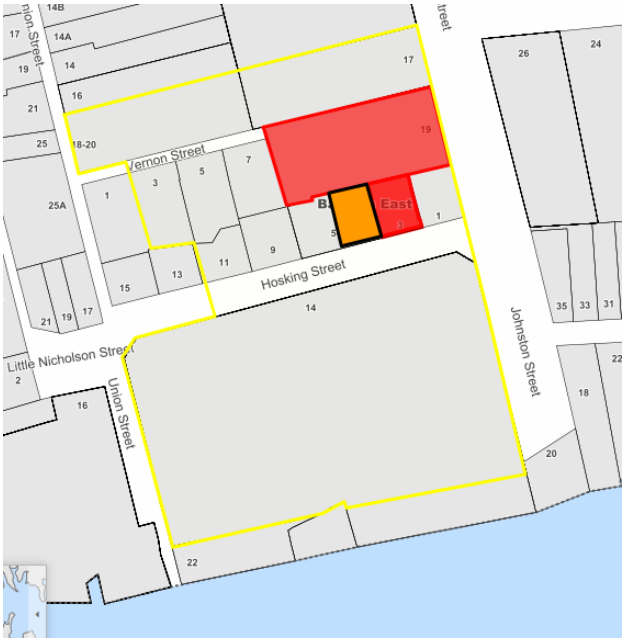





 DEVELOPMENT ASSESSMENT REPORT				
Application No.	DA/2023/0080			
Address	Lot 2 SP19435 5-7 Hosking Street (townhouse known as 5 Hosking St) BALMAIN EAST			
Proposal	Alterations and additions to existing dwelling (dual occupancy), including new fourth floor level with sauna and roof top pool.			
Date of Lodgement	15 February 2023			
Applicant	Development Design Pty Ltd			
Owner	Mr Paulo H Da Silva Mrs Antonella Da Silva			
Number of Submissions	Initial: 2 After Re-notification: 1			
Value of works	\$487,896.00			
Reason for determination at Planning Panel	Variation to FSR development standard exceeds 10%			
Main Issues	Amenity impacts (view loss, bulk and scale, overshadowing, visual and acoustic privacy), design and siting of the development, heritage impacts, departure with FSR development standard			
Recommendation	Refusal			
Attachment A	Reasons for Refusal			
Attachment B	Plans of proposed development			
Attachment C	Statement of Heritage Significance			
Attachment D	Draft Conditions of consent in event of approval			
				
LOCALITY MAP				
Subject Site		Objectors		 N
Notified Area		Supporters		

1. Executive Summary

This report is an assessment of the application submitted to Council for alterations and additions to a three storey dwelling, including new upper level with sauna and roof top pool at 5-7 Hosking Street Balmain East (Townhouse known as 5 Hosking Street).

The dwelling is one of two located on a common lot and strata titled and thus constitutes a dual occupancy under LEP 2022. Dual occupancies are now prohibited in the R1 zone and thus the proposal relies on existing use rights.

The application was notified to surrounding properties and two (2) submissions were received in response to the initial notification.

An error occurred with the initial notification and thus the proposal was re-notified. One (1) additional submission was received in response to the re-notification of the application.

Council wrote to the applicant seeking additional information / amended plans and subsequently, additional information was issued by the applicant. Following receipt of additional information, a meeting was held between Council officers and the applicant to resolve outstanding issues with the proposal and a further set of amended plans were provided. The amended plans are the subject of this assessment.

Notwithstanding, whilst the amended plans have gone some way to addressing concerns, there remain a number of unresolved issues where the totality of the proposed design results in an unsatisfactory response to the objectives and controls under the Inner West Local Environmental Plan 2022 and the Leichhardt Development Control Plan 2013; namely view loss, amenity impacts, design and siting and heritage.

Furthermore, the proposal results in a significant departure with the Floor Space Ratio development standard which applies to dwelling houses and the applicant has failed to provide written justification to vary the development standard.

With consideration of the above matters, it is considered that approval of the proposal is not in the public interest and is recommended for refusal.

2. Proposal

The amended proposal (subject of this assessment) encompasses substantial alterations and additions to an existing three storey dwelling which will ultimately result in a new contemporary infill dwelling. The works comprise the following:

Ground Floor

Convert storage to laundry, new internal stair, consolidate two garage door entries into one single opening, provision for a lift which services all levels including the proposed rooftop terrace, pool pump room.

First Floor

Reconfiguration of first floor kitchen, dining and living to provide three bedrooms and a bathroom by way of extension towards the eastern (side) and southern (front) boundaries, planter box fronting the street.

Second Floor

Convert existing bedrooms and ensuite to an open plan living space comprising a kitchen, dining and living room, including study and bathroom, by way of extending towards the eastern (side), southern (front) and northern (rear) boundaries. The rearward extension at this level is cantilevered over the sandstone rockface. Provision of a terrace along the eastern and southern elevations.

Roof level

Pavillion including terrace, sauna, lift overrun, plunge pool and planter along the majority of the perimeter.

3. Site Description

The subject site is legally described as Lot 2 in Strata Plan 19435, located on the northern side of Hosking Street, between Johnston Street to the east and Union Street to the west.

The combined site comprising Lot 1 and 2 is generally rectangular in shape having a primary frontage of 21.145m to Hosking Street with a wider rear boundary width of 21.275m having an average depth of 14.11m achieving an overall area of 297m². The area of the subject allotment (Lot 2) is 149.8m².

The subject site accommodates a semi-detached three storey dual-occupancy with a double garage fronting Hosking Street. The dwelling shares a common (western) party wall with No.7 Hosking Street. The pair of dwellings are mirror reversed in plan. The pair of semi-detached dwellings were constructed circa 1990.

The site slopes approximately 10m from the rear towards the front boundary. The dwelling is recessed into the steep rocky topography and there is minimal landscape provision which is limited to the rear sandstone escarpment. The site does not accommodate any significant trees however adjoins a Weeping Bottle Brush to the eastern neighbouring property located on 3 Hosking Street.

The adjoining properties support three storey dwellings to the west and to the east along the northern side of Hosking Street and two storey terraces along the southern side of Hosking Street.

The property is not heritage listed, however is located within a heritage conservation area and adjoins the heritage listed House, "Penbroke Villa", including interiors, at 19 Johnston Street, Balmain East, to the rear (north). The site is zoned R1 General Residential pursuant to the *Inner West Local Environmental Plan 2022 (IWLEP 2022)*.



Figure 1 – Aerial map of subject site



Figure 2 – Land Use Zoning Map



Figure 3 – Heritage Map



Figure 4 – Streetscape view of subject site, northern aspect

4. Background

4(a) Site history

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

Subject Site

Application	Proposal	Decision & Date
DA 1312	Erect two townhouses on the property (then known as lot 3)	Approved 1 September 1980
BA 18627	Erection of town house	Approved 4/11/1980
D/2009/83	Approved for the conversion of the existing Strata Title subdivision to a Torrens Title Subdivision into two (2) Torrens Title allotments.	Approved - 14/07/2009 (Lapsed)
PREDA/2012/142	Alterations and additions to the existing dwelling	Issued - 21 September 2012
D/2012/619	Alterations and additions to existing dwelling known as 5 Hosking Street.	Approved - 12/02/2013 (Lapsed)
M/2014/46	Modification of D/2012/619 which approved alterations and additions to the existing dwelling. Modification seeks consent for a ground floor extension and changes to window/door openings.	Approved – 30/05/2014

Surrounding properties

3 Hosking Street Balmain

Application	Proposal	Decision & Date
MOD/2022/0268	Changes to approved plans, including new external stairs, patio, window changes and internal layout changes.	Approved – 1 November 2022
DA/2020/0576	Proposed lift, deck and internal Alterations	Approved - 10 September 2020
D/2019/371	Alterations and additions including 3 storey side extension, lift, ground works and tree removal	Refused - 30 June 2020

4(b) Application history

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

Date	Discussion / Letter / Additional Information
28 April 2023 – Request for Information (RFI)	<p><u>Plans</u></p> <ul style="list-style-type: none"> Plans show works to neighbouring property at No. 3 Hosking Street, (sandstone wall and glass balustrade). The plans are to be amended to delete any reference to works on this property unless consent is provided in writing.

	<p><u>Side setback breach</u></p> <ul style="list-style-type: none"> The proposed development is in breach of side setback requirements and cannot be supported where they result in streetscape and visual privacy impacts. <p><u>Heritage</u></p> <p>Numerous design amendments were requested, including:</p> <ul style="list-style-type: none"> Reduction of glazing to street frontage. Deletion of rooftop terrace, including pool and sauna. Retention of front half of roof form. Reduction of overall height to respond to those of the neighbouring properties. Rear roof form must be pitched to match those of the existing dwelling and surrounding context. Amendments to materials and finishes. Provide a history on the construction of the existing garage door archways which are to be retained if they are historic. The remaindered of the sandstone wall is not to be altered. Fenestration to match that of no. 7 Hosking Street.
<p>7 June 2023 – Response to RFI</p>	<p>The Applicant provided a written response to the issues raised in Council’s RFI summarised above including amended plans which removed works to neighbouring property and privacy screen to the east facing windows</p>
<p>15 August 2023 – Issues Meeting</p>	<p>Meeting held with the Applicant, Council’s Planner and Heritage Advisor to discuss further amendments warranted to support the Application, including:</p> <ul style="list-style-type: none"> Section 4.6 for FSR departure Lowering of floor to ceiling of second floor – or overall reduction to align with skillion form fascia line of No. 7 to result in skillion roof form / terrace balustrade. Reduction of terrace roof yield, height, and form – delete T shape and relocate BBQ. Deletion of windows to the terrace stair/sauna towards boundary of No. 19 Johnston Street. Amend Hosking Street elevation fenestration with overall more vertical appearance. Approx. 1m second floor terrace setback from boundary of No. 19 – retain some screening. Delete windows on boundary to bedrooms 3 & 2. The proposed northeast corner of bedroom three (3) will require a chamfer to ensure it is clear of the rocky outcrop. No excavation of the outcrop is supported. The second-floor setback of the study is to align with the setback required for the terrace (off the eastern boundary). The second floor terrace screening is to be located to 50% of its length along the eastern boundary, meeting 75% obscuration. The cantilever of the second-floor bathroom and study to the north is to be reduced by 500mm away from the northern boundary; bathroom (1300mm in internal) and study (3290mm internal) respectively.

	<ul style="list-style-type: none"> • Provide the location and access to the pool equipment.
15 September 2023 – Amended Plans issued by Applicant	Amended plans were provided which partly address the issues raised with the proposal. Two optional facade alternatives (traditional and contemporary) for Council to consider were also provided.
20 September 2023 – Internal Review	<p>The two concept designs provided by the Applicant in response to the meeting held on the 15 August 2013 were considered by Council staff</p> <p>It was concluded that, whilst the amended plans have gone some way to addressing concerns, there remain unresolved issues where the totality of the proposed design results in unsatisfactory response to the objectives and controls under the <i>Inner West Local Environmental Plan 2022</i> and the <i>Leichhardt Development Control Plan 2013</i>; namely view loss, amenity impacts, design and siting, heritage and public interest. Therefore, the application is recommended for refusal.</p> <p>Written correspondence reflecting the outcome of the internal review was issued to the Applicant with advice to withdraw the application or the Application would be determined with a recommendation for refusal with consideration of the revised contemporary design.</p>
27 September 2023 – Applicant Correspondence	Applicant advised in writing that the proposal would not be withdrawn and to proceed to determination of the Application.

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) Environmental Planning Instruments

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

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

The following provides further discussion of the relevant issues:

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

Chapter 2 Coastal management

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

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

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

A BASIX Certificate was submitted with the application satisfying this requirement.

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

Chapter 2 Vegetation in non-rural areas

The protection/removal of vegetation identified under the SEPP and gives effect to the local tree preservation provisions of Council’s DCP.

The application does not seek the removal of vegetation from within the site or Council land. An Arborist Report has been provided to demonstrate that the proposed development will not impact trees located on neighbouring properties, including a Weeping Bottle Brush located to the south east on No. 3 Hosking Street.

Overall, the proposal is considered acceptable with regard to the SEPP and DCP subject to the imposition of conditions.

Chapter 10 Sydney Harbour Catchment

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

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

Assessment of Existing Use Rights

The existing building on the subject site constitutes a dual occupancy, which is not a permissible form of development under the zoning provisions of the R1 General Residential land within the *IWLEP 2022*. The proposal, thus, relies on existing use rights.

(i) *Environmental Planning and Assessment Act 1979*

Division 4.11 (Part 4.65-4.68) of the *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)* contains provisions that provide a framework for the definition of an 'existing use' and provides further limitations and regulation for the continuation and development of existing uses.

Firstly, Part 4.65 of the Act provides a definition of an existing use. In plain terms, an existing use is defined in the following manner:

- It is a use that was lawfully commenced
- It is a use that is currently prohibited
- It is a use that has not been abandoned since the time that it became a prohibited use

Sufficient evidence is with Council to conclude the dwellings were approved and erected as a dual occupancy in 1980 and have been used as such ever since.

It is noted that Part 4.67(3) of the Act specifies that:

“An environmental planning instrument may, in accordance with this Act, contain provisions extending, expanding or supplementing the incorporated provisions, but any provisions (other than incorporated provisions) in such an instrument that, but for this subsection, would derogate or have the effect of derogating from the incorporated provisions have no force or effect while the incorporated provisions remain in force.”

As such, the provisions contained in *IWLEP 2022* do not apply to the development to the extent that it relates to the dual occupancy use. Rather, Division 4.11 of the Act services to enable the continuation of an existing use and refers to the relevant regulations (*Environmental Planning and Assessment Regulation 2021*) with respect to the premises being enlarged, expanded or intensified; or being altered or extended for the existing use.

(ii) *Environmental Planning and Assessment Regulation 2021*

Sections 163 - 165 of the EPA&A Regulations 2021 are relevant to the development as they set out the matters for consideration for enlargement, expansion or intensification of existing uses and the consent requirements for alterations and additions to an existing use.

Comment:*Clause 163 - Certain development allowed*

The proposal involves alterations and additions to the existing dual occupancy development, which is permitted by Clause 163(1) of the EPA&A Regulations 2021.

*Clause 164 - Enlargement, expansion and intensification of existing uses; and
Clause 165 - Alteration of buildings and works*

Enlargement/expansion of the existing residential use is sought. However, this is proposed to be undertaken for the existing use and for no other use and will be carried out on the land on which the existing use as carried out immediately before the relevant date. The proposed works would be for the existing use of the buildings as a dual occupancy, thereby, satisfying Clauses 164 and 165 of the EPA&A Regulations 2021.

(iii) Land and Environment Court Planning Principles – Existing Use Rights

An assessment of the proposed alterations and additions to the dual occupancy has been carried out in accordance with the NSW Land and Environmental Court planning principles in relation to the assessment of development applications based on existing use rights, which were stated by Senior Commissioner Roseth in *Fodor Investments V Hornsby Shire Council [2005]*.

*(a) Principle 1 – How do the bulk and scale (as expressed by height, floor space ratio and setbacks) of the proposal relate to what is permissible on surrounding sites?*Floor Space Ratio

While numerical controls for floor space ratio do not apply to sites with existing use rights, the site is afforded an FSR of 0.9:1 in accordance with Clause 4.4 in *IWLEP 2022*, however, the development constitutes a dual occupancy. Hence, this clause is not applicable. Should the development constitute only a dwelling house, attached dwelling or semi-detached dwelling, the allowable FSR would be 0.9:1, for an equivalent sized lot.

The dual occupancy proposes an FSR of 1.24:1 which exceeds the maximum allowable FSR of 0.9:1. The proposed variance to the control, as detailed below in this report, is deemed unacceptable, as the proposal is inconsistent with neighbouring dwellings, the proposal results in adverse impacts and the overall bulk and scale of the proposal is not consistent with surrounding sites.

(b) Principle 2 – What is the relevance of the building in which the existing use takes place?

The development would continue to be used as an attached dual occupancy.

(c) *Principle 3 – What are the impacts of the development on adjoining land?*

The impacts of the proposed alterations and additions have been assessed elsewhere in this report and are generally considered to be unacceptable resulting in a development of unacceptable bulk and scale.

(d) *Principle 4 – What is the internal amenity?*

The proposed alterations and additions may result in improved internal amenity for the occupants of each of the subject dwelling.

Concluding Remarks

The proposal has been assessed against the four (4) planning principles established by the NSW Land and Environment Court in relation to existing use rights. The proposal is considered to result in undue and adverse impacts to adjoining properties and the streetscape. Whilst the FSR does not comply with the *IWLEP 2022* requirements, it is a technical breach as a result of dual occupancies being excluded from the operation of clause 4.4(2A) of *IWLEP 2022*.

The following is an assessment of the application with regard to the heads of consideration under the provisions of Section 4.15 of the *Environmental Planning & Assessments Act 1979*.

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 2.7 – Demolition requires development consent
- 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 6.2 – Earthworks
- Section 6.3 – Stormwater management
- Section 6.4 – Terrestrial biodiversity

Section 1.2 - Aims of Plan

As discussed in detail further in the assessment, the proposal is inconsistent with the overarching aims of the *IWLEP 2022*, specifically aims (b) and (h), where it does not adequately conserve the built and cultural heritage of the Inner West and (i) and (j) where it does not preserve the amenity of surrounding properties.

Accordingly, the proposal is not considered in the public interest and is recommended for refusal.

Section 2.3 Land Use Table and Zone Objectives

The site is zoned R1 – General Residential pursuant to the IWLEP 2022. The IWLEP 2022 defines the development as a **dual occupancy (attached)**, which means:

2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.

The proposal seeks alterations and additions to the existing dual occupancy, which is not permissible in the zone and relies on existing use rights.

Notwithstanding, as discussed elsewhere in the assessment, the proposal does not provide for a residential development that maintains the character of built and natural features in the surrounding area and is therefore inconsistent with the following objectives of the zone:

- *To provide housing that is compatible with the character, style, orientation and pattern of surrounding buildings, streetscapes, works and landscaped areas.*
- *To protect and enhance the amenity of existing and future residents and the neighbourhood.*

Section 4.3C – Landscaped areas for residential accommodation in Zone R1 and Section 4.4 – Floor space ratio

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

Standard	Proposal	Non-compliance
<u>Floor Space Ratio</u> Maximum permissible: 0.9:1 or 267.3m ²	1.24:1 or 366.8m ²	37.22% or 99.5m ²
<u>Landscape Area</u> Minimum permissible: 20% or 59.4m ²	0% or 0m ²	100% or -59.4m ² (no change to existing non-compliance)
<u>Site Coverage</u> Max permissible: 60% or 178.2m ²	50.74% or 150.7m ²	N/A

Section 4.6 Exceptions to Development Standards

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

- Section 4.3C (3)(a)(ii) – Landscaped Area
- Section 4.4 - Floor Space Ratio

Section 4.3C (3)(a)(ii) – Landscaped Area

It is noted that the 100% departure with the respective landscaped area development standard is an existing non-compliance that will not be altered as result of the subject proposal. There is no quantifiable landscaped area which meets the definition pursuant to the IWLEP 2022 due to the existing development and sandstone rock wall to the rear which does not afford any deep soil provision.

In the relevant Case Law; *Landcorp Australia Pty Ltd v The Council of the City of Sydney [2020] NSWLEC 174 [54]-[57]* it was established a written Section 4.6 variation is not required where a proposal exceeds a standard and the proposal does not alter that exceedance. In the

circumstances of this case the subject site is presently devoid of landscaped area and the proposal does not seek to alter the exceedance.

Section 4.4 - Floor Space Ratio

The proposal fails to demonstrate that compliance with the development standard is unreasonable / unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard. As discussed throughout this report, the resultant bulk and scale as a consequent of the additional 99sqm of GFA sought(beyond the maximum) is excessive and has adverse impacts that are not warranted in the circumstances.

Section 5.10 – Heritage conservation

The subject property at 5 Hosking Street, Balmain East, is a neutral dwelling located within the Balmain East Heritage Conservation Area (C29 in Schedule 5 of the IWLEP 2022). The site adjoins the heritage listed House, “Penbroke Villa”, including interiors, at 19 Johnston Street, Balmain East, to the rear (north).

It is proposed to demolish the ground and first floor configuration, including the exterior elevations and rebuild. The extent of the works essentially results in a contemporary infill dwelling. Infill development must not overwhelm its context and should be consistent with the predominant scale of development in the vicinity, including height, relationship of floor to ceiling heights, dominant ridge line and massing (building volume and size), roof form, three-dimensional modelling of neighbouring properties and fenestration patterns.

Council’s Heritage Advisor has reviewed the proposal, including amended plans, and has provided the following (summarised) comments:

The following elements are not acceptable on heritage grounds:

- The height of the first floor level and the parapet of the roof terrace exceeds the height of the corresponding components of the neighbouring dwellings. C8 of Part C1.4 of the DCP requires that new development demonstrate respect for the form, scale and sitting of the immediate area. C9 of Part C1.4 of the DCP requires that new development comply with Part C Section 1.0; which requires that new development make a positive contribution to the character, scale, form, sitting, materials, colour and detailing within the streetscape.
- The height of any additional level must relate to the ridgelines of neighbouring roofs, e.g. no more than the average height of the ridgelines of the roofs to the neighbouring dwellings at No. 3 (RL 24) and No. 7 (RL 23.84). This is required to ensure that any alterations and additions ‘fit in’ with the neighbouring context. The parapet height to the structure proposed at roof level (RL 24.57), exceeds the established heights of the ridgelines of the roof forms of both the adjoining buildings, which will be out of character with the height levels within the immediate streetscape.
- The proposal includes extensive glazing across the southern (front) elevation. C7 d. of Part C1.3 of the DCP requires that alterations to the front of an existing dwelling must ensure that important elements of the original character of the building and its setting are retained where it contributes to the desired future character. The fenestration proposed is not supported as it is not complementary to characteristic fenestration in the heritage conservation area.

- Colours and materials proposed in the Material & Colour Schedule of Finishes are not supported. C13 of Part C2.2.2.2 of the DCP states that appropriate materials are shaped sandstone, painted timber, and rendered or bagged masonry. Materials, finishes, textures and colours must be complementary to the colour schemes of contributory dwellings within the streetscape.

With consideration of the above matters, on balance, the proposal is not acceptable from a heritage perspective as it will detract from the heritage significance of the Balmain East Heritage Conservation Area and is not in accordance with Clause 5.10 Objectives 1(a) and (b) in the Inner West LEP 2022 and the relevant objectives and controls in the Leichhardt DCP 2013.

Subsequently, the proposal is recommended for refusal.

5(c) Draft Environmental Planning Instruments

There are no relevant Draft Environmental Planning Instruments applicable to the subject proposal.

5(d) 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.

LDCP2013	Compliance
Part A: Introductions	
Section 3 – Notification of Applications	Yes
Part B: Connections	
B1.1 Connections – Objectives	Yes
Part C	
C1.0 General Provisions	No – see discussion
C1.1 Site and Context Analysis	No – see discussion
C1.2 Demolition	No – see discussion
C1.3 Alterations and additions	No – see discussion
C1.4 Heritage Conservation Areas and Heritage Items	No – see discussion
C1.7 Site Facilities	Yes
C1.8 Contamination	Yes
C1.9 Safety by Design	Yes
C1.11 Parking	Yes
C1.12 Landscaping	Yes
C1.14 Tree Management	Yes
C1.19 Rock Faces, Rocky Outcrops, Cliff Faces, Steep Slopes and Rock Walls	Yes
Part C: Place – Section 2 Urban Character	
C.2.2.2.2: Balmain East Distinctive Neighbourhood and C2.2.2.2(c) South of Darling Street Sub Area	No – see discussion

Part C: Place – Section 3 – Residential Provisions	
C3.1 Residential General Provisions	No – see discussion
C3.2 Site Layout and Building Design	No – see discussion
C3.3 Elevation and Materials	No – see discussion
C3.5 Front Gardens and Dwelling Entries	Yes
C3.7 Environmental Performance	Yes
C3.8 Private Open Space	No – see discussion
C3.9 Solar Access	No – see discussion
C3.10 Views	No – see discussion
C3.11 Visual Privacy	No – see discussion
C3.12 Acoustic Privacy	No – see discussion
Part D: Energy	
Section 1 – Energy Management	Yes
Section 2 – Resource Recovery and Waste Management	
D2.1 General Requirements	Yes
D2.2 Demolition and Construction of All Development	Yes
D2.3 Residential Development	Yes
Part E: Water	
Section 1 – Sustainable Water and Risk Management	
E1.1 Approvals Process and Reports Required with Development Applications	Yes
E1.1.1 Water Management Statement	Yes
E1.1.3 Stormwater Drainage Concept Plan	Yes
E1.2 Water Management	Yes
E1.2.1 Water Conservation	Yes
E1.2.2 Managing Stormwater within the Site	Yes
E1.2.5 Water Disposal	Yes

The following provides discussion of the relevant issues:

C1.0 General Provisions

For reasons discussed in this report, the proposal will result in unacceptable amenity impacts. In this regard, the proposal does not satisfy and has not demonstrated compliance with the following objectives of Part C1.0:

- *O4 Amenable: places and spaces provide and support reasonable amenity, including solar access, privacy in areas of private open space, visual and acoustic privacy, access to views and clean air.*
- *O6 Compatible: places and spaces contain or respond to the essential elements that make up the character of the surrounding area and the desired future character. Building heights, setbacks, landscaping and architectural style respond to the desired future character. Development within Heritage Conservation Areas or to Heritage Items must be responsive to the heritage significance of the item and locality.*

C1.1 Site and Context Analysis

Although a Site Analysis Plan has been provided, the proposal fails to demonstrate compliance with Objective O1 as the proposal is inconsistent with the desired future character of the distinctive neighbourhood and heritage conservation area.

In this regard, the proposal does not satisfy and has not demonstrated compliance with the following objective(s) of Part C1.1:

- *O1 To encourage property owners to ensure that the planning and design of their development takes into account:*
 - a) *existing site conditions on the site and adjacent and nearby properties;*
 - d) *the potential for amenity impacts such as overshadowing, loss of privacy, views or solar access;*
 - f) *the special qualities of the site and its context including urban design, streetscape and heritage consideration*

C1.2 Demolition

Pursuant to the relevant planning principle [*Coorey v Municipality of Hunters Hill [2013] NSWLEC 1187*], the extent of demolition and alteration of external appearance is such that the proposal comprises a new infill dwelling where the majority of the fabric is modified with exception of the external walls of the basement level, minor portion of the ground and first floor northern elevation and the western elevation comprising the party wall shared with No. 7 Hosking Street. While demolition can be supported in theory, the proposed infill dwelling fails to demonstrate compliance with a suite of development controls and consistency with the desired future character of the heritage conservation area.

C1.3 Alterations and additions, C1.4 Heritage Conservation Areas and Heritage Items, C.2.2.2.2: Balmain East Distinctive Neighbourhood and C2.2.2.2(c) South of Darling Street Sub Area, C3.3 Elevation and Materials

The proposal will result in a four storey dwelling as result of the proposed rooftop terrace and associated structures. Control C5 of Part C2.2.2.2 of the Leichhardt DCP 2013 states the predominant scale of development is two storeys. Although the visibility of the roof top terrace is limited from the street due to the narrow width of the road and the respective height of the development, the height of any additional level must relate to the ridgelines of neighbouring properties. In the context of the subject and adjoining properties, this should be no more than the average height of the ridgelines of No. 3 (RL 24) and No. 7.(RL 23.84). The proposed RL of the subject development is 24.57 thus exceeds the average height of the neighbouring properties. The proposed height of the development results in loss of views and associated amenity impacts to neighbouring properties, including overshadowing, visual and acoustic privacy and bulk and scale.

Control C6 of Part C2.2.2.2 of the Leichhardt DCP 2013 states that the character of the area should be retained by keeping development consistent in architectural style, building form and materials. Furthermore, any alterations and additions must be sympathetic to the character of the heritage conservation area. Control C13 of Part C2.2.2.2 states that appropriate materials are shaped sandstone, painted timber, and rendered or bagged masonry. The proposal includes excessive glazing to the south (front) and eastern elevations. Through previous

advice, the applicant has been encouraged to work with the existing fenestration to ensure the alterations remain complementary to the fenestration of the adjoining semi-detached dwelling at No. 7 Hosking Street. Large expanses of glass are not supported in areas visible from the public domain. Openings must be vertically proportioned, employing traditional design (timber sash or French doors) and materials (timber frame). Dominancy must be given to masonry/solid elements rather than glazed areas. Blank unarticulated walls should also be avoided if visible from the public domain. This is not achieved through the amended proposal which compromises the integrity of the adjoining property of which the subject dwelling is connected in architectural form, fenestration and scale.

C11 of Part C2.2.2.2 stipulates that the subject area is sensitive to overshadowing and view loss and subsequently, development should avoid overshadowing and blocking views. The proposal results in loss of views and overshadowing as result of the fourth storey addition and is not supported.

Subsequently, the proposal does not meet the following relevant provisions of the Leichhardt DCP 2013:

- Part C1.3 Alterations and additions, Objectives O1 (a)(b)(c)(d) and Controls C2, C5 and C7 where it does not preserve the character of the pair of like dwellings and the new materials and fenestration are not compatible with its setting and the desired future character of the distinctive neighbourhood.
- C1.4 Heritage Conservation Areas and Heritage Items, Objectives O1(a)(d)(e)(f)(i) and Control C8 and C9, where the development does not respect the visual unity of the pair of like dwellings nor the form, scale, fenestration and siting of the heritage conservation area.
- Part C3.3 Elevation and Materials, Objective 1 and Controls C1, C4, C7 and C9 where the proposed fenestration and materials and finishes are incompatible with the prevailing pattern of development in the distinctive neighbourhood.

C3.1 Residential General Provisions

The proposal does not achieve the residential general provisions of the Leichhardt DCP 2013 as it does not support the retention of reasonable local amenity and does not respond the existing and desired future character of the surrounding area.

In this regard, the proposed development does not satisfy the following relevant objectives of the residential provisions:

- *O4 To ensure that all residential development is compatible with the scale, form, siting and materials of existing adjacent buildings.*
- *O7 To ensure that the amenity, including solar access and visual privacy, of the development and adjacent properties is not adversely impacted.*

C3.2 Site Layout and Building Design

Building Location Zone

Building Location Zone (BLZ) is the part of the subject site where it can be reasonably expected that a building can be located. The BLZ is determined by having regard to only the main building on the adjacent properties.

The proposal provides a fourth floor addition where the adjoining properties do not currently feature an equivalent level. In the event of any proposed variation to the BLZ, it must be demonstrated that the proposed building is consistent with the pattern of development in the immediate locality and the five-part merit test of Control C6 are met. The requirements of the control are not achieved for the following reasons:

- Amenity to adjacent properties (i.e. sunlight, privacy, views) is not reasonably protected.
- The proposed development will not be compatible with the existing streetscape, desired future character and scale of surrounding development.
- The height of the development, particularly the ground and first floors (which provide 2.7m ceiling heights), has not been kept to a minimum to minimise visual bulk and scale, as viewed from adjoining properties and the streetscape .

The proposal seeks to alter the first floor rear alignment which results in a departure from the equivalent established rear BLZ of the neighbouring properties by approximately 1.5m. This is only acceptable where the non-compliance does not result in any streetscape or amenity impacts to neighbouring properties and will not encroach into the existing rockface where it provides a cantilever.

Side setbacks

The proposal seeks to extend the ground floor addition to the eastern side boundary with a nil setback, providing combined basement and ground wall height of approximately 6.8m which requires a minimum 1m setback from the boundary. The departure with the sliding scale requirements of the control is not supported where the development does not meet the requirements of Control C8 as follows:

- The pattern of development within the streetscape is compromised, particularly when considering the subject property forms a pair with No. 7 Hosking Street.
- The bulk and scale of development is not minimised by reduced floor to ceiling heights where it provides 2.7m ceiling heights to the ground and first floor levels.
- The impacts on amenity of adjoining properties, in terms of sunlight and privacy and bulk and scale, are not minimised.
- The reduced setback will diminish the landscape setting of the streetscape when viewed from the public domain, with particular concern for the natural sandstone cliff face which characterises the distinctive neighbourhood character and setting of the heritage conservation area, further comprising the visual curtilage of the heritage Item to the north (Pembroke Villa).

Building Height and the Building Envelope

The overall maximum height in storeys shall generally not exceed the height in storeys of the main building on adjoining sites. The proposal seeks a four-storey dwelling which is uncharacteristic of the density of comparable residential developments in the vicinity, which are generally two and three storeys.

The South of Darling Street Sub Area prescribes a maximum building wall height of 6m where the existing scale is greater than single storey, however developments are subject to limitations based on obstructions to views.

The proposal does not comply with the maximum 6m building envelope requirement for the distinctive neighbourhood where the first floor balcony and part of the living area, which has been extended to the south, breaches beyond the inclined 45 degree plane.

Control C18 stipulates that new development shall generally correspond with both the wall height and the roof height of the average of two adjoining developments, making allowance for topographical variation in the elevation of those buildings. The adjoining properties provide an average RL of 23.92. The proposed RL of the subject development is 24.57 which exceeds the average height of the neighbouring properties. The proposed height of the development results in loss of views and associated amenity impacts to neighbouring properties, including overshadowing and bulk and scale and therefore the breach cannot be supported.

Given the above, the proposed development is not considered acceptable having regard to the proposed setbacks and building location zone. As such, the proposal does not satisfy and has not demonstrated compliance with the following objective(s) of Part C3.2:

- *O3 To ensure that buildings are constructed within an appropriate Building Location Zone (BLZ) from the front and rear boundary to protect neighbourhood features such as streetscape, private open space, solar access and views.*
- *O4 To ensure that development:*
 - *complements the siting, scale and form of adjoining development; and*
 - *creates a high level of residential amenity for the site and protects existing or enhances residential amenity of adjoining sites in terms of visual and acoustic privacy, air circulation, solar access, daylight, outlook and views*

C3.8 Private Open Space, C3.11 Visual Privacy C3.12 Acoustic Privacy

The proposal fails to achieve objective O1 and Control C1 of Section C3.8, objective O1 and Control C4 of Section C3.11 and objective O1 and Control C3 of Section C3.12 where it provides a rooftop terrace as private open space which will result in acoustic and visual privacy impacts to neighbouring properties.

Providing a rooftop terrace to this property will also set a poor precedence and may result in undesirable cumulative impacts in the locality.

C3.9 Solar Access

Solar access diagrams in plan and elevation have been provided for mid-winter. The subject and neighbouring properties are oriented north-south, with generally north facing private open space. Accordingly, the following controls apply:

- *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.*
- *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.*
- *Where surrounding dwellings have south facing private open space ensure solar access is retained for two hours between 9am and 3pm to 50% of the total area during the winter solstice.*

- *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.*

The north facing windows of the dwellings along the southern side of no. 3 Hosking Street will be overshadowed as result of the additions, including the fourth storey addition which is considered contrary to Objective O1 as follows:

- *O1 Development shall:*
 - d) *protect residential amenity for adjoining development;*
 - f) *minimise the degree of overshadowing to neighbouring properties.*

There will be no additional overshadowing to the private open space of the neighbouring properties at mid-winter.

C3.10 Views

The subject property is located in Balmain East and the surrounding locality is sensitive to view loss where many properties enjoy views to Johnstons Bay, Darling Harbour and Barangaroo.

An adjoining property owner located at 19 Johnston Street Balmain lodged a submission raising concerns relating to view loss from their property. The site was accessed for a view loss assessment on the 3 September 2023. The property is upslope and directly to the north (rear) of the subject site, thus any increase in height may have subsequent view loss impacts of Darling Harbour, Barangaroo and Johnstons Bay across the site towards the south.

Planning Principal Assessment

Council relies on the Planning Principles relating to view sharing established by the New South Wales Land and Environment Court in *Tenacity Consulting v Warringah Council [2004] NSWLEC 140* for further assessment against view loss.

The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.

Comment: the existing views enjoyed over the front and rear boundaries of the subject site include partial and distant/filtered and whole views of the Sydney CBD skyline including land water interface of Darling Harbour, Barangaroo, Jones Bay Wharf, Pyrmont and Anzac Bridge.



Figure 1 – Standing view from dining room window



Figure 2 – Standing view from kitchen across living room



Figure 3 – Standing view from living room window



Figure 4 – Standing view from rear courtyard



Figure 5 – Standing view from master bedroom



Figure 6 – Standing view from master bedroom

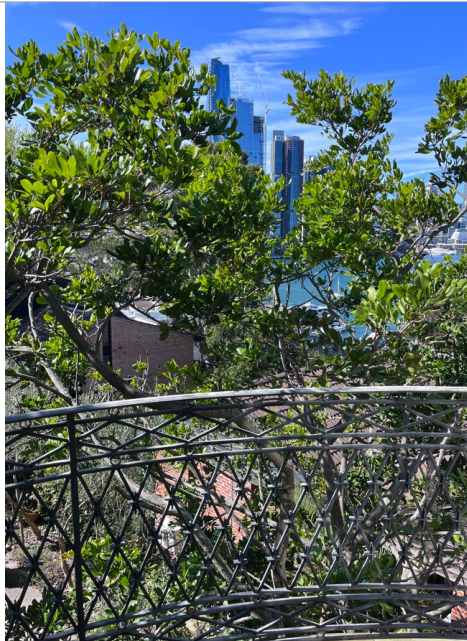


Figure 7 – Standing view from master bedroom balcony

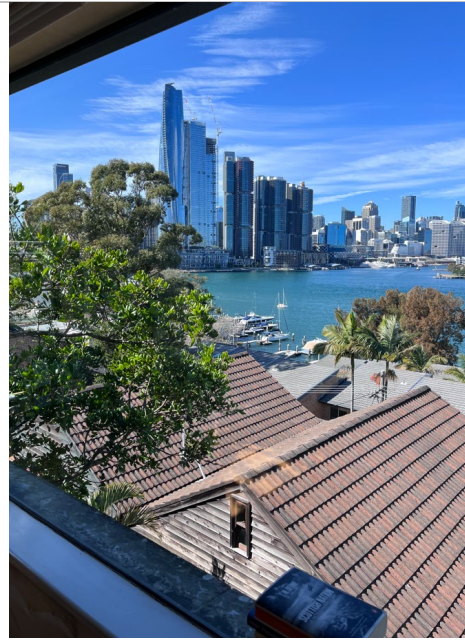



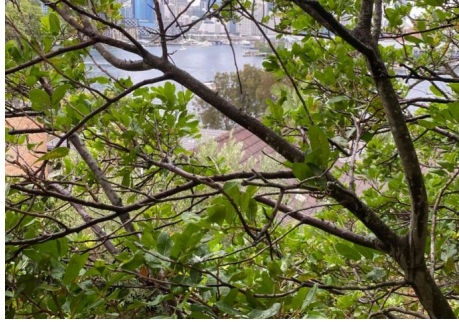
Figure 8 – Standing view from master bedroom window



Figure 9 – Standing view from covered rear terrace (photo supplied by applicant)



Figure 10 – Standing view from covered rear terrace (photo supplied by applicant)

	
<p>Figure 11 – Standing view from eastern attic bedroom window (photo supplied by objector)</p>	<p>Figure 12 – Standing view from middle attic bedroom window (photo supplied by objector)</p>

The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.

Comment: the view is generally obtained from across the front and rear boundary of the subject property. The views are moderately filtered views (by foliage within 19 Johnston Street) from the dining and kitchen areas of the dwelling which are generally obtained from a standing position. Whole views of land water interface (comprising Barangaroo, Darling Harbour, Jones Bay Wharf and Anzac Bridge) are obtained via a standing position from the internal living area. Partial views of land water interface comprising Darling Harbour and Jones Bay Wharf is obtained from a standing position via the rear courtyard and covered terrace. Standing, filtered views of the Barangaroo land water interface are obtained from the master bedroom balcony. Land water interface views of Barangaroo and Darling Harbour are obtained from a standing position within the master bedroom.

The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.

Comment: The views are enjoyed from the internal and external living areas of the dwelling and master bedroom (including balcony servicing the master bedroom) and bedrooms at attic level. The view loss as result of the proposed roof top terrace will include a partial loss of the heavily filtered view of Barangaroo from the kitchen and dining rooms. The land/water interface view of Barangaroo will largely be retained from the living room and land water view corridor of Jones Bay Wharf will largely be retained from the rear courtyard and covered terrace. The land/water interface view of Barangaroo and Darling Harbour obtained from the master bedroom will be retained. The views from the attic level bedrooms will be retained. The filtered view of Barangaroo and Darling Harbour will largely be retained. The level of impact is considered minor to moderate where the majority of views, including whole, land water interface views of Barangaroo, Darling Harbour, Jones Bay Wharf and Anzac Bridge will largely be retained from the internal and external living areas, master bedroom and attic bedrooms.

The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.

Comment: The proposal is non-compliant with the planning controls contained within the IWLEP and DCP including departures with the FSR development standard of the IWLEP and the side setbacks, building wall height, BLZ, heritage and distinctive neighbourhood character controls of the DCP. Accordingly, the minor to moderate view loss is a result of the departure with the planning controls is considered unreasonable and is not supported. A compliant development (i.e deletion of the roof top terrace and associated structure, compliant wall heights and setbacks) would reduce the extent of view loss.

5(e) The Likely Impacts

The assessment of the Development Application demonstrates that the proposal will have an adverse impact on the locality in the following way:

- The proposal will result in unacceptable impacts to the streetscape, desired future character of the East Balmain distinctive neighbourhood, South of Darling Street Sub Area and broader heritage conservation area.
- The proposal will result in unacceptable amenity impacts to neighbouring properties, with particular respect to view loss, overshadowing, visual and acoustic privacy and bulk and scale.

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

It is considered that the proposal will have an adverse impact on the adjoining properties and therefore it is considered that the site is unsuitable to accommodate the proposed development.

5(g) Any submissions

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

Two (2) submissions in opposition were received in response to the initial notification, noting eight (8) were received from the same property.

Due to a system /administrative error in the original notification, the proposal was re-notified for a further 14 days and one (1) additional submission in opposition was received in response to renotification of the application. It is noted that this submission is associated with the same property that provided a submission as part of the initial notification.

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

- The increase in visual bulk from the development – see Section 5(d),C1.3
- Loss of visual privacy – see Section 5(d)(iii), C3.11
- Impacts to adjoining heritage item – see Section 5(a)(iii), Section 5.10

- Impacts to Heritage conservation area - see Section 5(a)(iii), Section 5.10
- Loss of views – see Section 5(d), C3.10
- Side setback non-compliance -see Section 5(d), C3.2
- Private Open Space - see Section 5(d), C3.8
- Acoustic Privacy see Section 5(d), C3.12
- Foreshore Visual impact - see Section 5(a)(iii) Section 5.10
- Lack of Section 4.6 justification for FSR departure – see Section 5(a)(iii)

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

Access during construction

Comment: Standard conditions of consent would be imposed to manage construction on the site in the event of any approval.

Incorrect calculation of FSR and landscaped area

Comment: The FSR and Landscaped Area calculations have been undertaken by Council to enable an assessment under the relevant provisions of the IWLEP 2022. The calculations are provided in Section 5(a)

Loss of view to sandstone rock wall from the public domain

Comment: The amended proposal provides an increased setback to the eastern boundary which may improve the visibility of the rear sandstone cliff face. Notwithstanding, the proposal is recommended for refusal.

5(h) The Public Interest

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

The proposal is contrary to the public interest where it results in a number of departures with a suite of planning controls pursuant to the IWLEP 2022 and LDCP 2013 which have a subsequent and unreasonable impact upon the amenity of neighbouring properties, the streetscape and heritage conservation area and heritage curtilage of the heritage item in proximity to the subject site.

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	Comment
Engineer	Acceptable subject to conditions
Heritage	The proposal is not supported on heritage grounds. Refer to discussion under Part 5(a) and (c)

6(b) External

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

7. Section 7.11 Contributions/7.12 Levy

The carrying out of the proposed development would result in an increased demand for public amenities and public services within the area. As the application is recommended for refusal, the applicable contribution/levy has not been calculated.

A condition requiring that contribution to be paid should be imposed on any consent granted.

8. Conclusion

The proposal has been considered against the aims, objectives and design parameters contained in the *Inner West Local Environmental Plan 2022* (IWLEP 2022) and the *Leichhardt Development Control Plan 2013* (Leichhardt DCP 2013).

The development is inconsistent with a suite of objectives and planning controls contained in the IWLEP 2022 and Leichhardt DCP 2013 and subsequently, will result in unreasonable impacts on the amenity of the adjoining properties, the streetscape and heritage conservation area and is not considered to be in the public interest.

Accordingly, the application cannot be supported and in view of the circumstances, refusal of the application is recommended.

9. Recommendation

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, refuse Development Application No. DA/2023/0080 for alterations and additions including new upper level with sauna and roof top pool at Lot 2 SP19435, 5-7 Hosking Street (known as 5 Hosking Street) Balmain East, for the reasons outlined in Attachment A.

Attachment A – Reasons for Refusal

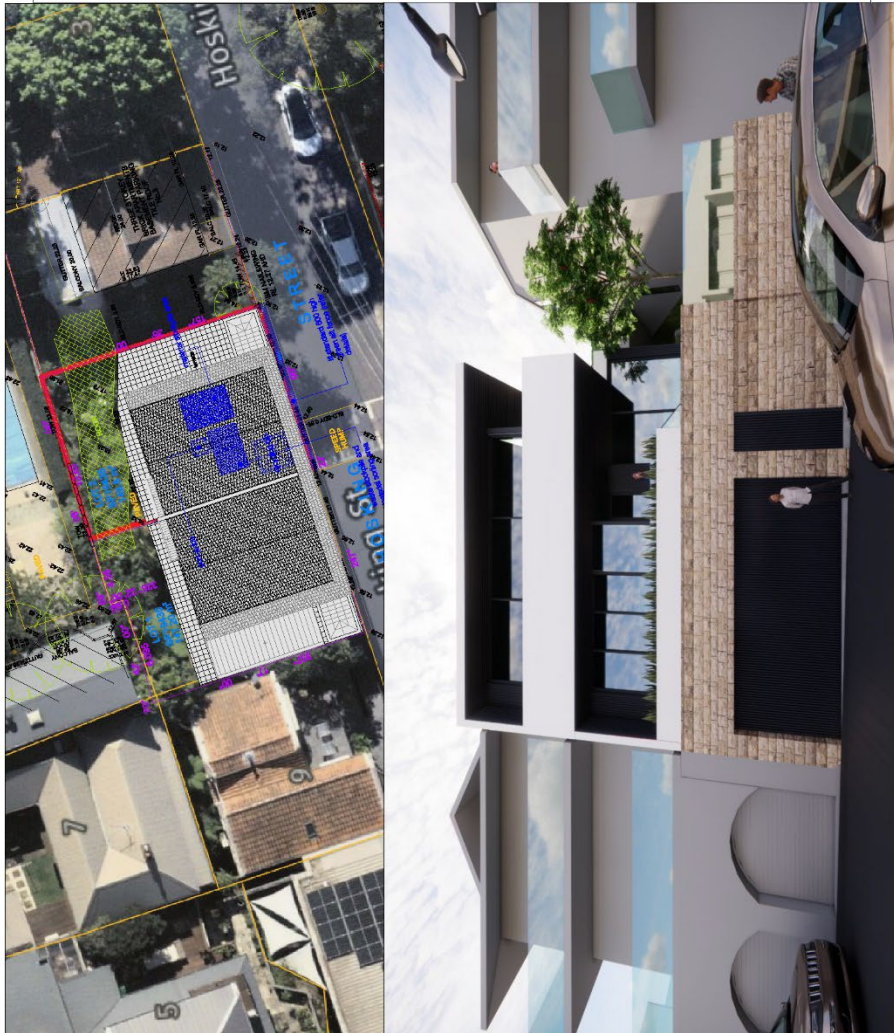
1. The proposal is inconsistent with the *Inner West Local Environmental Plan 2022* as follows:
 - i. Section 1.2 Aims of the Plan; Aims (b) and (h), as it does not adequately conserve the built and cultural heritage of the Inner West and (i) and (j), where it does not preserve the amenity of surrounding properties.
 - ii. Section 2.3 Zone Objectives for Zone R1 General Residential, as it does not provide for a residential development that maintains the character of built and natural features in the surrounding area.
 - iii. Section 4.4 Floor Space Ratio; Objectives (1)(a)(b)(c) as it does not provide an appropriate density which reflects the locality and transition between developments and Objective (1)(d) as it does not minimise adverse impacts on local amenity.
 - iv. Section 5.10 Heritage Conservation; Objective (1)(a) which seeks to conserve the environmental heritage of the Inner West and Objective (1)(b) which seeks to conserve the heritage significance of the Balmain East Heritage Conservation Area.
2. The proposal is inconsistent with the *Leichhardt Development Control Plan 2013* as follows:
 - i. Part 1.0 General Provisions; Objective O4, as it does not support reasonable local amenity and Objective O6, as it does not respond the existing and desired future character of the surrounding area.
 - ii. Part C1.1 Site and Context Analysis, Objective O1(f) as it is inconsistent with the desired future character of the distinctive neighbourhood and heritage conservation area.
 - iii. Part C1.2 Demolition, Objective O3 and Control C1 as the proposed infill development is incompatible with the heritage conservation area/ distinctive neighbourhood character and is inconsistent with the controls contained in the *IWLEP 2022* and *Leichhardt DCP 2013*.
 - iv. Part C1.3 Alterations and additions, Objectives O1 (a)(b)(c)(d) and Controls C2, C5 and C7 as it does not preserve the character of the pair of like dwellings and the new materials and fenestration are not compatible with its setting and the desired future character of the distinctive neighbourhood.
 - v. Part C1.4 Heritage Conservation, Objectives O1(a)(d)(e)(f)(i) and Control C8 and C9, as the development does not respect the visual unity of the pair of like dwellings nor the form, scale, fenestration and sitting of the heritage conservation area.
 - vi. Part C2.2.2.2 Balmain East Distinctive Neighbourhood; Objective O1, Control C4 and C11, C12(c) as it does not preserve views of neighbouring properties and Controls C6 and C13 as it does not provide appropriate architectural style and materials and finishes which are in keeping with the character of the locality.
 - vii. Part C3.1 Residential General Provisions, Objectives O3, O4, O5 and O7, Controls C1(b) and C2 as it provides a development which is incompatible with the established setting and character of the neighbourhood and heritage conservation area, including form, scale and siting and which impacts on the amenity of neighbouring properties.

- viii. Part C3.2 Site Layout and Building Design, Objectives O1, O2, O3 and O4 and Controls C1, C2, C3 and C6, C7 and C8 as the development does not provide a site layout (including building location zone and site setbacks) which retains amenity to neighbouring properties and reinforces the distinctive neighbourhood and streetscape character.
 - ix. Part C3.3 Elevation and Materials, Objective 1 and Controls C1, C4, C7 and C9 as the proposed fenestration and materials and finishes are incompatible with the prevailing pattern of development in the distinctive neighbourhood.
 - x. Part C3.8 Private Open Space, Objective O1 and Control C1(a) as private open space is provided at the roof top level which results in unreasonable visual and acoustic privacy impacts to neighbouring properties and sets a poor precedent for future development in the locality.
 - xi. Part C3.9 Solar Access, Objective O1 and Control C13, as the development does not retain reasonable solar access to the living room glazing of neighbouring properties.
 - xii. Part C3.10 Views, Objective O2 and Controls C1 and C3 as the development does not minimise view loss which is a result of numerous departures from the IWLEP 2022 and Leichhardt DCP 2013.
 - xiii. Part C3.11 Visual Privacy, Objective O1 and Control C1 as the proposal will result in unacceptable visual privacy impacts to neighbouring properties.
 - xiv. Part C3.12 Acoustic Privacy, Objective O1 and Controls C3 and C8 as private open space is provided at the roof top level which results in unreasonable acoustic privacy impacts to neighbouring properties.
3. The proposal is considered to result in adverse environmental impacts on the built environment pursuant to Section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*.
 4. The proposal is not considered suitable for the site in its current form pursuant to Section 4.15(1)(c) of the *Environmental Planning and Assessment Act 1979*.
 5. The proposal is not considered to be in the public interest pursuant to Section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*.

Attachment B - Plans of proposed development

Pre-Post Development Statistics & Numerical LEP Compliance				
SUBJECT	EXISTING No.7	EXISTING No.5	PROPOSED No.5	CONTROL COMPLIANCE
Site Area	147.20 m ²	149.80 m ²	149.80 m ²	
Basement Garage	41.15m ² car spaces	41.15 m ² car spaces	40.94 m ² car spaces	
	16.33 m ² storage	16.33 m ² storage	2.78 m ² storage	
			14.37 m ² by/for/with	
Ground Floor	44.84 m ²	44.84 m ²	75.45 m ²	
First Floor	45.79 m ²	45.79 m ²	73.11 m ²	
Attic/Roof / Top Floor	29.94 m ²	29.94 m ²	6.13 m ²	
Spa Pool	-	-	7.74 m ² / 7kl	
Private Open Space	66.20 m ²	66.20 m ²	54.92 m ²	
Deep Soil Landscape	34.33 m ²	41.26 m ²	41.11 m ²	
GFA	131.79 m ²	131.79 m ²	195.63 m ²	
Site Coverage	54.88 m ²	54.88 m ²	100.29 m ²	
FLOOR SPACE RATIO	131.79/147.20 m ² 0.90 : 1	131.79/149.80 m ² 0.88 : 1	327.41 / 297 m ² 1.1:1 (No.5 & 7)	NO 1.5% level of non-compliance (refer clause 4.6)
LANDSCAPE RATIO	34.33 / 147.20 m ² 23.3 %	41.26 / 149.80 m ² 27.5 %	75.44 / 297 m ² 25.4 % (No.5 & 7)	YES 20% MIN.
SITE COVERAGE RATIO	54.88 / 147.20 m ² 37.3%	54.88 / 149.80 m ² 36.7%	155.17 / 297 m ² 52.2 % (No.5 & 7)	YES 60% MAX.

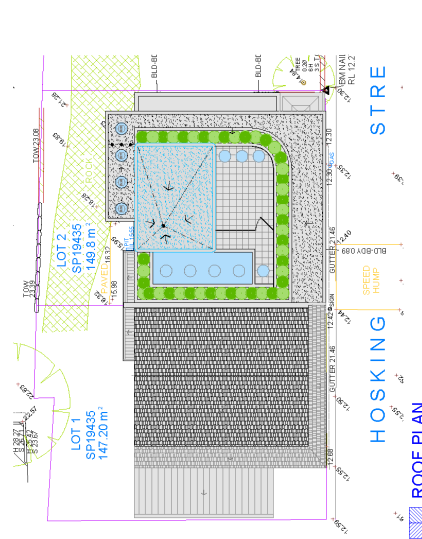
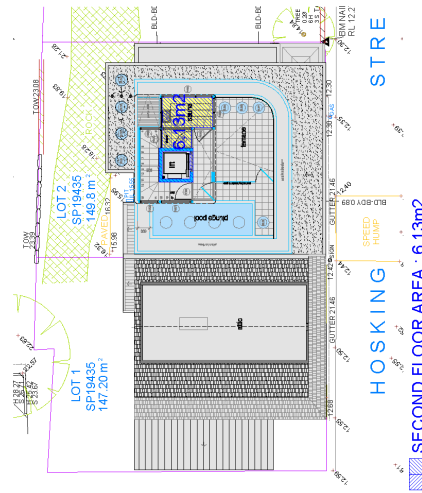
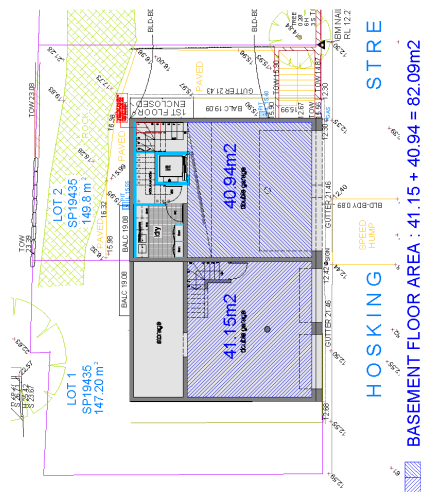
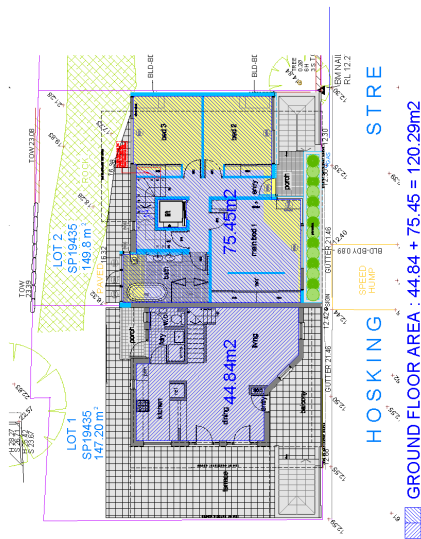
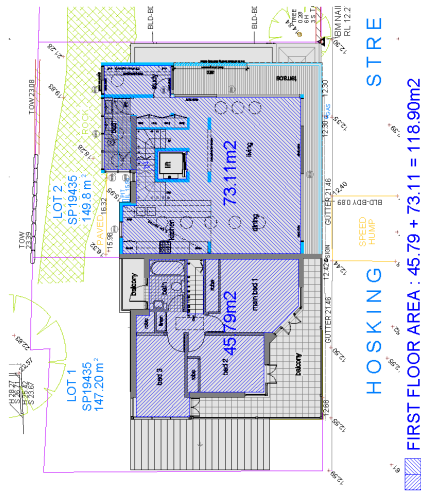
*% Compliance Calculations indicated as per LEP definitions



DA PLANS NOT FOR CONSTRUCTION ISSUE: A DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY B	AMENDMENTS: 10.09.2023 15.09.2023	DATE: 10.09.2023 15.09.2023	CLIENT: MR & MRS SILVA	PROJECT: ALTERATIONS & ADDITIONS	SCALE: 1:250 DRAWN: S.G CHECKED: S.G DO NOT SCALE DRAWINGS	ISSUE: B DA SHEET No: 0.01
	DEVELOPMENT DESIGN PTY LTD ACN 107 176 887 340a Riley Street Surry Hills NSW 2010 +61(0)2(9)211 7600 info@developmentdesign.com.au www.developmentdesign.com.au			ADDRESS: No 5-7 HOSKING STREET BALMAIN EAST LOT 1 & 2 SP. 19456	DRAWING: PROPOSED STREETScape, SITE ANALYSIS & COMPLIANCE CALCULATIONS	NORTH N

PROPOSED STREETScape, SITE ANALYSIS & COMPLIANCE CALCULATIONS

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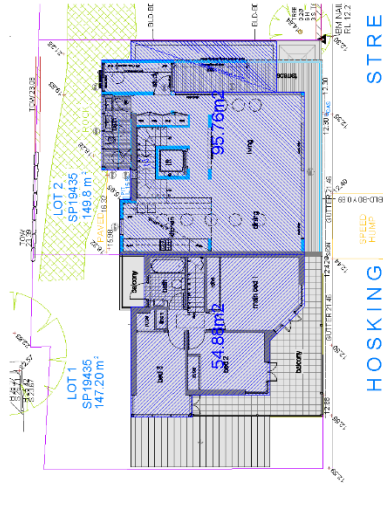


CALCULATIONS

- SECOND FLOOR AREA : 6.13m²
- FIRST FLOOR AREA : 118.90m²
- GROUND FLOOR AREA : 120.29m²
- BASEMENT FLOOR AREA : 82.09m²
- TOTAL G.F.A : 327.41m²
- TOTAL SITE AREA : 297.00m²
- FSR 327.41 / 297 X 100 = 1.1 : 1
- LEVEL OF NONM-COMPLIANCE ROM 0.9 : 1 MAX : 1.1%

DA PLANS NOT FOR CONSTRUCTION		GROSS FLOOR AREA CALCULATION VERIFICATION	
ISSUE:	AMENDMENTS:	PROJECT:	ALTERNATIONS & ADDITIONS
A	DA ISSUE - ZOOM MEETING REQUESTS CONTINGENT	CLIENT:	MR & MRS SILVA
B	DA ISSUE - ZOOM MEETING REQUESTS CONTINGENT	ADDRESS:	No.5 - 7 HOSKING STREET BALMAIN EAST LOT 1 & 2 S P 19435
		SCALE:	1:100 @ A3
		DRAWN:	S.G
		CHECKED:	S.G
		ISSUE:	B
		DO NOT SCALE DRAWING	DA
		SHEET NO.:	0.0

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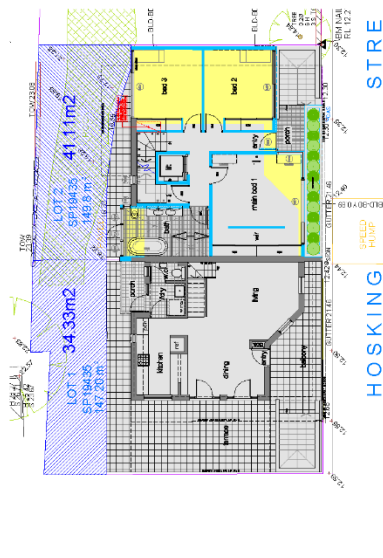


HOSKING
STRE
 TOTAL SITE COVERAGE AREA : 54.88 + 95.76 = 150.64m2

TOTAL SITE AREA : 297.00m2

SITE COVERAGE RATIO: $150.64 / 297 \times 100 = 50.7\%$

THUS COMPLIANT WITH 60% MAXIMUM



HOSKING
STRE
 TOTAL DEEP SOIL LANDSCAPE AREA : 34.33 + 41.11 = 75.44m2

TOTAL SITE AREA : 297.00m2

DEEP SOIL LANDSCAPE RATIO: $75.44 / 297 \times 100 = 25.4\%$

THUS COMPLIANT WITH 20% MINIMUM

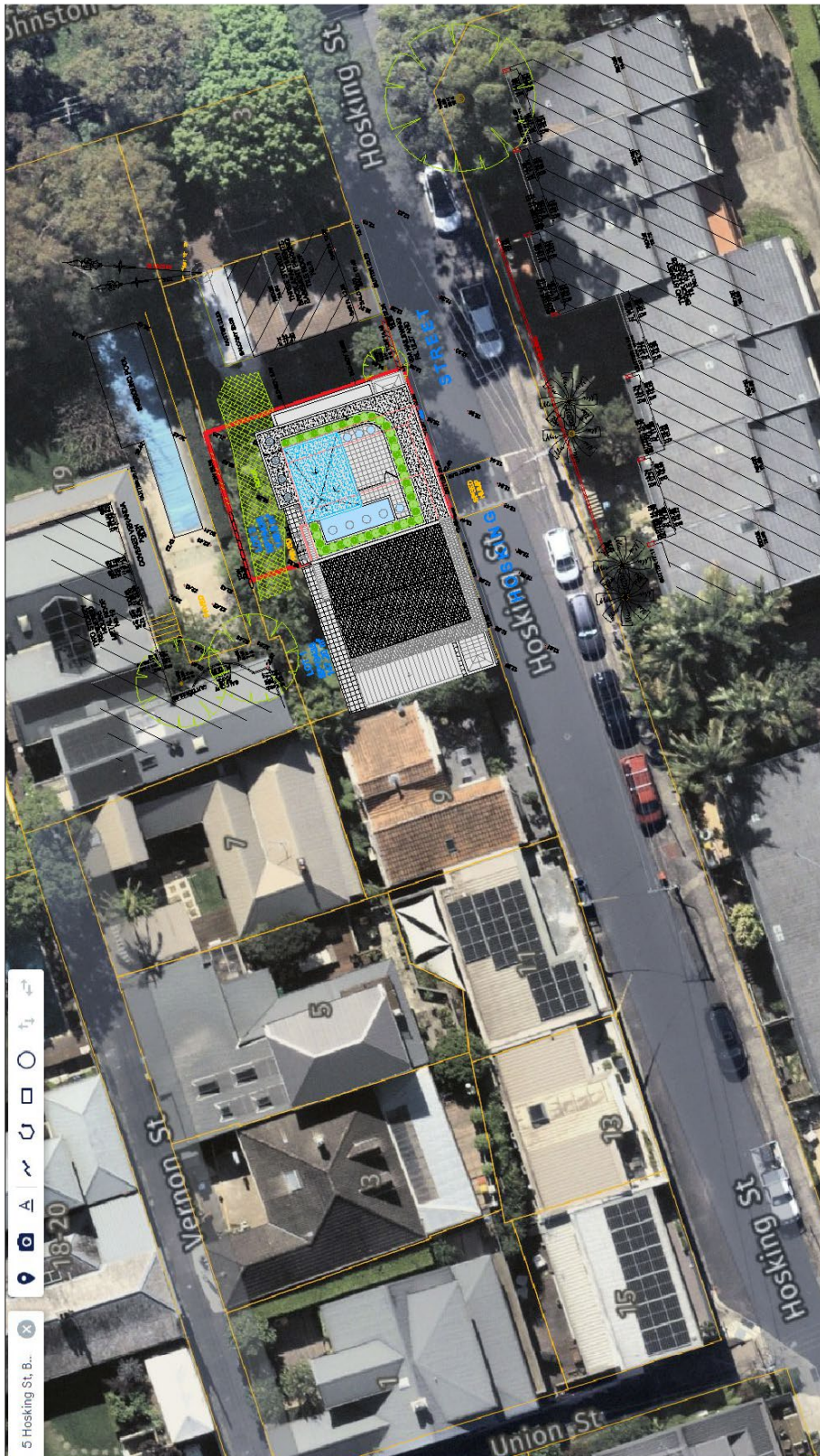
DA PLANS NOT FOR CONSTRUCTION		LANDSCAPE AREA & SITE COVERAGE CALCULATION VERIFICATION		
ISSUE: A B	AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	CLIENT: MR & MRS SILVA	PROJECT: ALTERATIONS & ADDITIONS	SCALE: 1:100 @ A3
		ADDRESS: No.6 - 7 HOSKING STREET BALMAIN EAST LOT 1 & 2 S P 19435	DRAWING: LANDSCAPE AREA & SITE COVERAGE CALCULATION VERIFICATION	DRAWN: S.G
				CHECKED: S.G
				ISSUE: B DA
				DO NOT SCALE DRAWING
				SHEET No: 0.0

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DA PLANS <small>NOT FOR CONSTRUCTION</small>		EXISTING AERIAL SITE ANALYSIS	
ISSUE: A B	AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	CLIENT: MR & MRS SILVA ADDRESS: No 5 - 7 HOSKING STREET BALMAIN EAST LOT 1 & 2 S.P. 19435	PROJECT: ALTERATIONS & ADDITIONS DRAWING: EXISTING AERIAL SITE ANALYSIS
DATE: 10.02.2023 15.02.2023	Development Design Pty Ltd ACN 107 176 887 340a Riley Street Surry Hills NSW 2010 +61(02) 9211 7000 info@developmentdesign.com.au www.developmentdesign.com.au	SCALE: 1:250 DRAWN: S.O. CHECKED: S.O.	ISSUE: B DA SHEET NO.: 0.01 <small>DO NOT SCALE DRAWING</small>

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PROPOSED AERIAL SITE ANALYSIS

DA PLANS <small>NOT FOR CONSTRUCTION</small>		AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY		DATE: 10.02.2023 15.03.2023		CLIENT: MR & MRS SILVA ADDRESS: No 6 - 7 HOSKING STREET BALMAIN EAST LOT 1 & 2 S P. 19435		PROJECT: ALTERATIONS & ADDITIONS DRAWING: EXISTING AERIAL SITE ANALYSIS		SCALE: 1:250 DRAWN: S.O. CHECKED: S.O.		ISSUE: N B DA SHEET NO.: 0.02 DO NOT SCALE DRAWING	
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EXISTING STREETScape

PROPOSED STREETScape

DA PLANS <small>NOT FOR CONSTRUCTION</small>		AMENDMENTS:		DATE:		CLIENT:		PROJECT:		SCALE:		ISSUE:	
DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY		10.09.2023 15.09.2023		Development Design Pty Ltd ACN 107 178 887		MR & MRS SILVA		ALTERATIONS & ADDITIONS		- S/G		N B	
A B				340a Riley Street Surry Hills NSW 2010 +61(02) 9211 7000 info@developmentdesign.com.au www.developmentdesign.com.au		ADDRESS: BALMAIN EAST LOT 1 & 2 S P 19435		DRAWING: EXISTING & PROPOSED STREETScape		S/G S/G		DA SHEET NO: 0.05	
								CHECKED: S/G		DO NOT SCALE DRAWING			

EXISTING & PROPOSED STREETScape

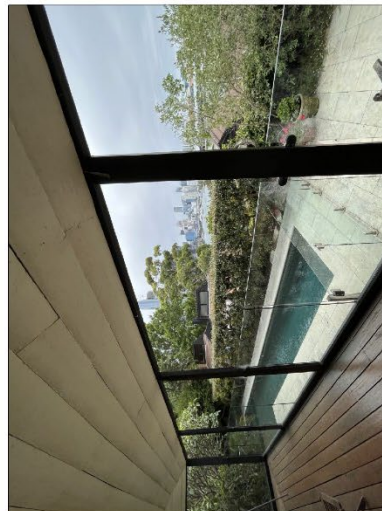
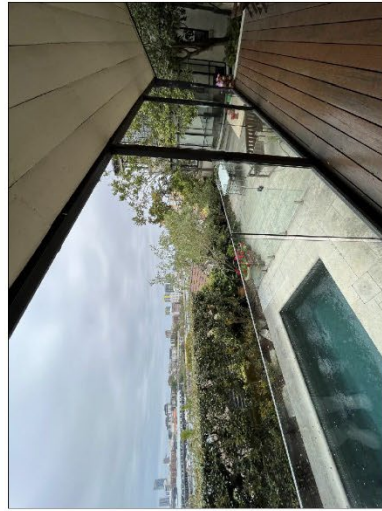
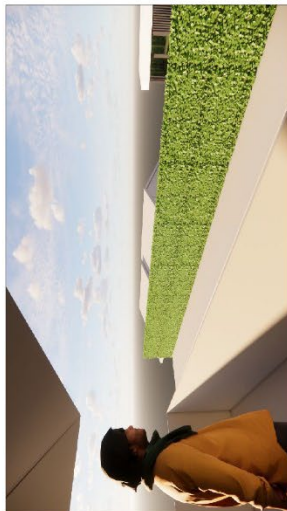
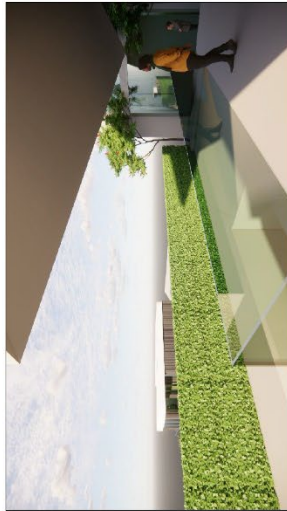
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DA PLANS NOT FOR CONSTRUCTION		AMENDMENTS:		DATE:		PROJECT:		SCALE:		ISSUE:	
A	DA ISSUE	10.05.2023	Development Design Pty Ltd	ALTERATIONS & ADDITIONS	10.05.2023	CLIENT:	MIR & MRS SILVA	DO NOT SCALE DRAWING	N	B	
B	DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	15.09.2023	340a Riley Street Surry Hills NSW 2010 +61(02) 9211 7800 info@developmentdesign.com.au www.developmentdesign.com.au	DRAWINGS: EXISTING CONTEXT ANALYSIS	15.09.2023	ADDRESS:	No. 5 - 7 HOSKING STREET BALMAIN EAST LOT 1 & 2 S.P. 19435	S.G	DA	DA	
								S.G		SHEET NO:	
											0.06

PROPOSED CONTEXT ANALYSIS

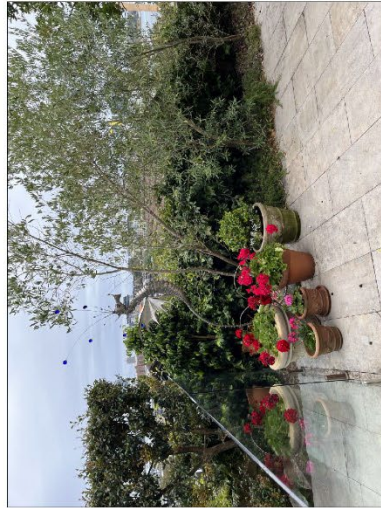
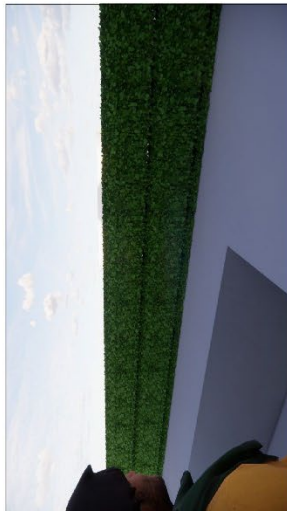
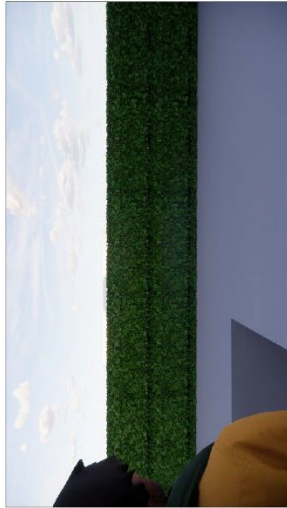
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DA PLANS NOT FOR CONSTRUCTION		AMENDMENTS:		DATE:		CLIENT:		PROJECT:		SCALE:		ISSUE:	
A	DA ISSUE	ZOOM MEETING REQUESTS CONTEMPORARY		10.05.2023 15.05.2023		MR & MRS SILVA		ALTERATIONS & ADDITIONS		-		N	
B	DA ISSUE					Development Design Pty Ltd ACN 107 176 887		DRAWINGS:		DRAWN: S.G		DA	
						340a Riley Street Surry Hills NSW 2010 +61(02) 8211 7800 info@developmentdesign.com.au www.developmentdesign.com.au		REAR NEIGHBOURS VIEW CORRIDOR FROM REAR DECK LEVEL		CHECKED: S.G		DO NOT SCALE DRAWING	
						ADDRESS: No. 5 - 7 HOSKING STREET BALMAIN EAST LOT 1 & 2 S.P. 19435						SHEET NO: 0.07	

REAR NEIGHBOURS VIEW CORRIDOR FROM REAR DECK LEVEL

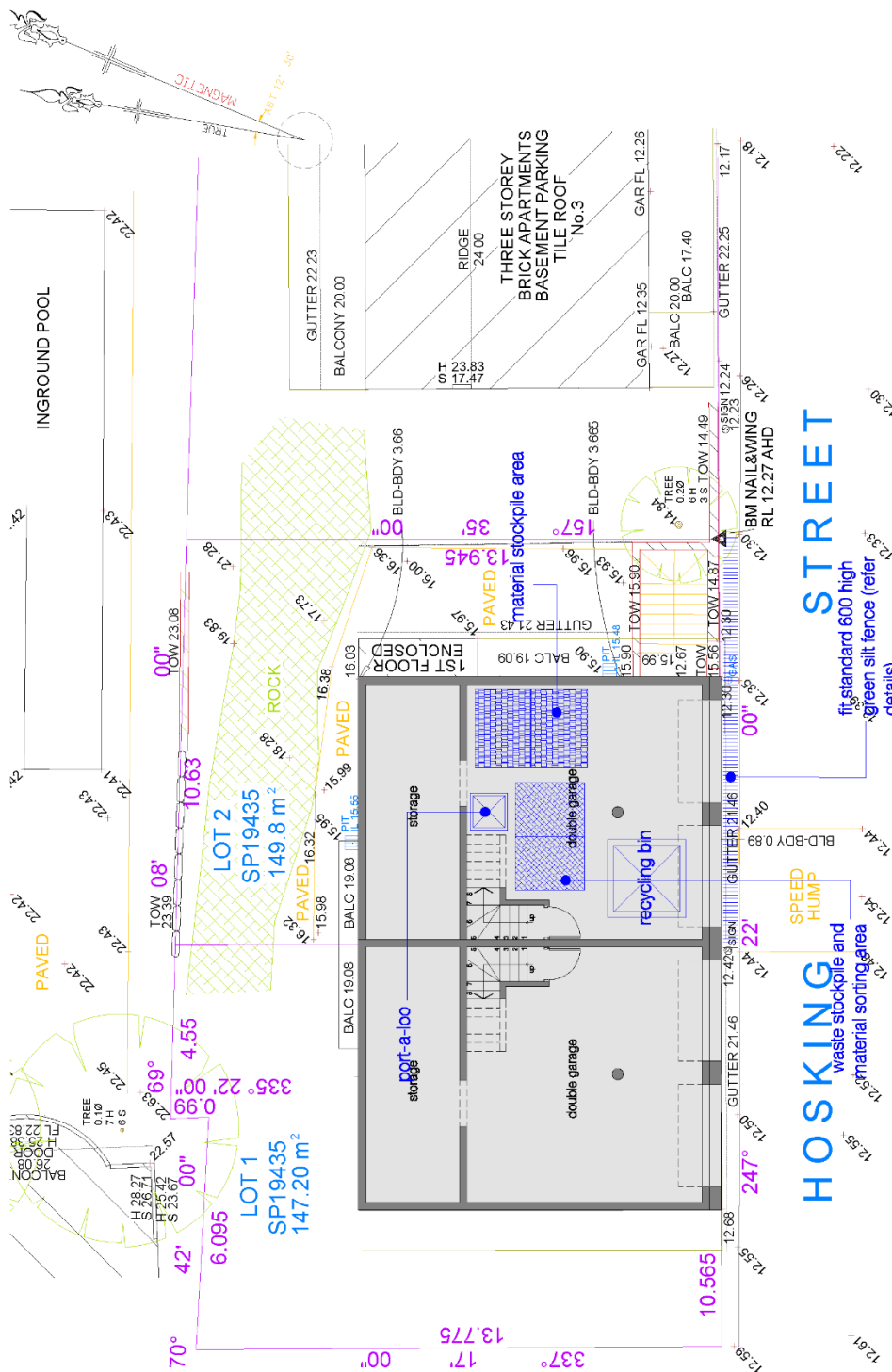
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DA PLANS <small>NOT FOR CONSTRUCTION</small>		AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY		DATE: 10.05.2023 15.05.2023	CLIENT: MR & MRS SILVA ADDRESS: No. 5 - 7 HOSKING STREET BALMAIN EAST LOT 1 & 2 S P. 19435	PROJECT: ALTERATIONS & ADDITIONS DRAWING: REAR NEIGHBOURS VIEW CORRIDOR FROM REAR POOL COURTYARD LEVEL	SCALE: - DRAWN: S.G CHECKED: S.G	ISSUE: B DA SHEET NO: 0.08 DO NOT SCALE DRAWING	
		Development Design Pty Ltd ACN 107 176 887 340a Riley Street Surry Hills NSW 2010 +61(02) 8211 7800 info@developmentdesign.com.au www.developmentdesign.com.au							

REAR NEIGHBOURS VIEW CORRIDOR FROM REAR POOL COURTYARD LEVEL

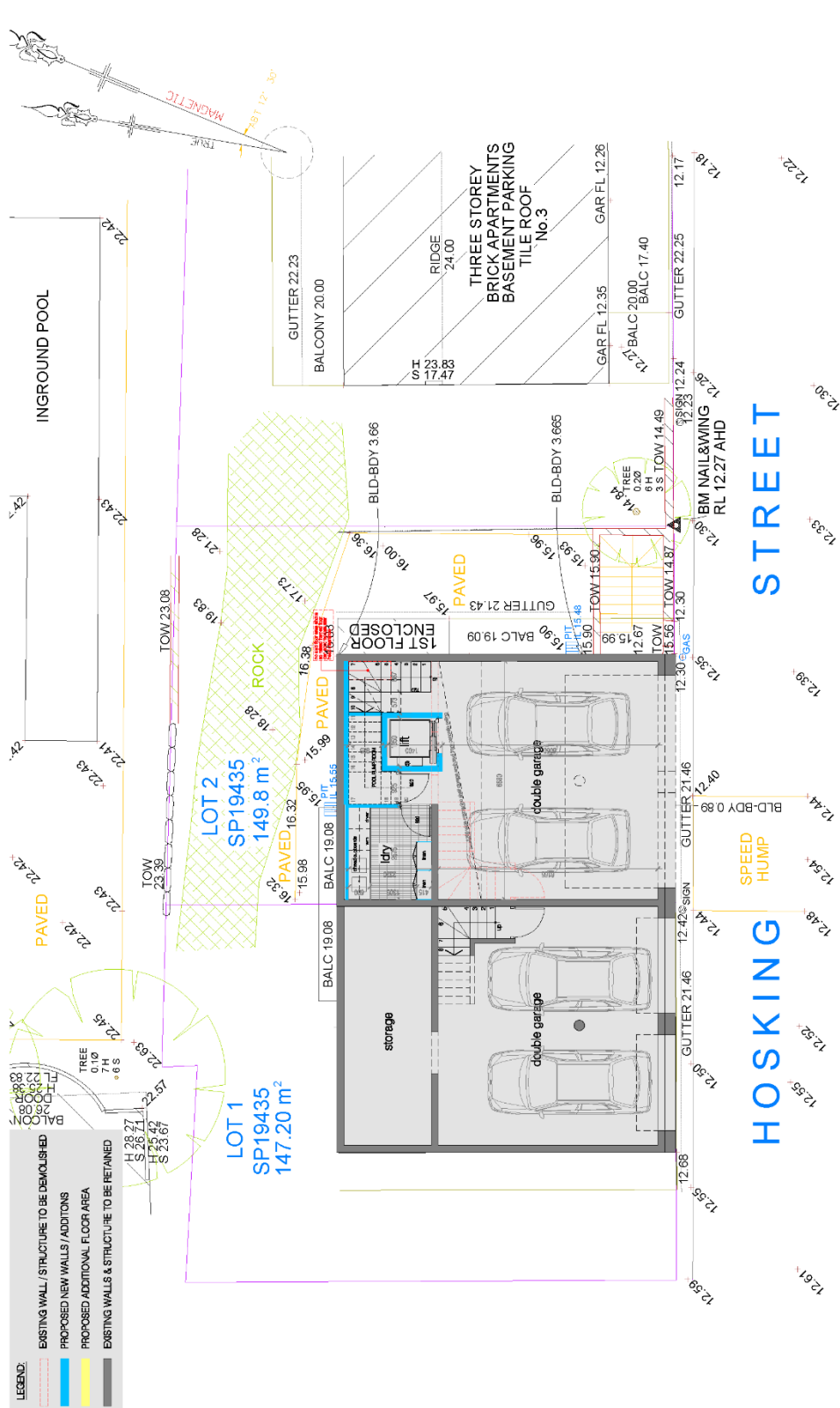
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EXISTING BASEMENT GARAGE FLOOR ANALYSIS & CONSTRUCTION MANAGEMENT PLAN

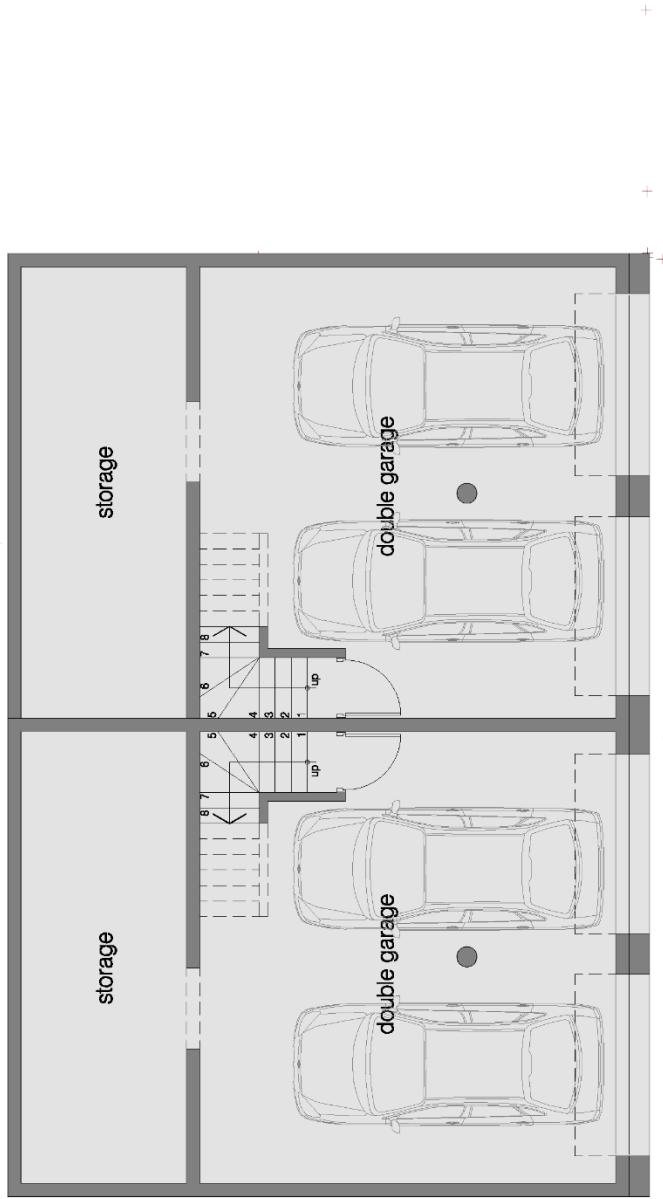
DA PLANS NOT FOR CONSTRUCTION	AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	DATE: 10.02.2023 15.09.2023	CLIENT: MR & MRS SILVA Development Design Pty Ltd ACN 107 176 887 340a Riley Street Surry Hills NSW 2010 +61(0)2 9211 7800 info@developmentdesign.com.au www.developmentdesign.com.au	PROJECT: ALTERATIONS & ADDITIONS DRAWING: EXISTING BASEMENT GARAGE FLOOR PLAN ANALYSIS & CONSTRUCTION MANAGEMENT PLAN	SCALE: 1:100 @ A3 DRAWN: S.G CHECKED: S.G	N DO NOT SCALE DRAWING	ISSUE: B DA SHEET NO.: 1.01
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 Version: 1, Version Date: 15/09/2023



DA PLANS NOT FOR CONSTRUCTION		PROPOSED BASEMENT GROUND FLOOR ANALYSIS	
ISSUE: A B	AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY DA ISSUE -	CLIENT: MR & MRS SILVA	PROJECT: ALTERATIONS & ADDITIONS
DATE: 10.02.2023 19.09.2023	DEVELOPMENT DESIGN PTY LTD ACN 107 178 887 340a Riley Street Surry Hills NSW 2010 +61(02) 9211 7880 info@developmentdesign.com.au www.developmentdesign.com.au	ADDRESS: No.6 - 7 HOSKING STREET BALMAIN EAST LOT 1 & 2 S P 19435	DRAWING: PROPOSED BASEMENT GROUND FLOOR ANALYSIS
			SCALE: 1:100 @ A3
			DRAWN: S.G
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DA PLANS
NOT FOR CONSTRUCTION

ISSUE:	AMENDMENTS:	DATE:
A	DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	10.09.2023
B		15.09.2023

Development Design Pty Ltd
ACN 107 178 887

CLIENT:
MR & MRS SILVA

ADDRESS:
No. 6 - 7 HOSKING STREET
BALMAIN EAST
LOT 1 & 2 S.P. 19435

PROJECT:
ALTERATIONS & ADDITIONS

DRAWING:
EXISTING BASEMENT GARAGE FLOOR PLAN

SCALE:
1:80 @ A3

DRAWN:
S.G

CHECKED:
S.G

ISSUE:
B

DA

SHEET NO:
1.03

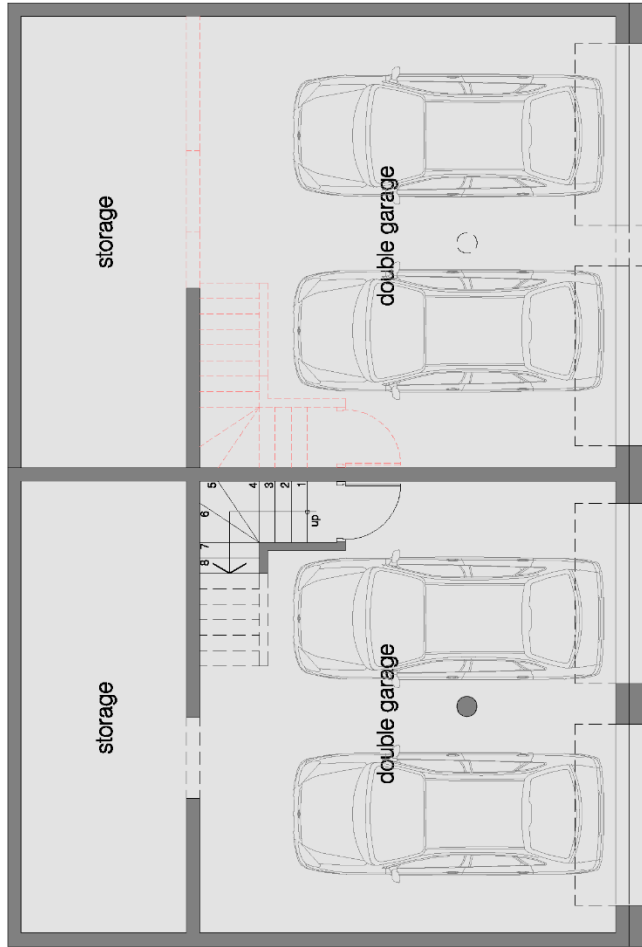
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DRAWING

EXISTING BASEMENT GARAGE FLOOR PLAN

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LEGEND:

	EXISTING WALL / STRUCTURE TO BE DEMOLISHED
	PROPOSED NEW WALLS / ADDITIONS
	PROPOSED ADDITIONAL FLOOR AREA
	EXISTING WALLS & STRUCTURE TO BE RETAINED



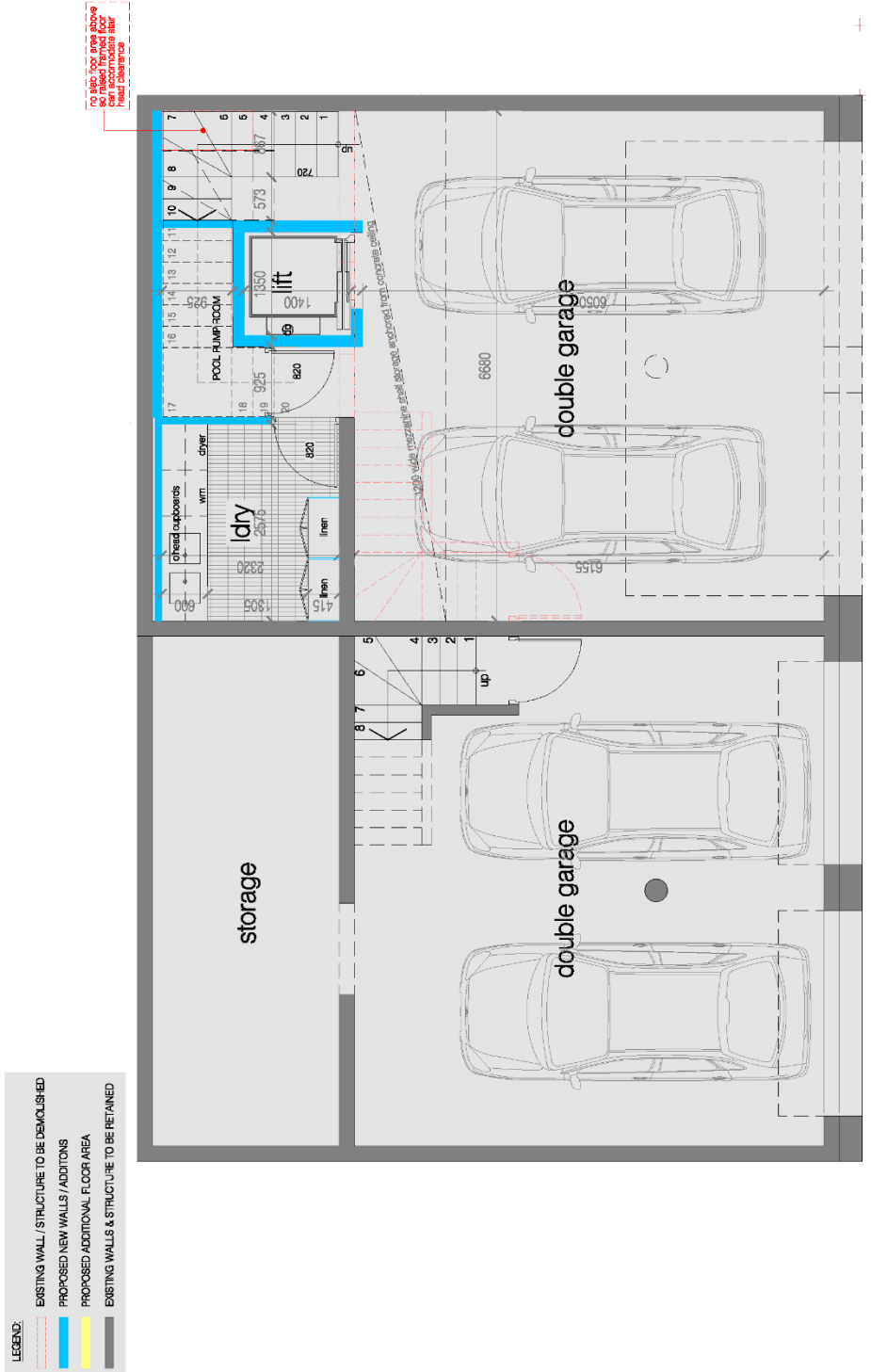
DA PLANS
NOT FOR CONSTRUCTION

ISSUE: A B	AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	DATE: 10.05.2023 15.05.2023
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DEMOLITION PLAN - BASEMENT GARAGE FLOOR PLAN

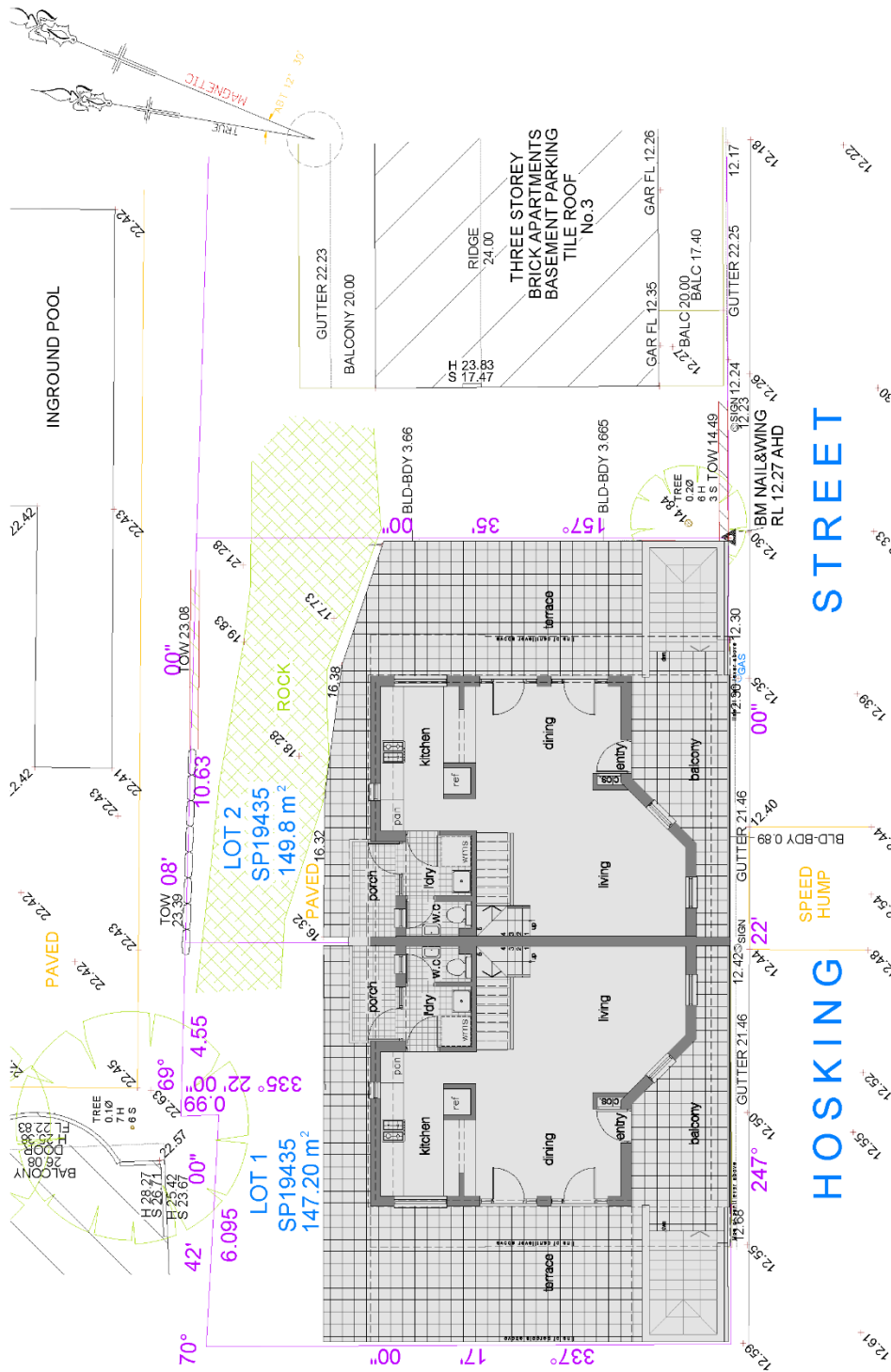
CLIENT: MR & MRS SILVA	PROJECT: ALTERATIONS & ADDITIONS	SCALE: 1:80 @ A3	ISSUE: B
ADDRESS: No. 6 - 7 HOSKING STREET BALLMAIN EAST LOT 1 & 2 P. 19435	DRAWING: DEMOLITION PLAN - EXISTING BASEMENT GARAGE FLOOR PLAN	DRAWN: S.G	DA
CLIENT: Development Design Pty Ltd ACN 107 176 887 340a Riley Street Surry Hills NSW 2010 +61(02) 8211 7880 info@developmentdesign.com.au www.developmentdesign.com.au	CHECKED: S.G	DO NOT SCALE DRAWING	SHEET No.: 1.04

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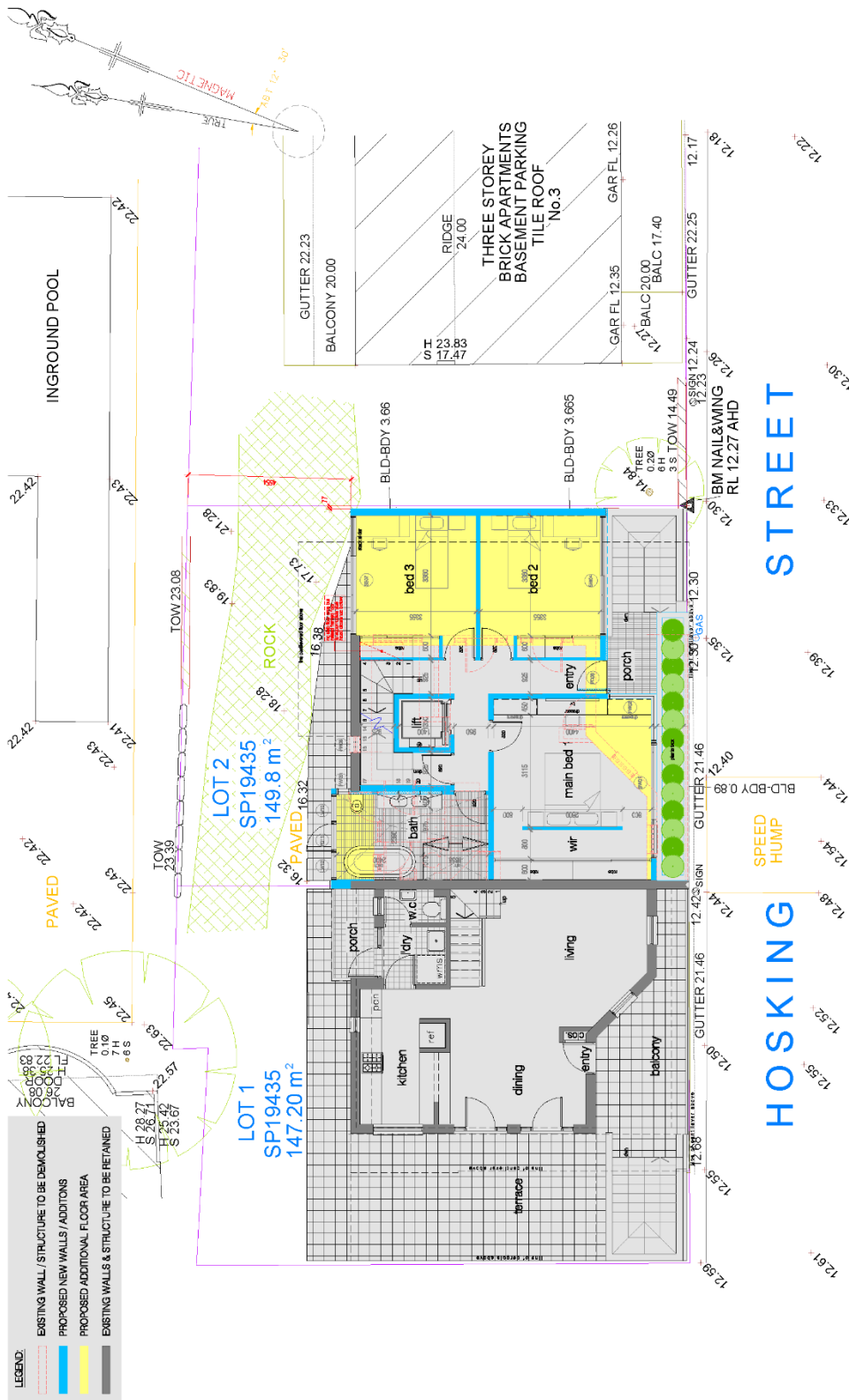
DA PLANS NOT FOR CONSTRUCTION		AMENDMENTS:		DATE:		CLIENT:		PROJECT:		SCALE:		ISSUE:	
A	DA ISSUE	10.05.2023	Development Design Pty Ltd	MR & MRS SILVA	ALTERATIONS & ADDITIONS	150 @ A3	B	DRAWING: S.G		N		DA	
B	DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	15.05.2023	340a Riley Street Surry Hills NSW 2010 +61(0)2 9211 7800 info@developmentdesign.com.au www.developmentdesign.com.au	No. 6 - 7 HOSKING STREET BALLMAIN EAST LOT 1 & 2 S P 19435	PROPOSED BASEMENT GARAGE FLOOR PLAN	S.G	DO NOT SCALE DRAWING	CHECKED: S.G		S.G		SHEET NO: 1.05	

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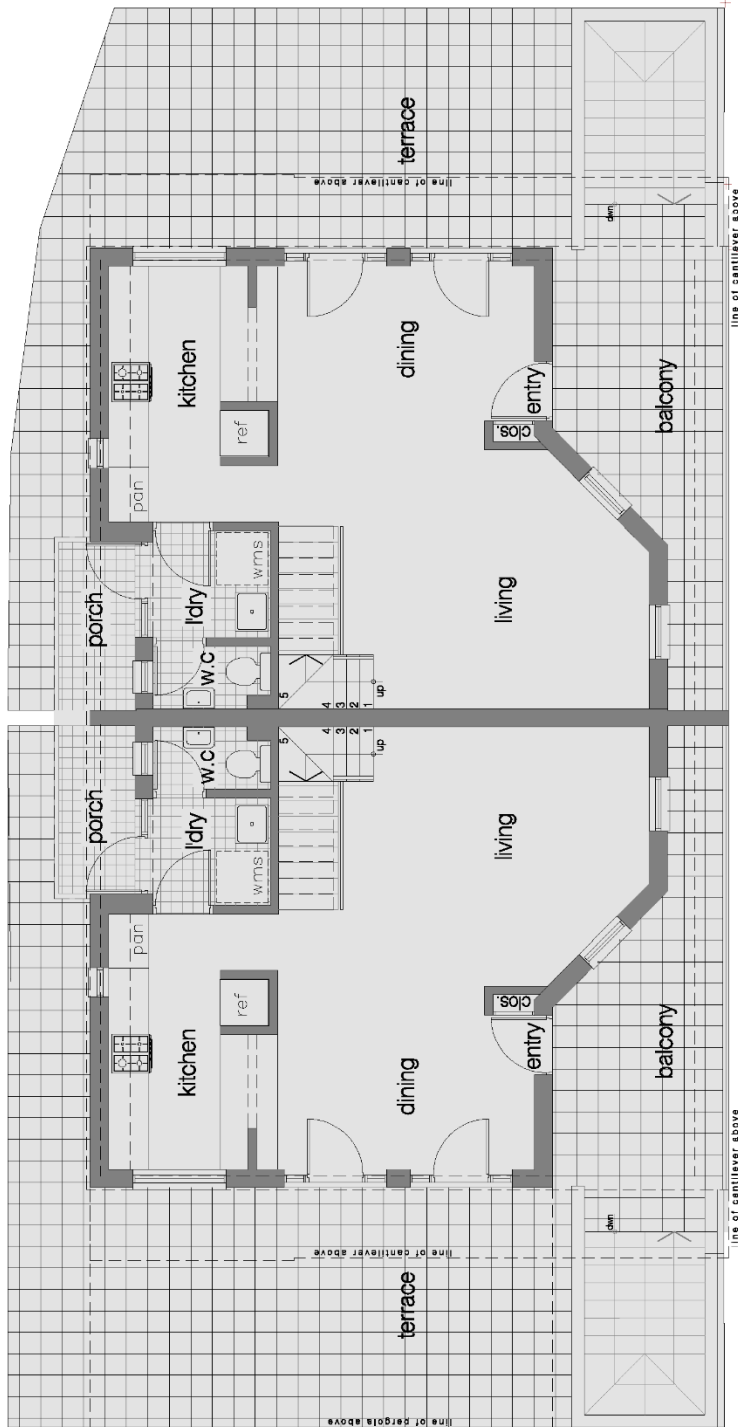
DA PLANS NOT FOR CONSTRUCTION		EXISTING GROUND FLOOR PLAN ANALYSIS	
ISSUE: A	AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	PROJECT: ALTERATIONS & ADDITIONS	SCALE: 1:100 @ A3
ISSUE: B	AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	DRAWING: EXISTING GROUND FLOOR PLAN ANALYSIS	DRAWN: S.G
DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	DATE: 10.02.2023 19.09.2023	CLIENT: MR & MRS SILVA	CHECKED: S.G
	DATE: 10.02.2023 19.09.2023	ADDRESS: No. 6 - 7 HOSKING STREET BALMAIN EAST LOT 1 & 2 S.P. 19435	SHEET NO.: 1.06
	DATE: 10.02.2023 19.09.2023	CLIENT: Development Design Pty Ltd ACN 107 178 887 340a Riley Street Surry Hills NSW 2010 +61(0)2 9211 7800 info@developmentdesign.com.au www.developmentdesign.com.au	ISSUE: B DA SHEET NO.: 1.06

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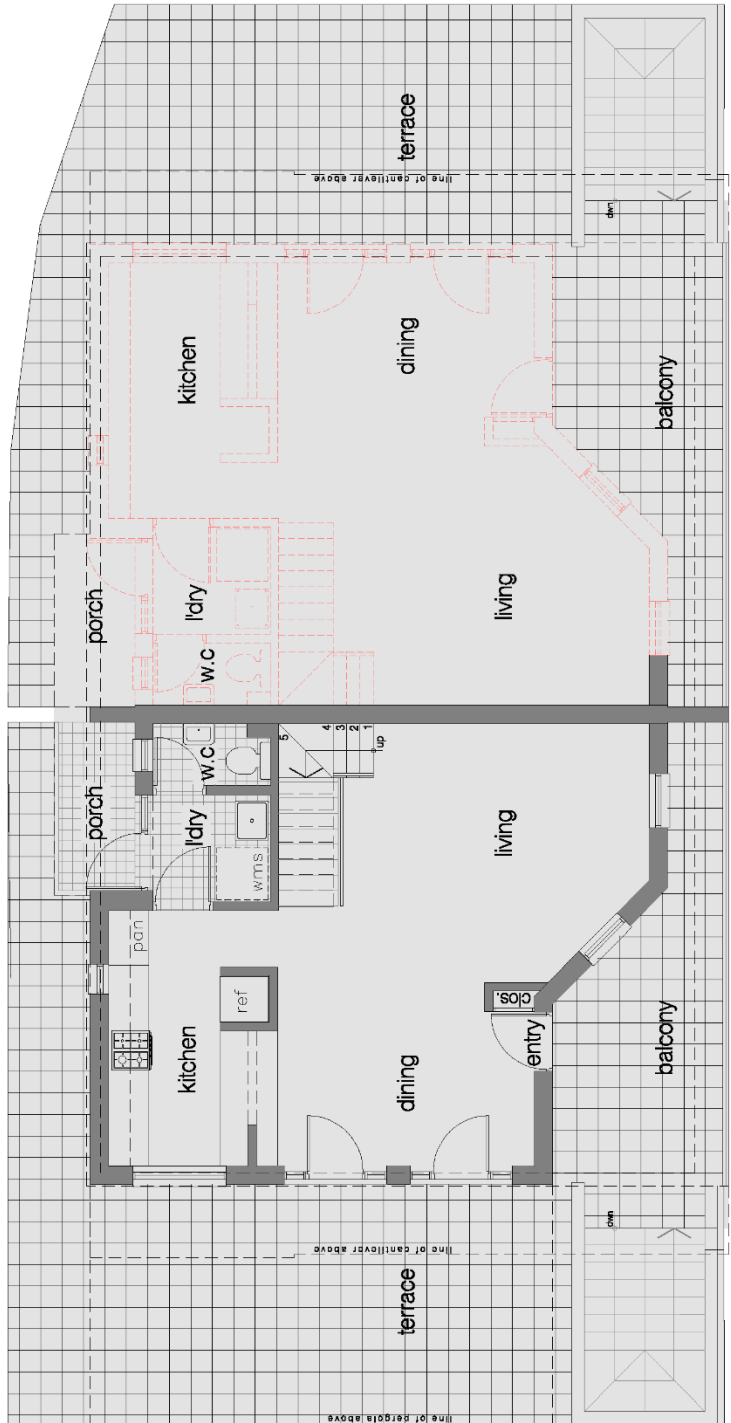
DA PLANS NOT FOR CONSTRUCTION		AMENDMENTS:		DATE:		CLIENT:		PROJECT:		SCALE:		ISSUE:	
A	DA ISSUE	7-ZOOM MEETING	REQUETS	CONTEMPORARY	10.02.2023	MR & MRS SILVA	ALTERATIONS & ADDITIONS	1:100 @ A3	N	B	DO NOT SCALE DRAWING		
B	DA ISSUE	7-ZOOM MEETING	REQUETS	CONTEMPORARY	15.09.2023	Development Design Pty Ltd ACN 107 176 887 340a Riley Street Surry Hills NSW 2010 +61(0)2 9211 7000 info@developmentdesign.com.au www.developmentdesign.com.au	PROPOSED GROUND FLOOR PLAN ANALYSIS	S:G	DA	DA	SHEET NO: 1.07		

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DA PLANS NOT FOR CONSTRUCTION		EXISTING GROUND FLOOR PLAN	
ISSUE: A B	AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	PROJECT: ALTERATIONS & ADDITIONS DRAWING: EXISTING GROUND FLOOR PLAN	ISSUE: B DA SHEET NO: 1.08
DATE: 10.05.2023 15.05.2023	CLIENT: MR & MRS SILVA	SCALE: 1:80 @ A3	DO NOT SCALE DRAWING
	ADDRESS: No. 6 - 7 HOSKING STREET BALLMAIN EAST LOT 1 & 2 S.P. 19435	CHECKED: S.G.	
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LEGEND:

- EXISTING WALL / STRUCTURE TO BE DEMOLISHED
- PROPOSED NEW WALLS / ADDITIONS
- PROPOSED ADDITIONAL FLOOR AREA
- EXISTING WALLS & STRUCTURE TO BE RETAINED

DEMOLITION PLAN - GROUND FLOOR PLAN

SCALE: 1:80 @ A3

ISSUE: **B**

DA ISSUE: **DA**

SHEET NO.: **1.09**

DO NOT SCALE DRAWING

PROJECT: ALTERATIONS & ADDITIONS

DRAWING: DEMOLITION PLAN - GROUND FLOOR PLAN

CHECKED: S.G.

DRAWN: S.G.

CLIENT: MR & MRS SILVA

ADDRESS: No. 6 - 7 HOSKING STREET
BALLMAIN EAST
LOT 1 & 2 S.P. 19435

Development Design Pty Ltd

ACN 107 178 887

340a Riley Street Surry Hills NSW 2010

+61(0)2 9211 7880 | info@developmentdesign.com.au
www.developmentdesign.com.au

DATE: 10.02.2023
19.09.2023

AMENDMENTS:

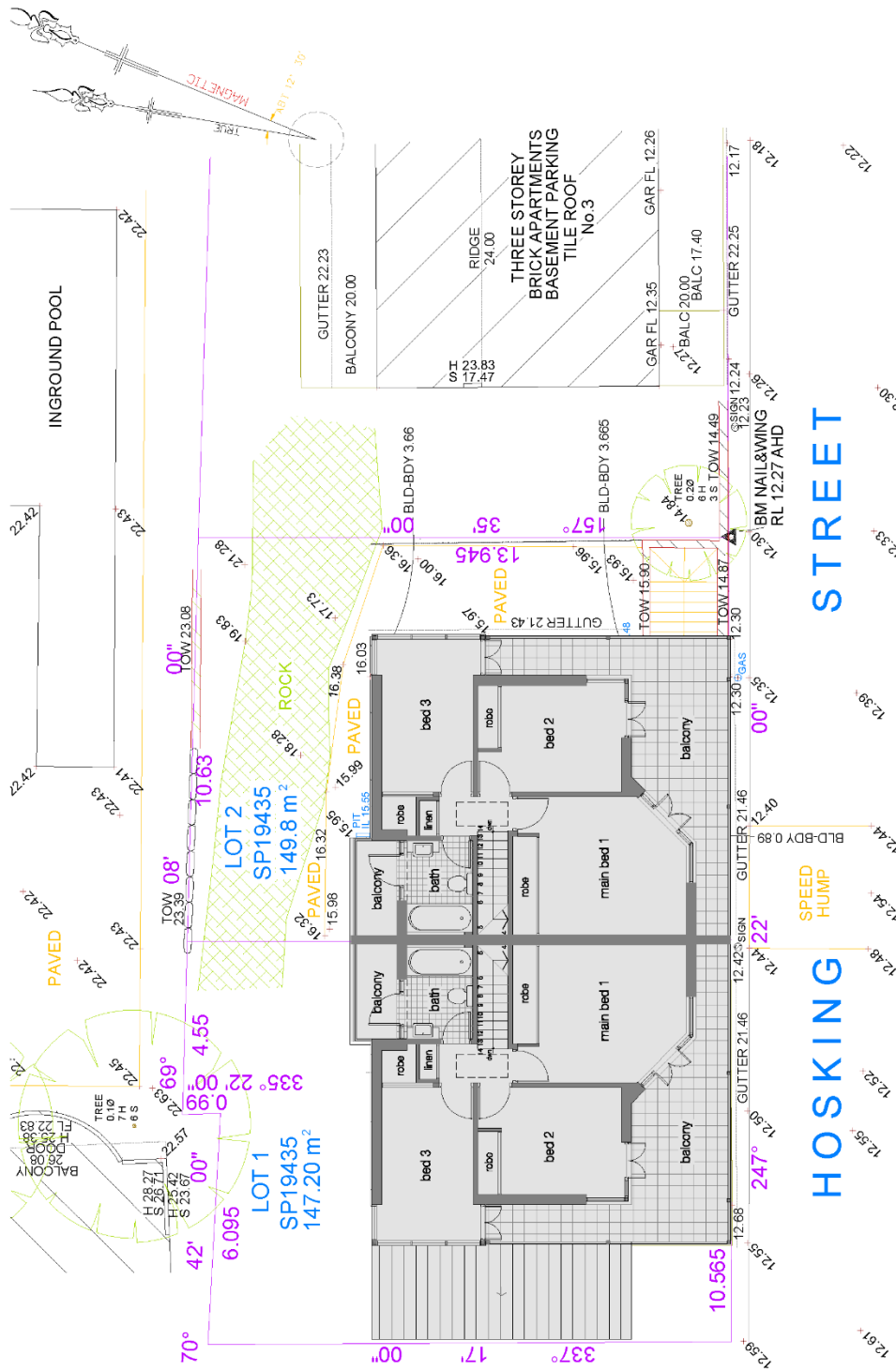
DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY

ISSUE: A

NOT FOR CONSTRUCTION

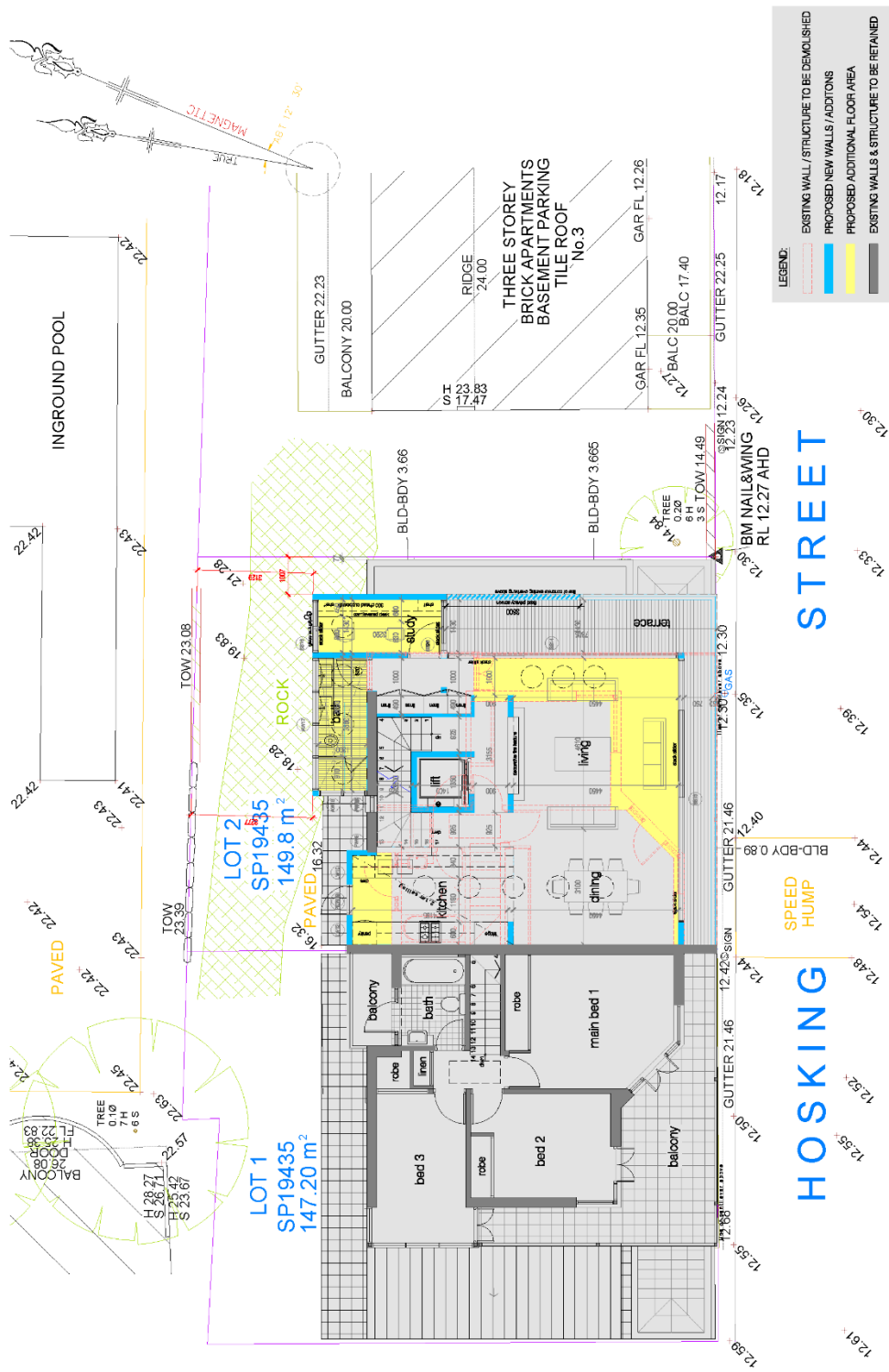
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Version: 1, Version Date: 15/09/2023



DA PLANS NOT FOR CONSTRUCTION		EXISTING FIRST FLOOR PLAN ANALYSIS	
ISSUE: A	AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	CLIENT: MR & MRS SILVA	PROJECT: ALTERATIONS & ADDITIONS
DATE: 10.02.2023 19.09.2023	DATE: 10.02.2023 19.09.2023	ADDRESS: No. 5 - 7 HOSKING STREET BALMAIN EAST LOT 1 & 2 S.P. 19435	DRAWING: EXISTING FIRST FLOOR PLAN ANALYSIS
DA ISSUE	DA ISSUE	SCALE: 1:100 @ A3	ISSUE: B
DA ISSUE	DA ISSUE	DRAWN: S.G	DA
DA ISSUE	DA ISSUE	CHECKED: S.G	DO NOT SCALE DRAWING
DA ISSUE	DA ISSUE		SHEET NO: 1.11

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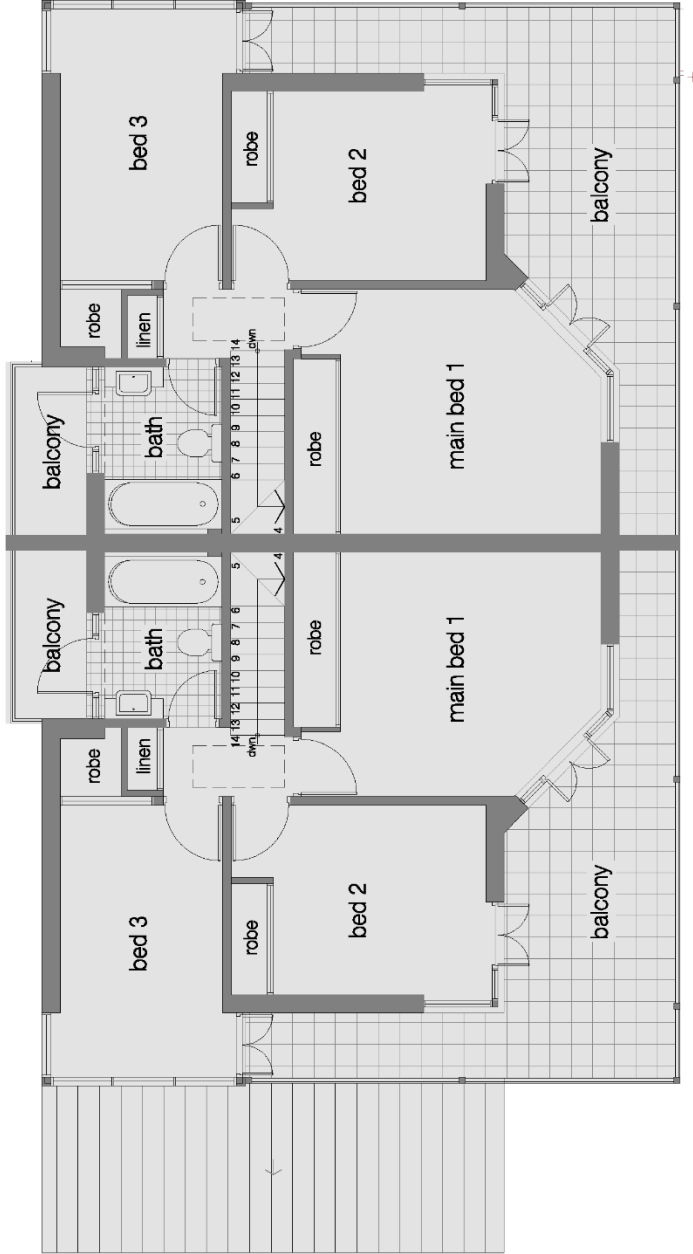
LEGEND:

- EXISTING WALL / STRUCTURE TO BE DEMOLISHED
- PROPOSED NEW WALLS / ADDITIONS
- PROPOSED ADDITIONAL FLOOR AREA
- EXISTING WALLS & STRUCTURE TO BE RETAINED

PROPOSED FIRST FLOOR PLAN ANALYSIS

DA PLANS NOT FOR CONSTRUCTION		AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY		DATE: 10.02.2023 15.09.2023		CLIENT: MR & MRS SILVA ADDRESS: No. 5 - 7 HOSKING STREET BALMAIN EAST LOT 1 & 2 S P. 19435		PROJECT: ALTERATIONS & ADDITIONS DRAWING: PROPOSED FIRST FLOOR PLAN ANALYSIS		SCALE: 1:100 @ A3 DRAWN: S.G CHECKED: S.G		ISSUE: B DA SHEET NO.: 1.12 DO NOT SCALE DRAWING	
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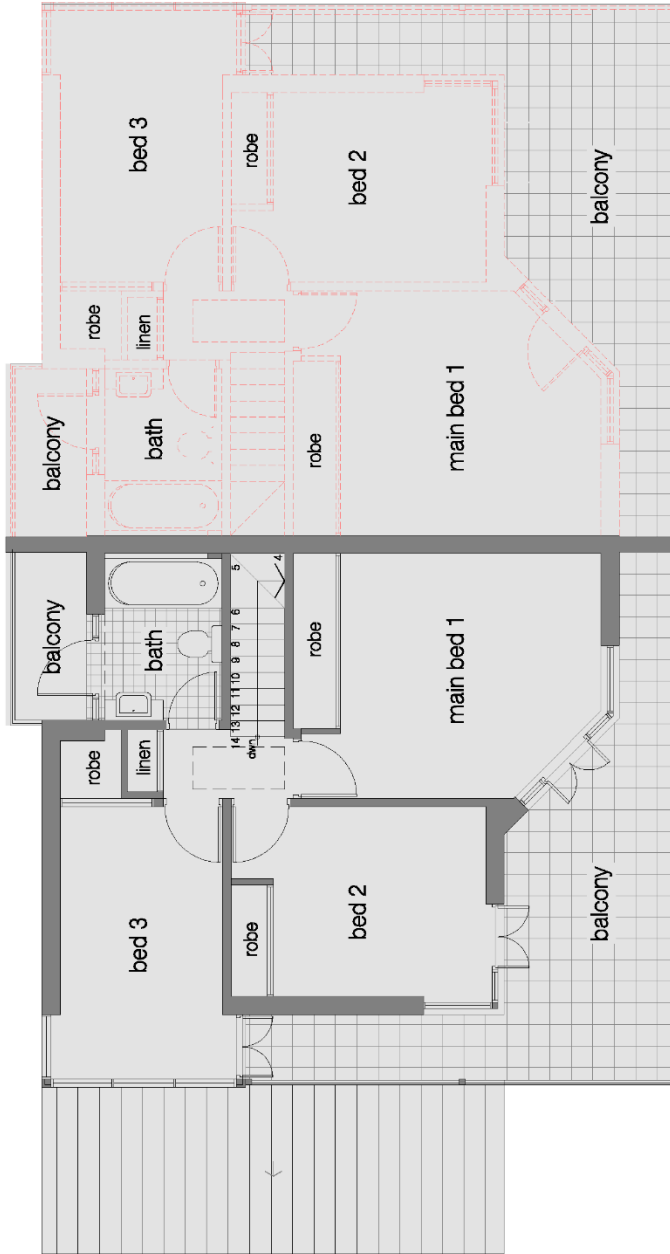


DA PLANS NOT FOR CONSTRUCTION		EXISTING FIRST FLOOR PLAN	
ISSUE: A B	AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY DA ISSUE -	CLIENT: MR & MRS SILVA	PROJECT: ALTERATIONS & ADDITIONS
DATE: 10.05.2023 15.05.2023	Development Design Pty Ltd ACN 107 176 887 340a Riley Street Surry Hills NSW 2010 +61(02) 9211 7800 info@developmentdesign.com.au www.developmentdesign.com.au	ADDRESS: No. 6 - 7 HOSKING STREET BALMAIN EAST LOT 1 & 2 S P. 19435	DRAWING: EXISTING FIRST FLOOR PLAN
		SCALE: 1:80 @ A3	ISSUE: B DA
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		CHECKED: S.G	1.13
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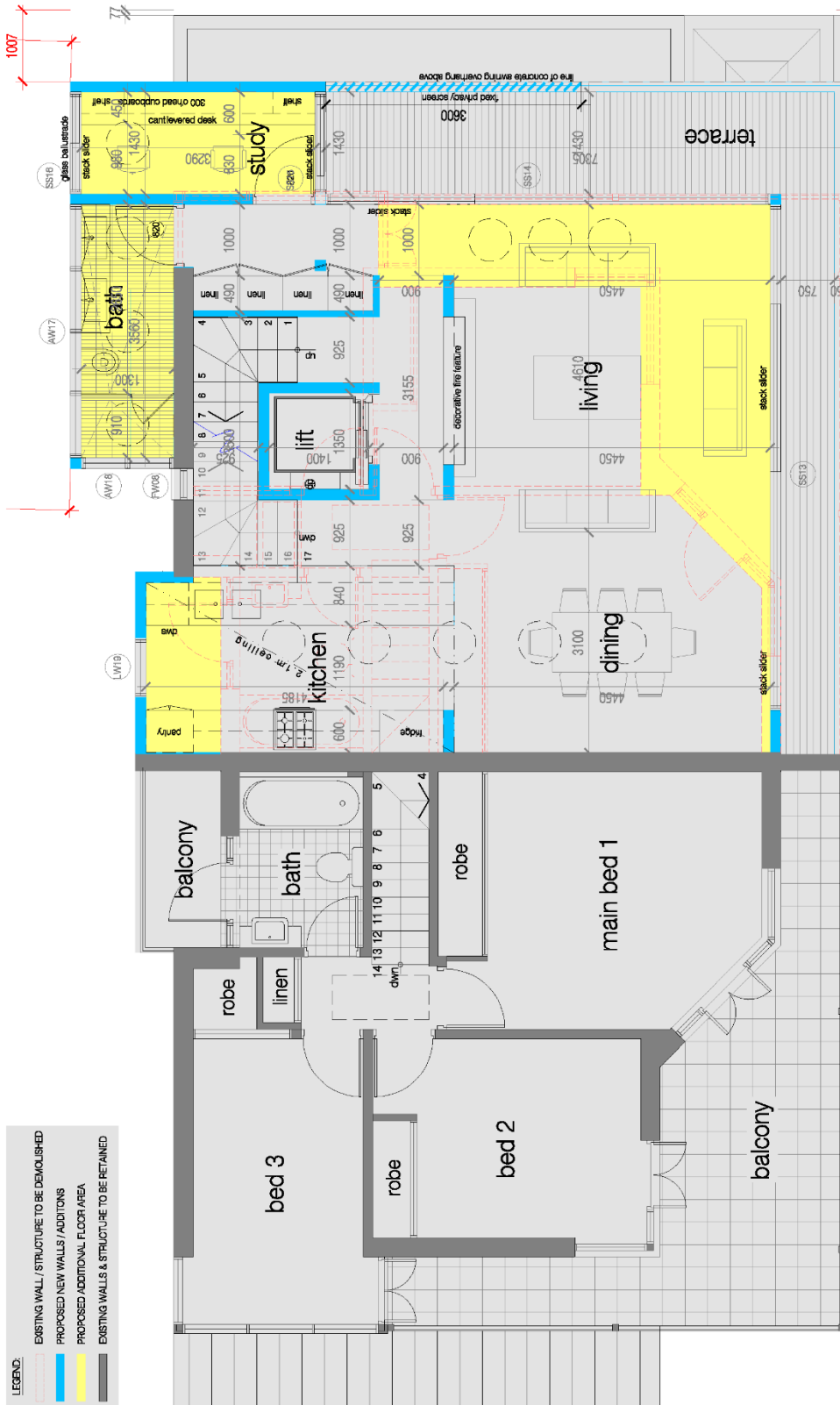
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	PROPOSED NEW WALLS / ADDITIONS
	PROPOSED ADDITIONAL FLOOR AREA
	EXISTING WALLS & STRUCTURE TO BE RETAINED



DA PLANS NOT FOR CONSTRUCTION		AMENDMENTS:		DATE:	PROJECT:		SCALE:	ISSUE:
A	DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	10.05.2023	Development Design Pty Ltd	10.05.2023	ALTERATIONS & ADDITIONS	1:80 @ A3	N	B
B		15.05.2023	ACN 107 176 887	15.05.2023	DRAWINGS	S.G	DA	DA
			340a Riley Street Surry Hills NSW 2010		DEMOLITION PLAN - FIRST FLOOR PLAN	S.G	DO NOT SCALE DRAWING	SHEET NO:
			+61(02) 8211 7880 info@developmentdesign.com.au			S.G		1.14
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DEMOLITION PLAN - FIRST FLOOR PLAN

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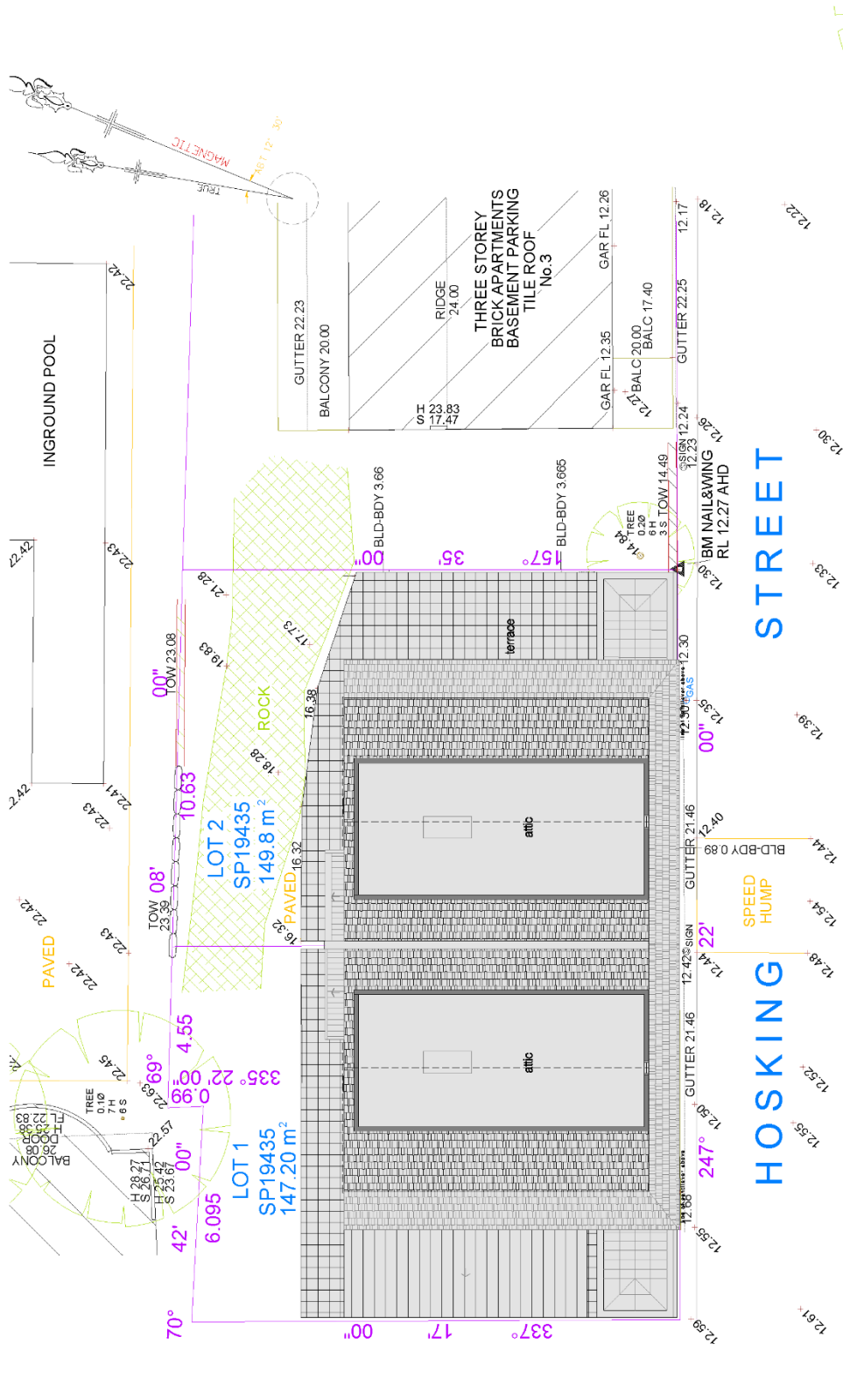


LEGEND:

	EXISTING WALL / STRUCTURE TO BE DEMOLISHED
	PROPOSED NEW WALLS / ADDITIONS
	PROPOSED ADDITIONAL FLOOR AREA
	EXISTING WALLS & STRUCTURE TO BE RETAINED

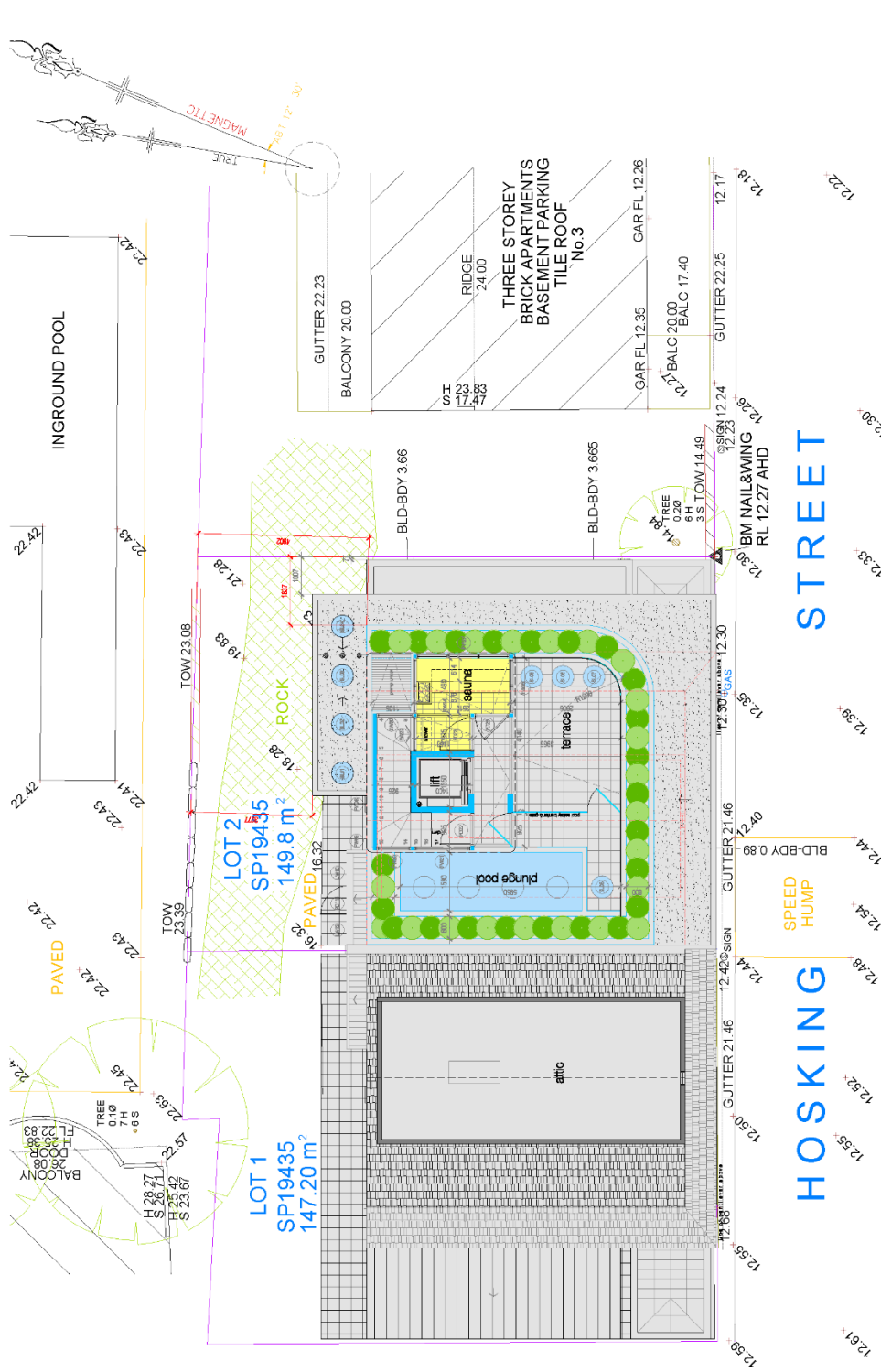
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ISSUE: A B	AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	CLIENT: MR & MRS SILVA	PROJECT: ALTERATIONS & ADDITIONS
DATE: 10.05.2023 15.05.2023	Development Design Pty Ltd ACN 107 176 887 340a Riley Street Surry Hills NSW 2010 +61(0)2 9211 7800 info@developmentdesign.com.au www.developmentdesign.com.au	ADDRESS: No. 6 - 7 HOSKING STREET BALMAIN EAST LOT 1 & 2 S.P. 19435	DRAWING: PROPOSED FIRST FLOOR PLAN
		SCALE: 1:50 @ A3	ISSUE: B
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ISSUE: A B	AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	CLIENT: MR & MRS SILVA	PROJECT: ALTERATIONS & ADDITIONS
DATE: 10.02.2023 15.09.2023	Development Design Pty Ltd ACN 107 178 887	ADDRESS: No. 5 - 7 HOSKING STREET BALMAIN EAST LOT 1 & 2 S P. 19435	SCALE: 1:100 @ A3
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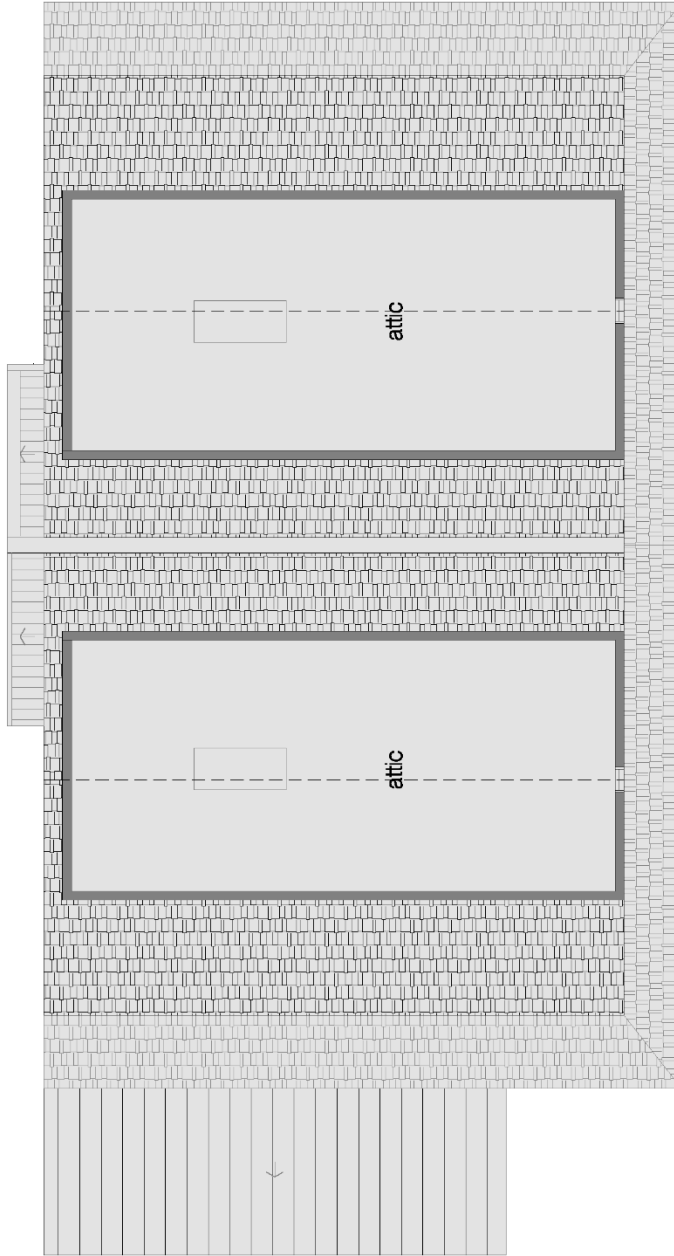
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DA PLANS NOT FOR CONSTRUCTION		AMENDMENTS:		DATE:		CLIENT:		PROJECT:		SCALE:		ISSUE:	
A	DA ISSUE	10.02.2023	Development Design Pty Ltd	ALTERATIONS & ADDITIONS	1:100 @ A3	N	B						
B	DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	15.09.2023	ACN 107 178 887	DRAWINGS: PROPOSED SECOND FLOOR PLAN ANALYSIS			DA						
				340a Riley Street Surry Hills NSW 2010		ADDRESS:		DRAWN: S.G		CHECKED: S.G		SHEET NO: 1.17	
				+61(02) 9211 7880 info@developmentdesign.com.au		LOT 1 & 2 S.P. 19435		DO NOT SCALE DRAWING					
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PROPOSED SECOND FLOOR PLAN ANALYSIS





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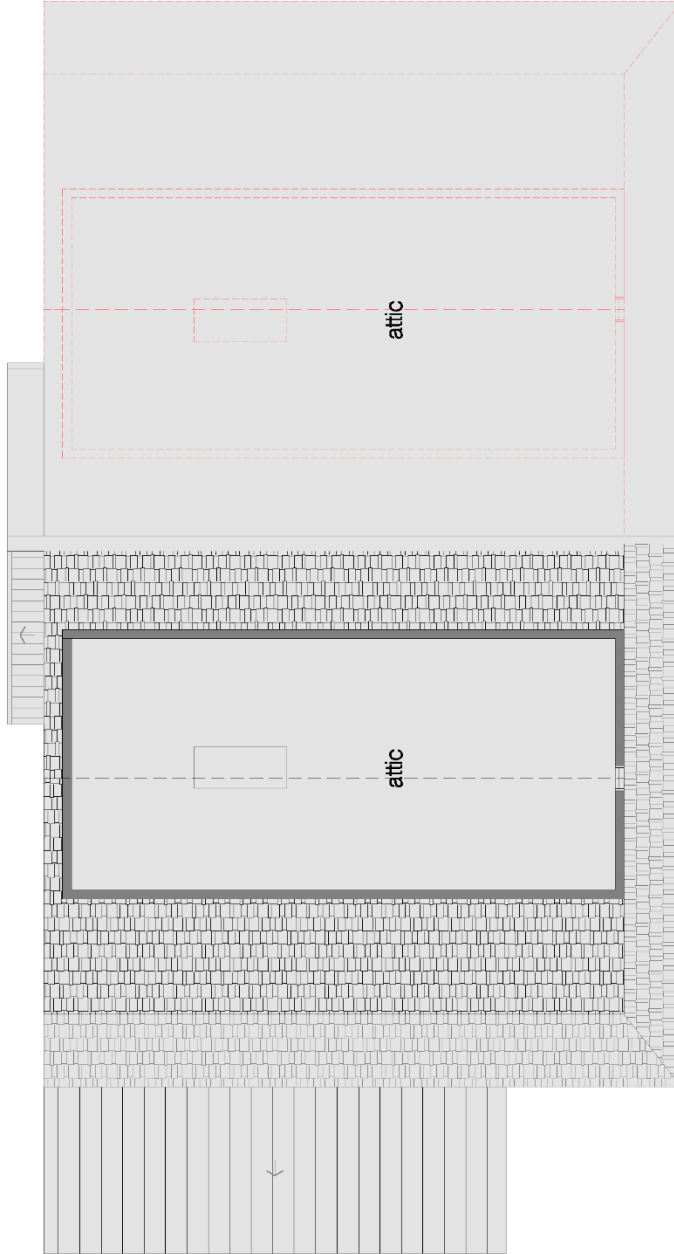


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ISSUE: A	AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	DATE: 10.05.2023 15.05.2023	PROJECT: ALTERATIONS & ADDITIONS
B		CLIENT: MR & MRS SILVA	SCALE: 1:80 @ A3
		Development Design Pty Ltd ACN 107 176 887	ISSUE: B
		340a Riley Street Surry Hills NSW 2010 +61(0)2 8211 7800 info@developmentdesign.com.au www.developmentdesign.com.au	DA
		ADDRESS: No.6 - 7 HOSKING STREET BALMAIN EAST LOT 1 & 2 S P 19435	DRAWN: S.G
			CHECKED: S.G
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LEGEND:

	EXISTING WALL / STRUCTURE TO BE DEMOLISHED
	PROPOSED NEW WALLS / ADDITIONS
	PROPOSED ADDITIONAL FLOOR AREA
	EXISTING WALLS & STRUCTURE TO BE RETAINED



DA PLANS
NOT FOR CONSTRUCTION

ISSUE: A B	AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY
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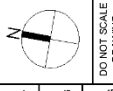
DATE: 10.05.2023 15.05.2023
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CLIENT:
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ADDRESS:
No.6 - 7 HOSKING STREET
BALMAIN EAST
LOT 1 & 2 S P 19435

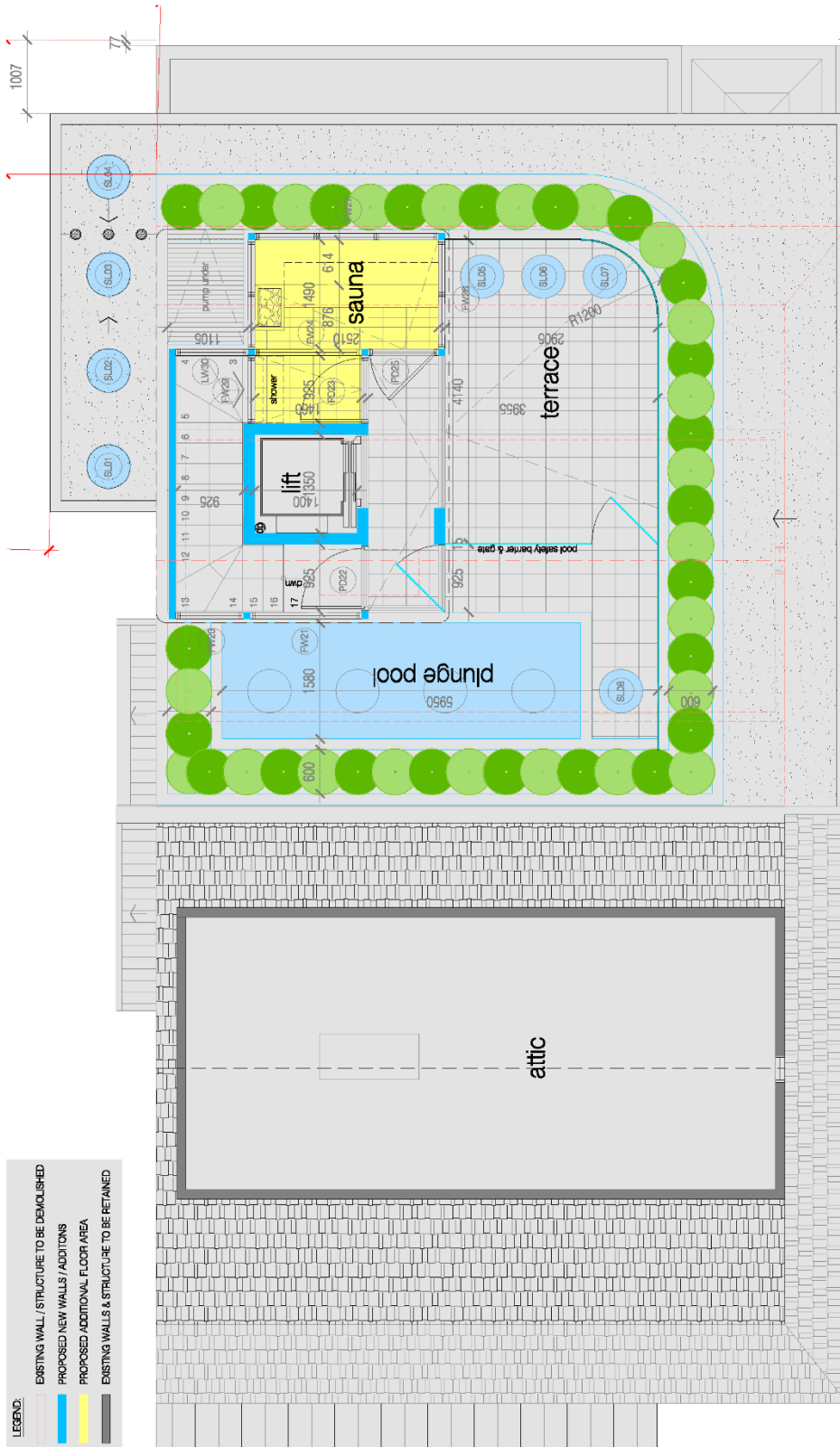
PROJECT:
ALTERATIONS & ADDITIONS
DRAWING:
DEMOLITION PLAN - EXISTING SECOND FLOOR PLAN

SCALE:
1:80 @ A3
DRAWN:
S.G
CHECKED:
S.G

ISSUE: B DA	
SHEET NO.: 1.19	DO NOT SCALE DRAWING

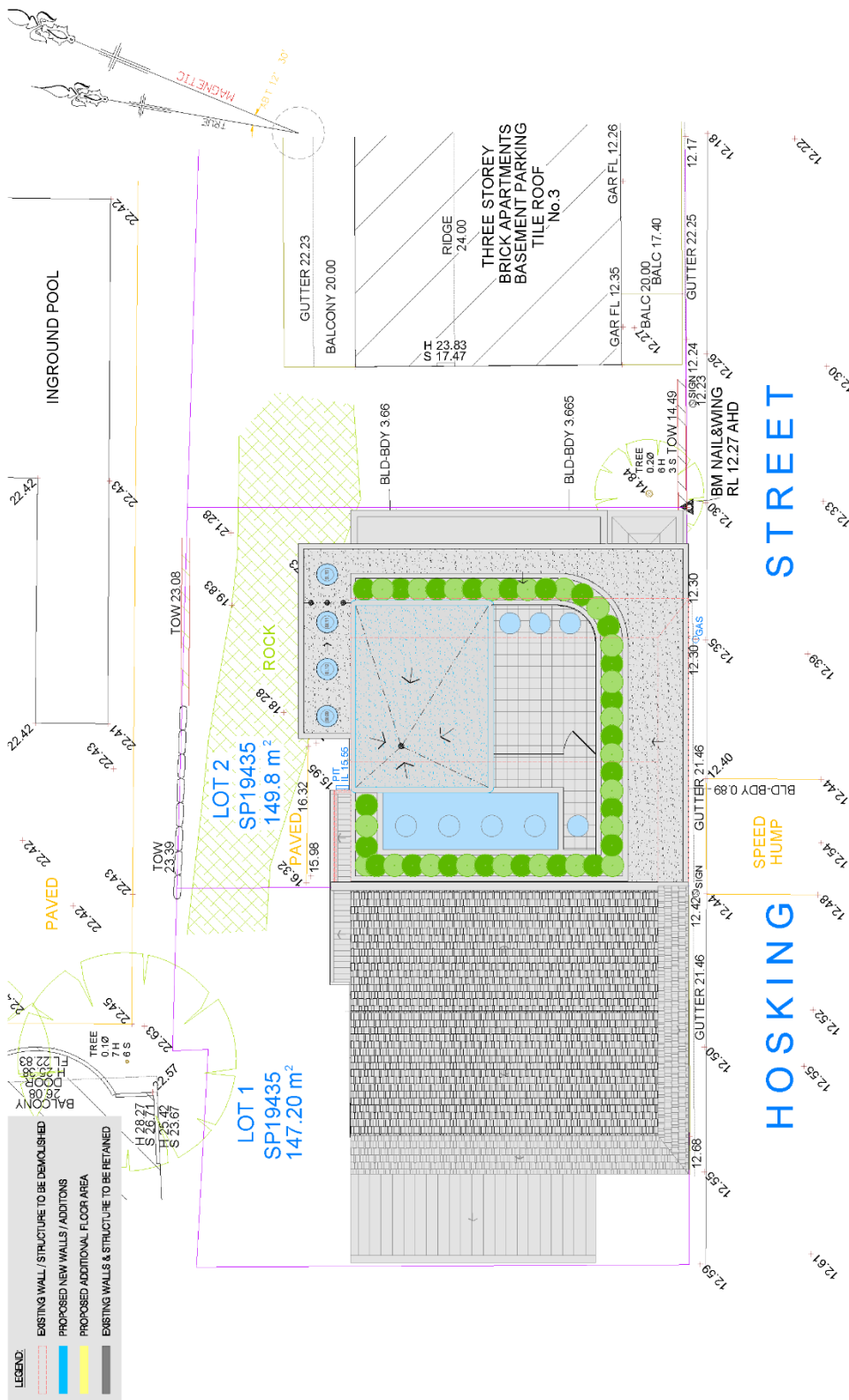
DEMOLITION PLAN - SECOND FLOOR PLAN

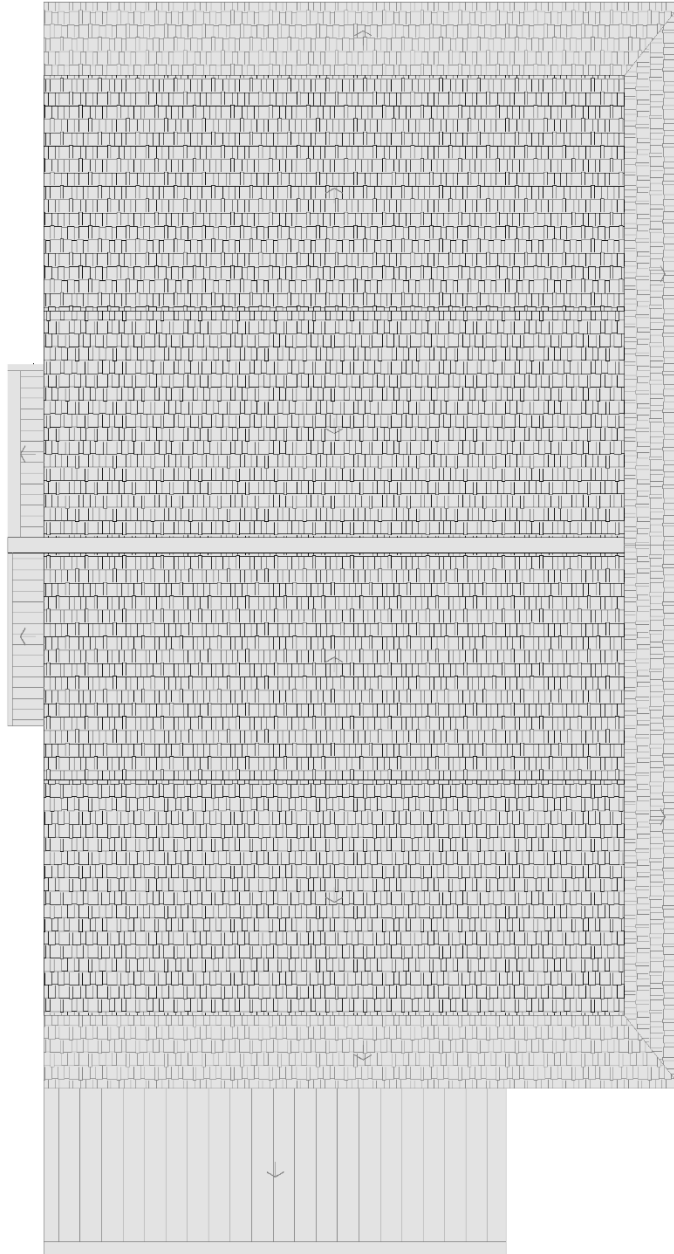
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A	DA ISSUE	10.02.2023	Development Design Pty Ltd	ALTERATIONS & ADDITIONS	150 @ A3	B	MR & MRS SILVA	PROPOSED SECOND FLOOR PLAN	DRAWN: S.G	DO NOT SCALE DRAWING	DA	SHEET NO:	
B	DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	15.09.2023	340a Riley Street Surry Hills NSW 2010 +61(0)2 8211 7800 info@developmentdesign.com.au www.developmentdesign.com.au	PROPOSED SECOND FLOOR PLAN	S.G	1.20							

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




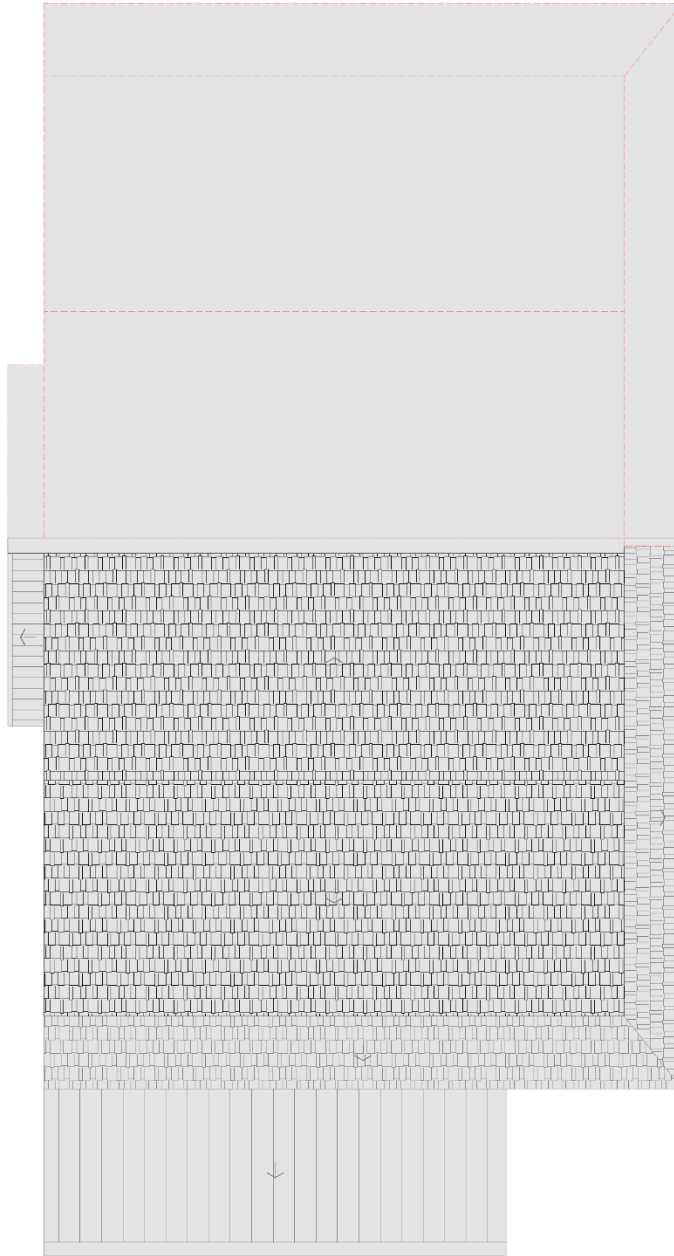


DA PLANS <small>NOT FOR CONSTRUCTION</small>		EXISTING ROOF FLOOR PLAN	
ISSUE: A B	AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	DATE: 10.02.2023 15.02.2023	PROJECT: ALTERATIONS & ADDITIONS DRAWING: EXISTING ROOF FLOOR PLAN
CLIENT: MR & MRS SILVA		SCALE: 1:80 @ A3	
ADDRESS: 340a Riley Street Surry Hills NSW 2010 No. 6 - 7 HOSKING STREET BALMAIN EAST LOT 1 & 2 S P 19435		ISSUE: B DA SHEET NO: 1.23	
Development Design Pty Ltd ACN 107 178 887		DRAWN: S.G CHECKED: S.G	
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LEGEND:

	EXISTING WALL / STRUCTURE TO BE DEMOLISHED
	PROPOSED NEW WALLS / ADDITIONS
	PROPOSED ADDITIONAL FLOOR AREA
	EXISTING WALLS & STRUCTURE TO BE RETAINED



DA PLANS
NOT FOR CONSTRUCTION

ISSUE: A B	AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	DATE: 10.05.2023 15.05.2023
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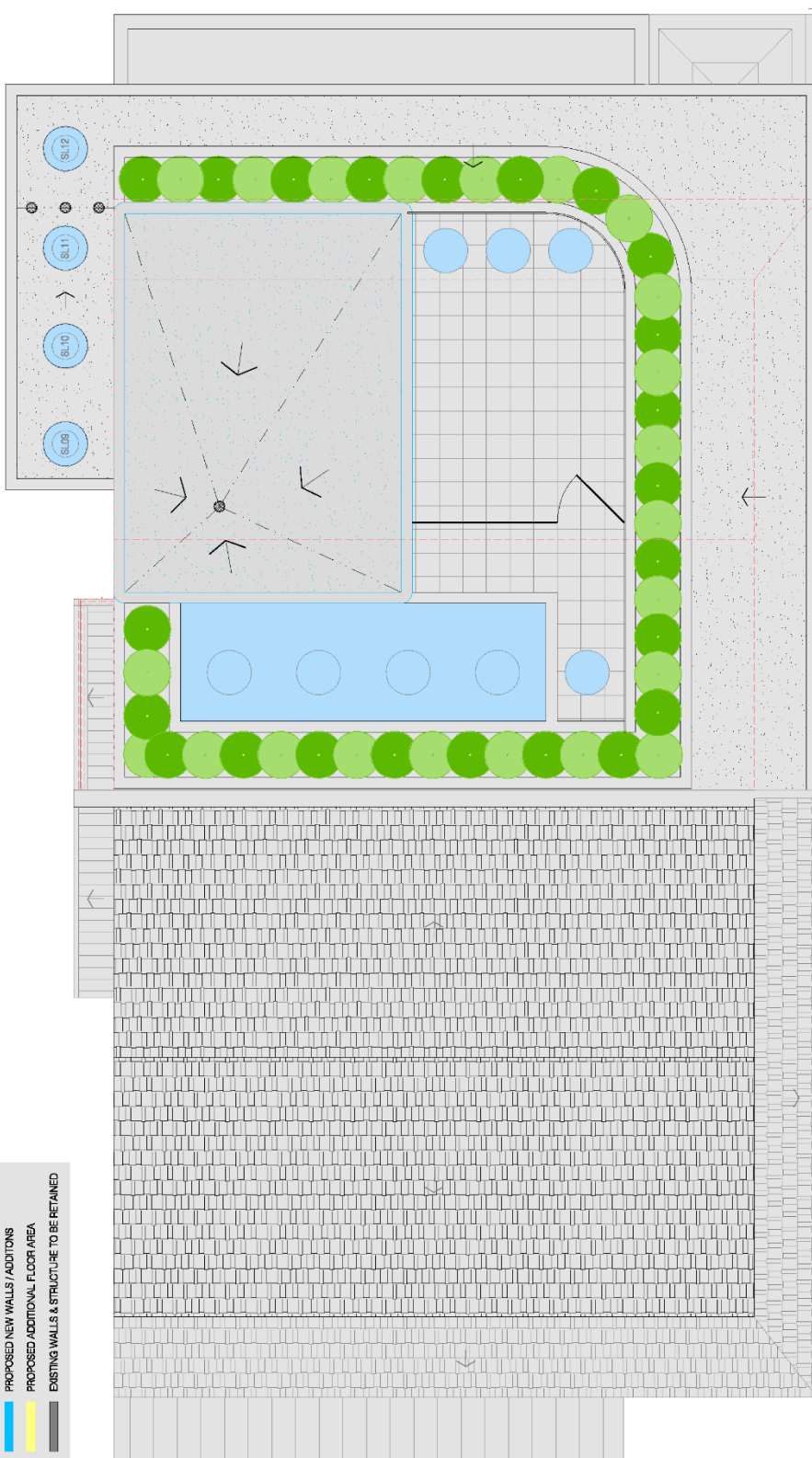
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ADDRESS: No. 6 - 7 HOSKING STREET BALMAIN EAST LOT 1 & 2 S.P. 19435	DRAWING: DEMOLITION PLAN - ROOF FLOOR PLAN	DRAWN: S.G	DA
Development Design Pty Ltd ACN 107 178 887 340a Riley Street Surry Hills NSW 2010 +61(0)2 8211 7880 info@developmentdesign.com.au www.developmentdesign.com.au	CHECKED: S.G	DO NOT SCALE DRAWING	SHEET No.: 1.24

DEMOLITION PLAN - ROOF FLOOR PLAN

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NOTE FOR CONSTRUCTION

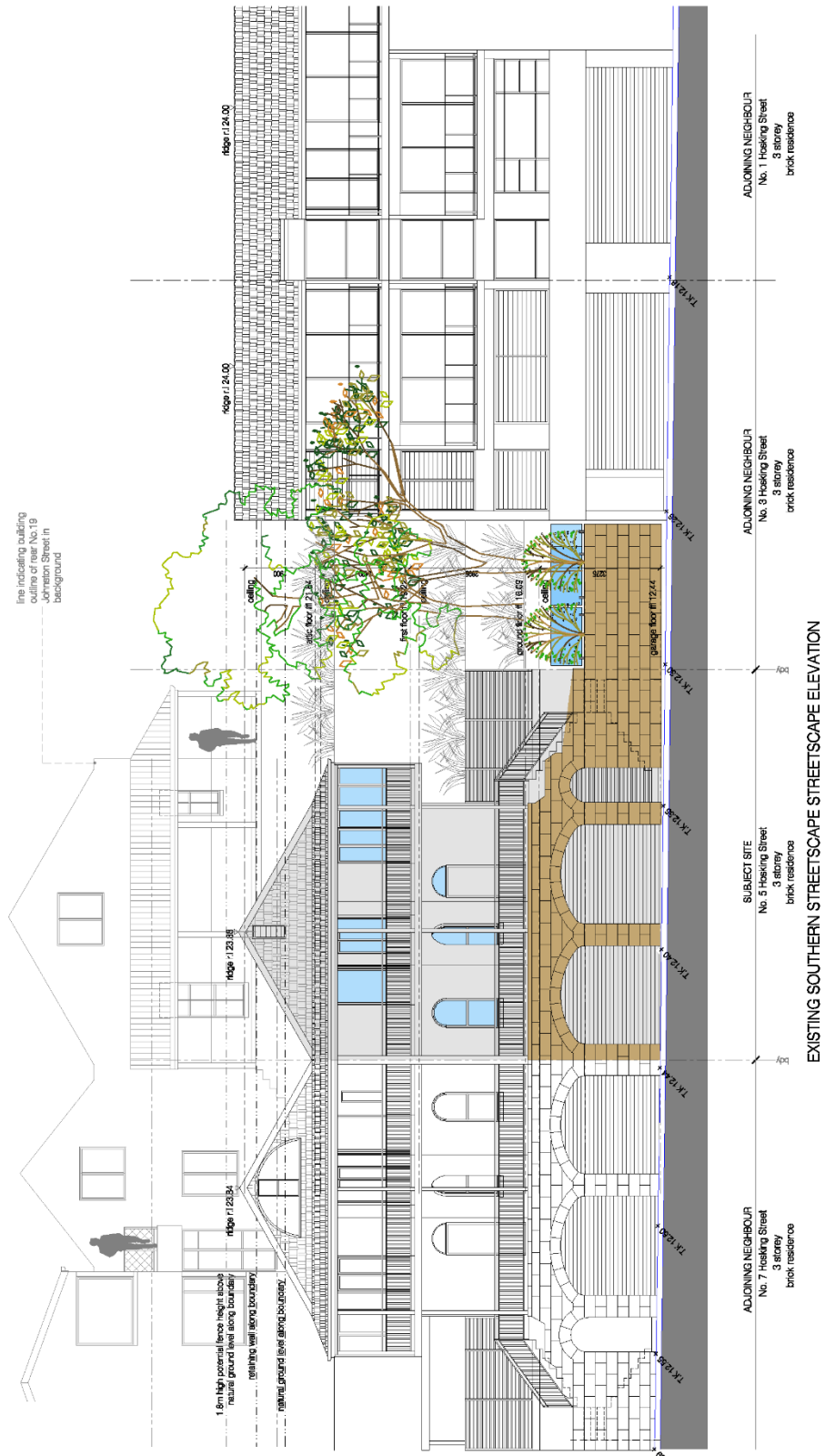
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	PROPOSED NEW WALLS / ADDITIONS
	PROPOSED ADDITIONAL FLOOR AREA
	EXISTING WALLS & STRUCTURE TO BE RETAINED



DA PLANS NOTE FOR CONSTRUCTION		AMENDMENTS:		DATE:		CLIENT:		PROJECT:		SCALE:		ISSUE:	
A		DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY		10.02.2023		MR & MRS SILVA		ALTERATIONS & ADDITIONS		1:50 @ A3		B	
B		DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY		15.02.2023		ACN 107 178 887		DRAWINGS: PROPOSED ROOF FLOOR PLAN		DRAWN: S.G		DA	
						340a Riley Street Surry Hills NSW 2010		CHECKED: S.G		DO NOT SCALE DRAWING		SHEET NO:	
						+61(02) 9211 7880 info@developmentdesign.com.au						1.25	
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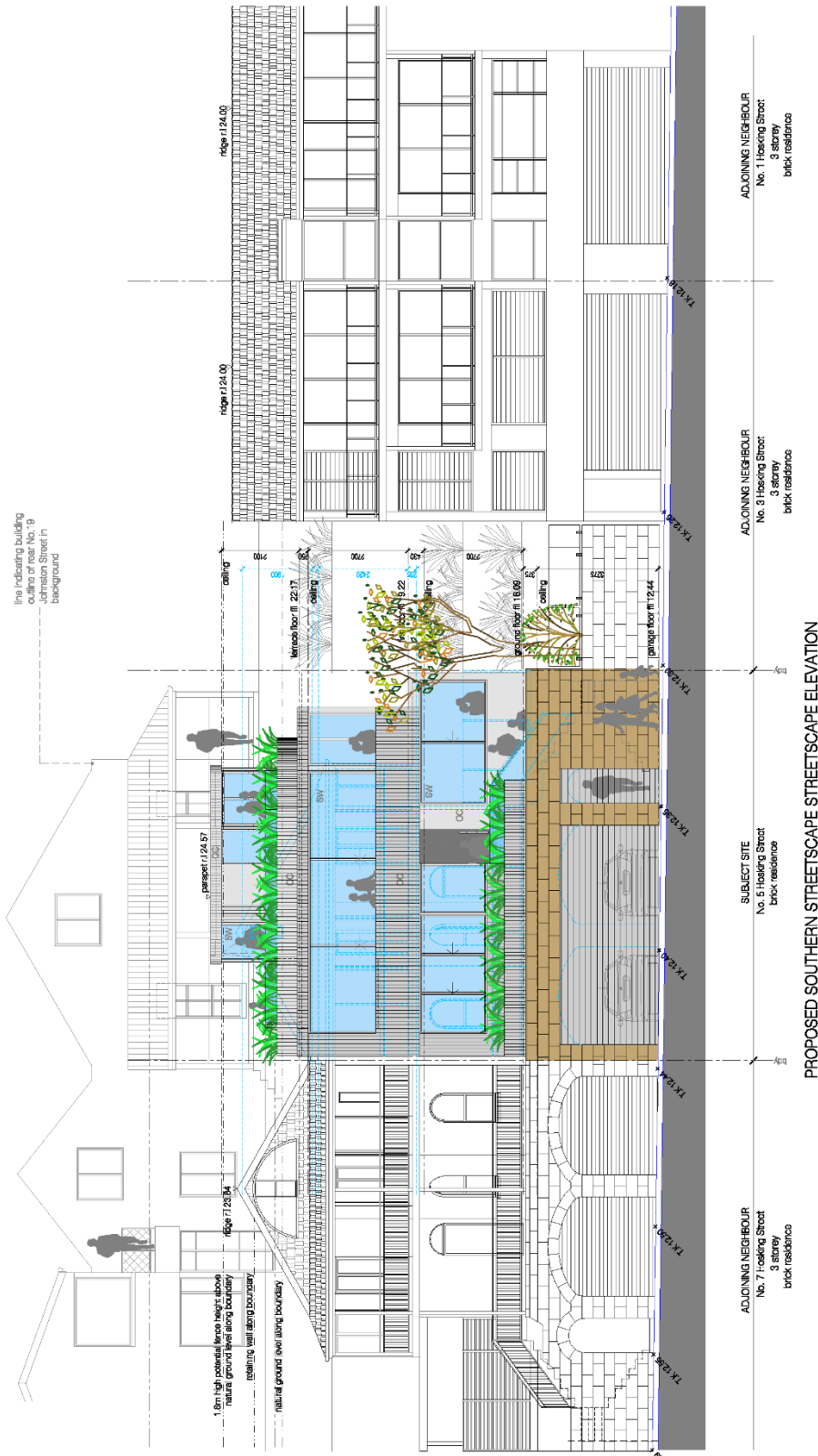
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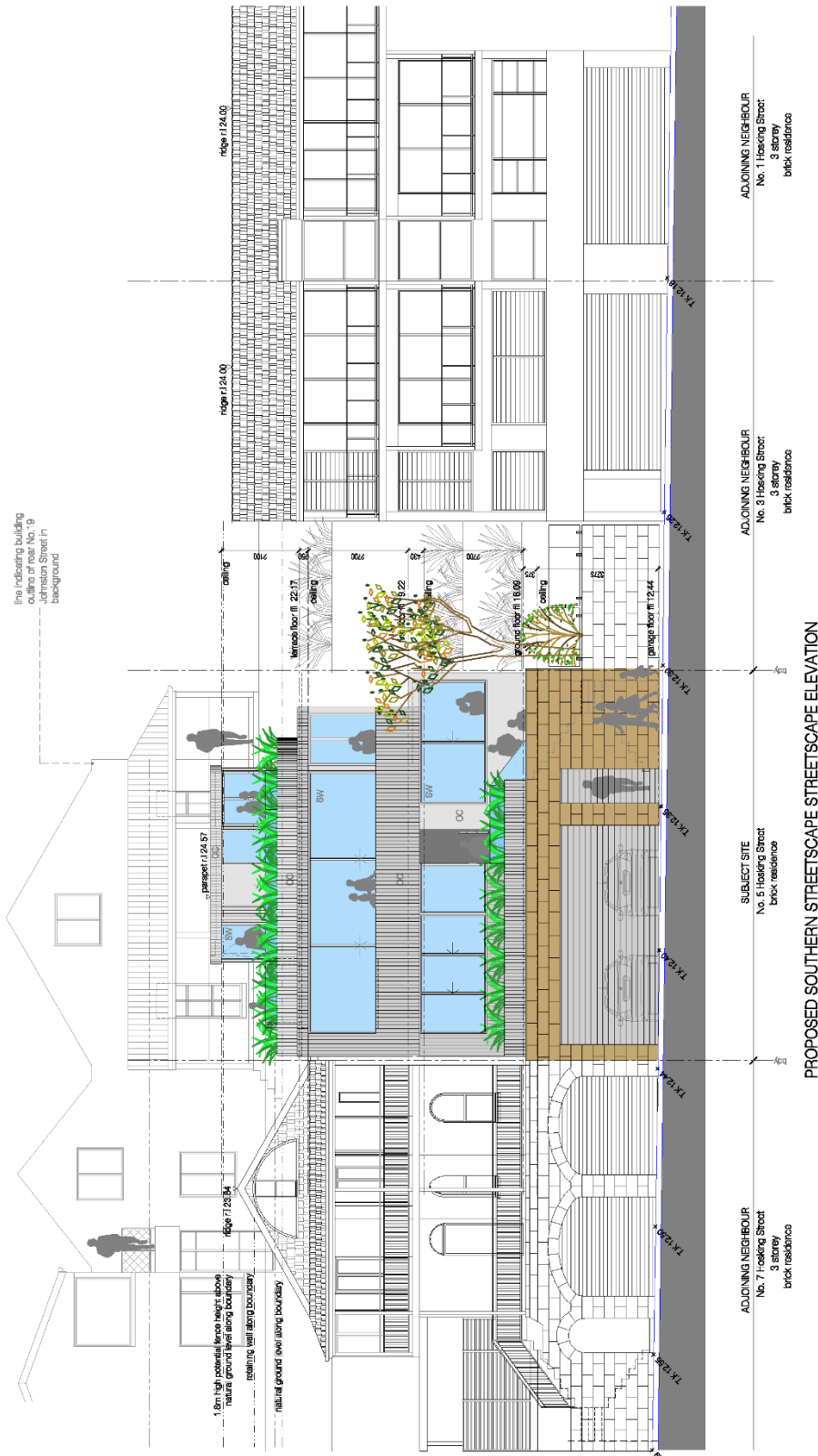
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B	DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	15.09.2023	ACN 107 176 887	EXISTING FRONT ELEVATION	S.G	DA							
				340a Riley Street Surry Hills NSW 2010		ADDRESS:		DRAWING:		CHECKED:		SHEET No.:	
				+61(02) 9211 7800 info@developmentdesign.com.au		BALMAIN EAST		S.G		S.G		2.01	
				www.developmentdesign.com.au		LOT 1 & 2 S P 19435							

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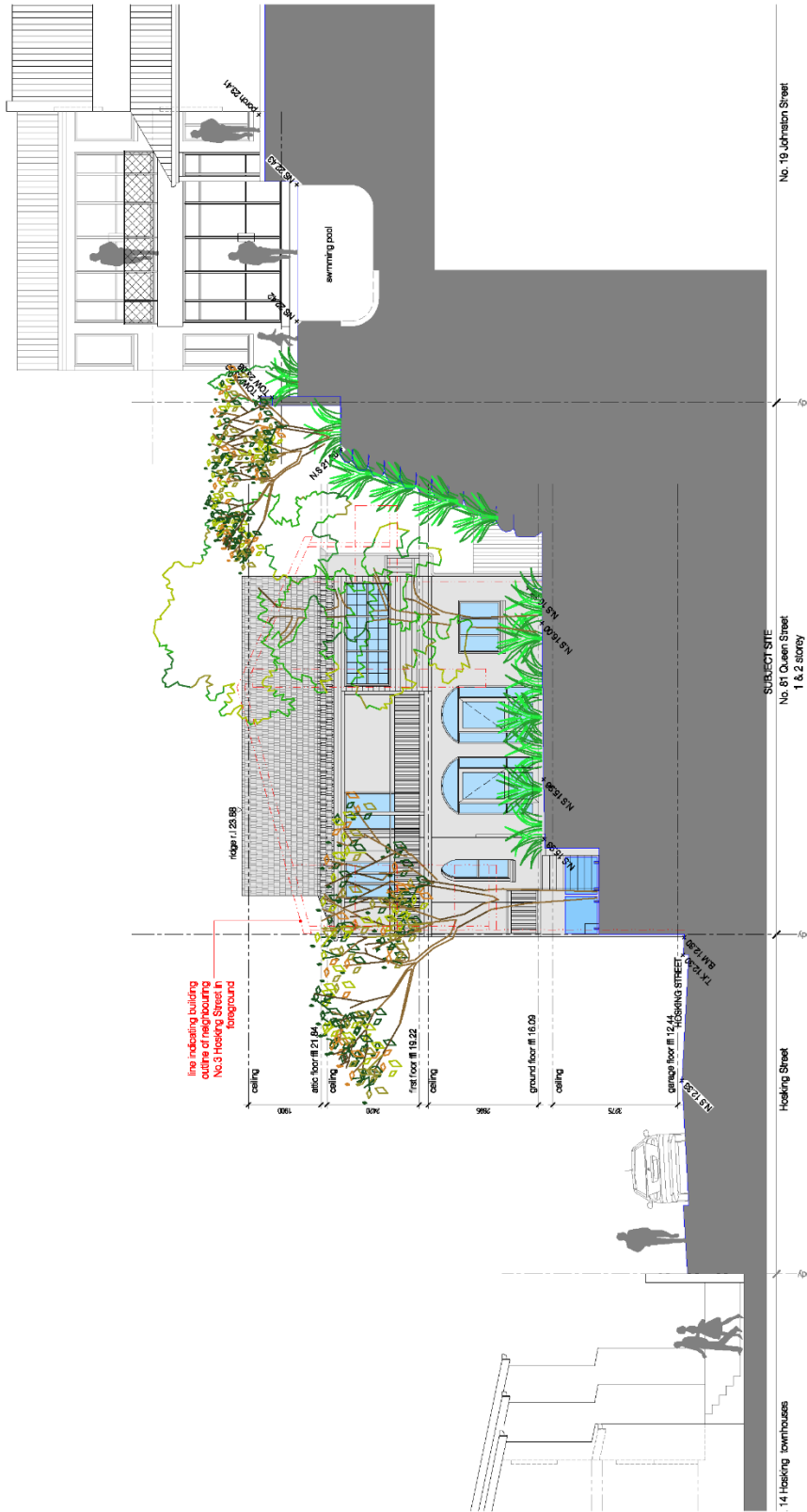
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ISSUE:	A	10.05.2023	15.05.2023	Development Design Pty Ltd		ALTERATIONS & ADDITIONS		1:100 @ A3		B	
AMENDMENTS:	DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY			ACN 107 176 887		DRAWING: PROPOSED FRONT ELEVATION		DRAWN: S.G		DA	
				340a Riley Street Surry Hills NSW 2010		DRAWING: PROPOSED FRONT ELEVATION		CHECKED: S.G		SHEET NO. 2.02	
				+61(02) 9211 7800 info@developmentdesign.com.au		DRAWING: PROPOSED FRONT ELEVATION		DO NOT SCALE DRAWING			
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DA PLANS NOT FOR CONSTRUCTION		PROPOSED FRONT ELEVATION	
ISSUE: A	AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	SCALE: 1:100 @ A3	ISSUE: B
B		DRAWN: S.G	DA
		CHECKED: S.G	DO NOT SCALE DRAWING
			SHEET NO: 2.03
PROJECT: ALTERATIONS & ADDITIONS		DRAWING: PROPOSED FRONT ELEVATION	
CLIENT: MR & MRS SILVA		ADDRESS: No. 5 - 7 HOSKING STREET BALLMAIN EAST LOT 1 & 2 S P. 19435	
DATE: 10.05.2023 15.05.2023		PROJECT: ALTERATIONS & ADDITIONS	
Development Design Pty Ltd ACN 107 178 887		DRAWING: PROPOSED FRONT ELEVATION	
340a Riley Street Surry Hills NSW 2010 +61(02) 9211 7800 info@developmentdesign.com.au www.developmentdesign.com.au		PROJECT: ALTERATIONS & ADDITIONS	
ADJOINING NEIGHBOUR No. 7 Hosking Street 3 storey brick residence		DRAWING: PROPOSED FRONT ELEVATION	
SUBJECT SITE No. 5 Hosking Street brick residence		PROJECT: ALTERATIONS & ADDITIONS	
ADJOINING NEIGHBOUR No. 3 Hosking Street 3 storey brick residence		DRAWING: PROPOSED FRONT ELEVATION	
ADJOINING NEIGHBOUR No. 1 Hosking Street 3 storey brick residence		PROJECT: ALTERATIONS & ADDITIONS	

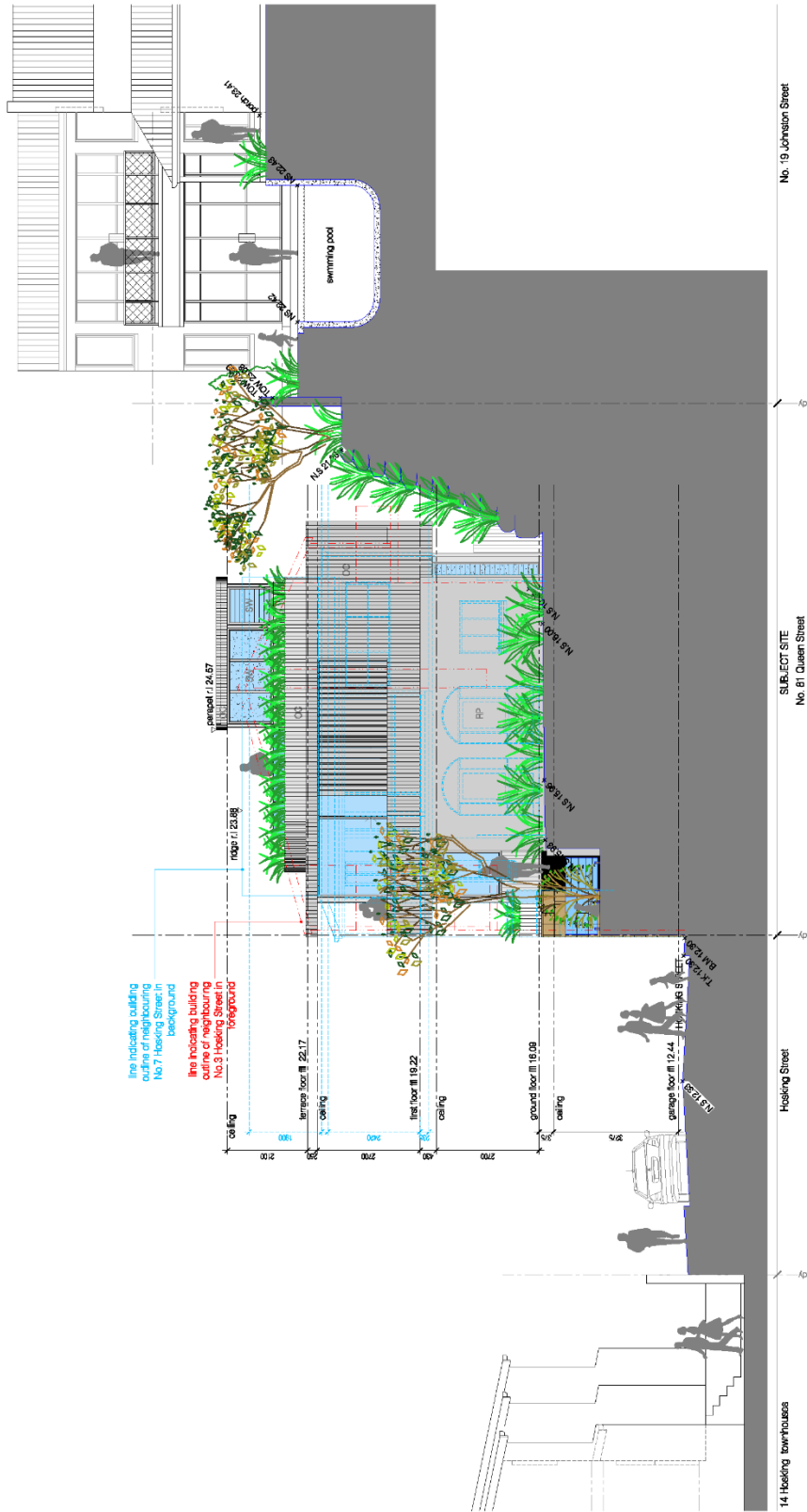
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EXISTING EASTERN SIDE ELEVATION

DA PLANS NOT FOR CONSTRUCTION		EXISTING SIDE ELEVATION	
ISSUE: A	AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	PROJECT: ALTERATIONS & ADDITIONS	SCALE: 1:100 @ A3
ISSUE: B	DATE: 10.05.2023 15.05.2023	CLIENT: MR & MRS SILVA	DRAWN: S.G
DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	Development Design Pty Ltd ACN 107 176 887	ADDRESS: No.5 - 7 HOSKING STREET BALMAIN EAST LOT 1 & 2 S P 19435	CHECKED: S.G
	340a Riley Street Surry Hills NSW 2010 +61(02) 9211 7800 info@developmentdesign.com.au www.developmentdesign.com.au	DRAWING: EXISTING SIDE ELEVATION	DO NOT SCALE DRAWING
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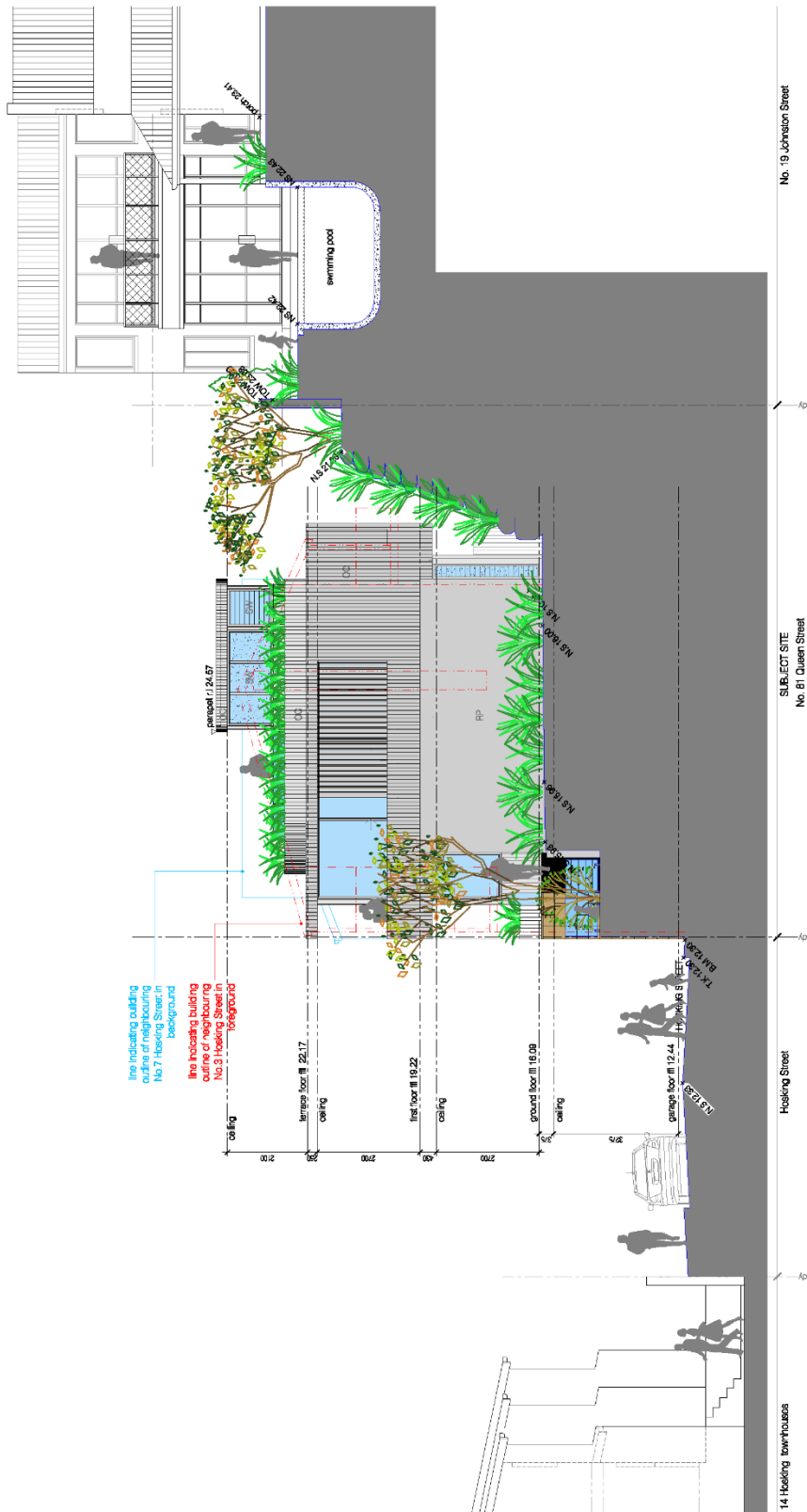
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PROPOSED EASTERN SIDE ELEVATION

DA PLANS NOT FOR CONSTRUCTION		AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY		DATE: 10.09.2023 15.09.2023		CLIENT: MR & MRS SILVA MR & MRS SILVA ACN 107 176 887		PROJECT: ALTERATIONS & ADDITIONS		SCALE: 1:100 @ A3		ISSUE: B	
ISSUE: A B		Development Design Pty Ltd 340a Riley Street Surry Hills NSW 2010 +61(02) 9211 7800 info@developmentdesign.com.au www.developmentdesign.com.au		ADDRESS: No. 6 - 7 HOSKING STREET BALMAIN EAST LOT 1 & 2 S.P. 19435		DRAWING: PROPOSED SIDE ELEVATION		DRAWN: S.G		CHECKED: S.G		SHEET NO.: DO NOT SCALE DRAWING 2.05	

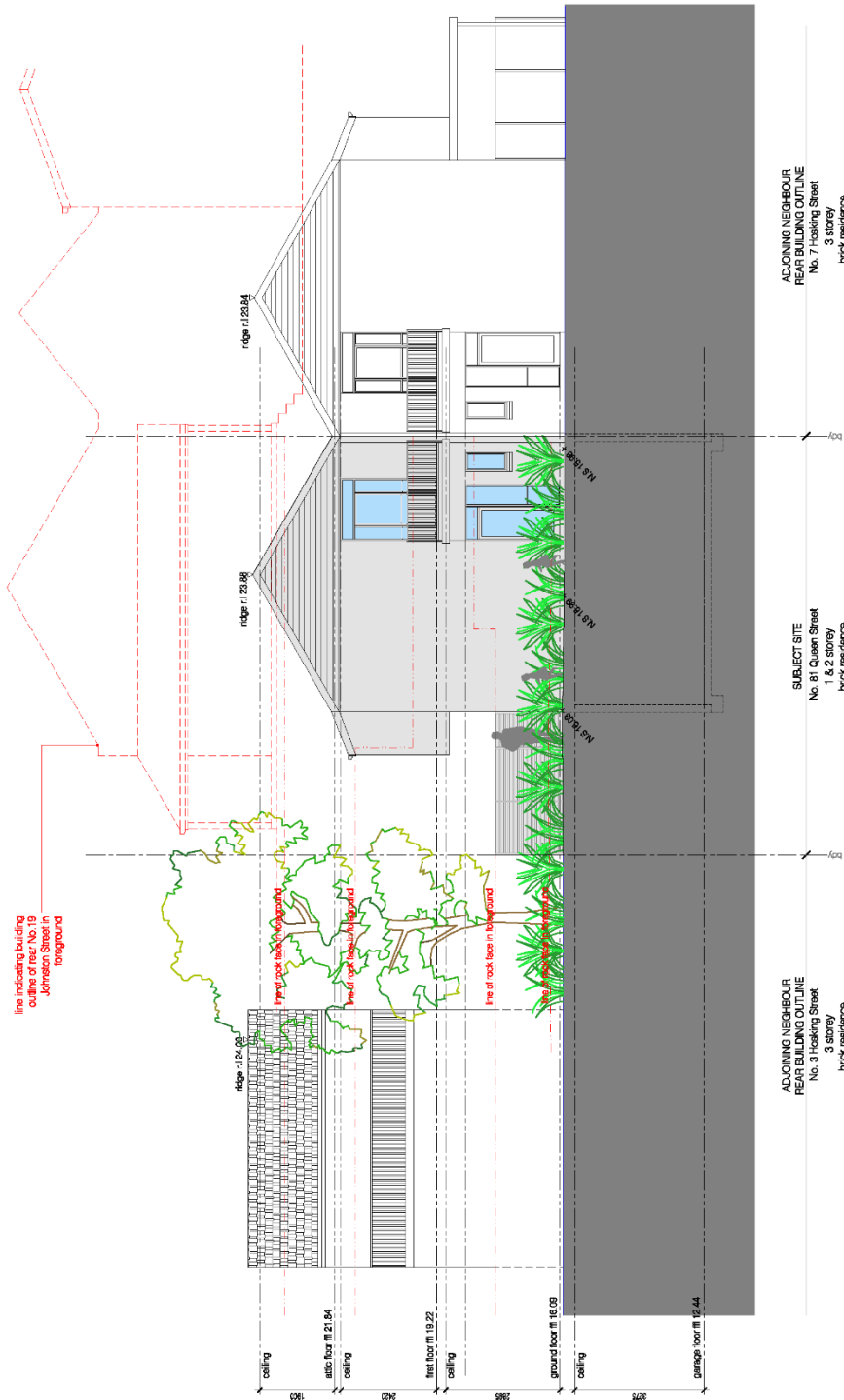
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PROPOSED EASTERN SIDE ELEVATION

DA PLANS <small>NOT FOR CONSTRUCTION</small>		PROPOSED SIDE ELEVATION	
ISSUE: A B	AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY DA ISSUE - ZOOM MEETING REQUESTS CONTEMPORARY	CLIENT: MR & MRS SILVA	PROJECT: ALTERATIONS & ADDITIONS
DATE: 10.05.2023 15.05.2023	DEVELOPMENT DESIGN PTY LTD ACN 107 176 887 340a Riley Street Surry Hills NSW 2010 +61(0)2 9211 7800 info@developmentdesign.com.au www.developmentdesign.com.au	ADDRESS: No. 5 - 7 HOSKING STREET BALMAIN EAST LOT 1 & 2 S P. 19435	SCALE: 1:100 @ A3 DRAWN: S.G CHECKED: S.G
		ISSUE: B DA SHEET NO.: DO NOT SCALE DRAWING 2.06	

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line indicating building outline of rear No. 19 Johnson Street in foreground

line of road keep in background

line of road keep in background

line of road keep in background

DA PLANS
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PROJECT: ALTERATIONS & ADDITIONS
DRAWINGS: EXISTING REAR ELEVATION

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ISSUE: B
DA
SHEET NO.: 2.07
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ADJOINING NEIGHBOUR REAR BUILDING OUTLINE
 No. 3 Hosking Street
 3 storey brick residence

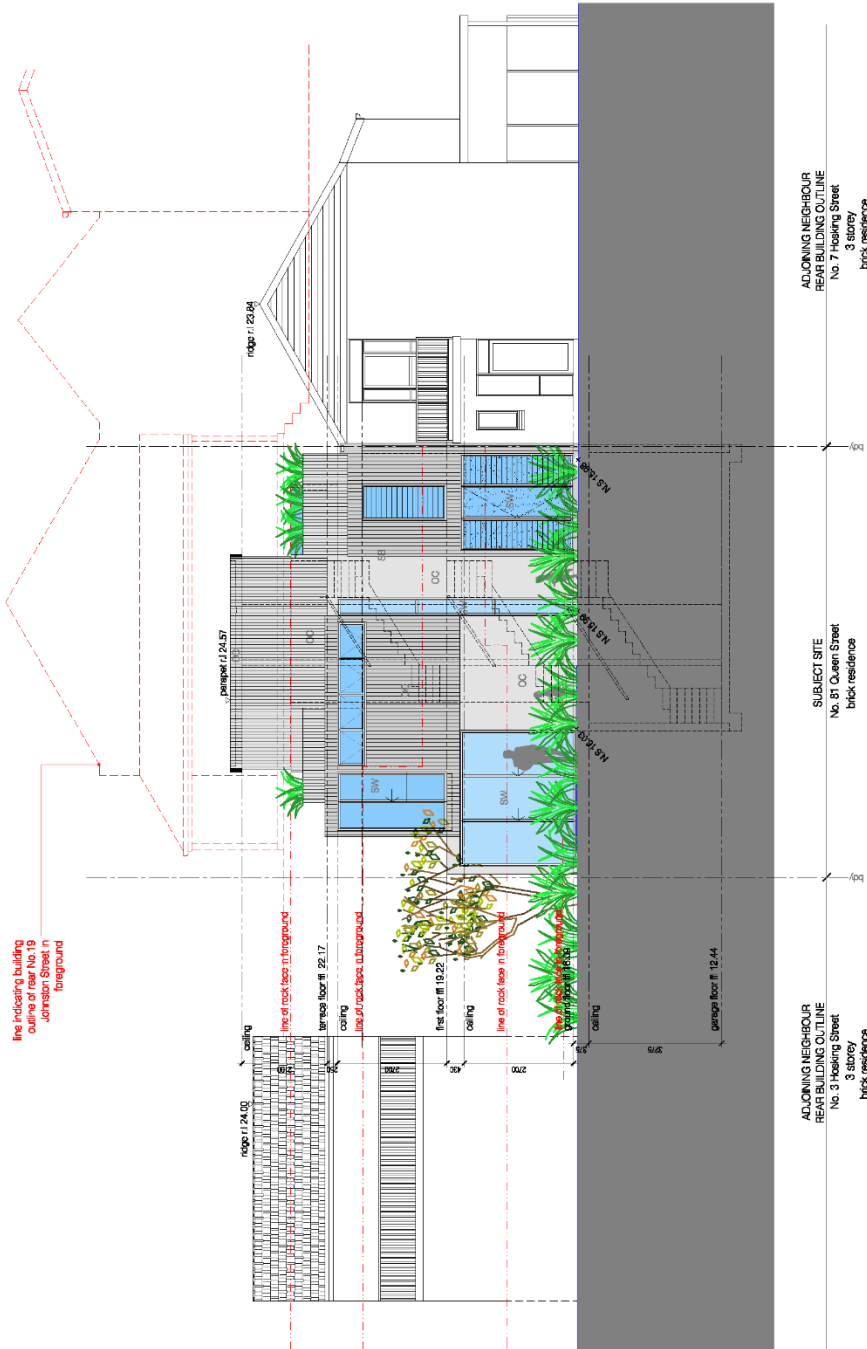
ADJOINING NEIGHBOUR REAR BUILDING OUTLINE
 No. 7 Hosking Street
 3 storey brick residence

SUBJECT SITE
 No. 61 Cluett Street
 7 & 2 storey brick residence

EXISTING NORTHERN REAR ELEVATION

EXISTING REAR ELEVATION

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PROPOSED NORTHERN REAR ELEVATION

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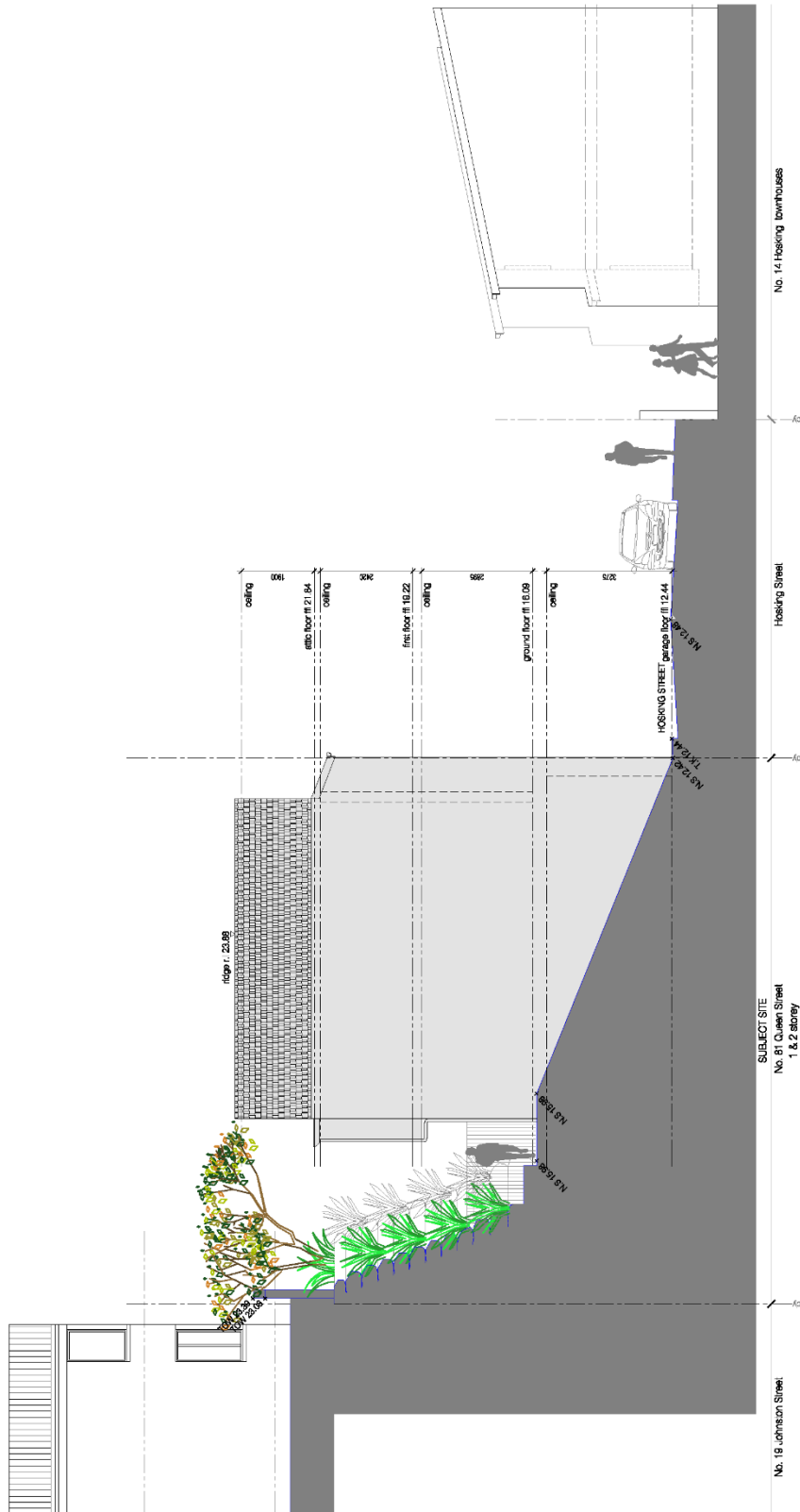
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ALTERATIONS & ADDITIONS
DRAWING:
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PROPOSED REAR ELEVATION

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EXISTING WESTERN SIDE ELEVATION

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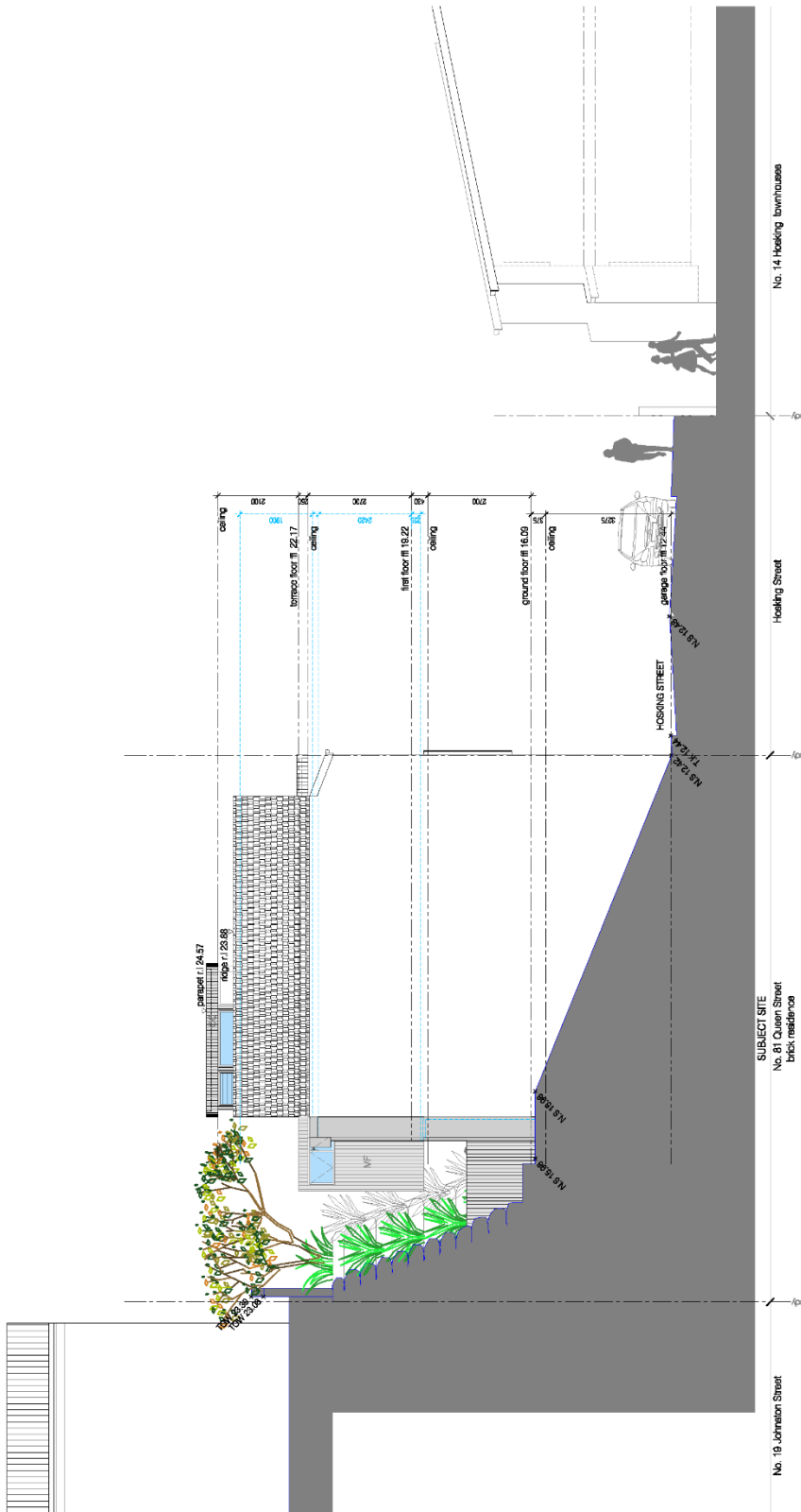
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PROJECT:	ALTERATIONS & ADDITIONS
DRAWING:	EXISTING SIDE ELEVATION

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PROPOSED WESTERN SIDE ELEVATION

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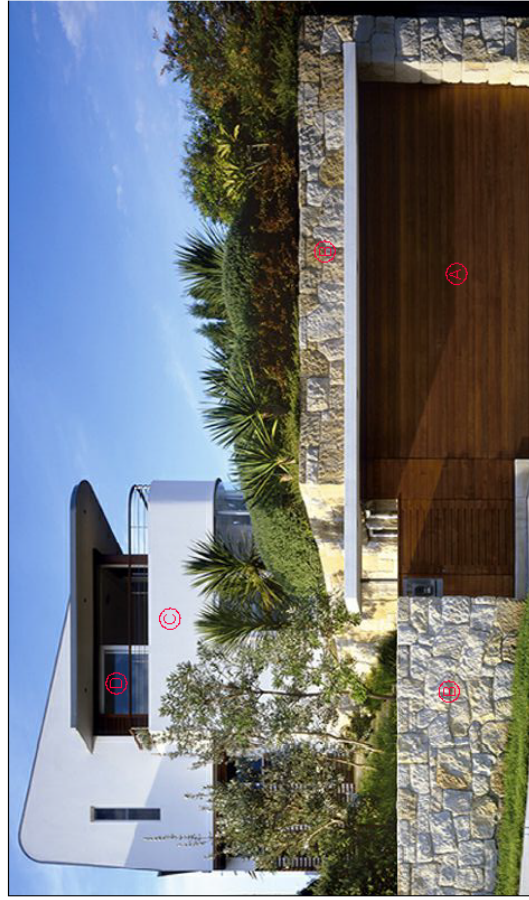
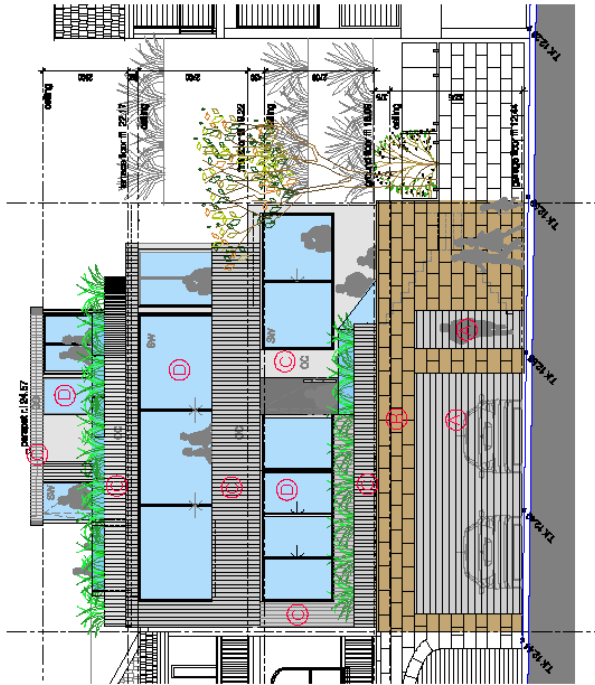
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ADDRESS: No. 6 - 7 HOSKING STREET BALMAIN EAST LOT 1 & 2 S P 19435	340a RILEY STREET SURRY HILLS NSW 2010 +61(0)2 9211 7800 info@developmentdesign.com.au www.developmentdesign.com.au

PROJECT: ALTERATIONS & ADDITIONS	DRAWING: PROPOSED SIDE ELEVATION
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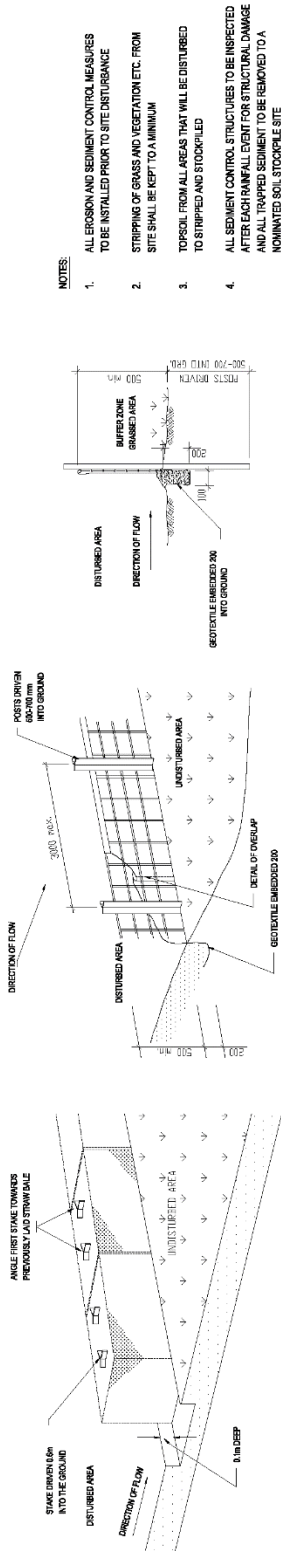


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ISSUE:	AMENDMENTS:	10.09.2023	19.09.2023	ALTERATIONS & ADDITIONS		1:150 @ A3		B	
A	DA ISSUE	19.09.2023		DRAWING:		DRAWN: S.G		DA	
B	DA ISSUE - ZOOM MEETING REQUESTS CONTINGENTARY			MATERIAL & COLOUR SCHEDULE OF FINISHES		CHECKED: S.G		SHEET NO:	
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				No.6 - 7 HOSKING STREET					
				BALLMANN EAST					
				LOT 1 & 2 S.P. 19495					

MATERIAL & COLOUR SCHEDULE OF FINISHES

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- NOTES:**
1. ALL EROSION AND SEDIMENT CONTROL MEASURES TO BE INSTALLED PRIOR TO SITE DISTURBANCE
 2. STRIPPING OF GRASS AND VEGETATION ETC. FROM SITE SHALL BE KEPT TO A MINIMUM
 3. TOPSOIL FROM ALL AREAS THAT WILL BE DISTURBED TO STRIPPED AND STOCKPILED
 4. ALL SEDIMENT CONTROL STRUCTURES TO BE INSPECTED AFTER EACH RAINFALL EVENT FOR STRUCTURAL DAMAGE AND ALL TRAPPED SEDIMENT TO BE REMOVED TO A NOMINATED SOIL STOCKPILE SITE

GEOTEXTILE EMBEDDED INTO GROUND

SILT FENCE SEDIMENT FILTER

STRAW BALE SEDIMENT FILTER

USE OF PREMISES BEING GENERATED	PROPOSED ON SITE STORAGE AND TREATMENT FACILITIES	DESTINATION
plastic bottles	(on site composting, waste storage & recycling) stored in council mobil bin awaiting collection.	recycled fortnightly
food scraps	designated area for composting on site.	compost on site
green waste	designated area for composting on site.	compost on site
paper cardboard	stored in council mobil bin awaiting collection.	recycle weekly
general waste	stored in mobil covered bin awaiting collection.	recycled fortnightly
other waste	stored on site awaiting for quarterly council street collection.	quarterly collection

CONSTRUCTION STAGE		REUSE & RECYCLING	DISPOSAL
excavated material	5	reused as fill under contractor, landfill destination where appropriate	access to mineral landfill where necessary
green waste	1.0	mulched for garden	-
brick material	1.5	cleaned and used on site again	access to Eco Cycle Materials 153-157 Newcorn Rd Wetherill Park
concrete material	5	rubble used as fill under slab	access to Eco Cycle Materials 153-157 Newcorn Rd Wetherill Park
timber material	1.5	white ant damaged as used as landfill	access to Eco Cycle Materials 153-157 Newcorn Rd Wetherill Park
metal material	0.1	metal scrap sent to supplier of material	-
carpet material	-	-	-
plasterboard material	0.2	to CSR	CSR Products Pty Ltd, 11 Ebbetts Lower Price Hill Rd

DEMOLITION STAGE		REUSE & RECYCLING	DISPOSAL	DATE
excavated material	5	fill spread over site	access to mineral landfill where necessary	10.09.2023 19.09.2023
green waste	1.0	mulched for garden	-	-
brick material	1.5	cleaned and used on site again	access to Eco Cycle Materials 153-157 Newcorn Rd Wetherill Park	-
concrete material	5	-	access to Eco Cycle Materials 153-157 Newcorn Rd Wetherill Park	-
timber material	1.5	white ant damaged as used as landfill	access to Eco Cycle Materials 153-157 Newcorn Rd Wetherill Park	-
metal material	0.1	compacted and sent to recycle concrete yard	-	-
carpet material	-	-	-	-
plasterboard material	-	-	-	-

WASTE MANAGEMENT PLAN

DA PLANS NOT FOR CONSTRUCTION		AMENDMENTS:		DATE:	
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		ADDRESS:		340a Riley Street Surry Hills NSW 2010	
		PROJECT:		ALTERNATIONS & ADDITIONS	
		DRAWINGS:		EROSION CONTROL & WASTE MANAGEMENT DETAILS	
		CHECKED:		S.G	
		DRAWN:		S.G	
		SCALE:		-	
		ISSUE:		B	
		SHEET NO.:		DA	
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		3.01		S.G	

SEDIMENTATION, EROSION CONTROL & WASTE MANAGEMENT DETAILS

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NUMBER	HEIGHT	WIDTH	TYPE	HEAD HEIGHT	STYLE	ORIENTATION	FRAME & GLASS TYPE	NUMBER	HEIGHT	WIDTH	TYPE	HEAD HEIGHT	STYLE	ORIENTATION	FRAME & GLASS TYPE
SW01	1810	3240	clear	2820	stack slider	south	refer to basic certificate	AW17	700	3560	clear	2700	awning	north	refer to basic certificate
FW02	1810	2520	clear	2820	fixed	south east	refer to basic certificate	AW18	700	1300	clear	2700	awning	west	refer to basic certificate
PD03	2820	925	solid	2820	pivot	south	refer to basic certificate	LW19	2700	830	clear/t	2700	louvered	north	refer to basic certificate
SW04	1810	3360	clear	2820	stack slider	south	refer to basic certificate	FW20	1200	925	clear/t	2100	fixed	west	refer to basic certificate
								FW21	1200	1520	clear/t	2100	fixed	west	refer to basic certificate
SW07	2820	3360	clear/t	2820	stack slider	north	refer to basic certificate	PD22	2100	925	clear/t	2100	fixed	south	refer to basic certificate
FW08	5830	440	clear/t	5830	fixed	north	refer to basic certificate	PD23	2100	925	obsclt	2100	pivot	south	refer to basic certificate
FW09	2820	390	clear/t	2820	fixed	east	refer to basic certificate	#FW24	2100	1460	clear/t	2100	fixed	east	refer to basic certificate
LW10	2820	800	clear/t	2820	louvered	north	refer to basic certificate	PD25	2100	960	obsclt	2100	pivot	west	refer to basic certificate
PD11	2820	770	clear/t	2820	pivot	north	refer to basic certificate	FW26	1200	1490	clear/t	2100	fixed	south	refer to basic certificate
LW12	2820	770	clear/t	2820	louvered	north	refer to basic certificate	FW27	1200	2510	clear/t	2100	fixed	east	refer to basic certificate
SS13	2700	7110	clear/t	2700	stack slider	south	refer to basic certificate	#FW29	1200	925	clear/t	2100	fixed	north	refer to basic certificate
SS14	2700	6250	clear/t	2700	stack slider	east	refer to basic certificate	LW30	1200	925	clear	2100	louvered	east	refer to basic certificate
SS15	2700	1430	clear/t	2700	stack slider	south	refer to basic certificate								
SS16	2700	2360	clear/t	2700	stack slider	north	refer to basic certificate								

WINDOW SCHEDULE

NUMBER	RADIUS	TYPE	STYLE	FRAME & GLASS TYPE
SS01 - SS08	300	clear/t	skylight	refer to basic certificate

SKYLIGHT SCHEDULE

note:
 - obsclt : denotes obscure toughened glass window
 - clear/t : denotes clear toughened glass window
 - clear/fri : denotes fire rated fixed glass to achieve min. FRL60/60/60
 - # : denotes internal window
 - window & door schedule are to be read in conjunction with Architectural and other Consultants drawings, specifications including commitments as specified in the Basic Certificate and/or Natthers Certification & other written instructions.

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ISSUE: A	AMENDMENTS: DA ISSUE - ZOOM MEETING REQUESTS CONTINGENT	DATE: 10.02.2023 19.09.2023	CLIENT: MR & MRS SILVA	PROJECT: ALTERATIONS & ADDITIONS	SCALE: -	ISSUE: B
B			ADDRESS: No.6 - 7 HOSKING STREET BALLMAIN EAST LOT 1 & 2 S.P. 19435	DRAWINGS: WINDOW SCHEDULE & GENERAL NOTES	DRAWN: S.G	DA
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WINDOW SCHEDULE & GENERAL NOTES

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Attachment C - Statement of Heritage Significance

heritagesolutions

Bruce Lay

02 9516 1711
0410 403 032
lay.heritage@gmail.com

Architect

Planner

Heritage Consultant

210 Wilson Street
Newtown NSW 2042

HERITAGE IMPACT STATEMENT

No 5 Hosking Street East Balmain – proposed renovations to a two-storey semi built in a pair with No 7, circa 1990. The property is located in the Balmain Peninsula Heritage Conservation Area, and adjoins a Heritage Item, No 19 Johnston Street.



Northern side of Hosking Street from the corner of Johnston Street showing a line of modern houses. From the right are a 3 storied pair over parking, Nos 1/3, then the adjoining pairs Nos 5/7, two storied over parking, circa 1990.

Client: Antonella & Roberto Da Silva
Planning/Design: Design Development – Simon Georges

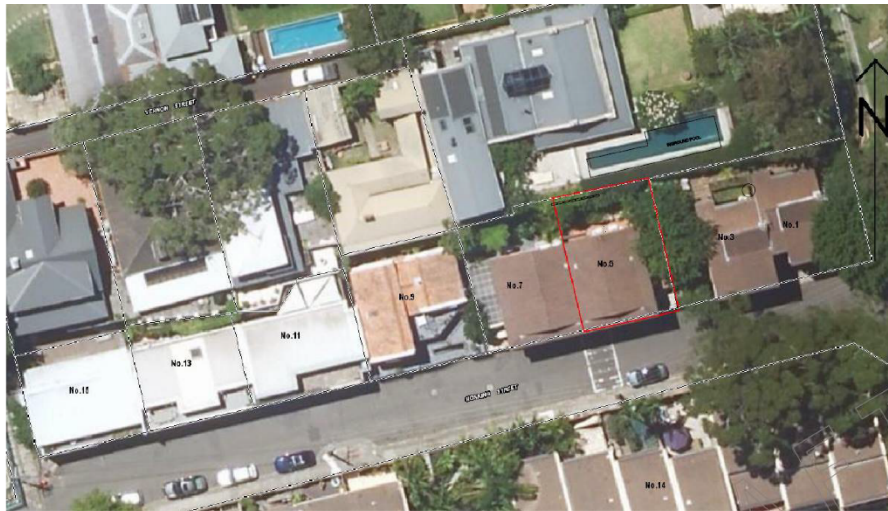
STRUCTURE OF THIS REPORT

Introduction
History of the Place
Fabric Assessment
Significance
Heritage Issues
The Proposal
Evaluation in terms of the Heritage Controls
Conclusions
Appendix A - Photo File
Appendix B – Sources

heritagesolutions

HIS: 5 Hosking Street East Balmain - 1 -

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Google Aerial- Hosking Street to the bottom

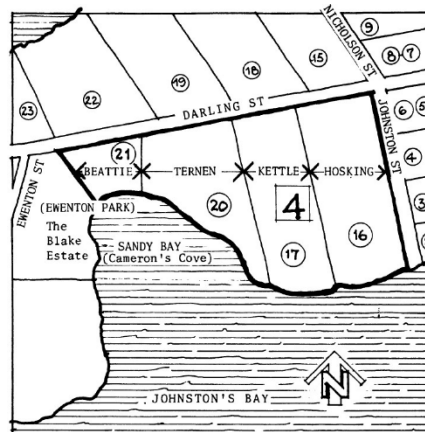
1.0 INTRODUCTION

While East Balmain is the earliest developed part of Balmain, much of the foreshores were industrialised and these former sites redeveloped for housing in recent times. Hence Hosking Street is now predominantly modern housing but with older housing above it dating from 1830 hence with high historical and heritage value. This pair were built circa 1990 and are now somewhat dated in terms of function and style. The owners of this house seek a substantial upgrade. This document examines the history and heritage values to inform on the renewal.

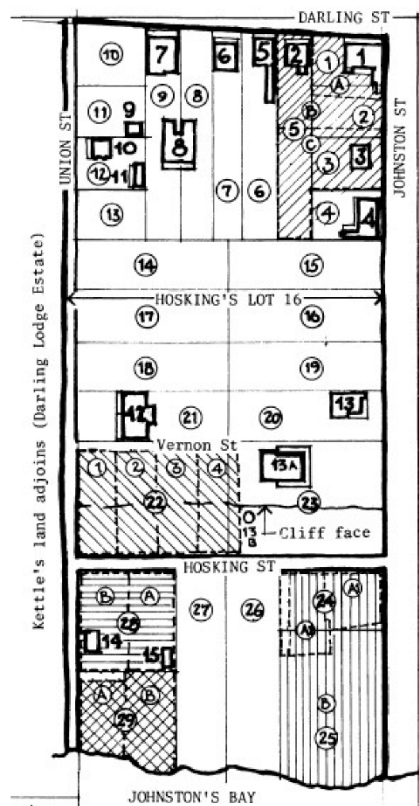
2.0 THE HISTORY OF THE PLACE

The Leichhardt Historical Journal No 14 provides the development history of this part of East Balmain between Johnston Street and Cameron’s Cove. Dr Peter Reynolds was the principal historian.

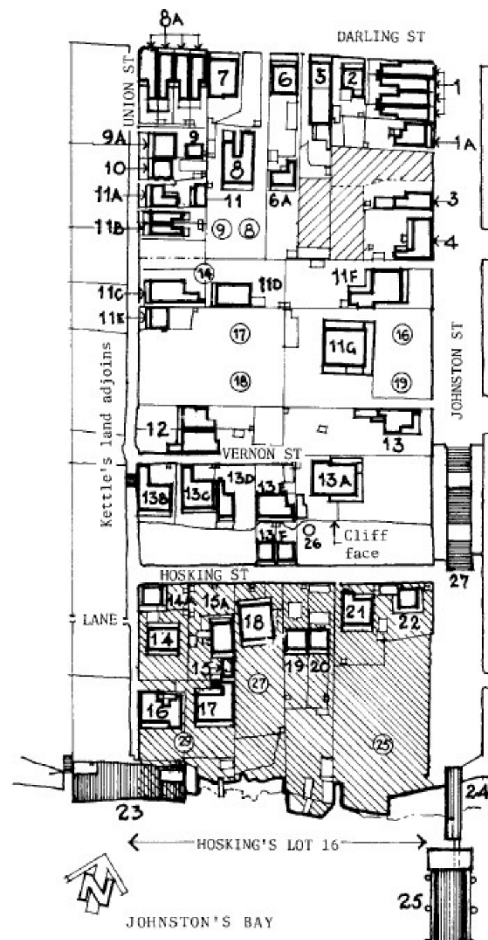
The Balmain grant to Dr William Balmain of 1800 was quickly on sold to John Gilchrist in 1801. In 1836 through Gilchrist’s agent Frederick Parbury auctioned 22 large lots along Darling Street – known as the original Balmain lots 1- 22. John Hosking Jun. purchased Lot 16 including the subject land. He was a wealthy landowner who speculated in urban and rural land. In 1842 he was the first Mayor of Sydney. He sold the land undeveloped in 1842, just prior to an economic collapse.



Lot 16 was purchased by John Hosking Junior in 1836 and on sold as raw land n 1842.



In 1841 Hosking's land was subdivided and cottage development started. No 13a is Pembroke Villa with the subject land below the cliff line to Hosking Street.



Development by 1890

There was mainly cottage development on the lower slopes with some grander houses above and terraces closer to Darling Street. There was gradual industrialisation of the waterfront, hence the wharfage and jetties.

East Balmain contains a composite of individual buildings of the Colonial/Georgian period, rare and important. The first houses were mainly built for city professionals and the Colonial elite within easy reach by boat to the city. They occur around the Harbour foreshores as individual statements of pride and status remote from the grime and bustle of the young city. By the 1880's the larger estates were being subdivided for mainly terraced development. The waterfronts were more valuable for waterfront industry and wharfage giving the proximity to the city. The smaller houses were mainly built by their owners or for rental to the locally employed. In modern times the waterfront industrial land has become open space with residential behind, with the earlier housing remaining up slope. This is the story here with the modern houses along Hosking Street with a cliff

behind. No 13A is a sandstone house called *'Pembroke Villa'* circa 1840. The adjoining house No 13 was *'Canterbury Villa'* demolished for townhouses in the 1980's. Some of the original houses remain, some weatherboard, most were redeveloped later in the century with densification with terraced housing. The surviving early houses are now mainly Heritage Items.

PEMBROKE VILLA: 1848-52

Built by Robert Taylor, who lived next door in Canterbury Cottage, the stone house seems to have been built in two stages. The portion at the rear was probably built first. It was called Pembroke Villa in the 1880s but the name is used throughout this article for convenience. After serving as a rooming house in recent years, Pembroke Villa (19 Johnston St) has been expertly renovated.



3.0 FABRIC ASSESSMENT

Appendix A – contains a Photo File of the existing building and context.
This document records the existing fabric for archival purposes.

The exterior

This pair of houses was built circa 1990 by the architect David Ray. Their mix of materials sandstone and a faux sandstock red brick with timber details and joinery and hipped roof sought to emulate their nineteenth century context. In this sense are compatible with the HCA. The adjoining modern houses are not so referential, but they make a contemporary statement while respecting the scale and street edge characteristics. This is generally the preferred approach in Burra Charter terms. Retaining a heavy lower storey such as with stone with an open veranda/balcony above with visually lighter fenestration behind is a compatible approach to the street. While the existing hipped roof is compatible it also has low visibility within the street and the form will have limited visibility in distant views such as from the Harbour. The pair is broadly symmetrical as traditional buildings often are; but also are not. This gives scope for change to serve the needs and achieve an inventive new building. The adjoining pair Nos 1/3 are much more assertive in both projecting over the street and being highly glazed. A more recessive approach is preferable.

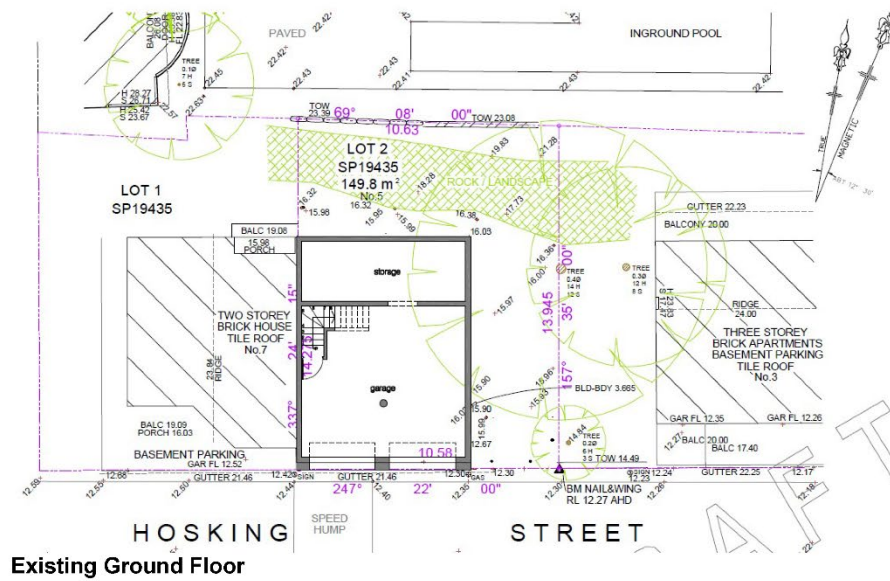
The interior

The interiors reflect the norms of modern house circa 1990 with quite small spaces, and one bathroom. They are not notable in terms of conservation and there is evident potential for a more generous response to the stunning aspect.

4.0
THE PROPOSAL



View south west from the corner of Johnston Street showing 1/3 Hosking, then Nos 5/7, with No 7 showing the proposed renovation.

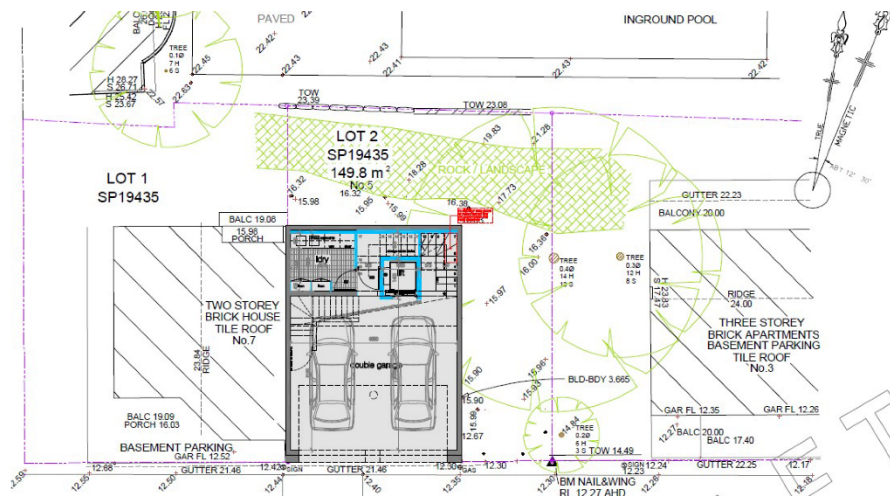


Existing Ground Floor

heritatesolutions

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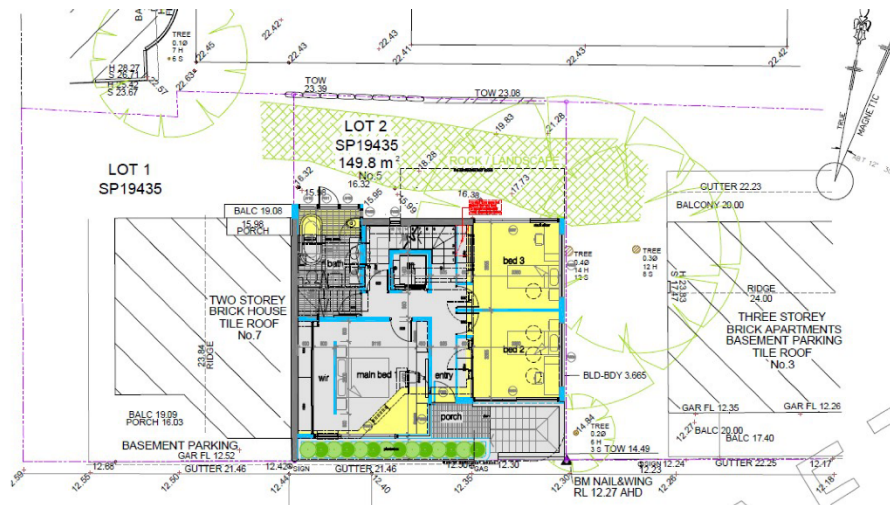


Proposed Ground Floor

The back storage space is converted to the laundry a life and new stair. The existing stair is to be demolished. The pair of garage doors is to become, one.

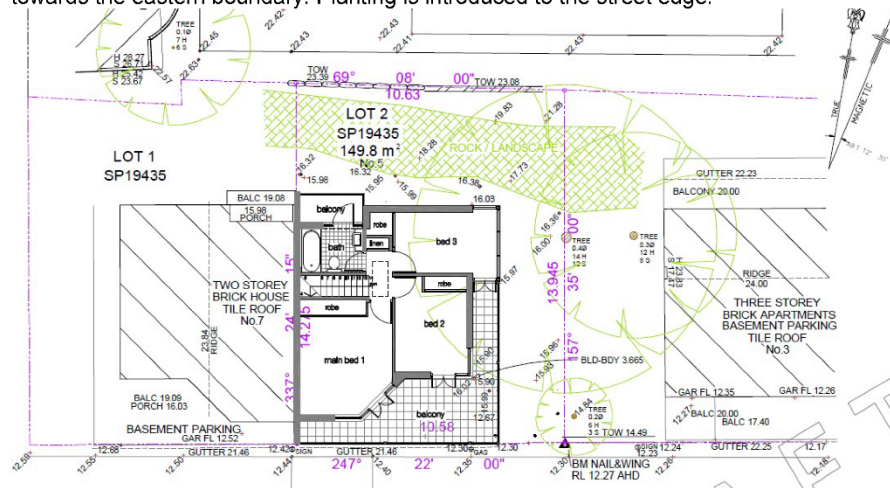


Existing First Floor

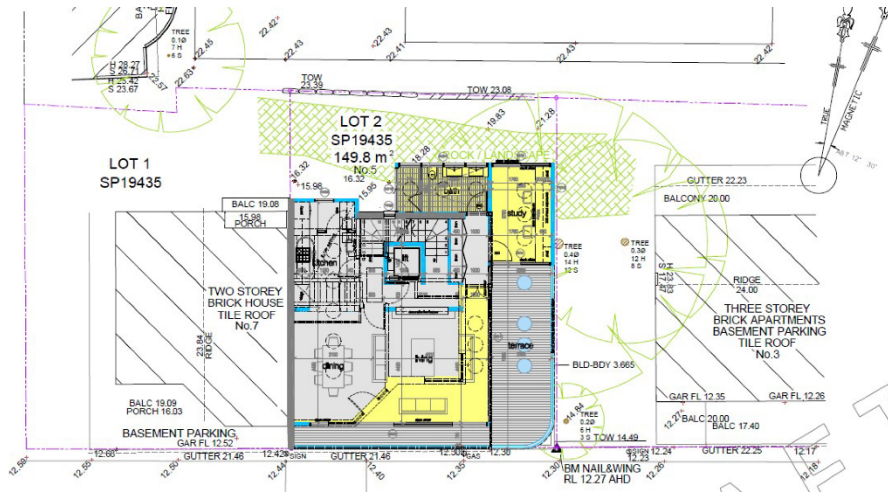


Proposed First Floor

This level is to become the bedrooms, with 3 bedrooms and a bathroom, by extending towards the eastern boundary. Planting is introduced to the street edge.

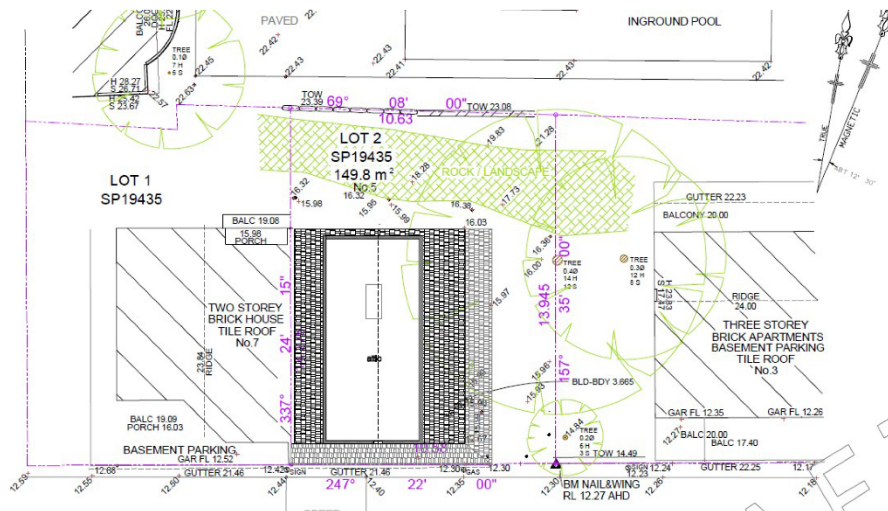


Existing First Floor Plan



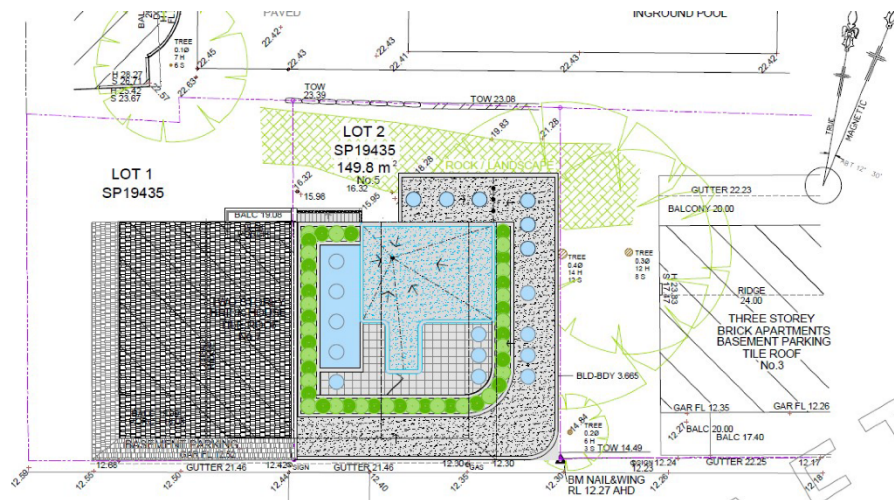
Proposed First Floor

The existing bedroom floor is to become the open plan living space extended into the front corner and capturing the east side space for a deck. a study and bathroom are added to the back and east side.



Existing Roof Level

This is currently roof space only



Proposed Roof Level

The roof is to be landscaped, setback from the edges with a glazed garden pavilion as the principal outdoor space to serve the house.



Existing Street & South Elevation

While the pair were design to be symetrical, No 7 has had a larger window inserted into the hip end in order to utilise the roof space. In terms of ceiling heights, this is unlikely to be a habitable room.



Proposed Street Elevation

The existing gable roof is removed and the roof footprint with setbacks converted to a garden and outdoor space with a central glazed pavillion. The proposed lift is extended to this level. The house above it is No 19 Johnston Street a Heritage Item.

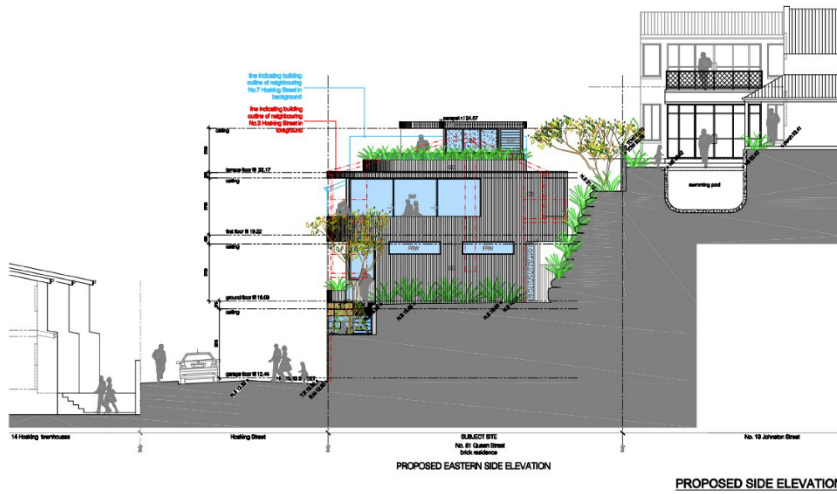


Existing North Elevation

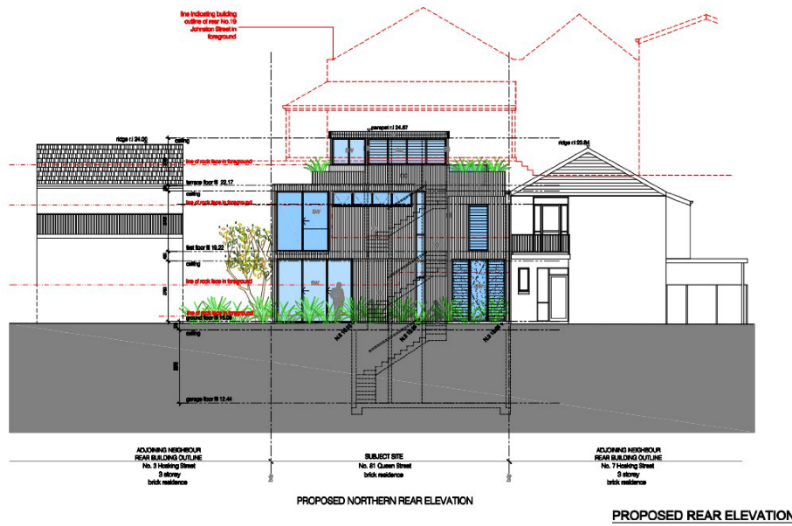
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Proposed East Elevation



Proposed Rear & North Elevation

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Document Set ID: 37398242
Version: 1, Version Date: 14/02/2023

5.0 EVALUATION IN TERMS OF THE HERITAGE CONTROLS

Within the street space the visibility of the existing and the proposed roof addition is low. In these terms it is acceptable. In longer views its impact is greater and its impact on the adjoining Heritage house a possible issue.

The two key heritage issues in the LEP are significance and compatibility of proposed work with that significance. It is close to many Heritage Items, as well as being within the Balmain Heritage Conservation Area.

While the pair 5/7 are compatible in terms of scale and character, but they are also not notable and somewhat dated in architectural terms with many functional deficiencies. They are neutral rather than contributory to the HCA. It would be reasonable to allow compatible change with a quality design commensurate with the heritage values. This would also improve its function and amenity giving it an enhanced life as a family house.

The property adjoins No 19 Johnston Street, known as '*Pembroke Villa*' a sandstone house circa 1840. It is a Heritage Item which was evidently built to be seen from the Harbour and city and conversely to view the city. The view is particularly focussed the Observatory and Flagstaff Hill. The existing roof impinges to a minor degree on the view from this house. The proposed roof addition increases this impact, but the house remains substantially visible and the new is subservient in these terms.

6.0 CONCLUSIONS

1

While compatible in terms of scale and character, the existing house makes a limited contribution to the HCA. Compatible change to upgrade the property is reasonable.

2

The proposal reinforces the stone lower storey with a lighter framed and more open form above. This is considered compatible and appropriate.

3

This document can serve as a record of the heritage values and fabric, at this change point.



APPENDIX A: PHOTO RECORD EXTERIOR

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View looking south – 1/3 Hosking to the right, then 5/7



No 5



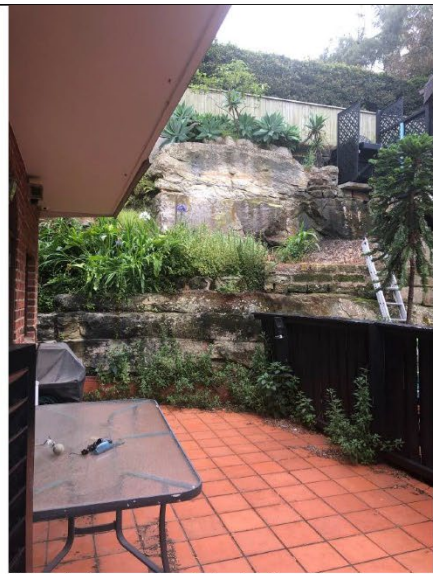
Stair up from entry – view east



Stair up from entry – view west



Street balcony – view east



Return balcony – view to the back/north



Back – view east of cliff with Heritage House above



First floor balcony – view south west

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Hosking Street – view east



View east Nos 5/7

INTERIOR



Ground Floor Living space into the front bay



Ground Floor living space – view to west wall

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B SOURCES

- State Heritage Register – Inventory Sheet
- Leichhardt Historical Journal No 14 – examines the subdivision history of this part of Darling Street.
- Water Board Plans – the State Library - web
- Sands Directories – City of Sydney website

Attachment D – Draft Conditions of consent in event of approval

CONDITIONS OF CONSENT

DOCUMENTS RELATED TO THE CONSENT

1. Documents related to the consent

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

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
0.0 Issue B	Gross Floor Area Calculation Verification	15/09/2023	Development Design Pty Ltd
0.0 Issue B	Landscape Area & Site Coverage Calculation Verification	15/09/2023	Development Design Pty Ltd
0.01 Issue B	Existing Aerial Site Analysis	15/09/2023	Development Design Pty Ltd
0.02 Issue B	Proposed Aerial Site Analysis	15/09/2023	Development Design Pty Ltd
0.03 Issue B	Existing Aerial Site Analysis	15/09/2023	Development Design Pty Ltd
0.04 Issue B	Proposed Aerial Site Analysis	15/09/2023	Development Design Pty Ltd
1.01 Rev B	Existing Basement Garage Floor analysis & Construction Management Plan	15/09/2023	Development Design Pty Ltd
1.02 Rev B	Proposed Basement Ground Floor Analysis	15/09/2023	Development Design Pty Ltd
1.03 Rev B	Existing Basement Garage Floor Plan	15/09/2023	Development Design Pty Ltd
1.04 Rev B	Demolition Plan - Basement Garage Floor Plan	15/09/2023	Development Design Pty Ltd
1.05 Rev B	Proposed Basement Garage Floor Plan	15/09/2023	Development Design Pty Ltd
1.06 Rev B	Existing Ground Floor Plan Analysis	15/09/2023	Development Design Pty Ltd
1.07 Rev B	Proposed Ground Floor Plan Analysis	15/09/2023	Development Design Pty Ltd

1.08 Rev B	Existing Ground Floor Plan	15/09/2023	Development Design Pty Ltd
1.09 Rev B	Demolition Plan - Ground Floor Plan	15/09/2023	Development Design Pty Ltd
1.10 Rev B	Proposed Ground Floor Plan	15/09/2023	Development Design Pty Ltd
1.11 Rev B	Existing First Floor Plan Analysis	15/09/2023	Development Design Pty Ltd
1.12 Rev B	Proposed First Floor Plan Analysis	15/09/2023	Development Design Pty Ltd
1.13 Rev B	Existing First Floor Plan	15/09/2023	Development Design Pty Ltd
1.14 Rev B	Demolition Plan - First Floor Plan	15/09/2023	Development Design Pty Ltd
1.15 Rev B	Proposed First Floor Plan	15/09/2023	Development Design Pty Ltd
1.16 Rev B	Existing Second Floor Plan Analysis	15/09/2023	Development Design Pty Ltd
1.17 Rev B	Proposed Second Floor Plan Analysis	15/09/2023	Development Design Pty Ltd
1.18 Rev B	Existing Second Floor Plan	15/09/2023	Development Design Pty Ltd
1.19 Rev B	Demolition Plan - Second Floor Plan	15/09/2023	Development Design Pty Ltd
1.20 Rev B	Proposed Second Floor Plan	15/09/2023	Development Design Pty Ltd
1.21 Rev B	Existing Roof Plan Analysis	15/09/2023	Development Design Pty Ltd
1.22 Rev B	Proposed Roof Plan Analysis	15/09/2023	Development Design Pty Ltd
1.23 Rev B	Existing Roof Floor Plan	15/09/2023	Development Design Pty Ltd
1.24 Rev B	Demolition Plan - Roof Floor Plan	15/09/2023	Development Design Pty Ltd
1.25 Rev B	Proposed Roof Floor Plan	15/09/2023	Development Design Pty Ltd
2.01 Rev B	Existing Front Elevation	15/09/2023	Development Design Pty Ltd
2.02 Rev B	Proposed Front Elevation	15/09/2023	Development Design Pty Ltd

2.03 Rev B	Proposed Front Elevation	15/09/2023	Development Design Pty Ltd
2.04 Rev B	Existing Side Elevations	15/09/2023	Development Design Pty Ltd
2.05 Rev B	Proposed Side Elevations	15/09/2023	Development Design Pty Ltd
2.06 Rev B	Proposed Side Elevations	15/09/2023	Development Design Pty Ltd
2.07 Rev B	Existing Rear Elevation	15/09/2023	Development Design Pty Ltd
2.08 Rev B	Proposed Rear Elevation	15/09/2023	Development Design Pty Ltd
2.09 Rev B	Proposed Rear Elevation	15/09/2023	Development Design Pty Ltd
2.10 Rev B	Existing Side Elevation	15/09/2023	Development Design Pty Ltd
2.11 Rev B	Proposed Side Elevation	15/09/2023	Development Design Pty Ltd
2.12 Rev B	Proposed Side Elevation	15/09/2023	Development Design Pty Ltd
2.13 Rev B	Section A-A	15/09/2023	Development Design Pty Ltd
2.15 Rev B	Lift / Shaft Specifications	15/09/2023	Development Design Pty Ltd
2.15 Rev B	Material & Colour Schedule of Finishes	15/09/2023	Development Design Pty Ltd
3.01 Rev B	Sedimentation, Erosion Control & Waste Management Details	15/09/2023	Development Design Pty Ltd
3.02 Rev B	Window Schedule & General Notes	15/09/2023	Development Design Pty Ltd
5.02 Rev B	Stormwater Drainage Plan	15/09/2023	Development Design Pty Ltd
Certificate number: A484013	BASIX Certificate	14/12/2022	Development Design Pty Ltd
-	Heritage Impact Statement	-	Heritage Solutions

L&Co22077	Arborist Report	17/01/2023	L 7 Co. Consultancy Arboriculture Plant Pathology
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As amended by the conditions of consent.

FEES

2. Section 7.12 Development Contribution Payments

In accordance with section 7.12 of the *Environmental Planning and Assessment Act 1979* and the Inner West Local Infrastructure Contribution Plan 2023 (the Plan), a monetary contribution of **\$4,878.96** shall be paid to Council for the purposes of the provision, extension or augmentation of local infrastructure identified in the Plan.

At the time of payment, the monetary contribution payable will be adjusted for inflation in accordance with indexation provisions in the Plan in the following manner:

$$C_{\text{payment}} = C_{\text{consent}} \times (CPI_{\text{payment}} \div CPI_{\text{consent}})$$

Where:

- C_{payment} = is the contribution at time of payment
- C_{consent} = is the contribution at the time of consent, as shown above
- CPI_{consent} = is the Consumer Price Index (All Groups Index) for Sydney at the date the contribution amount above was calculated being [insert CPI value] for the [insert latest quarter and year].
- CPI_{payment} = is the Consumer Price Index (All Groups Index) for Sydney published by the Australian Bureau of Statistics that applies at the time of payment

Note: The contribution payable will not be less than the contribution specified in this condition.

The monetary contributions must be paid to Council (i) if the development is for subdivision – prior to the issue of the subdivision certificate, or (ii) if the development is for building work – prior to the issue of the first construction certificate, or (iii) if the development involves both subdivision and building work – prior to issue of the subdivision certificate or first construction certificate, whichever occurs first, or (iv) if the development does not require a construction certificate or subdivision certificate – prior to the works commencing.

It is the professional responsibility of the principal certifying authority to ensure that the monetary contributions have been paid to Council in accordance with the above timeframes.

Council's Plan may be viewed at www.innerwest.nsw.gov.au or during normal business hours at any of Council's customer service centres.

Please contact any of Council's customer service centres on 9392 5000 or council@innerwest.nsw.gov.au to request an invoice confirming the indexed contribution amount payable. Please allow a minimum of 2 business days for the invoice to be issued.

Once the invoice is obtained, payment can be made via (i) BPAY (preferred), (ii) credit card / debit card (AMEX, Mastercard and Visa only; log on to www.innerwest.nsw.gov.au/invoice; please note that a fee of 0.75 per cent applies to credit cards), (iii) in person (at any of Council's customer service centres), or (iv) by mail (make cheque payable to 'Inner West Council' with a copy of your remittance to PO Box 14 Petersham NSW 2049).

The invoice will be valid for 3 months. If the contribution is not paid by this time, please contact Council's customer service centres to obtain an updated invoice. The contribution amount will be adjusted to reflect the latest value of the Consumer Price Index (All Groups Index) for Sydney.

3. Long Service Levy

Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that the long service levy in accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* has been paid at the prescribed rate of 0.25% of the total cost of the work to either the Long Service Payments Corporation or Council for any work costing \$250,000 or more.

4. Security Deposit - Custom

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

Security Deposit:	\$5,600.00
Inspection Fee:	\$350.00

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

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

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

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

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

GENERAL CONDITIONS

5. Works Outside the Property Boundary

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

6. Standard Street Tree Protection

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

7. Erosion and Sediment Control

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

8. Waste Management Plan

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

9. Noise Levels and Enclosure of Pool/spa Pumping Units

Noise levels associated with the operation of the pool/spa pumping units must not exceed the background noise level (L90) by more than 5dBA above the ambient background within habitable rooms of adjoining properties. Pool plant and equipment must be enclosed in a sound absorbing enclosure or installed within a building so as not to create an offensive noise as defined under the *Protection of the Environment Operations Act 1997* and *Protection of the Environment Operations (Noise Control) Regulation 2008*.

Domestic pool pumps and filters must not be audible in nearby dwellings between 8:00pm to 7:00am Monday to Saturday and 8:00pm to 8:00am Sundays and Public Holidays.

10. Material & Colour Schedule of Finishes

Prior to the issue of the Construction Certificate, the Certifying Authority is required to be provided with a revised Material & Colour Schedule of Finishes amended in accordance with the following and clearly specify proposed colours and materials:

- a. materials must include shaped sandstone, painted timber, and rendered or bagged masonry.
- b. Reflective wall cladding is not acceptable.
- c. Light, warm, earthy, tones are to be used. Greys and blacks are not acceptable and must be avoided.
- d. A pre-coloured traditional corrugated steel shall be used for the roofing, finished in a colour equivalent to Colorbond colours "Windspray" or "Wallaby".

11. Stormwater Drainage System – Simple

Stormwater runoff from proposed new or altered roof areas may be discharged to the existing site drainage system.

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

If any component of the existing system is not in good condition and /or not operating satisfactorily and/or impacted by the works and/or legal rights for drainage do not exist, the drainage system must be upgraded to discharge legally by gravity to the kerb and gutter of a public road.

Stormwater drainage must be located such that any waters leaving the pool must drain to the house sewer system.

12. Boundary Alignment Levels

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

PRIOR TO ANY DEMOLITION

13. Construction Fencing

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

14. Advising Neighbours Prior to Excavation

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

15. Dilapidation Report

Prior to any works commencing (including demolition), the Certifying Authority and owners of identified properties, must be provided with a colour copy of a dilapidation report prepared by a suitably qualified person. The report is required to include colour photographs of all the adjoining properties to the Certifying Authority's satisfaction. In the event that the consent of the adjoining property owner cannot be obtained to undertake the report, copies of the letter/s that have been sent via registered mail and any responses received must be forwarded to the Certifying Authority before work commences.

16. Hoardings

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

If the work involves the erection or demolition of a building and is likely to cause pedestrian or vehicular traffic on public roads or Council controlled lands to be obstructed or rendered inconvenient, or building involves the enclosure of public property, a hoarding or fence must

be erected between the work site and the public property. An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling onto public property.

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

PRIOR TO CONSTRUCTION CERTIFICATE

17. Sydney Water – Tap In

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

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

18. Structural Certificate for retained elements of the building

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

19. Party Walls

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a Structural Certificate from a practising structural engineer which verifies 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 Structural Certificate must be provided to all owners of the party wall.

20. Dilapidation Report – Pre-Development – Minor

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

DURING DEMOLITION AND CONSTRUCTION**21. Construction Hours – Class 1 and 10**

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

22. Survey Prior to Footings

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

PRIOR TO OCCUPATION CERTIFICATE**23. Protect Sandstone Kerb**

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

24. No Encroachments

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

26. Bin Storage

All bins are to be stored within the site.

ADVISORY NOTES**Failure to comply with conditions**

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

Other works

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

Obtaining Relevant Certification

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

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

National Construction Code (Building Code of Australia)

A complete assessment of the application under the provisions of the National Construction Code (Building Code of Australia) has not been carried out. All building works approved by

this consent must be carried out in accordance with the requirements of the National Construction Code.

Notification of commencement of works

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

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

Dividing Fences Act

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

Swimming Pools

Applicants are advised of the following requirements under the *Swimming Pools Act 1992*:

- a. The owner of the premises is required to register the swimming pool on the NSW State Government's Swimming Pool Register. Evidence of registration should be provided to the Certifying Authority.
- b. Access to the pool/spa is restricted by a child resistant barrier in accordance with the regulations prescribed in the. The pool must not be filled with water or be allowed to collect stormwater until the child resistant barrier is installed. The barrier is to conform to the requirements of Australian Standard AS 1926:2012.
- c. A high level overflow pipe has been provided from the back of the skimmer box to the filter backwash line discharging to the sewer. This line must not directly vent the receiving Sydney Water sewer. Evidence from the installer, indicating compliance with this condition must be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.
- d. Permanently fixed water depth markers are to be clearly and prominently displayed on the internal surface above the water line at the deep and shallow ends on in-ground pools / spas and on the outside of aboveground pools / spas.

- e. A durable cardiopulmonary resuscitation information poster sign authorised by the Life Saving Association is to be displayed in the pool / spa area in accordance with Clause 10 of the *Swimming Pool Regulation 2008*.
- f. Access to the swimming pool/spa must be restricted by fencing or other measures as required by the *Swimming Pools Act 1992* at all times.

All drainage, including any overland waters associated with the pool/spa, must be pipe-drained via the filter to the nearest sewer system in accordance with the requirements of Council & Sydney Water. No drainage, including overflow from the pool or spa must enter Council's stormwater system.

Permits from Council under Other Acts

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

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

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

Noise

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

Amenity Impacts General

The use of the premises must not give rise to an environmental health nuisance to the adjoining or nearby premises and environment. There are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the

Protection of the Environment Operations Act 1997 and Regulations. The use of the premises and the operation of plant and equipment must not give rise to the transmission of a vibration nuisance or damage other premises.

Dial before you dig

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

Lead-based Paint

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

Useful Contacts

BASIX Information	1300 650 908 weekdays 2:00pm - 5:00pm
	www.basix.nsw.gov.au
Department of Fair Trading	13 32 20
	www.fairtrading.nsw.gov.au
	Enquiries relating to Owner Builder Permits and Home Warranty Insurance.
Dial Prior to You Dig	1100
	www.dialprior toyoudig.com.au
Landcom	9841 8660
	To purchase copies of Volume One of "Soils and Construction"
Long Service Corporation	Payments 131441
	www.lspc.nsw.gov.au

NSW Food Authority	1300 552 406 www.foodnotify.nsw.gov.au
NSW Government	www.nsw.gov.au/fibro www.diyasafe.nsw.gov.au Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	131 555 www.environment.nsw.gov.au
Sydney Water	13 20 92 www.sydneywater.com.au
Waste Service - SITA Environmental Solutions	1300 651 116 www.wasteservice.nsw.gov.au
Water Efficiency Labelling and Standards (WELS)	www.waterrating.gov.au
WorkCover Authority of NSW	13 10 50 www.workcover.nsw.gov.au Enquiries relating to work safety and asbestos removal and disposal.

Other Approvals may be needed

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

Infrastructure

The developer must liaise with the Sydney Water Corporation, Ausgrid, AGL and Telstra concerning the provision of water and sewerage, electricity, natural gas and telephones respectively to the property. Any adjustment or augmentation of any public utility services

including Gas, Water, Sewer, Electricity, Street lighting and Telecommunications required as a result of the development must be undertaken before occupation of the site.

Toilet Facilities

The following facilities must be provided on the site:

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

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

Storage of Materials on public property

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

Notification of commencement of works

At least 7 days before any demolition work commences:

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

Prescribed Conditions

This consent is subject to the prescribed conditions of consent within Sections 69-86 of the *Environmental Planning and Assessment Regulations 2021*.

Insurances

Any person acting on this consent or any contractors carrying out works on public roads or Council controlled lands is required to take out Public Liability Insurance with a minimum cover of twenty (20) million dollars in relation to the occupation of, and approved works within those lands. The Policy is to note, and provide protection for Inner West Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public property.

Permits

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

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

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