



INNER WEST COUNCIL

DEVELOPMENT ASSESSMENT REPORT

Application No.	D/2018/490
Address	168 Norton Street, LEICHHARDT NSW 2040
Proposal	Demolition of all structures on site. Site remediation, construction of a 5 storey building to provide residential accommodation for seniors and associated community use at ground level, plus a new retail shop fronting Norton Street at ground floor level with two levels of basement car parking are proposed providing parking for 57 vehicles at 168 Norton Street, Leichhardt.
Date of Lodgement	13 September 2018
Applicant	Uniting
Owner	The Uniting Church In Australia Property Trust NSW
Number of Submissions	21
Value of works	\$16,920,000
Reason for determination at Planning Panel	Planning Agreement / SEPP 65 (4 Storeys or higher) / Number of submissions / subject to a Voluntary Planning Agreement
Main Issues	Vehicular access Waste management Heritage impacts Visual and acoustic privacy
Recommendation	Deferred Commencement Approval
Attachment A	Recommended conditions of consent
Attachment B	Plans of proposed development



LOCALITY MAP

Subject Site		Objectors			N
Notified Area		Supporters			

1. Executive Summary

This report is an assessment of the application submitted to Council for demolition of all structures on site. Site remediation, construction of a 5 storey building to provide residential accommodation for seniors and associated community use at ground level, plus a new retail shop fronting Norton Street at ground floor level with two levels of basement car parking are proposed providing parking for 57 vehicles at 168 Norton Street, Leichhardt. The application was notified to surrounding properties and twenty-one submissions were received. The site is the subject of a planning proposal, a Voluntary Planning Agreement and a site specific LEP and DCP controls.

The main issues that have arisen from the application include:

- Vehicular access
- Waste management
- Visual and acoustic privacy

The non-compliances with DCP controls are acceptable given the proposed development is consistent with the relevant objectives and therefore the application is recommended for approval.

2. Proposal

The originally proposed development involved:

- Demolition of all structures on the site.
- Construction of a part 5/part 6 storey building to provide residential accommodation for seniors pursuant to *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* with 50 self-care units including:
 - 9 three bedroom units
 - 11 two bedroom units with study
 - 17 two bedroom units
 - 1 one bedroom unit with study
 - 12 one bedroom units
- Associated community use at ground level with adjacent court yard.
- Retail shop fronting Norton Street at ground floor level.
- Car parking including:
 - 45 residential spaces
 - 3 commercial spaces
 - 1 car share bay
 - 1 car wash bay
 - 1 service bay.
- 5 bicycle spaces within the lobby

After feedback from Councils Preliminary assessment Stage the proposal has been amended as follows:

- The proposed retail unit has been reconfigured to create an active street frontage along the full length of the Norton Street elevation.
- Amendments have been made to the proposed fenestration, ensuring the ground floor elevation has a stepped appearance, reflective of the topography of the site and introduce verticality to the Norton Street elevation.
- Deletion of a 2-bedroom unit at fifth floor level, thereby removing a portion of the building mass at the rear of the building and replacement with roof terrace. As a result, the proposal complies with the 5 storey development standard and hence there is no longer a breach of clause 6.18(3) requiring a Clause 4.6 Variation Request.

- A Small Rigid Vehicle (SRV) will collect the waste on site from inside the basement, accessed from the rear laneway.
- A secondary waste room, in addition to that proposed centrally within the basement car park, is proposed adjacent to Carlisle Street to provide for capacity for Council to collect waste using 9.4m Trucks to comply with Councils obligations under the Local Government Act as a fullback solution.
- Amendment landscape plan to comply with Councils preferred street plantings.
- The balcony to Unit R4-03 has been substantially reduced in area and setback from the eastern elevation of the building.
- The rendered masonry paint finish on the eastern façade continues up to and includes the second-floor level.
- The infill between the brick piers comprises a vertical lapped and capped fence.
- Additional information was provided to address Council traffic concerns.

As the amendments result in a reduction in the scale of the development and have been carried out to address Council concerns raised by Council and objectors, in accordance with Councils notification requirements in part A of the LDCP 2013 re-notification was not necessary.

3. Site Description

The subject site is located on the western side of Norton Street, between MacAuley Street and Carlisle Street. The site includes six lots with areas expressed in the below table:

Legal Description	Area (m ²)
Lot 1 DP 1119151	218.1
Lot 2 DP 1119151	218.1
Lot 1 DP 963000	131.5
Lot 3 Section 3 DP 328	616.4
Lot 4 Section 3 DP 328	616.6
Lot 5 DP 1112635	10.6
Total	1,811.3

The site has a frontage to Norton Street of 33.804 metres, a frontage to Carlisle Street of 15.118m and a boundary to the rear lane of 57.732. The site has an irregular L shape.

The existing building on the site is known as Harold Hawkins Court and consists of a three and four storey building with an internal courtyard. The building was previously used in the past as a cinema and then as an aged care facility for approximately 40 years. The existing structures are in a state of disrepair and appear to have not been used for a number of years.

The adjoining properties to the south east contain commercial uses with shop top housing. The adjoining properties to the north consist of a restaurant Fronting Norton Street and single storey dwelling houses fronting MacAuley Street. Across the lane to the west is a dwelling house fronting MacAuley Street and multi-dwelling housing fronting both Carlisle Street and the rear Lane.

The site is located within the Whaleyborough Estate Heritage Conservation Area which is listed as Heritage Conservation area C13 within the *Leichhardt LEP 2013*.

4. Background

4(a) Site history

The following section outlines the relevant development history of the subject site and any relevant applications on surrounding properties.

Subject Site

Application	Proposal
BA 1964 65000	Erection of Home for Aged (27 units)
BA 1967 8247	Enclosure of access balcony
DA 2001 576	Internal fire upgrade of hostel
DA 2009 420	Change of use from aged care facility to student accommodation

Surrounding properties

Application	Proposal
BA 1982 20288	Two storey town houses (5 Carlisle Street, Leichhardt)
D 2016 261	First Floor addition to existing town houses (5 Carlisle Street, Leichhardt)
D 2010 271	Additions and alterations to an existing dwelling (8 MacAuley Street Leichhardt)

4(b) Application history

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

Date	Discussion / Letter/ Additional Information
30 January 2019	Request for amendments and additional information
1 March 2019	Meeting with applicant
15 March 2019	Amended plan submitted

5. Assessment

The following is an assessment of the application in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

5(a) Environmental Planning Instruments

The application has been assessed against the relevant Environmental Planning Instruments listed below:

- *State Environmental Planning Policy No 55—Remediation of Land*
- *State Environmental Planning Policy No 64 – Advertising and Signage*
- *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy (State and Regional Development) 2011*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*
- *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*
- *Leichhardt Local Environmental Plan 2013*

The following provides further discussion of the relevant issues:

5(a)(i) State Environmental Planning Policy No 55—Remediation of Land

State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55) provides planning guidelines for remediation of contaminated land. LDCP 2013 provides controls and guidelines for remediation works. SEPP 55 requires the consent authority be satisfied before granting a consent that the site is or can be made suitable for the proposed land use.

The site has not been used in the past for activities which listed within table 1 of Managing Land Contamination Planning Guidelines. The applicant has however, conducted testing in order to establish that the quality of the fill on the site. A Remedial Action Plan is included with the application. The Remedial Action Plan concludes that the site can be made suitable for the proposed use.

5(a)(ii) State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

A BASIX Certificate was submitted with the application in compliance with the regulations.

5(a)(iii) State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development

The development is subject to the requirements of *State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development* (SEPP 65). SEPP 65 prescribes nine design quality principles to guide the design of residential apartment development and to assist in assessing such developments. The principles relate to key design issues including context and neighbourhood character, built form and scale, density, sustainability, landscape, amenity, safety, housing diversity and social interaction and aesthetics.

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

The development is acceptable having regard to the nine design quality principles.

Apartment Design Guide

The ADG contains objectives, design criteria and design guidelines for residential apartment development. In accordance with Clause 6A of the SEPP 65 certain requirements contained within LDCP 2013 have no effect if they specify standards or controls in relation to a matter addressed by Clause 6A. In this regard the objectives, design criteria and design guidelines set out in Parts 3 and 4 of the ADG prevail.

The following provides further discussion of the relevant issues:

Communal and Open Space

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

- Communal open space has a minimum area equal to 25% of the site.
- Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid-winter).

Comment: The proposed development provided for communal open space areas of approximately 372m², that equate to 20.5% of the site area. While this represents a numerical non-compliance, the proposal is considered to achieve the objectives 3D-1. Given the sites location within the B2 Local Centre, the local controls envisaged within the site specific controls within the DCP and LEP, the existing low level of amenity associated with the site and the likely needs of future residents of the seniors housing, the numerical non-compliance can be supported in this instance.

A compliant level of solar access is provided to the communal open space areas.

Deep Soil Zones

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

Site Area	Minimum Dimensions	Deep Soil Zone (% of site area)
Less than 650m ²	-	7%
650m ² - 1,500m ²	3m	
Greater than 1,500m ²	6m	
Greater than 1,500m ² with significant existing tree cover	6m	

Comment: The proposed development provided for deep soil zones of 6.6% and does not comply with the minimum dimension requirements. It is considered that the level of deep soil planting provided is reasonable and consistent with the objective 3E-1 of the ADG given:

- The extent of the buildings on the site.
- The site specific development controls that stipulate the level of landscaped area provided and building footprint.
- The site's location on the 'main street' of Leichhardt within the B2 Local Centre.
- The level of deep soil zones provided.

Visual Privacy/Building Separation

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

Building Height	Habitable rooms and balconies	Non-habitable rooms
Up to 12 metres (4 storeys)	6 metres	3 metres
Up to 25 metres (5-8 storeys)	9 metres	4.5 metres
Over 25 metres (9+ storeys)	12 metres	6 metres

The proposed development provides 6 meters of separation from the northern side boundary on the fourth floor and above. The rear boundary in this instance is a secondary frontage and as a result not a rear boundary requiring separation to protect visual privacy via building separation. The southern boundary setback is acceptable in the context of the site specific development controls and the adjoining zoning. The proposal is consistent with objective 3F-1 and acceptable subject to the recommended conditions of consent relating to privacy.

Solar and Daylight Access

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

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

Comment: The proposal provides for 84% of apartments receiving the required solar access. Only one apartment receives no solar access which is compliant with the design criteria. The proposal is consistent with objective 4A-1.

Natural Ventilation

The ADG prescribes the following requirements for natural ventilation:

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

Comment: 60% of apartments have natural cross ventilation. The depth of the apartments does not exceed 18 metres. The proposal is consistent with objective 4B-3.

Ceiling Heights

The ADG prescribes the following minimum ceiling heights:

Minimum Ceiling Height	
Habitable Rooms	2.7 metres
Non-Habitable	2.4 metres
For 2 storey apartments	2.7 metres for main living area floor 2.4 metres for second floor, where its area does not exceed 50% of the apartment area
Attic Spaces	1.8 metres edge of room with a 30 degree minimum ceiling slope
If located in mixed used area	3.3 for ground and first floor to promote future flexibility of use

Comment: The ceiling heights are consistent with the above requirements. The proposal is consistent with objective 4C-1.

Apartment Size

The ADG prescribes the following minimum apartment sizes:

Apartment Type	Minimum Internal Area
Studio apartments	35m ²
1 Bedroom apartments	50m ²
2 Bedroom apartments	70m ²
3 Bedroom apartments	90m ²

Note: The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each. A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m² each.

Comment: The apartment sizes of all apartments meets the above requirements. The proposal is consistent with objective 4D-1.

Apartment Layout

The ADG prescribes the following requirements for apartment layout requirements:

- Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.

- Habitable room depths are limited to a maximum of 2.5 x the ceiling height.
- In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8 metres from a window.
- Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space).
- Bedrooms have a minimum dimension of 3 metres (excluding wardrobe space).
- Living rooms or combined living/dining rooms have a minimum width of:
 - 3.6 metres for studio and 1 bedroom apartments.
 - 4 metres for 2 and 3 bedroom apartments.
- The width of cross-over or cross-through apartments are at least 4 metres internally to avoid deep narrow apartment layouts.

Comment: The apartment layouts are largely consistent with the layout requirements listed above except

- Some apartments (04 and 05 apartments on each level) have habitable rooms without a window in external walls in the southern bedrooms and achieve acceptable access to light and ventilation through windows to a hallway that achieves external ventilation and light requirements.
- Some apartments (04 and 05 apartments on each level) have a combined living, dining and kitchen depth which slightly exceeds 8m.
- Some apartments have a bedroom depth that is slightly smaller than the 3m requirement.
- The width of some of the living rooms is slightly smaller than the 3.6m and 4m requirements.

Noting the fact that the development is for seniors housing and subject to the seniors housing requirements (contained with Schedule 3) the proposal is considered to be acceptable in terms in Objectives 4D-2 and 4D-3. The proposal is acceptable in this regard on merit.

Private Open Space and Balconies

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

Dwelling Type	Minimum Area	Minimum Depth
Studio apartments	4m ²	-
1 Bedroom apartments	8m ²	2 metres
2 Bedroom apartments	10m ²	2 metres
3+ Bedroom apartments	12m ²	2.4 metres

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

The ADG also prescribes for apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m² and a minimum depth of 3 metres.

Comment: The balconies of the proposed development comply with the above design criteria and is consistent with the objective 4E-1.

Common Circulation and Spaces

The ADG prescribes the following requirements for common circulation and spaces:

- The maximum number of apartments off a circulation core on a single level is 8.

- For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.

Comment: The number of apartments off a circulation core is acceptable and consistent with Objective 4F-1

Storage

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

Apartment Type	Minimum Internal Area
Studio apartments	4m ³
1 Bedroom apartments	6m ³
2 Bedroom apartments	8m ³
3+ Bedroom apartments	10m ³

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

Comment: All apartments have a compliant level of storage and the proposal is consistent with the objective 4F-1.

- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004***

This application is made pursuant to the *Leichardt LEP 2013* provisions and the application of *Seniors Housing SEPP* is limited to the aims, key concepts and the Standards applicable to self-contained dwellings within Schedule 3.

The proposed development is consistent with the clause 2 aims of the plan noting the design of the building to meet the needs of seniors and people with a disability and the response to the constraints of the site. The proposed development is for Independent Living Units (ILU's) and is categorised as self-contained dwellings for the purpose of the *Seniors Housing SEPP*.

A condition pursuant to clause 18(2) of the SEPP requiring a restriction as to user in accordance with Section 88E of the *Conveyancing Act 1919*.

A condition of consent is recommended requiring the applicant to demonstrate Compliance with the Schedule 3 Standards concerning accessibility and useability for self-contained dwellings.

- Leichhardt Local Environment Plan 2013 (LLEP 2013)***

The application was assessed against the following relevant clauses of the Leichhardt Local Environmental Plan 2013:

- Clause 1.2 – Aims of the Plan
- Clause 2.3 – Zone objectives and Land Use Table
- Clause 2.6 – Subdivision Requirements
- Clause 2.7 – Demolition Requires Development Consent
- Clause 4.4 – Floor Space Ratio
- Clause 4.4A – Floor Space Incentives for active street frontages
- Clause 4.5 – Calculation of floor space ratio and site area
- Clause 5.10 – Heritage Conservation
- Clause 6.1 – Acid Sulphate Soils

- Clause 6.2 – Earthworks
- Clause 6.4 – Stormwater management
- Clause 6.8 – Development in areas subject to aircraft noise
- Clause 6.11A -Residential accommodation in Zone B1 and Zone B2
- Clause 6.13 – Diverse housing
- Clause 6.18 – Development of land at 168 Norton Street, Leichhardt

The proposed development is for a mixed use development consisting of a shop and seniors housing. The use of the land for a shop and seniors housing is permitted with consent in Zone B2 Local Centre under the LLEP 2013.

The following table provides an assessment of the application against the development standards applicable to the subject land:

Standard (maximum)	Proposal	% of non compliance	Compliances
Floor Space Ratio Required: [3:1] [5433.9m ²]	2.887:1 5229.9m ²	NA	Yes
Height Required: RL50.4 / not exceeding 5 Storeys	RL49.2 5 Storeys	NA	Yes

Clause 2.3 – Zone objectives and Land Use Table

The site is located within Zone B2 Local Centre. The objectives of the zone are as follows:

“To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.

To encourage employment opportunities in accessible locations.

To maximise public transport patronage and encourage walking and cycling.

To ensure that development is appropriately designed to minimise amenity impacts.

To allow appropriate residential uses to support the vitality of local centres.

To ensure that uses support the viability of local centres.

To provide a mixture of compatible land uses.

To reinforce and enhance the role, function and identity of local centres by encouraging appropriate development to ensure that surrounding development does not detract from the function of local centres.

To integrate suitable business, office, residential, retail and other development in accessible locations.”

The proposed development provides for retail and community uses. The development provides for suitable employment generating activities in an accessible area. The proposed development has made appropriate attempts to reduce the amenity impacts on surrounding residents. The residential use supports the economic viability of the local centre and will complement and enhance the viability of the local centre. The proposed development provides for a land uses that provide a compatible mix. The proposed development will reinforce and enhance the function of the local centre. The proposed development suitably

intergrades business uses with residential uses in an accessible area. The proposal is considered to be consistent with the objectives for Zone B2 Local Centre.

Clause 4.4A – Floor Space Incentives for active street frontages

While the proposed development does not rely on the FSR contained within this clause the application does comply with the active street frontage requirements.

Clause 5.10(2)(e)(i)

Development consent is required to carry out the works within a conservation area.

Clause 5.10(4)

The impacts of the development on the heritage significance of the conservation area have been considered and the proposed development as amended has an acceptable impact on the heritage significance and value of the conservation area.

Clause 6.2 – Earthworks

The applicant has submitted sufficient information such as a geotechnical report and remedial action plan with the application to satisfy the requisite certainty in relation to the developments compliance with cause 6.2 of the *LLEP 2013*, appropriate conditions of consent will be imposed to ensure that the impacts from the proposed excavation works are appropriately managed or mitergated.

Clause 6.4 – Stormwater management

The proposed stormwater management system has been considered by Council's Engineers, and subject the the recommended conditions of consent, the proposal is considered to adequately address clause 6.4 of the *LLEP 2013*.

Clause 6.8 – Development in areas subject to aircraft noise

The application is supported by an Acoustic Report that includes an aircraft noise assessment and provides Council with the mitigations measures that will be used to manage the impacts of air aircraft noise. It is recommended that the any consent include a condition of consent requiring the recommendation of this report are followed. The proposed development is consistent with the requirements of clause 6.8 of the *LLEP 2013*.

Clause 6.13 – Diverse housing

The application provides for 26.53% one bedroom dwellings and 18.36% three bedroom dwellings. The proposal therefore complies with the requirements of Clause 6.13 of the *LLEP 2013*.

Clause 6.18 – Development of land at 168 Norton Street, Leichhardt

The *LLEP 2013* proposed development provides for a height that is below the Maximum RL of 50.4 and does not exceed 5 storeys in height. The development complies the maximum FSR of 3:1 on the site for a development that comprises only seniors housing (noting the required Retail use and active street frontage required by 6.11A of the *LLEP 2013*). The proposal is consistent with the requirements of Clause 6.18 of the *LLEP 2013*.

5(b) Draft Environmental Planning Instruments

The proposed development is not impacted by any Draft Environmental Planning Instruments that have been exhibited.

5(c) Development Control Plans

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

Part	Compliance
Part A: Introductions	
Section 3 – Notification of Applications	Yes
Part B: Connections	
B1.1 Connections – Objectives	Yes
B2.1 Planning for Active Living	Yes
B3.1 Social Impact Assessment	Yes
Part C	
C1.0 General Provisions	Yes
C1.1 Site and Context Analysis	Yes
C1.2 Demolition	Yes
C1.4 Heritage Conservation Areas and Heritage Items	Yes - see below comments
C1.5 Corner Sites	Yes
C1.7 Site Facilities	Yes
C1.8 Contamination	Yes
C1.9 Safety by Design	Yes
C1.10 Equity of Access and Mobility	Yes
C1.11 Parking	See below comments.
C1.12 Landscaping	Yes
C1.13 Open Space Design Within the Public Domain	Yes
C1.14 Tree Management	Yes - see below comments.
C1.16 Structures in or over the Public Domain: Balconies, Verandahs and Awnings	Yes
C1.17 Minor Architectural Details	Yes
C1.18 Laneways	See below comments
Part C: Place – Section 2 Urban Character	
Suburb Profile	
C2.1.3.5 Leichhardt Commercial Distinctive Neighbourhood, Leichhardt	See below comments
Part C: Place – Section 3 – Residential Provisions	
C3.8 Private Open Space	Yes
C3.9 Solar Access	Yes
C3.10 Views	Yes
C3.11 Visual Privacy	See below comments
C3.12 Acoustic Privacy	See below comments
Part C: Place – Section 4 – Non-Residential Provisions	
C4.1 Objectives for Non-Residential Zones	Yes
C4.2 Site Layout and Building Design	See below comments
C4.3 Ecologically Sustainable Development	Yes
C4.4 Elevation and Materials	Yes
C4.5 Interface Amenity	See below comments
C4.6 Shopfronts	Yes
C4.15 Mixed Use	See below comments
Part D: Energy	
Section 1 – Energy Management	Yes
Section 2 – Resource Recovery and Waste Management	

D2.1 General Requirements	Yes
D2.2 Demolition and Construction of All Development	Yes
D2.5 Mixed Use Development	Yes
Part E: Water	
Section 1 – Sustainable Water and Risk Management	
E1.1.1 Water Management Statement	Yes
E1.1.2 Integrated Water Cycle Plan	Yes
E1.1.3 Stormwater Drainage Concept Plan	Yes
E1.1.4 Flood Risk Management Report	Yes
E1.2 Water Management	
E1.2.1 Water Conservation	Yes
E1.2.2 Managing Stormwater within the Site	Yes
E1.2.3 On-Site Detention of Stormwater	Yes
E1.2.4 Stormwater Treatment	Yes
E1.2.5 Water Disposal	Yes
E1.2.6 Building in the vicinity of a Public Drainage System	Yes
E1.2.7 Wastewater Management	Yes
Part G: Site Specific Controls	
Section 9 – 168 Norton Street, Leichhardt	See below comments

The following provides discussion of the relevant issues:

C1.5 Heritage Conservation Areas

The subject property at 168 Norton Street, Leichhardt, is located within the Whaleyborough Estate Heritage Conservation Area (C13 in Schedule 5 of the Leichhardt LEP 2013), the Leichhardt Commercial Distinctive Neighbourhood and the Norton Street – Centro Sub Area (Leichhardt DCP 2013). The site not listed as a heritage item. It is in the vicinity of heritage item I682; the Royal Hotel, including interiors, at 156 Norton Street, Leichhardt.

The statement of significance for the site prepared as part of the HIS by City Plan Heritage, is reiterated below:

The existing building located at 168 Norton Street is located within a group of commercial buildings built during the late 19th and early 20th centuries. The subject site is indicative of the suburban growth of Leichhardt and the subsequent commercial development of Norton Street. The site is also indicative of the growing need due to the 1960s for aged care facilities in the area.

The building has been substantially modified internally and externally and is uncharacteristic within existing aesthetics of the Norton Street streetscape and the Whaleyborough HCA.

The subject site is not considered of sufficient significance to warrant individual listing as a heritage item in the Leichhardt LEP 2013.

The Statement of Significance for the Whaleyborough Estate Heritage Conservation Area, sourced from the Leichhardt DCP 2013, is listed below:

- *One of a number of conservation areas which collectively illustrate the nature of Sydney's early suburbs and Leichhardt's suburban growth particularly between 1871 and 1891, with pockets of infill up to the end of the 1930s (ie prior to World War II). This area is significant for its surviving development from the 1880s and 1890s,*

which gives it its particular identity. All allotments appear to have been taken up and built upon probably by the late 1930s.

- *Through its wide roads, its important mixture of cottages, terraces and shops, mostly dating from the 1880s–1890s, and the form and materials of its construction this area provides an interesting built example of late nineteenth century economics where pressures for denser and cheaper accommodation have overlaid the original spacious suburban intentions.*
- *With the adjoining Excelsior Estate subdivision to the south, its roads, lanes and subdivision pattern defined the layout of central Leichhardt.*
- *It demonstrates through its range of external finishes (first plaster, then brown face brick and blue-face brick) the increasing sophistication in brick making from the 1880s.*

The Statement of Significance for the Royal Hotel, at 156 Norton Street, sourced from Council's heritage database, is below:

The Royal Hotel at No. 156 Norton Street is of local historic, aesthetic and social significance as a good and intact representative example of a two storey late Victorian Free Classical corner hotel constructed in 1886 and associated with Tooheys Limited for a number of years. Despite some modifications and additions to the facades and rear, the building retains a sense of its original scale, form and details including rendered and painted brick facades, parapet and pediments and associated rendered mouldings and details, suspended awning, ceramic tiled wall finish on the ground floor, pattern of window openings including basement keg chute and separate side entry and rear detached store/garage. The building occupies a prominent corner site and is a townscape element and landmark that makes a positive contribution to Norton Street.

The site contains a circa 1920s four storey building which was converted in the 1960s from the Marlborough Theatre to an aged care facility; Harold Hawkins Court. The building presents as three storeys to Norton Street and is four storeys to the rear lane and south to Carlisle Street. The main façade to Norton Street has been heavily modified from its original gable and arched windows, to a geometric form with parapet wall, with face brick and rendered masonry and with a series of rectilinear windows. A mural on the ground floor covers a series of windows and doors. The building has been vacant since 2004. Remnants of the original string course and piers to the ground floor front façade remain, though in an altered state.

The application and amended plans were referred to Council's Heritage Advisors who provided the following comments:

The original design for the proposal was assessed as being acceptable from a heritage perspective, subject to amendments to reduce the impact on the Whaleyborough Estate Heritage Conservation Area, the Leichhardt Commercial Distinctive Neighbourhood and the Norton Street – Centro Sub Area. The following commentary is provided in response to the revised drawings received dated 14 March 2019, which responded to the recommendations made in the initial heritage commentary, dated 25 October 2018.

1. *The eastern façade to the ground floor on Norton Street is to be amended so it, and the floor level, steps down with the topography.*

Comment: The fenestration to the ground floor façade to the eastern elevation has been amended so that the windows step down, following the topography. The floor levels have not been amended, however, the treatment of the fenestration to the streetscape is an improvement.

2. *The design of the eastern façade is to be amended so that the articulation and openings complement the established pattern of the individual shop fronts within the street.*

Comment: The articulation and openings of the eastern façade have been amended so that the upper levels better relate with the ground floor openings. This in turn better complements the pattern of individual shop fronts within the street.

3. *The proposed awning to Norton Street is to be amended so that it progressively steps down the street.*

Comment: Amended.

4. *The Unit R4-03 balcony is to be deleted so the proposal sits more comfortably within the low historic scale of the historic built context.*

Comment: It is understood that the balcony cannot be required as the Residential Flat Design Code requires that each unit have a balcony. Following discussions with council, it was agreed that a reduced setback of the balcony from the north eastern corner was an appropriate compromise. This is an improvement on the previous proposal as it will reduce some of the bulk.

5. The colour of the proposed metal wall finish (WT2) on the fourth and fifth levels and the “Dunny Lane” elevation, the vertical Colorbond Cladding (WT6) on the western elevation of the fourth and fifth elevation and the metal roof (RF1) are to be amended to Colorbond colours - “Windspray” or “Wallaby” which are suitable modern equivalents of traditional roofing in the Leichhardt Municipality.

Comment: The previously proposed light grey Colorbond cladding (WT6) has been removed from the Materials Board and replaced with a light grey metal wall finish (WT2). The paint for the rendered masonry (WT5) has been amended to medium grey. The metal roof (RF1) has also been removed from the Materials Board.

It is recommended a condition of consent be included requiring that roofing material be in a colour equivalent to Colorbond colour “Windspray” or “Wallaby” which are suitable modern equivalents of traditional roofing in the Inner West Municipality.

6. *The rendered masonry paint finish on the eastern façade is to be continued up to, and include, the second floor level.*

Comment: The rendered masonry with paint finish has been continued up to the second floor level excluding the exterior of the apartments to the north of the balconies on the first and second floor levels. This is acceptable as the proposed face brick to the exterior to the second floor level outside Unit R2-04 on level 2 and R3-04 on level 3, will provide visual interest to the façade and relates to the building fenestration.

7. *The proposed grey colour (WT7) is to be replaced with a lighter colour complementary of the existing colour schemes in the street.*

Comment: The proposed grey colour (WT7) has been removed from the Materials Board and replaced with a light grey metal wall finish (WT2).

8. *The infill between the brick piers in the proposed lapped and capped fence (FT1) is to be vertical.*

Comment: No change. It is recommended a condition of consent be included requiring the infill between the brick piers in the proposed lapped and capped fence (FT1) to be vertical.

9. *Prepare and implement a heritage interpretation strategy.*

Comment: It is recommended a condition of consent be included requiring the preparation and implementation of a heritage interpretation strategy.

10. *A photographic record of the building is to be completed prior to its demolition.*

Comment: It is recommended a condition of consent be included requiring the preparation of a photographic record prior to demolition of the building.

Given the above comments, Council's Heritage Advisors have confirmed that the proposal is acceptable from a heritage perspective subject to conditions which include the following specific conditions:

1. A Heritage Interpretation Plan for the former cinema / theatre must be submitted to and approved by Council's Heritage Specialist prior to the issue of a Construction Certificate. The plan is to be prepared by a suitably qualified and experienced heritage practitioner or historian in accordance with the 'Heritage Interpretation Policy' published by the Heritage Council of NSW and the NSW Department of Planning in August 2005 and 'Heritage Information. Series, Interpreting Heritage Places and Items Guidelines' published by the former NSW Heritage Office in August 2005.

The interpretation plan must detail how information on the history and significance of the [Specify feature/site] will be provided for the public and make recommendations regarding public accessibility, signage and lighting. Public art, details of the heritage design, the display of selected artefacts are some of the means that can be used. The plan must specify the location, type, making materials and contents of the interpretation device being proposed.

Prior to an occupation certificate being issued, the approved interpretation plan must be implemented to the satisfaction of Council's Heritage Specialist.

2. A photographic archival record of the building and landscape elements to be altered or demolished is to be submitted prior to the commencement of demolition work and prior to the issue of a Construction Certificate to the satisfaction of Council's Heritage Specialist.

The photographic archival recording is to be submitted in a digital format only and is to include the following:

- a) Site plan at a scale of 1:200 (or 1:500 if appropriate) of all structures and major landscape elements including their relationship to the street and adjoining properties and directional details of photographs taken.
- b) Coloured photographs of:
 - i. each elevation,
 - ii. each structure and landscape feature;
 - iii. views to the subject property from each street and laneway or public space.

Photographic archival records must be taken of the building, landscape or item in accordance with 'Heritage Information Series, Photographic Recording of Heritage Items Using Film or Digital Capture 2006' published by the former NSW Department of Planning Heritage Branch available online at <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/infophotographicrecording2006.pdf>

The electronic images are to be taken with a minimum 8 megapixel camera, saved as JPEG TIFF or PDF files with a size of approximately 4-6MB, and cross referenced to the digital catalogue sheets and base plans. Choose only images that are necessary to document the process, and avoid duplicate images.

The report can be submitted on a USB, CD or DVD, in PDF/A format (created directly from the digital original), with a digital catalogue of images with the following data for each: title, image subject/description and date photograph taken.

3. The Materials Board is to be updated with the following:

- a) Any roofing material is to be in a colour equivalent to Colorbond colour "Windspray" or "Wallaby".
- b) The infill between the brick piers in the proposed lapped and capped fence (FT1) to be vertical.

Note: the above conditions have been amended in the recommendation to fit into the format of the draft integrated IWC standard conditions.

In summary, the proposed works as conditioned will involve minimal incursion of significant fabric, and will be of a form, design and detail that will be compatible with, and that will not detract from, the heritage significance of the site or the HCA.

C1.11 Parking

Car parking

SEPP requirements	DCP minimum requirements	DCP Maximum requirements	Provided
10 Spaces (as the proponent is a social housing provider)	27 Residential Spaces	45 Residential Spaces	45 Residential spaces
NA	3 Retail Spaces	3 Retail Spaces	3 Retail Spaces
NA	5 Visitor Spaces	7 Visitor Spaces	6 Visitor spaces

The proposed development complies with the requirement for car parking on the site.

Bike parking rates and facilities

Table C6 requires the retail and seniors housing component of the development to provide 2.75 resident / staff spaces and 4.14 visitor / customer spaces resulting in a requirement of 7 spaces. The proposed development only provides 5 spaces in total for the development, short fall of 2 spaces. Given the location of public bike parking located at the corner of Carlisle Street and Norton Street and other located in the vicinity along Norton Street it is consider that the level of bicycle parking in the area is sufficient to meet the short fall of 2 bike spaces. The level of bike parking on site is considered to be an acceptable level consistent with the general objectives for parking contained within C1.11, and therefore, the proposal is supported on merit.

C1.12 Landscaping and C1.13 Open Space Design within the Public Domain

The proposal has been considered by Council's Landscape team and amendments made to bring the proposal into compliance with the requirements of C1.12 and C1.13. The have been amended proposal is consistent with the applicable controls for landscaping on the site and surrounding public domain.

C1.18 Laneways

The rear lane is a narrow lane for the purpose of this section of the DCP. The proposal does not propose lane fronted dwellings and essentially seeks to use the land for the purposes of access and a service function.

The general controls for urban form contained within C5, C8, C10, C13 and C14 are inconsistent with the site specific controls contained within Part G – Section 9 of the Leichhardt DCP 2013. The proposal is consistent with the remaining controls within C1.18. the relevant objectives and as a result is acceptable on merit.

C2.2.3.5 Leichhardt Commercial Distinctive Neighbourhood, Leichhardt

The proposed development is consistent with the relevant Desired Future Character controls and Centro Sub Area controls with the exception of C2.1.3.5 C2, C13 and C2.1.3.5 (c) C1, C6 which are inconsistent with the site specific controls contained within Part G – section 9 of the Leichhardt DCP 2013. The proposal is consistent with the objectives for desired future contained within C2.2.3.5 and C2.1.3.5 and acceptable on merit.

C3.11 Visual Privacy

The proposed development provides for visual privacy via screening planter boxes for balconies, roof terraces and the Communal Landscaped Courtyard. Most of the units are also separated from the adjoining properties via streets and laneways and achieve separation distances greater than 9m. The level of screening is acceptable noting separation via distance is achieved, with the exception of the balcony off unit R4-06 which has an inadequate setback of the balustrade from the northern side and will allow for direct overlooking into the properties to the north. A condition of consent is recommended that increases the setback of the northern balustrade to be in line with the northern wall of Unit R4-06. This will ensure direct overlooking is not possible within an unacceptable distance separation.

C3.12 Acoustic Privacy

The application is supported by an Acoustic Report that demonstrates compliance with the requirements for AS 2021-2000 – Acoustics- Aircraft noise intrusion and demonstrates that the acoustic impacts of the development are consistent with what would be expected from other commercial or residential development on the site. However, the location of the community landscaped courtyard adjacent to the community rooms has the potential to negatively impact the acoustic privacy of the surrounding residences if used for events late at night. To mitigate the potential impacts of this space, it is recommended that a condition of consent preclude the use of this space for organised events between the hours of 10pm to 6am.

C4.2 Site Layout and Building Design

The proposed development is consistent with the controls contained within C4.2 with the exception of those that contradict the site specific controls contained within G9. As the proposal is consistent with the site specific controls it is consistent with the objectives O1-O4 within C4.2 and acceptable on merit.

C4.5 Interface Amenity

The proposed development is consistent with the controls contained within C4.5 with the exception of those that contradict the site specific controls contained within G9. In relation to C4.5 C6 it is considered that the proposed development effectively screens noise generating activities from the surrounding residential development subject to the conditions of consent that are recommended restricting the hours to use of the community landscaped courtyard. The proposal is consistent with the objective O1 within C4.4 and acceptable on merit.

C4.15 Mixed Use

The proposed development, while generally consistent with the controls contained within C4.15 does provide for residential uses on the ground level of the building. Given the VPA

for the site, the provisions of the *LLEP 2013*, the provision of an active street frontage to Norton Street and the objective O1 within C4.15, the proposal is considered acceptable on merit.

G9 – 168 Norton Street, Leichhardt

G9.3 Objectives

The proposed development is considered to complement the subdivision patterns and the future character of the streetscape and surrounding area. The development is considered to achieve architectural and design excellence. The impacts of the development on solar access and amenity of the surrounding properties are considered acceptable. The proposal will result in improved amenity and visual presentation to the public domain, including Norton Street and Carlisle Street. The proposal renews the public domain on the site boundaries and will meet the desired future character controls relevant to the site. The proposed development also provides for an active street frontage to Norton Street. The proposal is considered to be consistent with the objectives for the site specific controls contained within G.3.

G9.4 Desired Future Character Statement

The proposed development suitably responds to the site including to the topography of the site. The proposal will improve the site's compatibility with other development on Norton Street and has acceptable impacts, subject to the recommended conditions of consent to protect the amenity of the adjoining residential dwellings. The architectural style, built form and materials is considered to complement the character of the area. The development is considered to protect and enhance the values of the Wetherill Estate Heritage Conservation Area. The level of vertical 'fine grain' building articulation is acceptable. The development is considered to have a positive impact on the streetscapes of Norton Street and Carlisle Street. The development includes a continuous awning on Norton Street and reflects the small shopfront character of the areas.

G9.5 Public Domain

Active Frontages

The development provides for uses on the ground floor Norton Street elevation that provide an active street frontage and are likely to be used for appropriate commercial uses given their design. Level pedestrian access is provided to the non-residential uses. The building frontages above the ground floor will encourage passive surveillance and include building elements to encourage passive surveillance.

Awnings

The proposed awnings on Norton Street provide for an appropriate level of weather protection and complement the adjoining buildings and streetscape.

G9.6 Built Form and Design

Building Height and Bulk

The proposed development is generally consistent with the level's shown in Figure 1 and the built form controls within G9.6.1. There are however three non-compliances that are addressed below.

The proposal includes a non-compliance with G9.6.1 C1 and C2 in that the setback of the fifth storey is less than 6m with a setback of 3.8m.

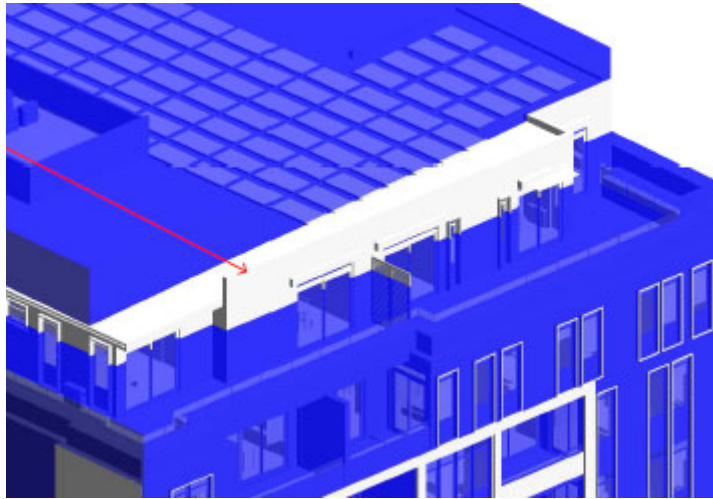


Figure 1: non-compliance with built form control on the eastern elevation. (shown in white exceeding the blue building envelope)

The proposal includes a non-compliance with G9.6.1 C1 and C5 in that the height on the northern boundary in part RL 41.9 whereas the control requires RL 40.40. This noncompliance is limited to the section of the development as indicated in the below image.

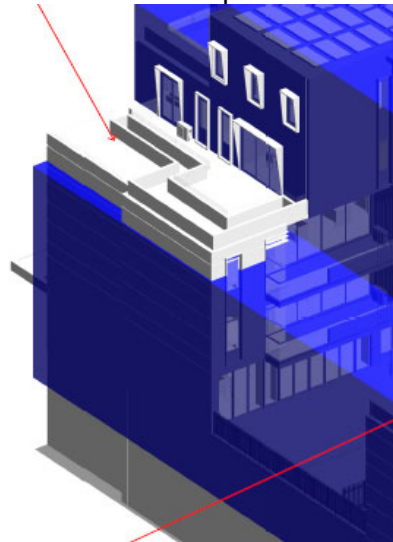


Figure 2: Non-compliance with built form control on the northern elevation. (shown in white exceeding the blue building envelope)

The proposal also includes a small non-compliance with G9.6.1 C1 related to the height of the stairwell. This non-compliance is obscured behind the adjoining shops to the south east of the site. This is noncompliance is indicated in the below image.

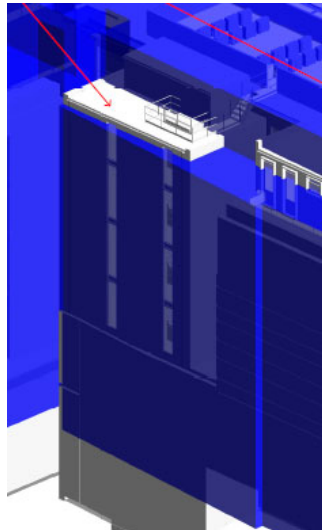


Figure 3: Non-compliance with built form control on the stairwell. (shown in white exceeding the blue building envelope)

In relation to these controls the maximum height of the development is expressed, as an RL and a maximum number of storeys within Clause 6.18 of the Leichhardt LEP 2013 and the DCP controls G9.6.1 C1, C2 and C5 are expressed in the same terms.

Section 3.43(5) of *Environmental Planning and Assessment Act 1979* states:

“(5) A provision of a development control plan (whensoever made) has no effect to the extent that:
(a) it is the same or substantially the same as a provision of an environmental planning instrument applying to the same land, or
(b) it is inconsistent or incompatible with a provision of any such instrument.”

As a result these controls have no effect to the extent of the inconsistency. However, the proposal is consistent with the objectives contained within G9.6.1 O1-O6, noting:

- The lack of amenity impacts associated with the non-compliance.
- The minimal apparent visual bulk.
- Minimal impacts on apparent scale between the proposal and the surrounding properties.
- The lack of significant streetscape impacts in terms of transition from a compliant proposal.

Building setbacks, separation and articulation

The proposed development is largely consistent with the setback controls contained within G 9.6.2, however, the following non-compliances exist in relation to the setback of the fifth floor setback from Norton Street (C6) and the 3rd floor not being setback 6m from the northern boundary (C13). The balconies off the rear lane are within the 3m setback and part of apartments encroach on the rear lane setback for 0.3m as shown below:

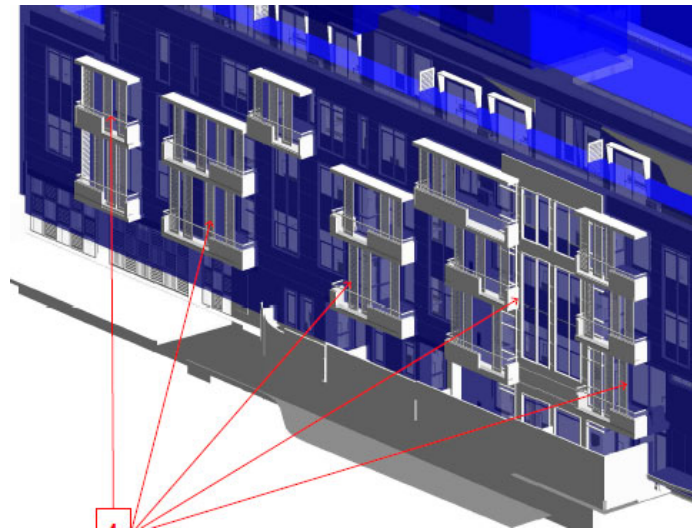


Figure 4: Non-compliance with rear lane setback. (shown in white exceeding the blue building envelope)

The proposal also has non-compliances in relation to the Carlisle Street setback (C8).as shown below:

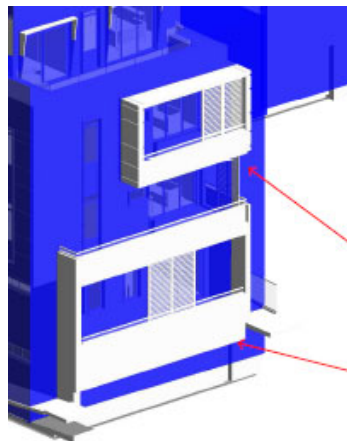


Figure 5: Non-compliance with rear lane setback. (shown in white exceeding the blue building envelope)

The proposal is consistent with the objectives contained in 9.6.2 O1 - O5 noting:

- The acceptable streetscape impacts and articulating elements that assist in reducing the apparent visual bulk
- The lack of significant amenity impacts as a result of the non-compliances
- The compatibility with the Norton Street elevation
- The acceptable visual bulk from the proposed setbacks compared to a compliant proposal

Building materials and finishes

The proposed building materials and finishes are compliant with the requirements of G9.6.3.

Design of building elements

The proposed building elements are compliant with the requirements of G9.6.4.

G9.7 Parking and Access

The controls within G9.7 C1, C2 and Figure G45 require Vehicle access as well as landscaping. G 9.8.1 C1 also requires waste management and storage to be located on the southern boundary on Carlisle Street. Given the size of the space, it is not possible to comply with all the DCP requirements in relation to Carlisle Street.

Vehicle access via Carlisle Street is impractical due to the level differences between the basement and Carlisle Street. The ADG also suggest that vehicular entry is provided via lanes were available and from the lowest part of the site. The requirements AS2890.1 which requires a minimum 6m setback from the tangent point of a kerb intersection for a new driveway crossing add an additional constraint noting the need for a 5.5m wide access point.

Locating the vehicular access of the lane way is the logical way for the site to be developed, and is consistent with ordinary traffic engineering practice and is consistent the objectives O1-O2 contained within G9.7.1 and acceptable on merit.

G9.8 Waste and Recycling Materials Storage and Disposal

The proposal includes on-site waste collection via a private contractor within the basement. In the event that private waste collection does not continue a backup waste storage area is provided for on street collection adjacent to Carlisle Street. The proposal complies with the requirements of the controls within G9.8.1.

G9.9 Residential Amenity

Visual Privacy

Visual privacy has been assessed and is addressed within C3.11 above. Subject to the recommended conditions of consent, the proposal has an acceptable impact on visual privacy noting the planning principal for visual privacy contained within *Meriton v Sydney City Council* [2004] NSWLEC 313.

Solar Access

The proposed development provides for an acceptable level of overshadowing impacts to the adjoining properties noting the existing development and adjoining site uses. The solar access within the site is consistent with the requirements of G9.9.2 C8.

Cross Ventilation

The level of cross ventilation satisfies the requirements of G9.9.3 C10.

G9.10 Landscaping

The proposal complies with the landscape requirements of G9.10.

5(d) Planning Agreement

The site is the subject of a Voluntary Planning Agreement (VPA). The terms of the planning agreement have been considered. The VPA requires the following of relevance to the application.

"The Developer must make the Development Contribution by registering a restriction on the title to the Land reflecting the dedication of 15% of the total number of residential units in the Development as Affordable Housing Units in the Development in perpetuity. If 15% of the total number of Affordable Housing Units in the Development does not equate to a whole number, then the number of Affordable Housing Units will be rounded down to the next whole number."

.....

"The Developer will register this Agreement over the Land at LPI (now LRS) NSW within 20 Business Days of the parties executing this Agreement and in accordance with Section 93H of the Act. The Council must execute such documents as are necessary to permit the Developer to comply with this clause."

.....

"The Agreement does not exclude the operation of Division 6 Part 4 of the Act."

The Agreement does not provide any exemption to the Developer from any contributions pursuant to s 94 and s 94A of the Act in relation to the Development."

The Agreement does not exclude the Developer from any exemption available from contributions pursuant to s 94 and s 94A of the Act in relation to the Development."

The proposal is consistent with the terms of the VPA. A condition of consent is recommended that requires written evidence of registration of the restriction on the title for the affordable housing units prior to the issue of an Occupation Certificate.

5(e) The likely impacts

The likely impacts of the development have been considered. Subject to the recommended conditions of consent the proposed development is considered to have acceptable impacts.

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

The site is the subject of site specific development controls with the Leichhardt DCP and *LLEP 2013*. The proposal is generally consistent with what the strategic planning instruments envisage. The site is considered suitable for the proposed development.

5(g) Any submissions

The application was notified in accordance with the requirements of the LDGP 2013 for a period of 30 days to surrounding properties. A total of 21 submissions were received.

The submissions raised the following concerns which are discussed under the respective headings below:

Issue: Impact of lane at the rear of the adjoining shops.
Comment: The proposed development does not impact on the use this land as a rear lane for the adjoining properties.

Issue: Traffic issues (including the lane is too narrow to accept an increase in traffic).
Comment: The traffic impacts of the proposal have been considered by Council's Engineers. Subject to the recommended deferred conditions, the proposal is considered to have an acceptable impact on local traffic.

Issue: Use of the laneway for vehicular access.
Comment: While the DCP envisages vehicular access from Carlisle Street, this is impractical for a development on the site. The DCP controls also require the area facing Carlisle Street to provide waste storage, landscaping and streetscape outcomes that are compatible with the surrounding development. The Australian Standard AS2890.1 requires a setback from the lane tangents that when coupled with the required width for the vehicular access makes Carlisle Street impractical for vehicular access. The environmental impacts of the development are also reduced by locating the vehicular access off the lane by reducing the extent of the excavation required. Council's Laneway controls contained within C1.18 envisage vehicular access being provided via laneways.

Issue: Pedestrian safety.
Comment: The proposed development is considered to have an acceptable impact of pedestrian movements around the site.

Issue: Insufficient car parking (including visitor car parking).
Comment: The proposed development provides for a compliant level of car parking for the site including visitor car parking.

Issue: The size of the building (height and bulk).

Comment: The proposal has been amended to comply with the development standards contained within the *Leichhardt LEP 2013* and is generally consistent with the built form controls contained within the Leichhardt DCP 2013.

Issue: Solar impacts

Comment: The solar impacts of the proposed development are acceptable in the context of the orientation and surrounding development. The orientation of the site is such that the solar impacts to residential dwellings is limited to 2 hours and falls at the front of the townhouse at 5 Carlisle Street and are as anticipated by the site specific controls applicable to the land. The town houses at 5 Carlisle Street have living areas with windows on the eastern and western sides. The existing development on the subject site significantly overshadows the eastern side ground floor living room windows. The private open space of 5 Carlisle Street is located at the rear of the town houses. The development therefore results in acceptable solar impacts.

Issue: Visual privacy to 2, 4, 6 and 8 Macaulay Street.

Comment: As addressed within C3.11 subject to the recommended conditions of consent the proposal is considered to have acceptable impacts on visual privacy noting that separation via distance as referred to within *Meriton v Sydney City Council* [2004] NSWLEC 313. With reference to the courtyard the proposal includes a significant privacy screen and planter box as shown below:

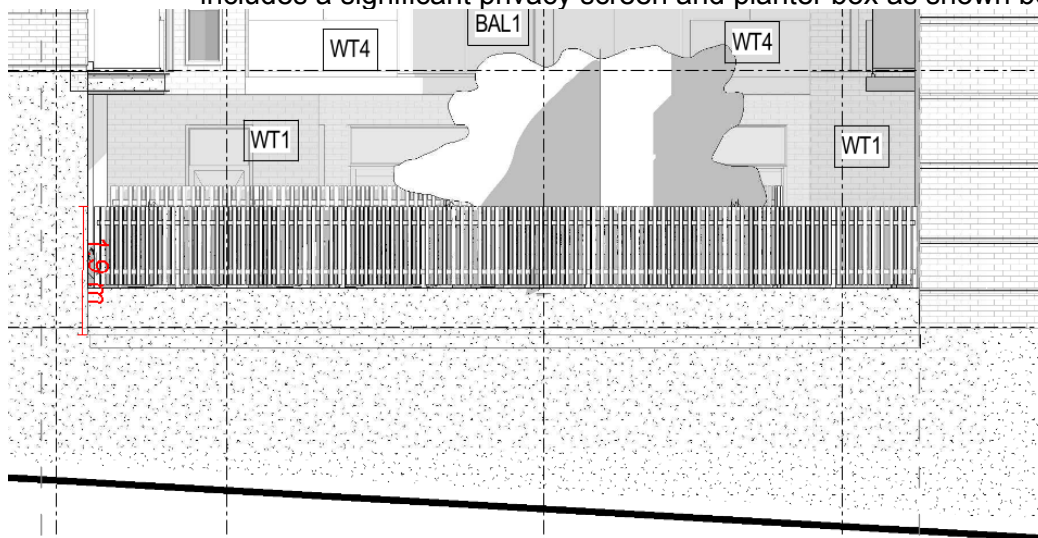


Figure 6: Screening of the communal terrace on the northern side.

With regard to the balconies on the northern side on the development, separation has been achieved via distance, planter boxes and setback balustrades for all balconies with the exception of the level 4 balcony off apartment R4-06. As shown below:

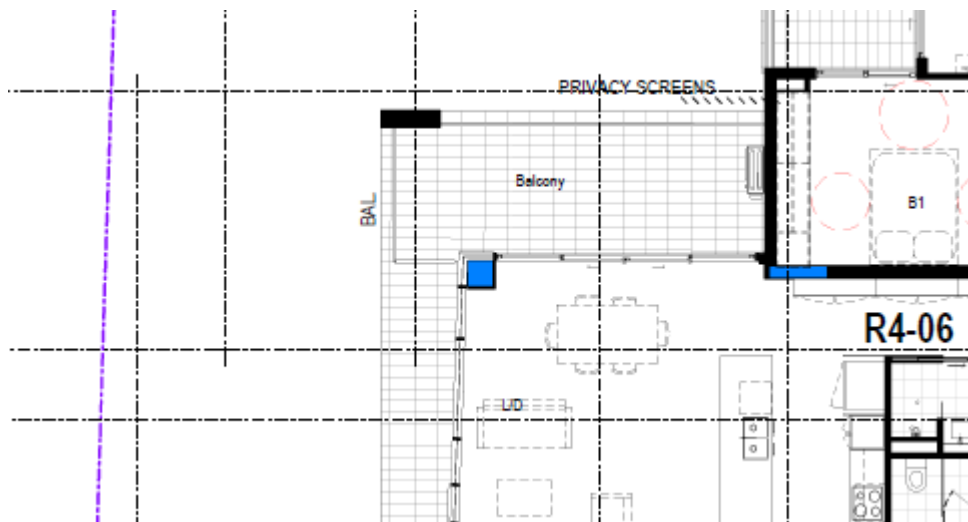


Figure 7: Privacy issue with balcony of apartment R4-06.

A condition of consent is recommended setting back the balustrade on the northern side to be in line with the edged of the living room. This will provide a horizontal privacy screen to the adjoining properties. It is noted that the apartment above this on level 5 maintains a setback that is acceptable.

Issue: Acoustic impacts of the community courtyard.

Comment: The acoustic impacts of the community courtyard are addressed within Section 5(C) C3.12 of this report. It is considered that the impacts will be consistent with normal commercial or residential development on the site. However a condition of consent is recommended that restricts the use of this space for organised events between the hours of 10pm to 6am Monday to Sunday to prevent the space causing impacts beyond normal residential and commercial use.

Issue: Smell and noise from garbage trucks and storage of waste.

Comment: The applicant has amended the proposed waste solution in response to the submissions and now proposed internal waste collection via a private contractor. The development will however maintain a waste room on Carlisle Street in order to provide a mechanism for Council to provide waste collection services if needed in the future in light of its responsibilities under the *Local Government Act 1993*. The location of the waste room in this location is specified within the DCP controls and it is unlikely that it will impact the amenity of the surrounding residents in this location.

Issue: Mix of apartments not meeting aged care needs.

Comment: as a significant aged care provider, the applicant is in the best position to judge the needs of their customers and it is inappropriate for Council to regulate the mix of dwelling beyond what the development controls envisage.

5(h) The Public Interest

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

The proposal is considered to be in the public interest noting:

- The net public benefits within Voluntary Planning Agreement including the provision of affordable housing.

- of a derelict site. The redevelopment
- active street frontage along Norton Street. The provision of an
- awning along Norton Street. The provision of an
- streetscape. Improved
- Street planting.

6 Referrals

6(a) Internal

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

- Heritage Officer
- Development Engineer
- Parks & Streetscapes
- Community Services
- Landscape
- Health

7. Section 7.11 Contributions

Section 7.11 contributions are payable for the proposal.

Having regard to the Ministerial direction dated 14 September 2007, development contributions are not applicable for seniors housing developments made by social housing providers. As a result development contributions for the development are only applicable to the commercial component of the development. The area of the retail space is 153m². No credits are applicable under the Leichhardt Development Contributions Plans as the site has no commercial uses within five years of the date of the adoption of the Leichhardt Contributions Plans.

A financial contribution would be required for the development under Leichhardt Section 94 Contributions Plans as follows:

Contribution Plan	Contribution
Community Facilities	\$2,291.57
Open Space	\$4,466.50
Local Area Traffic Management	\$454.62
Leichhardt Town Centre	\$7,746.47
Total	\$14,959.16

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

8. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in the relevant planning control including *Leichhardt Local Environmental Plan 2013* and Leichhardt Development Control Plan 2013 which contain site specific development controls. The development will result in acceptable impacts on the amenity of adjoining premises and

the streetscape. The application is considered suitable for the issue of a deferred commencement consent subject to the imposition of appropriate terms and conditions.

9. Recommendation

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, grant consent to Development Application No. D/2018/490 for Demolition of all structures on site. Site remediation, construction of a 5 storey building to provide residential accommodation for seniors and associated community use at ground level, plus a new retail shop fronting Norton Street at ground floor level with two levels of basement car parking are proposed providing parking for 57 vehicles at 168 Norton Street, Leichhardt. subject to the conditions listed in Attachment A below.

Attachment A – Recommended conditions of consent

Deferred Commencement

The following is a Deferred Commencement condition imposed pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979. This Consent will not operate and may not be acted upon until the Council is satisfied as to the following matter(s):

1. Amended plans and supporting documentation are to be submitted incorporating the following amendments:

- a) The basement vehicular access from the Laneway and internal driveway/parking aisle must be widened such that an SRV is able to pass a B85 vehicle between the Service Bay and the vehicle entry/exit. It must also be demonstrated that the vehicles can pass at the vehicular entrance with the exiting vehicle located in a position that has unobstructed sightlines to Carlisle Street.

Swept paths and sightline analysis demonstrating compliance must be provided. The basement layout must be amended including relocation of the motorcycle parking, storage area, bicycle parking and fire stairs as necessary.

- b) The Courtyards to RB-01, RB-02, RB-03 and RB-04 and Landscape Garden(s) adjacent the rear Laneway must be low level shrubs and low level fencing no higher than 1.10m above the surface of the adjacent roadway along the path of the sightlines between the site vehicular exit and the Carlisle Street end of the laneway and from the site vehicular exit towards the northern end of the Laneway.

Where the fencing is required to be higher than 1.10m due to safety and security reasons, the fencing must be setback from the roadway to provide the necessary sight distances or fencing vertical elements designed such that they do not obstruct sightlines e.g. angled elements.

The plans must include sightline analysis in accordance with AS2890.1:2004 and Austroads Design Manual and provide plans and details demonstrating that the sight lines are unobstructed.

- c) A Retaining wall(s) and Structural barrier(s) must be provided along the western frontage of Courtyard(s) RB-01, RB-02, RB-03 and RB-04 adjacent to the Laneway.

Details of the retaining wall(s) and structural barriers must be provided including sections at each courtyard showing the adjacent laneway, boundary line, retaining wall including footings and subsoil drainage and the Courtyard and Terrace surface levels and landscaping. The wall and barriers must be located fully within the property boundaries and be consistent with sightline requirements.

- d) The Car Wash Bay must be relocated such that no part of the Car Wash Bay is located over the on-site detention stormwater system to prevent the potential contamination entering the stormwater system.

- e) The Fire door(s) to the rear lane and Norton Street must be setback 1000mm from the alignment of the external building wall such that the door(s) do not encroach onto the roadway or footpath when open. The fire door to the rear lane must also be consistent with the surface level of the rear lane including consideration of the lane widening works. This will create an alcove.

NB: The level of the fire door exit to the rear lane (at ~RL28.0m AHD) appears to be too low relative to the level of the rear laneway (at ~28.26m AHD) excluding any increase in surface levels resulting from the rear lane widening.

- f) The lane widening at intersection between the rear lane and Carlisle Street must be extended northward such that it is no less than 10m in length (excluding tapering) and designed in accordance with AustRoads Design Manual and best practice.
 - g) A long section, along both sides of the proposed vehicular crossing and ramp, drawn at a 1:20 natural scale, must be submitted demonstrating the level of the basement is 170mm above the adjacent road gutter level at both sides of entrance to the basement. The longsection must comply with the vehicle ground clearance requirements and headroom requirements of this consent and extend from the road centreline to the 6 metres beyond the vehicular entry/exit.
2. The internal vehicular access to and from both Basement 2 and the eastern parking spaces of Basement 1 must be controlled by a traffic signals system providing priority to ingressing vehicles with holding/passing areas provided prior to all intersections where a B99 vehicle is unable to pass a B85 vehicle. The signals system must be designed to detect vehicle movements from parking spaces between the holding spaces/passing areas and change priority to vehicle movements accordingly. Full details of the traffic signals and operation thereof including holding areas and amended plans must be submitted.

Evidence of the above matter(s) must be submitted to Council within 2 years otherwise the Consent will not operate.

Following satisfaction of the above the following conditions will apply to the development:

General Conditions

1. Documents related to the consent

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

Plan, Revision - Issue No.	Plan Name	Date Issued	Prepared by
DA082- Revision DA1	Demo Plan	04/09/2018	G.Ollerton
DA100-Revision DA5	Basement 2	13/03/2019	G.Ollerton
DA101-Revision DA5	Lower Ground / Basement	13/03/2019	G.Ollerton
DA102-Revision DA5	Ground Floor Plan	13/03/2019	G.Ollerton
DA103-Revision DA4	Second Floor Plan	13/03/2019	G.Ollerton
DA104-Revision DA1	Third Floor Plan	4/09/2018	G.Ollerton
DA105-Revision DA5	Fourth Floor Plan	13/03/2019	G.Ollerton
DA106-Revision DA5	Fifth Floor Plan	13/03/2019	G.Ollerton
DA106-Revision DA4	Roof Plan	13/03/2019	G.Ollerton
DA200-Revision DA5	Site Elevations	14/03/2019	G.Ollerton
DA201-Revision	North Elevation – Macauley St	13/03/2019	G.Ollerton

DA5			
DA202-Revision DA6	East Elevation - Norton Street	14/03/2019	G.Ollerton
DA203-Revision DA4	South Elevation – Carlisle Street	13/03/2019	G.Ollerton
DA204-Revision DA5	West Elevation - Laneway	14/03/2019	G.Ollerton
DA211-Revision D5	North Material Elevation – Macauley St	13/03/2019	G.Ollerton
DA212-Revision D6	East Material Elevation - Norton Street	14/03/2019	G.Ollerton
DA213-Revision D4	South Material Elevation – Carlisle Street	13/03/2019	G.Ollerton
DA214-Revision D5	West Material Elevation - Laneway	14/03/2019	G.Ollerton
DA215-Revision D4	Courtyard Material Elevations	13/03/2019	G.Ollerton
DA301-Revision DA4	Section A-A	13/03/2019	G.Ollerton
DA301-Revision DA4	Section A-A	13/03/2019	G.Ollerton
DA301-Revision DA4	Section A-A	13/03/2019	G.Ollerton
DA301-Revision DA4	Section A-A	13/03/2019	G.Ollerton
35275-SYD-C	Integrated Water Cycle Management Plan	13/03/2019	Ian Harris
01 - Revision D	Landscape Plan Basement and Ground Floor	13/03/2019	DA
02 - Revision D	Landscape Plan Level 3	12/03/2019	DA
03 – Revision C	Landscape Plan Level 4	12/03/2019	DA
04 – Revision C	Landscape Plan Roof Terrace	12/03/2019	DA
05 – Revision C	Ground Floor Planting Plan	26/02/2019	DA
06 – Revision C	Level 03 Planting Plan	12/03/2019	DA
07 – Revision C	Level 04 Planting Plan	12/03/2019	DA
08 – Revision C	Roof Level Planting Plan	12/03/2019	DA
D1 – Revision C	Landscape Details 1	12/03/2019	DA
D2 – Revision C	Landscape Details 2	12/03/2019	DA
D3 – Revision C	Landscape Details 3	12/03/2019	DA
R.001 - Rev0	Report on Preliminary Geotechnical Investigation	28 June 2018	Luke James-Hall
35275 - Revision 02	Acoustic Report	21 July 2018	Brandon Notaras
R.004 - Revision 1	Remediation Action Plan	11 October 2018	P Oitmaa

As amended by the conditions of consent.

2. Residential Flat Buildings: Hot Water Systems

Where units or dwellings are provided with separate individual hot water systems, these must be located within the internal area of the unit/dwelling and not on any balcony or terrace.

3. Waste Management Plan

Prior to the commencement of any works (including any demolition works), the Certifying Authority is required to be provided with a Recycling and Waste Management Plan (RWMP) in accordance with the relevant Development Control Plan.

Sediment Control

Prior to the issue of a commencement of any works (including any demolition works), the Certifying Authority must be provided with an erosion, sediment control plan and specification. Sediment control devices must be installed and maintained in proper working order to prevent sediment discharge from the construction site.

4. Site Sign

Prior to the commencement of any works, a rigid and durable sign must be erected in a prominent position on the site. The sign is to be maintained at all times until all work has been completed. The sign must include:

- a) The name, address and telephone number of the Certifying Authority;
- b) A telephone number on which the Principal Contractor (if any) can be contacted outside working hours; and
- c) A statement advising: 'Unauthorised Entry to The Work Site Is Prohibited'.

5. Noise – Consultant’s Recommendations

All recommendations contained in the acoustic report prepared by Brandon Notaras, reference 35275 dated 12 July 2018 must be implemented.

6. Boundary Alignment Levels

Alignment levels for the site at all pedestrian and vehicular access locations must match the existing back of footpath levels at the boundary.

7. Awnings with Lighting

The proposed awning must be of cantilever type and be set back at least 600mm from the kerb line. The proposed awning must be designed to be easily removed if required in future. The awning must include pedestrian lighting (Category P3-AS1158) and must be maintained and owned by the property owner(s). The owner must maintain, modify or remove the structure at any time if given notification by Council to do so. All works must be at no cost to Council.

8. Dry-weather Flows

Dry-weather flows of any seepage water including seepage from landscaped areas will not be permitted through kerb outlets and must be connected directly to a Council stormwater system. Alternatively, the basement or any below ground structure must be designed to be “tanked” preventing the ingress of seepage or groundwater.

9. Works Outside the Property Boundary

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

10. Rock Anchors

This consent does not grant consent for any rock anchors on the road reserve or Council land.

11. Tree Protection

No trees on public property (footpaths, roads, reserves etc.) are to be removed or damaged during works unless specifically approved in this consent or marked on the approved plans for removal.

Prescribed trees protected by Council’s Management Controls on the subject property and/or any vegetation on surrounding properties must not be damaged or removed during works unless specific approval has been provided under this consent.

Any public tree within five (5) metres of the development must be protected in accordance with Council’s *Development Fact Sheet—Trees on Development Sites*.

No activities, storage or disposal of materials taking place beneath the canopy of any tree (including trees on neighbouring sites) protected under Council's Tree Management Controls at any time.

12. Separation of commercial and residential waste and recycling

Where a residential development and commercial development occupy the same site, the waste and recycling handling and storage systems for residential waste and commercial waste (including waste originating from retail premises) are to be additional, separate and self-contained. Commercial and retail tenants must not be able to access residential waste storage area/s, or any storage containers or chutes used for residential waste and recycling.

13. Contamination – Remedial Action Plan (Site Auditor Engaged)

The site is to be remediated and validated in accordance with the recommendations set out in the Remedial Action Plan, prepared by P Oitmaa of Douglas Partners Pty Ltd, reference Project 86423.00 dated 11 October 2018 and the Letter of Interim Advice. All remediation work must be carried out in accordance with the *Contaminated Land Management Act 1997* and *State Environmental Planning Policy No 55*.

14. Verification of Levels and Location

Prior to the pouring of the ground floor slab or at dampcourse level, whichever is applicable or occurs first, the Principal Certifying Authority must be provided with a check survey certificate indicating the level of the slab and the location of the building with respect to the boundaries of the site.

Fees

15. Security Deposit

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

Security Deposit: \$173,800

Inspection Fee: \$230.65

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

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

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

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

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

16. Section 7.11 (Former Section 94) Contribution

Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that a monetary contribution of \$14,959.16 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.

The above contribution is the contribution applicable as at 10 May 2019.

The contribution payable has been calculated in accordance with the CP and relates to the following public amenities and/or services and in the following amounts:

Contribution Plan	Contribution
Community Facilities	\$2,291.57
Open Space	\$4,466.50
Local Area Traffic Management	\$454.62
Leichhardt Town Centre	\$7,746.47
Total	\$14,959.16

A copy of the CP can be inspected at any of the Inner West Council Services Centres or viewed online at:

<https://www.innerwest.nsw.gov.au/develop/planning-controls/section-94-contributions>

The contribution must be paid either in cash, by unendorsed bank cheque (from an Australian Bank only), via EFTPOS (Debit only) or credit card*.

*NB A 0.75% credit card transaction fee applies to all credit card transactions.

Prior to any Demolition**17. Construction Hours**

Unless otherwise approved by Council, demolition works are only permitted between the hours of 7:00am to 5:00pm, Mondays to Fridays (inclusive) with no demolition permitted on Saturdays, Sundays or Public Holidays.

18. Dilapidation Report

Prior to any works commencing (including demolition), the Certifying Authority and owners of identified properties, must be provided with a colour copy of a dilapidation report prepared by a suitably qualified person. The report is required to include colour photographs of all the adjoining properties to the Certifying Authority's satisfaction. In the event that the consent of the adjoining property owner cannot be obtained to undertake the report, copies of the letter/s that have been sent via registered mail and any responses received must be forwarded to the Certifying Authority before work commences.

19. Protection of Adjoining and Public Land

If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land (including a public road or other public place), the person causing the excavation to be made:

- (a) must preserve and protect the adjoining building from damage, and
- (b) if necessary, must underpin and support the adjoining building in accordance with relevant Australian Standards, and
- (c) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

20. Hoardings

The person acting on this consent must ensure the site is secured with temporary fencing prior to any works commencing.

If the work involves the erection or demolition of a building and is likely to cause pedestrian or vehicular traffic on public roads or Council controlled lands to be obstructed or rendered inconvenient, or building involves the enclosure of public property, a hoarding or fence must be erected between the work site and the public property. An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling onto public property.

Separate approval is required from the Council under the Roads Act 1993 to erect a hoarding or temporary fence or awning on public property.

21. Construction Traffic Management Plan

Prior to Any Demolition, the Certifying Authority, must be provided with a detailed Traffic Management Plan (TMP) to cater for construction prepared by a person with RMS accreditation to prepare a work zone traffic management plan. Details must include haulage routes, estimated number of vehicle movements, truck parking areas, work zones, crane usage, etc., related to demolition/construction activities. A work zone approval must be obtained.

22. Recording of buildings that are to be demolished

Prior to any demolition on the site or the issue of a Construction Certificate, the Certifying Authority must be provided with evidence that Council has received a full archival record of the building and landscape elements to be demolished.

The photographic archival recording is to be submitted in a digital format only and is to include the following:

- a) Site plan at a scale of 1:200 (or 1:500 if appropriate) of all structures and major landscape elements including their relationship to the street and adjoining properties and directional details of photographs taken.
- b) Coloured photographs of:
 - i. each elevation,
 - ii. each structure and landscape feature;
 - iii. views to the subject property from each street and laneway or public space.

Photographic archival records must be taken of the building, landscape or item in accordance with 'Heritage Information Series, Photographic Recording of Heritage Items Using Film or Digital Capture 2006' published by the former NSW Department of Planning Heritage Branch available online at <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/infophotographicrecording2006.pdf>

The electronic images are to be taken with a minimum 8 megapixel camera, saved as JPEG TIFF or PDF files with a size of approximately 4-6MB, and cross referenced to the digital catalogue sheets and base plans. Choose only images that are necessary to document the process, and avoid duplicate images.

The report can be submitted on a USB, CD or DVD, in PDF/A format (created directly from the digital original), with a digital catalogue of images with the following data for each: title, image subject/description and date photograph taken.

Prior to Construction Certificate**23. Protection of visual privacy to surrounding residents**

Prior to the issue of a Construction Certificate plans are to be submitted to the Certifying Authority indicating that the balustrade on the northern side of the balcony off unit R4-06 is set back to be in line with the northern wall of unit R4-06.

24. Compliance with Schedule 3 of the Senior Housing SEPP

Prior to the Issue of a Construction Certificate, a report must be provided to the Certifying Authority demonstrating that the standards concerning accessibility and usability for hostels and self-contained dwellings contained within Schedule 3 of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.

25. Enclosure of Fire Hydrant

Prior to the issue of any Construction Certificate, the Certifying Authority is to be provided with plans indicating that all fire hydrant and sprinkler booster valves and the like are enclosed.

26. Sydney Water – Tap In

Prior to the issue of a Construction Certificate, the Certifying Authority is required to ensure approval has been granted through Sydney Water's online 'Tap In' program to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met.

Note: Please refer to the web site <http://www.sydneywater.com.au/tapin/index.htm> for details on the process or telephone 132092.

27. Acoustic Report – Aircraft Noise

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans and an acoustic report prepared by a suitably qualified Acoustic Engineer demonstrating compliance of the development with the relevant provisions of Australian Standard AS 2021:2015 Acoustics – Aircraft noise intrusion – Building siting and construction.

28. Consolidation of Lots

Prior to the issue of a Construction Certificate, the separate lots comprising the development must be consolidated into one lot and under one title and registered at the NSW Land Registry Services.

29. Concealment of Plumbing and Ductwork

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans detailing the method of concealment of all plumbing and ductwork including stormwater downpipes within the outer walls of the building so they are not visible.

30. Dilapidation Report

Prior to any works commencing (including demolition), the Certifying Authority and owners of identified properties, must be provided with a colour copy of a dilapidation report prepared by a suitably qualified person. The report is required to include colour photographs of all the adjoining properties to the Certifying Authority's satisfaction. In the event that the consent of the adjoining property owner cannot be obtained to undertake the report, copies of the letter/s that have been sent via registered mail and any responses received must be forwarded to the Certifying Authority before work commences.

31. Parking Facilities – Major (including basement)

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans certified by a suitably qualified Civil Engineer demonstrating that the design of the vehicular access, off-street parking facilities and associated vehicle standing areas comply with Australian Standard AS/NZS 2890.1-2004 Parking Facilities: Off-street car parking, Australian Standard AS 2890.2-2018 Parking Facilities: Commercial vehicle facilities,

AS/NZS 2890.3-2015 Parking facilities: Bicycle Parking, AS/NZS 2890.6-2009 Parking facilities: Off-street parking for people with disabilities and the following specific requirements:

- a) The floor/finished levels within the property must be adjusted to ensure that the levels at the boundary comply with the Alignment Levels issued with this consent.
- b) The garage slab or driveway must rise within the property to be 170mm above the adjacent road gutter level. The longitudinal profile across the width of the vehicle crossing must comply with the Ground Clearance requirements of AS/NZS 2890.1-2004 for a B99 Vehicle and Small Rigid Vehicle (SRV).
- c) A minimum of 2500mm headroom must be provided along the access path to and from the Service Area/Loading Bay and above the Parking Spaces for persons with a disability and above the Service Area/Loading Bay. A minimum of 2200mm headroom must be provided throughout all other areas of the access and parking facilities.

Note that the headroom must be measured at the lowest projection from the ceiling, such as lighting fixtures, and to open garage doors and Headroom at a 'sag' type grade change must be measured in accordance with Figure 5.3 of AS/NZS 2890.1-2004.

- d) Longitudinal sections along each outer edge of the access and parking facilities, extending to the centreline of the road carriageway to the Basement 2 level must be provided, demonstrating compliance with the above requirements.
- e) The access and driveway for entry and exit to the site and sightlines must comply with the plans approved under deferred commencement Condition 1.
- f) The internal vehicular access to and from both Basement 2 and the eastern parking spaces of Basement 1 must be controlled by traffic signals system providing priority to ingressing vehicles with holding/passing areas provided prior to all intersections where a B99 vehicle is unable to pass a B85 vehicle. The signals system must be designed to detect vehicle movements from parking spaces between the holding spaces/passing areas and change priority to vehicle movements accordingly.
- g) Vehicles exiting the site must be left turn only. Appropriate signage must be displayed at the exit.
- h) The layout and minimum dimensions of any standing area comply with clause 2.4 of AS/NZS 2890.1-2004 such that:
 - (i) Car spaces adjacent to walls or fences are increased in width by an additional 300mm;
 - (ii) End spaces are provided with an additional 1m aisle extension; and
 - (iii) The location of columns within the carpark complies with figure 5.1 of AS/NZS 2890.1-2004;
- i) The external form & height of the approved structures must not be altered from that depicted on the approved plans.

32. Stormwater Drainage System – Major Developments

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with stormwater drainage design plans incorporating on site stormwater detention (OSD) and Stormwater Quality Improvement Devices (SQIDS), certified by a suitably qualified Civil

Engineer with Chartered Engineer of Institution of Engineers Australia (CPEng) or Registered Professional Engineer of Professionals Australia (RPEng) qualifications that the design of the site drainage system complies with the following specific requirements:

- a) The design must be generally in accordance with the stormwater drainage concept plans prepared by Wood and Grieve Engineers Project Number 35275 and Drawing Numbers:
 - CI-000-01 REV C no date
 - CI-070-01 REV G dated 13.03.19
 - CI-076-01 REV B dated 13.03.19
 - CI-520-01 REV G dated 13.03.19
 - CI-520-02 REV D dated 13.03.19
 - CI-522-01 REV A dated 13.03.19
 - CI-526-01 REV E dated 13.03.19
 - CI-526-02 REV A dated 13.03.19
- b) Comply with Council's Stormwater Drainage Code.
- c) Charged stormwater drainage systems are not permitted.
- d) Stormwater runoff from all roof and paved areas within the property must be collected in a system of gutters, pits and pipelines and be discharged, together with overflow pipelines from any rainwater tank(s) via stormwater quality improvement devices and OSD tank, by gravity to Council's piped drainage system. Awnings must be drained to the kerb and gutter or the site drainage system.
- e) An overland flowpath shall be provided from the Courtyard of RB-04 to the rear laneway via the Courtyard of RB-03, RB-02 and RB-01. The courtyards must be graded so that bypass flows from the site drainage system are directed to the overland flowpath. The maximum water level along the overland flow path must be 150mm below the adjacent floor level of the building.
- ee) As there is no overland flow/flood path available from the central courtyards to the Norton Street frontage, the design of the sag pit and piped drainage system is to meet the following criteria:
 - i) Capture and convey the 100 year Average Recurrence Interval flow from the contributing catchment assuming 80% blockage of the inlet and 50% blockage of the pipe.
 - ii) The maximum water level over the sag pit shall not be less than 150mm below the floor level or damp course of the building
 - iii) The design must make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands/roof areas.
- f) A pump-out system for subsoil drainage disposal is permitted for the basement areas only and must be designed in accordance with AS3500.3 and the following criteria:
 - i) The proposed pump system must consist of two (2) pumps, connected in parallel.
 - ii) The required pumping rate and holding tank size shall be calculated based on an assessment of the expected inflow. The holding tank size must be no less than 3m³
 - iii) An overflow, flashing light and audible alarm is to be provided to warn of pump failure.

- iv) Where OSD facilities are required by this consent, the pump system must be discharge to the OSD storage tank.
- v) A maintenance regime for the pump system must be provided, including provision for regular maintenance and servicing at least every 6 months.
- g) The subsoil drainage system must be shown on the plans and detail provides demonstrating that the system is located entirely within the property boundary and discharges to the site drainage system.
- h) The internal site drainage system including all pipes and pits must be shown on the plans and demonstrate the system drains via the Stormwater Quality Improvement Devices and OSD tank. The site drainage system must have adequate capacity to convey the 100 year storm event flows to the OSD tank.
- i) All plumbing within the site must be carried out in accordance with Australian Standard *AS/NZS3500.3.2018 Plumbing and Drainage – Stormwater Drainage*.
- j) The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system.
- k) Plans must specify that any components of the existing system to be retained must be certified during construction to be in good condition and of adequate capacity to convey the additional runoff generated by the development and be replaced or upgraded if required.
- l) An inspection opening or stormwater pit must be installed inside the property adjacent to the boundary for all stormwater outlets.
- m) All redundant stormwater pipelines within the footpath area must be removed and the footpath and kerb reinstated.
- n) New pipelines within the footpath area that are to discharge to the kerb and gutter must be hot dipped galvanised steel hollow section with a minimum wall thickness of 4.0mm and a maximum section height and width of 100mm.
- o) Stormwater quality improvement devices shall be installed such that stormwater flows leaving the site meet the following environmental targets:

Pollutant	Baseline Annual Pollution Load (kg/ha/yr)	Retention Criteria
Gross Pollutants, including trash, litter and vegetation matter greater than 5mm	500	90% reduction of average annual load
Total Suspended solids, including sediment and other fine material less than 5mm	900	85% reduction of average annual load
Total Phosphorous	2	65% reduction of average annual load
Total Nitrogen	15	45% reduction of average annual load
Hydrocarbons (Oil and Grease)		90% reduction of average annual load – no visible discharge
Toxicants		100% containment of toxicants

- p) Drainage pits within the basement must have solid covers to prevent pollutants from vehicles entering the stormwater drainage system.

33. Structural and Geotechnical Report

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with an integrated structural and geotechnical report and structural plans that address the design of the proposed basement and design of the retaining walls supporting the Public Laneway adjacent Courtyards RB-01, RB-02, RB-03 and RB-04, prepared and certified as compliant with the terms of this condition by a qualified practising Structural and Geotechnical Engineer. The report and plans must be prepared/amended to make provision for the following:

- a) Retaining walls must be entirely self-supporting in the event that excavation is undertaken within the road reserve adjacent to the property boundary to the depth of the proposed structure.
- b) Any existing or proposed retaining walls that provide support to the road reserve must be adequate to withstand the loadings that could be reasonably expected from within the constructed road and footpath area, including normal traffic and heavy construction and earth moving equipment, based on a design life of not less than 50 years.
- c) All components of the basement, including footings and subsoil drainage, must be located entirely within the property boundary and shown on the plans.
- d) No adverse impact on surrounding properties including Council's footpath and road.
- e) The existing subsurface flow regime in the vicinity of the development must not be significantly altered as a result of the development.
- f) Recommendations regarding the method of excavation and construction, vibration emissions and identifying risks to existing structures or those on adjoining or nearby property.
- g) Provide relevant geotechnical/ subsurface conditions of the site, as determined by a full geotechnical investigation.
- h) Structural barriers must be provided along the western frontage of the site adjacent to the Laneway at Courtyard RB-01, RB-02, RB-03 and RB-04. The structural barriers must be designed in accordance with the relevant design standards including AS/NZS 1170.1 Structural design actions - Permanent, imposed and other actions and AS/NZS 3845:1999 Road Safety Barrier Systems. The structural barrier must be no higher than 1.10m above the surface of the adjacent roadway.
- i) The design(s) must be certified by a suitably qualified Structural and Geotechnical Engineer with Chartered Engineer of Institution of Engineers Australia (CPEng) or Registered Professional Engineer of Professionals Australia (RPEng) qualifications.

34. Public Domain Works – Prior to Construction Certificate

Prior to the issue of an Construction Certificate, the Certifying Authority must be provided with a public domain works design, prepared by a qualified practising Civil Engineer and evidence that the works on the Road Reserve have been approved by Council under Section 138 of the *Roads Act 1993* incorporating the following requirements:

- a) All public domain works along the Norton Street frontage of the site inclusive of footpath paving, kerb, street trees, landscaping, street furniture, etc. must be in accordance with the Norton Street Precinct scheme and masterplan.

- b) The construction of heavy duty vehicular crossings to all vehicular access locations and removal of all redundant vehicular crossings to the site;
- c) All redundant vehicular crossings to the site shall be removed and replaced by kerb and gutter and footpath paving and grass verge (where applicable). The existing stone kerb at the Carlisle Street frontage to be removed for the laneway widening must be reused to close the redundant crossing.
- d) The design of the intersection between the rear lane and Carlisle Street including passing bay in accordance with AustRoads Design Manual.. The lane widening must be extended such that it is no less than 10m length (excluding tapering).
- e) Removal/relocation of redundant bollard(s) at the Carlisle Street frontage of the site as necessary.
- f) The existing concrete footpath and kerb and gutter across the Carlisle Street frontage of the site shall be reconstructed.
- g) New pram ramp at the Carlisle Street frontage of the site
- h) Construction of kerb and gutter, concrete infill footpath, and new road pavement at the Rear Lane frontage of the site.
- i) The road pavement in the Rear Lane Street shall be repaired using a 40mm Mill and Fill treatment for full road width between Carlisle Street and Macauley Street. Any failed section must be boxed out and replaced with deeplift asphalt before the Mill and Fill treatment.
- j) Cross sections along the Rear Lane and Carlisle Street frontages are to be provided at the boundary at a minimum distance of every 5m and at all pedestrian and vehicular access locations and long section along the new kerb alignment.

These sections will set the alignment levels at the boundary at the rear Lane frontage and Carlisle Street frontages of the site.

- k) A long section, along both sides of the proposed vehicular crossing and ramp, drawn at a 1:20 natural scale, must be submitted demonstrating the level of the basement is 170mm above the adjacent road gutter level at both sides of entrance to the basement. The longsection must comply with the vehicle ground clearance requirements and headroom requirements of this consent and extend from the road centreline to the 6 metres beyond the vehicular entry/exit.
- l) The existing Council drainage system must be extended from the existing stormwater pit on Macauley Street by an appropriately sized pipeline (minimum 375mm diameter) to the frontage of the site, where a kerb inlet pit (minimum 3m lintel) must be installed. The pit and lintel must be located fully in the road reserve.

The pipeline must be designed to have the capacity to convey flows that would be collected at that section of street as generated by a 20 year Average Recurrence Interval storm event. Pipes must be Class 4 Steel Reinforced Concrete Pipe or approved equivalent and Kerb Inlet Pits must be cast in-situ.

A Junction pit must be installed on Macauley Street to transition the system from the pit on the Laneway to the existing kerb inlet pit on Macauley Street.

Longsections and details must be provided including location of utility services.

- m) Installation of a stormwater outlet(s) to the kerb and gutter on Norton Street for to service the proposed Street Awnings where necessary.
- n) One (1) Bicycle Rail at the Norton Street frontage to service the commercial component of the development.
- o) Relocation and new street signage at all frontages of the site as necessary.
- p) The existing damaged or otherwise defective kerb and gutter, footpath and/or road pavement adjacent to the site shall be restored.

35. Aircraft Noise – Acoustic Report (ANEF20-25 or Greater)

Prior to the issue of a Construction certificate, the Certifying Authority must be provided with an acoustic report that meets the relevant provisions of Australian Standard AS 2021:2000 Acoustics – Aircraft noise intrusion – Building siting and construction.

36. Avoid Nuisance from Lighting

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with details demonstrating that any lighting of the premises complies with Australian Standard AS4282:1992: Control of Obtrusive Effects of Outdoor Lighting.

37. Car Wash Bay – Design

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with certification confirming that all wastewater generated from the car wash bay will be trapped and discharged to the sewerage systems in accordance with the requirements of Sydney Water.

38. Amendments to Materials Board

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with an amended Materials Board that includes the following:

- a) Any roofing material is to be in a colour equivalent to Colorbond colour “Windspray” or “Wallaby”.
- b) The infill between the brick piers in the proposed lapped and capped fence (FT1) to be vertical.

39. Heritage Interpretation Plan

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a Heritage Interpretation Plan for former cinema / theatre. The plan is to be prepared by a suitably qualified heritage practitioner, interpretation specialist or historian in accordance with the ‘Heritage Interpretation Policy’ published by the Heritage Council of NSW and the NSW Department of Planning in August 2005 and ‘Heritage Information. Series, Interpreting Heritage Places and Items Guidelines’ published by the former NSW Heritage Office in August 2005.

The interpretation plan must detail how archival, oral and other specific historical information regarding the historical development and significance of the former cinema / theatre will be provided for the public and make recommendations regarding public accessibility, signage and lighting. Public art, interpretive panels and the display of selected artefacts are some of the means that can be used. The plan must specify the location, type, details, materials and content of the interpretation device/s being proposed.

40. Provision for Exhaust Vent for shop

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans providing an exhaust vent for the retail component of the development to the roof.

During Demolition and Construction**41. Construction Hours**

Unless otherwise approved by Council, excavation, demolition, construction or subdivision work must only be permitted during the following hours:

- a) 7:00am to 6:00pm, Mondays to Fridays, inclusive (with demolition works finishing at 5pm);
- b) 8:00am to 1:00pm on Saturdays with no demolition works occurring during this time; and
- c) at no time on Sundays or public holidays.

Works may be undertaken outside these hours where they do not create any nuisance to neighbouring properties in terms of dust, noise, vibration etc. and do not entail the use of power tools, hammers etc. This may include but is not limited to painting.

In the case that a standing plant or special permit is obtained from Council for works in association with this development, the works which are the subject of the permit may be carried out outside these hours.

This condition does not apply in the event of a direction from police or other relevant authority for safety reasons, to prevent risk to life or environmental harm.

Activities generating noise levels greater than 75dB(A) such as rock breaking, rock hammering, sheet piling and pile driving must be limited to:

8:00am to 12:00pm, Monday to Saturday; and
2:00pm to 5:00pm Monday to Friday.

The person acting on this consent must not undertake such activities for more than three continuous hours and must provide a minimum of one 2 hour respite period between any two periods of such works.

“Continuous” means any period during which there is less than an uninterrupted 60 minute respite period between temporarily halting and recommencing any of that intrusively noisy work.

42. Survey

Upon excavation of the footings and before the pouring of the concrete, the Certifying Authority must be provided with a certificate of survey from a registered land surveyor to verify that the structure will not encroach on the allotment boundaries.

Prior to Occupation Certificate**43. Restriction as to user for Seniors or People with a Disability**

Prior to the issue of any Occupation Certificate, evidence must be provided to Principal Certifying Authority that a restriction as to user has been registered against the title of the property in accordance with section 88E of the *Conveyancing Act 1919*, limiting the use of any accommodation to the kinds of people described within clause 18(1) of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* which states:

“(1)Development allowed by this Chapter may be carried out for the accommodation of the following only:

- (a) seniors or people who have a disability,*
- (b) people who live within the same household with seniors or people who have a disability,*

(c) staff employed to assist in the administration of and provision of services to housing provided under this Policy.”

44. Aircraft Noise

Prior to the issue of any Occupation Certificate, the Principal Certifying Authority must be provided with a report prepared and submitted by an accredited Acoustics Consultant certifying that the final construction meets AS2021-2015 with regard to the noise attenuation measures referred to in the “Before the Issue of a Construction Certificate” Section of this Determination. Such report must include external and internal noise levels to ensure that the external noise levels during the test are representative of the typical maximum levels that may occur at this development.

Where it is found that internal noise levels are greater than the required dB(A) rating due to faulty workmanship or the like, necessary corrective measures must be carried out and a further certificate being prepared and submitted to the Principal Certifying Authority in accordance with the requirements of this condition.

45. Section 73 Certificate

Prior to the issue of a subdivision certificate, the Certifying Authority must be provided with the Section 73 Certificate.

- a) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Make early application for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.
- b) Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Providers > Lists or telephone 13 20 92.

46. Public Domain Works

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with written evidence from Council that the following works on the Road Reserve have been completed in accordance with the requirements of the approval under Section 138 of the *Roads Act 1993* including:

- a) Heavy duty concrete vehicle crossing(s) at the vehicular access location(s).
- b) The redundant vehicular crossing to the site must be removed and replaced by kerb and gutter and footpath. Where the kerb in the vicinity of the redundant crossing is predominately stone (as determined by Council's Engineer) the replacement kerb must also be in stone.
- c) The existing concrete footpath across the frontage of the site must be reconstructed.
- d) Other public domain works the subject of the *Road Act* approval.
All works must be constructed in accordance with Council's standards and specifications and AUS-SPEC#2-“Roadworks Specifications”.

47. Obligations under the Planning Agreement

Prior to the issue of an Occupation Certificate for the residential portion of the building, the Principal Certifying Authority must be provided with written evidence that there is a restriction on title preventing the change of the use or status of the Affordable Housing Units within this consent, consistent with the obligations under the planning agreement.

48. Heavy Duty Vehicle Crossing

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must ensure that heavy duty concrete vehicle crossings, in accordance with Council's Standard crossing

and footpath specifications and AUS-SPEC#2-“Roadworks Specifications” has been constructed at the vehicular access locations.

49. Redundant Vehicle Crossing

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must ensure that all redundant vehicular crossings to the site must be removed and replaced by kerb and gutter and footpath paving in accordance with Council’s Standard crossing and footpath specifications and AUS-SPEC#2-“Roadworks Specifications”. Where the kerb in the vicinity of the redundant crossing is predominately stone the replacement kerb must also be in stone.

50. Protect Sandstone Kerb

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must ensure that any damaged stone kerb has been replaced.

51. No Encroachments

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must ensure that any encroachments on to Council road or footpath resulting from the building works have been removed, including opening doors, gates and garage doors with the exception of any awnings approved by Council.

52. Parking Signoff – Major Development

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with certification from a qualified practising Civil Engineer that the vehicle access and off street parking facilities have been constructed in accordance with the development consent and relevant Australian Standards and the following has been implemented within the property.

- a) The car park has been completed, line marked and all signage relating to car parking erected including left hand turn only signage at the vehicular exit.
- b) The traffic signals system required to control internal vehicular access to and from both Basement 2 and the eastern parking spaces of Basement 1, including signals, signage and line markings has been installed and commissioned.
- c) Sightlines from the vehicles exiting the site to Carlisle Street are not obstructed by the fencing or landscaping associated with the Courtyard(s) RB-01, RB-02, RB-03 and RB-04.

53. Public Domain - Major Developments

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with the works-as-executed plan(s), certified by a Registered Surveyor, that show the as built details in comparison to those shown on the plans approved with the public domain and Roadwork’s Permit with all relevant levels and details indicated must be marked in red on a copy of the Council stamped plans.

54. Stormwater Drainage and Road Works – Certification

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with Certification by a qualified Civil Engineer with Chartered Engineer of Institution of Engineers Australia (CPEng) or Registered Professional Engineer of Professionals Australia (RPEng) qualifications that:

- a) All works required to be undertaken on public roads must be designed and constructed in accordance with Council’s approved plans.
- b) Video inspection (CCTV) in accordance with WSA 05-2013 Conduit Inspection Reporting Code of Australia has been carried out of completed stormwater drainage works that are to revert to Council by an accredited operator.

- c) Full works-as-executed plans in PDF and CAD format (dwg or dxf files), prepared and signed by a Registered Surveyor have been submitted to Council.

55. Works as Executed – Site Stormwater Drainage System

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with Certification by a qualified Civil Engineer with Chartered Engineer of Institution of Engineers Australia (CPEng) or Registered Professional Engineer of Professionals Australia (RPEng) qualifications that:

- a) The stormwater drainage system has been constructed in accordance with the approved design and relevant Australian Standards.
- b) Works-as-executed plans of the stormwater drainage system certified by a Registered Surveyor, to verify that the drainage system has been constructed, OSD/OSR system commissioned and stormwater quality improvement device(s) and any pump(s) installed in accordance with the approved design and relevant Australian Standards have been submitted to Council. The works-as-executed plan(s) must show the as built details in comparison to those shown on the drainage plans approved with the Construction Certificate. All relevant levels and details indicated must be marked in red on a copy of the Principal Certifying Authority stamped Construction Certificate plans.

56. Operation and Management Plan

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with an Operation and Management Plan has been prepared and implemented for the on-site detention and/or on-site retention/re-use facilities and stormwater quality improvement device(s) and pump(s). The Plan must set out the following at a minimum:

- a) The proposed maintenance regime, specifying that the system is to be regularly inspected and checked by qualified practitioners.
- b) The proposed method of management of the facility, including procedures, safety protection systems, emergency response plan in the event of mechanical failure, etc.

57. Positive Covenant

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with evidence that a Positive Covenant under Section 88B or 88E, whichever is relevant to the subject development, of the Conveyancing Act, has been created on the title of the property detailing the following:

- (a) Surface flow path;
- (b) Finished pavement and ground levels;
- (c) Prevent the erection of any structures or fencing;
- (d) On-site stormwater detention and/or retention system;
- (e) All stormwater quality improvement devices.
- (f) Structural barriers along the western frontage of the site adjacent the laneway.

The wording in the Instrument must be in accordance with Councils Standard wording.

58. No Weep Holes

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with evidence that any weep holes to Council road or footpath resulting from the building works have been removed

59. Contamination – Disposal of Soil

Prior to the issuing of an Occupation Certificate, the Principal Certifying Authority must be provided with a validation report confirming that all off site disposal of soil has been classified, removed and disposed of in accordance with the NSW DECC Waste

Classification Guidelines, Part 1: Classifying Waste (July 2009) and the Protection of the Environmental Operations Act 1997.

60. Contamination – Validation (Site Audit Statement Required)

Prior to the issuing of an Occupation Certificate, the Certifying Authority and Council must be provided with a Section A Site Audit Statement prepared by a NSW Environment Protection Authority accredited Site Auditor.

The Site Audit Statement must confirm that the site has been remediated in accordance with the Remedial Action Plan and clearly state that the site is suitable for the proposed use.

61. Retaining Wall Signoff – Major Development

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with certification from a qualified practising Structural and Geotechnical Engineer that the all retaining walls supporting the Public Roads have been constructed in accordance with the development consent and relevant Australian Standards and Structural barriers have been constructed along the western frontage of the site adjacent to the Laneway in accordance with the development consent and relevant Australian Standards. The certification must be supported by Works-as-executed plans.

Ongoing

62. Hours of Operation

The hours of operation of the shop must not exceed the following:

Day	Hours
Monday - Saturday	7am-10pm
Sunday	7am-7pm

63. Hours for Waste Collection

To ensure minimal impacts on surrounding properties commercial waste and recyclable material generated by the premises must not be collected between the hours 10pm and 6am.

64. Protection of acoustic privacy to surrounding residents

The community landscaped courtyard is not to be used for organised events between the hours of 10pm to 6am Monday to Sunday. The Communal room's doors opening to the courtyard are to be closed between the hours of 10pm to 6am Monday to Sunday.

65. Retail space use

Use of the retail space is approved as a shop as defined with *Leichhardt Local Environmental Plan 2013*.

66. Lighting to be contained

Lighting from the community landscaped courtyard and level 5 roof terrace is not to be designed so that direct lighting does not extend into any of the surrounding residences.

67. Vehicles Leaving the Site

All vehicles must enter and exit the site in a forward direction.

68. Noise General

The proposed use of the premises and the operation of all plant and equipment must not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 and Regulations, NSW EPA Noise Policy for Industry and NSW EPA Noise Guide for Local Government.

69. Bin Storage

All bins are to be stored within the site.

70. Documentation of Businesses waste services

All businesses must have written evidence of all valid and current contracts and/ or tip dockets for the disposal and/ or processing of all waste streams generated from the site.

71. Right of Way

Prior to the issuing of an Occupation Certificate, the Principal Certifying Authority must be provided with written evidence that a public right of way has been lodged with the Land Titles Office for the following areas of the site:

- The passing bays and the vehicular access to the basement to the west of the site adjacent the rear lane.

Relevant documentation creating the easements must be submitted to Council for its approval prior to lodgement with the Land Titles Office.

The terms of the easement to be created for the public right of way must include, but not necessarily limited to, the following matters:

- The maintenance of and public liability insurance for the users of, the public right of way to the responsibility of the Applicant, with Certificates of Currency to be provided to Council annually.
- Opening hours of the public right of way to be twenty four (24) hours a day seven (7) days per week.
- The right of way must be designed and maintained for unrestricted vehicle and pedestrian access.

Advisory notes**Prescribed Conditions**

This consent is subject to the prescribed condition of consent within clause 98-98E of the *Environmental Planning and Assessment Regulations 2000*.

Notification of commencement of works

At least 7 days before any demolition work commences:

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

Storage of Materials on public property

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

Toilet Facilities

The following facilities must be provided on the site:

- (a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and

- (b) a garbage receptacle for food scraps and papers, with a tight fitting lid. Facilities must be located so that they will not cause a nuisance.

Infrastructure

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

Other Approvals may be needed

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

Failure to comply with conditions

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

Other works

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

Obtaining Relevant Certification

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

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

Disability Discrimination

The *Disability Discrimination Act 1992* (Commonwealth) and the *Anti-Discrimination Act 1977* (NSW) impose obligations on persons relating to disability discrimination. Council's determination of the application does not relieve persons who have obligations under those Acts of the necessity to comply with those Acts.

National Construction Code (Building Code of Australia)

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

Notification of commencement of works

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

- a) in the case of work for which a principal contractor is required to be appointed:
 - i) the name and licence number of the principal contractor, and
 - ii) the name of the insurer by which the work is insured under Part 6 of that Act,
- b) in the case of work to be done by an owner-builder:
 - i) the name of the owner-builder, and
 - ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

Permits from Council under Other Acts

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

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

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

Amenity Impacts General

The use of the premises must not give rise to an environmental health nuisance to the adjoining or nearby premises and environment. There are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997* and Regulations. The use of the premises and the operation of plant and equipment must not give rise to the transmission of a vibration nuisance or damage other premises.

Fire Safety Certificate

The owner of the premises, as soon as practicable after the Final Fire Safety Certificate is issued, must:

- a) Forward a copy of the Final Safety Certificate and the current Fire Safety Schedule to the Commissioner of Fire and Rescue New South Wales and the Council; and

- b) Display a copy of the Final Safety Certificate and Fire Safety Schedule in a prominent position in the building (i.e. adjacent the entry or any fire indicator panel).

Every 12 months after the Final Fire Safety Certificate is issued the owner must obtain an Annual Fire Safety Certificate for each of the Fire Safety Measures listed in the Schedule. The Annual Fire Safety Certificate must be forwarded to the Commissioner and the Council and displayed in a prominent position in the building.

Sydney Water

The approved plans must be submitted to the Customer Centre of any office of Sydney Water prior to the commencement of any work to ensure that the proposed work meets the requirements of Sydney Water. Failure to submit those plans prior to commencing work may result in the demolition of the structure if found not to comply with the requirements of Sydney Water.

Construction of Vehicular Crossing

The vehicular crossing and/or footpath works are required to be constructed by your own contractor. You or your contractor must complete an application for 'Construction of a Vehicular Crossing & Civil Works' form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, prior to commencement of works.

Lead-based Paint

Buildings built or painted prior to the 1970's may have surfaces coated with lead-based paints. Recent evidence indicates that lead is harmful to people at levels previously thought safe. Children particularly have been found to be susceptible to lead poisoning and cases of acute child lead poisonings in Sydney have been attributed to home renovation activities involving the removal of lead based paints. Precautions should therefore be taken if painted surfaces are to be removed or sanded as part of the proposed building alterations, particularly where children or pregnant women may be exposed, and work areas should be thoroughly cleaned prior to occupation of the room or building.

Electrical Substations

Should the proposed development require the provision of an electrical substation, such associated infrastructure must be incorporated wholly within the development site and may be the subject of an application for modification of consent.

Permits

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

- a) Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application.
- b) A concrete pump across the roadway/footpath
- c) Mobile crane or any standing plant
- d) Skip Bins
- e) Scaffolding/Hoardings (fencing on public land)
- f) Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.
- g) Awning or street veranda over the footpath

- h) Partial or full road closure
 - i) Installation or replacement of private stormwater drain, utility service or water supply
- If required contact Council's Road Access team to ensure the correct Permit applications are made for the various activities. Applications for such Permits must be submitted and approved by Council prior to the commencement of the works associated with such activity.

Rock Anchors

If you are seeking to use temporary anchors, you must make a request for approval for a Permit under Section 138 of the Roads Act 1993. The submission would need to be supported by an engineering report prepared by a suitably qualified Structural Engineer, with supporting details addressing the following issues:

- a) Demonstrate that any structures within the road reserve are of adequate depth to ensure no adverse impact on existing or potential future service utilities in the road reserve. All existing services must be shown on a plan and included on cross-sectional details where appropriate.
- b) Demonstrate how the temporary anchors will be removed or immobilised and replaced by full support from structures within the subject site by completion of the works.
- c) The report must be supported by suitable geotechnical investigations to the efficacy of all design assumptions.

Vehicular Crossings

The vehicular crossing and/or footpath works are required to be constructed by your contractor. You or your contractor must complete an application for 'Design of Vehicle Crossing and Public Domain Works – Step 1' form and 'Construction of Vehicle Crossing and Public Domain Works – Step 2' form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, before commencement of works.

You are advised that Council has not undertaken a search of existing or proposed utility services adjacent to the site in determining this application. Any adjustment or augmentation of any public utility services including Gas, Water, Sewer, Electricity, Street lighting and Telecommunications required as a result of the development must be at no cost to Council. Any damage caused during construction to Council assets on the road reserve or on Council or Crown land must be repaired at no cost to Council.

Any driveway crossovers or other works within the road reserve must be provided at no cost to Council.

No consent is given or implied for any Encroachments onto Council's road or footpath of any service pipes, sewer vents, boundary traps, downpipes, gutters, eaves, awnings, stairs, doors, gates, garage tilt up panel doors or any structure whatsoever, including when open.

Positive Covenant Process

The following documents must be submitted to Council as part of the Positive Covenant process and requirements, for the site on-site detention/on-site retention/reuse facilities (OSD/OSR) and stormwater quality improvement devices (SQIDS):

- a) **Work-As-Executed Plans**
A "Work-as-Executed" plan prepared and signed by a Registered Surveyor must be submitted to the Council's Development Assessment Engineer at the completion of the works showing the location of the detention basin and SQIDS with finished surface

levels, contours at 0.2-metre intervals and volume of storage available. Also, the outlet pipe from the detention basin to its connection to the Council's drainage system must be shown together with the following information: location; pipe diameter; gradient; pipe material, i.e. PVC or RCP etc.; pits sizes; orifice size; trash screen at orifice; emergency overflow dimensions and RL; all buildings (including floor levels) and finished ground and pavement surface levels and full details of SQIDS.

b) Engineer's Certificate

- i. A qualified practising Civil Engineer must certify on the completion of drainage works in respect of:
- ii. the soundness of the storage structure;
- iii. the capacity of the detention storage;
- iv. the emergency overflow system being in place;
- v. the works being constructed in accordance with the Development Application Consent and Council's Stormwater Management DCP/Code;
- vi. the freeboard from maximum water surface level to the finished floor and garage levels are at or above the minimum required in Council's Stormwater Management DCP/Code;
- vii. basement car park pumps are class one zone two;
- viii. OSR pumps and SQIDS have been installed and commissioned.

c) Restriction-As-To-User

A "Restriction-as-to-User" must be placed on the title of the subject property to indicate the location and dimensions of the detention area and stormwater quality improvement device(s) (SQIDS). This is to ensure that works, which could affect the function of the stormwater detention system and SQIDS, must not be carried out without the prior consent in writing of the Council.

Such restrictions must not be released, varied or modified without the consent of the Council. A typical document is available from Council's Development Assessment Engineer

Contamination – New Evidence

Any new information revealed during demolition, remediation or construction works that have the potential to alter previous conclusions about site contamination must be immediately notified to the Council and the Certifying Authority

Asbestos Removal

A demolition or asbestos removal contractor licensed under the Work Health and Safety Regulations 2011 must undertake removal of more than 10m² of bonded asbestos (or otherwise specified by WorkCover or relevant legislation).

Removal of friable asbestos material must only be undertaken by a contractor that holds a current AS1 Friable Asbestos Removal Licence.

Demolition sites that involve the removal of asbestos must display a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos has been removed from the site to an approved waste facility.

All asbestos waste must be stored, transported and disposed of in compliance with the Protection of the Environment Operations (Waste) Regulation 2005. All receipts detailing method and location of disposal must be submitted to Council as evidence of correct disposal.

Public domain works approval

The public domain works are required to be constructed by your own contractor. You or your contractor must complete an application for 'Application for Construction of Vehicle Crossing and Public Domain Works – Step 1' form for design approval and 'Application for Construction of Vehicle Crossing and Public Domain Works – Step 2' form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, before commencement of works.

Consent of Adjoining property owners

This consent does not authorise the applicant, or the contractor engaged to do the tree works to enter a neighbouring property. Where access to adjacent land is required to carry out approved tree works, Council advises that the owner's consent must be sought. Notification is the responsibility of the person acting on the consent. Should the tree owner/s refuse access to their land, the person acting on the consent must meet the requirements of the *Access To Neighbouring Lands Act 2000* to seek access.

Notice to Council to deliver Residential Bins

Council should be notified of bin requirements three months prior to the occupation of the building to ensure timely delivery.

Council will place an order for the required bins. Delivery will occur once the applicant has completed a Request for New Service.











Recycling/garbage/organics service information and education

The building manager/strata title manager or body corporate is responsible for ensuring all tenants are kept informed regarding Council's services, and best practice waste and recycling source separation

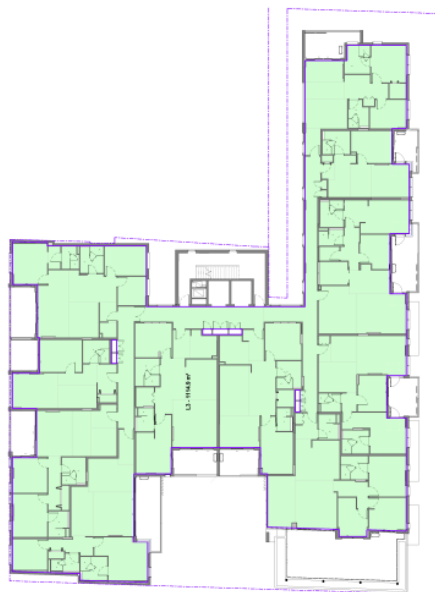
Dial before you dig

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

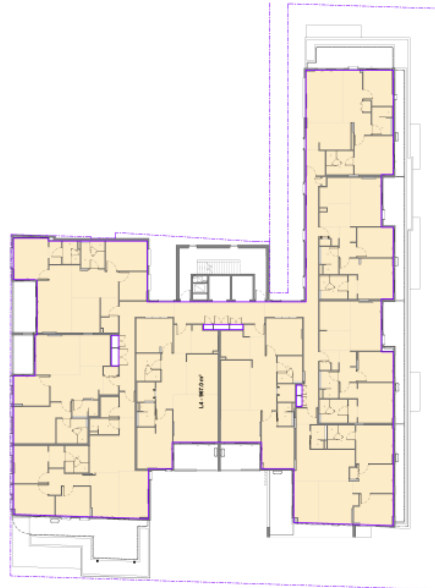
Useful Contacts

BASIX Information	 1300 650 908 weekdays 2:00pm - 5:00pm www.basix.nsw.gov.au
Department of Fair Trading	 13 32 20 www.fairtrading.nsw.gov.au Enquiries relating to Owner Builder Permits and Home Warranty Insurance.
Dial Prior to You Dig	 1100 www.dialprior toyoudig.com.au
Landcom	 9841 8660 To purchase copies of Volume One of "Soils and Construction"
Long Service Payments Corporation	 131441 www.lspc.nsw.gov.au
NSW Food Authority	 1300 552 406 www.foodnotify.nsw.gov.au
NSW Government	www.nsw.gov.au/fibro www.diysafe.nsw.gov.au Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	 131 555 www.environment.nsw.gov.au
Sydney Water	 13 20 92 www.sydneywater.com.au
Waste Service - SITA Environmental Solutions	 1300 651 116 www.wasteservice.nsw.gov.au
Water Efficiency Labelling and Standards (WELS)	www.waterrating.gov.au
WorkCover Authority of NSW	 13 10 50 www.workcover.nsw.gov.au Enquiries relating to work safety and asbestos removal and disposal.

Attachment B – Plans of proposed development



5 GROSS FLOOR AREA - LEVEL 03
SCALE: 1 : 200



6 GROSS FLOOR AREA - LEVEL 04
SCALE 1:200

GROSS FLOOR AREA SUMMARY SCHEDULE	
Level	Area
GROUND FLOOR	11152.3 m ²
LEVEL 02	1164.1 m ²
LEVEL 03	1154.9 m ²
LEVEL 04	967.8 m ²
LEVEL 05	552.3 m ²
LOWER GROUND / BASEMENT 1	276.2 m ²
Basement 1	8229.9 m ²

SITE AREA
Area
5311.5 m ²

FSR SUMMARY

SITE AREA	= 1811.5m ²
GFA TOAL AREA	= 5229.9m ²
FSR	= 2.88:1

REV	DATE	APPROVEMENT	DETAILS CHECK	PROJECT NO.	EXPIRATION	REVISION
001	2016-08-04	FOR REVIEW	IS	3051	D4801	D44
002	2016-08-11	FOR APPROVAL	IS	3051		
003	2016-08-11	FOR APPROVAL	IS	3051	1. 100.0A1	
004	2016-08-11	FOR APPROVAL	IS	3051	SCALE	
005	2016-08-11	FOR APPROVAL	IS	3051	DATE	
006	2016-08-11	FOR APPROVAL	IS	3051	Author	
				PROJECT PRINCIPAL	COLLECTION	
				DATE	2016-08-2016	

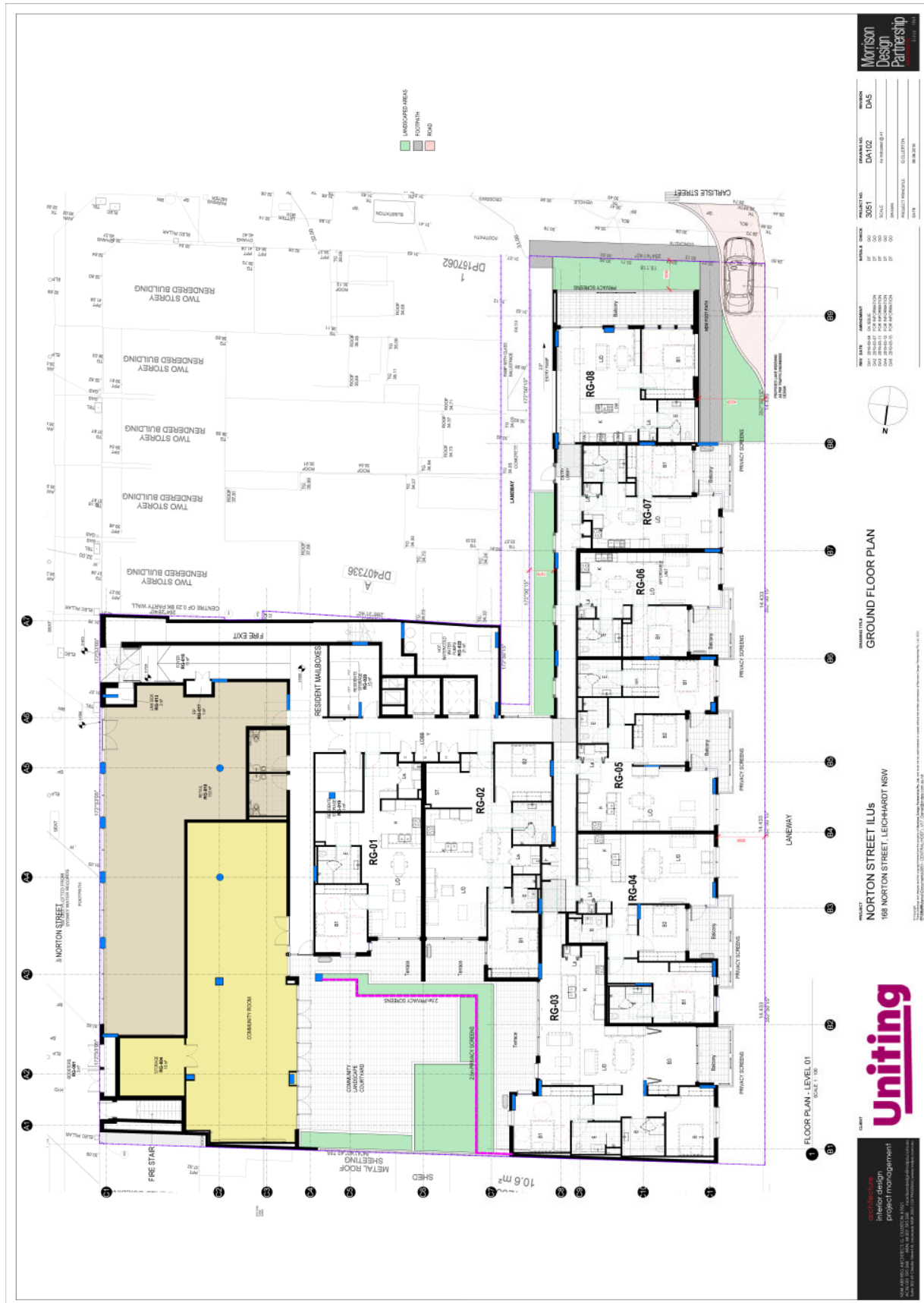
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GROSS FLOOR AREA PLANS 02

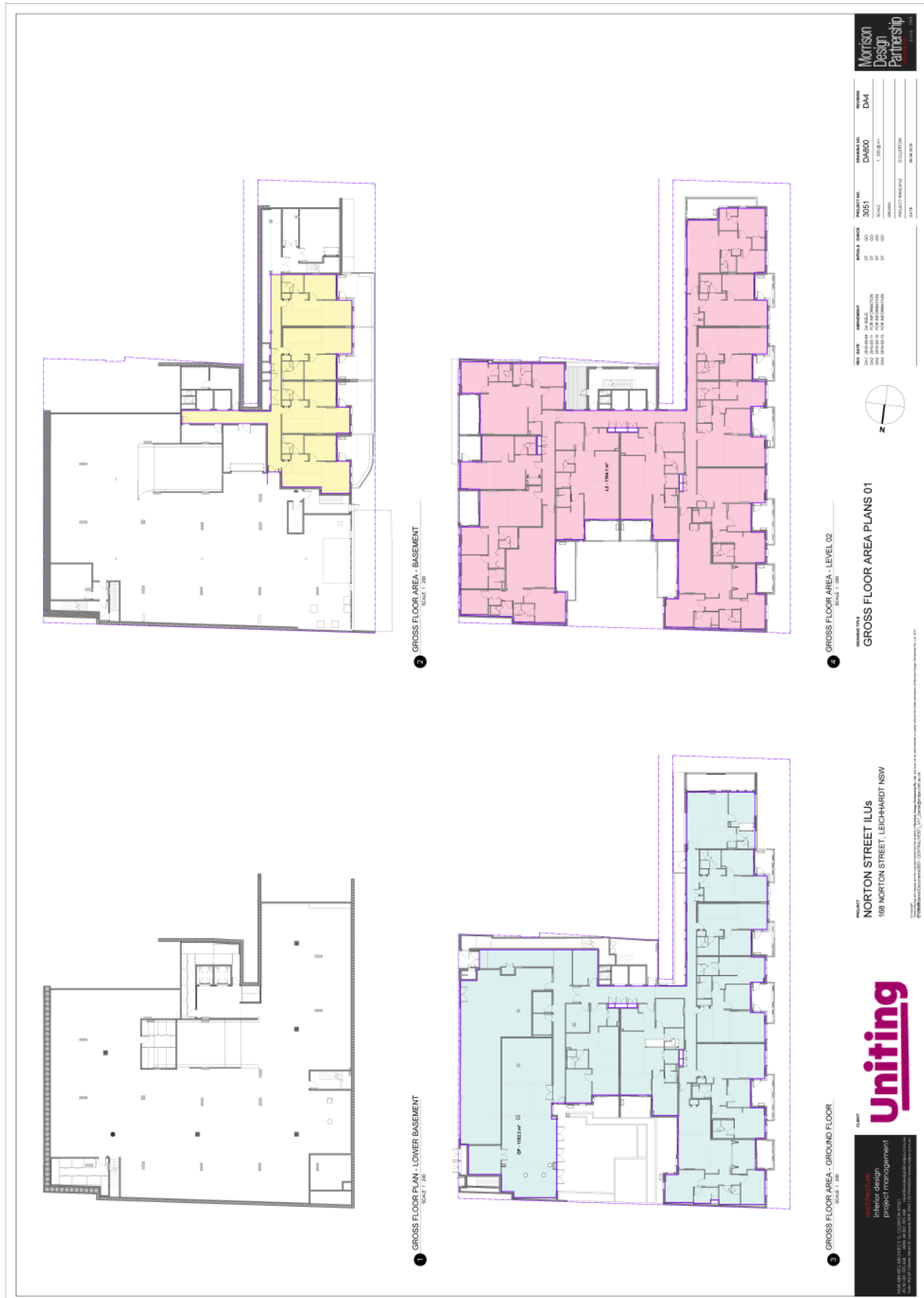
PROJECT
NORTON STREET ILUS
168 NORTON STREET, LEICHHARDT NSW

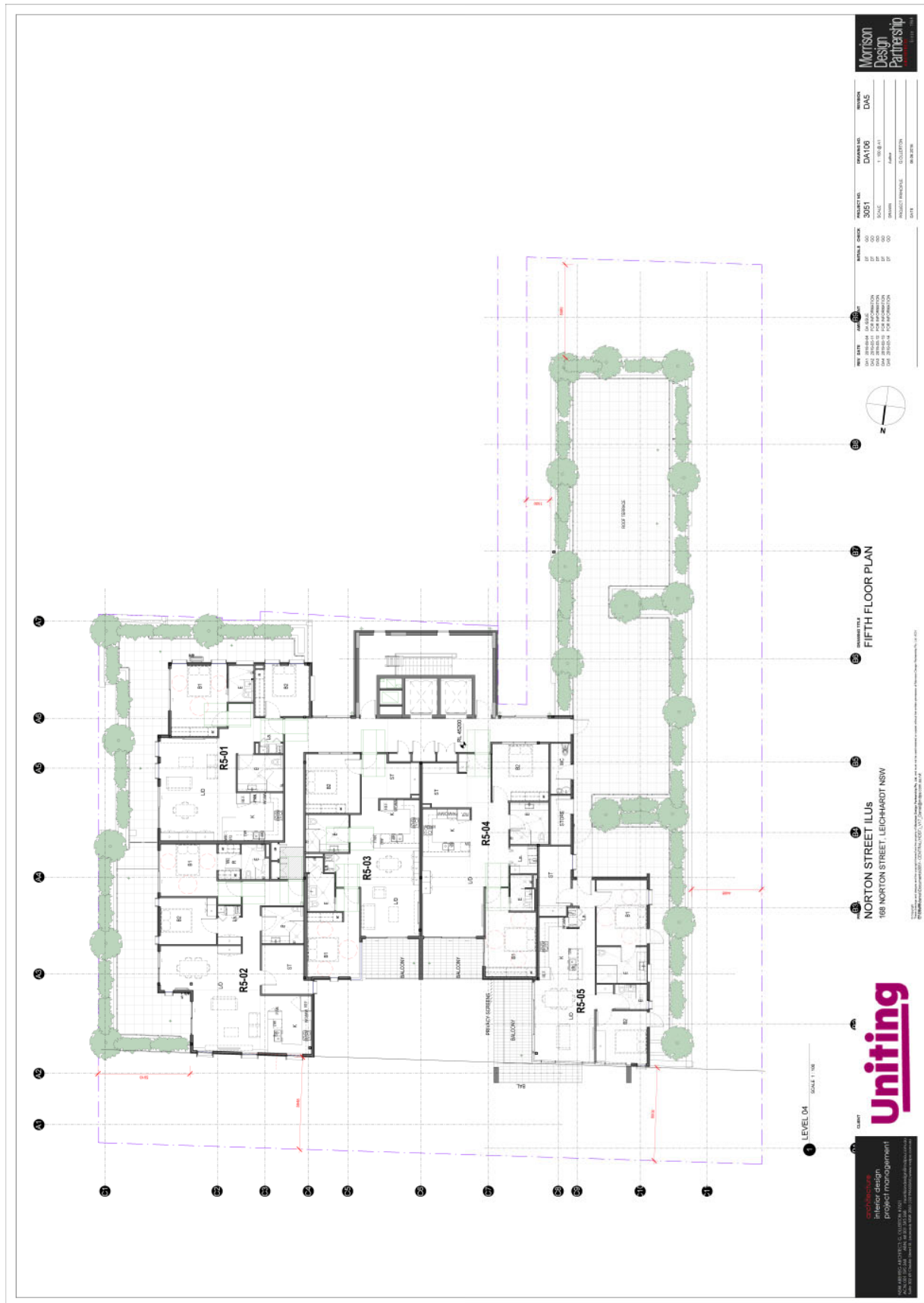
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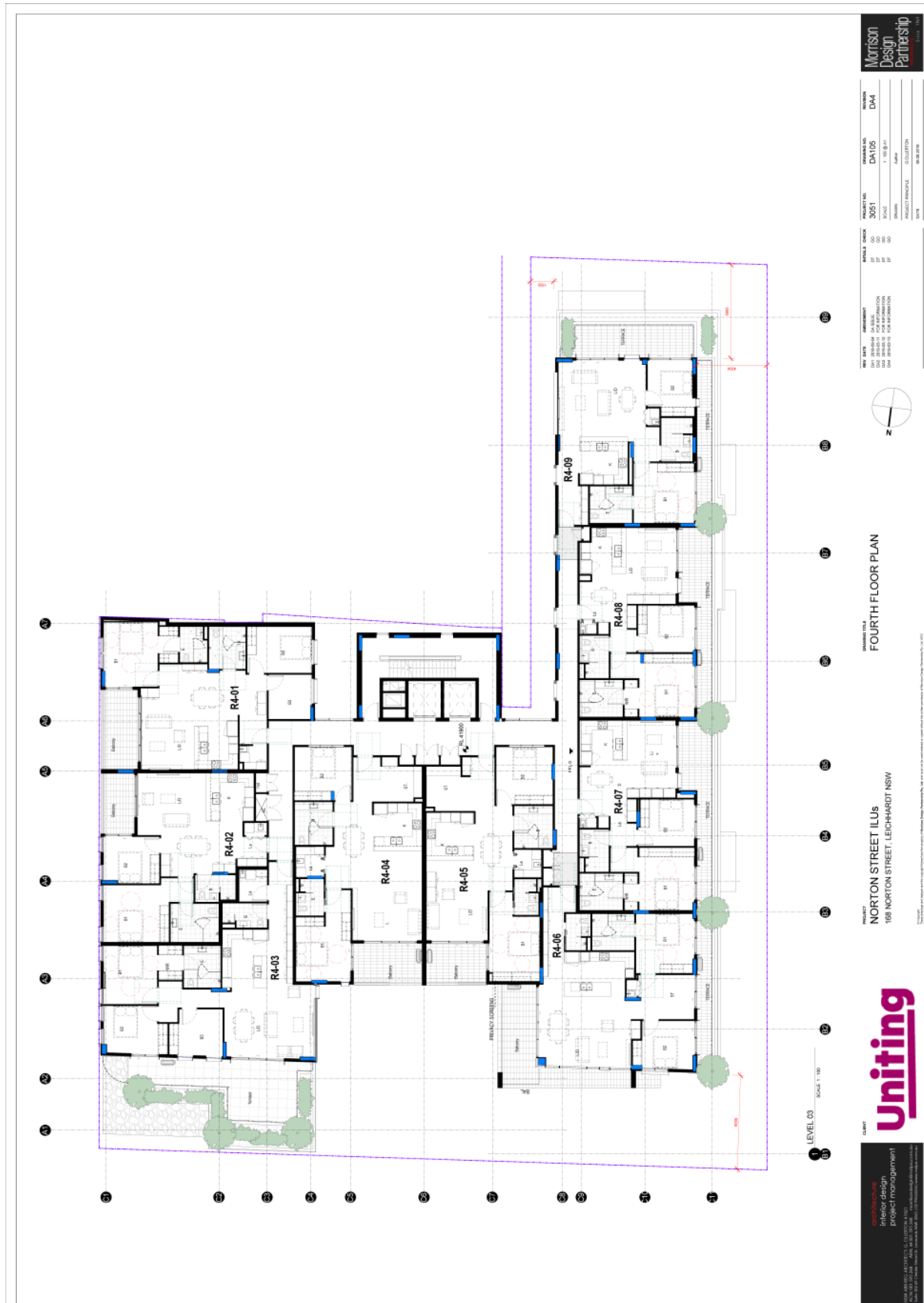
architecture
interior design
project management

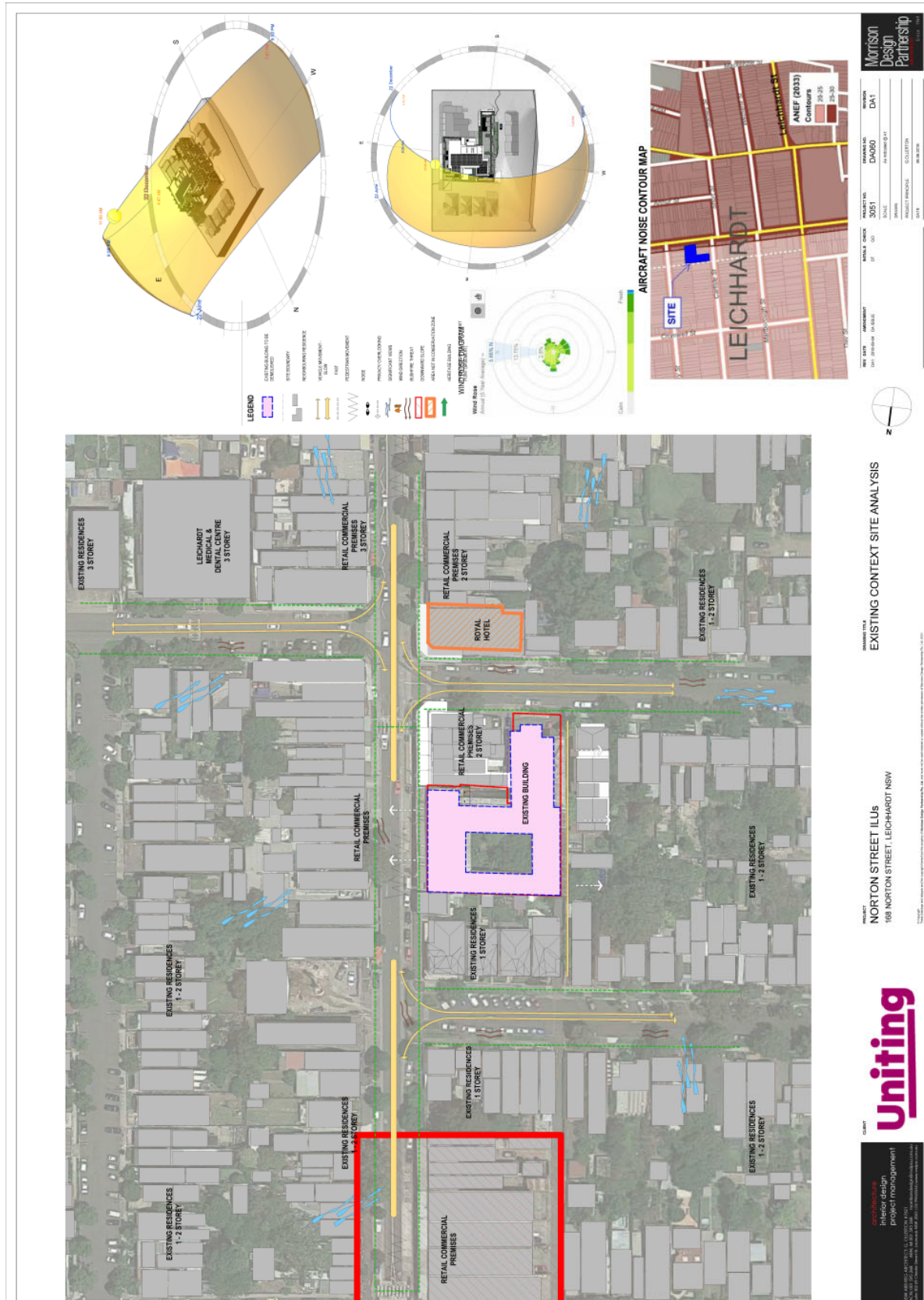
BARBARA BOG ARCHITECTS, C. COLLETON, AIA 2001
1620 N. 10TH AVE., SUITE 100, DENVER, CO 80202
TEL: 303.733.5566 FAX: 303.733.5568
WWW.BOGARCHITECTS.COM
BOGARCHITECTS@BOGARCHITECTS.COM

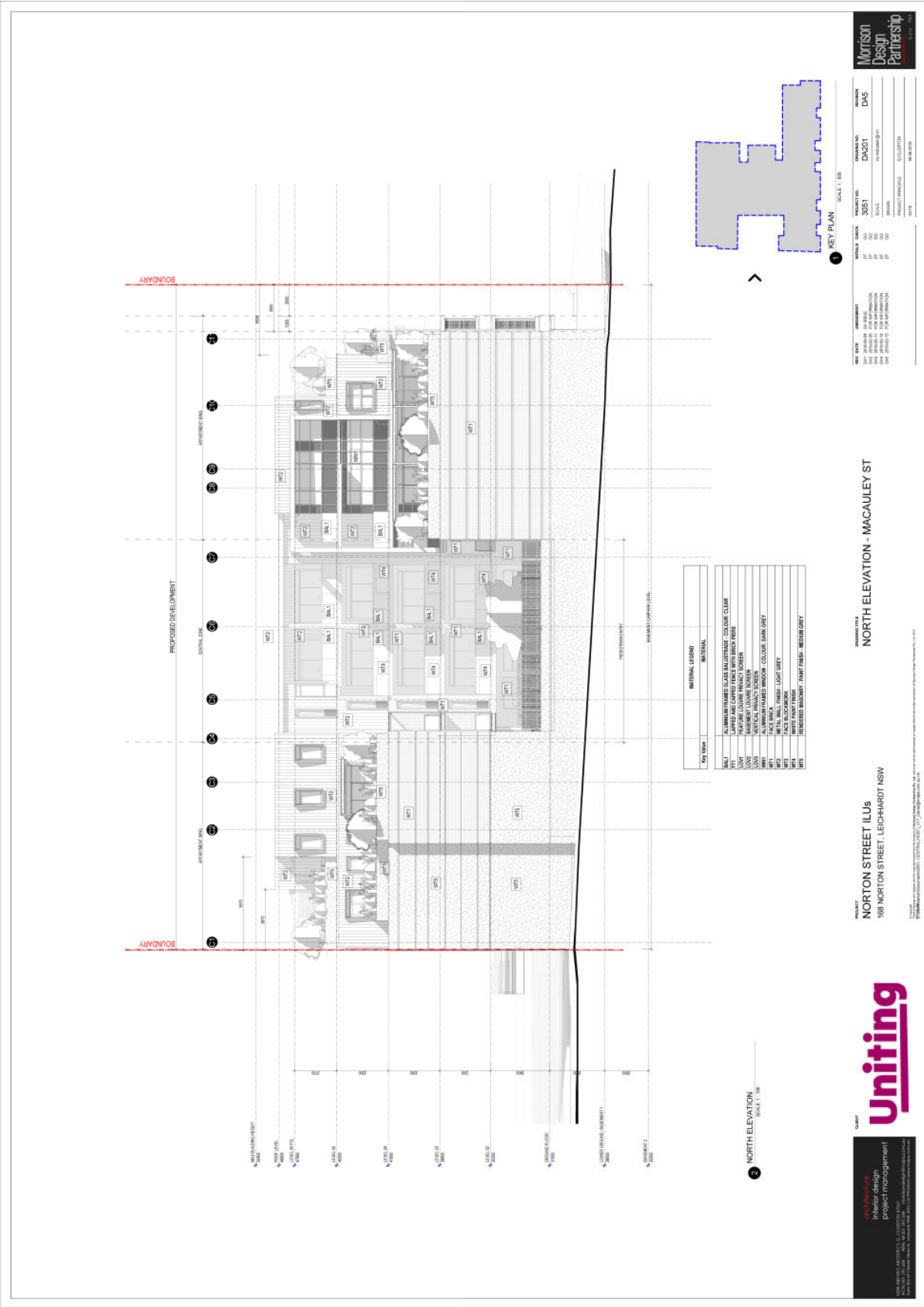


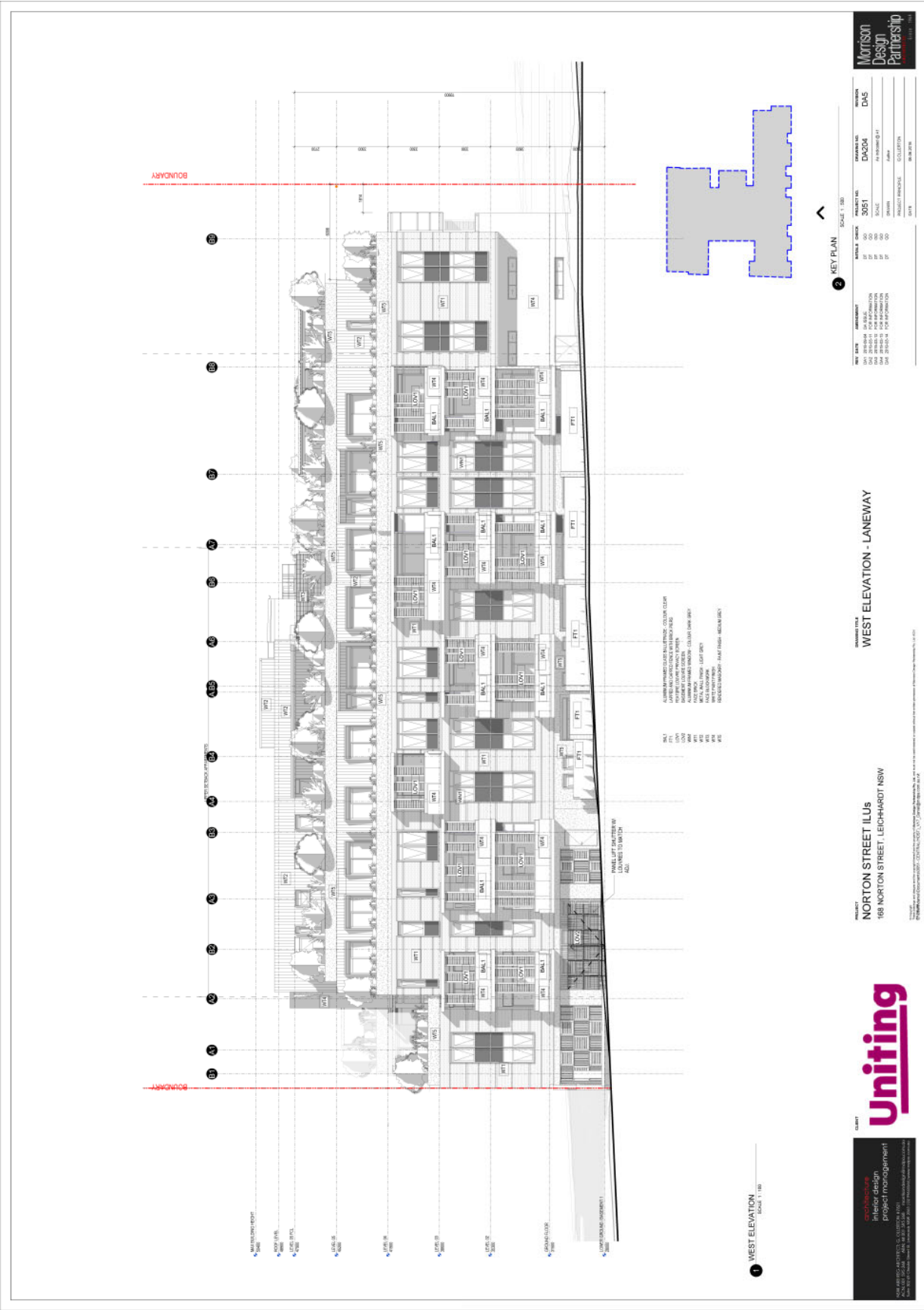


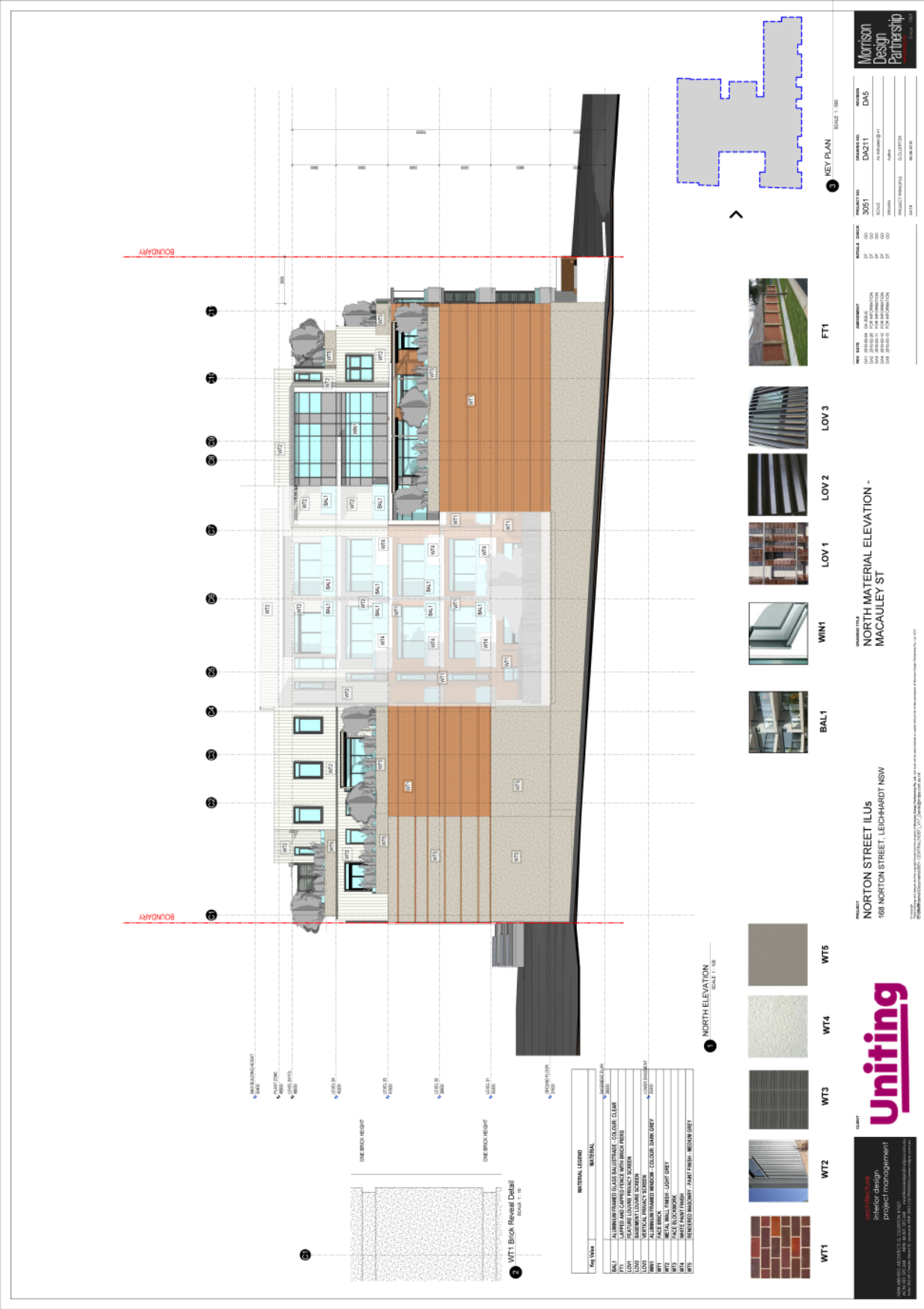


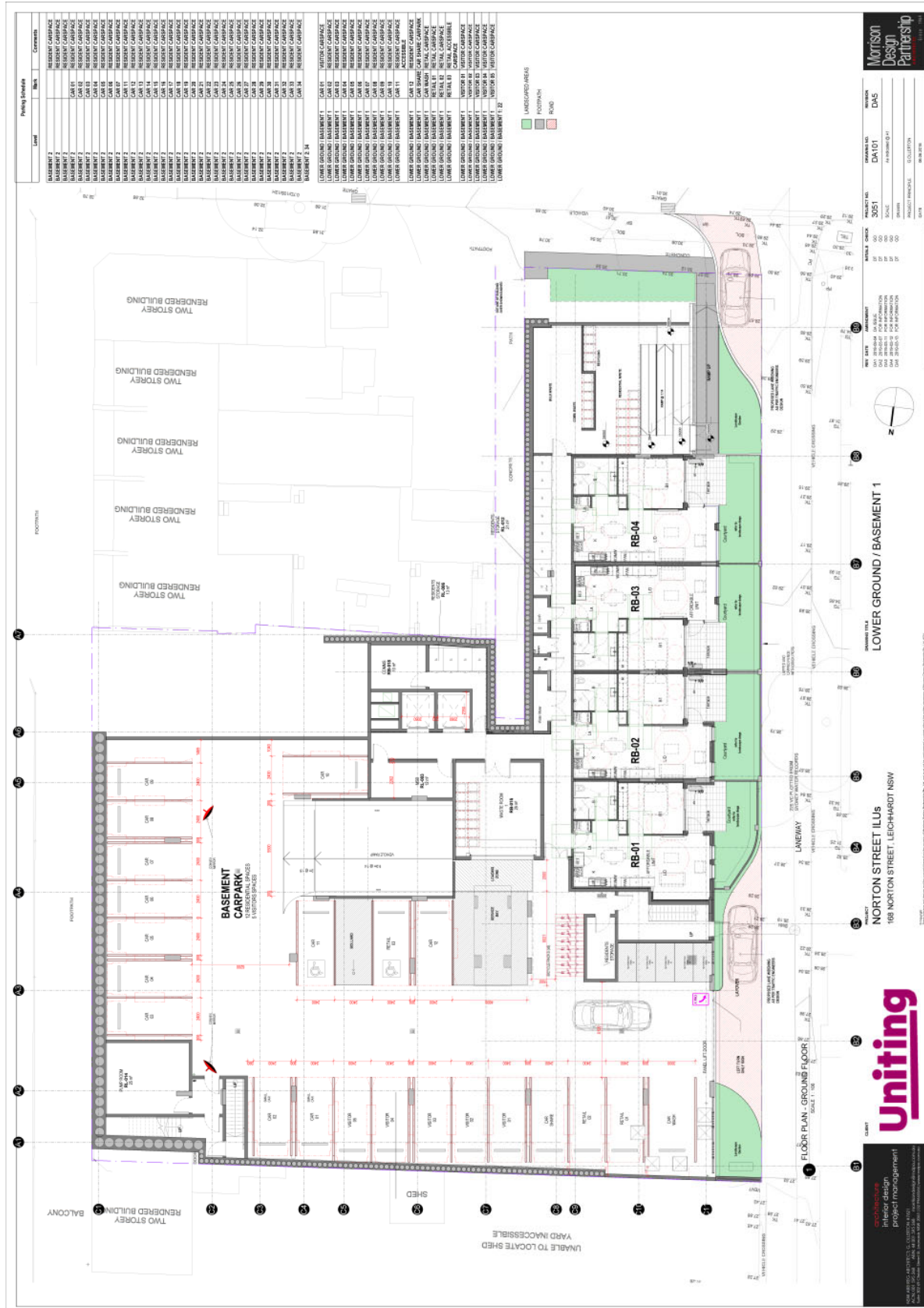






















NORTON STREET ILUS
168 NORTON STREET, LEICHHARDT NSW
DEVELOPMENT APPLICATION

DRAWING REGISTER - DEVELOPMENT APPLICATION[illegible]

architecture
interior design
project management

Uniting

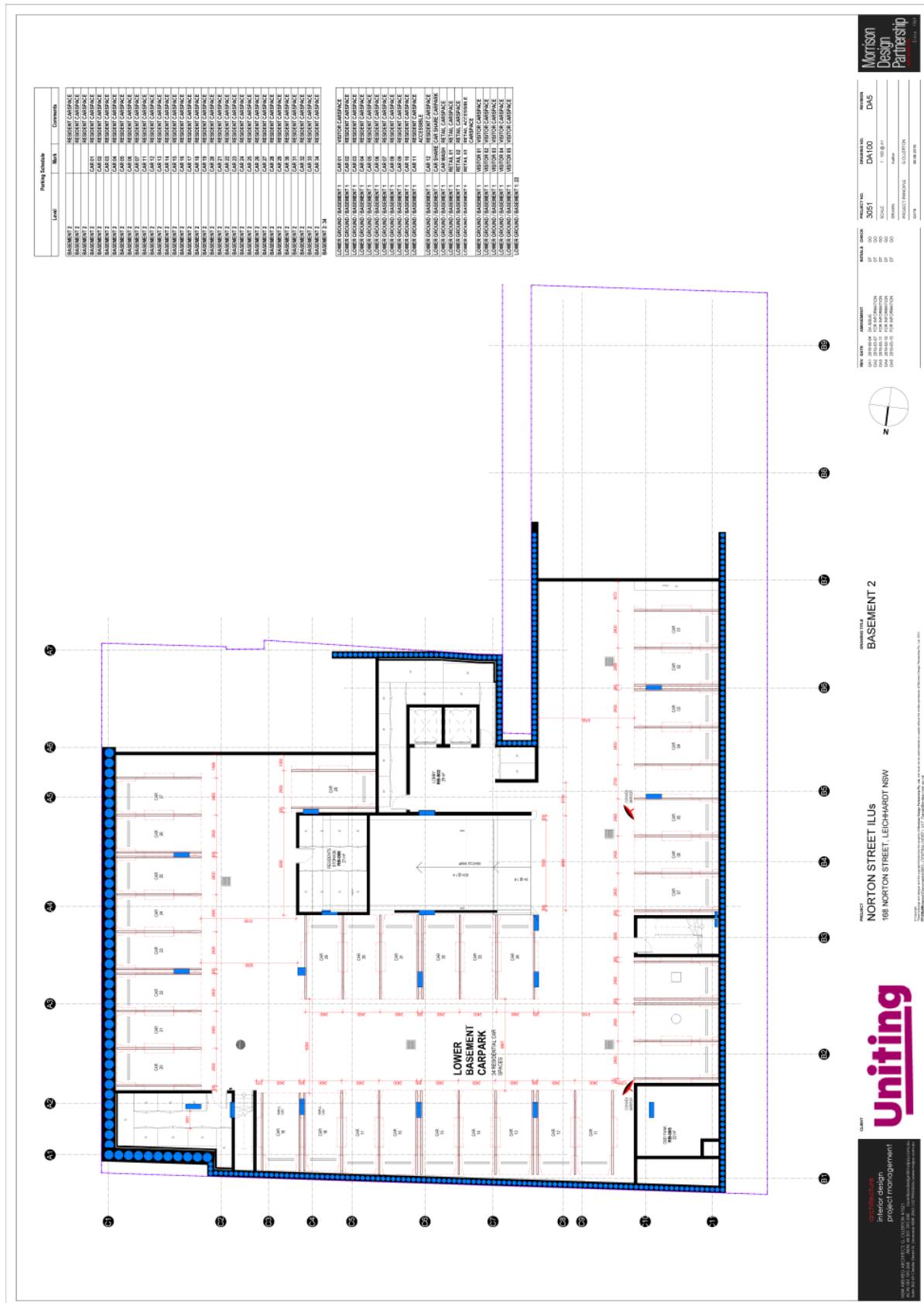
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NORTON STREET ILUS
168 NORTON STREET, LEICHHARDT NSW

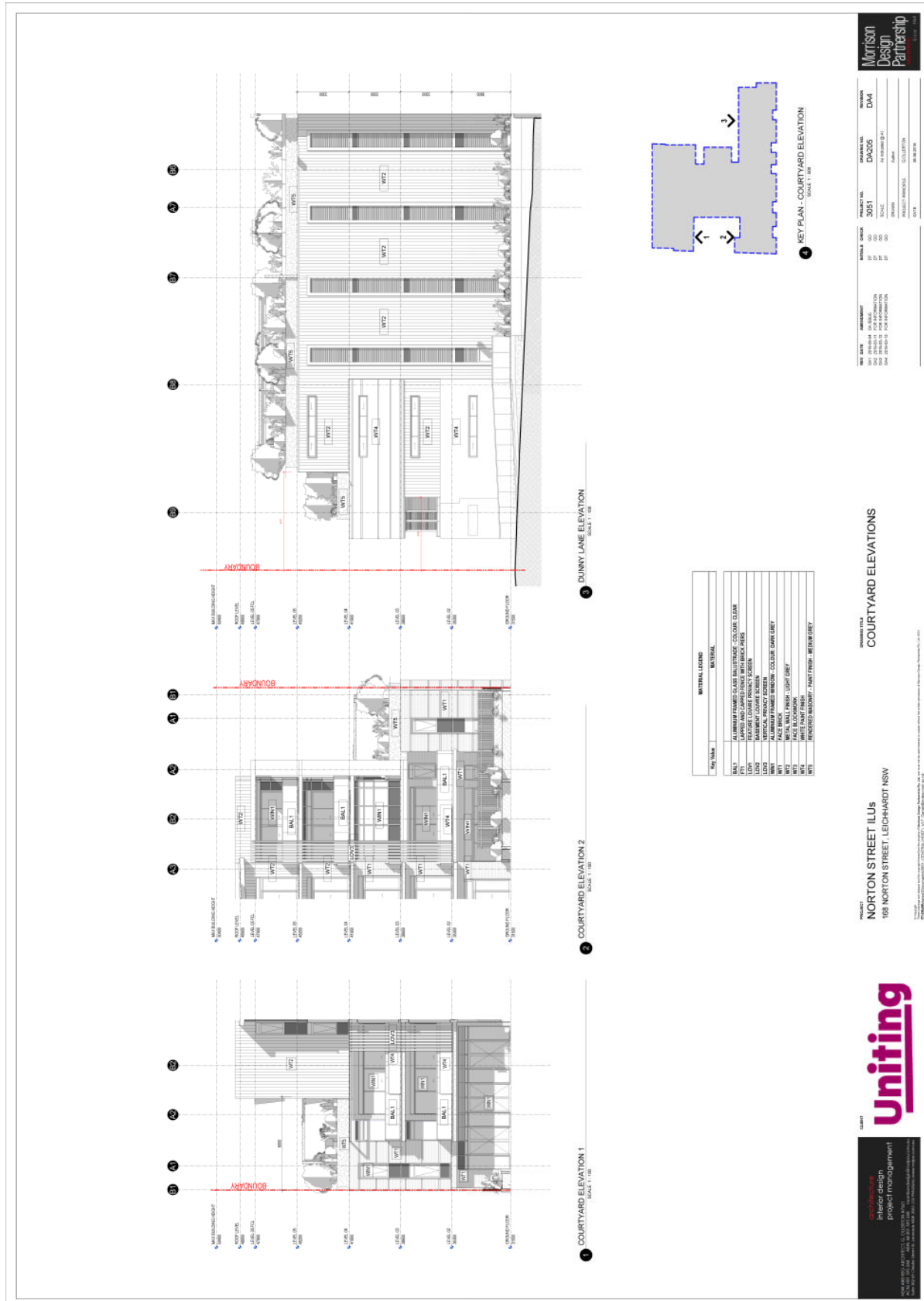
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COVER SHEET

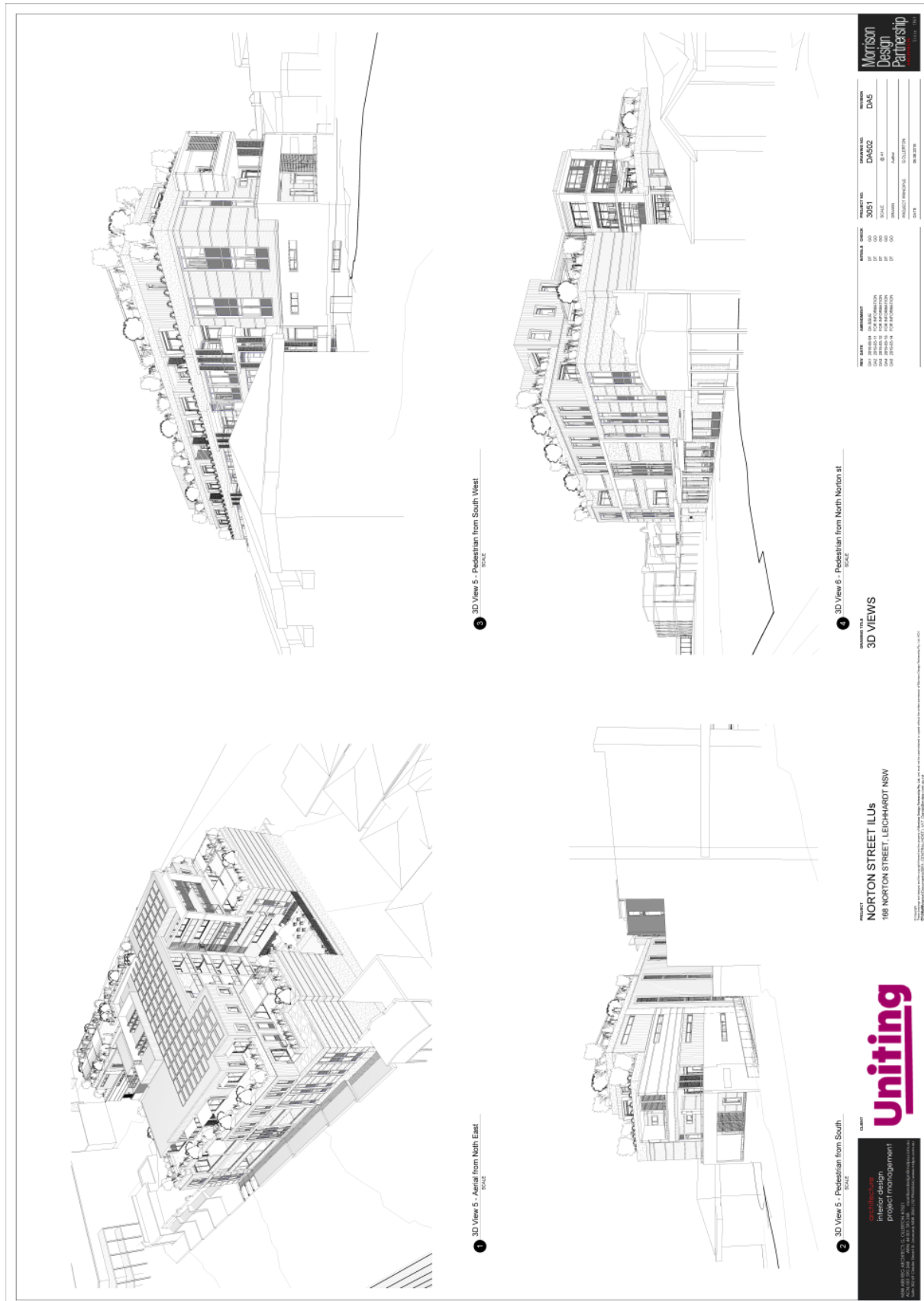
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INSTRUMENT	DA3
PROJECT NO.	3051
PROJECT FILE	1 3051.g11
PROJECT PURPOSE	OTHER
COLLECTION	
DATE	03-28-2018

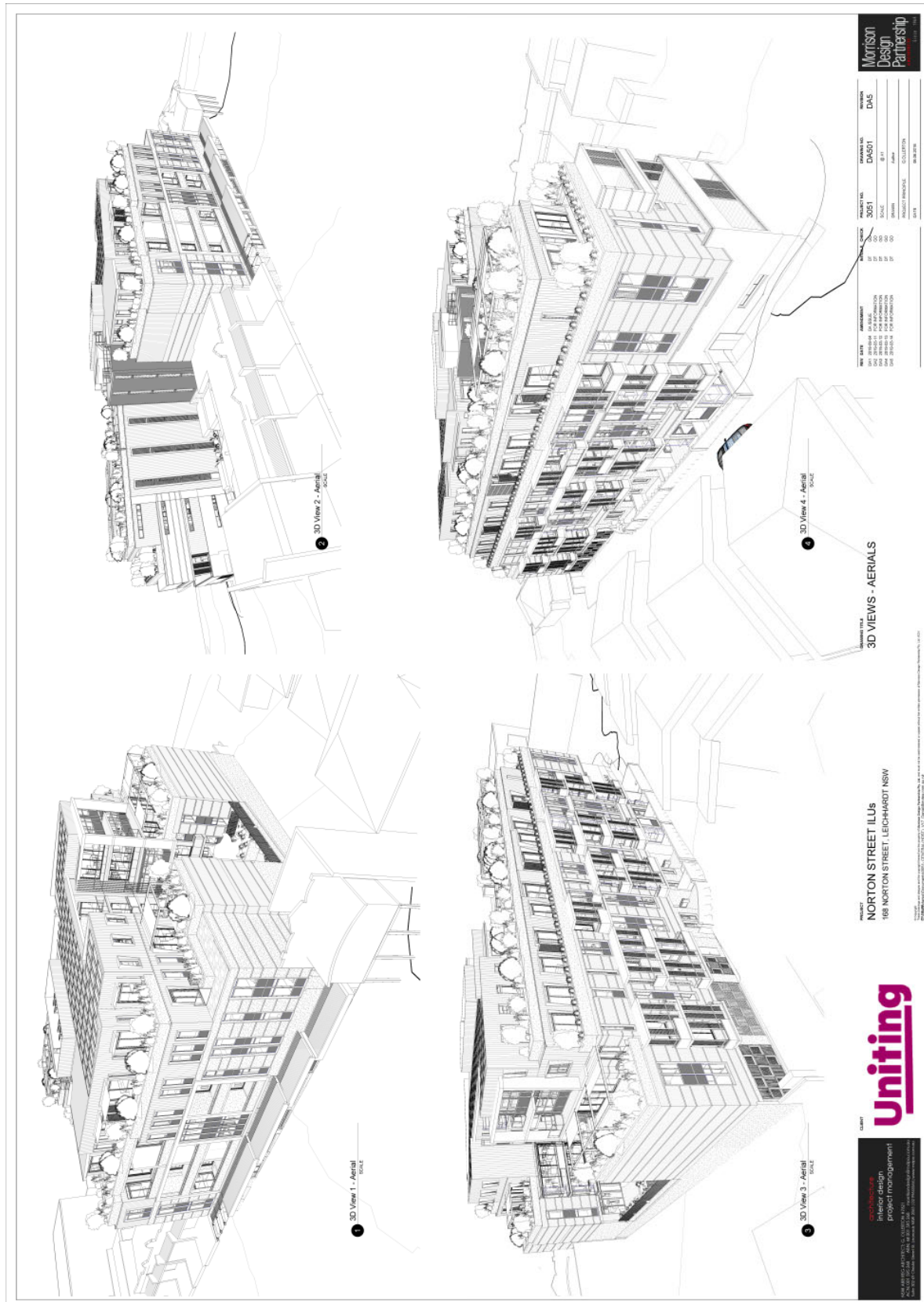


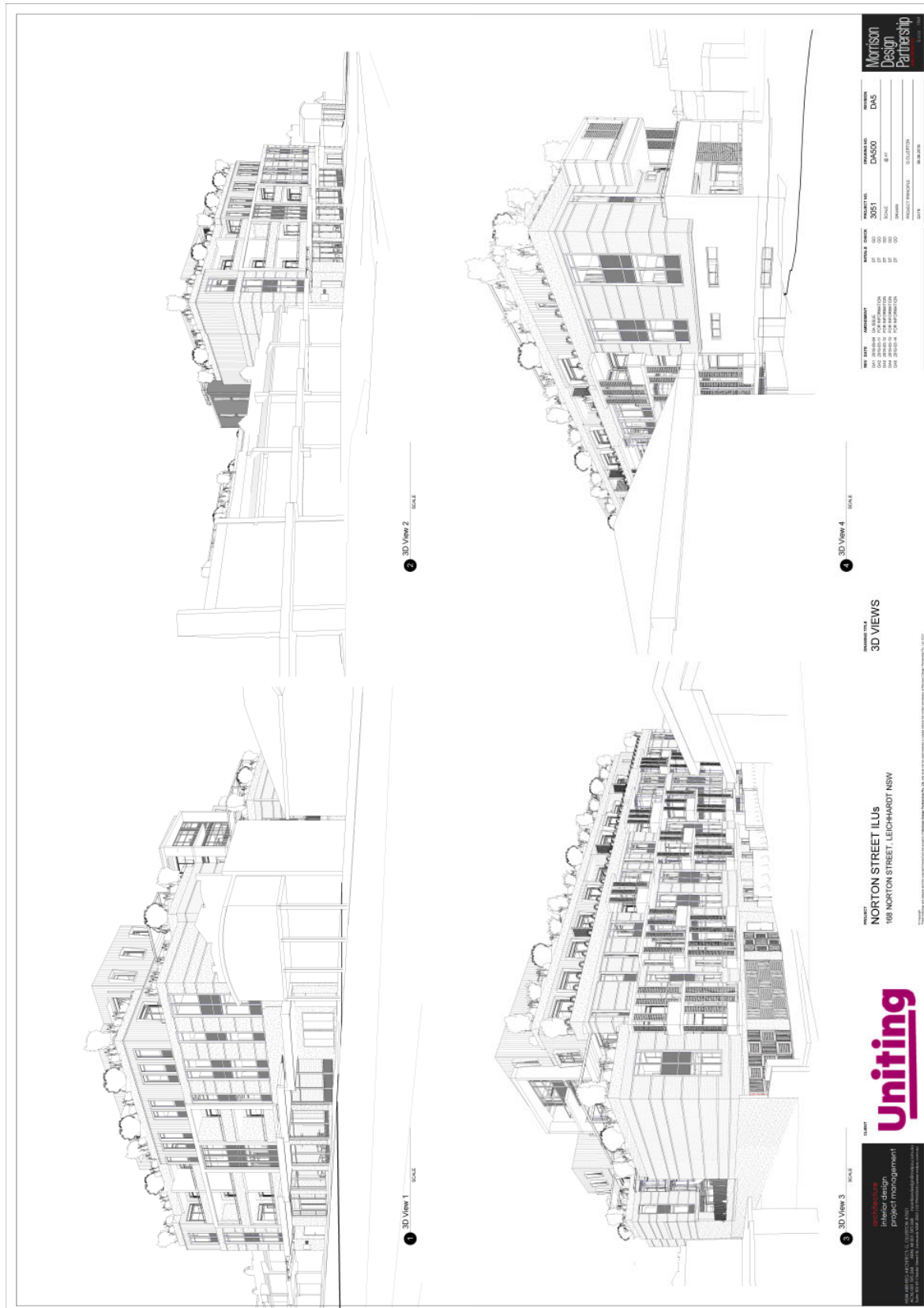
Morrison
Design
Partnership



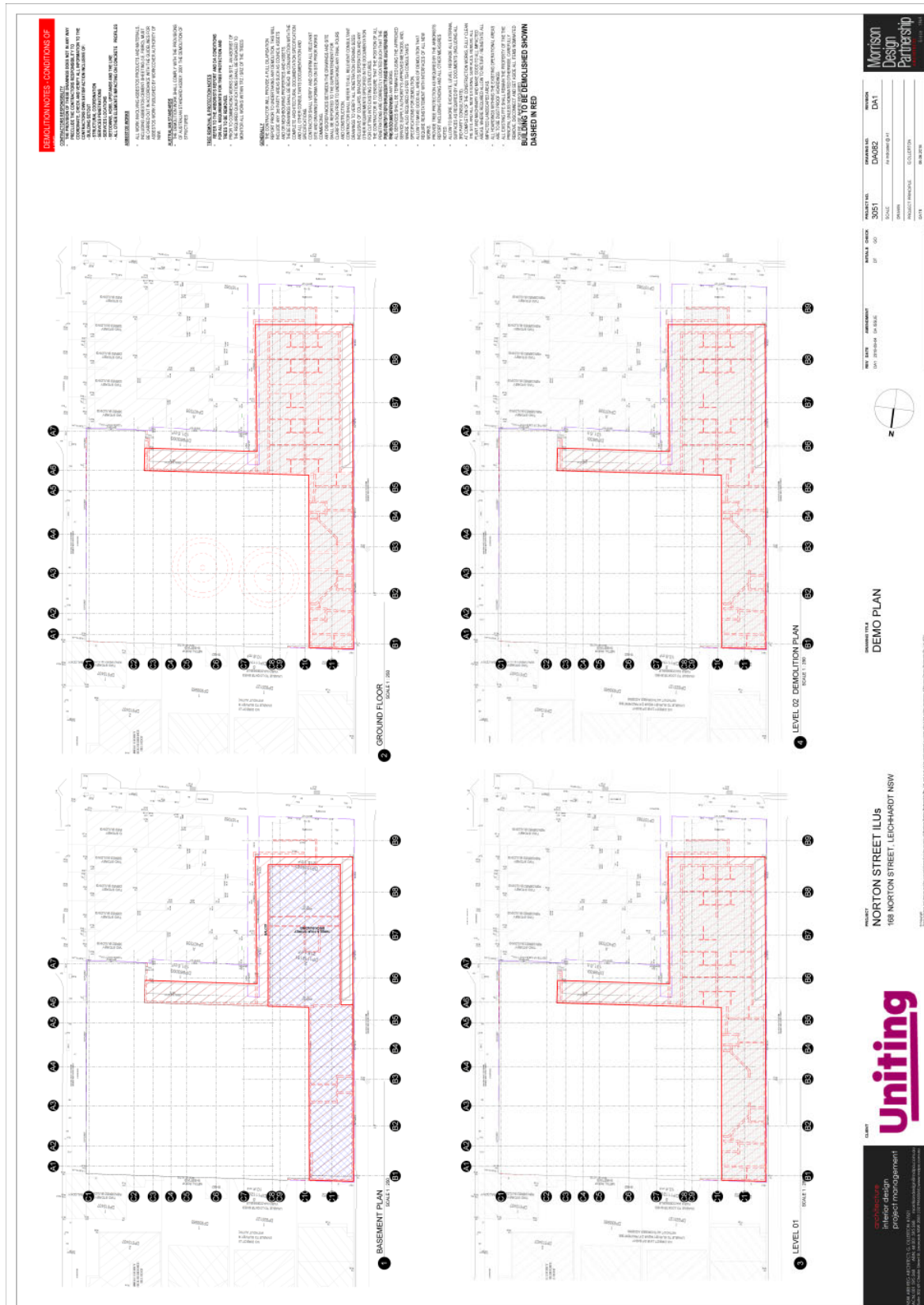


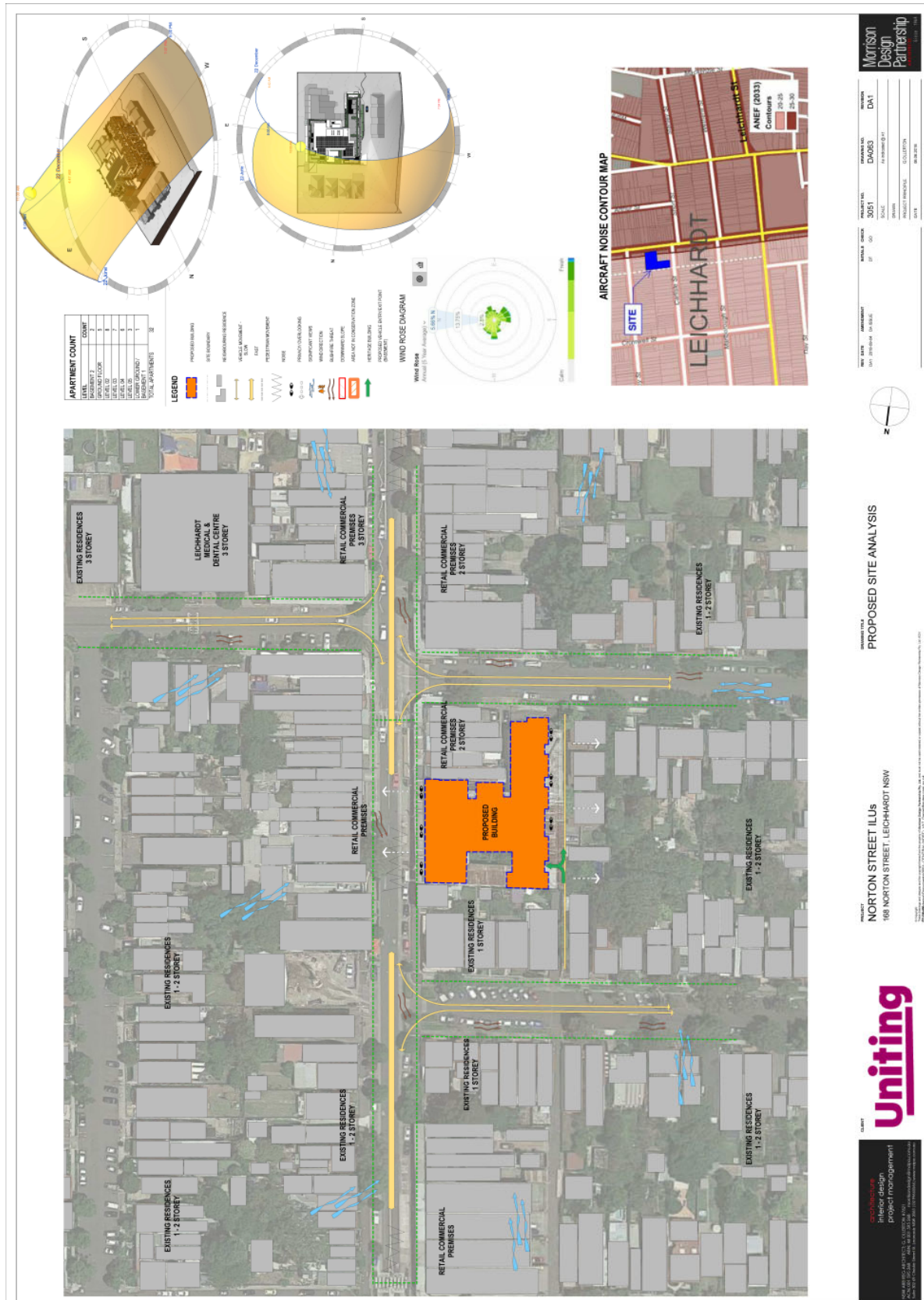








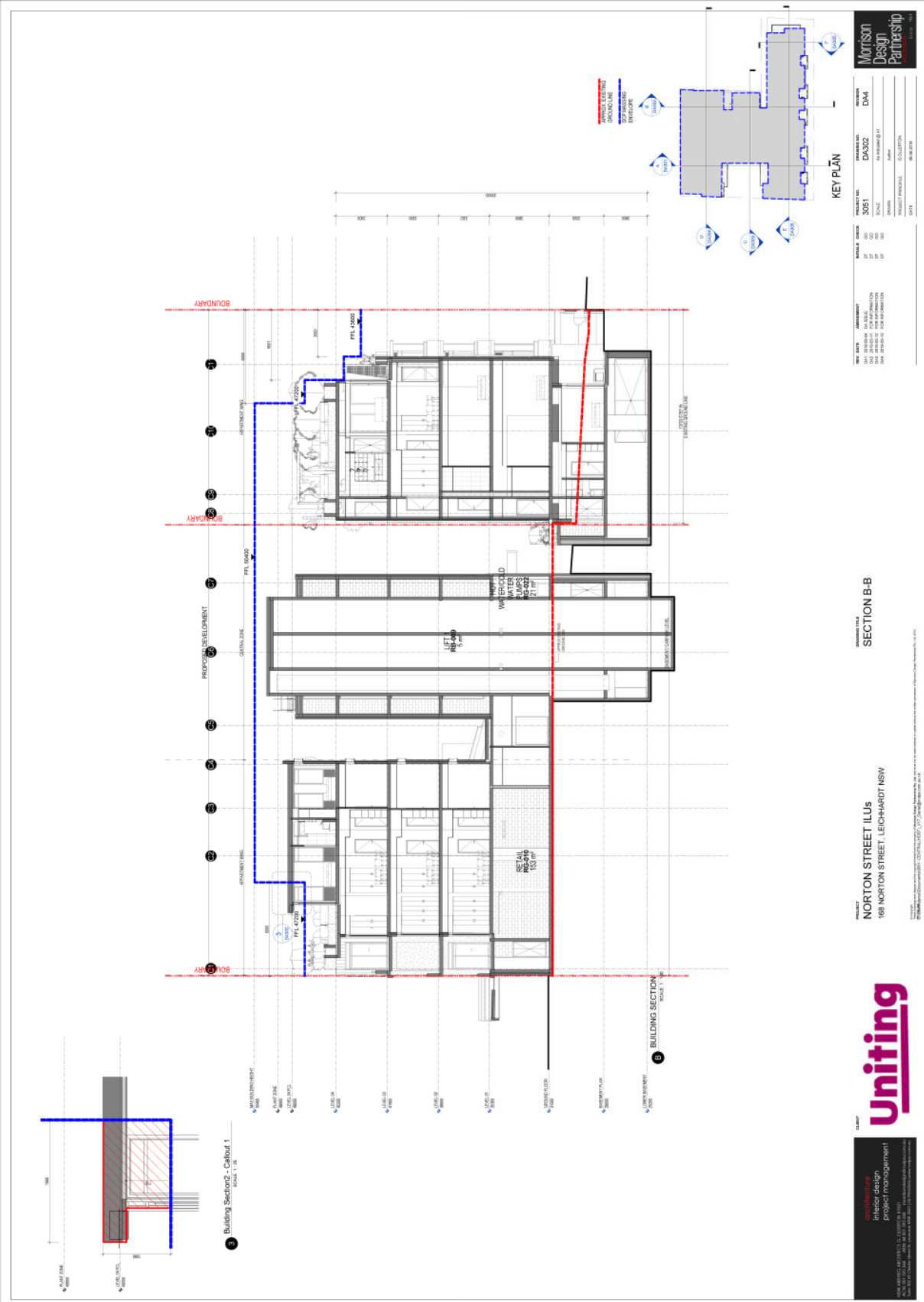


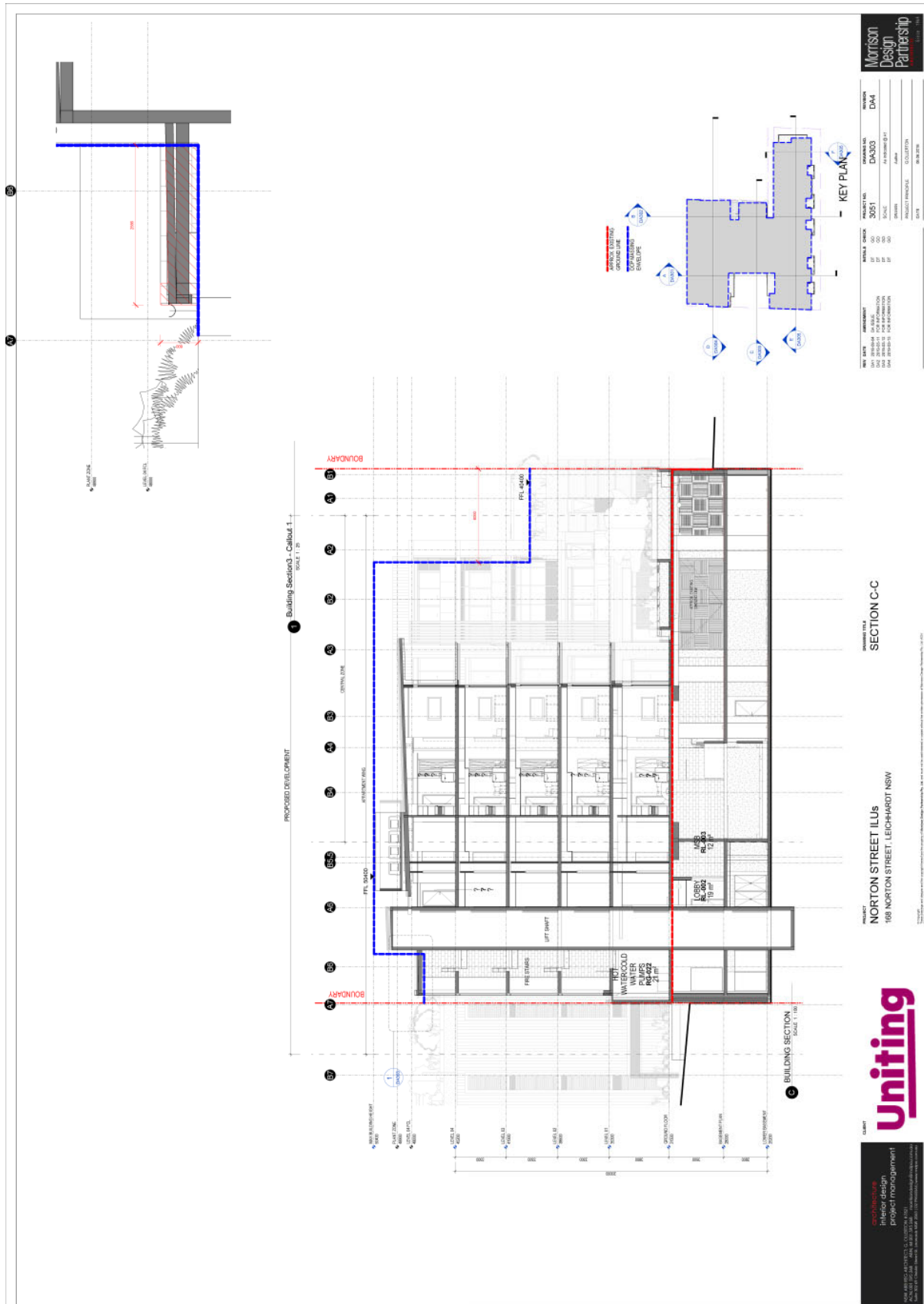


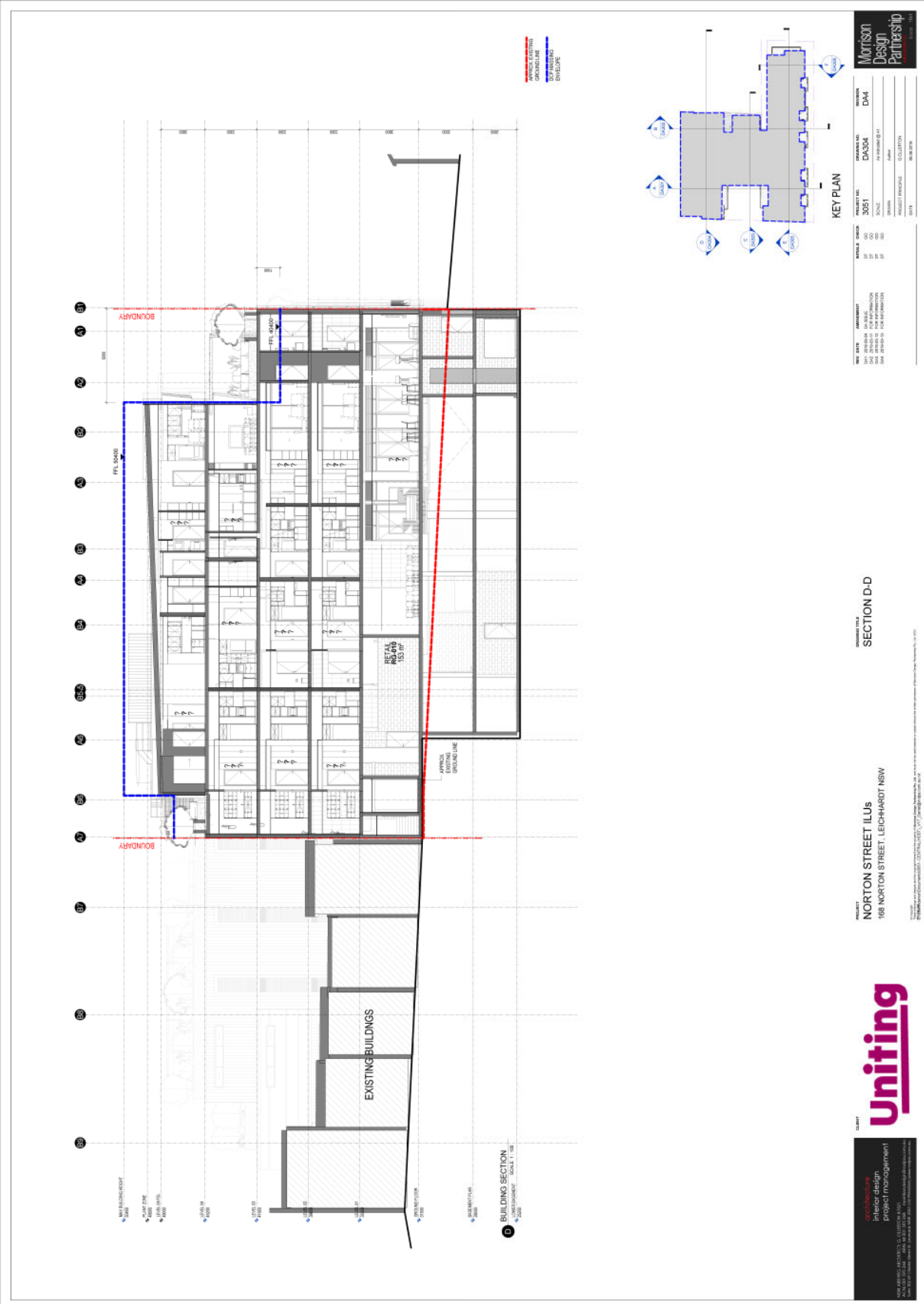


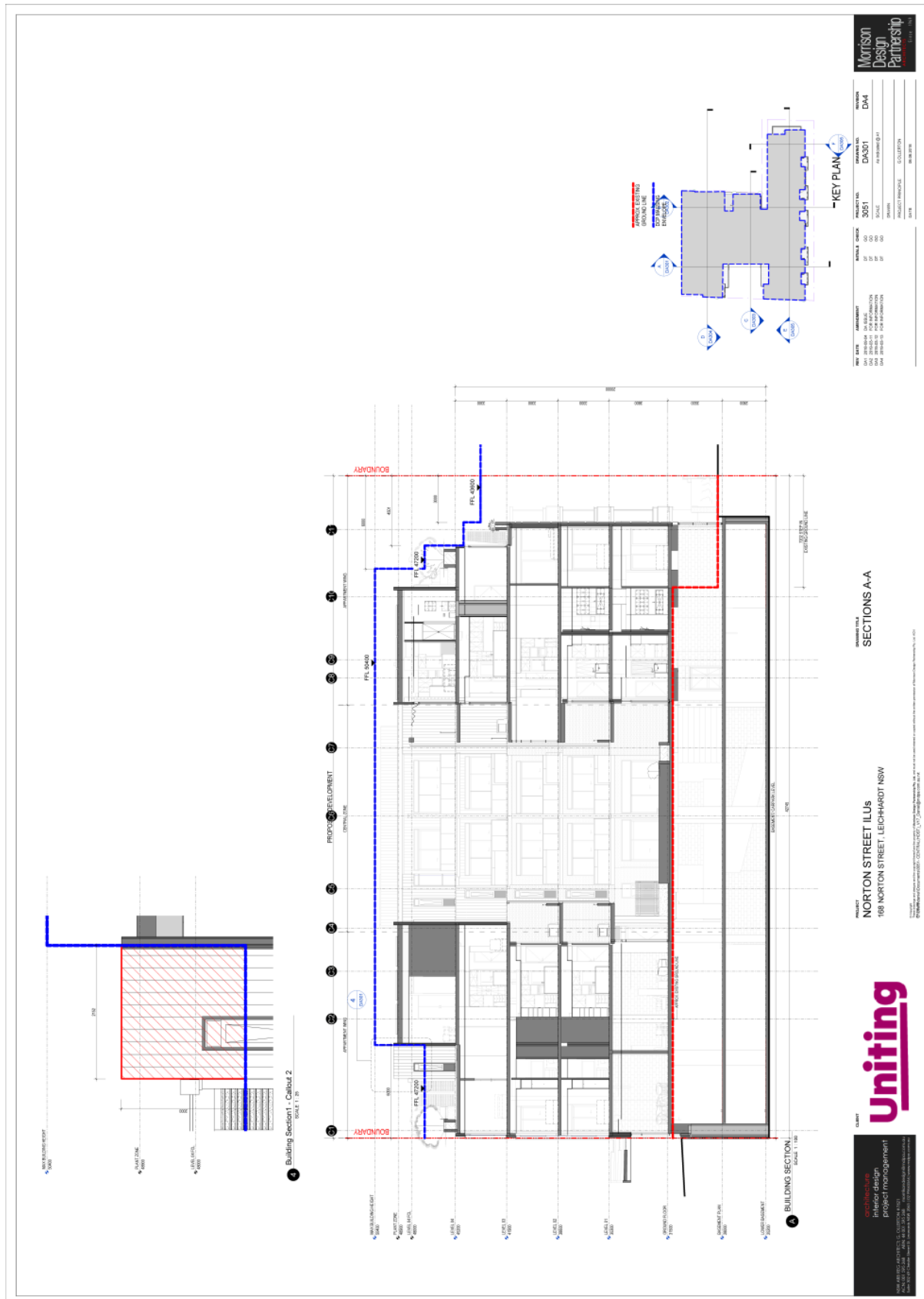


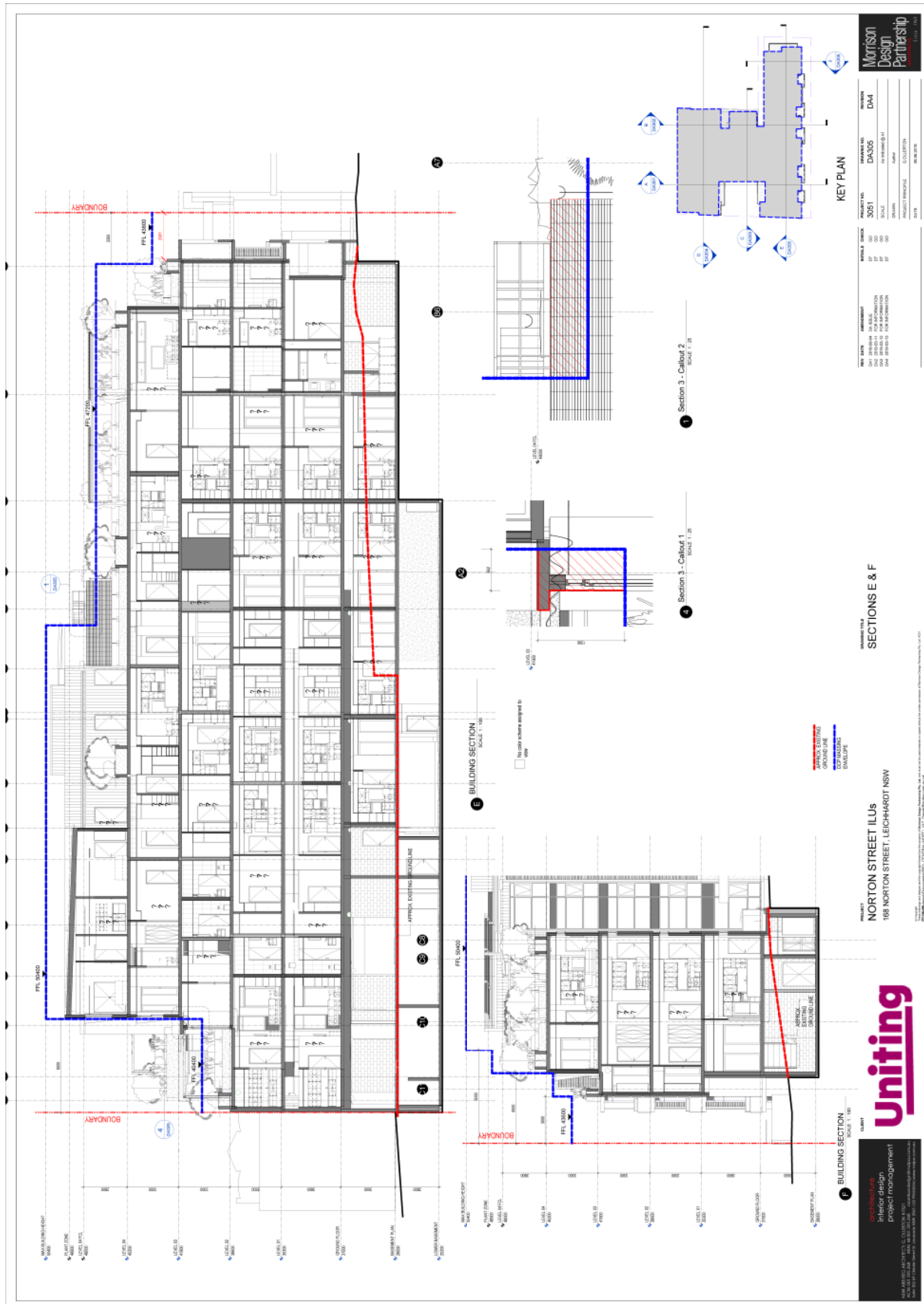


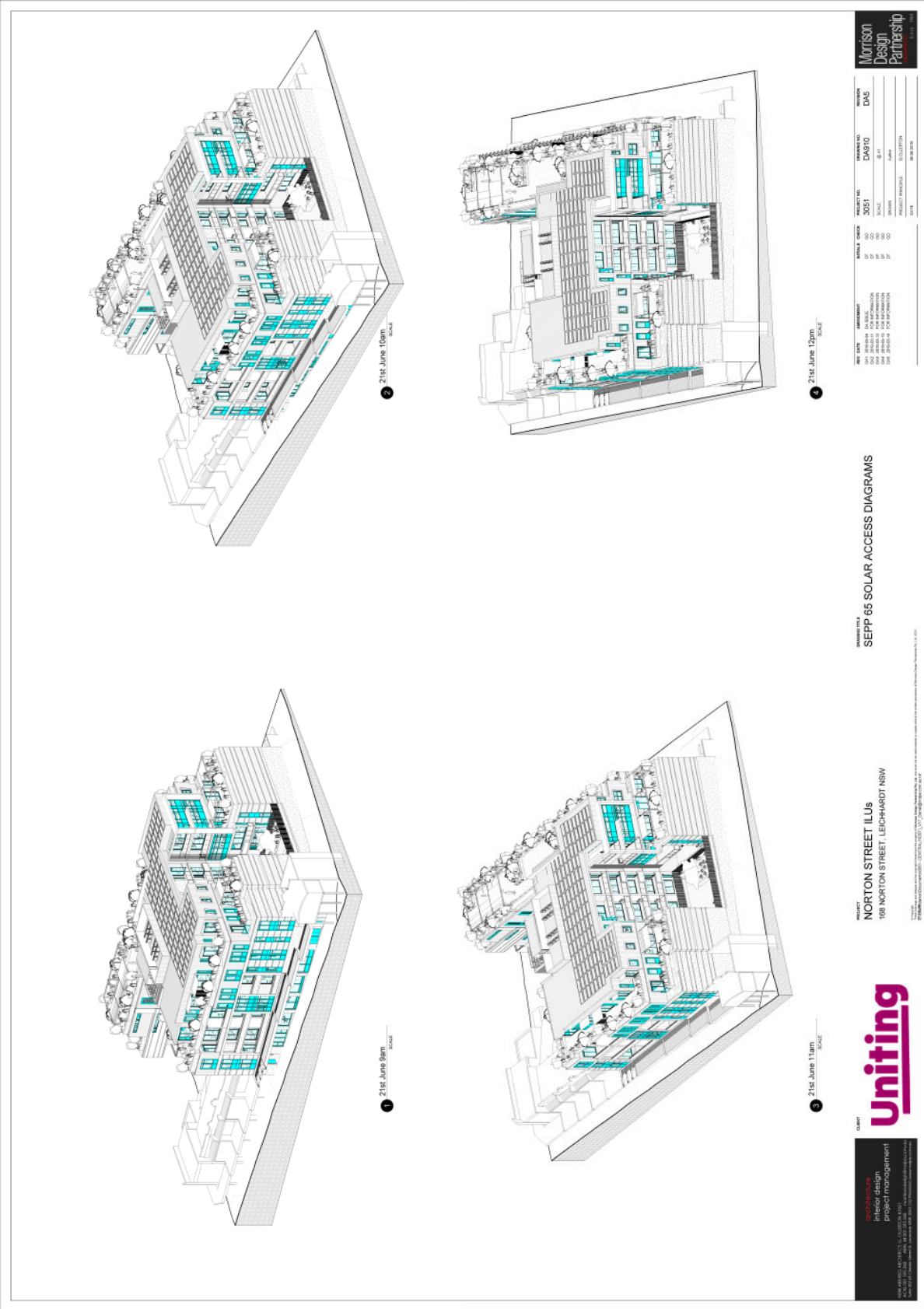


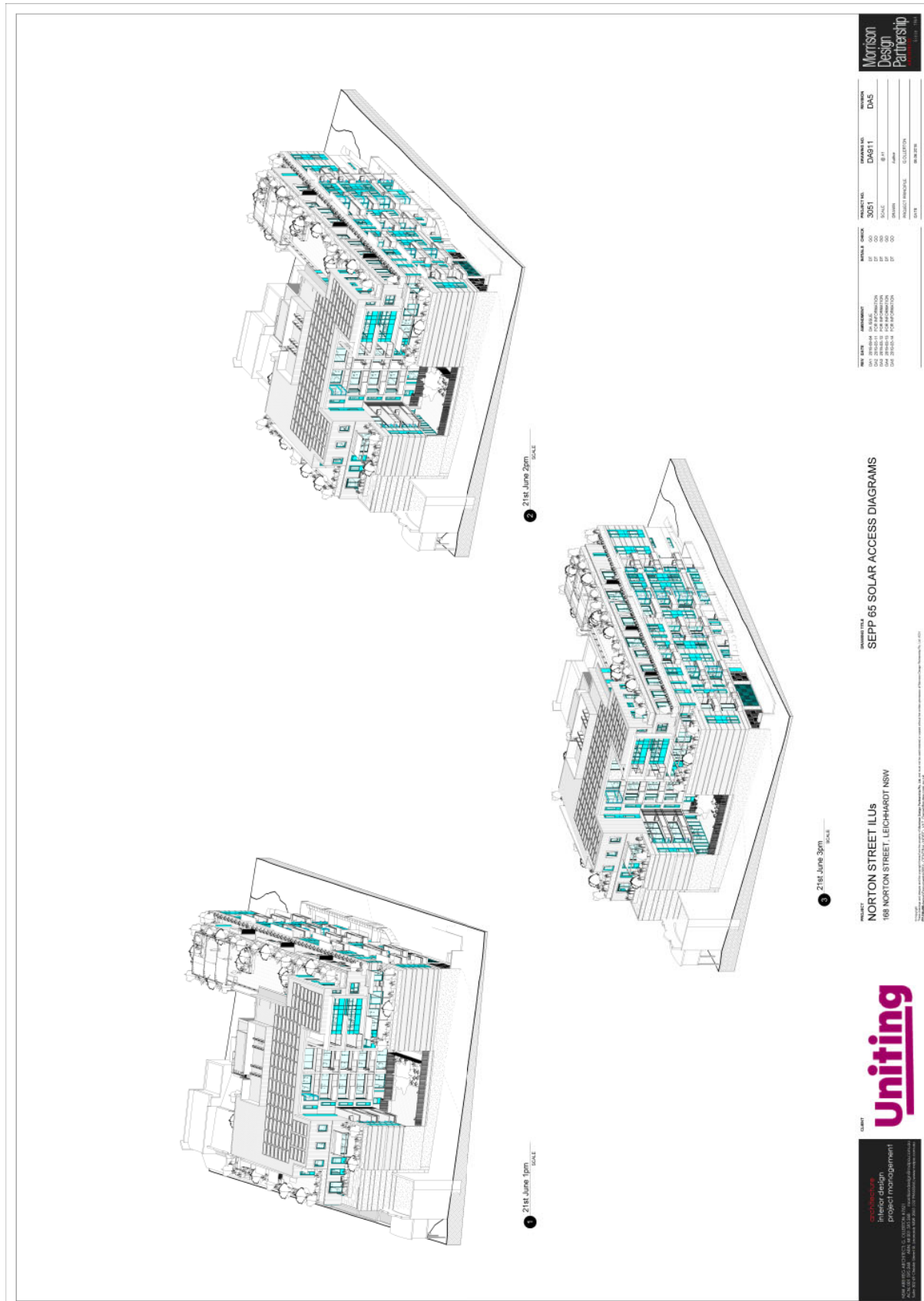




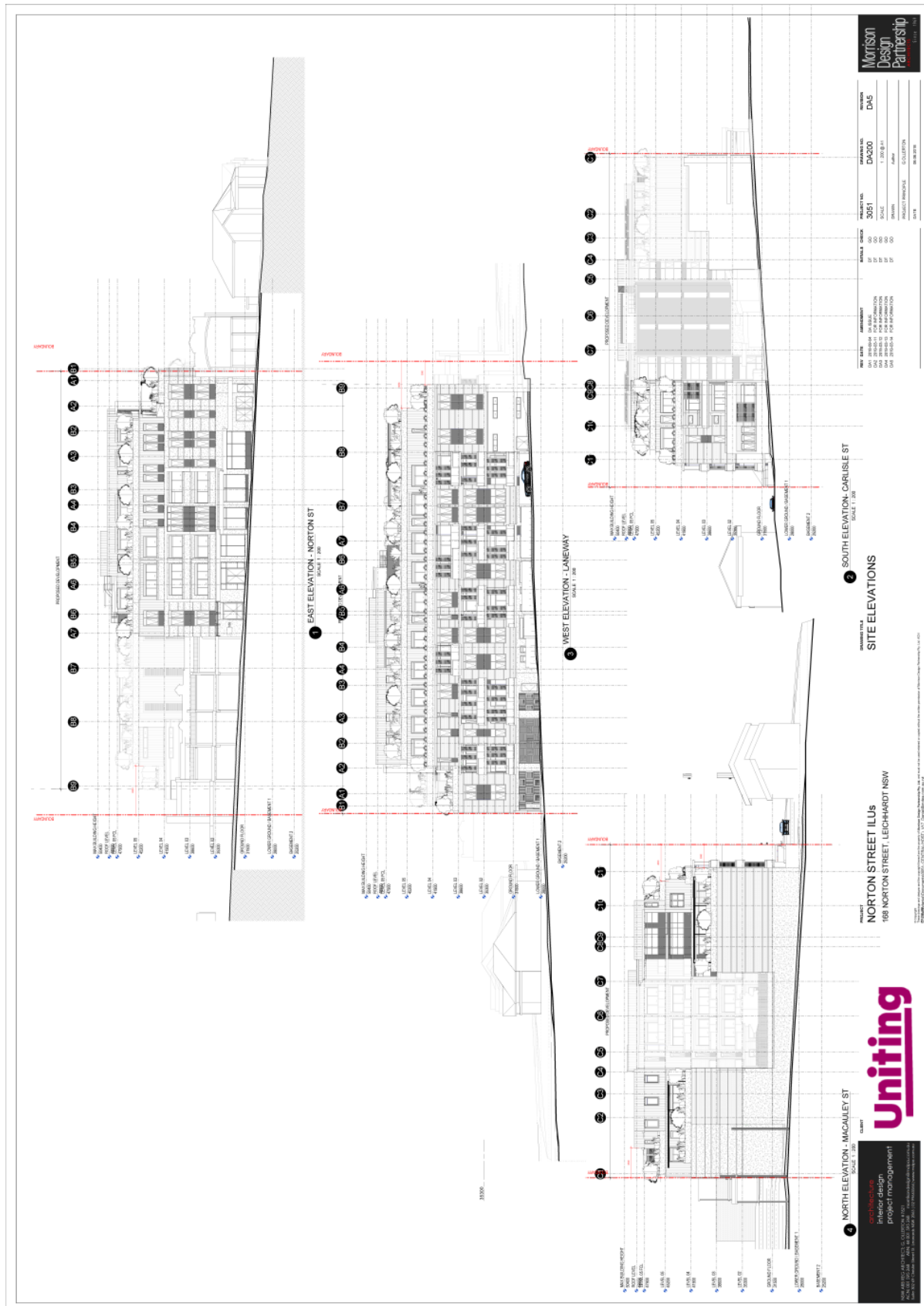


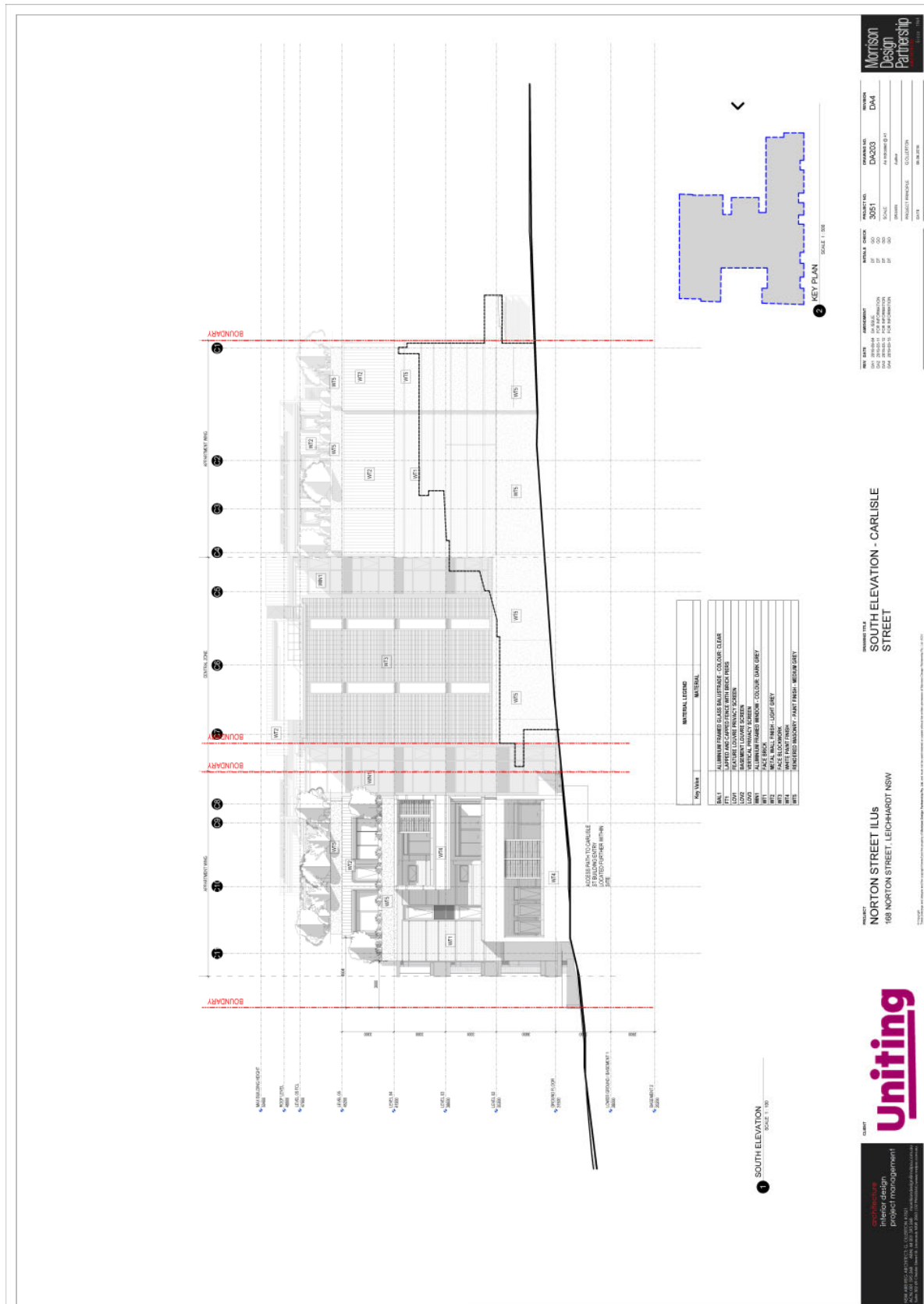






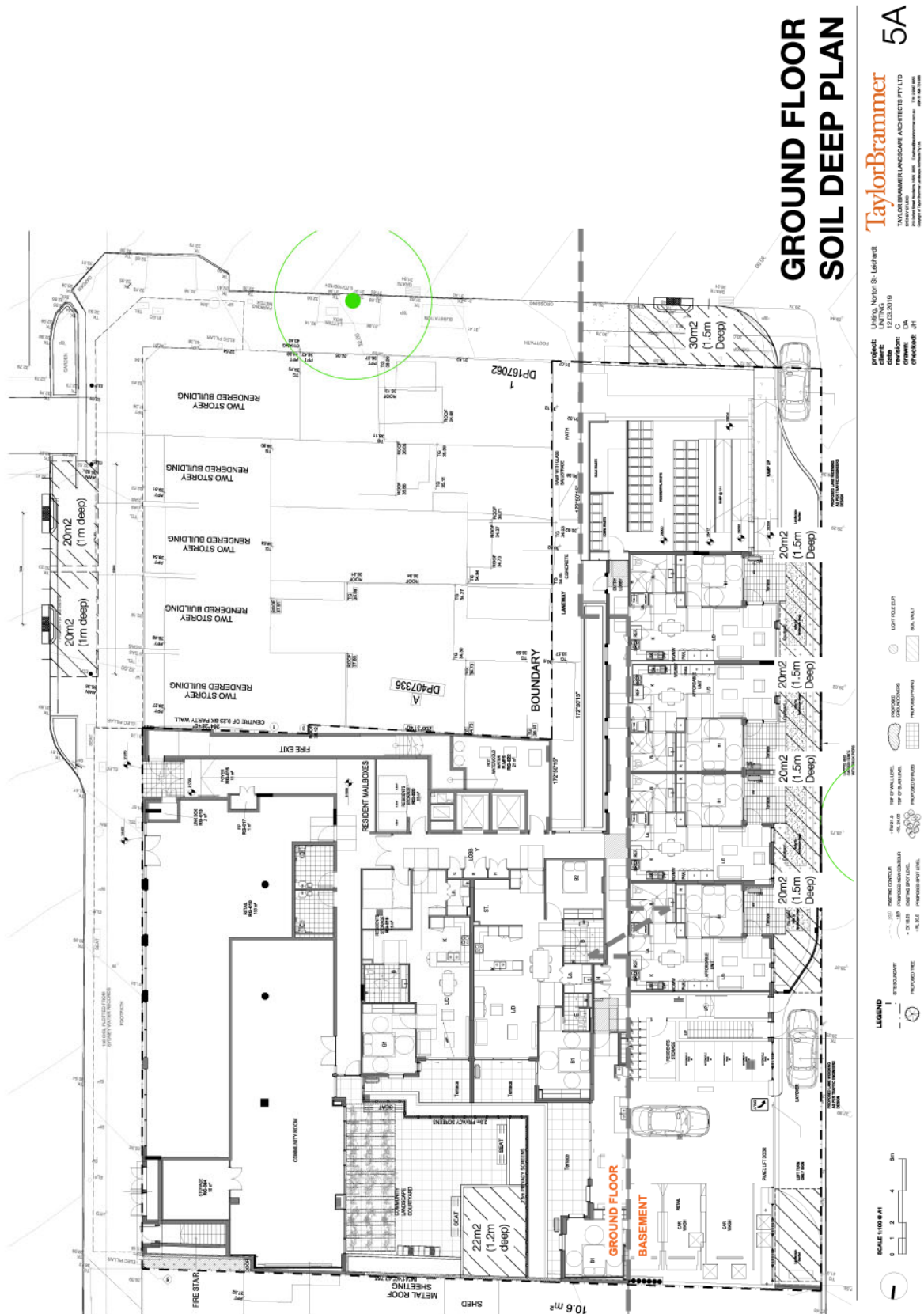


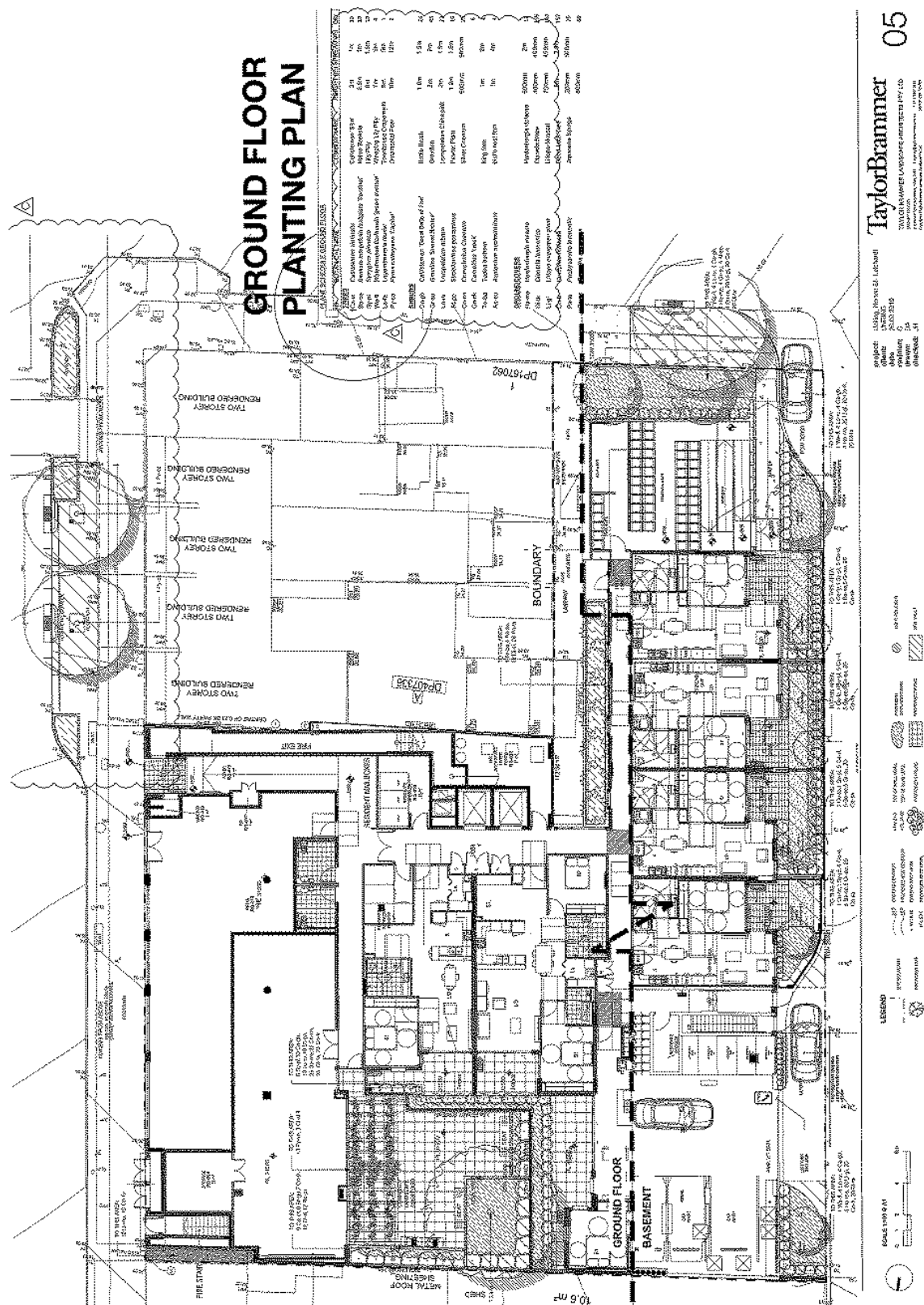












**LANDSCAPE PLAN
LEVEL 03**

760 mm HIGH PLANTER BOXES WITH
240mm GLASS BALUSTRADE OVER TO
ARCHITECT DETAILS

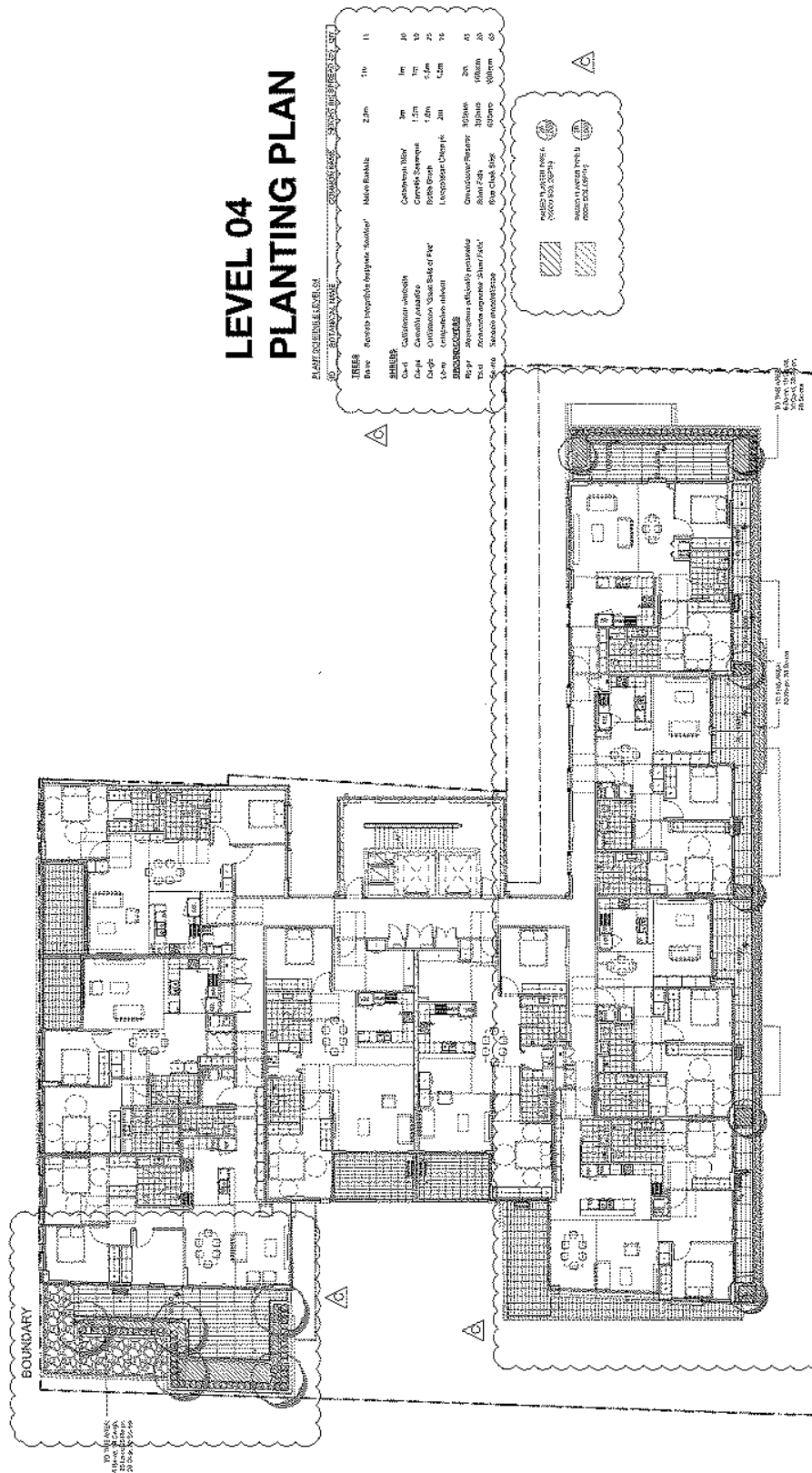
02 PAVING TO RESIDENT TERRACES

03 LANDSCAPE UNDER





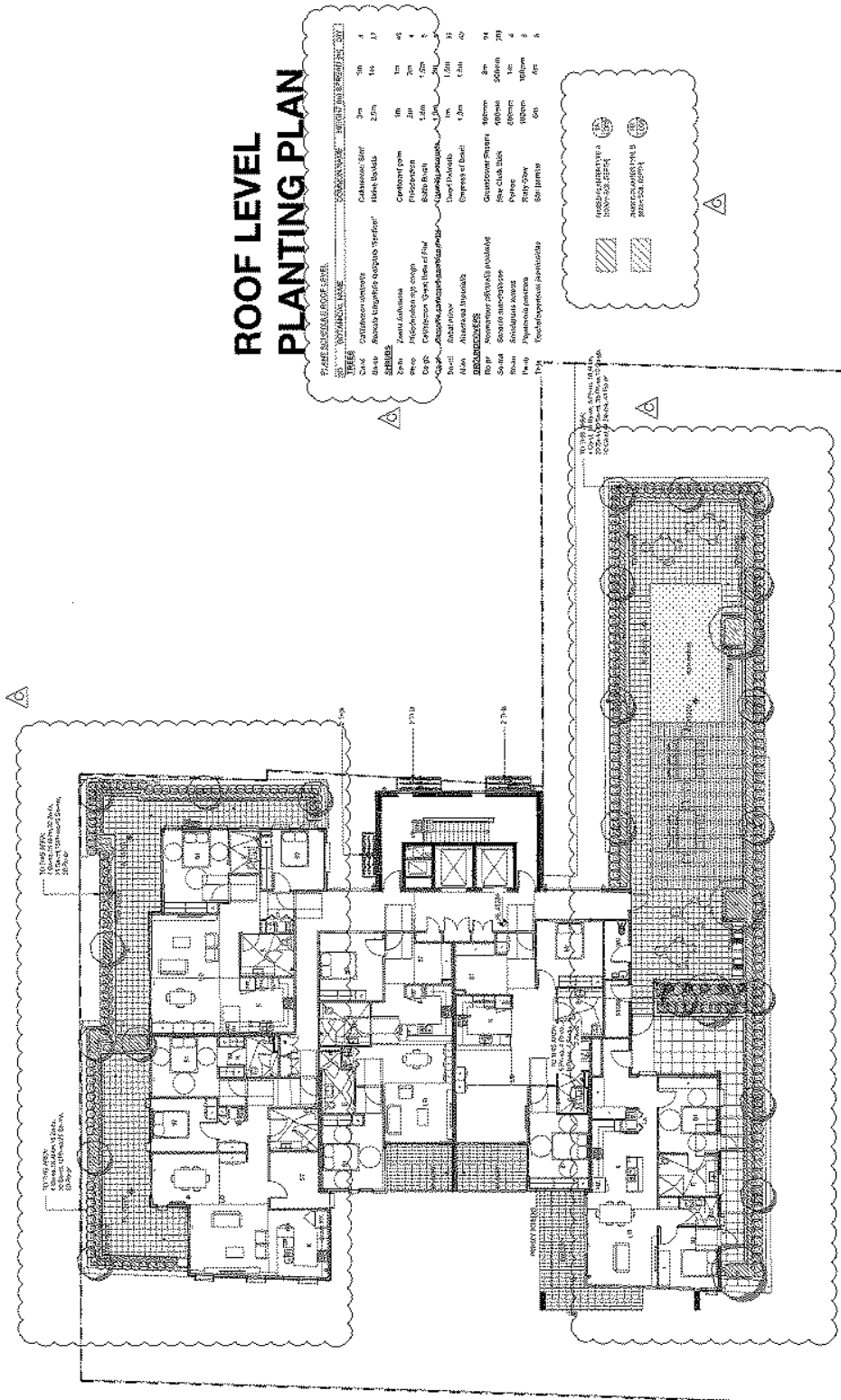
LEVEL 04 PLANTING PLAN



project: 048102 client: 048102 date: 12/21/2014
 position: Co Co checked: jfi
 TaylorBrammer
 TAYLOR BRAMMER LANGUAGES PVT CO
 10000 W. 10th Avenue, Suite 100
 Aurora, Colorado 80012
 (303) 750-9700
 taylor@taylorbrammer.com
 07

[illegible]

ROOF LEVEL PLANTING PLAN



TaylorBrammer















10000 N. Myrtle St., Chicago, IL 60630
Tel: 773/335-7200
Fax: 773/335-7200

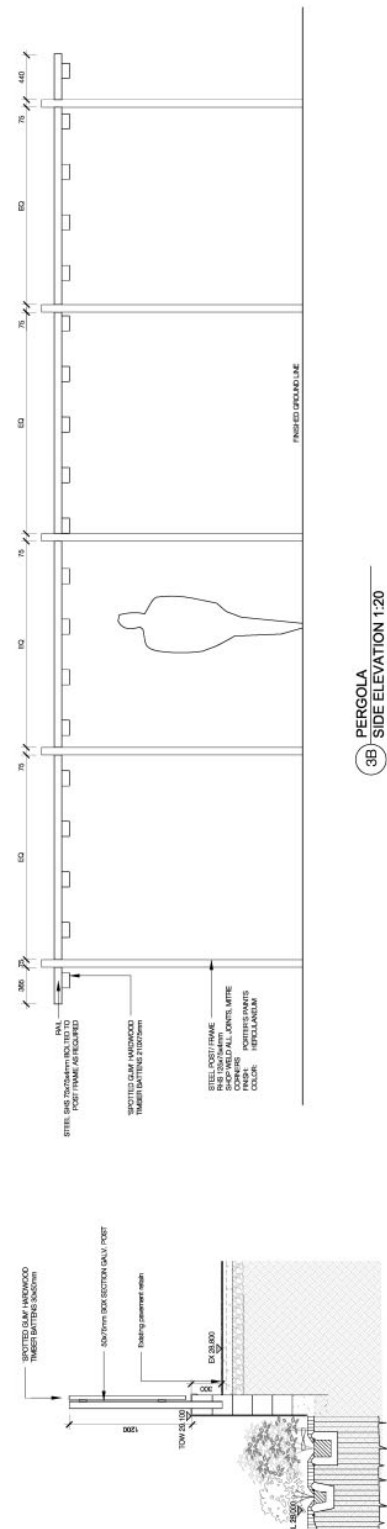
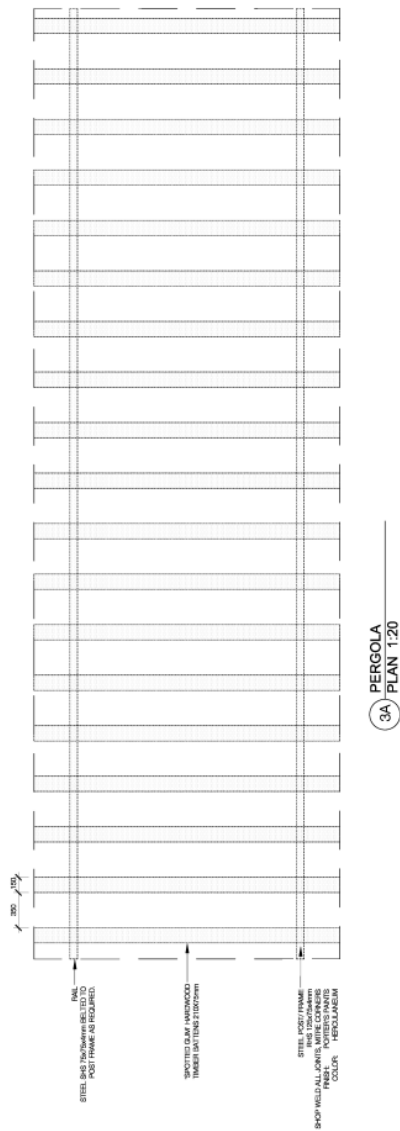
project: 311
client: CNA
design: CNA
director: JPI
contractor: JPI

TaylorBrammer Ltd. 10000 N. Myrtle St., Chicago, IL 60630
Tel: 773/335-7200 Fax: 773/335-7200
TaylorBrammer Ltd. 10000 N. Myrtle St., Chicago, IL 60630
Tel: 773/335-7200 Fax: 773/335-7200

08

LEGEND

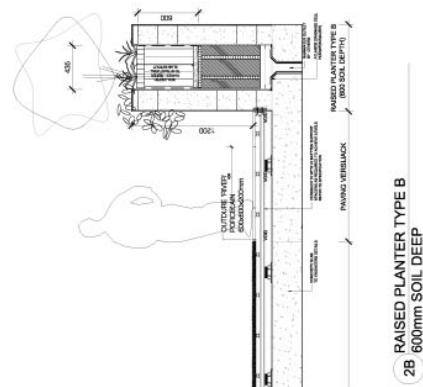
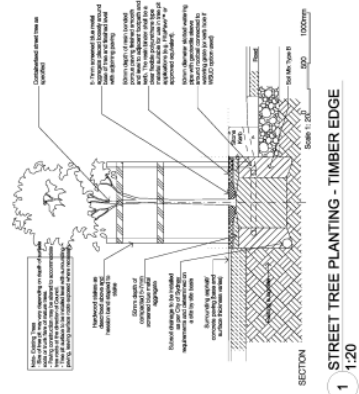
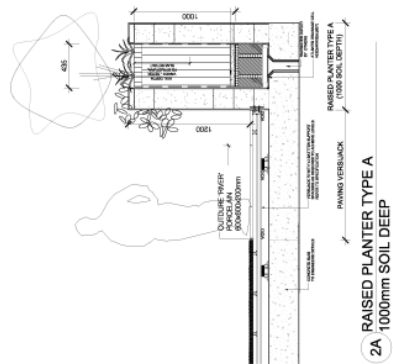
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	100% POLYESTER		100% POLYESTER
	100% POLYESTER		100% POLYESTER



LANDSCAPE DETAILS 2

project: **UNIVERSITY OF**
 client: **UNIVERSITY OF**
 date: **12.09.2019**
 revision: **0**
 drawing: **CA**
 checked: **JH**

D2



LANDSCAPE DETAILS 3

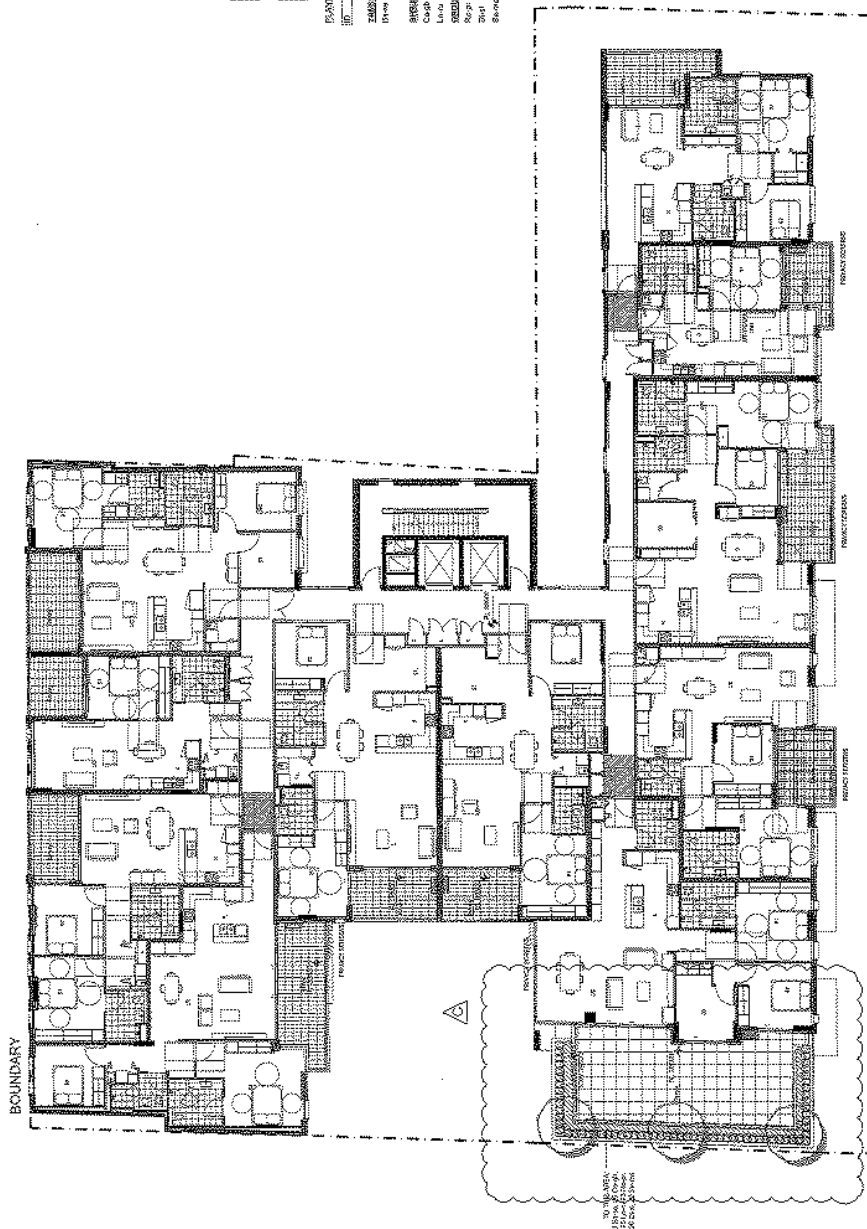
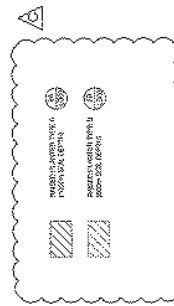
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client: UNTING
date: 12.03.2019
revision: A
drawn: DA
checked: JH

TaylorBrammer

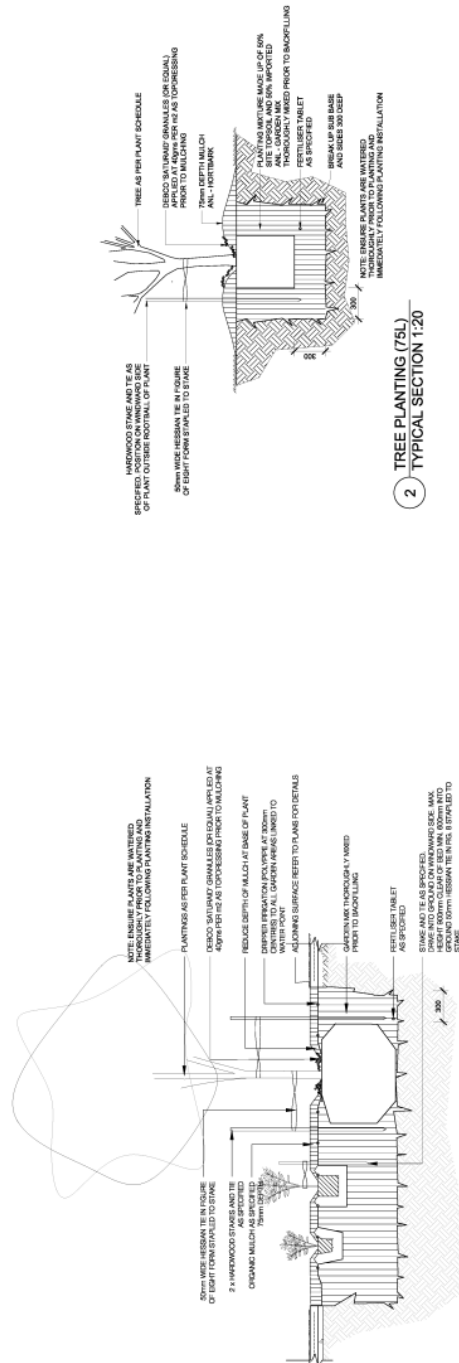
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**LEVEL 03
PLANTING PLAN**

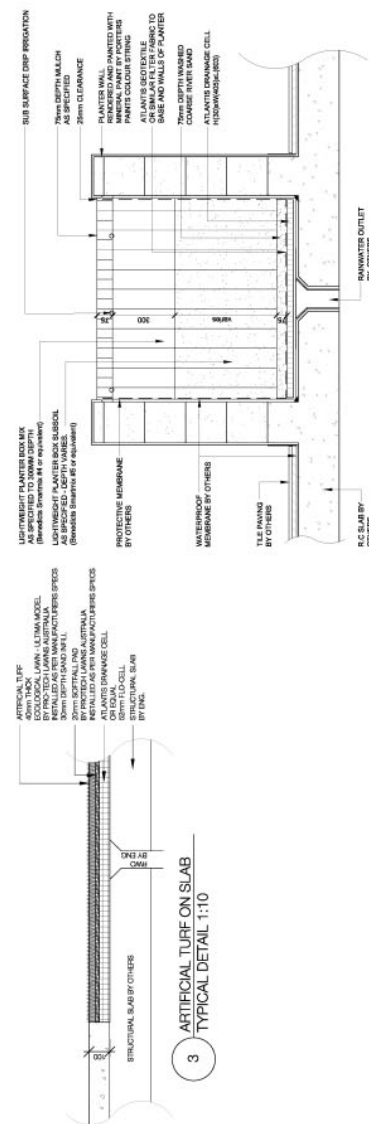
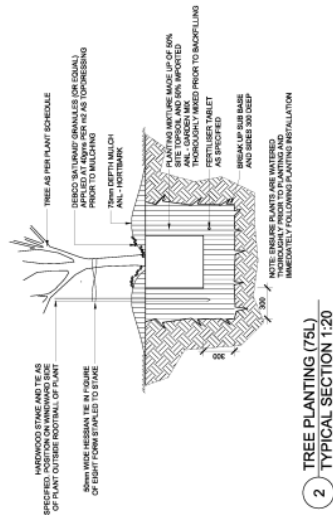
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6	60000	1.95	95	30
7	70000	2.00	100	31
8	80000	2.05	105	32
9	90000	2.10	110	33
10	100000	2.15	115	34

[illegible][illegible][illegible]

06



1 PLANTING ON GRADE
TYPICAL SECTION 1:20



3 ARTIFICIAL TURF ON SLAB
TYPICAL DETAIL 1:10

4 PLANTING ON SLAB
TYPICAL SECTION 1:10

LANDSCAPE DETAILS 1

TaylorBrammer
TAYLOR BRAMMER LANDSCAPE ARCHITECTS PTY LTD
SYDNEY, AUSTRALIA
02 9550 1111
taylorbrammer.com.au

project: Ulling, Norton St, Lachar
client: ULLING
date: 17/03/2019
revision: C
drawn: CA
checked: JH

D1





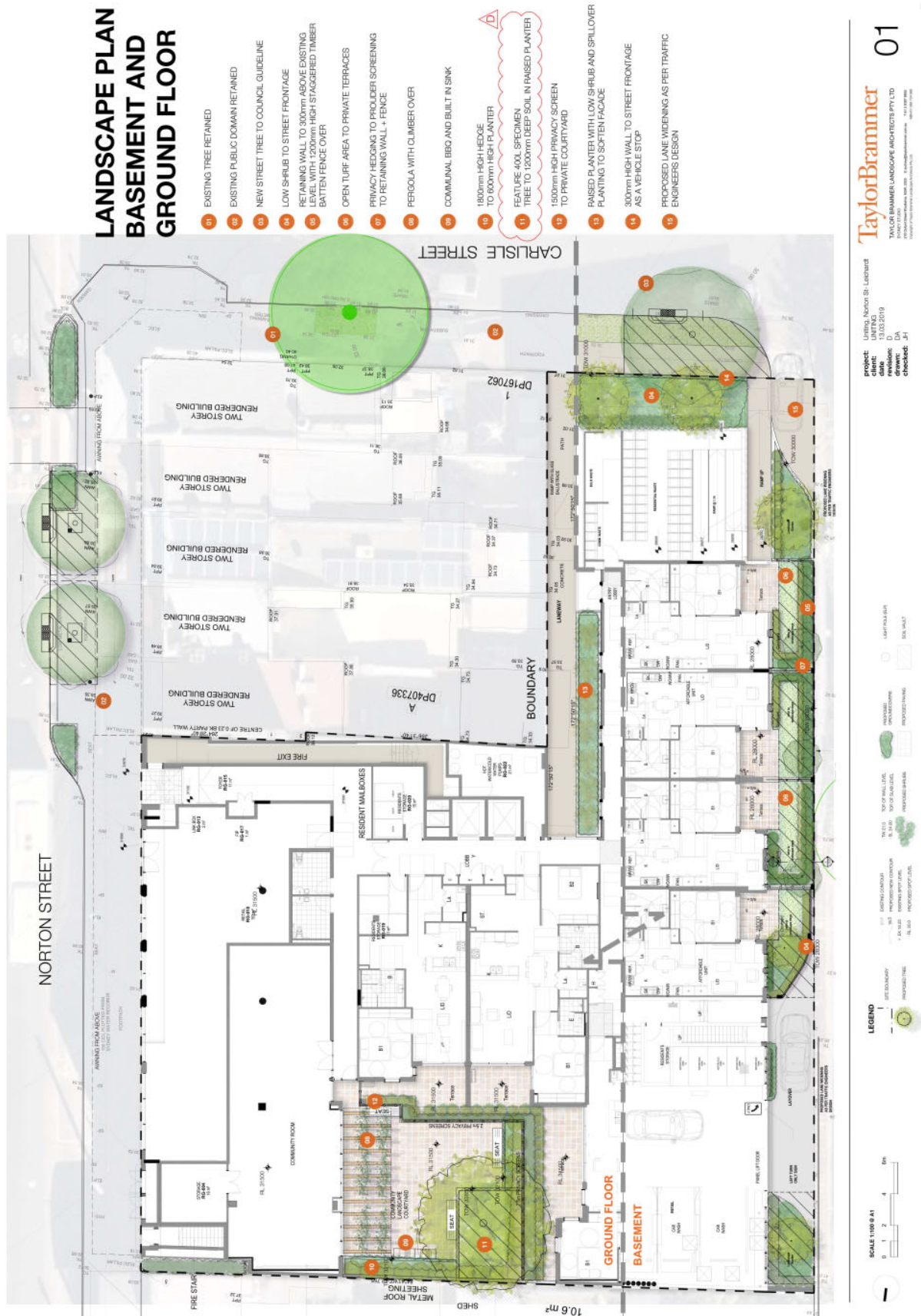
UNITING Norton Street, Leichardt

Landscape Development Package

Date: 12th March, 2019 [C]

TaylorBrammer

00



NORTON STREET



CARLISLE STREET

LANDSCAPE PLAN ROOF TERRACE

- 01 GREEN WALL TO ADDRESS WALL
- 02 750mm HIGH RAISED PLANTER WALL OR GRC
- 03 1000mm GLASS BALUSTRADE
- 04 COMBINATION OF DECIDUOUS AND EVERGREEN TREE PROVIDES SEASONAL INTEREST
- 05 PROPOSED PERGOLA OVER DECKING
- 06 ARTIFICIAL TURF
- 07 LANDSCAPE UNDER
- 08 MOUNTED GRC PLANTERS ON WALL TO ELEVATE PLANTING AND SOFTEN WALL

TaylorBrammer
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Project: Uniting Norton St, Leichhardt
Client: Uniting
Date: 12.03.2019
Drawn: JDA
Checked: JH

Scale: 1:100 @ A1
North Arrow: [Symbol]
Legend: [Symbol] PROPOSED TREE, [Symbol] PROPOSED PERGOLA, [Symbol] PROPOSED DECKING, [Symbol] PROPOSED BALUSTRADE, [Symbol] PROPOSED PLANTER WALL, [Symbol] PROPOSED GREEN WALL, [Symbol] PROPOSED ARTIFICIAL TURF, [Symbol] PROPOSED LANDSCAPE UNDER

Scale: 1:100 @ A1
North Arrow: [Symbol]
Legend: [Symbol] PROPOSED TREE, [Symbol] PROPOSED PERGOLA, [Symbol] PROPOSED DECKING, [Symbol] PROPOSED BALUSTRADE, [Symbol] PROPOSED PLANTER WALL, [Symbol] PROPOSED GREEN WALL, [Symbol] PROPOSED ARTIFICIAL TURF, [Symbol] PROPOSED LANDSCAPE UNDER

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North Arrow: [Symbol]
Legend: [Symbol] PROPOSED TREE, [Symbol] PROPOSED PERGOLA, [Symbol] PROPOSED DECKING, [Symbol] PROPOSED BALUSTRADE, [Symbol] PROPOSED PLANTER WALL, [Symbol] PROPOSED GREEN WALL, [Symbol] PROPOSED ARTIFICIAL TURF, [Symbol] PROPOSED LANDSCAPE UNDER

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