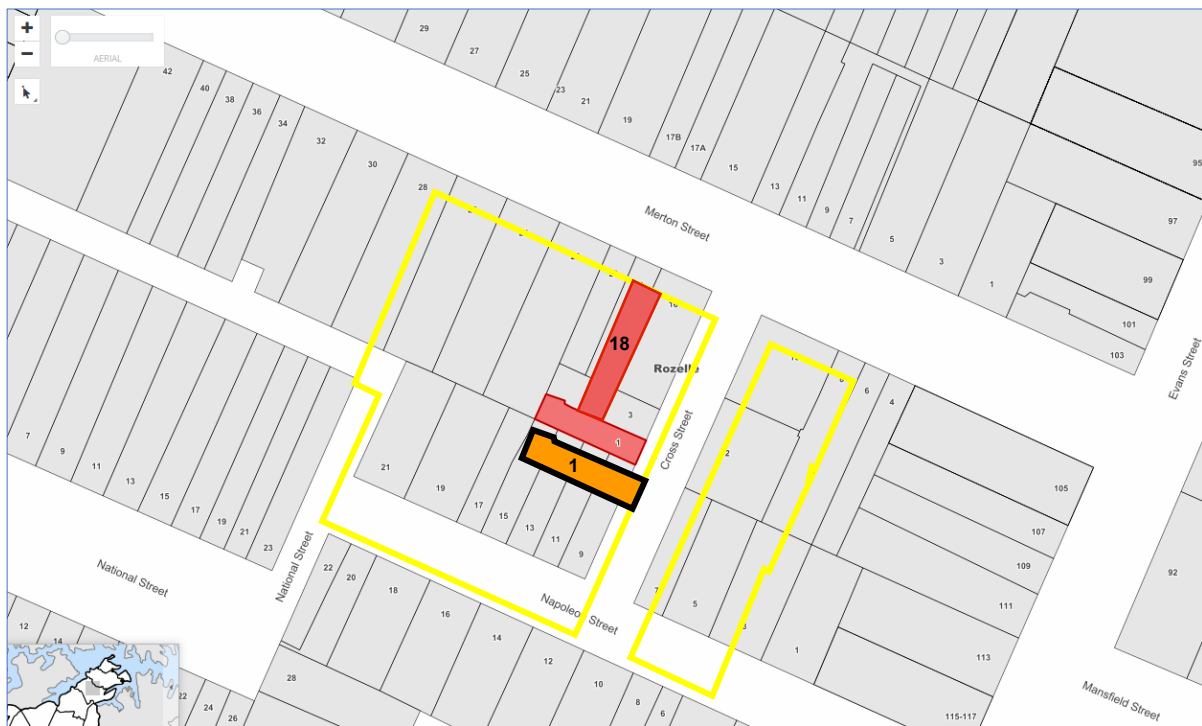


# INNER WEST

## DEVELOPMENT ASSESSMENT REPORT

<b>Application No.</b>	MOD/2023/0005
<b>Address</b>	1 Cross Street, ROZELLE NSW 2039
<b>Proposal</b>	Section 4.55(2) modification of D/2018/418, which approved alterations and additions to an existing dwelling house, seeking ground and first floor changes including a new first floor bay window
<b>Date of Lodgement</b>	27 January 2023
<b>Applicant</b>	Anthony Zonaga – Ballast Point
<b>Owner</b>	Kasper Luel and Jody L Potter
<b>Number of Submissions</b>	Initial: One (1)
<b>Value of works</b>	\$95,000.00
<b>Reason for determination at Planning Panel</b>	FSR Variation exceeds Officer delegation
<b>Main Issues</b>	FSR variation; privacy
<b>Recommendation</b>	Approved subject to conditions
<b>Attachment A</b>	Recommended conditions of consent to be modified
<b>Attachment B</b>	Notice of Determination – D/2018/418
<b>Attachment C</b>	Plans of proposed modification
<b>Attachment D</b>	Plans of approved development – D/2018/418

**FIGURE 1: NOTIFICATION MAP**



### LOCALITY MAP

Subject Site		Objectors		N ↑
Notified Area		Supporters		

## 1. Executive Summary

This report is an assessment of the application submitted to Council under Section 4.55(2) of the *Environmental Planning and Assessment Act 1979* to modify Determination No. D/2018/418 dated 27 November 2018, which approved alterations and additions to an existing dwelling house. The modification is seeking ground and first floor changes including a new first floor bay window.

The application was notified to surrounding properties and one (1) submission was received regarding visual privacy impact.

The main issue that has arisen from the application is the FSR variation which exceeds 10%.

As will be discussed in this report, the FSR variation is acceptable given that the variation is a small increase from the approved FSR non-compliance, and subject to the imposition of conditions of consent to mitigate potential amenity impacts to adjoining properties, and given the acceptable streetscape and heritage impacts of the proposed modification, the application is recommended for approval.

## 2. Proposal

The proposed modification is a Section 4.55(2) which seeks to modify Development Consent D/2018/418, which approved alterations and additions to an existing dwelling house. The proposed modification is seeking ground and first floor internal alterations and a new first floor bay window at the rear.

### Ground Floor:

- Internal alterations and reconfiguration work of the access stairs, kitchen/living/dining and bath.
- Deletion of bedroom/study.
- Conversion of the approved living room to a sitting room at the front of the dwelling.

### First Floor:

- Addition of a bay window to Bed 2 at the rear of the property.

### Levels/Elevation:

- Reduction of the rear addition from RL38.50 to RL 38.15 at its highest point and RL37.76 from RL37.870 at its lowest point to enable the proposed bay window addition.

## 3. Site Description

The subject site is legally described as Lot A in DP106757 otherwise known as 1 Cross Street, Rozelle. The subject site is located on the western side of Cross Street between Merton Street and Napoleon Street, Rozelle.

Cross Street has a mixture of development most of which are double storey. The subject site contains a semi-detached double-storey dwelling constructed to the street boundary.

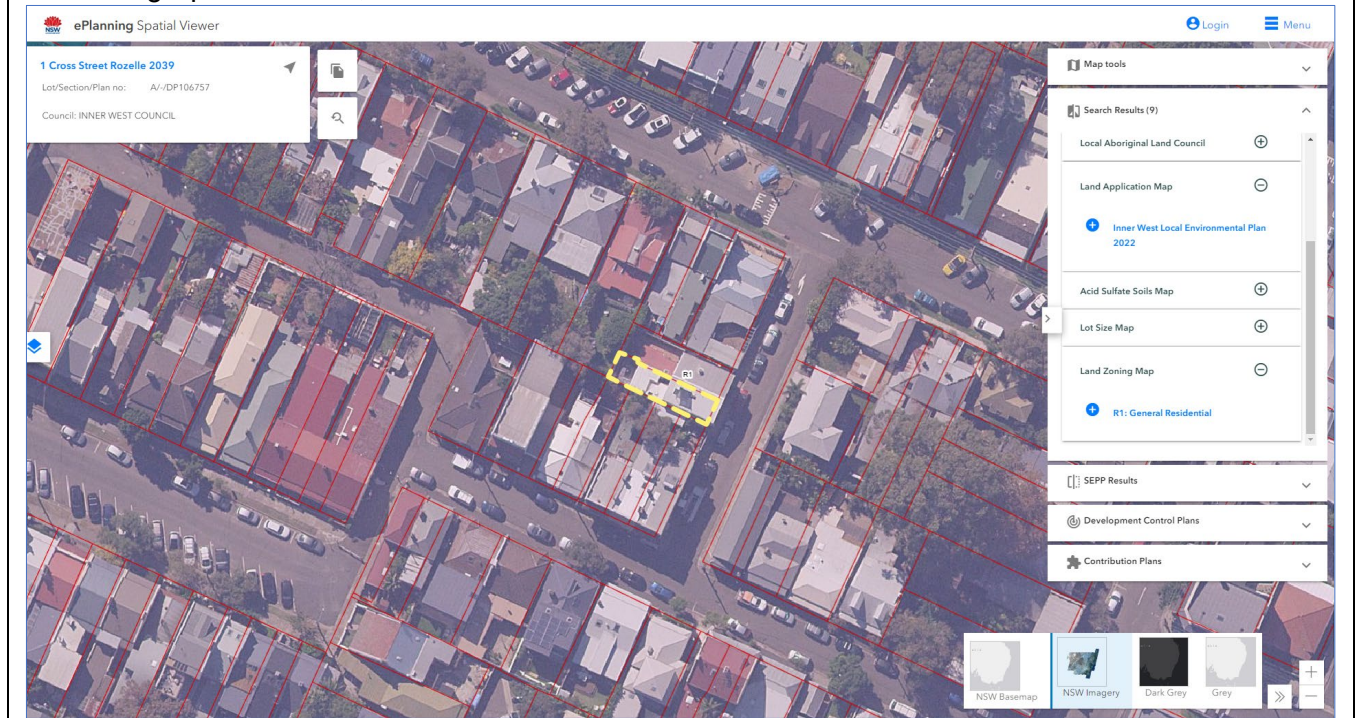
Figure 2: the subject site is indicated in red border. Source: Google Street Maps, 06.04.2023



The subject site is not listed as a heritage item, nor located in the vicinity of any environmental heritage, however, it is located within a Heritage Conservation Area.

The subject site is zoned R1: General Residential under the *Inner West Local Environmental Plan 2022*, please see Figure 3.

Figure 3: the subject site bordered in dashed yellow is zoned R1 General Residential. Source: NSW e-Planning Spatial Viewer, 06.04.2023.



## 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

##### 1 Cross Street Rozelle

Application	Proposal	Decision & Date
D/2018/418	Alterations and additions to existing dwelling-house.	Approved – 27.11.2018 – Panel

#### Surrounding properties

Not applicable

### 4(b) Application history

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

Date	Discussion / Letter / Additional Information
9/3/23	The applicant was requested to provide amended shadow diagrams accurately demonstrating impacts of overshadowing.
14/3/23	Shadows diagrams lodged

## 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 (EPA Act 1979)*.

### 5(a) Section 4.55 Modification of Consent

The following is a summary of the assessment of the application in accordance with Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*.

Section 4.55(2) of the *EPA Act 1979* allows a consent authority to modify a development consent granted by it, if:

- “(a) *it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and*
- (b) *it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*

- (c) *it has notified the application in accordance with—*
- (i) *the regulations, if the regulations so require, or*
  - (ii) *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) *it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.”*

In considering the above:

- The essence of the development as modified is substantially the same as the original consent.
- The proposed modification does not require concurrence from another approval body.
- The application was notified in accordance with Council’s Community Engagement Framework and no submissions have been received with regard to the proposed modification

#### 5(b) Environmental Planning Instruments

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

- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *Inner West Local Environmental Plan 2022 (IWLEP 2022)*

The following provides further discussion of the relevant issues:

#### **5(b)(i) State Environmental Planning Policy (Resilience and Hazards) 2021**

##### *Chapter 2 Coastal management*

The SEPP aims to ensure that future coastal development is appropriate and sensitive to its coastal location and category.

The site is not within or within proximity of, nor is it categorised as a coastal wetlands and littoral rainforests area, coastal vulnerability area, coastal environment, and a coastal use area.

The proposed development will not adversely affect any coastal processes or values.

##### *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 no indication of uses listed in Table 1 of the contaminated land planning guidelines within Council's records for the subject site itself. Overall, the subject site is suitable for the proposed development.

**5(b)(ii) State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

A BASIX Certificate, Certificate No.: 483329, dated 04 January 2023 lodged by Ballast Point, was submitted with the application and is recommended to be referenced in any consent granted.

**5(b)(iii) State Environmental Planning Policy (Biodiversity and Conservation) 2021**

*Chapter 2 Vegetation in non-rural areas*

No prescribed trees will be adversely affected.

**5(b)(iv) Inner West Local Environmental Plan 2022 (IWLEP 2022)**

The application was assessed against the following relevant sections of the *Inner West Local Environmental Plan 2022*:

- Section 1.2 - Aims of Plan
- Section 2.3 - Land Use Table and Zone Objectives
- Section 4.3C – Landscaped Areas for Residential Accommodation in Zone R1
- Section 4.4 – Floor Space Ratio
- Section 4.5 – Calculation of Floor Space Ratio and Site Area
- Section 4.6 – Exceptions to Development Standards
- Section 5.10 – Heritage Conservation
- Section 6.1 – Acid Sulfate Soils
- Section 6.3 – Stormwater Management
- Section 6.8 – Development in Areas Subject to Aircraft Noise

Section 1.2 - Aims of the Plan

The proposed modifications are largely internal and at the rear of the subject site, and the development as modified and as conditioned, will result in acceptable streetscape / heritage and amenity outcomes and is a satisfactory response to the existing pattern of development in the street, and hence, will satisfy the relevant Aims of the Plan.

Section 2.3 - Land Use Table and Zone Objectives

The subject site is zoned R1 General Residential under the *IWLEP 2022*. The proposed works are to a dwelling house, which means a building containing only one dwelling, and is permissible development with consent on land zoned R1 General Residential under the *IWLEP 2022*.

The objectives of the Zone R1 General Objectives 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 provide residential development that maintains the character of built and natural features in the surrounding area.

The proposal will continue to provide for a variety of housing types and for the housing needs of the community within a low-density residential environment. Further, the proposed changes are located internally and at the rear of the subject site and will maintain the character of the built and natural features of the area, and hence, will satisfy the applicable zone objectives.

Section 4 - Principal Development Standards

The subject site has a site area of 79.3sqm and the following table outlines an assessment of the proposal against the relevant development standards:

Standard	Proposal	Non compliance	Complies
<b>Landscape Area</b> Minimum permissible: 15% (11.895sqm)	0%	100%	No, this is an existing non-compliance from D/2018/418 which is not changed.
<b>Site Coverage</b> Maximum permissible: 60% (47.58sqm)	81.39% (66.16sqm)	35.65% (17.40sqm)	No, this is an existing non-compliance from D/2018/418 which is not changed.
<b>Floor Space Ratio</b> Maximum permissible: 0.9:1 (71.37sqm)	Proposed 1.17:1 (92.92sqm)  Approved (D/2018/418) 1.15:1 (91.02sqm)	Proposed 30.19% (21.55sqm)  Approved (D/2018/418) 27.53% (19.65sqm)	No – see below

Section 4.4 – Floor Space Ratio

As noted above, the proposed modification results in a minor additional breach of the FSR development standard prescribed under Section 4.4 of *IWLEP 2022*. As this is an application to modify a consent, a Section 4.6 Exceptions to Development Standards request is not required in order to seek Council’s consent to vary the standard despite the proposal resulting in a further breach of the standard in this instance. Notwithstanding, the variation to the FSR standard in this instance is supported given the following;

- The additional breach is minimal;
- The proposed modification and the resulting variation have very minimal and acceptable impacts on neighbouring properties;
- The proposal will result in improved amenity outcomes to the subject site;
- The proposal does not result in any additional or undue adverse visual bulk and scale or solar access impacts on adjoining properties;
- Subject to conditions, the proposal will result in acceptable visual privacy impacts; and
- The proposal meets the objectives of the FSR standard and the R1 General Residential zone.

Section 5.10 – Heritage Conservation

The subject property at 1 Cross Street, Rozelle, is a neutral dwelling located within The Valley Heritage Conservation Area (C7 in Schedule 5 of the Leichhardt LEP 2013). The site is not heritage listed, nor is the site located in the vicinity of any environmental heritage.

The proposed modification includes changes to the ground and first floor configuration, a reduction in the height of the ground floor addition, and the addition of a bay window to the western elevation (rear facing bay window).

The proposed changes are internal and at the rear and will have little to no visibility from the public domain, and will be of a form, size, scale, design and detail that will not detract from the existing and adjoining dwellings, the streetscape or Heritage Conservation Area.

Overall, the proposed modification is acceptable having regard to the provisions of Clause 5.10 if IWLEP 2022.

5(c) **Development Control Plans**

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

The following provides discussion of the relevant issues:

<b>Leichhardt Development Control Plan 2013</b>	<b>Compliance</b>
<b>Part A: Introductions</b>	
Section 3 – Notification of Applications	Yes
<b>Part B: Connections</b>	
B1.1 Connections – Objectives	Yes
<b>Part C</b>	
C1.0 General Provisions	Yes
C1.1 Site and Context Analysis	Yes
C1.3 Alterations and additions	Yes - see discussion below.
C1.4 Heritage Conservation Areas and Heritage Items	Yes
C1.7 Site Facilities	Yes
C1.9 Safety by Design	Yes
C1.12 Landscaping	Yes
<b>Part C: Place – Section 2 Urban Character</b>	
C2.2.5.1 The Valley ‘Rozelle’ Distinctive Neighbourhood	Yes
<b>Part C: Place – Section 3 – Residential Provisions</b>	
C3.1 Residential General Provisions	Yes
C3.2 Site Layout and Building Design	No, but acceptable – see discussion below
C3.3 Elevation and Materials	Yes
C3.7 Environmental Performance	Yes
C3.8 Private Open Space	Yes
C3.9 Solar Access	Yes - see discussion below.
C3.10 Views	No impacts



C3.11 Visual Privacy	Yes, as conditioned - see discussion below.
C3.12 Acoustic Privacy	Yes
<b>Part D: Energy</b>	
Section 1 – Energy Management	Yes
Section 2 – Resource Recovery and Waste Management	
D2.1 General Requirements	Yes
D2.3 Residential Development	Yes
<b>Part E: Water</b>	
Section 1 – Sustainable Water and Risk Management	
E1.1.3 Stormwater Drainage Concept Plan	Yes
E1.2.2 Managing Stormwater within the Site	Yes

The following provides discussion of the relevant issues:

C1.3 - Alterations and Additions

The additions and works are appropriately sited at the rear and will have minimal visibility from the street, and will be of a form, and consist of roof forms, proportions to openings and finishes and materials, that will complement the existing dwelling, adjoining buildings and the streetscape. Further, subject to recommended conditions, the additions will result in acceptable amenity impacts on adjoining properties and will be compatible with the pattern of development in the street.

C3.2 – Site layout and Building Design

*Building Location Zone*

The proposal does not entail any works that will alter the rear Building Location Zone (BLZ) on the ground floor which complies with the BLZ established by the adjoining property at No. 3 Cross Street, being the only immediate adjoining property which most matches the orientation, frontage width and site layout of the subject site.

However, the first floor bay window addition will have a rear boundary setback of 8m, which will extend beyond the first floor rear building alignment of No. 3 Cross Street, which has a first floor rear boundary setback of 9.1m, and hence, will encroach the BLZ established by this adjoining dwelling.

Where a breach or the establishment of a new BLZ is proposed, Control C6 of this part of the DCP requires that certain tests are met. The proposed development has been assessed against these tests below:

- *Amenity to adjacent properties (i.e., sunlight, privacy, views) is protected and compliance with the solar access controls of this Development Control Plan is achieved.*

Comment: As discussed further later in the report, the development as modified and as conditioned is acceptable with regard to the solar access and visual privacy considerations and will not result in any undue adverse view loss implications.

- *The proposed development will be compatible with the existing streetscape, desired future character, and scale of surrounding development.*

Comment: As discussed previously, the proposal will result in acceptable streetscape impacts and will appropriately respond to desired future character controls. Further, the proposal is largely compatible with the existing and adjoining terrace dwelling at No. 3 Cross Street and the proposed development is not out of character with the existing pattern of development in the vicinity of the site. Therefore, in this regard, the proposed modification is acceptable.

- *The proposal is compatible in terms of size, dimensions privacy and solar access of private open space, outdoor recreation and landscaping.*

Comment: The development will not alter private open space provision.

- *Retention of existing significant vegetation and opportunities for new significant vegetation is maximised.*

Comment: The proposal will not alter the previously approved landscaped area, under D/2018/418.

- *The height of the development has been kept to a minimum to minimise visual bulk and scale, as viewed from adjoining properties, in particular when viewed from the Private Open Space of adjoining properties.*

Comment: The proposal is considered to be acceptable in this regard for the following reasons:

- The proposal utilises existing levels on the ground floor.
- The alterations and additions to the dwelling are sited in a location where development can be reasonably expected to be carried out in response to streetscape and amenity controls i.e. at the rear behind the front dwelling form and adjacent to adjoining building forms; and
- The bay window addition is appropriately setback from the side boundaries and contained within a low skillion form. The addition will also be sited immediately adjacent to adjoining built structures. Combined with the overall reduction in the height of the proposed ground floor rear addition, the development, as modified will not result in any undue adverse visual bulk and scale impacts when viewed from adjoining properties.

Given the above, the first floor BLZ to be established on the site is satisfactory as it will meet the objectives of the control.

#### *Side Boundary Setbacks*

The following compliance table assesses the proposed bay window addition against the Side Boundary Setbacks Graph prescribed in this part of the DCP.

Wall	Height (m)	Required Setback (m)	Proposed Setback (m)	Compliant
North GF	3.3 – 3.4	0.29 – 0.35	0.0 – 0.0	No, but reduction in wall height compared to approved development
North FF	4.7 – 5.0	1.1 – 1.27	1.1 – 1.1	Part Yes / Part No
South GF	1.8 – 2.6	-0.12 – -0.58	0.0 – 0.0	Yes and No, but reduction in wall height compared to the approved development
South FF	4.5 – 4.6	0.98 – 1.04	0.3 – 0.8	No

As noted in the above table, the proposal results in new breaches of the Side Boundary Setbacks Graph to both side boundaries at the first floor. Pursuant to this part of the DCP, where a proposal breaches the Side Boundary Setbacks Graph, certain tests need to be met. The proposal meets these tests as detailed below.

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

Comment: The proposal raises no issues in this regard.

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

Comment: The proposed development is not contrary to the streetscape with the works sited at the rear of, and behind the main contributory front dwelling form. The majority of the works are proposed internal, and the bay window has no adverse streetscape impacts. Therefore, the pattern of development as seen from Cross Street is not compromised.

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

Comment: As discussed further later in the report, the development as modified and as conditioned is acceptable with regard to the solar access and visual privacy considerations.

- *Bulk and scale are minimised.*

Comment: For reasons discussed under the BLZ test, the bulk and scale of the first floor addition is not excessive and its bulk and scale has been minimised.

- *Reasonable access is retained for necessary maintenance of adjoining properties.*

Comment: The proposed changes will not cause any further obstruction to adjoining properties for maintenance purposes.

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

### C3.9 Solar Access

The subject site is on an east/west (front/rear) orientation and thus, the applicable controls of this Part of the DCP are C12, C13, C15, C17 and C19. The applicant has provided hourly shadow diagrams which demonstrate the following.

#### *Subject Site*

- *C11 Alterations and additions to residential property shall be designed to minimise overshadowing to the subject site and maximise direct sunlight, natural daylight and ventilation to the subject site.*

Comment: The proposed development will maximise solar access through the installation of a rear-facing bay window. Therefore, this control of this part of the DCP is satisfied.

#### *Neighbouring Properties*

- *C13 Where the surrounding allotments are orientated north/south and the dwelling has north facing glazing serving the main living room, ensure a minimum of three hours solar access is maintained between 9am and 3pm during the winter solstice.*
- *C15 Where surrounding dwellings currently receive less than the required amount of solar access to the main living room between 9am and 3pm during the winter solstice, no further reduction of solar access is permitted.*
- *C17 Where surrounding dwellings have north facing private open space, ensure solar access is retained for three hours between 9am and 3pm to 50% of the total area during the winter solstice.*
- *C19 Where surrounding dwellings currently receive less than the required amount of solar access to their private open space between 9am and 3pm during the winter solstice, no further reduction of solar access is permitted.*

Comment: The only potential properties impacted upon in terms of overshadowing by the proposal are adjoining Napoleon Street properties located to the immediate south of the site.

The proposal does not result in additional overshadowing of any north facing glazing servicing a living room of any adjoining Napoleon Street properties, and hence, the proposal complies with Controls C13 and C15 above.

The private open space of the adjoining dwellings on Napoleon Street to the south currently receive less than the amount of solar access as required by Control C17 above. The DA approval resulted in an increase in overshadowing of the private open space of Nos. 13 and 15 Napoleon Street in mid-winter due to the rear ground floor extension. This proposal includes a lowering of the height and pitch of the ground floor rear extension roof form, and therefore, provides an improvement of solar access compared to the previous approval, and the form of the proposed bay window is low and setback from the southern boundary in an effort to minimise overshadowing impacts. The bay window results in minor additional overshadowing impact on the private open space of 13 Napoleon Street at 10am on June 21 of 0.66sqm (with no impact on No. 15), but otherwise falls on adjoining blank walls or on adjoining roof areas. This brief and minor impact is more than compensated for by the improved solar access to the private open space of No. 13 Napoleon Street between 10am and 1:00pm in mid-winter, resulting in a reduction in overall overshadowing impact on this property compared to the approved development.

In summary, the proposal results in a net reduction in additional overshadowing in mid-winter to the private open space of No. 13 Napoleon Street compared to the approved development,

and hence, raises no issues that will be contrary to the provisions and objectives of this part of the DCP.

### C3.11 - Visual Privacy

A submission from 18 Merton Street was received against the proposed rear-facing first-floor bay window on grounds of visual privacy impacts. That is, the submission raised issues of overlooking from the bay window to the private open space of No. 18 Merton Street.

Control C1 of the LDCP 2013 require sight lines be restricted within 9m and 45 degrees from a living room or POS to another living room or POS, however, there are no controls to mitigate potential overlooking from a bedroom to a POS of an adjacent property. Therefore, in this regard the proposed bay window is acceptable.

However, the proposed bay window will potentially direct overlook the first-floor bedroom of No. 3 Cross Street and is contrary to Control C7 of this section of the DCP which reads:

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

Therefore, to mitigate any potential overlooking from the bay window into the existing window at No. 3 Cross Street, a condition of consent is included in the recommendation requiring that the northern side of the bay window is provided with a suitable externally fixed and non-operable screen with a minimum block out density of 75%, or fixed and obscure glazing. This will also provide visual privacy to the adjacent properties to the north of the subject dwelling, including No. 18 Merton Street.

### 5(d) The Likely Impacts

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

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

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

### 5(f) Any submissions

The application was notified in accordance with the Community Engagement Framework for a period of 14 days to surrounding properties.

One (1) submission was received in response to the notification regarding adverse visual privacy, which was previously addressed in the relevant section.

The submission also recommended clerestory roof form to the bay window, however in this regard the proposed bay window subject to a condition of consent relating to privacy screening is acceptable.

5(g) The Public Interest

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

The proposal is not contrary to the public interest.

**6 Referrals**

6(a) Internal

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

Referral Section	Comments
Heritage Internal	Acceptable as lodged.

6(b) External

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

**7. Section 7.11 Contributions/7.12 Levy**

NA

**8. Conclusion**

The proposal generally complies with the aims, objectives and design parameters contained in *Inner West Local Environmental Plan 2022* and *Leichhardt Development Control Plan 2013*.

The development, as modified and as conditioned, will not result in any significant or undue adverse impacts on the amenity of the adjoining properties and the streetscape and is not considered to be contrary to public interest.

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

**9. Recommendation**

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979*, and grant consent to MOD/2023/0005 which seeks to modify Determination No. D/2018/418 dated 27 November 2018 under s4.55(2) of the *Environmental Planning and Assessment Act 1979* so as to Carry out ground and first floor changes including a new first floor bay window at 1 Cross Street, ROZELLE subject to the conditions listed in Attachment A below:

## Attachment A – Recommended conditions of consent

- Development must be carried out in accordance with Development Application No. D/2018/418 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
<b>Drawing No. 01 Rev# B Roof Plan</b>	<b>Christopher Jordan Architecture Design</b>	<b>28.05.18</b>
<b>Drawing No. 02 Rev# B Ground Floor Plan</b>	<b>Christopher Jordan Architecture Design</b>	<b>28.05.18</b>
<b>Drawing No. 03 Rev# B First Floor Plan</b>	<b>Christopher Jordan Architecture Design</b>	<b>28.05.18</b>
<b>Drawing No. 04 Rev# B Elevations 1</b>	<b>Christopher Jordan Architecture Design</b>	<b>28.05.18</b>
<b>Drawing No. 05 Rev# B Elevations 2</b>	<b>Christopher Jordan Architecture Design</b>	<b>28.05.18</b>
<b>Drawing No. 06 Rev# B Sections</b>	<b>Christopher Jordan Architecture Design</b>	<b>28.05.18</b>
<b>Drawing No. 07 Rev# B Materials and Finishes</b>	<b>Christopher Jordan Architecture Design</b>	<b>28.05.18</b>
Document Title	Prepared By	Dated
<b>BASIX Certificate No. A315341</b>	<b>Christopher Jordan Architecture Design</b>	<b>14.05.18</b>
Plan Reference	Drawn By	Dated
<b>A2.1 Rev B Roof &amp; Site Plan</b>	<b>Ballast Point</b>	<b>27.02.23</b>
<b>A2.2 Rev B Ground Floor Plan</b>	<b>Ballast Point</b>	<b>27.02.23</b>
<b>A2.3 Rev B First Floor Plan</b>	<b>Ballast Point</b>	<b>27.02.23</b>
<b>A3.1 Rev A Elevations</b>	<b>Ballast Point</b>	<b>05.01.23</b>
<b>A3.2 Rev A Elevations</b>	<b>Ballast Point</b>	<b>05.01.23</b>
<b>A3.3 Rev A Elevations</b>	<b>Ballast Point</b>	<b>05.01.23</b>
<b>A8.1 Rev A Materials Schedule</b>	<b>Ballast Point</b>	<b>27.02.23</b>
Document Title	Prepared By	Dated
<b>A483329 BASIX Certificate</b>	<b>Ballast Point</b>	<b>04.01.2023</b>
<b>22S0391 Structural Review Certificate</b>	<b>Structure Consulting Engineers</b>	<b>09.01.2023</b>

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

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

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

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

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

***(Condition Amended – MOD/2023/0005 – 9/5/23)***

**7A. *Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans indicating Window W3 to the bay window of Bed 2 to the northern side elevation being amended in the following manner:***

- a. Suitable externally fixed and non-operable screening with a minimum block out density of 75%; OR***
- b. Fixed and obscure glazing.***

***(Condition Added – MOD/2023/0005 – 9/5/23)***



Attachment B – Notice of Determination D/2018/418

CONDITIONS OF CONSENT

1. Development must be carried out in accordance with Development Application No. D/2018/418 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
Drawing No. 01 Rev# B Roof Plan	Christopher Jordan Architecture Design	28.05.18
Drawing No. 02 Rev# B Ground Floor Plan	Christopher Jordan Architecture Design	28.05.18
Drawing No. 03 Rev# B First Floor Plan	Christopher Jordan Architecture Design	28.05.18
Drawing No. 04 Rev# B Elevations 1	Christopher Jordan Architecture Design	28.05.18
Drawing No. 05 Rev# B Elevations 2	Christopher Jordan Architecture Design	28.05.18
Drawing No. 06 Rev# B Sections	Christopher Jordan Architecture Design	28.05.18
Drawing No. 07 Rev# B Materials and Finishes	Christopher Jordan Architecture Design	28.05.18
Document Title	Prepared By	Dated
BASIX Certificate No. A315341	Christopher Jordan Architecture Design	14.05.18

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

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

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

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

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

2. The demolition works approved by this consent shall strictly comply with the following conditions:
  - a) The adjoining residents must be notified seven (7) working days prior to demolition. Such notification is to be clearly written on A4 size paper giving the date demolition will commence, site contact details/person, elements to be demolished and be placed in the letterbox of every premises (including every residential flat or unit, if any) either side, immediately at the rear of and directly opposite the demolition site.
  - b) Written notice is to be given to the Principal Certifying Authority for inspection prior to demolition. Such written notice is to include the date when demolition will commence and details of the name, address, business hours and contact telephone number and licence number of the demolisher. The following building inspections must be undertaken by the Principal Certifying Authority:

- i) A *pre commencement* inspection when all the site works are installed on the site and prior to demolition commencing.
- ii) A *final* inspection when the demolition works have been completed.

NOTE: If Council is nominated as your Principal Certifying Authority 24 - 48 hours notice to carry out inspections is required. Arrangement for inspections can be made by phoning 9367 9222.

- c) Prior to demolition, the applicant must erect a sign at the front of the property with the demolisher's name, licence number, contact phone number and site address.
- d) Prior to demolition, the applicant must erect a 2.4m high temporary fence, hoarding between the work site and any public property (footpaths, roads, reserves etc). Access to the site must be restricted to authorised persons only and the site must be secured against unauthorised entry when work is not in progress or the site is otherwise unoccupied.
- e) The demolition plans must be submitted to the appropriate Sydney Water Quick Check agent for a building plan approval.
- f) Demolition is to be carried out in accordance with the relevant provisions of Australian Standard 2601:2001: *Demolition of structures*.
- g) The hours of demolition work are limited to between 7:00am and 6:00pm on weekdays. No demolition work is to be carried out on Saturdays, Sundays and public holidays.
- h) Hazardous or intractable wastes arising from the demolition process must be removed and disposed of in accordance with the requirements of WorkCover New South Wales and the Environmental Protection Authority.
- i) Demolition procedures must maximise the reuse and recycling of demolished materials in order to reduce the environmental impacts of waste disposal.
- j) During demolition, public property (footpaths, roads, reserves etc) must be clear at all times and must not be obstructed by any demolished material or vehicles. The footpaths and roads must be swept (not hosed) clean of any material, including clay, soil and sand. On the spot fines may be levied by Council against the demolisher and/or owner for failure to comply with this condition.
- k) All vehicles leaving the site with demolition materials must have their loads covered and vehicles must not track soil and other materials onto public property (footpaths, roads, reserves etc) and the footpaths must be suitably protected against damage when plant and vehicles access the site.
- l) The burning of any demolished material on site is not permitted and offenders will be prosecuted.
- m) Care must be taken during demolition to ensure that existing services on the site (ie, sewer, electricity, gas, phone) are not damaged. Any damage caused to existing services must be repaired by the relevant authority at the applicant's expense. Dial before you dig [www.1100.com.au](http://www.1100.com.au) should be contacted prior to works commencing.
- n) Suitable erosion and sediment control measures in accordance with the Soil and Water Management Plan must be erected prior to the commencement of demolition works and must be maintained at all times.

2 of 16

Document Set ID: 37638290  
Version: 2, Version Date: 17/04/2023

- o) Prior to demolition, a Work Plan must be prepared and submitted to the Principal Certifying Authority in accordance with the relevant provisions of Australian Standard 2601:2001 *Demolition of structures* by a person with suitable expertise and experience. The Work Plan must identify hazardous materials including surfaces coated with lead paint, method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- p) If the property was built prior to 1987 an asbestos survey prepared by a qualified occupational hygienist is to be undertaken. If asbestos is present then:
  - i) A WorkCover licensed contractor must undertake removal of all asbestos.
  - ii) During the asbestos removal a sign "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400 mm x 300 mm is to be erected in a visible position on the site to the satisfaction of Council.
  - iii) Waste disposal receipts must be provided to Council / Principal Certifying Authority as proof of correct disposal of asbestos laden waste.
  - iv) All removal of asbestos must comply with the requirements of WorkCover and Leichhardt Council.
  - v) An asbestos clearance certificate prepared by a qualified occupation hygienist must be provided at the completion of the demolition works.

#### PRIOR TO THE RELEASE OF A CONSTRUCTION CERTIFICATE

- 3. In accordance with the provisions of the *Environmental Planning and Assessment Act 1979* construction works approved by this consent must not commence until:
  - a) A Construction Certificate has been issued by Council or an Accredited Certifier. Either Council or an Accredited Certifier can act as the "Principal Certifying Authority."
  - b) A Principal Certifying Authority has been appointed and Council has been notified in writing of the appointment.
  - c) At least two days notice, in writing has been given to Council of the intention to commence work.

The documentation required under this condition must show that the proposal complies with all Development Consent conditions and is not inconsistent with the approved plans, the Building Code of Australia and the relevant Australian Standards.

- 4. In the event that the site drainage system becomes blocked or its capacity is exceeded, this may lead to inundation of the dwelling or redirection of stormwater runoff onto adjoining properties.

The proposal should be modified to reduce the risk of flooding to the dwelling. In this regard, the capacity of the site drainage system should be upgraded to reduce the risk of failure. The design of the sag pit and piped drainage system is to meet the following criteria:

- a) Capture and convey the 100 year Average Recurrence Interval flow from the contributing catchment assuming 80% blockage of the inlet and 50% blockage of the pipe.
- b) The maximum water level over the sag pit shall not be less than 150mm below the floor level or damp course of the building.
- c) The design must make provision for the natural flow of stormwater runoff from

3 of 16

uphill/upstream properties/lands.

The design must be prepared by a qualified practicing Civil Engineer.

5. Prior to the issue of a Construction Certificate, a Structural Certificate must be provided to the Principal Certifying Authority. The Certificate must verify that the structural integrity of the existing "Party Walls" are adequate to accept the additional loads imposed thereon by the proposal. A copy of the Certificate must be provided to the consent authority and all owners of the party wall/s.
6. Any air conditioning unit on the site must be installed and operated at all times so as not to cause "Offensive Noise" as defined by the Protection of the Environment (Operations) Act 1997.

The system/s shall be operated as follows:

- a) Domestic air conditioners must not be audible in nearby dwellings between:
  - i) 10:00pm to 7:00am on Monday to Saturday: and
  - ii) 10:00pm to 8:00am on Sundays and Public Holidays.
- b) At any other time the systems and associated equipment shall not give rise to a sound pressure level at any affected premises that exceeds the background  $L_{A90, 15min}$  noise level, measured in the absence of the noise source/s under consideration by 5dB(A).

The source noise level shall be assessed as an  $L_{Aeq, 15min}$  and adjusted in accordance with the NSW Environment Protection Authority's Industrial Noise Policy and Environmental Noise Control Manual (sleep disturbance).

Air conditioning units must be installed in accordance with plans referenced in condition 1 or to satisfy provisions of the State Environmental Planning Policy (Exempt & Complying Codes) 2008.

Details demonstrating compliance with the requirements of this condition and the acoustic measures to be employed to achieve compliance with this condition are to be submitted for approval to the Principal Certifying Authority prior to the issue of any Construction Certificate.

7. Prior to the issue of the Construction Certificate the Principal Certifying Authority is to ensure that the plans state that no high front gutters will be installed.
8. In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant must pay a long service levy 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. The Long Service Levy is payable prior to the issue of a Construction Certificate.

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

9. Materials and finishes must be complementary to the predominant character and streetscape of the area, and any existing buildings & the period of construction of the buildings. New materials that are not depicted on the approved plans must not be used. Highly reflective wall or roofing materials and glazing must not be used. Materials must be designed so as to not result in glare (maximum normal specular reflectivity of visible light 20%) or that causes any discomfort to pedestrians or neighbouring properties.

4 of 16

Document Set ID: 37638290  
Version: 2, Version Date: 17/04/2023

Details of finished external surface materials, including colours and texture must be provided prior to the issue of a Construction Certificate to the satisfaction of the Principal Certifying Authority.

10. If any excavation extends below the level of the base of the footings of a building on an adjoining property, the person causing the excavation:
  - a) Must preserve and protect the adjoining building from damage
  - b) Must, at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
  - c) The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this condition, the allotment of land includes public property.

11. The approved plans must be submitted to a Sydney Water Quick Check agent 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. For Quick Check agent details please refer to the web site <http://www.sydneywater.com.au/SW/plumbing-building-developing/building/quick-check-agents/index.html>

The Principal Certifying Authority must ensure the Quick Check agent/Sydney Water has appropriately stamped the plans prior to the issue of a Construction Certificate.

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

12. Prior to the issue of a Construction Certificate, the applicant must prepare a Construction Management and Traffic Management Plan. The following matters should be addressed in the plan (where applicable):
  - a) A plan view of the entire site and frontage roadways indicating:
    - i) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways.
    - ii) The locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such work zones have been approved by the Local Traffic Committee and Council.
    - iii) Location of any proposed crane and concrete pump and truck standing areas on and off the site.
    - iv) A dedicated unloading and loading point within the site for construction vehicles, plant and deliveries.
    - v) The proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period.
  - b) Noise and vibration  
During excavation, demolition and construction phases, noise & vibration generated from the site must be controlled. Refer to other conditions of this consent. If during

5 of 16

Document Set ID: 37638290  
Version: 2, Version Date: 17/04/2023

excavation, rock is encountered, measures must be taken to minimise vibration, dust generation and impacts on surrounding properties. Refer to Environmental Noise Management Assessing Vibration: a technical Guideline (Department of Environment and Conservation, 2006) [www.epa.nsw.gov.au](http://www.epa.nsw.gov.au) for guidance and further information.

- c) Occupational Health and Safety  
All site works must comply with the occupational health and safety requirements of the New South Wales Work Cover Authority.
- d) Toilet Facilities  
During excavation, demolition and construction phases, toilet facilities are to be provided on the site, at the rate of one toilet for every twenty (20) persons or part of twenty (20) persons employed at the site. Details must be shown on the plan.
- e) Traffic control plan(s) for the site  
All traffic control plans must be in accordance with the Roads and Maritime Services publication "Traffic Control Worksite Manual"

Approval is to be obtained from Council for any temporary road closures or crane use from public property. Applications to Council shall be made a minimum of 4 weeks prior to the activity proposed being undertaken.

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

13. A Waste Management Plan (WMP) is to be provided in accordance with **Part D – Waste – Development Control Plan 2013**. The Plan must address all issues identified in the DCP including but not limited to:
- a) Estimated volume (m<sup>3</sup>) or weight (t) of materials that are reused, recycled or removed from site.
  - b) On site material storage areas during construction.
  - c) Material and methods used during construction to minimise waste.
  - d) Nomination of end location of all waste and recycling generated from a facility authorised to accept the material type for processing or disposal and retention of waste dockets to be made available to Council Officer on request
  - e) A clear statement within the Waste Management Plan of responsibility for the transferral of waste and recycling bins within the property and between floors where applicable to the collection point in accordance with DCP 2013.

All requirements of the approved Waste Management Plan must be implemented during the demolition, excavation and construction of the development.

**PRIOR TO WORKS COMMENCING OR ISSUE OF A CONSTRUCTION CERTIFICATE (WHICHEVER OCCURS FIRST)**

14. Prior to the commencement of demolition works on the subject site or a Construction Certificate being issued for works approved by this development consent (whichever occurs first), a security deposit and inspection fee as detailed below must be 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.

Security Deposit (FOOT)	\$2,152.50
Inspection fee (FOOTI)	\$292.15

Payment will be accepted in the form of cash, bank cheque or 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 Council to determine the condition of the adjacent road reserve & footpath prior to & 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, Council may carry out any works necessary to repair the damage and/or remove the risk. The cost of these works will be deducted from the security deposit.

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

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

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

15. Should works require any of the following on public property (footpaths, roads, reserves), an application shall be submitted and approved by Council prior to the commencement of the works associated with such activity or the Construction Certificate (whichever occurs first)
  - a) Work/Construction zone (designated parking for construction vehicles). – A Work Zone application
  - b) A concrete pump across the roadway/footpath. – A Standing Plant permit
  - c) Mobile crane or any standing plant – A Standing Plant Permit
  - d) Skip bins other than those authorised by Inner West Council – Skip Bin Application
  - e) Scaffolding/Hoardings (fencing on public land) – Scaffolding and Hoardings on Footpath Application
  - f) Road works including vehicle crossing/kerb & guttering, footpath, stormwater provisions etc – Road works Application
  - g) Awning or street verandah over footpath. – Road works Application
  - h) Installation or replacement of private stormwater drain, utility service or water supply – Road Opening Permit

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

**PRIOR TO THE COMMENCEMENT OF WORKS**

16. The proposed structure(s) to be erected must stand wholly within the boundaries of the subject site. No portion of the proposed structure, including gates and doors during opening and closing operations, shall encroach onto adjoining properties or upon public property.

To ensure that the location of the building satisfies the provision of the approval, the footings and walls within one (1) metre of the property boundaries must be set out by or the location certified by a registered surveyor in accordance with the approved plans, prior to the commencement of works.

To ensure that the location of the building satisfies the provision of the approval, a check survey certificate shall be submitted to the Principal Certifying Authority either prior to the pouring of the ground floor slab or at dampcourse level, whichever is applicable or occurs first, indicating the:

- a) Location of the building with respect to the boundaries of the site;

17. The site must be secured with temporary fencing prior to any works commencing.

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

Separate approval is required under the *Roads Act 1993* to erect a hoarding or temporary fence or awning on public property. Approvals for hoardings, scaffolding on public land must be obtained and clearly displayed on site for the duration of the works.

Any hoarding, fence or awning is to be removed when the work is completed and must be maintained clear of any advertising.

18. The *Home Building Act 1989* requires that insurance must be obtained from an insurance company approved by the Department of Fair Trading prior to the commencement of works approved by this Development Consent.

A copy of the certificate of insurance must be submitted to the Certifying Authority prior to the works commencing.

If the work is to be undertaken by an owner-builder, written notice of their name and owner-builder permit number must be submitted to the Certifying Authority.

In all other cases, written notice must be given to the Certifying Authority of:

- a) The name and licence number of the principal contractor; and  
b) Reasons why a certificate of insurance is not required.

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

19. Any person or contractor undertaking works on public property must take out Public Risk Insurance with a minimum cover of ten (10) million dollars in relation to the occupation of, and approved works within public property. The Policy is to note, and provide protection for Leichhardt Council, as an interested party and a copy of the Policy must be submitted to

8 of 16



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.

20. Prior to the commencement of works, the Principal Certifying Authority shall be notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
21. At least forty-eight (48) hours prior to the commencement of works, a notice of commencement form (available on Council's web page) and details of the appointed Principal Certifying Authority shall be submitted to Council.
22. Prior to the commencement of works, a sign must be erected in a prominent position on the site (for members of the public to view) on which the proposal is being carried out. The sign must state:
  - a) Unauthorised entry to the work site is prohibited.
  - b) The name of the principal contractor (or person in charge of the site) and a telephone number at which that person may be contacted at any time for business purposes and outside working hours.
  - c) The name, address and telephone number of the Principal Certifying Authority for the work.

Any such sign must be maintained while the work is being carried out, but must be removed when the work has been completed.

Photographic evidence demonstrating compliance with the requirements of this condition is to be submitted to the satisfaction of the Principal Certifying Authority and Council for records purposes prior to the commencement of any onsite work.

#### **DURING WORKS**

23. Building materials and machinery are to be located wholly on site unless separate consent (Standing Plant Permit) is obtained from Council/ the roads authority. Building work is not to be carried out on the footpath.

Construction materials and vehicles shall not block or impede public use of the footpath or roadway.

24. All excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent them from being dangerous to life or property and in accordance with the design of a suitably qualified structural engineer.

If excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must:

- a) Preserve and protect the building from damage.
- b) If necessary, underpin and support the building in an approved manner.
- c) Give at least seven (7) days notice to the adjoining owner before excavating, of the intention to excavate within the proximity of the respective boundary.

Any proposed method of support to any excavation adjacent to adjoining properties or any underpinning is to be designed by a Chartered Civil Engineer, with National Professional Engineering Registration (NPER) in the construction of civil/structural works. Copies of the design plans must be provided to the relevant adjoining property owner/s

prior to commencement of such works. Prior to backfilling, any method of support constructed must be inspected by the designing Engineer with certification provided to all relevant parties.

25. The site must be appropriately secured and fenced at all times during works.
26. All fill used with the proposal shall be virgin excavated material (such as clay, gravel, sand, soil and rock) that is not mixed with any other type of waste and which has been excavated from areas of land that are not contaminated with human made chemicals as a result of industrial, commercial, mining or agricultural activities and which do not contain sulphate ores or soils.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority.

27. Unless otherwise approved by Council, excavation, demolition, construction or subdivision work shall only be permitted during the following hours:
  - a) 7:00 am to 6.00 pm, Mondays to Fridays, inclusive (with demolition works finishing at 5pm);
  - b) 8:00 am to 1:00 pm 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 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 shall be limited to:

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

The Proponent shall not undertake such activities for more than three continuous hours and shall 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.

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

28. In addition to meeting the specific performance criteria established under this consent, the Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the demolition, construction

10 of 16

or operation/use of the development.

29. Any new information revealed during development works that has the potential to alter previous conclusions about site contamination or hazardous materials shall be immediately notified to the Council and the Principal Certifying Authority.
30. The development must be inspected at the following stages by the Principal Certifying Authority during construction:
- a) after excavation for, and prior to the placement of, any footings, and
  - b) prior to pouring any in-situ reinforced concrete building element, and
  - c) prior to covering of the framework for any floor, wall, roof or other building element, and
  - d) prior to covering waterproofing in any wet areas, and
  - e) prior to covering any stormwater drainage connections, and
  - f) after the building work has been completed and prior to any occupation certificate being issued in relation to the building.
31. A copy of the approved plans and this consent must be kept on site for the duration of site works and in the case of any commercial or industrial premise for the duration of the use/trading. Copies shall be made available to Council Officer's upon request.
32. Stormwater runoff from all roof and paved areas within the property must be collected in a system of gutters, 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 must be checked and certified by a Licensed Plumber or qualified practicing 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, it must be upgraded.
33. Sedimentation controls, tree protection measures and safety fencing (where relevant) shall be maintained during works to ensure they provide adequate protection during the course of demolition, excavation and construction works. Materials must be stored in a location and manner to avoid material being washed to drains or adjoining properties.
- The requirements of the Soil and Water Management Plan must be maintained at all times during the works and shall not be removed until the site has been stabilised to the Principal Certifying Authority's satisfaction.
- Material from the site is not to be tracked onto the road by vehicles entering or leaving the site. At the end of each working day any dust/dirt or other sediment shall be swept off the road and contained on the site and not washed down any stormwater pit or gutter.
- The sediment and erosion control measures are to be inspected daily and defects or system failures are to be repaired as soon as they are detected.
34. 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.

11 of 16

Document Set ID: 37638290  
Version: 2, Version Date: 17/04/2023

Prescribed trees protected by Council's 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.

#### PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

35. An Occupation Certificate must be obtained prior to any use or occupation of the development or part thereof. The Principal Certifying Authority must ensure that all works are completed in accordance with this consent including all conditions.
36. Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must ensure that the stormwater drainage system has been constructed in accordance with the approved design and relevant Australian Standards.

A plan showing pipe locations and diameters of the stormwater drainage system, together with certification by a Licensed Plumber or qualified practicing Civil Engineer that the drainage system has been constructed in accordance with the approved design and relevant Australian Standards, must be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

37. Prior to the issue of the Occupation Certificate the Principal Certifying Authority is to confirm that no high front gutters have been installed.
38. Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must ensure that all works have been completed in accordance with the approved Waste Management Plan referred to in this development consent.

Proof of actual destination of demolition and construction waste shall be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

39. Prior to the release of an Occupation Certificate, the Principal Certifying Authority must be satisfied that the development complies with:
  - the approved plans;
  - BASIX certificate (where relevant),
  - approved documentation (as referenced in this consent); and
  - conditions of this consent.

#### ONGOING CONDITIONS OF CONSENT

40. The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within seventy-two (72) hours of its application.
41. Any lighting of the premises shall be installed and maintained in accordance with Australian Standard AS 4282-1997: *Control of the Obtrusive Effects of Outdoor Lighting* so as to avoid annoyance to the occupants of adjoining premises or glare to motorists on nearby roads. The intensity, colour or hours of illumination of the lights shall be varied at Council's discretion if in the opinion of an Authorised Council Officer it is considered there to be have adverse effects on the amenity of the area.
42. The premises shall not be used for any purpose other than that stated in the Development Application, i.e. Dwelling House without the prior consent of the Council unless the change to another use is permitted as exempt or complying development under *Leichhardt Local Environment Plan 2013* or *State Environmental Planning policy (Exempt and Complying Codes) 2008*.

The use of the premises as a Dwelling House, is defined under the *Leichhardt Local Environmental Plan 2013*.

12 of 16

Document Set ID: 37638290  
Version: 2, Version Date: 17/04/2023

**PRESCRIBED CONDITIONS****A. BASIX Commitments**

Under clause 97A of the Environmental Planning & Assessment Regulation 2000, it is a condition of this development consent that all the commitments listed in each relevant BASIX Certificate for the development are fulfilled. The Certifying Authority must ensure that the building plans and specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

In this condition:

- a) Relevant BASIX Certificate means:
  - i) a BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under section 4.55 of the Act, a BASIX Certificate that is applicable to the development when this development consent is modified); or
  - ii) if a replacement BASIX Certificate accompanies any subsequent application for a construction certificate, the replacement BASIX Certificate; and
- b) BASIX Certificate has the meaning given to that term in the Environmental Planning & Assessment Regulation 2000.

**B. Building Code of Australia**

All building work must be carried out in accordance with the provisions of the Building Code of Australia.

**C. Home Building Act**

- 1) Building work that involves residential building work (within the meaning and exemptions provided in the Home Building Act 1989) must not be carried out unless the Principal Certifying Authority for the development to which the work relates has given Leichhardt Council written notice of the following:
  - 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, or
  - 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.
- 2) If arrangements for doing residential building work are changed while the work is in progress so that the information submitted to Council is out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council), has given the Council written notice of the updated information.

Note: A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.

**D. Site Sign**

- 1) A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
  - a) stating that unauthorised entry to the work site is prohibited;
  - b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
  - c) showing the name, address and telephone number of the Principal Certifying Authority for the work.
- 2) Any such sign must be maintained while the building work or demolition work is being carried out, but must be removed when the work has been completed.

**E. Condition relating to shoring and adequacy of adjoining property**

- 1) For the purposes of section 4.17(11) of [the Act](#), it is a prescribed condition of development consent that if the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
  - a) protect and support the adjoining premises from possible damage from the excavation, and
  - b) where necessary, underpin the adjoining premises to prevent any such damage.
- 2) The condition referred to in subclause (1) does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

**NOTES**

1. This Determination Notice operates or becomes effective from the endorsed date of consent.
2. Section 8.2 of the *Environmental Planning and Assessment Act 1979* provides for an applicant to request Council to review its determination. This does not apply to applications made on behalf of the Crown, designated development or a complying development certificate. The request for review must be made within six (6) months of the date of determination or prior to an appeal being heard by the Land and Environment Court. Furthermore, Council has no power to determine a review after the expiration of these periods. A decision on a review may not be further reviewed under Section 8.2.
3. If you are unsatisfied with this determination, Section 8.7 of the *Environmental Planning and Assessment Act 1979* gives you the right of appeal to the Land and Environment Court within six (6) months of the determination date.
4. 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.
5. 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*.

15 of 16

Document Set ID: 37638290  
Version: 2, Version Date: 17/04/2023

6. This decision does not ensure compliance with the *Disability Discrimination Act 1992*. Applicants should investigate their potential for liability under that Act.
7. This development consent does not remove the need to obtain any other statutory consent or approval necessary under any other Act, such as (if necessary):
  - a) Application for any activity under that Act, including any erection of a hoarding.
  - b) Application for a Construction Certificate under the *Environmental Planning and Assessment Act 1979*.
  - c) Application for an Occupation Certificate under the *Environmental Planning and Assessment Act 1979*.
  - d) Application for a Subdivision Certificate under the *Environmental Planning and Assessment Act 1979* if land (including stratum) subdivision of the development site is proposed.
  - e) Application for Strata Title Subdivision if strata title subdivision of the development is proposed.
  - f) Development Application for demolition if demolition is not approved by this consent.
  - g) Development Application for subdivision if consent for subdivision is not granted by this consent.
  - h) An application under the Roads Act 1993 for any footpath / public road occupation. A lease fee is payable for all occupations.
8. Prior to the issue of the Construction Certificate, the applicant must make contact with all relevant utility providers (such as Sydney Water, Energy Australia etc) whose services will be impacted upon by the development. A written copy of the requirements of each provider, as determined necessary by the Certifying Authority, must be obtained.

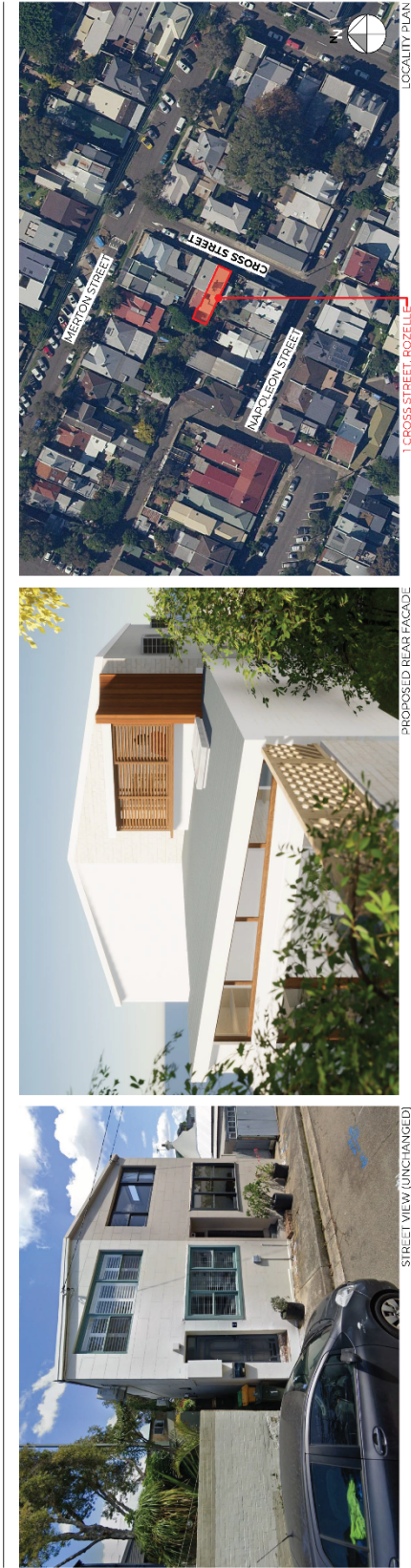
**Have you made a political donation?**

If you (or an associate) have made a political donation or given a gift to a Councillor, political party or candidate at the local government elections during the last two (2) years you may need to include with your application a full disclosure of this matter. For information go to Council's website at [www.leichhardt.nsw.gov.au/Political-Donations.html](http://www.leichhardt.nsw.gov.au/Political-Donations.html). If you have made a reportable donation, failure to provide a completed declaration with your application is an offence under the Environmental Planning and Assessment Act, 1979 for which you may be prosecuted.



Luke Murtas  
MANAGER DEVELOPMENT ASSESSMENT

Attachment C – Plans of proposed modification



# SECTION 4.55 ALTERATIONS & ADDITIONS

1 CROSS STREET, ROZELLE 2039

SHEET	REV	DESCRIPTION	SHEET	REV	DESCRIPTION
A11	D	COVER SHEET	A916	B	VERTICAL SHADOW DIAGRAMS - 9AM JUNE 21
A12	A	BASIX	A919	B	VERTICAL SHADOW DIAGRAMS - 10AM JUNE 21
A13	B	AREA CALCULATIONS	A920	B	VERTICAL SHADOW DIAGRAMS - 11AM JUNE 21
A21	B	ROOF & SITE PLAN	A911	A	VERTICAL SHADOW DIAGRAMS - 12PM JUNE 21
A22	B	GROUND FLOOR PLAN	A912	A	VERTICAL SHADOW DIAGRAMS - 1PM JUNE 21
A23	B	FIRST FLOOR PLAN	A913	A	VERTICAL SHADOW DIAGRAMS - 2PM JUNE 21
A31	A	ELEVATIONS	A914	A	VERTICAL SHADOW DIAGRAMS - 3PM JUNE 21
A32	A	ELEVATIONS			
A33	A	SECTIONS			
<b>MATERIALS SCHEDULE</b>					
A81	B	SHADOW DIAGRAMS - 9AM JUNE 21			
A92	B	SHADOW DIAGRAMS - 10AM JUNE 21			
A93	B	SHADOW DIAGRAMS - 11AM JUNE 21			
A94	B	SHADOW DIAGRAMS - 12PM JUNE 21			
A95	B	SHADOW DIAGRAMS - 1PM JUNE 21			
A96	B	SHADOW DIAGRAMS - 2PM JUNE 21			
A97	B	SHADOW DIAGRAMS - 3PM JUNE 21			

**Ballast Point**  
 27 JAMES STREET  
 SYDNEY NSW 2009  
 TEL: 02 9550 6200  
 FAX: 02 9550 6201  
 WWW.BALLASTPOINT.COM.AU

**PROJECT NO.**  
 CROSS STREET ROZELLE  
 LOTA DP100757

**CLIENT**  
 KASPER IJEL & DOBY POTTER

**SCALE**  
 80%

**DATE DESCRIPTION**  
 A 06/07/23 BACKLASH APPLICATION  
 B 23/07/23 CONSULTATION WITH BALMAIN  
 D 14/08/23 CONSULTATION

**PROJECT NO.**  
 CROSS STREET ROZELLE  
 LOTA DP100757

**CLIENT**  
 KASPER IJEL & DOBY POTTER

**SCALE**  
 80%

**DATE DESCRIPTION**  
 A 06/07/23 BACKLASH APPLICATION  
 B 23/07/23 CONSULTATION WITH BALMAIN  
 D 14/08/23 CONSULTATION

**PROJECT NO.**  
 CROSS STREET ROZELLE  
 LOTA DP100757

**CLIENT**  
 KASPER IJEL & DOBY POTTER

**PROJECT NO.**  
 CROSS STREET ROZELLE  
 LOTA DP100757

**CLIENT**  
 KASPER IJEL & DOBY POTTER

**SCALE**  
 80%

**DATE DESCRIPTION**  
 A 06/07/23 BACKLASH APPLICATION  
 B 23/07/23 CONSULTATION WITH BALMAIN  
 D 14/08/23 CONSULTATION

**PROJECT NO.**  
 CROSS STREET ROZELLE  
 LOTA DP100757

**CLIENT**  
 KASPER IJEL & DOBY POTTER





This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the BASIX Certificate. The BASIX Certificate is a document which sets out the minimum requirements for the proposed development. The BASIX Certificate is available at [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au).

Secretary  
Date of issue: Wednesday, 04 January 2023  
To view this certificate, click the 'High' button at the top of the table of hot water fixtures and systems.



**Description of Project**

<b>Project address</b>	CR001 1 Cross Street Rozelle 2038
<b>Street address</b>	1 Cross Street Rozelle 2038
<b>Local Government Area</b>	Inner West Council
<b>Plan type and number</b>	Deposited Plan 1 06757
<b>Lot number</b>	A
<b>Section number</b>	
<b>Project type</b>	Attached dwelling house
<b>Dwelling type</b>	
<b>Type of alteration and addition</b>	My renovation work is valued at \$50,000 or more, and does not include a pool (and/or spa).

**Certificate Prepared by** (Basix expires before submitting to Council or FCA)  
Name / Company Name: Ballast Point  
ABN (if applicable): 15804551886

**Fixtures and systems**

Hot water	Show on DA Plans	Show on COCDOC Plans & specs	Centiller Check
The applicant must install the following hot water system in the development: gas instantaneous.	✓	✓	✓
<b>Lighting</b> The applicant must ensure a minimum of 40% of new or altered light fixtures are fitted with fluorescent, compact fluorescent, or light-emitting-diode (LED) lamps.	✓	✓	✓
<b>Fixtures</b> The applicant must ensure new or altered showerheads have a flow rate no greater than 9 litres per minute or a 3 star water rating. The applicant must ensure new or altered toilets have a flow rate no greater than 4 litres per average flush or a minimum 3 star water rating. The applicant must ensure new or altered taps have a flow rate no greater than 8 litres per minute or minimum 3 star water rating.	✓	✓	✓

**Construction**

Construction	Show on DA Plans	Show on COCDOC Plans & specs	Centiller Check
<b>Insulation requirements</b> The applicant must construct the new or altered construction (floor(s), walls, and ceiling/roofs) in accordance with the specifications listed in the table below, except that a) additional insulation is not required where the area of new construction is less than 2m <sup>2</sup> , b) insulation specified is not required for parts of altered construction where insulation already exists.	✓	✓	✓
<b>Construction</b>			
concrete slab on ground floor with in-slab heating system			
Additional insulation required (R-value)			
Other specifications			
suspended floor with enclosed subfloor: framed (R0.7),			
external wall: framed (weatherboard, fibro, metal clad)			
external wall: cavity brick			
flat ceiling: pitched roof			
raked ceiling: pitched/skillion roof: framed			

**Glazing requirements**

Windows and glazed doors	Show on DA Plans	Show on COCDOC Plans & specs	Centiller Check
The applicant must install the windows, glazed doors and shading devices, in accordance with the specifications listed in the table below. Relevant overarching specifications must be satisfied for each window and glazed door.	✓	✓	✓
The following requirements must also be satisfied in relation to each window and glazed door: Each window or glazed door with standard aluminium or timber frames and single clear or tinted glass may either match the description, or be described as follows in the table below. Total system U-values and SHGCs must be calculated in accordance with National Fenestration Rating Council (NFRC) conditions. Each window or glazed door with improved frames, or polythic low glass, or clear/tinted gas/low glass, or bonding gas/low glass must have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below. Total system U-values and SHGCs must be calculated in accordance with National Fenestration Rating Council (NFRC) conditions. The description is provided for information only. Alternative systems with competing U-value and SHGC may be substituted. The shading device must be a permanent external awning, balcony or awning must be no more than 500 mm above the top edge of the window or glazed door. For pergolas described as a table, the ratio of the projection from the wall to the height above the window or glazed door must be at least that shown in the table below. External louvers and blinds must fully shade the window or glazed door beside which they are situated when fully drawn or closed. Pergolas with fixed louvers must have louvers parallel to the window or glazed door above which they are situated, unless the pergola also shades a perpendicular window. The spacing between louvers must not be more than 50 mm. The shading device must be a permanent external awning, balcony or awning must be no more than 500 mm above the top edge of the window or glazed door. For pergolas described as a table, the ratio of the projection from the wall to the height above the window or glazed door must be at least that shown in the table below. Pergolas with polycarbonate roof or similar translucent material must have a shading coefficient of less than 0.35. Pergolas with fixed louvers must have louvers parallel to the window or glazed door above which they are situated when fully drawn or closed. The shading device must be a permanent external awning, balcony or awning must be no more than 500 mm above the top edge of the window or glazed door. The shading device must be a permanent external awning, balcony or awning must be no more than 500 mm above the top edge of the window or glazed door. The shading device must be a permanent external awning, balcony or awning must be no more than 500 mm above the top edge of the window or glazed door.	✓	✓	✓
<b>Windows and glazed doors glazing requirements</b>	✓	✓	✓

**Glazing requirements**

Window/door no.	Orientation	Area of glass (m <sup>2</sup> )	Overhang/depth (m)	Height (m)	Distance (m)	Shading device	Frame and glass type	Show on DA Plans	Show on COCDOC Plans & specs	Centiller Check
W1	W	8	2.8	2.17	0	external louvre/balcony	timber or uPVC, single clear, (or U-value: 5.71, SHGC: 0.86)	✓	✓	✓
W2	W	1	0	0	>=50mm	external louvre/balcony	timber or uPVC, single clear, (or U-value: 5.71, SHGC: 0.86)	✓	✓	✓
W3	N	1	0	0	>=50mm	external louvre/balcony	timber or uPVC, single clear, (or U-value: 5.71, SHGC: 0.86)	✓	✓	✓
W4	W	2.3	0	0	0	external louvre/blind (adjustable)	timber or uPVC, single clear, (or U-value: 5.71, SHGC: 0.86)	✓	✓	✓

**Skylights**  
The applicant must install the skylights in accordance with the specifications listed in the table below.  
The following requirements must also be satisfied in relation to each skylight:  
Each skylight must either match the description, or, have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below.

**Skylights glazing requirements**

Skylight number	Area of glass (m <sup>2</sup> )	Shading device	Frame and glass type
S1	1.1	no shading	timber, low-E intermitten/argon filled clear external, (or U-value: 2.5, SHGC: 0.45)
S2	0.45	no shading	timber, low-E intermitten/argon filled clear external, (or U-value: 2.5, SHGC: 0.45)



<b>REV</b>	<b>DATE</b>	<b>DESCRIPTION</b>	<b>SCALE</b>	<b>PROJECT NO.</b>	<b>DRAWING TITLE</b>
A	06/12/23	SECTION 4.26 APPLICATION	1:100000	CR001	BASIX
				1 CROSS STREET ROZELLE	
				NSW 2039	
				LOT A DPOK6/57	
				CLIENT	
				KASPEN UEL & JOOY POTTER	
				DRAWING NO.	A1.2
				REVISION	A



AREA CALCULATIONS	SQM
1. SITE AREA	793.3
2. GFA - MAXIMUM (FSR 0.37)	71.4
3. GFA - APPROVED	88.0
4. GFA - PROPOSED	90.1
5. LANDSCAPED AREA - MINIMUM (15% SITE AREA)	11.9
6. LANDSCAPED AREA - APPROVED	1.7
7. LANDSCAPED AREA - PROPOSED	1.7
8. SITE COVERAGE - MAXIMUM (60% SITE AREA)	47.6
9. SITE COVERAGE - APPROVED	64.7
10. SITE COVERAGE - PROPOSED	64.7

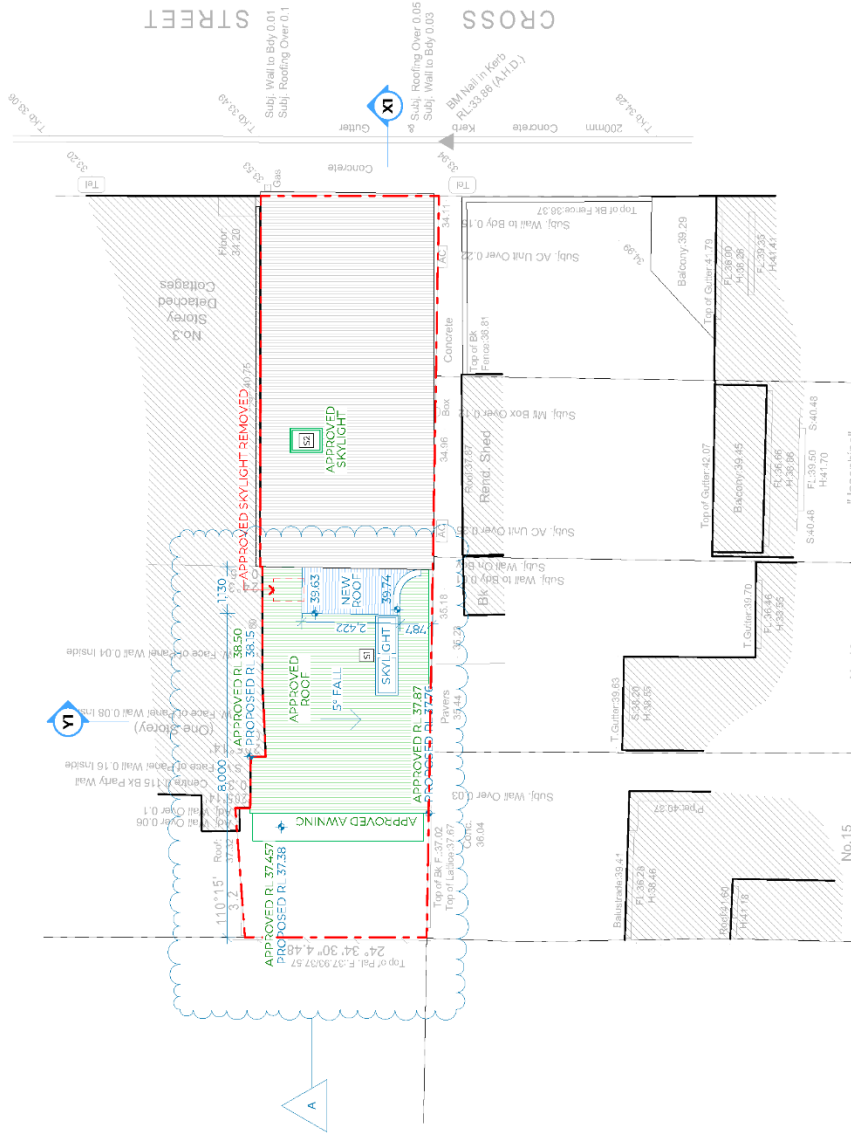
**Ballast Point.**  
 112-118 ST. MARKHAM  
 2145/2155 ST. MARKHAM  
 BALLAST POINT NSW 1560  
 TEL: 02 9439 2222  
 FAX: 02 9439 2223  
 WWW.BALLASTPOINT.COM.AU

**Ballast Point.**  
 112-118 ST. MARKHAM  
 2145/2155 ST. MARKHAM  
 BALLAST POINT NSW 1560  
 TEL: 02 9439 2222  
 FAX: 02 9439 2223  
 WWW.BALLASTPOINT.COM.AU

Project No: CR001  
 Project: ALLEGATIONS & ADDITIONS  
 1 CROSS STREET ROZELLE  
 NSW 2083  
 Lot A DP106/57  
 Client: KASPER JUEL & JOOY POTTER  
 Drawing No: A1.3  
 Revision: B

REV. DATE DESCRIPTION  
 A 28/07/23 COUNCIL PER AMENDMENT  
 B 28/07/23 COUNCIL PER AMENDMENT

SCALE: 1:300/303  
 DRAWING TITLE: AREA CALCULATIONS  
 DRAWING NO: CR001  
 DATE: 27/07/23  
 PROJECT NO: CR001



REV. DATE DESCRIPTION  
 A 02/16/23 SECTION 4.5B APPLICATION  
 B 2/20/23 DRAWING SCALE ADDED

PROJECT NO. 370083  
 PROJECT ALTERATIONS & ADDITIONS  
 1 CROSS STREET ROOF/FILL  
 NSW 2023  
 LOT A DP106/57

CLIENT KASPER JUEL & JOOY POTTER

DRAWING NO. A2.1

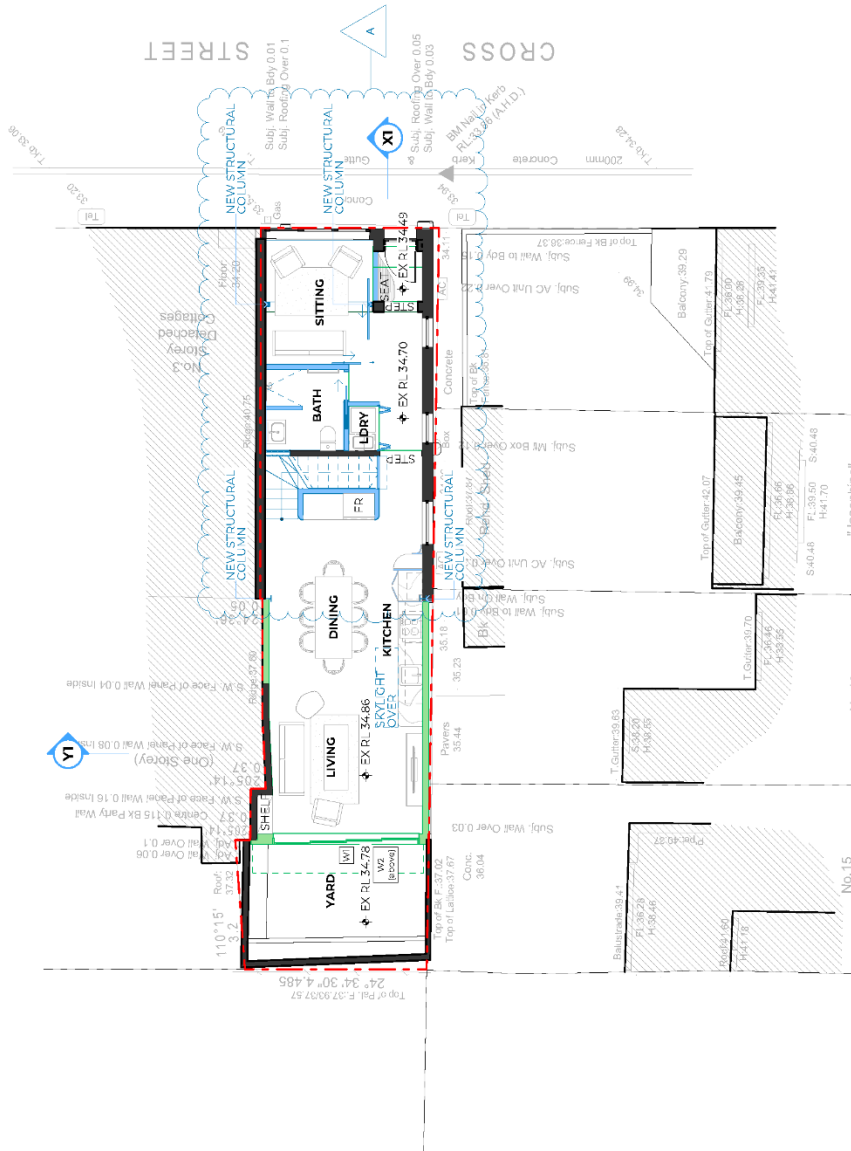
REVISION B

NOTES

- PROPOSED SECTION 4.5B NEW FABRIC
- APPROVED ALTERATIONS PER DA/2016/418
- EXISTING BUILDING FABRIC

Ballast Point.  
 37-43/2015 St Leonards  
 NSW 1585  
 02 9550 2200  
 www.ballastpoint.com.au

Document Set ID: 37564169  
 Version: 1, Version Date: 24/03/2023



PROPOSED SECTION 4.15 NEW FABRIC  
 APPROVED ALTERATIONS PER DA/2016/418  
 EXISTING BUILDING FABRIC

NOTES

- PROPOSED SECTION 4.15 NEW FABRIC
- APPROVED ALTERATIONS PER DA/2016/418
- EXISTING BUILDING FABRIC

REV DATE DESCRIPTION  
 A 02/12/2016 SECTION 4.15 APPLICATION  
 B 27/02/2023 DRAWING SCALE ADDED

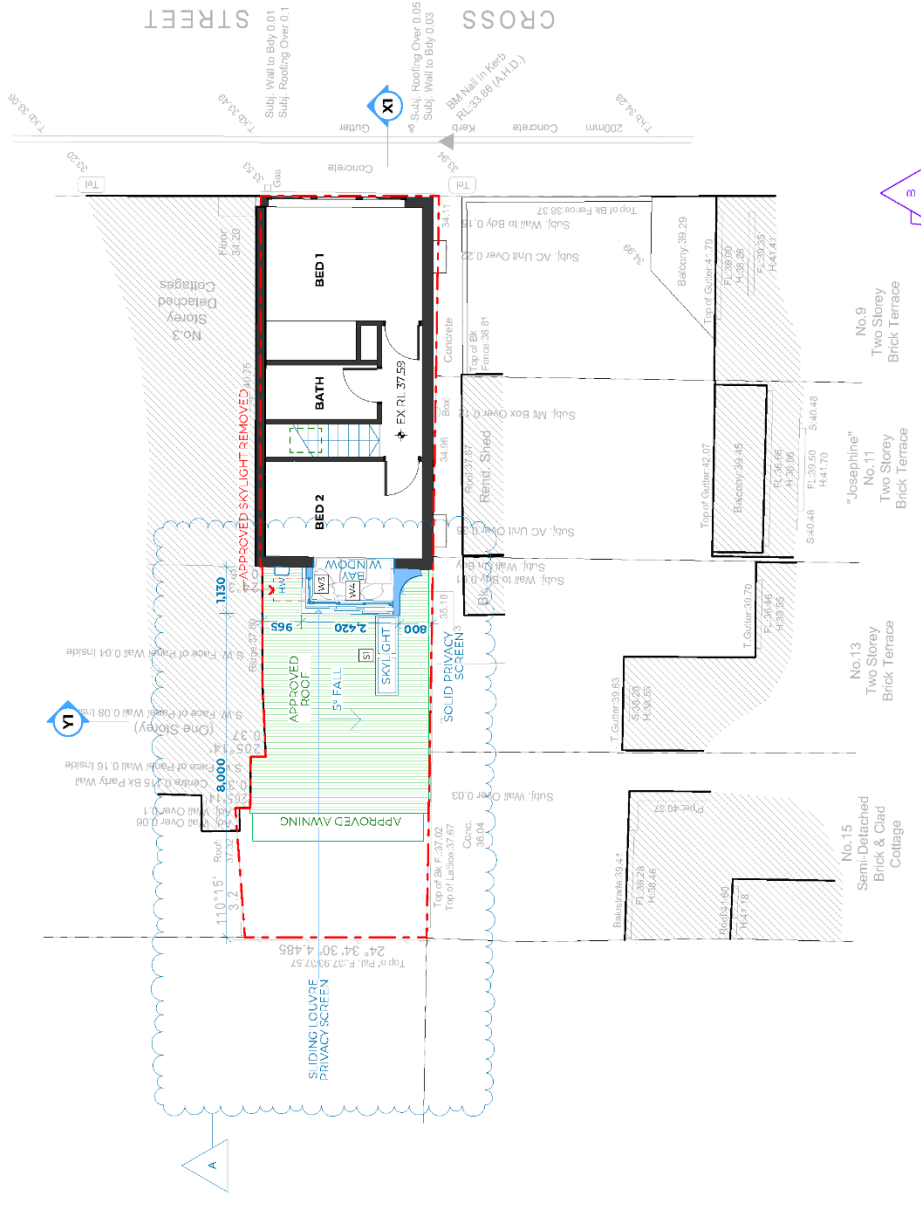
PROJECT NO. 3700843  
 PROJECT ALTERATIONS & ADDITIONS  
 1 CROSS STREET ROFFILE  
 NSW 2023  
 LOT A DP106157

CLIENT KASPER WEL & JOOY POTTER  
 DRAWING NO. A2.2  
 REVISION B

DRAWING TITLE GROUND FLOOR PLAN  
 SET DATE NOT FOR CONSTRUCTION  
 DATE 27/02/23

Ballast Point.  
 31-33 BAYVIEW ST  
 BALDWIN PARK NSW 2148  
 PH: (02) 9510 6000  
 WWW.BALLASTPOINT.COM.AU

Document Set ID: 37564169  
 Version: 1, Version Date: 24/03/2023



**PROPOSED SECTION 4.15 NEW FABRIC**  
**APPROVED ALTERATIONS PER DA/2016/418**  
**EXISTING BUILDING FABRIC**

**Ballast Point.**  
 31-33 BROADWAY  
 SYDNEY NSW 2009  
 TEL: 02 9550 2200  
 WWW.BALLASTPOINT.COM.AU

**NOTES**  
 APPROVED ALTERATIONS PER DA/2016/418  
 EXISTING BUILDING FABRIC

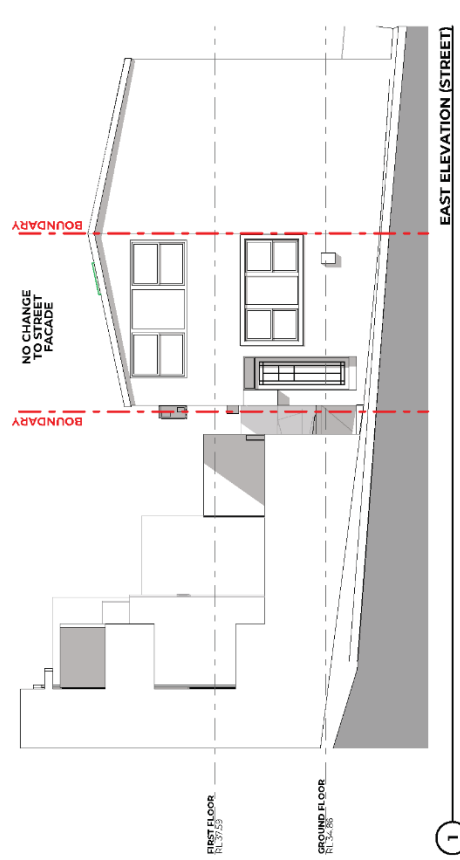
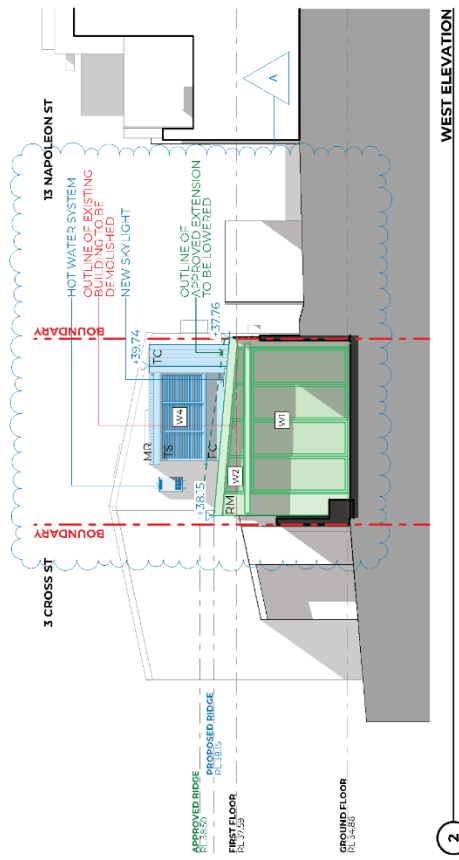
**REV. DATE DESCRIPTION**  
 A 02/12/2023 SECTION 4.15 APPLICATION  
 B 27/02/2023 DRAWING SCALE ADDED

**PROJECT**  
 ALTERATIONS & ADDITIONS  
 1 CROSS STREET ROOF/FILL  
 NSW 2023  
 LOT A DP106/57

**CLIENT**  
 KASPER JUEL & JOOY POTTER

**DRAWING TITLE**  
 FIRST FLOOR PLAN  
**PROJECT NO.**  
 CROCI  
**DATE**  
 NOT FOR CONSTRUCTION  
 27/02/23  
**DRAWING NO.**  
 A2.3  
**REVISION**  
 B

Document ID: 37564169  
 Version: 1, Version Date: 24/03/2023



PROJECT	ALTERATIONS & ADDITIONS 1 CROSS STREET ROFFELLE LOT 1A DP106/57	PROJECT NO.	CR001
CLIENT	KASPER JUEL & JOOY POTTER	DESIGN TITLE	ALTERATIONS ELEVATIONS
		STATUS	NOT FOR CONSTRUCTION
		DRAWING NO.	A3.1
		REVISION	A

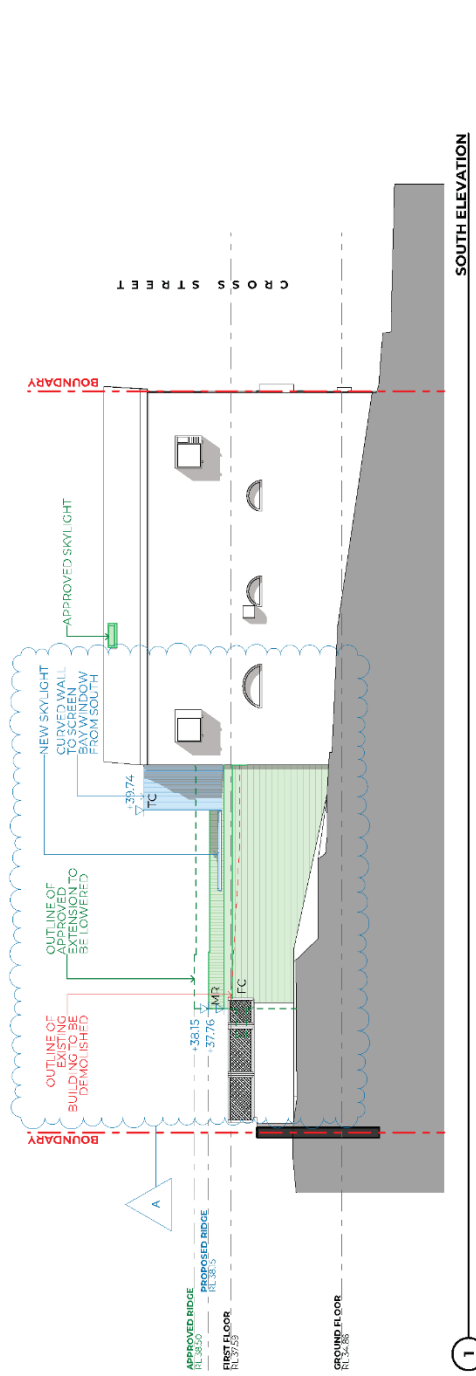
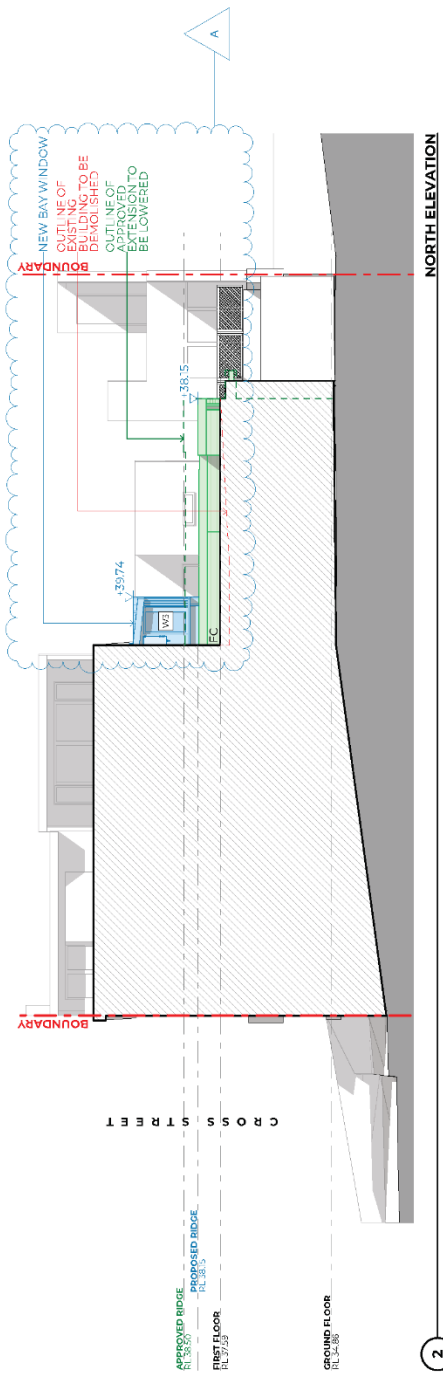
REV.	DATE	DESCRIPTION	SCALE
A	02/12/23	SECTION 4.56 APPLICATION	1/100@A3

FC	SHEETING
MR	METAL ROOF
TS	TIMBER SCREEN
RM	RENDERED MASONRY

NOTES	PROPOSED SECTION 4.56 NEW FABRIC
	APPROVED ALTERATIONS PER 02/10/16/418
	EXISTING BUILDING FABRIC

Ballast Point.  
 11/12/2023 10:56 AM  
 11/12/2023 10:56 AM  
 11/12/2023 10:56 AM  
 11/12/2023 10:56 AM

Document Set ID: 37564169  
 Version: 1, Version Date: 24/03/2023



PROJECT	ALTERATIONS & ADDITIONS 1 CROSS STREET ROZELLE	PROJECT NO.	CRO01
CLIENT	KASPEN UEL & JOOY POTTER	DRAWING NO.	A3.2
DATE	12/06/2023	STATUS	NOT FOR CONSTRUCTION
REVISION		REVISION	A

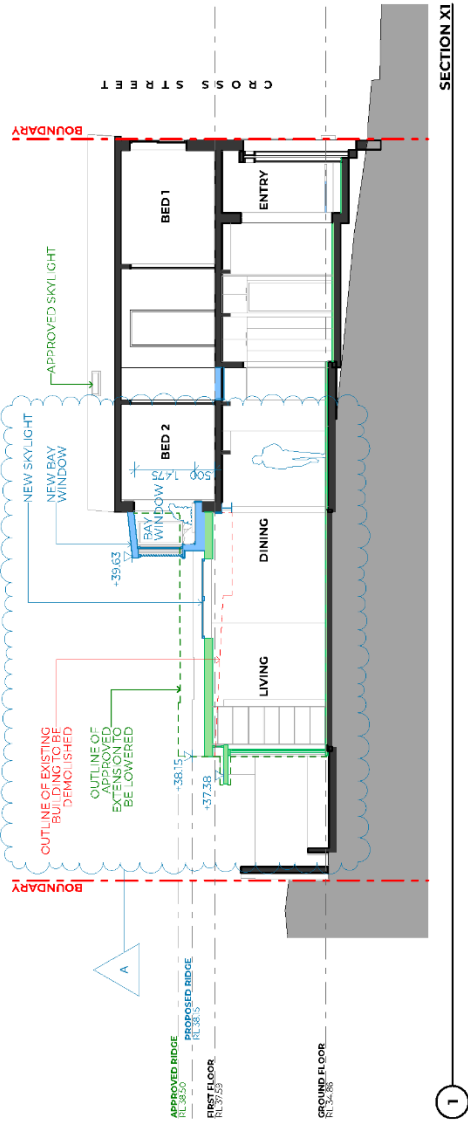
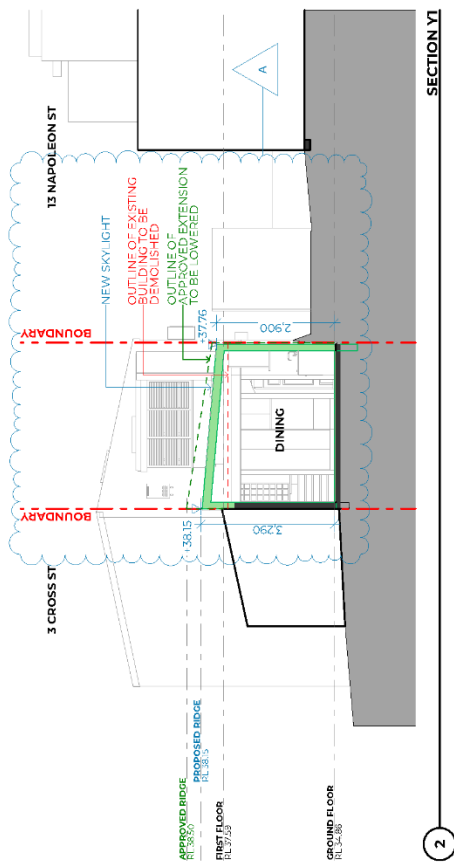
REV.	DATE	DESCRIPTION	SCALE
A	06/16/23	SECTION 4.5B APPLICATION	1/100@A3

FC	FC SHEETING
MR	METAL ROOF
TS	TIMBER SCREEN
RM	RENDERED MASONRY

NOTES	PROPOSED SECTION 4.5B NEW FABRIC
	APPROVED ALTERATIONS PER 02/2016/418
	EXISTING BUILDING FABRIC

Ballast Point.  
 31-33 Cross Street  
 Rozelle NSW 1585  
 Tel: 02 9550 1234  
 Email: info@ballastpoint.com.au

Document Set ID: 37564169  
 Version: 1, Version Date: 24/03/2023



- NOTES
- PROPOSED SECTION 4.4.5 NEW FABRIC
  - APPROVED ALTERATIONS PER 04/2016/418
  - EXISTING BUILDING FABRIC

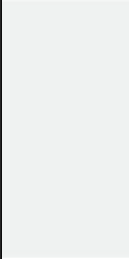
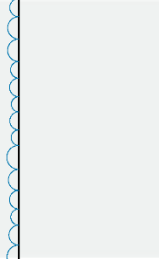
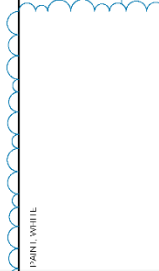

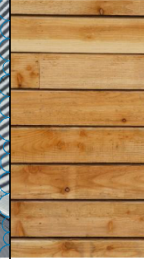



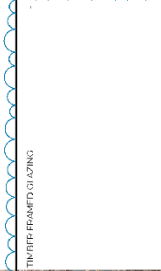
Ballast Point.  
 11-13 Cross Street  
 Sydney NSW 2039  
 Tel: 02 9550 8888  
 Fax: 02 9550 8889  
 www.ballastpoint.com.au

Version: 1.1, Version Date: 24/03/2023

REV.	DATE	DESCRIPTION	SCALE
A	02/02/24	SECTION 4.4.5 APPLICATION	1/100@A3

PROJECT	ALTERATIONS & ADDITIONS 1 CROSS STREET ROFFELLE LOT 1A DP106/57	PROJECT NO.	CRO01
CLIENT	KASPEN JUEL & JOOY POTTER	DRAWING NO.	A3.3
DESIGNER/TITLE	SECTIONS	STATUS	NOT FOR CONSTRUCTION
DATE	27/03/23	REVISION	A



ITEM	DESCRIPTION	IMAGE	FINISH	DIMENSIONS	SUPPLIER	LOCATION & INSTALLATION
14	PAINTED HIBISCUS CLADDING		PANEL TO MATCH EXISTING		BUILDER	REFER TO DRAWINGS FOR LOCATION
15	RENDERED BRICKWORK		PANEL WHITE		BUILDER	REFER TO DRAWINGS FOR LOCATION
16	METAL CORRUGATED ROOFING		COLOUR: BOND WINGS PKV		ROOFING SUPPLIER	REFER TO DRAWINGS FOR LOCATION
17	VERTICAL TIMBER CLADDING		NATURAL TIMBER		ROOFING SUPPLIER	REFER TO DRAWINGS FOR LOCATION
18	TIMBER COUVERE SCREEN		NATURAL TIMBER		BUILDER	REFER TO DRAWINGS FOR LOCATION
19	NEW WINDOW FRAME (WYCAL)		TIMBER FRAMED GLAZING		BUM DTP	REFER TO DRAWINGS FOR LOCATION

**Ballast Point.**  
 14-15/100 The Esplanade  
 Ballast Point NSW 2039  
 Phone: 02 9390 2222  
 Fax: 02 9390 2223  
 Email: info@ballastpoint.com.au  
 www.ballastpoint.com.au

REV. DATE DESCRIPTION  
 A. 06/01/23 SECTION 4.2 APPLICATION

SCALE  
 300%

PROJECT NO.  
 MATERIALS SCHEDULE

PROJECT:  
 ALTERATIONS & ADDITIONS  
 1 CROSS STREET ROZELLE  
 NSW 2039  
 LOT A DP106757

CLIENT  
 KASPIHULL & COMPANY PTY LTD

DESIGNING NO.  
 A8.1

Document Set ID: 37564169  
 Version: 1, Version Date: 24/03/2023

REVISION  
 A



CROSS STREET

JUNE 21  
9:00AM

APPROVED SOLAR ACCESS (DAZ001/418)				
SUNSHINE HOUR	3 Cross St	15 Napoleon St	11 Napoleon St	9 Napoleon St
10:00am	NO	NO	NO	NO
11:00am	NO	NO	NO	NO
12:00pm	NO	NO	NO	NO
13:00pm	NO	NO	NO	NO
14:00pm	NO	NO	NO	NO
15:00pm	NO	NO	NO	NO
16:00pm	NO	NO	NO	NO
Comment	Does not comply	Does not comply	Does not comply	Does not comply

PROPOSED SOLAR ACCESS				
SUNSHINE HOUR	3 Cross St	15 Napoleon St	11 Napoleon St	9 Napoleon St
10:00am	NO	NO	NO	NO
11:00am	NO	NO	NO	NO
12:00pm	NO	NO	NO	NO
13:00pm	NO	NO	NO	NO
14:00pm	NO	NO	NO	NO
15:00pm	NO	NO	NO	NO
16:00pm	NO	NO	NO	NO
Comment	Does not comply	Does not comply	Does not comply	Does not comply



Ballast Point  
32-33 Ross St  
Sydney NSW 2008  
Tel: 150 231 695

NOTES

- PROPOSED NEW SHADOW CAST BY SUBJECT BUILDING
- PROPOSED EXISTING SHADOW CAST BY APPROVED SHADOW CAST BY SUBJECT BUILDING
- SHADOW CAST BY APPROVED SHADOW CAST BY SUBJECT BUILDING
- SHADOW CAST BY APPROVED SHADOW CAST BY SUBJECT BUILDING
- SHADOW CAST BY APPROVED SHADOW CAST BY SUBJECT BUILDING
- SHADOW CAST BY APPROVED SHADOW CAST BY SUBJECT BUILDING
- SHADOW CAST BY APPROVED SHADOW CAST BY SUBJECT BUILDING
- SHADOW CAST BY APPROVED SHADOW CAST BY SUBJECT BUILDING

DATE: 20/06/2023  
DRAWING NO: A9.1

PROJECT: ALLEGATIONS & ADDITIONS TO CROSS STREET/ROZELLE NSW 2023  
LOT 1A DPK06/57  
CLIENT: KASPEN LUE & JOOY POTTER

REVISIONS

NO.	DATE	DESCRIPTION
1	20/06/2023	FOR CONSTRUCTION
2		
3		

Document ID: 37584169  
Version: 1, Version Date: 24/03/2023



3 Cross St	15 Napoleon St	18 Napoleon St	21 Napoleon St	9 Napoleon St
8:00am	NO	NO	NO	NO
9:00am	NO	NO	NO	NO
10:00am	NO	NO	NO	NO
11:00am	NO	NO	NO	NO
12:00pm	NO	NO	NO	NO
1:00pm	NO	NO	NO	NO
2:00pm	NO	NO	NO	NO
3:00pm	NO	NO	NO	NO
Comment	Does not comply	Does not comply	Does not comply	Does not comply

3 Cross St	15 Napoleon St	18 Napoleon St	21 Napoleon St	9 Napoleon St
8:00am	NO	NO	NO	NO
9:00am	NO	NO	NO	NO
10:00am	NO	NO	NO	NO
11:00am	NO	NO	NO	NO
12:00pm	NO	NO	NO	NO
1:00pm	NO	NO	NO	NO
2:00pm	NO	NO	NO	NO
3:00pm	NO	NO	NO	NO
Comment	Does not comply	Does not comply	Does not comply	Does not comply

**Ballast Point.**  
 31-33 Kings Highway  
 Ballast Point NSW 1585  
 Tel: (02) 9439 2200  
 Fax: (02) 9439 2201  
 Email: info@ballastpoint.com.au  
 www.ballastpoint.com.au

**NOTES**

- PROPOSED NEW SHADOW CAST BY SUBJECT SITE
- PROPOSED EXISTING SHADOW CAST BY EXISTING BUILDINGS
- APPROVED SHADOW CAST BY DA20/01/418
- SOLAR ACCESS TO PRIVATE OPEN SPACE
- EXISTING SHADOWS

**Ballast Point.**

PROJECT: ALTERATIONS & ADDITIONS TO 1 CROSS STREET ROZELLE NSW 2023  
 CLIENT: KASPER WELLS & JOOY POTTER  
 DRAWING NO: A9.2

REVISION: B

REV: DATE DESCRIPTION  
 A 02/07/23 SECTION 4.2.6 APPLICATION  
 B 14/03/23 COUNCIL REF

SCALE: 1:200

PROJECT NO: CR001

DRAWING TITLE: SHADOW DIAGRAMS - 10AM JUNE 21

STATUS: NOT FOR CONSTRUCTION

DATE: 21/06/23

Document ID: 37564169  
 Version: 1, Version Date: 24/03/2023



DATE: 21/06/2023  
 TIME: 11:00 AM  
 DRAWING NO: A9.3

CLIENT: KASPER LUELL & JOOY POTTER  
 PROJECT NO: CROCI  
 PROJECT: ALTERATIONS & ADDITIONS TO 1 CROSS STREET ROZELLE NSW 2020  
 DRAWING TITLE: SHADOW DIAGRAMS - 11AM JUNE 21

REV: DATE DESCRIPTION  
 A 06/02/23 SECTION 4.2.6 APPLICATION  
 B 14/03/23 COUNCIL REF

SCALE: 1:300  
 NORTH ARROW

APPROVED SOLAR ACCESS (DA20/01/01B)	
3 Cross St	9 Napoleon St
8:00am	NO
9:00am	NO
10:00am	NO
11:00am	NO
12:00pm	NO
1:00pm	NO
2:00pm	NO
3:00pm	NO
Comment	Does not comply

PROPOSED SOLAR ACCESS	
3 Cross St	9 Napoleon St
8:00am	NO
9:00am	NO
10:00am	NO
11:00am	NO
12:00pm	NO
1:00pm	NO
2:00pm	NO
3:00pm	NO
Comment	Does not comply

REV: DATE DESCRIPTION  
 A 06/02/23 SECTION 4.2.6 APPLICATION  
 B 14/03/23 COUNCIL REF

SCALE: 1:300  
 NORTH ARROW

PROJECT: ALTERATIONS & ADDITIONS TO 1 CROSS STREET ROZELLE NSW 2020  
 PROJECT NO: CROCI  
 DRAWING TITLE: SHADOW DIAGRAMS - 11AM JUNE 21

CLIENT: KASPER LUELL & JOOY POTTER  
 DRAWING NO: A9.3

DATE: 21/06/2023  
 TIME: 11:00 AM  
 DRAWING NO: A9.3

CLIENT: KASPER LUELL & JOOY POTTER  
 PROJECT NO: CROCI  
 PROJECT: ALTERATIONS & ADDITIONS TO 1 CROSS STREET ROZELLE NSW 2020  
 DRAWING TITLE: SHADOW DIAGRAMS - 11AM JUNE 21

CLIENT: KASPER LUELL & JOOY POTTER  
 PROJECT NO: CROCI  
 PROJECT: ALTERATIONS & ADDITIONS TO 1 CROSS STREET ROZELLE NSW 2020  
 DRAWING TITLE: SHADOW DIAGRAMS - 11AM JUNE 21

CLIENT: KASPER LUELL & JOOY POTTER  
 PROJECT NO: CROCI  
 PROJECT: ALTERATIONS & ADDITIONS TO 1 CROSS STREET ROZELLE NSW 2020  
 DRAWING TITLE: SHADOW DIAGRAMS - 11AM JUNE 21

CLIENT: KASPER LUELL & JOOY POTTER  
 PROJECT NO: CROCI  
 PROJECT: ALTERATIONS & ADDITIONS TO 1 CROSS STREET ROZELLE NSW 2020  
 DRAWING TITLE: SHADOW DIAGRAMS - 11AM JUNE 21

CLIENT: KASPER LUELL & JOOY POTTER  
 PROJECT NO: CROCI  
 PROJECT: ALTERATIONS & ADDITIONS TO 1 CROSS STREET ROZELLE NSW 2020  
 DRAWING TITLE: SHADOW DIAGRAMS - 11AM JUNE 21

CLIENT: KASPER LUELL & JOOY POTTER  
 PROJECT NO: CROCI  
 PROJECT: ALTERATIONS & ADDITIONS TO 1 CROSS STREET ROZELLE NSW 2020  
 DRAWING TITLE: SHADOW DIAGRAMS - 11AM JUNE 21

CLIENT: KASPER LUELL & JOOY POTTER  
 PROJECT NO: CROCI  
 PROJECT: ALTERATIONS & ADDITIONS TO 1 CROSS STREET ROZELLE NSW 2020  
 DRAWING TITLE: SHADOW DIAGRAMS - 11AM JUNE 21

CLIENT: KASPER LUELL & JOOY POTTER  
 PROJECT NO: CROCI  
 PROJECT: ALTERATIONS & ADDITIONS TO 1 CROSS STREET ROZELLE NSW 2020  
 DRAWING TITLE: SHADOW DIAGRAMS - 11AM JUNE 21

CLIENT: KASPER LUELL & JOOY POTTER  
 PROJECT NO: CROCI  
 PROJECT: ALTERATIONS & ADDITIONS TO 1 CROSS STREET ROZELLE NSW 2020  
 DRAWING TITLE: SHADOW DIAGRAMS - 11AM JUNE 21



JUNE 21  
12:00PM

CROSS STREET

3 CROSS ST

1 CROSS ST  
(SUBJECT SITE)

PRIVATE OPEN SPACE

SHED

9 NAPOLEON ST

11 NAPOLEON ST

13 NAPOLEON ST

15 NAPOLEON ST

APPROVED SOLAR ACCESS (DA20/16/4/8)							
3 Cross St	9 Napoleon St	11 Napoleon St	13 Napoleon St	15 Napoleon St	17 Napoleon St	19 Napoleon St	21 Napoleon St
18:00pm	NO	NO	NO	NO	NO	NO	NO
15:00pm	NO	NO	NO	NO	NO	NO	NO
12:00pm	NO	NO	NO	NO	NO	NO	NO
9:00am	NO	NO	NO	NO	NO	NO	NO
For affected by development							
18:00pm	NO	NO	NO	NO	NO	NO	NO
15:00pm	NO	NO	NO	NO	NO	NO	NO
12:00pm	NO	NO	NO	NO	NO	NO	NO
9:00am	NO	NO	NO	NO	NO	NO	NO
Comment: Does not comply. Does not comply.							

PROPOSED SOLAR ACCESS							
3 Cross St	9 Napoleon St	11 Napoleon St	13 Napoleon St	15 Napoleon St	17 Napoleon St	19 Napoleon St	21 Napoleon St
18:00pm	NO	NO	NO	NO	NO	NO	NO
15:00pm	NO	NO	NO	NO	NO	NO	NO
12:00pm	NO	NO	NO	NO	NO	NO	NO
9:00am	NO	NO	NO	NO	NO	NO	NO
For affected by development							
18:00pm	NO	NO	NO	NO	NO	NO	NO
15:00pm	NO	NO	NO	NO	NO	NO	NO
12:00pm	NO	NO	NO	NO	NO	NO	NO
9:00am	NO	NO	NO	NO	NO	NO	NO
Comment: Negligible shadow to solar access as per DA approval. Negligible shadow to solar access as per DA approval.							

Ballast Point.  
 31-41 St Leonards Avenue  
 St Leonards NSW 1588  
 (02) 9439 1800  
 www.ballastpoint.com.au

NOTES

- PROPOSED NEW SHADOW: SHOWN IN LIGHT GRAY
- REDUCED SETBACK: SHOWN IN MEDIUM GRAY
- APPROVED SHADOW: SHOWN IN DARK GRAY
- UNAPPROVED SHADOW: SHOWN IN RED

APPROVED SHADOW: SHOWN IN DARK GRAY

SOLAR ACCESS TO PRIVATE OPEN SPACE: SHOWN IN BLUE

EXISTING SHEDS: SHOWN IN WHITE

REV: DATE: DESCRIPTION

A	02/02/23	SECTION 4.25B APPLICATION
B	14/03/23	COUNCIL REF

SCALE: 1:200, 1:200A3

DRAWING NO: A9.4

CLIENT: KASPER NIEL & JOOY POTTER

PROJECT: ALTERATIONS & ADDITIONS TO 1 CROSS STREET ROZELLE LOT 1A DP106/57

PROJECT NO: CRO01

DRAWING TITLE: SHADOW DIAGRAMS - 21PM JUNE 21

STATUS: NOT FOR CONSTRUCTION

REVISED BY: MARK23

REVISION: B

Document Set ID: 37564169  
Version: 1.1, Version Date: 24/03/2023



APPROVED SOLAR ACCESS (DA20/01/418)									
3 Cross St	15 Napoleon St	18 Napoleon St	19 Napoleon St	21 Napoleon St	23 Napoleon St	25 Napoleon St	27 Napoleon St	29 Napoleon St	31 Napoleon St
8:00am	NO	NO	NO	NO	NO	NO	NO	NO	NO
9:00am	NO	NO	NO	NO	NO	NO	NO	NO	NO
10:00am	NO	NO	NO	NO	NO	NO	NO	NO	NO
11:00am	NO	NO	NO	NO	NO	NO	NO	NO	NO
12:00pm	NO	NO	NO	NO	NO	NO	NO	NO	NO
13:00pm	NO	NO	NO	NO	NO	NO	NO	NO	NO
14:00pm	NO	NO	NO	NO	NO	NO	NO	NO	NO
15:00pm	NO	NO	NO	NO	NO	NO	NO	NO	NO
16:00pm	NO	NO	NO	NO	NO	NO	NO	NO	NO
17:00pm	NO	NO	NO	NO	NO	NO	NO	NO	NO
18:00pm	NO	NO	NO	NO	NO	NO	NO	NO	NO
Comment	Does not comply. Does not comply. Does not comply. Does not comply. Does not comply. Does not comply. Does not comply. Does not comply. Does not comply. Does not comply.								

PROPOSED SOLAR ACCESS									
3 Cross St	15 Napoleon St	18 Napoleon St	19 Napoleon St	21 Napoleon St	23 Napoleon St	25 Napoleon St	27 Napoleon St	29 Napoleon St	31 Napoleon St
8:00am	NO	NO	NO	NO	NO	NO	NO	NO	NO
9:00am	NO	NO	NO	NO	NO	NO	NO	NO	NO
10:00am	NO	NO	NO	NO	NO	NO	NO	NO	NO
11:00am	NO	NO	NO	NO	NO	NO	NO	NO	NO
12:00pm	NO	NO	NO	NO	NO	NO	NO	NO	NO
13:00pm	NO	NO	NO	NO	NO	NO	NO	NO	NO
14:00pm	NO	NO	NO	NO	NO	NO	NO	NO	NO
15:00pm	NO	NO	NO	NO	NO	NO	NO	NO	NO
16:00pm	NO	NO	NO	NO	NO	NO	NO	NO	NO
17:00pm	NO	NO	NO	NO	NO	NO	NO	NO	NO
18:00pm	NO	NO	NO	NO	NO	NO	NO	NO	NO
Comment	Negligible shadow to solar access as per DA approval. Negligible shadow to solar access as per DA approval. Negligible shadow to solar access as per DA approval. Negligible shadow to solar access as per DA approval. Negligible shadow to solar access as per DA approval. Negligible shadow to solar access as per DA approval. Negligible shadow to solar access as per DA approval. Negligible shadow to solar access as per DA approval. Negligible shadow to solar access as per DA approval. Negligible shadow to solar access as per DA approval.								

**Ballast Point.**  
 31-33 Cross Street  
 Ballast Point NSW 1586  
 Phone: 02 9387 6600  
 Email: info@ballastpoint.com.au  
 www.ballastpoint.com.au

**NOTES**

- PROPOSED NEW SHADOW (DOTTED LINE)
- REDUCED EXISTING SHADOW (DASHED LINE)
- APPROVED SHADOW (SOLID LINE)
- NO SHADOW CAST
- SOLAR ACCESS TO PRIVATE OPEN SPACE (Hatched)
- EXISTING SHADOWS (Grey)

**Ballast Point.**  
 31-33 Cross Street  
 Ballast Point NSW 1586  
 Phone: 02 9387 6600  
 Email: info@ballastpoint.com.au  
 www.ballastpoint.com.au

**REV. DATE DESCRIPTION**  
 A 02/12/2023 SECTION 4.2.6 APPLICATION  
 B 14/02/23 COUNCIL REF

**SCALE**  
 1:100, 1:200, 1:300, 1:400, 1:500

**PROJECT**  
 ALTERATIONS & ADDITIONS  
 1 CROSS STREET ROZELLE  
 NSW 2023  
 LOT 1A DP106/57

**CLIENT**  
 KASPER LUEL & JOOY POTTER

**DRAWING NO.**  
 A9.5

**REVISION**  
 B

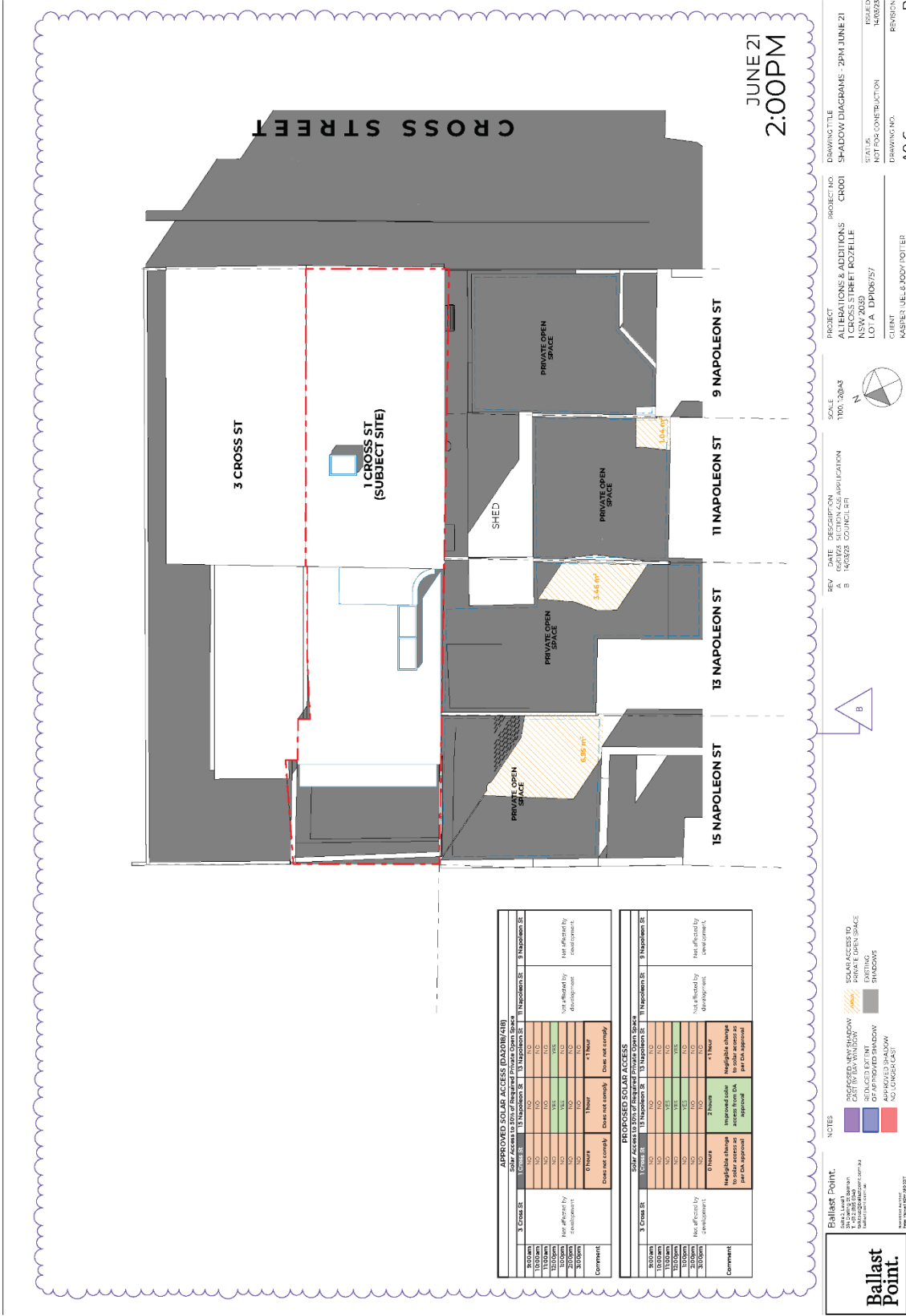
**STATUS**  
 NOT FOR CONSTRUCTION

**DATE**  
 21/06/2023

**PROJECT NO.**  
 CRO01

**DRAWING TITLE**  
 SHADOW DIAGRAMS - 1PM JUNE 21

**JUNE 21 1:00PM**



JUNE 21  
2:00PM

APPROVED SOLAR ACCESS (DA20/18/418)		3 Cross St	15 Napoleon St	11 Napoleon St	9 Napoleon St
8:00am	NO	NO	NO	NO	NO
9:00am	NO	NO	NO	NO	NO
10:00am	NO	NO	NO	NO	NO
11:00am	NO	NO	NO	NO	NO
12:00pm	NO	NO	NO	NO	NO
1:00pm	NO	NO	NO	NO	NO
2:00pm	NO	NO	NO	NO	NO
3:00pm	NO	NO	NO	NO	NO
4:00pm	NO	NO	NO	NO	NO
5:00pm	NO	NO	NO	NO	NO
Comment	Does not comply	Does not comply	Does not comply	Does not comply	Does not comply

PROPOSED SOLAR ACCESS		3 Cross St	15 Napoleon St	11 Napoleon St	9 Napoleon St
8:00am	NO	NO	NO	NO	NO
9:00am	NO	NO	NO	NO	NO
10:00am	NO	NO	NO	NO	NO
11:00am	NO	NO	NO	NO	NO
12:00pm	NO	NO	NO	NO	NO
1:00pm	NO	NO	NO	NO	NO
2:00pm	NO	NO	NO	NO	NO
3:00pm	NO	NO	NO	NO	NO
4:00pm	NO	NO	NO	NO	NO
5:00pm	NO	NO	NO	NO	NO
Comment	Does not comply	Does not comply	Does not comply	Does not comply	Does not comply

**Ballast Point.**  
 31-33 Kings Highway  
 Ballast Point NSW 1586  
 Tel: 02 9390 9999  
 www.ballastpoint.com.au

**NOTES**

- PROPOSED NEW SHADOW CAST BY PROPOSED DEVELOPMENT
- PROPOSED EXISTING SHADOW CAST BY EXISTING DEVELOPMENT
- APPROVED SHADOW CAST BY APPROVED DEVELOPMENT
- NO SHADOW CAST
- SOLAR ACCESS TO PRIVATE OPEN SPACE
- EXISTING SHADOWS

**Ballast Point.**  
 31-33 Kings Highway  
 Ballast Point NSW 1586  
 Tel: 02 9390 9999  
 www.ballastpoint.com.au

**REV DATE DESCRIPTION**  
 A 02/12/23 SECTION 426 APPLICATION  
 B 14/03/23 COUNCIL REF

**SCALE**  
 1:300 3/20/23

**PROJECT**  
 ALTERATIONS & ADDITIONS  
 1 CROSS STREET ROZELLE  
 NSW 2059  
 LOT 1A DP106/57

**CLIENT**  
 KASPER LUEL & JOOY POTTER

**DRAWING NO.**  
 A9.6

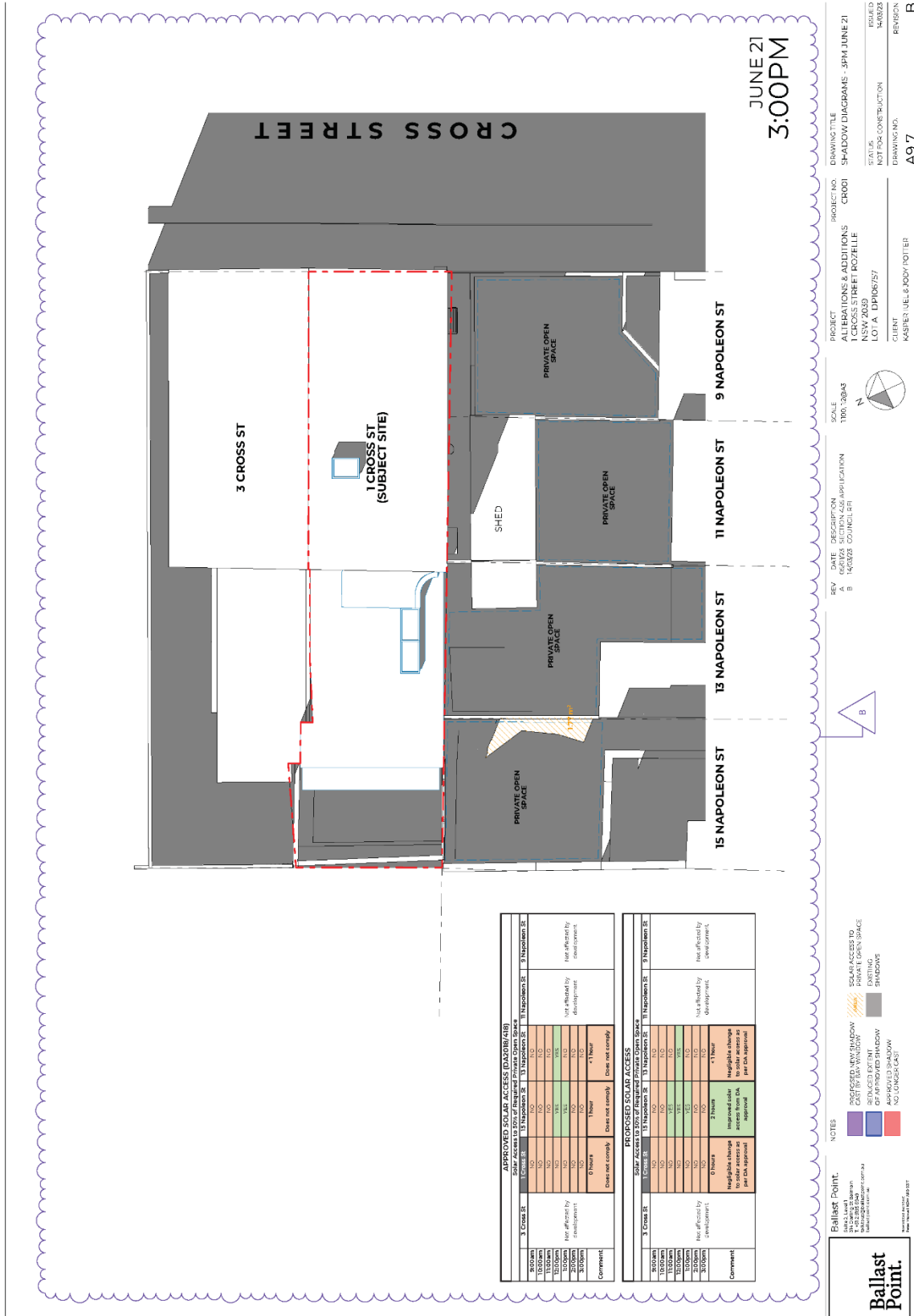
**REVISION**  
 B

**STATUS**  
 NOT FOR CONSTRUCTION

**DATE**  
 14/03/23

**PROJECT NO.**  
 CROCI

**DRAWING TITLE**  
 SHADOW DIAGRAMS - 2PM, JUNE 21



APPROVED SOLAR ACCESS (DA20/01/01B)										
3 Cross St	15 Napoleon St	11 Napoleon St	9 Napoleon St	1 Cross St	15 Napoleon St	11 Napoleon St	9 Napoleon St	15 Napoleon St	11 Napoleon St	9 Napoleon St
8:00am	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
9:00am	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
10:00am	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
11:00am	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
12:00pm	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
1:00pm	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
2:00pm	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
3:00pm	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Comment	Does not comply			Does not comply			Does not comply			Not affected by development

PROPOSED SOLAR ACCESS										
3 Cross St	15 Napoleon St	11 Napoleon St	9 Napoleon St	1 Cross St	15 Napoleon St	11 Napoleon St	9 Napoleon St	15 Napoleon St	11 Napoleon St	9 Napoleon St
8:00am	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
9:00am	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
10:00am	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
11:00am	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
12:00pm	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
1:00pm	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
2:00pm	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
3:00pm	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Comment	Does not comply			Does not comply			Does not comply			Not affected by development

**Ballast Point.**  
 31-33 Kings Highway  
 Ballast Point NSW 1586  
 Tel: 02 9390 6600  
 www.ballastpoint.com.au

**NOTES**

- PROPOSED NEW SHADOW CAST BY SUBJECT SITE
- PROPOSED EXISTING SHADOW CAST BY EXISTING BUILDINGS
- APPROVED SHADOW CAST BY ADJACENT LOT
- SOLAR ACCESS TO PRIVATE OPEN SPACE
- EXISTING SHADOWS

**Ballast Point.**  
 31-33 Kings Highway  
 Ballast Point NSW 1586  
 Tel: 02 9390 6600  
 www.ballastpoint.com.au

**REV. DATE DESCRIPTION**  
 A 02/02/23 SECTION 4.26 APPLICATION  
 B 14/03/23 COUNCIL REF

**SCALE**  
 1:300 (300:1)

**PROJECT**  
 ALTERATIONS & ADDITIONS  
 1 CROSS STREET ROZELLE  
 NSW 2023  
 LOT 1A DP106/57

**DRAWING NO.**  
 A9.7

**CLIENT**  
 KASPER WEL & JOOY POTTER

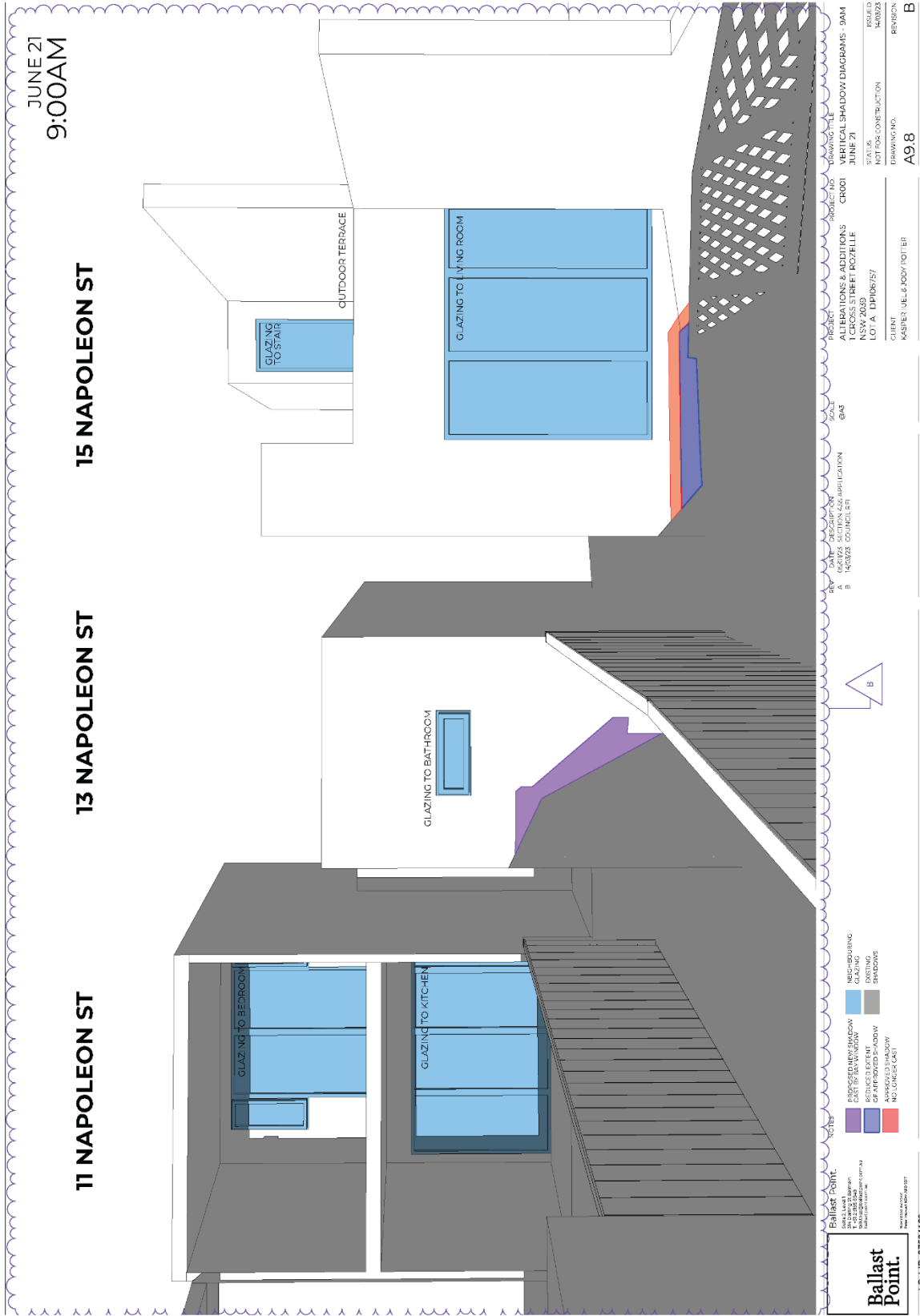
**PROJECT NO.**  
 CROCI

**DRAWING TITLE**  
 SHADOW DIAGRAMS - 3PM JUNE 21

**STATUS**  
 NOT FOR CONSTRUCTION

**REVISION**  
 B





**11 NAPOLEON ST**      **13 NAPOLEON ST**      **15 NAPOLEON ST**

JUNE 21  
10:00AM

**Ballast Point.**  
37554169  
11/12/2022 10:00 AM  
DRAWN BY: [redacted]  
CHECKED BY: [redacted]  
DATE: 21/06/2023

**Notes:**  
- NEIGHBOURING BUILDING  
- EXISTING BUILDING  
- EXISTING SHEDS  
- PROPOSED NEW SHEDWORK  
- EXISTING SHEDWORK  
- EXISTING GLAZING  
- APPROVED SHEDWORK  
- APPROVED SHEDWORK FOR CONSTRUCTION

**Legend:**  
- NEIGHBOURING BUILDING  
- EXISTING BUILDING  
- EXISTING SHEDS  
- PROPOSED NEW SHEDWORK  
- EXISTING SHEDWORK  
- EXISTING GLAZING  
- APPROVED SHEDWORK  
- APPROVED SHEDWORK FOR CONSTRUCTION

**Project Information:**  
PROJECT NO: 37554169  
JOB NO: 37554169  
DATE: 21/06/2023  
DRAWING NO: A9.9  
CLIENT: KASPER LUE & JOOY POTTER  
DRAWING NO: A9.9  
REVISION: B

**Architect:**  
KASPER LUE & JOOY POTTER  
1 CROSS STREET ROFFELLE  
NSW 2039  
LOT 1A DP106/57

**Architect Registration:**  
ARCHITECT: 24039  
ARCHITECT NO: 24039  
ARCHITECT NAME: KASPER LUE & JOOY POTTER

**Structural Engineer:**  
STRUCTURAL ENGINEER: 24039  
STRUCTURAL ENGINEER NO: 24039  
STRUCTURAL ENGINEER NAME: KASPER LUE & JOOY POTTER

**Vertical Shadow Diagrams:**  
VERTICAL SHADOW DIAGRAMS: 10AM  
DATE: 21/06/2023  
NOT FOR CONSTRUCTION  
SCALE: 1:1000

**Glazing Details:**  
GLAZING TO STAIR  
GLAZING TO BATHROOM  
GLAZING TO BEDROOM  
GLAZING TO KITCHEN  
GLAZING TO LIVING ROOM  
OUTDOOR TERRACE

**Ballast Point.**  
 31-33 BARRACK STREET  
 SYDNEY NSW 2000  
 TEL: 02 9232 2222  
 WWW.BALLASTPOINT.COM.AU  
 ARCHITECTS

**Ballast Point.**  
 31-33 BARRACK STREET  
 SYDNEY NSW 2000  
 TEL: 02 9232 2222  
 WWW.BALLASTPOINT.COM.AU  
 ARCHITECTS

**Notes:**

- PROPOSED NEW SHADOW CASTING
- EXISTING SHADOWS
- NEIGHBOURING BUILDINGS
- PROPOSED SHADOW CASTING
- EXISTING SHADOWS
- APPROVED SHADOW CASTING
- NO SHADOW CASTING

**Legend:**

- PROPOSED NEW SHADOW CASTING
- EXISTING SHADOWS
- NEIGHBOURING BUILDINGS
- PROPOSED SHADOW CASTING
- EXISTING SHADOWS
- APPROVED SHADOW CASTING
- NO SHADOW CASTING

**Project Information:**

PROJECT NO: 22000001  
 DATE: 21 JUNE 2023  
 DRAWING NO: A9.10

**Client:** KASPER WEL & JOOY POTTER

**Architect:** BALLAST POINT ARCHITECTS

**Project Name:** ALLEGATIONS & ADDITIONS TO CROSS STREET ROFFELLE NSW 2039 LOT 1A DPH06/57

**Site:** 140/223 COUNCIL RFI 68/1624 SECTION 426 APPLICATION B

**Scale:** 1:100

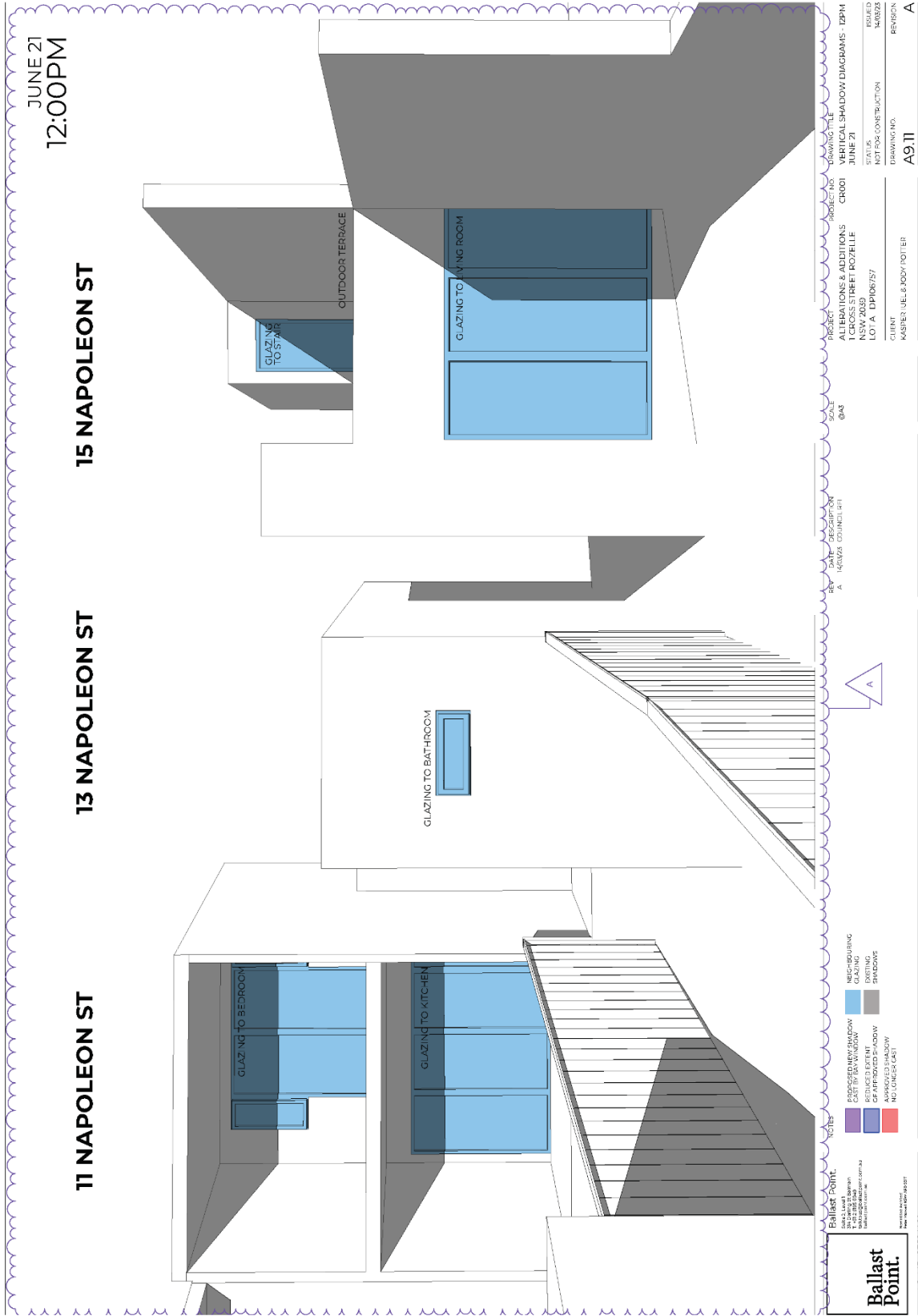
**Revision Table:**

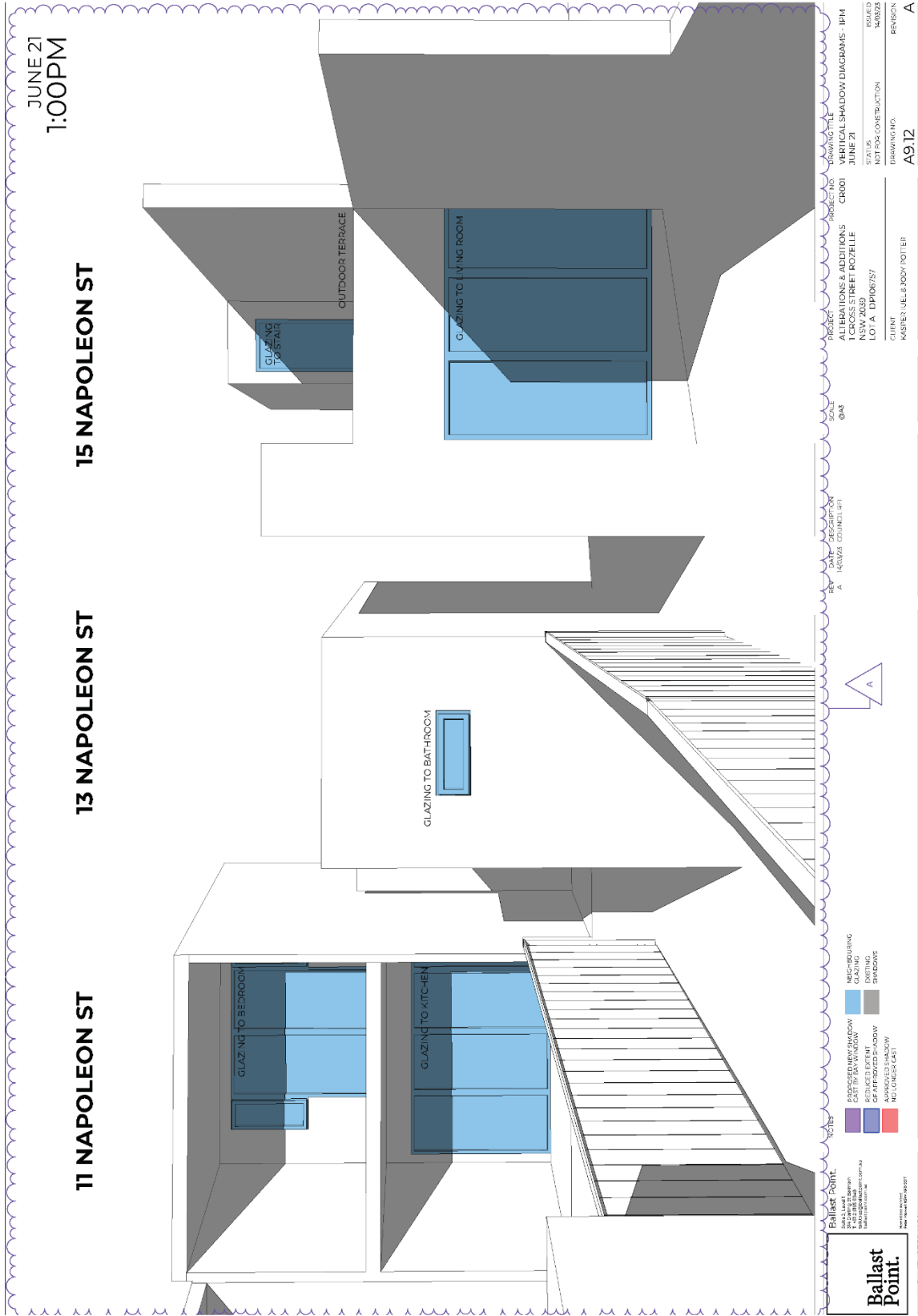
NO.	DATE	DESCRIPTION	BY	CHKD
1	21 JUNE 2023	VERTICAL SHADOW DIAGRAMS - 10AM	CB	CB
2	21 JUNE 2023	NOT FOR CONSTRUCTION	CB	CB

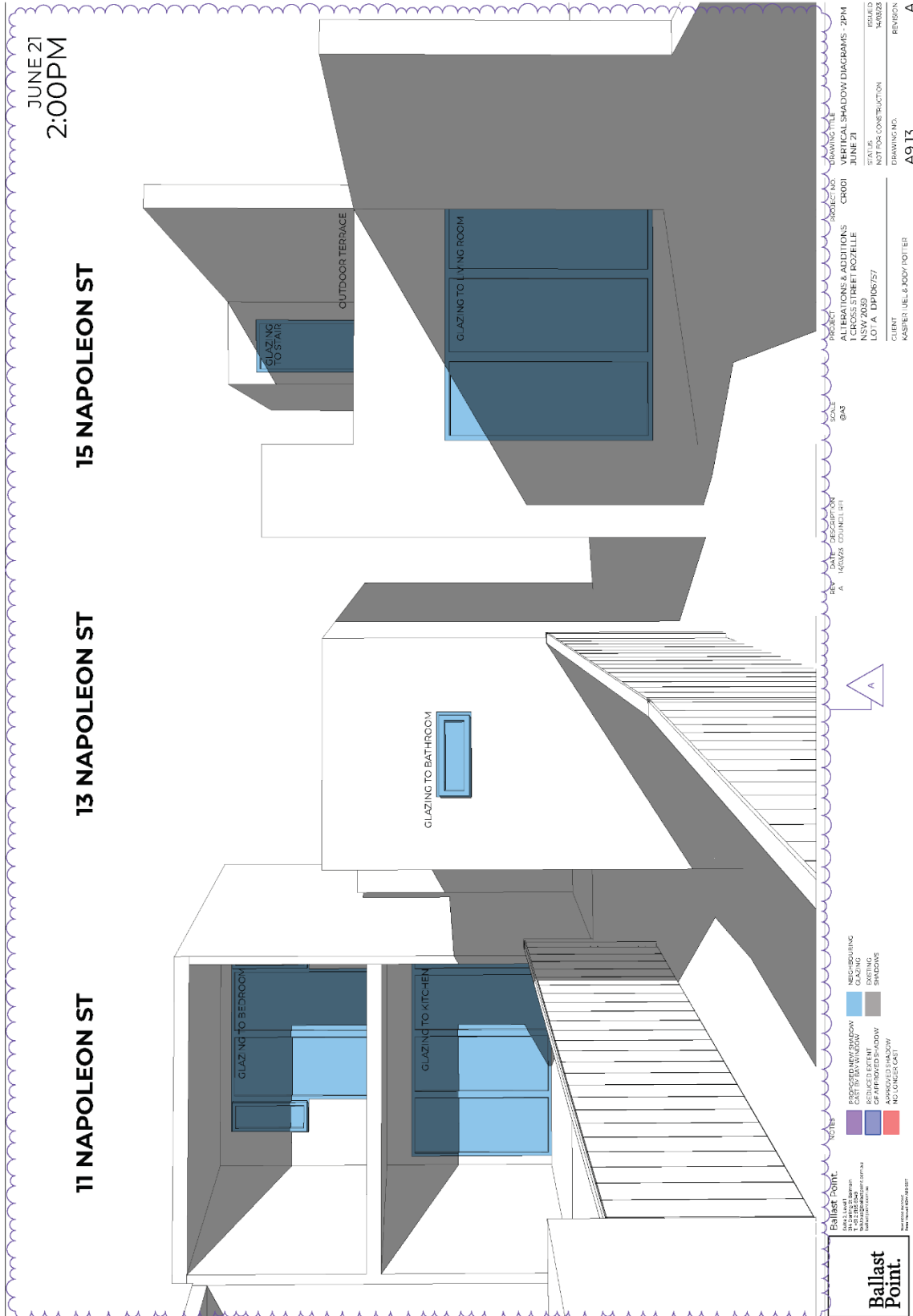
**Address Labels:** 11 NAPOLEON ST, 13 NAPOLEON ST, 15 NAPOLEON ST

**Time:** JUNE 21 11:00AM

**Room Labels:** GLAZING TO STAIR, OUTDOOR TERRACE, GLAZING TO LIVING ROOM, GLAZING TO BATHROOM, GLAZING TO BEDROOM, GLAZING TO KITCHEN







DATE: JUNE 21 2:00PM

PROJECT: 1 CROSS STREET ROFFELLE LOT 1A DPK06/57

ARCHITECT: KRSTEN UEL & JOOY POTTER

APPROVED BY: KRSTEN UEL & JOOY POTTER

DATE: JUNE 21 2023

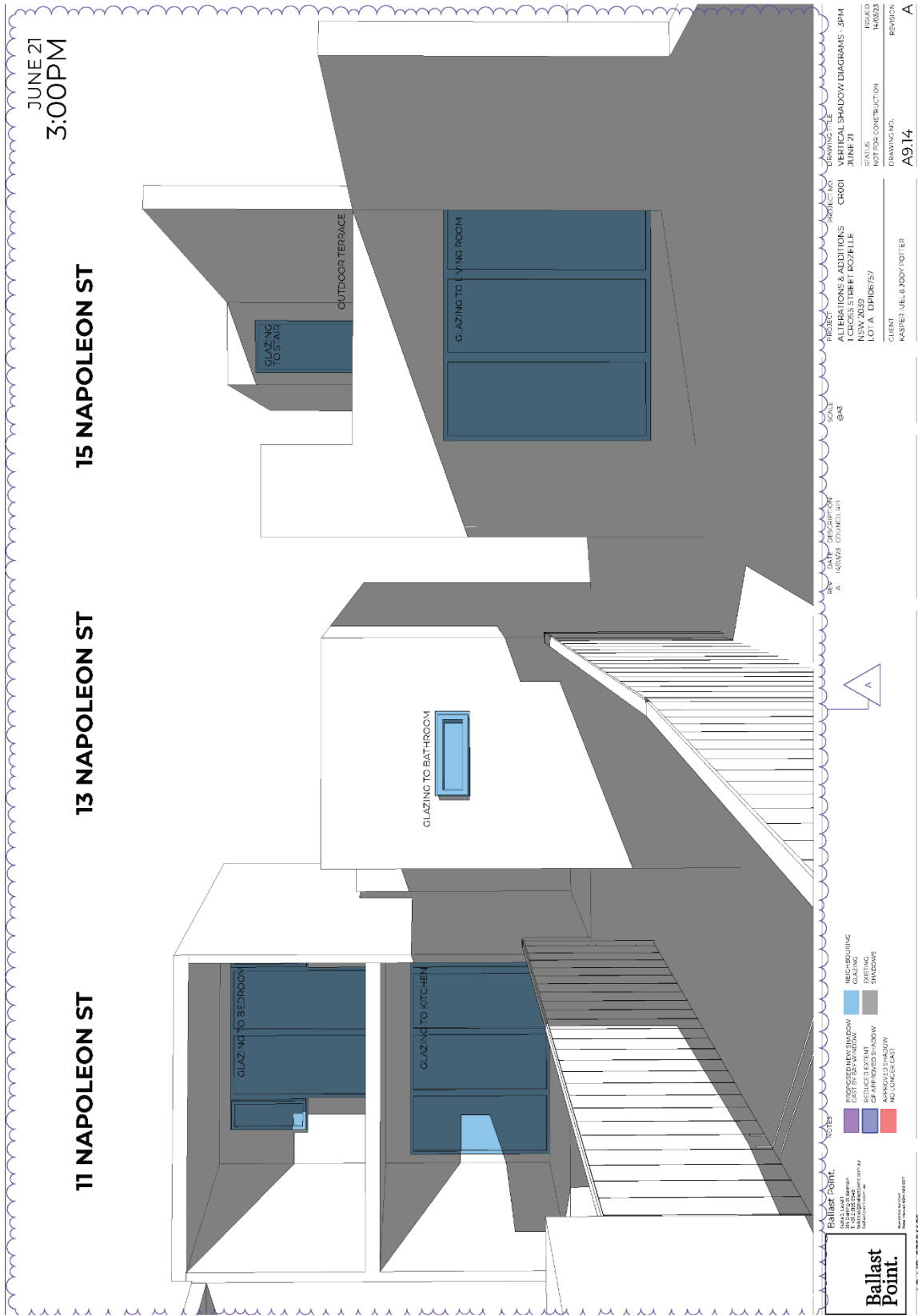
REVISION: A

CLIENT: KRSTEN UEL & JOOY POTTER

DRAWING NO: A913

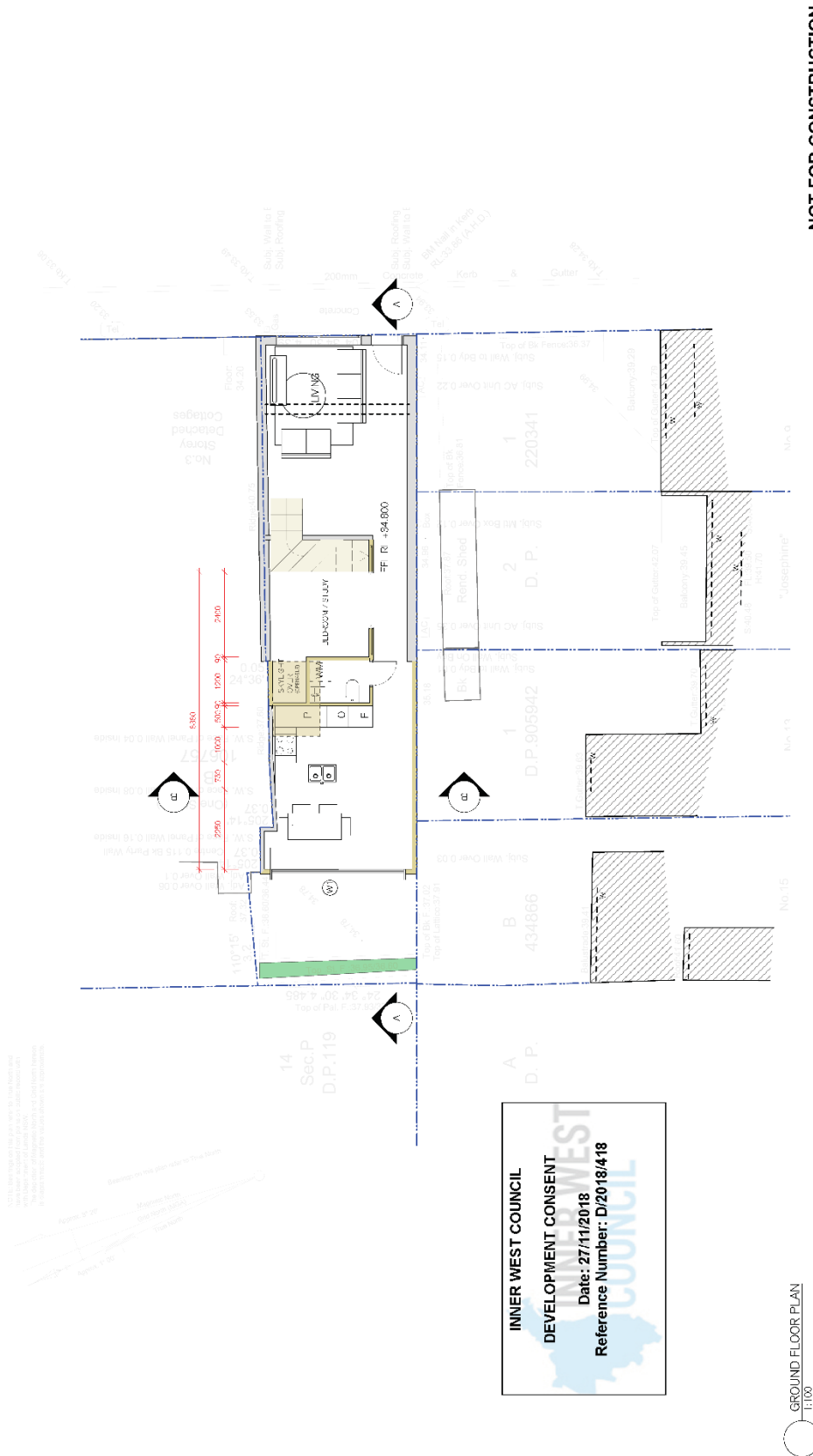
NOTES:  
 1. NEIGHBOURING EXISTING SHADOWS  
 2. PROPOSED NEW SHADOWS  
 3. EXISTING SHADOWS  
 4. PROPOSED EXTENT  
 5. EXISTING EXTENT  
 6. APPROVED SHADOWS  
 7. UNAPPROVED SHADOWS

Ballast Point.  
 31-33 BRIDGE ROAD  
 BALLAST POINT NSW 1586  
 TEL: (02) 9439 2000  
 WWW.BALLASTPOINT.COM.AU



Document Set ID: 37564169  
 Version: 1, Version Date: 24/03/2023

Attachment D – Plans of approved development – D/2018/418



INNER WEST COUNCIL  
 DEVELOPMENT CONSENT  
 Date: 27/11/2018  
 Reference Number: D/2018/418

GROUND FLOOR PLAN  
 1:100

**NOT FOR CONSTRUCTION**

PREPARED BY: Christopher Jordan  
 PROJECT NO: 38646928  
 DATE: 27/11/2018

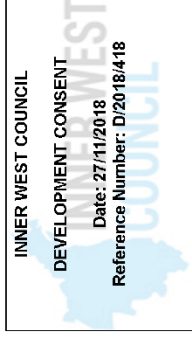
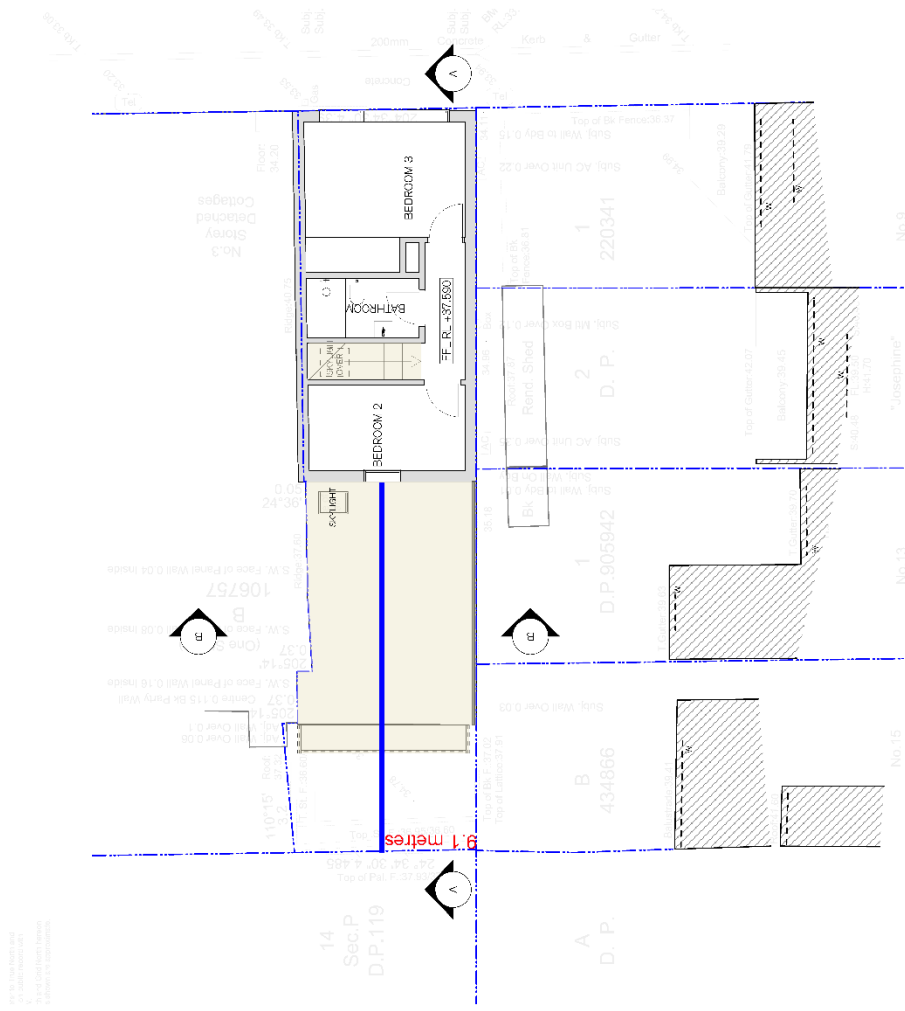
SCALE: 1:100  
 SHEET NO: SNE416  
 OF: 02

PROJECT TITLE: 1 Cross at Rozelle  
 CLIENT: Brad Sheridan & Jennifer Lester

DATE: 27/11/2018  
 DRAWN BY: Christopher Jordan  
 CHECKED BY: [Name]

Document Set ID: 38646928  
 Version: 2, Version Date: 30/04/2023  
 © 2017 Christopher Jordan Pty Ltd. All rights reserved. This document is the property of Christopher Jordan Pty Ltd. It is to be used only for the purposes stated in the contract. No part of this document may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Christopher Jordan Pty Ltd.





**FIRST FLOOR PLAN**  
1:100

Christopher Jordan  
Architect

Document Set ID: 35646998  
Version: 2, Version Date: 30/04/2023

**NOT FOR CONSTRUCTION**

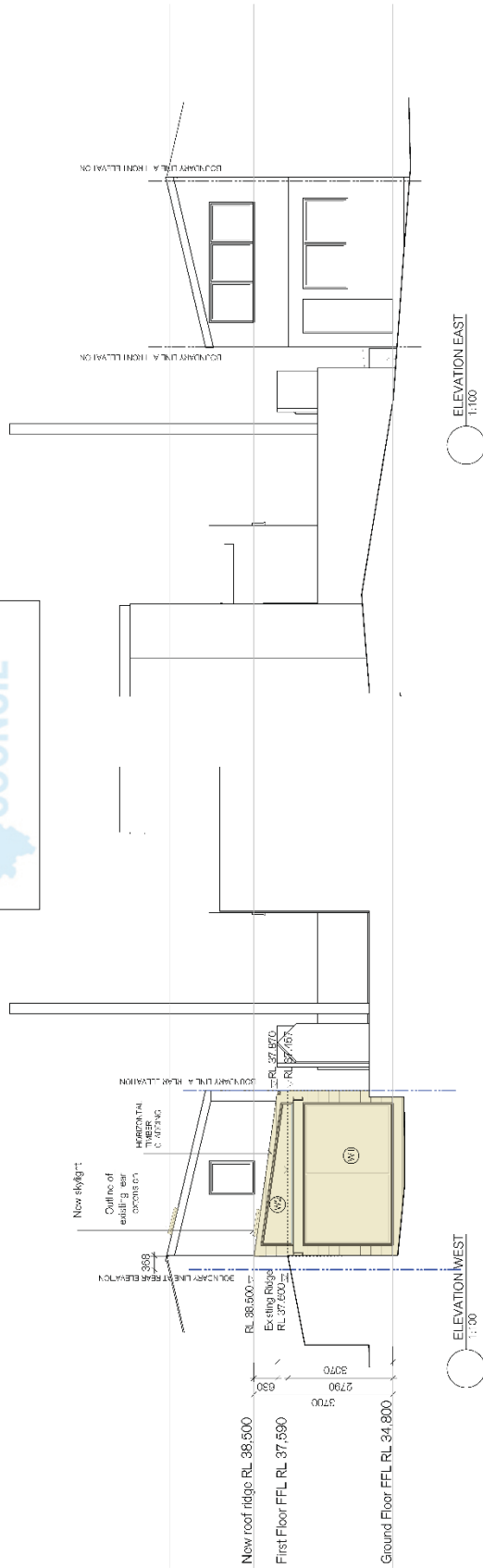
SCALE	1:100
DATE	27/11/2018
PROJECT	SNE416
NO.	03
REV.	B

<b>FIRST FLOOR PLAN</b>	
<b>ALTERATIONS AND ADDITIONS</b>	
1 Cross at Nozzle	
Brag Sheridan & Jennifer Leader	

NO.	1	DATE	27/11/2018
BY	CHRISTOPHER JORDAN	CHECKED BY	CHRISTOPHER JORDAN
DESCRIPTION	FIRST FLOOR PLAN		

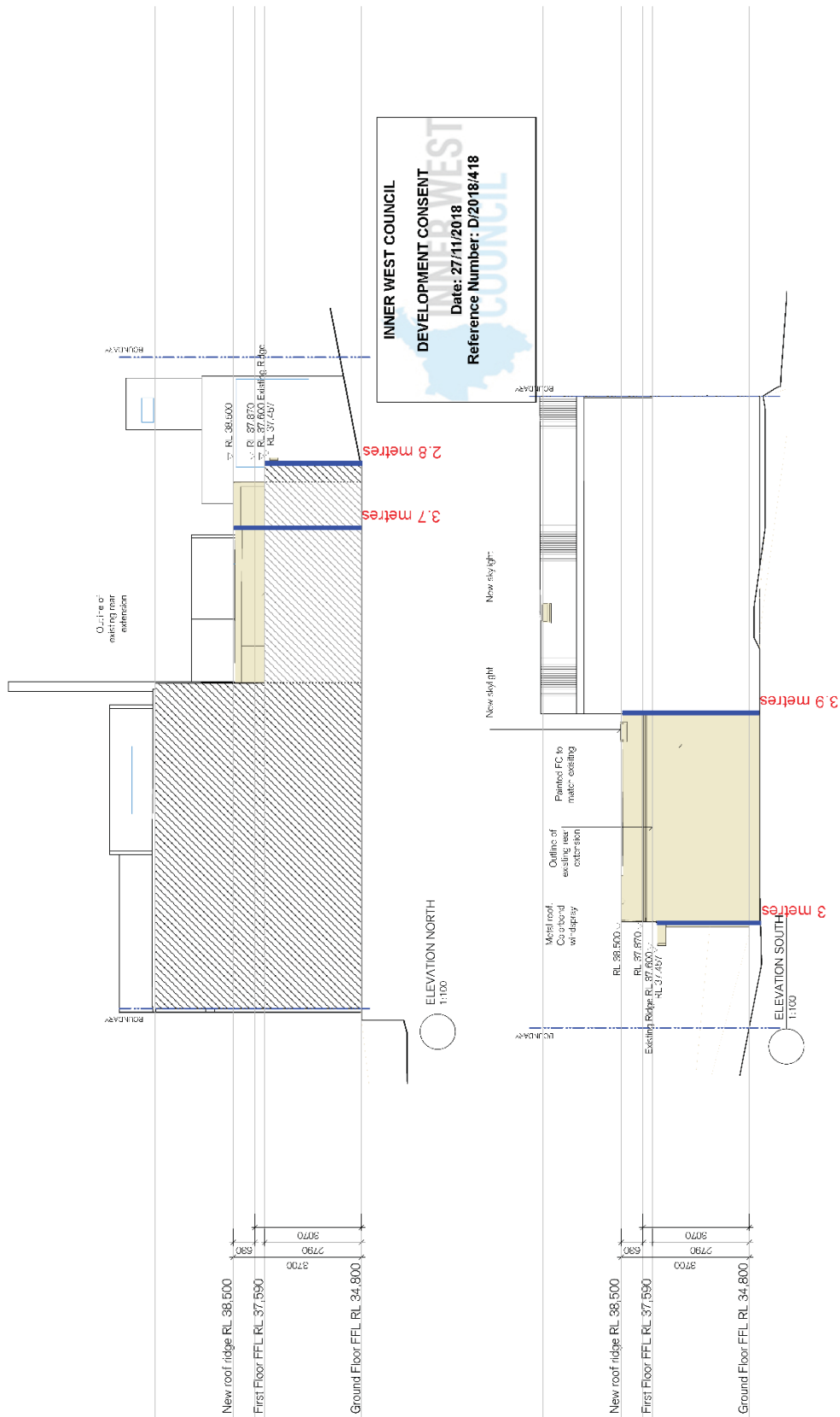
NO.	1	DATE	27/11/2018
BY	CHRISTOPHER JORDAN	CHECKED BY	CHRISTOPHER JORDAN
DESCRIPTION	FIRST FLOOR PLAN		

INNER WEST COUNCIL  
 DEVELOPMENT CONSENT  
 Date: 27/11/2018  
 Reference Number: D/2018/418



NOT FOR CONSTRUCTION

<p>Christopher Jordan                  ARCHITECT                  1/100 WILSON STREET                  SYDNEY NSW 2000</p>		<p>SCALE                  AS SHOWN                  1:100</p>		<p>PROJECT NO.                  SNE416</p>	
<p>PROJECT NAME                  1 Cross at Rozelle</p>		<p>DATE                  27/11/2018</p>		<p>REVISION                  04 B</p>	
<p>PROJECT LOCATION                  1 Cross at Rozelle</p>		<p>CLIENT                  Brad Sheridan &amp; Jennifer Lester</p>		<p>DESIGNER                  Christopher Jordan</p>	
<p>PROJECT NO.                  SNE416</p>		<p>DATE                  27/11/2018</p>		<p>SCALE                  1:100</p>	



NOT FOR CONSTRUCTION

**Christopher Jordan**  
 ARCHITECT

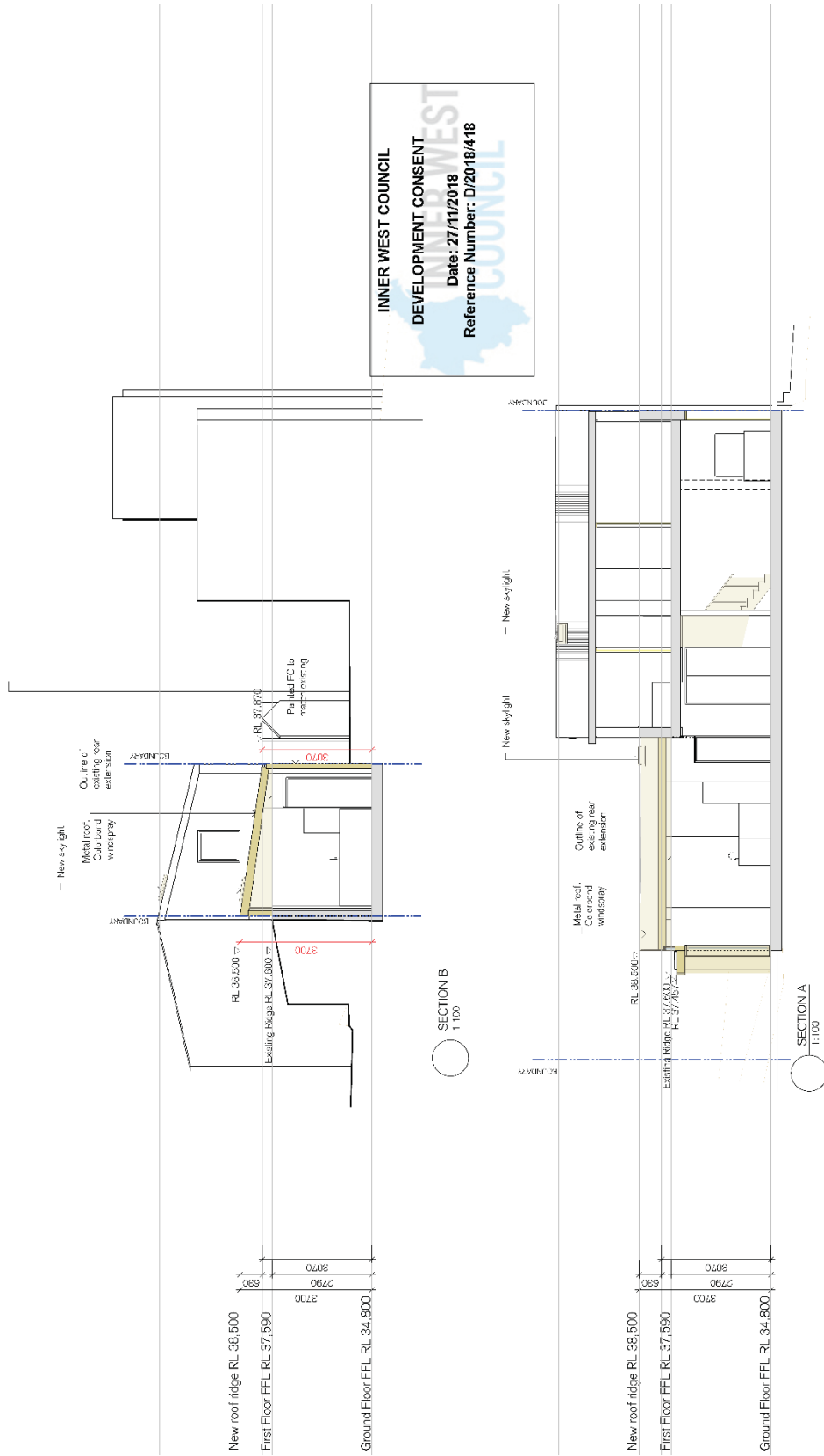
Document Set ID: 35646990  
 Version: 2, Version Date: 30/04/2023

SCALE	1:100	PROJECT	SNE416
DATE	27/11/2018	DATE	27/11/2018
BY	CHRISTOPHER JORDAN	NO.	005
CHKD BY	CHRISTOPHER JORDAN	REV.	B

**ELEVATIONS 2**  
**ALTERATIONS AND ADDITIONS**  
 1 Cross at Rozelle  
 Brad Sheridan & Jennifer Leister

NO.	1	DATE	27/11/2018	BY	CHRISTOPHER JORDAN	CHKD BY	CHRISTOPHER JORDAN
DESCRIPTION	ELEVATION APPROVAL						

DATE: 27/11/2018 BY: CHRIS JORDAN CHKD: CHRIS JORDAN  
 SCALE: 1:100 PROJECT: SNE416

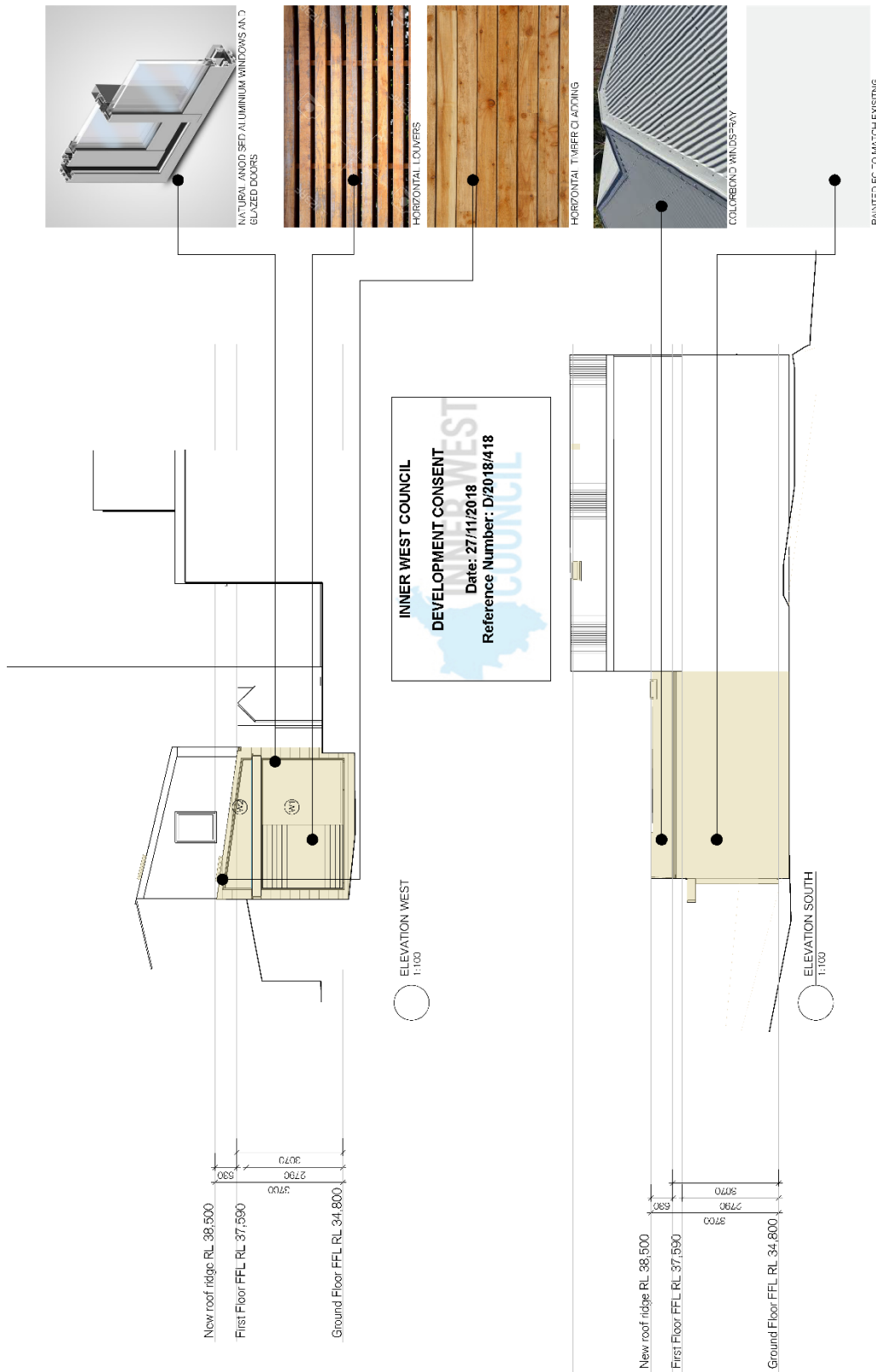


INNER WEST COUNCIL  
 DEVELOPMENT CONSENT  
 Date: 27/11/2018  
 Reference Number: D/2018/418

NOT FOR CONSTRUCTION

PROJECT No: <b>SNE416</b> SCALE: 1:100 DATE: 27/11/2018 DRAWN BY: [Name] CHECKED BY: [Name]		SECTIONS ALTERATIONS AND ADDITIONS 1 Cross at Nozzle Brad Sheridan & Jennifer Lister	
PROJECT No: <b>006</b> SCALE: 1:100 DATE: 27/11/2018 DRAWN BY: [Name] CHECKED BY: [Name]		PROJECT No: <b>006</b> SCALE: 1:100 DATE: 27/11/2018 DRAWN BY: [Name] CHECKED BY: [Name]	

Document Set ID: 35646990  
 Version: 2, Version Date: 30/04/2023



**NOT FOR CONSTRUCTION**

<b>Christopher Jordan</b> ARCHITECT 1/100 WILSON STREET SYDNEY NSW 1585 PH: 02 9550 1111 WWW.CHRISTOPHERJORDAN.COM.AU		PROJECT NO: SNE416 DRAWING NO: 07 DATE: 27/11/2018	
SCALE: 1:100 DATE: 27/11/2018		MATERIALS FINISHES ALTERATIONS AND ADDITIONS 1 Cross at Rozelle Brad Sheridan & Jennifer Leister	
APPROVED FOR CONSTRUCTION DATE: 27/11/2018 REFERENCE NUMBER: D/2018/418		APPROVED FOR CONSTRUCTION DATE: 27/11/2018 REFERENCE NUMBER: D/2018/418	