

 DEVELOPMENT ASSESSMENT REPORT	
Application No.	DA/2021/1081
Address	1 Short Street LEICHHARDT NSW 2040
Proposal	Proposed change of use and associated alterations and restoration works to former Hotel building to accommodate a Boarding House comprising 17 rooms and Cafe with operating hours of 6:00am and 10:00pm daily
Date of Lodgement	02 November 2021
Applicant	Blairgrove Pty Ltd
Owner	Blairgrove Pty Ltd
Number of Submissions	Initial: 14
Value of works	\$250,000.00
Reason for determination at Planning Panel	Number of submissions Non-compliance with development standards.
Main Issues	Impact to heritage item, noise and parking impacts, non-compliance with development standards.
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
Attachment D	Statement of Heritage Significance
Attachment E	Schedule of Conservation Works
Attachment F	Plan of Management
	
LOCALITY MAP	
Subject Site 	Objectors 
Notified Area 	Supporters 
Note: Due to scale of map, not all objectors could be shown.	

1. Executive Summary

This report is an assessment of the application submitted to Council for Proposed change of use and associated alterations and restoration works to former Hotel building to accommodate a Boarding House comprising 17 rooms and a cafe with operating hours of 6:00am and 10:00pm daily at 1 Short Street Leichhardt.

The application was notified to surrounding properties and 14 submissions were received in response to the initial notification.

The main issues that have arisen from the application include:

- Impact to heritage item
- Impact to on-street car parking.
- Potential noise impacts.
- Non-compliance with development standards.

As discussed in more detail in later sections of the report, the proposed impacts are considered to be acceptable, and therefore, the application is recommended for approval.

2. Proposal

The DA seeks consent for the restoration and adaptive reuse of the former Leichhardt Hotel to a boarding house and cafe. The proposed changes include:

- Adaptive reuse of the former hotel as a boarding house and café;
- Minor building alterations associated with the change of use; and
- Various restoration works as detailed in the Schedule of Conservation Works.

The proposed building alterations include:

Ground Floor:

- Installation of bathrooms within Room 1 for Rooms 1 and 2 (former study);
- Infill existing door between Room 1 and 2 and relocate to east to provide access to Room 2 bathroom;
- Infill second door to Room 2 from hallway;
- Demolish internal wall between former Room 2 and storage and convert into Room 3 Managers Flat;
- Installation of kitchenettes within Rooms 1, 2 and 3;
- Replace former storage room window with doors;
- Fill in former storage room eastern door;
- Demolish internal wall between hall and proposed common room to provide combined space;
- Demolish internal wall between two storage rooms and convert into a laundry;
- Convert public bar into a café;
- Installation of dividing walls in former Room 3 (bar area) to create Rooms 5 and 6, including installation of bathrooms and kitchenettes; and
- Demolition of internal wall at northern end of former Room 3 and bathroom to create Room 4, and installation of bathroom and kitchenette.

First Floor

- Re-instate internal dividing walls between Rooms 7, 8, 15 and 16 and relocate doorway location into Room 7;
- Relocate doorway location into Room 14;
- Installation of bathrooms and kitchenettes in Rooms 7, 8, 9, 14, 15 and 16; and
- Installation of kitchenettes in Rooms 10, 11, 12, 13 and 17.

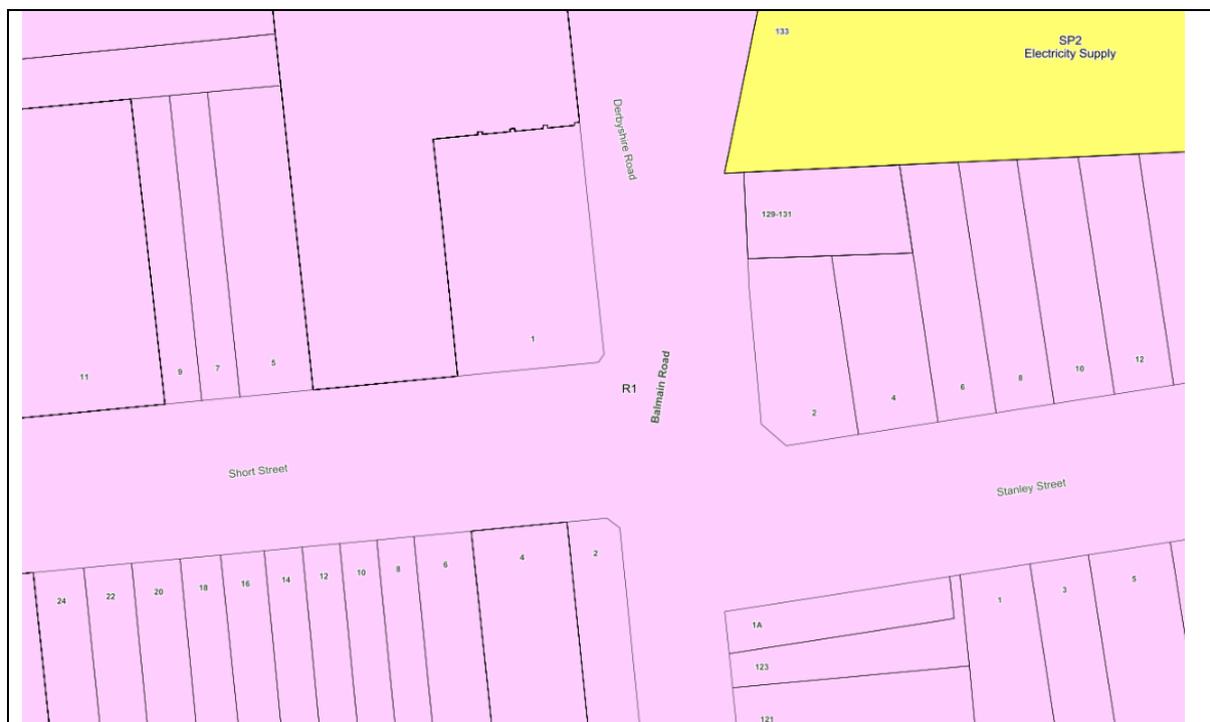
The café proposes seating for 20 patrons and the Statement of Environmental Effects submitted with the application states that the café will be open to the public between the hours of 6:00am and 10:00pm daily.

3. Site Description

The subject site has a 20m frontage to Short Street and 31m frontage to Balmain Road. The site has an area of 595 sqm and is generally rectangular in shape.

The corner of Short Street and Balmain Road has been associated with the Leichhardt Hotel since the first hotel was constructed 1879. The current building was built in 1923 and operated as a pub and hotel until 1999. Since 1999, the site has been used temporarily as a gallery and the first floor for office space (no development application has been approved for office use on this site).

The subject site is listed as a heritage item. There no heritage items in the vicinity of the site. The site is located in a Heritage Conservation Area.



Zoning Map of site

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
PREDA/2017/354	Adaptive reuse as boarding house including minor additions.	23/03/2018 Issued
DA/85/1997	Alignment of boundary of existing lot a with existing hotel wall lot a creation of easement for over- hang and light. No new lots.	08/04/1997 Approved
DA/65/1997	Demolition, erect 17 x 2 storey town houses, underground carpark (access from Derbyshire road).	08/07/1997 Refused
DA/332/1995	Resubdivision to create 7 residential lots to Short St and Balmain Rd frontages	02/01/1996 Approved

Adjoining site (2-6 Derbyshire Road)

Application	Proposal	Decision & Date
DA/474/1997	Erect 8 large and 6 medium dwellings	5/03/1998 Approved - Land and Environment Court of NSW
DA/668/1997	Subdivision into fourteen (14) lots	25/03/1998 Approved - Land and Environment Court of NSW
D/2007/406	Install new vehicle and pedestrian security gates to existing multi-housing development.	19/10/2007 Approved - Delegation to Staff

4(b) Application history

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

Date	Discussion / Letter / Additional Information
08/03/2022	Request for additional information letter sent which raised the following matters: <ul style="list-style-type: none"> • Issues in relation to Heritage conservation • Issues raised by Council's health compliance section • Issues in relation to car parking • Issues raised by Council's waste section
29/03/2022	Amended plans submitted. The amendments includes the following: <ul style="list-style-type: none"> • Reversible ensuites to be installed for future uses

	<ul style="list-style-type: none"> • 1.8m high non-combustible timber look aluminium entry gate/screening as per NCC requirements • Screened bin storage areas. Cafe bins to be located external side of fence and locked from residents/public • Existing air conditioning units located on awning to be relocated to sit out of view from public domain
06/04/2022	Revised Traffic Report as requested and revised Floor Plan including the accessible car parking space as recommended in the report.
20/05/2022	Heritage Colour Scheme submitted on Planning Portal
23/06/2022	Revised Heritage Impact Statement including Illustrated Table Schedule of Works as requested
25/08/2022	Amended first floor plan that redesigns room 8 to ensure it does not exceed 25 sqm

The amendments are not required to be renotified under Council's Community Engagement Framework as the amendments are internal changes and submitted by the request of Council to address relevant controls.

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 (Industry and Employment) 2021*
- *State Environmental Planning Policy (Affordable Rental Housing) 2009*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy (Housing) 2021*
- *Leichhardt Local Environmental Plan 2013 (LLEP 2013)*

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)(ii) *State Environmental Planning Policy (Industry and Employment) 2021*

Chapter 3 Advertising and Signage

The following is an assessment of the development under the relevant controls contained in the SEPP.

Section 3.4 of the SEPP indicates that the SEPP applies to signage (other than signage that is exempt development) that can be displayed with or without development consent, and is visible from any public place or public reserve.

The SEPP therefore applies to the proposal.

The following signage is proposed:

- New awning signage depicting the text 'Hey Shorty' on the corner of Short Street and Balmain Road, designed to match existing heritage awning text size and font;
- A new hanging, under-awning sign also depicting the text 'Hey Shorty' with dimensions of 1.05m by 0.25m on the southern façade in front of the entrance to the café; and
- New "Hey Shorty' neon signage in red hues to match existing heritage doors on the south-eastern corner window of the café with dimensions of 0.65m by 0.6m.

It is also noted that awning signage displaying the site address '1 Short Street' will be retained and façade signage will be restored, however these elements are existing and therefore not required to be assessed.

Section 3.6 of the SEPP states that:

"A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied—

- (a) that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and*
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5."*

The proposed signage is generally consistent with the objectives of Clause 3(1)(a) in that it is compatible with the heritage character of the building, contributes to the amenity of the area through assistance with local wayfinding, it is located on an existing structure in a suitable location and is of a high quality design and finish. The proposed signage is also generally consistent with the criteria in Schedule 5 of the SEPP for the following reasons:

- The signage is sympathetic to the details, features and themes of the heritage façade of the building by emulating fonts and colours themes of existing signs on the building;

- The proposed signage will not detract from amenity of visual quality of the heritage item or any other nearby sensitive area as it has been designed to reflect and engage with existing features of the heritage fabric;
- The signage is proposed to be located completely within the form of the existing building and will not obscure, compromise or reduce the quality of any views, vistas or competing advertisements;
- The proposed signage is of a very minor scale so as to not detract from the façade of the existing Hotel building;
- The proposed signage will add visual interest to the streetscape by providing an innovative and contemporary addition denoting the adaptive reuse of the building, that remains complementary and responsive to the heritage character of the building;
- The proposed signage is of a minimalistic design and will not result in visual clutter; and
- The proposed neon window sign is in red hues to match existing heritage doors and will have a very low level of luminance so as to ensure safety for pedestrians and vehicles and prevent light pollution to neighbouring residences.

For these reasons, the proposed advertising signage associated with the café and boarding house will be consistent with the objectives of this SEPP.

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

A BASIX Certificate (No. 1238026M) was submitted with the application and will be referenced in any consent granted.

5(a)(iv) *State Environmental Planning Policy (Housing) 2021*

Schedule 7A outlines the saving provisions and the relevant clauses is reproduced below:

1 Definitions

In this Schedule—

commencement date means 26 November 2021.

repealed ARH SEPP means *State Environmental Planning Policy (Affordable Rental Housing) 2009*, as in force immediately before its repeal.

repealed instrument means an instrument repealed under Chapter 1, section 10.

repealed Seniors SEPP means *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*, as in force immediately before its repeal.

2 General savings provision

(1) This Policy does not apply to the following matters—

(a) a development application made, but not yet determined, on or before the commencement date

(2) The provisions of a repealed instrument, as in force immediately before the repeal of the repealed instrument, continue to apply to a matter referred to in subsection (1).

As the application was lodged on 2 November 2021, and therefore, was a development made before the commencement of this policy, as per Schedule 7A (2)(1)(a), this policy does not strictly apply to the application, however is a matter for consideration.

The draft instrument proposes to amend the definition of boarding house to be an “affordable rental building that is managed by a registered not-for-profit community housing provider”.

In relation to this amendment, this would empower the consent authority to impose conditions of consent requiring rental income to be within the definition of affordable housing under the *EPA Act 1979* and requiring the premises to be operated by a community housing provider. The amendment would not alter the form or scale of the development if the amendment was in operation.

In considering the case law in *Terrace Tower Holdings Pty Limited v Sutherland Shire Council* [2003] NSWCA 289 it should be noted that the application does not undermine the intent of the instrument in a substantial way as the form of the development would not be radically different to the proposed development (as in *Lizard Apple Pty Ltd v Inner West Council* [2019] NSWLEC 1146). As a result, it is not considered that the Draft Housing diversity SEPP presents an impediment to the granting of a consent.

Notwithstanding the applicable planning instrument for this development is *State Environmental Planning Policy (Affordable Rental Housing) 2009* and a detailed assessment of this is provided below.

5(a)(v) State Environmental Planning Policy (Affordable Rental Housing) 2009

The provisions of *State Environmental Planning Policy (Affordable Rental Housing) 2009* are applicable to the proposed development. The relevant provisions of the State Policy are provided in the table below.

Standard	Compliance/Comment
<p><i>29 Standards that cannot be used to refuse consent</i></p> <p><i>(1) A consent authority must not refuse consent to development to which this Division applies on the grounds of density or scale if the density and scale of the buildings when expressed as a floor space ratio are not more than, inter alia...</i></p> <p><i>(c) if the development is on land within a zone in which residential flat buildings are permitted and the land does not contain a heritage item that is identified in an environmental planning instrument or an interim heritage order or on the State Heritage Register—the existing maximum floor space ratio for any form of residential accommodation permitted on the land, plus:</i></p> <p><i>(i) 0.5:1, if the existing maximum floor space ratio is 2.5:1 or less, or</i></p> <p><i>(ii) 20% of the existing maximum floor space ratio, if the existing maximum floor space ratio is greater than 2.5:1.</i></p>	<p>The land is zoned R1 – General Residential. The maximum allowable FSR for any form of residential accommodation on the land under Clause 4.4 (2B)(c) of <i>LLEP 2013</i> is 0.5:1.</p> <p>As the site contains a heritage item, an FSR bonus is not applicable</p> <p>Refer to Clause 4.6 assessment in relation to the non-compliance with the FSR development standard.</p>

<p><i>(2) A consent authority must not refuse consent to development to which this Division applies on any of the following grounds:</i></p>	
<p><i>(a) building height if the building height of all proposed buildings is not more than the maximum building height permitted under another environmental planning instrument for any building on the land,</i></p>	<p>The LLEP 2013 does not impose any height limit.</p>
<p><i>(b) landscaped area if the landscape treatment of the front setback area is compatible with the streetscape in which the building is located</i></p>	<p>The existing building is located on the eastern and southern boundaries, and therefore, there are no front setback areas, and the proposed landscaped area on the north-western portion of the site is acceptable.</p>
<p><i>(c) solar access where the development provides for one or more communal living rooms, if at least one of those rooms receives a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter,</i></p>	<p>As shown on the shadow diagrams provide, the proposed communal area will achieve 3 hours direct sunlight between 9am and 12pm in mid-winter to the communal living room.</p> <p>Therefore, the proposal is considered acceptable with respect to solar access.</p>
<p><i>(d) private open space if at least the following private open space areas are provided (other than the front setback area):</i> <i>(i) one area of at least 20 square metres with a minimum dimension of 3 metres is provided for the use of the lodgers,</i> <i>(ii) if accommodation is provided on site for a boarding house manager—one area of at least 8 square metres with a minimum dimension of 2.5 metres is provided adjacent to that accommodation,</i></p>	<p>The proposal includes a communal space that is approximately 61sqm and exceeds the 3 metre dimension and thus satisfies (d)(i).</p> <p>A private open space of approximately 11 sqm with a minimum dimension of 2.5 metres is been provided for the boarding house manager’s unit, and thus, the proposal complies with (d)(ii).</p>
<p><i>(e) parking if:</i> <i>(i) in the case of development carried out by or on behalf of a social housing provider in an accessible area—at least 0.2 parking spaces are provided for each boarding room, and</i> <i>(ii) in the case of development carried out by or on behalf of a social housing provider not in an accessible area—at least 0.4 parking spaces are provided for each boarding room, and</i> <i>(iia) in the case of development not carried out by or on behalf of a social housing provider—at least 0.5 parking spaces are provided for each boarding room, and</i></p>	<p>The proposed development is not provided by a social housing provider, and therefore, at least 0.5 parking spaces are to be provided for each boarding room. As 17 boarding rooms are proposed, if 8.5 spaces are provided, then the application cannot be refused in this regard.</p> <p>However, as 8.5 spaces <u>have</u> not been provided, the application will be assessed under Part C1.11 of Leichhardt Development Control Plan with regard to parking in a later section of this report.</p>

<p>(iii) in the case of any development—not more than 1 parking space is provided for each person employed in connection with the development and who is resident on site,</p>	
<p>(f) accommodation size if each boarding room has a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of at least: (i) 12 square metres in the case of a boarding room intended to be used by a single lodger, or (ii) 16 square metres in any other case.</p>	<p>Refer to detailed assessment below.</p>
<p>(3) A boarding house may have private kitchen or bathroom facilities in each boarding room but is not required to have those facilities in any boarding room.</p>	<p>The proposed boarding rooms all have kitchen facilities but not all have private bathroom facilities and is consistent with this part of SEPP.</p>
<p>(4) A consent authority may consent to development to which this Division applies whether or not the development complies with the standards set out in subclause (1) or (2).</p>	
<p>30 Standards for boarding houses</p>	
<p>(1) A consent authority must not consent to development to which this Division applies unless it is satisfied of each of the following:</p>	
<p>(a) if a boarding house has 5 or more boarding rooms, at least one communal living room will be provided,</p>	<p>One communal space has been provided on the ground floor and complies with this clause.</p>
<p>(b) no boarding room will have a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of more than 25 square metres,</p>	<p>The most recently amended design indicates that all boarding rooms will be less than 25 sqm in size.</p>
<p>(c) no boarding room will be occupied by more than 2 adult lodgers,</p>	<p>No boarding room will be occupied by more than 2 lodgers. The maximum number of adult lodgers per room will be reaffirmed by way of condition.</p>
<p>(d) adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger,</p>	<p>While some boarding rooms will rely on shared bathroom and kitchen facilities, there are adequate kitchen and bathroom facilities for occupants</p>
<p>(e) if the boarding house has capacity to accommodate 20 or more lodgers, a boarding room or on site dwelling will be provided for a boarding house manager,</p>	<p>A room for a boarding house manager had been provided.</p>
<p>(f) (Repealed)</p>	
<p>(g) if the boarding house is on land zoned primarily for commercial purposes, no part of the ground floor of the boarding house that fronts a street will be used for residential purposes unless another environmental planning instrument permits such a use,</p>	<p>The site is not zoned for commercial purposes.</p>

<p><i>(h) at least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms.</i></p>	<p>As the proposal consists of 17 boarding rooms, 4 motor cycle and 4 bicycle parking spaces are required. The proposal includes 6 bicycle parking spaces and 4 motorcycle parking spaces, and therefore, complies.</p>
<p><i>30A Character of local area A consent authority must not consent to development to which this Division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.</i></p>	<p>Refer to more detailed discussion below, however, the proposal is considered to be satisfactory in this regard.</p>
<p><i>52 – No subdivision of boarding houses A consent authority must not grant consent to the strata subdivision or community title subdivision of a boarding house.</i></p>	<p>The proposal does not involve subdivision.</p>

29(2)(f) Accommodation Size

Under clause 29(2)(f) of the ARH SEPP, a consent authority must not refuse consent to a boarding house development on the grounds of room size if each boarding room has a gross floor area of 12m² in the case of a boarding room intended to be used by a single lodger, or 16m² in any other case. While the majority of the proposed rooms satisfies this requirement, there are 4 rooms that are only 11 sqm in size, being Rooms 11, 12, 14 and 17. The applicant had provided the following argument in the Statement of Environmental Effects in this regard:

The proposal is seeking the adaptive reuse of a heritage listed former hotel for boarding house purposes. This involves the conversion of some areas of the ground floor of the hotel into accommodation and the use of the existing rooms on the first floor level. The new rooms on the ground floor of the building comply with this requirement. However, it is noted that a number of the existing rooms, formerly used for the purposes of accommodation as part of the historic use of the building as a hotel being Rooms 11, 12, 14 and 17, fall beneath the spatial room size requirements of this Clause. Given the non-compliant rooms are existing rooms within the heritage item and are all within 1sqm of the required area, the extent of non-compliance is considered minimal and the heritage significance of the building is considered to outweigh the requirement for an additional 1sqm of floor area.

As the subject site is a heritage item, and given the heritage significance of the layout and use of these rooms, on balance the 1 sqm difference is acceptable as achieving the additional 1 sqm would result in the removal of heritage fabric.

30A Character of local area

The ARH SEPP 2009 requires the consent authority to consider whether the design of proposed boarding house development is compatible with the character of the local area. As the subject site is a heritage item, the application was referred to Council’s Heritage assessment section for comment. As discussed in more detail in a later section of the report, the proposed development and retention and restoration of this heritage item is considered to be compatible with the character of the area and satisfies Clause 30A under the ARH SEPP 2009.

5(a)(vi) *Leichhardt Local Environment Plan 2013 (LLEP 2013)*

The application was assessed against the following relevant clauses of *the LLEP 2013*:

- Clause 1.2 - Aims of the Plan
- Clause 2.3 - Zone objectives and Land Use Table
- Clause 2.5 - Additional permitted uses for land
- Clause 2.7 - Demolition
- 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
- Clause 5.4 - Controls Relating to Miscellaneous Permissible Uses
- Clause 6.1 - Acid Sulfate Soils
- Clause 6.2 - Earthworks
- Clause 6.4 - Stormwater Management
- Clause 6.8 - Development In Areas Subject to Aircraft Noise
- Clause 6.10 – Use of Existing Buildings in Zone R1
- Clause 6.11 – Adaptive reuse of existing buildings in Zone R1

Clause 2.3 Land Use Table and Zone Objectives

The site is zoned LR1 under the *LLEP 2013*. The proposal, which seeks consent for alterations and additions to the existing building for use as a boarding house and café, is permissible with consent within the land use table.

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.

The development is considered to be consistent with the objectives of the LR1 zone as it provides for the housing needs of the community, is compatible with the character of the area and subject to conditions, provides a service to meet the day to day needs of the residents via

the café and does not result in adverse amenity impacts to the existing and future residents of the neighbourhood.

Clauses 4.3A and 4.4 Development Standards

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

Standard	Proposal	non compliance	Complies
Landscape Area Minimum permissible: 20% or 117.5 sqm	5% or 30.7sqm**	87 sqm or 74%	No
Site Coverage Maximum permissible: 60% or 352 sqm	69% or 405sqm*	52.5 sqm or 14.9%	No
Floor Space Ratio Maximum permissible: 0.5:1 or 293.7 sqm	1.08:1 or 636.5 sqm *	342.8 sqm or 120%	No

* Note: There is no further increases to Gross Floor Area and Site Coverage to the existing building, and therefore there are no further breaches of Floor Space Ratio or Site Coverage development standards.

** The proposal will result in an increase of Landscaped Area - from 11.1m² (2% of the site area) to 30.6m² (5% of the site area).

However, as the proposal will result in a change of use from a hotel/pub to a mixed-use development consisting of a café and a boarding house in a residential zone, Clause 4.6 exceptions are considered and assessed below:

Clause 4.6 Exceptions to Development Standards

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 *LLEP 2013* below.

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

- 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 Ratio

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 117.5 sqm Landscaped Area development standard as prescribed in Clauses 4.3A (3)(a)(i) of the *LLEP 2013* of 74% or a difference of 87sqm.

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 have been identified previously in this report under Clause 2.3 of the *LLEP 2013*.

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

- *The proposal is consistent with the relevant objectives of Clause 4.3A and the objectives of the R1 General Residential zone;*
- *The proposal involves a reduction of an existing non-compliance;*
- *The proposal provides the maximum practical amount of landscaped area within the limited portion of the site not affected by a heritage listed building; and*
- *The contravention of the standards facilitates a permissible form of residential accommodation in a manner that achieves amenity outcomes.*
- *The landscaped area will be suitable to allow for the establishment of vegetation. The distribution of*
- *Landscape areas across the site will allow for planting within deep soil zones and increased opportunities for multiple and diverse open space areas for the enjoyment of residents, working within the constraints of the heritage building.*
- *The proposed development is supported by sufficient landscaped area that will contribute to the protection and enhancement of the hydrological and ecological health of the site and wider catchment area.*

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 *LLEP 2013* for reasons discussed previously in this report under Clause 2.3 of the *LLEP 2013*.

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 currently available.

- 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 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 *LLEP 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) of the *LLEP 2013*.

The proposal will result in a non-compliance with the Site Coverage development standard as prescribed in Clause 4.3A (3)(b) of the *LLEP 2013* of 14.9% or 52.5sqm. This is an existing breach and the proposal does not result in an increase to the existing building footprint. A Clause 4.6 exception has been submitted and the proposed exception to the development standard has been assessed below.

The objectives of the Site Coverage standard are the same as those for Landscaped Area as identified in the assessment above and the objectives of the Zone R1 General Residential zone have been identified previously in this report under Clause 2.3 of the *LLEP 2013*.

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

- *The non-compliance with the development standard is an existing element of a heritage site.*
- *The non-compliance will allow for sympathetic alterations and additions and upgrades to an important heritage item and facilitation of an improved heritage response to the conservation area.*
- *As the non-compliance with the standard relates to an existing built element, it does not result in a scale of building that is out of character with the surrounding development but rather will allow for development that better responds to the pattern of urban form and context of dwellings along Short Street and Balmain Road.*
- *The proposal is appropriate to the locality and will provide high levels of amenity for future occupants of the site and adjacent sites.*

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 *LLEP2013* for reasons discussed previously in this report, including under Clause 2.3 of the *LLEP 2013*.

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 *LLEP2013* 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; and
- The proposal does not result in any uncharacteristic scale, bulk or density and compliance with the standard would require the removal of existing fabric.

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 *LLEP 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 building has an existing FSR of 1.08:1 or 636.5 sqm which is already non-compliant to the prescribed 0.5:1 FSR at the subject site. The non-compliance is 342.8 sqm or 120%, however, it is noted that the proposal does not result in additional Gross Floor Area to what is currently existing.

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 *LLEP 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 have been identified previously in this report under Clause 2.3 of the *LLEP 2013*.

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

- *The proposal seeks consent for the adaptive reuse of an existing building that is a heritage item of local significance. The proposal seeks to change the use of the existing building with only minor internal alterations to the building and is therefore not able to comply with the nominated FSR control. To comply with the control would require significant alterations to and partial demolition of the heritage building.*
- *The proposal does seek to alter FSR of the existing building.*
- *The proposal seeks to provide residential accommodation within the existing heritage listed building. The existing heritage listed building will be retained and is both compatible and an integral part of the desired future character of the area. The bulk, form and scale of development will remain unchanged.*

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 *LLEP 2013* for the following reasons:

- The non-compliance is an existing condition and there is no further non-compliance being proposed.
- The non-compliance does not result in any uncharacteristic scale, bulk or density
- It maintains consistency in the neighbourhood via the continuity of the existing built form and density prevalent in the locality.
- The proposal will retain important heritage fabric which contributes to the locality and streetscape.

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 *LLEP 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.

5.10 Heritage Conservation

Streetscape / heritage considerations have been undertaken later in this report under Part C1.4 - Heritage Conservation Areas and Heritage Items – of the LDCP 2013. In summary, the proposal, subject to conditions, is considered to have minimal impact on the heritage item and the Heritage Conservation Area in which the subject site is located.

Clause 6.8 Development in Areas Subject to Aircraft Noise

The site is located within the ANEF 20-25 contour. An Acoustic Report has been submitted with the application addressing the provisions of this part of the *LLEP 2013*.

A condition has been included in the development consent to ensure that the proposal will meet the relevant requirements of Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021:2015, thereby ensuring the proposal's compliance with the relevant provisions

6.10 Use of Existing Buildings in Zone R1

Pursuant to this part of the LEP:

- (3) *Development consent must not be granted to development for the purposes of business premises, office premises, restaurants or cafes, shops or take away food and drink premises on land to which this clause applies unless—*
 - (a) *the development is a building that was constructed (wholly or partly) for a purpose other than residential accommodation and was erected before the commencement of this Plan, and*
 - (b) *the consent authority is satisfied that—*
 - (i) *the development will not adversely affect the amenity of the surrounding area, and*
 - (ii) *the development will retain the form and fabric of any architectural features of the existing building, and*
 - (iii) *the building is suitable for adaptive reuse, and*
 - (iv) *any modification of the footprint and facade of the building will be minimal, and*
 - (v) *the gross floor area of any part of the building used for the purpose of a restaurant or cafe or take away food and drink premises will be less than 80 square metres.*

As the existing building was built to be used as a hotel/pub, this is consistent with Clause 3(a). As discussed in more detail in later sections of the report, the proposal is considered to have acceptable amenity impacts to adjoining properties subject to conditions, there is minimal changes to the façade and no additional areas to the footprint, the form and fabric of the existing building is significantly retained and the proposed café (65 sqm in size) is smaller than maximum 80 sqm permitted.

The development, as proposed and as conditioned, is consistent with the provisions of Clauses 6.10 of the *LLEP 2013*.

6.11 Adaptive reuse of existing buildings in Zone R1

Pursuant to this part of the LEP:

- (1) *The objectives of this clause are as follows—*
 - (a) *to provide for the adaptive reuse of existing buildings for residential accommodation,*
 - (b) *to retain buildings that contribute to the streetscape and character of Leichhardt,*
 - (c) *to provide satisfactory amenity for future residents of the area,*
 - (d) *to ensure that development does not adversely affect the quality or amenity of existing buildings in the area.*
- (2) *This clause applies to land in Zone R1 General Residential.*
- (3) *Development consent must not be granted to the change of use to residential accommodation of a building on land to which this clause applies that was constructed before the commencement of this clause unless the consent authority is satisfied that—*
 - (a) *the development will not adversely affect the streetscape, character or amenity of the surrounding area, and*
 - (b) *the development will retain the form, fabric and features of any architectural or historic feature of the existing building, and*
 - (c) *any increase in the floor space ratio will be generally contained within the envelope of the existing building.*

The boarding house use will retain the existing contributory building on the site and its form, fabric and features, achieves satisfactory amenity outcomes for future occupants, and subject to conditions, will not adversely affect the streetscape, character and amenity of the surrounding area. No additional GFA is proposed.

The development, as proposed and as conditioned, is consistent with the provisions of Clauses 6.11 of the *LLEP 2013*.

5(c) Draft Environmental Planning Instruments

The proposal has been considered under the following Draft EPI:

- *Draft Inner West Local Environmental Plan 2020 (Draft IWLEP 2020)*

The development, as proposed and as conditioned, raises no issues that will be contrary to the relevant provisions of the *Draft IWLEP 2020*.

Further to the above, the *Inner West Local Environment Plan 2022 (IWLEP)* was gazetted on the 12th of August 2022. As per Section 1.8A – Savings provisions, of this plan, as the subject Development Application was made before the commencement of this Plan, the application is to be determined as if the IWLEP 2022 had not commenced.

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
B2.1 Planning for Active Living	Yes
B3.1 Social Impact Assessment	Yes
B3.2 Events and Activities in the Public Domain (Special Events)	N/A
Part C	
C1.0 General Provisions	Yes
C1.1 Site and Context Analysis	Yes
C1.2 Demolition	Yes
C1.3 Alterations and additions	Yes, as conditioned – see discussion
C1.4 Heritage Conservation Areas and Heritage Items	Yes, subject to conditions - see discussion
C1.5 Corner Sites	Yes, as conditioned – see discussion
C1.6 Subdivision	N/A
C1.7 Site Facilities	Yes, subject to conditions
C1.8 Contamination	Yes
C1.9 Safety by Design	Yes
C1.10 Equity of Access and Mobility	Yes
C1.11 Parking	Yes, see discussion
C1.12 Landscaping	Yes, subject to conditions
C1.13 Open Space Design Within the Public Domain	N/A
C1.14 Tree Management	Yes, subject to conditions
C1.15 Signs and Outdoor Advertising	Yes
C1.16 Structures in or over the Public Domain: Balconies, Verandahs and Awnings	Yes
C1.17 Minor Architectural Details	Yes
C1.18 Laneways	N/A
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	N/A

Part C: Place – Section 2 Urban Character	
C2.2.3.4 Helsarmel Distinctive Neighbourhood	Yes, as conditioned – see heritage discussion
Part C: Place – Section 3 – Residential Provisions	
C3.1 Residential General Provisions	Yes, subject to conditions
C3.2 Site Layout and Building Design	Yes
C3.3 Elevation and Materials	Yes – see discussion
C3.4 Dormer Windows	N/A
C3.5 Front Gardens and Dwelling Entries	N/A
C3.6 Fences	N/A
C3.7 Environmental Performance	Yes
C3.8 Private Open Space	Refer to SEPP (ARH) 2009 assessment
C3.9 Solar Access	Yes – see discussion
C3.10 Views	Yes
C3.11 Visual Privacy	Yes, subject to conditions – see discussion
C3.12 Acoustic Privacy	Yes, subject to conditions – see discussion
C3.13 Conversion of Existing Non-Residential Buildings	Yes, refer to SEPP (ARH) 2009 assessment
C3.14 Adaptable Housing	N/A
Part C: Place – Section 4 – Non-Residential Provisions	
C4.1 Objectives for Non-Residential Zones	N/A
C4.2 Site Layout and Building Design	Yes
C4.3 Ecologically Sustainable Development	Yes
C4.4 Elevation and Materials	Yes
C4.5 Interface Amenity	Yes, subject to conditions – see discussion
C4.6 Shopfronts	Yes
C4.7 Bulky Goods Premises	N/A
C4.8 Child Care Centres	N/A
C4.9 Home Based Business	N/A
C4.10 Industrial Development	N/A
C4.11 Licensed Premises and Small Bars	N/A
C4.12 B7 Business Park Zone	N/A
C4.13 Markets	N/A
C4.14 Medical Centres	N/A

C4.15 Mixed Use	Yes, subject to conditions – see discussion
C4.16 Recreational Facility	N/A
C4.17 Sex Services Premises	N/A
C4.18 Vehicle Sales or Hire Premises And Service Stations	N/A
C4.19 Vehicle Repair Station	N/A
C4.20 Outdoor Dining Areas	N/A
C4.21 Creative Industries	N/A
Part D: Energy	
Section 1 – Energy Management	Yes, as conditioned
Section 2 – Resource Recovery and Waste Management	
D2.1 General Requirements	Yes, as conditioned
D2.2 Demolition and Construction of All Development	Yes, as conditioned
D2.3 Residential Development	Yes, as conditioned
D2.4 Non-Residential Development	Yes, as conditioned
D2.5 Mixed Use Development	Yes, as conditioned
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, subject to conditions
E1.1.4 Flood Risk Management Report	N/A
E1.1.5 Foreshore Risk Management Report	N/A
E1.2 Water Management	Yes, subject to conditions
E1.2.1 Water Conservation	Yes
E1.2.2 Managing Stormwater within the Site	Yes, subject to conditions
E1.2.3 On-Site Detention of Stormwater	Yes, subject to conditions
E1.2.4 Stormwater Treatment	Yes, subject to conditions
E1.2.5 Water Disposal	Yes, subject to conditions
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

B3.1 Social Impact Assessment

The Social impact Assessment was referred to Council's Affordable Policy officer and the following comments were received.

With respect to the claim that the proposed development will cater to the needs of the low income and student population, no information is provided in the SIS or SEE relating to rent setting and how projected rents will be affordable for low income earners and students. Given the description of expected future occupants above, it is likely that many occupants will be in the low income bracket....

Unless the proponent provides evidence to the contrary, it is therefore reasonable to assume that rent charged for rooms in the proposed boarding house will most likely be unaffordable to very low and low income earners and, given current rent levels in the Inner West, possibly to many moderate income earners as well.

This is of concern to Council as there is a lack of affordable rental accommodation in Leichhardt and the Inner West local government area more generally. (Refer to Affordable Housing Policy and Our Inner West Housing Strategy i.e. Local Housing Strategy for data showing a lack of affordable rental housing options in Leichhardt and the Inner West Council area).

As stated above, however, neither of the planning instruments referred to above contain provisions requiring rental affordability for very low or low income earners. Consequently, conditions of consent requiring rental affordability for these categories of income earners in the proposed boarding house could not be enforced by Council.

Planner's comment: As stated in the comments above, the planning framework does not allow for conditions to be imposed in relation to rental affordability, however, the applicant is encouraged to consider the comments made by the social planning/community section above.

C1.3 Alterations and additions , C1.4 Heritage Conservation Areas and Heritage Items, C1.5 Corner Sites and C2.2.3.4 Helsarmel Distinctive Neighbourhood, C3.3 Elevation and Materials

The subject property at 1 Short Street, Leichhardt, is listed as a heritage item; Leichhardt Hotel, including interiors, in Schedule 5 of the *LLEP 2013* (I688). The is also located within the Wetherill Estate Heritage Conservation Area (C14 in Schedule 5 of the *LLEP 2013*).

The Statement of Significance for the Leichhardt Hotel, sourced from the Office of Environment & Heritage, heritage database website, is below:

No.1 Short Street is of local historic and aesthetic significance as a good and highly intact representative example of an Inter-war period former corner hotel constructed in 1923. The building retains its original form, scale, character and details including face brick and rendered main facades and decorative details, hipped and roof form and chimneys, parapets and associated rendered mouldings, corner tower and roof balcony, suspended awning, ground floor corner splay, recessed and open balconies and associated decorative elements, pattern of openings including hotel doors, steps and basement opening. The building occupies a prominent corner site and has landmark qualities and makes a positive contribution to the Short Street and Balmain Road streetscapes.

The application was considered by Council's Heritage Specialist who requested additional information and plan changes during the assessment process to ensure that significant fabric is retained and any new works maintain the integrity of the item. In this regard, the heritage

officer has noted that whilst a number of changes have been made to the proposal, not all matters have been resolved, however these can be addressed by way of condition. Those conditions are included in the recommendation of this report. Notwithstanding this, Council's Heritage Officer has noted the following;

A Revised HIS by NBRS has been provided, dated June 2022. The Revised HIS includes historical floor plans of the alterations and additions carried out to the hotel in 1928, 1930 and 1977 which illustrate changes made and original components of the hotel that remain in situ (Figures 9 – 11 and 18 – 21). Section 2.7.2 of the HIS now contains a detailed list of alterations made to the hotel. Appendix A includes a detailed illustrated table which describes each element within each room and if it is original, early or dates from later works. Though the surviving extent of the 1923 building has not been identified in plan form, it can be derived from the 1928, 1930 and 1977 plans what remains of the original hotel building which is acceptable in this instance given that there is little change proposed to the original building fabric.

A comprehensive Schedule of Works has been prepared by NBRS. It is recommended that during works, the works identified in the Schedule of Works prepared by NBRS Architecture, dated August 2021, be carried out by appropriately qualified contractors and tradespersons who are skilled in traditional building and engineering trades to carry out the proposed scope of works within the heritage building.

It is recommended that a condition be included in the consent requiring a suitably qualified and experienced Heritage Architect to be commissioned to assist and to provide advice to the consultant team throughout the design development, contract documentation and construction stages of the project. The conservation works are to be progressively inspected by, and be implemented to the satisfaction of the Heritage Architect prior to the issue of the Occupation Certificate or commencement of the use, whichever is the earlier.

Recommendation

The proposal is acceptable from a heritage perspective as it will not detract from the heritage significance of the heritage listed Leichhardt Hotel, including interiors, or the Wetherill Estate Heritage Conservation Area subject to the conditions below in attachment A being included in the consent to ensure the development is in accordance with Clause 5.10 Objectives 1(a) and (b) in the LLEP 2013 and the relevant objectives and controls in the Leichhardt DCP 2013.

Acceptable with the following conditions of consent.....

In summary, the development as proposed, and as conditioned, will result in acceptable impacts on the heritage item and the streetscape and will satisfy the provisions and objectives of Parts C1.3, C1.4, C1.5 Corner Sites and C2.2.3.4 of the LDCP 2013.

C1.11 Car Parking

General Vehicle Parking in 2021 as specified within C1.11.1 General Vehicle Parking Rates requires that 0.5 car spaces per boarding room be provided and one space for the boarding room employee. The rate is 1 space per 80sqm for the café component.

There the requirements are:

Boarding rooms = $8.5 + 1 = 9.5$ spaces
Café = 0.8 spaces.

Total requirement = 10.3 spaces and rounding to nearest whole number, 10 car parking spaces is required.

The request for information letter dated 8 March 2022 raised the following concerns:

- *In regards to the requirements of disabled parking, the calculated number must be taken to the next whole figure as part C1.11.2 of Leichhardt DCP 2013. Therefore, at a minimum of 1 disabled parking space must be provided and not zero as indicated in the traffic report.*
- *In regards to the parking short fall, the report recognises a short-fall of 8 spaces but makes the following statement:*

“From observations made, it has been found that the existing capacity of on-street parking available in both Short and Stanley Streets is more than adequate to cater for the proposed shortfall in parking on-site.”

However, this statement is not supported by an on-street parking occupancy survey so it is unclear on what data the conclusion is based on. It should be noted that as the surrounding residential properties relies on on-street parking and therefore the anticipated peak will occur on the between 6pm-8am and on the weekends when the residents had returned from home from work.

Therefore, the conclusions of the report in this regard must be substantiated by an on-street parking occupancy survey identifying the availability of on-street car parking spaces on Short Street. The parking survey should occur on at least 3 weekdays (including a Thursday) and 1 Saturday afternoon and 1 Sunday night that include both the anticipated peak times and non-peak times at appropriate time intervals between 7am and 7pm. This is critical given the large short-fall and the number of submissions that have been received in this regard.”

The applicant submitted a Revised Traffic Report prepared by Road Delay Solutions (Reference: 20210560m dated April 2022) as requested and revised Floor Plan including the accessible car parking space as recommended in the report on 6 April 2022 which includes the conversion of the garage spaces from 2 off-street car parking spaces to one accessible off-street car parking space (therefore increasing the short fall to 9 spaces) and a detailed parking occupancy survey.

Parking surveys were undertaken, at 30 minute intervals, along both Short Street and Stanley Street, for a distance of some 100 metres east and west from Balmain Road, respectively, on the following days:

- Tuesday 22 March 2022, 7:00am-9:00am, 11:00am-1:00pm and 4:00pm-8:00pm,
- Wednesday 23 March 2022, 7:00am-9:00am, 11:00am-1:00pm and 4:00pm-8:00pm,
- Thursday 24 March 2022, 7:00am-9:00am, 11:00am-1:00pm and 4:00pm-8:00pm,
- Saturday 26 March 2022, 2:00pm-4:00pm and 6:00pm-8:00pm, and
- Sunday 27 March 2022, 6:00pm-8:00pm.

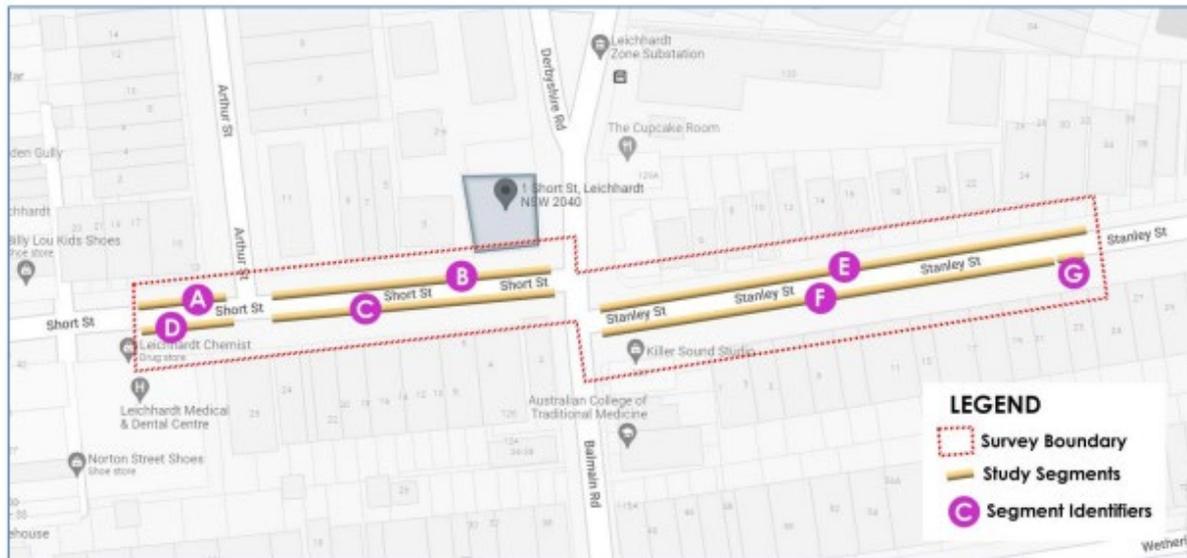


Figure 1 Study Area
Source: Google Maps, 2022

The following results are outlined in page 14 and page 15 of the updated traffic and parking report in regards to Public Parking:

5.2 Public Parking

In assessing the impacts of the proposed development on public parking, the times at which the peak demands occur must be considered. There are a number of factors influencing the use and decision-making processes, in selecting parking within the area. The primary consideration is the time when a space becomes available, within the confines of the timed parking restrictions. For the purpose of this study, it is presumed that a boarder is not entitled to a parking permit and they must make decisions on parking locations according to availability.

The following has been drawn from the parking survey data. Short Street will afford boarders, from the proposed development, their best opportunity for parking overnight. Timed, ticketed, parking restrictions apply between the hours of 8am-10pm daily, permit holders excepted. It is for the aforementioned reason, 6:30pm weekdays was chosen as a realistic time each boarder might arrive home.

The coincidental weekday and weekend demand periods, for all segments, is summarised in the following table.

Time	Demand		Availability		Segment	Total Spaces
	%	Number of Spaces	%	Number of Spaces		
Weekday						
7:30am	67%	4	33%	2	A	6
	68%	13	32%	6	B	19
	55%	6	45%	5	C	11
	25%	1	75%	3	D	4
	94%	15	6%	1	E	16
	87%	13	13%	2	F	15
		52		19		71
12:30pm	100%	6	0%	0	A	6
	53%	10	47%	9	B	19
	82%	9	18%	2	C	11
	50%	2	50%	2	D	4
	81%	13	19%	3	E	16
	80%	12	20%	3	F	15
		52		19		71
Overnight 6:30pm	100%	6	0%	0	A	6
	68%	13	32%	6	B	19
	73%	8	27%	3	C	11
	100%	4	0%	0	D	4
	88%	14	13%	2	E	16
	80%	12	20%	3	F	15
		57		14		71
Totals						
Weekend						
Sat 6pm	100%	6	0%	0	A	6
	74%	14	26%	5	B	19
	100%	11	0%	0	C	11
	100%	4	0%	0	D	4
	88%	14	13%	2	E	16
	93%	14	7%	1	F	15
		63		8		71
Sun 8pm	100%	6	0%	0	A	6
	74%	14	26%	5	B	19
	82%	9	18%	2	C	11
	100%	4	0%	0	D	4
	88%	14	13%	2	E	16
	87%	13	13%	2	F	15
		60		11		71
Totals						

Saturday 6pm was chosen as the time coincides with the 4P restriction in Segments A, B, and C. Segment D report full occupancy on Saturday across all time periods. Saturday reports the highest demand period of the week - 95.8% @ 7pm.

Table 1 Parking Availability

The following conclusions are outlined in page 16 of the updated traffic and parking report with regard to the issues raised by Council’s letter dated 8 March 2022:

Road Delay Solutions has been engaged by Blairegrove Pty Ltd to undertake the preparation of a Parking Study in support of the Development Application (DA) for the adaptive re-use of the building at 1 Short Street, Leichhardt, formerly the Leichhardt Hotel, for use as a boarding house. The following conclusions and recommendations, outlined, have been from the report,

- *Following assessment of the Leichhardt DCP 2013, it is acknowledged that one (1) disabled space will be provided on-site by the proponent.*
- *Addressing the short-fall of nine (9) parking spaces to be provided on-site, it is the findings of this report that there is adequate on-street parking provision on Short Street and Stanley Street, for a distance of some 100 metres from Balmain Road, to manage the vehicle generation associated with the proposed development.*
- *The sole disabled space, located in Stanley Street, and identified as Segment G in this report, has been overlooked in this assessment as it did not record any occupation during the study times. Therefore, should it be found that the space is no longer utilised, Council may consider reallocation of the zone to a timed public parking space.*

In view of the foregoing, the proposed boarding house / Cafe development is supported in terms of its parking impacts.

The updated traffic and parking report was referred to Council's Development Engineer for review who provided the following comments:

The amended traffic report prepared by Road Delay Solutions Pty Ltd, Ref: 20210560 Ver: 1 dated 14/6/2022 has been reviewed and deemed satisfactory due to the following:

- *The proposal is in an accessible location and will facilitate the use of public transport. While the proposal involves a the provision of 1 on-site disabled car space and shortfall of 9 car parking spaces from the DCP car parking requirement, it provides bike parking in accordance with and motor bike parking in excess of the DCP requirement.*
- *The proposal provides for active transport options including walking and cycling through the inclusion of bicycle parking in an accessible location adjacent the main pedestrian entry to the site.*

Therefore, it is considered that the proposed parking impacts are acceptable despite a short fall in the off-street parking requirements.

C3.9 Solar Access, C3.11 Visual Privacy, C3.12 Acoustic Privacy, C4.5 Interface Amenity and C4.15 Mixed Use

The proposal is an adaptive re-use of the existing building, and as such will not result in any additional built form, and therefore, there are no additional overshadowing impacts to the adjoining properties.

With regard to visual privacy, the proposal does not introduce any additional windows. It is noted that the existing windows on the western elevation will have sightlines into the windows of the west adjoining property at 2-6 Derbyshire Road. However as these existing windows would have pre-dated the development at 2-6 Derbyshire Road (Approved under DA/474/1997), this is an existing condition. However to ensure that there are no adverse amenity impacts, a condition will be recommended that requires the first floor windows on the western elevation to have obscure glazing up to 1.6 metres high from the finished first floor level.

There is an also existing terrace/balcony on the first floor level that will be utilised as communal space for the boarding house. As the terrace is existing and sightlines within 9 metres and 45 degrees will only overlook the pathway areas of 2-6 Derbyshire Street and not into windows or private open spaces, this is considered to be generally acceptable. To ensure there are no adverse sightlines into the property at 2-6 Derbyshire Street, a privacy screen, 1.6 metres in height, will be required to be installed on the eastern side of the first floor terrace directly to the south of room 11. As the proposed documentation does not include any details of the terrace on the second floor and the acoustic report would not have considered the use of the second floor terrace, the second floor terrace does not form as part of the boarding house development and a condition will be imposed to restrict the occupants from using the second floor terrace as part of the boarding house.

With regard to acoustic privacy, an acoustic report prepared by Acoustic Logic and dated 21 March 2022 was submitted and notes the following:

- *External noise intrusion from aircraft flights departing Sydney Kingsford Smith Airport.*
- *Internal and external common/communal area noise.*
- *Operational noise from the use of the proposed café.*
- *Mechanical plant*

Page 18 of the report (as produced below), provide recommendations to manage the noise impacts:

6.1.1 Common/Communal Areas

- Maximum occupation of the boarding house, assuming 2 people per room (corresponding to approximately 34 residents inclusive of the manager) occupying the internal and external communal areas, excluding the Level 1 Terrace.
- Patron capacity of the communal open space to reduce to a maximum of 12 people after 6pm.
- Level 1 terrace to have a maximum patron capacity of 8 patrons.
- Music within internal and external communal areas, excluding the Level 1 Terrace, to be played at a maximum sound pressure level of 75 dB(A). Music operation to cease at 6pm.
- No music is to operate on the Level 1 terrace.
- Operation of the external common areas is to cease at 10pm.
- All doors and windows are to be kept closed.
- A 2.4m high solid, non-perforated barrier is to be installed along all boundaries of the development to provide screening to adjacent receivers. A detail of the barrier is provided below (Figure 2). The proposed barrier may be constructed of lapped and capped timber, sheet metal fencing, Perspex, glazing, etc.

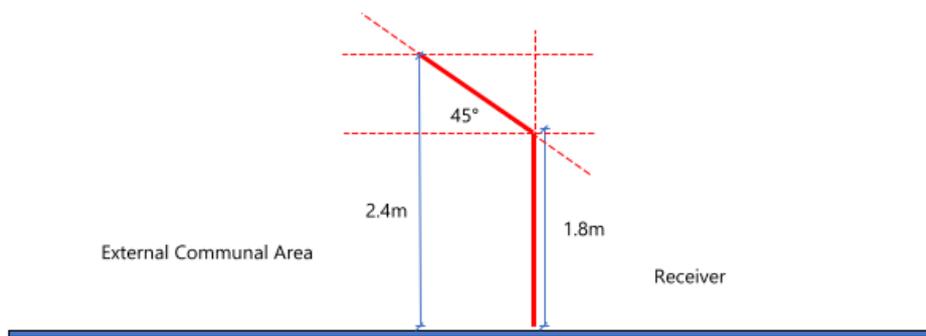


Figure 2 – Proposed Acoustic Barrier Height

6.1.2 Café

- Café is to have a maximum internal patron capacity of 32 patrons (seating capacity) at any given time.
- Café is to operate between 7:00am and 6:00pm.
- No music is to operate within the café.
- All doors and windows are to be kept closed except when in use by patrons to access the café. Door is to be fitted with a closing mechanism.

The report was referred to Council's Environmental Health Officer who indicated that the amenity impacts from the proposed use and hours of operation are acceptable, subject to standard conditions and a condition that requires the recommendations contained in the Acoustic Report prepared by Acoustic Logic reference 20211311.1/2103A/R1/AZ dated 21/03/2022 to be implemented. As the Acoustic Report recommends the café to operate between 7:00am and 6:00pm (rather than the between 6:00am and 10:00pm daily as identified in the submitted Statement of Environmental Effects), the hours of operation will be restricted to these hours of operation. It is also noted that as discussed in more detail in the submission section of the report in relation to addressing concerns regarding the access of WC from the café through common areas of the boarding rooms, the number of patrons allowed in the café will be restricted to a maximum of 19 patrons.

Therefore, it is considered that the proposal is satisfactory with respect to impacts to the amenity of the surround properties, subject to recommended conditions.

5(e) The Likely Impacts

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

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

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

5(g) Any submissions

The application was notified in accordance with the Community Engagement Framework for a period of 21 days to surrounding properties.

14 submissions were received in response to the initial notification.

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

- Issues in relation to Landscaped Area/Open space – see Section 5(a)(iv) - Clause 4.6 Exceptions to Development Standards
- Issues in relation to non-compliance with development standards - see Section 5(a)(iv) - Clause 4.6 Exceptions to Development Standards
- Issues in relation to impact to Heritage Item/Character of the Area – see Section 5(d) - C1.4 Heritage Conservation Areas and Heritage Items
- Issues in relation to potential traffic/parking impacts – see Section 5(d) - C1.11 – Car parking
- Privacy implications– see Section 5(d) – C3.11 – Visual Privacy
- Noise implications from Café and Boarding house – see Section 5(d) – C3.13 – Visual Privacy

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

Issue: Concerns about the size of rooms, Two of the rooms can only be accessed via an outdoor balcony, several rooms don't have their own bathroom facilities so it'll be like a hostel

Comment: Refer to assessment in an earlier section report in relation to SEPP (Affordable Rental Housing) 2009. Under that SEPP, a consent authority must not refuse proposals where the rooms are larger than 12 sqm. Most of the rooms proposed are great than 12 sqm in size with the exception of 4 rooms which are all 11sqm. Having regard to the existing layout of the heritage item and the small non-compliance, the proposed room sizes are considered to be satisfactory. SEPP (Affordable Rental Housing) 2009 does not place restrictions on whether rooms are accessed internally or externally and the current arrangement is acceptable. The SEPP also permit shared toilet amenities and the proposed arrangement is considered to be satisfactory in this regard.

Issue: Lack of kitchen in the proposed café/lack of grease traps

Comment: It is acknowledged that the proposed drawings only indicate a sandwich bar and does not show a full commercial kitchen. While this might limit the type of potential tenants for the proposed café premise (likely to rely on pre-packaged food), it is a permissible use in the zone and still likely to result in creating employment opportunities which in turn will satisfies the objectives under the R1 General residential zoning.

Issue: Issues in relation to cost of works

Comment: A cost summary accompanied the application. As the cost summary is prepared by a qualified personal (in this case, a registered architect), the declared cost is considered to be reasonable.

Issue: The side of the building overlooking 3/2-6 Derbyshire Rd continues to shed old (perhaps lead-based) paint onto the common area

Comment: There are no works proposed on the western wall of No. 1 Short Street, the strata body should contact the owners of 1 Short Street to discuss a resolution of this as this is a civil matter.

Issue: Hypothetical/alternative developments

Comment: Hypothetical developments cannot be considered and a development assessment had been made against the proposal that has been submitted for assessment.

Issue: The social impact study has not recognised or considered the local proximity of another low-cost development on Derbyshire Road and should not be accepted in its current form/ There is already an 'affordable housing estate' at 8 Derbyshire Road (less-than 40m up the road from this proposed boarding house).

Comment: The social impact study had been reviewed by council's social planning/community section and an amendment to the social impact assessment was not required. Each application is assessed on its merits and the existence of the development at 8 Derbyshire Road would not warrant for this proposal to be refused.

Issue: Issues in relation to the adjoining fence is not high enough and would be cause for security concern as it would be easy to jump over it into 2-6 Derbyshire Roads common area.

Comment: The proposal does not include any changes to the existing fencing and the existing wall separating the properties (see image below) does not appear be of a low height that people can easily jump over.



Issue: The upstairs balcony is great cause for concern for: noise pollution due to it being a congregational area and a major thoroughfare for several of the Boarders to enter and exit their rooms, potential smoking/smell/pollution hazard, breach of privacy/ 2-6 Derbyshire has several families whose children play in the common area and would be exposed to whoever was congregating on the outdoor upstairs balcony/2-6 Derbyshire Road is a non-smoking complex and will be directly affected by the boarding house if it allows smoking

Comment: Privacy impacts are assessed under an earlier section of the report. It can be noted that while it is currently vacant, the subject site is a hotel/pub premise and the first floor terrace is currently existing. The Plan of Management which will be included as a stamped document, states on page. 7 and 8 and no smoking is allowed within the boarding house or common areas.

Issue: Issues in relation to waste/lack of delivery space

Comment: The proposal was referred to Council's waste and development sections and is considered to be satisfactory in this regard subject to conditions.

Issue: There is direct access to the Boarding House from the cafe. If the cafe allows people to use their toilet facilities there would be a breach of security.

Comment: It was confirmed with the applicant that the proposed door on the eastern side of the cafe is to provide access to the disabled toilets as having 20 patrons or more requires a disabled toilet to be provided. However, as the path of travel to the disabled toilet requires patrons to travel through two common areas, this is considered to be undesirable as it will result in unsatisfactory conflict with the uses of these common areas. To ensure that public patrons from the coffee shop will not have direct access into the common area of the boarding house, a condition will be recommended that restricts the maximum amount of patrons to the coffee shop at 19 and that the proposed door on the eastern side of the coffee shop to be used by staff from the coffee shop only and to access the disabled toilet.

Issue: Issues in relation to air-conditioning and mechanical ventilation systems

Comment: As indicated on the proposed site plan and northern elevation, the air-conditioning units are located in the centre of the site, away from the boundaries of 2-6 Derbyshire Road.

While mechanical ventilation systems are not clearly shown on the drawings, to ensure there will not be adverse noise impacts, an on-going condition will be recommended that requires

“The proposed use of the premises and the operation of all plant and equipment must not give rise to an ‘offensive noise’ as defined in the Protection of the Environment Operations Act 1997 and Regulations, NSW EPA Noise Policy for Industry and NSW EPA Noise Guide for Local Government.”

Issue: Issues in relation to Security/Social/Safety/on-site manager

Comment: There is no evidence provided that supports the objection that a boarding house would result in an increase of anti-social behaviour or create safety issues to high school students. A plan of management had been provided (which will be included in the conditions of consent as a stamped document) which indicates an on-site manager will be appointed which is contactable 24 hours a day and manager accommodation has been provided on site which satisfies the supervision requirements.

Issue: Issues in relation to notification

Comment: The application had been notified in a form that is in accordance with Council’s Community Engagement Framework.

Issue: Issues in relation to State Environmental Planning Policy (Housing) 2021

Comment: As discussed in an earlier section of the report, State Environmental Planning Policy (Housing) 2021 was gazetted after the application was lodged and whilst a matter for consideration, is not the sole EPI to be considered in the assessment of this application.

Issue: Issues in relation to impact of property value

Comment: No evidence is provided to support this objection.

Issue: Issues in relation to the proposed use of a backpackers hostel

Comment: The application is for a boarding house and not a backpackers hostel.

Issue: Issues in relation to the roof top terrace

Comment: As the documentation associated with this application is for the use of the ground and first floor only, a condition will be imposed that prohibits the second floor terrace to be used as part of the proposed boarding house use.

5(h) The Public Interest

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

The proposal is not contrary to the public interest.

6 Referrals

6(a) Internal

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

- Heritage
- Building Certification
- Development Engineer
- Health Compliance
- Urban Forest
- Waste management (commercial)
- Waste management (residential)
- Community Services/Social Planning

6(b) External

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

7. Section 7.11 Contributions/7.12 Levy

The social impact statement that accompanies the application has not provided evidence that concludes that the occupants will be restricted to low income earners, noting that only “temporary accommodation and low income boarding houses” are exempted from contributions under Leichhardt Section 94 Contributions Plans.

Therefore, the carrying out of the development would result in an increased demand for public amenities and public services within the area. A financial contribution would be required for the development under Leichhardt Section 94 Contributions Plans as follows:

Contribution Plan	Contribution
Community Facilities	\$26,056.96
Open Space	\$210,195.55
Local Area Traffic Management	\$660.63
Access to Balmain Peninsula	\$0.00
Light Rail	\$0.00
Leichhardt Town Centre	\$0.00
Bicycle	\$232.08
Commercial Carparking	\$0.00
Total	\$237,145.22

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

8. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in ARH SEPP 2009, *LLEP 2013* and LDCP 2013. The development will not result in any significant impacts on the amenity of adjoining premises and the streetscape. 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 *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 Landscaped Area, Site Coverage and Floor Space Ratio development standards under Clauses 4.3A(3)(a), 4.3A(3)(b) and 4.4 of the *Leichhardt Local Environmental Plan 2013* are unnecessary in the circumstance of the case and that there are sufficient environmental grounds to support the variations under Clause 4.6 of the *Leichhardt Local Environmental Plan 2013*. 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. 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/2021/1081 for the proposed change of use and associated alterations and restoration works to former Hotel building to accommodate a Boarding House comprising 17 rooms and Cafe at 1 Short Street, Leichhardt subject to the conditions listed in Attachment A below/for the following reasons.

Attachment A – Recommended conditions of consent

CONDITIONS OF CONSENT

DOCUMENTS RELATED TO THE CONSENT

1. Documents related to the consent

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

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
Sheet No. 02, Issue F	Site Plan	29.03.22	Couvaras Architects
Sheet No. 04, Issue F	Demolition Plans	29.03.22	Couvaras Architects
Sheet No. 05, Issue F	Ground Floor Plan	29.03.22	Couvaras Architects
Sheet No. 06, Issue H	First Floor Plan	23.08.22	Couvaras Architects
Sheet No. 07, Issue F	Elevations	29.03.22	Couvaras Architects
Sheet No. 08, Issue F	Sections	29.03.22	Couvaras Architects
Sheet No. 12, Issue F	Accessible Room details	29.03.22	Couvaras Architects
Sheet No. 14, Issue F	Materials and Finishes	29.03.22	Couvaras Architects
Sheet No. 16, Issue F	Detailed Kitchen Plan	29.03.22	Couvaras Architects
Sheet No. 17, Issue F	Signage details	29.03.22	Couvaras Architects
No. 1238025M	BASIX Certificate	6 October 2021	Certified Energy

	Plan of Management		Submitted on NSW Planning Portal on 8/10/21
	HERITAGE IMPACT STATEMENT	23 June 2022	NBRS & PARTNERS Pty Ltd
	SCHEDULE OF CONSERVATION WORKS	14 March 2022	NBRS & PARTNERS Pty Ltd
	HERITAGE COLOUR SCHEME	20 May 2022	NBRS & PARTNERS Pty Ltd
20211311.1/2103A/R1/AZ	Acoustic Report	21/03/2022	Acoustic Logic

As amended by the conditions of consent.

DESIGN CHANGE

2. Design Change

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

- a. The design of the timber-look aluminium screening to Balmain Road proposed in the Materials & Finishes must be amended to visually resemble traditional vertical timber paling fencing no taller than 1.8m in height.
- b. The coffee shop to be amended to a maximum of 19 patrons

FEES

3. Security Deposit - Custom

Prior to the commencement of demolition works or prior to the issue of a Construction Certificate, the Certifying Authority must be provided with written evidence that a security deposit and inspection fee has been paid to Council to cover the cost of making good any

damage caused to any Council property or the physical environment as a consequence of carrying out the works and as surety for the proper completion of any road, footpath and drainage works required by this consent.

Security Deposit:	\$2,800.00
Inspection Fee:	\$350.00

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

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

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

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

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

4. Section 7.11 (Former Section 94) Contribution

Prior to the issue of a Construction Certificate works written evidence must be provided to the Certifying Authority that a monetary contribution of \$237,145.22 in accordance with Developer Contributions Plan No.1 – Open Space and Recreation; Developer Contributions Plan No.2 – Community Facilities and Services (2005); and Leichhardt Developer Contributions Plan – Transport and Access ("CP") has been paid to the Council.

The above contribution is the contribution applicable as at 13/9/2022.

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

Local Infrastructure Type:	Contribution \$
Open Space and Recreation	\$210,195.55
Community Facilities and Services	\$26,056.96
Local Area Traffic Management	\$660.63
Bicycle Works	\$232.08
TOTAL	\$237,145.22

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

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

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.

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

5. Long Service Levy

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

GENERAL CONDITIONS

6. Tree Protection

No trees on public property (footpaths, roads, reserves etc.) are to be removed or damaged during works unless specifically approved in this consent or marked on the approved plans for removal.

Prescribed trees protected by Council's Management Controls on the subject property and/or any vegetation on surrounding properties must not be damaged or removed during works unless specific approval has been provided under this consent.

Any public tree within five (5) metres of the development must be protected in accordance with Council's *Development Fact Sheet—Trees on Development Sites*.

No activities, storage or disposal of materials taking place beneath the canopy of any tree (including trees on neighbouring sites) protected under Council's Tree Management Controls at any time

7. Stormwater Drainage System – Simple

Stormwater runoff from all roof and paved areas within the property must be collected in a system of gutters, down pipe, pits and pipelines discharged by gravity to the kerb and gutter of a public road.

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

If any component of the existing system is not in good condition and /or not operating satisfactorily and/or impacted by the works and/or legal rights for drainage do not exist, the drainage system must be upgraded to discharge legally by gravity to the kerb and gutter of a public road. Minor roof or paved areas that cannot reasonably be drained by gravity to a public road may be disposed on site subject to ensuring no concentration of flows or nuisance to other properties.

8. Noise – Consultant's Recommendations

The recommendations contained in the acoustic report prepared by Acoustic Logic reference 20211311.1/2103A/R1/AZ dated 21/03/2022 must be implemented.

9. Separation of Commercial and Residential Waste and Recycling

The waste and recycling handling and storage systems for residential waste and commercial waste (including waste originating from retail premises) are to be separate and self-contained. Commercial and retail tenants must not be able to access residential waste storage area/s, or any storage containers or chutes used for residential waste and recycling.

10. Detailed Architectural Drawings of New Joinery

Prior to the issue of the Construction Certificate, the heritage architect must be provided with and approve detailed drawings for any new joinery doors etc. which must be complimentary, though not identical, to the original joinery.

11. Detailed Architectural Drawings for Ensuites for Rooms 1 and 2

Prior to the issue of the Construction Certificate, the certifying authority must be provided with detailed plans of the layouts of the proposed ensuites for Rooms 1 and 2 on the ground floor. These must be designed and installed so that they are reversible, so they can be easily removed in the future. This can be achieved with low nib walls running around the existing walls for reticulation for the new bathroom pod. Drainage points must be kept to a minimum to minimise disturbance of the existing timber floor.

12. Recording of significant or contributory buildings prior to any demolition or alteration

A full archival record of the building and landscape elements to be altered is to be submitted, to the satisfaction of Council's Heritage Specialist, prior to the commencement of any work and prior to the issue of a Construction Certificate.

The archival record is to be completed by a heritage consultant listed on the Consultants Directory by the NSW Office of Environment & Heritage (Heritage Branch) or by a suitably qualified consultant who must demonstrate a working knowledge of archival principles.

Photographic archival records must be taken of the building, landscape or item in accordance with the guidelines 'Heritage Information Series, Photographic Recording of Heritage Items Using Film or Digital Capture 2006' published by the former NSW Department of Planning Heritage Branch and available online at <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/infophotographicrecording2006.pdf>

The photographic archival recording is to be submitted in a digital format only and is to include the following:

- Development Application number and the Condition of Consent number must be noted
- Site plan at a scale of 1:200 (or 1:500 if appropriate) of all structures and major landscape elements including their relationship to the street and adjoining properties and directional details of photographs taken.
- Floorplans of the internal layout and directional details of photographs taken.
- Coloured photographs of:
 - each elevation,
 - each structure and landscape feature;

- internal images of each room and significant architectural detailing;
- views to the subject property from each street and laneway or public space.

The report must include written confirmation, issued with the authority of both the applicant and the photographer that the Inner West Council is granted a perpetual non-exclusive licence to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.

The electronic images are to be taken with a minimum 8 megapixel camera, saved as JPEG TIFF or PDF files with a size of approximately 4-6MB, and cross referenced to the digital catalogue sheets and base plans. Choose only images that are necessary to document the process, and avoid duplicate images. The report can be submitted on a USB, CD or DVD, in PDF/A format (created directly from the digital original), with a digital catalogue of images with the following data for each: title, image subject/description and date photograph taken.

13. Heritage Interpretation Plan

A Heritage Interpretation Plan for the former Leichhardt Hotel must be submitted to and approved by Council's Heritage Specialist prior to the issue of a Construction Certificate. The plan is to be prepared by a suitably qualified and experienced heritage practitioner or historian in accordance with the 'Heritage Interpretation Policy' published by the Heritage Council of NSW and the NSW Department of Planning in August 2005 and 'Heritage Information. Series, Interpreting Heritage Places and Items Guidelines' published by the former NSW Heritage Office in August 2005.

The interpretation plan must detail how information on the history and significance of the former Leichhardt Hotel will be provided for the public and make recommendations regarding public accessibility, signage and lighting. Public art, details of the heritage design, the display of selected artefacts are some of the means that can be used. The plan must specify the location, type, making materials and contents of the interpretation device being proposed.

Prior to an occupation certificate being issued, the approved interpretation plan must be implemented to the satisfaction of Council's Heritage Specialist.

14. Heritage Architect Supervision

An experienced suitably qualified and experienced Heritage Architect must be commissioned to assist and to provide advice to the consultant team throughout the design development, contract documentation and construction stages of the project.

The heritage consultant is to be involved in the resolution of all matters where existing significant fabric and spaces are to be subject to preservation, restoration, reconstruction,

adaptive reuse, recording and demolition. The heritage consultant is to be provided with full access to the site on a regular basis and authorised by the applicant to respond directly to Council where information or clarification is required regarding the resolution of heritage issues throughout the project.

Details of the engagement of the experienced Heritage Architect in accordance with this condition are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.

15. Privacy

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans indicating all the first floor windows on the western elevation being amended in the following manner:

- a. Fixed and obscure glazing to a minimum level of 1.6 metres above the floor level.

16. Balcony

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans indicating the erection of a privacy screen on the eastern side of the first floor terrace directly to the south of room 11 having a minimum block out density of 75% and a height of 1.6 metres above the finished floor level of the first floor terrace.

17. Boarding House

The development must provide and maintain:

- a. A minimum of 2 Accessible boarding rooms; and
- b. All rooms within the boarding house must be connected to a centralised electricity, water and gas (if installed) service.

18. 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.

19. 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.

20. Works Outside the Property Boundary

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

21. Boarding House not to be subdivided

The boarding house must not be subdivided at any time.

22. Plan of Management to be amended

Prior to the issue of a Construction Certificate, the Certifying Authority is required to be provided with the following amendments:

- a. Plan of Management to be amended to ensure patrons from the coffee do not have to access to WC. Only staff from the coffee shop and occupants/employees of the boarding to have access to the WC.
- b. Plan of Management to be amended to ensure the maximum number of patrons occupying the coffee shop to be 19.
- c. Plan of management to be amended to clearly state the second floor terrace does is not to be used by the boarding house occupants.

PRIOR TO ANY DEMOLITION**23. Resource Recovery and Waste Management Plan - Demolition and Construction**

Prior to any demolition works, the Certifying Authority must be provided with a Resource Recovery and Waste Management Plan - Demolition and Construction that includes details of materials that will be excavated and their proposed destination or reuse.

24. 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**25. Tree Planting in the Public Domain**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a Public Domain/Street Tree Planting Plan and evidence that the works on the Road Reserve have been approved by Council under Section 138 of the *Roads Act 1993* incorporating the following requirements:

- a. One (1) new tree shall be located within the footpath outside the subject property on Short Street (clear of the awning). The species of tree selected shall be *Brachychiton acerifolius* (Illawarra Flame Tree);
- b. All planting stock size shall be minimum 100 litres;
- c. The planting stock shall comply with AS 2303—*Tree Stock for Landscape Use*;
- d. The new tree shall be planted by a qualified horticulturist or arborist, with a minimum qualification of Certificate 3 in Horticulture or Arboriculture;
- e. The tree pit dimensions and staking detail shall be in accordance with Detail 2 (page 129) of the Marrickville Street Tree Master plan 2014, (available online);
- f. The awning configuration must be detailed on the plan (no awning over street tree location) .

26. Shared Accommodation / Boarding House – Plan Of Management

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a Plan of Management demonstrating compliance with operation and maintenance standards set out in the *Local Government (General) Regulation 2005*.

27. Light Spill

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with details demonstrating that any lighting of the premises complies with Australian Standard AS4282:1992: Control of Obtrusive Effects of Outdoor Lighting.

28. Bin Storage Area - Residential

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a report detailing the ongoing waste generation requirements of the development and demonstrate that the bin storage area is to be provided within the site that will fully accommodate the number of bins required for all waste generated by a development of this type and scale. The number of bins required must be calculated based on a weekly collection of garbage, and a fortnightly collection of recycling.

The area must also include 50% allowance for manoeuvring of bins. The bin storage area is to be located away from habitable rooms, windows, doors and private useable open space, and to minimise potential impacts on neighbours in terms of aesthetics, noise and odour.

The bin storage area is to meet the design requirements detailed in the Leichhardt DCP 2013 and must include doorways/entrance points of 1200mm.

29. Commercial - Additional Storage Space

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans demonstrating that additional space has been allocated on site for the storage of reusable items such as crates and pallets and/or compaction equipment.

30. Waste Transfer Route

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a plan demonstrating that the path of travel between the bin storage area/bulky waste storage area and the designated waste/recycling collection point is has a minimum 1200mm wall-to-wall clearance, be slip-proof, of a hard surface, be free of obstructions and at no point have a gradient exceeding 1:12.

31. Each Residential Room is to have Access to a Disposal Point for All Waste Streams

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a plan demonstrating that the disposal point is to be within 30m of the dwelling access (distance covered by lifts excluded). Any bins stored on residential floors are to have the capacity to store, at minimum, all waste generated by that floor over a 24 hour period.

32. 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.

33. 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

34. Tree Protection Zone

To protect the following tree, no work can commence until the Protection Zone is fenced off at the specified radius from the trunk to prevent any activities, storage or the disposal of materials within the fenced area in accordance with Council’s *Development Fact Sheet—Trees on Development Sites*. The fences must be maintained intact until the completion of all demolition/building work on site.

Tree No.	Botanical/Common Name	Radius in metres
-	<i>Brachychiton species</i> (street tree - in Short Street near corner with Balmain Road)	Fencing to be installed around the perimeter of the planter.

35. Contamination – New Evidence

Any new information revealed during demolition, remediation or construction works that have the potential to alter previous conclusions about site contamination must be immediately notified to the Council and the Certifying Authority.

36. Imported Fill Materials

All imported fill on the site shall be validated as Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM), in accordance with NSW Environment Protection Authority guidelines, ‘Consultants Reporting on Contaminated Sites’ (August 2011) to ensure the imported fill is suitable for the proposed land use.

All fill imported onto the site shall be validated by either one or both of the following methods:

- a. Imported fill be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or
- b. Sampling and analysis of the fill material be conducted in accordance with NSW Environment Protection Authority’s Sampling Design Guidelines (September 1995).

37. Documentation of Demolition and Construction Waste

All waste docketts from the recycling and/or disposal of any demolition and construction waste generated from the works must be retained on site.

38. Protection of Significant Fabric

Significant original fabric of the existing building such as early / original ceilings, windows and all joinery, timber mantelpieces, unpainted brick surfaces including chimney beasts, timber floorboards, early bathroom fittings, tile to wet areas, doors, door frames and door hardware is to be protected during site preparation and construction works from potential damage. Significant original fabric is not to be removed. Equipment laydown areas and contactor vehicles must be located away from the heritage structures and areas of heritage significance to minimise any potential impact to the external or internal fabric. Contactor's vehicles must not be parked near heritage structures or landscaped areas which could inadvertently be damaged. Protection measures are to be specified in the construction management plan. Details of the protection plan must be submitted to and approved by Council's Heritage Specialist prior to the issue of the Construction Certificate.

39. Protection of Sandstone Kerbing/Gutter

Existing sandstone kerbing and gutter to Short Street is to be protected during the works and left "in situ".

40. ""Leichhardt Hotel" Lettering

The existing lettering "Leichhardt Hotel" to the corner of the awning at the Short Street and Balmain Road intersection must be retained during the works.

41. Implementation of Schedule of Works

During works, the works identified in the Schedule of Works prepared by NBRS Architecture, dated August 2021, must be carried out by appropriately qualified contractors and tradespersons who are skilled in traditional building and engineering trades to carry out the proposed scope of works within the heritage building.

42. Approved Colour Scheme

During the works, the painting of the building must be carried out in accordance with the colour scheme recommended in the Heritage Colour Scheme Report prepared by NBRS, dated May 2022, including the following:

- Rendered details: Lime White (53302f) 028

- Original joinery: Shell White (f1e9d5) B9
- Non-original joinery on the ground floor: Ox Blood (53302f) G11
- Metal elements: Red Oxide (714239) G5
- Signage writing: Lime White (53302f) 028 (To be confirmed)
- Signage inset: Ox Blood (53302f) G11 (To be confirmed)
- Signage border: Ox Blood (53302f) G11 (To be confirmed)

The proposed colour scheme for the moulded render "Leichhardt Hotel" lettering on the first floor facades of the building must be confirmed through a follow up paint scrape analysis when safe access to the element is available.

43. Construction Hours – Class 2-9

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

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

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

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

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

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

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

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

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

44. 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

45. Certification of Tree Planting

Prior to the issue of any Occupation Certificate, the Principal Certifier is to be provided with evidence certified by a person holding a minimum qualification of AQF3 Certificate of Horticulture or Arboriculture that:

The canopy trees (1 x *Waterhousia floribunda* and 1x *Elaeocarpus eumundii*) must be planted in accordance with the Landscape Plan prepared by Zenith Landscape Designs (Dwg 21-4526-L01) and dated 17/9/21 with the following amendments -

The canopy trees must be planted a minimum of 6 metres apart and a minimum of 1.5 metres from any boundary.

The canopy trees must be in a minimum container size of 75 litres at planting.

If the trees are found dead or dying before they reach a height where they are protected by Council's Tree Management Controls, they must be replaced with the same species in accordance with the requirements of this condition..

46. Planting of Street Trees

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with written evidence from Council that the street tree has been planted in accordance with the approved street tree planting/public domain plan.

47. 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.

48. Contamination – Disposal of Soil

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with a validation report confirming that all off site disposal of soil has been classified, removed and disposed of in accordance with the NSW DECC Waste Classification Guidelines, Part 1: Classifying Waste (EPA 2014), Protection of the Environment Operations (Waste) Regulation 2014 and the *Protection of the Environmental Operations Act 1997*.

49. Aircraft Noise –Alterations and Additions

Prior to the issue of any Occupation Certificate, the Principal Certifier must be provided with a report prepared and submitted by an accredited Acoustics Consultant certifying that the final construction meets AS2021-2015 with regard to the noise attenuation measures referred to in the Acoustic Report referenced in this consent. Such report must include external and internal noise levels to ensure that the external noise levels during the test are representative of the typical maximum levels that may occur at this development.

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

ON-GOING**50. Documentation of Businesses Waste Services**

All businesses must have written evidence of all valid and current contracts and/ or tip dockets for the disposal and/ or processing of all waste streams generated from the site.

51. Commercial Bins and Re-usable Item Storage

All commercial bins and re-usable items such as crates and trays are to be stored within the site.

52. Noise General

The proposed use of the premises and the operation of all plant and equipment must not give rise to an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997* and Regulations, NSW EPA Noise Policy for Industry and NSW EPA Noise Guide for Local Government.

53. Commercial Waste/Recycling Collection

The collection of waste and recycling must only occur between 7:00am and 8:00pm weekdays and 9:00am and 5:00pm weekends and public holidays, to avoid noise disruption on the surrounding area,

Garbage and recycling must not be placed on the street for collection more than one (1) hour before the scheduled collection time. Garbage bins and containers are to be removed from the street within one (1) hour after collection.

54. Bin Storage

All bins are to be stored within the site.

55. Hours of Operation

- a. The hours of operation of the café must not exceed the following:

Day	Hours
Monday to Sunday	7am - 6pm

56. Boarding House

The use of the premises as a boarding house must comply at all times with the following:

- a. The use must comply at all times with the Plan of Management referred to in condition 1 above and as amended by the conditions in this Determination;
- b. A copy of the Plan of Management and House Rules must be annexed to each and every tenancy/occupation agreement for a room;
- c. A copy of the approved Plan of Management and House Rules must be clearly displayed within every common room in the building at all times;
- d. The Plan of Management must not to be amended without the prior consent of Council and must be made available to Council officers and the Police upon request;
- e. All tenancy/occupation agreements for rooms within the premises must be for a minimum period of three (3) months;
- f. The premises must be used exclusively as a boarding house containing a maximum total of 17 lodger rooms and 1 on-site manager's rooms with not more than 23 adult lodgers and 1 adult on-site manager residing in the premises at any one time;
- g. Not more than 2 lodgers must occupy a double boarding room;
- h. The premises must not be adapted for use as backpacker's accommodation, serviced apartments or a residential flat building;

- i. All common rooms/areas and recreation rooms/areas must be maintained at all times for the use of the lodgers; and
- j. Each self-contained room and shared kitchen must be fitted out with washing up facilities, a cooktop, oven, fridge and storage space with such utilities being maintained in working order at all times.

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.

Health Premises Registration – Generic

The premises are required to be registered with Council's Environment Health Team in accordance with the following relevant legislation:

- a. *Food Shop - Food Act 2003*;
- b. *Boarding House / Shared Accommodation - Boarding Houses Act 2012 and the Local Government (General) Regulation 2005*.

Food Premises Certification

The food premises design, construction and operation is in accordance with the following:

- a. *Food Act 2003*;
- b. *Food Regulation 2010*;
- c. *Australia and New Zealand Food Standards Code*;
- d. *Australian Standard AS 4674 – 2004 (Design, construction and fit-out of food premises)*;
- e. *Australian Standard AS 1668 Part 1 – 1998*; and
- f. *Australian Standard AS 1668 Part 2 – 2012*.

Food Premises Waste Storage Area

To ensure adequate storage and collection of waste from the food premises, all garbage and recyclable materials must be stored in a designated waste storage area. The designated waste storage area must be designed and constructed in accordance with the Australian Standard AS 4674 – 2004 (Design, construction and fit-out of food premises) and Australia and New Zealand Food Standards Code.

Notice to Council to deliver Residential Bins

Council should be notified of bin requirements three weeks prior to the occupation of the building to ensure timely delivery.

Council will place an order for the required bins. Delivery will occur once the applicant has completed a Request for New Service.

Recycling / Garbage / Organics Service Information and Education

The building manager / strata title manager or body corporate is responsible for ensuring all tenants are kept informed regarding Council's services, and best practice waste and recycling source separation.

Prescribed Conditions

This consent is subject to the prescribed conditions of consent within clause 98-98E of the *Environmental Planning and Assessment Regulations 2021*.

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.

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.

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.

Infrastructure

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

Other Approvals may be needed

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

Failure to comply with conditions

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

Other works

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

Obtaining Relevant Certification

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

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

Disability Discrimination Access to Premises Code

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

National Construction Code (Building Code of Australia)

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

Notification of commencement of works

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

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

Dividing Fences Act

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

Permits from Council under Other Acts

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

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

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

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

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.

Noise

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

Fire Safety Certificate

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

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

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

Boarding House – Registration with Fair Trading

Boarding houses with two or more residents who have additional needs or five or more residents who do not have additional needs are required to register with the Department of Fair Trading.

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 Payments Corporation	131441 www.lspc.nsw.gov.au
NSW Food Authority	1300 552 406 www.foodnotify.nsw.gov.au
NSW Government	www.nsw.gov.au/fibro www.diysafe.nsw.gov.au

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

Asbestos Removal

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

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

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

All asbestos waste must be stored, transported and disposed of in compliance with the Protection of the Environment Operations (Waste) Regulation 2014. All receipts detailing method and location of disposal must be submitted to Council as evidence of correct 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.

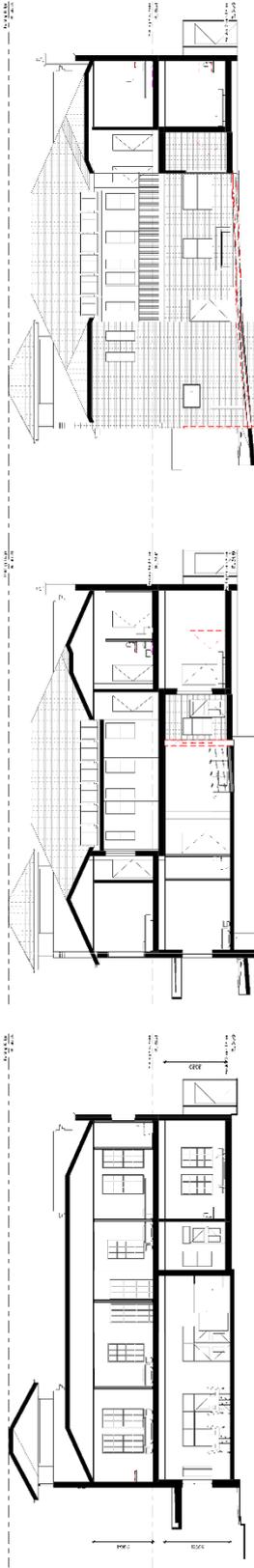


Project Name: **First Floor Plan**
 Project No: **21030**
 Date: **April 2022**
 Scale: **1:100 @ A1**
 Issue No: **06**
 Issue H

Site: **1 Short Street, Leichardt**
 Client: **Richard Whitfield**
 Architect: **couvaras >ARCHITECTS**
 Registered Architect: Peter Couvaras Reg No: 7344
 Website: www.couvaras.com

DEVELOPMENT APPLICATION
 NOT FOR CONSTRUCTION

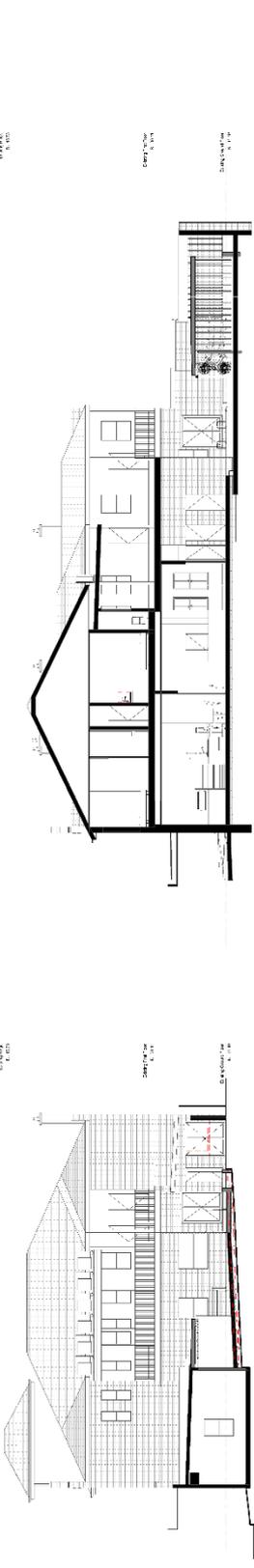
Issue	Inspector	Date
A	Chris Couvaras	06/04/21
B	Chris Couvaras	20/08/21
C	Chris Couvaras	07/10/21
D	Chris Couvaras	07/10/21
E	Chris Couvaras	25/03/22
F	Chris Couvaras	27/08/22



1. Section 1
Scale: 1:100

2. Section 2
Scale: 1:100

3. Section 3
Scale: 1:100



4. Section 4
Scale: 1:100

5. Section 5
Scale: 1:100

6. Section 6
Scale: 1:100



Photo: Owen, Third Floor

Issue	Director	Date
A	Chris Longman	05/04/21
B	Chris Longman	20/08/21
C	Chris Longman	07/10/21
D	Chris Longman	25/03/22

DEVELOPMENT APPLICATION

1 Short Street, Leichardt

Richard Whiffield

Sections

March 2022

Scale: 1:100 @ A1

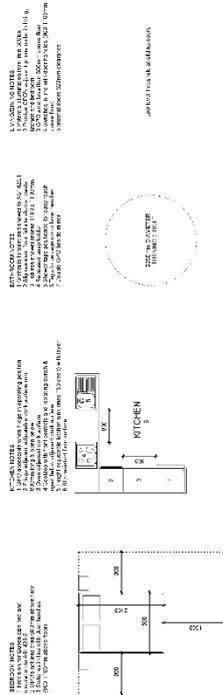
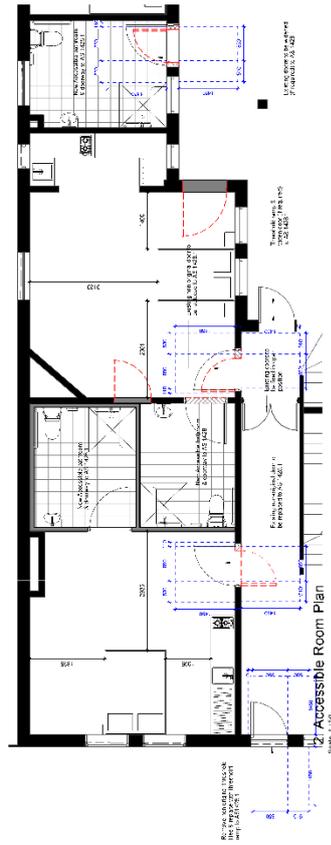
21030

08

couvaras

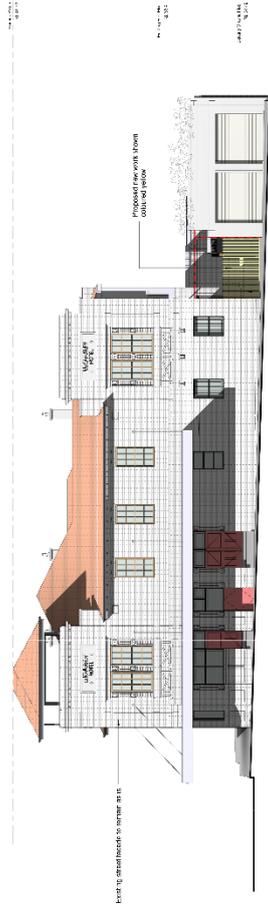
>ARCHITECTS

NOT FOR CONSTRUCTION



1. AS1428.1 Detail Notes
Scale: 1:50

<p>couvaras ARCHITECTS</p> <p>Richard Whiffled</p> <p>1 Short Street, Leichardt</p> <p>Phone: 02 9550 1000 www.couvaras.com</p> <p>NSW</p>	<p>Accessible Room Details</p> <p>Project: 21030 Date: March 2022 Scale: 1:50 @ A1</p> <p>Issue: 12</p>
---	--



1 Materials & Finishes
Scale: 1:100



Original Facade



Facade to be retained



Existing & proposed materials to be fitted to existing proposed front entry gate



Proposed aluminium screening & corrosion resistant gate construct

Issue	Director	Date
A	Grant Cooper	06/04/21
B	Grant Cooper	20/08/21
C	Grant Cooper	19/09/21
D	Grant Cooper	07/10/21
E	Grant Cooper	25/02/22

DEVELOPMENT APPLICATION

1 Short Street, Leichardt
 Richard Whinfield

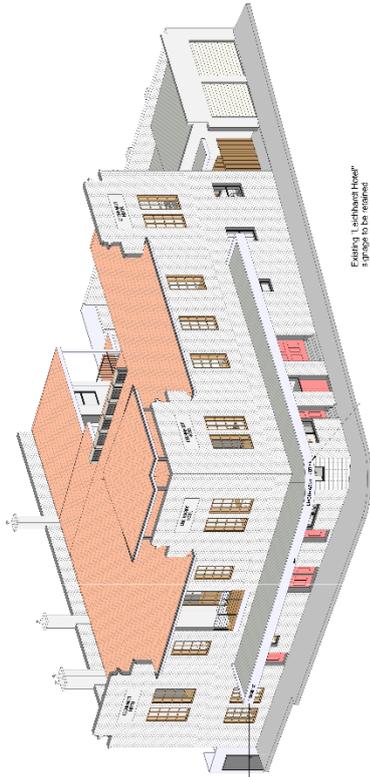
couvaras
 >ARCHITECTS

1 Short Street, Leichardt

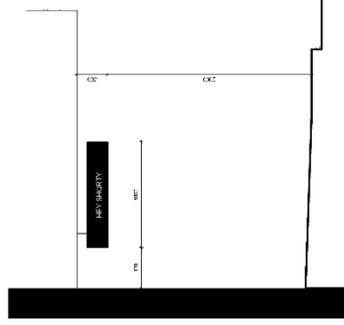
Richard Whinfield

Materials & Finishes

Issue	Director	Date
A	Grant Cooper	06/04/21
B	Grant Cooper	20/08/21
C	Grant Cooper	19/09/21
D	Grant Cooper	07/10/21
E	Grant Cooper	25/02/22



1. Signage Details
Scale: 1:50



Issue	Director	Date
A	Grant Longman	06/04/21
B	Grant Longman	20/08/21
C	Conrad Ffrench	07/10/21
D	SAI MAM	25/03/22
E	Assistant Director	

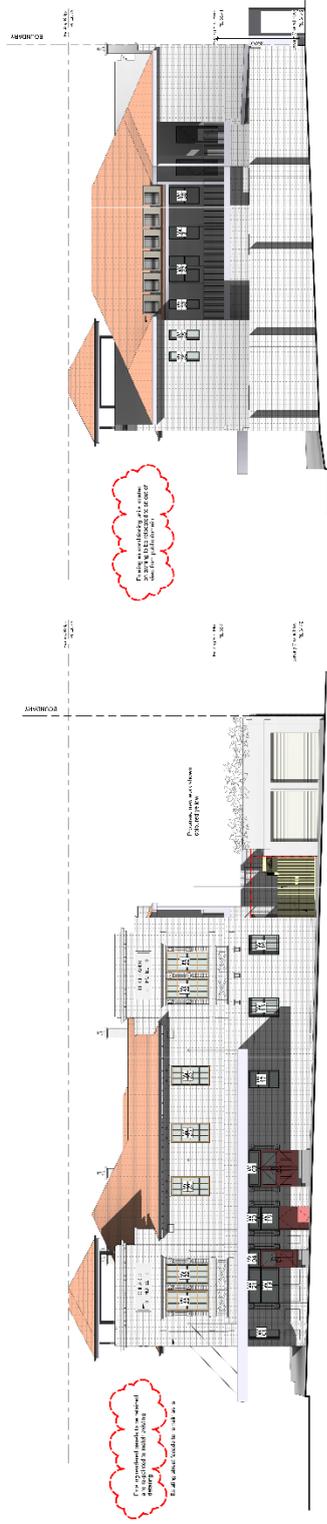
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

couvaras
ARCHITECTS

Project: 1 Short Street, Leichardt
Client: Richard Whitfield

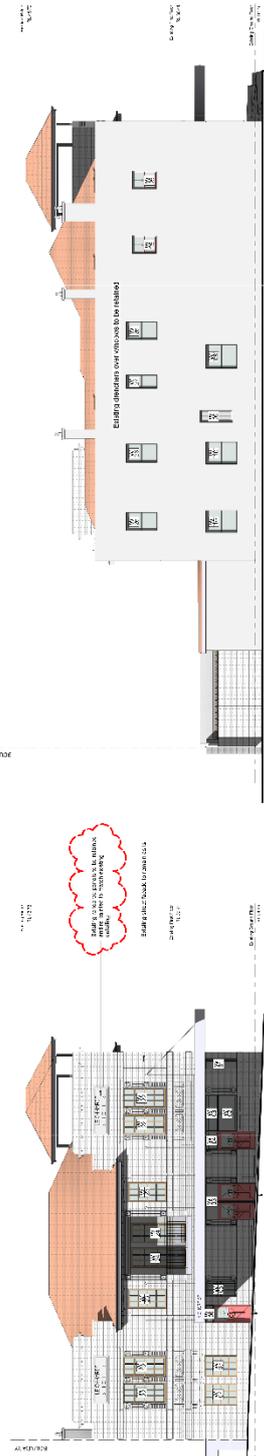
Signage Details
Issue: March 2022
Scale: 1:20 @ A1

Page: 17
Issue F



1 East (Balmain Road)
Scale: 1:100

3 North
Scale: 1:100



2 South (Short Street)
Scale: 1:100

4 West
Scale: 1:100

Issue	Description	Date
A	Client Approval	06/04/21
B	Client Approval	20/08/21
C	Consultation Phase	07/10/21
D	Client Approval	25/02/22
E	Approval Information	

DEVELOPMENT APPLICATION
 NOT FOR CONSTRUCTION

couvaras
 >ARCHITECTS

Project: 1 Short Street, Leichardt
 Date: Richard Whiffeld
 Prepared Architect: Project Coordinator Reg No. 7344

Version	Issue	Scale
01	Issue B	1:100 @ A1
02	Issue C	1:100 @ A1
03	Issue D	1:100 @ A1
04	Issue E	1:100 @ A1
05	Issue F	1:100 @ A1
06	Issue G	1:100 @ A1
07	Issue H	1:100 @ A1

Attachment C- Clause 4.6 Exception to Development Standards

SJB Planning



Clause 4.6 – Exceptions to Development Standards Request to Vary Clause 4.4 - Floor Space Ratio

Address: 1 Short Street, Leichardt

Proposal: Restoration and adaptive reuse of the former Leichhardt Hotel as a boarding house and café

Date: 22 October 2021

1.0 Introduction

This is a written request to seek an exception to a development standard under Clause 4.6 – Exceptions to Development Standards of Leichardt Local Environmental Plan (LLEP) 2013. The development standard for which the variation is sought is Clause 4.4 Floor Space Ratio under LLEP 2013.

2.0 Description of the planning instrument, development standard and proposed variation

2.1 What is the name of the environmental planning instrument that applies to the land?

The Leichardt Local Environmental Plan (LLEP) 2013.

2.2 What is the zoning of the land?

The zoning of the land is R1 General Residential.

2.3 What are the Objectives of the zone?

The objectives of the zone are:

- *"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."*

2.4 What is the development standard being varied?

The development standard being varied is the floor space ratio development standard.

9214_5_Clause 4.6 Statement_FSR_211022

1 / 6

L2/490 Crown St, Surry Hills
Sydney NSW 2010

planning@sjb.com.au
sjb.com.au

T 61 2 9380 9911

SJB Planning (NSW) Pty Ltd ACN 112 509 501
Document Set ID: 36814054
Version: 1, Version Date: 13/09/2022

2.5 Is the development standard a performance based control?

No, the floor space ratio development standard is a numerical control.

2.6 Under what Clause is the development standard listed in the environmental planning instrument?

The development standard is listed under Clause 4.4 of LLEP 2013.

2.7 What are the objectives of the development standard?

The objectives of Clause 4.4 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.”

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

Clause 4.4 establishes a maximum floor space ratio (FSR) of 0.5:1 for the site as illustrated in the extract of the Floor Space Ratio Map included in Figure 1 below.

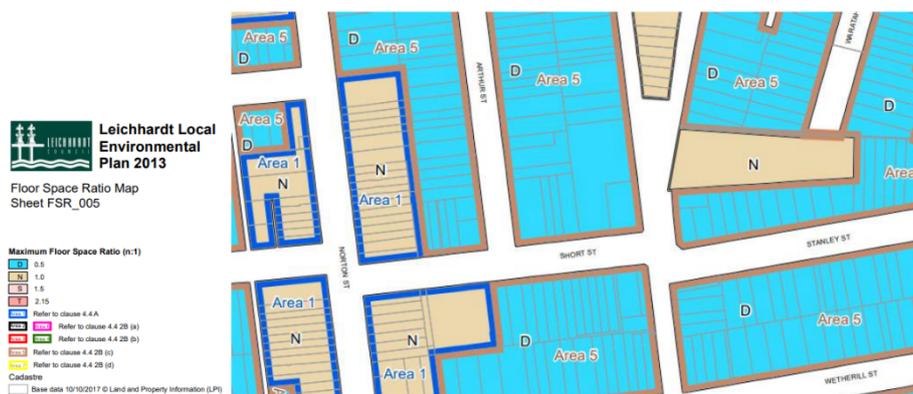


Figure 1: Excerpt from LLEP 2013 Floor Space Ratio Map

2.9 What is the proposed FSR in the development application?

The application proposes a gross floor area (GFA) of 643m², which equates to a FSR of 1.1:1.

2.10 What is the percentage variation (between the proposal and the environmental planning instrument)?

The proposal exceeds the maximum FSR development standard by approximately 120% (349.3m²).

9214_5_Clause 4.6 Statement_FSR_211022

SJB Planning

SJB Planning (NSW) Pty Ltd ACN 112 509 501

Document Set ID: 36814054

Version: 1, Version Date: 13/09/2022

3.0 Assessment of the Proposed Variation

3.1 Overview

Clause 4.6 Exceptions to Development Standards establishes the framework for varying development standards applying under a local environmental plan.

Objectives to Clause 4.6 at 4.6(1) are as follows:

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

Clause 4.6(3)(a) and 4.6(3)(b) require that a consent authority must not grant consent to a development that contravenes a development standard unless a written request has been received from the applicant that seeks to justify the contravention of the standard by demonstrating that:

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

Clause 4.6(4)(a)(i) and (ii) require that development consent must not be granted to a development that contravenes a development standard unless the:

- “(a) the consent authority is satisfied that:*
 - (i) the applicant’s written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.”*

Clause 4.6(4)(b) requires that the concurrence of the Secretary be obtained, and Clause 4.6(5) requires the Secretary in deciding whether to grant concurrence must consider:

- “(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning;*
- (b) the public benefit of maintaining the development standard; and*
- (c) any other matters required to be taken into consideration by the Secretary before granting concurrence.”*

This application has been prepared in accordance with the NSW Department of Planning, Infrastructure and Environment (DPI&E) guideline *Varying Development Standards: A Guide*, August 2001, and has incorporated as relevant principles identified in the following judgements:

- *Winten Property Group Limited v North Sydney Council [2001] NSWLEC 46;*
- *Wehbe v Pittwater Council [2007] NSWLEC 827;*
- *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 1009* (‘Four2Five No 1’);
- *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90* (‘Four2Five No 2’);
- *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 248* (‘Four2Five No 3’);
- *Micaul Holdings Pty Limited v Randwick City Council (2015) NSWLEC 1386;*
- *Randwick City Council v Micaul Holdings Pty Ltd (2016) NSW LEC7;*

92/14_5_Clause 4.6 Statement_FSR_211022

SJB Planning

3 / 6

SJB Planning (NSW) Pty Ltd ACN 112 509 501
 Document Set ID: 36814054
 Version: 1, Version Date: 13/09/2022

- *Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118;*
- *RebelMH Neutral Bay v North Sydney Council [2019] NSWCA 130;*
- *Baron Corporation v The Council of the City of Sydney [2019] NSWLEC 61;*
- *Al Maha Pty Ltd v Huajun Investments Pty Ltd [2018] NSWCA 245; and*
- *Landcorp Australia Pty Ltd v The Council of the City of Sydney [2020] NSWLEC 174.*

3.2 Clause 4.6(3)(a) requires demonstration that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case

3.2.1 Is a development which complies with the standard unreasonable or unnecessary in the circumstances of the case?

The proposal seeks consent for the adaptive reuse of an existing building that is a heritage item of local significance. The proposal seeks to change the use of the existing building with only minor internal alterations to the building and is therefore not able to comply with the nominated FSR control. To comply with the control would require significant alterations to and partial demolition of the heritage building.

The proposal does seek to alter FSR of the existing building.

A development that strictly complies with the FSR standard is therefore unreasonable or unnecessary in this circumstance as the non-compliance is existing and enforcing compliance would result in the destruction of the heritage item.

Furthermore, development that strictly complies with the FSR standard is unnecessary as the proposal is consistent with the objectives of the Floor Space Ratio standard and the objectives of the R1 General Residential zone, as outlined in section 3.4 below, despite the existing building not complying numerically.

3.2.2 Would the underlying objective or purpose be defeated or thwarted if compliance was required?

The underlying purpose of Clause 4.4 of LLEP 2013 is to ensure that development is compatible with the desired future character of the area in relation to building bulk, form and scale.

Requiring compliance with the FSR control in this instance would result in significant alterations to a heritage building which is a key element of the locality and of the form and scale of streetscape. Enforcing compliance with the control would result in the loss of a significant contribution to the historical character of the locality, thwarting the purpose of the control.

3.2.3 Has the development standard been virtually abandoned or destroyed by the Council's own actions in departing from the standard?

Not contested.

3.2.4 Is the zoning of the land unreasonable or inappropriate?

Not contested.

3.3 Clause 4.6(3)(b) requires demonstration that there are sufficient environmental planning grounds to justify contravening the development standard

The proposal relates to the restoration and adaptive reuse of the former Leichhardt Hotel to a boarding house and café. It seeks to retain the existing building with minor internal alterations to facilitate the change of use and is therefore unable to reduce the existing contravention of the FSR standard.

92/14_5_Clause 4.6 Statement_FSR_211022

SJB Planning

4 / 6

The proposal is consistent with the bulk and scale of adjacent development and is a prominent landmark within the locality. The retention and preservation of heritage items is an important objective for planning in Leichardt and is therefore justifies the need to retain the FSR non-compliance.

3.4 Is the proposed development in the public interest because it is consistent with the objectives of the particular standard and the objectives for development in the zone?

3.4.1 Objectives of the Floor Space Ratio standard

The proposal remains consistent with the objectives of the FSR standard outlined in Clause 4.4 despite the non-compliance, as demonstrated below:

- “(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”*

The proposal seeks to provide residential accommodation within the existing heritage listed building. The existing heritage listed building will be retained and is both compatible and an integral part of the desired future character of the area. The bulk, form and scale of development will remain unchanged.

A suitable balance between landscaped areas and built form is provided as all existing landscaped areas will be retained.

- “(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 proposed café will be compatible with the desired future character in terms of bulk, form and scale is it is located within the existing building.

3.4.2 Objectives of the zone

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

- “To provide for the housing needs of the community.”*

The provision of a boarding house will cater to the housing needs of the low income and student population and will support their role and function within the community.

The provision of a café will enhance amenity for residents and members of the local community.

- “To provide for a variety of housing types and densities.”*

The proposal provides boarding house accommodation and increases the variety of housing opportunities available in the Leichardt.

- “To enable other land uses that provide facilities or services to meet the day to day needs of residents.”*

The provision of a café will allow the site to play a greater role in meeting the day to day needs of the community.

- “To improve opportunities to work from home.”*

The proposal will provide on site employment generation and a food and beverage facility that is able to serve food and beverages to those working from home in the area.

92/14_5_Clause 4.6 Statement_FSR_211022

SJB Planning

5 / 6

SJB Planning (NSW) Pty Ltd ACN 112 509 501
Document Set ID: 36814054
Version: 1, Version Date: 13/09/2022

"To provide housing that is compatible with the character, style, orientation and pattern of surrounding buildings, streetscapes, works and landscaped areas."

The proposal seeks to repurpose and revitalise an existing heritage building that is highly 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."

The proposal seeks to revitalise and enhance existing landscaped areas on site.

"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."

The proposal does not involve subdivision.

"To protect and enhance the amenity of existing and future residents and the neighbourhood."

The adaptive reuse of the Leichhardt Hotel as a boarding house and cafe will provide greater housing diversity and supply with high amenity and value for future residents and for the neighbourhood.

3.5 Whether contravention of the development stand raises any matter of significance for the State or regional environmental planning?

Not applicable.

3.6 Is there public benefit in maintaining the development standard?

There is no public benefit achieved in maintaining the development standard in this instance and maintaining the standard would result in the loss of a heritage item.

3.7 Is the objection well founded?

Yes.

4.0 Conclusion

This document demonstrates that there is sufficient justification for the proposed adaptive reuse of the Leichhardt Hotel as a boarding house and café despite the fact that the existing building contravenes the prescribed FSR of 0.5:1. Given that enforcing compliance would involve significant, destructive alterations to the heritage building, and that the proposal does not seek to increase the FSR or make any alterations to the building form in any way and that the proposal is consistent with the objectives of the control, compliance with the development standard is unreasonable or unnecessary in the circumstances of the case.

It is also evident that there are sufficient environmental planning grounds to justify contravening the development standard and that maintaining the development standard would not serve the public interest.

Approval of this request to vary the FSR development standard is therefore requested.

92/14_5_Clause 4.6 Statement_FSR_211022

SJB Planning

6 / 6

SJB Planning (NSW) Pty Ltd ACN 112 509 501
Document Set ID: 36814054
Version: 1, Version Date: 13/09/2022

SJB Planning



Clause 4.6 – Exceptions to Development Standards

Request to Vary Clause 4.3A – Landscaped areas and Site Coverage for residential accommodation in Zone R1 (Clause 4.3A)

Address: 1 Short Street, Leichardt

Proposal: Restoration and adaptive reuse of the former Leichhardt Hotel as a boarding house and café

Date: 22 October 2021

1.0 Introduction

This is a written request to seek an exception to a development standard under Clause 4.6 – Exceptions to Development Standards of Leichardt Local Environmental Plan (LLEP) 2013. The development standard for which the contravention is sought is Clause 4.3A – landscaped areas and site coverage for residential accommodation in Zone R1 under LLEP 2013.

1.1 Overview of the proposal

The proposal seeks consent for the restoration and adaptive reuse of the former Leichardt Hotel as a boarding house and café. The site contains a heritage item of local significance that prevents the proposal from achieving the minimum landscaped area control and exceeds the maximum site coverage control under Clause 4.3A of LLEP 2013. Nevertheless, the proposal will increase the amount of landscaped area provided on the site when compared to the existing development.

2.0 Description of the planning instrument, development standard and proposed variation

2.1 What is the name of the environmental planning instrument that applies to the land?

The Leichardt Local Environmental Plan (LLEP) 2013.

2.2 What is the zoning of the land?

The land is zoned R1 General Residential.

2.3 What are the objectives of the zone?

The objectives of the zone are:

- *“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.*

9214_5_Clause 4.6 Statement_Min_Landscape Area_211022

1 / 9

L2/490 Crown St, Surry Hills planning@sjb.com.au T 61 2 9380 9911
Sydney NSW 2010 sjb.com.au F 61 2 9380 9922

SJB Planning (NSW) Pty Ltd ACN 112 509 501

Document Set ID: 36814054

Version: 1, Version Date: 13/09/2022

- *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."*

2.4 What is the development standard being varied?

The development standard being varied is Clause 4.3A. Landscaped areas for residential accommodation in Zone R1 – specifically Clause 4.3A (3) (a)(ii) and Clause 4.3A (3) (b).

2.5 Is the development standard a performance based control? Give details.

No. The development standards at Clause 4.3A (3) (a)(ii) and Clause 4.3A (3) (b) are numerical controls.

2.6 Under what clause is the development standard listed in the environmental planning instrument?

The development standard is listed under Clause 4.3A (3) of LLEP 2013.

2.7 What are the objectives of the development standard?

The objectives of the development standard are contained in Subclause 4.3A(1)(a)-(e), and are:

- (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."*

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

Clause 4.3A(3) prescribes:

- A minimum landscaped area of 20% of the site area for lots greater than 235m²;
- A maximum site coverage of 60%.

Landscaped area is defined under LLEP 2013 as *"means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area."*

Given the site has an area of 595m², a landscaped area of 117.5m² would be required on the site and built elements must not exceed 352.5m² of site coverage.

The proposal will increase the landscaped area on the site by 275% from 11.1m² (0.02% of the site area) to 30.6m² (0.05% of the site area). This will result in a shortfall of 86.9m², 74% under the control. This

marks an improvement upon the existing conditions of 16%. This is demonstrated in excerpts from the Architectural Drawings Package at Figure 1 and Figure 2.



Figure 1: Excerpt from Existing Ground Floor Plan

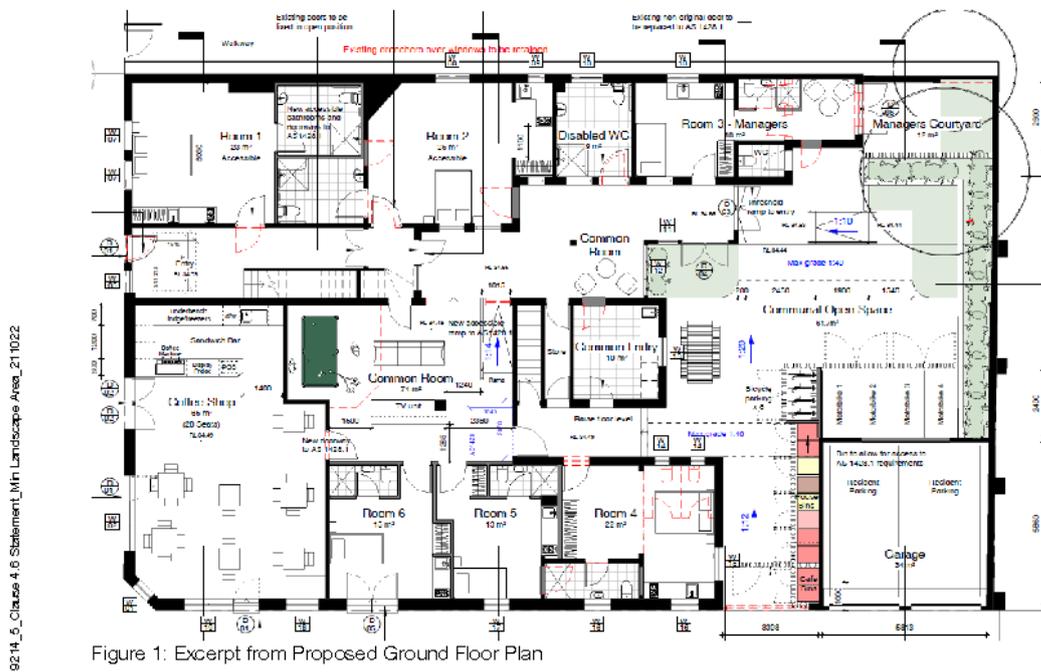


Figure 1: Excerpt from Proposed Ground Floor Plan

The existing buildings have a site coverage of 451.4m² which represent a site coverage of 76.8% and therefore contravene the site coverage by 99m² (28%) .

3.0 Assessment of the Proposed Contravention

3.1 Overview

Clause 4.6 Exceptions to development standards establishes the framework for varying development standards applying under a local environmental plan and reads as follows.

"4.6 Exceptions to development standards

- (1) *The objectives of this clause are as follows:*
 - (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
 - (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*
- (2) *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*
- (3) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
 - (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*
- (4) *Development consent must not be granted for development that contravenes a development standard unless:*
 - (a) *the consent authority is satisfied that:*
 - i. *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
 - ii. *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
 - (b) *the concurrence of the Secretary has been obtained.*
- (5) *In deciding whether to grant concurrence, the Secretary must consider:*
 - (a) *whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
 - (b) *the public benefit of maintaining the development standard, and*
 - (c) *any other matters required to be taken into consideration by the Secretary before granting concurrence."*

This request has been prepared having regard to the authorities on Clause 4.6, contained in the following guideline judgements:

- *Winten Property Group Limited v North Sydney Council [2001] NSWLEC 46;*

9214_5_Clause 4.6 Statement_Min Landscape Area_211022

4 / 9

SJB Planning

SJB Planning (NSW) Pty Ltd ACN 112 509 501

Document Set ID: 36814054

Version: 1, Version Date: 13/09/2022

- *Wehbe v Pittwater Council [2007] NSWLEC 827;*
- *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 1009 ('Four2Five No 1');*
- *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90 ('Four2Five No 2');*
- *Four2Five Pty Ltd v Ashfield Council [2015] NSWCA 248 ('Four2Five No 3');*
- *Micaul Holdings Pty Limited v Randwick City Council [2015] NSWLEC 1386;*
- *Randwick City Council v Micaul Holdings Pty Ltd [2016] NSWLEC 7;*
- *Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118;*
- *RebelMH Neutral Bay v North Sydney Council [2019] NSWCA 130;*
- *Baron Corporation v The Council of the City of Sydney [2019] NSWLEC 61; and*
- *Al Maha Pty Ltd v Huajun Investments Pty Ltd [2018] NSWCA 245.*

3.2 Clause 4.6(3)(a) requires demonstration that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case

A development that strictly complies with Clause 4.3A is unreasonable and unnecessary in this circumstance for the following reasons:

- The proposal is consistent with the relevant objectives of Clause 4.3A and the objectives of the R1 General Residential zone;
- The proposal involves a reduction of an existing non-compliance;
- The proposal provides the maximum practical amount of landscaped area within the limited portion of the site not affected by a heritage listed building; and
- The contravention of the standards facilitates a permissible form of residential accommodation in a manner that achieves amenity outcomes.

3.2.1 Is the proposed development in the public interest because it is consistent with the objectives of the particular standard and the objectives for development in the zone?

3.4.1 Objectives of the Landscaped areas for residential accommodation in Zone R1 standard

The objectives of the standards for residential accommodation in Zone R1 standard are addressed as follows:

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

The landscaped area will be suitable to allow for the establishment of vegetation. The distribution of landscape areas across the site will allow for planting within deep soil zones and increased opportunities for multiple and diverse open space areas for the enjoyment of residents, working within the constraints of the heritage building.

The contravention of the landscaped area and site coverage requirements will not prevent the achievement of this objective.

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

The development has been designed to maximise landscaped corridors within the rear setback within the limitations set by existing built elements. Side and rear setbacks of the existing development will be retained

9214_5_Clause 4.6 Statement_Min Landscape Area_211022

SJB Planning

SJB Planning (NSW) Pty Ltd ACN 112 509 501

Document Set ID: 36814054

Version: 1, Version Date: 13/09/2022

and will continue to be consistent with the character of the streetscape. There is no existing landscaping along the side boundary with Balmain Road.

The contravention of the landscaped area and site coverage requirements will not prevent the achievement of this objective.

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

The proposal will ensure that residential accommodation provided on the site is fitting with the desired future character of the area as it retains the existing bulk, form and scale of development of the site and will restore the Leichardt Hotel to retain its heritage value.

A suitable balance between landscaped areas and built form is provided as all existing landscaped areas will be retained.

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

The proposed development is supported by sufficient landscaped area that will contribute to the protection and enhancement of the hydrological and ecological health of the site and wider catchment area. The proposal increases the amount of landscaped area on the site and reduces the amount of impervious area, therefore meeting this objective.

(e) to control site density,

The proposal, notwithstanding the contravention, will nonetheless be compatible with the density of development in Short Street, Balmain Road and the surrounding area.

The contravention of the landscaped area and site coverage requirements will not prevent the achievement of this objective.

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

The proposal relates to a change of use of an existing heritage building and is therefore unable to limit the building footprint any further than the existing condition. The proposal will increase the amount of landscaped area on the site, which will be accessible from communal areas and is appropriately screened from neighbouring dwellings to ensure privacy.

3.4.2 Objectives of the zone

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

"To provide for the housing needs of the community."

The provision of a boarding house will cater to the housing needs of the low income and student population and will support their role and function within the community.

The provision of a café will enhance amenity for residents and members of the local community.

"To provide for a variety of housing types and densities."

The proposal provides boarding house accommodation and increases the diversity of housing opportunities available in the Leichardt.

SJB Planning

SJB Planning (NSW) Pty Ltd ACN 112 509 501

Document Set ID: 36814054

Version: 1, Version Date: 13/09/2022

"To enable other land uses that provide facilities or services to meet the day to day needs of residents."

The provision of a café will allow the site to play a greater role in meeting the day to day needs of the community.

"To improve opportunities to work from home."

The proposal will provide on site employment generation and a food and beverage facility that is able to serve food and beverages to those working from home in the area.

"To provide housing that is compatible with the character, style, orientation and pattern of surrounding buildings, streetscapes, works and landscaped areas."

The proposal seeks to repurpose and revitalise an existing heritage building that is highly 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."

The proposal seeks to revitalise and enhance existing landscaped areas on site.

"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."

The proposal does not involve subdivision.

"To protect and enhance the amenity of existing and future residents and the neighbourhood."

The adaptive reuse of the Leichhardt Hotel as a boarding house and cafe will provide greater housing diversity and supply with high amenity and value for future residents and for the neighbourhood.

3.2.2 Is the underlying objective or purpose of the standard not relevant to the development?

The clear objective of the development standard is to provide for an appropriate area for landscaping and site coverage to facilitate planting, areas of principle private open space, ecological sustainable development (ESD), as well as promoting a scale and intensity of development that responds to the R1 General Residential zone.

The underlying objective and purpose of the standard is relevant to the proposal and has been addressed in detail above.

3.2.3 Would the underlying objective or purpose be defeated or thwarted if compliance was required?

Not contested.

3.2.4 Has the development standard been virtually abandoned or destroyed by the Council's own actions in departing from the standard?

Not contested.

3.2.5 Is the zoning of the land unreasonable or inappropriate?

Not contested.

9214_5_Clause 4.6 Statement_Min Landscape Area_211022

7 / 9

SJB Planning

SJB Planning (NSW) Pty Ltd ACN 112 509 501

Document Set ID: 36814054

Version: 1, Version Date: 13/09/2022

3.3 *Clause 4.6(3)(B) requires demonstration that there are sufficient environmental planning grounds to justify contravening the development standard*

3.3.1 *Environmental planning grounds*

It is considered that there are sufficient environmental planning grounds to justify contravening the development standard, being:

- The non-compliance with the development standard is an existing element of a heritage site.
- The non-compliance will allow for sympathetic alterations and additions and upgrades to an important heritage item and facilitation of an improved heritage response to the conservation area.
- As the non-compliance with the standard relates to an existing built element, it does not result in a scale of building that is out of character with the surrounding development but rather will allow for development that better responds to the pattern of urban form and context of dwellings along Short Street and Balmain Road.
- The proposal is appropriate to the locality and will provide high levels of amenity for future occupants of the site and adjacent sites.

In the circumstances of the proposal, noting the particular nature of the heritage site, the absence of significant adverse impacts and the compatibility of the development with the locality, warrants a variation to the landscaped area and site coverage development standards.

It is therefore considered that there are sufficient environmental planning grounds to justify the departure of the development standard and compliance with the standard is unreasonable and unnecessary for this specific proposal, as the proposal will comply with the objectives of the standard.

3.3.2 *The Public Interest*

The proposal is in the public interest as it is consistent with the objectives of the landscaped areas for residential accommodation in Zone R1 development standard and the R1 General Residential zone pursuant to LLEP 2013, as discussed in detail above.

In the circumstances of the case, there are sufficient planning grounds, particular to the site, to justify contravening the development standard as the contravening element does not create any additional unreasonable adverse amenity impacts when compared to a building with compliant landscaped area and site coverage.

Given the circumstances of the case, the provision of a strict numerical compliance would be unreasonable on the basis that the proposal relates to the adaptive reuse of an existing heritage listed item and is therefore compatible with the desired future character of the R1 General Residential zone.

3.4 *Matters for the Consent Authority to Consider*

Subclause 4.6(4) sets out matters that the matters that the consent authority must be satisfied, in granting consent to a development that breaches a development standard. These matters are briefly outlined below.

3.4.1 *Has the written request adequately addressed subclause 4.6(3)*

The matters required to be addressed are detailed at Section 3.2 and 3.3. It is considered that the objection is well founded in this instance and that granting an exception to the development can be supported in the circumstances of the case.

9214_5_Clause 4.6 Statement_Min Landscape Area_211022

8 / 9

SJB Planning

SJB Planning (NSW) Pty Ltd ACN 112 509 501

Document Set ID: 36814054

Version: 1, Version Date: 13/09/2022

3.4.2 Is the proposed development in the public interest because it is consistent with the objectives of the particular standard and the objectives for development in the zone

As detailed in Section 3.3.2 above, the proposal is considered to be in the public interest as it is consistent with the objectives of the building height standard and the objectives of the R1 General Residential zone.

3.4.3 Concurrence of the Secretary has been obtained

In granting concurrence, the consent authority is required to consider the following matters.

- “(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning*
- (b) the public benefit of maintaining the development standard, and*
- (c) any other matters required to be taken into consideration by the Secretary before granting concurrence”*

The contravention of the development standard in this case does not raise an issue of State or regional planning significance as it relates to local and contextual conditions.

Generally speaking, there is public benefit in maintaining standards. However, there is also public benefit in maintaining a degree of flexibility in specific circumstances, especially in the circumstances of heritage preservation.

There is no public benefit achieved in maintaining the development standard in this instance and maintaining the standard would result in the loss of a heritage item.

Regarding other matters required to be taken into consideration, it is noted that the concurrence of the Secretary has been assumed.

4.0 Conclusion

This document demonstrates that there is sufficient justification for the proposed adaptive reuse of the Leichardt Hotel as a boarding house and café to contravene the prescribed landscaped area and site coverage controls.

The proposal accords with the stated objectives for the R1 General Residential zone and Clause 4.3A landscaped areas for residential accommodation in Zone R1 development standard. The reduced landscaped area and site coverage do not contribute to significant adverse amenity impacts and does not result in a building that is out of proportion or scale with surrounding existing and anticipated development.

Given that enforcing compliance would involve significant demolition to the heritage building, and that the proposal is consistent with the objectives of the control, compliance with the development standard is unreasonable or unnecessary in the circumstances of the case.

It is also evident that there are sufficient environmental planning grounds to justify contravening the development standard and that maintaining the development standard would not serve the public interest.

It is concluded that the objection is well founded as compliance with the standard is both unnecessary and unreasonable.

Approval of this request to vary the development standard is therefore suggested.

9214_5_Clause 4.6 Statement_Min Landscape Area_211022

9 / 9

SJB Planning

SJB Planning (NSW) Pty Ltd ACN 112 509 501

Document Set ID: 36814054

Version: 1, Version Date: 13/09/2022

Attachment D – Statement of Heritage Significance

Item Details

Name
 Leichhardt Hotel, including interiors
SHR/LEP/S170
 Leichhardt Hotel, including interiors
Address
 1 Short Street LEICHHARDT NSW 2040
Local Govt Area
 Inner West
Local Aboriginal Land Council
 Unknown

Item Type
 Built
Group/Collection
 Commercial
Category
 Hotel

All Addresses

Addresses

Street No	Street Name	Suburb/Town/Postcode	Local Govt. Area	LALC	Parish	County	Electorate	Address Type
1	Short Street	LEICHHARDT/NSW/2040	Inner West					Primary Address
1	Short Street	LEICHHARDT/NSW/2040	Inner West	Unknown			Unknown	Primary Address

Records Retrieved: 2

Significance

Statement Of Significance

No.1 Short Street is of local historic and aesthetic significance as a good and highly intact representative example of an Inter-war period former corner hotel constructed in 1923. The building retains its original form, scale, character and details including face brick and rendered main facades and decorative details, hipped and roof form and chimneys, parapets and associated rendered mouldings, corner tower and roof balcony, suspended awning, ground floor corner splay, recessed and open balconies and associated decorative elements, pattern of openings including hotel doors, steps and basement opening. The building occupies a prominent corner site and has landmark qualities and makes a positive contribution to the Short Street and Balmain Road streetscapes.

Note: This inventory sheet is not intended to be a definitive study of the heritage item, therefore information may not be accurate and complete. The information should be regarded as a general guide. Further research is always recommended as part of the preparation of development proposals for heritage items.

Criteria a)

Historical Significance

The site and building are of historic significance as part of an early subdivision and Inter-war period of development of the local area probably constructed in 1923. The various changes and change of use reflects the growth and development and shift in the local area.

Criteria c)

Aesthetic/Technical Significance

The building is of local aesthetic significance as a good and highly intact example of an Inter-war period former corner hotel that retains its original form, scale, character and details including face brick and rendered main facades and decorative details, hipped and roof form and chimneys, parapets and associated rendered mouldings, corner tower and roof balcony, suspended awning, ground floor corner splay, recessed and open balconies and associated decorative elements, pattern of openings including hotel doors, steps and basement opening. The building occupies a prominent corner site and has landmark qualities and makes a positive contribution to the Short Street and Balmain Road streetscapes.

Criteria d)

Social/Cultural Significance

The building may be of some social significance as a former hotel shop and through its more recent retail and commercial uses.

Criteria g)

Representative

The building is a good and intact representative example of an Inter-war period former corner hotel.

Integrity/Intactness

High

Owners

Organisation	Stakeholder Category	Records Retrieved: 0
	No Results Found	Date Ownership Updated

Description

Designer

Builder/Maker

Physical Description

Two storey plus basement rendered and face brick former corner hotel with hipped roof clad in terracotta tiles and brick chimneys with rendered capping and terracotta pots. The building is constructed to the street frontages with stepped parapets with rendered capping and dentilled detail located over the two end bays of the Short Street and Balmain Road facades and bracketed eave between. The corner has a prominent tower with the same stepped parapet and open balcony at roof level with hipped roof clad in terracotta tiles over. The parapets also have rendered panels with "Leichhardt Hotel" in relief lettering. A steel framed suspended awning with corrugated steel roof curves around the corner of the building between ground and first floor levels. The awning does not extend the full length of the street facades. The ground floor has a splay at the corner and is mostly rendered with timber framed windows and doors with rendered architraves and mouldings. Several steps with mosaic tile finish extend up to the door openings on the Balmain Road frontage which also has an opening to the basement level. The first floor façade has timber framed double hung windows with brick and rendered sill and flat brick arches over. The upper façade also has rendered bands and heavy rendered details and mouldings around the windows and recessed balcony on the Short Street façade. The building is U-shaped in footprint with wings extending along the Balmain Road frontage and western boundary enclosing a central courtyard. The western wing also has a timber framed balcony with timber posts and brackets and simple timber balustrade. A garage and three roller doors are located at the northern end of the Balmain Road frontage. A number of large trees and plantings and dense vine are located in the northern section of the site and growing over the rear garage and wall. A high timber paling fence extends along the western site boundary.

Updated

Physical Condition

In very good condition. The painted finish on the western façade is cracked and peeling. Some patching and repairs to the ground floor render finish and minor graffiti is evident. The tiles to the steps on the Balmain Road frontage have been damaged.

Updated

Modifications And Dates

- 1995: Resubdivision to create 7 residential lots to Shorts Street and Balmain Road frontages (DA/332/1995).
- 1997: Alignment of boundary to existing Lot A with existing hotel wall Lot A creation of easement for over-hang and light. No new lots (DA/85/1997).

Further Comments

The western façade has been painted at some stage. Air conditioning units have been added over the awning along the Balmain Road frontage. Steel grilles have been added to some of the ground floor openings. The site is bounded to the west and north by a modern residential development. The ground floor retail premises is currently vacant.

Commercial and residential

Former Use
Corner Hotel

Listings

Listings			Records Retrieved: 1		
Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
Local Environmental Plan	Leichhardt Local Environmental Plan 2013	1688	12/23/2013 12:00:00 AM		

Procedures/Exemptions

Procedures/Exemptions				Records Retrieved: 0	
Section of Act	Description	Title	Comments	Action Date	Outcome
			No Results Found		

History

Historical Notes or Provenance

Updated

Leichhardt was originally made up of 11 land grants of various sizes from 16 to 270 acres per grant, handed out between 1794 and 1821. The two largest estates were given to brothers Hugh and John Piper, both Captains in the NSW Corps, in 1811. John named his estate "Piperston" whilst Hugh acknowledged his good fortune by naming his "Macquarie Gift". Ownership of several of the large land holdings changed during the fluctuating economic conditions of the 1830s. However, by 1844 fourteen substantial buildings had been constructed on the Leichhardt estates.

The repayment of debts caused John Piper to sell part of his estate to James Foster. This estate was known as the "Elswick Estate". Foster began work on Elwick House in 1832, but due to financial difficulties sold the house and estate to his employer James Norton in 1834. Norton owned a successful legal practice in Sydney and was one of the colony's early politicians. The Elswick Estate embodied the perfect gentleman's semi rural estate with a number of buildings including coach house, convict barracks, kitchen, servants quarters and stables surrounding the main two storey stone house. Norton lived in Elswick House until his death in 1862. Norton Street was named after him and Marion Street is named after his second wife.

James Norton's Elswick Estate covered the whole of the area bounded by Parramatta Road, Balmain and Derbyshire Roads and William Street and a line west of Elswick Street. The estate was subdivided into five large acreage blocks in 1867 and created Norton, Allen, Marion and Elswick Streets and established the pattern of modern Leichhardt. The subject site is part of Lot 7 of Section 3 of the 1867 subdivision. Further subdivision followed. A radically amended subdivision plan of Elswick was prepared between 1868 and 1874. Two large allotments were formed. The 53 acre parcel became the Excelsior Estate and the 42 acre allotment became the Whaleyborough. There were also 16 smaller allotments ranging from 1 to almost 12 acres. The subject site was part of an allotment purchased by William Carrs in 1868 and subsequently purchased by John Wetherill (who also purchased Elswick House) in 1875. He subdivided the land into four sections and introduced two new streets (Arthur and Wetherill Streets) and extended Allen Street. The Leichhardt Hotel was constructed on the corner of Short Street and Balmain Road in 1888. A Sydney Water plan (Leichhardt Sheet 41) dating from the late 1880s shows the building addressing Short Street with detached structure also shown on the northern site boundary. The Victorian Filigree style building was demolished and new inter-war style building, which remains today, was constructed in 1923.

Since that time some changes and alterations have been undertaken to the building. The Hotel no longer operates and building has been converted for retail and commercial use on the ground floor.

Historic Themes

Records Retrieved: 8

National Theme	State Theme	Local Theme
8. Culture	Leisure	Unknown
4. Settlement	Towns, suburbs and villages	Unknown
4. Settlement	Accommodation	Unknown
3. Economy	Commerce	Unknown
Developing cultural institutions and ways of life	Pastoralism	Unknown
Building settlements, towns and cities	Welfare	Unknown
Building settlements, towns and cities	Agriculture	Unknown
Developing local, regional and national economies	Convict	Unknown

Recommended Management

Management Summary
 Document Set ID: 36814053
 Version: 1, Version Date: 13/09/2022

It is recommended that:

- the overall two storey form, scale, character and details including face brick and rendered main facades and decorative rendered mouldings and details, hipped and roof form and chimneys, parapets and associated rendered mouldings, corner tower and roof balcony, suspended awning, ground floor corner splay, recessed and open balconies and associated decorative elements, pattern of openings including hotel doors, steps and basement opening be retained and conserved;
- the recessed verandah overlooking Short street, roof balcony and balconies overlooking the rear yard should remain open;
- the corner tower, balcony, roof should remain prominent and rendered panels with "Leichhardt Hotel" should be retained and conserved;
- the face brick on the street facing facades should remain unpainted whilst elements that have previously been rendered such as render, decorative mouldings and trims, timber and metal work should continue to be painted in appropriate colours;
- any further alterations and additions should be restricted to the rear of the building and site and should not detract from the existing character and scale of the street facing facades and corner presentation of the building.

Management

Management Category	Management Name	Date Updated
No Results Found		

Records Retrieved: 0

Report/Study

Heritage Studies

Report/Study Name	Report/Study Code	Report/Study Type	Report/Study Year	Organisation	Author
Leichhardt Municipality Heritage Study			1990		McDonald McPhee P/L
Leichhardt Municipality Heritage Study			1990		McDonald McPhee P/L
Leichhardt Municipality Heritage Study			1990		McDonald McPhee Pty Ltd (Craig Burton, Wendy Thorp)
Leichhardt Municipality Heritage Study			1990		McDonald McPhee Pty Ltd (Craig Burton, Wendy Thorp)
Leichhardt Municipality Heritage Study			1990		McDonald McPhee Pty Ltd (Craig Burton, Wendy Thorp)
Leichhardt Municipality Heritage Study			1990		McDonald McPhee Pty Ltd (Craig Burton, Wendy Thorp)

Records Retrieved: 6

Document Set ID: 36814053
Version: 1, Version Date: 13/09/2022

Reference & Internet Links

References

Type	Author	Year	Title	Link
Written	Max Solling and Peter Reynolds	1997	Leichhardt: On the Margins of the City	
Written	Max Solling and Peter Reynolds	1997	Leichhardt: On the Margins of the City	

Records Retrieved: 2

Data Source

The information for this entry comes from the following source:

Data Source Local Government
Record Owner Inner West Council
Heritage Item ID 1940719

Every effort has been made to ensure that information contained in the State Heritage Inventory is correct. If you find any errors or omissions please send your comments to heritagemailbox@environment.nsw.gov.au

All information and pictures on this page are the copyright of the Heritage Division or respective copyright owners.

Attachment E – Schedule of Conservation Works



SCHEDULE OF CONSERVATION WORKS

Former Leichhardt Hotel, 1 Short Street, Leichhardt



AUGUST 2021

NBR&PARTNERS PTY LTD
Level 3, 4 Glen Street,
Milsions Point NSW 2061 Australia
nbrsarchitecture.com

ABN 16 002 247 565
Sydney: +61 2 9922 2344
Melbourne: +61 3 8676 0427
architects@nbrsarchitecture.com

DIRECTORS
Geoffrey Deane NSW reg. 3766, Rodney Drayton NSW reg. 8632,
Andrew Duffin NSW reg. 5602, Garry Hoddinett NSW reg. 5286,
Andrew Leuchars LA reg. 035, James Ward

ASSOCIATE DIRECTORS
Trevor Eveleigh, Brett Sherson, Robert Staas, Andrew Tripot, Jonathan West
SENIOR ASSOCIATES John Baker, Barry Flack, **ASSOCIATES** Derek Mah,
Hung-Ying Foong Gill, Sophie Orrock, Samantha Polkinghorne,

Document Set ID: 36827389
Version: 1, Version Date: 15/09/2022

NBRS & PARTNERS Pty Ltd
Level 3, 4 Glen Street
Milsons Point
NSW 2061 Australia

Telephone +61 2 9922 2344 - Facsimile +61 2 9922 1308

ABN: 16 002 247 565

Nominated Architects
Geoffrey Deane: Reg No. 3766; Andrew Duffin: Reg No. 5602; Garry Hoddinett: Reg No 5286

This report has been prepared under the guidance of the Expert Witness Code of Conduct in the Uniform Civil Procedure Rules and the provisions relating to expert evidence

This document remains the property of NBRS & PARTNERS Pty Ltd.
The document may only be used for the purposes for which it was produced.
Unauthorised use of the document in any form whatsoever is prohibited.

ISSUED	REVIEW	ISSUED BY
9 August 2021	Draft	Sophie Bock
14 March 2022	Final	Sophie Bock

Document Set ID: 36827389
Version: 1, Version Date: 15/09/2022

CONTENTS

1.0 INTRODUCTION 1

 1.1 The Site..... 1

 1.2 Definitions..... 2

 1.3 Limitations..... 2

 1.4 Reports By Others 2

 1.5 Copyright..... 2

2.0 CONSERVATION PRINCIPLES AND APPROACH..... 3

 2.1 Guiding Principles..... 3

 2.2 Retention of Fabric..... 3

 2.3 Investigations and Maintenance 4

 2.4 Recording..... 4

 2.5 Non-Abrasive Methods..... 4

 2.6 Protective Works 4

 2.7 Scaffolding..... 4

 2.8 Water Entry..... 4

 2.9 White Ants..... 5

 2.10 Existing Services..... 5

 2.11 Finishes 5

 2.12 Making Good 5

 2.13 Suitably Qualified Contractors 5

 2.14 Archaeology..... 5

 2.15 Salvaged Materials..... 6

3.0 CONSERVATION METHODOLOGIES..... 7

 3.1 Brickwork 7

 3.2 Timber 8

 3.3 Metalwork..... 8

4.0 BUILDING CONDITION 8

 4.1 Description..... 8

 4.2 Overview of Condition..... 9

 4.3 Photographs..... 9

5.0 SCHEDULES OF CONSERVATION WORKS..... 17

Schedule of Conservation Works, 1 Short Street, Leichhardt
P:\181\18162\05_DOC\02_REPORTS\18162_SCW.docx

Document Set ID: 36827389
Version: 1, Version Date: 15/09/2022

1.0 INTRODUCTION

This schedule of conservation works has been prepared for the owners of the former Leichhardt Hotel at 1 Short, Street, Leichhardt, following advice from Inner West Council in relation to the future adaptive re-use of the building.

The subject site is listed as an item of local heritage significance on Schedule 5 of the *Leichhardt Local Environmental Plan (LEP) 2013* as 'Leichhardt Hotel including interiors', item no. 688. It is also located within the Wetherill Estate Heritage Conservation Area, identified as C14 on Schedule 5 of the *Leichhardt LEP 2013*.

As such, the property is subject to the heritage provisions of the *Leichhardt LEP 2013* and the *Leichhardt Development Control Plan (DCP) 2013* under the *Environmental Planning and Assessment Act 1979*.

1.1 THE SITE

The site is located on the north-west corner of Balmain Road and Short Street, in Leichhardt, NSW. It is identified as Lot 71 of DP869413 by the NSW Land and Property Information (LPI).

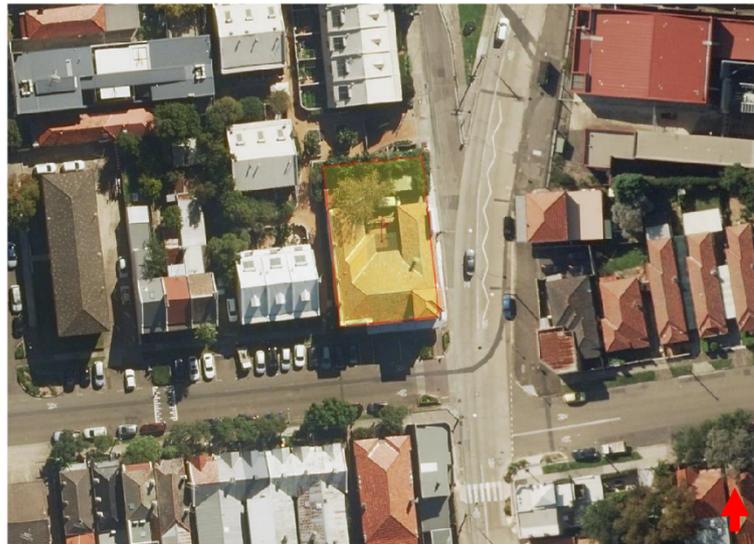


Figure 1: Aerial map with the subject site circled red. Source: NSW LPI, SIX Maps, maps.six.nsw.gov.au

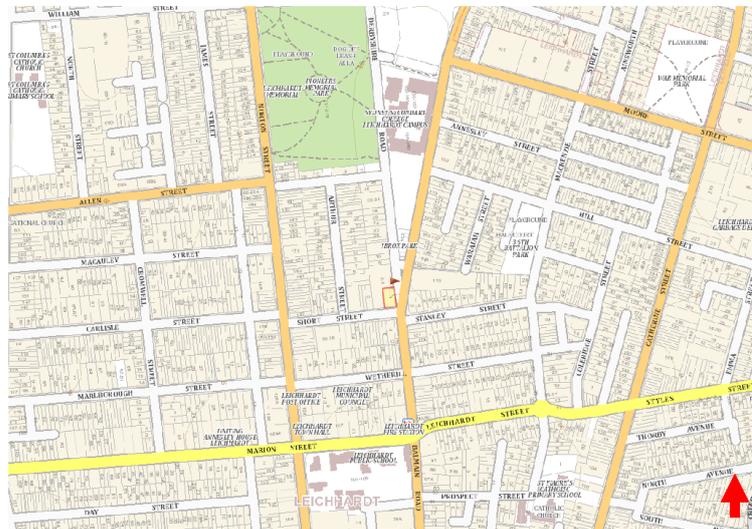


Figure 2: Street map with the subject site circled red. Source: NSW LPI, SIX Maps, maps.six.nsw.gov.au.

1.2 DEFINITIONS

The terms *fabric*, *place*, *preservation*, *reconstruction*, *restoration*, *adaptation* and *conservation* used throughout this report have the meaning given them in *Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (Burra Charter) 2013*.

1.3 LIMITATIONS

Inspections were limited to visual observations from ground level. Our inspection did not include physical intervention or removal of fabric.

1.4 REPORTS BY OTHERS

A previous report on the subject site, ‘Conservation Management Strategy & Statement of Heritage Impacts’, was prepared by Colin Israel in December 2017 as part of a pre-DA meeting with Inner West Council. The report comprised an Investigation and Assessment, a Conservation Policy and Management section, and a Heritage Impact Statement, in draft form. This report has drawn on information from the previous report, which is referenced where relevant.

1.5 COPYRIGHT

Copyright of this report remains with the author, **NBR**SARCHITECTURE. Unless otherwise noted, all images are by the author.

Schedule of Conservation Works, 1 Short Street, Leichhardt
P:\18\18162\05_DOC\02_REPORTS\18162_SCW.docx

2.0 CONSERVATION PRINCIPLES AND APPROACH

The following discussion describes general methodologies which are to be applied when carrying out conservation works to the subject site.

2.1 GUIDING PRINCIPLES

All works are to be guided by best practice heritage and the principles contained in the *Australia ICOMOS Burra Charter, 2013*.

The principal objective of the works is to halt the process of deterioration and stabilise the condition of the building fabric, and the following practices should be applied to works:

- Retention of as much existing material as possible; repairing and consolidating rather than reconstruction;
- The use of reversible processes wherever possible;
- The use of traditional materials and techniques. New work should be distinguishable to the trained eye, on close inspection, from the old; and
- The item should be recorded before, during and after the work.

2.2 RETENTION OF FABRIC

Conservation works should aim to retain as much heritage fabric as possible. Heritage fabric should be identified in a Heritage Assessment, Statement of Heritage Impact, Conservation Management Plan or other heritage related documentation on the building. 'Conservation Management Strategy & Statement of Heritage Impacts', was prepared by Colin Israel in December 2017 and should be used as a reference document for those carrying out works on the site. Where the level of heritage significance of any building element is required to be identified during the works, a heritage specialist familiar with the building should be consulted.

Preference should be given to the retention and repair of heritage fabric over the complete replacement of a building element. For example, where timber joinery is damaged, new timber should be scarfed into the existing, in preference to full replacement of the element.

The conservation works should be based on a respect for the existing historic fabric. Generally, fabric of high significance should be retained in situ and treated with great care to avoid any damage or loss of fabric. Fabric of medium significance should preferably be retained in situ but more flexibility in terms of its treatment may be appropriate. Fabric of low significance may be removed if necessary. Intrusive fabric should preferably be removed.

Where replacement of deteriorated fabric of high significance is necessary, new fabric should closely match the original fabric, using traditional or similar construction techniques. Deteriorated fabric of medium significance should be replaced with closely resembling or sympathetic replacements. Repair of significant fabric is preferable to replacement.

Traditional techniques and materials are preferred for the conservation of significant fabric. In some circumstances modern techniques and materials which offer substantial conservation benefits may be appropriate. The use of modern materials and techniques must be supported by firm scientific evidence or by a body of experience.

Defects that are purely visual or are the result of ageing, and that do not affect the performance or safety/life of the fabric should not be the reason for removal or repair of fabric. These contribute to the patina of the fabric and should be maintained. The effects of age and weathering such as surface blemishes, patina, crooked lines, warps, etc. often lend a unique aesthetic quality and thus contribute to the significance of the fabric.

2.3 INVESTIGATIONS AND MAINTENANCE

Where possible during the works, the cause of any deterioration to heritage fabric, for example through corrosion or rotting, should be identified and rectified. It is preferable to eliminate the root causes of damage rather than addressing maintenance issues on a short-term basis. Common examples of this include damage to materials due to chronic water ingress. In these cases, ongoing causes of damage should be addressed as a priority, prior to the commencement of any new works or less urgent conservation works.

Following the completion of conservation works, a long-term maintenance strategy for the building should be implemented.

2.4 RECORDING

If heritage fabric is required to be removed during the works, it should be accurately recorded by way of measured drawings and photographs, tagged and stored safely on site, and reinstated in its original location and configuration when works are completed. Particular care should be taken to accurately record architectural details such as cornices, skirtings, mouldings, architraves etc, both internally and externally.

If low significant fabric is to be removed for practical reasons, it should be disposed of to a heritage building materials recycler if capable of being practically reused.

2.5 NON-ABRASIVE METHODS

Care should be taken not to damage the surface, texture or colour of heritage fabric through physical contact or the use of abrasive methods or materials. Where cleaning of heritage fabric, such as original masonry, is required, this should be carried out carefully using water and a soft bristle nylon brush. High pressure water cleaners should not be used on stonework or brickwork. Similarly, where paint or other finishes are required to be removed sandblasting or other high-pressure methods should not be used. Only non-abrasive methods are acceptable.

2.6 PROTECTIVE WORKS

Where work is being undertaken to heritage fabric or fabric which is adjacent to heritage fabric, care should be taken to prevent damage. Heritage fabric which is at risk of damage as a result of the works should be secured and protected prior to the commencement of works.

Generally protect property that is to remain on or adjacent to the site from interference or damage. Make good any such damage to match existing.

Protect fireplace hearths

When repairing floor structure adjacent to masonry hearths care shall be taken not to dislodge fireplace hearths.

2.7 SCAFFOLDING

Scaffolding, ladders and working platforms required for the execution of this work should not be attached to the building.

2.8 WATER ENTRY

Ensure that the existing structure is at all times maintained in a waterproof condition during the carrying out of the works. The Contractor shall accept the responsibility for any damage resulting from the failure to prevent water entry and reinstate damaged building fabric and contents at no variation to the contract sum.

2.9 WHITE ANTS

The property is to be inspected for pest infestation and treated prior to works being undertaken.

During all demolition and opening up, a close watch is to be kept for white ant damage. If live activity is found, the area concerned is to be immediately covered again to prevent the ants from vacating the area and the pest control company (to be selected) is to be immediately informed. The infested area is not to be disturbed until clearance is given by the pest control company.

2.10 EXISTING SERVICES

Deal with existing services (such as drains, watercourses, public utility and other services) encountered, obstructed, or damaged in the course of performing the work under the Contract, as follows:

- If the service is to be continued: Repair, divert, relocate as required; or
- If the service is to be abandoned: Cut and seal or disconnect and make safe.

Surface mounted conduits and services to be rationalised, and relocated, in consultation with architect.

2.11 FINISHES

In general, new finishes to heritage fabric should match either the existing finish or the original finish, should evidence of the original be available. Where surfaces have been painted which were not originally intended to be so, efforts should be made to remove paint, using an appropriate method, and restore the surface to its original appearance.

It is not generally acceptable to paint surfaces which are not currently painted, or which were not originally intended to be painted.

2.12 MAKING GOOD

Following works to heritage fabric, for example repair works or removal of fixings and services, heritage fabric should be made good with an appropriate material to accurately match the original fabric in terms of colour, hardness and surface texture.

2.13 SUITABLY QUALIFIED CONTRACTORS

Contractors, sub-contractors and supervisory staff should be appropriately qualified in their relevant fields and have knowledge and experience of sound conservation practices.

An experienced heritage consultant is to be appointed to advise on heritage aspects of the project and to make periodic site visits during construction.

Contractors involved in the works are to make workmen and sub-contractors aware that this building is old and fragile. Care is to be exercised throughout the contract to subject the fabric to as little shock as possible. All demolitions are to be carried out within this context.

2.14 ARCHAEOLOGY

Because of the historic nature of the site, all earthworks shall be considered potentially productive archaeologically. All antiquities such as coins, pottery, hardware, bottles, bones and the like that are found during the works shall remain the property of the Proprietor and shall be handed over at the time they are found, and be labelled with the position they are found.

In the event archaeological relics are uncovered during works at the place, the *Heritage Act 1977* provides automatic statutory protection for "relics", preventing the excavation or disturbance of land for the purposes of discovering, exposing, or moving a relic not subject to a conservation instrument, except in accordance with an excavation permit.

The term "relic" is defined under the Act as:

"...any deposit, object or material evidence that:

- a) *relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement; and*
- b) *is of State or local heritage significance."*

Legislative management and protection of Aboriginal objects and places comes under the *National Parks and Wildlife Act 1974* (NPW Act). It is an offence under that Act to disturb or otherwise alter Aboriginal archaeological items without the express permission of the Director General of the NSW National Parks and Wildlife Service (NPWS).

The protection accorded to Aboriginal objects and places applies, irrespective of the level of their significance or issues of land tenure. Any future development of the site should be undertaken with due consideration of requirements.

2.15 SALVAGED MATERIALS

Salvaged materials identified for reuse or retention by the owner, are to be photographed prior to removal, labelled, protected and stored in a nominated secure place on site for reuse or reinstatement.

Every effort must be made to use and reuse materials that are original to the structure. When removed from their original location, these materials must be stored under cover inside the building where they cannot be damaged or lost.

When pieces are to be removed, mark pieces inconspicuously in a consistent manner as to their original location. Document original position and label accordingly.

Protect materials from deterioration by moisture and temperature.

3.0 CONSERVATION METHODOLOGIES

This Section provides an explanation of the Conservation Methodologies referred to in the Schedules below, organised by material. Where Schedules call for the repair, replacement, removal or salvaging of materials, the methodology for these works should be in accordance in with this Section.

Conservation and maintenance works which relate generally to the subject site are described in this section and should be carried out in accordance with the Conservation Principles in the section above, and in association with the works scheduled in this report.

3.1 BRICKWORK

3.1.1 INVESTIGATE

Note: all investigations are to be carried out by a specialist contractor experienced in conservation of brickwork. All recommendations are to be reviewed and future actions agreed with the Heritage Consultant.

3.1.2 MATERIALS AND MORTAR

Ensure that the mortar for repair works is the same strength or weaker than the existing.

3.1.3 JOINTS AND POINTING

On no account is any joint to be widened to admit pointing. The repointing is intended purely as filling to prevent the permeation of water between units into the walling behind. Stronger mortar may be used only as directed in very exposed positions. Do not allow mortar to spread over the face of bricks. Following pointing joints are to be kept damp for min. 14 days to prevent premature drying out and consequent cracking and loosening of mortar.

RE-POINTING: Clean out joints to a minimum of 25 mm using hand, not power tools. Note: Do not use angle grinders for cutting back joints.

- Tamp or hand grout empty joints with mortar to a depth of 25 mm from the face of the masonry.
- Clean the prepared face using a bristle brush flush the joint out thoroughly with clean water, taking care to avoid saturation.
- Remove all dust and loose material working from the top to the bottom of the wall
- Lightly wet the joints and point neatly in the appropriate mortar mix (refer to Section 3.5.5).
- Brush over lightly with a stiff bristle brush or dab with a piece of coarse sacking after the initial set has taken to leave a slightly textured finish.

3.1.4 BRICK REPAIRS

REPLACE: Where scheduled "replace", remove entire area or element nominated and build new work matching exactly adjacent original work.

MAKE GOOD OR REPAIR: Where scheduled "make good" or "repair" existing brickwork, remove all decayed or faulty bricks from the area or element nominated and build in salvaged bricks of same size and jointing pattern as original. Rake out or remove remainder of loose or faulty mortar from joints and repoint.

3.1.5 BRICK TIES

Ensure that the inner and outer skins of brickwork are properly bonded together; carry out remedial work as necessary using a suitable method of non-ferrous ties. Agree method with Architect prior to commencing work.

3.2 TIMBER**3.2.1 INVESTIGATE**

- All timber door and window components, including, but not limited to, hinges, timber joins, bottom and top faces of door leafs and glazing, are to be inspected internally and externally by a timber window conservator who is to provide recommendations for cleaning, repair and replacement works. Including identifying which elements require scarfed repairs or full component replacement.

3.2.2 METHODOLOGY

- Check all parts of doors and windows to ensure correct operation and sound fixing, including hardware.
- All repairs and reconstructed timber elements are to match the original in timber type, hardness, profile and finish.
- Where less than 40% of a timber element is damaged, new timber is to be scarfed in rather than a whole length replaced. It is preferable to retain as much of the existing fabric where possible.
- All timber doors and windows to be rendered fully functional, with works to include timber replacement, repair and rendering all hardware fully functional.
- All windows and doors how to be protected to prevent water entering during the initial wash down phase. Materials used must not leave residues once removed.

3.2.3 FINISHING

- Allow to sand back external timber elements for repainting in an approved colour in a high quality exterior grade paint system.

3.3 METALWORK

Note: conservation works associated with the rainwater goods set out in this document only involve refixing and cleaning. The responsibility of ensuring the watertightness and correct operation of the stormwater system lies with others.

3.4.1 FINISHING

- Metal elements are not to be returned to a bright finish, the existing patina is to be retained and protected. Where the metal surface requires taking back to a bright finish to carry out repair works the area to be worked is to be kept to a minimum.
- Any new components are to match the existing in terms of materiality, fixing method and profile.
- No unpainted metal elements are to be painted.

4.0 BUILDING CONDITION**4.1 DESCRIPTION**

The hotel building is of brick construction with a hipped tiled roof projecting around its four gables, and includes a later first floor terrace at the rear. It is designed in the Federation Free Style, characterised by the design of the first floor externally, elements of which include the contrasting colour and materiality of the brickwork and rendered detailing, the decorative

scrolled brackets on each of the corner windows, and rectilinear parapet gables bearing prominent dentilated cornices.

The original building appears to have been designed around a rear courtyard whereby the hallway on both floors ran in a U-shape between the courtyard and the main rooms, which generally consisted of bar areas and kitchen facilities on the ground floor and hotel bedrooms upstairs. This configuration is still evident, although a first floor outdoor terrace is likely to have been a later addition and the ground floor external space has been partially enclosed by a later addition to the east of the former kitchen and bathrooms.

4.2 OVERVIEW OF CONDITION

The building has been vacant for several years and is generally in poor condition.

A site inspection was carried out by Sophie Bock of NBRSARCHITECTURE in July 2021 to identify the required conservation works. This inspection was undertaken without the removal of any fabric. Based on visual evidence, the main condition issues currently affecting the building include:

- Deterioration of exterior paintwork, including paint on eastern façade and paint to joinery;
- Damage and deterioration to external rendered elements including original decorative elements such as corbels, balustrades and cornices;
- Water damage evident internally through flaking of paint, bubbling of plaster surfaces, staining to walls and ceilings and deterioration of ceiling fabric;
- Missing and damaged fabric internally including missing floorboards and sections of ceiling, damaged slate;
- Subsidence of floorboards internally on both ground and first floors;
- Scratched and chipped surfaces to timber joinery including missing sections of paint;
- Poor condition of carpet throughout including substantial mould from water damage;
- Substantial cracks and other surface damage to terrazzo on the ground floor.

4.3 PHOTOGRAPHS

Unless otherwise noted, the following photographs of 1 Short Street, Leichhardt, were taken by Sophie Bock, of NBRSARCHITECTURE, during an inspection of the site in July 2021.



Figure 3: View of 1 Short Street from Short Street, facing north.

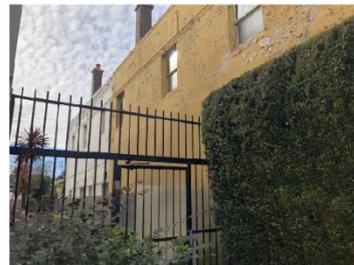


Figure 4: View of the eastern boundary wall showing paint flaking.



Figure 5: View of the site from Balmain Road, facing south.



Figure 6: The eastern façade of the building, fronting Balmain Road.



Figure 7: The southern façade of the building, fronting Short Street.



Figure 8: The exterior finishes.



Figure 9: View of the Short Street façade on the ground floor, showing the awning above.



Figure 10: The central door opening on the Short Street façade.



Figure 11: The rear yard, facing south.



Figure 12: View of the rear of the building showing the later enclosure, facing south-west.



Figure 13: The rear yard, facing south-east.



Figure 14: View of the covered alcove at the rear of the building, facing south.



Figure 15: The rear yard, facing south-east.



Figure 16: View of the laundry extension and first floor verandah.



Figure 17: The main entrance on the ground floor, facing north.



Figure 18: The main entrance on the ground floor, facing south.



Figure 19: The front (south-western) room on the ground floor, facing north.



Figure 20: Later kitchen in an alcove off the second room from the front on the western side of the building, ground floor.



Figure 21: The second room from the front on the western side of the building, facing south-east, ground floor.



Figure 22: The central room on the eastern side of the building, ground floor, facing south-west towards the stage.



Figure 23: Ground floor room showing deterioration of paint, damage to carpet over terrazzo.



Figure 24: Missing section of plasterboard ceiling in rear room on ground floor.



Figure 25: Rear room on the ground floor, showing formerly external walls, facing north.



Figure 26: Damaged slate threshold.



Figure 27: Formerly an external wall on the ground floor, now enclosed.



Figure 28: Ground floor bathroom on eastern side.



Figure 29: Stair landing.



Figure 30: Ceiling to stair landing showing flaking paint.



Figure 31: Front (south-western) room on the first floor, facing north-west.



Figure 32: First floor room showing facebrick and plaster wall finishes.



Figure 33: Front (southern) room on the first floor, facing east.



Figure 34: Front (southern) room on the first floor, facing west.



Figure 35: Bathroom on the first floor, located to the east of the stairs, facing north.



Figure 36: Bathroom at the rear (northern end) of the first floor, facing north.



Figure 37: Room next to first floor bathroom, facing north, showing severe water damage.



Figure 38: Room next to first floor bathroom, facing north, showing severe water damage to wall and ceiling.



Figure 39: First floor bathroom showing tessellated tiles, skirting and walls, in poor condition.



Figure 40: Eastern hallway on first floor showing poor condition of carpet.



Figure 41: Poor condition of walls in first floor bathroom.



Figure 42: Typical room on eastern side of building, first floor.



Figure 43: Bedroom on the eastern side of the first floor, facing north.

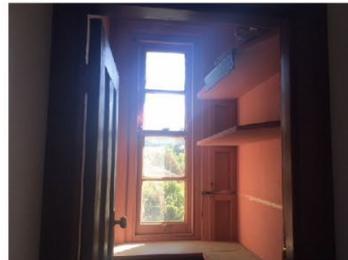


Figure 44: Store room at the end of the eastern corridor on the first floor, facing north.



Figure 45: Outdoor terrace on the first floor, facing southwest.



Figure 46: Outdoor terrace on the first floor, facing northwest.

5.0 SCHEDULES OF CONSERVATION WORKS

The following schedules of repairs and conservation works should be read with reference to the plans below, which describe codes for each internal space. 'GF' refers to ground floor; 'FF' refers to first floor.

The following plans of the building have been sourced from the 'Conservation Management Strategy & Statement of Heritage Impacts' report prepared by Colin Israel in December 2017 and were prepared by Dixon Rothschild Architects in 2008. Reference labels for spaces have been added by NBR SARCHITECTURE.

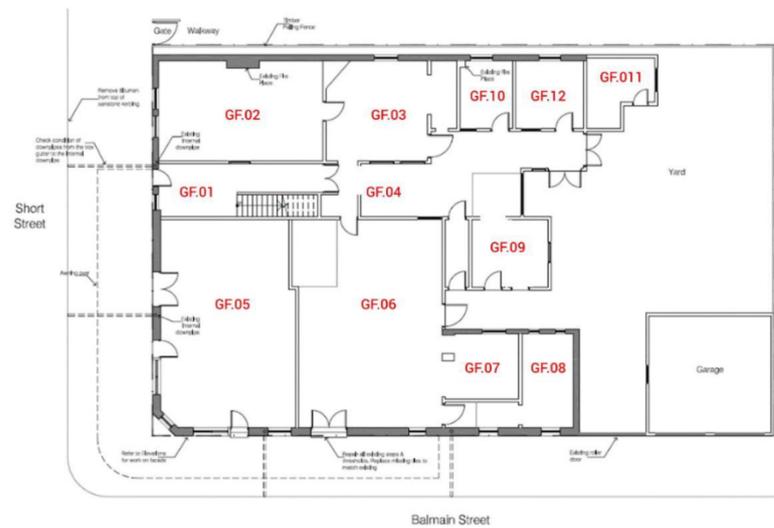


Figure 47: Ground floor plan. Source: 'Conservation Management Strategy & Statement of Heritage Impacts' report prepared by Colin Israel in December 2017, plan prepared by Dixon Rothschild Architects, 2008.

Schedule of Conservation Works, 1 Short Street, Leichhardt
P:\18\18162\05_DOC\02_REPORTS\18162_SCW.docx

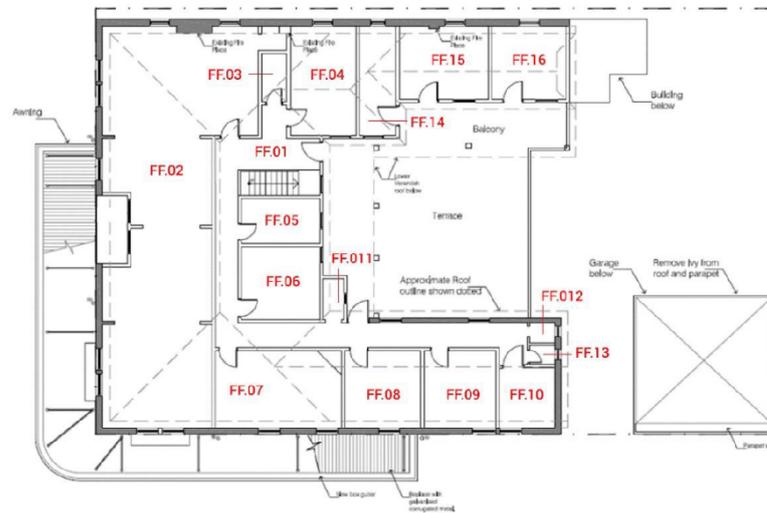


Figure 48: First floor plan. Source: 'Conservation Management Strategy & Statement of Heritage Impacts' report prepared by Colin Israel in December 2017, plan prepared by Dixon Rothschild Architects, 2008.

5.1.1 SITE WORKS

1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Site Generally		
Location	Element	Action
GROUND WORKS		
Generally	Vegetation	<ul style="list-style-type: none"> Remove or prune vegetation on or adjacent to masonry elements including walls and concrete. Clear all debris to reduce damp and potential deterioration of masonry and metalwork. Check for subsidence of paving and adjust falls to drain away from building footings. Adjust garden to minimise drainage to building footings.
EXTERNAL STRUCTURES		
Fences	Brick boundary fence	<ul style="list-style-type: none"> Hand weed around the base of fence to reduce opportunities for damp. Remove all self-seeded vegetation. Replace loose or missing bricks in bricks to match existing.
	Roller door (to Balmain Rd)	<ul style="list-style-type: none"> Retain or replace as required.
	Garage	<ul style="list-style-type: none"> Retain or replace as required.

5.1.2 EXTERIOR WORKS

Schedule of Conservation Works, 1 Short Street, Leichhardt
P:\181\18162\05_DOC\02_REPORTS\18162_SCW.docx



1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Exterior		
Location	Element	Action
EXTERIOR GENERALLY		
Generally	Stormwater lines	<ul style="list-style-type: none"> • Check stormwater and sewer lines are functioning as intended. Check the site services are connected to the street. Repair / replace as necessary. • Ensure that falls around downpipes are away from building.
	Hazardous materials	<ul style="list-style-type: none"> • Remove hazardous materials in accordance with Worksafe recommendations and statutory guidelines. Note paints manufactured in Australia before 1970 contain lead and precautions should be undertaken in preparation of surfaces for repainting.
	Vegetation	<ul style="list-style-type: none"> • Any self-seeded plants should be treated with a suitable biocide and allowed to fully die prior to removal to avoid damage to jointing material. • Vegetation such as moss or self-seeded plants should be carefully removed and any damage repaired.
	Pests	<ul style="list-style-type: none"> • Vermin and insects including hives, nests, etc., should be carefully removed, the means of ingress identified and preventative measures implemented in consultation with the Heritage Architect. • Check over bird proofing and repair.
	Water damage	<ul style="list-style-type: none"> • Carry out investigations to determine cause of damp issues and water damage. Investigations should be carried out by appropriately qualified specialist contractor • Review the recommendations of the specialist contractor, in consultation with the Heritage Consultant
	Services	<ul style="list-style-type: none"> • Remove redundant services internally and externally. • Repair fixing points and penetrations where services are removed.
	Movement	<ul style="list-style-type: none"> • The building should be inspected by a suitably qualified Structural Engineer to identify movement of walls, as evidenced by cracking in some locations externally. Advice from the Structural Engineer regarding stabilisation of the building should be carried out in consultation with the Heritage Architect.
ROOF		
Roof	Roofing – Terracotta Tiles	<ul style="list-style-type: none"> • Check over entire existing roof and report to the Architect as to the following: <ul style="list-style-type: none"> • Extent of tile repairs or replacement required • The need to replace any battens • The need to replace or repair any roof joinery • The need to replace or repair any roof plumbing element. • The condition of ridge and hip cappings and associated flashings. • Ensure all roof elements are soundly fixed and seated.

Schedule of Conservation Works, 1 Short Street, Leichhardt
 P:\18\18162\05_DOC\02_REPORTS\18162_SCW.docx

1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Exterior		
Location	Element	Action
	Roofing Flashing	<ul style="list-style-type: none"> Inspect existing flashings and report defects to the heritage architect for further instructions. Replace damaged flashings in lead. Replace seals. Future roof repairs must continue to co-ordinate materials to avoid galvanic reactions between roofing materials and roof plumbing elements.
Roof plumbing	Gutters, downpipes and rainwater heads	<ul style="list-style-type: none"> Check over all gutters and report defects to architect for further instructions. Check and clear debris, taking care not to allow debris to clog downpipe in the process. Replace damaged or missing downpipes, gutters and rainwater heads to match existing. Where necessary, re-attach downpipes to external walls using astragals to match existing. Install bird proofing. Detail to be agreed in conjunction with Heritage Consultant. New fixings to be non-ferrous. Make good masonry where downpipe fixings are removed. Repair or replace any deteriorated timber elements, including eaves lining, fascias, mouldings, barge boards to match existing (original). Replace metal overflashing to barge boards with traditional timber detail. Prepare and repaint.
Chimney	Brickwork	<ul style="list-style-type: none"> Check brickwork: report condition to architect. Repoint missing or defective pointing.
	Flashings	<ul style="list-style-type: none"> Check condition of existing flashings; allow to repoint joint between flashing and masonry.
Eaves	Eaves lining	<ul style="list-style-type: none"> Repair where necessary. Prepare and repaint as scheduled. Check over the existing soffit lining and report to the Architect as to the need to replace any section or length.
WALLS		
Exterior	Brick unpainted	<ul style="list-style-type: none"> Remove all redundant services conduits and metal fixings from brickwork and patch repair using lime mortar to match existing adjacent mortar. Make good holes and localised damage in brickwork where earlier fixings have been removed and patch repair using lime mortar to match existing mortar. Subject to the advice of a Structural Engineer, any brickwork which has shifted out of alignment should be returned to its original position. Where instructed by engineer repair cracks with Helifix system, repoint to match appearance of adjacent masonry. Repairs and / or reconstruction of brickwork should match evidence of original laying configuration. Any new brick units are to match in size, colour, texture and hardness. Repoint brickwork where mortar has failed or is missing to enable the egress of water. New mortar

Schedule of Conservation Works, 1 Short Street, Leichhardt
P:\18\18162\05_DOC\02_REPORTS\18162_SCW.docx

20

Document Set ID: 36827389
Version: 1, Version Date: 15/09/2022



1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Exterior		
Location	Element	Action
		<p>should be softer and more porous than the surrounding brickwork units.</p> <ul style="list-style-type: none"> • Repoint missing or defective pointing from tops of brick sills and projecting brick elements. • Lightly clean down the whole exterior with clean water on completion of the works to remove all dust, debris, mortar droppings and the like.
	Brick painted	<ul style="list-style-type: none"> • Remove paint from western boundary wall using non-abrasive method. Do not sandblast. • Repair brickwork as for unpainted brick above. • Prepare and repaint.
	Original render (above awning)	<ul style="list-style-type: none"> • Cracks should be inspected by a Structural Engineer who is to determine the reason for cracking and the extent of movement of brick behind render. Depending on the outcome of these investigations, the root cause of the problem should be addressed. Following addressing of structural issues, the following works to render should be carried out subject to the extent of damage / deterioration: <ul style="list-style-type: none"> • Where cracks are minor and render is not drummy: <ul style="list-style-type: none"> • No works. • Where cracks are moderate and render is stable: <ul style="list-style-type: none"> • Fill crack with flexible sealant, colour matched to adjacent render. • Where render is drummy and cracks are substantial: <ul style="list-style-type: none"> • Carefully cut out render to agreed location. The line of the cut out is to be agreed between the builder and the Heritage Consultant prior to commencement. • Remove sample of existing render and analyse characteristics (colour, texture) in order to replicate new render. • Provide samples of the new render to the Heritage Consultant and Architect for approval and matching to existing. • Carry out works as per advice of Structural Engineer, for example to stabilise brickwork, depending on the outcome of structural investigations. • Install new render, based on approved sample, where existing render has been removed. • Texture, thickness and appearance of new render is to match existing adjacent render. • Where decorated rendered elements such as corbels, mouldings, architraves, balustrades require repairs, recording of these details should be taken prior to repair work, and repairs should match the existing detail. • Prepare and re-paint.

Schedule of Conservation Works, 1 Short Street, Leichhardt
P:\18\18162\05_DOC\02_REPORTS\18162_SCW.docx

21

Document Set ID: 36827389
Version: 1, Version Date: 15/09/2022



1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Exterior		
Location	Element	Action
	Later render (ground floor below awning)	<ul style="list-style-type: none"> If an opportunity arises to restore the ground floor front façade to its original materials and appearance, later render covering brickwork and originally tiled wall sections may be removed. This should only be carried out in the context of an approved proposal to reinstate the façade to its original appearance, based on historical photographs and research. Reinstatement / restoration works to the front façade should be based on advice from a heritage consultant and should include the reinstatement of altered openings, joinery and external tiles. If façade restoration works are not proposed, render should be cleaned, prepared and repainted.
Steps	Later tiles	<ul style="list-style-type: none"> Non-significant fabric. Retain or replace as required.
SIGNAGE		
	Lettering on rendered panels	<ul style="list-style-type: none"> Retain all lettering indicating the building's former use as the Leichhardt Hotel. Repair lettering as for render repairs above. Repairs should match the existing lettering in terms of font, size, material and finish. Repaint lettering as required.
FIRST FLOOR VERANDAH		
Floor	Tiles	<ul style="list-style-type: none"> Non-significant fabric. Retain or replace as required.
	Timber balustrading	<ul style="list-style-type: none"> Non-significant fabric. Requires replacement.
	Timber verandah structure including roof, posts, brackets.	<ul style="list-style-type: none"> Non-significant fabric. Retain or replace as required.
DOORS		
Generally	Timber	<ul style="list-style-type: none"> Repair all exterior timber doors to make weatherproof. Timber repairs may include repairs of member or splicing repairs to timber. Repair details, materials and dimensions to match original. Conserve all door mechanisms and inspect to ensure they are fully operational Repair damaged timber elements, retaining as much original fabric as possible. Discrete damaged sections to be replaced to match by scarfing in to existing fabric.
	Paint	<ul style="list-style-type: none"> Prepare and re-paint all painted timber door joinery including frames, jambs, architraves and transoms. Paint should only be applied to painted surfaces; preserve clear finishes and unpainted surfaces as existing.
	Hardware	<ul style="list-style-type: none"> Retain and conserve door hardware including hinges and bolts.

Schedule of Conservation Works, 1 Short Street, Leichhardt
P:\18\18162\05_DOC\02_REPORTS\18162_SCW.docx

1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Exterior		
Location	Element	Action
		<ul style="list-style-type: none"> Remove paint from door hardware. Repair or replace broken or defective locks and latches. Replace keys or lock cylinders. Damaged or missing hardware to be replaced to match.
WINDOWS		
Generally		<ul style="list-style-type: none"> Inspect all windows and report to architect as to their condition. Repair windows and frames by replacing missing parts; re-puttying and re-pointing externally; lubricating moving parts; cord and weights (adjusted as required for balance); prepared and primed for undercoat and top coats. Ease and adjust to ensure smooth operation. Isolated areas of decayed wood to be replaced by piecing in new matching treated timber. Point up between existing masonry and the sides and heads of window frames as needed.
	Hardware	<ul style="list-style-type: none"> Original hardware to be retained. New hardware, including casements, sash lifts, hinges, locks, bolts should match existing. Check over existing sash cords and weights, and report to architect as to their condition. Replace or repair as required.
	Joinery	<ul style="list-style-type: none"> Retain and conserve timber window joinery, including sills, apron moulds, internal and external architraves and sashes. Replace parting bead in sill of each window. Re-hang windows and balance weights. Check over glazing and re-putty as necessary. Check over parting beads and stops and replace or refix as necessary in matching timber species.
	Glass	<ul style="list-style-type: none"> Replace mismatched or broken glass in window sashes Remove paint from glass panels.
	Paint	<ul style="list-style-type: none"> Prepare and paint externally. Paint should only be applied to already painted surfaces. Where joinery has a clear finish internally, re-finish to match existing and do not paint.
AWNING		
	Metal	<ul style="list-style-type: none"> The awning should be inspected by a suitably qualified Structural Engineer and works carried out to structure, including awning ties, in consultation with heritage consultant. Replace failing elements to match existing. Treat metal awning elements, including corrugated iron, fascia, awning ties, brackets and soffit structure for corrosion. Repaint in micaceous paint appropriate for use on metal.
	Signage	<ul style="list-style-type: none"> Retain signage / lettering on fascia reading 'Leichhardt Hotel' and '1 Short Street' and repaint to ensure lettering is legible.



5.1.3 INTERIOR WORKS

1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Interior		
Element	Material	Action
Generally	Cleaning	<ul style="list-style-type: none"> All interiors should be cleaned, including the removal of dead birds and bird and animal droppings, prior to the commencement of conservation works. Clean down all surfaces with water to reveal original colour and characteristics of materials.
	Termites	<ul style="list-style-type: none"> Termite infestation to be investigated by suitably qualified pest inspector and their recommendations implemented, in consultation with Heritage Architect.
	Doors	<ul style="list-style-type: none"> Refer to Doors in Exterior schedule above.
	Windows	<ul style="list-style-type: none"> Refer to Windows in Exterior schedule above.
Fitouts, fittings and services		<ul style="list-style-type: none"> Retain or replace as required. Removal of fittings to be carried out carefully to minimise impact on adjacent historic fabric. Recent fitouts, for example the kitchen fitouts may be retained or replaced as required. Should the fitout be replaced in future, redundant services should be carefully removed to minimise impact on adjacent historic fabric. Redundant fixing points on walls to be patched to match. Make good all surfaces where redundant fitouts, fittings and services have been removed. Paint conduits in colour to match wall colour. Should new conduits be required, these should not be chased into plaster.
GF.01 HALLWAY		
Ceiling	Sheeting, timber battens	<ul style="list-style-type: none"> Prepare and repaint
Cornice	Plaster	<ul style="list-style-type: none"> Retain cornice and repair cracked and damaged plaster in profile and finish to match existing. Prepare and repaint.
Walls	Plaster	<ul style="list-style-type: none"> Carefully remove drummy or deteriorated plaster finishes and investigate root causes, including water ingress. Evidence of damp in front wall. Repair cracked and damaged plaster surfaces. New plaster to match the composition, thickness and appearance of adjacent plaster finishes. Lightly sand plaster. Prepare and repaint.
Picture rail	Plaster	<ul style="list-style-type: none"> Retain picture rail and repair cracked and damaged plaster in profile and finish to match existing. Prepare and repaint.
Skirting	Timber	<ul style="list-style-type: none"> Retain and conserve existing skirting. Inspect skirting, and report signs of water or white ant damage, and report to heritage architect. Replace sections of missing or defective skirting, to match existing.

Schedule of Conservation Works, 1 Short Street, Leichhardt
P:\18\18162\05_DOC\02_REPORTS\18162_SCW.docx



1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Interior		
Element	Material	Action
Floor	Timber floor structure and floor boards.	<ul style="list-style-type: none"> • Lightly sand and re-finish to match existing. • Carefully remove floorboards where subsidence is identified, including south-west corner near front door. • Securely store floorboards for reinstatement. • Inspect sub-floor structure and condition of joists (to be carried out by structural engineer and, if required, a pest inspector). • Remove any rubbish or soil build up below floor boards. • Remove soil to provide clearance between ground level and underside of bearers. • Remove rotted or deteriorated timber elements, and all elements affected by water ingress or termites. • If required, install new structural timber members adjacent to existing timber as directed by heritage architect in consultation with engineer. • Allow to insert waterproof barrier between timber bearers and masonry foundation walls where appropriate. Report evidence of water ingress and termite damage to heritage architect for further advice. • Re-lay removed timber floorboards in configuration to match existing. • If new floorboards are required, these should match the existing floorboards in terms of timber type, hardness, profile, fixing and finishing. • Where existing floorboards are retained, repair damaged timber as required, to match existing in terms of timber type, hardness, profile, fixing and finishing.
Stairs	Balustrade and newel, timber panelling	<ul style="list-style-type: none"> • Lightly sand and apply clear-finish to match existing, in consultation with Heritage Consultant.
	Carpet	<ul style="list-style-type: none"> • Retain, removed or replace as required. • If removed, make good damage to timber treads and risers and re-finish timber to match existing.
Doors		<ul style="list-style-type: none"> • Scratched paint and paint deterioration evident on all doors. • Repair as for Doors generally. • Prepare and repaint.
Windows		<ul style="list-style-type: none"> • Repair as for Windows generally. • Prepare and repaint.
GF.02		
Ceiling	Sheeting with timber battens.	<ul style="list-style-type: none"> • Clean debris from surface of timber boards. Report damage/deterioration of ceiling to heritage architect for further instructions.
Cornice	Plaster	<ul style="list-style-type: none"> • Retain cornice and repair cracked and damaged plaster in profile and finish to match existing. • Prepare and repaint.
Walls	Plaster	<ul style="list-style-type: none"> • Remove redundant fixings from plaster surfaces, including pinboards

Schedule of Conservation Works, 1 Short Street, Leichhardt
P:\18\18162\05_DOC\02_REPORTS\18162_SCW.docx

25

Document Set ID: 36827389
Version: 1, Version Date: 15/09/2022



1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Interior		
Element	Material	Action
		<ul style="list-style-type: none"> Carefully remove drummy or deteriorated plaster finishes and investigate root causes, including water ingress. Repair cracked and damaged plaster surfaces, including large section of missing plaster on boundary wall adjacent to fire place, and bubbling plaster as a result of damp. Substantial evidence of damp in northern portion of western wall. Make good plaster where skirting has delaminated from wall. New plaster to match the composition, thickness and appearance of adjacent plaster finishes. Lightly sand plaster. Prepare and repaint.
Skirting	Timber	<ul style="list-style-type: none"> Inspect skirting, and report signs of water or white ant damage, and report to heritage architect. Retain or replace skirting as required. Replacement sections should match existing. Ensure delaminated skirting is re-attached to wall. Delamination has occurred along western wall on either side of fireplace. Replace sections of missing or defective skirting, to match existing.
Floor	Timber structure and boards	<ul style="list-style-type: none"> Carefully remove floor boards where subsidence is identified, including south-west corner and across western half of room. Inspect sub-floor structure and condition of joists (to be carried out by structural engineer and, if required, a pest inspector). Remove any rubbish or soil build up below floor boards. Remove soil to provide clearance between ground level and underside of bearers. Remove rotted or deteriorated timber elements, and all elements affected by water ingress or termites. Install new structural timber members adjacent to existing timber as directed by heritage architect in consultation with engineer. Allow to insert waterproof barrier between timber bearers and masonry foundation walls where appropriate. Report evidence of water ingress and termite damage to heritage architect for further advice. If required, lay new timber floorboards in configuration to match existing. New floorboards should match the existing floorboards in terms of timber type, hardness, profile, fixing and finishing. Where existing floorboards are retained, repair damaged timber as required, to match existing in terms of timber type, hardness, profile, fixing and finishing.
Fireplace		<ul style="list-style-type: none"> Clean out debris from fireplace; replace deteriorated bricks with bricks of similar

Schedule of Conservation Works, 1 Short Street, Leichhardt
P:\18\18162\05_DOC\02_REPORTS\18162_SCW.docx

26

Document Set ID: 36827389
Version: 1, Version Date: 15/09/2022

1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Interior		
Element	Material	Action
		composition, porosity, colour and dimensions. Mortar to be of equal or less strength than existing fireplace mortar. <ul style="list-style-type: none"> • If fireplace requires blocking up, block at base of chimney in preference to boarding up reveal.
Doors	Door between GF.01 and GF.02	<ul style="list-style-type: none"> • Repair as for Doors generally. • Prepare and repaint.
	Door between GF.02 and GF.03	<ul style="list-style-type: none"> • Later, non-significant door. • Retain or replace as required. • Retain architrave and repair as for Doors generally. • Prepare and repaint architrave.
Windows		<ul style="list-style-type: none"> • As for Windows generally.
GF.03		
Ceiling	Sheeting, timber battens	<ul style="list-style-type: none"> • Investigate damage to ceiling in kitchen space and report to architect. Following repair of source of water repair/replace damaged ceiling to match the dimensions, profile, material and appearance of existing ceiling. • Prepare surface, lightly sand and repaint.
Walls	Plaster	<ul style="list-style-type: none"> • Remove redundant fixings from plaster surfaces, including pinboards • Carefully remove drummy or deteriorated plaster finishes and investigate root causes, including water ingress. Evidence of water ingress on western boundary wall within kitchen space. • Repair cracked and damaged plaster surfaces. • New plaster to match the composition, thickness and appearance of adjacent plaster finishes. • Lightly sand plaster. • Prepare and repaint.
Skirting	Timber	<ul style="list-style-type: none"> • Later skirting. Retain or replace as required.
Floor	Timber floorboards with carpet over. Exposed boards in kitchen.	<ul style="list-style-type: none"> • Carpet requires replacement – mould resulting from water near threshold to kitchen. • Remove carpet and inspect condition of timber floorboards. • Carefully remove floorboards where subsidence is identified, including south-west corner near former fireplace where dip in floor is evident. • Securely store floorboards for reinstatement. • Inspect sub-floor structure and condition of joists (to be carried out by structural engineer and, if required, a pest inspector). • Remove any rubbish or soil build up below floor boards. • Remove soil to provide clearance between ground level and underside of bearers. • Remove rotted or deteriorated timber elements, and all elements affected by water ingress or termites. • If required, install new structural timber members adjacent to existing timber as directed by heritage architect in consultation with engineer.

Schedule of Conservation Works, 1 Short Street, Leichhardt
 P:\18\18162\05_DOC\02_REPORTS\18162_SCW.docx

27

Document Set ID: 36827389
 Version: 1, Version Date: 15/09/2022

1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Interior		
Element	Material	Action
		<ul style="list-style-type: none"> Allow to insert waterproof barrier between timber bearers and masonry foundation walls where appropriate. Report evidence of water ingress and termite damage to heritage architect for further advice. Re-lay removed timber floorboards in configuration to match existing. If new floorboards are required, these should match the existing floorboards in terms of timber type, hardness, profile, fixing and finishing. Where existing floorboards are retained, repair damaged timber as required, to match existing in terms of timber type, hardness, profile, fixing and finishing.
Kitchen fitout		<ul style="list-style-type: none"> Retain or replace as required. No conservation works.
Doors	Door between GF.02 and GF.03	<ul style="list-style-type: none"> Later, non-significant door. Retain or replace as required. Retain architrave and repair as for Doors generally. Prepare and repaint architrave.
	Door between GF.03 and GF.04	<ul style="list-style-type: none"> Later, non-significant door. Retain or replace as required. Retain architrave and repair as for Doors generally. Prepare and repaint architrave.
	Door between GF.03 and GF.04 (northern wall)	<ul style="list-style-type: none"> No door leaf. Architrave, transom and highlight extant. Conservation works for remaining door elements as for Doors generally. Prepare and repaint.
Windows		<ul style="list-style-type: none"> As for Windows generally. Carefully scrape paint off all glazing. Prepare and repaint.
GF.04		
Ceiling	Plasterboard	<ul style="list-style-type: none"> Poor condition, requires substantial repair and /or replacement. Later, non-significant fabric. Replace as required.
Walls	Unpainted brick (original external wall)	<ul style="list-style-type: none"> Remove all redundant services conduits and metal fixings from brickwork and patch repair using lime mortar to match existing adjacent mortar. Make good holes and localised damage in brickwork where earlier fixings have been removed and patch repair using lime mortar to match existing mortar. Repairs and / or reconstruction of brickwork should match evidence of original laying configuration. Any new brick units are to match in size, colour, texture and hardness. Repairs and / or reconstruction of brickwork should match evidence of original laying configuration. Any new brick units are to match in size, colour, texture and hardness.

1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Interior		
Element	Material	Action
		<ul style="list-style-type: none"> Repoint brickwork where mortar has failed or is missing to enable the egress of water. New mortar should be softer and more porous than the surrounding brickwork units.
	Painted brick	<ul style="list-style-type: none"> Carry out repairs as for unpainted brick above. Prepare and repaint.
Floor	Timber floorboards	<ul style="list-style-type: none"> Non-original boards in space which was originally external. Retain or replace as required.
	Slate thresholds	<ul style="list-style-type: none"> Retain slate threshold to GF.10. Replace slate threshold to GF.12. Substantial damage. Replacement in slate with bullnose edge to match existing.
Doors	Doors to GF.01, GF.10, GF.12	<ul style="list-style-type: none"> As for Doors generally. Prepare and repaint.
	Doors to external	<ul style="list-style-type: none"> Non-significant fabric. Retain or replace as required.
Windows	Windows to GF.03, GF.10, GF.01, GF.12	<ul style="list-style-type: none"> As for Windows generally. Prepare and repaint.
	Later external windows	<ul style="list-style-type: none"> Non-significant fabric. Retain or replace as required.
GF.05, GF.06, GF.07		
Notes		<ul style="list-style-type: none"> No access to GF.05. Carry out conservation works as for GF.06.
Ceiling	Sheeted, timber battens, painted	<ul style="list-style-type: none"> Remove flaking paint and investigate cause of damage, including water ingress investigations. Address route cause of damage prior to make good works to surfaces. Replace all damaged sheets between timber battens. Substantial damage noted in south-east portion of ceiling. Repair damaged timber battens to match existing. Prepare and repaint.
	Bulkhead	<ul style="list-style-type: none"> Remove signage boards between battens on bulkhead and make good damage. Otherwise as for remainder of ceiling above.
Walls	Plasterboard partition wall and plasterboard to column	<ul style="list-style-type: none"> Non-significant fabric. Retain or replace as required.
	Plaster to brick walls	<ul style="list-style-type: none"> Remove redundant fixings from plaster surfaces, including pinboards Carefully remove drummy or deteriorated plaster finishes and investigate root causes, including water ingress. Repair cracked and damaged plaster surfaces. New plaster to match the composition, thickness and appearance of adjacent plaster finishes.

Schedule of Conservation Works, 1 Short Street, Leichhardt
P:\18\18162\05_DOC\02_REPORTS\18162_SCW.docx



1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Interior		
Element	Material	Action
		<ul style="list-style-type: none"> Lightly sand plaster. Prepare and repaint.
	Brick	<ul style="list-style-type: none"> Remove all redundant services conduits and metal fixings from brickwork and patch repair using lime mortar to match existing adjacent mortar. Make good holes and localised damage in brickwork where earlier fixings have been removed and patch repair using lime mortar to match existing mortar. Repairs and / or reconstruction of brickwork should match evidence of original laying configuration. Any new brick units are to match in size, colour, texture and hardness. Repoint brickwork where mortar has failed or is missing to enable the egress of water. New mortar should be softer and more porous than the surrounding brickwork units. Evidence of previous paint or other finish to brickwork. Paint or retain exposed as required.
Picture rail	Timber	<ul style="list-style-type: none"> Retain and conserve picture rail. Inspect picture rail, and report signs of water or white ant damage, and report to heritage architect. Replace sections of missing or defective picture rail, to match existing. Lightly sand and re-finish to match existing.
Skirting	Timber	<ul style="list-style-type: none"> Later, non-significant fabric. Retain or replace as required.
Floor	Carpet over terrazzo	<ul style="list-style-type: none"> Carpet in extremely poor condition. Requires removal.
	Terrazzo	<ul style="list-style-type: none"> Check over terrazzo to ensure it is still properly seated on the substrate. Where cracking has occurred, carry out works based on the following options: Minor cracking which has not affected levels or unseated the terrazzo: <ul style="list-style-type: none"> No works. Larger cracks which have the potential to accumulate dirt or unseat terrazzo: <ul style="list-style-type: none"> Fill crack with coloured epoxy Colour to be selected to match adjacent terrazzo as closely as possible, and should be approved by the Heritage Consultant. Substantial cracks where terrazzo is unseated and no longer stable: <ul style="list-style-type: none"> Determine area of terrazzo to be replaced, based on advice from Architect and Heritage Consultant, for example 300mm length along steps – to be confirmed. Carefully remove terrazzo in nominated area Carry out trials and samples to determine an acceptable colour and aggregate mix of new terrazzo, to match the existing.
Stage		<ul style="list-style-type: none"> Retain or replace as required.

Schedule of Conservation Works, 1 Short Street, Leichhardt
 P:\18\18162\05_DOC\02_REPORTS\18162_SCW.docx

30

Document Set ID: 36827389
 Version: 1, Version Date: 15/09/2022



1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Interior		
Element	Material	Action
		<ul style="list-style-type: none"> If removed, make good wall and floor surfaces. Particular care should be taken not to damage terrazzo floor.
Kitchen		<ul style="list-style-type: none"> Retain or replace as required. If removed, make good wall and floor surfaces.
Doors	Later, non-panelled door leaves	<ul style="list-style-type: none"> Non-significant fabric. Retain or replace as required.
	Architraves, jambs and earlier panelled doors.	<ul style="list-style-type: none"> As for Doors generally. Prepare and repaint.
	Exterior doors	<ul style="list-style-type: none"> As for Doors generally. Prepare and repaint.
Windows		<ul style="list-style-type: none"> As for Windows generally. Prepare and repaint.
Kitchen fitout		<ul style="list-style-type: none"> Retain or replace as required. If removed, make good all floor and wall surfaces and remove redundant services.
GF.08 BATHROOM AND HALLWAY		
Ceiling	Sheeted, timber battens, painted	<ul style="list-style-type: none"> Remove flaking paint and investigate cause of damage, including water ingress investigations. Address root cause of damage prior to make good works to surfaces. Replace all damaged sheets between timber battens. Substantial damage noted in north-east portion of ceiling in hallway. Repair damaged timber battens to match existing. Prepare and repaint.
Walls	Plaster to brick walls	<ul style="list-style-type: none"> Remove redundant fixings from plaster surfaces, including pinboards Carefully remove drummy or deteriorated plaster finishes and investigate root causes, including water ingress. Repair cracked and damaged plaster surfaces. New plaster to match the composition, thickness and appearance of adjacent plaster finishes. Lightly sand plaster. Prepare and repaint.
	Tiles	<ul style="list-style-type: none"> Non-significant fabric. Retain or replace as required.
Floor	Tiles	<ul style="list-style-type: none"> Non-significant fabric. Retain or replace as required. If removed, care should be taken not to damage terrazzo.
	Terrazzo	<ul style="list-style-type: none"> Retain terrazzo and assess causes of water damage. Surface deterioration and staining evident along eastern wall. Repair as for terrazzo in GF.06 above.
Bathroom fitout		<ul style="list-style-type: none"> Non-significant fabric. Retain or replace as required.
Door		<ul style="list-style-type: none"> As for Doors generally.

Schedule of Conservation Works, 1 Short Street, Leichhardt
P:\18\18162\05_DOC\02_REPORTS\18162_SCW.docx

1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Interior		
Element	Material	Action
Windows		<ul style="list-style-type: none"> • Prepare and repaint. • As for Windows generally. • Prepare and repaint.
GF.09		
Ceiling	Sheeted, timber battens, painted	<ul style="list-style-type: none"> • Investigate damage to ceiling and report to architect. Following repair of source of water repair/replace damaged ceiling to match the dimensions, profile, material and appearance of existing ceiling. • Prepare surface, lightly sand and repaint.
Walls	Brick, painted	<ul style="list-style-type: none"> • Investigate causes of water ingress evident on exterior wall and address root causes prior to repairs to surfaces. • Remove all redundant services conduits and metal fixings from brickwork and patch repair using lime mortar to match existing adjacent mortar. • Make good holes and localised damage in brickwork where earlier fixings have been removed and patch repair using lime mortar to match existing mortar. • Repairs and / or reconstruction of brickwork should match evidence of original laying configuration. Any new brick units are to match in size, colour, texture and hardness. • Repoint brickwork where mortar has failed or is missing to enable the egress of water. New mortar should be softer and more porous than the surrounding brickwork units. • Prepare and repaint.
Skirting		<ul style="list-style-type: none"> • Non-significant fabric. Retain or replace as required.
Floor	Carpet	<ul style="list-style-type: none"> • Non-significant fabric. Retain or replace as required.
Doors		<ul style="list-style-type: none"> • As for Doors generally. • Prepare and repaint.
Windows		<ul style="list-style-type: none"> • As for Windows generally. • Prepare and repaint.
GF.10 BATHROOM		
Ceiling	Sheeted, timber battens, painted	<ul style="list-style-type: none"> • Investigate damage to ceiling and report to architect. Evidence of mould and minor deterioration to battens. Following repair of source of water repair/replace damaged ceiling to match the dimensions, profile, material and appearance of existing ceiling. • Prepare surface, lightly sand and repaint.
Walls	Plaster	<ul style="list-style-type: none"> • Prepare and repaint.
	Tiles	<ul style="list-style-type: none"> • Later, non-significant tiles. Retain, remove or replace as required.
Floor	Tiles	<ul style="list-style-type: none"> • Later, non-significant tiles. Retain, remove or replace as required.
Doors		<ul style="list-style-type: none"> • As for Doors generally. • Prepare and repaint.

Schedule of Conservation Works, 1 Short Street, Leichhardt
P:\18\18162\05_DOC\02_REPORTS\18162_SCW.docx

32

Document Set ID: 36827389
 Version: 1, Version Date: 15/09/2022

1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Interior		
Element	Material	Action
Windows		<ul style="list-style-type: none"> As for Windows generally. Prepare and repaint.
Bathroom fitout, fittings and services		<ul style="list-style-type: none"> Non-significant fitout. Retain, remove or replace as required.
GF.11 LAUNDRY		
Ceiling	Sheeted, timber battens, painted	<ul style="list-style-type: none"> Investigate damage to ceiling and report to architect. Following repair of source of water repair/replace damaged ceiling to match the dimensions, profile, material and appearance of existing ceiling. Prepare surface, lightly sand and repaint.
Walls	Plaster	<ul style="list-style-type: none"> Prepare and repaint.
	Tiles	<ul style="list-style-type: none"> Later, non-significant tiles. Retain, remove or replace as required.
Floor	Tiles	<ul style="list-style-type: none"> Later, non-significant tiles. Retain, remove or replace as required.
Doors		<ul style="list-style-type: none"> As for Doors generally. Prepare and repaint.
Windows		<ul style="list-style-type: none"> As for Windows generally. Prepare and repaint.
Laundry fitout, fittings and services		<ul style="list-style-type: none"> Non-significant fitout. Retain, remove or replace as required.
GF.12		
Ceiling	Sheeted, timber battens, painted	<ul style="list-style-type: none"> Investigate damage to ceiling and report to architect. Following repair of source of water repair/replace damaged ceiling to match the dimensions, profile, material and appearance of existing ceiling. Prepare surface, lightly sand and repaint.
Walls	Brick, painted	<ul style="list-style-type: none"> Investigate causes of water ingress evident on exterior wall and address root causes prior to repairs to surfaces. Remove all redundant services conduits and metal fixings from brickwork and patch repair using lime mortar to match existing adjacent mortar. Make good holes and localised damage in brickwork where earlier fixings have been removed and patch repair using lime mortar to match existing mortar. Repairs and / or reconstruction of brickwork should match evidence of original laying configuration. Any new brick units are to match in size, colour, texture and hardness. Repoint brickwork where mortar has failed or is missing to enable the egress of water. New mortar should be softer and more porous than the surrounding brickwork units. Prepare and repaint.
Skirting		<ul style="list-style-type: none"> Non-significant fabric. Retain or replace as required.



1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Interior		
Element	Material	Action
Floor	Carpet	<ul style="list-style-type: none"> • Non-significant fabric. Retain or replace as required.
Doors		<ul style="list-style-type: none"> • As for Doors generally. • Prepare and repaint.
Windows		<ul style="list-style-type: none"> • As for Windows generally. • Prepare and repaint.
FF.01 STAIR LANDING AND HALL		
Ceiling	Sheeting, timber battens	<ul style="list-style-type: none"> • Investigate condition of ceiling sheeting and causes of potential water ingress. • Remove flaking paint. • Prepare and repaint.
Cornice	Plaster	<ul style="list-style-type: none"> • Retain cornice and repair cracked and damaged plaster in profile and finish to match existing. • Prepare and repaint.
Walls	Plaster	<ul style="list-style-type: none"> • Carefully remove drummy or deteriorated plaster finishes and investigate root causes, including water ingress. Evidence of significant water ingress along eastern portion of hallway. • Repair cracked and damaged plaster surfaces. • New plaster to match the composition, thickness and appearance of adjacent plaster finishes. • Lightly sand plaster. • Prepare and repaint.
Picture rail	Plaster	<ul style="list-style-type: none"> • Retain picture rail and repair cracked and damaged plaster in profile and finish to match existing. • Prepare and repaint.
Skirting	Timber	<ul style="list-style-type: none"> • Retain and conserve existing skirting. Inspect skirting, and report signs of water or white ant damage, and report to heritage architect. • Replace sections of missing or defective skirting, to match existing. • Lightly sand and re-finish to match existing.
Floor	Timber floorboards and structure	<ul style="list-style-type: none"> • Remove carpet to allow full inspection of floorboards and structure. • Carefully remove floorboards where subsidence is identified. Noted substantial subsidence outside bathroom GF.11 and within eastern portion of hallway, suggesting rotten floorboards and/or joists. • Securely store floorboards in good condition for reinstatement. • Inspect sub-floor structure and condition of joists (to be carried out by structural engineer and, if required, a pest inspector). • Remove rotted or deteriorated timber elements, and all elements affected by water ingress or termites. • If required, install new structural timber members adjacent to existing timber as directed by heritage architect in consultation with engineer. • Re-lay removed timber floorboards in configuration to match existing.

Schedule of Conservation Works, 1 Short Street, Leichhardt
P:\18\18162\05_DOC\02_REPORTS\18162_SCW.docx

34

Document Set ID: 36827389
Version: 1, Version Date: 15/09/2022

1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Interior		
Element	Material	Action
		<ul style="list-style-type: none"> If new floorboards are required, these should match the existing floorboards in terms of timber type, hardness, profile, fixing and finishing. Where existing floorboards are retained, repair damaged timber as required, to match existing in terms of timber type, hardness, profile, fixing and finishing.
	Carpet	<ul style="list-style-type: none"> Non-significant fabric. Severe water damage in eastern portion of hallway. Carpet requires removal.
Doors		<ul style="list-style-type: none"> As for Doors generally. Prepare and repaint.
Windows		<ul style="list-style-type: none"> As for Windows generally. Prepare and repaint.
FF.02		
Ceiling	Sheeting, timber battens	<ul style="list-style-type: none"> Investigate condition of ceiling sheeting and causes of potential water ingress. Remove flaking paint. Prepare and repaint.
Cornice	Plaster	<ul style="list-style-type: none"> Retain cornice and repair cracked and damaged plaster in profile and finish to match existing. Prepare and repaint.
Walls	Plaster	<ul style="list-style-type: none"> Carefully remove drummy or deteriorated plaster finishes and investigate root causes, including water ingress. Evidence of damp in chimney breast and along western boundary wall. Repair cracked and damaged plaster surfaces. New plaster to match the composition, thickness and appearance of adjacent plaster finishes. Lightly sand plaster. Prepare and repaint.
Picture rail	Plaster	<ul style="list-style-type: none"> Retain picture rail and repair cracked and damaged plaster in profile and finish to match existing. Prepare and repaint.
Skirting	Timber	<ul style="list-style-type: none"> Retain and conserve existing skirting. Inspect skirting, and report signs of water or white ant damage, and report to heritage architect. Replace sections of missing or defective skirting, to match existing. Lightly sand and re-finish to match existing.
Floor	Timber floor structure and floorboards	<ul style="list-style-type: none"> Carefully remove floorboards where subsidence is identified. Subsidence noted in south-west corner near fireplace and in locations adjacent to balcony. Securely store floorboards for reinstatement. Inspect sub-floor structure and condition of joists (to be carried out by structural engineer and, if required, a pest inspector). If required, install new structural timber members adjacent to existing timber as directed by heritage architect in consultation with engineer. Re-lay removed timber floorboards in configuration to match existing.

Schedule of Conservation Works, 1 Short Street, Leichhardt
P:\18118162\05_DOC\02_REPORTS\18162_SCW.docx

35

Document Set ID: 36827389
Version: 1, Version Date: 15/09/2022

1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Interior		
Element	Material	Action
		<ul style="list-style-type: none"> If new floorboards are required, these should match the existing floorboards in terms of timber type, hardness, profile, fixing and finishing. Where existing floorboards are retained, repair damaged timber as required, to match existing in terms of timber type, hardness, profile, fixing and finishing.
Doors		<ul style="list-style-type: none"> As for Doors generally. Prepare and repaint.
Windows		<ul style="list-style-type: none"> As for Windows generally. Prepare and repaint.
FF.03 CUPBOARD		
Ceiling	Sheeting, timber battens	<ul style="list-style-type: none"> Investigate condition of ceiling sheeting and causes of potential water ingress. Remove flaking paint. Prepare and repaint.
Cornice	Plaster	<ul style="list-style-type: none"> Retain cornice and repair cracked and damaged plaster in profile and finish to match existing. Prepare and repaint.
Walls	Plaster	<ul style="list-style-type: none"> Carefully remove drummy or deteriorated plaster finishes and investigate root causes, including water ingress. Repair cracked and damaged plaster surfaces. New plaster to match the composition, thickness and appearance of adjacent plaster finishes. Lightly sand plaster. Prepare and repaint.
Cupboards	Timber	<ul style="list-style-type: none"> Retain, remove or replace as required. If removed from a wall which is to be retained, make good surfaces.
Floor	Timber	<ul style="list-style-type: none"> Repair floor including localised repair where floorboards are partially missing, retaining adjacent floorboards. Repairs should match existing floorboards in terms of timber type, hardness, profile, fixing and finishing.
Doors		<ul style="list-style-type: none"> As for Doors generally. Prepare and repaint.
FF.04		
Ceiling	Sheeting, timber battens	<ul style="list-style-type: none"> Investigate condition of ceiling sheeting and causes of potential water ingress. Remove flaking paint. Prepare and repaint.
Cornice	Plaster	<ul style="list-style-type: none"> Retain cornice and repair cracked and damaged plaster in profile and finish to match existing. Prepare and repaint.
Walls	Plaster	<ul style="list-style-type: none"> Carefully remove drummy or deteriorated plaster finishes and investigate root causes, including water ingress. Repair cracked and damaged plaster surfaces. New plaster to match the composition, thickness and appearance of adjacent plaster finishes. Lightly sand plaster.

Schedule of Conservation Works, 1 Short Street, Leichhardt
P:\18\18162\05_DOC\02_REPORTS\18162_SCW.docx

1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Interior		
Element	Material	Action
	Brick	<ul style="list-style-type: none"> • Prepare and repaint. • Investigate causes of water ingress evident on exterior wall and address root causes prior to repairs to surfaces. • Remove all redundant services conduits and metal fixings from brickwork and patch repair using lime mortar to match existing adjacent mortar. • Make good holes and localised damage in brickwork where earlier fixings have been removed and patch repair using lime mortar to match existing mortar. • Repairs and / or reconstruction of brickwork should match evidence of original laying configuration. Any new brick units are to match in size, colour, texture and hardness. • Repoint brickwork where mortar has failed or is missing to enable the egress of water. New mortar should be softer and more porous than the surrounding brickwork units.
Floor	Timber floor structure and floorboards	<ul style="list-style-type: none"> • Carefully remove floorboards where subsidence is identified. • Inspect sub-floor structure and condition of joists (to be carried out by structural engineer and, if required, a pest inspector). • If required, install new structural timber members adjacent to existing timber as directed by heritage architect in consultation with engineer. • Re-lay removed timber floorboards in configuration to match existing. • If new floorboards are required, these should match the existing floorboards in terms of timber type, hardness, profile, fixing and finishing. • Where existing floorboards are retained, repair damaged timber as required, to match existing in terms of timber type, hardness, profile, fixing and finishing.
Doors		<ul style="list-style-type: none"> • As for Doors generally. • Prepare and repaint.
Windows		<ul style="list-style-type: none"> • As for Windows generally. • Prepare and repaint.
FF.05 BATHROOM		
Ceiling	Sheeting, timber battens	<ul style="list-style-type: none"> • Investigate condition of ceiling sheeting and causes of potential water ingress. Substantial water damage in north-east corner on ceiling and wall. • Remove flaking paint. • Prepare and repaint.
Walls	Plaster	<ul style="list-style-type: none"> • Carefully remove drummy or deteriorated plaster finishes and investigate root causes, including water ingress. Evidence of water damage on east and north walls. • Repair cracked and damaged plaster surfaces. • New plaster to match the composition, thickness and appearance of adjacent plaster finishes.

Schedule of Conservation Works, 1 Short Street, Leichhardt
P:\18\18162\05_DOC\02_REPORTS\18162_SCW.docx

37

Document Set ID: 36827389
Version: 1, Version Date: 15/09/2022



1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Interior		
Element	Material	Action
		<ul style="list-style-type: none"> Lightly sand plaster. Prepare and repaint.
	Tiles	<ul style="list-style-type: none"> Retain, remove or replace as required.
Floor	Tiles	<ul style="list-style-type: none"> Retain, remove or replace as required.
Bathroom fitout		<ul style="list-style-type: none"> Retain, remove or replace as required.
Doors		<ul style="list-style-type: none"> As for Doors generally. Prepare and repaint.
Windows		<ul style="list-style-type: none"> As for Windows generally. Prepare and repaint.
FF.06		
Ceiling	Sheeting, timber battens	<ul style="list-style-type: none"> Investigate condition of ceiling sheeting and causes of potential water ingress. Substantial water damage evident in this room. Address root causes of water ingress prior to repairs to wall and ceiling surfaces. Repair or replace damaged ceiling sheets and battens, in configuration to match existing. Remove flaking paint from retained portions of ceiling. Prepare and repaint.
Walls	Plaster	<ul style="list-style-type: none"> Carefully remove drummy or deteriorated plaster finishes and investigate root causes, including water ingress. Substantial damage to walls in this room including staining, deterioration of paint and plaster surfaces and damp within wall. Address root causes of water ingress prior to repairs to wall and ceiling surfaces. Repair cracked and damaged plaster surfaces. New plaster to match the composition, thickness and appearance of adjacent plaster finishes. Lightly sand plaster. Prepare and repaint.
Picture rail	Plaster	<ul style="list-style-type: none"> Retain picture rail and repair cracked and damaged plaster in profile and finish to match existing. Prepare and repaint.
Skirting	Timber, painted	<ul style="list-style-type: none"> Retain and conserve existing skirting. Inspect skirting, and report signs of water or white ant damage, and report to heritage architect. Evidence of deterioration from termite damage, including timber dust and delamination of skirting from wall. Replace sections of missing or defective skirting, to match existing. Lightly sand and re-finish to match existing.
Floor	Timber	<ul style="list-style-type: none"> Carefully remove floorboards where subsidence is identified. Inspect sub-floor structure and condition of joists (to be carried out by structural engineer and, if required, a pest inspector). Remove rotted or deteriorated timber elements, and all elements affected by water ingress or termites.

Schedule of Conservation Works, 1 Short Street, Leichhardt
 P:\18\18162\05_DOC\02_REPORTS\18162_SCW.docx

33

Document Set ID: 36827389
 Version: 1, Version Date: 15/09/2022



1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Interior		
Element	Material	Action
		<ul style="list-style-type: none"> • If required, install new structural timber members adjacent to existing timber as directed by heritage architect in consultation with engineer. • Re-lay removed timber floorboards in configuration to match existing. • If new floorboards are required, these should match the existing floorboards in terms of timber type, hardness, profile, fixing and finishing. • Where existing floorboards are retained, repair damaged timber as required, to match existing in terms of timber type, hardness, profile, fixing and finishing.
Doors		<ul style="list-style-type: none"> • As for Doors generally. • Prepare and repaint.
Windows		<ul style="list-style-type: none"> • As for Windows generally. • Prepare and repaint.
FF.07, FF.08, FF.09		
Ceiling	Sheeting, timber battens	<ul style="list-style-type: none"> • Investigate condition of ceiling sheeting and causes of potential water ingress. • Address root causes of water ingress prior to repairs to wall and ceiling surfaces. • Repair or replace damaged ceiling sheets and battens, in configuration to match existing. • Remove flaking paint from retained portions of ceiling. • Prepare and repaint.
Cornice	Plaster	<ul style="list-style-type: none"> • Retain cornice and repair cracked and damaged plaster in profile and finish to match existing. • Prepare and repaint.
Walls	Plaster	<ul style="list-style-type: none"> • Carefully remove drummy or deteriorated plaster finishes and investigate root causes, including water ingress. Evidence of damp in front wall. • Repair cracked and damaged plaster surfaces. • New plaster to match the composition, thickness and appearance of adjacent plaster finishes. • Lightly sand plaster. • Prepare and repaint.
Picture rail	Plaster	<ul style="list-style-type: none"> • Retain picture rail and repair cracked and damaged plaster in profile and finish to match existing. • Prepare and repaint.
Skirting	Timber	<ul style="list-style-type: none"> • Retain and conserve existing skirting. Inspect skirting, and report signs of water or white ant damage, and report to heritage architect. • Replace sections of missing or defective skirting, to match existing. • Lightly sand and re-finish to match existing.
Floor	Timber	<ul style="list-style-type: none"> • Carefully remove floorboards where subsidence is identified. • Inspect sub-floor structure and condition of joists (to be carried out by structural engineer and, if required, a pest inspector).

Schedule of Conservation Works, 1 Short Street, Leichhardt
P:\18\18162\05_DOC\02_REPORTS\18162_SCW.docx



1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Interior		
Element	Material	Action
		<ul style="list-style-type: none"> Remove rotted or deteriorated timber elements, and all elements affected by water ingress or termites. If required, install new structural timber members adjacent to existing timber as directed by heritage architect in consultation with engineer. Re-lay removed timber floorboards in configuration to match existing. If new floorboards are required, these should match the existing floorboards in terms of timber type, hardness, profile, fixing and finishing. Where existing floorboards are retained, repair damaged timber as required, to match existing in terms of timber type, hardness, profile, fixing and finishing.
Doors		<ul style="list-style-type: none"> As for Doors generally. Prepare and repaint.
Windows		<ul style="list-style-type: none"> As for Windows generally. Prepare and repaint.
Fireplace	Brick, timber mantle	<ul style="list-style-type: none"> Lightly sand timber mantel and corbels and re-finish to match existing. Clean out debris from fireplace; replace deteriorated bricks with bricks of similar composition, porosity, colour and dimensions. Mortar to be of equal or less strength than existing fireplace mortar. If fireplace requires blocking up, block at base of chimney in preference to boarding up reveal.
FF.10 BATHROOM		
Ceiling	Sheeting, timber battens	<ul style="list-style-type: none"> Investigate condition of ceiling sheeting and causes of potential water ingress. Remove flaking paint. Prepare and repaint.
Walls	Plaster	<ul style="list-style-type: none"> Carefully remove drummy or deteriorated plaster finishes and investigate root causes, including water ingress. Repair cracked and damaged plaster surfaces. New plaster to match the composition, thickness and appearance of adjacent plaster finishes. Lightly sand plaster. Prepare and repaint.
	Tiles	<ul style="list-style-type: none"> Retain, remove or replace as required.
Floor	Tiles	<ul style="list-style-type: none"> Retain, remove or replace as required.
Bathroom fitout		<ul style="list-style-type: none"> Retain, remove or replace as required.
Doors		<ul style="list-style-type: none"> As for Doors generally. Prepare and repaint.
Windows		<ul style="list-style-type: none"> As for Windows generally. Prepare and repaint.
FF.11 BATHROOM		
Ceiling	Sheeting, timber battens	<ul style="list-style-type: none"> Investigate condition of ceiling sheeting and causes of potential water ingress. Substantial evidence of water damage in this room.

Schedule of Conservation Works, 1 Short Street, Leichhardt
 P:\18118162\05_DOC\02_REPORTS\181162_SCW.docx



1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Interior		
Element	Material	Action
		<ul style="list-style-type: none"> • Address root causes of water ingress prior to repairs to wall and ceiling surfaces. • Repair or replace damaged ceiling sheets and battens, in configuration to match existing. • Remove flaking paint from retained portions of ceiling. • Prepare and repaint.
Cornice	Plaster	<ul style="list-style-type: none"> • Replace section of cornice which has delaminated from southern wall. Entire cornice may require replacement subject to investigations into condition of ceiling. • Retain cornice and repair cracked and damaged plaster in profile where possible and finish to match existing. • Prepare and repaint.
Walls	Plaster	<ul style="list-style-type: none"> • Carefully remove drummy or deteriorated plaster finishes and investigate root causes, including water ingress. Evidence of substantial water damage in this room, flaking paint. • Repair cracked and damaged plaster surfaces. • New plaster to match the composition, thickness and appearance of adjacent plaster finishes. • Lightly sand plaster. • Prepare and repaint.
Skirting	Timber	<ul style="list-style-type: none"> • Retain or replace as required.
Floor	Tesselated tiles	<ul style="list-style-type: none"> • Floor structure in this space may require investigation subject to the advice of a Structural Engineer, noting significant dip in floor within adjacent hallway and substantial water damage evident to carpet in hallway. • If tiles are required to be removed to carry out investigations, they should be carefully lifted so as to cause minimal damage and whole tiles salvaged and securely stored for reinstatement. A record of the configuration / laying pattern of tiles should be made prior to commencement of works. • Replace damaged tiles in tiles to match existing in terms of size, colour and finish. • If tiled floor is approved for removal and required to be removed for the proposed adaptive re-use works, tessellated tiles should be salvaged and attempts made to sell to a dealer in second-hand building materials.
Doors		<ul style="list-style-type: none"> • As for Doors generally. • Prepare and repaint.
Windows		<ul style="list-style-type: none"> • As for Windows generally. • Prepare and repaint.
FF.12, FF.13		
Ceiling	Sheeting, timber battens	<ul style="list-style-type: none"> • Investigate condition of ceiling sheeting and causes of potential water ingress. • Remove flaking paint. • Prepare and repaint.

Schedule of Conservation Works, 1 Short Street, Leichhardt
P:\18\18162\05_DOC\02_REPORTS\18162_SCW.docx

1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Interior		
Element	Material	Action
Cornice	Plaster	<ul style="list-style-type: none"> Retain cornice and repair cracked and damaged plaster in profile and finish to match existing. Prepare and repaint.
Walls	Plaster	<ul style="list-style-type: none"> Carefully remove drummy or deteriorated plaster finishes and investigate root causes, including water ingress. Repair cracked and damaged plaster surfaces. New plaster to match the composition, thickness and appearance of adjacent plaster finishes. Lightly sand plaster. Prepare and repaint.
Cupboards	Timber	<ul style="list-style-type: none"> Retain, remove or replace as required. If removed from a wall which is to be retained, make good surfaces.
Floor	Timber	<ul style="list-style-type: none"> Repair floor including localised repair where floorboards are partially missing, retaining adjacent floorboards. Repairs should match existing floorboards in terms of timber type, hardness, profile, fixing and finishing.
Doors		<ul style="list-style-type: none"> As for Doors generally. Prepare and repaint.
Windows		<ul style="list-style-type: none"> As for Windows generally. Prepare and repaint.
FF.14, FF.15, FF.16		
Ceiling	Sheeting, timber battens	<ul style="list-style-type: none"> Investigate condition of ceiling sheeting and causes of potential water ingress. Remove flaking paint. Prepare and repaint.
Cornice	Plaster	<ul style="list-style-type: none"> Retain cornice and repair cracked and damaged plaster in profile and finish to match existing. Prepare and repaint.
Walls	Plaster	<ul style="list-style-type: none"> Carefully remove drummy or deteriorated plaster finishes and investigate root causes, including water ingress. Repair cracked and damaged plaster surfaces. New plaster to match the composition, thickness and appearance of adjacent plaster finishes. Lightly sand plaster. Prepare and repaint.
	Brick	<ul style="list-style-type: none"> Investigate causes of water ingress evident on exterior wall and address root causes prior to repairs to surfaces. Remove all redundant services conduits and metal fixings from brickwork and patch repair using lime mortar to match existing adjacent mortar. Make good holes and localised damage in brickwork where earlier fixings have been removed and patch repair using lime mortar to match existing mortar. Repairs and / or reconstruction of brickwork should match evidence of original laying configuration. Any

Schedule of Conservation Works, 1 Short Street, Leichhardt
P:\18\18162\05_DOC\02_REPORTS\18162_SCW.docx

42

Document Set ID: 36827389
Version: 1, Version Date: 15/09/2022



1 SHORT STREET, LEICHHARDT		
Schedule of Conservation Works: Interior		
Element	Material	Action
		new brick units are to match in size, colour, texture and hardness. <ul style="list-style-type: none"> • Repoint brickwork where mortar has failed or is missing to enable the egress of water. New mortar should be softer and more porous than the surrounding brickwork units.
Floor	Timber floor structure and floorboards	<ul style="list-style-type: none"> • Carefully remove floorboards where subsidence is identified. • Inspect sub-floor structure and condition of joists (to be carried out by structural engineer and, if required, a pest inspector). • If required, install new structural timber members adjacent to existing timber as directed by heritage architect in consultation with engineer. • Re-lay removed timber floorboards in configuration to match existing. • If new floorboards are required, these should match the existing floorboards in terms of timber type, hardness, profile, fixing and finishing. • Where existing floorboards are retained, repair damaged timber as required, to match existing in terms of timber type, hardness, profile, fixing and finishing.
Doors		<ul style="list-style-type: none"> • As for Doors generally. • Prepare and repaint.
Windows		<ul style="list-style-type: none"> • As for Windows generally. • Prepare and repaint.

Attachment F - Plan of Management

Plan of Management

NEW GENERATION BOARDING HOUSE – 1 Short Street, Leichhardt

Contents

Plan of Management Overview	2
Management	2
Community Relations	3
Rental Terms.....	4
Fire Safety and Infrastructure.....	4
Security	4
House Rules - Amenity of the Neighbourhood and Control of Noise	5
Complaint Management	5
Cleaning and Waste.....	6
Maintenance.....	6
Smoking and Alcohol	6
Other.....	6
Conclusion	6

Attachments

House Rules

Plan of Management Overview

This Plan of Management has been prepared for the operation and management of a Boarding House at 1 Short Street, Leichhardt.

The Boarding House comprises 17 rooms, with 12 of the rooms accommodating a private bathroom, kitchenette sleeping area and living area. The remaining 5 rooms accommodate a private kitchenette sleeping area, living area with a shared bathroom. All rooms have full access to a shared common outdoor area and terrace area. The proposal also provides for vehicle parking, common laundry facilities; a bicycle storage space (6), and a motorcycle (4) parking space. There is a total accommodation limit of 24 persons based on the room sizes and the provisions of the Affordable Rental Housing SEPP.

This Plan of Management identifies appropriate strategies and procedures to address potential social or environmental impacts associated with Boarding Houses. The Plan of Management embraces current best practice methodologies such as casual surveillance, clear contact points and procedures, complaint handling processes, articulation of responsibilities, and agreed house rules.

A plan of management is an accepted concept in environmental law and can be used in a range of circumstances. This plan of management assists in addressing the amenity impacts on the neighbours and integrating the proposed development with the existing development in the street.

The plan of management assists in addressing any adverse impacts on the amenity and characteristics of the established residential area. It provides a procedure to receive and resolve complaints and requires the appointment of a management company who will be contactable 24 hours a day, 7 days per week.

The measures outlined in this plan of management will be of assistance in maintaining the amenity of the development and characteristics of the local area.

Management

The boarding house will be managed by Blairgrove Pty Ltd.

Blairgrove Pty Ltd will appoint an on site manager who will be contactable 24 hours a day and 7 days per week.

Blairgrove Pty Ltd will administer the process to screen potential occupants, manage complaints efficiently and ensure maintenance of common property is systematic and thorough.

Blairgrove Pty Ltd will be able to respond within short timeframes, and be responsible for contracts and contacts with maintenance persons and companies, and establish relationships/contacts with security companies and services such as the NSW Police Force,

NSW Ambulance Service and NSW Fire Brigade.

Any matters that require urgent and potentially life threatening responses are the responsibility of either police, ambulance or fire services.

Blairgrove Pty Ltd must:

- Oversee all residential leases and ensure that no boarding room is occupied without a current lease.
- Ensure that the period of occupancy under the lease be no less than six (6) months. Longer leases are preferred.
- Organise building and landscaping maintenance as required through the engaging of contractors to undertaken maintenance, landscaping and cleaning functions.
- Promptly address and respond to tenant issues and building operation and maintenance matters.
- Ensure that the lease agreements specify the maximum occupancy of the room, which is regulated by room size.
- Maintain an incident register and record any complaints. The register is to be made available to Council.
- Ensure that the total occupancy of the boarding rooms pursuant to the leases does not exceed 24 lodgers.
- Provide the tenant with a copy of the Resident Information Brochure and House Rules with any new lease.
- Undertake periodic inspections of the boarding rooms to ensure that they are being maintained in a clean and tidy fashion and that maximum occupant numbers are maintained.

Community Relations

Blairgrove Pty Ltd is responsible for establishing contact and maintaining a relationship with the neighbours of the Boarding House within a 100m radius by undertaking the following tasks:

- Upon appointment letterbox drop all mail boxes within 100m radius of the Boarding Housing advising of their appointment and nominating all methods to contact them should any matter arise that warrants addressing.
- Provide a clear sign at the front of the Boarding House, that is visible to the public, identifying the name of the management company and the methods of contacting the company in the event that there is a matter that warrants addressing.

Rental Terms

Rental rates and terms will remain strictly confidential between the tenant and the managing agent.

Rent is to be paid at the agreed rate and kept two weeks in advance. Rental reviews will occur annually.

All rental terms shall be in accordance with the Residential Tenancies Act 2010 as amended from time to time and the Consumer Trader and Tenancy Tribunal shall have competent jurisdiction in this regard.

Fire Safety and Infrastructure (PHIL /DUNC to discuss)

A Fire Safety Schedule (FSS) will be prepared prior to occupation of the boarding house. The FSS will list the building's fire safety features and essential maintenance requirements. The FSS will be updated and renewed annually. A local fire services contractor will be engaged to undertake the essential maintenance and testing requirements.

The phone numbers of appropriate contacts will be prominently displayed throughout the premises e.g. NSW Police, Security Company, NSW Fire and Rescue, NSW Ambulance Service and other local emergency assistance services.

Phone numbers are also to be provided for appropriate support infrastructure service providers such as Telstra, Electrical Authority, Water Authority, local Council, etc.

Security

The safety and security of the tenants and the local community is of paramount importance to the amenity of the facility

Specific Measures:

- Strong delineation between private and communal spaces.
- Security camera will be installed in common areas
- External lighting after dark

House Rules - Amenity of the Neighbourhood and Control of Noise

The draft "House Rules" for the Boarding House are attached to this Plan of Management. It is noted that the document is a draft as it outlines the minimum requirements to be implemented by Blairgrove Pty Ltd; however it may be appropriate to amend and add to the House Rules as the Boarding House operations evolve.

The House Rules are to be prominently displayed in the common areas. Each new tenant is to be provided with a copy of the House Rules when signing their leasing agreement and agree to be bound by the House Rules.

House Rules relate to –

- the emission of noise (from within the boarding house and also the external spaces);
- prohibition of large gatherings and parties on the premises;
- interference with the peace and quiet of other residents and neighbours;
- control of alcohol intake and prohibition of illegal substances; and
- anti-social behaviour.

The emission of noise and appropriate hours for noise emission is dictated in legislation and enforced by parties such as the local Council. Blairgrove Pty Ltd is to be familiar with the legislative requirements and rules and be aware of the relevant authorities that are responsible for enforcement of noise issues.

Complaint Management

The task of Blairgrove Pty Ltd is to ensure that all neighbourhood complaints are recorded and management responses documented. A Management Diary and an Incident Register is to be kept.

The Management Company will listen to complaints or respond to correspondence and detail procedures to the persons complaining as to how the Boarding House intends minimising any further impact in the future.

The procedures detailed in this Plan of Management are designed to minimise complaints.

The Management Company is to deal with empathy and respect to any person making a complaint.

Cleaning and Waste

A weekly cleaner will be employed, at the cost of the Management Company, to ensure that the common property is clean and bins are ready for collection.

Cleaning will also include regular inspections for vermin control.

Maintenance

The Management Company is to employ the services of professional maintenance companies to undertake regular maintenance of the building. The maintenance companies are to enter the premises regularly and complete all maintenance required.

Any damage of internal or external property is repaired immediately together with all wear and tear items.

Smoking and Alcohol

No smoking is permitted within the Boarding House.

No alcohol is to be consumed within the Boarding House common areas.

Other

There is to be no keeping of animals on the premises as this may compromise the health and/or safety of other residents and will impact upon maintenance and cleanliness requirements within the Boarding House.

Conclusion

This Plan of Management has been prepared for the operation and management of a Boarding House at 1 Short Street, Leichhardt.

This Plan of Management identifies appropriate strategies and procedures to address potential social or environmental impacts associated with Boarding Houses and is supported by the draft house rules.

This Plan of Management is an accepted concept in environmental law and can be used in a range of circumstances. This Plan of Management assists in addressing the amenity impacts on the neighbours and integrating the proposed development with the existing development in the street.

The measures outlined in this plan of management will be of assistance in maintaining the amenity and characteristics of the area.

HOUSE RULES

The following rules are a condition of your lease – Any breach of these rules will result in termination of your lease and further action by the CTTT. The local council may also take its own action against you including issuing fines

- No Parties or any other noise generating activity is to occur after 9:30pm Sunday to Thursday and after 12pm Friday and Saturday
- At any time noisy activities are occurring, occupants should keep doors and windows closed where possible to reduce noise emission
- Television, music players and any other sound emitting device should be kept at a moderate level and not be audible from neighbouring properties
- No Smoking is permitted in common areas
- No Alcohol or illegal substances are to be consumed or brought into common areas at any time.
- Occupants are not to congregate in groups in any part of the common property, especially the external common property. Anti-social behaviour of any kind is prohibited and will be referred immediately to the police.
- Each resident is required to keep common areas clean. After using common facilities such as the laundry, residents are to clean up after themselves. Residents are encouraged to use their own private kitchen and bathroom where possible.
- Each occupant is required to ensure that other occupants of this boarding house as well as surrounding neighbours are allowed to peacefully and quietly enjoy their own premises. Each occupant is required to ensure they do not do anything or allow anything to occur that will impact on the quiet enjoyment of each tenant and neighbour of this boarding house.
- Each tenant of this boarding house is responsible for themselves and their visitors. Tenants should ensure their visitors enter and exit the site in a quiet and respectful manner, having regard to the time of day or night they are entering or exiting the site.
- Occupants of each boarding room shall make their boarding room available for inspection by the property manager. This shall be by appointment with 24 hours' notice. However, in the case of an emergency, no notice is required and the property manager may use the spare key to enter the premises
- Any breach of the house rules will result in warnings initially, and in the case of persistent and serious breaches, termination of your lease and eviction from the premises.