



INNER WEST COUNCIL

DEVELOPMENT ASSESSMENT REPORT

Application No.	D/2018/674
Address	2 Lonsdale Street Lilyfield
Proposal	Alterations to convert existing two storey building into a residential flat building comprising 7 units, tree removal and additional parking accessed from Piper St.
Date of Lodgement	20-Dec-2018
Applicant	Lufi and Associates Pty Ltd
Owner	Gleeson Co Pty Ltd
Number of Submissions	First notification period: Objections from 27 properties Second notification period: Objections from 18 properties.
Value of works	\$700,000
Reason for determination at Planning Panel	Number of submissions, Variation to Landscaped Area and Floor Space Ratio
Main Issues	Car parking, visual privacy impacts to adjoining properties
Recommendation	Deferred Commencement Approval
Attachment A	Recommended conditions of consent
Attachment B	Plans of proposed development
Attachment C	Clause 4.6 Exception to Development Standards



LOCALITY MAP

Subject Site		Objectors		↑ N
Notified Area		Supporters		

Note: Due to scale of map, not all objectors could be shown.

1. Executive Summary

This report is an assessment of the application submitted to Council for alterations to convert existing two storey residential flat building comprising of 3 units into a residential flat building comprising 7 units, tree removal and additional parking accessed from Piper St at 2 Lonsdale Street, Lilyfield. The application was notified to surrounding properties and objections from 27 properties were received.

The main issues that have arisen from the application include:

- Car parking; and
- Privacy impacts to adjoining properties

Subject to recommended deferred commencement conditions to address car parking and conditions to address visual privacy impacts, the proposal will result in acceptable impacts on the locality and therefore, the application recommended for Deferred Commencement Approval.

2. Proposal

The proposal is for alterations to convert an existing two storey building comprising of 3 units into a residential flat building comprising 7 units (2 x 1 bedroom, 1 x studio and 4 x 2 bedroom), tree removal and additional parking accessed from Piper St.

The proposed Development Comprises of:

- The retention of the existing two storey dwelling, including front and majority of the side boundary fencing;
- Partial internal demolition of walls, removal of windows and doors as well as existing swimming pool and three palm trees located along Piper Street;
- The new works include new internal configuration of seven units, including associated external private courtyards and amenities;
- Location of new stairwell to service the proposed first floor units;
- Retain the main entrance facing Lonsdale Street with a secondary entry point from the proposed car park;
- Provide car parking bays including washing area within the visitors parking spot that is accessed off Piper Street;
- Retain the existing parking spot located off Lonsdale Street.

It is noted that the existing two storey structure had been most recently used as four units. However, the most recent development consent is for three residential units (approved under D/2000/681), and therefore, the current proposal formally seeks the conversion of three residential flat units into seven residential units.

3. Site Description

The subject site is located on corner of Piper Street and Lonsdale Street. The site consists of two allotments with a total area of 583 sqm and is legally described as Cnr Lot 1 DP 977323, Lot 2 DP 977323.

The site has a frontage to Lonsdale Street of 18.29 metres and a secondary frontage of approximate 32.01 metres to Piper Street.

The site supports two storey residential building consisting of three flats. The adjoining properties support single storey residential dwellings to the west and a two storey residential dwelling to the north.

The proposed site is not a heritage item and the proposed site is not located within a heritage conservation area.

The following trees are located on the site and within the vicinity.

- Three *Syagrus romanzoffiana* (Cocos Palms) located along Piper St frontage.

4. Background

4(a) Site history

The following application outlines the relevant development history of the subject site and any relevant applications on surrounding properties.

Subject Site

Application	Proposal	Decision & Date
D/1999/432	Alterations and additions to a residential flat building consisting of new attic level bedrooms and studys to two units and (4) four dormer windows.	Surrendered
D/2000/681	Demolition of part of the rear of the existing building and ground and first floor alterations and additions.	Approved Operational Consent 26-Mar-2003
PREDA/2018/100	Convert existing dwelling into 9 units (residential flat building) consisting of 8 x 1 bedroom and 1 x 2 bedroom units.	Issued 25-Jun-2018
EPA/2018/468	Cease all unauthorised building works at Cnr Lot 1 DP 977323, Lot 2 DP 977323, 2 Lonsdale Street, LILYFIELD NSW 2040.	Issued 12 November 2018

4(b) Application history

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

Date	Discussion / Letter / Additional Information
29 March 2019	Letter requesting application to be withdrawn citing the following issues: A. Size and amenity of proposed units Size, Amenity of Private open spaces, Solar Access to main living rooms, Inadequate size/amenity to the living areas of Unit 7, Inadequate Landscaped Area/landscape design B. Additional information to address engineering matters Stormwater Drainage, Traffic and Parking, Vehicular crossing
4 April 2019	Meeting with Applicant
14 June 2019	Amended plans and additional information submitted to Council
2 July 2019	The application was renotified for 14 days

5. Assessment

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

5(a) Environmental Planning Instruments

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

- State Environmental Planning Policy No. 55—Remediation of Land
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Coastal Management) 2018
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Leichhardt Local Environment Plan 2013 (LLEP 2013)

Leichhardt Local Environment Plan 2013 (LLEP 2013)

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

- Clause 1.2 - Aims of the Plan
- Clause 2.3 - Zone objectives and Land Use Table
- Clause 2.7 - Demolition
- Clause 4.3A - Landscaped areas for residential accommodation in Zone R1
- Clause 4.4 – Floor Space Ratio
- Clause 4.5 - Calculation of floor space ratio and site area
- Clause 4.6 - Exceptions to development standards
- Clause 5.4 - Controls relating to miscellaneous permissible uses
- Clause 6.1 - Acid Sulfate Soils
- Clause 6.2 - Earthworks
- Clause 6.4 - Stormwater management
- Clause 6.13 - Diverse housing

(vi) Clause 2.3 - Land Use Table and Zone Objectives

The site is zoned R1 General Residential under the *LLEP 2011*. The *LLEP 2013* defines the development as “*Residential Flat Building*”.

The development is permitted with consent within the zone. The development is consistent with the objectives of the R1 General Residential zone.

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

Standard	Proposal	non compliance	Complies
Minimum subdivision lot size Minimum permissible: 200 sqm	Not Applicable (Strata subdivision)	N/A	N/A
Floor Space Ratio Maximum permissible: 0.6:1 or 349.8 sqm	0.85:1 or 493.3 sqm	41%*	No
Landscape Area Minimum permissible: 20% or 116.6 sqm	7% or 10.4sqm	65%*	No
Site Coverage			

Maximum permissible: 60% or 349.8 sqm	48.7% or 284 sqm	Complies	Yes
Diverse housing 25% of units to be 1 Bedroom units or Bedsitters	2 of 7 units are 1 Bedroom or bedsitters (28.6%)	Complies	Yes

* It is noted that the proposal will result in a reduction of the Gross Floor Area of the existing building and an increase to the existing available landscaped area.

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

Landscaped Area

The applicant seeks a variation to the Landscaped Area development standard under Clause 4.3A(3)(a) by 65% of the Leichhardt Local Environmental Plan 2013. However, it is noted that the proposed development will lead to an increase in landscaped area compared to existing on-site circumstances.

Clause 4.6 allows Council to vary development standards in certain circumstances and provides an appropriate degree of flexibility to achieve better design outcomes.

In order to demonstrate whether strict numeric compliance is unreasonable and unnecessary in this instance, the proposed exception to the development standard has been assessed against the objectives and provisions of Clause 4.6 of the applicable local environmental plan below.

A written request has been submitted to Council in accordance with Clause 4.6(3) of the Leichhardt Local Environmental Plan 2013 justifying the proposed contravention of the development standard which is summarised as follows:

- *The subject property has a site area of 585m2 which is considered large than the minimum allotment size of 200m2. As the site is well above the minimum size, and no change to the site coverage is justified in this instance that the proposal provides adequate residential amenity for the individual unit occupants of the subject dwelling without any adverse impacts to the amenity of the surrounding properties. The proposal improves living amenities, provides good light and ventilation through an internal courtyard as well as provisions for soft landscaping being made.*
- *Compliance with this standard is deemed unreasonable as the existing site has little to no "useable" soft landscaping, the current proposal improves this significantly by an additional 27m2. The proposed landscape areas is included in site coverage calculations, but it should be noted that areas aids in meeting Leichhardt council LEP clause 4.3 objectives. Additionally, the proposal is comparable with surrounding developments, has little impact on neighbouring buildings and meets the required FSR and landscaping controls set by council.*
- *The overall building form has not changed that is the current bulk and scale which aids in maintaining a comfortable internal ceiling height for each occupant of each unit. The proposal includes an improved soft landscaped area, which improves amenity for the occupants and is suitable for tree planting, therefore aligns with council objectives. The proposal meets landscaping controls, with a significant improvement on soft landscaping from the existing encouraging for a landscape corridor without any adverse impacts on neighbouring properties, thus meeting the overall objectives of clause 4.3A of Leichhardt Council LEP 2013. for the reasons stated, we believe the proposal is both consistent with the objectives of the standard and relevant zone.*

- *The proposal is consistent with the zone objectives as it provides for the housing needs of the community through the sensitive adaptive reuse of a historical building with the resultant building form not giving rise to any unacceptable streetscape, heritage conservation or residential amenity impacts. The proposal significantly increases site landscaping, significantly reduces site coverage and provides work from home opportunities through dwelling layout and design.*

Having regard to the clause 4.6 variation provisions we have formed the considered opinion:

- a) that the site specific and contextually responsive development is consistent with the zone objectives, and*
- b) that the site specific and contextually responsive development is consistent with the objectives of the landscaped area, site coverage and floor space ratio development standards, and*
- c) that having regard to (a) and (b) above, compliance with the development standards are unreasonable or unnecessary in the circumstances of the case, and*
- d) that given the design quality of the development, and the development's ability to comply with the zone and development standard objectives, approval would not be antipathetic to the public interest, and*
- e) that contravention of the development standards do not raise any matter of significance for State or regional environmental planning.*

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

It is considered that, subject to recommended conditions, the development is in the public interest because it is consistent with the objectives of the R1 Residential zone, which are:

Objectives of R1 Residential zone:

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

In accordance with Clause 4.6(4)(a)(ii) of the applicable local environmental plan for the following reasons:

- The subject proposal seeks to increase the number of residential units from 3 to 7 units. However, as the additional units are generally provided within the existing building envelope with the exception of a waste storage room at ground floor level and the proposal will lead to an increase of landscaped area, it is considered that the proposal had maximised the opportunity to provide landscaped areas.

- The proposal retains the built form of the existing development currently on site and does not introduce any additional architectural elements that would be considered to be incompatible with the character of the existing streetscape.
- The proposal provides one bedroom and bed-sitter units which complies with the requirements for Diverse Housing under 6.13.
- Subject to conditions, the proposal will not result in adverse amenity impacts to the residents of the neighbourhood.

It is considered the development is in the public interest because it is consistent with the objectives of the and Landscaped Area development standard, in accordance with Clause 4.6(4)(a)(ii) of the applicable local environmental plan for the following reasons:

Objectives of clause 4.3A – Landscaped Area development standards:

- (a) *to provide landscaped areas that are suitable for substantial tree planting and for the use and enjoyment of residents,*
 - (b) *to maintain and encourage a landscaped corridor between adjoining properties,*
 - (c) *to ensure that development promotes the desired future character of the neighbourhood,*
 - (d) *to encourage ecologically sustainable development by maximising the retention and absorption of surface drainage water on site and by minimising obstruction to the underground flow of water,*
 - (e) *to control site density,*
 - (f) *to limit building footprints to ensure that adequate provision is made for landscaped areas and private open space*
- The proposal, which retains the primary form of the existing building, does not introduce any new architectural elements that will be inconsistent with the Desired Future Character of the locality.
 - Given the site restraints, it is considered that the proposal has provided adequate amount of deep soil landscaped areas.
 - The proposal will result in a reduction of the total Gross Floor Area.

The proposal thereby accords with the objective in Clause 4.6(1)(b) and requirements of Clause 4.6(3)(b) of the Leichhardt Local Environmental Plan 2013. For the reasons outlined above, there are sufficient planning grounds to justify the departure from Landscaped Area development standard and it is recommended the Clause 4.6 exception be granted.

Floor Space Ratio

The applicant seeks a variation to the Floor Space Ratio development standard under Clause 4.4 of the Leichhardt Local Environmental Plan 2013 by 41%. The proposed development will result in a reduction of approximate 13 sqm of Gross Floor Area compared to the existing development currently existing on site.

Clause 4.6 allows Council to vary development standards in certain circumstances and provides an appropriate degree of flexibility to achieve better design outcomes.

In order to demonstrate whether strict numeric compliance is unreasonable and unnecessary in this instance, the proposed exception to the development standard has been assessed against the objectives and provisions of Clause 4.6 of the applicable local environmental plan below.

A written request has been submitted to Council in accordance with Clause 4.6(3) of the Leichhardt Local Environmental Plan 2013 justifying the proposed contravention of the development standard which is summarised as follows:

- *The proposed development decreases in floor area, albeit if only 13m² from the current building floor area.*
- *The existing residential dwelling is of a bulk, form and scale compatible with the current streetscape character. The proposed treatment of softening the proposal by way or rendering walls, painting, and changing window/ door proportions, all assist in will not altering the building's architectural character and is a betterment and more compatibility with the desired future character of the area.*
- *The proposed increase in deep soil planting will improve the current balance between the existing landscaped area and built form.*
- *The proposed development will have no adverse impact on the bulk and scale of the existing building.*

Having regard to the clause 4.6 variation provisions we have formed the considered opinion:

- a) that the site specific and contextually responsive development is consistent with the zone objectives, and*
- b) that the site specific and contextually responsive development is consistent with the objectives of the landscaped area, site coverage and floor space ratio development standards, and*
- c) that having regard to (a) and (b) above, compliance with the development standards are unreasonable or unnecessary in the circumstances of the case, and*
- d) that given the design quality of the development, and the development's ability to comply with the zone and development standard objectives, approval would not be antipathetic to the public interest, and*
- e) that contravention of the development standards do not raise any matter of significance for State or regional environmental planning.*

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

It is considered the development is in the public interest because it is consistent with the objectives of the R1 Residential Zone, which are:

Objectives of R1 Residential zone:

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

In accordance with Clause 4.6(3) of the Leichhardt Local Environmental Plan for the following reasons:

- The proposal retains the built form of the existing development currently on site and does not introduce any additional architectural elements that would be considered to be incompatible with the character of the existing streetscape.
- The proposal provides one bedroom and bed-sitter units which complies with the requirements for Diverse Housing under 6.13.
- Subject to conditions, the proposal will not result in adverse amenity impacts to the residents of the neighbourhood.

It is considered that subject to recommended conditions, the development is in the public interest because it is consistent with the objectives of the Floor Space Ratio development standard, in accordance with Clause 4.6(4)(a)(ii) of the applicable local environmental plan for the following reasons:

The objectives of clause 4.4 – Floor Space Ration development standards are as follows:

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

Floor Space Ratio

- Despite the variation to the FSR development standard, the proposed FSR is a reduction of the FSR of the existing building.
- The proposal retains the built form of the existing building and does not introduce any new architectural elements that will be inconsistent with the Desired Future Character of the locality.
- The proposed floor space will be predominantly located within the existing building envelope with the exception of the waste storage area at ground floor level.

The contravention of the development standard does not raise any matter of significance for State and Regional Environmental Planning. The concurrence of the secretary can be assumed for the matters dealt with by the panel.

The proposal thereby accords with the objective in Clause 4.6(1)(b) and requirements of Clause 4.6(3)(b) of the Leichhardt Local Environmental Plan 2013. For the reasons outlined above, there are sufficient planning grounds to justify the departure from floor space ratio development standard and it is recommended the Clause 4.6 exception be granted.

5(b) [Draft Environmental Planning Instruments](#)

Draft State Environmental Planning Policy (Environment) 2018

The NSW government has been working towards developing a new State Environmental Planning Policy (SEPP) for the protection and management of our natural environment. The Explanation of Intended Effect (EIE) for the Environment SEPP was on exhibition from 31 October 2017 until 31 January 2018. The EIE outlines changes to occur, implementation details, and the intended outcome. It considers the existing SEPPs proposed to be repealed and explains why certain provisions will be transferred directly to the new SEPP, amended and transferred, or repealed due to overlaps with other areas of the NSW planning system.

This consolidated SEPP proposes to simplify the planning rules for a number of water catchments, waterways, urban bushland and Willandra Lakes World Heritage Property.

Changes proposed include consolidating seven existing SEPPs including Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005. The proposed development would be consistent with the intended requirements within the Draft Environment SEPP.

5(c) Development Control Plans

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

LDCP2013	Compliance
Part A: Introductions	
Section 3 – Notification of Applications	Yes
Part B: Connections	
B1.1 Connections – Objectives	Yes
B2.1 Planning for Active Living	Yes
B3.1 Social Impact Assessment	Not Applicable
B3.2 Events and Activities in the Public Domain (Special Events)	Not Applicable
Part C	
C1.0 General Provisions	Yes
C1.1 Site and Context Analysis	Yes
C1.2 Demolition	Not applicable
C1.3 Alterations and additions	Yes – see discussion
C1.4 Heritage Conservation Areas and Heritage Items	Not applicable
C1.5 Corner Sites	Yes
C1.6 Subdivision	Not applicable
C1.7 Site Facilities	Yes
C1.8 Contamination	Yes
C1.9 Safety by Design	Yes
C1.10 Equity of Access and Mobility	Yes
C1.11 Parking	Yes, subject to conditions – see discussion
C1.12 Landscaping	Yes – see discussion
C1.13 Open Space Design Within the Public Domain	Not Applicable
C1.14 Tree Management	Yes – see discussion
C1.15 Signs and Outdoor Advertising	Not Applicable
C1.16 Structures in or over the Public Domain: Balconies, Verandahs and Awnings	Not Applicable
C1.17 Minor Architectural Details	Yes– see discussion
C1.18 Laneways	Not Applicable
C1.19 Rock Faces, Rocky Outcrops, Cliff Faces, Steep Slopes and Rock Walls	Not Applicable
C1.20 Foreshore Land	Not Applicable
C1.21 Green Roofs and Green Living Walls	Not Applicable
Part C: Place – Section 2 Urban Character	
C2.2.4.1 Catherine Street Distinctive Neighbourhood	Yes – see discussion
Part C: Place – Section 3 – Residential Provisions	
C3.1 Residential General Provisions	Yes
C3.2 Site Layout and Building Design	Yes, see discussion
C3.3 Elevation and Materials	Yes, subject to conditions

C3.4 Dormer Windows	Not applicable
C3.5 Front Gardens and Dwelling Entries	Yes
C3.6 Fences	Yes
C3.7 Environmental Performance	Yes
C3.8 Private Open Space	Yes
C3.9 Solar Access	Yes
C3.10 Views	Yes
C3.11 Visual Privacy	Yes, subject to conditions
C3.12 Acoustic Privacy	Yes
C3.13 Conversion of Existing Non-Residential Buildings	Yes
C3.14 Adaptable Housing	Not applicable
Part C: Place – Section 4 – Non-Residential Provisions	Not Applicable
Part D: Energy	
Section 1 – Energy Management	Yes
Section 2 – Resource Recovery and Waste Management	
D2.1 General Requirements	Yes
D2.2 Demolition and Construction of All Development	Yes
D2.3 Residential Development	Yes
D2.4 Non-Residential Development	Not Applicable
D2.5 Mixed Use Development	Not Applicable
Part E: Water	
Section 1 – Sustainable Water and Risk Management	
E1.1 Approvals Process and Reports Required With Development Applications	Yes
E1.1.1 Water Management Statement	Yes
E1.1.2 Integrated Water Cycle Plan	Not Applicable
E1.1.3 Stormwater Drainage Concept Plan	Yes
E1.1.4 Flood Risk Management Report	Not Applicable
E1.1.5 Foreshore Risk Management Report	Not Applicable
E1.2 Water Management	Yes
E1.2.1 Water Conservation	Yes
E1.2.2 Managing Stormwater within the Site	Yes, subject to conditions
E1.2.3 On-Site Detention of Stormwater	Yes, subject to conditions
E1.2.4 Stormwater Treatment	Yes
E1.2.5 Water Disposal	Yes, subject to conditions
E1.2.6 Building in the vicinity of a Public Drainage System	Not Applicable
E1.2.7 Wastewater Management	Yes, subject to conditions
E1.3 Hazard Management	Not Applicable
E1.3.1 Flood Risk Management	Not Applicable
E1.3.2 Foreshore Risk Management	Not Applicable
Part F: Food	Not Applicable
Part G: Site Specific Controls	Not Applicable

The following provides discussion of the relevant issues:

C1.3 Alterations and additions, C1.5 Corner Sites, C2.2.4.1 Catherine Street Distinctive Neighbourhood and C3.6 Fences

The existing residential development currently existing on the proposed site is a two storey brick structure as shown by the images below:



View from the corner of Lonsdale Street and Piper Street



View from Lonsdale Street

The proposal will not result in any unacceptable bulk and scale impacts as the only additional footprint is in the form of a waste storage room located in the rear of the building at ground floor level and there is no increase in wall or ridge heights.

There are no proposed changes to the roof form, nor the main built form. The proposed materials and finishes which consist of render paint finishes, changes to the balconies, changes to fencing on the street frontages and new window openings, is considered to be an improvement compared to the existing building currently existing and is considered to be compatible with the existing streetscape.

C1.11 Parking

Number of Parking Spaces

The following parking rates are applicable to the proposed development:

Parking Rates				
Land Use	Residents		Visitors	
	Minimum	Maximum	Minimum	Maximum
Residential				
Single dwelling house	Nil	2 spaces per dwelling house	Nil	Nil
Bed-sit / Studio	Nil	0.5 space per dwelling	1 space per 11 dwellings	0.125 spaces per dwelling
1 bedroom unit	1 space per 3 dwellings	0.5 space per dwelling	1 space per 11 dwellings	0.125 spaces per dwelling
2 bedroom unit	1 space per 2 dwellings	1 space per dwelling	1 space per 11 dwellings	0.125 spaces per dwelling
3+ bedrooms unit	1 space per dwelling	1.2 spaces per dwelling	1 space per 11 dwellings	0.125 spaces dwelling

The proposed developments will result in 5 x two bedroom dwellings, 1 x 1 bedroom unit and 1 studio, therefore there is minimum requirement for off-street car parking spaces of:

- 4 x 2 Bedroom Unit = 2 spaces
- 2 x 1 Bedroom Unit = 0.66 spaces
- 1 x Studio = Nil Spaces
- Visitor parking = 1 space.

Therefore, the total parking spaces required is 3.66 spaces (4 spaces when rounded up to the nearest number as per the parking requirements of Clause 1.11 of DCP2013). The proposal includes four parking spaces which complies with the off-street parking space requirements. A condition will be recommended that requires one of these spaces clearly marked as a visitor parking space.

The additional parking spaces proposed relies on a new driveway that is located on Piper Street. Based on the proposed location of the new driveway, the proposed new driveway will result in the loss of one on-street parking space. Therefore, the location of the driveway must be relocated. In this regard, there is currently a driveway crossing on the southern-western part of the site where cars cannot legally park next to (see image below).



Therefore, Council Engineers have recommended that the location of the driveway to be relocated to this location, which in turn, will preserve the amount of legal on-street parking currently available and the proposal is acceptable subject to the following condition:

“The proposed vehicular crossing shown on architectural and drainage plans shall be amended to address the following:

- a) The width of the proposed vehicular crossing shall be designed with 2800mm opening at the site boundary in Piper Street and 4300mm width at the kerb line. Council accepts 750mm wing on each side of the lay back in Piper Street.*
- b) The western wing of the layback shall be located 5400mm from the western boundary of the development site.*
- c) The location and dimensions of the vehicular crossing and off street parking spaces must be shown on plans to an appropriate scale.”*

C1.14 Tree Management

Concerns are raised in relation to two *Schinus molle* (Pepercorn Tree) located within the road reserve along Lonsdale Street being impacted by the proposal.

A review of the submitted Ground Floor/Site Stormwater Drainage Plan, prepared by LOKA Consulting Engineers Pty Ltd, DWG No. D01, dated June 2019 indicated that excavation is proposed for stormwater piping within the TPZ of the subject trees.

It is unclear from the submitted plans if trees on the adjoining property to the northwest of the subject site will be impacted by proposed landscaping works. The submitted plans do not provide adequate detail to assess if level changes will impact the vegetation on adjoining properties.

Given the above, an AQF Level 5 Project Arborist will be required to supervise all excavation within the TPZ of the Peppercorn Trees as well as landscaping works to ensure no roots greater than 400mm in diameter are damaged from trees on site or adjoining properties

Three *Syagrus romanzoffiana* (Cocos Palms) located along Piper St frontage are supported for removal. This is an exempt species and is not protected under Council's Tree Management Controls. These palms should not be considered a constraint for the application, however, it is recommended that a native canopy tree that is capable of attaining a minimum mature height of 6m is incorporated into the landscape plan to compensate for the loss of local amenity. The application is satisfactory in this regard subject to conditions.

C3.1 Residential general provisions, C3.2 Site Layout and Building Design and C8 Private open space

Amenity and Site Layout

The proposed development seeks to convert an existing residential flat building comprising of 3 units into a residential flat building consisting of 7 Units. The proposed gross floor area of the proposed units is contained within the existing building envelope. To maximise the solar access into the proposed residential units, most of the proposed units have window openings on the northern elevation. Units 3 and 7 do not have northern windows but the design had been amended to ensure the living rooms have east-facing openings to maximise the amount of solar access into the living rooms of these residential units. The positioning of the openings will allow cross ventilation to take place and subject to conditions, issues in relation to visual privacy is acceptable.

Building Location Zone and Side setback controls

The proposed gross floor area is contained within the existing building envelope with the subject development with the exception of a waste storage room at the ground floor level. This ground floor addition has a wall height of approximately 2.2 metres which complies with the side setback controls, but will result in a variation to the Building Location Zone controls.

Pursuant to the provisions of this Clause, the variation of the building location zone can be considered where the proposed development addresses the issues in C5 of this part:

- a. *amenity to adjacent properties (i.e. sunlight, privacy, views) is protected and compliance with the solar access controls of this Development Control Plan is achieved;*
- b. *the proposed development will be compatible with the existing streetscape, desired future character and scale of surrounding development;*
- c. *the proposal is compatible in terms of size, dimensions, privacy and solar access of private open space, outdoor recreation and landscaping;*
- d. *retention of existing significant vegetation and opportunities for new significant vegetation is maximised; and*
- e. *the height of the development has been kept to a minimum to minimise visual bulk and scale, as viewed from adjoining properties, in particular when viewed from the private open space of adjoining properties.*

It is considered that the proposed building location zone for the ground floor level can be supported for the following reasons:

- The proposed works will, subject to conditions, comply with the visual and acoustic privacy controls and have no impacts in regards to loss of significant views. The proposed shadows are located within the existing shadows cast by the existing building and therefore does not generate any additional shadows.
- The proposed ground floor addition is considered to be of a form, with a wall height of approximately 2.2 metres in height, does not result in adverse impacts in relation of bulk and scale, when viewed from the private open space of adjoining properties.

- The palm trees proposed to be removed are listed as exempt species where their removal is exempt from council approval.
- The amended proposal is considered to be acceptable in regards to compatibility with the existing streetscape.

Private open space

The following control is applicable to this development:

For Shop top housing, Residential flat buildings and Mixed use development (residential component only) - C3 Private open space comprises a minimum 8sqm deck or balcony with a minimum dimension of 2m directly accessible from the principal *living areas*.

All the proposed residential units will achieve the abovementioned size of decks with the exception of Unit 4 where its balconies have a predominant depth of 1.8 metres instead of 2 metres. However as Unit possesses two balconies and the southern boundary has a width of approximately 5.5 metres, it is considered that adequate private open space had been provided.

C3.9 Solar Access

Given the orientation (east-west orientation) and location of structures of the adjoining properties (north-adjoining property is located on the southern boundary), it is not possible to achieve the requirements under C4 under this part. However, it is considered that the amended design, which includes the floor plan of the upper floor and the introduction of landscaping at the ground floor level to provide privacy of the courtyards adjacent to the street frontage, has maximised the ability of the private open spaces of the proposed units to obtain solar access to its private open spaces.

The amended design, which involves configurations internally for the units at the first floor level, will allow units 1, 2, 4, 5 and 6 to achieve the required solar access to their living rooms, and therefore, achieve compliance with C10.

The only additional structures that extend beyond the existing building envelope occurs at ground floor level (i.e. the waste storage room), however, any additional overshadowing created from this structure will be within the shadows cast by the existing two storey structure. Therefore, the proposal will not result in any additional overshadowing to adjoining properties.

As such the amended proposal is considered to be acceptable in regards to solar access.

C3.11 Visual Privacy

The following controls are applicable to the development:

C1 Sight lines available within 9m and 45 degrees between the living room or private open space of a dwelling and the living room window or private open space of an adjoining dwelling are screened or obscured unless direct views are restricted or separated by a street or laneway.

C7 New windows should be located so they are offset from any window (within a distance of 9m and 45 degrees) in surrounding development, so that an adequate level of privacy is obtained/retained where such windows would not be protected by the above controls (i.e. bathrooms, bedrooms).

In regards to visual privacy, to ensure that there are no unacceptable sightlines from the northern balcony of Unit 4 into the private open space of No. 4 Lonsdale Street, a condition will be recommended that requires screening to be located on the northern opening adjacent to the subject northern with a minimum height of 1.6 metres. A condition will also be recommended to restrict the sightlines up to 1.6 metres from W1 of Unit 5 to ensure there are no living room windows that will overlook the private open space of 4 Lonsdale Street. W2 of Unit 5 is not require to be screened as the sightlines to the private open space of No. 4 Lonsdale Street will be greater than 9 metres.

To ensure that there are no sightlines into the private open space of No. 1 Russel Street, a condition will be recommended to ensure the southern balcony of Unit 4 is setback 9 metres from the western boundary.

The first floor windows on the western elevation are associated with bedrooms and a bathroom, and as these windows are not within 9 metres of the windows of the western adjoining properties, sightlines from these windows are not required to be restricted. The sightlines from the windows and balcony on the southern and east elevations are separated by a street (i.e. Piper Street and Lonsdale St) and therefore is not required to be restricted.

Therefore, subject to conditions, the proposal complies with the controls under this part.

C3.12 Acoustic Privacy

The following controls are applicable to the proposal:

C1 Dividing walls and floors between dwellings are constructed to comply with the relevant provisions of the Building Code of Australia.

C2 Buildings that are exposed to high levels of external noise are designed and constructed in accordance with AS3671 – Acoustics – Road Traffic Noise Intrusion, AS2107 – Recommended Design Sound Levels and Reverberation Times for Building Interiors, and AS 2021-2000 – Acoustics- Aircraft noise intrusion – Building siting and construction.

C3 Noise generating areas that are not contained within buildings, such as private outdoor open space, parking and service equipment, is located and oriented away from bedroom windows on adjoining sites.

C6 Electrical, mechanical or hydraulic plant achieves a maximum noise level of 5dBa above background sound levels at the boundary of the site.

C7 Where in a Residential Flat Building and Multi Dwelling Housing, plumbing for each dwelling is provided separately and buffered by acoustic measures such as noise resistant walls, ceiling and floor treatments.

C8 Private open space is encouraged to be located away from bedrooms on adjoining properties to ensure minimal acoustic impacts.

The proposed parking is not adjacent to bedroom windows and as the proposed first floor balconies are not located next to bedroom windows on the adjoining properties (there are no windows on the southern elevation of No.4 Lonsdale Street and the other balconies are located on the southern and eastern sides which faces street frontages), the proposal is considered to be satisfactory.

In is also be noted that to address issues in relation to Aircraft noise, the acoustic report (prepared by Koikas Pty Ltd dated 25 October 2018) recommends construction requirements such as, double brick, window glazing and mechanical ventilation i.e. air conditioning units in order to achieve interior acoustic amenity.

Standard and prescribed conditions will be recommended to address acoustic requirements in regards to Aircraft noise intrusion, plumbing noises, walls and plant equipment.

5(d) The Likely Impacts

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

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

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

5(f) Any submissions

The application was notified in accordance with Leichhardt Development Control Plan 2013 over two periods of 14 days to surrounding properties. Objections from 27 Properties were received from the first period and objections from 18 properties were received in the second notification period.

The following issues raised in submissions have been discussed in this report:

Issues in relation to Floor Space Ratio – see Section 5(a) – Clause 4.4 – Floor Space Ratio

- Issues in relation to car parking and safety – see Section 5(c) - C1.11 Parking
- Issues in relation solar access – see Section 5(c) - C3.9 Solar Access
- Issues in relation visual privacy – see Section 5(c) - C3.11 Visual Privacy
- Issues in relation Noise – see Section 5(c) - C3.12 Acoustic Privacy

In addition to the above issues, the submissions raised the following concerns which are discussed under the respective headings below:

Issue: The proposed 7 units result in an over development of site

Comment: Residential flat building is a permissible use in the General Residential zoning and the proposal results in a reduction of Gross Floor Area when compared to the existing building currently on site. Subject to recommended conditions to address parking and visual privacy issues, the proposal will result in acceptable impacts in the locality and satisfactory on-site amenity outcomes and is not considered to be an over development of the site.

Issue: Concerns about budget allocated to this project is not enough and the outside of it will remain an eyesore

Comment: The application is supported by a cost summary which is prepared by a registered architect. Given that the external structures will largely remain intact, the cost of works provided appears to be plausible. Given the existing nature of the current 2 storey building currently existing on 2 Lonsdale Street, the proposed alterations and additions which would include rendering and painting of the existing building is considered to be an overall improvement in terms of aesthetics compared to the building in its current condition.

Issue: Safety issues in relation to new driveways and additional vehicles affecting children playing on the streets

Comment: The driveway on Lonsdale Street is shown as be associated with car parking from the approved drawings as part the previous application on the proposed site under D/2000/681). Conditions are recommended that requires the relocation of the proposed driveway on Piper Street to the south-western corner of the site and is considered to be satisfactory in regards to safety, subject to this relocation.

Both Lonsdale Street and Piper Street are legal roadways that allows vehicular access and should not be used for recreational purposes.

Issue: Concerns about waste storage room being close to the rear yard of the west-adjointing properties.

Comment: To minimise impacts to the adjoining properties, conditions will be recommended that requires air vents associated with the waste storage room to be located on the south-eastern portion of the waste storage room.

Issue: There is likelihood that there will be short term rentals and possible air BnB scenarios

Comment: The proposed site is located with R1 General Residential zone and Tourist and visitor accommodation is a prohibited use. The application is for a residential flat building and this can be reinforced by conditions.

Issue: In these few streets of Lilyfield there are no apartments/conversion of a single residence to 7 residential units/ Sense of community loss

Comment: The proposed site is located with R1 General Residential zone and the conversion of 3 residential units to 7 residential flat buildings is a permissible use in this zoning. Subject to conditions to address issues in relation to the loss of on-street car parking and visual privacy, the proposal does not result in adverse impacts to the locality. The proposed additional units will be continually used for residential purposes which is consist with the residential nature of the locality.

Issue: Does not comply with SEPP No. 65 Requirements

Comment: SEPP No. 65 only applies to developments with three stories and above and as the proposal is only two stories in height, SEPP No. 65 is not applicable.

Issue: The Traffic and Transport Impact Assessment report is inadequate and, in some places, incorrect.

Comment: The Traffic and Transport Impact Assessment report had been reviewed by Council's engineers and its analysis on traffic flow is considered to be satisfactory. It can be noted that ID7251 was used to calculate the approximately traffic flow of the City West Link (which is suitable) and the analysis of Catherine Street and Ainsworth Street is not identical (the report identifies Catherine Street as having significant more traffic than Ainsworth Street). The descriptions of Ainsworth Street and Piper were largely accurate descriptions and does not impact the validity of the report. The proposal to increase the number of existing residential units from 3 units to 7 units is not considered to be a proposal that would result in an unacceptable adverse increase of traffic flow to Lonsdale Street and Piper Street.

Issue: Local business owners will be affected

Comment: The traffic and parking issues had been reviewed by the Council Engineers. The proposal complies with the off-street parking requirements under C1.11 Car Parking of Leichhardt DCP 2013, and subject to conditions to relocate the proposed driveway on Piper Street, there are no loss of legal on-street parking spaces.

Issue: The main concern is derived from the fact that the entire length of the building next door is at a second-storey level, meaning it is easy for the next resident to look over our small divider into the next home, my home (4 Lonsdale). Previously, our properties were approximately the same height, but due to the plan in the DA, the length of the construction will be extended meaning that residents next door will be able to look over into our backyard, our garden even the flat at the back of our property.

Comment: The proposal does not seek to extend the existing rear alignment at first floor level (the only extension of the building foot print is a waste storage area at ground floor level), there is also no proposed change to the height of the building. The issues in relation to visual privacy is discussed in more detail in Section 5(c) - C3.11 Visual Privacy and is considered to be satisfactory subject to conditions.

Issue: Landscaping /Removal of trees - the removal of trees would have a negative effect on the feel and the green of the street.

Comment: Three *Syagrus romanzoffiana* (Cocos Palms) located along Piper St frontage are supported for removal. This is an exempt species and is not protected under Council’s Tree Management Controls. These palms should not be considered a constraint for the application, however, it is recommended that a native canopy tree that is capable of attaining a minimum mature height of 6m is incorporated into the landscape plan to compensate for the loss of local amenity. Given the existing site conditions, it is considered that the proposal will provide adequate landscaping.

5(g) The Public Interest

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments, and by Council ensuring that any adverse effects on the surrounding area and the environment are appropriately managed.

The proposal is not contrary to the public interest.

6 Referrals

6(a) Internal

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

- Engineers – No objections subject to deferred commencement conditions.
- Landscape Assessment – No objections subject to conditions.
- Health Compliance – No objections subject to conditions.
- Building Surveyor – No objections subject to conditions.

6(b) External

The application was not required to be referred to any external bodies.

7. Section 7.11 Contributions/7.12 Levy

Section 7.11 contributions are payable for the proposal.

The carrying out of the development would result in an increased demand for public amenities and public services within the area. A contribution of **\$51,176.90** would be required for the development under Leichhardt 94 Contributions Plan. A condition requiring that contribution to be paid is included in the recommendation.

Contribution Plan	Contribution
Community Facilities	\$6,723.00
Open Space	\$43,990.00
Local Area Traffic Management	\$402.18
Light Rail	\$33.44
Bicycle	\$28.28

Total	\$51,176.90
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8. Conclusion

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

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

The application is considered suitable for the issue of a deferred commencement consent subject to the imposition of appropriate terms and conditions.

9. Recommendation

- A. The applicant has made written requests pursuant to Clause 4.6 of *Leichhardt Local Environmental Plan 2013* in relation to Landscaped Area and Floor Space Ratio development standards. After considering the request, and assuming the concurrence of the Secretary has been given, the Panel is satisfied that compliance with the development standards for Floor Space Ratio and Landscaped Area is unnecessary in the circumstance of the case and that there are sufficient environmental grounds to support the variation. The proposed development will be in the public interest because the exceedances are not inconsistent with the objectives of the standard and of the zone in which the development is to be carried out.
- B. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, grant deferred commencement approval to Development Application No. D/2018/674 for alterations to convert existing two storey building into a residential flat building comprising 7 units, tree removal and additional parking accessed from Piper St at 2 Lonsdale Street, Lilyfield, subject to the conditions listed in Attachment A below/for the following reasons.

Attachment A – Recommended conditions of consent

Deferred Commencement

The following is a Deferred Commencement condition imposed pursuant to Section 4.16(3) of the *Environmental Planning and Assessment Act 1979*. This Consent will not operate and may not be acted upon until the Council is satisfied as to the following matter(s):

1. The design of the vehicular access and off street parking facilities must comply with Australian Standard AS/NZS2890.1-2004 *Parking Facilities – Off-Street Car Parking*. Details demonstrating compliance are to be submitted to Council prior to the issue of a Construction Certificate. The following specific issues must be addressed in the design:
 - a) The car space slab or driveway must rise within the property to be 170mm above the adjacent road gutter level. The longitudinal profile across the width of the vehicle crossing must comply with the Ground Clearance requirements of AS/NZS 2890.1-2004.
 - b) A minimum of 2200mm headroom must be provided throughout the access and parking facilities. Note that the headroom must be measured at the lowest projection from the ceiling, such as lighting fixtures, and to open garage doors.
 - c) Longitudinal sections along both sides of the access and parking shall be provided, demonstrating compliance with the above requirements. The long section shall begin from the centreline of the adjacent road to a minimum of 3 metres into the property and is to be prepared at a scale of 1:25.
 - d) The car space shall have minimum clear internal dimensions of 6000mm x 3000mm (length x width) and a door opening width of 2800mm at the street frontage and 4000mm width at the kerb line. The dimensions shall be exclusive of obstructions such as walls, doors and columns, except where they do not encroach inside the design envelope specified in Section 5.2 of AS/NZS 2890.1-2004.
 - e) The edge of the western wing of the layback shall be located 5400mm from the western boundary of the development site in Piper Street. The location and dimensions of the vehicular crossings and off street parking spaces must be shown on plans to an appropriate scale.
 - f) A plan of the proposed access and adjacent road, drawn at a 1:200 scale, demonstrating that vehicle manoeuvrability for entry and exit to the parking space complies with the AS/NZS 2890.1:2004. The plan must include existing on street parking spaces on the laneway.
 - g) Clear sightlines must be provided between pedestrians and vehicles. The wall at each side of the vehicular access must be reduced in height i.e. no higher than 1.2m. Alternatively the wall should be setback from the side of the vehicular access.
2. The proposed drawings are to be amended to show the driveway to Lonsdale Street to be relocated to the southwestern corner where the edge of the western wing of the layback is located 5400mm from the western boundary as per condition 1. One car parking space to be clearly marked as visitor car space.
3. Updated BASIX certificate consistent with the approved development to be provided. The operational Development Consent will be issued by Council (in writing) after the applicant provides sufficient information to satisfy Council in relation to the conditions of the deferred commencement consent.

Evidence of the above matter(s) must be submitted to Council within 2 years otherwise the Consent will not operate.

Conditions of Consent

Fees

1. Section 7.11 (Former Section 94) Contribution

Prior to the issue of a Construction Certificate works written evidence must be provided to the Certifying Authority that a monetary contribution of \$51,176.90 in accordance with Developer Contributions Plan No.1 – Open Space and Recreation; 'Developer Contributions Plan No.2 – Community Facilities and Services (2005); and Leichhardt Developer Contributions Plan – Transport and Access.

The above contribution is the contribution applicable as at 6 August 2019.

The contribution payable has been calculated in accordance with the CP and relates to the following public amenities and/or services and in the following amounts:

Contribution Plan	Contribution
Community Facilities	\$6,723.00
Open Space	\$43,990.00
Local Area Traffic Management	\$402.18
Light Rail	\$33.44
Bicycle	\$28.28
Total	\$51,176.90

A copy of the CP can be inspected at any of the Inner West Council Services Centres or viewed online at:

<https://www.innerwest.nsw.gov.au/develop/planning-controls/section-94-contributions>

The contribution must be paid either in cash, by unendorsed bank cheque (from an Australian Bank only), via EFTPOS (Debit only) or credit card*.

*NB A 0.75% credit card transaction fee applies to all credit card transactions.

2. Long Service Levy

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

3. Security Deposit - Standard

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

Security Deposit:	\$2,152.50
Inspection Fee:	\$230.65

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

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

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

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

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

General Conditions

4. Documents related to the consent

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

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
Dwg No: DA.01.1, Issue: L	Site Plan	11.06.19	Lufi and Ass Pty Ltd Architects
Dwg No: DA.02.1, Issue: L	Demolition Ground Plan	11.06.19	Lufi and Ass Pty Ltd Architects
Dwg No: DA.02.2, Issue: L	Demolition First Floor Plan	11.06.19	Lufi and Ass Pty Ltd Architects
Dwg No: DA.02.3, Issue: L	Proposed Ground Floor Plan	11.06.19	Lufi and Ass Pty Ltd Architects
Dwg No: DA.02.4, Issue: L	Proposed First Floor Plan	11.06.19	Lufi and Ass Pty Ltd Architects
Dwg No: DA.02.7, Issue: L	Landscape Plan	11.06.19	Lufi and Ass Pty Ltd Architects
Dwg No: DA.03.1, Issue: L	Elevations	11.06.19	Lufi and Ass Pty Ltd Architects
Dwg No: DA.04.1, Issue: L	Section W & X	11.06.19	Lufi and Ass Pty Ltd Architects
Project No: 37523	Colour	11	Lufi and

	Schedule	November 2018	Associates PTY Limited
File Reference: 3510R20181016pd2LonsdaleStLilyfield.docx	Acoustical Report	25 October 2018	Koikas Pty Ltd
Dwg No: D00, D01, D02, D03 – Issue: B	Stormwater Concept Plan	12.06.19	Loka Consulting Engineers Pty Ltd

As amended by the conditions of consent.

5. Trees to be removed

Approval is given for the following works to be undertaken to trees on the site:

Tree/location	Approved works
3x <i>Syagrus romanzoffiana</i> (Cocos Palms) located along Piper St frontage.	Remove.

Removal or pruning of any other tree (that would require consent of Council) on the site is not approved.

The approved works shall not be carried out unless this letter, or copy of it, is kept on the site. It shall be shown to any authorised Council Officer upon request.

All tree work shall be undertaken by an experienced Arborist with a minimum qualification of Level 3 under the Australian Qualification Framework (AQF). The work shall be undertaken in accordance with AS4373 – 2007 'Pruning of amenity trees' and in compliance with the Safe Work Australia Code of Practice 'Guide to Managing Risks of Tree Trimming and Removal Work'.

6. Design Change

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

- a) Air vents to the waste storage room are to be located on the south eastern portion of waste storage room.
- b) The landscape plan to be amended to show one tree that is capable of growing up to 6 metres in height when matured.
- c) Southern balcony of Unit 4 to be located at least 9 metres to the western boundary.

7. Privacy

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans indicating the northern opening associated with the northern balcony to unit 4 and W1 to Unit 5 being amended in the following manner:

- a) Suitable externally fixed screening with a minimum block out density of 75% to a level of 1.6 metres above the floor level;

Note: The louvers are to individual opening more than 30mm wide and a total area of opening that is less than 30% of the surface area of the screen and made of durable materials. Louvered screens must be securely fitted and may be able to be tilted open from a closed position to an angle of 45 degrees in a downward or upward position.

8. Balcony

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans all privacy screens having a minimum block out density of 75%.

9. Car Parking

The development must provide and maintain within the site:

- a) Four car parking spaces must be paved and line marked.
- b) One visitor car parking spaces must be provided and marked as visitor car parking spaces. A sign legible from the street must be permanently displayed to indicate that visitor parking is available on site.

10. Trees to be retained

The trees identified below are to be retained:

Tree/location
2x <i>Callistemon viminalis</i> (Weeping Bottlebrush) located in the road reserve.

Details of the trees to be retained must be included on the Construction Certificate plans.

11. Landscape Plan

The landscape plan must be amended prior to the issue of a Construction Certificate. The plan must include:

- a) Location of all proposed and existing planting delineating existing trees to be retained, removed or transplanted.
- b) If the property is greater than 300m², at least two canopy trees or if less than 300m² only one canopy tree capable of achieving a mature height of at least six (6) metres.
- c) Details of earthworks including mounding, retaining walls (consistent with the approved architectural plans), and planter boxes.
- d) Details of drainage and watering systems.

Details demonstrating compliance are to be shown on the plans submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

12. Residential Flat Buildings – Hot Water Systems

Where units or dwellings are provided with separate individual hot water systems, these must be located so they are not visible from the street.

13. Residential Flat Buildings – Air Conditioning Systems

Where units or dwellings are provided with separate individual air conditioning systems, these must be located so they are not visible from the street.

14. Plant and associated equipment

All plant and associated equipment must be located within the approved building envelope and is not be located on the roof. Details on the location of all plant and equipment must be consistent with the approved plans and provided prior to the issue of a Construction Certificate.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Certifying Authority prior to the issue of any Construction Certificate.

15. Asbestos Survey

An Asbestos Survey prepared by a suitably qualified Occupational Hygienist shall be prepared for the premises. The Survey is to incorporate appropriate Asbestos removal and disposal methods in accordance with the requirements of WorkCover NSW, NSW Environmental Planning and Assessment Amendment (Asbestos) Regulation 2009 and NSW Environment Protection Authority, Safe Removal of Asbestos 2nd Edition [NOHSC: 2002 (2005)] and conditions of this consent.

A copy of any WorkCover approval documents is to be included as part of the documentation.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to any works on site commencing or the issue of the Construction Certificate (whichever occurs first).

16. Waste Management Plan

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

17. Erosion and Sediment Control

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

18. Standard Street Tree Protection

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

19. Street Tree Protection

To preserve the following tree/s no work shall commence nor shall a Construction Certificate be issued (whichever occurs first) until the trunk/s/branches are protected (in accordance with AS4970-*Protection of trees on development sites*) by the placement of 2 metres lengths of 50 x 100mm timbers spaced at 150mm centres and secured by wire/hoop strap over suitable protective padding material (i.e. underlay or carpet). The trunk/branch protection shall be maintained intact until the completion of all work on site.

Tree/Location
2x <i>Schinus molle</i> (Pepercorn Tree) located within the road reserve along Lonsdale street.

Requirements of this condition are to be met prior to works commencing or prior to release of a Construction Certificate (whichever occurs first). Details demonstrating compliance with the requirements of this condition are to be submitted by the Project Arborist to the satisfaction of the Principal Certifying Authority prior to the issue of any Construction Certificate.

20. Verification of Levels and Location

Prior to the pouring of the ground floor slab or at dampcourse level, whichever is applicable or occurs first, the Principal Certifier must be provided with a survey levels certificate prepared by a Registered Surveyor indicating the level of the slab and the location of the building with respect to the boundaries of the site to AHD.

21. Works Outside the Property Boundary

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

Prior to any Demolition**22. Construction Fencing**

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

Prior to Construction Certificate**23. Structural Certificate for retained elements of the building**

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

24. Sydney Water – Tap In

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

Note: Please refer to the web site <http://www.sydneywater.com.au/tapin/index.htm> for details on the process or telephone 132092.

25. Acoustic Report – Aircraft Noise

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans detailing the recommendations of an acoustic report prepared by a suitably qualified Acoustic Engineer demonstrating compliance of the development with the relevant provisions of Australian Standard AS 2021:2015 Acoustics – Aircraft noise intrusion – Building siting and construction.

26. Compliance with Planning Agreement

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided written evidence from Council that all matters in the executed Voluntary Planning Agreement must be

complied with. The Voluntary Planning Agreement is attached as "Annexure 1" to this Determination Notice.

27. Stormwater Concept Plans

Stormwater Drainage Concept Plans (SDCP) on drawing No.18NL 198/D00-D02 revision (B) prepared by LOKA Consulting Engineers and dated 12 June 2019 shall be amended to address the following:

- a) The proposed 92mm orifice plate over the 225mm PVC pipe is not permitted. The orifice plate shall be replaced with a short length of 75mm PVC pipe and 225mm pipe shall be laid at the connection of the overflow pipe. It is noted that discharge coefficient for a short length of PVC a pipe is 0.8.
- b) The maximum permissible rate of discharge from the development site to the street gutter must be limited to 15 l/s. The bypass flow must be calculated and subtracted from maximum permissible rate of discharge, accordingly volume of storage must be increased.
- c) The design of the OSD tank should be supported by calculations demonstrating that the post development flows for the 100 year Average Recurrence Interval (ARI) storm event from the site are restricted to the pre development flows for the 5 year ARI storm event. Predevelopment and post-development pervious and impervious areas are to be indicated in calculations.
- d) The volume of the OSD can be reduced where on-site retention (OSR) facilities for rainwater reuse and/or stormwater reuse are proposed to service all toilets, laundries and outdoor usage. Where OSR is proposed in lieu of OSD, the offset shall be calculated at a rate of 1m³ from the OSD storage volume, for every 2.5m³ of OSR storage provided (up to a maximum OSD offset of 10m³). Offsets for larger OSD storage must be supported by detailed calculations demonstrating compliance with the objectives of Leichhardt Council's DCP.
- e) Charged or pump-out stormwater drainage systems are not permitted.
- f) All stormwater drainage pipes must be laid at a minimum grade of 1%. The invert level and diameter of downpipe connections and finished surface ground levels must be shown on the drainage plan.
- g) A 150mm step down must be provided between the finished floor level of the internal room and the finished surface level of the external area. Drainage plans indicate that the above requirement is not complied with.
- h) The 90 degrees bends over drainage pipes shall be replaced with junction pits. The pit surface and invert level shall be indicated.
- i) The proposed four access points to the On-site Stormwater Detention storage (OSD) are not required. The access points with solid lids must be closed.

Amended plans shall be submitted to and approved by the Principle Certifying Authority before the issue of a Construction Certificate.

28. Public Domain Works

In order to provide satisfactory vehicular and pedestrian access, drainage, landscaping and aesthetic improvements to the public domain adjacent to the site, the following works shall be undertaken at no cost to Council:

- a) Construction of the new heavy duty concrete vehicle crossing at the northern side of Piper Street.
- b) Closure of the redundant vehicle crossing at the northern side of Piper Street of the site and installation of kerb and gutter, footpath and grass verge.
- c) Installation of a stormwater outlet to the Lonsdale Street kerb and gutter.
- d) Removal of all redundant stormwater pipelines within the footpath area.
- e) Reconstruction of the damaged/ poor sections of the concrete footpath along the Lonsdale Street and Piper Street frontages of the site.
- f) Note: The cost of adjustment or relocation of any public utility service shall be borne by the owner/applicant. Where the finished levels of the new works will result in changes to the existing surface levels, the cost of all necessary adjustments or transitions beyond the above scope of works shall be borne by the owner/applicant.

Full detailed construction plans and specifications shall be submitted to Council for approval under Section 138 of the Roads Act 1993 before the issue of a Construction Certificate with all works completed before to the issue of an Occupation Certificate.

During Demolition and Construction

29. Construction Hours – Class 2-9

Unless otherwise approved by Council, excavation, demolition, construction or subdivision work must only be permitted during the following hours:

- a) 7:00am to 6:00pm, Mondays to Fridays, inclusive (with demolition works finishing at 5pm);
- b) 8:00am to 1:00pm on Saturdays with no demolition works occurring during this time; and
- c) at no time on Sundays or public holidays.

Works may be undertaken outside these hours where they do not create any nuisance to neighbouring properties in terms of dust, noise, vibration etc. and do not entail the use of power tools, hammers etc. This may include but is not limited to painting.

In the case that a standing plant or special out of hours permit is obtained from Council for works in association with this development, the works which are the subject of the permit may be carried out outside these hours.

This condition does not apply in the event of a direction from police or other relevant authority for safety reasons, to prevent risk to life or environmental harm.

Activities generating noise levels greater than 75dB(A) such as rock breaking, rock hammering, sheet piling and pile driving must be limited to:

8:00am to 12:00pm, Monday to Saturday; and
2:00pm to 5:00pm Monday to Friday.

The person acting on this consent must not undertake such activities for more than three continuous hours and must provide a minimum of one 2 hour respite period between any two periods of such works.

“Continuous” means any period during which there is less than an uninterrupted 60 minute respite period between temporarily halting and recommencing any of that intrusively noisy work.

30. Survey Prior to Footings

Upon excavation of the footings and before the pouring of the concrete, the Certifying Authority must be provided with a certificate of survey from a registered land surveyor to verify that the structure will not encroach over the allotment boundaries.

31. Traffic Management Plan

A detailed Traffic Management Plan to cater for construction traffic shall be submitted to and approved by the Principle Certifying Authority before commencement of works. Details shall include haulage routes, estimated number of vehicle movements, truck parking areas, work zones, crane usage, etc., related to demolition/construction activities.

32. Work Zone – Major

The person acting on this consent shall apply for a Work Zone along the site frontage for construction vehicles. A minimum of 2 months should be allowed for the processing of the application.

33. Tree roots

If tree roots are required to be severed for the purposes of constructing the approved works, they shall be cut cleanly using a sharp and *fit for purpose tool*. The pruning shall be undertaken by a minimum Level 3 (AQF 3) qualified Arborist.

Details demonstrating compliance with the requirements of this condition are to be submitted by the Project Arborist undertaking the works to the satisfaction of the Principal Certifying Authority

34. Tree protection

The trees to be retained shall be inspected, monitored and treated by Project Arborist during and after completion of development works to ensure their long term survival. Regular inspections and documentation from the Project Arborist to the Principal Certifying Authority are required at the following times or phases of work:

Schedule	
Tree/location	Time of Inspection
2x <i>Schinus molle</i> (Pepercorn Tree) located within the road reserve along Lonsdale street. During landscaping works at the rear of the site at any point excavation is required.	Directly following installation of protective fencing, During excavation within the <i>Tree Protection Zone</i> , At any time fencing is required to be altered, At project completion to verify that protection measures have been undertaken.

Recommendations to ensure the tree/s long term survival must be carried out immediately upon receipt of the report.

Project Arborist - for the purpose of this condition a suitably qualified professional shall have as a minimum, Level 5 (Diploma) certification in Arboriculture under the Australian Qualification Framework (AQF).

Details demonstrating compliance with the requirements of this condition are to be submitted by the Project Arborist undertaking the works to the satisfaction of the Principal Certifying Authority.

35. Tree protection

No tree roots of 40mm or greater in diameter located within the specified radius of the trunk(s) of the following, tree(s) shall be severed or injured in the process of any works during the construction period.

Schedule	
Tree/location	Radius in metres
2x <i>Schinus molle</i> (Pepercorn Tree) located within the road reserve along Lonsdale street.	5m.

Details demonstrating compliance with the requirements of this condition are to be submitted by the Project Arborist undertaking the works to the satisfaction of the Principal Certifying Authority.

36. Tree protection

All excavation within the specified radius of the trunk(s) of the following tree(s) being hand dug to a depth of 1 metre under supervision of the project arborist and then by mechanical means as agreed by the Project Arborist:

Schedule	
Tree/location	Radius in metres
2x <i>Schinus molle</i> (Pepercorn Tree) located within the road reserve along Lonsdale street.	5m

Details demonstrating compliance with the requirements of this condition are to be submitted by the Project Arborist undertaking the works to the satisfaction of the Principal Certifying Authority.

Prior to Occupation Certificate

Planning

37. Aircraft Noise –Alterations and Additions

Prior to the issue of an Occupation Certificate (whether an interim or final Occupation Certificate), the Principal Certifier must be provided with a report from a suitably qualified person demonstrating that each of the commitments listed in Aircraft Noise Assessment Report required by this consent has been satisfied.

Where it is found that internal noise levels are greater than the required dB(A) rating due to faulty workmanship or the like, necessary corrective measures must be carried out and a further certificate being prepared and submitted to the Principal Certifier in accordance with this condition.

38. Smoke Alarms - Certification of upgrade to NCC requirements

Prior to the issue of any Occupation Certificate, the Principal Certifier is required to be satisfied the existing building has been upgraded to comply with the provisions of the National Construction Code (Building Code of Australia) in relation to smoke alarm systems.

39. Shopping trolley management plan

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with a shopping trolley management plan which specifies a management system that will be used to ensure that shopping trolleys are not abandoned on the surrounding area.

40. Section 73 Certificate

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with a Section 73 Certificate under the *Sydney Water Act 1994*.

41. Stormwater

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must ensure that the stormwater drainage system has been constructed in accordance with the approved design and relevant Australian Standards.

- a. Works-as-executed plans of the stormwater drainage system, certified by a Registered Surveyor, together with certification by a qualified practicing Civil Engineer to verify that the drainage system has been constructed in accordance with the approved design and relevant Australian Standards, shall be submitted and accepted by Council prior to the issue of an Occupation Certificate.
- b. The works-as-executed plan(s) must show the as built details in comparison to those shown on the drainage plans approved with the Construction Certificate. All relevant levels and details indicated must be marked in red on a copy of the Principal Certifying Authority stamped Construction Certificate plans.

42. Stormwater

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that an Operation and Management Plan has been prepared and implemented for the On-site Stormwater Detention storage and/or On-site Stormwater Retention/re-use facilities and stormwater quality improvement devices. The Plan shall set out the following at a minimum:

- a) The proposed maintenance regime, specifying that the system is to be regularly inspected and checked by qualified practitioners.
- b) The proposed method of management of the facility, including procedures, safety protection systems, emergency response plan in the event of mechanical failure, etc.

The Plan shall be prepared by a suitably qualified professional and provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

43. Stormwater positive covenant

Prior to the issue of an Occupation Certificate, a positive covenant must be created under Section 88E of the *Conveyancing Act 1919*, burdening the owner(s) with the requirement to maintain the on-site stormwater detention facilities on the property.

The terms of the 88E instrument with positive covenant shall include, but not be limited to, the following:

- a) The Proprietor of the property shall be responsible for maintaining and keeping clear all pits, pipelines, trench barriers and other structures associated with the on-site stormwater detention facilities ("OSD").

- b) The Proprietor shall have the OSD inspected annually by a competent person.
- c) The Council shall have the right to enter upon the land referred to above, at all reasonable times to inspect, construct, install, clean, repair and maintain in good working order all pits, pipelines, trench barriers and other structures in or upon the said land which comprise the OSD or which convey stormwater from the said land; and recover the costs of any such works from the proprietor.
- d) The registered proprietor shall indemnify the Council and any adjoining land owners against damage to their land arising from the failure of any component of the OSD, or failure to clean, maintain and repair the OSD.

The proprietor or successor must bear all costs associated in the preparation of the subject 88E instrument. Proof of registration with NSW Land and Property Information must be submitted to and approved by the Principal Certifying Authority prior to the issue of an Occupation Certificate / Subdivision Certificate.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issuing of any Occupation Certificate.

44. Operation and Management Plan

The Operation and Management Plan for the on-site detention and/or on-site retention/re-use facilities, approved with the Occupation Certificate, must be implemented and kept in a suitable location on site at all times.

45. Redundant Vehicular Crossing

All redundant vehicular crossings to the site shall be removed and replaced by kerb and gutter and footpath paving in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications" before the issue of the Occupation Certificate and at no cost to Council. Where the kerb in the vicinity of the redundant crossing is predominately stone (as determined by Council's Engineer) the replacement kerb shall also be in stone.

46. Vehicle access and off street parking facilities

All redundant vehicular crossings to the site shall be removed and replaced by kerb and gutter and footpath

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that the vehicle access and off street parking facilities have been constructed in accordance with the approved design and relevant Australian Standards.

Certification by a qualified practising Civil Engineer that the vehicular access and off street parking facilities have been constructed in accordance the development consent and with relevant Australian Standards shall be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

47. Landscape works

Prior to the issue of any Occupation Certificate, the Principal Certifying Authority is to be satisfied that all landscape works, including the removal of all noxious weed species and planting of canopy trees, have been undertaken in accordance with the approved landscape plan and/or conditions of Development Consent.

48. Public Domain Sign off

Prior to issue of the Occupation Certificate the person acting on this consent shall obtain from Council a compliance Certificate(s) stating that all Road, Footpath, Vehicle Crossing and Public Domain Works on Council property required to be undertaken as a result of this development have been completed satisfactorily and in accordance with Council approved plans and specifications.

49. Service Adjustments

You are advised that Council has not undertaken a search of existing or proposed utility services adjacent to the site in determining this application. It is responsibility of applicant's contractor to verify location of the utility services with the relevant service authority. Any adjustment or augmentation of any public utility services including Gas, Water, Sewer, Electricity, Street lighting and Telecommunications required as a result of the development shall be at no cost to Council and undertaken before the issue of an Occupation Certificate.

50. Alignment levels

Alignment levels for the site at all pedestrian and vehicular access locations shall match the existing back of footpath levels at the boundary. For vehicular access off rear laneways the level at the boundary shall match the invert level of the adjacent gutter plus 110mm/150mm at both sides of the vehicle entry.

51. No Encroachments

Encroachments onto Council's road or footpath of any service pipes, sewer vents, boundary traps, downpipes, gutters, stairs, doors, gates, garage tilt up panel doors or any structure whatsoever shall not be permitted. Any encroachments on to Council road or footpath resulting from the building works will be required to be removed before the issue of the Occupation Certificate.

On-going conditions**52. Acoustic Impacts**

The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 and Regulations.

In this regard, the operation of the premises and plant and equipment shall not give rise to a sound pressure level at any affected premises that exceeds the background $L_{A90, 15min}$ noise level, measured in the absence of the noise source/s under consideration by 5dB(A). The source noise level shall be assessed as an $L_{Aeq, 15min}$ and adjusted in accordance with the NSW Environment Protection Authority's Industrial Noise Policy and Environmental Noise Control Manual (sleep disturbance).

53. Health Impacts

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

Prior to Subdivision Certificate**54. Section 73 Certificate**

Prior to the issue of a Subdivision Certificate, the Certifying Authority must be provided with the Section 73 Certificate. A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation.

55. Separate Stormwater

Prior to the issue of a Subdivision Certificate, the Certifying Authority must be provided with details, endorsed by a practising stormwater engineer demonstrating separate drainage systems to drain each proposed lot.

56. Strata Subdivision Plan

Prior to the release of a Strata Subdivision Plan, the Certifying Authority must be provided with plans indicating that the strata subdivision of the development has been carried out in accordance with approved plans and demonstrating that:

- a) Each strata lot comprising a dwelling and one car space.
- b) Disabled spaces must be allocated adaptable dwellings.
- c) Car spaces must not be given separate strata lot numbers.
- d) All visitor parking spaces and car wash bays are to be included in common property.

57. Strata Subdivision Plan to Show Easements and Right of Ways

Prior to the release of a Strata Subdivision Plan, the Certifying Authority must be provided with evidence that all instruments under Section 88B of the *Conveyancing Act 1919* used to create easements or right-of-ways are shown.

58. Release of Strata Plan

Prior to the release of a Subdivision Certificate, the Certifying Authority must be provided with a copy of the Final Occupation Certificate.

Advisory notes**A. Vehicular Crossing**

The vehicular crossing and/or footpath works are required to be constructed by your own contractor. You or your contractor must complete an application for 'Application for Construction of Vehicle Crossing and Public Domain Works – Step 2' form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, before commencement of work.

Prescribed Conditions

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

Notification of commencement of works

At least 7 days before any demolition work commences:

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

Storage of Materials on public property

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

Toilet Facilities

The following facilities must be provided on the site:

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

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

Infrastructure

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

Other Approvals may be needed

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

Failure to comply with conditions

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

Other works

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

Obtaining Relevant Certification

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

- a) Application for any activity under that Act, including any erection of a hoarding.
- b) Application for a Construction Certificate under the *Environmental Planning and Assessment Act 1979*.
- c) Application for an Occupation Certificate under the *Environmental Planning and Assessment Act 1979*.
- d) Application for a Subdivision Certificate under the *Environmental Planning and Assessment Act 1979* if land (including stratum) subdivision of the development site is proposed.
- e) Application for Strata Title Subdivision if strata title subdivision of the development is proposed.

- f) Development Application for demolition if demolition is not approved by this consent.
- g) Development Application for subdivision if consent for subdivision is not granted by this consent.

Disability Discrimination Access to Premises Code

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

National Construction Code (Building Code of Australia)

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

Notification of commencement of works

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

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

Dividing Fences Act

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

Permits from Council under Other Acts

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

- a) Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application.
 - b) A concrete pump across the roadway/footpath
 - c) Mobile crane or any standing plant
 - d) Skip bins
 - e) Scaffolding/Hoardings (fencing on public land)
 - f) Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.
 - g) Awning or street verandah over footpath
 - h) Partial or full road closure
 - i) Installation or replacement of private stormwater drain, utility service or water supply
- Contact Council's Road Access team to ensure the correct Permit applications are made for the various activities. A lease fee is payable for all occupations.

Noise

Noise arising from the works must be controlled in accordance with the requirements of the *Protection of the Environment Operations Act 1997* and guidelines contained in the New South Wales Environment Protection Authority Environmental Noise Control Manual.

Amenity Impacts General

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

Fire Safety Certificate

The owner of the premises, as soon as practicable after the Final Fire Safety Certificate is issued, must:

- a) Forward a copy of the Final Safety Certificate and the current Fire Safety Schedule to the Commissioner of Fire and Rescue New South Wales and the Council; and
- b) Display a copy of the Final Safety Certificate and Fire Safety Schedule in a prominent position in the building (i.e. adjacent the entry or any fire indicator panel).

Every 12 months after the Final Fire Safety Certificate is issued the owner must obtain an Annual Fire Safety Certificate for each of the Fire Safety Measures listed in the Schedule. The Annual Fire Safety Certificate must be forwarded to the Commissioner and the Council and displayed in a prominent position in the building.

Construction of Vehicular Crossing

The vehicular crossing and/or footpath works are required to be constructed by your own contractor. You or your contractor must complete an application for 'Construction of a Vehicular Crossing & Civil Works' form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, prior to commencement of works.

Lead-based Paint

Buildings built or painted prior to the 1970's may have surfaces coated with lead-based paints. Recent evidence indicates that lead is harmful to people at levels previously thought safe. Children particularly have been found to be susceptible to lead poisoning and cases of acute child lead poisonings in Sydney have been attributed to home renovation activities involving the removal of lead based paints. Precautions should therefore be taken if painted surfaces are to be removed or sanded as part of the proposed building alterations, particularly where children or pregnant women may be exposed, and work areas should be thoroughly cleaned prior to occupation of the room or building.

Asbestos Removal

A demolition or asbestos removal contractor licensed under the Work Health and Safety Regulations 2011 must undertake removal of more than 10m² of bonded asbestos (or otherwise specified by WorkCover or relevant legislation).

Removal of friable asbestos material must only be undertaken by a contractor that holds a current AS1 Friable Asbestos Removal Licence.

Demolition sites that involve the removal of asbestos must display a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos has been removed from the site to an approved waste facility.

All asbestos waste must be stored, transported and disposed of in compliance with the Protection of the Environment Operations (Waste) Regulation 2005. All receipts detailing method and location of disposal must be submitted to Council as evidence of correct disposal.

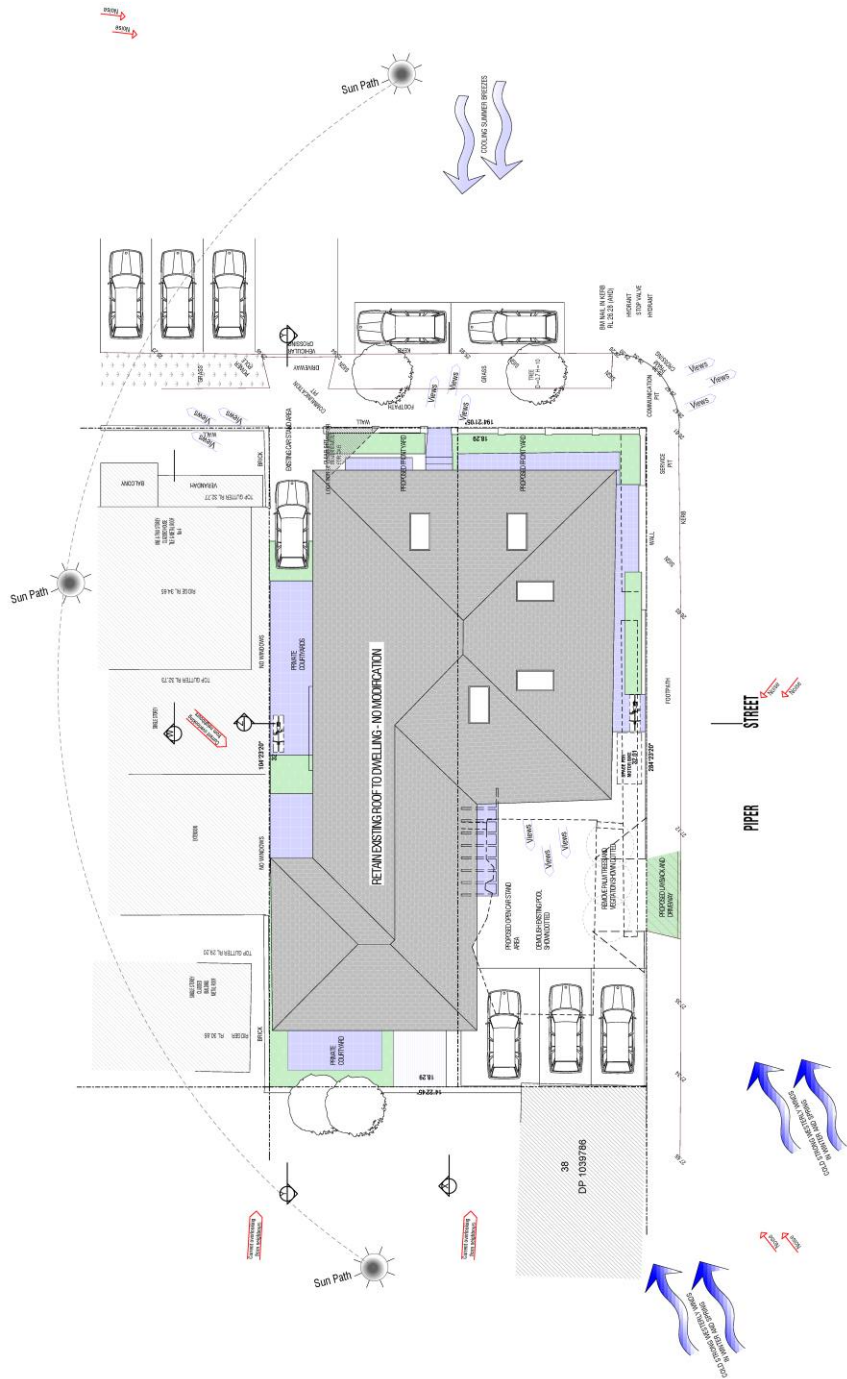
Dial before you dig

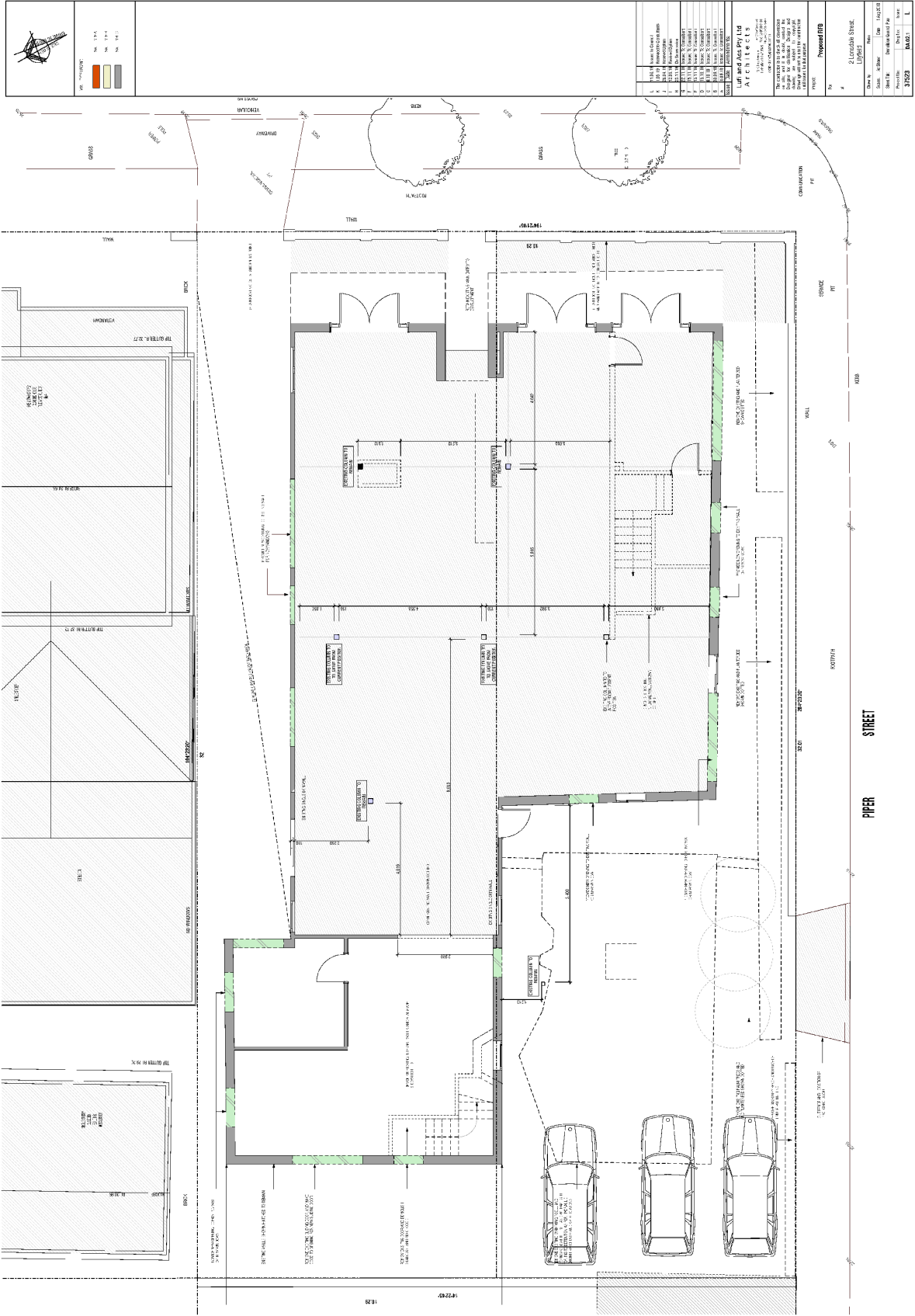
Contact "Dial Prior to You Dig" prior to commencing any building activity on the site.

Useful Contacts

BASIX Information	1300 650 908 weekdays 2:00pm - 5:00pm www.basix.nsw.gov.au
Department of Fair Trading	13 32 20 www.fairtrading.nsw.gov.au Enquiries relating to Owner Builder Permits and Home Warranty Insurance.
Dial Prior to You Dig	1100 www.dialprior toyoudig.com.au
Landcom	9841 8660 To purchase copies of Volume One of "Soils and Construction"
Long Service Corporation	Payments 131441 www.lspc.nsw.gov.au
NSW Food Authority	1300 552 406 www.foodnotify.nsw.gov.au
NSW Government	www.nsw.gov.au/fibro www.diyasafe.nsw.gov.au Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	131 555 www.environment.nsw.gov.au
Sydney Water	13 20 92 www.sydneypwater.com.au
Waste Service - Environmental Solutions	SITA 1300 651 116 www.wasteservice.nsw.gov.au
Water Efficiency Labelling and Standards (WELS)	www.waterrating.gov.au
WorkCover Authority of NSW	13 10 50 www.workcover.nsw.gov.au Enquiries relating to work safety and asbestos removal and disposal.

<p>SCALE: 1:1000</p> <p>DATE: 10/10/2018</p>	<p>SCALE: 1:1000</p> <p>DATE: 10/10/2018</p>
<p>PROJECT: 21 Lonsdale Street, Liverpool</p>	
<p>CLIENT: Lonsdale Street, Liverpool</p>	
<p>DESIGNER: [Firm Name]</p>	
<p>DATE: 10/10/2018</p>	
<p>PROJECT NO: 37252</p>	
<p>DRAWING NO: DWG 1.1</p>	
<p>SCALE: 1:1000</p>	
<p>DATE: 10/10/2018</p>	



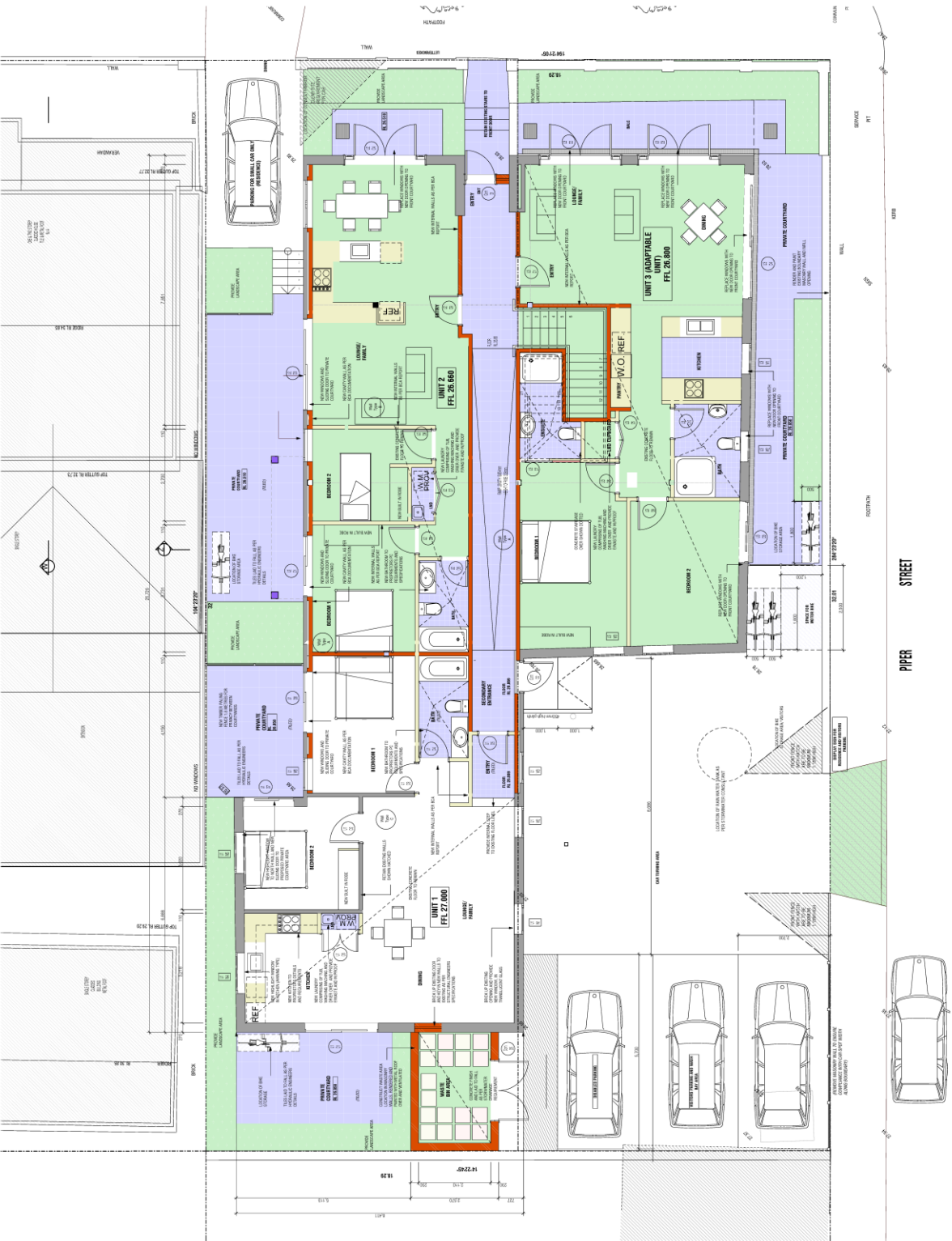


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4	Unit 4	Residential

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3	Unit 3	Residential
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Project: 2 Londale Street
 Unit 1
 Date: 14/03/2024
 Scale: 1:100
 Drawing No: 2024-001
 Project No: 2024-001
 Sheet No: 1



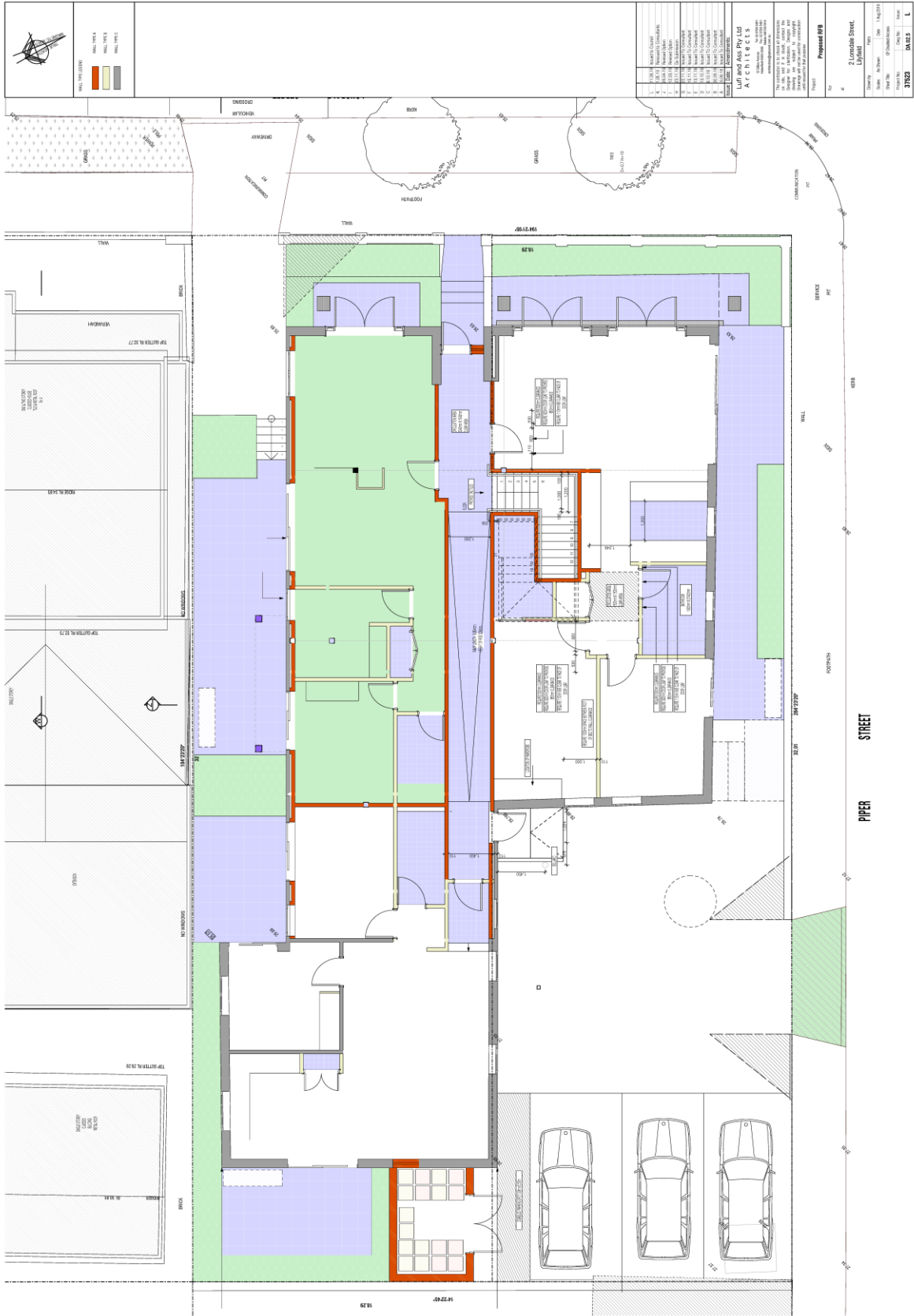


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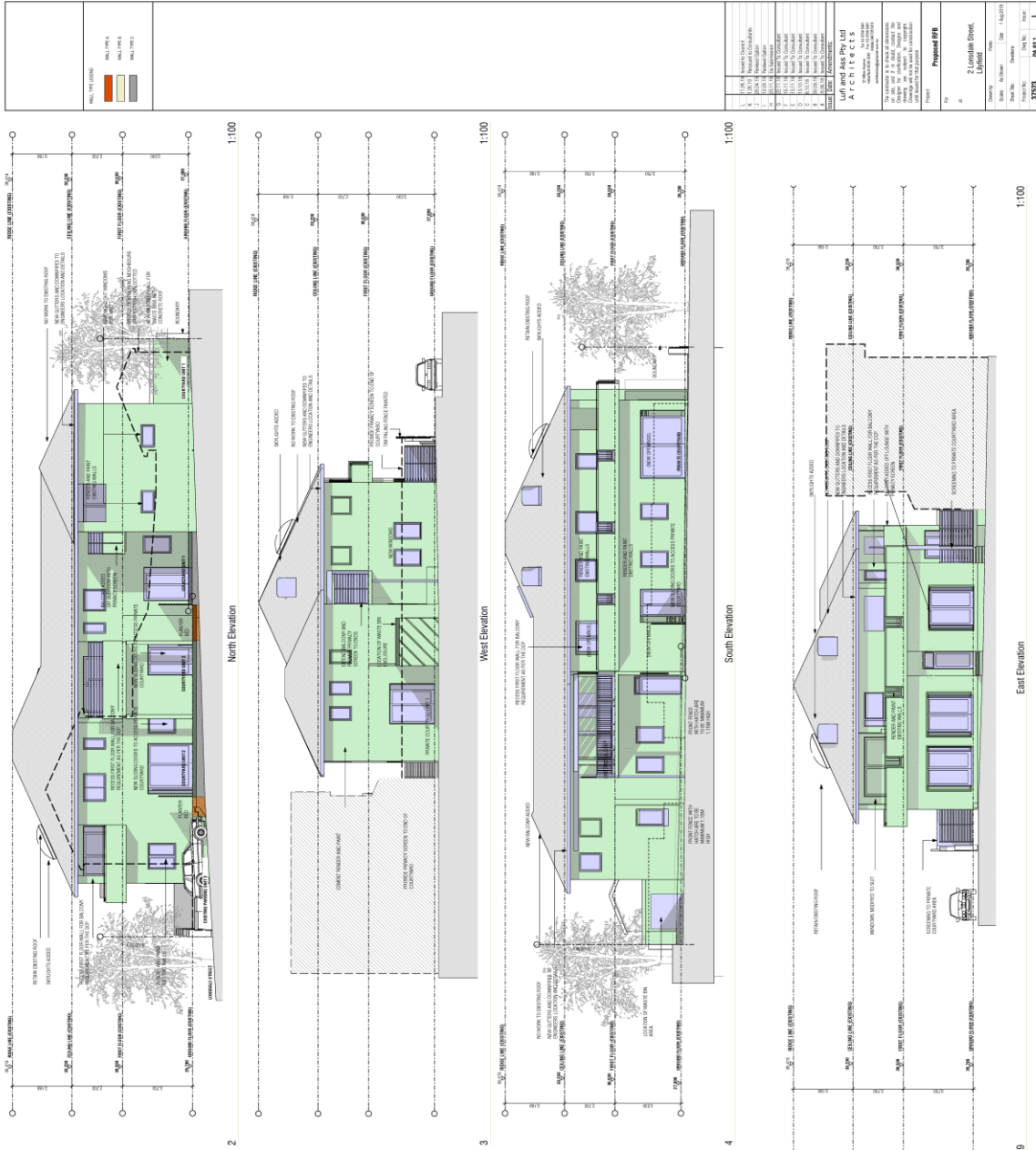
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 Phone: (02) 9639 1111
 Fax: (02) 9639 1112
 Email: info@luffandassociates.com.au
 Website: www.luffandassociates.com.au



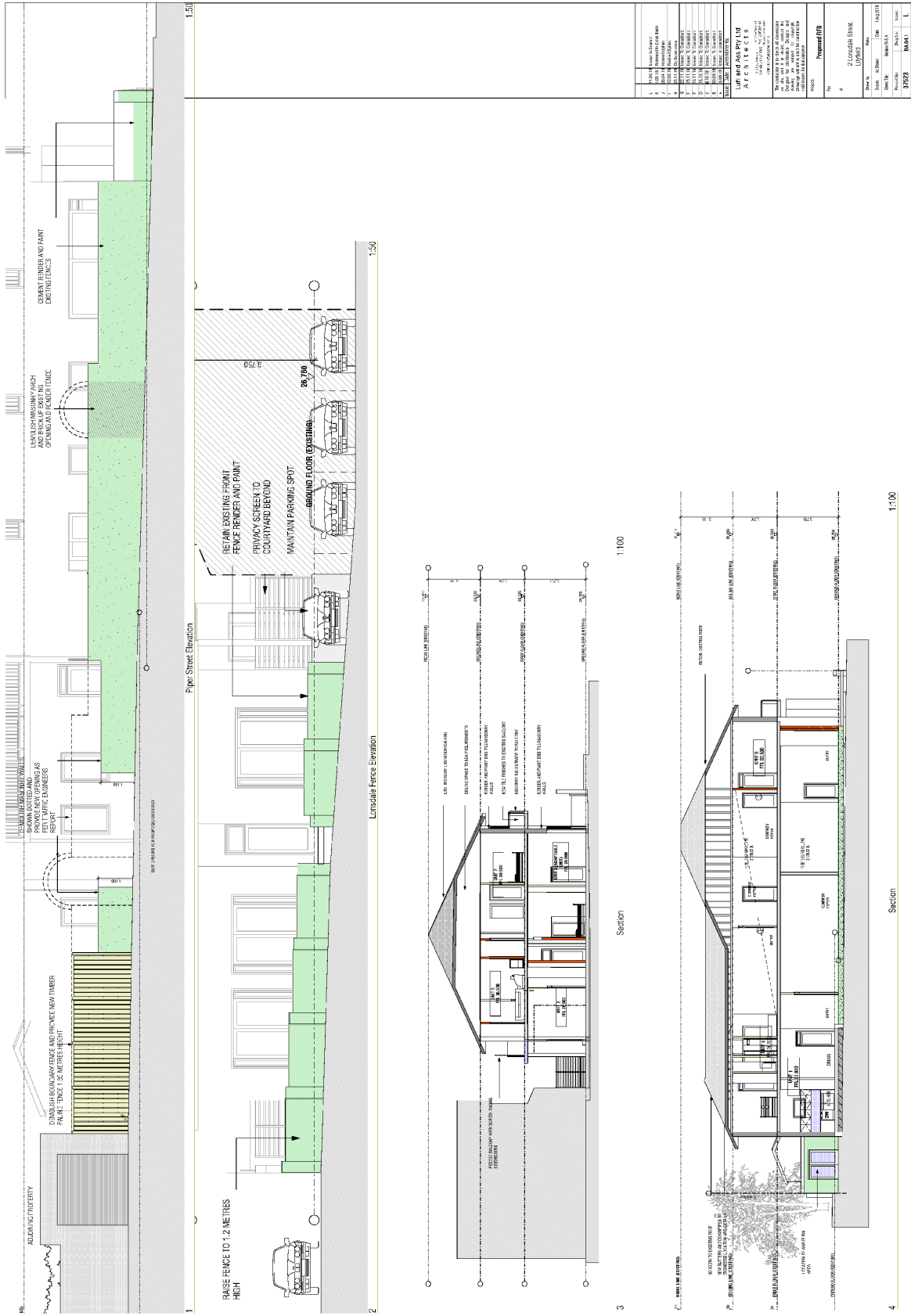




WINDOW AND DOOR SCHEDULES

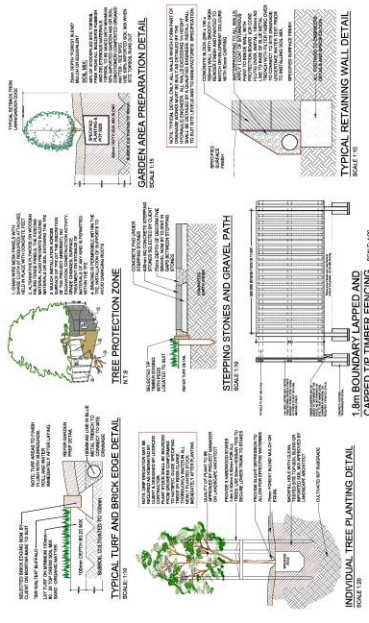
Level	Unit Number	Window Number	Room Name	Orientation	Opening Height	X Width	Notes		
Ground	Unit 1	1	Bed 1	East	1.5 x 1.2	1.2	Clear Glass Obscure		
		2	Bed 1	West	1.5 x 1.2	1.2	Clear Glass Obscure		
		3	Loft	North	1.5 x 1.2	1.2	Clear Glass Obscure		
		4	Loft	South	1.5 x 1.2	1.2	Clear Glass Obscure		
		5	Stairwell	West	2.1 x 1.2	1.2	Clear Glass Obscure		
First	Unit 2	1	Bed 1	East	1.5 x 1.2	1.2	Clear Glass Obscure		
		2	Bed 1	West	1.5 x 1.2	1.2	Clear Glass Obscure		
		3	Stairwell	East	2.1 x 1.2	1.2	Clear Glass Obscure		
		4	Kitchen	West	1.5 x 1.2	1.2	Clear Glass Obscure		
First	Unit 1	6	Bed 2	East	2.1 x 1.2	1.2	Clear Glass Obscure		
		7	Bed 2	West	2.1 x 1.2	1.2	Clear Glass Obscure		
		8	Bed 2	North	1.5 x 0.65	0.65	Obscure		
		9	Room	North	1.5 x 0.65	0.65	Obscure		
		10	Room	East	1.5 x 0.65	0.65	Obscure		
		11	Master Bed	North	2.4 x 0.65	0.65	Clear Glass		
		12	Bed 3	West	1.5 x 1.8	1.8	Clear Glass		
		13	Bed 3	East	1.5 x 1.8	1.8	Clear Glass		
		14	Stairwell	West	2.1 x 1.2	1.2	Clear Glass		
		Ground	Unit 1	7	Entry	East	2.7 x	1.05	Pivot Door
				8	Lounge	North	2.4 x	4.5	Sliding
				9	Living	West	2.4 x	2.1	Sliding
				11	Entry	East	2.7 x	1.05	Pivot Door
				20	Master Bed	West	2.4 x	3.2	Sliding
First	Unit 2	20	Master Bed	South	2.4 x	3.2	Sliding		
		20	Master Bed	West	2.4 x	3.2	Sliding		

- Requirements:**
- The applicant must ensure a minimum of 40% of new or altered light fixtures are fitted with fluorescent, compact fluorescent, or light emitting diode (LED) lamps.
 - The applicant must ensure new or altered overheads have a flow rate no greater than 9 litres per minute.
 - The applicant must ensure new or altered showers have a flow rate no greater than 4 litres per minute.
 - The applicant must ensure new or altered toilets have a flow rate no greater than 3 litres per minute.
 - The applicant must ensure new or altered urinals have a flow rate no greater than 3 litres per minute.
 - The applicant must ensure new or altered water saving devices are installed in accordance with the specifications listed in the table below.
 - Relevant overhauling specifications must be satisfied for each window and glazed door.
 - The following requirements must also be satisfied in relation to each window and glazed door:
 - Each window or glazed door with standard aluminium or timber frames and single clear glass must have either a double glazing system, or have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below.
 - The description is provided for information only. Alternative systems with comparable U-value and SHGC may be submitted.
 - For projections described in materials, the leading edge of each parapet, awning, overhang or balcony must be finished with a parapet or cornice finish. The height of parapet or cornice must be no more than 300 mm above the sill.
 - Parapets with polycarbonate roof or similar translucent material must have a shading coefficient of less than 0.35.
 - Parapets with lead battens must have battens parallel to the window or glazed door above the parapet. The height of parapet or cornice must be no more than 50 mm between battens and must not be more than 50 mm.
 - Overhead balcony or verandah must be of the height and distance from the frame and the base of the window and glazed door, as specified in the accompanying column in the table below.



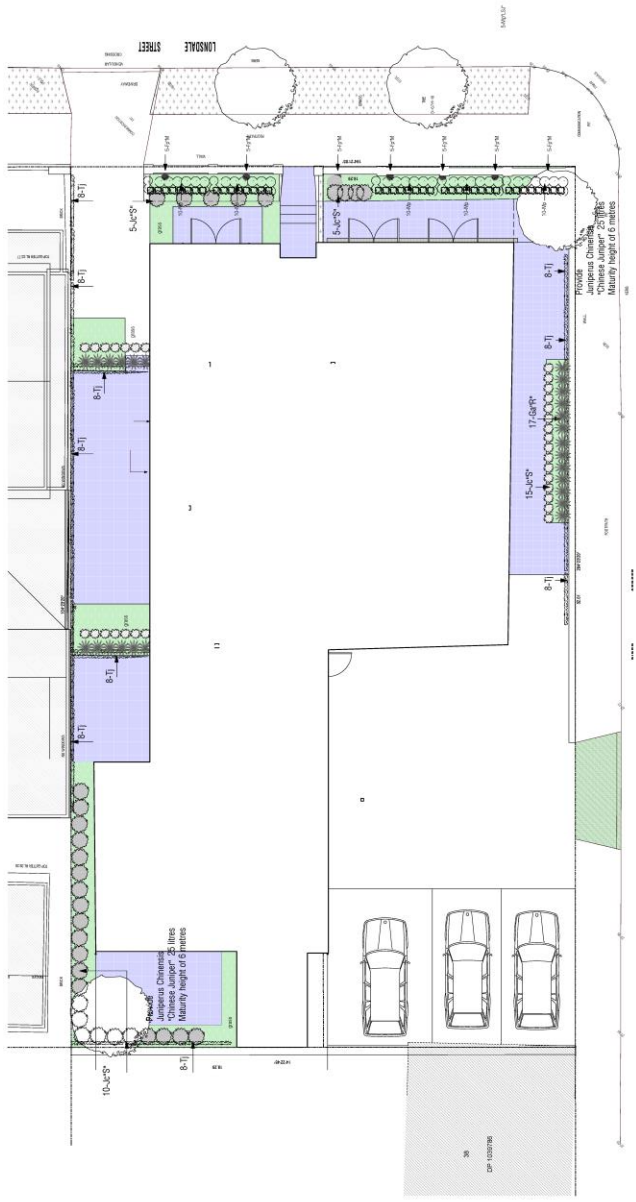
<p>SCALE: 1:100 (SITE PLAN)</p> <p>SCALE: 1:100 (SECTION)</p> <p>SCALE: 1:100 (SECTION)</p>	<p>DATE: 10/10/2018</p> <p>PROJECT: 21/15/18/0001 - 21/15/18/0001</p> <p>CLIENT: 21/15/18/0001 - 21/15/18/0001</p> <p>DESIGNER: 21/15/18/0001 - 21/15/18/0001</p> <p>APPLICANT: 21/15/18/0001 - 21/15/18/0001</p> <p>APPROVED: 21/15/18/0001 - 21/15/18/0001</p> <p>PROJECT NO: 21/15/18/0001 - 21/15/18/0001</p> <p>PROPOSED: 21/15/18/0001 - 21/15/18/0001</p> <p>DATE: 10/10/2018</p> <p>SCALE: 1:100 (SITE PLAN)</p> <p>SCALE: 1:100 (SECTION)</p> <p>SCALE: 1:100 (SECTION)</p>

NO.	DESCRIPTION	QUANTITY	UNIT	REMARKS
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GENERAL NOTES:

1. ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL BUILDING REGULATIONS 2011 AND THE NATIONAL BUILDING STANDARDS 2011.
2. ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL ELECTRICAL REGULATIONS 2017 AND THE NATIONAL ELECTRICAL STANDARDS 2017.
3. ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL WATER AND SEWERAGE REGULATIONS 2017 AND THE NATIONAL WATER AND SEWERAGE STANDARDS 2017.
4. ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL PLUMBING REGULATIONS 2017 AND THE NATIONAL PLUMBING STANDARDS 2017.
5. ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL MECHANICAL REGULATIONS 2017 AND THE NATIONAL MECHANICAL STANDARDS 2017.
6. ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL GAS REGULATIONS 2017 AND THE NATIONAL GAS STANDARDS 2017.
7. ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL FIRE REGULATIONS 2017 AND THE NATIONAL FIRE STANDARDS 2017.
8. ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL SAFETY REGULATIONS 2017 AND THE NATIONAL SAFETY STANDARDS 2017.
9. ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL ENVIRONMENTAL REGULATIONS 2017 AND THE NATIONAL ENVIRONMENTAL STANDARDS 2017.
10. ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL HEALTH REGULATIONS 2017 AND THE NATIONAL HEALTH STANDARDS 2017.
11. ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL EDUCATION REGULATIONS 2017 AND THE NATIONAL EDUCATION STANDARDS 2017.
12. ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL RECREATION REGULATIONS 2017 AND THE NATIONAL RECREATION STANDARDS 2017.
13. ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL CULTURAL REGULATIONS 2017 AND THE NATIONAL CULTURAL STANDARDS 2017.
14. ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL SOCIAL REGULATIONS 2017 AND THE NATIONAL SOCIAL STANDARDS 2017.
15. ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL ECONOMIC REGULATIONS 2017 AND THE NATIONAL ECONOMIC STANDARDS 2017.
16. ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL POLITICAL REGULATIONS 2017 AND THE NATIONAL POLITICAL STANDARDS 2017.
17. ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL LEGAL REGULATIONS 2017 AND THE NATIONAL LEGAL STANDARDS 2017.
18. ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL ETHICAL REGULATIONS 2017 AND THE NATIONAL ETHICAL STANDARDS 2017.
19. ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL MORAL REGULATIONS 2017 AND THE NATIONAL MORAL STANDARDS 2017.
20. ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL SPIRITUAL REGULATIONS 2017 AND THE NATIONAL SPIRITUAL STANDARDS 2017.



STORMWATER CONCEPT PLAN AT 2 LONSDALE STREET, LILYFIELD NSW

DRAWING SCHEDULE

DRAWING NO.	DRAWING TITLE
D00	COVER SHEET, LEGEND & DRAWING SCHEDULE
D01	GROUND FLOOR STORMWATER DRAINAGE PLAN
D02	GROUND FLOOR STORMWATER DRAINAGE DETAILS
D03	EROSION AND SEDIMENT CONTROL PLAN AND DETAILS

DEPTH TO INVERT OF OUTLET	RECTANGULAR		CIRCULAR	
	WIDTH	LENGTH	DIAMETER	QUANTITY
400	400	400	400	400
450	500	500	500	500
500	600	600	600	600
550	700	700	700	700
600	800	800	800	800
650	900	900	900	900
700	1000	1000	1000	1000

NOTE RE. SERVICES
THE LOCATION OF ALL SERVICES OF EXISTING SERVICES SHOWN ON THIS DRAWING IS FOR INFORMATION ONLY. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL SERVICES PRIOR TO COMMENCING ANY WORK.

GENERAL NOTES

- ALL WORK SHALL BE TO A MIN. 1.0% GRADE UNLESS NOTED OTHERWISE.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO LOCATE & LEVEL ALL EXISTING SERVICES PRIOR TO COMMENCING ANY WORK. ALL DESIGN LEVELS SHOWN ON PLAN SHALL BE TO THE FINISHED FLOOR LEVEL OF ANY WORK.
- ALL PITS TO HAVE MIN 200mm COVER IF LOCATED WITHIN PROPERTY.
- ALL PITS IN DRIVEWAYS BE HEAVY DUTY GRATES. ALL PITS TO HAVE 100mm COVER TO ALL GARAGE SERVICES INLET PITS.
- ALL WORK TO BE DONE IN ACCORDANCE WITH THE LOCAL GOVERNMENT'S SATISFACTION.
- INDICATE ONLY 'DOWNPIPE & FLOOR WASTE' LOCATIONS & QUANTITIES TO BE DETERMINED BY THE CONTRACTOR IN ACCORDANCE WITH AUSTRALIAN STANDARDS.
- THIS PLAN IS TO BE READ IN CONJUNCTION WITH THE ARCHITECTURAL, LANDSCAPE AND STRUCTURAL PLANS.
- ANY DISCREPANCIES OR OMISSIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND COUNCIL ENGINEERS FOR RESOLUTION.
- ALL PITS OR GRATES IN TRAFFICABLE AREAS TO BE HEAVY DUTY.
- ALL GRATES WILL BE FITTED WITH LEAN GUARDS TO PREVENT CHILDREN FROM ENTERING THE DOWNPIPES.
- ALL DOWNPIPES MUST BE FITTED WITH PLUGS TO PREVENT ENTRY OF DEBRIS.
- PITS DEEPER THAN 1m REQUIRE STEPPED BENCHES IN A STAGGERED MANNER. THE DEPTH OF ANY PIT IN DRIVEWAYS SHALL BE AS DETERMINED BY A STRUCTURAL ENGINEER AND CERTIFIED BY A STRUCTURAL ENGINEER AND SUBMITTED TO COUNCIL FOR APPROVAL.
- PROVIDE GRATED DRAIN IN ALL OPEN AREAS TO COLLECT SURFACE WATER AND CONNECT TO NEAREST STORMWATER SYSTEM.
- PROVIDE EMERGENCY SPILLERS TO ALL BALCONIES.
- PROVIDE AGG PIPE IN ALL LANDSCAPE AREA AND CONNECT TO THE STORMWATER DRAINAGE SYSTEM.
- PROVIDE AGG PIPE BEHIND THE RETAINING WALL AND CONNECT TO THE STORMWATER DRAINAGE SYSTEM.
- TOP OF KERB AND FINISH OF GUTTER LOUVER ARE TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION TO ENSURE CORRECT FINISH LEVEL VARIES FROM DESIGN DRAWINGS.
- ALL RETAINING WALL FOR ABOVE GROUND CSO/ BIO-RETENTION BASIN TO BE FULLY CONSTRUCTED WITHIN THE PROPOSED BOUNDARY.

ON-SITE DETENTION NOTE:
THE CSO BASIN/TANK IS TO BE BUILT TO A MIN. 1.0% GRADE. ANY VARIATIONS ARE TO BE NOTED TO THE CONTRACTOR FROM OUR OFFICE ONLY AND REDESIGN AT OUR STAGE OR IF ADDITIONAL FEELS ARE REQUIRED UNDER THE CONTRACTOR'S EXPENSES.

INSPECTION REQUIRED PRIOR
BACKFILLING OF PITS AND THE TRENCH FOLLOWING THE LAYING OF THE PIPE SHALL BE CONDUCTED BY A REGISTERED ENGINEER PRIOR TO REMOVAL OF CHANGE ORDER. ALL INSPECTIONS INCLUDING PITS, GRATED DRAIN, FLOOR WASTE & L.I.C.

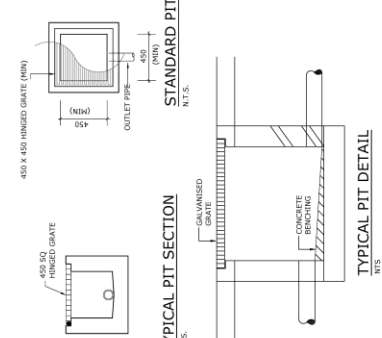
NOTES: DRAINAGE LINES
TO COLLECT SURFACE WATER TO COLLECT R.O.P WATER ONLY TO MAINWATER TRENCH.

DP : 1000 DOWN PIPE U.N.O.
REFER TO AS 3500 PART 3 TABLE 7.2
P1 : 1500 UPVC PIPE AT 1.0% MIN. GRADE
P2 : 1500 UPVC PIPE AT 1.0% MIN. GRADE
P3 : 2250 UPVC PIPE AT 0.5% MIN. GRADE
P4 : 3750 UPVC PIPE AT 0.4% MIN. GRADE
P5 : 3750 UPVC PIPE AT 0.4% MIN. GRADE
P6 : 4500 RCP PIPE AT 0.4% MIN. GRADE

NEW LEVEL
+ EXISTING LEVEL

ALL WORK SHALL BE TO A MIN. 1.0% GRADE UNLESS NOTED OTHERWISE.

- SYMBOLS**
- T.K. FINISHED FLOOR LEVEL
 - RL PIT SURFACE LEVEL
 - IL INVERT LEVEL
 - STORMWATER DRAINAGE PIPE
 - 1000 DOWN PIPE (U.N.O.)
 - VERTICAL RISER
 - INSPECTION OPENING
- ABBREVIATIONS**
- OP OPERATING
 - OUTLET
 - GRATED DRAIN
 - OVERLAND FLOW PATH
 - SPREADER
 - EMERGENCY SPILLER
 - INSPECTION TELL
 - DOWN PIPE



LOCALITY SKETCH
NOT TO SCALE

NOT FOR CONSTRUCTION

NO.	DATE	BY	CHKD	DATE	NO.
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THIS DRAWING IS THE PROPERTY OF LOKA CONSULTING ENGINEERS ARCHITECTS AND MUST NOT BE REPRODUCED OR COPIED WITHOUT THE WRITTEN CONSENT OF THE COMPANY

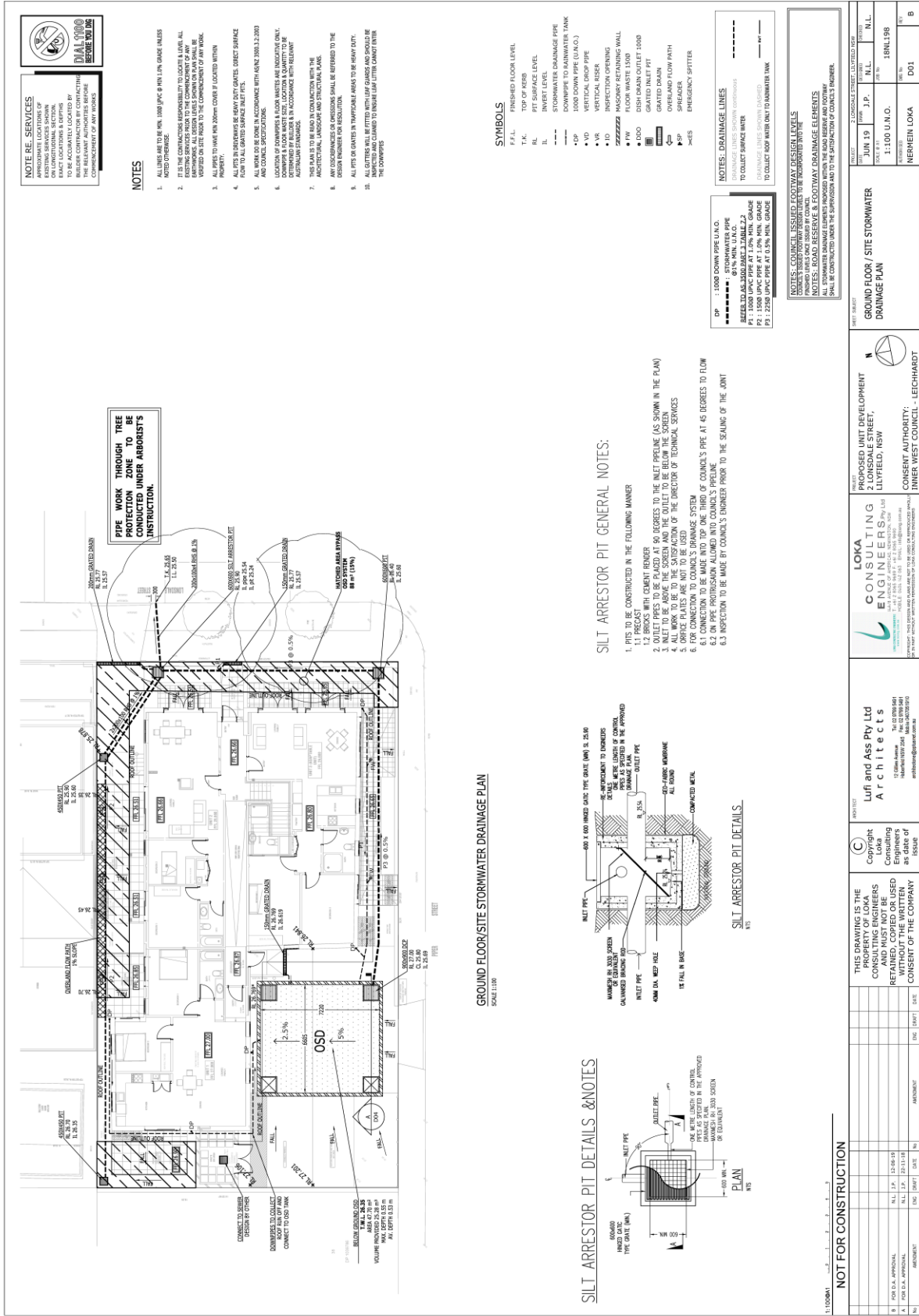
LOKA CONSULTING ENGINEERS ARCHITECTS
12 Oldfield Street, Lilyfield NSW 1585
Tel: (02) 9550 1234
Fax: (02) 9550 1235
www.loka.com.au

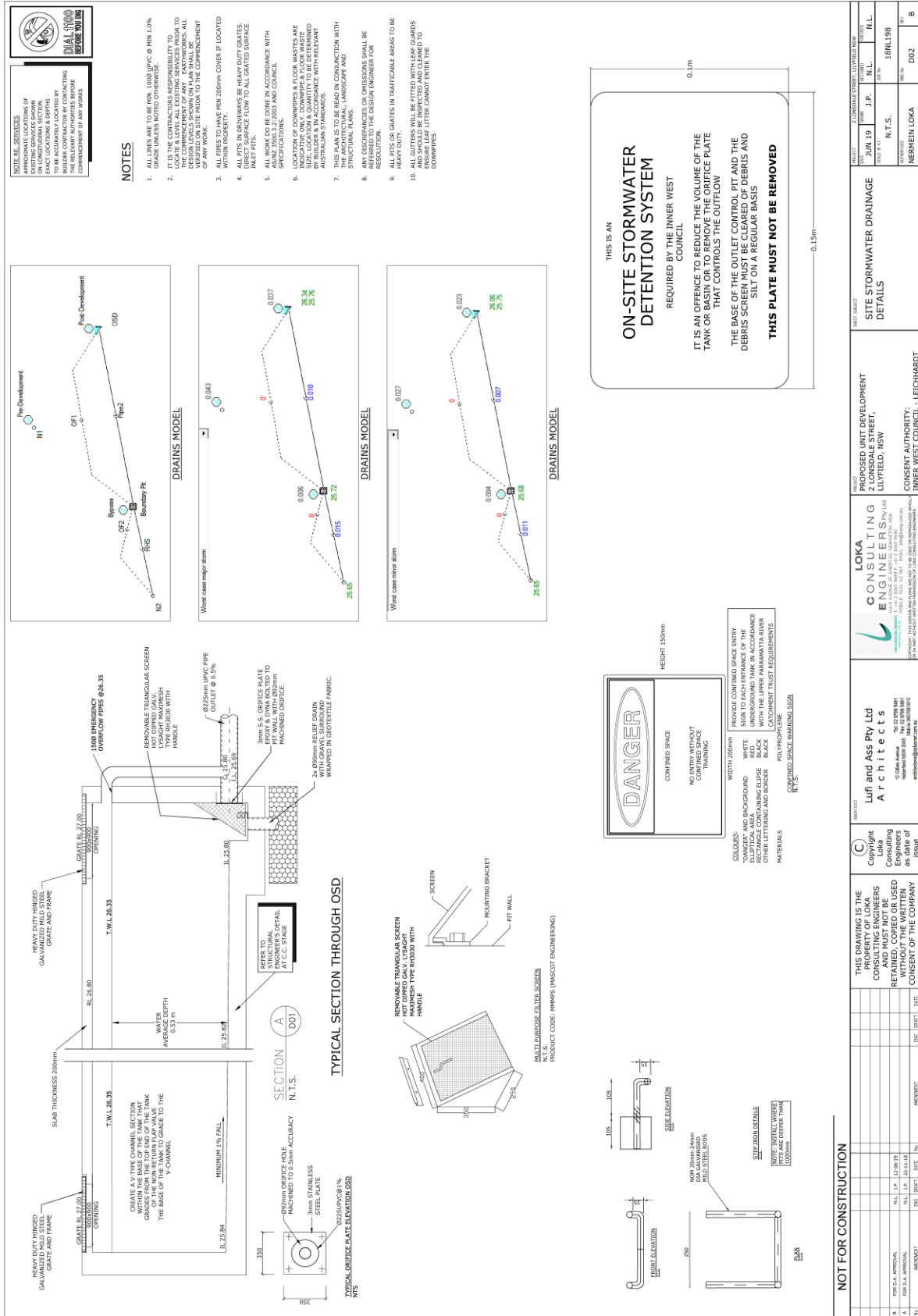
Luf and Ass Pty Ltd
Architects
12 Oldfield Street, Lilyfield NSW 1585
Tel: (02) 9550 1234
Fax: (02) 9550 1235
www.lufandass.com.au

PROPOSED UNIT DEVELOPMENT
2 LONSDALE STREET,
LILYFIELD, NSW
CONSULTANT ARCHITECTS:
DANIEL WEST COUNCIL - LEICHHARDT

COVER SHEET, LEGEND AND DRAWING SCHEDULE

DATE	BY	FOR	REVISION
JUN 19	J.P.	N.L.	N.L.
	N.T.S.		18NL198
			D00
			B





NOTE: SERVICES
 APPROXIMATE LOCATIONS OF SERVICES ARE SHOWN ON LONGITUDINAL SECTION. EXACT LOCATIONS & DEPTHS TO BE DETERMINED BY CONTRACTOR BY CONTACTING THE RELEVANT AUTHORITIES BEFORE COMMENCING WORKS.

NOTES

1. ALL LINES ARE TO BE MIN. 1000 IPVC @ MIN 1.0% GRADE UNLESS NOTED OTHERWISE.
2. ALL SERVICES TO BE LOCATED TO THE RIGHT OF THE ROAD LOCATE & LEVEL ALL EXISTING SERVICES PRIOR TO COMMENCING WORKS. ALL SERVICES TO BE LOCATED TO THE RIGHT OF THE ROAD UNLESS NOTED OTHERWISE.
3. ALL SERVICES TO BE LOCATED TO THE RIGHT OF THE ROAD UNLESS NOTED OTHERWISE.
4. ALL FITS IN SUBWAYS BE HEAVY DUTY GRATES. DIRECT SURFACE FLOW TO ALL GRATED SURFACE.
5. ALL WORK TO BE DONE IN ACCORDANCE WITH AS/NZS 3500.2:2003 AND COUNCIL SPECIFICATIONS.
6. ALL SERVICES TO BE LOCATED TO THE RIGHT OF THE ROAD UNLESS NOTED OTHERWISE. INDICATE ONLY DOWNSTREAM FLOW WASTE. SIZE, LOCATION & QUANTITY TO BE DETERMINED BY CONTRACTOR IN ACCORDANCE WITH RELEVANT AUSTRALIAN STANDARDS.
7. THIS PLAN IS TO BE READ IN CONJUNCTION WITH THE RELEVANT LANDSCAPE AND STRUCTURAL PLANS.
8. ANY DISCREPANCIES OR OMISSIONS SHALL BE REFERRED TO THE DESIGN ENGINEER FOR CLARIFICATION.
9. ALL FITS ON GRATES IN TRAFFICABLE AREAS TO BE HEAVY DUTY.
10. ALL GUTTERS WILL BE FITTED WITH LEAF GUARDS AND SHOULD BE INSPECTED AND CLEANED TO PREVENT BLOCKAGE. GUTTERS TO BE CLEANED AT DOWNSPIRES.

THIS IS AN
ON-SITE STORMWATER DETENTION SYSTEM
 REQUIRED BY THE INNER WEST COUNCIL

IT IS AN OFFENCE TO REDUCE THE VOLUME OF THE TANK OR BASIN OR TO REMOVE THE ORIFICE PLATE THAT CONTROLS THE OUTFLOW

THE BASE OF THE OUTLET CONTROL PIT AND THE DEBRIS SCREEN MUST BE CLEARED OF DEBRIS AND SILT ON A REGULAR BASIS

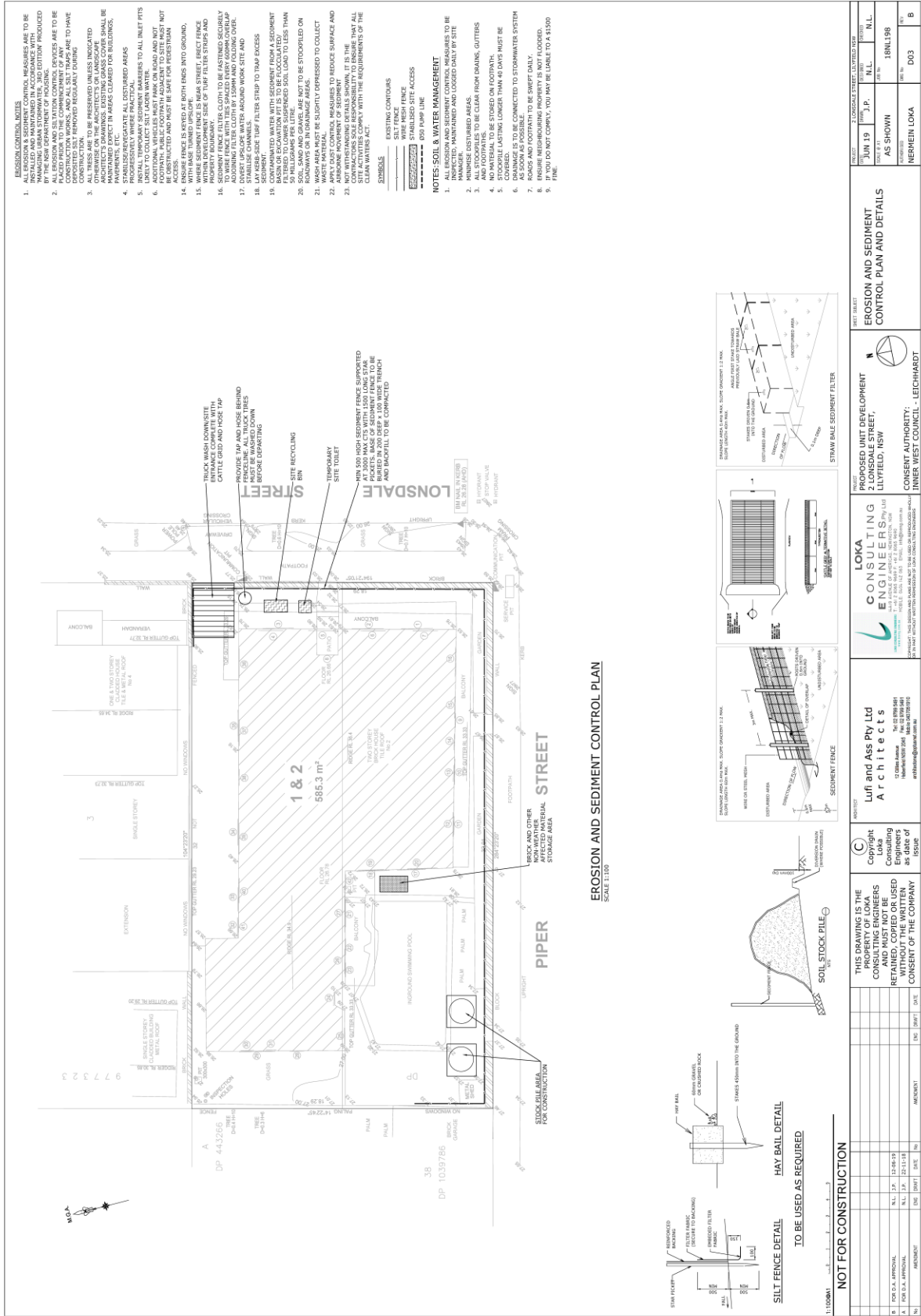
THIS PLATE MUST NOT BE REMOVED

NOT FOR CONSTRUCTION		REVISIONS		DATE		BY	
NO.	DESCRIPTION	DATE	BY	DATE	BY	DATE	BY
B	FOR E.A. APPROVAL	N.L. J.P.	12-06-19				
A	FOR E.A. APPROVAL	N.L. J.P.	22-11-18				

PROPERTY		PROJECT		DRAWING		DATE	
NO.	DESCRIPTION	NO.	DESCRIPTION	NO.	DESCRIPTION	NO.	DESCRIPTION
1	OWNER'S NAME	1	PROJECT NAME	1	DRAWING NO.	1	DATE
2	OWNER'S ADDRESS	2	PROJECT ADDRESS	2	DRAWING TITLE	2	SCALE
3	OWNER'S CONTACT	3	PROJECT CONTACT	3	DRAWING STATUS	3	SCALE
4	OWNER'S PHONE	4	PROJECT PHONE	4	DRAWING STATUS	4	SCALE
5	OWNER'S FAX	5	PROJECT FAX	5	DRAWING STATUS	5	SCALE
6	OWNER'S EMAIL	6	PROJECT EMAIL	6	DRAWING STATUS	6	SCALE
7	OWNER'S WEBSITE	7	PROJECT WEBSITE	7	DRAWING STATUS	7	SCALE
8	OWNER'S SOCIAL MEDIA	8	PROJECT SOCIAL MEDIA	8	DRAWING STATUS	8	SCALE
9	OWNER'S CONTACT	9	PROJECT CONTACT	9	DRAWING STATUS	9	SCALE
10	OWNER'S PHONE	10	PROJECT PHONE	10	DRAWING STATUS	10	SCALE
11	OWNER'S FAX	11	PROJECT FAX	11	DRAWING STATUS	11	SCALE
12	OWNER'S EMAIL	12	PROJECT EMAIL	12	DRAWING STATUS	12	SCALE
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20	OWNER'S SOCIAL MEDIA	20	PROJECT SOCIAL MEDIA	20	DRAWING STATUS	20	SCALE

PROPERTY		PROJECT		DRAWING		DATE	
NO.	DESCRIPTION	NO.	DESCRIPTION	NO.	DESCRIPTION	NO.	DESCRIPTION
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2	OWNER'S ADDRESS	2	PROJECT ADDRESS	2	DRAWING TITLE	2	SCALE
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8	OWNER'S SOCIAL MEDIA	8	PROJECT SOCIAL MEDIA	8	DRAWING STATUS	8	SCALE
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18	OWNER'S EMAIL	18	PROJECT EMAIL	18	DRAWING STATUS	18	SCALE
19	OWNER'S WEBSITE	19	PROJECT WEBSITE	19	DRAWING STATUS	19	SCALE
20	OWNER'S SOCIAL MEDIA	20	PROJECT SOCIAL MEDIA	20	DRAWING STATUS	20	SCALE

PROPERTY		PROJECT		DRAWING		DATE	
NO.	DESCRIPTION	NO.	DESCRIPTION	NO.	DESCRIPTION	NO.	DESCRIPTION
1	OWNER'S NAME	1	PROJECT NAME	1	DRAWING NO.	1	DATE
2	OWNER'S ADDRESS	2	PROJECT ADDRESS	2	DRAWING TITLE	2	SCALE
3	OWNER'S CONTACT	3	PROJECT CONTACT	3	DRAWING STATUS	3	SCALE
4	OWNER'S PHONE	4	PROJECT PHONE	4	DRAWING STATUS	4	SCALE
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6	OWNER'S EMAIL	6	PROJECT EMAIL	6	DRAWING STATUS	6	SCALE
7	OWNER'S WEBSITE	7	PROJECT WEBSITE	7	DRAWING STATUS	7	SCALE
8	OWNER'S SOCIAL MEDIA	8	PROJECT SOCIAL MEDIA	8	DRAWING STATUS	8	SCALE
9	OWNER'S CONTACT	9	PROJECT CONTACT	9	DRAWING STATUS	9	SCALE
10	OWNER'S PHONE	10	PROJECT PHONE	10	DRAWING STATUS	10	SCALE
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16	OWNER'S PHONE	16	PROJECT PHONE	16	DRAWING STATUS	16	SCALE
17	OWNER'S FAX	17	PROJECT FAX	17	DRAWING STATUS	17	SCALE
18	OWNER'S EMAIL	18	PROJECT EMAIL	18	DRAWING STATUS	18	SCALE
19	OWNER'S WEBSITE	19	PROJECT WEBSITE	19	DRAWING STATUS	19	SCALE
20	OWNER'S SOCIAL MEDIA	20	PROJECT SOCIAL MEDIA	20	DRAWING STATUS	20	SCALE



Attachment C- Clause 4.6 Exception to Development Standards**LUF AND ASSOCIATES PTY LIMITED**
Architecture and Interior Designs

19 December 2018

Innerwest Council
7 Wetherill Street,
Leichhardt NSW 2040

Clause 4.6 Exceptions to Development Standards**Property Address 2 Lonsdale Street, Lilyfield****DESCRIPTION OF WORK**

The conversion of the existing two storey dwelling into seven residential flat buildings, comprising of 3 x 1 bedroom and 4 x 2 bedroom units at 2 Lonsdale Street, Lilyfield.

Refer to submitted Drawing Reference Numbers DA.01.1 - DA.04.2

PLANNING INSTRUMENT

Leichhardt Local Environment Plan 2013

ZONING

R1 General Residential Zone

ZONING OBJECTIVES

The objectives of this clause are as follows:

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

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The proposed alterations will retain the existing (low density) residential use of the subject building and property, and is permitted with consent.

No other land uses, facilities or services are proposed.

The proposed level of landscaped area on site will improve the use and enjoyment of existing (and future) residents.

The existing neighbourhood character and amenity will be preserved.

The proposed development is consistent with the objectives of the zone.

CLAUSE 4.6 EXCEPTIONS TO DEVELOPMENT STANDARDS

The objectives of this clause are as follows:

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

Pursuant to clause 4.6(2), development consent may be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. This clause applies to 4.3A Landscaped Areas for Residential Accommodation in Zone R1 and 4.4 Floor Space Ratio Development Standards. In accordance with clause 4.6(3), this written request seeks to justify contravention with the aforementioned development standards.

DEVELOPMENT STANDARD

Leichhardt Local Environment Plan 2013 / Part 4 Principal Development Standards

- **4.3 Height Of Buildings**
- **4.3A Landscaped Areas and Site Coverage for Residential Accommodation in Zone R1**
- **4.4 Floor Space Ratio**

DEVELOPMENT STANDARD OBJECTIVES

4.3 Height of buildings

- (1) The objectives of this clause are as follows:
 - (a) *to ensure that buildings are compatible with the desired future character in terms of building height and roof forms,*
 - (b) *to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development.*
- (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

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4.3A Landscaped Areas for Residential Accommodation in Zone R1

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

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

(2) This clause applies to development for the purpose of residential accommodation on land in Zone R1 General Residential.

4.4 Floor Space Ratio

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

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

DEVELOPMENT STANDARD PERFORMANCE CRITERIA**4.3 Height of buildings**

LEP sets height limitations for buildings on the site and states relevantly in part as follows:

(1) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

The map sets a maximum building height for the site of 8.5m to the ridge.

4.3A Landscaped Areas for Residential Accommodation in Zone R1

(3) Development consent must not be granted to development to which this clause applies unless:

- (a) *the development includes landscaped area that comprises at least:*
 - (i) *where the lot size is equal to or less than 235 square metres—15% of the site area, or*
 - (ii) *where the lot size is greater than 235 square metres—20% of the site area, and*
- (b) *the site coverage does not exceed 60% of the site area.*

4.4 Floor Space Ratio

(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.

LEVEL OF NON - COMPLIANCE WITH DEVELOPMENT STANDARD**Landscaped Area & Site Coverage**

Site Area	585.3 m ²
Minimum Landscaped Area	20% of site area = 117 m ²
Existing Landscaped Area	21.00 m ² (4%)
Existing Site Coverage	326.4 m ² (55.60%)
Proposed Landscape Area	48.22 m ² (8.2%)
Proposed Site Coverage	326.4 m ² (55.60%)

Floor Space Ratio	
Maximum Permissible	FSR 0.6:1 (351m ²)
Existing FSR	0.85:1 (497 m ²)
Proposed FSR	0.82:1(484 m ²)

Claim for variation**Landscaped area & site coverage**

Although the proposed development would not technically comply with the landscaped area site coverage development standards, the development would satisfy the objectives outlined in the LEP, specifically:

4.3A (1)

(a) The proposed development to Units 1, 2 3, 4 as well as within the front setback along Lonsdale Street includes the increase of deep soil landscaping. This will improve visual access to the existing private open space, and significantly enhance the use and enjoyment of the rear courtyard for existing (and future) residents. The new landscaped area will also provide the opportunity for tree planting, of a size and type suitable for the garden area.

4.3A (1)

(b) The proposed development and deep soil planting will encourage a landscaped corridor between adjoining properties.

4.3A (1)

(c) The proposed development will improve current amenities on site and encourages deep soil planting to the rear courtyard, in accordance with the desired future character of the neighbourhood. It should also be noted that the proposed rear alterations cannot be viewed from the adjoining public domain.

4.3A (1)

(d) The proposed development will significantly increase the current level of deep soil landscaping on site. This will greatly improve retention and absorption of surface drainage water at the rear of the site.

4.3A (1)

(e) The proposed development will not have a detrimental impact on the current level of density on site. The slight increase in site coverage is considered minor and will not have an adverse effect on the use or amenity of the rear private open space.

4.3A (1) (f)

The existing dwelling's building footprint will not be increased or altered on the ground floor (whilst the first floor area has shrunk accordingly).
The proposed development does not limit provision for deep soil landscaping and open space for private recreational use.

The proposed level of Landscaped Area of 48.22 m² is 8.2% below the minimum numeric control that applies to the subject lot size, and the existing Site Coverage of 55.60% has no change above the maximum development standard. It is considered that the level of non-compliance is minor and there would be sufficient planning grounds to justify departure from the development standards. Strict compliance is not considered reasonable in this instance given that the breach does not impact on the streetscape, amenity, or character of the local area, and satisfies the aforementioned objectives of the development standard.

What are the environmental planning grounds that justify contravening the development standard?

The subject property has a site area of 585m² which is considered large than the minimum allotment size of 200m². As the site is well above the minimum size, and no change to the site coverage(which is not applicable for this application as per the PRE_DA Notes Dated June 4, 2018) is justified in this instance that the proposal provides adequate residential amenity for the individual unit occupants of the subject dwelling without any adverse impacts to the amenity of the surrounding properties. The proposal improves living amenities, provides good light and ventilation through an internal courtyard as well as provisions for soft landscaping being made.

Why is compliance with the standard unreasonable or unnecessary? What are the special circumstances in this case? (To answer consider whether a development that complies is unnecessary or unreasonable)

Compliance with this standard is deemed unreasonable as the existing site has little to no "useable" soft landscaping, the current proposal improves this significantly by an additional 27m². The proposed landscape areas is included in site coverage calculations, but it should be noted that areas aids in meeting Leichhardt council LEP clause 4.3 objectives. Additionally, the proposal is comparable with surrounding developments, has little impact

on neighbouring buildings and meets the required FSR and landscaping controls set by council.

**Is the proposed development consistent with the objectives of the particular standard?
Is the proposal consistent with the objectives of the relevant zone?**

The overall building form has not changed that is the current bulk and scale which aids in maintaining a comfortable internal ceiling height for each occupant of each unit. The proposal includes an improved soft landscaped area, which improves amenity for the occupants and is suitable for tree planting, therefore aligns with council objectives. The proposal meets landscaping controls, with a significant improvement on soft landscaping from the existing encouraging for a landscape corridor without any adverse impacts on neighbouring properties, thus meeting the overall objectives of clause 4.3A of Leichhardt Council LEP 2013. for the reasons stated, we believe the proposal is both consistent with the objectives of the standard and relevant zone.

FLOOR SPACE RATIO

The proposed development decreases in floor area, albeit if only 13m² from the current building floor area. However, the existing development would not technically comply with the floor space ratio development standard. Nevertheless the development would satisfy the objectives outlined in the LEP, specifically:

4.4 (1) (a) (i)

The existing residential dwelling is of a bulk, form and scale compatible with the current streetscape character. The proposed treatment of softening the proposal by way of rendering walls, painting, and changing window/ door proportions, all assist in will not altering the building's architectural character and is a betterment and more compatibility with the desired future character of the area.

4.4 (1) (a) (ii)

The proposed increase in deep soil planting will improve the current balance between the existing landscaped area and built form.

4.4 (1) (a) (iii)

The proposed development will have no adverse impact on the bulk and scale of the existing building.

4.4 (1) (b)

Not applicable.