.4.4 - FSR	The proposal is commensurate to the existing dwelling and will provide adequate residential amenity for the occupants of the subject dwelling without significant adverse impacts to the amenity of surrounding properties. It achieves the objectives of the standard.	9.67%	Delegation to Staff	20/12/2021
DA/2021/0663	F	24967	31	Collins Street ANNANDALE NSW 2038	ANNANDALE	2038	1	Leichhardt LEP 2013	IWDR1	Site Coverage - Clause 4.3A	<ul style="list-style-type: none"> •The design complies with landscaped area development standards. •The proposal enhances the amenity of existing residents and does not result in any undue adverse impacts on adjoining properties and the neighbourhood. 	10.8sqm or 12.38%	Delegation to Staff	24/12/2021
DA/2021/0678	50	1247953	38	Albion Street ANNANDALE NSW 2038	ANNANDALE	2038	1	Leichhardt LEP 2013	IWDR1	Landscaped Area	Improving existing variation	17.96% or 15.02sqm	Delegation to Staff	17/12/2021
DA/2021/0709	100	848165	59	Hornsey Street ROZELLE NSW 2039	ROZELLE	2039	1	Leichhardt LEP 2013	IWDR1	Landscaped Area	The non-compliance is existing. The application does not propose any change to landscaped area on site,	74.90%	Delegation to Staff	11/10/2021

DA/2021/0764	B	107665	297	Annandale Street ANNANDALE NSW 2038	ANNANDALE	2038	1	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(b) Site Coverage	Compliance with this standard would be unreasonable given the established pattern of similar additions within the area. 1. The proposed works will not create any significant corresponding negative impacts on any adjoining properties. 2. The non-compliance with the Controls is minor. 3. A reduction in the FSR or site coverage by reducing first floor addition would not increase the landscaped area of the proposal. 4. The proposed scale and bulk of the proposal is generally in keeping with the bulk and scale of the existing adjoining and nearby approved buildings. 5. Compliance with the standard would limit improvement to the dwelling and reduce the ability to make the existing dwelling a functional home. 6. The floor space ratio of 0.61:1 not only complies with the Council Controls but is 43.38m2 under the allowable FSR of 0.8:1 (181.92m2). 7. The landscape area not only complies with the Council Controls but provides for an additional 5.9m2 in additional landscaped area above the minimum landscaped area required. 8. The proposal does not obstruct any views from adjoining residents. 9. The neighbouring residents will be protected from overlooking through the use of privacy screens, raised sill heights, and obscure glass to the first-floor windows. 10. The proposed works do not alter the front façade and streetscape character along Annandale Street. The roof has been designed to be setback from the existing ridge; thereby the appearance of a single storey cottage is maintained. All new first floor works are setback behind the line of sight when viewed from Annandale Street. 11. Due to the small nature of the site it is unreasonable for the site to comply with a control that restricts any possible development to make the house suitable for modern day living requirements. The proposed alterations and additions could not be seen as excessive or large in size, but they do make the dwelling into a more pleasant and liveable space for the occupants.	5.46% or 7.45sqm	Delegation to Staff	21/12/2021
DA/2021/0785	20	318	40	North Street LEICHHARDT NSW 2040	LEICHHARDT	2040	1	Leichhardt LEP 2013	IWDR1	4.3A(3)(a) – Landscaped Area	Existing site condition No bulk and scale impacts as a result of variation Provision of more landscaped area comes at no planning benefit to residents	7.9%, or 4.94sqm	Delegation to Staff	03/11/2021
DA/2021/0792	1	435645	15	Coulon Street ROZELLE NSW 2039	ROZELLE	2039	1	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(a)(i) - Landscaped Area	•The proposal maintains and does not impact on the existing landscape Area and Open Space. •An existing raised garden bed with deep planting at the rear open space measures approximately 2.5sqm and is retained. •The proposal is consistent with the objectives of the Landscaped Area standard; •The proposal does not involve removal of any vegetation; •There will be no adverse amenity outcomes to the site or adjoining sites as a result of the breach.	100.00% or 14.82sqm	Delegation to Staff	14/12/2021
DA/2021/0840	20	1258828	65	Piper Street LILYFIELD NSW 2040	LILYFIELD	2040	1	Leichhardt LEP 2013	IWDR1	Landscaped Area	The development proposal complies with the site coverage of maximum 60%. ? The proposed pool and spa are hard landscape elements and as such are a positive contributor to rear landscaping of the dwelling. While not permeable or soft landscaped area they do improve the amenity and usability of the private outdoor space making it a use and space suitable for the owners. ? The reduction in landscaped area only replaces existing turf and therefore does not reduce any large items such as trees or high planting and as such will not have adverse visual impact on neighbouring properties. ? The proposed pool is consistent with surrounding development including 9 and 15 Lonsdale Street which all have similar pools in their rear yards. These pools have been added in the last few years and therefore the proposed pool is compatible with the desired future character of the locality. ? The development has no impact on the streetscape as it is located behind existing built fence. The proposal results in only a very minor infringement and still ? The proposal provides reasonable area of privacy planting and deep soil planting consistent with the intent of the LEP. Version: 1, Version Date: 15/12/2021 Document Set ID: 35647707 21 of 22 The applicant's written rational adequately demonstrates compliance with the development standard is unreasonable and unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.	3% or 2.3sqm	Delegation to Staff	15/12/2021
DA/2021/0880	25	1142	38	Day Street MARRICKVILLE NSW 2204	MARRICKVILLE	2204	1	Marrickville LEP 2011	IWDR2	Clause 4.4 - Floor Space Ratio	Minor variation, no amenity impacts, results as margin of error for survey	6.5%	Delegation to Staff	23/11/2021
DA/2021/0924	17	1175540	17	Cove Street BIRCHGROVE NSW 2041	BIRCHGROVE	2041	1	Leichhardt LEP 2013	IWDR1	Clause 4.3A – Landscaped Area	•The existing landscaped area is below the minimum of 20%, and the proposal does not involve any changes to the existing landscaped area. The total landscaped area remains unchanged at 61.1sqm (17.7%). •In designing a development that compares to the neighbouring properties, the quality of the site, and the immediate surroundings is considered acceptable to meet the objectives of the LEP. •In designing a development that compares to the neighbouring buildings, the quality of the site, and the immediate surroundings is improved. •The proposal carefully considers all aspects of the LEP & DCP and the design solution will fit comfortably within its surroundings. •The proposal does not involve the removal of trees and is suitable for the use and enjoyment of residents. Site density and building footprint are acceptable. •The landscaped area is compatible with the adjoining properties. •The proposal has been designed to preserve the character of the surrounding area. •Amenity to the site will not be compromised. •Compliance with the standard is unreasonable as the existing landscaped area is smaller than the minimum 20%. There is no works to the existing rear of property, of which does not impact on the calculation area of the landscaped area. •The proposal is consistent with objectives of Clause 4.3A of LEP 2013 relating to a minimum landscaped area of 20% as the development proposal, with a landscaped area of 17.7%, is sympathetic to the surrounding area as well as addressing the following: o(a) to provide landscaped areas that are suitable for substantial tree planting and for the use and enjoyment of residents, o(b) to maintain and encourage a landscaped corridor between adjoining properties, o(c) to ensure that development promotes the desired future character of the neighbourhood, •Landscape has been calculated based on architectural DA drawings: oSite Area – 345.7sqm oExisting Landscaped Area – 61.1sqm (17.7%) oProposed Landscaped Area – 61.1sqm (17.7%) oNet change in Landscaped Area – no change	25.53%	Delegation to Staff	07/12/2021

Council DA reference number	Lot number	DP number	Apartment/Unit number	Street number	Street name	Street name	Suburb/Town	Postcode	Category of development	Environmental planning instrument	Zoning of land	Development standard to be varied	Justification of variation	Extent of variation	Concurring authority	Date DA determined ddmmyyyy	Date DA determined ddmmyyyy	Environmental planning instrument (Variation 2)	Development standard to be varied (Variation 2)	Justification of variation (Variation 2)	Extent of variation (Variation 2)	Environmental planning instrument (Variation 3)	Development standard to be varied (Variation 3)	Justification of variation (Variation 3)	Extent of variation (Variation 3)	Application Decision					
DA/2021/0537	47	1225		46	Alfred Street ANNANDALE NSW 2038	Alfred Street	ANNANDALE	2038	1	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(b) Site Coverage	<ul style="list-style-type: none"> The development has been amended to take into account Councils comments regarding the proposed development with adjustments made to the dwelling and the rear yard area and parking provision. Full compliance with the landscaped area provision- noting 18.4% vs 15% required. Full compliance with the FSR provision- noting a 0.7:1 FSR vs 0.8:1 permitted. The LEP prescribes a maximum site coverage of 60% or 115.38m2. The proposal has a site coverage of 64.38% or 123.82m2 of the site area, which does not comply with the control. In numerical terms the departure is only 8.44m2 or 7.3% of the standard. The extent of departure is minor, but necessary to facilitate an appropriate development outcome on the site- reflected through consistency with remaining planning controls and importantly the FSR and landscaped area control. The proposal enables suitable landscaping between adjoining properties. The development proposal has been designed to retain solar access to living areas on adjoining properties and to align with the provisions the Leichhardt DCP 2013. 	14.19sqm or 12.30%	Delegation to Staff	02/02/2022 12:48:44 PM	02/02/2022														Deferred Commencement
DA/2021/0613	1	505738		152	Trafalgar Street ANNANDALE NSW 2038	Trafalgar Street	ANNANDALE	2038	1	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(b) Site Coverage	<ul style="list-style-type: none"> The proposal provides an expanded housing type designed to meet the housing needs of the community. 	2.89sqm or 3.79%	Delegation to Staff	18/01/2022 12:57:01 PM	18/01/2022												Approved		
DA/2021/0627	8	447193		128	Rowntree Street BIRCHGROVE NSW 2041	Rowntree Street	BIRCHGROVE	2041	1	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(b) Site Coverage	<ul style="list-style-type: none"> The development is compatible with the desired future character of the area in relation to building bulk, form and scale. The proposal is compatible with the character, style, orientation and pattern of surrounding buildings, streetscapes, works and landscaped areas. The proposal enhances the amenity of existing residents and does not result in undue adverse impacts on adjoining properties and the neighbourhood. 	9.48% or 6.83sqm	Delegation to Staff	11/01/2022 3:04:04 PM	11/01/2022	Leichhardt LEP 2013	Clause 4.4 Floor space ratio	<ul style="list-style-type: none"> Minimal difference in the impacts between a compliant and non-compliant proposal in terms of visual and acoustic privacy, visual impacts and solar impacts on the immediately adjacent and surrounding neighbourhood The contravention will result in sympathetic and discrete second floor addition to the rear of the principal roof form and avoid adverse impacts upon the amenity of surrounding properties. The proposal enhances the amenity of existing and future residents and the neighbourhood. 	8.23% or 9.89sqm							Approved			
DA/2021/0653	2	229273		96	Elizabeth Street ASHFIELD NSW 2131	Elizabeth Street	ASHFIELD	2131	1	Ashfield LEP 2013	IWDR2	Clause 4.4 -FSR	<ul style="list-style-type: none"> The proposal is consistent in terms of bulk and scale with the existing building and adjoining development. The proposal is compatible with the Heritage Conservation Area and does not result in any adverse impacts to the streetscape The proposal does not result in adverse impacts to neighbouring properties or the public domain in terms of amenity of visual bulk and scale. The proposed addition is sensitively designed to complement the existing building and is compatible with the prevailing pattern of development in the area. 	84.99% or 66.10sqm	Local Planning Panel	08/02/2022 12:00:00 AM	08/02/2022													Approved	
DA/2021/0700	24	979636		33	Annesley Street LEICHHARDT NSW 2040	Annesley Street	LEICHHARDT	2040	1	Leichhardt LEP 2013	IWDR1	Floor Space Ratio	<ul style="list-style-type: none"> The proposal provides a form of development which is compatible in relation to the character of the area. The proposal complies with the Landscaped Area and Site Coverage development standards and provides a suitable balance between landscaped areas and built form. The proposal will not result in any undue adverse amenity impacts to surrounding properties. The proposal provides a density of residential development which is commensurate with the character of the area. The proposal provides suitable landscaped areas for substantial tree planting for the use and enjoyment of residents. 	4.02sqm or 2.91%	Delegation to Staff	24/01/2022 9:40:58 AM	24/01/2022													Approved	
DA/2021/0742	7	90		56	Mulens Street BALMAIN NSW 2041	Mulens Street	BALMAIN	2041	1	Leichhardt LEP 2013	IWDR1	Landscaped areas of res. accommodation in R1	<ul style="list-style-type: none"> The proposal maintains a substantial landscaped area on the subject site and promotes the desired future character of the neighbourhood. The proposal does not result in any adverse amenity impacts to surrounding properties. 	5.44 sqm or 9.15%	Delegation to Staff	11/02/2022 8:56:06 AM	11/02/2022												Approved		
DA/2021/0748	5	1967		127	Norton Street LEICHHARDT NSW 2040	Norton Street	LEICHHARDT	2040	8	Leichhardt LEP 2013	IWDB2	C4.4 FSR	<ul style="list-style-type: none"> Proposal does not increase the existing FSI Proposal decreases existing FSR non-compliance Proposal does not have adverse amenity impacts to surrounding properties Proposal is in the public interest and meets the B2 Zone 	18.30%	Delegation to Staff	17/03/2022 2:57:15 PM	17/03/2022													Approved	
DA/2021/0772	1	75119		292	Darling Street BALMAIN NSW 2041	Darling Street	BALMAIN	2041	8	Leichhardt LEP 2013	IWDB2	cl. 4.4 fsr	<ul style="list-style-type: none"> Existing building already exceeds the control. The works will reduce this exceedance. The proposed development will be compatible with the desired future character of the area in relation to building bulk, form and scale. 	60%	Delegation to Staff	04/03/2022 5:09:27 PM	04/03/2022												Approved		
DA/2021/0774	8	864		134	Nelson Street ANNANDALE NSW 2038	Nelson Street	ANNANDALE	2038	1	Leichhardt LEP 2013	IWDR1	Clause 4.4 - Floor Space Ratio	<ul style="list-style-type: none"> The proposal complies with the landscaping and site coverage 	16.11sqm or 9.87%	Delegation to Staff	15/02/2022 4:02:32 PM	15/02/2022												Approved		
DA/2021/0876	2	215387		13	Kegworth Street LEICHHARDT NSW 2040	Kegworth Street	LEICHHARDT	2040	1	Leichhardt LEP 2013	IWDR1	Landscaped Area	<ul style="list-style-type: none"> Existing non compliance which has been improved from 11.3% of the site area to 15.3% The proposal provides suitable landscaped areas in the form of private open space for the use and enjoyment of residents. The proposal maintains a substantial landscaped area on the subject site and promotes the desired future character of the neighbourhood. The increased landscaped area of the proposal promotes 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. 	18.04 sqm or 23% 6.5% (10.5sqm)	Delegation to Staff	28/02/2022 1:47:27 PM	28/02/2022	Leichhardt LEP 2013	Floor Space Ratio	<ul style="list-style-type: none"> The 4.6% variation to the standard does not give rise to a perceptible or unreasonable bulk & scale or impact upon the amenity of the occupants of the surrounding properties. The floor space non-compliance would not be perceived from within the public domain or from the adjoining dwellings and there are no consequent impacts on the residential amenity of the adjoining properties accordingly nothing is gained by requiring numeric compliance. The proposal does not give rise to any adverse or unsatisfactory environmental consequences which would warrant an adherence to the FSR control. There is no community benefit in requiring strict adherence to the development standard. 	13.48 sqm or 5.8%						Approved				
DA/2021/0885	4	555059		31	Enmore Road NEWTOWN NSW 2042	Enmore Road	NEWTOWN	2042	8	Marrickville LEP 2011	IWDB2	Clause 4.4. Floor Space Ratio	<ul style="list-style-type: none"> satisfies the objectives of the development standard and zone The proposal does not result in a further breach with the FSR development standard; no change in GFA proposed. The proposed development will not alter the existing building bulk, form and scale. The proposed development provides and encourages accessible employment opportunities within the area. The development provides entertainment and employment opportunities for local residents in the area with good access to public transport. The proposed development, subject to recommended conditions, will not result in undue amenity impacts to surrounding sites. The proposal does not seek a change of use at No. 726 Darling Street, and the existing use provides will continue to support the vitality of the area and local centre. The existing use is compatible within the area. 	10.5sqm	Delegation to Staff	29/03/2022 10:28:51 AM	29/03/2022													Approved	
DA/2021/0897	27	89288		726	Darling Street ROZELLE NSW 2039	Darling Street	ROZELLE	2039	8	Leichhardt LEP 2013	IWDB2	Clause 4.4 Floor Space Ratio	<ul style="list-style-type: none"> The proposal does not result in a further breach with the FSR development standard; no change in GFA proposed. The proposed development will not alter the existing building bulk, form and scale. The proposed development provides and encourages accessible employment opportunities within the area. The development provides entertainment and employment opportunities for local residents in the area with good access to public transport. The proposed development, subject to recommended conditions, will not result in undue amenity impacts to surrounding sites. The proposal does not seek a change of use at No. 726 Darling Street, and the existing use provides will continue to support the vitality of the area and local centre. The existing use is compatible within the area. 	55.79% or 212sqm	Delegation to Staff	15/02/2022 4:03:35 PM	15/02/2022														Approved

DA/2021/0894	57	2279	23	Falls Street LEICHHARDT NSW 2040	Falls Street	LEICHHARDT	2040	Leichhardt LEP 2013	IWDR1	landscaped area	<ul style="list-style-type: none"> -Existing non-compliance The proposal provides suitable landscaped areas in the form of private open space for the use and enjoyment of residents. -The proposal maintains a substantial landscaped area on the subject site and promotes the desired future character of the neighbourhood. -The increased landscaped area of the proposal promotes 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 controls density on the site by providing 	9.97sqm or 35%	Delegation to Staff	22/03/2022 2:20:30 PM	22/03/2022							Approved		
DA/2021/0914	100	1275139	27	Clayton Street BALMAIN NSW 2041	Clayton Street	BALMAIN	2041	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(a) - Landscaped area	<ul style="list-style-type: none"> The proposal will result in improvements to the landscaped areas. The proposed landscaped area is compatible with the desired future character of the area, including sufficient space for tree planting The proposal enhances the amenity of the site without undue impacts to neighbouring sites. 	0.26sqm or 1.31%	Delegation to Staff	27/01/2022 11:20:36 AM	27/01/2022	Leichhardt LEP 2013	Clause 4.3A (3)(b) - Site Coverage	<ul style="list-style-type: none"> -The proposed variation to the site coverage standard is a result of the existing dwelling house not being compliant -The proposed site coverage for the site as a result of the proposal is not increased. -The siting of the dwelling is within the building location zones when it can be reasonably assumed development can occur -The proposal enhances the amenity of existing residents and does not result in any undue adverse impacts on adjoining properties and the neighbourhood. 	5.26sqm or 6.64%					Approved
DA/2021/0922	1	105364	14	White Street BALMAIN NSW 2041	White Street	BALMAIN	2041	Leichhardt LEP 2013	IWDR1	cl.4.4 - FSR	<ul style="list-style-type: none"> The minor breach will not result in any environmental impact -The proposal will achieve a high quality built form and will maintain satisfactory levels of solar access to the existing buildings. -The proposal will adequately maintain sky exposure and daylight to the subject site and surrounds. -The proposal will provide for the housing needs of the 	1.25%	Delegation to Staff	19/01/2022 4:11:08 PM	19/01/2022							Approved		
DA/2021/0935	1	963074	39	O'Connor Street HABERFIELD NSW 2045	O'Connor Street	HABERFIELD	2045	Ashfield LEP 2013	R2	Clause 4.3 Height of Buildings	<ul style="list-style-type: none"> The main purpose of the minimum landscaped area is to provide enjoyment of residents, maintain the amenities for adjoining properties and ensure the desired future character of the neighbourhood. The proposal will enhance the living quality of residents by enlarging the landscaped area and improving private open space whilst preserving the landscaped corridor to the adjacent neighbours. The future desired character of the Birchgrove Distinctive Neighbourhood is achieved by preserving -The proposal, as amended, complies with the FSR development standard. -The proposal complies with the landscaped area development standard. -Site Coverage is reduced. -The site coverage non-compliance is existing and no further breach is proposed. -The proposal, as amended, will not result in undue amenity impacts to surrounding sites or the neighbourhood. -The proposal, as amended, is consistent with the pattern of development and desired future character of the area. -The proposed additions, as amended, are subordinate and sympathetic with the existing building and other development in the area. -The landscaped areas are consolidated and are suitable for substantial tree planting and for the use and enjoyment of residents. -The landscaped areas allow for, and maximise, the retention and absorption of surface drainage water on site. -The proposal will not alter the underground flow of water. -The proposal does not alter the building footprint. 	0.44m or 6.29%	Delegation to Staff	23/03/2022 8:26:36 AM	23/03/2022							Approved		
DA/2021/0947	13	977924	12	Ballast Point Road BIRCHGROVE NSW 2041	Ballast Point	BIRCHGROVE	2041	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(a) - Landscaped Area	<ul style="list-style-type: none"> The main purpose of the minimum landscaped area is to provide enjoyment of residents, maintain the amenities for adjoining properties and ensure the desired future character of the neighbourhood. The proposal will enhance the living quality of residents by enlarging the landscaped area and improving private open space whilst preserving the landscaped corridor to the adjacent neighbours. The future desired character of the Birchgrove Distinctive Neighbourhood is achieved by preserving -The proposal, as amended, complies with the FSR development standard. -The proposal complies with the landscaped area development standard. -Site Coverage is reduced. -The site coverage non-compliance is existing and no further breach is proposed. -The proposal, as amended, will not result in undue amenity impacts to surrounding sites or the neighbourhood. -The proposal, as amended, is consistent with the pattern of development and desired future character of the area. -The proposed additions, as amended, are subordinate and sympathetic with the existing building and other development in the area. -The landscaped areas are consolidated and are suitable for substantial tree planting and for the use and enjoyment of residents. -The landscaped areas allow for, and maximise, the retention and absorption of surface drainage water on site. -The proposal will not alter the underground flow of water. -The proposal does not alter the building footprint. 	30.89% or 10.10sqm	Delegation to Staff	07/02/2022 3:17:13 PM	07/02/2022							Approved		
DA/2021/0953	2	219409	62	Hill Street LEICHHARDT NSW 2040	Hill Street	LEICHHARDT	2040	Leichhardt LEP 2013	IWDR1	4.3A(3)(b) - Site Coverage	<ul style="list-style-type: none"> The proposal does not seek to increase the existing non-compliant landscaped area breach for the subject site. -The proposal significantly increases the landscaped area from Nil to 12.8sqm. -The proposed landscaped area is suitable for substantial tree planting and provides for the use and enjoyment of residents. -To maintain and encourage a landscaped corridor between adjoining properties. -The proposal promotes the desired future character of the neighbourhood. -The proposal maximises the retention and absorption of surface drainage water on site and increases underground flow of water. -The proposal complies with the FSR and site coverage development standard. -The proposal does not increase the building footprint and adequate landscaped areas and private open space is provided. -The dwelling house continues to provide for the housing needs of the community. -To proposal improves opportunities to work from home. -The proposed development, subject to recommended conditions, provides housing that is compatible with the character, style, and pattern of surrounding buildings, streetscapes, works and landscaped areas. -The proposal provides landscaped areas for the use and 	4.42sqm or 6.23%	Delegation to Staff	07/02/2022 10:13:36 AM	07/02/2022							Deferred Commencement		
DA/2021/0970	3	204208	6	Goodsir Street ROZELLE NSW 2039	Goodsir Street	ROZELLE	2039	Leichhardt LEP 2013	IWDR1	Landscaped Area	<ul style="list-style-type: none"> The proposal does not seek to increase the existing non-compliant landscaped area breach for the subject site. -The proposal significantly increases the landscaped area from Nil to 12.8sqm. -The proposed landscaped area is suitable for substantial tree planting and provides for the use and enjoyment of residents. -To maintain and encourage a landscaped corridor between adjoining properties. -The proposal promotes the desired future character of the neighbourhood. -The proposal maximises the retention and absorption of surface drainage water on site and increases underground flow of water. -The proposal complies with the FSR and site coverage development standard. -The proposal does not increase the building footprint and adequate landscaped areas and private open space is provided. -The dwelling house continues to provide for the housing needs of the community. -To proposal improves opportunities to work from home. -The proposed development, subject to recommended conditions, provides housing that is compatible with the character, style, and pattern of surrounding buildings, streetscapes, works and landscaped areas. -The proposal provides landscaped areas for the use and 	17.7% or 2.34sqm	Delegation to Staff	22/03/2022 2:25:36 PM	22/03/2022	Leichhardt LEP 2013	Site Coverage	<ul style="list-style-type: none"> The proposal does not seek to increase the existing non-compliant site coverage breach for the subject site. 	9.78% or 4.12sqm	Leichhardt LEP 2013	Floor Space Ratio	<ul style="list-style-type: none"> compatible with the desired future character of the area in relation to building bulk, form and scale. The additional GFA is located to the rear of the site and is not likely to detract from the Goodsir Street streetscape. The proposed development will result in acceptable impacts on the Heritage Conservation Area. The proposed development is a suitably designed to accommodate the proposed alterations and additions, whilst retaining reasonable internal amenity, POS area and landscaped area on smaller lot – a typical characteristic within the immediate context of the area. The proposed development is of a bulk and scale that will not result in any undue adverse visual amenity impacts on neighbouring properties. The proposed development does not result in an undue adverse amenity impacts to the surrounding properties. The proposal raises no issues that are contrary to the zone and FSR objectives. 	9.73% or 7.73sqm	Approved
DA/2021/0973	2	440670	53	Catherine Street LEICHHARDT NSW 2040	Catherine Street	LEICHHARDT	2040	Leichhardt LEP 2013	IWDR1	Clause 4.3A(3)(a) - Landscaped Area	<ul style="list-style-type: none"> The proposal provides suitable landscaped areas in the form of private open space and front yard landscaping for the use and enjoyment of residents. -The proposal will provide a substantial landscaped area on the subject site and promotes the desired future character of the neighbourhood. -The increased landscaped area of the proposal promotes 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 controls density on the site by providing 	42.15% or 9.33sqm	Delegation to Staff	03/02/2022 11:57:23 AM	03/02/2022							Deferred Commencement		
DA/2021/0974	1	792147	125	Evans Street ROZELLE NSW 2039	Evans Street	ROZELLE	2039	Leichhardt LEP 2013	IWDR1	landscaped area	<ul style="list-style-type: none"> The proposal provides suitable landscaped areas in the form of private open space and front yard landscaping for the use and enjoyment of residents. -The proposal will provide a substantial landscaped area on the subject site and promotes the desired future character of the neighbourhood. -The increased landscaped area of the proposal promotes 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 controls density on the site by providing 	5.5sqm or 23%	Delegation to Staff	29/03/2022 9:29:54 AM	29/03/2022							Approved		

DA/2021/1026	45	4340	298	Trafalgar Street ANNANDALE NSW 2038	Trafalgar Street	ANNANDALE	2038	1	Leichhardt LEP 2013	IWDR1	Landscaped Area	The proposed works are compatible with the desired future character of the area in relation to building bulk, form and scale and does not detract nor cause any adverse impacts to adjoining properties. The breach to the Landscaped Area development standard is the result of an existing on-site circumstance. The proposal does not seek further departure from this development standard. The proposed variation does not diminish the attributes of the Heritage Conservation Area. The proposal has been designed to meet the day-to-day needs of the residents, while ensuring a variety of housing types within the General Residential zone.	17.3sqm or 78.89%	Delegation to Staff	21/02/2022 11:38:16 AM	21/02/2022	Leichhardt LEP 2013	Site Coverage	The proposed works are compatible with the desired future character of the area in relation to building bulk, form and scale and does not detract nor cause any adverse impacts to adjoining properties. The breach to the Site Coverage development standard is the result of an existing on-site circumstance. The proposal does not seek further departure from this development standard. The proposed variation does not diminish the attributes of the Heritage Conservation Area. The proposal has been designed to meet the day-to-day needs of the residents, while ensuring a variety of housing types within the General Residential zone.	4.8sqm or 5.33%	Approved				
DA/2021/1021	C	438190	15	Valley Street BALMAIN NSW 2041	Valley Street	BALMAIN	2041	1	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(a) - Landscaped Area	Whilst the landscaping does not technically comply with the standard, due to the minimum 1m dimension required, this proposal drastically increases the planted area, quality and quantity of planting to create a dense green space. A written request under clause 4.6 of the LLEP2013 has been submitted by the applicant raising the following key issues seeking to justify the contravention of this standard: * The non-compliance is minor exceeding the maximum site coverage by only 5.54m2/m or 3.78%. * Proposal does not result in any uncharacteristic scale, bulk or density as the proposed rear additions are stepped down following the contour of the land which is able to maintain the height and density of the existing dwelling. * Compliance with the development standard would unnecessarily impact the amenity of residents with no discernible planning benefit.	31.34sqm or 100%	Delegation to Staff	21/02/2022 5:25:52 PM	21/02/2022	Leichhardt LEP 2013	Clause 4.3A (3)(b) - Site Coverage	The proposal provides additional private open space amenity for the dwelling	8.69sqm or 6.93%	Approved				
DA/2021/1046	1	207901	76	Albion Street ANNANDALE NSW 2038	Albion Street	ANNANDALE	2038	1	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(b) Site Coverage for Zone R1	No change to maximum building height. Proposal satisfies relevant objectives of development standard and zone. A written request was submitted under clause 4.6 of the LLEP2013 but as discussed in the report, in this instance is acceptable due to the non-compliance is existing, it is not exacerbated, intensified, expanded or enlarged. Further, the contravention of this standard is largely acceptable because: * The non-compliance is an existing site condition and the proposal does not seek any additional changes to the current condition * Proposal does not result in any uncharacteristic scale, bulk or density	5.54m2/m or 3.78%	Delegation to Staff	11/01/2022 9:34:04 AM	11/01/2022					Approved				
DA/2021/1059	6	1933	64	Railway Avenue STANMORE NSW 2048	Railway Avenue	STANMORE	2048	1	Marrickville LEP 2011	IWDR2	Clause 4.3 Height of buildings	No change to maximum building height. Proposal satisfies relevant objectives of development standard and zone. A written request was submitted under clause 4.6 of the LLEP2013 but as discussed in the report, in this instance is acceptable due to the non-compliance is existing, it is not exacerbated, intensified, expanded or enlarged. Further, the contravention of this standard is largely acceptable because: * The non-compliance is an existing site condition and the proposal does not seek any additional changes to the current condition * Proposal does not result in any uncharacteristic scale, bulk or density	7% (700mm)	Delegation to Staff	28/02/2022 10:00:30 PM	28/02/2022					Approved				
DA/2021/1063	1	207869	9	Church Street BALMAIN NSW 2041	Church Street	BALMAIN	2041	1	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(b) Site Coverage	A written request under clause 4.6 of the LLEP2013 has been submitted by the applicant raising the following key issues seeking to justify the contravention of this standard. This is summarised below: * The non-compliance is minor, and the development meets the overall merit assessment of the LEP. * The proposal provides attractive inner-city accommodation which does not adversely impact on adjoining properties. * The proposed lots can accommodate dwellings compatible with acceptable amenity impacts. Satisfies the objectives of the zone and development standard	0.19% or 4.68sqm	Delegation to Staff	28/03/2022 4:43:50 PM	28/03/2022					Approved				
DA/2021/1089	6	35024	13	Garnet Avenue LILYFIELD NSW 2040	Garnet Avenue	LILYFIELD	2040	3	Leichhardt LEP 2013	IWDR1	Clause 4.1 - Minimum Subdivision Lot Size	A written request under clause 4.6 of the LLEP2013 has been submitted by the applicant raising the following key issues seeking to justify the contravention of this standard. This is summarised below: * The non-compliance is minor, and the development meets the overall merit assessment of the LEP. * The proposal provides attractive inner-city accommodation which does not adversely impact on adjoining properties. * The proposed lots can accommodate dwellings compatible with acceptable amenity impacts. Satisfies the objectives of the zone and development standard	9.1sqm or 4.55%	Delegation to Staff	17/01/2022 12:11:27 PM	17/01/2022					Approved				
DA/2021/1087	A	444865	98	Salisbury Road CAMPERDOWN NSW 2050	Salisbury Road	CAMPERDOWN	2050	1	Marrickville LEP 2011	R2	Clause 4.4 - Floor Space Ratio	Acceptable amenity impacts. Satisfies the objectives of the zone and development standard	0.9% (2sqm)	Delegation to Staff	29/03/2022 7:33:22 PM	29/03/2022					Approved				
DA/2021/1094	19	1221052	3	Walker Avenue HABERFIELD NSW 2045	Walker Avenue	HABERFIELD	2045	1	Ashfield LEP 2013	R2	Cl 6.5(3)(d)	existing variation	(95.9sqm)	Delegation to Staff	17/03/2022 12:25:34 PM	17/03/2022					Approved				
DA/2021/1115	1	421456	48	Rowntree Street BIRCHGROVE NSW 2041	Rowntree Street	BIRCHGROVE	2041	1	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(a) Landscaped Area	The proposals have specifically sought to ensure that there is no reduction in landscaped area on the site and seek approval to reconfigure the rear garden and associated soft planting, to have a more significant and improved impact on the home. The existing landscaped area is presently non-compliant with the required landscaped area for the site as per Clause 4.3 of the LLEP2013	15.56% or 2.82sqm	Delegation to Staff	02/03/2022 10:00:55 AM	02/03/2022					Approved				
DA/2021/1155	27	3457	5	Alberto Street LILYFIELD NSW 2040	Alberto Street	LILYFIELD	2040	1	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(a) - Landscaped Area	The existing landscaped area is presently non-compliant with the required landscaped area for the site as per Clause 4.3 of the LLEP2013	60.33% or 15.13sqm	Delegation to Staff	15/02/2022 5:12:06 PM	15/02/2022					Approved				
DA/2021/1178	118	4729	54	O'Connor Street HABERFIELD NSW 2045	O'Connor Street	HABERFIELD	2045	1	Ashfield LEP 2013	IWDR2	Haberfield Landscaped Area - clause 6.5	Improvement on existing	6.6%	Delegation to Staff	08/03/2022 2:26:15 PM	08/03/2022					Approved				
DA/2021/1210	1	974161	85	Day Street LEICHHARDT NSW 2040	Day Street	LEICHHARDT	2040	1	Leichhardt LEP 2013	IWDR1	Clause 4.4	Minor variation	3.3% or 4.4sqm	Delegation to Staff	31/01/2022 3:39:12 PM	31/01/2022					Approved				
DA/2021/1217	1	1157590	13	Milton Street LEICHHARDT NSW 2040	Milton Street	LEICHHARDT	2040	1	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(a) Landscaped Area	There is no change to the landscape area or paving area. The house was built 15 years ago and to my knowledge, the landscaping area and paving area has not changed during that time.	49.17% or 14.19sqm	Delegation to Staff	24/01/2022 1:28:44 PM	24/01/2022					Approved				
DA/2021/1270	2	397225	43	Dobroyd Parade HABERFIELD NSW 2045	Dobroyd Parade	HABERFIELD	2045	1	Ashfield LEP 2013	R2	Clause 6.5(3)(d) - Landscaped Area	Improvement on existing variation	52%	Delegation to Staff	22/03/2022 10:56:46 AM	22/03/2022					Approved				
DA/2021/1284	110	1624	33	Wellesley Street SUMMER HILL NSW 2130	Wellesley Street	SUMMER HILL	2130	1	Ashfield LEP 2013	IWDR2	Clause 4.4 - FSR	Variation is within existing built form and due to addition of low ground floor level	48%	Local Planning Panel	08/03/2022 12:00:00 AM	08/03/2022					Approved				
MOD/2022/0013	B	442167	31	Rowntree Street BALMAIN NSW 2041	Rowntree Street	BALMAIN	2041	1	Leichhardt LEP 2013	IWDR1	4.4 Floor Space Ratio	No change proposed	5.68% or 5.8sqm	Delegation to Staff	17/03/2022 8:43:59 AM	17/03/2022					Approved				
DA/2022/0021	8	789122	8	Byrnes Street ROZELLE NSW 2039	Byrnes Street	ROZELLE	2039	1	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(a) - Landscaped Area	The proposal does not reduce the existing landscaped area Strict compliance with the standard is unreasonable as unnecessary since the non compliance is minor and no modification to the existing landscape area is proposed. The proposed works are minor, and entail a reduction in roof area and the addition of a window. It would be unreasonable to require a modification to the building footprint to bring it into line with the standard. *The non-compliant landscape area is existing, with the development seeing an improvement in the non-compliance being proposed. *The proposed development and it's landscaping area will improve amenity of the neighbouring dwellings and the	35.28sqm or 78.90%	Delegation to Staff	24/02/2022 4:07:56 PM	24/02/2022	Leichhardt LEP 2013	Clause 4.3A (3)(b) - Site Coverage	There is no increase in the existing site coverage	9.93% or 14.06sqm	Leichhardt LEP 2013	Clause 4.4 - Floor Space Ratio	The proposal does not increase the site's FSR	3.40% or 6.41sqm	Approved
DA/2022/0025	7	1054188	70	Redmond Street LEICHHARDT NSW 2040	Redmond Street	LEICHHARDT	2040	1	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(a) - Landscaped Area	1. The landscaped area is a shortfall of 1.5%. The existing landscaped area is an improvement of 2.8% from 15.7% to 18.5%. 2. The request meets the objectives of Clause 4.6 as it allows flexibility of the standard and achieves a better outcome for the development. 3. The FSR, site coverage and private open space all satisfies the prescribed standards. 4. The proposed development is consistent with the objectives of the LEP. 5. To meet heritage objectives and the desired future character for the local area, the proposal must maintain the first two rooms of the existing single-storey dwelling, meaning the only opportunity for development is to the rear of the site. The character of the area is such that the sites are narrow and long. The increase to site coverage is associated with extending the building footprint into the passage along the northern boundary. Extending the building into this space allows for greater internal amenity, while minimising impacts to neighbours and is in line with the rear setback pattern of the area. ?The minor contravention to the development standard for site coverage meets the objectives of the LEP noted above while also meeting the development standards for floor space ratio (0.82:1 where 0.9:1 is permissible) and landscaped area (17% where minimum is 15%). ?Based on the points above, it is considered both unreasonable and unnecessary to strictly comply with the maximum site coverage development standard in this instance	6.96% or 1.99sqm	Delegation to Staff	25/02/2022 4:08:35 PM	25/02/2022					Approved				
DA/2022/0087	B	379771	51	Boomerang Street HABERFIELD NSW 2045	Boomerang Street	HABERFIELD	2045	1	Ashfield LEP 2013	IWDR2	Clause 6.5(3)(d)	1. The landscaped area is a shortfall of 1.5%. The existing landscaped area is an improvement of 2.8% from 15.7% to 18.5%. 2. The request meets the objectives of Clause 4.6 as it allows flexibility of the standard and achieves a better outcome for the development. 3. The FSR, site coverage and private open space all satisfies the prescribed standards. 4. The proposed development is consistent with the objectives of the LEP. 5. To meet heritage objectives and the desired future character for the local area, the proposal must maintain the first two rooms of the existing single-storey dwelling, meaning the only opportunity for development is to the rear of the site. The character of the area is such that the sites are narrow and long. The increase to site coverage is associated with extending the building footprint into the passage along the northern boundary. Extending the building into this space allows for greater internal amenity, while minimising impacts to neighbours and is in line with the rear setback pattern of the area. ?The minor contravention to the development standard for site coverage meets the objectives of the LEP noted above while also meeting the development standards for floor space ratio (0.82:1 where 0.9:1 is permissible) and landscaped area (17% where minimum is 15%). ?Based on the points above, it is considered both unreasonable and unnecessary to strictly comply with the maximum site coverage development standard in this instance	284.55sqm or 37.5%	Delegation to Staff	18/03/2022 5:19:04 PM	18/03/2022					Approved				
DA/2022/0105	14	1258746	30	Lonsdale Street LILYFIELD NSW 2040	Lonsdale Street	LILYFIELD	2040	1	Leichhardt LEP 2013	IWDR1	Clause 4.3A - Landscaped Area for residential development	1. The landscaped area is a shortfall of 1.5%. The existing landscaped area is an improvement of 2.8% from 15.7% to 18.5%. 2. The request meets the objectives of Clause 4.6 as it allows flexibility of the standard and achieves a better outcome for the development. 3. The FSR, site coverage and private open space all satisfies the prescribed standards. 4. The proposed development is consistent with the objectives of the LEP. 5. To meet heritage objectives and the desired future character for the local area, the proposal must maintain the first two rooms of the existing single-storey dwelling, meaning the only opportunity for development is to the rear of the site. The character of the area is such that the sites are narrow and long. The increase to site coverage is associated with extending the building footprint into the passage along the northern boundary. Extending the building into this space allows for greater internal amenity, while minimising impacts to neighbours and is in line with the rear setback pattern of the area. ?The minor contravention to the development standard for site coverage meets the objectives of the LEP noted above while also meeting the development standards for floor space ratio (0.82:1 where 0.9:1 is permissible) and landscaped area (17% where minimum is 15%). ?Based on the points above, it is considered both unreasonable and unnecessary to strictly comply with the maximum site coverage development standard in this instance	6.01% (3.51sqm)	Delegation to Staff	18/03/2022 3:21:16 PM	18/03/2022					Approved				
DA/2022/0116	50	1279651	43	Curtis Road BALMAIN NSW 2041	Curtis Road	BALMAIN	2041	1	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(b) - Site Coverage for Zone R1	1. The landscaped area is a shortfall of 1.5%. The existing landscaped area is an improvement of 2.8% from 15.7% to 18.5%. 2. The request meets the objectives of Clause 4.6 as it allows flexibility of the standard and achieves a better outcome for the development. 3. The FSR, site coverage and private open space all satisfies the prescribed standards. 4. The proposed development is consistent with the objectives of the LEP. 5. To meet heritage objectives and the desired future character for the local area, the proposal must maintain the first two rooms of the existing single-storey dwelling, meaning the only opportunity for development is to the rear of the site. The character of the area is such that the sites are narrow and long. The increase to site coverage is associated with extending the building footprint into the passage along the northern boundary. Extending the building into this space allows for greater internal amenity, while minimising impacts to neighbours and is in line with the rear setback pattern of the area. ?The minor contravention to the development standard for site coverage meets the objectives of the LEP noted above while also meeting the development standards for floor space ratio (0.82:1 where 0.9:1 is permissible) and landscaped area (17% where minimum is 15%). ?Based on the points above, it is considered both unreasonable and unnecessary to strictly comply with the maximum site coverage development standard in this instance	7.48% or 7.04sqm	Delegation to Staff	31/03/2022 6:28:36 PM	31/03/2022					Approved				

Council DA reference number	Lot number	DP number	Apartment/Unit number	Street number	Street name	Suburb/Town	Postcode	Category of development	Environmental planning instrument	Zoning of land	Development standard to be varied	Justification of variation	Extent of variation	Concurring authority	Date DA determined dd/mm/yyyy
DA/2021/0765	2	205362		36	Hartley Street	ROZELLE	2039	1: Residential - Alterations & additions	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(b) – Site Coverage	Clause 4.3A(3)(a) sets out minimum landscaped area requirements for residential development in Zone R1. At least 15% of the site area is to include landscaped area where the lot size is less than 235sqm. The site has an area of 114.5sqm. Despite minor site coverage breach, the proposed development provides for a compliant landscaped area of 18.5sqm which equates to 16.2% of the site area.	10.57% or 7.22sqm	Council	22/04/2022
DA/2021/0791	1	71409		117	Addison Road	MARRICKVILLE	2204	6: Residential - Other	Marrickville LEP 2011	IWDB1	Floor Space Ratio	satisfies objectives of standard and zone	356.6sqm or 35%	Council	24/05/2022
DA/2021/0916	502	786185		187	Lilyfield Road	LILYFIELD	2040	1: Residential - Alterations & additions	Leichhardt LEP 2013	IWDR1	Floor Space Ratio	The 9.3% variation to the standard does not give rise to a perceptible or unreasonable bulk & scale or impact upon the amenity of the occupants of the surrounding properties. The floor space non-compliance will not be perceived from within the public domain or from the adjoining dwellings and there are no consequent impacts on the residential amenity of the adjoining properties accordingly nothing is gained by requiring numeric compliance. The proposal does not give rise to any adverse or unsatisfactory environmental consequences which would warrant an adherence to the FSR control. There is no community benefit in requiring strict adherence to the development standard.	13.64sqm or 9.3%	Council	29/06/2022
DA/2021/0964	2	560682		127	Edwin Street	CROYDON	2132	1: Residential - Alterations & additions	Ashfield LEP 2013	IWDR2	Clause 4.3 Height of building	1. The proposal seeks to continue the existing height of the rear roof form and boundary wall to provide the proposed addition and does not seek to increase the proposed height from the nominated and existing AHD 26.610 height. 2. The proposed rear lane garage element complies with requested council maximum height requirements relating to rear lane developments. 3. Additional deep soil landscaping will be introduced along the perimeter fencing to the north and south to minimise any potential run off and maximise on site retention and privacy to adjoining properties. 4. The development will greatly improve the amenities to 127 Edwin Street North, Croydon without adversely impacting the neighbouring properties. Due to its low impact and positioning to the rear of the site, we ask Council to overlook the low level of non-compliance.	460mm or 5.4%	Council	6/02/2022
DA/2021/0978	U	3094		22	Rofe Street	LEICHHARDT	2040	1: Residential - Alterations & additions	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(b) Site Coverage for Zone R1	1. The proposed development has minimal impact on neighbouring properties. 2. The proposal maintains the original streetscape and roof form of the original dwelling, and the new addition cannot be viewed from the main street frontage. 3. The Site Coverage control is impractical for sites of this size and proportion. Neighbouring developments have similar site coverage, therefore the proposed development is consistent with the general surrounds. 4. Note that the proposed development is compliant with the private open space, landscape, and building height controls.	8.84% or 5.32sqm	Council	29/06/2022
DA/2021/0998	4	108425		41	Mackenzie Street	LEICHHARDT	2040	1: Residential - Alterations & additions	Leichhardt LEP 2013	IWDR1	FSR	MINOR WORKS OF NO CONSEQUENCE ON CONSTRAINED SITE	25%	Council	24/05/2022
DA/2021/1008	7	1474		13	Lamb Street	LILYFIELD	2040	1: Residential - Alterations & additions	Leichhardt LEP 2013	IWDR1	Site Coverage	1. The proposal, as amended, complies with the landscaped area development standard. 2. The proposal complies with the FSR development standard. 3. The proposal, as amended, is consistent with the pattern of development and desired future character of the area. 4. The proposed additions, as amended, are subordinate and sympathetic to the existing building other development in the area. 5. The proposed variation is not considered to give rise to or unreasonably detract from the amenity of neighbouring properties. 6. Landscaped areas are largely consolidated and are suitable for substantial tree planting and for the use and enjoyment of residents. 7. The landscaped areas allow for, and maximise, the retention and absorption of surface drainage water on site. 8. The proposal will not alter the underground flow of water. 9. The dwelling house provides for the housing needs of the community. 10. The proposal improves opportunities to work from home. 11. The proposal provides landscaped areas for the use and enjoyment of existing and future residents.	13.68sqm or 15.33%	Council	26/04/2022
DA/2021/1010	1	921567		18	Llewellyn Street	BALMAIN	2041	1: Residential - Alterations & additions	Leichhardt LEP 2013	IWDR1	Clause 4.3A(3)(b) – Site Coverage for residential	Existing - no change made by the proposed development.	17%	Council	5/10/2022
DA/2021/1033	204	4354		76	O'connor Street	HABERFIELD	2045	1: Residential - Alterations & additions	Ashfield LEP 2013	IWDR2	Landscaped area (Haberfield)	Proposal is an increase in total landscaped area Proposal will provide improved amenity for the residents of the property the proposal does not result in any unreasonable impacts to neighbouring properties or the wider area	17.8%	Council	28/04/2022
DA/2021/1052	5	238905		78	Stanmore Road	STANMORE	2048	1: Residential - Alterations & additions	Marrickville LEP 2011	IWDR2	Clause 4.4 - FSR	Floor area within existing footprint, and includes garage extension, no amenity impacts and period dwelling conserved	34.1sqm or 15.38%	Council	24/05/2022
DA/2021/1073	1	974299		11	Cambridge Street	ENMORE	2042	2: Residential - Single new dwelling	Marrickville LEP 2011	IWDR2	Clause 4.4 - FSR	Floor area within existing footprint, and includes garage extension, no amenity impacts and period dwelling conserved	41.9sqm or 18%	Council	24/05/2022
DA/2021/1061	11	1211684		42	Hay Street	LEICHHARDT	2040	1: Residential - Alterations & additions	Leichhardt LEP 2013	IWDR1	Clause 4.3A(3)(a) – Landscaped area for residenti	No change to existing breach, no ground floor works	8.5sqm or 36%	Council	29/04/2022

DA/2021/1088	7	15329	7	236	Johnston Street	ANNANDALE	2038	1: Residential - Alterations & additions	Leichhardt LEP 2013	IWDR1	Clause 4.3A - Landscaped areas	1. The proposal is of a reasonable scale and provides a high quality and durable alterations and additions to an existing dwelling which will assist in meeting the high demand for high quality housing in the Annandale locality. The development is commensurate in scale and character with other properties in the streetscape, measuring three storeys and complying with the maximum building height prescribed for the site. The variation results in the substantial increase in amenity for the subject site without producing any adverse impacts on the privacy, views, solar access and overall amenity of surrounding properties. 2. The development has been designed to complement the existing scale and character of surrounding development. The height and building envelope of the building is compliant with LEP and DCP controls. 3. The proposal does not seek to alter the existing height and overall scale of the development. The proposal will integrate seamlessly with the existing streetscape and does not result in adverse amenity impacts on adjoining properties in the way of bulk impact, shadow impact or privacy loss.	27.322sqm or 13.11%(No change to existing)	Council	4/12/2022
DA/2021/1070	B	106453		23	Ramsay Street	HABERFIELD	2045	1: Residential - Alterations & additions	Ashfield LEP 2013	IWDR2	Clause 4.4 - FSR	The bulk and scale of the proposed development is considered to achieve an acceptable degree of consistency with existing development in the immediate locality. The proposal involves a low-scale, rear ground floor addition that does alter the existing site coverage. Further, it is noted that the bulk and scale of the existing dwelling as viewed from the streetscape/public domain will not be altered as a result of the proposed development.	1.7sqm or 2%	Council	4/05/2022
DA/2021/1104	74	2279		277	Lilyfield Road	LILYFIELD	2040	1: Residential - Alterations & additions	Leichhardt LEP 2013	IWDR1	Landscape area	1. While the proposal seeks a technical non-compliance with a landscape area of 17sqm, representing 8.8% of the site area, it is noted that only 3m2 or 1.55% of the site is currently covered with landscape area as defined by the Leichhardt LEP 2013. As such, the proposed development provides a net increase in landscape area on the site. The proposed landscape area which will be located predominantly in the rear yard is expected to enhance and provide continuation of the landscape corridor that exists in the rear yard of adjoining properties. 2. The provision of lawn area at the rear yard of the site is expected to provide some passive recreation opportunities on the site. 3. The area of landscaping will provide sufficient area on the site to facilitate absorption of on-site drainage of water. 4. The provision of landscape in the rear of the site is also expected to support the retention of the tree located at the north-eastern corner of the site. The retention of the tree and provision of lawn area is expected to improve micro climatic conditions on the site.	11.995sqm (41.3%) - existing non compliance	Council	5/11/2022
DA/2021/1131	23	5908		44	Dudley Street	HABERFIELD	2045	1: Residential - Alterations & additions	Ashfield LEP 2013	IWDR2	Landscaped area - CI 6.5(3)(d)	Increase to landscaped area on site, meets objectives of HCA & zone.	47.8sqm - 14%	Council	6/09/2022
DA/2021/1153	328	5849		73	Ramsay Street	HABERFIELD	2045	1: Residential - Alterations & additions	Ashfield LEP 2013	IWDR2	Landscaped Area (Haberfield)	1. The non-compliant landscape area is existing, with the development seeing an improvement in the non-compliance being proposed 2. The proposed development will significantly improve the amenity of the site and dwelling for the occupants and will improve the site in heritage terms; and 3. The proposal is consistent with the objectives of the development standard.	53.6%	Council	5/04/2022
DA/2021/1184	1	514625		6	Trouton Street	BALMAIN	2041	1: Residential - Alterations & additions	Leichhardt LEP 2013	IWDR1	4.3A(3) (a) Landscaped area	Existing situation remains unchanged by proposed works	100%	Council	5/11/2022
DA/2021/1192	B	364256		24	Westbourne Street	STANMORE	2048	1: Residential - Alterations & additions	Marrickville LEP 2011	IWDR2	Clause 4.4 - Floor Space Ratio	Additional FSR is a minor variation and does not result in adverse streetscape or amenity impacts and the bulk and scale of the development remains consistent with the desired future character of the area.	3.9% or 7.1sqm	Council	27/04/2022
DA/2021/1188	0	17149		2	Gladstone Street	NEWTOWN	2042	9: Mixed	Marrickville LEP 2011	IWDB7	Clause 4.3 - Height of Buildings	Minor variation	1.8%	Council	14/06/2022
MOD/2021/0524	1	982143		79	Mansfield Street	ROZELLE	2039	3: Residential - New second occupancy	Leichhardt LEP 2013	IWDR1	4.4 Floor Space Ratio	Proposed development meets objectives of clause and zone. Compliance is unnecessary in the circumstances given the nominal departure from the standard and the development meeting all other development standards including site coverage and landscaped area	4.6% or 6.95m	Council	17/05/2022
DA/2021/1240	6	8247		25	Campbell Street	BALMAIN	2041	1: Residential - Alterations & additions	Leichhardt LEP 2013	IWDR1	4.3A - Landscaped Area for residential development	Landscaped area is increased compared to existing and sufficient POS is provided, Site coverage and FSR is not in breach.	15.9sqm or 48.3%	Council	30/05/2022
DA/2021/1259	1	69925		22	Thames Street	BALMAIN	2041	1: Residential - Alterations & additions	Leichhardt LEP 2013	IWDR1	Clause 4.4 - Floor Space Ratio	The window replaces an existing window and does not alter the existing approved GFA and therefore there is no change to the existing FSR	18.9sqm or 14.73%	Council	5/04/2022
DA/2021/1371	1	535807		1	Hanover Street	ROZELLE	2039	1: Residential - Alterations & additions	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(a) - Landscaped Area	The existing landscaped area is presently non-compliant with the required landscaped area for the site as per Clause 4.3 of the LLEP 2013. The proposal does not seek to alter the existing landscaped area of the site.	-25.15sqm or 76.79%.	Council	4/06/2022

DA/2022/0022	1	904010		9	Mullens Street	BALMAIN	2041	1: Residential - Alterations & additions	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(a)(i) – Landscaped Area	<p>1. The landscaped area is below the minimum of 20%, and the proposal is comparable to the neighbouring sites.</p> <p>2. In designing a development that compares to the neighbouring properties, the quality of the site, and the immediate surroundings is considered acceptable to meet the objectives of the LEP.</p> <p>3. The existing landscaped area of surrounding buildings is below the allowable 20% & the proposal is in keeping with the area.</p> <p>4. In designing a development that compares to the neighbouring buildings, the quality of the site, and the immediate surroundings is improved.</p> <p>5. The proposal carefully considers all aspects of the LEP & DCP, and the design solution will fit comfortably within its surroundings.</p> <p>6. The proposal is suitable for the use and enjoyment of residents. Site density and building footprint are acceptable.</p> <p>7. The landscaped area is compatible with the adjoining properties.</p> <p>8. The proposal has been designed to preserve the character of the surrounding area.</p> <p>9. Amenity to the site will not be compromised.</p> <p>10. Compliance with the standard is unreasonable as the surrounding area has landscaped areas smaller than the minimum 20%.</p> <p>11. The proposed landscaped area is in keeping with the surrounding area.</p> <p>12. It is unreasonable to comply with the standard as this would require increasing the proposal to a landscaped area greater than the average in the area.</p> <p>13. The proposed landscaped area is greater than the existing landscaped area on the site.</p>	29.68% (16.14sqm)	Council	6/03/2022
DA/2022/0102	29	796		114	Young Street	ANNANDALE	2038	1: Residential - Alterations & additions	Leichhardt LEP 2013	IWDR1	4.3B – Site Coverage for residential development i	No change to existing	34%	Council	30/06/2022
MOD/2022/0062	1	555150		57	Phillip Street	BIRCHGROVE	2041	1: Residential - Alterations & additions	Leichhardt LEP 2013	IWDR1	Clause 4.4 Floor Space Ratio	<p>1. The proposed contravention of the maximum FSR is <10%, which is not a matter of State nor regional significance. (8.9m² contravention of the allowable FSR for the site).</p> <p>2. The proposed modification to approved alterations and additions pose no reduction to the public benefit.</p> <p>3. The proposed modifications to GFA (sic) has no visibility from the public domain or neighbouring properties.</p> <p>4. The proposed development is consistent (sic) with other developments in the street, and in the HCA (Please reference the Statement of Environmental Effect submitted as part of this Modification S4.56).</p> <p>5. The environmental planning grounds which support the proposal are the absence of any unreasonable amenity impacts on the site and locality (no externalities) as the additional floor area is situated below existing Ground Floor Level site coverage.</p> <p>6. As the modifications to DA/2020/0947 proposed as part of this submission do not generate any additional impacts beyond what is already approved, it can be concluded that development will have a positive impact on the public and the development will not have any unreasonable adverse effects.</p>	6.95% (8.7sqm)	Council	19/05/2022
DA/2022/0201	1	174516		49	Catherine Street	LEICHHARDT	2040	1: Residential - Alterations & additions	Leichhardt LEP 2013	IWDR1	Site Coverage	The proposal provides Landscaped Areas that are suitable for substantial tree planting and for the use and enjoyment of residents;	5.8%	Council	22/06/2022
DA/2022/0210	1	1280928		38	Reuss Street	LEICHHARDT	2040	1: Residential - Alterations & additions	Leichhardt LEP 2013	IWDR1	Landscaped area	Not viable due to small size of site. Would reduce resident amenity to enforce standard. Non-compliance is being reduced from what is existing on site	50% or 10sqm	Council	30/06/2022
DA/2022/0219	B	366391		17	Hornsey Street	ROZELLE	2039	1: Residential - Alterations & additions	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(a) Landscaped Area	With a minimum required landscaped area of 20%, the proposal has a non-compliance of 0.36%, however, this is considered satisfactory as the built form is sympathetic to the surrounding area, FSR is compatible with the adjoining properties and has minimal impact on the amenity of neighbouring properties, including privacy and solar access	1.79% or -0.86sqm	Council	5/12/2022
DA/2022/0225	1	437822		25	Emily Street	LEICHHARDT	2040	1: Residential - Alterations & additions	Leichhardt LEP 2013	IWDR1	Clause 4.3A (3)(a) Landscaped Area	The proposal does not seek to change the landscaped area on site, which as existing is non-compliant.	70.16% or -11.05sqm.	Council	16/05/2022
DA/2022/0279	11	2279		44	Charles Street	LEICHHARDT	2040	1: Residential - Alterations & additions	Leichhardt LEP 2013	IWDR1	Clause 4.3A(3)(a) Landscaped Area	<p>1. The proposal meets the objectives of both the R1 General Residential zone and Clause 4.3A Landscaped areas for residential accommodation in Zone R1</p> <p>2. The proposal increases the overall landscaped area on the site from the existing provision (from 7sqm to 14sqm)</p> <p>3. The proposed provision of landscaping is consistent with other properties along Charles Street</p>	13.77sqm or 49.41%	Council	22/06/2022
DA/2022/0295	1	1112913		22	Trafalgar Street	ANNANDALE	2038	1: Residential - Alterations & additions	Leichhardt LEP 2013	IWDR1	Clause 4.4 Floor space ratio	<p>1. The proposed development ensures consistency with the desired future character of the neighbourhood.</p> <p>2. The proposal makes no increase to the building footprint ensuring that adequate provision is made for landscaped area and private open space.</p> <p>3. The proposal meets the relevant objectives of both the FSR development standard and the R1 General Residential zone.</p>	1% or 2.28sqm	Council	6/02/2022