



DEVELOPMENT ASSESSMENT REPORT

Application No.	DA/2021/1320
Address	409 Balmain Road LILYFIELD NSW 2040
Proposal	To carry out alterations and additions to a semi detached dwelling, such works include the following; 1. Rear: demolish the existing timber deck and reconstruct in concrete; 2. Garage: reconstruct the garage rooftop to be accessible from the backyard and enable a roof top terrace; 3. Backyard: remove the existing pavers, replace with turf to increase the landscaped area.
Date of Lodgement	23 December 2021
Applicant	Mr Han Xiao
Owner	Owners Of Strata Scheme 67573
Number of Submissions	Initial: 0
Value of works	\$178,890.00
Reason for determination at Planning Panel	Clause 4.6 variation exceeds 10%
Main Issues	Clause 4.6 Variation
Recommendation	Approved with Conditions
Attachment A	Recommended conditions of consent
Attachment B	Plans of proposed development
Attachment C	Clause 4.6 Exception to Development Standards



LOCALITY MAP

Subject Site		Objectors		↑ N
Notified Area		Supporters		

1. Executive Summary

This report is an assessment of the application submitted to Council for works at the rear of the subject site including the conversion of the garage roof top to a roof top terrace as a recreational area.

The application was notified to surrounding properties and zero (0) submissions were received in response to the notification.

The main issues that have arisen from the application includes the proposal exceeding the prescribed standards under the following clauses of the Leichhardt Local Environmental Plan (LEP) 2013.

- Clause 4.3A (3) (a) (ii) – landscaped area, with a proposed variance of 41.64%
- Clause 4.4 – Floor Space Ratio (FSR), with a proposed variance of 30.15%

The non-compliances are acceptable given the circumstances of the case, as will be discussed throughout this report, and therefore the application is recommended for approval.

2. Proposal

Generally, the proposed development seeks consent for the following works:

1. Demolition of the existing timber deck at the rear of the existing dwelling and its replacement/reconstruction with concrete.
2. Enclose the deck area utilising stackable glass panel doors, at the rear of the existing dwelling, with living/dining access.
3. The conversion of the garage's roof top to a recreational roof top terrace, and the inclusion of an external roof top access from the backyard.
4. Removal of the existing pavers from the rear yard and replacement with grass to increase the pervious landscaped area at the subject site.
5. Replacement of the deck/alfresco area's roof with skylight x 2.
6. Replacement of the kitchen window and the kitchen/living/dining door, both of which are located along the south to western boundary of the subject dwelling.
7. Replacement of the two windows in Bed 1 overlooking the rear of the subject site.
8. Replacement of the front door entry on the ground floor and the front window in Bed 3 located on the ground floor.
9. Replacement of the front door leading to the the upstairs verandah from Bed 2, on the first floor, as well as the replacement of the front window also located in Bed 2.

Photo montage of the sections of the dwelling where the majority of the works will be undertaken can be found on the next page.

The image below is of the garage where it is proposed to have a roof top terrace. Along the left of the image where the planter is located is the proposed area for stair access to the garage roof top terrace. The pavers and the planter on the right of the image is proposed to be removed and replaced with turf to increase landscaped area at the subject site.



The below image is the existing deck which is proposed to be demolished and replaced with concrete decking, and a new roof with skylights x 2 (as existing). It is also proposed that the deck will align with the rear wall of the dwelling on the ground floor, as seen on the left of the image. The new deck area is proposed to be enclosed in floor to ceiling height in stackable glass panel doors.



3. Site Description

The subject site is 409 Balmain Road, Lilyfield and is legally known as Lot 1 in Strata Plan 67573. As indicated, the site is a strata lot and is shared with 409A Balmain Road, Lilyfield and this property is legally known as Lot 2 in SP67573. The subject site is located on the southern side of Balmain Road. The subject site sits opposite Callan Park and NSW Ambulance Service. There is an unnamed service lane at the rear of the subject site which is utilised for rear garage access.

The dominant architectural style on this part of Balmain Road are large terrace homes with parapet roofs while further south along Balmain Road, the more dominant single-storey workers cottages with gabled roofs.

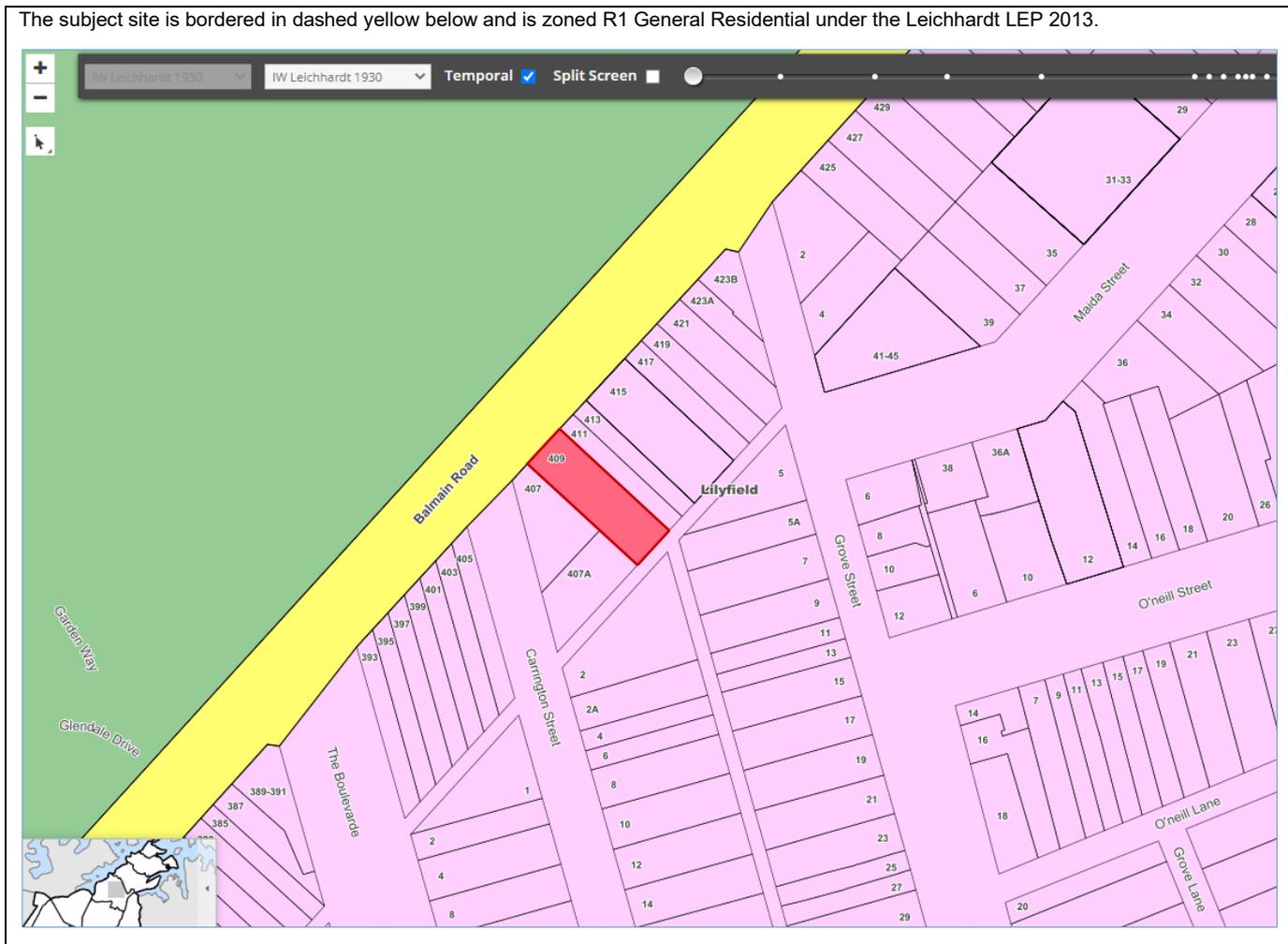
As mentioned, the subject site and its dwelling are best characterised as a dual occupancy. The subject site is regular in shape with a narrow frontage of 4.865m and a depth of 33.60m. The subject area is 158sqm overall. It contains a semi-detached double-storey terrace home with a skillion roof over the first-floor veranda, while the abutting structure is a larger a double-storey terrace home which also has a skillion roof protecting the first-floor veranda. These dwellings both have a parapet style roof. 409A Balmain Road, Lilyfield has a frontage of 5.725m a depth of 33.55m. It has a site area of 192.99sqm. Overall, the subject site and its abutting lot to the north/east has an approximate total site area of 350.99sqm. Therefore, the numerical calculations as prescribed Leichardt LEP 2013 is calculated based on both lots: 409 Balmain Road, Lilyfield and 409A Balmain Road, Lilyfield.

The subject site is not a heritage listed lot nor is it identified as a contributory dwelling in any Heritage Conservation Area under the Leichardt LEP 2013.

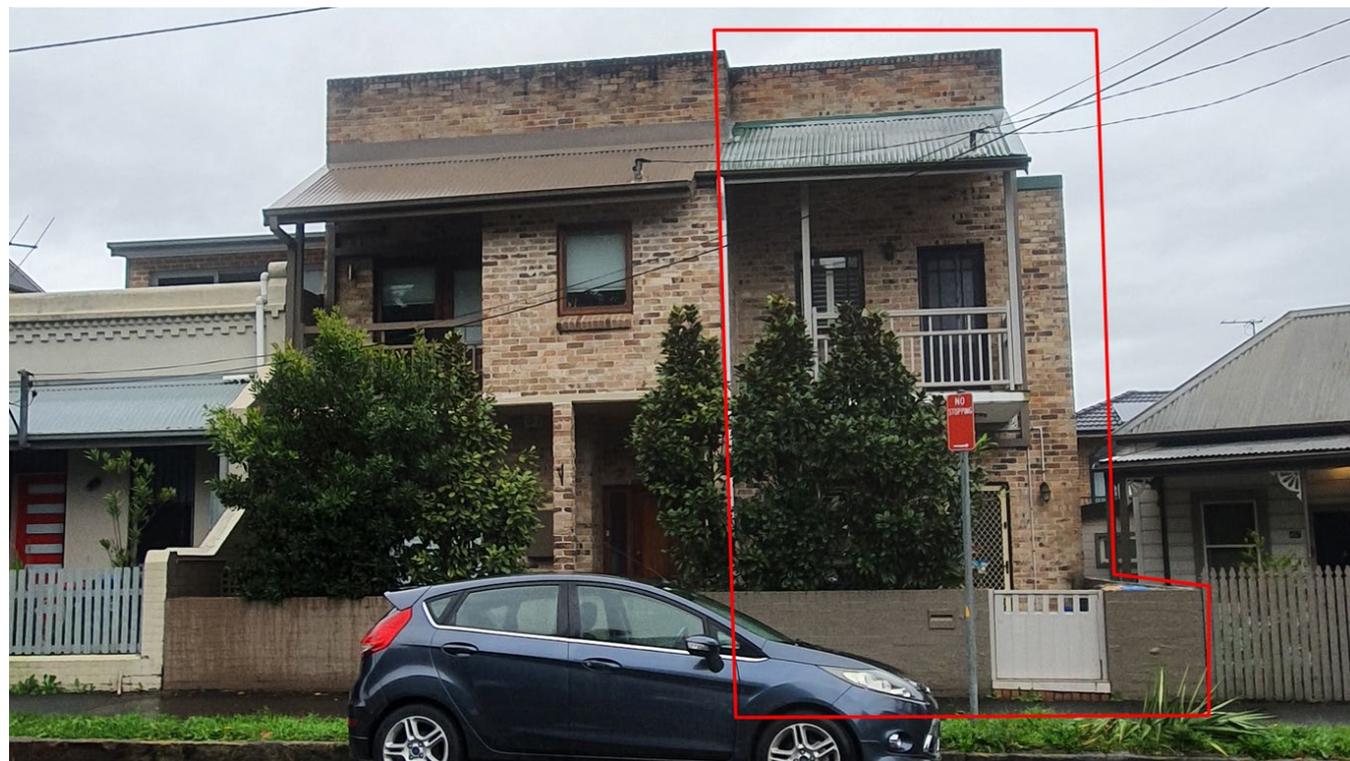
There is no vegetation or trees of significance within or within proximity of the subject site.

Finally, the subject site is zoned as R1 General Residential under Leichardt LEP 2013. Please see below for zoning map and image of the subject site.

The subject site is bordered in dashed yellow below and is zoned R1 General Residential under the Leichardt LEP 2013.



Below is an image of the subject site at 409 Balmain Road, boxed in red. 409A Balmain Road is the larger dwelling on the left of the image.



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/2001/717	Strata subdivision of residential building into two lots	Approved – 30.11.2001
BA89/436	Construction of new 2 x double-storey townhouse buildings	Approved – 07.12.1989
S102 to DA368/88	Amended plans for construction of new 2 x double-storey townhouse buildings	Approved – 01.11.1989
DA/368/88	Dual occupation and construction of new 2 x double-storey townhouse buildings	Approved – 23.08.1988

Surrounding properties

No applications of relevance

4(b) Application history

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

Date	Discussion / Letter / Additional Information
28.02.2022	<p>As the subject site is considered to be a dual occupancy lot, the development application is to be assessed to include both dwellings on Lot 1-2 SP67573, that is, both dwellings on 409 Balmain Road, Lilyfield and 409A Balmain Road, Lilyfield. Therefore, the following information/clarification was requested from the applicant:</p> <ol style="list-style-type: none"> 1. Owners' Consent to be stamped with a strata seal with the managing agent's signature 2. A survey plan, site plan, floor plan, elevation plan and landscaped plan for both 409 Balmain Road (the subject site) and 409A Balmain Road (shared strata property) which demonstrate how the proposal complies with the numerical standards as prescribed by Cl.4.3A, Cl.4.4 and Cl.4.5 of Leichhardt LEP 2013 clauses outlined immediately below. 3. Materials and finishes schedule 4. Completed Clause 4.6 exceptions to development standards
21.03.2022	The requested information of 28.02.2022 was received.
30.03.2022	The applicant/architect was informed that the resubmitted plans were missing key information including legends, names, titles and scales pertaining to each of the submitted plans (ground floor plan, first floor plan and elevations plan. The applicant was given until 01.04.2022 to provide a new set of plans with relevant legends and labelling.
01.04.2022	A new set of plans was received from the applicant/architect. This plan included appropriate legends and labelling including plan names, plan number, revision, drawn by and orientation.

5. Assessment

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

5(a) Environmental Planning Instruments

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

- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*

The following provides further discussion of the relevant issues:

5(a)(i) State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of land

Section 4.16 (1) of the SEPP requires the consent authority not consent to the carrying out of any development on land unless:

- “(a) it has considered whether the land is contaminated, and*
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.”*

In considering the above, there is no evidence of contamination on the site.

There is also no indication of uses listed in Table 1 of the contaminated land planning guidelines within Council’s records. The land will be suitable for the proposed use as there is no indication of contamination.

5(a)(i) State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

A BASIX Certificate, Certificate number: A434041, dated 01.10.2021 was submitted with the application and will be referenced in any consent granted.

5(a)(ii) State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 10 Sydney Harbour Catchment

The site is not located within the foreshores and waterways area, a Strategic Foreshore site or listed as an item of environmental heritage under the SEPP and as such only the aims of the plan are applicable. The proposal is consistent with these aims.

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 4.3A - Landscaped areas for residential accommodation in Zone R1

- Clause 4.4 – Floor Space Ratio
- Clause 4.4A - Exception to maximum floor space ratio for active street frontages
- Clause 4.5 - Calculation of floor space ratio and site area
- Clause 4.6 - Exceptions to development standards

(i) Clause 1.2 – Aims of the Plan

The development as proposed and as conditioned will result in acceptable streetscape, lanescape and amenity impacts and is a satisfactory response to the existing pattern of development on the street and of the service lane.

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

The subject site is zoned R1 General Residential under the Leichhardt LEP 2013. The proposed alterations and additions to the dwelling is a permissible form of development with consent on land zoned R1 General Residential under Leichhardt LEP 2013.

The proposal will continue to provide for a variety of housing types and for the housing needs of the community within a low-density residential environment. Further, subject to recommended conditions, the proposal is an acceptable streetscape and lanescape response. While the proposed development includes variations to the standards prescribed under the LEP, these variations are existing conditions of the subject site.

Overall, the proposed development, as conditioned, will result in acceptable impacts on adjoining properties, and as discussed in other sections of this report, and the locality in general.

The subject site and the abutting dwelling at 409A Balmain Road have an approximate area of 350.99sqm. The following table provides an assessment of the application against the development standards as prescribed by the following clauses:

- (iii) Clause 4.3A (3) (a) (ii) – landscaped areas for residential accommodation in Zone R1
- (iv) Clause 4.3A (3) (b) – site coverage

(v) Clause 4.4 (2B) (a) (iii) – Floor Space Ratio

Standard	Proposal	Non- compliance	Complies
Floor Space Ratio Maximum permissible: 0.7:1 (244.3sqm)	0.94:1 (328.611sqm)	34.51% (84.311sqm)	No
Landscape Area Minimum permissible: 20% (69.8sqm)	11.67% (40.733sqm)	41.64% (29.07sqm)	No
Site Coverage Maximum permissible: 60% (209.4sqm)	63.60% (221.948sqm)	5.99% (12.548sqm)	No

Clause 4.6 Exceptions to Development Standards

As outlined in table above, the proposal results in a breach of the following development standard/s:

- Clause 4.3A (3) (a) (ii) – landscaped areas for residential accommodation in Zone R1
- Clause 4.3A (3) (b) – site coverage
- Clause 4.4 (2B) (a) (iii) – Floor Space Ration

Clause 4.3A (3)(a)(i) – Landscaped Area for residential development in Zone R1.

The proposal will result in a non-compliance with the 20% or 69.8sqm Landscaped Area development standard as prescribed in Clauses 4.3A (3)(a)(i) of the LLEP2013 of 41.64% or a difference of 40.733sqm.

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

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

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

- e) to control site density,
- f) to limit building footprints to ensure that adequate provision is made for landscaped areas and private open space.

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

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

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

- *The property was purchased in December 2019 with existing 6.38% Landscape Coverage. Given the nature of the terrace house, the compact and scarcity of landscaping area on Lot 409A, the required Landscape Coverage cannot be achieved. Looking at Lot 409 (project site) alone, we're proposing 32.13sqm on 157sqm site area, this makes a 20.46% landscape coverage on Lot 409, which complies with the council requirements.*
- *In our proposal, the alfresco will be reconstructed and reduced in size. The current alfresco roof has 0 offset to the title boundary between 409 and 407, the proposed alfresco will be offset 900mm from the boundary, which reduces the bulk and scale of the existing dwelling.*
- *19sqm of grass turf is to replace the existing pavement in the backyard, which provides a suitable balance between landscaped area and the built form.*
- *The existing timber deck is deteriorating in both shape and structural integrity, we propose to replace it with concrete slab, which reduces the risk of further maintenance work and improves fire safety at the same time.*

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

It is considered the development is in the public interest because it is consistent with the objectives of the R1 zone, in accordance with Clause 4.6(4)(a)(ii) of the *Leichhardt Local Environment Plan 2013* for the following reasons:

The proposal is considered to be consistent with the Landscaped Area standard for the following reasons:

- The proposal does not reduce Landscaped Area on the site or change the level of open space or landscaping available for the use and enjoyment of residents.
- The proposal will be consistent with the desired future character controls applicable to the site and the pattern of adjoining development.
- The Landscaped Area provision will not reduce the retention and absorption of existing surface drainage water on site, if anything the new turf re will improve permeability.
- The proposal does not alter existing site density or building footprint.

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

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

Clause 4.3A (3) (b) – site coverage

As outlined previously in this report, the proposal results in a breach of Clause 4.3A (3) (b).

The proposal will result in a non-compliance with the Site Coverage development standard as prescribed in Clause 4.3A (3)(b) of the Leichhardt LEP 2013 of 5.99% or 12.548sqm. A Clause 4.6 exception has been submitted and the proposed exception to the development standard has been assessed below.

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

- g) to provide landscaped areas that are suitable for substantial tree planting and for the use and enjoyment of residents,
- h) to maintain and encourage a landscaped corridor between adjoining properties,
- i) to ensure that development promotes the desired future character of the neighbourhood
- j) 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,
- k) to control site density,
- l) to limit building footprints to ensure that adequate provision is made for landscaped areas and private open space.

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

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

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

Whilst the proposal exceeds the Site Coverage development standard, it results in improved on-site amenity outcomes, with no undue adverse amenity impacts for neighbours, and will be respectful of the existing pattern of development in the street. Further, it is considered that strict compliance with this development standard is unreasonable in this instance. Refer to discussion below for further details.

A written request under clause 4.6 of the *LLEP2013* has been submitted by the applicant raising the following key issues seeking to justify the contravention of this standard:

- *The project property – 409 Balmain Road is purchased in December 2019 with existing 67.04% Site Coverage. Given the nature of the terrace house – compact and efficient dwelling, the required site coverage cannot be achieved without demolishing the current building.*
- *The adjoining property – 409A Balmain Road was approved and built with a 69.79% Site Coverage, which contributed to a higher total Site Coverage across SP67573. Albeit no extra coverage is added to the project site 409 in this proposal.*
- *In this proposal, the alfresco will be reconstructed and reduced in size. The current alfresco roof has 0 offset to the title boundary between 409 and 407, the proposed alfresco will be offset 900mm from the boundary, which reduces the bulk and scale of the existing dwelling.*
- *19sqm of grass turf is to replace the existing pavement in the backyard, an extra 25sqm of grass turf is to cover the proposed garage roof top terrace, which provides a suitable balance between landscaped area and the built form.*
- *The existing timber deck is deteriorating in both shape and structural integrity, we propose to replace it with concrete slab, which reduces the risk of further maintenance work and improves fire safety at the same time.*

Overall, the non-compliance is an existing site condition and the proposal does not seek any additional changes to the current condition. It does not result in any uncharacteristic scale, bulk or density and compliance with the standard would require the removal of existing fabric. Therefore, in this instance, compliance with the development standard in this instance would unnecessarily impact the amenity of residents with no discernible planning benefit.

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 in this instance.

It is considered that the development is in the public interest because it is consistent with the objectives of the R1 – General Residential zone, in accordance with Clause 4.6(4)(a)(ii) of the Leichhardt LEP2013 for reasons discussed previously in this report, including under Clause 2.3 of the Leichhardt LEP2013.

It is also considered that the development is not considered contrary to public interest because it is consistent with the objectives of the Site Coverage development standard (the same objectives listed above under the Landscaped Area standard), in accordance with Clause 4.6(4)(a)(ii) of the Leichhardt LEP2013 for the following reasons:

- The development does not seek further breaches of Site Coverage development standard than what currently exists;
- The development is compatible with the desired future character of the area in relation to building bulk, form and scale;
- The proposal is compatible with the character, style, orientation and pattern of surrounding buildings, streetscapes, works and landscaped areas;
- The proposal enhances the amenity of existing residents and does not result in any undue adverse impacts on adjoining properties and the neighbourhood.

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

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

Clause 4.4 (2B) (a) (iii) – Floor Space Ratio

As outlined previously in this report, the proposal results in a breach, and the applicant seeks a variation to Clause 4.4 (2B) (a) (iii).

The subject site has an existing FSR of 0.91:1 which is already non-compliant to the prescribed 0.7:1 FSR at the subject site. The proposed development will increase the FSR to 0.94:1 or 328.611sqm. The maximum FSR as mentioned is 0.7:1 or 244.3sqm.

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

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

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

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

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

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

1. *The project property – 409 Balmain Road is purchased in December 2019 with existing FSR. Given the nature of the terrace house – compact and efficient dwelling, the required FSR cannot be achieved without demolishing the current building.*
2. *The joining property – 409A Balmain Road was approved and built with an FSR of 1.08:1, which contributed to a higher total FSR cross SP67573.*
3. *In our proposal, the alfresco will be reconstructed and reduced in size. The current alfresco roof has 0 offset to the title boundary between 409 and 407, the proposed alfresco will be offset 900mm from the boundary, which reduces the bulk and scale of the existing dwelling.*
4. *19sqm of grass turf is to replace the existing pavement in the backyard, an extra 25sqm of grass turf is to cover the proposed garage roof top terrace, which provides a suitable balance between landscaped area and the built form.*
5. *The existing timber deck is deteriorating in both shape and structural integrity, we propose to replace it with concrete slab, which reduces the risk of further maintenance work and improves fire safety at the same time.*

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

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

- The non-compliance is an existing condition and the further non-compliance is considered to be very minimal and is the result of enclosing the existing alfresco area at the rear of the subject site.
- Non-compliance does not result in any uncharacteristic scale, bulk or density
- Minimal difference in the impacts between a compliant and non-compliant proposal in terms of visual and acoustic privacy, visual impacts and solar impacts on the immediately adjacent and surrounding neighbourhood
- The proposal enhances the amenity of existing and future residents and the neighbourhood.
- The proposed development will increase the landscaped area at the subject site, and overall, across the strata lot.
- It maintains consistency in the neighbourhood via the continuity of the existing built form and density prevalent in the locality.

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

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

Based upon the above considerations, pursuant to Clause 4.6, of the *Leichhardt Local Environmental Plan 2013*, the proposed variation of the development standard under Clause 4.4– Floor Space Ratio for residential development in Zone R1 is acceptable and supported in this instance.

5(b) Draft Environmental Planning Instruments

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

Draft Environmental Planning Instruments	Compliance
Draft Inner West Local Environmental Plan 2020	Yes

5(d) Development Control Plans

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

LDCP2013	Compliance
Part A: Introductions	
Section 3 – Notification of Applications	Yes
Part B: Connections	
B1.1 Connections – Objectives	Yes
Part C	
C1.0 General Provisions	Yes
C1.1 Site and Context Analysis	Yes
C1.2 Demolition	Yes
C1.3 Alterations and additions	Yes
C1.4 Heritage Conservation Areas and Heritage Items	N/A
C1.5 Corner Sites	N/A
C1.6 Subdivision	N/A
C1.7 Site Facilities	Yes
C1.8 Contamination	N/A
C1.9 Safety by Design	Yes
C1.10 Equity of Access and Mobility	Yes
C1.11 Parking	N/A
C1.12 Landscaping	Yes
C1.13 Open Space Design Within the Public Domain	N/A
C1.14 Tree Management	N/A
C1.15 Signs and Outdoor Advertising	N/A
C1.16 Structures in or over the Public Domain: Balconies, Verandahs and Awnings	N/A
C1.17 Minor Architectural Details	N/A
C1.18 Laneways	Yes
C1.19 Rock Faces, Rocky Outcrops, Cliff Faces, Steep Slopes and Rock Walls	N/A
C1.20 Foreshore Land	N/A
C1.21 Green Roofs and Green Living Walls	Yes, see discussion
Part C: Place – Section 2 Urban Character	
Nanny Goat Hill Distinctive Neighbourhood	Yes
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
C3.4 Dormer Windows	N/A
C3.5 Front Gardens and Dwelling Entries	Yes, see discussion
C3.6 Fences	N/A

C3.7 Environmental Performance	Yes
C3.8 Private Open Space	Yes
C3.9 Solar Access	Yes, see discussion
C3.10 Views	Yes, see discussion
C3.11 Visual Privacy	Yes, see discussion
C3.12 Acoustic Privacy	Yes
C3.13 Conversion of Existing Non-Residential Buildings	N/A
C3.14 Adaptable Housing	N/A
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	N/A
D2.5 Mixed Use Development	N/A
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	N/A
E1.1.3 Stormwater Drainage Concept Plan	Yes
E1.1.4 Flood Risk Management Report	N/A
E1.1.5 Foreshore Risk Management Report	N/A
E1.2 Water Management	Yes
E1.2.1 Water Conservation	Yes
E1.2.2 Managing Stormwater within the Site	N/A
E1.2.3 On-Site Detention of Stormwater	N/A
E1.2.4 Stormwater Treatment	N/A
E1.2.5 Water Disposal	Yes
E1.2.6 Building in the vicinity of a Public Drainage System	N/A
E1.2.7 Wastewater Management	N/A
E1.3 Hazard Management	N/A
E1.3.1 Flood Risk Management	N/A
E1.3.2 Foreshore Risk Management	N/A

C1.21 – Green Roofs and Green Living Walls

The proposed development includes a Green Roof with the conversion of the garage roof into a grassed roof top terrace. This proposal is to enable additional entertainment and recreational space at the subject site.

While the proposed green roof is not to be utilised for food production, it does overall, offset the environmental impact of the proposed development as it increases pervious areas able to absorb rainwater, and decreases overall heat island effect from a flat garage roof. The proposed grassed roof top terrace over the garage will not be visible from Balmain Road and

will not detract from the lanescape of the unnamed lane at the rear of the subject site. The proposal will maintain the service access and use of the laneway.

Conditions are included in the recommendation so as to ensure the structural integrity of the proposed roof top terrace over the garage, as well ensure it is appropriately waterproofed.

Overall, the proposed grassed roof top terrace over the garage largely satisfies the objectives of this section of the DCP.

C3.2 – Site Layout and Building Design

No works are proposed which will alter the first floor Building Location Zone (BLZ) at the rear of the subject site. Additionally, the enclosure of the existing deck/alfresco area on the ground floor is consistent with the BLZ established by the dwelling at 409A Balmain Road.

The proposed enclosure of the rear deck will technically alter the side wall heights and setbacks of the approved development to the south-western boundary shared with 407 Balmain Road and 407A Balmain Road side boundaries. The modified wall heights and setbacks and required setbacks are identified in the table below:

Elevation	Wall Height (m)	Required Setback min – max (m)	Proposed Setback min – max (m)	Compliance
South/West	2.858 – 5.474	0.033 – 1.54	0.241 – 1.029	Part Yes, Part No
North/East	2.413 – 6.007	-0.223 – 1.851m	0 – 0	No, but this is an existing condition and is not changed. This boundary is a party wall shared between the subject site at 409 Balmain Road and the adjoining property at 409A Balmain Road.

As identified in the above table, the proposal will result in partial non-compliances on the north/east boundary shared with 307 Balmain Road and 307A Balmain Road.

Pursuant to Control C8 of this part of the Leichhardt DCP 2013, to gain support for the proposed setback variations, various requirements need to be demonstrated to be met.

An assessment of the proposal against these tests is carried out below:

- a. *The development is consistent with relevant Building Typology Statements as outlined within Appendix B – Building Typologies of this Development Control Plan.*

Comment: There is no proposed works that would change the building typology of the existing dwelling in accordance with the Building Typology Statement of a semi-detached house. The proposed works are located at the rear of the subject site which will not impact on the front elevation and will maintain existing daylight access and natural ventilation for both the subject site and adjoining properties. As discussed later in this report, overshadowing impacts are minimal to non-existent and potential visual privacy impacts have been minimised. Overall, the proposed development which is primarily located at the rear of the subject site largely satisfies the objectives and controls of this section of the DCP.

- b. *The pattern of development within the streetscape is not compromised.*

Comment: The proposed works that are visible to the streetscape are primarily the replacement of the windows and doors visible from Balmain Road. These changes are unlikely to detract nor compromise the existing streetscape of this section of Balmain Road. The predominant work will be at the rear of the subject site which is in a location where it can be reasonably expected to be carried out. Further, the overall height of the proposed development is unchanged with the exception of enclosing the rear deck with glass stackable doors. This is hidden from the public domain and is also not visible from the laneway at the rear of the subject site.

- c. *The potential impacts on amenity of adjoining properties, in terms of sunlight and privacy.*

Comment: As discussed later in this report, the proposed development will maintain satisfactory solar access, and has minimal privacy impacts (subject to the imposition of conditions).

- d. *Bulk and scale, are minimised.*

Comment: Despite the proposed enclosing of the rear deck with floor to ceiling height glass stackable doors, the overall bulk and scale of the existing dwelling is unchanged. The proposal will not detract from the existing streetscape.

The proposed garage roof top terrace is also unlikely to detract from the service lane's lanescape. Please see the images over the next page where it can be see that the screened addition of the roof top terrace is unlikely to lessen the existing nature of the lanescape. The proposal is likely to increase the aesthetic of the lanescape with the addition of the privacy screen with planting.

e. Reasonable access is retained for necessary maintenance of adjoining properties.

Comment: The proposed development will not obstruct adjoining walls for maintenance purposes.

Therefore, and with respect to the above, the proposal is considered to satisfy the above tests, and as such, the proposed side setbacks are supported in this instance.

Therefore, in this respect, the objectives and controls of this section of the DCP is satisfied.

The lanescape at the rear of the subject site looking towards Grove Street.



The view of the rear of the subject site from the laneway.



The view of the laneway looking towards Carrington Street



C3.5 – Front Gardens and Dwelling Entries

The proposed replacement of the front entry door will not detract from the existing characteristics and streetscape of Balmain Road. It will provide a sensitive transition between the private and public realm. The front window will provide for passive surveillance of the street. Overall, the proposed new front entry door largely satisfies the objectives and controls of this section of the DCP.

C3.9 – Solar Access

As previously mentioned, the subject site is on a north and west (front) to south and east (rear) orientation on the subject site. The following solar access controls apply pursuant to Part C3.9 of the Leichhardt DCP 2013: C11, C14, C15, C18 and C19.

C11- designed to minimise overshadowing to subject site

Comment:

The proposed development will not alter the locations of any fenestrations of the existing dwelling. The enclosure of the rear deck/alfresco area will utilise floor to ceiling height of glass panels which will maximise glazing on the eastern, western and southern walls of the existing dwelling which will maintain direct sunlight and daylight into living areas and natural ventilation throughout the rooms. In this regard, this control of the DCP is satisfied.

Minimise impact to neighbouring properties – Living areas

C14 – side boundary is 45 degrees from true north, and is therefore not orientated north/south or east/west – glazing serving main living room shall retain a minimum of two (2) hours of solar access between 9am and 3pm at the winter solstice.

Comment:

The proposed 1.6m privacy screen associated with the proposed conversion of the garage roof to a rooftop terrace, to ensure that privacy is maintained for the adjoining properties will cast additional overshadowing. The submitted shadow diagrams indicate that the adjoining structures at 409A Balmain Road, 407 Balmain Road and 407A Balmain Road are most likely to be impacted by the proposed development.

However, the submitted shadow diagrams also demonstrate the overshadowing to 407A Balmain Road will be located below the windowsill of the rooms at the rear of the dwelling. The windows at the rear of the dwelling at 407 Balmain Road, however, are already in shadow and not impacted by the privacy screens of the roof top terrace or other associated works as part of the proposed development. Therefore, in this respect, the proposed development satisfies this control of the DCP, and control C15 is not triggered.

Minimise impact to neighbouring properties – Private open space

The control seeks to minimise overshadowing to neighbouring properties based on the orientation of the private open space with solar access to 50% of the total area for 2.5 hours as noted below. The surrounding allotments private open space is orientated as follows:

Street Address	POS Location	Control (to 50% of POS total area)
407 Balmain Road	West	C18 – solar access to be retained for two and a half (2.5) hours between 9am and 3pm to 50% of the total area adjacent to a living room during the winter solstice.
407A Balmain Road	West (front of the property)	
409A Balmain Road	West	

The submitted shadow diagrams indicate that the proposed development, including the privacy screens of the roof top terrace over the garage will not create additional overshadowing to the POS of the adjoining properties as above. However, it will cast additional overshadowing to the laneway from 12pm to 3pm. While this is the case, overall, the proposed development is able to maintain the existing solar access as enjoyed by the adjoining dwellings from 9am to 3pm during the winter solstice.

Therefore, in this respect, control C18 of this section of the DCP is satisfied and control C19 has not been triggered.

C3.10 – Views

The proposed development will not impact on the outlook to Callan Park opposite the subject site. The adjoining properties on Grove Street and Carrington Street with its side boundaries to the unnamed laneway at the rear of the subject site has no view access to Callan Park. Therefore, the proposed privacy screening over the garage roof top will not detract from any views of Callan Park. In this respect, the proposed development largely satisfies the objectives and controls of this section of the DCP.

C3.11 – Visual Privacy

The following Visual Privacy controls prescribed in Part C3.11 of the Leichhardt DCP 2013 apply to the subject proposal:

- 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. Measures for screening or obscuring will include one or more of the following:
- a. offsetting of opposing windows so that they do not directly face one another;
 - b. offset windows from directly facing adjoining balconies and private open space of adjoining dwellings;
 - c. screening of opposing windows, balconies and private open space with fixed louvered screens, window hoods, shutters;

- d. reduced window areas, subject to compliance with the Building Code of Australia;
 - e. window sills at or above 1.6m above the finished floor level;
 - f. use of fixed, obscure glass, subject to adequate ventilation complying with the Building Code of Australia;
 - g. consistent orientation of buildings;
 - h. using floor level in design to minimise direct views; and
 - i. erection of screens and fencing to limit sightlines including dividing fences, privacy screens, projecting blade screens.
- C2 Sill heights and screening devices should be provided to a minimum of 1.6m above finished floor level. Screening devices should have reasonable density (i.e. 75%) and have no individual opening more than 30mm wide, and have a total area of all openings that is less than 30 per cent of the surface area of the screen and be made of durable materials.
- C3 Where fixed louvered screens are used, the screen structure must be securely fixed. The louvers may tilt open from a closed position to an angle of 45 degrees in either a downward or upward position, depending on the sightlines that are to be restricted.
- C4 Roof terraces will be considered where they do not result in adverse privacy impacts to surrounding properties. This will largely depend on the:
- a. design of the terrace;
 - b. the existing privacy of the surrounding residential properties;
 - c. pre-existing pattern of development in the vicinity; and
 - d. the overlooking opportunities from the roof terrace.

The proposed grassed roof top terrace over the garage is likely to impact on the visual privacy of the adjoining properties as indicated by the image below, the blue lines demonstrate sight lines from the roof top terrace and therefore the controls above are triggered by the proposed development.



To mitigate potential overlooking issues from the proposed roof terrace over the garage, a secured and fixed visual privacy screening is proposed to be installed at a fixed height of 1.6m to the boundary overlooking the rear laneway, as well as the boundaries shared with both 407 and 407A Balmain Road. At the request of the neighbours of the adjoining property with a shared party wall at 409A Balmain Road, the privacy screening will be built to a height of 1.8m. Further, a condition to this effect is included in the recommendation. Therefore, in this respect, it is considered that the proposed roof top terrace is able to satisfy the controls and objectives of this section of the DCP.

5(e) The Likely Impacts

The assessment of the Development Application demonstrates that, subject to the recommended conditions, the proposal will have minimal environmental and socio-economic impact to the locality.

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

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

5(g) Any submissions

In accordance with the Community Engagement Framework of Inner West Council, the application was notified between 20 January 2022 to 03 February 2022. No submissions were received in response to this notification.

5(h) The Public Interest

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

The proposal is not considered contrary to public interest.

6 Referrals

6(a) Internal

The application was referred to Council's Development Engineer who raised no concern with the proposal. Subject to the imposition of standard conditions of consent pertaining to engineering matters, the proposed development is considered acceptable.

6(b) External

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

7. Section 7.11 Contributions/7.12 Levy

A Section 7.12 levy is 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 \$894.45 would be required for the development under the following plan:

- Former Leichhardt Local Government Area Section 7.12 Development Contributions Plan 2020

A condition requiring that contribution to be paid is included in the recommendation.

8. Conclusion

The proposed development 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 not to be contrary to public interest.

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

9. Recommendation

- A. The applicant has made a written request pursuant to Clause 4.3A(3)(ii) of the *Leichhardt Local Environmental Plan 2013*. After considering the request, and assuming the concurrence of the Secretary has been given, the Panel is satisfied that compliance with the standard is unnecessary in the circumstance of the case and that there are sufficient environmental grounds to support the variation. The proposed development will be in the public interest because the exceedance is not inconsistent with the objectives of the standard and of the zone in which the development is to be carried out.
- B. The applicant has made a written request pursuant to Clause 4.3A(3)(b) of the *Leichhardt Local Environmental Plan 2013*. After considering the request, and assuming the concurrence of the Secretary has been given, the Panel is satisfied that compliance with the standard is unnecessary in the circumstance of the case and that there are sufficient environmental grounds to support the variation. The proposed development will be in the public interest because the exceedance is not inconsistent with the objectives of the standard and of the zone in which the development is to be carried out.
- C. The applicant has made a written request pursuant to Clause 4.4 of the *Leichhardt Local Environmental Plan 2013*. After considering the request, and assuming the concurrence of the Secretary has been given, the Panel is satisfied that compliance with the standard is unnecessary in the circumstance of the case and that there are sufficient environmental grounds to support the variation. The proposed development will be in the public interest because the exceedance is not inconsistent with the objectives of the standard and of the zone in which the development is to be carried out.
- D. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, grant consent to Development Application No. DA/2021/1320 to demolish the existing timber deck and reconstruct in concrete; reconstruct the garage rooftop to be accessible from the backyard to enable a roof top terrace; remove the existing pavers and replace with turf at 409 Balmain Road, Lilyfield subject to the conditions listed in Attachment A.

Attachment A – Recommended conditions of consent

CONDITIONS OF CONSENT

DOCUMENTS RELATED TO THE CONSENT

1. Documents related to the consent

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

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
LHR – Home Reno-v16-mar22 – Issue A	Elevations	15.12.2021	HX
LHR – Home Reno-v16-mar22 – Issue A	Ground Floor Plan	15.12.2021	HX
LHR – Home Reno-v16-mar22 – Issue A	First Floor Plan	15.12.2021	HX
LHR – Home Reno-v16-mar22 – Issue A	Elevations	15.12.2021	HX
LHR – Home Reno-v15-Dec21 – Issue A	Roof Plan	15.12.2021	HX
LHR – Home Reno-v15-Dec21 – Issue A	Section 1	15.12.2021	HX
LHR – Home Reno-v15-Dec21 – Issue A	Section 2	15.12.2021	HX
20051 – S00 – Revision C	Cover Notes	27.09.2021	Elite Australian Engineering
20051 – S01 – Revision C	Ground Floor Footing Plan	27.09.2021	Elite Australian Engineering
20051 – S02 – Revision C	Ground Floor Footing Details	27.09.2021	Elite Australian Engineering

20051 – S03 – Revision C	Roof and Garage Framing Plan	27.09.2021	Elite Australian Engineering
20051 – S04 – Revision C	Section 1	27.09.2021	Elite Australian Engineering
20051 – S05 – Revision C	Framing Details	27.09.2021	Elite Australian Engineering
20051 – SW01 – Revision A	Drainage Plan	27.01.2021	Elite Australian Engineering
Certificate Number: A434041	BASIX Certificate	01.10.2021	Han Xiao
Party Wall Consent Form – 409 and 409A Balmain Road, LILYFIELD NSW 2040 – Lot 1 SP67573		10.12.2021	David Semery, Gloria Ma, Keni Josifoski, Eve Josifoski

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

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

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

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

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

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

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

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

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

Payment amount*:

\$894.45

*Indexing of the Section 7.12 contribution payment:

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

payment method to confirm the correct current payment amount (at the expected time of payment).

Payment methods:

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

4. Long Service Levy

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

GENERAL CONDITIONS

5. Boundary Alignment Levels

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

6. Garage Roof Top Terrace

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans indicating the erection of a privacy screen to the northern, western and southern boundaries having a minimum block out density of 75% and a height of 1.6 metres above the finished floor level of the roof top terrace. The boundary to the east, shared with 409A Balmain Road, Lilyfield, is to have a privacy screen erected having a minimum block out density of 75% and a height of 1.8 metres above the finished floor level of the roof top terrace.

7. 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.

8. 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.

9. Works Outside the Property Boundary

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

PRIOR TO ANY DEMOLITION**10. Hoardings**

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

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

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

11. Advising Neighbours Prior to Excavation

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

12. 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**13. Dilapidation Report – Pre-Development – Minor**

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

14. Stormwater Drainage System – Minor Developments (OSD is not required)

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with stormwater drainage design plans certified by a suitably qualified Civil Engineer that the design of the site drainage system complies with the following specific requirements:

- a. The design must generally be in accordance with the Stormwater Drainage Concept plan on Drawing No. SW01 prepared by ELITE AUSTRALIAN ENGINEERING and dated 27 January 2021, as amended to comply with the following;
- b. Stormwater runoff from all roof areas within the property being collected in a system of gutters, pits and pipeline and be discharged, together with overflow pipelines from any rainwater tank(s), by gravity to the kerb and gutter of a public road;
- c. Comply with Council's Stormwater Drainage Code, Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3-2018 'Stormwater Drainage' and Council's DCP;
- d. The design plans must detail the existing and proposed site drainage layout, size, class and grade of pipelines, pit types, roof gutter and downpipe sizes;
- e. As there is no overland flow/flood path available from the rear and central courtyards to the rear lane frontage, the design of the sag pit and piped drainage system is to meet the following criteria:
 1. Capture and convey the 100 year Average Recurrence Interval flow from the contributing catchment assuming 80% blockage of the inlet and 50% blockage of the pipe;
 2. The maximum water level over the sag pit shall not be less than 150 mm below the floor level or damp course of the building; and
 3. The design shall make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands.

- f. A minimum 150 mm step up shall be provided between all external finished surfaces and adjacent internal floor areas;
- g. An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets;
- h. Only a single point of discharge is permitted to the kerb and gutter, per frontage of the site;
- i. New pipelines within the footpath area that are to discharge to the kerb and gutter must be hot dipped galvanised steel hollow section with a minimum wall thickness of 4.0 mm and a maximum section height and width of 100 mm or sewer grade uPVC pipe with a maximum diameter of 100 mm;
- j. All stormwater outlets through sandstone kerbs must be carefully core drilled in accordance with Council standard drawings;

15. Green Roofs - Garage Roof Top Terrace

Prior to the issue of Construction Certificate, the Certifying Authority is to be provided with a report prepared by a registered landscape architect demonstrating details of the proposed roof top terrace above the garage are consistent with [Inner West Councils Green Roof, Walls and Facades Technical Guidelines](#) including but not limited to using species selected from the suggested species list, water proofing and drainage.

16. Party Walls

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with Architectural Plans accompanied by a Structural Certificate which verifies that the architectural plans do not rely on the Party Wall for lateral or vertical support and that additions are independently supported. A copy of the Certificate & plans must be provided to all owners of the party wall/s.

17. 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.

18. Sydney Water – Tap In

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

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

DURING DEMOLITION AND CONSTRUCTION**19. Construction Hours – Class 1 and 10**

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

20. 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.

PRIOR TO OCCUPATION CERTIFICATE**21. No Encroachments**

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

22. Protect Sandstone Kerb

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

ON-GOING**23. Green Roofs, Walls and Facades Establishment**

The plantings within the Green Roofs, Walls and Facades as part of this consent are to be maintained in a healthy and vigorous condition for 12 Months from the issue of an Occupation Certificate. If any of the planting are found faulty, damaged, dying or dead within 12 months of the issue of an Occupation Certificate they must be replaced with the same species within one (1) month (up to 3 occurrences).

ADVISORY NOTES**Permits**

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

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

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

Insurances

Any person acting on this consent or any contractors carrying out works on public roads or Council controlled lands is required to take out Public Liability Insurance with a minimum cover of twenty (20) million dollars in relation to the occupation of, and approved works within those

lands. The Policy is to note, and provide protection for Inner West Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public property.

Prescribed Conditions

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

Notification of commencement of works

At least 7 days before any demolition work commences:

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

Storage of Materials on public property

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

Toilet Facilities

The following facilities must be provided on the site:

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

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

Infrastructure

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

Other Approvals may be needed

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

Failure to comply with conditions

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

Other works

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

Obtaining Relevant Certification

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

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

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.

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.

Notification of commencement of works

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

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

Dividing Fences Act

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

Permits from Council under Other Acts

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

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

- i. Installation or replacement of private stormwater drain, utility service or water supply.

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

Noise

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

Amenity Impacts General

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

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.

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.diysafe.nsw.gov.au
		Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	131 555	www.environment.nsw.gov.au
Sydney Water	13 20 92	www.sydneywater.com.au
Waste Service - 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.

Street Numbering

If any new street numbers or change to street numbers (this includes unit and shop numbers) are required, a separate application must be lodged with and approved by Council's GIS Team before being displayed.

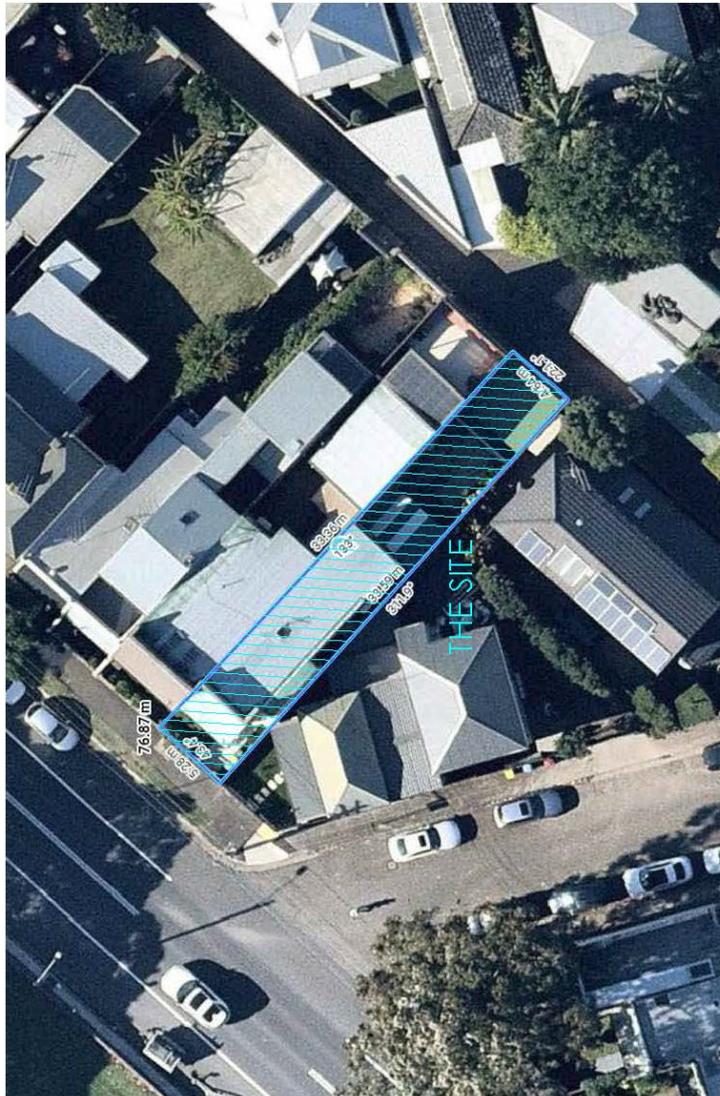
REASONS FOR REFUSAL

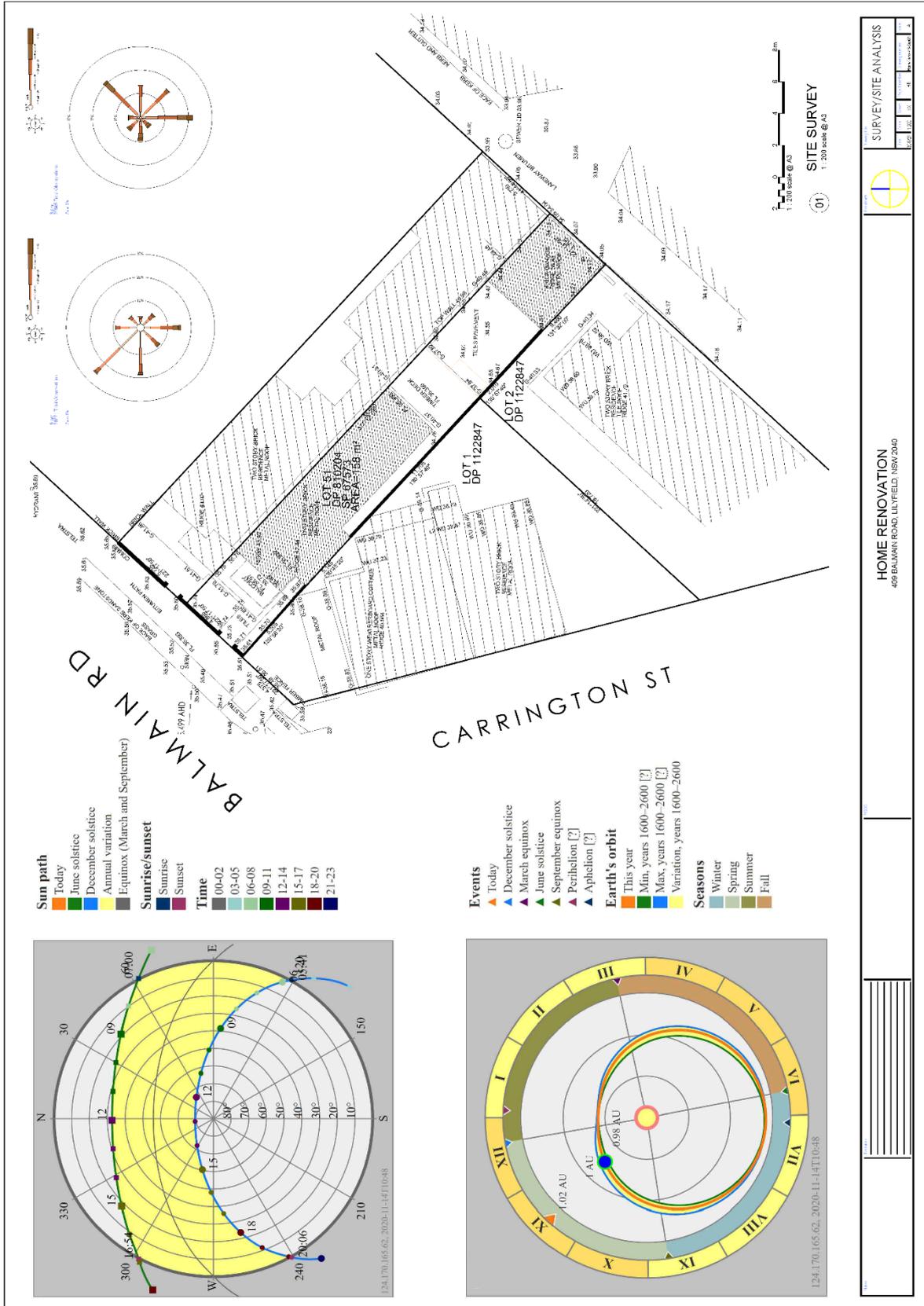
Attachment B – Plans of proposed development

DA DRAWING LIST

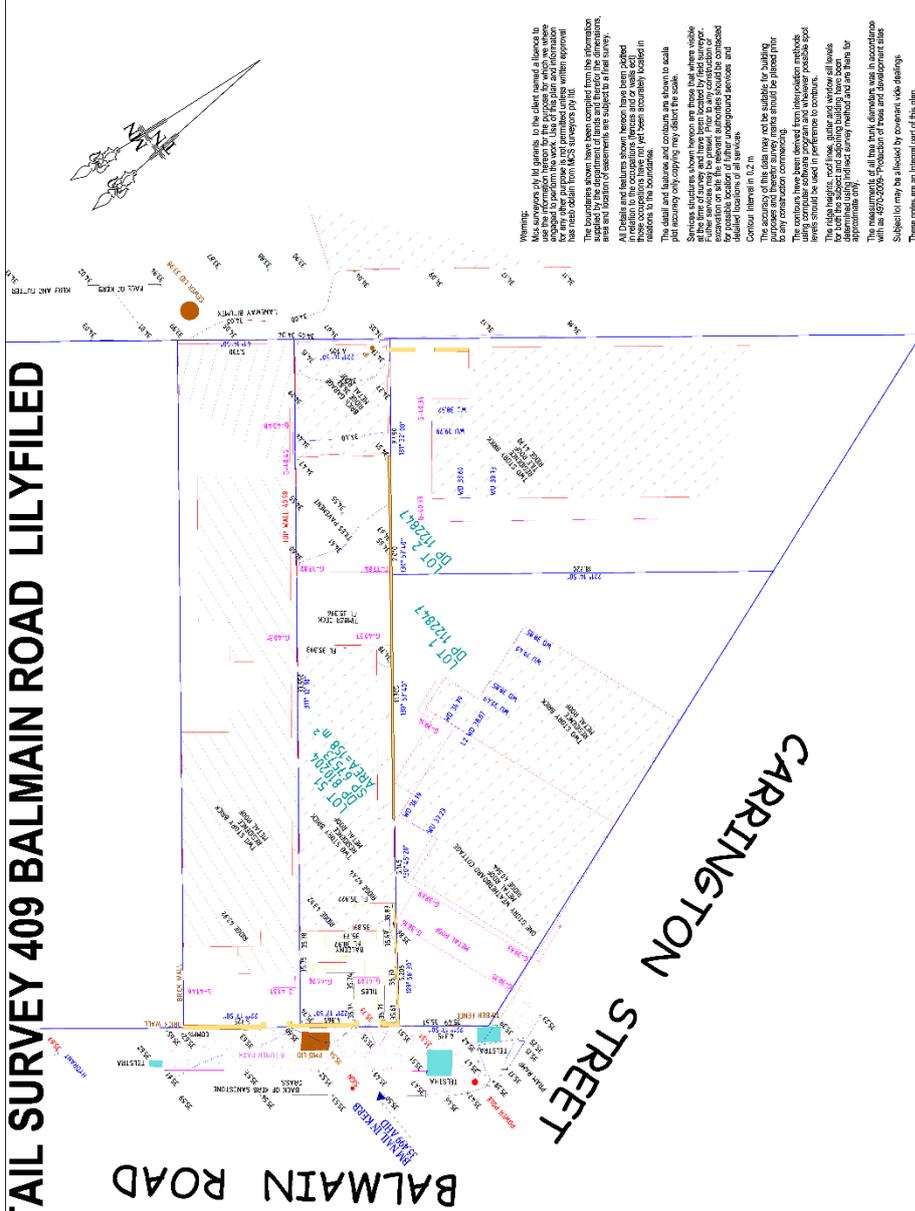
- DA00 - LOCATION PLAN
- DA01 - SURVEY / SITE ANALYSIS
- DA02 - BOUNDARY SURVEY
- DA03 - EXISTING GROUND FLOOR PLAN
- DA04 - EXISTING FIRST FLOOR PLAN
- DA05 - PROPOSED GROUND FLOOR PLAN
- DA06 - PROPOSED FIRST FLOOR PLAN
- DA07 - EXISTING ROOF PLAN
- DA08 - PROPOSED ROOF PLAN
- DA09 - SECTION ELEVATION A
- DA10 - SECTION ELEVATION B
- DA11 - SECTION ELEVATION C
- DA12 - SHADOW DIAGRAMS
- DA13 - WASTE MANAGEMENT PLAN
- DA14 - 3D VISUALIZATION
- DA15 - COLOURS & FINISHES SCHEDULE

DEVELOPMENT APPLICATION
ALTERATIONS & ADDITIONS
409 BALMAIN ROAD, LILYFIELD, NSW 2040





DETAIL SURVEY 409 BALMAIN ROAD LILYFILED



Warning: This drawing is to be used in the field only. It is not to be used as a basis for any construction or other work. The surveyor is not responsible for any errors or omissions in the plan or for any damage or loss of property which may result from its use. The surveyor is not responsible for any errors or omissions in the plan or for any damage or loss of property which may result from its use.

The detail and feature are shown to scale. The survey has been carried out in accordance with the Survey Act 1958 and the Survey Regulation 2005. The survey has been carried out in accordance with the Survey Act 1958 and the Survey Regulation 2005.

All details and features shown have been checked in the field. The surveyor is not responsible for any errors or omissions in the plan or for any damage or loss of property which may result from its use.

The accuracy of this data may not be suitable for building or other construction. The surveyor is not responsible for any errors or omissions in the plan or for any damage or loss of property which may result from its use.



JOB DESCRIPTION:
DETAIL SURVEY 409 BALMAIN ROAD
LILYFILED

Client: Hen (06) 694237
 冯汉成 henandjregod@gmail.com>

Date: AHD 2020
Origin: SSM 20538
RL: 35.430
Conform: 0.2 m
Scale: 1:100 A1

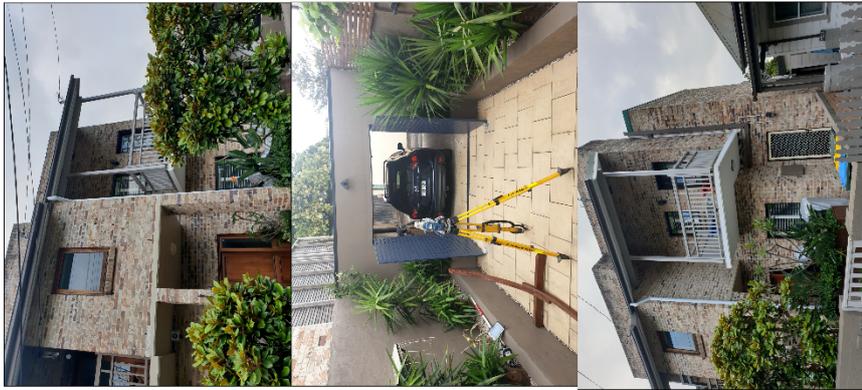
Surveyor: N.R.
Drawn: N.R.
Checked: N.R.
Date: 10.11.20
Sheet: 1 of 1

Job Ref:
Drawing No:
Revision No:

157 Gladstone Avenue | Mt. St. Thomas NSW 2500 | T 0422396344 | info@msurveyors.com.au

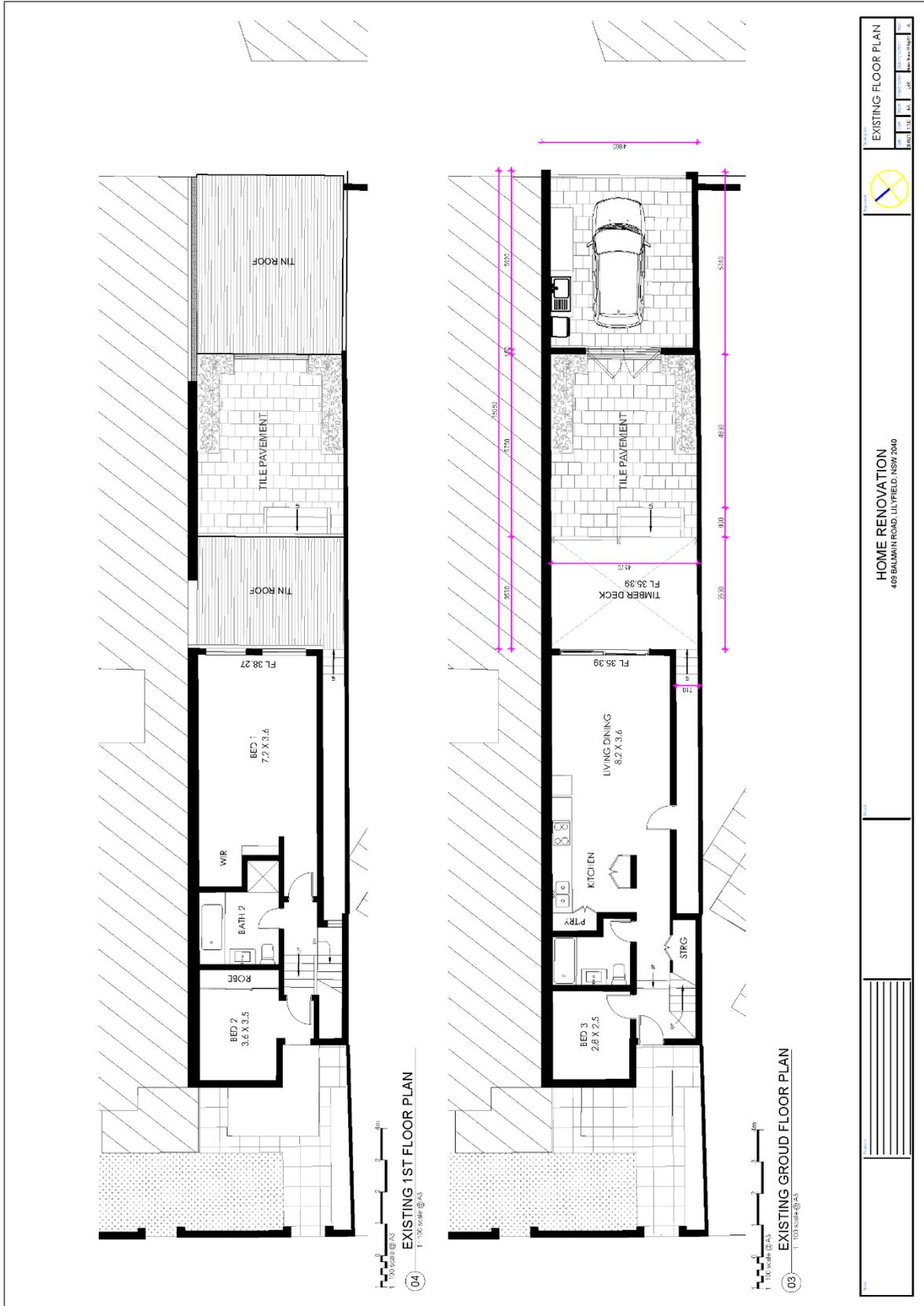
METROPOLIS CITY SURVEYOR PTY LTD
 157 GLADSTONE AVENUE, MT. ST THOMAS
 NSW 2500
 WWW.MCSURVEYORS.COM.AU
 EMAIL: info@msurveyors.com.au

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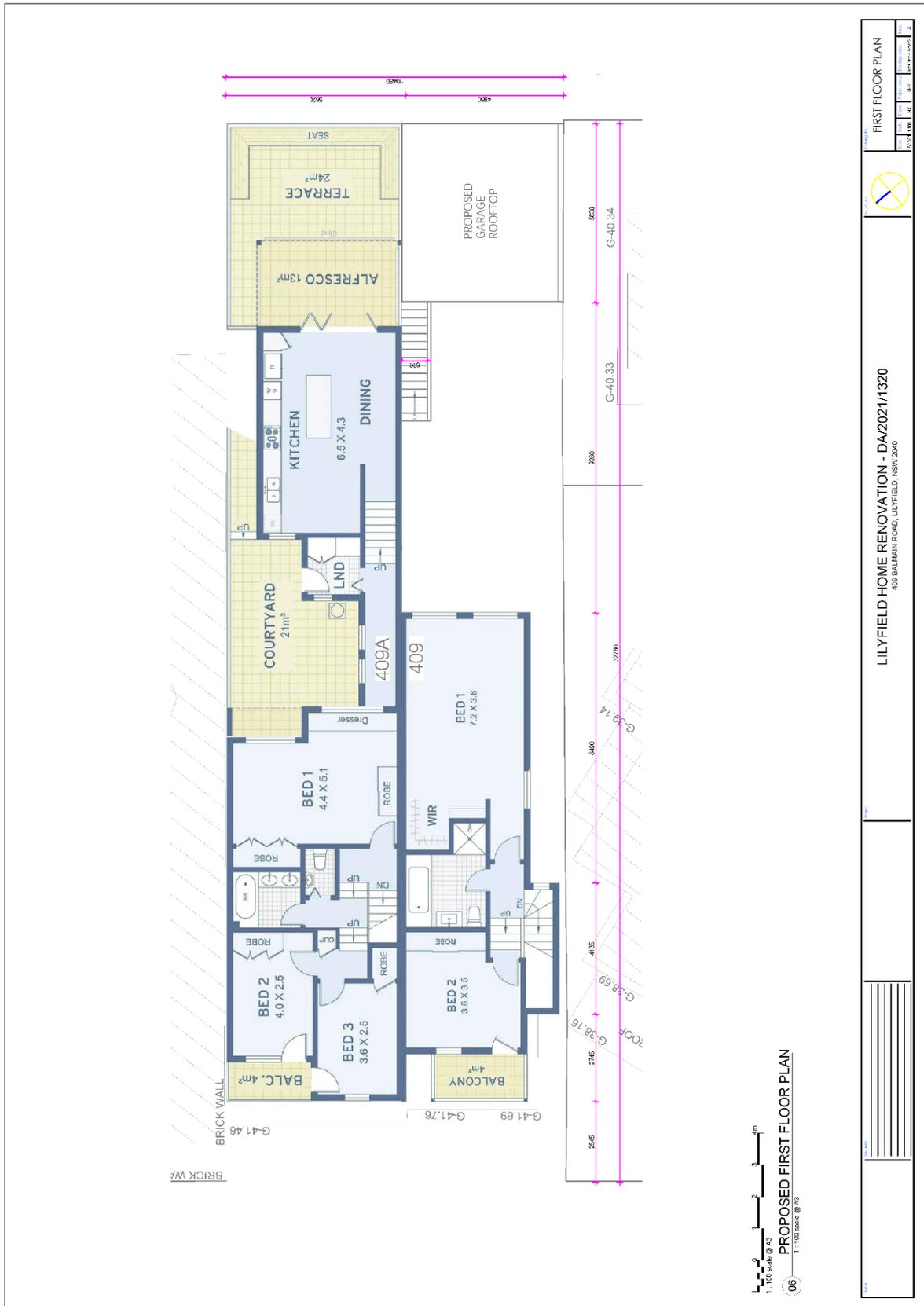


PLOT IN A1 SIZE 1:100 SCALE

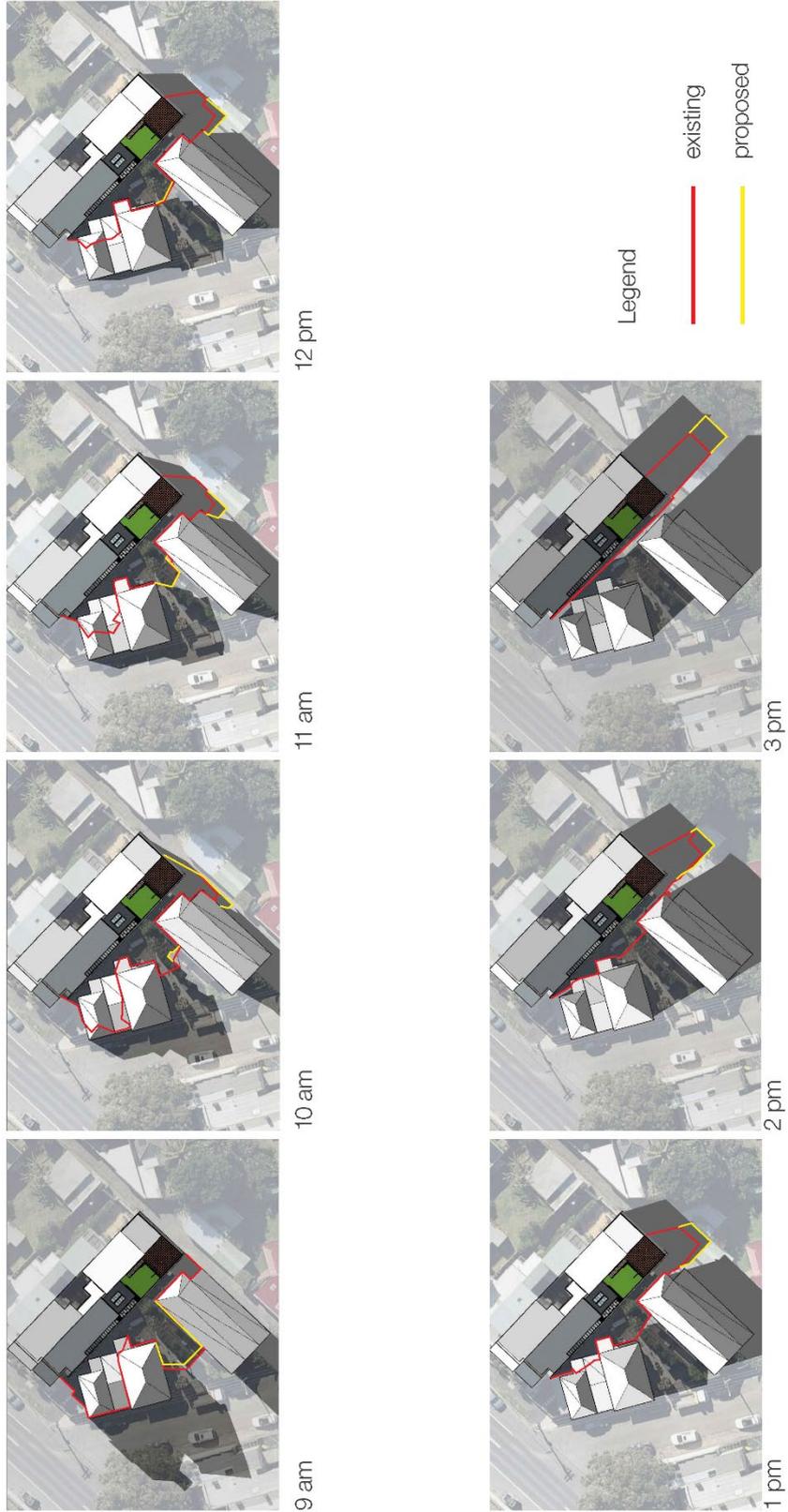


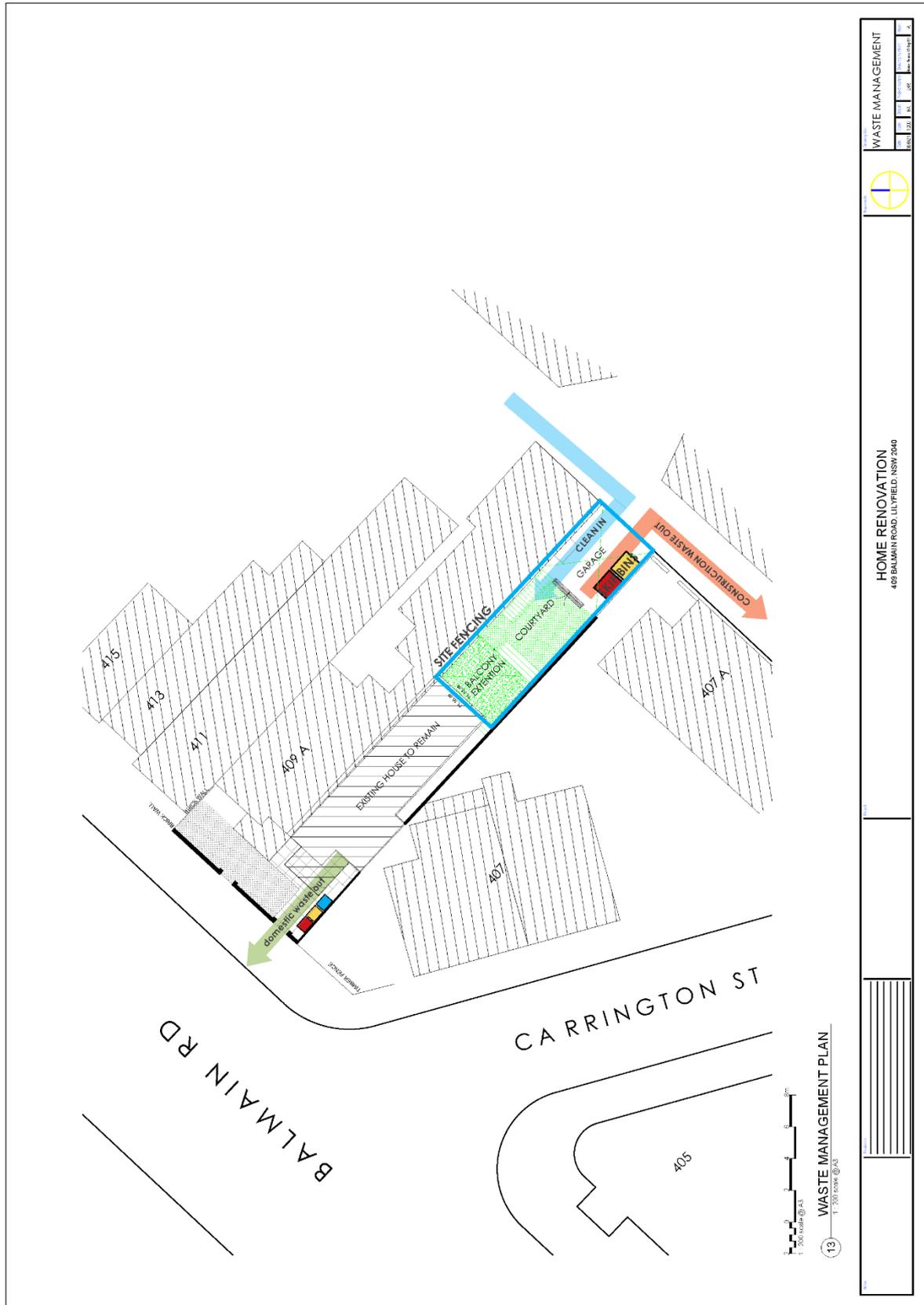






SHADOW DIAGRAM - BEFORE AND AFTER ON WINTER SOLSTICE







3D	
Project Name	Project No.
Client Name	Client No.
Project Address	Project Date
Project Description	Project Status
HOME RENOVATION 409 BALMAIN ROAD, ULTRFIELD, NSW 2040	
Project Manager	Project Engineer
Project Designer	Project Checker
Project Approver	Project Sign-off
Project Date	Project Version

VIEW01_GARAGE VIEWED FROM THE DECK

VIEW02_DECK VIEWED FROM GARAGE

14

3D VISUALIZATION
NTS @ A3

HOME RENOVATION
409 SULLIVAN ROAD, LILFIELD, NSW 2140

3D

NO.	REV.	DATE	BY	APP.
1				

The image contains two aerial 3D architectural visualizations of a home renovation project. The left visualization, labeled 'VIEW03_AERIAL', shows a multi-story building with a brown brick facade, a grey corrugated metal roof, and a green rooftop garden. The right visualization, labeled 'VIEW02_AERIAL', shows a similar view from a different angle, highlighting a dark grey section of the building and a green courtyard area. A title block on the right side of the page contains the following information:

3D VISUALIZATION
INTS @ A3

HOME RENOVATION
409 BALMAIN ROAD, LILYPOND, NSW 2140

3D

14

GENERAL

- G1 THESE DRAWINGS SHALL BE READ IN CONNECTION WITH ANY ARCHITECTURAL AND OTHER CONSULTANTS DRAWINGS AND SPECIFICATIONS AND WITH SUCH OTHER WRITTEN INSTRUCTIONS OR NOTES AS MAY BE REFERRED TO IN THESE DRAWINGS. ANY DISCREPANCY SHALL BE REFERRED TO THE LEADING DRAWING ENGINEER.
- G2 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR THE WORKS TO BE UNDERTAKEN.
- G3 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR THE WORKS TO BE UNDERTAKEN.
- G4 DURING THE COURSE OF CONSTRUCTION, ALL CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR THE WORKS TO BE UNDERTAKEN.
- G5 ALL ACTIVITIES ARE NOT OVER STRESSED.
- G6 DESIGN LIVE LOADS ARE IN ACCORDANCE WITH AS/NZS 1170:2008 AS FOLLOWS:
 - ROOF 0.25 kPa
 - INT 2.0 kPa
 - FLOOR 2.4 kPa

FOUNDATION (SOIL)

- F1 SITE CONDITIONS ARE ASSUMED UNLESS OTHERWISE NOTED BY A PROFESSIONAL ENGINEER. PROVIDE SITE CLASSIFICATION ASSUMPTION (M, MODERATELY REACTIVE SOIL).
- F2 ALL FOOTINGS SHALL BE LOCATED ON A MINIMUM 300 mm (12") INTO THE EXISTING CONCRETE SLAB.
- F3 THE ALLOWABLE BEARING CAPACITY SHALL BE VERIFIED BY THE CONTRACTOR. PROVIDE A COPY OF THE VERIFICATION REPORT TO THE LEADING ENGINEER.
- F4 BEFORE ANY REINFORCEMENT IS LAID, WITHIN FOOTINGS, A GEOTECHNICAL CONSULTANT SHALL VERIFY SOIL CONDITIONS AND PROVIDE A REPORT TO THE LEADING ENGINEER.
- F5 ALL FOOTINGS MUST BE PLACED CENTRALLY UNDER ALL COLUMNS AND WALLS (MIN). THE FOOTING DIMENSIONS SHALL BE COMPARED TO A RELATED DENSITY OF 100% AS DETERMINED IN AS/NZS 1170:2008 AND AS 1289.4.1-2003.
- F6 ALL FOOTINGS SHALL BE REINFORCED WITH 4 NO. 12 REINFORCING BARS. PROVIDE A COPY OF THE VERIFICATION REPORT TO THE LEADING ENGINEER.
- F7 ALL FOOTINGS SHALL BE REINFORCED WITH 4 NO. 12 REINFORCING BARS. PROVIDE A COPY OF THE VERIFICATION REPORT TO THE LEADING ENGINEER.

REINFORCED AND NON CONCRETE BORED PILES

- B1 THE BORED PILES SHALL BE DESIGNED TO BE REINFORCED WITH ALLOWABLE EXCESSIVE SINKING AND BEARING CAPACITY AS INDICATED IN THE REPORT. THE DEPTHS AND LENGTHS INDICATED IN THE REPORT SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION OF THE PILES.
- B2 IF SANDY MATERIAL IS FOUND THROUGHOUT THE SITE (GREATER THAN 10% SAND), THE REQUIRED DESIGN LOAD FOR EACH BORED PILE SHALL BE INCREASED.
- B3 ALL WORKMANSHIP AND MATERIAL SHALL BE IN ACCORDANCE WITH AS 1109.
- B4 REINFORCED PILES SHALL BE LOCATED CO-CENTRIC WITH THE COLUMNS AND WALLS (MIN).
- B5 DRILL AND CAST ALL THE BORED PILES IN THE LOCATION SHOWN ON THE DRAWINGS. PROVIDE A COPY OF THE VERIFICATION REPORT TO THE LEADING ENGINEER.
- B6 ALL PILES GREATER THAN 2 METERS OR MORE THEN 1 METER OF FILL MUST BE REINFORCED WITH 4 NO. 12 REINFORCING BARS HELICAL PILES.

STRUCTURAL TIMBER

- T1 MATERIALS AND WORKMANSHIP SHALL COMPLY WITH AS 1610 AND AS 1611. TIMBER ENGINEERING CODES AS WELL AS OTHER RELEVANT TIMBER ENGINEERING CODES AND BSA VOLUME 3 SHOULD BE USED.
- T2 ALL TIMBER SHALL BE GRATED TO 3.4 & 3.5. ALL TIMBER SHALL HAVE BUSHES/STAYS/GRATED TO 3.4 & 3.5. ALL TIMBER SHALL BE GRATED TO 3.4 & 3.5.
- T3 ALL TIMBER SHALL BE GRATED TO 3.4 & 3.5. ALL TIMBER SHALL BE GRATED TO 3.4 & 3.5.
- T4 ALL TIMBER SHALL BE GRATED TO 3.4 & 3.5. ALL TIMBER SHALL BE GRATED TO 3.4 & 3.5.
- T5 ALL TIMBER SHALL BE GRATED TO 3.4 & 3.5. ALL TIMBER SHALL BE GRATED TO 3.4 & 3.5.
- T6 ALL TIMBER SHALL BE GRATED TO 3.4 & 3.5. ALL TIMBER SHALL BE GRATED TO 3.4 & 3.5.
- T7 ALL TIMBER SHALL BE GRATED TO 3.4 & 3.5. ALL TIMBER SHALL BE GRATED TO 3.4 & 3.5.
- T8 ALL TIMBER SHALL BE GRATED TO 3.4 & 3.5. ALL TIMBER SHALL BE GRATED TO 3.4 & 3.5.
- T9 ALL TRUSS AND CONNECTION JOINTS TO BE MADE GOOD BY LICENSED CARPENTER TO AS184.

STRUCTURAL MASONRY

- M1 ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH AS 1100.
- M2 NON-CORNER BEARING WALLS SHALL BE SEPARATED FROM STRUCTURAL ELEMENTS BY A MINIMUM 25mm GAP PROVIDED JOINT FILLER TO PROVIDE VERTICAL CONTROL JOINTS AT CORNERS MASONRY WALLS. PROVIDE VERTICAL CONTROL JOINTS AT CORNERS MASONRY WALLS. PROVIDE VERTICAL CONTROL JOINTS AT CORNERS MASONRY WALLS.
- M3 ALL INTERSECTIONS OF WALLS SHALL BE REINFORCED WITH 4 NO. 12 REINFORCING BARS. PROVIDE A COPY OF THE VERIFICATION REPORT TO THE LEADING ENGINEER.
- M4 ALL INTERSECTIONS OF WALLS SHALL BE REINFORCED WITH 4 NO. 12 REINFORCING BARS. PROVIDE A COPY OF THE VERIFICATION REPORT TO THE LEADING ENGINEER.
- M5 ALL INTERSECTIONS OF WALLS SHALL BE REINFORCED WITH 4 NO. 12 REINFORCING BARS. PROVIDE A COPY OF THE VERIFICATION REPORT TO THE LEADING ENGINEER.
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- M9 ALL INTERSECTIONS OF WALLS SHALL BE REINFORCED WITH 4 NO. 12 REINFORCING BARS. PROVIDE A COPY OF THE VERIFICATION REPORT TO THE LEADING ENGINEER.
- M10 ALL INTERSECTIONS OF WALLS SHALL BE REINFORCED WITH 4 NO. 12 REINFORCING BARS. PROVIDE A COPY OF THE VERIFICATION REPORT TO THE LEADING ENGINEER.
- M11 ALL INTERSECTIONS OF WALLS SHALL BE REINFORCED WITH 4 NO. 12 REINFORCING BARS. PROVIDE A COPY OF THE VERIFICATION REPORT TO THE LEADING ENGINEER.
- M12 ALL INTERSECTIONS OF WALLS SHALL BE REINFORCED WITH 4 NO. 12 REINFORCING BARS. PROVIDE A COPY OF THE VERIFICATION REPORT TO THE LEADING ENGINEER.

CONCRETE

- C1 ALL WORKS AND CONCRETE SHALL BE IN ACCORDANCE WITH AS 3600:2009. ALL FORMWORK SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH AS 3610:1995.
- C2 ALL CONCRETE SHALL BE CAST AND CURED IN ACCORDANCE WITH AS 3600:2009. ALL CONCRETE SHALL BE CAST AND CURED IN ACCORDANCE WITH AS 3600:2009.
- C3 ALL CONCRETE SHALL BE CAST AND CURED IN ACCORDANCE WITH AS 3600:2009. ALL CONCRETE SHALL BE CAST AND CURED IN ACCORDANCE WITH AS 3600:2009.
- C4 ALL CONCRETE SHALL BE MECHANICALLY VIBRATED. VIBRATION SHALL NOT BE USED TO SPREAD THE CONCRETE DURING A POUR. VIBRATION SHALL BE USED TO REMOVE AIR ENTRAINMENT AND TO LOCATE TO THE SATISFACTION OF THE ENGINEER. BUILDING SHALL COMPLY WITH AS 3600:2009. ALL CONCRETE SHALL BE CAST AND CURED IN ACCORDANCE WITH AS 3600:2009.
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- C9 ALL CONCRETE SHALL BE MECHANICALLY VIBRATED. VIBRATION SHALL NOT BE USED TO SPREAD THE CONCRETE DURING A POUR. VIBRATION SHALL BE USED TO REMOVE AIR ENTRAINMENT AND TO LOCATE TO THE SATISFACTION OF THE ENGINEER. BUILDING SHALL COMPLY WITH AS 3600:2009. ALL CONCRETE SHALL BE CAST AND CURED IN ACCORDANCE WITH AS 3600:2009.
- C10 ALL CONCRETE SHALL BE MECHANICALLY VIBRATED. VIBRATION SHALL NOT BE USED TO SPREAD THE CONCRETE DURING A POUR. VIBRATION SHALL BE USED TO REMOVE AIR ENTRAINMENT AND TO LOCATE TO THE SATISFACTION OF THE ENGINEER. BUILDING SHALL COMPLY WITH AS 3600:2009. ALL CONCRETE SHALL BE CAST AND CURED IN ACCORDANCE WITH AS 3600:2009.
- C11 ALL CONCRETE SHALL BE MECHANICALLY VIBRATED. VIBRATION SHALL NOT BE USED TO SPREAD THE CONCRETE DURING A POUR. VIBRATION SHALL BE USED TO REMOVE AIR ENTRAINMENT AND TO LOCATE TO THE SATISFACTION OF THE ENGINEER. BUILDING SHALL COMPLY WITH AS 3600:2009. ALL CONCRETE SHALL BE CAST AND CURED IN ACCORDANCE WITH AS 3600:2009.
- C12 ALL CONCRETE SHALL BE MECHANICALLY VIBRATED. VIBRATION SHALL NOT BE USED TO SPREAD THE CONCRETE DURING A POUR. VIBRATION SHALL BE USED TO REMOVE AIR ENTRAINMENT AND TO LOCATE TO THE SATISFACTION OF THE ENGINEER. BUILDING SHALL COMPLY WITH AS 3600:2009. ALL CONCRETE SHALL BE CAST AND CURED IN ACCORDANCE WITH AS 3600:2009.
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- C14 ALL CONCRETE SHALL BE MECHANICALLY VIBRATED. VIBRATION SHALL NOT BE USED TO SPREAD THE CONCRETE DURING A POUR. VIBRATION SHALL BE USED TO REMOVE AIR ENTRAINMENT AND TO LOCATE TO THE SATISFACTION OF THE ENGINEER. BUILDING SHALL COMPLY WITH AS 3600:2009. ALL CONCRETE SHALL BE CAST AND CURED IN ACCORDANCE WITH AS 3600:2009.
- C15 ALL CONCRETE SHALL BE MECHANICALLY VIBRATED. VIBRATION SHALL NOT BE USED TO SPREAD THE CONCRETE DURING A POUR. VIBRATION SHALL BE USED TO REMOVE AIR ENTRAINMENT AND TO LOCATE TO THE SATISFACTION OF THE ENGINEER. BUILDING SHALL COMPLY WITH AS 3600:2009. ALL CONCRETE SHALL BE CAST AND CURED IN ACCORDANCE WITH AS 3600:2009.

STRUCTURAL STEELWORK

- S1 ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH AS 4000 AND ALL OTHER RELEVANT DOCUMENTS.
- S2 ALL STEEL SHALL BE GALVANIZED TO A MINIMUM OF 120g/m² OF GALVANIZED COATING.
- S3 ALL STEEL SHALL BE GALVANIZED TO A MINIMUM OF 120g/m² OF GALVANIZED COATING.
- S4 ALL STEEL SHALL BE GALVANIZED TO A MINIMUM OF 120g/m² OF GALVANIZED COATING.
- S5 ALL STEEL SHALL BE GALVANIZED TO A MINIMUM OF 120g/m² OF GALVANIZED COATING.
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- S7 ALL STEEL SHALL BE GALVANIZED TO A MINIMUM OF 120g/m² OF GALVANIZED COATING.
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- S16 ALL STEEL SHALL BE GALVANIZED TO A MINIMUM OF 120g/m² OF GALVANIZED COATING.
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SLAB ON GROUND

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CONCRETE QUALITY

ELEMENT	SLUMP (AGGREGATE TO AT 28 DAYS)	COMPRESSIVE STRENGTH (MAX. SIZE)	EXPOSURE CLASS (AS 3600)
SUSPENDED SLAB	80mm	20MPa	A1
SLAB ON GROUND	80mm	20MPa	A1
INTERNAL WALLS	80mm	20MPa	A1
EXTERNAL WALLS	80mm	20MPa	A1
FOUNDATIONS	80mm	20MPa	A1
COLUMNS	80mm	20MPa	A1

CONCRETE QUALITY

ELEMENT	COVER (mm)	BTM SIDES	EXPOSURE CLASS (AS 3600)
SUSPENDED INTERNAL SLAB	30mm	30mm	A1
INTERNAL SLAB	30mm	30mm	A1
EXTERNAL SLAB	40mm	40mm	A2
FOUNDATIONS	40mm	65mm	A1
COLUMNS	30mm	150mm	A1

COVER NOTES

SHEET TITLE: HAN HAO

CLIENT: HAN HAO

DATE: 22.01.2024

PROJECT ADDRESS: 409 BALMAIN ROAD, LILYFIELD

JOB NUMBER: 20051

SCALE: A3

DRAWING NO: S00

REVISIONS

REV	DESCRIPTION	DESIGNED	APPROVED	DATE
A	ISSUED FOR C.C.	M.H.	M.H.	22.01.2024
B	ISSUED FOR C.C.	M.H.	M.H.	06.09.2024
C	ISSUED FOR C.C.	M.H.	M.H.	27.09.2024

EAE ELITE AUSTRALIAN ENGINEERING

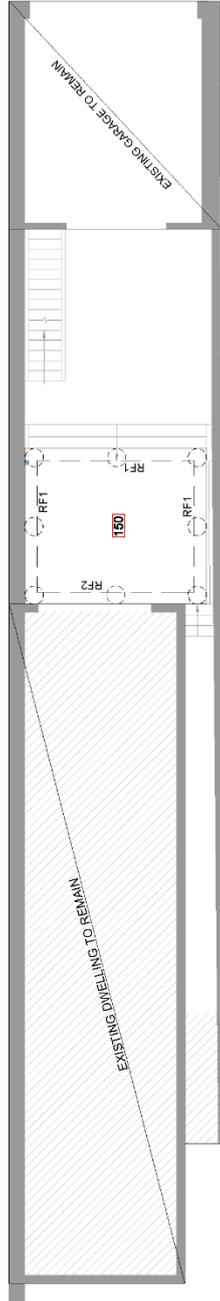
STRUCTURAL, STORMWATER, REMEDIATION, CIVIL

www.eae.com.au | info@eae.com.au

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GROUND FLOOR FOOTING PLAN

1:100

RAFT SLAB NOTES:

- PIERS MAY BE REQUIRED DEPENDING ON THE FOUNDATION FOUND THROUGHOUT THE SITE. IT IS ASSUMED SITE CLASSIFICATION: H1 CLASS UNLESS A GEOTECHNICAL REPORT IS PROVIDED. ANY NON UNIFORM SECTIONS OF THE FOOTINGS THROUGHOUT, IT IS THE BUILDERS RESPONSIBILITY TO IMPLEMENT PIERS TO REACH THE SAME BEARING CAPACITY THROUGHOUT.
- CONCRETE FOOTINGS AND SLAB MUST REST ON NON-REACTIVE GRANULAR MATERIAL WITH MIN. 98% COMPACTION WHERE REQUIRED IN ACCORDANCE TO AS2870:2011.
- SLABS TO BE POURED ON APPROVED VAPOUR BARRIER ON MIN. 50mm SAND BED.
- CONCRETE RESPONSIBILITY TO ENSURE CORRECT WATER PROOFING ARE IN PLACE WHERE REQUIRED.
- ALL SLABS TO BE 150mm THICK WITH S182 MESH TOP & BOTTOM.

- NOTES:**
- STRUCTURAL DRAWINGS TO BE READ IN CONJUNCTION WITH ARCHITECTURAL PLANS PROVIDED.
 - REFER TO ARCHITECTURAL DRAWINGS FOR ALL SETOUT, LEVELS, FALLS ETC.
 - DURING CONSTRUCTION, FOUNDATION MATERIAL HAS TO BE CHECKED AND VERIFIED BY A GEOTECHNICAL ENGINEER TO ENSURE THE SAFE BEARING CAPACITY OF FOUNDATION MATERIAL PRIOR TO CONSTRUCTION.

FOUNDATION & PIER NOTES

THE BUILDER/CLIENT MUST OBTAIN A GEOTECHNICAL REPORT IN ORDER TO VERIFY THE FOUNDING MATERIAL. OTHERWISE FOUNDATION AT SITE IS ASSUMED AS HI CLASS (HIGHLY REACTIVE CLAY). THE FOOTINGS/PIERS WILL BE CONSTRUCTED WITH CLAY A MINIMUM SAFE BEARING CAPACITY OF 300 kPa. IF VIRGIN MATERIAL IS FOUND THEN CONSULT ENGINEER OR PIERS MUST BE PROVIDED AS PER PLAN & OR AS PER NOTES

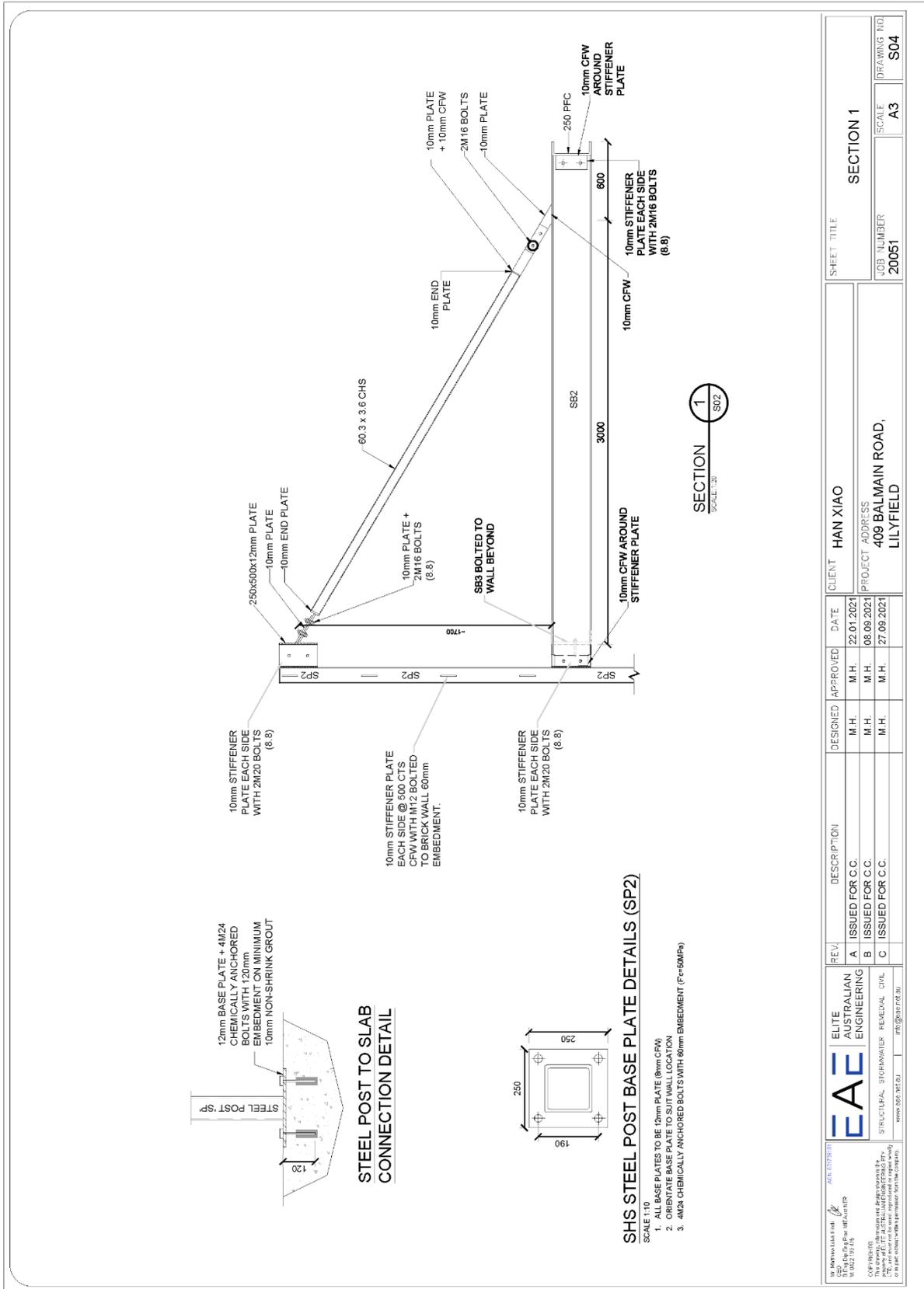
CONCRETE QUALITY		AGGREGATE CEMENT		f _c	
ELEMENT	SLUMP	(MAX. SIZE)	TYPE		
FOOTINGS	80mm	20mm	A	25 MPa	

REINFORCEMENT COVER SCHEDULE			
MEMBER	COVER (mm)		EXPOSURE CLASSIFICATION
	TOP	BOTTOM	
STRIP FOOTINGS	40mm	40mm	A1

GENERAL GROUND PIER NOTES (UNLESS NOTED OTHERWISE)					
TYPE	DIAMETER Ø	f _c =MPa (UNO)	SPACING (mm)	MIN. BEARING	DEPTH
CONCRETE BORED PIERS	450	25	1800	VERY STIFF CLAY (300 kPa)	MAX. 200mm OR 1000mm OF FILL
REINFORCED CONCRETE PIERS	450	25	1800	VERY STIFF CLAY (300 kPa)	> 200mm OF FILL OR CLASS 2 SITE

NOTE: IF PRESSURE UNWANTED TO BE RESORCED ON PLAN USE STABLE ABOVE. ALL PIERS MUST BE COATED AT EVERY CORNER JUNCTION. ALL PIERS MUST BE INFORM AND STABLE THROUGHOUT. CHINA ROCKS PRESENT ALL PIERS ARE TO BE POUNDED ON ROCK THROUGHOUT WITH A MINIMUM SAFE END BEARING OF 600 kPa.

		REV. DESCRIPTION A ISSUED FOR C.C. B ISSUED FOR C.C. C ISSUED FOR C.C.		DESIGNED APPROVED DATE M.H. M.H. 22.01.2024 M.H. M.H. 06.09.2024 M.H. M.H. 27.09.2024	
PROJECT ADDRESS 409 BALMAIN ROAD, LILYFIELD		CLIENT HAN XIAO		SHEET TITLE GROUND FLOOR FOOTING PLAN	
JOB NUMBER 20051		SCALE A3		DRAWING NO. S01	



SHEET TITLE SECTION 1		CLIENT HAN XIAO		
JOB NUMBER 20051		PROJECT ADDRESS 409 BALMAIN ROAD, LILYFIELD		
SCALE A3		DRAWING NO. S04		
REV	DESCRIPTION	DESIGNED	APPROVED	DATE
A	ISSUED FOR C.C.	M.H.	M.H.	22.01.2021
B	ISSUED FOR C.C.	M.H.	M.H.	08.09.2021
C	ISSUED FOR C.C.	M.H.	M.H.	27.09.2021

TYPICAL JOIST TO BEAM DETAIL
SCALE 1:20

STEEL BEAM TO STEEL POST DETAIL CONNECTION
SCALE 1:20

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By Appointment Only
15 The Esplanade, Suite 101, North Sydney
NSW 1585, Australia
Phone: +61 (0)2 9550 1111
Fax: +61 (0)2 9550 1112
Email: info@eae.com.au
EAE is an Australian Registered Structural Engineering Firm
No. 123456789

REV	DESCRIPTION	DESIGNED	APPROVED	DATE	CLIENT
A	ISSUED FOR C.C.	M.H.	M.H.	22.01.2021	HAN XIAO
B	ISSUED FOR C.C.	M.H.	M.H.	08.09.2021	PROJECT ADDRESS 409 BALMAIN ROAD, LILYFIELD
C	ISSUED FOR C.C.	M.H.	M.H.	27.09.2021	

FRAMING DETAILS

JOB NUMBER: **20051** SCALE: **A3** DRAWING NO.: **S05**



Party Wall Consent

About this form:	Use this form to provide Party Wall Consent in association with a Development Application. There are many properties within the municipality that share a 'party wall'. Where you seek to rely on this wall for your development you will need to provide the consent of all owners of the wall.
How to complete:	1. Ensure that all fields have been filled out correctly. 2. Once completed, please refer to the lodgement details section for further information.

Property Details:			
Please list all properties subject to this application			
Street address:	409 and 409A Balmain road		
Suburb:	Lilyfield	Postcode:	2040
Legal description:	Lot: 1	Section: N/A	DP/SP: SP67573

Owner/s Party Wall Consent
<p>ALL registered owners of the site must sign this form. Without owner consent Council will not accept the application. If the site is owned by a company the onus is on the company to ensure that the correct number of directors sign the application. It is also the company's responsibility, including sole director companies, to use the company seal, if the company rules stipulate its use, or alternatively provide authorisation by way of company letterhead. Strata bodies must use the strata seal.</p> <p align="center">Council will not accept this application without correct and complete owner/s consent</p>

As owner/s of the above mentioned property, I/we/this company consent/s to the lodgement of a Development application which relies on the jointly owned party wall for either lateral or vertical support.				
Salutation: (please tick)	<input checked="" type="checkbox"/> Mr	<input type="checkbox"/> Ms	<input type="checkbox"/> Miss	<input type="checkbox"/> Other (please specify)
Company / Strata Name (if applicable)				
First name:	David	Surname:	Semery	
Email:	semerydavid@yahoo.fr			
Street address:	409 Balmain road	Postcode:	2040	
Suburb:	Lilyfield			
Phone number:		Mobile:	0416288042	
Print name/s:	David Semery & Gloria Ma 409, Keni Josifoski & Eve Josifoski 409A			
Signature/s				



Party Wall Consent

Further information or frequently asked questions

WHY DO I NEED THE CONSENT OF MY NEXT DOOR NEIGHBOUR?

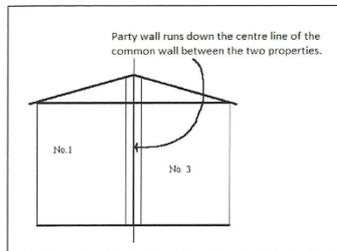
The Inner West Council has a great many buildings which share a party wall on one or more boundaries.

- Any application which proposes:
- a) demolition
 - b) alterations and additions; or
 - c) erection of a new building,

and proposes works on a party wall or works which rely on a party wall for lateral or vertical support, must be accompanied by the written consent of all owners of all party walls involved. .

It is a requirement of the *Environmental Planning & Assessment Act 1979* that all development applications are made by the owner or a person with the owner's consent.

FIGURE 1



WHY CAN'T COUNCIL JUST CONDITION THIS?

This is not a question of how a building can be built but a legal requirement that all owners have agreed to the lodgement of the application.

This also goes to the validity of the application. A development application cannot be determined until it has the written consent of all owners of all property that work will take place on.

WHAT WILL COUNCIL DO WITH APPLICATIONS SUBMITTED WHERE PARTY WALLS ARE INVOLVED?

When an application is lodged, and it appears to Council that works involve a party wall, Council officers will look for adjoining owners consent. If there is no consent, then Council officers examine the plans to see if the works are to be supported independently of the party wall.

Where the application does not have party wall consent but includes a design which shows that the works are to be supported independently of the party wall these plans must be accompanied by a certificate from a qualified structural engineer.

The structural engineer's certificate is to state that the design is independently supported and does not rely on the party wall for lateral or vertical support. It is not sufficient for a structural engineer to state that the works will impose no additional load on the party wall.

The development application will not be accepted by Council until this matter has been satisfied.

EXTRA INFORMATION FOR YOUR NEIGHBOUR

A neighbour who gives party wall consent retains the right to make a separate submission to Council, whether in support or objection, on any aspect of the proposed development other than the use of the party wall.

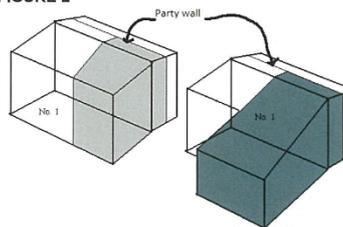
Party wall consent does not prevent you and your neighbour entering into any private agreement. For example, to make good any damage from the works. This is a civil matter between neighbours.

FURTHER INFORMATION

Contact Council's development assessment officers by telephoning 9392 5000 and ask to be put through to the Advisory Services Team. .

EXAMPLES OF WORK ON PARTY WALLS

FIGURE 2

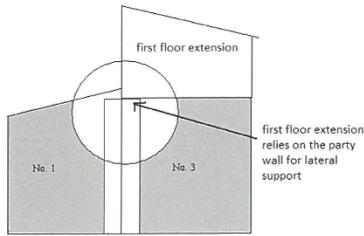


In **Figure No.2** the owner of No.1 demolishes the light grey shaded area and builds as shaded dark grey. No.1 is relying for vertical support on the party wall with No.3 and therefore needs the written consent of No.3.



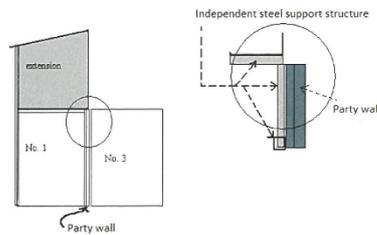
Party Wall Consent

FIGURE 3



In Figure No.3 the owner of No.3 extension relies on party wall for support, therefore No.3 needs the written consent of No.1 in order to lodge the application.

FIGURE 4



In Figure No.4 the owner of No.1 is unable to obtain the written consent of No.3 for works involving the party wall. No.1 therefore has to provide details from a structural engineer which identifies how the new work will be independently supported without any reliance on the party wall. The Structural engineer certifies that the new works will not rely on the party wall of vertical or lateral support and architectural plans are amended accordingly.

Applicant's signature:		Date:	10/12/2021 / /
-------------------------------	--	--------------	-------------------

Privacy statement

Application forms and/or names and addresses of people making an application is information that is publicly available. In accordance with section 18(1)(b) of the *Privacy and Personal Information Protection Act 1998 (NSW)*, you are advised that all application forms received by Council will be placed on the appropriate Council file and may be disclosed to Councillors, Council officers, consultants to Council or members of the public. Pursuant to the provisions of the *Government Information (Public Access) Act 2009*, Council is obliged to allow inspection of its documents, including any application you make. However, should you wish for your contact details to be suppressed, please indicate on this application form.



Party Wall Consent

Instructions for applicants

Lodging an application requires a completed application form, all relevant information and the payment of the required fee. The Application will be checked at lodgement to ensure the required information is provided. For a list of required information, please refer to Council's [Development Application Checklist](#) and [DA Document Requirements](#)

Incomplete/illegible applications will not be accepted and will be returned to you.

Lodge online: <https://www.planningportal.nsw.gov.au/onlineDA>

Fees and charges: Find fees and charges on the Council website: www.innerwest.nsw.gov.au/FeesAndCharges

Upon review of the documentation, if found to be satisfactory, the application will be entered into our system. You will then be sent an invoice. Please note that the application is not considered to be 'Lodged' until the fees have been paid.

Inconsistency in Lodgement Information : Where information on this form differs from information entered into the Planning Portal Application (PAN) the information on this form will prevail.

WASTE MINIMISATION AND MANAGEMENT PLAN TEMPLATE

SECTION 1 – SITE WASTE MINIMISATION AND MANAGEMENT PLAN TEMPLATE

1.1 APPLICANT AND PROJECT DETAILS

Applicant and Project Details (All Developments)	
Applicant Details	
Application No.	PAN-151445
Name	Han Xiao
Address	409 Balmain Rd. Lilyfield, NSW 2040
Phone number(s)	0491694237
Email	hanandgregorio@gmail.com
Project Details	
Address of development	409 Balmain Rd. Lilyfield, NSW 2040
Existing buildings and other structures currently on the site	Existing 2 storey terrace house, please refer to the DA drawing sets for details
Description of proposed development	<small>Alteration to the existing dwelling: 1. Alfresco Area: Demolish the existing timber deck and reconstruct in concrete, reconstruct the stairs connecting the deck to the ground level, reconstruct the existing roof to include skylights. 2. Garage: reconstruct the garage rooftop to be accessible from the backyard, for better privacy, the rooftop area is to be surrounded with 1.5m high trellis. 3. Backyard: Remove the existing pavers, replace with turf to largely increase the landscaped area.</small>
<p><i>This development achieves the waste objectives set out in this Development Control Plan. The details on this form are the provisions and intentions for minimising waste relating to this project. All records demonstrating lawful disposal of waste will be retained and kept readily accessible for inspection by regulatory authorities such as council, relevant NSW State waste and health and safety authorities.</i></p>	
Name	Han Xiao
Signature	<i>Han</i>
Date	17/12/2021

WASTE MINIMISATION AND MANAGEMENT PLAN TEMPLATE

1.2 DEMOLITION (ALL TYPES OF DEVELOPMENTS)

Address of development: 409 Balmain Rd, Lilyfield

	Reuse	Recycling	Disposal	
Type of waste generated	Estimate Volume (m ³)	Estimate Volume (m ³)	Estimate Volume (m ³)	Specify method of on site reuse, contractor and recycling outlet and /or waste disposal facility to be used
Excavation material				
Timber (specify)	0.2	0	0	timber removed from roof framing will be used to block for new floor
Concrete				
Bricks/pavers	0	0.3	0	Pavers to be removed and recycled
Tiles				
Metal (specify)	0	0	1	Metal roof to be disposed of
Glass				
Furniture				
Fixtures and fittings				
Floor coverings				
Packaging (used pallets, pallet wrap)				
Garden organics	2	0	0	Garden soil to be used to compact for new turf
Containers (cans, plastic, glass)				
Paper/cardboard				
Residual waste				
Hazardous/special waste e.g. asbestos (specify)				

WASTE MINIMISATION AND MANAGEMENT PLAN TEMPLATE

Other (specify)				
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1.3 CONSTRUCTION (ALL TYPES OF DEVELOPMENTS)

Amounts provided below should be for excess or leftover construction waste material.

Address of development: 409 Balmain Rd, Lilyfield

Construction Waste 'Rule of Thumb' for renovations and small home building:

- Timber 5-7% of material ordered
- Plasterboard 5-20% of material ordered
- Concrete 3-5% of material ordered
- Bricks 5-10% of material ordered
- Tiles 2-5% of material ordered

Source: *Waste Planning Guide for Development Application, Inner Sydney Waste Board, 1998*

WASTE MINIMISATION AND MANAGEMENT PLAN TEMPLATE

Type of Waste	Reuse	Recycling	Disposal	Onsite reuse
Type of waste generated	Estimate Volume (m ³)	Estimate Volume (m ³)	Estimate Volume (m ³)	Specify method of onsite reuse, contractor and recycling outlet and/or waste disposal facility to be used
Excavation material				
Timber (specify)				
Concrete				
Bricks				
Tiles				
Metal (specify)				
Glass				
Plasterboard (offcuts)				
Fixtures and fittings				
Floor coverings				
Packaging (used pallets, pallet wrap)				
Garden organics				
Containers (cans, plastic, glass)				
Paper/cardboard				
Residual waste	0	0	4	Off cuts of timber and building materials to be disposed of at waste management
Hazardous/special waste (specify)				

WASTE MINIMISATION AND MANAGEMENT PLAN TEMPLATE

1.4 ONGOING OPERATION (ALL TYPES OF DEVELOPMENT)

Address of development: 409 Balmain Rd, Lilyfield

Show the total volume of waste and recyclables expected to be generated by the development and the associated waste and recycling storage requirements.

Please note that if the development is for a mixed use, that is, contains components of both residential and non-residential development, separate plans regarding the “ongoing operation” may need to be completed.

	Recyclables		Compostable	Residual waste*	Other
	Paper/ cardboard	Metals/ plastics/ glass			
Amount generated (L per unit per day)					
Amount generated (L per development per week)					
Frequency of collections (per week)					10
Number and size of storage bins required					
Floor area required for storage bins (m ²)					
Floor area required for manoeuvrability (m ²)					
Height required for manoeuvrability (m)					3

*Current “non-recyclables” waste generation rates typically include food waste that might be further separated for composting.

WASTE MINIMISATION AND MANAGEMENT PLAN TEMPLATE

SECTION 2 – PLANS AND DRAWINGS

(This section to be completed for all developments other than single dwellings, dual occupancies and secondary dwellings).

The following checklists are designed to help ensure SWMMPs are accompanied by sufficient information to allow assessment of the application.

Drawings are to be submitted to scale, clearly indicating the location of and provisions for the storage and collection of waste and recyclables during:

- demolition
- construction, and
- ongoing operation.

2.1 DEMOLITION

Ensure the site plans indicate:

	Tick Yes
Size and location(s) of waste storage area(s)	Yes
Access for waste collection vehicles	Yes
Areas to be excavated	Yes
Types and numbers of storage bins likely to be required	Yes
Signage required to facilitate correct use of storage facilities	Yes

2.2 CONSTRUCTION

Ensure the site plans indicate:

	Tick Yes
Size and location(s) of waste storage area(s)	Yes
Access for waste collection vehicles	Yes
Areas to be excavated	Yes
Types and numbers of storage bins likely to be required	Yes
Signage required to facilitate correct use of storage facilities	Yes

WASTE MINIMISATION AND MANAGEMENT PLAN TEMPLATE

2.3 ONGOING OPERATION

Ensure the site plans indicate:

	Tick Yes
Space	
Size and location(s) of waste and recycling storage areas	Yes
Recycling bins placed next to residual waste bins	Yes
Space provided for access to and the manoeuvring of bins/equipment	Yes
Any additional facilities	Yes
Access	
Access route(s) to deposit waste in storage room/area	Yes
Access route(s) to collect waste from storage room/area	Yes
Bin carting grade	Yes
Location of final collection point	Yes
Clearance, geometric design and strength of internal access driveways and roads	Yes
Direction of traffic flow for internal access driveways and roads	Yes
Amenity	
Aesthetic design of waste storage areas	N/A
Signage – type and location	
Construction details of storage rooms/areas (including floor, walls, doors, ceiling design, sewer connection, lighting, ventilation, security, wash down provisions etc)	N/A

Attachment C – clause 4.6 Exception to Development Standards



**(Clause 4.6 Variations)
Application_ Landscaped Area**

Address of Site:

409 Balmain Road, Lilyfield

CLAUSE 4.6 VARIATION APPLICATION**1. What is the name of the environmental planning instrument that applies to the land?**

Leichhardt Local Environment Plan 2013 (LLEP 2013).

2. What is the zoning of the land and what are the objectives of the zone? (Select applicable zone and follow link to find objectives for that zone. Copy the list of objectives for the relevant zone into the document).

Zone R1 General Residential

1 Objectives of zone

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

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Centre-based child care facilities; Community facilities; Dwelling houses; Group homes; Hostels; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Restaurants or cafes; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Shops; Take away food and drink premises; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Emergency services facilities; Entertainment facilities; Environmental facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Funeral homes; Heavy industrial storage establishments; Helipads; High technology industries; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Light industries; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Port facilities; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Restricted premises; Retail premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

3. Identify the Development Standard to which this Clause 4.6 Variation applies?

- [Clause 4.3A Landscaped Area and Site Coverage](#)

4. What are the objectives of the development standard?

4.3A Landscaped areas for residential accommodation in Zone R1

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

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

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

(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) For the purposes of subclause (3)—

- (a) the site area is to be calculated under clause 4.5 (3), and
- (b) any area that—
 - (i) has a length or a width of less than 1 metre, or
 - (ii) is greater than 500mm above ground level (existing),is not to be included in calculating the proportion of landscaped area, and
- (c) any deck or balcony or the like (whether enclosed or unenclosed) is not to be included in the site coverage if—
 - (i) it is 2.4 metres or more above ground level (existing), as measured from the underside of the structure and the area below the structure is able to be landscaped or used for recreational purposes, or
 - (ii) the finished floor level is 500mm or less above ground level (existing).

5. What is the numeric value of the development standard in the environmental planning instrument?

For R1 (General Residential):

Landscape Area: a landscape coverage of at least 15% of the site area.

6. How do the existing and proposed numeric values relate to the development standard? What is the percentage variation (between your proposal and the environmental planning instrument)?

The proposed development contributes to the compliance to Clause 4.3A.

The site currently has a Landscaped Area of 6.38% which is significantly under the required 15%. A 11.83% Landscape Area is being proposed (185% increase based on the existing) to approach the compliance.

Landscaped Area - SP67573 (409 and 409A combined)			
Current Landscaped Area %	Landscaped Area Requirement under LLEP2013	Proposed Landscaped Area %	Percentage Variation
6.38% or 22.28sqm (60% under)	15%	11.83% or 41.28sqm	20% under

7. How is compliance with the development standard unreasonable or unnecessary in in the circumstances of this particular case?

Test 1: The objectives of the standard are achieved notwithstanding non-compliance with the standard:

1. The property is purchased in December 2019 with existing 6.38% Landscape Coverage. Given the nature of the terrace house – compact and scarcity of landscaping area on Lot 409A, the required Landscape Coverage cannot be achieved. Looking at Lot 409 (project site) alone, we’re proposing 32.13sqm on 157sqm site area, this makes a 20.46% landscape coverage on Lot 409, which complies with the council requirements.
2. In our proposal, the alfresco will be reconstructed and reduced in size. The current alfresco roof has 0 offset to the title boundary between 409 and 407, the proposed alfresco will be offset 900mm from the boundary, which reduces the bulk and scale of the existing dwelling.
3. 19sqm of grass turf is to replace the existing pavement in the backyard, which provides a suitable balance between landscaped area and the built form.
4. The existing timber deck is deteriorating in both shape and structural integrity, we propose to replace it with concrete slab, which reduces the risk of further maintenance work and improves fire safety at the same time.

Test 2: The underlying object or purpose of the standard is not relevant to the development and compliance is unnecessary: (Give details)

N/A

Test 3: The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable: (Give details)

N/A

Test 4: The development standard has been virtually abandoned or destroyed by the council’s own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable: (Give details)

N/A

Test 5: The compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone: (Give details)

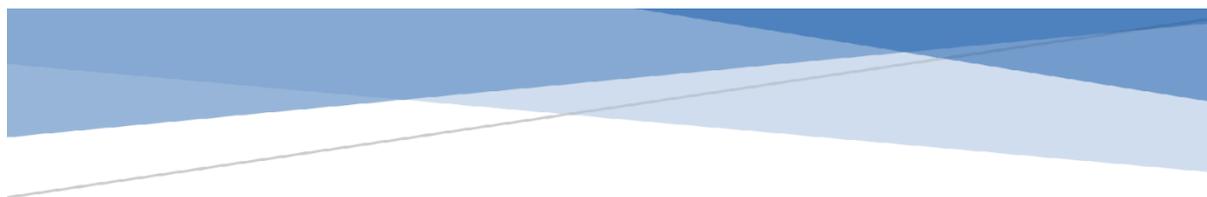
YES. In the proposed parcel of land, with the existing nature of compact and efficient dwelling, the required FSR cannot be achieved. The majority of the lots in the vicinity are at a Site Coverage higher than required for the identical reason.

8. Is the proposed development, despite the contravention to the development standard, in the public interest?

YES.

9. Is there any other relevant information to be considered in order to justify varying the development standard?

N/A



(Clause 4.6 Variations) Application_ Site Coverage

Address of Site:

409/409A Balmain Road, Lilyfield

CLAUSE 4.6 VARIATION APPLICATION**1. What is the name of the environmental planning instrument that applies to the land?**

Leichhardt Local Environment Plan 2013 (LLEP 2013).

2. What is the zoning of the land and what are the objectives of the zone? (Select applicable zone and follow link to find objectives for that zone. Copy the list of objectives for the relevant zone into the document).

Zone R1 General Residential

1 Objectives of zone

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

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Centre-based child care facilities; Community facilities; Dwelling houses; Group homes; Hostels; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Restaurants or cafes; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Shops; Take away food and drink premises; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Emergency services facilities; Entertainment facilities; Environmental facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Funeral homes; Heavy industrial storage establishments; Helipads; High technology industries; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Light industries; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Port facilities; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Restricted premises; Retail premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

3. Identify the Development Standard to which this Clause 4.6 Variation applies?

- [Clause 4.3A Landscaped Area and Site Coverage](#)

4. What are the objectives of the development standard?

4.3A Landscaped areas for residential accommodation in Zone R1

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

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

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

(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) For the purposes of subclause (3)—

- (a) the site area is to be calculated under clause 4.5 (3), and
- (b) any area that—
 - (i) has a length or a width of less than 1 metre, or
 - (ii) is greater than 500mm above ground level (existing),is not to be included in calculating the proportion of landscaped area, and
- (c) any deck or balcony or the like (whether enclosed or unenclosed) is not to be included in the site coverage if—
 - (i) it is 2.4 metres or more above ground level (existing), as measured from the underside of the structure and the area below the structure is able to be landscaped or used for recreational purposes, or
 - (ii) the finished floor level is 500mm or less above ground level (existing).

5. What is the numeric value of the development standard in the environmental planning instrument?

For R1 (General Residential):

Site Coverage: the site coverage does not exceed 60% of the site area.

6. How do the existing and proposed numeric values relate to the development standard? What is the percentage variation (between your proposal and the environmental planning instrument)?

The site currently has a Site Coverage of 67.04% which is being proposed to be maintained under the subject application.

Site Coverage SP67573 (409 and 409A combined)			
Current Site Coverage	Maximum Site Coverage under LLEP2013	Proposed Site Coverage	Percentage Variation
68.48%	60%	68.48%	14.13%

7. How is compliance with the development standard unreasonable or unnecessary in in the circumstances of this particular case?

Test 1: The objectives of the standard are achieved notwithstanding non-compliance with the standard:

1. The project property – 409 Balmain Road is purchased in December 2019 with existing 67.04% Site Coverage. Given the nature of the terrace house – compact and efficient dwelling, the required FSR cannot be achieved without demolishing the current building.
2. The joining property – 409A Balmain Road was approved and built with a 69.79% Site Coverage, which contributed to a higher total Site Coverage cross SP67573. Albeit no extra coverage is added to the project site 409 in our proposal.
3. In our proposal, the alfresco will be reconstructed and reduced in size. The current alfresco roof has 0 offset to the title boundary between 409 and 407, the proposed alfresco will be offset 900mm from the boundary, which reduces the bulk and scale of the existing dwelling.
4. 19sqm of grass turf is to replace the existing pavement in the backyard, an extra 25sqm of grass turf is to cover the proposed garage rooftop, which provides a suitable balance between landscaped area and the built form.
5. The existing timber deck is deteriorating in both shape and structural integrity, we propose to replace it with concrete slab, which reduces the risk of further maintenance work and improves fire safety at the same time.

Test 2: The underlying object or purpose of the standard is not relevant to the development and compliance is unnecessary: (Give details)

N/A

Test 3: The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable: (Give details)

N/A

Test 4: The development standard has been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable: (Give details)

N/A

Test 5: The compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone: (Give details)

YES. In the proposed parcel of land, with the existing nature of compact and efficient dwelling, the required FSR cannot be achieved. The majority of the lots in the vicinity are at a Site Coverage higher than required for the identical reason.

8. Is the proposed development, despite the contravention to the development standard, in the public interest?

YES.

9. Is there any other relevant information to be considered in order to justify varying the development standard?

The proposed development contributes to the compliance to Clause 4.3A.

The site currently has a Landscaped Area of 6.38% which is significantly under the required 15%. A 11.83% Landscape Area - which is the maximum we can propose with the given site constraints - is being proposed for compliance.

Landscaped Area - SP67573 (409 and 409A combined)			
Current Landscaped Area %	Landscaped Area Requirement under LLEP2013	Proposed Landscaped Area %	Percentage Variation
6.38% or 22.28sqm (60% under)	15%	11.83% or 41.28sqm	20% under



(Clause 4.6 Variations) Application: Floor Space Ratio

Address of Site:

409/409A Balmain Road, Lilyfield

CLAUSE 4.6 VARIATION APPLICATION**1. What is the name of the environmental planning instrument that applies to the land?**

Leichhardt Local Environment Plan 2013 (LLEP 2013).

2. What is the zoning of the land and what are the objectives of the zone? (Select applicable zone and follow link to find objectives for that zone. Copy the list of objectives for the relevant zone into the document).

Zone R1 General Residential

1 Objectives of zone

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

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Centre-based child care facilities; Community facilities; Dwelling houses; Group homes; Hostels; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Restaurants or cafes; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Shops; Take away food and drink premises; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Emergency services facilities; Entertainment facilities; Environmental facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Funeral homes; Heavy industrial storage establishments; Helipads; High technology industries; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Light industries; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Port facilities; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Restricted premises; Retail premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

3. Identify the Development Standard to which this Clause 4.6 Variation applies?

- [Clause 4.4 Floor space ratio](#)

4. What are the objectives of 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.

(2A) Despite subclause (2), the floor space ratio for development for a purpose other than residential accommodation on land in Zone R1 General Residential is not to exceed 1:1.

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

(a) on land shown edged black or pink 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—0.8:1

5. What is the numeric value of the development standard in the environmental planning instrument?

For R1 (General Residential):

FSR: in the case of development on a lot with an area of 150 square metres or more but less than 300 square metres—0.8:1.

6. How do the existing and proposed numeric values relate to the development standard? What is the percentage variation (between your proposal and the environmental planning instrument)?

The site currently has a Floor Space Ratio of 0.82:1 which is being proposed to be maintained under the subject application.

Floor Space Ratio – SP67573 (409 and 409A combined)			
Current Floor Space Ratio (e.g. 0.45:1)	Maximum Floor Space Ratio under LLEP2013	Proposed Floor Space Ratio	Percentage Variation
0.82:1	0.8:1	0.96:1	20%

7. How is compliance with the development standard unreasonable or unnecessary in the circumstances of this particular case?

Test 1: The objectives of the standard are achieved notwithstanding non-compliance with the standard:

1. The project property – 409 Balmain Road is purchased in December 2019 with existing 0.82:1 FSR. Given the nature of the terrace house – compact and efficient dwelling, the required FSR cannot be achieved without demolishing the current building.
2. The joining property – 409A Balmain Road was approved and built with an FSR of 1.08:1, which contributed to a higher total FSR cross SP67573. Albeit no extra FSR is added to the project site 409 in our proposal.
3. In our proposal, the alfresco will be reconstructed and reduced in size. The current alfresco roof has 0 offset to the title boundary between 409 and 407, the proposed alfresco will be offset 900mm from the boundary, which reduces the bulk and scale of the existing dwelling.
4. 19sqm of grass turf is to replace the existing pavement in the backyard, an extra 25sqm of grass turf is to cover the proposed garage rooftop, which provides a suitable balance between landscaped area and the built form.
5. The existing timber deck is deteriorating in both shape and structural integrity, we propose to replace it with concrete slab, which reduces the risk of further maintenance work and improves fire safety at the same time.

Test 2: The underlying object or purpose of the standard is not relevant to the development and compliance is unnecessary: (Give details)

N/A

Test 3: The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable: (Give details)

N/A

Test 4: The development standard has been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable: (Give details)

N/A

Test 5: The compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone: (Give details)

YES. In the proposed parcel of land, with the existing nature of compact and efficient dwelling, the required FSR cannot be achieved. The majority of the lots in the vicinity are at a FSR higher than required for the identical reason

8. Is the proposed development, despite the contravention to the development standard, in the public interest?

YES.

9. Is there any other relevant information to be considered in order to justify varying the development standard?

The proposed development contributes to the compliance to Clause 4.3A.

The site currently has a Landscaped Area of 6.38% which is significantly under the required 15%. A 11.83% Landscape Area - which is the maximum we can propose with the given site constraints - is being proposed for compliance.

Landscaped Area - SP67573 (409 and 409A combined)			
Current Landscaped Area %	Landscaped Area Requirement under LLEP2013	Proposed Landscaped Area %	Percentage Variation
6.38% or 22.28sqm (60% under)	15%	11.83% or 41.28sqm	20% under