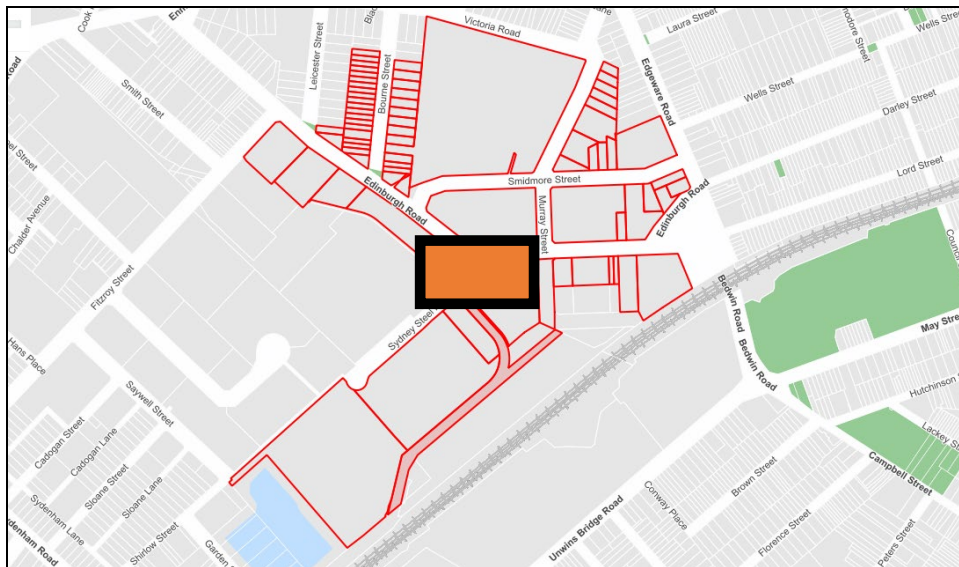







# INNER WEST

## DEVELOPMENT ASSESSMENT REPORT

<b>Application No.</b>	DA201900419
<b>Address</b>	13-55 Edinburgh Road MARRICKVILLE NSW 2204
<b>Proposal</b>	Fit out and use of a tenancy as a brewery themed food and drink premises
<b>Date of Lodgement</b>	02 December 2019
<b>Applicant</b>	AMP Capital Investors Limited
<b>Owner</b>	AMP Capital Investors Limited
<b>Number of Submissions</b>	No submissions
<b>Value of works</b>	\$1,308,684.00
<b>Reason for determination at Planning Panel</b>	Sensitive Development – Application for new licensed premises
<b>Main Issues</b>	Control of impacts on neighbouring land
<b>Recommendation</b>	Approval with conditions
<b>Attachment A</b>	Recommended conditions of consent
<b>Attachment B</b>	Plans of proposed development
<b>Attachment C</b>	Plan of Management
<b>Attachment D</b>	Concept Approval: MP 09_0191



**LOCALITY MAP**

Subject Site		Objectors		 N
Notified Area		Supporters		

## 1. Executive Summary

This report is an assessment of the application submitted to Council for fit out and use of a tenancy as a brewery-themed food and drink premises at 13-55 Edinburgh Road, Marrickville.

The main issues that have arisen from the application include:

- The application seeks consent for a Hotel or General Bar Licence under the Liquor Act 2007 as such the delegations of determination fall to the Inner West Local Planning Panel (IWLPP). The site has residential neighbours and the impacts of the proposed new licensed need to be carefully managed.

The existing shopping centre and expansion site is subject to a Major Project Approval (MP09\_0191), which was granted on 19th March 2012. This was a Concept Plan approval, which approved the expansion of the “Marrickville Metro” Shopping Centre at the subject site. The Concept Approval provided special provisions which enable retail uses to become permissible, granted hours of operation and provided general conditions for the operation of the centre expansion. The current development application is lodged in order to comply with the requirements of condition A(8) of the Major Project Approval, which states that uses such as restaurants, small bars and pubs are required to be subject to a further development application.

The proposal is considered acceptable, subject to suitable conditions of consent and therefore the application is recommended for approval.

## 2. Proposal

The current application seeks consent for the fit out and use of a new restaurant, licensed bar with ancillary microbrewery for on-site consumption and retail sales. The premises will include indoor and outdoor seating areas in Tenancy 15 (referred to as zone G015) of the Marrickville Metro Shopping Centre expansion site located at 13-55 Edinburgh Road, Marrickville, NSW 2204.

The maximum capacity for the proposed restaurant/bar with ancillary microbrewery will be for 226 seated people (16 seats outdoor and 210 seats indoor). There will be approximately 12 staff working on-site at any one time. There will be no public access to the brewing area, brewery storage room, kitchen and bulk storage facility.

The hours of operation for the premises are proposed to be as follows:

Internal Areas:

Mon-Sun: 7:00am to 12:00 midnight

External Licensed Seating areas:

Mon-Sun 7:00am to 12:00 midnight on a 2-year trial basis as per condition F4 of the Major Projects approval. At the end of this period, the tenant will have the option to lodge an application seeking consent to extend the trial period operation hours. Staff will be on-site for 1 hour before and after trading hours for preparation and clean up. Brewing activities including the brewing processes which will be ongoing 24 hours per day 7 days a week.

The floor plan for the proposed tenancy is as follows:

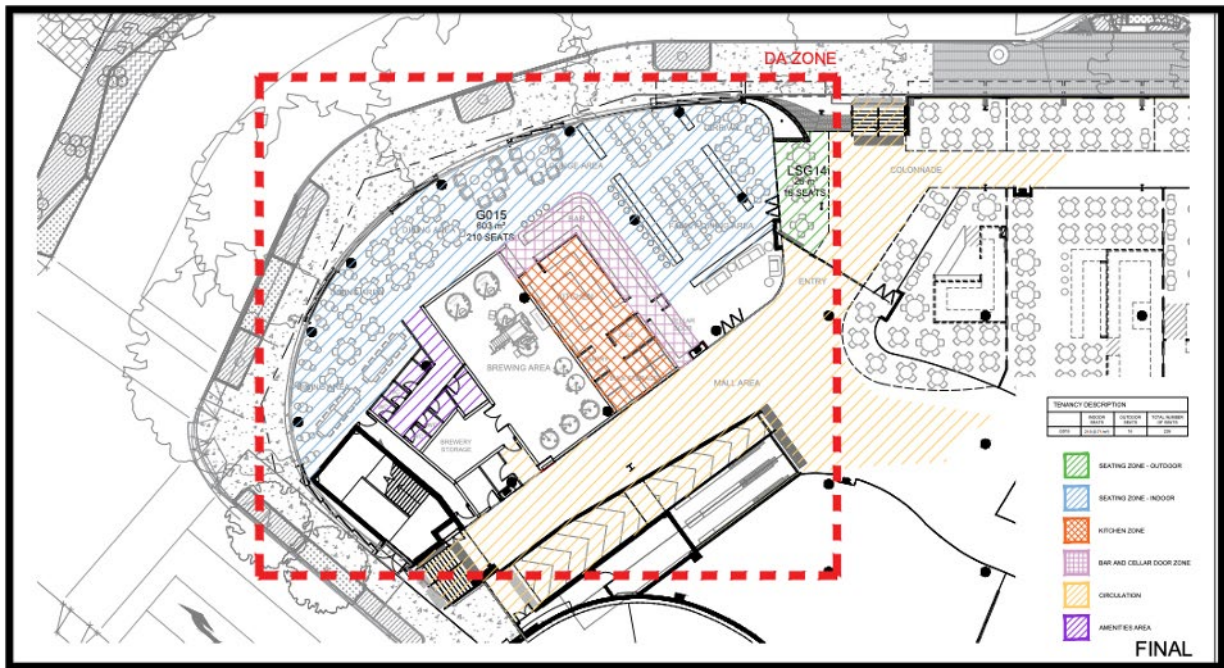


Figure1 floor plan of proposed tenancy fit out

### 3. Site Description

The site subject to this application is known as 13-55 Edinburgh Road, Marrickville. The site is located on the northern of Edinburgh Road, southern side of Smidmore Street and western side of Murray Street. 13-55 Edinburgh Road comprises Lot 1 in Deposited Plan 612551 and Lot 91 in DP 4991 and is approximately 9,070 square metres in area.

The site previously contained a warehouse building and acted as a distribution centre, however currently the site is vacant, with construction underway for the shopping centre expansion as approved under MP09\_0191. Access to the site will be granted from Edinburgh Road and Murray Street, upon completion of the new building.

The immediate surrounding streetscape consists mainly of two storey commercial and industrial buildings. The site is within close proximity to existing elements of the Marrickville Metro Shopping Centre, a two storey warehouse building and a two-three storey commercial/industrial premises. The site is also within close proximity to a dive site for the Sydenham to Bankstown Metro line.

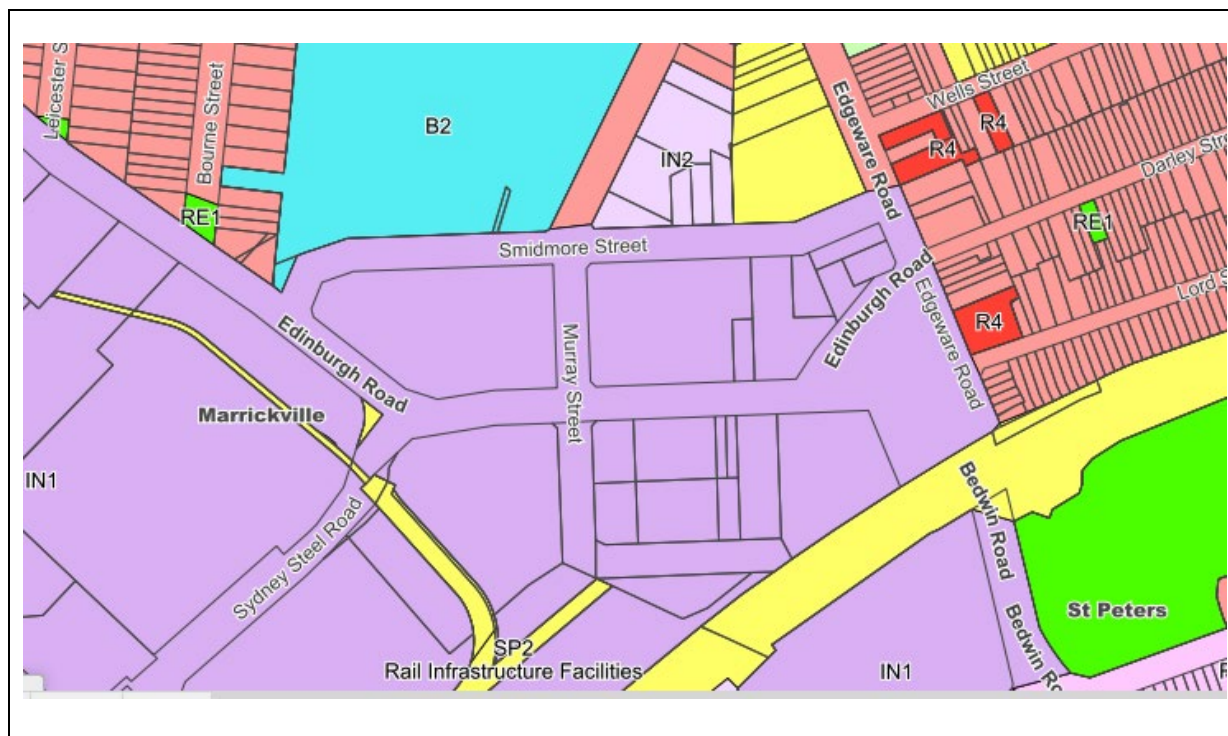


Figure 2 Zoning Map – Marrickville LEP

## 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

Date	Proposal	Decision
19 March 2012	Determination No. MP09_191 dated 19 March 2012 approved an application to extend the existing Marrickville Metro Shopping Centre to include an additional level of retail floor space with an additional level of parking above. The construction of a new building comprising two levels of retail with two levels of parking above at 13-55 Edinbrough Road.	Approved Department of Planning
22 July 2019	Install solar panels above the rooftop car park of the extended Marrickville Metro Shopping Centre.	Approved by Council
8 April 2020	Fit out and use of 12 tenancies associated with the Marrickville metro building located at 13-55 Edinbrough Road and 1 tenancy (shop 37) associated with the existing building at 34 Victoria Road, Marrickville with a total seating capacity for 1,200 patrons	Approved by Council

#### 4(b) Application history

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

Date	Discussion / Letter / Additional Information
10 January 2020	Council officers sent a request for additional information. The requested information required the submission of a detailed acoustic report and a odour assessment report.
25 May 2020	The applicant provided the requested acoustic report, updated plan of management and odour assessment.

### 5. Assessment

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

#### 5(a) Environmental Planning Instruments

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

- *State Environmental Planning Policy No. 55 – Remediation of Land;*
- *State Environmental Planning Policy No. 64 – Advertising and Signage;*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017.*

The following provides further discussion of the relevant issues:

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

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) provides planning guidelines for remediation of contaminated land. MDCP 2011 provides controls and guidelines for remediation works. SEPP 55 requires the consent authority to be satisfied that “the site is, or can be made, suitable for the proposed use” prior to the granting of consent.

The site may have been used in the past for activities which could have potentially contaminated the site. The previous approval granted by the Department of Planning has already considered land contamination and relevant remediation. The current application does not alter the previous assessment and as such no additional conditions regarding contamination are required.

#### 5(a)(ii) **State Environmental Planning Policy No. 64 - Advertising and Signage (SEPP 64)**

SEPP 64 specifies aims, objectives, and assessment criteria for signage. Schedule 1 of SEPP 64 specifies assessment criteria for signage relating to character of the area, special areas, views and vistas, streetscape, setting or landscaping, site and building, illumination and safety.

The current development application does not seek consent for the installation of signage. Signage details are to be covered by a separate development application and is to be in accordance with the requirements of the approved signage strategy issued by the Department of Planning under the state significant development approval.

**5(a)(iii) State Environmental Planning Policy (Vegetation in Non-Rural Areas) (Vegetation SEPP)**

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 concerns the protection of trees identified under Marrickville Development Control Plan 2011.

The application does not seek consent for the removal of any trees from the site. The proposal is therefore compliant with the requirements of the Vegetation SEPP.

**5(a)(iv) Marrickville Local Environment Plan 2011 (MLEP 2011)**

The application was assessed against the following relevant clauses of the *Marrickville Local Environmental Plan 2011*:

- Clause 1.2 - Aims of the Plan
- Clause 2.3 - Zone objectives and Land Use Table
- Clause 5.4 - Artisan food and drink industry exclusion
- Clause 5.10 - Heritage Conservation
- Clause 6.4 - Terrestrial biodiversity
- Clause 6.5 - Development in areas subject to aircraft noise
- Clause 6.6 - Airspace operations

The following table provides an assessment of the application against the development standards:

Control	Proposed	Compliance
Clause 1.2 Aims of Plan	The proposal is consistent with the relevant aims of the plan as follows: <ul style="list-style-type: none"> <li>• The design of the proposal is considered to be of a high standard and has a satisfactory impact on the private and public domain.</li> </ul>	Yes
Clause 5.10 Heritage conservation	The current application is for the fit out and use of premises and will not result in development works which may impact the neighbouring heritage items. Such impacts have already been assessed under the original approval issued by the Department of Planning.	Yes
Clause 6.5 Development in areas subject to aircraft noise	The property is located within the 20-25 Australian Noise Exposure Forecast (2033) Contour. The development is not for a residential use and as such is not likely to be affected by aircraft noise. Requirements for acoustic treatments resulting from aircraft noise have been assessed previously under the original development approval. The current fit out and use of tenancies does not alter this previous approval.	Yes

**(iii) Clause 2.3 - Land Use Table and Zone Objectives**

The subject site is zoned IN1- General Industrial under the *Marrickville Local Environmental Plan 2011 (MLEP)*. The *MLEP 2011* classifies the proposed uses as a food and drink premises and shop (for retail sales of the craft beer). Under *MLEP 2011* these uses are defined as:

**food and drink premises** means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following—

- (a) a restaurant or cafe,
- (b) take away food and drink premises,
- (c) a pub,
- (d) a small bar.

**shop** means premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop and neighbourhood supermarket, but does not include food and drink premises or restricted premises.

Food and drink premises and shop fall under the overarching term of retail premises which is a type of Commercial premises. Commercial premises are prohibited in the IN1 zone. However the Marrickville Metro Edinburgh Road extension approval (Major Project Approval MP09\_0191) issued by the department of planning created special provisions for the subject site, which makes retail premises permissible. The proposed food and drink and shop premises therefore becomes permissible under the Department of Planning Major Project Approval MP09\_0191.

In regards to the ancillary microbrewery, the principal purpose of the tenancy is a food and drink premises (restaurant and bar) with an ancillary component being for the production/ manufacture/ storage and sale of craft beer. The proposed microbrewery is considered to be an ancillary function of the tenancy and has been assessed against the Department of Planning's (DOP) Circular PS-13-001 '*How to characterise development*'. The proposed brewing area is to occupy approximately 15% of the overall tenancy area with the remaining 85% of the tenancy being utilised for the purposes of a food and drink premises. As stated by the applicant the intention of this tenancy is to provide a unique restaurant and bar environment to enjoy consumption of on-site craft beer, other beverages and high quality food. The proposed micro-brewery is supplementary or subordinate to the restaurant and is not anticipated to be of a size or scale which would allow for independent operation. This is best highlighted by the minor percentage the brewing area occupies when compared to the remainder of the tenancy.

The premises is not considered to constitute an *artisan food and drink industry* as the principle purpose of that use must be for the manufacturing of boutique artisan or craft food or drink product. In this case the principle purpose of the tenancy is a food and drink premises. The proposal is therefore not subject to compliance with the provisions of clause 5.4 (10) of the MLEP.

The proposal is thereby considered to be permissible within the zone having regard to the special provisions granted under Major Project Approval MP09\_0191 issued by the Department of Planning.

#### 5(c) Draft Inner West Local Environmental Plan 2020 (Draft IWLEP 2020)

The Draft IWLEP 2020 was placed on public exhibition commencing on 16 March 2020 and accordingly is a matter for consideration in the assessment of the application under *Section 4.15(1)(a)(ii) of the Environmental Planning and Assessment Act 1979*.

The amended provisions contained in the Draft IWLEP 2020 are not relevant to the assessment of the application. Accordingly, the development is considered acceptable having regard to the provisions of the Draft IWLEP 2020.

#### 5(d) Development Control Plans

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

Control	Proposed	Compliance
<i>Part 2 – Generic Provisions</i>		
Part 2.1 – Urban Design	The proposal does not impact the definition between the public and private domain and is appropriate for the character of the locality given its form, massing, siting and detailing;	Yes
Part 2.3 – Site and Context Analysis	An acceptable site and context analysis was submitted.	Yes
Part 2.5 – Equity of Access and Mobility	<ul style="list-style-type: none"> <li>• Appropriate access is provided for all persons through the principal entrance to the premises;</li> <li>• A Continuous Accessible Path of Travel (CAPT) to and within the subject premises is provide which allows a person with a disability to gain access to all areas within the shop; and</li> <li>• An accessible toilet is provided.</li> <li>• Despite the above, the requirements of MDCP 2011 are effectively superseded by the introduction of the Premises Standards.</li> </ul>	Yes
Part 2.6 – Acoustic and Visual Privacy	<ul style="list-style-type: none"> <li>• The development is accompanied with an acoustic assessment which demonstrates compliance with the relevant acoustic noise criteria;</li> <li>• Conditions are imposed to ensure compliance with the relevant acoustic noise criteria;</li> <li>• The proposal includes appropriate management techniques to limit acoustic impacts to nearby/adjoining residents;</li> <li>• The proposed hours of operation are reasonable to limit acoustic impacts to nearby/adjoining residents.</li> </ul>	Yes
Part 2.8 – Social Impact Assessment	A social impact statement has been submitted as part of the application. This statement has been assessed and is acceptable. The proposed fit out and use of tenancies is in-line with the approved use of the site for retail.	Yes
Part 2.9 – Community Safety	The principal entrance and overall building design has been assessed and approved under a separate development application. This application only concerns the fit out and use of premises.	Yes
Part 2.10 – Parking	The provided rate of parking is compliant with the approved scheme under the original development application and is not subject to re-assessment under the current application.	Yes
<i>Part 5 – Commercial and Mixed Use</i>		
Part 5.1.1 – General Objectives	The development application is in-line with the objectives of the control and reflects a	Yes



	use which is approved by the original development consent. The applicant has demonstrated that subject to compliance with the provided acoustic report and plan of management, minimal environmental impact to neighbouring sites will occur.	
Part 5.1.7 – Vehicle access, parking, loading and services	The subject development incorporates multiple loading and waste collection docks. These docks were assessed and approved under the original development application for the premises. These docks envisioned the use of the premises as restaurants/cafes and have been designed to accommodate the required deliverers/waste collection.	Yes
Part 5.3.1.1 – Plan of Management	A Plan of Management (POM) was submitted with the application. The POM submitted is considered to be comprehensive and provide suitable management procedures to minimise potential amenity impacts to the surrounding locality. A condition is included in the recommendation requiring the operation of the premises to adhere to the POM submitted, as amended by any conditions of consent.	Yes
Part 5.3.1.4 – Hours of Operation	The application seeks approval for the hours of operation between 7:00am – 12:00 Midnight. <ul style="list-style-type: none"> <li>• The proposed hours of operation are within traditional business hours for a restaurant.</li> <li>• The hours proposed are unlikely to result in any adverse amenity impacts to neighbouring properties and are generally consistent with the hours of operation of other business within the locality/ of a similar nature.</li> </ul>	Yes

(vi) Part 5.3.1.4 – Hours of Operation and Acoustic Impacts

The Marrickville Metro Edinburgh Road extension as granted under Major Project Approval MP09\_0191 gave consent for the re-development of the centre and on-going operation. As part of this on-going operation MP01\_0191 imposed condition F4 which states that:

*Trading hours of the shopping centre shall be restricted to between the hours of 7.00am and 10pm Monday to Sunday.*

*Notwithstanding the above, the indoor areas of the restaurant tenancies identified on Plan EA123/A are permitted to operate between 7.00am and 12 midnight. Outdoor areas of the restaurant tenancies identified on Plan EA123/A are permitted to operate between 7.00am and 10.00pm, and between 10.00pm and 12 midnight for a trial period of two years.*

*The Secretary is to be informed in writing of the date of commencement of the trial hours. A modification application or development application may be lodged to continue any trial period.*

*The consideration of a proposed continuation and/or extension will be based on the performance of the operator(s) in relation to compliance with approval conditions. Any substantiated complaints received, and any views expressed by the NSW Police Force.*

This condition outlines that the restaurant may operate from 7:00am to 12:00 midnight and that the outdoor areas of these restaurants may trade from 7:00am to 12:00 midnight for a two-year trial period.

The current development application before Council seeks consent for the fit out and use of the tenancy and provides details on patron numbers, staff numbers and day to day operation of the restaurants. Within this application the applicant was required to demonstrate that the proposed use of the premises would not impact the environmental amenity of neighbouring properties in order for the full hours of operation provided by the department of planning to be realised.

To demonstrate how the proposed tenancies can achieve the hours of operation permitted by the Department of Planning the applicant has provided an in-depth acoustic report. This report undertook extensive acoustic modelling based on the assumption of full patron numbers within the tenancy and analysed potential impacts to neighbouring receivers. The report then incorporated various construction and management measures to ensure that the overall impact from noise generation is compliant with acoustic conditions outlined by the Department of Planning, NSW Liquor and Licensing and Council.

The acoustic report has outlined a number of recommendations regarding hours of operation, patron numbers, patron management, soft lining, music noise levels, façade/shop fronts, glass disposal and mechanical plant. The combination of all these recommendations has been demonstrated to result in a combined acoustic noise levels at the most sensitive receivers, complying with the applicable Department of Planning Conditions of Consent (including Condition F2) as well as the Liquor and Gaming NSW Standard Consent Conditions during all periods. The provided acoustic report was reviewed and analysed by Council's Environmental Health Team who outlined that the acoustic measures recommended are appropriate and that the report satisfactorily modelled potential noise generation from the zones and from the total patron numbers. Council's Environmental Health Team have outlined no objection to the proposal and the requested hours of operation, subject to suitable conditions of consent. These conditions have been recommended for the consent and shall form part of any approval.

It is recommended that the 2 year trial hours of operation for the outdoor seating area be imposed. The proposed outdoor seating is the most likely to result in environmental impact and it is this area that is the most difficult to mitigate. While the applicant has successfully demonstrated that it will not result in acoustic impact, it remains imperative that a real world trial be implemented before on-going hours are permitted. The trial hours are recommended as a means to minimize acoustic impacts should substantive claims be received. Upon completion of the 2 years the applicant may lodge a 4.55 application and request that the trial hours be continued.

The requested hours of operation for each of the proposed zones is recommended for support, following assessment of the applicant's acoustic report and based on advice from Council's Environmental Health Team.

(vii) Part 5.3.1.1 – Plan of Management (POM)

As part of the current application the applicant has provided a plan of management (POM). This plan of management has been tailored to the specific use and outlines the correct procedures for the running of the business. The provided POM outlines how tenants are to receive deliveries, waste management, music, complaints and hours of operation. To ensure all recommendations from the acoustic report are also included in the POM a condition has

been recommended for the consent. The imposition of the POM as a condition ensures that all tenants are aware of their roles, responsibilities and correct procedures. The proposal is recommended for approval, subject to conditions of consent.

(viii) Odour Assessment

The applicant has submitted of an odour assessment report be as part of the current application. This odour assessment report has been reviewed by Council's Environmental Health Team, who outlined no objection to the report or recommendations. The applicant has outlined that specific details on the type of mechanical systems and means to control odour created from the brewery.

(ix) Part 5.1.7 – Vehicle access, parking, loading and services

Vehicle access, parking and loading has all been assessed and approved under the original development application MP01\_0191. The site incorporates a loading bay from Murray Street, which is within close proximity to the proposed restaurant zones and provides direct access for the purposes of waste collection and deliveries. This loading bay is to be enclosed and not within proximity to residential properties. MP01\_0191 has provided conditions for hours to which the loading bay be utilised. The current application is in line with the envisioned use of the approved centre expansion and does not result in an increase to the approved rate of parking or changes to the approved loading bay. Appropriate conditions regarding deliveries to the site and waste disposal to minimise acoustic impacts are recommended for the consent.

It is considered the application complies with the parts as indicated and ultimately achieves the aims and objectives of the Marrickville Development Control Plan 2011.

It is considered that the proposal will have no significant detrimental effect relating to the environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed.

### 5(e) The Likely Impacts

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

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

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 notified in accordance with Marrickville Development Control Plan 2011 for a period of 14 days to surrounding properties. No submissions have been received as a result of this notification.

### 5(h) The Public Interest

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

The proposal is not contrary to the public interest.

## 6 Referrals

### 6(a) Internal

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

- Environmental Health - The proposal was referred to the Environmental Health Team, who initially outlined concerns regarding the provided acoustic report. These concerns were passed onto the applicant who provided an amended acoustic report. This amended documentation was assessed by Council's Environmental Health Team, who outlined no objection to the proposal and provided recommended conditions of consent.

### 6(b) External

The application was referred to the following external bodies:

- NSW Police Force - No objections raised, subject to suitable conditions of consent.

## 7. Section 7.11 Contributions/7.12 Levy

Section 7.11 contributions / 7.12 levies are not payable for the proposal, as they have already been imposed as part of the original approval. The proposed fit out and use of spaces which have been approved and relevant levies taken for the associated increase in public demand does not require the payment of additional fees.

## 8. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in *Marrickville Local Environmental Plan 2011* and Marrickville Development Control Plan 2011.

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

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

## 9. Recommendation

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, grant consent to Development Application No. DA201900419 for Fit out and use of a tenancy as a brewery themed food and drink premises at 13-55 Edinburgh Road MARRICKVILLE NSW 2204 subject to the conditions listed in Attachment A below.

**Attachment A – Recommended conditions of consent**

**CONDITIONS OF CONSENT**

**FEES**

**1. Long Service Levy**

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

**GENERAL CONDITIONS**

**2. Documents related to the consent**

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

<b>Plan, Revision and Issue No.</b>	<b>Plan Name</b>	<b>Date Issued</b>	<b>Prepared by</b>
A001 Issue A	Site Plan	12/11/2019	Built Consult Pty Ltd
A100 Issue A	GA Plan Ground Floor	12/11/2019	Built Consult Pty Ltd
A110 Issue A	DA Zone - Bar & Restaurant Floor Plan	12/11/2019	Built Consult Pty Ltd
A200 Issue A	Overall Elevation Smidore Street South	12/11/2019	Built Consult Pty Ltd
A210 Issue A	Overall Elevations Edinburgh Road	12/11/2019	Built Consult Pty Ltd

As amended by the conditions of consent.

**3. Waste Management Plan**

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

**4. Erosion and Sediment Control**

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

**5. Standard Street Tree Protection**

Prior to the commencement of any work, the Certifying Authority must be provided with details of the methods of protection of all street trees adjacent to the site during demolition and construction.

**6. Works Outside the Property Boundary**

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

**7. Neighbourhood Amenity**

The management of the premises:

- a. Shall ensure patrons do not crowd or loiter near the vicinity of the premises in such manner that pedestrian movement is obstructed or hindered.
- b. Shall ensure that the manner in which the business of the premises is conducted and/or the behaviour of persons entering and leaving the premises does not cause undue disturbance to the amenity of the neighbourhood. In this regard, the management shall be responsible for the control of noise and litter generated by persons and/or premises operations. If so directed by Council, the Management is to employ private security staff to ensure that this condition is complied with.
- c. Shall record in an Incident Register full details of any disturbance complaints made by a person to management or staff in respect to the manner in which the business on the premises is conducted and/or the behaviour of persons entering or leaving the premises. Such recording will include time, date, nature of the complaints and any complainant details if provided.
- d. Shall respond to any disturbance complaints in a timely and effective manner. All actions undertaken by management / staff to resolve such complaints shall be recorded in the Register.

**8. CCTV**

- (1) The licensee must maintain a closed-circuit television system on the premises in accordance with the following requirements:

- (a) the system must record continuously from opening time until one hour after the premises are required to close (or, in the case of premises that are not required to cease trading, continuously at all times),
  - (b) recordings must be in digital format and at a minimum of 15 frames per second,
  - (c) any recorded image must specify the time and date of the recorded image,
  - (d) the system's cameras must cover the following areas:
    - (i) all entry and exit points on the premises,
    - (ii) the footpath immediately adjacent to the premises,
    - (iii) all publicly accessible areas (other than toilets) on the premises.
- (2) The licensee must also:
- (a) keep all recordings made by the CCTV system for at least 30 days, and
  - (b) ensure that at least one member of staff is always available on the premises at all times to ensure the system is operating, and can access and fully operate the system, including downloading and producing recordings of CCTV footage and
  - (c) provide any recordings made by the system to a police officer or inspector within 24 hours of any request by a police officer or inspector to provide such recordings.

#### **9. Incident Register**

1. The licensee must always maintain an incident register in the form and manner required under section 56 of the Liquor Act 2007 the venue is open and operating for the sale or supply of liquor.
2. The licensee must record in the register the details of any of the following incidents and any action taken in response to any such incident:
  - a) Any incident involving violence or anti-social behaviour occurring on the premises;
  - b) Any incident of which the licensee is aware that involves violence or anti-social behaviour occurring in the immediate vicinity of the premises and that involves a person who has recently left, or been refused admission to, the premises;
  - c) Any incident that results in a person being turned out of the licensed premises under section 77 of the Liquor Act 2007;

- d) Any incident that results in a patron of the premises requiring medical assistance, and
  - e) Notwithstanding the above, any incident of a person being refused service.
3. The licensee must, if requested to do so by a police officer or inspector: a) make any such incident register immediately available for inspection by a police officer or inspector, and b) allow a police officer or inspector to take copies of the register or to remove the register from the premises.
4. The licensee must ensure that the information recorded in the incident register is retained for at least 3 years from when the record was made.

#### **10. Entertainment**

No live entertainment or amplified music is to be permitted at the premises at any time. Any music shall be by way of background music only.

#### **11. Development Consent**

A copy of the relevant development consent and plan of management is to be kept on the premises and made available for inspection on the request of a police officer, council officer, Liquor & Gaming inspector, or any other person authorised by the Independent Liquor & Gaming Authority.

#### **12. Capacity**

The capacity of the premises must not exceed 206 patrons within the indoor dining area, 20 patrons in the outdoor dining area, and a maximum of 12 staff for a total of 238 persons (or the maximum allowed by the BCA, whichever is fewer). A sign is required to be placed on the front entrance of the premises alongside the prescribed required under s.95(1) of the Liquor Act 2007 stating the maximum capacity.

#### **13. Noise – Consultant's Recommendations**

The recommendations contained in the acoustic report prepared by Marshall Day Acoustics, reference Rp 002 20190869 Rev 3 dated 9 June 2020 must be implemented.



**PRIOR TO ANY DEMOLITION****14. Construction Fencing**

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

**PRIOR TO CONSTRUCTION CERTIFICATE****15. Food Premises – Odour Emission Control**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with details demonstrating that emission control equipment has been provided in the mechanical exhaust system that effectively minimises the emission of odours, vapours and oils.

**16. Noise General – Acoustic Report**

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

**17. Light Spill**

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

**DURING DEMOLITION AND CONSTRUCTION****18. Construction Hours – Class 2-9**

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

- a. 7:00am to 6.00pm, Mondays to Fridays, inclusive (with demolition works finishing at 5pm);
- b. 8:00am to 1:00pm on Saturdays with no demolition works occurring during this time; and
- c. at no time on Sundays or public holidays.

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

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

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

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

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

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

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

#### **PRIOR TO OCCUPATION CERTIFICATE**

##### **19. Noise – Acoustic Report**

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

experienced acoustic consultant and any recommendations must be consistent with the approved plans.

**20. Licensed Premises – Plan of Management**

Prior to the issue of an Occupation Certificate, the Certifying Authority must be provided with a Plan of Management for the operation of the licensed premises that addresses the following:

- a. Compliance with the relevant conditions of approval;
- b. Minimise the potential impact of the operation of the premises on nearby residents;
- c. Effectively minimise and manage anti-social behaviour;
- d. Minimise noise emissions and associated nuisances;
- e. Effectively manage and respond to resident complaints;
- f. Ensure responsible service of alcohol and harm minimisation; and
- g. Patron conductivity and security.
- h. Compliance with recommendations of acoustic report

The operation of the premises complying at all times with the Plan of Management. The Plan of Management is not to be further amended without the prior written approval of the Council. If there is any inconsistency between the Plan of Management and the conditions of this consent, the conditions of consent shall prevail to the extent of that inconsistency.

**ON-GOING**

**21. Hours of Operation**

- a. The indoor trading hours of the premises must not exceed the following:

Day	Hours
Monday to Sunday	7:00am to 12:00 Midnight

- b. The outdoor area, trading hours of the premises must not exceed the following:

Day	Hours
Monday to Sunday	7:00am to 10:00pm

- c. Despite point b) above, the outdoor area of the tenancy is permitted to operate between 10:00pm - 12:00 midnight Monday to Sunday, for a trial period of not more

than 24 months beginning from the date of issue of any Occupation Certificate relating to this consent. Upon completion of the 24 month trial the approved outdoor area trade hours will return to those approved by point b). A request for continuation of the extended hours will require a further application under the Environmental Planning and Assessment Act 1979.

- d. Service is to cease 30 minutes before ceasing of trading hours.

#### **22. Crime Scene Preservation**

The licensee must ensure that immediately after the licensee or a staff member becomes aware of any incident involving an act of violence causing an injury to a person on the premises, the following is adhered to:- a) The licensee and/or staff take all practical steps to preserve and keep intact the area where the act of violence occurred and retain all material and implements associated with the act of violence in accordance with the Crime Scene Preservation Guidelines issued by the NSW Police. b) The licensee and/or staff make direct and personal contact with the Local Area Commander or his/her delegate and advise the Commander or delegate of the incident; and c) The licensee and/or staff comply with any directions given by the Commander or delegate to preserve or keep intact the area where the violence occurred.

#### **23. OMCG and declared organisation**

1. The licensee must not permit any person to enter the premises, or to remain on the premises, if the person is wearing or carrying any clothing, jewellery or accessory displaying:
  - a. the name of any of the following motorcycle-related and similar organisations: Bandidos, Black Uhlands, Coffin Cheaters, Comanchero, Finks, Fourth Reich, Gladiators, Gypsy Jokers, Highway 61, Life & Death, Lone Wolf, Mobshitters, Nomads, Odins Warriors, Outcasts, Outlaws, Phoenix, Rebels, Hells Angels, Scorpions, Mongols, Notorious, Muslim Brotherhood Movement; or any "declared organisation" within the meaning of the Crimes (Criminal Organisation Control) Act 2009.
  - b. the colours, club patch, insignia or logo of any such organisation, or
  - c. the "1%" or "1%er" symbol, or
  - d. any image, symbol, abbreviation, acronym or other form of writing that indicates membership of, or an association with, any of the organisations specified in point 1 (a).
2. Any incident where a person is refused entry or removed from the premises in relation to this condition must be recorded in the incident register.

#### **24. Security**

Licensed security personnel will be provided at the discretion of management and subject to need, such as for instance when major events or large functions are being conducted. Upon the commencement of trade, and in addition to joining and being an active participant in the

local Liquor Accord, the licensee or its representative will for the first 12 months arrange to meet with Licensing Police at least every 3 months to discuss the operations of the venue including in relation to the provision of licensed security personnel.

#### **25. Noise General**

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

#### **26. Noise – Licensed Premises (7am – 12midnight)**

The LA10 noise level emitted from the premises, measured between the hours of 7am and 12 midnight, is not to exceed the background noise level in any octave band frequency (centred on 31.5Hz to 8 kHz inclusive) by more than 5 dB, when measured at the boundary of any adjoining residence.

#### **27. Noise – Licensed Premises (12midnight – 7am)**

The LA10 noise level emitted from the premises, measured between the hours of midnight and 7am, is not to exceed the background noise level in any octave band frequency (centred on 31.5Hz to 8 kHz inclusive), when measured at the boundary of any adjoining residence.

#### **28. Noise – Licensed Premises/Entertainment Venues – Acoustic Report**

During the first sixty (60) days of entertainment being provided at the premises, the following acoustic measures must be undertaken:

- a. A suitably qualified acoustic consultant must be appointed to:
  - i. measure and verify the noise emanating from the premises; and
  - ii. if necessary, make recommendations to ensure that the noise emanating from the premises complies with the noise criteria.
- b. The noise measurements must be:
  - i. undertaken without the knowledge of the applicant, manager or operator of the premises;
  - ii. taken on at least three (3) different occasions on three (3) different days of the week (excluding Monday, Tuesday and Wednesday) from 11pm until the end of the public entertainment or close of business, whichever occurs first, and
  - iii. Submitted to the Certifying Authority within four (4) weeks of testing.
- c. If the acoustic consultant recommends that additional treatment or works be undertaken those recommendations must be:

- i. submitted to Certifying Authority with the noise measurements;
- ii. implemented to the acoustic consultant's satisfaction before the end of the first sixty (60) days of public entertainment provided on the premises; and
- iii. If the acoustic consultant's recommendations are not implemented in accordance with this condition, the relevant element of trading (ie outdoor area access)/ public entertainment on the premises must cease until such time as the recommendations are implemented and verified.

#### **29. Licensed Premises – Plan of Management - Operation**

The operation of the premises complying at all times with the approved Plan of Management. The Plan of Management is not to be further amended without the prior written approval of the Council. If there is any inconsistency between the Plan of Management and the conditions of this consent, the conditions of consent shall prevail to the extent of that inconsistency.

#### **30. Commercial Waste/Recycling Collection**

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

Garbage and recycling must not be placed on the street for collection more than one (1) hour before the scheduled collection time. Garbage bins and containers are to be removed from the street within one (1) hour after collection.

#### **31. No Approval for Skin Penetration Procedures**

The premises are not to be used for providing 'skin penetration' procedures as defined by the *Public Health Act 2010* and *Public Health Regulation 2012*.

#### **ADVISORY NOTES**

##### **Prescribed Conditions**

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

##### **Notification of commencement of works**

At least 7 days before any demolition work commences:

- a. the Council must be notified of the following particulars:
  - i. the name, address, telephone contact details and licence number of the person responsible for carrying out the work; and

- ii. the date the work is due to commence and the expected completion date; and
- b. a written notice must be placed in the letter box of each directly adjoining property identified advising of the date the work is due to commence.

**Storage of Materials on public property**

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

**Toilet Facilities**

The following facilities must be provided on the site:

- a. Toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees; and
- b. A garbage receptacle for food scraps and papers, with a tight fitting lid.

Facilities must be located so that they will not cause a nuisance.

**Infrastructure**

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

**Other Approvals may be needed**

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

**Failure to comply with conditions**

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

**Other works**

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

**Obtaining Relevant Certification**

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

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

**Disability Discrimination Access to Premises Code**

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

**National Construction Code (Building Code of Australia)**

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



**Notification of commencement of works**

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

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

**Permits from Council under Other Acts**

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

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

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

**Noise**

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

**Amenity Impacts General**

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

**Dial before you dig**

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

**Useful Contacts**

BASIX Information	1300 650 908 weekdays 2:00pm - 5:00pm	<a href="http://www.basix.nsw.gov.au">www.basix.nsw.gov.au</a>
Department of Fair Trading	13 32 20	<a href="http://www.fairtrading.nsw.gov.au">www.fairtrading.nsw.gov.au</a>
	Enquiries relating to Owner Builder Permits and Home Warranty Insurance.	
Dial Prior to You Dig	1100	<a href="http://www.dialprior toyoudig.com.au">www.dialprior toyoudig.com.au</a>
Landcom	9841 8660	To purchase copies of Volume One of "Soils and Construction"
Long Service Corporation	Payments 131441	<a href="http://www.lspc.nsw.gov.au">www.lspc.nsw.gov.au</a>
NSW Food Authority	1300 552 406	<a href="http://www.foodnotify.nsw.gov.au">www.foodnotify.nsw.gov.au</a>
NSW Government		<a href="http://www.nsw.gov.au/fibro">www.nsw.gov.au/fibro</a>

[www.diySAFE.nsw.gov.au](http://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](http://www.environment.nsw.gov.au)

Sydney Water 13 20 92  
[www.sydneywater.com.au](http://www.sydneywater.com.au)

Waste Service - SITA 1300 651 116  
 Environmental Solutions [www.wasteservice.nsw.gov.au](http://www.wasteservice.nsw.gov.au)

Water Efficiency Labelling and Standards (WELS) [www.waterrating.gov.au](http://www.waterrating.gov.au)

WorkCover Authority of NSW 13 10 50  
[www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)

Enquiries relating to work safety and asbestos removal and disposal.

**Health Premises Registration – Generic**

The premises are required to be registered with Council’s Environment Health Team in accordance with the following relevant legislation:

- a. *Food Shop - Food Act 2003*;

**Food Premises Certification**

The food premises design, construction and operation is in accordance with the following:

- a. *Food Act 2003*;
- b. *Food Regulation 2010*;
- c. Australia and New Zealand Food Standards Code;
- d. Australian Standard AS 4674 – 2004 (Design, construction and fit-out of food premises);
- e. Australian Standard AS 1668 Part 1 – 1998; and

- f. Australian Standard AS 1668 Part 2 – 2012.

**Food Premises Waste Storage Area**

To ensure adequate storage and collection of waste from the food premises, all garbage and recyclable materials must be stored in a designated waste storage area. The designated waste storage area must be designed and constructed in accordance with the Australian Standard AS 4674 – 2004 (Design, construction and fit-out of food premises) and Australia and New Zealand Food Standards Code.

**Mechanical Ventilation System Certification**

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

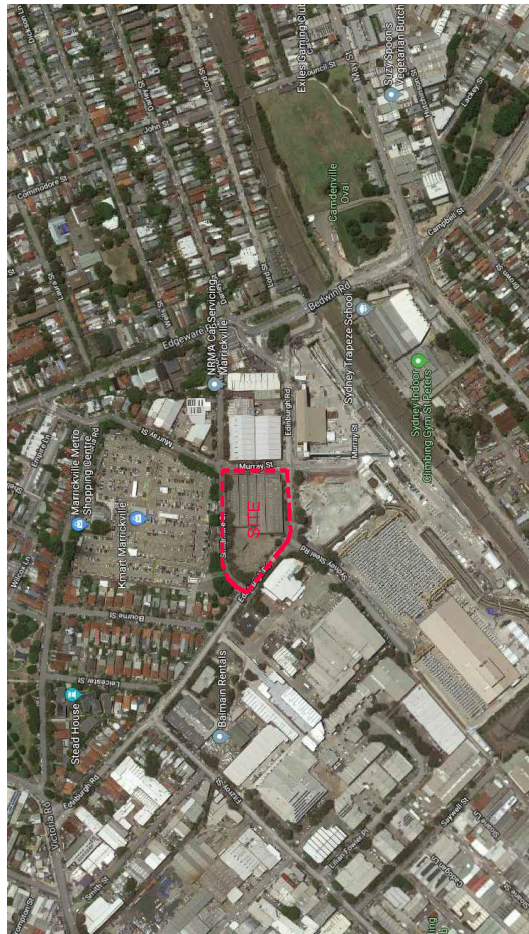
- a. Australian Standard AS 1668 Part 1 – 1998;
- b. Australian Standard AS 1668 Part 2 – 2012;
- c. Australian Standard 3666.1 – 2011;
- d. Australian Standard 3666.2 – 2011; and
- e. Australian Standard 3666.3 - 2011.

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

Attachment B – Plans of proposed development

A1

DA DRAWING LIST	
DRAWING NO.	DRAWING NAME
A000	COVER SHEET & LOCATION PLAN
A001	SITE PLAN
A100	DA PLAN - GROUND FLOOR - 1:250
A110	DA ZONE - BAR & RESTAURANT FLOOR PLAN - 1:100
A200	OVERALL ELEVATIONS, SMIDMORE STREET - 1:250
A210	OVERALL ELEVATIONS, EDENBURGH ROAD - 1:250

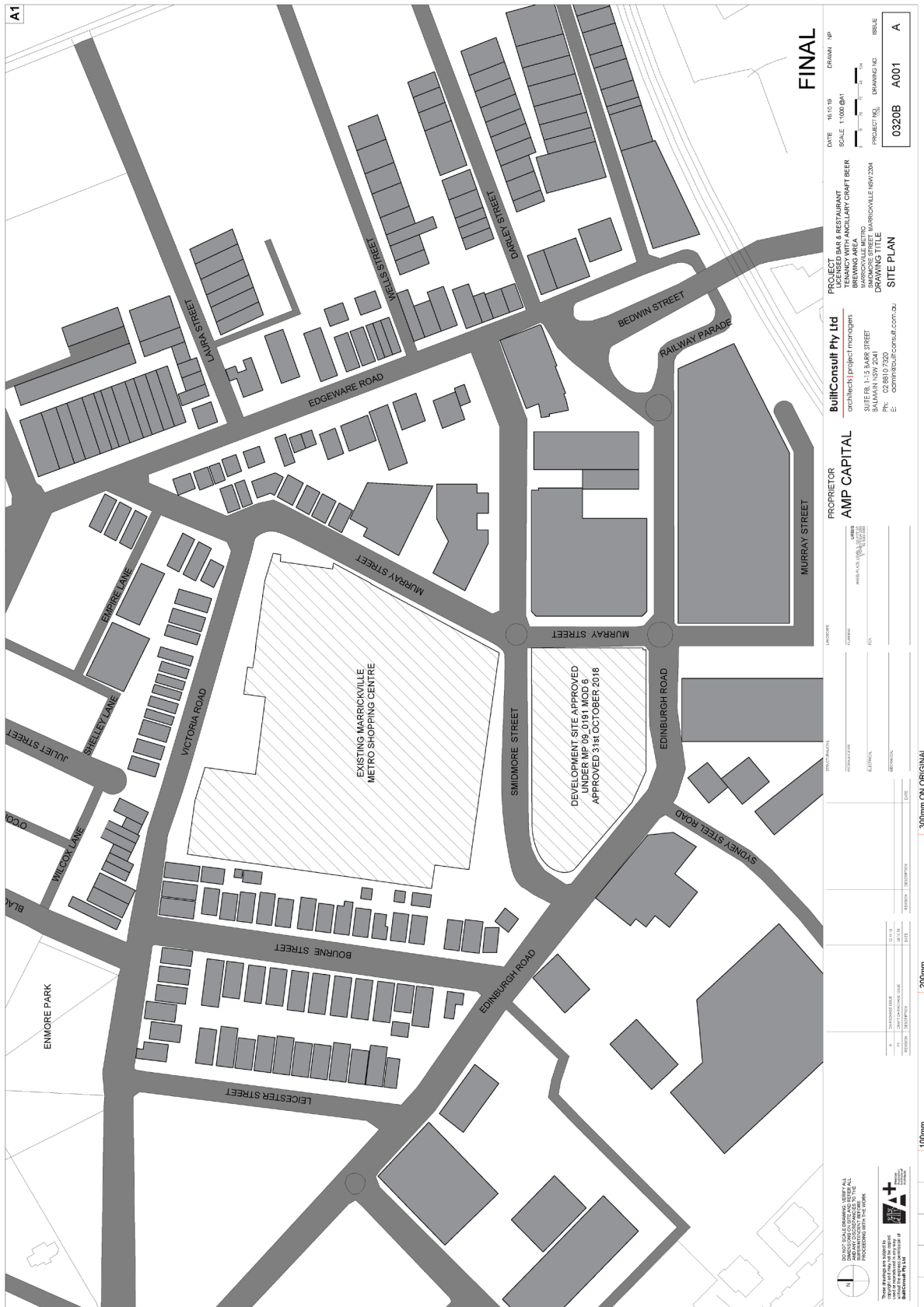


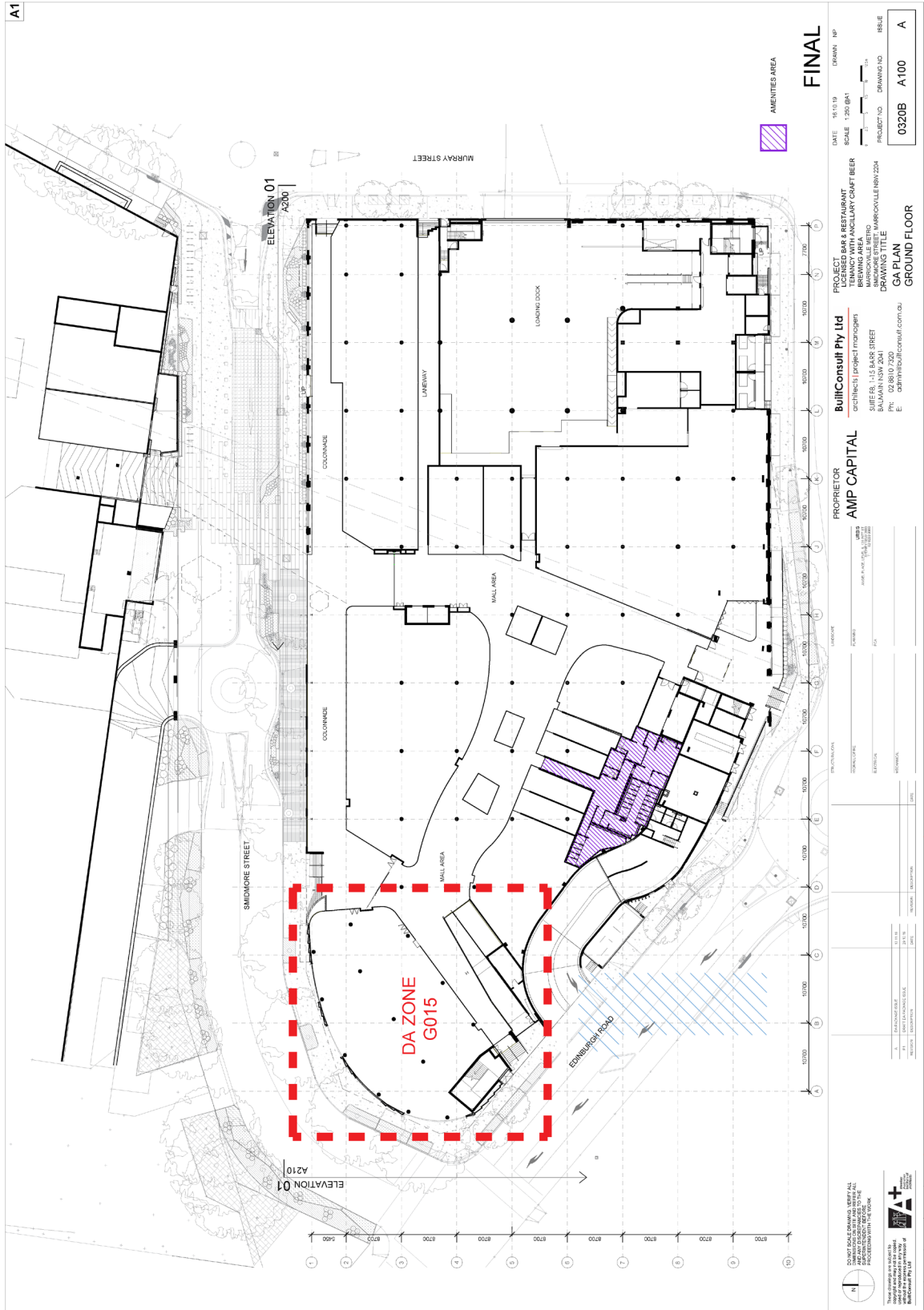
LOCATION PLAN  
NTS



IMAGE SOURCE: AMP CAPITAL

<p><b>PROPRIETOR</b> <b>AMP CAPITAL</b> carriwell   projects   enquiries SUITE 101, 115 MARK STREET PH: 02 9810 7200 E: adam@ampcapital.com.au</p>	<p><b>PROJECT</b> BAR &amp; RESTAURANT TENANCY WITH ANCLARY CRAFT BEER BREWING AREA SMIDMORE STREET 1, AMERICKVILLE NSW 204 DRAWING TITLE <b>COVER SHEET &amp; LOCATION PLAN</b></p>	<p><b>DATE</b> 16/10/19 <b>SCALE</b> NTS <b>PROJECT NO.</b> 03208 <b>DRAWING NO.</b> A000 <b>ISSUE</b> A</p>	<p><b>DATE</b> 16/10/19 <b>SCALE</b> NTS <b>PROJECT NO.</b> 03208 <b>DRAWING NO.</b> A000 <b>ISSUE</b> A</p>
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**FINAL**

DATE: 16/11/19 DRAWN: RP  
 SCALE: 1:250 (B4)  
 PROJECT NO: 03220B  
 DRAWING NO: A  
 ISSUE: A

**PROPRIETOR**  
 AMP CAPITAL

**BuiltConsult Pty Ltd**  
 architects | interior designers

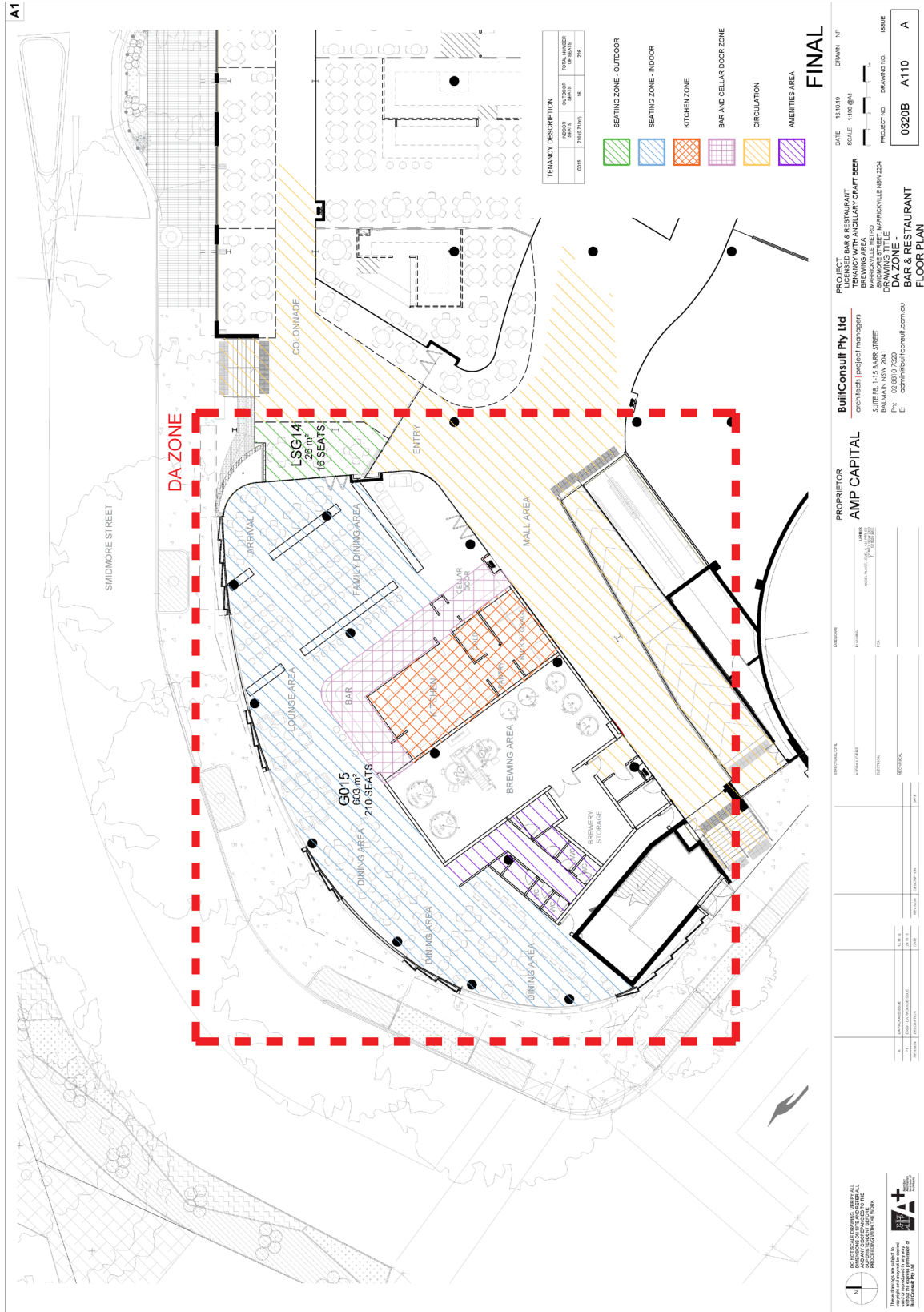
SUITE 101, 115 PARK STREET  
 PH: 02 8810 7200  
 E: admin@builtconsult.com.au

**PROJECT**  
 BAR & RESTAURANT  
 TENANCY WITH ANCILLARY CRAFT BEER  
 BREWING AREA

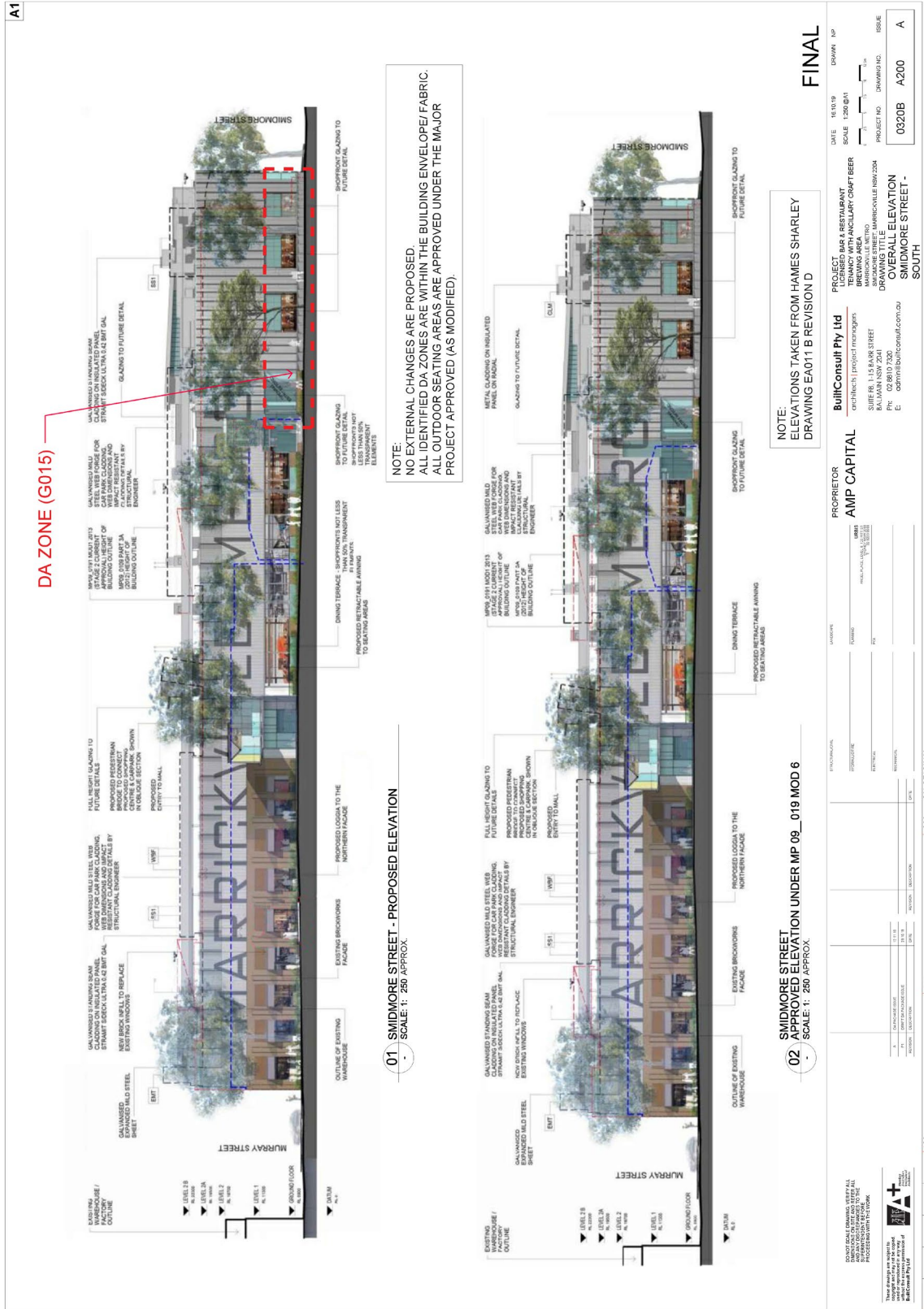
SMIDMORE STREET, MARRICVILLE NSW 2204

**DRAWING TITLE**  
 GROUND FLOOR

300mm ON ORIGINAL







**FINAL**

DATE: 15/10/19 DRAWN: RP  
 SCALE: 1:250 (P1)  
 PROJECT NO: 0320B A200 A

PROJECT: BAR & RESTAURANT  
 TENANCY WITH ANCILLARY CRAFT BEER  
 BREWING AREA  
 BREWING AREA  
 30/31 MURRAY STREET  
 MARRICKVILLE NSW 2204  
 PROJECT NO: 0320B A200 A  
 OVERALL ELEVATION  
 SMIDMORE STREET - SOUTH

PROPRIETOR: AMP CAPITAL  
 ARCHITECT: BulliConsult Pty Ltd  
 ARCHITECT: [redacted]  
 8/11 MURRAY STREET  
 MARRICKVILLE NSW 2204  
 PH: 02 8810 7320  
 E: admin@bulliconsult.com.au

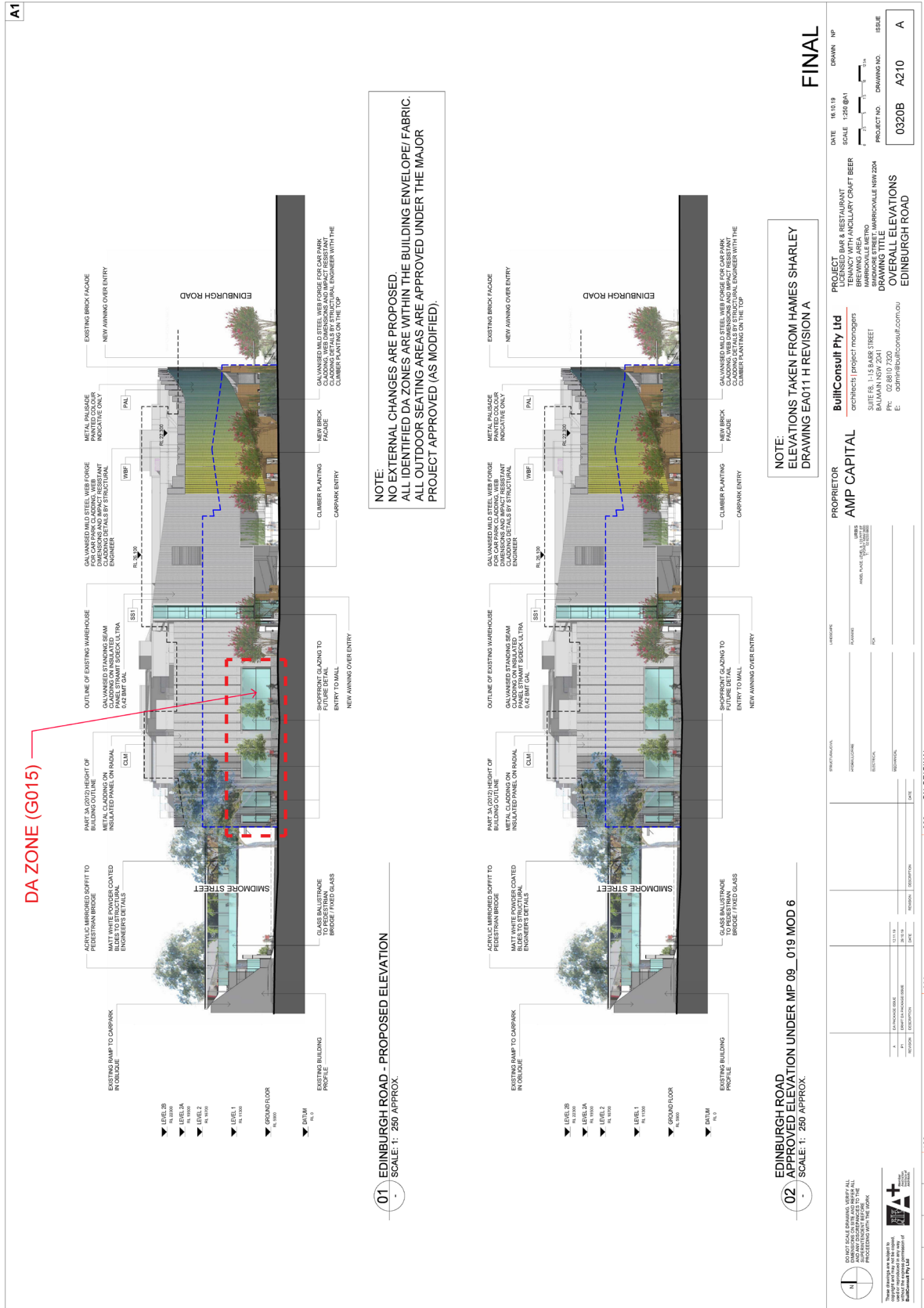
NOTE: ELEVATIONS TAKEN FROM HAMES SHARLEY DRAWING EA011 B REVISION D

**01 - SMIDMORE STREET - PROPOSED ELEVATION**  
 SCALE: 1: 250 APPROX.

**02 - SMIDMORE STREET - APPROVED ELEVATION UNDER MP 09...019 MOD 6**  
 SCALE: 1: 250 APPROX.

100mm 200mm 300mm ON ORIGINAL

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 THESE DRAWINGS ARE THE PROPERTY OF BULLI CONSULT PTY LTD.



**FINAL**

**NOTE:**  
ELEVATIONS TAKEN FROM HAMES SHARLEY  
DRAWING EA011 H REVISION A

DATE	16.10.19	DRAWN	HP
SCALE	1:250 @A1		
PROJECT NO.	0320B	DRAWING NO.	A210
ISSUE			A

**PROJECT**  
LICENSED BAR & RESTAURANT  
HAMES SHARLEY ARCHITECTURAL  
BREWING AND  
MARRONVILLE METHO  
BARBROCKVALE NSW 2204

**PROPRIETOR**  
**AMP CAPITAL**  
architect | project managers  
SUITE 108, 11-15 BARK STREET  
BALMANN NSW 2041  
PH: 02 8510 7259  
E: CONTACT@AMPCONSULT.COM.AU

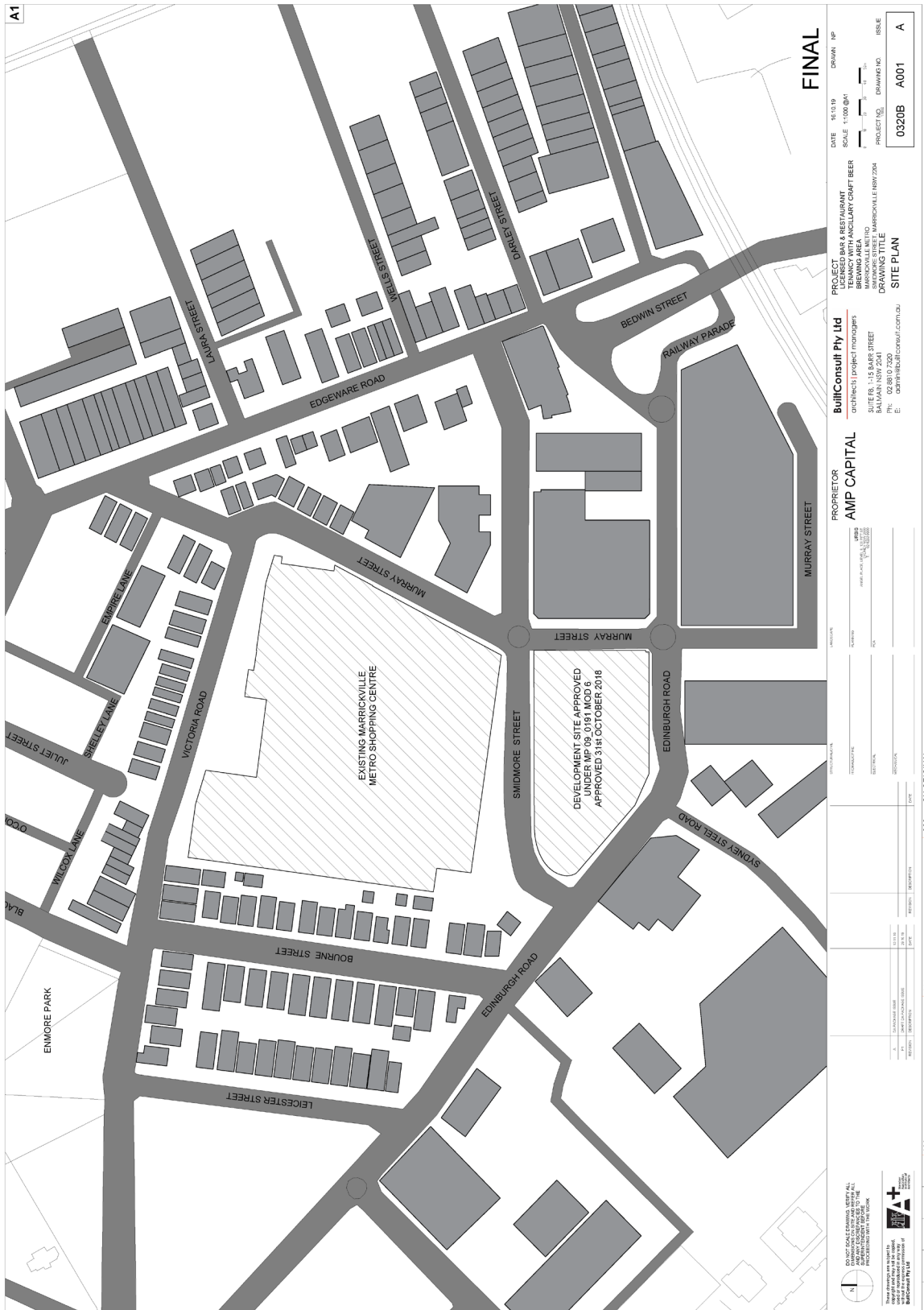
PROPRIETOR	<b>BuiltConsult Pty Ltd</b>
ARCHITECT	HAMES SHARLEY ARCHITECTURAL
DATE	16.10.19
SCALE	1:250 @A1
PROJECT NO.	0320B
DRAWING NO.	A210
ISSUE	A

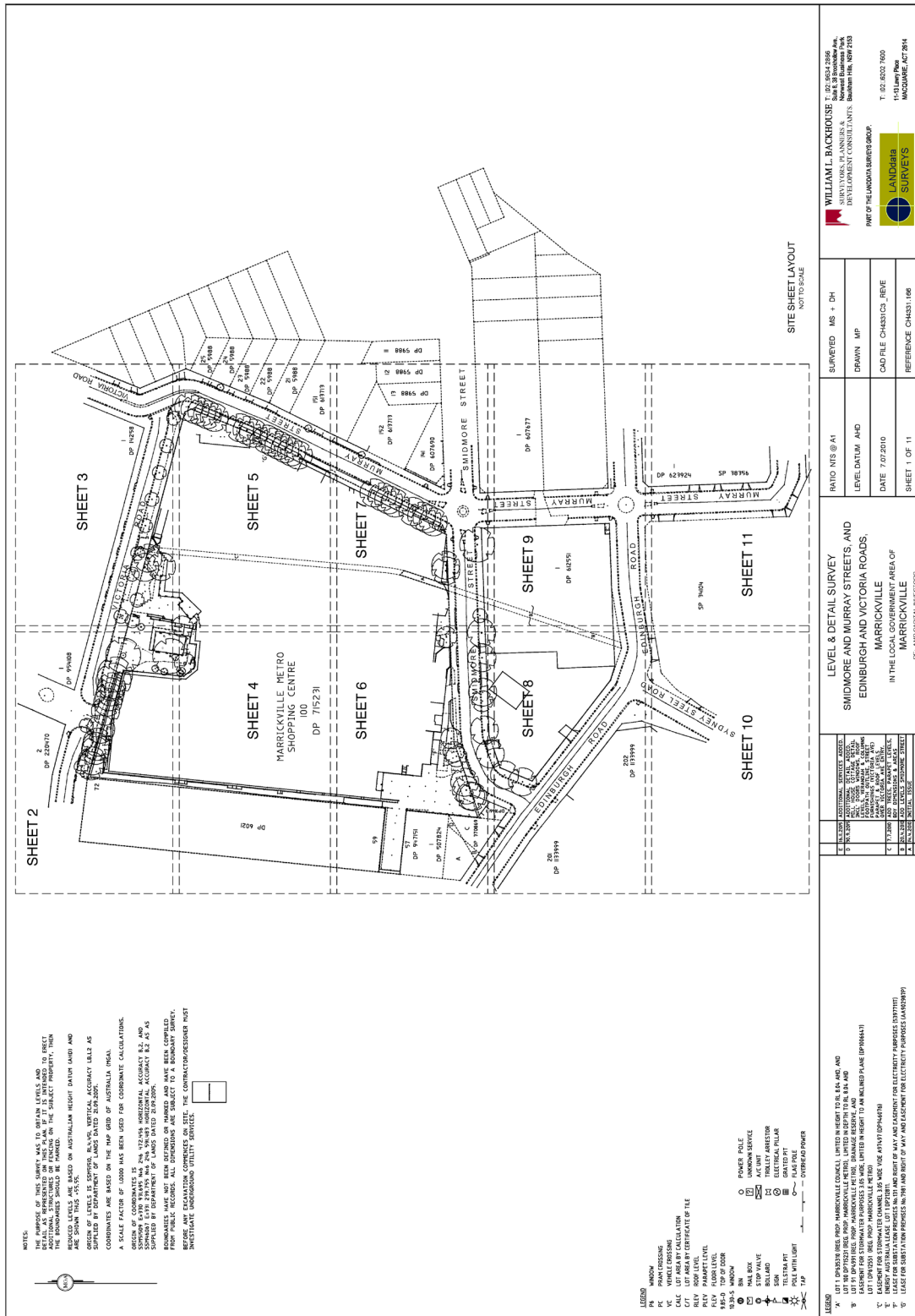
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ARCHITECT	NAME	ADDRESS	POSTAL CODE
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ISSUE			

PROPRIETOR	NAME	ADDRESS	POSTAL CODE
ARCHITECT	NAME	ADDRESS	POSTAL CODE
DATE			
SCALE			
PROJECT NO.			
DRAWING NO.			
ISSUE			

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AMPS CONSULT PTY LTD  
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BALMANN NSW 2041  
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E: CONTACT@AMPCONSULT.COM.AU





**NOTES:**  
 THE PURPOSE OF THIS SURVEY WAS TO OBTAIN LEVELS AND DETAILS AS REPRESENTED ON THIS PLAN. IF AN INTERFERING OBJECT IS FOUND ON THIS SITE, THE SURVEYOR'S RESPONSIBILITY, UNDER THE SURVEY ACT 1988, IS LIMITED TO RECORDING THE POSITION OF SUCH OBJECTS AND TO ADVISE THE CLIENT. THE BOUNDARIES SHOWN ON THIS PLAN ARE BASED ON AUSTRALIAN HEIGHT DATUM (AHD) AND ARE NOT TO BE USED FOR ANY OTHER PURPOSE.  
 THE POSITION OF LEVELS IS EXPRESSED IN AUSTRALIAN HEIGHT DATUM (AHD) AS SUPPLIED BY DEPARTMENT OF LANDS DATED 20/09/2007.  
 COORDINATES ARE BASED ON THE MAP GRID OF AUSTRALIA (MGA).  
 A SCALE FACTOR OF 1.0000 HAS BEEN USED FOR COORDINATE CALCULATIONS.  
 THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEY ACT 1988 AND THE SURVEY REGULATIONS 1995. THE SURVEYOR'S LIABILITY IS LIMITED TO THE SUPPLIER BY DEPARTMENT OF LANDS DATED 20/09/2007.  
 BOUNDARIES HAVE NOT BEEN DEFINED OR MARKED AND HAVE BEEN CORRELATED TO THE SURVEY DATA. THE SURVEYOR'S LIABILITY IS LIMITED TO THE SUPPLIER BY DEPARTMENT OF LANDS DATED 20/09/2007.  
 BEFORE ANY EXCAVATION COMMENCES ON SITE, THE CONTRACTOR/OWNER MUST INVESTIGATE UNDERGROUND UTILITY SERVICES.

- LEGEND**
- WINDOW
  - PLANT TREES
  - CALC. LOT AREA BY CALCULATION
  - LOT AREA BY CERTIFICATE OF TITLE
  - PLY. PARAMETER LEVEL
  - FLOOR LEVEL
  - FLOOR
  - 100-5 WINDOW
  - BIN BOX
  - STOP VALVE
  - ROLLER
  - TELETRA PT
  - POLE WITH LIGHT
  - 100
  - POWER POLE
  - TELEPHONE SERVICE
  - AT UNIT
  - TRAFFIC ARRESTOR
  - TELEPHONE TOWER
  - GRATED PIT
  - FLAS PILE
  - CHIMNEY
  - CHIMNEY PAPER

**WILLIAM L. BACKHOUSE** T. 02 9524 2366  
 SURVEYORS, PLANNERS & DEVELOPMENT CONSULTANTS  
 PART OF THE LANDSURVYORS GROUP  
 11-111 Macquarie Street  
 MACQUARIE, ACT 2914

**LANDSURVYORS**  
 SURVEYS

**LEVEL & DETAIL SURVEY**  
 SMIDMORE AND MURRAY STREETS, AND EDINBURGH AND VICTORIA ROADS, MARRICKVILLE IN THE LOCAL GOVERNMENT AREA OF MARRICKVILLE

**RATIO 1:15 @ A1**  
 LEVEL DATUM AHD  
 DATE 10/2/2010  
 SHEET 1 OF 11

**SURVEYED MS + DH**  
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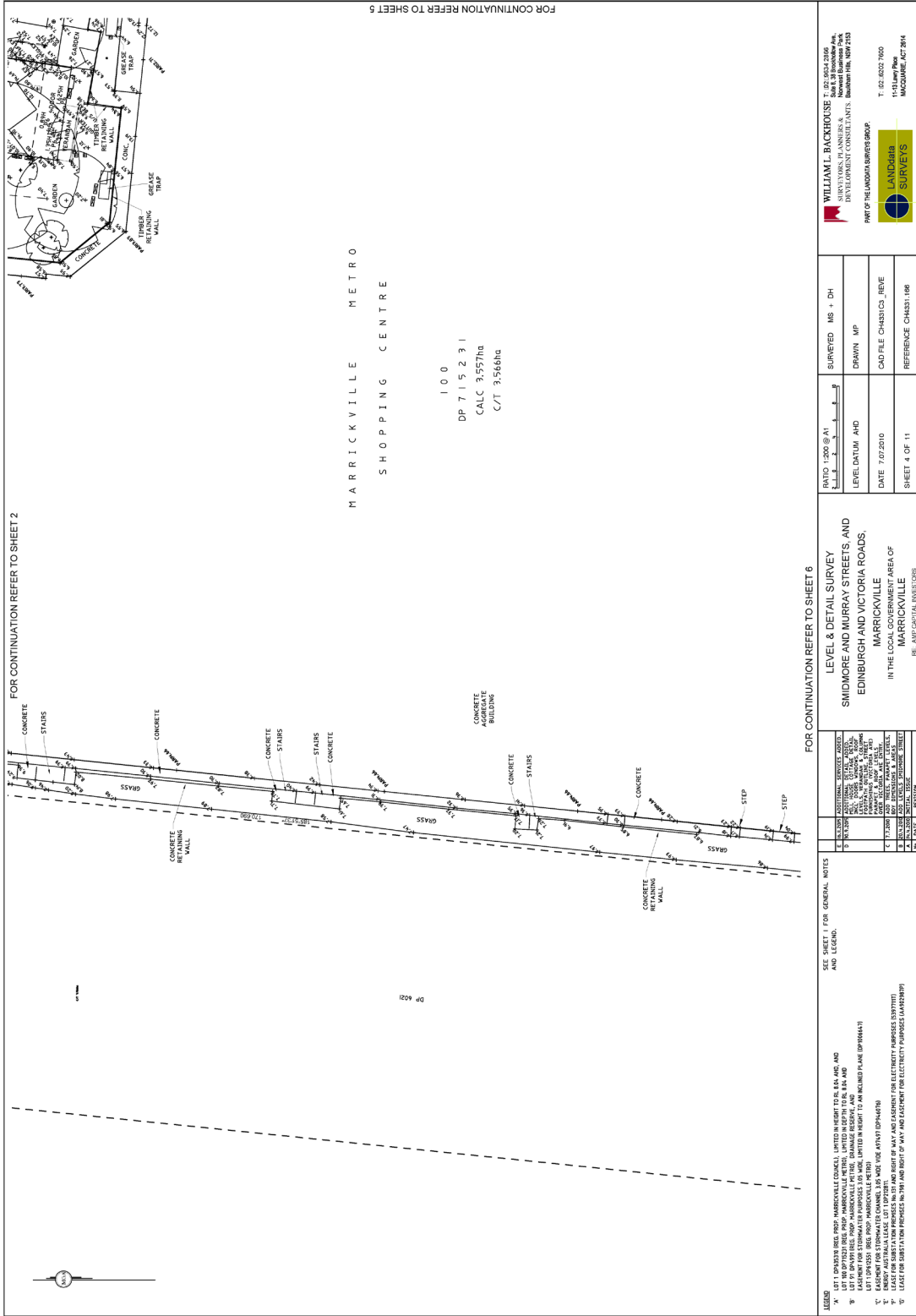
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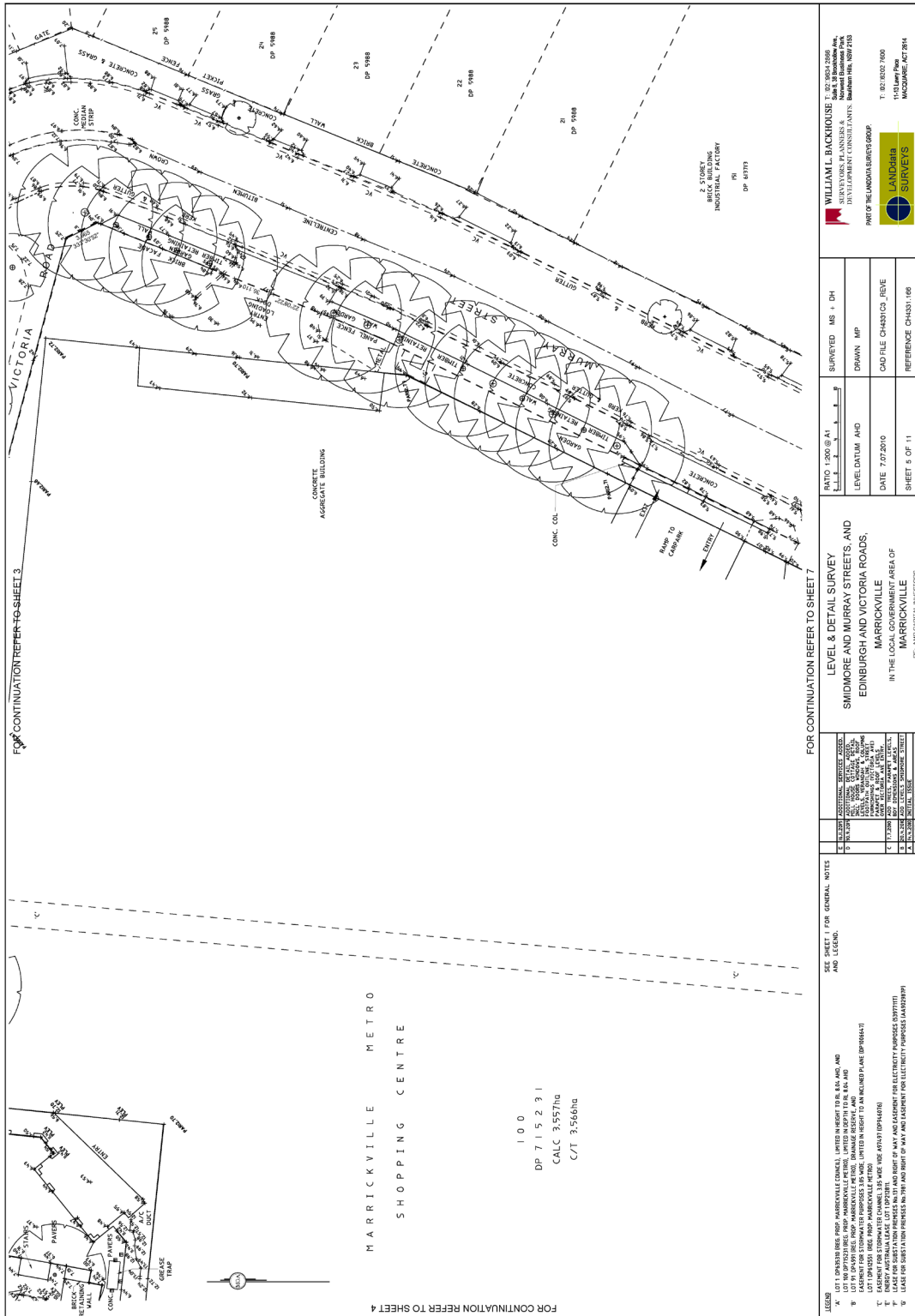
**LEGEND**

- \* 1:15 TO 1:30 SCALE FROM MARRICKVILLE COUNCIL LIMITED IN HEIGHT TO BE AS SHOWN AND NOT TO BE USED FOR ANY OTHER PURPOSES.
- 1:15 TO 1:30 SCALE FROM MARRICKVILLE COUNCIL LIMITED IN HEIGHT TO BE AS SHOWN AND NOT TO BE USED FOR ANY OTHER PURPOSES.
- 1:15 TO 1:30 SCALE FROM MARRICKVILLE COUNCIL LIMITED IN HEIGHT TO BE AS SHOWN AND NOT TO BE USED FOR ANY OTHER PURPOSES.
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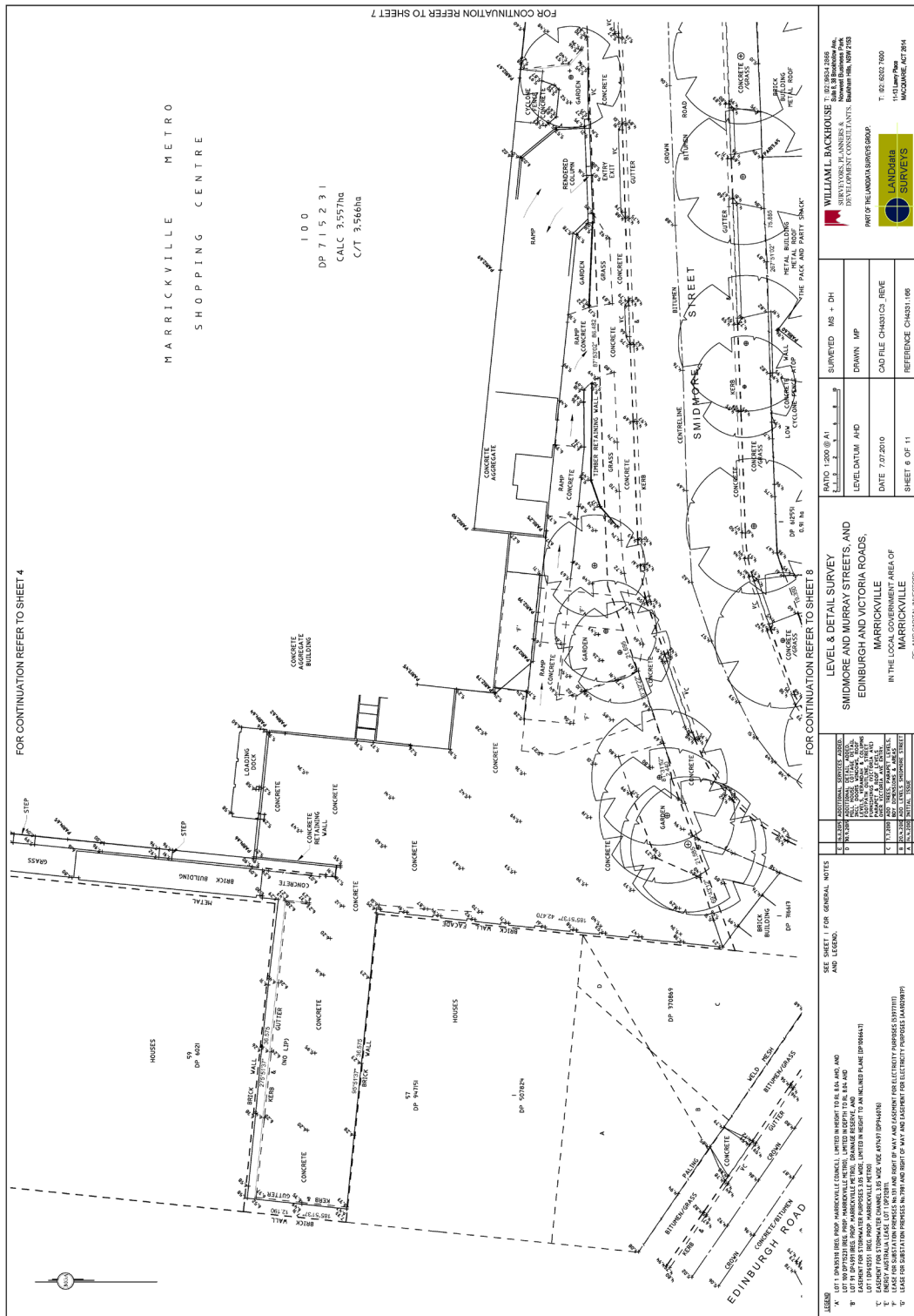






SEE SHEET 1 FOR GENERAL NOTES AND LEGEND.  1. LOT 1 (PARTS OF BEECH, MARRICKVILLE COUNCIL), LINTED IN RESPT TO BE 846 AHD AND 846 BHD, MARRICKVILLE METRO SHOPPING CENTRE, MARRICKVILLE METRO SHOPPING CENTRE AND 846 AHD 2. LOT 2 (PARTS OF BEECH, MARRICKVILLE METRO SHOPPING CENTRE, MARRICKVILLE METRO SHOPPING CENTRE AND 846 AHD) 3. EASEMENT FOR STORMWATER PURPOSES 2/16 WIDE, LIMITED IN RESPT TO AN INLETED PL. ARE (DP 1046421) 4. EASEMENT FOR STORMWATER CHANNEL, 1/35 WIDE, (PRT) (DP 1046421) 5. EASEMENT FOR STORMWATER CHANNEL, 1/35 WIDE, (PRT) (DP 1046421) 6. EASEMENT FOR STORMWATER CHANNEL, 1/35 WIDE, (PRT) (DP 1046421) 7. LEASE FOR SUBSTATION PURPOSES 107M AND RIGHT OF WAY AND EASEMENT FOR ELECTRICITY PURPOSES (DP 1077171) 8. LEASE FOR SUBSTATION PURPOSES 107M AND RIGHT OF WAY AND EASEMENT FOR ELECTRICITY PURPOSES (DP 1077171)	1. 1:200 @ 41 2. LEVEL DATUM: AHD 3. DATE: 7/07/2010 4. SHEET 5 OF 11	SURVEYED: MS 1 DH DRAWN: MP CAD FILE: CH430100.DWG REFERENCE: CH4301106	WILLIAM BUCKHOUSE SURVEYORS PLANNERS & DEVELOPMENT CONSULTANTS PART OF THE LANDLUBS SURVEY GROUP 1. 801 RIVERVIEW AVE, RIVERVIEW VIC 3026 T. 03 9332 2000 F. 03 9332 2001 MARRICKVILLE, VIC 2134





MARRICKVILLE METRO SHOPPING CENTRE

100  
 DP 715231  
 CALC 3/5/7ha  
 C/T 3/6/6ha

FOR CONTINUATION REFER TO SHEET 4

FOR CONTINUATION REFER TO SHEET 7

SEE SHEET 1 FOR GENERAL NOTES AND LEGEND.

LEGEND

- A LOT 1, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO RL 8.4 AND
- B LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO RL 8.4 AND
- C LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO AN INCLINED PLANE (DP104441)
- D LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO AN INCLINED PLANE (DP104441)
- E LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO AN INCLINED PLANE (DP104441)
- F LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO AN INCLINED PLANE (DP104441)
- G LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO AN INCLINED PLANE (DP104441)
- H LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO AN INCLINED PLANE (DP104441)
- I LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO AN INCLINED PLANE (DP104441)
- J LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO AN INCLINED PLANE (DP104441)
- K LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO AN INCLINED PLANE (DP104441)
- L LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO AN INCLINED PLANE (DP104441)
- M LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO AN INCLINED PLANE (DP104441)
- N LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO AN INCLINED PLANE (DP104441)
- O LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO AN INCLINED PLANE (DP104441)
- P LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO AN INCLINED PLANE (DP104441)
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- R LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO AN INCLINED PLANE (DP104441)
- S LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO AN INCLINED PLANE (DP104441)
- T LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO AN INCLINED PLANE (DP104441)
- U LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO AN INCLINED PLANE (DP104441)
- V LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO AN INCLINED PLANE (DP104441)
- W LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO AN INCLINED PLANE (DP104441)
- X LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO AN INCLINED PLANE (DP104441)
- Y LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO AN INCLINED PLANE (DP104441)
- Z LOT 10, EDINBURGH REEL SHOP, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO AN INCLINED PLANE (DP104441)

LEVEL & DETAIL SURVEY, SMIDMORE AND MURRAY STREETS, AND EDINBURGH AND VICTORIA ROADS, MARRICKVILLE IN THE LOCAL GOVERNMENT AREA OF MARRICKVILLE

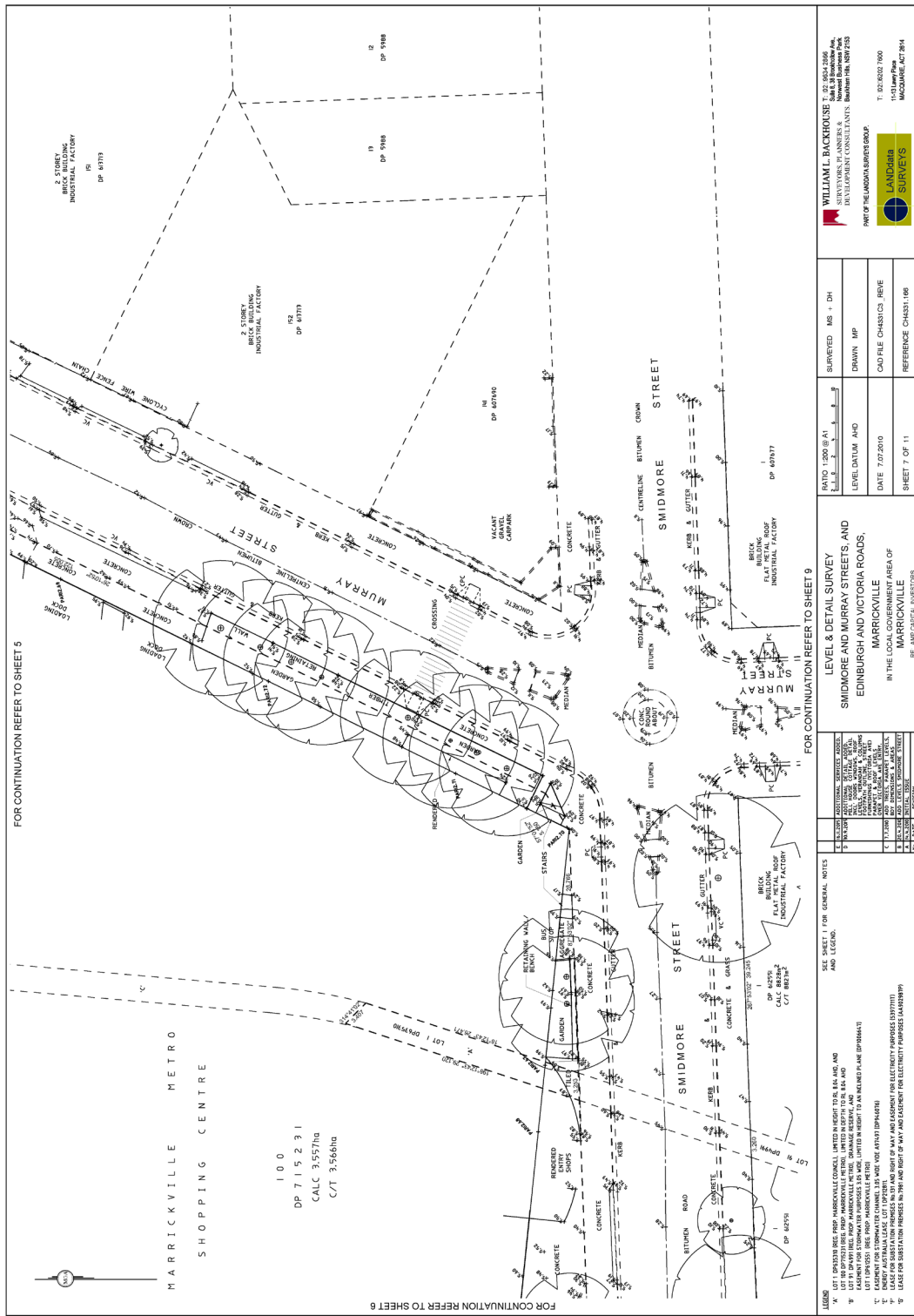
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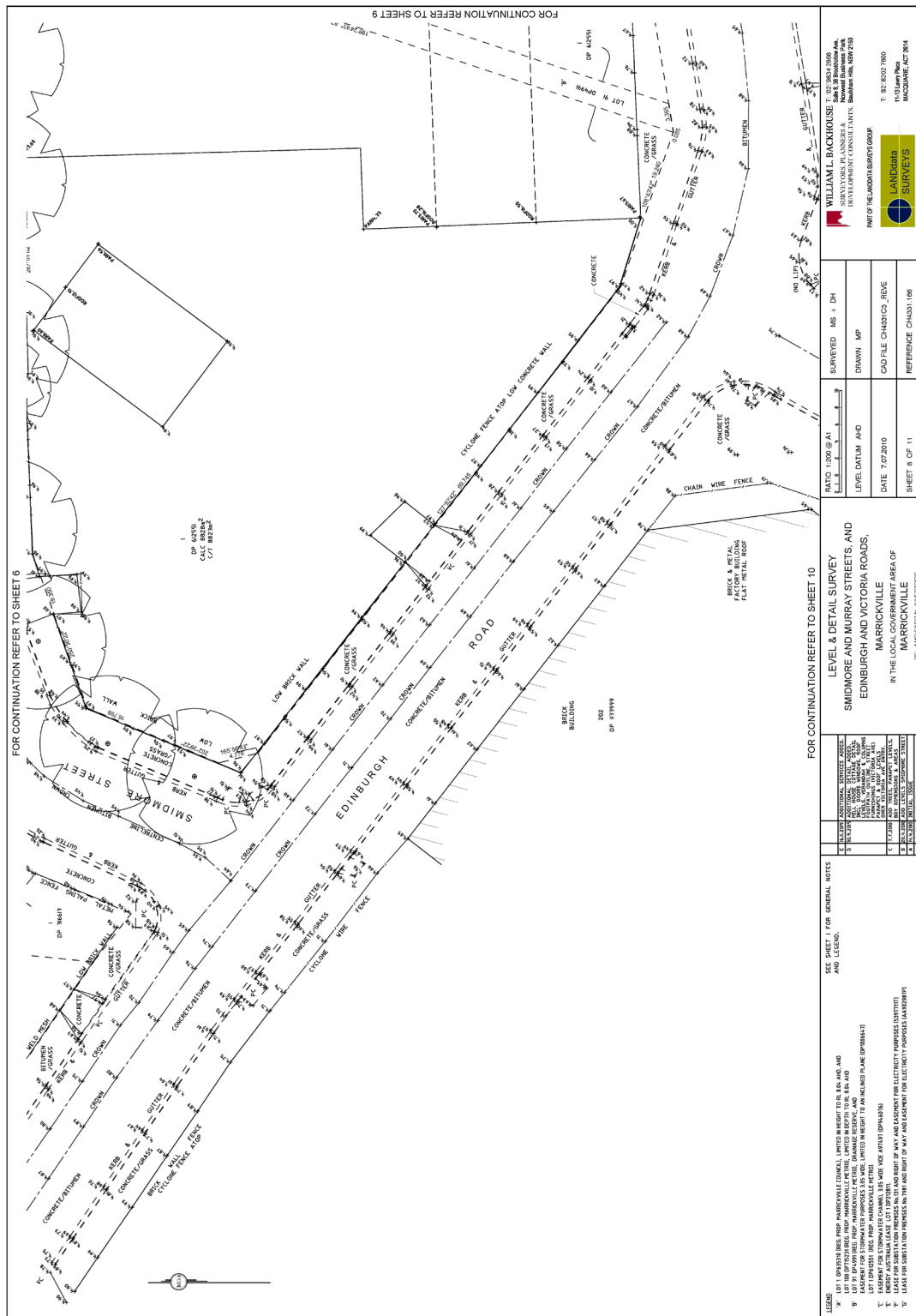
WILLIAM L. BACKHOUSE T. 02 9594 2868  
 806 & 810 Broadway Ave,  
 MARRICKVILLE, NSW 2147  
 DEVELOPMENT CONSULTANTS, BARBARA 08 16971715  
 PART OF THE LANDATA SURVEYS GROUP

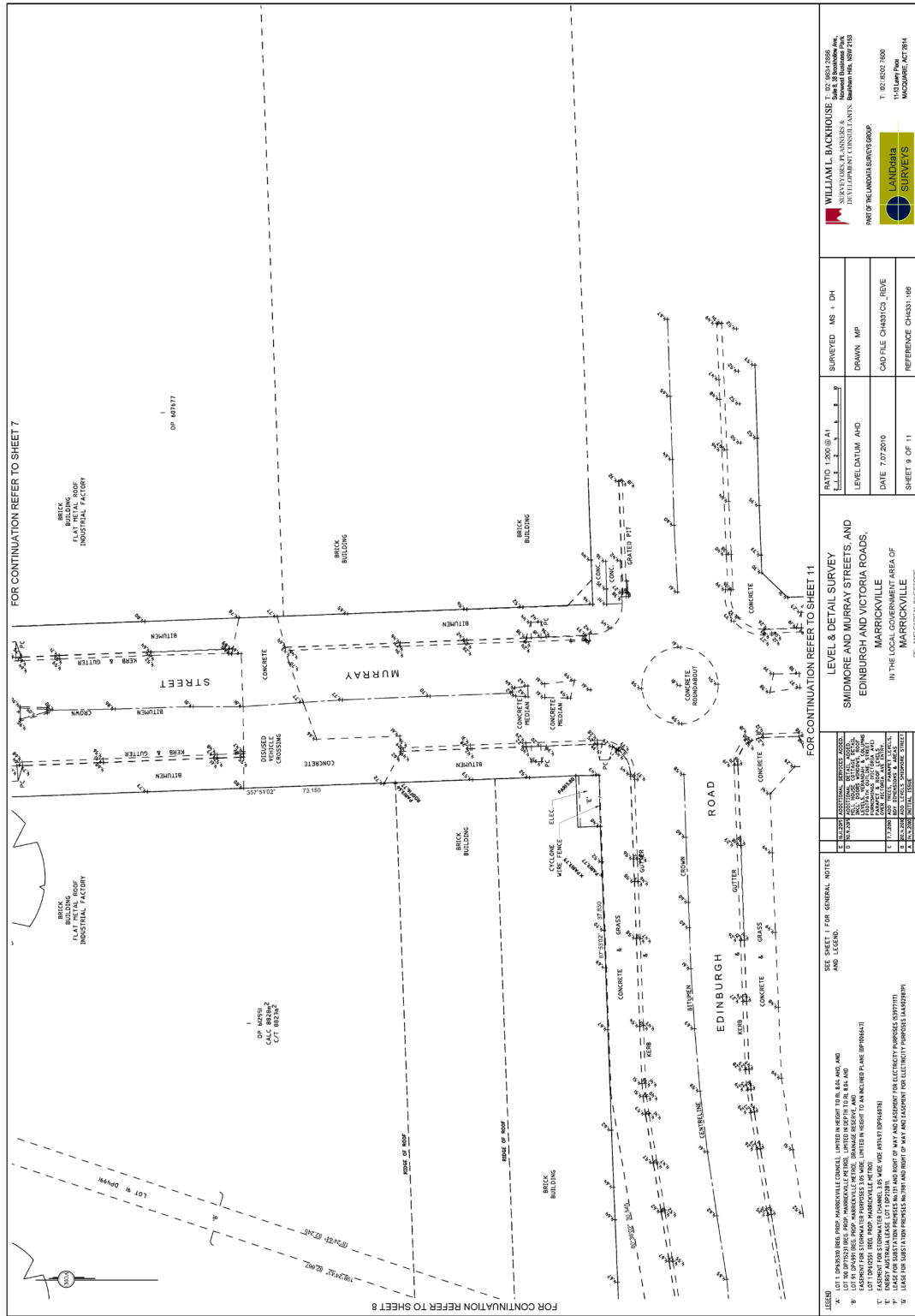
LANDATA SURVEYS

T. 02 9592 7600  
 115 Lundy Place  
 MCGRAWHILL ACT 9214

SURVEYED	MS + DH
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LEVEL DATUM	AHD
DATE	7.07.2010
SHEET	6 OF 11



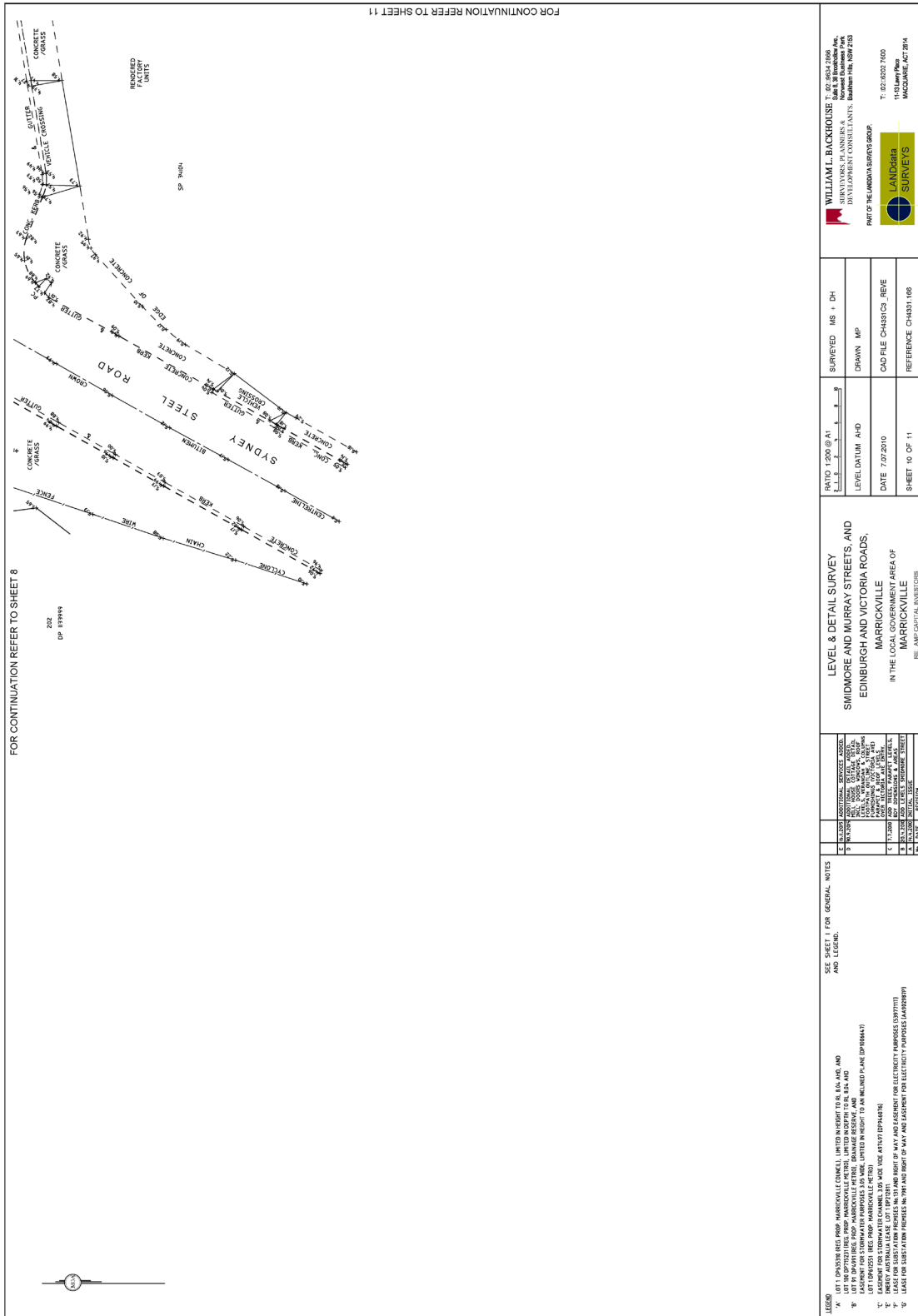




FOR CONTINUATION REFER TO SHEET 7

FOR CONTINUATION REFER TO SHEET 8

<p>LEGEND</p> <p>X LOT 1 DRAINAGE (SEE PROP. MARRICKVILLE COUNCIL) LIMITED IN RIGHT TO BE EAV AND AND</p> <p>Y LOT 1 DRAINAGE (SEE PROP. MARRICKVILLE COUNCIL) LIMITED IN RIGHT TO BE EAV AND</p> <p>Z LOT 1 DRAINAGE (SEE PROP. MARRICKVILLE COUNCIL) LIMITED IN RIGHT TO BE EAV AND</p> <p>1. EASEMENT FOR STORMWATER PURPOSES 2.00 M WIDE, LIMITED IN RIGHT TO AN INLETED PIPE (IN DP104617)</p> <p>3. EASEMENT FOR STORMWATER CHANNEL, 1.00 M WIDE, (SEE PROP. MARRICKVILLE COUNCIL)</p> <p>4. EASEMENT FOR STORMWATER CHANNEL, 1.00 M WIDE, (SEE PROP. MARRICKVILLE COUNCIL)</p> <p>5. EASEMENT FOR STORMWATER CHANNEL, 1.00 M WIDE, (SEE PROP. MARRICKVILLE COUNCIL)</p> <p>6. EASEMENT FOR STORMWATER CHANNEL, 1.00 M WIDE, (SEE PROP. MARRICKVILLE COUNCIL)</p> <p>7. EASEMENT FOR STORMWATER CHANNEL, 1.00 M WIDE, (SEE PROP. MARRICKVILLE COUNCIL)</p> <p>8. EASEMENT FOR STORMWATER CHANNEL, 1.00 M WIDE, (SEE PROP. MARRICKVILLE COUNCIL)</p>	<p>SEE SHEET 1 FOR GENERAL NOTES AND LEGEND.</p>	<p>DATE: 7/07/2010</p> <p>SHEET 9 OF 11</p>	<p>RATIO 1:200 @ A1</p> <p>LEVEL: DATUM AHD</p> <p>DATE: 7/07/2010</p> <p>SHEET 9 OF 11</p>	<p>SURVEYED: MS 1 DH</p> <p>DRAWN: MP</p> <p>CAD FILE: CH433103.DWG</p> <p>REFERENCE: CH4331.106</p>	<p>WILLIAM BACKHOUSE SURVEYORS PLANNERS &amp; DEVELOPMENT CONSULTANTS, BATHURST HILL, NSW 2153</p> <p>LANDATA SURVEYS PART OF THE LANDATA SURVEYS GROUP</p> <p>1/01/2010 1/01/2010</p> <p>MARRICKVILLE ACT 2014</p>		
						<p>LEVEL &amp; DETAIL SURVEY SMITHMORE AND MURRAY STREETS, AND EDINBURGH AND VICTORIA ROADS, MARRICKVILLE IN THE LOCAL GOVERNMENT AREA OF MARRICKVILLE</p>	
						<p>FOR CONTINUATION REFER TO SHEET 11</p>	
						<p>FOR CONTINUATION REFER TO SHEET 7</p>	



**LEGEND**

- X LOT 1, DPOSSIBLE RES. PROP. MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO R. 15A AND
- Y LOT 2, DPOSSIBLE RES. PROP. MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO R. 15A AND
- Z LOT 3, DPOSSIBLE RES. PROP. MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO R. 15A AND
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- 2' INHERIT AUSTRALIA LEASE (LOT 2) (DP11401)
- 3' INHERIT AUSTRALIA LEASE (LOT 3) (DP11401)
- 4' LEASE FOR SUBSTATION PURPOSES IN THE AND RIGHT OF WAY AND EASEMENT FOR ELECTRICITY PURPOSES (MARRICKVILLE)
- 5' LEASE FOR SUBSTATION PURPOSES IN THE AND RIGHT OF WAY AND EASEMENT FOR ELECTRICITY PURPOSES (MARRICKVILLE)

SEE SHEET 1 FOR GENERAL NOTES AND LEGEND.

6	1:1.200	EXISTING LANDSCAPE, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO R. 15A AND
7	1:1.200	EXISTING LANDSCAPE, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO R. 15A AND
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9	1:1.200	EXISTING LANDSCAPE, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO R. 15A AND
10	1:1.200	EXISTING LANDSCAPE, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO R. 15A AND
11	1:1.200	EXISTING LANDSCAPE, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO R. 15A AND
12	1:1.200	EXISTING LANDSCAPE, MARRICKVILLE COUNCIL, LIMITED IN HEIGHT TO R. 15A AND

**LEVEL & DETAIL SURVEY**  
SMIDMORE AND MURRAY STREETS, AND EDENBURGH AND VICTORIA ROADS,  
MARRICKVILLE  
IN THE LOCAL GOVERNMENT AREA OF MARRICKVILLE  
REF: ANP CAPITAL INVESTORS

RATIO 1:200 @ A1	SURVEYED MS J. DH
LEVEL DATUM: AHD	DRAWN: MP
DATE: 7/9/2010	CAD FILE: CHAS/CO2_BERIE
SHEET: 10 OF 11	REFERENCE: CH4331106

**WILLIAM L. RACHHOUSE** T: 02 9652 2806  
SURVEYORS, PLANNERS & DEVELOPMENT CONSULTANTS, Bushman Hts, NSW 1753  
PART OF THE LANDSURVEY GROUP  
T: 02 9322 7600  
11,581 SYDNEY ROAD  
MACQUARIE ACT 2814

LANDSURVEY SURVEYS



## Attachment C – Plan of Management

AMP CAPITAL INVESTORS

\*AMP Capital Investors Real Estate Pty Ltd  
ABN 32 063 858 711



### Marrickville Metro



**Plan of Management for the Restaurant, Bar and Ancillary  
Microbrewery with retail sales**

May 2020

AMP CAPITAL INVESTORS

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## 1. Background

The existing Marrickville Metro shopping centre and expansion site is subject to a Major Project Approval (MP09\_0191), which was granted on 19th March 2012. This was a Concept Plan approval, which approved the expansion of the Marrickville Metro Shopping Centre at 13-55 Edinburgh Road, Marrickville. The concept approval was approved at project detail, subject to conditions. No further environmental assessment requirements were imposed pursuant to the former Section 75P(1)(c) of the Environmental Planning and Assessment Act 1979.

The Major Project Approval has been modified several times. The most recent modification (MOD 7) was granted in July 2019.

The original design intent for the Marrickville Metro expansion site that was stated within the initial application was as follows:

“To create a contemporary retail experience embracing the special character of Marrickville and bringing together the qualities of street activation and Marrickville Metro choice and convenience”

Subsequent modifications maintained this design intent, whilst also introducing a retail layout for the Edinburgh Road expansion building which responds to current market requirements.

Through further design development on the project, AMP Capital refocused on the overall objective of Smidmore Street, with a revised objective to create a highly activated 'main street' environment with a focus on food and beverage at street level. This new restaurant precinct will help to transform the introverted nature of the existing centre towards a more positive urban outcome.

To achieve this, AMP Capital approached a range of prospective tenants for the new building at the Edinburgh Road site and received various feedback from these parties regarding the layout and arrangement of the proposed premises. This process has supported AMP Capital's view for the future of Smidmore Street and the new retail arrangement responded to this, as well as operator and occupier requirements at the site.

The ground floor provides for a larger number of smaller tenancy units, which will serve to activate the Smidmore Street frontage. The tenancies on the Smidmore Street frontage have been set back further away Smidmore Street, which facilitates outdoor dining areas and greater street activation.

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## 2. Retailer Handbook for the Existing Marrickville Metro (Plan of Management)

Appendix A contains the Marrickville Metro Retailer Handbook.” This is issued to all incoming tenants in the existing centre and outlines the house rules that each tenant must follow. This is effectively the Plan of the Management for the existing shopping centre.

Subjects that it covers include:

- The Centre Management Team
- Trading Hours
- Centre Access Map
- Smoking Policy
- Store Housekeeping Policy
- Music Policy
- Customer Services
- Public Transport
- Bike Racks
- In Store Security
- Tenant Emergency Management Plans
- Waste Management
- First Aid
- Tenant Works and Security
- Parking
- Loading Docks and Goods Delivery
- Evacuation Map
- Retail Emergency Guide
- Shopping Centre Rules and Regulation

The Retailer Handbook will be updated to create a plan of management specific for the Microbrewery. This will be attached to the lease.

## 3. The Proposed Business

The premises will include a new restaurant, licensed bar with ancillary microbrewery and retail sales of craft beer. The premises includes indoor and outdoor seating, capacity for 226 people, male and female sanitary facilities, kitchen and various back of house areas. The dining area has a designated family dining area.

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4. Hours of Operation and Staff

<b>Main Shopping Centre</b>	<b>Microbrewery and Restaurants with Extended Hours</b>
<b>Core Centre Hours</b> Mon-Wed: 9:00am -5:30pm Thurs: 9:00am -9.00pm Fri: 9:00 am to 5:30pm Sat: 9:00am to 5:00pm Sun: 10:00am – 4:00pm	<b>Internal Areas</b> Mon-Sun: 7:00am to 12 midnight Refer to Appendix B which includes DA condition F4 and associated stamped plan EA123.  <b>External Licensed Seating areas</b> Mon-Sun 7:00am to 10:00pm Mon – Sun 10:00pm to 12 :00 midnight on a 2-year trial basis as per DA condition F4. After this period the tenant can lodge an application to continue the trial period.  <b>Microbrewery liquor license</b> Mon-Sun: 10:00am to 12 midnight
<b>Woolworths and Coles</b> Mon-Sun: 7:00am – 10:00pm	
<b>Kmart</b> Mon-Sun: 8:00am to 10:00pm	
<b>Aldi</b> Mon-Fri: 8:30am – 9:00pm Sat-Sun: 8:30am – 8:00pm	
<b>Public Holiday</b> Mon-Sun: 10am-4:00pm	

Staff will be onsite 1 hours before and 1 hour after each day for trading for preparation and clean up.

Brewing activities including the brewing process will be ongoing 24 hours per day and 7 days per week.

5. Capacity

Refer to the architectural drawing package supporting this paper for further detail on the proposed seating capacities. The table below provides and overview of the approximate capacities of each zone:

DA Zone	Seating capacity	Staff number (approx.)	Total
Restaurant, bar and ancillary microbrewery	226	12	238

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#### 6. Amenity of Neighbourhood and Complaint Handling Procedure

Tenant management and staff must at all times consider the amenity of the area and take reasonable measures to ensure that the operation of their premises does not have an undue adverse impact on neighbours or contravene any DA conditions.

Tenant Management and Centre Management must take reasonable measures to ensure the behaviour of staff and patrons when entering and leaving the premises do not detrimentally affect the amenity of the neighbourhood.

Tenant Management will call taxis for any patron at their request. Tenant Management will be aware of the location of transport options to ensure the safe and quick exit for patrons from the vicinity.

The removal of recycled bottles and glasses shall only occur during hours specified.

The Centre Management already have a complaints handling procedure for the existing shopping centre.

In addition, the Tenant Management will detail any complaints that are received by any party in a complaints register with the following information:

- Time and date of complaint.
- Name, address and contact details of the complainant.
- Staff and/or manager name.
- Action taken.
- Follow up information and outcome.

Tenant Management, depending on the nature of the complaint, will carry out the following:

- Consult with the complainant in a sympathetic manner with the aim of an outcome to satisfy all stakeholders.
- Consult with and take advice from other stakeholders where relevant ie Police, Council, centre management etc.
- If the complaint relates to noise, consider what action may be required if any to remedy, whether there has been compliance with the noise requirements/conditions, consider any need for further acoustic testing etc.
- Review the Plan of Management to ensure its effectiveness and relativeness.

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#### 7. Music

Music provided at the premises will only be recorded background music and will not involve live music as outlined in the associated acoustic report prepared by Marshall Day (May 2020).

Tenant Management will ensure that there are adequate staff at the premises when it is trading to supervise/monitor patrons and related noise levels.

#### 8. Public Transport

The Retailer Handbook for the existing centre already provides public transport information. This will be updated to reflect the changes associated with the new development.

#### 9. Taxis Services

The Retailer Handbook for the existing centre already provides information about taxi services. This will be updated to reflect the changes associated with the new development.

#### 10. Liquor

Liquor to be brewed onsite will only be sold for consumption in the venue and it is not proposed to bottle or package any beer on-site. Liquor to be sold for consumption on the premises will principally comprise the craft beers, wines and spirits.

It is proposed that takeaway liquor sales will also be available which will be limited to beer brewed by the operator.

There will be an emphasis on the provision of quality food, and a range of meals and other food items will be provided. At a minimum food that is commensurate to the responsible sale, supply and consumption of liquor will be provided at all times that liquor is being sold and supplied at the premises.

In addition to selling liquor and other beverages and food for consumption on the premises, and a limited range of packaged liquor for takeaway, it is proposed that brewery tours, events, beer appreciation and other courses and a range of other activities will be provided at the premises.

The premises will be the subject of a hotel licence issued under the NSW Liquor Act. As required, the principal business to be conducted pursuant to the hotel licence will be the sale and supply of liquor.

It is proposed that the hotel licence be the subject of a condition prohibiting gaming machines and the provision of TAB and Keno facilities at the Venue. It is also proposed that a condition be imposed limiting the sale of packaged liquor to craft beers produced in collaboration with the Company.

AMP CAPITAL INVESTORS

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#### 11. Responsible Service of Liquor

It is important that patrons behave in an orderly manner whilst at and when leaving the immediate vicinity of the venue, that liquor is served and consumed responsibly, and that minors do not gain access to liquor.

#### Behaviour of Patrons

Tenant Management, staff and security, will take all reasonable steps to control the behaviour of patrons of the premises whilst at, and when they enter and leave the premises.

#### Responsible Service of Alcohol

Tenant Management and staff will comply with the measures for the responsible service of liquor, and further will take all reasonable steps to ensure there is no loitering of persons in the immediate vicinity of the proposed licensed premises who have been refused admittance to, or have been ejected from, the premises.

The following operational policies for the responsible service of liquor will apply whilst ever they are a requirement and any new policies that replace them will be implemented immediately:

- (i) The premises will implement a "House Policy" regarding the responsible service of liquor at the premises, a copy of which will be provided to all staff on commencing employment at the premises.
- (ii) Tenant Management and all staff will take all reasonable steps to restrict activities, (such as promotions or discounting) that could encourage misuse or abuse of liquor (such as binge drinking or excessive consumption).
- (iii) The licensee will complete an approved responsible service of alcohol course and ensure that all relevant staff involved in the sale and supply of liquor also complete the same.
- (iv) Management will encourage patrons to drink responsibly and let them know they will be asked to leave if they become intoxicated, violent or quarrelsome.
- (v) Low alcohol beer and non-alcoholic beverages will be available at all times when full strength liquor is available.
- (vi) Water will be available at all times liquor is consumed free of charge.
- (vii) Food commensurate to the responsible consumption of liquor will be available whenever liquor is consumed at the licensed premises.
- (viii) Tenant Management will arrange (without charge) taxi pick-ups from the premises of any patrons that request such service.
- (ix) Any person suspected of being under the age of 18 years will be requested to provide acceptable identification before being sold or supplied liquor.

AMP CAPITAL INVESTORS

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#### Prevention of Sale and Supply of Liquor to Minors

- All staff will be under strict instructions to ensure that liquor is not sold and supplied to persons under the age of 18 years.
- Minors will only be permitted in any bar areas that have been approved of by the Liquor Authority as an authorised area for minors in the company of a responsible adult, or an area that comprises a restaurant dining area.

#### 12. Local Liquor Accord

The tenant will join and be an active participant in the Local Liquor Accord.

#### 13. Waste Management

A Waste Management Plan was submitted as part of the Modification (MOD 6) to Major Project Approval MP09\_0191 which was granted in October 2018. A further update of this report has been prepared for the restaurant, bar and microbrewery precinct. The Retailer Handbook will be updated such that each tenant is required to utilise the facilities provided as part of the Waste Management Plan.

#### 14. Deliveries

An Operational Delivery Management Plan for the new development has already been prepared including the microbrewery associated with this DA. This was approved by council on 21st October 2019. The Retailer Handbook will be updated such that each tenant is required to utilise the dock facilities as outlined in the Operational Delivery Management Plan.

#### 15. Cleaning and Maintenance

The Retailer Handbook for the existing centre already provides information about cleaning and maintenance requirements. This will be updated to reflect the changes associated with the new development.

The proposal ensures the best practicable means of control of air pollutants, including odour, as addressed within the submitted Odour Assessment Report prepared by Odourunit.

#### 16. Security and Safety

The Retailer Handbook for the existing centre already provides information about security and safety requirements for the broader shopping centre.

In addition, the restaurant, bar and microbrewery with retail sales will be required to ensure:

- (a) That adequate practices and procedures are in place relating to compliance with the conditions of the Hotel licence and other requirements of the Liquor Act and Regulation, and the conditions of any Council development consents.
- (b) That adequate measures are in place to monitor the behaviour of patrons whilst at the Venue to ensure the operations of the Venue do not cause undue disturbance to our neighbours.

AMP CAPITAL INVESTORS

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(c) That adequate practices are in place to minimise the likelihood of intoxicated persons gaining access to the Venue; intoxication on the premises; liquor-related violence or anti-social behaviour; or other liquor-related harms.

(d) That adequate measures are in place to ensure that minors do not gain access to liquor including by way of secondary supply.

Tenant Management must provide an adequate number of licensed security officers, including the following arrangements:

- Any security officer must be in the possession of a current security licence.
- The security officer will be uniformed so as to be clearly identifiable.
- The security officer will be required to conduct himself/herself at a minimum in accordance with a Code of Practice for the premises or that of his/her employer.
- Conduct patrols as deemed necessary. Also to conduct external patrols as necessary. Any areas patrolled outside the premises would at least comprise that area immediately outside the entrance to the building to ensure that patrons do not loiter or linger after leaving.
- At times when security are provided it would be expected that they would generally commence their duties by 8.00 pm and remain until close or until the last patron has left the premises and the immediate vicinity of the Venue whichever is the later.
- The security officers will record details of any required incidents relating to the premises.
- The security officer will remove any patron who exhibits unacceptable and/or anti-social behaviour.
- Security will pay special attention to ensuring that patrons behave in an orderly manner upon leaving the area and local area.
- The security officer may conduct searches of patrons if deemed necessary (ie such as if patrons are believed to be carrying a weapon). Tenant Management will advise of the protocols to be implemented in respect of searches for instance where searches will occur, whether staff will also be present when any searches are taking place, who will search and supervise searches of females etc.
- Whilst final patrols are being conducted and if necessary, the security officer will collect any rubbish on the footpath immediately outside the premises which may be associated with the premises.
- The security officer and management will co-operate with the Police, Council and Special Inspectors, and Centre Management Security.
- Tenant Management will ensure that security staff provided have received appropriate training relating to the manner of operation of the premises.



AMP CAPITAL INVESTORS

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#### 17. CCTV

The tenant must maintain a closed-circuit television (CCTV) system on the licensed premises ("the premises") in accordance with the following requirements:

- (a) the system must record continuously from the opening time until one hour after the premises is required to closed.
- (b) recording must be in digital format and at a minimum of six (6) frames per second,
- (c) any recorded image must specify the time and date of the recorded image,
- (d) the system's cameras must cover the following areas:
  - all entry and exit points on the premises,
  - the footpath immediately adjacent to the premises, and
  - all publicly accessible areas (other than toilets) within the premises.

The tenant management must also:

- keep all recordings made by the CCTV system for at least 30 days,
- ensure that the CCTV system is accessible at all times the system is required to operate pursuant to clause 1(a), by at least one person able to access and fully operate the system, including downloading and producing recordings of CCTV footage, and
- provide any recordings made by the system to a police officer or Liquor and Gaming NSW inspector within 24 hours of any request by the police officer or Liquor and Gaming NSW inspector to provide such recordings.

#### 18. Violence and Anti-Social Behaviour

Violent conduct or anti-social behaviour must not be tolerated by Tenant Management.

- If deemed necessary, signage will be prominently displayed at the Venue advising patrons of the same and that non-compliance could lead to immediate removal and banning.
- The tenant management must, immediately after becoming aware of an incident on the premises involving an act of violence that has caused a serious injury to a person, ensure:
  - a) That all reasonable steps are taken to preserve and keep intact the area where the incident occurred and that any implement or other thing associated with the act of violence is retained in accordance with guidelines issued by the NSW Police Force relating to the preservation of crime scenes; and
  - b) That the Local Area Commander of the local police area in which the premises are situated is advised by a staff member of the incident; and
  - c) That any directions given by the Commander to the licensee or a staff member to preserve or keep intact the area where the incident occurred are complied with.

AMP CAPITAL INVESTORS

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#### 19. Incident Register

- Management will implement a zero tolerance in respect of illicit drug use at the premises.
- If deemed necessary, signage will be displayed in this regard.
- The tenant will ensure staff receive instructions in relation to this policy including the procedures to be followed in the event that any patron is suspected of using illicit drugs at the premises or found to be dealing in such drugs at the premises.
- Any person suspected of being involved in illicit drug use on the premises will be removed immediately.
- The tenant will not engage in any promotions or other activities which may be considered to promote or encourage illicit drug use at the premises.
- The tenant will maintain any required incident register at the premises and arrange for all required incidents to be recorded in that register.

#### 20. Emergency and Evacuation Procedures

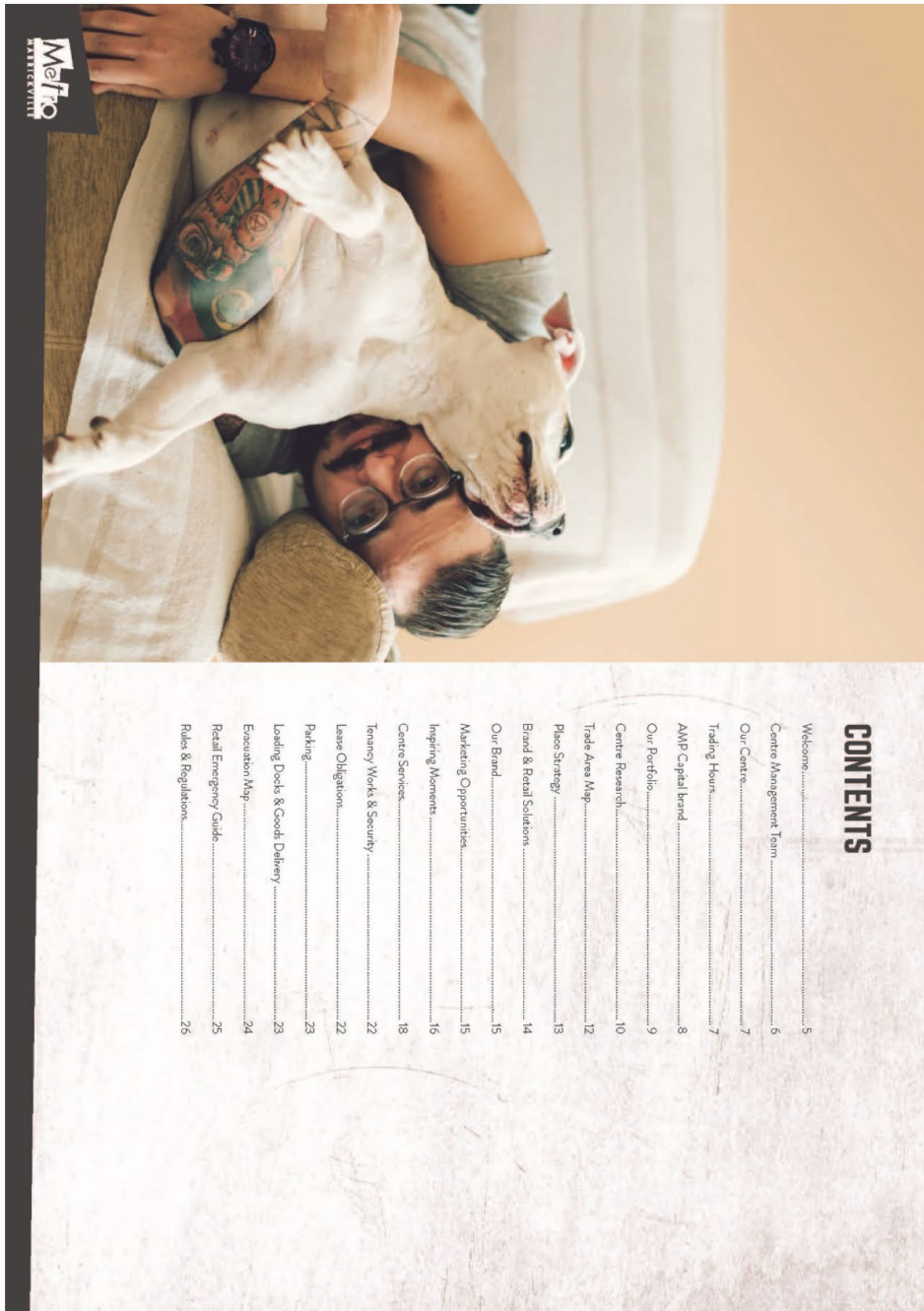
The Retailer Handbook for the existing centre already provides information about requirements regarding emergency and evacuation procedures. This will be updated to reflect the changes associated with the new development.

AMP CAPITAL INVESTORS

Appendix A – Retailer Handbook (Plan of Management) For the Existing Centre



AMP CAPITAL INVESTORS



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AMP CAPITAL INVESTORS

**WELCOME**

On behalf of AMP Capital Shopping Centres, we welcome you to Marrickville Metro. You have joined a passionate team focused on serving our customers and one that values the contribution of everyone working at the centre, particularly retailers and their employees. Marrickville Metro is a sub-regional single LDCS shopping centre located in the inner western Sydney suburb of Marrickville, approximately 6km from Sydney's CBD. The retail centre accommodates ALDI, Kratts and Woolworths, two mini majors and 91 specialty traders. There are 1110 car spaces onsite.

The centre is positioned as a convenience based shopping centre servicing our local community. The centre's core offer is convenience and fresh food. To deliver such a unique shopping experience, exceptional customer service will be our absolute focus. We believe that positive interactions that are informed, proactive and personalised are key to a genuine connection with our customers and to driving loyalty, so we've invested a lot of time in training our teams to hold this as their core value; we encourage our retailers to do the same to complement the overall customer experience.

To get you through the first few days of trading at Marrickville Metro, we have provided some key information for your reference. Please refer to the following pages for details on: how and where to access more information, such as security information, staff parking and waste management. We invite you to share our passion for the centre and enjoy your time here! If you have any questions about the information provided or any other issue, please contact Centre Management directly on (02) 9519 1056.

At Marrickville Metro we want to work with our retailers as one team to create the best experience we can for our customers. We are always happy to catch up for a coffee and chat about the centre, your business and anything else that may come up. Our door is always open, so either pop into the Centre Management office, drop us an email or a call, or whilst we are walking the centre. The Centre Management office is located in the Mill House external to the centre, simply exit the centre near the Food Court and you will find the green Mill House to your left. Office Hours are Monday to Friday 9am to 5pm, outside of these hours please phone Security on 0421 411 531.

Kind regards,  
Dean Young  
Centre Manager

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AMP CAPITAL INVESTORS

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## CENTRE MANAGEMENT TEAM

**Centre Management**  
02 9519 1065  
marrickville.metro@ampcapital.com

**Centre Manager**  
Dean Young  
0481 507 532  
dean.young@ampcapital.com

**Marketing Manager**  
Katelyn Young  
0435 568 605  
katelyn.young@ampcapital.com

**Operations Manager**  
Daniel Ritchie  
0434 367 984  
daniel.ritchie@ampcapital.com

**Finance and Administration**  
Luz Mantilla  
luz.mantilla@ampcapital.com

**Reception and Administration**  
Jaclyn Birtin  
jaclyn.birtin@ampcapital.com

**Leasing Executive**  
Louise Eldredge  
0401 148 181  
louise.eldredge@ampcapital.com

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## OUR CENTRE

Marrickville Metro was initially constructed in 1987. The centre is located approximately 6km from the Sydney CBD and is anchored by Woolworths, Aldi, Kmart and 91 specialty stores. Marrickville Metro has evolved into a strong performing food and service based centre predominantly servicing the primary trade area.

The centre is positioned as a convenience based shopping centre servicing our local community. The centre's core offer is convenience and fresh food. Customers perceive the centre as easy to park, value for money and offers excellent fresh food. Marrickville Metro is "an integral part of the community."

## TRADING HOURS

**CORE CENTRE HOURS**

Mon - Wed	9:00am - 5:30pm
Thurs	9:00am - 9:00pm
Fri	9:00am - 5:30pm
Sat	9:00am - 5:00pm
Sun	10:00am - 4:00pm

**WOOLWORTHS**

Mon - Sun	7:00am - 10:00pm
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**KMART**

Mon - Sun	8:00am - 10:00pm
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**ALDI**


Mon - Wed	8:30am - 8:00pm
Thurs	8:30am - 9:00pm
Fri - Sun	8:30am - 8:00pm

**PUBLIC HOLIDAYS**

Mon - Sun	10:00am - 4:00pm
-----------	------------------

**CENTRE CLOSED**

Good Friday	Closed
Enter Sunday	Closed
Christmas Day	Closed



AMP CAPITAL INVESTORS

## AMP CAPITAL BRAND

### AMP CAPITAL

AMP Capital is a global investment manager with a heritage of strength in real estate, infrastructure and private equity. We are a leading provider of capital to our clients across a wide range of sectors and geographies.

### AMP CAPITAL - REAL ESTATE

AMP Capital is a leading real estate investment manager with a track record of over 50 years of experience in real estate investment. We have a strong focus on commercial real estate, particularly in the United States, Europe, Asia and Australia.

### AMPCSC BRAND

#### INSPIRING SHOPPING EXPERIENCES

Our brand purpose is to inspire, engage and delight our customers. We focus on the customer experience, from the way we interact with our customers to the way we design our spaces. We are committed to creating a world-class shopping experience for our customers.

#### BRAND ARCHITECTURE

Our brand architecture is based on a strong, consistent identity. We focus on the customer experience, from the way we interact with our customers to the way we design our spaces. We are committed to creating a world-class shopping experience for our customers.

#### AMPCSC STAKEHOLDERS AND WHAT'S IMPORTANT TO THEM

- INVESTORS:** Capital, risk, return, growth, stability, transparency
- RETAILERS:** Sales, performance, profitability, innovation, customer experience
- SHOPPERS:** Ideal, fun, convenience, inspiration, discovery, engagement

## OUR PORTFOLIO

### 31 CENTRES

### 166M CUSTOMER VISITATIONS

### \$9.1B IN ANNUAL SALES

REGION	CENTRE	CLASSIFICATION	AREA	DATE
AUSTRALIA	MARRICKVILLE	Regional	15.2ha	2017
	WARRIMONGER	Regional	15.2ha	2017
	WARRIMONGER	Regional	15.2ha	2017
	WARRIMONGER	Regional	15.2ha	2017
EUROPE	WARRIMONGER	Regional	15.2ha	2017
	WARRIMONGER	Regional	15.2ha	2017
	WARRIMONGER	Regional	15.2ha	2017
	WARRIMONGER	Regional	15.2ha	2017
ASIA	WARRIMONGER	Regional	15.2ha	2017
	WARRIMONGER	Regional	15.2ha	2017
	WARRIMONGER	Regional	15.2ha	2017
	WARRIMONGER	Regional	15.2ha	2017

AMP CAPITAL INVESTORS

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### EVACUATION MAP

HYDRA JET TO SCULPT

ASSEMBLY AREA

SMIDMORE STREET

MURRAY STREET

VICTORIA ROAD

ROOMS: P11, P12, P13, P14, P15, P16, P17, P18, P19, P20, P21, P22, P23, P24, P25, P26, P27, P28, P29, P30, P31, P32, P33, P34, P35, P36, P37, P38, P39, P40, P41, P42, P43, P44, P45, P46, P47, P48, P49, P50, P51, P52, P53, P54, P55, P56, P57, P58, P59, P60, P61, P62, P63, P64, P65, P66, P67, P68, P69, P70, P71, P72, P73, P74, P75, P76, P77, P78, P79, P80, P81, P82, P83, P84, P85, P86, P87, P88, P89, P90, P91, P92, P93, P94, P95, P96, P97, P98, P99, P100

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### RETAIL EMERGENCY GUIDE

**EMERGENCY CONTACT NUMBERS FOR ALL EMERGENCY SERVICES**  
DIAL 000

**BOMB THREAT PROCEDURE**  
(Call the Fire or Police first)

- Stay in the safe area until the police arrive
- Remain Calm
- Do not touch anything
- When the police arrive, they will ask you to stay in the safe area until they can speak to you
- When the police leave, they will ask you to leave the safe area
- Do not follow anyone who is not a police officer

**IF YOU DISCOVER A FIRE REMEMBER R.A.C.E.**

**R** Remove people from immediate danger

**A** Alert others - Raise the alarm - Ring 000, Activate fire alarm or use fire extinguisher

**C** Confine the fire & smoke  
Close window & doors

**E** Evacuate or extinguish  
Only if you are trained and safe to do so

**ALERT AND EVACUATION TONES**

If a warning tone is sounded, it is a warning to evacuate. The sound of a warning tone is a series of 8 chimes. If a warning tone is sounded, it is a warning to evacuate. The sound of a warning tone is a series of 8 chimes. If a warning tone is sounded, it is a warning to evacuate. The sound of a warning tone is a series of 8 chimes.

**EVACUATION PROCEDURES**

**IF THE ALERT SIGNAL SOUNDS "BEEP BEEP BEEP"**

- Be aware of a possible emergency in your area.
- Prepare for an evacuation.
- **IF THE EVACUATION SIGNAL SOUNDS "WOOOP WOOOP WOOOP"**
- Immediately follow all instructions from your fire warden, site manager, or the nearest fire warden.
- Close and secure the shop's fire doors to
- Evacuate the premises in an orderly and efficient manner to the ground level, leaving the keys to the fire warden. Do not return to the premises until the fire warden gives the 'All Clear' to re-enter the premises. Do not use the stairs, lifts or escalators.

**FOR THE SAFETY OF YOURSELF AND OTHERS KNOW THE LOCATION OF THE NEAREST**

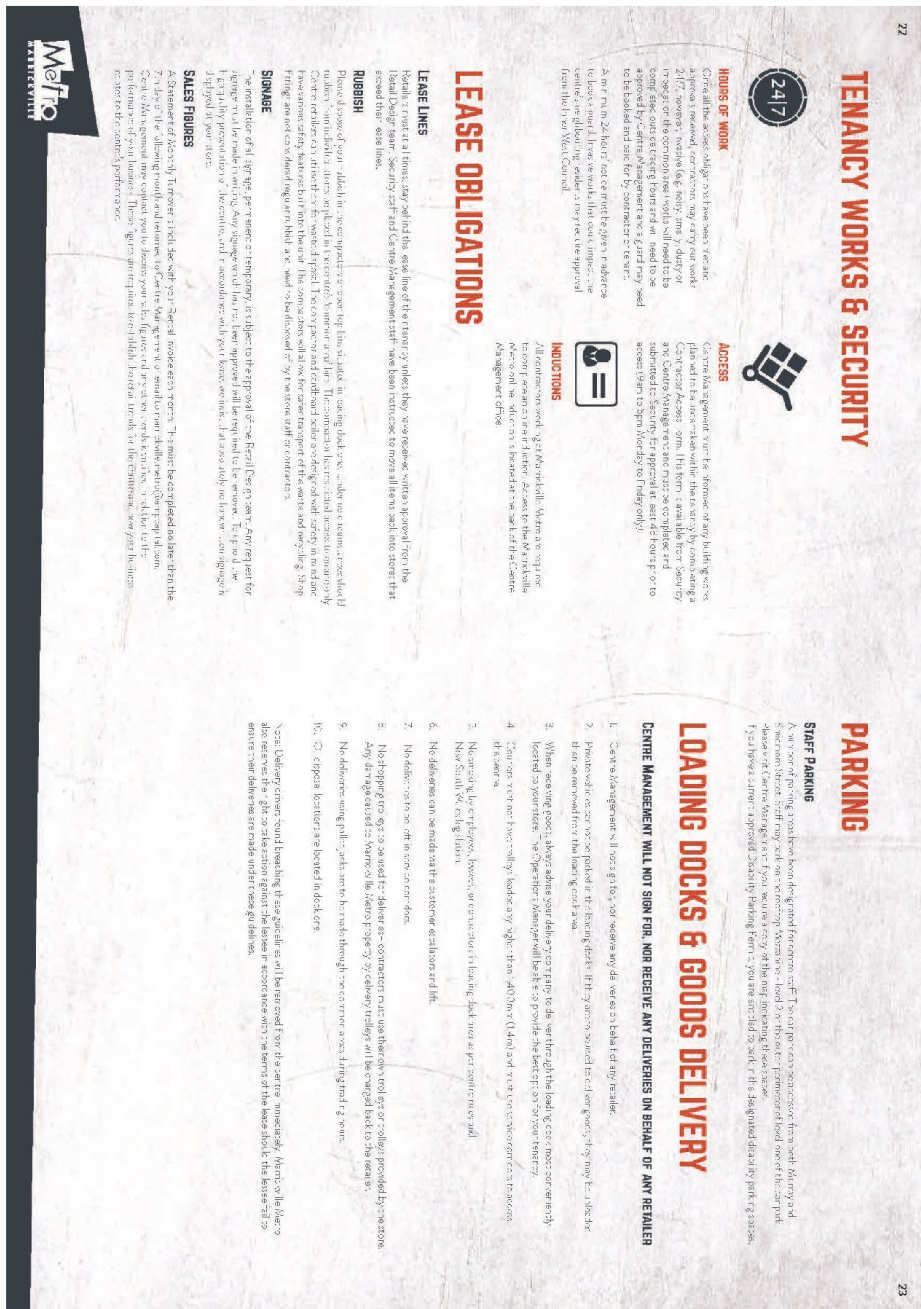
- Fire Extinguishers
- Fire Alarm Panel
- Fire Exit Signs
- First Aid Kits
- Fire Blankets
- Fire Hose Reels
- Fire Extinguishers
- Break Glass Alarms

**TJS FIRE**

105 Hix & Sullyryr, JOE ALLEN 281 331418 2853  
Sydney, Queensland, 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th  
1830 887 827  
181 2 999 9999  
info@tjsfire.com.au



AMP CAPITAL INVESTORS



AMP CAPITAL INVESTORS

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**BUS STOP**  
The nearest bus stop is located outside the building entrance. For more information, contact the Centre Management team.

**TAXI RANK**  
There is a taxi rank located outside the building entrance. For more information, contact the Centre Management team.

**DOOR PARKING**  
We have designated door parking spaces for your convenience.

**CAR PARK**  
Our free customer parking spaces are located in the car park. For more information, contact the Centre Management team.

**SIGNING IN/OUT**  
Our visitors are required to sign in at the entrance. For more information, contact the Centre Management team.

**ALTERATIONS/ MODIFICATIONS - PREMISES**  
If you require any alterations or modifications to the premises, please contact the Centre Management team.

**EXTINGUISHERS AND HOSE REELS**  
We have fire extinguishers and hose reels located throughout the building. For more information, contact the Centre Management team.

**IN-STONE SECURITY**  
We have in-stone security cameras located throughout the building. For more information, contact the Centre Management team.

**BOMB THREATS**  
If you receive a bomb threat, please contact the Centre Management team immediately.

**EMERGENCY MANAGEMENT**  
We have an emergency management plan in place. For more information, contact the Centre Management team.

**WASTE MANAGEMENT**  
We have waste management services available. For more information, contact the Centre Management team.

**BUILDING MAINTENANCE**  
We have building maintenance services available. For more information, contact the Centre Management team.

**FIRST AID**  
We have a first aid kit available. For more information, contact the Centre Management team.

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AMP CAPITAL INVESTORS



### CENTRE SERVICES

**MOBILITY EQUIPMENT**

A request for mobility equipment can be made from the Centre Management Office, including any second hand and wheelchair. Customers are required to fill in a form and a photograph of the person to be using the equipment is required.



### CENTRE SERVICES

**LOST CHILDREN**

If you have a child missing from a play area, please contact the Centre Management Office. Please provide the name, description of your child, clothing description, age, height, hair, etc.



### CENTRE SERVICES

**CUSTOMER FEEDBACK**

It is important that we receive your feedback to help us improve our services. You can provide feedback to the Centre Management Office by email, via our online feedback form, or by completing a feedback card. We will respond to your feedback as soon as possible.



### CENTRE SERVICES

**LOST PROPERTY**

All lost property should be handed in to the Centre Management Office. Please provide a description of the item, including any identifying marks. We will attempt to contact the owner of the property. If you are unable to contact the owner, the property will be held for a period of 30 days. If it is not claimed, it will be donated to charity.



### CENTRE SERVICES

**VISUAL MERCHANDISING / DISPLAY**

There are many ways to showcase our products to create a visual merchandising display. Please contact the Marketing Manager at any time to discuss an idea or a specific way in which you would like to display your products. If you have any questions, please contact the Marketing Manager at any time.



### CENTRE SERVICES

**EMPLOYMENT**

If you have a job opening, please contact the Centre Management Office. We will assist you in finding the right person for the job.



### CENTRE SERVICES

**SMOKE POLICY**

The smoke policy is a non-smoking policy. Smoking is prohibited in all areas of the Centre. This includes the play areas, the office, and the staff room. We will enforce this policy strictly.



### CENTRE SERVICES

**STORE CONTACT DETAILS**

In the event of a fire, please contact the Centre Management Office. We will assist you in contacting the relevant authorities.



### CENTRE SERVICES

**NOISE**

Please ensure that the noise level is kept to a minimum. We will enforce this policy strictly.



### CENTRE SERVICES

**CLEANING**

Please ensure that the Centre is kept clean and tidy. We will enforce this policy strictly.



### CENTRE SERVICES

**MAIL BOXES**

Please ensure that the mail boxes are kept clean and tidy. We will enforce this policy strictly.



### CENTRE SERVICES

**BIKE RACKS**

Please ensure that the bike racks are kept clean and tidy. We will enforce this policy strictly.



### CENTRE SERVICES

**TRAIN STATION**

Please ensure that the train station is kept clean and tidy. We will enforce this policy strictly.



### CENTRE SERVICES

**HWC**

Please ensure that the HWC is kept clean and tidy. We will enforce this policy strictly.

AMP CAPITAL INVESTORS

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## INSPIRING MOMENTS

AMP Capital Managing Director, Chris Trevitt is a Creative and Inspiring Entrepreneur. For over 20 years, he has only used a business coach to support his success, and he looks back on his career with a sense of pride and accomplishment. He is a true leader, with a proven track record in the financial services industry. He is a true leader, with a proven track record in the financial services industry. He is a true leader, with a proven track record in the financial services industry.

Chris Trevitt is a Creative and Inspiring Entrepreneur. For over 20 years, he has only used a business coach to support his success, and he looks back on his career with a sense of pride and accomplishment. He is a true leader, with a proven track record in the financial services industry. He is a true leader, with a proven track record in the financial services industry. He is a true leader, with a proven track record in the financial services industry.



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## CENTRE ACCESS MAP



Key

- Bus route
- Bus stop & route numbers
- Walking path & time (minutes)
- Bike Route

\* Please refer to the website for more information.

AMP CAPITAL INVESTORS

### BRAND & RETAIL SOLUTIONS

Share & Retail is at the heart of the key recent \$1.6m investment in AMP Retail Shopping Centre offering a range of retail and commercial products and retail solutions across the Inner West.





The brand is a key part of our portfolio strategy as it is a key driver of our growth.

### OPPORTUNITIES

Brand & Retail is a key driver of our growth and is a key part of our portfolio strategy. We are currently exploring opportunities to expand our footprint in the region.

Leverage our key relationships with major retailers and brands to drive growth and increase our market share.

Current focus on Digital, Data, Custom, Personalisation, AI, Ops, and Service.

### OUR BRAND

Our brand is a key driver of our growth and is a key part of our portfolio strategy. We are currently exploring opportunities to expand our footprint in the region.

Leverage our key relationships with major retailers and brands to drive growth and increase our market share.

Current focus on Digital, Data, Custom, Personalisation, AI, Ops, and Service.

### MARKETING OPPORTUNITIES

Our brand is a key driver of our growth and is a key part of our portfolio strategy. We are currently exploring opportunities to expand our footprint in the region.

Leverage our key relationships with major retailers and brands to drive growth and increase our market share.

Current focus on Digital, Data, Custom, Personalisation, AI, Ops, and Service.

### PRODUCTION ACTIVITY

Our brand is a key driver of our growth and is a key part of our portfolio strategy. We are currently exploring opportunities to expand our footprint in the region.

Leverage our key relationships with major retailers and brands to drive growth and increase our market share.


Current focus on Digital, Data, Custom, Personalisation, AI, Ops, and Service.

### SOCIAL MEDIA AND DIGITAL PLATFORMS

Our brand is a key driver of our growth and is a key part of our portfolio strategy. We are currently exploring opportunities to expand our footprint in the region.

Leverage our key relationships with major retailers and brands to drive growth and increase our market share.

Current focus on Digital, Data, Custom, Personalisation, AI, Ops, and Service.



AMP CAPITAL INVESTORS

## TRADE AREA MAP

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## OUR PLACE STRATEGY

**PLACE MAKING AT AMPSC**

At AMPSC, we are committed to creating a vibrant, inclusive, and sustainable community. We are focused on creating a sense of place and belonging for all our residents and visitors. We are committed to creating a community that is diverse, inclusive, and resilient.

**PLACE ESSENCE**

**MARRICKVILLE METRO WILL BE**

**“THE SOURCE”**

**NOURISHING THE BODIES AND SOULS OF A QUIRKY AND ECLECTIC COMMUNITY.**

**Quirky/Eclectic**

**Unique**

**Creative**

**Socially Conscious**

**Unpretentious**

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**community & inclusivity**

**quirky, eclectic, unique**

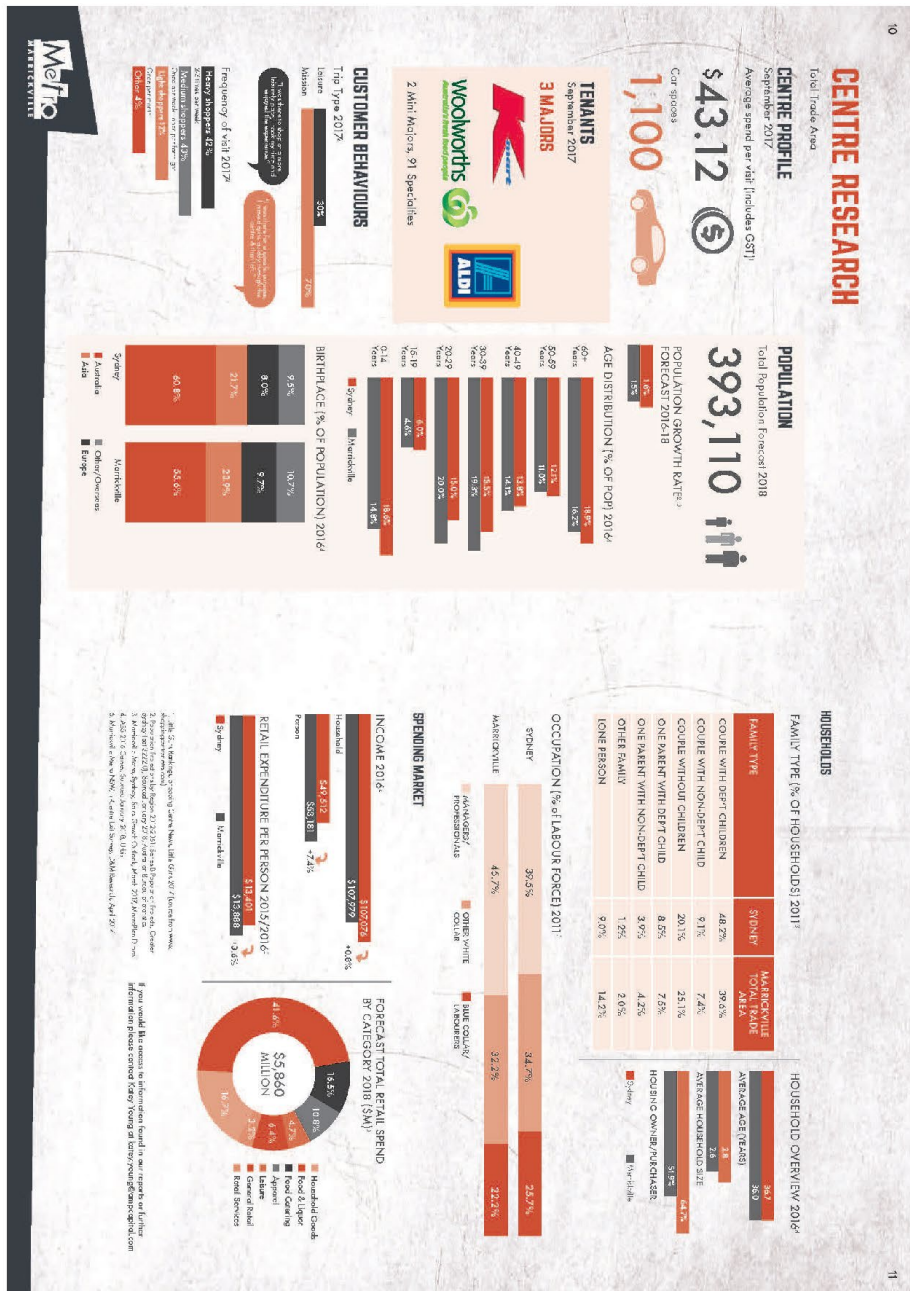
**community**

**redefining & inclusive**

**community & inclusivity**

**community**

AMP CAPITAL INVESTORS



AMP CAPITAL INVESTORS

**CONTACT**

**MARRICKVILLE METRO – CENTRE MANAGEMENT OFFICE**

Ph: 9519 1096  
 E: [metro@ampcapital.com](mailto:metro@ampcapital.com)  
[www.marrickvillemetro.com.au](http://www.marrickvillemetro.com.au)  
[facebook.com/marrickvillemetro](https://www.facebook.com/marrickvillemetro)  
[instagram.com/marrickvillemetro](https://www.instagram.com/marrickvillemetro)

Disclaimer: The stamp pattern, other information and material contained in this booklet have been compiled or prepared by or on behalf of Metro Centre Management based on historical data, in an endeavour to ensure that Metro Centre Management's marketing programs provide the most accurate and up-to-date information contained therein and that all such information is accurate, complete and up-to-date. Metro Centre Management does not warrant, represent or guarantee that any data or information contained in this booklet is accurate, complete or up-to-date. Metro Centre Management shall not be liable for any loss or damage, including consequential or special damages, arising from the use of the information contained in this booklet. The data contained in this booklet may be subject to change without notice. The disclaimer does not constitute an offer of any financial product or service, which may be provided by Metro Centre Management. Metro Centre Management is not responsible for any loss or damage, including consequential or special damages, arising from the use of the information contained in this booklet. The management of Marrickville Metro Centre Management is not responsible for any loss or damage, including consequential or special damages, arising from the use of the information contained in this booklet. The management of Marrickville Metro Centre Management is not responsible for any loss or damage, including consequential or special damages, arising from the use of the information contained in this booklet.

**MANAGED BY**  
**AMP CAPITAL**

**Metro**  
 MARRICKVILLE



AMP CAPITAL INVESTORS

Appendix B – DA Condition F4 and Stamped DA Plan EA123.

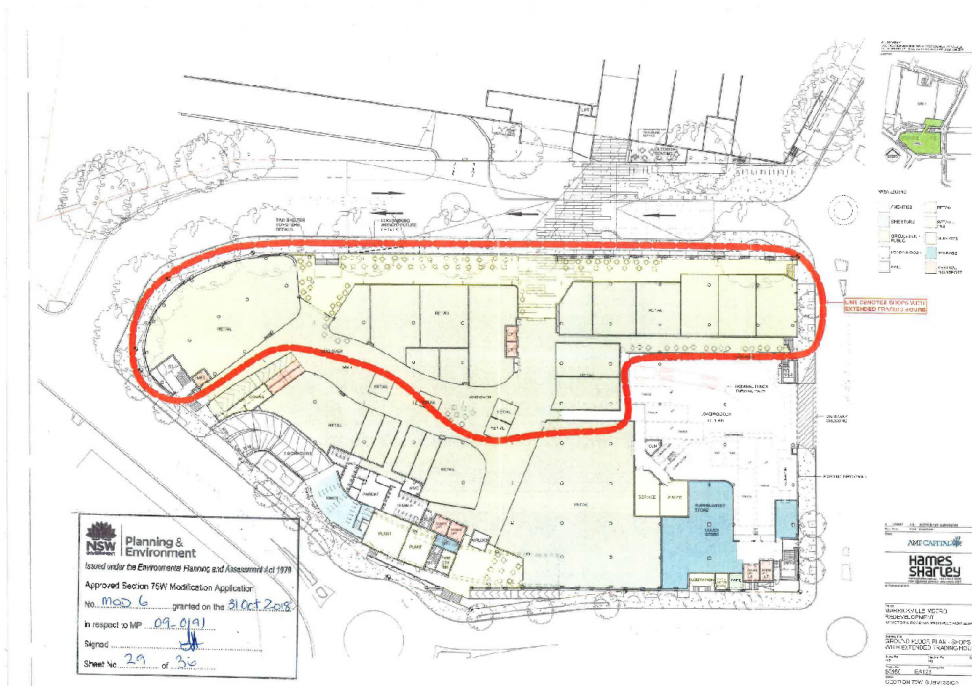
**Hours of Operation**

Trading hours of the shopping centre shall be restricted to between the hours of 7.00am and 10.00pm Monday to Sunday.

Notwithstanding the above, the indoor areas of the restaurant tenancies identified on Plan EA123/A are permitted to operate between 7.00am and 12 midnight.

Outdoor areas of the restaurant tenancies identified on Plan EA123/A are permitted to operate between 7.00am and 10.00pm, and between 10.00pm and 12 midnight for a trial period of two years. The Secretary is to be informed in writing of the date of commencement of the trial hours.

A modification application or development application may be lodged to continue any trial period. The consideration of a proposed continuation and/or extension will be based on the performance of the operator(s) in relation to compliance with approval conditions, any substantiated complaints received, and any views expressed by the NSW Police Force.



## Attachment D – Concept Approval: MP 09\_0191

**Modification of Minister's Approval****Section 75W of the *Environmental Planning & Assessment Act 1979***

As delegate of the Minister for Planning, I approve the modification of the concept approval referred to in Schedule 1, subject to the conditions in Schedule 2.

Anthea Sargeant  
Executive Director  
Key sites and Industry Assessments

Sydney 31 October, 2018

**SCHEDULE 1**

<b>Concept Approval:</b>	<b>MP 09_0191</b> granted by the Planning Assessment Commission Minister for Planning and Infrastructure on 19 March 2012
<b>For the following:</b>	Authorise the use of the existing building for retail and business premises and expand the Marrickville Metro Shopping Centre including a first-floor addition to the existing building at 34 Victoria Road, a new 2 level retail building on at 13-55 Edinburgh Road and two levels of rooftop parking above each building.
<b>Proponent:</b>	AMP Capital Investors
<b>Approval Authority:</b>	Minister for Planning
<b>Land:</b>	34 Victoria Road and 13-55 Edinburgh Road, Marrickville (Lot 100 DP 715231 and Lot 1 DP 612551)
<b>Modification:</b>	<p><b>MP 09_0191 MOD 6:</b> the modification includes:</p> <ul style="list-style-type: none"> <li>• internal and external modifications to the approved building in Stage 1B (Edinburgh Road site) and Stage 2 (the existing shopping centre) including a redistribution of 1,661 GFA</li> <li>• construction of a new pedestrian bridge over Smidmore Street between Stage 1B and Stage 2</li> <li>• additional car parking level</li> <li>• changes to the road alignment and operation of Smidmore street and public domain/landscape works</li> <li>• introduction of signage and public art zones</li> <li>• redistribution of car parking</li> <li>• minor works schedule.</li> </ul>

## SCHEDULE 2

The Concept approval (MP 09\_0191) is modified as follows:

- (a) In Part A, Condition A1 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~-words/numbers as follows:

## Development description

- A1. Development approval is granted only to carrying out the development described in detail below:
- demolition of existing warehouse buildings and associated structures on the Edinburgh Road site
  - upon the surrender of development consents required under Condition B3 of this approval, use of the Victoria Road site for retail premises and business premises.
  - refurbishment and construction of a first-floor addition to the existing retail building on the Victoria Road site and a construction new building with two **main** levels of retail with **car parking above** on the Edinburgh Road site comprising:
    - a discount department store (5,000m<sup>2</sup>), supermarket (4,500m<sup>2</sup>) **(4,449m<sup>2</sup>)**, mini major (1,791m<sup>2</sup>) **(1,000m<sup>2</sup>)** and speciality retail **premises and business premises (4,464m<sup>2</sup>) (6,318m<sup>2</sup>)**
    - an additional 21,780m<sup>2</sup> GFA (16,767m<sup>2</sup> GLFA) to provide a total of 50,705m<sup>2</sup> GFA (39,700m<sup>2</sup> GLFA)
    - Authorise the use of 4606 **1623** car parking spaces comprising 1,400 **1,018** existing spaces and 506 **605** additional car parking spaces.

- (b) In Part A, Condition A2 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~-words/numbers as follows:

## Development in accordance with plans

A2 the development shall be undertaken generally in accordance with:

- the Environmental Assessment dated 15 July 2010 prepared by Urbis Pty Ltd, and except where amended by the Preferred Project Report received by the department on 23 December 2010, including all associated documents and reports **and subsequent modifications**;
- the Draft Statement of Commitments prepared by Urbis Pty Ltd; and
- the following drawings:

<b>Architectural Drawings prepared for the Preferred Project Report by Lend-Lease Design (Project Number 160496) Hames Sharley (Project Number 50980)</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
EA006	04 <b>B</b>	Proposed Ground Floor Plan <b>Part 3A (2012)</b>	21.12.12 <b>04.04.18</b>
EA007	04 <b>A</b>	Proposed Level 1 Plan <b>Part 3A (2012)</b>	21.12.12 <b>11.10.17</b>
EA008	04 <b>A</b>	Proposed Level 02 <b>Part 3A (2012)</b>	21.12.12 <b>11.10.17</b>
EA009	04 <b>A</b>	Proposed Rooftop car park Level 2A <b>Part 3A (2012)</b>	21.12.12 <b>11.10.17</b>
EA010	04 <b>A</b>	Proposed Roof Plan <b>Part 3A (2012)</b>	21.12.12 <b>11.10.17</b>
EA011A	03 <b>A</b>	Overall Elevations Sheet 1	29.10.2010 <b>11.10.17</b>

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<b>EA011B</b>	<b>B</b>	<b>Overall Elevations Sheet 2</b>	<b>04.04.18</b>
EA011C	03 <b>C</b>	Overall Elevations Sheet 3	<del>29.10.2010</del> <b>04.04.18</b>
EA011D	04	Overall Elevations Sheet 4	21.12.12
EA011E	04 <b>B</b>	Overall Elevations Sheet 5	<del>21.12.12</del> <b>04.04.18</b>
<b>EA011F</b>	<b>B</b>	<b>Overall Elevations Sheet 6</b>	<b>04.04.18</b>
EA011G	04 <b>A</b>	Overall Elevations Sheet 7	<del>21.12.12</del> <b>11.10.17</b>
EA011H	04 <b>B</b>	Overall Elevations Sheet 8	<del>21.12.12</del> <b>04.04.18</b>
EA012	04	Overall Elevations Proposed	21.12.12
EA013	04 <b>A</b>	Overall Sections	<del>21.12.12</del> <b>11.10.17</b>
EA013A	04 <b>A</b>	Overall Sections Sheet 1	<del>21.12.12</del> <b>11.10.17</b>
EA013B	04 <b>A</b>	Overall Sections Sheet 2	<del>21.12.12</del> <b>11.10.17</b>
EA018	04 <b>B</b>	Proposed Ground Floor Plan Stage 1 <b>Stage 2 Ground Floor Amendment</b>	<del>21.12.12</del> <b>04.04.18</b>
EA019	04	Proposed Level 1 Plan Stage 1	21.12.12
EA020	04	Proposed Stage 1 Level 2 Plan (Smidmore Street Open)	21.12.12
EA021	04	Proposed Level 2A plan Stage 1	21.12.12
<b>Landscape Plans prepared for the Preferred Project Report by Site Image (Job Number: SS10-2128)</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
000	D	Title Page	09.11.2010
100	D	Landscape Master Plan	09.11.2010
100	D	Landscape Master Plan – Vision Smidmore Street Treatment	09.11.2010
103	D	Landscape Detail Plan	09.11.2010
104	D	Landscape Detail Plan	09.11.2010
105	D	Landscape Detail Plan	09.11.2010
106	D	Landscape Detail Plan	09.11.2010
107	D	Landscape Detail Plan	09.11.2010
107	D	Landscape Detail Plan – Vision Smidmore Street Treatment	09.11.2010
108	D	Landscape Detail Plan	09.11.2010
108	D	Landscape Detail Plan – Vision Smidmore Street Treatment	09.11.2010
501	B	Landscape Details	01.11.2010
601	B	Landscape Sections & Specification Notes	01.11.2010

602	N	Landscape Sections & Specification Notes	01.11.2010
<b>Architectural Plans prepared by Francis-Jones-Morehan-Thorp Hames Sharley for the S75W Application (MOD-4 MOD 6)</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
EA106	04 <b>B</b>	<b>Proposed</b> Ground Floor Plan	<del>21.12.2012</del> <b>04.04.18</b>
EA107	04 <b>B</b>	<b>Proposed</b> Level 1 Floor Plan	<del>21.12.2012</del> <b>04.04.18</b>
EA108	04 <b>B</b>	<b>Proposed</b> Level 2 Floor Plan	<del>21.12.2012</del> <b>04.04.18</b>
EA109	04 <b>B</b>	<b>Proposed</b> Level 2A Floor Plan	<del>21.12.2012</del> <b>04.04.18</b>
EA110	04 <b>B</b>	<b>Proposed</b> Roof Plan	<del>21.12.2012</del> <b>04.04.18</b>
EA111 <u>A</u>	<b>B</b>	<b>Proposed Signage</b> South and North Elevations	<del>21.12.2012</del> <b>04.04.18</b>
EA112 <u>A</u>	<b>B</b>	<b>Proposed Signage</b> West and East Elevations	<del>21.12.2012</del> <b>04.04.18</b>
EA113	<b>A</b>	<b>Proposed</b> Long Sections	<del>21.12.2012</del> <b>11.10.17</b>
EA114	<b>A</b>	<b>Proposed</b> Short Sections	<del>21.12.2012</del> <b>11.10.17</b>
<b>EA119</b>	<b>B</b>	<b>Proposed Public Domain Plan</b>	<b>04.04.18</b>
<b>EA120</b>	<b>B</b>	<b>Proposed Bridge Plan, Section and Elevation</b>	<b>04.04.18</b>
<b>EA122</b>	<b>A</b>	<b>Proposed External Finishes</b>	<b>11.10.17</b>
<b>EA123</b>	<b>A</b>	<b>Ground Floor Plan Shops with Extended Trading Hours</b>	<b>11.10.17</b>
<b>Landscape Plans prepared by Site Image for the S75W Application (MOD-4 MOD 6) (Project Number SS16-3593)</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
000	<b>B E</b>	<b>Coversheet</b>	<del>13.12.2012</del> <b>09.05.2018</b>
001	<b>C E</b>	<b>Landscape Design Statement</b>	<del>17.12.2012</del> <b>09.05.2018</b>
002	<b>B E</b>	<b>Landscape Character Plan</b>	<del>13.12.2012</del> <b>09.05.2018</b>
010	<b>B E</b>	<b>Tree Removal Plan</b>	<del>13.12.2012</del> <b>09.05.2018</b>
100	<b>B E</b>	<b>Landscape Masterplan</b>	<del>13.12.2012</del> <b>09.05.2018</b>
C100	<b>B</b>	Colour Landscape Masterplan	<del>13.12.2012</del>

101	<b><u>B E</u></b>	<b><u>Landscape Plan</u></b>	13.12.2012 <b><u>09.05.2018</u></b>
102	<b><u>B E</u></b>	<b><u>Landscape Plan</u></b>	13.12.2012 <b><u>09.05.2018</u></b>

- (c) In Part A, Condition A8 is added by insertion of the **bold and underlined** words / numbers as follows:

**Limits of MP09 0191 MOD 6 approval**

**A8 No approval is granted or implied the following:**

- (a) **fit-out and use of a pub, small bar or restaurant\* and associated outdoor seating areas**
- (b) **hours of operation for any pub or small bar**
- (c) **removal of trees C, D and E**

**Separate applications are to be lodged with the relevant consent authority for fit-out and use of a pub, small bar or restaurant\*.**

**Separate approval for the removal of trees C, D and E will need to be sought from Council under Section 138 of the Roads Act 1993**

**\*Note:** Restaurants with the capacity for more than 50 seats, other than premises where the seating is provided within a common food court or food hall

- (d) In Part A, Condition A9 is added by insertion of the **bold and underlined** words / numbers as follows:

**A9 Minor works**

1. **Works that are consistent with the types of development identified in Part 1 of Schedule 4 may be undertaken pursuant to this approval without the need for any further modification or approval.**
2. **Development shown on the plans approved in Condition A2 may be undertaken pursuant to this approval without the requirement for any further modification or approval where those works relate only to the relocation of retail premises or business premises floor space, internal to Marrickville Metro Stage 1B site and where the relocation internally of those uses does not result in a change to:**
  - (a) **the works do not change fire egress provisions of the approved building;**
  - (b) **there are no changes to any external space;**
  - (c) **there are no new external spaces or openings in the building proposed;**
  - and**
  - (d) **there is no increase in GFA on site.**
3. **Prior to any works being undertaken in accordance with Part 2 of Schedule 4, a Construction Certificate supported by all relevant technical assessments (provided by a suitably qualified consultant) must be obtained. Works must be carried out in accordance with relevant Australian Standards, the Building Code of Australia and any separate approvals, including those required outside the Environmental Planning and Assessment Act 1979. The Construction Certificate must be consistent with the relevant development**

standards set out in Schedule 4 and the relevant conditions of this or any other approval.

- (e) In Part B, Condition B2 (1) of Schedule 2 is added by the insertion of the **bold and underlined** words / numbers as follows:

**Design Modifications for Council approval**

**B2 (1) The following design modifications shall be incorporated into the Construction Certificate drawings:**

- a) **the bollards on Smidmore Street shall be square based, or as otherwise agreed to by Council, and designed to withstand vehicle strike; and**  
 b) **the seating on the southern side of Smidmore Street shall be set back from the footpath to be adjacent to the retained building envelope.**

**Revised plans sections and elevations shall be submitted to Council for approval prior to issue of the relevant Construction Certificate for Stage 1B.**

- (f) In Part B, Condition B9 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck out~~ words/numbers as follows:

**Drainage**

B9 The proposed stormwater management, including on-site detention, must be designed in accordance with the requirements of Sydney Water and Council. The Certifying Authority must ensure that the plans and specifications submitted by the proponent, referenced on and accompanying the **relevant** Construction Certificate **relating to the drainage works**, fully satisfy the requirements of this condition.

- (g) In Part B, Condition B12 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck out~~ words/numbers as follows:

**Flooding**

B12 The proponent shall prepare a flood risk management plan including a flood emergency response plan in accordance with Council's and Sydney Water's requirements prior to issue of **the relevant** Construction Certificate **for the building**.

- (h) In Part B, delete Condition B13 by ~~striking out~~ the following words/numbers:

**~~Roads and Maritime Services (RMS) approval~~**

~~B13 The proposed modifications to the existing traffic signals and civil works on Unwins Bridge/Bedwin Road/May Street/Campbell Street shall be designed to meet RMS requirements and endorsed by a suitably qualified practitioner.~~

~~The design requirements shall be in accordance with RMS Road Design Guide and other Australia Codes of Practice. The certified copies of the traffic signal design shall be submitted to RMS for consideration and approval prior to the issue of a Construction Certificate for the stage 1B of the development~~

~~The RMS fees for administration, plan checking, signal works, inspections and project management shall be paid by the proponent prior to commencement of works.~~

~~The proponent will be required to enter into a Works Authorisation Deed (WAD) for the work.~~

- (i) In Part B, Condition B14 of Schedule 2 is amended by the insertion of the bold and underlined words / numbers as follows:

**State Transit Authority Approval**

B14 The proponent shall submit details/plans to STA for:

- The bus terminal in Edinburgh Road; and
- The roundabouts at the intersections of Edinburgh Road/Sydney Steel Road and Edinburgh Road/Railway Terrace demonstrating that low floor buses are able to U-turn at these locations.

The proponent shall provide evidence of STA's approval of the bus terminal and roundabout design to the Certifying Authority prior to the issue of the **relevant** Construction Certificate **for the bus terminal and roundabout** for Stage 1B.

- (j) In Part B, Condition B15 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

**Local Area Traffic Committee Approval**

B15 The proponent shall obtain Local Area Traffic Committee approval for the following works as relevant to Stage 1B and Stage 2 respectively and prior to issue of the relevant Construction Certificate:

- ~~(a) concrete median in Smidmore Street to prevent right turns into and out of the proposed car park access ramp;~~
- (b) design of the roundabout at the intersection of Edinburgh Road and Sydney Steel Road;
- (c) redesign of the roundabout at the intersection of Edinburgh Road and Railway Terrace;
- (d) detailed design of the bus terminal in Smidmore Street;
- (e) prohibition of right turn movements from Victoria Road to Edgeware Road during the afternoon peak and Saturday morning peak;
- (g) the installation of ~~a pedestrian traffic signals and a crossing on Smidmore Street between the pedestrian entrances of the two shopping centre buildings, and the provision of proposed signage, line marking, speed zones and other traffic management in the proposed Smidmore Street Shared zone in accordance with Condition B16;~~
- (h) no parking restrictions to cover the afternoon peak and Saturday morning peak at the following locations:
  - i. northbound approach of Edgeware Road to the intersection with Alice Street and Llewellyn Street (distance of 100 metres);
  - ii. southbound approach of Edgeware Road to the intersection with Alice Street and Llewellyn Street (distance of 50 metres); and
  - iii. westbound approach Alice Street to the intersection with Edgeware Road and Llewellyn Street (distance of 50 metres);
  - iv. eastern side of Edgeware Road between Alice Street and Llewellyn Street (distance of 50 metres);**
  - (v) from Smidmore Road and Edinburgh Road as identified in Figure 8. of the Response to Submissions Report prepared by TTPP dated 15 May 2018; and**
  - (i) detailed design of the right turn access from Edinburgh Road to the Edinburgh road car park.**



- (k) In Part B, Condition B16 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout-words/numbers~~ as follows:

**Shared Zone in Smidmore Street**

B16 Detailed plans shall be submitted to and approved by Council for the construction of a proposed "Shared Zone" for that portion of Smidmore Street between Murray Street and ~~the new-relocated carpark ramp~~ **Edinburgh Road** prior to the issue of the relevant Construction Certificate. Details shall include proposed line marking and Shared Zone/~~10kph speed limit~~ signage and the provision of pedestrian crossing ~~lights~~ at no cost to Council.

- (l) In Part B, Condition B19 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout-words/numbers~~ as follows:

**Number of Parking Spaces and Dimensions**

B19 In total, ~~4606~~ **1623** car parking spaces (inclusive of any car share spaces required by this approval) and 42 motorcycle spaces shall be provided on-site for the development. For Stage 1B of the development, ~~not less than~~ **between 455 and 493** new car parking spaces and 9 motorcycle spaces shall be provided on-site for that part of the development.

- (m) In Part B, Condition B25 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout-words/numbers~~ as follows:

**Construction Management Plan (CMP) and Construction Traffic Management Plan (CTMP)**

B25 The proponent shall submit, for approval by the Certifying Authority, a detailed Construction Management Plan (CMP) incorporating a Construction Traffic Management Plan (CTMP) prior to issue of the Construction Certificate for each stage of works (each Construction Certificate). The CMP and CTMP shall address:

- a) construction vehicles access to and egress from the site, truck routes and number of trucks;
- b) parking for construction vehicles and construction zones;
- c) locations of the site office, accommodation and the storage of major materials related to the project;
- d) protection of adjoining properties, pedestrians, vehicles and public assets;
- e) location and extent of proposed builder's hoarding, scaffolding and Work Zones;
- f) tree protection management measures for all protected and retained trees;
- g) noise management requirements for plant and equipment;
- h) any request for adjustment to the approved construction working hours and its justification, duration and purpose; ~~and~~
- i) crane usage;;
- j) **general vehicular traffic and bus operations, and measures to ensure safe continuous movement of traffic, cyclists and pedestrians along footways and within the road reserve.**
- k) **coordination with construction traffic from other developments utilising the local road work; and**
- l) **a consultation strategy for liaison with surrounding stakeholders;**

A copy of the updated CMP and CTMP shall be submitted to Council prior to the issues of the construction certificate for **and is to be implemented during the construction phase.**

- (n) In Part B, Condition B30 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout-words/numbers~~ as follows:

**Site Contamination**

B30 Site investigation works shall be carried out for the site in accordance with the recommendations of the Limited Stage 2 Contamination Assessment prepared by Douglas Partners (Project No. 71654 Revision 1) dated November 2010, **and the updated Contamination Synthesis Report prepared by Douglas Partners dated October 2017.** Once these works have been carried out a validation report is to be submitted to Council prepared in accordance with the requirements of the NSW EPA's Guidelines for Consultants Reporting on Contaminated Sites to Council's satisfaction.

- (o) In Part B Condition B44 of Schedule 2 is added by the insertion of the **bold and underlined** words / numbers as follows:

**NABERS**

B44 The proposed development shall prepare a detailed Environmental Sustainability Report for the development including specific measures which will be implemented during construction and operation to achieve an **equivalent 4-star NABERS Retail Energy and Water rating for the base building.** The measures identified in this report are to be implemented in the plans and details submitted with the relevant Construction Certificate for the development.

- (p) In Part B Condition B45 of Schedule 2 is added by the insertion of the **bold and underlined** words / numbers as follows:

**Road Safety Audit**

**B45 The right turn access on Edinburgh Road (between Smidmore Street and Sydney Steel Road) from Edinburgh Road to the Edinburgh road car park is approved, subject to the Proponent submitting a road safety audit of the proposed access, including all permissible movements and interactions with movements at adjacent intersections, including Edinburgh Road with Smidmore Street and Edinburgh Road with Sydney Steel Road.**

**The audit (including any corrective action program to address unacceptable road safety impacts) shall be submitted to the satisfaction of Council, prior to issue of the Construction Certificate for the road works.**

- (q) In Part B Condition B46 of Schedule 2 is added by the insertion of the **bold and underlined** words / numbers as follows:

**Public Art Strategy**

**B46 A public art strategy shall be submitted to Council for approval prior to issue of the relevant Construction Certificate for Stage 1B.**

- (r) In Part C Condition C19 and Condition C20 of Schedule 2 are added by the insertion of the **bold and underlined** words / numbers as follows:

Replacement of Lemon Scented Gums on Smidmore Street

**C19** The proponent shall provide a plan for the removal and replacement of trees 75 to 84 (Lemon Scented Gums and Narrow Leaf Peppermint tree) along Smidmore Street, in accordance with the Marrickville Street Tree Masterplan 2014. Such plan shall include the following requirements:

- a) the removed trees shall be replaced at 1:2 ratio, or as otherwise agreed to in writing by Inner West Council, at a minimum container size of 400L
- b) planting detail and specifications shall incorporate vault style structural soil systems allowing all new trees to have a minimum of 30m<sup>3</sup> of soil volume per tree. If evidence identifies that this volume cannot be achieved due to existing services and infrastructure, the Applicant shall agree an appropriate alternative outcome with Council
- c) the planting stock shall comply with Australian Standard Tree stock for landscape use AS 2303—2015
- d) the new trees shall be planted by a qualified horticulturist or arborist, with a minimum qualification of Certificate 3
- e) the new street trees shall be maintained in a healthy and vigorous condition during an establishment period of 24 months
- f) if any tree dies or is removed during the establishment period, it shall be replaced with the same species tree in accordance with these conditions at the expense of the applicant
- g) upon completion of planting the proponent shall arrange an inspection by Council's Urban Forest Manager to approve the installation. If the trees or planting method are unsatisfactory and not in accordance with conditions they will be rejected and replaced at the expense of the proponent
- h) Planting of all trees shall be co-ordinated with the Public domain works on Smidmore Street and shall be completed to the satisfaction of Council prior to issue of the Occupation Certificate for stage 1B.

The plan shall be submitted to and approved in writing by Council, prior to the issue of the construction certificate for the Smidmore Street public domain works.

- (s) In Part D, Condition D28 and Condition D29 of Schedule 2 are amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

**Tree Protection**

D28 All trees to be retained shall be protected in accordance with the Tree Protection Specifications outlined in Appendix 6 of the *Arboricultural Impact Assessment Report* prepared by Integrated Vegetation Management (Report No. MA/ME/AIARTPS/E dated 2 November 2010) and ~~Report No. MAR/ME/AIA/B Rev B by Tree IQ dated 17th December 2012~~ **the Arboricultural Impact Assessment Report prepared by Tree IQ (Report No: MAR/MET75W/AIA/B dated 10th April 2018).**

- D29 Approval is given for the following works to be undertaken to trees on the site, as identified in 'Appendix 3 - Site Survey' in the *Arboricultural Impact Assessment Report* prepared by Integrated Vegetation Management (Report No. MA/ME/AIARTPS/E dated 2 November 2010) **and the Arboricultural Impact Assessment Tree Protection Specification (prepared by Tree IQ dated 10th April 2018)**:

Tree No.	Name	Approved Works
37	<i>Celtis sinsesis</i> (Nettle Tree)	Removal
48, 56, 57, 58, 59, 60, 67	<i>Ficus microcarpa</i> var. 'Hillii' (Hills Weeping Fig)	Removal
68	<i>Acacia spp</i> (Wattle) – Group of 7	Removal
2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18	<i>Ficus microcarpa</i> var. 'Hillii' (Hills Weeping Fig)	Selective Branch Pruning
75, 76, 77, 78, 80, 81, 82, 84	<i>Corymbia citriodora</i> (Lemon-scented Gum)	Canopy Pruning <b>Removal</b>
79, 83	<i>Eucalyptus sp.</i> (Gum Tree)	Removal
88-108 (inclusive)	Various	Removal

- (t) In Part E, delete Condition E9 by ~~striking out~~ the following words/numbers:

#### **Splay Corners**

~~E9 Splay corners shall be created at property corners of the new site, and dedicated to the public for road widening purposes before the issue of an Occupation certificate. The size and location of splay corners shall be as follows:~~

- ~~• Corner Smidmore and Murray Streets – 3m x 3m splay; and~~
- ~~• Corner Murray Street and Edinburgh Road – 3m x 3m splay.~~

- (u) In Part E, Condition E15 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers as follows:

#### **NABERS**

E15 The development shall include appropriate ESD measures to achieve a design **equivalent** 4-star NABERS Retail Energy and Water rating **for the base building** with appropriate Certification to be provided in this respect prior to the issue of any Occupation Certificate for the relevant part of the building.

- (v) In Part E, Condition E22 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck out~~ words/numbers as follows:

#### **Traffic Improvements**

E22 The following works shall be completed to the satisfaction of the Certifying Authority prior to issue of an Occupation Certificate for Stage 1B of the development, and shall be at no cost to Council:

- Roundabout construction at the intersection of Edinburgh Road/Sydney Steel and Edinburgh Road/Railway Terrace;
- ~~Modification to the intersection of Unwins Bridge Road/Bedwin Road/May Street/Campbell Street in accordance with RMS specifications;~~
- Construction of the new bus terminal in Edinburgh Road;

- Smidmore Street upgrade works including pedestrian lights and crossing, community bus and taxi zones; and
- Amend the street address of Marrickville Metro Shopping Centre to have a Smidmore Street or Edinburgh Road address.

The above measures shall be implemented in accordance with the approval of the Local Area Traffic committee and to the satisfaction of Marrickville Inner West Council

- (w) In Part E, Condition E33 of Schedule 2 is added by the insertion of the **bold and underlined** words / numbers as follows:

**Subdivision**

**E33 The applicant shall enter into a lease with Council for the new stratum lot airspace above Smidmore Street under Section 149 of the Roads Act, 1993 to allow for the overhead bridge structure(s) over Smidmore Street. The lease must be in place before the issue of the Occupation Certificate for Stage 1B of the development.**

- (x) In Part E, Condition E34 of Schedule 2 is added by the insertion of the **bold and underlined** words / numbers as follows:

**Summary Schedule of Minor Works**

**E34 The proponent shall submit a schedule of all Minor Works undertaken under Condition A9 to Council, prior to issue of the Occupation Certificate for Stage 1B.**

- (y) In Part F, Condition F4 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

**Hours of Operation**

F4 Trading hours of the shopping centre shall be restricted to between the hours of 7.00am and 10.00pm daily Monday to Sunday.

**Notwithstanding the above, the indoor areas of the restaurant tenancies identified on Plan EA123/A are permitted to operate between 7.00am and 12 midnight.**

**Outdoor areas of the restaurant tenancies identified on Plan EA123/A are permitted to operate between 7.00am and 10.00pm, and between 10.00pm and 12 midnight for a trial period of two years. The Secretary is to be informed in writing of the date of commencement of the trial hours.**

**A modification application or development application may be lodged to continue any trial period. The consideration of a proposed continuation and/or extension will be based on the performance of the operator(s) in relation to compliance with approval conditions, any substantiated complaints received, and any views expressed by the NSW Police Force.**

Notwithstanding the above, the existing Kmart Tenancy may operate until 12 midnight until the end of 2017 or by no later than the commencement of works for Stage 2 of the Project, whichever is the earlier.

- (z) In Part F, Condition F5 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

**Loading Docks**

F5 No loading or unloading at any new or existing loading dock shall occur between the hours of 7.00pm and 7.00am on any day, **apart from Loading Dock No. 4 on Smidmore Street where loading and unloading shall only occur between 5.00am and 11.00am.**

- (aa) In Part F, Condition F18 of Schedule 2 is added by the insertion of the **bold and underlined** words/ numbers as follows:

**Signage details**

**F18 Details of the final signage design, content and illumination (if proposed) within the approved signage zones are to be submitted to Council for approval prior to the installation and display of any signage.**

(bb) Schedule 3 – Proponent’s Statement of Commitments is amended by the insertion of the **bold and underlined** words / numbers and deletion of the struckout words/numbers as follows:

Subject		Commitments	Timing
1. Development Contributions		AMPCI agrees to pay the monetary contributions in accordance with the <b>Marrickville Inner West Council</b> section 94 plan.	Prior to Construction Certificate
2. Transport Management Measures		<p>The proponent agrees to implement the measures outlined in the amended TMAP report prepared by Halcrow (November 2010) accompanying the Preferred Project Application, <b>and as amended by the Traffic Impact Assessment prepared by Transport Planning Partnership (October 2017)</b>. These measures include:</p> <p><b>Road Works</b></p> <p><i>Intersection Edgeware Rd / Llewellyn St / Alice St</i></p> <ul style="list-style-type: none"> <li>Extend existing ‘No Parking’ restriction (currently between 3.30 – 5.30pm, Mondays to Fridays) along the Alice Street approach (50m of kerbside) be extended to 6.00pm to fully cover the weekday evening peak period.</li> </ul> <p><i>Intersection of Unwins Bridge Rd/Bedwin Rd/May &amp; Campbell Streets</i></p> <ul style="list-style-type: none"> <li>Extend the left slip lane in Unwins Bridge Road to 60m by reducing the right-turn lane to about 20m. This can be achieved by widening Unwins Bridge Road adjacent to the left slip lane by approximately 800mm;</li> <li>On May Street, reduce the eastbound provision to one lane and displace three parking spaces on the northern side of the street. Inclusion of a diamond lead phase for right turning traffic from May Street to Bedwin Road;</li> <li>Reduce eastbound provision on May Street to one lane. Displacing three parking spaces on the northern side of the street;</li> <li>Retention of parking along southern side of May Street leaving existing parking adjacent to houses intact;</li> </ul> <p><i>Edinburgh Road Intersection with Sydney Steel Street and Murray Street</i></p> <ul style="list-style-type: none"> <li>Roundabouts will be constructed at the intersection of Sydney Steel Road with Edinburgh Road and Railway Parade with Edinburgh Road</li> </ul>	Plans to be provided prior to Construction Certificate

	<ul style="list-style-type: none"> <li>• Maintain existing roundabout at the Murray Street intersection.</li> </ul> <p>Note: All traffic works are subject to the approval of <u>Marrickville-Inner West Council</u> and/or RTA as appropriate.</p> <p><b>Provision of New Taxi Rank</b></p> <p>The provision of a new taxi rank for 3 spaces and a new shelter and seating in Smidmore Street.</p> <p>The provision of an accessible taxi space in accordance with Australian Standard with low height kerb, wheelchair access and accessible paths direct from both shopping centre entrances.</p> <p><b>Provision of pick/set down area</b></p> <p>The provision of a pick-up/set down area in Smidmore Street within close proximity to shopping centre entrances.</p> <p><b>Green Travel Plan</b></p> <p>The proponent agrees to prepare and implement a Green Travel Plan for the shopping centre.</p> <p><b>Bicycle Parking &amp; Facilities</b></p> <p>The proponent agrees to provide the following bicycle parking and associated amenities as part of the overall development.</p> <p>In total 65 bicycle parking spaces for customers and staff are proposed. This provision would then be increased by converting car parking spaces to bicycle spaces if/when it became apparent that the initial provision was insufficient.</p> <p>This bicycle parking and storage will be provided, and showers will be located in the building.</p>	
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	<p><b>Improvements to Bicycle Routes</b> The proponent agrees to improvements or connections to bike routes (subject to the agreement with Marrickville Inner West Council as outlined in the TMAP dated November 2010 and the <u>Traffic Impact Assessment prepared by Transport Planning Partnership (October 2017)</u>.</p> <p><b>Construction of a New Bus Stop/Interchange</b> The proponent agrees to construct a new bus shelter and bus parking area on the frontage to Edinburgh Road to accommodate three buses. The bus stop area will incorporate a shelter, seating and street furniture and associated signage. The proponent will consult with the STA in the final design of the bus stop area.</p> <p>The proponent agrees to provide a bus stop on Smidmore Street for a community bus service subject to Council approval.</p> <p>(The proponent will investigate options with the STA to find suitable locations for further bus parking capacity located in the vicinity of the site, when this is required.)</p>	
<p>3. Car Parking</p>	<p>The proponent agrees to the following measures in respect to the provision and management of car parking:</p> <ul style="list-style-type: none"> <li>• The continued provision of free parking for customers of the centre <b>unless otherwise approved by Inner West Council through a development application of under Section 68 of the Local Government Act 1993</b>;</li> <li>• The implementation of parking availability identification signage at each parking level to improve the efficiency of parking spaces and reduce circulating traffic.</li> <li>• Five car share spaces will be allocated within the centre car park for priority access to the centre's entrance / exit and continued monitoring of demand. This will then be increased by converting car spaces to car share spaces.</li> </ul>	<p>To be implemented as part of the Operational Management Plan to be submitted prior to <b>the relevant Construction Certificate</b> stage.</p>
<p>4. Landscaping and Public Domain</p>	<p>With the agreement of Marrickville Inner West Council, the proponent agrees to the following: The planting of new street trees and pavement works along Edinburgh Road and Murray Street south of Smidmore Street in accordance with the plans prepared by Site Image</p>	<p>Prior to Occupation Certificate or as specified.</p>

	<p>dated November 2010 and 9 May 2018, subject to no major existing services encumbrances within the road reserve; or unless otherwise agreed in writing with Inner West Council further to the provisions of Condition C19.</p> <ul style="list-style-type: none"> <li>Retention of a total of 80 trees within and around the site subject to arborist recommendations.</li> <li>The proponent agrees that final street tree species selection and specification be undertaken in consultation and agreement with Council.</li> <li>The retention of existing heritage paving and planting of new street trees and 'rain gardens' along the frontage of Victoria Road in accordance with the plans prepared by Site Image dated November 2010.</li> <li>The proponent agrees to maintain the rain gardens established within the road reserve in a tidy and working order at no cost to Council.</li> <li>The proponent agrees to undertake a services survey before the preparation of a final landscape plan for the public domain. The final landscape plan will be prepared and agreed by Council.</li> </ul> <p>In respect to the existing fig trees (<i>Ficus carica</i>) planted adjacent to the existing shopping centre on the Murray Street frontage north of Smidmore Street, the proponent agrees to the landscaping works as indicated on plan prepared by Site Image dated November 2010 and 9 May 2018, including:</p> <ul style="list-style-type: none"> <li>Retention of trees 17 trees (identified as trees 43-55 and 61-64 in Arborist Report dated October 2010),</li> <li>Replacement planting of 4 trees identified for removal in revised Arborist Report dated October 2010 (being trees nos. 57-60). Replacement trees to be located immediately north of the proposed car park access point,</li> <li>Removal and replacement of one tree identified for removal in revised in Arborist Report, dated October 2010 (No. 56).</li> </ul> <p>With the agreement of Marrickville Inner West Council, the proponent agrees to undertake the following works along Smidmore Street:</p> <ul style="list-style-type: none"> <li>New planting along northern side of Smidmore Street and new pavement works along the north and south side the street in accordance with plans prepared by Site Image dated November 2010 and 9 May 2018.</li> </ul>
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	<ul style="list-style-type: none"> <li>• Pavement widening at shop front entrances along north and south side of Smidmore Street.</li> <li>• <del>Retain existing Lemen-Scented-Gums on the southern side</del></li> <li>• Creation of a pedestrian crossing between two shopping centre entrances.</li> </ul> <p>With the agreement of <del>Marrickville</del> <b>Inner West</b> Council, the proponent also agrees to further public domain works to traffic calm and reduce the carriage way width of Smidmore Street, including:</p> <ul style="list-style-type: none"> <li>• Pavement extension on the southern side of Smidmore Street at eastern to enclose parallel parking bay.</li> <li>• New paving to the Smidmore Street carriageway between Murray Street and the relocated car park ramp.</li> </ul> <p>The proponent agrees to undertake the measures as recommended in the revised Arborist report prepared by Integrated Vegetated Management, dated October 2010 <b>and the Arboricultural Impact Assessment prepared by Tree IQ dated 10 April 2018</b>, including:</p> <ul style="list-style-type: none"> <li>• Retention of Trees 1-36, 38-55, 61-66, 68-74, 85-87.</li> <li>• All works within the TPZs will be in accordance with arborist recommendations.</li> </ul>	
<p>5. Infrastructure Management</p>	<p>The proponent agrees to the following measures to mitigate impacts on Sydney Water infrastructure. These include:</p> <ul style="list-style-type: none"> <li>• Undertake due diligence to ascertain whether culvert under the new building at (13-55 Edinburgh Road) requires upgrading.</li> <li>• Upgrade <b>as necessary dependent upon the above due diligence</b> of the culvert under the new building to match or exceed the lifespan of the built over structure, if required.</li> <li>• Undertake a review of the existing flood study results for the local catchment to establish whether there is a requirement to upsize the culvert,</li> <li>• Preparation of a flood risk management plan including a flood emergency response plan,</li> </ul> <p>The proponent also agrees to the following:</p> <ul style="list-style-type: none"> <li>• Provision of OSD for new development at 13-55 Edinburgh Road in accordance with Sydney Water and Council requirements, and in accordance with requirements of Sydney Water specified in their letter dated 13 October 2010.</li> </ul>	<p>Prior to the relevant construction certificate stage.</p> <p>Prior to the relevant construction certificate stage.</p>

<ul style="list-style-type: none"> <li>Undertake further consultation and agreement with Sydney Water to determine storage requirements and permissible discharge.</li> </ul> <p>The proponent agrees to provide water sensitive urban design (WSUD) measures in to the development including:</p> <ul style="list-style-type: none"> <li>Provide WSUD measures to new development at 13-55 Edinburgh Road to meet 1997 NSW EPA requirements.</li> <li>Preparation of a detailed WSUD Strategy that will detail available initiatives and include:             <ul style="list-style-type: none"> <li>A stormwater quality model;</li> <li>The location, size and configuration of stormwater treatments;</li> <li>A summary of MUSIC parameters.</li> </ul> </li> </ul> <p>With the agreement of Marrickville-<b>Inner West</b> Council, the proponent will investigate and implement two options to address flooding at Victoria Road with respect to the existing heritage paving and street trees. These are:</p> <ul style="list-style-type: none"> <li>Provide drainage from the low point in Victoria Road to an appropriate location on Murray Street, or</li> <li>Provide an overland flow path from the low point on Victoria Road to an appropriate location on Murray Street to achieve a suitable grade.</li> </ul> <p>The proponent agrees to the following works with regard to stormwater drainage:</p> <ul style="list-style-type: none"> <li>Appropriate upgrading of road adjacent to intersection of Edinburgh Road and Steel Road to move the low point further west along the road in accordance with Marrickville <b>Inner West</b> Council requirements.</li> <li>All stormwater drainage will be in accordance with ARR, AS3500.3-2003 Stormwater Drainage-Acceptable Solutions and Marrickville <b>Inner West</b> Council Stormwater and On Site Detention Code.</li> <li>Pipe drainage systems will be designed to cater for the twenty (20) year Average Recurrence Interval (ARI) storm.</li> </ul> <p>Major event surface flow paths shall be designed to cater for the one hundred (100) year ARI storm.</p> <ul style="list-style-type: none"> <li>Existing sewer mains within Smidmore Street and 13-55 Edinburgh Road to be diverted to be located outside proposed building areas.</li> </ul>	<p>Prior to the relevant construction certificate stage.</p> <p>Prior to the relevant construction certificate stage.</p> <p>Prior to the relevant construction certificate stage.</p>
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	<ul style="list-style-type: none"> <li>Existing water main within Smidmore Street to be terminated (capped) either side of new construction to avoid potential easement.</li> </ul>	<p>Archival recording shall be undertaken prior to the issue of a Construction Certificate.</p>
<p>6. Heritage</p>	<p>The proponent agrees to the following:</p> <ul style="list-style-type: none"> <li>No alterations, extension or changes to the exterior of Mill House,</li> </ul> <p>The proponent agrees to the following measures and actions recommended in the Heritage Impact Statement prepared by Graham Brooks &amp; Associates dated October 2010:</p> <ul style="list-style-type: none"> <li>An archival photographic recording of Mill House, in its context, documenting the Victoria Road streetscape, the remnant Vicars walls and the brick paving, should be made prior to commencement of any works.</li> <li>The design details for this project should be prepared with the input and endorsement of a suitably qualified Heritage Consultant.</li> </ul>	
<p>7. Environmental Sustainability</p>	<p>The proponent agrees to the following:</p> <p>The new development (Stage 1) will be designed and constructed to achieve Australian 'Best Practice' in environmentally sustainable design and construction for retail centres.</p> <p>A report will be prepared by a Green Star Accredited Professional prior to the issue of the Construction Certificate which confirms that the new development works will be capable of achieving an equivalent minimum best practice rating for the design of the development under the Green Building Council of Australia's (GBCA) Retail v1 tool (or equivalent).</p> <p>The proponent also aims to achieve an <b>equivalent 4 Star NABERS Retail Energy and Water rating for the base building</b> post the refurbishment and expansion of the existing shopping centre.</p>	<p>To be prepared prior to the issued of the relevant Construction Certificate.</p>
<p>8. Management of Lighting Impacts</p>	<p>The proponent will ensure that:</p> <ul style="list-style-type: none"> <li>external lighting will be provided for security that complies with the relevant Australian Standard, including:             <ul style="list-style-type: none"> <li>Australian Standard AS4282 - 1997 Control of the obtrusive effects of outdoor lighting.</li> <li>Australian Standard/New Zealand Standards AS1158 – Lighting for Roads and Public Spaces.</li> </ul> </li> </ul>	<p>Lighting modelling is to be prepared to demonstrate compliance with the Australian Standards and the avoidance of unreasonable light spill</p>

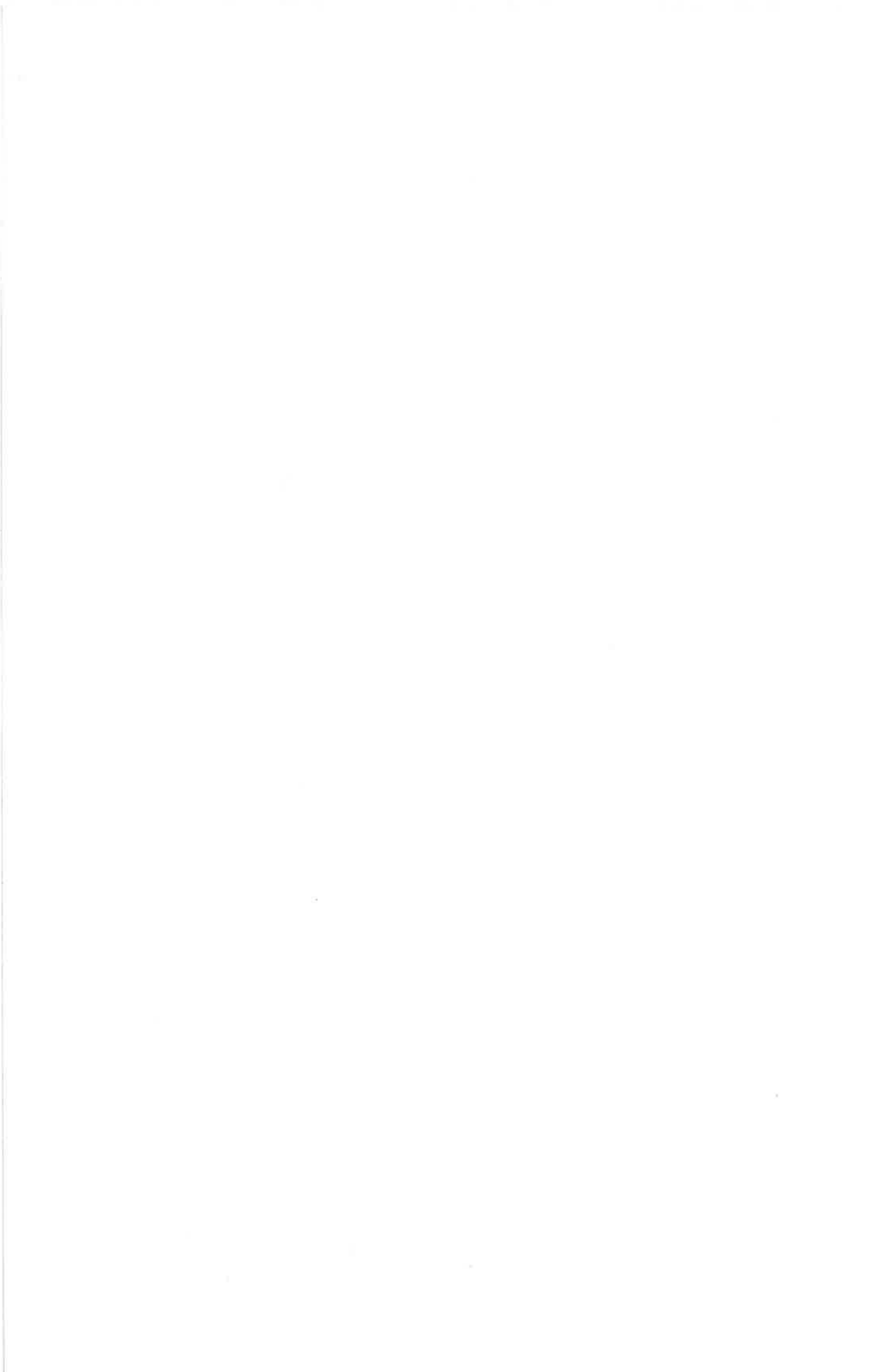
		on adjoining properties prior to the issue of the relevant Construction Certificate.
9. Signage	Preparation of a signage strategy. Approval of signage details will be subject to a separate development approval.	
10. Shopping Centre Management	<p>The proponent agrees to prepare an Operational Management Plan for the shopping centre and including those sections of the surrounding streets immediately adjacent to the shopping centre being Victoria Road, Murray Street, Bourne Street, Smidmore Street and Edinburgh Road which addresses the following:</p> <ul style="list-style-type: none"> <li>• Trolley management</li> <li>• Cleaning and maintenance of shopping centre grounds and immediate surrounds.</li> <li>• Preparation of a Maintenance Strategy for walking and cycling paths</li> </ul>	Operational Management Plan will be prepared prior to the issue of a Construction Certificate for Stage 1B works.
11. Waste Management	The proponent agrees to prepare and implement an Operational Waste Strategy which includes recycling/recovery targets for each waste stream appropriate to the size of the development and ensure that all waste, including organic waste is recycled wherever possible.	Operational Waste Strategy will be prepared prior to the issue of a Construction Certificate for Stage 1B works.
12. Crime Management and Safety	<p>The proponent agrees to implement the following measures:</p> <p>The preparation of an Operational Security Management Plan (OSMP) for the Centre incorporating the following provisions:</p> <ul style="list-style-type: none"> <li>• Access control for the car parking entrances and loading dock entries.</li> <li>• Provision of CCTV cameras to the car park areas, malls and entries to the centre.</li> <li>• Provision of regular security patrols of the centre and car parking areas.</li> <li>• The building entrances will be visible from the street and will not be obscured by landscaping.</li> <li>• The provision of clear signage for vehicle traffic and pedestrians.</li> </ul>	<p>An Operational Security Management Plan will be prepared prior to the issue of a <b>relevant</b> Construction Certificate for Stage 1B works.</p> <p>The proposed lighting, landscaping, security, and management measures will be</p>

	<ul style="list-style-type: none"> <li>Lighting to be designed in accordance with AS4282 and should be vandal proof or resistant.</li> <li>Landscaping to be designed and maintained so as to maintain clear sightlines and avoid areas for concealment.</li> <li>Pedestrian access paths to be lit by higher levels than the general parking areas.</li> <li>A management regime for on-going maintenance and upkeep of the centre.</li> <li>Hardwearing materials will be utilised where appropriate in all buildings to minimise opportunities for vandalism.</li> </ul> <p>The OSMP may be implemented on a staged basis to reflect the staged construction and operation of the centre.</p>	<p>implemented on a staged basis in accordance with the proposed staged construction.</p>
<p><b>13. BCA</b></p>	<p><b>BCA</b></p> <p>The proponent agrees to provide a new building as part of the Stage 1 works which is compliant with the BCA 2009 and developing alternate solutions where required.</p> <p>The proponent agrees to provide at least the same level of fire safety to the centre as existing.</p> <p><b>Fire Safety</b></p> <p>The proponent agrees to developing alternative solutions which comply with the relevant performance requirements of the BCA.</p> <p><b>Accessibility</b></p> <p>The proponent agrees to provide a development which has an equitable and accessible environment for all and complies with the Building Code of Australia (BCA), statutory obligations imposed by the Disability Discrimination Act 1992 (DDA) and relevant Australian Standards.</p>	<p>To be satisfied prior to the issue of each relevant Construction Certificate.</p>
<p><b>14. Geotechnical ground Water Management</b></p>	<p>The proponent agrees to the following measures and actions recommended in the Geotechnical Investigation prepared by Douglas Partners dated November 2010 <b>and October 2017</b> being:</p>	<p>The investigations will be carried out on a staged basis and prior to Construction</p>

	<ul style="list-style-type: none"> <li>• Further investigation to be carried out in the previously identified AECs which were not accessible in this round of investigation. This may include additional intrusive sampling in areas likely to be exposed as part of the proposed development and an assessment of human health risk in others areas of the site;</li> <li>• Further groundwater investigation be undertaken to confirm, or otherwise potential widespread groundwater contamination associated with the dry-cleaning operation and the possible historical leakage / spillage of petroleum products at the disused fuel point;</li> <li>• Geophysical investigation be undertaken in the vicinity of the disused fuel point to determine whether there are other USTs present at the warehouse site, apart from those previously identified in the Stage 1 Contamination Assessment;</li> <li>• Additional <i>ex situ</i> assessment of excavated soils to confirm or otherwise the preliminary waste classifications provided in this report;</li> <li>• Further investigation to be undertaken to confirm the extent of the acid sulphate soil in the southern portion of the site; and Development of an Acid Sulphate Soils Management Plan, if required.</li> </ul> <p>A remedial action plan will be prepared, and a site audit statement provided (if required pending the outcomes of the further investigations).</p>	<p>Certificate for the relevant stage of works.</p>
<p><b>15. Construction Management</b></p>	<p>The proponent agrees to prepare a detailed Construction Environmental Management Plan outlining the following:</p> <p>Stakeholder management</p> <ul style="list-style-type: none"> <li>• Restrictions on construction times</li> </ul> <p>Details of construction stages</p> <ul style="list-style-type: none"> <li>• Sediment control plan</li> <li>• Dust control plan</li> <li>• Noise control plan</li> <li>• Vibration control plan</li> <li>• Construction traffic and parking management plan</li> <li>• Site amenities</li> <li>• Waste control plan</li> <li>• Operational management of cranes.</li> </ul>	<p>A Construction Environmental Management Plan shall be prepared prior to the issue of the first Construction Certificate.</p>



<p><b>16. Acoustic privacy</b></p>	<p>The proposed measures will be addressed prior to the first Construction Certificate stage or are on-going operational commitments.</p> <p>The proponent agrees to the following measures in accordance with the recommendations of Acoustic Logic in the report dated 4 November 2010 and the Marshall Day Acoustic Report dated 10th October 2017 and the Loading Dock 4 Revised Operating hours Report dated 20 April 2018:</p> <p><b>Restrictions on Hours of Operation &amp; Frequency of Loading Access</b></p> <ul style="list-style-type: none"> <li>Loading hours will be limited to between 7am and 10pm daily apart from Loading Dock No. 4 on Smidmore Street where loading and unloading shall only occur between 5.00am and 11.00am.</li> </ul> <p><b>Heavy Vehicle Access</b></p> <p>The proponent will direct that heavy vehicles access the loading docks via Edinburgh Road and this will be incorporated as part of an Operational Management Plan.</p> <p><b>Design Measures for Modified Loading Dock fronting Murray Street</b></p> <p>The proponent agrees to line the underside of the slab over the Loading Dock with noise absorptive material (Anticon building blanket or Tontine Acoustisorb 2 insulation with perforated foil lining).</p> <p><b>Design of Car Park Ramps</b></p> <p>A minimum 1.2m high screen around the perimeter to the new ramp on Edinburgh Road and modified ramp on Smidmore Street to provide a line of sight screen between the ramp deck and any nearby residential development. The screen may consist of a masonry wall or other imperforate material.</p> <p><b>Mechanical Plant</b></p> <p>A detailed assessment of mechanical plant will be conducted at Construction Certificate stage to determine acoustic treatments (if any) necessary to ensure compliance with acoustic criteria set out in the report.</p>
<p><b>17. Development Staging</b></p>	<p>The proponent commits to stage the project by ensuring that there is a minimum period of 3 years between the commencement of operations of Stage 1B of the project and the commencement of operations associated with Stage 2 of development works.</p>



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MP09\_0191 MOD 6  
NSW Government  
Department of Planning and Environment

SCHEDULE 4  
SCHEDULE OF MINOR WORKS  
MP09\_0191

# 1. DEFINITIONS

## 1.1 PERMITTED DEVELOPMENT

For the purposes of this schedule, permitted development is development undertaken within the site as described for this schedule without the need for further planning approval. Permitted development on site requires a construction certificate.

## 1.2 THE SITE

For the purposes of this schedule, 'the site' means;

13-55 Edinburgh Road, Marrickville, NSW 2204. Legal description - Lot 1 DP 612551 (the site). This is the Marrickville Metro extension site (Stage 1B). These provisions do not affect the existing Marrickville Metro Shopping Centre at 34 Victoria Road, Marrickville.

## 1.3 INTERNAL TO THE SITE

For the purposes of this schedule, 'internal to the site' means fully within the boundaries of the site and not visible from any part of the public domain surrounding the site.

## 1.4 DEFINITIONS

The definition of all land uses throughout the schedule are as defined under the Marrickville Local Environmental Plan 2011.

## 2. PART 1 – EXEMPT DEVELOPMENT

### 2.1 ACCESS RAMPS

#### 2.1.1 Specified development

The construction or installation of an access ramp is development specified for this schedule.

#### 2.1.2 Development standards

The standards specified for that development are that the development must:

- (a) be not more than 1m above ground level (existing), and
- (b) be located at least 450mm from each side boundary and the rear boundary, and
- (c) not interfere with the functioning of existing drainage fixtures or the natural surface flow of water.

### 2.2 AERIALS, ANTENNAE AND COMMUNICATION DISHES

#### 2.2.1 Specified development

The construction or installation of an aerial, antenna or a satellite communications dish (including any supporting mast) is development specified for this schedule if the construction or installation does not comprise fire alarm communication link works within the meaning of the Environmental Planning and Assessment Regulation 2000.

#### 2.2.2 Development standards

(1) The standards specified for that development are that:

- (a) if the development is attached to an existing building, either by being mounted on the roof or attached to an external wall of a building:
  - (i) the development must not have a diameter of more than 1.8m if installed for any other purpose, and
  - (ii) the development must not be higher than 1.8m above the highest point of the roof of the building.
- (b) if the development is located at ground level (existing), the development:
  - (i) must not have a diameter of more than 1.8m, and
  - (ii) must not be higher than 1.8m above ground level (existing), and
  - (iii) must be located at least 900mm from each lot boundary.
  - (v) must resist loads in accordance with AS/NZS 1170.0:2002 Structural design actions, Part 0: General Principles and AS/NZS 1170.2:2011 Structural design actions, Part 2: Wind actions, and
  - (vi) must be anchored by a concrete slab or footing designed in accordance with AS 3600—2009 Concrete structures, and
- (c) if the development is a mast or attached to a mast, the mast:
  - (i) must not have a diameter of more than 100mm, if a solid mast or 500mm if constructed as an open lattice frame, and
  - (ii) must not be higher than 10m above ground level (existing) inclusive of the mast and any attachments, and
  - (iii) must be located at least 5m from each lot boundary, if the mast is over 5m in height, and 2m from each lot boundary, if the mast is 5m or less in height, and

- (iv) must not be constructed or installed on or in a heritage item or draft heritage item, and
- (v) must be located at the rear of the lot if it is not on land within Zone RU1, RU2, RU3, RU4, RU6 or R5, and
- (vi) must resist loads in accordance with AS/NZS 1170.0:2002 Structural design actions, Part 0: General Principles and AS/NZS 1170.2:2011 Structural design actions, Part 2: Wind actions, and
- (vii) must be anchored by a concrete slab or footing designed in accordance with AS 3600—2009 Concrete structures.

(2) For subclause (1), there must be:

- (a) no more than 3 developments per lot, and
- (b) not more than 1 mast or antenna located at ground level (existing) on the lot.

## 2.3 AIR CONDITIONING UNITS

### 2.3.1. Specified development

The construction or installation of an air-conditioning unit is development specified for this schedule.

### 2.3.2. Development standards

(1) The standards specified for that development, if for residential uses only, are that the development must:

- (a) not be located on the wall or roof of a building that faces the primary road, or forward of the building line to the primary road, and
- (b) not be built into any external wall unless the development is more than 3m from each side and rear boundary and 6m from any other building on the lot, and
- (c) not involve work that reduces the structural integrity of the building, and
- (d) not reduce the existing fire resistance level of a wall or roof, and
- (e) be designed so as not to operate:
  - (i) during peak time—at a noise level that is more than 5 dB(A) above the ambient background noise level measured at any property boundary, or
  - (ii) during off peak time—at a noise level that is audible in habitable rooms of adjoining residences, and

(2) Any opening created by the construction or installation of the development must be adequately waterproofed.

## 2.4 AUTOMATIC TELLER MACHINES

### 2.4.1 Specified Development

The construction or installation of an automatic teller machine is development specified for this schedule.

### 2.4.2 Development Standards

The standards specified for that development are that:

- (a) the development:
  - (i) must be located inside, and only be accessible from within, existing commercial premises, or
  - (ii) must be located inside existing commercial premises within an external wall that is at least 2m from a road, and

- (b) the development must be installed in accordance with AS 3769—1990 Automatic teller machines—User access.

## 2.5 BLINDS

### 2.5.1 Specified Development

The construction or installation of any of the following structures over a window or door opening is development specified for this schedule:

- (a) a blind (including a storm blind, security blind or sun blind) or similar structure for any purpose.

### 2.5.2 Development Standards

The standards specified for that development are that the development must:

- (a) not have an area more than 10m<sup>2</sup>, and
- (b) if it is connected to a fascia-be connected in accordance with a professional engineer's specifications, and
- (c) not be used for advertising.

## 2.6 BOLLARDS

### 2.6.1 Specified Development

The construction or installation of a bollard is development specified for this schedule.

### 2.6.2 Development Standards

The standards specified for that development are that the development must:

- (a) be not higher than 1.4m above ground level (existing), and
- (b) not have a diameter of more than 600mm, and
- (c) not reduce any existing means of entry to, or exit from, any such associated development or the lot on which it is situated.

## 2.7 CHANGE OF USE OF PREMISES

### 2.7.1 Specified Development

A change of use from a current use specified in a category in Column 1 of the Table to this clause to a use specified in the corresponding category in Column 2 of the Table to this clause is development specified for this Schedule.

Column 1 – Current Use	Column 2 - New Use
Business Premises	Business Premises
Office Premises	Office Premises
Shop	Shop / Kiosk
Garden Centre	Garden Centre
Landscaping Material Supplies	Landscaping Material Supplies
Hardware and Building Supplies	Hardware and Building Supplies
Plant Nursery	Plant Nursery

### 2.7.2 Development Standards

The standards specified for that development are that:

- (a) the new use must not involve building alterations, other than alterations that are listed in this schedule, and
- (b) the new use must not result in an increase in the gross floor area of any building within which it is carried out, and
- (c) the new use must not cause the contravention of any existing condition of the most recent development consent (other than a complying development certificate) that applies to the premises relating to hours of operation, noise, car parking, vehicular movement, traffic generation, loading, waste management and landscaping.

## 2.8 EARTHWORKS, RETAINING WALLS AND STRUCTURAL SUPPORT

### 2.8.1 Specified Development

Earthworks and the construction or installation of a retaining wall or other form of structural support is development specified for this schedule.

### 2.8.2 Development Standards

The standards specified for that development are that the development must:

- (a) not be a cut or fill of more than 600mm below or above ground level (existing), and
- (b) be located at least 1m from each lot boundary, and
- (c) be located at least 40m from a waterbody (natural), and
- (d) not redirect the flow of any surface water or ground water or cause sediment to be transported onto an adjoining property, and
- (e) if it is a retaining wall or structural support for excavation or fill, or a combination of both:
  - (i) be not be more than 600mm high, measured vertically from the base of the development to its uppermost portion, and
  - (ii) be separated from any retaining wall or other structural support on the site by at least 2m, measured horizontally, and
  - (iii) be located at least 1m from any registered easement, sewer main or water main, and
  - (iv) have adequate drainage lines connected to the existing stormwater drainage system for the site, and
- (f) if the fill is more than 150mm deep—not occupy more than 25% of the area of the lot, and
- (h) if the fill is imported to the site—be free of building and other demolition waste, and only contain virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the Protection of the Environment Operations Act 1997.

## 2.9 EMERGENCY WORK AND TEMPORARY REPAIRS

### 2.9.1 Specified Development

The temporary repair of any damage to a building or structure caused by an event that constitutes a significant and widespread danger to life or property in any zone in an area declared by an order under section 33 of the State Emergency and Rescue Management Act 1989 to be an area where a state of emergency exists is development specified for this schedule.

### 2.9.2 Development Standards

The standards specified for that development are that the development must:



- (a) be carried out within 6 months of the declaration being made, and
- (b) not change the configuration of the floor space of the building or structure being repaired, and
- (c) not increase the floor space of the building or structure being repaired, and
- (d) be to make the building or structure weatherproof and, if a dwelling.

## 2.10 FOOTPATHS – OUTDOOR DINING

### 2.10.1 Specified Development

The use of a footway or public open space within the meaning of the *Roads Act 1993* as an outdoor dining area associated with lawful food and drink premises is development specified for this schedule.

### 2.10.2 Development Standards

The standards specified for that development are that the development must:

- (a) not be associated with a pub or a small bar, and
- (b) be carried out in accordance with an approval granted under section 125 of the *Roads Act 1993*, including in accordance with any hours of operation to which the approval is subject, and
- (c) be carried out in accordance with any approval granted under section 68 of the *Local Government Act 1993*.

## 2.11 HOT WATER SYSTEMS

### 2.11.1 Specified Development

The construction or installation of a hot water heater or a hot water storage tank is development specified for this schedule.

### 2.11.2 Development Standards

The standards specified for that development are that the development must:

- (a) not be a solar hot water system, and
- (a1) if it uses a heat pump water heater, be designed so as not to operate:
  - (i) during peak time—at a noise level that is more than 5 dB(A) above the ambient background noise level measured at any property boundary, or
  - (ii) during off peak time—at a noise level that is audible in habitable rooms of adjoining residences, and

## 2.12 MINOR BUILDING ALTERATIONS (INTERNAL)

### 2.12.1 Specified Development

- (1) A minor internal building alteration for the replacement or renovation of:
  - a) a doorway, wall, ceiling or floor lining, or
  - (b) a deteriorated frame member, including stairs and stairwells, or
  - (c) a bathroom or kitchen, or
  - (d) a built-in fixture such as a vanity, a cupboard or a wardrobe, or
  - (e) an existing sanitary fixture, such as a grease trap or the like, or
  - (f) shelving or racking that is not higher than 2.7m, or
  - (g) a work station or counter, or
  - (h) a shop front of an internal arcade retail or food and beverage tenancy or the like.
- (2) The installation of new or replacement insulation material in the ceiling, floor or wall of a building.

### 2.12.2 Development Standards

The standards specified for that development are that the development must:

- (a) if it is the replacement or renovation of a deteriorated frame member—be of equivalent or improved quality materials, and
- (b) not include a change to the configuration of a room, whether by removal of an existing wall, partition or other means, and
- (c) not cause reduced window arrangements for light and ventilation needs, reduce the size of a doorway or involve the enclosure of an open area, and
- (d) not affect the load bearing capacity (whether vertical or horizontal) of a building, and
- (e) not include a change to the fire resisting components of, or interfere with the entry to, or exit from, or the fire safety measures contained within, a building, and
- (f) if it is the installation of new or replacement insulation material in a dwelling, it must be in accordance with Part 3.12.1 of the Building Code of Australia.

## 2.13 MINOR BUILDING ALTERATIONS (EXTERNAL)

### 2.13.1 Specified Development

A minor external non-structural building alteration, such as the following:

- (a) painting, plastering, cement rendering, cladding, attaching fittings or decorative work,
- (b) the replacement of an external window, glazing areas or a door (other than those on bush fire prone land),
- (c) the repair to or replacement of a non-structural wall or roof cladding,
- (d) the installation of a security screen or grill to a door or window or a security door,
- (e) the repair to or replacement of a balustrade,
- (f) restumping or repairing structure foundations without increasing the height of the structure,

### 2.13.2 Development Standards

The standards specified for that development are that the development must:

- (a) not comprise the making of, or an alteration to the size of, any opening in a wall or roof, such as a doorway, window or skylight, and
- (b) not reduce the existing fire resistance level of a wall or roof, and
- (c) not affect any existing fire resisting components of the building, and
- (d) not affect the means of egress from the building in an emergency, and
- (e) if it is the installation of a security screen or grill to a door or window or a security door:
  - (i) the screen or grill is installed for a door or window that is situated at least 5m from the boundary of any road, or
  - (ii) the security door is installed at least 5m from the boundary of any road.

## 2.14 MOBILE FOOD AND DRINK OUTLET

### 2.14.1 Specified Development

The carrying out of the retail sale of food, drinks and related products on land from a mobile outlet such as a food truck, van, cart or other similar vehicle is development specified for this schedule.

### 2.14.2 Development Standards

The standards specified for that development are that the development must:

- (a) not restrict any vehicular or pedestrian access to or from the land or entry to any building on the land, and
- (b) must operate in accordance with the Guidelines for mobile food vending vehicles (NSW/FA/F1055/1302) published by the NSW Food Authority in February 2013, and any requirements of the Food Act 2003.

## **2.15 DEMOLITION**

### **2.15.1 Specified Development**

The demolition or removal of any works authorised under this major project approval (MP09\_0191) is development specified for this schedule.

### **2.15.2 Development Standards**

The standards specified for that development are that the development must be carried out in accordance with AS 2601-2001, The demolition of structures.

## 3. PART 1 - ADVERTISING AND SIGNAGE

### 3.1 GENERAL REQUIREMENTS FOR ADVERTISING AND SIGNAGE

#### 3.1.1 General Requirements

- (1) To be exempt development under this schedule, development specified in this Division must:
- (a) be approved under section 138 of the Roads Act 1993, if the sign or part of the sign projects over a public road, including a footway, and
  - (b) not cover any mechanical ventilation inlets or outlets located on any building on which it is carried out, and
  - (c) not obstruct or interfere with any traffic sign, and
  - (d) not result in more than 6 business identification signs being constructed or installed in relation to any building.
- (2) This clause does not affect any other requirement of any other signage approved under MP09\_0191 project approval.

### 3.2 BUILDING IDENTIFICATION SIGNS

#### 3.2.1 Specified Development

The construction or installation of a building identification sign on the facade of a building for the purpose of identifying or naming a building is development specified for the purposes of this schedule.

#### 3.2.2 Development Standards

The standards specified for that development are that the development must:

- (a) have only one sign displayed on each street frontage, and
- (b) not be more than 2.5m<sup>2</sup> in area, and
- (c) be mounted flat against an exterior wall or parapet and must not protrude more than 300mm from the face of the wall or parapet, and
- (d) not be located higher than:
  - (i) the parapet or eaves of the building, or
  - (ii) 15m above ground level (existing),whichever is the lower, and
- (e) not cover any window, door or architectural feature, and
- (f) be securely fixed to the building in accordance with:
  - (i) AS/NZS 1170.0:2002, Structural design actions, Part 0: General principles, and
  - (ii) AS/NZS 1170.2:2011, Structural design actions, Part 2: Wind actions, and
- (g) not include any advertising of goods, products or services, and
- (h) if the sign is illuminated:
  - (i) have its means of illumination, including any associated cables, concealed or integrated within the frame of the sign, and
  - (ii) not be animated, flashing or moving, and
  - (iii) comply with AS 4282—1997, Control of the obtrusive effects of outdoor lighting.

### 3.3 WALL SIGNS

#### 3.3.1 Specified Development

The construction or installation of a business identification sign (including a business identification sign for a home business) that is flat mounted or painted on the exterior wall of an existing building, or on an existing boundary fence or wall, is development specified for the purposes of this schedule.

#### 3.3.2 Development Standards

The standards specified for that development are that the development must:

- (a) not result in more than 4 business identification signs of this type for the building (which may refer to more than 1 business within the building) so long as only one sign is visible on each elevation of the building, and
- (b) be attached to the building in which the business identified in the sign is located, and
- (c) not project beyond the parapet or eaves of the building to which it is attached, and
- (d) not be more than 2.5m above ground level (existing) in a residential zone, and not be more than 8m above ground level (existing) in any other zone, and
- (e) not cover any window, door or architectural feature, and
- (f) be securely fixed to the building in accordance with:
  - (i) AS/NZS 1170.0:2002, Structural design actions, Part 0: General principles, and
  - (ii) AS/NZS 1170.2:2011, Structural design actions, Part 2: Wind actions, and
- (g) if the sign is illuminated:
  - (i) have its means of illumination, including any associated cables, concealed or integrated within the frame of the sign, and
  - (ii) not be animated, flashing or moving, and
  - (iii) comply with AS 4282—1997, Control of the obtrusive effects of outdoor lighting.

### 3.4 FASCIA SIGNS

#### 3.4.1 Specified Development

The construction or installation of a business identification sign on the existing fascia of the awning of a building is development specified for the purposes of this schedule.

#### 3.4.2 Development Standards

The standards specified for that development are that the development must:

- (a) be mounted flat and securely fixed to the fascia, and
- (b) involve a rigid signboard or a signboard within a rigid frame, and
- (c) not project below, above or beyond the sides of the fascia, and
- (d) be at least 600mm behind the alignment of any kerb within the adjacent road, and
- (e) not be illuminated.

### 3.5 UNDER AWNING SIGNS

#### 3.5.1 Specified Development

The construction or installation of a business identification sign suspended below the existing awning of a building is development specified for the purposes of this schedule.

#### 3.5.2 Development Standards

The standards specified for that development are that the development must:

- (a) not result in more than one sign of this type for each ground floor tenancy, and
- (b) not be more than 1.5m<sup>2</sup> in area, and
- (c) not be more than 2.5m in length, and
- (d) be erected with the lower edge at least 2.6m above ground level (existing), and
- (e) be suspended at right angles to the building, and
- (f) not project beyond the awning fascia, and
- (g) be securely fixed to the building in accordance with:
  - (i) AS/NZS 1170.0:2002, Structural design actions, Part 0: General principles, and
  - (ii) AS/NZS 1170.2:2011, Structural design actions, Part 2: Wind actions, and
- (h) if the sign is illuminated:
  - (i) have its means of illumination, including any associated cables, concealed or integrated within the frame of the sign, and
  - (ii) not be animated, flashing or moving, and
  - (iii) comply with AS 4282—1997, Control of the obtrusive effects of outdoor lighting.

### 3.6 TOP HAMPER SIGNS

#### 3.6.1 Specified Development

The construction or installation of a business identification sign above a display window or attached to the transom of a doorway in an existing building is development specified for the purposes of this schedule.

#### 3.6.2 Development Standards

The standards specified for that development are that the development must:

- (a) not result in more than one sign of this type for each ground floor tenancy, and
- (b) not be more than 2.5m<sup>2</sup> in area, and
- (c) not be more than 600mm in height, and
- (d) be erected with the lower edge at least 2.1m above ground level (existing), and
- (e) not project below the transom of any doorway, and
- (f) if the sign is illuminated:
  - (i) have its means of illumination, including any associated cables, concealed or integrated within the frame of the sign, and
  - (ii) not be animated, flashing or moving, andcomply with AS 4282—1997, Control of the obtrusive effects of outdoor lighting.

### 3.7 WINDOW SIGNS

#### 3.7.1 Specified Development

The construction or installation of a business identification sign inside any window of an existing building is development specified for the purposes of this schedule.

#### 3.7.2 Development Standards

The standards specified for that development are that the development must:

- (a) not cover more than 20% of the surface of the window in which it is displayed or 6m<sup>2</sup>, whichever is the lesser, and

- (b) not be illuminated.

### **3.8 REPLACEMENT OF IDENTIFICATION SIGNS**

#### **3.8.1 Specified Development**

The replacement of:

- (a) an existing building identification sign or the content of such a sign, or
- (b) an existing business identification sign or the content of such a sign,

is development specified for this schedule.

#### **3.8.2 Development Standards**

The standards specified for that development are that the development must:

- (a) replace a lawful sign, and
- (b) not be greater in size than the sign that it replaces, and
- (c) not be a sign that is animated, flashing or illuminated, unless the sign it replaces is the subject of a development consent to be an illuminated sign, and
- (d) not involve any alteration to the structure or vessel on which the sign is displayed, and
- (e) not obstruct or interfere with traffic signs.

### **3.9 INTERNAL SIGNS**

#### **3.9.1 Specified Development**

The construction, installation or display of advertisements or signs within site and enclosed by a building is development specified for the purposes of this schedule.

#### **3.9.2 Development Standards**

The standards specified for that development are that the development must:

- (a) not be visible from any public place outside the site of the building concerned, and
- (b) be securely fixed and installed in accordance with:
  - (i) AS/NZS 1170.0:2002, Structural design actions, Part 0: General principles, and
  - (ii) AS/NZS 1170.2:2011, Structural design actions, Part 2: Wind actions.

## 4. PART 1 - TEMPORARY USES AND STRUCTURES

### 4.1 GENERAL REQUIREMENTS FOR TEMPORARY USES AND STRUCTURES

- (1) To be exempt development under this schedule, development specified in this Division must:
- (a) have the consent in writing of the owner of the land on which the development is carried out.
  - (b) not restrict any car parking required to be provided by a condition of a development consent applying to the land or any vehicular or pedestrian access to or from the land.
  - (c) not redirect the flow of any surface water or ground water, or cause sediment to be transported, onto an adjoining property,
  - (d) not result in damage to any protected tree growing on the land or on adjacent land,
  - (e) if it is the erection of a temporary structure—be erected on a surface that is sufficiently firm and level to sustain the structure while in use,
  - (f) if it is the erection of a temporary structure—be able to resist loads determined in accordance with the following Australian and New Zealand Standards:
    - (i) AS/NZS 1170.0:2002, Structural design actions, Part 0: General principles,
    - (ii) AS/NZS 1170.1:2002, Structural design actions, Part 1: Permanent, imposed and other actions,
    - (iii) AS/NZS 1170.2:2011, Structural design actions, Part 2: Wind actions,
  - (g) be covered by a policy of insurance taken out by the person carrying out the development that adequately covers the public liability of the person in respect of the carrying out of the development for an amount approved by the owner of the land on which the development is carried out,
- (2) In this clause, any development standard that specifies a separation distance to a side or rear boundary:
- (a) only applies in respect of a boundary with adjoining land that is under a different ownership, and
  - (b) does not apply in respect of adjoining land that is owned by the council or other public authority if the written consent of the council or other public authority has been obtained.

### 4.2 SCAFFOLDING, HOARDING AND TEMPORARY CONSTRUCTION SITE FENCES

#### 4.2.1 Specified Development

The construction, installation and removal of a scaffold, hoarding or temporary construction site fence that is used in connection with development is development specified for this schedule.

#### 4.2.2 Development Standards

The standards specified for that development are that the development must:

- (a) enclose the work area, and
- (b) if it is a temporary construction site fence adjoining or on a public place—be designed and installed in accordance with AS 4687—2007, Temporary fencing and hoardings, and
- (c) be removed immediately after the work in relation to which it was erected has finished if no safety issue will arise from its removal.



## 4.3 TEMPORARY BUILDERS STRUCTURES

### 4.3.1 Specified Development

The construction or installation of a building site shed, office or associated amenities structure is development specified for this schedule.

### 4.3.2 Development Standards

The standards specified for that development are that the development must:

- (a) be located on the lot to which the development has been approved under MP09\_0191, and
- (b) if it contains plumbing fixtures—have those fixtures connected to an approved waste water treatment device or an approved connection to the sewer, and
- (c) not be used for residential purposes, and
- (d) be removed from the lot immediately after completion of the works for which the development consent was granted.

## 4.4 TENTS, MARQUEES OR BOOTHS FOR COMMUNITY EVENTS

### 4.4.1 Specified Development

The construction or installation of a tent, marquee or booth used for a community event is development specified for this schedule.

### 4.4.2 Development Standards

The standards specified for that development are as follows:

- (a) for all tents, marquees and booths being used at the same time—the development must not have a total floor area exceeding 300m<sup>2</sup>,
- (b) each tent, marquee or booth must be located at least 3m from any boundary of the land,
- (c) each tent, marquee or booth must be erected so as to provide an unobstructed pedestrian circulation area at least 1.5m wide around the perimeter of the tent, marquee or booth, unless it is attached to or abuts a building with no separation,
- (d) each tent, marquee or booth must be erected at ground level,
- (e) each tent or marquee must have the following number of exits arranged so as to afford a ready means of egress from all parts of the tent or marquee to open space or a road:
  - (i) 1 exit if the tent or marquee has a floor area of not more than 25m<sup>2</sup>,
  - (ii) 2 exits if the tent or marquee has a floor area of not more than 100m<sup>2</sup>,
  - (iii) 4 exits in any other case,
- (f) if any tent or marquee will include internal seating, stalls, tables or other obstructions, a clear path of travel to any exit no greater than 40m in length must be provided,
- (g) each tent or marquee must have a width for each exit of at least:
  - (i) if the floor area of the tent or marquee is less than 150m<sup>2</sup>—850mm, or
  - (ii) in any other case—1m,
- (h) no tent or marquee can have a wall height exceeding 4m,
  - (i) each tent or marquee must have a height as measured from the surface on which the tent or marquee is erected to the highest point of the tent or marquee not exceeding 6m,
- (j) no tent or marquee can contain tiered seating,
- (k) the event must take place only during the following periods:

- (i) 7.30 am to 11.00 pm on Monday, Tuesday, Wednesday or Thursday,
- (ii) 7.30 am to 12.00 am on Friday or Saturday,
- (iii) 8.00 am to 8.00 pm on Sunday,

- (l) each tent, marquee or booth must not remain on the land for more than 7 days after the event,
- (m) arrangements must be made for the removal of any waste or recyclable materials likely to be generated as a result of the event.

## **4.5 STAGE OR PLATFORMS FOR COMMUNITY EVENTS**

### **4.5.1 Specified Development**

The construction or installation of a stage or platform used for a community event is development specified for this schedule.

### **4.5.2 Development Standards**

The standards specified for that development are as follows:

- (a) the stage or platform must not have a floor area exceeding 50m<sup>2</sup>,
- (b) the stage or platform must be located at least 3m from any boundary of the land,
- (c) the stage or platform must be erected at ground level,
- (d) the stage or platform must have a height, as measured from the surface on which the tent or marquee is erected to the floor of the stage or platform, not exceeding 2m,
- (e) a notice indicating the actual distributed and concentrated load for which the stage or platform has been designed must be conspicuously displayed on the stage or platform,
- (f) the community event must take place only during the following periods:
  - (i) 7.30 am to 11.00 pm on Monday, Tuesday, Wednesday or Thursday,
  - (ii) 7.30 am to 12.00 am on Friday or Saturday,
  - (iii) 8.00 am to 8.00 pm on Sunday,
- (g) the stage or platform must not be erected on the land for more than 7 days,
- (h) the stage or platform must not remain on the land for more than 2 days after the event,
- (i) arrangements must be made for the removal of any waste or recyclable materials likely to be generated as a result of the event.

## 5. PART 2 – COMPLYING DEVELOPMENT

### 5.1 BUILDING ALTERATIONS (INTERNAL)

#### 5.1.1 Specified Complying Development

An internal alteration to a building is development specified for this schedule.

#### 5.1.2 Development Standards

(1) The standards specified for that development are as follows:

- (a) the alteration must not result in an increase in the gross floor area of any building within which it is carried out, except if the increase is required for the alteration to comply with the Premises Standards,
- (b) the alteration must not involve the conversion of any area that is excluded from the measurement of gross floor area of the building (such as a basement, plant room, car parking space, loading space or void),
- (c) if the alteration involves food and drink premises, the alteration must be carried out in accordance with AS 4674—2004, Design, construction and fit-out of food premises,
- (d) the alteration must not relate to the cooking of food at the premises by barbecue or charcoal methods,
- (e) if the alteration involves a loading dock, the alteration must not:
  - (i) reduce the number or capacity of the trucks accommodated, or
  - (ii) reduce the area for goods handling, or
  - (iii) reduce the area for waste handling (including any recycling area), or
  - (iv) reduce the manoeuvring area of the loading dock or access driveway,
- (f) if the alteration involves the amalgamation of retail premises located in a building, the amalgamation must not result in 1 retail premises having more than 50% of the total floor area of the building that is used for the purposes of retail premises.

(2) The following requirements of the Building Code of Australia are also standards specified for that development:

- (a) if the building that is being altered is subject to an alternative solution relating to a fire safety requirement—the alteration must be consistent with that alternative solution,
- (b) if the alteration involves an area of more than 500m<sup>2</sup> of commercial premises, or an area of more than 1,000m<sup>2</sup> of premises used for light industry or a warehouse or distribution centre—that area must:
  - (i) comply with the requirements set out in DP2–DP5 of Volume 1 of the Building Code of Australia, and
  - (ii) comply with the number of sanitary and other facilities set out in FP2.1, FP2.5 and FP2.6 of Volume 1 of the Building Code of Australia, and
  - (iii) comply with the light and ventilation requirements set out in FP4.1–FP4.5 of Volume 1 of the Building Code of Australia,
- (c) if the building is a mixed-use development that also contains a Class 2, 3 or 4 portion—the altered area must be separated from the Class 2, 3 or 4 portion by building elements that comply with the fire resistance performance requirements set out in CP2 and CP8 of Volume 1 of the Building Code of Australia.

## 5.2 CHANGE OF USE OF PREMISES

### 5.2.1 Specified Development

A change of use from a current use specified in a category in Column 1 of the Table to this clause to a use specified in the corresponding category in Column 2 of the Table to this clause is development specified for this Schedule.

Column 1 – Current Use	Column 2 - New Use
Specialised Retail Premises	Landscaping Material Supplies
Landscaping Material Supplies	Hardware and Building Supplies
Hardware and Building Supplies	Vehicle Sales or Hire Premises
Vehicle Sales or Hire Premises	Garden Centre
Garden Centre	Plant Nursery
Business Premises	Medical Centre
Office Premises	Shop
Shop	Food and Drink Premises
Food and Drink Premises	Kiosk
Kiosk	Business Premises
Medical Centre	Office Premises

### 5.2.2 Development Standards

(1) The standards specified for that development are that:

- (a) the new use must be a lawful use,
- (b) the current use must not be an existing use within the meaning of section 4.65 of the Act,
- (c) the new use must not be any of the following:
  - (i) a funeral home,
  - (ii) sex services premises,
  - (iii) restricted premises,
  - (iv) retail premises where firearms within the meaning of the *Firearms Act 1996* are sold,
  - (v) a roadside stall,
  - (vi) a market,
  - (vii) food and drink premises with the capacity for more than 50 seats, other than premises where the seating is provided within a common food court or food hall,
  - (viii) a pub,
  - (viii) a small bar.
- (d) if the new use is food and drink premises – the premises must comply with AS4674-2004 Construction and Fit-out of Food Premises.
- (e) the new use must not cause the contravention of any existing condition of the most recent development consent (other than a complying development certificate) that applies to the premises relating to hours of operation, noise, car parking, loading, vehicular movement, traffic generation, waste management or landscaping.

- (f) car parking must be provided in accordance with any existing condition relating to car parking that applies to the use of the land.
- (2) The following requirements of the Building Code of Australia are also standards specified for that development:
- (a) if the new use involves an area of more than 500m<sup>2</sup> of commercial premises
    - (i) comply with the requirements set out in DP2–DP5 of Volume 1 of the Building Code of Australia, and
    - (ii) comply with the number of sanitary and other facilities set out in FP2.1, FP2.5 and FP2.6 of Volume 1 of the Building Code of Australia, and
    - (iii) comply with the light and ventilation requirements set out in FP4.1–FP4.5 of Volume 1 of the Building Code of Australia.

## 5.3 FIRST USE OF PREMISES

### 5.3.1 Specified Complying Development

- (1) The first use of a part of a building that is within the site boundary is development specified for this schedule if the use is not for any of the following:
- (a) a funeral home,
  - (b) sex services premises,
  - (c) restricted premises,
  - (d) retail premises where firearms within the meaning of the Firearms Act 1996 are sold,
  - (e) food and drink premises with the capacity for more than 50 seats, other than where the seating is provided within a common food court or food hall,
  - (f) a pub,
  - (g) a small bar,
  - (h) an entertainment facility,
  - (i) a registered club,
  - (j) a tertiary institution
  - (k) an artisan food and drink industry
  - (l) a roadside stall
  - (m) local distribution premises

(2) If development specified in subclause (1) is to be provided with water supply or sewerage services (or both) by a water utility, to comply with this schedule the applicant must obtain a notice or other form of written advice, that specifies the works or other requirements to be completed as part of the development from the relevant water utility or an entity authorised to provide such a notice or advice by the utility.

### 5.3.2 Development Standards

- (1) The standards specified for that development are that the development:
- (a) must not result in an increase to the gross floor area of the building, and
  - (b) must not cause the contravention of any existing condition of the most recent development consent (other than a complying development certificate) that applies to the premises relating to hours of operation, noise, car parking, loading, vehicular movement, traffic generation, waste management or landscaping, and
  - (c) car parking must be provided:

(i) in accordance with any existing condition relating to car parking that applies to the use of the land.

(2) The following requirements of the Building Code of Australia are also standards specified for that development:

- (a) if the new use involves an area of more than 500m<sup>2</sup> of commercial premises
  - (i) comply with the requirements set out in DP2–DP5 of Volume 1 of the Building Code of Australia, and
  - (ii) comply with the number of sanitary and other facilities set out in FP2.1, FP2.5 and FP2.6 of Volume 1 of the Building Code of Australia, and
  - (iii) comply with the light and ventilation requirements set out in FP4.1–FP4.5 of Volume 1 of the Building Code of Australia,

## 5.4 MECHANICAL VENTILATION SYSTEMS

### 5.4.1 Specified Complying Development

The construction, installation or alteration of a mechanical ventilation system on a building that is used for any purpose (other than a dwelling house) is development specified for this schedule.

### 5.4.2 Development Standards

The standards specified for that development are that the development must:

- (a) be located at least 3.5m behind the building line from any lot boundary, and
- (b) be designed so as not to emit noise exceeding an LAeq of 5 dB(A) above background noise when measured at any lot boundary, and
- (c) be located not more than 1m above the ridge of a pitched roof or 3m above a flat roof, and
- (d) not relate to the cooking of food at the premises by barbecue or charcoal methods.

## 5.5 SHOP FRONTS AND AWNINGS

### 5.5.1 Specified Complying Development

An external alteration to, or the repair or replacement of, an existing shop front or awning, or the construction of a new awning, on a building that is used for any purpose other than for the purpose of a dwelling house is development specified for this schedule.

### 5.5.2 Development Standards

The standards specified for that development are that the development must:

- (a) not result in an increase in the gross floor area of the building, and
- (b) not reduce the area of the window or other clear glass of the shop front, and
- (c) not reduce the level of transparency of the shop front, such as by using obscure glazing, and
- (d) not reduce the existing level of access to the building for people with a disability, and
- (e) in the case of the replacement of an awning or the construction of a new awning—be no less than 2.7m high at any point measured above ground level (existing), and
- (f) in the case of the replacement of an existing awning fascia—have a vertical depth for the replacement fascia not greater than the vertical depth of the existing awning fascia, and
- (g) in the case of the construction of a new awning—have a vertical depth for the awning fascia not greater than the average of the vertical depths of the immediately adjoining awning fascias or, if there are no adjoining awning fascias, 350mm, and
- (h) be no more than 3m in depth measured horizontally from the facade of the building to which it is attached, and

- (i) be no closer than 450mm to the edge of any kerb or alignment of any path on which vehicles travel, and
- (j) be designed and certified by a professional engineer.

## 5.6 SKYLIGHTS AND ROOF WINDOWS

### 5.6.1 Specified Complying Development

The construction or installation of a skylight or roof window on a building within the site boundary is development specified for this schedule.

### 5.6.2 Development Standards

The standards specified for that development are that the development must:

- (a) be constructed or installed so that any opening created is adequately weather proofed.

## 5.7 PROJECTING WALL SIGNS

### 5.7.1 Specified Complying Development

The construction or installation of a business identification sign or building identification sign that projects from the exterior wall of an existing building is development specified for the purposes of this schedule.

### 5.7.2 Development Standards

(1) The standards specified for that development are that the development must:

- (a) not result in more than 4 business identification signs (which may refer to more than 1 business within the building) or building identification signs (or both) of this type for the building so long as only one sign is visible on each elevation of the building, and
- (b) not project beyond the parapet or eaves of the building to which it is attached, and
- (c) be no more than 1.5m<sup>2</sup> in area and not project more than 0.75m horizontally from the facade of the building, and
- (d) be securely fixed to the wall in accordance with:
  - (i) AS/NZS 1170.0:2002, Structural design actions, Part 0: General principles, and
  - (ii) AS/NZS 1170.2:2011, Structural design actions, Part 2: Wind actions, and
- (f) if the sign is illuminated:
  - (i) have its means of illumination, including any associated cables, concealed or integrated within the frame of the sign, and
  - (ii) not be animated, flashing or moving, and
  - (iii) comply with AS 4282—1997, Control of the obtrusive effects of outdoor lighting.

## 5.8 FREESTANDING PYLON AND DIECTORY BOARD SIGNS

### 5.8.1 Specified Complying Development

The erection of a business identification sign or building identification sign that is displayed on a freestanding structure that is mounted on the ground on one or more supports is development specified for this schedule.

### 5.8.2 Development Standards

The standards specified for that development are that the development must:

- (a) not result in more than one such freestanding sign for each street frontage of the lot on which the development is located that is more than 15m in width, and

- (b) not be higher than 6m from ground level (existing), and
- (c) not have an area for the sign of more than 8m<sup>2</sup> unless paragraph (d) applies, and
- (d) if the development is located on premises with more than one commercial tenant—not have an area for the sign of more than 16m<sup>2</sup>, and
- (e) not be located within 3m of any protected tree, and
- (f) be constructed and installed in accordance with:
  - (i) AS/NZS 1170.0:2002, Structural design actions, Part 0: General principles, and
  - (ii) AS/NZS 1170.2:2011, Structural design actions, Part 2: Wind actions, and
- (g) not obstruct the visibility sight lines of, or interfere with, any traffic control device, including traffic control lights, and
- (h) if the sign is illuminated:
  - (i) have its means of illumination, including any associated cables, concealed or integrated within the frame of the sign, and
  - (ii) not be animated, flashing or moving, and
  - (iii) comply with AS 4282—1997, Control of the obtrusive effects of outdoor lighting.

## 5.9 ANCILLARY DEVELOPMENT

### 5.9.1 Specified Complying Development

Development, or the carrying out of works, that is or are ancillary to the use of land is development specified for this Schedule.

### 5.9.2 Development Standards

The standards specified for that development are that the development must:

- (a) have an area of not more than 100m<sup>2</sup>, or 15% of the area of the site on which the development is carried out, whichever is the lesser, and
- (b) not have a building height of more than 5m, and
- (c) be located at least 1m behind the building line of any road frontage (except where the development is a front awning on a building), and
- (d) be located at least 3m from any boundary adjoining land on which a dwelling is located, and
- (e) not be located over a registered easement, and
- (f) not reduce vehicular access to, parking on or loading or unloading on or from, the lot, and
- (g) not reduce the landscaped area of the lot, and
- (h) satisfy the requirements contained in an applicable development control plan applying to the land concerning its drainage systems and not interfere with the functioning of existing drainage fixtures or flow paths, and
- (m) in the case of a garbage bin enclosure:
  - (i) not have a floor area more than 5m<sup>2</sup>, and
  - (ii) not be higher than 3m if roofed or 1.5m above ground level (existing) if not roofed.



## 5.10 EARTHWORKS, RETAINING WALLS AND STRUCTURAL SUPPORT

### 5.10.1 Specified Complying Development

Earthworks and the construction or installation of a retaining wall or other form of structural support are development specified for this schedule.

### 5.10.2 Development Standards

(1) Excavation The standards specified for excavation work are that the work must:

- (a) be structurally sound, and
- (b) if the land is not identified as Class 3 or 4 on the Acid Sulfate Soils Map—not be more than 3m below ground level (existing), and
- (c) if the land is identified as Class 3 or 4 on the Acid Sulfate Soils Map—not be more than 1m below ground level (existing), and
- (d) be carried out at least 40m from any waterbody (natural), and
- (e) not result in a building being located over a registered easement, and

(2) Fill The standards specified for fill are that the fill must:

- (a) not raise the ground level (existing) more than 2m, and
- (b) be structurally sound, and
- (c) be located at least 40m from any waterbody (natural).

(3) Structural supports Earthworks that are more than 1m above or below ground level (existing) are structurally sound only if they have structural support that:

- (a) a professional engineer has certified as structurally sound, including in relation to (but not limited to) the ability to withstand the forces of lateral soil load, and
- (b) has adequate drainage lines connected to an existing stormwater drainage system for the site, and
- (c) does not redirect the flow of any water or cause sediment to be transported onto an adjoining property, and
- (d) is not higher than 3m, and
- (e) is separated from any other structural support on the site by at least 2m, measured horizontally, and
- (f) is not located over a registered easement.

## 5.11 DRIVEWAYS, HARD STAND SPACES, PATHWAYS AND PAVING

### 5.11.1 Specified Development

The following development is specified for this schedule:

- (a) the construction or installation of pathways or paving,
- (b) the construction or installation of a driveway associated with access to a hard stand space, loading bay or car park,
- (c) the construction or installation of a hard stand space, whether open or part of the undercover car park.

### 5.11.2 Development Standards

The standards specified for that development are that the development must:

- (a) satisfy the requirements of any applicable development control plan concerning its drainage systems and not interfere with the functioning of existing drainage fixtures or flow paths, and
- (b) not require a cut or fill of greater than 2m from ground level (existing), and
- (c) if it is a driveway or hard stand space:
  - (i) be constructed in accordance with AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-street car parking or AS 2890.2—2002, Parking facilities, Part 2: Off-street commercial vehicle facilities and RMS Australian Standard Supplements, Australian Standard—AS2890, Parking Facilities, Parts 1–6 issued by Roads and Maritime Services, and
  - (ii) be designed to allow all vehicles to turn around within the site and exit in a forward direction, and
  - (iii) be designed and certified by a professional engineer, and
- (d) if it is a driveway—have the consent required for a driveway under section 138 of the Roads Act 1993 from the appropriate roads authority, and
- (e) if the development is a hard stand space:
  - (i) be associated with a driveway, and
  - (ii) be located at least 3m from any boundary that adjoins a residential zone, and
- (f) if it is a pathway or paving area to be used for pedestrian access—be designed or constructed in accordance with AS 1428.1—2009, Design for access and mobility, Part 1: General requirements for access—New building work.

**End of Modification**

**(MP 09\_0191 MOD 6)**