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DEVELOPMENT ASSESSMEN				
Application No.	DA/2020/0420			
Address	29 Tupper Street ENMORE NSW 2042			
Proposal	To construct a residential flat building with basement parking			
Date of Lodgement	5 June 2020			
Applicant	TUPPMORE PTY LTD			
Owner	Tuppmore Pty Ltd			
Number of Submissions	20			
Value of works	\$3,125,107			
Reason for determination at	Development to which State Environmental Planning Policy			
Planning Panel	No. 65 applies and is 4 storeys in height			
	Number of submissions is greater than 10			
Main Issues	Non-compliant building setbacks			
	Insufficient mobility car parking spaces			
Recommendation	Approved with Conditions			
Attachment A	Recommended conditions of consent			
Attachment B	Plans of proposed development			
13				
Subject Site	Objectors N			
Notified Area	Supporters			

1. Executive Summary

This report is an assessment of the application submitted to Council to construct a residential flat building with basement parking at 29 Tupper Street, Enmore.

The application was notified to surrounding properties and 20 submissions were received in response to the notification.

The main issues that have arisen from the application include:

- Non-compliance with the building separation requirements of the Apartment Design Guide, and non-compliance with the building setback requirements of Marrickville Development Control Plan 2011; and,
- Insufficient mobility car parking spaces.

Despite the variations noted above, the proposal generally complies with the aims, objectives, and design parameters contained in the relevant State Environmental Planning Policies, *Marrickville Local Environmental Plan 2011*, and Marrickville Development Control Plan 2011.

The potential impacts to the surrounding environment have been considered as part of the assessment process. Any potential impacts from the development are considered to be acceptable, given the context of the site and the desired future character of the precinct.

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

2. Proposal

The application seeks development consent to construct a residential flat building comprising eight dwellings. The proposal consists of two buildings with a partially underground common car parking area containing 11 parking spaces (including three accessible spaces). Associated site works, including tree removal and landscaping, and public domain works are also proposed.

The front building presents as two attached terrace-style dwellings. This building contains two x three-bedroom dwellings that are each three storeys in height with an additional basement level.

The rear building presents as a four storey residential flat building. This building contains six dwellings comprising five x two-bedroom units and one x three-bedroom unit.

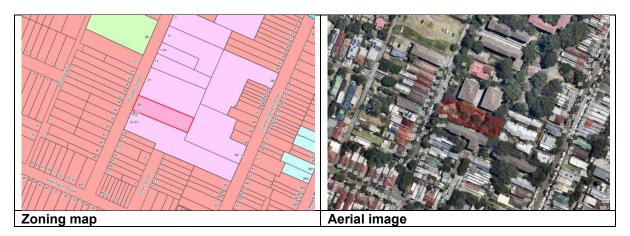
3. Site Description

The subject site is located on the eastern side of Tupper Street, between Stanmore Road and Newington Road, Enmore. The site consists of one allotment and is generally rectangular in shape with a total area of 978 sqm and is legally described as 29 Tupper Street Enmore.

The site has a frontage to Tupper Street of 16.2 metres. The site is not affected by any easements.

The site is currently vacant, but previously supported a two storey dwelling. The adjoining properties support three and four storey residential flat buildings and single and two storey dwellings.

A number of mature prescribed trees are located on the site, adjoining properties, and the adjacent road reserve.



4. Background

4(a) Site history

The following outlines the relevant development history of the subject site:

Application	Proposal	Date
PDA/2020/0026	Construction of a residential flat building containing 8	13 March 2020 -
	dwellings, with basement parking. Tree removal,	written advice
	landscaping, and associated works.	issued

There are no other relevant applications on surrounding properties.

4(b) Application history

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

Date	Discussion / Letter / Additional Information
5 June 2020	Application lodged.
18 June to 9 July 2020	Application notified.
21 September 2020	Request for information (RFI) letter issued requesting the following amendments and/or additional information: • Design revisions to address streetscape, site interface, communal open space, amenity, and car parking area concerns; • Additional information to demonstrate compliance with FSR; • Amended solar access and overshadowing diagrams demonstrating compliance; • Design revisions to ensure adaptable dwellings meet relevant requirements; and, • Amendment of demolition plan to accurately reflect existing structures.
12 October 2020	The following was submitted by the applicant in response to the request for information: • Amended architectural plans; • Arborist statement; and, • Traffic Engineer's statement.
28 October 2020	Council requested the following additional information:

	Existing shadow diagrams based on the dwelling that was previously located on the site.		
6 November 2020	Additional shadow diagrams were submitted by the applicant.		
16 December 2020	Council requested that the following items be addressed by way of amended plans:		
	 Design revisions to ensure vehicle ramp compliance with the relevant Australian Standards; 		
	Design revision to the southern boundary wall to mitigate adverse site interface impacts to the adjoining property; and,		
	 Clarification of the proposed maximum building height and details of any proposed lift overruns. 		
13 January 2021	Additional information was submitted by the applicant confirming the proposal complies with the maximum building height development standard. Amended plans were also submitted to address the vehicle ramp grade and boundary wall concerns.		

5. Assessment

The following is a summary of the assessment of the application in accordance with Section 1.15 of the *Environmental Planning and Assessment Act 1979*.

5(a) Environmental Planning Instruments

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

- State Environmental Planning Policy No. 55—Remediation of Land
- State Environmental Planning Policy No. 65—Design Quality of Residential Apartment Development
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The following provides further discussion of the relevant issues:

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

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

The site has not been used in the past for activities which could have potentially contaminated the site. It is considered that the site will not require remediation in accordance with SEPP 55.

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

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

A statement from a qualified Architect was submitted with the application verifying that they designed, or directed the design of, the development. The statement also provides an

explanation that verifies how the design quality principles are achieved within the development and demonstrates, in terms of the Apartment Design Guide (ADG), how the objectives in Parts 3 and 4 of the guide have been achieved.

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

Apartment Design Guide

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

The following provides further discussion of the relevant issues:

Communal and Open Space

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

- Communal open space has a minimum area equal to 25% of the site.
- Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9.00am and 3.00pm on 21 June (mid-winter).

Comment: The proposal does not comply with the ADG requirement with respect to this matter, instead providing a communal open space (COS) at the rear of the site with an area equal to approximately 14% of the site area. Notwithstanding, the development is considered acceptable with respect to the objectives of this Part of the ADG as follows:

- The two apartments located in the front building are each provided with a ground level private open space (POS) measuring approximately 34m² and 40m², respectively. These apartments and their POSs have been designed and located to be amenable and receive adequate solar access, and have been provided with appropriate amenities such that it is considered unlikely that the occupants of these apartments will use the COS, or will use the COS less frequently. Consequently, it is considered likely that the occupants of the six apartments in the rear building will be the main users of the COS. Despite the numerical non-compliance, the COS is considered to be of a size commensurate with the six apartments likely to use the space;
- The proposed COS is consolidated into a well-designed and usable area. It has
 dimensions that allow for a variety of uses, and it is appropriately located at the rear of
 the site to reduce any significant adverse visual and acoustic privacy impacts to the
 proposed apartments;
- The COS consists entirely of deep soil landscaping, with the exception of pathways and communal facilities (kitchen and BBQ area);
- The COS has been appropriately located on the site to ensure it receives adequate solar access in accordance with the ADG requirements. Additionally, the proposed landscaping provides sufficient shade and shelter from the elements; and.
- The COS has been designed to maximise safety as the adjacent apartments have been designed to overlook the COS via windows to habitable rooms and balconies.

Deep Soil Zones

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

Site Area	Minimum Dimensions	Deep Soil Zone (% of site area)
650m ² - 1,500m ²	3m	7%

Comment: The development complies with the above requirement, providing an area of deep soil equal to 14% of the site area. The minimum dimension of 3m is also satisfied by the proposal.

Visual Privacy/Building Separation

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

Room Types Minimum Separa	
Up to 12 metres (4 storeys)	
Habitable rooms and balconies	6 metres
Non-habitable rooms	3 metres

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

Room Types	Minimum Separation
Habitable rooms/balconies to habitable rooms/balconies	12 metres
Habitable rooms/balconies to non-habitable rooms	9 metres
Habitable rooms/balconies to blank walls	6 metres
Non-habitable rooms to non-habitable rooms	6 metres
Non-habitable rooms to blank walls	3 metres
Blank walls to blank walls	Nil

Comment: The development proposes the following separation distances between the proposed buildings and the site boundaries:

Room type	Required	Proposed	Compliance
Habitable rooms and balconies	6 metres	Front building	
		Side (north) – min. 2.5m	No
		Side (south) – min. 2.5m	No
		Rear building Side (north) – min. 3m	No
		Side (south) – min. 3m	No
		Rear (east) – min. 8.5m	Yes
Non-habitable rooms	3 metres	Front building Side (north) – min. 2.5m Side (south) – min. 2.5m	No No
		Rear building Side (north) – 3m Side (south) – 3m	Yes Yes
		Rear (east) – 8.5m	Yes

As demonstrated in the table above, the development proposes variations to the minimum separation requirements to the side boundaries at both the front and rear building. Despite the numerical non-compliances, the proposed development is considered to generally satisfy the relevant objectives of the ADG and is considered acceptable for the following reasons:

- The development has been appropriately designed and orientated to maximise visual privacy between the proposed buildings and neighbouring buildings. The apartments have been designed to generally face towards the street or the rear of the site, with the central apartments (front apartments of the rear building) orientated to face north to generally align with the break between the two buildings on the neighbouring northern site to reduce adverse privacy impacts;
- The development has been appropriately located on the site and provided with adequate building setbacks to ensure the neighbouring properties receive adequate solar access in accordance with the requirements of MDCP 2011;
- Where non-compliant distances are proposed, the development generally provides appropriate privacy treatments to mitigate any significant adverse visual privacy and overlooking impacts, including minimum sill heights of 1.8m from the FFL, obscure glazing, and/or offsetting the windows and balconies to those on neighbouring properties. The proposal is considered acceptable in this regard; and,
- The ground floor dining room windows and the second floor bedroom windows on the
 north and south elevation of the front building align with windows and balconies of the
 neighbouring properties and have the potential to cause adverse privacy impacts. It is
 recommended that a condition be imposed requiring these windows to be provided
 with obscure glazing to reduce adverse privacy impacts.

Regarding the separation between the two buildings on the site, the application provides the following:

Room type	Required	Proposed	Compliance
Habitable rooms/balconies to habitable rooms/	12 metres	7.8m	No
balconies			
Habitable rooms/balconies to non-habitable rooms	9 metres	7.8m	No
Habitable rooms/balconies to blank walls	6 metres	7.8m	Yes

The non-compliances occur at the first and second floor and involve a bedroom (habitable) and bathroom (non-habitable) window of the front building and two bedroom (habitable) windows of the rear building, respectively. Despite the non-compliance, the separation is considered unlikely to cause any significant adverse reciprocal privacy impacts as the two bedroom windows of the rear building each have a sill height of approximately 1.8m above the FFL and are both provided with obscure glazing to limit adverse privacy impacts. Additionally, each of the windows are offset to reduce any direct sightlines into the rooms.

Given the above, the proposal is considered to address the relevant objectives of the ADG and the development is generally acceptable.

Vehicle Access

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

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

Comment: The development complies with the above requirements and is considered acceptable.

Bicycle and Car Parking

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

- On sites that are within 400 metres of land zoned B4 Mixed Use 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.

Comment: The subject site is located within 400 metres of land zoned B4 Mixed Use. In this case, the parking rates under Part 2.10 of MDCP 2011 are applicable to the development. This matter is addressed further in Section 5(c)(ii) of this report.

Solar and Daylight Access

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

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

Comment: The development complies with the above requirement.

Natural Ventilation

The ADG prescribes the following requirements for natural ventilation:

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

Comment: The development complies with the above requirements with a minimum of 63% of the apartments being naturally cross ventilated. Additionally, the overall depth of each unit does not exceed 18 metres.

Ceiling Heights

The ADG prescribes the following minimum ceiling heights:

Minimum Ceiling Height	
Habitable Rooms	2.7 metres
Non-Habitable	2.4 metres
For 2 storey apartments	2.7 metres for main living area floor
	2.4 metres for second floor, where its area does not exceed
	50% of the apartment area

Comment: The development complies with the minimum requirements of the ADG as follows:

- Apartments that are located on a single level are provided with a minimum ceiling height of 2.8m in both habitable and non-habitable rooms; and,
- Apartments that are two or more storeys in height have a minimum ceiling height of 2.7m at the main living area and a minimum ceiling height of 2.4m for additional levels.

Apartment Size

The ADG prescribes the following minimum apartment sizes:

Apartment Type	Minimum Internal Area
2 Bedroom apartments	70m ²
3 Bedroom apartments	90m ²

<u>Note</u>: The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each.

Comment: The proposed development complies with the ADG requirement and in most cases exceeds the minimum apartment size.

Apartment Layout

The ADG prescribes the following requirements for apartment layout requirements:

- Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.
- Habitable room depths are limited to a maximum of 2.5 x the ceiling height.
- In open plan layouts (where the living, dining, and kitchen are combined) the maximum habitable room depth is 8 metres from a window.
- Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space).
- Bedrooms have a minimum dimension of 3 metres (excluding wardrobe space).
- Living rooms or combined living/dining rooms have a minimum width of 4 metres for 2 and 3 bedroom apartments.
- The width of cross-over or cross-through apartments are at least 4 metres internally to avoid deep narrow apartment layouts.

Comment: The development complies with the above relevant requirements.

Private Open Space and Balconies

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

Dwelling Type	Minimum Area	Minimum Depth
2 Bedroom apartments	10m ²	2 metres
3+ Bedroom apartments	12m ²	2.4 metres
Ground level apartments or apartments on podiums or similar structures	15m ²	3 metres

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

Comment: Each apartment, except for the ground floor apartment located in the rear building, is provided with an appropriately sized private open space (POS) that meets the minimum area and minimum depth requirements of the ADG.

The ground floor rear apartment is required to provide a POS with a minimum area of 15m² and minimum dimension of 3 metres. The provided POS measures 12m² in area and has a minimum dimension of 2.9m. Notwithstanding the non-compliance, the POS is considered to meet the relevant objectives of the ADG and is considered acceptable as:

- The proposed POS is appropriately located on the north eastern corner of the building and therefore receives sufficient solar access to enhance the amenity of the space and adjacent internal living area;
- The subject apartment and its POS are located directly adjacent to the rear COS and can easily access the COS if required; and,
- The POS is provided with openings that face directly onto the COS to create an enlarged sense of space.

Common Circulation and Spaces

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

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

Comment: The development satisfies this requirement as it proposes a maximum of six apartments off a single circulation core.

<u>Storage</u>

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

Apartment Type	Minimum Internal Area
2 Bedroom apartments	8m ³
3+ Bedroom apartments	10m ³

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

Comment: The development complies with the above minimum requirements.

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

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

5(a)(iv) State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 (Vegetation SEPP)

5(a)(iv) State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 (Vegetation SEPP) concerns the protection and removal of vegetation identified under the SEPP and gives effect to the local tree preservation provisions contained in Part 2.20 of MDCP 2011.

The application seeks the removal of six trees from within the site and one street tree located within the Council reserve, as well as works within proximity to a number of trees located at the rear of the site and on adjoining properties.

Supporting documentation provided by the applicant has adequately demonstrated that the proposal has been designed such that it is unlikely to result in any significant adverse impacts to the trees located on the site and neighbouring properties. Additionally, the proposed tree removal is considered acceptable subject to the imposition of conditions requiring replacement plantings.

Overall, the proposal is considered acceptable with regard to the *Vegetation SEPP* and Part 2.20 of MDCP 2011.

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

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

Control	Proposed	Compliance
Clause 1.2 Aims of Plan	The proposal is consistent with the relevant aims of the Plan as follows: • The proposal supports the efficient use of land; • The proposal assists to increase residential density in an appropriate location whilst protecting the residential amenity of the surrounds; • The proposal assists to promote accessible and diverse housing types; and, • The design of the proposal is considered to be of a high standard and has a satisfactory impact on the private and public domain.	Yes
Clause 1.8A Savings of provision relating to development applications	The application lodged on 5 June 2020. Amendments have since occurred to MLEP 2011 that are relevant to this application. Notwithstanding these amendments the proposal satisfies the objectives of the relevant clauses.	Yes
Clause 2.3 Zone objectives and Land Use Table	 The proposal satisfies this clause as follows: The application proposes a 'residential flat building' development, which is permissible in the R1 General Residential zone; and, The proposal is consistent with the relevant objectives of the zone as the proposal will provide housing in a variety of types that meets the needs of the community without prohibiting other land uses to occur to meet the day to day needs of residents. 	Yes
Clause 4.3 Height of buildings	The application proposes a compliant maximum building height of 14m.	Yes
N – 14m maximum Clause 4.4 Floor space ratio F – 0.85:1 (831.3m²)	The application proposes a compliant maximum floor space ratio of 0.85:1.	Yes

Clause 4.5 Calculation of floor space ratio and site area	The site area and floor space ratio for the proposal has been calculated in accordance with this clause.	Yes
Clause 6.1 Acid Sulfate Soils	The subject site is identified as containing Class 5 acid sulfate soils and is considered to adequately satisfy this clause as the application does not propose any works that would result in any significant adverse impacts to the watertable. As such, an Acid Sulfate Soils Management Plan is not required to be prepared for the development.	Yes
Clause 6.2 Earthworks	The proposal includes excavation, foundation works, and basement construction. Subject to conditions, the application is considered to adequately satisfy this clause in that the proposed earthworks are unlikely to have a detrimental impact on environmental functions and processes, existing drainage patterns, or soil stability.	Yes – subject to conditions
Clause 6.5 Development in areas subject to aircraft noise	The site is located within the ANEF 20-25 and 25-30 contours, and as such an Acoustic Report was submitted with the application. The proposal is capable of satisfying this clause subject to a standard condition, which has been included in the recommendation to ensure the proposal will meet the relevant requirements of Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021:2015, thereby ensuring the proposal's compliance with the relevant provisions of CI. 6.5 of MLEP 2011 and Part 2.6 of MDCP 2011, respectively.	Yes – subject to conditions

5(b) Draft Environmental Planning Instruments

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

<u>Draft Inner West Local Environmental Plan 2020 (Draft IWLEP 2020)</u>

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*.

Draft IWLEP 2020 contains provisions for the following:

- Amendments to the R1 General Residential zone objectives;
- Amendments to the objectives of Clause 4.3 Height of building; and,
- Amendments to the objectives of Clause 4.4 Floor space ratio.

Notwithstanding the above, the development is considered generally acceptable having regard to the provisions of the Draft IWLEP 2020.

5(c) Development Control Plans

The application has been assessed against the relevant provisions of Marrickville Development Control Plan 2011 (MDCP 2011).

Control	Proposed	Compliance
Part 2 – Generic Provisions	The manual has been been been been been been been bee	- V
Part 2.1 – Urban Design	 The proposal has been designed having regard to the 12 relevant urban design principles outlined in Part 2.1 as follows: The proposal provides for satisfactory access arrangements; The proposal provides for an appropriate level of density relative to the development standards prescribed for the site and the desired future character of the zone; The proposal provides for an urban form that clearly defines public and private spaces and that are appropriate for the function and character of the locality; The proposal provides for satisfactory legibility to assist with wayfinding within the site and building; The proposal provides for spaces at street level that activate the public domain; and, The proposed built form, materiality, and design of the building recognises and enhances the character of the 	Yes
	precinct.	
Part 2.3 – Site and Context Analysis	The applicant submitted a site and context analysis as part of the application that satisfies the controls contained in this Part.	Yes
Part 2.5 – Equity of Access and Mobility	 The proposal satisfies the relevant provisions of Part 2.5 as follows: Appropriate access is provided for all persons through the principal entrance to the premises; The proposal provides 2 adaptable dwellings and 1 accessible dwelling in accordance with the requirements; The application proposes a variation to the required number of mobility car parking spaces. The variation is not supported and a condition requiring compliance is recommended – see Section 5(c)(ii) for further discussion; All common areas and facilities are accessible; and, Despite the above, the requirements of MDCP 2011 are effectively superseded by the introduction of the Premises Standards. 	Yes – subject to conditions
Part 2.6 – Acoustic and Visual Privacy	As discussed in Section 5(a)(ii), subject to the recommended conditions, the proposed development is considered to provide an acceptable level of visual and acoustic privacy to future occupants and adjoining properties. The proposal is considered to satisfy the relevant objectives and controls contained in Part 2.6.	Yes – subject to conditions

Part 2.7 – Solar Access and	See Section 5(c)(i) below for further discussion.	Yes
Overshadowing	See Section S(s)(i) below for further discussion.	169
Part 2.9 – Community Safety	The development is reasonable having regard to community safety for the following reasons: The proposal has been designed having regard to CPTED principles; The proposed development has been designed to allow passive surveillance of the street and communal areas on the site; and, The main pedestrian entrance to the building is recognisable and has been appropriately designed.	Yes
Part 2.10 – Parking	Refer to Section 5(c)(ii) below.	Yes
Part 2.18 – Landscaping and Open Space	The proposed development is considered to satisfy the relevant objectives and controls of Part 2.18 of MDCP 2011 as follows: • The entire front setback consists of pervious landscaping, with the exception of the driveway and pathways; • Approximately 30% of the site area is provided with landscaping at the ground level. Despite the numerical non-compliance, the proposal is considered to achieve the relevant objectives in that the provided landscaping complements the proposed development and the character of the area; a number of significant trees are retained on the site; an appropriate outdoor recreation space is provided for residents; and, an appropriate area of pervious landscaping is provided to facilitate stormwater infiltration; and, • Each unit is provided with a private open space in the form of a balcony or terrace that is accessible from the principal living area and which has a minimum area of 8m² and a minimum dimension of 2m.	Yes
Part 2.20 – Tree Management	The proposal is satisfactory having regard to the relevant provisions of this Part as discussed in Section 5(a)(iv) above.	Yes – subject to conditions
Part 2.21 – Site Facilities and Waste Management	 The proposal satisfies the relevant provisions of Part 2.21 as follows: The application was accompanied by a waste management plan in accordance with the Part; and, Standard conditions are recommended to ensure the appropriate management of waste during the construction of the proposal. 	Yes – subject to conditions
Part 2.23 – Acid Sulfate Soils	The proposal is satisfactory having regard to the relevant provisions of Part 2.23 as discussed in Section 5(a)(v) above.	Yes
Part 2.25 – Stormwater Management	The development is capable of satisfying the relevant provisions of Part 2.25 subject to	Yes – subject to conditions

	standard conditions, which have been included	
	in the recommendation to ensure the	
	appropriate management of stormwater.	
	ing and Residential Flat Buildings	
Part 4.2 – Multi Dwelling Hous. Part 4.2.3 – General Controls	The proposal satisfies the relevant controls of Part 4.2.3 as follows: • Two bedroom apartments account for 63% of the total dwellings, while three bedroom apartments account for 37% of the total dwellings. Despite the numerical non-compliance with the dwelling mix required by this Part, the proposed development provides a variety of dwelling designs (i.e. terracestyle apartments; a two storey apartment; single storey apartments) that provide for a mix of potential residents; • The proposed communal open space allows for a range of uses by different age groups; • The development has been designed to provide two terrace-style dwellings addressing the site frontage to reinforce the subdivision and built form character	Yes
	of the street;The adaptable dwellings have been integrated into the overall design of the	
	development.	
Part 4.2.4 – Built Form and Character	Refer to Section 5(c)(iii) below.	Yes – subject to conditions
	Refer to Section 5(c)(iii) below. The proposal satisfies the relevant objectives and controls of Part 4.2.5 as follows: • The proposed development has been oriented to complement the existing pattern of development in the street; • The proposed terrace-style building at the front of the site provide a contemporary design that incorporates a scale, rhythm, and proportions that are consistent with the existing and desired future character of the area; and, • The proposed external building materials and finishes are compatible with those found in the street and do not contrast with the existing character of	
Character Part 4.2.5 – Streetscape, General Appearance and	Refer to Section 5(c)(iii) below. The proposal satisfies the relevant objectives and controls of Part 4.2.5 as follows: • The proposed development has been oriented to complement the existing pattern of development in the street; • The proposed terrace-style building at the front of the site provide a contemporary design that incorporates a scale, rhythm, and proportions that are consistent with the existing and desired future character of the area; and, • The proposed external building materials and finishes are compatible with those found in the street and do not	conditions

	 For single storey units the development provides a minimum ceiling height of 2.7m for habitable rooms; and, For two storey units the development provides a minimum ceiling height of 2.4m for the second storey, which comprises less than 50% of the unit. 	
Part 9 – Strategic Context		
Part 9.9 – Newington	The proposal satisfies the relevant provisions of Part 9.9 and is considered to be compatible with the existing and desired future character of the precinct as follows: • The proposal contributes positively to the character of the streetscape by incorporating the proportions of nearby development into the design of the façade; • The site layout enhances the low density character of the precinct with the terrace-style dwellings provided at the front of the site and the residential flat building provided at the rear away from the public domain; and, • The development provides adequate off-street parking that does not adversely impact the amenity of the precinct.	Yes

The following provides discussion of the relevant issues:

(i) Part 2.7 – Solar Access and Overshadowing

Part 2.7 of MDCP 2011 contains objectives and controls relating to solar access and overshadowing.

The subject site has a generally east-west orientation. Directly south of the site at no. 33-37 Tupper Street is a part three, part four storey residential flat building. Each of the units in the neighbouring building have north-facing balconies and windows to living rooms. Given the orientation of the site and the nature of the previous structure on the site (two storey dwelling), the proposed development will result in additional overshadowing of the neighbouring units.

Shadow diagrams and elevational shadow diagrams were submitted for both midwinter (21 June) and the equinoxes (March/September) demonstrating the impact of the proposed development on the units at no. 33-37 Tupper Street. The diagrams indicate the following:

- Currently, each of the 12 units receives greater than two hours of direct sunlight to a living room window and balcony between 9.00am and 3.00pm at midwinter;
- The proposed development results in at least 10 of the 12 units receiving greater than two hours of direct sunlight to a living room window and balcony between 9.00am and 3.00pm at midwinter; and,
- The proposed development only affects sunlight access to three of the lower level units for a maximum of two hours in the morning during the March equinox and four of the lower level units for a maximum of two hours in the morning during the September equinox.

Despite the overshadowing impacts, the proposed development is considered to meet the relevant objectives of Part 2.7 and is considered acceptable as follows:

- The two units (1.03 and 1.04) that do not receive greater than two hours of direct sunlight at midwinter are located on the lower level at the eastern rear end of the building. Due to the orientation of the sites, the siting and elevation of the units above ground level, as well as the difference in ground levels between the subject site and neighbouring property, makes these units vulnerable to overshadowing. Notwithstanding, the proposed development is considered to have been adequately designed to enhance solar access to these units. The proposed development provides a 'break' between the proposed front and rear building that allows direct solar access to unit 1.03 between 2.00-3.00pm during midwinter. Additionally, the proposal provides a rear setback greater than the minimum required by the ADG, and as such unit 1.04 receives an hour of direct sunlight at 9.00am during midwinter;
- The proposal is considered to adopt a built form, siting, and design that is compatible
 with the desired future character of the area and that appropriately mitigates any
 significant adverse amenity impacts to adjoining properties;
- The proposed development allows for greater levels of solar access to some of the units located at the front of the building at no. 33-37 Tupper Street compared to when the previous two storey dwelling was located on the site; and,
- The communal open space of no. 33-37 Tupper Street is unaffected by the proposed development.

Considering the above, the development is considered reasonable having regard to the solar access and overshadowing objectives and controls contained in MDCP 2011.

(ii) Part 2.10 – Parking

The site is identified in Parking Area 3 under Part 2.10 of MDCP 2011. The following table summarises the car, bicycle, and motorcycle parking requirements for the development:

Component	Control	Required	Proposed	Compliance
Car Parking	Car Parking			
All residential flat buildings with 7 or more units – non-adaptable units	1.2 per 2br unit+ 1.2 per 3+br unit for residents+ 0.1 per unit for visitors	Min. 7.8 spaces	9 spaces	Yes
All residential flat buildings with 7 or more units – adaptable units	1 mobility space per unit for residents + 0.25 visitor mobility spaces per unit	Min. 3 spaces	2 spaces	Yes
Bicycle Parking				
Residential flat buildings	1 per 2 units for residents + 1 per 10 units for visitors	Min. 5 spaces	6 spaces	Yes
Motorcycle Parking				
Residential flat buildings	5% of the car parking requirement	Min. 1 space	Nil	No

Car Parking

As noted above, while the application provides a compliant scheme in terms of the total number of parking spaces it does not provide the three required mobility parking spaces instead providing only two. The proposed variation is not supported as it is considered there is sufficient space in the parking area to comply with the minimum requirement. As such, it is recommended that a condition be included in the development consent requiring three mobility parking spaces to be provided.

Motorcycle Parking

The application does not provide any motorcycle parking spaces. The design of the parking area is constrained by the narrow width of the site and by a number of trees located on both the site and adjoining properties. As such, the width of the parking area and the extent of excavation is limited to what is currently proposed. The provision of a motorcycle parking space would require the parking area to be increased in size, which would likely result in significant adverse impacts to the adjacent trees by encroaching further into their Tree Protection Zones.

Despite the non-compliance, the proposed development is considered to meet the relevant objectives of Part 2.10 and is considered acceptable for the following reasons:

- The proposed variation results in a bulk and scale that remains consistent with the compact urban form of the area. Any increase to the area required for parking would result in a built form that is inconsistent with the existing and desired future character of the area and that would result in significant adverse amenity impacts to adjoining properties and existing trees; and,
- The proposal provides a compliant car parking scheme and bicycle parking above the minimum requirement.

Given the above, the proposed variation to the motorcycle parking requirement is considered acceptable and the proposal can be supported in this regard.

(iii) Part 4.2.4 – Built Form and Character

The following provides an assessment of the proposed development against the relevant objectives and controls contained in Part 4.2.4 of MDCP 2011.

Part 4.2.4.1 – Floor Space Ratio and Site Coverage

The application proposes a compliant FSR of 0.85:1 and a non-compliant site coverage of approximately 57%. Despite the numerical non-compliance the proposal is considered to achieve the objectives of Part 4.2.4.1 and is considered acceptable for the following reasons:

- The proposed bulk and scale of the development is consistent with the form and character of other nearby developments, and proposes a site coverage that is consistent with the character of the area; and,
- The development provides a sufficient area of deep soil landscaping that is compatible
 with the character of the building, consistent with the character of the area, and which
 allows for stormwater infiltration.

Part 4.2.4.2 – Building Height

The overall height of the development complies with the maximum development standard and is considered generally acceptable. The height of the proposed development responds appropriately to the topography of the site and proposes minimal cut and fill. As discussed elsewhere in this report, the overall bulk and scale of the proposal has been appropriately designed, or is capable of being amended by conditions, to minimise significant adverse impacts to neighbouring properties in terms of overshadowing and privacy.

Part 4.2.4.3 – Building Setbacks

In addition to the building separation requirements of the ADG, Part 4.2.4.3 of MDCP 2011 stipulates the following minimum building setbacks for residential flat buildings:

Component	Required	Proposed	Compliance
Front setback	9 metres	Minimum 7.1m	No
Side setback (three storeys)	4.5 metres	Minimum 2.5m	No
Rear setback (three storeys)	4.5 metres	8.2m	Yes

Front setback

The front building presents as two low density terrace-style dwellings within the streetscape as the high density apartment-style building is located at the rear of the site away from the public domain. The front building has therefore been designed and located to be compatible with the other low density dwellings in the street, which have an average front setback between 2m and 5.4m. Although the proposed 7.1m front setback is greater than the established setback of other low density development, the proposal provides an appropriate transition to the adjoining residential flat buildings to the north and south, which each have front setback of approximately 11m.

The reduced front setback also assists in activating this section of the street, as currently the adjoining residential flat buildings have at-grade car parking at the street level or are orientated towards the side and rear boundaries rather than towards the street. As the dwellings in the proposed front building are located closer to and address the street they provide activation and surveillance over the street. The increased setback also allows a greater setback to be provided to the rear, which reduces significant adverse impacts on the two existing mature trees at the rear of the site that are to be retained. In this regard, the proposed variation to the minimum front setback requirement is considered acceptable.

Side setbacks

As discussed in Section 5(a)(i) above, the proposed side and rear setbacks are considered generally acceptable as the development maintains sufficient visual and acoustic privacy and solar access to neighbouring properties. Despite the numerical non-compliance, the proposal is considered to achieve the relevant objectives and controls contained in Part 4.2.4.3 as follows:

- The development provides adequate separation between buildings on neighbouring properties and between the two proposed buildings on the site;
- The proposed wall to the car parking area on the southern boundary is considered to result in acceptable amenity outcomes to the neighbouring property and has been provided with appropriate landscaping to soften any significant adverse visual impacts;
- The proposal complies with the relevant solar access and overshadowing requirements contained in Part 2.7 of MDCP 2011 and the ADG;
- Subject to the recommended conditions as discussed in Section 5(a)(i) above, the proposal is considered to adequately mitigate any significant adverse visual and acoustic privacy impacts to adjoining properties; and,
- The proposal results in an overall bulk and scale that enhances the character of the streetscape.

Given the above, the proposed height, bulk, and scale of the proposed development is considered generally acceptable.

5(e) The Likely Impacts

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

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

Provided that any adverse effects on adjoining properties are minimised, this site is considered suitable to accommodate the proposed development, and this has been demonstrated in the assessment of the application.

5(g) Any submissions

The application was notified in accordance with Inner West Council Community Engagement Framework for a period of 21 days to surrounding properties. Twenty (20) submissions were received in response to the initial notification.

The following issues raised in submissions have been discussed in this report:

- Site suitability / overdevelopment of site;
- Visual and acoustic privacy impacts to neighbouring properties see Section 5(a)(i);
- Overshadowing and solar access impacts see Section 5(c)(i);
- Building height, bulk, scale, and setbacks see Section 5(c)(iii);
- Character and streetscape see Section 5(c);
- Insufficient parking see Section 5(c)(ii);
- Loss of vegetation see Section 5(a)(iv);
- Insufficient mix of dwelling types see Section 5(c); and,
- Stormwater management see Section 5(c).

In addition to the above issues, the submissions raised the following concerns, which are discussed under the respective headings below:

Submission	Comment
Noise, dust, and damage to adjoining properties during construction	It is recommended that a standard condition be included in the development consent to ensure any adverse noise and amenity impacts that may occur during construction
Concern was raised regarding potential noise and dust generation and damage to adjoining properties during construction.	are appropriately managed. Additionally, it is recommended that a condition be included in the development consent requiring a dilapidation report to be prepared prior to any works occurring.
Traffic impacts Concerns were raised that the increased density would result in additional traffic generation that the street would not be	A Traffic Impact Assessment was submitted with the application, which adequately demonstrates that the proposal will not result in any significant adverse impacts to traffic on Tupper Street.
able to accommodate.	The submitted Statement of Environmental Effects
Concern was raised that documentation submitted by the applicant states the proposed development is three storeys in height rather than four.	describes the proposed development as a "3-storey residential flat building with single basement level parking". While this accurately describes the front portion of the development the rear portion is four storeys in height as the parking area is above ground level due to the slope of the site. Notwithstanding, the architectural plans clearly demonstrate that the proposal is four storeys at the rear as indicated by the annotations showing the existing ground level and proposed extent of excavation.

Demolition Concern was raised regarding how the previous dwelling on the site was demolished and the subsequent removal of any asbestos from the site.	The dwelling was demolished under a private Complying Development Certificate prior to the subject application being lodged with Council.
Building services Concern was raised that the proposal does not provide a fire hydrant or substation and if these services are required later, they will not be integrated	While the proposal does not provide details of the location of any required hydrant boosters and/or substations, this concern can be addressed by a condition requiring a detailed plan to be provided to Council showing the location and design of any required equipment and storage prior to the issue of a
into the overall design of the development.	Construction Certificate. This has been included in the recommendation accordingly.
Impact on Heritage Conservation Area Concern was raised that the proposed development does not address nearby Heritage Conservation Areas.	The site is not located within a Heritage Conservation Area, nor is it within the vicinity of any Heritage Conservation Areas or Heritage Items. As discussed above, the overall character and appearance of the proposal is considered compatible with the existing streetscape and is supported in this regard.
Property value Concern was raised that the proposed development would reduce property values.	The factors that affect property value, including residential amenity, have been considered as part of this assessment and as demonstrated above the proposal is considered generally acceptable.

5(h) The Public Interest

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

The proposal is not contrary to the public interest.

6 Referrals

6(a) Internal

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

- Development Engineer
- Urban Designer
- Tree Officer

6(b) External

The application was referred to Ausgrid who did not raise any objections to the proposed development subject to appropriate conditions, which have been included in the recommendation.

7. Section 7.11 Contributions

Section 7.11 contributions are payable for the proposal.

The carrying out of the development would result in an increased demand for public amenities and public services within the area. A contribution of \$160,000 would be required for the development under Marrickville Section 94/94A Contributions Plan 2014. A condition requiring that contribution to be paid is included in the recommendation.

8. Conclusion

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

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

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

9. Recommendation

A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, grant consent to Development Application No. DA/2020/0420 to construct a residential flat building with basement parking at 29 Tupper Street ENMORE NSW 2042 subject to the conditions listed in Attachment A below.

Attachment A - Recommended conditions of consent

CONDITIONS OF CONSENT

DOCUMENTS RELATED TO THE CONSENT

1. 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
12369 DA101 Rev B	Demolition Plan	13/01/2021	DKO Architects
12369 DA102 Rev B	Site Plan	13/01/2021	DKO Architects
12369 DA200 Rev C	Lower Ground	13/01/2021	DKO Architects
12369 DA201 Rev C	Ground Floor Plan	13/01/2021	DKO Architects
12369 DA202 Rev B	Level 1	13/01/2021	DKO Architects
12369 DA203 Rev B	Level 2	13/01/2021	DKO Architects
12369 DA204 Rev B	Roof	13/01/2021	DKO Architects
12369 DA300 Rev B	E01 - North Elevation	13/01/2021	DKO Architects
12369 DA301 Rev B	E02 - East Elevation	13/01/2021	DKO Architects
12369 DA302 Rev B	E03 - South Elevation	13/01/2021	DKO Architects
12369 DA303 Rev B	E04 - West Elevation	13/01/2021	DKO Architects
12369 DA304 Rev B	E06 - East Elevation Terraces	13/01/2021	DKO Architects
12369 DA305 Rev B	E07 - West Elevation Apartment	13/01/2021	DKO Architects
12369 DA306 Rev B	Sections - Sheet 1	13/01/2021	DKO Architects
12369 DA307 Rev B	Sections - Sheet 2	13/01/2021	DKO Architects
12369 DA308 Rev B	Sections - Sheet 3	13/01/2021	DKO Architects
12369 DA309 Rev B	Sections - Sheet 4	13/01/2021	DKO Architects
12369 DA310 Rev A	Sections - Sheet 5	13/01/2021	DKO Architects
12369 DA311 Rev A	Sections - Sheet 6	13/01/2021	DKO Architects
12369 DA312 Rev A	Sections - Sheet 7	13/01/2021	DKO Architects
12369 DA313 Rev A	Sections - Sheet 8	13/01/2021	DKO Architects

12369 DA408 Rev B	Adaptable Layouts	13/01/2021	DKO Architects	
12369 DA412 Rev B	TPZ Encroachments	13/01/2021	DKO Architects	
20-031 LP01- LP03 Rev B	Landscape Plans	19/05/2020	Garden Life	
19000 D1-D6 Issue A	Concept Stormwater Plans	20/05/2020	EZE Drainage Solutions	
19000 E1-E3 Issue A	Erosion and Sediment Control Plans	20/05/2020	EZE Drainage Solutions	
1102134M	BASIX Certificate	25/05/2020	BCA Energy P/L	
Project number 4140 V2	Acoustical Report	14/05/2020	Koikas Acoustics P/L	
111960-BCA- r03	BCA Assessment Report	01/06/2020	BCA Logic	
111960- Access-r01	Access Assessment Report	01/06/2020	BCA Logic	
19-206a:04 (2020)	Arboricultural Impact Assessment	28/05/2020	Advanced Treescape Consulting	
	Addendum to Arboricultural Impact Assessment	29/09/2020	Advanced Treescape Consulting	
G20126-1	Geotechnical Investigation	27/03/2020	Geotechnical Consultants Australia	
	Waste Management Plan	20/05/2020	Dickens Solutions	

As amended by the conditions of consent.

DESIGN CHANGE

2. Design Change

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

- a. The landscape plans prepared by Garden Life and dated 19/05/2020 have been updated to reflect the architectural plans prepared by DKO Architects and dated 13/01/2021 as identified in Condition 1 of this development consent.
- b. Plans indicating that three (3) on-site mobility car parking spaces are provided.

FEES

3. Security Deposit - Custom

Prior to the commencement of demolition works or prior to the 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:	18,266.00
Inspection Fee:	\$236.70

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 initial 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.

4. 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 \$160,000 indexed 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 11 January 2021.

*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.

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	137,655.71	
Community Facilities	17,466.34	
Traffic Facilities	1,740.69	
Plan Administration	3,137.25	
TOTAL	160,000	

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 Payment methods:

The required contribution must be paid either by BPAY (to a maximum of \$500,000); unendorsed bank cheque (from an Australian Bank only); EFTPOS (Debit only); credit card (Note: A 1% credit card transaction fee applies to all credit card transactions; cash (to a maximum of \$10,000). It should be noted that personal cheques or bank guarantees

cannot be accepted for the payment of these contributions. Prior to payment contact Council's Planning Team to review charges to current indexed quarter, please allow a minimum of 2 business days for the invoice to be issued before payment can be accepted.

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

5. Long Service Levy

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

GENERAL CONDITIONS

6. Tree Protection

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

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

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

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

The trees identified below are to be retained and protected in accordance with the conditions of consent and approved Tree Protection Plan, Advanced Treescape Consulting, 28/05/2020 throughout the development.

Tree No.	Botanical/Common Name	Location
1 (9)	Eucalyptus microcorys (Tallowwood)	Rear
2 (10)	Lophostemon confertus (Brush Box)	Rear

Details of the trees must be included on all Construction Certificate plans and shall be annotated in the following way:

- a. Green for trees to be retained;
- b. Red for trees to be removed

7. Project Arborist

Prior to the commencement of any demolition or construction works within close proximity to protected trees a Project Arborist must be engaged for the duration of the site preparation, demolition, construction and landscaping to supervise works. Details of the Project Arborist must be submitted to the Certifying Authority before work commences.

8. Works to Trees

Approval is given for the following works to be undertaken to prescribed trees on the site after the issuing of a Construction Certificate:

Tree/location	Approved works
Melaleuca bracteata (black tea tree) street tree	Remove
Magnolia grandiflora (Bull Bay Magnolia) Front	Remove
Metrosideros thomasii (NZ Christmas Bush) Rear	Remove
Glochidion ferdinandi (Cheese Tree) Rear	Remove
Cinnamomum camphora (Camphor Laurel) Rear	Remove
Grevillea robusta (Silky Oak) Rear	Remove
Michelia figo (Port Wine Magnolia) Rear	Remove

The removal of any street tree approved by Council must include complete stump removal (to a minimum depth of 400mm) and the temporary reinstatement of levels so that no trip or fall hazards exist until suitable replanting occurs. These works must be completed immediately following the tree/s removal.

Removal or pruning of any other tree (that would require consent of Council) on the site is not approved and shall be retained and protected in accordance with Council's *Development Fact Sheet—Trees on Development Sites*.

9. 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.

10. Privacy

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

- a. The window on the ground floor northern and southern elevation adjacent to the dining room of the two apartments in the front building must each be provided with obscure glazing for the full height of the window.
- b. The window on the second floor northern and southern elevation adjacent to the bedroom of the two apartments in the front building must each be provided with obscure glazing for the full height of the window.

11. 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.

12. 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.

13. Residential Flat Buildings – Adaptable Dwellings

Prior to the issue of a Construction Certificate, the Certifying Authority, must be provided with plans that demonstrate two (2) 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.

14. 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.

15. 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.

16. 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.

17. Works Outside the Property Boundary

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

PRIOR TO ANY DEMOLITION

18. 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.

19. 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 Transport for NSW accreditation. The Certifying Authority must approved by 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;
- Site plan/s showing the site, roads, footpaths, site access points and vehicular movements;
- 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;

- 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);
- Any activities proposed to be located or impact upon Council's road, footways or any public place;
- Measures to maintain public safety and convenience;
- k. Any proposed road and/or footpath closures;
- 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;
- 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);
- A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
- 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:
- 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.
- t. Swept Paths for the proposed construction vehicles to demonstrate that the needed manoeuvres can be achieved without causing any nuisance.

20. Dilapidation Report

Prior to any works commencing (including demolition), the Certifying Authority and owners of nos. 21-27 and 33-37 Tupper Street, 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.

21. 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.

22. Construction Fencing

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

PRIOR TO CONSTRUCTION CERTIFICATE

23. Flood Compatible Fence

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans demonstrating that any proposed new gate/fence at the rear of the site within the overland flow path is flood compatible with the bottom 300mm (minimum) of fencing/gate having vertical elements that are no wider than 50mm and separated by no less than 90mm to allow floodwaters to flow through unimpeded.

24. Overland Flow path

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans certified by a suitably qualified Civil Engineer detailing hydrologic and hydraulic calculations for the overland flow path and the capacity of the existing system and measures necessary to protect the premises in a 1 in 100 year ARI storm event and the requirements of Council's Flood Planning Policy.

25. 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 who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) 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 vehicle ramp to the basement carpark has been designed in accordance with AS2890.1-2004, in particular Clause 3.3(a) to ensure that the maximum grade does not exceed 1 in 20 (5%) within 6m of the property boundary;
- 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;
- 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);
- 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 location of columns within the carpark complies with figure 5.1 of AS/NZS 2890.1-2004.
- g. 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;

26. Driveway Long Section - Dwelling

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 changes.

27. Stormwater Drainage System - Major Developments

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with stormwater drainage design plans incorporating on site stormwater detention and/or on site retention/ re-use facilities (OSR/OSD) and Stormwater Quality Improvement Devices (SQIDS), certified 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 the design of the site drainage system complies with the following specific requirements:

- a. The design must be generally in accordance with the stormwater drainage concept plan on Drawing Nos. D1 to D6 (Rev A) prepared by EZE Drainage solutions and dated 20/5/20, as amended to comply with the following;
- Stormwater runoff from all surface areas within the property must be collected in a system of gutters, pits and pipelines and be discharged together with overflow pipelines from any rainwater tank(s) by gravity to Council's piped drainage system via a sealed junction pit;
- c. 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
- d. Charged or pump-out stormwater drainage systems are not permitted including for roof drainage;
- e. 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;
- f. Details of the 1 in 100-year ARI overflow route in case of failure\blockage of the drainage system must be provided;
- g. An overland flowpath must be maintained along the rear boundary;
- A minimum 150mm step up shall be provided between all external finished surfaces and adjacent internal floor areas except where a reduced step is permitted under Section 3.1.2.3 (b) of the Building Code of Australia for Class 1 buildings;
- The design must make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands;
- j. No nuisance or concentration of flows to other properties;
- The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system;
- An inspection opening or stormwater pit must be installed inside the property before connection to Council's system;
- m. All redundant pipelines within footpath area must be removed and footpath/kerb reinstated;
- 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; and
- o. No impact to street tree(s).

28. 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 practicing 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:

 Retaining walls must be entirely self-supporting in the event that excavation is undertaken within the road reserve adjacent to the property boundary to the depth of the proposed structure;

- b. Any existing or proposed retaining walls that provide support to the road reserve must be adequate to withstand the loadings that could be reasonably expected from within the constructed road and footpath area, including normal traffic and heavy construction and earth moving equipment, based on a design life of not less than 50 years;
- All components of the basement, including footings, must be located entirely within the property boundary;
- d. No adverse impact on surrounding properties including Council's footpath and road;
- e. The existing subsurface flow regime in the vicinity of the development must not be significantly altered as a result of the development;
- Recommendations regarding the method of excavation and construction, vibration emissions and identifying risks to existing structures or those on adjoining or nearby property; and
- g. Provide relevant geotechnical/ subsurface conditions of the site, as determined by a full geotechnical investigation.

29. Public Domain Works - Prior to Construction Certificate

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a public domain works design, prepared by a qualified practising 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 construction of heavy duty vehicular crossings to all vehicular access locations and removal of all redundant vehicular crossings to the site;
- New concrete footpath and sandstone kerb and gutter along the frontage of the site.
 Where the existing sandstone is in good condition (to be determined by Council) it may remain in place damaged or missing section replaced;
- c. 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; and
- d. Connection to Council's stormwater pipe via a junction pit.

All works must be completed prior to the issue of an Occupation Certificate.

30. 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. Full width of Tupper Street, including road pavement, stormwater drainage infrastructure, kerb and gutter and footpath for the full frontage of the site plus12m either side:
- Council drainage pipe at the rear of the site including CCTV inspection in accordance with WSA 05-2013 Conduit Inspection Reporting Code of Australia; and
- c. The dilapidation report is to be prepared by a practising Civil/Structural Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng).

31. 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.

32. Acoustic Report – Aircraft Noise

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

33. 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.

34. Green Roofs, Walls and Facades Report

Prior to the issue of Constriction Certificate, the Certifying Authority is to be provided with a report prepared by a registered landscape architect demonstrating that the proposed landscape plan and details of any green roofs, wall and facades are consistent with Inner West Councils Green Roof, Walls and Facades Technical Guidelines including but not limited to using species selected from the suggested species list, water proofing and drainage.

35. Enclosure of Building Services

Prior to the issue of a Construction Certificate, the Certifying Authority is to be provided with plans indicating that any required services, such as an electrical substation or fire hydrant and sprinkler booster valves, are located within the approved envelope of the building.

If the services cannot be located within the approved envelope of the building, the location and design of the services must be approved by Council. Any such services must minimise impacts on the front landscaped area and pedestrian access to the front apartments. The services must be enclosed in accordance with the requirements of AS 2419.1 2205.

36. Council Stormwater Pipe - Physical Location

Prior to the issue of a Construction Certificate, the Certifying Authority is to be provided with an amended site plan that accurately shows the location of the Council's stormwater pipe. The stormwater pipe must be located by the use of test pits and must be inspected 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). The location of Council's stormwater pipe must be pegged out across the site, and the actual location and depth of the pipe must be used in the design of the footings of the proposed building.

DURING DEMOLITION AND CONSTRUCTION

37. Tree Protection Zone

To protect the following tree/s, no work must commence until its/their Protection Zone is fenced off at the specified radius from the trunk/s to prevent any activities, storage or the disposal of materials within the fenced area in accordance with the Tree Protection Plan and Council's *Development Fact Sheet—Trees on Development Sites*. The fence/s (including existing boundary fencing) must be maintained intact until the completion of all demolition/building work on site.

Tree No.	Botanical/Common Name	Radius in metres
1	Eucalyptus microcorys (Tallowwood)	7 metres
2	Lophostemon confertus (Brush Box)	6 metres

38. Inspections by Project Arborist

The trees to be retained must be inspected, monitored and treated by the Project Arborist during and after completion of development works to ensure their long-term survival. Regular inspections and documentation from the Project Arborist to the Certifying Authority are required at the following times or phases of work:

Tree No./ Botanical/ Common Name/ Location	Time of Inspection	Key stage/ Hold point
1. (9) Eucalyptus microcorys (Tallowwood) 2. (10) Lophostemon confertus (Brush Box)	In accordance with the approved Tree Protection Plan and section 4 of AS4970—Protection of trees on development sites.	

Recommendations to ensure the tree/s long term survival must be carried out immediately upon receipt of the report.

39. 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);
- 8:00am to 1:00pm on Saturdays with no demolition works occurring during this time;
 and
- c. at no time on Sundays or public holidays.

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

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

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

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

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

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

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

40. 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.

PRIOR TO OCCUPATION CERTIFICATE

41. Project Arborist Certification

Prior to the issue of any Occupation Certificate, the Principal Certifier is to be provided with certification from the project arborist the requirements of the conditions of consent related to the planting of two (2) *Melaleuca bracteata* (Black Tea Tree) street trees and landscape trees as per the Landscape Plan/Report prepared by Garden Life, Revision B, 19/05/2020 and the role of the project arborist have been complied with.

42. Planting of Street Trees

Prior to the issue of an Occupation Certificate, the Principal Certifier 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. Two (2) Street trees have been planted in Tupper Street and comply with the following requirements:
 - Street tree(s) must be located and planted in accordance with the Street Tree Master Plan:
 - ii. The replacement street tree species must be *Melaleuca bracteata* (Black tea tree) x 2.
 - iii. The tree must be grown and certified that it complies with AS2303:2018—Tree stock for landscape use to ensure quality trees and more successful establishment:
 - iv. The new street trees must be a minimum container size of 75 litres and a minimum height of 2 metres;
 - v. The street tree(s) must be planted by a practicing Arborist or Horticulturist;
 - vi. The tree pit dimensions and staking detail must be in accordance with Detail 4 on page 131 of the Marrickville Street Tree Master Plan 2014
 - vii. The details must include dimensions for tree pits and details of a vault style structural soil system with a minimum of <20-30>m³ available soil volume for each tree.
- b. The trees and tree pits must be inspected by Council's Public Tree Coordinator before and after planting.
- c. A copy of a maintenance agreement with a practicing Horticulturist or Arborist for a minimum period of twelve (12) months commencing on the planting date. Maintenance includes, but is not limited to, watering, weeding, removal of rubbish from tree base, pruning, fertilizing, pest and disease control and any other operations to maintain a healthy robust tree.
- d. At the end of the twelve (12) month maintenance period, written approval must be obtained from Council before hand-over of any street tree to Council.
- e. If a street tree has been replaced due to maintenance deficiencies during the twelve (12) month maintenance period, the twelve (12) month maintenance period will start again from the date that the street tree is replaced (up to three (3) occurrences)

43. Stormwater Drainage and Road Works - Certification

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with Certification by a 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:

- 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 on the existing Council stormwater pipe within the site including any connection by an accredited operator; and
- 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.

44. No Encroachments

Prior to the issue of an Occupation Certificate, the Principal Certifier 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.

45. Heavy Duty Vehicle Crossing

Prior to the issue of an Occupation Certificate, the Principal Certifier 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.

46. Public Domain Works

Prior to the issue of an Occupation Certificate, the Principal Certifier 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. Connection to Council's stormwater system via a junction pit; and
- e. 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".

47. Protect Sandstone Kerb

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

48. Parking Signoff - Major Development

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with certification from a qualified practising 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.

- The car park has been completed, line marked and all signage relating to car parking erected:
- b. Ramp grades comply with AS2890.1; and
- c. Suitable sight distance has been provided to pedestrians.

49. Works as Executed - Site Stormwater Drainage System

Prior to the issue of an Occupation Certificate, the Principal Certifier 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; and
- 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 Certifier stamped Construction Certificate plans.

50. Operation and Management Plan

Prior to the issue of an Occupation Certificate, the Principal Certifier 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; and
- b. The proposed method of management of the facility, including procedures, safety protection systems, emergency response plan in the event of mechanical failure, etc.

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

Prior to the issue of an Occupation Certificate, the Principal Certifier 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. Easement for drainage of water 2.5m over Councils stormwater pipe within the site;
- Restrictions on the Use of Land related to on Site Stormwater Detention System or stormwater quality improvement devices;
- c. Restrictions on the Use of Land related to Stormwater Surface Flow Paths;
- d. Positive Covenant related to on-site stormwater detention and/or retention system;
- e. Positive Covenant related to stormwater quality improvement devices; and
- f. Positive Covenant related to Stormwater Surface Flow Paths.

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

52. Basement/Retaining Wall 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.

53. Resident Parking

Prior the issue of an Occupation Certificate, the Principal Certifier must be provided with evidence that measures have been put in place to advise future owners and occupants of the

proposed building that they are not eligible to obtain parking permits under any existing or future resident parking scheme for the area. The person acting on this consent shall advise any purchaser or prospective tenant of this condition. In addition the by-laws of any future residential strata plans created for the property shall reflect this restriction.

54. Aircraft Noise -Alterations and Additions

Prior to the issue of an Occupation Certificate (whether an interim or final Occupation Certificate), the Principal Certifier must be provided with a report from a suitably qualified person demonstrating that each of the commitments listed in Aircraft Noise Assessment Report required by this consent has been satisfied.

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

55. 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*.

56. Verification and Maintenance of Green Roofs, Walls and Facades Works

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority is to be provided with written evidence demonstrating that the works have been carried out in accordance with the Green Roofs, Walls and Facades Report that was submitted at Construction Certificate Stage and a maintenance plan that is consistent with the Inner West Councils Green Roof, Walls and Facades Technical Guidelines.

ON-GOING

57. Maintenance of tree plantings

The tree/s planted as part of this consent is/are to be maintained in a healthy and vigorous condition for 12 months from the issue of an Occupation Certificate. If any of the tree/s is/are found faulty, damaged, dying or dead within 12 months of the issue of an Occupation Certificate it/they must be replaced with the same species within one (1) month (up to 3 occurrences).

58. Operation and Management Plan

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

59. Vehicles Leaving the Site

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

60. Green Roofs, Walls and Facades Establishment

The plantings within the Green Roofs, Walls and Facades as part of this consent are to be maintained in a healthy and vigorous condition for 12 Months from the issue of an Occupation Certificate. If any of the planting are found faulty, damaged, dying or dead within 12 months of the issue of an Occupation Certificate they must be replaced with the same species within one (1) month (up to 3 occurrences).

ADVISORY NOTES

Consent of Adjoining property owners

This consent does not authorise the applicant, or the contractor engaged to do the tree works to enter a neighbouring property. Where access to adjacent land is required to carry out approved tree works, Council advises that the owner's consent must be sought. Notification is

the responsibility of the person acting on the consent. Should the tree owner/s refuse access to their land, the person acting on the consent must meet the requirements of the *Access To Neighbouring Lands Act 2000* to seek access.

Arborists standards

All tree work must be undertaken by a practicing Arborist. The work must be undertaken in accordance with AS4373—Pruning of amenity trees and the Safe Work Australia Code of Practice—Guide to Managing Risks of Tree Trimming and Removal Work. Any works in the vicinity of the Low Voltage Overhead Network (including service lines—pole to house connections) must be undertaken by an approved Network Service Provider contractor for the management of vegetation conflicting with such services. Contact the relevant Network Service Provider for further advice in this regard.

Tree Protection Works

All tree protection for the site must be undertaken in accordance with Council's *Development Fact Sheet—Trees on Development Sites* and AS4970—*Protection of trees on development sites*

Tree Pruning or Removal (including root pruning/mapping)

Removal or pruning of any other tree (that would require consent of Council) on the site is not approved and must be retained and protected in accordance with Council's *Development Fact Sheet—Arborist Reports*.

Public Domain and Vehicular Crossings

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

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

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

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

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

Electrical Substations

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

Permits

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

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

If required contact Council's Road Access team to ensure the correct Permit applications are made for the various activities. Applications for such Permits must be submitted and approved by Council prior to the commencement of the works associated with such activity.

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

A qualified practising Civil Engineer must certify on the completion of drainage works in respect of:

- c. The soundness of the storage structure;d. The capacity of the detention storage;
- e. The emergency overflow system being in place;
- f. The works being constructed in accordance with the Development Application Consent and Council's Stormwater Management DCP/Code;
- g. 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;
- h. Basement car park pumps are class one zone two; and
- i. 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.

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.

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:
 - 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.

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;
- Application for a Construction Certificate under the Environmental Planning and Assessment Act 1979;
- 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;
- 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.

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.

Useful Contacts

BASIX Information 1300 650 908 weekdays 2:00pm - 5:00pm

www.basix.nsw.gov.au

Department of Fair Trading 13 32 20

www.fairtrading.nsw.gov.au

Enquiries relating to Owner Builder Permits and

Home Warranty Insurance.

Dial Prior to You Dig 1100

www.dialprior toyoudig.com.au

Landcom 9841 8660

To purchase copies of Volume One of "Soils and

Construction"

Long Service Payments 131441

Corporation www.lspc.nsw.gov.au NSW Food Authority 1300 552 406

www.foodnotify.nsw.gov.au

NSW Government www.nsw.gov.au/fibro www.diysafe.nsw.gov.au

Information on asbestos and safe work

practices.

NSW Office of Environment and 131 555

Heritage www.environment.nsw.gov.au

Sydney Water 13 20 92

www.sydneywater.com.au

Waste Service - SITA 1300 651 116

Environmental Solutions www.wasteservice.nsw.gov.au

Water Efficiency Labelling and

Standards (WELS)

www.waterrating.gov.au

WorkCover Authority of NSW 13 10 50

www.workcover.nsw.gov.au

Enquiries relating to work safety and asbestos

removal and disposal.

Street Numbering

If any new street numbers or change to street numbers (this includes unit and shop numbers) are required, a separate application must be lodged with and approved by Council's GIS Team before being displayed.

Underground Cables

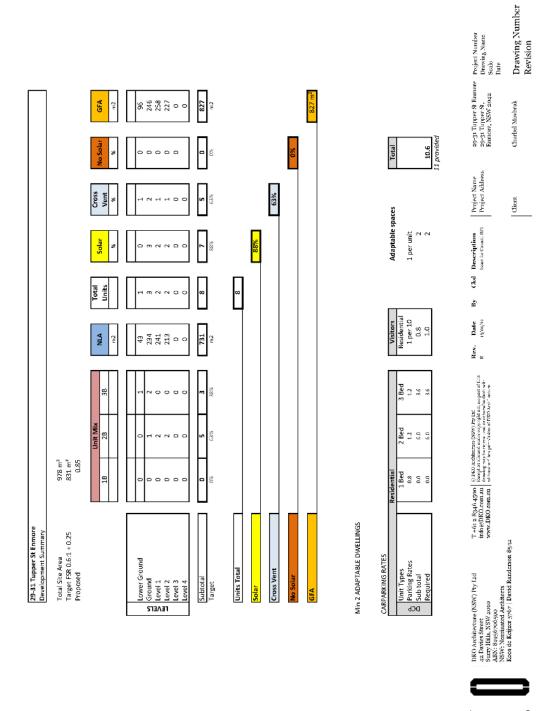
Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. Hence it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area.

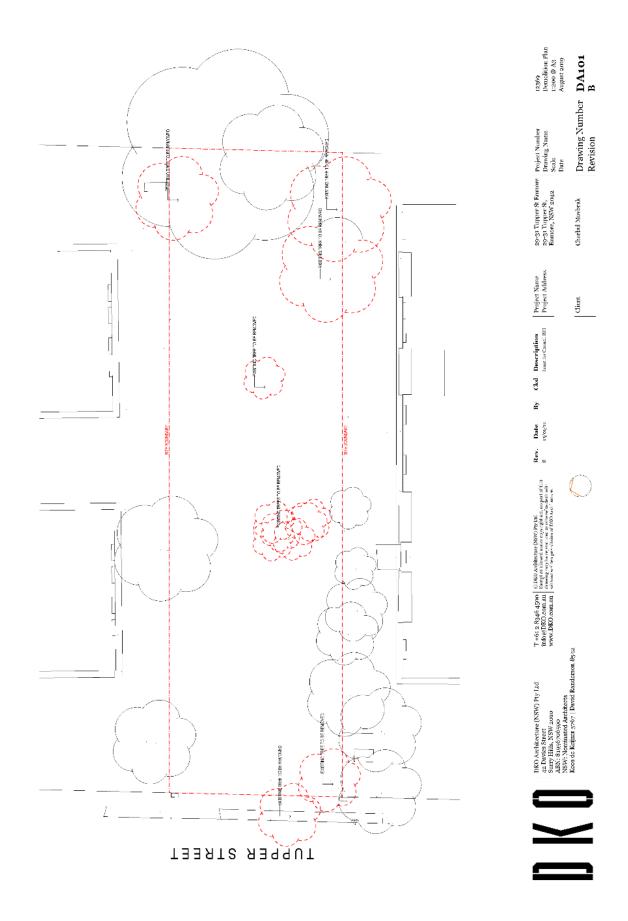
Safework Australia – Excavation Code of Practice, and Ausgrid's Network Standard NS156 outlines the minimum requirements for working around Ausgrid's underground cables. Should ground anchors be required in the vicinity of the underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable.

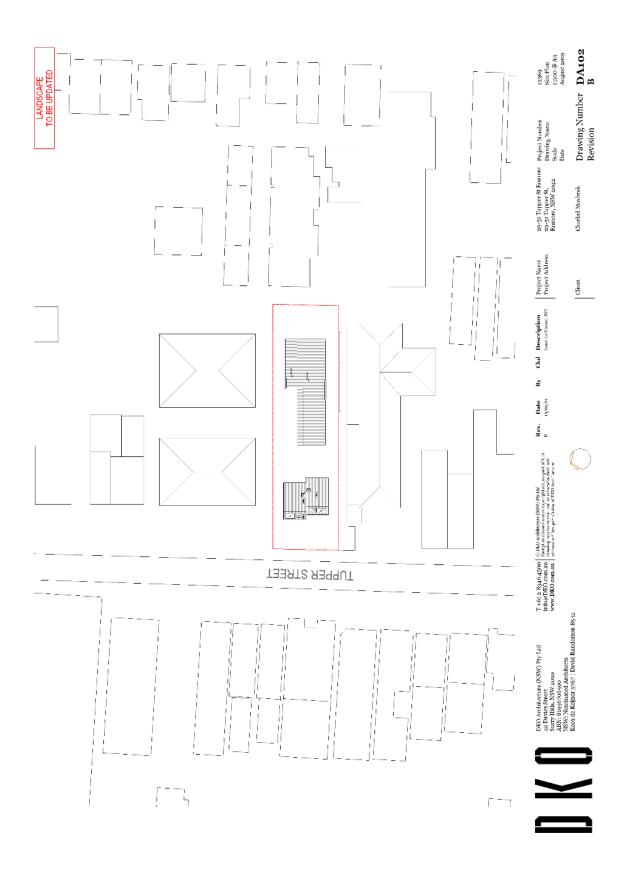
Should you have any enquiries, please contact Ausgrid at development@ausgrid.com.au.

August 2019

Attachment B - Plans of proposed development

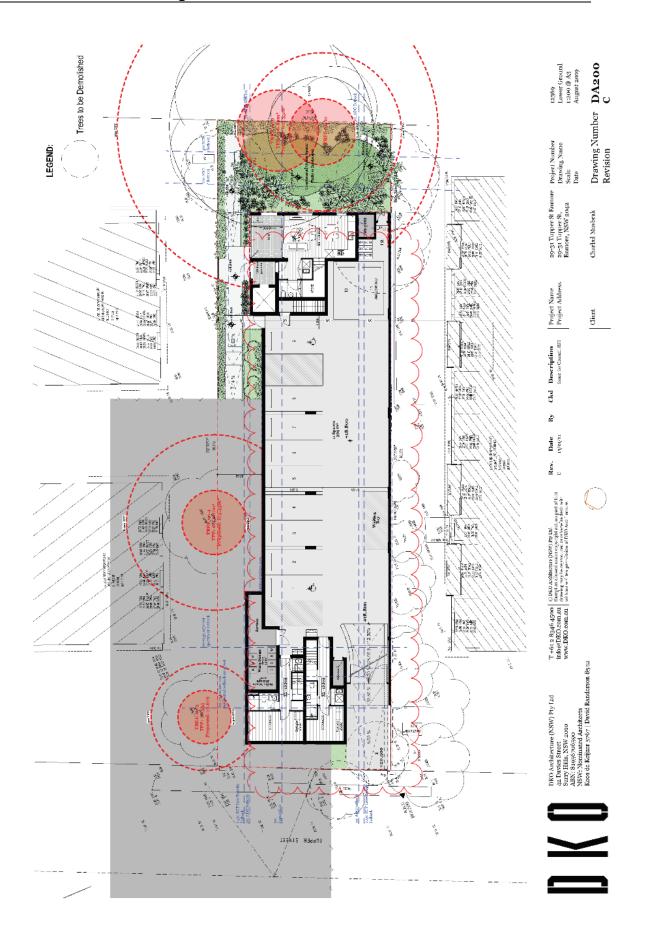


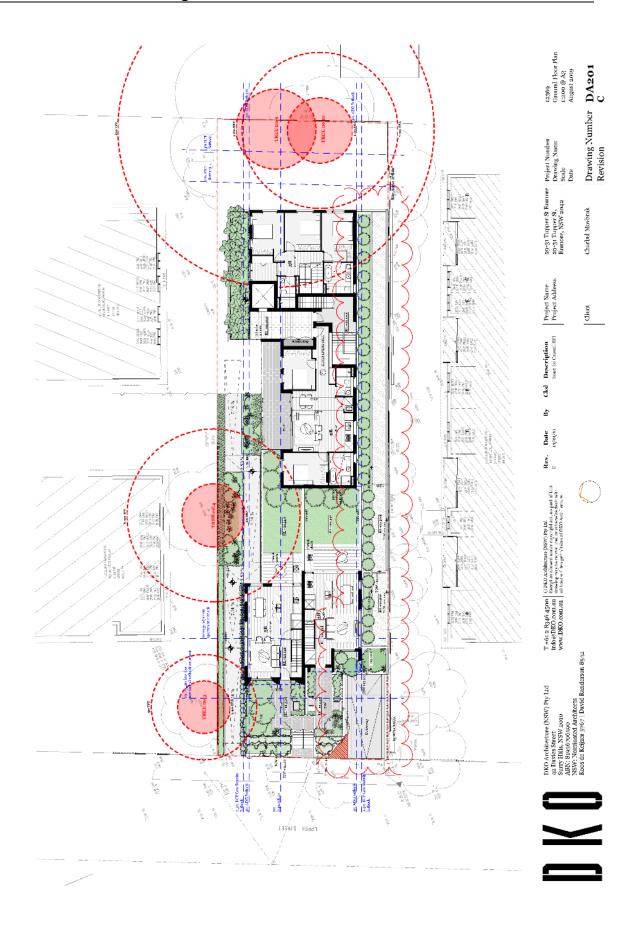






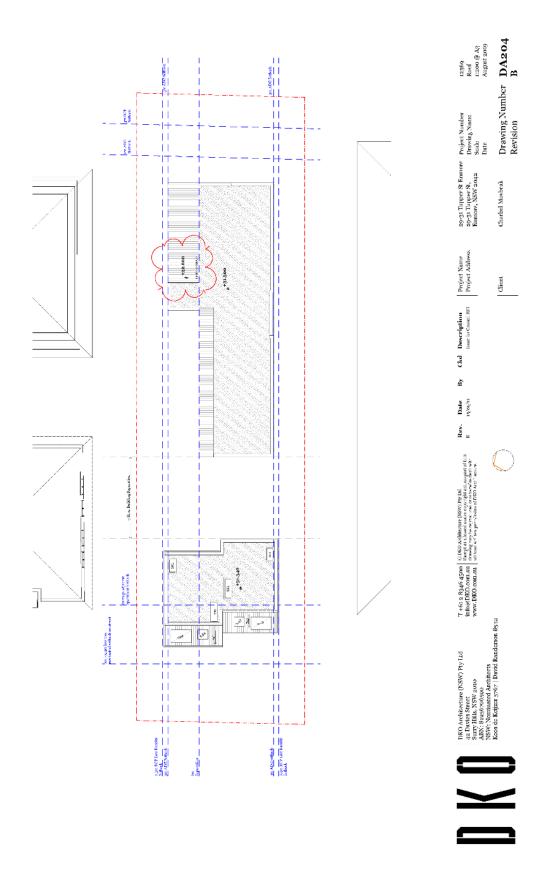






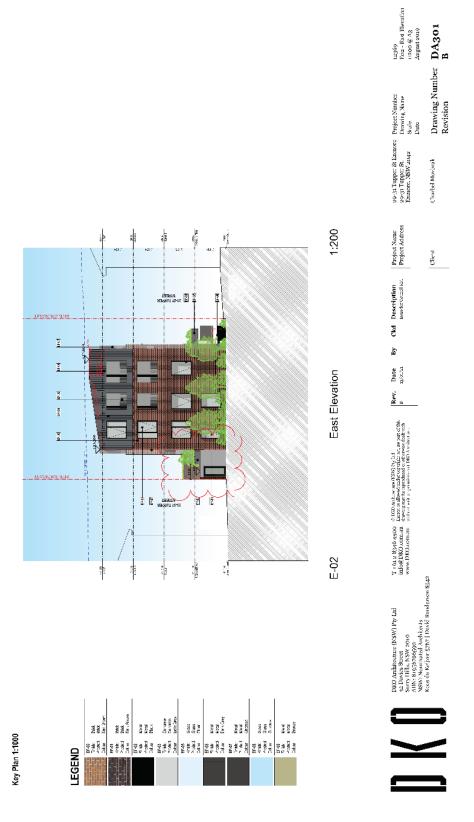








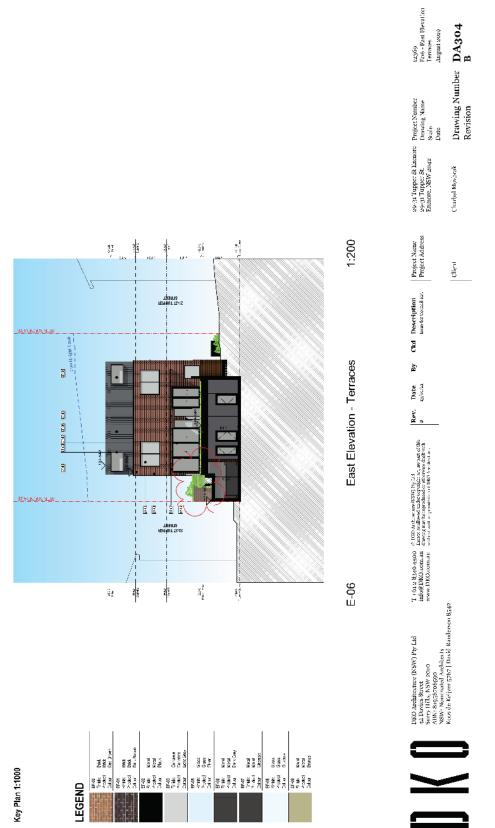
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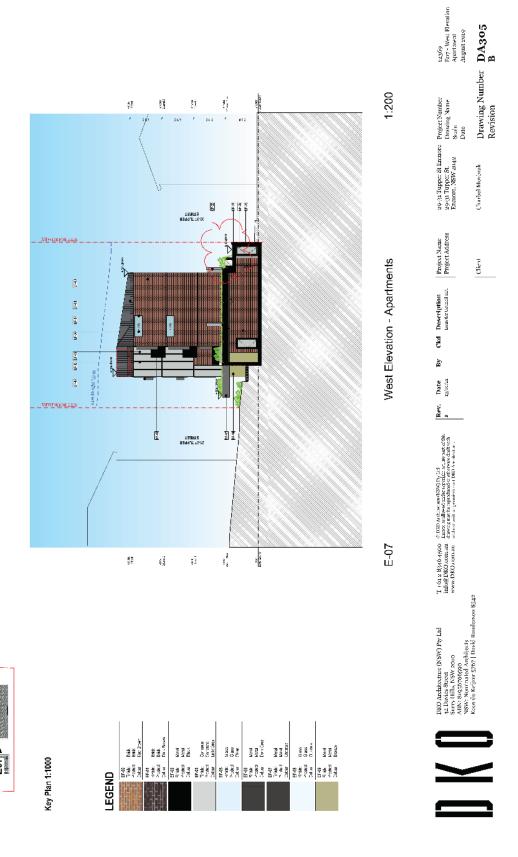


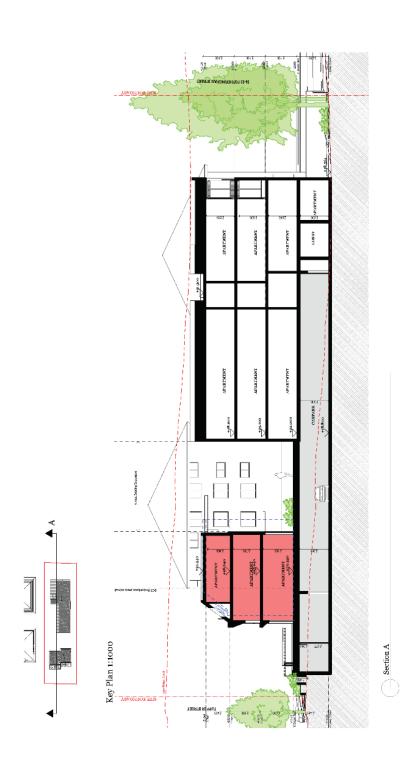


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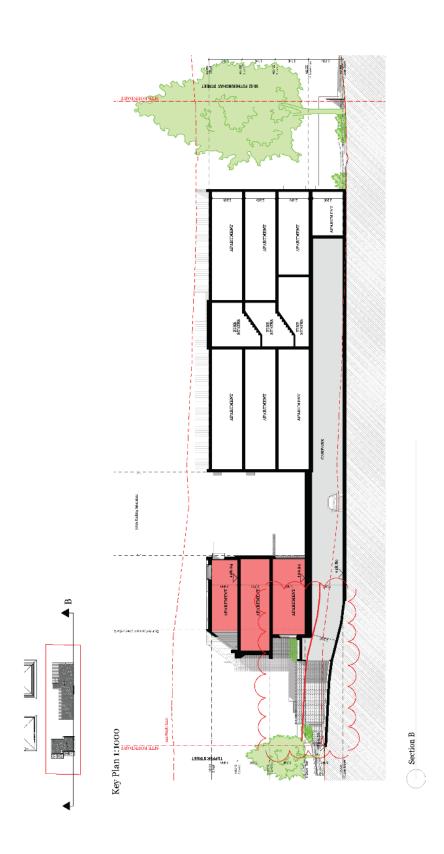




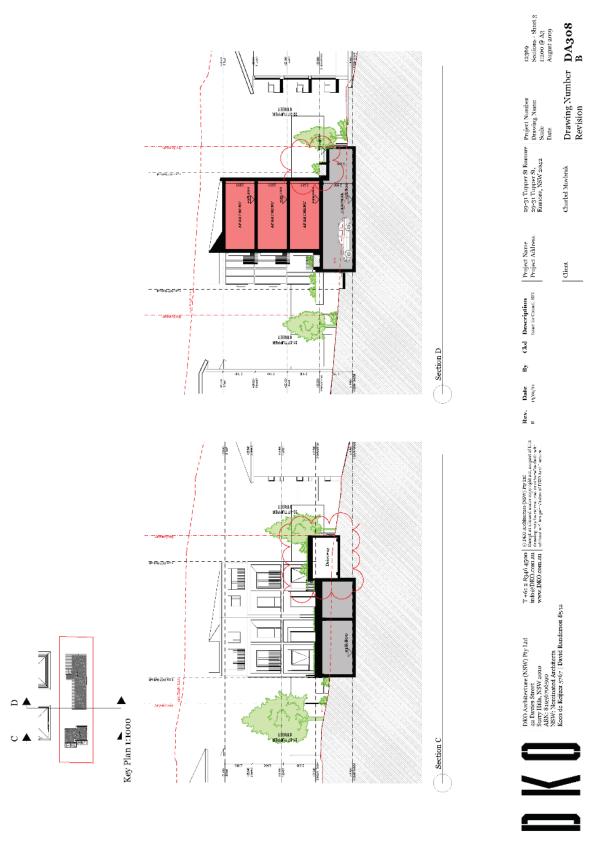




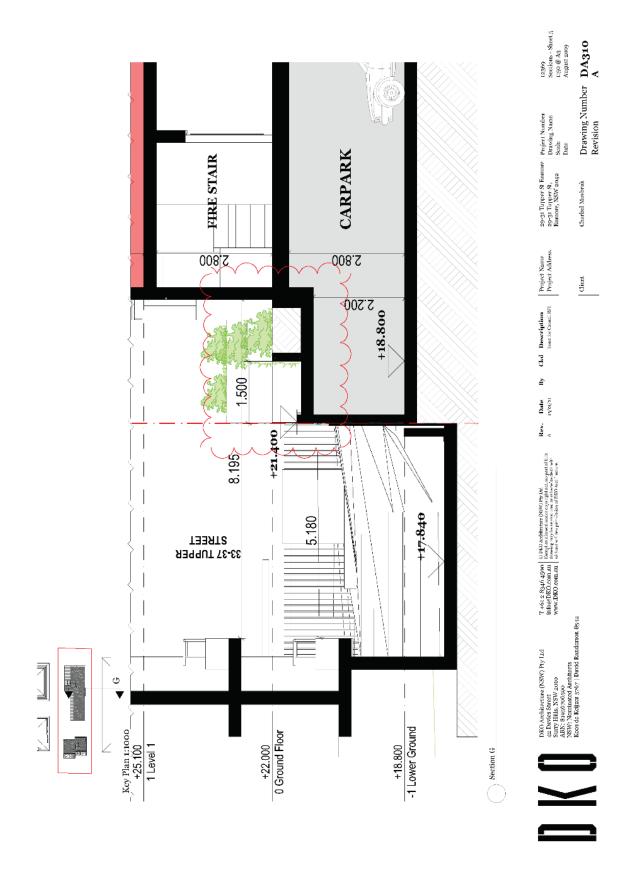


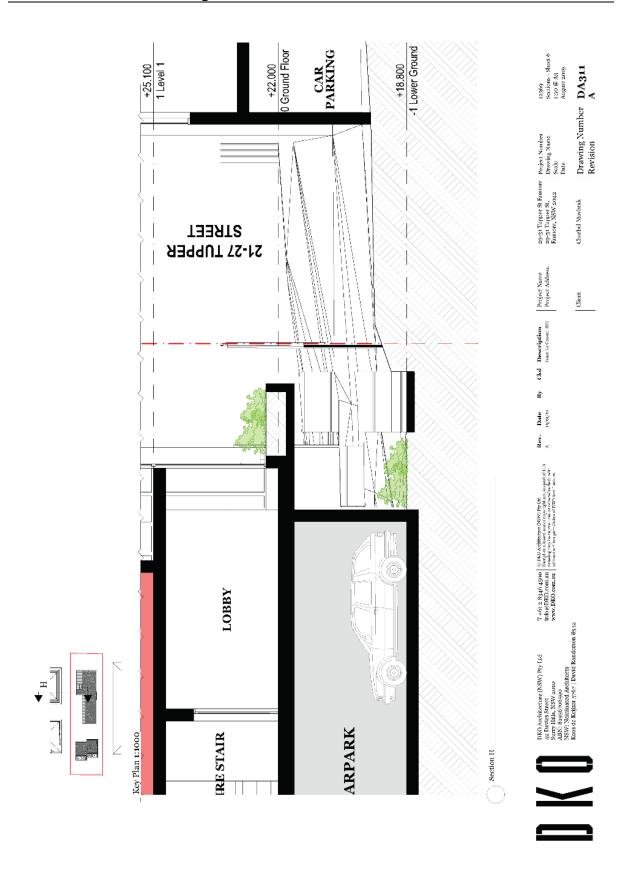


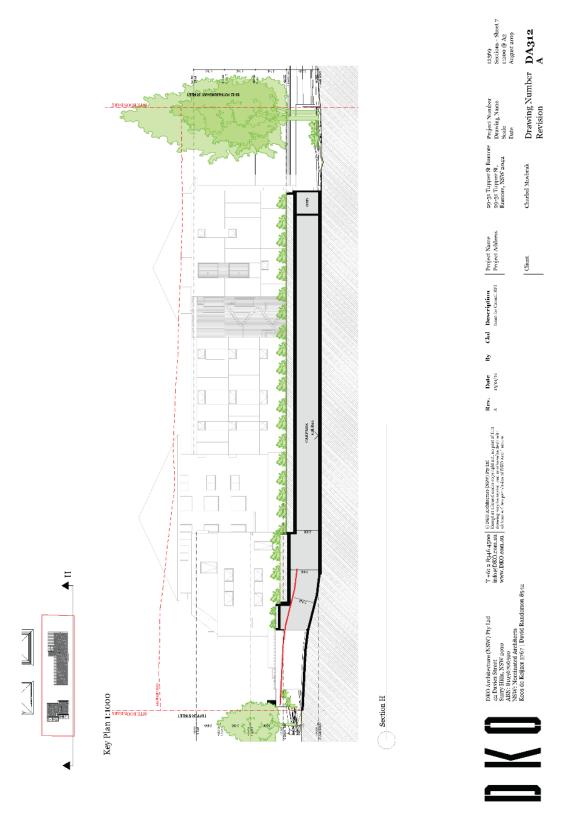


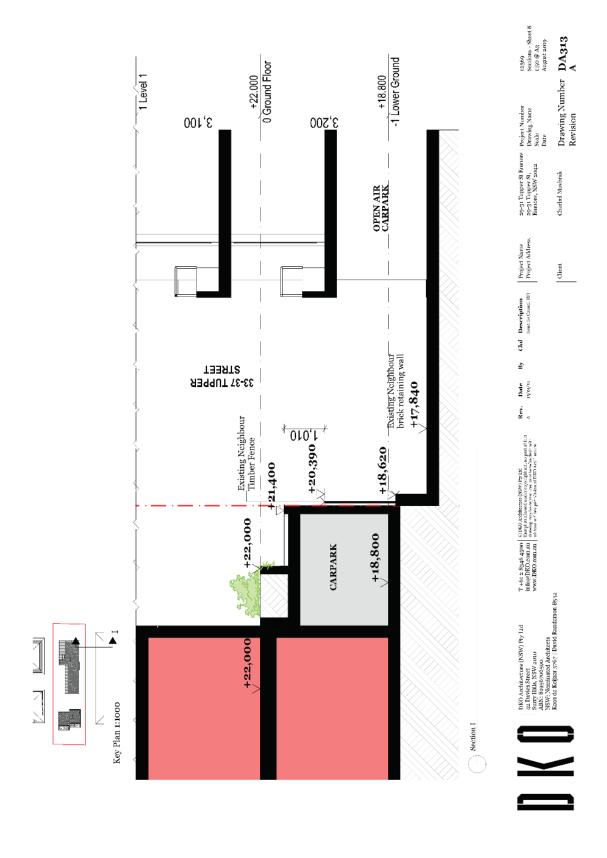












Key Plan 1:1000

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Charbel Movbrak

Client

r2369 Sections - South Wall

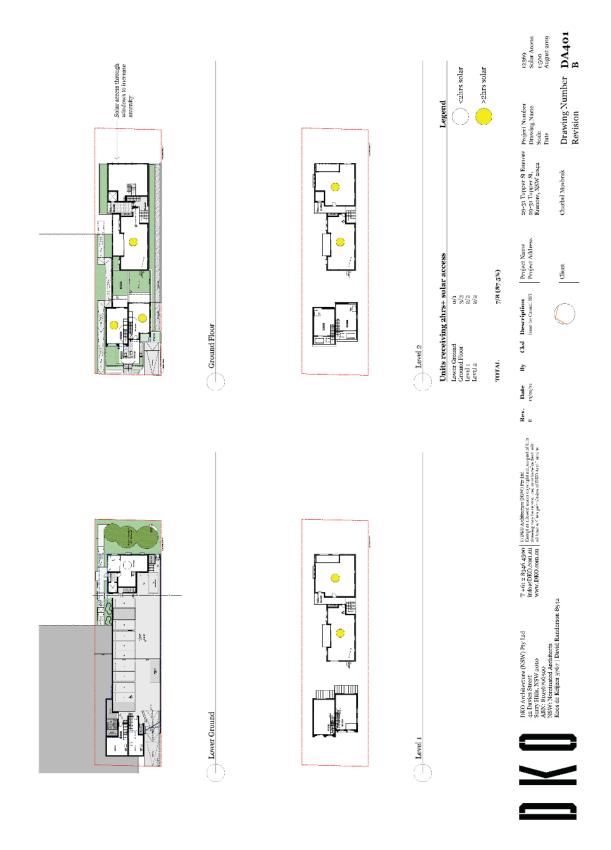
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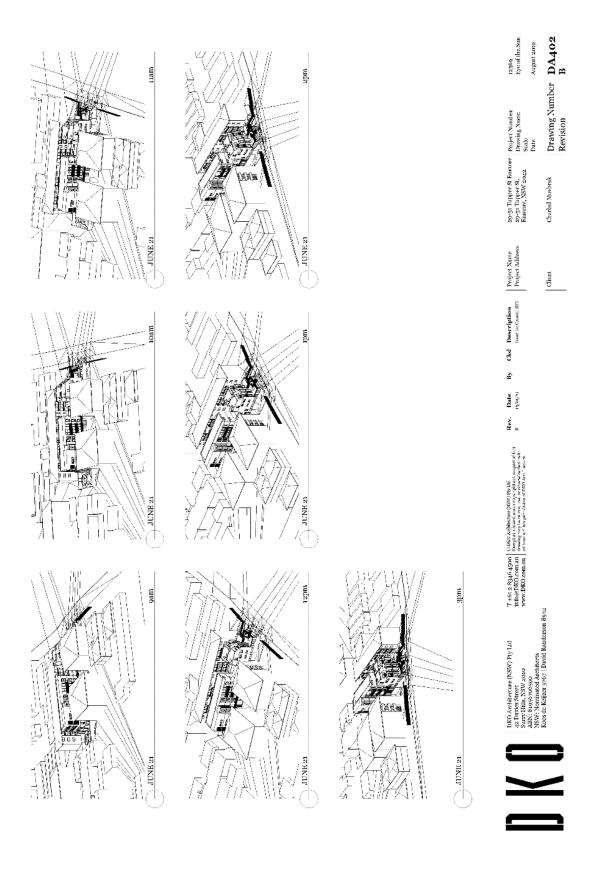
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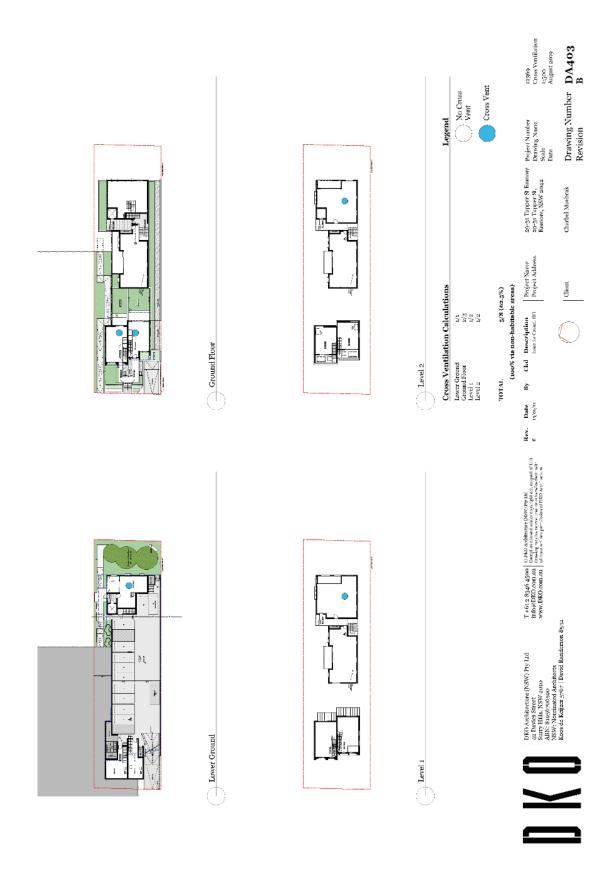












Typical Level 2 in rear apartment block

Drawing Number Revision

Charbel Movbrak

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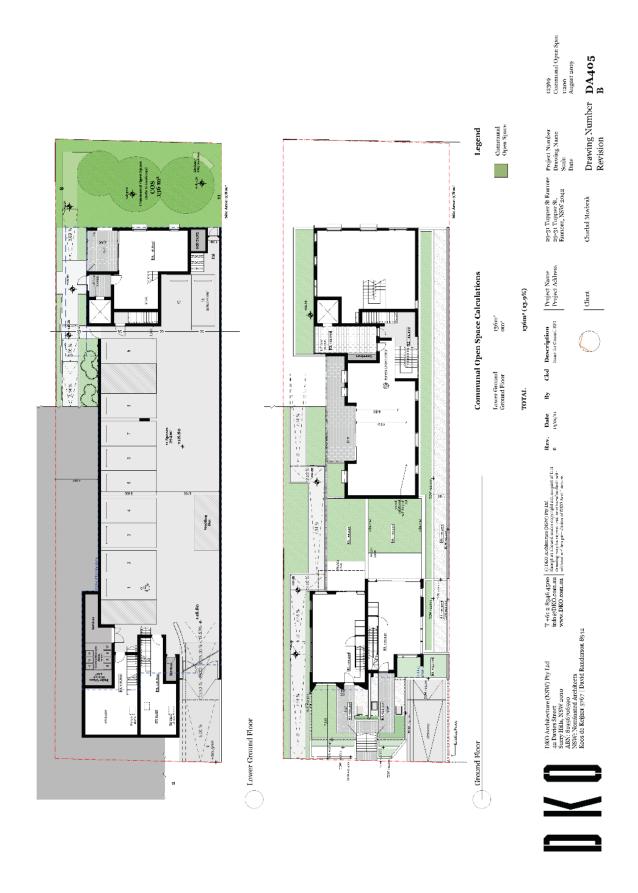
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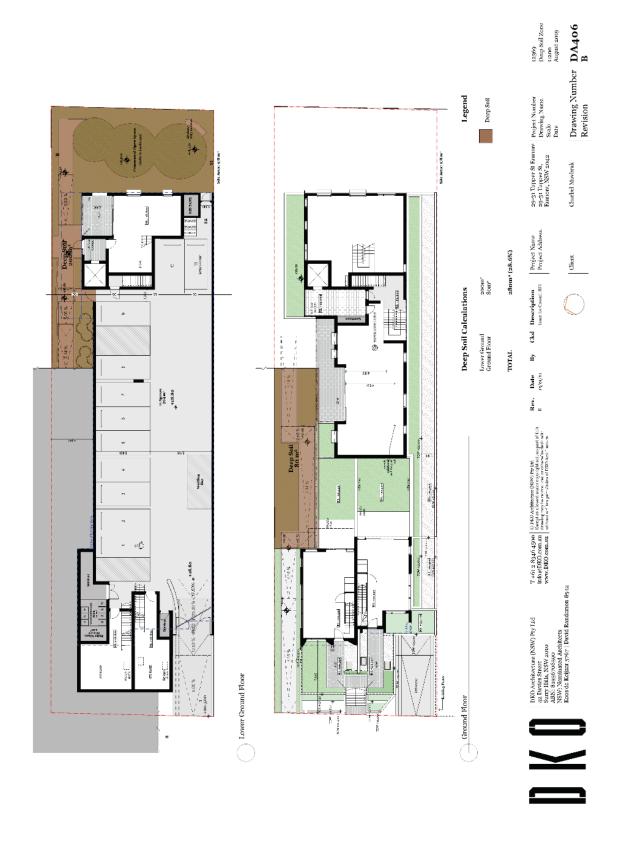
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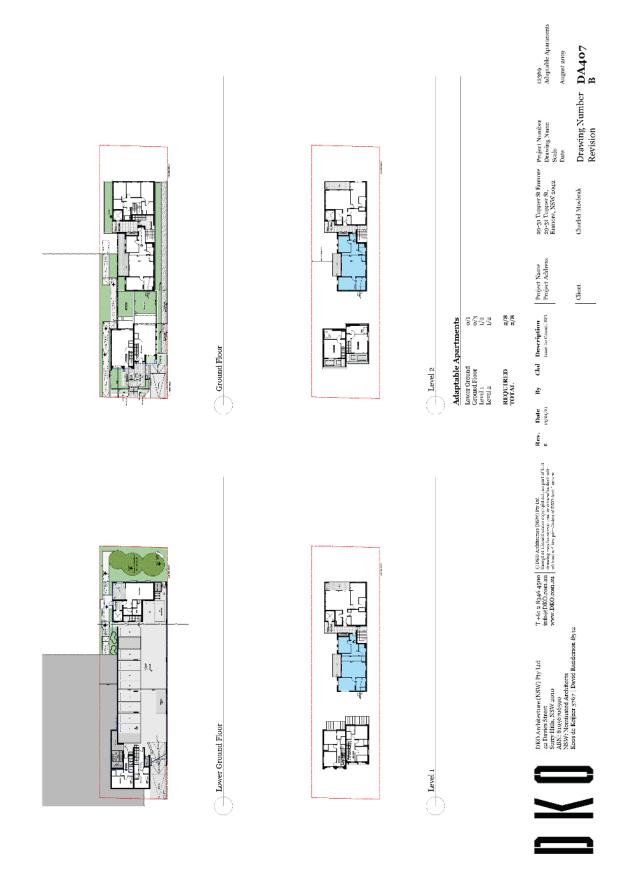
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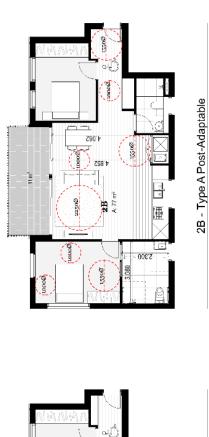
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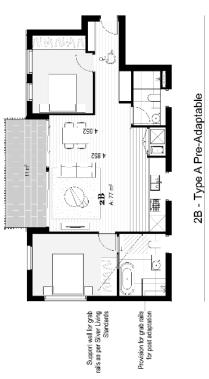






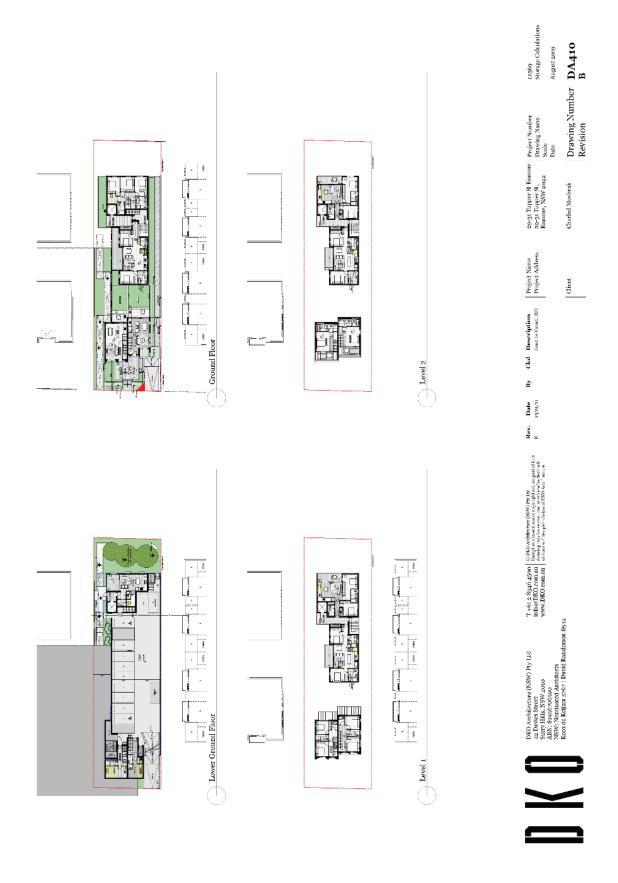


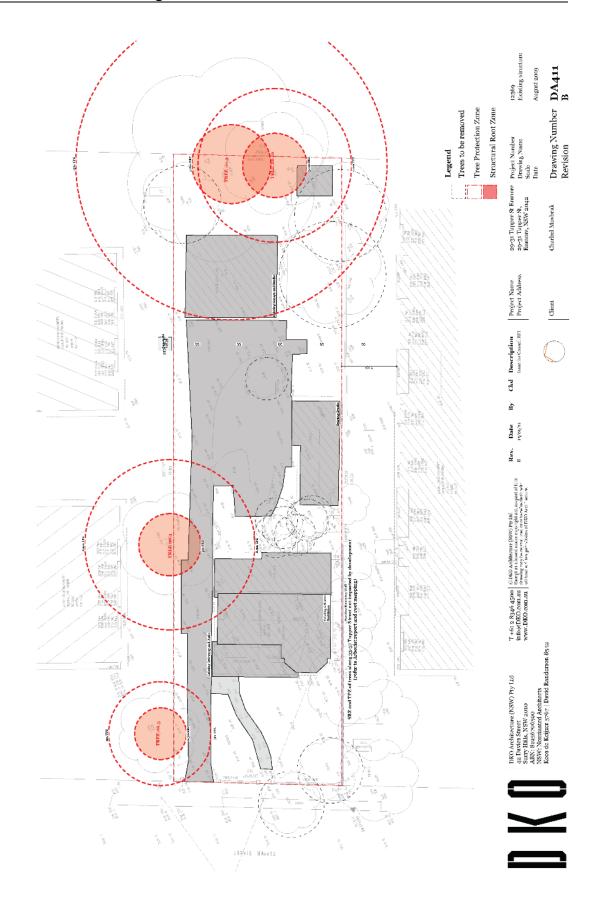


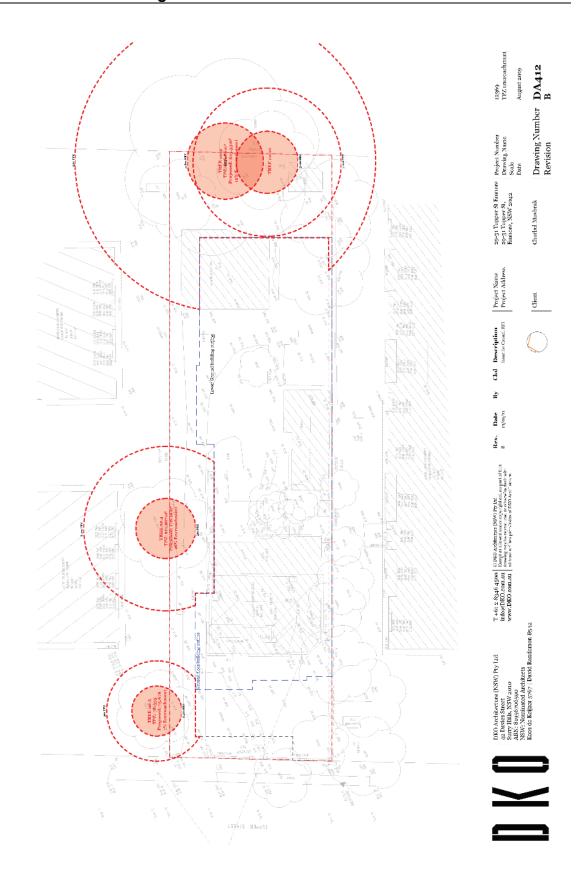


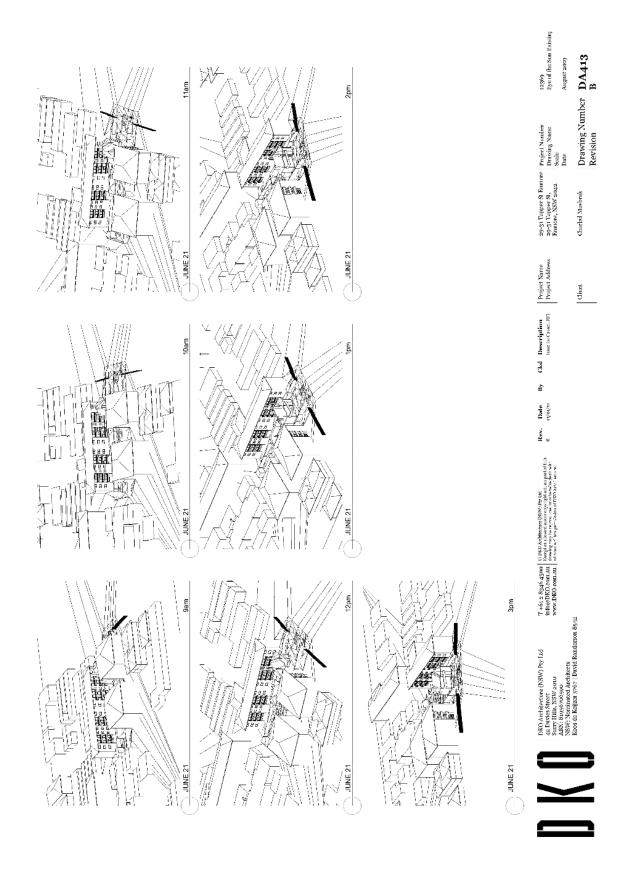












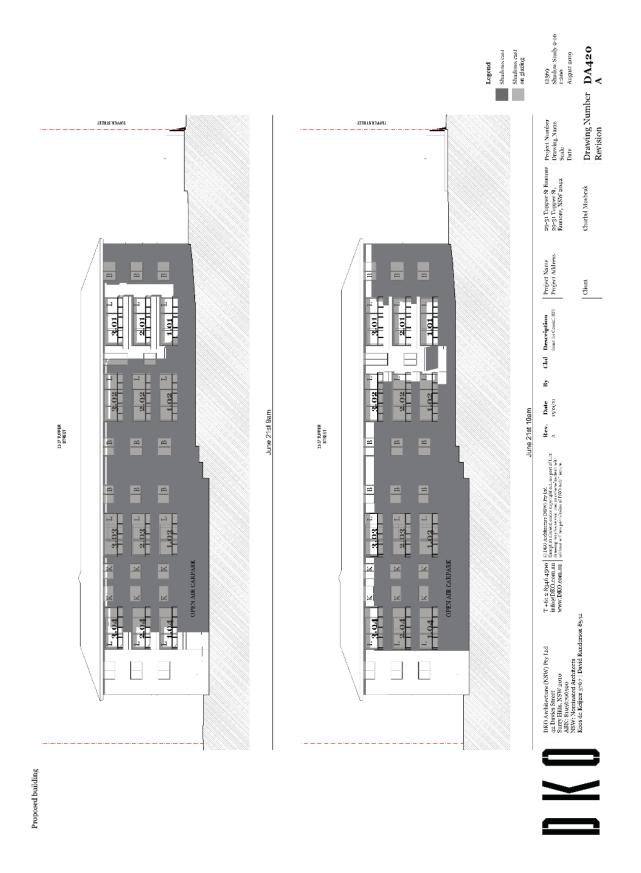


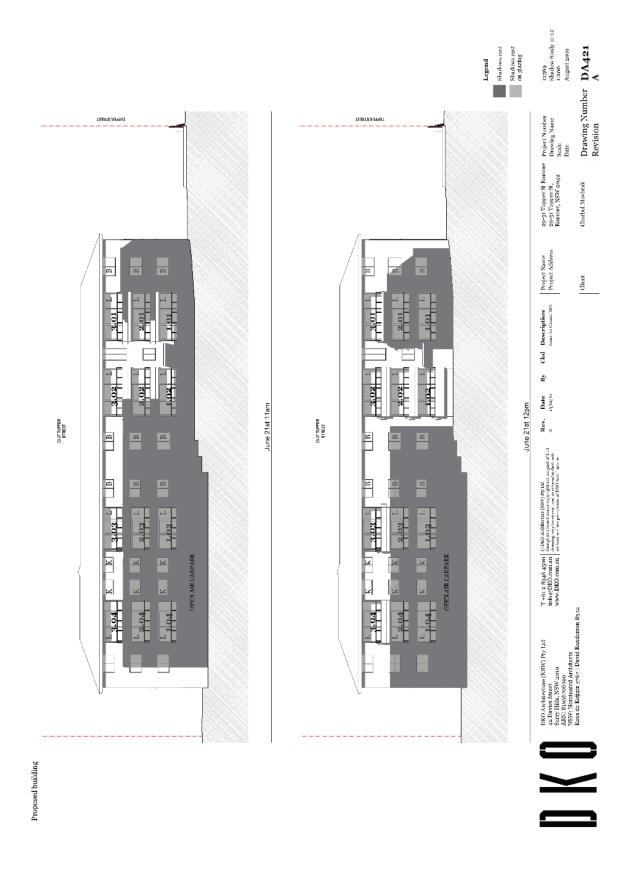


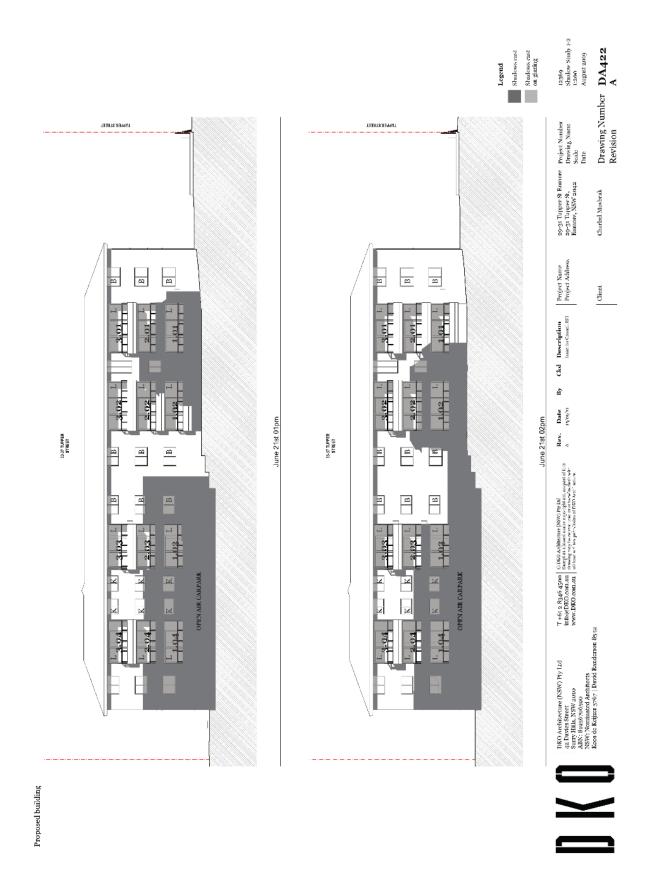


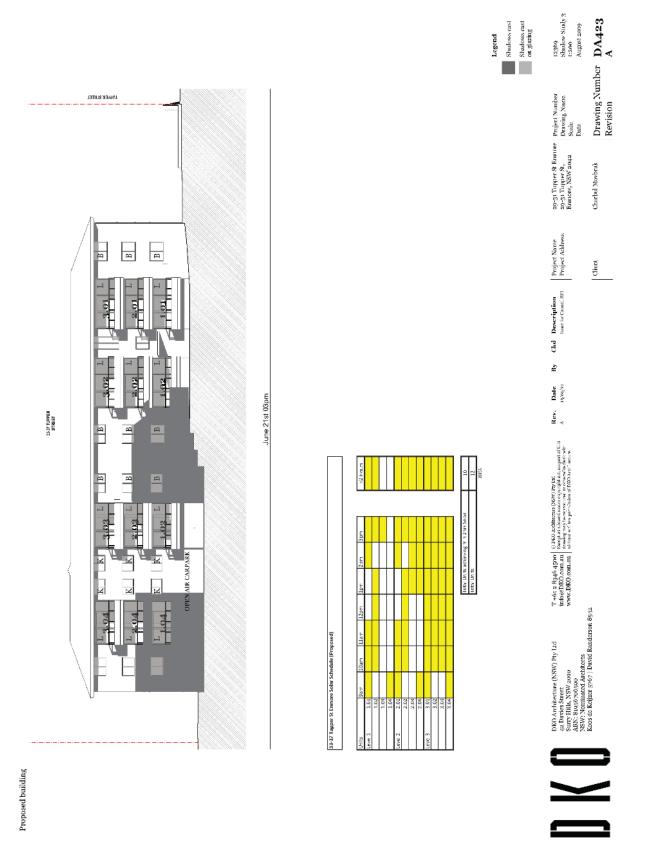


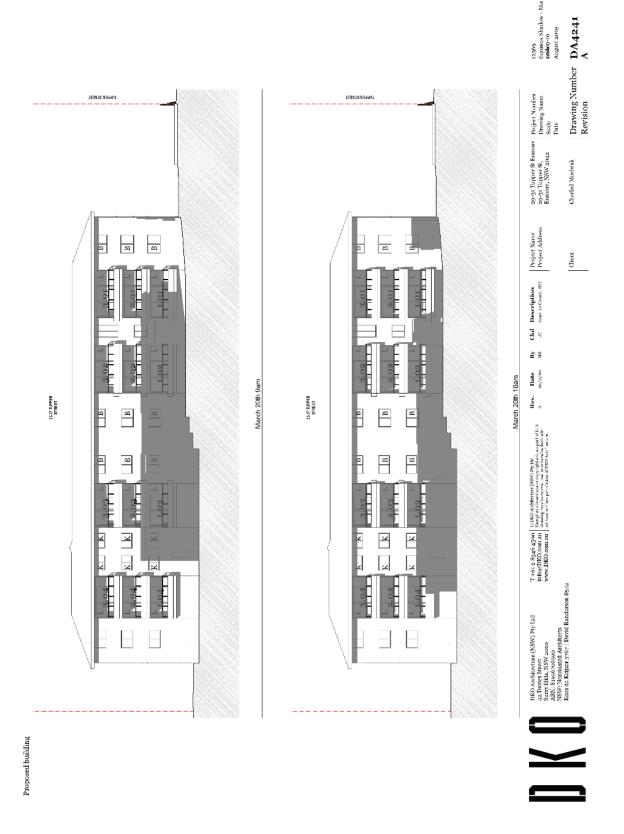


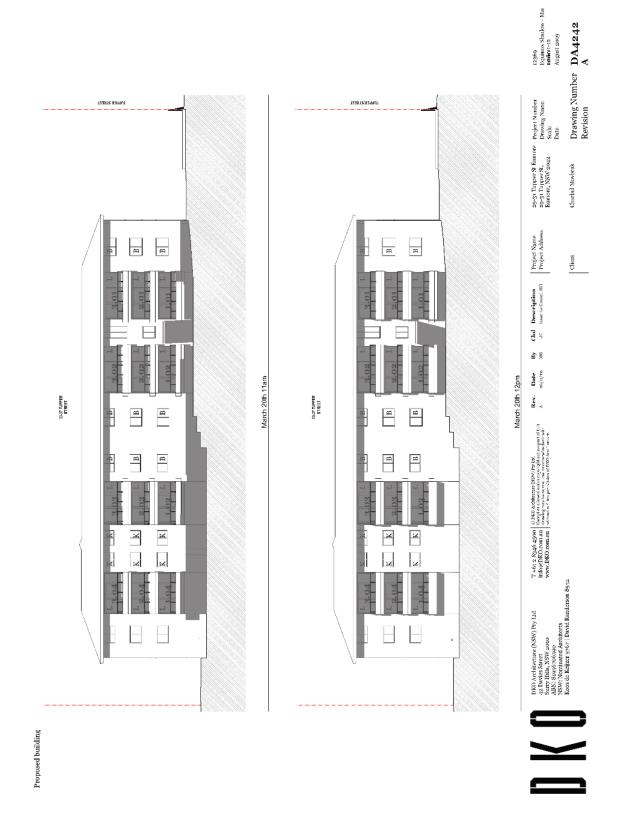


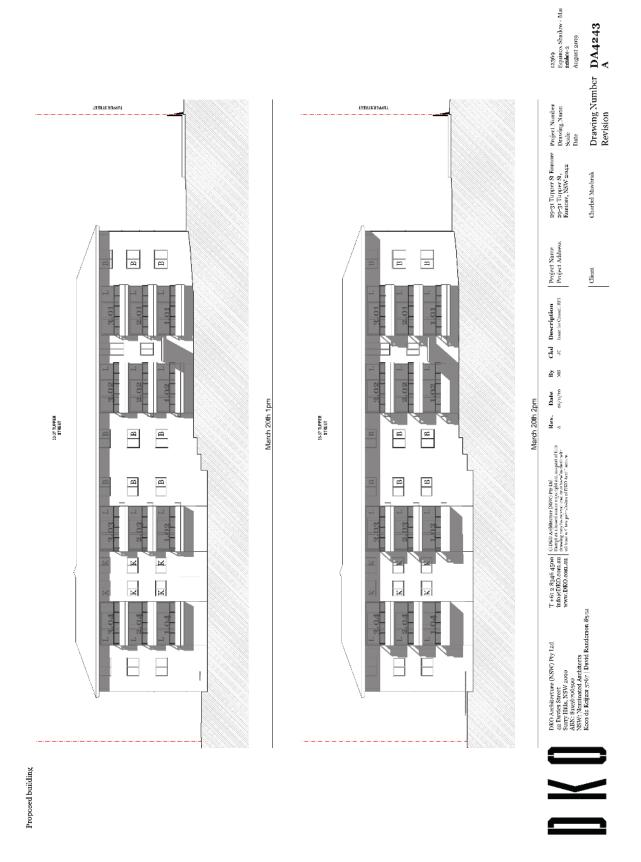


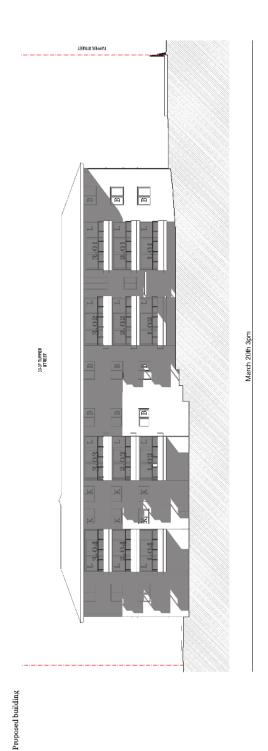




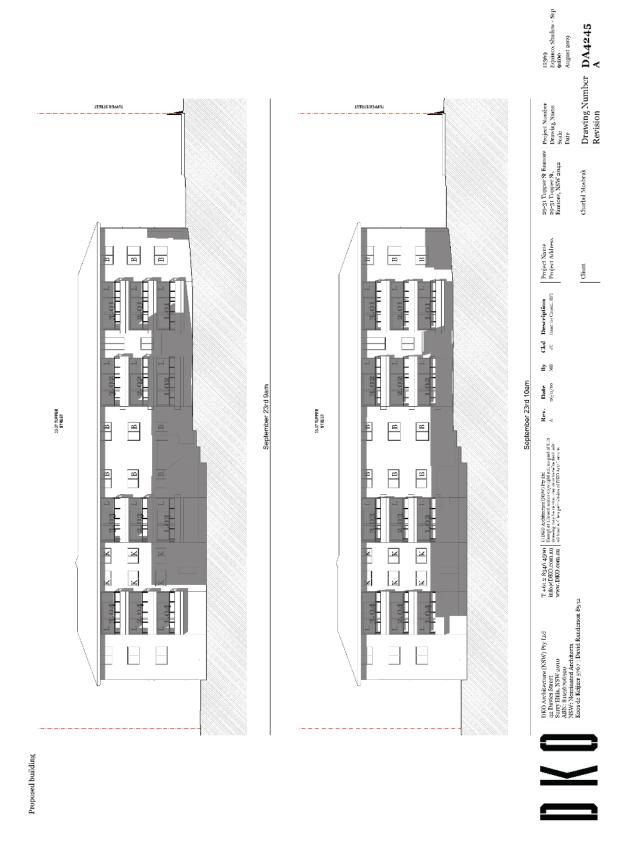


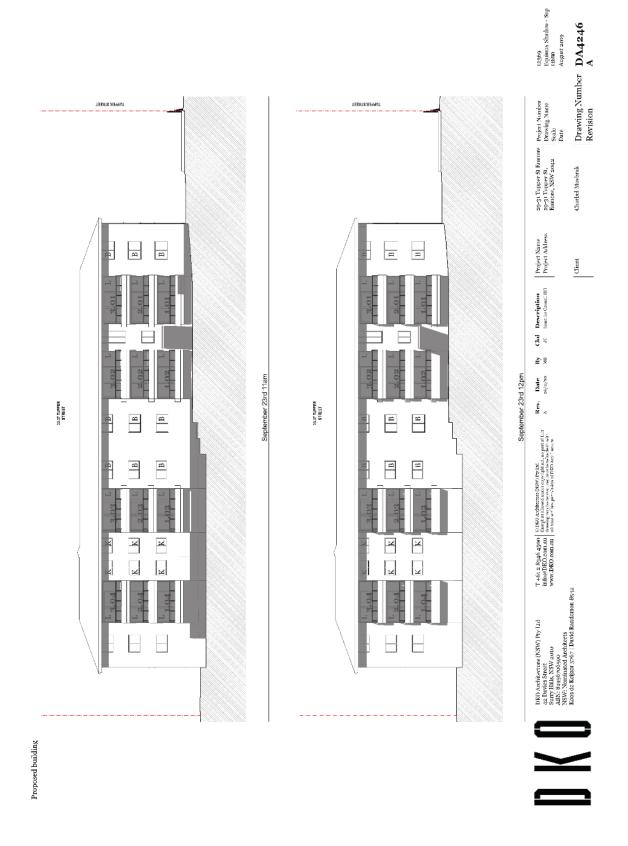


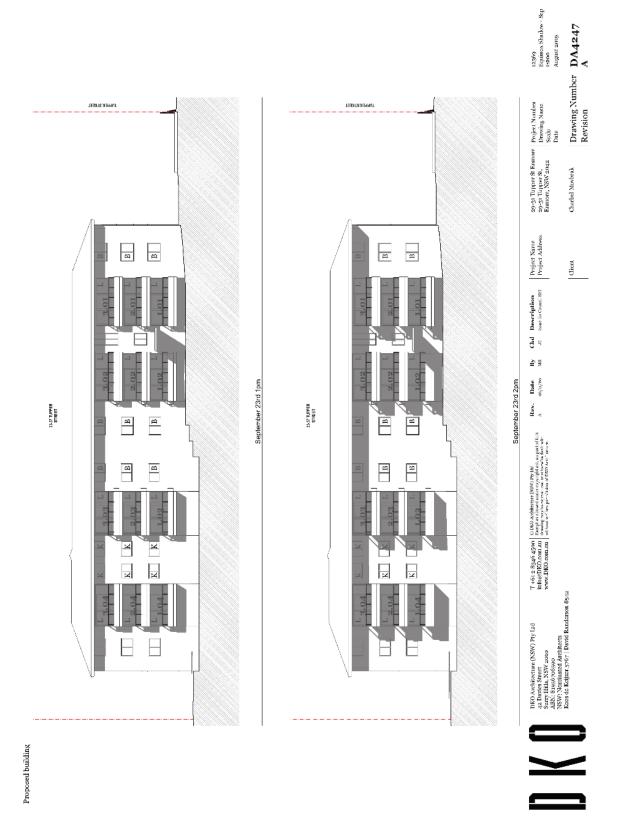


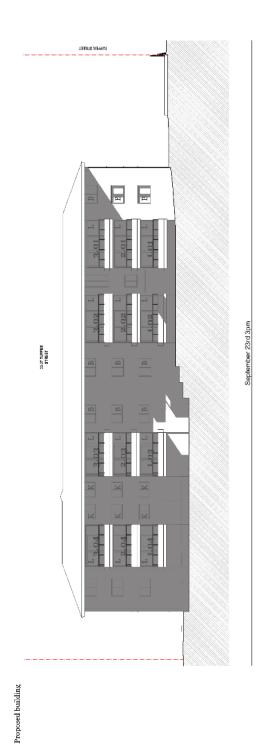


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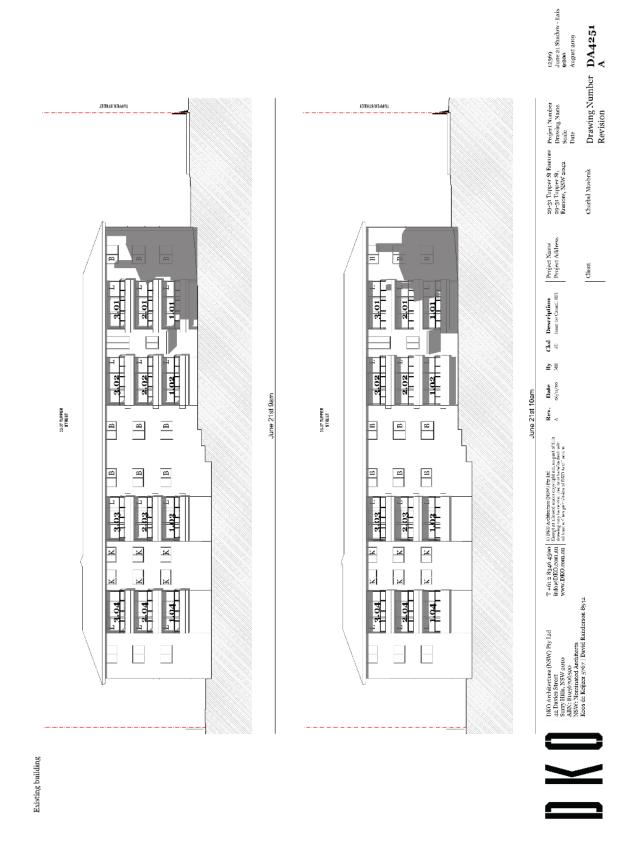


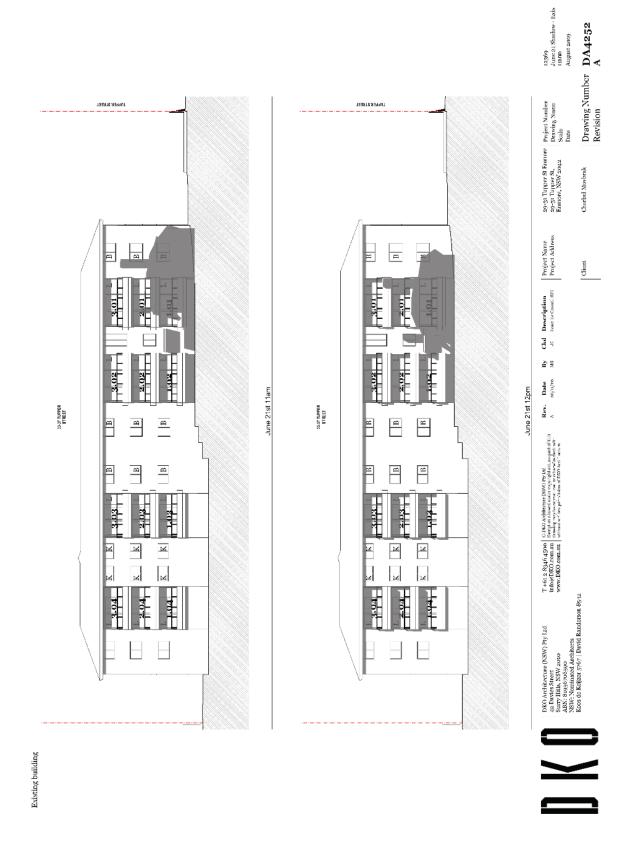


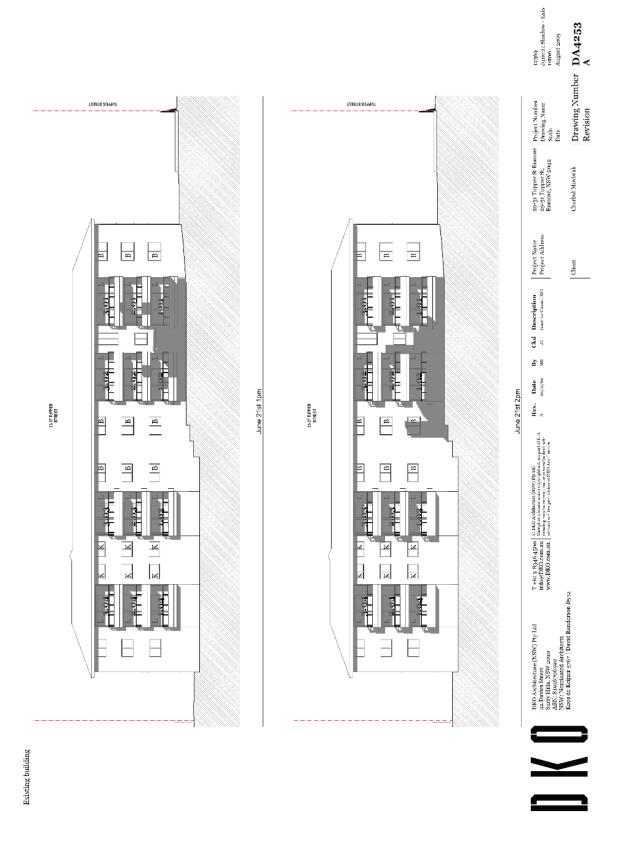


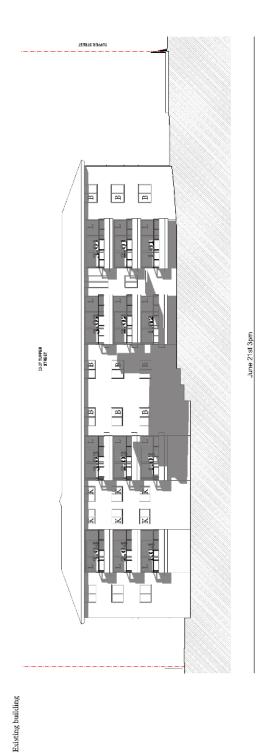
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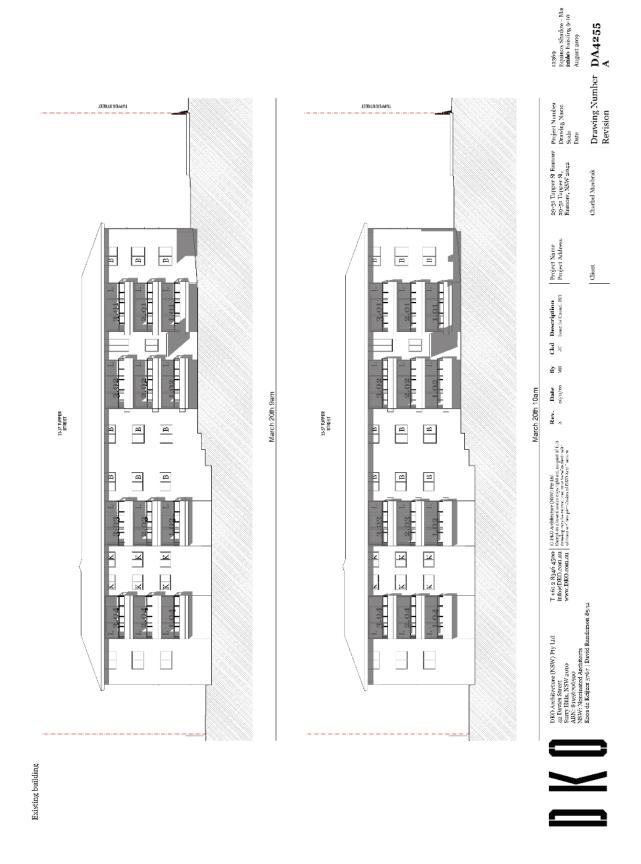


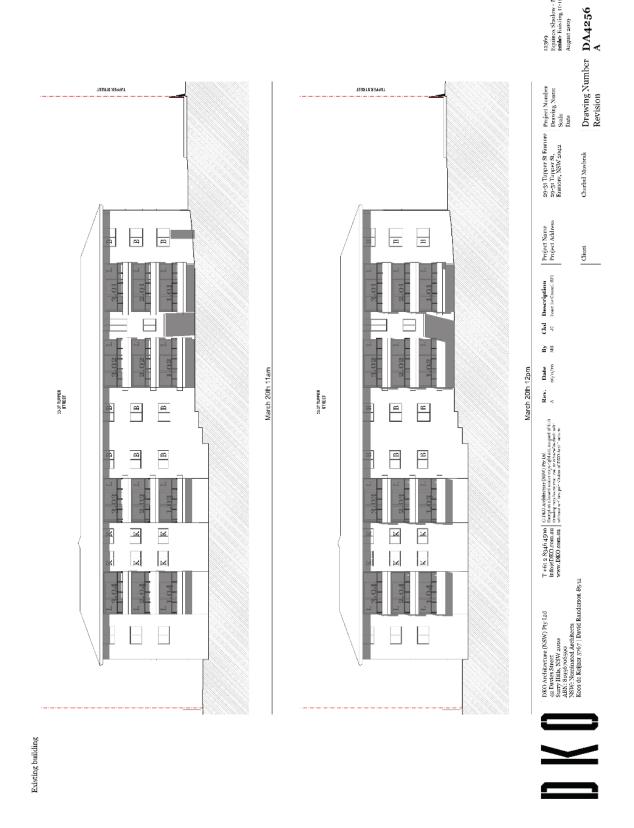


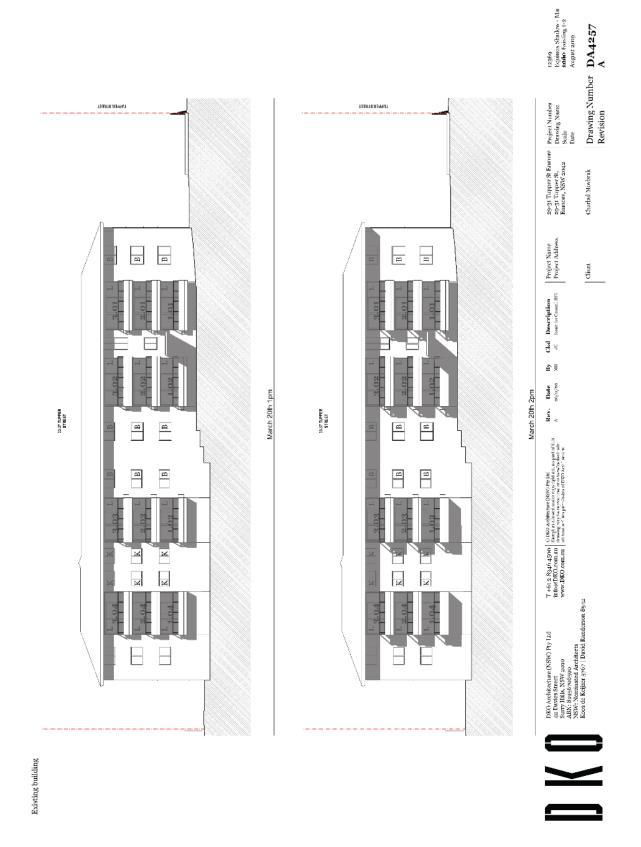


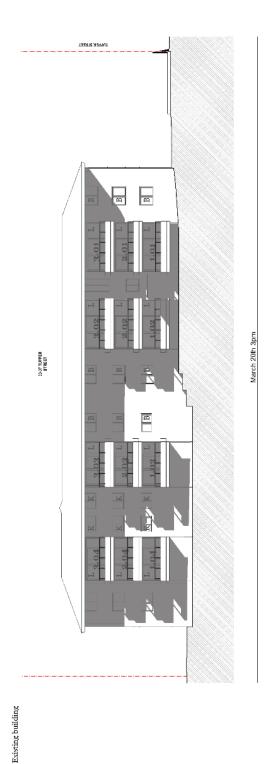


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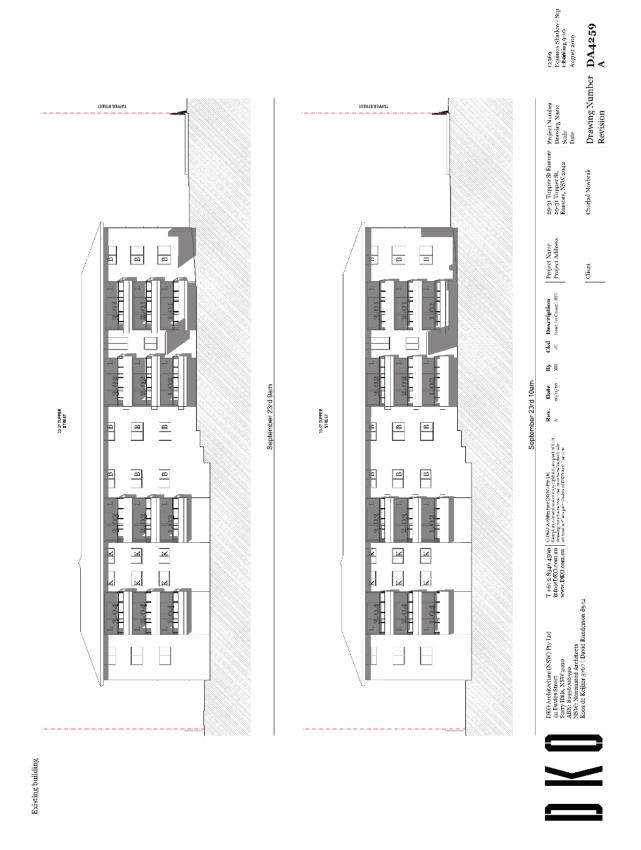


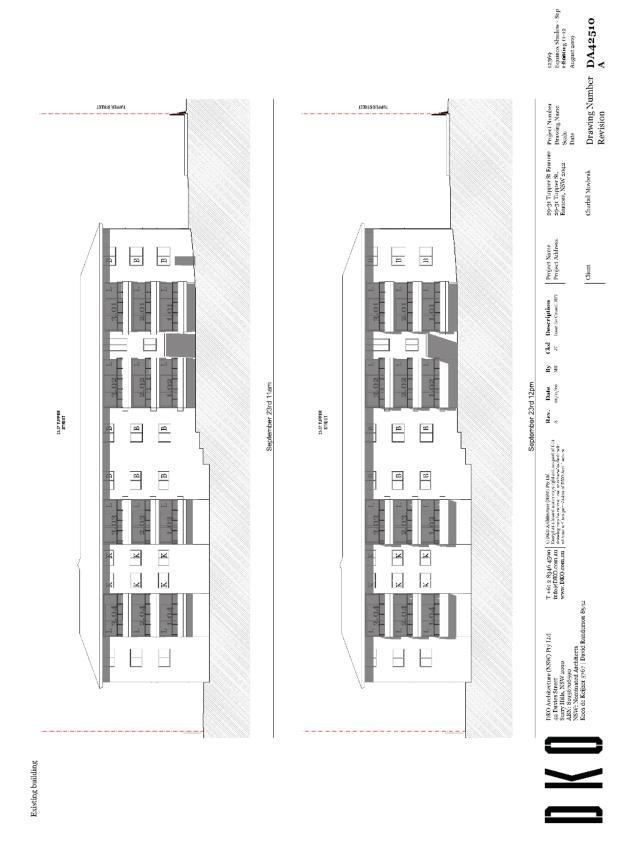


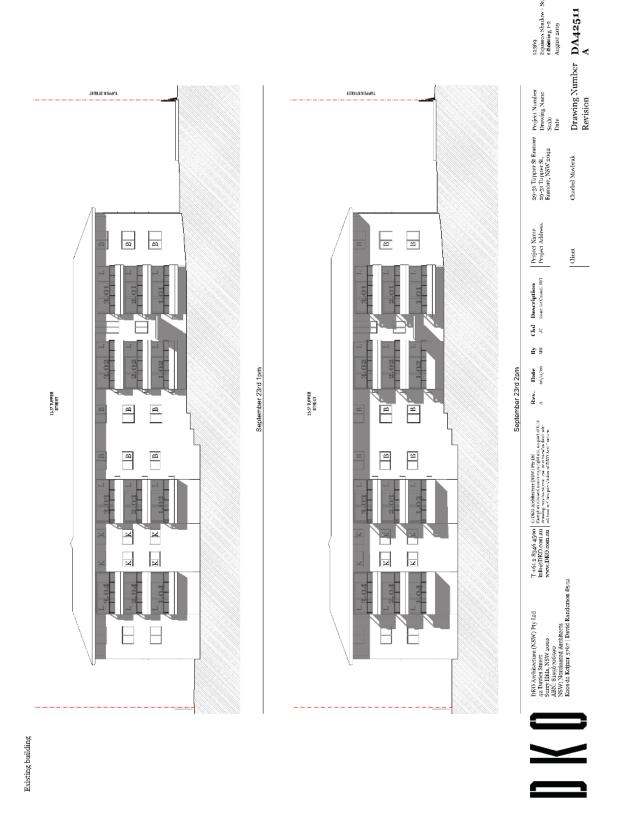


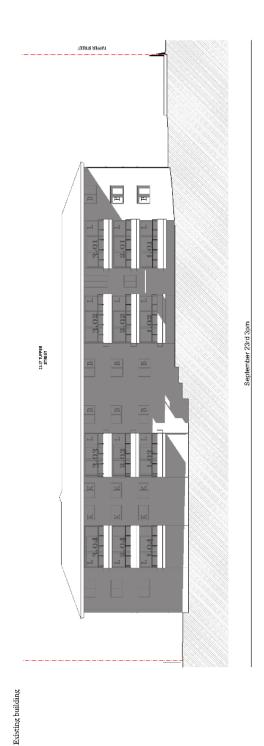


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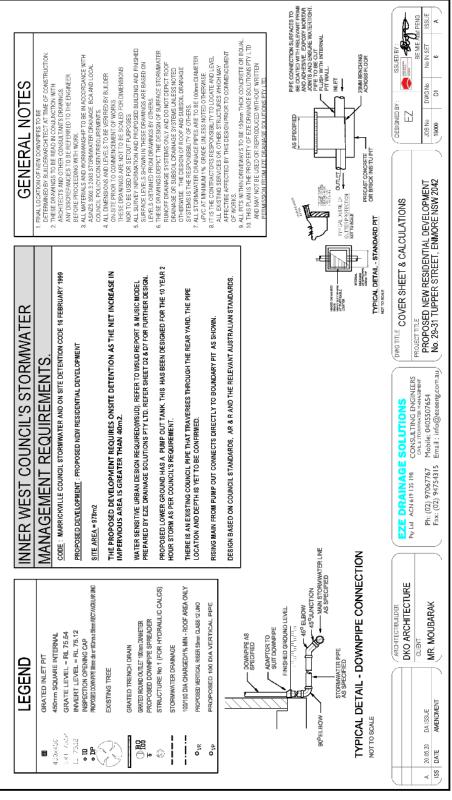




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CONCEPT ONLY NOT FOR CONSTRUCTION No.29-31 TUPPER STREET, ENMORE NSW 2042 **CONCEPT STORMWATER MANAGEMENT PLANS** PROPOSED NEW RESIDENTIAL DEVELOPMENT



Document Set ID: 33715199 Version: 1, Version Date: 05/06/2020

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PROPOSED NEW RESIDENTIAL DEVELOPMENT No. 29-31 TUPPER STREET, ENMORE NSW 2042

Mobile: 0405507654 Email: info@ezeeng.com.au

Ph: (02) 97067767 Fax: (02) 94754315

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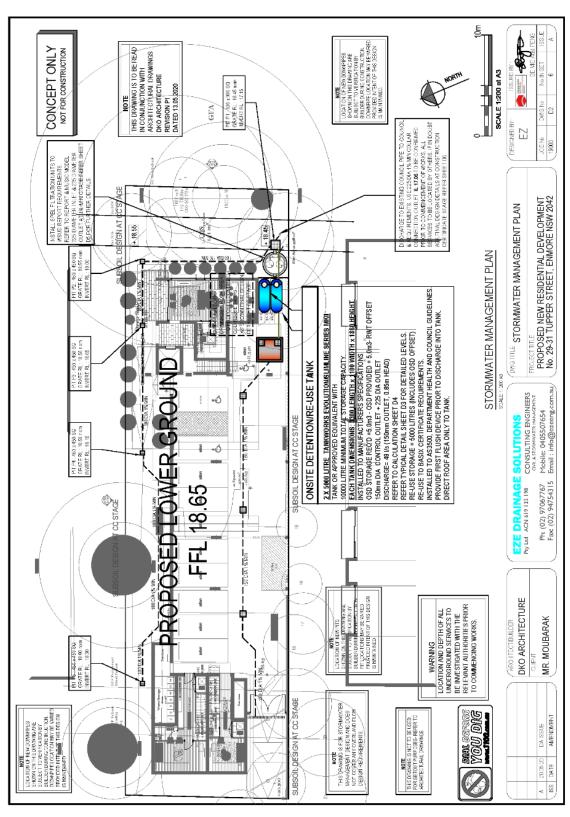
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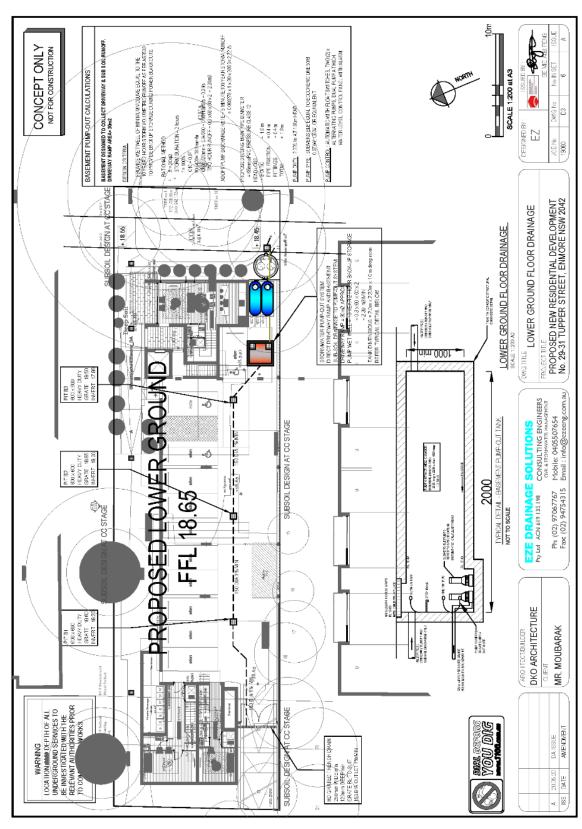
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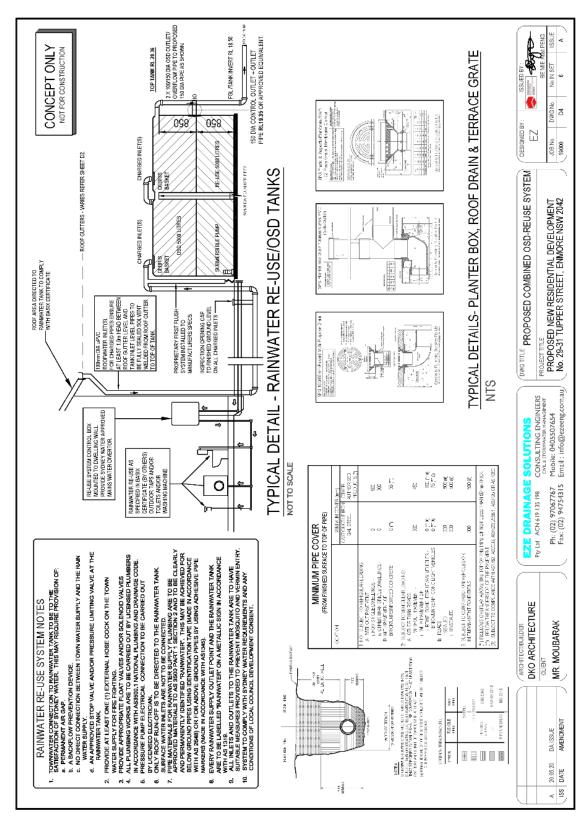
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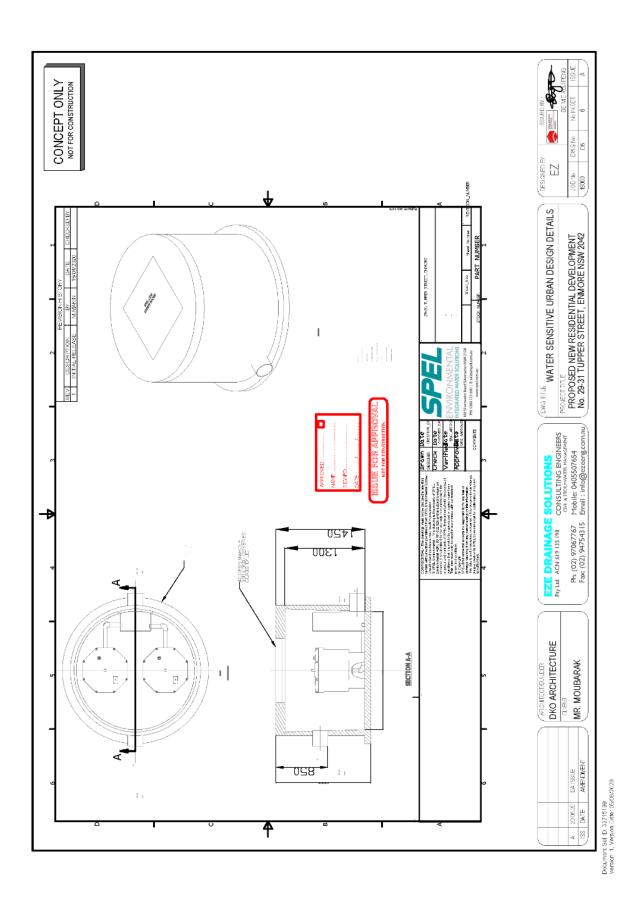
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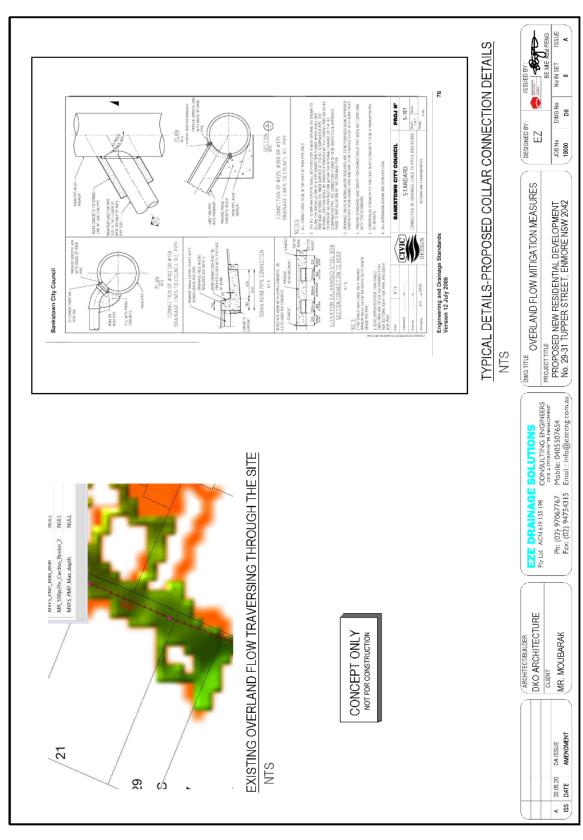
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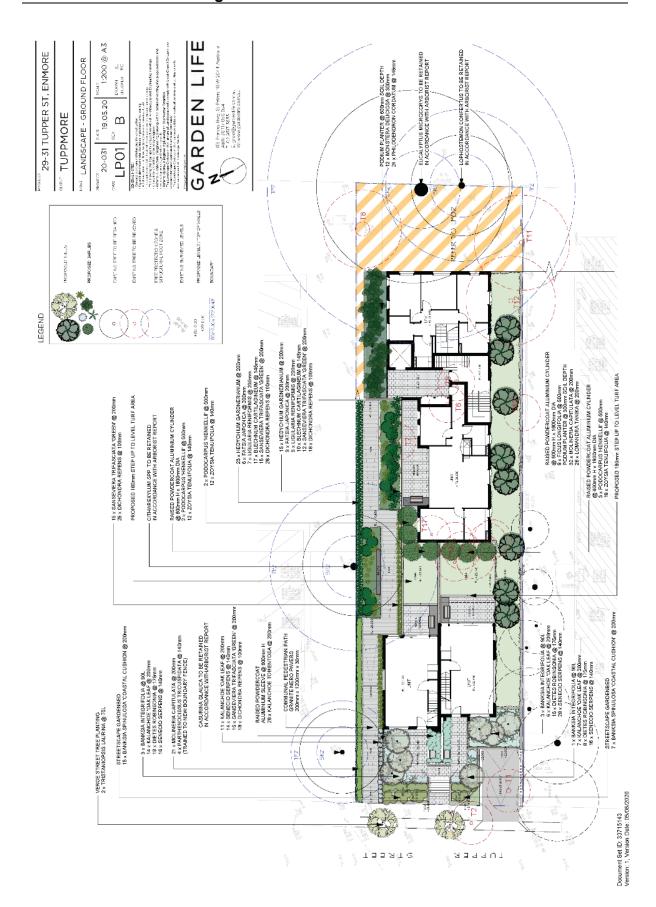
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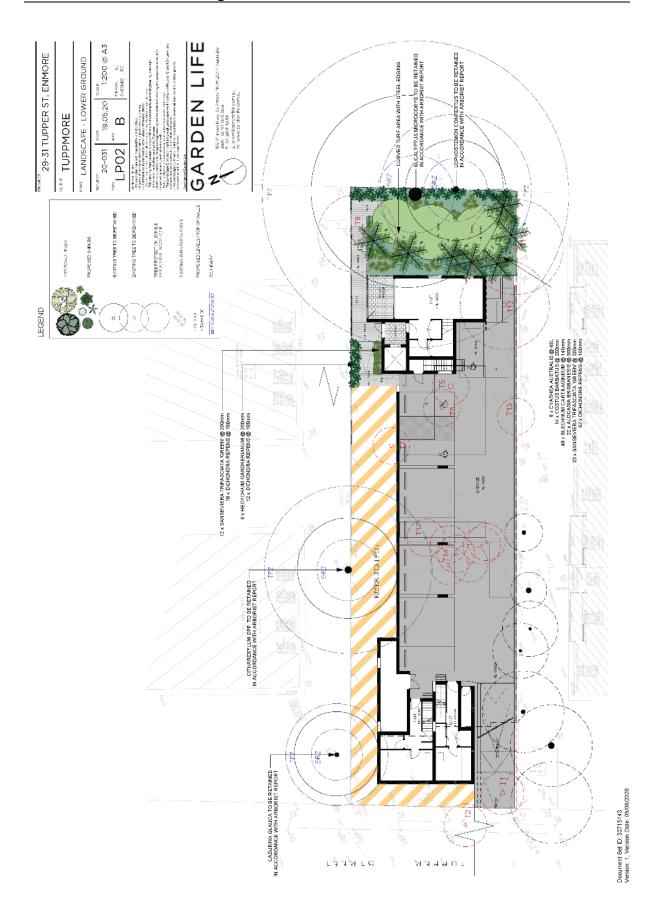


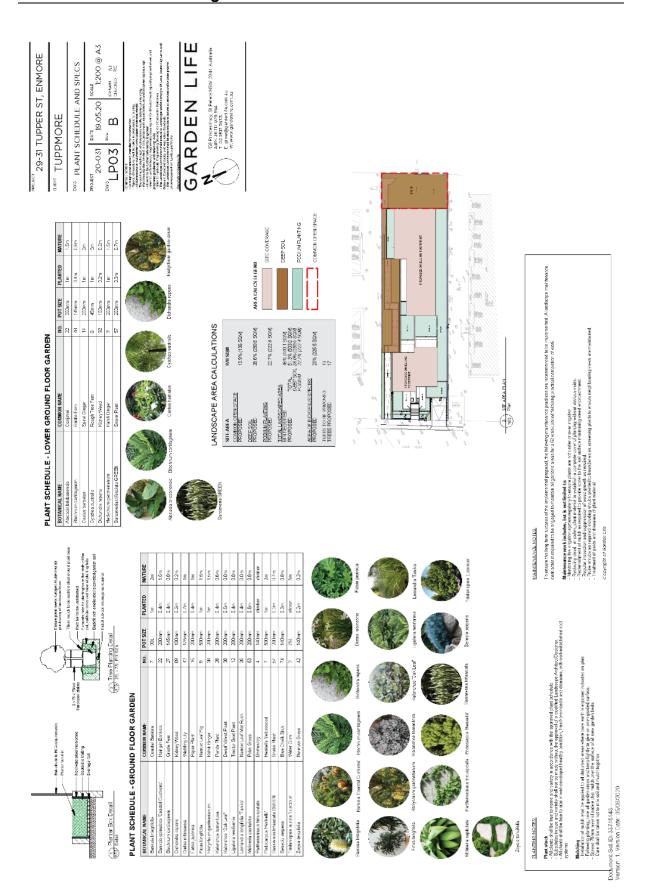
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No.29-31 TUPPER STREET, ENMORE NSW 2042 PROPOSED NEW RESIDENTIAL DEVELOPMENT **EROSION AND SEDIMENT CONTROL PLANS**

1. THE EDSORVA AND SETURATED TO AND REASURES SHOWN

THE PLA JAME CONDETY MEASURES DAY AND ITS THE

RESPONSIBILITY OF THE SITE SUFERING DEAT TO BRISKE

THAT ALL CONFINICATION WHONEN PROCEDULAR HACDOGULAN

THAT HE THE THE WAY CONFINICATION WARRANING UNBAR

BITCHMANN THE SOLD SAN DOOR STRUCTURE WAS AND AND THE TOTAL

BUSINESS AND AND THE LOCAL CONFINICATION THE CONFINICATI

- 2. ALI SUBCONFRACTORS WILL BE INFORMED OF THER BESCHOBILLINES PEDIENTIAL PORT BATE ERCSICH AND POLLLITION TO DOMNS LOFE REES. BESCHO AND POLLITION TO DOMNS LOFE REES. IN COMUNICATION WITH OTHER WORK DESCHOOL BILLY OF THIS OFFICE WORK DESCHOOL AND STATES.

2. SEDIMENT FENCES TO HAVE MOXIMUM CATCHMENT AREA OF 800 SQUARE METRES AND MINIMUM STORAGE DEPTH OF 800mm. I. INSTALL SEDIMENT FENCES AS SHOWN ON PLAN AND/OR WHERE REQUIRED AS DETERMINED BY SITE SUPERINTENDENT.

I. EARTH BATTERS TO HAVE MINIMUM PRACTICABLE GRADIENT

REHABILITATION NOTES

D. DO NOT PLACE STOCKPILES OR DISTURBLAND WITHIN 5
METRES OF AREAS SUBJECT TO HIGH VELOCITY
CONCENTRATED OVERLAND FLOW.

AND DISTURBANCE NOTES

- DISTURBANCE TO BE LIMITED TO 2 METRES MINIMUM AND 5 METRES MAXIMUM FROM ESSENTIAL WORKS.
- 2. ACCESS TO THE SITE TO BE LIMITED TO A SINGLE LOCATION WHICH IS CLEARLY MARKED AND FENCED AS REQUIRED.
- 3. ENTRY TO LAND NOT AFFECTED BY ESSENTIAL WORKS TO NOT BE PERMITTED AND BE SUITABLY PROTECTED BY BARRIER FENCING AS REQUIRED. WORKS ARE TO GENERALLY PROCEED IN THE FOLLOWING

ALL DISTURBED LAND TO HAVE MINIMUM GROUND COVER OF 50% WITHIN 20 WORKING DAYS OF EXPOSURE.

. STOCKPILES TO HAVE MINIMUM GROUND COVER OF 60% WITHIN 10 WORKING DAYS OF PLACEMENT.

3. FOR DISTURBED LAND SUBJECT TO SHEET FLOW USE TEMPORARY GROUND COVER SPECIES SUCH AS JAPANESE

MILLET AND DATS AT 20 kg/ha.

1. EARTH BATTERS WILL BE CONSIRUCTED WITH AS LOW A GACHETY AS PRACTICIONE BUT NO STEEPER, UNLESS OTHERWISE NOTED. THAN

- SEQUENCE:
 A INSTALL ALL BARRIER AND SEDIMENT FENCING WHERE SHOWN ON THE PLAN.
- CONSTRUCT THE STABLISED SITE ACCESS.
 CONSTRUCT DIVERSION DRAINS AS REQUIRED.
 INSTALL MESH AND GRAVEL INLETS FOR ANY ADJACENT
- KEN MELES E CLEH SITE AND STOCKPILE TO PROLI IN LOCATIONS SHOWN ON HAAN. F. UNDETWAKE ALL ESSIVE THAT LOCATION WORKS FESTIVE THAT FOOR A DOING FARED ASE STOCKWITER SYSTEMS ARE COWNECTED TO PERMANENT DANNINGE AS SOON AS FOSSIBLE.

- PERMANENT STABILISATION (LANDSCAPING) WITHIN 25 DAYS OF COMPLETION OF CONSTRUCTION WORKS REMAYER THE STORE OF CONTROL MEASURES ATTER THE PERMANENT LANDSCAPING HAS BEEN ATTER THE PERMANENT LANDSCAPING HAS BEEN
- MEASURES WEEKLY AND AFTER EVERY STORM EDENT.
 ON CAMPLETION OF RAUGH WORKS LEAFED EDISTREED AFBAS
 MITH A SCARIFIED SUFFACE TO ENCOURAGE WATER
 INFILTRATION AND ASSIST MITH KEYING TOPSOL LATER. REVIEW, REPAIR, UPGRADE OR ADD EROSION CONTROL

WASTE CONTROL NOTES

INSPECTION AND MAINTENANCE NOTES

SITE SUPERINTENDENT TO INSPECT SITE WEEKLY AND AFTER EVERY STORM ENAUT FOR.

1. EROSION CONTROL MEASURES IN WORKING CKDER. IN SISSESS AND REMOVE SEDIMENT ACCUMULATION.

- 1. PROWDE WATERTIGHT CHEMOAL RESISTANT RECEPTAGLES FOR LIQUID WASTE DISPOSAL SUCH AS CONCRETE AND MORTAR SULRRIES, ACIDS AND PAINTS. ALSO PROWDE GENERAL WASTE
 - WASTE REMOVAL SERVICES TO BE PROVIDED AT LEAST WEEKLY.
 - 3. ALL WASTETO BE PLACED WITHIN CONTAINMENT BLNDS OR FENCING TO PREVENT POLLUTION RUNGE.

II. DISTURBED/REPUBLITATED AREAS HAVE ADEQUATE GROUND COVER MAN ADDITIONAL REDSION/SEDMENT CONTROL MENSURES AS REQUIRED. AS REQUIRED.

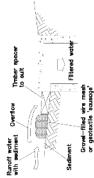
SEDIMENT CONTROL NOTES

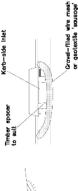
4 PROVIDE VEHICLE WASHDOWN AND MAINTENANCE AREA COATA MHEN WHIN SULT ARE BEANDSHERONGS.

5, ALL SITE STAFF AND SUB-CONTRACTORS ARE TOBE INFORMED OF THEIR OBLIGATION TO USE WASTE CONTRICA FACILITIES.

CONCEPT ONLY NOT FOR CONSTRUCTION

PLACE GRAVEL SAUSAGE AROUND THE NEAREST DOWNSTREAM COUNCIL STORMWATER PIT IN TUPPER STREET





GRAVEL AND MESH INLET FILTER



Pty Ltd. ACN 619 135 198 CONSULTING ENGINEERS CALLS FTORMWATER MANAGEMENT Ph: (02) 97067767 Fax: (02) 94754315

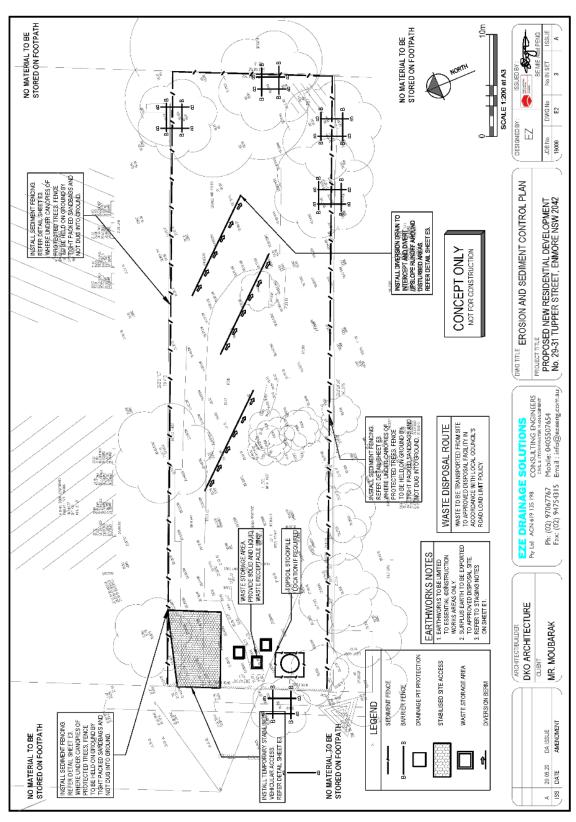
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Email: info@ezeeng.com.au

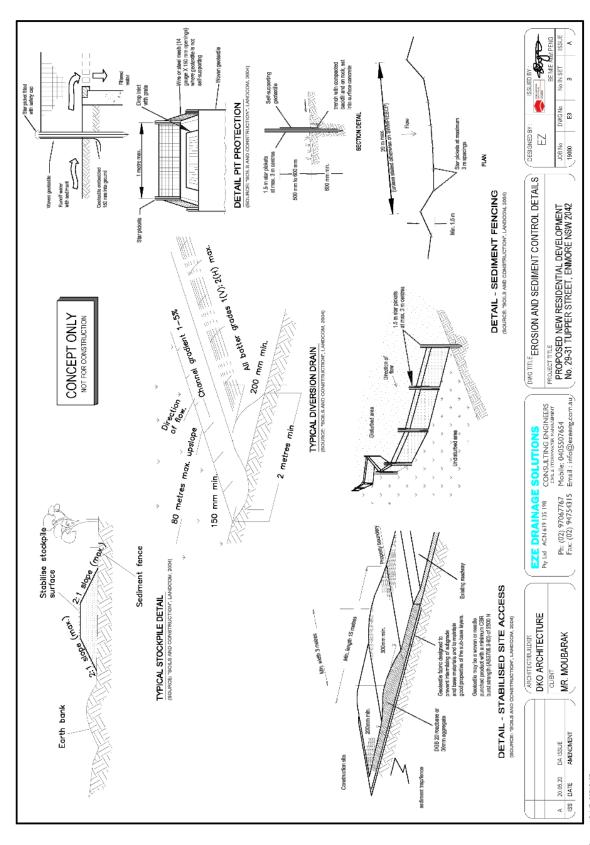
PROPOSED NEW RESIDENTIAL DEVELOPMENT No. 29-31 TUPPER STREET, ENMORE NSW 2042 DWG TITLE COVER SHEET AND INSTRUCTIONS

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