





INNER WEST

DEVELOPMENT ASSESSMENT REPORT

Application No.	MOD/2020/0156
Address	24 Catherine Street LEICHHARDT NSW 2040
Proposal	Modifications to design/appearance of three approved dwellings.
Date of Lodgement	21 May 2020
Applicant	Traders In Purple 113 Pty Ltd
Owner	Traders In Purple 113 Pty Ltd
Number of Submissions	Nil
Value of works	\$1,191,615.00 \$2,891.48
Reason for determination at Planning Panel	Variation to FSR development standard exceeds officers delegation
Main Issues	FSR variation, streetscape presentation
Recommendation	Approved with Conditions
Attachment A	Recommended conditions of consent
Attachment B	Plans of proposed development
Attachment C	Clause 4.6 - FSR



LOCALITY MAP

Subject Site		Objectors		N ↑
Notified Area		Supporters		

1. Executive Summary

This report is an assessment of the application submitted to Council to modify Determination no. D/2018/529 dated 28 May 2019 and subsequently modified by M/2019/135 on 11 February 2020 to include first floor extension to the front of each dwelling at the first floor at 24 Catherine Street Leichhardt. The proposal seeks to modify the approved first floor extension to the front of each dwelling by in-filling the space further toward the street.

The application was notified in accordance with Council's notification policy. Any submissions received during the notification period will form part of a supplementary report. The application is referred to the Inner West Local Planning Panel for determination because the original consent was granted by the Panel, with, variously on each lot, no FSR variation or an FSR variation less than 10%, and the modification application seeks to vary the FSR of the dwelling houses greater than 10% and thus does not fall within staff delegation.

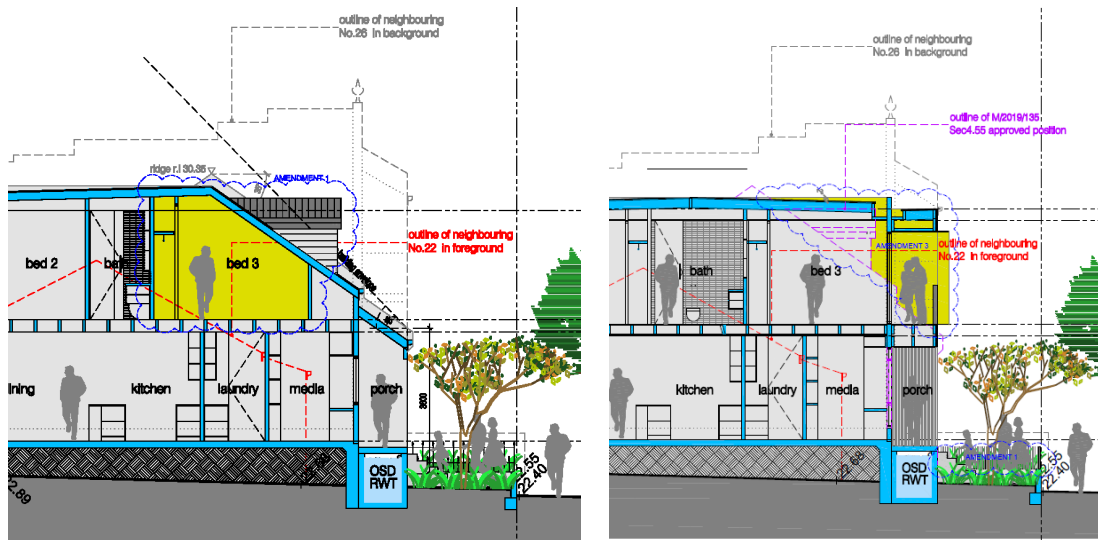
Although a Clause 4.6 variation request is not required for a modification application the applicant has demonstrated that subject proposal satisfies the objectives of the R1 – General Residential Zone and FSR Development Standard for the central and northern lot. The proposed infill is not supported for all three dwellings, the infill of the southern dwelling will have an adverse impact on the streetscape – namely that it will not provide a suitable transition between the existing semi-detached dwellings to the south and the terraces to the north of the site.

The additional GFA for each dwelling is to be set forward of the approved building envelope at the Catherine Street elevation and infill the central void on the first floor. In addition, the modification seeks to amend the window proportions at the ground street elevation and introduce a balcony at the first floor Catherine Street elevation in a manner which will modify the dwellings from a traditional appearance to a contemporary infill development. Furthermore, the modification application seeks to alter the Catherine Street front fencing details to match the vertical railings of the new first floor balcony.

The potential impacts to the surrounding environment have been considered as part of the assessment process and the modified development is considered acceptable. The application is recommended for approval subject to design change amendments requiring the proposed infill works at the first floor of the southern dwelling (Lot 1) are deleted from the proposal.

2. Proposal

The proposal seeks to modify Determination Number D/2018/529 which was subsequently modified by M/2019/135 to infill the first floor dormer and roof to include additional floor area and balcony. In addition, the proposal seeks to infill the first floor central voids of each dwelling, reconfigure the ground floor Catherine Street elevation windows and front fence. See below:



Approved long section under M/2019/135

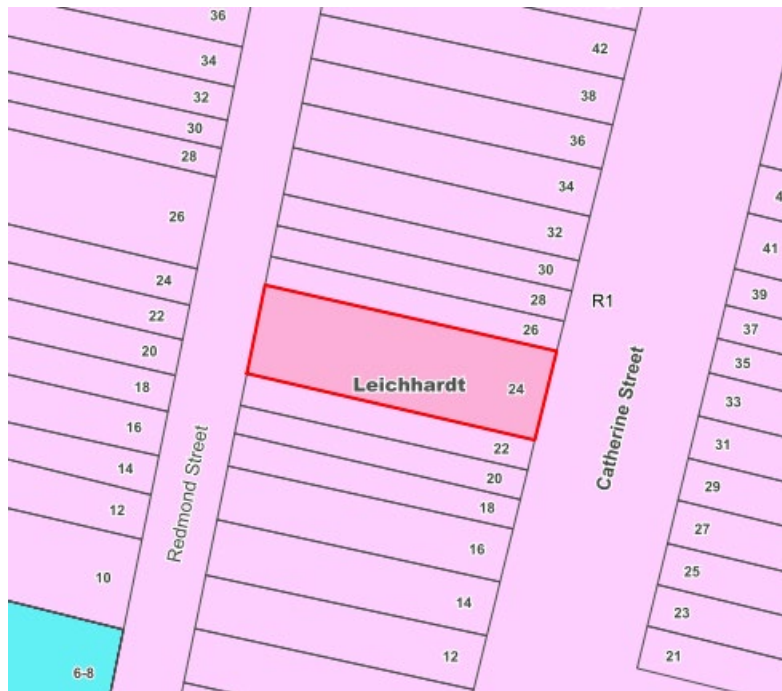
Proposed long section

3. Site Description

The subject site is located on the eastern side of Catherine Street, between Styles Street to the north and Parramatta Road to the south. The subject site is a single allotment rectangular in shape with a total area of 473.3sqm and is legally described as Lot 1 in DP 1092177. The site has a frontage to Catherine Street of 12.1m and a secondary frontage to Redmond Street of 11.9m and a slope of approximately of 1.5m from the rear to the front boundary.

The site supports a single storey dwelling with detached brick garage and WC structure within the rear setback. Adjoining the subject site to the north is a two storey terrace with garage (accessible via Redmond Street) whilst to the south is a single storey semi-detached house with garage (accessible via Redmond Street). Both of the adjoining dwellings have a nil setback to the respective shared boundaries with the subject site.

The subject site is not located within a heritage conservation area and is identified as a flood control lot.



Land zoning map, subject site outlined in red

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/2018/529	Demolition of existing structures, 3 lot Torrens title subdivision, construction of 3 x semi-detached two storey dwellings on each proposed lot and associated works, including car parking and fencing works plus tree removal.	Approved by IWLPP 28/05/2019
M/2019/135	Section 4.55 of the Environmental Planning and Assessment Act to modify Determination Number D/2018/529 to include a dormer window at the front elevation and a third bedroom to each dwelling	Approved by IWLPP 11/02/2020

Surrounding properties

There are no planning determinations at 22 or 26 Catherine Street since the determination date of the previously modified application.

4(b) Application history

Not applicable.

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:

- *Leichhardt Local Environmental 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 4.4 – Floor Space Ratio
 Clause 4.5 - Calculation of floor space ratio and site area

- (i) Clause 1.2 Aims of the Plan and Clause 2.3 - Land Use Table and Zone Objectives

The proposal is generally consistent with the relevant aims of the plan and R1 – General Residential Zone as the design of the proposal is considered to be of a high standard and has a satisfactory impact on the private and public domain. However, to ensure the infill development on the site provides a suitable transition between the semi detached dwellings to the south and the terraces to the north it is recommended that the proposed infill works for the southern dwelling are deleted from the proposal.

The proposed infill in the southern dwelling will not maintain or enhance the Catherine Street streetscape, rather it will disturb the pattern of development as it will present a sheer solid wall forward of the building line of the immediate adjoining dwelling – this being 22 Catherine Street.

- (i) Clause 4.4 – Floor Space Ratio

The following table provides an assessment of the application against maximum applicable FSR, approved FSR and proposed FSR:

	Lot 1 (Southern Lot 160.51sqm)	Lot 2 (Central Lot 157.26sqm)	Lot 3 (Northern Lot 155.49sqm)
Maximum FSR	0.7:1(113.5sqm)	0.7:1 (110.1 sqm)	0.7:1 (108.8 sqm)
Approved FSR (D/2018/529)	0.7:1 (113.5 sqm)	0.73:1 (114.7 sqm)	0.72:1 (112.5 sqm)
Approved FSR variation (D/2018/529)	Nil	4.7m2 (4.3%)	3.6 m2 (3.3%)
Approved FSR (M/2019/135)	0.79:1 (126 sqm)	0.81:1 (128 sqm)	0.8:1 (125 sqm)
Approved FSR Variation (M/2019/135)	12.5 sqm (11%)	17.9 sqm (16.3%)	16.2m2 (14.9%)
Proposed FSR	0.82:1	0.85:1	0.84:1

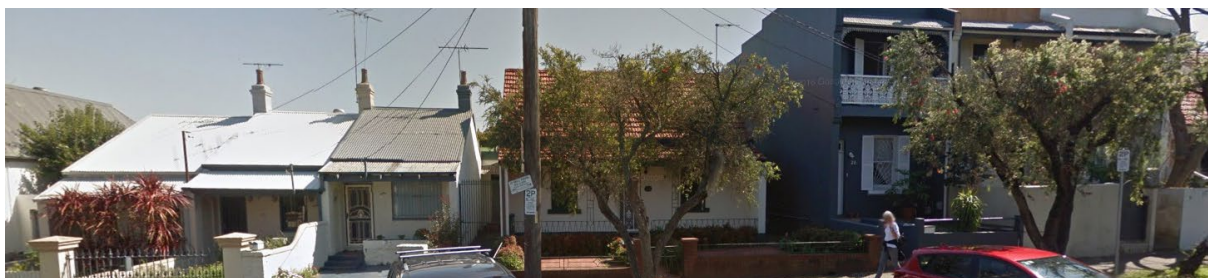
	(132.3sqm)	(134.3sqm)	131.3sqm
Proposed FSR Variation	18.8sqm (16.5%)	24.2sqm (22%)	22.5sqm (20.6%)

The proposed modification seeks to infill the central void of each dwelling in addition to the first floor at the Catherine Street elevation resulting in an additional 6.3sqm per dwelling.

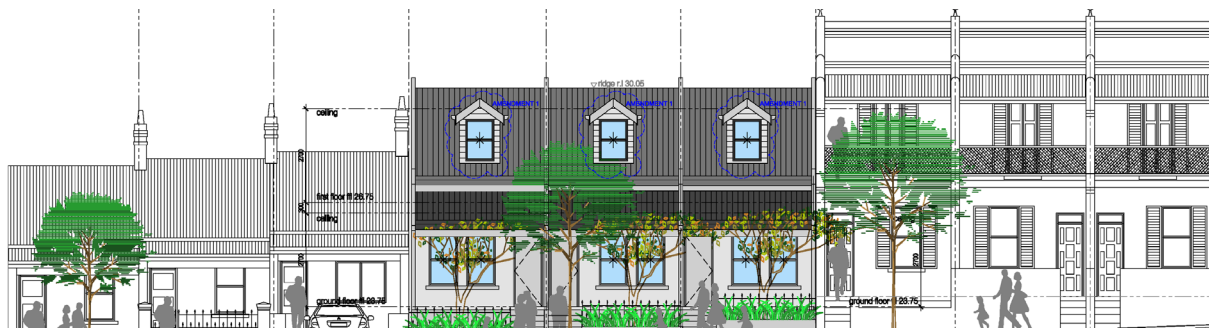
The modification of a development consent which results in a new or modified variation to a development standard, does not require the submission of a written request for an exception to a development standard pursuant to Clause 4.6 of LLEP 2013. However, Council is still required to conduct a merit assessment of any new breaches of a development standard. The supporting documentation and justification to further vary the FSR Development Standard submitted with the modification application justifies the proposed FSR on the basis that:

- The first floor Catherine Street infill will amend an unsympathetic 19th century pseudo period primary streetscape façade to a contemporary palisade Victorian terrace
- Infill the central void to include a media desk provision for each dwelling;
- The size and scale of the modified development continues to contribute to the designed future character of the area;
- The additional GFA for each dwelling is located at the Catherine Street elevation and will not result in any unreasonable amenity impacts to the adjoining properties in terms of overshadowing or visual privacy and the character of the streetscape.

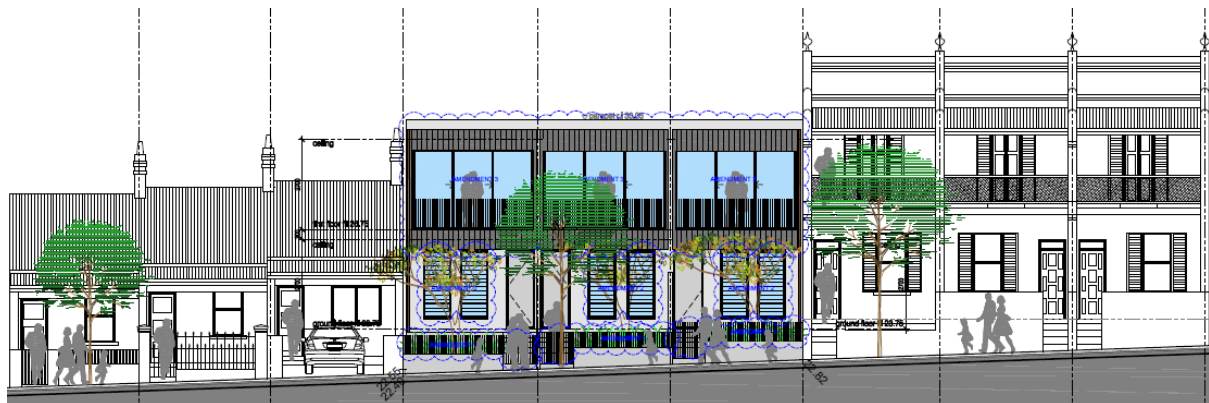
Council raises no objection to the infill of the central voids for each dwelling as these voids are wholly located within the building envelope and will improve the internal amenity of each dwelling. However, the infill of the first floor at the Catherine Street elevation is not supported for all three dwellings – namely the infill of Lot 1 (southern lot). Catherine street is characterised by a variety of dwelling styles as such any infill development should provide a suitable transition between the dwellings immediately adjoining the site to the north and the south. Immediately to the south consist of single storey cottage style dwellings whilst to the immediately to the north are two storey Victorian style terraces. The proposed infill of the southern lot will contribute to adverse bulk forward of the building line at the adjoining dwellings immediately to the south and as such compromising the streetscape.



Existing Catherine Street elevation



Catherine Street elevation as approved under M/2019135



Catherine Street elevation proposed

Having regard to the above, it is considered that the modified development will not cause any additional amenity or visual impacts for adjoining properties or alter its streetscape presentation with the exception of Lot 1 (the southern lot). Therefore, compliance with the maximum FSR development standard is considered to be unreasonable in the circumstances. The proposed modification involving a departure from the FSR development standard is therefore supported subject to the recommended design change conditions. To ensure that the proposal is consistent with the objectives of the FSR development standard, namely that the development is compatible with the desired future character of the area and minimises bulk at the primary streetscape, it is recommended that the proposed first floor works at the Catherine Street elevation to Lot 1 (southern lot) are deleted from the proposal.

5(c) [Draft Inner West Local Environmental Plan 2020 \(Draft IWLEP 2020\)](#)

The Draft IWLEP 2020 was placed on public exhibition commencing on 16 March 2020 and accordingly is a matter for consideration in the assessment of the application under *Section 4.15(1)(a)(ii) of the Environmental Planning and Assessment Act 1979*.

The amended provisions contained in the Draft IWLEP 2020 are not particularly relevant to the assessment of the application. Accordingly, the development is considered acceptable having regard to the provisions of the Draft IWLEP 2020.

5(d) [Development Control Plans](#)

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

Part C3.2 Site Layout and Building Design

The proposed modifications to each dwelling seek to encroach within the 3.6m building envelope controls at the Catherine Street elevation as required by the desired future character controls of Part C2.2.3.3 Piperston Distinctive Neighbourhood of the LDCP 2013.

The provisions under Part C3.2 permit variation where suitable. Given the immediate context of the site to the north and the south, this being terraces and cottages respectively, to provide a suitable transition between the two varying building forms it is recommended that the proposed modified works to Lot 1 (southern lot) are deleted from the proposal.

Subject to recommended design changes on any consent issued, the proposed modifications are compliant with the design provisions under this Part.

5(e) Section 4.55 of the Environmental Planning and Assessment Act

Under Section 4.55 (1A) of the Environmental Planning and Assessment Act, 1979, the consent authority, when considering a request to modify a Determination must:

- a) Be satisfied that the development as modified is substantially the same development as the development for which consent was originally granted
- b) Consult with any relevant authority or approval body
- c) Notify the application in accordance with the regulations
- d) Consider any submissions made
- e) Take into consideration the matters referred to in Section 4.15 that are relevant to the development the subject of the modification application.

The development being modified is substantially the same development as the development for which consent was originally granted. Design changes are recommended on any consent issued to address the outstanding streetscape presentation and visual bulk concerns at the Catherine Street elevation. No authorities or bodies were required to be consulted. The application was notified in accordance with the regulations and Council's notification policy. Any submissions received during the notification period will form part of a supplementary report

The relevant considerations under section 4.15 of the Environmental Planning and Assessment Act, 1979 have been taken into consideration in the assessment of this application.

5(f) The Likely Impacts

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

5(g) 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(h) Any submissions

The application was notified in accordance with the regulations and Council's notification policy. Any submissions received during the notification period will form part of a supplementary report

5(i) 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

Not required

6(b) External

Not required

7. Section 7.11 Contributions/7.12 Levy

Section 7.11 contributions/ 7.12 levies are not payable for the proposal.

8. Conclusion

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

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

The application is considered suitable for approval subject to the imposition of appropriate conditions. Design change conditions are recommended on any consent issued requiring prior to the issue of a Construction Certificate the works under M/2020/0156 are to delete the infill works at the first floor Catherine Street elevation of the southern lot, also known as Lot 1

9. Recommendation

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.55 of the *Environmental Planning and Assessment Act 1979*, approve Modification Application No. MOD/2020/0156 for modifications to the design and appearance of three dwellings, . at 24 Catherine Street Leichhardt NSW 2040 subject to the conditions listed in Attachment A below.

Attachment A - Recommended conditions of consent

Attachment A – Recommended conditions of consent

Development must be carried out in accordance with Development Application No. D/2018/529 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
Materials and Colour Schedule of Finishes, Drawing No. 5.03, Rev B Rev C Rev-D	Development Design Pty Ltd	19/09/2018 27/07/2019 25/04/2020
Subdivision Plan, Drawing No. 0.09, Rev B Rev C Rev-D	Development Design Pty Ltd	19/09/2018 27/07/2019 25/04/2020
Proposed Roof Plan Analysis, Drawing no. 010, Rev B Rev C Rev D	Development Design Pty Ltd	19/09/2018 27/07/2019 25/04/2020
Proposed Roof Plan, Drawing No. 1.02, Rev B Rev C Rev-D	Development Design Pty Ltd	19/09/2018 27/07/2019 25/04/2020
Proposed First Floor Analysis, Drawing No. 0.11, Rev B Rev C Rev D	Development Design Pty Ltd	19/09/2018 27/07/2019 25/04/2020
Proposed Ground Floor Analysis, Drawing No. 0.12, Rev B Rev C Rev D	Development Design Pty Ltd	19/09/2018 27/07/2019 25/04/2020
Proposed Ground Floor, Drawing No. 1.02, Rev D	Development Design Pty Ltd	25/04/2020
Proposed First Floor Analysis, Drawing No. 1.02, Rev B Rev C	Development Design Pty Ltd	19/09/2018 27/07/2019
Proposed First Floor, Drawing No. 1.03, Rev B Rev C Rev-D	Development Design Pty Ltd	19/09/2018 27/07/2019 25/04/2020

Proposed Eastern Catherine Streetscape Elevation, Drawing No. 2.022.04, Rev B Rev D	Development Design Pty Ltd	19/09/2018 25/04/2020
Proposed Eastern Catherine Streetscape Elevation, Drawing No. 2.03, Rev B Rev C	Development Design Pty Ltd	19/09/2018 27/07/2019
Proposed Northern Side Elevation, Drawing No. 2.05, Rev B Rev C Rev D	Development Design Pty Ltd	19/09/2018 27/07/2019 25/04/2020
Proposed Northern Side Elevation, Drawing No. 2.06, Rev B Rev C Rev D	Development Design Pty Ltd	19/09/2018 27/07/2019 25/04/2020
Proposed Northern Side Elevation, Drawing No. 2.07, Rev B Rev C Rev D	Development Design Pty Ltd	19/09/2018 27/07/2019 25/04/2020
Proposed Western rear Redmond Streetscape Elevation, Drawing No. 2.09, Rev B	Development Design Pty Ltd	19/09/2018
Proposed Western rear Redmond Streetscape Elevation, Drawing No. 2.10, Rev B Rev C Rev D	Development Design Pty Ltd	19/09/2018 27/07/2019 25/04/2020
Proposed Southern Side Elevation, Drawing No. 2.12, Rev B Rev C Rev D	Development Design Pty Ltd	19/09/2018 27/07/2019 25/04/2020
Proposed Southern Side Elevation, Drawing No. 2.13, Rev B Rev C Rev D	Development Design Pty Ltd	19/09/2018 27/07/2019 25/04/2020
Proposed Southern Side Elevation, Drawing No. 2.14, Rev B Rev C Rev D	Development Design Pty Ltd	19/09/2018 27/07/2019 25/04/2020
Typical Section A-A, Drawing No. 3.01, Rev B Rev C Rev D	Development Design Pty Ltd	19/09/2018 27/07/2019

		25/04/2020
Landscape Plan, Drawing No. 5.01, Rev B Rev C Rev D	Development Design Pty Ltd	19/09/2018 27/07/2019 25/04/2020
Landscape Plan, Drawing No. 5.01A, Rev B Rev C Rev D	Development Design Pty Ltd	19/09/2018 27/07/2019 25/04/2020
Document Title	Prepared By	Dated
BASIX Certificate No. 955637S	Development Design Pty Ltd	9/10/2018
BASIX Certificate No. 955889S	Development Design Pty Ltd	9/10/2018
BASIX Certificate No. 955893S	Development Design Pty Ltd	9/10/2018
Acoustic Report	Koikas Acoustics	25/09/2018
Existing Site Plan and Construction Management Plan, Drawing no. 0.05, Rev. B D	Development Design Pty Ltd	19/09/2018 25/04/2020
Sediment, Erosion Control & Waste Management Details, Drawing No. 5.02, Rev. B		19/09/2018
Concept Stormwater Plan, Drawing No. 18AA050/DR01, Rev B	EndDepth Engineers	21/09/2018
Concept Stormwater Plan, Drawing No. 18AA050/DR02, Rev B	EndDepth Engineers	21/09/2018
Concept Stormwater Details, Drawing No. 18AA050/DR03, Rev B	EndDepth Engineers	21/09/2018
Statement of Environmental Effects	No Author	No date, Lodged with Council 10/10/2018
Site Survey	Benchmark Surveys	27/09/2017
Flood Risk Management Report, Rev A	EndDepth Engineers	No date, Lodged with Council 10/10/2018

Flood Response Letter	EndDepth Engineers	14/09/2018
Clause 4.6 Variation Request - Subdivision	Development Design Pty Ltd	May 2018
Clause 4.6 Variation Request - FSR	Development Design Pty Ltd	March 2018

(Amended XX December 2019– M/2019/135)

In the event of any inconsistency between the approved plans and the conditions, the conditions will prevail.

Where there is an inconsistency between approved elevations and floor plan, the elevation shall prevail.

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

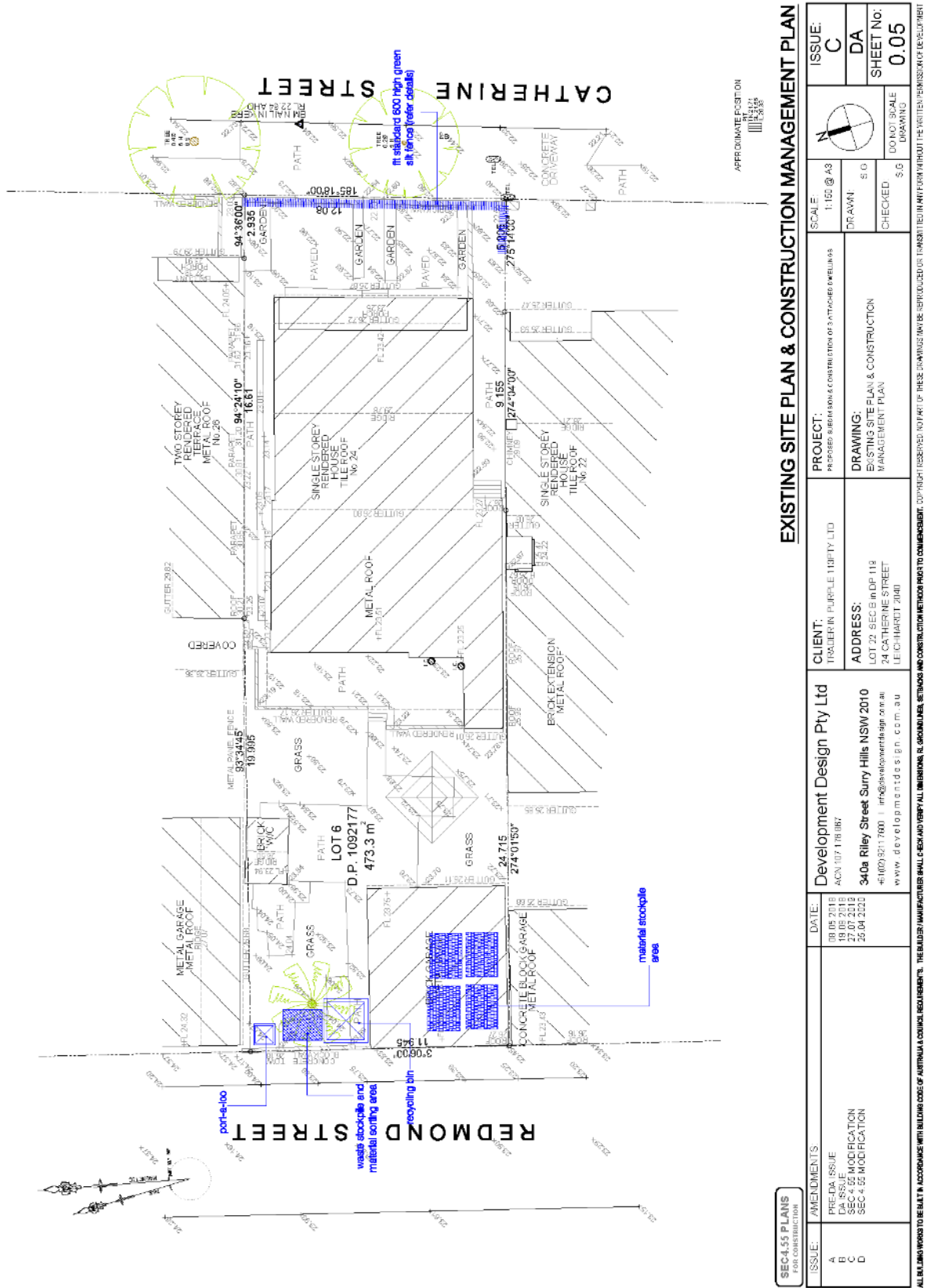
The existing elements (walls, floors etc) shown to be retained on the approved plans shall not be removed, altered or rebuilt without prior consent of the consent authority.

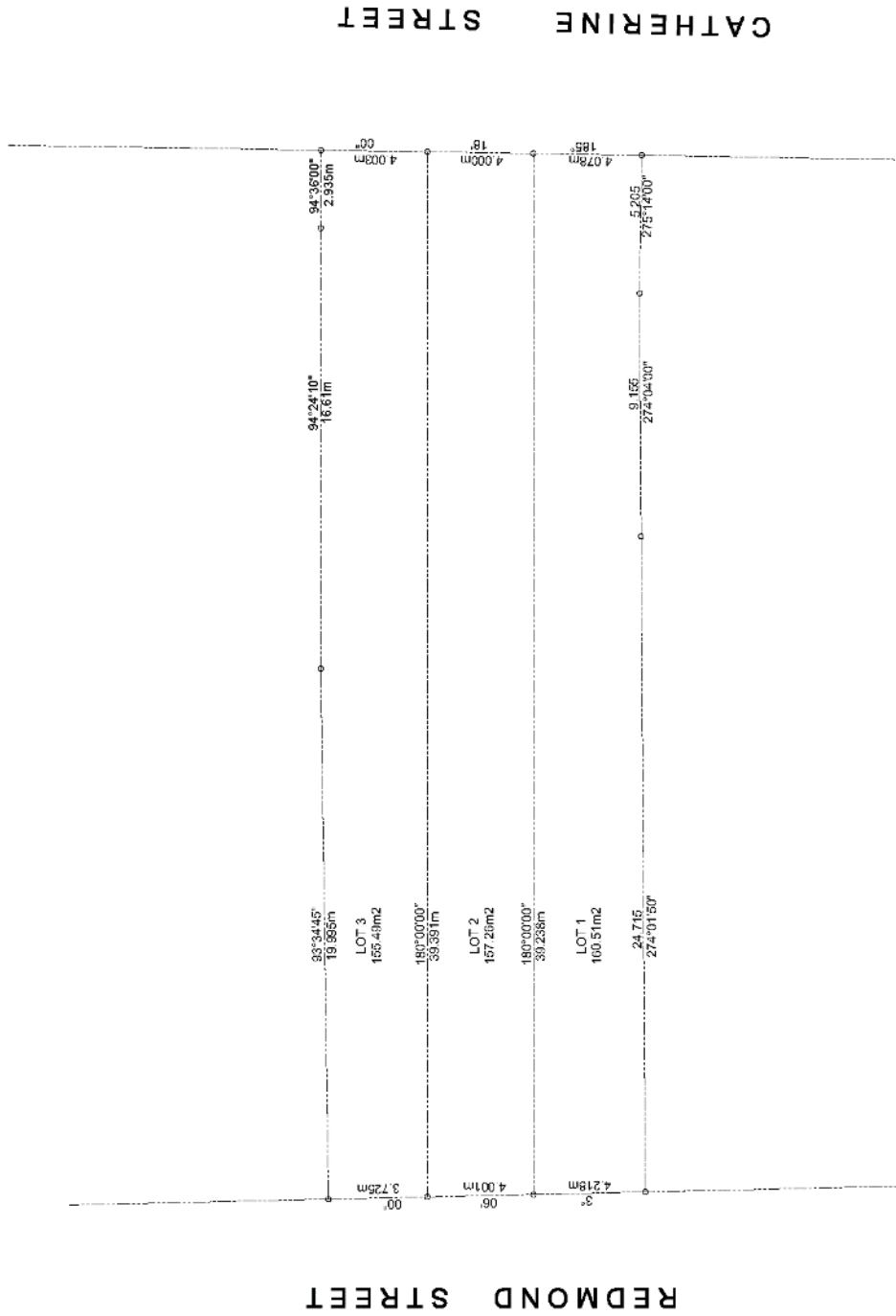
Note: Carrying out of works contrary to the above plans and/ or conditions may invalidate this consent; result in orders, on the spot fines or legal proceedings.

ADD CONDITION 3A

Prior to the issue of a Construction Certificate the works under M/2020/0156 are to delete the infill works at the first floor Catherine Street elevation of the southern lot, also known as Lot 1

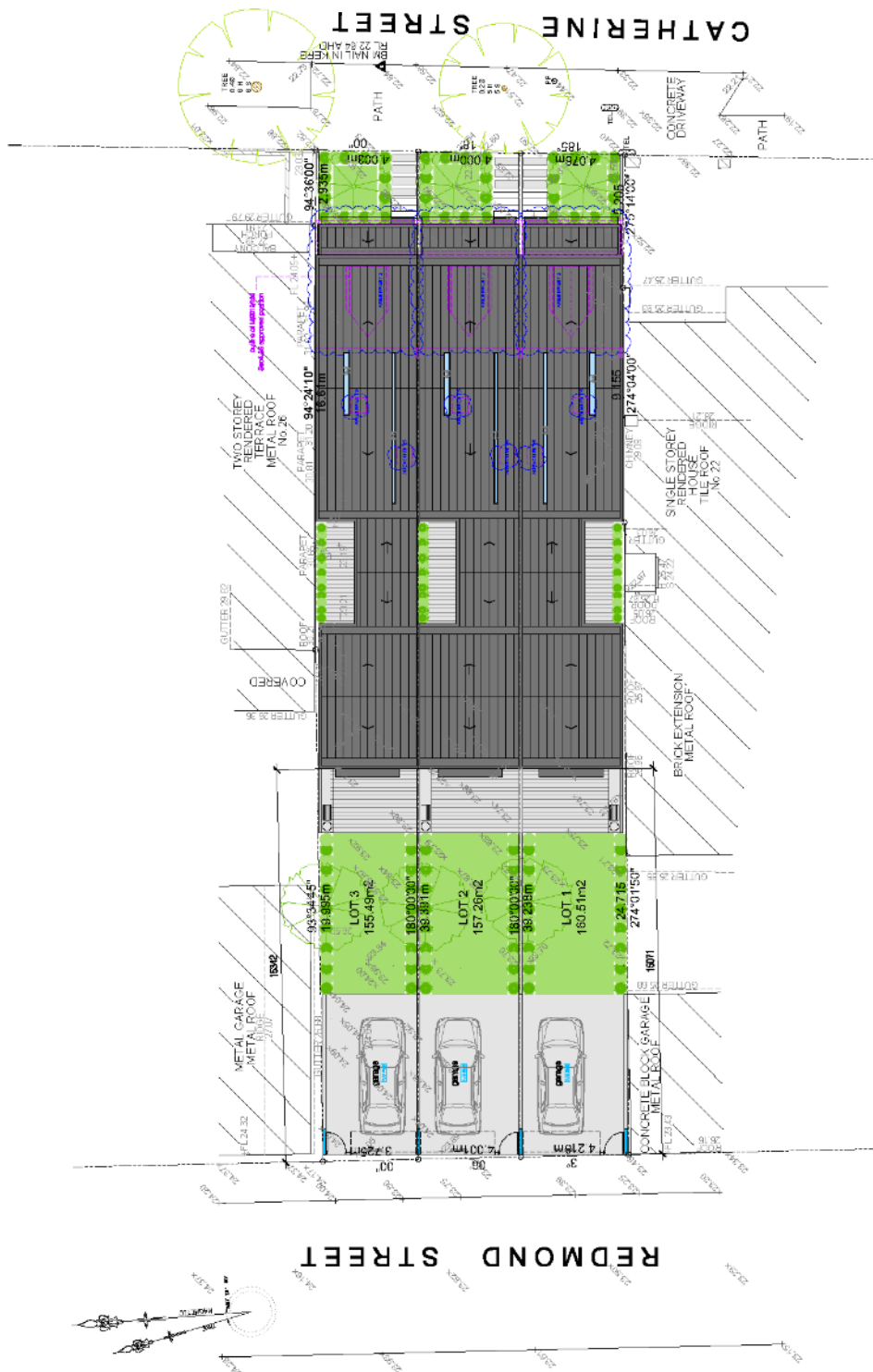
Attachment B – Plans of proposed development





SEC4.55 PLANS FOR CONSTRUCTION		AMENDMENTS		DATE:		CLIENT:		PROJECT:		SCALE:		ISSUE:	
A	PRELIMINARY ISSUE	18.05.2010	Development Design Pty Ltd	1:100 @ A3	C	TROSLER IN PURPLE TROPICITY LTD		RESPONSES SUBMITTED & CONSTRUCTION OF ATTACHED DEVELOPMENTS		1:100 @ A3		C	
B	FINAL ISSUE	19.05.2010	ACN 117 118 187	ADDRESS:		DRAWING:		PROPOSED TORRENS TITLE SUBDIVISION CONCEPT PLAN		DRAWN: S.G.		DA	
C	SEC 4.55 MODIFICATION	27.07.2010	34 Da Riley Street Surry Hills NSW 2010	LOT 2: SEC B in DP 119		PROPOSED TORRENS TITLE SUBDIVISION CONCEPT PLAN		CHECKED: S.G.		DO NOT SCALE DRAWING		SHEET No:	
D	SEC 4.55 MODIFICATION	26.04.2020	+61(0)2511 7000 info@developmentdesign.com.au www.developmentdesign.com.au	24 CATHERINE STREET LEICHHARDT 2040		PLAN						0.09	

ALL BUILDING WORKS TO BE SET IN ACCORDANCE WITH BUILDING CODES OF AUSTRALIA & COUNCIL REQUIREMENTS. THE BUILDER/MANUFACTURER SHALL CHECK AND VERIFY ALL DIMENSIONS, IS CIRCUMFERENCES, METHODS AND CONSTRUCTION METHODS PRIOR TO COMMENCEMENT. COPYRIGHT RESERVED. NOT PART OF THESE DRAWINGS MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM WITHOUT THE WRITTEN PERMISSION OF DEVELOPER.

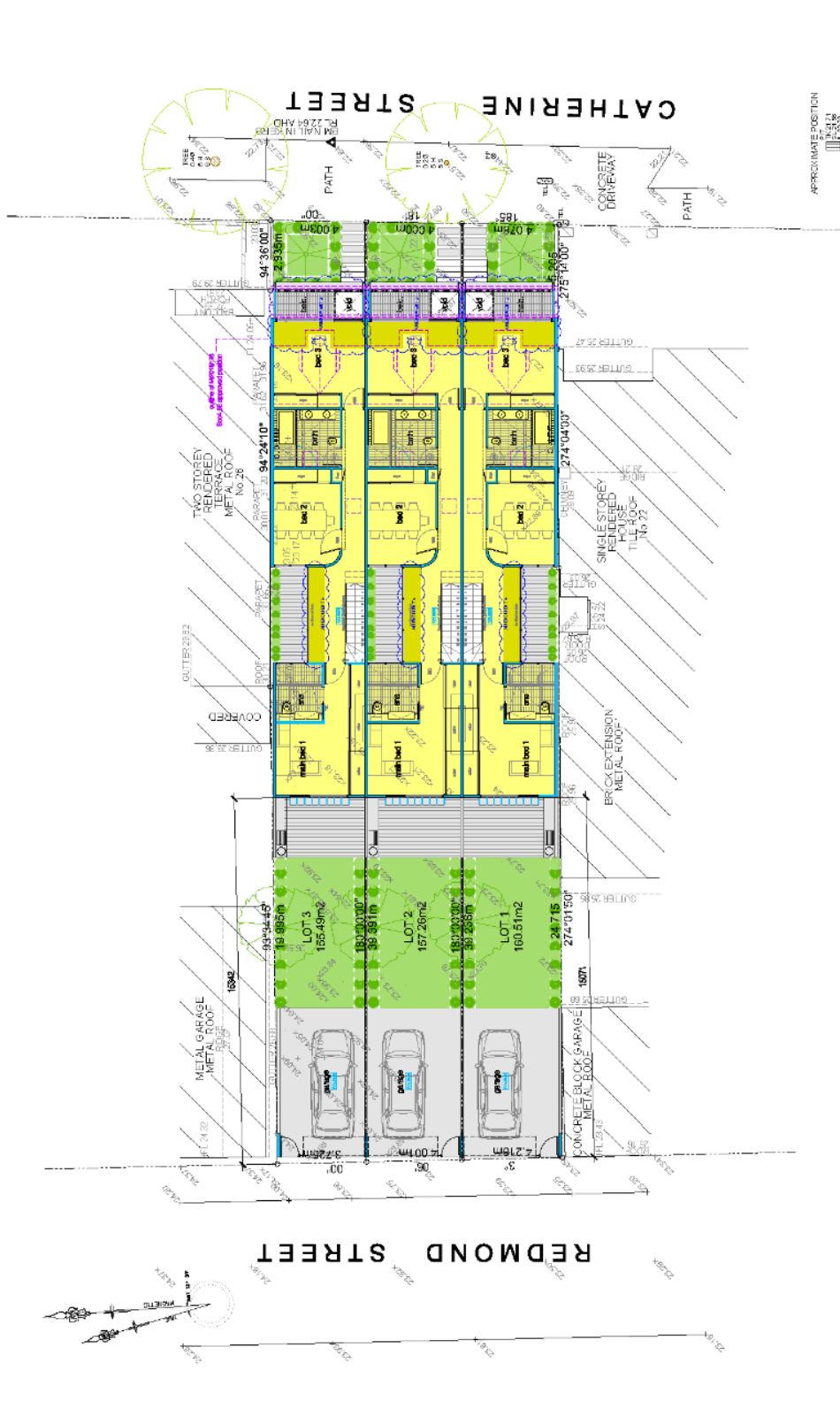


PROPOSED ROOF PLAN ANALYSIS

APPROXIMATE POSITION
IN BLOCK 7

SEC 4.55 PLANS For construction	AMENDMENTS: A PRELIM ISSUE B DA ISSUE C SEC 4.55 MODIFICATION D SEC 4.55 MODIFICATION	DATE: 08.05.2018 18.05.2018 27.07.2018 25.04.2020	CLIENT: TORULIER IN PURPLE PROPERTY LTD ACN 107 118 887 ADDRESS: LOT 22, SEC 8 in DP 119 24 CATHERINE STREET LEICHHARDT 2040 www.development1doe.com.au	PROJECT: REPROPOSED ROOF PLAN ANALYSIS & CONSTRUCTION OF 3 ATTACHED DWELLINGS DRAWING: PROPOSED ROOF PLAN ANALYSIS CHECKED: S.G. S.G.	SCALE: 1:100 @ A3 DRAWN: S.G. CHECKED: S.G.	ISSUE: C DA SHEET NO: 0.10 DO NOT SCALE DRAWING
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ALL DIMENSIONS TO BE SET IN ACCORDANCE WITH BUILDING CODES OF AUSTRALIA & COUNCIL REQUIREMENTS. THE BUILDER/MANUFACTURER SHALL CHECK AND VERIFY ALL DIMENSIONS, E.G. DIMENSIONS, METHODS AND CONSTRUCTION METHODS PRIOR TO COMMENCEMENT. COPYRIGHT RESERVED. NOT PART OF THESE DRAWINGS TO BE REPRODUCED, TRANSMITTED OR IN ANY FORM WITHOUT THE WRITTEN PERMISSION OF DEVELOPER.



SEC4.55 PLANS NOT FOR CONSTRUCTION		DATE:		CLIENT:		PROJECT:		SCALE:		ISSUE:	
A	PRELIMINARY	08.05.2018		Development Design Pty Ltd	TRAILER IN PURPLE 110FTY LTD	PROPOSED SUBMISSION & CONSTRUCTION OF 3 ATTACHED DWELLINGS	1:100 @ A3	C			
B	ISSUE FOR CONSTRUCTION	22.03.2018		340a Riley Street Surry Hills NSW 2010	ADDRESS: LOT 22 SEC 4 in DP 113 24 CATHERINE STREET LEICH HART 2040	DRAWING: PROPOSED FIRST FLOOR ANALYSIS	DRAWING	DA			
C	SEC 4.55 MODIFICATION	25.04.2020					CHECKED	SHEET No:			
D	SEC 4.55 MODIFICATION						BY S.G.	0.11			
							DISPATCH				

ALL BUILDINGS TO BE BUILT IN ACCORDANCE WITH BUILDING CODES OF AUSTRALIA & COUNCIL REQUIREMENTS. THE BUILDER/MANUFACTURER SHALL CHECK AND VERIFY ALL DIMENSIONS, LEVELS, GRADIENTS, SETBACKS AND CONSTRUCTION METHODS PRIOR TO COMMENCEMENT. COPYRIGHT RESERVED. NOT PART OF THESE DOCUMENTS MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM WITHOUT THE WRITTEN PERMISSION OF DEVELOPER.



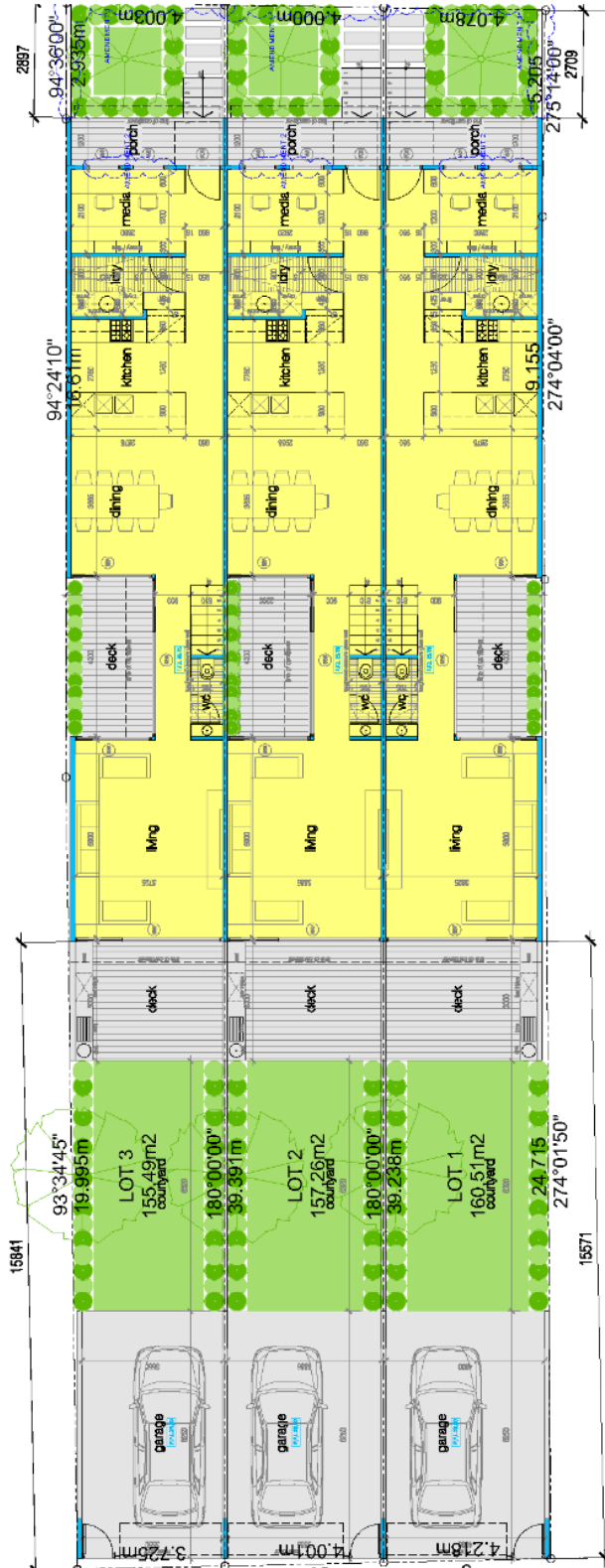
SEC 4.55 PLANS NOT FOR CONSTRUCTION		AMENDMENTS		DATE:		CLIENT:		PROJECT:		SCALE:		ISSUE:	
A	PRE-DA ISSUE	08.05.2016	Development Design Pty Ltd	170x60x100 RUBLEE LIFTIFY LTD	19.05.2016	PROPOSED SUBSTANTIAL CONSTRUCTION OF 3 ATTACHED DWELLINGS	1:100 @ A3	C					
B	DA ISSUE	19.05.2016	ACN 107 118 887	34 Da Riley Street Surry Hills NSW 2010	27.07.2016	PROPOSED GROUND FLOOR ANALYSIS	DR AVAN: S G	DA					
C	SEC 4.52 MODIFICATION	27.07.2016	4100332117000 info@developmentdesign.com.au	LOT 22 SEC 68 IN DP 113	35.04.2020		CHECKED: \$ 6	DO NOT SCALE DRAWING					
D	SEC 4.55 MODIFICATION	35.04.2020	www.developmentdesign.com.au	24 CATHERINE STREET									0.12
ALL DIMENSIONS TO BE BUILT IN ACCORDANCE WITH BUILDING CODES OF AUSTRALIA. CONSULT RELEVANT REGULATORY AUTHORITIES. THE BUILDER/MANUFACTURER SHALL CHECK AND VERIFY ALL DIMENSIONS. IT IS SOLEMNLY DECLARED THAT THE BUILDER/MANUFACTURER HAS NOTIFIED THE WRITTEN PERMISSIONS OF DEVELOPER.													



PROPOSED ROOF PLAN

SEC 4.55 PLANS (Development)	AMENDMENTS A PRELIMINARY ISSUE B DA ISSUE C SEC 4.52 MODIFICATION D SEC 4.55 MODIFICATION	DATE: 08.05.2018 19.05.2018 27.07.2018 26.04.2022	CLIENT: Development Design Pty Ltd ACN: 107 178 087 ADDRESS: 340a Riley Street Surry Hills NSW 2010 #1001 3211 7000 info@developmentdesign.com.au www.developmentdesign.com.au	PROJECT: PROPOSED & REFINED CONSTRUCTION OF 3 ATTACHED DWELLINGS	SCALE: 1:100 @ A3	ISSUE: C
	DRAWING: PROPOSED ROOF PLAN	CHECKED: S.G.	DRAWN: S.O.	ADDRESS: 34 CASTLERINE STREET LETCHMERE NSW 2088	PROJECT: PROPOSED ROOF PLAN	SCALE: 1:100 @ A3
					SHEET No.: 1.02	

ALL DIMENSIONS TO BE BUILT IN ACCORDANCE WITH BUILDING CODE OF AUSTRALIA COUNCIL REQUIREMENTS. THE RAISER/MAINFLOOR SHALL CHECK AND VERIFY ALL DIMENSIONS IS. ARCHITECTURE NETWORKS AND CONSTRUCTION METHODS PROJECT TO COMMENCEMENT. COPYRIGHT RESERVED. NOT PART OF THESE DRAWINGS CAN BE REPRODUCED OR TRANSMITTED IN ANY FORM WITHOUT THE WRITTEN PERMISSION OF DEVELOPER.



PROPOSED GROUND FLOOR PLAN

<p>SEC4.55 PLANS NOT FOR CONSTRUCTION</p>	<p>AMENDMENTS</p> <p>PRE-DA ISSUE SEC 4.55 ISSUE SEC 4.55 MODIFICATION SEC 4.55 MODIFICATION</p>	<p>DATE:</p> <p>08.05.2018 19.05.2018 23.05.2018 26.04.2020</p>	<p>CLIENT: TRAILER IN PURPLE LIGHTY LTD. ACN 107 1 087</p> <p>ADDRESS: LOT 22, SEC B in DP 119 24 CATHERINE STREET LEICHARDT 2040</p>	<p>PROJECT: PROPOSED SUBMISSION FOR CONSTRUCTION OF 3 UNITS OF RESIDUAL HOMES</p> <p>DRAWING: PROPOSED GROUND FLOOR PLAN</p>	<p>SCALE: 1:100 @ A3</p> <p>DRAWN: S.G.</p> <p>CHECKED: S.G.</p>	<p>ISSUE: C</p> <p>DA</p> <p>SHEET No: 1.02</p>
	<p>Development Design Pty Ltd ACN 107 1 087</p> <p>340a Riley Street Surry Hills NSW 2010 www.developmentsign.com.au +61(0)255110001 info@developmentsign.com.au +61(0)255110001 info@developmentsign.com.au</p>		<p>ISSUE: C</p>	<p>SCALE: 1:100 @ A3</p>	<p>ISSUE: C</p>	
	<p>DATE: 08.05.2018 19.05.2018 23.05.2018 26.04.2020</p>		<p>CLIENT: TRAILER IN PURPLE LIGHTY LTD. ACN 107 1 087</p>	<p>DRAWN: S.G.</p>	<p>ISSUE: C</p>	
	<p>AMENDMENTS PRE-DA ISSUE SEC 4.55 ISSUE SEC 4.55 MODIFICATION SEC 4.55 MODIFICATION</p>		<p>ADDRESS: LOT 22, SEC B in DP 119 24 CATHERINE STREET LEICHARDT 2040</p>	<p>CHECKED: S.G.</p>	<p>ISSUE: C</p>	

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PROPOSED FIRST FLOOR PLAN

SEC-4.55 PLANS
NOT FOR CONSTRUCTION

ISSUE: A B C D	AMENDMENTS: PRE-DA ISSUE SEC-4.52 MODIFICATION SEC-4.52 MODIFICATION SEC-4.52 MODIFICATION	DATE: 08.05.2018 27.07.2018 25.04.2022	CLIENT: Development Design Pty Ltd ACN 107 178 087 340a Riley Street Surry Hills NSW 2010 +61(0)2021 7000 info@developmentdesign.com.au www.developmentdesign.com.au	PROJECT: Proposed submission & construction of 3 residential dwellings	SCALE: 1:100 @ A3	ISSUE: C
			ADDRESS: LOT 22 SEC 8 MDP 113 24 CATHERINE STREET LEICH HARTD 2040	DRAWING: PROPOSED FIRST FLOOR PLANS	DRAWN: S.O.	DA
				CHECKED: S.O.	UNITS SCALE DRAWING: S.O.	SHEET No 1.03

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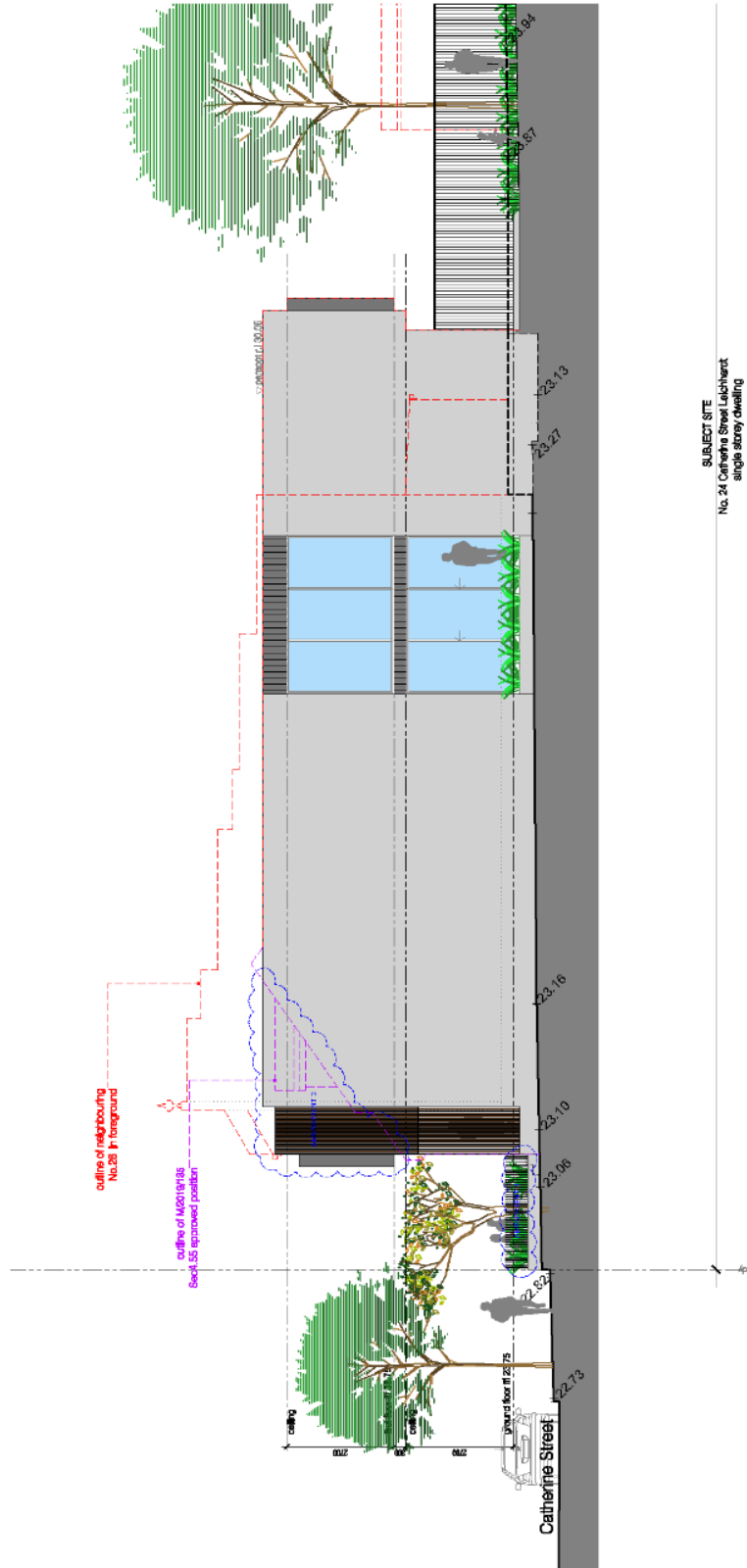


PROPOSED EASTERN CATHERINE STREETSCAPE ELEVATION

SEC4.55 PLANS
FOR CONSTRUCTION

ISSUE: A PRE-DA ISSUE B DA ISSUE C SEC 4.55 MODIFICATION D SEC 4.55 MODIFICATION	AMENDMENTS: DATE: 00.05.2018 19.05.2018 17.07.2018 25.04.2020	CLIENT: DEVELOPMENT DESIGN PTY LTD ACN 107 118 187 34 Oa Riley Street Surry Hills NSW 2010 +61(0)2 9211 7000 info@developmentdesign.com.au www.developmentdesign.com.au	PROJECT: PROPOSED SUBSTITUTION OF ATTACHED DWELLINGS DRAWING: PROPOSED EASTERN CATHERINE STREETSCAPE ELEVATION	SCALE: 1:100 @ A3 DR. AVAN: S.O. CHECKED: S.G. DRAWING: S.G.	ISSUE: C DA SHEET NO: 2.04 DRAWING: S.G.
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SUBJECT SITE
No. 24 Catherine Street Leichhardt
single storey dwelling

PROPOSED NORTHERN SIDE ELEVATION

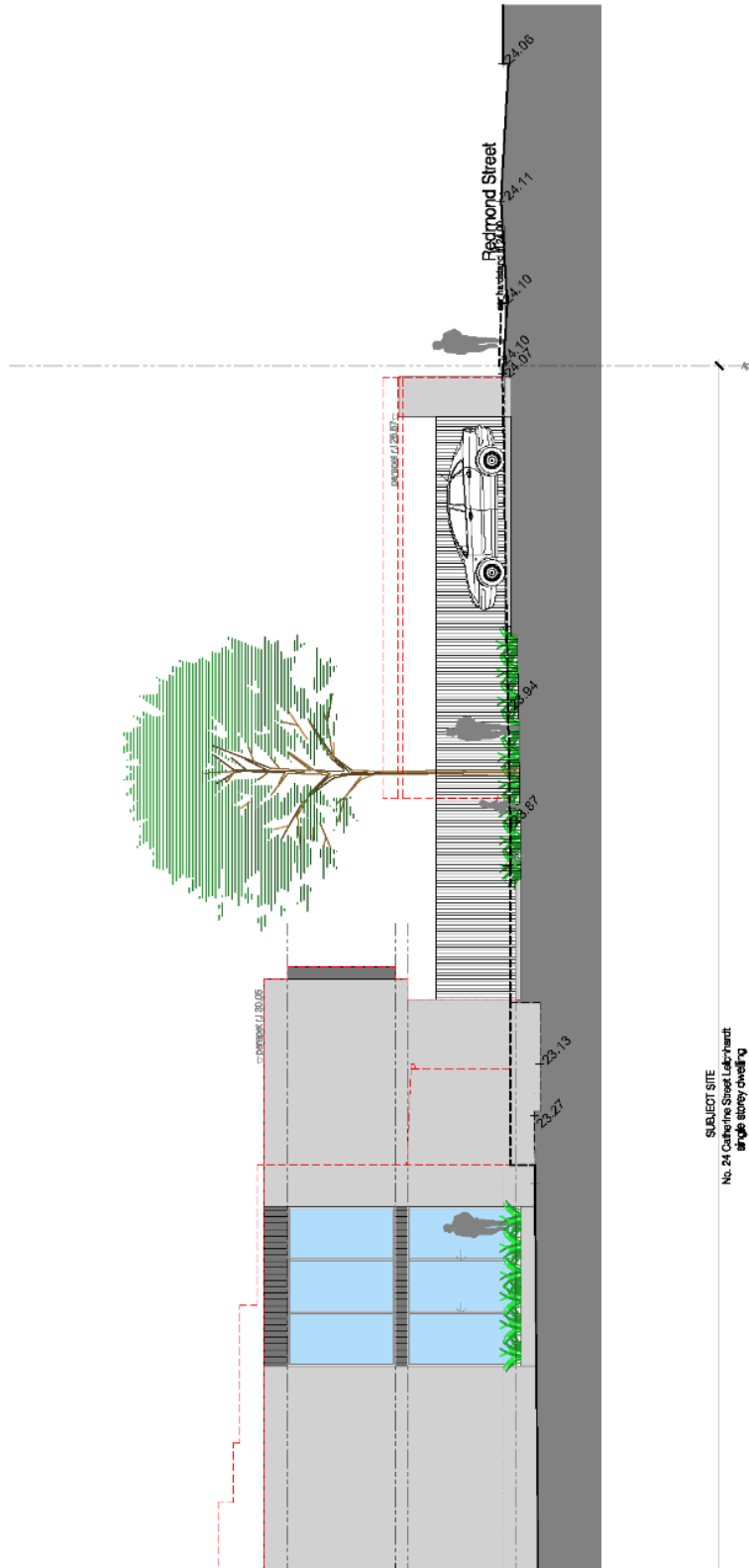
SEC4.55 PLANS
FOR CONSTRUCTION

ISSUE:	AMENDMENTS	DATE:
A	PRELIMINARY ISSUE	08.05.2018
B	SEC 4.55 MODIFICATION	22.05.2018
C	SEC 4.55 MODIFICATION	25.04.2020
D	SEC 4.55 MODIFICATION	

PROPOSED NORTHERN SIDE ELEVATION

CLIENT: TRAVELER IN PURPLE TRIPITY LTD ADDRESS: LOT 22 SEC 6 in DP 113 24 CATHERINE STREET LEICHHARDT 2040	PROJECT: PROPOSED SUBMISSION & CONSTRUCTION OF 3 ATTACHED DWELLINGS DRAWING: PROPOSED NORTHERN SIDE ELEVATION	SCALE: 1:100 @ A3 DRAWN: S.G. CHECKED: S.G.	ISSUE: C DA SHEET No: 2.06 DRAFT SCALE DISPARITY
Development Design Pty Ltd ACN 1071761887 340a Riley Street Surry Hills NSW 2010 +61(0)25117000 info@developmentdesign.com.au www.developmentdesign.com.au			

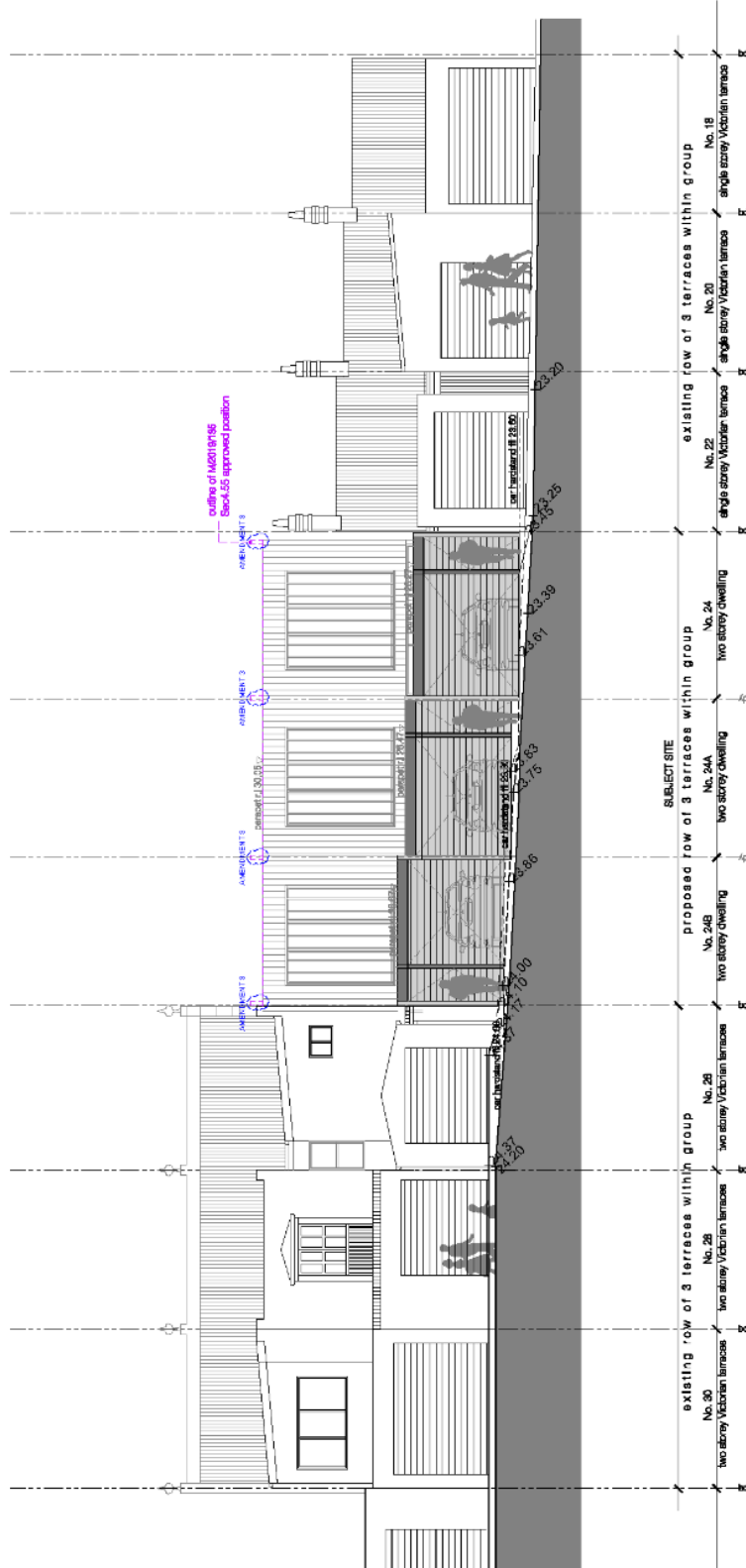
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SUBJECT SITE
No. 24 Catherine Street Leichhardt
single storey dwelling

PROPOSED NORTHERN SIDE ELEVATION

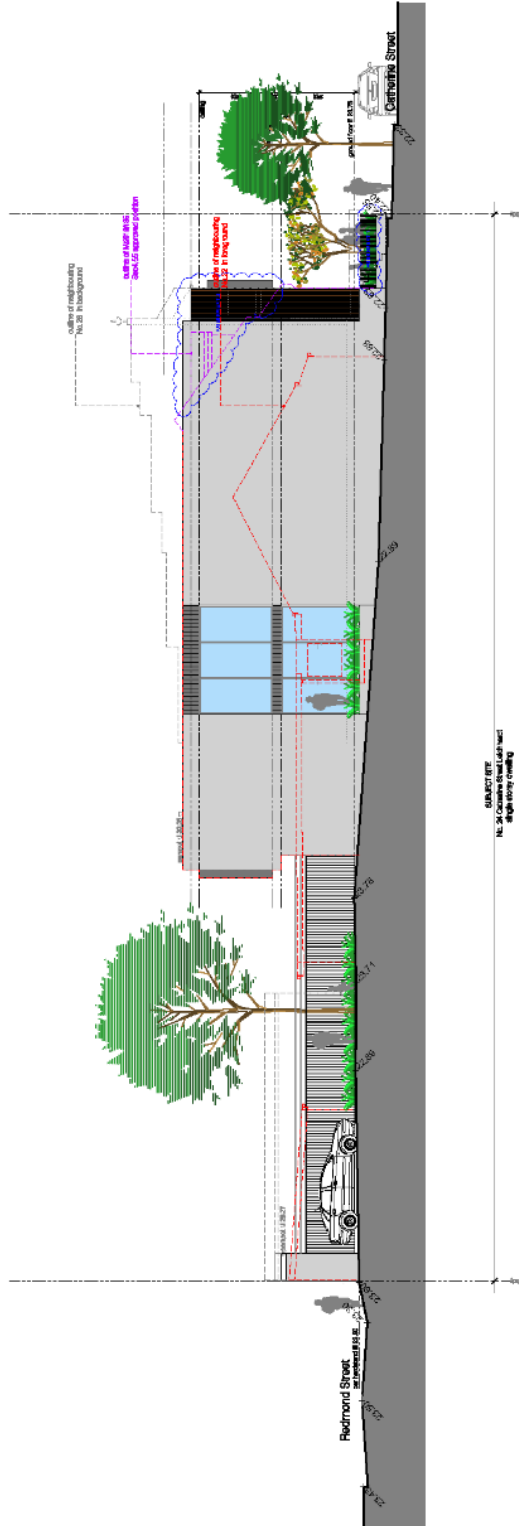
SEC4.55 PLANS FOR CONSTRUCTION	AMENDMENTS A B C D	DATE: 19.05.2016 19.05.2016 27.07.2016 26.04.2022	CLIENT: Development Design Pty Ltd ACN 1071181887 340a Riley Street Surry Hills NSW 2010 +61(0)2(0)17600 info@developmentdesign.com.au www.developmentdesign.com.au	PROJECT: PROPOSED SUBSTANTIAL CONSTRUCTION OF 3 ATTACHED DWELLINGS	SCALE: 1:100 @ A3	ISSUE: C	
	PRELIMINARY ISSUE DA ISSUE SEC 4.55 MODIFICATION SEC 4.55 MODIFICATION	DRAWING: PROPOSED NORTHERN SIDE ELEVATION	CHECKED: S.G.	DRAWN: S.G.	SHEET NO: 2.07	DO NOT SCALE DRAWING	DA 2.07
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	ALL DIMENSIONS TO BE LIFT IN ACCORDANCE WITH BUILDING CODES OF AUSTRALIA & LOCAL REQUIREMENTS. THE BUILDING MANUFACTURER SHALL CHECK AND VERIFY ALL DIMENSIONS & APPROVALS. SETTINGS AND CONSTRUCTION METHODS MUST COMPLY WITH THE BUILDING MANUFACTURER'S REQUIREMENTS.						



PROPOSED WESTERN REAR REDMOND STREETScape ELEVATION

SECC455 PLANS FOR CONSTRUCTION		AMENDMENTS		DATE:		PROJECT:		SCALE:		ISSUE:	
A	PRELIMINARY	19.05.2018	Development Design Pty Ltd	TRADER IN PURPLE TOFFEE LTD	1:100 @ A3	C	PROPOSED WESTERN REAR REDMOND STREETScape ELEVATION	1:100 @ A3	DA	DA	DA
B	SEC 452 MODIFICATION	27.07.2018	340a Riley Street Surry Hills NSW 2010	ADDRESS:	1:100 @ A3	D	PROPOSED WESTERN REAR REDMOND STREETScape ELEVATION	1:100 @ A3	DA	DA	DA
C	SEC 452 MODIFICATION	26.04.2022	ACN 107 178 087	400 321 7000 info@developmentdesign.com.au	1:100 @ A3	DA	PROPOSED WESTERN REAR REDMOND STREETScape ELEVATION	1:100 @ A3	DA	DA	DA
D	SEC 452 MODIFICATION		www.developmentdesign.com.au	24 CATHMERE STREET	1:100 @ A3	DA	PROPOSED WESTERN REAR REDMOND STREETScape ELEVATION	1:100 @ A3	DA	DA	DA
				LET CHILBERT 2008	1:100 @ A3	DA	PROPOSED WESTERN REAR REDMOND STREETScape ELEVATION	1:100 @ A3	DA	DA	DA

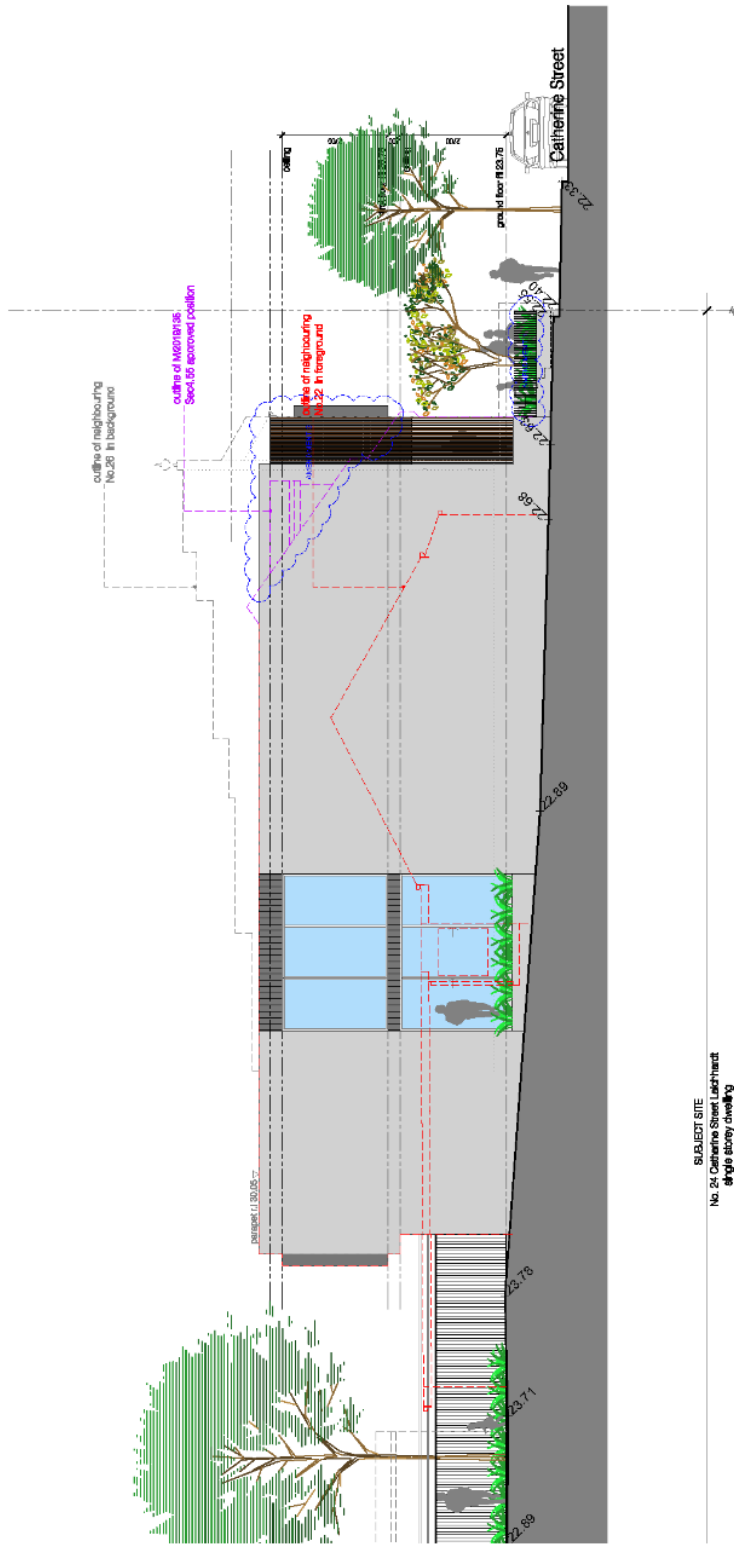
ALL BUILDINGS WORKS TO BE BUILT IN ACCORDANCE WITH BUILDING CODE OF AUSTRALIA COUNCIL REQUIREMENTS. THE BUILDER/MANUFACTURER SHALL CHECK AND VERIFY ALL DIMENSIONS, IS, ARCHITECTURAL NETWORKS AND CONSTRUCTION METHODS PRIOR TO COMMENCEMENT. COPYRIGHT RESERVED. NOT PART OF THESE DRAWINGS CAN BE REPRODUCED OR TRANSMITTED IN ANY FORM WITHOUT THE WRITTEN PERMISSION OF DEVELOPER.



PROPOSED SOUTHERN SIDE ELEVATION

SEC4.35 PLANS FOR CONSTRUCTION		AMENDMENTS		DATE:		CLIENT:		PROJECT:		SCALE:		ISSUE:	
A	PRIOR ISSUE	18.05.2018	DEVELOPMENT DESIGN PTY LTD	PROPOSED SUBMISSION & CONSTRUCTION OF 3 ATTACHED DWELLINGS		1:100 @ A3		C					
B	DA	27.07.2018	ACN 107 178 187	DRAWING: PROPOSED SOUTHERN SIDE ELEVATION		DR AVAN: \$10		DA					
C	SEC 4.35 MODIFICATION	25.04.2020	340a Riley Street Surry Hills NSW 2010	DRAWING: PROPOSED SOUTHERN SIDE ELEVATION		CHECKED: \$6		SHEET No:					
D	SEC 4.35 MODIFICATION		+61(0)2911 7000 info@developmentdesign.com.au www.developmentdesign.com.au	ADDRESS: LOT 22 SEC 8 MDP H3 24 CATHERINE STREET LEICHARDT 2040				DRAWING				2.12	

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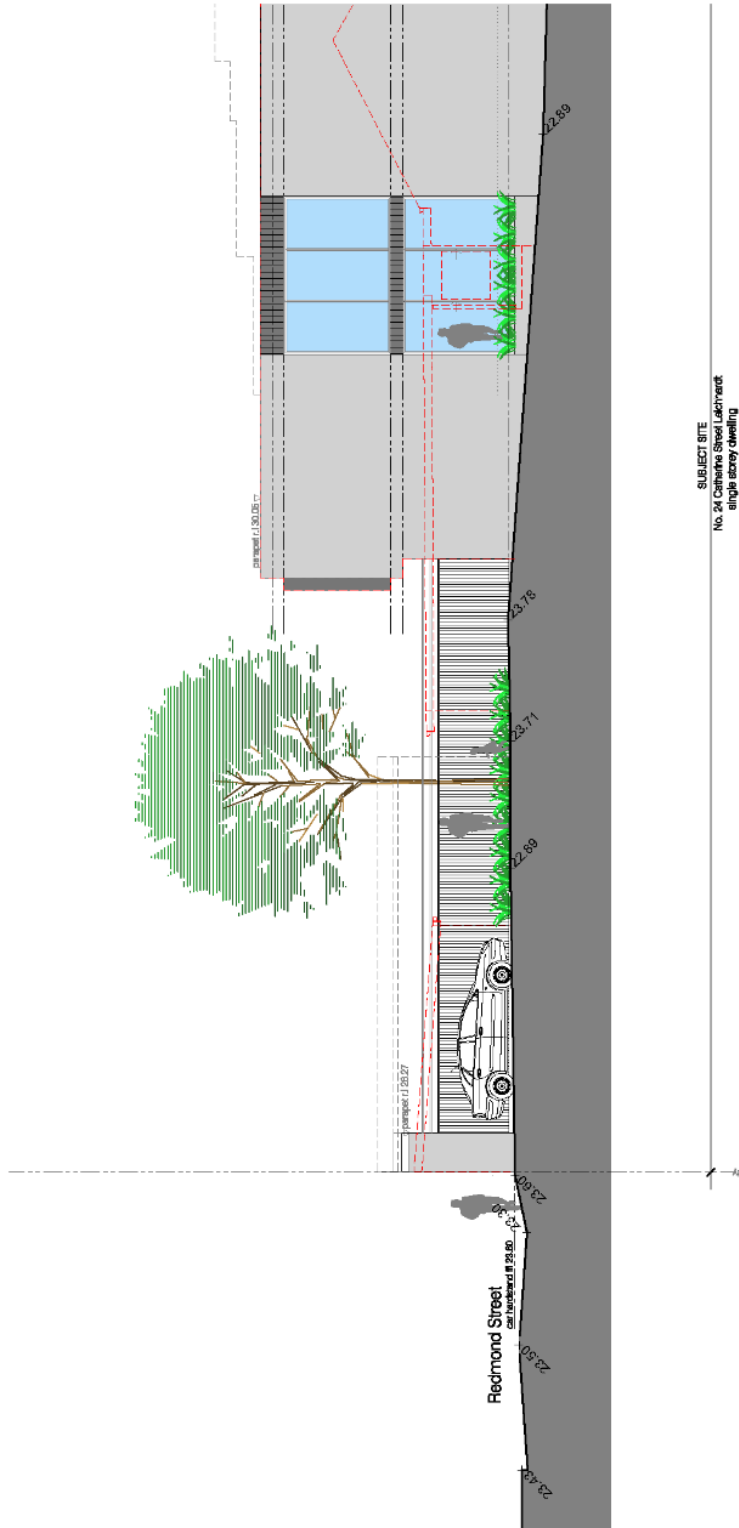
SUBJECT SITE
No. 24 Catherine Street Leichhardt
4 story storey dwelling

PROPOSED SOUTHERN SIDE ELEVATION

SEC4.55 PLANS FOR CONSTRUCTION

ISSUE:	AMENDMENTS:	DATE:	CLIENT:	PROJECT:	SCALE:	ISSUE:
A	PRE-DA ISSUE	08.05.2018	TRUSLER IN PURPLE TIDITY LTD	PROPOSED SUBMISSIONS & CONSTRUCTION OF 3 ATTACHED DWELLERS	1:100 @ A3	C
B	SEC 4.55 MODIFICATION	19.07.2018	ADDRESS:	DRAWING:	DRAWN: S/G	DA
C	SEC 4.55 MODIFICATION	25.04.2020	340a Riley Street Surry Hills NSW 2010	PROPOSED SOUTHERN SIDE ELEVATION	CHECKED: S/G	SHEET No:
D			+61(0)201170011 info@developmentdesign.com.au www.developmentdesign.com.au			DRAWING
						2.13

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PROPOSED SOUTHERN SIDE ELEVATION

SEALSS PLANS FOR CONSTRUCTION		AMENDMENTS		DATE:		Development Design Pty Ltd		CLIENT:		PROJECT:		SCALE:		ISSUE:	
A	PRE-DA ISSUE	08.05.2018													
B	DA ISSUE	18.05.2018													
C	SEC 452 MODIFICATION	27.07.2019													
D	SEC 452 MODIFICATION	29.04.2022													
						340a Riley Street Surry Hills NSW 2010 +61(0)2(0)717600 info@developmentdesign.com.au www.developmentdesign.com.au		TRADER IN PURPLE TUDITY LTD ADDRESS: LOT 22 SEC 8 MDP 118 24 CATHERINE STREET LEICHHARDT 2040		REPOSED, REFINED & CONSTRUCTION OF 3 ATTACHED DWELLINGS DRAWING: PROPOSED SOUTHERN SIDE ELEVATION		1:100 @ A3 DRAWN: S.O CHECKED: S.B		C DA SHEET No: 2.14 DO NOT SCALE DRAWING	

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TYPICAL SECTION A - A (SOUTHERN LOT)

SEC455 PLANS FOR CONSTRUCTION

ISSUE: A B C D	AMENDMENTS PRE-DA ISSUE CAL USE 455 MODIFICATION SEC 455 MODIFICATION	DATE: 08.08.2019 19.08.2019 26.04.2020	CLIENT: Development Design Pty Ltd ACN 137 718 087 340a Riley Street Surry Hills NSW 2010 +61(0)271 7600 info@developmentdesign.com.au www.developmentdesign.com.au	PROJECT: PROPOSED SUBDIVISION & CONSTRUCTION OF 3 ATTACHED DWELLINGS DRAWING: TYPICAL SECTION A-A	SCALE: 1:100 @ A3 DRAWN: S.G. CHECKED: S.G.	ISSUE: C DA SHEET No: 3.01 DO NOT SCALE DRAWING
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SEC4.55 PLANS FOR CONSTRUCTION		LANDSCAPE PLAN	
ISSUE: A	AMENDMENTS:	SCALE: 1:100 @ A3	ISSUE: C
B		DRAWN: S.G	DA
C		CHECKED: S.G	SHEET No: 5.01
D			DO NOT SCALE DRAWING
DATE: 08.05.2018 19.09.2018 27.07.2019 25.04.2020		PROJECT: PROPOSED DESIGN & CONSTRUCTION OF ATTACHED DWELLINGS	
CLIENT: Development Design Pty Ltd ACN 107 178 867		DRAWING: LANDSCAPE PLAN	
ADDRESS: 340a Riley Street Surry Hills NSW 2010 +61(0)2 9211 7900 info@developmentdesign.com.au www.developmentdesign.com.au			

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PLANTING SCHEDULE

SYMBOL	BOTANIC NAME	COMMON NAME	MAX HEIGHT	MAX WIDTH	POT SIZE	STAKING	NUMBER
TREES 4-10m							
PA	<i>Plumeria acutifolia</i>	Frangipani	7m	3m	100lt	YES	6
CA	<i>Crassula ovata</i>	Jade Plant	0.6m	1.5m	5lt	NO	10
BAMBOOS							
BT	<i>Bambusa textilis 'Gracilis'</i>	Bamboo	7m	3m	2.5lt	NO	16
GROUND COVER							
LO	<i>Lomandra confertifolia</i>	Little con	0.6m	0.6m	2.5lt	NO	15
DL	<i>Ophiopogon japonicus</i>	Dwarf Lillyturf	-	-	0.5lt	NO	20
GRASS							
SW	<i>Sir Walter Burialo</i>	Turf Grass	-	-	-	NO	-

SPECIFICATION NOTES

PLANTING MATERIALS

Planting Mix:
 Impregal planting mix to comprise an approved soil mix of:
 • 70% Soil mix (75% coarse sand and 25% Blacksoil)
 • 10% Composted sawdust
 • 10% Composted woodchip
 • 10% Composted manure

Mulch:
 All trees shall have 100mm Black 15mm grade, free from material derived from Pinak, Willow, Poplar, Coral trees, or other noxious weeds. Any mulch exceeding the 50mm grade shall be sieved / removed from the site. Graded fine bark mulch (ANL code NMB) to be supplied by Australian Native Landscapes Pty Ltd Phone (02) 9453 1444, or approved equivalent.

Plant Material:
 All plants must be true to the species. No substitutes will be allowed. All plants shall be free of fungus and insect damage. All plants shall be healthy, well shaped, not soft or force grown and no root bound.

Turfed areas:
 All new turfed areas shall be subsoil tamped free 50t level Bullock. Turf shall be laid neatly subsoil and topped with 100mm topsoil. Turf shall be laid on a prepared subgrade and all turf edges shall be secured with a 100mm high plastic strip prior to turving.

PREPARATION AND HARDWORKS

Excavating for Spot Planting
 For all spot plantings, for each plant there must be a hole which is not less than twice the depth and twice the diameter than the root ball of specimen to be planted.

Staking
 Use durable hardwood, straight, free from knots or twists, pointed at one end. Drive stakes into the ground to a depth of 100mm. Stakes shall be 100mm diameter and 2m long. Stakes shall be secured with 25 x 25mm Nylon ties in 2 x 300mm Hardwood Stakes with 500mm Nylon ties. Provide a 50mm wide Nylon webbing tie per stake, fixed securely to the stakes, one tie at half the height of the main stem and the other as necessary to stabilize the plant.

Concrete Edges
 Decorative concrete shall be Western White pebble, gravel to be of uniform size or graded material in the size 30 - 40mm grade to normal 75mm thickness as available from Australian Native Landscapes. Ph: (02) 9453 1444.

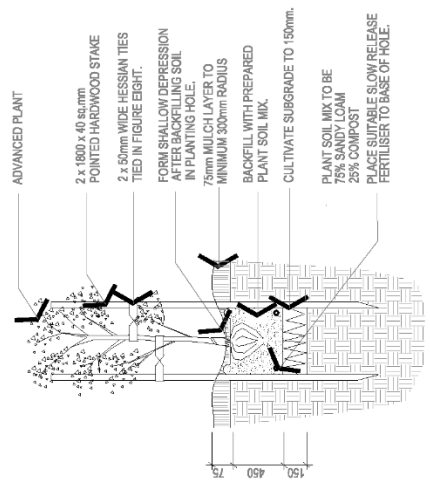
Concrete Edges
 Concrete to be of white colour.

INSTALLATION: Supply and install 100 x 250mm (width) embossed flush concrete kerb to locations as shown on drawings. Kerbs shall be 100mm high and 100mm wide. Kerbs shall be installed to a depth of 100mm to each concrete edge, lightly excess appropriate through forming / spacing. Top finish exposed edges with 10mm pencil round to prevent chipping.

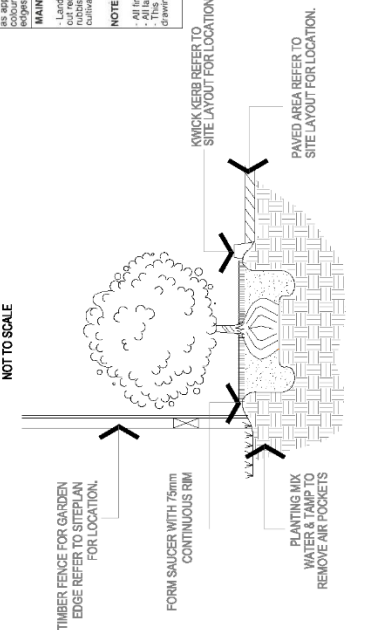
MAINTENANCE / PLANT ESTABLISHMENT

Landscape Contractors to provide 13 weeks for maintenance / plant establishment period. Carry out routine watering of a maintenance nature including, but not limited to, watering, mowing, weeding, mulching, pruning, hedge clipping, top dressing, and keeping the site neat and tidy.

NOTE:
 - All finished levels are to be verified by Contractor on site.
 - All levels are to be verified by Contractor on site.
 - This plan to be used in conjunction with all other submitted architectural, structural and engineering drawings where applicable.



SHRUB PLANTING - IN MASS PLANTED AREAS



ADVANCED TREE PLANTING DETAIL

NOT TO SCALE

SEC4 55 PLANS FOR CONSTRUCTION

ISSUE:	AMENDMENTS:	DATE:	CLIENT:	PROJECT:	SCALE:	ISSUE:
A		06.05.2018	Development Design Pty Ltd	PROPOSED SHED/SHED IN CONSTRUCTION OF 3 ATTACHED DWELLINGS	1:100 @ A3	C
B	PRE-DA ISSUE	19.09.2018	TRADER IN PURPLE 113PTY LTD			DA
C	DA ISSUE	27.07.2019				
D	SEC 4 55 MODIFICATION	25.04.2020				
			340a Riley Street Surry Hills NSW 2010	DRAWING:	S.G	SHEET No:
			451(02)32117600 info@developmentdesign.com.au	LANDSCAPE PLAN	S.G	5.01A
			www.developmentdesign.com.au	CHECKED:	S.G	DO NOT SCALE DRAWING

LANDSCAPE PLAN

NOTE:
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W/THIN GROUP No. 22
No. 24
No. 25
No. 26
No. 27
No. 28

SUBJECT SITE No. 24
No. 25
No. 26
No. 27
No. 28

PROPOSED (one of 3 terraces within group) No. 24
No. 25
No. 26
No. 27
No. 28

EXISTING (one of 3 terraces within group) No. 24
No. 25
No. 26
No. 27
No. 28

Subject Site: No. 24 Catherine Street, Leichhardt
single story dwelling

Callouts:
 (A) Contemporary interpretation of traditional picket style fence in Micaceous Oxide / Steel or similar
 (B) Selected MATERIAL & COLOUR SCHEDULE OF FINISHES
 (C) Selected extruded aluminium or steel fixed privacy screen in Micaceous iron oxide paint
 (D) Malay Grey or Similar Colour
 (E) Selected aluminium windows & doors in Malay Grey Colour
 (F) Selected external cladding & Aluminium Frames in Malay Grey or similar Colour

Material & Colour Schedule:
 PG203 Malay Grey
 Mid Grey
 Natural Grey

Project Information:
PROJECT: PROPOSED REDEVELOPMENT AND CONSTRUCTION OF 7 ATTACHED DWELLINGS
CLIENT: TRADER IN PURPLE 113PTY LTD
ADDRESS: LOT 22, SEC B in DP 119
 24 CATHERINE STREET
 LEICHHARDT 2040
DATE: 08.06.2016
 19.09.2018
 26.04.2020
DATE: 08.06.2016
 19.09.2018
 26.04.2020

Scale & Drawing Info:
SCALE: 1:150 @ A3
DRAWN: S.G
CHECKED: S.G
ISSUE: C
DA: DA
SHEET No.: 5.03
DO NOT SCALE DRAWING: S.G

SEC4.55 PLANS FOR CONSTRUCTION
AMENDMENTS:
 A PREDA ISSUE
 B DA ISSUE
 C SEC 4.55 MODIFICATION
 D SEC 4.55 MODIFICATION

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 340a Riley Street Surry Hills NSW 2010
 +61(02) 9211 7800 | info@developmentdesign.com.au
 www.developmentdesign.com.au

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Attachment C - Clause 4.6 - FSR

7

Exception to Development Standard

Exception to Development Standard to LLEP2013 Clause 4.4 - Floor Space Ratio

FOR:

PROPOSED DEMOLITION OF EXISTING DWELLING, SUBDIVISION INTO THREE (3)
TORRENS TITLE ALLOTMENTS & CONSTRUCTION OF AN INFILL DWELLING ON EACH
LOT

AT:

No.24 Catherine Street Leichhardt

Prepared by:

Development Design Pty Ltd
340A Riley Street Surry Hills 2010

January 2021

46

1. INTRODUCTION

An objection pursuant to Clause 4.6 Exception to Development Standard – Development Standards is made requesting variation to strict compliance with the floor space ratio standard contained in Leichhardt Local Environmental Plan 2013 (LLEP2013).

The objection is made on the grounds that strict compliance with the development standard is unreasonable and unnecessary given the circumstances of the case.

The proposed variation will not hinder attainment of the objectives of Section 5a (i) and (ii) of the EP & A Act 1979 (the act), that is “the proper management and development” of land and the “promotion and co-ordination of the orderly and economic use of development”. The proposal is in line with these objectives and the underlying intent of the standard.

Variation of the Floor Space Ratio control will not adversely affect the amenity of any neighbouring properties.

2. Objection to Development Standard to Clause 4.4 - Floor Space Ratio

Leichhardt Council Environmental Plan 2013 (LLEP2013), Clause 4.4, where a development standard is prescribed for floor space ratio (FSR).

2.6 What are the objectives or underlying purpose relevant to the development standard?

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.*

(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.*

(2B) *Despite subclause (2), the floor space ratio for development for the purpose of residential accommodation:*

(c) *on land shown edged brown on the Floor Space Ratio Map is not to exceed:*

- (ii) *in the case of development on a lot with an area of 150 square metres or more but less than 300 square metres—0.7:1, or*

2.7 Is compliance with the standard consistent with the aims of the policy, and in particular does compliance with the development standard tend to hinder the attainment of the objects specified in section 5(a)(i) and (ii) of the EP&A Act?

The proposed variation will not hinder attainment of the objectives of Section 5a (i) and (ii) of the EP & A Act 1979 (the act), that is “the proper management and development” of land and the “promotion and co-ordination of the orderly and economic use of development”.

The proposal is in line with these objectives and the underlying intent of the standard.

Variation of the Floor Space Ratio control will not adversely affect the amenity of any neighbouring properties.

2.8 Is compliance with the development standard unreasonable or unnecessary?

This assessment requires consideration as to whether the proposal meets the underlying objectives of the Floor Space Ratio standard.

The proposed infill development results in a total GFA of 340.74m² over a total Site Area of 473.26m² which equates to a total FSR of 0.72 : 1 or 2.4% Level of Non-compliance as specified in *Clause 4.4 (2B)(c)(ii)* of the Leichhardt Local Environmental Plan 2013.

The proposed Torrens Title Subdivision into three(3) lots equate to the following ratios :

	Lot 1	Lot 2	Lot 3
GFA :	126.02m ²	127.79m ²	124.98m ²
Site Area:	160.51m ²	157.26m ²	155.49m ²
FSR:	0.785 : 1	0.813 : 1	0.803 : 1
%stage of non-compliance :	12%	16%	15%

The underlying objective or purpose of the FSR standard is to restrict over development of the site by controlling the bulk and scale of the building in order to minimise the impacts of the proposal on the neighbouring properties which is compatible with the desired future character of the area whilst providing a suitable balance between landscape areas and the built form.

In the context of this development proposal, strict compliance with the floor space ratio requirement of 0.7 : 1 is unreasonable and unnecessary as the increase is appropriate within its context having inconsequential and imperceptible effects on the adjoining immediate and intermediate amenity for the following justifiable reasons.

- The level of non-compliance as indicated in the table above is considered minor in nature under the context that the level of area increase is attributed to the following :
 - The reinstatement of 2.64m² of internal first floor void between the stair and central atrium ; (refer Figures A & B)
 - The increase of 3.57m² of floor area within first floor bedroom 3 as a result of converting the previously Sec4.55 approved traditional pitched and dormer façade to a contemporary infill façade ; (refer Figures A & B)
- The underlying objective or purpose of the FSR standard is upheld given that the additional floor area of 2.64m² sought in lieu of the internal void is contained and concealed within the approved external built form and scale and remain unchanged without any adverse effects on the adjoining amenity ;
- The additional floor area contributes an inconsequential and imperceptible area of 2.64m² to the previously approved Gross Floor Areas of 126.02m² (Lot 1) , 127.79m² (Lot 2) & 124.98m² (Lot 3) approved GFA of 133.27m² and which equates to a percentage of GFA increase of 2.1% within the approved built form and scale ;
- The overall area of non-compliance inclusive the additional floor area of 3.57m² attributed to the first floor bedroom 3 as a result of converting the previously approved traditional pitched roof façade to a contemporary infill façade equates to an increase from the approved FSR for Lot 1 from 0.785: 1 to 0.823: 1, 0.813: 1 to 0.852: 1 for Lot 2 and from 0.803 : 1 to 0.843 : 1 for Lot 3 should be recognised as a minor inconsequential increase when comparing on balance the positive contributions the contemporary infill will provide to the streetscape and Piperston Distinctive Neighbourhood ;

- Furthermore is should be recognised that the site does not fall within a Conservation Area where heritage assessment of the effects of the proposed development on the heritage significance on the Conservation Area would otherwise apply under LLEP2015 Clause 5.10 Heritage Conservation ;
- Despite not falling within a Conservation Area , the proposed contemporary amendments to the infill development which contributes 3.57m2 of additional floor area which was concealed within the primary pitched roof area, seeks the chance for continuing the enrichment of its contribution to the streetscape and desired future character controls within the Piperston Distinctive neighbourhood by adding a comparable new contemporary interpretation of a traditional built form layer as an expression of contemporary life ;

As the opportunities for infill development are rare, it is imperative for the design of such sites demonstrate an appropriate design response approach which enhances the character within its immediate and intermediate context ;

This amended contemporary reinterpretation of the approved residential traditional infill derives its preferred and appropriate scale and form from its nineteenth-century neighbours, but is articulated in an early twenty-first-century manner and it does this successfully in the following manner :

- The proposed infill contemporary amendments has been designed with consideration of the *‘Guidelines for infill development in the historic context’*

<https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Heritage/design-in-context-guidelines-for-infill-development-historic-environment.pdf>

- The preferred support for a contemporary design approach particularly for new Infill Developments are advocated by all Councils with rich character areas , the Woollahra Council DCP example controls extracted below ;

▶ Part C | Heritage Conservation Areas

C2 | Woollahra HCA

C2.2.7 Contemporary design in Woollahra

Part of the cultural significance of the Woollahra HCA stems from its ability to demonstrate the important historical phases of its development between the mid-19th and mid-20th centuries. The surviving built and natural fabric of the Woollahra HCA retain the potential to reveal further evidence of ways of life and of building and land uses which have now changed or disappeared.

Council does not advocate replication of historic architectural styles or the use of pseudo-period detail in new development. By adding a layer of development which illustrates the ways of life and design approaches of the early 21st century, contemporary design can contribute to the rich history of the Woollahra HCA and the expression of this history in the built fabric of the area. Inventive and interpretive contemporary design solutions of high architectural quality may be quite different in spirit and appearance from existing fabric while still providing a positive contribution to the continued history of the Woollahra HCA.

Contemporary design for infill development and for additions to contributory items is encouraged as long as it respects its context and achieves a cohesive relationship with existing historically significant fabric.

In some locations and circumstances, a traditional design approach may be required. Such an approach may be appropriate, for example, where alterations are proposed to a highly intact section of a building that has a high level of significance.

A thorough understanding of the historical background and physical context of the site will act as a guide to the appropriateness of the design approach. Designers will be required to demonstrate that the application of contemporary forms, materials or detailing provides an appropriate response to the streetscape, the precinct and the Woollahra HCA as a whole.

C2.4.12 Infill development

The term 'infill' refers to new development within an existing urban context. Infill development provides the chance for the continuing enrichment of the area by adding new built form which is an expression of contemporary life.

Replication of historical architectural styles is not necessarily advocated by Council. A contemporary design approach which respects the historic context and achieves a cohesive relationship between the existing and new urban fabric is required.

As the opportunities for infill development are rare, the design for such sites are required to demonstrate an appropriate response to context and an approach which enhances the character of the Woollahra HCA and its cultural significance.

If constructing a new building, only the building type control for infill development applies, regardless of the type of building being constructed.

- o The proposal does not try to unsuccessfully imitate or mimic a historic building, but rather provides a high quality contemporary design which acts as a stepped transition between the higher adjoining two storeys palisade Victorian group row of terrace forms on the northern side and the single storey Victorian group row terrace form on the southern side.
- o The character of the surrounding nineteenth-century terraces has been reinterpreted in the verandah, balcony and palisade parapet details and the choice of colour materials ;
- o The proposal follows the horizontal and vertical queues and proportions of the northern adjoining two storey Victorian terraces porch, first floor balcony, windows, entry door and position of the palisade parapet positions ;
- o The proposal carefully uses traditional materials and colours in a contemporary but compatible manner ;
- o The position and vertical proportions of the contemporary windows and doors are compatible with the traditional counterparts ;
- o The Building Location Zones of the contemporary porch, balcony and palisade parapet wall façade reflect the BLZ's of the Northern adjoining terrace positions;
- o The contemporary fences within the front building setbacks maintain the 1.2m maximum height, whilst providing a contemporary vertical picket style steel blade form above a low masonry section ;
- The proposed development is compatible with the built form character of surrounding residential development in terms of building design, siting, bulk and scale. The design, materials and finishes of the proposed development are compatible with the existing building and adjoining developments, and will not detract from the visual amenity, character of the streetscape or the significance of the conservation area ;
- The proposed development provides an improved standard of housing for the occupants and will not result in any significant adverse impacts to neighbouring residential properties in terms of overshadowing, loss of privacy and views or visual bulk and scale ;
- The building's proposed minor protrusion of the building height has no adverse effects on the privacy of the adjoining dwellings. The proposed height retains and enhances the desirable scenic amenity of the area avoiding any adverse scenic impacts on the scenic significance and respecting neighbours accessibility to views. The proposal still relates to the height and width of the street and does not create in our opinion any feeling of the building being overbearing particular in comparison to the higher built form and scale within the immediate streetscape ;

- Given that the proposal does not create unacceptable shadow impacts or overlooking on neighbouring properties, compliance with the standard is unnecessary given there will not be any significant amenity impacts on neighbouring properties and the character of the streetscape will not be compromised ;
- The minor inconsequential and imperceptible increase in area maintains the Desired Future Character controls in that the proposal is complementary in architectural style, form, materials and scale present within the overall streetscape.
- An improved streetscape, the traditional Victorian character form compliments the mixed and varied eclectic architectural character and building form, setback and height within the streetscape which further contributes positively to the Distinctive Neighbourhood;
- The proposed FSR non-compliance will not effect any views enjoyed by the immediate and intermediate dwelling;
- The underlying purpose behind the standard has been achieved through an overall design that ensures that the density and landscape area compliments with the style, orientation and pattern of surrounding buildings both in the primary Catherine Street and secondary Redmond Street at its rear and surrounding Streets;
- The proposal complies with the built form of neighboring properties and Building Location Zones;
- The proposal is in accordance with Clause 1.2 Aims of Plan and Clause 2.3 Zone Objectives and Land Use Table as the proposed works are compatible with the environment in terms of bulk, scale, amenity and streetscape, and preserving the desired future character of the Distinctive Neighbourhood Area;
- The imperceptible and inconsequential increase is further justified against a proposal that is out weighed by the positive contributions that the development presents and contributes to the overall streetscape appearance ensuring that the proposed external works will have a significant improvement on the overall character of the streetscape within the Distinctive Neighbourhood Area;
- There will be no unacceptable reduction in privacy, solar access or visual outlook to neighbouring properties;
- The underlying purpose behind the standard has been achieved through an overall design that ensures that the density and landscape area compliments with the style, orientation and pattern of surrounding buildings both in Catherine & Redmond Streets;
- The proposal is in accordance with Clause 13 (general Objectives and Clause 17 (Housing) as the proposed works are compatible with the environment in terms of bulk, scale, amenity and streetscape, whilst not within a Conservation Area preserving the character of the Distinctive Neighbourhood Area.
- The minor increase is furthermore justified against a proposal that is out weighed by the positive contributions that the development presents and contributes to the overall streetscape appearance ensuring that the proposed external works will have a significant improvement on the overall character of the streetscape within the Annandale Street Distinctive Neighbourhood;
- It is anticipated that this FSR increase is sensitive to the local environment and is socially responsive to the needs of the community. The capacity of the community's infrastructure and the road networks will not be affected as the minor increase in floor space will not allow for the development to allow or provide for an increase of people who would reside in this limited development;

2.9 Is the objection well founded?

The objection is well founded as this the variation from the standard, as proposed, is considered reasonable, in the circumstances of this case, as the proposal still meets the overall objectives behind the standard by ensuring its intensity are compatible with the surrounding environment in terms of bulk, scale, amenity, streetscape appearance.

2.10 CONCLUSION

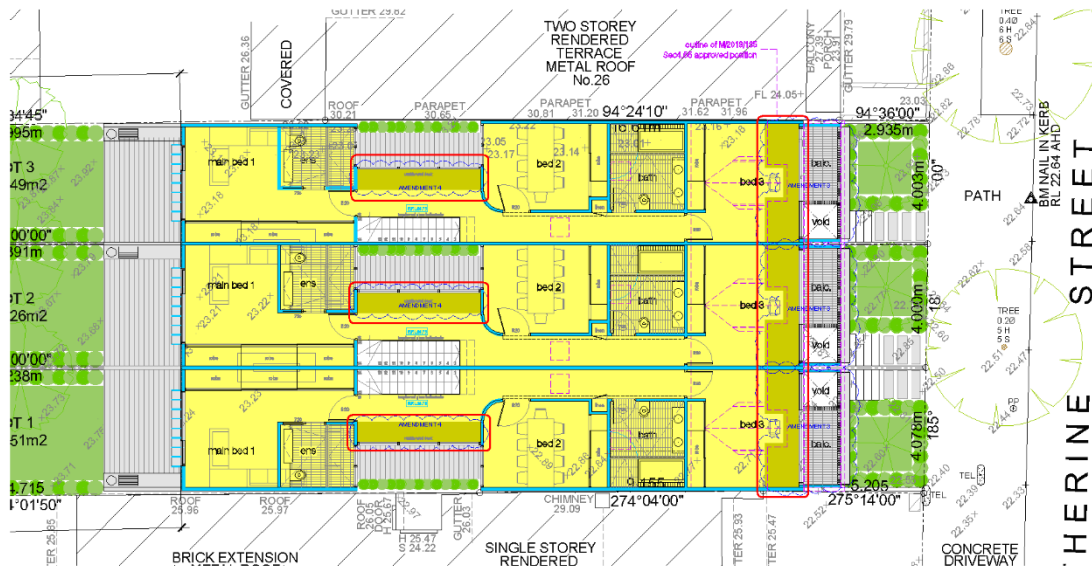
In the circumstances of the case, strict compliance with Council's Floor Space Ratio standard is considered to be unreasonable and unnecessary given the design of the proposal, its relationship to surrounding properties, the locality in general and amenity impacts.

The Exception to Development Standards has demonstrated that the variation to the standard will not hinder the objectives of the act nor will it undermine the intent of the control.

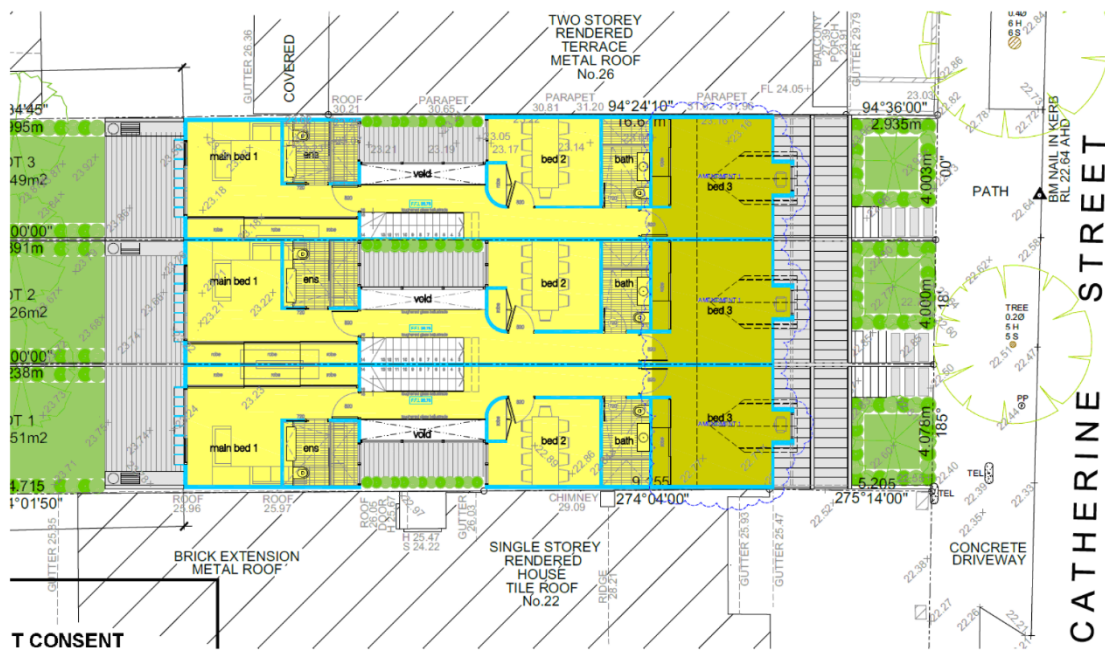
The proposed development passes the strict test for an Exception to Development Standards and warrants the support of Council.

FIGURE A

MODIFICATION PROPOSED



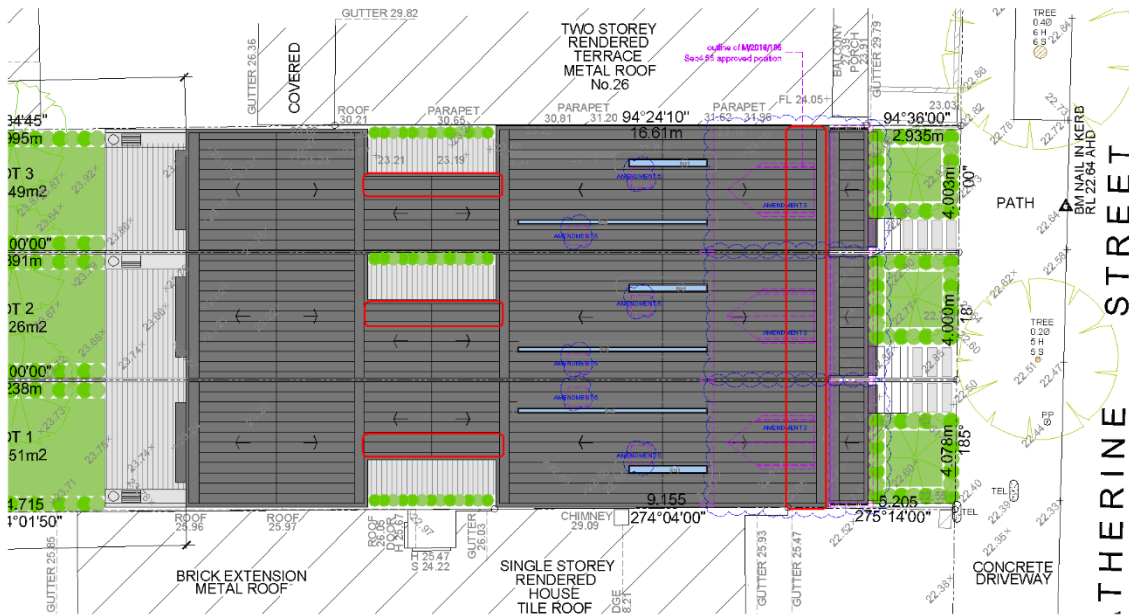
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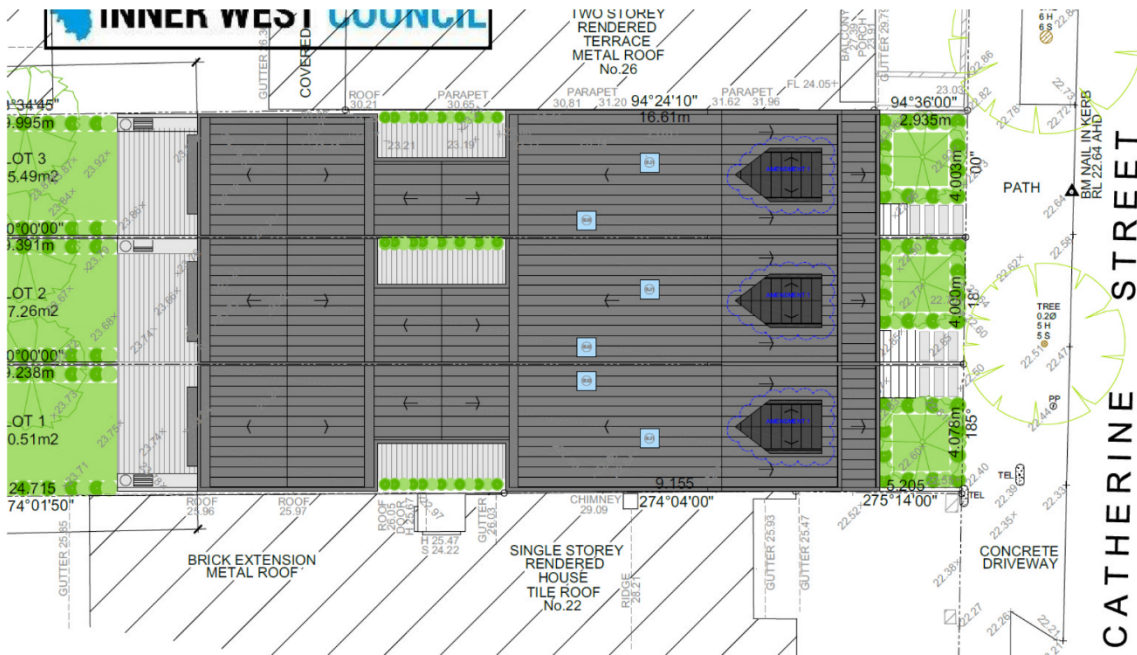
T CONSENT

FIGURE B

MODIFICATION PROPOSED



AS PREVIOUSLY APPROVED



AS PREVIOUSLY APPROVED



MODIFICATION PROPOSED







