

Former Balmain Leagues Club – 138-152 Victoria Road, 154-156 Victoria Road, 697-699 Darling Street, and 1-7 Waterloo Street, Rozelle NSW 2039

Statement of Environmental Effects –
Section 4.55(2) Modification

On behalf of Grand Rozelle Pty Ltd

6 December 2022

The Planning Studio acknowledges the traditional custodians of the lands + waters of Australia, particularly the Gadigal People on whose traditional lands our office is located, and pay our respects to Elders past, present + emerging. We deeply respect the enduring Connection to Country + culture of Aboriginal and Torres Strait Islander peoples and are committed to walk alongside, listen + learn with community as we plan for equitable, sustainable, generous, and connected places. Always was, Always will be.

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General Information

This Statement of Environmental Effects (SEE) report has been prepared on behalf of Grand Rozelle Pty Ltd to support a Section 4.55(2) Modification (D/2018/219) to Inner West Council (Council) to modify the existing consent:

“Demolish all existing improvements, carry out site remediation and construct a mixed-use development comprising three (3) basement levels for residential and commercial parking with three 11 to 12 storey buildings connected above a shared retail and commercial podium with 164 residential units above. The commercial area will include a new leagues Club. Development fronting Waterloo Street will comprise two (2) to three (3) storey buildings for three (3) live/work units resulting in 167 residential units on the site.”

The SEE includes an assessment of the proposed works in terms of the matters for consideration as listed under Sections 4.15 and 4.55(2) of the Environmental Planning and Assessment Act 1979 (the Act) and Section 115 of the Environmental Planning and Assessment Regulation 2000 (the Regulation) and should be read in conjunction with information annexed to this report as outlined in the Table of Contents.

Specifically, the SEE includes the following information:

- Description of the site in its local and regional context;
- Identification of the proposed works;
- Assessment of the project against Sections 4.15 and 4.55(2) of the Act;
- Assessment of the project against Council’s controls and policies;
- Assessment of all environmental impacts of the modification; and
- Identification of measures for minimising or managing the potential environmental impacts.

This section 4.55(2) modification application is seeking the following changes to the approved mixed-use development with basement parking for residential and commercial development, with three 11 to 12 storey buildings connected above a shared retail, club, and commercial podium with residential units above.

The modification application seeks the following changes:

- Modifications to the commercial, club and retail podium to improve design, layout and user experience and residential lobby functionality by:
 - Evolving the ground plane retail offerings and public domain in line with specialist retail advice to strengthen retail viability with diversity and complement existing Darling Street retail offers (negligent change to overall commercial, retail and club floor space allocation);
 - Centralising the arrival to all building cores, including Building C off Tigers Lane through the introduction of a shared sky-lobby to access Building C core;
- Modest changes to approved building envelopes and façade to ensure compliance with key amenity criteria and to provide improved architectural articulation, expression and modulation;



- Changes to the public domain landscaped areas to improve design and functionality including:
 - Plaza planting moved 2m towards Waterloo Street to improve axial symmetry and pedestrian flows. All Plaza area and solar compliance objectives are maintained.
 - Two additional through-site links proposed in the form of a colonnade along Victoria Road frontage and an additional link between Tigers Lane and Darling Lane
- Changes to unit design and mix to respond to market demand, design development, services planning, and to improve unit layout and functionality. Reduction in units from 164 to 147 (3 live work units to remain). New unit mix proposed:
 - 2 x studio units;
 - 11x 1-bedroom units;
 - 87 x 2-bedroom units; and
 - 47x 3-bedroom units.
- Changes to private and communal open space areas to improve functionality, and introduction of community space in accordance with DA conditions; and
- Minor core/stair modifications throughout basement and structure in response to design development services planning, and rationalisation of car park stacking.
- Incorporation of a construction staging condition

Mitchell Brandtman have determined that the cost of development for the proposal is **\$147,720,685.00 excluding GST**, refer to **Appendix 8: Cost Estimate**.

A comprehensive planning and environmental assessment of the proposal is provided in **Sections 4 and 5** of this report. This SEE is also accompanied by the following Appendices:

Appendix 1: Architectural Drawings

Appendix 2: Landscape Plans

Appendix 3: Heritage Impact Statement

Appendix 4: BASIX Report & Certificates

Appendix 5: NatHERS Certificates

Appendix 6: Traffic Statement

Appendix 7: Schedule of Changes

Appendix 8: Cost Estimate

Appendix 9: Wind Report

Appendix 10: Waste Management Plan

Appendix 11: Civil Engineering Design Report

Appendix 12: Stormwater Management Plan

Appendix 13: Access Report



1.1 Proponent and Project Team

The Development Application and SEE Report have been prepared on behalf of the applicant.

Table 1 – Project Team	
Item	Description
Project Management	Touchstone Partners
Architecture / Landscape	Scott Carver
Urban Planning Assessment	The Planning Studio
Traffic	JMT Consulting
Survey	LTS
Heritage	Heritage 21
Stormwater / Civil Design	Xavier Knight
Waste Management	Elephants Foot
Quantity Surveyor	Mitchell Brandtman
Wind	Windtech
BCA / Access	Mckenzie Group
BASIX / NatHERS	ADP



2 The Site

2.1 Site Location

The subject site of 138-152 Victoria Road, Rozelle, 154-156 Victoria Road, Rozelle, 697-699 Darling Street, Rozelle and 1-7 Waterloo Street, Rozelle NSW 2039, also known as the former Balmain Leagues Club, is located in the heart of Rozelle and is approximately 4.8km west of Sydney CBD. The Balmain Leagues Club is within the former Leichhardt Municipal Council, which now forms part of the Inner West Local Government Area. It is currently vacant and abandoned with signs of graffiti and vandalism.

The site has an irregular shape with an overall area of approximately 7,330m² and is situated within the Inner West LGA on eight lots. The site consists of three street frontages including Victoria Road, Darling Street and Waterloo Street and slopes down from the southern boundary at Darling Street towards the northern corners. The locality around the site is a mix of commercial, low-medium density residential, educational, and light industrial uses.

Along Victoria Road, the site consists of a two-storey building and a two-storey car park structure. On Darling Street there are two x 1-2 storey commercial buildings which are currently vacant and the subject of a DA for display suites (DA/2022/0942). Along Waterloo Street, the development incorporates a 1-3 storey building plus car parking associated with the Club.

The site is well serviced by a number of bus routes that operate along Victoria Road and Darling Street, providing access to a number of Inner West destinations and Sydney CBD. Photos of the site and its surroundings are provided in the Figures below.



Figure 1: Subject Site (SIX Maps)





Figure 2: Existing structures at 138-152 Victoria Road, Rozelle (The Planning Studio)



Figure 3: Existing structures at 154-156 Victoria Road, Rozelle (The Planning Studio)





Figure 4: Existing structures at 697-699 Darling Street, Rozelle – site for display suite DA/2022/0942 (The Planning Studio)



Figure 5: Existing structures at 1-7 Waterloo Street, Rozelle (The Planning Studio)

2.2 Site Description

Table 1 provides the legal description, and a brief summary of the site and surrounding context. In addition, a survey plan of the site is provided at **Appendix 1: Survey Plan**.



Table 2 – Site Description	
Item	Description
Legal Description	<ul style="list-style-type: none"> • Lot 1, DP 528045, • Lot 1, DP 109047 • Lot 104, DP 733658, • Lots 101, DP 629133, • Lot 102, DP 629133, • Lots 37, DP 421; • Lot 38, DP 421; and • Lot 36, DP 190866.
Total Area	7,330m ² (approx.)
Location	(a) 138-152 Victoria Road, Rozelle (b) 154-156 Victoria Road, Rozelle (c) 697-699 Darling Street, Rozelle (d) 1-7 Waterloo Street, Rozelle
Street Frontage	118 meters to Victoria Road 21 meters to Darling Street 91 meters to Waterloo Street
Site Description and Surrounds	<p>The subject site known as the former Balmain Leagues Club is located in the heart of Rozelle and is approximately 4.8km west of Sydney CBD.</p> <p>The site has an irregular shape and is situated within the Inner West LGA on eight lots. The site is currently vacant and abandoned with signs of graffiti and vandalism and consists of three street frontages including Victoria Road, Darling Street and Waterloo Street and slopes down from the southern boundary at Darling Street towards the northern corners. The locality around the site is a mix of commercial, low-medium density residential, educational, and light industrial uses.</p> <p>Along Victoria Road, the site consists of a two-storey building and a two-storey car park structure. On Darling Street there are two x 1-2 storey commercial buildings which are currently vacant and the subject of a DA for display suites (DA/2022/0942). Along Waterloo Street, the development incorporates a 1-3 storey building plus car parking associated with the Club.</p>



Table 2 – Site Description	
Item	Description
Transport	The site is well serviced by a number of bus routes that operate along Victoria Road and Darling Street, providing access to a number of Inner West destinations and Sydney CBD.

2.3 Background

2.3.1 Masterplan and Rezoning

The site benefits from specific controls under the Leichhardt Local Environmental Plan 2000 and Leichhardt Development Control Plan 2000 (revised in 2008).

A Masterplan for the site was prepared by Multiplex Developments in 2005 to inform Council of a rezoning process. Council initially resolved not to support the Masterplan due to issues with parking, urban design, and the built form, but showed support in principle for the redevelopment of the site and requested a revised scheme. After various revised proposals, amendments to the LEP and a site specific DCP were gazetted and adopted for the site to enable increased height and FSR in 2008. The amendment was supported by a Voluntary Planning Agreement entered into between Council and the land owner.

2.3.2 Earlier Development Applications

A number of unsuccessful applications were submitted between 2008 and 2016, including a DA in 2009, a Part 3A Application (MP11_0015) in 2014, and a further development application in 2015 (DA2015/428).

2.3.3 Development Application DA2018/219 and site-specific DCP

In May 2018, the Proponent submitted a DA based on a scheme prepared by Scott Carver Architects. The proposal was informed by a proponent prepared amended site-specific DCP for the precinct that was submitted to Council for assessment in March 2018.

The proponent's site-specific DCP application lead to Council endorsing the preparation of their own draft site-specific DCP for the precinct. This DCP came into effect in July 2019. The original DA proposal was then amended and re-submitted in August 2019 to comply with the adopted DCP.

In September 2020, consent was granted for:

“Demolish all existing improvements, carry out site remediation and construct a mixed-use development comprising three (3) basement levels for residential and commercial parking with three 11 to 12 storey buildings connected above a shared retail and commercial podium with 164 residential units above. The commercial area will include a new leagues Club. Development fronting Waterloo Street will comprise two (2) to three (3) storey buildings for three (3) live/work units resulting in 167 residential units on the site.”

The consent was a deferred commencement consent that was made operative by Council on 23 March 2021. At this point in time the site was subject to a Leasehold by TfNSW for the purpose of a diver site for the western harbour crossing. However, TfNSW has since



relinquished this Leasehold and the subject application seeks to modify the consent to enable the development to be constructed consistent with state and local controls, whilst also reflecting more detailed design development that has occurred since the land was released back to the applicant.

2.3.4 Display Suite – DA/2022/0942

In November 2022, a DA was lodged on behalf of Grand Rozelle Pty Ltd to Inner West Council (Council) for the partial demolition of existing structures and construction/fit-out of a display suite at 697-699 Darling Street, Rozelle NSW 2039.

The DA seeks approval for:

- Partial demolition of roof at 699 Darling Street Rozelle and demolition of some internal structures at both 697 and 699 Darling Street Rozelle;
- Conservation works to the façade at both properties, with 697 being retained in accordance with its heritage significance;
- Internal fit-out of 697 Darling Street for Display Suite office with operating hours between 10am to 3pm Sunday to Friday and 9am to 4pm on Saturday; and
- Temporary landscaped area behind the façade at 699 Darling Street associated with the Display Suite.

This application is currently under assessment by Inner West Council.



3 The Proposal

3.1 Development Summary

This section 4.55(2) modification application is seeking the following changes to the approved mixed-use development with basement parking for residential and commercial development, with three 11 to 12 storey buildings connected above a shared retail, club, and commercial podium with residential units above.

The modification application seeks the following changes:

- Modifications to the commercial, club and retail podium to improve design, layout and user experience and residential lobby functionality by:
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 - Centralising the arrival to all building cores, including Building C off Tigers Lane through the introduction of a shared sky-lobby to access Building C core;
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- Changes to the public domain landscaped areas to improve design and functionality including:
 - Plaza planting moved 2m towards Waterloo Street to improve axial symmetry and pedestrian flows. All Plaza area and solar compliance objectives are maintained.
 - Two additional through-site links proposed in the form of a colonnade along Victoria Road frontage and an additional link between Tigers Lane and Darling Lane
- Changes to unit design and mix to respond to market demand, design development, services planning, and to improve unit layout and functionality. Reduction in units from 164 to 147 (3 live work units to remain). New unit mix proposed:
 - 2 x studio units;
 - 11x 1-bedroom units;
 - 87 x 2-bedroom units; and
 - 47x 3-bedroom units.
- Changes to private and communal open space areas to improve functionality, and introduction of community space in accordance with DA conditions;
- Minor core/stair modifications throughout basement and structure in response to design development services planning, and rationalisation of car park stacking; and
- Insert a new construction staging condition.



The Table below provides a comparison between the approved development and the current proposal. In addition, a detailed schedule of changes for both architectural and landscape drawings is provided in **Appendix 7: Schedule of Changes**.

Table 3 – Approved DA and Modification Proposal		
Proposal	D/2018/219	Current Proposal
Gross Floor Area	28,417m ² with it broken down into the following uses: <ul style="list-style-type: none"> Retail 5,186m² Club 3,054m² Residential 18,624m² Commercial 1,553m² 	28,417m ² with it broken down into the following uses: <ul style="list-style-type: none"> Retail 5,461m² Club 2,870 m² Residential 18,624 m² Commercial 1,462 m²
FSR (4:1)	Total FSR is 3.88:1 with it broken down into the following uses: <ul style="list-style-type: none"> Retail 0.71:1 Club 0.42:1 Residential 2.54:1 Commercial 0.21:1 	Total FSR is 3.88:1 with it broken down into the following uses: <ul style="list-style-type: none"> Retail 0.74:1 Club 0.39:1 Residential 2.54:1 Commercial 0.21:1
Height (RL82)	Overall maximum height under LEP maximum RL82 Building A RL 81.5 / 12 storeys Building B. RL 80.8/ 12 storeys Building C RL 74.5 / 11 storeys Development along Darling Street less than RL52 / 2 storeys. Development along Waterloo Street less than 12.5m (RL 46.85) for 1m from the front of the site (Part 2/Part 3 storeys)	Overall maximum height under LEP maximum RL82 Building A RL 81.5 / 12 storeys Building B. RL 81.70/ 12 storeys Building C RL 81.1/ 11 storeys Development along Darling Street less than RL52 / 2 storeys. Development along Waterloo Street less than 12.5m (RL 46.85) for 1m from the front of the site (Part 2/Part 3 storeys)
Residential units	164 + 3 live work	147 + 3 live work
Public Open Space and solar access	Total 2,250m ² or 31% of site area including 1,400m ² public plaza. Solar access on 21 st June: <ul style="list-style-type: none"> 12:30pm – 36% 1:00pm – 56.7% 	Total 2,250m ² or 31% of site area including 1,400m ² public plaza. <ul style="list-style-type: none"> 12:30pm – 35.5% 1:00pm – 56.4% 2:00pm – 73.7%



Table 3 – Approved DA and Modification Proposal		
Proposal	D/2018/219	Current Proposal
	<ul style="list-style-type: none"> 2:00pm – 72.1% 	
Private Communal Open Space (25% of site area)	22% of site area. Note public open space can also be included towards communal open space, which significantly increases this metric.	24.8% of site area. Note public open space can also be included towards communal open space, which significantly increases this metric.
Solar access to apartments on 21 st June (70% of dwellings)	70.7%	70%
Natural Cross Ventilation (60% of dwellings)	62.5%	68.5%
Car parking	<p>314 spaces with the following breakdown + 6 spaces for misc. (320):</p> <ul style="list-style-type: none"> 137 residential spaces 23 commercial spaces 78 retail spaces 86 club spaces 6 car share spaces 1 Community bus 	<p>318 spaces with the following breakdown + 6 spaces for misc. (324):</p> <ul style="list-style-type: none"> 141 residential spaces 23 commercial spaces 78 retail spaces 86 club spaces 6 car share spaces 2 Community bus 2 Taxi Bays 3 Carwash Bays

3.2 Proposed Physical Modifications

3.2.1 Design Principles

The development application drawings are accompanied by a detailed Design Statement prepared by Scott Carver outlining the design and planning drivers behind the changes proposed and their continued consistency with the overall development principles, which can be found in **Appendix 1: Architectural Drawings and Design Report**.

The following Figures outline the development's consistency with the masterplan concept and associated LEP and DCP controls.



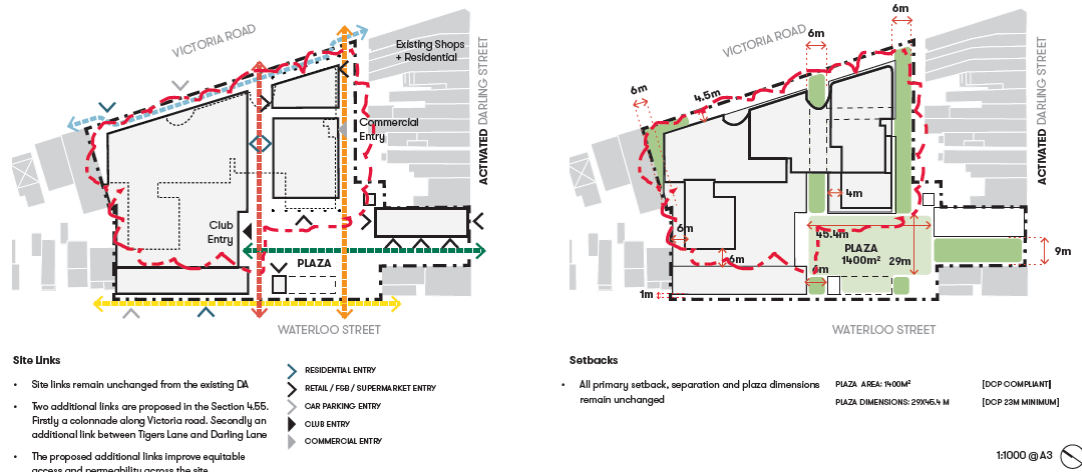


Figure 6: Masterplan Concept – site setbacks and links (Scott Carver)

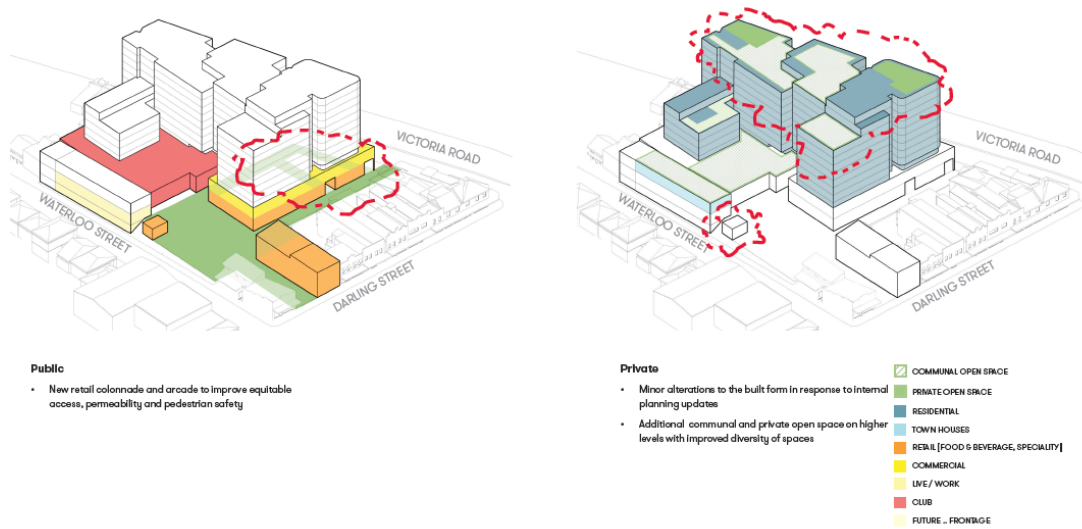


Figure 7: Masterplan Concept – public and private and open space (Scott Carver)



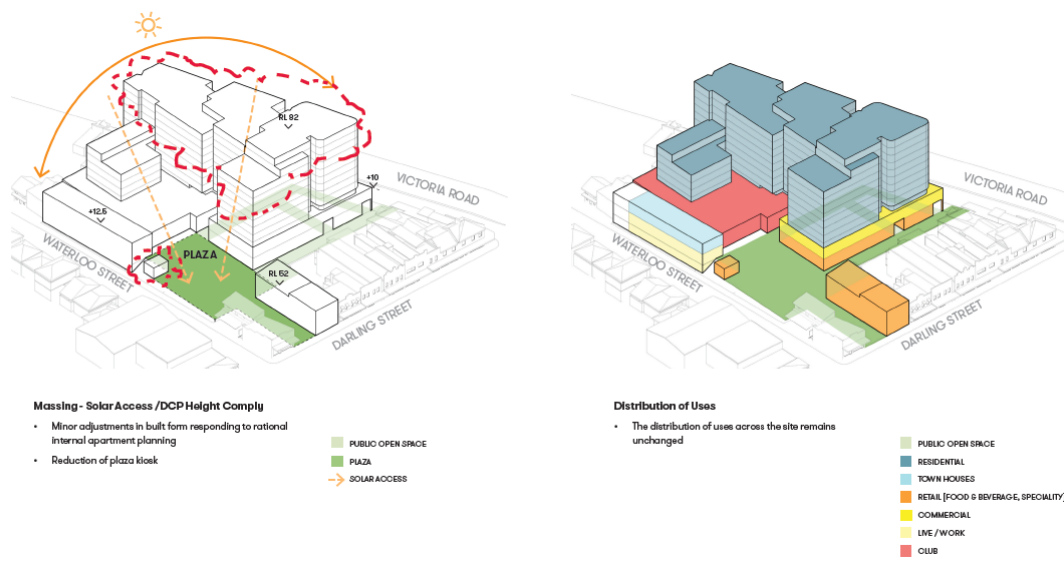


Figure 8: Masterplan Concept – Distribution of uses and solar access (Scott Carver)

3.2.2 Façade Evolution

The Design Report addresses the key façade changes proposed and their consistency with the materiality and façade language approved as part of the original consent. The materials and finishes palette have been carefully evolved while also maintaining the original intent of complementing and reinforcing the character of Rozelle and Balmain.

The podium material remains face brickwork giving the street and laneway façades a rich texture and tactility. The introduction of arch-work both circular and geometric reflects the fine-grained patterning found in the surrounding urban fabric.

The tower façades that front Victoria Road also retain the existing design principles while evolving slightly to compliment the architecture of the podium and read as a more cohesive composition. Both vertical and horizontal elements are used to create a finely proportioned and well detailed expressive facade. Winter gardens are used to mitigate traffic noise for improved user comfort and amenity. The use of sliding glass panels allows occupants the option to open-up the winter garden so it can be used as a more traditional balcony.

At a Macro scale, the Victoria Road facade creates a strong identity for the site while also breaking down the bulk of the building by presenting as three slender tower forms. While at a more intimate scale, the brickwork detailing, and finer elements create a level of tactility to the facade for its occupants. The introduction of additional planting in the recessed portions of the facade soften the transitions between the tower forms while also providing an improved connection to nature. On Waterloo Street, low scale brick buildings have been proposed to closely relate to the established surrounding context. A slight evolution of the brick finish to red brick has been used to compliment the rest of the development. Refer to the Figures below outlining the key façade principles and evolution.



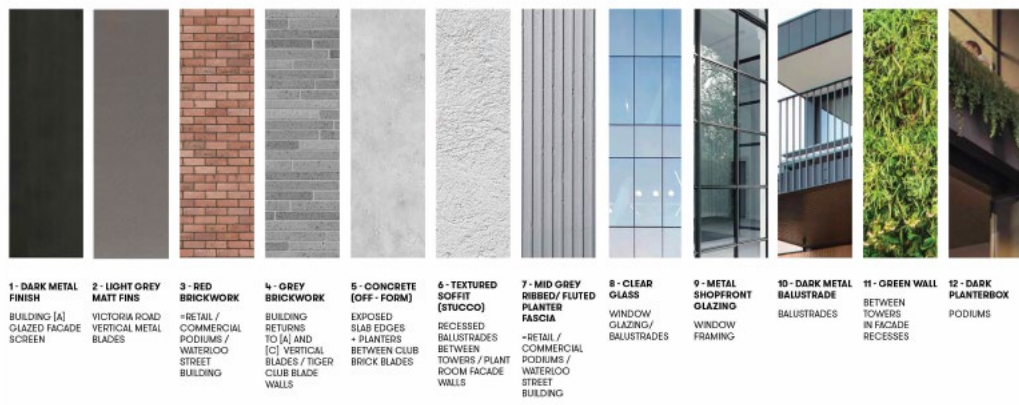


Figure 9: Architectural materiality (Scott Carver)



Figure 10: Façade language (Scott Carver)

03

FAÇADE RESPONSE

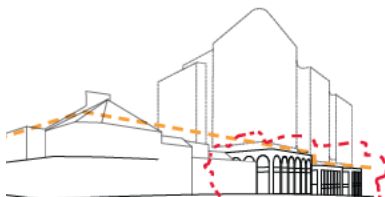
Podium Façade Articulation

Section 4.55

- CONTEXTUAL ROUND ARCHES
- CONTEXTUAL GEOMETRIC ARCHES
- CONTEXTUAL FINE GRAIN GRID
- PLANTER BOX
- 10m STREET WALL
- AWNING

List of Changes/Similarities

- Evolution of podium articulation to introduce curved and rectilinear arch form to reflect the local character.
- Consistency in material treatment throughout podium to create a cohesive podium response
- Reduction in the extent of plaza kiosk



20220603 | Retail Mixed Use Development - Tigers League Club



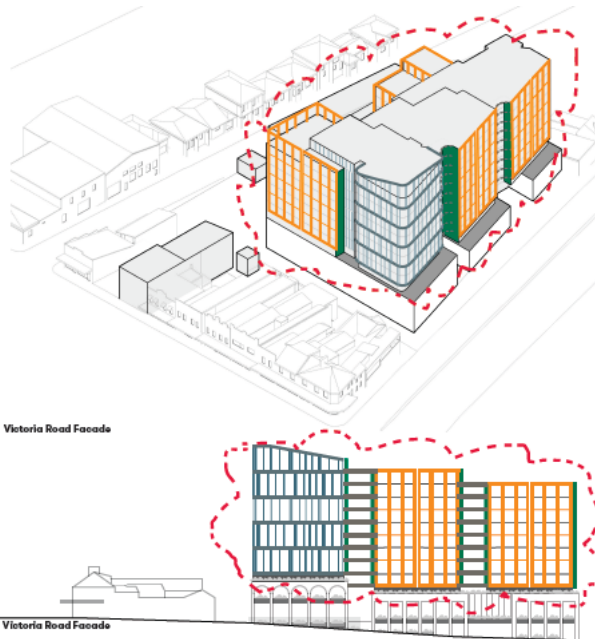
Figure 11: Podium façade articulation (Scott Carver)

Section 4.55

- VERTICAL FINS
- VERTICAL BRICK BLADES
- RECESSED PLANTER
- GREEN WALL (16% OF AVAILABLE FACADES)

List of Changes/Similarities

- Minor adjustment of the western notch position on Victoria road to suit internal planning
- Evolution of the facade treatments to the tower forms
- Introduction of additional planting in the recessed notches



Victoria Road Façade

Victoria Road Façade

Figure 12: Tower façade articulation (Scott Carver)



The following Figures outline the visualisations of the proposed changes.



Figure 13: Visualisation – Victoria Road (Scott Carver)



Figure 14: Visualisation – Podium and Club entrance (Scott Carver)





Figure 15: Visualisation – Waterloo Street (Scott Carver)



Figure 16: Visualisation – Darling Street (Scott Carver)





Figure 17: Visualisation – Plaza (Scott Carver)

3.2.3 Landscape Modifications

The Design Report also provides a detailed analysis of the Landscape evolution and its consistency with both the approved DA and relevant Apartment Design Guide and DCP controls. Refer to Figures below.

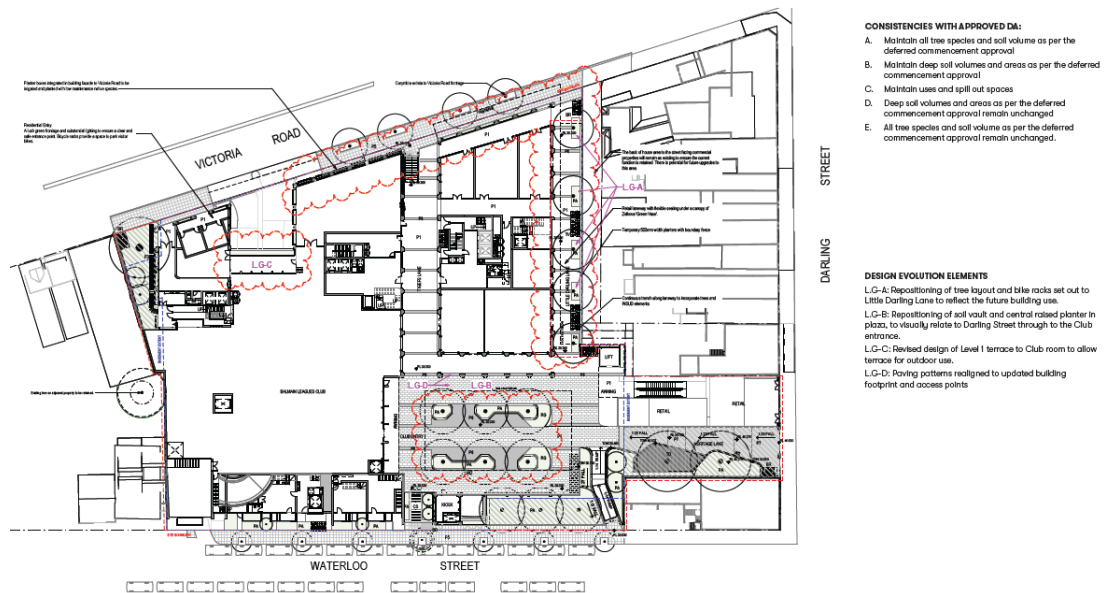


Figure 18: Landscape – LG & GF GA Plan (Scott Carver)



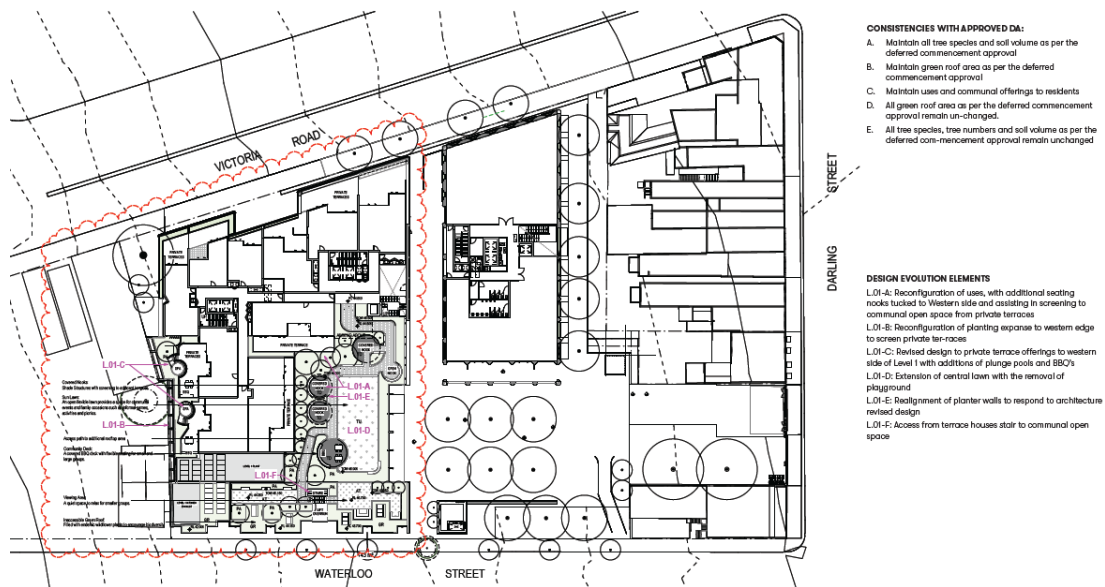


Figure 19: Landscape – L1 GA Plan (Scott Carver)

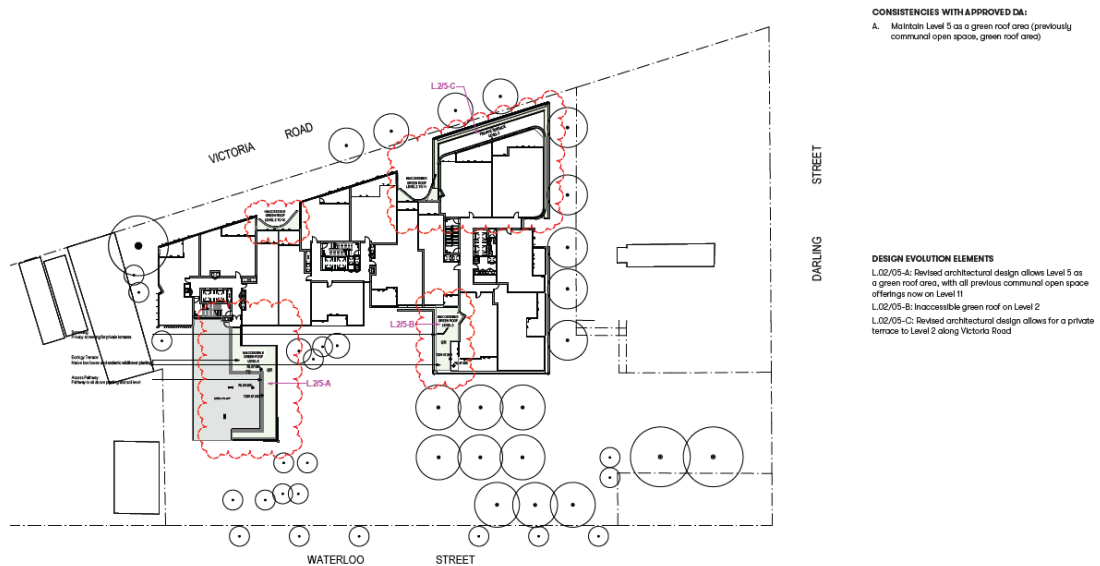


Figure 20: Landscape – L2 & L5 GA Plan (Scott Carver)

Table 4 – Architectural Plans Prepared by Scott Carver		
Drawing No.	Plan Description	Date
AD-DA106 [4] [10]	Floor Plan – Level 01 - Commercial	23/07/20 05/12/22
AD-DA107 [4] [10]	Floor Plan – Level 02	23/07/20 05/12/22
AD-DA108 [4] [10]	Floor Plan – Level 03	23/07/20 05/12/22
AD-DA109 [4] [10]	Floor Plan – Level 04	23/07/20 05/12/22
AD-DA110 [4] [10]	Floor Plan – Level 05	23/07/20 05/12/22
AD-DA111 [4] [10]	Floor Plan – Level 06	23/07/20 05/12/22
AD-DA112 [4] [10]	Floor Plan – Level 07	23/07/20 05/12/22
AD-DA113 [4] [10]	Floor Plan – Level 08	23/07/20 05/12/22
AD-DA114 [4] [10]	Floor Plan – Level 09	23/07/20 05/12/22
AD-DA115 [4] [11]	Floor Plan – Level 10	23/07/20 05/12/22
AD-DA116 [4] [11]	Floor Plan – Level 11	23/07/20 05/12/22
AD-DA117 [4] [10]	Floor Plan – Level 12	23/07/20 05/12/22
AD-DA118 [4] [9]	Roof Plan	23/07/20 05/12/22
AD-DA201 [4] [10]	Victoria Road Elevation 1	23/07/20 05/12/22
AD-DA202 [4] [10]	Waterloo Street Elevation 2	23/07/20 05/12/22
AD-DA203 [4] [10]	Little Darling Lane Elevation 3	23/07/20 05/12/22
AD-DA204 [4] [10]	Elevation 4	23/07/20 05/12/22
AD-DA205 [4] [10]	Darling Street Elevation 5	23/07/20 05/12/22
AD-DA211 [5] [9]	Section 1	23/07/20 18/11/22
AD-DA212 [5] [9]	Section 2	23/07/20 18/11/22
AD-DA213 [5] [9]	Section 3	23/07/20 18/11/22
AD-DA214 [5] [8]	Section 4	23/07/20 18/11/22
AD-DA300 [4] [8]	Materials	23/07/20 18/11/22



Table 4 – Architectural Plans Prepared by Scott Carver		
Drawing No.	Plan Description	Date
AD-DA301 [4] AD-DA321 [4]	Adaptable Apartment (Type 1) Adaptable Apartment – Type 1	23/07/20 18/11/22
AD-DA302 [4] AD-DA322 [4]	Adaptable Apartment (Type 2) Adaptable Apartment – Type 2	23/07/20 18/11/22
AD-DA303 [1] [5]	Typical Unit Plans – Sheet 1	23/07/20 18/11/22
AD-DA304 [1] [5]	Typical Unit Plans – Sheet 2	23/07/20 18/11/22
AD-DA305 [1] [5]	Typical Unit Plans – Sheet 3	23/07/20 18/11/22
AD-DA306 [1] [5]	Typical Unit Plans – Sheet 4	23/07/20 18/11/22
AD-DA901 [4] [7]	Vehicle Entry Ramp–Victoria Road	23/07/20 18/11/22
AD-DA902 [4] [7]	Vehicle Entry Ramp–Waterloo Street	23/07/20 18/11/22

Landscape Plans prepared by Scott Carver have the following modifications.

Table 5 – Landscape Plans Prepared by Scott Carver		
Drawing No.	Plan Description	Date
LD-DA000 [3] [9]	Cover Sheet	12/05/20 05/12/22
LD-DA100 [2] [6]	LG and GF GA Plan	12/05/20 05/12/22
LD-DA110 [2] [5]	L1 GA Plan	12/05/20 05/12/22
LD-DA120 [3] [6]	L5 GA Plan L2 & L5 GA Plan	12/05/20 05/12/22
LD-DA130 [3] [6]	L10 and L11 Plan L10, L11 & 12 GA Plan	12/05/20 05/12/22
LD-DA200 [1] [3]	Little Darling Lane Elevation	04/05/20 18/11/22
LD-DA210 [1] [3]	Heritage Lane Section	04/05/20 18/11/22
LD-DA220 [1] [3]	Waterloo Street Elevation	04/05/20 18/11/22
LD-DA230 [1] [3]	Victoria Road Elevation	04/05/20 18/11/22
LD-DA240 [1] [3]	Darling Street Elevation	04/05/20 18/11/22
LD-DA250 [1] [3]	Tiger Lane Sections	04/05/20 18/11/22



Table 5 – Landscape Plans Prepared by Scott Carver		
Drawing No.	Plan Description	Date
LD-DA260 [1] [5]	Soil Depth Sections	12/05/20 05/12/22
LD-DA300 [4] [6]	Planting GF Plan	04/05/20 24/11/22
LD-DA310 [1] [7]	Planting L1 Plan	04/05/20 05/12/22
LD-DA320 [2] [8]	Planting L5 Plan Planting L2 & L5 Plan	12/05/20 05/12/22
LD-DA330 [2] [8]	Planting L10 and L11 Plan Planting L10, L11 & 12 Plan	12/05/20 05/12/22
LD-DA500 [1] [3]	Little Darling Future Works	04/05/20 18/11/22

Reason: To reflect the amended architectural and landscape drawings in the subject modification.



New Condition: Staging of Construction Certificates

The development's construction is to be staged into the following Construction Certificates:

- *Construction Certificate 1: Early Works*
- *Construction Certificate 2: Excavation and Shoring (Main Works)*
- *Construction Certificate 3: Structure (Main Works)*
- *Construction Certificate 4: Retail and Club Cold Shells (Main Works);*
- *Construction Certificate 5: All other building works (Main Works); and*
- *Construction Certificate 6: Public Domain and Landscaping (Main Works).*

Reason: So that construction staging can be coordinated with the issue of Construction Certificates

Condition 2: Section 7.11 (Former Section 94) Contribution

~~Unless provision is made in a VPA for payment of a monetary contribution in lieu of Section 7.11 Contributions, prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that a monetary contribution of \$3,340,000.00 in accordance with Developer Contributions Plan No.1 – Open Space and Recreation; ‘Developer Contributions Plan No.2 – Community Facilities and Services (2005); and Leichhardt Developer Contributions Plan – Transport and Access (“CP”) has been paid to the Council.~~

~~The above contribution is the contribution applicable as at 31/07/20.~~

Reason – condition is now satisfied through the provision of a VPA.

Condition 6. Traffic and Parking

Prior to the issue of the relevant Construction Certificate, plans and documentation prepared and submitted to the satisfaction of Council’s Development Assessment Manager addressing the following:

- ~~a) 17 car parking spaces allocated to the Club and/or Retail components of the development are to be deleted.~~
- ~~b) 3 commercial car spaces are to be added to the residential car space allocation to cater for the 3 live/work units. The residential car space allocation is to be increased to 137 and the commercial allocation is to remain at 23.~~
- ~~c) Designate 23 car parking spaces allocated to the Commercial component of the development as dual use car parking spaces that are exclusive use of the Commercial Tenants and their visitors between 8.00am and 6.00pm on weekdays. Outside of these times, all Commercial Car Parking Spaces must be available for public use. The layout must be amended to permit public use e.g. no tandem parking spaces.~~
- ~~d) Total car parking spaces must be no less than 320 spaces. Car parking spaces are to be provided and allocated in accordance with the following table:~~



Parking spaces by land use	Required Car Parking
Residential (<i>incl. live/work</i>)	137
Commercial (<i>excl. live/work</i>)	23
Club Retail	<i>To be reduced by 23 spaces to provide total club/retail spaces (excl. car share and bus)</i> 147
Total Club and Retail	
Community Bus (<i>separately allocated</i>)	1
Car Share spaces (<i>separately allocated</i>)	6
Sub-total	314
Parking spaces by land use	DCP General requirement
Car wash, taxi/Uber & community bus (<i>1 additional bus bay to that required by DCP Amendment No. 18</i>)	6
Total	320

Use	Parking Numbers	
	Current approval	Proposed modification
Residential (incl. live/work units)	137	141
Commercial (excl. live/work)	23	23
Club & Retail	147	147
Community bus (separately allocated)	1	1
Car share	6	6
Sub-Total	314	318
Car wash, taxi/Uber & community bus (1 additional bus bay to that required by DCP Amendment No. 18)	6	6
Total	320	324

Figure 22: Revised parking allocations (JMT Consulting)

Reason: Conditions (a) to (c) have been satisfied in the amended design. Condition (d) has been revised to increase the residential parking spaces by 4.



Condition 8. Privacy

~~Prior to the issue of the relevant Construction Certificate for Building C, the Certifying Authority must be provided with amended plans indicating that the following privacy measures have been incorporated on the north-western elevation of Building C:~~

- ~~a) Translucent glass to be used on any window within a 6m setback from the north-western boundary.~~
- ~~b) Privacy screens are to be included around the edge of north-western facing balconies in Building C that are within a 6m setback from the north-western boundary. These privacy screens are to be a minimum of 1.6m high from the FFL of the balcony.~~

Reason: The condition has been satisfied through the amended design.

Condition 34. Modifications of Sandstone Walls

~~Existing salvaged sandstone is to be carefully removed, safely stored and later reused for the new/reconstructed sandstone wall. New mortar for the stone wall is to be compatible with stone (i.e. not hard cement mortar), using a traditional lime mortar with the appropriate grade and type of sand, and the appropriate mix.~~

Reason: The condition has been satisfied through the amended Heritage Impact Statement, which is provided in Appendix 3.



4 Planning Assessment

An assessment of the proposal against the relevant planning and environmental legislation and guidelines to identify potential environmental impacts and mitigation measures is provided in this Section.

4.1 Substantially the Same Development

Section 4.55(2) of the EP&A Act states that a consent authority may modify a development consent if 'it is satisfied that the development to which the consent as modified is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all)'.

Whilst there is no definitive approach to determining what constitutes 'substantially the same development', the LEC case of *Moto Projects (No 2) Pty Ltd v North Sydney Council [1999] NSWLEC 280* established some key principles to be considered when determining if a modification request satisfies the substantially the same development test. These principles include:

- The verb 'modify' means to alter without radical transformation;
- The word 'substantially' means essentially, materially or as having the same essence;
- For a modified development to be 'substantially' the same it is not required to be exactly the same as that for which consent was originally granted;
- When determining whether a modified development is substantially the same, a consideration of both the quantitative and qualitative amendments is required;
- Although a comparative task is required to be undertaken to satisfy the requirement of s 4.55(2) and involves a comparison of the whole of the developments being compared, the fact does not eclipse or cause to be eclipsed a particular feature of the development, particularly if that feature is found to be important, material or essential;
- Environmental impacts associated with the proposed modifications are relevant to the assessment of the modification; and
- Material changes such as amendments to the height, floor space, facades and building profile can be considered provided that the development as modified is essentially or materially the same in essence.

An assessment of the proposed modifications against these key principles is set out below.

Material and Essential Features

The key question that is to be answered is whether the application, as modifieds, 'material and essential features' are substantially the same as that already approved. The subject development can meet this test as:

- The building uses, FSR, height and other LEP controls continue to comply with the controls and have only had minimal changes;
- The key DCP features also continue to be retained in essence, including building envelope, setbacks, public domain, solar access, sustainability and design.



Further assessment of the proposal's consistency with the material and essential features of the development is proposed below.

Quantitative Assessment

The numeric features of the development largely remain unchanged, with variations considered minimal in the context of the overall development and key metrics. No changes are proposed to land uses, overall quantum of floor space or building height. Minimal changes are proposed to building envelopes, setbacks, public and private open space allocation. Critically the modified development retains either full compliance with the relevant state and local planning controls, or at a minimum, consistency with the approved development planning metrics.

The material and essential features of the original approval qualitatively remain substantially the same as demonstrated in the below Table.

Table 6 – Approved DA and Modification Comparison		
Proposal	D/2018/219	Current Proposal
Gross Floor Area	28,417m ² with it broken down into the following uses: <ul style="list-style-type: none"> Retail 5,186m² Club 3,054m² Residential 18,624m² Commercial 1,553m² 	28,417m ² with it broken down into the following uses: <ul style="list-style-type: none"> Retail 5,461m² Club 2,870 m² Residential 18,624 m² Commercial 1,462 m²
FSR (4:1)	Total FSR is 3.88:1 with it broken down into the following uses: <ul style="list-style-type: none"> Retail 0.71:1 Club 0.42:1 Residential 2.54:1 Commercial 0.21:1 	Total FSR is 3.88:1 with it broken down into the following uses: <ul style="list-style-type: none"> Retail 0.74:1 Club 0.39:1 Residential 2.54:1 Commercial 0.21:1
Height (RL82)	Overall maximum height under LEP maximum RL82 Development along Waterloo Street less than 12.5m (RL 46.85) for 1m from the front of the site (Part 2/Part 3 storeys)	Overall maximum height under LEP maximum RL82 Development along Waterloo Street less than 12.5m (RL 46.85) for 1m from the front of the site (Part 2/Part 3 storeys)
Residential units	164 + 3 live work	147 + 3 live work
Public Open Space and solar access	Total 2,250m ² or 31% of site area including 1,400m ² public plaza.	Total 2,250m ² or 31% of site area including 1,400m ² public plaza.



Table 6 – Approved DA and Modification Comparison		
Proposal	D/2018/219	Current Proposal
Private Communal Open Space (25% of site area)	22% of site area. Note public open space can also be included towards communal open space, which significantly increases this metric.	24.8% of site area. Note public open space can also be included towards communal open space, which significantly increases this metric.
Solar access to apartments on 21 st June (70% of dwellings)	70.7%	70%
Natural Cross Ventilation (60% of dwellings)	62.5%	68.5%
Car parking	314 spaces with the following breakdown + 6 spaces for misc. (320): <ul style="list-style-type: none"> • 137 residential spaces • 23 commercial spaces • 78 retail spaces • 86 club spaces • 6 car share spaces • 1 Community bus 	318 spaces with the following breakdown + 6 spaces for misc. (324): <ul style="list-style-type: none"> • 141 residential spaces • 23 commercial spaces • 78 retail spaces • 86 club spaces • 6 car share spaces • 2 Community bus • 2 Taxi Bays • 3 Carwash Bays

Qualitative Assessment

A qualitative assessment of the proposed modifications demonstrates that the essential elements of the approved development will be substantially the same despite the modifications sought by this application. Given the overall size and scale of the approved the development, the changes would be considered generally modest and will qualitatively improve the amenity of the development.

The changes proposed to the architecture and façade will result in an improved design outcome that better aligns with the surrounding character of the area, whilst improving the amenity to be enjoyed by residents, visitors and workers through improved functionality and layout of the podium club and retail uses, and better internal unit planning.

The proposal is substantially the same development as that originally approved in that:

- A comprehensive comparison of the whole of the developments being compared demonstrates that the overall development, in essence, is unchanged with key



quantitative and qualitative criteria showing the consistency of the modified scheme;

- The proposed modifications do not incorporate any changes to important or material development features such as maximum building height control, mix of land uses, allocation of public spaces such as the plaza or pedestrian links, car parking or façade and architectural elements; and
- The proposal continues to protect the environmental amenity of the area and the public interest by increasing or maintaining amenity through consistency with the Apartment Design Guide and DCP and thereby remaining consistent with if not reducing approved impacts.

Based on the above, it is considered that from a quantitative and qualitative perspective, the development as proposed to be modified is substantially the same as the approved scheme.

4.2 Planning Instrument Compliance

The original DA addressed the proposal's compliance against the (then) relevant state and local planning instruments in place at the time, including:

- SEPP 65 – Design Quality of Residential Apartment Development;
- SEPP BASIX 2004;
- SEPP (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land;
- SEPP (Transport and Infrastructure) 2021; and
- Leichhardt LEP 2000.

An assessment against the relevant provisions requiring re-assessment under planning instruments for the subject modification is provided below. Where no element of the development is changing beyond that already deemed acceptable in the original consent, no commentary is provided.

4.2.1 SEPP 65 – Design Quality of Residential Apartment Development

The application is accompanied by a revised Design Verification Statement prepared by Scott Carver Architects, which also undertakes an assessment of the proposal against the key Apartment Design Guide criteria as outlined below.

Solar and Cross Ventilation

The proposal complies with the key solar and cross ventilation requirements with an improved. 70% of dwellings achieve the minimum 2 hours solar access on 21 June with only 12% achieving 0 hours solar access. Additionally, 68.5% of units achieve natural cross-ventilation, an increase from 62.5% in the original consent.

Visual Privacy

The proposal continues to meet or be equivalent to the building separation requirements under Parts 3F and 4F of the ADG and that of the existing approval.



Communal Open Space and Deep Soil

The site is located in a dense urban area, with the existing built form covering the majority of the property. However, the proposal still meets the 7% deep soil requirement of the ADG, with the development continuing to provide an additional 3% of soil depth on structure consistent with the original approval. The development increases the private communal open space areas from 22% to 24.8% with 50% solar access retained for a minimum 2-hour period on 21 June. Once the public plaza is included in the communal open space calculation (which is permitted under the definition of communal open space in the ADG), the overall communal open space calculation is significantly above the minimum requirements.

Private Open Space and Apartment size

The proposal complies with (and exceeds) the minimum size and dimension requirements for unit sizes and private open space for all dwellings.

Ceiling Heights

The development continues to achieve the required 2.7m floor-to-ceiling heights for the dwellings, and taller ceiling heights for the commercial tenancies.

4.2.2 Leichhardt Local Environmental Plan 2000 (LLEP2000)

The subject site is currently deferred from the Standard Instrument Inner West IWLEP 2022. As such, the provisions under the Leichhardt LEP 2000 apply to the site. In particular the controls under Schedule 1, Part 3 (Balmain Leagues Club) apply to the site. The Table below outlines the proposal's consistency with the controls under the LEP.

Table 7 – Leichhardt LEP 2000		
Item	Control	Assessment
2	<p>(a) the development integrates suitable business, office, residential, retail and other uses so as to maximise public transport patronage and encourage walking and cycling,</p> <p>(b) the development contributes to the vibrancy and prosperity of the Rozelle Commercial Centre with an active street life while maintaining residential amenity,</p> <p>(c) the development is well designed with articulated height and massing providing a high quality transition to the existing streetscape,</p> <p>(d) the traffic generated by the development does not have an unacceptable impact on pedestrian or motor vehicle traffic on Darling Street, Waterloo Street and Victoria Road, Rozelle,</p> <p>(e) any residential development at street level has a frontage to Waterloo Street, Rozelle and, when viewed from the street, has the appearance of no more than three storeys.</p>	<p>Complies</p> <p>The development continues to comply with the objectives under Clause 2.</p>



Table 7 – Leichhardt LEP 2000

Item	Control	Assessment
3	A consent under subclause (2) must not be granted if the application for the development does not apply to the whole of the site.	<p>Complies</p> <p>The development continues to comply with the whole of the site.</p>
4	<p>A consent under subclause (2) must not be granted if the development will result in any of the following—</p> <p>(a) the floor space ratio for the site exceeds 3.9:1,</p> <p>(b) the floor space ratio for all shops on the site exceeds 1.3:1,</p> <p>(c) the floor space ratio for all commercial premises on the site exceeds 0.2:1,</p> <p>(d) the floor space ratio for all clubs on the site exceeds 0.5:1,</p> <p>(e) the floor space ratio for all residential development on the site exceeds 1.9:1,</p> <p>(f) in relation to a building on the site that is less than 10 metres from Waterloo Street, Rozelle—the building height exceeds 12.5 metres above the existing road level,</p> <p>(g) in relation to a building on the site that is less than 36 metres from Darling Street, Rozelle—the building height exceeds a reduced level of 52.0 metres relative to the Australian Height Datum or exceeds two storeys,</p> <p>(h) a building height on the site exceeds a reduced level of 82.0 metres relative to the Australian Height Datum or exceeds twelve storeys.</p>	<p>Complies</p> <p>The FSR continues to be 3.88:1, which is less than the maximum permitted 3.9:1.</p> <p>The mix of land uses is essentially the same as previously approved.</p> <p>The only changes to the approved FSR are:</p> <ul style="list-style-type: none"> • an increase in the retail FSR to 0.74:1, which is less than the maximum permitted 1.3:1, a reduction; • A retention in the commercial floor space of 0.21:1; • A reduction in the Club floor space to 0:39:1, which continues to comply with the maximum permitted 0.5:1. <p>The residential FSR has not changed from the 2.54:1 approved in the previous development.</p> <p>No change is proposed to the maximum permitted building heights permitted in the LEP and approved under the prior consent.</p>



4.3

The LDCP2000 is the primary Development Control Plan that applies to the site and includes site-specific provisions for the Balmain Leagues Club (Part D1), which came into force in 2019. The Table below provides an assessment against the relevant provisions in the DCP.

Table 8 – Leichhardt DCP 2000 – Balmain Leagues Club (Part D1)		
Item	Control	Assessment
D1.3 Character Statement and D1.4 General Objectives		<p>Complies</p> <p>The development continues to comply with the Character Statement and General Objectives outlined in these Chapters.</p>
D1.5 Height, Built Form and Density	<p>C1. The maximum building height (including plantrooms and lift overruns) shall be consistent with that shown in Figure 5 to minimise visual impacts, building scale and overshadowing issues. The Reduced Level (RLs) identified in Figure 5 are relative to the Australian Height Datum (AHD).</p> <p>C10. Development within the HCA shall be restricted to a maximum height of RL 52.0 AHD and be consistent with adjoining properties with respect to height and scale.</p>	<p>Complies</p> <p>The proposal continues to comply with the height, built form and density requirements under this Chapter.</p>
D1.6 Land Use	<p>C1. Provide a range of land uses to promote the development of a vibrant</p>	<p>Complies</p>

Table 8 – Leichhardt DCP 2000 – Balmain Leagues Club (Part D1)

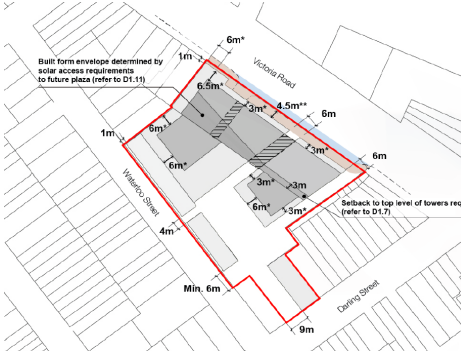
Item	Control	Assessment
	<p>Rozelle Commercial Centre that meets the needs of the local community. The range of uses shall include:</p> <ul style="list-style-type: none"> Balmain Leagues Club public plaza and other publicly accessible spaces commercial retail, including <ul style="list-style-type: none"> a supermarket limited speciality retail focused on food and beverage retail that does not detract from the surrounding Rozelle Commercial Centre residential - car parking 	<p>The development continues to comply with the mix of uses required as well as providing a variety of dwelling types (C6), diverse and adaptable housing (C7) and dwellings of different sizes and tenures (C8).</p>
D1.7 Setback and Separation		<p>Complies</p> <p>The development continues to provide setbacks and separation consistent with the approved application and the DCP Objectives.</p>
D1.8 Visual Impact to HCA and Heritage Items	<p>C1. A Heritage Impact Statement (HIS) is to be submitted with any development application for the redevelopment of the Precinct, addressing the impact of the proposed works on the HCA and heritage items in the vicinity of the proposal.</p> <p>C2. This Statement should include consideration of 'The Design Context: Guidelines for Infill Development in the Historic Environment' (prepared by the NSW Heritage Office and Royal Australian Institute of Architects NSW Chapter) with</p>	<p>Complies</p> <p>The application is accompanied by a revised Heritage Statement by Heritage 21, who is the heritage consultant for the wider project. The updated report continues to demonstrate consistency with the DCP requirements and those of the Heritage Conservation Area.</p>



Table 8 – Leichhardt DCP 2000 – Balmain Leagues Club (Part D1)

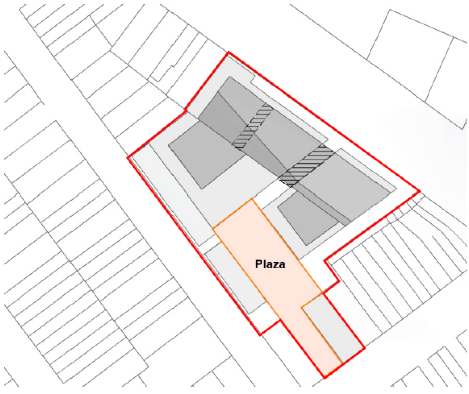
Item	Control	Assessment
	<p>regard to scale, form, materials, colours and responding to the local character.</p> <p>C3. Any development application is to be accompanied by 'before' and 'after' perspective views from the heritage items, from Darling Street and from Waterloo Street to assess the potential impact on heritage items and the HCA.</p>	
D1.10 Communal Open Space, Deep Soil and Landscaping	<p>C1. A minimum of 10% of the site area is to be provided as deep soil zone.</p> <p>C2. Where possible, deep soil areas are to be well integrated into a development and not provided on the periphery of the site.</p> <p>C7. Landscaping and mature tree planting with large canopy trees shall achieve 15% site canopy coverage.</p>	<p>Complies</p> <p>The development continues to provide 7% deep soil, supplemented by a further 3% soil depth on structure as approved in the previous application.</p> <p>The development continues to exceed the 15% canopy cover requirement by providing 16.4%.</p>
D1.11 Plaza		<p>Complies</p> <p>The development continues to provide a 1,400m² Plaza as previously approved that also has a minimum dimension of 23m, active uses on all sides, appropriate tree planting and activation.</p>
D1.12 Solar Access	<p>C1. The surrounding residential properties along Waterloo Street are to receive a minimum three hours of direct sunlight to 50% of windows to principal living areas and 50% of principal open space between 9am and 3pm at the winter solstice. Where properties receive less solar access than specified above, there should be no further reduction.</p> <p>C3. The minimum requirements of solar access to the plaza between 12:30pm and 2pm in mid-winter are:</p>	<p>Consistent with approval</p> <p>The development continues to provide solar access consistent with the approval.</p> <p>Whilst there is a slight reduction in solar access to the plaza at 1pm on 21 June (from 56.7 to 56.2%), the solar access is increased at 2pm from 72.1% to 73.7%, an overall net increase over the time period.</p>



Table 8 – Leichhardt DCP 2000 – Balmain Leagues Club (Part D1)


Item	Control	Assessment																														
	<ul style="list-style-type: none">- 35% of the plaza area shall receive solar access at 12:30pm- 50% of the plaza area shall receive solar access at 1pm- 65% of the plaza area shall receive solar access at 2pm																															
D1.13 Linkages		<p>Complies</p> <p>The development improves on the linkages approved in the prior consent by providing a colonnade along the Victoria Road frontage and an additional connection between Tigers Lane and Darling Lane.</p> <p>All other key metrics are consistent with or improved from the approved DA.</p>																														
D1.15 Parking	<p>C2. Car parking is to be provided in accordance with the table below.</p> <table><tr><th>Type of proposed use</th><th>Number of car spaces to be provided</th></tr><tr><td>Amusement centre</td><td>Nil</td></tr><tr><td>Child care centre</td><td>One space for every four children in attendance.</td></tr><tr><td>Club</td><td></td></tr><tr><td>Lounge and bar</td><td>5 spaces per 100m² gross floor area</td></tr><tr><td>Dining and auditorium</td><td>1 space per ten seats or 4 spaces per 100m² gross floor area whichever is less.</td></tr><tr><td>Commercial</td><td>1.5 parking spaces to be provided for every 100m² of gross floor area.</td></tr><tr><td>Gymnasium</td><td>4.5 parking spaces to be provided for every 100m² of gross floor area.</td></tr><tr><td>Professional consulting room</td><td>2 parking spaces to be provided for every 100m² of gross floor area.</td></tr><tr><td>Residential²</td><td></td></tr><tr><td>Residents</td><td>The total number of car spaces for residents and/or visitors to dwellings shall equate to the minimum in the DCP2000 – 0.6 spaces per 1 bedroom, 0.9 spaces per 2 bedroom, and 1.1 spaces per 3 or more bedrooms.</td></tr><tr><td>Visitors</td><td></td></tr><tr><td>Restaurant, café or other refreshment rooms</td><td>5 parking spaces per 100m² of gross floor area plus 2.5 parking spaces per 100m² of outdoor/semi-outdoor seating areas.</td></tr><tr><td>Shops and other retail</td><td>1.5 parking spaces per 100m² of gross floor area.</td></tr><tr><td>Uses not defined above</td><td>1.5 parking spaces per 100m² of gross floor area.</td></tr></table> <p>¹ Based on RMS minimum parking requirements for specific land uses. ² This parking rate does not require each dwelling to be provided with a parking space.</p>	Type of proposed use	Number of car spaces to be provided	Amusement centre	Nil	Child care centre	One space for every four children in attendance.	Club		Lounge and bar	5 spaces per 100m ² gross floor area	Dining and auditorium	1 space per ten seats or 4 spaces per 100m ² gross floor area whichever is less.	Commercial	1.5 parking spaces to be provided for every 100m ² of gross floor area.	Gymnasium	4.5 parking spaces to be provided for every 100m ² of gross floor area.	Professional consulting room	2 parking spaces to be provided for every 100m ² of gross floor area.	Residential ²		Residents	The total number of car spaces for residents and/or visitors to dwellings shall equate to the minimum in the DCP2000 – 0.6 spaces per 1 bedroom, 0.9 spaces per 2 bedroom, and 1.1 spaces per 3 or more bedrooms.	Visitors		Restaurant, café or other refreshment rooms	5 parking spaces per 100m ² of gross floor area plus 2.5 parking spaces per 100m ² of outdoor/semi-outdoor seating areas.	Shops and other retail	1.5 parking spaces per 100m ² of gross floor area.	Uses not defined above	1.5 parking spaces per 100m ² of gross floor area.	<p>Complies</p> <p>The development proposes a modest increase of car parking spaces from 320 to 324, with the provision of four additional residential spaces.</p> <p>Further detail has been provided to address a number of consent conditions related to parking and loading.</p>
Type of proposed use	Number of car spaces to be provided																															
Amusement centre	Nil																															
Child care centre	One space for every four children in attendance.																															
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Dining and auditorium	1 space per ten seats or 4 spaces per 100m ² gross floor area whichever is less.																															
Commercial	1.5 parking spaces to be provided for every 100m ² of gross floor area.																															
Gymnasium	4.5 parking spaces to be provided for every 100m ² of gross floor area.																															
Professional consulting room	2 parking spaces to be provided for every 100m ² of gross floor area.																															
Residential ²																																
Residents	The total number of car spaces for residents and/or visitors to dwellings shall equate to the minimum in the DCP2000 – 0.6 spaces per 1 bedroom, 0.9 spaces per 2 bedroom, and 1.1 spaces per 3 or more bedrooms.																															
Visitors																																
Restaurant, café or other refreshment rooms	5 parking spaces per 100m ² of gross floor area plus 2.5 parking spaces per 100m ² of outdoor/semi-outdoor seating areas.																															
Shops and other retail	1.5 parking spaces per 100m ² of gross floor area.																															
Uses not defined above	1.5 parking spaces per 100m ² of gross floor area.																															
D1.16 Finishes and Materials	<p>C1. Employ high quality finishes and materials that are contemporary, with reference to the following:</p> <ul style="list-style-type: none">- Modern forms that incorporate ecologically sustainable development principles	<p>Complies</p> <p>The development continues to provide high quality finishes and materials consistent with the principles.</p>																														



Table 8 – Leichhardt DCP 2000 – Balmain Leagues Club (Part D1)

Item	Control	Assessment
	<ul style="list-style-type: none"> - Materials and finishes: use high quality materials and finishes that highlight architectural features and enhance articulation in particular at the lower levels of the street frontages and plaza interface. Encourage the use of materials that are durable, produce low glare and do not require high levels of maintenance, particularly around public spaces - Legibility: use balanced variations in form, articulation and materials/finishes to highlight individual buildings and enhance the visibility of entrances - Fenestration: reflect the function of buildings through fenestration patterns. Avoid expansive areas of blank glass especially along Waterloo Street, to adjoining properties and internal public spaces. Avoid solid walls unless required for ADG or BCA purposes - Roof structures: carefully integrate roof structures into the architectural style of the building and minimise the impact of any plant or telecommunications equipment 	<p>The green roof area has been increased from 75% to 78% of site area, as have the green wall elements.</p>
D1.19 Environmental Management	<p>O1. To ensure that the new development applies the principles of ecologically sustainable development.</p> <p>O2. To reduce environmental impacts of the development.</p> <p>O3. To encourage improved environmental performance through the use of industry recognised building rating tools.</p> <p>O4. To promote the use of renewable energy sources and materials to reduce the use of resources, and the generation of pollution and waste resulting from development activity.</p>	<p>Consistent with approval</p> <p>The development continues to be consistent with the approval and, where possible, exceed the requirements related to Ecologically Sustainable Design, WSUD, Water re-use, recycling or harvesting and biodiversity.</p>



Table 8 – Leichhardt DCP 2000 – Balmain Leagues Club (Part D1)

Item	Control	Assessment
	<p>O5. To reduce the cause and impact of the urban heat island effect.</p> <p>O6. To implement sustainable urban water management.</p> <p>O7. To improve the diversity and abundance of locally indigenous flora and fauna species across the Inner West.</p> <p>O8. To enhance habitat and contribute to the network of wildlife corridors throughout the Inner West.</p>	
D1.20 Waste Management	C4. A Site Waste Minimisation and Management Plan (SWMMP) addressing the demolition and construction phases is to be submitted with a development application.	<p>Complies</p> <p>The application is accompanied by a revised Site Waste Minimisation and Management Plan. Refer to Appendix 10: Waste Management Plan.</p>
D1.21 Design Excellence	<p>O1. To achieve design excellence for new development within the Precinct.</p> <p>O2. To ensure development within the Precinct contributes to the urban design and architectural quality of the locality.</p>	<p>Complies</p> <p>The development continues to achieve design excellence consistent with the requirements of the DCP.</p>



5 Environmental Assessment

An assessment of the proposal against the relevant environmental consideration and guidelines to identify potential environmental impacts and mitigation measures is provided in the subject Section. The potential environmental impacts and their mitigation measures are discussed below.

5.1 Traffic & Parking

A Transport Statement has been provided in **Appendix 6: Traffic Statement** by JMT Consulting. The report concluded that the traffic and transport impacts arising from the proposed modification are considered acceptable due to the following:

- Vehicle site access from the surrounding street network via Waterloo Street and Victoria Road remains under this modification
- All on-site car parking and service vehicle parking has been designed in accordance with relevant guidelines and standards – consistent with the current approval.
- The layout and operation of the loading dock remains unchanged under this modification when compared to the current site approval, with four truck spaces provided for site loading and servicing.
- The number of parking spaces will increase from 320 (under the current approval) to 324 spaces under the proposed modification. The number of parking spaces remains compliant with the rates outlined in the site specific DCP along with the requirements under development consent under D/2018/219
- Due to an altered dwelling mix and resultant reduction in total apartment numbers, the modification proposal will result in a net reduction in peak hour and daily traffic movements when compared to the current approval for the site – therefore having positive implications for the surrounding road network.

5.2 Heritage Impact Statement

Heritage 21 have prepared a Statement of Heritage Impact, which is provided in **Appendix 3: Heritage Impact Statement**. The report concludes that the proposal would respect the heritage significance of the subject site, the Valley HCA and heritage items in the vicinity through the following:

- The proposed works would not include any further demolition works apart from what was approved in the previous DA.
- The proposed development would not deviate from the intended commercial and residential use of the proposed new buildings.
- The retention of the heritage facades along Darling Street, the medium rise development along Waterloo Street, and the high-rise development along Victoria Road would, in our opinion, ensure that the design responds to the fine-grained scale of the surrounding historic streetscape in the Valley HCA.
- The proposed refinement of the pre-approved material palette would, in our opinion, engender a positive impact to the heritage items in the vicinity, while also responding to the contemporary developments in the immediate vicinity.



- The addition of pedestrian access to the site would further enhance the amenity in the Valley HCA.
- The proposed alterations to the pre-approved landscaping would be a positive addition as it would enhance the overall urban character of the HCA.

5.3 Stormwater Management

Xavier Knight have prepared a Civil Engineering Design Report, which includes the following drawings and attached in **Appendix 11: Civil Engineering Design Report**:

- Detail survey and deposited plan
- Music Treatment
- Stormwater Management Plan
- Drain model and results

5.4 Access/BCA

Mckenzie Group have prepared an Accessibility Design Review Report and Regulatory Compliance Report which demonstrate that the proposed modifications are capable of complying with the BCA & Disability (Access to Premises – Buildings) Standards 2010 and the spirit and intent of the DDA. Refer to the full reports in **Appendix 13: Access Report** and **Appendix 14: BCA Report**.

5.5 Wind

Windtech have prepared a Pedestrian Wind Environment Statement which is provided in **Appendix 9: Wind Report**.

5.6 Waste Management Plan

Elephants Foot have prepared an operational waste management plan, which has been provided in **Appendix 10: Waste Management Plan** consistent with Council's requirements.

5.7 Site Suitability

The site is suitable for the proposed development in the following respects:

- The proposal is permissible within the zone, and consistent with the relevant objectives and consent of D/2018/219 for the wider site;
- The proposal will not result in any adverse impacts on the environment beyond those considered in the original approval, and will facilitate progress of the overall development of the vacant and dilapidated site; and
- The site is suitable for a high-quality renewal to enable a development that is consistent with the objectives and controls and compatible with the local character.

5.8 Public Interest

The public interest is considered in terms of compliance and consistency with the relevant planning controls applicable to the proposed development. There are no discernible issues relating to the proposed modifications that would be contrary to the public interest.



In contrast, approval of the modification application will facilitate a functional and efficient development on the site, that better aligns with the planning and design objectives and ensures optimal built form and development design.

Given the ongoing negative implications of the site continuing to sit vacant and in disrepair, approval of the development is in the public interest to enable its much needed renewal.



6 Summary and Conclusion

6.1 Section 4.15 Assessment Summary

The Table below provides an overview of the proposal's consistency with the requirements of Section 4.15 (Evaluation) of the Act.

Table 9 – Section 4.15 Assessment Summary		
Clause No.	Clause	Assessment
(1)	<p>Matters for consideration—general</p> <p>In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:</p>	
(a)(i)	<p>The provision of:</p> <p>Any environmental planning instrument, and</p>	<p>Complies</p> <p>The proposal is consistent with the provisions of the LLEP2000.</p>
(ii)	<p>Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</p>	<p>Not Applicable</p>
(iii)	<p>Any development control plan, and</p>	<p>Complies</p> <p>The proposal is consistent with the Objectives of the LDCP2000 and site specific provisions of the Balmain Leagues Club site.</p>
(iiia)	<p>Any planning agreement that has been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4, and</p>	<p>Complies</p> <p>The proposal is consistent with the VPA that applies to the overall site.</p>
(iv)	<p>The regulations (to the extent that they prescribe matters for the purposes of this paragraph), and</p>	<p>Complies</p>



Table 9 – Section 4.15 Assessment Summary		
Clause No.	Clause	Assessment
(v)	Any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,	Not Applicable
(b)	The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	Acceptable
(c)	The suitability of the site for the development,	Acceptable
(d)	Any submissions made in accordance with this Act or the regulations,	To be considered during assessment
(e)	The public interest.	Acceptable

6.2 Conclusion

This SEE has been prepared on behalf of Grand Rozelle Pty Ltd to support a Section 4.55(2) Modification DA to Inner West Council to modify existing consent for D/2018/219 at the former Balmain Leagues Club in Rozelle.

This statement describes the proposed works in the context of relevant planning controls and policies applicable to the form of the development proposed. In addition, the statement provides an assessment of those relevant heads of consideration pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979 (EPAA).

A Planning Assessment has been undertaken in Section 4 of this report, supported by additional consultant studies as per the requirements of Council, which are detailed in the Environmental Assessment in Section 5, which has found the associated impacts of the proposal to be minimal and manageable.

Therefore, we request that Council recommend that the proposed development be granted consent.



7 Appendices

- 7.1 Appendix 1: Architectural Drawings and Design Report
- 7.2 Appendix 2: Landscape Plans
- 7.3 Appendix 3: Heritage Impact Statement
- 7.4 Appendix 4: BASIX Report & Certificates
- 7.5 Appendix 5: NatHERS Certificates
- 7.6 Appendix 6: Traffic Statement
- 7.7 Appendix 7: Schedule of Changes
- 7.8 Appendix 8: Cost Estimate
- 7.9 Appendix 9: Wind Report
- 7.10 Appendix 10: Waste Management Plan
- 7.11 Appendix 11: Civil Engineering Design Report
- 7.12 Appendix 12: Stormwater Management Plan
- 7.13 Appendix 13: Access Report
- 7.14 Appendix 14: BCA Report

