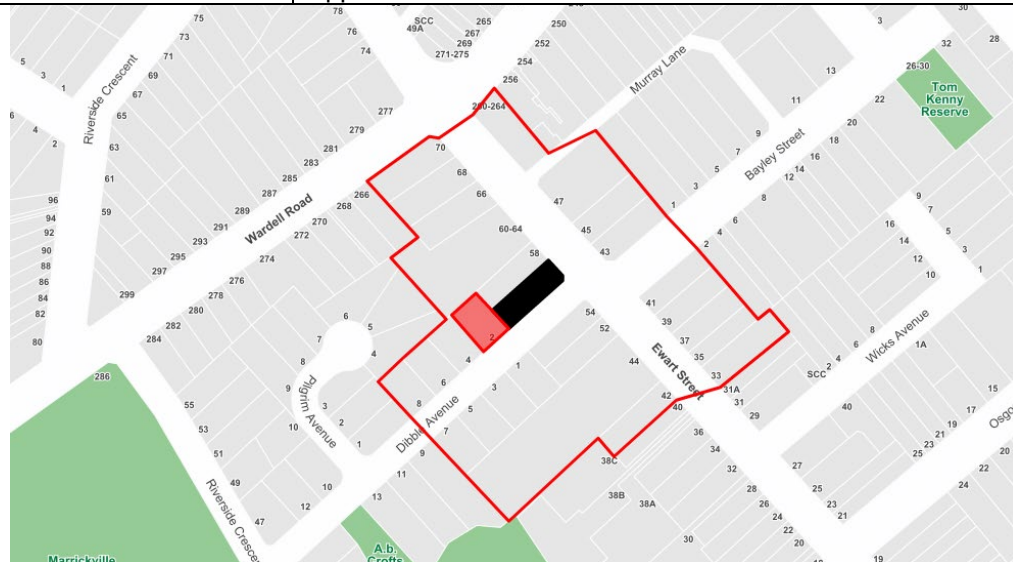




INNER WEST COUNCIL

DEVELOPMENT ASSESSMENT REPORT

Application No.	DA201600674.01
Address	56 Ewart Street, Marrickville
Proposal	To modify Determination No.201600674, dated 12 April 2017, to increase the extent of the basement to facilitate services and a rainwater tank, delete a visitor parking space, increase the amount of bicycle parking, amend the driveway ramp to accommodate an easement, provide a new pedestrian access to/from the basement, to carry out a number of internal changes, revise window configurations, provide fire booster assembly and increase the height of the building to accommodate mandatory sprinkler requirements
Date of Lodgement	10 October 2019
Applicant	02 Architecture
Owner	W Woo
Number of Submissions	Petition containing 8 signatures
Value of works	\$1,856,440.00
Reason for determination at Planning Panel	Modification seeks further variation to the FSR development standard
Main Issues	Car Parking
Recommendation	Approval subject to conditions
Attachment A	Recommended modified conditions of consent
Attachment B	Architectural Plans & Landscape Plans
Attachment C	Conditions of Consent - Determination No.201600674
Attachment D	Approved Plans - Determination No. 201600674



LOCALITY MAP

Subject Site		Head petitioner		↑ N
Notified Area		Supporters (nil)		

1. Executive Summary

This report concerns an application under Section 4.55 of the Environmental Planning and Assessment Act to modify Determination No.201600674, dated 12 April 2017, to increase the extent of the basement to facilitate services and a rainwater tank, delete a visitor parking space, increase the amount of bicycle parking, amend the driveway ramp to accommodate an easement, provide a new pedestrian access to/from the basement, to carry out a number of internal changes, revise window configurations, provide fire booster assembly and increase the height of the building to accommodate mandatory sprinkler requirements.

The application was notified in accordance with Council's notification policy and 1 petition containing 8 signatures was received.

Amended plans were submitted to Council on 6 December 2019 however these do not result in any substantial change that would further affect neighbouring properties and therefore were not required to be re-notified in accordance with Council's Policy.

The modification is referred to the Inner West Local Planning Panel for determination as the proposal seeks a further variation from the approved development to the FSR development standard.

It is considered the proposal generally complies with the objectives of the provisions of Marrickville Local Environmental Plan 2011 (MLEP 2011) and is generally consistent with the provisions of Marrickville Development Control Plan 2011 (MDCP 2011).

The potential impacts to the surrounding environment have been considered as part of the assessment process.

The application is recommended for approval subject to appropriate conditions.

2. Proposal

At its meeting on 11 April 2017, the Inner West Local Planning Panel approved DA No. 201600674 which sought to demolish existing improvements and construct a 3 storey residential flat building containing 6 units with basement parking.

Approval is now sought to modify Determination No. 201600674 to make the following changes:

- Increase the extent of the basement to facilitate services and a relocated rainwater tank, delete a visitor parking space, increase the amount of bicycle parking, amend the driveway ramp to accommodate an easement and provide a new pedestrian access to/from the basement;
- Carry out a number of internal changes including revised layout of the lobby and entrance ramp and increase the size of the studio apartments;
- Revise window configurations;
- Modify kitchen layouts and introduce splashbacks in lieu of all kitchen windows;
- Modify materials and finishes including aluminium screening and brick type;
- Increase the height of the building by 420mm to accommodate mandatory sprinkler requirements; and
- New metal louvres for booster assembly to Dibble Avenue frontage.

Amended plans were submitted to Council on 6 December 2019 indicating improvements to the landscaping along Dibble Avenue, deletion of the balconies to Units 3 and 5, aluminium

screening added to the south east elevation, booster assembly added to south east elevation, and car park exhaust shown on plans.

3. Site Description

The subject site is located on the south western side of Ewart Street, at the south-western corner of Ewart Street and Dibble Avenue, Marrickville. The site is legally described as Lot 3 in Deposited Plan 11298, having a 9.295 metre frontage to Ewart Street, a secondary frontage of 34.14 metres to Dibble Avenue and is approximately 427.9sqm in area.

The site is occupied by an existing single storey dwelling house fronting Ewart Street and a single garage at the rear of the site with vehicular access being obtained off Dibble Avenue. The adjoining dwelling to the north west at No. 58 Ewart Street contains a single storey dwelling house and the adjoining dwelling to the south east at No. 54 Ewart Street contains a single storey dwelling house.

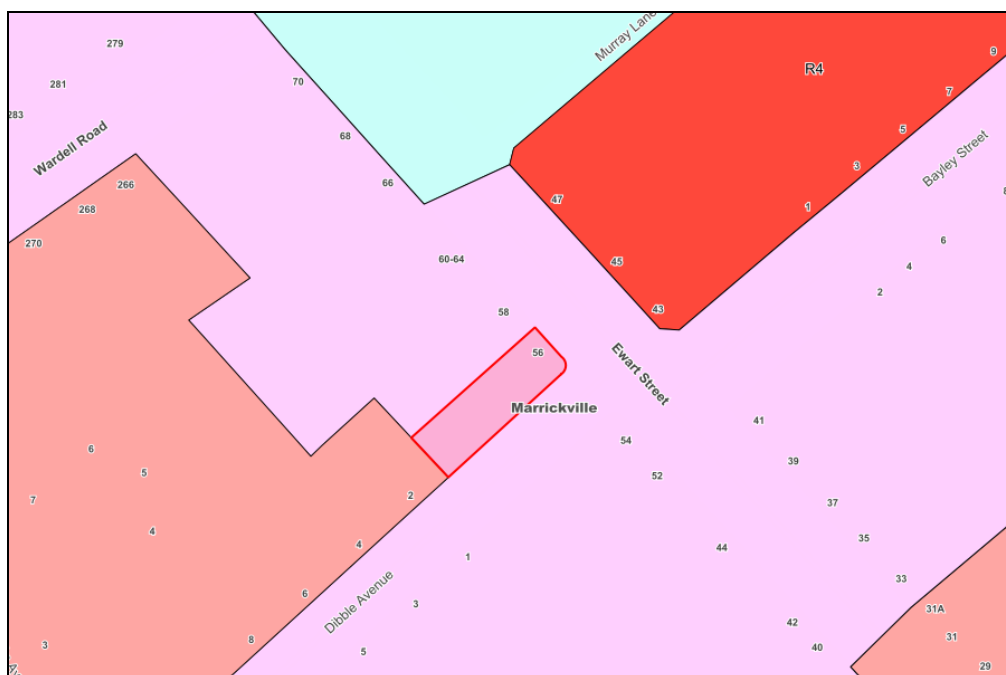


Image: Locality Zoning Map

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

Approval was granted by Determination No. 201600674 dated 12 April 2017 to demolish existing improvements and construct a 3 storey residential flat building containing 6 units with basement parking.

Surrounding properties

Application	Proposal	Decision & Date
58 Ewart Street 201500453	To carry out alterations and additions to existing residential premises and convert into a 3 storey boarding house with 10 rooms	Refusal, dated 4 March 2016
58 Ewart Street 201500453 (Review)	To carry out alterations and additions to the existing residential premises and convert it into a 3 storey boarding house with 10 rooms	Confirm Refusal, dated 25 July 2016
58 Ewart Street 2016/00270245 (Class 1 Application)	To carry out alterations and additions to the existing residential premises and convert it into a 3 storey boarding house with 9 rooms	Consent Orders made 1 March 2017

4(b) Application history

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

Date	Event
10 October 2019	Subject modification application lodged.
25 October 2019	Request for additional information provided to applicant.
6 December 2019	Amended architectural plans and landscape plans submitted to Council.

5. Assessment

The following is a summary of the assessment of the application in accordance with Section 4.55 of the Environmental Planning and Assessment Act 1979. The original assessment under section 4.15 of the Act remains relevant and is attached to the original record.

5(a) Environmental Planning Instruments

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

- *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development*
- *Marrickville Local Environmental Plan 2011*

The following provides further discussion of the relevant issues:

Marrickville Local Environment Plan 2011 (MLEP 2011)**(i) Height (Clause 4.3)**

The development has a maximum height of 10.9 metres and continues to maintain compliance with the 11 metre maximum building height prescribed by Clause 4.3 of MLEP 2011. The development involves an increased overall building height from RL 17.65 to RL 18.07, an increase of 420mm.

The increased building height is a result of a reduced excavation for the basement due to ramp difficulties as well as an increased floor-to-floor height at the basement being required for a sprinkler system. The SEE submitted with the application provides the following justification for the increased building height:

“Determination No. 201600674 was issued on 12 April 2017. Since issue of this consent the BCA has been amended which now requires this project to provide a firefighting sprinkler system. To address this new requirement and to provide space for the pump room and associated pumping equipment to enable provision of the required firefighting sprinkler system to meet the new BCA requirement, the basement has had to be extended and a total redesign of the basement layout including car parking has been undertaken.”

Whilst the increased height of 420mm will increase the overall height of the development, the development continues to comply with the 11 metre height limit and does not appear significantly taller than originally proposed. The development maintains the modulated form of the façade and mansard style upper level to reduce the perceived bulk of the top level. It is further noted that due to the steep topography across the site, it is not possible to excavate the basement further to absorb the increased height needed due to issues providing a ramp into the basement.

Considering the above the development is acceptable having regard to Clause 4.3 of MLEP 2011.

(ii) Floor Space Ratio (Clause 4.4)

A maximum floor space ratio (FSR) of 0.6:1 applies to the land as indicated on the Floor Space Ratio Map that accompanies MLEP 2011.

The original development approved as part of Determination No. 201600674 had a gross floor area (GFA) of 354sqm equating to a FSR of 0.83:1 on the 427.9sqm site. The development represented a departure of 98sqm or 38% from the development standard. A written request, in relation to the development’s non-compliance with the floor space ratio development standard in accordance with Clause 4.6 (Exception to Development Standards) of MLEP 2011, was submitted with the application and the request was considered well founded and worthy of support.

The subject application seeks for a minor increase in GFA, being an additional 7sqm. The additional GFA is spread across all 3 levels and is a result of the infill of an approved external door to Unit 1, slight increases to Units 3 and 5 and the deletion of lobby voids on the first and second floor. The proposed GFA is 361sqm resulting in an FSR of 0.84:1. The additional GFA is negligible in the scheme of the overall approved development and the increased and more efficient layout of the units has a positive implication on the amenity of those dwellings.

Considering the above the development is acceptable having regard to Clause 4.4 of MLEP 2011.

5(b) Draft Environmental Planning Instruments

5(b)(i) *Draft Marrickville Local Environmental Plan 2011 (Amendment 4)*

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 the Draft LEP Amendment are not relevant to the subject proposal.

5(c) Development Control Plans

5(c)(i) *Marrickville Development Control Plan 2011 (MDCP 2011)*

The development has been assessed in accordance with the relevant provisions contained in MDCP 2011 and have been summarised into the following categories for assessment.

(i) Basement changes

The application seeks to increase the extent of the basement to facilitate services and a relocated rainwater tank, delete a visitor parking space, increase the amount of bicycle parking, amend the driveway ramp to accommodate an easement and provide a new pedestrian access to/from the basement.

The modification to the basement ramp levels and to accommodate the easement was reviewed by Council's Development Engineer who raised no concern with the proposed modification.

The extension of the basement towards Ewart Street results in a reduced setback from the proposed Blueberry Ash trees proposed to be planted in the common open space in the front setback. Notwithstanding, the basement maintains a 1.5 metre setback from the tree. The application was referred to Council's Tree Management Officer who raised no concern with the basement modification and the ability of the trees to grow in the specified location.

The increased footprint of the basement is considered acceptable in relation to tree management and the retention of deep soil planting at the front of the site, and is somewhat offset by the relocation of the rainwater tank to the basement. The development is acceptable having regard to Part 2.20 of MDCP 2011.

(ii) Parking

The application originally sought to delete a visitor car parking space and the motorcycle parking space in the basement. Amended plans were submitted to Council on 6 December 2019 retaining the approved motorcycle parking space and increasing the provision of bicycle parking on site from 4 spaces to 6 spaces. The development is not required to provide motorcycle parking and is only required to provide 3 bicycle parking spaces.

Given the development is only small in scale providing 6 units, the requirement for 2 accessible car parking spaces, and given the topography of the site and steep ramp required for basement access, the basement is unable to accommodate 6 car parking spaces while also maintaining an expanse of deep soil at the front of the site.

The application was supported by a traffic report and the following comments were made in the Statement of Environmental Effects submitted with the application:

"...Accordingly, the non-provision of a visitor space on site is considered acceptable, firstly given the reason for non-provision is not a client decision but due to a legislative change since approval was issued for the original proposal. Secondly, that to compensate for the non-provision of the visitor space the number of bicycle spaces proposed has been increased from 4 to 6 spaces and a motor cycle space is to be

provided as well. Thirdly, as indicated in the already submitted traffic report that no unacceptable impact will be created to the on street parking due to the non-provision of the visitor space. Finally, from a CPTED and building safety perspective the visitor parking on the street will be under passive surveillance at all times”

Whilst submissions received in response to notification of the proposed modification do raise concern with the loss of a visitor car parking space, it is considered that given the topography of the site, the inability to provide additional car parking in the basement due to deep soil requirements and requirement for a share zone for the 2 accessible car parking spaces, the small size of the development and the location of the development in car parking area 2, the variation is considered acceptable.

It is further considered that the provision of 1 motorcycle parking space and 3 additional bicycle spaces will somewhat counterbalance the lack of visitor parking. The provision of additional bicycle and motorcycle parking is considered to be a positive addition to the development. It is recommended that Conditions 6, 7 and 41 be modified to reflect the revised parking provisions.

The development is acceptable having regard to Part 2.10 of MDCP 2011.

(iii) Other external changes

The application seeks changes to the front façade to introduce metal louvre screens on the Dibble Avenue elevation to house the booster assembly. This modification is unavoidable given regulations.

Given the increased height of the ground floor slab from RL 8.80 to RL 9.17, an increase of 370mm planting has been introduced in the front setback to reduce the extent of the blank rendered masonry boundary wall. The proposed entry ramp has been extended and set in from the boundary to allow for a longer planter box along the length of the ramp.

The application originally sought to increase the extent of hard paved areas throughout the ground floor level to accommodate larger terraces for Units 1 and 2, reducing the extent of soft landscaping on the site. The amended plans submitted to Council on 28 November 2019 reduce the extent of hard paved areas to be comparable with the original scheme and this element of the modification is now acceptable.

The application seeks to amend the following materials and finishes:

- Removal of glazed brick tiles and replacement with white brick; and
- Removal of timber privacy screens and replacement with aluminium screens.

It is considered that the changes to the approved materials and finishes do not impact negatively on the overall aesthetic of the building and its compatibility with the wider streetscape. The Dibble Avenue elevation retains the originally approved 2 storey masonry form with metal mansard style upper level. The development maintains the 3 distinct masonry elements and divides the façade into appropriate sized bays to reflect the pattern of development found in the street. The overall form of the building including footprint and setbacks does not change as part of this proposal, with only a minor increase in overall height.

The amended materials and finishes were reviewed by Council's Urban Design Advisor who raised no concern with the proposed modifications.

(iv) Visual Privacy

The application includes the deletion of all west facing kitchen windows which presents an improved privacy outcome for neighbouring dwellings whilst not compromising internal amenity.

A petition containing 8 signatures was received in response to Council's notification of the application. The petition made the following comments in relation to visual privacy:

"...In regards to privacy I would like to request that the Council ensures the windows W/G20, W/F19, and W/S16 must be made of frosted glass. Also, a privacy screen must be installed on the balcony of the drying area on Unit 3 and Unit 5 as it overlooks my property. I attach an image of what I feel should be installed for your reference"

The submission has been duly considered and the following points are noted:

- It was considered in the assessment of the original proposal that Windows W/G20, W/F19, and W/S16, servicing the study desk on the ground, first and second floor levels respectively were acceptable given the use of the room as a bedroom and given those windows will only provide views over the garage and roof of the neighbouring dwelling to the south at No. 2 Dibble Avenue. It is considered that those windows are acceptable as operable louvered windows. It is noted that given the use, those windows may be treated with blinds in the future.
- It was considered in the assessment of the original proposal that visual privacy from the first and second floor balconies for Units 3 and 5 was acceptable. The western aspect of those balconies is screened with sliding privacy screens however the southern aspect is informally screened by clothes drying areas. The installation of clothes drying racks will provide some privacy treatment to restrict views to the dwelling at No. 2 Dibble Avenue. Given that no direct views from the principal living areas of Units 3 and 5 will be possible, no concern is raised with regard to visual privacy.

The development is acceptable having regard to Part 2.6 of MDCP 2011.

Other matters

The following matters are minor in nature and have been considered under the provisions of MLEP 2011 and MDCP 2011 and are not considered substantive:

- Pump and communications room added to basement.
- Car park exhaust added to rear of building.
- Additional pedestrian egress provided to pump room and basement for fire safety reasons.

Modification to conditions

It is recommended that Condition 1 be modified to reflect the latest set of plans.

It is recommended that Conditions 6, 7 and 41 be modified to reflect the revised parking provisions.

The application was referred to Council's Development Engineer who recommended that Conditions 61 and 65 be amended to reflect the amended works. The application was

referred to Council's Tree Management Officer who recommended that Condition 104 be amended to reflect the amended works.

5(e) The Likely Impacts

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

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

The site is zoned R1 General Residential 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(g) Any submissions

The application was advertised, an on-site notice displayed on the property and residents/property owners in the vicinity of the property were notified of the development in accordance with Council's policy. 1 petition containing 8 signatures was received raising the following concerns which have already been discussed throughout the main body of this report:

- (i) Objection to removal of visitor and motorcycle parking spaces – See Section 5(c)(i)(ii);
- (ii) Overdevelopment of the site including concerns relating to height and density – See discussion throughout Section 5; and
- (iii) Visual Privacy – See Section 5(c)(i)(iv)

All relevant matters raised in the petition able to be considered under the provisions of Section 4.15 of the Environmental Planning and Assessment Act have been discussed in the report.

5(h) The Public Interest

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

Whilst a petition has been received, the outcomes of this modification are considered acceptable for the reasons discussed within this report. The proposal is not contrary to the public interest.

6. Section 4.55 of the Environmental Planning and Assessment Act

Under Section 4.55 of the Environmental Planning and Assessment Act, 1979, the consent authority, when considering a request to modify a Determination, must:

- (a) be satisfied that the development as modified is substantially the same development as the development for which consent was originally granted;
- (b) consult with any relevant authority or approval body;
- (c) notify the application in accordance with the regulations;

- (d) consider any submissions made; and
- (e) take into consideration the matters referred to in Section 4.15 as are of relevance to the development the subject of the application.

The development being modified is substantially the same development as the development for which consent was originally granted. No authorities or bodies were required to be consulted. The application was notified in accordance with the regulations and Council's policy and 1 petition containing 8 signatures was received. The petition was considered and discussed in Section 5(g) of this report.

7. Referrals

7(a) Internal

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

- Development Engineer
- Tree Management Officer
- Urban Design Advisor

All referral officers raise no objection to the proposed modifications subject to the amendment of existing conditions of consent to reflect the revised plans.

8. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in the MLEP 2011 and MDCP 2011. Subject to the imposition of appropriate conditions, the development will not result in any significant impacts on the amenity of the surrounding locality. The modification application is suitable for approval subject to the imposition of appropriate conditions.

9. Recommendation

- A. **THAT** the Inner West Local Planning Panel exercising the functions of the Council as the consent authority pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, modify the development consent Determination No.201600674 dated to 12 April 2017 under Section 4.55 of the Environmental Planning and Assessment Act to increase the extent of the basement to facilitate services and a rainwater tank, delete a visitor parking space, increase the amount of bicycle parking, amend the driveway ramp to accommodate an easement, provide a new pedestrian access to/from the basement, to carry out a number of internal changes, revise window configurations, provide fire booster assembly and increase the height of the building to accommodate mandatory sprinkler requirements.
- B. **THAT** the head petitioner who lodged a submission in respect to the proposal be advised of the Council's determination of the application.

Attachment A - Recommended modified conditions of consent

Attachment A – Recommended modified conditions of consent

- A. THAT the application under Section 4.55 of the Environmental Planning and Assessment Act 1979 to modify Determination No. 201600674 dated 13 April 2017 be **APPROVED** and a modified Determination be issued with conditions 1, 6, 7, 41, 61, 65, and 104 being modified in the following manner:
1. The development must be carried out in accordance with plans and details listed below:

Plan and Issue No.	Plan Name	Date Issued	Prepared by	Date Submitted
DA03-3	Basement Floor Plan	9 March 2017	O2 Architecture	13 March 2017
DA04-3	Ground Floor Plan	9 March 2017	O2 Architecture	13 March 2017
DA05-3	Level 1 Plan Floor Plan	9 March 2017	O2 Architecture	13 March 2017
DA06-3	Level 2 Floor Plan	9 March 2017	O2 Architecture	13 March 2017
DA07-3	Roof Plan	9 March 2017	O2 Architecture	13 March 2017
DA08-3	South East Elevation	9 March 2017	O2 Architecture	13 March 2017
DA09-3	North West Elevation	9 March 2017	O2 Architecture	13 March 2017
DA10-3	South West Elevation	9 March 2017	O2 Architecture	13 March 2017
DA11-3	North East Elevation	9 March 2017	O2 Architecture	13 March 2017
DA12-3	Typical Section	9 March 2017	O2 Architecture	13 March 2017
1608-01-B	General Notes & Plant Schedule	20 March 2017	Paddock	21 March 2017
1608-02-B	Landscape Plan Sheet 1 of 2	20 March 2017	Paddock	21 March 2017
1608-03-B	Landscape Plan Sheet 2 of 2	20 March 2017	Paddock	21 March 2017
759258M	BASIX Certificate	12 December 2016	Planning & Environment	19 December 2016

and details submitted to Council on 19 December 2016, 13 March 2017 and 21 March 2017 with the application for development consent and as amended by ~~the following conditions~~ **the plans and details listed below:**

Plan No. and Issue	Plan/Cert Type	Date Issued	Prepared by	Date Submitted
DA03-6	Basement Floor Plan	27 November 2019	O2 Architecture	28 November 2019
DA04-5	Ground Floor Plan	15 November 2019	O2 Architecture	28 November 2019
DA05-5	Level 1 Plan Floor Plan	15 November 2019	O2 Architecture	28 November 2019
DA06-5	Level 2 Floor Plan	15 November 2019	O2 Architecture	28 November 2019

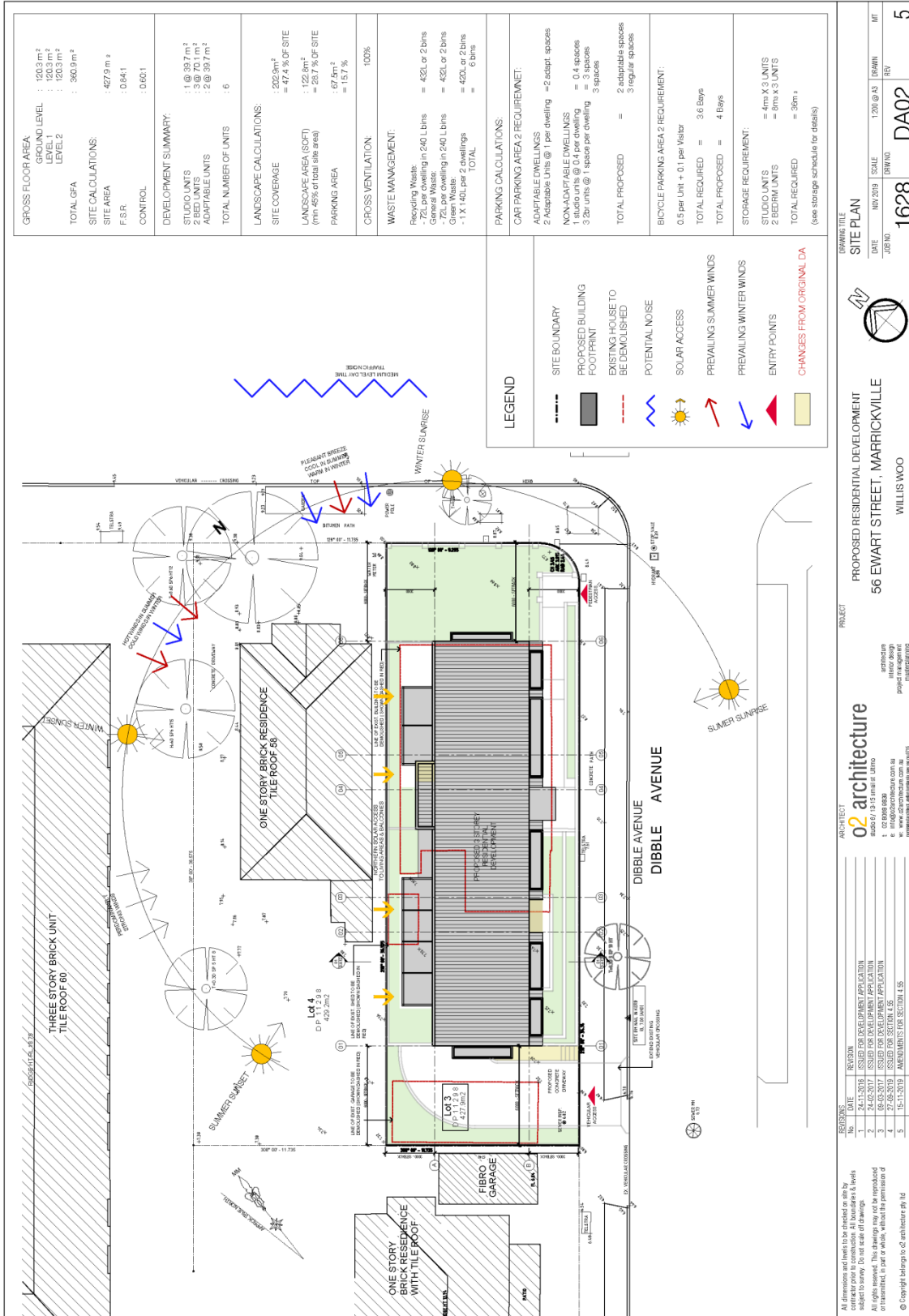
DA07 5	Roof Plan	15 November 2019	O2 Architecture	28 November 2019
DA09 5	North West Elevation	15 November 2019	O2 Architecture	28 November 2019
DA10 4	South West Elevation	15 November 2019	O2 Architecture	28 November 2019
DA11 5	North East Elevation	15 November 2019	O2 Architecture	28 November 2019
DA12 5	Typical Section	15 November 2019	O2 Architecture	28 November 2019
DA17 A	Front Fence Details	18 October 2019	O2 Architecture	28 November 2019
DA 18 1	Sections - Details	18 October 2019	O2 Architecture	28 November 2019
-	External Finishes Schedule	-	O2 Architecture	28 November 2019
759258M_03	BASIX Certificate	1 October 2019	Planning & Environment	10 October 2019
1608-01 C	General Notes & Plant Schedule	20 November 2019	Paddock	10 October 2019
1608-02 C	Landscape Plan Sheet 1 of 2	20 November 2019	Paddock	10 October 2019
1608-03 C	Landscape Plan Sheet 2 of 2	20 November 2019	Paddock	10 October 2019

and details submitted to the Council on 10 October 2019 and 28 November 2019 with the application under Section 4.55 of the Environmental Planning and Assessment Act and the following conditions.

6. A total of ~~six (6)~~ five (5) off-street car parking spaces must be provided, paved, line marked and maintained at all times in accordance with the standards contained within Part 2.10 of Marrickville Development Control Plan 2011 - Parking prior to the commencement of the use.
7. One (1) ~~visitor car motorcycle~~ parking space required as part of the total parking required under this Determination must be provided and marked as ~~visitor car motorcycle~~ parking spaces. ~~A sign legible from the street must be permanently displayed to indicate that visitor parking is available on site.~~
41. Bicycle storage with the capacity to accommodate a minimum of ~~4 bicycles~~ 6 bicycles must be provided in accordance with the requirements set out within Part 2.10 of Marrickville Development Control Plan 2011 - Parking, in accordance with details to be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.
61. The person acting on this consent shall provide to Council a bond in the amount of ~~\$4,202.40~~ \$8,056.50 and pay the related Section 138 (Roads Act) inspection fee of \$209.00 (GST inclusive) before the issue of a Construction Certificate to ensure the proper completion of the footpath and/or vehicular crossing works required as a result of this development.

65. The stormwater drainage plans SW-01 to SW-03 (Issue A) submitted by Promark Consulting Engineers P/L shall be amended to include the following details/additional information before the issue of a Construction Certificate;
- a) ~~Details (schematic) of connection of the rainwater tank to all toilets, and external taps for irrigation Deleted;~~
 - b) ~~Amendments to the stormwater plans to suit the latest architectural plans Deleted;~~ and
 - c) Details of an inter-allotment drainage system to allow for the future drainage of the rear of 58 Ewart Street.
104. Following completion of construction and before the issue of an Occupation Certificate, five (5) new trees shall be planted. The new trees shall be planted in accordance with the following criteria:
- a) The new trees shall be a minimum of 1 metre from any dividing boundary fence and a minimum of 1.5 metres from any building.
 - b) The species of the new trees shall be as indicated on the amended Landscape Plan and Details prepared by ~~Paddock on 20 March 2017 and submitted to Council on 24 March 2017~~ ***Paddock Landscape Architects (Dwg Nos 1608-01,02,03 Rev C) and dated 20/9/2019.***
 - c) The planting stock size shall be at least 45 litres.
 - d) The planting stock shall comply with the Australian Standard *Tree Stock for Landscape Use* AS 2303-2015.
 - e) The new trees shall be planted in accordance with the tree planting detail included in the Marrickville Street Tree Master Plan 2014. Please note that planting holes for trees shall not be excavated deeper than the root ball and that new trees shall not be staked.
 - f) The new tree shall be planted by a qualified horticulturist or arborist, with a minimum qualification of Certificate 3.
 - g) Each replacement tree shall be maintained in a healthy and vigorous condition until it attains a height of 5 metres, from which time it is protected by MDCP 2011.
 - h) If either tree dies or needs to be removed before that time it shall be replaced with a similar tree in accordance with these conditions at the expense of the applicant.

Attachment B – Architectural Plans & Landscape Plans



GROSS FLOOR AREA	: 1203 m ²
GROUND LEVEL	: 1203 m ²
LEVEL 1	: 1203 m ²
LEVEL 2	: 360 m ²
TOTAL GFA	: 360 m ²
SITE CALCULATIONS:	
SITE AREA	: 4279 m ²
F.S.R.	: 0.64:1
CONTROL	: D.60:1
DEVELOPMENT SUMMARY:	
STUDIO UNITS	: 1 @ 397 m ²
2 BED UNITS	: 3 @ 701 m ²
ADAPTABLE UNITS	: 2 @ 397 m ²
TOTAL NUMBER OF UNITS	: 6
LANDSCAPE CALCULATIONS:	
SITE COVERAGE	: 2029 m ²
	= 47.4 % OF SITE
LANDSCAPE AREA (SOFT)	: 1292 m ²
(MIN 65% OF TOTAL SITE AREA)	= 28.7 % OF SITE
PARKING AREA	: 67.5 m ²
	= 15.7 %
CROSS VENTILATION	100%
WASTE MANAGEMENT:	
Recycling Waste:	
- 72L per dwelling in 240 L bins	= 432L or 2 bins
- 72L per dwelling in 240 L bins	= 432L or 2 bins
Green Waste:	
- 1 X 140L per 2 dwellings	= 420L or 2 bins
TOTAL	= 6 bins
PARKING CALCULATIONS:	
CAR PARKING AREA 2 REQUIREMENT:	
ADAPTABLE DWELLINGS	
2 adaptable units @ 1 per dwelling	= 2 adapt. spaces
NON-ADAPTABLE DWELLINGS	
1 studio units @ 0.4 per dwelling	= 0.4 spaces
3 2br units @ 1 space per dwelling	= 3 spaces
TOTAL PROPOSED	= 2 adaptable spaces
	= 3 regular spaces
BICYCLE PARKING AREA 2 REQUIREMENT:	
0.5 per unit + 0.1 per visitor	
TOTAL REQUIRED	= 3.6 Bays
TOTAL PROVIDED	= 4 Bays
STORAGE REQUIREMENT:	
STUDIO UNITS	= 4m x 3 UNITS
2 BED UNITS	= 8m x 3 UNITS
TOTAL REQUIRED	= 36m ²
(see storage schedule for details)	

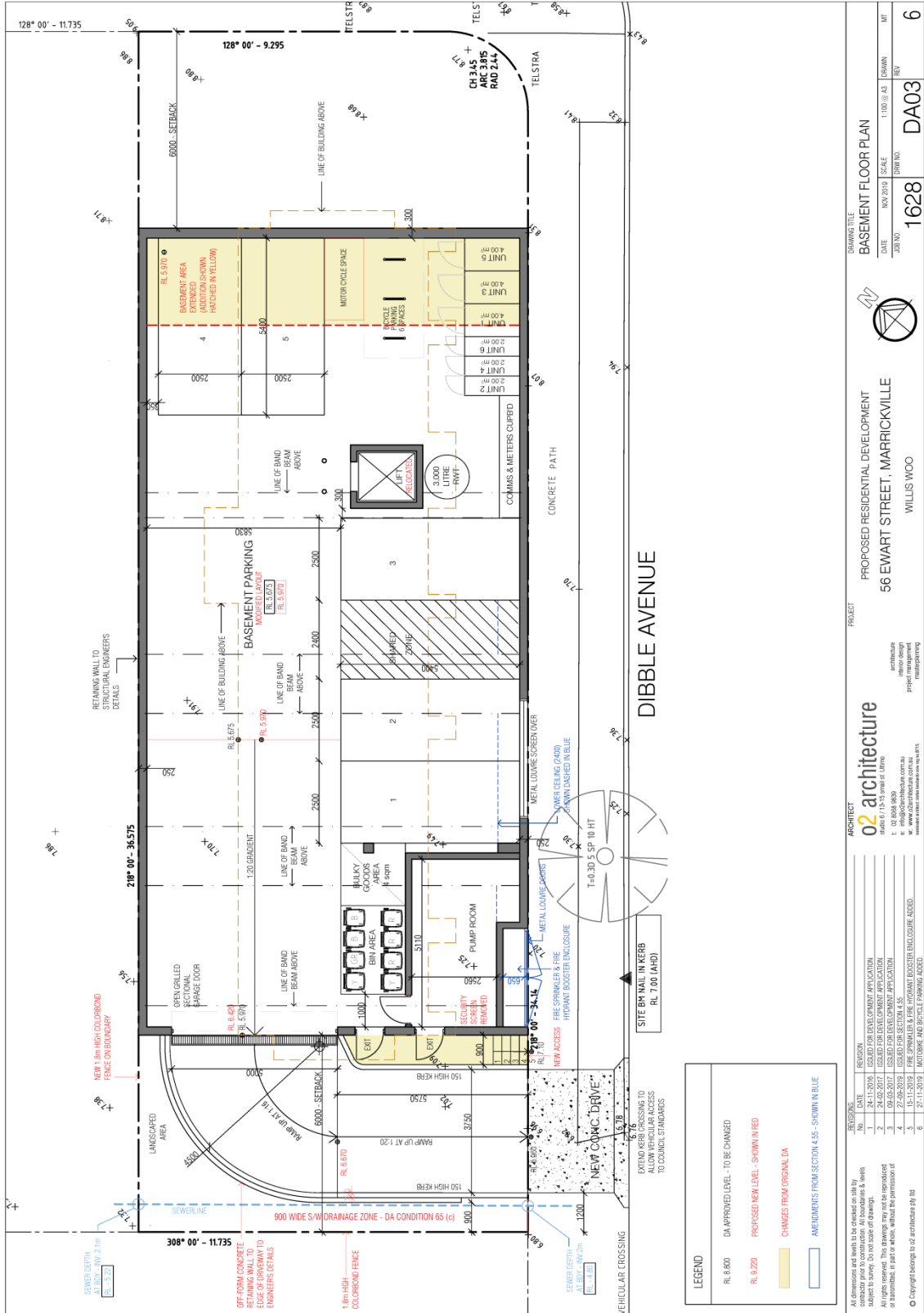
REVISIONS		
NO.	DATE	REVISION
1	24-11-2019	ISSUED FOR DEVELOPMENT APPLICATION
2	24-11-2019	ISSUED FOR DEVELOPMENT APPLICATION
3	08-05-2017	ISSUED FOR DEVELOPMENT APPLICATION
4	27-09-2019	ISSUED FOR SECTION 4.55
5	15-11-2019	AMENDMENTS FOR SECTION 4.55

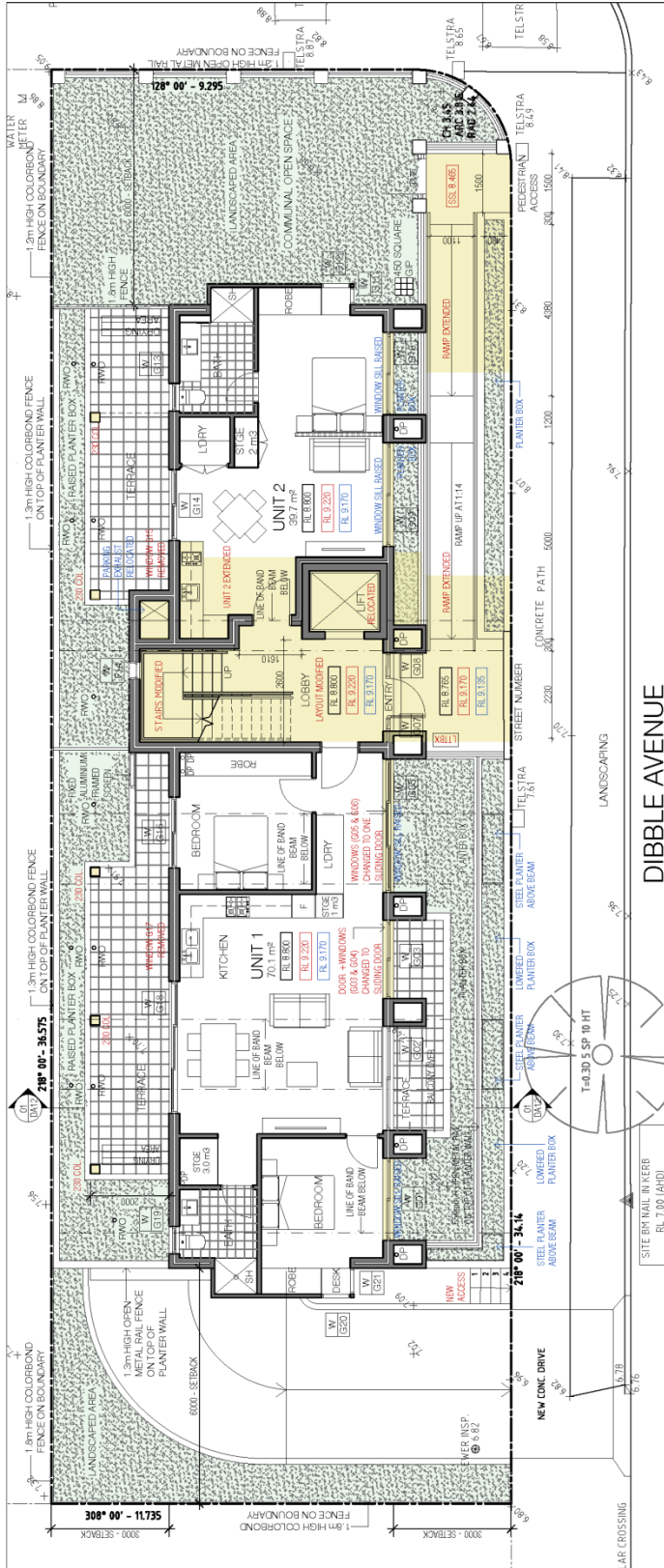
ARCHITECT	o2 architecture
made up of 15 small or little	
interior design	
project management	
landscape planning	
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PROJECT	PROPOSED RESIDENTIAL DEVELOPMENT
56 EWART STREET, MARRICKVILLE	
WILLIS WOOD	

DATE	NOV.2019	SCALE	1:200 @ A4	IRWMN	MT
JOB NO	1628	DRW NO	DA02	REV	5

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LEGEND

- RL 8.180 DA APPROVED LEVEL - TO BE CHANGED
- RL 8.220 SECTION 4.5(1) LEVELS - SHOWN IN RED
- RL 9.170 NEW PROPOSED GROUND FLOOR LEVEL - SHOWN IN BLUE
- CHANGES FROM ORIGINAL DA SHOWN IN BLUE
- AMENDMENTS FROM SECTION 4.5(1) SHOWN IN BLUE
- LANDSCAPE AREA
- SAND BEAMS BELOW

1. COMMITMENTS FOR RESIDENTIAL FLAT BUILDINGS (DWELLING)

BASIS COMMITMENTS: WATER

- The applicant must install each hot water system specified for the dwelling in the table below, so that the dwelling hot water is supplied by that system. If the table specifies a central hot water system for the dwelling, then the applicant must connect that central system to the dwelling, so that the dwelling hot water is supplied by the central system.
- The applicant applies to each room or area of the dwelling which is intended to be habitable (in the 'Habitable' column of the table below) but only to the extent specified for that room or area. The applicant must ensure that each such room or area is fitted with window and/or skylight.

BASIS COMMITMENTS: THERMAL COMFORT

- The applicant must show on the plan according to the development application, all matters which the Thermal Comfort Protocol requires to be shown on those plans. Those plans must be a stamp of endorsement from the Accredited Assessor, to certify that this is the case.
- Where there is an in-slab heating or cooling system, the applicant must:
 - install insulation with an R-value of not less than 1.0 underneath the slab and around the vertical edges of the perimeter of the slab;
 - the applicant must construct the floors and walls of the development in accordance with the specifications listed in the table below.

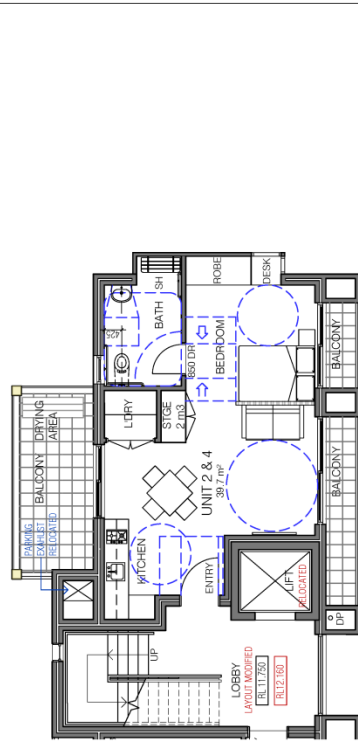
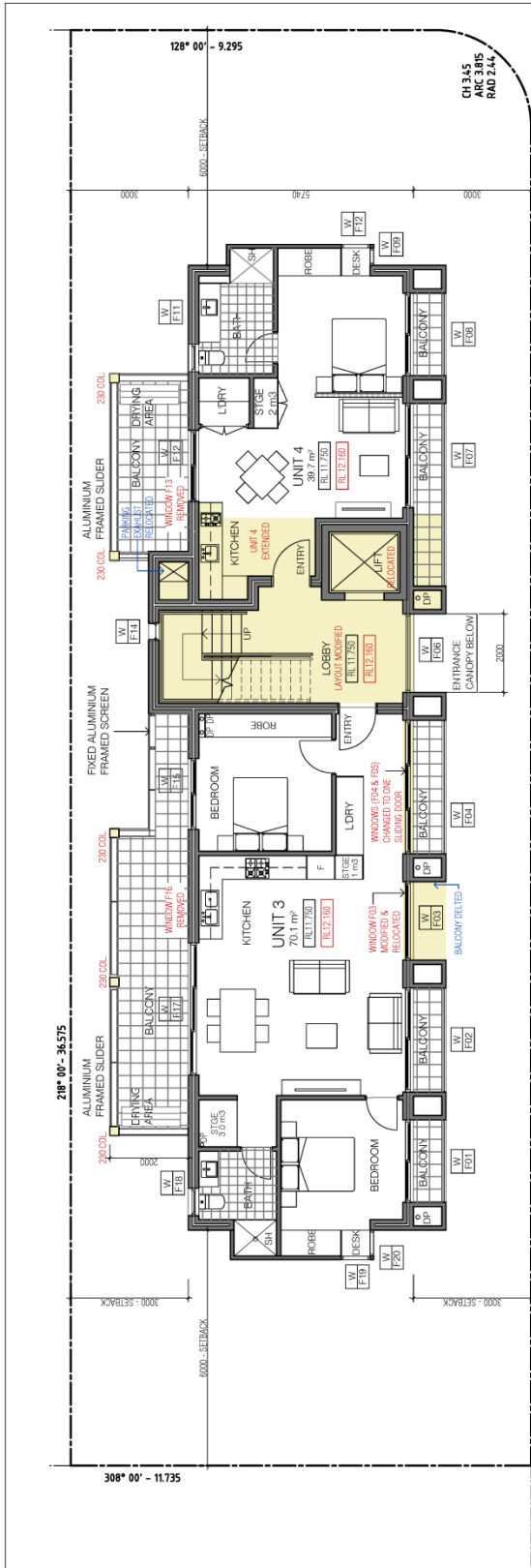
Room/Area	Water System	Thermal Comfort	Other
Bedroom	Hot Water	Insulation	Window
Bathroom	Hot Water	Insulation	Window
Kitchen	Hot Water	Insulation	Window
Living Area	Hot Water	Insulation	Window
Staircase	Hot Water	Insulation	Window
Lift	Hot Water	Insulation	Window
Terrace	Hot Water	Insulation	Window
Landscaping	Hot Water	Insulation	Window

o2 architecture
 56 EWART STREET, MARRICKVILLE
 WILLIS WOO

PROPOSED RESIDENTIAL DEVELOPMENT

GROUND FLOOR PLAN

DATE: NOV 2019 | SCALE: 1:100 @ A3 | DRAWN: MF
 JOB NO: 1628 | DWG NO: DA04 | REV: 5



02 ADAPTABLE UNIT PLAN
 1:100 @ A3 - GROUND & LEVEL 1 FLOOR PLAN

DRAWING TITLE
LEVEL 1 FLOOR PLAN
 DATE: NOVEMBER 2019 SCALE: 1:100 @ A3
 JOB NO: 1628
 DRAWN: DA05
 REV: 5
 PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT
 56 EWART STREET, MARRICKVILLE
 WILLIS WOO

1. COMMITMENTS FOR RESIDENTIAL FLAT BUILDINGS (COMMON AREAS & CENTRAL SYSTEM/FACILITIES)
BASIC COMMITMENTS (WATER)
 - The applicant must install the alternative water supply system, specified in the "Central systems" column on the table below, in each case, the system must be sized, designed and commissioned as specified in the table.
 - A swimming pool or spa listed in the table must not have a volume (in K/L) greater than that specified for the pool or spa in the table

System type	Volume (K/L)	Temperature	Other restrictions
Hot water supply	15	60°C	None
Hot water supply	15	60°C	None
Hot water supply	15	60°C	None

BASIC COMMITMENTS (ENERGY)
 - The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table below in each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.

System type	Specification	Volume (K/L)	Temperature	Other restrictions
Hot water supply	Hot water supply	15	60°C	None
Hot water supply	Hot water supply	15	60°C	None
Hot water supply	Hot water supply	15	60°C	None
Hot water supply	Hot water supply	15	60°C	None
Hot water supply	Hot water supply	15	60°C	None

REVISIONS

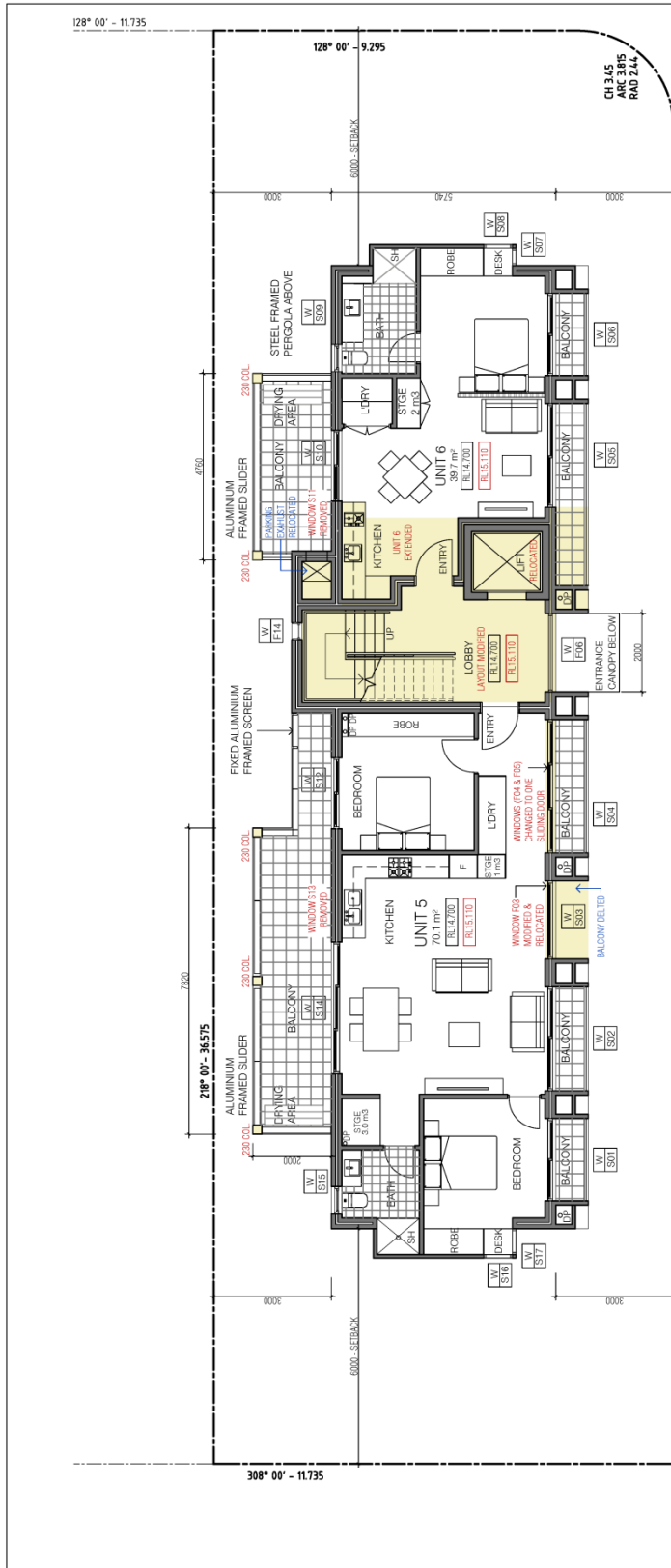
NO.	DATE	REVISION
1	24-10-2019	ISSUED FOR CONCEPT APPLICATION
2	24-10-2019	ISSUED FOR PRELIMINARY APPLICATION
3	09-05-2021	ISSUED FOR REAPPLICATION APPLICATION
4	27-09-2019	ISSUED FOR SECTION 4.55
5	15-11-2019	BALCONY DELETED; PARKING EXHAUST RELOCATED

LEGEND

- RE 8.280 DA APPROVED LEVEL - TO BE CHANGED
- RE 8.220 PROPOSED NEW LEVEL - SHOWN IN RED
- AMENDMENTS FROM SECTION 4.55 - SHOWN IN BLUE
- CHANGES FROM ORIGINAL DA

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LEGEND

DL 8.500	DA APPROVED LEVEL - TO BE CHANGED
RL 9.220	PROPOSED NEW LEVEL - SHOWN IN RED
AS 1.000	ANALYSIS FROM SECTION 4.55 - SHOWN IN BLUE
AS 1.000	CHANGES FROM ORIGINAL DA

4. COMMITMENTS FOR COMMON AREAS & CENTRAL SYSTEM/FACILITIES FOR THE DEVELOPMENT

BASIC COMMITMENTS (WATER)

The applicant must install the alternative water supply system, specified in the "Central systems" column on the table below. In each case, the system must be sized, be configured and be connected as specified in the table.

A swimming pool or spa listed in the table must not have a volume (in Kc) greater than that specified for the pool or spa in the table.

BASIC COMMITMENTS (ENERGY)

The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table below. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.

System/Facility	Specification
Swimming Pool/Spa	Volume (Kc) greater than that specified for the pool or spa in the table.

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PROJECT
 PROPOSED RESIDENTIAL DEVELOPMENT
 56 EWART STREET, MARRICKVILLE
 WILLIS WOO

DRAWING TITLE
 LEVEL 2 FLOOR PLAN

DATE
 NOVEMBER 2018

SCALE
 1:100 (A4)

DRAWN
 MT

REV
 DA06

1628

5

11735

308° 00' - 11.735

218° 00' - 35.575

7320

28° 00' - 34.4

128° 00' - 11.735

128° 00' - 9.295

6000 - SETBACK

6000 - SETBACK

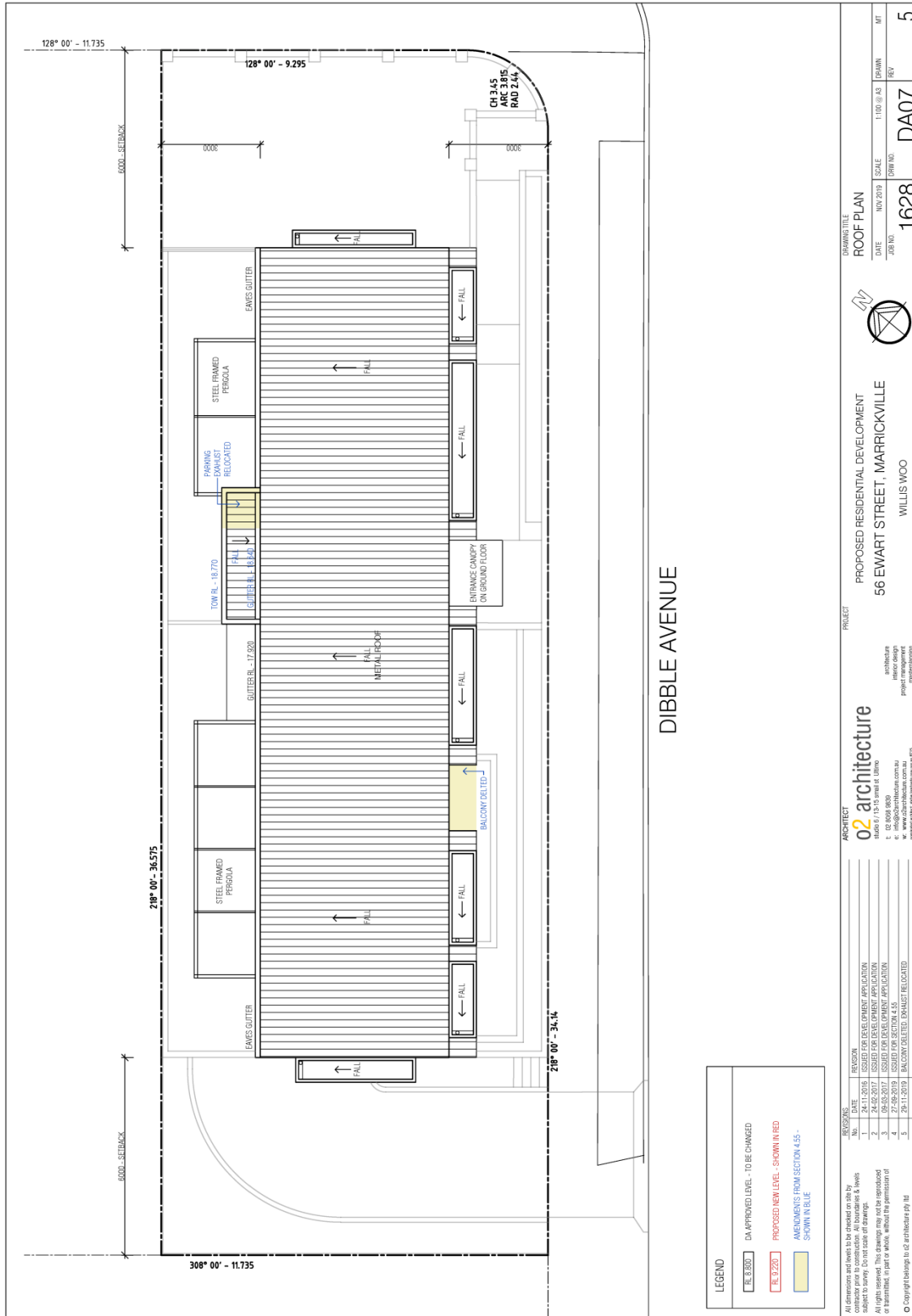
CH 3.45
AK 3.85
RD 2.44

REVISIONS

NO.	DATE	REVISION
1	24.11.2018	ISSUED FOR DEVELOPMENT APPLICATION
2	24.02.2017	ISSUED FOR DEVELOPMENT APPLICATION
3	09.02.2017	ISSUED FOR DEVELOPMENT APPLICATION
4	15.11.2018	ISSUED FOR DEVELOPMENT APPLICATION
5	15.11.2018	BALCONY DELETED, PARKING EXHAUST RELOCATED

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DIBBLE AVENUE

LEGEND

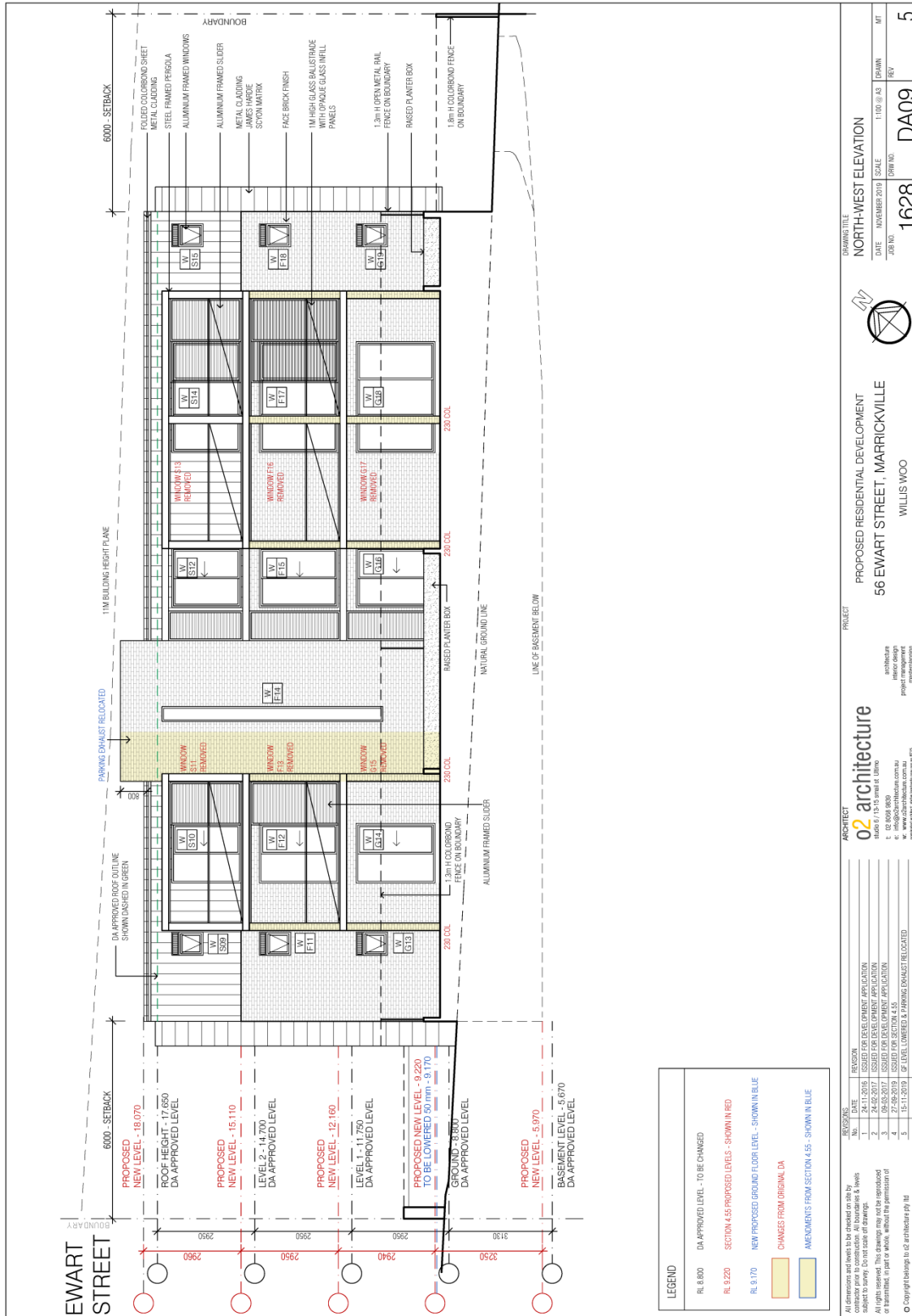
- RE 3.302 DA APPROVED LEVEL - TO BE CHANGED
- RE 3.226 PROPOSED NEW LEVEL - SHOWN IN RED
- ANCHORS FROM SECTION 4.55 - SHOWN IN BLUE

<p>ARCHITECT o2 architecture studio 1/15-16 street 4, Ultimo n.s.w. 2007 t: 02 9550 2222 e: info@o2architecture.com.au w: www.o2architecture.com.au interior design project management urban planning</p>	<p>PROJECT PROPOSED RESIDENTIAL DEVELOPMENT 56 EWART STREET, MARRICKVILLE WILLIS WOO</p>	<p>DRAWING TITLE ROOF PLAN</p>	<p>JOB NO. 1628</p>
		<p>DATE NOV 2019</p>	<p>SCALE 1:100 (P.A.S.)</p>
<p>ARCHITECT WILLIS WOO</p>		<p>DATE NOV 2019</p>	<p>SCALE 1:100 (P.A.S.)</p>
<p>PROJECT PROPOSED RESIDENTIAL DEVELOPMENT 56 EWART STREET, MARRICKVILLE WILLIS WOO</p>		<p>DATE NOV 2019</p>	<p>SCALE 1:100 (P.A.S.)</p>
<p>ARCHITECT WILLIS WOO</p>		<p>DATE NOV 2019</p>	<p>SCALE 1:100 (P.A.S.)</p>

NO.	DATE	REVISION
1	24-11-2016	ISSUED FOR DEVELOPMENT APPLICATION
2	08-05-2017	ISSUED FOR PERMITS APPLICATION
3	08-05-2017	ISSUED FOR PERMITS APPLICATION
4	27-08-2019	ISSUED FOR SECTION 4.55
5	29-11-2019	BALCONY DELETED, PERMITS RELOCATED

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LEGEND

- RL 8.800 DA APPROVED LEVEL - TO BE CHANGED
- RL 9.220 SECTION 4.55 PROPOSED LEVELS - SHOWN IN RED
- RL 9.170 NEW PROPOSED GROUND FLOOR LEVEL - SHOWN IN BLUE
- CHANGES FROM ORIGINAL DA
- AMENDMENTS FROM SECTION 4.55 - SHOWN IN BLUE

REVISIONS

NO.	DATE	REVISION
1	24-11-2016	ISSUED FOR DEVELOPMENT APPLICATION
2	08-05-2017	ISSUED FOR DEVELOPMENT APPLICATION
3	08-05-2017	ISSUED FOR DEVELOPMENT APPLICATION
4	27-08-2019	ISSUED FOR SECTION 4.55
5	15-11-2019	GF LEVEL LOWERED & PARKING EXHAUST RELOCATED

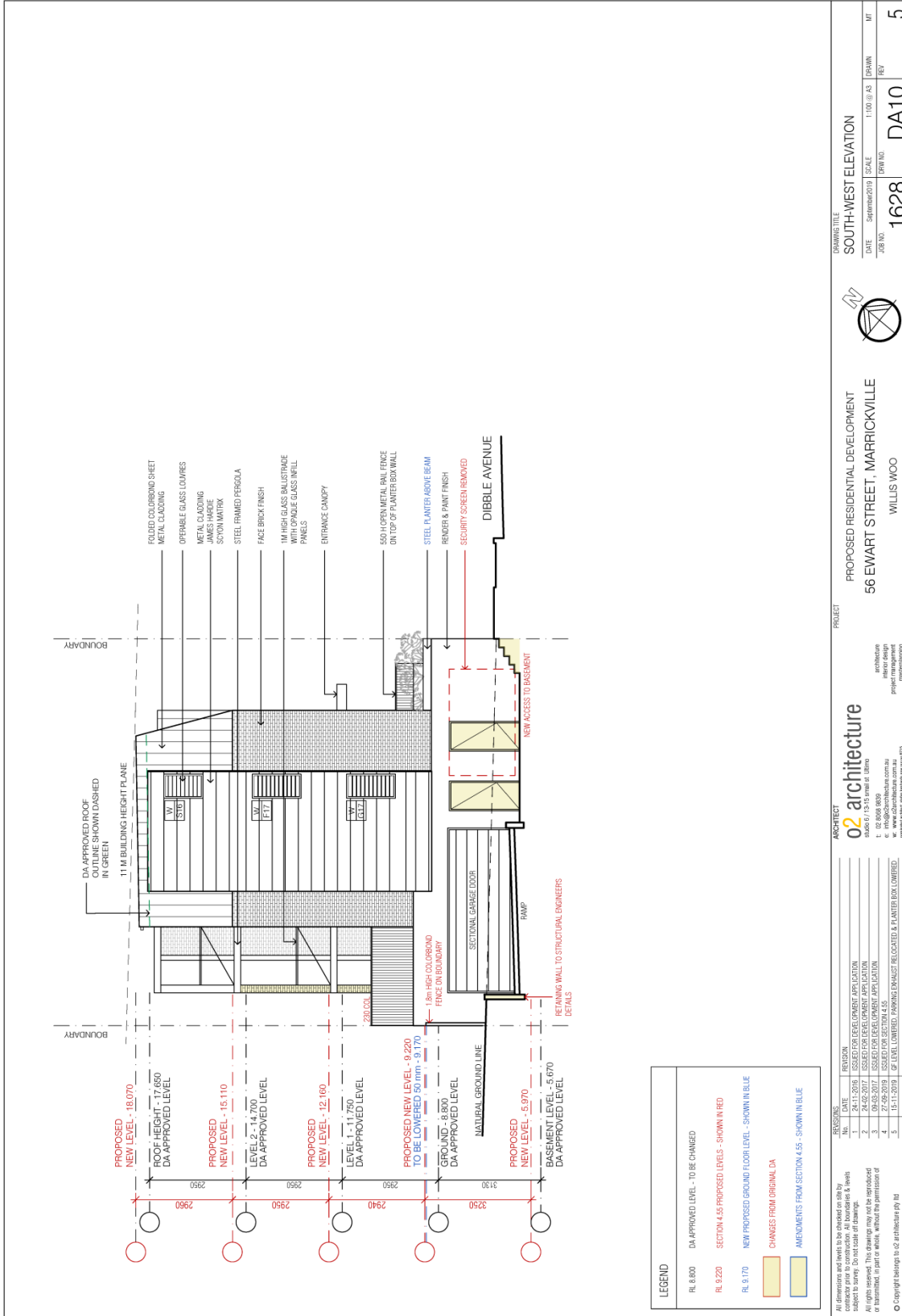
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PROJECT
 PROPOSED RESIDENTIAL DEVELOPMENT
 56 EWART STREET, MARRICKVILLE
 WILLIS WOO

DRAWING TITLE
 NORTH-WEST ELEVATION

DATE NOVEMBER 2019 | **SCALE** 1:100 (P.A.S.) | **DRAWN** MT

JOB NO. 1628 | **REV** DA09 | **5**



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PROJECT
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 56 EWART STREET, MARRICKVILLE
 WILLIS WOOD

DRAWING TITLE
 SOUTH-WEST ELEVATION

DATE September 2019 **SCALE** 1:100 @ A3 **DRAWN** MT

DWG NO. 1628 **REV** DA10 **5**

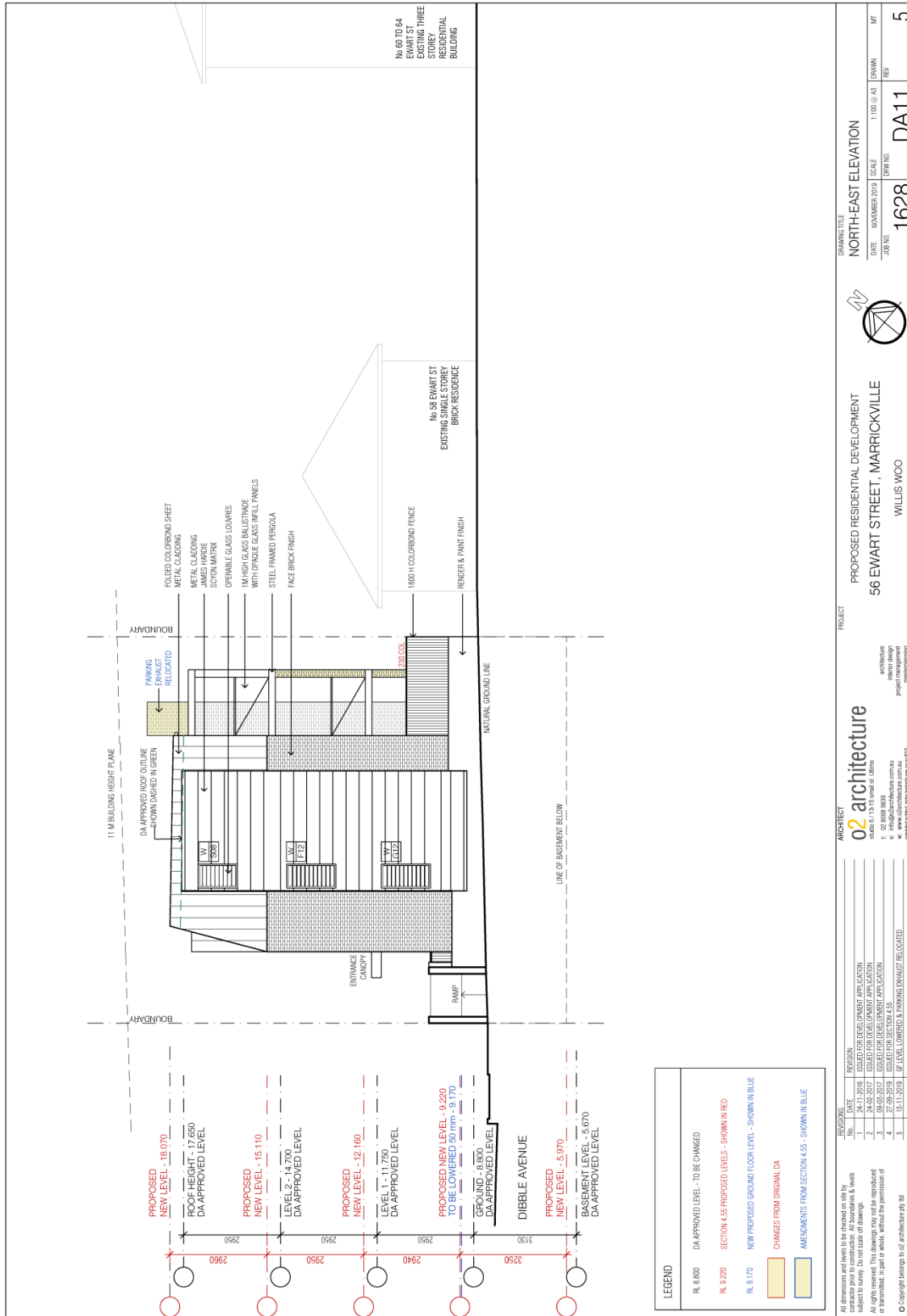
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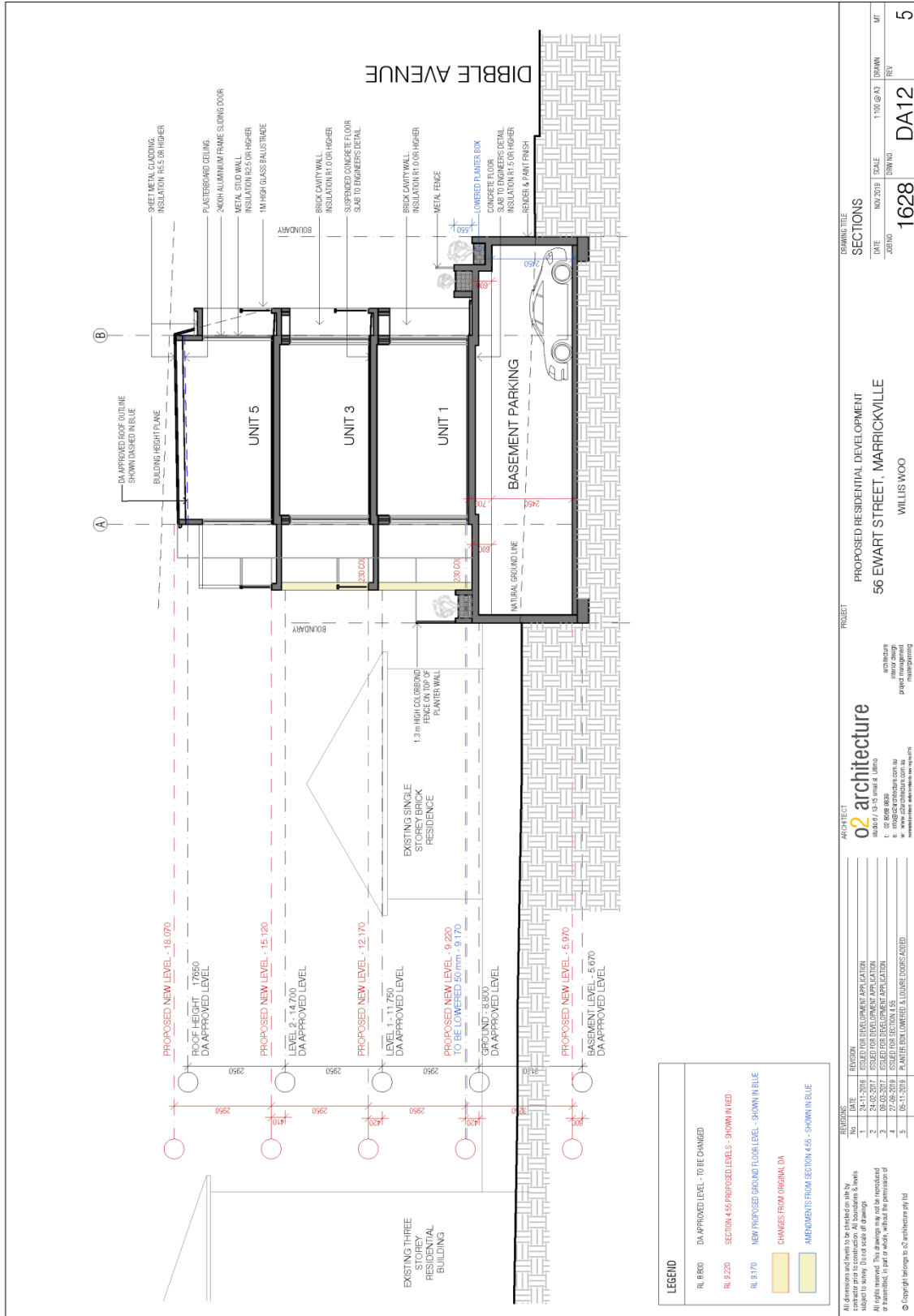
PROJECT
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 56 EWART STREET, MARRICKVILLE
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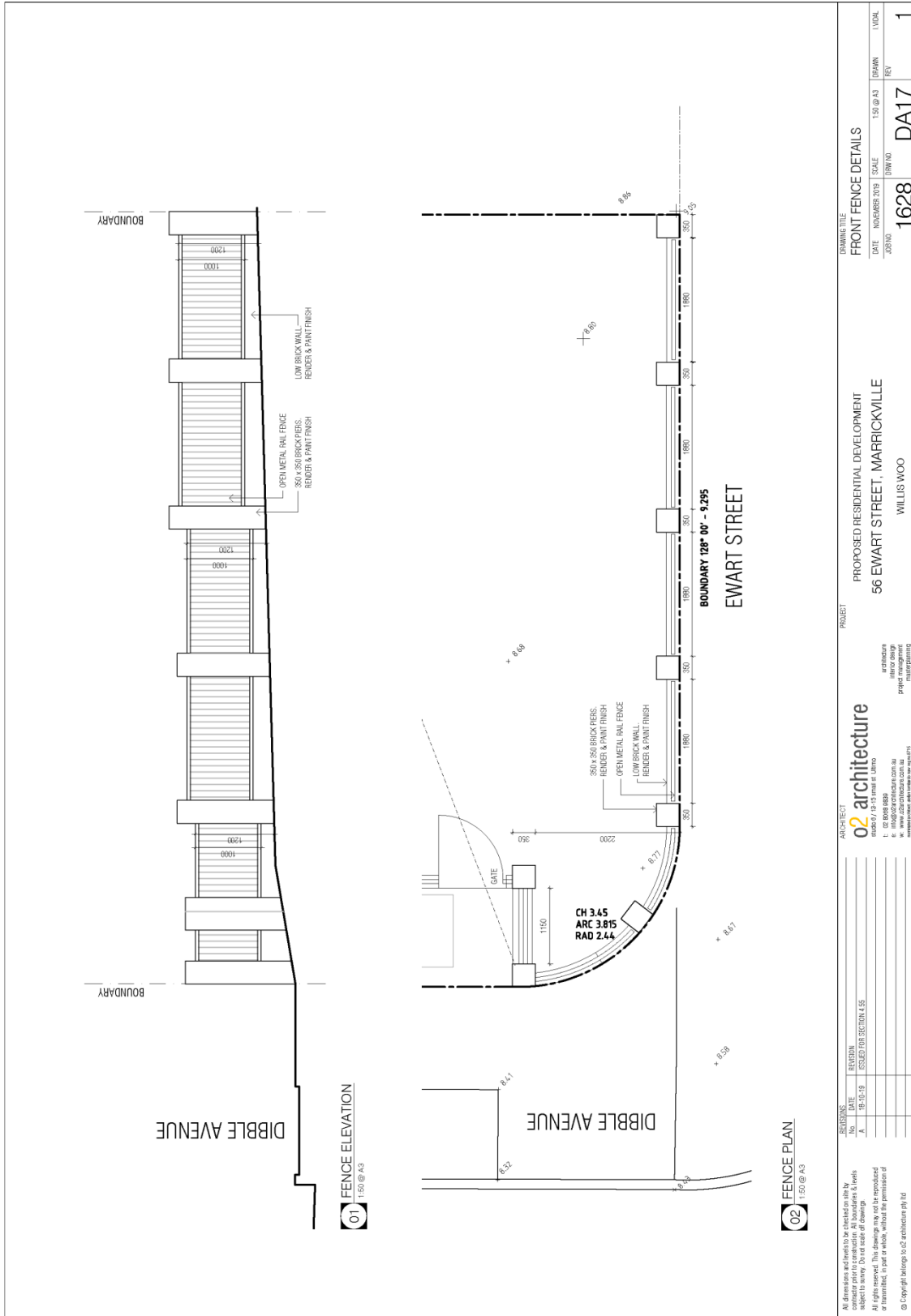
DRAWING TITLE
 SOUTH-WEST ELEVATION

DATE September 2019 **SCALE** 1:100 @ A3 **DRAWN** MT

DWG NO. 1628 **REV** DA10 **5**







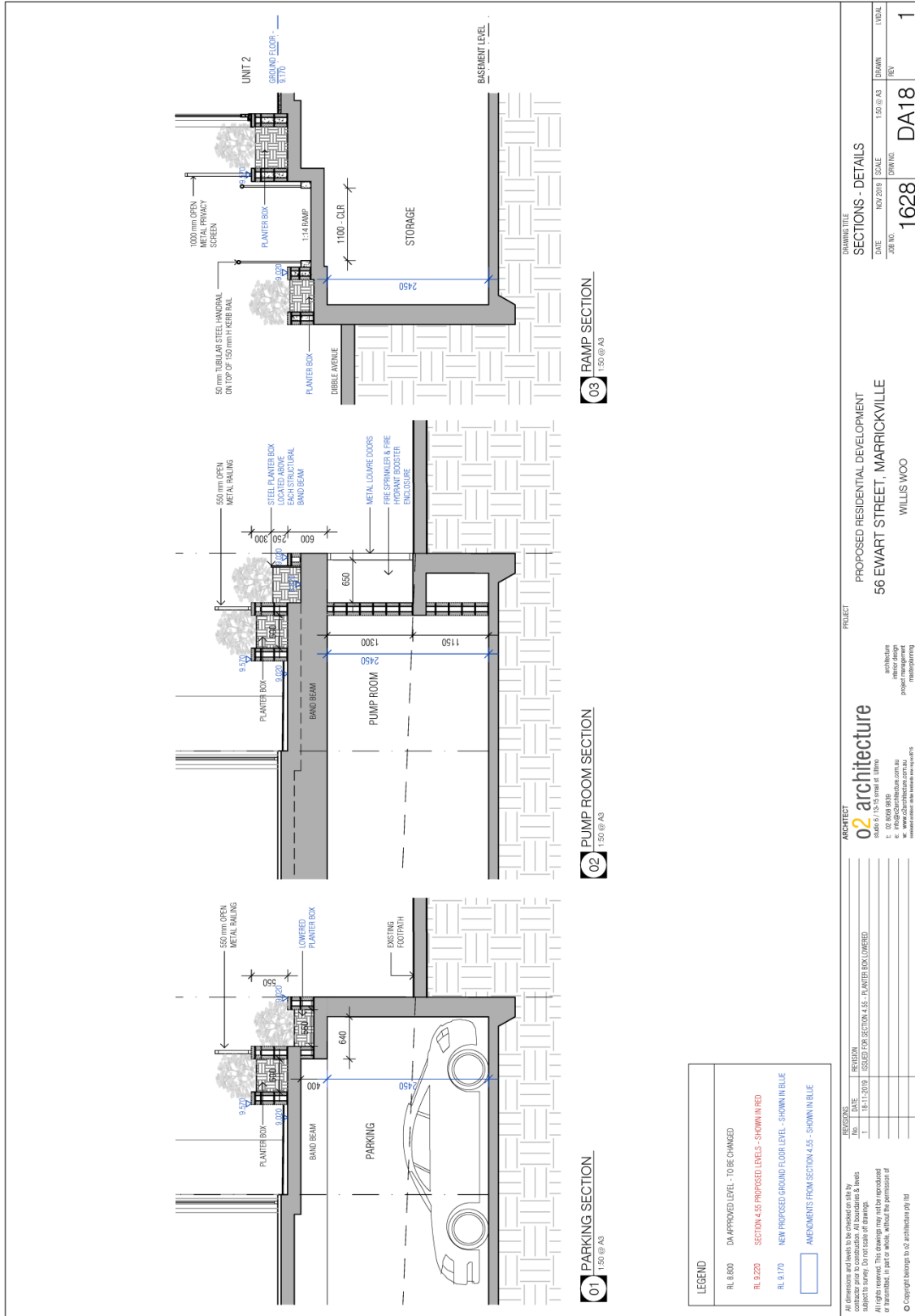
ARCHITECT: **o2 architecture**
 15/05/19 to 31/05/2019
 15/05/19 to 31/05/2019
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 15/05/19 to 31/05/2019

PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT
 56 EWART STREET, MARRICKVILLE
 WILLIS WOO

DRAWING TITLE: FRONT FENCE DETAILS
 DATE: NOVEMBER 2019 | SCALE: 1:50 @ A3
 JOB NO: 1628 | DRAW NO: DA17 | REV: 1

NO.	DATE	REVISION
1	18-10-19	ISSUED FOR SECTION 4.1.5

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Attachment C - Conditions of Consent - Determination No.201600674



DA201600674 PLSAO

DETERMINATION NO. 201600674

12 April 2017

O2 ARCHITECTURE PTY LTD
6/13-15 Smail Street
ULTIMO NSW 2007

Dear Sir/Madam

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 ("THE ACT") NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Pursuant to Section 81 of the Act, notice is hereby given of the determination by the Council of **Development Application No. 201600674** to demolish existing improvements and construct a 3 storey residential flat building containing 6 units with basement parking relating to property situated at:

56 EWART STREET, MARRICKVILLE

In determining this application, the Council considered all matters listed under Section 79C of the Act that were relevant to the Development Application.

The Development Application was determined on 12 April 2017 by the granting of **CONSENT** subject to the following conditions:

GENERAL

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

Plan and Issue No.	Plan Name	Date Issued	Prepared by	Date Submitted
DA03 3	Basement Floor Plan	9 March 2017	O2 Architecture	13 March 2017
DA04 3	Ground Floor Plan	9 March 2017	O2 Architecture	13 March 2017
DA05 3	Level 1 Floor Plan	9 March 2017	O2 Architecture	13 March 2017
DA06 3	Level 2 Floor Plan	9 March 2017	O2 Architecture	13 March 2017
DA07 3	Roof Plan	9 March 2017	O2 Architecture	13 March 2017

Customer Service Centres

Petersham | P (02) 9335 2222 | E council@marrickville.nsw.gov.au | 2-14 Fisher Street, Petersham NSW 2049
Leichhardt | P (02) 9367 9222 | E leichhardt@lmc.nsw.gov.au | 7-15 Wetherill Street, Leichhardt NSW 2040
Ashfield | P (02) 9716 1800 | E info@ashfield.nsw.gov.au | 260 Liverpool Road, Ashfield NSW 2131

DA08 3	South East Elevation	9 March 2017	O2 Architecture	13 March 2017
DA09 3	North West Elevation	9 March 2017	O2 Architecture	13 March 2017
DA10 3	South West Elevation	9 March 2017	O2 Architecture	13 March 2017
DA11 3	North East Elevation	9 March 2017	O2 Architecture	13 March 2017
DA12 3	Typical Section	9 March 2017	O2 Architecture	13 March 2017
1608-01 B	General Notes & Plant Schedule	20 March 2017	Paddock	21 March 2017
1608-02 B	Landscape Plan Sheet 1 of 2	20 March 2017	Paddock	21 March 2017
1608-03 B	Landscape Plan Sheet 2 of 2	20 March 2017	Paddock	21 March 2017
759258M	BASIX Certificate	12 December 2016	Planning & Environment	19 December 2016

and details submitted to Council on 19 December 2016, 13 March 2017 and 21 March 2017 with the application for development consent and as amended by the following conditions.

2. Where any plans and/or information forming part of a Construction Certificate issued in relation to this consent are inconsistent with:
 - a) the plans and/or information approved under this consent; or
 - b) any relevant requirements of this consent,

the plans, information and/or requirements of this consent (as the case may be) shall prevail to the extent of the inconsistency.

All development approved under this consent shall be carried out in accordance with the plans, information and/or requirements of this consent taken to prevail by virtue of this condition.

3. The materials and finishes of the building constructed pursuant to this consent must be strictly in accordance with the materials and finishes identified in the drawings as referenced in Condition 1 of this Determination. No changes may be made to these drawings except by way of an application under section 96 of the *Environmental Planning and Assessment Act 1979*.
4. Where units or dwellings are provided with separate individual hot water systems, these must be located within the internal area of the unit/dwelling and not on any balcony or terrace.
5. The premises must be used exclusively as a residential flat building and not be adapted for use as a backpackers' accommodation, serviced apartments or a boarding house and must not be used for any industrial or commercial purpose.

6. A total of six (6) off-street car parking spaces must be provided, paved, line marked and maintained at all times in accordance with the standards contained within Part 2.10 of Marrickville Development Control Plan 2011 - Parking prior to the commencement of the use.
7. One (1) visitor car parking space required as part of the total parking required under this Determination 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.
8. Two (2) car parking spaces, for persons with a disability, required as part of the total parking required under this Determination must be provided and marked as disabled car parking spaces.
9. A minimum of two (2) adaptable dwellings must be provided in accordance with Part 2.5 of Marrickville Development Control Plan 2011 - Equity of Access and Mobility. One disabled parking space must be allocated to each adaptable dwelling.
10. The use of any plant and equipment must not give rise to:
 - a) transmission of unacceptable vibration to any place of different occupancy;
 - b) a sound pressure level at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 5dB(A). The source noise level shall be assessed as an LAeq,15min and adjusted in accordance with Environment Protection Authority guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content as described in the NSW Environment Protection Authority's Environmental Noise Control Manual and Industrial Noise Policy 2000 and The Protection of the Environment Operations Act 1997 (NSW).
11. It may be necessary for the installation of a suitable electrical sub-station for the distribution of electrical power in this area to be located on the land, and that an area of land suitable for Ausgrid to provide such an installation be set aside for this purpose. Before proceeding with your development further, you are directed to contact the General Manager of Ausgrid, George Street, Sydney, with respect to the possible need for such an installation immediately or in the future.
12. 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.
13. All building work must be carried out in accordance with the provisions of the National Construction Code (Building Code of Australia).
14. No encroachments onto Council's road or footpath of any service pipes, sewer vents, boundary traps, downpipes, gutters, stairs, doors, gates, garage tilt up panel doors or any structure whatsoever is permitted. Any encroachments on to Council road or footpath resulting from the building works will be required to be removed before occupation of the site.

15. 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 and undertaken before occupation of the site.
16. Owners and occupants of the proposed building shall not be eligible to obtain parking permits under any existing or future resident parking scheme for the area. The person acting on this consent shall advise any purchaser or prospective tenant of this condition. In addition the by-laws of any future residential strata plans created for the property shall reflect this restriction.
17. All stormwater drainage being designed in accordance with the provisions of the Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3-2003 'Stormwater Drainage' and Marrickville Council Stormwater and On Site Detention Code. Pipe and channel drainage systems shall be designed to cater for the twenty (20) year Average Recurrence Interval (A.R.I.) storm in the case of low and medium residential developments, the twenty (20) year A.R.I. storm in the case of high density residential development and commercial and/or industrial developments and the fifty (50) year A.R.I. storm in the case of heavy industry. In all cases the major event surface flow paths shall be designed to cater for the one hundred (100) year A.R.I. storm.
18. Should the proposed development require the provision of an electrical substation, such associated infrastructure shall be incorporated wholly within the development site. Before proceeding with your development further, you are directed to contact Ausgrid directly with regard to the possible provision of such an installation on the property.
19. 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 water may be stored separately on site and reused for the watering of landscaped areas.

BEFORE COMMENCING DEMOLITION, EXCAVATION AND/OR BUILDING WORK

For the purpose of interpreting this consent, a Principal Certifying Authority (PCA) means a principal certifying authority appointed under Section 109E(1) of the Environmental Planning and Assessment Act 1979. Pursuant to Section 109E(3) of the Act, the PCA is principally responsible for ensuring that the works are carried out in accordance with the approved plans, conditions of consent and the provisions of the National Construction Code (Building Code of Australia).

20. No work must commence until:
 - a) A PCA has been appointed. Where an Accredited Certifier is the appointed, Council shall be notified within 2 days of the appointment; and
 - b) A minimum of 2 days written notice given to Council of the intention to commence work.
21. A Construction Certificate must be obtained before commencing building work. Building work means any physical activity involved in the construction of a building. This definition includes the installation of fire safety measures.

22. Sanitary facilities must be provided at or in the vicinity of the work site in accordance with the WorkCover Authority of NSW, Code of Practice 'Amenities for Construction'. Each toilet must be connected to the sewer, septic or portable chemical toilet before work commences.
Facilities must be located so that they will not cause a nuisance.
23. All demolition work must:
 - a) Be carried out in accordance with the requirements of Australian Standard AS 2601 'The demolition of structures' and the Occupational Health and Safety Act and Regulations; and
 - b) Where asbestos is to be removed it shall be done in accordance with the requirements of the WorkCover Authority of NSW and disposed of in accordance with requirements of the Department of Environment, Climate Change and Water.
24. Where any loading, unloading or construction is to occur from a public place, Council5 must be contacted to determine if any permits or traffic management plans are required to be obtained from Council before work commences.
25. All services in the building being demolished must be disconnected in accordance with the requirements of the responsible authorities before work commences.
26. A waste management plan must be prepared in accordance with Part 2.21 of Marrickville Development Control Plan 2011 – Site Facilities and Waste Management and submitted to and accepted by the PCA before work commences.
27. 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, before work commences.
28. A rigid and durable sign must be erected in a prominent position on the site, before work commences. The sign must be maintained at all times until all work has been completed. The sign is to include:
 - a) The name, address and telephone number of the PCA;
 - b) A telephone number on which Principal Contractor (if any) can be contacted outside working hours; and
 - c) A statement advising: 'Unauthorised Entry To The Work Site Is Prohibited'.
29. A Soil and Water Management Plan must be prepared in accordance with Landcom Soils and Construction, Volume 1, Managing Urban Stormwater (Particular reference is made to Chapter 9, "Urban Construction Sites") and submitted to and accepted by the PCA. A copy of this document must be submitted to and accepted by PCA before work commences. The plan shall indicate:
 - a) Where the builder's materials and waste are to be stored;
 - b) Where the sediment fences are to be installed on the site;
 - c) What facilities are to be provided to clean the wheels and bodies of all vehicles leaving the site to prevent the tracking of debris and soil onto the public way; and
 - d) How access to the site will be provided.All devices must be constructed and maintained on site while work is carried out.

30. Before commencing works the person acting on this consent must provide a contact number for a designated person to be available during the demolition and construction for residents to contact regarding breaches of consent or problems relating to the construction.
31. The person acting on this Determination must ensure that all workers on the site, including subcontractors, as part of their site induction, are made aware of the potential presence of Long-nosed Bandicoots (including what they look like) and measures to avoid physical harm to bandicoots before commencing any works on site including site preparation works.
32. If a new street number or a change to the street number (this includes unit and shop numbers) is required, a separate application must be made to and approved by Council prior to that street number being displayed.
33. Tree protection measures for the street trees adjacent to the property in Ewart Street and Dibble Avenue shall be established before work commences. Ground protection will be laid over any open ground for at least 2.5 metres either side of the tree. Trunk protection will be installed around the trees.
34. The person acting on this consent shall apply as required for all necessary permits including crane permits, road opening permits, hoarding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the Local Government Act, 1993 or Section 138 of the Roads Act, 1993.
35. Where it is proposed to carry out works in public roads or Council controlled lands, a road opening permit shall be obtained from Council before the carrying out of any works in public roads or Council controlled lands. Restorations shall be in accordance with Marrickville Council's Restorations Code. Failure to obtain a road opening permit for any such works will incur an additional charge for unauthorised works as noted in Council's adopted fees and charges.
36. The person acting on this consent shall provide details of the means to secure the site and to protect the public from the construction works. Where the means of securing the site involves the erection of fencing or a hoarding on Council's footpath or road reserve the person acting on this consent shall submit a hoarding application and pay all relevant fees before commencement of works.
37. A detailed Traffic Management Plan to cater for construction traffic shall be submitted to and approved by Council before commencement of works. Details shall include proposed truck parking areas, construction zones, crane usage, truck routes etc.
38. The person acting on this consent shall submit a dilapidation report including colour photos showing the existing condition of the footpath and roadway adjacent to the site before commencement of works.

BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

For the purpose of interpreting this consent the Certifying Authority (Council or an Accredited Certifier) is that person appointed to issue a Construction Certificate.

39. The approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easement, and if any requirements need to be met. Plans will be appropriately stamped.
Please refer to the web site www.sydneywater.com.au for:
 - Quick Check agents details - see Plumbing, building and developing then Quick Check agents and
 - Guidelines for Building Over/Adjacent to Sydney Water Assets – see Plumbing, building and developing then Plan submissions
or telephone 13 20 92.The stamped plans must be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.
40. A statement from a qualified Architect, verifying that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design principles set out in Schedule 1 of State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development must be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.
41. Bicycle storage with the capacity to accommodate a minimum of 4 bicycles must be provided in accordance with the requirements set out within Part 2.10 of Marrickville Development Control Plan 2011 - Parking, in accordance with details to be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.
42. Details regarding all hard paved areas within the development must be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate. In this regard the materials used should be chosen to break up the extent of hard paving and enhance the appearance of the development.
43. A detailed plan showing the height, colour and material of all fencing within the development in accordance with Part 2.11 of Marrickville Development Control Plan 2011 – Fencing must be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.
44. Letterboxes and mail collection facilities must be provided and adequately protected in accordance with details to be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.
45. Adequate outdoor clothes drying areas must be provided for the development in accordance with details to be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.
46. Lighting details of the pedestrian areas, parking areas and all entrances must be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.

Reason: To ensure appropriate lighting is provided to create a safe living environment.

47. Plans fully reflecting the selected commitments listed in BASIX Certificate submitted with the application for development consent must be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.

Note: The application for the Construction Certificate must be accompanied by either the BASIX Certificate upon which development consent was granted or a revised BASIX Certificate (Refer to Clause 6A of Schedule 1 to the Regulation).

48. Reticulated gas infrastructure, with a separate meter for each dwelling must be provided to each dwelling in accordance with details to be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.

49. Fixtures for bathroom and kitchen taps, showerheads, dishwashers and toilet cisterns must have a minimum 3 Star WELS rating.

Note: Information on the star rating scheme, and all 'star' rated products are available to view at the Water Efficiency Labelling and Standards (WELS) website: www.waterrating.gov.au.

50. New or replacement toilets must have a minimum 3 Star WELS rating and being 6/3 litre dual flush or more efficient.

Note: Information on the star rating scheme, and all 'star' rated products are available to view at the Water Efficiency Labelling and Standards (WELS) website: www.waterrating.gov.au.

51. A hot water system with a minimum 3.5 energy star Greenhouse rating must be provided for each dwelling in accordance with details to be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.

52. a) This condition is imposed in accordance with Section 94 of the Environmental Planning and Assessment Act 1979.

b) Before the issue of a Construction Certificate, the Council must be paid a monetary contribution of \$80,705.35 indexed in accordance with Marrickville Section 94/94A Contributions Plan 2014 ("CP").

The above contribution is the contribution applicable as at 13 March 2017.

***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. DC001826)

- c) 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:
- | | |
|-----------------------|-------------|
| Community Facilities | \$9,188.68 |
| Plan Administration | \$1,582.44 |
| Recreation Facilities | \$68,918.12 |
| Traffic Facilities | \$1,016.11 |

d) A copy of the CP can be inspected at Council's offices at 2-14 Fisher Street, Petersham or online at <http://www.marrickville.nsw.gov.au>.

e) 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 1% credit card transaction fee applies to all credit card transactions.

53. Before the issue of a Construction Certificate an amended plan must be submitted to the Certifying Authority's satisfaction indicating the following:

- Access to the premises via the principal place of entry to the building, complying with AS 1428.1- 2009 'Design for access and mobility';
- The lift design must comply with AS 1735.12 -1999 'Lifts, escalators and moving walkways Part 12: Facilities for persons with disabilities' as a minimum requirement;
- Two (2) adaptable dwellings being provided complying with AS 4299-1995 "Adaptable Housing"; and
- A minimum of two (2) car parking spaces being provided for people with a disability with such spaces being directly accessible to the entrance to the building. The car parking spaces being designed to comply with AS 1428.1 - 2009 'Design for access and mobility – General requirements for access – buildings' and AS 2890.1 1 'Off-street car parking'.

54. Evidence of payment of the building and construction industry Long Service Leave Scheme, must be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate. (The required payment can be made at the Council Offices).

NB: The required payment is based on the estimated cost of building and construction works and the long service levy rate, set by the Long Service Payments Corporation. The rate set by the Long Service Payments Corporation is currently of 0.35% of the cost of the building and construction work.

For more information on how to calculate the amount payable and where payments can be made contact the Long Services Payments Corporation.

http://www.lspc.nsw.gov.au/levy_information/?levy_information/levy_calculator.stm

55. The person acting on this consent shall apply as required for all necessary permits including crane permits, road opening permits, hoarding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the Local Government Act, 1993 or Section 138 of the Roads Act, 1993.

56. Where it is proposed to carry out works in public roads or Council controlled lands, a road opening permit shall be obtained from Council before the carrying out of any works in public roads or Council controlled lands. Restorations shall be in accordance with Marrickville Council's Restorations Code. Failure to obtain a road opening permit for any such works will incur an additional charge for unauthorised works as noted in Council's adopted fees and charges.
57. The person acting on this consent shall provide details of the means to secure the site and to protect the public from the construction works. Where the means of securing the site involves the erection of fencing or a hoarding on Council's footpath or road reserve the person acting on this consent shall submit a hoarding application and pay all relevant fees before commencement of works.
58. A detailed Traffic Management Plan to cater for construction traffic shall be submitted to and approved by Council before commencement of works. Details shall include proposed truck parking areas, construction zones, crane usage, truck routes etc.
59. The person acting on this consent shall submit a dilapidation report including colour photos showing the existing condition of the footpath and roadway adjacent to the site before commencement of works.
60. Before the issue of a Construction Certificate, details should be submitted to the Certifying Authority's satisfaction indicating an area to be used for communal composting and suitable composting equipment in accordance with the requirements of Part 2.21 of MDCP 2011.
61. The person acting on this consent shall provide to Council a bond in the amount of \$4,202.10 and pay the related Section 138 (Roads Act) inspection fee of \$209.00 (GST inclusive) before the issue of a Construction Certificate to ensure the proper completion of the footpath and/or vehicular crossing works required as a result of this development.
62. Before the issue of a Construction Certificate the owner or builder shall sign a written undertaking that they shall be responsible for the full cost of repairs to footpath, kerb and gutter, or other Council property damaged as a result of construction of the proposed development. Council may utilise part or all of any Building Security Deposit (B.S.D.) or recover in any court of competent jurisdiction, any costs to Council for such repairs.
63. All plumbing and ductwork including stormwater downpipes must be concealed within the outer walls of the building so they are not visible. Plans and elevations detailing the method of concealment must be submitted to and approved by Council before the issue of a Construction Certificate. Any variation to this requirement requires Council approval.
64. In order to provide satisfactory vehicular and pedestrian access, drainage, landscaping and aesthetic improvements to the public domain adjacent to the site, the following works shall be undertaken at no cost to Council:
 - i. The public domain along all frontages of the site inclusive of footpath paving, kerb, street trees, landscaping, street furniture, etc shall be reconstructed and upgraded in accordance with the Street Tree Masterplan and the Marrickville Public Domain Design Guide;

- ii. The construction of heavy duty vehicular crossings to all vehicular access locations and removal of all redundant vehicular crossings to the site; and
- iii. Alignment levels 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 shall be set at 2.5%.

Full detailed construction plans and specifications shall be submitted to Council for approval under Section 138 of the Roads Act 1993 before the issue of a Construction Certificate with all works completed prior to the issue of an Occupation Certificate.

65. The stormwater drainage plans SW-01 to SW-03 (Issue A) submitted by Promark Consulting Engineers P/L shall be amended to include the following details/additional information before the issue of a Construction Certificate:
 - a) Details (schematic) of connection of the rainwater tank to all toilets, and external taps for irrigation;
 - b) Amendments to the stormwater plans to suit the latest architectural plans; and
 - c) Details of an inter-allotment drainage system to allow for the future drainage of the rear of 58 Ewart Street.

SITE WORKS

66. All excavation, demolition, construction and deliveries to the site necessary for the carrying out of development must be restricted to between 7.00am to 5.30pm Mondays to Saturdays excluding Public Holidays. Notwithstanding the above, no work is to be carried out on any Saturday that falls adjacent to a Public Holiday.
67. All demolition, construction and associated work necessary for the carrying out of the development must be restricted to between the hours of 7.00am to 5.30pm Mondays to Saturdays, excluding Public Holidays. Notwithstanding the above, no work is to be carried out on any Saturday that falls adjacent to a Public Holiday.
68. The area surrounding the building work must be reinstated to Council's satisfaction upon completion of the work.
69. The placing of any materials on Council's footpath or roadway is prohibited, without the consent of Council. The placement of waste storage containers in a public place requires Council approval and must comply with Council's Policy – 'Placement of Waste Storage Containers in a Public Place'.
70. All demolition work must be carried out in accordance with the following:
 - a) compliance with the requirements of Australian Standard AS 2601 'The demolition of structures' with specific reference to health and safety of the public, health and safety of the site personnel, protection of adjoining buildings and protection of the immediate environment;

- b) all works involving the demolition, removal, transport and disposal of asbestos cement must be carried out in accordance with the 'Worksafe Code of Practice for Removal of Asbestos' and the requirements of the WorkCover Authority of NSW and the Department of Environment, Climate Change and Water;
 - c) all building materials arising from the demolition must be disposed of in an approved manner in accordance with Part 2.21 of Marrickville Development Control Plan 2011 – Site Facilities and Waste Management and any applicable requirements of the Department of Environment, Climate Change and Water;
 - d) sanitary drainage, stormwater drainage, water, electricity and telecommunications must be disconnected in accordance with the requirements of the responsible authorities;
 - e) the generation of dust and noise on the site must be controlled;
 - f) the site must be secured to prohibit unauthorised entry;
 - g) suitable provision must be made to clean the wheels and bodies of all vehicles leaving the site to prevent the tracking of debris and soil onto the public way;
 - h) all trucks and vehicles associated with the demolition, including those delivering to or removing material from the site, must only have access to the site during work hours nominated by Council and all loads must be covered;
 - i) all vehicles taking materials from the site must be loaded wholly within the property unless otherwise permitted by Council;
 - j) no waste collection skips, spoil, excavation or demolition material from the site must be deposited on the public road, footpath, public place or Council owned property without the approval of Council; and
 - k) the person acting on this consent must ensure that all contractors and sub-contractors associated with the demolition are fully aware of these requirements.
71. The works are required to be inspected at critical stages of construction, by the PCA or if the PCA agrees, by another Certifying Authority. The last inspection can only be carried out by the PCA. The critical stages of construction are:
- a) At the commencement of the building work;
 - b) For Class 2, 3 and 4 buildings, prior to covering waterproofing in any wet areas (a minimum of 10% of wet areas within a building);
 - c) Prior to covering any stormwater drainage connections, and after the building work has been completed and prior to any occupation certificate being issued in relation to the building; and
 - d) After the building work has been completed and prior to any occupation certificate being issued in relation to the building.
- You are advised to liaise with your PCA to establish if any additional inspections are required.
72. If the development involves an excavation that extends below the level of the base of the footings of a building on the adjoining allotments, including a public place such as a footway and roadway, the person acting on the consent, at their own expense must:
- a) protect and support the adjoining premises from possible damage from the excavation, and

- b) where necessary, underpin the adjoining premises to prevent any such damage. Where the proposed underpinning works are not "exempt development", all required consents must be obtained prior to the required works commencing; and
- c) at least 7 days' notice is given to the owners of the adjoining land of the intention to excavate below the base of the footings. The notice must include complete details of the work.

Where a dilapidation report has not been prepared on any building adjacent to the excavation, the person acting on this consent is responsible for arranging and meeting the cost of a dilapidation report prepared by a suitably qualified person. The report must be submitted to and accepted by the PCA before works continue on site, if the consent of the adjoining property owner can be obtained.

Copies of all letter/s that have been sent via registered mail to the adjoining property owner and copies of any responses received must be forwarded to the PCA before work commences.

- 73. All vehicles carrying materials to, or from the site, must have their loads covered with tarpaulins or similar covers.
- 74. Satisfactory methods and/or devices must be employed on the site to prevent the tracking of mud/dirt onto the surrounding streets from vehicles leaving the site.
- 75. A certificate of survey from a registered land surveyor must be submitted to the PCA upon excavation of the footings and before the pouring of the concrete to verify that the structure will not encroach on the allotment boundaries.
- 76. Alignment levels for the site at all pedestrian and vehicular access locations shall match the existing back of footpath levels at the boundary. **Note:** This may require the internal site levels to be adjusted locally at the boundary to ensure that they match the issued alignment levels. Failure to comply with this condition will result in vehicular access being denied.
- 77. All roof and surface stormwater from the site and any catchment external to the site that presently drains to it, shall be collected in a system of pits and pipelines/channels and major storm event surface flow paths and being discharged to a Council controlled stormwater drainage system in accordance with the requirements of Marrickville Council Stormwater and On Site Detention Code.
- 78. During construction, all holes (eg created for footings etc.), machinery and construction material stockpiles must be inspected daily prior to commencing work to ensure no Long-nosed Bandicoots are sheltering in these areas. In the event that a bandicoot is found, no work must proceed until the bandicoot has been safely vacated from the works area.
- 79. Activities and storage of materials must be kept away from garden beds to protect the long nose bandicoot.
- 80. Tree protection measures for the street trees shall be maintained in good order for the duration of works, except where these conditions permit otherwise.

81. Trees to be removed shall be removed by a practicing arborist who has a minimum qualification of Certificate 3 in Arboriculture, in compliance with the Safe Work Australia *Guide to Managing Risks of Tree Trimming and Removal Work*, July 2016.
82. Landscaping of the site must be carried out prior to occupation or use of the premises in accordance with the approved plan, and must be maintained at all times to Council's satisfaction.

BEFORE OCCUPATION OF THE BUILDING

83. You must obtain an Occupation Certificate from your PCA before you occupy or use the building. The PCA must notify the Council of the determination of the Occupation Certificate and forward the following documents to Council within 2 days of the date of the Certificate being determined:
 - a) A copy of the determination;
 - b) Copies of any documents that were lodged with the Occupation Certificate application;
 - c) A copy of Occupation Certificate, if it was issued;
 - d) A copy of the record of all critical stage inspections and any other inspection required by the PCA;
 - e) A copy of any missed inspections; and
 - f) A copy of any compliance certificate and any other documentary evidence relied upon in issuing the Occupation Certificate.
84. Occupation of the building must not be permitted until such time as:
 - a) All preconditions to the issue of an Occupation Certificate specified in this development consent have been met;
 - b) The building owner obtains a Final Fire Safety Certificate certifying that the fire safety measures have been installed in the building and perform to the performance standards listed in the Fire Safety Schedule; and
 - c) An Occupation Certificate has been issued.
85. 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 shall 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.

86. The Section 73 Certificate must be submitted to the Principal Certifying Authority before the issue of an Occupation Certificate.
- a) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Make early application for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.
 - b) Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneypwater.com.au > Plumbing, building and developing > Providers > Lists or telephone 13 20 92.
87. A Section 73 Compliance Certificate from Sydney Water must be submitted to Council before occupation of the premises.
88. A statement from a qualified Architect, verifying that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design principles set out in Schedule 1 of State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development must be submitted to the Certifying Authority's satisfaction before the issue of an Occupation Certificate.
89. The landscaping of the site must be carried out prior to occupation or use of the premises in accordance with the approved details and must be maintained at all times to Council's satisfaction.
90. The Certifying Authority must be satisfied that each of the commitments listed in BASIX Certificate referred to in this Determination have been fulfilled before the issue of an Occupation Certificate (whether an interim or final Occupation Certificate).
91. The Certifying Authority must apply to the Director-General for a BASIX Completion Receipt within 2 days of the issue of a final Occupation Certificate. Completion Receipts can be applied for at www.basix.nsw.gov.au.
92. Before the issue of an Occupation Certificate, a street number and identifier of separate occupancies (if applicable) must be clearly displayed in a readily visible location (numbers having a height of not less than 75mm). If any new street numbers or change to street numbers (this includes unit and shop numbers) are required they must have the prior approval of Council before being displayed.
93. All works required to be carried out in connection with drainage, crossings, alterations to kerb and guttering, footpaths and roads resulting from the development shall be completed before the issue of the Occupation Certificate. Works shall be in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2- "Roadworks Specifications".
94. 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 shall be at no cost to Council and undertaken before the issue of an Occupation Certificate.

95. No encroachments onto Council's road or footpath of any service pipes, sewer vents, boundary traps, downpipes, gutters, stairs, doors, gates, garage tilt up panel doors or any structure whatsoever shall not be permitted. Any encroachments on to Council road or footpath resulting from the building works will be required to be removed before the issue of the Occupation Certificate.
96. The existing stone kerb adjacent to the site is of local heritage value and is to be preserved at no cost to Council. Any damage to the stone kerb will require the replacement of the damaged individual stone units before the issue of the Occupation Certificate.
97. Heavy duty concrete vehicle crossings, in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications" shall be constructed at the vehicular access locations before the issue of the Occupation Certificate and at no cost to Council.
98. All redundant vehicular crossings to the site shall be removed and replaced by kerb and gutter and footpath paving in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications" before the issue of the Occupation Certificate and at no cost to Council. Where the kerb in the vicinity of the redundant crossing is predominately stone (as determined by Council's Engineer) the replacement kerb shall also be in stone.
99. The footpaths adjacent to the site in Ewart Street and Dibble Avenue shall be reconstructed in accordance with Council's standard plans and specification and the approved public domain plan. The above works shall be undertaken at no cost to Council and before the issue of the Occupation Certificate.
100. Before the issue of the Occupation Certificate written verification from a suitably qualified competent person, stating that all stormwater drainage, re-use and quality measures have been constructed in accordance with the approved plans shall be submitted to and accepted by Council. The Certificate shall also state that no dry-weather flows of seepage or groundwater have been connected to any kerb outlets. In addition, full works-as-executed plans, prepared and signed by a registered surveyor, shall be submitted to Council. These plans must include levels for all drainage structures, buildings (including floor levels), finished ground levels and pavement surface levels.
101. A drainage easement approximately 0.5m wide in favour of 58 Ewart Street being created over the full length of the rear boundary before the issue of the Occupation Certificate to allow for a proposed inter-allotment drainage system at no cost to Council.
102. All instruments under Section 88B of the Conveyancing Act used to create easements or right-of-ways shall include the condition that such easements or right-of-ways may not be varied, modified or released without the prior approval of Marrickville Council.
103. Prior to issue of the Occupation Certificate the person acting on this consent shall obtain from Council a compliance Certificate(s) stating that all Road, Footpath and Civil Works on Council property required to be undertaken as a result of this development have been completed satisfactorily and in accordance with Council approved plans and specifications.

104. Following completion of construction and before the issue of an Occupation Certificate, five (5) new trees shall be planted. The new trees shall be planted in accordance with the following criteria:
- a) The new trees shall be a minimum of 1 metre from any dividing boundary fence and a minimum of 1.5 metres from any building.
 - b) The species of the new trees shall be as indicated on the amended Landscape Plan and Details prepared by Paddock on 20 March 2017 and submitted to Council on 21 March 2017.
 - c) The planting stock size shall be at least 45 litres.
 - d) The planting stock shall comply with the Australian Standard *Tree Stock for Landscape Use* AS 2303-2015.
 - e) The new trees shall be planted in accordance with the tree planting detail included in the Marrickville Street Tree Master Plan 2014. Please note that planting holes for trees shall not be excavated deeper than the root ball and that new trees shall not be staked.
 - f) The new tree shall be planted by a qualified horticulturist or arborist, with a minimum qualification of Certificate 3.
 - g) Each replacement tree shall be maintained in a healthy and vigorous condition until it attains a height of 5 metres, from which time it is protected by MDCP 2011.
 - h) If either tree dies or needs to be removed before that time it shall be replaced with a similar tree in accordance with these conditions at the expense of the applicant.
105. The Principal Certifying Authority shall certify in writing before the issue of an Occupation Certificate that the conditions relating to tree removal, tree protection and tree planting have been complied with, or if not, detail the nature of any departure from the conditions and shall report breaches of the conditions to Inner West Council.

ADVISORY NOTES

- 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.
- A complete assessment of the application under the provisions of the Building Code of Australia has not been carried out.
- The approved plans must be submitted to the Customer Centre of any office of Sydney Water before the commencement of any work to ensure that the proposed work meets the requirements of Sydney Water. Failure to submit these plans before commencing work may result in the demolition of the structure if found not to comply with the requirements of Sydney Water.
- The vehicular crossing and/or footpath works are required to be constructed by your own contractor. You or your contractor must complete an application for 'Construction of a Vehicular Crossing & Civil Works' form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, before commencement of works.

- Any natural light or ventilation gained by windows within 900mm of the boundary will not be taken into consideration in the event that the adjoining property owner makes application to Council to carry out building works on their property. The window has been consented to on the basis that alternative sources of light and ventilation are available to the room.
- Buildings built or painted before 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 before occupation of the room or building.
- Contact "Dial Before You Dig" before commencing any building activity on the site.
- The enclosed Fact Sheet on Long-nosed Bandicoots should be read before commencing any works on site, including site preparation works.

- 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 Before You Dig	☎ 1100 www.dialbeforeyoudig.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) ☎ 1300 651 116
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.

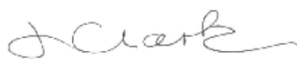
This consent is effective and operates from 12 April 2017. The consent will lapse unless the proposed development is commenced in accordance with Section 95 of the Act.

Under Section 82A of the Act you may, within six (6) months of receipt of this notice, request Council to review this determination. A review request of this determination may be made under Section 82A of the Act. That review request must be made and determined by Council within six (6) months of the date hereon.

Under Section 97 of the Act you may, within six (6) months of receipt of this notice, appeal to the Land and Environment Court if you are dissatisfied with the Council's determination.

All conditions imposed by the Council must be observed. Breach of a condition is a breach of the Act and may also constitute an offence.

Yours faithfully

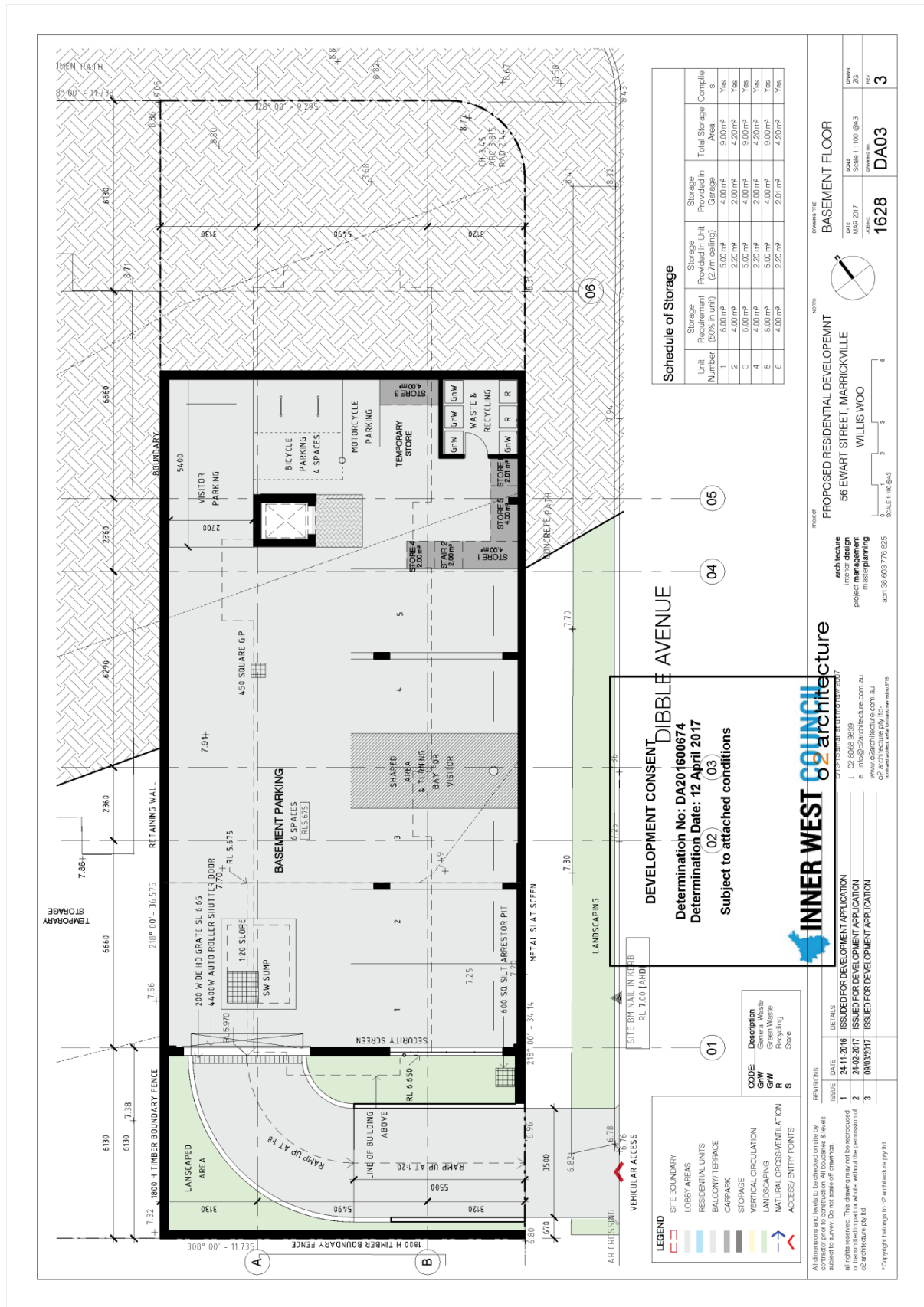


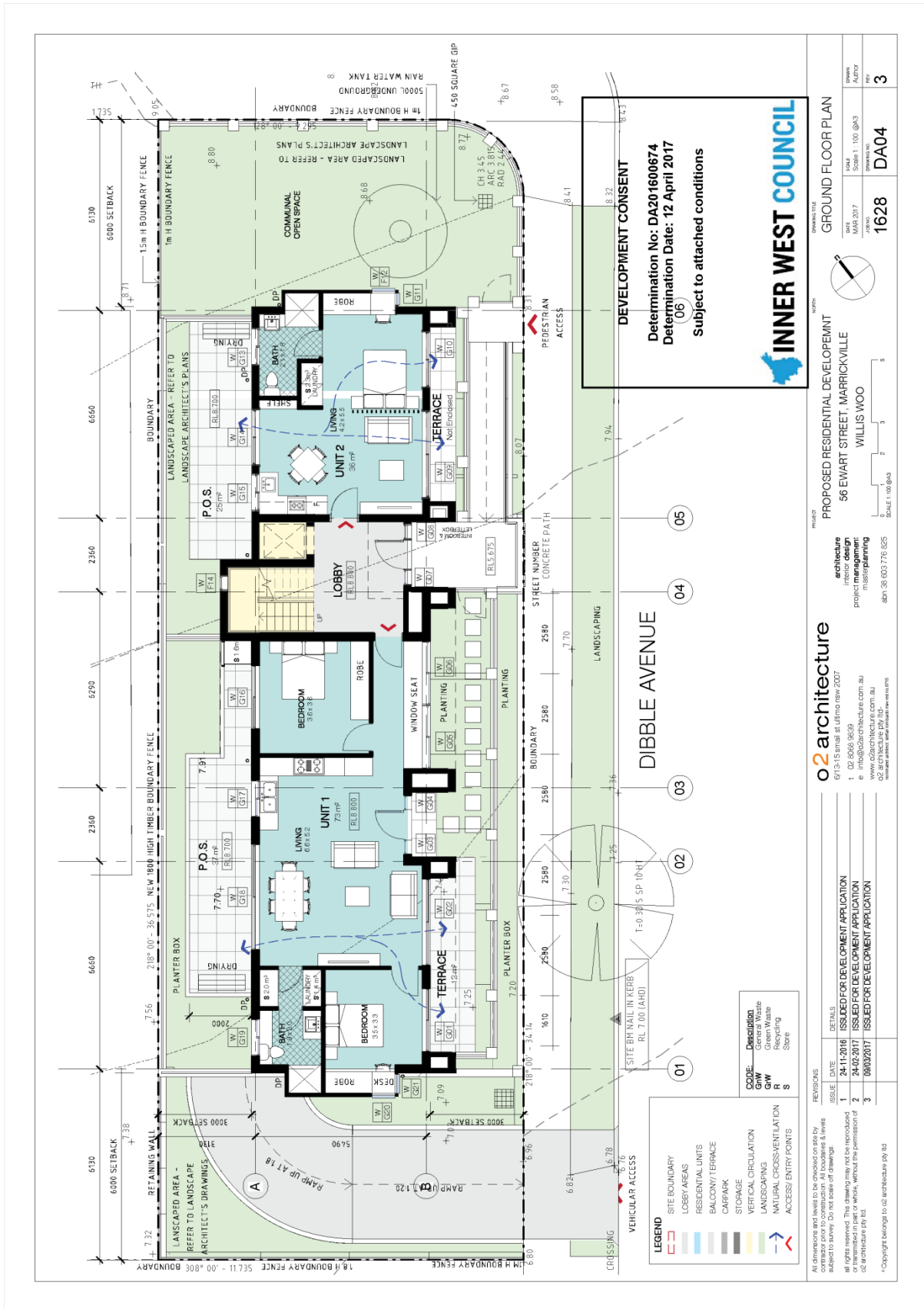
Judy Clark
Manager Development Assessment

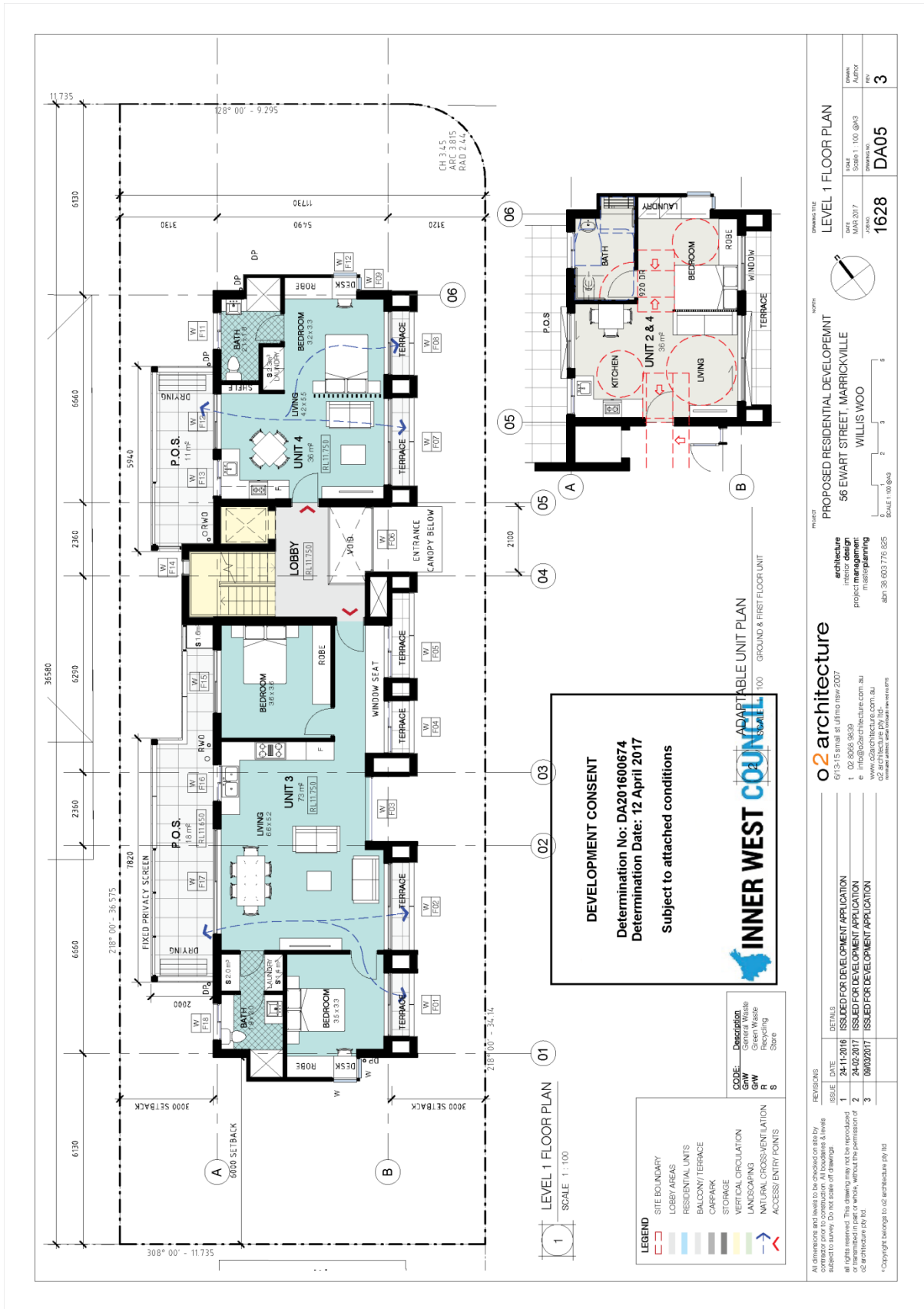
Enquiries: Asher Richardson on 93925315.

Ref: D1 TRIM No: 38183.17

Attachment D - Approved Plans - Determination No. 201600674







REVISIONS	DATE	DETAILS
1	24-11-2016	ISSUED FOR DEVELOPMENT APPLICATION
2	24-03-2017	ISSUED FOR DEVELOPMENT APPLICATION
3	09-09-2017	ISSUED FOR DEVELOPMENT APPLICATION

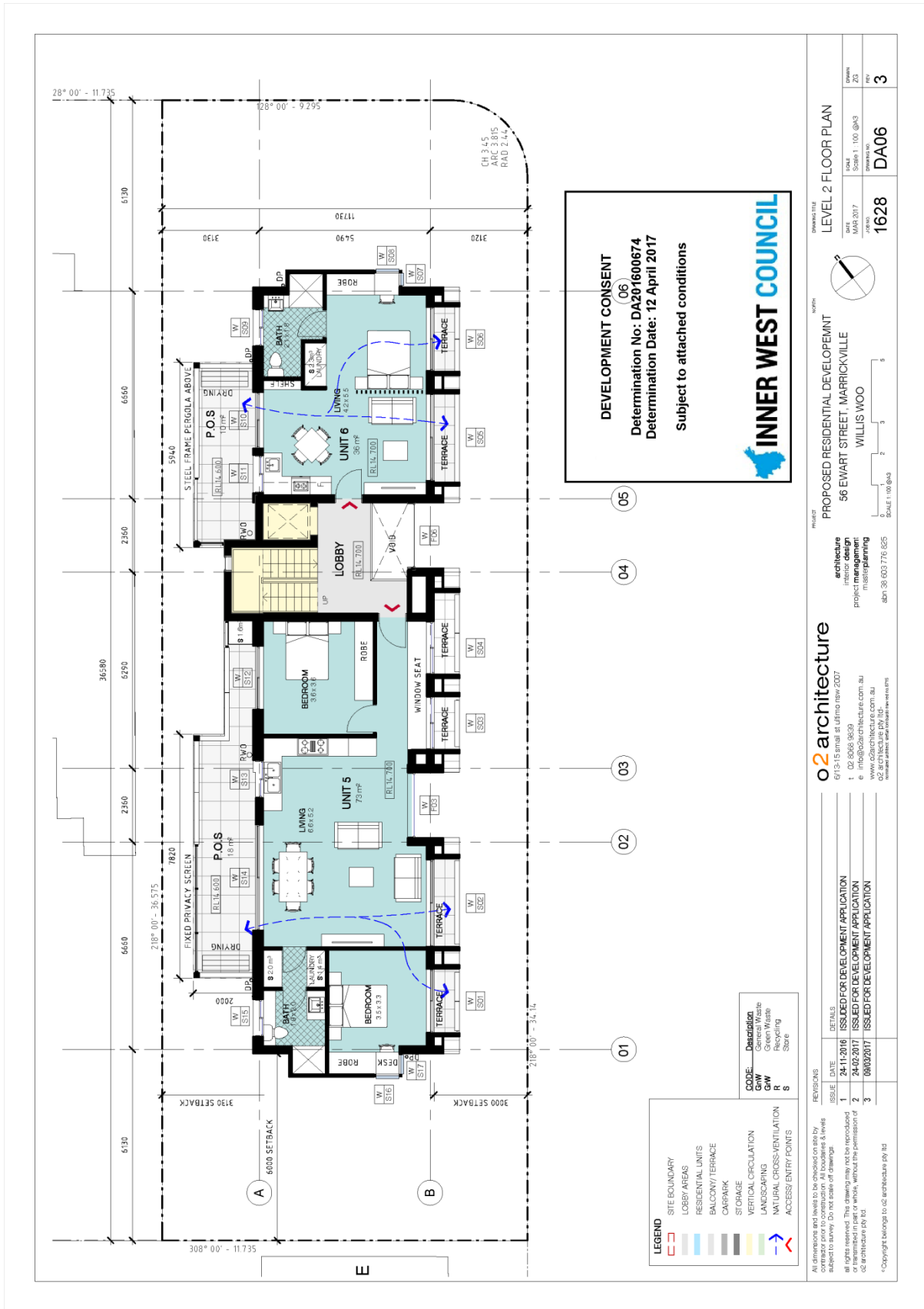
CODE	Description
CB	Common Boundary
GA	Green Area
GW	Green Waste
R	Recycling
S	Store

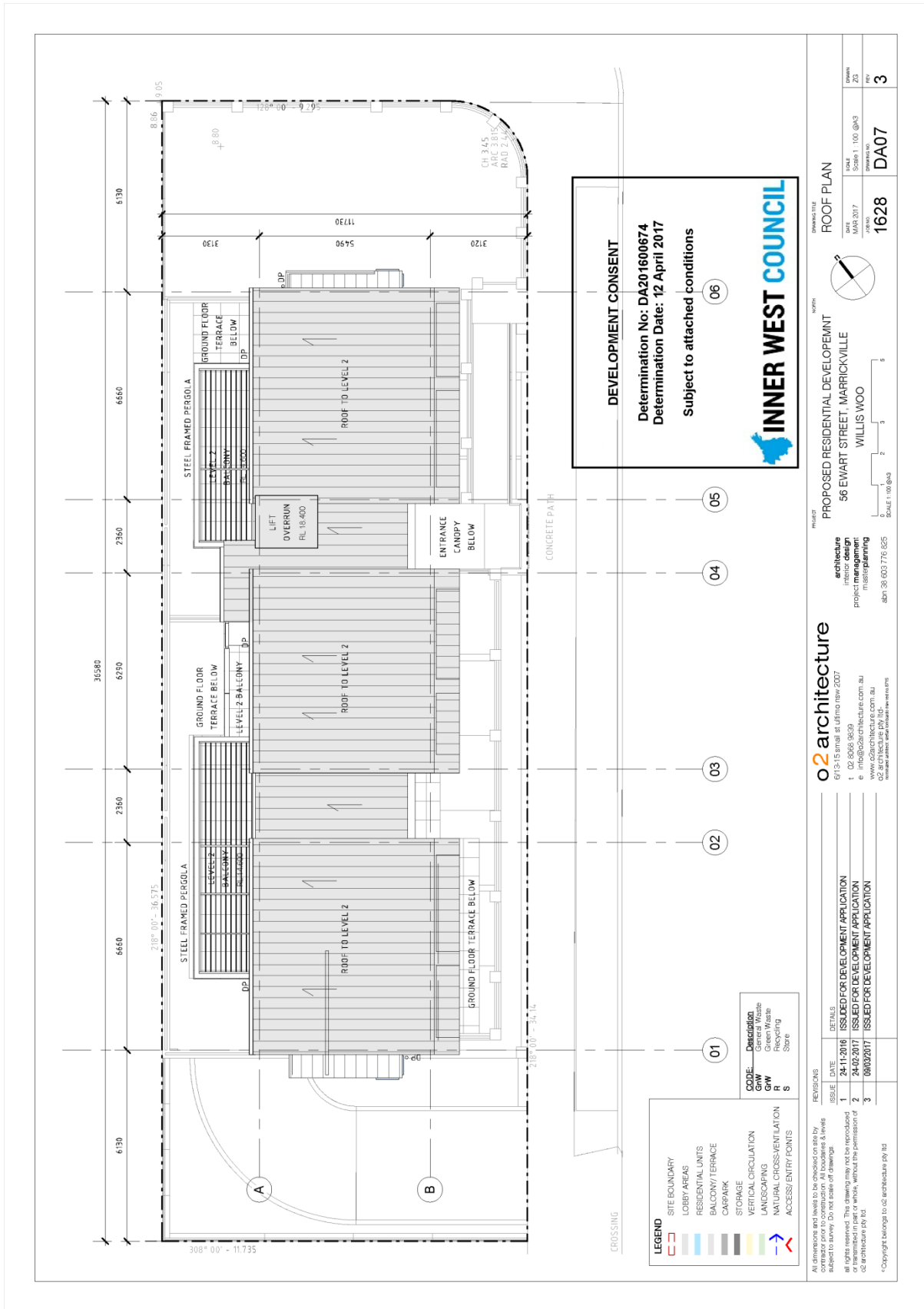
REVISIONS	DATE	DETAILS
1	24-11-2016	ISSUED FOR DEVELOPMENT APPLICATION
2	24-03-2017	ISSUED FOR DEVELOPMENT APPLICATION
3	09-09-2017	ISSUED FOR DEVELOPMENT APPLICATION

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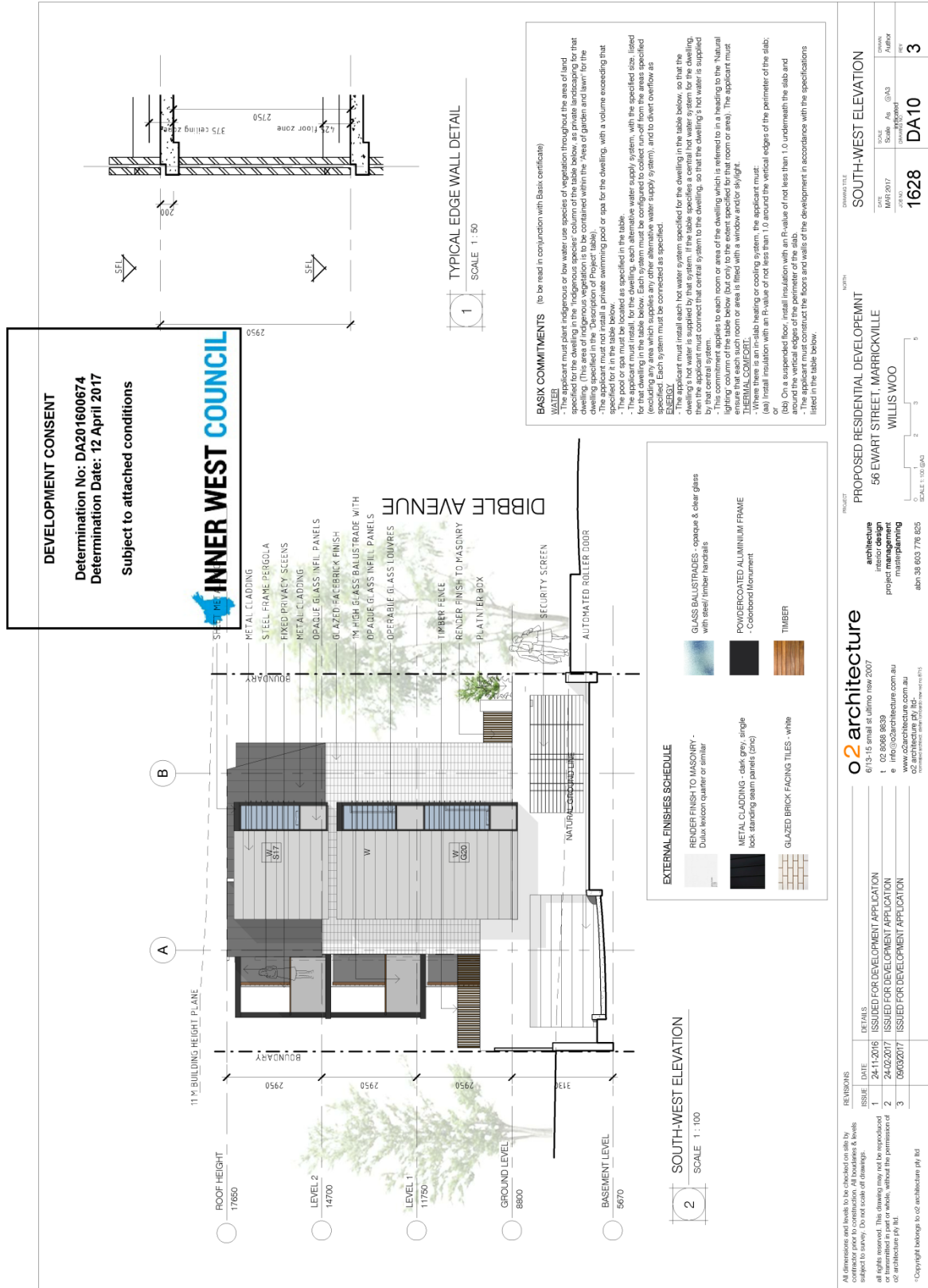
REVISIONS		DETAILS		DRAWING TITLE	
NO.	DATE	ISSUE	DATE	NO.	REVISION
1	24-11-2016	ISSUED FOR DEVELOPMENT APPLICATION	24-11-2016	1	SCALE 1:100 (DA03)
2	24-02-2017	ISSUED FOR DEVELOPMENT APPLICATION	24-02-2017	2	SCALE 1:100 (DA03)
3	09-03-2017	ISSUED FOR DEVELOPMENT APPLICATION	09-03-2017	3	SCALE 1:100 (DA03)

PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT 56 EWART STREET, MARRICKVILLE WILLIS WOOD		DRAWING NO: 1628 DATE: DA08	
ARCHITECTURE: o2 architecture PROJECT MANAGEMENT: o2 architecture MASTERPLANNING: o2 architecture		SCALE: 1:100 (DA03)	

DEVELOPMENT CONSENT Determination No: DA20160674 Determination Date: 12 April 2017 Subject to attached conditions	
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ALL DIMENSIONS AND LEVELS TO BE CHECKED ON SITE BY THE APPLICANT. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION OR FOR ANY OTHER PURPOSES WITHOUT THE PERMISSION OF O2 ARCHITECTURE PTY LTD.	
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DEVELOPMENT CONSENT
 Determination No: DA201600674
 Determination Date: 12 April 2017
 Subject to attached conditions

INNER WEST COUNCIL

BASIS COMMITMENTS (to be read in conjunction with Basis certificate)

WATER

- The applicant must plant indigenous or low water use species of vegetation throughout the area of land that the applicant must install a private swimming pool or spa for the dwelling, with a volume exceeding that specified in the Description of Project table.
- The applicant must not install a private swimming pool or spa for the dwelling, with a volume exceeding that specified in the Description of Project table.
- The applicant must install, for the dwelling, each alternative water supply system, with the specified size, listed for that dwelling in the table below. Each system must be configured to collect run-off from the areas specified in the table below, and be connected to a water supply system, and to divert overflow as specified. Each system must be connected as specified.

ENERGY

- The applicant must install each hot water system specified for the dwelling in the table below, so that the applicant must connect that central system to the dwelling, so that the dwelling's hot water is supplied by that central system.
- This commitment applies to each room or area of the dwelling which is referred to in a heading to the 'Natural lighting' column in the table below (but only to the extent specified for that room or area).
- Where there is an in-slab heating or cooling system, the applicant must:
 - (a) Install insulation with an R-value of not less than 1.0 around the vertical edges of the perimeter of the slab.
 - (b) On a suspended floor, install insulation with an R-value of not less than 1.0 underneath the slab and around the vertical edges of the perimeter of the slab.
- The applicant must construct the floors and walls of the development in accordance with the specifications listed in the table below.

EXTERNAL FINISHES SCHEDULE

RENDER FINISH TO MASONRY - Dulux lexcon quarter or similar	GLASS BALUSTRADES - opaque & clear glass with steel/ timber handrails	POWDERCOATED ALUMINIUM FRAME - Colourbond flonorment	TIMBER
METAL CLADDING - dark grey, single lock, standing seam panels (2x6)			
GLAZED BRICK FACING TILES - white			

REVISIONS		DETAILS	
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3	09/09/2017	ISSUED FOR DEVELOPMENT APPLICATION	09/09/2017

All dimensions and levels to be checked on site by applicant. All levels to be checked on site by applicant. All dimensions and levels to be checked on site by applicant. All levels to be checked on site by applicant.

o2 architecture
 6/15-16 email at ulimo nsw 2007
 t 02 9086 8639
 e info@o2architecture.com.au
 www.o2architecture.com.au
 10/10/2016 10:00 AM (10/10/2016 10:00 AM)

PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT
 56 EWART STREET, MARRICKVILLE
 WILLIS WOOD
 SCALE 1:100 @A3

DATE: 12 APR 2017
 SCALE: A4 @A3
 DRAWING NO: 1628
 SHEET NO: DA10
 TOTAL SHEETS: 3



REVISIONS		DETAILS	
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All dimensions and levels to be checked on site by architect. All levels are approximate & levels subject to approval. Do not scale off drawings. All heights are to top of finished floor level. This elevation is not to be used or transmitted in part or whole, without the permission of o2 architecture pty ltd.	
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o2 architecture 6/15-16 small st ulimo nsw 2007 t: 02 9088 8839 e: info@o2architecture.com.au www.o2architecture.com.au 22 years of experience in the industry		PRODUCT PROPOSED RESIDENTIAL DEVELOPMENT 56 EWART STREET, MARRICKVILLE WILLIS WOO	
PROJECT architecture interior project management master planning abn: 38 603 776 825		DRAWING TITLE NORTH-EAST ELEVATION	
DRAWING NO. 1628		SCALE Scale 1: 100 (DA)3	
DATE MAR 2017		DRAWING NO. DA11	
PROJECT NO. 1628		SHEET NO. 3	

