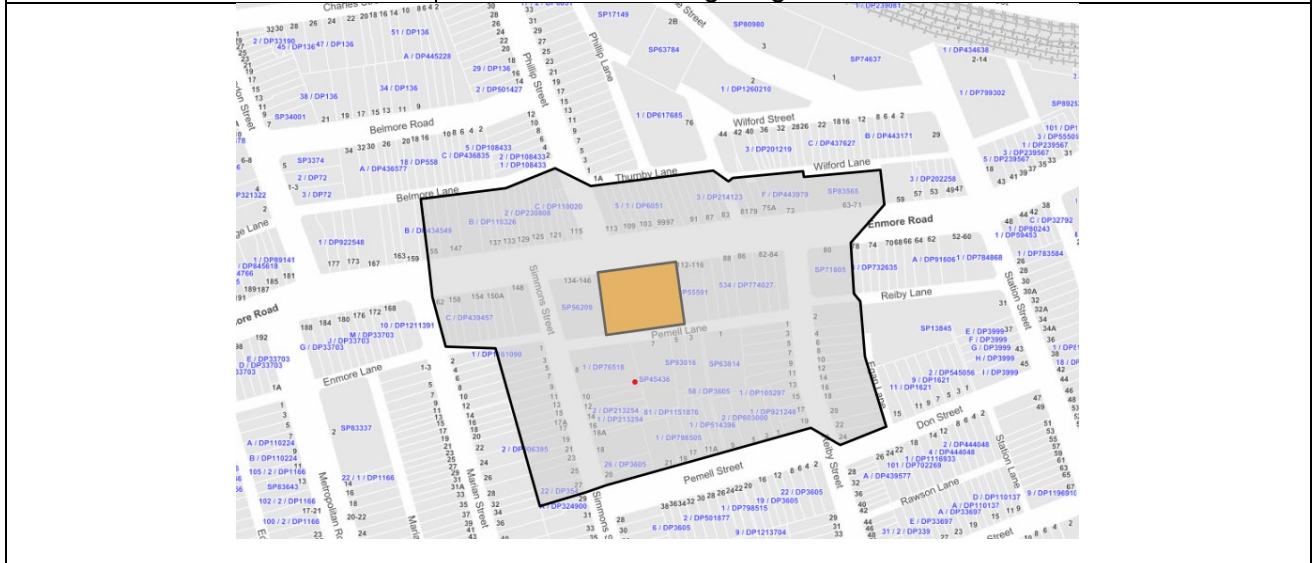




 DEVELOPMENT ASSESSMENT REPORT	
Application No.	MOD/2020/0359
Address	118-132 Enmore Road NEWTOWN NSW 2042
Proposal	Section 4.55 (1a) Modification to Modified Determination No.201600383, dated 29 October 2018 so as to alter the internal layout for seating arrangements to the theatre.
Date of Lodgement	23 October 2020
Applicant	Century Venues Pty Ltd
Owner	Ms Mary Eliadis, Radrift Pty Ltd
Number of Submissions	Initial: 0
Value of works	\$935,000.00
Reason for determination at Planning Panel	Further variation to maximum floor space ratio exceeding 10%
Main Issues	Floor space ratio variation
Recommendation	Approval with Conditions
Attachment A	Recommended modified conditions of consent
Attachment B	Plans of proposed development
Attachment C	Consent Modified Determination No.201600383
Attachment D	Stamped Plans - Modified Determination No.201600383
Attachment E	Statement of Heritage Significance – Enmore Theatre



LOCALITY MAP

Subject Site		Objectors		↑ N
Notified Area		Supporters		

Note: Due to scale of map, not all objectors could be shown.

1. Executive Summary

This report concerns an application under s4.55(1a) of the *Environmental Planning & Assessment Act 1979* to modify Modified Determination No.201600383, dated 29 October 2018 so as to alter the internal layout for seating arrangements to the theatre. The application was notified in accordance with Council's Notification Policy and no submissions were received in response to the initial notification.

The application is referred to the Inner West Local Planning Panel for determination as the development results in a further increase in gross floor area of 282sqm, resulting in a total variation to the maximum floor space ratio development standard prescribed by Clause 4.4 of MLEP 2011 of 407 square metres or 15.7%.

It is considered the proposal generally complies with the provisions of Marrickville Local Environmental Plan 2011 (MLEP 2011) with the exception of the variation to the maximum floor space ratio development standard as above. The development is consistent with the applicable draft Environmental Planning Instruments applying to the site and the development is generally consistent with the provisions of Marrickville Development Control Plan 2011 (MDCP 2011).

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

The application is recommended for approval subject to appropriate modified conditions.

2. Proposal

Deferred commencement consent was granted by Determination No. 201600383 on 15 November 2017 to carry out internal and external alterations and additions to the Enmore Theatre, including a Signage Strategy, and to formalise the operation of the premises with a Operation Plan of Management, House Policy and Harm Minimisation Policy with the theatre to have a maximum capacity of 2,500 patrons.

The determination was subsequently modified and made operative on 29 October 2019 by way of a modification application which involved modifying a number of conditions in Part A of the determination.

Approval is now sought to modify Modified Determination No.201600383 dated 29 October 2018 so as to alter the internal layout for seating arrangements to the theatre. Specifically, the following works are proposed:

- Reconfigure the seating layout on the second floor level to include new balconies with tiered seating;
- Split the existing second floor level lounge associated with the south western seating areas into a mezzanine and upper level, including relocating an existing bar on the mezzanine level and new lounge on the upper level above; and
- Minor changes to location of accessible seating and stair layouts.

3. Site Description

The site is located on the southern side of Enmore Road, between Simmons Street and Reiby Street, Enmore. The site comprises the lots legally described as Lots 2, 3 & 4 in Deposited Plan 62845 and Lot 1 in Deposited Plan 955088, having a combined frontage of 47.04 metres to Enmore Road, a rear frontage of 46.70 metres to Pemell Lane and is 1,717sqm in area.

The site contains an existing 2 storey theatre building, known as the Enmore Theatre. Pemell Lane adjoins the site along its rear (southern) boundary.

The site is located within Enmore Road commercial centre. The site is adjoined by No. 134-136 Enmore Road to the west which contains a 3 storey mixed use shoptop housing development and No. 112.116 Enmore Road to the east which contains a 3 storey mixed use shoptop housing development. The south of the site is generally characterised by low to medium density residential development.

The site is listed as a heritage item under MLEP 2011, namely 'Enmore Theatre' (Item I151). The site is also located within a Heritage Conservation Area under MLEP 2011 (Heritage Conservation Area C2 – King Street/Enmore Road).

A land zoning map of the locality from MLEP 2011 is reproduced below:



4. Background

4(a) Site history

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

Determination No.	Proposal	Decision & Date
Determination No. 201600383	To carry out internal and external alterations and additions to the Enmore Theatre, including a Signage Strategy, and formalise the operation of the premises with a Operation Plan of Management, House Policy and Harm Minimisation Policy with the theatre to have a maximum capacity of 2,500 patrons.	Deferred commencement approval dated 15 November 2017
Modified Determination No. 201600383	To modify a number of conditions in Part A of the determination	Approval dated 29 October 2018

4(b) Application history

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

Date	Discussion / Letter / Additional Information
23 October 2020	Application lodged with Council
3 November 2020 to 17 November 2020	Public notification

5. Assessment

The application seeks consent under S4.55(1a) of the *Environmental Planning and Assessment Act 1979* to modify Modified Determination No.201600383 dated 29 October 2018 so as to alter the internal layout for seating arrangements to the theatre.

The works involve internal alterations and additions involving the second floor level. The works include the following:

- Reconfigure the seating layout on the second floor level to include new balconies with tiered seating;
- Split the existing second floor level lounge associated with the south western seating areas into a mezzanine and upper level, including relocating an existing bar on the mezzanine level and new lounge on the upper level above; and
- Minor changes to location of accessible seating and stair layouts.

(i) Internal alterations and additions

The proposed relocation of the second floor level seating areas from within the existing upper levels on each level to being protruding balcony elements contributes to additional gross floor area (GFA) within the building. Furthermore, the splitting of the second floor level on the south western corner of the building into a mezzanine floor level and an upper floor level contributes to additional GFA.

Modified Determination No.201600383 approved the development with a GFA of 2,700sqm and a floor space ratio of 1.57:1 on the 1,717sqm site which did not comply with the relevant FSR development standard for the site prescribed by Clause 4.4 of MLEP 2011. The

development was approved with a variation of 125sqm or 4.8%. The variation was considered acceptable for a number of reasons, including that the intensity of the development is not increasing as the development was principally due to changes to meet relevant building code requirements.

The subject application seeks to further increase the Gross Floor Area of the building by 282sqm, increasing the FSR to 1.74:1 and a total variation of 15.7%. Whilst a written request under Clause 4.6 of MLEP 2011 is not required in this instance given that it is an application under s4.55(1a) of the Act, it is relevant to consider the impact of the proposed increase in GFA.

The proposed additional 282sqm can be attributed to the following 2 changes:

- The reconfiguration of the seating layout on the second floor level to include new balconies with tiered seating relocates the GFA attributed to that seating from existing floor areas within the building to new balconies; and
- The reconfiguration of the existing second floor level lounge associated with the south western seating areas into a mezzanine and upper level produces additional GFA.

The Statement of Environmental Effects submitted with the application makes the following points regarding the increased GFA, in part:

“In terms of the environmental planning grounds to support the proposal, it is noted the proposal:

- a) Will achieve an improved heritage outcome;*
- b) Will improve the functioning and sight lines for visitors of the theatre, and the associated experience;*
- c) Will reduce structural impacts on existing load-bearing heritage fabric;*
- d) Will involve works which are more “removeable” from a heritage perspective;*
- e) Is acceptable against heritage, access and BCA considerations;*
- f) Will not change the overall bulk or density of the proposal;*
- g) Meets the objectives of the LEP, DCP and objects of the Act;*
- h) Will not cause any adverse external impact or upon other land.”*

Having considered the above matters and the commentary provided in the SEE, it is agreed that the additional GFA is acceptable given the circumstances. It is noted that the total capacity of the theatre has not increased as part of this application, and therefore the additional GFA proposed contributes to an improved amenity for patrons, including a more considered second floor layout, larger lobby and lounge areas, less clutter around stair and bar areas, and improved sight lines for patrons.

The internal reconfiguration of minor elements such as accessible seating and stair layouts have been considered by internal referral bodies and no further concern is raised.

Given the above, the development is acceptable in regard to the internal alterations and additions and the additional GFA proposed.

(ii) Heritage Conservation

The subject site is listed as a heritage item in Schedule 5 of Marrickville Local Environmental Plan 2011, being '*Enmore Theatre, including interiors*'. It is also a contributory item to the 'King Street and Enmore Road Heritage Conservation Area' (C2).

A revised Heritage Impact Statement was submitted with the application in accordance with Clause 5.10 of MLEP 2011 and is considered acceptable.

The application was referred to Council's Heritage Specialist who advised that the proposed modifications will involve mostly retention of significant fabric dating from the 1936 approval. Two light fittings will be relocated due to the provision of side box seating, which is supportable on heritage grounds.

Council's Heritage Specialist raised no concern over the development subject to the following additional conditions being included in the Determination:

- *Prior to the issue of a Construction Certificate, the Principal Certifying Authority must be provided with plans showing relocation of the 2 light fittings removed to make space to the new box seating.*
- *Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a protection plan certified by an suitably qualified Heritage Architect detailing how significant original fabric of the existing building such as decorated ceilings, cornices, original fittings and finishes are be protected during site preparation and construction works from potential damage. Equipment laydown areas and contractor vehicles must be located away from the heritage structures and areas of heritage significance to minimise any potential impact to the external or internal fabric. Contractor's vehicles must not be parked near heritage structures or landscaped areas which could inadvertently be damaged. Protection measures are to be specified in the construction management plan.*
- *Prior to any demolition on the site or the issue of a Construction Certificate, the Certifying Authority must be provided with evidence that Council has received a full archival record of the building and landscape elements to be altered...*

Subject to the above, the development is considered acceptable having regard to Clause 5.10 of MLEP 2011 and the relevant provisions of Part 8 of MDCP 2011.

Overall, the proposal is considered acceptable with the relevant controls contained in Marrickville Local Environmental Plan 2011, Draft Inner West Local Environmental Plan 2020 and Marrickville Development Control Plan 2011.

The application has been assessed with regard to the heads of consideration under the provisions of Section 4.15 of the *Environmental Planning & Assessment Act 1979 (EP&A Act 1979)* and is considered suitable for approval subject to Condition 1 of the determination being modified accordingly and the additional conditions being included in the determination as discussed above.

(iii) Modification to conditions

As discussed above, it is recommended that 3 additional conditions be included in the determination in response to the heritage concerns discussed in Section 5(ii).

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

5(a) Notification and Advertising

The application was advertised, an on-site notice was displayed on the property, and residents/property owners in the vicinity of the property were notified of the development in accordance with Council's policy and no submissions were received.

5(b) 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(c) 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(d) Any submissions

The application was advertised, an on-site notice was displayed on the property, and residents/property owners in the vicinity of the property were notified of the development in accordance with Council's policy and no submissions were received.

5(e) 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

The application was referred to the following internal referral bodies:

Referral body	Comments
Heritage specialists	No concern raised, subject to suitable additional conditions.
Fire Safety	No concern raised and no additional conditions of consent are required. The proposal fails to comply with the DTS provisions of the BCA however these non-compliances can be dealt with via performance solutions at CC stage
Building Certification	No concern raised and no additional conditions of consent are required.

	As per the BCA report the work is capable of BCA compliance but will involve fire safety performance solutions. This will form part of the CC documentation.
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7. Section 4.55 of the Environmental Planning and Assessment Act

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

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

The development being modified is substantially the same development as the development for which consent was originally granted. No authorities or bodies were required to be consulted. The application was notified in accordance with the regulations and Council's policy and no submissions were received.

8. Conclusion

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

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

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

9. Recommendation

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, grant consent to Development Application No. MOD/2020/0359 for the application under Section 4.55 (1a) of the *Environmental Planning & Assessment Act 1979* to modify Modified Determination No.201600383, dated 29 October 2018 so as to alter the internal layout for seating arrangements to the theatre. at 118-132 Enmore Road, Enmore subject to the conditions listed in Attachment A below.

Attachment A – Recommended conditions of consent

THAT the application under Section 4.55(1a) of the *Environmental Planning & Assessment Act 1979* to modify Modified Determination No.201600383, dated 29 October 2018 so as to alter the internal layout for seating arrangements to the theatre be **APPROVED** and a modified Determination be issued with the Determination being modified in the following manner:

(i) That Condition 1 be amended to read as follows:

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

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by	Date Submitted
ND01 D	Proposed Roof Plan	1 December 2016	Nikita Designs	3 August 2017
ND02 K	Ground Floor Reference Plan	3 August 2017	Nikita Designs	3 August 2017
ND03 G	First Floor Reference Plan	20 June 2017	Nikita Designs	3 August 2017
ND04 G	Second Floor Reference Plan	20 June 2017	Nikita Designs	3 August 2017
ND05 G	Basement Floor Reference Plan	20 June 2017	Nikita Designs	3 August 2017
ND06 H	Ground Floor Plan Area A	26 June 2017	Nikita Designs	3 August 2017
ND07 H	Ground Floor Plan Area B	26 June 2017	Nikita Designs	3 August 2017
ND08 H	Ground Floor Plan Area C	26 June 2017	Nikita Designs	3 August 2017
ND09 H	Ground Floor Plan Area D	26 June 2017	Nikita Designs	3 August 2017
ND10 K	First Floor Plan Area E	3 August 2017	Nikita Designs	3 August 2017
ND11G	Second Floor Plan Area F	21 March 2017	Nikita Designs	3 August 2017
ND12 D	Second Floor Plan Area G	4 April 2017	Nikita Designs	3 August 2017
ND13 F	Second Floor Plan Area H	21 March 2017	Nikita Designs	3 August 2017
ND14 C	Basement Plan Area I	21 June 2016	Nikita Designs	3 August 2017

ND15 K	Available Exit Widths Plan	3 August 2017	Nikita Designs	3 August 2017
ND16 K	Section A-A	3 August 2017	Nikita Designs	3 August 2017
ND17 K	Section A-A Front	3 August 2017	Nikita Designs	3 August 2017
ND18 C	Section A-A Rear	21 June 2016	Nikita Designs	3 August 2017
ND19 C	Section B-B	21 June 2016	Nikita Designs	3 August 2017
ND20 C	Section C-C	21 June 2016	Nikita Designs	3 August 2017
ND21 K	Section D-D	3 August 2017	Nikita Designs	3 August 2017
ND22 K	Section E-E	3 August 2017	Nikita Designs	3 August 2017
ND23 E	Front Elevation Overall	8 December 2016	Nikita Designs	3 August 2017
ND24 D	Front Elevation Part A	1 December 2016	Nikita Designs	3 August 2017
ND25 E	Front Elevation Part B	8 December 2016	Nikita Designs	3 August 2017
ND26 C	Rear Elevation Overall	21 June 2016	Nikita Designs	3 August 2017
ND27 C	Rear Elevation Part A	21 June 2016	Nikita Designs	3 August 2017
ND28 C	Rear Elevation Part B	21 June 2016	Nikita Designs	3 August 2017
ND29 C	Side Elevation	21 June 2016	Nikita Designs	3 August 2017
ND30 C	Side Elevation	21 June 2016	Nikita Designs	3 August 2017
ND31 C	Under Awning Sign Detail	21 June 2016	Nikita Designs	3 August 2017
ND32 C	Above Awning Sign Detail	21 June 2016	Nikita Designs	3 August 2017
ND36 H	Ground Floor Seating Plan	26 June 2017	Nikita Designs	3 August 2017
ND37 C	Basement Dressing Set-out Plan	21 June 2016	Nikita Designs	3 August 2017
ND38 F	First Floor Dressing Set-out Plan	21 March 2017	Nikita Designs	3 August 2017
ND39 F	Second Floor Dressing Set-out Plan	21 March 2017	Nikita Designs	3 August 2017
ND42	Detail Fixing Seating Plan	-	Nikita Designs	3 August 2017

00213470 / 2090061 / AMW	Plan of Management	14 August 2017	Century Venues Management	26 September 2017
FER Rev. 10	Fire Safety Report	2 August 2017	Alternative Building Solutions	3 August 2017
Issue B	Statement of Heritage Impact	July 2016	Heritas	29 July 2016

and details submitted to Council on 29 July 2016, 3 August 2017 and 26 September 2017 with the application for development consent and as amended by the matters referred to in Part A of this Determination and as amended by the plans and details listed below:

Plan No. and Issue	Plan/Cert Type	Date Issued	Prepared by	Date Submitted
ND23 M	Front Elevation Overall	29 September 2018	Nikita Designs	17 October 2018
ND24 M	Front Elevation Part A	29 September 2018	Nikita Designs	17 October 2018
ND25 M	Front Elevation Part B	29 September 2018	Nikita Designs	17 October 2018
ND29 M	Side Elevation	29 September 2018	Nikita Designs	17 October 2018
ND30 M	Side Elevation	29 September 2018	Nikita Designs	17 October 2018
ND31 L	Under Awning Sign Detail	9 March 2018	Nikita Designs	17 October 2018
ND32 M	Above Awning Sign Detail	29 September 2018	Nikita Designs	17 October 2018
ND43 L	Box Office Sign Detail	9 March 2018	Nikita Designs	17 October 2018
ND44 M	Above Awning Sign Detail	29 September 2018	Nikita Designs	17 October 2018

and details submitted to the Council on 4 May 2018 and 17 October 2018 with the application under Section 4.55 of the Environmental Planning and Assessment Act **and as amended by the plans and details submitted in accordance with Part A of the Determination as listed below:**

Plan & Revision and No.	Plan Name	Date Issued	Prepared by	Date Submitted

Dwg. 003 Rev. C	Colour Scheme Proposal	6 February 2019	Heritas	29 March 2019
Dwg. 004 Rev. C	Colour Scheme Proposal	6 February 2019	Heritas	29 March 2019
ND16 N	Section AA	28 November 2018	Nikita Designs	30 November 2018
ND17 N	Section A-A Front	28 November 2018	Nikita Designs	30 November 2018
ND18 N	Section A-A Rear	28 November 2018	Nikita Designs	30 November 2018
ND19 N	Section B-B	28 November 2018	Nikita Designs	30 November 2018
ND20 N	Section C-C	28 November 2018	Nikita Designs	30 November 2018
ND21 N	Section D-D	28 November 2018	Nikita Designs	30 November 2018
ND22 N	Section E-E	28 November 2018	Nikita Designs	30 November 2018
ND23 N	Front Elevation Overall	28 November 2018	Nikita Designs	30 November 2018
ND24 N	Front Elevation Part A	28 November 2018	Nikita Designs	30 November 2018
ND25 N	Front Elevation Part B	28 November 2018	Nikita Designs	30 November 2018
ND27 N	Rear Elevation Part A	28 November 2018	Nikita Designs	30 November 2018
ND29 N	Side Elevation	28 November 2018	Nikita Designs	30 November 2018
ND30 N	Side Elevation	28 November 2018	Nikita Designs	30 November 2018
ND47 B	Ground Floor Demolition	21 June 2016	Nikita Designs	30 November 2018
ND48 B	First Floor Demolition	21 June 2016	Nikita Designs	30 November 2018
ND49 B	Second Floor Demolition	21 June 2016	Nikita Designs	30 November 2018
ND50 B	Comedy Door Detail	21 June 2016	Nikita Designs	30 November 2018
ND51 B	Flat Panel Door Detail	21 June 2016	Nikita Designs	30 November 2018

and as amended by the plans and details listed below:

<i>Plan and Issue No.</i>	<i>Plan Name</i>	<i>Date Issued</i>	<i>Prepared by</i>	<i>Date Submitted</i>
<i>ND01 M</i>	<i>Site & Roof Plan</i>	<i>16 December 2020</i>	<i>Nikita Designs</i>	<i>16 December 2020</i>
<i>ND02 M</i>	<i>Ground Floor Plan</i>	<i>16 December 2020</i>	<i>Nikita Designs</i>	<i>16 December 2020</i>
<i>ND04 M</i>	<i>Second Floor Reference Plan</i>	<i>16 December 2020</i>	<i>Nikita Designs</i>	<i>16 December 2020</i>
<i>ND12 M</i>	<i>Second Floor Mezzanine Part A</i>	<i>16 December 2020</i>	<i>Nikita Designs</i>	<i>16 December 2020</i>
<i>ND12.1 M</i>	<i>Upper Floor Lounge Plan</i>	<i>16 December 2020</i>	<i>Nikita Designs</i>	<i>16 December 2020</i>
<i>ND13 M</i>	<i>Second Floor Mezzanine Part B</i>	<i>16 December 2020</i>	<i>Nikita Designs</i>	<i>16 December 2020</i>
<i>ND 22.1 M</i>	<i>Overall Section F-F</i>	<i>16 December 2020</i>	<i>Nikita Designs</i>	<i>16 December 2020</i>
<i>ND 22.2 M</i>	<i>Section F-F</i>	<i>16 December 2020</i>	<i>Nikita Designs</i>	<i>16 December 2020</i>
<i>ND 22.3 M</i>	<i>Section G-G</i>	<i>16 December 2020</i>	<i>Nikita Designs</i>	<i>16 December 2020</i>
<i>ND 22.4 M</i>	<i>Section H-H</i>	<i>16 December 2020</i>	<i>Nikita Designs</i>	<i>16 December 2020</i>
<i>ND 22.5 M</i>	<i>Section I-I</i>	<i>16 December 2020</i>	<i>Nikita Designs</i>	<i>16 December 2020</i>
<i>ND 22.6 M</i>	<i>Section J-J</i>	<i>16 December 2020</i>	<i>Nikita Designs</i>	<i>16 December 2020</i>

and details submitted to the Council on 23 October 2020 and 16 December 2020 with the application under Section 4.55 of the Environmental Planning and Assessment Act and the following conditions.

Reason: To confirm the details of the application as submitted by the applicant.

(Amended 2 February 2021 – MOD/2020/0359)

- (ii) That the following additional conditions be included:

27A. Light Fittings

Prior to the issue of a Construction Certificate, the Principal Certifying Authority must be provided with plans showing relocation of the 2 light fittings removed to make space to the new box seating.

(Amended 2 February 2021 – MOD/2020/0359)

27B. Protection of Significant Fabric

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a protection plan certified by a suitably qualified Heritage Architect detailing how Significant original fabric of the existing building such as decorated ceilings, cornices, original fittings and finishes are to be protected during site preparation and construction works from potential damage. Equipment laydown areas and contractor vehicles must be located away from the heritage structures and areas of heritage significance to minimise any potential impact to the external or internal fabric. Contractor's vehicles must not be parked near heritage structures or landscaped areas which could inadvertently be damaged. Protection measures are to be specified in the construction management plan.

(Amended 2 February 2021 – MOD/2020/0359)

27C. Recording of Significant or Contributory Buildings

Prior to any demolition on the site or the issue of a Construction Certificate, the Certifying Authority must be provided with evidence that Council has received a full archival record of the building and landscape elements to be altered.

The archival record is to be completed by a heritage consultant listed on the Consultants Directory by the NSW Office of Environment & Heritage (Heritage Branch) or by a suitably qualified consultant who must demonstrate a working knowledge of archival principles.

Photographic archival records must be taken of the building, landscape or item in accordance with the guidelines 'Heritage Information Series, Photographic Recording of Heritage Items Using Film or Digital Capture 2006' published by the former NSW Department of Planning Heritage Branch and available online at: <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/information/photographicrecording2006.pdf>

The photographic archival recording is to be submitted in digital format only. It is to include the following:

- a. Development Application number.*
- b. Site plan at a scale of 1:200 (or 1:500 if appropriate) of all structures and major landscape elements including their relationship to the street and adjoining properties and directional details of photographs taken.*
- c. Floorplans of the internal layout and directional details of photographs taken.*
- d. Coloured photographs of:*
 - i. Each elevation;*

- ii. Internal images of each room and significant architectural detailing; and*
- iii. Views to the subject property from each street and laneway or public space.*

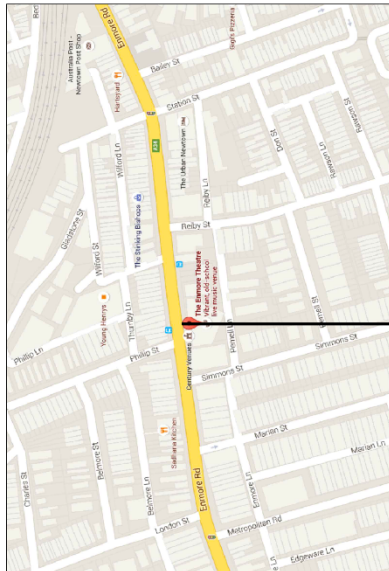
The report must include written confirmation, issued with the authority of both the applicant and the photographer that the Inner West Council is granted a perpetual non-exclusive licence to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.

The electronic images are to be taken with a minimum 8 megapixel camera, saved as JPEG TIFF or PDF files with a size of approximately 4-6MB, and cross referenced to the digital catalogue sheets and base plans. Choose only images that are necessary to document the process, and avoid duplicate images. The report must be submitted on a USB in PDF/A format (created directly from the digital original), with a digital catalogue of images with the following data for each: title, image subject/description and date photograph taken.

(Amended 2 February 2021 – MOD/2020/0359)

Attachment B – Plans of proposed development

PROPOSED REFURBISHMENT
TO EXISTING ENMORE THEATRE AT
NO. 118-132 ENMORE ROAD NEWTOWN NSW, 2042



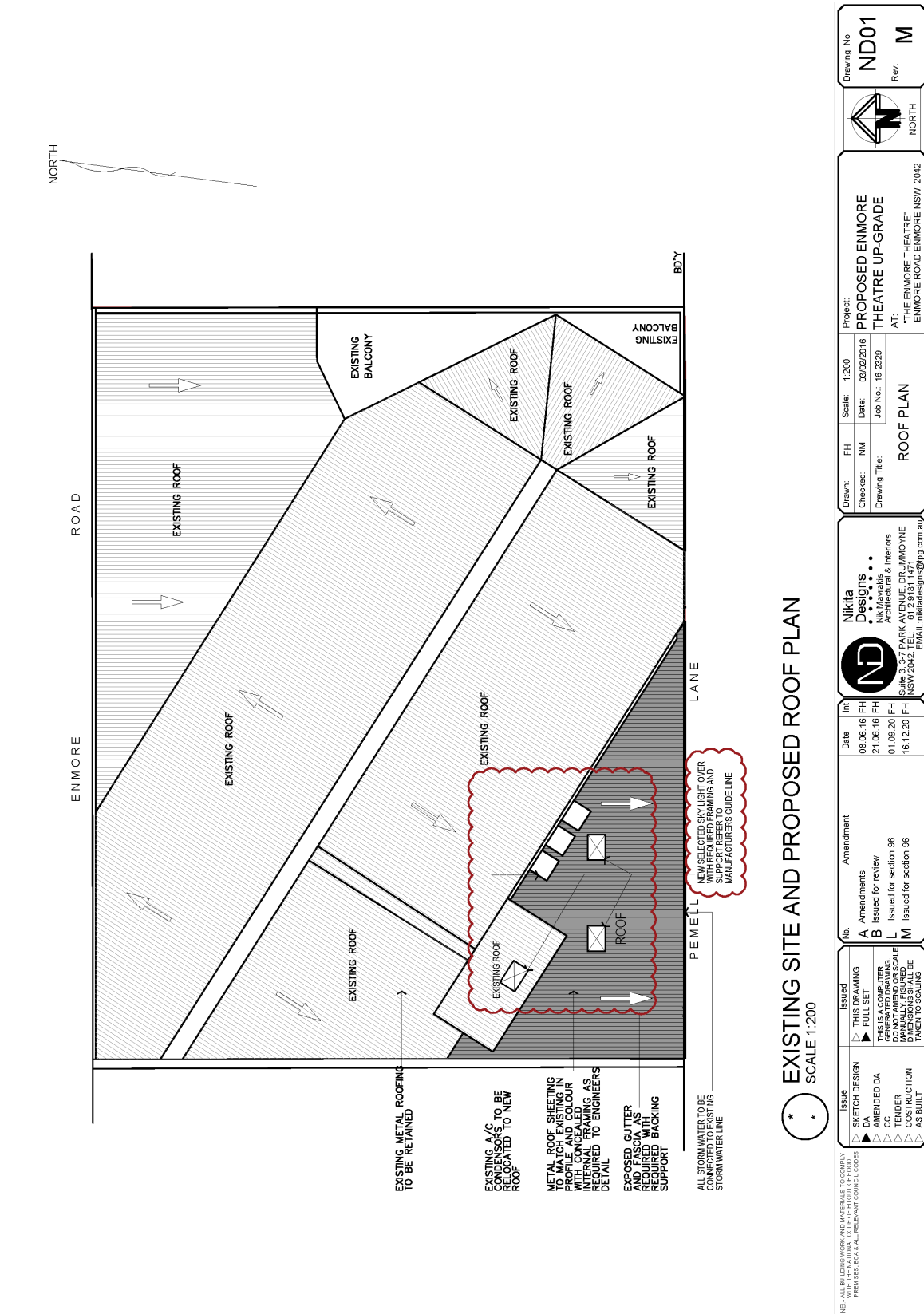
LOCATION PLAN
N.T.S.

BUILDING C		REVISIONS + AMENDMENTS	
Dwg. No.	Rev.	Date	Comments
ND00	M	06.06.2020	Issued for section 95
ND01	M	17.09.2020	Amended to comments
ND02	M	18.12.2020	Amended to comments
ND03	M	18.12.2020	Amended to comments
ND04	M	18.12.2020	Amended to comments
ND05	M	18.12.2020	Amended to comments
ND06	M	18.12.2020	Amended to comments
ND07	M	18.12.2020	Amended to comments
ND08	M	18.12.2020	Amended to comments
ND09	M	18.12.2020	Amended to comments
ND10	M	18.12.2020	Amended to comments
ND11	M	18.12.2020	Amended to comments
ND12	M	18.12.2020	Amended to comments
ND13	M	18.12.2020	Amended to comments
ND14	M	18.12.2020	Amended to comments
ND15	M	18.12.2020	Amended to comments
ND16	M	18.12.2020	Amended to comments
ND17	M	18.12.2020	Amended to comments
ND18	M	18.12.2020	Amended to comments
ND19	M	18.12.2020	Amended to comments
ND20	M	18.12.2020	Amended to comments
ND21	M	18.12.2020	Amended to comments
ND22	M	18.12.2020	Amended to comments
ND23	M	18.12.2020	Amended to comments
ND24	M	18.12.2020	Amended to comments
ND25	M	18.12.2020	Amended to comments
ND26	M	18.12.2020	Amended to comments
ND27	M	18.12.2020	Amended to comments
ND28	M	18.12.2020	Amended to comments
ND29	M	18.12.2020	Amended to comments
ND30	M	18.12.2020	Amended to comments
ND31	M	18.12.2020	Amended to comments
ND32	M	18.12.2020	Amended to comments
ND33	M	18.12.2020	Amended to comments
ND34	M	18.12.2020	Amended to comments
ND35	M	18.12.2020	Amended to comments
ND36	M	18.12.2020	Amended to comments
ND37	M	18.12.2020	Amended to comments
ND38	M	18.12.2020	Amended to comments
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ND98	M	18.12.2020	Amended to comments
ND99	M	18.12.2020	Amended to comments
ND100	M	18.12.2020	Amended to comments

DOCUMENTATION SET	Includes	To Be Documented	Total	Date
13 PAGES				
SKETCH DESIGN / REVIEW			00.00.0000	
PRELIMINARY DA			00.00.0000	
ISSUED FOR DA			18.12.2020	
CONSTRUCTION CERTIFICATE			00.00.0000	
CONSTRUCTION MARKING DRAWINGS			00.00.0000	
AS BUILT DOCUMENTATION			00.00.0000	

DRAWING REGISTER
THE ENMORE THEATRE
ENMORE ROAD ENMORE NSW
DECEMBER 2020

Nikita Designs
Nik Maevrales & Associates
Address: 118-132 ENMORE ROAD, NEWTOWN, NSW 2042
TEL: 61 2 9181 1471
EMAIL: nikitadesigns@nkd.com.au



EXISTING SITE AND PROPOSED ROOF PLAN
SCALE 1:200

<p>Nikita Designs Nik Nikarakis Architectural & Interiors Suite 3, 37 PARK AVENUE, DRUMMOYNE NSW 2042 EMAIL: nikitadesigns@nkd.com.au</p>		<p>ND01 Rev. M</p>																					
<p>Project: PROPOSED ENMORE THEATRE UP-GRADE AT: "THE ENMORE THEATRE" ENMORE ROAD ENMORE NSW, 2042</p>		<p>Scale: 1:200 Date: 03/02/2016 Job No.: 16-2329</p>																					
<p>Drawn: NI Checked: NI Drawing Title: ROOF PLAN</p>		<p>Scale: 1:200 Date: 03/02/2016 Job No.: 16-2329</p>																					
<p>Amendment</p> <table border="1"> <tr> <th>No</th> <th>Issued</th> <th>Date</th> <th>In</th> </tr> <tr> <td>A</td> <td>THIS DRAWING FULL SET</td> <td>03/02/16</td> <td>FH</td> </tr> <tr> <td>B</td> <td>ISSUED FOR REVIEW</td> <td>21/06/16</td> <td>FH</td> </tr> <tr> <td>L</td> <td>ISSUED FOR SECTION 96</td> <td>01/09/20</td> <td>FH</td> </tr> <tr> <td>M</td> <td>ISSUED FOR SECTION 96</td> <td>16/12/20</td> <td>FH</td> </tr> </table>		No	Issued	Date	In	A	THIS DRAWING FULL SET	03/02/16	FH	B	ISSUED FOR REVIEW	21/06/16	FH	L	ISSUED FOR SECTION 96	01/09/20	FH	M	ISSUED FOR SECTION 96	16/12/20	FH	<p>Amendments</p> <p>A Issued for review B Issued for section 96 L Issued for section 96 M Issued for section 96</p>	
No	Issued	Date	In																				
A	THIS DRAWING FULL SET	03/02/16	FH																				
B	ISSUED FOR REVIEW	21/06/16	FH																				
L	ISSUED FOR SECTION 96	01/09/20	FH																				
M	ISSUED FOR SECTION 96	16/12/20	FH																				
<p>Issue</p> <ul style="list-style-type: none"> ▲ SKETCH DESIGN ▲ DA ▲ AMENDED DA ▲ CL ▲ CONSTRUCTION ▲ AS BUILT 		<p>Issued</p> <ul style="list-style-type: none"> ▲ THIS DRAWING FULL SET ▲ THIS IS A COMPUTER GENERATED DRAWING. DO NOT AMEND OR SCALE MANUALLY FIGURED DIMENSIONS WILL BE TAKEN TO SCALING 																					
<p>Issue</p> <ul style="list-style-type: none"> ▲ SKETCH DESIGN ▲ DA ▲ AMENDED DA ▲ CL ▲ CONSTRUCTION ▲ AS BUILT 																							

NEW SELECTED SKY LIGHT OVER EXISTING ROOFING AND SUPPORT BEAMS TO MANUFACTURERS GUIDE LINE

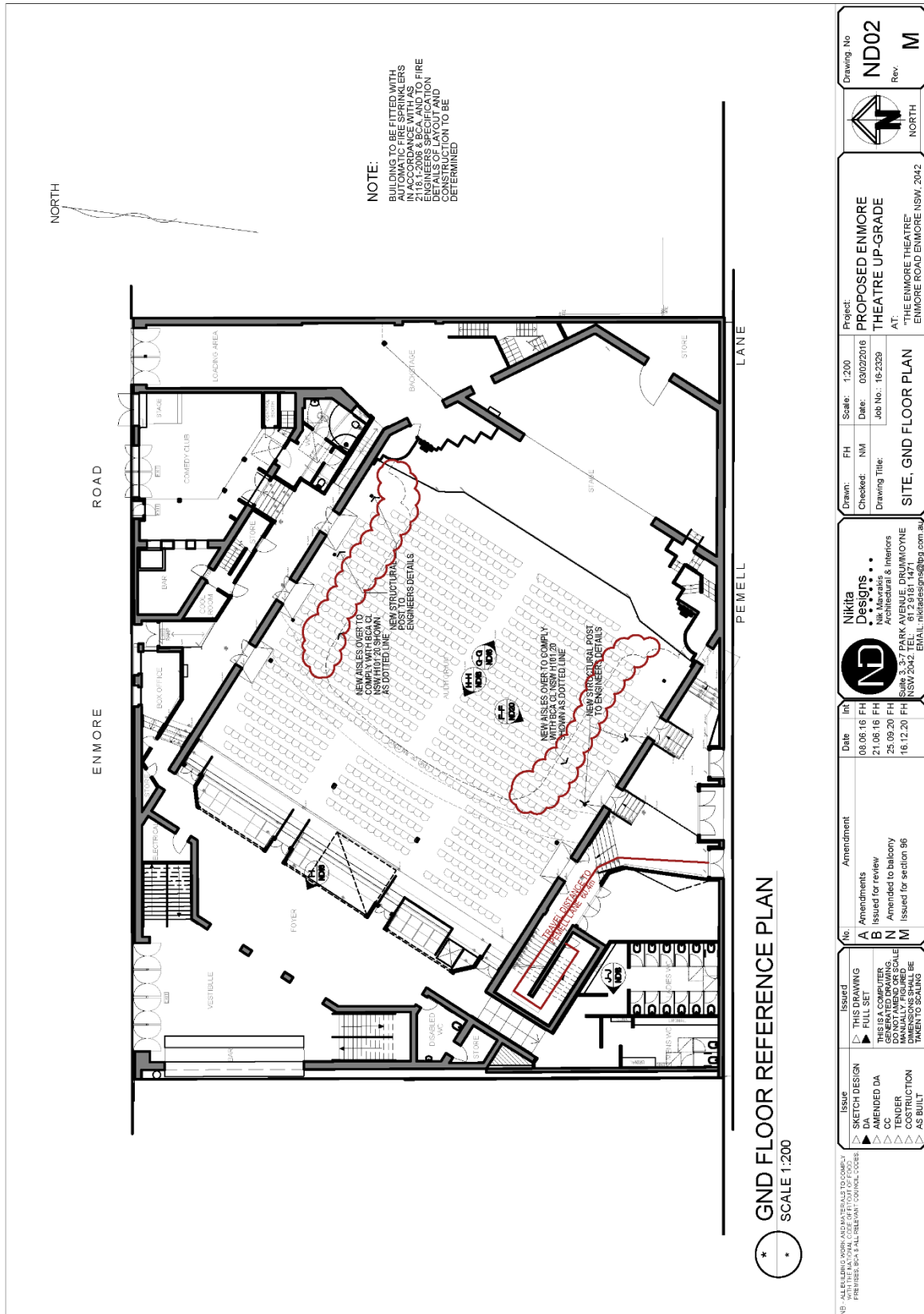
ALL STORM WATER TO BE COLLECTED FROM EXISTING ROOFING AND DISCHARGED TO STORM WATER LINE

EXISTING METAL ROOFING TO BE RETAINED

EXISTING A/C CONDENSATORS TO BE RELOCATED TO NEW ROOF

METAL ROOF SHEETING TO MATCH EXISTING IN PREVIOUS FLOOR WITH CONCEALED INTERNAL FRAMING AS DETAIL REQUIRED TO ENGINEERS

EXPOSED GUTTER AND FASCIA AS REQUIRED WITH BACKING SUPPORT



GND FLOOR REFERENCE PLAN
SCALE 1:200

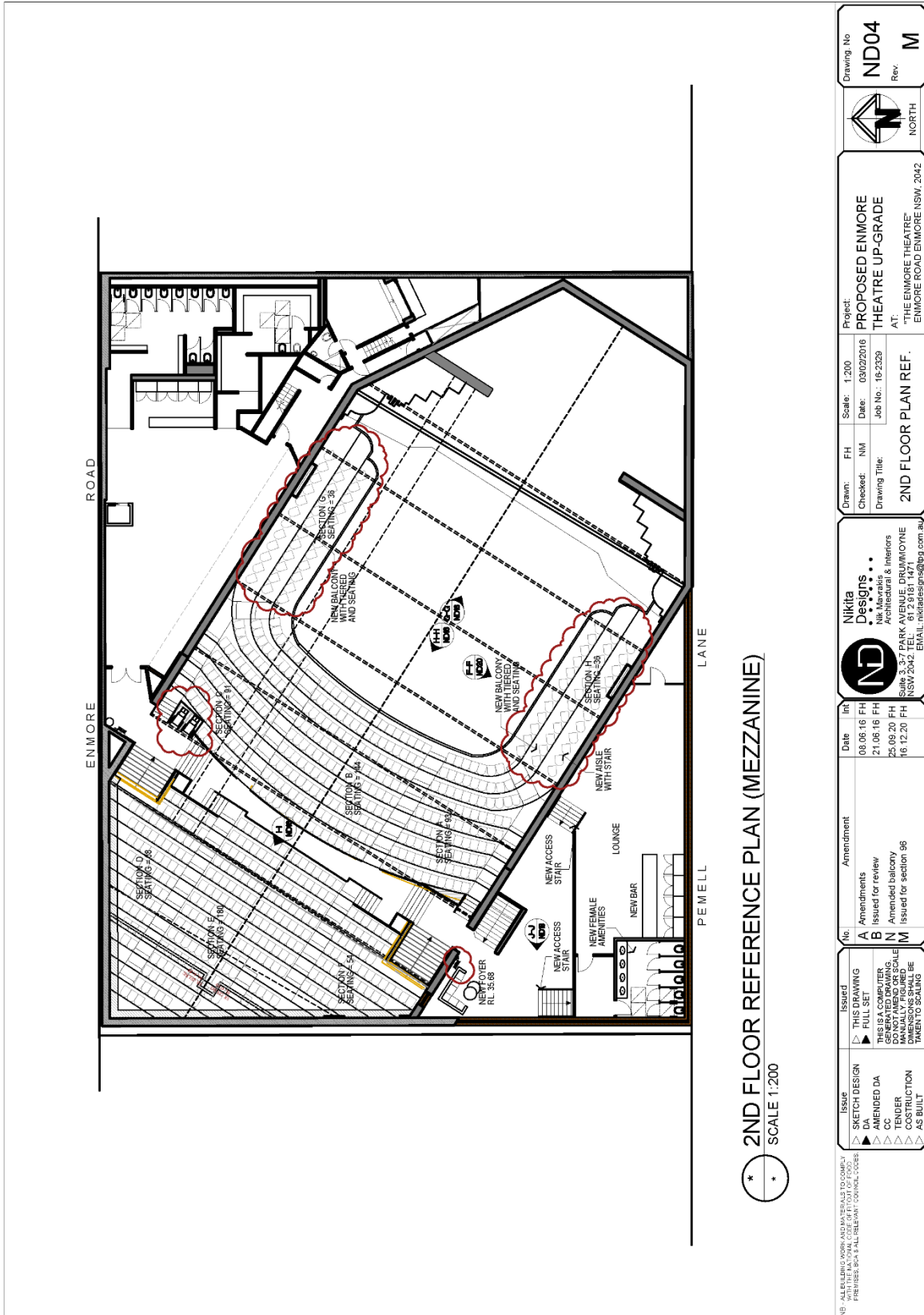
NB - ALL BUILDING WORK AND MATERIALS TO COMPLY WITH THE BUILDING CODE OF PRACTICE AND ALL RELEVANT COUNCIL CODES

Issue	Issued	No	Amendment	Date	In
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▲ DA	▲ THIS IS A COMPUTER GENERATED DRAWING. DO NOT MANUALLY FIGURED OR SCALE TAKEN TO SCALING	B	Amended to balcony	21.06.16	FH
▲ CC		N	Amended for section 96	25.09.20	FH
▲ CONSTRUCTION		M	Issued for section 96	16.12.20	FH
▲ AS BUILT					

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Suite 3, 37 PARK AVENUE, DRUMMOYNE NSW 2044
EMAIL: nikita@nkdsg.com.au

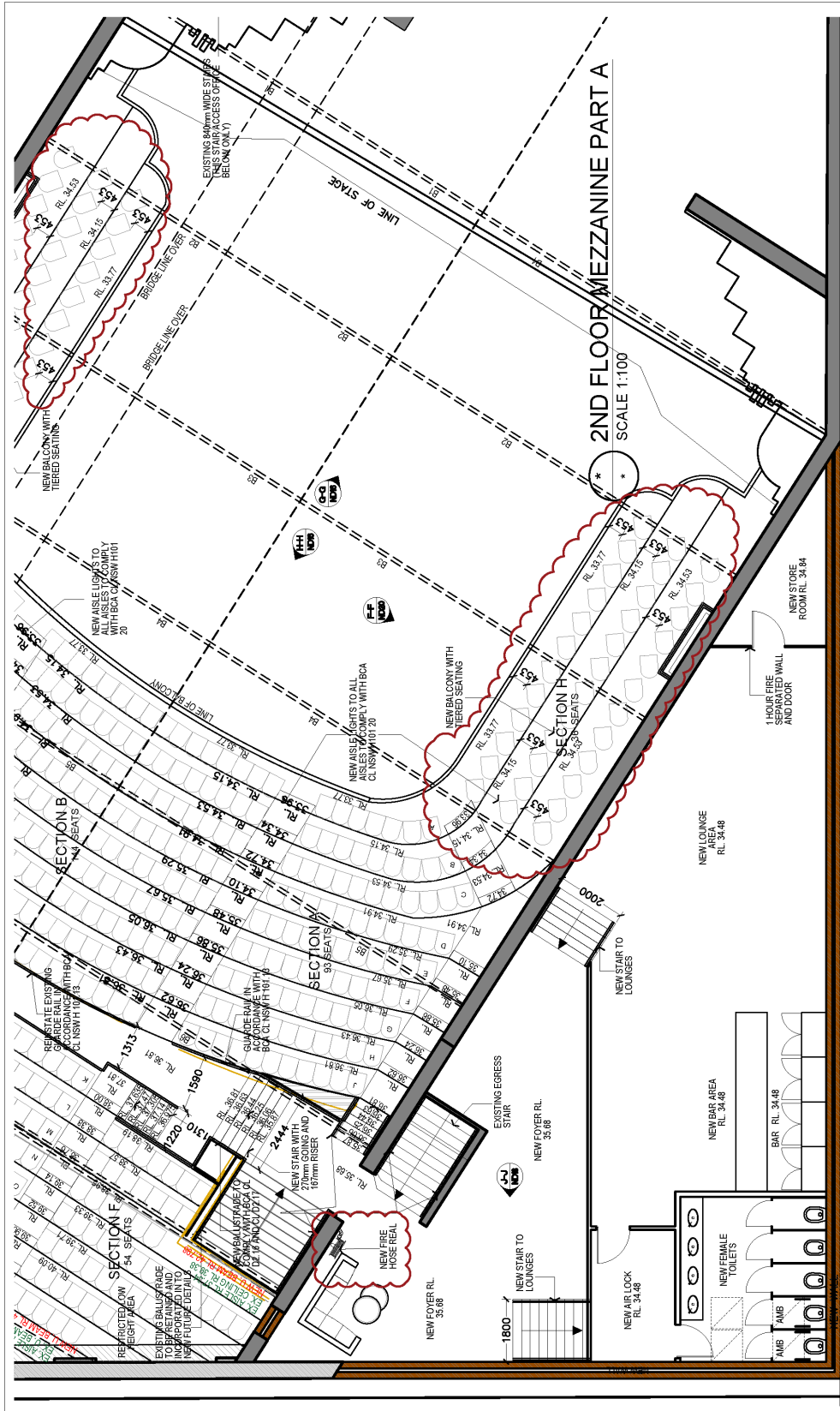
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Checked: NI Date: 03/02/2016 AT: ENMORE ROAD ENMORE NSW, 2042
Drawing Title: SITE, GND FLOOR PLAN Job No.: 16-2329

Drawing No: ND02
Rev: M



2ND FLOOR REFERENCE PLAN (MEZZANINE)
SCALE 1:200

<p>Issue</p> <ul style="list-style-type: none"> ▲ SKETCH DESIGN ▲ DA ▲ AMENDED DA ▲ CC ▲ CONSTRUCTION ▲ AS BUILT 		<p>Issued</p> <ul style="list-style-type: none"> ▲ THIS DRAWING FULL SET ▲ THIS IS A COMPUTER GENERATED SCALE DO NOT MANUALLY FIGURED OR TAKEN TO SCALING 		<p>No</p> <ul style="list-style-type: none"> A Amendments B Issued for review N Amended balcony M Issued for section 95 		<p>Date</p> <ul style="list-style-type: none"> 10.06.16 FH 21.06.16 FH 25.09.20 FH 16.12.20 FH 		<p>Nikita Designs Nik Mavrikis Architectural & Interiors Suite 3, 37 PARK AVENUE, DRUMMOYNE NSW 2042 EMAIL: nikitadesigns@bigpond.com.au</p>		<p>Drawn: FH Checked: NMI Drawing Title: 2ND FLOOR PLAN REF.</p>		<p>Scale: 1:200 Date: 03/02/2016 Job No.: 16-2329</p>		<p>Project: PROPOSED ENMORE THEATRE UP-GRADE AT: "THE ENMORE THEATRE" ENMORE ROAD ENMORE NSW, 2042</p>		<p>Drawing No: ND04 Rev: M</p>	
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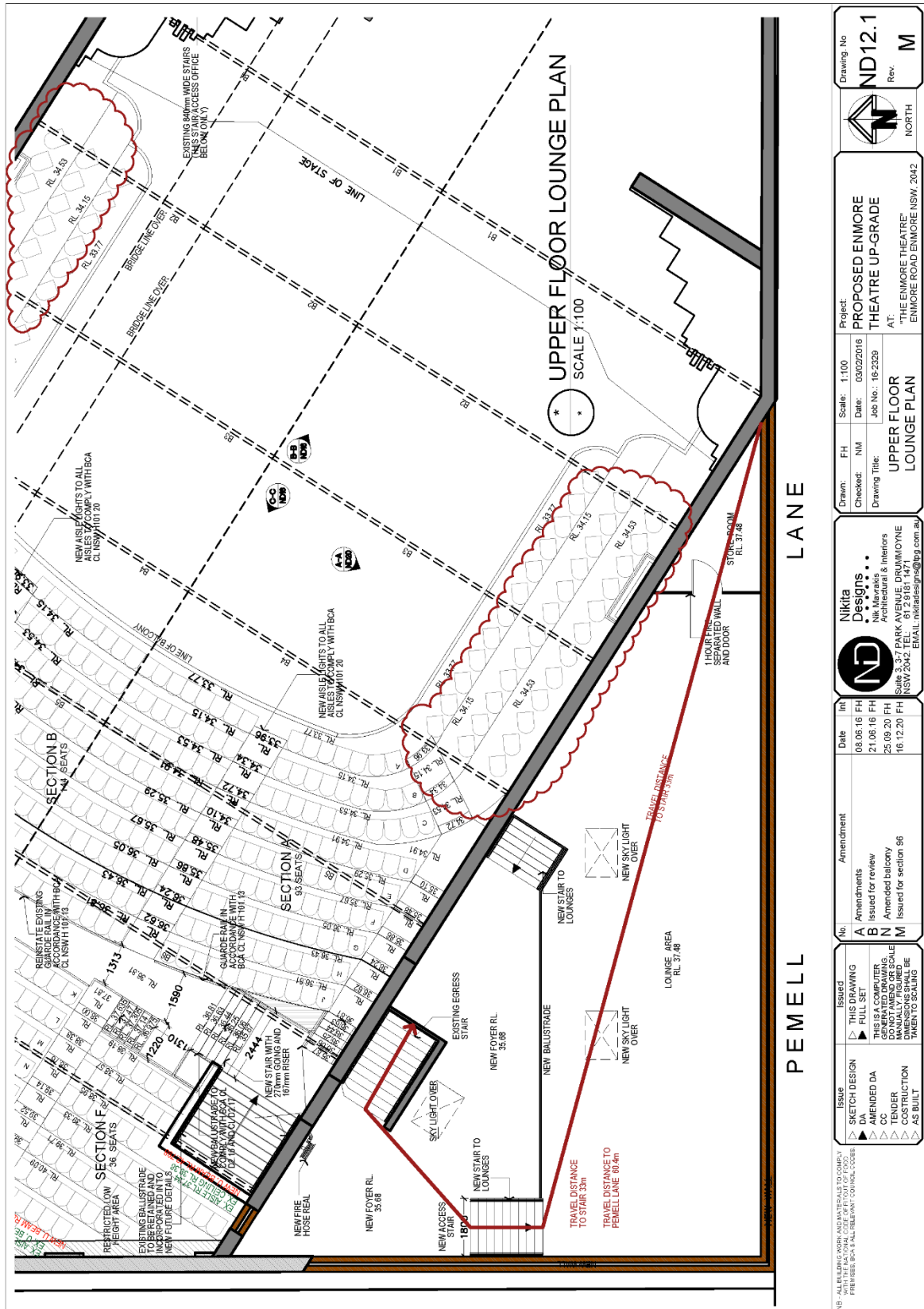


LANE

PEMELL

<p>Nikita Designs Nik Nikavrats Architectural & Interiors Suite 3, 37 PARK AVENUE, DRUMMOYNE NSW 2164 EMAIL: nikitadesigns@bigpond.com.au</p>		<p>Project: PROPOSED ENMORE THEATRE UP-GRADE Drawing Title: 2ND FLOOR MEZZANINE PART A Job No.: 16-2329 AT: ENMORE ROAD ENMORE NSW, 2042</p>	<p>Drawing No: ND12 Rev: M</p>
<p>Drawn: FH Checked: NMI Date: 03/02/2016</p>	<p>Scale: 1:200</p>	<p>Project: PROPOSED ENMORE THEATRE UP-GRADE Drawing Title: 2ND FLOOR MEZZANINE PART A Job No.: 16-2329 AT: ENMORE ROAD ENMORE NSW, 2042</p>	<p>Drawing No: ND12 Rev: M</p>
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NB: ALL BUILDING WORK AND MATERIALS TO COMPLY WITH THE BUILDING CODE OF PRACTICE, AS WELL AS ALL RELEVANT COUNCIL CODES.



Issue

- ▲ SKETCH DESIGN
- ▲ AMENDED DA
- ▲ CC ORDER
- ▲ CONSTRUCTION
- ▲ AS BUILT

No	Amendment	Date	In	Out
A	Amendments issued for review	06.06.16	FH	FH
B	Amended balcony	21.06.16	FH	FH
N	Amended balcony	25.09.20	FH	FH
M	Issued for section 96	16.12.20	FH	FH

Issued

- ▲ THIS DRAWING FULL SET
- ▲ THIS IS A COMPUTER GENERATED SCALE DO NOT PRINT OR SCALE MANUALLY FIGURED DIMENSIONS TO BE TAKEN TO SCALING

ND Nikita Designs
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 Architectural & Interiors
 Suite 3, 37 Park Avenue, Drummoyne NSW 2042
 Email: nikita@ndesigns.com.au

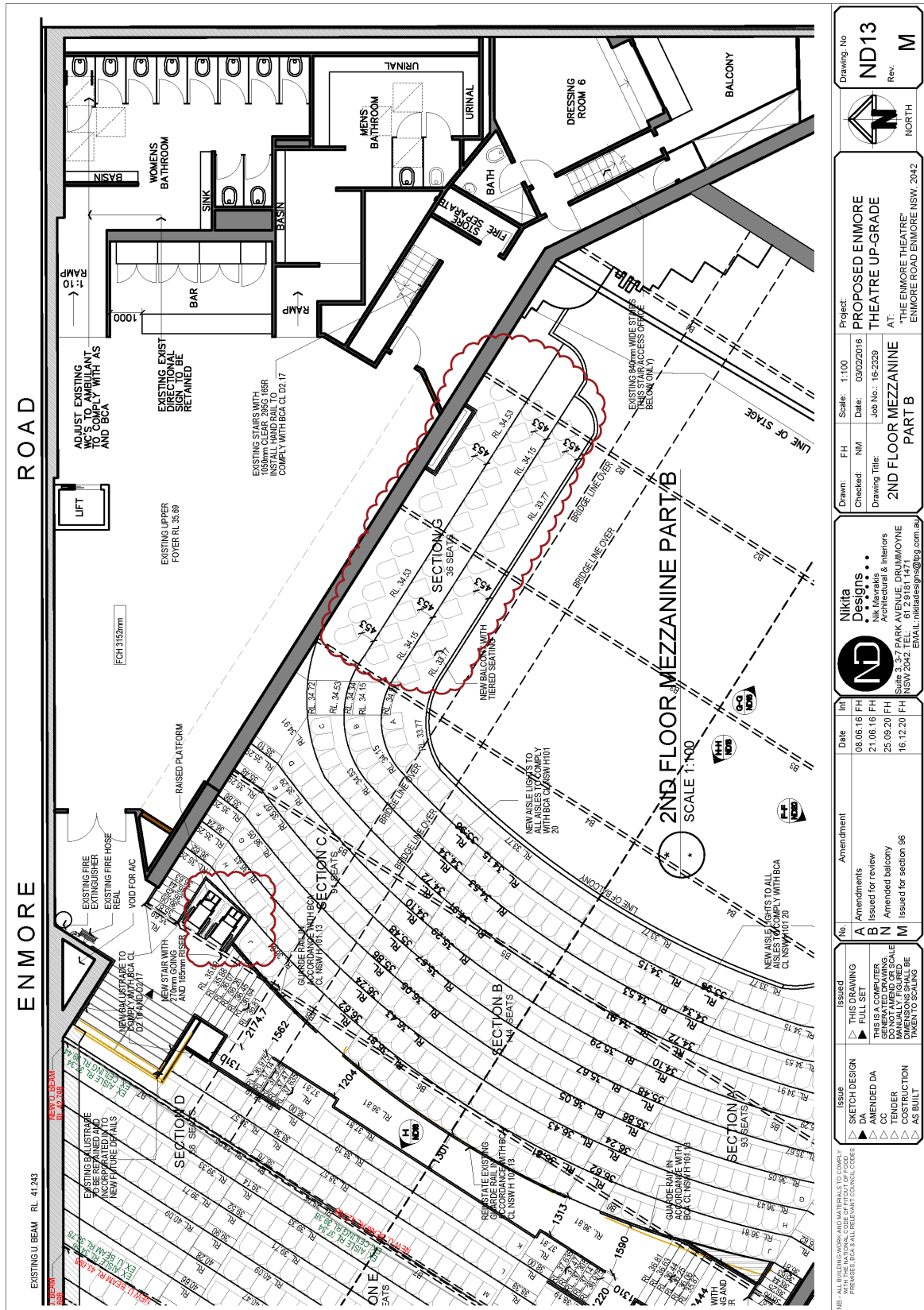
Project: PROPOSED ENMORE THEATRE UP-GRADE
AT: "THE ENMORE THEATRE" ENMORE ROAD ENMORE NSW, 2042

Drawn: FH
Checked: NM
Drawing Title: UPPER FLOOR LOUNGE PLAN

Scale: 1:100
Date: 09/02/2016
Job No.: 16-2329

Drawing No: ND12.1
Rev: M

Scale: 1:100
Scale: 1:100



Drawing No
ND13
Rev.
M

Project:
PROPOSED ENMORE THEATRE UP-GRADE
AT:
"THE ENMORE THEATRE"
ENMORE ROAD ENMORE NSW, 2042

Scale: 1:100
Date: 03/02/2016
Job No.: 16-2329

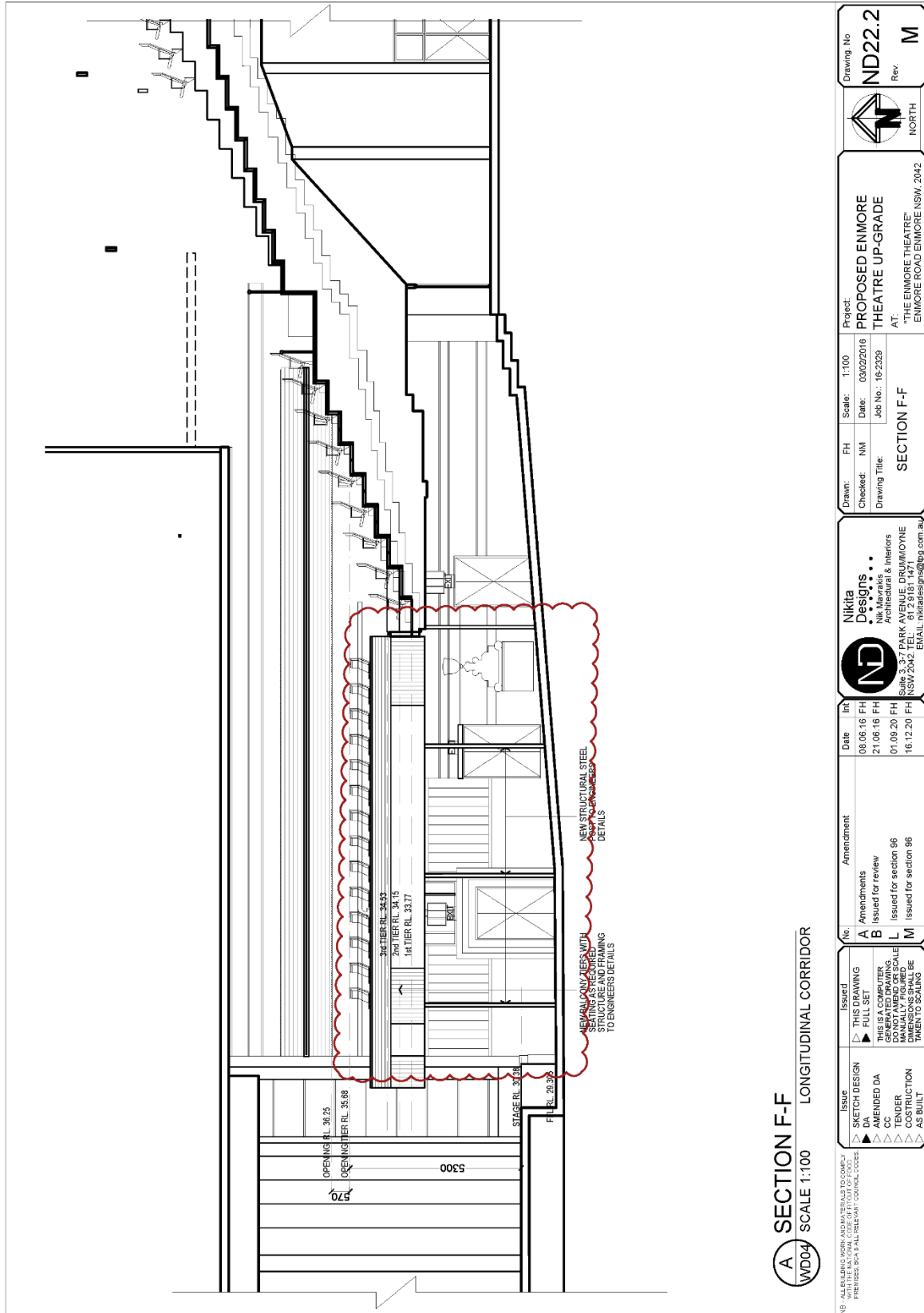
Drawn:
Checked: NMI
Drawing Title:
2ND FLOOR MEZZANINE PART B

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EMAIL: nikitadesigns@gmail.com.au

No	Amendment	Date	In
A	Amendments Issued for review	06.06.16	FH
B	Amended balcony	21.06.16	FH
M	Issued for section 96	25.09.20	FH
		16.12.20	FH

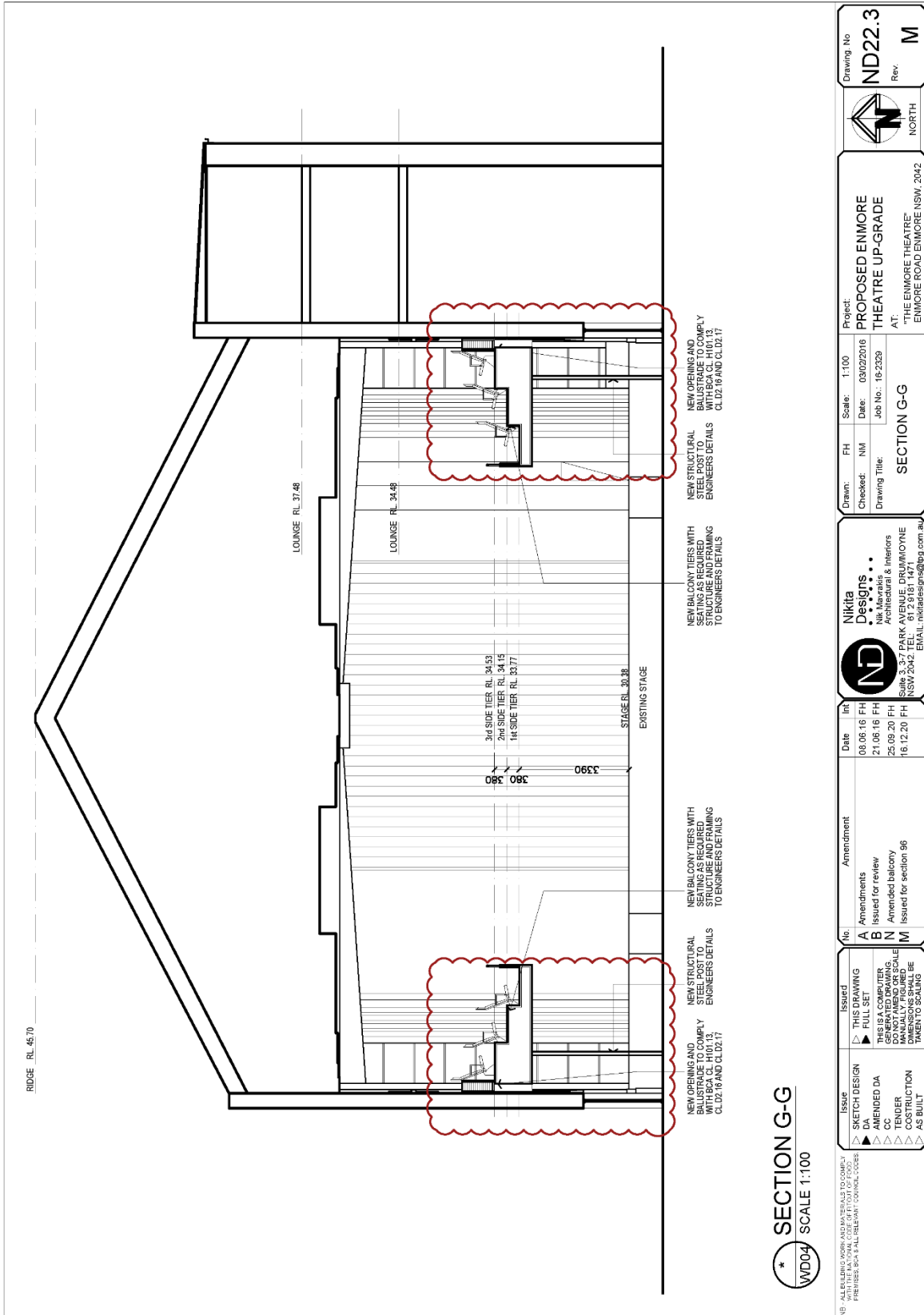
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DA	THIS IS A COMPUTER DRAWING AND DOES NOT HAVE A SCALE TAKEN TO SCALING
AMENDED DA	
CONSTRUCTION	
AS BUILT	

NOTE: ALL BUILDING WORK AND MATERIALS TO COMPLY WITH THE BUILDING CODE OF AUSTRALIA (BCA) AND ALL RELEVANT COUNCIL CODES.



A SECTION F-F
SCALE 1:100
LONGITUDINAL CORRIDOR

<p>NEW - ALL FILLING WORK AND MATERIALS TO COMPLY WITH THE PRELIMINARY CONSTRUCTION CODES</p>	
<p>Issue</p> <ul style="list-style-type: none"> ▲ SKETCH DESIGN ▲ DA ▲ AMENDED DA ▲ CC ▲ CONSTRUCTION ▲ AS BUILT 	<p>Issued</p> <ul style="list-style-type: none"> ▲ THIS DRAWING FULL SET ▲ THIS IS A COMPUTER GENERATED DRAWING. DO NOT MAKE OR SCALE MANUALLY FIGURED DIMENSIONS. BE TAKEN TO SCALING
<p>No</p> <ul style="list-style-type: none"> A Amendments B Issued for review L Issued for section 66 M Issued for section 96 	<p>Amendment</p>
<p>Date</p> <ul style="list-style-type: none"> 10.06.16 FH 21.06.16 FH 01.09.20 FH 16.12.20 FH 	<p>In</p> <ul style="list-style-type: none"> 10.06.16 FH 21.06.16 FH 01.09.20 FH 16.12.20 FH
<p>Nikita Designs Nik Mavrikis Architectural & Interiors Suite 3, 37 PARK AVENUE, DRUMMOYNE NSW 2044 EMAIL: nikitadesigns@bigpond.com.au</p>	
<p>Drawn: NMI Checked: NMI Drawing Title: SECTION F-F</p>	<p>Scale: 1:100 Date: 03/02/2016 Job No.: 16-2329</p>
<p>Project: PROPOSED ENMORE THEATRE UP-GRADE AT: "THE ENMORE THEATRE" ENMORE ROAD ENMORE NSW, 2042</p>	
<p>Drawing No: ND22.2 Rev: M</p>	



SECTION G-G
SCALE 1:100

NB - ALL FILLING WORK AND MATERIALS TO COMPLY WITH THE REQUIREMENTS OF ALL RELEVANT COUNCIL CODES

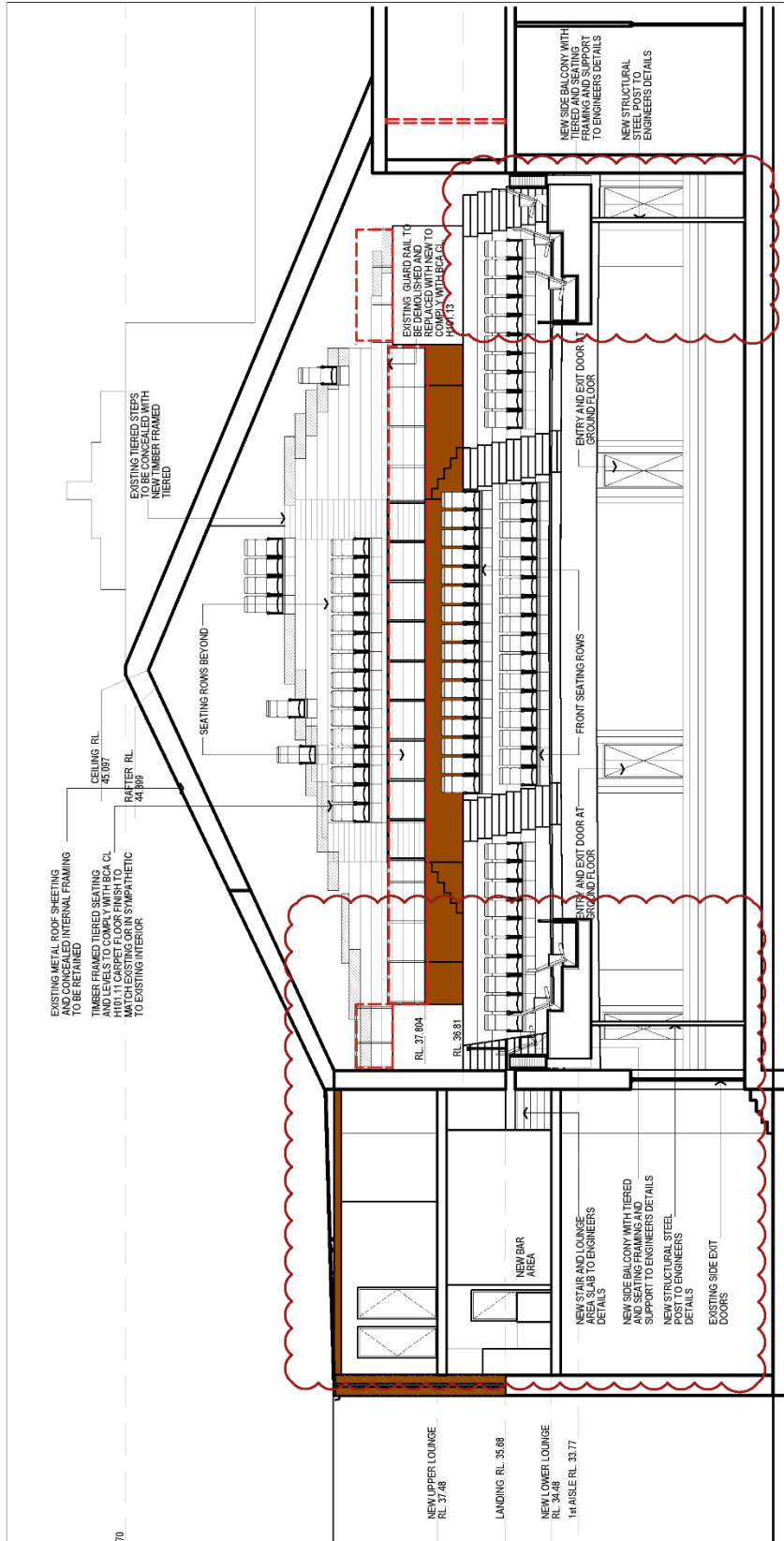
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▲ AMENDED DA	▲ THIS IS A COMPUTER GENERATED FILE. DO NOT MANUALLY FIGURED OR SCALE TAKEN TO SCALING	B	Amended balcony	21.06.16 FH	16
▲ CC UNDER CONSTRUCTION		N	Amended balcony	25.09.20 FH	16
▲ AS BUILT		M	Issued for section 96	16.12.20 FH	16

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EMAIL: nikita@ndsp56@gmail.com.au

Drawn: FH Scale: 1:100 Project: PROPOSED ENMORE THEATRE UP-GRADE
Checked: NMI Date: 03/02/2016 Job No.: 16-2329 AT: "THE ENMORE THEATRE" ENMORE ROAD ENMORE NSW, 2042
Drawing Title: SECTION G-G

North arrow pointing up, labeled 'NORTH'. Drawing No: ND22.3 Rev: M

27/06/2016 10:00:00 AM C:\Users\Nikita\Desktop\Projects\Enmore Theatre\DWG\SECTION G-G.dwg (1:100) 16/12/2020 3:36:52 PM

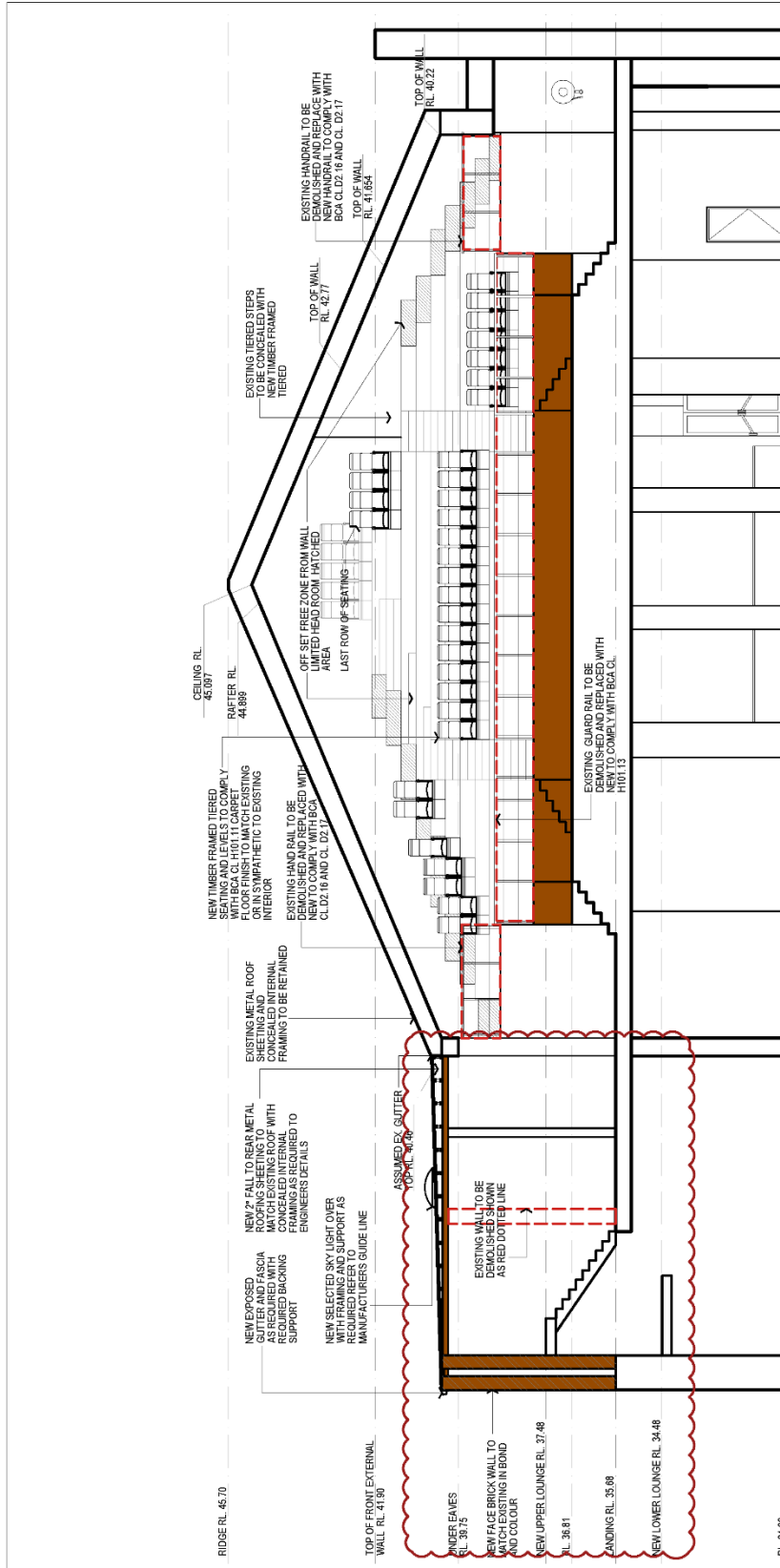


A SECTION H-H
SCALE 1:100

<p>NE - ALL FILLING WORK AND MATERIALS TO COMPLY WITH USE, BCA & ALL RELEVANT COUNCIL CODES</p>	
<p>Issue</p> <ul style="list-style-type: none"> ▲ SKETCH DESIGN ▲ DA ▲ AMENDED DA ▲ CC ▲ CONSTRUCTION ▲ AS BUILT 	<p>Issued</p> <ul style="list-style-type: none"> ▲ THIS DRAWING FULL SET ▲ THIS IS A COMPUTER GENERATED SCALE DO NOT MANUALLY FIGURED OR TAKEN TO SCALING
<p>No</p> <ul style="list-style-type: none"> A Amendments B Issued for review N Amended balcony M Issued for section 85 	<p>Amendment</p>
<p>Date</p> <ul style="list-style-type: none"> 10.06.16 FH 21.06.16 FH 25.09.20 FH 16.12.20 FH 	<p>Date</p>
<p>Drawn</p> <p>Checked</p> <p>Drawing Title</p>	<p>FH</p> <p>NM</p> <p>SECTION</p>
<p>Scale</p> <p>Date</p> <p>Job No.</p>	<p>1:100</p> <p>03/02/2016</p> <p>16-2329</p>
<p>Project</p> <p>AT:</p>	<p>PROPOSED ENMORE THEATRE UP-GRADE</p> <p>"THE ENMORE THEATRE" ENMORE ROAD ENMORE NSW, 2042</p>
<p>Drawing No</p> <p>Rev.</p>	<p>ND22.4</p> <p>M</p>

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SECTION I-I
SCALE 1:100

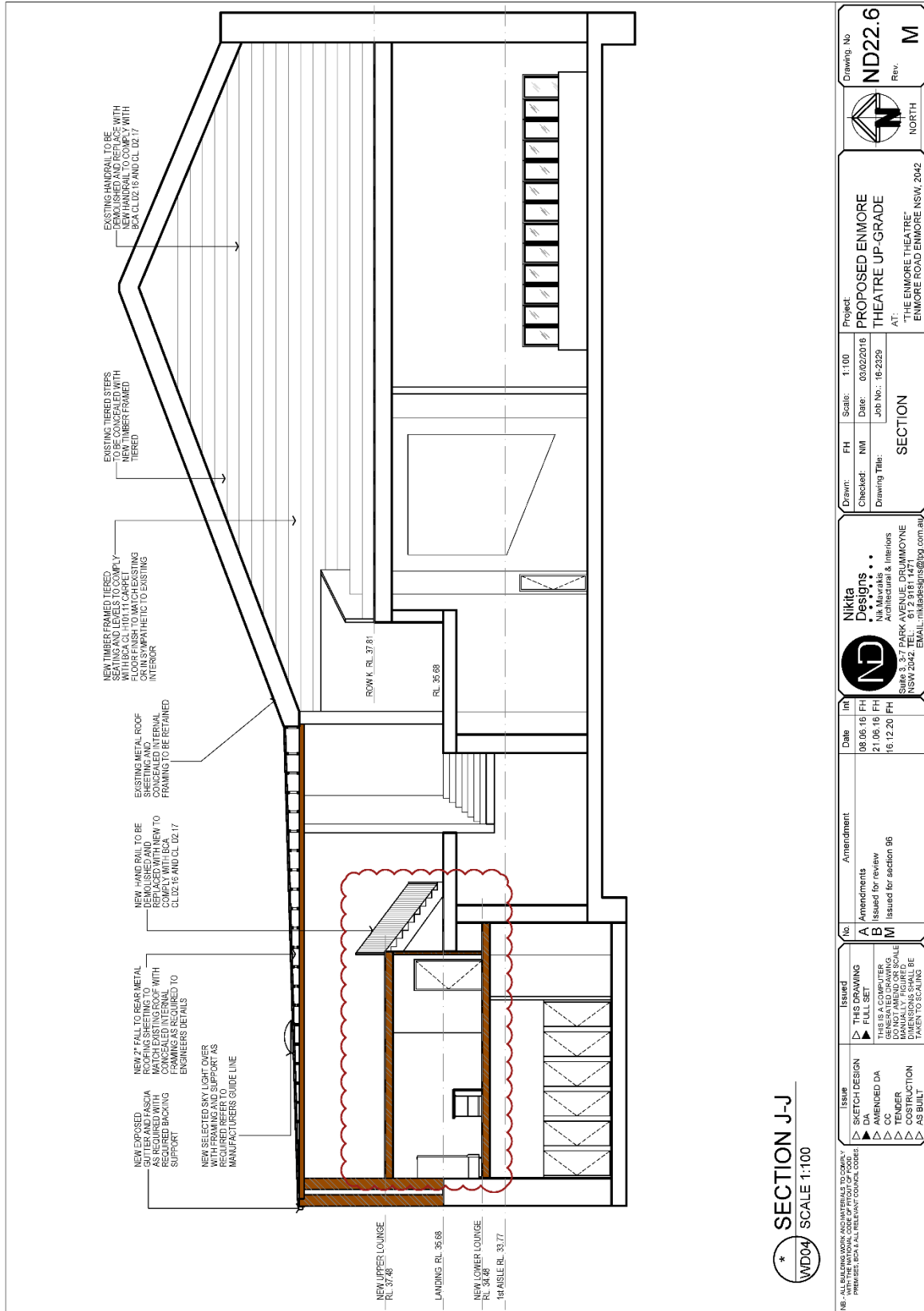
NB - ALL FILLING WORK AND MATERIALS TO COMPLY WITH THE STRATA TITLE ACT AND ALL RELEVANT COUNCIL CODES

Issue	Issued	No	Amendment	Date	In
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DA	THIS IS A COMPUTER DRAWING. DO NOT SCALE. MANUALLY FIGURED DIMENSIONS WILL BE TAKEN TO SCALING.	B	Issued for review	21.06.16 FH	FH
AMENDED DA		L	Issued for section 96	01.09.20 FH	FH
CC		M	Issued for section 96	16.12.20 FH	FH
CONSTRUCTION					
AS BUILT					

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 EMAIL: nikitadescriptors@bigpond.com.au

Drawn: FH Scale: 1:100 Project: PROPOSED ENMORE THEATRE UP-GRADE
 Checked: NM Date: 03/02/2016 AT: ENMORE ROAD ENMORE NSW, 2042
 Drawing Title: Job No. - 16-2329 SECTION

Drawing No: ND22.5
 Rev: M



Attachment C - Consent Modified Determination No.201600383



DA201600383 CLEN4

MODIFIED DETERMINATION NO. 201600383

29 October 2018

D GUIDA
105 Victoria Road
MARRICKVILLE NSW 2204

Dear Sir/Madam

**ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979 ("the Act")
NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION**

Pursuant to Section 4.18 of the Act, notice is hereby given of the determination by the Council of **Development Application No. 201600383** to carry out internal and external alterations and additions to the Enmore Theatre, including a Signage Strategy, and formalise the operation of the premises with a Operation Plan of Management, House Policy and Harm Minimisation Policy with the theatre to have a maximum capacity of 2,500 patrons relating to property situated at:

118-132 ENMORE ROAD, NEWTOWN

In determining this application, the Council considered all matters listed under Section 4.15 of the Act that are relevant to the Development Application.

The Development Application was determined on 14 November 2017 pursuant to Section 4.16(3) of the Act by the granting of a "Deferred Commencement" Consent.

"DEFERRED COMMENCEMENT" CONSENT

PART A - DEFERRED COMMENCEMENT CONSENT

This Consent will not operate and it may not be acted upon until the Council or its delegate is satisfied as to the following matter(s):

1. A revised Signage Strategy must be submitted indicating the following:
 - a) Deleted.
 - b) Deleted.
 - c) Mouldings, proportions, appearance and materiality of the new 'Enmore Comedy' sign should match the existing 'Enmore Theatre' signage or provide a contemporary interpretation of the 'Enmore Theatre' signage. Detail drawings with dimensions and complete specification of materials for the 'Enmore Comedy' signage should be provided in 1:50 or 1:20 at A3, including a photograph of the Enmore Theatre signage. Signage to be a light box with cut out letters matching the 'Enmore Theatre' signage

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

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

- d) The vertical light box sign should be neon-flex sign, not LED sign to interpret in a contemporary and energy efficient way the original signage.
 - e) Deleted.
2. Modified architectural plans must be submitted indicating the following:
- a) A detailed description and drawing for the new painting to the front façade should be provided by the applicant's heritage consultant. Three shades/colours should be provided to highlight architectural features. The colour scheme should be based on historical research of the Enmore Theatre specifically, as well as schemes typical of the Art Deco period, as recommended by the applicant's heritage consultant.
 - b) Detailed description and drawings of the new doors to the Enmore Comedy Entry and the new flat panel doors should be provided. The new door to the Enmore Comedy should match the proportions, materials and appearance of the doors to the Enmore theatre.
 - c) Demolition drawings (elevations and floor plans) should be provided clearly illustrating any demolition works.
 - d) Deleted.

Evidence of the above matter(s) must be produced to Council or its delegate within 2 years of the date of this Determination otherwise the Consent will not operate.

PART B – CONDITIONS OF CONSENT

Once operative the consent is subject to the following conditions:

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

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by	Date Submitted
ND01 D	Proposed Roof Plan	1 December 2016	Nikita Designs	3 August 2017
ND02 K	Ground Floor Reference Plan	3 August 2017	Nikita Designs	3 August 2017
ND03 G	First Floor Reference Plan	20 June 2017	Nikita Designs	3 August 2017
ND04 G	Second Floor Reference Plan	20 June 2017	Nikita Designs	3 August 2017
ND05 G	Basement Floor Reference Plan	20 June 2017	Nikita Designs	3 August 2017
ND06 H	Ground Floor Plan Area A	26 June 2017	Nikita Designs	3 August 2017
ND07 H	Ground Floor Plan Area B	26 June 2017	Nikita Designs	3 August 2017
ND08 H	Ground Floor Plan Area C	26 June 2017	Nikita Designs	3 August 2017
ND09 H	Ground Floor Plan Area D	26 June 2017	Nikita Designs	3 August 2017

ND10 K	First Floor Plan Area E	3 August 2017	Nikita Designs	3 August 2017
ND11G	Second Floor Plan Area F	21 March 2017	Nikita Designs	3 August 2017
ND12 D	Second Floor Plan Area G	4 April 2017	Nikita Designs	3 August 2017
ND13 F	Second Floor Plan Area H	21 March 2017	Nikita Designs	3 August 2017
ND14 C	Basement Plan Area I	21 June 2016	Nikita Designs	3 August 2017
ND15 K	Available Exit Widths Plan	3 August 2017	Nikita Designs	3 August 2017
ND16 K	Section A-A	3 August 2017	Nikita Designs	3 August 2017
ND17 K	Section A-A Front	3 August 2017	Nikita Designs	3 August 2017
ND18 C	Section A-A Rear	21 June 2016	Nikita Designs	3 August 2017
ND19 C	Section B-B	21 June 2016	Nikita Designs	3 August 2017
ND20 C	Section C-C	21 June 2016	Nikita Designs	3 August 2017
ND21 K	Section D-D	3 August 2017	Nikita Designs	3 August 2017
ND22 K	Section E-E	3 August 2017	Nikita Designs	3 August 2017
ND23 E	Front Elevation Overall	8 December 2016	Nikita Designs	3 August 2017
ND24 D	Front Elevation Part A	1 December 2016	Nikita Designs	3 August 2017
ND25 E	Front Elevation Part B	8 December 2016	Nikita Designs	3 August 2017
ND26 C	Rear Elevation Overall	21 June 2016	Nikita Designs	3 August 2017
ND27 C	Rear Elevation Part A	21 June 2016	Nikita Designs	3 August 2017
ND28 C	Rear Elevation Part B	21 June 2016	Nikita Designs	3 August 2017
ND29 C	Side Elevation	21 June 2016	Nikita Designs	3 August 2017
ND30 C	Side Elevation	21 June 2016	Nikita Designs	3 August 2017
ND31 C	Under Awning Sign Detail	21 June 2016	Nikita Designs	3 August 2017
ND32 C	Above Awning Sign Detail	21 June 2016	Nikita Designs	3 August 2017
ND36 H	Ground Floor Seating Plan	26 June 2017	Nikita Designs	3 August 2017

ND37 C	Basement Dressing Set-out Plan	21 June 2016	Nikita Designs	3 August 2017
ND38 F	First Floor Dressing Set-out Plan	21 March 2017	Nikita Designs	3 August 2017
ND39 F	Second Floor Dressing Set-out Plan	21 March 2017	Nikita Designs	3 August 2017
ND42	Detail Fixing Seating Plan	-	Nikita Designs	3 August 2017
00213470 / 2090061 / AMW	Plan of Management	14 August 2017	Century Venues Management	26 September 2017
FER Rev. 10	Fire Safety Report	2 August 2017	Alternative Building Solutions	3 August 2017
Issue B	Statement of Heritage Impact	July 2016	Heritas	29 July 2016

and details submitted to Council on 29 July 2016, 3 August 2017 and 26 September 2017 with the application for development consent and as amended by the matters referred to in Part A of this Determination and as amended by the plans and details listed below:

Plan No. and Issue	Plan/Cert Type	Date Issued	Prepared by	Date Submitted
ND23 M	Front Elevation Overall	29 September 2018	Nikita Designs	17 October 2018
ND24 M	Front Elevation Part A	29 September 2018	Nikita Designs	17 October 2018
ND25 M	Front Elevation Part B	29 September 2018	Nikita Designs	17 October 2018
ND29 M	Side Elevation	29 September 2018	Nikita Designs	17 October 2018
ND30 M	Side Elevation	29 September 2018	Nikita Designs	17 October 2018
ND31 L	Under Awning Sign Detail	9 March 2018	Nikita Designs	17 October 2018
ND32 M	Above Awning Sign Detail	29 September 2018	Nikita Designs	17 October 2018
ND43 L	Box Office Sign Detail	9 March 2018	Nikita Designs	17 October 2018
ND44 M	Above Awning Sign Detail	29 September 2018	Nikita Designs	17 October 2018

and details submitted to the Council on 4 May 2018 and 17 October 2018 with the application under Section 4.55 of the Environmental Planning and Assessment Act and the following conditions.

Reason: To confirm the details of the application as submitted by the applicant.

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

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

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

Reason: To ensure the development is carried out in accordance with this Determination.

3. No injury must be caused to the amenity of the neighbourhood by the emission of noise, smoke, smell, vibration, gases, vapours, odours, dust, particular matter, or other impurities which are a nuisance or injurious or dangerous or prejudicial to health, the exposure to view of any unsightly matter or otherwise.

Reason: To ensure the operation of the premises does not affect the amenity of the neighbourhood.

4. The use of the premises must not give rise to:

- transmission of unacceptable vibration to any place of different occupancy;
- a sound pressure level at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 5dB(A). The source noise level shall be assessed as an LAeq,15min and adjusted in accordance with Environment Protection Authority guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content as described in the NSW Environment Protection Authority's Environmental Noise Control Manual and Industrial Noise Policy 2000 and The Protection of the Environment Operations Act 1997 (NSW).

Reason: To prevent loss of amenity to the area.

5. The required fee under Council adopted fees and charges for "Signs and Advertising Structures Projecting onto or Over Public Space" must be paid to Council. The advertisement/advertising structures must only remain in place when the annual licensing fee for that year has been paid.

Note: The fee needs to be paid annually.

Reason: To confirm the terms of Council's approval and to ensure that the advertising only remains in place when the annual licensing fee has been paid.

6. No signs or goods must be displayed for sale or stored on the footpath in front of the premises at any time without the prior approval of Council.

Reason: To prevent the public footpath from being obstructed.

7. All loading and unloading in connection with the use must be carried out during the approved hours of operation in such a manner as not to cause inconvenience to the public.
Reason: To ensure loading and unloading operations do not interfere with traffic and pedestrian movements in the area.
8. The hours of operation must be restricted to the following:
- Public patronage between the hours of 8.30am and 11.30pm daily;
 - Loading/unloading to the premises must commence no earlier than 8:30am and finish no later than 1:00am; and
 - For a maximum of 20 occurrences per year, morning loading may commence from 6:00am
- Reason: To ensure that the operation of the premises does not interfere with the amenity of the locality.
9. The maximum capacity of the theatre at any one time is 2,500 patrons.
Reason: To confirm the terms of Council's approval.
10. All trade waste must be stored within the site boundaries and must be contained in such a manner so as not to cause a nuisance.
Reason: To provide for correct storage of wastes.
11. Within 12 months of the date of this Determination, all signage works and works required to be carried out to the front façade of the Theatre must be carried out to the satisfaction of Council's Heritage Advisor.
Reason: To ensure all conservation and upgrade works to the facade are carried out to an acceptable standard.
12. Within 12 months of the date of an Operative Consent, a Building Certificate or series of Building Certificates are to be submitted to Council with a view of regularising ALL illegal building works that have been undertaken on site.
Reason: To regularise any illegal building works carried out on site.
13. All building work must be carried out in accordance with the provisions of the National Construction Code (Building Code of Australia).
Reason: To ensure the work is carried out to an acceptable standard and in accordance with the National Construction Code (Building Code of Australia).
- 13A. The above awning LED sign is to be used only to display details of any event scheduled at the Enmore Theatre and must not be used for any external/third party advertisements.
Reason: To ensure the signage is only used in association with events held at the theatre.

BEFORE COMMENCING DEMOLITION, EXCAVATION AND/OR BUILDING WORK

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

14. No work must commence until:

- a) A PCA has been appointed. Where an Accredited Certifier is the appointed, Council must be notified within 2 days of the appointment; and
- b) A minimum of 2 days written notice given to Council of the intention to commence work.

Reason: To comply with the provisions of the Environmental Planning and Assessment Act.

15. A Construction Certificate must be obtained before commencing building work. Building work means any physical activity involved in the construction of a building. This definition includes the installation of fire safety measures.

Reason: To comply with the provisions of the Environmental Planning and Assessment Act.

16. Sanitary facilities must be provided at or in the vicinity of the work site in accordance with the WorkCover Authority of NSW, Code of Practice 'Amenities for Construction'. Each toilet must be connected to the sewer, septic or portable chemical toilet before work commences.

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

Reason: To ensure that sufficient and appropriate sanitary facilities are provided on the site.

17. All demolition work must:

- a) Be carried out in accordance with the requirements of Australian Standard AS 2601 'The demolition of structures' and the Occupational Health and Safety Act and Regulations; and
- b) Where asbestos is to be removed it must be done in accordance with the requirements of the WorkCover Authority of NSW and disposed of in accordance with requirements of the Department of Environment, Climate Change and Water.

Reason: To ensure that the demolition work is carried out safely.

18. Where any loading, unloading or construction is to occur from a public place, Council's Infrastructure Services Division must be contacted to determine if any permits or traffic management plans are required to be obtained from Council before work commences.

Reason: To protect the amenity of the area.

19. All services in the building being demolished must be disconnected in accordance with the requirements of the responsible authorities before work commences.
Reason: To ensure that the demolition work is carried out safely.
20. A waste management plan must be prepared in accordance with Part 2.21 of Marrickville Development Control Plan 2011 – Site Facilities and Waste Management and must be submitted to and accepted by the PCA before work commences.
Reason: To ensure the appropriate disposal and reuse of waste generated on the site.
21. The site must be enclosed with suitable fencing to prohibit unauthorised access. The fencing must be erected as a barrier between the public place and any neighbouring property, before work commences.
Reason: To secure the area of the site works maintaining public safety.
22. A rigid and durable sign must be erected in a prominent position on the site, before work commences. The sign must be maintained at all times until all work has been completed. The sign must include:
- The name, address and telephone number of the PCA;
 - A telephone number on which Principal Contractor (if any) can be contacted outside working hours; and
 - A statement advising: 'Unauthorised Entry To The Work Site Is Prohibited'.
- Reason: To maintain the safety of the public and to ensure compliance with the Environmental Planning and Assessment Regulations.

BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

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

23. That in accordance with Clause 144 of the Environmental Planning and Assessment Regulation 2000, the Certifying Authority must within seven (7) days of receipt of an application for a Construction Certificate forward a copy of the application to the Fire Commissioner.
Reason: To ensure compliance with Clause 144 of the Environmental Planning and Assessment Regulation 2000
24. Before the issue of a Construction Certificate, a heritage consultant shall be engaged to work on the interior design of the new internal additions and modifications to the Theatre. Detailed schedule of internal finishes shall be provided to the satisfaction of Council's heritage advisor.
Reason: To ensure that the heritage significance of the interiors of the Theatre is maintained.
25. A levy of \$9,350.00 has been assessed as the contribution for the development under Section 94A of the Environmental Planning and Assessment Act 1979 and Marrickville Section 94/94A Contributions Plan 2014 (a copy of which may be inspected at the offices of the Council).

The Section 94A Levy referred to above is based on the estimated cost of the proposed development at time of lodgement of the application indexed quarterly in accordance with Marrickville Section 94/94A Contributions Plan 2014.

The Section 94A levy (as adjusted) must be paid to the Council in cash or by unendorsed bank cheque (from an Australian Bank only) or EFTPOS (Debit only) or credit card before the issue of a Construction Certificate. Under Marrickville Section 94/94A Contributions Plan 2014 payment of Section 94A levies **CANNOT** be made by Personal Cheque or Company Cheque.

*NB A 1% credit card transaction fee applies to all credit card transactions.

(LEVY PAYMENT REFERENCE NO. DC002087)

NOTE: Under Marrickville Section 94/94A Contributions Plan 2014, the proposed cost of carrying out development is adjusted quarterly at time of payment of the levy in line with the *Consumer Price Index: All Groups Index Number for Sydney* provided by the Australian Bureau of Statistics.

Reason: To ensure that the approved development makes a contribution towards the provision, extension or augmentation of public amenities and public services in the area.

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

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

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

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

Reason: To ensure that the required levy is paid in accordance with the Building and Construction Industry Long Service Payments Act.

27. Before the issue of a Construction Certificate the owner or builder must sign a written undertaking that they are responsible for the full cost of repairs to footpath, kerb and gutter, or other Council property damaged as a result of construction of the proposed development. Council may utilise part or all of any Building Security Deposit (B.S.D.) or recover in any court of competent jurisdiction, any costs to Council for such repairs.

Reason: To ensure that all damages arising from the building works are repaired at no cost to Council.

SITE WORKS

28. All excavation, demolition, construction, and deliveries to the site necessary for the carrying out of the development, must be restricted to between 7.00am to 5.30pm Mondays to Saturdays, excluding Public Holidays. Notwithstanding the above no work must be carried out on any Saturday that falls adjacent to a Public Holiday.
Reason: To minimise the effect of the development during the construction period on the amenity of the surrounding neighbourhood.
29. The area surrounding the building work must be reinstated to Council's satisfaction upon completion of the work.
Reason: To ensure that the area surrounding the building work is satisfactorily reinstated.
30. The placing of any materials on Council's footpath or roadway is prohibited, without the consent of Council. The placement of waste storage containers in a public place requires Council approval and must comply with Council's Policy - 'Placement of Waste Storage Containers in a Public Place'.
Reason: To ensure the public ways are not obstructed and the placement of waste storage containers in a public place are not dangerous to the public.
31. All demolition work must be carried out in accordance with the following:
- a) compliance with the requirements of Australian Standard AS 2601 'The demolition of structures' with specific reference to health and safety of the public, health and safety of the site personnel, protection of adjoining buildings and protection of the immediate environment;
 - b) all works involving the demolition, removal, transport and disposal of asbestos cement must be carried out in accordance with the 'Worksafe Code of Practice for Removal of Asbestos' and the requirements of the WorkCover Authority of NSW and the Department of Environment, Climate Change and Water;
 - c) all building materials arising from the demolition must be disposed of in an approved manner in accordance with Part 2.21 of Marrickville Development Control Plan 2011 – Site Facilities and Waste Management and any applicable requirements of the Department of Environment, Climate Change and Water;
 - d) sanitary drainage, stormwater drainage, water, electricity and telecommunications must be disconnected in accordance with the requirements of the responsible authorities;
 - e) the generation of dust and noise on the site must be controlled;
 - f) the site must be secured to prohibit unauthorised entry;
 - g) suitable provision must be made to clean the wheels and bodies of all vehicles leaving the site to prevent the tracking of debris and soil onto the public way;
 - h) all trucks and vehicles associated with the demolition, including those delivering to or removing material from the site, must only have access to the site during work hours nominated by Council and all loads must be covered;
 - i) all vehicles taking materials from the site must be loaded wholly within the property unless otherwise permitted by Council;
 - j) no waste collection skips, spoil, excavation or demolition material from the site must be deposited on the public road, footpath, public place or Council owned property without the approval of Council; and

- k) the person acting on this consent must ensure that all contractors and sub-contractors associated with the demolition are fully aware of these requirements.

Reason: To ensure that the demolition work is carried out safely and impacts on the surrounding area are minimised.

32. The works must be inspected at critical stages of construction, by the PCA or if the PCA agrees, by another certifying authority. The last inspection can only be carried out by the PCA. The critical stages of construction are:

- a) At the commencement of the building work;
- b) For Class 2, 3 and 4 buildings, prior to covering waterproofing in any wet areas (a minimum of 10% of wet areas within a building);
- c) Prior to covering any stormwater drainage connections, and after the building work has been completed and prior to any occupation certificate being issued in relation to the building; and
- d) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

You are advised to liaise with your PCA to establish if any additional inspections are required.

Reason: To ensure the building work is carried out in accordance with the Environmental Planning and Assessment Regulations and the National Construction Code (Building Code of Australia).

33. If it is necessary to excavate below the level of the base of the footings of a building on the adjoining allotments, including a public place such as footways and roadways, the person acting on this consent must ensure that:

- a) At least 7 days' notice is given to the owners of the adjoining land of the intention to excavate below the base of the footings. The notice must include complete details of the work; and
- b) Any building is preserved and protected from damage.

Where a dilapidation report has not been prepared on any building adjacent to the excavation, the person acting on this consent is responsible for arranging and meeting the cost of a dilapidation report prepared by a suitably qualified person. The report must be submitted to and accepted by the PCA before works continue on site, if the consent of the adjoining property owner can be obtained. Copies of all letter/s that have been sent via registered mail to the adjoining property owner and copies of any responses received must be forwarded to the PCA before work commences.

Reason: To ensure that adjoining buildings are preserved, supported and the condition of the buildings on the adjoining property catalogued for future reference in the event that any damage is caused during work on site.

34. All vehicles carrying materials to, or from the site must have their loads covered with tarpaulins or similar covers.

Reason: To ensure dust and other particles are not blown from vehicles associated with the use.

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

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

Reason: To conserve water.

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

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

Reason: To conserve water.

BEFORE OCCUPATION OF THE BUILDING

37. You must obtain an Occupation Certificate from your PCA before you occupy or use the building. The PCA must notify the Council of the determination of the Occupation Certificate and forward the following documents to Council within 2 days of the date of the Certificate being determined:

- a) A copy of the determination;
- b) Copies of any documents that were lodged with the Occupation Certificate application;
- c) A copy of Occupation Certificate, if it was issued;
- d) A copy of the record of all critical stage inspections and any other inspection required by the PCA;
- e) A copy of any missed inspections; and
- f) A copy of any compliance certificate and any other documentary evidence relied upon in issuing the Occupation Certificate.

Reason: To comply with the provisions of the Environmental Planning and Assessment Regulations.

38. Occupation of the building must not be permitted until such time as:

- a) All preconditions to the issue of an Occupation Certificate specified in this development consent have been met;
- b) The building owner obtains a Final Fire Safety Certificate certifying that the fire safety measures have been installed in the building and perform to the performance standards listed in the Fire Safety Schedule; and
- c) An Occupation Certificate has been issued.

Reason: To comply with the provisions of the Environmental Planning and Assessment Act.

39. 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.

Reason: To ensure compliance with the relevant provisions of the Environmental Planning and Assessment Regulations and Building Legislation Amendment (Quality of Construction) Act.

40. Works to the Enmore Road Elevation are to be consistent with the plans and details in this consent and are to be completed before the issue of any Occupation Certificate, whether interim or otherwise. The works include:

- a) Removal of all air conditioning units located above the awning along Enmore Road and on the Enmore Road Elevation. The façade is to be made good and repainted.
- b) Location of air conditioning units in the roof where it cannot be seen from the public domain.
- c) Removal of all external plumbing pipes located on the Enmore Road Elevation above the awning. The façade is to be made good and repainted.
- d) Removal of the existing two V-shaped signs located above the awning.

Reason: To ensure all restoration works are carried out in a timely manner.

ADVISORY NOTES

- The Disability Discrimination Act 1992 (Commonwealth) and the Anti-Discrimination Act 1977 (NSW) impose obligations on persons relating to disability discrimination. Council's determination of the application does not relieve persons who have obligations under those Acts of the necessity to comply with those Acts.
- A complete assessment of the application under the provisions of the National Construction Code (Building Code of Australia) has not been carried out.
- Buildings built or painted before the 1970's may have surfaces coated with lead-based paints. Recent evidence indicates that lead is harmful to people at levels previously thought safe. Children particularly have been found to be susceptible to lead poisoning and cases of acute child lead poisonings in Sydney have been attributed to home renovation activities involving the removal of lead based paints. Precautions should therefore be taken if painted surfaces are to be removed or sanded as part of the

proposed building alterations, particularly where children or pregnant women may be exposed, and work areas should be thoroughly cleaned before occupation of the room or building.

- Contact "Dial Before You Dig" before commencing any building activity on the site.

- Useful Contacts

BASIX Information	☎ 1300 650 908 weekdays 2:00pm - 5:00pm www.basix.nsw.gov.au
Department of Fair Trading	☎ 13 32 20 www.fairtrading.nsw.gov.au Enquiries relating to Owner Builder Permits and Home Warranty Insurance.
Dial Before You Dig	☎ 1100 www.dialbeforeyoudig.com.au
Landcom	☎ 9841 8660 To purchase copies of Volume One of "Soils and Construction"
Long Service Payments Corporation	☎ 131441 www.lspc.nsw.gov.au
NSW Food Authority	☎ 1300 552 406 www.foodnotify.nsw.gov.au
NSW Government	www.nsw.gov.au/fibro www.diyasafe.nsw.gov.au Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	☎ 131 555 www.environment.nsw.gov.au
Sydney Water	☎ 13 20 92 www.sydneywater.com.au
Waste Service - SITA Environmental Solutions	☎ 1300 651 116 www.wasteservice.nsw.gov.au
Water Efficiency Labelling and Standards (WELS)	www.waterrating.gov.au
WorkCover Authority of NSW	☎ 13 10 50 www.workcover.nsw.gov.au Enquiries relating to work safety and asbestos removal and disposal.

Pursuant to Clause 100(4) of the Regulations under the Act, Council will notify you in writing if Part A of this Consent has been satisfied and the date from which this Consent operates.

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

Yours faithfully



Ruba Osman
Team Leader Development Assessment

Enquiries: Asher Richardson on .93925315

Ref: D3A TRIM Doc.88990.18

Attachment D – Stamped Plans Modified Determination No.201600383

COLOUR SCHEME PROPOSAL

Historical documentation indicates that the original scheme of the Art Deco rebuild in 1937 incorporated cream and pale green. It is believed restoration of these colours would allow for revitalisation of the facade presentation to the street frontage. Enhancement of the street presentation will furthermore allow for the continued function of the theatre considered to be of high significance in the building's Conservation Management Plan. Activation of the facade will greatly contribute to the existing and future role in the social fabric of Newtown and the Inner West. Furthermore interpretation of the original scheme would be a suitable treatment as the surrounding buildings similarly incorporate pale hues.

OPERATIVE CONSENT
of Development Application

The matters listed in the deferred commencement consent section of the Determination have been satisfied, and a letter of operative consent has been issued.

Determination No: DA201600383
Operative From: 29 May 2019

INNER WEST COUNCIL

	Dulux 'Crestalid'
	Dulux 'Spring Green'
	Dulux 'Whisper White'
	Dulux 'Domino'

PROJECT
ENMORE THEATRE
ADDRESS
118-122 Enmore Road
Newtown NSW 2042

OWNER
HERITAS
PO BOX 505
Newtown NSW 2042
T | 0112 965 813
E | info@heritas.com.au
P | www.heritas.com.au

PROPOSAL
COLOUR SCHEME PROPOSAL
DRAWING NO.
003
DATE
09/18

PRELIMINARY
15/11/10
N/A

REVISIONS

REV	DATE	DESCRIPTION
REV A	10/10/15	DMRT ISSUED FOR REVIEW
REV B	25/10/15	ADJUSTMENTS
REV C	09/02/16	ADJUSTMENTS

DATE
09/18

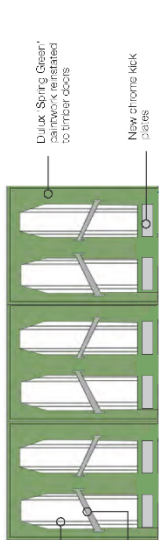
DATE
09/18

COLOUR SCHEME PROPOSAL

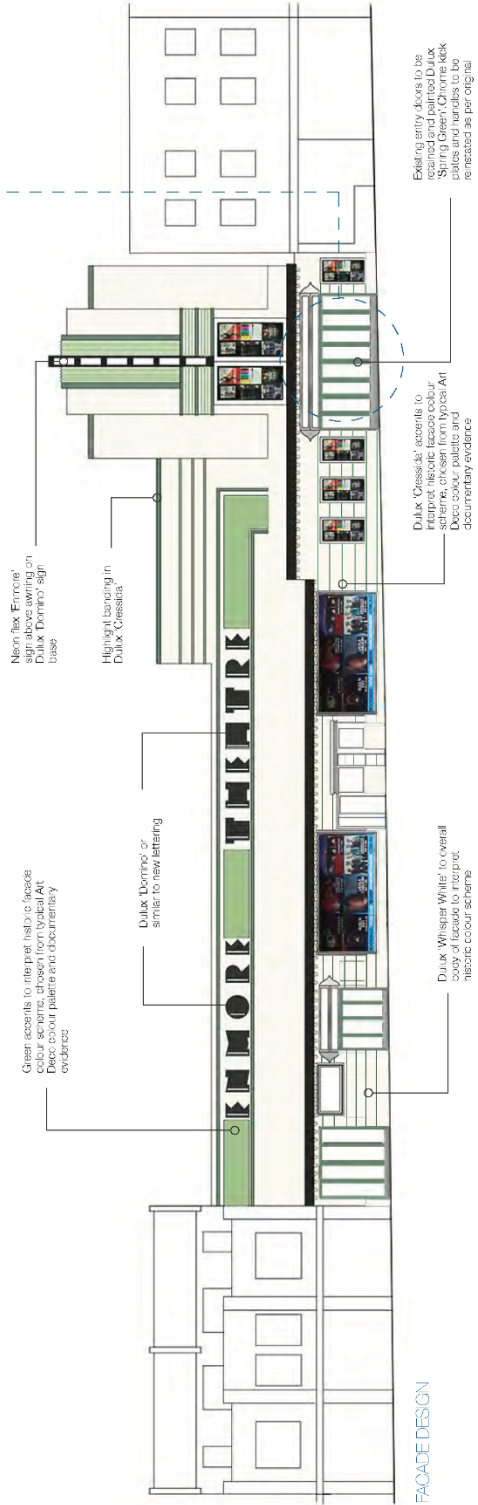
OPERATIVE CONSENT
of Development Application

The matters listed in the deferred commencement consent section of the Determination have been satisfied, and a letter of operative consent has been issued.

Determination No: DA201600383
Operative From: 29 May 2019

ENTRY DOORS DESIGN



FAÇADE DESIGN



HERITAS
HERITAGE & CONSERVATION

18/182 Emmer Road
Newtown NSW 2042

PROJECT
EMMOROE THEATRE

ADDRESS
118-182 Emmer Road
Newtown NSW 2042

STATUS
COLOUR SCHEME PROPOSAL

DATE
02/04/2019

SCALE
1:50

PROJECTS
EMMOROE THEATRE

SCALE
1:50

APPROVALS

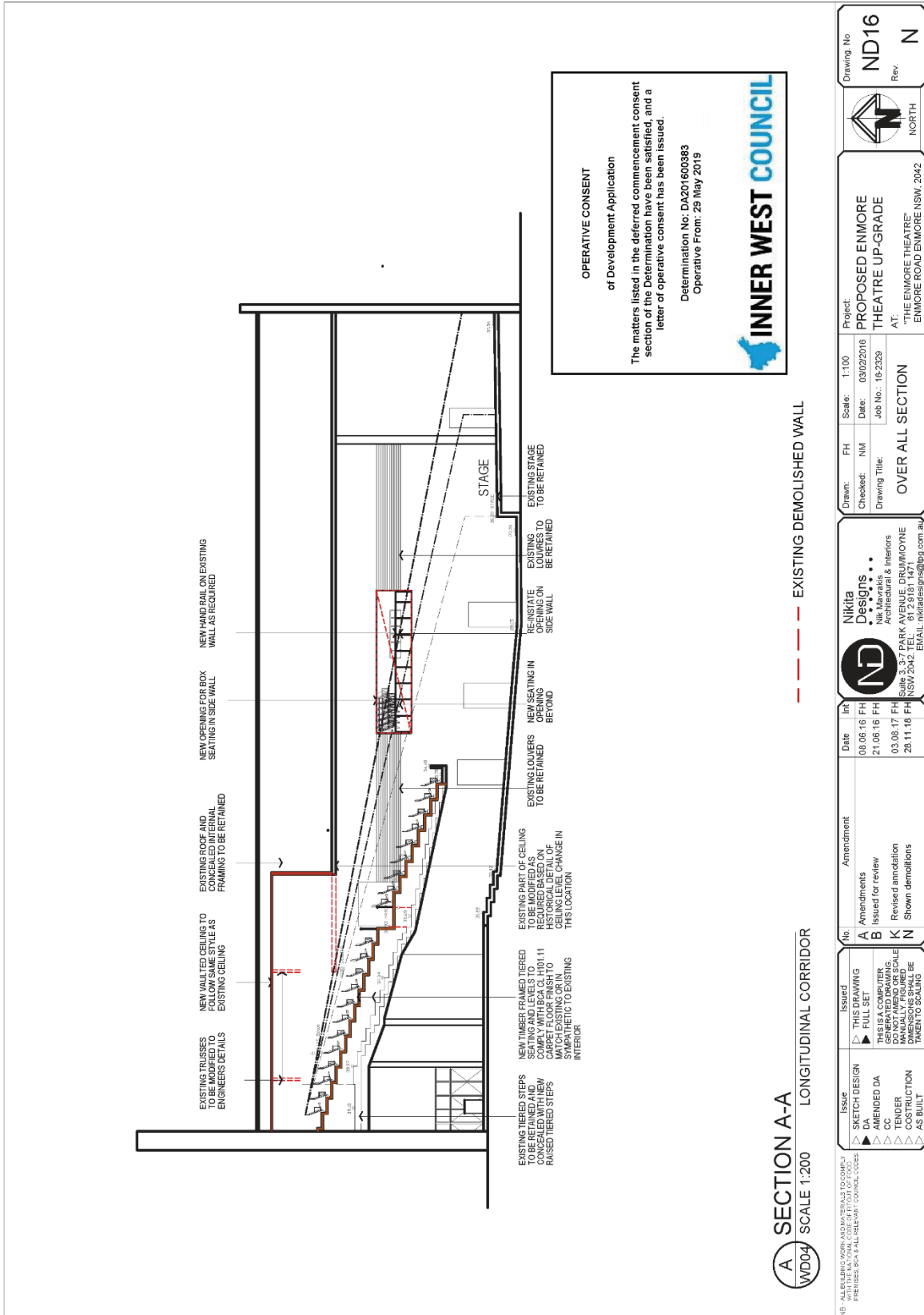
REVA 11/01/19 NSW ISSUES FOR HERITAGE AMENDMENTS

REVB 28/01/19 NSW ISSUES FOR AMENDMENTS

REVC 06/02/19 NSW ISSUES FOR AMENDMENTS

DATE
02/04/2019

SCALE
1:50



OPERATIVE CONSENT
of Development Application

The matters listed in the deferred commencement consent section of the Determination have been satisfied, and a letter of operative consent has been issued.

Determination No: DA201600383
Operative From: 29 May 2019

INNER WEST COUNCIL

A SECTION A-A
SCALE 1:200
LONGITUDINAL CORRIDOR

ND16
Rev. N

OPERATIVE CONSENT
of Development Application

The matters listed in the deferred commencement consent section of the Determination have been satisfied, and a letter of operative consent has been issued.

Determination No: DA201600383
Operative From: 29 May 2019

INNER WEST COUNCIL

Project: PROPOSED ENMORE THEATRE UP-GRADE AT: "THE ENMORE THEATRE" ENMORE ROAD ENMORE NSW, 2042

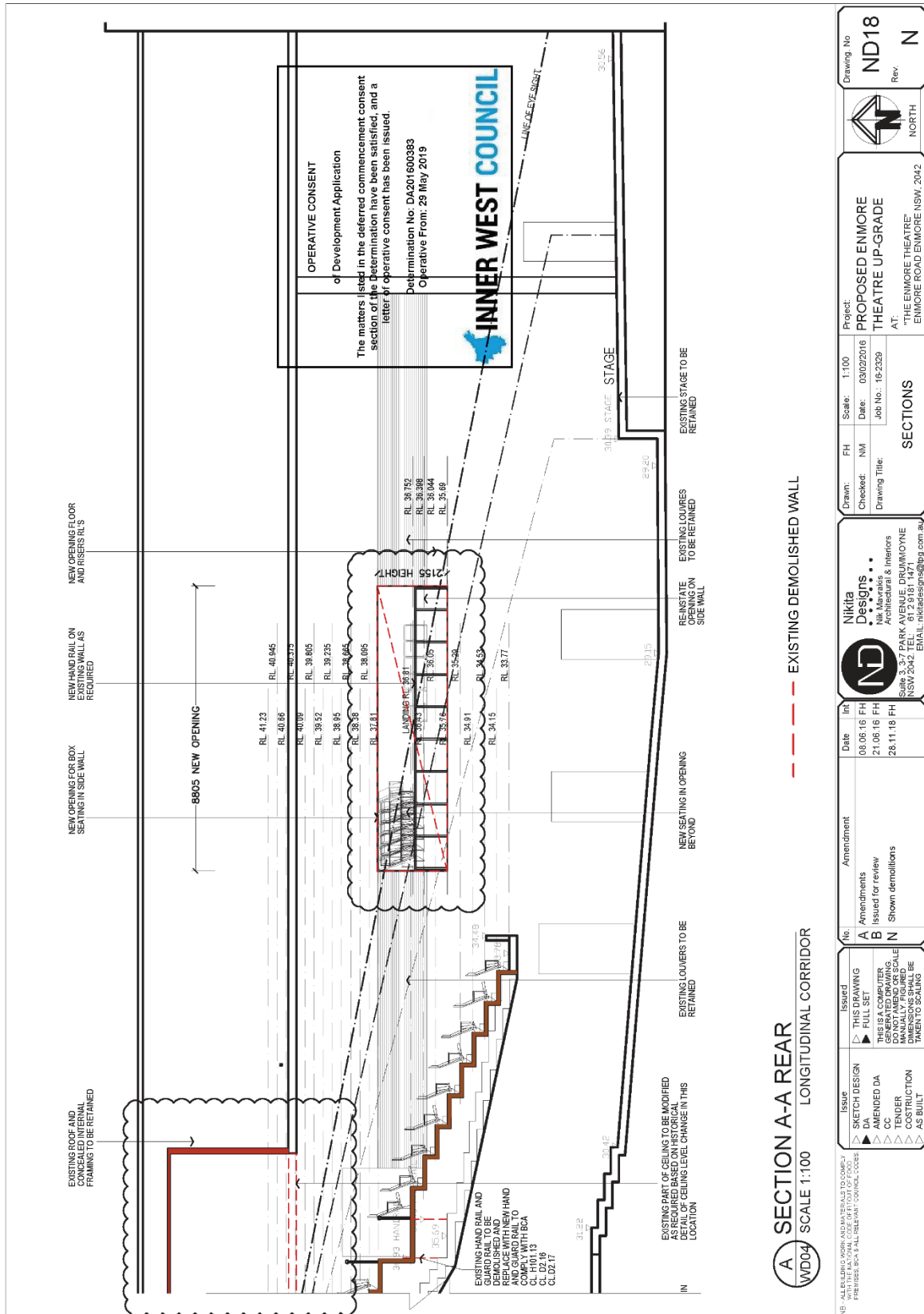
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Date: 03/02/2016
Job No.: 16-2329

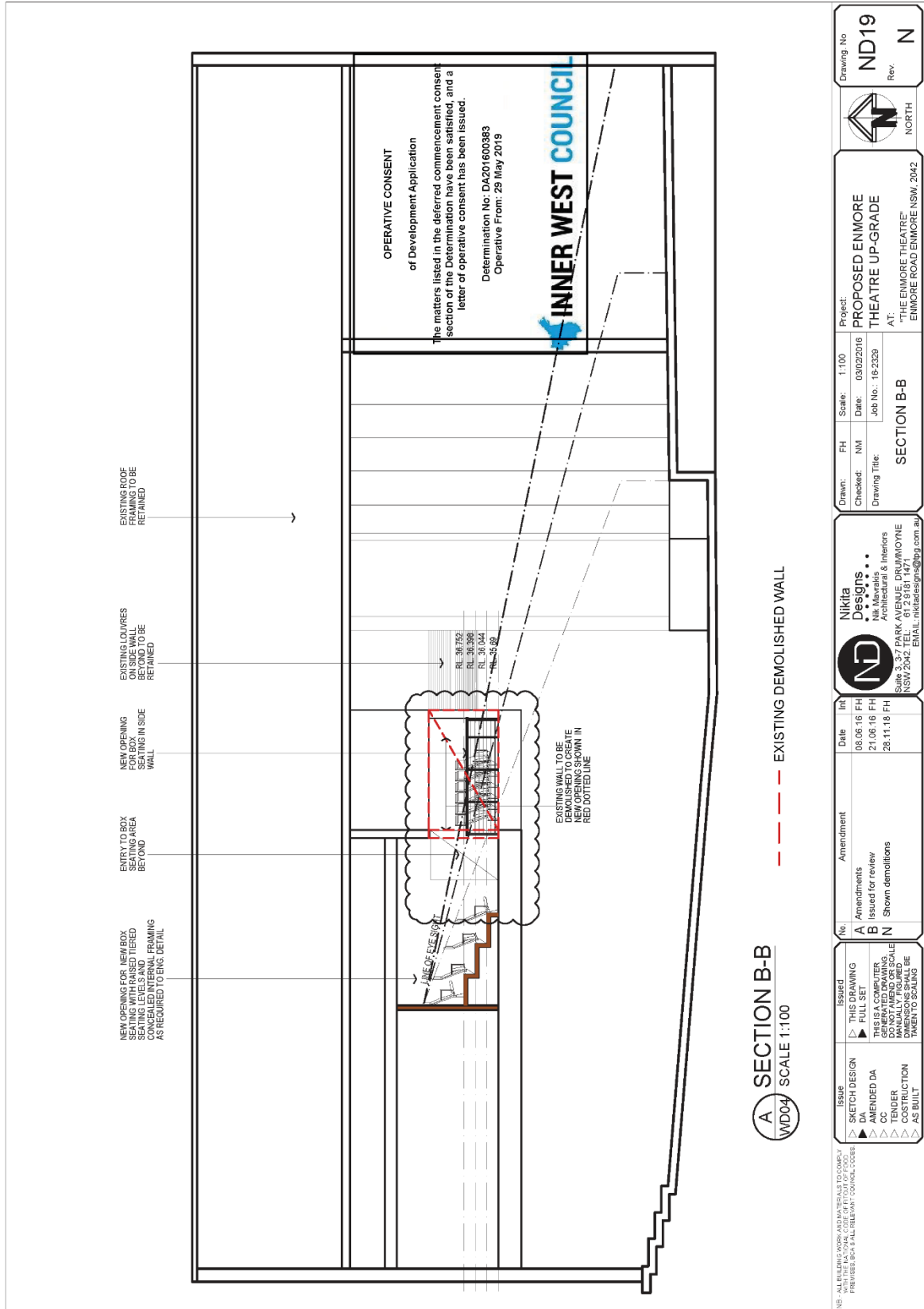
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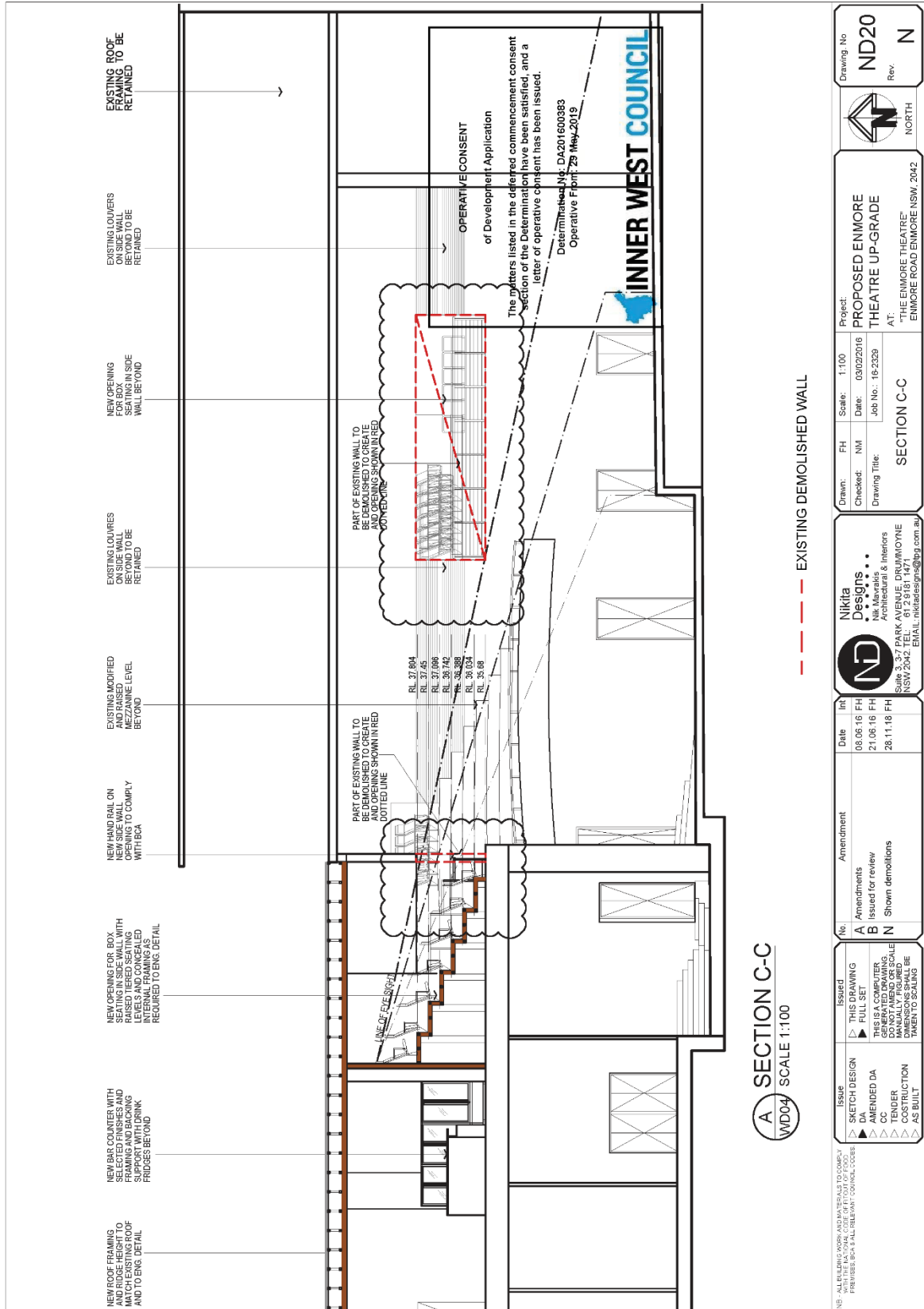
Nikita Designs
Nik Mavrikis
Architectural & Interiors
Suite 3, 37 PARK AVENUE, DRUMMOYNE NSW 2042
EMAIL: nikitadesigns@bigpond.com.au

No	Amendment	Date	Issue
A	Amendments	06.06.16 FH	SKETCH DESIGN
B	Issued for review	21.06.16 FH	DA
K	Revised annotation	03.08.17 FH	AMENDED DA
N	Shown demolitions	28.11.19 FH	CONSTRUCTION AS BUILT

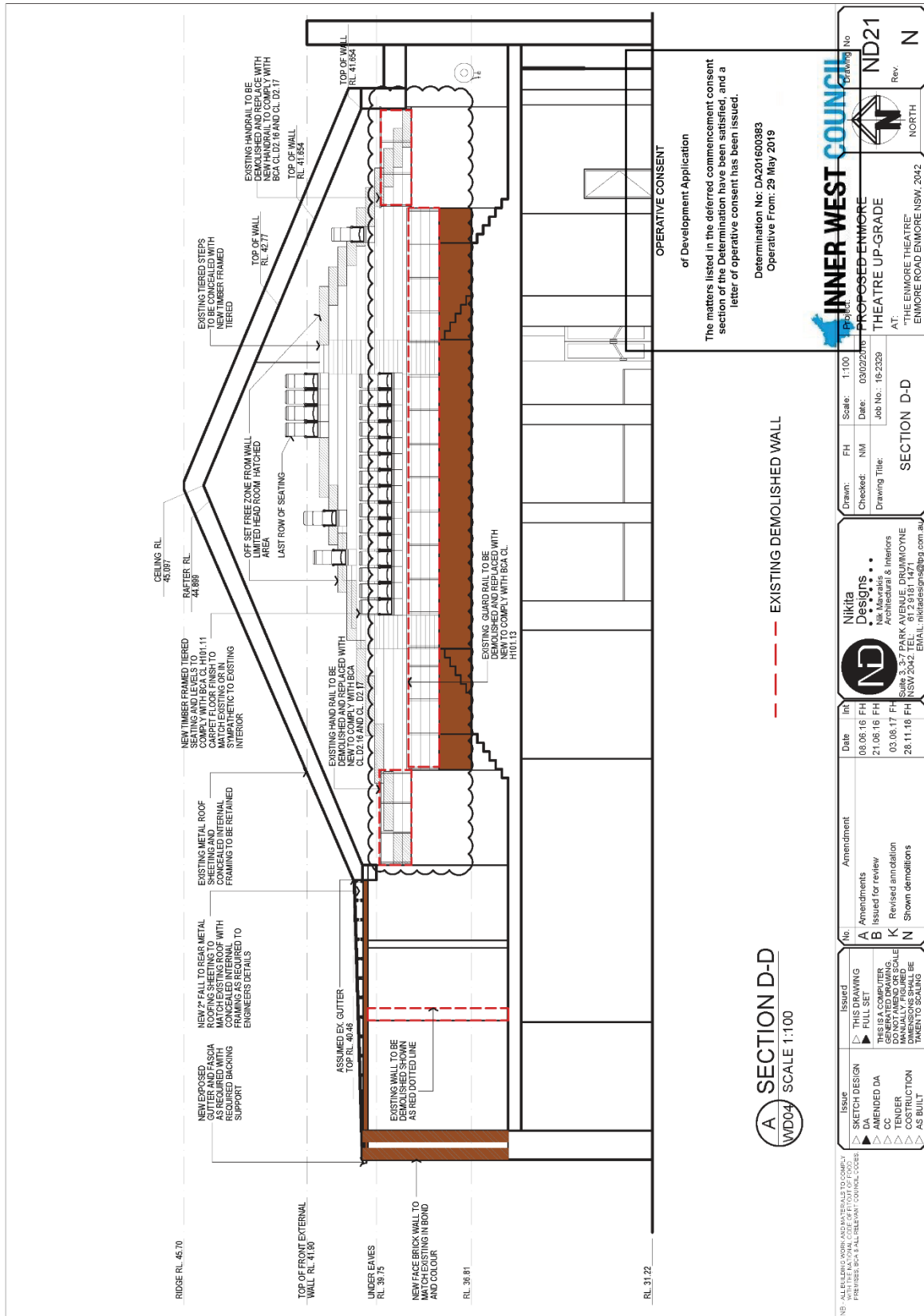
NE - ALL FILLING WORK AND MATERIALS TO COMPLY WITH THE 2019 NSW BUILDING REGULATIONS AND ALL RELEVANT COUNCIL CODES

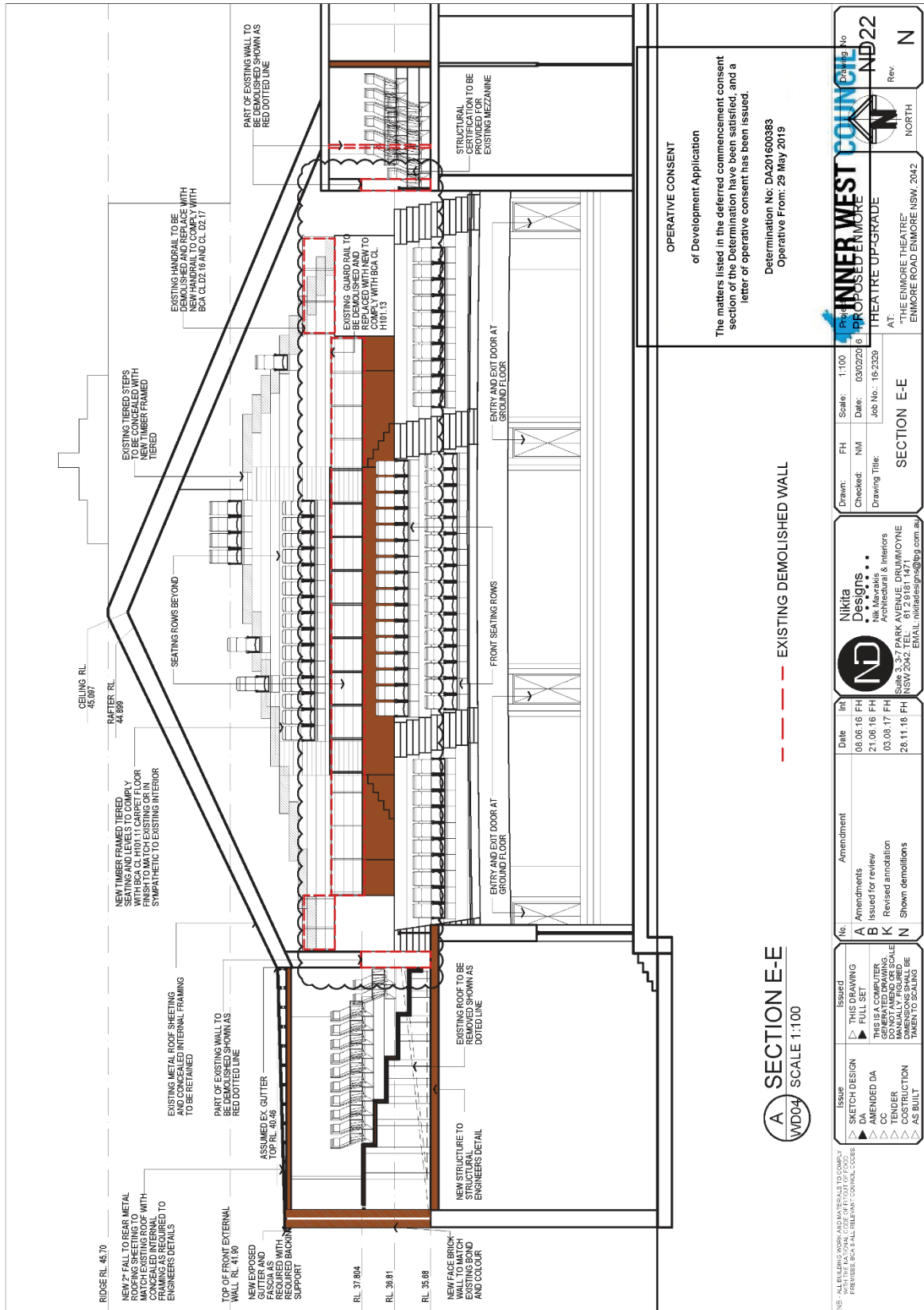






<p>Issue</p> <p>▲ SKETCH DESIGN</p> <p>▲ DA</p> <p>▲ AMENDED DA</p> <p>▲ CC</p> <p>▲ CONSTRUCTION</p> <p>▲ AS BUILT</p>		<p>Issued</p> <p>▲ THIS DRAWING</p> <p>▲ FULL SET</p> <p>▲ THIS IS A COMPUTER GENERATED DRAWING. MANUALLY FIGURED DIMENSIONS WILL BE TAKEN TO SCALING.</p>		<p>No</p> <p>A Amendments</p> <p>B Issued for review</p> <p>N Show demolitions</p>		<p>Date</p> <p>06.06.16 FH</p> <p>21.06.16 FH</p> <p>28.11.18 FH</p>		<p>Nikita Descriptors</p> <p>Nik Mavroukis</p> <p>Architectural & Interiors</p> <p>Suite 3.37 PARK AVENUE, DORMWOYNE NSW 2042</p> <p>EMAIL: nikita@nkdsg.com.au</p>		<p>Drawn: FH</p> <p>Checked: NM</p> <p>Drawing Title: SECTION C-C</p>		<p>Scale: 1:100</p> <p>Date: 03/02/2016</p> <p>Job No.: 16-2329</p>		<p>Project: PROPOSED ENMORE THEATRE UP-GRADE</p> <p>AT: "THE ENMORE THEATRE" ENMORE ROAD ENMORE NSW, 2042</p>		<p>Drawing No: ND20</p> <p>Rev: N</p>	
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A SECTION E-E
SCALE 1:100

OPERATIVE CONSENT
or Development Application

The matters listed in the deferred commencement consent section of the Determination have been satisfied, and a letter of operative consent has been issued.

Determination No: DA201600383
Operative From: 29 May 2019

INNER WEST COUNCIL
PROPOSED ENMORE
THEATRE UP-GRADE

AT: "THE ENMORE THEATRE"
ENMORE ROAD ENMORE NSW, 2042

Section No: ND22
Rev: N

Drawn: FH Scale: 1:100
Checked: NM Date: 03/02/2019
Drawing Title: Job No.: 16-2329

SECTION E-E

Nikita Designs
Nik Mavroukis
Architectural & Interiors

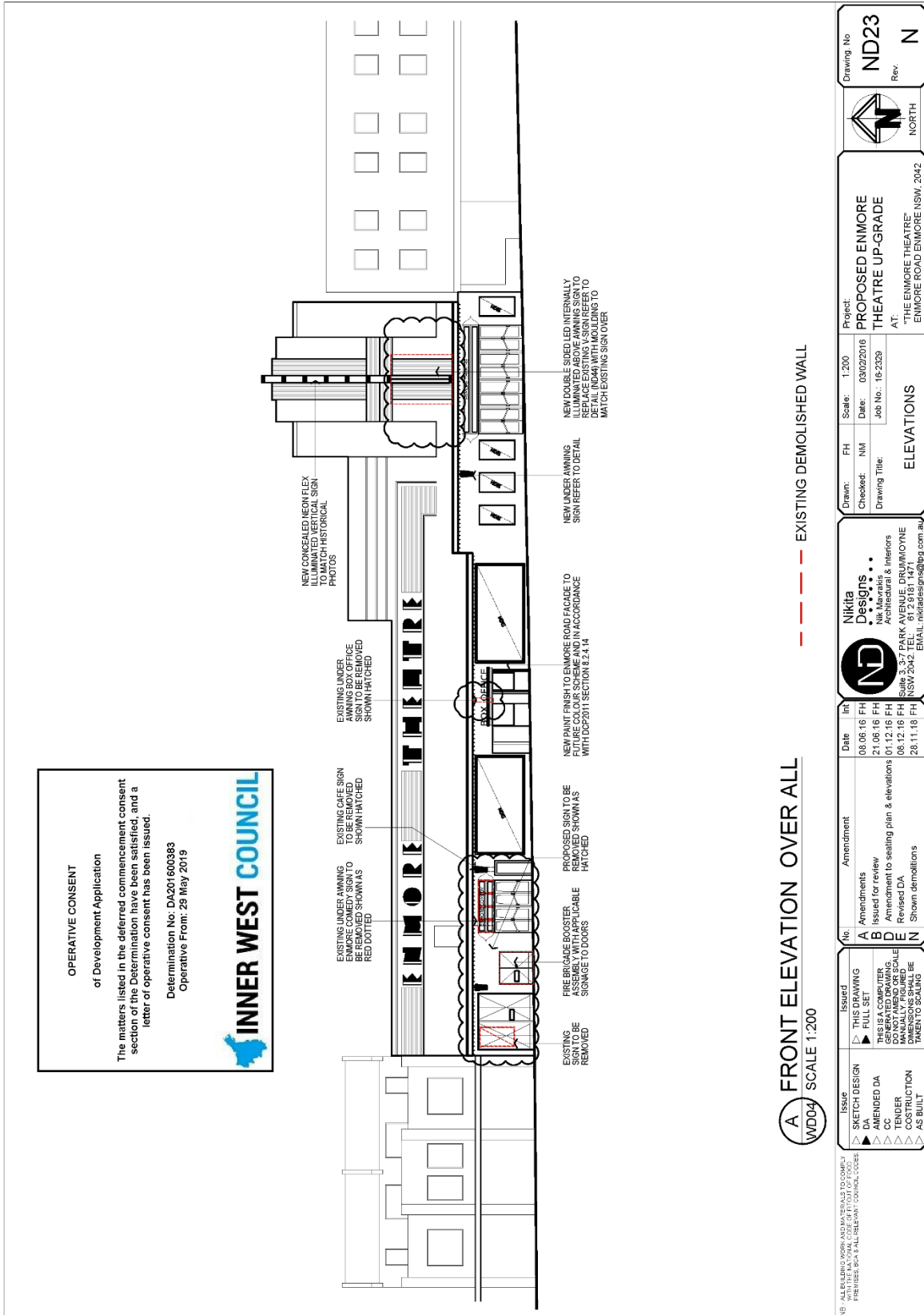
Suite 3, 37 PARK AVENUE, DRUMMOYNE NSW 2042
EMAIL: nikitadesigns@tpg.com.au

No	Amendment	Date	Int
A	Amendments	06.06.16	FH
B	Issued for review	21.06.16	FH
K	Revised amendment	03.08.17	FH
N	Show demolitions	28.11.18	FH

Issue	Issued
SKETCH DESIGN	THIS DRAWING FULL SET
AMENDED DA	THIS IS A COMPUTER GENERATED SCALE DO NOT MANUALLY FIGURED OR TAKEN TO SCALING
CONSTRUCTION	AS BUILT

NOTE: ALL FILLING WORK AND MATERIALS TO COMPLY WITH USE, BCA & ALL RELEVANT COUNCIL CODES

27/06/2019 10:00:00 AM C:\Users\Nikita\Desktop\Projects\Inner West Council\2016\DA201600383\DWG\SECTION E-E.dwg (A) 1:100, 28/11/2018 11:58 AM



OPERATIVE CONSENT
of Development Application

The matters listed in the deferred commencement consent section of the Determination have been satisfied, and a letter of operative consent has been issued.

Determination No: DA201600383
Operative From: 29 May 2019

INNER WEST COUNCIL

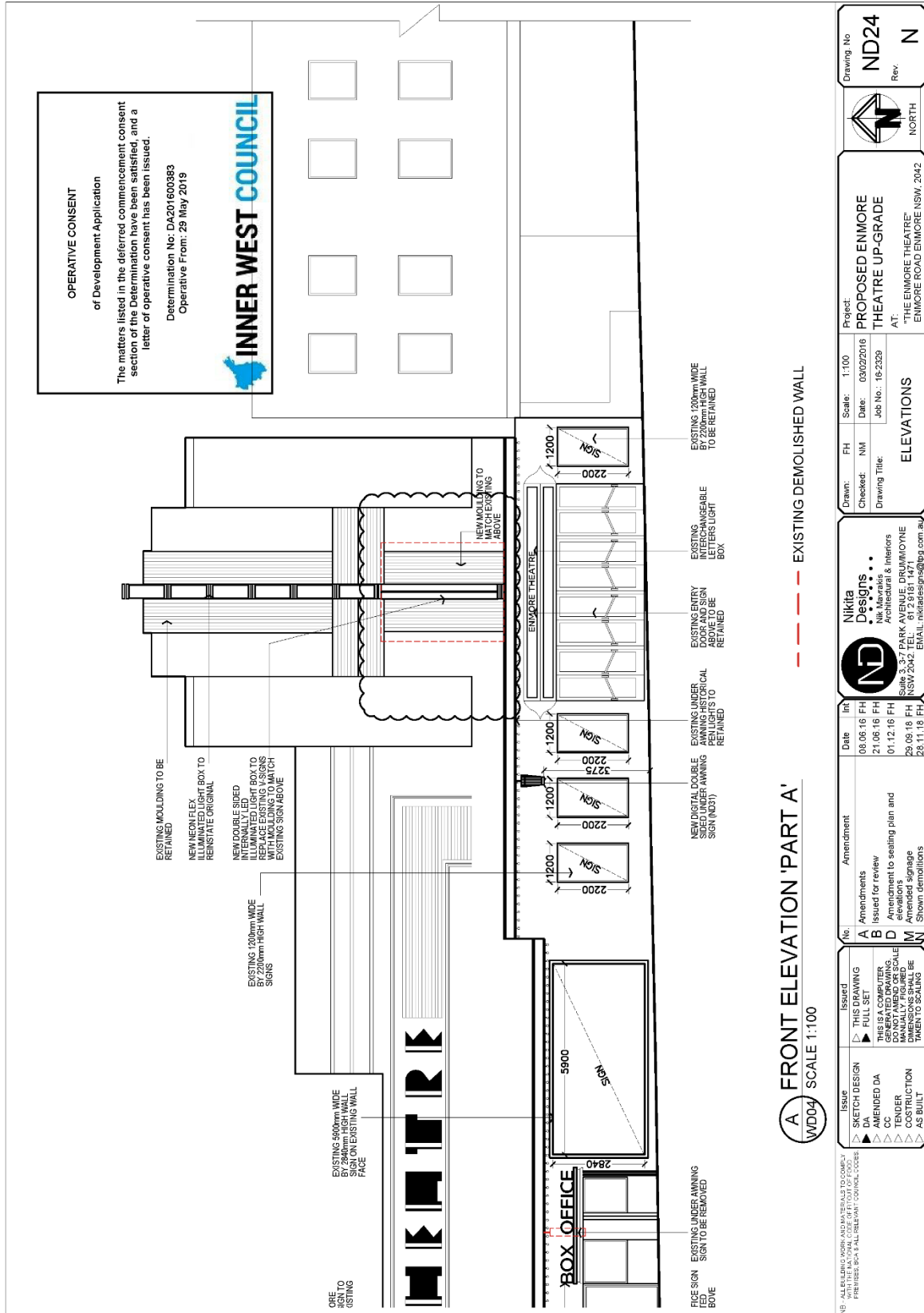
A FRONT ELEVATION OVER ALL
WD04 SCALE 1:200

--- EXISTING DEMOLISHED WALL

Issue	Issued	No	Amendment	Date	In
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▲ DA	▲ FULL SET	B	Issued for review	21.06.16 FH	FH
▲ AMENDED DA	THIS IS A COMPUTER	D	Amendment to seating plan & elevations	01.12.16 FH	FH
▲ CC	DO NOT MAKE OR SCALE	E	Revised DA	06.12.16 FH	FH
▲ CONSTRUCTION	MANUALLY FIGURED	N	Shown demolitions	28.11.16 FH	FH
▲ AS BUILT	DO NOT TAKE TO BE				
	TAKEN TO SCALING				

Drawn: FH	Scale: 1:200	Project:	Drawing No:
Checked: NMI	Date: 03/02/2016	PROPOSED ENMORE	ND23
Drawing Title:	Job No.: 16-2329	THEATRE UP-GRADE	Rev.
ELEVATIONS		AT:	N
		"THE ENMORE THEATRE"	NORTH
		ENMORE ROAD ENMORE NSW, 2042	

Nikita Designs	ND
Nik Mavroukis Architectural & Interiors	
Suite 3, 3-7 PARK AVENUE, DRUMMOYNE NSW 2042	
EMAIL: nikitadesigns@bigpond.com.au	



OPERATIVE CONSENT
of Development Application

The matters listed in the deferred commencement consent section of the Determination have been satisfied, and a letter of operative consent has been issued.

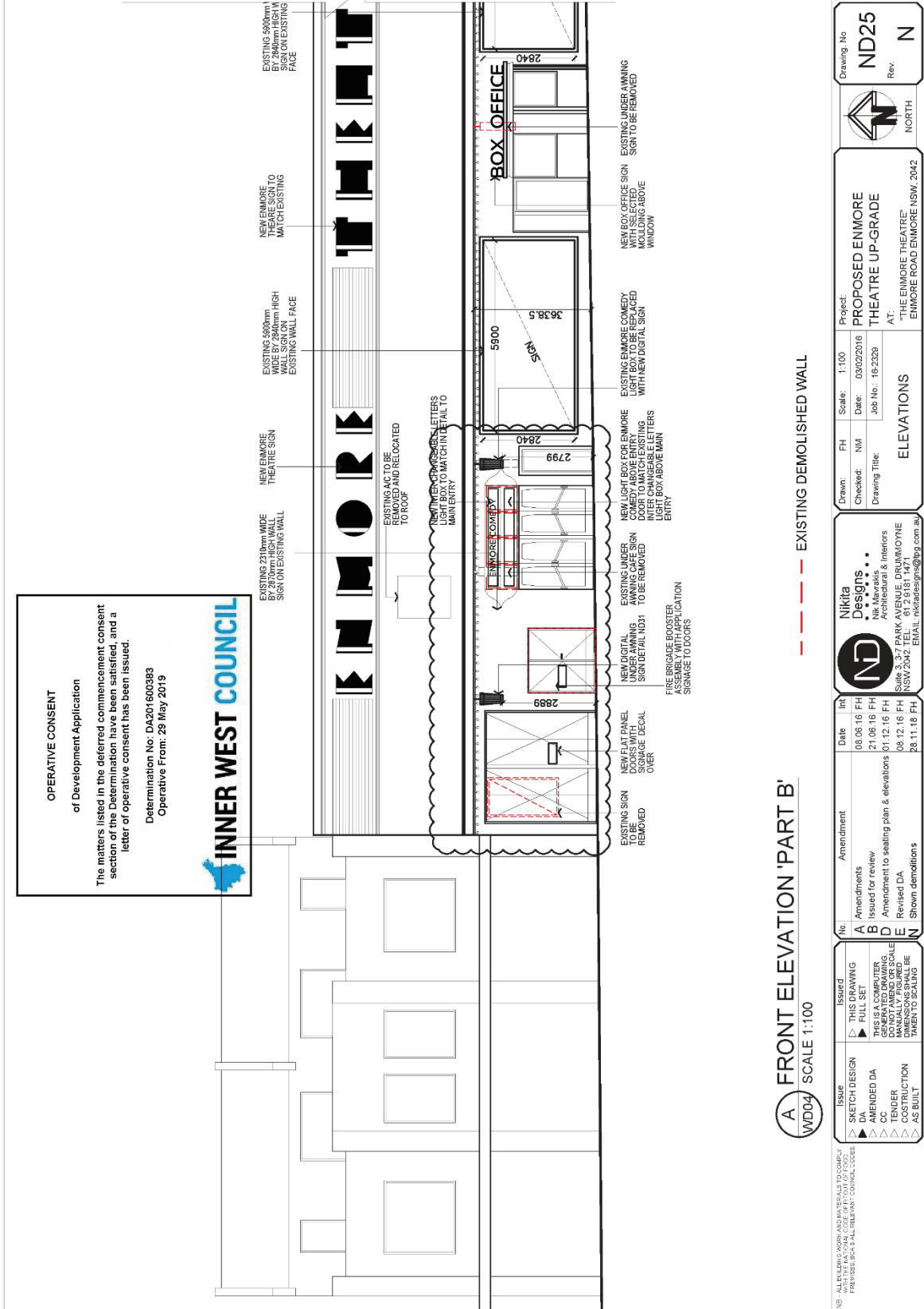
Determination No: DA201600383
Operative From: 29 May 2019

INNER WEST COUNCIL

A FRONT ELEVATION 'PART A'
WD04 SCALE 1:100

<p>Nikita Designs Nik Mavrikis Architectural & Interiors Suite 3, 37 PARK AVENUE, DRUMMOYNE NSW 2041 EMAIL: nikita@nikitadesigns.com.au</p>		<p>Project: PROPOSED ENMORE THEATRE UP-GRADE AT: "THE ENMORE THEATRE" ENMORE ROAD ENMORE NSW, 2042</p>	<p>Drawing No: ND24 Rev: N</p>
<p>Drawn: NM Checked: NM Drawing Title: ELEVATIONS</p>	<p>Scale: 1:100 Date: 03/02/2016 Job No.: 16-2329</p>	<p>Amendment No: A Amendments: B Issued for review D Amendment to sealing plan and sign M Amended signage N Showed demolitions</p>	
<p>Issue: <input checked="" type="checkbox"/> SKETCH DESIGN <input checked="" type="checkbox"/> DA <input checked="" type="checkbox"/> AMENDED DA <input checked="" type="checkbox"/> CONSTRUCTION <input checked="" type="checkbox"/> AS BUILT</p>	<p>Issued: <input checked="" type="checkbox"/> THIS DRAWING FULL SET <input checked="" type="checkbox"/> THIS IS A COMPUTER GENERATED DRAWING <input checked="" type="checkbox"/> MANUALLY FIGURED DIMENSIONS TO BE TAKEN TO SCALING</p>	<p>Date: 06.06.16 FH 21.06.16 FH 01.12.16 FH 29.09.18 FH 29.11.18 FH</p>	<p>Drawn: NM Checked: NM Drawing Title: ELEVATIONS</p>

NB - ALL FILLING WORK AND MATERIALS TO COMPLY WITH THE REQUIREMENTS OF ALL RELEVANT COUNCIL CODES



OPERATIVE CONSENT
of Development Application

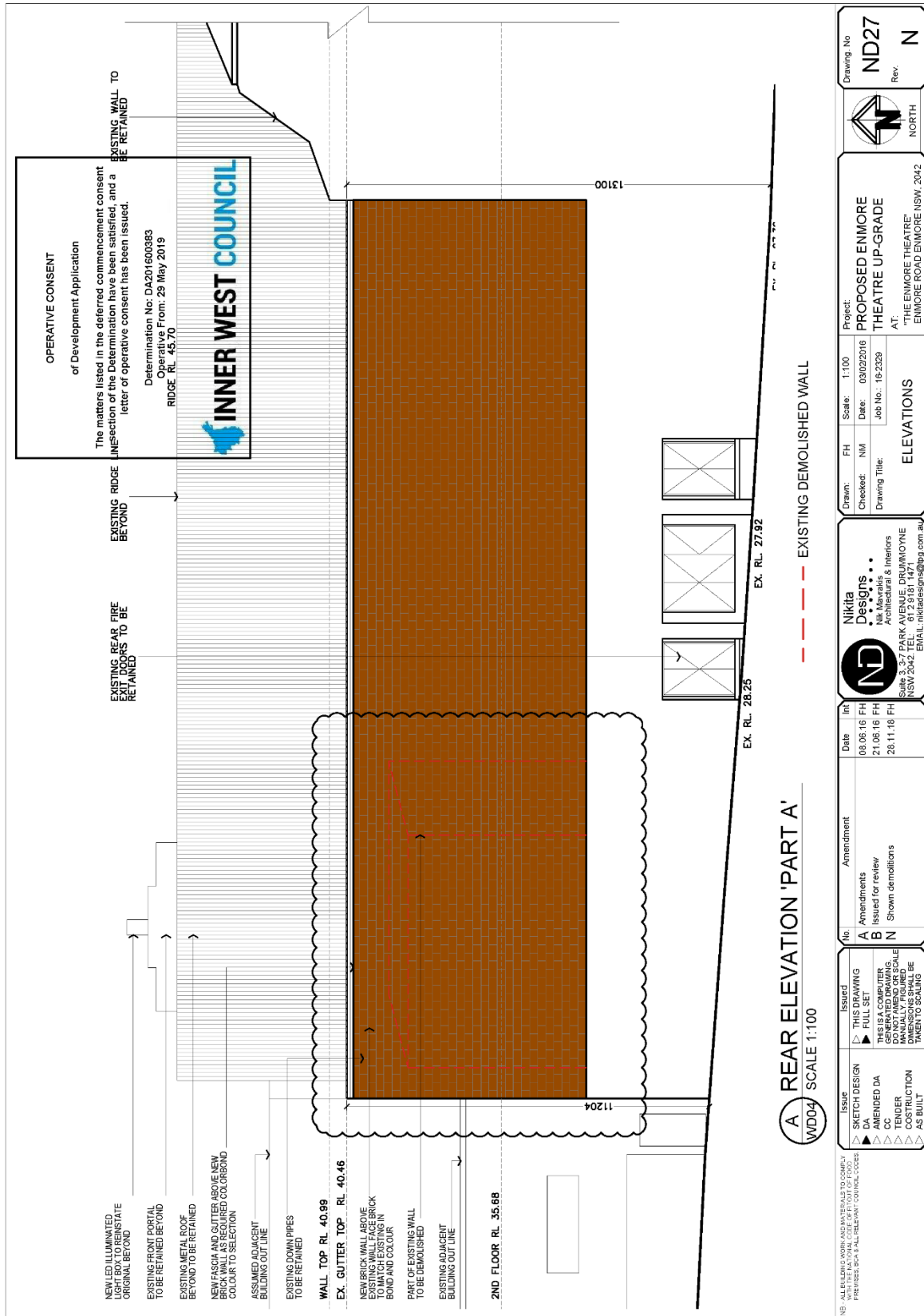
The matters listed in the deferred commencement consent section of the Determination have been satisfied, and a letter of operative consent has been issued.

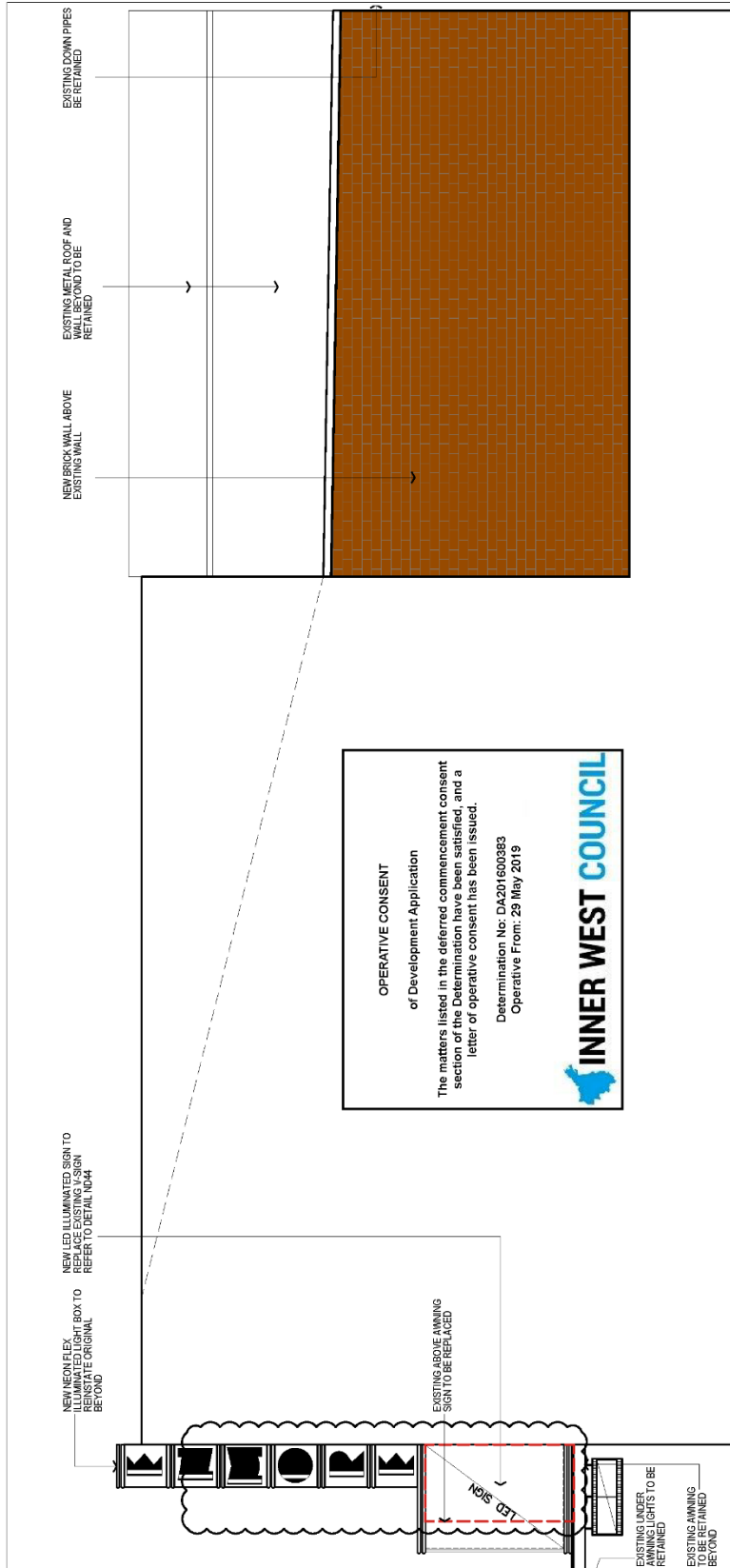
Determination No: DA201600383
Operative From: 29 May 2019

INNER WEST COUNCIL

A FRONT ELEVATION 'PART B'
SCALE 1:100

<p>NB - ALL BILLING WORK AND MATERIALS TO COMPLETE THIS DRAWING IS TO BE TAKEN TO SCALING</p>		<p>Issue</p> <ul style="list-style-type: none"> ▲ SKETCH DESIGN ▲ DA ▲ AMENDED DA ▲ CC ▲ CONSTRUCTION ▲ AS BUILT 		<p>Issued</p> <ul style="list-style-type: none"> ▶ THIS DRAWING ▶ FULL SET <p>THIS IS A COMPUTER GENERATED DRAWING. DIMENSIONS DO NOT VARY ON SCALE. MANUALLY FIGURED DIMENSIONS WILL BE TAKEN TO SCALING.</p>		<p>No</p> <ul style="list-style-type: none"> A Amendments B Issued for review D Amendment to sealing plan & elevations E Revised DA N Shown demolitions 		<p>Date</p> <ul style="list-style-type: none"> 10.06.16 FH 21.06.16 FH 01.12.16 FH 08.12.16 FH 28.11.18 FH 		<p>Amendment</p>	
<p>Checked: NMI</p> <p>Drawing Title: ELEVATIONS</p>		<p>Drawn: FH</p> <p>Scale: 1:100</p>		<p>Project: PROPOSED ENMORE THEATRE UP-GRADE AT: "THE ENMORE THEATRE" ENMORE ROAD ENMORE NSW, 2042</p>		<p>Project: ND25</p> <p>Rev: N</p>		<p>North Arrow</p>			
<p>Checked: NMI</p> <p>Date: 03/02/2016</p> <p>Job No.: 16-2329</p>		<p>Project: PROPOSED ENMORE THEATRE UP-GRADE AT: "THE ENMORE THEATRE" ENMORE ROAD ENMORE NSW, 2042</p>		<p>Project: ND25</p> <p>Rev: N</p>		<p>Project: ND25</p> <p>Rev: N</p>		<p>Project: ND25</p> <p>Rev: N</p>			





OPERATIVE CONSENT
of Development Application

The matters listed in the deferred commencement consent section of the Determination have been satisfied, and a letter of operative consent has been issued.

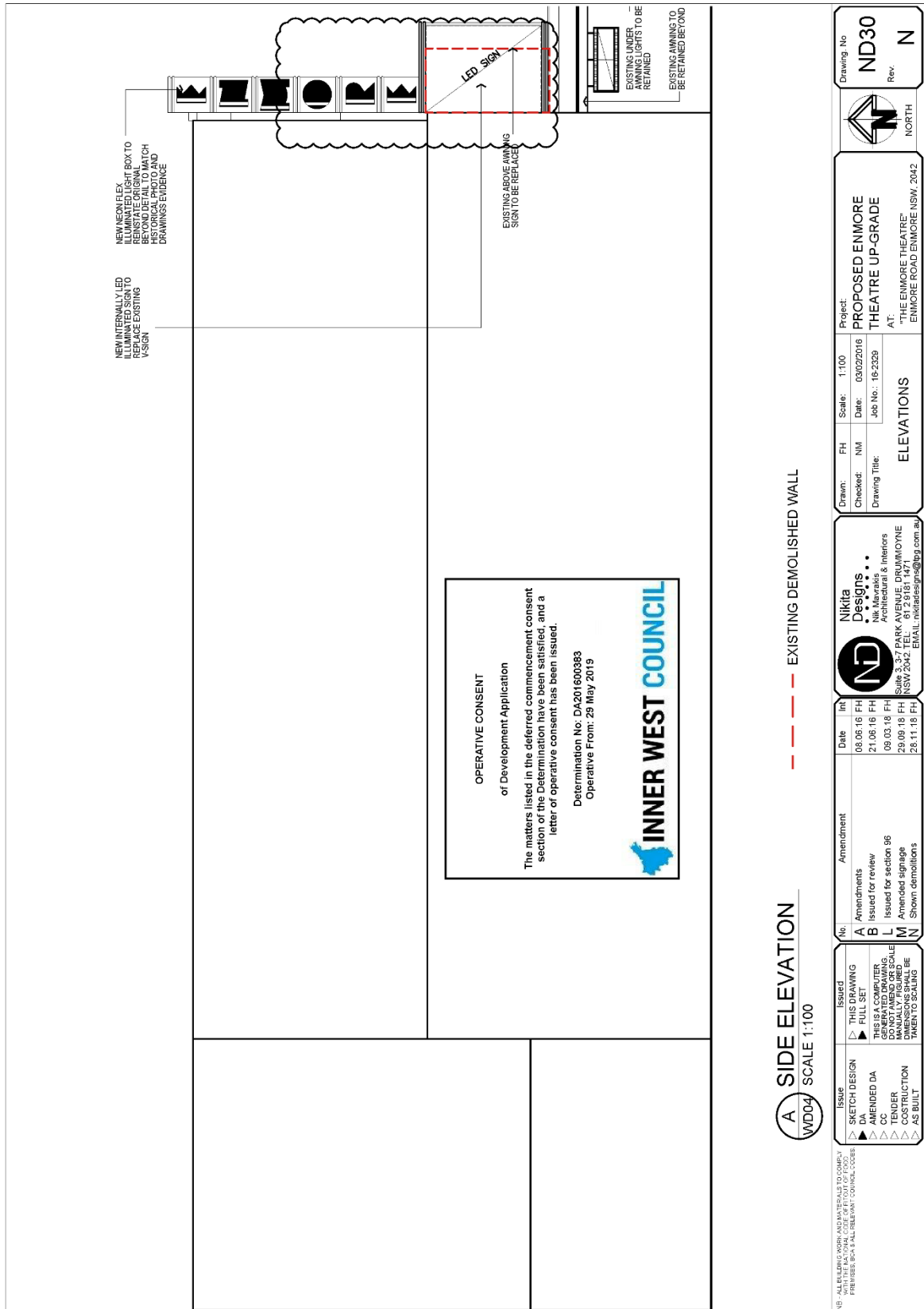
Determination No: DA201600383
Operative From: 29 May 2019

A SIDE ELEVATION
SCALE 1:100

--- EXISTING DEMOLISHED WALL

<p>Nikita Designs Nik Mavroukis Architectural & Interiors Suite 3, 37 PARK AVENUE, DRUMMOYNE NSW 2042 EMAIL: nikitadesigns@bigpond.com.au</p>		<p>Drawn: FH Checked: NM Drawing Title: ELEVATIONS</p>	<p>Scale: 1:100 Date: 03/02/2016 Job No.: 16-2329</p>	<p>Project: PROPOSED ENMORE THEATRE UP-GRADE AT: "THE ENMORE THEATRE" ENMORE ROAD ENMORE NSW, 2042</p>	<p>Drawing No: ND29 Rev: N</p>
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NB - ALL FILLING WORK AND MATERIALS TO COMPLY WITH USE 80 & 81 ALL RELEVANT COUNCIL CODES



Issue	Issued	No	Amendment	Date	In
▲ SKETCH DESIGN	▲ THIS DRAWING FULL SET	A Amendments		06.06.16 FH	16
▲ DA AMENDED DA	▲ THIS IS A COMPUTER GENERATED DRAWING. DO NOT MANUALLY FIGURE OR SCALE. MANUALLY FIGURED DRAWINGS WILL BE TAKEN TO SCALING.	B Issued for review		21.06.16 FH	16
▲ CC		L Issued for section 86		09.03.16 FH	16
▲ CONSTRUCTION		M Amended signage		28.08.18 FH	18
▲ AS BUILT		N Show demolitions		26.11.18 FH	18

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ND

ELEVATIONS

Job No. - 16-2329

ND30

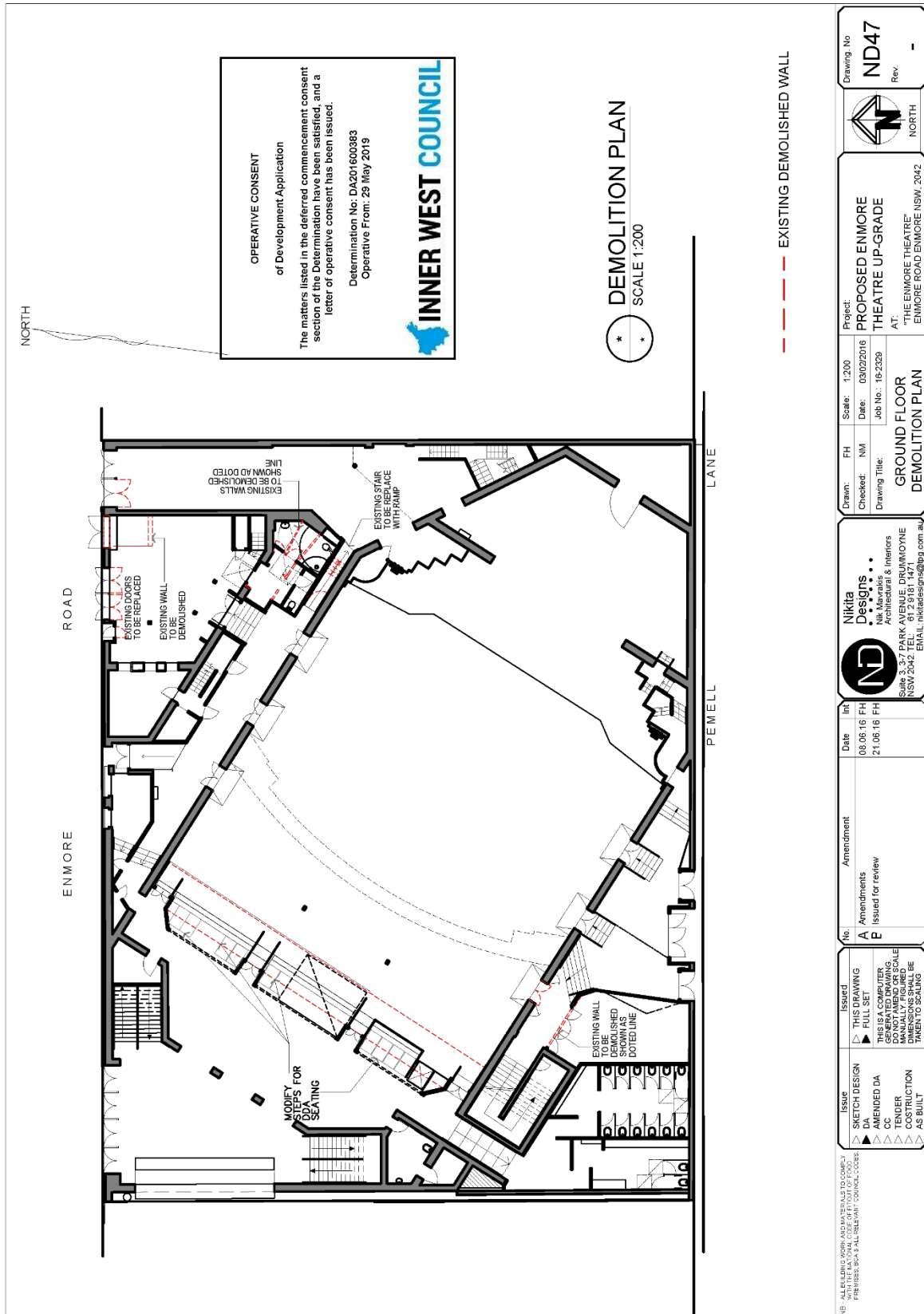
Rev. N

Project: **PROPOSED ENMORE THEATRE UP-GRADE**

AT: **"THE ENMORE THEATRE" ENMORE ROAD ENMORE NSW, 2042**

Checked: NMI Date: 03/02/2016

Drawn: FH Scale: 1:100



OPERATIVE CONSENT
of Development Application

The matters listed in the deferred commencement consent section of the Determination have been satisfied, and a letter of operative consent has been issued.

Determination No: DA201600383
Operative From: 29 May 2019

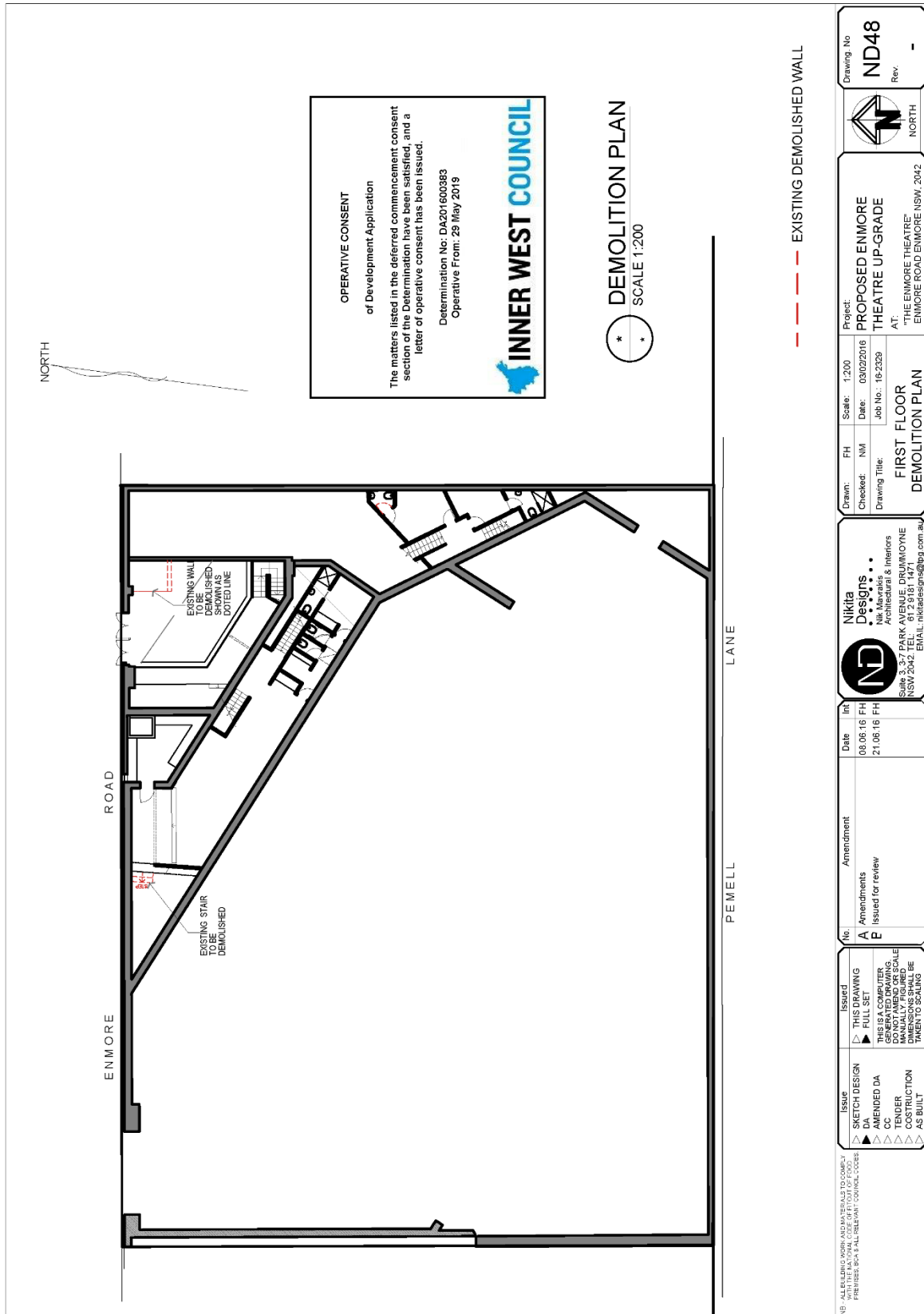
INNER WEST COUNCIL

DEMOLITION PLAN
SCALE 1:200

--- EXISTING DEMOLISHED WALL

<p>Issue</p> <p>▲ SKETCH DESIGN</p> <p>▲ DA</p> <p>▲ AMENDED DA</p> <p>▲ CC</p> <p>▲ CONSTRUCTION</p> <p>▲ AS BUILT</p>		<p>Issued</p> <p>▲ THIS DRAWING FULL SET</p> <p>▲ THIS IS A COMPUTER GENERATED DRAWING. DO NOT MANUALLY FIGURE OR SCALE. MANUALLY FIGURED OR SCALED DRAWINGS WILL BE TAKEN TO SCALING.</p>		<p>No</p> <p>A Amendments</p> <p>B Issued for review</p>		<p>Date</p> <p>In</p> <p>06.06.16 FH</p> <p>21.06.16 FH</p>		<p>Nikita Designs</p> <p>Nik Mavrikis</p> <p>Architectural & Interiors</p> <p>Suite 3, 3-7 PARK AVENUE, DRUMMOYNE NSW 2044</p> <p>EMAIL: nikitadesigns@bigpond.com.au</p>		<p>Drawn: NI</p> <p>Checked: NI</p> <p>Drawing Title: GROUND FLOOR DEMOLITION PLAN</p>		<p>Project: PROPOSED ENMORE THEATRE UP-GRADE</p> <p>AT: "THE ENMORE THEATRE" ENMORE ROAD ENMORE NSW, 2042</p>		<p>Drawing No: ND47</p> <p>Rev: -</p>	
<p>Scale: 1:200</p>		<p>Date: 03/02/2016</p> <p>Job No.: 16-2329</p>		<p>Scale: 1:200</p>		<p>Scale: 1:200</p>		<p>Scale: 1:200</p>		<p>Scale: 1:200</p>		<p>Scale: 1:200</p>			

NS - ALL BUILDING WORK AND MATERIALS TO COMPLY WITH THE BUILDING CODE OF PRACTICE AS A PART OF THE LOCAL COUNCIL CODES



OPERATIVE CONSENT
of Development Application

The matters listed in the deferred commencement consent section of the Determination have been satisfied, and a letter of operative consent has been issued.

Determination No: DA201600383
Operative From: 29 May 2019

INNER WEST COUNCIL

DEMOLITION PLAN
SCALE 1:200

--- EXISTING DEMOLISHED WALL

NE - ALL ELEVATION WORK AND MATERIALS TO COMPLETE PERMITTED BY ALL RELEVANT COUNCIL CODES

Issue	Issued	No	Amendment	Date	In
▲ SKETCH DESIGN	▲ THIS DRAWING FULL SET	A	Amendments issued for review	06/06/16	FH
▲ DA	▲ THIS IS A COMPUTER GENERATED DRAWING. DO NOT TAKE ANY SCALE MANUALLY FIGURED DIMENSIONS TO BE TAKEN TO SCALING	B		21/06/16	FH
▲ AMENDED DA					
▲ CC					
▲ CONSTRUCTION					
▲ AS BUILT					

Nikita Design
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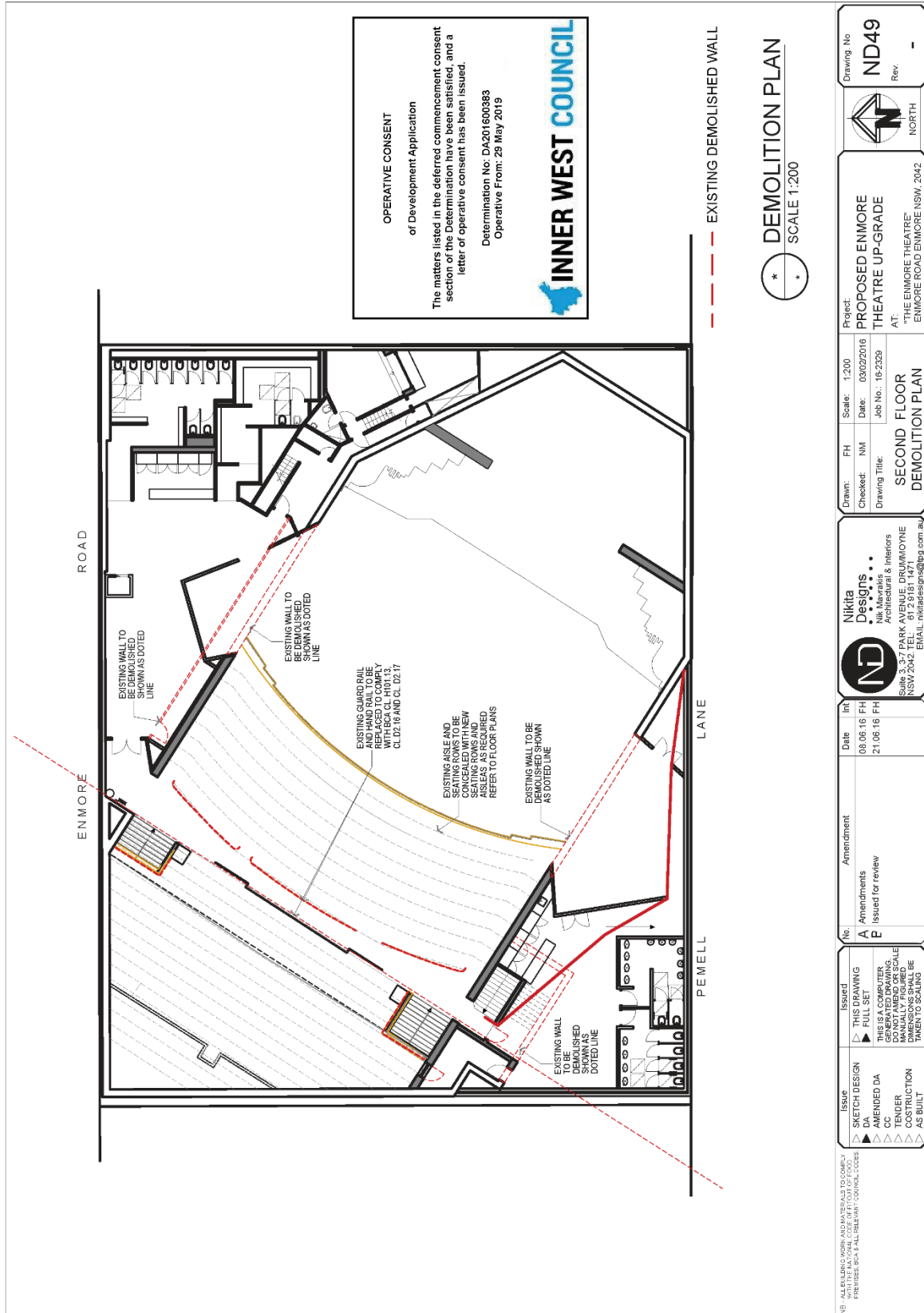
ND

Drawn: NMI
Checked: NMI
Drawing Title: FIRST FLOOR DEMOLITION PLAN

Scale: 1:200
Date: 03/02/2016
Job No.: 16-2329

Project: PROPOSED ENMORE THEATRE UP-GRADE AT: "THE ENMORE THEATRE" ENMORE ROAD ENMORE NSW, 2042

Drawing No: ND48



OPERATIVE CONSENT
of Development Application

The matters listed in the deferred commencement consent section of the Determination have been satisfied, and a letter of operative consent has been issued.

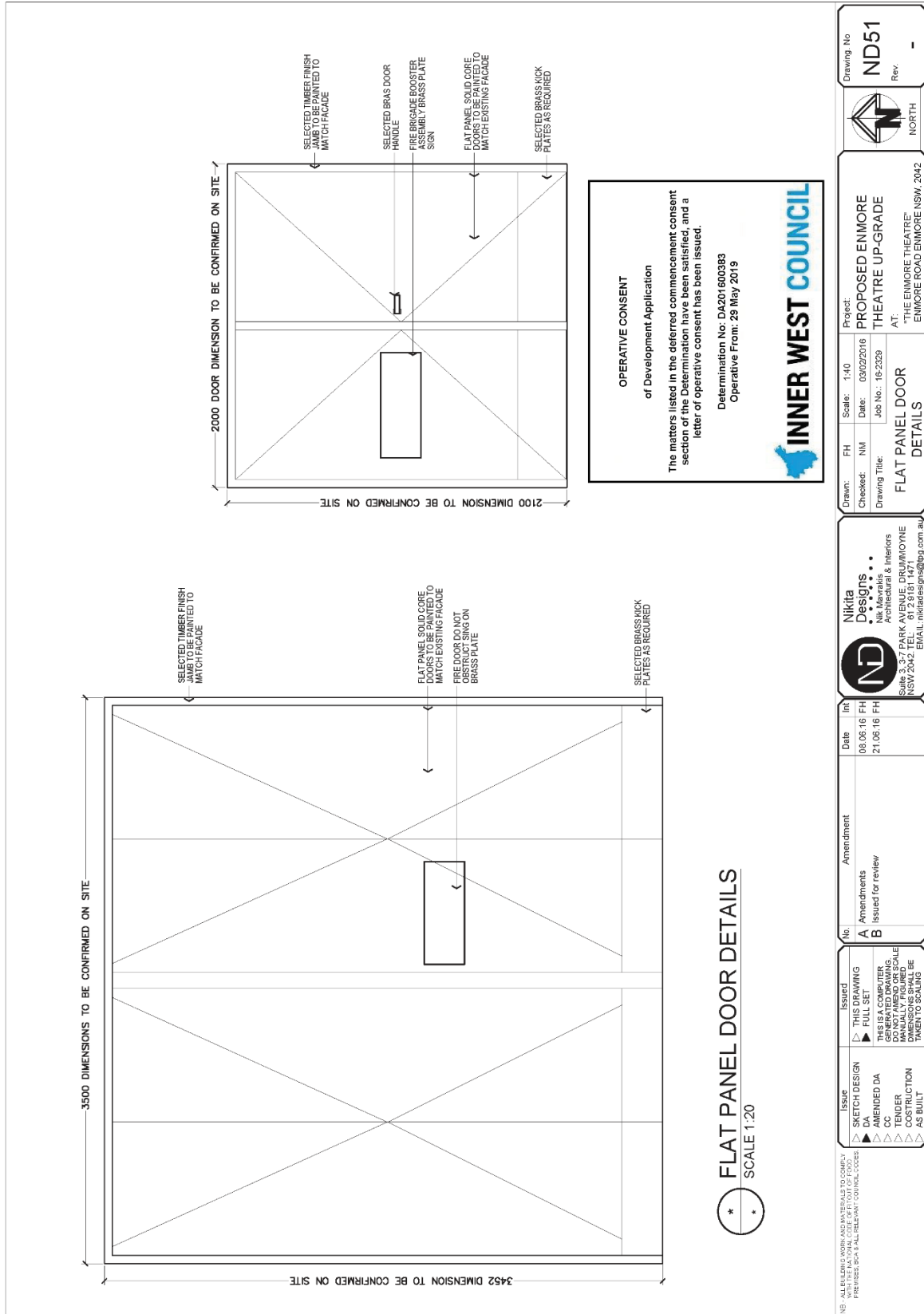
Determination No: DA201600983
Operative From: 29 May 2019

INNER WEST COUNCIL

DEMOLITION PLAN
SCALE 1:200

<p>ND Nikita Designs Nik Mavroukis Architectural & Interiors Suite 3, 3-7 PARK AVENUE, DRUMMOYNE NSW 2044 EMAIL: nikitadesigns@bigpond.com.au</p>		<p>Drawn: FH Checked: NMI Drawing Title: SECOND FLOOR DEMOLITION PLAN</p>	<p>Scale: 1:200 Date: 03/02/2016 Job No.: 16-2329</p>	<p>Project: PROPOSED ENMORE THEATRE UP-GRADE AT: "THE ENMORE THEATRE" ENMORE ROAD ENMORE NSW, 2042</p>	<p>Drawing No: ND49 Rev: -</p>
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NB - ALL FILLING WORK AND MATERIALS TO COMPLY WITH RELEVANT STANDARDS AND ALL RELEVANT COUNCIL CODES



Attachment E – Statement of Heritage Significance – Enmore Theatre



NSW Department of Planning, Industry and Environment

Home > About us

Enmore Theatre, including interiors

Item details

Name of item: Enmore Theatre, including interiors

Type of item: Built

Group/Collection: Recreation and Entertainment

Category: Theatre

Primary address: 118 - 132 Enmore Road, Newtown, NSW 2042

Local govt. area: Inner West

All addresses

Street Address	Suburb/town	LGA	Parish	County	Type
118 - 132 Enmore Road	Newtown	Inner West			Primary Address

Statement of significance:

By the 1920's Newtown had eight theatres, and strong support for local theatres and cinemas continued until after the Second World War. However, few of these are still being used for their original purpose. This building illustrates the development of suburban theatres in the late 1930's - early 1940's and is of social significance for the local community.

Date
significance updated: 11 Jan 12

*Note: The State Heritage Inventory provides information about heritage items listed by local and State government agencies. The State Heritage Inventory is continually being updated by local and State agencies as new information becomes available. Read the **OEH copyright and disclaimer**.*

Description

Physical description: The Art Deco facade of this building emphasises strong horizontal and vertical lines with the long stepped door. It is a dominant 'modern' element within the predominantly late 19th - early 20th century streetscape. The building is of rendered masonry with a raised

parapet and Art Deco motif above the wide, multi-leaf doorway. The doors are timber framed with glass insets and brass detailing. An awning with pressed metal lining adorns the entrance.

Physical condition and/or Archaeological potential:

The building appears to be in reasonable condition. There is some apparent cracking and the paintwork is in poor condition.

Date condition updated: 24 Jan 01

Current use: Theatre

Former use: Theatre

Assessment of significance

SHR Criteria a) Local
[Historical significance]


SHR Criteria c) Local
[Aesthetic significance]

SHR Criteria d) Local
[Social significance]

SHR Criteria f) Local
[Rarity]

SHR Criteria g) Local
[Representativeness]

Integrity/Intactness: The theatre appears to be relatively intact and retains its integrity.

Assessment criteria: Items are assessed against the  **State Heritage Register (SHR) Criteria** to determine the level of significance. Refer to the Listings below for the level of statutory protection.

Recommended management:

Implement maintenance program.

Listings

Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
		1151		2011/645	

Local Environmental Plan	Marrickville Local Environmental Plan 2011		12 Dec 11		
Local Environmental Plan	Marrickville Local Environmental Plan 2001		18 May 01	86	
Within a conservation area on an LEP	Marrickville Local Environmental Plan 2001				
Heritage study					

Study details

Title	Year	Number	Author	Inspected by	Guidelines used
Marrickville Heritage Study	1986	2.75	Fox and Associates	November 1984	No
Marrickville Heritage Study Review	1997	2030116	Tropman & Tropman Architects	2000	Yes

References, internet links & images

None

Note: internet links may be to web pages, documents or images.



(Click on thumbnail for full size image and image details)

Data source

The information for this entry comes from the following source:

Name: Local Government

Database number: 2030116

File number: 2.75

Every effort has been made to ensure that information contained in the State Heritage Inventory is correct. If you find any errors or omissions please send your comments to the [Database Manager](#).

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