




 DEVELOPMENT ASSESSMENT REPORT				
<b>Application No.</b>	MOD/2020/0211			
<b>Address</b>	829A-837 New Canterbury Road, Dulwich Hill			
<b>Proposal</b>	Application under S4.55(2) of the <i>Environmental Planning and Assessment Act 1979</i> to modify Determination No. 201900217 involving various internal and external design changes.			
<b>Date of Lodgement</b>	25 June 2020			
<b>Applicant</b>	Garazi Pty Ltd - Nordon Jago Architects			
<b>Owner</b>	Garazi Pty Ltd			
<b>Number of Submissions</b>	Nil			
<b>Value of works</b>	\$11,496,650.00 (Original Cost of Works)			
<b>Reason for determination at Planning Panel</b>	Development to which <i>State Environmental Planning Policy No 65</i> applies and is 4 storeys in height & 10% breach to <i>Marrickville Local Environmental Plan 2011</i> Development Standard (Height of Buildings)			
<b>Main Issues</b>	Height of building			
<b>Recommendation</b>	Approval subject to modified conditions			
<b>Attachment A</b>	Recommended conditions of consent			
<b>Attachment B</b>	Plans of proposed development			
				
LOCALITY MAP				
Subject Site		Objectors		↑ N
Notified Area		Supporters		

## 1. Executive Summary

This report is an assessment of the application submitted to Council under S4.55(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979) to modify Determination No. DA201900217 approved by the Inner West Local Planning Panel (IWLPP) on 12 December 2019 for the demolition of existing buildings and construction of 2 x 4 storey buildings for a shop top housing development comprising 42 dwellings and 3 retail tenancies with basement parking.

The modifications include internal and external design changes resultant from construction design development. The application was notified to surrounding properties and no submissions were received.

The main issues that have arisen from the application include:

- The modifications result in a further breach to the approved maximum building height by approximately 360mm (2.86m in total) under Clause 4.3 of *Marrickville Local Environmental Plan 2011* (MLEP 2011); and
- The modifications result in the loss of 4 car parking spaces, however; the proposal still complies with the relevant parking provisions.

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

Overall, the modifications are acceptable given that they would be consistent with the approved form of the approved and adjoining developments, respectively and would not result in any detrimental environmental or amenity impacts. As a result, the application is recommended for approval.

## 2. Proposal

The modifications proposed are as follows:

### Basement Level B3

- Revised shoring wall and expanded basement footprint to ensure horizontal clearance of existing Sydney Water sewer main located at the rear of the site;
- Lift locations and orientation altered;
- Storage cages relocated to north-western corner;
- Lowering of basement level from RL 37.77m to RL 37.579m for clearance compliance under mechanical duct;
- Stormwater hatches added;
- 26 bicycle spaces relocated to basement level 'B1'; and
- Motorcycle space relocated to basement level 'B1'.

### Basement Level B2

- Garbage room '01' increased in size;
- Additional storage spaces added;
- Lift orientation altered;
- Provision of plant room and equipment hoist for building servicing;
- Basement level lowered from RL 39.27m to RL 38.97m for clearance compliance under mechanical ducts;
- Increase in width between parking spaces from 5.8m to 6.1m;
- 1 car parking space deleted (10 retained including 4 approved accessible spaces);
- Increase in width of fire stairs; and

- Motorcycle space relocated to basement level 'B1'.

#### Basement Level B1

- Revised shoring wall and expanded basement footprint to ensure horizontal clearance of existing Sydney Water sewer main located at the rear of the site;
- 26 bicycle spaces added from basement level 'B3';
- Basement level lowered from RL 40.899m to RL 40.812 to allow for compliance clearance under mechanical ducts;
- 3 car parking spaces deleted (11 retained including 8 approved accessible spaces);
- Relocation of storage cages to north-western corner;
- Loading bay and car wash bay added to north-eastern corner;
- Lift locations and orientations altered;
- Garbage room locations and orientations altered slightly;
- Boom gate added to lower basement levels;
- Motorcycle spaces relocated from basement levels 'B3' and 'B2', respectively (3 provided in total); and
- Stair core added for access to manhole to comply with Sydney Water requirements.

#### Plant/tanks mezzanine level

- Communications room added to northern eastern corner;
- Fire pump room expanded;
- Stair core locations expanded, and locations altered;
- Hot water plant area added;
- Garbage room hoists added;
- Lift locations and orientations altered;
- Building manager and cleaner rooms added; and
- Plant room equipment and hoist for maintenance added.

#### Ground level

- Revised OSD area proposed to allow for clearance from sewer main to satisfy Sydney Water requirements;
- Revised stair core location to correspond to basement amendments below;
- Extension of ramps in central courtyard for disabled access compliance;
- Provision of commercial gas meter at the south western side of 'Building A/B' adjacent to New Canterbury Road;
- Commercial storage added in shop 'BG01';
- Relocation of entry door for shop 'AG01';
- Provision of mechanical louvres for kitchen exhaust for shops;
- Revised ramps at 'Building A/B' entry to align with footpath levels and provide meter cupboard access;
- Revised slope of ramp to residential waste collection area;
- Screening added to commercial AC condenser area;
- Revised central courtyard slab level proposed to allow for mechanical exhaust duct clearance;
- Relocation of platform lift within central courtyard to retain planter size for proposed trees; and
- Provision of manhole chamber access and associated stair core to satisfy Sydney Water requirements.

Level 1

- Privacy screens added to balconies; and
- Balcony doors changed to sliders and glazing raised to bottom of slab.

Level 2

- Privacy screens added to balconies; and
- Balcony doors changed to sliders and glazing raised to bottom of slab.

Level 3

- Provision of modular planting and translucent glazing;
- Balcony doors changed to sliders and glazing raised to bottom of slab;
- Provision of stair enclosures for spiral stairs to allow for fall protection; and
- Removal of planters to be replaced by privacy screening between balconies.

Rooftop

- Raised parapet at stair core to conceal car park exhaust on Building 'C/D';
- Provision of exhaust duct risers on Building 'A/B';
- Provision of stair enclosures for spiral stairs to allow for fall protection;
- Replacement of built in planters with modular planters;
- Provision of balcony pergola for apartment 'D303'; and
- Provision of privacy screens for rooftop terraces.

Materials and Finishes

- Colourbond panels deleted;
- Grey paint added to selected vertical elements;
- Fibre cement sheet material added for removeable awning servicing New Canterbury Road;
- Provision of solid louvre to conceal exhaust duct on New Canterbury Road elevation;
- Provision of solid balustrade to conceal condenser;
- Roof balustrade colour amended from white to black to ensure consistency between building elements;
- Amendments to selected solid balustrade colour from black to white to ensure consistency between facades; and
- Stair core and raised parapet colour amended to ensure consistency between vertical built elements.

### 3. Site Description

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

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

The site has a frontage to New Canterbury Road of 35.25 metres. The site is burdened by a sewerage pipe/easement and associated pits, which runs east to west along its rear. The site is currently vacant.

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

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



Figure 1: Zoning Map of the subject site (red outline).

## 4. Background

### 4(a) Site history

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

#### Subject Site

Application	Proposal	Decision & Date
PDA201900020	Construction of 5 storey shop top housing development, comprising 3 shops and 42 dwellings, including 2 levels of basement parking.	Advice issued on 20 May 2019.
DA201900217	To demolish the existing buildings and construction of 2 x 4 storey buildings for a shop top housing development comprising 42 dwellings and 3 retail tenancies, with 2 levels of basement parking.	Approved at Inner West Planning Panel Meeting, consent dated 12 December 2019.

## Surrounding properties

Application	Proposal	Decision & Date
DA201600388 825 – 829 New Canterbury Road	To demolish the existing improvements and remove 1 tree and construct a 5 storey building (South Building) and a 4 storey building (North Building) being mixed use buildings containing commercial premises on the ground floor with shop top housing containing 22 units on the upper floors with a 3 level basement parking area and associated landscaping works.	Approved at Inner West Planning Panel Meeting, consent dated 11 May 2017.
DA201500081 801 - 807 New Canterbury Road	To demolish the existing improvements and construct a 4 storey development consisting of a residential flat building (Building A) containing 37 dwellings and a mixed use building (Building B) containing 3 retail tenancies and 30 dwellings with 2 levels of basement car parking accommodating 108 car parking spaces.	Approved (as a Deferred Commencement Consent) by the former Sydney East Joint Regional Planning Panel on 28 October 2015. The consent became active on 29 October 2015.  The consent was subsequently modified on 23 May 2016 and 21 December 2016. The modifications include the provision of an additional storey (a total of 5 storeys) to Building A (fronting New Canterbury Road) and Building B (at the rear of the site).
DA201500632 819 New Canterbury Road	To demolish existing improvements and construct a 4 storey mixed use building (Building A) containing 1 commercial tenancy and 8 dwellings and a residential flat building (Building B) containing 12 dwellings with 2 levels of basement car parking.	Approved (as a Deferred Commencement Consent) by Council on 21 October 2016. Operative consent issued 21 May 2019.
DA201200232 40 - 42 Cobar Street & 829 New Canterbury Road	To demolish the existing improvements on the properties 40 and 42 Cobar Street, consolidate the existing allotments, subdivide the land into two allotments, one fronting New Canterbury Road and one fronting Cobar Street and erect a 3 storey and 4 storey residential flat building over basement car parking level on the allotment fronting Cobar Street, containing 19 dwellings with off street car parking for 20 vehicles	Approved by Council on 10 October 2012. The consent was modified on 30 January 2015.
DA200700066 793 - 799 New Canterbury Road	To demolish the existing improvements and erect a part two, part three and part four storey mixed commercial residential development over two levels of basement car park containing 3 ground floor commercial suites/shops and 2 x one bedroom, 18 x two bedroom and 4 x three bedroom dwellings with 40 off street car parking spaces and strata subdivide the premises into 27 lots	Approved (as a Deferred Commencement Consent) by Council on 6 December 2007. The consent became active on 11 February 2008.  The consent was modified on 23 March 2011 and 11 July 2013. The modifications included the increase in the number of dwellings in the

		mixed use development from 24 dwellings to 32 dwellings within the approved building envelope.
DA201600564 843 New Canterbury Road, Dulwich Hill	To demolish the existing improvements and construct a mixed use development containing 1 x 5 storey building fronting New Canterbury Road and 1 x 4 storey building towards the rear of the site comprising a total of 1 commercial tenancy and 20 dwellings with basement car parking.	Approved (as Deferred Commencement Consent) by Inner West Local Planning Panel Meeting, consent dated 20 July 2017. The consent was made operative on 23 February 2018.

4(b) Application history

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

Date	Discussion / Letter / Additional Information
25 June 2020	Application lodged.
9 July to 30 July 2020	Application notified.

5. Assessment

The following is a summary of the assessment of the application in accordance with Section 4.55 and 4.15 of the *Environmental Planning and Assessment Act 1979*.

5(a) Environmental Planning Instruments

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

- *State Environmental Planning Policy No. 55—Remediation of Land*;
- *State Environmental Planning Policy No. 65—Design Quality of Residential Apartment Development*;
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*; and
- *State Environmental Planning Policy (Infrastructure) 2007*.
- *Marrickville Local Environmental Plan 2011*

The following provides further discussion of the relevant issues:

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

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

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



A RAP was provided under the original application to address the treatment and disposal of any contaminated soils and contamination issues prior to determination. The contamination documents were reviewed and found that the site can be made suitable for the proposed commercial and residential uses after the completion of the works prescribed by the RAP. To ensure that these works are undertaken, conditions were imposed in the consent in accordance with Clause 7 of SEPP 55, which the modified proposal does not seek to alter.

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

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

A statement from a qualified Architect was submitted with the application verifying that they designed, or directed the design of, the proposed modified development. The statement outlines that the modifications have regard to the design quality principles in terms of the Apartment Design Guide (ADG).

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

*Apartment Design Guide*

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

The following provides further discussion of the relevant issues:

*Bicycle and Car Parking*

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

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

The development complies with the above requirements as follows:

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



Requirement	Proposed	Compliance
<ul style="list-style-type: none"> <li>• 1bd- 0.4 spaces x 16 = 6 spaces</li> <li>• 2bd – 0.7 spaces x 23 = 16 spaces</li> <li>• 3bd – 1.2 spaces x 3 = 4 spaces</li> <li>• Visitors – 1 space per 7 units (42) = 6 spaces</li> <li>• <b>Total:</b> 32 spaces (residential &amp; visitors)</li> </ul>	<ul style="list-style-type: none"> <li>• Residential: 33 spaces.</li> <li>• Visitors: 6 spaces.</li> <li>• <b>Total:</b> 39 spaces</li> </ul>	Yes

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

Apartment Layout

The ADG prescribes the following requirements for apartment layout requirements:

- Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.
- Habitable room depths are limited to a maximum of 2.5 x the ceiling height.
- In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8 metres from a window.
- Master bedrooms have a minimum area of 10m<sup>2</sup> and other bedrooms 9m<sup>2</sup> (excluding wardrobe space).
- Bedrooms have a minimum dimension of 3 metres (excluding wardrobe space).
- Living rooms or combined living/dining rooms have a minimum width of:
  - 3.6 metres for studio and 1 bedroom apartments.
  - 4 metres for 2 and 3 bedroom apartments.
- The width of cross-over or cross-through apartments are at least 4 metres internally to avoid deep narrow apartment layouts.

The development complies with the above relevant requirements as follows:

- The proposal meets the minimum requirements regarding the provision of windows. Habitable room depths and room widths remain unaltered by the modifications. The development is acceptable with regard to the apartment layout requirements of the ADG and meets the objectives of this provision.

Private Open Space and Balconies

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

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

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

The ADG also prescribes for apartments at ground level or on a podium or similar structure, a POS is provided instead of a balcony. It must have a minimum area of 15m<sup>2</sup> and a minimum depth of 3 metres.

The development complies with the above relevant requirements as follows:

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

### Storage

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

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

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

The development complies with the above relevant requirements as follows:

- Storage in accordance with the above requirements is provided.

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

A BASIX Certificate in accordance with the SEPP was submitted with the application and is referenced in consent, which the modified proposal does not seek to alter.

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

#### *Development with frontage to classified road (Clause 101)*

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

The modified proposal was referred to Transport for NSW (TfNSW) (formerly Roads and Maritime Services (RMS)) for comment. TfNSW raised no objection to the modified proposal, subject to their conditions originally imposed in the consent remaining unaltered.

Overall, the modified application is considered acceptable with regard to Clause 101 of the *SEPP Infrastructure 2007*.

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

Clause 102 of the *SEPP Infrastructure 2007* relates to the impact of road noise or vibration on non-road development on land in or adjacent to a road corridor or any other road with an annual average daily traffic volume of more than 20,000 vehicle. Under this clause, a development for the purpose of a building for residential use requires that appropriate

measures are incorporated into such developments to ensure that certain noise levels are not exceeded.

New Canterbury Road has an annual average daily traffic volume of more than 20,000 vehicles. The applicant submitted a Noise Assessment Report under the original application that demonstrated that the development will comply with the LAeq levels stipulated in Clause 102 of the SEPP. Conditions included in the consent to ensure the measures required to achieve compliance with these levels are implemented into the development remain unaltered by the modified proposal.

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

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

Control	Proposed	Compliance
<p>Clause 1.2 Aims of Plan</p>	<p>The modified proposal remains consistent with the relevant aims of the plan as follows:</p> <ul style="list-style-type: none"> <li>• The proposal is still deemed an efficient use of land and will assist in the vitalisation of a B2 Local Centre zone;</li> <li>• The proposal assists in the provision of residential and employment densities within an appropriate location nearby to public transport, whilst protecting the residential amenity of the surrounds; and</li> <li>• The design of the proposal is still considered to be of a high standard and has a satisfactory impact on the private and public domain, given its bulk and scale, relationship with the public domain and materiality.</li> </ul>	<p>Yes</p>
<p>Clause 2.3 Zone objectives and Land Use Table  <i>Zone: B2 Local Centre</i></p>	<p>Although the modified proposal does not strictly comply with the provisions of the Clause, it is supportable as follows:</p> <ul style="list-style-type: none"> <li>• The property is zoned B2 Local Centre under the provisions of MLEP 2011. <b>Shop top housing</b> is permissible with Council's consent under the zoning provisions applying to the land;</li> <li>• Building A/B within the development constitutes shop top housing development and is permissible with Council's consent under the zoning provisions applying to the land;</li> <li>• Building C/D is classified as a residential flat building, which is prohibited in the zone. However, the site adjoins a R1 General Residential Zone to its north, within which residential flat buildings are permissible. As noted further within this table, Clause 5.3 of the MLEP 2011 allows flexibility in the zoning provisions applying to the land and on this basis, the proposed use of Building C/D is supported; and</li> <li>• The proposed mixed-use development is consistent with the identified objectives of the B2 Local Centre zone, as it provides for a range</li> </ul>	<p>Yes</p>

	<p>of unit sizes and layouts to meet the needs of the community, whilst providing well located and planned commercial space.</p> <p>Considering the above, the modified application remains consistent with the objectives of the B2 Local Centre Zone.</p>	
<p>Clause 4.3 Height of building (max. 14m)</p>	<p>The application proposes a minor increase (360mm) to the approved maximum building height of 16.5m, which varied the height of building development standard by 17.8%.</p> <p>As a result, the maximum building height of the modified proposal is 16.86m, which represents a 20.4% variation to the development standard.</p> <p>The approved variations over the maximum height limit primarily included rooftop structures and lift overruns. The increase in the breach under the modified proposal is resultant from the mechanical exhaust duct risers.</p>	<p><b>No</b> (refer to Clause 4.6 discussion below table)</p>
<p>Clause 4.4 Floor space ratio (max. 1.75: 1 (3,556m<sup>2</sup>))</p>	<p>The application proposes a compliant floor space ratio of 1.74:1 (3,544m<sup>2</sup>).</p>	<p>Yes</p>
<p>Clause 4.5 Calculation of floor space ratio and site area</p>	<p>The site area and floor space ratio for the proposal has been calculated in accordance with the Clause.</p>	<p>Yes</p>
<p>Clause 4.6 Exceptions to development standards</p>	<p>The proposed modification is not required to formally submit a written request to vary a development standard having regard to the decision within <i>North Sydney Council v Michael Standley &amp; Associates Pty Ltd</i> [1998] NSWSC 163) that states that Section 96 (now Section 4.55) is a:</p> <p><i>“free-standing provision’, meaning that “a modification application may be approved notwithstanding the development would be in breach of an applicable development standard were it the subject of an original development application”.</i></p> <p>Notwithstanding, the assessment principles and considerations set out in Clause 4.6 of the LEP are applied as guidance to this request to vary the development standard for building height further, which is discussed below this table.</p>	<p>Yes (see discussion below table).</p>
<p>Clause 5.3 Development near zone boundaries</p>	<p>As addressed above, the proposal relies on Clause 5.3 for permissibility of the residential flat building C/D. The proposed modification remains consistent with the objectives of both zones. The proposed modification does not alter the developments compliance with this clause.</p>	<p>Yes</p>

(i) Clause 4.6 – Exceptions to Development Standards

As outlined in the table above, the modified proposal results in a minor increase to the approved breach of the following development standard:

- Clause 4.3 – Height of buildings

The applicant seeks a variation to the Height of building development standard under Clause 4.3 of the *Marrickville Local Environmental Plan 2011* (MLEP 2011) by 20.4% (2.86 metres), which consists of the mechanical exhaust duct rises; in addition to the rooftop structures and lift overrun currently approved to breach the standard.

As discussed above, the modification application does not require the submission of a Clause 4.6 variation request, however the proposed variation has been assessed using the principles in Clause 4.6 as a guide, below.

A written request was submitted to Council for the original application in accordance with Clause 4.6(4)(a)(i) of the MLEP 2011, justifying the proposed contravention of the development standard, which was found to adequately demonstrate compliance with the development standard was unnecessary in the circumstances of the case, and that there were sufficient environmental planning grounds to justify contravening the development standard. The objectives of the site's B2 Local Centre zone contained within the MLEP 2011 are as follows:

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To provide housing attached to permissible non-residential uses which is of a type and scale commensurate with the accessibility and function of the centre or area.*
- *To provide for spaces, at street level, which are of a size and configuration suitable for land uses which generate active street-fronts.*
- *To constrain parking and reduce car use.*

It is considered the development is in the public interest because it is consistent with the objectives of the B2 Local Centre zoning for the following reasons:

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

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

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

It is considered the development is in the public interest because it is consistent with the objectives of the development standard for the following reasons:

- The building height proposed is consistent with existing and approved similar development types along the northern side of New Canterbury Road, thereby ensuring consistency with the desired future character of the zone;
- Given the site’s orientation and the locations and setbacks of the proposed buildings, surrounding buildings and public areas will still receive satisfactory exposure to the sky and sunlight;
- The proposed building height provides an appropriate transition from the southern side of New Canterbury Road, which allows for a maximum building height of 18 metres to the surrounding residential areas located north of the site; which include maximum building heights of between 9.5 to 14 metres; and
- The elements which further increase the approved breaches to the standard are sufficiently setback from the building edges, thereby not being visible at pedestrian level directly in front of the site on New Canterbury Road.

For the reasons outlined above, there are sufficient planning grounds to justify the further departure from the height of building development standard.

5(b) Draft Environmental Planning Instruments

(iii) Draft Marrickville Local Environmental Plan 2011 (Amendment 4)

The application has been assessed against the relevant Draft Marrickville Local Environmental Plan 2011 (Amendment 4).

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

The amended provisions contained in the Draft Plan are not particularly relevant to the assessment of the application. Accordingly, the development is considered acceptable having regard to the provisions of the Draft MLEP 2011 Amendment 4.

(iv) 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 particularly relevant to the assessment of the application. Accordingly, the development is considered acceptable having regard to the provisions of the Draft IWLEP 2020.

5(c) Development Control Plans

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

Control	Proposed	Compliance
<i>Part 2 – Generic Provisions</i>		
Part 2.1 – Urban Design	The proposal has been designed having regard to the 12 relevant urban design principles outlined in Part 2.1 and demonstrates a high quality of urban design.	Yes

<p>Part 2.6 – Acoustic and Visual Privacy</p>	<p>Part 2.6 of MDCP 2011 contains objectives and controls relating to acoustic and visual privacy. Whilst the ADG prescribes privacy controls, which effectively prevail over the controls contained in MDCP 2011, the controls contained in MDCP 2011 are still a relevant matter for consideration as follows:</p> <ul style="list-style-type: none"> <li>• The modified proposal is considered to comply with the visual and acoustic privacy controls under MDCP 2011. The layout and design of the development would ensure that the visual and acoustic privacy currently enjoyed by residents of adjoining residential properties is protected;</li> <li>• The provision of the additional privacy measures included in the modified proposal allow for a greater level of privacy for future occupiers and the surrounds;</li> <li>• The development maintains a high level of acoustic and visual privacy for the surrounding residential properties and would ensure a high level of acoustic and visual privacy for future occupants of the development itself; and</li> <li>• A Noise Impact Assessment report was submitted with the original application, which provided recommendations for materials and finishes at the construction stage. These recommendations are designed to ensure that the noise intrusion impact from New Canterbury Road onto future occupants of the development is mitigated and to ensure adverse acoustic impacts onto neighbouring properties is also alleviated. These measures are secured by consent conditions, which remain unaltered by the proposal.</li> </ul>	<p>Yes, subject to condition.</p>
<p>Part 2.7 – Solar Access and Overshadowing</p>	<p>The modified proposal will have a satisfactory impact in terms of solar access and overshadowing on the surrounds in accordance with Part 2.7 as follows:</p> <ul style="list-style-type: none"> <li>• The shadow diagrams submitted with the application demonstrate the development maintains a minimum of 2 hours direct solar access to windows of principal living areas and principal areas of open space of nearby residential properties between 9:00am and 3:00pm on 21 June, given the orientation of the subject site; and</li> <li>• The development will not result in adverse amenity impacts as a result of overshadowing.</li> </ul>	<p>Yes</p>



<p>Part 2.10 – Parking</p> <p><u>Commercial parking</u></p> <ul style="list-style-type: none"> <li>• 3 spaces required.</li> </ul> <p><u>Bicycle parking</u></p> <ul style="list-style-type: none"> <li>• 25 spaces (21 residents and 4 visitors) required.</li> </ul> <p><u>Motorcycle parking</u></p> <ul style="list-style-type: none"> <li>• 2 spaces (5% of car parking) required.</li> </ul>	<p>Refer to Section 5(a)(ii). above with respect to the provision of residential car parking. In terms of commercial car parking and bicycle and motorcycle parking, the modified proposal complies with the relevant requirements as follows:</p> <ul style="list-style-type: none"> <li>• 3 commercial parking spaces are provided;</li> <li>• 26 bicycle spaces are provided for residents and visitors; and</li> <li>• 3 motorcycle parking spaces are provided.</li> </ul>	<p>Yes</p>
<p>Part 2.21 – Site Facilities and Waste Management</p>	<p>The modified proposal satisfies the relevant provisions of Part 2.21 as follows:</p> <ul style="list-style-type: none"> <li>• The application was accompanied by a WMP in accordance with the Part;</li> <li>• Standard conditions currently imposed which will ensure the appropriate management of waste during the construction of the proposal;</li> <li>• Sufficiently sized areas for waste storage have been provided for both the residential and commercial components of the development;</li> <li>• A temporary bin storage area inside the building at the ground floor has been provided to assist with waste removal; and</li> <li>• Standard conditions currently imposed and that remain unaltered by the modified proposal will ensure access ways and gradients are satisfactory to facilitate the removal of waste.</li> </ul>	<p>Yes, subject to conditions</p>
<p><i>Part 5 – Commercial and Mixed Use</i></p>		
<p>Part 5.1.1 – General Objectives</p>	<p>The modified proposal meets the relevant objectives of Part 5.1.1 as follows:</p> <ul style="list-style-type: none"> <li>• The proposed development responds to its context and is compatible with the surrounding built environment and public domain;</li> <li>• The proposal achieves a high quality of urban design;</li> <li>• The proposal assists in revitalising the surrounding business centre; and</li> <li>• The proposal promotes an accessible and safe environment.</li> </ul>	<p>Yes</p>
<p>Part 5.1.7 – Vehicle access, parking, loading and services</p>	<p>The modified proposal complies with the relevant provisions of Part 5.17 as follows:</p>	<p>Yes</p>

	<ul style="list-style-type: none"> <li>• The proposed vehicle access is less than 20% of the street frontage, thereby allowing for sufficient areas of shopfront activation, which remains unaltered;</li> <li>• A loading bay has been provided for the development;</li> <li>• Car parking included for commercial purposes is contained within an underground basement;</li> <li>• Boom gates are proposed to ensure residential parking areas located on the lower level of the basement are securely separated from the proposed commercial spaces; and</li> <li>• The garage doors will not encroach over the footpath.</li> </ul>	
<i>Part 9 – Strategic Context</i>		
Part 9.17 –New Canterbury Road West (Precinct 17)	<p>The site is not located within a Heritage Conservation Area or within a Master Plan Site. The modified proposal generally meets the desired future character of the planning precinct in that the development:</p> <ul style="list-style-type: none"> <li>• Protects and enhances the character of the streetscape and public domain elements of New Canterbury Road;</li> <li>• Provides strong definition to the street;</li> <li>• Complements the siting, scale, form, proportion, rhythm, pattern, detail, material, colour, texture, style and general character of the commercial streetscape;</li> <li>• Provides an active street front to New Canterbury Road;</li> <li>• Considers the amenity of residents from noise;</li> <li>• Demonstrates good urban design and environmental sustainability;</li> <li>• Ensures that the design of higher density development protects the residential amenity of adjoining and surrounding properties; and</li> <li>• Ensures that the provision and design of parking and access for vehicles is appropriate for the location, efficient, minimises impact to streetscape appearance and maintains pedestrian safety and amenity.</li> </ul>	Yes

5(d) The Likely Impacts

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

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

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

#### 5(f) Any submissions

The application was advertised, an on-site notice displayed on the property and neighbours in the vicinity of the property were notified in accordance with Council's Community Engagement Framework. In response, no submissions were received.

#### 5(g) The Public Interest

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

The proposal is not considered to be contrary to the public interest.

#### 5(i) Section 4.55 of the Environmental Planning and Assessment Act 1979

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

- (a) be satisfied that the development as modified is substantially the same development;  
as the development for which consent was originally granted;
- (b) consult with any relevant authority or approval body;
- (c) notify the application in accordance with the regulations;
- (d) consider any submissions made; and,
- (e) take into consideration the matters referred to in Section 4.15 as are of relevance to the development the subject of the application.

The above has been addressed during the assessment of the application as follows:

- The development being modified is substantially the same development as the development for which consent was originally granted given the retention of the approved uses, building footprints, number of storeys and general presentation;
- TfNSW were consulted and raised no objection to the modified proposal;
- The application was notified in accordance with the regulations and Council's policy and no submissions were received; and
- Matters under Section 4.15 have been addressed within this assessment report.

## 6 Referrals

### 6(a) Internal

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

- Development Engineering;
- Environmental Health;
- Resource Management;
- Urban Design; and
- Urban Forests.

## 6(b) External

The application was referred to the following external bodies and issues raised in those referrals have been discussed in section 5 above.

- TfNSW (formerly RMS).

## 7. Section 7.11 Contributions/7.12 Levy

The contributions payable for the development remain unaltered as a result of the proposed modifications.

## 8. Conclusion

The modified proposal generally complies with the aims, objectives and design parameters contained in *State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development* and *Marrickville Local Environmental Plan 2011*. The proposal is generally consistent with the Marrickville Development Control Plan 2011. The modified development will not result in any significant impacts on the amenity of adjoining premises or the streetscape and is considered to be in the public interest.

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

## 9. Recommendation

- A. That the Inner West Local Planning Panel, exercising the functions of the Council as the consent authority, approve Application No. MOD/2020/0211 for modification under s4.55(2) of the *Environmental Planning and Assessment Act 1979* to modify Determination No.201900217 which includes various internal and external design changes subject to a modified Determination being issued with condition 4 being modified in the following manner:

### 4. Documents related to the consent

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

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
Cover Page, Rev. D, DA.000D	Architectural Plans	23/09/2019	Nordon Jago Architects
Cover Page, Rev. A, DM.003A	Architectural Plans	27/05/2020	Nordon Jago Architects
Site Plan, Rev. A, DM.001A	Architectural Plans	27/05/2020	Nordon Jago Architects

Site Analysis, Rev. B, DA.002B	Architectural Plans	23/09/2019	Nordon Architects	Jago
Site Control Analysis, Rev. D, DA.003D	Architectural Plans	23/09/2019	Nordon Architects	Jago
Demolition Plan, Rev. B, DA.005D	Architectural Plans	23/09/2019	Nordon Architects	Jago
GFA Analysis, Rev. D, DA.010D	Architectural Plans	23/09/2019	Nordon Architects	Jago
<b>Area Plan, Rev. A, DM.005A</b>	<b>Architectural Plans</b>	<b>27/05/2020</b>	<b>Nordon Architects</b>	<b>Jago</b>
Basement Plans, Rev. D, DA.100D	Architectural Plans	23/09/2019	Nordon Architects	Jago
<b>Plan Level B2 and B3, Rev. A, DM.090A</b>	<b>Architectural Plans</b>	<b>27/05/2020</b>	<b>Nordon Architects</b>	<b>Jago</b>
<b>Plan Level Service and B1, Rev. A, DM.091A</b>	<b>Architectural Plans</b>	<b>27/05/2020</b>	<b>Nordon Architects</b>	<b>Jago</b>
Plans, Rev. D, DA.101D	Architectural Plans	23/09/2019	Nordon Architects	Jago
Plans, Rev. D, DA.102D	Architectural Plans	23/09/2019	Nordon Architects	Jago
<b>Plan Level Ground, Rev. A, DM.100A</b>	<b>Architectural Plans</b>	<b>27/05/2020</b>	<b>Nordon Architects</b>	<b>Jago</b>
<b>Plan Level 1, Rev. A, DM.101A</b>	<b>Architectural Plans</b>	<b>27/05/2020</b>	<b>Nordon Architects</b>	<b>Jago</b>
<b>Plan Level 2, Rev. A, DM.102A</b>	<b>Architectural Plans</b>	<b>27/05/2020</b>	<b>Nordon Architects</b>	<b>Jago</b>
<b>Plan Level 3, Rev. A, DM.103A</b>	<b>Architectural Plans</b>	<b>27/05/2020</b>	<b>Nordon Architects</b>	<b>Jago</b>

<b>Plan Level Roof, Rev. A, DM.104A</b>	<b>Architectural Plans</b>	<b>27/05/2020</b>	<b>Nordon Architects</b>	<b>Jago</b>
NAU Plans, Rev. B, DA.150B	Architectural Plans	23/09/2019	Nordon Architects	Jago
Sections, Rev. D, DA.200D	Architectural Plans	23/09/2019	Nordon Architects	Jago
<b>Section A, Rev. A, DM.200A</b>	<b>Architectural Plans</b>	<b>27/05/2020</b>	<b>Nordon Architects</b>	<b>Jago</b>
<b>Section B, Rev. A, DM.201A</b>	<b>Architectural Plans</b>	<b>27/05/2020</b>	<b>Nordon Architects</b>	<b>Jago</b>
<b>Section C, Rev. A, DM.202A</b>	<b>Architectural Plans</b>	<b>27/05/2020</b>	<b>Nordon Architects</b>	<b>Jago</b>
<b>Section D, Rev. A, DM.203A</b>	<b>Architectural Plans</b>	<b>27/05/2020</b>	<b>Nordon Architects</b>	<b>Jago</b>
<b>Section E, Rev. A, DM.204A</b>	<b>Architectural Plans</b>	<b>27/05/2020</b>	<b>Nordon Architects</b>	<b>Jago</b>
Elevation, Rev. D, DA.300D	Architectural Plans	23/09/2019	Nordon Architects	Jago
<b>New Canterbury Road and North Elevations, Rev. A, DM.300A</b>	<b>Architectural Plans</b>	<b>27/05/2020</b>	<b>Nordon Architects</b>	<b>Jago</b>
<b>Courtyard Elevations, Rev. A, DM.301A</b>	<b>Architectural Plans</b>	<b>27/05/2020</b>	<b>Nordon Architects</b>	<b>Jago</b>
SEPP65 Storage LB1-B2, Rev. B, DA.501B	Architectural Plans	23/09/2019	Nordon Architects	Jago
SEPP65 Storage LG-1, Rev. B, DA.502B	Architectural Plans	23/09/2019	Nordon Architects	Jago

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



Stormwater Concept Plan Basement Level 2 & 3, Sheet 2 of 2, Rev. C, 102	Stormwater Plans	19/09/2019	Australian Consulting Engineers
Stormwater Concept Plan Basement Level 1, Rev. C, 103	Stormwater Plans	19/09/2019	Australian Consulting Engineers
Stormwater Concept Plan, Rev. C, 104	Stormwater Plans	19/09/2019	Australian Consulting Engineers
Roof Plan, Rev. C, 105	Stormwater Plans	19/09/2019	Australian Consulting Engineers
On-site Detention Details and Calculation Sheets, Sheet 1 of 3, Rev. C, 106	Stormwater Plans	19/09/2019	Australian Consulting Engineers
On-site Detention Details and Calculation Sheets, Sheet 2 of 3, Rev. C, 107	Stormwater Plans	19/09/2019	Australian Consulting Engineers
On-site Detention Details and Calculation Sheets, Sheet 3 of 3, Rev. C, 108	Stormwater Plans	19/09/2019	Australian Consulting Engineers
Miscellaneous Details Sheet, Rev. C, 109	Stormwater Plans	19/09/2019	Australian Consulting Engineers
Waste Management Plan, Rev. 2	Waste Management Plan	September 2019	Dickens Solutions Pty Ltd

Acoustical Report, Rev. V3	Acoustic Report	14/06/2019	Koikas Acoustic Pty Ltd
1015783M	BASIX	07/06/2019	Credwell Energy
Design Verification Statement	Design Verification Statement	June 2019	Stephen Nordon
Statement of Environmental Effects	Statement of Environmental Effects	20/06/2019	Planning Lab
Ref. 19124	Traffic and Parking Assessment Report	11/06/2019	Varga Traffic Planning Pty Ltd

**(Condition modified under MOD/2020/0211 dated xx 2020)**

## Attachment A – Recommended conditions of consent

### Attachment A – Recommended conditions of consent

#### Fees

#### 1. Section 7.11 (Former Section 94) Contribution

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

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

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

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

#### **(CONTRIBUTION PAYMENT REFERENCE NO. DC002793.**

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

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

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

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

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

1

P.O. Box 14 Petersham 2049 | P (02) 9392 5000 | E council@innerwest.nsw.gov.au

Customer Service Centres | Petersham 2-14 Fisher Street | Leichhardt 7-15 Wetherill Street | Ashfield 260 Liverpool Road

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

**2. Long Service Levy**

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

**3. Security Deposit - Standard**

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

Security Deposit:	\$180,056.50
Inspection Fee:	\$230.65

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

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

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

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

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

General Conditions

**4. Documents related to the consent**

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

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
Cover Page, Rev. D, DA.000D	Architectural Plans	23/09/2019	Nordon Architects Jago
Cover Page, Rev. A, DM.003A	Architectural Plans	27/05/2020	Nordon Architects Jago
Site Plan, Rev. A, DM.001A	Architectural Plans	27/05/2020	Nordon Architects Jago
Site Analysis, Rev. B, DA.002B	Architectural Plans	23/09/2019	Nordon Architects Jago
Site Control Analysis, Rev. D, DA.003D	Architectural Plans	23/09/2019	Nordon Architects Jago
Demolition Plan, Rev. B, DA.005D	Architectural Plans	23/09/2019	Nordon Architects Jago
GFA Analysis, Rev. D, DA.010D	Architectural Plans	23/09/2019	Nordon Architects Jago
Area Plan, Rev. A, DM.005A	Architectural Plans	27/05/2020	Nordon Architects Jago
Basement Plans, Rev. D, DA.100D	Architectural Plans	23/09/2019	Nordon Architects Jago
Plan Level B2 and B3, Rev. A, DM.090A	Architectural Plans	27/05/2020	Nordon Architects Jago
Plan Level Service and B1, Rev. A, DM.091A	Architectural Plans	27/05/2020	Nordon Architects Jago
Plans, Rev. D, DA.101D	Architectural Plans	23/09/2019	Nordon Architects Jago

Plans, Rev. D, DA.102D	Architectural Plans	23/09/2019	Nordon Architects	Jago
Plan Level Ground, Rev. A, DM.100A	Architectural Plans	27/05/2020	Nordon Architects	Jago
Plan Level 1, Rev. A, DM.101A	Architectural Plans	27/05/2020	Nordon Architects	Jago
Plan Level 2, Rev. A, DM.102A	Architectural Plans	27/05/2020	Nordon Architects	Jago
Plan Level 3, Rev. A, DM.103A	Architectural Plans	27/05/2020	Nordon Architects	Jago
Plan Level Roof, Rev. A, DM.104A	Architectural Plans	27/05/2020	Nordon Architects	Jago
NAU Plans, Rev. B, DA.150B	Architectural Plans	23/09/2019	Nordon Architects	Jago
Sections, Rev. D, DA.200D	Architectural Plans	23/09/2019	Nordon Architects	Jago
Section A, Rev. A, DM.200A	Architectural Plans	27/05/2020	Nordon Architects	Jago
Section B, Rev. A, DM.201A	Architectural Plans	27/05/2020	Nordon Architects	Jago
Section C, Rev. A, DM.202A	Architectural Plans	27/05/2020	Nordon Architects	Jago
Section D, Rev. A, DM.203A	Architectural Plans	27/05/2020	Nordon Architects	Jago
Section E, Rev. A, DM.204A	Architectural Plans	27/05/2020	Nordon Architects	Jago
Elevation, Rev. D, DA.300D	Architectural Plans	23/09/2019	Nordon Architects	Jago
New Canterbury Road and North Elevations, Rev. A, DM.300A	Architectural Plans	27/05/2020	Nordon Architects	Jago
Courtyard Elevations, Rev. A, DM.301A	Architectural Plans	27/05/2020	Nordon Architects	Jago

SEPP65 Storage LB1-B2, Rev. B, DA.501B	Architectural Plans	23/09/2019	Nordon Architects	Jago
SEPP65 Storage LG-1, Rev. B, DA.502B	Architectural Plans	23/09/2019	Nordon Architects	Jago
SEPP65 Storage L2-3, Rev. B, DA.503B	Architectural Plans	23/09/2019	Nordon Architects	Jago
Detail Section and Elevation, Rev. A, DA.600A	Architectural Plans	23/09/2019	Nordon Architects	Jago
Garbage Room Plans and Sections, Rev. A, DA.700A	Architectural Plans	23/09/2019	Nordon Architects	Jago
Photomontage, Rev. C, DA.400C	Architectural Plans	07/06/2019	Nordon Architects	Jago
Landscape Cover Sheet, Rev. G, LDA-00	Landscape Plans	20/09/2019	Ground Landscape Architects	Ink
Ground Floor Landscape Plan, Rev. G, LDA-01	Landscape Plans	20/09/2019	Ground Landscape Architects	Ink
Landscape Areas, Rev. G, LDA-02	Landscape Plans	20/09/2019	Ground Landscape Architects	Ink
Rooftop Landscape Plan, Rev. G, LDA-03	Landscape Plans	20/09/2019	Ground Landscape Architects	Ink
Plant Palette, Rev. G, LDA-04	Landscape Plans	20/09/2019	Ground Landscape Architects	Ink
Landscape Details, Rev. G, LDA-04	Landscape Plans	20/09/2019	Ground Landscape Architects	Ink
Cover Sheet Plan, Rev. C, 000	Stormwater Plans	19/09/2019	Australian Consulting Engineers	
Stormwater Concept Plan Basement Level 2 & 3, Sheet 1 of 2, Rev. C, 101	Stormwater Plans	19/09/2019	Australian Consulting Engineers	
Stormwater Concept Plan Basement Level 2	Stormwater Plans	19/09/2019	Australian Consulting Engineers	



& 3, Sheet 2 of 2, Rev. C, 102			
Stormwater Concept Plan Basement Level 1, Rev. C, 103	Stormwater Plans	19/09/2019	Australian Consulting Engineers
Stormwater Concept Plan, Rev. C, 104	Stormwater Plans	19/09/2019	Australian Consulting Engineers
Roof Plan, Rev. C, 105	Stormwater Plans	19/09/2019	Australian Consulting Engineers
On-site Detention Details and Calculation Sheets, Sheet 1 of 3, Rev. C, 106	Stormwater Plans	19/09/2019	Australian Consulting Engineers
On-site Detention Details and Calculation Sheets, Sheet 2 of 3, Rev. C, 107	Stormwater Plans	19/09/2019	Australian Consulting Engineers
On-site Detention Details and Calculation Sheets, Sheet 3 of 3, Rev. C, 108	Stormwater Plans	19/09/2019	Australian Consulting Engineers
Miscellaneous Details Sheet, Rev. C, 109	Stormwater Plans	19/09/2019	Australian Consulting Engineers
Waste Management Plan, Rev. 2	Waste Management Plan	September 2019	Dickens Solutions Pty Ltd
Acoustical Report, Rev. V3	Acoustic Report	14/06/2019	Koikas Acoustic Pty Ltd
1015783M	BASIX	07/06/2019	Credwell Energy
Design Verification Statement	Design Verification Statement	June 2019	Stephen Nordon
Statement of Environmental Effects	Statement of Environmental Effects	20/06/2019	Planning Lab

Ref. 19124	Traffic and Parking Assessment Report	11/06/2019	Varga Traffic Planning Pty Ltd
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As amended by the conditions of consent.

**(Condition modified under MOD/2020/0211 dated xx 2020)**

#### **5. Design Change**

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

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

#### **6. Car Parking**

The development must provide and maintain within the site:

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

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

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

**8. Contamination – Remedial Action Plan (No Site Auditor Engaged)**

The site is to be remediated and validated in accordance with the recommendations set out in the Remedial Action Plan, prepared by EI Australia, reference E24168.E06\_Rev0 dated 18 June 2019, the Contaminated Land Management Act 1997 and the State Environmental Planning Policy No 55.

**9. Importation of Fill**

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

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

**10. Residential Flat Buildings – Hot Water Systems**

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

**11. Residential Flat Buildings – Air Conditioning Systems**

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

**12. Residential Flat Buildings – Adaptable Dwellings**

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

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

**13. Waste Management Plan**

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

**14. Erosion and Sediment Control**

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

**15. Verification of Levels and Location**

Prior to the pouring of the ground floor slab or at dampcourse level, whichever is applicable or occurs first, the Principal Certifier must be provided with a survey levels certificate prepared by a Registered Surveyor indicating the level of the slab and the location of the building with respect to the boundaries of the site to AHD.

**16. Works Outside the Property Boundary**

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

**17. Boundary Alignment Levels**

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

**18. Awnings with Lighting**

The proposed awning must be of cantilever type and be set back at least 600mm from the kerb line. The proposed awning must be designed to be easily removed if required in future. The awning must include pedestrian lighting (Category P3-AS1158) and must be maintained and owned by the property owner(s). The owner must maintain, modify or remove the structure at any time if given notification by Council to do so. The lighting must be not be obtrusive and should be designed so that it does not shine into any adjoining residences.

**19. Dry-weather Flows**

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

**20. Rock Anchors**

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

**21. Stormwater Drainage System**

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

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

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

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

**22. Mechanical Ventilation System Certification**

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

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

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

**23. Separation of Commercial and Residential Waste and Recycling**

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

**24. Containment of buildings and structures (RMS requirement)**

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

**25. Site access (RMS requirement)**

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

**26. Design and construction (RMS requirement)**

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

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

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

**27. Excavation and site support (RMS requirement)**

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

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

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

**28. No stopping restrictions (RMS requirement)**

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

**29. Vehicle entry/exit (RMS requirement)**

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

**30. Layout of parking areas (RMS requirement)**

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

**31. Pedestrian movements (RMS requirement)**

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

**Prior to any Demolition**

**32. Dilapidation Report**

Prior to any works commencing (including demolition), the Certifying Authority and owners of identified properties, must be provided with a colour copy of a dilapidation report prepared by

a suitably qualified person. The report is required to include colour photographs of all the adjoining properties to the Certifying Authority's satisfaction. In the event that the consent of the adjoining property owner cannot be obtained to undertake the report, copies of the letter/s that have been sent via registered mail and any responses received must be forwarded to the Certifying Authority before work commences.

### **33. Hoardings**

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

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

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

### **34. Construction Traffic Management Plan – Detailed**

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

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

- a) Description of the demolition, excavation and construction works;
- b) Site plan/s showing the site, roads, footpaths, site access points and vehicular movements;
- c) Size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site);
- d) Proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network;



- e) Impacts of the work and vehicular movements on the road network, traffic and pedestrians and proposed methods to safely manage pedestrians and construction related vehicles in the frontage roadways;
- f) Any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.);
- g) Proposed hours of construction related activities and vehicular movements to and from the site;
- h) Current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority);
- i) Any activities proposed to be located or impact upon Council's road, footways or any public place;
- j) Measures to maintain public safety and convenience;
- k) Any proposed road and/or footpath closures;
- l) Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;
- m) Locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such work zones have been approved by the Local Traffic Committee and Council;
- n) Location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road);
- o) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
- p) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
- q) On-site parking area for employees, tradespersons and construction vehicles as far as possible;
- r) Proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period; and
- s) How it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.

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

### **35. Advising Neighbors Prior to Excavation**

At least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

#### **36. Construction Fencing**

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

#### **37. Asbestos/Hazardous Materials Survey**

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

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

#### **Prior to Construction Certificate**

#### **38. Enclosure of Fire Hydrant**

Prior to the issue of a Construction Certificate, the Certifying Authority is to be provided with plans indicating that all fire hydrant and sprinkler booster valves and the like are enclosed in accordance with the requirements of AS 2419.1 2005.

#### **39. Noise General – Acoustic Report**

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

#### **40. Light Spill**

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

#### **41. Garbage Storage Area**

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

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

#### **42. Bin Storage Area - Residential**

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

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

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

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

#### **43. Bulky Waste Storage Area – Residential**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans demonstrating that the bulky waste storage area must meet the floor area

requirements as per the Marrickville DCP 2011 and have minimum doorways of 1200mm wide to accommodate large items.

#### **44. Commercial - Additional Storage Space**

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

#### **45. Waste Transfer Route**

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

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

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

#### **46. Landscape Plan**

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

- a) The deep soil area at the rear of the site must include two (2) large canopy trees. The trees must be a species that will attain a minimum mature height of 16 metres and a minimum mature canopy spread of 8 metres (suitable species include but are not limited to - Eucalyptus robusta, Corymbia eximia, Angophora costata, Angophora floribunda).
- b) It is not required that the two large canopy trees are the same species.
- c) All trees must be suitably located and setback from buildings, structures and boundaries by a minimum of 1.5 metres. The plans must be annotated accordingly and tree locations amended if required.

- d) The two large canopy trees must be in a minimum container size of 200 litres at the time of planting.
- e) The trees must be in accordance with AS2303 'Tree stock for landscape use'. The plans must be annotated accordingly.
- f) All trees must be planted by a qualified Horticulturist or Arborist (min AQF 3). The plans must be annotated accordingly.
- g) Where trees are planted on slab the raised planters must have a minimum soil depth of 1000mm excluding drainage and mulch. The plans must be annotated accordingly.

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

#### **47. Public Domain/Street Tree Planting**

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

- a) Three (3) new trees shall be located within the footpath outside the subject property on New Canterbury Road.
- b) In accordance with Marrickville Street Tree Master Plan the species of tree selected shall be *Pyrus ussuriensis*.
- c) All planting stock size shall be minimum 200 litres.
- d) The planting stock shall comply with AS 2303-2018 'Tree stock for landscape use'. The plans shall be annotated accordingly.
- e) The new trees shall be planted by a qualified horticulturist or arborist, with a minimum qualification of Certificate 3.
- f) The tree pit (opening in pavement) dimensions (and staking detail shall be in accordance with Detail 5 on page 132 of the Marrickville Street Tree Master Plan 2014 (available online).
- g) The awning configuration must be detailed on the plan. All construction plans shall show the awning on the New Canterbury Road frontage to be setback around the street trees. The awning must be setback a minimum of 1200mm from the back of the kerb for a minimum distance of 1800mm either side of each tree location.
- h) It must be demonstrated that adequate soil volume can be provided for the street trees. Tree planting details, soil specification and cell vault construction details (in accordance with the manufactures specifications and details) must be submitted to the satisfaction of Council's Urban Forest Manager before the issue of a Construction Certificate. The plans must include dimensions for tree pits and details of a cell vault style structure with a

minimum of 20-30m<sup>3</sup> available soil volume for each tree. Refer to Appendix 6.6 (Detail 5) of the Marrickville Street Tree Master Plan 2014 for indicative detail, noting that structural soil is not approved in this case.

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

#### **48. Dilapidation Report – Pre-Development – Major**

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

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

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

#### **49. Driveway Long Section**

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

#### **50. Parking Facilities – Major (including basement)**

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

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

- a) The garage slab or driveway must rise within the property to be 170mm above the adjacent road gutter level and higher than the street kerb and footpath across the full width of the vehicle crossing. The longitudinal profile across the width of the vehicle crossing must comply with the Ground Clearance requirements of AS/NZS 2890.1-2004.
- b) A minimum of 2200mm headroom must be provided throughout the access and parking facilities. Note that the headroom must be measured at the lowest projection from the ceiling, such as lighting fixtures, and to open garage doors.
- c) Headroom at a 'sag' type grade change must be measured in accordance with Figure 5.3 of AS/NZS 2890.1-2004.
- d) Minimum headroom of 2500mm must be provided above any disabled parking space(s).
- e) The longitudinal profile of the access and any ramps within the parking facilities must comply with the Ground Clearance requirements of AS/NZS 2890.1-2004 for a B99 design vehicle. Longitudinal sections must be provided along each outer edge of all ramps.
- f) The layout and minimum dimensions of any standing area comply with clause 2.4 of AS/NZS 2890.1-2004 such that:
  - i. Car spaces adjacent to walls or fences are increased in width by an additional 300mm;
  - ii. End spaces are provided with an additional 1m aisle extension; and
  - iii. The location of columns within the carpark complies with figure 5.1 of AS/NZS 2890.1-2004;
- g) At the property boundary the access from the road to a standing area is (as near as practicable) perpendicular to the line of the adjacent road;
- h) The relative surface levels of the internal access from the road being controlled so that:
  - i. The surface levels at the property boundary match "alignment levels";
  - ii. The change in grade for any 2m length of access way does not exceed 1 in 8 (12.5%) unless suitable transitions are provided in accordance with AS2890.1;
  - iii. The maximum grade at any point does not exceed 1 in 5 (20%) or in the case of ramps greater than 20m in length 1 in 6 (16.7%); and
  - iv. The maximum grade at the property boundary does not exceed 1 in 20 (5%) within 6m of the property boundary;

- i) The vehicle egress is designed such that there are no obstructions to lines of sight, along with the footpath and the roadway for drivers of egressing vehicles; and
- j) The curved section of the ramp is designed in accordance with AS/NZS 2890.1-2004 with grades measured along the inside radius.

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

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

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with stormwater drainage design plans, and evidence that the design has been approved by Council, incorporating on site stormwater detention and/or on site retention/ re-use facilities (OSR/OSD) and Stormwater Quality Improvement Devices (SQIDS), certified by a suitably qualified Civil Engineer with Chartered Engineer of Institution of Engineers Australia (CPEng) or Registered Professional Engineer of Professionals Australia (RPEng) qualifications that the design of the site drainage system complies with the following specific requirements:

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



- h) Pipe and channel drainage systems including gutters must be designed to convey the one hundred (100) year Average Recurrence Interval (ARI) flows from the contributing catchment to the OSD/OSR tanks.
- i) Details of the 1 in 100-year ARI overflow route in case of failure\blockage of the drainage system must be provided.
- j) An overland flowpath must be provided within the easement. The rear courtyard must be graded so that bypass flows from the site drainage system are directed to the overland flowpath.
- k) A pump-out system for drainage of the basement ramp is permitted for the basement area only and must be designed in accordance with the following criteria:
  - i. Comply with all relevant Australian Standards.
  - ii. An overflow, flashing light and audible alarm is to be provided to warn of pump failure.
  - iii. A maintenance regime for the pump system must be provided, including provision for regular maintenance and servicing at least every 6 months.
  - iv. The proposed pump system must consist of two (2) pumps, connected in parallel, with each pump being capable of emptying the holding tank at a rate equal to the rate of inflow for the one-hour duration, 100-year Average Recurrence Interval (ARI) storm event. The holding tank must be capable of holding one hour's runoff from one-hour duration 20-year ARI storm event.
  - v. Where OSD facilities are required by this consent, the pump system must be discharged to the OSD storage tank.
  - vi. Subsurface flows must be collected at the point of ingress to the basement i.e. at the basement walls. In case the basement is not tanked.
  - vii. The subsurface drainage system must have sufficient capacity to collect and convey all surface flows to the pump out system. In case the basement is not tanked.
  - viii. Inlet pits and drains for subsurface drainage must be designed to minimise potential for pollutants from cars or other sources to enter the subsurface drainage system. e.g.. isolate any subsurface drains at boundary walls, inspection pits with solid covers, etc.
- l) The design must make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands.
- m) No nuisance or concentration of flows to other properties.

- n) The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system.
- o) If aboveground storage is proposed, the maximum ponding allowed is 300mm.
- p) An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets.
- q) Only a single point of discharge is permitted to the kerb and gutter, per frontage of the site.
- r) If any, new pipelines within the footpath area that are to discharge to the kerb and gutter must be sewer grade uPVC pipe with a maximum diameter of 100mm.
- s) If any, all stormwater outlets through sandstone kerbs must be carefully core drilled in accordance with Council standard drawings.
- t) All redundant pipelines within footpath area must be removed and footpath/kerb reinstated.
- u) Water quality filtration basket(s) with screening bag or similar primary treatment device(s) must be installed on the site stormwater drainage system such that all water entering the site stormwater drainage system is filtered by the device(s).
- v) Stormwater quality improvement devices must be installed such that stormwater flows leaving the site meet the following environmental targets:

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

- w) A WSUD Strategy Report must be provided to ensure the treatment measures proposed to meet Council’s water quality targets. MUSIC model (including .sqz file) must be included with the report;

- x) A detailed WSUD maintenance plan outlining how all elements of the water quality treatment facility will be maintained and to record annual inspections/maintenance works to be undertaken.
- y) Dry-weather flows of any seepage water including seepage from landscaped areas will not be permitted through kerb outlets and must be connected directly to a Council stormwater system, adjacent to 20 Cobar Street. Alternatively, the basement must be fully “tanked” so as not to allow the ingress of seepage or groundwater.
- z) No impact to street tree(s).

#### **52. Structural and Geotechnical Report**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with an integrated structural and geotechnical report and structural plans that address the design of the proposed basement, prepared certified as compliant with the terms of this condition by a qualified practising Structural and Geotechnical Engineer(s) who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng). The report and plans must be prepared/ amended to make provision for the following:

- a) The basement must be fully tanked to prevent the ingress of subsurface flows, if the basement is designed to be “tanked”.
- b) Retaining walls must be entirely self-supporting in the event that excavation is undertaken within the road reserve adjacent to the property boundary to the depth of the proposed structure.
- c) Any existing or proposed retaining walls that provide support to the road reserve must be adequate to withstand the loadings that could be reasonably expected from within the constructed road and footpath area, including normal traffic and heavy construction and earth moving equipment, based on a design life of not less than 50 years.
- d) All components of the basement, including footings, must be located entirely within the property boundary.
- e) No adverse impact on surrounding properties including Council’s footpath and road.
- f) The existing subsurface flow regime in the vicinity of the development must not be significantly altered as a result of the development.

- g) Recommendations regarding the method of excavation and construction, vibration emissions and identifying risks to existing structures or those on adjoining or nearby property.
- h) Provide relevant geotechnical/ subsurface conditions of the site, as determined by a full geotechnical investigation.

### 53. Public Domain Works

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

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

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

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

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

#### **54. Sydney Water – Tap In**

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

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

#### **55. Fibre-ready Facilities**

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

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

#### **56. Consolidation of Lots**

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

#### **57. Concealment of Plumbing and Ductwork**

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

**58. Construction Pedestrian Traffic Management Plan (RMS requirement)**

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

**During Demolition and Construction**

**59. Construction Hours – Class 2-9**

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

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

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

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

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

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

8:00am to 12:00pm, Monday to Saturday; and

2:00pm to 5:00pm Monday to Friday.

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

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

**60. Survey Prior to Footings**

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

**61. Stormwater treatment**

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

**62. Documentation of Demolition and Construction Waste**

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

**63. Tree Protection**

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

**64. Vehicle containment (RMS requirement)**

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

**65. Road Occupancy Licence (RMS requirement)**

A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre for any works that may impact on traffic flows on New Canterbury Road during construction activities. A ROL can be obtained through

<https://myrta.com/oplinc2/pages/security/oplincLogin.jsf> .

### Prior to Occupation Certificate

#### **66. Section 73 Certificate**

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

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

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

#### **68. Noise – Acoustic Report**

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

#### **69. Noise from Road, Rail & Aircraft – Compliance**

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

- a) conditions of development consent; and



b) Recommendations of report prepared by Koikas Acoustics Pty Ltd, reference 3678R20190529jt dated 14 June 2019.

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

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

The Validation report must be prepared in accordance with relevant NSW Environment Protection Authority guidelines, including the guidelines 'Consultants Reporting on Contaminated Sites' and must confirm that the site has been remediated in accordance with the Remedial Action Plan and clearly state that the site is suitable for the proposed use. The report shall also include details confirming that all contaminated soil has been classified, removed and disposed of in accordance with the NSW DECC Waste Classification Guidelines, Part 1: Classifying Waste (July 2009) and the Protection of the Environmental Operations Act 1997.

**71. Contamination – New Evidence**

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

**72. Underground Petroleum Storage System (UPSS) – Decommissioning**

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

**73. Asbestos Removal**

A demolition or asbestos removal contractor licensed under the Work Health and Safety Regulations 2011 must undertake removal of more than 10m<sup>2</sup> of bonded asbestos (or otherwise specified by WorkCover or relevant legislation).

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

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

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

#### **74. Public Domain Works**

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

- a) Heavy duty concrete vehicle crossing(s) at the vehicular access location(s).
- b) The redundant vehicular crossing to the site must be removed and replaced by kerb and gutter and footpath. Where the kerb in the vicinity of the redundant crossing is predominately stone (as determined by Council's Engineer) the replacement kerb must also be in stone.
- c) The existing concrete footpath across the frontage of the site must be reconstructed.
- d) Other works subject to the Roads Act 1993 approval.

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

#### **75. Encroachments**

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

**76. Heavy Duty Crossing**

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

**77. Redundant Vehicle-Crossing**

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

**78. Parking signoff – Major Development**

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with certification from a suitably experienced Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) that the vehicle access and off street parking facilities have been constructed in accordance with the development consent and relevant Australian Standards and the following has been implemented within the property.

- a) The car park has been completed, line marked and all signage relating to car parking erected.
- b) A notice has been clearly displayed at the New Canterbury Road frontage to indicate that visitor parking is available within the property.
- c) Sign(s) have been erected that clearly indicate(s) to the drivers of vehicles both on and off the property which driveway they are to use to enter or leave the subject land.
- d) Sign(s) have been erected that clearly indicate to the drivers of vehicles both on and off the property the location and means of access to the car parking area(s).

**79. Public Domain – Major Development**

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

#### **80. Dilapidation Report – Post Development**

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

#### **81. Stormwater Drainage and Road Works – Certification**

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

- a) All works required to be undertaken on public roads must be designed and constructed in accordance with Council's approved plans.
- b) Video inspection (CCTV) in accordance with WSA 05-2013 Conduit Inspection Reporting Code of Australia has been carried out of completed stormwater drainage works that are to revert to Council by an accredited operator.
- c) Full works-as-executed plans in PDF and CAD format (dwg or dxf files), prepared and signed by a Registered Surveyor have been submitted to Council.
- d) Certification by a Registered Surveyor that the as-built Council Stormwater pipeline is located totally within the drainage easement.

#### **82. Works as Executed – Site Stormwater Drainage System**

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

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

#### **83. Basement Signoff – Major Development**

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

#### **84. Operation and Management Plan**

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

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

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

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with evidence that Easements, Restrictions on the Use of Land and Positive

Covenants under Section 88B or 88E, whichever is relevant to the subject development, of the *Conveyancing Act 1919*, has been created on the title of the property detailing the following

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

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

#### **86. Street tree planting**

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

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

#### **87. Landscape works**

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

#### **On-going**

#### **88. Operation and Management Plan**

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

**89. Vehicles Leaving the Site**

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

**90. Noise General**

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

**91. Commercial Waste/Recycling Collection**

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

**92. Bin Storage**

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

**93. Documentation of Businesses waste services**

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

**94. Tree maintenance**

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

### Advisory notes

#### Prescribed Conditions

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

#### Notification of commencement of works

At least 7 days before any demolition work commences:

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

#### Storage of Materials on public property

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

#### Toilet Facilities

The following facilities must be provided on the site:

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

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

#### Infrastructure

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



**Other Approvals may be needed**

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

**Failure to comply with conditions**

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

**Other works**

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

**Obtaining Relevant Certification**

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

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

**Disability Discrimination Access to Premises Code**

The *Disability Discrimination Act 1992* (Commonwealth) and the *Anti-Discrimination Act 1977* (NSW) impose obligations on persons relating to disability discrimination. Council's

determination of the application does not relieve persons who have obligations under those Acts of the necessity to comply with those Acts.

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

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

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

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

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

#### **Dividing Fences Act**

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

#### **Permits from Council under Other Acts**

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

- a) Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application.

- b) A concrete pump across the roadway/footpath
- c) Mobile crane or any standing plant
- d) Skip bins
- e) Scaffolding/Hoardings (fencing on public land)
- f) Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.
- g) Awning or street verandah over footpath
- h) Partial or full road closure
- i) Installation or replacement of private stormwater drain, utility service or water supply

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

#### **Noise**

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

#### **Amenity Impacts General**

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

#### **Fire Safety Certificate**

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

- a) Forward a copy of the Final Safety Certificate and the current Fire Safety Schedule to the Commissioner of Fire and Rescue New South Wales and the Council; and
- b) Display a copy of the Final Safety Certificate and Fire Safety Schedule in a prominent position in the building (i.e. adjacent the entry or any fire indicator panel).

Every 12 months after the Final Fire Safety Certificate is issued the owner must obtain an Annual Fire Safety Certificate for each of the Fire Safety Measures listed in the Schedule. The

Annual Fire Safety Certificate must be forwarded to the Commissioner and the Council and displayed in a prominent position in the building.

#### **Public Domain and Vehicular Crossings**

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

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

Any damage caused during construction to Council assets on the road reserve or on Council or Crown land must be repaired at no cost to Council.

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

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

#### **Insurances**

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

#### **Easement and Covenant Process**

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

a) Work-As-Executed Plans

A "Work-as-Executed" plan prepared and signed by a Registered Surveyor must be submitted to the Council's Development Assessment Engineer at the completion of the works showing the location of the detention basin and SQIDS with finished surface levels, contours at 0.2-metre intervals and volume of storage available. Also, the outlet pipe from the detention basin to its connection to the Council's drainage system must be shown together with the following information: location; pipe diameter; gradient; pipe material, i.e. PVC or RCP etc.; pits sizes; orifice size; trash screen at orifice; emergency overflow dimensions and RL; all buildings (including floor levels) and finished ground and pavement surface levels and full details of SQIDS.

b) Engineer's Certificate

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

c) Restriction-As-To-User

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

Such restrictions must not be released, varied or modified without the consent of the Council.

A typical document is available from Council's Development Assessment Engineer

- d) A Maintenance Schedule.

#### **Subsurface drainage pump-out systems**

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

#### **Electrical Substations**

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

#### **Rock Anchors**

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

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

#### **Notice to Council to deliver Residential Bins**

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

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

#### **Recycling / Garbage / Organics Service Information and Education**

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

#### **Lead-based Paint**

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

#### **Asbestos Removal**

A demolition or asbestos removal contractor licensed under the Work Health and Safety Regulations 2011 must undertake removal of more than 10m<sup>2</sup> of bonded asbestos (or otherwise specified by WorkCover or relevant legislation).

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

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

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

**Dial before you dig**

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

**Useful Contacts**

BASIX Information	1300 650 908 weekdays 2:00pm - 5:00pm  <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 Payments Corporation	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> <a href="http://www.diySAFE.nsw.gov.au">www.diySAFE.nsw.gov.au</a> Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	131 555	<a href="http://www.environment.nsw.gov.au">www.environment.nsw.gov.au</a>
Sydney Water	13 20 92	<a href="http://www.sydneywater.com.au">www.sydneywater.com.au</a>
Waste Service - SITA Environmental Solutions	1300 651 116	<a href="http://www.wasteservice.nsw.gov.au">www.wasteservice.nsw.gov.au</a>
Water Efficiency Labelling and Standards (WELS)		<a href="http://www.waterrating.gov.au">www.waterrating.gov.au</a>
WorkCover Authority of NSW	13 10 50	<a href="http://www.workcover.nsw.gov.au">www.workcover.nsw.gov.au</a> Enquiries relating to work safety and asbestos removal and disposal.





PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTERBURY RD, DULWICH HILL  
 DATE: 15.02.20  
 SCALE: A3 1:150  
 DRAWN BY: DM 003 A

Section 4.55 Modifications

**NORDON · JAGO**  
 ARCHITECTS

LEVEL 11, 111 LINDSEY DRIVE, SYDNEY NSW 2015  
 PHONE: (61) 2 9550 6600 FAX: (61) 2 9550 6601  
 EMAIL: INFO@NORDONJAGO.COM.AU WEBSITE: WWW.NORDONJAGO.COM.AU

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**Shadow Diagram Legend:**

- Proposed Footprint
- Approved Footprint
- Boundary
- Boundary Shadow Zone

PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTERBURY RD. DULWICH HILL  
 DATE: 15.02.20  
 SCALE: A3  
 DRAWN BY: A. Kesteven  
 DWG No: DM 008 A

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Section 4.55 Modifications

No.	Description



NORDON · JAGO ARCHITECTS  
 1/111 SOUTH BRIDGE ROAD, SUITE 101, SINGAPORE 059707  
 1/111 SOUTH BRIDGE ROAD, SUITE 101, SINGAPORE 059707



**Shadow Diagram Legend:**

- Proposed Building Line
- Approved Building Line
- Proposed Shadow Zone
- Approved Shadow Zone

**Section 4.55 Modifications**

No.	Description
1	Remove 4.55 Modifications Section

NOT For Construction



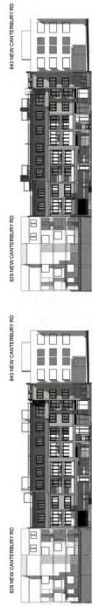
NORDON · JAGO ARCHITECTS  
 1/111 LINDSEY AVENUE, SYDNEY NSW 1585  
 1/111 LINDSEY AVENUE, SYDNEY NSW 1585  
 GPO BOX 970, SYDNEY NSW 1585

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

DATE	SCALE	FILE No.	PROJECT No.
15.02.20	A, B	As Issued	MP000218

**Shadow Diagram**

DM 007 A



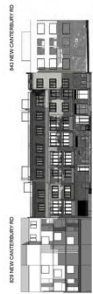
13.1 1300 Elevation shadows - Approved

13.2 1300 Elevation shadows - Proposed



9.1 0900 Elevation shadows - Approved

9.2 0900 Elevation shadows - Proposed



10.1 1000 Elevation shadows - Approved

10.2 1000 Elevation shadows - Proposed



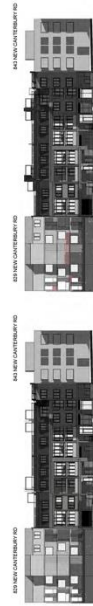
14.1 1400 Elevation shadows - Approved

14.2 1400 Elevation shadows - Proposed



11.1 1100 Elevation shadows - Approved

11.2 1100 Elevation shadows - Proposed



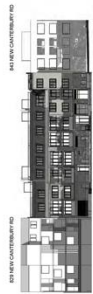
15.1 1500 Elevation shadows - Approved

15.2 1500 Elevation shadows - Proposed



12.1 1200 Elevation shadows - Approved

12.2 1200 Elevation shadows - Proposed



12.1 1200 Elevation shadows - Approved

12.2 1200 Elevation shadows - Proposed

**NORDON · JAGO**  
ARCHITECTS  
111/111 LINDEN DRIVE, SYDNEY NSW 1589  
SUITE 111/111 LINDEN DRIVE, SYDNEY NSW 1589  
GPO BOX 97400, SYDNEY NSW 1589  
TEL: (02) 9550 2277 FAX: (02) 9550 2278  
WWW.NORDONJAGO.COM.AU

Section 4.55 Modifications

No.	Description	Date
1	Revised 4.55 Modifications	28/08/20

**NOT For Construction**

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

TITLE	DATE	SCALE	JOB No.	PROJECT No.
Shadow Diagram Elevations	15/05/20	A/B	11900	DM 009 A

DATE: 15/05/20  
SCALE: A/B  
JOB No.: 11900  
PROJECT No.: DM 009 A





Detail Legend:  
Architectural Zone

PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTERBURY RD. DULWICH HILL  
 TITLE  
 DATE 15.02.20  
 SCALE A3, B 1:100  
 DRAW No. DM 090 A

NOT For Construction

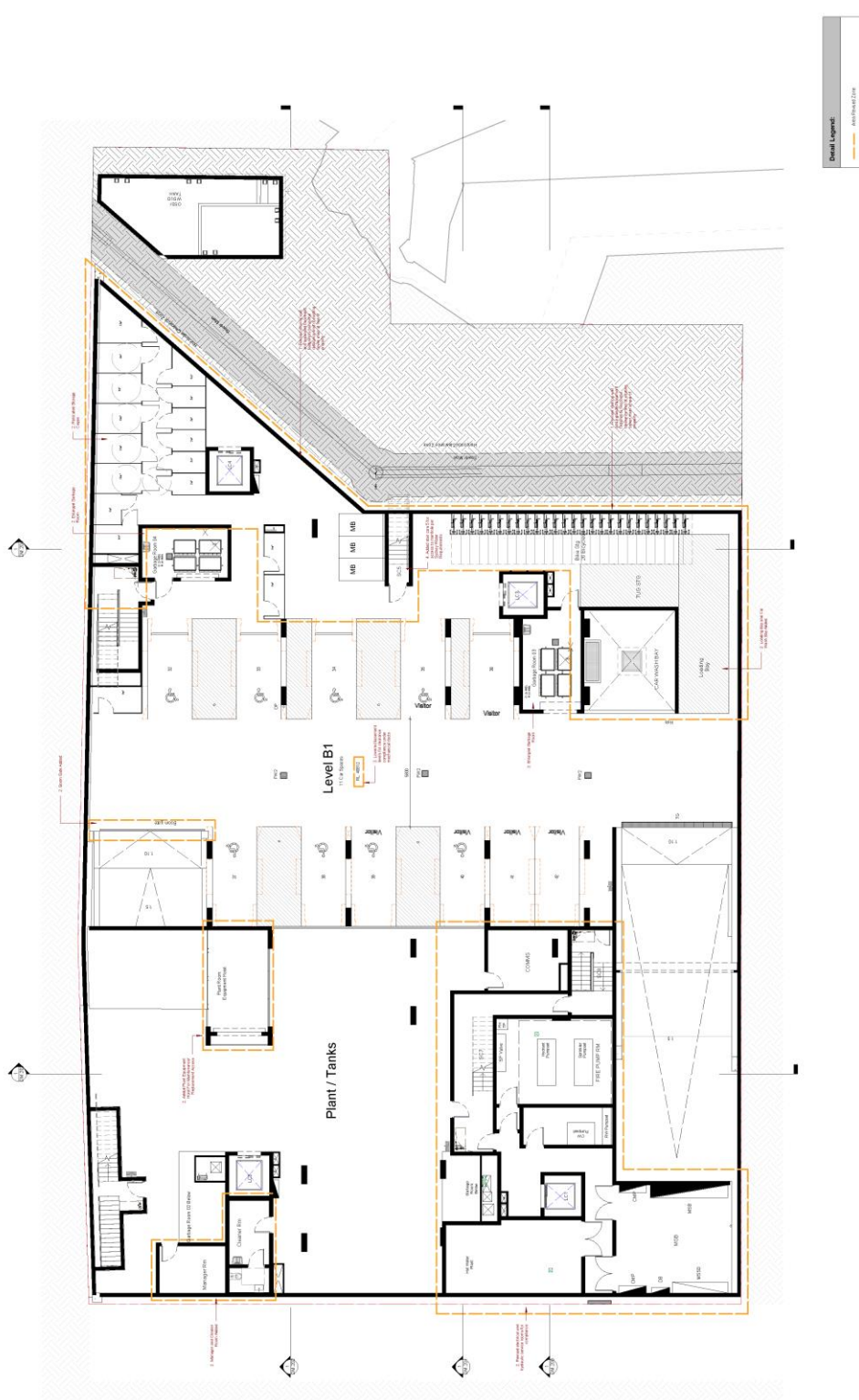
Section 4.55 Modifications

No.	Description

**NORDON · JAGO**  
 ARCHITECTS

LEVEL 4, 111 LINDSEY AVENUE, SYDNEY NSW 1585  
 PHONE: 02 9550 6200 FAX: 02 9550 6201  
 EMAIL: n.jago@nordonjago.com.au  
 2014-2015 AUSTRALIAN ARCHITECTURAL AWARDS WINNER





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

DATE	18.02.20
SCALE	A3, G 1:100
DATE IN	DM 091 A

Plan Level Service and B1

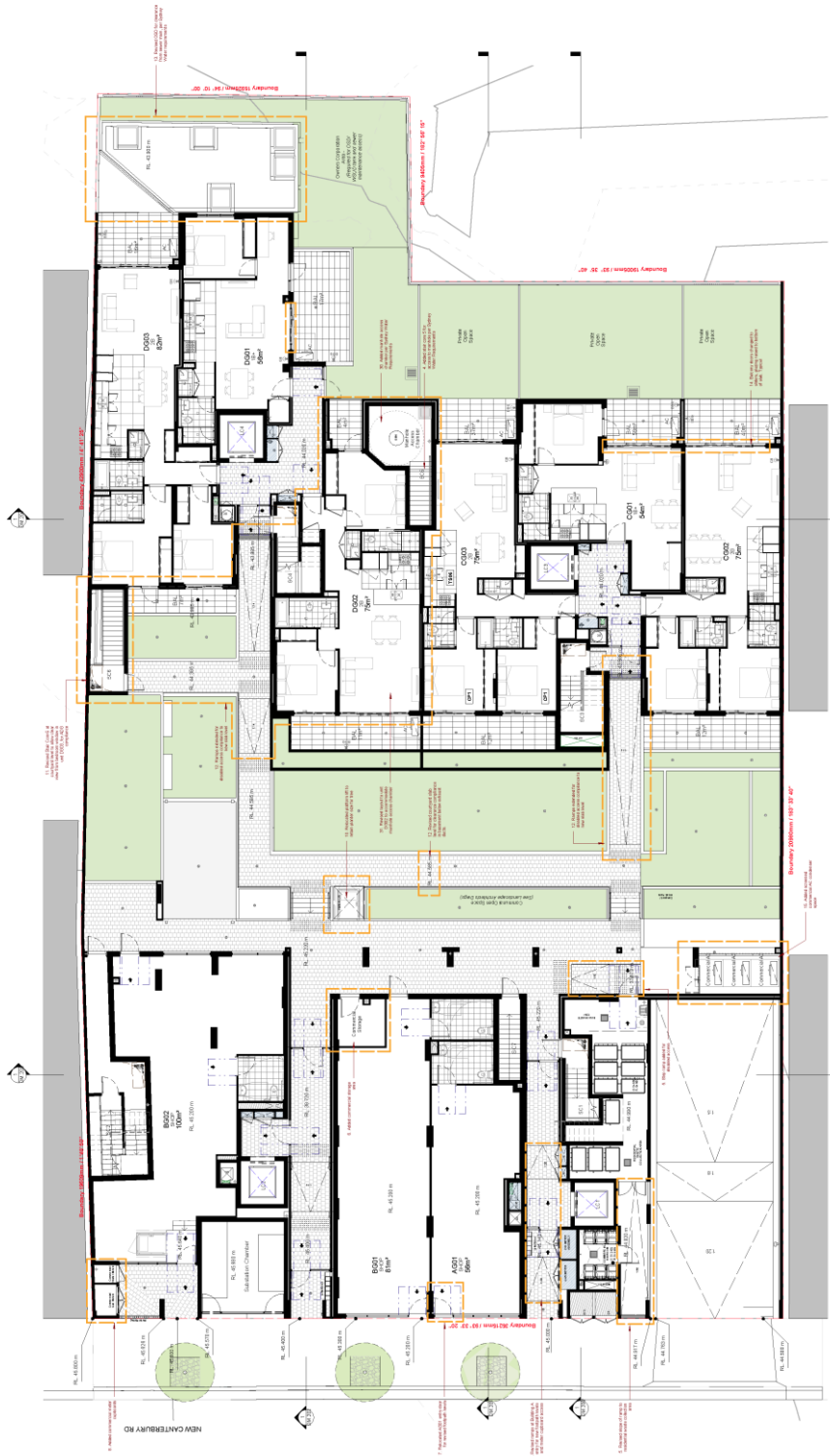
NOT For Construction

Section 4.55 Modifications

No.	Date	Description



NORDON · JAGO ARCHITECTS  
 LEVEL 4, 111 LINDSEY AVENUE, SYDNEY NSW 1589  
 PHONE: 02 9550 1234 FAX: 02 9550 1235  
 EMAIL: n.jago@nordonjago.com.au  
 SYDNEY: 111 LINDSEY AVENUE, SYDNEY NSW 1589  
 PHONE: 02 9550 1234 FAX: 02 9550 1235  
 EMAIL: n.jago@nordonjago.com.au



Detail Legend:  
 - Architectural Zone  
 - Boundary

PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTERBURY RD. DULWICH HILL  
 DATE: 15.02.20  
 SCALE: A3 1:100  
 DRAW No: DM-100 A

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Section 4.55 Modifications



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 1/111 LINDEN DRIVE, BERRY HILLS NSW 2155  
 1/111 LINDEN DRIVE, BERRY HILLS NSW 2155  
 1/111 LINDEN DRIVE, BERRY HILLS NSW 2155







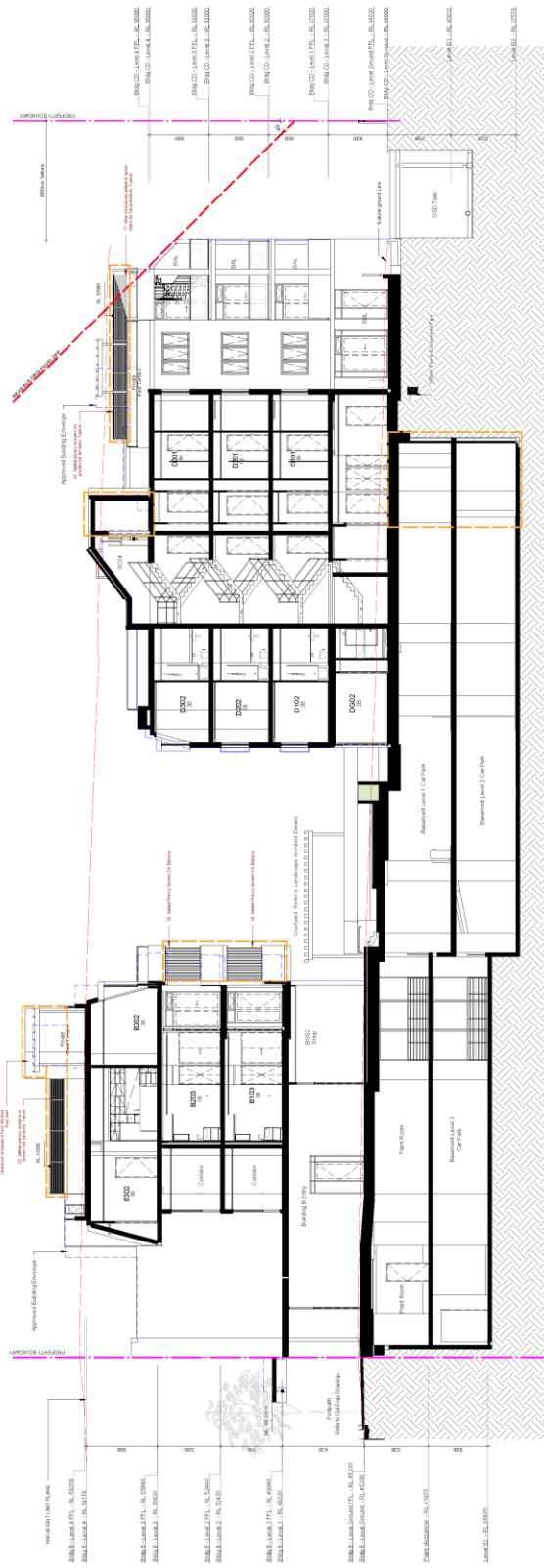












PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTERBURY RD. DULWICH HILL  
 DATE: 15.08.20  
 SCALE: A3 1:100  
 DRAW No: DM.202 A

Section C

Section 4.55 Modifications

**NORDON · JAGO**  
 ARCHITECTS

LEVEL 4, 1111 SOUTH BRIDGE STREET, MELBOURNE VIC 3000  
 03 9600 6000 | www.njago.com.au







10 New Canterbury Rd Elevation  
1:100



20 North Elevation  
1:100



Section 4.55 Modifications

No.	Description

NOT For Construction

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

TITLE	DATE	SCALE	PLN	REVISED BY
New Canterbury Rd and North Elevations	15/02/20	A1/B	1:100	DM/300 A



NORDON · JAGO ARCHITECTS  
 1/111 LINDEN DRIVE, SYDNEY NSW 2015  
 15/150 KING STREET, SYDNEY NSW 2010  
 GARDENS P. JAGO ARCHITECTS AND ASSOCIATES



3.0 Building A&B Courtyard Elevation  
1:100



4.0 Building C&D Courtyard Elevation  
1:100

PROPOSED MIXED DEVELOPMENT - 829a - 837 NEW CANTERBURY RD, DULWICH HILL  
 DATE: 15/02/20  
 SCALE: A/B  
 DRAWING No: DM 301 A

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Section 4.55 Modifications



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