




 DEVELOPMENT ASSESSMENT REPORT	
Application No.	DA/2023/0726
Address	552 Darling Street ROZELLE
Proposal	Proposed minor extension to existing single storey annexe and skillion roof and replacement.
Date of Lodgement	31 August 2023
Applicant	Leng NJ Chew
Owner	Mr Andrew WH Meier Leng NJ Chew
Number of Submissions	Initial: 1 in support
Value of works	\$35,000
Reason for determination at Planning Panel	Section 4.6 variation exceeds 10%
Main Issues	Heritage
Recommendation	Approved with Conditions
Attachment A	Recommended conditions of consent
Attachment B	Plans of proposed development
Attachment C	Statement of Environmental Effects
Attachment D	Statement of Heritage Significance



LOCALITY MAP				
Subject Site		Objectors		N ↑
Notified Area		Supporters		

1. Executive Summary

This report is an assessment of the application submitted to Council for a proposed rear extension to an existing single storey annexe and skillion roof addition to the dining room. The proposal also seeks approval for replacement of ground and first floor Darling Street elevation windows at 552 Darling Street Rozelle.

The application was notified to surrounding properties and 1 submission in support was received in response to the initial notification.

The main issues that have arisen from the application include:

- Heritage matters related to the replacement ground and first floor windows to Darling Street.

The proposed front façade changes are not supported given insufficient historical information provided by the applicant seeking changes to the front façade. The applicant has subsequently agreed to delete these elements from the application therefore the rear ground floor addition is recommended for approval. The breach of the relevant development standard is acceptable for the reasons outlined in the report.

2. Proposal

The proposed works being assessed in this application are:

- A 1.2m extension to a rear ground floor skillion annexure existing on the site to enlarge a dining room.

3. Site Description

The subject site is located on the eastern side of Darling Street, between Beattie and Wisbeach Streets. The site consists of one allotment and is generally rectangular with a total area of area 143.2sqm and is legally described as Lot in DP557052.

The site has a frontage to Darling Street of approximately 4.7 metres. The dwelling forms part of a pair of terraces that are adjoined to a smaller terrace and what appears to be a grander converted residential terrace with shared architectural typology and ornament. The site benefits from rear pedestrian access via Harris Lane.

The subject property at 552 Darling Street is a contributory dwelling located within The Valley Heritage Conservation Area (C27 in Schedule 5 of the Inner West LEP 2022).



Subject site outline in green

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
CDC/2020/0044	Interior alts & adds	Approved 15/04/2020
D/2015/263	Open parking space at rear of property plus removal of existing planter boxes and provision of retaining wall.	Refused 10/09/2013
D/2005/336	Alterations to existing dwelling to replace existing door opening with a concertina door opening.	Approved 19/09/2015

4(b) Application history

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

Date	Discussion / Letter / Additional Information
01/11/2023	Council requested further information pertaining to the proposed changes to the fenestration to the front elevation by way of historical documentation and reference for ground floor window.
24/01/2024	After correspondence between the applicant, heritage and the planning officer due to the applicant not providing the above mentioned documentation, the applicant advised that the seeking of changes to the front elevation would be deleted from the plans to facilitate the extension to the rear skillion lean-to annexure as a way forward to determine 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 (Biodiversity and Conservation) 2021*

The following provides further discussion of the relevant issues:

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

Chapter 4 Remediation of land

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

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

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

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

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

Chapter 10 Sydney Harbour Catchment

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

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

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

- Section 1.2 - Aims of Plan
- Section 2.3 - Land Use Table and Zone Objectives
- Section 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 6.3 – Stormwater management

Section 2.3 Land Use Table and Zone Objectives

The site is zoned R1 under the IWLEP 2022. The IWLEP 2022 defines the proposed development as a dwelling house which is permissible with consent in the zone.

The development is consistent with the objectives of the R1 zone and is considered to protect and enhance the amenity of existing and future residents and the neighbourhood.

Section 4 Principal Development Standards

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

Standard	Proposal	Complies
Floor Space Ratio Maximum permissible: 0.9 or 128.88 sqm	Proposed – 1.04:1 or 149.6sqm Variation – 20.72sqm or 16.08%	No
Landscape Area Minimum permissible: 15% or 21.48sqm	Proposed - 0sqm or 0% Variation – no change	No
Site Coverage Maximum permissible: 60% or 85.92sqm	Proposed – 97.6sqm or % 67.1% Variation – 11.7sqm or 13.62%	No

Section 4.6 Exceptions to Development Standards

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

- Section 4.3C(3)(a) – Landscaped area and Section 4.3C(3)(b) – Site Coverage
- Section 4.4 – Floor space ratio

Clause 4.4 – Floor Space Ratio

The applicant seeks a variation to the Floor Space Ratio development standard under Section Clause 4.4 of the *IWLEP 2022* by an additional 3.26sqm or 4.49% over the existing non-compliance of 146.34sqm from 1.02:1 to 1.04:1.

The result equates to 16.08% or 20.72sqm breach in FSR from the maximum for the site (0.9:1) to 1.04:1

A written request has been submitted to Council in accordance with section 4.6(4)(a)(i) of the *IWLEP 2022* justifying the proposed contravention of the development standard which is reproduced as follows:

- *The extension is a marginal variance to the existing historical breach to FSR standard and is established precedent by virtue of history, prior development standards and, not least, that original development was as a commercial premises.*
- *The increase is a minor extension of the existing footprint area (4.49%) and retains site setbacks.*
- *There are no unacceptable adverse impacts in terms of shadow, view loss, visual and acoustic privacy impacts to neighbours.*
- *The extension is limited to improving layout and use of a sub-optimal dining area as a component part of living areas as upgrade to housing stock and improved amenity for residents.*

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

It is considered the development is in the public interest because it is consistent with the objectives of the R1- General Residential Zone, in accordance with Section 4.6(4)(a)(ii) of the *IWLEP 2022* for the following reasons:

- The proposal provides for the housing needs of the community.
- The proposed development will continue to provide and enhance the existing dwelling house;
- The proposal is compatible with the character, style, orientation and pattern of surrounding buildings, streetscapes, works and landscaped areas.
- The development will not result in any undue adverse amenity impacts on adjoining properties.

It is considered the development is in the public interest because it is consistent with the objectives of the Floor Space Ratio development standard, in accordance with Section 4.6(4)(a)(ii) of the *IWLEP 2022* for the following reasons:

Clause 4.3C(3)(a) – Landscaped areas for residential accommodation in Zone R1

There is no change to the existing non-compliant landscaped area under the proposal. The proposed new area of gross floor area is located over an existing paved area (which does not constitute landscape area).

Section 4.3C(3)(a) – Landscaped area and Section 4.3C(3)(b) – Site Coverage

The applicant seeks a variation to the maximum site coverage development standard by an additional 4.1sqm or 4.49% over the existing non-compliant site coverage of 93.5sqm under Section 4.3C of the *IWLEP 2022*.

A written request has been submitted to Council in accordance with Section 4.6(4)(a)(i) of the *IWLEP 2022* justifying the proposed contravention of the development standard which is summarised as follows:

- *The extension is a marginal variance (4.5%) to the historical breach to site coverage standard that is established precedent by virtue of history, prior development standards and, not least that the original development was a commercial premises. The narrow terrace plot is small and narrow which limits possibilities for enlarging the house to provide the needed space to improve amenity with an appropriately sized dining area.*
- *The proposed development provides for more than the minimum areas required under the LEP and consolidates this as a single open landscaped (Private Open Space – POS) area to the rear laneway. The variation is a modest extension of the existing single storey rear annexe and skillion roof maintaining scale and detail. The proposed works are located at the rear and not visible from Darling Street.*
- *Key vegetation is retained, and additional permeable planted area is proposed*
- *There are no unacceptable adverse impacts in terms of shadow, view, visual and acoustic privacy and solar access is maintained to neighbours.*
- *The extension is limited to improving layout of a sub-optimal dining as a component part of modern living areas as upgrade to housing stock and improved amenity.*

The applicant's written rationale adequately demonstrates 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.

It is considered the development is in the public interest because it is consistent with the objectives of the R1 General Residential, in accordance with Section 4.6(4)(a)(ii) of the *IWLEP 2022* for the following reasons:

- The proposed development maintains the amenity of the existing private open space being connected to the main living area and with direct access to the rear POS and results in an overall development which provides for the housing needs of the occupants.
- The proposed works are sited to the rear of the site, the view from the streetscape and the existing dwelling is unchanged and the residential development maintains the character of built and natural features in the surrounding area.

It is considered the development is in the public interest because it is consistent with the objectives of the site coverage development standard, in accordance with Section 4.6(4)(a)(ii) of the *IWLEP 2022* for the following reasons:

- The development provides landscaped courtyard area for the use and enjoyment of residents.
- The landscaped area is unchanged as a result of the minor rear extension.
- The proposed development promotes the desired character of the distinctive neighbourhood.
- The departures do not contribute to any bulk and scale and amenity impacts to neighbouring properties.
- The development provides a compliant quantum of private open space.

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

The proposal thereby accords with the objective in Section 4.6(1)(b) and requirements of Section 4.6(3)(b) of the IWLEP 2022. For the reasons outlined above, there are sufficient planning grounds to justify the departure from the site coverage development standard and it is recommended the Section 4.6 exception be granted.

Section 5.10 – Heritage conservation

The subject property at 552 Darling Street Rozelle is a contributory dwelling located within The Valley Heritage Conservation Area (C27 in Schedule 5 of the Inner West LEP 2022) and is not located within the vicinity of any heritage items.

The initial assessment of the application to change the ground and first floor fenestration to the Darling Street elevation by Council's Heritage Specialist was not supported as inadequate heritage research was provided by the applicant to satisfy that any proposed changes met the requirements of historical justification under the clause. Subsequent communications with the applicant and Council resulted in the deletion of the works to the front façade and are no longer to be considered as part of this application.

Councils Heritage Specialist has raised no objection to the minor 1.2m extension of the skillion lean-to annexure off the existing dining room located to the rear of the dwelling as these works are not largely visible to the HCA. Overall, the amended proposal satisfies the relevant objective and controls under Clause 5.10 of IWLEP 2022 and Leichhardt Development Control Plan 2013.

5(b) Development Control Plans

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

LDCP2013	Compliance
Part A: Introductions	
Section 3 – Notification of Applications	Yes
Part B: Connections	
B1.1 Connections – Objectives	Yes
Part C	
C1.0 General Provisions	Yes
C1.1 Site and Context Analysis	Yes
C1.2 Demolition	Yes

C1.3 Alterations and additions	Yes
C1.4 Heritage Conservation Areas and Heritage Items	Yes – see discussion
C1.7 Site Facilities	Yes
C1.8 Contamination	Yes
C1.12 Landscaping	Yes
C1.13 Open Space Design Within the Public Domain	Yes
C1.14 Tree Management	Yes
C1.17 Minor Architectural Details	Yes
Part C: Place – Section 2 Urban Character	
C2.2.2.2 Balmain East Distinctive Neighbourhood	Yes
C2.2.2.2(b) North of Darling Street Sub Area	
Part C: Place – Section 3 – Residential Provisions	
C3.1 Residential General Provisions	Yes – see discussion
C3.2 Site Layout and Building Design	Yes – see discussion
C3.3 Elevation and Materials	Yes – see discussion
C3.5 Front Gardens and Dwelling Entries	Yes
C3.6 Fences	Yes
C3.7 Environmental Performance	Yes
C3.8 Private Open Space	Yes
C3.9 Solar Access	Yes
C3.10 Views	Yes
C3.11 Visual Privacy	Yes
C3.12 Acoustic Privacy	Yes
Part C: Place – Section 4 – Non-Residential Provisions	N/A
Part D: Energy	
Section 1 – Energy Management	Yes
Section 2 – Resource Recovery and Waste Management	
D2.1 General Requirements	Yes
D2.2 Demolition and Construction of All Development	Yes
D2.3 Residential Development	Yes
Part E: Water	
Section 1 – Sustainable Water and Risk Management	
E1.1.1 Water Management Statement	Yes
E1.1.3 Stormwater Drainage Concept Plan	Yes
E1.2.2 Managing Stormwater within the Site	Yes
E1.2.5 Water Disposal	Yes
E1.2.7 Wastewater Management	Yes
Part F: Food	N/A
Part G: Site Specific Controls	N/A

The following provides discussion of the relevant issues:

C1.4 Heritage Conservation Areas and Heritage Items

After deleting the changes to the Darling Street fenestration elevation, it is considered that the proposed addition to the rear existing skillion annexure, retains the integrity of the original elements of the contributory item and the additions are considered sympathetic to the dwelling and do not compromise the streetscape.

C3.1 Residential General Provisions

The proposal will not have an adverse impact on the amenity, setting or cultural significance of the place and the relationship of any Heritage Item or Heritage Conservation Area as amended and assessed within this report

C3.2 Site Layout and Building Design

The BLZ is consistent with the existing form on the site and is satisfactory, the proposed extension is located off an existing blade wall to the northern boundary.

The side setback of the proposed ground floor addition is within the 2.8m maximum allowable building height under Figure C129 of the clause and therefore meets the objective and relevant control.

C3.3 Elevation and Materials

Colours, materials, and finishes are compatible with those prevailing in the streetscape and the period of construction of the building.

C3.9 Solar Access

The rear single storey addition to the existing annexure does not impact the existing shadowing impacts on the subject site or adjacent southern property due to the minor nature of the addition and the east west orientation of the site. The objective is satisfied in this instance.

5(c) The Likely Impacts

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

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

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

5(e) Any submissions

The application was notified in accordance with the Community Engagement Framework for a period of 14 days to surrounding properties. One submission of support was received in response to the initial notification.

5(f) The Public Interest

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

The proposal is not contrary to the public interest.

6 Referrals

6(a) Internal

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

- Heritage

7. Section 7.11 Contributions/7.12 Levy

7.12 levies are not payable for the proposal as the works are valued under \$200,000.

8. Conclusion

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

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

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

9. Recommendation

- A. The applicant has made written requests pursuant to Section 4.6 of the *Inner West Local Environmental Plan 2022*. After considering the request, and assuming the concurrence of the Secretary has been given, the Panel is satisfied that compliance with the Floor Space Ratio and Site Coverage standards is unnecessary in the circumstance of the case and that there are sufficient environmental grounds to support the variations. The proposed development will be in the public interest because the exceedance is not inconsistent with the objectives of the standard and of the zone in which the development is to be carried out.
- B. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, grant consent to Development Application No. DA/2023/0726 for proposed minor extension to existing single storey annexe and skillion roof and replacement at 552 Darling Street, ROZELLE subject to the conditions listed in Attachment A below/for the following reasons.

Attachment A – Recommended conditions of consent

CONDITIONS OF CONSENT

DOCUMENTS RELATED TO THE CONSENT

1. Documents related to the consent

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

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
A-00 Issue A	Site Plan	02/01/2023	Andrew Meier
A-01 Issue A	Ground Floor Plan	02/01/2023	Andrew Meier
A-02 Issue A	First Floor / Roof Plan (Ground)	02/01/2023	Andrew Meier
A-03 Issue A	Section AA	02/01/2023	Andrew Meier
A-04 Issue A	Section BB / Side Elevation	02/01/2023	Andrew Meier
A-06 Issue A	East (rear) Elevation	02/01/2023	Andrew Meier

As amended by the conditions of consent.

DESIGN CHANGE

2. Design Change

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

- a. All referenced and notated changes, demolition or replacement of windows to ground and first floor west facing Darling Street elevation is to be deleted.

FEES

3. Security Deposit - Standard

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

Security Deposit:	\$2,996.00
Inspection Fee:	\$374.50

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

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

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

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

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

GENERAL CONDITIONS

4. 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.

5. 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.

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. Works Outside the Property Boundary

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

PRIOR TO CONSTRUCTION CERTIFICATE

8. 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.

9. Sydney Water – Tap In

Prior to the issue of a Construction Certificate, the Certifying Authority is required to ensure approval has been granted through Sydney Water's online 'Tap In' program to determine

whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met.

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

DURING DEMOLITION AND CONSTRUCTION

10. 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.

11. Stormwater Drainage System

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

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

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

ADVISORY NOTES

Prescribed Conditions

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

Notification of commencement of works

At least 7 days before any demolition work commences:

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

Storage of Materials on public property

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

Infrastructure

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

Other Approvals may be needed

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

Failure to comply with conditions

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

Other works

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

Obtaining Relevant Certification

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

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

National Construction Code (Building Code of Australia)

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

Notification of commencement of works

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

- a. In the case of work for which a principal contractor is required to be appointed:

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

Dividing Fences Act

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

Permits from Council under Other Acts

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

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

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

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

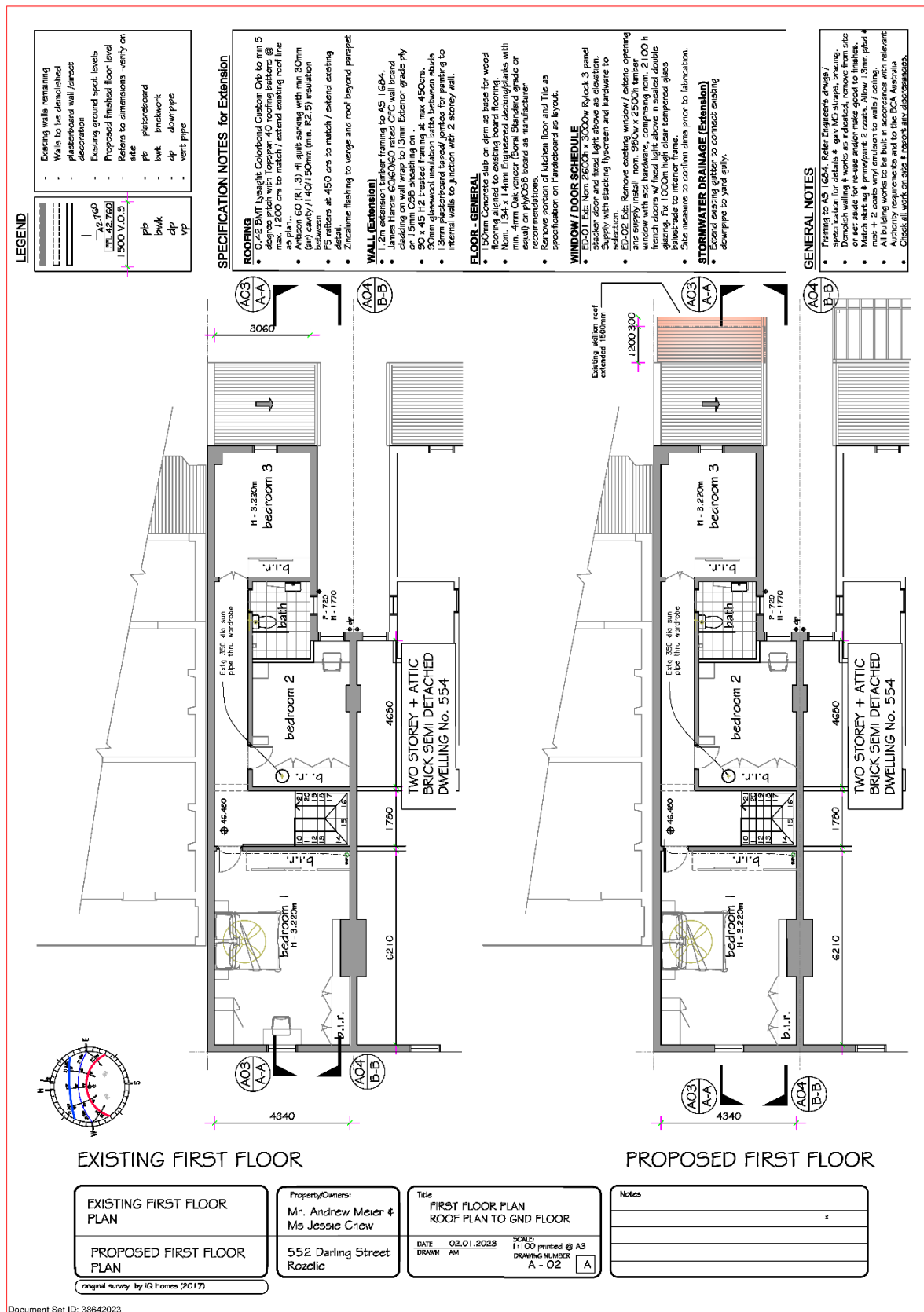
Contact "Dial Prior to You Dig" prior to commencing any building activity on the site.

Useful Contacts

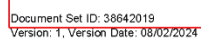
BASIX Information	1300 650 908 weekdays 2:00pm - 5:00pm www.basix.nsw.gov.au
Department of Fair Trading	13 32 20

	www.fairtrading.nsw.gov.au Enquiries relating to Owner Builder Permits and Home Warranty Insurance. 1100
Dial Prior to You Dig	www.dialprior toyoudig.com.au 9841 8660
Landcom	To purchase copies of Volume One of "Soils and Construction" 131441
Long Service Payments Corporation	www.lspc.nsw.gov.au 1300 552 406
NSW Food Authority	www.foodnotify.nsw.gov.au www.nsw.gov.au/fibro www.diysafe.nsw.gov.au Information on asbestos and safe work practices.
NSW Government	131 555 www.environment.nsw.gov.au 13 20 92 www.sydneywater.com.au
NSW Office of Environment and Heritage	1300 651 116 www.wasteservice.nsw.gov.au
Sydney Water	www.waterrating.gov.au
Waste Service - SITA Environmental Solutions	13 10 50 www.workcover.nsw.gov.au Enquiries relating to work safety and asbestos removal and disposal.
Water Efficiency Labelling and Standards (WELS)	
WorkCover Authority of NSW	

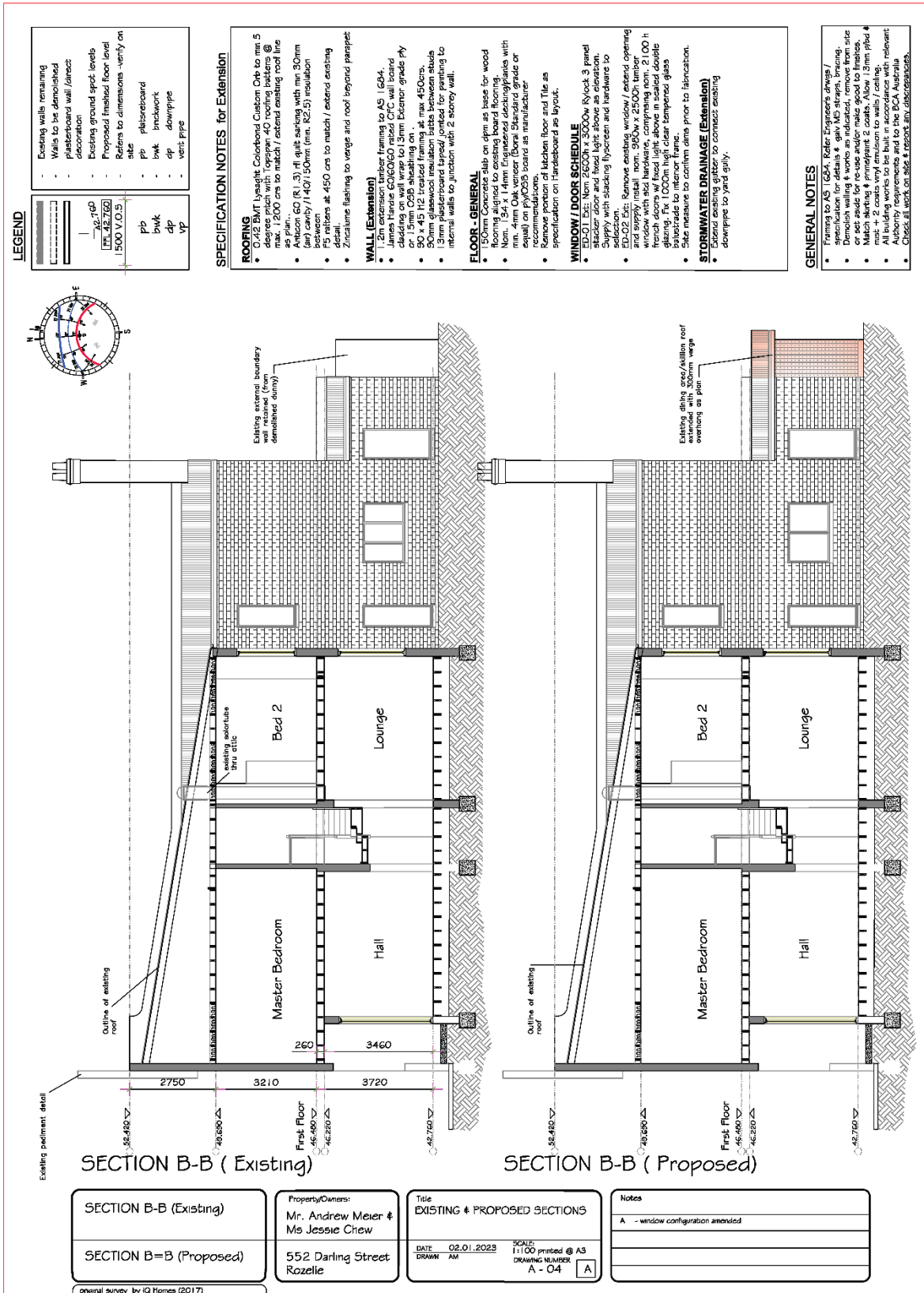
Attachment B – Plans of proposed development

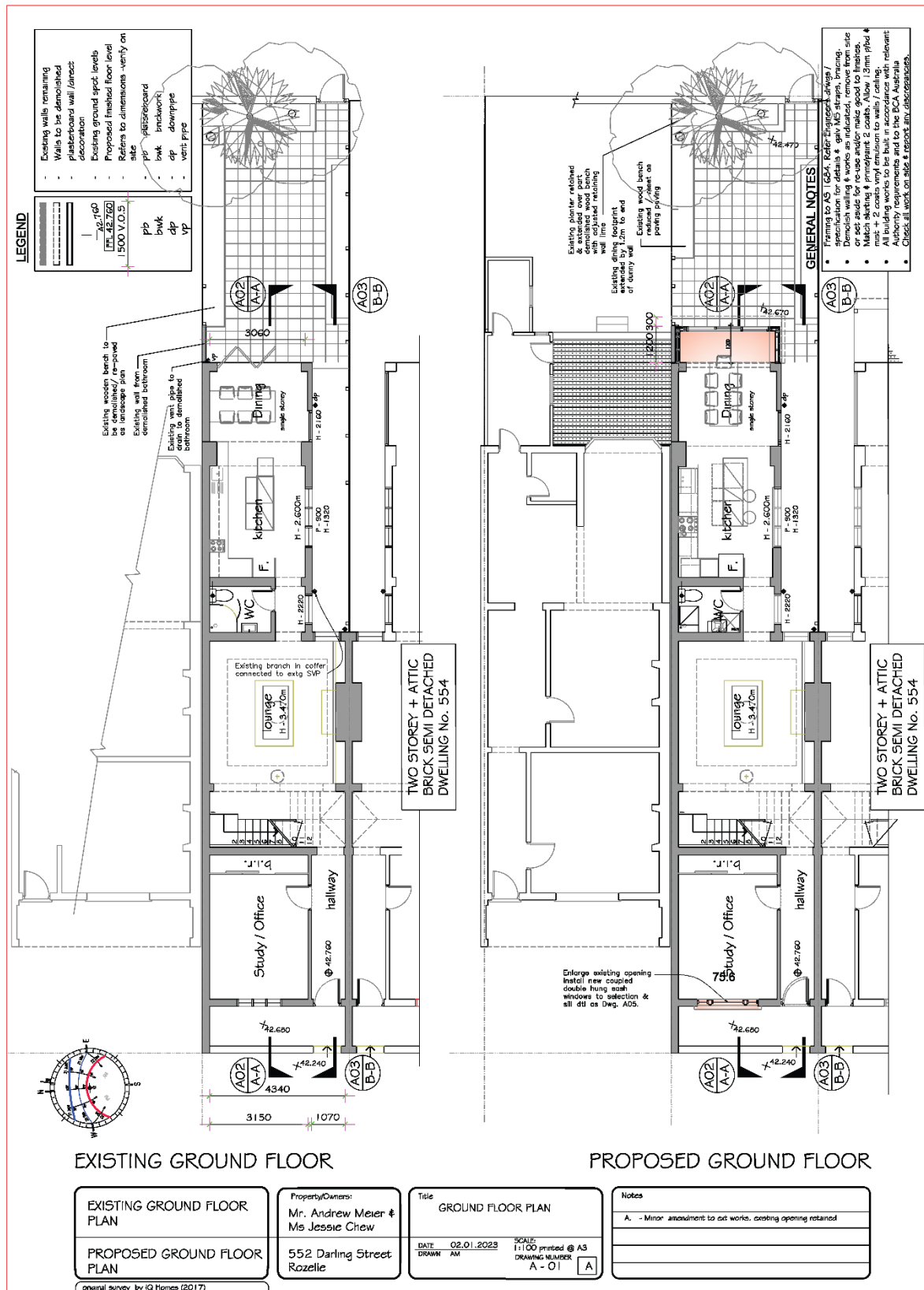


Document Set ID: 38642023
Version: 1, Version Date: 08/02/2024



[illegible]





Attachment C- Statement of Environmental Effects

Statement of Environmental Effects

Accompanying a development application for

Addition and Alteration Works

At

DP557052

No. 552 Darling Street

Rozelle NSW 2039

13 August 2023



A&A Works to 552 Darling Street, Rozelle 2039

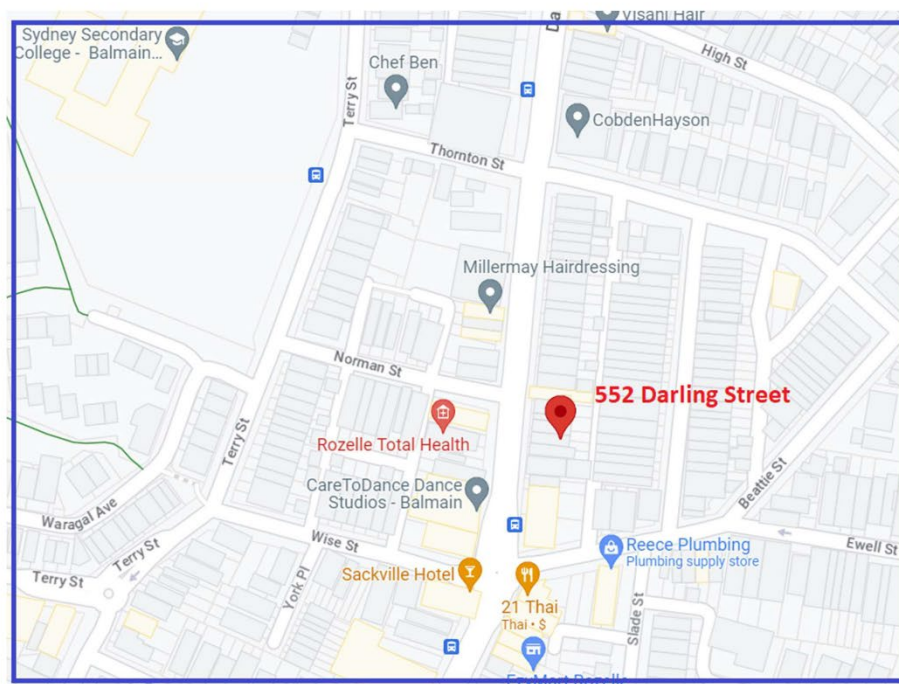
Email: Jessandy2003@yahoo.co.uk

Document Set ID: 38641996
Version: 1, Version Date: 08/02/2024

Statement of Environmental Effects
No. 552 Darling Street Rozelle NSW 2039

Contents

1. Introduction	Page 3
2. Site description and analysis	Page 4
3. Details of proposal	Page 11
4. Strategic Planning Context	Page 12
5. Basis for Proposal and Clause 4.6 Request	Page 14
6. Other Considerations	Page 16
7. Conclusions	Page 19



Statement of Environmental Effects
No. 552 Darling Street Rozelle NSW 2039

1. Introduction

This statement of environmental effects has been prepared by Andrew Meier to accompany a development application for 552 Darling Street, Rozelle. The application is being lodged by the Owner Mr. Andrew Meier.

The proposal has been designed to achieve the relevant provisions of the Inner West Local Environmental Plan 2022 and Clause 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).

The development proposal comprises:

1. a 1.2 metre extension of the existing single storey annexe (to align extent of demolished original bathroom wall).
2. Enlarged existing ground floor window opening to street frontage to install a period double hung sash window to enhance street presentation and better reflect the building's Victorian heritage. (Options presented in drawings A-05 A & B)

Please find the following supporting documents enclosed for Council's assessment of the DA:

- Council's DA Form and Checklist.
- Owner's Consent to lodge the DA.
- Payment of DA lodgement fee to Council.
- Architectural Plans/Drawings prepared by Owner, dated 13 August 2023.
(NB: Architectural drawing prints 1:100 scale @ A3)

– Demolition / Site Plan,	Drawing No. A-00, Rev A
– Ground Floor / Site Plans (Existing/Proposed),	Drawing No. A-01, Rev A
– First Floor Plans (Existing/Proposed),	Drawing No. A-02, Rev A
– Section AA (Existing/Proposed),	Drawing No. A-03, Rev A
– Section BB (Existing/Proposed),	Drawing No. A-04, Rev A
– West (Street) Elevation (Existing/Proposed), Option A,	Drawing No. A-05A, Rev -
– West (Street) Elevation (Existing/Proposed), Option B,	Drawing No. A-05B, Rev -
– East (Rear) Elevation (Existing/Proposed),	Drawing No. A-06, Rev A.
– North Elevation (Existing/Proposed),	Drawing No. A-07, Rev -
– Shadow Diagrams/ Site Calculations 1,	Drawing No. A-08A, Rev -
– Shadow Diagrams/ Site Calculations 2,	Drawing No. A-08B, Rev -
- Site Survey Drawing – prepared by Norton Surveyors (dated May 2013 for prior DA submission - existing site condition unchanged as surveyed).
- This Statement of Environmental Effects prepared by Owner dated August 2023.
- Heritage Impact Statement prepared by Owner dated August 2023.

Statement of Environmental Effects
No. 552 Darling Street Rozelle NSW 2039

2. Site description and analysis

2.1 Location and property description

The property is located at 552 Darling Street Rozelle near the junction with Beattie Street and comprises Lot DP557052 with a west frontage on Darling Street. The site is rectangular in shape, measuring approximately 4.7m (street frontage and rear boundary) with side boundaries of approximately 30.48m in length. The total site area is approximately 143.2m².

Figure 1 illustrates the location and extent of the site. The building is a two-storey terraced house built c. 1890 as a matching/handed pair with adjoining No. 554 Darling Street.

Access to the rear of the terrace houses along this portion of Darling Street is from Wisbeach lane. The subject site is not listed as a heritage item but is situated within a Heritage Conservation Area and considered as contributory to the HCA.

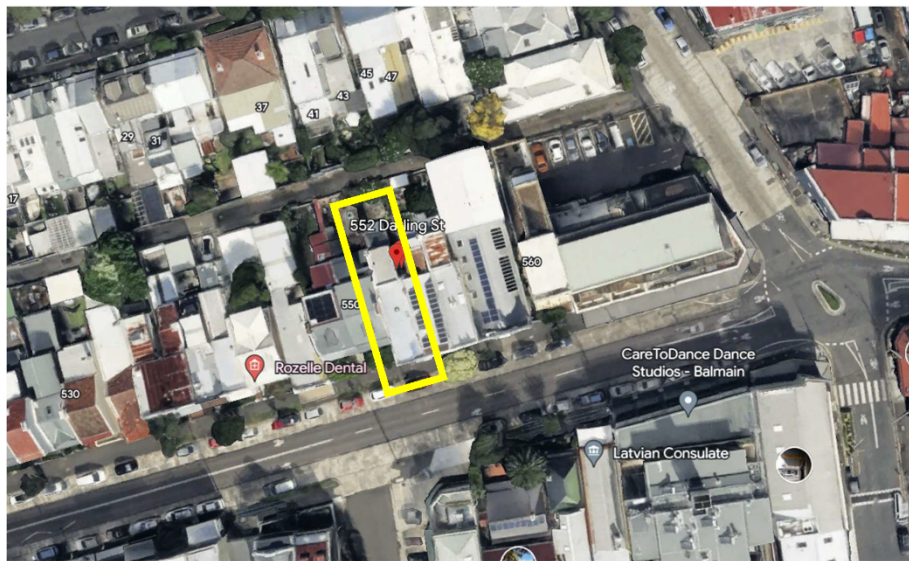


Figure 1

2.2 Site characteristics and context

The property is a part of a history of limited developments staged along Darling Street until the corridor was established as the main street to Balmain east. With its prime location within 5km of the city, the peninsula developed this commercial/retail corridor along the ridgeline with industrial typically located adjoining the bay. Housing was progressively developed on land between the two.

No. 552 was constructed as a matching/adjoining pair with No. 554 at the end of the 19th century. Situated at the end of the main Rozelle Neighbourhood shopping precinct between Victoria Road and Wise Street, characterised by a mix of commercial, retail and food and beverage outlets. The sites follow standard terrace format of long narrow rectangular plots with access from a rear for lane for access and dunny can collection.

Statement of Environmental Effects
No. 552 Darling Street Rozelle NSW 2039

Houses from No. 550 north towards Balmain are separate development in the mature Sydney terrace style with wider plots and setback from the street, ornate windows and upper floor balconies with wrought iron lacework.

No. 556 is subsequent development in matching style as infill on the residual plot between No.554 and the Masonic Hall.

The precise construction date of Nos 552/554 is unknown but understood to be c. 1890.

It is understood No.552 was a teahouse at some point during the 1920s and an aerial photo from 1940 (**See photo 10**) shows a suspended awning still in place across Nos 552-556.

However there does not appear to be any detail history of when street frontages were adapted for conversion to residential use.

A distinctive classical pediment detail linking the two houses is a notable feature, but the Victorian heritage has been undermined by changes to fenestration over time.

Photos 1 to 10 shows the subject site external facade / street context and rear yards:



Photo 1: Street Frontage to Nos 552 /554 showing No. 556 and Masonic Hall



Photo 2: Street Frontage towards Nos 552 /554 from Reece (corner shop to Beattie / Wise Street)

Statement of Environmental Effects
No. 552 Darling Street Rozelle NSW 2039

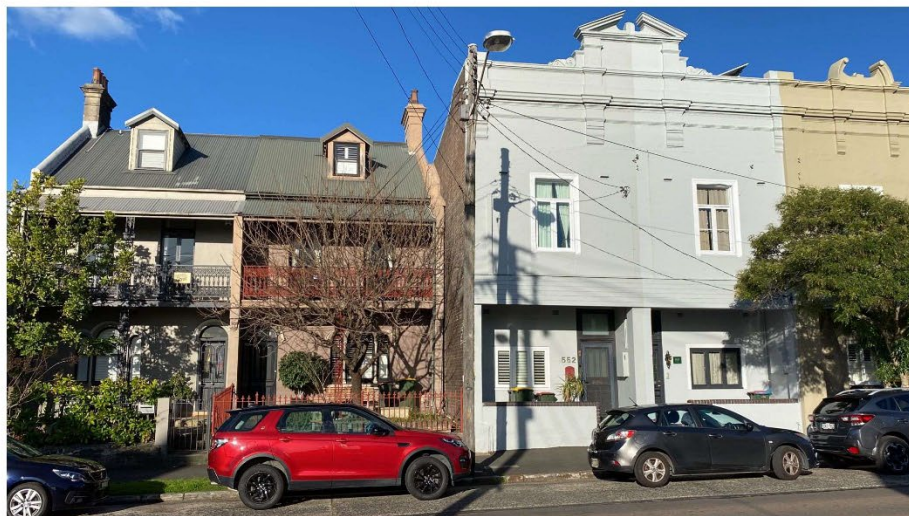


Photo 3: View of Nos 548 & 550 showing (start of) different terrace typology towards Balmain



Photo 4: View towards No.552 from Balmain side

Statement of Environmental Effects
No. 552 Darling Street Rozelle NSW 2039



Photo 5: View from rear / Wisbeach lane towards No.550 / 552.



Photo 6: View of existing rear single storey annexe to No. 552 showing retained wall & vent pipe to demolished bathroom at boundary (No.550).

Statement of Environmental Effects
No. 552 Darling Street Rozelle NSW 2039



Photo 7: View of No. 552 garden towards Wisbeach Lane



Photo 8: View of adjoining rear to No.554 (from No. 552).

Statement of Environmental Effects
No. 552 Darling Street Rozelle NSW 2039



Photo 9: View of adjoining rear to No.550 (from No. 552).



Photo 10: Aerial photo of neighbourhood 1940. The full height first floor windows and awning across Nos 552/554/556 can be seen, since changed/ removed.

Statement of Environmental Effects
No. 552 Darling Street Rozelle NSW 2039

2.3 Surrounding development

Nos 552 & 554 are distinct from the ornate balconied Sydney terraces that commence from No 550 towards Balmain.

In broad language, they relate more closely to the Victorian street shop frontage found along the main shopping strip between Wise Street and Victoria Road with double hung windows, parapets and less ornate details common above varying shopfront details.

However, the pattern of staged development and ad-hoc changes means the streetscape is perhaps better characterised as diverse but within a broad (Victorian) typology unified by common elements of shopfronts and features such as suspended awnings and verandahs.

The commercial buildings in the northerly portion beyond the Sackville are at the far – and commercially subordinate - end of the shopping precinct.

The character of the streetscape changes after No. 552 with 2 storey residential terrace typology with front setbacks becoming the norm until Wisbeach Street.

3. Details of proposal

3.1 Proposed works

The Architectural drawings illustrate the proposed scope of work for the alterations and addition to 552 Darling Street.

3.1.1 Existing Conditions / historical changes

The terrace has been amended and re-purposed for residential use.

As elsewhere, the advent of mains sewerage allowed the dunny outhouse to be replaced by a connected bathroom/laundry beyond the kitchen.

As bathrooms moved (further) inside the house, the bathroom annexe was demolished in favour of a reduced single storey annexe opening to the courtyard.

The original line/extent (1.2m beyond the current external wall) is visible and retained boundary wall. The original arrangement is still retained (as laundry) to No. 556.

The reduced annexe is limiting and cramped for layout (and use) as a viable dining area large enough for a family and guests (connected to the kitchen / lounge).

Fenestration on the street frontage has been altered.

The 1940 aerial photo shows the first-floor windows were originally full height to just above canopy level.

No records have been located at Council and State archives to establish what existed at ground floor whether shopfront or original window/s, but the current 3 panel casement is an intervention that does not reflect Victorian detail or proportions.

Statement of Environmental Effects
No. 552 Darling Street Rozelle NSW 2039

3.12 Proposed Alterations and Addition

Rear Extension:

The proposal is to extend the footprint of the existing single storey annexe and skillion roof by 1.2m to allow an adequately sized (re-orientated) dining area as a beneficial upgrade to improve amenity and resolve what is now a missing component to living area.

The extension will not breach the original line set by the (demolished) bathroom, nor overlook or materially impact light to No. 554 as evidenced by shadow cast diagram (winter solstice) on drawing A.09.

Refer Drawings A-01 – A07

Street Frontage:

While no clear historical record has been sourced / established, the original retail usage (complete with established awning) suggests a shopfront as likely. Reinstating this is not appropriate to the historical conversion to residences, but the proposal enlarges the existing window opening to install (salvaged) period coupled double hung sash windows with a view to establishing improved Victorian proportion and detail.

Note: The preference is to duplicate the adjusted fenestration to No: 554 (in agreement with the owner) if this could be considered as a part of the DA submission.

4 Strategic Planning Context

Inner West Local Environmental Plan 2022

The principal and governing planning policy and local environmental planning provisions for development that would apply to these alterations.

The document establishes key objectives and planning priorities as public policy guidance for permitted development.

Declared aims relevant to this DA submission include—

- (a) to conserve and maintain the natural, built and cultural heritage of Inner West,
- (b) to encourage diversity in housing to meet the needs of, and enhance amenity for, Inner West residents,
- (d) to create a high-quality urban place through the application of design excellence in all elements of the built environment and public domain,
- (e) to prevent adverse social, economic, and environmental impacts on the local character of Inner West.

Statement of Environmental Effects
No. 552 Darling Street Rozelle NSW 2039

Table 1 – Summary assessment of the proposal against key declared objectives, priorities and items

	Control	Compliance
LZN 007	The plot is zoned R1 General Residential under Land Zoning Map (LZN_007)	Complies – No change to zoning or use as general residential
FSR 4.4.2	The plot is zoned FSR 0.5 under map FSR 007 Plots < 150m ² edged black or pink may have max. FSR of 0.9: 1	Existing breach: – Existing terrace is nom. FSR 1.02. Amends to 1.045 with extension. <u>Refer 5.0 & Clause 4.6 application below</u>
4.3c	Site coverage: the development will result in a landscaped area comprising at least 15% of the site area, and: ...the site coverage does not exceed 60% of the site area.	Existing breach: - Private open space complies but historical terrace norm has courtyard allowing outdoor amenity. Extensive landscape would limit practical use. Existing Breach – 65.32% coverage extends to 68% with extension. <u>Refer 5.0 & Clause 4.6 application below</u>
5.10.1	(a) to conserve the environmental heritage of Inner West,	No specific heritage item/listing but proposal to restore fenestration in period style and proportion.

Leichhardt Development Control Plan 2013

The current Development Control Plan is an assisting document to facilitate development in accordance with the aims and objectives established by the Inner West LEP 2022. It includes guidelines and performance measures by which DA applications may be assessed relating to amenity, environmental performance, or heritage concerns amongst other issues.

Nos 552/554 Darling Street were constructed as a matching pair and with high ceilings and a notable pediment detail at the parapet contribute heritage detail at the far end of the commercial strip of the Rozelle Commercial Distinctive Neighbourhood.

Part C 'Place' Sections 1,2 and Section 3 'Residential Provisions' along with Appendix B relating to Building Typologies are considered relevant guidance in respect of submitted proposals.

The site is located within a Heritage Conservation Area and, while not a Heritage item, is considered as contributory to the HCA.

Statement of Environmental Effects
No. 552 Darling Street Rozelle NSW 2039

Table 2 - Summary assessment of the proposal against key declared objectives, priorities, and items.

	Control	Compliance
O1d	Site Context Analysis C1.1. the potential for amenity impacts such as overshadowing, loss of privacy, views or solar access	Complies – No window to extension overlooking Nos. 550/554 and no material impacts from overshadowing (as shadow diagram)
O1.f	the special qualities of the site and its context including urban design, streetscape and heritage considerations	Complies: – Core Street frontage retained. Proposal seeks to re-instate period detail & (vertical) proportion to street fenestration.
-	Alterations and Addition C1.3 If the addition is to merge with the existing building and roof form, then it should retain the integrity of the original elevation treatment and roof form.	Complies – Minor extension to existing single storey annexe and skillion roof maintaining scale and form. Street frontage retained with (sole) replacement of fenestration to re-instate period proportion and detail.
C15	Roof forms for alterations and additions: a. pitched in form to match the predominant roof forms of the original property and / or its context	Complies – Minor extension to existing single storey annexe extending existing skillion roof.
O1a	HERITAGE CONSERVATION AREAS C1.4 does not represent an unsympathetic alteration or addition to a building	Complies – Propose to enhance street and minor extension to existing form at rear.
O1.c	HERITAGE CONSERVATION AREAS C1.4 encourages the removal of unsympathetic elements;	Complies – Propose to restore period detail / proportion to amended fenestration.
07	RESIDENTIAL GENERAL PROVISIONS C3.1 To ensure that the amenity, including solar access and visual privacy, of the development and adjacent properties is not adversely impacted.	Complies – No window to extension overlooking Nos. 550/554 and no material impacts from overshadowing (as shadow diagram)
C1.b	PRIVATE OPEN SPACE C3.8 Private open space...has a minimum area of 16sqm and minimum dimension of 3m;	Complies

Statement of Environmental Effects
No. 552 Darling Street Rozelle NSW 2039

5.0 Basis for Proposal and Clause 4.6 Request

5.1 Basis for Proposal

Street Fenestration

Original fenestration has been removed from the street frontage and the replacement is alien to the building's Victorian origins in both detail and proportion.

The 1940 aerial photo shows an earlier, likely original, configuration with suspended awning and full height opening above. Further detail – not least at the ground floor - cannot be assessed.

Ground floor casement windows were likely set when Nos 552/554 were adapted to residences.

While the original configuration is unknown, the proposal is to establish Victorian period detail and better proportion with nom. 1.8-1.9m high coupled double hung sash windows to enhance street presentation and set a language more in keeping with the heritage.

The building's origin as commercial shophouse makes historical re-instatement inappropriate with established, historical adaptation to a residence – even if a record could be found. But the window intervention when Nos 552/554 were converted is clearly not sympathetic to period and the objective is to provide fenestration more in keeping with heritage, proportion and period detail to the window fronting the street.

Rear Extension

This DA submission seeks minor extension of the existing single storey annexe to allow a configured dining area and layout that works as an integral component to a modern living area cluster of lounge, kitchen and dining.

The present space is remnant area from the original kitchen/laundry annexe – which was further reduced when the original attached toilet annexe was demolished. Allowing a small kitchen, the remnant space is ill suited and cramped for the needs of dining in a 4-bedroom family terrace.

A max. 1.2 metre extension of the existing exterior wall would not impact the practical amenity of the current private open space but would allow the dining layout to be re-configured (in line) to get practical circulation around the table.

The proposed extension is simple and direct extension of the existing annexe and skillion roof. To minimise impact this is limited and would not exceed the line set by the original (now demolished) toilet/laundry.

(The original line can be seen at Nos.556 and No. 550 where these have not been demolished.)

Concerns regarding privacy and overlooking are not an issue as no further window is added facing towards No. 554. The retained toilet boundary wall effectively conceals the annexe from ground level view from No. 550.

The easterly orientation is similarly beneficial in reducing the potential impact on solar access to No. 554. The combination of side setback and low roof means shadow is not cast onto window wall as demonstrated by enclosed June 22 shadow diagrams.

With no material impacts to privacy, amenity, or solar access to adjoining neighbours, we request our application to vary FSR and site coverage standards is considered under Clause 4.6

Statement of Environmental Effects
No. 552 Darling Street Rozelle NSW 2039

5.2 Clause 4.6 Justification for Section 4.4.2 FSR Variance

The existing terrace was constructed on a narrow plot to a Victorian development standard that breaches the permitted residential zone FSR of 0.9. However, the terrace is not standard residential typology typical for the surrounding houses along Darling Street.

A FSR of 1.02 exceeding current standard is anticipated and reflects an origin as a commercial premises with the intensive development and nil setback associated with a streetside location.

The minor extension marginally extends FSR of 1.02 to 1.045 (a 16% variance to Section 4.4 std)

We propose variance to permitted FSR be considered/ accepted for the following reasons:

- The extension is a marginal variance (2%) to the existing historical breach to FSR standard and is established precedent by virtue of history, prior development standards and, not least, that original development was as a commercial premises.
- The increase is minor extension of the existing footprint area (4.49%) and retains site setbacks.
- There are no unacceptable adverse impacts in terms of shadow, view, visual and acoustic privacy impacts to neighbours.
- The extension is limited to improving layout and use of a sub-optimal dining as a component part of living areas as upgrade to housing stock and improved amenity for residents.
- There is no practical limitation to use of the private landscaped open space which complies and exceeds the minimum requirements.
- Increased FSR of 1.5:1 was granted to (matching) No 554 Darling Street for a whole floor attic floor addition under prior DA submission /approval ref: D/2009/163.

5.3 Clause 4.6 Justification for Section 4.3C Site Coverage

A maximum site coverage standard (of 60%) is similarly exceeded for essentially the same reasons and history as a commercial development on a main street as noted for FSR. Similarly, more intense site coverage is noted to adjoining plots along Darling Street to Wisbeach Street where outbuildings and garages have been constructed to rear lots. Whilst the established building exceeds the Development standard (at 65.32%) the extension is marginal (4.10%) variance to the original building yielding an amended 68% coverage.

As BLZ analysis (in Section 6 below), unlike many of the adjoining plots, the rear is landscaped and has not been colonised by outbuildings, so private open space is well in excess of minimum standards of 16 sqm. Amenity to both resident and public is maintained in an open space to the rear lane that is landscaped that is not practically impacted by the minor extension under submission.

Several of the reasons we propose variance be considered are linked to those for FSR:

- The extension is a marginal variance (4.5%) to the historical breach to site coverage standard that is established precedent by virtue of history, prior development standards and, not least that the original development was as commercial premises.
- The narrow terrace format and plot is small and narrow which limits possibilities for enlarging the house to provide the needed space to improve amenity with an appropriately sized dining area.
- The proposed development provides for more than the minimum area required for private open space under the LEP and consolidates this as open landscaped area to the rear lane.

Statement of Environmental Effects
No. 552 Darling Street Rozelle NSW 2039

- The variation is a modest extension of the existing single storey rear annexe and skillion roof maintaining scale and detail. The proposed works are located at the rear and not visible from Darling Street.
- The urban terrace format maximises efficient plot use and does not practically allow the 15% landscaped area envisaged (in contemporary guidelines) without practical loss of amenity as an outdoor space. Whilst in technical breach, this is a difficult standard to apply to inner urban terraces and we note mature vegetation and planters are retained (unchanged) to margins beyond paving needed for sit-out and dining.
- There are no unacceptable adverse impacts in terms of shadow, view, visual and acoustic privacy and solar access is maintained to neighbours.
- The extension is limited to improving layout of a sub-optimal dining as a component part of modern living areas as upgrade to housing stock and improved amenity. The open courtyard remains viable both for practical use and as a landscaped buffer to the public lane.

6 Other Considerations

6.1 - BLZ (Rear setback to Wisbeach Lane – Beattie/Wisbeach Street)

Nos 548-558 Darling Street

Figure 2 indicates rear setbacks between Nos 556 to 548. The 2-storey setback is to a common line with minor variation to the single storey annexe beyond.

The former built line of the attached bathroom is indicated in yellow. As noted, while demolished in works to No. 552 and 554 – the existing boundary wall is retained to No. 552.

It remains to Nos. 556 and 550 where they are re-purposed as laundry, store, and workshop. This line is referenced as proposed line for the extension wall face.

No. 558 is the masonic hall and extends the full depth of the plot with nil open space.



Figure 1

Statement of Environmental Effects
No. 552 Darling Street Rozelle NSW 2039

BLZ Darling Street residential to Wisbeach Street (from Wisbeach Lane).

The residential portion of Darling Street (to Wisbeach Street) shows a consistent 2 storey line across the properties but, beyond that, wide variation in extent of single storey development to rear plots.

Figure 2 has an aerial view. Disregarding commercial premises at Nos 546 and 530A the residential plots are invariably heavily developed with single storey extensions and garages/ outbuildings to Wisbeach Lane.

As a result, there is typically less private open space and landscape than retained at Nos 548-556 – Extensive site coverage and garages at the plot boundary becomes the norm towards Wisbeach Street.



Figure 2: Rear plots viewed from Wisbeach Lane



Statement of Environmental Effects
No. 552 Darling Street Rozelle NSW 2039



Photos along Wisbeach Lane

While the variation makes it difficult to be precise with average setback, single storey annexes frequently develop further into the rear and beyond the line in Figure 1 with site coverage/ landscaped space further undermined by garage frontages.

By contrast, landscaped private open space has largely been preserved between Nos 548 and 556.

The DA retains the quality of existing landscaped open space and reduced site coverage that has been eroded elsewhere. Aligning an extension with the former bathroom wall is consistent with the history of adjoining properties as Figure 1 and looks to (still) setback significantly more than the average as measured across the surrounding street (Figure 2).

6.2 Solar Access – Winter solstice

Drawings A-08 A & B provide shadow diagrams to No. 554. The rear already has benefit of full height north and east facing concertina doors which make for a well-lit kitchen.

As diagrams indicate, direct sunlight is maintained to both sets of glazed doors even at winter solstice.

At 9 am a portion of the north doors is shaded by the extended roof, but this is marginal and sun is maintained at the top with east facing doors getting unobstructed light. Shadow from the 2-storey house progressively shades north windows during the morning and by midday tracking of the sun has rear walls in shade.

The rear annexe to No. 554 maintains good lighting by virtue of extensive and dual aspect glazing with external shading needed to manage summer sun.

With a “beneficial” easterly orientation, the extension roof has no significant impact to shading. It does not materially affect a dynamic where shadow is cast by 2 storey house frontages as the sun path moves beyond Darling Street.

6.3 Construction / Materials Schedule

Proposed materials include:

- matching 0.42 BMT Custom Orb roof sheeting to the skillion roof extension with Anticon R60 quilt insulation between battens and 100mm glasswool insulation between rafters
- CFC board cladding with painted finish to exterior extended wall on wall wrap to ply sheathing / 90x45 H2 framing with 90 mm glasswool between studs.
- All framing clad in plasterboard and painted. To single brick wall portion, timber framing / insulation extended (with nom. Cavity to inside face to abut/ 230mm solid brick wall.

Statement of Environmental Effects
No. 552 Darling Street Rozelle NSW 2039

- New access to garden to be stack doors in powder coated aluminium.
- Replacement window to Darling Street be salvaged item or timber reproduction in period style.

The extension will be constructed in accordance with The Building Code of Australia.

6.3 Stormwater Management

Additional stormwater drainage will be nominal for the extended skillion roof and will be collected to the existing gutter and downpipe.

7 Conclusions

This DA submission seeks development consent from Inner West Council for alterations and additions to No. 552 Darling Street.

The proposed addition is limited to a minor extension of the existing single storey annexe and skillion roof to the rear as the core submission.

It is additionally proposed to alter the fenestration to the street at the ground floor to remove the window which was likely an intervention when adapted to residences. The intent is to replace with salvaged and/or new joinery that better establishes period detail and proportion in keeping with its Victorian heritage.

Historicist re-instatement does not seem appropriate in this instance both for the changed use and a history (such as we have) that suggests some form of shopfront under a suspended awning before conversion to residences.

The proposal is put forward to enhance street presentation with a double hung window that better sets period proportion and detail.

We are in discussion with the adjoining owner (No.554) as, if we should receive consent, we would ideally like to match the replacements to maintain the history of the two houses as a handed pair in design and layout. (We have identified a possible matching window pair at Chippendale Restorations -see Option A Dwg. A-05A or a 2 panel Option B Dwg. A-05B).

We have assessed proposals against development control standards in Section 4.0 and the proposals generally achieve a high level of compliance with applicable provisions within the Leichhardt DCP 2013 and Inner West LEP 2022.

Breaches regarding FSR and site coverage for the rear extension are listed and discussed in the Clause 4.6 requests in Section 5.0.

A technical variance above 10% is noted as measured against current standards - but we have detailed some specific circumstances in the history, original use and built line that we believe should be taken into account.

As a minor continuation of the existing annexe and skillion roof, drawings demonstrate extension to the original line set by the demolished bathroom presents no material adverse impacts to either neighbour.

Private open area is maintained and comfortably exceeds minimum standards without visibility from Darling Street and to a good depth beyond the house.

Statement of Environmental Effects
No. 552 Darling Street Rozelle NSW 2039

The tight plot of an urban terrace poses a clear, historical challenge to achieving the contemporary standard of 15% landscaped area without practical loss of use and amenity as an outdoor space. Current mature planting at boundaries beyond paving is retained and the significance and value as a landscaped buffer to the rear lane is unchanged.

From our standpoint, The LEP also refers to enhancing amenity for Inner West residents as amongst the key objectives of planning policy.

Prior CDC submission in 2020 resolved a viable bathroom and adopted the stairwell to increase the lounge. The focus of this DA is to conclude upgrade by resolving a practical dining configuration and establish street fenestration more in keeping with historical period.

Proposals seek to work with the aims and provisions contained within the Inner West LEP 2022 and Leichhardt DCP 2013 by general compliance in:

- Improving amenity through beneficial upgrade to establish an integrated living zone grouping of lounge, kitchen and dining facilities sized for a family (4 bedroom) terrace.
- Addressing the interests of neighbours and public in a considered, scaled and minimal extension that has no significant adverse impacts noted.
- Maintaining private open space that comfortably exceeds minimum requirements and consolidated as an open landscaped garden.
- Establishing heritage detail and proportions to Darling Street fenestration that better reinforces and complements streetscape character as a contribution towards the HCA.

Prior grant of FSR 1.5:1 to No. 554 Darling Street under DA reference D/2009/163 is referenced.

Notwithstanding technical non-compliance re: FSR, site coverage and permeable area, the works are marginal change to the existing condition and with no significant adverse impacts to neighbours or the public domain.

We consider strict compliance to standards in technical breach is not reasonably required, allowing the urban typology, site context and history.

For these reasons and circumstances outlined in this report, we consider proposals meet the objectives in the development standards and request discretionary approval under Clause 4.6.

Should you require any clarifications please do not hesitate to contact me.

Regards

Andrew Meier

Attachment D – Statement of Heritage Significance

Statement of Heritage Impact

Accompanying a development application for

Addition and Alteration Works

At

DP557052

No. 552 Darling Street

Rozelle NSW 2039

13 August 2023



A&A Works to 552 Darling Street, Rozelle 2039

Email: Jessandy2003@yahoo.co.uk

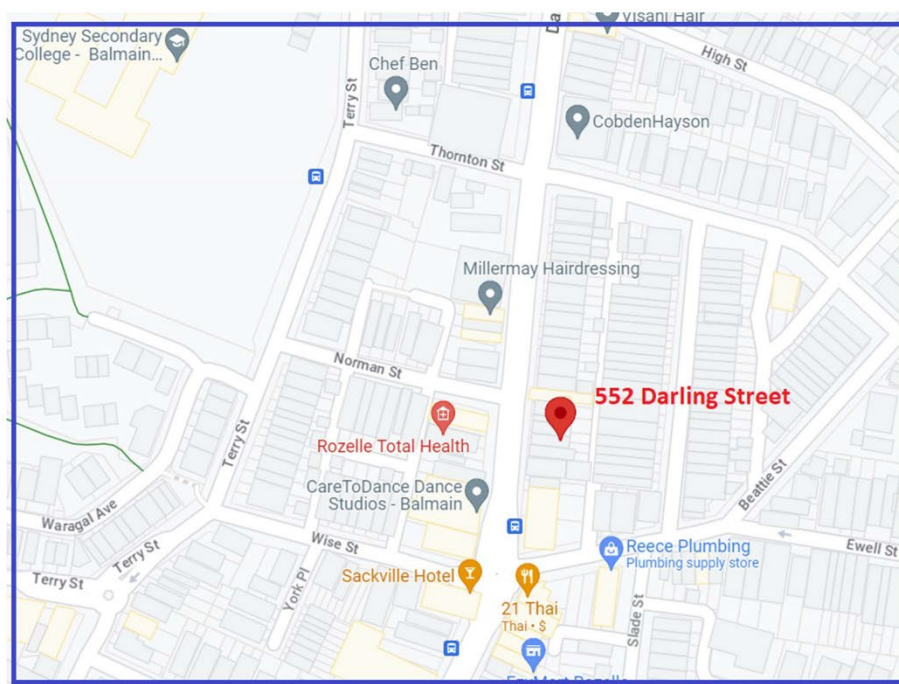
Document Set ID: 38048684

Version: 1, Version Date: 31/08/2023

Statement of Heritage Impact
No. 552 Darling Street Rozelle NSW 2039

Contents

1. Introduction	Page 3
2. Historical Background	Page 3
3. Details of proposal	Page 7
4. Conclusions	Page 8



Statement of Heritage Impact
No. 552 Darling Street Rozelle NSW 2039

1. INTRODUCTION

1.1 Background

This statement of heritage impact has been prepared by Andrew Meier to accompany a development application for 552 Darling Street, Rozelle. The application is being lodged by the Owner Mr. Andrew Meier.

The site lies in the Valley Heritage Conservation Area but there are no heritage items within the immediate vicinity of the subject site, with the closest items located in Beattie Street.

The development proposal comprises:

1. a 1.2 metre extension of the existing single storey annexe / skillion roof to the rear (to align extent of demolished original bathroom).
2. Enlarged existing window openings to street frontage to install new French doors and period double hung sash windows to enhance street presentation and better reflect the building's Victorian heritage.

1.2 Heritage Listings

Items are predominantly found further along Darling Street in the Rozelle Neighbourhood Shopping Precinct near Victoria Road and include The Hannaford Centre (608), Former bank (661), Rozelle Public School (663) and St Pauls Church and Centre (665A).

Additionally, several commercial buildings and a few terraces are listed in Beattie Street. No listed heritage items adjoining or within sightline of the subject site.

2. HISTORICAL BACKGROUND

2.1 History of Darling Street and site context

The property is a part of a history of limited developments staged along Darling Street until the corridor was established as the main street connecting Victoria Road to Balmain east. With a prime location within 5km of the city, the peninsular population grew with industrial enterprises typically located adjoining the bay.

Darling Street was progressively developed along the natural ridgeline and would in time become the main commercial/retail corridor. A process accelerated by the extension of the steam tram service along Darling Street by 1900 which encouraged shopkeepers to relocate there to catch the passing trade.

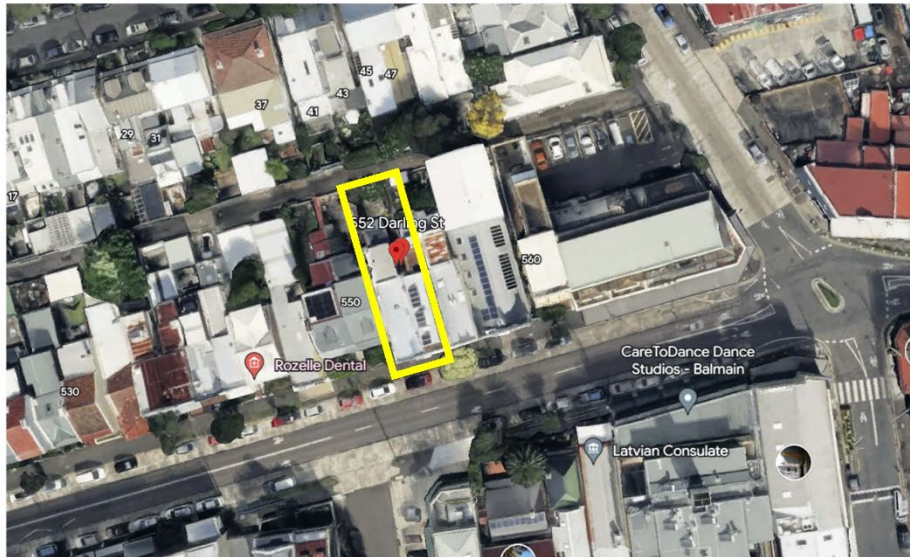
No. 552 was constructed as a matching/adjoining pair with No. 554 towards the end of the 19th century. Situated at the far end of the main Rozelle Neighbourhood shopping precinct between Victoria Road and Wise Street. The precinct is characterised by a mix of commercial, retail and food and beverage outlets.

The sites follow standard terrace format of long narrow rectangular plots with access from a rear for lane for access and dunny can collection.

Houses from No. 550 north towards Balmain are separate development in the mature Sydney terrace style with wider plots and setback from the street, ornate windows and upper floor balconies with wrought iron lacework.

Statement of Heritage Impact
No. 552 Darling Street Rozelle NSW 2039

No. 556 is subsequent development in matching style as infill on the remnant plot between No.554 and the Masonic Hall.



The precise construction date of Nos 552/554 is unknown but understood to be c.1890. It is understood No.552 was a teahouse at some point during the 1920s and an aerial photo from 1940 (**See photo 5**) shows a suspended awning still in place across Nos 552-556. However there does not appear to be any detail history of when street frontages were adapted for conversion to residential use.

A distinctive classical pediment detail linking the two houses is a notable feature, but the Victorian heritage has been undermined by changes to fenestration over time.

Photos 1 to 5 shows the subject site external facade / street context:



Photo 1: Street Frontage to Nos 552 /554 showing No. 556 and Masonic Hall

Statement of Heritage Impact
No. 552 Darling Street Rozelle NSW 2039



Photo 2: Street Frontage towards Nos 552 /554 from Reece (corner shop to Beattie / Wise Street)



Photo 3: View of Nos 548 &.550 adjoining No. 552 showing (start of) different terrace typology towards Balmain

Statement of Heritage Impact
No. 552 Darling Street Rozelle NSW 2039



Photo 4: View towards No.552 from Balmain side



Photo 5: Aerial photo of neighbourhood 1940. The full height first floor windows and awning across Nos 552/554/556 can be seen, since changed/ removed.

Statement of Heritage Impact
No. 552 Darling Street Rozelle NSW 2039

2.2 Surrounding development

Nos 552 & 554 are distinct from the ornate balconied Sydney terraces that commence from No 550 towards Balmain.

In broad language, they relate more closely to the Victorian street shop frontages found along the main shopping strip between Wise Street and Victoria Road with double hung windows, parapets and less ornate details common above varying shopfront details.

The character of the streetscape changes after No. 552 with 2 storey residential terrace typology with front setbacks becoming the norm to Wisbeach Street.

3. Details of proposal

3.1 Proposed works

3.11 Existing Conditions / historical changes

The subject site is not listed as a heritage item but is situated within a Heritage Conservation Area and considered as contributory to the HCA streetscape and character.

There is notable pediment detail linking the two terraces, but both have been amended at some point and re-purposed to residential use.

Fenestration on the street frontage has been altered. We have been unable to source any photo that would indicate original fenestration.

The 1940 aerial photo shows the first-floor window was originally full height to above awning level. The 3-panel casement at ground floor is an intervention that clearly does not reflect Victorian detail or proportions.

3.12 Proposed Alterations

Street Frontage:

The proposal is to restore original vertical proportion at the first floor by replacing/extending glazed French doors with a framed wood panel base and balustrade detail. To address road noise, the doors will need to be double glazed, but the intent is to maintain period detail by applying a thin glazing bar mid height either side of the DG unit.

The ground floor window opening is to be enlarged to install (salvaged) period coupled double hung sash windows to re-instate Victorian proportion and detail.

Options are being sourced from Chippendale Restorations and a coupled double and triple window bay have been sourced for potential use.

Note: The preference is to duplicate adjusted fenestration to No: 554 (in agreement with the owner) if this can be considered as a part of the DA submission. Currently the 3 bay window option is available as a matching pair.

Statement of Heritage Impact
No. 552 Darling Street Rozelle NSW 2039

4 Conclusions

The heritage intent under submission is to reverse earlier interventions where original windows were removed and replaced by windows alien in proportion and detail.

The case to restore proportion and period detail appears self-evident (in our view) as a matter of enhanced street presentation.

We are in discussion with the adjoining owner (No.554) as, if we should receive appropriate consent, we would ideally like to match the replacements to maintain a history of the two houses as a handed pair in design and layout.

Without a clear historical record, we have examined various options in design studies.

The 4.7m frontage is limiting to install 2 separate double hung windows either side of a brick pier yet a single double hung window, common to smaller terraces in adjoining secondary streets seems equally unsuited to the greater scale and presence in a main street location.

, we have progressed two options:

- 2 panel coupled double hung sash windows broadly within the same opening width but 1.8m high with period detail.
- 3 panel coupled double hung sash windows with a wider central window flanked by narrow sash windows in a slightly widened opening and 1.9m high.

Both options are being sourced through Chippendale Restorations but only the 3-panel option currently is a direct salvage item and pair.

Detail includes original build-out and modelling to the timber coupling posts but it would require widening of the existing opening. Both options entail raising lintel height to restore a vertical proportion with a replica sill detail as indicated.

The owner to No.554 has not committed or agreed to replicating the same detail as yet but is sympathetic to the idea.

Without a clear record of the original windows at ground floor the priority is to re-establish fenestration that has a presence more in keeping with the Victorian heritage and is ideally a salvage item at ground floor.

It would assist if we could get in-principle Heritage support to either option as basis for DA consent for us to proceed, based on availability.

Should you require any clarifications please do not hesitate to contact me.

Regards

Andrew Meier