

Application for Development - Small-Scale Commercial

Under the Environmental Planning and Assessment Act 1979 section 4.12 (formerly section 78a)

Please note:

- information provided will be public information and will be placed on the City's website.
- all fields of this form are mandatory and must be completed before submitting the application

Part B

Site Details

Street number

53A

Street name

Ross Street

Suburb

Lot number

1

DP / SP

591979

Applicant Details

Applicant name (please print)

Jake Dowse

Organisation/Company name (if applicable)

Jake Dowse Architects

Proposed Development

Type of development: (please tick appropriate box/es below)

Tourist - DP7



Commercial - DP8



Retail - DP8



Office - DP8



Signage - DP8



Industrial - DP11



Community Facility - DP12



Other - DP14



Detailed Description of proposed development

(please give details of everything that you want Council to assess including any demolition and the proposed use/s)

Alterations and additions to western facade and entry courtyard of existing commercial building including confirmation of ongoing lawfully obtained and continuing existing commercial usage

Existing use of site and (if applicable) use of the specific tenancy

Commercial - (ongoing lawfully obtained and continuous usage)

Location of development (please describe where on the site the premises is located)

Building works to front (west) facade and entry area. Usage to whole building.

Pre-application advice

Have you been given any pre-application advice on this application?

No

Yes

If yes, please give the name of the Council Officer who gave the advice, and the date the advice was given:

Officer Name:

Jemima Royall

Date of Advice:

01 May 2020

Other Approvals

Integrated Development (see Note 2 at the back of this form)

Is this application for Integrated Development?

No Yes

If yes, under which Act do you require approval?

Heritage Act 1977 (s58)

If approval is required under the Heritage Act 1977, do any exemptions apply under the Act?

No Yes

Note: If yes, and the development is wholly covered by the exemptions, the application will not be treated as integrated development. Please provide a copy of any exemptions under the Heritage Act 1977.

Roads Act 1993 (s138)

Or Any other Act Please specify which Act applies

(see Note 2 at the back of this form)

Tree Removal

Is a tree to be removed or pruned as part of this application, or are the proposed works likely to affect a tree on this site or a neighbouring site?

No Yes

If yes, extra information (such as an Arborist's report) must be provided to Council with this development application.

Has a tree removal application of approval been granted by Council?

No Yes give detail below

Further Details of Proposed Development

A Genuine and Accurate Proposed Cost of Development

(see note 3 at the back of this form)

\$ 30,000-

To accompany this application form, you must provide one of the following:

- \$0 - \$150,000 - cost summary report prepared by the applicant or a suitably qualified person*
- > \$150,000 and \$3 million - a cost summary report prepared by a suitably qualified person*
- > \$3 million - a detailed cost summary report prepared by a registered quantity surveyor

* see note 3 at the back of this form. Copies of cost summary report and detailed cost summary reports are available on council's website under 'forms'

Does the proposal include external works?

Gross floor area

Does the proposal result in an increase in floor area?

No Yes

If yes, please complete the following:

Site Area

Hours of operation

Existing

Proposed

Monday - Friday

8am - 6pm

8am - 6pm

Saturday - Sunday

8am - 1pm (Sat)

8am - 1pm (Sat)

Further Details of Proposed Development...continued

Heritage

Is the property a heritage item or within a conservation area?

No Yes ►

If yes, a heritage impact statement and/or Conservation Management Plan and/or Demolition report must be provided.

Signage

Describe details of proposed signs, including the number, width, height, wording and type in the box provided below. In addition, plans of signage must accompany application.

Not Applicable

Is this a permanent or temporary sign?

Permanent Temporary ►

If temporary, what is the proposed period of display?

From:

To:

If a Building Name Sign is proposed, please identify the major tenant or owner in the building.

Does the proposed signage relate to an existing Signage Strategy or Development Consent?

No Yes

If yes, please give details of this Signage Strategy or Development Consent

Environmental Impact

Environmental Impact (see Note 5 at the back of this form)

A Statement of Environmental Effects (S.E.E.) is attached

No ► Yes

If no, and the development is considered to have a **negligible impact** (e.g. minor internal alterations), please state the reasons why in the box below: (please describe the likely impacts of the proposed development upon the surrounding area including visual impacts and impacts to the amenity of the surrounding area). NOTE: a separate S.E.E. must be provided in all other cases.

Negligible impact as: No change of usage, no increase in floor area, no increase in main building structure/envelope, no overshadowing, no view loss, no increase in acoustic or visual privacy issues.

In addition there is an increase in garden area, and overall there is no likely impact on the amenity of the existing residential neighbours and vicinity.

Checklist for Lodging a Development Application

The following information is required for every development application in digital format. All digital information should be contained on USB (please tick all applicable boxes below which relate to documents you intend to lodge with this application)

1. Owners Consent (see Note 1 at the back of this form)

Applicant
Supplied



2. Applicant's signature on application form (page 1 of this application form)



Checklist for Lodging a Development Application

	Applicant Supplied
3. Plans and accompanying documents - All plans and documents must be submitted in digital format and comply with the "Digital Requirements" document.	<input checked="" type="checkbox"/>
NOTE: Digital files must be virus free. Each plan and document must be supplied as PDF file no larger than 20MB in size and be named in accordance with the City's Digital Requirements . Information provided on the USB (excluding Part A of the Application form and non-exhibition plans) will be publicly available, personal information such as credit card details and any other personal information must NOT be copied onto the USB.	
4. Survey Plan The survey must include the registered surveyor's name and surveyor's ID number, and be in accordance with the City's survey plan requirements located online: http://www.cityofsydney.nsw.gov.au/development/application-guide/application-process	<input checked="" type="checkbox"/>
5. Drawings to scale including location plan, site plans, existing floor plans, proposed floor plans, all elevations (see Note 7 at the back of this form)	<input checked="" type="checkbox"/>
6. Statement of Environmental Effects or Environmental Impact Statement (see Note 5 at the back of this form) - if the development is minor, complete the environmental impact statement section on the form. Completed on form	<input type="checkbox"/>
If applicable, please provide the following:	
7. A written request to justify contravention of a development standard - this is required if the development does not comply with a development standard contained within the relevant LEP	Not Applicable <input type="checkbox"/>
8. Heritage Impact Statement and/or Conservation Management Plan and/or Demolition Report - for sites listed as a Heritage Item, sites which adjoin a Heritage Item, and/or sites located within a Heritage Conservation Area or Heritage Street-scape.	Not Applicable <input type="checkbox"/>
9. Sample Board and Specification of Finishes - Specifications and photographs of the external finishing materials to be used in the construction of the development shall be indicated on the plans and in the supporting information. Please Note: Council may request a physical sample board which must be no larger than A3 size and not weigh more than 5kgs (multiple boards can be submitted if necessary).	Not Applicable <input type="checkbox"/>
10. BCA Statement / Building Services Report / Alternate Solution or Fire Engineering Report - for all major alterations/additions or when varying the provisions of the BCA.	<input checked="" type="checkbox"/>
11. A list of Category 1 Fire Safety Provisions - for development involving a change of use of any building other than a dwelling/house.	<input type="checkbox"/>
12. A Waste and Recycling Management Plan - All new and change-of-use developments that will generate construction, demolition and operational waste are required to complete a Waste and Recycling Management Plan in accordance with the requirements of the Guidelines for Waste Management in New Developments here: www.cityofsydney.nsw.gov.au/development/planning-controls/development-policies	Not Applicable <input type="checkbox"/>

Note 1

1. The EP & A Act requires that all owners consent to the lodging of an application.
2. It is the applicant's responsibility to clearly demonstrate that all owners have consented to the lodging of the application. The Council will not accept an application without the correct owners consent.
3. **Owner(s)** - all owners are to sign (please note additional requirements for other types of ownership below).
4. **Company/Organisation** - If the owner is a company, the owners consent must be signed in accordance with the Corporations Act 2001 by:
 - (a) one company director and company secretary; or
 - (b) two company directors or
 - (c) if a sole director/secretary company, the sole director.

The applicant must provide the ABN or ACN numbers, the names and positions of those signing the consent, an up to date (dated the day of lodgement or the day before) ASIC company extract (www.asic.gov.au) and any other required supporting documentation. This is the applicants responsibility to provide upon lodgement.
5. **Joint wall/fence** - when works affect a joint wall or fence, consent of all property owners is required (e.g.Semi-detached or terrace dwelling and boundary fence).
6. **Strata title/body corporate** - Strata title / body corporate - if the property is a unit under strata title, then in addition to the owner(s) signature the following must be provided if any works or proposed use affect the common property.
 - The common seal of the owners corporation must be stamped on this form and witnessed by two members of the executive committee (where there is a determination by the owner's corporation), the secretary of the owner's corporation and another member of the executive committee, or the appointed strata managing agent;
 - **and** One of the following:
 1. A letter on strata management letterhead stating that the requirements of the Strata Schemes Management Act 2015 have been met; or
 2. Copy of resolution or minutes showing that the special resolution has been passed at a general meeting or the owners corporation that specifically authorises the change to common property.
7. **Signing on owners behalf** - if you are signing on the owner's behalf as the owner's representative, you must state the nature of your legal authority and attach documentary evidence (a full copy is required). Depending on the nature of your authority, the following evidence may be accepted: Power of Attorney, Trust Deed, Probate, Letters of Administration, Delegation Schedule, Letter (with organisation's letterhead) confirming your authority.
8. **New owners** - if the property has recently been sold, documentary evidence of the sale must be provided. Please provide one (1) of the following:
 - A copy of the Certificate of Title
 - Previous owner's consent to the application.
9. Under Section 10.4 of the Environmental Planning and Assessment Act 1979, any reportable political donation to a Councillor and/or a Council employee within a two (2) year period before the date of this application must be publicly disclosed.

Further information including a "Political Donation and Gifts Disclosure Statement" from and a glossary of terms is available online at the City of Sydney website, www.cityofsydney.nsw.gov.au under "Development" and from any of the City's Customer Service Centres.

Note 2

Integrated development is development that requires development consent and one or more of the following approvals:

Heritage Act 1997 s58 - approval in respect of the doing or carrying out of an act, matter or thing referred to in s57 (1).
s57 (1) of the Heritage Act 1977 applies to building works, relics or places on the State Heritage Register.

Roads Act 1993 s138 - consent to:

- a) erect a structure or carry out a work in, on or over a public road; or
- b) dig up or disturb the surface of a public road; or
- c) remove or interfere with a structure, work or tree on a public road; or
- d) pump water into a public road from any land adjoining the road; or
- e) connect a road (whether public or private) to a classified road.

Integrated development applies to any other Acts under which a development needs approval, including:

- Fisheries Management Act 1994 - s144, s201, s205
- Mine Subsidence Compensation Act 1961 - s15
- National Parks and Wildlife Act - s90
- Protection of the Environment and Operations Act 1996
- River and Foreshores Improvement Act 1948 - part 3A
- Waste Minimisation and Management Act 1995 - s4
- Water Act 1912 - s10, s13A, s18F, s20B, s20CS, s20L, s116, part B

An application for integrated development must include sufficient information for the approval body to make an assessment of the application. If your application is for Integrated development, an additional fee will be payable directly to the relevant agency. This will be requested through the NSW Planning Portal after you lodge your application.

Note 3

In the case of construction or building work, the development application fee is based on the estimated cost of development and is based on the cost incurred if a contractor carried out the works (this is not the cost of an owner-builder carrying out the works)

- \$0 - 150,000, you will need to provide Council with the site area; gross floor area (for all uses); the applicant or suitably qualified person* must provide a cost summary report cost of demolition and site preparation; excavation; fit-out (for all uses); car parking and professional fees, this can be submitted on councils cost summary form available on councils website.
- > \$150,000 and \$3 million, you will need to provide Council with the site area; gross floor area (for all uses); a suitably qualified person* must complete a cost summary report to include the cost of demolition and site preparation; excavation; fit-out (for all uses); car parking and professional fees, this can be submitted on councils cost summary form available on councils website.
- > \$3 million, a registered Quantity Surveyor's detailed cost report verifying the cost must be submitted on lodgement of the development application, in the Council approved format available on the Council's website. In the case of development which exceeds \$40 million in cost, it is imperative that an accurate estimate is determined at development application stage as this will determine the correct Consent Authority. Please note that the Central Sydney Planning Committee is the Consent Authority for all development over \$50 million.

* The following people are recognised as 'a suitably qualified person':

- A builder who is licensed to undertake the proposed building works, or
- A registered quantity surveyor, or
- A registered architect, or
- A practising qualified building estimator, or
- A qualified and accredited building designer, or
- A person who is licensed and has the relevant qualifications and proven experience in costing of development works at least to a similar scale and type as is proposed, or
- A land surveyor registered under the Surveying and Spatial Information Act, 2002.

Misrepresenting the value of the development will result in delays in the assessment of the development application and will necessitate a re-assessment / re-determination of the matter.

Note 4

Clause 168 of the Environmental Planning and Assessment Regulation 2000 requires a list of current and proposed fire safety measures to be attached to any development involving a change of building use (BCA classification), where no building work is required (except where the proposed change is to a class 1A or class 10 building). A Fire Safety Schedule of existing fire safety measures must be filled in and attached.

Note 5

Where a proposed development is not designated development, the application must be accompanied by a statement of environmental effects unless the proposed development is considered to have negligible effect (e.g. minor interior alterations) which must:

- a) demonstrate that the environmental impact of the development has been considered;
- b) set out steps to be taken to protect the environment or to mitigate the harm;
- c) address compliance with the appropriate instrument (and any exhibited draft instruments). These instruments are available from Council or to view and download on the City of Sydney website at:
www.cityofsydney.nsw.gov.au - main menu 'Development' / 'Planning Controls'

Note 6

State Environmental Planning Policy No.65 requires a design verification statement for all development application for residential flat development. The design verification statement must be from a qualified designer being a statement in which the qualified designer verifies:

- a) that he or she designed, or directed the design of the residential flat development, and
- b) that the design quality principles set out in part 2 or SEPP65 - Design Quality of Residential Flat Development, are achieved for the residential flat development. A qualified designer means a person registered as an architect in accordance with the Architects Act 1921.

Note 7

A plan of the land must indicate;

- a) location, boundary dimensions, site area and north point of the land;
- b) existing vegetation and trees on the land;
- c) location and use of existing buildings on the land;
- d) existing levels of the land in relation to buildings and roads; and
- e) location and use of buildings on sites adjoining the land.

Plans or drawings describing the proposed development must indicate (where relevant):

- a) the location of proposed new buildings or works (including extensions or additions to existing buildings or works) in relation to the land's boundaries and adjoining development. Clause 56 of the Environmental Planning and Assessment Regulation 2000 requires an A4 plan of the building that indicates its height and external configuration as erected. If the development involves building work to alter, expand or rebuild an existing building, a scaled plan of the existing building is required.
- b) floor plans of proposed buildings showing layout, partitioning, room sizes and intended uses of each part of the building;
- c) elevations and sections showing proposed external finishes and heights;
- d) proposed finished levels of the land in relation to buildings and roads;
- e) building perspectives, where necessary to illustrate the proposed building;
- f) proposed parking arrangements, entry and exit points for vehicles, and provisions for movement of vehicles within the site (including dimensions where appropriate);
- g) proposed landscaping and treatment of the land (indicating plant types, their height and maturity); and
- h) proposed methods of draining the land.

Important Note:

Applications which have insufficient/deficient documentation and/or detail may be returned to the applicant if Council is unable to assess the application. Council can request additional information from applicants for the application to be assessed and this can delay the assessment. Please ensure all requirements are met when submitting an application.

Note

Your development application may require notification and/or advertising in the paper to enable interested persons to comment on the proposal. The notification period inviting comment from surrounding residents and the public can vary depending on the type of development. If notification/advertising is required, a separate fee will be payable.

Lodgement Details

You can book an appointment to lodge your application at one of our centres here: <https://appointment.booking.cityofsydney.nsw.gov.au/#/map>.

This form can be submitted to Council as follows:

IN PERSON: Town Hall House - Level 2, 456 Kent Street, Sydney
See our website for details of all customer service centres and opening hours:
<http://www.cityofsydney.nsw.gov.au/customer-service>

NOTE: Courier deliveries can only be accepted at our CBD Concierge desk on Level 1, 456 Kent St Sydney.

MAIL: City of Sydney, GPO Box 1591, Sydney NSW 2001 DX Address: 1251 Sydney

For further information regarding your application please contact us on:

TELEPHONE: (02) 9265 9333 Alternatively you can track your Development Application on our website

WEBSITE: www.cityofsydney.nsw.gov.au - Main menu 'Development' / 'Application Tracking'

Privacy and Personal Information Protection Notice

Purpose of Collection & Intended recipients:

The information in this form will be used and disclosed for the purposes of communicating with you, Council exercising its functions under Environmental Planning and Assessment Act and as required by law.

Supply:

The application will be placed on public exhibition and published on the Council's website. If you do not provide the information (or any part of it) your application may not be accepted.

Access / Correction & Storage:

The Council of the City of Sydney will collect and store the information. You can access and correct the information by contacting the Customer Service Team at 456 Kent Street, Sydney NSW 2000