




	
DEVELOPMENT ASSESSMENT PANEL REPORT	
Application No.	DA/2024/0345
Address	62 Jarrett Street LEICHHARDT
Proposal	Integrated development under the Water Management Act 2000, works include demolition of existing structure and construction of a four storey mixed use building, including ground floor commercial space, residential accommodation above, and basement car parking
Date of Lodgement	6 May 2024
Applicant	Architecture Design Studio (Nsw) Pty Ltd
Owner	Chehab Capital Pty Ltd Chehab Nominees Pty Ltd
Number of Submissions	6
Cost of works	\$7,138,105.00
Reason for determination at Planning Panel	SEPP 65 development
Main Issues	FSR variation, diverse housing variation, view impacts, public submissions
Recommendation	Deferred Commencement Approval
Attachment A	Recommended conditions of consent
Attachment B	Plans of proposed development
Attachment C	Section 4.6 Exception to Development Standards (FSR)
Attachment D	Section 4.6 Exception to Development Standards (Diverse Housing)
	
LOCALITY MAP	
Subject Site 	Objectors 
Notified Area 	Supporters 

1. Executive Summary

This report is an assessment of the application submitted to Council for integrated development under the Water Management Act 2000, works include demolition of existing structure and construction of a four storey mixed use building, including ground floor commercial space, residential accommodation above, and basement car parking at 62 Jarrett Street Leichhardt.

The application was notified to surrounding properties and 6 submissions were received in response to the notification.

The main issues that have arisen from the application include:

- Potential view impacts to neighbouring mixed use building;
- Compliance with FSR and diverse housing mix development standards;
- Submissions from neighbouring properties.

The non-compliances are acceptable on merit and therefore the application is recommended for deferred commencement approval subject to the recommended conditions.

The recommended deferred commencement conditions relate to amending the awning design to ensure adequate clearance above the footpath and amend the basement parking design to ensure adequate manoeuvring space for vehicles to enter and exit in a forward direction.

2. Proposal

The proposed development seeks consent for the following works:

- Demolition of all existing structures on the site;
- Excavation of the site, to provide for a basement level;
- Construction of a four storey shop-top housing development comprising three commercial tenancies and 11 residential units, above basement parking and services;
- The proposed basement is to include 11 residential car parking spaces (including one accessible space), car manoeuvring areas, car wash bay, storage for each residential unit, seven bicycle spaces, two motorcycle parking spaces. The basement is accessed by a vehicle ramp, lift and fire stairs;
- The proposed ground floor level is to include three commercial premises, bulky waste room, commercial waste room, residential waste room, pump room, OSD tank above vehicle ramp, accessible WC and residential lobby from Rofe Street. This level also includes five commercial car parking spaces (of which one is for visitors), two bicycle spaces, a turning bay and loading/unloading area and shared zone. Vehicle access to the building is provided by a crossover to Jarrett Street, basement access is provided by a vehicle ramp, while fire stairs and a lift provide access throughout the building. An awning is proposed above the footpath in front of the site to Jarrett Street and to Rofe Street;
- The proposed first floor level is to include four residential units, three of which comprise two bedrooms and one with three bedrooms. Each unit has two bathrooms, laundry area, open plan living areas, storage and an external terrace (each with an AC

condenser). Common access between levels is provided fire stairs and lift which connect to a residential lobby. This level also has the main communal open space (145.18sqm in area) which includes a clothes drying area and accessible WC;

- The proposed second floor level is to include five residential units, of which three are two bedroom units and two are one bedroom units (one of which is an adaptable dwelling). The one bedroom units include a bathroom, laundry area, open plan living areas, storage and an external terrace (each with an AC condenser). The two bedroom units include two bathrooms, laundry area, open plan living areas, storage and an external terrace (each with an AC condenser). Common access between levels is provided fire stairs and lift which connect to a residential lobby;
- The proposed third floor level is to include two three bedroom units, each with two bathrooms, laundry area, open plan living areas, storage and external terrace. Communal open space is provided at the south-eastern corner of this level. Common access between levels is provided fire stairs and lift which connect to a residential lobby;
- The proposed roof level is to include PV cells, lift overrun and building services;
- Landscaping works are proposed within the southern setback at the ground floor level, with stairs accessing that space from the first floor communal space and a doorway from Rofe Street. Further landscaping is provided on the building, with a planter at the south-eastern section of the first floor level, a planter at the northern extent of the second floor level, forward of the terrace of Units 02-01 and 02-02 and a planter bed along the outer edge of the third floor level, with varying widths between 0.5m and 4.15m.

3. Site Description

The subject site is located on the southern side of Jarrett Street, at the intersection of Rofe Street and Jarrett Street. The site consists of Lots 59, 61 and 62 in Section 3 of DP 612, as well as Lot A in DP 302029. The site is generally rectangular shaped and has a combined area of 746.2sqm and is described as No. 62 Jarrett Street and No. 2C Rofe Street, Leichhardt.

The site has a combined frontage to Jarrett Street of 24.37 metres and a secondary frontage of approximate 30.48 metres to Rofe Street.

The site supports a two storey brick building at No. 2C Rofe Street, which includes a commercial use at the ground floor and residential tenancy above. The site also includes a single storey dwelling house at No. 62 Jarrett Street, with a metal shed and landscaping at the rear. The adjoining properties support a mixture of residential and commercial uses, between two and six storeys in height. To the south-west of the site is 469-475 Parramatta Road, which contains a six storey building comprised of mixed commercial and residential uses. To the east, is 447 Parramatta Road, which contains a five storey residential flat building with frontages to both Parramatta Road and Jarrett Street.

The subject site is not identified as heritage listed, nor is it within a heritage conservation area. There are no trees located on the subject site, with low scale street tree planting adjacent to the site on Rofe Street.

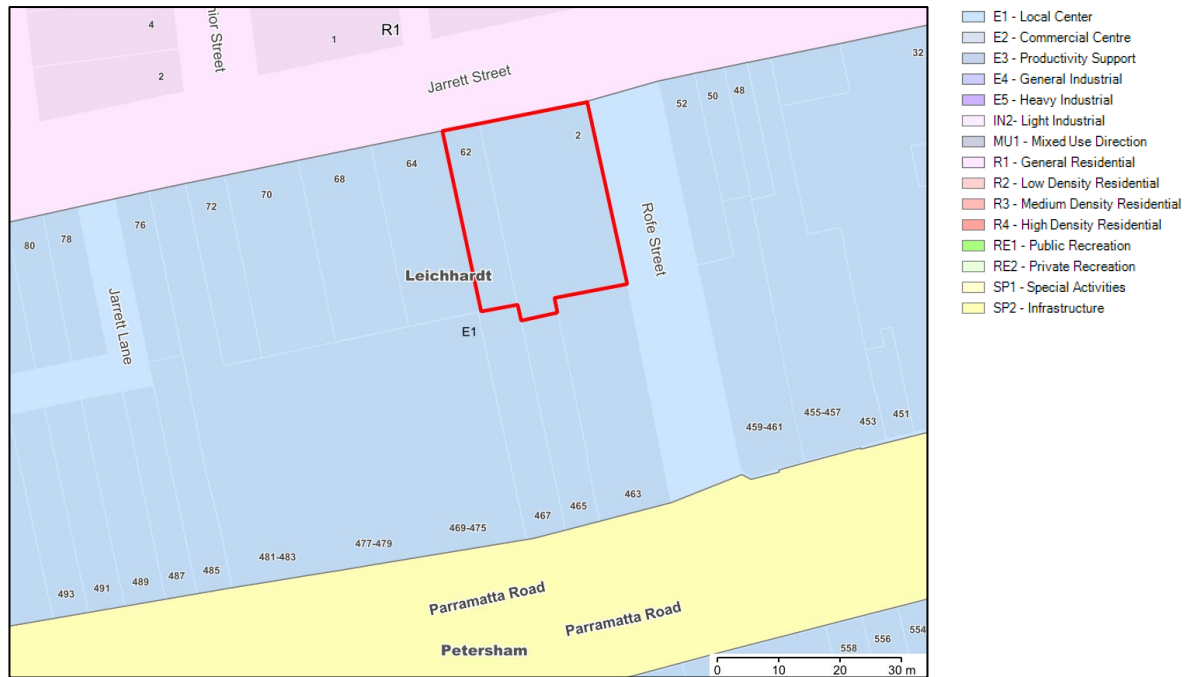


Figure 1: Zoning Map

DISCLAIMER: This map has been compiled from various sources and the publisher and/or contributors accept no responsibility for any injury, loss or damage arising from its use or errors or omissions therein. While all care is taken to ensure a high degree of accuracy users are invited to notify any map discrepancies.



Photograph 1: The subject site, as viewed from Jarrett Street



Photograph 2: The subject site, as viewed from Rofe Street

4. Background

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
PDA/2021/0354	Proposed demolition of existing structures and construction of a 4-storey Mixed use development including shop-top housing with 11 residential apartments, ground floor commercial premises and basement parking	Advice issued 23/12/2021

Surrounding properties

Nos. 465-467 Parramatta Road

Application	Proposal	Decision & Date
D/2015/680	Demolition of existing structures with retention and refurbishment of the facade of the building at No. 465 and construction of a 5-storey mixed use development comprising commercial	Deferred Commencement (Land and Environment Court) 6/5/2016

	space and a boarding house of 22 rooms and manager's quarters.	
M/2017/187	Modification of D/2015/680. Modifications include deletion of conditions relating to the requirement for a drainage easement over the downstream property; deletion of Condition 40(d) relating to requirement for a 6m canopy tree; and various internal and external modifications as detailed in the Statement of Environmental Effects and on the plans accompanying the application.	Approved (Land and Environment Court) 20/9/2019

Application history

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

Date	Discussion / Letter / Additional Information
19/6/2024	<p>Inner West Architectural Excellence Design Review Panel meeting was held with the applicant and Council. The key points of feedback from the AEDRP are detailed below:</p> <ul style="list-style-type: none"> • The ground floor lobby space should be further refined to avoid the awkward protrusion of the garbage chute into the lobby area. • The Panel suggests the applicant should investigate the addition of an external staircase to providing direct resident access between the first floor communal open space and the proposed ground level landscape space. • Minor re-planning on first floor could create a unisex accessible toilet serving the communal open space. • The Panel discussed that the floor-to-floor heights may need to be increased to achieve the minimum 2.7m floor-to-ceiling height within all habitable areas consistent with the NSW ADG Part 5C, whilst also achieving compliance with waterproofing and insulation requirements arising from the Design & Building Practitioners Act 2020 and the relevant provisions within the National Construction Code. • The Panel recommends squaring off the south eastern corner of the building to avoid potential construction issues where the proposed built form abuts the existing building on the adjoining property, and to simplify the relationship between existing and future buildings. • The Panel was informed during the Council officers' briefing that there are potential view affectation issues for existing neighbouring residents within the vicinity, and that the applicant may need to address these possible impacts as part of the detailed development assessment through a detailed view loss analysis. Additionally, any

	<p>potential floor space ratio exceedance needs to be addressed by the applicant to allow for Council's detailed assessment.</p> <ul style="list-style-type: none"> Revised DA documentation should include developed architectural drawings that adequately describe the design intent and provide details of each primary façade type in the form of 1:20 sections and elevations (or using appropriate detailed 3D design material) indicating proposed materials, generic construction systems, balustrade types and fixings, balcony edges, window operation, integrated landscape planter beds, material junctions, rainwater and balcony drainage, including any downpipes and similar details within the proposal. <p>Subject to the above matters, the AEDRP offered in principle support for the proposal.</p>
26/8/2024	<p>A request for further information was sent to the applicant, seeking the following:</p> <ul style="list-style-type: none"> Clause 4.6 Request to address the FSR variation; Amended Clause 4.6 request to address the diverse housing variation; Amendments to the proposed materials and finishes; Amended shadow diagrams; Various amendments to the proposed stormwater drainage plans and OSD location; Various changes to the proposed vehicular access and parking arrangements, as well as further detail regarding the parking scheme; Amendments to the building design to provide a splay corner; Changes to the waste layout and arrangements; Design refinements in accordance with the feedback from the Inner West Architectural Excellence Design Review Panel.
3/9/2024	<p>Photographs taken from Nos. 5 and 21/469-475 Parramatta Road sent to applicant, to prepare view modelling.</p>
20/9/2024	<p>The applicant submitted view modelling to demonstrate potential view impacts on neighbouring properties.</p>
3/10/2024	<p>The applicant submitted a response to the request for information, including the following:</p> <ul style="list-style-type: none"> Amended architectural plans. Key changes relate to basement and ground floor parking layout, additional unisex accessible toilet added to communal open space, splay corners added to the building, stairs added to access rear landscaped area from communal open space and increased floor to ceiling heights by 50mm, at each residential level. Amended materials and finishes schedule Additional sun studies, with the approved development at Nos. 465-467 Parramatta Road included. Amended stormwater plans, relocating the OSD tank

	<ul style="list-style-type: none"> • Amended waste report • Amended Clause 4.6 (Diverse Housing) request • Amended traffic engineering report <p>Renotification was not required on the basis of the amendments.</p>
18/10/2024	<p>Further amended plans were received, increasing the amount of commercial waste area. No changes were made to the previously submitted building envelope.</p> <p>In addition, an amended Section 4.6 request was submitted in relation to the FSR development standard.</p>

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)*.

A. Environmental Planning Instruments

The application has been assessed and the following provides a summary of the relevant Environmental Planning Instruments.

State Environmental Planning Policies (SEPPs)

SEPP (Resilience and Hazards) 2021

Chapter 4 Remediation of land

Section 4.6(1) of the *Resilience and Hazards 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, the applicant has undertaken a Stage 2 detailed site investigation which found evidence of contamination on the site and subsequently submitted a Remediation Action Plan. This includes elevated concentrations of lead and carcinogens, as well as asbestos.

The applicant has provided a report that concludes:

The site is suitable for the proposed mixed land use, from a contamination perspective, subject to:

- *Conducting a post demolition contamination assessment across the site; and*
- *Excavation and disposal of identified contaminated soils, as part of the construction of the proposed single-level basement. Excavation and disposal of contaminated soils should be conducted in accordance with a remedial action plan (RAP), prepared in accordance with the NSW EPA (2020) reporting guidelines.*

On the basis of this report the consent authority can be satisfied that the land will be suitable for the proposed use and that the land can be remediated in accordance with the submitted RAP. The proposed scope of works and excavation for the proposed development will enable removal of the contaminated soils

SEPP No. 65 - Design Quality of Residential Apartment Development

Section 28 of *SEPP 65* requires the consent authority to consider any comments from the Council's Architectural Excellence Design Review Panel (AEDRP), the Schedule 1 Design quality principles and the Apartment Design Guide (ADG).

A statement from a qualified Architect was submitted with the application verifying that they designed, or directed the design of, the development. The statement also provides an explanation that verifies how the design quality principles are achieved within the development and demonstrates, in terms of the Apartment Design Guide (ADG), how the objectives in Parts 3 and 4 of the guide have been achieved.

In accordance with Section 6A of the SEPP certain requirements contained within LDCP do not apply. In this regard the objectives, design criteria and design guidelines set out in Parts 3 and 4 of the ADG prevail.

The following provides further discussion of the relevant issues:

Communal and Open Space

The ADG prescribes the following requirements for communal and open space:

- Communal open space has a minimum area equal to 25% of the site.
- Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9.00am and 3.00pm on 21 June (mid-winter).

Comment: The proposal includes 231.52sqm of communal open space, at the first floor level and third floor level terraces. These areas equate to 31% of the total site area, which complies with this section. Solar access to the proposed communal spaces is summarised as follows:

- The first floor level communal space (145sqm) will not receive direct sunlight between 9am and 3pm on 21 June.

- The third floor level communal space (86sqm) will receive direct sunlight to at least 50% of that space between 9am and 1pm on 21 June.

Although the first floor communal open space will not receive compliant solar access, it is accepted that the communal space at the third floor level which does receive compliant solar access is likely to be more frequently used due to the amenity and dimensions of that space. A variation to the solar access requirement for the communal space is therefore supported on merit.

Deep Soil Zones

The ADG prescribes the following minimum requirements for deep soil zones:

Site Area	Deep Soil Zone (% of site area)
650sqm – 1,500sqm	7% (52.234sqm) with minimum dimension of 3m

Comment: The proposed development includes a consolidated area of 88.19sqm of deep soil landscaping at the southern extent of the site. That area has a minimum dimension of 3m, which complies with the requirements of this section.

Visual Privacy/Building Separation

The ADG prescribes the following minimum required separation distances from buildings to the side and rear boundaries:

Room Types	Minimum Separation
<i>Up to 12 metres (4 storeys)</i>	
Habitable rooms and balconies	6m
Non-habitable rooms	3m

Comment: The proposed building complies with the building separation at all levels, with the exception of the communal open space at the first floor level. Trafficable areas of the communal area are setback between 4.25m and 4.66m from the southern rear boundary. The proposed design includes a planter forward of the balconies, as well as a fence along part of the southern boundary above the planter. These will support an acceptable visual privacy outcome in accordance with the objective of this section.

Solar and Daylight Access

The ADG prescribes the following requirements for solar and daylight access:

- Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9.00am and 3.00pm at mid-winter.
- A maximum of 15% of apartments in a building receive no direct sunlight between 9.00am and 3.00pm at mid-winter.

Comment: The submitted shadow diagrams indicate that 90% of apartments will receive at least 2 hours of solar access to their living rooms and private open space, with 10% of apartments receiving no direct sunlight in mid winter (Unit 02-05). That unit is located at the southern elevation of the second floor level, which limits potential solar access to the living areas and private open space of that property.

Natural Ventilation

The ADG prescribes the following requirements for natural ventilation:

- At least 60% of apartments are naturally cross ventilated in the first 9 storeys of the building.
- Overall depth of a cross-over or cross-through apartment does not exceed 18 metres, measured glass line to glass line.

Comment: 72% (8/11) of apartments are naturally cross ventilated. No apartments exceed the maximum depth requirement.

Ceiling Heights

The ADG prescribes the following minimum ceiling heights:

Minimum Ceiling Height	
Habitable Rooms	2.7m
Non-Habitable	2.4m

Comment: Floor to ceiling heights ranging between 2.8m and 3m have been provided within the residential components of the building, which complies with this section.

Apartment Size and Layout

The ADG prescribes the following minimum apartment sizes:

Apartment Type	Minimum Internal Area
1 bedroom	50sqm
2 Bedroom	70sqm
3 Bedroom	90sqm

Note: The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5sqm each.

In addition to the above, the ADG prescribes the following requirements for apartment layout requirements:

- Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.
- Habitable room depths are limited to a maximum of 2.5 x the ceiling height.

- In open plan layouts (where the living, dining, and kitchen are combined) the maximum habitable room depth is 8 metres from a window.
- Master bedrooms have a minimum area of 10sqm and other bedrooms 9sqm (excluding wardrobe space).
- Bedrooms have a minimum dimension of 3 metres (excluding wardrobe space).
- Living rooms or combined living/dining rooms have a minimum width of 4 metres for 2 bedroom apartments.
- The width of cross-over or cross-through apartments are at least 4 metres internally to avoid deep narrow apartment layouts.

Comment: The proposal complies with this section as follows:

- Each one bedroom unit has an area exceeding 50sqm;
- Each two bedroom unit (all of which have two bathrooms) have an area exceeding 75sqm;
- Two of the three bedroom units (both of which have two bathrooms) have an area exceeding 100sqm. Unit 01-01 has an area of 97sqm, which does not comply with the 100sqm requirement. This variation is supported given the increased external terrace areas provided to each bedroom and living room and on the basis of the demonstrated useability by the realistically scaled furniture layout submitted;
- Every habitable room has a window with compliant dimensions to enable circulation and natural light;
- Each unit complies with the maximum habitable room depth requirements for open plan living areas, with the exception of Units 01-01 and 02-01. Those units are naturally cross ventilated which will support internal amenity to those spaces;
- Each bedroom complies with the minimum area requirements for master bedrooms and other bedrooms. There are several bedrooms throughout the building which do not comply with the 3m minimum dimension requirement. To require strict compliance would impact upon the main living areas, which is not the preferred outcome. Considering each of the non-complying bedrooms is complemented by a terrace, this variation is supported on merit;
- Living rooms are a minimum of 4m in width.

Private Open Space and Balconies

The ADG prescribes the following sizes for primary balconies of apartments:

Dwelling Type	Minimum Area	Minimum Depth
Studio apartments	4sqm	-
1 bedroom apartments	8sqm	2m
2 Bedroom apartments	10sqm	2m

Note: The minimum balcony depth to be counted as contributing to the balcony area is 1 metre.

Comment: Each unit is provided with balcony areas which comply with this section, with a minimum depth greater than 2m. Where a balcony depth may be part less than 2m, such as within Unit 01-01, this is offset by a larger main terrace off the living room and is acceptable.

Storage

The ADG prescribes the following storage requirements in addition to storage in kitchen, bathrooms and bedrooms:

Apartment Type	Minimum Internal Area
2 Bedroom apartments	8m ³
3+ Bedroom apartments	10m ³

Note: At least 50% of the required storage is to be located within the apartment.

Comment: All units within the building comply with the storage requirements of this section, with the exception of Units 01-01 and 03-01, which have a shortfall of 1m³ each. A design change condition is recommended to be included on any consent granted, to provide an additional cubic metre of storage for those units at the basement level.

In considering the above, it is considered that the proposal is acceptable on merit against the Schedule 1 design quality principals and the applicable objectives of the ADG.

SEPP (Housing) 2021

Chapter 4 Design of residential apartment development

Chapter 4 of the Housing SEPP applies to the proposed development, given the scope of works for a shop-top housing building. An assessment of the relevant sections under that chapter is undertaken below.

Section	Proposed	Compliance
Section 142 Aims of chapter	The proposed development satisfies the aims of this Chapter.	Yes
Section 145 Referral to design review panel for development applications	Section 145 of the <i>Housing SEPP</i> requires the consent authority to consider any comments from the Council's Architectural Excellence Design Review Panel (AEDRP), the design principles set out in Schedule 9 and the Apartment Design Guide (ADG). The application was considered by Council's AEDRP on 19 June 2024, with the recommendations of the panel subsequently sent to the applicant. Amended plans were received on 3 October, making amendments to the proposal in accordance with the recommendations of the AEDRP. This included: <ul style="list-style-type: none"> Increasing floor to ceiling heights in residential floors by 50mm; Accessible WC added to communal open space; Stairs added between rear landscaped area and communal open space at L1; Ground floor lobby space refined to remove garbage chute element; 	Yes

Section	Proposed	Compliance
	<ul style="list-style-type: none"> South-eastern corner of the building has been squared off. 	
Section 147 Determination of development applications and modification applications for residential apartment development	<p>In accordance with Section 147, the following matters have been considered:</p> <p>(a) the quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9,</p> <p>(b) the Apartment Design Guide,</p> <p>(c) the advice received from the Inner West Architectural Excellence Design Review Panel.</p>	Yes
Section 148 Non-discretionary development standards for residential apartment development – the Act, s 4.15	<p>Part 3J of the ADG (in accordance with the Guide to Traffic Generating Developments) requires a minimum of 14 resident car spaces, while the LDCP requires 8 spaces be provided. In accordance with Part 3J of the ADG, the lesser requirement applies, therefore 8 spaces are required.</p> <p>The proposed development includes 16 residential parking spaces, which complies with the LDCP and this requirement.</p>	Yes
	Each apartment complies with the minimum internal areas under Part 4D of the ADG.	Yes
	The proposed ceiling heights are greater than the recommended minimum ceiling heights specified in Part 4C of the ADG.	Yes

SEPP (Sustainable Buildings) 2022

The applicant has included a BASIX Certificate as part of the lodgment of the application (lodged within 3 months of the date of the lodgment of this application) in compliance with the *EP & A Regulation 2021*.

SEPP (Transport and Infrastructure) 2021

Chapter 2 Infrastructure

Development likely to affect an electricity transmission or distribution network

The proposed development meets the criteria for referral to the electricity supply authority within Section 2.48 of the *Transport and Infrastructure SEPP* and has been referred for comment for 21 days.

Ausgrid provided comments with regard to underground cables and/or overhead powerlines in the vicinity of the development which have been included as conditions in the recommendation.

Overall, subject to compliance with relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice the proposal satisfies the relevant controls and objectives contained within.

SEPP (Biodiversity and Conservation) 2021

Chapter 6 Water Catchments

Section 6.6 under Part 6.2 of the *Biodiversity and Conservation SEPP* provides matters for consideration which apply to the proposal. The subject site is located within the designated hydrological catchment of the Sydney Harbour Catchment and is subject to the provisions contained within Chapter 6 of the above *Biodiversity Conservation SEPP*.

It is considered that the proposal remains consistent with the relevant general development controls under Part 6.2 of the *Biodiversity Conservation SEPP* and would not have an adverse effect in terms of water quality and quantity, aquatic ecology, flooding, or recreation and public access.

Inner West Local Environmental Plan 2022

The application was assessed against the following relevant sections of the *Inner West Local Environmental Plan 2022 (IWLEP 2022)*.

Part 1 – Preliminary

Section	Proposed	Compliance
Section 1.2 Aims of Plan	<p>The proposal satisfies the section as follows:</p> <ul style="list-style-type: none"> • The proposal encourages development that demonstrates efficient and sustainable use of energy and resources in accordance with ecologically sustainable development principles, • The proposal facilitates economic growth and employment opportunities within Inner West, • The proposal encourages diversity in housing to meet the needs of, and enhance amenity for, Inner West residents, • The proposal creates a high quality urban place through the application of design excellence in all elements of the built environment and public domain, • The proposal prevents adverse social, economic and environmental impacts on the local character of Inner West, • The proposal prevents adverse social, economic and environmental impacts, including cumulative impacts 	Yes

Part 2 – Permitted or prohibited development

Section	Proposed	Compliance
Section 2.3 Zone objectives and Land Use Table	<ul style="list-style-type: none"> • The application proposes construction of a shop-top housing development. Shop top housing is permitted with consent within the E1 Local Centre zone. 	Yes

Section	Proposed	Compliance
	<p>The objectives for the E1 Local Centre zone are stated as follows:</p> <ul style="list-style-type: none"> <i>To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.</i> <i>To encourage investment in local commercial development that generates employment opportunities and economic growth.</i> <i>To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.</i> <i>To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.</i> <i>To provide employment opportunities and services in locations accessible by active transport.</i> <i>To provide retail facilities and business services for the local community commensurate with the centre's role in the local centres hierarchy.</i> <i>To ensure Inner West local centres are the primary location for commercial and retail activities.</i> <i>To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.</i> <i>To enhance the unique sense of place offered by Inner West local centres by ensuring buildings display architectural and urban design quality and contributes to the desired character and cultural heritage of the locality.</i> <p>The proposal is consistent with the zone objectives as follows:</p> <ul style="list-style-type: none"> The proposed development includes three commercial tenancies at street level, which will serve the needs of people who live in, work in and visit the area; The proposed retail tenancies will generate employment opportunities and economic growth; The proposed development includes residential components which will contribute to a vibrant and active local centre, consistent with Council's strategic planning for the area; The proposal will provide employment opportunities accessible by active transport modes; The proposed retail facilities are commensurate with the role of the surrounding centre in the local centres hierarchy; The proposed development includes active street frontages to both Jarrett and Rofo Streets; The proposal, as amended, displays architectural and urban design quality, while contributing to the desired character of the locality. 	

Section	Proposed	Compliance
Section 2.7 Demolition requires development consent	The proposal satisfies the section as follows: <ul style="list-style-type: none"> Demolition works are proposed, which are permissible with consent; and Standard conditions are recommended to manage impacts which may arise during demolition. 	Yes, subject to conditions

Part 4 – Principal development standards

Section	Proposed		Compliance
Section 4.4 Floor space ratio	Maximum	1:1 or 746.2sqm	N/A, Section 4.4A applies – see below
	Proposed	1.57:1 or 1,174.51sqm	
	Variation	N/A	
Section 4.4A Exception to maximum floor space ratio for active street frontages	Maximum	1.5:1 or 1119.3sqm	No
	Proposed	1.57:1 or 1,174.51sqm	
	Variation	55.21sqm or 5%	
Section 4.5 Calculation of floor space ratio and site area	The site area and floor space ratio for the proposal has been calculated in accordance with the section.		Yes
Section 4.6 Exceptions to development standards	The applicant has submitted a variation request in accordance with Section 4.6 to vary Section 4.4A.		See discussion below

Section 4.6 – Exceptions to Development Standards

Exception to maximum Floor Space Ratio for active street frontages development standard (under Section 4.4A)

The applicant seeks a variation to Section 4.4A(3) under Section 4.6 of the *IWLEP* by 55.21sqm or 5%. Section 4.6 allows Council to vary development standards in certain circumstances and provides an appropriate degree of flexibility to achieve better design outcomes.

A written request has been submitted to Council in accordance with Section 4.6(3) of the *IWLEP* justifying the proposed contravention of the development standard. In order to demonstrate whether strict numeric compliance is unreasonable and unnecessary in this instance, the proposed exception to the development standard has been assessed against the objectives and provisions of Section 4.6 of the *IWLEP* below.

Whether compliance with the development standard is unreasonable or unnecessary

In *Wehbe* at [42] – [51], Preston CJ summarises the common ways in which compliance with the development standard may be demonstrated as unreasonable or unnecessary. This is repeated in *Initial Action* at [16]. In the Applicant's written request, the first method described in *Initial Action* at [17] is used, which is that the objectives of the standard are achieved notwithstanding the numeric non-compliance.

The **objective of Section 4.4A** is “to provide floor space incentives for mixed use development incorporating active street frontages in Zone E1 Local Centre”. The written request provides the following justification in response to this objective:

- *The subject site is located at the intersection of Jarrett Street and Rofe Street and proposes three (3) commercial tenancies that directly front and open to Jarrett Street or Rofe Street, with the corner tenancy fronting both streets.*
- *The proposed development comprises a mixed use development that provides both residential and non-residential uses within the building;*
- *The scale and form of the proposed development is compatible with the desired character of the area.*
- *The proposed mixed use building is considered to reflect the desired character of the area and is a response to the renewal being undertaken along the Parramatta Road Corridor and adjacent lands.*
- *The existing surrounding building typologies consist of a mix of single dwellings and 2-6 storey mixed use buildings with a new mixed use development adjoining the site to the south-west and being of a similar typology to the proposed development.*
- *The building will be constructed using a combination of textures including rendered and painted concrete walls, metal composite cladding, anodized aluminium louvers and dark anodized aluminium window and sliding door frames. The multi layered facade consists of a variety of materials colours and design elements that provides articulation and provides a top/middle/bottom visual appearance to break up bulk & integrate with the desired character for the precinct.*

The reasoning in the submitted written request is accepted as demonstrating that the objective has been achieved notwithstanding the variation. In particular, it is accepted that the proposed shop-top housing development will deliver a mixed use development while presenting an active street frontage to both Jarrett Street and Rofe Street. The design includes three separate commercial premises which occupy the majority of building frontages and will support an appropriate interface with the public domain. As indicated in the written request, the proposed mixed use building is reflective of the desired future character of the sub area, as a key corner site.

Accordingly, the breach is consistent with the objective of the standard.

As the proposal achieves the objective of the standard, compliance is considered unreasonable and unnecessary in this instance.

Whether there are sufficient environmental planning grounds to justify contravening the development standard

Pursuant to Section 4.6(3)(b), the Applicant advances three environmental planning grounds to justify contravening the FSR development standard. Each will be dealt with in turn:

Environmental Planning Ground 1 – *The overall bulk and scale of the building is acceptable in terms of its scale and built form and the relationship of the building to the adjoining and surrounding residential development. As a corner site, the building is consistent with the scale and density of the existing development in the locality, while maintaining a scale and visual*

presentation compatible with the mixed-use character of other developments in the vicinity of the site. As indicated by the applicant, the proposed building does not present an unacceptable bulk and scale to the streetscape or neighbouring properties. The building complies with building separation requirements under the ADG, with rear setbacks of between 6.28m and 10.77m provided at the second floor level and setback further again at the third floor level above. The proposed building design utilises varied building setbacks, awnings above the footpath and open balconies to the Jarrett Street and Rofe Street boundaries. These measures result in a building which has an apparent three storey height when viewed from the public domain. Considering the scale of development anticipated for the surrounding area and the prominence of the subject site at the corner of Rofe and Jarrett Streets, the proposed mixed use development is compatible with the scale of existing and anticipated development in the locality. This environmental planning ground is accepted.

Environmental Planning Ground 2 – *The additional 55.21sqm of gross floor area pertains to the residential, non-residential waste and recycling rooms, bulky waste room and two (2) additional parking spaces beyond the DCP minimum requirement located at ground floor level. These areas do not necessarily add to the building footprint or cause the built form to be excessively bulky.* This environmental planning ground is accepted because the extent of the variation may be attributed to elements of the building which do not result in an overall increase in building bulk and scale. Considering the parking, building services, waste and storage areas required for a development of this scale, a basement level is required. A larger basement could be provided, although this would require further excavation of the site, particularly towards the southern side boundary and closer to neighbouring properties, and is not a viable option. Another alternative would be to locate the waste storage areas at the basement level, although this would increase the waste travel distance and is not a viable option.

Environmental Planning Ground 3 - *The proposed development is not objectionable in itself and will deliver a new mixed use development in a well suited location that will be in keeping with the character of the area and will contribute to the redevelopment of the locality commensurate with the anticipated form and scale of new development in an E1 - Local Centre environment.* This environmental planning ground is accepted because the proposed development will provide a form and use which is consistent with the desired character of the area and the E1 Local Centre zone.

Cumulatively, the grounds are considered sufficient to justify contravening the development standard.

For the reasons outlined above, it is recommended that the section 4.6 exception be granted.

Part 6 – Additional local provisions

Section	Proposed	Compliance
Section 6.1 Acid sulfate soils	The site is identified as containing Class 5 acid sulfate soils. The proposal is considered to adequately satisfy this section as the application does not propose any works that would result in any significant adverse impacts to the watertable.	Yes
Section 6.2 Earthworks	The proposed earthworks are unlikely to have a detrimental impact on environmental functions and processes, existing drainage patterns, or soil stability.	Yes

Section	Proposed	Compliance
Section 6.3 Stormwater Management	The development maximises the use of permeable surfaces, includes on site retention as an alternative supply and subject to standard conditions would not result in any significant runoff to adjoining properties or the environment.	Yes, subject to conditions
Section 6.8 Development in areas subject to aircraft noise	The site is located within the ANEF 20-25 contour, and as such an Acoustic Report was submitted with the application. The proposal is capable of satisfying this section as conditions have been included in the development consent to ensure that the proposal will meet the relevant requirements of Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021:2015, thereby ensuring the proposal's compliance with the relevant provisions of Section 6.8 of the <i>IWLEP 2022</i> .	Yes, subject to conditions
Section 6.9 Design excellence	The proposed development is for the construction of a new building that exceeds 14 metres in height. The development is therefore required to demonstrate design excellence. This section is considered below this table.	Yes, see discussion below
Section 6.13 Residential accommodation in Zones E1, E2 and MU1	The proposal seeks consent for a part residential use within the E1 Local Centre zone, as a shop-top housing development. The proposed satisfies Section 6.13 of the <i>IWLEP</i> as follows: <ul style="list-style-type: none"> • The proposal is for a mixed use development, and • The development will have an active street frontage to both Jarrett Street and Rofe Street, and • The development is compatible with the desired character of the area in relation to its bulk, form, uses and scale. 	Yes
Section 6.14 Diverse housing	Section 6.14 requires: <ul style="list-style-type: none"> • Min 25% of units to be studio/1 bedroom • Max 30% of units to be 3+ bedroom <p>The proposed shop top housing development provides the following mix of dwelling types:</p> <ul style="list-style-type: none"> • 2 x 1 bedroom units (18% of the total) • 6 x 2 bedroom units (55% of the total) • 3 x 3 bedrooms units (27% of the total) <p>Considering the above, the proposal seeks a variation to the standard, with less than the required percentage of 1 bedroom units. A Section 4.6 Request has been submitted and is considered below this table.</p>	No, see below

Section 6.9 Design Excellence

Section 6.9 of the *IWLEP* relates to Design Excellence and applies to the proposed development given the proposed building part exceeds 14 metres in height. Section 6.9(4) requires the consent authority to be satisfied of several matters when considering whether a development exhibits design excellence: Each matter is addressed as follows:

- (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,*

The proposed building, as amended, demonstrates a high standard of architectural design, materials and detailing appropriate to the building type and location of the site.

- (b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,*

The proposed building form and overall external appearance will improve the quality of the public domain. The proposal includes active street frontages to both Rofe Street and Jarrett Street, which will improve the quality of the public domain.

- (c) whether the development detrimentally impacts on view corridors and landmarks,*

The proposed development will result in view impacts to neighbouring properties, although assessment of these impacts finds these to be reasonable on merit. A view assessment is provided at Section 5(b) of this report.

- (d) whether the development detrimentally impacts on land protected by solar access controls established in the relevant development control plan,*

Overshadowing impacts have been reasonably minimised and the proposed development complies with the relevant provisions of the Leichhardt DCP.

- (e) the requirements of the relevant development control plan,*

The proposed development has been assessed against the requirements of the LDCP, which is the relevant development control plan. The proposal generally complies with the requirements of that policy.

- (f) *how the development addresses the following matters—*
(i) *the suitability of the land for development,*

The subject site is zoned E1 Local Centre under the *IWLEP*. Shop-top housing is listed as a permissible use within that zone, while the use is consistent with the zone objectives. The subject site is considered suitable for the development.

- (ii) *existing and proposed uses and use mix,*

The existing uses of the site as a mixed residential and industrial uses are largely consistent with the proposed mix of residential and commercial uses as a shop-top housing development. The proposed mix of uses is consistent with the existing and desired future character for the precinct.

- (iii) *heritage issues and streetscape constraints,*

The subject site is not heritage listed, nor is it within a heritage conservation area. The site does not adjoin any heritage items. The site is not affected by any streetscape constraints.

- (iv) *the relationship of the development with other existing or proposed development on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,*

The proposed development has generally been designed to mitigate amenity impacts on the neighbouring property and surrounding urban form. The building generally complies with building separation requirements and building setbacks, while the overall height and scale of the building has been allocated to reasonably minimise shadowing and view loss to surrounding properties.

- (v) *bulk, massing and modulation of buildings,*

Building bulk and massing has been designed to minimise overall visual scale within the streetscape through incorporating varied setbacks and providing terraces forward of the building façade, modulating the building design.

- (vi) *street frontage heights,*

The proposed building incorporates a three storey street front presentation to Jarrett Street and Rofe Street, which is an acceptable scale having regard to existing development and the desired future character of the surrounding area. Providing an increased height at the street is acceptable given allocating bulk at the southern extent of the site would have increased impact upon neighbouring properties, particularly in relation to overshadowing.

- (vii) *environmental impacts, including sustainable design, overshadowing, wind and reflectivity and visual and acoustic privacy,*

The proposed development has minimised environmental impacts, with a sustainable design incorporating landscaped area on the building and within the rear setback. The proposal will result in an acceptable outcome having regard to visual and acoustic privacy for occupants and neighbouring properties. Overshadowing impacts have been reasonably minimised and the proposed development complies with the relevant provisions of the Leichhardt DCP.

(viii) the achievement of the principles of ecologically sustainable development,

The design of the proposed development has employed sustainable initiatives and elements, relating to wall and roof insulation, installation of water efficient fixtures and fittings, water efficient design, cross ventilation and electric cooking facilities. Single phase air condition systems have been provided for all apartments. A BASIX Certificate has been submitted demonstrating compliance with relevant sustainability requirements.

(ix) pedestrian, cycle, vehicular and service access, circulation and requirements, including the permeability of any pedestrian network,

The proposal includes vehicle access to the site from Jarrett Street, in a similar location to the existing crossover. Separate pedestrian access is provided to all commercial and residential components of the site, with the main residential lobby accessed from Rofe Street.

A building splay is provided at the intersection of Jarrett Street and Rofe Street, which will support pedestrian sightlines.

(x) the impact on, and proposed improvements to, the public domain, including landscape design,

An awning is proposed above the majority of the frontage of the site, particularly along Jarrett Street and the commercial components of Rofe Street. Subject to a deferred commencement condition, the awning provides adequate clearance above the footpath. The proposal will not impact upon the existing planter beds within the road reserve at the intersection of Jarrett and Rofe Streets.

(xi) the relationship of the development with the street and building frontage.

The proposal includes three commercial premises at street level, which will assist with activating the street frontages (depending on the future uses). The proposed building design includes glazing along each frontage to ensure the building is engaged with the street and support CPTED.

Section 4.6 – Exceptions to Development Standards

Diverse Housing development standard (Under Section 6.14)

The applicant seeks a variation to the number of one bedroom/studio units required under the Diverse Housing development standard by 28%. Section 4.6 of the *IWLEP* allows Council to vary development standards in certain circumstances and provides an appropriate degree of flexibility to achieve better design outcomes.

A written request has been submitted to Council in accordance with Section 4.6(3) of the *IWLEP 2022* justifying the proposed contravention of the development standard. In order to demonstrate whether strict numeric compliance is unreasonable and unnecessary in this instance, the proposed exception to the development standard has been assessed against the objectives and provisions of Section 4.6 of the *IWLEP 2022* below. This development standard is not excluded under Section 4.6(8) and a Section 4.6 request may therefore be considered.

Whether compliance with the development standard is unreasonable or unnecessary

In *Wehbe* at [42] – [51], Preston CJ summarises the common ways in which compliance with the development standard may be demonstrated as unreasonable or unnecessary. This is repeated in *Initial Action* at [16]. In the Applicant's written request, the first method described in *Initial Action* at [17] is used, which is that the objectives of the diverse housing standard are achieved notwithstanding the numeric non-compliance.

The **objective of Section 6.14** is “to ensure the provision of a mix of dwelling types in residential flat buildings and mixed use development that includes shop top housing”.

The response within the Written Request is summarised as follows:

- *Of the proposed eleven (11) apartments, only 2 x 1 bedroom apartments (dwellings) are proposed, equating to only 18% of the overall dwelling mix. This represents a variation of 7% below the prescribed 25% standard. Conversely, the 3 x 3 bedroom apartments equate to 27% of the dwelling mix and therefore satisfy the requirement at (b) that no more than 30% of the dwellings are to contain at least 3 bedrooms.*
- *Current ABS data suggests that the lowest demand for housing type in the Leichhardt area is for one bedroom dwellings and that the average family size is for 2.9 people.*
- *Council records indicate there are several current applications for boarding houses/co-living housing that include a proportion of affordable rental housing, therefore the demand for one bedroom rental apartments in mixed use buildings would likely be reduced as other forms of housing become available.*
- *Adjusting the dwelling mix to provide an additional one bedroom apartment and remove a two bedroom apartment to comply with this section is considered contrary to the actual demand for studios and/or one bedroom apartments.*

As indicated by the applicant's analysis, adjusting the dwelling mix to enable strict compliance would be considered contrary to the actual demand for studios and one bedroom units. Instead, the submitted unit mix is considered an acceptable response to providing a mix of dwelling types within the proposed shop-top housing development.

Accordingly, the breach is consistent with the objective, therefore compliance is considered unreasonable and unnecessary in this instance.

Whether there are sufficient environmental planning grounds to justify contravening the development standard

Pursuant to Section 4.6(3)(b), the Applicant advances two environmental planning grounds to justify contravening the diverse housing development standard. Each will be dealt with in turn:

Environmental Planning Ground 1 – *The proposed housing mix will provide a variety of housing types that will suit a wide demographic and the proportion of one bedroom units versus two and three bedroom units is considered appropriate and will cater for various households.*

As indicated by the applicant, the proposal includes two-bedroom units as the dominant unit size proposed. Despite the variation, the development will continue to provide a mixture of unit types, which will continue to cater for a variety of household types. This environmental planning ground is accepted, given the adaptable nature of two bedroom units which will appeal to a greater proportion of the surrounding demographic and the mixture of unit sizes proposed in relation to the relatively small scale nature of the development itself.

Environmental Planning Ground 2 – *ABS census data for Leichhardt indicates that the highest proportion of family composition in the Leichhardt region was couples with children under 15 years, with an average family size of 2.9 people. The highest proportion of households was family households, with significantly lower single person households, signifying the lowest demand to be for one bedroom dwellings.*

The applicant's analysis is accepted, given there is a greater demand for larger unit sizes on the basis of household sizes within the Leichhardt statistical region. This environmental planning ground is accepted because the proposed unit mix is considered to be representative of the associated demand.

Cumulatively, the grounds are considered sufficient to justify contravening the development standard.

For the reasons outlined above, it is recommended that the section 4.6 exception be granted.

B. Development Control Plans

Summary

The application has been assessed and the following provides a summary of the relevant provisions of Leichhardt Development Control Plan 2013 (LDCP). As per Section 149 of the *Housing SEPP*, where there is a control under a DCP and the ADG, the ADG prevails.

LDCP	Compliance
Part A: Introductions	
Section 3 – Notification of Applications	Yes
Part B: Connections	
B1.1 Connections – Objectives	Yes
B2.1 Planning for Active Living	Yes
Part C	
C1.0 General Provisions	Yes
C1.1 Site and Context Analysis	Yes
C1.2 Demolition	Yes
C1.5 Corner Sites	Yes
C1.7 Site Facilities	Yes
C1.8 Contamination	Yes, subject to conditions
C1.9 Safety by Design	Yes
C1.10 Equity of Access and Mobility	Yes
C1.11 Parking	Yes

C1.12 Landscaping	Yes
C1.14 Tree Management	Yes
C1.16 Structures in or over the Public Domain: Balconies, Verandahs and Awnings	Yes
C1.21 Green Roofs and Green Living Walls	Yes
Part C: Place – Section 2 Urban Character	
C2.2.3.1 Excelsior Estate Distinctive Neighbourhood	No – see discussion
C2.2.3.1(b) Parramatta Road/Jarrett Street Sub Area	Yes
Part C: Place – Section 3 – Residential Provisions	
C3.1 Residential General Provisions	Yes
C3.2 Site Layout and Building Design	Yes
C3.3 Elevation and Materials	Yes
C3.5 Front Gardens and Dwelling Entries	Yes
C3.7 Environmental Performance	Yes
C3.8 Private Open Space	No – satisfies provisions of Section 4E of the ADG
C3.9 Solar Access	Yes
C3.10 Views	Yes – see discussion
C3.12 Acoustic Privacy	Yes
C3.14 Adaptable Housing	Yes
Part C: Place – Section 4 – Non-Residential Provisions	
C4.1 Objectives for Non-Residential Zones	Yes
C4.2 Site Layout and Building Design	Yes
C4.3 Ecologically Sustainable Development	Yes
C4.4 Elevation and Materials	Yes
C4.6 Shopfronts	Yes
C4.15 Mixed Use	Yes
Part D: Energy	
Section 1 – Energy Management	Yes
Section 2 – Resource Recovery and Waste Management	
D2.1 General Requirements	Yes
D2.2 Demolition and Construction of All Development	Yes
D2.3 Residential Development	Yes
D2.5 Mixed Use 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

E1.2.3 On-Site Detention of Stormwater	Yes
E1.2.5 Water Disposal	Yes

The following provides discussion of the relevant issues:

Section C2.2.3.1 and Section C3.2 Building Envelope

Control C13 under Section C3.2 of the LDCP relates to the building envelope control in accordance with the relevant Distinctive Neighbourhood controls. The subject site is located within the Excelsior Estate Distinctive Neighbourhood, which indicates a building wall height of 3.6m at Control C9. The proposed development does not comply with this provision, with an external wall height of between 9.7m and 11.5m to Rofe Street and 11.5m and 12.9m to Jarrett Street.

The subject site is located within the Parramatta Road / Jarrett Street Sub Area which is zoned E1 Local Centre under the *IWLEP*. Though there is no building envelope control stipulated for that sub area, the zoning of the site anticipates higher density development on the subject site. Having regard to existing and approved development in the surrounding area, the proposed four storey development will be a similar overall scale. In particular, this includes:

- Existing five storey building at Nos. 469-475 Parramatta Road to the south-west
- Existing three storey building at No. 463 Parramatta Road to the south
- Approved five storey boarding house at Nos. 465-467 Parramatta Road.

Jarrett Street is predominately two storeys in height, though includes a five storey residential flat building at No. 36 Jarrett Street (also known as Nos. 447-451 Parramatta Road).

Irrespective of the proposed building envelope variation, the proposal remains consistent with Objective O4 under Section C3.2 of the LDCP. In particular, the proposed development has been designed and scaled to reinforce the desired future character of Jarrett Street and the surrounding area. The proposed building incorporates recesses at each level, with increased building setbacks which limit the apparent building height when viewed from the public domain. The proposal will also emphasise the vibrancy of Jarrett Street and the public domain through incorporating street level commercial tenancies at each frontage. As indicated in this assessment, the proposal will create a high level of residential amenity for future occupants and reasonably protect neighbouring amenity.

On balance, the proposed building envelope is acceptable, particularly considering the desired future character for the surrounding area.

Section C3.10 - Views

The proposed development will likely impact upon the availability of views from surrounding residential properties, particularly from Nos. 469-475 Parramatta Road to the south-west.

Council relies on the Planning Principle relating to view sharing established by the NSW Land and Environment Court in *Tenacity Consulting v Warringah Council* [2004] NSWLEC 140 for further assessment against view loss. This view assessment is on the basis of the submitted

architectural plans, survey information and a site inspection of the following units within Nos. 469-475 Parramatta Road:

- 1/469-475 Parramatta Road;
- 5/469-475 Parramatta Road;
- 21/469-475 Parramatta Road

An assessment under *Tenacity* is undertaken below for each of the abovementioned properties.

Unit 1/469-475 Parramatta Road:

Step 1: Assessment of the views to be affected

The views available from Unit 1/469-475 Parramatta Road include district views of Lilyfield and Leichhardt (see **Figure 2** and **Photograph 3**). Further district views are also available towards the north-east and north-west. The potentially affected views are the district views of Leichhardt.



Source: Nearmap

Figure 2: View corridor from No. 1/469-475 Parramatta Road



Source: Author

Photograph 3: Existing view from No. 1/469-475 Parramatta Road living room balcony
(annotation added)

Step 2: *Consideration of what part of the property the views are obtained*

The view is available from the living room balcony of Unit 1. The view is across a rear boundary. The views are obtainable from both standing and seated positions.

Step 3: *Assessment of the extent of the impact*

Given the relative location of the subject site and the balcony of Unit 1, the extent of view loss will be negligible and relate solely to a portion of the district views available. The impacted view is obtainable at an oblique angle and is not the primary outlook from the affected property. Notwithstanding this, the majority of the views from the balcony will be unaffected, including those to the north and north-west.

Step 4: *Assessment of the reasonableness of the proposal that is causing the impact.*

In accordance with Tenacity, 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. Although the proposed development results in non-compliance with the FSR development standard, these are not considered to contribute to the extent of view impacts to Unit 1. Strict compliance with the FSR standard would not resolve the potential view loss to this unit, which, in any event, is a negligible impact.

The nominal extent of view impact is such that the proposed development is considered acceptable and the view sharing outcome reasonable.

Unit 5/469-475 Parramatta Road:

Step 1: Assessment of the views to be affected

The views available from Unit 5 include district views of Lilyfield and Leichhardt (see **Figure 3** and **Photographs 4-5**). Further district views are also available towards the north-west. The potentially affected views are the district views of Leichhardt.



Source: Nearmap

Figure 3: View corridor from No. 5/469-475 Parramatta Road



Source: Author

Photograph 4: Existing view from No. 5/469-475 Parramatta Road living room balcony (standing)
(annotation added)



Source: Author

Photograph 5: Existing view from No. 5/469-475 Parramatta Road living room balcony (seated)
(annotation added)

Step 2: Consideration of what part of the property the views are obtained

The views are obtained across a rear boundary and are available from both a standing and seated position. The portion of potentially affected view is obtained at an angle, across the corner of the affected property, rather than the primary corridor towards the north.

The views are obtained from the ground floor level of Nos. 469-475 Jarrett Street, which is a five storey mixed use building.

Step 3: Assessment of the extent of the impact

The proposed development will result in the partial loss of the existing view from this unit, impacting both the standing and seated positions to a similar extent (see **Figures 4 and 5**). As indicated, the views are obtained from a balcony associated with the living room of the affected property. The primary outlook to the north of the balcony will be retained. On balance, the proposal will result in the loss of approximately 50% of the existing view. Qualitatively, the extent of view loss from this position is considered moderate.



Source: ADS Architects

Figure 4: Proposed view from No. 5/469-475 Parramatta Road living room balcony (standing)



Source: ADS Architects

Figure 5: Existing view from No. 5/469-475 Parramatta Road living room balcony (seated)

Step 4: *Assessment of the reasonableness of the proposal that is causing the impact.*

To require the existing views to be wholly retained would effectively sterilise development on the subject site, requiring a significant side setback to be incorporated to retain part of a view corridor. Although the proposed development includes a non-compliance with the FSR development standard, the extent of variation is not such that strict compliance would meaningfully reduce view loss to the affected property.

As indicated under Step 2, the views are obtained from the ground floor level of a five storey building. Nos. 469-475 Parramatta Road sits higher in the topography, which creates the existing view corridor across properties on the southern side of Jarrett Street, including the subject site. The affected property is vulnerable to view impacts from any development increasing the building envelope in line with the applicable development standards.

The moderate extent of view impact is such that the proposed development is considered acceptable and the view sharing outcome reasonable.

Unit 21/469-475 Parramatta Road:

Step 1: Assessment of the views to be affected

There are a number of views available from Unit 21 (see **Figure 6** and **Photographs 7-9**). These include:

- Distant views of the Sydney CBD skyline, Sydney Harbour Bridge and ANZAC Bridge;
- Distant views of North Sydney CBD;
- District land views of Leichhardt and Lilyfield;
- Outlook to Parramatta Road.

The potentially affected views are the CBD skyline views and district views of Leichhardt.



Source: Nearmap

Figure 6: View corridor from No. 21/469-475 Parramatta Road



Source: Author

Photograph 7: Existing view from No. 21/469-475 Parramatta Road living room balcony (standing)
(annotation added)



Source: Author

Photograph 8: Existing view from No. 21/469-475 Parramatta Road living room balcony (seated)
(annotation added)



Source: Author

Photograph 9: Existing view from No. 21/469-475 Parramatta Road bedroom balcony (standing)

Step 2: *Consideration of what part of the property the views are obtained*

The views are obtained across a rear boundary and are available from both a standing and seated position. The portion of potentially affected view is obtained at an angle, across the north-eastern corner of the affected property, rather than the primary corridor towards the north.

The views are obtained from the third and fourth storeys of Nos. 469-475 Jarrett Street, which is a five storey mixed use building.

Step 3: *Assessment of the extent of the impact*

The proposed development will not impact upon the view from the living room balcony of No. 21/469-475 Parramatta Road, from both a standing and seated position (see **Figures 7 and 8**). The proposed development will slightly obstruct the available district views from the bedroom balcony of No. 21/469-475 Parramatta Road (see **Figure 9**). It is noted that this view is currently filtered by existing landscaping on the balcony of the affected property (see **Photograph 9**), which places an emphasis upon the outlook towards the north from that space.

Overall, considering the extent of impact and retained views, namely those from a rooftop terrace with panoramic views, the view impact is considered negligible.



Source: ADS Architects

Figure 7: Proposed view from No. 21/469-475 Parramatta Road living room balcony (standing)



Source: ADS Architects

Figure 8: Proposed view from No. 21/469-475 Parramatta Road living room balcony (seated)



Source: ADS Architects

Figure 9: Proposed view from No. 21/469-475 Parramatta Road bedroom balcony (standing)

Step 4: Assessment of the reasonableness of the proposal that is causing the impact.

As indicated, the proposed development does not comply with the FSR development standard. In accordance with *Tenacity*, 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. A wholly compliant building envelope would see a reduction in FSR by approximately 50sqm. Considering the amount of proposed floor space at the third floor level, requiring strict compliance with FSR would not meaningfully reduce the impact on district views from this property. It can be reasonably concluded that the affected property is vulnerable to view impacts from any development increasing the building envelope in line with the applicable development standards.

In this case, the proposal will impact upon district views from one location, being the bedroom balcony from a standing position. Notwithstanding this, the primary outlook to the north from this room will be unaffected. As indicated under Step 3, No. 21/469-475 Parramatta Road will retain all existing views of the CBD skyline, Sydney Harbour Bridge and Anzac Bridge. Where the proposed development will impact upon existing views, these relate to district views from a bedroom balcony, which is a less frequented space compared to living areas and associated balconies.

The negligible extent of view impact is such that the proposed development is considered acceptable and the view sharing outcome reasonable.

C. The Likely Impacts

These matters have been considered as part of the assessment of the development application. It is considered that the proposed development will not have significant adverse environmental, social or economic impacts upon the locality. Potential visual privacy and overshadowing impacts are considered below.

Visual Privacy

The proposed development is sufficiently separated from properties on the opposite side of Jarrett Street and Rofe Street to support visual privacy for future occupants and nearby residents. In any event, a range of privacy measures are proposed at the northern and eastern elevations, including fixed privacy screens and landscaping forward of the glazing line. It is noted that the proposed development generally complies with building separation requirements under the ADG, with the exception of the communal space at the first floor level.

There will be no visual privacy impacts to units within Nos. 469-475 Parramatta Road, due to the change in levels and orientation of openings on the proposed building. The potentially affected properties are those at Nos. 463-467 Parramatta Road. Landscaping proposed at the southern elevation of the proposed building and within the southern rear setback will support visual privacy for occupants and properties to the rear at Nos. 463-467 Parramatta Road.

Private balconies proposed at the first floor level from Unit 01-01 are separated by a minimum of 12.5m to the nearest property (Nos. 465-467 Parramatta Road), which is adequate separation to support visual privacy for occupants of the site and neighbouring properties. It is recommended that a condition be included for the fence screening between the balcony of Unit 01-01 and the communal space adjacent to be solid (non-see-through) to a height of 1.8m to ensure visual privacy for occupants.

The communal open space proposed at the southern elevation of the first floor level has been designed to support visual privacy for occupants and neighbouring properties. In particular, the communal open space is offset from neighbouring private open space and openings due to changes in topography. Screening is provided at the rear of the communal space.

Windows at south elevation of first floor level, from Unit 01-01 are adequately separated and offset from openings on neighbouring properties. The abovementioned condition in relation to fence screening at the rear of the balcony of that property will further support visual privacy.

Two terraces are proposed at the south elevation of the second floor level, from Units 02-01 and 02-05. These terraces are setback from the rear boundary by a minimum of 8.5m, and a minimum of 12.3m from the nearest property, which is adequate separation to support visual privacy for occupants of the site and neighbouring properties.

Windows at the south elevation of the second floor level are screened by privacy louvres or oriented toward Rofe Street, mitigating sightlines to neighbouring properties.

Considering the proposed design measures and recommended conditions, the proposed development will provide an acceptable visual privacy outcome for occupants and neighbouring properties.

Solar Access

The proposed development will replace an existing two storey building on the site with a building up to four storeys in height. As a result of the orientation of the site, the proposal will result in additional shadowing to Nos. 463, 465-467 and 469-475 Parramatta Road, and Nos. 66-70 Jarrett Street. The additional shadowing to each property is considered in turn.

Nos. 66-70 Jarrett Street

The proposal will result in additional shadowing to the roof of the warehouses on this property, between 9am and 12 noon. Notwithstanding this, that property will maintain solar access between 12 noon and 3pm, which is acceptable.

No. 463 Parramatta Road

The proposal will result in additional shadowing to the communal open space of this property between 9am and 1pm. The communal space will retain solar access to the majority of that space between 9am and 11am, and solar access to a portion of that space between 12 noon and 1pm. The proposed shadowing has been reasonably minimised through incorporating an increased setback at the south-eastern corner of the upper levels of the proposed building.

Where shadowing occurs to the northern rear elevation of No. 463 Parramatta Road, this is to the lower ground floor only, between 2pm and 3pm. All north facing windows at the north elevation of that property will otherwise retain solar access between 9am and 3pm.

Nos. 465-467 Parramatta Road

The proposal will result in additional shadowing to the rear of this property, to a varying extent between 9am and 3pm. View from the sun diagrams submitted by the applicant has included modelling for the approved development on that property, which is yet to be constructed. These demonstrate that the proposed development will not unreasonably limit solar access to that building, particularly as a result of the comparatively higher siting in the topography.

Nos. 469-475 Parramatta Road

The proposal will result in additional shadowing to the balcony area of Units 4-5 within that building, between 9am and 10am. Solar access to those balconies will otherwise be retained between 11am and 3pm, while all other balconies and living areas within that building will retain solar access between 9am and 3pm. The proposed shadowing to that property is therefore acceptable.

D. The Suitability of the Site for the Development

The proposal is of a nature in keeping with the overall function of the site. The premises are in a mixed residential and commercial surrounding and amongst similar uses to that proposed.

E. Submissions

The application was required to be notified in accordance with Council's Community Engagement Strategy between 14 May to 11 June 2024.

A total of 6 submissions were received in response. The issues raised in the submissions received are discussed below:

Concern	Comment
Unacceptable building height	The proposed building height has been reasonably minimised through providing modest floor to ceiling heights throughout. The proposed four storey building scale is consistent with existing and approved shop-top housing on nearby lots, which includes three to six storey development to the rear of the site (which are sited above the subject site in the topography). The proposed built form has been designed to incorporate increased upper level setbacks, limiting apparent building height when viewed from the public domain. The proposed development is not of an unacceptable building height considering the applicable FSR standard of 1.5:1.
View impacts	Potential view impacts to neighbouring properties have been considered in Section 5B of this report.
Visual privacy impacts from proposed balconies/windows at southern side	Potential visual privacy impacts from the proposed development have been addressed at Section 5C of this report. Conditions are recommended to complement proposed visual privacy measures, however it is noted there is sufficient separation distance from the site to the closest residential property.
Noise impacts from common areas	Communal open space has been provided at the first floor level of the proposed building, towards the southern extent of the site. These areas will be offset from neighbouring properties on Parramatta Road due to the topographical changes in levels and include privacy screening. Further common space is provided at the third floor level, which is further setback from neighbouring properties to mitigate potential noise impacts. The proposed communal spaces have been located to be consistent with existing open space on neighbouring properties, rather than adjacent to
Restricting smoking/vaping on the property	This is a matter for a future strata committee.
Traffic impacts on Jarrett Street	The proposed design has been reviewed by Council's development engineer and is deemed acceptable from a traffic management perspective. The proposal incorporates more parking than the relevant minimums under the LDCP and therefore satisfies the parking requirements of that policy.
Property value	It is considered that matters that may affect property value, such as amenity impacts, have been assessed and considered above. Furthermore, the proposal is consistent with the zoning objectives of the site.

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.

This has been achieved in this instance.

6. Section 7.11 / 7.12 Contributions

Section 7.11 contributions are payable for the proposal.

The carrying out of the development would result in an increased demand for public amenities and public services within the area. A contribution of \$160,431.00 would be required for the development under the Inner West Local Infrastructure Contributions Plan 2023.

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

7. Housing and Productivity Contributions

The carrying out of the development would result in an increased demand for essential state infrastructure such as schools, hospitals, major roads, public transport infrastructure and regional open space. A contribution of \$112,947.30 would be required for the development under Part 7, Subdivision 4 Housing and Productivity Contributions of the *EP & A Act 1979*.

A housing and productivity contribution is required in addition to any Section 7.11 or 7.12 Contribution. A condition requiring that the housing and productivity contribution is to be paid is included in the recommendation.

8. Referrals

The following internal referrals were made, and their comments have been considered as part of the above assessment:

- Development Engineer;
- Urban Forest;
- Waste Management – Commercial;
- Waste Management – Residential;
- Environmental Health;
- Building Certification; and
- Property.

Comment: Two conditions of deferred commencement have been recommended by Council's Development Engineers, in relation to the awning height and basement parking layout. These conditions are recommended on any consent granted and will ensure the proposed development provides a functional basement and public domain design.

The following external referrals were made, and their comments have been considered as part of the above assessment:

- WaterNSW;
- Ausgrid

Comment: General Terms of Approval have been provided by WaterNSW, for a tanked basement design. These are to be included on any consent granted. Similarly, Ausgrid have consented to the development subject to conditions requiring further investigation into the underground cables in the vicinity of the development and ensuring compliance with the Work Near Overhead Powerlines practice.

9. 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 deferred commencement approval subject to the imposition of appropriate conditions.

10. Recommendation

- A. In relation to the proposal by the development in Development Application No.2024/0345 to contravene the FSR and housing diversity standards in **Clauses 4.4A** and 6.14 of *Inner West Local Environmental Plan 2022* the Panel is satisfied that the Applicant has demonstrated that:
 - (a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and
 - (b) there are sufficient environmental planning grounds to justify the contravention of the development standard.
- 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 DA/2024/0345 for integrated development under the *Water Management Act 2000*, works include demolition of existing structure and construction of a four storey mixed use building, including ground floor commercial space, residential accommodation above, and basement car parking at 62 Jarrett Street, LEICHHARDT subject to the conditions listed in Attachment A below.

Attachment A – Recommended conditions of consent

CONDITIONS OF CONSENT

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

1. The development is consistent with the objectives of the zone;
2. The development is generally consistent with the development controls;
3. The development will not unreasonably compromise the amenity of nearby properties;
4. The development is compatible with the character of the area;
5. The development is considered suitable for the site;
6. The development was assessed against each of the mandatory relevant considerations of Section 4.15 of the EP&A Act in the assessment report and found to be acceptable; and
7. Approval is considered to be in the public interest.

Deferred Commencement

Amended plans and supporting information is to be submitted and approved by Council, to comply with the following:

1. Redesign the carpark areas such that the swept paths including the 300mm clearance lines to all car spaces on the ground level and the basement are achieved without encroachments onto any other car/bicycle/motorcycle spaces and structures. This may necessitate the deletion of one car space and adjusting the location of bicycle parking and supporting columns. The width of the proposed turning/manoeuvring area on the lower basement level may also need to be increased to comply with the above and to allow vehicles entering and leaving in a forward direction. The basement is to be amended to include the 1.8 metre x 1.8 metre at the Jarrett Street and Rofe Street corner. Compliance with the above shall be demonstrated with revised swept paths including the clearance lines prepared by a qualified and experienced Traffic Engineer. All vehicle and bicycle parking dimensions shall comply with Part C: Place in the Leichhardt DCP 2013.
2. The proposed awning over Council's footpath must have a minimum clear height at any point of 2800mm measured from the finish footpath levels to the underside of any overhead structure, fixtures etc. and setback a minimum 600mm from the street kerb. The proposed awning must be cantilevered and designed to be easily removed if required in future. The extent of the awning must be deleted where the clear height above the footpath level of 2800mm minimum is not achieved. Detailed plans including survey RLs of the existing footpath and sections at all relevant and critical locations prepared by a qualified Civil Engineer, demonstrating compliance with the above requirements need to be included in the submitted plans.

Reason: To ensure parking facilities and the awning are designed in accordance with Australian Standards and Council's DCP.

GENERAL CONDITIONS

	Condition
1.	<p>Separation of Commercial and Residential Waste and Recycling</p> <p>The waste and recycling handling and storage systems for residential waste and commercial waste (including waste originating from retail premises) are to be separate and self-contained. Commercial and retail tenants must not be able to access residential waste storage area/s, or any storage containers or chutes used for residential waste and recycling.</p> <p>Reason: Commercial/retail premises and residential properties pay separate charges for waste and recycling collection.</p>
2.	<p>Noise – Consultant’s Recommendations</p> <p>All the recommendations contained in the acoustic report prepared by Anavs-Acoustic Noise & Vibration Solutions P/L, reference No:2023-391 dated 5 December 2023 must be implemented.</p> <p>Reason: To protect the amenity of the neighbourhood and ensure that the development is carried out in accordance with the consent.</p>
3.	<p>Contamination – Remedial Action Plan (Site Auditor Engaged)</p> <p>The site is to be remediated and validated in accordance with all the recommendations set out in the Remedial Action Plan, prepared by Development Risk Management Pty Ltd, reference DRM P23.1064-R02 dated 26 April 2024, the Contaminated Land Management Act 1997 and Chapter 4 - Remediation of Land of the State Environmental Planning Policy (Resilience and Hazards) 2021.</p> <p>Reason: To protect the amenity of the neighbourhood from contamination and ensure that the development is carried out in accordance with the consent.</p>
4.	<p>Health Premises Registration – Generic</p> <p>The premises are required to be registered with Council’s Environment Health Team in accordance with the following legislation, as relevant:</p> <ol style="list-style-type: none"> 1. Food Shop - Food Act 2003; 2. Hairdressing Salon / Barber - Public Health Act 2010 and the Local Government (General) Regulation 2005; 3. Skin Penetration - Public Health Regulation 2012; <p>Reason: To ensure the premises operate in accordance with the relevant legislation.</p>
5.	<p>Food Premises Certification</p> <p>The food premises design, construction and operation is in accordance with the following:</p> <ol style="list-style-type: none"> 1. Food Act 2003; 2. Food Regulation 2010; 3. Australia and New Zealand Food Standards Code;

	<div>4. Australian Standard AS 4674 – 2004 (Design, construction and fit-out of food premises);</div> <div>5. Australian Standard AS 1668 Part 1 – 1998; and</div> <div>6. Australian Standard AS 1668 Part 2 – 2012.</div> <div>Reason: To ensure compliance with the relevant food premises code and Australian Standards.</div>								
6.	<div>Mechanical Ventilation System Certification</div> <div>The mechanical ventilation systems are to be designed, constructed and operated in accordance with the following:</div> <div><div>1. Australian Standard AS 1668 Part 1 – 1998;</div><div>2. Australian Standard AS 1668 Part 2 – 2012;</div><div>3. Australian Standard 3666.1 – 2011;</div><div>4. Australian Standard 3666.2 – 2011; and</div><div>5. Australian Standard 3666.3 - 2011.</div></div> <div>The system must be located in accordance with the approved plans and/or within the building envelope, design and form of the approved building. Any modifications to the approved plans required to house the system must be the subject of further approval from Council.</div> <div>Reason: To ensure compliance with the relevant Australian Standards.</div>								
7.	<div>Asbestos Removal</div> <div>Hazardous and industrial waste arising from the use must be removed and / or transported in accordance with the requirements of the NSW Environment Protection Authority (EPA) and the New South Wales WorkCover Authority.</div> <div>Reason: To ensure compliance with the relevant environmental legislation.</div>								
8.	<div>Operation of Commercial Tenancies</div> <div>The commercial premises under this development may operate between 8:00am and 5:00pm (Monday to Sunday). Any changes to the use or hours of operation is subject to a separate approval, as required.</div> <div>Reason: To protect the amenity of the neighbourhood.</div>								
9.	<div>Documents related to the consent</div> <div>The development must be carried out in accordance with plans and documents listed below:</div> <table><tr><th>Plan, Revision and Issue No.</th><th>Plan Name</th><th>Date Issued/Received</th><th>Prepared by</th></tr><tr><td>A50 Rev 02</td><td>Demolition Plan</td><td>3/10/2024</td><td>ADS Architects</td></tr></table>	Plan, Revision and Issue No.	Plan Name	Date Issued/Received	Prepared by	A50 Rev 02	Demolition Plan	3/10/2024	ADS Architects
Plan, Revision and Issue No.	Plan Name	Date Issued/Received	Prepared by						
A50 Rev 02	Demolition Plan	3/10/2024	ADS Architects						

A70 Rev 02	Site Plan	3/10/2024	ADS Architects
A103 Rev 02	Floor Plans Basement Floor Plan_Proposed	3/10/2024	ADS Architects
A104 Rev 03	Floor Plans Ground Floor Plan_Proposed	18/10/2024	ADS Architects
A105 Rev 02	Floor Plans Level 1 Floor Plan_Proposed	3/10/2024	ADS Architects
A106 Rev 02	Floor Plans Level 2 Floor Plan_Proposed	3/10/2024	ADS Architects
A107 Rev 02	Floor Plans Level 3 Floor Plan_Proposed	3/10/2024	ADS Architects
A108 Rev 02	Floor Plans Roof Plan_Proposed	3/10/2024	ADS Architects
A200 Rev 02	Sections Sections A, B	3/10/2024	ADS Architects
A201 Rev 02	Sections Section C,D,E-Driveway Details	3/10/2024	ADS Architects
A202 Rev 02	Sections Detailed Section A-A	3/10/2024	ADS Architects
A302 Rev 02	Elevations North & South_Proposed	3/10/2024	ADS Architects
A303 Rev 02	Elevations East & West_Proposed	3/10/2024	ADS Architects
A400 Rev 02	Schedules Material and Finishes Schedule	3/10/2024	ADS Architects
A501 Rev 02	Adaptable + Liveable Units Typical Disabled Unit Layout Configuration	3/10/2024	ADS Architects
A502 Rev 02	Adaptable + Liveable Units Typical Disabled Unit Layout Configuration	3/10/2024	ADS Architects
A800 Rev 02	Residential Storage Area	3/10/2024	ADS Architects

	LS01 Issue B	Landscape Site Plan	20/12/2023	Melissa Wilson Landscape Architects
	LS02 Issue B	Landscape Ground Floor	20/12/2023	Melissa Wilson Landscape Architects
	LS02.1 Issue B	Landscape Level 1	20/12/2023	Melissa Wilson Landscape Architects
	LS02.2 Issue B	Landscape Level 2	20/12/2023	Melissa Wilson Landscape Architects
	LS02.3 Issue B	Landscape Level 3	20/12/2023	Melissa Wilson Landscape Architects
	LS03 Issue B	Landscape Section + Elevation	20/12/2023	Melissa Wilson Landscape Architects
	LS05 Issue B	Landscape Plant Species	20/12/2023	Melissa Wilson Landscape Architects
	LS06 Issue B	Landscape Notes	20/12/2023	Melissa Wilson Landscape Architects
	LS07 Issue B	Landscape Typical Details	20/12/2023	Melissa Wilson Landscape Architects
	Ref: 2023-391	Acoustic Report	5/12/2023	ANAVS- Acoustic Noise & Vibration Solutions P/L
	Cert No. 1730471M_02	BASIX Certificate	23/4/2024	Max Brightwell
	Ref No. IDAS1155260	General Terms of Approval (Water Supply Work)	10/7/2024	WaterNSW
	As amended by the conditions of consent.			
	Reason: To ensure development is carried out in accordance with the approved documents.			
10.	Car Parking			
	The development must provide and maintain within the site: (a) 16 car parking spaces must be paved and line marked; (b) 1 car parking spaces, for persons with a disability must be provided and marked as disabled car parking spaces;			

	<p>(c) 1 visitor car parking spaces must be provided and marked as visitor car parking spaces. A sign legible from the street must be permanently displayed to indicate that visitor parking is available on site;</p> <p>(d) 2 off-street motorcycle parking spaces must be provided, paved, line marked and maintained at all times;</p> <p>(e) 10 Bicycle storage capacity within the site;</p> <p>(f) 1 Carwash bays; and</p> <p>(g) 1 Loading docks/bays.</p> <p>Reason: To ensure parking facilities are designed in accordance with the Australian Standard and Council's DCP.</p>
11.	<p>Residential Flat Buildings – Air Conditioning Systems</p> <p>Where units or dwellings are provided with separate individual air conditioning systems, these must be located so they are not visible from the street.</p> <p>Reason: To protect the visual amenity of the neighbourhood.</p>
12.	<p>Bin Storage - Residential</p> <p>All bins are to be stored within the property. Bins are to be returned to the property within 12 hours of having been emptied.</p> <p>Reason: To ensure resource recovery is promoted and residential amenity is protected.</p>
13.	<p>Dial before you dig</p> <p>Contact "Dial Prior to You Dig" prior to commencing any building activity on the site.</p> <p>Reason: To protect assets and infrastructure.</p>
14.	<p>Lead-based Paint</p> <p>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.</p> <p>Reason: To protect human health.</p>
15.	<p>Construction of Vehicular Crossing</p> <p>The vehicular crossing and/or footpath works are required to be constructed by your own contractor. You or your contractor must complete an application for Construction of a Vehicular Crossing & Civil Works form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, prior to commencement of works.</p>

	Reason: To protect assets, infrastructure and pedestrian safety.
16.	<p style="text-align: center;">Dividing Fences Act</p> <p>The person acting on this consent must comply with the requirements of the <i>Dividing Fences Act 1991</i> in respect to the alterations and additions to the boundary fences.</p> <p>Reason: To ensure compliance with legislative requirements.</p>
17.	<p style="text-align: center;">Notification of commencement of works</p> <p>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:</p> <ol style="list-style-type: none"> a. In the case of work for which a principal contractor is required to be appointed: <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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. <p>Reason: To ensure compliance with legislative requirements.</p>
18.	<p style="text-align: center;">National Construction Code (Building Code of Australia)</p> <p>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.</p> <p>Reason: To ensure compliance with legislative requirements.</p>
19.	<p style="text-align: center;">Other works</p> <p>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 <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>Reason: To ensure compliance with legislative requirements.</p>
20.	<p style="text-align: center;">Storage of materials on public property</p> <p>The placing of any materials on Council's footpath or roadway is prohibited, without the prior consent of Council.</p> <p>Reason: To protect pedestrian safety.</p>
21.	<p style="text-align: center;">Works Outside the Property Boundary</p> <p>This development consent does not authorise works outside the property boundaries on adjoining lands.</p> <p>Reason: To ensure works are in accordance with the consent.</p>

22.	<p>Ausgrid Underground Cables are in the vicinity of the development.</p> <p>Special care should be taken to ensure that driveways and any other construction activities do not interfere with existing underground cables located in the footpath or adjacent roadways.</p> <p>It is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area. Information regarding the position of cables along footpaths and roadways can be obtained by contacting Before You Dig Australia (BYDA)</p> <p>In addition to BYDA the proponent should refer to the following documents to support safety in design and construction:</p> <ul style="list-style-type: none"> • SafeWork Australia – Excavation Code of Practice. • Ausgrid's Network Standard NS156 which outlines the minimum requirements for working around Ausgrid's underground cables. <p>The following points should also be taken into consideration.</p> <ul style="list-style-type: none"> • Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. • Should ground levels change above Ausgrid's underground cables in areas such as footpaths and driveways, Ausgrid must be notified, and written approval provided prior to the works commencing. • Should ground anchors be required in the vicinity of Ausgrid underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable. <p>Reason: To comply with Ausgrid requirements.</p>
23.	<p>Ausgrid Overhead Powerlines are in the vicinity of the development.</p> <p>The developer should refer to SafeWork NSW Document – Work Near Overhead Powerlines: Code of Practice. This document outlines the minimum separation requirements between electrical mains (overhead wires) and structures within the development site throughout the construction process. It is a statutory requirement that these distances be maintained throughout the construction phase.</p> <p>Consideration should be given to the positioning and operating of cranes, scaffolding, and sufficient clearances from all types of vehicles that are expected be entering and leaving the site.</p> <p>The “as constructed” minimum clearances to the mains must also be maintained. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid's website at www.ausgrid.com.au.</p> <p>It is the responsibility of the developer to verify and maintain minimum clearances onsite. In the event where minimum safe clearances are not able to be met due to the design of the development, the Ausgrid mains may need to be relocated in this instance. Any Ausgrid asset relocation works will be at the developer's cost.</p> <p>Reason: To comply with Ausgrid requirements.</p>

24.	<p align="center">New Driveways - Proximity to Existing Poles</p> <p>Proposed driveways shall be located to maintain a minimum clearance of 1.5m from the nearest face of the pole to any part of the driveway, including the layback, this is to allow room for future pole replacements. Ausgrid should be further consulted for any deviation to this distance.</p> <p>Reason: To ensure compliance with Ausgrid requirements.</p>
25.	<p align="center">New or modified connection</p> <p>To apply to connect or modify a connection for a residential or commercial premises. Ausgrid recommends the proponent to engage an Accredited Service Provider and submit a connection application to Ausgrid as soon as practicable. Visit the Ausgrid website for further details; https://www.ausgrid.com.au/Connections/Get-connected</p> <p>Reason: To ensure compliance with Ausgrid requirements.</p>
26.	<p align="center">Boundary Alignment Levels</p> <p>Alignment levels for the site at all pedestrian and vehicular access locations must match the existing back of footpath levels at the boundary unless levels are otherwise approved by Council via a S138 approval.</p> <p>Reason: To allow for pedestrian and vehicular access.</p>
27.	<p align="center">Awnings with Lighting</p> <p>The proposed awning must be of cantilever type and be set back at least 600mm from the kerb line. The awning must have a minimum clear height at any point of 2800 mm measured from the finish footpath levels to the underside of any part of the awning structure, fixtures etc..The awning must include pedestrian lighting (Category P3-AS1158) and must be maintained and owned by the property owner(s). The proposed awning must be designed to be easily removed if required in future. The owner must maintain, modify or remove the structure at any time if given notification by Council to do so. The lighting must not be obtrusive and should be designed so that it does not shine into any adjoining residences.</p> <p>Reason: Provide all weather protection to pedestrians.</p>
28.	<p align="center">Rock Anchors</p> <p>For use of temporary anchors, you must make a request for approval for a Permit under Section 138 of the Roads Act 1993. For any consideration, the submission would need to be supported by an engineering report prepared by a suitably qualified Structural Engineer, with supporting details addressing the following issues:</p> <ul style="list-style-type: none"> (a) Demonstrate that any structures within the road reserve are of adequate depth to ensure no adverse impact on existing or potential future service utilities in the road reserve. All existing services must be shown on a plan and included on cross-sectional details where appropriate. (b) Demonstrate how the temporary anchors will be removed or immobilised and replaced by full support from structures within the subject site by completion of the works. (c) The report must be supported by suitable geotechnical investigations to the efficacy of all design assumptions. <p>Reason: To ensure works are carried out in accordance with the relevant legislation.</p>

29.	<p style="text-align: center;">Rock Anchors</p> <p>This consent does not grant consent for any rock anchors on the road reserve or Council land.</p> <p>Reason: To protect Council infrastructure.</p>
30.	<p style="text-align: center;">Dry-weather Flows</p> <p>Dry-weather flows of any groundwater including seepage from landscaped areas will not be permitted through kerb outlets and must be connected directly to a Council stormwater system. Alternatively, the basement or any below ground structure must be designed to be "tanked" preventing the ingress of seepage or groundwater.</p> <p>Reason: To prevent continuous flow of groundwater in the kerb and gutter and to ensure no substance other than rainwater enters the stormwater system and waterways.</p>
31.	<p style="text-align: center;">Vehicles Leaving the Site</p> <p>All vehicles must enter and exit the site in a forward direction.</p> <p>Reason: To ensure parking facilities maintain public and pedestrian safety.</p>
32.	<p style="text-align: center;">Electrical Substations</p> <p>Should the proposed development require the provision of an electrical substation, such associated infrastructure must be incorporated wholly within the development site and may be the subject of an application for modification of consent.</p> <p>Reason: To ensure works are carried out in accordance with the relevant legislation.</p>
33.	<p style="text-align: center;">Permits</p> <p>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:</p> <ul style="list-style-type: none"> • 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; • A concrete pump across the roadway/footpath; • Mobile crane or any standing plant; • Skip Bins; • Scaffolding/Hoardings (fencing on public land); • Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.; • Awning or street veranda over the footpath; • Partial or full road closure; and • Installation or replacement of private stormwater drain, utility service or water supply. <p>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</p>

	<p>submitted and approved by Council prior to the commencement of the works associated with such activity.</p> <p>Reason: To ensure works are carried out in accordance with the relevant legislation.</p>
34.	<p>Loading/unloading on site</p> <p>All loading and unloading are to be conducted within the site at all times. Any designated loading bay/dock area is to remain available for loading/unloading purposes at all times. No storage of goods or parking of cars is to be carried out in these areas.</p> <p>Reason: To ensure that any designated loading dock is available for servicing the site at all times.</p>
35.	<p>Insurances</p> <p>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.</p> <p>Reason: To ensure Council assets are protected.</p>
36.	<p>Public Domain and Vehicular Crossings</p> <p>The vehicular crossing and/or footpath works are required to be constructed by your contractor. You or your contractor must complete an application for Design of Vehicle Crossing and Public Domain Works – Step 1 form and Construction of Vehicle Crossing and Public Domain Works – Step 2 form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, before commencement of works.</p> <p>You are advised that Council has not undertaken a search of existing or proposed utility services adjacent to the site in determining this application. 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 at no cost to Council</p> <p>Any damage caused during construction to Council assets on the road reserve or on Council or Crown land must be repaired at no cost to Council.</p> <p>Any driveway crossovers or other works within the road reserve must be provided at no cost to Council.</p> <p>No consent is given or implied for any Encroachments onto Council's road or footpath of any service pipes, sewer vents, boundary traps, downpipes, gutters, eaves, awnings, stairs, doors, gates, garage tilt up panel doors or any structure whatsoever, including when open.</p> <p>Reason: To ensure works are carried out in accordance with the relevant legislation.</p>

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

	Condition
37.	<p>Resource Recovery and Waste Management Plan - Demolition and Construction</p> <p>Prior to the commencement of any works (including any demolition works), the Certifying Authority is required to be provided with a "Waste and Recycling Waste Management Plan - Demolition and Construction" in accordance with the relevant Development Control Plan.</p> <p>Reason: To ensure resource recovery is promoted and local amenity protected during construction.</p>
38.	<p>Bin Storage Area</p> <p>The submitted Waste and Recycling Management Plan must demonstrate that that the bin storage area will accommodate the number of bins required for all waste and recycling generated by a development of this type and scale.</p> <p>The area must also include 50% allowance for manoeuvring of bins. The bin storage area is to be located away from habitable rooms, windows, doors and private useable open space, and to minimise potential impacts on neighbours in terms of aesthetics, noise and odour.</p> <p>The bin storage area is to meet the design requirements detailed in the Development Control Plan.</p> <p>Reason: To ensure resource recovery is promoted and local amenity protected.</p>
39.	<p>Waste Transfer Route</p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans demonstrating that the path of travel between the bin storage area/bulky waste storage area and the designated waste/recycling collection point has a minimum 1200mm wall-to-wall clearance, is slip-proof with a hard surface, free of obstructions and at no point has a gradient exceeding 1:14 for 240L bins, and 1:40 for 660L bins.</p> <p>If the path of transfer exceeds this gradient, a bin tug, suited to the inclination, and which meets Australian Standards in Health, Safety, Environment and Quality is to be used to move waste and recycling bins, or bulky household waste, from the basement to ground level.</p> <p>Reason: To require details of measures that will protect residents and staff or tenants during the operational phase of the development.</p>
40.	<p>Hazardous Materials Survey</p> <p>Prior to any demolition or the issue of a Construction Certificate (whichever occurs first), the Certifying Authority must provide a hazardous materials survey to Council. The survey shall be prepared by a suitably qualified Occupational Hygienist and is to</p>

	<p>incorporate appropriate hazardous material removal and disposal methods in accordance with the requirements of SafeWork NSW.</p> <p>A copy of any SafeWork NSW approval documents is to be included as part of the documentation.</p> <p>Reason: To ensure compliance with the requirements of SafeWork NSW.</p>
41.	<p>Food Premises – Additional Sinks and Hand Wash Basins</p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended scale plans confirming the position of all sinks and hand wash basins within the food premises in accordance with Australian Standard AS 4674 – 2004 (Design, construction and fit-out of food premises) and Australia and New Zealand Food Standards Code.</p> <p>Reason: To ensure compliance with the food premises code and the relevant Australian Standards.</p>
42.	<p>Food Premises – Odour Emission Control</p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with details demonstrating that emission control equipment has been provided in the mechanical exhaust system that effectively minimises the emission of odours, vapours and oils.</p> <p>Reason: To protect the amenity of the neighbourhood.</p>
43.	<p>Noise General – Acoustic Report</p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with an acoustic report demonstrating that noise and vibration from the operation of the premises will satisfy the relevant provisions of the Protection of the Environment Operations Act 1997 and Regulations and relevant state and local policies and guidelines. The acoustic report is to be prepared by a suitably qualified and experienced acoustic consultant and any recommendations must be consistent with the approved plans.</p> <p><i>Note: In special entertainment precincts, this condition applies to noise and vibration from plant equipment and machinery only.</i></p> <p>Reason: To protect the amenity of the neighbourhood.</p>
44.	<p>Car Wash Bay – Design</p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with certification confirming that all wastewater generated from the car wash bay will be discharged to the sewerage systems in accordance with the requirements of Sydney Water.</p> <p>Reason: To ensure works are in accordance with the relevant Sydney Water requirements.</p>
45.	<p>Food Premises Waste Storage Area</p>

	<p>Prior to the issue of a construction certificate, a detailed plan showing the design and location of the waste storage room must be submitted to the Principal Certifier. The designated waste and recyclable storage room must be in accordance with the following requirements:</p> <ol style="list-style-type: none"> The area must be fully enclosed, suitably sized to contain all waste and recyclable material generated by the premises, adequately ventilated and constructed with a concrete floor and concrete or cement rendered walls; The floor must be graded and drain to sewer in accordance with Sydney Water requirements; A tap with a supply of warm running water shall be provided within the room. <p>Reason: To ensure compliance with the relevant Australian Standard.</p>
46.	<p>Tree Protection Plan</p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a detailed site-specific Tree Protection Plan (TPP) prepared by a AQF5 Consultant Arborist to ensure all street trees surrounding the site will not be damaged during construction and development works. The TPP is to be prepared in accordance with Australian Standard 4970—Protection of trees on development sites and Council's Development Fact Sheet—Trees on Development Sites.</p> <p>The tree protection measures contained in the TPP must be shown clearly on the Construction Certificate drawings, including the Construction Management Plan.</p> <p>The Certifying Authority must ensure the construction plans and specifications submitted fully satisfy the tree protection requirements identified in the TPP.</p> <p>A Project Arborist is to be appointed prior to any works commencing to monitor tree protection for the duration of works in accordance with the requirements identified in the TPP.</p> <p>All tree protection measures as detailed in the approved Tree Protection Plan must be installed and certified in writing as 'fit for purpose' by the Project Arborist.</p> <p>Reason: To protect trees during construction.</p>
47.	<p>Design Change</p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans demonstrating the following:</p> <ol style="list-style-type: none"> An additional cubic metre (1m³) of storage space is to be provided for Units 01-01 and 03-01, either at the basement level or within the respective apartments. This additional storage space is not to impact upon storage space of other units. The fence screening between the balcony of Unit 01-01 and the communal space adjacent is to be solid (non-see-through) to a height of 1.8m <p>Reason: To ensure that the design changes protect the amenity of the neighbourhood.</p>
48.	<p>Section 7.11 Contribution</p>

In accordance with section 7.11 of the *Environmental Planning and Assessment Act 1979* and the Inner West Local Infrastructure Contribution Plan 2023 (the Plan), the following monetary contributions shall be paid to Council to cater for the increased demand for local infrastructure resulting from the development:

Contribution Category	Amount
Open Space & Recreation	\$124,300.00
Community Facilities	\$23,854.00
Transport	\$5,350.00
Plan Administration	\$1,085.00
Drainage	\$5,842.00
TOTAL	\$160,431.00

At the time of payment, the contributions 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 139.8 for the September 2024.

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 at council@innerwest.nsw.gov.au or 9392 5000 to request an invoice confirming the

	<p>indexed contribution amount payable. Please allow a minimum of 2 business days for the invoice to be issued.</p> <p>Once the invoice is obtained, payment may 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).</p> <p>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.</p> <p>Reason: To ensure payment of the required development contribution.</p>								
49.	<p>Housing and Productivity Contribution</p> <p>a. The housing and productivity contribution (HPC) set out in the table below, but as adjusted in accordance with condition (b), is required to be made</p> <table border="1"> <thead> <tr> <th>Housing and productivity contribution</th><th>Amount</th></tr> </thead> <tbody> <tr> <td>Housing and productivity contribution (base component)</td><td>\$112,947.30</td></tr> <tr> <td>Transport project component</td><td>0</td></tr> <tr> <td>Total housing and productivity contribution</td><td>\$112,947.30</td></tr> </tbody> </table> <p>b. The amount payable at the time of payment is the amount shown in condition (a) as the total housing and productivity contribution adjusted by multiplying it by:</p> <p style="text-align: center;">Highest PPI number</p> <p style="text-align: center;">Consent PPI number</p> <p>Where:</p> <p><i>highest PPI number</i> is the highest PPI number for a quarter following the June quarter 2023 and up to and including the 2nd last quarter before the quarter in which the payment is made, and</p> <p><i>consent PPI number</i> is the PPI number last used to adjust HPC rates when consent was granted, and</p> <p><i>June quarter 2023</i> and <i>PPI</i> have the meanings given in clause 22 (4) of the <i>Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023</i>.</p> <p>If the amount adjusted in accordance with this condition is less than the amount at the time consent is granted, the higher amount must be paid instead.</p>	Housing and productivity contribution	Amount	Housing and productivity contribution (base component)	\$112,947.30	Transport project component	0	Total housing and productivity contribution	\$112,947.30
Housing and productivity contribution	Amount								
Housing and productivity contribution (base component)	\$112,947.30								
Transport project component	0								
Total housing and productivity contribution	\$112,947.30								

	<p>c. The HPC must be paid before the issue first construction certificate in relation to the development, or before the commencement of any work authorised by this consent (if no construction certificate is required). However, if development is any of the kinds set out in the table below, the total housing and productivity contribution must be paid as set out in the table:</p> <table border="1" data-bbox="496 450 1214 1003"> <thead> <tr> <th>Development</th><th>Time by which HPC must be paid</th></tr> </thead> <tbody> <tr> <td>Development consisting only of residential subdivision within the meaning of the HPC Order</td><td>Before the issue of the first subdivision certificate</td></tr> <tr> <td>High-density residential development within the meaning of the HPC Order for which no construction certificate is required</td><td>Before the issue of the first strata certificate</td></tr> <tr> <td>Development that consists only of residential strata subdivision (within the meaning of the HPC Order) or only of residential strata subdivision and a change of use of an existing building</td><td>Before the issue of the first strata certificate</td></tr> <tr> <td>Manufactured home estate for which no construction certificate is required</td><td>Before the installation of the first manufactured home</td></tr> </tbody> </table> <p>In the Table, <i>HPC Order</i> means the <i>Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023</i>.</p> <p>d. The HPC must be paid using the NSW planning portal (http://pp.planningportal.nsw.gov.au/).</p> <p>e. If the Minister administering the <i>Environmental Planning and Assessment Act 1979</i> agrees, the HPC (apart from any transport project component) may be made, instead of as a monetary contribution, in the following ways:</p> <ol style="list-style-type: none"> the dedication or provision of land for the purpose of regional infrastructure in the region in which the development will be carried out, the carrying out of works for the purpose of regional infrastructure in the region in which the HPC development will be carried out. <p>If the HPC is made partly as a monetary contribution, the amount of the part payable is the amount of the part adjusted in accordance with condition (b.) at the time of payment.</p> <p>f. Despite condition (a.), a housing and productivity contribution is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the <i>Environmental Planning and Assessment Act 1979</i> to the development, or the <i>Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023</i> exempts the</p>	Development	Time by which HPC must be paid	Development consisting only of residential subdivision within the meaning of the HPC Order	Before the issue of the first subdivision certificate	High-density residential development within the meaning of the HPC Order for which no construction certificate is required	Before the issue of the first strata certificate	Development that consists only of residential strata subdivision (within the meaning of the HPC Order) or only of residential strata subdivision and a change of use of an existing building	Before the issue of the first strata certificate	Manufactured home estate for which no construction certificate is required	Before the installation of the first manufactured home
Development	Time by which HPC must be paid										
Development consisting only of residential subdivision within the meaning of the HPC Order	Before the issue of the first subdivision certificate										
High-density residential development within the meaning of the HPC Order for which no construction certificate is required	Before the issue of the first strata certificate										
Development that consists only of residential strata subdivision (within the meaning of the HPC Order) or only of residential strata subdivision and a change of use of an existing building	Before the issue of the first strata certificate										
Manufactured home estate for which no construction certificate is required	Before the installation of the first manufactured home										

	<p>development from the contribution. The amount of the contribution may also be reduced under the order, including if payment is made before 1 July 2025.</p> <p>Reason: To ensure payment of the required development contribution.</p>
50.	<p>Long Service Levy</p> <p>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.</p> <p>Reason: To ensure the long service levy is paid.</p>
51.	<p>Residential Flat Buildings – Adaptable Dwellings</p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority, must be provided with plans that demonstrate 1 unit is an Adaptable unit.</p> <p>No works are to occur to the premises that would prevent the Adaptable units from being adapted for persons with a disability.</p> <p>Reason: To ensure adaptable units are designed in accordance with the relevant Australian Standard.</p>
52.	<p>Street Numbering</p> <p>If there are any changes to the number of occupancies including any additional occupancies created, a street numbering application must be lodged and approved by Council's GIS team before any street number is displayed. Link to Street Numbering Application</p> <p>Reason: To ensure occupancies are appropriately numbered.</p>
53.	<p>Consolidation of Lots</p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with evidence that the separate lots comprising the development have been consolidated into one lot and under one title and registered at NSW Land Registry Services.</p> <p>If there are any changes to the number of occupancies including any additional occupancies created, a street numbering application must be lodged and approved by Council's GIS team before any street number is displayed. Link to Street Numbering Application.</p> <p>Reason: To ensure the proper disposition of land.</p>
54.	<p>Fibre-ready Facilities</p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with evidence that arrangements have been made for:</p> <p>The installation of fibre-ready facilities to all individual lots and/or premises the development so as to enable fibre to be readily connected to any premises that is</p>

	<p>being or may be constructed on those lots. Demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose.</p> <p>The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises the development demonstrated through an agreement with a carrier.</p> <p>Reason: To ensure relevant utility and service providers' requirements are provided to the certifier.</p>				
55.	<p>Acoustic Report – Aircraft Noise</p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans detailing the recommendations of an acoustic report prepared by a suitably qualified Acoustic Engineer demonstrating compliance of the development with the relevant provisions of Australian Standard AS 2021:2015 Acoustics – Aircraft noise intrusion – Building siting and construction.</p> <p>Reason: To ensure all noise attenuation is in accordance with the relevant Australian Standard.</p>				
56.	<p>Sydney Water – Tap In</p> <p>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.</p> <p>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.</p> <p>Reason: To ensure relevant utility and service providers requirements are provided to the certifier.</p>				
57.	<p>Security Deposit - Custom</p> <p>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.</p> <table border="1"> <tr> <td>Security Deposit:</td><td>\$71,381.00</td></tr> <tr> <td>Inspection Fee:</td><td>\$1,167.00</td></tr> </table> <p>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.</p> <p>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.</p>	Security Deposit:	\$71,381.00	Inspection Fee:	\$1,167.00
Security Deposit:	\$71,381.00				
Inspection Fee:	\$1,167.00				

	<p>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.</p> <p>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.</p> <p>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.</p> <p>Reason: To ensure required security deposits are paid.</p>
58.	<p>Splays - Dedication of Land</p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with evidence that the landowner has dedicated a splay that is registered at NSW Land Registry Services to provide for sight-distance for vehicles and pedestrians at intersections. Splays must be created at property corners. The size of the splay(s) must be:</p> <ol style="list-style-type: none"> 1.8 metre x 1.8 metre at Jarrett Street and Rofe Street corner. This splay is to be provided at all levels (including the basement). <p>Reason: To maintain and promote vehicular and pedestrian safety.</p>
59.	<p>Structural and Geotechnical Report</p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with an integrated structural and geotechnical report and structural plans that address the design of the proposed basement, prepared certified as compliant with the terms of this condition by a qualified practicing Structural and Geotechnical Engineer(s) who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng). The report and plans must be prepared/ amended to make provision for the following:</p> <ol style="list-style-type: none"> The basement must be fully tanked to prevent the ingress of subsurface flows; Retaining walls must be entirely self-supporting in the event that excavation is undertaken within the road reserve adjacent to the property boundary to the depth of the proposed structure; Any existing or proposed retaining walls that provide support to the road reserve must be adequate to withstand the loadings that could be reasonably expected from within the constructed road and footpath area, including normal traffic and heavy construction and earth moving equipment, based on a design life of not less than 50 years;

	<ul style="list-style-type: none"> d. All components of the basement, including footings, must be located entirely within the property boundary; e. No adverse impact on surrounding properties including Council's footpath and road; f. The existing subsurface flow regime in the vicinity of the development must not be significantly altered as a result of the development; g. Recommendations regarding the method of excavation and construction, vibration emissions and identifying risks to existing structures or those on adjoining or nearby property; and h. Provide relevant geotechnical/ subsurface conditions of the site, as determined by a full geotechnical investigation. <p>Reason: To ensure that the design of the basement is structurally sound and has been appropriately certified.</p>
60.	<p>Public Domain Works – Prior to Construction Certificate</p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a public domain works design, prepared by a qualified practising Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) and evidence that the works on the Road Reserve have been approved by Council under Section 138 of the Roads Act 1993 incorporating the following requirements:</p> <ul style="list-style-type: none"> a. The public domain along the Jarrett Street frontage of the site inclusive of footpath paving, kerb and gutter, street trees, landscaping, street furniture, etc. must be reconstructed and upgraded in accordance with the Street Tree Master plan and the Public Domain Design Guide or scheme. Upgrade of the footpath in Rofe Street as necessary in accordance with the Street Tree Master plan and the Public Domain Design Guide or scheme; b. Reconstruct any damaged footpath (full panels), kerb and gutter, road pavement along the Rofe Street frontage of the site; c. The construction of heavy-duty vehicular crossings to all vehicular access locations and removal of all redundant vehicular crossings to the site; d. The vehicular crossing and driveway ramp to the site shall be designed to satisfy the ground clearance template for B99 vehicle using dynamic ground clearance software. A long section, along both sides of the vehicular crossing and ramp, drawn at a 1:20 or 1:25 natural scale, shall be provided for review. The long section shall begin from the centreline of the adjacent road to a minimum of 3 metres into the property. The long section shall show both existing and proposed surface levels including information including chainages. e. New concrete footpath and kerb and gutter along the frontage of the site. The kerb type (concrete or stone) must be consistent with the majority of kerb type at this location as determine by the Council Engineer; f. Longitudinal sections along the gutter invert and the property line, together with cross sections are to be provided at the boundaries at a minimum distance of every 5m and at all pedestrian and vehicular access locations. Note, the cross fall of the footpath must be set at 2.5%. These sections will set the alignment levels at the boundary. g. A new kerb inlet pit (minimum 3m lintel) must be installed at the proposed stormwater connection point from the site to Council's stormwater drainage

	<p>system in Jarrett Street. The pit shall be located such that the pit intel is minimum 1.0 metre clear of the vehicular crossing wing;</p> <p>h. Any existing unsatisfactory road pavement in Jarrett Street and Rofe Street shall be repaired using a 40mm Mill and Fill treatment for half the road width for the full frontage of the site. Any failed section shall be boxed out and replaced with deeplift asphalt before the Mill and fill Treatment.</p> <p>All works must be completed prior to the issue of an Occupation Certificate.</p> <p>Reason: To ensure public domain works are constructed to Council's standards</p>
61.	<p>Parking Facilities – Major (including basement)</p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans certified by a suitably experienced Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) demonstrating that the design of the vehicular access, off-street parking facilities and associated vehicle standing areas comply with Australian Standard AS/NZS 2890.1-2004 Parking Facilities: Off-street car parking, Australian Standard AS 2890.2-2018 Parking Facilities: Commercial vehicle facilities, AS/NZS 2890.3-2015 Parking facilities: Bicycle Parking, AS/NZS 2890.6-2009 Parking facilities: Off-street parking for people with disabilities and the following specific requirements:</p> <ol style="list-style-type: none"> The internal vehicle hardstand area must be redesigned such that the level at the boundary matches the existing back of footpath level unless alternative alignment levels are approved via a Section 138 approval. The carpark slab and driveway must rise within the property to be a minimum of 170mm above the adjacent road gutter level and higher than the street kerb and footpath across the full width of the vehicle crossing; The longitudinal profile across the width of the vehicle crossing, vehicular access and any ramps within the parking facilities must comply with the Ground Clearance requirements of AS/NZS 2890.1-2004 and AS 2890.2-2018 for a B99 and SRV design vehicle. Longitudinal sections along each outer edge of the access and parking facilities, extending to the centreline of the road carriageway must be provided, demonstrating compliance with the above requirements. Minimum headroom of 2200mm must be provided throughout the access and parking facilities. Minimum headroom of 2500mm must be provided above any disabled parking space(s). Minimum headroom of 3500mm must be provided throughout the path of travel for a SRV utilising the loading bay. The headroom must be measured at the lowest projection from the ceiling, such as lighting fixtures, and to open garage doors. Headroom at a 'sag' type grade change must be measured in accordance with Figure 5.3 of AS/NZS 2890.1-2004. Longitudinal sections along each outer edge of the vehicular access and parking facilities and throughout the path of travel for a SRV utilising the loading bay, extending to the centreline of the road carriageway must be provided, demonstrating compliance with the above requirements. The layout and minimum dimensions of any standing area comply with clause 2.4 of AS/NZS 2890.1-2004 such that:

	<ul style="list-style-type: none"> i Car spaces, manoeuvring bays and aisles adjacent to walls or fences are increased in width by an additional 300mm; ii End spaces are provided with an additional 1m aisle extension; and iii The location of columns within the carpark complies with figure 5.1 of AS/NZS 2890.1-2004; <p>i. The relative surface levels of the internal access from the road being controlled so that:</p> <ul style="list-style-type: none"> i. The surface levels at the property boundary match "alignment levels" ii. The change in grade for any 2m length of access way does not exceed 1 in 8 (12.5%) unless suitable transitions are provided in accordance with AS/NZS 2890.1; iii. The maximum grade at any point does not exceed the requirements of Section 2.5.3 of AS/NZS 2890.1 and/or Section 3.3.3.2 of AS 2890.2 for heavy vehicles; and iv. The maximum grade at the property boundary does not exceed 1 in 20 (5%) within 6m of the property boundary in accordance with Section 3.3 of AS/NZS 2890.1; <p>j. The vehicle egress is designed such that there are no obstructions to lines of sight, along with the footpath and the roadway for drivers of egressing vehicles.</p> <p>k. Any curved section of the ramp is designed in accordance with AS/NZS 2890.1-2004 with grades measured along the inside radius.</p> <p>l. The vehicular access must be amended to provide clear sight lines (triangles) to pedestrians in Jarrett Street frontage in accordance with the requirements of Clause 3.2.4(b) of AS/NZS 2890.1-2004.</p> <p>m. All loading docks and parking bays are designed such that all vehicular movements to and from the proposed development are in a forward direction.</p> <p>n. The entry security door must be set back a minimum of 5500mm from the property boundary.</p> <p>o. Loading/unloading facilities must be provided on-site in accordance with the requirements of AS 2890.2 – 2002;</p> <p>p. Plans shall include clearance heights and swept paths prepared and certified by the Engineer that demonstrate that waste collection can be collected on-site by a Standard Resource Recovery Vehicle entering and exiting in a forward direction;</p> <p>q. Bicycle storage areas must be provided to accommodate the numerical requirements of DCP/a minimum of 10 bicycles and be designed in accordance with relevant provisions of AS 2890.3-2015. The dimensions of the bicycle storage areas shall comply with the requirements in Part C: Place in the Leichhardt DCP 2013;.</p>
--	---

	<ul style="list-style-type: none"> r. Provision of a Watts' profile speed hump or similar device and associated stop sign and holding line on the vehicular access, near the boundary to Jarrett Street to ensure exiting vehicles stop and give way to pedestrian traffic on the footpath. s. All loading docks and parking bays are designed such that all vehicular movements to and from the proposed development are in a forward direction. t. At the property boundary the access from the road to a standing area is (as near as practicable) perpendicular to the line of the adjacent road. u. Bollards must be provided to protect parts of the building including to prevent vehicle encroachment into pedestrian ways, stairs, doorways, lifts and the like as per Section 2.4.5.5 of AS2890.1:2004. v. An internal traffic management system including a "Traffic Light Vehicle Priority System" per the "Parking and Traffic Impact Assessment Report" prepared by Greys Consulting dated 1 October 2024, must be installed on both ends of the internal vehicle ramp between the parking areas on the ground floor and the basement, to maintain a conflict free traffic movement through the access ramp. Priority must be given to ingressing vehicles. The system must also allow for motorbikes and cyclists. Suitable passing opportunities within the basement must be demonstrated. <p>Reason: To ensure parking facilities are designed in accordance with the Australian Standard and council's DCP.</p>
62.	<p>Stormwater Drainage System – Major Developments</p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with stormwater drainage design plans incorporating on site stormwater detention and on site retention/ re-use facilities (OSR/OSD) and Stormwater Quality Improvement Devices (SQIDS), certified by a suitably experienced Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) that the design of the site drainage system complies with the following specific requirements:</p> <ul style="list-style-type: none"> a. The design must be generally in accordance with the stormwater drainage concept plan on Drawing Nos. 102 Revision B and 103 Revision C, dated 27/09/2024, Drawing Nos.104 Revision D and 106 Revision C, dated 7/11/2024, prepared by C&S Engineering Services. b. Stormwater runoff from all surface areas within the property must be collected in a system of gutters, pits and pipelines and be discharged together with overflow pipelines from rainwater tank(s) by gravity to Council's piped drainage system via the OSD/OSR tanks. c. Comply with Council's Stormwater Drainage Code, Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3-2018 'Stormwater Drainage' and Council's DCP. d. Charged or pump-out stormwater drainage systems are not permitted including for roof drainage other than for the pump-out of surface flows from the driveway and from the basement.

	<p>e. The Drainage Plan must detail the existing and proposed site drainage layout, size, class and grade of pipelines, pit types, roof gutter and downpipe sizes.</p> <p>h. The plans, including supporting calculations, must demonstrate that the post development flows for the 100 year ARI storm are restricted to the pre development flows for the 5 year ARI storm event in accordance with Section E1.2.3 (C2 and C3) of Council's DCP2013</p> <p>i. OSD may be reduced by on site retention (OSR) for rainwater reuse in accordance with the relevant DCP that applies to the land. Where this is pursued, the proposed on-site retention (OSR) tanks must be connected to a pump system for internal reuse for laundry purposes, the flushing of all toilets and for outdoor usage such as irrigation. Surface water must not be drained to rainwater tanks where the collected water is to be used to supply water inside the dwelling, such as for toilet flushing or laundry use.</p> <p>j. Pipe and channel drainage systems including gutters must be designed to convey the one hundred (100) year Average Recurrence Interval (ARI) flows from the contributing catchment to the OSD/OSR tanks.</p> <p>k. Details of the 1 in 100-year ARI overflow route to the adjacent public road in case of failure/blockage of the drainage system must be provided.</p> <p>l. A minimum 300mm freeboard must be provided between the OSD spillway water surface level and any finished internal habitable floor level;</p> <p>m. Details of external catchments currently draining to the site must be included on the plans. Existing natural overland flows from external catchments may not be blocked or diverted but must be captured and catered for within the proposed site drainage system. Where necessary an inter-allotment drainage system must be incorporated into the design.</p> <p>n. No nuisance or concentration of flows to other properties.</p> <p>o. The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system.</p> <p>p. A new kerb inlet pit (minimum 3m lintel) must be installed at the proposed stormwater connection point from the site to Council's stormwater drainage system in Jarrett Street. The pit shall be located such that the pit lintel is minimum 1.0 metre clear of the vehicular crossing wing;</p> <p>q. An stormwater pit must be installed inside the property, adjacent to the boundary, for the stormwater connection to Council's system;</p> <p>r. Only a single point of stormwater connection to Council's system is permitted per property.</p> <p>s. All redundant pipelines within footpath area must be removed and footpath/kerb reinstated.</p> <p>t. Stormwater quality improvement devices must be installed such that stormwater flows leaving the site meet the following environmental targets:</p> <p style="padding-left: 40px;">Pollutant Baseline Annual Pollution Load (kg/ha/yr) Retention Criteria</p> <p style="padding-left: 40px;">Gross Pollutants, including trash, litter and vegetation matter greater than 5mm 500 90% reduction of average annual load</p> <p style="padding-left: 40px;">Total Suspended solids, including sediment and other fine material less than 5mm 900 85% reduction of average annual load</p> <p style="padding-left: 40px;">Total Phosphorous 2 65% reduction of average annual load</p>
--	--

	<p>Total Nitrogen 15 45% reduction of average annual load</p> <p>Hydrocarbons (Oil and Grease) 90% reduction of average annual load – no visible discharge</p> <p>Toxicants 100% containment of toxicants</p> <p>aa) A water balance model must be submitted to accompany the water re-use proposal;</p> <p>bb) A WSUD Strategy Report must be provided to ensure the treatment measures proposed to meet Council's water quality targets. For sites with a GFA greater than 2000sqm a MUSIC model (including .sqz file) must be included with the report;</p> <p>cc) A detailed WSUD maintenance plan outlining how all elements of the water quality treatment facility will be maintained and to record annual inspections/maintenance works to be undertaken.</p> <p>dd) Dry-weather flows of any seepage water including seepage from landscaped areas will not be permitted through kerb outlets and must be connected directly to a Council stormwater system. The basement must be fully "tanked" so as not to allow the ingress of seepage or groundwater.</p> <p>ee) No impact to street tree(s).</p> <p>Reason: To ensure that the adequate provision of stormwater drainage is provided.</p>
--	--

BEFORE BUILDING WORK COMMENCES

	Condition
63.	<p>Tree Protection</p> <p>No trees on public property (footpaths, roads, reserves etc.) are to be removed or damaged during works unless specifically approved in this consent. Prescribed trees protected by Council's Tree Management Controls on the subject property and/or any vegetation on surrounding properties must not be damaged or removed during works unless specific approval has been provided under this consent.</p> <p>Any public tree within five (5) metres of the development must be protected in accordance with AS4970—Protection of trees on development sites and Council's Development Fact Sheet—Trees on Development Sites. No activities, storage or disposal of materials taking place beneath the canopy of any tree (including trees on neighbouring sites) protected under Council's Tree Management Controls at any time.</p> <p>Reason: To ensure that trees to be retained are protected.</p>
64.	<p>Project Arborist</p> <p>Prior to the commencement of any demolition or construction works within close proximity to protected trees a Project Arborist must be engaged for the duration of the site preparation, demolition, construction and landscaping to supervise works. Details</p>

	<p>of the Project Arborist must be submitted to the Certifying Authority before work commences.</p> <p>Reason: To protect and retain trees.</p>
65.	<p>Construction Fencing</p> <p>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.</p> <p>Reason: To protect the built environment from construction works.</p>
66.	<p>Dilapidation Report</p> <p>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 identified properties (No. 66 Jarrett Street, No. 463 Parramatta Road) 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.</p> <p>Reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.</p>
67.	<p>Verification of Levels and Location</p> <p>Prior to the pouring of the ground floor slab or at dampcourse level, whichever is applicable or occurs first, the Principal Certifier must be provided with a survey levels certificate prepared by a Registered Surveyor indicating the level of the slab and the location of the building with respect to the boundaries of the site to AHD.</p> <p>Reason: To ensure works are in accordance with the consent.</p>
68.	<p>Erosion and Sediment Control</p> <p>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.</p> <p>Reason: To ensure resource recovery is promoted and local amenity is maintained.</p>
69.	<p>Standard Street Tree Protection</p> <p>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.</p> <p>Reason: To protect and retain trees.</p>
70.	<p>Waste Management Plan</p> <p>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.</p>

	Reason: To ensure resource recovery is promoted and local amenity is maintained.
71.	<p>Hoardings</p> <p>The person acting on this consent must ensure the site is secured with temporary fencing prior to any works commencing.</p> <p>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.</p> <p>Separate approval is required from the Council under the Roads Act 1993 to erect a hoarding or temporary fence or awning on public property.</p> <p>Reason: To ensure the site is secure and that the required permits are obtained if enclosing public land.</p>
72.	<p>Construction Traffic Management Plan – Detailed</p> <p>Prior to any building work, the Certifying Authority, must be provided with a detailed Construction Traffic Management Plan (CTMP), prepared by an appropriately qualified Traffic Management Consultant with Transport for NSW accreditation. The Certifying Authority must approved by the CTMP prior to the commencement of any works, including demolition. The Certifying Authority must ensure that the CTMP instructs vehicles to use State and Regional and Collector Roads to the maximum extent with the use of Local Roads as final approach to the development site via the most suitable direct route.</p> <p>The following matters should be addressed in the CTMP (where applicable):</p> <ol style="list-style-type: none"> Description of the demolition, excavation and construction works; Site plan/s showing the site, roads, footpaths, site access points and vehicular movements; Size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site); Proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network; Impacts of the work and vehicular movements on the road network, traffic and pedestrians and proposed methods to safely manage pedestrians and construction related vehicles in the frontage roadways; Any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.); Proposed hours of construction related activities and vehicular movements to and from the site; Current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority); Any activities proposed to be located or impact upon Council's road, footways or any public place; Measures to maintain public safety and convenience; Any proposed road and/or footpath closures; Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site; Locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting

	<p>documentation that such work zones have been approved by the Local Traffic Committee and Council;</p> <ul style="list-style-type: none"> n. Location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road); o. A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries; p. Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected; q. On-site parking area for employees, tradespersons and construction vehicles as far as possible; r. Proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period; and s. How it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways. t. Swept Paths for the proposed construction vehicles to demonstrate that the needed manoeuvres can be achieved without causing any nuisance. <p>If in the opinion of Council, TfNSW or the NSW Police the works results in unforeseen traffic congestion or unsafe work conditions the site may be shut down and alternative Traffic Control arrangements shall be implemented to remedy the situation. In this regard you shall obey any lawful direction from the NSW Police or a Council officer if so required. Any approved CTMP must include this as a note.</p> <p>Reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.</p>
--	--

DURING BUILDING WORK

	Condition
73.	<p>Contamination – New Evidence</p> <p>Any new information revealed during demolition, remediation or construction works that have the potential to alter previous conclusions about site contamination must be immediately notified to the Council and the Certifying Authority.</p> <p>Reason: To protect the amenity of the neighbourhood from contamination.</p>
74.	<p>Imported Fill Materials</p> <p>All imported fill on the site shall be validated as Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM), in accordance with NSW Environment Protection Authority guidelines, 'Consultants Reporting on Contaminated Sites' (August 2011) to ensure the imported fill is suitable for the proposed land use.</p> <p>All fill imported onto the site shall be validated by either one or both of the following methods:</p> <p>Imported fill be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or</p> <p>Sampling and analysis of the fill material be conducted in accordance with NSW Environment Protection Authority's Sampling Design Guidelines (September 1995).</p>

	Reason: To protect the amenity of the neighbourhood from contamination.
75.	<p>Tree Protection</p> <p>No trees on public property (footpaths, roads, reserves etc.) are to be removed or damaged during works unless specifically approved in this consent. Prescribed trees protected by Council's Tree Management Controls on the subject property and/or any vegetation on surrounding properties must not be damaged or removed during works unless specific approval has been provided under this consent.</p> <p>Any public tree within five (5) metres of the development must be protected in accordance with AS4970—Protection of trees on development sites and Council's Development Fact Sheet—Trees on Development Sites. No activities, storage or disposal of materials taking place beneath the canopy of any tree (including trees on neighbouring sites) protected under Council's Tree Management Controls at any time.</p> <p>Reason: To ensure that trees to be retained are protected.</p>
76.	<p>Inspections by Project Arborist</p> <p>An Arborist with minimum qualifications in Arboriculture of Level 5 (under the Australian Qualification Framework) must oversee various stages of work within the Tree Protection Zone of any tree listed for retention including street trees. The Arborist must certify compliance with each key milestone detailed below:</p> <ol style="list-style-type: none"> The installation of tree protection measures prior to the commencement of any construction works; During demolition of any ground surface materials (pavers, concrete, grass etc.) within the Tree Protection Zone (TPZ) of any street tree surrounding the site; During any excavation and trenching within the TPZ of any street tree surrounding the site; During any Landscape works within the TPZ which has been approved by Council. <p>An Arboricultural Compliance Report which includes photographic evidence and provides details on the health and structure of tree/s must be submitted to and acknowledged by PCA at each hold-point listed below:</p> <ol style="list-style-type: none"> Certification that tree protection measures have been installed in accordance with these consent conditions. Certification of compliance with each key milestone listed above within 48 hours of completion; Details of any other works undertaken on any tree to be retained or any works within the TPZ which has been approved by Council. A final compliance report must be submitted to and approved by PCA prior to the issue of any Occupation Certificate. <p>Reason: To protect and retain trees.</p>
77.	<p>Arborists standards</p> <p>All tree work must be undertaken by a practicing Arborist. The work must be undertaken in accordance with AS4373—Pruning of amenity trees and the Safe Work Australia Code of Practice—Guide to Managing Risks of Tree Trimming and Removal Work. Any works in the vicinity of the Low Voltage Overhead Network (including</p>

	<p>service lines—pole to house connections) must be undertaken by an approved Network Service Provider contractor for the management of vegetation conflicting with such services. Contact the relevant Network Service Provider for further advice in this regard.</p> <p>Reason: To ensure compliance with legislative requirements.</p>
78.	<p>Tree Protection Works</p> <p>All tree protection for the site must be undertaken in accordance with Council's Development Fact Sheet—Trees on Development Sites and AS4970—Protection of trees on development sites.</p> <p>Reason: To protect and retain trees.</p>
79.	<p>Survey Prior to Footings</p> <p>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.</p> <p>Reason: To ensure works are in accordance with the consent.</p>
80.	<p>Construction Hours – Class 2-9</p> <p>Unless otherwise approved by Council, excavation, demolition, construction or subdivision work must only be permitted during the following hours:</p> <p>7:00am to 6:00pm, Mondays to Fridays, inclusive (with demolition works finishing at 5pm); 8:00am to 1:00pm on Saturdays with no demolition works occurring during this time; and at no time on Sundays or public holidays.</p> <p>Works may be undertaken outside these hours where they do not create any nuisance to neighbouring properties in terms of dust, noise, vibration etc. and do not entail the use of power tools, hammers etc. This may include but is not limited to painting.</p> <p>In the case that a standing plant or special out of hours permit is obtained from Council for works in association with this development, the works which are the subject of the permit may be carried out outside these hours.</p> <p>This condition does not apply in the event of a direction from police or other relevant authority for safety reasons, to prevent risk to life or environmental harm.</p> <p>Activities generating noise levels greater than 75dB(A) such as rock breaking, rock hammering, sheet piling and pile driving must be limited to 8:00am to 12:00pm, Monday to Saturday; and 2:00pm to 5:00pm Monday to Friday.</p> <p>The person acting on this consent must not undertake such activities for more than three continuous hours and must provide a minimum of one 2 hour respite period between any two periods of such works. "Continuous" means any period during which there is less than an uninterrupted 60 minute respite period between temporarily halting and recommencing any of that intrusively noisy work.</p> <p>Reason: To protect the amenity of the neighbourhood.</p>

81.	<p>Advising Neighbours Prior to Excavation</p> <p>At least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, reasonable notice must be provided to the owner of the adjoining allotment of land including particulars of the excavation.</p> <p>Reason: To ensure surrounding properties are adequately notified of the proposed works.</p>
------------	--

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

	Condition
82.	<p>Noise – Acoustic Report</p> <p>Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with an acoustic report prepared by suitably qualified acoustic consultant which demonstrates and certifies that noise and vibration emissions from the development comply with the relevant provisions of the Protection of the Environment Operations Act 1997 and conditions of Council's approval, including any recommendations of the acoustic report referenced in the conditions of the approval. The acoustic report is to be prepared by a suitably qualified and experienced acoustic consultant and any recommendations must be consistent with the approved plans.</p> <p><i>Note: In special entertainment precincts, this condition applies to noise and vibration from plant equipment and machinery only.</i></p> <p>Reason: To ensure compliance with the relevant Australian Standard.</p>
83.	<p>Contamination – Disposal of Soil</p> <p>Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with a validation report confirming that all off site disposal of soil has been classified, removed and disposed of in accordance with the NSW DECC Waste Classification Guidelines, Part 1: Classifying Waste (EPA 2014), Protection of the Environment Operations (Waste) Regulation 2014 and the Protection of the Environmental Operations Act 1997.</p> <p>Reason: To ensure compliance with the relevant environmental legislation.</p>
84.	<p>Car Wash Bay – Trade Waste Agreement</p> <p>Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with a copy of the Sydney Water Trade Waste Agreement for the disposal of wastewater from the premises.</p> <p>Reason: To ensure works are in accordance with the relevant Sydney Water requirements.</p>
85.	<p>Food Premises Grease Trap – Trade Waste Agreement</p> <p>Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with certification confirming that the grease trap has been installed to the premises in accordance with Australian Standard AS 3500 and the National Plumbing and Drainage Code. A copy of the Sydney Water Trade Waste Agreement must also accompany the certification.</p>

	Reason: To ensure works are in accordance with the relevant Sydney Water requirements, Australian Standard and National Construction Code (Building Code of Australia).
86.	<p>Certification of Tree Planting</p> <p>Prior to the issue of any Occupation Certificate a Final Landscape Inspection must be carried out and a certificate issued by Council's Urban Forest officer. This certificate is required to ensure that all tree protection measures, landscaping works, replacement tree planting and the deep soil percentage requirements have been carried out in accordance with the conditions of this consent. To arrange a Final Landscape Inspection please phone 9392-5000 a minimum of 48 hours prior to the required inspection date. An inspection fee will be charged in accordance with the current schedule of rates listed on Council's website. Any secondary inspections will incur a reinspection fee.</p> <p>All new tree planting within the site must be undertaken in accordance with the Landscape Plans prepared by Melissa Wilson Landscape Architects dated 20 December 2023. The new trees must meet the requirements of AS2303—<i>Tree stock for landscape use</i> and shall be a minimum container size of 100 litres at the time of planting.</p> <p>Trees required by this condition must be maintained and protected until they are protected by Council's Tree Management DCP. Any replacement trees found damaged, dying or dead must be replaced with the same species in the same container size within one month with all costs to be borne by the owner.</p> <p>Reason: To ensure appropriate landscaping is undertaken.</p>
87.	<p>Project Arborist Certification</p> <p>Prior to the issue of an Occupation Certificate, the Principal Certifier is to be provided with certification from the Project Arborist that the requirements of the conditions of consent related to the landscape plan/approved tree planting plan and the role of the project arborist have been complied with.</p> <p>Reason: To ensure the protection and ongoing health of trees to be retained.</p>
88.	<p>Planting of Street Trees</p> <p>Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with written certification from Council's Urban Forest Team that the street tree/public domain planting has been undertaken in accordance with the approved plans, relevant conditions and in accordance with the requirements of the approval under Section 138 of the Roads Act 1993.</p> <p>Where structural soil cells or soil vaults are constructed, certification must be provided from the supplier that they have been installed in accordance with the manufacturer's technical specifications, including certification that the soil type used is fit for purpose.</p> <p>Reason: To ensure appropriate tree planting is undertaken and compliance with the Roads Act 1993.</p>
89.	<p>Section 73 Certificate</p> <p>Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with a Section 73 Certificate under the Sydney Water Act 1994.</p>

	Reason: To ensure relevant utility and service providers' requirements are provided to the certifier.
90.	<p>Aircraft Noise</p> <p>Prior to the issue of any Occupation Certificate, the Principal Certifier must be provided with a report prepared and submitted by an accredited Acoustics Consultant certifying that the final construction meets AS2021-2015 with regard to the noise attenuation measures referred to in the "Before the Issue of a Construction Certificate" Section of this Determination. Such report must include external and internal noise levels to ensure that the external noise levels during the test are representative of the typical maximum levels that may occur at this development.</p> <p>Where it is found that internal noise levels are greater than the required dB(A) rating due to faulty workmanship or the like, necessary corrective measures must be carried out and a further certificate being prepared and submitted to the Principal Certifier in accordance with this condition.</p> <p>Reason: To ensure all noise attenuation is in accordance with the relevant Australian Standard.</p>
91.	<p>Road Widening/Splay</p> <p>Prior the issue of an Occupation Certificate, the Principal Certifier must be provided with evidence which establishes that a plan of subdivision has been registered with NSW Land and Registry Services which results in the following road widening:</p> <ol style="list-style-type: none"> 1.8 metre x 1.8 metre at Jarrett Street and Rofe Street corner. This splay is to be provided at all levels (including the basement). <p>Reason: To maintain and promote vehicular and pedestrian safety.</p>
92.	<p>Public Domain Works</p> <p>Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with written evidence from Council that the following works on the Road Reserve have been completed in accordance with the requirements of the approval under Section 138 of the Roads Act 1993 including::</p> <ol style="list-style-type: none"> The public domain along the Jarrett Street frontage of the site inclusive of footpath paving, kerb and gutter, street trees, landscaping, street furniture, etc. has been reconstructed and upgraded in accordance with the Street Tree Master plan and the Public Domain Design Guide or scheme; Reconstruction of any damaged footpath (full panels), kerb and gutter, road pavement along the Rofe Street frontage of the site; The construction of heavy-duty vehicular crossings to all vehicular access locations and removal of all redundant vehicular crossings to the site; New concrete footpath and kerb and gutter along the frontage of the site has been constructed. The kerb type is consistent with the majority of kerb type at this location as determined by the Council's Engineer; A new kerb inlet pit (minimum 3m lintel) has been constructed at the stormwater connection point from the site to Council's stormwater drainage system in Jarrett Street. Any existing unsatisfactory road pavement for half the road width for the full frontage of the site in Jarrett Street and Rofe Street has been repaired; and

	<p>g. Other works subject to the Roads Act 1993 approval.</p> <p>All works must be constructed in accordance with Council's standards and specifications and AUS-SPEC#2-"Roadworks Specifications".</p> <p>Reason: To ensure Council assets are protected, and that works that are undertaken in the public domain maintain public safety.</p>
93.	<p>No Encroachments</p> <p>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.</p> <p>Reason: To maintain and promote vehicular and pedestrian safety.</p>
94.	<p>Whiteway Lighting - New</p> <p>Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that the Under awning lighting matches the existing Whiteway lighting scheme in the area.</p> <p>Reason: To ensure Council assets are protected, and that works that are undertaken in the public domain maintain public safety.</p>
95.	<p>Parking Signoff – Minor Developments</p> <p>Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with certification from a qualified practising Civil Engineer that the vehicle access and off-street parking facilities including the "Traffic Light Vehicle Priority System" on both ends of the internal vehicle ramp, have been constructed in accordance with the approved design and relevant Australian Standards.</p> <p>Reason: To ensure parking facilities are designed in accordance with the Australian Standard and council's specifications.</p>
96.	<p>Works as Executed – Site Stormwater Drainage System</p> <p>Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with Certification by a suitably qualified Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) that:</p> <p>The stormwater drainage system has been constructed in accordance with the approved design and relevant Australian Standards; and</p> <p>Works-as-executed plans of the stormwater drainage system certified by a Registered Surveyor, to verify that the drainage system has been constructed, OSD/OSR system commissioned and stormwater quality improvement device(s) and any pump(s) installed in accordance with the approved design and relevant Australian Standards have been submitted to Council. The works-as-executed plan(s) must show the as built details in comparison to those shown on the drainage plans approved with the Construction Certificate. All relevant levels and details indicated must be marked in red on a copy of the Principal Certifier stamped Construction Certificate plans.</p> <p>Reason: To ensure the approved works are undertaken in accordance with the consent.</p>
97.	<p>Operation and Management Plan</p>

	<p>Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with an Operation and Management Plan has been prepared and implemented for the on-site detention and on-site retention/re-use facilities and stormwater quality improvement device(s) and pump(s). The Plan must set out the following at a minimum:</p> <ul style="list-style-type: none"> a. The proposed maintenance regime, specifying that the system is to be regularly inspected and checked by qualified practitioners; and b. The proposed method of management of the facility, including procedures, safety protection systems, emergency response plan in the event of mechanical failure, etc. <p>Reason: To ensure the approved works are undertaken in accordance with the consent.</p>
98.	<p>Easements, Restrictions on the Use of Land and Positive Covenants</p> <p>Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with evidence that Easements, Restrictions on the Use of Land and Positive Covenants under Section 88B or 88E (whichever is relevant to the subject development), of the Conveyancing Act 1919, has been created on the title of the property detailing the following:</p> <ul style="list-style-type: none"> a. Restrictions on the Use of Land related to on Site Stormwater Detention System and stormwater quality improvement devices; b. Positive Covenant related to on-site stormwater detention and the stormwater on-site retention and reuse system; c. Positive Covenant related to stormwater quality improvement devices; <p>The wording in the Instrument must be in accordance with Councils Standard wording.</p> <p>Reason: To ensure that the relevant easements are registered on the property.</p>
99.	<p>No Weep Holes</p> <p>Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with evidence that any weep holes to Council road or footpath resulting from the building works have been removed.</p> <p>Reason: To ensure adequate public safety.</p>
100.	<p>Easement and Covenant Process</p> <p>Prior to the issuing of an Occupation Certificate, the following documents must be submitted to Council as part of the Easement and Covenant process and requirements, for the site on-site detention/on-site retention/reuse facilities (OSD/OSR) and stormwater quality improvement devices (SQIDS):</p> <ul style="list-style-type: none"> a. Work-As-Executed Plans <p>A "Work-as-Executed" plan prepared and signed by a Registered Surveyor must be submitted to the Council's Development Assessment Engineer at the completion of the works showing the location of the detention basin and SQIDS with finished surface levels, contours at 0.2-metre intervals and volume of storage available. Also, the outlet pipe from the detention basin to its connection to the Council's drainage system must be shown together with the following information: location; pipe diameter; gradient; pipe material, i.e. PVC or RCP etc.; pits sizes; orifice size; trash screen at orifice; emergency overflow</p>

	<p>dimensions and RL; all buildings (including floor levels) and finished ground and pavement surface levels and full details of SQIDS.</p> <p>b. Engineer's Certificate</p> <p>A qualified practising Civil Engineer must certify on the completion of drainage works in respect of:</p> <ul style="list-style-type: none"> (i) The soundness of the storage structure; (ii) The capacity of the detention storage; (iii) The emergency overflow system being in place; (iv) The works being constructed in accordance with the Development Application Consent and Council's Stormwater Management DCP/Code; (v) The freeboard from maximum water surface level to the finished floor and garage levels are at or above the minimum required in Council's Stormwater Management DCP/Code; (vi) Basement car park pumps are class one zone two; and (vii) OSR pumps and SQIDS have been installed and commissioned. <p>c. Restriction-As-To-User</p> <p>A "Restriction-as-to-User" must be placed on the title of the subject property to indicate the location and dimensions of the detention area and stormwater quality improvement device(s) (SQIDS). This is to ensure that works, which could affect the function of the stormwater detention system and SQIDS, must not be carried out without the prior consent in writing of the Council.</p> <p>Such restrictions must not be released, varied or modified without the consent of the Council.</p> <p>A typical document is available from Council's Development Assessment Engineer.</p> <p>d. A Maintenance Schedule.</p> <p>Reason: To ensure easements are registered and the correct documentation is provided.</p>
--	---

OCCUPATION AND ONGOING USE

	Condition
101.	<p>Noise General</p> <p>The proposed use of the premises and the operation of all plant and equipment must not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 and Regulations, NSW EPA Noise Policy for Industry and NSW EPA Noise Guide for Local Government.</p> <p>Reason: To protect the amenity of the neighbourhood.</p>

102.	<p>Tree Establishment</p> <p>If any of the trees planted as a part of this consent are found dead or dying before they reach dimensions where they are subject to the Tree Management Controls/Tree Management DCP they must be replaced in accordance with the relevant conditions.</p> <p>Reason: To protect and retain trees.</p>
103.	<p>Operation and Management Plan</p> <p>The Operation and Management Plan for the on-site detention and on-site retention/re-use and stormwater quality improvement devices and Pump facilities, approved with the Occupation Certificate, must be implemented and kept in a suitable location on site at all times.</p> <p>Reason: To ensure that the adequate provision of stormwater drainage is provided.</p>

DEMOLITION WORK

BEFORE DEMOLITION WORK COMMENCES

	Condition
104.	<p>Construction Traffic Management Plan – Detailed</p> <p>Prior to any building work, the Certifying Authority, must be provided with a detailed Construction Traffic Management Plan (CTMP), prepared by an appropriately qualified Traffic Management Consultant with Transport for NSW accreditation. The Certifying Authority must approved by the CTMP prior to the commencement of any works, including demolition. The Certifying Authority must ensure that the CTMP instructs vehicles to use State and Regional and Collector Roads to the maximum extent with the use of Local Roads as final approach to the development site via the most suitable direct route.</p> <p>The following matters should be addressed in the CTMP (where applicable):</p> <ol style="list-style-type: none"> Description of the demolition, excavation and construction works; Site plan/s showing the site, roads, footpaths, site access points and vehicular movements; Size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site); Proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network; Impacts of the work and vehicular movements on the road network, traffic and pedestrians and proposed methods to safely manage pedestrians and construction related vehicles in the frontage roadways; Any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.); Proposed hours of construction related activities and vehicular movements to and from the site; Current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority); Any activities proposed to be located or impact upon Council's road, footways or any public place; Measures to maintain public safety and convenience; Any proposed road and/or footpath closures;

	<p>l. Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;</p> <p>m. Locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such work zones have been approved by the Local Traffic Committee and Council;</p> <p>n. Location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road);</p> <p>o. A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;</p> <p>p. Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;</p> <p>q. On-site parking area for employees, tradespersons and construction vehicles as far as possible;</p> <p>r. Proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period; and</p> <p>s. How it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.</p> <p>t. Swept Paths for the proposed construction vehicles to demonstrate that the needed manoeuvres can be achieved without causing any nuisance.</p> <p>If in the opinion of Council, TfNSW or the NSW Police the works results in unforeseen traffic congestion or unsafe work conditions the site may be shut down and alternative Traffic Control arrangements shall be implemented to remedy the situation. In this regard you shall obey any lawful direction from the NSW Police or a Council officer if so required. Any approved CTMP must include this as a note.</p> <p>Reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.</p>
--	---

SUBDIVISION WORK

BEFORE ISSUE OF A SUBDIVISION CERTIFICATE

	Condition
105.	<p>Street Numbering</p> <p>If there are any changes to the number of occupancies including any additional occupancies created, a street numbering application must be lodged and approved by Council's GIS team before any street number is displayed. Link to Street Numbering Application</p> <p>Reason: To ensure occupancies are appropriately numbered.</p>
106.	<p>Strata Subdivision Plan</p> <p>Prior to the release of a Strata Subdivision Plan, the Certifying Authority must be provided with plans indicating that the strata subdivision of the development has been carried out in accordance with approved plans and demonstrating that:</p> <ol style="list-style-type: none"> Each strata lot comprising a dwelling and one car space; Disabled spaces must be allocated adaptable dwellings; Car spaces must not be given separate strata lot numbers; and

	<p>d. All visitor parking spaces and car wash bays are to be included in common property.</p> <p>If there are any changes to the number of occupancies including any additional occupancies created, a street numbering application must be lodged and approved by Council's GIS team before any street number is displayed. https://www.innerwest.nsw.gov.au/live/information-for-residents/roads-and-footpaths/how-to-apply-for-a-street-number</p> <p>Reason: To ensure works are in accordance with the consent and adequate on-site facilities are provided for the development.</p>
107.	<p>Section 73 Certificate</p> <p>Prior to the issue of a Subdivision Certificate, the Certifying Authority must be provided with the Section 73 Certificate. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.</p> <p>Reason: To ensure relevant utility and service providers' requirements are provided to the certifier.</p>

SOURCE: THE U.S. DEPARTMENT OF COMMERCE, BUREAU OF ECONOMIC ANALYSIS; "ECONOMY IN REVIEW," MAY 1986.

Schedule of Changes	
A	Some of the new material is now coming up
B	There is some re-consideration of the new focus
C	There is some new material to add to the new schedule
D	Some of the new material is now coming up
E	Some of the new material is now coming up
F	Some of the new material is now coming up
G	Some of the new material is now coming up
H	Some of the new material is now coming up
I	Some of the new material is now coming up

[illegible]

Project: MIXED USE DEVELOPMENT

Address:
62 JARRETT & 2 ROFE ST LEICHHARDT
NSW 2040 AUSTRALIA

Clients:
CHEHAB CAPITAL PTY LTD &
CHEHAB NOMINEES PTY LTD

Issue For DA - REI

Drawing Title: Preliminary
Site Location

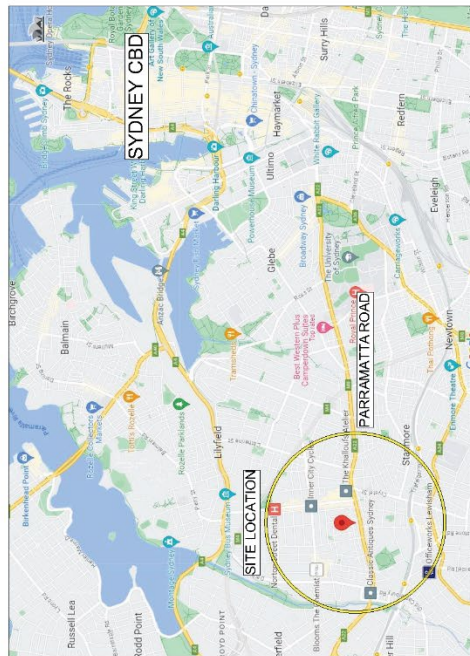
Project No.	Drawing No.	Revision
-------------	-------------	----------

Ph_0788 A04 UZ
Date: _____ Checked: _____ Drawn: _____ Scale: 3:1

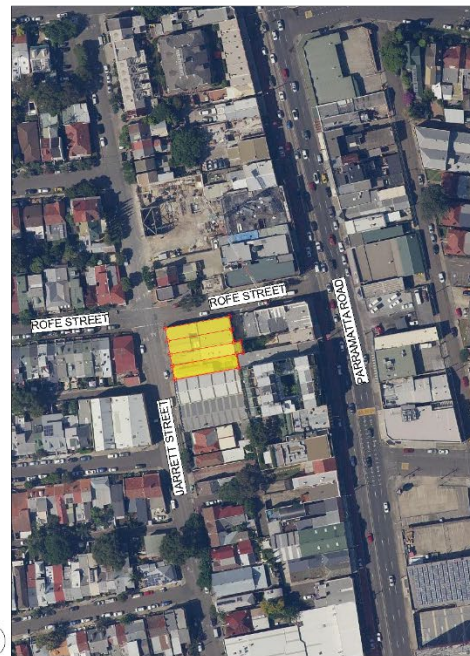
3/10/2024	MS	MS
-----------	----	----

ADS
ARCHITECTS

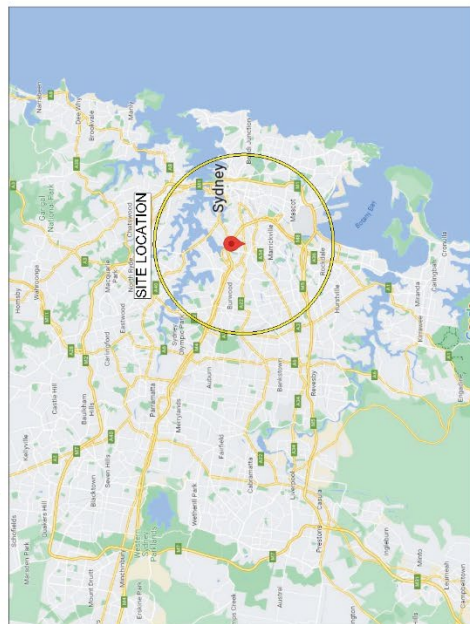
ARCHITECTURE DESIGN STUDIO (NSW) PTY LTD
51/7 Murray Road Avenue, Olympic Park, NSW 2127
P: 02 9648 6663 F: 02 9648 6664
info@adstudioarchitects.com | www.adstudioarchitects.com
ABN: 50 516 275 1916
NSW Nominated Architect
Jillian Krasnowski 6072 DEPO08728



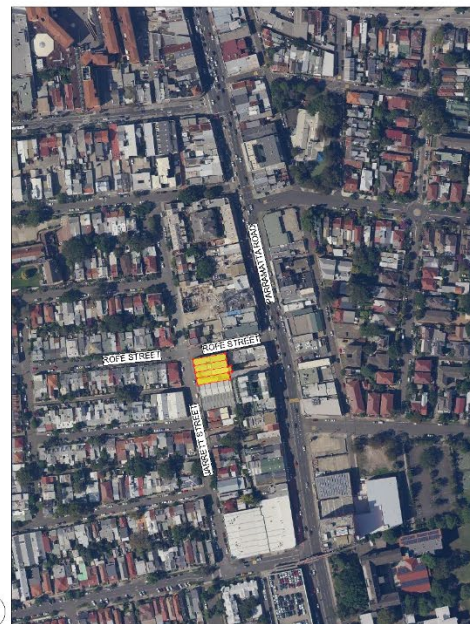
2 SITE LOCATION - GOOGLE MAP - SYDNEY CBD TO LEICHHARDT



4 SITE LOCATION - 6 MAP - LOCAL BUILDINGS WITH PARRAMATTA ROAD



1 SITE LOCATION - GOOGLE MAP - GREATER SYDNEY



3 SITE LOCATION - 6 MAP - LEICHHARDT LOCAL AREA

Document Set ID: 3606700
Version 1, Version Date: 1/11/2024

Regulated Design Board 612 Market & 2A Killebuck - Leicestershire Synergy NSW 20140		Project Name 612 Market & 2A Killebuck - Leicestershire Synergy NSW 20140	Project No. 612	Project Title 612 Market & 2A Killebuck - Leicestershire Synergy NSW 20140	Project Description 612 Market & 2A Killebuck - Leicestershire Synergy NSW 20140	Project Manager 612	Project Status 612	Project Date 612	Project Location 612	Project Contact 612	Project Notes 612
---	--	--	--------------------	---	---	------------------------	-----------------------	---------------------	-------------------------	------------------------	----------------------

[illegible]

Schedule of Changes	
A	Added the new book chapter on social ecology
B	Added the new book chapter on the evolution of the brain
C	Added the new book chapter on the evolution of the brain
D	Added the new book chapter on the evolution of the brain
E	Added the new book chapter on the evolution of the brain
F	Added the new book chapter on the evolution of the brain
G	Added the new book chapter on the evolution of the brain
H	Added the new book chapter on the evolution of the brain
I	Added the new book chapter on the evolution of the brain
J	Added the new book chapter on the evolution of the brain
K	Added the new book chapter on the evolution of the brain
L	Added the new book chapter on the evolution of the brain
M	Added the new book chapter on the evolution of the brain
N	Added the new book chapter on the evolution of the brain
O	Added the new book chapter on the evolution of the brain
P	Added the new book chapter on the evolution of the brain
Q	Added the new book chapter on the evolution of the brain
R	Added the new book chapter on the evolution of the brain
S	Added the new book chapter on the evolution of the brain
T	Added the new book chapter on the evolution of the brain
U	Added the new book chapter on the evolution of the brain
V	Added the new book chapter on the evolution of the brain
W	Added the new book chapter on the evolution of the brain
X	Added the new book chapter on the evolution of the brain
Y	Added the new book chapter on the evolution of the brain
Z	Added the new book chapter on the evolution of the brain

[illegible][illegible]

PROJECT: MIXED USE DEVELOPMENT

Address: 62 JARRETT & 2 ROSE ST LE CHHARDT NSW 2040 AUSTRALIA

Client: THE-AB CAPITAL PTY LTD &
THE-AB NOMINEES PTY LTD

Scale: _____
 Issue For DA - RFI
 Review, The Preliminary
 Site Photographs
 Project No: Drawing No: Revision: 02
 Pn_0788 A05
 Date: Checked: Drawn: Date: MS MS
 8/30/2024 MS MS

ARCHITECTS
ARCHITECTURE DESIGN AND INTERIORS
617 Murray Road Avenue, Elmhurst, NY 11377
P.O. Box 6011 1-800-368-6666
info@architectsllc.com www.architectsllc.com
212-367-2676
155W Madison, Apt 14D
Upper West Side NY 10027



SITE LOCATION - EXISTING BUILDING



ING NEIGHBOUR - ON JARRETT STREET



SITE LOCATION - EXISTING HOUSE


 SITE LOG

ADJOINING NEIGHBOUR - NO. 52 JARRETT ST (FRONT)



ADJOINING NEIGHBOUR - NO. 52 JARRETT ST (REAR)



SITE LOCATION - WITH REAR BUILDING



ADJOINING NEIGHBOUR - NO. 463 PARRAMATTA RD



ROFE ST VIEWS FROM SITE LOOKING NORTH



JARRETT ST VIEWS FROM SITE LOOKING NE



JARRETT ST VIEWS FROM SITE LOOKING FURTHER SW



JARRETT ST VIEWS FROM SITE LOOKING SOUTH



IT IS "LAWFUL" INFORMATION, SUCH AS HERE, THAT THE "REPUTATION" OF A SUBJECT'S PARTY IS NOT TO BE CONSIDERED IN ANY CASE FOR PARTIALITY. IT MUST NOT BE USED FOR ANY PURPOSE OTHER THAN FOR THAT AT WHICH IT WAS SUBMITTED WITHOUT THE INFORMATION OF OR A SUBJECT'S PARTY'S LIAISON. THIS INFORMATION HAS BEEN OBTAINED FOR THE USE OF THE RESISTANCE PARTY.

C&A SURVEYORS
30 Grose Street, Parramatta, NSW 2150
Ph: 96309299 email: info@candasurveyors.com.au
www.candasurveyors.com.au

LAND ACQUISITION SERVICES		DATE	BY	NO	DATE	NO
1	AREA BY DP	01/01/2011	01/01/2011	01/01/2011	01/01/2011	01/01/2011
2	AREA BY DP	01/01/2011	01/01/2011	01/01/2011	01/01/2011	01/01/2011
3	CONTOUR INTERVAL 2.5m	01/01/2011	01/01/2011	01/01/2011	01/01/2011	01/01/2011



Registered Design Brand			
Used Address	42 Jerritt & 2A Rolo St	Rockhurst Sydney NSW 2049	
Trade Title	WALSH JBS DEVELOPMENT		
Project No.	AD00	Body Concrete Reg No.	--
WAPC Title		Dispersal No.	A45
BY Date		Waste Control Plan	
		Disposal	

LEGEND

- | | |
|----|---|
| 1 | Site Shield |
| 2 | WC |
| 3 | Waste Bin During Construction |
| 4 | Waste Bin Recyclable Material |
| 5 | Stake Pile Area for Soil Re-use |
| 6 | Stake Pile Area During Construction |
| 7 | Cover Stock Piles for Dust Abatement |
| 8 | Temporary Driveway Gate |
| 9 | Safety Signs During Construction |
| 10 | Truck Washdown Area 200mm Thick
DG200 or Crushed Rock on Natural
Subgrade and Cover Filler Fabric
with Stacker Pad |

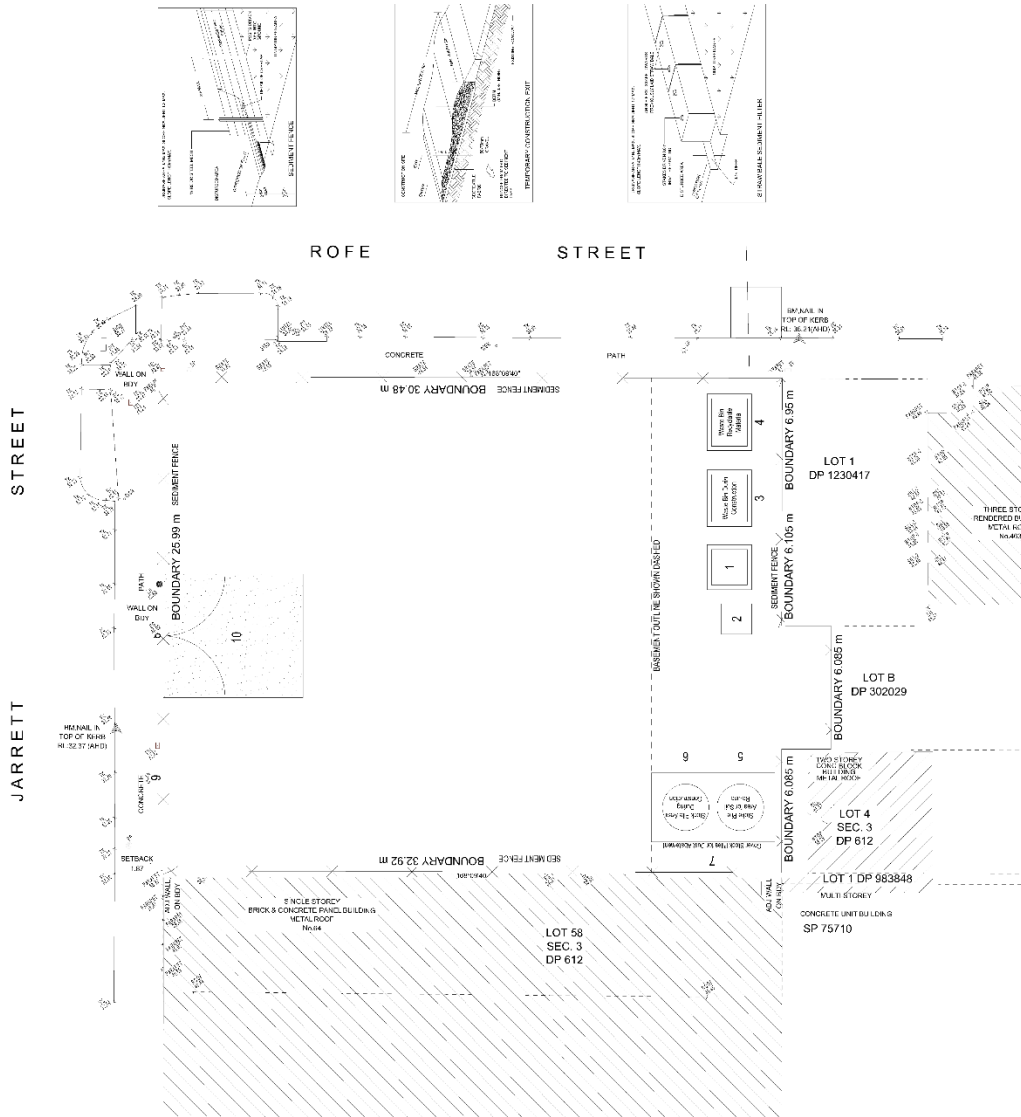
NOTES

All stockpiles of building material such as sand and soil must be protected to prevent scour and erosion. The stockpiles should never be placed in the street gutter where they will wash away with the first rainstorm.

The removal of excess stormwater during periods of rain while construction is in progress, is to be flocculated and pumped through a filtration system.



Document: 24110, 240653115
Section: 1, Version: 0000, 12/12/2014



1. 本報記者採訪時，曾先後兩次向該公司負責人詢問，該公司是否與該市有關部門有聯繫，該公司負責人表示，該公司與該市有關部門沒有聯繫，該公司負責人表示，該公司與該市有關部門沒有聯繫。

- | Schedule of Courses | |
|---------------------|--|
| A | General Introduction to the History of the World |
| B | European History from the Middle Ages to the Present |
| C | European History from the Middle Ages to the Present |
| D | European History from the Middle Ages to the Present |
| E | European History from the Middle Ages to the Present |
| F | European History from the Middle Ages to the Present |
| G | European History from the Middle Ages to the Present |
| H | European History from the Middle Ages to the Present |
| I | European History from the Middle Ages to the Present |

[illegible]

Penny	Issue For BA - 3fl	Project Size	Drawing No.	Section	N	A
MIXED USE DEVELOPMENT	CHENNAI CAPITAL LTD & CHENNAI INFRA PVT LTD	Pn_0788_A51	02			
Address:	62, ABIR STREET, 2 FLOORS, UCHHAHOT NSW 2000 AUSTRALIA	Date	Created	Name	Scale	Sheet
		3/10/2024	M5	M5	1:300	

SCV
ARCHITECTS
A/E/C: 10100, 2000, 31000, 0000, 111, 112
677 Madison Avenue, New York, NY 10022
P: 212 510 6000 F: 212 510 6004
info@scv-arch.com www.scv-arch.com
A/E/C: 101, 80, 105
New York, NY 10017
www.dcm1033210020026

NOTES:

1. All dimensions are in metres unless otherwise stated.
2. All dimensions are to the centre of the road unless otherwise stated.
3. All dimensions are to the centre of the road unless otherwise stated.
4. All dimensions are to the centre of the road unless otherwise stated.
5. All dimensions are to the centre of the road unless otherwise stated.
6. All dimensions are to the centre of the road unless otherwise stated.
7. All dimensions are to the centre of the road unless otherwise stated.
8. All dimensions are to the centre of the road unless otherwise stated.
9. All dimensions are to the centre of the road unless otherwise stated.
10. All dimensions are to the centre of the road unless otherwise stated.

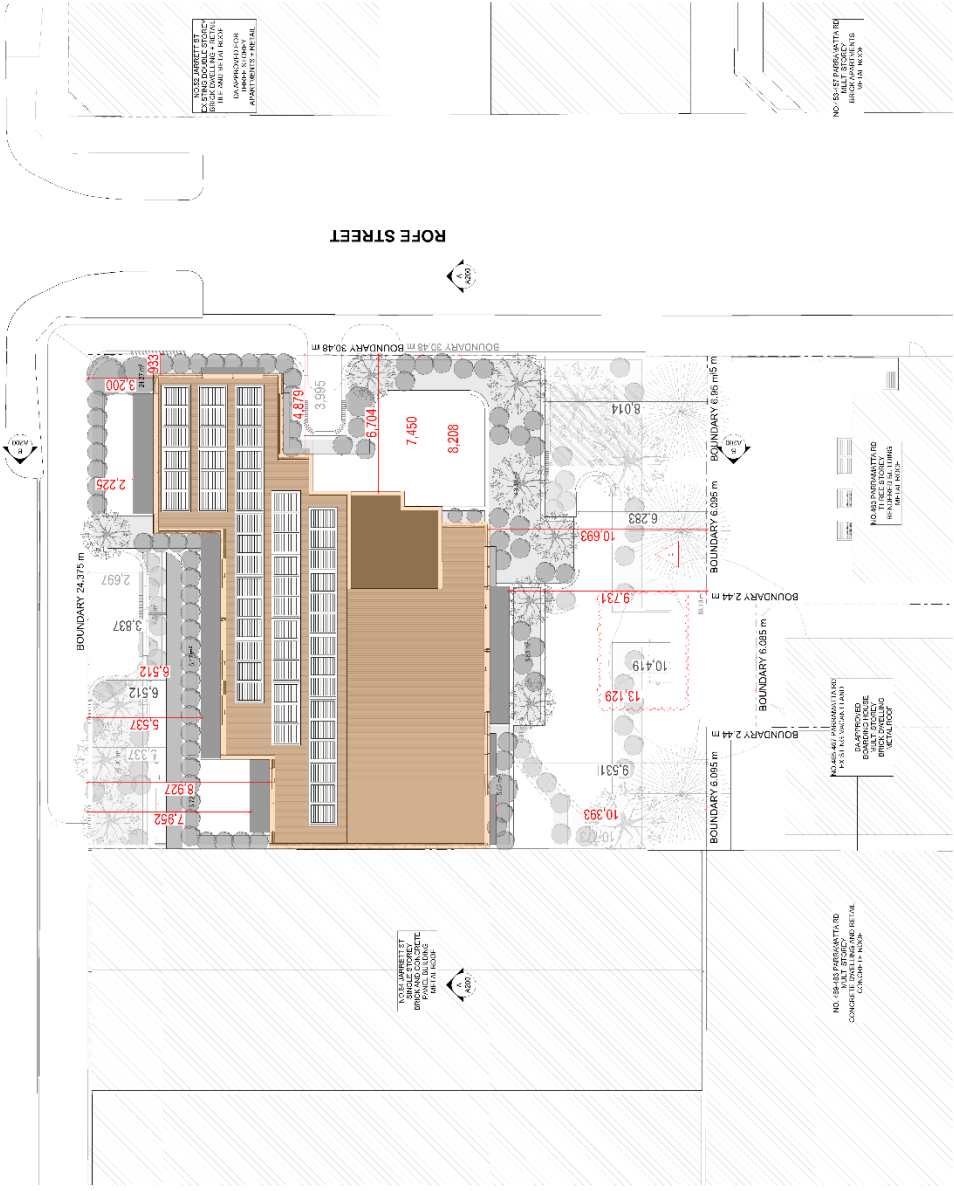
- Legend:
- A. Street Name: Jarrett St
 - B. Street Name: Jarrett St
 - C. Street Name: Jarrett St
 - D. Street Name: Jarrett St
 - E. Street Name: Jarrett St
 - F. Street Name: Jarrett St
 - G. Street Name: Jarrett St
 - H. Street Name: Jarrett St
 - I. Street Name: Jarrett St

Item	Code	Description	Quantity	Unit	Value
1	101	Gravel	100	m ³	100
2	102	Gravel	100	m ³	100
3	103	Gravel	100	m ³	100
4	104	Gravel	100	m ³	100
5	105	Gravel	100	m ³	100

Project: Jarrett St
Address: 82 Jarrett St, Leichhardt NSW 2030 Australia
Client: Jarrett St
Date: 3/10/2024

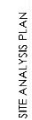
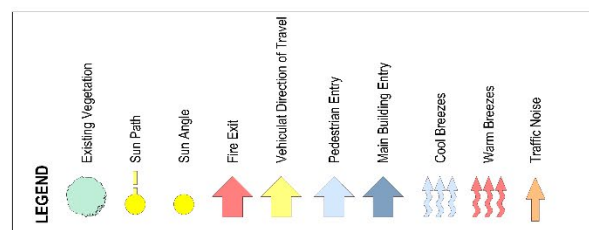
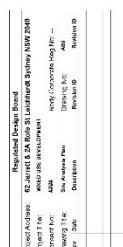
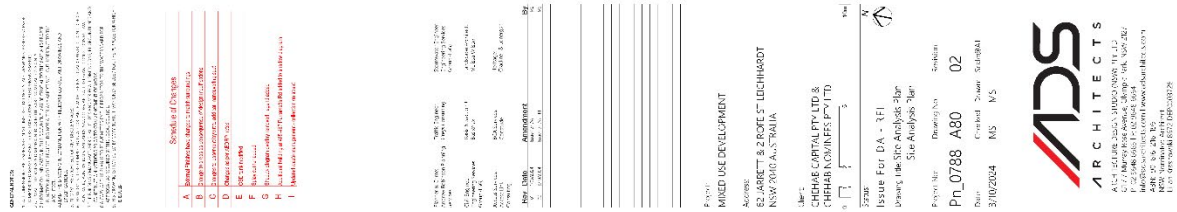


JARRETT STREET



Site Plan
Scale@A1=1:100

Drawn: J. Smith
Date: 3/10/2024





Registered Design Brand			
Used Address	42 Jerritt St 2A Rm 31 Rockland Sydney NSW 2049		
Work Title	WALLS ARE INVOLVING!		
Project No.	4248	Body Concrete Reg No. --	
Ward 1 Title	Level 1 Fire, Training	Dispersal No.	Alt
Ward 2 Title	Dispersal	Revision ID	

[illegible]

Schedule of Charges	
A	Board members: \$2000 each month plus
B	County fee \$10000, 20000000, 200000000
C	County fee \$10000, 20000000, 200000000
D	County fee \$10000, 20000000, 200000000
E	County fee \$10000, 20000000, 200000000
F	County fee \$10000, 20000000, 200000000
G	County fee \$10000, 20000000, 200000000
H	County fee \$10000, 20000000, 200000000
I	County fee \$10000, 20000000, 200000000

Project Name	Project Location	Project Type	Project Status	Project Manager
Project A	Project A Location	Project A Type	Project A Status	Project A Manager
Project B	Project B Location	Project B Type	Project B Status	Project B Manager
Project C	Project C Location	Project C Type	Project C Status	Project C Manager
Project D	Project D Location	Project D Type	Project D Status	Project D Manager
Project E	Project E Location	Project E Type	Project E Status	Project E Manager
Project F	Project F Location	Project F Type	Project F Status	Project F Manager
Project G	Project G Location	Project G Type	Project G Status	Project G Manager
Project H	Project H Location	Project H Type	Project H Status	Project H Manager
Project I	Project I Location	Project I Type	Project I Status	Project I Manager
Project J	Project J Location	Project J Type	Project J Status	Project J Manager

Project: MIXED USE DEVELOPMENT

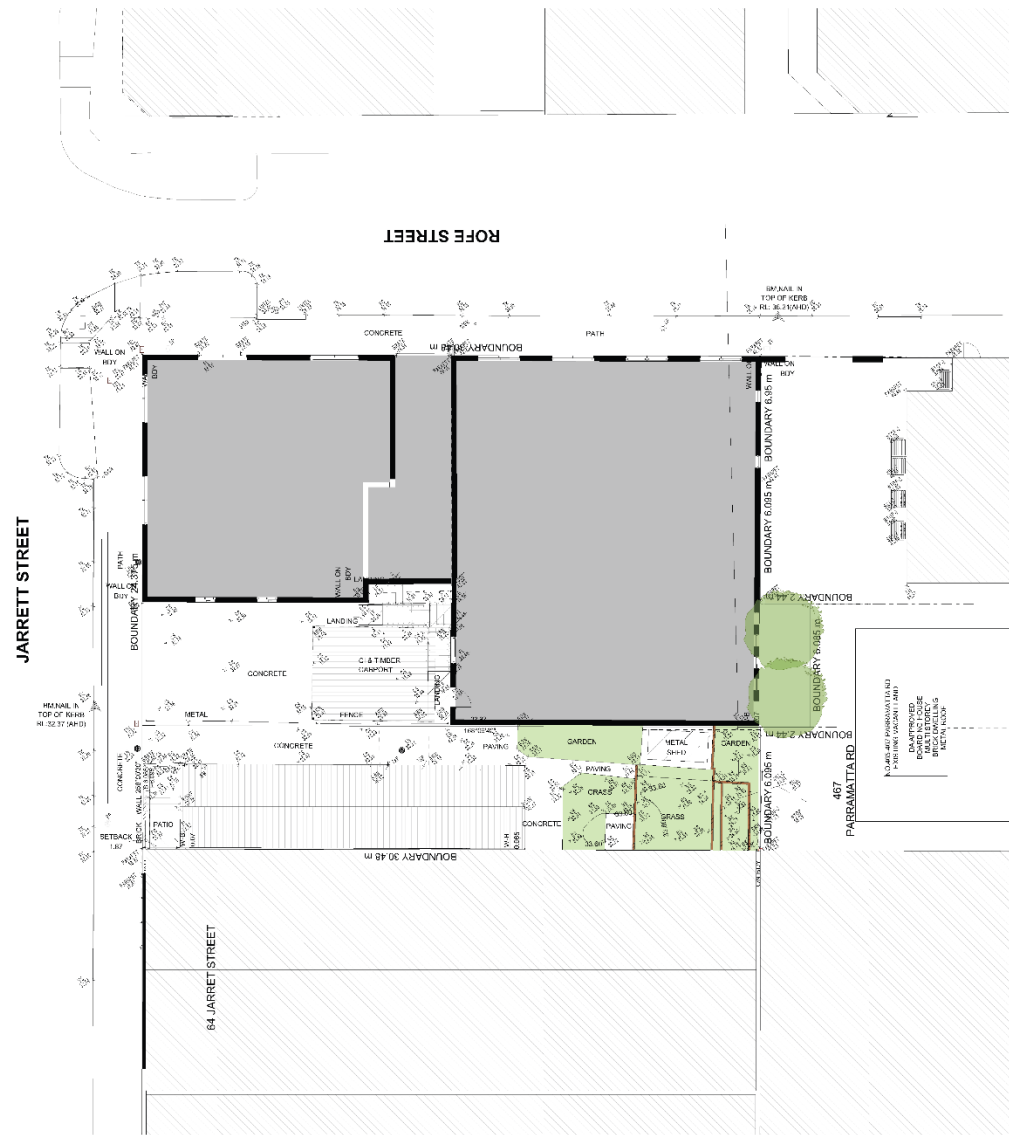
Address: 62 JARRETT & 2 ROSE ST LEICHHARDT
NSW 2040 AUSTRALIA

Client:
CHEHAB CAPITAL PTV LTD &
CHEHAB NOMINEES PVT LTD

Issue For DA - RFI
Drawing title: Floor Plans
Level: 1 Plan_Existing

Project No.	Drawing No.	Revision
Pn_0788	A101	02
Date	Checked	Drawn
3/10/2024	MS	MS
		1000

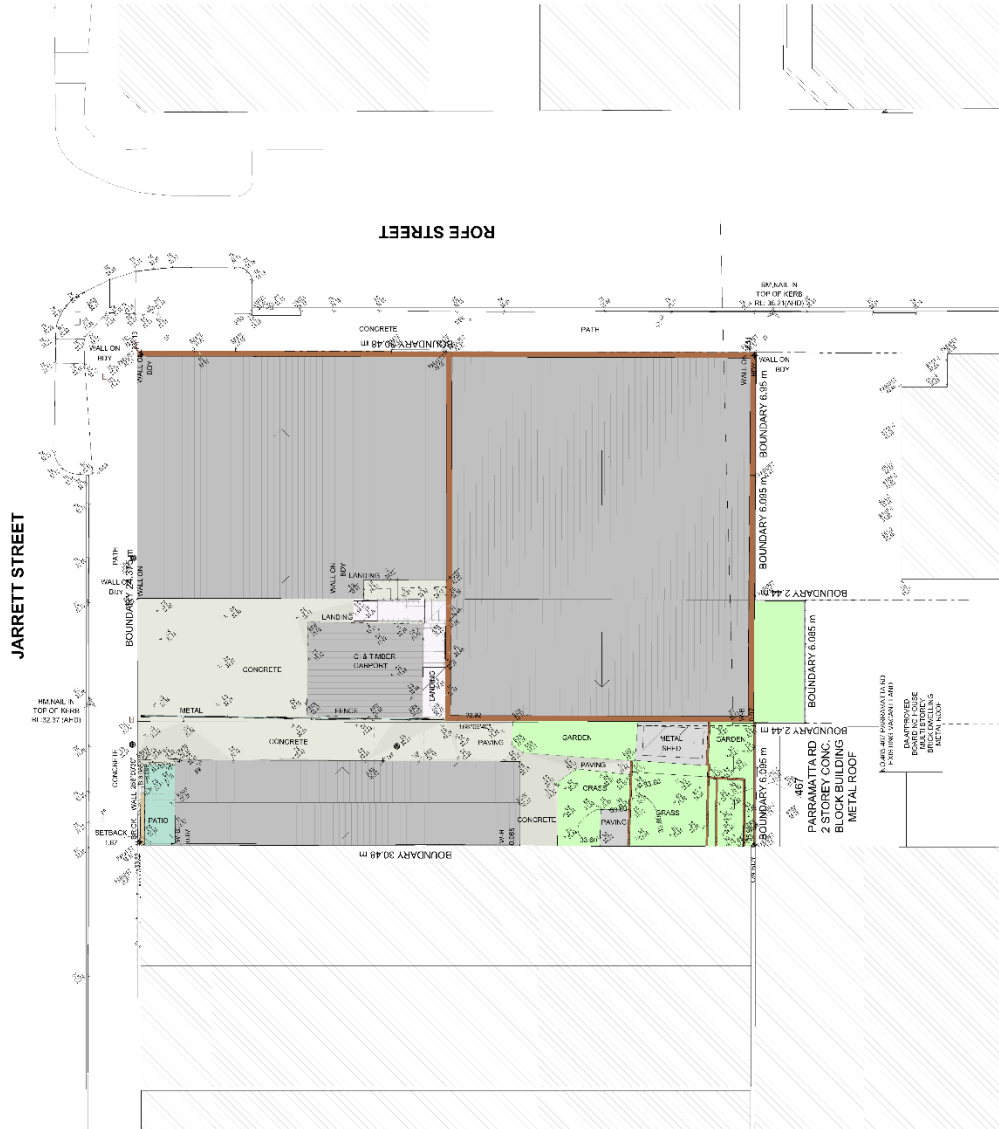
ADS
ARCHITECTS
A/C • 1000 20th St • Suite 1000 • Ft. Ld.
Ga • 30308-4000 • Phone: 404.526.2672
F: 404.526.2673 • E: info@ads.com
info@ads.com • www.adsarchitect.com
ADS • 20 • 26 • 35
NEW MARKET ARCHITECTS
www.newmarketarchitect.com



Level 1
Scale@A1=1:100

© 2005 Blackwell Publishing Ltd
Journal of Internal Medicine 257: 103–110

Regulated Development				
Project Address	62 Jarrett St, Rose St, Landward Sydney NSW 2040			
Project Title	Multi-Storey Development	Regulated Development		
Planning Title	Multi-Storey Development	Regulated Development		
Rev	Date	Revised By	Revised Date	Revised By



NOTES:

1. All dimensions are in metres unless otherwise stated.
2. All levels are in Australian Height Datum (AHD) unless otherwise stated.
3. The site is located within the Local Government Area of the City of Sydney.
4. The site is located within the Local Government Area of the City of Sydney.
5. The site is located within the Local Government Area of the City of Sydney.
6. The site is located within the Local Government Area of the City of Sydney.
7. The site is located within the Local Government Area of the City of Sydney.
8. The site is located within the Local Government Area of the City of Sydney.
9. The site is located within the Local Government Area of the City of Sydney.
10. The site is located within the Local Government Area of the City of Sydney.

- Legend
- A. Boundary Line
 - B. Boundary Line
 - C. Boundary Line
 - D. Boundary Line
 - E. Boundary Line
 - F. Boundary Line
 - G. Boundary Line
 - H. Boundary Line
 - I. Boundary Line

Project No.	Project Name	Project Description
1	Boundary Line	Boundary Line
2	Boundary Line	Boundary Line
3	Boundary Line	Boundary Line
4	Boundary Line	Boundary Line
5	Boundary Line	Boundary Line
6	Boundary Line	Boundary Line
7	Boundary Line	Boundary Line
8	Boundary Line	Boundary Line
9	Boundary Line	Boundary Line
10	Boundary Line	Boundary Line

Project: 62 JARRETT ST, ROSE ST, LANDWARD SYDNEY NSW 2040

Architect: ARCHITECTS

Issue: 01

Issue For: DA - 2/1

Issue Date: 01/01/2024

Project No: 01

Issue No: 01

Project Name: 62 JARRETT ST, ROSE ST, LANDWARD SYDNEY NSW 2040

Issue Name: 01

Project Date: 01/01/2024

Issue Date: 01/01/2024

ARCHITECTS

10/10/2024

10/10/2024

10/10/2024

10/10/2024

10/10/2024

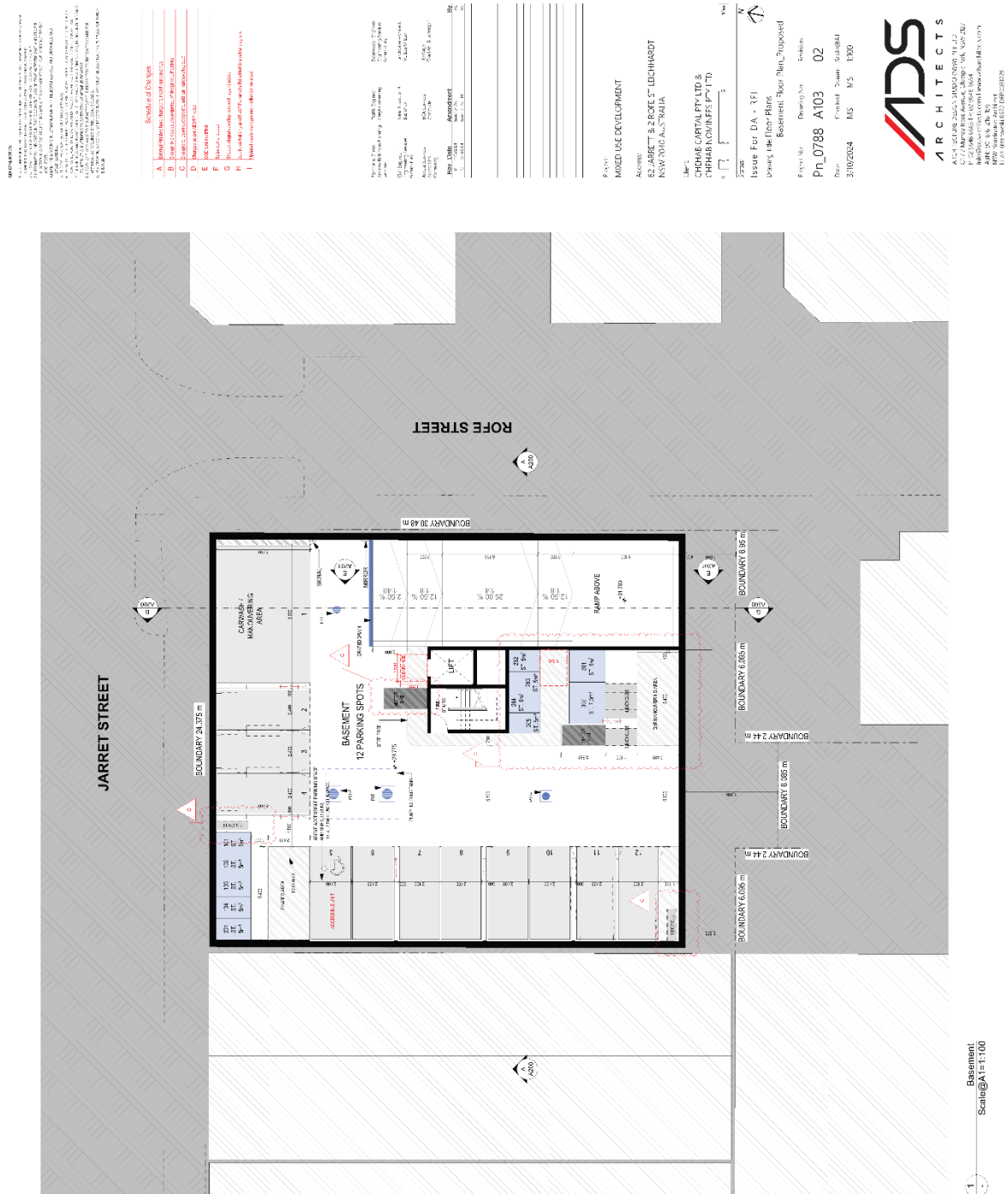
10/10/2024

10/10/2024

10/10/2024

10/10/2024

10/10/2024



LEGEND

1. SITE BOUNDARY

2. SITE BOUNDARY

3. SITE BOUNDARY

4. SITE BOUNDARY

5. SITE BOUNDARY

6. SITE BOUNDARY

7. SITE BOUNDARY

8. SITE BOUNDARY

9. SITE BOUNDARY

10. SITE BOUNDARY

11. SITE BOUNDARY

12. SITE BOUNDARY

13. SITE BOUNDARY

14. SITE BOUNDARY

15. SITE BOUNDARY

16. SITE BOUNDARY

17. SITE BOUNDARY

18. SITE BOUNDARY

19. SITE BOUNDARY

20. SITE BOUNDARY

21. SITE BOUNDARY

22. SITE BOUNDARY

23. SITE BOUNDARY

24. SITE BOUNDARY

25. SITE BOUNDARY

26. SITE BOUNDARY

27. SITE BOUNDARY

28. SITE BOUNDARY

29. SITE BOUNDARY

30. SITE BOUNDARY

31. SITE BOUNDARY

32. SITE BOUNDARY

33. SITE BOUNDARY

34. SITE BOUNDARY

35. SITE BOUNDARY

36. SITE BOUNDARY

37. SITE BOUNDARY

38. SITE BOUNDARY

39. SITE BOUNDARY

40. SITE BOUNDARY

41. SITE BOUNDARY

42. SITE BOUNDARY

43. SITE BOUNDARY

44. SITE BOUNDARY

45. SITE BOUNDARY

46. SITE BOUNDARY

47. SITE BOUNDARY

48. SITE BOUNDARY

49. SITE BOUNDARY

50. SITE BOUNDARY

51. SITE BOUNDARY

52. SITE BOUNDARY

53. SITE BOUNDARY

54. SITE BOUNDARY

55. SITE BOUNDARY

56. SITE BOUNDARY

57. SITE BOUNDARY

58. SITE BOUNDARY

59. SITE BOUNDARY

60. SITE BOUNDARY

61. SITE BOUNDARY

62. SITE BOUNDARY

63. SITE BOUNDARY

64. SITE BOUNDARY

65. SITE BOUNDARY

66. SITE BOUNDARY

67. SITE BOUNDARY

68. SITE BOUNDARY

69. SITE BOUNDARY

70. SITE BOUNDARY

71. SITE BOUNDARY

72. SITE BOUNDARY

73. SITE BOUNDARY

74. SITE BOUNDARY

75. SITE BOUNDARY

76. SITE BOUNDARY

77. SITE BOUNDARY

78. SITE BOUNDARY

79. SITE BOUNDARY

80. SITE BOUNDARY

81. SITE BOUNDARY

82. SITE BOUNDARY

83. SITE BOUNDARY

84. SITE BOUNDARY

85. SITE BOUNDARY

86. SITE BOUNDARY

87. SITE BOUNDARY

88. SITE BOUNDARY

89. SITE BOUNDARY

90. SITE BOUNDARY

91. SITE BOUNDARY

92. SITE BOUNDARY

93. SITE BOUNDARY

94. SITE BOUNDARY

95. SITE BOUNDARY

96. SITE BOUNDARY

97. SITE BOUNDARY

98. SITE BOUNDARY

99. SITE BOUNDARY

100. SITE BOUNDARY

- Scale of 1:100**
- A. Street Name: Jarrett St
- B. Street Name: Rofe St
- C. Street Name: Rofe St
- D. Street Name: Rofe St
- E. Street Name: Rofe St
- F. Street Name: Rofe St
- G. Street Name: Rofe St
- H. Street Name: Rofe St
- I. Street Name: Rofe St
- J. Street Name: Rofe St

Item	Description	Quantity	Unit
1	Concrete Slab	100	m ²
2	Concrete Slab	100	m ²
3	Concrete Slab	100	m ²
4	Concrete Slab	100	m ²
5	Concrete Slab	100	m ²
6	Concrete Slab	100	m ²
7	Concrete Slab	100	m ²
8	Concrete Slab	100	m ²
9	Concrete Slab	100	m ²
10	Concrete Slab	100	m ²
11	Concrete Slab	100	m ²
12	Concrete Slab	100	m ²
13	Concrete Slab	100	m ²
14	Concrete Slab	100	m ²
15	Concrete Slab	100	m ²
16	Concrete Slab	100	m ²
17	Concrete Slab	100	m ²
18	Concrete Slab	100	m ²
19	Concrete Slab	100	m ²
20	Concrete Slab	100	m ²
21	Concrete Slab	100	m ²
22	Concrete Slab	100	m ²
23	Concrete Slab	100	m ²
24	Concrete Slab	100	m ²
25	Concrete Slab	100	m ²
26	Concrete Slab	100	m ²
27	Concrete Slab	100	m ²
28	Concrete Slab	100	m ²
29	Concrete Slab	100	m ²
30	Concrete Slab	100	m ²
31	Concrete Slab	100	m ²
32	Concrete Slab	100	m ²
33	Concrete Slab	100	m ²
34	Concrete Slab	100	m ²
35	Concrete Slab	100	m ²
36	Concrete Slab	100	m ²
37	Concrete Slab	100	m ²
38	Concrete Slab	100	m ²
39	Concrete Slab	100	m ²
40	Concrete Slab	100	m ²
41	Concrete Slab	100	m ²
42	Concrete Slab	100	m ²
43	Concrete Slab	100	m ²
44	Concrete Slab	100	m ²
45	Concrete Slab	100	m ²
46	Concrete Slab	100	m ²
47	Concrete Slab	100	m ²
48	Concrete Slab	100	m ²
49	Concrete Slab	100	m ²
50	Concrete Slab	100	m ²
51	Concrete Slab	100	m ²
52	Concrete Slab	100	m ²
53	Concrete Slab	100	m ²
54	Concrete Slab	100	m ²
55	Concrete Slab	100	m ²
56	Concrete Slab	100	m ²
57	Concrete Slab	100	m ²
58	Concrete Slab	100	m ²
59	Concrete Slab	100	m ²
60	Concrete Slab	100	m ²
61	Concrete Slab	100	m ²
62	Concrete Slab	100	m ²
63	Concrete Slab	100	m ²
64	Concrete Slab	100	m ²
65	Concrete Slab	100	m ²
66	Concrete Slab	100	m ²
67	Concrete Slab	100	m ²
68	Concrete Slab	100	m ²
69	Concrete Slab	100	m ²
70	Concrete Slab	100	m ²
71	Concrete Slab	100	m ²
72	Concrete Slab	100	m ²
73	Concrete Slab	100	m ²
74	Concrete Slab	100	m ²
75	Concrete Slab	100	m ²
76	Concrete Slab	100	m ²
77	Concrete Slab	100	m ²
78	Concrete Slab	100	m ²
79	Concrete Slab	100	m ²
80	Concrete Slab	100	m ²
81	Concrete Slab	100	m ²
82	Concrete Slab	100	m ²
83	Concrete Slab	100	m ²
84	Concrete Slab	100	m ²
85	Concrete Slab	100	m ²
86	Concrete Slab	100	m ²
87	Concrete Slab	100	m ²
88	Concrete Slab	100	m ²
89	Concrete Slab	100	m ²
90	Concrete Slab	100	m ²
91	Concrete Slab	100	m ²
92	Concrete Slab	100	m ²
93	Concrete Slab	100	m ²
94	Concrete Slab	100	m ²
95	Concrete Slab	100	m ²
96	Concrete Slab	100	m ²
97	Concrete Slab	100	m ²
98	Concrete Slab	100	m ²
99	Concrete Slab	100	m ²
100	Concrete Slab	100	m ²

Project: MIND USE DEVELOPMENT

Address: 62 JARRETT ST & 2A ROFE ST, Leichhardt NSW 2040

Client: CHARM CAPITAL PTY LTD & CHARM CAPITAL PTY LTD

Issue For: DA - 2/1

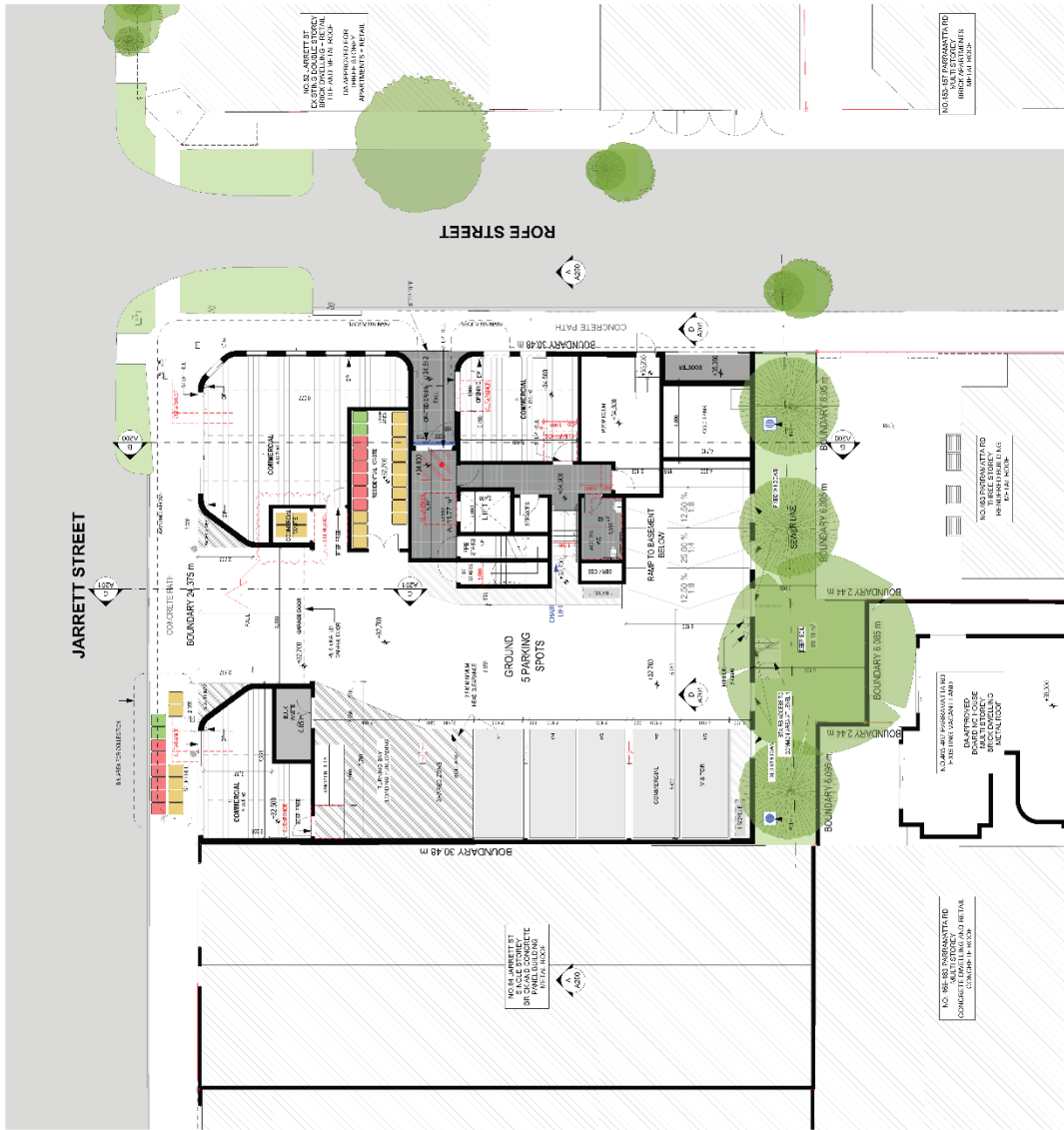
Project No: 0788 A104 03

Date: 18/02/2024

Scale: 1:100

Architect: ADS ARCHITECTS

Address: 62 JARRETT ST & 2A ROFE ST, Leichhardt NSW 2040



Ground Floor
Scale@A1=1:100

Project Name	Project No	Project Date	Project Status
62 JARRETT ST & 2A ROFE ST, Leichhardt NSW 2040	0788 A104 03	18/02/2024	DA - 2/1

Registered Design Brand			
Used Address	42 Jerritt & 2A Rolo St Lindhurst Sydney NSW 2049		
Work Title	WALLS AND DEVELOPMENT		
Project No.	AD26	Body Concrete top for --	
Design Title	Level 1 Floor Plan Proposed	Design No.	A126
Rev	001	Description	Revised No.

[illegible][illegible]

Project Name	Project Location	Project Type	Project Status	Project Manager
Project A	Project A Location	Project A Type	Project A Status	Project A Manager
Project B	Project B Location	Project B Type	Project B Status	Project B Manager
Project C	Project C Location	Project C Type	Project C Status	Project C Manager
Project D	Project D Location	Project D Type	Project D Status	Project D Manager
Project E	Project E Location	Project E Type	Project E Status	Project E Manager
Project F	Project F Location	Project F Type	Project F Status	Project F Manager
Project G	Project G Location	Project G Type	Project G Status	Project G Manager
Project H	Project H Location	Project H Type	Project H Status	Project H Manager
Project I	Project I Location	Project I Type	Project I Status	Project I Manager
Project J	Project J Location	Project J Type	Project J Status	Project J Manager

Project:
MINED USE DEVELOPMENT

Address:
62 JARRETT & 2 ROYE ST LEICHHARDT
NSW 2040 AUSTRALIA

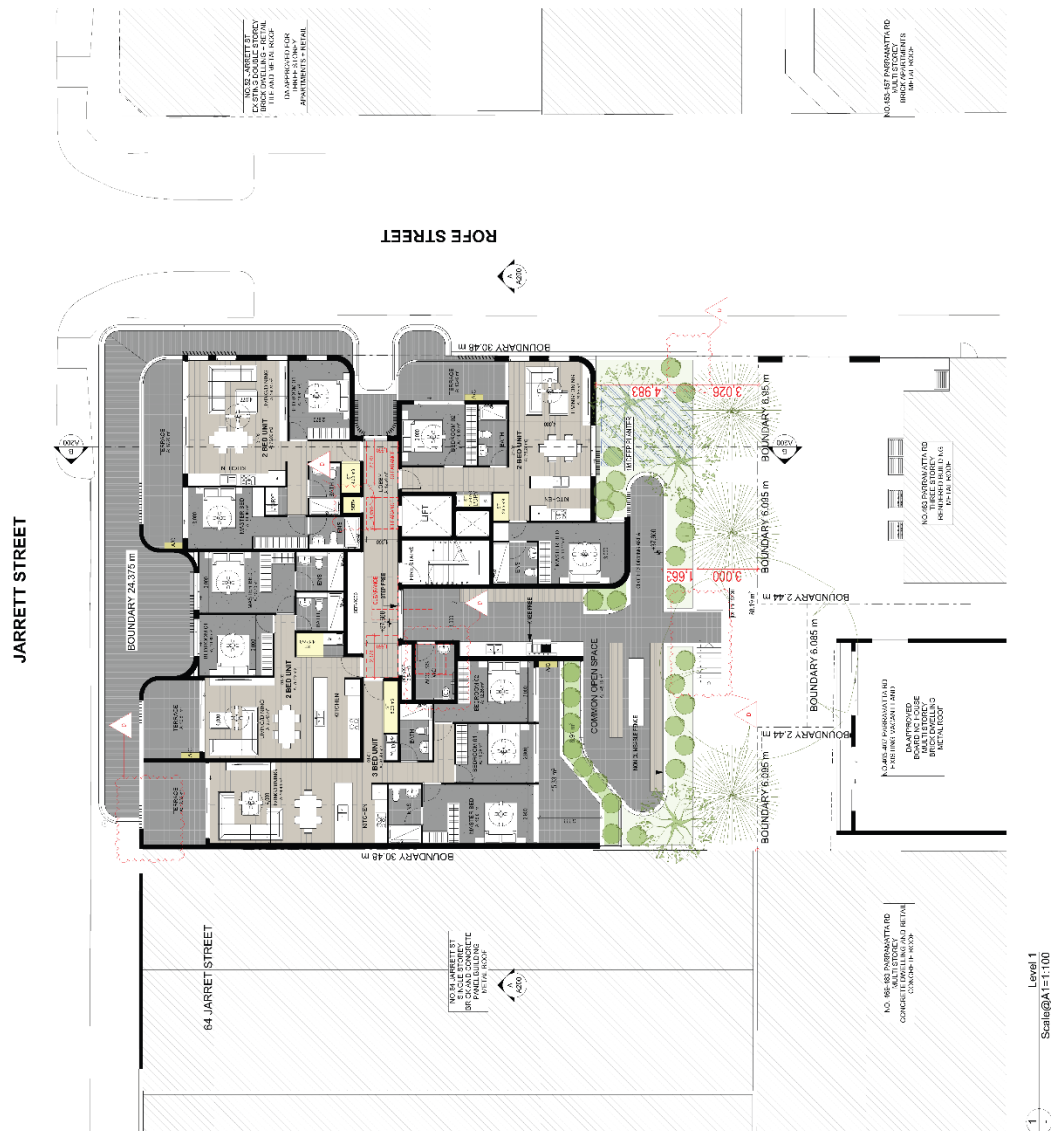
Client:
CHCHAB CAPITAL PTY LTD &
CHCHAB NOMINEES PTY LTD

Page No	Drawing No	Revision
Pn_0788	A105	02
Date	Created By	Submittal
3/10/2014	MS	100

AIDS

ARCHITECTS

AIDS ARCHITECTS STUDIO INCORPORATED
77 Murray Hill Avenue, Suite 906, New York, NY 10017
P 212 684 6616 F 212 684 1654
info@aidsonline.com www.aidsonline.com
AIDS © 1996 AIDS Inc.
New York office: 212-684-1654
Fax: 212-684-1654



Registered Design Brand			
Used Address	42 Jerritt & 2A Rolo St Lindhurst Sydney NSW 2049		
Project Title	WALLS AND DEVELOPMENT		
Project No.	AD00	Body Concrete Reg No.	--
Design Title	Level of Base Plan Proposed	Design No.	A100
Rev	0001	Revision	0

[illegible]

Schedule of Charges	
A.	General Release Fee, Charges: \$100.00 and up to \$125.00
B.	Charge for 1000 copies, 1000 copies up to 10000
C.	Charge for 1000 copies, 1000 copies up to 10000
D.	Charge for 1000 copies, 1000 copies up to 10000
E.	Charge for 1000 copies, 1000 copies up to 10000
F.	Charge for 1000 copies, 1000 copies up to 10000
G.	Charge for 1000 copies, 1000 copies up to 10000
H.	Charge for 1000 copies, 1000 copies up to 10000
I.	Charge for 1000 copies, 1000 copies up to 10000

[illegible][illegible]

Project: **MIXED USE DEVELOPMENT**
 Address: **62 JARRETT & 2 ROVE ST LOCHNARDT**

Client: CHEHA8 CAPITAL PTV LTD & CHEHA8 NOMINEES PVT LTD

Issue For D.A. - RF
 Design of Floor Plans
 Level 2 Floor Plan - Proposed
 Project No. Drawing No. Section
 Pn_0788 A106 02
 Date Checked Issue Schedule
 3/10/2004 M/S M/S 1:00

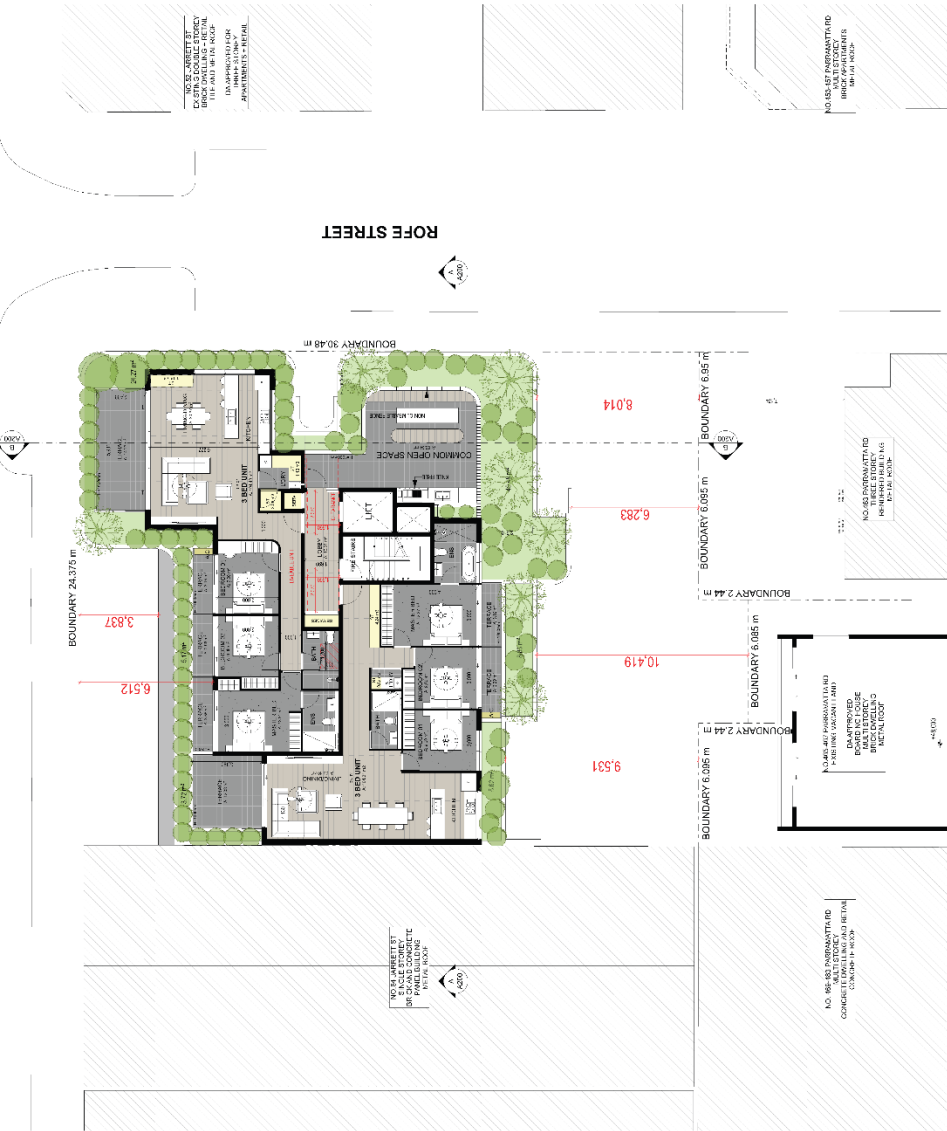
ADS
ARCHITECTS
ARCHITECTURE DESIGN GROUP INC.
177 Murray Hill Avenue, Suite 200, New York, NY 10027
P 212 698 6616 F 212 264 1654
info@adsarchitect.com www.adsarchitect.com
2012 NY 86 216 15
New York State Architect



Regulated Development				
Project Address:	62 Jarrett St, Rose St, Landward Sydney NSW 2040			
Project Title:	Mixed Use Development			
Project Ref:	62 Jarrett St			
Project Title:	Landward Sydney NSW 2040			
Rev:	Date:	Drawn:	Checked:	Reviewed:

NOTES:

1. All dimensions are in metres unless otherwise stated.
2. All dimensions are to the centre of the wall unless otherwise stated.
3. All dimensions are to the finished floor level unless otherwise stated.
4. All dimensions are to the finished floor level unless otherwise stated.
5. All dimensions are to the finished floor level unless otherwise stated.
6. All dimensions are to the finished floor level unless otherwise stated.
7. All dimensions are to the finished floor level unless otherwise stated.
8. All dimensions are to the finished floor level unless otherwise stated.
9. All dimensions are to the finished floor level unless otherwise stated.
10. All dimensions are to the finished floor level unless otherwise stated.



Level 3
Scale 1:100

Architect: ADS Architects
Project: 62 Jarrett St, Rose St, Landward Sydney NSW 2040

LEGEND

- A. Street Furniture: Signage, Benches, Bins, etc.
- B. Street Furniture: Signage, Benches, Bins, etc.
- C. Street Furniture: Signage, Benches, Bins, etc.
- D. Street Furniture: Signage, Benches, Bins, etc.
- E. Street Furniture: Signage, Benches, Bins, etc.
- F. Street Furniture: Signage, Benches, Bins, etc.
- G. Street Furniture: Signage, Benches, Bins, etc.
- H. Street Furniture: Signage, Benches, Bins, etc.
- I. Street Furniture: Signage, Benches, Bins, etc.

- A. Street Furniture: Signage, Benches, Bins, etc.
- B. Street Furniture: Signage, Benches, Bins, etc.
- C. Street Furniture: Signage, Benches, Bins, etc.
- D. Street Furniture: Signage, Benches, Bins, etc.
- E. Street Furniture: Signage, Benches, Bins, etc.
- F. Street Furniture: Signage, Benches, Bins, etc.
- G. Street Furniture: Signage, Benches, Bins, etc.
- H. Street Furniture: Signage, Benches, Bins, etc.
- I. Street Furniture: Signage, Benches, Bins, etc.

Item	Quantity	Unit	Notes
1. Street Furniture: Signage, Benches, Bins, etc.	1	Unit	Notes
2. Street Furniture: Signage, Benches, Bins, etc.	1	Unit	Notes
3. Street Furniture: Signage, Benches, Bins, etc.	1	Unit	Notes
4. Street Furniture: Signage, Benches, Bins, etc.	1	Unit	Notes
5. Street Furniture: Signage, Benches, Bins, etc.	1	Unit	Notes
6. Street Furniture: Signage, Benches, Bins, etc.	1	Unit	Notes
7. Street Furniture: Signage, Benches, Bins, etc.	1	Unit	Notes
8. Street Furniture: Signage, Benches, Bins, etc.	1	Unit	Notes
9. Street Furniture: Signage, Benches, Bins, etc.	1	Unit	Notes
10. Street Furniture: Signage, Benches, Bins, etc.	1	Unit	Notes

PROJECT

Mixed Use Development
62 Jarrett St & Rose St, Landward Sydney NSW 2040 Australia

Client: Landward Sydney NSW 2040
Architect: ADS Architects

Issue: For DA - 2/1
Drawing No: 02
Project No: Pn_0788

Date: 3/10/2024
Scale: 1:100
Sheet: 1/1



ADS ARCHITECTS
1/111 Market Street, Sydney NSW 2000
Tel: 02 9231 1111
Email: info@adsarchitects.com.au

Registered Design Board					
	Used Address	42 Jerritt & 2A Rolo St Landhurst Sydney NSW 2049			
	Work Title	WALLS ARE INVOLVEMENT			
	Project No:	A208	Body Concrete top loc: --	Drawing No:	A108
	Working Title	Revised Plans	Revised Loc:	Revised No:	Revised ID
	REV	Date	Description		

[illegible]

Schedule of Charges	
A.	General Release Fee, Charges: \$100.00 and up to \$125.00
B.	Charge for 1000 copies, 1000 copies up to 10000
C.	Charge for 10000 copies, 10000 copies up to 100000
D.	Charge for 100000 copies, 100000 copies up to 1000000
E.	Charge for 1000000 copies, 1000000 copies up to 10000000
F.	Charge for 10000000 copies, 10000000 copies up to 100000000
G.	Charge for 100000000 copies, 100000000 copies up to 1000000000
H.	Charge for 1000000000 copies, 1000000000 copies up to 10000000000
I.	Charge for 10000000000 copies, 10000000000 copies up to 100000000000

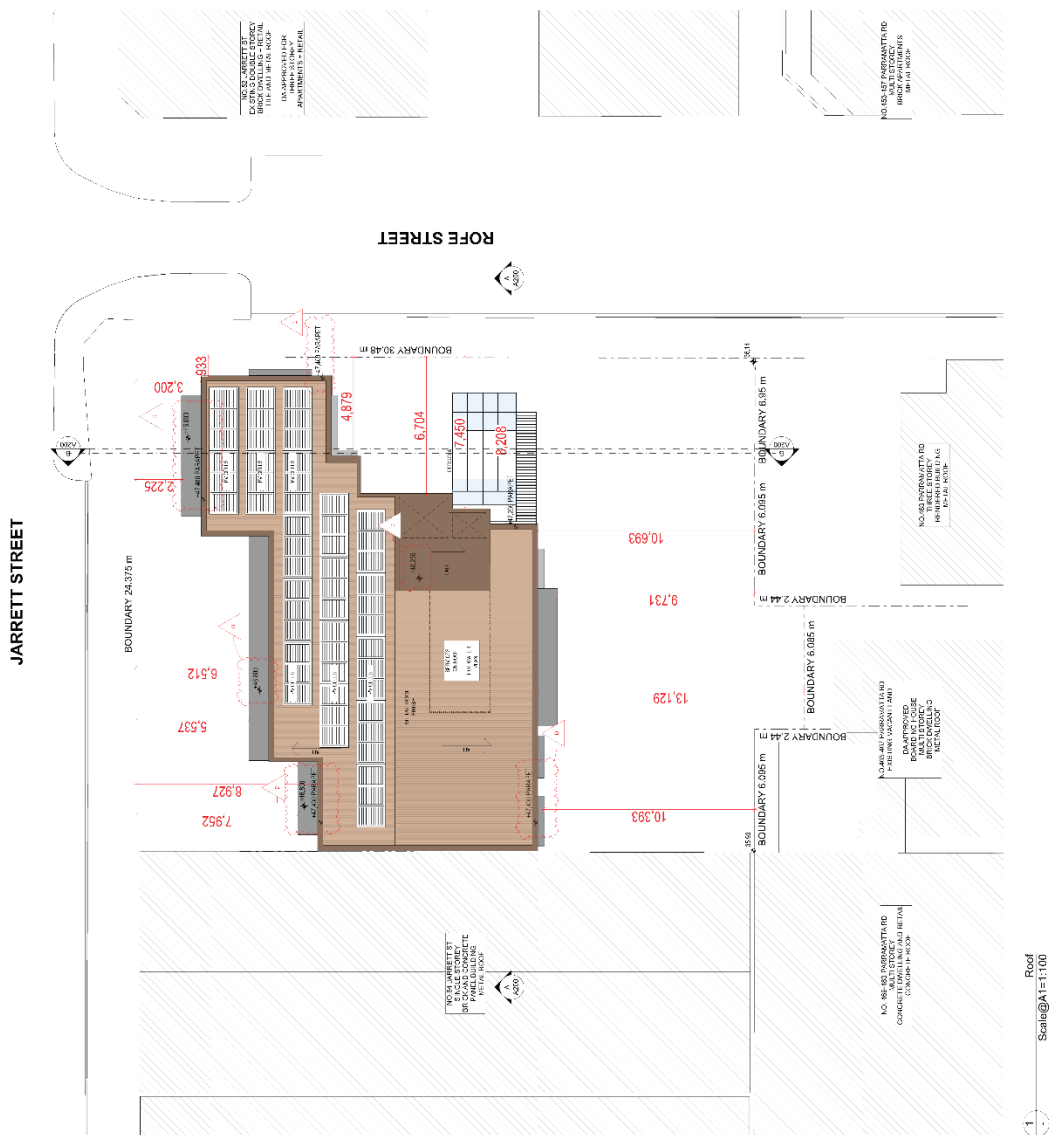
[illegible]

Project: **MIXED USE DEVELOPMENT**
 Address: **62 JARRETT & 2 ROYE ST LOCHNARDT**

Client: CHEHA8 CAPITAL PTV LTD & CHEHA8 NOMINEES PVT LTD

3
 4
 5
 6
 7
 8
 9
 10
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28
 29
 30
 31
 32
 33
 34
 35
 36
 37
 38
 39
 40
 41
 42
 43
 44
 45
 46
 47
 48
 49
 50
 51
 52
 53
 54
 55
 56
 57
 58
 59
 60
 61
 62
 63
 64
 65
 66
 67
 68
 69
 70
 71
 72
 73
 74
 75
 76
 77
 78
 79
 80
 81
 82
 83
 84
 85
 86
 87
 88
 89
 90
 91
 92
 93
 94
 95
 96
 97
 98
 99
 100
 101
 102
 103
 104
 105
 106
 107
 108
 109
 110
 111
 112
 113
 114
 115
 116
 117
 118
 119
 120
 121
 122
 123
 124
 125
 126
 127
 128
 129
 130
 131
 132
 133
 134
 135
 136
 137
 138
 139
 140
 141
 142
 143
 144
 145
 146
 147
 148
 149
 150
 151
 152
 153
 154
 155
 156
 157
 158
 159
 160
 161
 162
 163
 164
 165
 166
 167
 168
 169
 170
 171
 172
 173
 174
 175
 176
 177
 178
 179
 180
 181
 182
 183
 184
 185
 186
 187
 188
 189
 190
 191
 192
 193
 194
 195
 196
 197
 198
 199
 200
 201
 202
 203
 204
 205
 206
 207
 208
 209
 210
 211
 212
 213
 214
 215
 216
 217
 218
 219
 220
 221
 222
 223
 224
 225
 226
 227
 228
 229
 230
 231
 232
 233
 234
 235
 236
 237
 238
 239
 240
 241
 242
 243
 244
 245
 246
 247
 248
 249
 250
 251
 252
 253
 254
 255
 256
 257
 258
 259
 260
 261
 262
 263
 264
 265
 266
 267
 268
 269
 270
 271
 272
 273
 274
 275
 276
 277
 278
 279
 280
 281
 282
 283
 284
 285
 286
 287
 288
 289
 290
 291
 292
 293
 294
 295
 296
 297
 298
 299
 300
 301
 302
 303
 304
 305
 306
 307
 308
 309
 310
 311
 312
 313
 314
 315
 316
 317
 318
 319
 320
 321
 322
 323
 324
 325
 326
 327
 328
 329
 330
 331
 332
 333
 334
 335
 336
 337
 338
 339
 340
 341
 342
 343
 344
 345
 346
 347
 348
 349
 350
 351
 352
 353
 354
 355
 356
 357
 358
 359
 360
 361
 362
 363
 364
 365
 366
 367
 368
 369
 370
 371
 372
 373
 374
 375
 376
 377
 378
 379
 380
 381
 382
 383
 384
 385
 386
 387
 388
 389
 390
 391
 392
 393
 394
 395
 396
 397
 398
 399
 400
 401
 402
 403
 404
 405
 406
 407
 408
 409
 410
 411
 412
 413
 414
 415
 416
 417
 418
 419
 420
 421
 422
 423
 424
 425
 426
 427
 428
 429
 430
 431
 432
 433
 434
 435
 436
 437
 438
 439
 440
 441
 442
 443
 444
 445
 446
 447
 448
 449
 450
 451
 452
 453
 454
 455
 456
 457
 458
 459
 460
 461
 462
 463
 464
 465
 466
 467
 468
 469
 470
 471
 472
 473
 474
 475
 476
 477
 478
 479
 480
 481
 482
 483
 484
 485
 486
 487
 488
 489
 490
 491
 492
 493
 494
 495
 496
 497
 498
 499
 500
 501
 502
 503
 504
 505
 506
 507
 508
 509
 510
 511
 512
 513
 514
 515
 516
 517
 518
 519
 520
 521
 522
 523
 524
 525
 526
 527

ADS
ARCHITECTS
A/C 1141 CLURE, 2000 N. STIMPSON, TH, 712
P 713 7499 F 713 7499 A 713 7499
P 713 7499 F 713 7499 A 713 7499
info@adsarchitect.com www.adsarchitect.com
ADS 713 7499 F 713 7499
New direction: ADS 713 7499



Registered Design Brand	
Used Address	42 Jerritt & 2A Rolo St Leidsdorp Sydney NSW 2049
Work Title	Woolu Hills Development
Project No.	ADD
Project Title	Body Concrete Reg No: --
Rev	001
Drawn By	Design No: ADD
Check By	Revised No:
Drawn Date	Revision ID

SAKABARA, YASUHIRO

Schedule of Disputes	
A	Board resolves dispute within 10 days
B	Dispute is resolved, except for one
C	Dispute is resolved, except for one
D	Dispute is resolved, except for one
E	Dispute is resolved, except for one
F	Dispute is resolved, except for one
G	Dispute is resolved, except for one
H	Dispute is resolved, except for one
I	Dispute is resolved, except for one

[illegible][illegible]

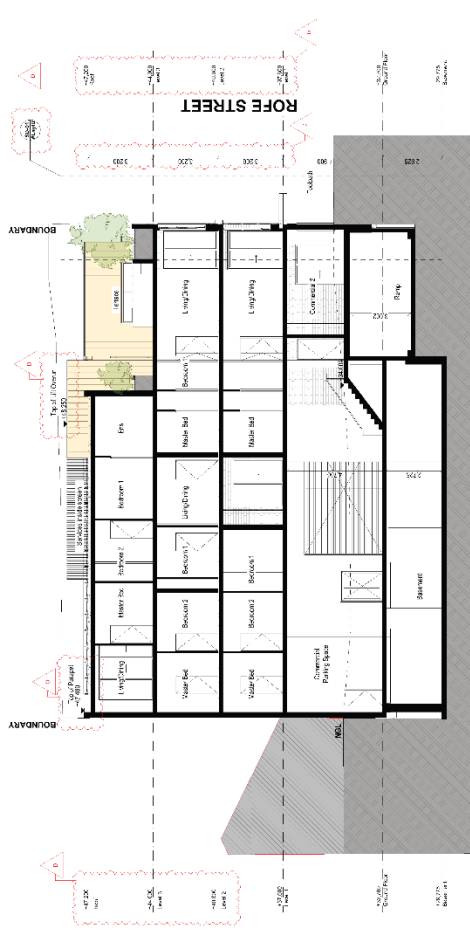
Project:
MIXED USE DEVELOPMENT

Address:
62 Jerritt & 2A Rose St Letchford Sydney NSW

Client: CHCHAB CAPITAL PTV LTD & CHFHAB NOMINFES PVT LTD

Issue For DA - 3FI	Sections Sections A, B	Sections
Ordering Info	Ordering Info	Ordering Info
Project No	Project No	Project No
Pn_0788	A200	02
Date	Created	Section
3/10/2024	MS	MS

ADS ARCHITECTS
 4141 JEFFERSON AVENUE SUITE 2000 NEW YORK, NY 10017
 770 7th Avenue 18th Floor, New York, NY 10013
 P 212 594-6616 F 212 244-1654
 info@adsarchitect.com www.adsarchitects.com
 200 75 8th Ave. 15
 New York, NY 10013



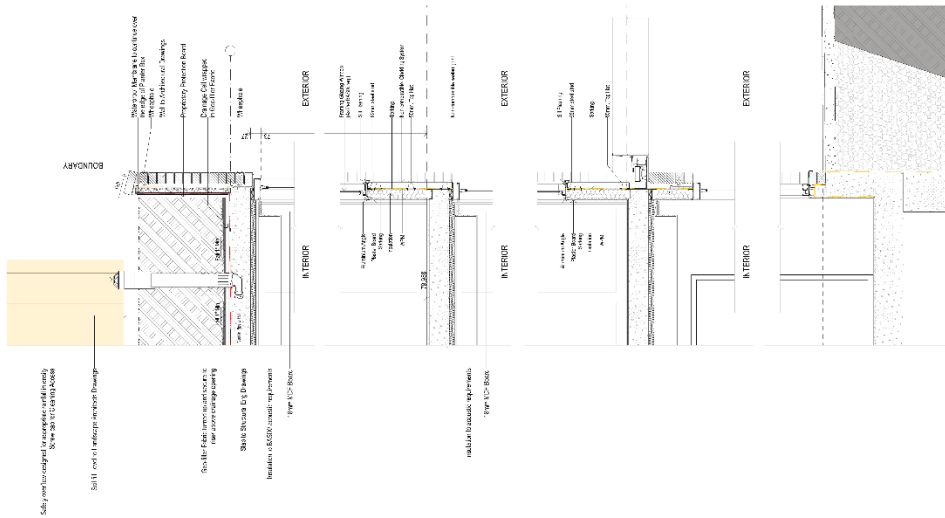


Proposed Development			
Project Name	62 Jerritt & 2A Ross St, Leichhardt Sydney NSW 2040	Project No.	
Project Type	Medium Density Residential Development	Project Manager	Architects
Site No.		Site No.	
Site Name		Site Name	
Site Address		Site Address	
Site Description		Site Description	
Site No.		Site No.	
Site Name		Site Name	
Site Address		Site Address	
Site Description		Site Description	



Section 3D View

01



Section Detail
Scale @ A1 = 1:20

02

NOTES:
1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
2. ALL WALLS ARE TO BE CONCRETE OR BRICK UNLESS OTHERWISE SPECIFIED.
3. ALL FLOORS ARE TO BE CONCRETE OR BRICK UNLESS OTHERWISE SPECIFIED.
4. ALL ROOFS ARE TO BE CONCRETE OR BRICK UNLESS OTHERWISE SPECIFIED.
5. ALL EXTERIOR WALLS ARE TO BE CONCRETE OR BRICK UNLESS OTHERWISE SPECIFIED.
6. ALL EXTERIOR FLOORS ARE TO BE CONCRETE OR BRICK UNLESS OTHERWISE SPECIFIED.
7. ALL EXTERIOR ROOFS ARE TO BE CONCRETE OR BRICK UNLESS OTHERWISE SPECIFIED.
8. ALL EXTERIOR WALLS ARE TO BE CONCRETE OR BRICK UNLESS OTHERWISE SPECIFIED.
9. ALL EXTERIOR FLOORS ARE TO BE CONCRETE OR BRICK UNLESS OTHERWISE SPECIFIED.
10. ALL EXTERIOR ROOFS ARE TO BE CONCRETE OR BRICK UNLESS OTHERWISE SPECIFIED.

- Legend of Symbols
- A. Section Line: Indicated by a solid line.
 - B. Section Line: Indicated by a dashed line.
 - C. Section Line: Indicated by a dotted line.
 - D. Section Line: Indicated by a dash-dot line.
 - E. Section Line: Indicated by a long-dash line.
 - F. Section Line: Indicated by a short-dash line.
 - G. Section Line: Indicated by a long-dash-dot line.
 - H. Section Line: Indicated by a short-dash-dot line.
 - I. Section Line: Indicated by a long-dash-dot-dot line.

Item No.	Description	Quantity	Unit
1	Concrete Slab	1.00	m ²
2	Concrete Wall	1.00	m ²
3	Concrete Floor	1.00	m ²
4	Concrete Ceiling	1.00	m ²
5	Concrete Foundation	1.00	m ²
6	Concrete Retaining Wall	1.00	m ²
7	Concrete Drainage	1.00	m ²
8	Concrete Pathway	1.00	m ²
9	Concrete Driveway	1.00	m ²
10	Concrete Parking	1.00	m ²

Project: MIND USE DEVELOPMENT
Address: 62 Jerritt & 2A Ross St, Leichhardt Sydney NSW 2040

Client: CHERRY CAPITAL PTY LTD & CHERRY CAPITAL PTY LTD
Project No: 01

Issue For: DA - 2/1
Drawing No: 01
Date: 3/10/2024
Created: 3/10/2024
Scale: 1:20



1. The applicant is required to provide a detailed description of the proposed development, including the nature and extent of the development, the proposed use of the land, and the proposed access to the land. The applicant is also required to provide a detailed description of the proposed development, including the nature and extent of the development, the proposed use of the land, and the proposed access to the land.

- A. The applicant is required to provide a detailed description of the proposed development, including the nature and extent of the development, the proposed use of the land, and the proposed access to the land.
- B. The applicant is required to provide a detailed description of the proposed development, including the nature and extent of the development, the proposed use of the land, and the proposed access to the land.
- C. The applicant is required to provide a detailed description of the proposed development, including the nature and extent of the development, the proposed use of the land, and the proposed access to the land.
- D. The applicant is required to provide a detailed description of the proposed development, including the nature and extent of the development, the proposed use of the land, and the proposed access to the land.
- E. The applicant is required to provide a detailed description of the proposed development, including the nature and extent of the development, the proposed use of the land, and the proposed access to the land.
- F. The applicant is required to provide a detailed description of the proposed development, including the nature and extent of the development, the proposed use of the land, and the proposed access to the land.
- G. The applicant is required to provide a detailed description of the proposed development, including the nature and extent of the development, the proposed use of the land, and the proposed access to the land.
- H. The applicant is required to provide a detailed description of the proposed development, including the nature and extent of the development, the proposed use of the land, and the proposed access to the land.
- I. The applicant is required to provide a detailed description of the proposed development, including the nature and extent of the development, the proposed use of the land, and the proposed access to the land.

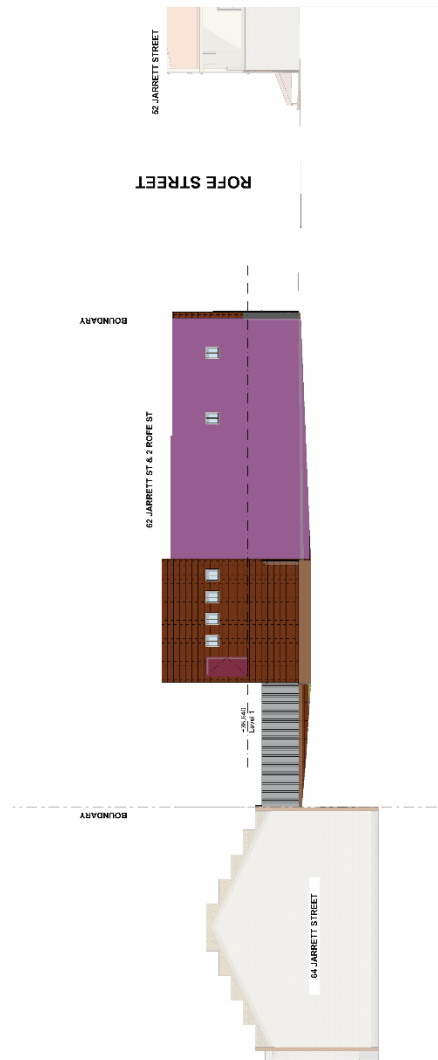
Item No.	Item Description	Item Value
1	Item 1 Description	Item 1 Value
2	Item 2 Description	Item 2 Value
3	Item 3 Description	Item 3 Value
4	Item 4 Description	Item 4 Value
5	Item 5 Description	Item 5 Value
6	Item 6 Description	Item 6 Value
7	Item 7 Description	Item 7 Value
8	Item 8 Description	Item 8 Value
9	Item 9 Description	Item 9 Value
10	Item 10 Description	Item 10 Value

Project: MINED USE DEVELOPMENT
Address: 62 JARRETT & 2A ROSE ST Leichhardt Sydney NSW 2040

Client: CHURCH & DWIGHT PTY LTD & CHURCH & DWIGHT PTY LTD
Issue For DA: 3/1/1
Project No: Pn_0788 A300 02
Date: 3/10/2024
Scale: N5 1:100



01 North Elevation Existing
Scale @ A1 = 1:100



02 South Elevation Existing
Scale @ A1 = 1:100

Drawn: [Name]
Check: [Name]
Date: [Date]

1. The applicant is required to provide a detailed description of the proposed development, including the nature and extent of the development, the proposed use of the land, and the proposed access to the land. The applicant is also required to provide a detailed description of the proposed development, including the nature and extent of the development, the proposed use of the land, and the proposed access to the land.

- Standard Conditions
- A. The applicant is required to provide a detailed description of the proposed development, including the nature and extent of the development, the proposed use of the land, and the proposed access to the land.
 - B. The applicant is required to provide a detailed description of the proposed development, including the nature and extent of the development, the proposed use of the land, and the proposed access to the land.
 - C. The applicant is required to provide a detailed description of the proposed development, including the nature and extent of the development, the proposed use of the land, and the proposed access to the land.
 - D. The applicant is required to provide a detailed description of the proposed development, including the nature and extent of the development, the proposed use of the land, and the proposed access to the land.
 - E. The applicant is required to provide a detailed description of the proposed development, including the nature and extent of the development, the proposed use of the land, and the proposed access to the land.
 - F. The applicant is required to provide a detailed description of the proposed development, including the nature and extent of the development, the proposed use of the land, and the proposed access to the land.
 - G. The applicant is required to provide a detailed description of the proposed development, including the nature and extent of the development, the proposed use of the land, and the proposed access to the land.
 - H. The applicant is required to provide a detailed description of the proposed development, including the nature and extent of the development, the proposed use of the land, and the proposed access to the land.
 - I. The applicant is required to provide a detailed description of the proposed development, including the nature and extent of the development, the proposed use of the land, and the proposed access to the land.

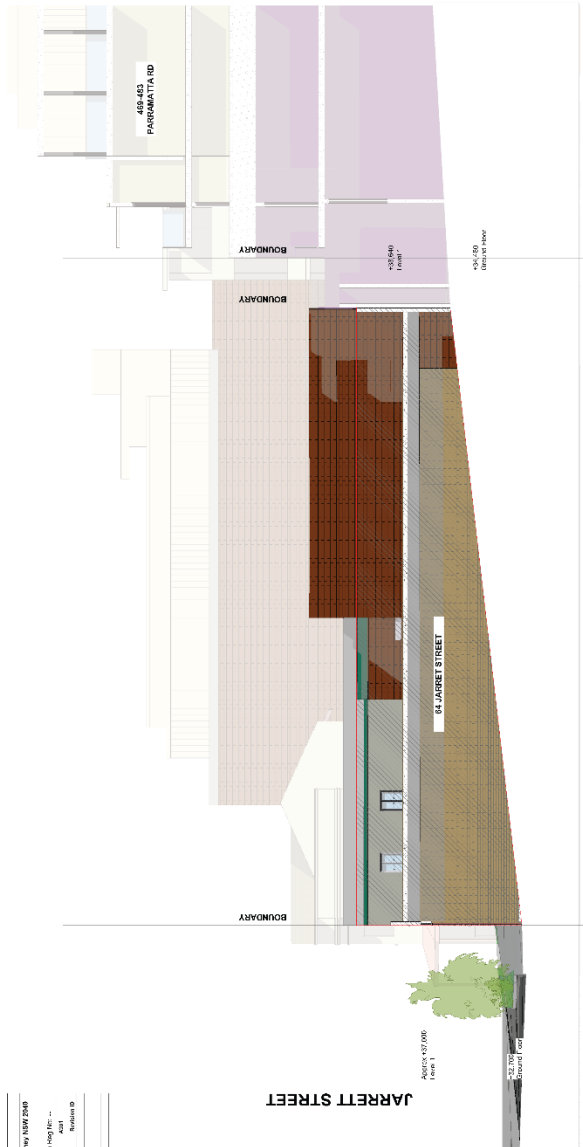
Item No.	Item Description	Item Value
1	Item 1	Item 1
2	Item 2	Item 2
3	Item 3	Item 3
4	Item 4	Item 4
5	Item 5	Item 5
6	Item 6	Item 6
7	Item 7	Item 7
8	Item 8	Item 8
9	Item 9	Item 9
10	Item 10	Item 10

Project: MINED USE DEVELOPMENT
Address: 62 JARRETT ST & 2A ROPE ST, Leichhardt NSW 2040

Client: CHURCH & DWIGHT PTY LTD & CHURCH & DWIGHT PTY LTD

Issue For DA - 2/1

Project No: Pn_0788_A301_02
Date: 3/10/2024
Created: 3/10/2024
Revised: 3/10/2024



01 West Elevation Existing
Scale @ A1 = 1:100



02 East Elevation Existing
Scale @ A1 = 1:100

Drawn by: [Name]
Checked by: [Name]
Date: [Date]

NOTES:

1. THIS DOCUMENT IS THE PROPERTY OF ADS ARCHITECTS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED IN THE TITLE. IT IS NOT TO BE REPRODUCED, COPIED, OR DISTRIBUTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF ADS ARCHITECTS.
2. THIS DOCUMENT IS NOT TO BE USED FOR ANY OTHER PROJECT, SITE, OR PURPOSE, WITHOUT THE WRITTEN PERMISSION OF ADS ARCHITECTS.
3. THIS DOCUMENT IS NOT TO BE USED FOR ANY OTHER PROJECT, SITE, OR PURPOSE, WITHOUT THE WRITTEN PERMISSION OF ADS ARCHITECTS.
4. THIS DOCUMENT IS NOT TO BE USED FOR ANY OTHER PROJECT, SITE, OR PURPOSE, WITHOUT THE WRITTEN PERMISSION OF ADS ARCHITECTS.
5. THIS DOCUMENT IS NOT TO BE USED FOR ANY OTHER PROJECT, SITE, OR PURPOSE, WITHOUT THE WRITTEN PERMISSION OF ADS ARCHITECTS.
6. THIS DOCUMENT IS NOT TO BE USED FOR ANY OTHER PROJECT, SITE, OR PURPOSE, WITHOUT THE WRITTEN PERMISSION OF ADS ARCHITECTS.
7. THIS DOCUMENT IS NOT TO BE USED FOR ANY OTHER PROJECT, SITE, OR PURPOSE, WITHOUT THE WRITTEN PERMISSION OF ADS ARCHITECTS.
8. THIS DOCUMENT IS NOT TO BE USED FOR ANY OTHER PROJECT, SITE, OR PURPOSE, WITHOUT THE WRITTEN PERMISSION OF ADS ARCHITECTS.
9. THIS DOCUMENT IS NOT TO BE USED FOR ANY OTHER PROJECT, SITE, OR PURPOSE, WITHOUT THE WRITTEN PERMISSION OF ADS ARCHITECTS.
10. THIS DOCUMENT IS NOT TO BE USED FOR ANY OTHER PROJECT, SITE, OR PURPOSE, WITHOUT THE WRITTEN PERMISSION OF ADS ARCHITECTS.

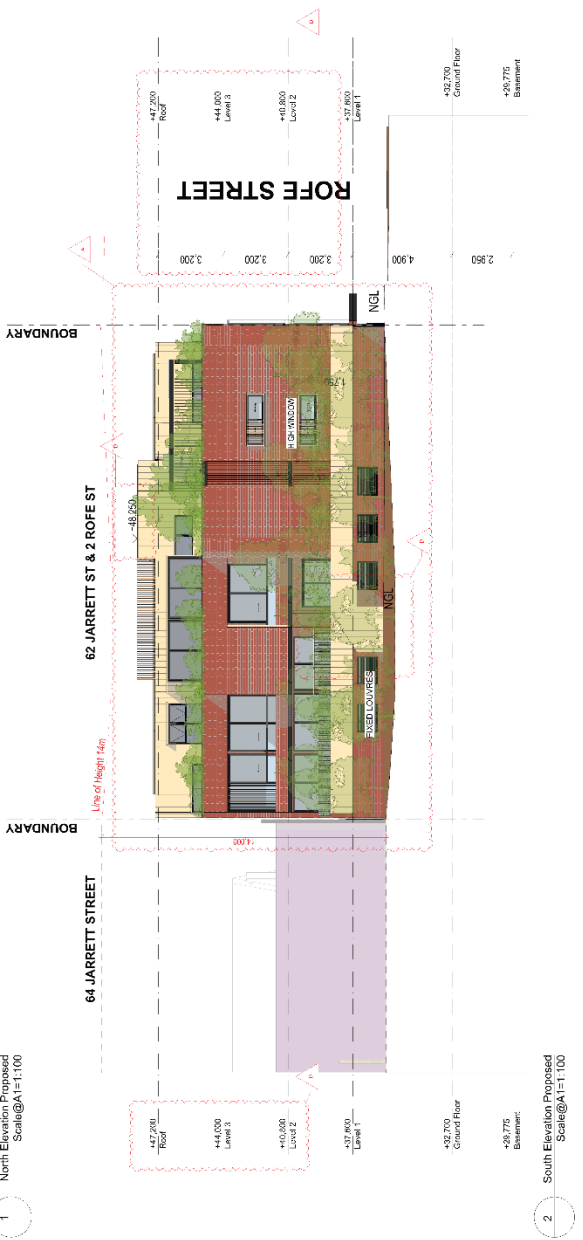
- Standard Details
- A. Section through wall to external wall
 - B. Section through wall to external wall
 - C. Section through wall to external wall
 - D. Section through wall to external wall
 - E. Section through wall to external wall
 - F. Section through wall to external wall
 - G. Section through wall to external wall
 - H. Section through wall to external wall
 - I. Section through wall to external wall

Item No.	Description	Quantity	Unit	Rate	Total
1	Excavate and backfill	100	m ³	100	10000
2	Reinforced concrete slab	100	m ²	100	10000
3	Reinforced concrete wall	100	m ²	100	10000
4	Reinforced concrete column	100	m ²	100	10000
5	Reinforced concrete beam	100	m ²	100	10000
6	Reinforced concrete floor	100	m ²	100	10000
7	Reinforced concrete roof	100	m ²	100	10000
8	Reinforced concrete stairs	100	m ²	100	10000
9	Reinforced concrete ramp	100	m ²	100	10000
10	Reinforced concrete foundation	100	m ²	100	10000

Project: MIXED USE DEVELOPMENT
Address: 62 JARRETT & 2A ROSE ST Leichhardt Sydney NSW 2040
Client: CHURCH & DWIGHT PTY LTD & CHURCH & DWIGHT PTY LTD
Issue For: DA - 2/1
Drawing No: 02
Project No: PN_0788 A302
Date: 3/10/2024
Scale: 1:100



1 North Elevation Proposed Scale@A1=1:100



2 South Elevation Proposed Scale@A1=1:100



Drawn by: ADS ARCHITECTS
Date: 3/10/2024



Project Information

Project Name: 02 Jervis & 2A Bala St, Lindfield Sydney NSW 2040

Project Title: 4000 BBS DEVELOPMENT

Address: 02 Jervis & 2A Bala St, Lindfield NSW 2040

Client: 4000 BBS DEVELOPMENT

Architect: ADS ARCHITECTS

Scale: 1:100

Revision D

Project Details

Project Name: 02 Jervis & 2A Bala St, Lindfield Sydney NSW 2040

Project Title: 4000 BBS DEVELOPMENT

Address: 02 Jervis & 2A Bala St, Lindfield NSW 2040

Client: 4000 BBS DEVELOPMENT

Architect: ADS ARCHITECTS

Scale: 1:100

Revision D

01 North Elevation Proposed

Scale@A1=1:100

02 East Elevation Proposed

Scale@A1=1:100

03 IMAGE BOARD

04 MATERIALS AND FINISHES

NOTES:

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
6. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
7. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
8. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
9. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
10. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
11. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
12. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
13. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
14. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
15. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
16. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
17. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
18. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
19. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
20. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
21. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
22. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
23. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
24. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
25. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
26. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
27. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
28. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
29. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
30. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
31. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
32. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
33. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
34. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
35. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
36. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
37. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
38. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
39. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
40. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
41. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
42. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
43. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
44. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
45. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
46. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
47. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
48. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
49. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
50. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
51. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
52. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
53. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
54. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
55. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
56. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
57. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
58. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
59. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
60. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
61. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
62. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
63. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
64. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
65. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
66. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
67. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
68. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
69. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
70. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
71. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
72. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
73. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
74. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
75. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
76. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
77. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
78. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
79. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
80. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
81. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
82. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
83. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
84. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
85. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
86. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
87. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
88. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
89. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
90. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
91. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
92. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
93. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
94. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
95. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
96. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
97. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
98. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
99. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
100. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

Legend:

- A. Structural Elements
- B. Floor Slabs
- C. Walls
- D. Windows
- E. Doors
- F. Stairs
- G. Lift Shafts
- H. Mechanical Services
- I. Electrical Services
- J. Plumbing Services
- K. Fire Services
- L. Other Services

Item No.	Description	Quantity	Unit	Amount
1	Structural Elements	100	m ²	100
2	Floor Slabs	200	m ²	200
3	Walls	300	m ²	300
4	Windows	400	m ²	400
5	Doors	500	m ²	500
6	Stairs	600	m ²	600
7	Lift Shafts	700	m ²	700
8	Mechanical Services	800	m ²	800
9	Electrical Services	900	m ²	900
10	Plumbing Services	1000	m ²	1000
11	Fire Services	1100	m ²	1100
12	Other Services	1200	m ²	1200

Project Information:

Project Name: MIND USE DEVELOPMENT

Address: 62 Jerritt & 2A Ross St, Leichhardt NSW 2040

Client: CHERRY CAPITAL PTY LTD & CHERRY CAPITAL PTY LTD

Issue For: DA - 2/1

Project No: Pn_0788_A501_02

Date: 3/10/2024

Scale: NS 1:50

Architect: ADS ARCHITECTS

Address: 62 Jerritt & 2A Ross St, Leichhardt NSW 2040

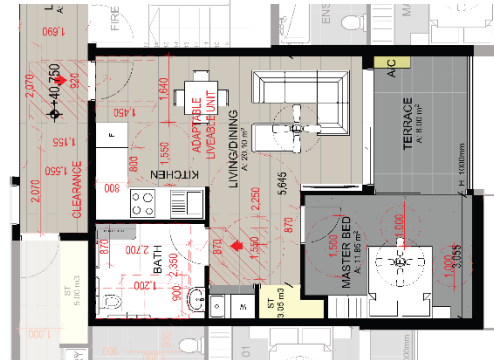
Client: CHERRY CAPITAL PTY LTD & CHERRY CAPITAL PTY LTD

Issue For: DA - 2/1

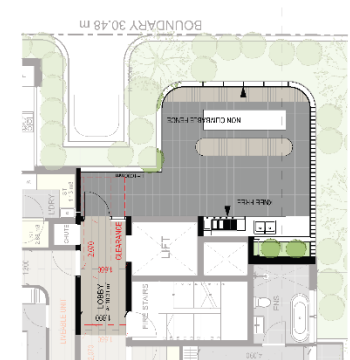
Project No: Pn_0788_A501_02

Date: 3/10/2024

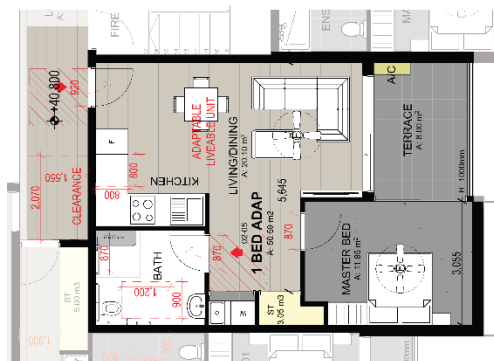
Scale: NS 1:50



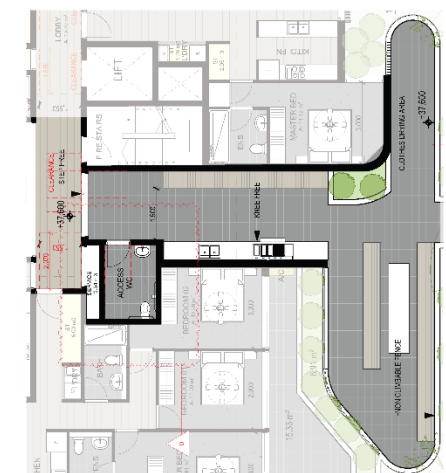
02 Level 2 - Pre-Adaptable - Unit 02.05
Scale @ A1 = 1:50



04 Level 3 - Communal Area 2
Scale @ A1 = 1:75



01 Level 2 - Pre-Adaptable - Unit 02.05
Scale @ A1 = 1:50



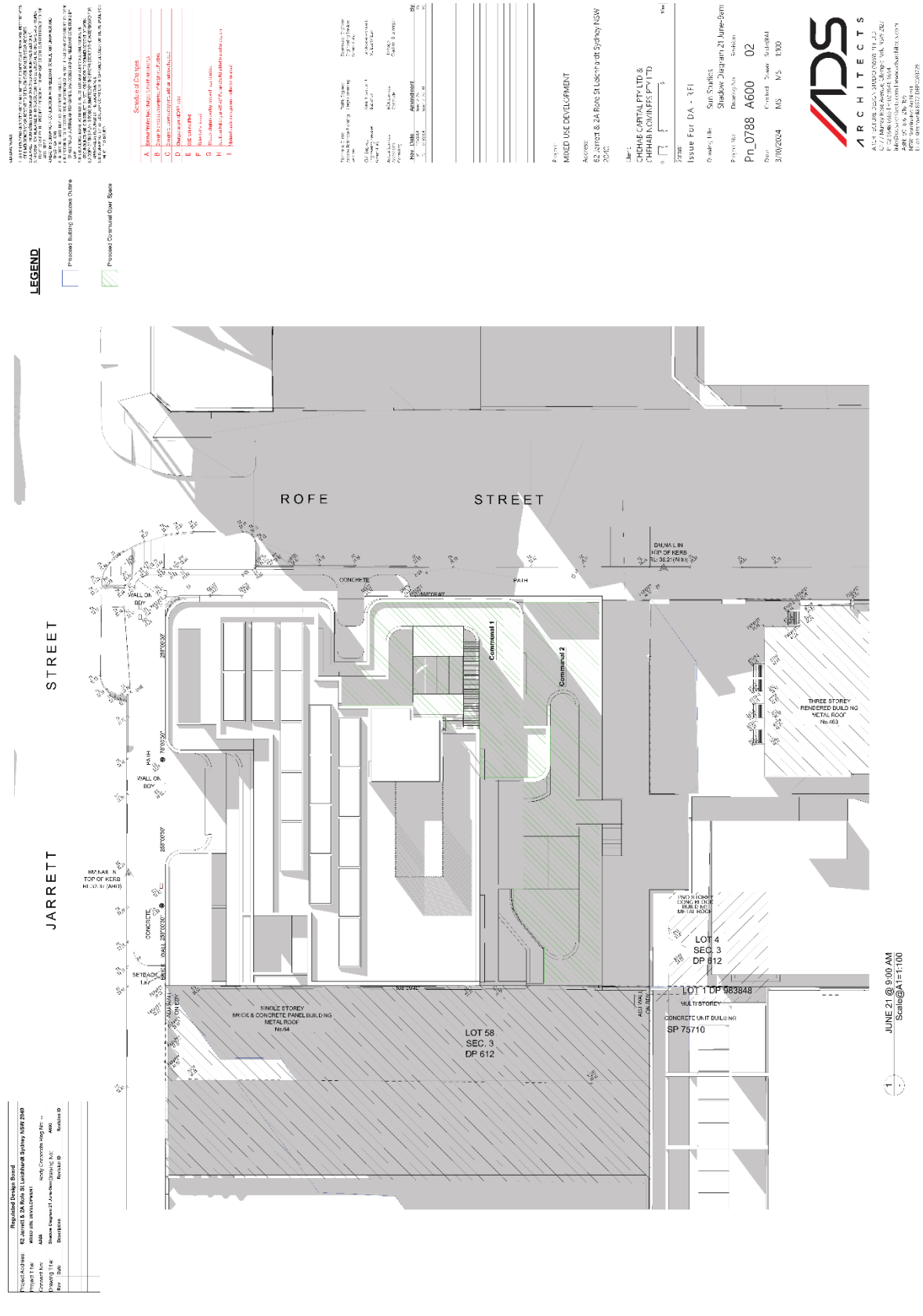
03 Level 1 - Communal Area 1
Scale @ A1 = 1:75

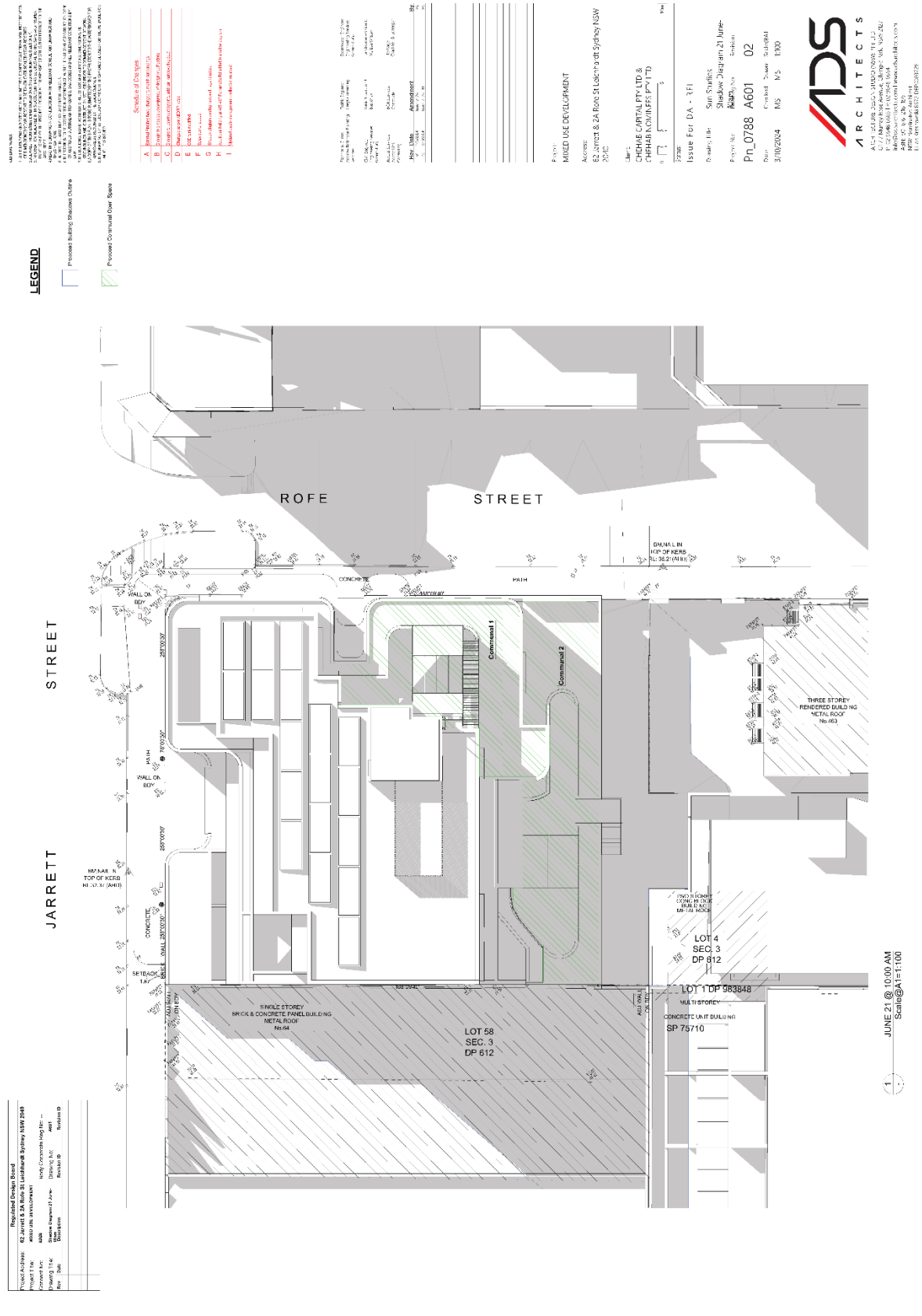
Item No.	Description	Quantity	Unit	Amount
1	Structural Elements	100	m ²	100
2	Floor Slabs	200	m ²	200
3	Walls	300	m ²	300
4	Windows	400	m ²	400
5	Doors	500	m ²	500
6	Stairs	600	m ²	600
7	Lift Shafts	700	m ²	700
8	Mechanical Services	800	m ²	800
9	Electrical Services	900	m ²	900
10	Plumbing Services	1000	m ²	1000
11	Fire Services	1100	m ²	1100
12	Other Services	1200	m ²	1200

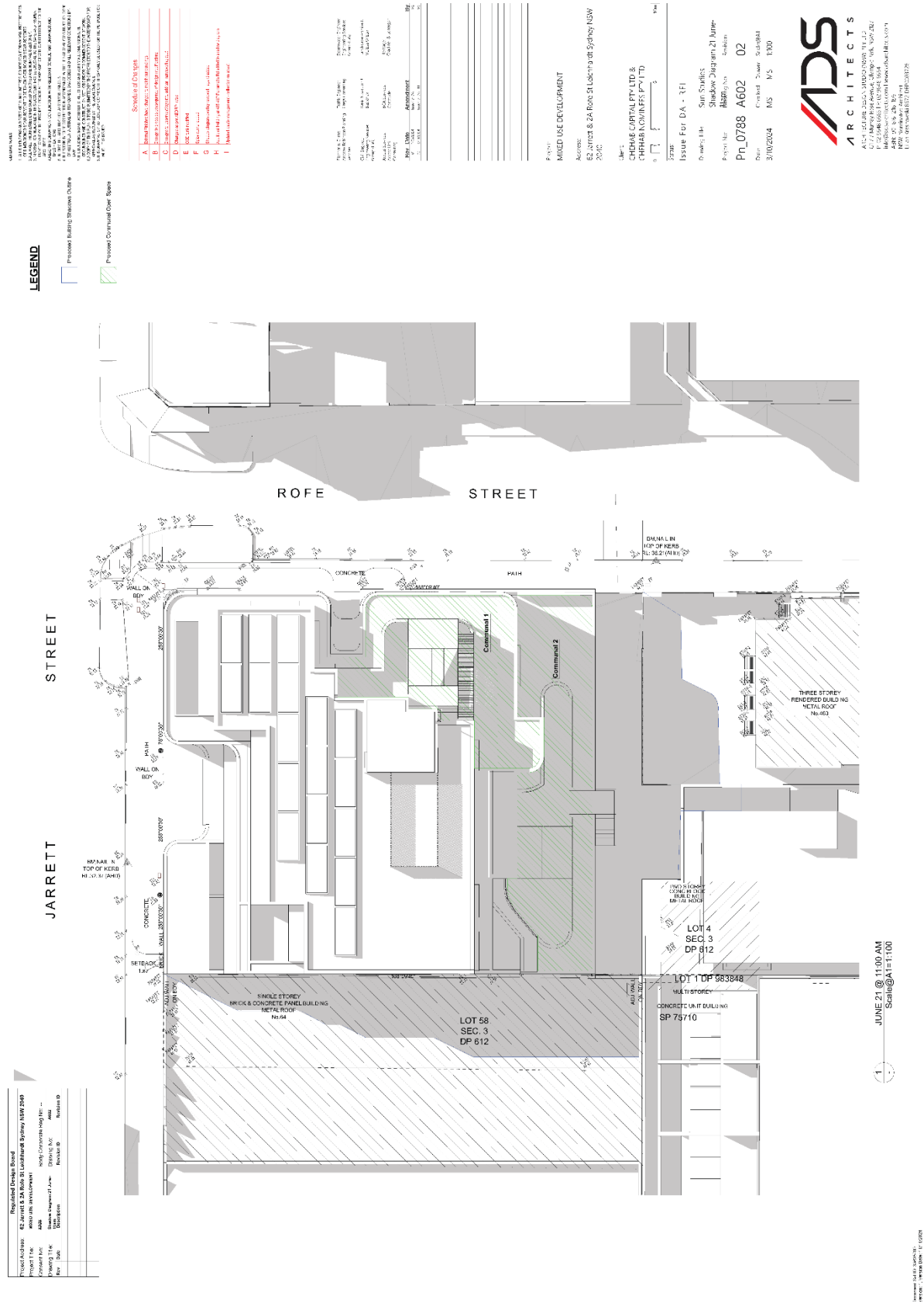
Drawn: ADS ARCHITECTS
Check: ADS ARCHITECTS
Date: 3/10/2024

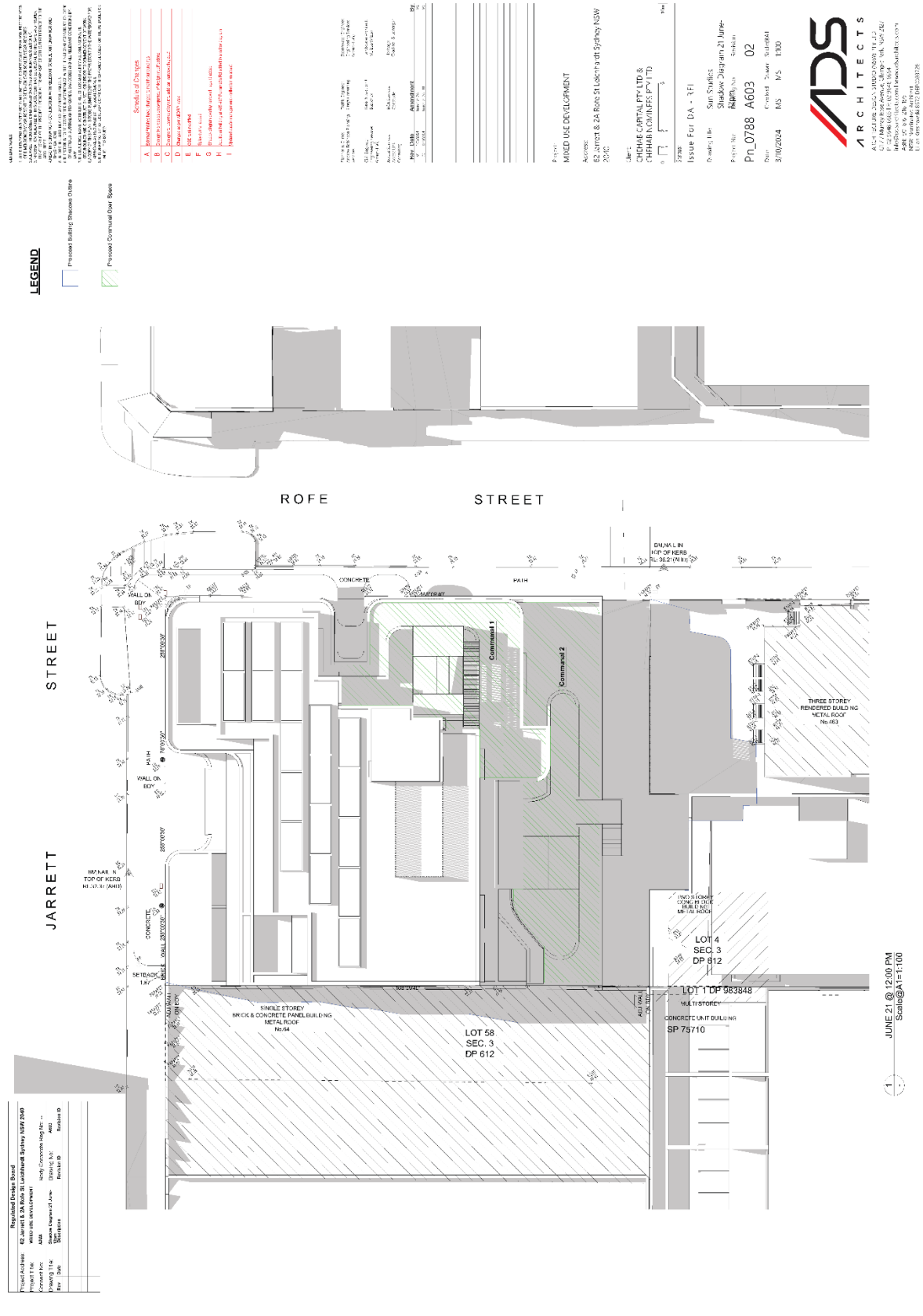
ARCHITECTS
 AIA/CES 1.0 LU, 2.0 CE, 3.0 PD, 0.000 H, 1.0 ID
 1750 Madison Avenue, Suite 1000, New York, NY 10017
 P 212 685 6600 F 212 685 6604
 info@scdarchitect.com www.scdarchitect.com
 A/E/C 35 89 85
 New York, NY 10017
 212 685 6600 1832 DP 200726

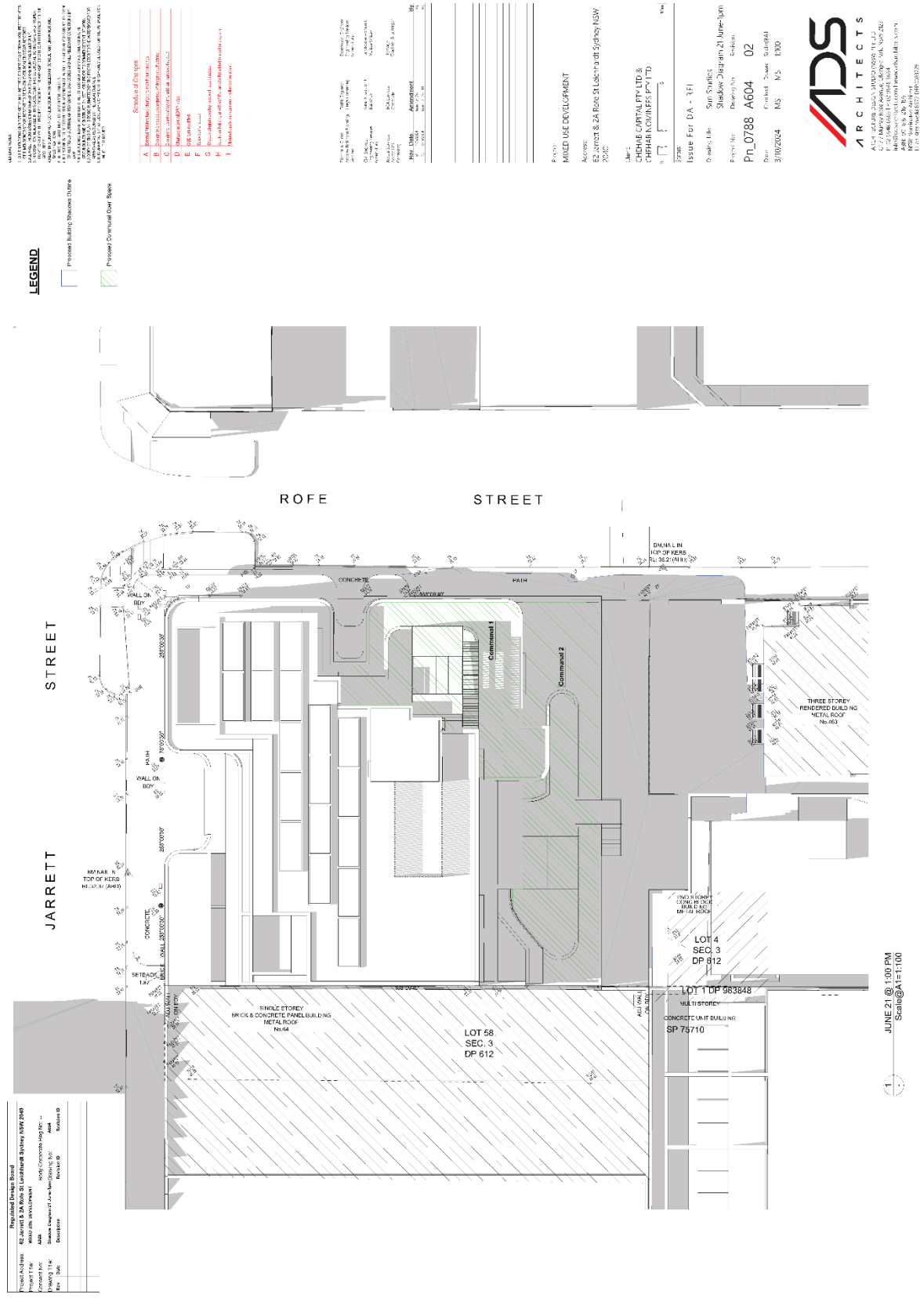
















PAGE 466

REVISIONS

No.	Description	Date
1	Initial design	10/06/2024
2	Revised design	10/06/2024
3	Revised design	10/06/2024
4	Revised design	10/06/2024
5	Revised design	10/06/2024
6	Revised design	10/06/2024
7	Revised design	10/06/2024
8	Revised design	10/06/2024
9	Revised design	10/06/2024
10	Revised design	10/06/2024

Legend

- A. Section through building
- B. Section through building
- C. Section through building
- D. Section through building
- E. Section through building
- F. Section through building
- G. Section through building
- H. Section through building
- I. Section through building

Project Information

Project Name: 62 JARVIS & 2A ROAD, SYDNEY NSW 2040

Project Type: Mixed Use Development

Client: CHARMAN CHARLES PETER LTD

Architect: CHARMAN CHARLES PETER LTD

Issue For: DA - 2/1

Project No: 02

Prj_0788_A608

Date: 3/10/2024

Scale: NS

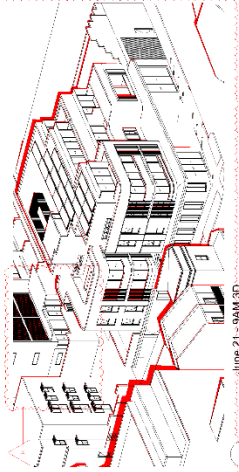
Issue For: DA - 2/1

Project No: 02

Prj_0788_A608

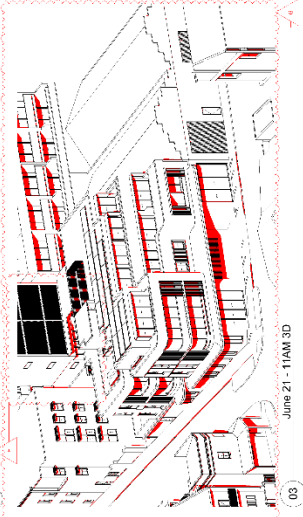
Date: 3/10/2024

Scale: NS




June 21 - 9AM 3D

01



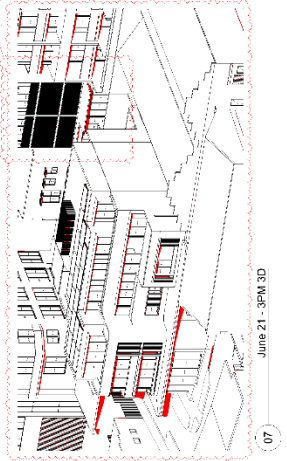
June 21 - 11AM 3D

03



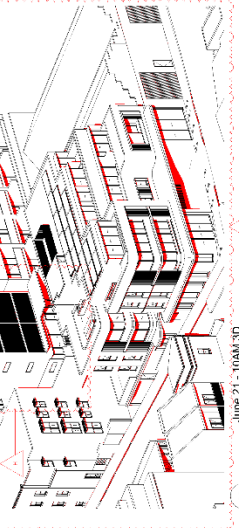
June 21 - 1PM 3D

05



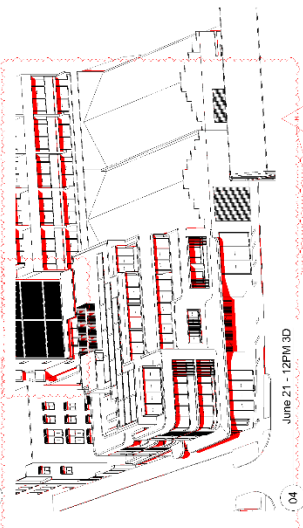
June 21 - 3PM 3D

07



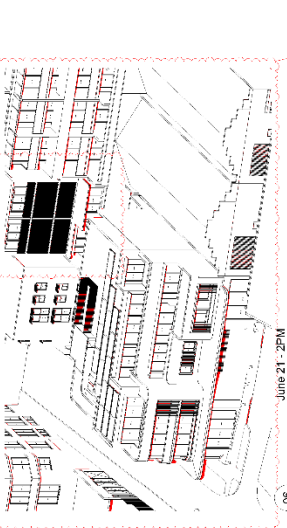
June 21 - 10AM 3D

02



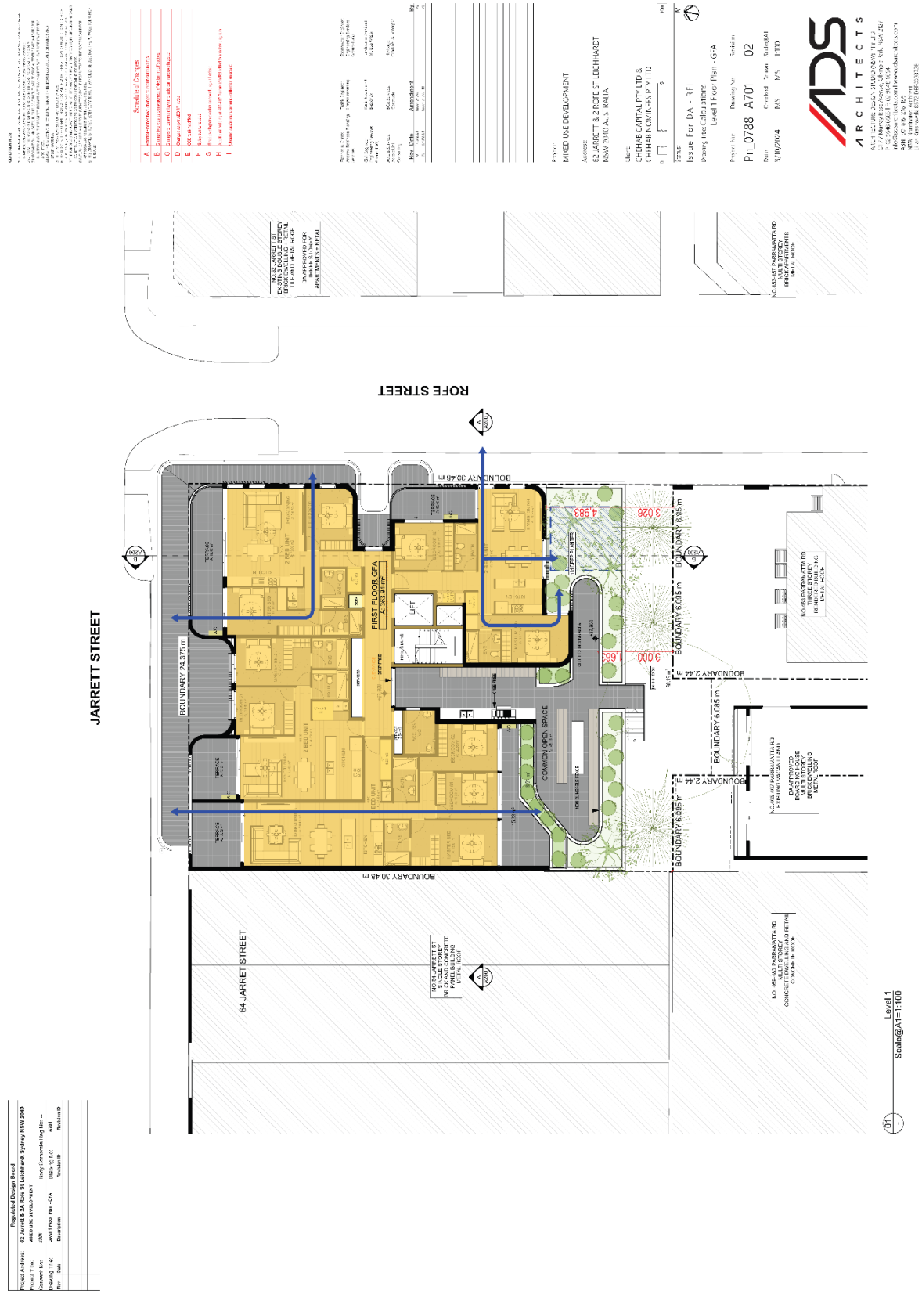
June 21 - 12PM 3D

04

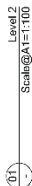


June 21 - 2PM 3D

06

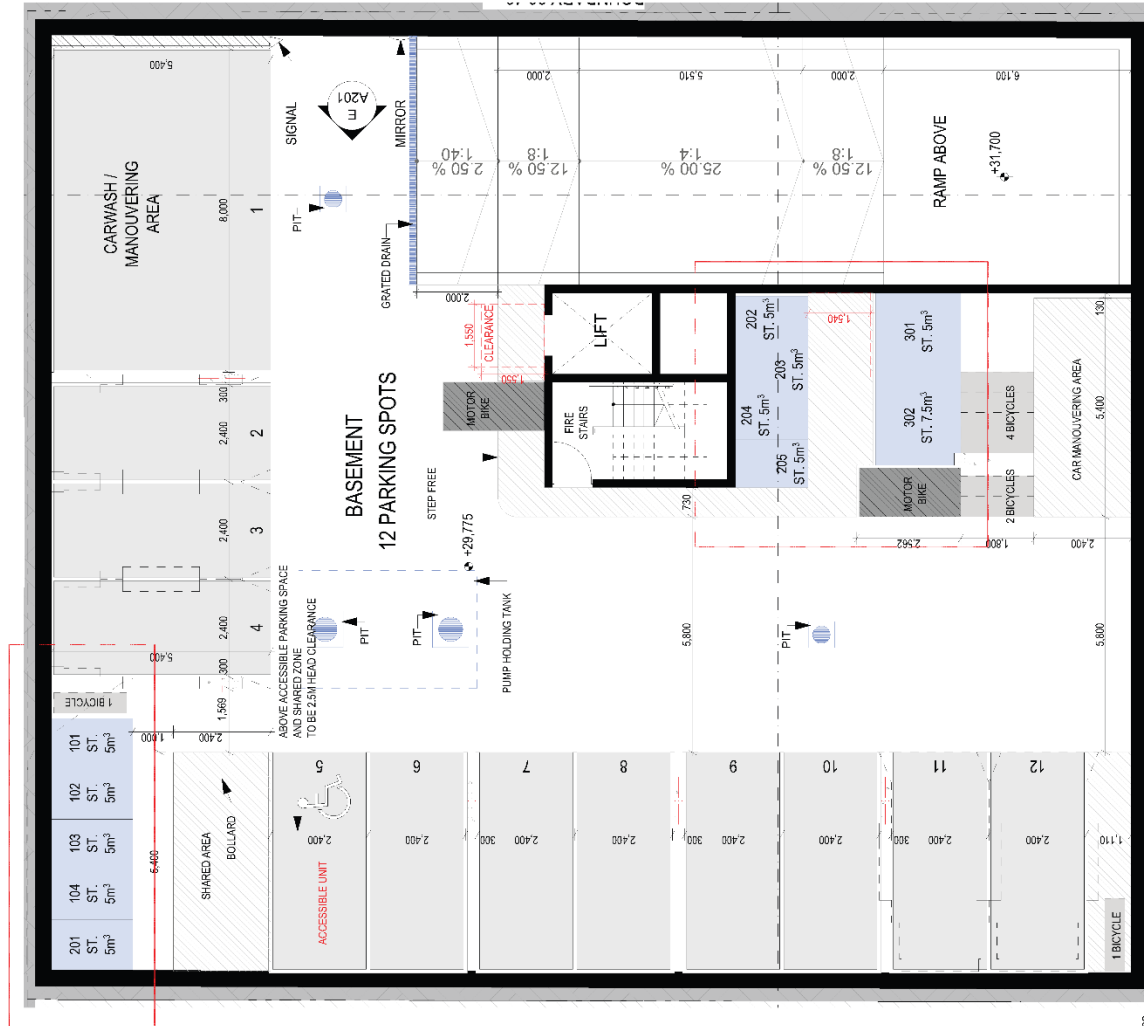








Regulated Developer Board				
Project Address:	62 JARRET & ROSE ST, LANDSHILL Sydney NSW 2040			
Project Title:	Residential Storage Area	Project Description:	Residential Storage Area	
Project Type:	Residential Storage Area	Project Status:	Proposed	
Rev:	Date:	Revised By:	Revised On:	Revised By:



Residential Storage Area
Scale@A1=1:150

1

Residential Storage Area
Scale@A1=1:150

NOTES:

1. All dimensions are in meters unless otherwise stated.
2. All setbacks are from the boundary unless otherwise stated.
3. All areas are in square meters unless otherwise stated.
4. All areas are in square meters unless otherwise stated.
5. All areas are in square meters unless otherwise stated.
6. All areas are in square meters unless otherwise stated.
7. All areas are in square meters unless otherwise stated.
8. All areas are in square meters unless otherwise stated.
9. All areas are in square meters unless otherwise stated.
10. All areas are in square meters unless otherwise stated.
11. All areas are in square meters unless otherwise stated.
12. All areas are in square meters unless otherwise stated.

- A. Site plan showing the location of the project.
- B. Site plan showing the location of the project.
- C. Site plan showing the location of the project.
- D. Site plan showing the location of the project.
- E. Site plan showing the location of the project.
- F. Site plan showing the location of the project.
- G. Site plan showing the location of the project.
- H. Site plan showing the location of the project.
- I. Site plan showing the location of the project.

Item No.	Description	Quantity	Unit	Value
1	Site plan showing the location of the project.	1	Sheet	1.00
2	Site plan showing the location of the project.	1	Sheet	1.00
3	Site plan showing the location of the project.	1	Sheet	1.00
4	Site plan showing the location of the project.	1	Sheet	1.00
5	Site plan showing the location of the project.	1	Sheet	1.00
6	Site plan showing the location of the project.	1	Sheet	1.00
7	Site plan showing the location of the project.	1	Sheet	1.00
8	Site plan showing the location of the project.	1	Sheet	1.00
9	Site plan showing the location of the project.	1	Sheet	1.00
10	Site plan showing the location of the project.	1	Sheet	1.00
11	Site plan showing the location of the project.	1	Sheet	1.00
12	Site plan showing the location of the project.	1	Sheet	1.00

Project: MIXED USE DEVELOPMENT
Address: 62 JARRET & ROSE ST, LANDSHILL Sydney NSW 2040 Australia
Client: CHAN CHAN CHAN PTY LTD
Issue For: DA - RFI
Drawing No: Pr_0788_A800_02
Date: 3/10/2024
Scale: NS 1:50



Regulated Design Board	
62, Jarrett & Za Rude St Leidsdorp Sydney NSW 2040	
MIXED USE DEVELOPMENT	
App:	2009 Council Reg No: --
Precinct no:	Zoning desc: A400
Proposed lot:	Position ID:
Planning P/L:	Roadway ID:
Rev:	Date:

QUALITY VALUE

Serologic diagnosis

- **Enzyme-linked immunosorbent assay (ELISA)**
- **Immunofluorescence assay (IFA)**
- **Immunoblotting assay (IB)**
- **Chemiluminescent assay**
- **OCT method**
- **ELISA test**
- **Chemiluminescent assay**
- **Immunofluorescence assay**
- **Immunoblotting assay**

[illegible]

MARKET USE: 20/01/2018	PROJECT:	DATE:
Author:	Issue For:	Issue No:
23/06/2018	Issue For: DA - RFI	02
Client:	3D Model:	Scale:
CHILKAT GROUP ALPHACALDA	Proposed:	
CHILKAT GROUPS PVT LTD	Proposed: 1	
1	2	3
4	5	6
7	8	9
10	11	12
13	14	15
16	17	18
19	20	21
22	23	24
25	26	27
28	29	30
31	32	33
34	35	36
37	38	39
40	41	42
43	44	45
46	47	48
49	50	51
52	53	54
55	56	57
58	59	60
61	62	63
64	65	66
67	68	69
70	71	72
73	74	75
76	77	78
79	80	81
82	83	84
85	86	87
88	89	90
91	92	93
94	95	96
97	98	99
100	101	102
103	104	105
106	107	108
109	110	111
112	113	114
115	116	117
118	119	120
121	122	123
124	125	126
127	128	129
130	131	132
133	134	135
136	137	138
139	140	141
142	143	144
145	146	147
148	149	150
151	152	153
154	155	156
157	158	159
160	161	162
163	164	165
166	167	168
169	170	171
172	173	174
175	176	177
178	179	180
181	182	183
184	185	186
187	188	189
190	191	192
193	194	195
196	197	198
199	200	201
202	203	204
205	206	207
208	209	210
211	212	213
214	215	216
217	218	219
220	221	222
223	224	225
226	227	228
229	230	231
232	233	234
235	236	237
238	239	240
241	242	243
244	245	246
247	248	249
250	251	252
253	254	255
256	257	258
259	260	261
262	263	264
265	266	267
268	269	270
271	272	273
274	275	276
277	278	279
280	281	282
283	284	285
286	287	288
289	290	291
292	293	294
295	296	297
298	299	300
301	302	303
304	305	306
307	308	309
310	311	312
313	314	315
316	317	318
319	320	321
322	323	324
325	326	327
328	329	330
331	332	333
334	335	336
337	338	339
340	341	342
343	344	345
346	347	348
349	350	351



PERSPECTIVE 1 CORNER VIEW FROM ROFE STREET



PERSPECTIVE 2 CORNER VIEW FROM JARRETT AND ROFE STREET



PERSPECTIVE 3 - PROPOSED CORNER SHOP



PERSPECTIVE 4 - FRONT PERSPECTIVE OF PROPOSED DEVELOPMENT

(Circle Advertiser) (Check Title) (Indicate Page)	REGISTERED DESIGN BOARD 62 JERRITT & ZA RIDE ST LEICHHARDT SYDNEY NSW 2040 MIXED USE DEVELOPMENT	Project No. Drawing No. Date Project Name	Ref: Capentree Mfg No: -- (Drawing No.) A981 Revision: Revision ID
---	---	--	---

[illegible]

Scenario 2: Changes	
A	Small Firms lose market share and exit
B	Large Firms concentrate on high end sales
C	Change in customer mix - shift to mass market
D	Change in product mix
E	MRP, increased fuel
F	Change in sales
G	Price discounts to mass operators
H	Loss of ability to attract new customers
I	Highly price sensitive customers exit

Year of Issue	Total Number of Copies Issued	Number of Copies Available	Number of Copies Held
1961	1,000	1,000	1,000
1962	1,000	1,000	1,000
1963	1,000	1,000	1,000
1964	1,000	1,000	1,000
1965	1,000	1,000	1,000
1966	1,000	1,000	1,000
1967	1,000	1,000	1,000
1968	1,000	1,000	1,000
1969	1,000	1,000	1,000
1970	1,000	1,000	1,000
1971	1,000	1,000	1,000
1972	1,000	1,000	1,000
1973	1,000	1,000	1,000
1974	1,000	1,000	1,000
1975	1,000	1,000	1,000
1976	1,000	1,000	1,000
1977	1,000	1,000	1,000
1978	1,000	1,000	1,000
1979	1,000	1,000	1,000
1980	1,000	1,000	1,000
1981	1,000	1,000	1,000
1982	1,000	1,000	1,000
1983	1,000	1,000	1,000
1984	1,000	1,000	1,000
1985	1,000	1,000	1,000
1986	1,000	1,000	1,000
1987	1,000	1,000	1,000
1988	1,000	1,000	1,000
1989	1,000	1,000	1,000
1990	1,000	1,000	1,000
1991	1,000	1,000	1,000
1992	1,000	1,000	1,000
1993	1,000	1,000	1,000
1994	1,000	1,000	1,000
1995	1,000	1,000	1,000
1996	1,000	1,000	1,000
1997	1,000	1,000	1,000
1998	1,000	1,000	1,000
1999	1,000	1,000	1,000
2000	1,000	1,000	1,000
2001	1,000	1,000	1,000
2002	1,000	1,000	1,000
2003	1,000	1,000	1,000
2004	1,000	1,000	1,000
2005	1,000	1,000	1,000
2006	1,000	1,000	1,000
2007	1,000	1,000	1,000
2008	1,000	1,000	1,000
2009	1,000	1,000	1,000
2010	1,000	1,000	1,000
2011	1,000	1,000	1,000
2012	1,000	1,000	1,000
2013	1,000	1,000	1,000
2014	1,000	1,000	1,000
2015	1,000	1,000	1,000
2016	1,000	1,000	1,000
2017	1,000	1,000	1,000
2018	1,000	1,000	1,000
2019	1,000	1,000	1,000
2020	1,000	1,000	1,000
2021	1,000	1,000	1,000
2022	1,000	1,000	1,000
2023	1,000	1,000	1,000
2024	1,000	1,000	1,000
2025	1,000	1,000	1,000
2026	1,000	1,000	1,000
2027	1,000	1,000	1,000
2028	1,000	1,000	1,000
2029	1,000	1,000	1,000
2030	1,000	1,000	1,000
2031	1,000	1,000	1,000
2032	1,000	1,000	1,000
2033	1,000	1,000	1,000
2034	1,000	1,000	1,000
2035	1,000	1,000	1,000
2036	1,000	1,000	1,000
2037	1,000	1,000	1,000
2038	1,000	1,000	1,000
2039	1,000	1,000	1,000
2040	1,000	1,000	1,000
2041	1,000	1,000	1,000

MAXIMUM USE DEVELOPMENT

62 JARRE 1 & 2 RD - SILECHARDI
NSW 2040 AUSTRALIA

Client:
CHEFAR CAPITAL PVT LTD &
CUEIAB NOVINES PVT LTD

512
Issue For DA - RFI

Drawing Title: 3D Views
Perspectives 2

Environ. Monit. Assess. (2015) 189:1071–1081
DOI 10.1007/s10661-015-4901-1

Date: 3/10/2024

ARCHIT

P. O. Box 1602, P.O. Box 1602
 Indianapolis, Indiana 46201-1602
 202-638-1602
 202-638-1602

11237557

PERSPECTIVE 5 VIEW FROM PARRAMATTA ROAD (TOP OF ROFE STREET)



PERSPECTIVE 6 VIEW FROM ROFE STREET (ACROSS THE ROAD)
WITH INTENSIVE LANDSCAPING FROM HERITAGE BUILDING BEHIND



PERSPECTIVE 7 - EASTERN ELEVATION ON ROPE STREET WITH MAIN ENTRANCE



PERSPECTIVE 8 - OVERALL LOCAL PERSPECTIVE WITH HIGHER BUILDINGS
(WITH RECENT DA APPROVALS AND AS BUILT DEVELOPMENTS) TO THE REAR.

Residential Development Board

Project Name: 62, JAMES & J.A. ROSS ST LANDMARK SPRINGFIELD NSW 2080

Project No: 62/2019/SPRINGFIELD

Submitted Date: 10/01/2020

Project No: 62/2019/SPRINGFIELD

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Rev: 01

Regulated Design Bond			
Used Address	42 Jerritt & 2A Rolle St, Leidsdorp Sydney NSW 2049		
Project Title	WOLU JHS INVOLVEMENT	Newly Constructed Wing No: --	
Project No:	42426	Drawing No:	A005
Project Name	Maximum Height / Phase	Rockfall ID	Random ID
WAVG Title	Description		
Rev	Date		

[illegible]

Schedule of One Tests	
A	General medicine, surgery, trauma, orthopaedics
B	Cardiology, respiratory, endocrinology, gastroenterology
C	Paediatrics, dermatology, infectious diseases, rheumatology
D	Obstetrics and gynaecology
E	Ophthalmology
F	Neurology, psychiatry
G	General medicine, surgery, orthopaedics, paediatrics
H	Acute and general medicine, orthopaedics, paediatrics, obstetrics and gynaecology
I	Medical specialties, orthopaedics, paediatrics

[illegible][illegible]

Project:
MINED USE DEVELOPMENT

Address:
62 JARRETT & 2 ROSE ST. LEICHHARDT

Client :
CHEHAE CAPITAL PTV LTD &
CHEHAB NOMINEES PVT LTD

32735
 Issue For DA - RFI
 Drawing the 3D Views
 Maximum Height Plane
 Project Name Drawing No Section
 Pn_0788 A950 02
 Date Created User Scale/Alt
 3/10/2024 K M/S

ADS ARCHITECTS
A/E/C ARCHITECTS INTERIORS LTD.
1017 Murray Road, Suite 400, York, ON M6E 1P2
Tel: 416-594-6666 Fax: 416-594-6664
info@adsarchitects.com www.adsarchitects.com
416-594-6666
www.adsarchitects.com



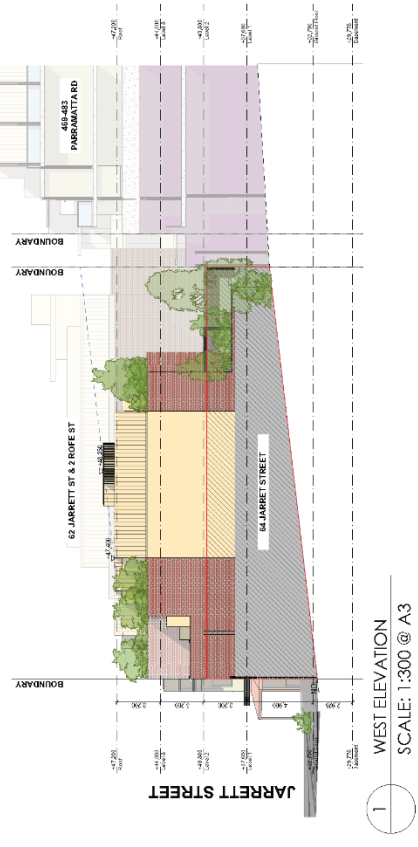
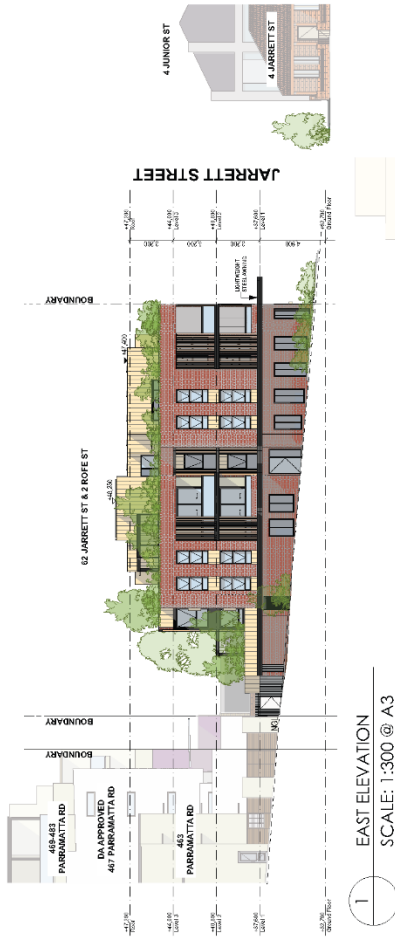
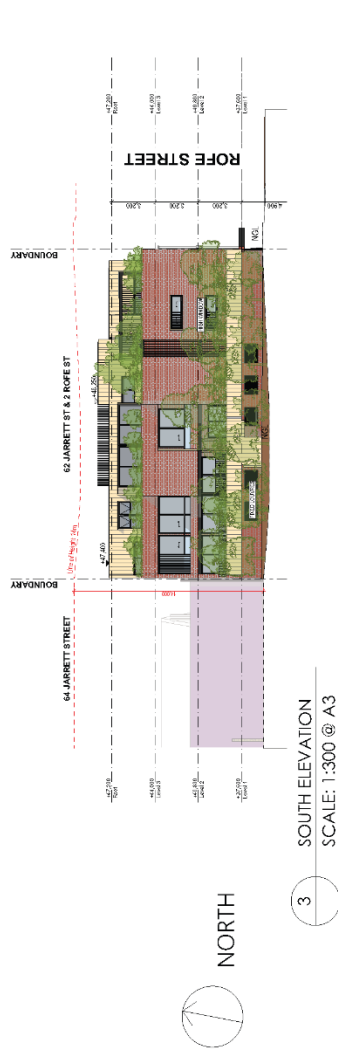


NOTIFICATION PLAN

62 JARRETT STREET & 2 ROFE STREET, LEICHHARDT

SCALE: 1:500 AND 1:300 @ A3
DATE: 01/05/24

Document Set ID: 39605700
Version: 1, Version Date: 11/11/2024



Attachment C – Section 4.6 Exception to Development Standards (FSR)



PO Box 1452
Lane Cove, NSW, 1595
Ph: 0412 541 657
Em: andrew_arps@bigpond.com

Clause 4.6 Exceptions to Development Standards Request Floor Space Ratio – Clause 4.4A of Inner West Local Environmental Plan 2022

Proposed Demolition of the Existing Structures and Construction of a four (4) Storey mixed use development at No. 62 Jarrett Street & No. 2A Rofe Street, Leichhardt

1.0 Introduction

This Clause 4.6 Exceptions to Development Standards written request has been prepared by Andrew Robinson Planning Services Pty Ltd on behalf of Chehab Capital Pty Ltd & Chehab Nominees Pty Ltd to accompany a development application for a proposed four (4) storey mixed use development at No. 62 Jarrett Street & No. 2A Rofe Street, Leichhardt.

The Clause 4.6 Exceptions to Development Standards request relates to the floor space ratio development standard prescribed under Clause 4.4A of *Inner West Local Environmental Plan 2022*. Clause 4.4A of the LEP relates to exceptions to maximum floor space ratio for active street frontages and allows sites within Area 1 in the E1 – Local Centre zone to have a maximum floor space ratio of 1.5:1 provided that the consent authority is satisfied that the building:

- (a) will have an active street frontage, and
- (b) is mixed use development that includes residential accommodation, and
- (c) is compatible with the desired character of the area in relation to its bulk, form, uses and scale.

The site is located within Area 1 in the E1 – Local Centre zone and the proposed development is a mixed use development that incorporates both residential accommodation on the upper levels and commercial tenancies that front the two street frontages and provide activation of the streetscape in a scale and built form that is compatible with the desired character of the area.

The proposed development has a gross floor area of 1,174.51m² that equates to a floor space ratio of 1.57:1 and therefore exceeds the statutory maximum.

Having regard to the decision in *Dib v Canterbury-Bankstown Council* [2021] NSWLEC 1553, Clause 4.4A of Inner West LEP 2022 is consistent with the definition of a development standard under Section 1.4 of the *Environmental Planning and Assessment Act 1979* (EPA Act).

A Development Standard can be varied by a written request under Clause 4.6 of the LEP. This is a written request seeking such a variation.

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

- *Winten Property Group Limited v North Sydney Council* [2001] NSWLEC 46
- *Wehbe v Pittwater Council* [2007] NSWLEC 827
- *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 1009 ('Four2Five No 1')

Andrew Robinson Planning Services Pty Ltd
ABN: 86 120 626 566

Document Set ID: 39805701
Version: 1, Version Date: 11/11/2024

- *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 90 ('Four2Five No 2')
- *Four2Five Pty Ltd v Ashfield Council* [2015] NSWCA 248 ('Four2Five No 3')
- *Initial Action Pty Ltd v Woollahra Municipal Council* (2018) 236 LGERA 256; [2018] NSWLEC 118
- *RebelMH Neutral Bay Pty Ltd v North Sydney Council* [2019] NSWCA 130
- *Nakhoul v Canterbury Bankstown* [2020] NSWLEC 1320

In summary, the principles arising from the above matters are:

- (i) That the relevant objectives are those stated in the controls not unidentified underlying objectives at [57] in Four2Five No. 1;
- (ii) That the environmental planning grounds must be particular to the circumstances of the proposed development and/or the site at [60] in Four2Five No. 1; and
- (iii) The five methods of establishing that compliance is unreasonable or unnecessary identified by Preston J in *Wehbe* remain relevant. However, in order to satisfy the unreasonable and unnecessary test in Clause 4.6(3)(a), you need something more than way 1 in *Wehbe*, because that test is now encompassed in Clause 4.6(4)(a)(ii) where consistency with the objectives of the standard is a mandatory precondition.
- (iv) Preston CJ in *Initial Action* held that for there to be power to grant development consent for a development that contravenes a development standard, cl 4.6(4)(a) requires that the consent authority, be satisfied that the written request adequately demonstrates that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case (cl 4.6(3)(a) and cl 4.6(4)(a)(i)) and adequately establishes sufficient environmental planning grounds to justify contravening the development standard (cl 4.6(3)(b) and cl 4.6(4)(a)(i)). The consent authority must also be satisfied that the proposed development will be consistent with the objectives of the zone and with the objectives of the standard in question, which is the measure by which the development is said to be in the public interest (cl 4.6(4)(a)(ii)).
- (v) In *RebelMH* the consent authority, must "in fact" be satisfied of the above matters. The state of satisfaction that compliance is "unreasonable or unnecessary" and that there are "sufficient environmental planning grounds" to justify the contravention must be reached only by reference to the cl 4.6 written request.
- (vi) Lastly, with respect to the public interest and question of precedent, in *Nakhoul*, Walsh C refers to the guidance offered by Justice Lloyd in *Goldin v Minister for Transport Administering the Ports Corporatisation and Waterways Management Act 1995 (2002)* 121 LGERA 101; [2002] NSWLEC 75 and held that the initial test under Goldin goes to whether or not a proposal is objectionable in itself and, if a proposal is not objectionable in itself, then the second test, concerned with the potential for setting a precedent, should not be a consideration.

In relation to (iii) above, Method 1 in *Wehbe* requires an applicant to demonstrate that the objectives of the relevant development standard will be achieved, despite the non-compliance with the numerical standard.

Subsequently, *Four2Five*, provided a necessity to demonstrate something *more* than simply achieving the objective of the standard. In this regard, a proposed development that contravenes the development standard, but as a result, achieves the objective of the development standard to a greater degree than a development that complied with the standard, would suffice.

With regards to *Initial Action*, it is reaffirmed that the test is that compliance with the standard is unreasonable or unnecessary in the circumstances of the case, **and** that sufficient environmental

planning grounds are established to justify the contravening of the standard. In doing so, the consent authority must be satisfied that consistency with the objectives of the zone are achieved.

RebelMH affirms that the consent authority must be satisfied of the above matters which are ordinarily dealt with in the cl. 4.6 written request, but in the instance of a contested hearing, can be supplemented by other evidence tendered in the proceedings.

Finally, with respect to the public interest and question of precedent, the two tests under *Nakhoul* are firstly whether or not a proposal is objectionable in itself and secondly, what is "the probability that there will be further applications of a like kind". *Nakhoul* affirms that the potential for setting a precedent, should not be a consideration where a proposal meets the initial test that a proposal is not objectionable in itself.

2.0 Specify the nature of the Development Standard sought to be varied and details of variation:

The Development Standard which this request relates to is the maximum floor space ratio permitted under clause 4.4A of *Inner West Local Environmental Plan 2022*.

Clause 4.4A relates to exceptions to maximum floor space ratio for active street frontages and states:

- (1) *The objective of this clause is to provide floor space incentives for mixed use development incorporating active street frontages in Zone E1 Local Centre.*
- (2) *This clause applies to land identified as "Area 1" on the Floor Space Ratio Map.*
- (3) *The maximum floor space ratio for a building on land to which this clause applies is 1.5:1 if the consent authority is satisfied the building—*
 - (a) *will have an active street frontage, and*
 - (b) *is mixed use development that includes residential accommodation, and*
 - (c) *is compatible with the desired character of the area in relation to its bulk, form, uses and scale.*
- (4) *An active street frontage is not required for part of a building used for the following—*
 - (a) *entrances and lobbies, including as part of mixed use development,*
 - (b) *access for fire services,*
 - (c) *vehicular access.*

As shown in **Figure 1** below, the subject site is located within Area 1 on the Floor Space Ratio Map and therefore, Clause 4.4A is engaged.

The proposed development has a site area of 746.2m². At a floor space ratio of 1.5:1 the maximum permitted gross floor area is therefore 1,119.3m².

However, the proposed gross floor area of 1,174.51m² exceeds the statutory maximum by 55.21m² equating to a floor space ratio of 1.57:1. This represents a variation of 4.9% to the development standard.

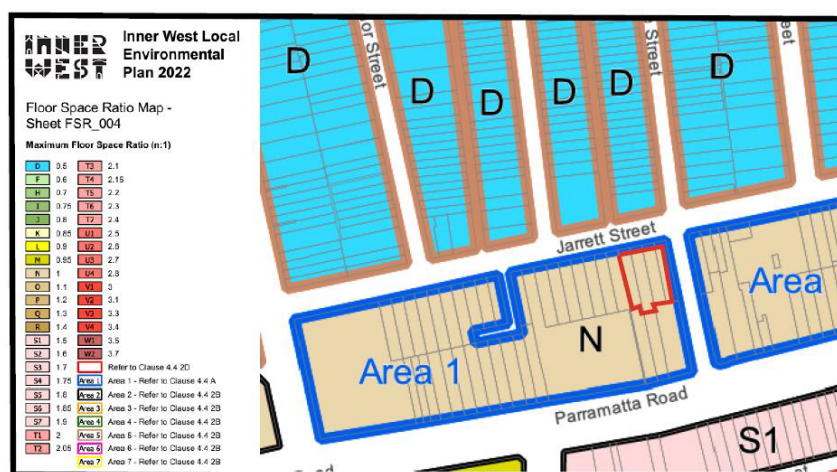


Figure 1: Extract from the Floor Space Ratio Map (Sheet FSR_004) to IWLEP 2022

3.0 Consistency with the Objectives of Clause 4.6

The objectives of Clause 4.6 seek to provide appropriate flexibility to the application of development standards in order to achieve better planning outcomes both for the development and from the development. In the Court determination in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] 236 LGERA 256 (*Initial Action*), Preston CJ notes at [87] and [90]:

Clause 4.6 does not directly or indirectly establish a test that the non-compliant development should have a neutral or beneficial effect relative to a compliant development...In any event, Clause 4.6 does not give substantive effect to the objectives of the clause in Clause 4.6(a) or (b). There is no provision that requires compliance with the objectives of the clause.

However, it is still useful to provide a preliminary assessment against the objectives of the Clause. The objectives of Clause 4.6(1) and our planning response are as follows:

Objective (a) - to provide an appropriate degree of flexibility in applying certain development standards to particular development,

Objective (b) - to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

4.0 Justification for Variation

What is the context of the variation?

Clause 4.4A of *Inner West Local Environmental Plan 2022* provides an incentive to encourage mixed use developments incorporating active street frontages in Zone E1 Local Centre on land identified as "Area 1" on the Floor Space Ratio Map. The incentive is in the form of a higher floor space ratio where it can be demonstrated that the building:

- (a) will have an active street frontage, and
- (b) is mixed use development that includes residential accommodation, and
- (c) is compatible with the desired character of the area in relation to its bulk, form, uses and scale.

The Dictionary included as part of *Inner West Local Environmental Plan 2022* does not provide a definition of *active street frontage* however, it is suggested that this refers to a situation where a building provides continuous business or retail uses that open directly onto the footpath that provide activity to the street, enhance public security and passive surveillance and improve the amenity of the public domain by encouraging pedestrian activity.

As indicated in **Figure 1** above, if the site was not identified as being within “Area 1”, a maximum floor space ratio of 1:1 would apply, as designated by “N” above.

However, as the site is located within “Area 1” it can therefore benefit from an additional 0.5:1 floor space ratio where the consent authority is satisfied that (a) to (c) above are achieved.

It is considered that these criteria are met by the proposed development as follows:

- (a) the subject site is located at the intersection of Jarrett Street and Rofe Street and proposes three (3) commercial tenancies that directly front and open to Jarrett Street or Rofe Street, with the corner tenancy fronting both streets.
- (b) the proposed development comprises a mixed use development that provides both residential and non-residential uses within the building;
- (c) the scale and form of the proposed development is compatible with the desired character of the area.

As noted previously, clause 4.4A of IWLEP 2022 is a development standard that can be varied by a written request under clause 4.6 of *Inner West Local Environmental Plan 2022*.

The proposed mixed use building is considered to reflect the desired character of the area and is a response to the renewal being undertaken along the Parramatta Road Corridor and adjacent lands.

The existing surrounding building typologies consist of a mix of single dwellings and 2-6 storey mixed use buildings with a new mixed use development adjoining the site to the south-west and being of a similar typology to the proposed development.

The proposed building has been designed to provide a quality mixed-use development that responds to and utilises the advantages of its context within Leichhardt and the greater area. The proposed building will be of a form and scale that is compatible with both the existing and the desired future character, presenting an attractive facade to both Jarrett Street and Rofe Street and making a positive contribution to the streetscape character and urban form and scale that is similar to other mixed use buildings in the locality.

The proposed height and scale of the development is appropriate in its setting and is compatible with the transitional nature of the locality and future developments for the area. The building provides a dynamic facade and is in line with the DCP objectives. The proposal is considered to provide an appropriate prototype for similar developments in the surrounding area.

The highly articulated and fragmented building form further reduces the perceived bulk and height of the proposed development and the amenity impacts associated with the proposed built form. The proposed height is not considered to be responsible for any adverse external amenity impacts to neighbouring properties.

The building will be constructed using a combination of textures including rendered and painted concrete walls, metal composite cladding, anodized aluminium louvers and dark anodized aluminium window and sliding door frames. The multi layered facade consists of a variety of materials colours and design elements that provides articulation and provides a top/middle/bottom visual appearance to break up bulk & integrate with the desired character for the precinct.

Strict Compliance is unreasonable or unnecessary in the circumstances of the case.

As described earlier, the floor space ratio exceeds the 1:5 maximum floor space ratio permitted under clause 4.4A by 55.21m², representing a variation of 4.9% above the development standard.

As demonstrated in the NSW LEC decisions in *Micaul Holdings Pty Limited v Randwick City Council* and *Moskovich v Waverley Council* there should be no artificial conservatism about the use of Clause 4.6 based on the numerical extent of the variation being sought, given that the purpose of Clause 4.6 is to allow flexibility and to achieve better outcomes for a site by allowing developments to exceed development standards where there are justifiable circumstances.

Therefore, compliance with the development standard is unreasonable and unnecessary where, in the particular circumstances of the case, there are sufficient environmental planning grounds to justify the proposed non-compliance.

In consideration of the above, attention is drawn to the Department of Planning and Environment's publication "*Varying development standards: A Guide*" (August 2011), which outlines the matters that must be considered when varying a development standard.

The Guide has essentially adopted the 5 point test for consideration set out by the Land & Environment Court in *Wehbe v Pittwater Council [2001] NSW LEC 827*, specifically that there are five different ways in which compliance with a development standard can be considered unreasonable or unnecessary. This is not an exhaustive class and not all are relevant to any particular application. In this case, this objection adopts the first way, namely:

- *the objectives of the standard are achieved notwithstanding non-compliance with the standard;*

Comment: As discussed above, the objective of clause 4.4A is to provide floor space incentives for mixed use development incorporating active street frontages in Zone E1 Local Centre.

In light of the above, it is considered that the first test under the Wehbe method has been met, such that the requirement to strictly adhere to the numerical development standard for floor space ratio is considered to be unreasonable and unnecessary in this instance.

There are sufficient environmental planning grounds to justify contravening the development standard.

Based on the discussion above, it is considered that there are sufficient environmental planning grounds to justify contravening the development standard. Key environmental planning grounds in the particular circumstances of this case to support the variation include:

- Despite the proposed building exceeding the floor space ratio standard, the overall bulk and scale of the building is considered to be acceptable in terms of its scale and built form and the relationship of the building to the adjoining and surrounding residential development. As a corner site with frontages to both Jarrett Street and Rofe Street, the proposed building is consistent with the scale and density of the existing development in the locality, while maintaining a scale and visual presentation to both Jarrett Street and Rofe Street that is compatible with the mixed use character of other development in the vicinity of the site.
- The additional 55.21m² of gross floor area pertains to the residential, non-residential waste and recycling rooms, bulky waste room and two (2) additional parking spaces beyond the DCP minimum requirement located at ground floor level. However, these areas do not necessarily add to the building footprint or cause the built form to be excessively bulky. While the waste rooms could have been located within the basement level, and therefore not constitute gross floor area, their location at ground level eliminates the need to transport the bins from the basement to the kerbside collection point which requires utilisation of the

lift and/or vehicular access ramp. The additional car parking spaces will provide off-street parking in addition to the DCP requirements, but will reduce the demand for on-street parking in a locality where parking demand is high.

- The proposed development is not objectionable in itself and will deliver a new mixed use development in a well suited location that will be in keeping with the character of the area and will contribute to the redevelopment of the locality commensurate with the anticipated form and scale of new development in an E1 - Local Centre environment. As such, it is considered that the proposed development achieves the public interest, in that notwithstanding the floor space ratio non-compliance, the overall environmental impacts are not unreasonable and the proposal represents the orderly and economic development of land consistent with the zoning objectives and aims of *Inner West Local Environmental Plan 2022*.

In the particular circumstances of the case, it is considered that in the particular circumstances of the case, the environmental planning grounds outlined above provide sufficient grounds to support the requested variation.

The proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

As discussed earlier, purpose of the floor space ratio 'bonus' permitted under clause 4.4A of the LEP is to incentivise the effective delivery of mixed use development that activates the street frontage and is compatible with the desired character of the area in relation to its bulk, form, uses and scale. The proposed development is consistent with this aim and is therefore considered to be in the public interest.

The Table below demonstrates that the proposed development will be in the public interest because it will be consistent with the objective of clause 4.4A and the E1 Local Centre zone objectives of the LEP.

LEP Clause	Objective	Proposal
Clause 4.4A Exception to a maximum floor space ratio for active street frontages	<i>The objective of this clause is to provide floor space incentives for mixed use development incorporating active street frontages in Zone E1 Local Centre.</i>	The proposed development includes three (3) commercial tenancies that directly front and open to Jarrett Street or Rofe Street, with the corner tenancy fronting both streets. These tenancies provide activation of the street frontage and will encourage pedestrian activity and engagement of these commercial tenancies with the adjacent public domain.
E1 Local Centre Zoning Objectives	<i>To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.</i>	The proposed development will provide three (3) new commercial/retail tenancies that will suit a wide range of businesses, in a location with good access to public transport, other shops, facilities and recreational opportunities. The additional residential accommodation and housing choice will support the increased economic activity and assist in revitalising the locality and will provide a variety of housing types/choice that will suit a wide demographic.
	<i>To encourage investment in local commercial development that generates employment opportunities and economic growth.</i>	The three (3) new commercial/retail tenancies will activate the street frontage and suit a wide range of businesses, in a location with good access to public transport, other shops, facilities and recreational opportunities.

	<i>To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.</i>	The proposed addition of eleven (11) residential apartments is consistent with the Council's strategic objective for increased residential development in the locality.
	<i>To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.</i>	As above, the three (3) new commercial/retail tenancies will activate the street frontage and suit a wide range of businesses, in a location with good access to public transport, other shops, facilities and recreational opportunities.
	<i>To provide employment opportunities and services in locations accessible by active transport.</i>	The proposed three (3) ground floor tenancies will provide opportunities for a range of businesses to establish, therein creating employment opportunities. The location is considered to be accessible, having access to bus services on Parramatta Road and the surrounding road network and being approx. 800m north of Stanmore Railway Station.
	<i>To provide retail facilities and business services for the local community commensurate with the centre's role in the local centres hierarchy.</i>	The three (3) new commercial/retail tenancies will suit a wide range of businesses, that once operational, will contribute to the economic growth and diversity of the locality. Likewise, the additional residential population will contribute to economic growth and viability by utilising the shops and services that will be established in the ground floor tenancies.
	<i>To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.</i>	The three (3) new commercial/retail tenancies directly front Jarrett Street and Rofe Streets and will activate the street frontage and suit a wide range of businesses.
	<i>To enhance the unique sense of place offered by Inner West local centres by ensuring buildings display architectural and urban design quality and contributes to the desired character and cultural heritage of the locality.</i>	The proposed design and appearance of the development will make a positive contribution to the streetscape and built form character. The highly articulated and fragmented building form assists in reducing the perceived bulk and height of the proposed development and the amenity impacts associated with the proposed built form.

4.0 Non-compliance does not hinder the attainment of the Objects of the Environmental Planning and Assessment Act 1979

The Wehbe decision identifies that in assessing a variation to a development standard, consideration must be given to (the former) Objects (a)(i) and (a)(ii) in Section 5 of the *Environmental Planning and Assessment Act 1979* is necessary. These are:

- (i) *the proper management, development and conservation of natural and artificial resources,*

including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,

- (ii) *the promotion and co-ordination of the orderly and economic use and development of land.*

The proposed variation to the floor space ratio development standard will not contravene either of these Objects. The proper management of the existing urban environment in order to achieve better social and community outcomes, as well as the orderly and economic use and development of land, will be realised through the provision of high quality commercial/retail tenancies and residential accommodation in the form of a mixed use development, in a location with good access to public transport options and in proximity to shops, services and recreational facilities and educational establishments. Despite not strictly complying with the prescribed floor space ratio, the proposed development will be compatible with the existing and emerging mixed use and built form character of the locality.

5.0 Secretary's Concurrence

Clause 4.6(4)(b) requires the concurrence of the Secretary to be obtained prior to granting consent to a development that contravenes a development standard. Notwithstanding, in accordance with the Planning Circular (PS 20-002) issued on 5 May 2020, as the proposal contravenes a numerical standard by less than 10%, the Secretary's concurrence can be assumed by the Council.

Nevertheless, provided below is a discussion on the matters under subclause 4.6(5) that the Secretary must consider in deciding whether to grant concurrence:

Whether contravention of the development standard raises any matter of significance for State or regional environmental planning.

The variation to the floor space ratio development standard under *Inner West Local Environmental Plan 2022* will not give rise to any environmental planning matter which could be deemed to have either State or Regional significance. The variation to the development standard being sought will not have any effects outside the immediate area of the site.

The public benefit of maintaining the development standard.

No substantive public benefit would be realised by maintaining the development standard. Reducing the floor space ratio to strictly comply with the 1:5 maximum would not substantially alter the overall design approach or outcome for the site.

Any other matters required to be taken into consideration by the Secretary before granting concurrence.

Despite exceeding the statutory maximum floor space ratio, the proposed redevelopment of the site will facilitate the orderly and economic redevelopment of the site for the purposes of a mixed use development that is of a form and scale compatible with the existing and likely future character and will positively contribute to the achievement of the aims of *Inner West Local Environmental Plan 2022*.

5.0 Conclusion

Based on the discussion provided above, it can be concluded that:

- strict compliance with the floor space ratio development standard under clause 4.4A of *Inner West Local Environmental Plan 2022* is unreasonable or unnecessary in the circumstances of the case where:
 - the extent of the non-compliance will not result in any unreasonable adverse impacts on the adjoining land uses with respect to overshadowing, loss of privacy,

inappropriate scale etc.

- o the proposed design solution is considered to represent an appropriate development outcome for the site, displaying a high quality design, whilst ensuring that a high standard of amenity for future residents will be achieved and impacts to neighbouring properties are minimised.
- there are sufficient environmental planning grounds having regard to the Court matters *Four2Five v Ashfield Council*, *Wehbe v Pittwater Council* and *Initial Action Pty Ltd v Woollahra Municipal Council* to justify the contravention to the development standard as the purpose of the floor space ratio standard is still met, despite the non-compliance;
- the building has been designed to a high quality and the amenity for future residents will be to a high standard;
- the non-compliance does not directly result in any adverse environmental impacts in terms of the building being out of context with the anticipated bulk and scale of development in the locality;
- the proposal will provide additional non-residential floor space as well as additional housing provision and choice in the form of a mixed use development in a built form that is in keeping with the existing and anticipated desired future character of the area; and
- the scale and nature of the non-compliance does not give rise to any matter of State or Regional significance, nor does it adversely affect the public interest.

Having regard to the circumstances of this case where:

- the overall style, scale and built form of the building is commensurate with the existing and likely future 'built environment' and anticipated desired character of the area;
- the proposal is consistent with the aims and objectives of *Inner West Local Environmental Plan 2022*; and
- the proposal is generally consistent with the objects of the *Environmental Planning & Assessment Act 1979*, in particular, the orderly and economic use and development of land and ecologically sustainable development,

it is submitted that this Clause 4.6 Exceptions to Development Standards request is well founded. As such, strict compliance with the floor space ratio development standard prescribed in clause 4.4A of *Inner West Local Environmental Plan 2022* is unreasonable and unnecessary having regard to the circumstances of the case.

Accordingly, having regard to the assessment and justification contained in this Clause 4.6 Exceptions to Development Standards written request, it is requested that the variation and the development in its proposed form be supported.

Dated: 17 October 2024

Andrew Robinson Planning Services Pty Ltd



Andrew Robinson MPIA
Director

Attachment D – Section 4.6 Exception to Development Standards (Diverse Housing)



PO Box 1452
Lane Cove, NSW, 1595
Ph: 0412 541 657
Em: andrew_arps@bigpond.com

Amended Clause 4.6 Exceptions to Development Standards Clause 6.14 Diverse Housing – *Inner West Local Environmental Plan 2022*

Proposed Demolition of the Existing Structures and demolition of the existing structures and construction of a four (4) storey mixed use development at No. 62 Jarrett Street & No. 2A Rofe Street, Leichhardt.

1.0 Introduction

This Amended Clause 4.6 Exceptions to Development Standards request has been prepared by Andrew Robinson Planning Services Pty Ltd on behalf of Chehab Capital Pty Ltd & Chehab Nominees Pty Ltd to accompany a development application for a proposed four (4) storey mixed use development at No. 62 Jarrett Street & No. 2A Rofe Street, Leichhardt.

The Clause 4.6 Exceptions to Development Standards request relates to the diverse housing development standard under Clause 6.14 of *Inner West Local Environmental Plan 2022*. The clause applies to development involving at least four (4) dwellings on land identified as 'Area 1' on the Key Sites Map of the LEP and includes mixed use development.

Subclause 6.14(3) states:

(3) Development consent must not be granted to development to which this clause applies unless—

(a) at least 25% of the dwellings will be—

- (i) studio dwellings, or*
- (ii) dwellings containing only 1 bedroom, and*

(b) no more than 30% of the dwellings will be dwellings containing at least 3 bedrooms.

Clause 6.14 of Inner West LEP 2022 is a development standard that can be varied by a written request under clause 4.6 of the LEP.

As identified on the LEP Key Sites Map, the site is located in 'Area 1' and proposes a mixed use development with a residential component containing more than four (4) dwellings. Eleven (11) dwellings are proposed and the table below illustrates the residential mix:

Apartment Type	No. of Apartments
1 bedroom adaptable apartment	1 (9%)
1 bedroom apartment	1 (9%)
2 bedroom apartments	6 (55%)
3 bedroom apartments	3 (27%)
Total	11 (100%)

As can be seen, only 2 x 1 bedroom apartments (dwellings) are proposed, equating to only 18% of the overall dwelling mix. This represents a variation of 7% below the prescribed 25% standard. Conversely, the 3 x 3 bedroom apartments equate to 27% of the dwelling mix and therefore satisfy the requirement at (b) that no more than 30% of the dwellings are to contain at least 3 bedrooms.

Andrew Robinson Planning Services Pty Ltd
ABN: 86 120 626 566

2.0 The Effect of Clause 4.6 Exceptions to Development Standards

Clause 4.6 of *Inner West Local Environmental Plan 2022* states (in part):

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

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

- *Winten Property Group Limited v North Sydney Council* [2001] NSWLEC 46
- *Wehbe v Pittwater Council* [2007] NSWLEC 827
- *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 1009 ('Four2Five No 1')
- *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 90 ('Four2Five No 2')

- *Four2Five Pty Ltd v Ashfield Council* [2015] NSWCA 248 ('Four2Five No 3')
- *Initial Action Pty Ltd v Woollahra Municipal Council* (2018) 236 LGERA 256; [2018] NSWLEC 118
- *RebelMH Neutral Bay Pty Ltd v North Sydney Council* [2019] NSWCA 130
- *Nakhoul v Canterbury Bankstown* [2020] NSWLEC 1320

In summary, the principles arising from the above matters are:

- (i) That the relevant objectives are those stated in the controls not unidentified underlying objectives at [57] in Four2Five No. 1;
- (ii) That the environmental planning grounds must be particular to the circumstances of the proposed development and/or the site at [60] in Four2Five No. 1; and
- (iii) The five methods of establishing that compliance is unreasonable or unnecessary identified by Preston J in *Wehbe* remain relevant. However, in order to satisfy the unreasonable and unnecessary test in Clause 4.6(3)(a), you need something more than way 1 in *Wehbe*, because that test is now encompassed in Clause 4.6(4)(a)(ii) where consistency with the objectives of the standard is a mandatory precondition.
- (iv) Preston CJ in *Initial Action* held that for there to be power to grant development consent for a development that contravenes a development standard, cl 4.6(4)(a) requires that the consent authority, be satisfied that the written request adequately demonstrates that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case (cl 4.6(3)(a) and cl 4.6(4)(a)(i)) and adequately establishes sufficient environmental planning grounds to justify contravening the development standard (cl 4.6(3)(b) and cl 4.6(4)(a)(i)). The consent authority must also be satisfied that the proposed development will be consistent with the objectives of the zone and with the objectives of the standard in question, which is the measure by which the development is said to be in the public interest (cl 4.6(4)(a)(ii)).
- (v) In *RebelMH* the consent authority, must "in fact" be satisfied of the above matters. The state of satisfaction that compliance is "unreasonable or unnecessary" and that there are "sufficient environmental planning grounds" to justify the contravention must be reached only by reference to the cl 4.6 written request.
- (vi) Lastly, with respect to the public interest and question of precedent, in *Nakhoul*, Walsh C refers to the guidance offered by Justice Lloyd in *Goldin v Minister for Transport Administering the Ports Corporatisation and Waterways Management Act 1995 (2002)* 121 LGERA 101; [2002] NSWLEC 75 and held that the initial test under Goldin goes to whether or not a proposal is objectionable in itself and, if a proposal is not objectionable in itself, then the second test, concerned with the potential for setting a precedent, should not be a consideration.

In relation to (iii) above, Method 1 in *Wehbe* requires an applicant to demonstrate that the objectives of the relevant development standard will be achieved, despite the non-compliance with the numerical standard.

Subsequently, *Four2Five*, provided a necessity to demonstrate something *more* than simply achieving the objective of the standard. In this regard, a proposed development that contravenes the development standard, but as a result, achieves the objective of the development standard to a greater degree than a development that complied with the standard, would suffice.

With regards to *Initial Action*, it is reaffirmed that the test is that compliance with the standard is unreasonable or unnecessary in the circumstances of the case, **and** that sufficient environmental planning grounds are established to justify the contravening of the standard. In doing so, the consent authority must be satisfied that consistency with the objectives of the zone are achieved.

RebelMH affirms that the consent authority must be satisfied of the above matters which are ordinarily dealt with in the cl. 4.6 written request, but in the instance of a contested hearing, can be supplemented by other evidence tendered in the proceedings.

Finally, with respect to the public interest and question of precedent, the two tests under *Nakhoul* are firstly whether or not a proposal is objectionable in itself and secondly, what is “the probability that there will be further applications of a like kind”. *Nakhoul* affirms that the potential for setting a precedent, should not be a consideration where a proposal meets the initial test that a proposal is not objectionable in itself.

3.0 Justification for Variation

What is the context of the variation?

The proposed mixed use building is considered to reflect the desired character of the area and is a response to the renewal being undertaken along the Parramatta Road Corridor and adjacent lands.

The existing surrounding building typologies consist of a mix of single dwellings and 2-6 storey mixed use buildings with a new mixed use development adjoining the site to the south-west and being of a similar typology to the proposed development.

The proposed building has been designed to provide a quality mixed-use development that responds to and utilises the advantages of its context within Leichhardt and the greater area. The proposed building will be of a form and scale that is compatible with both the existing and the desired future character, presenting an attractive facade to both Jarrett Street and Rofe Street and making a positive contribution to the streetscape character and urban form and scale that is similar to other mixed use buildings in the locality.

The proposed height and scale of the development is appropriate in its setting and is compatible with the transitional nature of the locality and future developments for the area. The building provides a dynamic facade and is in line with the DCP objectives. The proposal is considered to provide an appropriate prototype for similar developments in the surrounding area.

The highly articulated and fragmented building form further reduces the perceived bulk and height of the proposed development and the amenity impacts associated with the proposed built form. The proposed height is not considered to be responsible for any adverse external amenity impacts to neighbouring properties.

The building will be constructed using a combination of textures including rendered and painted concrete walls, metal composite cladding, , anodized aluminium louvers and dark anodized aluminium window and sliding door frames. The multi layered facade consists of a variety of materials colours and design elements that provides articulation and provides a top/middle/bottom visual appearance to break up bulk & integrate with the desired character for the precinct.

Strict Compliance is unreasonable or unnecessary in the circumstances of the case.

As described earlier, the proposed 2 x 1 bedroom apartments contribute 18% of the overall dwelling mix, representing a variation of 7% below the prescribed minimum 25% development standard.

As demonstrated in the NSW LEC decisions in *Micaul Holdings Pty Limited v Randwick City Council* and *Moskovich v Waverley Council* there should be no artificial conservatism about the use of Clause 4.6 based on the numerical extent of the variation being sought, given that the purpose of Clause 4.6 is to allow flexibility and to achieve better outcomes for a site by allowing developments to exceed development standards where there are justifiable circumstances.

An important finding in *Micaul Holdings Pty Limited* was that while the judgment did not directly overturn the *Four2Five v Ashfield* decision, the Chief Judge indicated that one of the obligations of a consent authority is to be satisfied that the applicant's written request has adequately addressed the matters in Clause 4.6(3), namely.....*that compliance with the development standard is unreasonable and unnecessary in the circumstances of the case.....and that there are sufficient environmental*

planning grounds to justify contravening the development standard.

Therefore, compliance with the development standard is unreasonable and unnecessary where, in the particular circumstances of the case, there are sufficient environmental planning grounds to justify the proposed non-compliance.

In consideration of the above, Council's attention is also drawn to the Department of Planning and Environment's publication "*Varying development standards: A Guide*" (August 2011), which outlines the matters that must be considered when varying a development standard.

The Guide has essentially adopted the 5 point test for consideration set out by the Land & Environment Court in *Wehbe v Pittwater Council (2001) NSW LEC 827*, specifically that there are five different ways in which compliance with a development standard can be considered unreasonable or unnecessary, namely:

- *the objectives of the standard are achieved notwithstanding non-compliance with the standard;*

Comment: As discussed in the table below, the proposal is considered to be consistent with the objectives of the housing diversity standard, notwithstanding the numerical variation.

- *the underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary;*

Comment: The objective of the diverse housing standard remains relevant and the proposal is consistent with, or at least is not antipathetic to the objectives of the diverse housing standard, notwithstanding the numerical variation.

- *the underlying object of purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable;*

Comment: The proposal is consistent with the objective of the standard, notwithstanding the numerical variation, and it would not defeat the purpose of the standard.

- *the development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable;*

Comment: Having reviewed the Clause 4.6 Variations Register maintained by the Council and submitted to the DPHI, there is no evidence to indicate that the diverse housing standard has been abandoned by Council through its actions in granting consent for other buildings in the vicinity that depart from the standard.

- *the zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard would be unreasonable or unnecessary. That is, the particular parcel of land should not have been included in the particular zone.*

Comment: The proposed mixed use development is a permissible land use and the zoning of the site is considered to be appropriate in this location and in the context of the surrounding land uses and built form.

In light of the above, it has been demonstrated that the first test under the Wehbe method has been met, such that the requirement to strictly adhere to the numerical development standard for diverse housing is considered to be unreasonable and unnecessary in this instance.

There are sufficient environmental planning grounds to justify contravening the development standard.

Based on the discussion above, it is considered that there are sufficient environmental planning grounds to justify contravening the development standard. Key environmental planning grounds in the particular circumstances of this case to support the variation include:

- The proposed housing mix will provide a variety of housing types that will suit a wide demographic and the proportion of 2 x 1 bedroom apartments versus 6 x 2 bedroom and 3 x 3 bedroom apartments is considered to be appropriate and will cater for single person households, families and group households.
- The design guidance provided in relation to apartment mix at 4K of the Apartment Design Guide (ADG) suggests that when deciding on an appropriate apartment mix, the following should be considered:
 - The distance to public transport, employment and education centres;
 - The current market demands and projected future demographic trends;
 - The demand for social and affordable housing;
 - Different cultural and socioeconomic groups.

Current (2021) ABS data (<https://dbr.abs.gov.au/region>) for the suburb of Leichhardt indicates that the highest proportion of family composition in the Leichhardt Statistical Region was couples with children under 15 years (1986), with the average family size being 2.9 people. The lowest family grouping was one parent families with non dependent children (249). Similarly, the highest proportion of household composition was family households (4675) and lone person households were significantly lower (1779). This suggest that the lowest demand for housing type would be for one bedroom dwellings. Further, while there is a high demand for affordable rental housing in Leichhardt and the wider Inner West, Council records indicate several current applications for boarding houses/co-living housing and other forms of residential development that include a proportion of affordable rental housing, such that the demand for one bedroom rental apartments in mixed use buildings would likely be reduced as other forms of affordable housing become available.

In the context of the findings of *Micaul Holdings Pty Limited* and *Initial Action*, it is considered that in the particular circumstances of the case, the environmental planning grounds outlined above provide sufficient grounds to support the requested variation.

With respect to *Nakhoul*, the proposed development is not objectionable in itself and will contribute to the revitalisation of this part of Leichhardt, consistent with the desired future character for land adjacent to the Parramatta Road Corridor and zoned B1 Local Centre, as set out in Leichhardt DCP. As such, it is considered that the proposed development achieves the public interest in that notwithstanding the diverse housing non-compliance, the overall environmental impacts are not unreasonable and the proposal represents the orderly and economic development of land consistent with both the zoning objectives and diverse housing objective.

The proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

The Table below demonstrates that the proposed development will be in the public interest because it will be consistent with both the housing diversity development standard objective and the E1 Local Centre zone objectives of the LEP.

LEP Clause	Objective	Proposal
Clause 6.14 Diverse Housing	<i>To ensure the provision of a mix of dwelling types in residential flat buildings and mixed use developments that includes shop top housing.</i>	<p>Of the proposed eleven (11) apartments, only 2 x 1 bedroom apartments (dwellings) are proposed, equating to only 18% of the overall dwelling mix. This represents a variation of 7% below the prescribed 25% standard. Conversely, the 3 x 3 bedroom apartments equate to 27% of the dwelling mix and therefore satisfy the requirement at (b) that no more than 30% of the dwellings are to contain at least 3 bedrooms.</p> <p>However, as noted above, current ABS data suggests that the lowest demand for housing type in the Leichhardt Statistical region is for one bedroom dwellings and that the average family size is 2.9 people. Therefore, the actual demand for studio or 1 bedroom apartments in this particular locality is low.</p> <p>Further, while there is a high demand for affordable rental housing in Leichhardt and the wider Inner West, Council records indicate several current applications for boarding houses/co-living housing and other forms of residential development that include a proportion of affordable rental housing, such that the demand for one bedroom rental apartments in mixed use buildings would likely be reduced as other forms of affordable housing become available.</p> <p>As such, adjusting the proposed dwelling mix to provide an additional one bedroom apartment and remove a two bedroom apartment in order to strictly comply with clause 6.14 is considered contrary to the actual demand for studios and/or one bedroom apartments.</p> <p>The proposed housing mix will provide a variety of housing types that will suit a wide demographic and the proportion of 2 x 1 bedroom apartments versus 6 x 2 bedroom and 3 x 3 bedroom apartments is considered to be appropriate and will cater for single person households, families and group households.</p>
E1 Local Centre Zoning Objectives	<i>To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.</i>	<p>The proposed development will provide three (3) new commercial/retail tenancies that will suit a wide range of businesses, in a location with good access to public transport, other shops, facilities and recreational opportunities.</p> <p>The additional residential accommodation and housing choice will support the increased economic activity and assist in revitalising the locality and will provide a variety of housing</p>

		types/choice that will suit a wide demographic.
	<i>To encourage investment in local commercial development that generates employment opportunities and economic growth.</i>	The three (3) new commercial/retail tenancies will activate the street frontage and suit a wide range of businesses, in a location with good access to public transport, other shops, facilities and recreational opportunities.
	<i>To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.</i>	The proposed addition of eleven (11) residential apartments is consistent with the Council's strategic objective for increased residential development in the locality.
	<i>To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.</i>	As above, the three (3) new commercial/retail tenancies will activate the street frontage and suit a wide range of businesses, in a location with good access to public transport, other shops, facilities and recreational opportunities.
	<i>To provide employment opportunities and services in locations accessible by active transport.</i>	The proposed three (3) ground floor tenancies will provide opportunities for a range of businesses to establish, therein creating employment opportunities. The location is considered to be accessible, having access to bus services on Parramatta Road and the surrounding road network and being approx. 800m north of Stanmore Railway Station.
	<i>To provide retail facilities and business services for the local community commensurate with the centre's role in the local centres hierarchy.</i>	The three (3) new commercial/retail tenancies will suit a wide range of businesses, that once operational, will contribute to the economic growth and diversity of the locality. Likewise, the additional residential population will contribute to economic growth and viability by utilising the shops and services that will be established in the ground floor tenancies.
	<i>To ensure Inner West local centres are the primary location for commercial and retail activities.</i>	As above.
	<i>To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.</i>	The three (3) new commercial/retail tenancies directly front Jarrett Street and Rofe Streets and will activate the street frontage and suit a wide range of businesses.
	<i>To enhance the unique sense of place offered by Inner West local centres by ensuring buildings display architectural</i>	The proposed design and appearance of the development will make a positive contribution to the streetscape and built form character. The highly articulated and fragmented building form

	and urban design quality and contributes to the desired character and cultural heritage of the locality.	assists in reducing the perceived bulk and height of the proposed development and the amenity impacts associated with the proposed built form.
--	--	--

It is noted that the zoning objectives are primarily focussed on the establishment of non-residential uses that support the local community and generate economic growth and diversity and employment opportunities, rather than a focus on the need to provide a diverse range of apartment types.

4.0 Non-compliance does not hinder the attainment of the Objects of the Environmental Planning and Assessment Act 1979

The Wehbe decision identifies that in assessing a variation to a development standard, consideration must be given to (the former) Objects (a)(i) and (a)(ii) in Section 5 of the *Environmental Planning and Assessment Act 1979* is necessary. These are:

- (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
- (ii) *the promotion and co-ordination of the orderly and economic use and development of land.*

The proposed variation to the housing diversity standard will not contravene either of these Objects. The proper management of the existing urban environment in order to achieve better social and community outcomes, as well as the orderly and economic use and development of land, will be realised through the provision of high quality commercial/retail tenancies and residential accommodation in the form of a mixed use development, in a location with good access to public transport options and in proximity to shops, services and recreational facilities and educational establishments. Despite not strictly complying with the prescribed minimum 25% of dwellings being studios or one bedroom apartments, the proposed housing mix will provide a variety of housing types that will suit a wide demographic.

5.0 Conclusion

Based on the discussion provided above, it can be concluded that:

- strict compliance with the housing diversity development standard under clause 6.14 of *Inner West Local Environmental Plan 2022* is unreasonable or unnecessary in the circumstances of the case where:
 - no greater public benefit would be achieved and the proposed dwelling mix, despite being only 18% and therefore less than the prescribed minimum of 25%, provides a variety of dwelling types that will suit a wide demographic and is more closely aligned to the actual demand for studio or one bedroom apartments, as evidenced by the ABS data.
 - the non-compliance will not result in any unreasonable adverse impacts on the adjoining land uses with respect to overshadowing, loss of privacy, inappropriate scale etc.
 - the proposed design solution is considered to represent an appropriate development outcome for the site, displaying a high quality design, whilst ensuring that a high standard of amenity for future tenants and residents will be achieved and impacts to neighbouring properties are minimised.
- there are sufficient environmental planning grounds having regard to the Court matters *Four2Five v Ashfield Council*, *Wehbe v Pittwater Council* and *Initial Action Pty Ltd v Woollahra Municipal Council* to justify the contravention to the development standard as the objectives of

62 Jarrett Street & 2A Rofe Street, Leichhardt – Clause 4.6 Exception

February 2024

the housing diversity standard are still met, despite the non-compliance;

- the building has been designed to a high quality and the amenity for future residents will be to a high standard;
- the non-compliance does not directly result in any adverse environmental impacts in terms of the building being out of context with the anticipated bulk and scale of development in the locality;
- the proposal will provide additional high quality commercial/retail tenancies and additional housing choice in the form of a mixed use development, in keeping with the anticipated desired future character of the area; and
- the scale and nature of the non-compliance does not give rise to any matter of State or Regional significance, nor does it adversely affect the public interest.

Having regard to the circumstances of this case where:

- the proposed housing mix will provide a variety of housing types that will suit a wide demographic and the proportion of 2 x 1 bedroom apartments versus 6 x 2 bedroom and 3 x 3 bedroom apartments is considered to be appropriate and will cater for single person households, families and group households.
- the apartment mix is considered appropriate having regard to the design guidance for apartment mix set out at 4K of the Apartment Design Guide (ADG).
- the overall style, scale and built form of the building is commensurate with the existing and likely future 'built environment' and anticipated desired character of the area;
- the proposal is consistent with the aims and objectives of *Inner West Local Environmental Plan 2022*; and
- the proposal is generally consistent with the objects of the *Environmental Planning & Assessment Act 1979*, in particular, the orderly and economic use and development of land and ecologically sustainable development,

it is submitted that this Clause 4.6 Exceptions to Development Standards request is well founded. As such, strict compliance with the diverse housing development standard that at least 25% of dwellings be either studios or 1 bedroom, prescribed in Clause 6.14 of *Inner West Local Environmental Plan 2022* is unreasonable and unnecessary having regard to the circumstances of the case.

Accordingly, having regard to the assessment and justification contained in this Amended Clause 4.6 Exceptions to Development Standards submission, it is requested that the proposed variation and the development in its proposed form be supported.

Dated: 20 September 2024

Andrew Robinson Planning Services Pty Ltd



Andrew Robinson MPlA
Director