



INNER WEST COUNCIL

DEVELOPMENT ASSESSMENT REPORT

Application No.	DA201900217
Address	829A-837 New Canterbury Road, Dulwich Hill
Proposal	To demolish the existing buildings and construction of 2 x 4 storey buildings for a shop top housing development comprising 42 dwellings and 3 retail tenancies, with 2 levels of basement parking.
Date of Lodgement	24 July 2019
Applicant	Mars City Pty Ltd
Owner	Mars City Pty Ltd
Number of Submissions	Nil
Value of works	\$11,908,892
Reason for determination at Planning Panel	<ul style="list-style-type: none"> Development to which <i>State Environmental Planning Policy No 65</i> applies and is 4 storeys in height 10% breach to <i>Marrickville Local Environmental Plan 2011</i> Development Standard (Height of Buildings)
Main Issues	Height of building and design matters
Recommendation	Approval subject to conditions
Attachment A	Recommended conditions of consent
Attachment B	Plans of proposed development
Attachment C	Clause 4.6 Exception to Development Standards



LOCALITY MAP

Subject Site		Objectors		N
Notified Area		Supporters		

1. Executive Summary

This report relates to an application for demolition of existing buildings and construction of 2 x 4 storey buildings for a shop top housing development comprising 42 dwellings over 3 retail tenancies, with 2 levels of basement parking. The application was notified to surrounding properties and no submissions were received.

The main issues that have arisen from the application include:

- The development exceeds the maximum building height under Clause 4.3 of *Marrickville Local Environmental Plan 2011* (MLEP 2011) by approximately 2.5m;
- A written submission under Clause 4.6 of MLEP 2011 in relation to the Height of Buildings variation accompanied the application is considered to be well founded and is supported; and
- During the assessment of the application, amended documentation was submitted to address comments raised by Council officers and Council's Architectural Excellence Panel (AEP). The amended plans did not require re-notification in accordance with Council's notification requirements.

Despite the non-compliance, the proposal generally complies with the aims, objectives and design parameters contained in relevant State Environmental Planning Policies (SEPPs), the MLEP 2011 and Marrickville Development Control Plan 2011 (MDCP 2011).

The potential impacts to the surrounding environment have been considered as part of the assessment. Any potential impacts from the amended development are considered to be acceptable given the context of the site and the desired future character of the precinct. The application is suitable for approval subject to the imposition of appropriate conditions.

2. Proposal

The proposal seeks consent for demolition of the existing buildings and construction of 2 x 4 storey buildings for a shop top housing development comprising 42 dwellings and 3 retail tenancies, with 2 levels of basement parking. Details of the proposal are as follows:

- Demolition of existing structures.
- Construction of two levels of basement including 46 car parking spaces, bicycle parking, storage facilities, waste rooms, services and passenger lifts providing access to all floors above.
- Construction of 2 x 4 storey buildings comprising 42 dwellings and 3 retail tenancies. Details of each respective building is as follows:
 - Building A is to address New Canterbury Road and comprises 3 retail tenancies on the ground floor and 18 dwellings above, and is in the form of shop-top housing; and
 - Building B is located at the rear of the site and is separated from Building A by an area of communal open space (COS). Building B is in the form of a residential flat building and comprises 24 dwellings.
- Landscaping and public domain works.

Note: During the assessment of the application, the applicant requested to withdraw the Strata Subdivision aspect of the proposal.

3. Site Description

The subject site is located on the northern side of New Canterbury Road, between Old Canterbury Road and Ross Street. The site consists of four (4) allotments and is generally regular in shape for the exception of its rear boundary, which is irregular (refer to locality map above).

The site incorporates a total area of 2,032sqm and is legally described as Lot C DP 370105 (829A New Canterbury Road), Lot 2 DP 227760 (831 New Canterbury Road), Lot B DP370105 (831 New Canterbury Road) and Lot 1 DP 227760 (837 New Canterbury Road).

The site has a frontage to New Canterbury Road of 35.25 metres. The site is burdened by a sewerage pipe/easement and associated pits, which runs east to west along its rear. The site supports multiple disused 1 to 2 storey commercial buildings fronting New Canterbury Road, one of which appears to have been used as a taxi base. In addition, multiple sheds are located at the site's rear.

The adjoining properties support a construction site for the purposes of constructing a shop-top housing development (immediately east of the site) and a shop-top housing development (immediately west of the site).

The surrounding locality is currently transitioning from a lower density commercial centre to a medium density, mixed-use precinct. On the southern side of New Canterbury Road opposite the site is land within Canterbury-Bankstown Council Local Government Area containing commercial, mixed-use and special use buildings ranging from 1 to 7 storeys.

4. Background

4(a) Site history

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

Subject Site

Application	Proposal	Decision & Date
PDA201900020	Construction of 5 storey shop top housing development, comprising 3 shops and 42 dwellings, including 2 levels of basement parking.	Advice Issued on 20 May 2019. The proposal generally adopts the advice provided.

Surrounding properties

Application	Proposal	Decision & Date
DA201600388 825 – 829 New Canterbury Road	To demolish the existing improvements and remove 1 tree and construct a 5 storey building (South Building) and a 4 storey building (North Building) being mixed use buildings containing commercial premises on the ground floor with shop top housing containing 22 units on the upper floors with a 3 level basement parking area and associated landscaping works.	Approved at Inner West Planning Panel Meeting, consent dated 11 May 2017.
DA201500081	To demolish the existing improvements and	Approved (as a Deferred

<p>801 - 807 New Canterbury Road</p>	<p>construct a 4 storey development consisting of a residential flat building (Building A) containing 37 dwellings and a mixed use building (Building B) containing 3 retail tenancies and 30 dwellings with 2 levels of basement car parking accommodating 108 car parking spaces.</p>	<p>Commencement Consent) by the former Sydney East Joint Regional Planning Panel on 28 October 2015. The consent became active on 29 October 2015.</p> <p>The consent was subsequently modified on 23 May 2016 and 21 December 2016. The modifications include the provision of an additional storey (a total of 5 storeys) to Building A (fronting New Canterbury Road) and Building B (at the rear of the site).</p>
<p>DA201500632 819 New Canterbury Road</p>	<p>To demolish existing improvements and construct a 4 storey mixed use building (Building A) containing 1 commercial tenancy and 8 dwellings and a residential flat building (Building B) containing 12 dwellings with 2 levels of basement car parking.</p>	<p>Approved (as a Deferred Commencement Consent) by Council on 21 October 2016.</p>
<p>DA201200232 40 - 42 Cobar Street & 829 New Canterbury Road</p>	<p>To demolish the existing improvements on the properties 40 and 42 Cobar Street, consolidate the existing allotments, subdivide the land into two allotments, one fronting New Canterbury Road and one fronting Cobar Street and erect a 3 storey and 4 storey residential flat building over basement car parking level on the allotment fronting Cobar Street, containing 19 dwellings with off street car parking for 20 vehicles</p>	<p>Approved by Council on 10 October 2012. The consent was modified on 30 January 2015.</p>
<p>DA200700066 793 - 799 New Canterbury Road</p>	<p>To demolish the existing improvements and erect a part two, part three and part four storey mixed commercial residential development over two levels of basement car park containing 3 ground floor commercial suites/shops and 2 x one bedroom, 18 x two bedroom and 4 x three bedroom dwellings with 40 off street car parking spaces and strata subdivide the premises into 27 lots</p>	<p>Approved (as a Deferred Commencement Consent) by Council on 6 December 2007. The consent became active on 11 February 2008.</p> <p>The consent was modified on 23 March 2011 and 11 July 2013. The modifications included the increase in the number of dwellings in the mixed use development from 24 dwellings to 32 dwellings within the approved building envelope.</p>

DA201600564 843 New Canterbury Road, Dulwich Hill	To demolish the existing improvements and construct a mixed use development containing 1 x 5 storey building fronting New Canterbury Road and 1 x 4 storey building towards the rear of the site comprising a total of 1 commercial tenancy and 20 dwellings with basement car parking.	Approved (as Deferred Commencement Consent) by Inner West Local Planning Panel Meeting, consent dated 20 July 2017. The consent was made operative on 23 February 2018.
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4(b) Application history

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

Date	Discussion / Letter / Additional Information
24 July 2019	Application lodged.
18 July to 6 August 2019	Application notified.
4 September 2019	Request for information (RFI) letter issued to the applicant requiring the following amendments/information: <ul style="list-style-type: none"> a) Design amendments in response to advice provided by the Architectural Excellence Panel (AEP). b) Increase in floor to ceiling heights to achieve compliance with the Apartment Design Guide (ADG). c) Clarification regarding the calculation of gross floor area (GFA). d) Information relating to the Remedial Action Plan (RAP). e) Design amendments to the waste storage areas. f) Information relating to the Waste Management Plan (WMP). g) Information relating to the Acoustic report. h) Information relating to stormwater drainage matters. i) Information relating to the Strata Subdivision element of the proposal.
10 September 2019	Applicant provided a written request to withdraw the Strata Subdivision element of the proposal.
23 September 2019	Additional information submitted to Council.
9 October 2019	RFI letter issued to the applicant requiring the following amendments/information: <ul style="list-style-type: none"> a) Information relating to stormwater drainage matters.
10 October 2019	Additional information submitted to Council.

5. Assessment

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

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. 65—Design Quality of Residential Apartment Development*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy (Infrastructure) 2007*

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. MDCP 2011 provides controls and guidelines for remediation works. SEPP 55 requires the consent authority to be satisfied that “the site is, or can be made, suitable for the proposed use” prior to the granting of consent.

The DSI submitted with the application has found that the site currently includes contaminants above the limits acceptable to human health. In addition, an existing underground storage tank currently on the site requires to be removed. It is considered that the site will require remediation in accordance with *SEPP 55* to make it suitable for the intended uses.

A RAP has been provided to address the treatment and disposal of any contaminated soils and contamination issues prior to determination. The contamination documents have been reviewed and found that the site can be made suitable for the proposed commercial and residential uses after the completion of the works prescribed by the RAP.

To ensure that these works are undertaken, conditions are included in the recommendation of this report in accordance with Clause 7 of *SEPP 55*.

5(a)(ii) *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 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 (ADG)

The ADG contains objectives, design criteria and design guidelines for residential apartment development. In accordance with Clause 6A of the SEPP, certain requirements contained within the MDCP 2011 do not apply. In this regard the objectives, design criteria and design guidelines set out in Parts 3 and 4 of the ADG prevail.

The following provides further discussion of the relevant issues:

Communal and Open Space

The ADG prescribes the following requirements for communal open space (COS):

- COS has a minimum area equal to 25% (508sqm) of the site.
- Developments achieve a minimum of 50% (203.2sqm) 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).

The development complies with the above requirements as follows:

- 38.6% (785sqm) of the site is provided as COS, at the ground floor between Building A and Building B, at the rear of Building B and on the rooftop of Building B.
- Given the orientation of the site, 55% of the principal useable part of the COS will receive a minimum of 2 hours of direct sunlight between 9am and 3pm.

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% (142.2sqm)
650m ² - 1,500m ²	3m	
Greater than 1,500m ²	6m	
Greater than 1,500m ² with significant existing tree cover	6m	

The development does not strictly comply with the above requirement, as although 8% (163.1sqm) of the site is provided as deep soil, 35.4% (57.9sqm) of it does not meet the minimum dimensions of 6m x 6m (3.4m x 6m). Notwithstanding, this variation is considered acceptable in this instance on the following grounds:

- The irregularity of the rear portion of the lot and the siting of the buildings to achieve adequate internal separation, limits the proposal’s ability to allow for a portion of its deep soil to meet the minimum dimensions;
- The development includes additional areas of landscaping, which include sufficiently sized plantings; assisting to support healthy plant and tree growth and to provide for satisfactory levels of residential amenity, in accordance with the objective of the control; and
- The proposal includes adequate drainage measures for the effective management of stormwater, in accordance with the objective of the control.

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

In addition, sites which adjoining a different zone with a lower density are to add 3 metres to the minimum separation requirements.

The ADG prescribes the following minimum required separation distances from buildings within the same site:

Up to four storeys/12 metres

Room Types	Minimum Separation
Habitable Rooms/Balconies to Habitable Rooms/Balconies	12 metres
Habitable Rooms to Non-Habitable Rooms	9 metres
Non-Habitable Rooms to Non-Habitable Rooms	6 metres

The development does not strictly comply with the above requirements, however; is satisfactory on merit as follows:

- The proposal provides 12 metres separation in the centre of the site between Building A and Building B. This complies with the ADG requirement and is considered acceptable.
- The proposal does not provide a minimum 9 metres separation to an adjoining site in a different zone with a lower density (351 Old Canterbury Road – R1 Residential Zone), as only 6 metres is provided. Notwithstanding, the variation is considered acceptable in this instance on the following grounds:
 - Privacy measures, including screening, are proposed to service the balconies and windows of the apartments that do not meet the above mentioned minimum separation distances, thereby assisting to mitigate potential privacy impacts;
 - The adjoining affected property includes a large tree planting, and coupled with the above mentioned fixed privacy measures, will assist in mitigating potential privacy impacts; and
 - The landscaping treatment for the proposal includes additional landscaped screen planting and canopy trees along the boundary between the properties, which will assist to mitigate potential privacy impacts.

Pedestrian access and entries

The ADG prescribes design guidance on the treatment and location of pedestrian entries:

- Building entries and pedestrian access connects to and addresses the public domain.
- Access, entries and pathways are accessible and easy to identify.

The development complies with the above requirements as follows:

- Multiple entries are provided from New Canterbury Road to activate the street edge;
- The proposed entry locations relate to the street and are accessed directly from the existing pedestrian network;
- The proposed entries are clearly identifiable from the public domain; and

- Level access to the entries is provided from the street and ramping is setback and contained within the site.

Vehicle access

The ADG prescribes design guidance on the provision of vehicle access points:

- Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes.

The development complies with the above requirements as follows:

- The proposed vehicle access is located behind the building line; and
- The proposed vehicle access correlates with the façade of the building in terms of its colour and materiality.

Bicycle and Car Parking

The ADG prescribes the following car parking rates dependent on the following:

- On sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area, the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant Council, whichever is less; and
- The car parking needs for a development must be provided off street.

The development complies with the above requirements as follows:

- The subject site is located 750 metres from Hurlstone Park Railway Station. In this regard, the Roads and Maritime Services (RMS) Guide to Traffic Generating Developments are applicable to the development; given that they are less than Council’s car parking rates.

Requirement	Proposed	Compliance
<ul style="list-style-type: none"> • 1bd- 0.4 spaces x 16 = 6 spaces • 2bd – 0.7 spaces x 23 = 16 spaces • 3bd – 1.2 spaces x 3 = 4 spaces • Visitors – 1 space per 7 units (42) = 6 spaces • Total: 32 spaces (residential & visitors) 	<ul style="list-style-type: none"> • Residential: 36 spaces. • Visitors: 6 spaces. • Total: 42 spaces 	Yes

- The provision of commercial, motorcycle and bicycle parking is discussed under Section 5(b) below.

Solar and Daylight Access

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

- Living rooms and private open spaces (POS) of at least 70% (29) 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% (6) of apartments in a building receive no direct sunlight between 9.00am and 3.00pm at mid-winter.

The development complies with the above requirement as follows:

- The living rooms and POS areas of 78% (33) apartments receive a minimum of 2 hours direct sunlight between 9.00am and 3.00pm at mid-winter.

- A maximum of 5% (2) apartments receive no direct sunlight between 9.00am and 3.00pm at mid-winter.

Natural Ventilation

The ADG prescribes the following requirements for natural ventilation:

- At least 60% (25) of apartments are naturally cross ventilated in the first 9 storeys of the building. Apartments at 10 storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.
- Overall depth of a cross-over or cross-through apartment does not exceed 18 metres, measured glass line to glass line.

The development complies with the above requirements as follows:

- At least 62% (26) of apartments are naturally cross-ventilated and the building is less than 9 storeys in height.
- The overall depths of cross-over or cross-through apartments do not exceed 18 metres, measured glass line to glass line.

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

The development complies with the above relevant requirements as follows:

- All habitable rooms have minimum floor to ceiling heights of 2.7 metres.
- All non-habitable rooms have floor to ceiling heights of at least 2.4 metres or greater.

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.

Nearly all of the proposed apartments comply with the minimum sizes specified above, including apartments within additional bathrooms.

However, 1 x 2-bedroom apartment does not comply (apartment 8 – 74sqm). However, the variation proposed equates to 1sqm, which is minor and will have negligible appreciable impact on the amenity and functionality of the apartment itself.

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.

The proposal meets the minimum requirements regarding the provision of windows, minimum habitable room depths and minimum habitable room widths. The development is acceptable with regard to the apartment layout requirements of the ADG and meets the objectives of this provision.

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

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

The proposal meets and in some instances exceeds the minimum area and depth requirements for POS and balconies outlined above.

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.

The maximum number of apartments off a circulation core on a single level is 4 and the development satisfies this requirement.

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.

Storage in accordance with the above requirements is provided.

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

A BASIX Certificate in accordance with the SEPP was submitted with the application and will be referenced in any consent granted.

5(a)(iv) State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure 2007)

Development with frontage to classified road (Clause 101)

The site has a frontage to New Canterbury Road, which is a classified road. Under Clause 101(2) of *SEPP Infrastructure 2007*, the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that the efficiency and operation of the classified road will not be adversely affected by the development.

The application was referred to Roads and Maritime Services (RMS) for comment. RMS raised no objections to the application with regard to ingress and egress to the site, subject to conditions included within the recommendation, which remains adequate to support the intended vehicle movements by road. The application is considered acceptable with regard to Clause 101 of the *SEPP Infrastructure 2007*.

Impact of road noise or vibration on non-road development (Clause 102)

Clause 102 of the *SEPP Infrastructure 2007* relates to the impact of road noise or vibration on non-road development on land in or adjacent to a road corridor or any other road with an annual average daily traffic volume of more than 20,000 vehicle. Under this clause, a development for the purpose of a building for residential use requires that appropriate measures are incorporated into such developments to ensure that certain noise levels are not exceeded.

New Canterbury Road has an annual average daily traffic volume of more than 20,000 vehicles. The applicant submitted a Noise Assessment Report with the application that demonstrates that the development will comply with the LAeq levels stipulated in Clause 102 of the SEPP.

Conditions are included in the recommendation to ensure the measures required to achieve compliance with these levels are implemented into the development.

5(a)(v) Marrickville Local Environment Plan 2011 (MLEP 2011)

The application was assessed against the following relevant clauses of the *Marrickville LEP 2011 (MLEP 2011)*.

Control	Proposed	Compliance
<p>Clause 1.2 Aims of Plan</p>	<p>The proposal is consistent with the relevant aims of the plan as follows:</p> <ul style="list-style-type: none"> • The proposal is an efficient use of land and will assist in the vitalisation of a B2 Local Centre zone; • The proposal assists in the provision of residential and employment densities within an appropriate location nearby to public transport, whilst protecting the residential amenity of the surrounds; and • The design of the proposal is considered to be of a high standard and has a satisfactory impact on the private and public domain, given its bulk and scale, relationship with the public domain and materiality. 	<p>Yes</p>
<p>Clause 2.3 Zone objectives and Land Use Table <i>Zone: B2 Local Centre</i></p>	<p>Although the proposal does not strictly comply with the provisions of the Clause, the proposal is supportable as follows:</p> <ul style="list-style-type: none"> • The property is zoned B2 Local Centre under the provisions of MLEP 2011. Shop top housing is permissible with Council's consent under the zoning provisions applying to the land; 	<p>Yes</p>

	<ul style="list-style-type: none"> • Building A within the development constitutes shop top housing development and is permissible with Council's consent under the zoning provisions applying to the land; • Building B is classified as a residential flat building, which is prohibited in the zone. However, the site adjoins a R1 General Residential Zone to its north, within which residential flat buildings are permissible. As noted further within this table, Clause 5.3 of the MLEP 2011 allows flexibility in the zoning provisions applying to the land and on this basis, the proposed use of Building A is supported; and • The proposed mixed use development is consistent with the identified objectives of the B2 Local Centre zone, as it provides for a range of unit sizes and layouts to meet the needs of the community, whilst providing well located and planned commercial space. 	
<p>Clause 2.7</p> <p>Demolition requires development consent</p>	<p>The proposal satisfies the clause as follows:</p> <ul style="list-style-type: none"> • Demolition works are proposed, which are permissible with consent; and • Standard conditions are recommended to manage impacts, which may arise during demolition. 	<p>Yes (subject to conditions)</p>
<p>Clause 4.3</p> <p>Height of building (max. 14m)</p>	<p>The application proposes a maximum building height of 16.5m, which represents a 17.8% variation to the development standard. The variations over the maximum height limit include rooftop structures and lift overruns.</p>	<p>No (refer to Clause 4.6 discussion below table)</p>
<p>Clause 4.4</p> <p>Floor space ratio (max. 1.75: 1 (3,556m²))</p>	<p>The application proposes a compliant floor space ratio of 1.75:1 (3,555m²).</p>	<p>Yes</p>
<p>Clause 4.5</p> <p>Calculation of floor space ratio and site area</p>	<p>The site area and floor space ratio for the proposal has been calculated in accordance with the Clause.</p>	<p>Yes</p>
<p>Clause 4.6</p> <p>Exceptions to development standards</p>	<p>The applicant has submitted a variation request in accordance with Clause 4.6 to vary Clause 4.3 Height of building.</p>	<p>Yes (see discussion below table).</p>
<p>Clause 5.3</p> <p>Development near zone boundaries</p>	<p>Refer to discussion below table.</p>	<p>Yes (see discussion below table).</p>

<p>Clause 6.2 Earthworks</p>	<p>Earthworks are required for remediation, basement construction and piling. A geotechnical report was submitted outlining these works could be undertaken without impacting adjoining properties.</p> <p>Standard conditions are recommended to ensure the protection of the surrounds during construction.</p>	<p>Yes (subject to conditions)</p>
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(i) Clause 4.6 – Exceptions to Development Standards

As outlined in the table above, the proposal results in a breach of the following development standard:

- Clause 4.3 – Height of buildings

The applicant seeks a variation to the Height of building development standard under Clause 4.3 of the *Marrickville Local Environmental Plan 2011* (MLEP 2011) by 17.8% (2.5 metres), which consists of the pergolas servicing the rooftop areas of COS and POS and lift overruns.

Clause 4.6 allows Council to vary development standards in certain circumstances and provides an appropriate degree of flexibility to achieve better design outcomes.

In order to demonstrate whether strict numeric compliance is unreasonable and unnecessary in this instance, the proposed exception to the development standard has been assessed against the objectives and provisions of Clause 4.6 of the applicable local environmental plan below.

A written request has been submitted to Council in accordance with Clause 4.6(3) of the MLEP 2011, justifying the proposed contravention of the development standard, and is summarised as follows:

- The pergolas on the roof that exceed the height limit will not be visible from the street, given their proximity from the building’s edge; thereby not contributing to the building’s bulk or scale;
- The pergolas improve residential amenity by providing shaded areas within the POS and COS areas, thereby improving their useability;
- The lift overruns will be screened by design features and therefore will not be visible from the public domain; and
- The breaches to the height limit will not create any adverse environmental impacts on adjoining properties or the public domain in terms of overshadowing, overlooking or loss of privacy.

The applicant’s written rationale adequately demonstrates compliance with the development standard is unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

The objectives of the site’s B2 Local Centre zone contained within the MLEP 2011 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 provide housing attached to permissible non-residential uses which is of a type and scale commensurate with the accessibility and function of the centre or area.*
- *To provide for spaces, at street level, which are of a size and configuration suitable for land uses which generate active street-fronts.*
- *To constrain parking and reduce car use.*

It is considered the development is in the public interest because it is consistent with the objectives of the B2 Local Centre zoning, in accordance with Clause 4.6(4)(a)(ii) of the MLEP 2011 for the following reasons:

- The provision of commercial space on the ground floor encourages employment opportunities in an accessible location;
- The development will maximise public transport patronage and encourage walking and cycling by being located within close proximity to Hurlstone Park Railway Station, Dulwich Grove light railway station and multiple public bus stops located on Old Canterbury and New Canterbury Roads, respectively;
- The type and configuration of housing attached to the proposed permissible commercial uses is considered appropriate having regard to the site's context and accessibility; and
- The proposal's parking provision complies with the relevant requirements. The site is located near rail and bus transport links facilitating public transport use.

The objectives of the LEP Height of building standard contained within the MLEP 2011 are as follows:

- (a) *to establish the maximum height of buildings,*
- (b) *to ensure building height is consistent with the desired future character of an area,*
- (c) *to ensure buildings and public areas continue to receive satisfactory exposure to the sky and sunlight,*
- (d) *to nominate heights that will provide an appropriate transition in built form and land use intensity.*

It is considered the development is in the public interest because it is consistent with the objectives of the development standard, in accordance with Clause 4.6(4)(a)(ii) of the MLEP 2011 for the following reasons:

- The building height proposed is consistent with similar development types along the northern side of New Canterbury Road, including 819 New Canterbury Road; which has a rear building height of 5 storeys; thereby ensuring consistency with the desired future character of the zone.
- Given the site's orientation and the locations and setbacks of the proposed buildings, surrounding buildings and public areas will still receive satisfactory exposure to the sky and sunlight; and
- The proposed building height provides an appropriate transition from the southern side of New Canterbury Road, which allows for a maximum building height of 18 metres to the surrounding residential areas located north of the site; which include maximum building heights of between 9.5 to 14 metres.

The contravention of the development standard does not raise any matter of significance for State and Regional Environmental Planning. The concurrence of the Planning Secretary may be assumed for matters dealt with by the Local Planning Panel.

The proposal thereby accords with the objective in Clause 4.6(1)(b) and requirements of Clause 4.6(3)(b) of the MLEP 2011. For the reasons outlined above, there are sufficient planning grounds to justify the departure from the height of building development standard and it is recommended the Clause 4.6 exception be granted.

(ii) Clause 5.3 – Development Near Zone Boundaries

The property is zoned B2 Local Centre under the provisions of the MLEP 2011 and Building B within the development is classified as a residential flat building. Residential flat buildings are not permissible with Council's consent under the zoning provisions applying to the land. However, the site adjoins the R1 General Residential Zone to the north of the site, within which residential flat buildings are permissible.

Clause 5.3 provides a zone of flexibility within 25 metres of the zone. The building located at the rear of the site and the ground floor residential components within it are proposed to be located within 25 metres of the R1 Residential zone in accordance with Clause 5.3(2).

Clause 5.3(4) lists matters to be considered by the consent authority. The consent authority must be satisfied that:

- The development is not inconsistent with the objectives for development in both zones; and
- The carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.

The following is provided in response to the above:

- The allotments on the northern side of New Canterbury Road are relatively deep and wide. Therefore, it is considered inefficient to provide commercial tenancies that extend the length and width of the allotments, given the potential for floor area to be underutilised;
- The provision of commercial tenancies at the ground floor of Building B is considered not appropriate in terms of maintaining residential amenity for future and surrounding occupiers, given their proximity to existing/future areas of POS and the difficulty for members of the public to access them directly from New Canterbury Road; and
- Compact retail spaces are better suited to activate and revitalise New Canterbury Road and are more likely to be occupied given their appeal to a wide range of uses.

It is considered that the proposal is consistent with the objectives of the B2 Local Centre zone given that:

- The development proposes commercial and residential opportunities which will provide local services integrated with residential accommodation;
- The provision of commercial space on the ground floor encourages employment opportunities in accessible locations;
- The development will maximise public transport patronage and encourage walking and cycling by being located within close proximity to Hurlstone Park Railway Station and Dulwich Grove light railway station;
- The type and scale of the permissible non-residential uses is considered to be appropriate given the site's layout and location; and
- The proposal's parking provision complies with the relevant requirements. The site is located near rail and bus transport links facilitating public transport use.

It is considered that the proposal is consistent with the relevant objectives of the R1 General Residential zone given that:

- The development responds to the housing needs of the community; and
- The development provides a variety of housing types ranging from 1 to 3 bedroom apartments.

It is considered that the development has demonstrated it meets the relevant objectives of both the B2 Local Centre zone and the R1 General Residential zone. The use of the rear building as a residential flat building provides a natural transition between the business and residential zones at the rear of the site and protects the residential amenity of the surrounds. The development has demonstrated compatible land use planning and it is considered appropriate to utilise the provisions contained within Clause 5.3 of MLEP 2011.

5(b) Draft Environmental Planning Instruments

Draft Marrickville Local Environmental Plan 2011 (Amendment 4) (the Draft LEP Amendment) was placed on public exhibition commencing on 3 April 2018 and accordingly is a matter for consideration in the assessment of the application under Section 4.15(1)(a)(ii) of the Environmental Planning and Assessment Act 1979.

The amended provisions contained in the Draft LEP Amendment contains an additional Clause in the LEP to be known as Clause 6.19 – *Design Excellence*, which aims to deliver the highest standard of architectural, urban and landscape design in the LGA. The clause would be applicable to the development site as it has a maximum permitted building height of more than 14 metres and requires an assessment of whether the proposal exhibits design excellence. The quality of the proposed design has been assessed under Section 5(a)(v)(i) Clause 1.2 of MLEP 2011 as part of this assessment.

In light of the above, the application was referred to the Architectural Excellence Panel (AEP) on 16 August 2019. The AEP generally supported in principle, subject to minor design recommendations.

Amended plans were submitted by the applicant addressing the key matters raised. Notwithstanding, as outlined further within this report, the remaining matters, including setting back of ‘Shop 3’ from the street edge, are considered satisfactory on merit and the proposal generally complies with the aims, objectives and design parameters contained in SEPP 65 and the MLEP 2011, respectively.

In addition to the above, the proposal generally accords with the MDCP 2011 and is considered to result in a form of development which is consistent with the surrounding developments and the objectives of the B2 Local Centre zone. In this regard, it is considered the proposal is considered satisfactory with respect to the draft LEP amendment.

5(c) Development Control Plans

The application has been assessed and the following provides a summary of the relevant provisions of Marrickville Development Control Plan 2011 (MDCP 2011).

Control	Proposed	Compliance
<i>Part 2 – Generic Provisions</i>		
Part 2.1 – Urban Design	The proposal has been designed having regard to the 12 relevant urban design principles outlined in Part 2.1 and demonstrates a high quality of urban design.	Yes
Part 2.3 – Site and Context Analysis	The applicant submitted a site and context analysis as part of the application that satisfies the	Yes

	controls contained in Part 2.3 of MDCP 2011.	
Part 2.5 – Equity of Access and Mobility	Refer to discussion below table.	Yes (see discussion below table).
Part 2.6 – Acoustic and Visual Privacy	Refer to discussion below table.	Yes (see discussion below table).
Part 2.7 – Solar Access and Overshadowing	<p>The proposal will have a satisfactory impact in terms of solar access and overshadowing on the surrounds in accordance with Part 2.7 as follows:</p> <ul style="list-style-type: none"> • The shadow diagrams submitted with the application demonstrate the development maintains a minimum of 2 hours direct solar access to windows of principal living areas and principal areas of open space of nearby residential properties between 9:00am and 3:00pm on 21 June, given the orientation of the subject site; and • The development will not result in adverse amenity impacts as a result of overshadowing. 	Yes
Part 2.8 – Social Impact Assessment	A social impact was submitted in accordance with the provisions of Part 2.8.	Yes
Part 2.9 – Community Safety	<p>The development is reasonable having regard to community safety for the following reasons:</p> <ul style="list-style-type: none"> • The development has been designed to overlook the public domain and communal open spaces; • Secured access to the lobbies is provided for the residential component of the development; and • Separate entrances have been provided for the residential and commercial parts of the development. • A condition is included in the recommendation requiring the entrance to the premises to be well lit and to comply with the relevant Australian Standard to avoid excessive light spillage. <p>Having regard for the above, the development satisfies Part 2.9 of MDCP 2011.</p>	Yes (subject to condition)

<p>Part 2.10 – Parking</p> <p><u>Commercial parking</u></p> <ul style="list-style-type: none"> • 3 spaces required. <p><u>Bicycle parking</u></p> <ul style="list-style-type: none"> • 25 spaces (21 residents and 4 visitors) required. <p><u>Motorcycle parking</u></p> <ul style="list-style-type: none"> • 2 spaces (5% of car parking) required. 	<p>Refer to Section 5(a)(ii). above with respect to the provision of residential car parking. In terms of commercial car parking and bicycle and motorcycle parking, the proposal complies with the relevant requirements as follows:</p> <ul style="list-style-type: none"> • 3 commercial parking spaces are provided; • 26 bicycle spaces are provided for residents and visitors; and • 3 motorcycle parking spaces are provided. 	<p>Yes</p>
<p>Part 2.21 – Site Facilities and Waste Management</p>	<p>The proposal satisfies the relevant provisions of Part 2.21 as follows:</p> <ul style="list-style-type: none"> • The application was accompanied by a WMP in accordance with the Part; and • Standard conditions are recommended to ensure the appropriate management of waste during the construction of the proposal • Sufficiently sized areas for waste storage have been provided for both the residential and commercial components of the development. • A temporary bin storage area inside the building at the ground floor has provided to assist with waste removal. • Standard conditions have been included to ensure access ways and gradients are satisfactory to facilitate the removal of waste. 	<p>Yes (subject to conditions)</p>
<p>Part 2.24 – Contaminated Land</p>	<p>Refer to Section 5(a)(i). above</p>	<p>Yes</p>
<p>Part 2.25 – Stormwater Management</p>	<p>The development is capable of satisfying the relevant provisions of Part 2.25 as follows:</p> <ul style="list-style-type: none"> • Standard conditions are recommended to ensure the appropriate management of stormwater. 	<p>Yes (subject to conditions)</p>
<p><i>Part 3 – Subdivision, Amalgamation and Movement Networks</i></p>		
<p>Part 3.2.1 – General Torrens title subdivision and amalgamation controls</p>	<p>As the proposal extends of multiple allotments, a condition of consent has been included in the recommendation requiring the consolidation of the</p>	<p>Yes (subject to condition)</p>

<p><u>Multiple allotments</u></p> <p><i>Where a new development relates to land that extends over two or more existing lots, a condition of any approval will require the person acting on the consent to consolidate the allotments to create one lot under one title and be registered at the NSW Department of Lands before the issue of a Construction Certificate.</i></p>	<p>site into one allotment prior to the issue of a construction certificate.</p>	
<p>Part 5 – Commercial and Mixed Use</p>		
<p>Part 5.1.1 – General Objectives</p>	<p>The proposal meets the relevant objectives of Part 5.1.1 as follows:</p> <ul style="list-style-type: none"> • The proposed development responds to its context and is compatible with the surrounding built environment and public domain; • The proposal achieves a high quality of urban design; • The proposal assists in revitalising the surrounding business centre; and • The proposal promotes an accessible and safe environment. 	<p>Yes</p>
<p>Part 5.1.3 – Type of commercial and mixed use development</p>	<p>The subject proposal is identified as ‘Infill Development’ under Part 5.1.3.4.</p>	<p>Yes</p>
<p>Part 5.1.4 – Building form</p>	<p>The proposal does not comply with certain elements of Part 5.1.4. Discussion is provided below this table with respect to the aforementioned non-compliances.</p>	<p>No (see discussion below table).</p>
<p>Part 5.1.5 – Building detail</p>	<p>The proposal does not comply with certain elements of Part 5.1.5. Discussion is provided below this table with respect to the aforementioned non-compliances.</p>	<p>No (see discussion below table).</p>
<p>Part 5.1.6 – Building use</p> <p><u>Dwelling mix</u></p> <p><i>i. Studio 5 – 20%</i> <i>ii. 1 bedroom 10 – 40%;</i> <i>iii. 2 bedroom 40 – 75%; and</i> <i>iv. 3 bedroom or bigger 10 – 45%.</i></p>	<p>The proposal generally complies with the relevant provisions of Part 5.1.6, except for the dwelling mix provisions. In any case, the variation to this requirement in this instance is considered acceptable as follows:</p> <ul style="list-style-type: none"> • The proposal provides for no studio apartments and only 7% of the mix as 3 bedroom. Notwithstanding, given the minor nature of the variation and the site’s relatively close proximity to nearby childcare centres and primary and high schools, the need to provide larger dwelling types opposed to studios for 	<p>No (acceptable on merit)</p>

	families is considered appropriate.	
Part 5.1.7 – Vehicle access, parking, loading and services	<p>The proposal complies with the relevant provisions of Part 5.17 as follows:</p> <ul style="list-style-type: none"> • The proposed vehicle access is less than 20% of the street frontage, thereby allowing for sufficient areas of shopfront activation; • Car parking included for commercial purposes is contained within an underground basement; • A condition of consent has been included to ensure residential parking areas located on the lower level of the basement are securely separated from the proposed commercial spaces; • A condition of consent has been included in the recommendation for the provision of a loading bay in Basement Level 1 to service the retail facilities; and • The garage doors will not encroach over the footpath. 	Yes (subject to conditions)
<i>Part 9 – Strategic Context</i>		
Part 9.17 –New Canterbury Road West (Precinct 17)	<p>The site is not located within a Heritage Conservation Area or within a Master Plan Site. The development generally meets the desired future character of the planning precinct in that the development:</p> <ul style="list-style-type: none"> • Protects and enhances the character of the streetscape and public domain elements of New Canterbury Road; • Provides strong definition to the street; • Complements the siting, scale, form, proportion, rhythm, pattern, detail, material, colour, texture, style and general character of the commercial streetscape; • Provides an active street front to New Canterbury Road; • Considers the amenity of residents from noise; • Demonstrates good urban design and environmental sustainability; • Ensures that the design of higher density development protects the residential amenity of adjoining and surrounding properties; and 	Yes

	<ul style="list-style-type: none"> Ensures that the provision and design of parking and access for vehicles is appropriate for the location, efficient, minimises impact to streetscape appearance and maintains pedestrian safety and amenity. 	
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The following provides discussion of the relevant issues:

(i) Part 2.5 - Equity of Access and Mobility

Part 2.5 of MDCP 2011 specifies the minimum access requirements including the following accessible facilities in accordance with the relevant Australian Standards: MDCP 2011 Requirement	Proposed	Consistency
Residential Component		
For developments with five (5) or more dwellings, one adaptable dwelling per five or part thereof. The proposed 42 dwellings require the provision of eight (8) adaptable dwellings.	Nine (9) adaptable units are proposed.	Yes
Appropriate access for all persons through the principal entrance of a building and access to any common facilities	A level entry of sufficient width has been provided and lifts are proposed to service all floors of the development.	Yes
One (1) accessible parking space for every adaptable dwelling	8 accessible parking spaces servicing each adaptable dwelling proposed.	Yes
Commercial Component		
Appropriate access is provided for all persons through the principal entrance to the premises.	Access provided through the principal entry of each respective premises.	Yes
A continuous path of travel through the main entrance.	A level entrance is provided throughout.	Yes

Despite the above, the requirements of MDCP 2011 are effectively superseded by the introduction of the Premises Standards. An assessment of whether the new building fully complies with the requirements the Premises Standards has not been undertaken as part of this assessment. That assessment will form part of the assessment against the Premises Standards at Construction Certificate stage.

(ii) Part 2.6 - Acoustic and Visual Privacy

Part 2.6 of MDCP 2011 contains objectives and controls relating to acoustic and visual privacy. Whilst the ADG includes some privacy provisions, which effectively prevail over the controls contained in MDCP 2011, the controls contained in MDCP 2011 are still a relevant matter for consideration where the ADG is silent.

The proposal is considered to comply with the visual and acoustic privacy controls under MDCP 2011. The layout and design of the development would ensure that the visual and acoustic privacy currently enjoyed by residents of adjoining residential properties is protected. The design will maintain a high level of acoustic and visual privacy for the surrounding residential properties and would ensure a high level of acoustic and visual privacy for future occupants of the development itself.

A Noise Impact Assessment report was submitted with the application, which provided recommendations for materials and finishes at the construction stage. These recommendations are designed to ensure that the noise intrusion impact from New Canterbury Road onto future occupants of the development is mitigated and to ensure adverse acoustic impacts onto neighbouring properties is also alleviated.

Given the above, the development is reasonable having regard to the objectives and controls relating to visual and acoustic privacy as contained in MDCP 2011.

(iii) Part 5 – Commercial and Mixed Use

Part 5.1.4 contains massing and setback controls for commercial and mixed use development. As mentioned above, further discussion regarding variations is provided hereafter:

Building form (Part 5.1.4)

5.1.4.1 Floor space ratio

- The matter of FSR is discussed earlier under Section 5(a)(v) of this report.

5.1.4.2 Height

- The matter of building height is discussed earlier under Section 5(a)(v) of this report.

5.1.4.3 Massing and Setbacks

Part 5.1.4.3 contains massing and setback controls for commercial and mixed-use developments.

Front massing

Part 5.1.4.3 of MDCP 2011 includes the following controls for front massing for new infill development:

C7 *For new infill developments, where the HOB standard is set as 14 metres or greater, the street front portion of the building mass in the front 6 metres must have a maximum height (measured from footpath level up to highest point on the front portion of the building) of 12 metres and contain a maximum of three storeys.*

C8 *The street front portion of the building mass generally must be built to the predominant front building line, which will usually require alignment with the street front boundary (zero front setback) to reinforce a continuous street fronting building edge to the streetscape.*

C9 *Side setbacks are generally not permitted in the front portion of the building where zero side setbacks are the typical pattern of the streetscape.”*

The development complies with the above requirements as follows:

- The development provides a 3 storey street front massing, with a maximum height of 12 metres; and

- The development generally provides a nil front boundary setback and nil side boundary setbacks, which is consistent with the surrounding similar developments on New Canterbury Road and the desired future character of the precinct.

Upper level massing

Control C11 of Part 5.1.4.3 of MDCP 2011 specifies the following control for upper level massing:

***C11**Upper levels above the street front portion of the building mass must be setback a minimum 6 metres from the street front of the building (required to both frontages when the site is located on the corner of two major streets), except for 0.9 metres roof projection of the topmost dwelling occupancy level.”*

The development complies with the above requirement as follows:

- The development provides additional upper level massing to New Canterbury Road, which is set back a minimum 6 metres from the front building edge, in accordance with the above requirement.

Rear massing

Control C14 of Part 5.1.4.3 of MDCP 2011 specifies the following relevant parts of the control for rear massing:

***C14** Where the rear boundary is a common boundary between properties:
i. The rear building envelope must be contained within the combination of the rear boundary plane and a 45 degree sloping plane from a point 5 metres vertically above the ground level of the property being developed, measured at the rear boundary, and contain a maximum of one storey on the rear most building plane;
ii. notwithstanding point i., building envelopes may exceed the above building envelope control where it can be demonstrated that any rear massing that penetrates above the envelope control will not cause significant visual bulk or amenity impacts on neighbouring properties to the rear.*

The development does not comply with the rear building envelope controls contained in Control C14 in that the rear building envelope is not contained within the combination of the rear boundary plane and a 45 degree sloping plane from a point 5 metres vertically above the ground level of the property being developed, measured at the rear boundary.

Notwithstanding this, Control C14(ii) prescribes that building envelopes may exceed the above building envelope control where it can be demonstrated that any rear massing that penetrates above the envelope control will not cause significant visual bulk or amenity impacts on neighbouring properties to the rear. As discussed in the main body of the report, the rear (Building B) will not cause significant visual bulk or amenity impacts on neighbouring properties to the north, east and west of the site having regard to overshadowing, visual/acoustic privacy and visual bulk. The extent of the non-compliance is generally considered to be minor as it is limited to a small portion of the side walls of the rear balcony on the upper most level.

(iv) Building Detail (Part 5.1.5)

5.1.5.2 Active street frontage uses and shopfront design

Part 5.1.5.2 of MDCP 2011 specifies controls for active street frontage uses and shopfront design of relevance to the development. The proposal does not strictly comply with these requirements, as one of the commercial tenancies proposed (Shop 3) has a setback from the street edge of approximately 3 metres.

Documentation was submitted with respect to this issue from an electrical engineer. Due to requirements from the electricity provider, the proposed chamber substation, on the ground floor of Building A, requires a 3 metres clearance of all building elements, to allow for appropriate ventilation and levels of safety. In any case, the proposal is still considered acceptable in its current form as follows:

- The shopfront setback is for a minor portion of the street elevation and is on its western side, opposed to being located centrally. Therefore, it is considered given the lengths and locations of the remaining commercial tenancies, being located prominently in a central location, the proposed ground floor will still provide sufficient street activation.

5(d) The Likely Impacts

The assessment of the Development Application demonstrates that, subject to the recommended conditions, the proposal will have minimal impact in the locality.

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

The site is zoned B2 - Local Centre under MLEP 2011. Provided that any adverse effects on adjoining properties are minimised, this site is considered suitable to accommodate the proposed development, and this has been demonstrated in the assessment of the application.

5(f) Any submissions

The application was advertised, an on-site notice displayed on the property and resident/property owners in the vicinity of the property were notified in accordance with the MDCP 2011. In response, no submissions were received.

5(g) 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 not contrary to the public interest.

6 Referrals

6(a) Internal

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

Section	Comment
Architectural Excellence Panel (AEP)	Proposal supported in principle.
Development Engineering (Traffic and Drainage)	No objection raised, subject to the imposition of appropriate conditions.
Environmental Health (Acoustic & Contamination)	No objection raised, subject to the imposition of appropriate conditions.

Resource Management	No objection raised, subject to the imposition of appropriate conditions.
Urban Forests	No objection raised, including to the proposed tree removal subject to conditions.

6(b) External

The application was referred to the following external body and issues raised in this referral have been discussed in section 5 above.

External Body	Comment
Roads and Maritime Services (RMS)	Concurrence granted, subject to conditions.

7. Section 7.11 Contributions/7.12 Levy

The carrying out of the development would result in an increased demand for public amenities and public services within the area. A contribution of **\$729,977.07** would be required for the development under *Marrickville Section 94/94A Contributions Plan 2014*. 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 *State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development* and *Marrickville Local Environmental Plan 2011*. The proposal is generally consistent with *Marrickville Development Control Plan 2011*. The development will not result in any significant impacts on the amenity of adjoining premises and the streetscape.

The development will not result in any significant impacts on the amenity of the adjoining properties and the streetscape and is considered to be in the public interest.

The application is considered suitable for approval subject to the imposition of appropriate conditions.

9. Recommendation

- A. The applicant has made a written request under Clause 4.6 of the *Marrickville Local Environmental Plan 2011* to vary the development standard set out in Clause 4.3 Height of Buildings. After considering the request, and assuming the concurrence of the Secretary, the Panel is satisfied that compliance with the standard is unnecessary in the circumstance of the case and that there are sufficient environmental grounds to support the variation. The proposed development will be in the public interest because the exceedance is not inconsistent with the objectives of the standard and of the zone in which the development is to be carried out.
- B. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, grant consent to Development Application No. DA201900217 to demolish the existing buildings and construction of 2 x 4 storey buildings for a shop top housing development comprising 42 dwellings and 3 retail tenancies, with 2 levels of basement parking at subject to the conditions listed in Attachment A below.

Attachment A – Recommended conditions of consent

Conditions of Consent

Fees

1. Section 7.11 (Former Section 94) Contribution

Prior to the issue of a Construction Certificate works written evidence must be provided to the Certifying Authority that a monetary contribution of **\$729,977.07** in accordance with Marrickville Section 94/94A Contributions Plan 2014] ("CP") has been paid to the Council.

The above contribution is the contribution applicable as at 18 November 2019.

***NB** Contribution rates under Marrickville Section 94/94A Contributions Plan 2014 are indexed quarterly (for the method of indexation refer to Section 2.15 of the Plan).

The indexation of the contribution rates occurs in the first week of the months of February, May, August and November each year, following the release of data from the Australian Bureau of Statistics.

(CONTRIBUTION PAYMENT REFERENCE NO. DC002793.

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:

Public Amenities Type:	Contribution \$
Recreation Facilities	\$626,193.63
Community Facilities	\$84,057.02
Traffic Facilities	\$5,413.39
Plan Administration	\$14,313.03
TOTAL	\$729,977.07

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.

2. Long Service Levy

Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that the long service levy in accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* has been paid at the prescribed rate of 0.35% of the total cost of the work to either the Long Service Payments Corporation or Council for any work costing \$25,000 or more.

3. Security Deposit - Standard

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

Security Deposit:	\$180,056.50
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.

General Conditions

4. Documents related to the consent

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

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
Cover Page, Rev. D, DA.000D	Architectural Plans	23/09/2019	Nordon Architects Jago
Site Analysis, Rev. B, DA.002B	Architectural Plans	23/09/2019	Nordon Architects Jago
Site Control Analysis, Rev. D, DA.003D	Architectural Plans	23/09/2019	Nordon Architects Jago
Demolition Plan, Rev. B, DA.005D	Architectural Plans	23/09/2019	Nordon Architects Jago
GFA Analysis, Rev. D, DA.010D	Architectural Plans	23/09/2019	Nordon Architects Jago
Basement Plans, Rev. D, DA.100D	Architectural Plans	23/09/2019	Nordon Architects Jago
Plans, Rev. D, DA.101D	Architectural Plans	23/09/2019	Nordon Architects Jago
Plans, Rev. D, DA.102D	Architectural Plans	23/09/2019	Nordon Architects Jago
NAU Plans, Rev. B, DA.150B	Architectural Plans	23/09/2019	Nordon Architects Jago
Sections, Rev. D, DA.200D	Architectural Plans	23/09/2019	Nordon Architects Jago
Elevation, Rev. D, DA.300D	Architectural Plans	23/09/2019	Nordon Architects Jago
SEPP65 Storage LB1-B2, Rev. B, DA.501B	Architectural Plans	23/09/2019	Nordon Architects Jago
SEPP65 Storage LG-	Architectural Plans	23/09/2019	Nordon Architects Jago

1, Rev. B, DA.502B			Architects
SEPP65 Storage L2-3, Rev. B, DA.503B	Architectural Plans	23/09/2019	Nordon Architects Jago
Detail Section and Elevation, Rev. A, DA.600A	Architectural Plans	23/09/2019	Nordon Architects Jago
Garbage Room Plans and Sections, Rev. A, DA.700A	Architectural Plans	23/09/2019	Nordon Architects Jago
Photomontage, Rev. C, DA.400C	Architectural Plans	07/06/2019	Nordon Architects Jago
Landscape Cover Sheet, Rev. G, LDA-00	Landscape Plans	20/09/2019	Ground Ink Landscape Architects
Ground Floor Landscape Plan, Rev. G, LDA-01	Landscape Plans	20/09/2019	Ground Ink Landscape Architects
Landscape Areas, Rev. G, LDA-02	Landscape Plans	20/09/2019	Ground Ink Landscape Architects
Rooftop Landscape Plan, Rev. G, LDA-03	Landscape Plans	20/09/2019	Ground Ink Landscape Architects
Plant Palette, Rev. G, LDA-04	Landscape Plans	20/09/2019	Ground Ink Landscape Architects
Landscape Details, Rev. G, LDA-04	Landscape Plans	20/09/2019	Ground Ink Landscape Architects
Cover Sheet Plan, Rev. C, 000	Stormwater Plans	19/09/2019	Australian Consulting Engineers
Stormwater Concept Plan Basement Level 2 & 3, Sheet 1 of 2, Rev. C, 101	Stormwater Plans	19/09/2019	Australian Consulting Engineers
Stormwater Concept Plan Basement Level 2 & 3, Sheet 2 of 2, Rev. C, 102	Stormwater Plans	19/09/2019	Australian Consulting Engineers
Stormwater Concept Plan Basement Level	Stormwater Plans	19/09/2019	Australian Consulting Engineers

1, Rev. C, 103			
Stormwater Concept Plan, Rev. C, 104	Stormwater Plans	19/09/2019	Australian Consulting Engineers
Roof Plan, Rev. C, 105	Stormwater Plans	19/09/2019	Australian Consulting Engineers
On-site Detention Details and Calculation Sheets, Sheet 1 of 3, Rev. C, 106	Stormwater Plans	19/09/2019	Australian Consulting Engineers
On-site Detention Details and Calculation Sheets, Sheet 2 of 3, Rev. C, 107	Stormwater Plans	19/09/2019	Australian Consulting Engineers
On-site Detention Details and Calculation Sheets, Sheet 3 of 3, Rev. C, 108	Stormwater Plans	19/09/2019	Australian Consulting Engineers
Miscellaneous Details Sheet, Rev. C, 109	Stormwater Plans	19/09/2019	Australian Consulting Engineers
Waste Management Plan, Rev. 2	Waste Management Plan	September 2019	Dickens Solutions Pty Ltd
Acoustical Report, Rev. V3	Acoustic Report	14/06/2019	Koikas Acoustic Pty Ltd
1015783M	BASIX	07/06/2019	Credwell Energy
Design Verification Statement	Design Verification Statement	June 2019	Stephen Nordon
Statement of Environmental Effects	Statement of Environmental Effects	20/06/2019	Planning Lab
Ref. 19124	Traffic and Parking Assessment Report	11/06/2019	Varga Traffic Planning Pty Ltd

As amended by the conditions of consent.

5. Design Change

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans demonstrating the following:

- a) The provision of an access gate controlled electronically or remotely to separate basement levels 'B1' from 'B2'; and
- b) All residential entries from New Canterbury Road are to be appropriately lit in accordance with Australian Standards to prevent light nuisance/spill.

6. Car Parking

The development must provide and maintain within the site:

- a) 42 car parking spaces must be paved and line marked.
- b) 12 car parking spaces, for persons with a disability must be provided and marked as disabled car parking spaces.
- c) 6 visitor car parking spaces must be provided and marked as visitor car parking spaces. A sign legible from the street must be permanently displayed to indicate that visitor parking is available on site.
- d) 3 off-street motorcycle parking spaces must be provided, paved, line marked and maintained at all times.
- e) 26 Bicycle storage capacity within the site.
- f) 1 Carwash bay.
- g) 1 Loading bay on basement level 'B1'.

7. Noise – Consultant's Recommendations

The recommendations contained in the acoustic report prepared by Koikas Acoustics Pty Ltd, reference 3678R20190529jt dated 14 June 2019 must be implemented.

8. Contamination – Remedial Action Plan (No 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 EI Australia, reference E24168.E06_Rev0 dated 18 June 2019, the Contaminated Land Management Act 1997 and the State Environmental Planning Policy No 55.

9. Importation of Fill

Prior to the importation of any landfill material onto the site, a Virgin Excavated Natural Material (VENM) report prepared in accordance with the Environment Protection Authority's 'Guidelines for Consultants Reporting on Contaminated Sites', 2011, shall be submitted to Council for assessment and approval. The validation report shall state in an end statement that the fill material is suitable for the proposed use on the land.

'Chain of Custody' documentation shall be kept for the transport of the validated fill material from the source site to the subject premises. A record of 'Chain of Custody' shall be submitted to Council within 7 days of the fill material being moved to or from the subject site.

10. Residential Flat Buildings – Hot Water Systems

Where units or dwellings are provided with separate individual hot water systems, these must be located so they are not visible from the street.

11. Residential Flat Buildings – Air Conditioning Systems

Where units or dwellings are provided with separate individual air conditioning systems, these must be located so they are not visible from the street.

12. Residential Flat Buildings – Adaptable Dwellings

Prior to the issue of a Construction Certificate, the Certifying Authority, must be provided with plans that demonstrate 9 units are Adaptable units.

No works are to occur to the premises that would prevent the Adaptable units from being adapted for persons with a disability.

13. 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.

14. Erosion and 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 and sediment control plan and specification. Sediment control devices must be installed and maintained in proper working order to prevent sediment discharge from the construction site.

15. 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 Certifier must be provided with a survey levels certificate prepared by a Registered Surveyor indicating the level of the slab and the location of the building with respect to the boundaries of the site to AHD.

16. Works Outside the Property Boundary

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

17. 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.

18. 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. The lighting must be not be obtrusive and should be designed so that it does not shine into any adjoining residences.

19. 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.

20. Rock Anchors

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

21. Stormwater Drainage System

Stormwater runoff from all roof and paved areas within the property must be collected in a system of gutters, pits and pipelines discharged by gravity to the directly into the Council drainage system.

To allow this, the applicant must extend Council Stormwater System from approximately 20 Cobar Street to 46 Cobar Street (where the existing easement connects with the public domain).

The existing pipe in the easement must not be used to drain the site. A new pipe must be laid inside the easement to drain the site and connect to a kerb inlet (to be built) in Cobar Street.

Alternatively, the basement must be fully "tanked" so as not to allow the ingress of seepage or groundwater.

22. Mechanical Ventilation System Certification

The mechanical ventilation systems are to be designed, constructed and operated in accordance with the:

- a) Building Code of Australia,
- b) Australian Standard AS 1668 Part 1 – 1998,
- c) Australian Standard AS 1668 Part 2 – 2012,
- d) Australian Standard 3666.1 – 2011,
- e) Australian Standard 3666.2 – 2011; and
- f) Australian Standard 3666.3 - 2011.

The system must be located in accordance with the approved plans and/or within the building envelope, design and form of the approved building. Any modifications to the approved plans required to house the system must be the subject of further approval from Council.

23. Separation of Commercial and Residential Waste and Recycling

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

24. Containment of buildings and structures (RMS requirement)

All buildings and structures (other than footpath awnings), together with any improvements integral to the future use of the site shall be wholly within the freehold property (unlimited in height or depth), along the New Canterbury Road boundary.

25. Site access (RMS requirement)

Access into the subject development shall be restricted to left in and left out movements only. A central barrier device shall be constructed along New Canterbury Road to ensure vehicle adherence to left in and left out movements.

26. Design and construction (RMS requirement)

The design and construction of the vehicular crossing and median island on New Canterbury Road shall be in accordance with Roads and Maritime requirements. Details of these requirements should be obtained by email at DeveloperWorks.Sydney@rms.nsw.gov.au.

Detailed design plans of the proposed works are to be submitted to Roads and Maritime for approval prior to the issue of a Construction Certificate and commencement of any road works. Please send all documentation to development.sydney@rms.nsw.gov.au.

A plan checking fee and lodgement of a performance bond is required from the applicant prior to the release of the approved road design plans by Roads and Maritime.

27. Excavation and site support (RMS requirement)

The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001.

The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by Roads and Maritime. Please send all documentation to development.sydney@rms.nsw.gov.au

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) day notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

28. No stopping restrictions (RMS requirement)

If not already in place, "No Stopping" restrictions shall be implemented along the full New Canterbury Road frontage of the development site at no cost to Roads and Maritime.

29. Vehicle entry/exit (RMS requirement)

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

30. Layout of parking areas (RMS requirement)

The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1-2004, AS2890.6-2009 and AS 2890.2-2018.

31. Pedestrian movements (RMS requirement)

The proposed development will generate additional pedestrian movements in the area. Pedestrian safety is to be considered in the vicinity.

Prior to any Demolition**32. 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.

33. 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.

34. Construction Traffic Management Plan – Detailed

Prior to Any Demolition, the Certifying Authority, must be provided with a detailed Construction Traffic Management Plan (CTMP), prepared by an appropriately qualified Traffic Management Consultant with RMS accreditation. The Certifying Authority must approve the CTMP prior to the commencement of any works, including demolition. The Certifying Authority must ensure that the CTMP instructs vehicles to use State and Regional and Collector Roads to the maximum extent with the use of Local Roads as final approach to the development site via the most suitable direct route.

The following matters should be addressed in the CTMP (where applicable):

- a) Description of the demolition, excavation and construction works;
- b) Site plan/s showing the site, roads, footpaths, site access points and vehicular movements;
- c) Size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site);
- d) Proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network;
- e) Impacts of the work and vehicular movements on the road network, traffic and pedestrians and proposed methods to safely manage pedestrians and construction related vehicles in the frontage roadways;
- f) Any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.);
- g) Proposed hours of construction related activities and vehicular movements to and from the site;
- h) Current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority);

- i) Any activities proposed to be located or impact upon Council's road, footways or any public place;
- j) Measures to maintain public safety and convenience;
- k) Any proposed road and/or footpath closures;
- l) Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;
- m) Locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such work zones have been approved by the Local Traffic Committee and Council;
- n) Location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road);
- o) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
- p) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
- q) On-site parking area for employees, tradespersons and construction vehicles as far as possible;
- r) Proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period; and
- s) How it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.

Swept Paths for the proposed construction vehicles to demonstrate that the needed manoeuvres can be achieved without causing any nuisance.

35. Advising Neighbors Prior to Excavation

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.

36. Construction Fencing

Prior to the commencement of any works (including demolition), the site must be enclosed with suitable fencing to prohibit unauthorised access. The fencing must be erected as a barrier between the public place and any neighbouring property.

37. Asbestos/Hazardous Materials Survey

Prior to any demolition or the issue of a Construction Certificate (whichever occurs first), the Certifying Authority must provide an asbestos survey to Council. The survey shall be prepared by a suitably qualified Occupational Hygienist and is to incorporate appropriate asbestos removal and disposal methods in accordance with the requirements of SafeWork NSW.

A copy of any SafeWork NSW approval documents is to be included as part of the documentation.

Prior to Construction Certificate**38. Enclosure of Fire Hydrant**

Prior to the issue of a 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 in accordance with the requirements of AS 2419.1 2005.

39. Noise General – Acoustic Report

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with an acoustic report demonstrating that noise and vibration from the operation of the premises will satisfy the relevant provisions of the *Protection of the Environment Operations Act 1997* and Regulations and relevant state and local policies and guidelines. The acoustic report is to be prepared by a suitably qualified and experienced acoustic consultant and any recommendations must be consistent with the approved plans.

40. Light Spill

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.

41. Garbage Storage Area

The designated garbage/waste storage area as detailed in the approved plans shall comply with the following requirements:

- a) The room shall be fully enclosed and provided with a concrete floor, and with concrete or cement rendered walls coved to the floor.
- b) The room shall have a floor waste which is to consist of a removable basket within a fixed basket arrestor and is to comply with Sydney Water requirements.
- c) The door to the room must be tight fitting and self-closing.

42. Bin Storage Area - Residential

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a report detailing the ongoing waste generation requirements of the development and demonstrate that the bin storage area is to be provided within the site that will fully accommodate the number of bins required for all waste generated by a development of this type and scale. The number of bins required must be calculated based on a weekly collection of garbage, and a fortnightly collection of recycling.

The area must also include 50% allowance for manoeuvring of bins. The bin storage area is to be located away from habitable rooms, windows, doors and private useable open space, and to minimise potential impacts on neighbours in terms of aesthetics, noise and odour.

The bin storage area is to meet the design requirements detailed in Marrickville DCP 2011 and must include doorways/entrance points of 1200mm.

The transfer route for 660L bins from the bin storage area to the waiting truck is to have a gradient of no more than 1:50.

43. Bulky Waste Storage Area – Residential

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans demonstrating that the bulky waste storage area must meet the floor area requirements as per the Marrickville DCP 2011 and have minimum doorways of 1200mm wide to accommodate large items.

44. Commercial - Additional Storage Space

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans demonstrating that additional space has been allocated on site for the storage of reusable items such as crates and pallets and/or compaction equipment.

45. Waste Transfer Route

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a plan demonstrating that the path of travel between the bin storage area/bulky waste storage area and the designated waste/recycling collection point is has a minimum 1200mm wall-to-wall clearance, be slip-proof, of a hard surface, be free of obstructions and at no point have a gradient exceeding 1:50

Each residential level is to have access to a disposal point for all waste streams. Waste and recycling management is to be carried out as per the submitted waste management plan to ensure separation of landfill and recycling into separate bins.

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a plan demonstrating that the disposal point is to be within 30m of the dwelling access (distance covered by lifts excluded). Any bins stored on residential floors are to have the capacity to store, at minimum, all waste generated by that floor over a 24 hour period.

46. Landscape Plan

The Landscape Plan prepared by Ground Ink LDA-00 – 05, Rev G) and dated 20 September 2019 requires the following amendments:

- a) The deep soil area at the rear of the site must include two (2) large canopy trees. The trees must be a species that will attain a minimum mature height of 16 metres and a minimum mature canopy spread of 8 metres (suitable species include but are not limited to - Eucalyptus robusta, Corymbia eximia, Angophora costata, Angophora floribunda).
- b) It is not required that the two large canopy trees are the same species.
- c) All trees must be suitably located and setback from buildings, structures and boundaries by a minimum of 1.5 metres. The plans must be annotated accordingly and tree locations amended if required.
- d) The two large canopy trees must be in a minimum container size of 200 litres at the time of planting.
- e) The trees must be in accordance with AS2303 'Tree stock for landscape use'. The plans must be annotated accordingly.
- f) All trees must be planted by a qualified Horticulturist or Arborist (min AQF 3). The plans must be annotated accordingly.
- g) Where trees are planted on slab the raised planters must have a minimum soil depth of 1000mm excluding drainage and mulch. The plans must be annotated accordingly.

Details demonstrating compliance are to be shown on the plans submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

47. Public Domain/Street Tree Planting

The person acting on this consent must submit a Public Domain/Street Tree Planting plan for approval by Council in accordance with the following criteria:

- a) Three (3) new trees shall be located within the footpath outside the subject property on New Canterbury Road.
- b) In accordance with Marrickville Street Tree Master Plan the species of tree selected shall be *Pyrus ussuriensis*.
- c) All planting stock size shall be minimum 200 litres.
- d) The planting stock shall comply with AS 2303-2018 'Tree stock for landscape use'. The plans shall be annotated accordingly.
- e) The new trees shall be planted by a qualified horticulturist or arborist, with a minimum qualification of Certificate 3.
- f) The tree pit (opening in pavement) dimensions (and staking detail shall be in accordance with Detail 5 on page 132 of the Marrickville Street Tree Master Plan 2014 (available online).
- g) The awning configuration must be detailed on the plan. All construction plans shall show the awning on the New Canterbury Road frontage to be setback around the street trees. The awning must be setback a minimum of 1200mm from the back of the kerb for a minimum distance of 1800mm either side of each tree location.
- h) It must be demonstrated that adequate soil volume can be provided for the street trees. Tree planting details, soil specification and cell vault construction details (in accordance with the manufactures specifications and details) must be submitted to the satisfaction of Council's Urban Forest Manager before the issue of a Construction Certificate. The plans must include dimensions for tree pits and details of a cell vault style structure with a minimum of 20-30m³ available soil volume for each tree. Refer to Appendix 6.6 (Detail 5) of the Marrickville Street Tree Master Plan 2014 for indicative detail, noting that structural soil is not approved in this case.

Note: The soil vault may require a drainage system if the surrounding soil type will not naturally provide adequate drainage.

48. Dilapidation Report – Pre-Development – Major

Prior to the issue of a Construction Certificate or any demolition, the Certifying Authority must be provided with a dilapidation report on the visible and structural condition of the following public infrastructure:

- a) Half width of New Canterbury Road in front of the property and adjacent property side , including road pavement, stormwater drainage infrastructure, kerb and gutter and footpath.
- b) Full width of Cobar Street for the length of the new Stormwater Pipe construction.

The dilapidation report is to be prepared by a practising Civil/Structural Engineer.

49. Driveway Long Section

The vehicular crossing and driveway ramp to the site shall be designed to satisfy the ground clearance template (Figure C1) from AS/NZS 2890.1-2004 Parking Facilities: Off-street car parking. A long section, along both sides of the proposed vehicular crossing and ramp, drawn at a 1:20 or 1:25 natural scale, shall be submitted to and approved by Council before the issue of a Construction Certificate. The long section shall begin from the centreline of the adjacent road to a minimum of 3 metres into the property. The long section approved by Council shall define the Alignment Levels at the property boundary. The long section shall show both existing surface levels and proposed surface levels with chainages.

50. 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 garage slab or driveway must rise within the property to be 170mm above the adjacent road gutter level and higher than the street kerb and footpath across the full width of the vehicle crossing. The longitudinal profile across the width of the vehicle crossing must comply with the Ground Clearance requirements of AS/NZS 2890.1-2004.

- b) A minimum of 2200mm headroom must be provided throughout 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.
- c) Headroom at a 'sag' type grade change must be measured in accordance with Figure 5.3 of AS/NZS 2890.1-2004.
- d) Minimum headroom of 2500mm must be provided above any disabled parking space(s).
- e) The longitudinal profile of the access and any ramps within the parking facilities must comply with the Ground Clearance requirements of AS/NZS 2890.1-2004 for a B99 design vehicle. Longitudinal sections must be provided along each outer edge of all ramps.
- f) 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;
- g) At the property boundary the access from the road to a standing area is (as near as practicable) perpendicular to the line of the adjacent road;
- h) The relative surface levels of the internal access from the road being controlled so that:
 - i. The surface levels at the property boundary match "alignment levels";
 - ii. The change in grade for any 2m length of access way does not exceed 1 in 8 (12.5%) unless suitable transitions are provided in accordance with AS2890.1;
 - iii. The maximum grade at any point does not exceed 1 in 5 (20%) or in the case of ramps greater than 20m in length 1 in 6 (16.7%); and
 - iv. The maximum grade at the property boundary does not exceed 1 in 20 (5%) within 6m of the property boundary;
- i) The vehicle egress is designed such that there are no obstructions to lines of sight, along with the footpath and the roadway for drivers of egressing vehicles; and
- j) The curved section of the ramp is designed in accordance with AS/NZS 2890.1-2004 with grades measured along the inside radius.

51. Stormwater Drainage System – Major Developments (incl. pumps)

The submitted stormwater concept plan dated 12 June 2019 and prepared by Australian Consulting Engineers has been assessed as a concept plan only.

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with stormwater drainage design plans, and evidence that the design has been approved by Council, incorporating on site stormwater detention and/or on site retention/ re-use facilities (OSR/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) Comply with Council's Stormwater Drainage Code, Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3-2018 'Stormwater Drainage' and Council's DCP.
- b) Charged or pump-out stormwater drainage systems are not permitted including for roof drainage other than for the pump-out from the basement.
- c) The Drainage Plan must detail the existing and proposed site drainage layout, size, class and grade of pipelines, pit types, roof gutter and downpipe sizes.
- d) The on-site detention system must be designed for all storm events from the 1 in 5 years to the 1 in 100-year storm event, with discharge to a Council controlled storm water system limited to fully pervious (state of nature) conditions with the maximum allowable discharge to Council's street gutter limited to 25 litres/second (20 years ARI/100years ARI);
- e) Storage for the 1-year ARI storm event must be provided fully below ground;
- f) Details of the Height vs Storage and Height vs Discharge relationships must be submitted.
- g) Pipe and channel drainage systems including gutters must be designed to convey the one hundred (100) year Average Recurrence Interval (ARI) flows from the contributing catchment to the OSD/OSR tanks.
- h) Pipe and channel drainage systems including gutters must be designed to convey the one hundred (100) year Average Recurrence Interval (ARI) flows from the contributing catchment to the OSD/OSR tanks.
- i) Details of the 1 in 100-year ARI overflow route in case of failure/blockage of the drainage system must be provided.

- j) An overland flowpath must be provided within the easement. The rear courtyard must be graded so that bypass flows from the site drainage system are directed to the overland flowpath.
- k) A pump-out system for drainage of the basement ramp is permitted for the basement area only and must be designed in accordance with the following criteria:
 - i. Comply with all relevant Australian Standards.
 - ii. An overflow, flashing light and audible alarm is to be provided to warn of pump failure.
 - iii. A maintenance regime for the pump system must be provided, including provision for regular maintenance and servicing at least every 6 months.
 - iv. The proposed pump system must consist of two (2) pumps, connected in parallel, with each pump being capable of emptying the holding tank at a rate equal to the rate of inflow for the one-hour duration, 100-year Average Recurrence Interval (ARI) storm event. The holding tank must be capable of holding one hour's runoff from one-hour duration 20-year ARI storm event.
 - v. Where OSD facilities are required by this consent, the pump system must be discharged to the OSD storage tank.
 - vi. Subsurface flows must be collected at the point of ingress to the basement i.e. at the basement walls. In case the basement is not tanked.
 - vii. The subsurface drainage system must have sufficient capacity to collect and convey all surface flows to the pump out system. In case the basement is not tanked.
 - viii. Inlet pits and drains for subsurface drainage must be designed to minimise potential for pollutants from cars or other sources to enter the subsurface drainage system. e.g.. isolate any subsurface drains at boundary walls, inspection pits with solid covers, etc.
- l) The design must make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands.
- m) No nuisance or concentration of flows to other properties.
- n) The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system.
- o) If aboveground storage is proposed, the maximum ponding allowed is 300mm.
- p) An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets.

- q) Only a single point of discharge is permitted to the kerb and gutter, per frontage of the site.
- r) If any, new pipelines within the footpath area that are to discharge to the kerb and gutter must be sewer grade uPVC pipe with a maximum diameter of 100mm.
- s) If any, all stormwater outlets through sandstone kerbs must be carefully core drilled in accordance with Council standard drawings.
- t) All redundant pipelines within footpath area must be removed and footpath/kerb reinstated.
- u) Water quality filtration basket(s) with screening bag or similar primary treatment device(s) must be installed on the site stormwater drainage system such that all water entering the site stormwater drainage system is filtered by the device(s).
- v) Stormwater quality improvement devices must 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

- w) A WSUD Strategy Report must be provided to ensure the treatment measures proposed to meet Council's water quality targets. MUSIC model (including .sqz file) must be included with the report;
- x) A detailed WSUD maintenance plan outlining how all elements of the water quality treatment facility will be maintained and to record annual inspections/maintenance works to be undertaken.
- y) 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, adjacent to 20 Cobar Street. Alternatively, the basement must be fully "tanked" so as not to allow the ingress of seepage or groundwater.

- z) No impact to street tree(s).

52. 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, prepared certified as compliant with the terms of this condition by a qualified practising Structural and Geotechnical Engineer(s) who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng). The report and plans must be prepared/ amended to make provision for the following:

- a) The basement must be fully tanked to prevent the ingress of subsurface flows, if the basement is designed to be "tanked".
- b) 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.
- c) 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.
- d) All components of the basement, including footings, must be located entirely within the property boundary.
- e) No adverse impact on surrounding properties including Council's footpath and road.
- f) The existing subsurface flow regime in the vicinity of the development must not be significantly altered as a result of the development.
- g) Recommendations regarding the method of excavation and construction, vibration emissions and identifying risks to existing structures or those on adjoining or nearby property.

- h) Provide relevant geotechnical/ subsurface conditions of the site, as determined by a full geotechnical investigation.

53. Public Domain Works

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a public domain works design, prepared by a suitably experienced Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) and evidence that the works on the Road Reserve have been approved by Council under Section 138 of the Roads Act 1993 incorporating the following requirements:

- a) The public domain along all frontages of the site inclusive of footpath paving and kerb, must be reconstructed and upgraded in accordance with the Street Tree Master plan and the Public Domain Design Guide or scheme;
- b) The construction of heavy-duty vehicular crossings to all vehicular access locations and removal of all redundant vehicular crossings to the site;
- c) New concrete footpath and kerb and gutter along the frontage of the site. The kerb type (concrete or stone) must be consistent with the majority of kerb type at this location as determine by the Council Engineer.
- d) Any relevant RMS approvals, such as, median plans, crossing, etc...
- e) Cross sections are to be provided at the boundary at a minimum distance of every 5m and at all pedestrian and vehicular access locations. Note, the cross fall of the footpath must be set at 2.5%. These sections will set the alignment levels at the boundary.
- f) The existing Council drainage system, adjacent to 20 Cobar street, must be extended by an appropriately sized pipeline (minimum 375mm diameter) to the frontage of the easement at Cobar street, where a kerb inlet pit (minimum 3m lintel) must be installed.

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 Pits must be cast in-situ. Plans, longsections and details must be provided including location of utility services.

Connection of the private drainage system to Council's piped drainage system must be at a stormwater drainage pit at a level 300mm above the invert of the outgoing pipe.

54. 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.

55. Fibre-ready Facilities

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with evidence that arrangements have been made for:

- a) The installation of fibre-ready facilities to all individual lots and/or premises the development so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose.
- b) The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises the development demonstrated through an agreement with a carrier.

56. Consolidation of Lots

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with evidence that the separate lots comprising the development have been consolidated into one lot and under one title and registered at NSW Land Registry Services.

57. 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.

58. Construction Pedestrian Traffic Management Plan (RMS requirement)

A Construction Pedestrian Traffic Management Plan (CPTMP) detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control shall be submitted to Council for approval prior to the issue of a Construction Certificate.

During Demolition and Construction

59. Construction Hours – Class 2-9

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 out of hours permit is obtained from Council for works in association with this development, the works which are the subject of the permit may be carried out outside these hours.

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.

60. Survey Prior to Footings

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

61. Stormwater treatment

All accumulated stormwater discharged from the site shall meet the requirements of the *Protection of the Environment Operations Act 1997*.

62. Documentation of Demolition and Construction Waste

All waste docketts from the recycling and/or disposal of any demolition and construction waste generated from the works must be retained on site.

63. Tree Protection

No activities, storage or disposal of materials taking place beneath the canopy of any tree protected under Council's Tree Management Controls at any time.

64. Vehicle containment (RMS requirement)

All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. No works zone will be permitted on New Canterbury Road.

65. Road Occupancy Licence (RMS requirement)

A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre for any works that may impact on traffic flows on New Canterbury Road during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>.

Prior to Occupation Certificate

66. Section 73 Certificate

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with a Section 73 Certificate under the *Sydney Water Act 1994*.

67. Underground Petroleum Storage System (UPSS) – Decommissioning Validation

Prior to the issue of an Occupation Certificate, the Certifying Authority must be provided with a validation report prepared by a suitably qualified and experienced person. The report is to confirm that the underground petroleum storage system has been removed, replaced or decommissioned in accordance with the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008*, the *Protection Environment Operations Act 1997* and Australian Standard AS4976-2008: The removal and disposal of underground petroleum storage tanks.

68. Noise – Acoustic Report

Prior to the issue of an Occupation Certificate, the Certifying Authority must be provided with an acoustic report prepared by suitably qualified acoustic consultant which demonstrates and certifies that noise and vibration emissions from the development comply with the relevant provisions of the *Protection of the Environment Operations Act 1997*, NSW Environment Protection Authority's Industrial Noise Policy and Noise Control Manual and conditions of Council's approval, including any recommendations of the acoustic report referenced in the conditions of the approval. The acoustic report is to be prepared by a suitably qualified and experienced acoustic consultant and any recommendations must be consistent with the approved plans.

69. Noise from Road, Rail & Aircraft – Compliance

Prior to the issue of an Occupation Certificate, the Certifying Authority must be provided with an acoustic report prepared by suitably qualified acoustic consultant, confirming that the development complies with the requirements of the:

- a) conditions of development consent; and
- b) Recommendations of report prepared by Koikas Acoustics Pty Ltd, reference 3678R20190529jt dated 14 June 2019.

70. Contamination – Validation (No Site Audit Statement Required)

Prior to the issue of an Occupation Certificate, the Certifying Authority and Council must be provided with a Site Validation Report prepared by a suitably qualified environmental consultant with experience in land contamination.

The Validation report must be prepared in accordance with relevant NSW Environment Protection Authority guidelines, including the guidelines 'Consultants Reporting on Contaminated Sites' and 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. The report shall also include details confirming that all contaminated 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 Environment Operations Act 1997.

71. 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.

72. Underground Petroleum Storage System (UPSS) – Decommissioning

The removal, replacing or decommissioning of an underground petroleum storage system must comply with the requirements of The Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008, The Protection of the Environment Operations Act 1997 and Australian Standard AS4976-2008: The removal and disposal of underground petroleum storage tanks.

73. 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.

74. 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 works subject to the Roads Act 1993 approval.

All works must be constructed in accordance with Council's standards and specifications and AUS-SPEC#2-"Roadworks Specifications".

75. 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 or balconies approved by Council.

76. Heavy Duty Crossing

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must ensure that heavy duty concrete vehicle crossing/s, in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications" has been constructed at the vehicular access locations.

77. 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 have been 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 predominantly stone the replacement kerb must also be in stone.

78. Parking signoff – Major Development

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with certification from a suitably experienced Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) that the 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.
- b) A notice has been clearly displayed at the New Canterbury Road frontage to indicate that visitor parking is available within the property.
- c) Sign(s) have been erected that clearly indicate(s) to the drivers of vehicles both on and off the property which driveway they are to use to enter or leave the subject land.
- d) Sign(s) have been erected that clearly indicate to the drivers of vehicles both on and off the property the location and means of access to the car parking area(s).

79. Public Domain – Major Development

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 Roadworks Permit with all relevant levels and details indicated must be marked in red on a copy of the Council stamped plans.

80. Dilapidation Report – Post Development

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with a second Dilapidation Report addressing the public infrastructure identified in approved predevelopment dilapidation report, including a photographic survey, structural condition and CCTV inspections which was compiled after the completion of works. As the report details public infrastructure, a copy is to be furnished to Council at the same time.

81. 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 suitably experienced Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) that:

- 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.
- d) Certification by a Registered Surveyor that the as-built Council Stormwater pipeline is located totally within the drainage easement.

82. 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 suitably qualified Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) that:

- 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.

83. Basement Signoff – Major Development

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with certification from a suitably experienced structural and geotechnical engineer, who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng), that the basement and driveway has been constructed in accordance with the development consent and relevant Australian Standards and that the basement is fully tanked construction such that pump-out of subsurface flows is not required.

84. 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.

85. Easements, Restrictions on the Use-of-Land and Positive Covenants

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with evidence that Easements, Restrictions on the Use of Land and Positive Covenants under Section 88B or 88E, whichever is relevant to the subject development, of

the *Conveyancing Act 1919*, has been created on the title of the property detailing the following

- a) Restrictions on the Use of Land related to on Site Stormwater Detention System and/or stormwater quality improvement devices;
- b) Positive Covenant related to on-site stormwater detention and/or retention system;
- c) Positive Covenant related to stormwater quality improvement devices; and

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

86. Street tree planting

The planting of street trees required by this consent shall be carried out in accordance with the Council approved Public Domain / Street Tree Planting plan prior to the release of an Occupation Certificate. The planting must be in accordance with the approved plan and

- a) The cell vault system must be certified by a suitably qualified person confirming that installation has been undertaken in accordance with the manufactures specifications.
- b) The street trees must be maintained for a minimum period of 12 months commencing on the planting date. Maintenance includes, but is not limited to, watering, weeding, removal of rubbish from tree base, pruning and fertilising and pest and disease control.
- c) At the completion of the 12 month maintenance period written approval must be obtained from Council's Tree Management Officer that the trees are healthy.
- d) If the street tree/s require replacement due to maintenance deficiencies during the 12 month maintenance period, the 12 month maintenance period will commence again from the date of the planting of the replacement tree.

87. Landscape works

Prior to the issue of any Occupation Certificate, the Principal Certifying Authority is to be satisfied that all landscape works and planting of canopy trees within the site have been undertaken in accordance with the approved landscape plan and/or conditions of Development Consent.

On-going

88. Operation and Management Plan

The Operation and Management Plan for the on-site detention and stormwater quality improvement devices and/or Pump facilities, approved with the Occupation Certificate, must be implemented and kept in a suitable location on site at all times.

89. Vehicles Leaving the Site

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

90. 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.

91. Commercial Waste/Recycling Collection

The collection of waste and recycling must only occur between 7:00am and 8:00pm weekdays and 9:00am and 5:00pm weekends and public holidays, to avoid noise disruption on the surrounding area.

92. Bin Storage

All bins are to be stored within the site. Bins are to be returned to the property within 12 hours of having been emptied.

93. 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.

94. Tree maintenance

The canopy trees required by this consent are to be maintained in a healthy and vigorous condition until they attain a height of 5 metres whereby they will be protected by Council's Tree Management Controls. Any of the trees found faulty, damaged, dying or dead shall be replaced with the same species within 1 month.

Advisory notes

Prescribed Conditions

This consent is subject to the prescribed conditions 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 be 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 Access to Premises Code

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.

Dividing Fences Act

The person acting on this consent must comply with the requirements of the *Dividing Fences Act 1991* in respect to the alterations and additions to the boundary fences.

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.

Noise

Noise arising from the works must be controlled in accordance with the requirements of the *Protection of the Environment Operations Act 1997* and guidelines contained in the New South Wales Environment Protection Authority Environmental Noise Control Manual.

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.

Public Domain and Vehicular Crossings

The vehicular crossing and/or public domain 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/or '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.

Insurances

Any person acting on this consent or any contractors carrying out works on public roads or Council controlled lands is required to take out Public Liability Insurance with a minimum cover of twenty (20) million dollars in relation to the occupation of, and approved works within those lands. The Policy is to note, and provide protection for Inner West Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public property.

Easement and Covenant Process

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

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

- d) A Maintenance Schedule.

Subsurface drainage pump-out systems

Where it is demonstrated by detailed geotechnical investigation that the groundwater flows are minimal or intermittent, a pump out system for groundwater may be considered. An application for modification of development consent with supporting documentation must be submitted. Where this option is to be pursued dry-weather flows of any seepage water will not be permitted through kerb outlets and must be connected directly to a Council stormwater system in accordance with Council requirements.

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.

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.

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

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.

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.

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



DA Drawings

Sheet No.	Rev	Title	Date
DA-000	D	Cover Page	23.09.19
DA-001	D	SURVEY	23.09.19
DA-002	D	STRATEGIC ANALYSIS	23.09.19
DA-003	D	SITE CONTROL ANALYSIS	23.09.19
DA-004	B	STREETScape ANALYSIS	23.09.19
DA-005	B	GEOTECHNICAL	23.09.19
DA-006	B	WATER SOLAR ACCESS VIEWS	23.09.19
DA-007	D	COMMON OPEN SPACE SOLAR ACCESS	23.09.19
DA-008	D	SEPP98 GROSS VENTILATION DIAGRAMS	23.09.19
DA-009	B	SHADOWS DIAGRAMS	23.09.19
DA-010	D	BASEMENT PLANS	23.09.19
DA-101	D	PLANS	23.09.19
DA-102	D	PLANS	23.09.19
DA-200	D	SECTIONS	23.09.19
DA-300	D	ELEVATION	23.09.19
DA-400	D	ELEVATION	23.09.19
DA-501	B	SEPP98 STORAGE LB-RZ	23.09.19
DA-502	B	SEPP98 STORAGE LG-1	23.09.19
DA-503	B	SEPP98 STORAGE LG-2	23.09.19
DA-700	A	GARAGE ROOM PLANS AND SECTIONS	23.09.19

DULWICH HILL RESIDENTIAL DEVELOPMENT
829a-837 NEW CANTERBURY RD DULWICH HILL

MATERIAL PALETTE

 Dark Grey Brick	 Light Grey Brick	 Dark Grey Stone	 Light Grey Stone	 Dark Grey Panel	 Light Grey Panel	 Dark Grey Panel	 Light Grey Panel	 Dark Grey Panel	 Light Grey Panel	 Dark Grey Panel	 Light Grey Panel
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NOT For Construction

NORDON · JAGO
ARCHITECTS

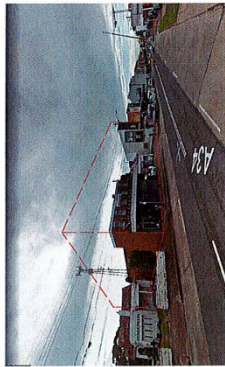
LEVEL 4, 11-17 DUNDAS STREET, SYDNEY NSW 2000
 PHONE: 02 9250 1000
 WWW.NORDONJAGO.COM

PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTERBURY RD, DULWICH HILL

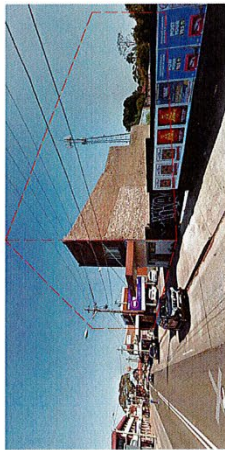
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 DRAWING: DA-000 D



2 SITE ANALYSIS
1:100



4 Street View A
1:100



3 Street View B
1:100



1 Context Map
1:100



EXISTING STREET ELEVATION

PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTEBERY RD, DULWICH HILL

DA ISSUE

NOT FOR CONSTRUCTION

SITE ANALYSIS

DA.002 B

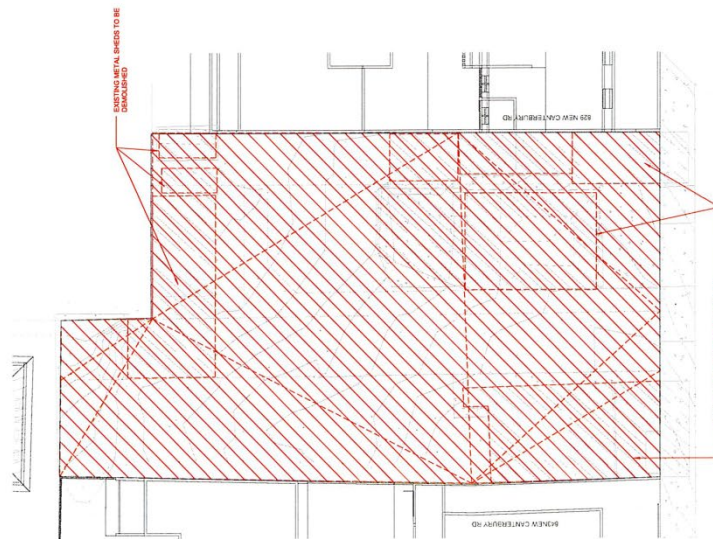
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NO.	DESCRIPTION	DATE
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2	ISSUED FOR DA	27.11.18
3	ISSUED FOR DA	27.11.18

NORDON · JAGO
ARCHITECTS

LEVEL 4, 151-153 EDWARDS STREET, SYDNEY HILLS, NSW 2518
STYAN & NORDON REGISTRATION NO. 1284 / 1284
GORDON & JAGO REGISTRATION NO. 2007 / 2007





PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTERBURY RD, DULWICH HILL

PROJ No.	82900278
DATE	27 JUL 20
SCALE	A1 @ 1:200
DATE No.	DA-005B

NOT For Construction

Rev	Description	Date

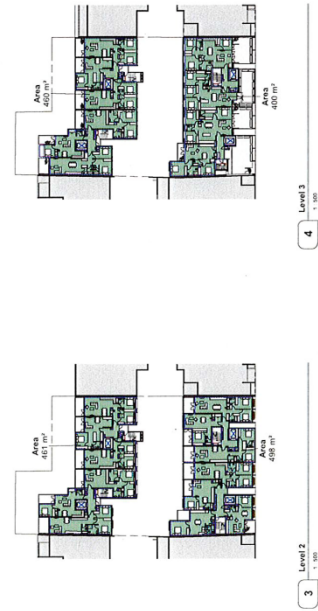
DA ISSUE

NORDON · JAGO
ARCHITECTS

LEVEL 4, 174-176 DUNSTON STREET, DUNSTON HILLS, NSW 2154
 ELECTRA, HUNTER, WILSON & PARTNERS PTY LTD COMPANY NO. 140021663 15/07/2019 10:02 AM



Area Schedule (GFA)	
Level	Area
Ground Floor	1777 m ²
Level 1	1655 m ²
Level 2	1655 m ²
Level 3	1655 m ²
Total	3585 m²



PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTERBURY RD, DULWICH HILL

DA ISSUE

NOT FOR CONSTRUCTION

GFA ANALYSIS

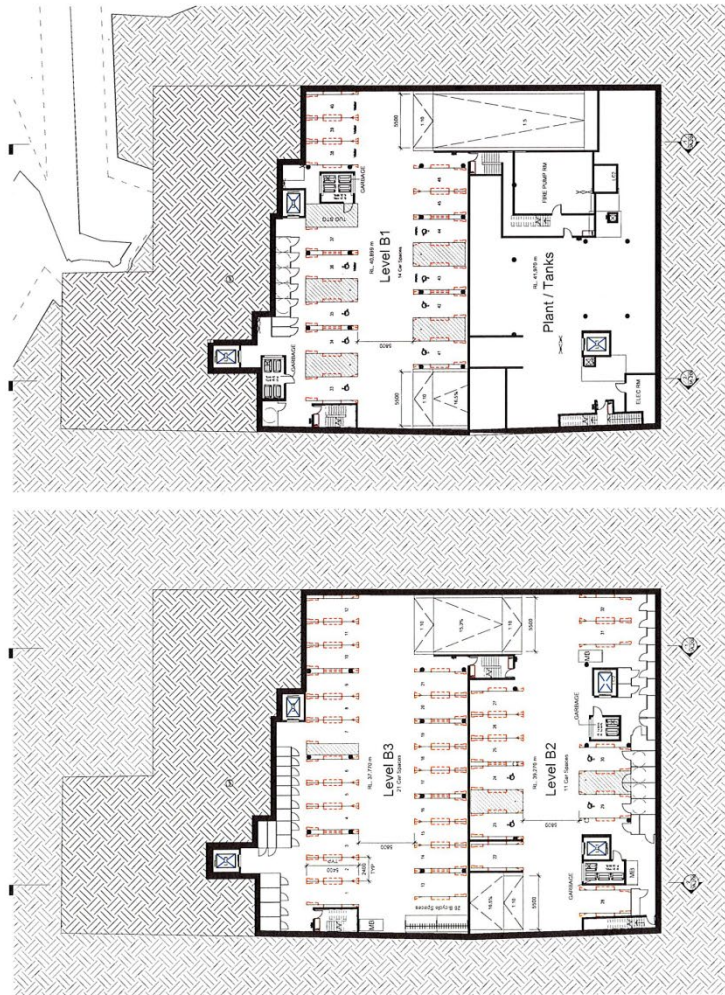
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NO.	REVISION	DATE
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7	ISSUED FOR DA	27/11/18
8	ISSUED FOR DA	27/11/18
9	ISSUED FOR DA	27/11/18
10	ISSUED FOR DA	27/11/18

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11/11/18



1 Level B2 1:200

2 Service 1:200

NORDON · JAGO
ARCHITECTS

LEVEL 4, 11 CANTONMENT STREET, DULWICH HILL, NSW 2033. AUSTIN ROAD, OFF 2030 ROAD,
DULWICH HILL, NSW 2033. TEL: 02 9531 1838. WWW.NORDONJAGO.COM.AU

DA ISSUE

NO.	DESCRIPTION
1	PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTONMENT ROAD, DULWICH HILL
2	PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTONMENT ROAD, DULWICH HILL
3	PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTONMENT ROAD, DULWICH HILL
4	PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTONMENT ROAD, DULWICH HILL
5	PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTONMENT ROAD, DULWICH HILL

PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTONMENT RD, DULWICH HILL

Client: NORDON JAGO ARCHITECTS

JOB No.	10000278
DATE	27.11.18
SCALE	A1/B1 1:200
DRAWN	DA:100 D

TITLE: BASEMENT PLANS

0m

0m 5m 10m 15m 20m



PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTERBURY RD. DULWICH HILL

JOB No. 27131.00
DATE 27.11.18
SCALE A1 @ 1:200
DWG No. DA-101 D

PLANS

TITLE

DA ISSUE

No.	Date	Description
1	27/11/18	Issue for DA
2		
3		
4		
5		
6		
7		
8		
9		
10		

1 Ground Floor 1:200
2 Level 1 1:200

NORDON · JAGO
ARCHITECTS

LEVEL 1: 11111 CONTEMPORARY DESIGN SURVEY/ILLUSTRATION/WORKS
ESTIMATING/NORDON REGISTRATION No. 2004-1704 GRAMP P. JAGO REGISTRATION No. 1801-0006



PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTERBURY RD, DULWICH HILL

DATE: 27/11/18
SCALE: A1/E 1:200
DRAWN: DA-102 D

PLANS

DA ISSUE

No.	Description
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2	Issue for Information
3	Issue for Information
4	Issue for Information
5	Issue for Information
6	Issue for Information
7	Issue for Information
8	Issue for Information
9	Issue for Information
10	Issue for Information

NORDON · JAGO
ARCHITECTS

LEVEL 1, 11/117 EDWARDS STREET, DUNEDIN 9016, NEW ZEALAND
STEPHEN NORDON, REGISTRATION NO. 10794 - NZIA
GEMMA JAGO, REGISTRATION NO. 10795 - NZIA



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DA ISSUE

NORDON • JAGO ARCHITECTS

15/151A HUNTERSWOOD STREET, CANTERBURY VIC 3124
 Telephone: (03) 9594 1000 Fax: (03) 9594 1001
 Email: info@nordonjago.com.au Website: www.nordonjago.com.au

PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTERBURY RD, DULWICH HILL

Client: **NAU1-Pre-Adapted, NAU1-Post-Adapted, NAU2-Pre-Adapted, NAU2-Post-Adapted**

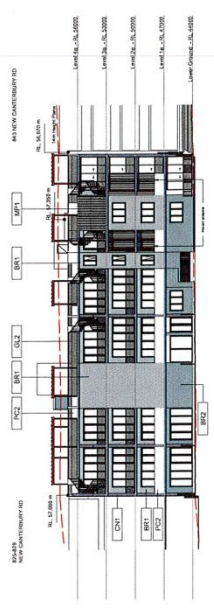
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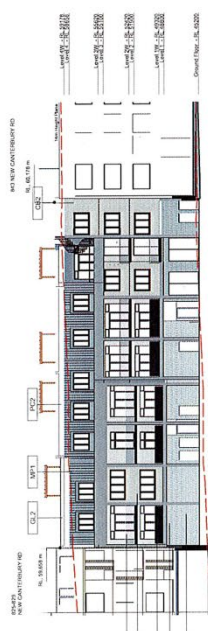
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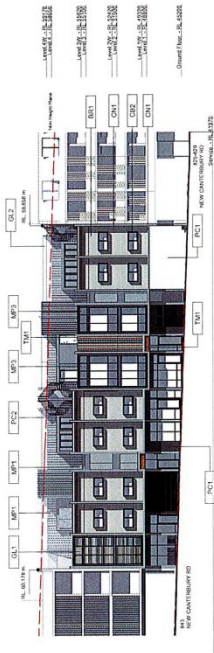
4 Building B Courtyard Elevation
1:100



2 Rear Elevation
1:100



3 Building A Courtyard Elevation
1:100



1 Front Elevation
1:100

MATERIAL PALETTE

Code	Material	Description
CN1	Concrete	Light Grey Concrete
MP1	Metals	Black Powder Coat
GL1	Glass	Clear Glass
GL2	Glass	Blue Tinted Glass
TM1	Timber	Black Powder Coat
CR1	Clay	Black Powder Coat
CR2	Clay	Black Powder Coat
CR3	Clay	Black Powder Coat
CR4	Clay	Black Powder Coat
CR5	Clay	Black Powder Coat
CR6	Clay	Black Powder Coat
CR7	Clay	Black Powder Coat
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CR200	Clay	Black Powder Coat

NOT FOR CONSTRUCTION

NORDON · JAGO
ARCHITECTS

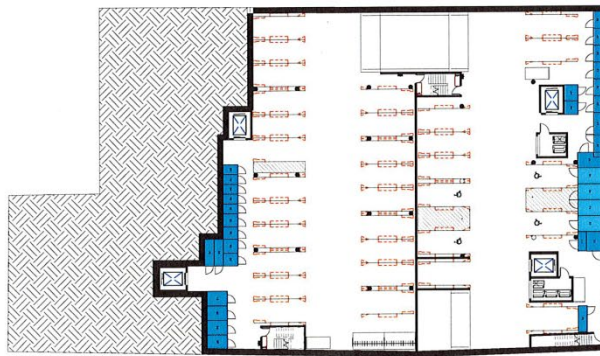
LEVEL 1, 11/17 SPENCER STREET, DULWICH HILL, NSW 2157
STEWART NORDON, NIGEL JAGO, NICKY BURNETT, NICKY BURNETT
GPO BOX 97, DULWICH HILL NSW 2157

PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTERBURY RD, DULWICH HILL

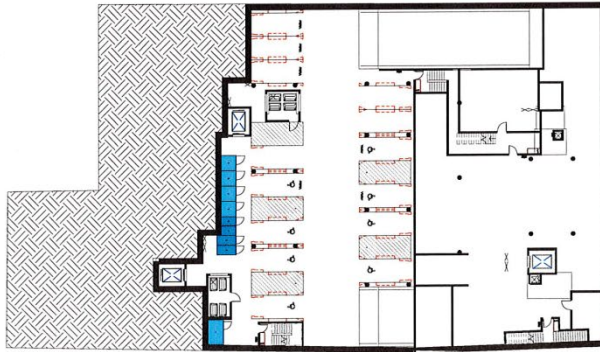
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27/1/18	A1/B	ARCHITECTURE	MP000278

TITLE: ELEVATION

DAISS No. DA.300 D



1 STG - Level B2
1:100



2 STG - Service
1:100

BASEMENT STORAGE

Room No.	Area (sqm)	Volume (cu m)	Notes
101	1.2	3.6	
102	1.2	3.6	
103	1.2	3.6	
104	1.2	3.6	
105	1.2	3.6	
106	1.2	3.6	
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PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTERBURY RD, DULWICH HILL

SEPP65 STORAGE LB1+B2

DA ISSUE

NORDON · JAGO
ARCHITECTS

120 2018 4402 / 120 2018 4402
120 2018 4402 / 120 2018 4402
120 2018 4402 / 120 2018 4402

NOT FOR CONSTRUCTION

2 STG - Service
1:100

1 STG - Level B2
1:100

DATE: 21/11/18
SCALE: A1/B
DRAWN BY: DA 501 B

PROJECT NO.: 120 2018 4402

DATE: 21/11/18
SCALE: A1/B
DRAWN BY: DA 501 B



2 STG - Level 1
1:200



1 STG - Ground Floor
1:200

REVISIONS

NO.	DATE	DESCRIPTION	BY	CHECKED
1	20/01/20	ISSUED FOR PERMIT
2	20/01/20
3	20/01/20
4	20/01/20
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PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTERBURY RD, DULWICH HILL
 SEPP65 STORAGE LG-1
 DA.502 B

NOT FOR CONSTRUCTION

DA ISSUE

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 1/111 FREDERICK STREET, SYDNEY NSW 1585
 1/111 FREDERICK STREET, SYDNEY NSW 1585
 1/111 FREDERICK STREET, SYDNEY NSW 1585



1 STG - Level 2
1:200



2 STG - Level 3
1:200

LEVEL 2 - STG - LEVEL 2 - FINISH SCHEDULE

Room No.	Finish	Code
01	Concrete	01
02	Concrete	02
03	Concrete	03
04	Concrete	04
05	Concrete	05
06	Concrete	06
07	Concrete	07
08	Concrete	08
09	Concrete	09
10	Concrete	10
11	Concrete	11
12	Concrete	12
13	Concrete	13
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22	Concrete	22
23	Concrete	23
24	Concrete	24
25	Concrete	25
26	Concrete	26
27	Concrete	27
28	Concrete	28
29	Concrete	29
30	Concrete	30

PROPOSED MIXED DEVELOPMENT - 828a - 837 NEW CANTERBURY RD, DULWICH HILL
 SEPP65 STORAGE L2-3
 DA.503 B

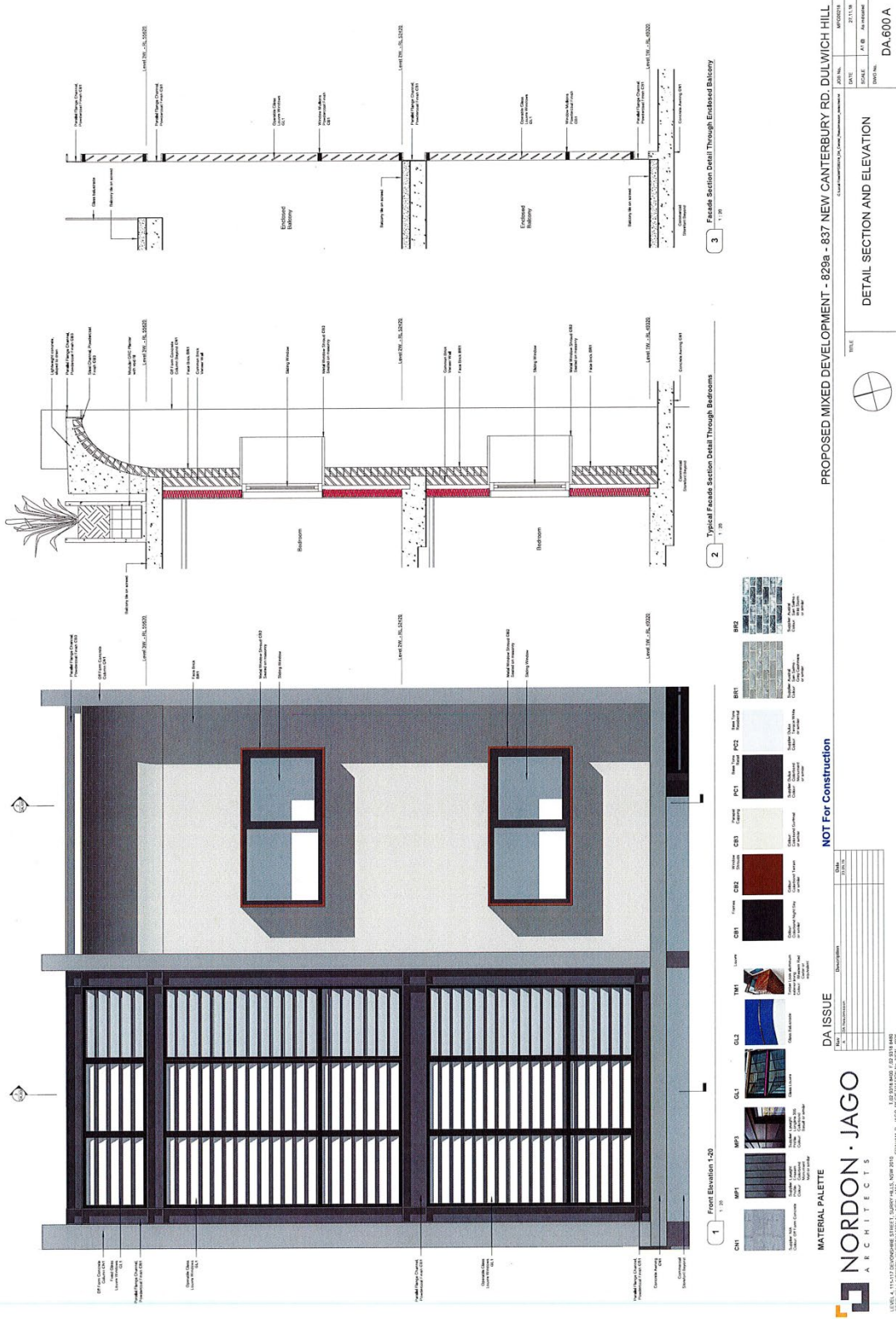
NOT For Construction

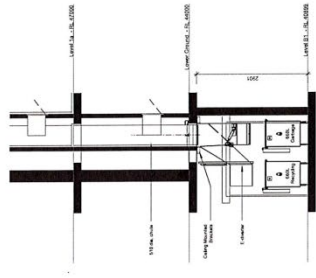
NORDON · JAGO
 ARCHITECTS

LEVEL 1, 11/117 SANDHURST STREET, SHERIDAN HILLS, NSW 2120
 SYDNEY, AUSTRALIA
 TEL: (02) 9350 1234
 WWW.NORDONJAGO.COM.AU

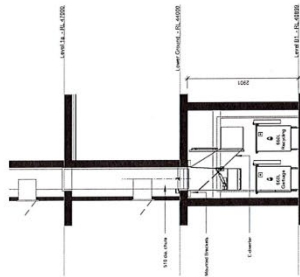
DA ISSUE

No.	Date	Description
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2	11/11/2021	Issue for DA
3	11/11/2021	Issue for DA
4	11/11/2021	Issue for DA

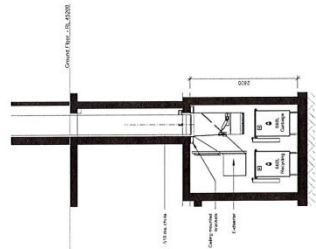




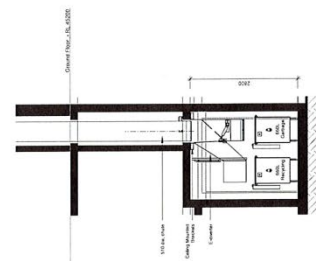
4.1 Garbage Rm 4
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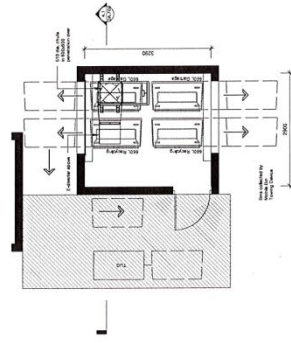
3.1 Garbage Rm 3
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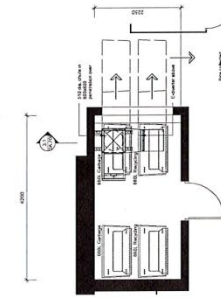
2.1 Garbage Rm 2 Section
1:50



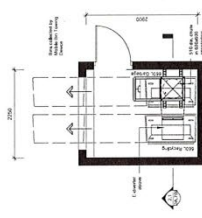
1.1 Garbage Rm 1 Section
1:50



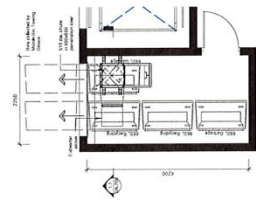
4.2 Garbage Room 4
1:50



3.2 Garbage Room 3
1:50



2.2 Garbage Room 2 Plan
1:50



1.2 Garbage Room 1 Plan
1:50

PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTERBURY RD, DULWICH HILL

JOB No.	MP000218
DATE	23/1/18
SCALE	A1/B 1:50
DRAWN	DA 700 A

TITLE
GARBAGE ROOM PLANS AND SECTIONS

NOT FOR CONSTRUCTION

DA ISSUE

No.	Description	Date

NORDON · JAGO
ARCHITECTS

LEVEL 4, 11-12 SPYGLASS STREET, SPYGLASS HILL, NORTH SYDNEY
 15/16-17, BUNNICK ROAD, MORTONSBAY, SYDNEY
 CONTACT: P. JAGO ARCHITECTS@NORDONJAGO.COM.AU



NORDON • JAGO
ARCHITECTS

LEVEL 4, 11 AVANTAGE CENTRE STREET, HUNTER HILLS, NSW 2158
SYDNEY, AUSTRALIA TEL: 02 9550 2200 FAX: 02 9550 2201
WWW.NORDONJAGO.COM.AU

DA ISSUE

NO.	REVISION	DATE
1	ISSUE FOR DA	20/11/18
2	ISSUE FOR DA	20/11/18
3	ISSUE FOR DA	20/11/18
4	ISSUE FOR DA	20/11/18
5	ISSUE FOR DA	20/11/18
6	ISSUE FOR DA	20/11/18
7	ISSUE FOR DA	20/11/18
8	ISSUE FOR DA	20/11/18
9	ISSUE FOR DA	20/11/18
10	ISSUE FOR DA	20/11/18

NOT For Construction

PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTERBURY RD, DULWICH HILL

PHOTOMONTAGE

DATE	JOB NO.	SCALE	FILE	DATE	JOB NO.
20/11/18	1802074	1:100	PHOTOMONTAGE	20/11/18	1802074

DA-400 C

829A-837 NEW CANTERBURY ROAD
DULWICH HILL NSW 2203

LANDSCAPE DA DOCUMENTATION

KEY PLAN



DRAWING REGISTER

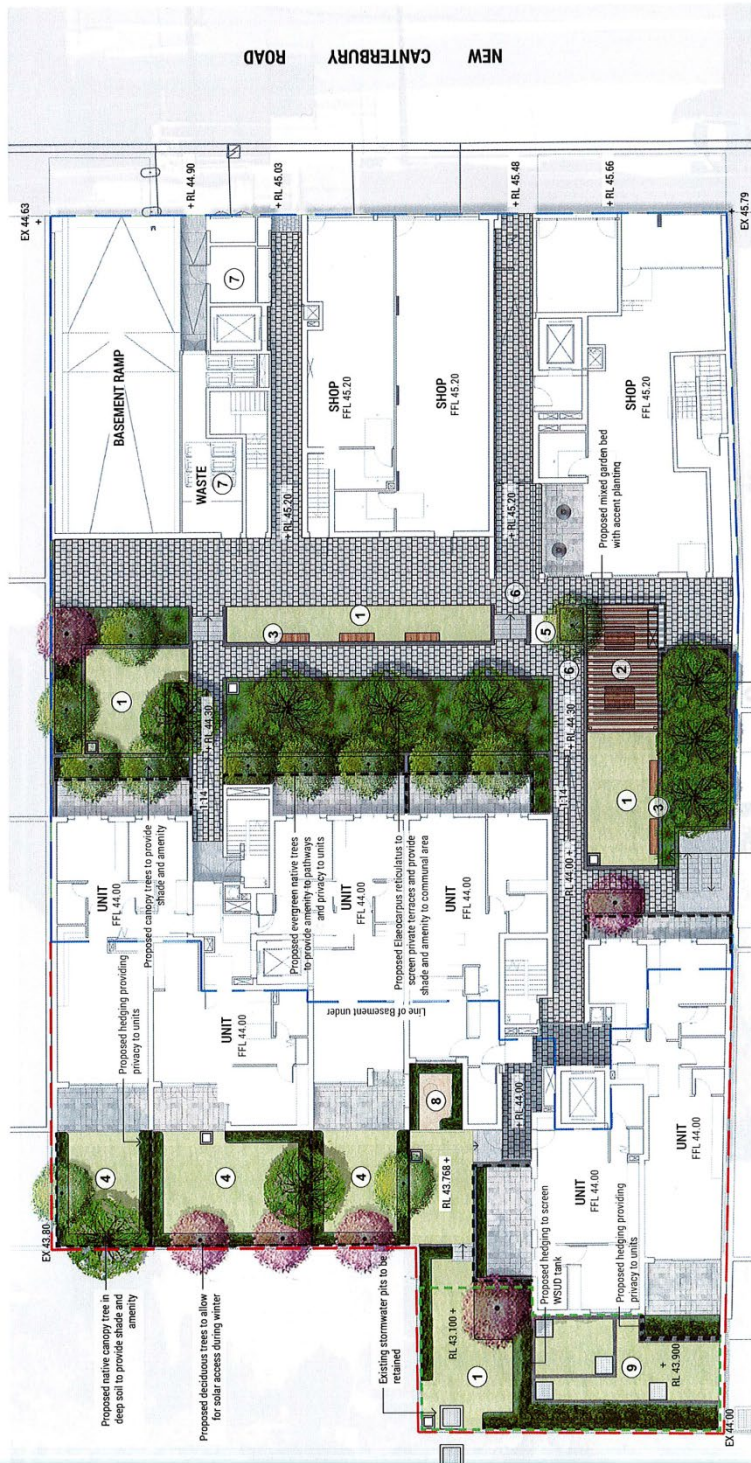
DRAWING NUMBER	DRAWING NAME	SCALE / SIZE
LDA-00	LANDSCAPE COVER SHEET	N/A
LDA-01	GROUND FLOOR LANDSCAPE PLAN	1:200 @ A3
LDA-02	LANDSCAPE AREAS	1:200 @ A3
LDA-03	ROOFTOP LANDSCAPE PLAN	1:200 @ A3
LDA-04	PLANT PALETTE	N/A
LDA-05	LANDSCAPE DETAILS	1:20 @ A3

829A-837 New Canterbury Road
Dulwich Hill, NSW
LDA-00
Revision G | 20-Sep-19

LANDSCAPE COVER SHEET

GROUND iNK
LANDSCAPE ARCHITECTS

Suite 201, 75 Ashby Street
Dulwich Hill NSW 2203
Ph: (02) 9411 3279 | www.inkground.com.au
© Ground iNK Pty Ltd | ABN 55 153 025 456
Registered Landscape Architect: IRLA Loughman # 1813



LEGEND

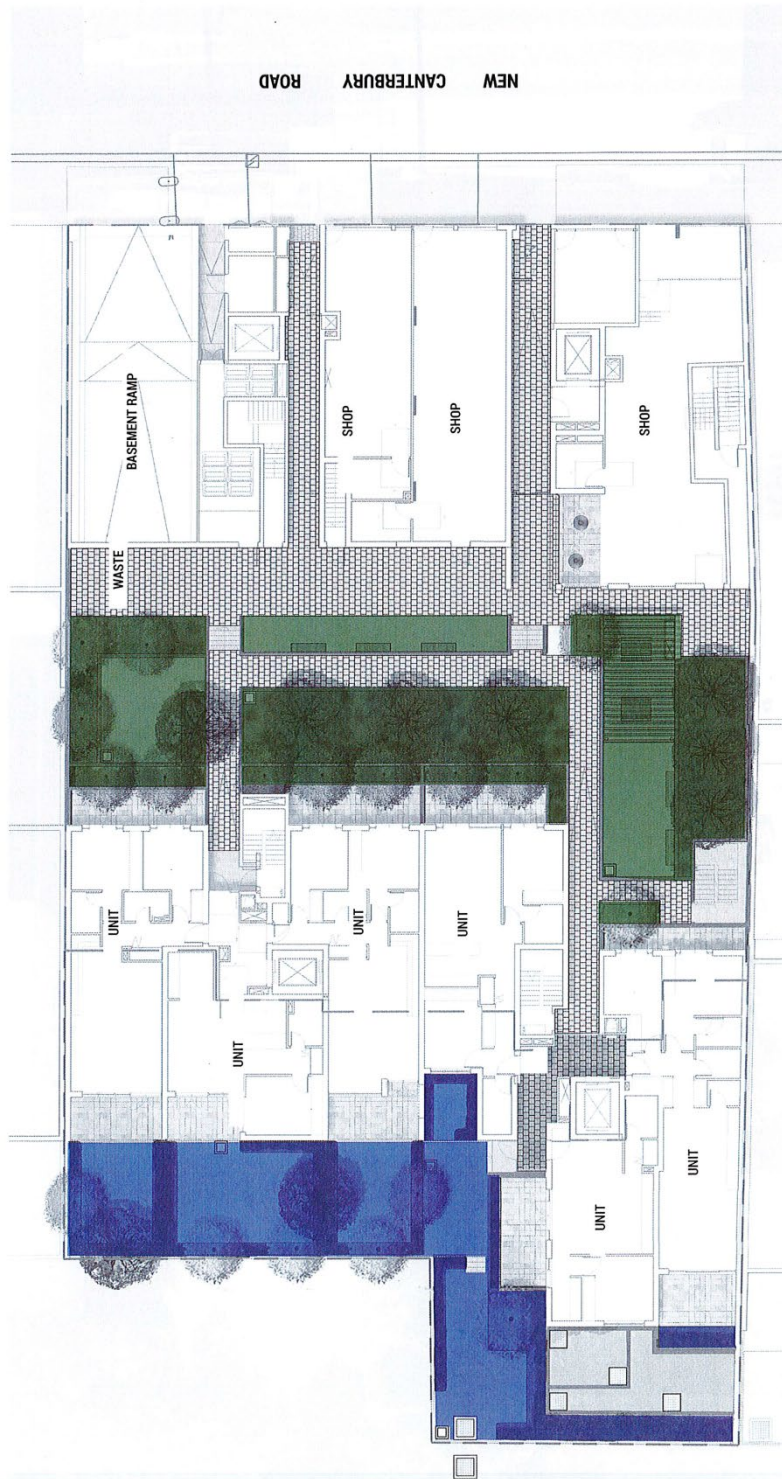
- 1. Proposed open turf area
 - 2. Proposed BBQ area with tables and seating on decomposed granite. Shade structure overhead
 - 3. Proposed bench seating
 - 4. Private open space
 - 5. Accessibility lift
 - 6. Proposed unit paving on concrete base engineer's details
 - 7. Bin and waste storage area
 - 8. Sewer manhole with plant screening
 - 9. WSDUD tank as per hydraulic engineer's details
- 1. Proposed native canopy trees in deep soil to provide shade and amenity
 - 2. Proposed deciduous trees to allow for solar access during winter
 - 3. Proposed evergreen native trees to provide amenity to pathways and privacy to units
 - 4. Proposed Elaeocarpus reticulatus to screen private terraces and provide shade and amenity to communal area
 - 5. Proposed mixed garden bed with accent planting
 - 6. Proposed Elaeocarpus reticulatus to screen private terraces and provide amenity to communal area
- 1. Finished floor level
 - EX. Existing spot level
 - RL. Proposed spot level
 - - - Site boundary
 - - - Line of basement under
 - - - Proposed private fencing
 - - - Proposed GSD basin to hydraulic engineer's details

GROUND INK
LANDSCAPE ARCHITECTS

Suite 201, 75 Archer Street
Cherrywood, NSW 2007
Ph: (02) 9618 1244 | Fax: (02) 9618 1244
www.groundink.com.au
Registered Landscape Architect, Nat. Registration # 1813

GROUND FLOOR LANDSCAPE PLAN

822a-837 New Canterbury Road
Dulwich Hill, NSW
LDA-01
1200 / A3
0 1 2 3 4 5m
Revision C / 20-Sep-19



LANDSCAPE AREAS
 Total Site Area = 2032m²
 Total Landscape Area = 272% or 444.11m²
 On Slab = 243.11m²
 Deep soil area = 201.01m²

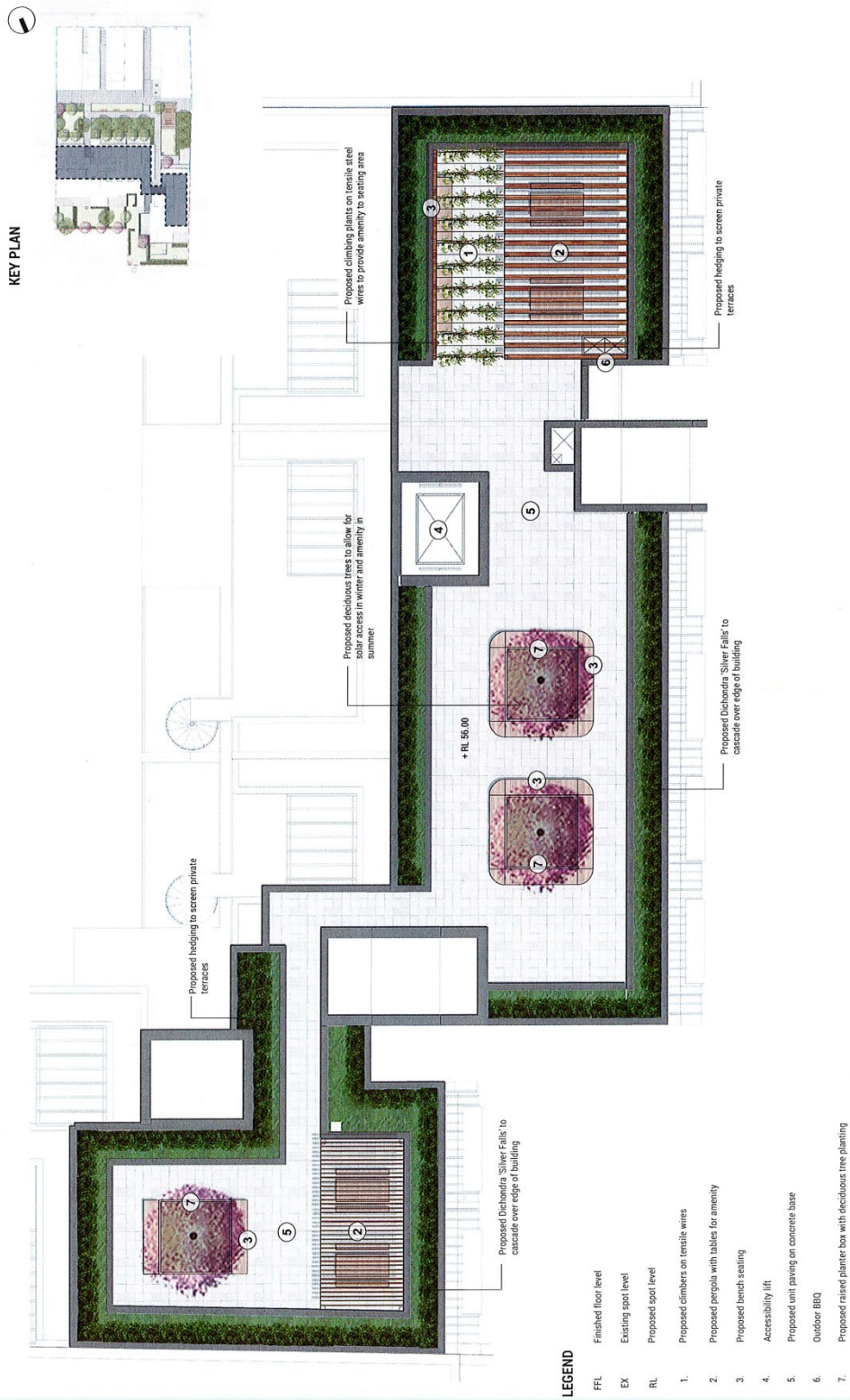
822a-837 New Canterbury Road
 Dulwich Hill, NSW
LDA-02
 Revision GI 20-Sep-19

1:200 / A3
 0 1 2 3 4 5m

LANDSCAPE AREAS

GROUND INK
 LANDSCAPE ARCHITECTS

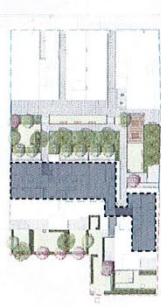
Suite 201, 75 Archer Street
 Dulwich Hill, NSW 1585
 Ph: (02) 5411 3275 | www.inkground.com.au
 © Ground Ink Pty Ltd / ABN 55 025 425 456
 Registered Landscape Architect: Rob Longman # 7813



LEGEND

- FFL Finished floor level
- EX Existing spot level
- RL Proposed spot level
- 1. Proposed climbers on tensile wires
- 2. Proposed pergola with tables for amenity
- 3. Proposed bench seating
- 4. Accessibility lift
- 5. Proposed unit paving on concrete base
- 6. Outdoor BBQ
- 7. Proposed raised planter box with deciduous tree planting

KEY PLAN



822a-837 New Canterbury Road
Dulwich Hill, NSW
LDA-03
Revision 01 20-Sep-19

1:100 / A3
0 0.5 1 1.5 2m

ROOFTOP LANDSCAPE PLAN

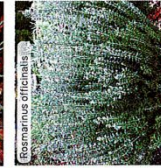
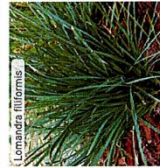
GROUND INK
LANDSCAPE ARCHITECTS

Suite 201, 75 Archer Street
Cherrybrook NSW 2870
PH (02) 9411 3273 | www.groundink.com.au
© Ground Ink Pty Ltd / ABN 55 63 025 456
Registered Landscape Architect: Rick Longman F.R.I.C.

PLANT SCHEDULE

Botanical Name	Common Name	Mature Height	Native	Spacing	Pot Size
Trees					
<i>Acer palmatum 'Osakazuki'</i>	Japanese Maple	8m		As shown	45L
<i>Cupaniopsis anacardioides</i>	Tuckeroo	15m	✓	As shown	75L
<i>Elaeocarpus emundii</i>	Quandong	10m	✓	As shown	45L
<i>Elaeocarpus reticulatus</i>	Blueberry Ash	12m	✓	As shown	75L
<i>Glochidion ferdinandi</i>	Cheese Tree	10m	✓	As shown	45L
<i>Lagerstroemia 'Diamonds in the Dark'</i>	Cape Myrtle	3m		As shown	45L
<i>Magnolia 'Emoult'</i>	Bull Bay Magnolia	15m		As shown	75L
<i>Trianthopsis laurina</i>	Water Gum	6m	✓	As shown	45L
Shrubs					
<i>Callistemon 'McArthur'</i>		1.8m	✓	600mm	200mm
<i>Dianella 'Breeze'</i>		0.6m	✓	400mm	200mm
<i>Doryanthes excelsa</i>	Gymea Lily	4m	✓	1000mm	300mm
<i>Lomandra filiformis</i>	Wattle Mat Rush	0.4m	✓	400mm	200mm
<i>Nandina 'Blush'</i>		0.7m		400mm	200mm
<i>Rosemarinus officinalis</i>	Rosemary	1m		600mm	200mm
<i>Wickstramia 'Dense Fence'</i>	Lilly Pilly	3m		600mm	200mm
<i>Westringia 'Blue Gem'</i>	Coastal Rosemary	1m	✓	400mm	200mm
Groundcovers and Climbers					
<i>Casuarina 'Cousin It'</i>	Sheak	0.2m	✓	400mm	150mm
<i>Dichondra repens</i>	Kidney Plant	0.2m	✓	200mm	150mm
<i>Dichondra 'Silver Falls'</i>		0.2m	✓	300mm	150mm
<i>Myosorum 'Yareena'</i>		0.1m	✓	400mm	150mm
<i>Pandorea jasminoides</i>	Bower Plant	4m	✓	As shown	150mm
<i>Trachelospermum jasminoides</i>	Star Jasmine	0.6m	✓	As shown	150mm
<i>Viola heisteria</i>	Native Violet	0.2m	✓	200mm	150mm

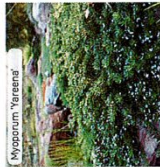
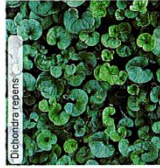
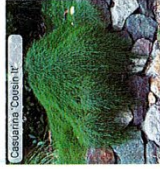
INDICATIVE SHRUBS



INDICATIVE TREES



INDICATIVE GROUNDCOVERS AND CLIMBERS



GROUND INK
LANDSCAPE ARCHITECTS

Suite 201, 75 Archer Street
Cherrywood, NSW 2057
Ph: (02) 9411 2279 | www.groundink.com.au
© Ground Ink Pty Ltd | ABN 58 183 035 656
Registered Landscape Architect: Rob Coughlan # 1813

PLANT PALETTE

829a-837 New Canterbury Road
Dulwich Hill, NSW
LDA-04
Revision C | 20-Sep-19

OUTLINE LANDSCAPE SPECIFICATION

General

Maintenance shall mean the care and maintenance of the landscape works by accepted horticultural practice to ensure the long-term health and appearance of the landscape works under normal use. The landscape contractor shall attend the site on a weekly basis to maintain the landscape works for the full term approved in the landscape plan. The maintenance period (commencing from practical completion).

Rubbish Removal

The Landscape Contractor shall ensure that all landscape site on a weekly basis to ensure the site remains in top condition.

Weed eradication

Weed growth that may occur in, planted or mulched areas is to be removed using environmentally acceptable methods. Rubbish removal shall be undertaken by the contractor, applied in accordance with the manufacturer's directions or hand weeding.

Tree Rejuvenation

The contractor shall ensure that all trees are free from disease and not exhibit signs of stress prior to handover to the client. Any trees or plant that die or are damaged, or are damaged, shall be replaced. Rejuvenation shall be undertaken in accordance with the landscape contract conditions. Trees and plant materials shall be equal to the material specified in the landscape plan. The contractor shall ensure that all trees and plants are in good health and free from disease. The contractor shall ensure that all trees and plants are in good health and free from disease. The contractor shall ensure that all trees and plants are in good health and free from disease.

Pruning

Selective pruning may be required during the maintenance period to ensure a balanced canopy structure. The contractor shall ensure that all pruning is undertaken in accordance with the manufacturer's directions or hand weeding.

Irrigation

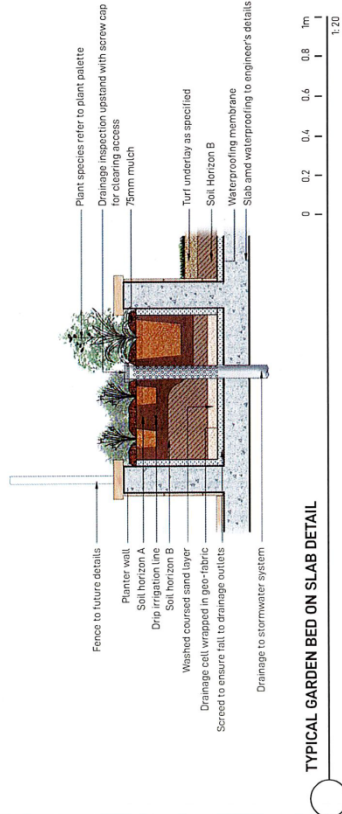
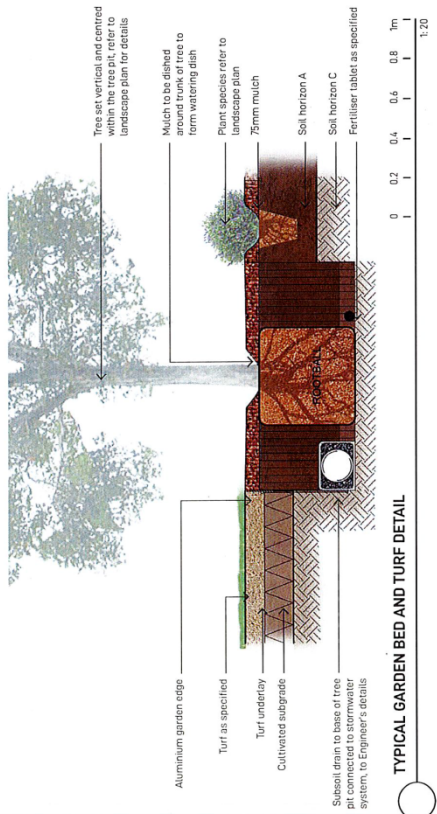
A low volume drip irrigation system may be installed at the discretion of the Developer. Position of control valves and irrigation system shall be designed by the contractor. The contractor shall ensure that all irrigation systems are installed in accordance with the manufacturer's directions or hand weeding.

Watering

Implement an appropriate hand watering regime in accordance with the landscape plan. The contractor shall ensure that all watering is undertaken in accordance with the manufacturer's directions or hand weeding.

Drainage

All landscape areas are to have positive drainage to SW. The contractor shall ensure that all drainage is undertaken in accordance with the manufacturer's directions or hand weeding.



Soils

Horizon A - Garden beds on natural ground A sandy loam to clay loam topsoil mix designed for optimum plant growth. The contractor shall ensure that the soil is suitable for the plants to be planted. The contractor shall ensure that the soil is suitable for the plants to be planted. The contractor shall ensure that the soil is suitable for the plants to be planted.

Cultivation

All garden beds to be cultivated to a min depth of 150mm and free pits to the depth of the root ball only. If additives such as gypsum are required conduct this after cultivation into the top 100mm of soil.

Planting

All planting to be grown to NATSPEC specifications. The contractor shall ensure that all plants are in good health and free from disease. The contractor shall ensure that all plants are in good health and free from disease. The contractor shall ensure that all plants are in good health and free from disease.

Mulching

The Landscape Contractor shall supply and install 100mm Pine Bark Mulch to all garden beds shown on the landscape plans, to a minimum depth of 75mm. All mulch shall be applied in accordance with the manufacturer's directions or hand weeding.

Turfing

The landscape contractor shall supply and install Sphagnum peat moss in stretcher pattern to all turf areas shown on the landscape plans and to the thickness of 50mm. The contractor shall ensure that all turf is in good health and free from disease. The contractor shall ensure that all turf is in good health and free from disease.

Pest and Disease Control

The Landscape Contractor shall spray for pests and disease infestations when the pest and fungal attack has been positively identified and when their populations have increased to a level where they become detrimental to plant growth. The contractor shall ensure that all pest and disease control is undertaken in accordance with the manufacturer's directions or hand weeding.

Fertilising

Pellets shall be in the form intended to uniformly release plant food elements for a period of approximately nine months equal to Shirley's KOKO pellets, analysis 6.3:1:52:9 or similar approval. KOKO pellets shall be placed at the rate of 100g per square metre. The contractor shall ensure that all fertilising is undertaken in accordance with the manufacturer's directions or hand weeding.

LANDSCAPE DETAILS

GROUND INK
LANDSCAPE ARCHITECTS

Suite 201, 75 Archer Street
Claytonwood, NSW 2037
Tel: (02) 9339 7777
www.groundink.com.au
© Ground Ink Pty Ltd. ABN 55 630 855 546
Registered Landscape Architect: Irla Loughman # 7613

829a-837 New Canterbury Road
Dulwich Hill, NSW
LDA-04
Revision G / 20-Sep-19

829A-837 NEW CANTERBURY ROAD, DULWICH HILL PROPOSED MIXED-USED DEVELOPMENT

STORMWATER CONCEPT PLANS



- GENERAL NOTES**
1. ALL THE CLEANING FITS OR INSPECTION FITS FOR THE UNDERGROUND PIPES, MANHOLE COVERS, GROUND LEVEL, CONJECTURE IDENTIFICATION AND MAINTENANCE PURPOSES.
 2. ALL LEVELS SHALL RELATE TO THE ESTABLISHED BENCH MARK.
 3. THE BUILDERS SHALL ENSURE THAT THE STORMWATER ENGINEERS DRAWINGS SHOW THE EXISTING AND PROPOSED STORMWATER SYSTEMS, THE COMMENCEMENT OF ANY WORKS.
 4. ALL MATERIALS TO BE USED WITHIN THE AREA DESIGNATED AS ON-SITE DETENTION SHALL BE STORED WITHIN THE AREA DESIGNATED AS ON-SITE DETENTION STORAGE AREA.
 5. ALL EXISTING SERVICES SHALL BE IDENTIFIED BY THE CONTRACTOR WITHIN THE PROPERTY BOUNDARY LIMITS TO GET ALL INFORMATION FROM THE STREET, UTILITIES, WATER, GAS, TELEPHONE, CABLE, AND OTHER SERVICES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SERVICES.
 6. ALL EXISTING SERVICES SHALL BE PROTECTED BY THE CONTRACTOR AND SHALL BE IN ACCORDANCE WITH THE RELEVANT STANDARDS AND REGULATIONS.
 7. PRIOR TO COMMENCING ANY WORKS, THE BUILDERS SHALL ENSURE THAT THE STORMWATER ENGINEERS DRAWINGS SHOW THE EXISTING AND PROPOSED STORMWATER SYSTEMS, THE COMMENCEMENT OF ANY WORKS.
 8. ALL WORK SHALL BE IN ACCORDANCE WITH THE RELEVANT STANDARDS AND REGULATIONS.
 9. EXISTING SERVICES LOCATIONS SHOWN INDICATIVE ONLY.
 10. IT IS THE CONTRACTOR'S RESPONSIBILITY TO LOCATE ALL EXISTING SERVICES PRIOR TO THE COMMENCEMENT OF ANY WORKS.
 11. ALL PIPES TO HAVE MIN 75mm COVER IF LOCATED WITHIN PROPERTY.
 12. ALL PIPES TO BE CONCRETE OR GALVANIZED IRON PIPE.
 13. PITS LESS THAN 400mm DEEP MAY BE BRICK, PRECAST OR CONCRETE.
 14. ALL EXTERNAL GRATES TO BE GALVANIZED IRON GRATES.
 15. ALL EXTERNAL GRATES TO BE WATERPROOFED.
 16. ALL EXTERNAL GRATES TO HAVE CHILD PROOF LOOKS.
 17. ALL PIPES TO HAVE 75mm COVER.
 18. ALL GRATES TO HAVE CHILD PROOF LOOKS.
 19. ALL EXTERNAL GRATES TO BE WATERPROOFED.
 20. ALL WORKING LEVELS TO BE CONFIRMED BY BUILDERS PRIOR TO CONSTRUCTION.
 21. ALL WORK WITHIN COUNCIL RESERVE TO BE INSPECTED BY COUNCIL PRIOR TO CONSTRUCTION.
 22. ALL WORK SHALL BE IN ACCORDANCE WITH B.G.A. AND A.S. 3603.3.
 23. REFER TO LANDSCAPE ARCHITECT'S DRAWINGS FOR LANDSCAPING.
 24. ALL WALLS FORMING THE DETENTION BASIN SHALL BE CONSTRUCTED WHOLLY WITHIN THE PROPERTY BOUNDARIES OF THE SITE BEING DEVELOPED.
 25. ALL DETENTION WALLS SHALL BE CONSTRUCTED WITH A MINIMUM OF 100mm CONCRETE STONEWORK AND A MINIMUM OF 100mm CONCRETE BLOCKWORK.
 26. ENSURE THAT NON-FLOATABLE MATERIALS ARE USED IN DETENTION BASINS. USE DECORATIVE BLOCK MURCH OR EQUIVALENT.
 27. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SERVICES AND UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SERVICES AND UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SERVICES AND UTILITIES.
 28. ALL PIPES SHALL BE TO BE 150mm PVC CONCRETE BLOCK CONTRACTOR TO BE CONSTRUCTED WITHIN THE PROPERTY BOUNDARIES OF THE SITE BEING DEVELOPED. ALL PIPES SHALL BE TO BE 150mm PVC CONCRETE BLOCK CONTRACTOR TO BE CONSTRUCTED WITHIN THE PROPERTY BOUNDARIES OF THE SITE BEING DEVELOPED.

PIPES NOTE:
 225 PVC @ MIN 1.0%
 300 PVC @ MIN 1.0%
 450 PVC @ MIN 1.0%
 600 PVC @ MIN 1.0%
 900 PVC @ MIN 0.5%
 1200 PVC @ MIN 0.4%
 UNLESS NOTED OTHERWISE

LOCALITY PLAN
N.L.S.

DRAWING INDEX

Drawing No.	DESCRIPTION
000	COVER SHEET PLAN
001	STORMWATER CONCEPT PLAN BASEMENT LEVEL 2 & 3 SHEET 1 OF 3
002	STORMWATER CONCEPT PLAN BASEMENT LEVEL 2 & 3 SHEET 2 OF 3
003	STORMWATER CONCEPT PLAN BASEMENT LEVEL 1
004	STORMWATER CONCEPT PLAN GROUND LEVEL
005	ROOF PLAN
006	ON-SITE DETENTION DETAILS & CALCULATION SHEETS SHEET 1 OF 3
007	ON-SITE DETENTION DETAILS & CALCULATION SHEETS SHEET 2 OF 3
008	ON-SITE DETENTION DETAILS & CALCULATION SHEETS SHEET 3 OF 3
009	MISCELLANEOUS DETAILS SHEET

NOT FOR CONSTRUCTION

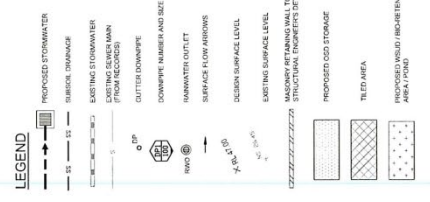
AUSTRALIAN ENGINEERS
 829A-837 NEW CANTERBURY ROAD, DULWICH HILL
 PROPOSED MIXED-USED DEVELOPMENT
 STORMWATER CONCEPT PLANS
 DEVELOPMENT APPLICATION

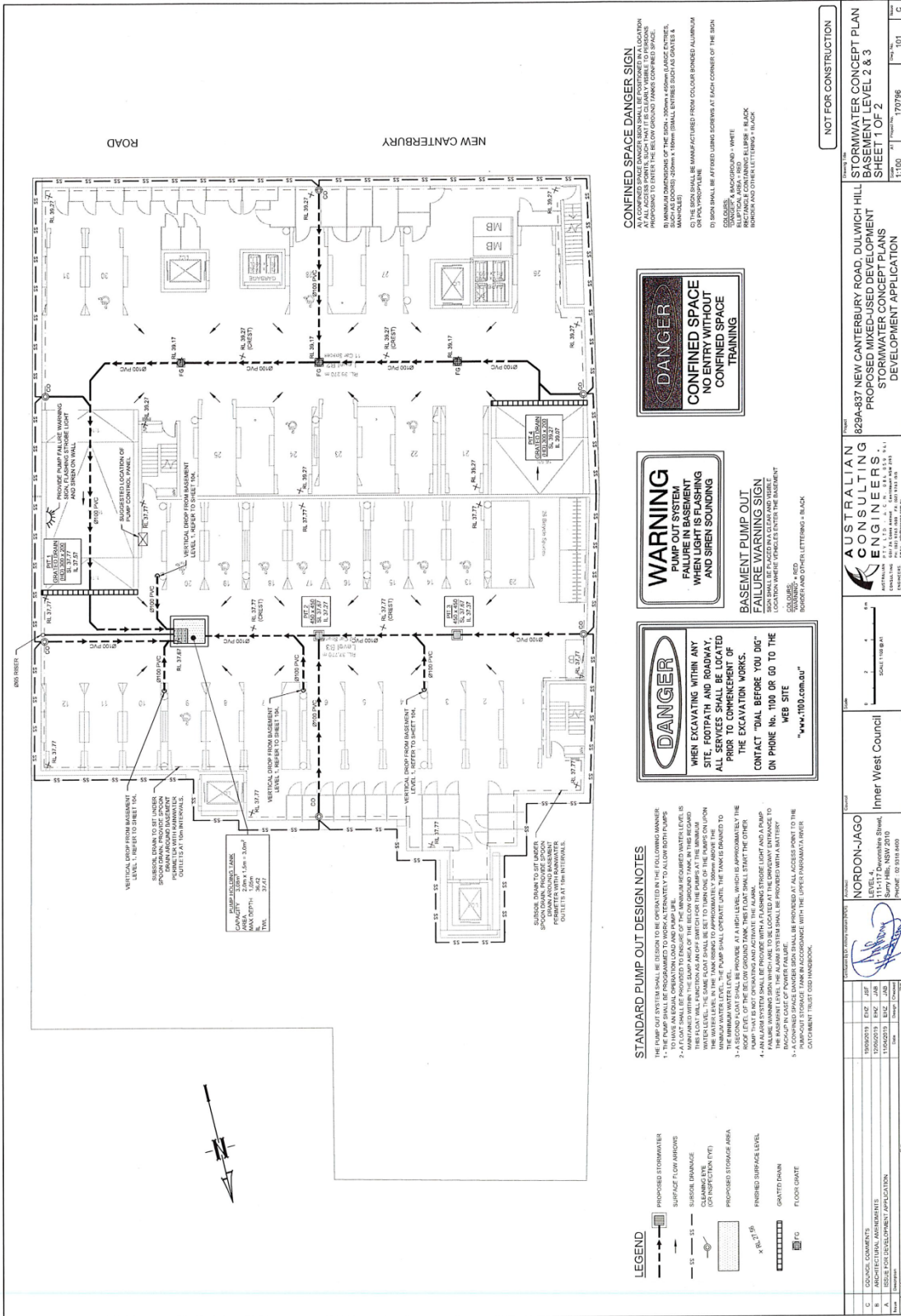
NORDON-JAGO
 LEVEL 4,
 111-117 Devonshire Street,
 SYDNEY NSW 2006
 PHONE: 02 7188 8800

Inner West Council

DATE: 11/11/2015
SCALE: AS SHOWN
PROJECT: 829A-837 NEW CANTERBURY ROAD, DULWICH HILL
CLIENT: NORDON-JAGO
DESIGNER: NORDON-JAGO
CHECKED: [Signature]
DATE: 11/11/2015

NO.: 1000
REV.: 000





LEGEND

- PROPOSED STORMWATER SURFACE FLOW ARROWS
- EXISTING SURFACE DRAINAGE
- PROPOSED SURFACE DRAINAGE (WITH OVERFLOW)
- PROPOSED STORAGE AREA
- FINISHED SURFACE LEVEL
- GRID REF. 10
- CHARTER PANS
- FLOOR CHART

STANDARD PUMP OUT DESIGN NOTES

- THE PUMP OUT SYSTEM SHALL BE DESIGNED TO BE OPERATED IN THE FOLLOWING MANNER
- THE PUMP SHALL BE PROGRAMMED TO WORK ALTERNATELY TO ALLOW BOTH PUMPS
- A FLOAT SWITCH SHALL BE INSTALLED TO MONITOR THE MINIMUM REQUIRED WATER LEVEL IN THE TANK
- THE TANK SHALL BE PROVIDED WITH AN EXHAUST FAN TO EXHAUST TO THE EXTERIOR
- THE SAME FAN SHALL BE USED TO EXHAUST THE PUMPS ON UPON MINIMUM WATER LEVEL. THE PUMP SHALL OPERATE UNTIL THE TANK IS DRAINED TO ITS MINIMUM WATER LEVEL
- A SECOND FAN SHALL BE PROVIDED AT A HIGH LEVEL, WHICH IS APPROXIMATELY THE ROOF LEVEL OF THE BELOW GROUND TANK. THIS FAN SHALL EXHAUST TO THE EXTERIOR
- FAILURE WARNINGS SHALL BE PROVIDED WITH A FLASHING STORAGE LIGHT AND A PUMP FAILURE WARNING SIGN WHICH ARE TO BE LOCATED AT THE RECESSED ENTRANCE TO THE PUMP HOUSE
- FAILURE WARNINGS SHALL BE PROVIDED WITH A FLASHING STORAGE LIGHT AND A PUMP HOUSE SIGN WHICH ARE TO BE LOCATED AT THE RECESSED ENTRANCE TO THE PUMP HOUSE
- PUMP-OUT STORAGE TANKS IN ACCORDANCE WITH THE UPPER PARAGRAPHS ARE TO BE CATCHMENT TRUST (3RD) HANDBOOK.

DANGER
WHEN EXCAVATING WITHIN ANY SITE, FOOTPATH AND ROADWAY, ALL SERVICES SHALL BE LOCATED PRIOR TO COMMENCEMENT OF THE EXCAVATION WORKS.
CONTACT "DIAL BEFORE YOU DIG" ON PHONE NO. 1100 OR GO TO THE WEB SITE "www.1100.com.au"

WARNING
FLAME OR BURNING IN BASEMENT WHEN LIGHT IS FLASHING AND SIREN SOUNDING

DANGER
CONFINED SPACE
NO ENTRY WITHOUT CONFINED SPACE TRAINING

CONFINED SPACE DANGER SIGN
A CONFINED SPACE DANGER SIGN SHALL BE PROVIDED IN A LOCATION PROPOSING TO ENTER THE BELOW GROUND TANKS CONFINED SPACE. THE SIGN SHALL BE MANUFACTURED FROM COLOUR BONDRED ALUMINIUM PANELS WITH A BACKGROUND COLOUR OF WHITE. THE SIGN SHALL BE MANUFACTURED FROM COLOUR BONDRED ALUMINIUM PANELS WITH A BACKGROUND COLOUR OF WHITE. THE SIGN SHALL BE MANUFACTURED FROM COLOUR BONDRED ALUMINIUM PANELS WITH A BACKGROUND COLOUR OF WHITE. THE SIGN SHALL BE MANUFACTURED FROM COLOUR BONDRED ALUMINIUM PANELS WITH A BACKGROUND COLOUR OF WHITE. THE SIGN SHALL BE MANUFACTURED FROM COLOUR BONDRED ALUMINIUM PANELS WITH A BACKGROUND COLOUR OF WHITE.

NOT FOR CONSTRUCTION
STORMWATER CONCEPT PLAN
BASEMENT LEVEL 2 & 3
SHEET 1 OF 2
1:100

NO.	REVISION	DATE	BY
1		17/07/06	
2			
3			

829A-837 NEW CANTERBURY ROAD, DULWICH HILL
PROPOSED MIXED-USE DEVELOPMENT
STORMWATER CONCEPT PLANS
DEVELOPMENT APPLICATION

AUSTRALIAN
ENGINEERS
CONSULTANTS
11-117 Devonshire Street
Sydney NSW 2010
Ph: 02 9231 3000
Fax: 02 9231 3001
www.austliangeers.com.au

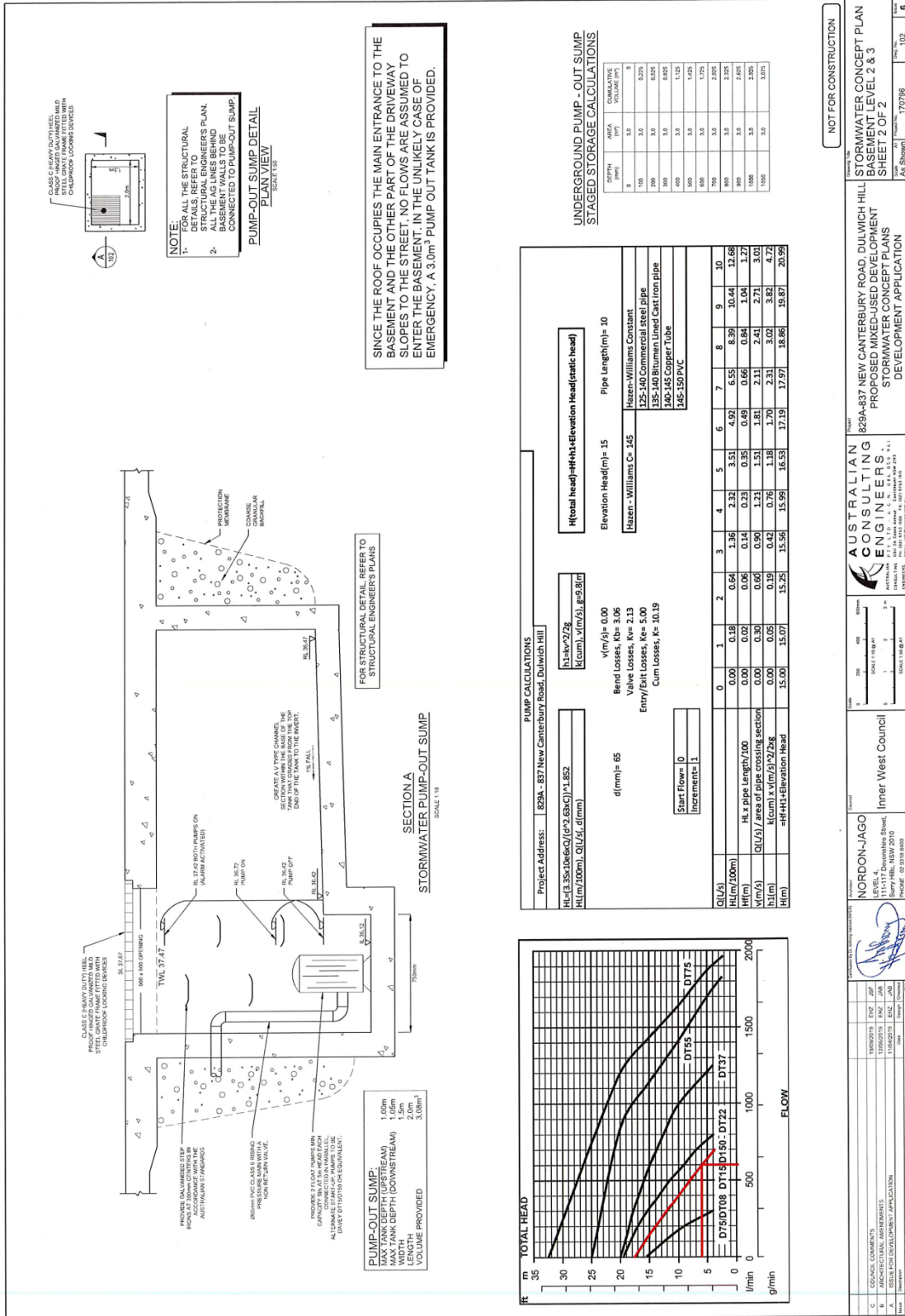
SCALE: 1:100
N

Inner West Council

NORDON-IAGO
111-117 Devonshire Street
Sydney NSW, NSW 2010
Phone: 02 9231 3000

DATE	BY	CHKD	APPD
19/06/07	JEZ	JEZ	JEZ
17/07/07	JEZ	JEZ	JEZ
10/08/07	JEZ	JEZ	JEZ

C COUNCIL COMMENTS
R ARCHITECTURAL AMENDMENTS
A ISSUE FOR DEVELOPMENT APPLICATION



SINCE THE ROOF OCCUPIES THE MAIN ENTRANCE TO THE BASEMENT AND THE OTHER PART OF THE DRIVEWAY SLOPES TO THE STREET, NO FLOWS ARE ASSUMED TO ENTER THE BASEMENT. IN THE UNLIKELY CASE OF EMERGENCY, A 3.0m³ PUMP-OUT TANK IS PROVIDED.

UNDERGROUND PUMP - OUT SUMP STAGED STORAGE CALCULATIONS

DEPTH (mm)	AREA (m²)	CUMULATIVE VOLUME (m³)
0	3.0	0
100	3.0	0.225
200	3.0	0.450
300	3.0	0.675
400	3.0	0.900
500	3.0	1.125
600	3.0	1.350
700	3.0	1.575
800	3.0	1.800
900	3.0	2.025
1000	3.0	2.250
1500	3.0	3.075

PUMP CALCULATIONS

Project Address: 829A - 837 New Canterbury Road, Dulwich Hill

HL (3.35x10⁶exC²/Q²±6.5C) / 1.852
 HL (m/100m), Q(L/s), d(mm)

HL (m/100m) = 1.852
 Q(L/s) = 1.852
 d(mm) = 65

Start Flow = 0
 Increments = 1

HL (m/100m) = 1.852
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900	3.0	2.025
1000	3.0	2.250
1500	3.0	3.075

PUMP CALCULATIONS

Project Address: 829A - 837 New Canterbury Road, Dulwich Hill

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NOT FOR CONSTRUCTION

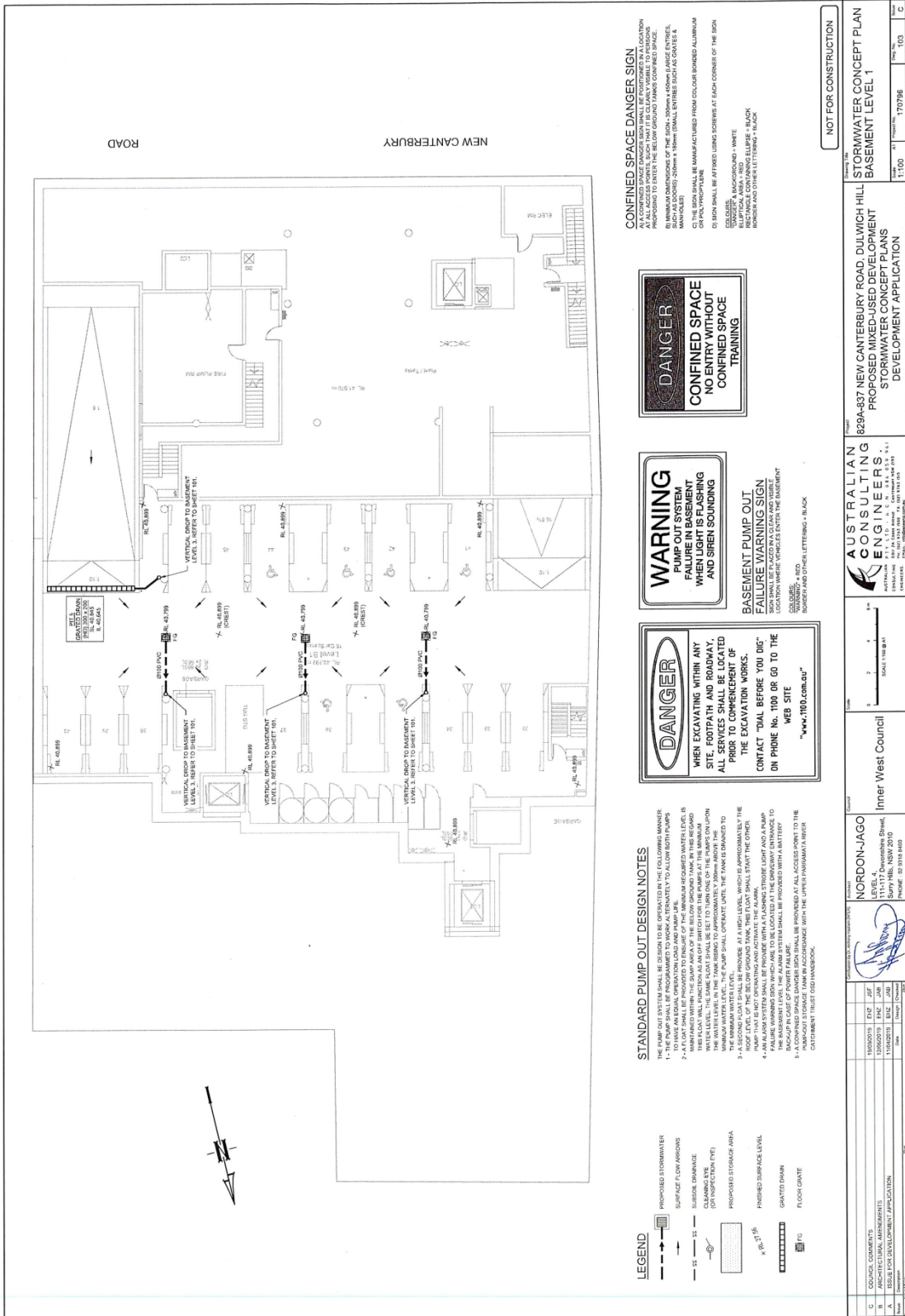
STORMWATER CONCEPT PLAN
 BASEMENT LEVEL 2 & 3
 SHEET 2 OF 2

829A-837 NEW CANTERBURY ROAD, DULWICH HILL
 PROPOSED MIXED-USE DEVELOPMENT
 STORMWATER CONCEPT PLANS
 DEVELOPMENT APPLICATION

AUSTRALIAN CONSULTING ENGINEERS
 111-117 Downshire Street
 Surry Hills, NSW 2010
 Phone: 02 9393 8800

NORDON-JAGO
 Inner West Council

NO.	DATE	BY	CHKD BY	APP'D BY
1	10/02/2018	JAB	JAB	JAB
2	10/02/2018	JAB	JAB	JAB
3	10/02/2018	JAB	JAB	JAB



STANDARD PUMP OUT DESIGN NOTES

THE PUMP OUT SYSTEM SHALL BE DESIGNED TO BE OPERATED IN THE FOLLOWING MANNER:

1. THE PUMP SHALL BE PROVIDED TO PUMP UP TO THE MINIMUM REQUIRED WATER LEVEL IN THE MAIN DRAINAGE SYSTEM AND TO ALLOW BOTH PUMPS TO OPERATE IN EITHER DIRECTION.
2. A FLOAT SHALL BE PROVIDED TO PREVENT THE PUMP FROM OVERFLOWING THE MAIN DRAINAGE SYSTEM.
3. THE PUMP SHALL BE PROVIDED WITH A STOP SWITCH FOR THE PUMPS AT THE MAIN DRAINAGE SYSTEM LEVEL. THE PUMP SHALL OPERATE UNTIL THE TANK IS BRANDED TO BE FULL.
4. A SECOND ALARM SHALL BE PROVIDED AT A HIGH LEVEL WHICH IS APPROXIMATELY THE ROOF LEVEL OF THE BELOW GROUND TANK. THIS FLOAT SHALL START THE OTHER PUMP.
5. AN ALARM SYSTEM SHALL BE PROVIDED WITH A FLASHING STORAGE LIGHT AND A PUMP FAILURE ALARM SYSTEM SHALL BE PROVIDED WITH A BATTERY BACKUP IN CASE OF POWER FAILURE.
6. THE PUMP SHALL BE PROVIDED WITH A FLASHING STORAGE LIGHT AND A PUMP FAILURE ALARM SYSTEM SHALL BE PROVIDED WITH A BATTERY BACKUP IN CASE OF POWER FAILURE.
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LEGEND

- PROPOSED STORMWATER SURFACE FLOW ARROWS
- SUBSIDE DRAINAGE (NOT MANDATORY EYE)
- PROPOSED STORAGE AREA
- FINISHED SURFACE LEVEL
- GRAVEL DRAIN
- FLOOR GRADE

WARNING
PUMP OUT SYSTEM FAILURE IN BASEMENT WHEN LIGHT IS FLASHING AND SIREN SOUNDING

BASEMENT PUMP OUT FAILURE WARNING SIGN
 LOCATION WHERE VEHICLES ENTER THE BASEMENT

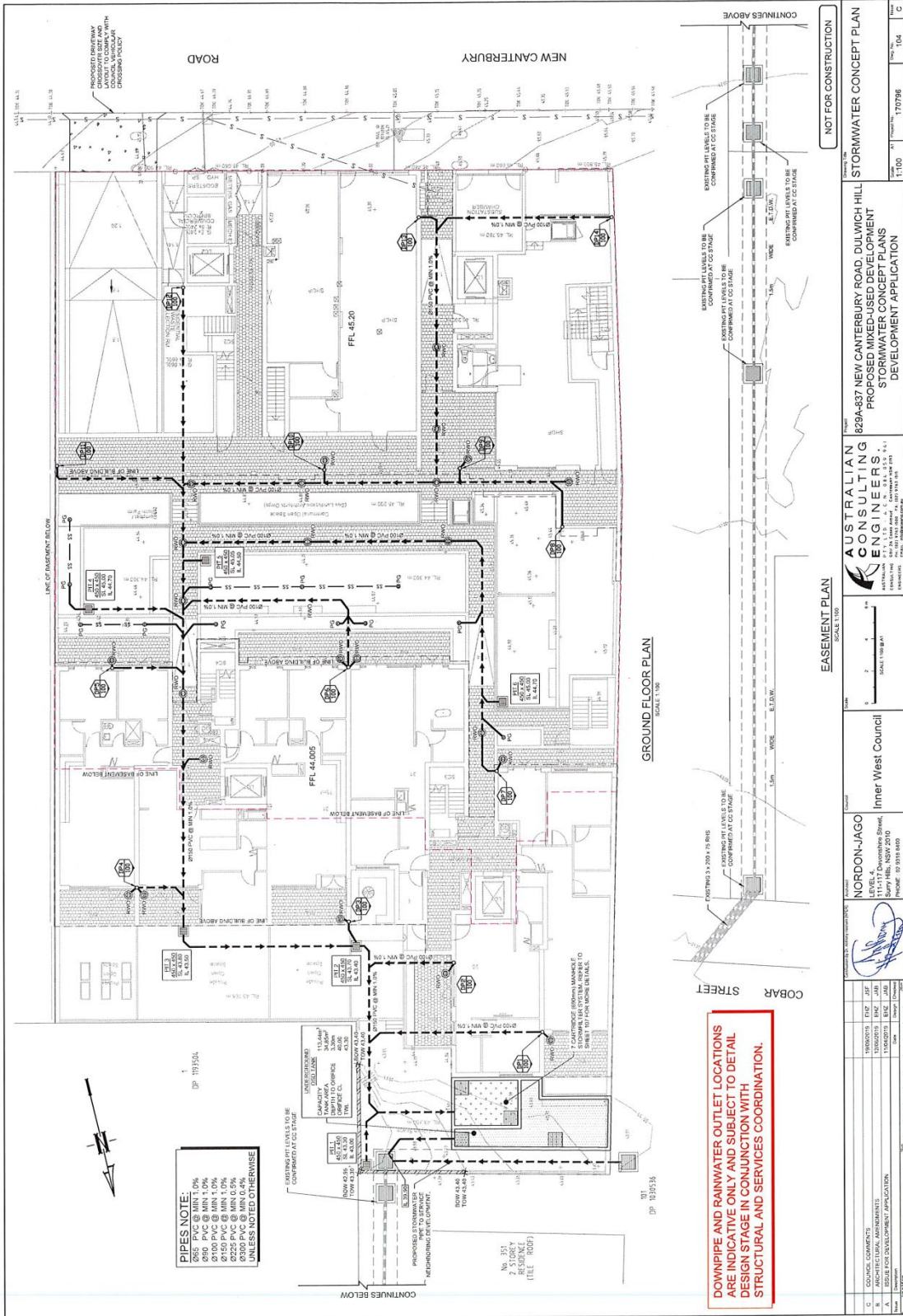
COLORS: RED - TOP BORDER AND LETTERING = BLACK
 BORDER AND OTHER LETTERING = BLACK

DANGER
 WHEN EXCAVATING WITHIN ANY SITE, FOOTPATH AND ROADWAY, ALL SERVICES SHALL BE LOCATED PRIOR TO COMMENCEMENT OF THE EXCAVATION WORKS.
 CONTACT "DIAL BEFORE YOU DIG" ON PHONE NO. 100 OR GO TO THE WEB SITE "www.100.com.au"

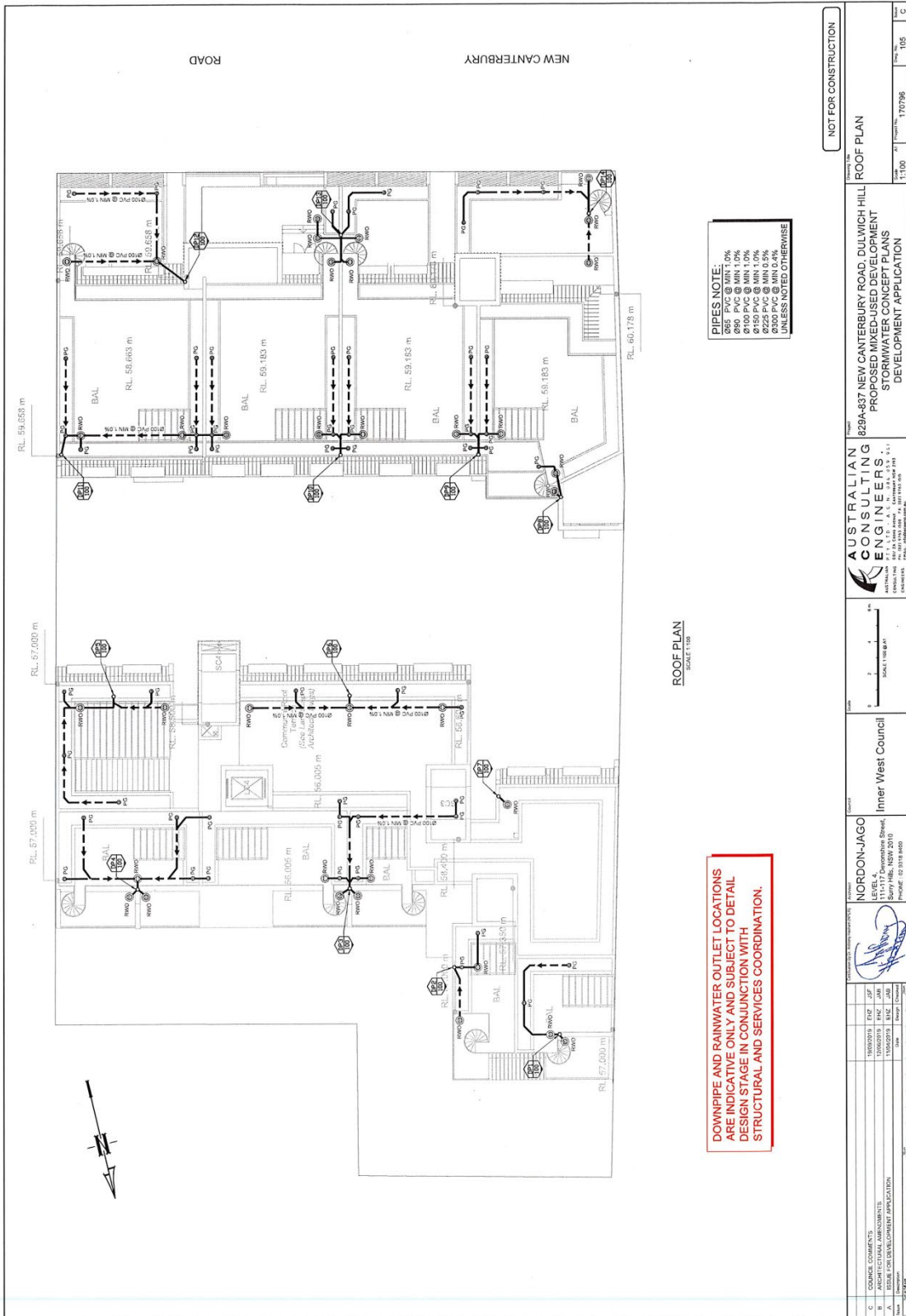
DANGER
 CONFINED SPACE
 NO ENTRY WITHOUT TRAINING

CONFINED SPACE DANGER SIGN
 ALL ACCESS POINTS, SUCH THAT THE CLEARLY LIMITED TO PERSONS WHOSE TRAINING AND EXPERIENCE QUALIFY THEM TO ENTER SUCH AS SPOOLS, TRENCHES, SMALL ENTRIES SUCH AS GATES & MANHOLES)
 ALL SIGNS SHALL BE MANUFACTURED FROM COLOUR BONDED ALUMINIUM
 ALL SIGNS SHALL BE AT FIXED USING SCREWS AT EACH CORNER OF THE SIGN
 COLORS: BACKGROUND - WHITE
 LETTERING - BLACK
 BORDERS - BLACK
 BORDERS - BLACK

<p>NOT FOR CONSTRUCTION</p>	
<p>PROJECT NO. 11100</p>	<p>DATE 11/03/2010</p>
<p>823A-837 NEW CANTERBURY ROAD, DULWICH HILL PROPOSED MIXED-USED DEVELOPMENT STORMWATER CONCEPT PLANS DEVELOPMENT APPLICATION</p>	
<p>AUSTRALIAN CONSULTING ENGINEERS</p>	
<p>Inner West Council</p>	
<p>NORDON-JAGO 11-11 Devonshire Street, Sydney NSW 2010 PHONE: (02) 9149 4444</p>	
<p>C COUNCIL COMMENTS</p>	<p>DATE</p>
<p>B ARCHITECTURAL AMENDMENTS</p>	<p>DATE</p>
<p>A ASSET FOR DEVELOPMENT APPLICATION</p>	<p>DATE</p>
<p>DATE</p>	<p>DATE</p>



<p>PROJECT NO: 170796</p> <p>DATE: 11/03</p> <p>SCALE: 1:100</p> <p>PROJECT NAME: 825A-837 NEW CANTERBURY ROAD, DULWICH HILL STORMWATER CONCEPT PLAN</p>	<p>CLIENT: Inner West Council</p> <p>DESIGNER: NORDON-JAGO LEVEL 4 11-17 Devonshire Street, Surry Hills, NSW 2010</p> <p>DATE: 23/11/2015</p>	<p>ENGINEER: AUSTRALIAN CONSULTING ENGINEERS</p> <p>REGISTERED PROFESSIONAL ENGINEER (CIVIL) NO. 12345</p> <p>REGISTERED PROFESSIONAL ENGINEER (CIVIL) NO. 67890</p>	<p>SCALE: 1:100</p> <p>DATE: 11/03</p> <p>PROJECT NO: 170796</p> <p>SCALE: 1:100</p>
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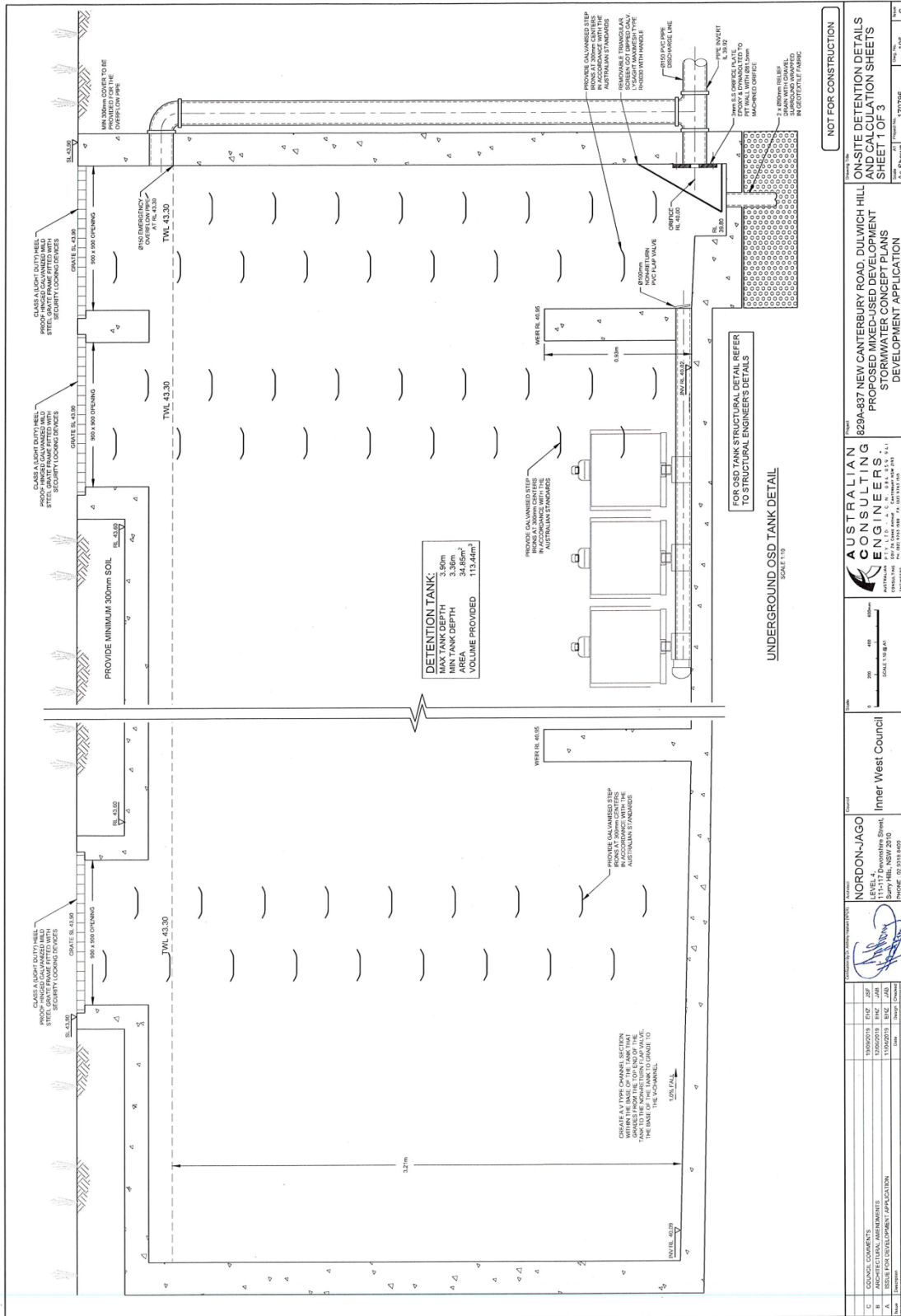


PIPES NOTE:
 065 PVC @ MIN 1.0%
 090 PVC @ MIN 1.0%
 110 PVC @ MIN 1.0%
 150 PVC @ MIN 1.0%
 225 PVC @ MIN 0.5%
 300 PVC @ MIN 0.4%
 UNLESS NOTED OTHERWISE

DOWNPIPE AND RAINWATER OUTLET LOCATIONS ARE INDICATIVE ONLY AND SUBJECT TO DETAIL DESIGN STAGE IN CONJUNCTION WITH STRUCTURAL AND SERVICES COORDINATION.

ROOF PLAN
SCALE: 1:100

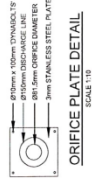
COUNCIL COMMENTS APPROVED FOR CONSTRUCTION		DATE: 17/08/2018 BY: JAB		PROJECT NO: 170796		SHEET NO: 105		TOTAL SHEETS: 105		SCALE: 1:100	
ARCHITECTURAL AMENDMENTS APPROVED FOR CONSTRUCTION APPLICATION		DATE: 17/08/2018 BY: JAB		PROJECT NO: 170796		SHEET NO: 105		TOTAL SHEETS: 105		SCALE: 1:100	
NORDON-JAGO LEVEL 4 11-11-17 Conventine Street, Surferide NSW 2010 Phone: 02 93 18 4900 Email: info@nordon-jago.com.au		Inner West Council		AUSTRALIAN ENGINEERS 8294-837 NEW CANTERBURY ROAD, DULWICH HILL PROPOSED MIXED-USED DEVELOPMENT STORMWATER CONCEPT PLANS DEVELOPMENT APPLICATION		NOT FOR CONSTRUCTION		ROOF PLAN		170796	



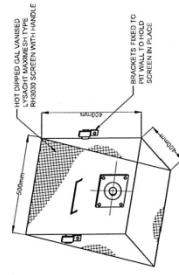
<p>CONTRACT NO. 15000079</p> <p>PROJECT NO. 15000079</p> <p>DATE 15/06/2015</p> <p>SCALE 1:10</p> <p>DATE 15/06/2015</p> <p>SCALE 1:10</p>	<p>PROJECT NO. 15000079</p> <p>PROJECT NAME: 829A-437 NEW CANTERBURY ROAD, DULWICH HILL</p> <p>PROJECT TYPE: PROPOSED MIXED-USED DEVELOPMENT</p> <p>PROJECT LOCATION: STORMWATER CONCEPT PLANS DEVELOPMENT APPLICATION</p>	<p>PROJECT NO. 15000079</p> <p>PROJECT NAME: 829A-437 NEW CANTERBURY ROAD, DULWICH HILL</p> <p>PROJECT TYPE: PROPOSED MIXED-USED DEVELOPMENT</p> <p>PROJECT LOCATION: STORMWATER CONCEPT PLANS DEVELOPMENT APPLICATION</p>	<p>PROJECT NO. 15000079</p> <p>PROJECT NAME: 829A-437 NEW CANTERBURY ROAD, DULWICH HILL</p> <p>PROJECT TYPE: PROPOSED MIXED-USED DEVELOPMENT</p> <p>PROJECT LOCATION: STORMWATER CONCEPT PLANS DEVELOPMENT APPLICATION</p>
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UNDERGROUND OSD TANK STAGED STORAGE CALCULATIONS

DEPTH (m)	AREA (sqm)	CUMULATIVE VOLUME (m ³)
0	34.85	1.817
100	34.85	5.620
200	34.85	9.423
300	34.85	13.227
400	34.85	17.030
500	34.85	20.834
600	34.85	24.637
700	34.85	28.441
800	34.85	32.244
900	34.85	36.048
1000	34.85	39.851
1500	34.85	59.677
2000	34.85	79.503
2500	34.85	99.329
3000	34.85	119.155
3500	34.85	138.981
4000	34.85	158.807



DEPTH (m)	PRELIMINARY FLOWS (L/s)	ORIFICE FLOWS (L/s)	OSD STORAGE VOLUME (m ³)	FLOWS EXCEEDING STORAGE (L/s)	WATER STORAGE LEVEL (m)
5	66	18	18	0	41.58
10	78	19	19	0	41.91
20	92	21	21	0	42.34
30	105	24	24	0	42.84
100	113	25	25	0	43.38



NOT FOR CONSTRUCTION

ON-SITE DETENTION DETAILS AND CALCULATION SHEETS SHEET 2 OF 3

829A-837 NEW CANTERBURY ROAD, DULWICH HILL
PROPOSED MIXED-USED DEVELOPMENT
STORMWATER CONCEPT PLANS
DEVELOPMENT APPLICATION

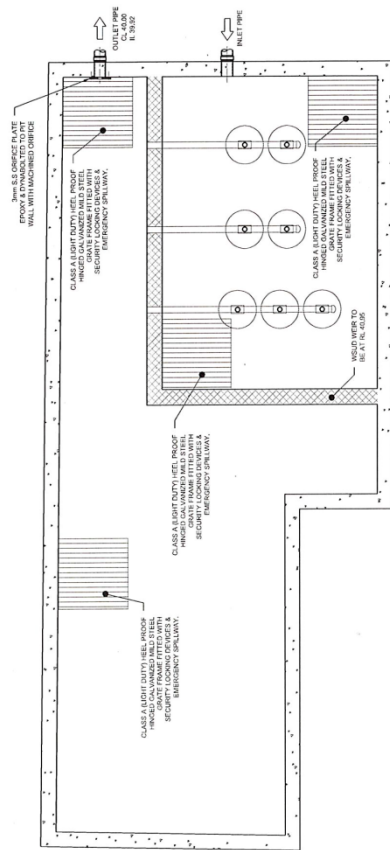
AUSTRALIAN CONSULTING ENGINEERS
111-117 DORSET STREET, SYDNEY NSW 2008
PH: 02 9239 4200
WWW.AUSTRALIANCONSULTINGENGINEERS.COM

NORDON-JAGO
111-117 DORSET STREET, SYDNEY NSW 2008
PH: 02 9239 4200

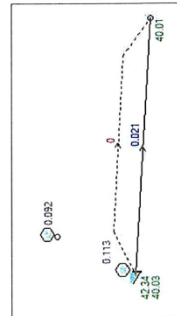
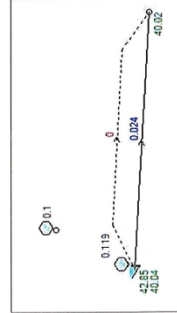
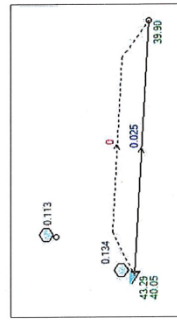
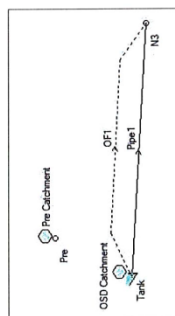
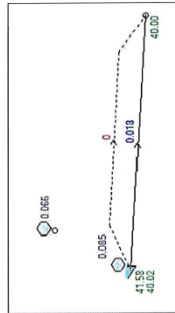
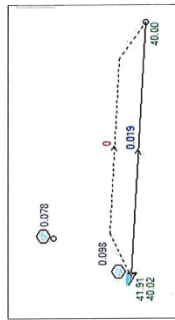
Inner West Council

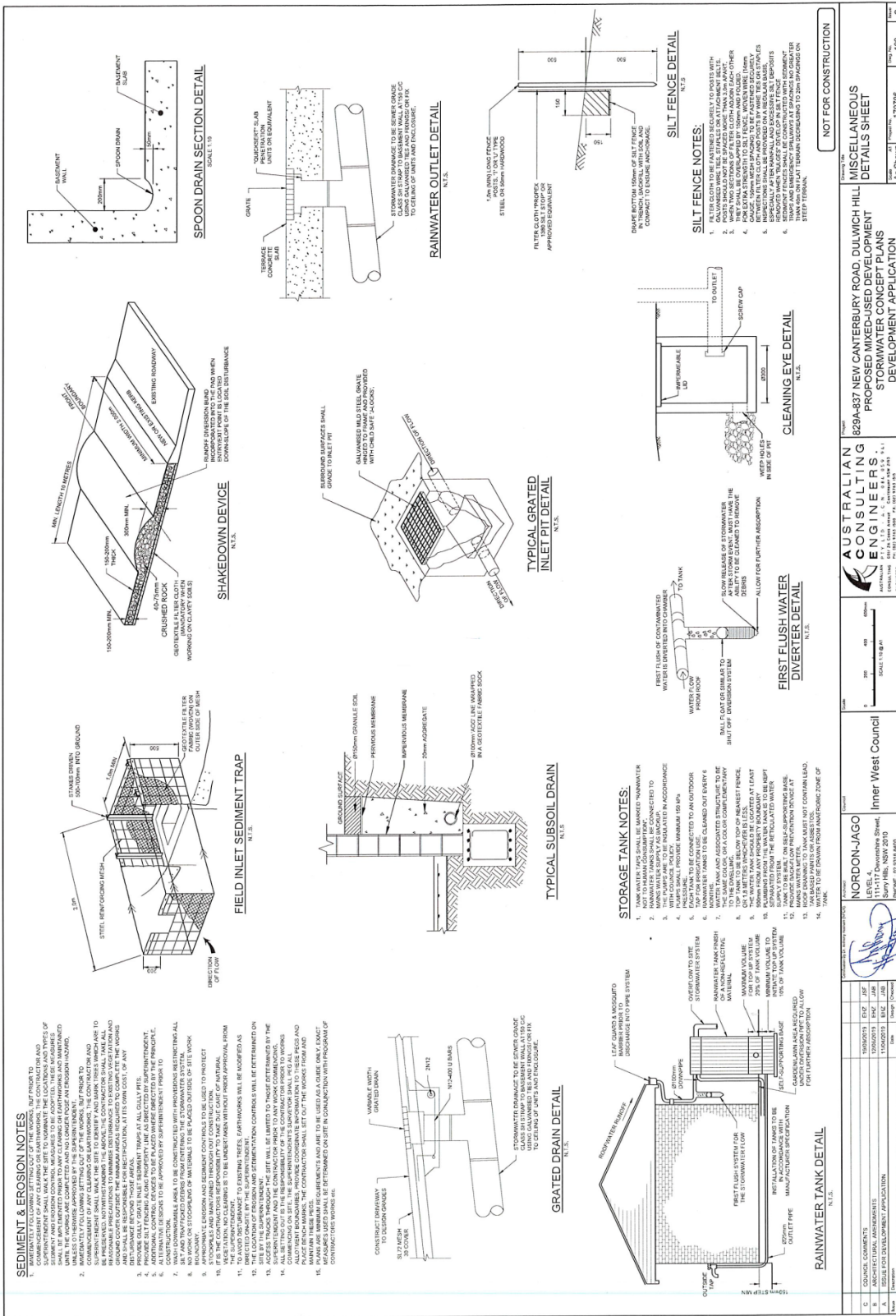
Inner West Council
111-117 DORSET STREET, SYDNEY NSW 2008
PH: 02 9239 4200

NO.	DATE	BY	CHECKED BY	DESCRIPTION
1	15/02/2018	ENG	JST	PRELIMINARY
2	15/02/2018	ENG	JAN	REVISED
3	13/02/2018	ENG	JAN	REVISED
4	13/02/2018	ENG	JAN	REVISED



UNDERGROUND OSD/WSD TANK DETAIL





<p>NOT FOR CONSTRUCTION</p> <p>PROJECT: 829A-837 NEW CANTERBURY ROAD, DULWICH HILL PROPOSED MIXED-USED DEVELOPMENT STORMWATER CONCEPT PLANS DEVELOPMENT APPLICATION</p> <p>DATE: 15/06/2010 DRAWN BY: AS SHOWN CHECKED BY: 109 SCALE: 1:100</p>	
<p>AUSTRALIAN ENGINEERS</p> <p>11-117 Devonshire Street Sydney Hills, NSW 2101 PHONE: 02 9334 6644 FAX: 02 9334 6645 WWW: www.austliane.com.au</p>	
<p>NORON-JAGO</p> <p>11-117 Devonshire Street Sydney Hills, NSW 2101 PHONE: 02 9334 6644</p>	
<p>Inner West Council</p> <p>11-117 Devonshire Street Sydney Hills, NSW 2101 PHONE: 02 9334 6644</p>	
<p>COUNCIL COMMENTS</p> <p>15/06/2010 15/06/2010 15/06/2010</p> <p>ARCHITECTURAL AMENDMENTS</p> <p>15/06/2010 15/06/2010 15/06/2010</p>	

Attachment C- Clause 4.6 Exception to Development Standards



Clause 4.6 Justification for Contravention of Development Standard in support of a Development Application for a Mixed Use Development at 829a-837 New Canterbury Road, Dulwich Hill

Introduction

This Clause 4.6 variation request has been prepared by Planning Lab in relation to the DA at 829a-837 New Canterbury Road, Dulwich Hill (the site). The request seeks to vary the maximum Building Height development standard prescribed for the subject site under Clause 4.3 of the Marrickville Local Environmental Plan 2011 (MLEP 2011). The variation request is made pursuant to Clause 4.6 of the MLEP 2011.

The Proposed Development

The proposed development is as described in the Statement of Environmental Effects (SEE) prepared by Planning Lab for the site. This variation request is to be read in conjunction with the SEE.

Consideration of the Contravention of the Development Standard

No.	CONSIDERATION / COMMENT
1	<p>What is the name of the environmental planning instrument that applies to the land?</p> <p>Marrickville Local Environmental Plan 2011</p>
2	<p>What is the zoning of the land?</p> <p>B2 – Local Centre</p>
3	<p>What are the objectives of the zone?</p> <ul style="list-style-type: none"> • To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood. • To provide for housing attached to permissible non-residential uses in development of a type and scale compatible with the surrounding neighbourhood. • To provide for spaces, at street level, which are of a size and configuration suitable for land uses which generate active street-fronts.

No.	CONSIDERATION / COMMENT
	<ul style="list-style-type: none"> To enable a purpose built dwelling house to be used in certain circumstances as a dwelling house.
4	<p>What is the development standard being varied?</p>
	<p>Height of buildings</p>
5	<p>Under what clause is the development standard listed in the environmental planning instrument?</p>
	<p>Clause 4.3</p>
6	<p>What are the objectives of the development standard?</p>
	<p>(a) to establish the maximum height of buildings, (b) to ensure building height is consistent with the desired future character of an area, (c) to ensure buildings and public areas continue to receive satisfactory exposure to the sky and sunlight, (d) to nominate heights that will provide an appropriate transition in built form and land use intensity</p>
7	<p>What is the numeric value of the development standard in the environmental planning instrument?</p>
	<p>14 metres</p>
8	<p>What is proposed numeric value of the development standard in your development application?</p>
	<p>16.28 metres to the top of the lift overrun to the communal roof terrace of Building B.</p>
9	<p>What is the percentage variation (between your proposal and the environmental planning instrument)?</p>
	<p>16% for a very minor portion of the roof plane associated with the lift overrun.</p>
10	<p>How is strict compliance with the development standard unreasonable or unnecessary in this particular case?</p>
	<p>Although the proposed development exceeds the numerical component of the development standard, the proposed development achieves the objectives of the standard as follows:</p> <p>Objective (b) - The building height is appropriate having regard to the existing and emerging context and the desired future character for the area. Adjoining and nearby developments that are either approved, under construction or recently completed to the east and west of the site are similar in scale. The adjoining buildings at 843 New Canterbury Road and 825-829 New Canterbury Road are approved as 5 storeys and have heights of 16.1m and 17.5m respectively.</p> <p>Objective (c) – The parts of the building that exceed the height control are setback from the building edge ensuring that these parts of the building do not contribute to any impacts on adjoining buildings or public spaces.</p> <p>The pergolas on the roof that protrude beyond the height plane are light weight, provide shading and</p>

No.	CONSIDERATION / COMMENT
	<p>greater amenity for residents, will not be visible from the street, and therefore will not contribute to bulk and scale. Exceedances associated with the lift overruns of Building A are for a small portion of the building frontage and are screened by design features providing relief in the roof line and architectural expression.</p> <p>The exceedances will not create any adverse environmental impacts for adjoining properties or the public domain. In particular, the proposed development will not create any detrimental visual or acoustic privacy impacts, overlooking or overshadowing as a consequence of the additional building height. Adjoining properties will continue to receive satisfactory exposure to the sky and sunlight.</p> <p>Objective (d) - The height and scale of the proposed development is responsive to the site's planning controls, and the emerging character of the locality. It provides an appropriate height transition between the taller building heights (18m) permitted on the opposite side of New Canterbury Road within the City of Canterbury-Bankstown Council local government area (LGA) and recent 4 and 5 storey developments to the east and west of the site.</p> <p>Having regard to the above, strict compliance with the development standard is considered unreasonable and unnecessary in this particular case and there are considered to be sufficient environmental planning grounds to justify contravening the development standard.</p>
11	<p>How would strict compliance hinder the attainment of the objects specified in Section 5(a)(i) and (ii) of the Act?</p>
	<p><i>i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment</i></p> <p><i>(ii) the promotion and co-ordination of the orderly and economic use and development of land.</i></p> <p>Strict compliance would reduce the quality of the proposed development by compromising the functionality. It would therefore not maximise the economic and environmental outcomes without any significance improved outcomes in the amenity of the surrounding area.</p>
12	<p>Is the development standard a performance based control?</p>
	<p>No. It is a numerical standard.</p>
13	<p>Would strict compliance with the standard, in your particular case, be unreasonable or unnecessary? Why?</p>
	<p>Yes. As detailed above, the elements of the building that exceed the height control contribute to the overall quality of the building without detrimental impact on the streetscape or the amenity of adjoining developments.</p> <p>Adjoining developments to the east and west are approved for 5 storeys with greater departures from the height controls.</p> <p>The proposed height exceedance does not contribute to height and scale and does not result in exceedances of the floor space ratio control.</p>
14	<p>Are there sufficient environmental planning grounds to justify contravening the development standard?</p>

No.	CONSIDERATION / COMMENT
	Yes. Considering that the proposed development achieves the objectives of the development standard and achieves a satisfactory level of compliance with the other applicable development controls, the proposal is considered to have considerable merit and the contravention of the development standard is justified.



Figure 1 – Streetscape Analysis – Site is within red outline