

# **Attachment D**

**Pre Lodgement Advice Letter for  
PDA/2022/264**

14 February 2023

CHAPMAN PLANNING PTY LTD  
Suite 8 88 Mountain St  
ULTIMO NSW 2007

**Pre-lodgement advice:** 56A Allen Street, GLEBE NSW 2037

**Reference:** PDA/2022/264

We refer to your request for pre-lodgement advice for a development at the above address.

The purpose of this letter is to provide you with written feedback on the plans you have provided and to identify any other preliminary issues for your consideration.

The existing site is a 2 storey building with 4 units, and a detached garage and shared laundry at the rear. It is classified as a neutral building within the Toxteth Heritage Conservation Area.

The proposed works appear to include the demolition of an existing detached garage and laundry at the rear of the subject site and construction of a two storey addition with a 2 bedroom apartment at the ground floor and a 1 bed apartment at the first floor.

An assessment of the preliminary plans has now been completed and there are several issues that must be addressed in a revised proposal.

### **Height and FSR exceedance**

It is noted that a request was made for Council to comment on the planning merit of variations to FSR and Height development standards.

A Clause 4.6 variation request would need to be submitted with the revised proposal to demonstrate that the variation is acceptable. However, please note that the FSR exceedance is significant and the proposal appears to result in amenity impacts to the existing units, the proposed units, and the neighbouring dwelling. In this context, Council is unlikely to support the proposed variation.

### **Amenity Impacts**

### *Private Open Space*

The proposal does not provide adequate private open space for the proposed ground floor residential unit. Additionally, the terrace for the first floor unit appears to be accessible from the shared stairway and so does not meet the definition of private open space.

The proposed development appears to remove private open space for the existing units. The development application would need to address private open space/common areas for the existing dwellings in addition to the proposed new dwellings.

Further, the proposal involves the demolition of the existing laundry and garage. The proposal would need to demonstrate that the existing and proposed units have laundry facilities and address the loss of parking spaces for the site.

### *Overlooking*

The first floor terrace appears to result in unacceptable overlooking impacts to the adjacent building and units. The external staircase is not supported as screening would be required to address overlooking and does not provide good amenity for the residence or a positive design outcome for the building.

### *Overshadowing*

Shadow diagrams have been submitted with this proposal but are not adequate for assessment. They must clearly distinguish between the existing and proposed shadows. Although, there does appear to be shadowing impacts to the private open space of no. 56 and it may not meet the requirements of the SDCP 2012 controls. There is a development application currently under assessment for that site, so when a development application for the subject site is lodged it should demonstrate the impacts to the existing building, and the new building (if the DA is approved).

SDCP 2012 Provision 4.2.3.1 'Solar Access' requires that proposed apartments in a development and neighbouring developments must achieve a minimum of 2 hours direct sunlight between 9am and 3pm on 21 June onto at least 1sqm of living room windows and a minimum 50% of the required minimum area of private open space area. New development must not create any additional overshadowing onto a neighbouring dwelling where that dwelling currently receives less than 2 hours direct sunlight to habitable rooms and 50% of the private open space between 9am and 3pm on 21 June.

### **Heritage**

It is noted that a request was made that Council provide feedback in regards to the refurbishment of the existing building and the external façade. The subject building is located within a heritage conservation area and it is classified as a 'neutral building'.

Insufficient information has been provided to comment, however please note that the proposal will be

assessed against SDCP 2012 provision 3.9.8 'Neutral and appropriate infill buildings'.

Further details of the design must be lodged with the DA, and it must be demonstrated that the alterations are sympathetic to the existing building and surrounding heritage conservation area. A heritage impact statement, elevations and a detailed colour and materials schedule would need to be provided to allow for Council to assess the alterations to the building.

### **Waste Storage**

Waste storage to the front setback to Allen Street is not supported. Bins for the front of the property would need to be presented on Allen Lane as this is the location for waste collection for the houses along this side of Allen St. The area marked as waste bin storage would need to be paved and free of vegetation.

The proposed waste storage area in the new ground floor unit is also not supported. The current proposal provides for a narrow waste storage area that would only provide space for one bin between the ground floor unit and courtyard. The bins are also not supported in the proposed location as it appears that access to the ground floor unit will be blocked. If it is proposed that the units would be sharing bin, details of the management of the waste must be provided. For example, would the residents be responsible for putting the bins out for collection? The waste management plan would need to detail arrangements.

### **Further Information Required**

This assessment has been based off limited information that was included in the proposal so it is likely that additional issues will be raised when the development application is lodged. The following information should be lodged with the development application:

- All drawings must include the details of the existing building (including the existing units).
- Elevations, section drawings, and a detailed schedule of colours and materials (keyed to elevations) are required.
- Shadow diagrams which clearly distinguish between the existing and proposed shadows
- Deep soil must be addressed in the revised proposal as the development must meet the requirements of SDCP 2012 Provision 4.2.3.6 Deep soil. A minimum deep soil area of 10% applies to the development, with a minimum dimension of 3m.
- A landscape plan is required in accordance with SDCP 2012 Provision 4.2.3.5.
- A waste management plan must be submitted and will be used to assess and monitor the waste management process within a development. The waste management plan is to be consistent with the City of Sydney Guidelines for Waste Management in New Developments 2018

### **Development Contributions**

Section 7.13 Affordable Housing Contributions and Section 7.11 Development Contributions under the

Sydney Local Environmental Plan 2012 may apply to the proposal.

The City's Affordable Housing Program provides the background, requirements and operational detail for various affordable housing contribution provisions in local environmental plans operating in the City of Sydney local area. You can find further information on the [city website](#).

Please contact Chelsea Thompson on 02 9265 9640 or by email at [cthompson3@cityofsydney.nsw.gov.au](mailto:cthompson3@cityofsydney.nsw.gov.au) if you need to discuss your request.



Stan Fitzroy-Mendis  
Area Planning Manager

**Disclaimer :**

This advice is for guidance only and based on the information provided for preliminary assessment.

The City of Sydney, Local Planning Panel and Central Sydney Planning Committee are not bound to this advice.

Amending any part of the proposal will require further assessment.