





 DEVELOPMENT ASSESSMENT REPORT	
Application No.	DA/2020/0959
Address	322 Norton Street LEICHHARDT NSW 2040
Proposal	Retention of the facade of a two storey building located on the northern portion of the site and demolition of the remaining existing structures, excavation and construction of a mixed-use building comprising commercial use on the ground floor, and nine residential apartments over, plus basement car parking and associated works, including strata subdivision
Date of Lodgement	13 November 2020
Applicant	Desane Properties Pty Ltd
Owner	Desane Properties Pty Ltd
Number of Submissions	Nil
Value of works	\$4,389,000.00
Reason for determination at Planning Panel	SEPP No. 65
Main Issues	Inadequate separation to the rear boundary, Proposed maximum height exceeds height of adjoining properties, Front entry design results in potential surveillance/safety issues
Recommendation	Deferred Commencement Approval
Attachment A	Recommended conditions of consent
Attachment B	Plans of proposed development
	
LOCALITY MAP	
Subject Site	  
Notified Area	 

1. Executive Summary

This report is an assessment of the application submitted to Council for retention of the facade of a two storey building located on the northern portion of the site and demolition of the remaining existing structures, excavation and construction of a mixed-use building comprising commercial use on the ground floor, and nine residential apartments over, plus basement car parking and associated works, including strata subdivision at 322 Norton Street, Leichhardt.

The application was notified to surrounding properties and no submissions were received.

The main issues that have arisen from the application include:

- Inadequate separation to the rear boundary;
- Proposed maximum height exceeds height on adjoining properties; and
- Front entry design results in potential surveillance/ safety issues.

The non-compliances can be resolved via conditions, and therefore, the application is recommended for Deferred Commencement Approval to allow for Council to review the final design prior to the issue of an operational consent.

2. Proposal

The proposal seeks consent for retention of the facade of a two storey building located on the northern portion of the site, demolition of the remaining existing structures and construction of a four storey mixed-use building over a basement level.

At basement level, 10 x car parking spaces, 1 x motor cycle space, 1 x car wash area, storage, bin storage and bicycle storage area are provided.

The ground floor of the development will be used for commercial purposes and will be approximately 160 sqm in area.

The levels above comprise residential apartments, consisting of 9 units in total, as follows:

- Level 1 – 2 x one bed and 2x two bed apartments;
- Level 2 – 2 x one bed and 3x two bed apartments, with walk up to Mansard Attic Level; and
- Mansard Attic Level – Upper floor of two of the 2-bed apartments on Level 2.

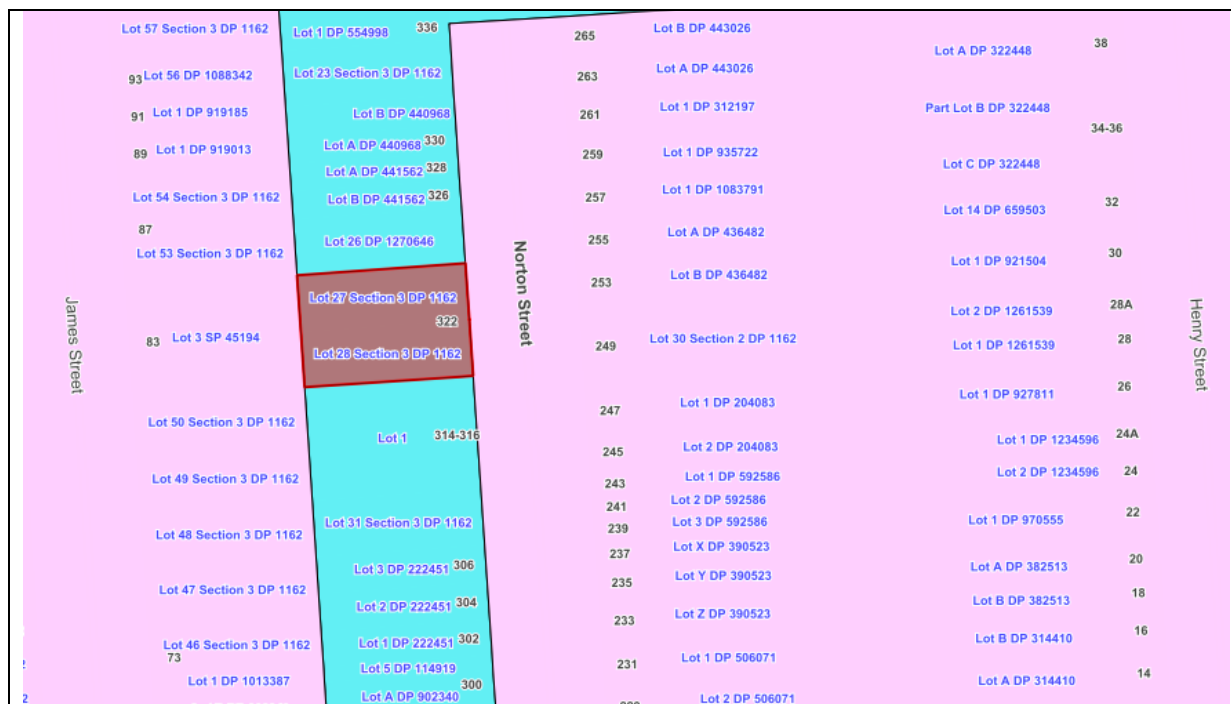
3. Site Description

The subject site is located on the western side of Norton Street, between William Street and the City West Link. The site is rectangular in shape and comprises two lots – 27/3/DP1162 and 28/3/DP1162, which total approximately 613sqm in area. The site has a frontage to Norton Street of 20.115 metres.

The site currently comprises of a single storey garage adjacent to the southern boundary, single storey workshop located adjacent to the western boundary, two storey former reception/office adjacent to the northern boundary and the remainder of the site comprises of a yard space formed of concrete.

The subject site is not listed as a heritage item nor located within a conservation area. The site is not identified as a heritage item, nor located in the immediate vicinity of any item of environmental heritage. The property is not identified as a flood prone lot.

There are no trees located on the subject. There is a street tree on Norton Street that is within the vicinity of the site (*Pyrus calleryana* (Ornamental Pear)).



4. Background

4(a) Site history

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

Subject Site

Application	Proposal	Decision & Date
D/2014/354	Partial demolition of existing structures and construction of a new mixed use development comprising 2 commercial tenancies and 9 residential dwellings above a basement car park.	Approved Operational Consent 30/11/2017
M/2017/67	Modification to D/2014/354 which approved mixed use development. Modifications include columns to support awning, on site detention. Plans also seek to address deferred commencement requirements.	Approved 15/09/2017

Surrounding properties

Application	Proposal	Decision & Date
D/2018/184	<u>324 Norton Street</u> Demolition of existing structures and construction of a four storey mixed use building comprising retail on the ground	Approved on Appeal 14/05/2019

	floor and 5x residential apartments on the first, second and third levels, and associated works, including car parking.	
D/2017/193	<u>314-316 Norton Street</u> Alterations to existing building to convert existing commercial premise on ground floor into two residential apartment.	Approved 19/09/2017
M/2013/182	<u>81 James Street</u> Modification of D/2006/609 which approved alterations and additions to the existing dwelling and a new rear outbuilding. Modifications include increasing the size of the studio, altering its interior layout, relocating the pergola, modifying the roof form and materials of construction.	Approved 21/01/2014
D/2019/298	<u>79 James Street</u> Demolition of existing dwelling and outbuilding, and construction of two-storey residential dwelling with pool and associated site and landscaping works.	Approved 08/11/2019

4(b) Application history

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

Date	Discussion / Letter / Additional Information
17 February 2021	<p><u>Request for information sent</u></p> <p>Having reviewed the court approved plans for 324 Norton Street and also the subsequent CC documentation, the maximum height at 324 Norton Street is approved at RL35.90. It is unclear on why the proposed elevations misrepresents the height of No. 324 Norton being RL36.16. Requested that the proposed elevations to be updated that accurately depicts the height of No. 324 Norton Street.</p>
1 March 2021	<p><u>Amended plans and additional information provided</u></p> <p>Amended elevations that depict the height of the adjoining property was provided as per the RFI.</p> <p>The following additional information/amended plans was also submitted for assessment, even though this was not requested as part of the RFI.</p> <p>The additional information is in the form of an amended stormwater design and the amendment of the design are as follows:</p> <ul style="list-style-type: none"> • Fixed (closed) Window units with Opaque glazing Behind vertical Privacy screens on the western windows associated with the apartment units on the first and second floor. • Amended the height of the adjoining property at 324 Norton Street to show the correct height at RL 35.90 • Amended materials and finishes • Amendments to western window associated with Unit 101 and Unit 201 to ensure compliance with BCA requirements. • Highlight windows to fire stairs. <p>The assessment of this application is based on this additional information/ amended design (dated 1 March 2021). The proposed changes will not result in any additional amenity impacts to adjoining properties as compared to the original proposal, and therefore, the amended design was not required to be renotified.</p>
11 March	Amended shadow diagrams provided.

2021

5. Assessment

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

5(a) Environmental Planning Instruments

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

- *State Environmental Planning Policy No. 55—Remediation of Land*
- *State Environmental Planning Policy No. 65—Design Quality of Residential Apartment Development*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy Infrastructure 2007*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*
- *Leichhardt Local Environmental Plan 2013*

The following provides further discussion of the relevant issues:

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

State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55) provides planning guidelines for remediation of contaminated land. LDCP 2013 provides controls and guidelines for remediation works. SEPP 55 requires the consent authority to be satisfied that the land is, or can be made, suitable for the proposed works prior to granting its consent.

The site has been used in the past for activities (a service station) which could have potentially contaminated the site. A preliminary contamination investigation prepared by EI Australia provided the following conclusions:

- *The site was part of a larger property which was historically of mixed residential and commercial land use with commercial activities likely to have commenced at the late 1920's. Commercial activities of the site throughout time have been a service station, auto mechanic repair and electrical service workshop.*
- *Review of the relevant Acid Sulfate Soil Risk Map indicated that the site lies within an area of No Known Occurrence for which the environment of deposition has not been suitable for the formation of ASS materials;*
- *The site was free of statutory notices issued by the NSW EPA/DECC;*
- *Local topography was gently undulating falling downward naturally to the east with a general slope of 1m vertical to 90m horizontal across the site surface;*
- *Evidence of the existence of two USTs or remnants of USTs were observed on the site;*
- *In view of the historical activities and site walkover inspection, Areas of Environmental Concern (ABCs) were subject to potential soil contamination. These areas comprised of the western side of the site and southern and northern part of the site where commercial activities from previous uses including service station and auto mechanic workshop were identified (ABC 1); the western, central and central-east part of the site where electrical service workshops and USTs were identified (ABC2); south-eastern parts of the site where driveways and parking areas were identified (ABC3); migration of contamination from offsite sources relating to service station to the east of the site (1930s to present) (ABC4); and the entire site where potentially imported fill of unknown composition may have been used for site levelling purposes (ABC 5);*

- *The likelihood of contamination was considered to be low to medium. It is therefore recommended that a field-based soil and groundwater investigation be conducted aimed at the identified Areas of Environmental Concern.*
- *Due to the presence of structures and parked cars covering the majority of the site as well as tenants occupying the site, it is recommended that such an assessment be conducted after demolition of all structures and prior to any excavation or construction works and is to include laboratory analysis of site fill soils and natural soils for the identified chemicals of concern. The results of such testing should be interpreted in relation to the soil criteria appropriate for the intended land use.*
- *Given that no evident sources of mobile contamination could be visually identified on site, it is considered that contaminants associated with past land uses, even if present, would be confined to the upper surficial material and the associated impact would be minimal. Furthermore, it is considered that there would be no major difficulties in remediating the site, should it be required.*

Subsequently, a Stage 2 Detailed Site Investigation (DSI) have been provided. The detailed site investigation prepared by EI Australia concluded that:

- *Previous investigation performed by EI (2013) indicated areas of environmental concern associated with historic service station and auto mechanic workshop and current commercial activities comprising an electrical service workshop;*
- *Signs of two USTs at the central-east part of the site were identified as well as a third at the south-eastern corner of the site. A service station was located across Norton Street, upstream of the site.*
- *Impacted soils were identified at three (3) sampling locations across the eastern part of the site, with fractions F1 and F2 as well as Carcinogenic PARs exceeding the adopted criteria. The remaining analytes were reported within the adopted criteria for all locations.*
- *Exceedances were reported for the ESLs in three (3) sampling locations across the eastern portion of the site. However soils at that section are expected to be removed. If soils are to remain in the western portion of the site, further investigation should be undertaken;*
- *Concentrations of VOC, BTEX and PAR compounds within groundwater samples were found to be below OILs. The majority of the analysed heavy metals were also found to be below the adopted OILs, with the exception of zinc found to marginally exceed the OILs. Furthermore TRH fractions were identified within groundwater samples, however could not be compared to an available investigation criteria as groundwater is present at depths onsite <2.0mBOL.*
- *In view of the above findings, we recommend the following:*
 - *Further groundwater investigation including, installation and sampling of additional groundwater monitoring wells to characterise the extent of groundwater contamination, and the potential source location(s);*
 - *Installation and sampling of soil vapour monitoring wells to evaluate potential soil vapour exposure risks to both onsite and off site receptors, in light of the shallow depth of groundwater at the site (<2.0mBOL). A soil vapour assessment is recommended, as per NEPM in cases where groundwater is found at less than 2m BOL;*
 - *Consideration should also be made for future requirements for remediation and subsequent validation. Future requirements will likely include:*
 - *Preparation of a Remedial Action Plan (RAP) to outline the requirements for the decommissioning of UST's and associated infrastructure and the remediation requirements for contaminated soils and groundwater. The RAP should also consider the methodology for the classification of soils and rock for offsite disposal as part of both remedial excavation and bulk excavation for basement construction;*
 - *Further groundwater monitoring to evaluate groundwater quality;*

- *Preparation of a validation report documenting remediation and validation works completed; and*
- *The contamination documents have been reviewed and found that the site, subject to the recommendations in the report, is suitable for the proposed development. To ensure these recommendations are undertaken, it is recommended that conditions are included in the recommendation in accordance with Clause 7 of SEPP 55.*

Subsequently, a Remedial Action Plan (RAP) was prepared by EI Australia dated July 2014 and a second RAP on 15 October 2020. The latest RAP dated 15 October 2020 provided the following recommendations:

Based on the findings of the RPR1, and with consideration of the Statement of Limitations (Section 11) and the Recommendations (Section 10), EI concludes that the remaining tasks detailed in the RAP (EI, 2014a) would be appropriate to remediate the land, making the site suitable for the proposed development. Groundwater levels suggest the waterbody may be in direct contact with the proposed basement, therefore as groundwater impacts were reported, additional vapour assessment would be necessary to determine if the impacts present an unacceptable risk to the end user of the land. However, as the UPSS remains in situ, which will not be present for the site's end use, the presence of this UPSS would hinder the representativeness of any vapour investigation within the current setting. Remediation and validation of the UPSS is required prior to the completion of additional vapour and groundwater quality investigations.

Based on the findings of this RPR1, the following recommendations must be implemented prior to and during site redevelopment:

- *All UPSS features require removal in accordance with NSW POEO (2019) Underground Petroleum storage Systems; Regulation and EPA (2014) technical Note: Investigation of Service Station Sites as detailed in the RAP (2014a);*
- *In order to remove an potential secondary contamination sources all hydrocarbon impacted soil materials should be removed from the site in accordance with the RAP (EI, 2014a) with subsequent validation samples collected and analysed at a NATA accredited laboratory for the COPCs to ensure all remaining soil materials meet both the Groundwater Assessment Criteria (GAC) and Soil Acceptance Criteria (SAC);*
- *Following the removal of all primary contamination sources in the form of the USTs and associated infrastructure, and any hydrocarbon impacted soils materials, and all remaining soil materials meet the site specific RAC, additional groundwater monitoring is to be conducted to ensure that the remaining groundwater does not pose unacceptable risk to future site occupants, neighbouring residents nor any offsite ecological receptors;*
- *Any materials designated for offsite disposal should be classified in accordance with the Waste Classification Guidelines (EPA, 2014);*
- *Any material being imported to the site should be assessed for potential contamination in accordance with NSW EPA guidelines as being suitable for the intended use or be classified as VENM.*

Subject to strict compliance with the recommendations of the RAP prepared by EI Australia and dated 15 October 2020 and conditions recommended by Council's Environmental Health Officers including the requirement for site validation, it is considered that the subject site can be made suitable for the proposed developmen and satisfies the requirements for SEPP No. 55.

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

Apartment Design Guide

The development is subject to the requirements of *SEPP 65*. The SEPP prescribes nine design quality principles to guide the design of residential apartment development and to assist in assessing such developments. The principles relate to key design issues including context and neighbourhood character, built form and scale, density, sustainability, landscape, amenity, safety, housing diversity and social interaction and aesthetics.

A statement from a qualified Architect was submitted with the application verifying that they designed, or directed the design of, the development. The statement also provides an explanation that verifies how the design quality principles are achieved within the development and demonstrates, in terms of the Apartment Design Guide (ADG), how the objectives in Parts 3 and 4 of the guide have been achieved.

The development is generally acceptable having regard to the nine design quality principles with the exception of Principle 1: Context and Neighbourhood Character and Principle 2: Built Form Scale and Principle 6: Amenity.

These matters are discussed in further detail below:

Context and Neighbourhood Character and Built Form and Scale

Urban Design

The subject site is not located within a heritage conservation area.

The façade of the Victorian period property on the site is not a heritage item, but it is proposed to be retained and the proposed new building constructed behind and adjacent to it, which will provide a degree of continuity to the streetscape and enhanced visual interest. The proposal will repair or replace elements of the retained shopfront, awning and features of the floor above on a like-for-like basis to maintain its contribution to local character and is supported.

The remaining structures on the site are to be demolished to allow for the construction of a mixed-use development with commercial use at ground floor level, a basement for parking and residential units on the first, second and third floor level. The proposed form consists of two storey parapeted form to the Norton Street boundary, a third storey parapeted form setback approximately 2.4 metres behind the two storey front façade to Norton Street, and a fourth storey within a mansard style roof form, setback at least approximately 4.5 metres from the Norton Street boundary.

Finishes include face brick and painted cement render to walls, timber to battens. Glass to balusters and metal (including standing seem) to roof areas. External colours comprise of grey and brown tones.

The application was referred to Council's Urban Designer who provided the following comments:

- The architect is commended for retaining the existing 2 storey shopfront, and should further confirm the extent of structure proposed to be retained and/or demolished within the architectural drawings.
- The ground floor pedestrian entry door should align with the Norton Street boundary to maximise the street presence of the entry, and to avoid potential crime prevention

through environmental design (CPTED) issues. [A subsequent minor non-compliance with the maximum gross floor area, due to increase in the foyer area is conditionally supported on urban design grounds].

- It is a positive aspect of the proposal that a rear deep soil area is allocated with suitable planting. The applicant should confirm if this area is for the use of the commercial suite or for the private residents.
- The fire stairs could be provided with high level windows for natural light to improve quality of the internal space, which could in part encourage the residents to use the stairs (for health benefits), and not always rely on the lift.
- Consider suitable rain/weather protection measure for the Level 2 openings to the balconies addressing Norton Street.
- The development application documentation should include details on the location and sizes of a plant room/s for mechanical equipment. The plant rooms or any equipment should not be located within the rear garden, rooftop above or within the individual balconies.
- Apartment 202 Top Floor: It would be preferred if the stair landing was raised to the apartment floor level (possibly by adding a winder at the lower floor Level 2 landing), to avoid unnecessary stepping between the dining and bedroom areas.
- Apartment 203 Top Floor: Similar to recommendation 10, unnecessary stepping between the dining and bathroom should be avoided.
- The development application documentation should confirm the type of recycled brick (BR1) including the colour and texture. And also confirm the particular details of other external finishes and materials (REN1, MET1, MET2 and REN2). The applicant is encouraged to avoid rendered and painted surfaces and maximise use of self-finished materials like bricks and concrete.

The amended plans (dated 1 March 2021) address most of the urban design issues raised above with the exception of the front entry design which remains significantly set back from the front boundary raising and potential CPTED issues. The entry design still creates blind spots and also result in difficulties in achieving the ability of surveillance from the public domain to the inside of the foyer of the building at night.

However, relocating the front entry doors to the Norton Street boundary as recommended by Council's Urban Design Advisor would result in potential sightline conflicts associated with the driveway and issues in relation with the fire egress and mail box facilities. Therefore, to address these concerns and mitigate CPTED issues, a Deferred Commencement condition is recommended that requires the ground floor pedestrian entry door to be relocated further towards the eastern boundary so that it is set back 3.5 metres from the eastern boundary; this will also require the mail box area and the fire stairs to be redesigned. This will result in an additional 6.9sqm of floor area, offset by the 14sqm of area reduced by the condition that requires the rear alignment first and second floor to be set back 9m to the rear boundary.

Height

The subject site is located with the C2.2.3.5(d) Norton Street - Residenziale Sub Area which is part of the Leichhardt Commercial Distinctive Neighbourhood. The desired future character controls specify a 9m wall height for mixed use developments. The proposed development proposes a 7.7m front wall height and therefore complies with this requirement and the proposed development complies with the requirements under C6 of the C2.2.3.5(d) Norton Street - Residenziale Sub Area.

To ensure the proposed development would be consistent with the Desired Future Character controls C1 of C2.2.3.5 – that is, to maintain the character of the area by keeping development complementary in architectural style, form and materials, the proposed development should have a maximum height that is compatible with the heights of the adjoining properties. In this regard, the maximum of the proposed building (the Mansard Attic) will be RL36.10AHD. The maximum height approved on the adjoining property at 324

Norton Street is at RL 35.90 and the maximum ridge height of No. 314-316 Norton Street is significantly lower at RL 33.04.

While it would be preferable if the height of the proposed development was lowered to the average height of the two adjoining buildings at 314-316 Norton Street and 324 Norton Street, it is recognised that such an amendment would result in floor to ceiling heights that would be contrary to the requirements in the Apartment Design Guide. Therefore, a Deferred Commencement condition is recommended that requires the proposal to be amended so that the maximum ridge height does not exceed the maximum height approved on the adjoining property at 324 Norton Street (i.e. RL 35.90).

Amenity

The Apartment Design Guide (ADG) contains objectives, design criteria and design guidelines for residential apartment development. In accordance with Clause 6A of the SEPP certain requirements contained within Leichhardt DCP 2013 do not apply. In this regard the objectives, design criteria and design guidelines set out in Parts 3 and 4 of the ADG prevail.

Issues in relation to solar access and building separation is discussed in a later section of the report. The amenity principle can be satisfied subject to deferred commencement conditions to increase the separation of the western elevation at level 1 and level 2 to 9m from the western boundary.

The following provides further discussion of the relevant issues:

- Solar access impacts to neighbouring properties

Objective 3B-2 requires the overshadowing of neighbouring properties is minimised during mid winter.

Design guidance in the ADG is as follows:

- Living areas, private open space and communal open space should receive solar access in accordance with sections 3D Communal and public open space and 4A Solar and daylight access;
- Solar access to living rooms, balconies and private open spaces of neighbours should be considered;
- Where an adjoining property does not currently receive the required hours of solar access, the proposed building ensures solar access to neighbouring properties is not reduced by more than 20%;
- If the proposal will significantly reduce the solar access of neighbours, building separation should be increased beyond minimums contained in section 3F Visual privacy;
- Overshadowing should be minimised to the south or downhill by increased upper level setbacks;
- It is optimal to orientate buildings at 90 degrees to the boundary with neighbouring properties to minimise overshadowing and privacy impacts, particularly where minimum setbacks are used and where buildings are higher than the adjoining development; and
- A minimum of 4 hours of solar access should be retained to solar collectors on neighbouring buildings.

Comment: For east-west orientated sites, the Leichhardt DCP 2013 requires solar access to be retained to the private open spaces of the adjoining properties for 2.5 hours to 50% of the private open space during winter solstice. The potential impacted adjoining site as follows:

- No 83-85 James Street - The required amount of solar access will be achieved between 10am and 1pm.
- No. 81 James Street – While a rear outbuilding is not shown on the shadow diagrams, the required solar access will be achieved between 10.30am and 1pm.
- No. 79 James Street - The required amount of solar access will be achieved between 10.30am and 1pm.
- No. 314-316 Norton Street – The required amount of solar access will be achieved between 11am and 1pm. While it is noted that the 2.5 hours are not achieved, the non-compliances between 9am - 10am and 2pm – 3pm is primarily due to the existing shadow casted by the existing structures on 314-316 Norton Street and there is no alternative design that would result in 314-316 Norton Street achieving the required amount of solar access. Given that solar access is retained to approximately 135 sqm (at 11am), 140 sqm (at 12pm) and 110 sqm (1pm) of the private open spaces at 314-316 Norton Street, it is considered that the proposed development will retain an acceptable amount of solar access on this affected property.

For east-west orientated sites, the Leichhardt DCP 2013 also requires solar access to be retained to the living room windows of adjoining properties for 2 hours. From the shadow diagrams provided, it is demonstrated that the proposed development will not result in any additional overshadowing of any living room windows with the exception of dwelling 4 and dwelling 6 of 314-316 Norton Street. However, as these windows will continue to receive solar access between 1pm and 3pm, the minimum 2 hours of solar access is achieved.

- Communal and Open Space

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

- Communal open space has a minimum area equal to 25% of the site.
- Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid-winter).

Comment: The proposed development includes a communal open space that is approximately 160 sqm in size and solar access is retained to approximately 66% of the COS for 2 hours during winter solstice. To ensure that the COS will not be used by the non-residential component, a condition is recommended that requires the COS to be accessible by the residential portion of the development only.

- Deep Soil Zones

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

Site Area	Minimum Dimensions	Deep Soil Zone (% of site area)
Less than 650m ²	-	7%
650m ² - 1,500m ²	3m	
Greater than 1,500m ²	6m	
Greater than 1,500m ² with significant existing tree cover	6m	

Comment: The development provides approximately 71 sqm(11.6%) Deep Soil Zone, which exceeds the 7% requirement.

- Visual Privacy/Building Separation

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

Building Height	Habitable rooms and balconies	Non-habitable rooms
Up to 12 metres (4 storeys)	6 metres	3 metres
Up to 25 metres (5-8 storeys)	9 metres	4.5 metres
Over 25 metres (9+ storeys)	12 metres	6 metres

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

Up to four storeys/12 metres

Room Types	Minimum Separation
Habitable Rooms/Balconies to Habitable Rooms/Balconies	12 metres
Habitable Rooms to Non-Habitable Rooms	9 metres
Non-Habitable Rooms to Non-Habitable Rooms	6 metres

Comment: The site is in a B2 land use zone with R1 zoned land located to the west. Therefore, a 9m separation to the boundary is required – as stated under ADG Objective 3F-1 and the proposed 8m separation therefore does not comply with the setback requirement.

The amended plans include changes to the western windows at the first and second floor to provide fixed and obscure glazing associated with habitable rooms, some of these openings are to bedrooms. This is not a satisfactory amenity outcome in terms of maximising access to direct sunlight and cross ventilation to the rooms in which the openings are associated, and as the proposed rear setback is only 8 metres, the proposal does not comply with the required separation under this part. Given there are no site constraints that would prevent the proposed development from achieving the required separation to the rear, the proposed 8m setback is not supported and a condition is recommended that requires the first and second floors to be setback a minimum of 9m from the western boundary and deletion of the fixed and obscured glazing to the windows (replaced with openable clear glass windows).

As the adjoining properties to the north and south (314-316 Norton Street and 324 Norton Street) are all built to the side boundaries and consist of similar mixed-use developments, it would not be reasonable to require separation to the side boundaries to the north and the south for this development.

- Solar and Daylight Access

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

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

Comment: Units 102, 104, 201, 202, 203, 204 and 205 will receive the required amount of solar access. As 7 of the 9 proposed units (i.e. 77.8%) receives the required amount of solar access, it complies with the 70% requirement.

- Natural Ventilation

The ADG prescribes the following requirements for natural ventilation:

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

Comment: Units 101, 103, 104, 201, 202, 203, 204 and 205 as proposed and as conditioned will achieve required cross ventilation. As 8 of the 9 proposed units (i.e. 88.9%) will achieve cross ventilation, it achieves the 60% requirement. The longest cross-cover/ cross-through proposed is 14 metres and therefore achieves the 18 metre requirement.

- Ceiling Heights

The ADG prescribes the following minimum ceiling heights:

Minimum Ceiling Height	
Habitable Rooms	2.7 metres
Non-Habitable	2.4 metres
For 2 storey apartments	2.7 metres for main living area floor 2.4 metres for second floor, where its area does not exceed 50% of the apartment area
Attic Spaces	1.8 metres edge of room with a 30 degree minimum ceiling slope
If located in mixed used area	3.3 for ground and first floor to promote future flexibility of use

Comment: The proposed ground floor has floor to ceiling heights of 3.4 metres and the levels above will have 2.85 metre floor to ceiling heights. A condition will be required to reduce the maximum building to RL35.90, even with this condition in place, the proposal will be able to achieve the minimum heights mentioned in the table above.

- Apartment Size and Layout

The ADG prescribes the following minimum apartment sizes:

Apartment Type	Minimum Internal Area
Studio apartments	35m ²
1 Bedroom apartments	50m ²
2 Bedroom apartments	70m ²
3 Bedroom apartments	90m ²

Note: The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each. A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m² each.

The ADG prescribes the following requirements for apartment layout requirements:

- Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.
- Habitable room depths are limited to a maximum of 2.5 x the ceiling height.

- In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8 metres from a window.
- Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space).
- Bedrooms have a minimum dimension of 3 metres (excluding wardrobe space).
- Living rooms or combined living/dining rooms have a minimum width of:
 - 3.6 metres for studio and 1 bedroom apartments.
 - 4 metres for 2 and 3 bedroom apartments.
- The width of cross-over or cross-through apartments are at least 4 metres internally to avoid deep narrow apartment layouts.

Comment: The sizes of the proposed apartments are as follows:

Apartment	Minimum Internal Area	Apartment Area	Complies
Unit 101	50 m ²	55 m ²	Yes
Unit 102	70m ² + 5 m ²	81 m ²	Yes
Unit 103	50 m ²	54 m ²	Yes
Unit 104	70m ² + 5 m ²	76 m ²	Yes
Unit 201	50 m ²	56 m ²	Yes
Unit 202	70m ² + 5 m ²	95 m ²	Yes
Unit 203	70m ² + 5 m ²	105 m ²	Yes
Unit 204	50 m ²	54 m ²	Yes
Unit 205	70m ² + 5 m ²	76 m ²	Yes

The size of the bedrooms and width of living rooms are as follows:

Apartment	Master Bedroom Area	Bedroom Area	Living room minimum width	Complies
Unit 101	N/A	9.15 m ²	4.6 m ²	Yes
Unit 102	11.8 m ²	9 m ²	4 m ²	Yes
Unit 103	N/A	9 m ²	3.6 m ²	Yes
Unit 104	11.4 m ²	9.6 m ²	4 m ²	Yes
Unit 201	N/A	9 m ²	4.1 m ²	Yes
Unit 202	10 m ²	9.3 m ²	3.9 - 4.5 m ²	Yes
Unit 203	10.6 m ²	10.2 m ²	3.9 - 4.6 m ²	Yes
Unit 204	N/A	9 m ²	3.6 m ²	Yes
Unit 205	11.4 m ²	9.6 m ²	4 m ²	Yes

The proposed development will achieve compliance with the other provisions listed above.

- Private Open Space and Balconies

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

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

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

The ADG also prescribes for apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m² and a minimum depth of 3 metres.

Comment: The proposed development will achieve compliance with the provisions listed above as the one bedroom units all have balconies that exceeds 8 sqm in size/2 metres in depth and the all the two bedroom units all have balconies that exceeds 10 sqm in size/2 metres in depth.

- Common Circulation and Spaces

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

- The maximum number of apartments off a circulation core on a single level is 8.
- For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.

Comment: There is one service core provided, and as the maximum that the service core per level would serve is 5 units, the proposal complies in this regard.

- Storage

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

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

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

Comment: The available storage areas are as follows:

Apartment	Required Storage Area	Proposed Storage Area Inside Unit	Proposed Storage in Basement
Unit 101	6 m ²	4.8 m ²	1.2 m ²
Unit 102	8m ²	5.3 m ²	2.7 m ²
Unit 103	8 m ²	3 m ²	2.9
Unit 104	8m ²	4 m ²	4 m ²
Unit 201	6m ²	4.8 m ²	1.2 m ²
Unit 202	8m ²	5.9 m ²	2.1 m ²
Unit 203	8m ²	8.2 m ²	0 m ²
Unit 204	6m ²	3.1 m ²	2.9 m ²
Unit 205	8m ²	4 m ²	4 m ²

Therefore, the proposal complies with the relevant provisions in this part.

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

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

5(a)(iv) State Environmental Planning Policy (Infrastructure) 2007

The application was referred to Ausgrid and at the time of reporting no submission had been received.

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

The proposal does not seek to remove any existing trees. Conditions will be recommended to ensure the street tree - *Pyrus calleryana* (Ornamental Pear) in the vicinity of the proposed site would not be impacted by the proposed development.

5(a)(vi) Leichhardt Local Environment Plan 2013 (LLEP 2013)

The application was assessed against the following relevant clauses of the Leichhardt Local Environmental Plan 2013:

- Clause 1.2 – Aims of the Plan
- Clause 2.3 – Zone objectives and Land Use Table
- Clause 2.7 – Demolition Requires Development Consent
- Clause 4.4 – Floor Space Ratio
- Clause 4.5 – Calculation of floor space ratio and site area
- Clause 6.1 – Acid Sulphate Soils
- Clause 6.2 – Earthworks
- Clause 6.4 – Stormwater management
- Clause 6.8 – Development in areas subject to aircraft noise
- Clause 6.11A Residential accommodation in Zone B1 and Zone B2
- Clause 6.13 – Diverse housing

(i) Clause 2.3 - Land Use Table and Zone Objectives

The site is zoned B2 under the *LLEP 2011*. The *LLEP 2013* defines the development as:

“Mixed use development” - mixed use development means a building or place comprising 2 or more different land uses

The proposed development, being for *mixed use development* comprising of retail and residential uses, is permissible with consent within the zone.

The Objectives of zone are as follows:

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To ensure that development is appropriately designed to minimise amenity impacts.*
- *To allow appropriate residential uses to support the vitality of local centres.*
- *To ensure that uses support the viability of local centres.*
- *To provide a mixture of compatible land uses.*
- *To reinforce and enhance the role, function and identity of local centres by encouraging appropriate development to ensure that surrounding development does not detract from the function of local centres.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations.*

The development which consists of a mixed use development with one commercial premise at ground floor level and 9 residential units above is, subject to conditions to address the

height, rear setback and front entry design, considered to be of a form, height and scale and design that is consistent with the objectives of the B2 Local Centre. As the main street frontage is predominately associated with the commercial premises, it is considered that that proposal achieves an active street frontage and satisfies Clause 6.11A.

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

Standard (maximum)	Proposal	% of non compliance	Compliances
Floor Space Ratio Required: [1.5:1]	1.5:1 919 m2	N/A	Yes

Clause 6.8 – Development in areas subject to aircraft noise

As the site is located within ANEF 20-25 or greater, the development approved under this consent must meet the relevant provisions of Australian Standard AS 2021:2015 Acoustics – Aircraft noise intrusion – Building siting and construction.

An acoustic report prepared by Acoustic noise & Vibration solutions P/L dated 26 October 2020 was provided as supporting information to the application and concludes that subject to recommendations, the proposed development will be satisfactory in this regard. This submitted acoustic report will be referenced in any consent granted.

Clause 6.13 - Diverse Housing

Clause 6.13(3)(a) requires at least 25% of the total number of dwellings (to the nearest whole number of dwellings) forming part of the development will include self-contained studio dwellings or one-bedroom dwellings, or both. The proposed development includes 4 one bedrooms unit (44%), and therefore, complies with this development standard.

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

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

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

5(d) Development Control Plans

The application has been assessed and the following provides a summary of the relevant provisions of Leichhardt Development Control Plan 2013.

Part	Compliance
Part B: Connections	
B1.1 Connections – Objectives	Yes, subject to conditions – see above
B2.1 Planning for Active Living	Yes
B3.1 Social Impact Assessment	Yes
B3.2 Events and Activities in the Public Domain (Special Events)	Not applicable
Part C	

C1.0 General Provisions	Yes, subject to conditions – see above and below
C1.1 Site and Context Analysis	Yes
C1.2 Demolition	Yes – SEPP 65 assessment above
C1.3 Alterations and additions	Not Applicable
C1.4 Heritage Conservation Areas and Heritage Items	Not applicable
C1.5 Corner Sites	Not applicable
C1.6 Subdivision	Not applicable; strata subdivision only (these provisions do not apply to strata subdivision)
C1.7 Site Facilities	Yes, subject to conditions
C1.8 Contamination	Yes, subject to conditions
C1.9 Safety by Design	Yes, subject to conditions – see SEPP 65 assessment above
C1.10 Equity of Access and Mobility	Yes, subject to conditions as recommended by Council's Building Certification Team
C1.11 Parking	Yes – see below
C1.12 Landscaping	Refer to SEPP 65 assessment
C1.13 Open Space Design Within the Public Domain	Not applicable
C1.14 Tree Management	Yes, subject to conditions – see below
C1.15 Signs and Outdoor Advertising	Not applicable - no signage proposed
C1.16 Structures in or over the Public Domain: Balconies, Verandahs and Awnings	Yes, subject to standard Engineering conditions
C1.17 Minor Architectural Details	Not applicable
C1.18 Laneways	Not applicable
C1.19 Rock Faces, Rocky Outcrops, Cliff Faces, Steep Slopes and Rock Walls	Not applicable
C1.20 Foreshore Land	Not applicable
C1.21 Green Roofs and Green Living Walls	Not applicable
Part C: Place – Section 2 Urban Character	
C2.2.3.5 Leichhardt Commercial Distinctive Neighbourhood <i>C2.2.3.5(d) Norton Street - Residenziale Sub Area</i>	Yes, subject to conditions – see SEPP 65 assessment above
Part C: Place – Section 3 – Residential Provisions	
C3.1 Residential General Provisions	Yes, subject to conditions

C3.2 Site Layout and Building Design	Yes, subject to conditions – see SEPP 65 assessment above
C3.3 Elevation and Materials	Yes
C3.4 Dormer Windows	Not applicable
C3.5 Front Gardens and Dwelling Entries	Not applicable
C3.6 Fences	Not applicable
C3.7 Environmental Performance	Yes, subject to conditions
C3.8 Private Open Space	Yes - Refer to SEPP 65 Assessment
C3.9 Solar Access	Yes - refer to SEPP 65 Assessment
C3.10 Views	Yes
C3.11 Visual Privacy	Yes, subject to conditions - Refer to SEPP 65 Assessment above
C3.12 Acoustic Privacy	Yes, subject to conditions - Refer to SEPP 65 and Leichhardt LEP2013 Assessments
C3.13 Conversion of Existing Non-Residential Buildings	Not applicable
C3.14 Adaptable Housing	Not applicable – less than 10 dwellings proposed
Part C: Place – Section 4 – Non-Residential Provisions	
C4.1 Objectives for Non-Residential Zones	Yes, subject to conditions
C4.2 Site Layout and Building Design	Yes, subject to conditions - Refer to SEPP 65 Assessment above
C4.3 Ecologically Sustainable Development	Yes
C4.4 Elevation and Materials	Yes
C4.5 Interface Amenity	Yes, subject to conditions - Refer to SEPP 65 Assessment above
C4.6 Shopfronts	Yes
C4.15 Mixed Use	Yes, subject to conditions - Refer to SEPP 65 Assessment above
Part D: Energy	
Section 1 – Energy Management	Yes
Section 2 – Resource Recovery and Waste Management	Yes
D2.1 General Requirements	Yes, subject to conditions
D2.2 Demolition and Construction of All Development	Yes, subject to conditions
D2.3 Residential Development	Not applicable

D2.4 Non-Residential Development	Not applicable
D2.5 Mixed Use Development	Yes, subject to conditions as required by Council's Waste Officers
Part E: Water	
Section 1 – Sustainable Water and Risk Management	
E1.1 Approvals Process and Reports Required With Development Applications	
E1.1.1 Water Management Statement	Yes, subject to conditions
E1.1.2 Integrated Water Cycle Plan	Not applicable
E1.1.3 Stormwater Drainage Concept Plan	
E1.1.4 Flood Risk Management Report	Not applicable
E1.1.5 Foreshore Risk Management Report	Not applicable
E1.2 Water Management	
E1.2.1 Water Conservation	Not applicable
E1.2.2 Managing Stormwater within the Site	Yes, subject to conditions
E1.2.3 On-Site Detention of Stormwater	Yes, subject to conditions
E1.2.4 Stormwater Treatment	Yes, subject to conditions
E1.2.5 Water Disposal	Yes, subject to conditions
E1.2.6 Building in the vicinity of a Public Drainage System	Not applicable
E1.2.7 Wastewater Management	Yes, subject to conditions
E1.3 Hazard Management	
E1.3.1 Flood Risk Management	Not applicable
E1.3.2 Foreshore Risk Management	Not applicable

The following provides discussion of the relevant issues:

B3.1 Social Impact Assessment

The Social Impact Comment (SIC) is embedded as part of the Statement of Environmental Effects (Social Impacts, Section 6.14). The proposal entails a mixed use development comprised of retail spaces on the ground level and eight two-bedroom residential apartments on the other levels. The SIC is an assessment of the extent to which the proposal meets local economic needs as well as the demand for different models of affordable housing.

In summary, the SIC indicates the proposal will result in a positive economic benefit to the Leichhardt community on Norton Street with the opportunity for employment generated by the occupier of the 160sqm ground floor commercial space. This could be occupied by a range of businesses, from retail, food and drink, office or professional services. This may also provide employment opportunities for local people and encourage footfall and activity in this section of Norton Street – to the benefit of other existing neighbouring businesses.

New residents in the apartments to be constructed in the development will also support local business and that the small scale of the development proposed is not expected to give rise to any significant social impacts.

The proposal meets the Social Impact Comment (SIC) criteria of the Leichhardt Development Control Plan. The Social Impact Comment addresses each of the questions and the positive social impacts outweigh negative impacts in the construction phase.

C1.11 Parking

Number of Parking Spaces

The following parking rates are applicable to the proposed development:

Parking Rates				
Land Use	Residents		Visitors	
	Minimum	Maximum	Minimum	Maximum
Residential				
Single dwelling house	Nil	2 spaces per dwelling house	Nil	Nil
Bed-sit / Studio	Nil	0.5 space per dwelling	1 space per 11 dwellings	0.125 spaces per dwelling
1 bedroom unit	1 space per 3 dwellings	0.5 space per dwelling	1 space per 11 dwellings	0.125 spaces per dwelling
2 bedroom unit	1 space per 2 dwellings	1 space per dwelling	1 space per 11 dwellings	0.125 spaces per dwelling
3+ bedrooms unit	1 space per dwelling	1.2 spaces per dwelling	1 space per 11 dwellings	0.125 spaces dwelling
Land Use	Staff & Visitors Combined			
	Minimum		Maximum	
Business premises	1 space per 100m2		1 space per 60m2	

Several specific land uses within recognised shopping streets have an exemption applied for the first 50sqm in the “minimum” category. The exemption is based on an assumption that 50sqm represents a minimum basic space in a main street premise, such as a shop or café, and is aimed at recognising the walk-up potential of the locations. Refer to Control No. 15 within this section of the Development Control Plan.

(“Recognised shopping streets” are: Norton and Marion Streets Leichhardt, Darling Street and Balmain Road Rozelle, Darling Street Balmain, Johnston and Booth Streets Annandale, Parramatta Road Leichhardt and Annandale).

Table C6: Bicycle parking provision rates

Land use	Residents/staff	Customers/Visitors
Apartments	1 space per 2 dwellings	1 space per 10 dwellings
Shops	1 space per 10 staff	2 spaces, plus 1 space per 100 sqm over 100 sqm GFA

C23 Motor bike parking is to be provided at a rate of (1) space for developments that require between 1 to 10 vehicle spaces and 5% of the required vehicle parking thereafter. The rate of total parking provision required is established by Table C4: (General Vehicle Parking Rates) for the land use.

As the development consist of 4 x 1 bedroom, 5x 2 bedroom units and 1 x business premises (total 192 sqm), the parking is required:

$$4 \times 1 \text{ Bedroom Unit and } 5 \times 2 \text{ bedroom unit} = 1.3 + 2.5 + 1 \text{ space per 11 dwellings} = 4.8 \text{ spaces}$$

$$\text{Business premises} = 1/100 \text{ sqm} = 160 \text{ sqm} - 50 \text{ sqm}/100 = 1.1 \text{ spaces.}$$

Therefore, the total minimum parking requires is 6 spaces, and as the proposal provides 10 parking spaces, the proposal satisfies the minimum requirement.

The proposed parking provides for one motorcycle which complies with C23. There are also 7 bicycle spaces that are provided which complies with the bicycle rates for apartments. While there are no bicycle spaces provided for the retail premises, it is considered that it is acceptable in this instance given the proximity of the site to bus stops on Norton Street.

C1.14 – Tree Management

The proposal does not seek to remove any significant vegetation and there are no objections subject to retention of one existing street tree.

5(e) The Likely Impacts

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

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

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

5(g) Any submissions

The application was notified in accordance with Leichhardt Development Control Plan 2013 for a period of 14 days to surrounding properties. No submissions were received in response to the initial notification.

5(h) The Public Interest

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

Subject to conditions, approval of the proposal is not contrary to the public interest.

6 Referrals

6(a) Internal

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

- Health Compliance– Satisfactory subject to conditions.
- Development Engineer – Satisfactory subject to conditions.
- Community Services – No objections
- Urban Forest – No objections subject to conditions
- Urban Design – Issues raised by Urban Design will be resolved by Deferred Commencement conditions.
- Waste - Satisfactory subject to conditions.

6(b) External

The application was referred to the following external bodies and no objections have been raised.

- Ausgrid

7. Section 7.11 Contributions/7.12 Levy

Section 7.11 contributions are payable for the proposal. Credit has been given to the existing wholesale/retail use (370 sqm) and the following S7.11 contributions are payable.

Residential Community Facilities Levy	\$26,523.00
	\$0.00
Non-Residential Community Facilities Levy	\$896.66
	\$0.00
TOTAL COMMUNITY FACILITIES LEVY	\$27,419.66
Residential Open Space Levy	\$ 173,547.00
	\$ -
Non-Residential Open Space Levy	\$ 1,747.67
	\$ -
TOTAL OPEN SPACE LEVY	\$ 175,294.67
LATM	\$ 351.92
Access to Balmain Peninsula	\$ -
Light Rail	\$ -
Leichhardt Town Centre	\$ -
Bicycle	\$ 175.52
Commercial Carparking	\$ -
	\$ -
TOTAL TRANSPORT & ACCESS LEVY	\$ 527.44

Therefore the total is \$203,241.77.

Pursuant to the Ministerial Direction on Local Infrastructure Contributions dated 3 March 2011:

- (2) *A council (or planning panel) must not grant development consent (other than for development on land identified in Schedule 2) subject to a condition under section 94 (1) or (3) of the Environmental Planning and Assessment Act 1979 requiring the payment of a monetary contribution that:*
- (a) *in the case of a development consent that authorises one or more dwellings, exceeds \$20000 for each dwelling authorised by the consent, or*
- (b) *in the case of a development consent that authorises subdivision into residential lots, exceeds \$20 000 for each residential lot authorised to be created by the development consent.*

In this instance the consent authorises the erection of nine dwellings and hence Council may not impose a condition that requires payment in excess of \$180,000.

The carrying out of the development would result in an increased demand for public amenities and public services within the area. A contribution of \$180,000 would be required for the development under Leichhardt Section 7.11 Contributions Plan. A condition requiring that contribution to be paid is included in the recommendation.

8. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in *Leichhardt Local Environmental Plan 2013* and Leichhardt Development Control Plan 2013.

The development, subject to recommended conditions to address the height, rear setback and front entry design, will not result in any significant impacts on the amenity of the adjoining properties or the streetscape and is considered to be in the public interest.

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

9. Recommendation

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, grant Deferred Commencement Approval to Development Application No. DA/2020/0959 for retention of the facade of a two storey building located on the northern portion of the site and demolition of the remaining existing structures, excavation and construction of a mixed-use building comprising commercial use on the ground floor, and nine residential apartments over, plus basement car parking and associated works, including strata subdivision at 322 Norton Street Leichhardt subject to the conditions listed in Attachment A below.

Attachment A – Recommended conditions of consent

CONDITIONS OF CONSENT

The following is a Deferred Commencement condition imposed pursuant to Section 4.16(3) of the *Environmental Planning and Assessment Act 1979*. This Consent will not operate and may not be acted upon until the Council is satisfied as to the following matter(s):

A. Deferred Commencement Condition

The following design changes must be amended to Council's satisfaction as follows:

- a. The western elevation of the first and second floors to be setback a minimum of 9 metres from the western boundary and the fixed glazed windows at Levels 2 and 3 replaced with openable glazed windows. Internal reconfigurations can be undertaken to achieve this.
- b. The maximum ridge height must not exceed RL35.90. The floor and ceiling on the levels may be amended to achieve this.
- c. The ground floor pedestrian entry door to be relocated further towards the eastern (Norton Street) boundary so that it is setback 3.5 metres from this boundary. The fire stair and the mail boxes area shall be redesigned to achieve this.
- d. The BASIX certificate to be amended to be consistent with the changes listed above.

Evidence of the above matter(s) must be submitted to Council within 2 years otherwise the Consent will not operate.

DOCUMENTS RELATED TO THE CONSENT

1. Documents related to the consent

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

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
DA1001, Issue A	SITE PLAN / SITE ANALYSIS	22/10/2020	Group GSA Pty Ltd
DA1002, Issue A	DEMOLITION SECTION	22/10/2020	Group GSA Pty Ltd
DA2000, Issue F	BASEMENT FLOOR PLAN	22/10/2020	Group GSA Pty Ltd
DA2001, Issue H	GROUND FLOOR PLAN	01/03/2021	Group GSA Pty Ltd
DA2002, Issue F	LEVEL 1 FLOOR PLAN	01/03/2021	Group GSA Pty Ltd
DA2003, Issue F	LEVEL 2 FLOOR PLAN	01/03/2021	Group GSA Pty Ltd
DA2004, Issue F	MANSARD ROOF LEVEL	01/03/2021	Group GSA Pty Ltd
DA2001, Issue B	ROOF PLAN	22/10/2020	Group GSA Pty Ltd
DA3000, Issue E	EAST AND WEST ELEVATIONS	01/03/2021	Group GSA Pty Ltd
DA3001, Issue C	NORTH AND SOUTH ELEVATIONS	01/03/2021	Group GSA Pty Ltd
DA3100, Issue F	SECTIONS	01/03/2021	Group GSA Pty Ltd
DA4200, Issue D	MATERIALS	01/03/2021	Group GSA Pty Ltd

80820240-CI-0002 Rev 2	CIVIL CONSTRUCTION NOTES	27.10.2020	Cardno
80820240-CI-1001 Rev 3	BASEMENT STORMWATER DRAINAGE PLAN	01.03.2021	Cardno
80820240-CI-1002 Rev 4	GROUND FLOOR STORMWATER DRAINAGE PLAN	01.03.2021	Cardno
80820240-CI-2001 Rev 2	STORMWATER DETAILS 1	27.10.2020	Cardno
80820240-CI-2002, Rev 2	STORMWATER DETAILS 2	27.10.2020	Cardno
80820240-CI-2201, Rev 2	SEDIMENTATION AND EROSION CONTROL PLAN	27.10.2020	Cardno
80820240-CI-2202, Rev 2	SEDIMENTATION AND EROSION CONTROL DETAILS	27.10.2020	Cardno
Document Set ID: 34625113	Integrated Water Cycle Plan	1 MARCH 2021	Cardno
REVISION 01	LANDSCAPE DA	OCTOBER 2020	NBRS
LDA- 02, Revision 01	LANDSCAPE GROUND PLAN	23/10/20	NBRS
LDA- 03, Revision 01	LANDSCAPE LEVEL 1 PLAN	23/10/20	NBRS
LDA- 04, Revision 01	LANDSCAPE LEVEL 2 PLAN	23/10/20	NBRS
LDA- 05, Revision 01	PLANTING PALETTE	23/10/20	NBRS
LDA- 06, Revision 01	TYPICAL LANDSCAPE DETAILS	23/10/20	NBRS
D04571- DRAFTSTRATA	PLAN OF SUBDIVISION OF LOT IN DP	8th October 2020	JONATHAN D SAXON
No. 1143435M	BASIX Certificate	21 October 2020	BCA Energy Ply Ltd
Report No. E1961 AA	STAGE 1 ENVIRONMENTAL SITE ASSESSMENT	11th November, 2013	EI Australia
Report No. E1961 AB	STAGE 2 ENVIRONMENTAL SITE ASSESSMENT	4 June 2014	EI Australia
Report No. E1961 AC	Remedial Action Plan	9 July 2014	EI Australia
E24687.E99_Rev01	Remediation Progress Report - Stage 1	15 October 2020	EI Australia
Reference No.: 2020-309	Acoustic Report - Aircraft Noise and Environmental Noise Assessment	26 October 2020	Acoustic noise & Vibration solutions P/L
201021_Inc Pla_322 Norton_Access	Disability Access Report	21 October 2020	Inclusive Places

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As amended by the conditions of consent.

DESIGN CHANGE

2. Design Change

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

- a. An internal traffic management system must be installed on both ends of the driveway access ramp to maintain a conflict free traffic movement through the access ramp. Priority must be given to vehicles entering the site. The system must also allow for motorbikes and cyclists.
- b. A permanent physical barriers must be provided on each side of the vehicular access, to the north between the vehicle access and foyer entry and, to the south between the vehicle access and fire door egress. The barriers must not obstruct sightlines to pedestrians.

FEES

3. Security Deposit

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

Security Deposit:	\$30,000
Inspection Fee:	\$236.70

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

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

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

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

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

4. Section 7.11 (Former Section 94) Contribution

Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that a monetary contribution of \$180,000 indexed in accordance with Developer Contributions Plan No.1 – Open Space and Recreation; Developer Contributions Plan No.2 – Community Facilities and Services (2005); and Leichhardt Developer Contributions Plan – Transport and Access has been paid to the Council "CP".

The above contribution is the contribution applicable as at 11 March 2021.

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

Local Infrastructure Type:	Contribution \$
Open Space and Recreation	\$155,248.80
Community Facilities and Services	\$24,284.07
Local Area Traffic Management	\$311.68
Bicycle Works	\$155.45
TOTAL	\$180,000

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

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

Payment methods:

The required contribution must be paid either *by BPAY (to a maximum of \$500,000); unendorsed bank cheque (from an Australian Bank only); EFTPOS (Debit only); credit card (Note: A 1% credit card transaction fee applies to all credit card transactions; cash (to a maximum of \$10,000).* It should be noted that personal cheques or bank guarantees cannot be accepted for the payment of these contributions. Prior to payment contact Council's Planning Team to review charges to current indexed quarter, please allow a minimum of 2 business days for the invoice to be issued before payment can be accepted.

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

GENERAL CONDITIONS

5. Separation of Commercial and Residential Waste and Recycling

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

6. Awnings with Lighting

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

7. Dry-weather Flows

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

8. Rock Anchors

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

9. Car Parking

The development must provide and maintain within the site:

- a. A total of 10 x car parking spaces must be paved and line marked. Small car space must be identified by line marking;
- b. 1 x car parking space must be for persons with a disability with line marking as per AS2890.6:2009;
- c. A minimum of 4 x car parking spaces, excluding the small car space, must be allocated to the residential component of the development for exclusive use by occupants.
- d. A minimum of 1 x Carwash bay combined with visitor parking space must be provided for residential component of the development. The carwash bay must not be within the small car space.
- e. A minimum of 3 x car parking spaces, excluding the small car space, must be allocated to the commercial component of the development. The parking spaces allocated to the commercial component of the development must include the Parking Space 7 that is adjacent to the turning area.
- f. A sign legible from the street must be permanently displayed to indicate that visitor parking for the commercial component of the development is not available on site;
- g. 1 x off-street motorcycle parking spaces must be provided, paved, line marked and maintained at all times;
- h. A minimum of 5 x Bicycle storage capacity within the site for residents and staff and a minimum of 2 x Bicycle storage capacity within the site for visitors;

10. Tree Protection

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

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

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

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

The trees identified below are to be retained and protected in accordance with the conditions of consent throughout the development.

Tree No.	Botanical/Common Name	Location
1	<i>Pyrus calleryana</i> (Ornamental Pear)	Norton Street

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

- a. Green for trees to be retained.

11. Residential Flat Buildings – Hot Water Systems

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

12. Residential Flat Buildings – Air Conditioning Systems

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

13. Erosion and Sediment Control

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

14. Works Outside the Property Boundary

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

15. Noise – Consultant’s Recommendations

The recommendations contained in the acoustic report prepared by Acoustic Noise and Vibration Solutions Pty Ltd, reference 2020-309 dated 16 October 2020 must be implemented.

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

The site is to be remediated and validated in accordance with the recommendations set out in the Remedial Action Plan, prepared by eiaustralia, and referenced in this consent, the *Contaminated Land Management Act 1997* and the *State Environmental Planning Policy No 55*.

17. Hazardous Materials Survey

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

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

PRIOR TO ANY DEMOLITION

18. Resource Recovery and Waste Management Plan - Demolition and Construction

Prior to any demolition works, the Certifying Authority must be provided with a Resource Recovery and Waste Management Plan - Demolition and Construction that includes details of materials that will be excavated and their proposed destination or reuse.

19. Hoardings

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

If the work involves the erection or demolition of a building and is likely to cause pedestrian or vehicular traffic on public roads or Council controlled lands to be obstructed or rendered

inconvenient, or building involves the enclosure of public property, a hoarding or fence must be erected between the work site and the public property. An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling onto public property.

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

20. Construction Traffic Management Plan – Detailed

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

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

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

- s. How it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways; and
- t. Swept Paths for the proposed construction vehicles to demonstrate that the needed manoeuvres can be achieved without causing any nuisance.

21. Dilapidation Report

Prior to any works commencing (including demolition), the Certifying Authority and owners of identified properties, must be provided with a colour copy of a dilapidation report prepared by a suitably qualified person. The report is required to include colour photographs of all the adjoining properties at No 324 Norton Street, No. 314-316 Norton Street, No. 83 James Street to the Certifying Authority's satisfaction. In the event that the consent of the adjoining property owner cannot be obtained to undertake the report, copies of the letter/s that have been sent via registered mail and any responses received must be forwarded to the Certifying Authority before work commences.

22. Advising Neighbors Prior to Excavation

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

23. Construction Fencing

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

PRIOR TO CONSTRUCTION CERTIFICATE**24. Bin Storage Area - Residential**

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

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

The bin storage area is to meet the design requirements detailed in the Leichhardt DCP 2013 and must include doorways/entrance points of 1200mm.

25. Bulky Waste Storage Area – Residential

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans demonstrating that the bulky waste storage area must meet the floor area requirements as per the Leichhardt DCP 2013 and have minimum doorways of 1200mm wide to accommodate large items.

26. Commercial - Additional Storage Space

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

27. Waste Transfer Route

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a plan demonstrating that the path of travel between the bin storage area/bulky waste storage area and the designated waste/recycling collection point is has a minimum 1200mm wall-to-wall clearance, be slip-proof, of a hard surface, be free of obstructions and at no point have a gradient exceeding 1:12.

28. Each Residential Level is to have Access to a Disposal Point for All Waste Streams

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

29. Stormwater Drainage System – Major Developments

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with stormwater drainage design plans incorporating on site stormwater detention (OSD) and Stormwater Quality Improvement Devices (SQIDS), certified by a suitably experienced Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) that the design of the site drainage system complies with the following specific requirements:

- a. The design must be generally in accordance with the stormwater drainage concept plan drawing numbers 80820240-CI-1001 Rev 3 dated 01.03.2021 and 80820240-CI-1002 Rev 4 dated 01.03.2021 prepared by Cardno, as amended to comply with the following;
- b. Stormwater runoff from all surface areas within the property must be collected in a system of gutters, pits and pipelines and be discharged together with overflow pipelines from any rainwater tank(s) via the OSD/OSR tanks by gravity to directly to Council's piped drainage system;
- c. Comply with Council's Stormwater Drainage Code, Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3-2018 'Stormwater Drainage' and Council's Leichhardt DCP2013.
- d. Charged or pump-out stormwater drainage systems are not permitted including for roof drainage other than for the pump-out of surface flows from the driveway from the basement;
- e. The Drainage Plan must detail the existing and proposed site drainage layout, size, class and grade of pipelines, pit types, roof gutter and downpipe sizes;
- f. The plans, including supporting calculations, must demonstrate that the post development flows for the 100 year ARI storm are restricted to the pre development flows for the 5 year ARI storm event in accordance with Section E1.2.3 (C2 and C3) of Council's DCP2013 and discharge to the gutter does not exceed 15L/s in 100 year event;
- g. Pipe and channel drainage systems including gutters must be designed to convey the one hundred (100) year Average Recurrence Interval (ARI) flows from the contributing catchment to the OSD/OSR tanks;
- h. Details of the 1 in 100-year ARI overflow route in case of failure/blockage of the drainage system must be provided. Overflow must be to Norton Street and designed such that overflows do not drain into the property including to the basement ramp;
- i. Where there is no overland flow/flood path available from the rear and central courtyards to the Norton Street frontage, the design of the sag pit and piped drainage system is to meet the following criteria:
 1. Capture and convey the 100 year Average Recurrence Interval flow from the contributing catchment assuming 80% blockage of the inlet and 50% blockage of the pipe.;

2. The maximum water level over the sag pit shall not be less than 150mm below the floor level or damp course of the building; and
 3. The design shall make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands/roof areas.
- j. A pump-out system for drainage of surface flows from the basement ramp only is permitted and must be designed in accordance with the following criteria:
1. Comply with all relevant Australian Standards;
 2. An overflow, flashing light and audible alarm is to be provided to warn of pump failure;
 3. A maintenance regime for the pump system must be provided, including provision for regular maintenance and servicing at least every 6 months;
 4. The proposed pump system must consist of two (2) pumps, connected in parallel, with each pump being capable of emptying the holding tank at a rate equal to the rate of inflow for the one-hour duration, 100-year Average Recurrence Interval (ARI) storm event. The holding tank must be capable of holding one hour's runoff from one-hour duration 20-year ARI storm event;
 5. Where OSD facilities are required by this consent, the pump system must be discharged to the OSD storage tank;
 6. The basement drainage system must be designed to prevent and/or capture and treat all pollutants from cars or other sources prior to discharge from the site by installing grease and hydrocarbon treatment device(s) and locating stormwater drains outside vehicle standing areas.
- k. No nuisance or concentration of flows to other properties;
- l. The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system;
- m. An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets;
- n. All redundant pipelines within footpath area must be removed and footpath/kerb reinstated;
- o. New pipelines within the footpath area that are to discharge to the kerb and gutter must be hot dipped galvanised steel hollow section with a minimum wall thickness of 4.0mm and a maximum section height and width of 100mm or sewer grade uPVC pipe with a maximum diameter of 100mm.
- p. All stormwater outlets through sandstone kerbs must be carefully core drilled in accordance with Council standard drawings.
- q. Water quality filtration basket(s) with screening bag or similar primary treatment device(s) must be installed on the site stormwater drainage system such that all water entering the site stormwater drainage system is filtered by the device(s); and
- r. Dry-weather flows of any seepage water including seepage from landscaped areas will not be permitted through kerb outlets. The basement must be fully "tanked" so as not to allow the ingress of seepage or groundwater.

30. Structural and Geotechnical Report

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

- a. The basement must be fully tanked to prevent the ingress of subsurface flows;
- b. Retaining walls must be entirely self-supporting in the event that excavation is undertaken within the road reserve adjacent to the property boundary to the depth of the proposed structure;

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

31. Public Domain Works – Prior to Construction Certificate

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

- a. The public domain along all frontages of the site inclusive of footpath paving, kerb, street trees, landscaping, street furniture must be reconstructed and upgraded in accordance with the Street Tree Master plan and the Public Domain Design Guide or scheme;
- b. The construction of heavy duty vehicular crossings to all vehicular access locations and removal of all redundant vehicular crossings to the site;
- c. New footpath and kerb and gutter along the frontage of the site. The kerb type must be stone consistent with the majority of kerb type at this location;
- d. Cross sections are to be provided at the boundary at a minimum distance of every 5m and at all pedestrian and vehicular access locations. Note, the cross fall of the footpath must be consistent and set at 1-2.5%. These sections will set the alignment levels at the boundary.
- e. The vehicular crossing and driveway ramp to the site shall be designed to satisfy the ground clearance template (Figure C1) from AS/NZS 2890.1-2004 Parking Facilities: Off-street car parking for a B99 design vehicle. A long section, along both sides of the proposed vehicular crossing and ramp, drawn at a 1:20 or 1:25 natural scale, shall be submitted from the centreline of the adjacent road to a minimum of 3 metres into the property. The long section approved by Council shall define the Alignment Levels at the property boundary at the crossing. The long section shall show both existing surface levels and proposed surface levels with chainages.

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

32. Parking Facilities – Major (including basement)

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans certified by a suitably qualified Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) demonstrating that the design of the vehicular access, off-street parking facilities and associated vehicle standing areas comply with Australian Standard AS/NZS 2890.1-2004 Parking Facilities: Off-street car parking, Australian Standard AS 2890.2-2018 Parking Facilities: Commercial vehicle facilities,

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

- a. The floor/finished levels within the property must be adjusted to ensure that the levels at the boundary comply with the Alignment Levels issued with this consent;
- b. The internal garage slab or hard stand area must be adjusted locally at the boundary to ensure that it matches the above-issued alignment levels;
- c. A minimum of 2200mm headroom must be provided throughout the access and parking facilities. Note that the headroom must be measured at the lowest projection from the ceiling, such as lighting fixtures, and to open garage doors;
- d. Headroom at a 'sag' type grade change must be measured in accordance with Figure 5.3 of AS/NZS 2890.1-2004;
- e. Minimum headroom of 2500mm must be provided above any disabled parking space(s);
- f. The longitudinal profile of the access and any ramps within the parking facilities must comply with the Ground Clearance requirements of AS/NZS 2890.1-2004 for a B99 design vehicle. Longitudinal sections must be provided along each outer edge of all ramps;
- g. The layout and minimum dimensions of any standing area comply with clause 2.4 of AS/NZS 2890.1-2004 such that:
 - i. Car spaces adjacent to walls or fences are increased in width by an additional 300mm;
 - ii. End spaces are provided with an additional 1m aisle extension; and
 - iii. The location of columns within the carpark complies with figure 5.1 of AS/NZS 2890.1-2004.
- h. At the property boundary the access from the road to a standing area is (as near as practicable) perpendicular to the line of the adjacent road;
- i. The relative surface levels of the internal access from the road being controlled so that:
 - i. The surface levels at the property boundary match "alignment levels"
 - ii. The change in grade for any 2m length of access way does not exceed 1 in 8 (12.5%) unless suitable transitions are provided in accordance with AS2890.1; and
 - iii. The maximum grade at the property boundary does not exceed 1 in 20 (5%) within 6m of the property boundary.
- j. The vehicle egress is designed such that there are no obstructions to lines of sight, along with the footpath and the roadway for drivers of egressing vehicles;
- k. All parking bays are designed such that all vehicular movements to and from the proposed development are in a forward direction;
- l. The entry security door must be set back a minimum of 5500mm from the property boundary;
- m. A bicycle storage area must be provided to accommodate the numerical requirements of Leichhardt DCP2013 and be designed in accordance with relevant provisions of AS 2890.3-2015. Bicycle parking spaces for visitors to the commercial component and residential components of the development must be provided at ground floor level and must be compliant with AS 2890.3-2015 Security Class C facilities standards. Bicycle parking spaces for residents and employees of the commercial component of the development must be compliant with AS 2890.3-2015 Security Class A or Class B facilities standards.
- n. An internal traffic management system must be installed on both ends of the driveway access ramp to maintain a conflict free traffic movement through the access ramp. Priority must be given to entering vehicles. The system must also allow for motorbikes and cyclists. Suitable passing opportunities within the basement must be demonstrated.
- o. Permanent physical barriers must be provided on each side of the vehicular access, to the north between the vehicle access and foyer entry and, to the south between the

vehicle access and fire door egress. The barriers must not obstruct sightlines to pedestrians.

- p. Off-street parking for visitors to the commercial component of the development is not permitted.

33. Car Wash Bay – Design

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with certification confirming that all wastewater generated from the car wash bay will be discharged to the sewerage systems in accordance with the requirements of Sydney Water.

34. Enclosure of Fire Hydrant

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

35. Structural Certificate for retained elements of the building

Prior to the issue of a Construction Certificate, the Certifying Authority is required to be provided with a Structural Certificate prepared by a practising structural engineer, certifying the structural adequacy of the property and its ability to withstand the proposed additional, or altered structural loads during all stages of construction. The certificate must also include all details of the methodology to be employed in construction phases to achieve the above requirements without result in demolition of elements marked on the approved plans for retention.

36. Sydney Water – Tap In

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

Note: Please refer to the web site <http://www.sydneywater.com.au/tapin/index.htm> for details on the process or telephone 13 20 92

37. Fibre-ready Facilities

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

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

38. Consolidation of Lots

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

39. Concealment of Plumbing and Ductwork

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

40. Future Food Use - Mechanical Ventilation Provision

Prior to the issue of a Construction Certificate, the mechanical exhaust systems and/or shafts must be designed to allow for the discharge of effluent air above roof level and must be designed with capacity to accommodate exhaust ducts and mechanical ventilation systems for all commercial tenancies proposed with the potential to become a food premises in future. Systems must be designed in accordance with AS1668.2 – The Use of Ventilation and Air-conditioning in Buildings – Mechanical Ventilation in Buildings, and AS1668.1 – The Use of Mechanical Ventilation and Air-Conditioning in Buildings – Fire and Smoke Control in Multi-compartment Buildings.

41. Noise General – Acoustic Report

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

42. Aircraft Noise – Acoustic Report (ANEF20-25 or Greater)

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with an acoustic report that meets the relevant provisions of Australian Standard AS 2021:2000 Acoustics – Aircraft noise intrusion – Building siting and construction. The recommendations of the report are to be indicated on the architectural plans and / or specifications.

43. Light Spill

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

DURING DEMOLITION AND CONSTRUCTION

44. Documentation of Demolition and Construction Waste

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

45. Tree Protection

To protect the neighbouring trees, the existing boundary fence is to be retained through all stages of the works in accordance with Council's *Development Fact Sheet—Trees on Development Sites*:

Trees/Location
Hedging trees/shrubs/palm trees, rear 83 - 85 James Street.

46. Construction Hours – Class 2-9

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

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

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

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

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

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

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

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

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

47. Survey Prior to Footings

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

48. Contamination – New Evidence

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

49. Imported Fill Materials

All imported fill on the site shall be validated as Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM), in accordance with NSW Environment Protection Authority guidelines, 'Consultants Reporting on Contaminated Sites' (August 2011) to ensure the imported fill is suitable for the proposed land use.

All fill imported onto the site shall be validated by either one or both of the following methods:

- a. Imported fill be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or
- b. Sampling and analysis of the fill material be conducted in accordance with NSW Environment Protection Authority's Sampling Design Guidelines (September 1995).

PRIOR TO OCCUPATION CERTIFICATE

50. Public Domain Works

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with written evidence from Council that the following works on the Road Reserve have been

completed in accordance with the requirements of the approval under Section 138 of the *Roads Act 1993* including:

- a. Heavy duty concrete vehicle crossing(s) at the vehicular access location(s);
- b. The redundant vehicular crossing to the site must be removed and replaced by kerb and gutter and footpath;
- c. The existing footpath and kerb across the frontage of the site must be reconstructed;
- d. All works in accordance with Norton Street Precinct masterplan. Kerb must be sandstone;
- e. Stormwater drainage works required by the consent; and
- f. Other works subject to the *Roads Act 1993* approval.

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

51. No Encroachments

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

52. Protect Sandstone Kerb

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

53. Parking Signoff – Major Development

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

- a. The car park has been completed, line marked and all signage relating to car parking erected;
- b. A notice has been clearly displayed at the Norton Street frontage to indicate that visitor parking is not available for visitors to the commercial component of the development.
- c. An internal traffic management system has been installed and commission on both ends of the driveway access ramp to maintain a conflict free traffic movement through the access ramp with priority given to ingressing vehicles. The system must also allow for motorbikes and cyclists and suitable passing opportunities within the basement.
- d. The internal traffic management system must comply with all relevant Australian Standards. The sign at the vehicular entry must comply with AS4282 Control of the obtrusive effects of outdoor lighting.
- e. An operation, maintenance and management plan of the internal traffic management system including external signage and compliance with AS4282 must be prepared and incorporated into the plan of management for the site.
- f. Permanent physical barriers must be provided on each side of the vehicular access, to the north between the vehicle access and foyer entry and, to the south between the vehicle access and fire door egress. The barriers must not obstruct sightlines to pedestrians.

54. Public Domain - Major Developments

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

55. Operation and Management Plan

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

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

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

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with evidence that Easements, Restrictions on the Use of Land and Positive Covenants under Section 88B or 88E, whichever is relevant to the subject development, of the *Conveyancing Act 1919*, has been created on the title of the property detailing the following :

- a. Restrictions on the Use of Land related to on Site Stormwater Detention System and on Site Stormwater Retention System;
- b. Positive Covenant related to on Site Stormwater Detention System and on Site Stormwater Retention System including pumps for internal and external water reuse and any water treatment devices.

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

57. Basement/Retaining Wall Signoff – Major Development

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with certification from a suitably experienced structural and geotechnical engineer, who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng), that the basement and driveway has been constructed in accordance with the development consent and relevant Australian Standards including that the basement is fully tanked construction.

58. Works as Executed – Site Stormwater Drainage System

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

- a. The stormwater drainage system has been constructed in accordance with the approved design and relevant Australian Standards; and
- b. Works-as-executed plans of the stormwater drainage system certified by a Registered Surveyor, to verify that the drainage system has been constructed, the on site detention and on site retention/reuse (OSD and OSR) systems commissioned including pumps for internal and external water reuse and stormwater quality improvement device(s) and any other pump(s) installed in accordance with the

approved design and relevant Australian Standards have been submitted to Council. The works-as-executed plan(s) must show the as built details in comparison to those shown on the drainage plans approved with the Construction Certificate. All relevant levels and details indicated must be marked in red on a copy of the Principal Certifier stamped Construction Certificate plans.

59. Car Wash Bay – Trade Waste Agreement

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with a copy of the Sydney Water Trade Waste Agreement for the disposal of wastewater from the premises.

60. Stormwater Drainage and Road Works – Certification

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

- a. All works required to be undertaken on public roads has been inspected during construction and has been constructed in accordance with Council's approved plans;
- b. Identifies all variations from the approved works and certify that the variations do not impact the function of the works or result in safety hazards;
- c. Includes the date(s) of inspection. All works must be inspected on-site and any CCTV footage reviewed;
- d. Video inspection (CCTV) in accordance with WSA 05-2013 Conduit Inspection Reporting Code of Australia has been carried out of completed stormwater drainage works that are to revert to Council by an accredited operator; and
- e. Full works-as-executed plans in PDF and CAD format (dwg or dxf files), prepared and signed by a Registered Surveyor have been submitted to Council.

61. Project Arborist Certification

Prior to the issue of any Occupation Certificate, the Principal Certifier is to be provided with certification from an AQF Level 5 Arborist that the requirements of the conditions of consent related to the landscape plan prepared by NBRS Architecture, October 2020 and retention of the street tree have been complied with.

62. Smoke Alarms - Certification of upgrade to NCC requirements

Prior to the issue of any Occupation Certificate, the Principal Certifier is required to be satisfied the existing building has been upgraded to comply with the provisions of the National Construction Code (Building Code of Australia) in relation to smoke alarm systems.

63. Section 73 Certificate

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

64. Underground Petroleum Storage System (UPSS) – Decommissioning – Validation

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

65. Noise – Acoustic Report

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

66. Noise From Road, Rail & Aircraft – Compliance

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

- a. *State Environmental Planning Policy (Infrastructure) 2007*;
- b. NSW Planning, Development near Rail Corridors and Busy Roads – Interim Guideline;
- c. Australian Standard 2021-2000: Acoustics - Aircraft noise intrusion - Building siting and construction;
- d. conditions of development consent; and
- e. Recommendations of Acoustic report referenced in this consent.

67. Contamination – Disposal of Soil

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with a validation report confirming that all off site disposal of soil has been classified, removed and disposed of in accordance with the NSW DECC Waste Classification Guidelines, Part 1: Classifying Waste (EPA 2014), Protection of the Environment Operations (Waste) Regulation 2014 and the *Protection of the Environmental Operations Act 1997*.

68. Contamination – Validation (No Site Audit Statement Required)

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

The Validation report must be prepared in accordance with relevant NSW Environment Protection Authority guidelines, including the guidelines *Consultants Reporting on Contaminated Sites* and must confirm that the site has been remediated in accordance with the Remedial Action Plan and clearly state that the site is suitable for the proposed use.

69. Food Premises Grease Trap – Trade Waste Agreement

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with certification confirming that the grease trap has been installed to the premises in accordance with Australian Standard AS 3500 and the National Plumbing and Drainage Code. A copy of the Sydney Water Trade Waste Agreement must also accompany the certification.

PRIOR TO SUBDIVISION CERTIFICATE**70. Section 73 Certificate**

Prior to the issue of a Subdivision Certificate, the Certifying Authority must be provided with the Section 73 Certificate. A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation.

71. Strata Subdivision Plan

Prior to the release of a Strata Subdivision Plan, the Certifying Authority must be provided with plans indicating that the strata subdivision of the development has been carried out in accordance with approved plans and demonstrating that:

- a. Car spaces must not be given separate strata lot numbers; and
- b. All visitor parking spaces and car wash bays are to be included in common property.

72. Strata Subdivision Plan to Show Easements and Right of Ways

Prior to the release of a Strata Subdivision Plan, the Certifying Authority must be provided with evidence that all instruments under Section 88B of the *Conveyancing Act 1919* used to create easements or right-of-ways are shown.

73. Release of Subdivision Certificate

Prior to the release of a Subdivision Certificate, the Certifying Authority must be provided with a copy of the Final Occupation Certificate.

ON-GOING**74. Bin Storage**

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

75. Documentation of Businesses Waste Services

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

76. Operation and Management Plan

The Operation and Management Plan for the on-site detention and on-site retention/re-use system, including pumps for internal and external water reuse, and stormwater quality improvement devices and any other pump facilities, approved with the Occupation Certificate, must be implemented and kept in a suitable location on site at all times.

77. Vehicles Leaving the Site

All vehicles must enter and exit the site in a forward direction. The internal traffic management system installed on both ends of the driveway access ramp to maintain a conflict free traffic movement through the access ramp must be maintained in an operational state at all times..

78. Loading/unloading on site

All loading and unloading are to be conducted within the site at all times. Any designated loading bay/dock area is to remain available for loading/unloading purposes at all times. No storage of goods or parking of cars is to be carried out in these areas.

79. Tree Establishment

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

80. Noise General

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

81. Commercial Waste/Recycling Collection

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

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

82. Ongoing Condition- Use of communal open area

Access from the business premises must be restricted to ensure the communal open space at the rear of the property must be used by the residential occupiers only.

ADVISORY NOTES**Notice to Council to deliver Residential Bins**

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

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

Recycling / Garbage / Organics Service Information and Education

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

Electrical Substations

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

Permits

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

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

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

Rock Anchors

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

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

Easement and Covenant Process

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

a. Work-As-Executed Plans

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

b. Engineer's Certificate

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

- c. The soundness of the storage structure;
- d. The capacity of the detention storage;
- e. The emergency overflow system being in place;
- f. The works being constructed in accordance with the Development Application Consent and Council's Stormwater Management DCP/Code;
- g. The freeboard from maximum water surface level to the finished floor and garage levels are at or above the minimum required in Council's Stormwater Management DCP/Code;
- h. Basement car park pumps are class one zone two; and
- i. OSR pumps and SQIDS have been installed and commissioned.

c. Restriction-As-To-User

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

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

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

- d. A Maintenance Schedule.

Subsurface drainage pump-out systems

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

Insurances

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

Consent of Adjoining property owners

This consent does not authorise the applicant, or the contractor engaged to do the tree works to enter a neighbouring property. Where access to adjacent land is required to carry out approved tree works, Council advises that the owner's consent must be sought. Notification is the responsibility of the person acting on the consent. Should the tree owner/s refuse access to their land, the person acting on the consent must meet the requirements of the *Access To Neighbouring Lands Act 2000* to seek access.

Tree Protection Works

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

Prescribed Conditions

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

Notification of commencement of works

At least 7 days before any demolition work commences:

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

Toilet Facilities

The following facilities must be provided on the site:

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

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

Infrastructure

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

Other Approvals may be needed

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

Failure to comply with conditions

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

Other works

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

Obtaining Relevant Certification

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

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

Disability Discrimination Access to Premises Code

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

National Construction Code (Building Code of Australia)

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

Notification of commencement of works

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

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

Dividing Fences Act

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

Permits from Council under Other Acts

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

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

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

Noise

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

Amenity Impacts General

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

Fire Safety Certificate

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

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

Every 12 months after the Final Fire Safety Certificate is issued the owner must obtain an Annual Fire Safety Certificate for each of the Fire Safety Measures listed in the Schedule. The Annual Fire Safety Certificate must be forwarded to the Commissioner and the Council and displayed in a prominent position in the building.

Construction of Vehicular Crossing

The vehicular crossing and/or footpath works are required to be constructed by your own contractor. You or your contractor must complete an application for *Construction of a Vehicular Crossing & Civil Works* form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, prior to commencement of works.

Lead-based Paint

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

Dial before you dig

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

Useful Contacts

BASIX Information	1300 650 908 weekdays 2:00pm - 5:00pm www.basix.nsw.gov.au
Department of Fair Trading	13 32 20 www.fairtrading.nsw.gov.au Enquiries relating to Owner Builder Permits and Home Warranty Insurance.
Dial Prior to You Dig	1100 www.dialprior toyoudig.com.au
Landcom	9841 8660 To purchase copies of Volume One of "Soils and Construction"
Long Service Payments Corporation	131441 www.lspc.nsw.gov.au
NSW Food Authority	1300 552 406 www.foodnotify.nsw.gov.au
NSW Government	www.nsw.gov.au/fibro www.diySAFE.nsw.gov.au Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	131 555 www.environment.nsw.gov.au
Sydney Water	13 20 92 www.sydneywater.com.au

Waste Service - SITA 1300 651 116
Environmental Solutions www.wasteservice.nsw.gov.au

Water Efficiency Labelling and Standards (WELS) www.waterrating.gov.au

WorkCover Authority of NSW 13 10 50
www.workcover.nsw.gov.au
Enquiries relating to work safety and asbestos removal and disposal.

Asbestos Removal

A demolition or asbestos removal contractor licensed under the Work Health and Safety Regulations 2011 must undertake removal of more than 10m² of bonded asbestos (or otherwise specified by WorkCover or relevant legislation).

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

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

All asbestos waste must be stored, transported and disposed of in compliance with the Protection of the Environment Operations (Waste) Regulation 2014. All receipts detailing method and location of disposal must be submitted to Council as evidence of correct disposal.

Street Numbering

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

Mechanical Ventilation System Certification

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

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

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

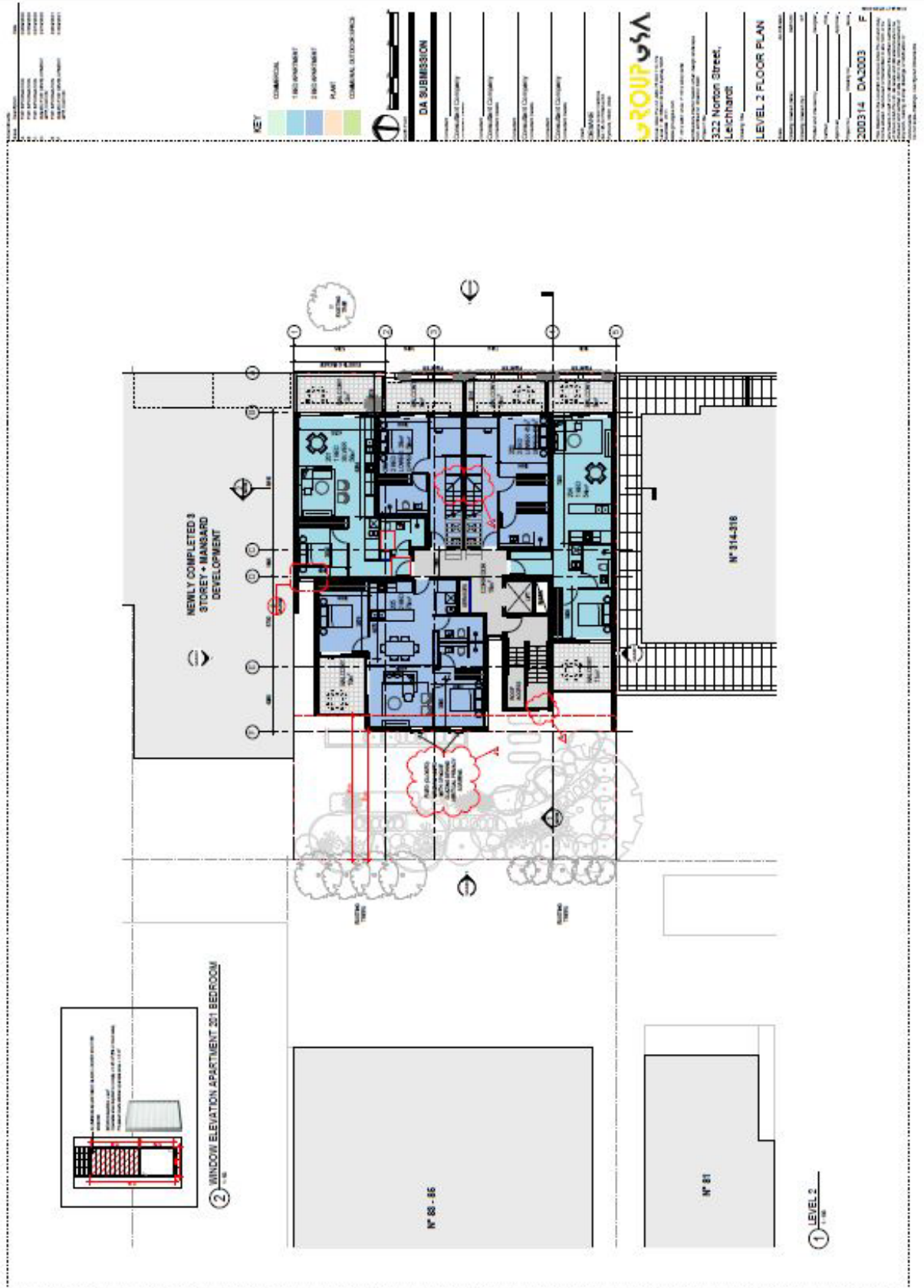
Underground Petroleum Storage System (UPSS) – Decommissioning

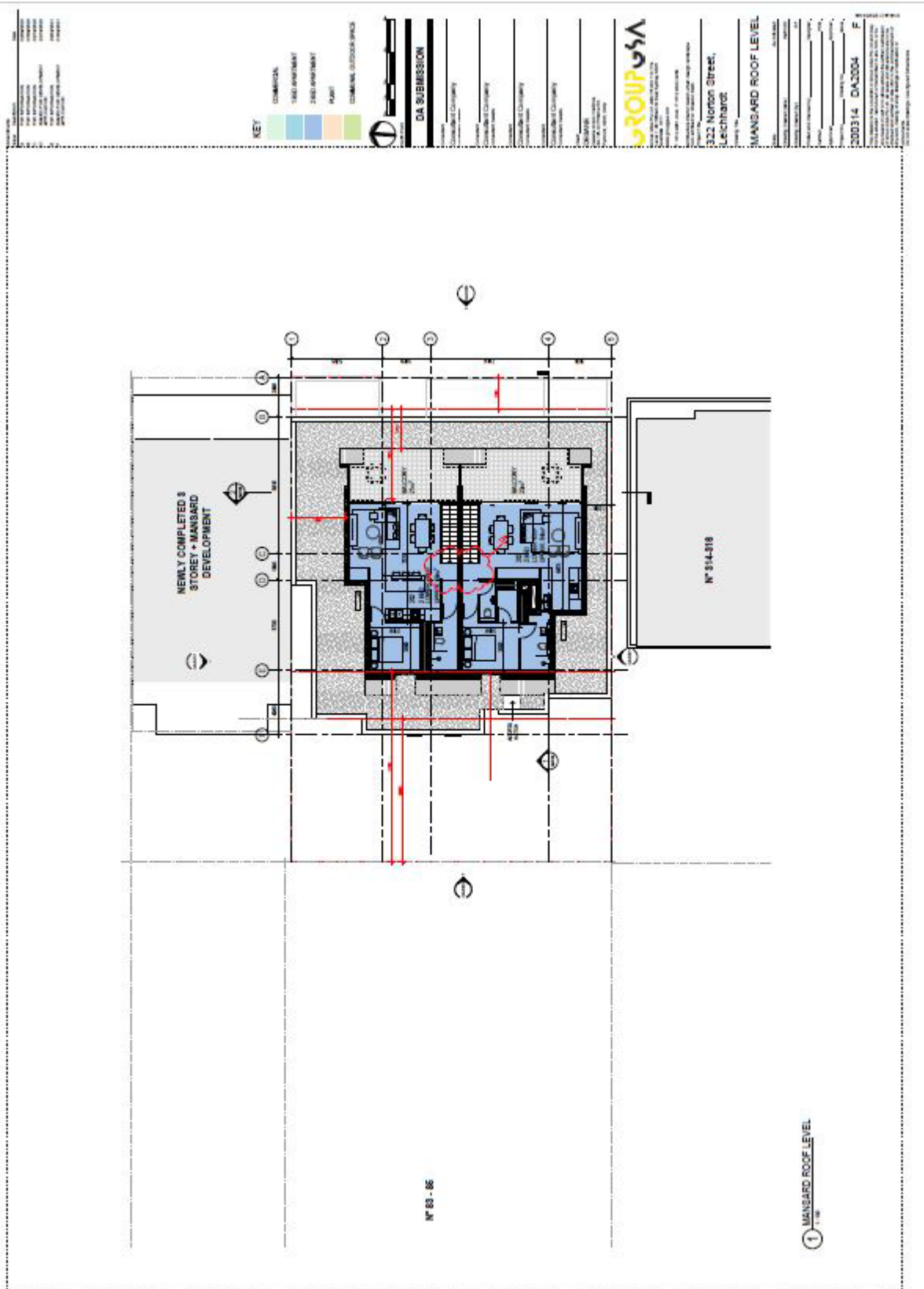
The removal, replacing or decommissioning of an underground petroleum storage system must comply with the requirements of the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019*, the *Protection of the Environment Operations Act 1997* and Australian Standard AS4976-2008: The removal and disposal of underground petroleum storage tanks.

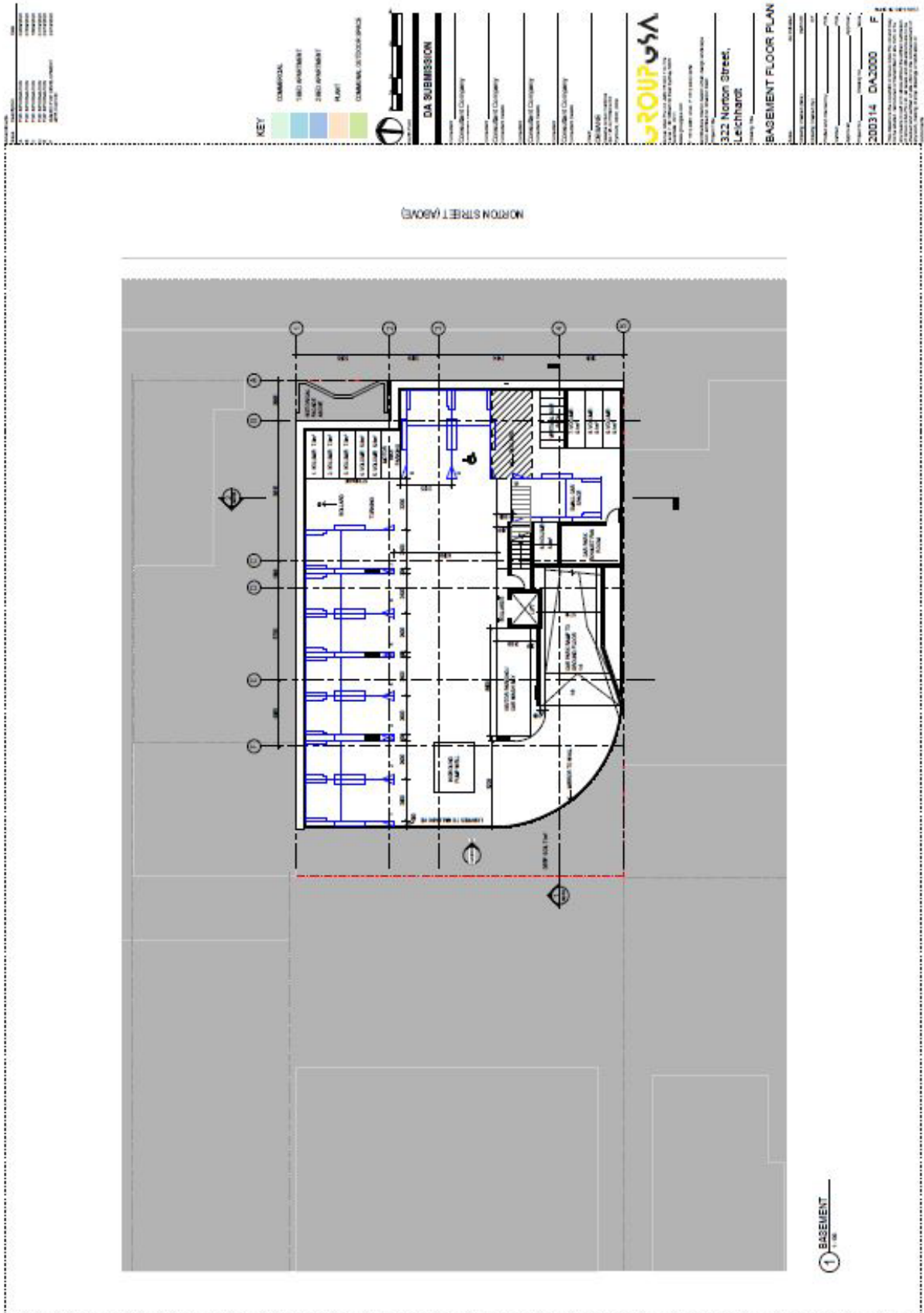
Transport and Disposal of Hazardous and Dangerous Goods

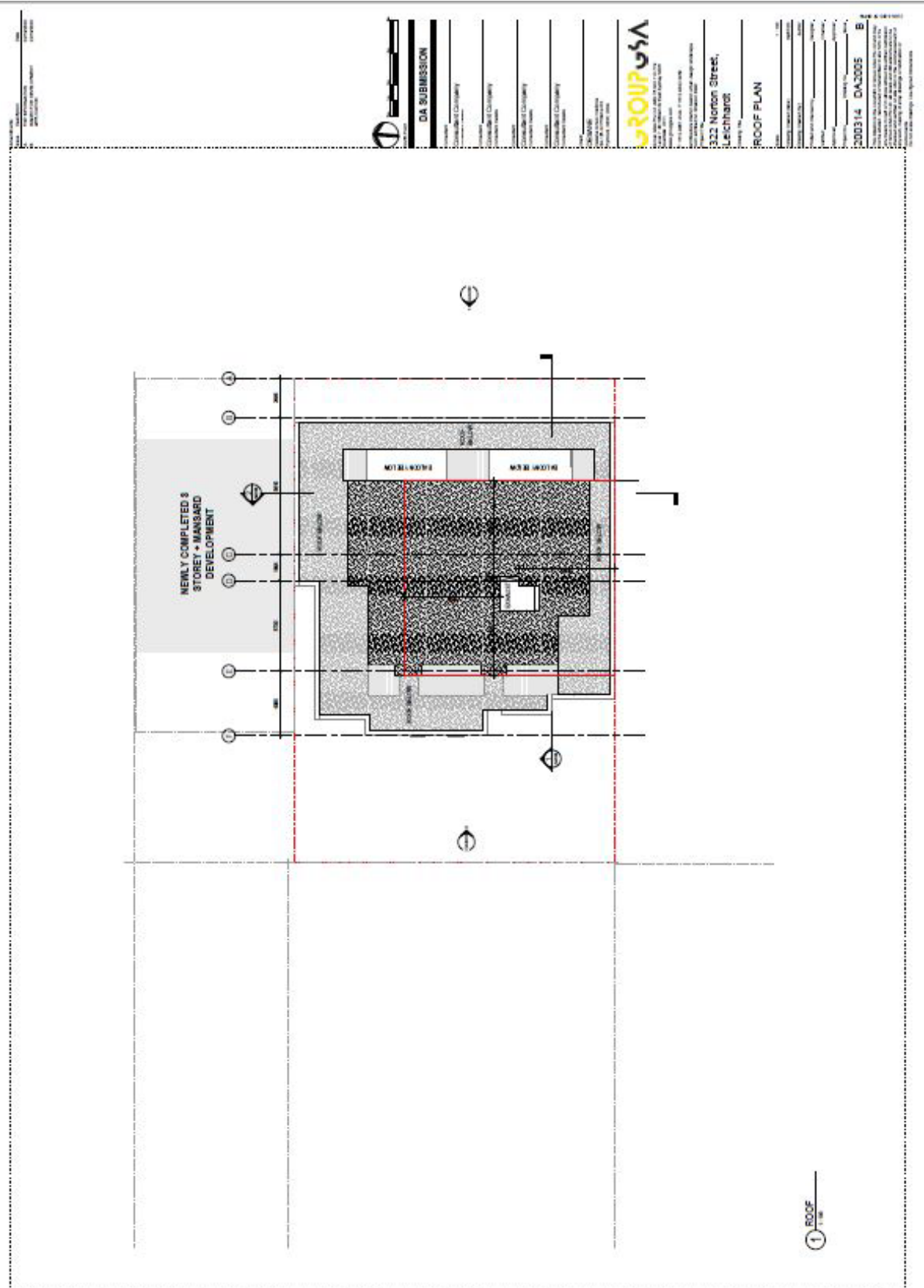
Hazardous and industrial waste arising from the use must be removed and / or transported in accordance with the requirements of the NSW Environment Protection Authority (EPA) and the New South Wales WorkCover Authority.

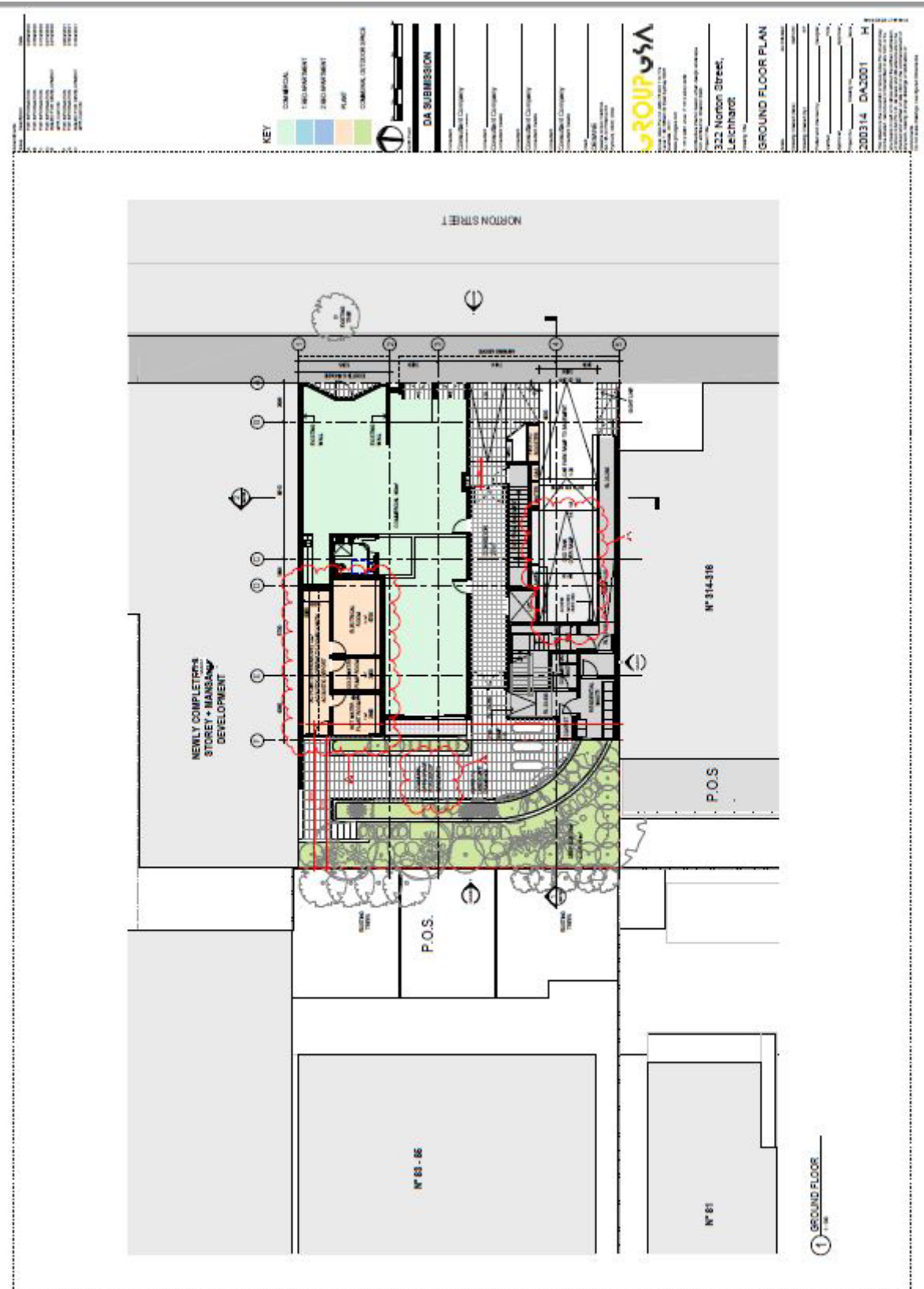
Attachment B – Plans of proposed development

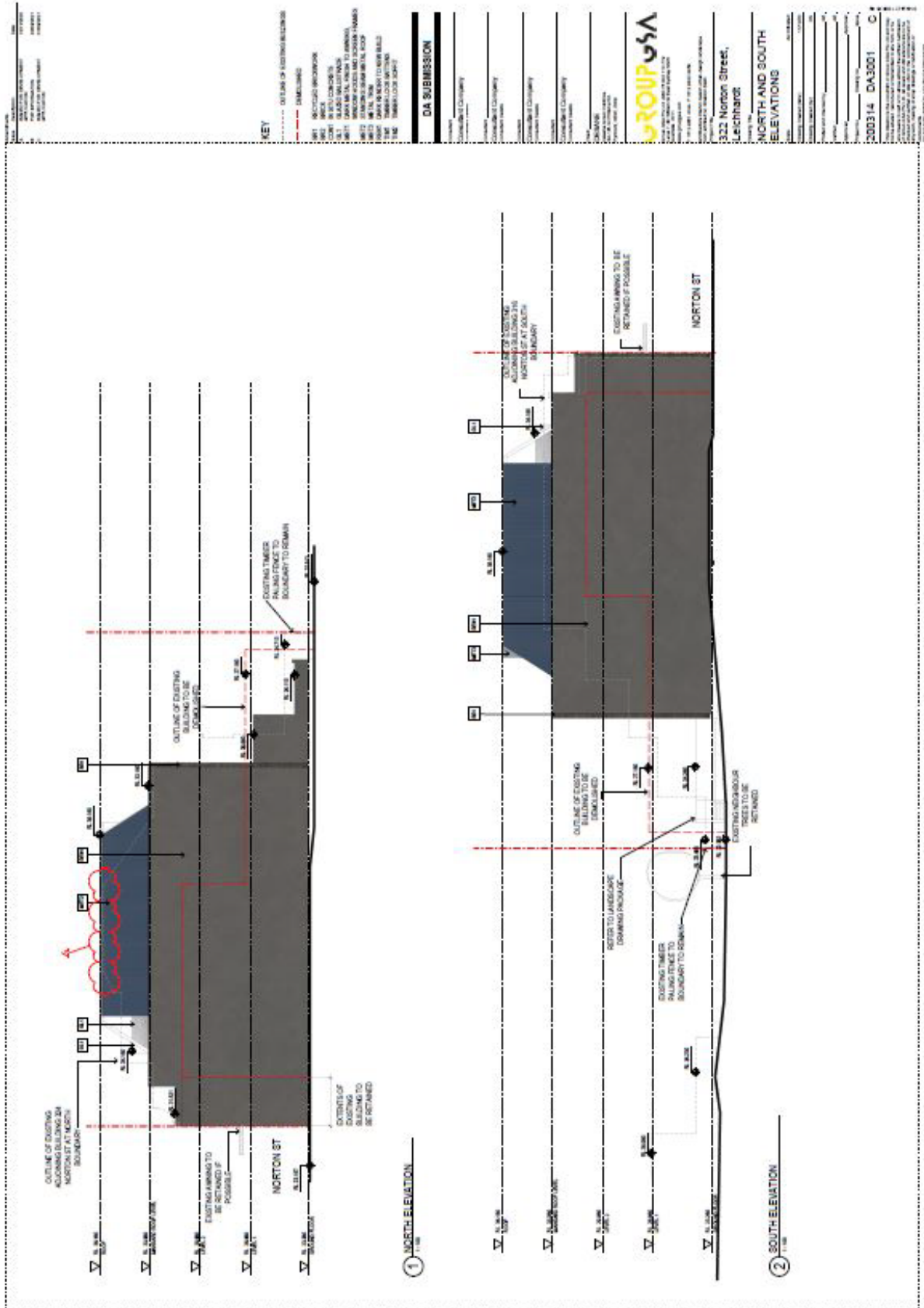


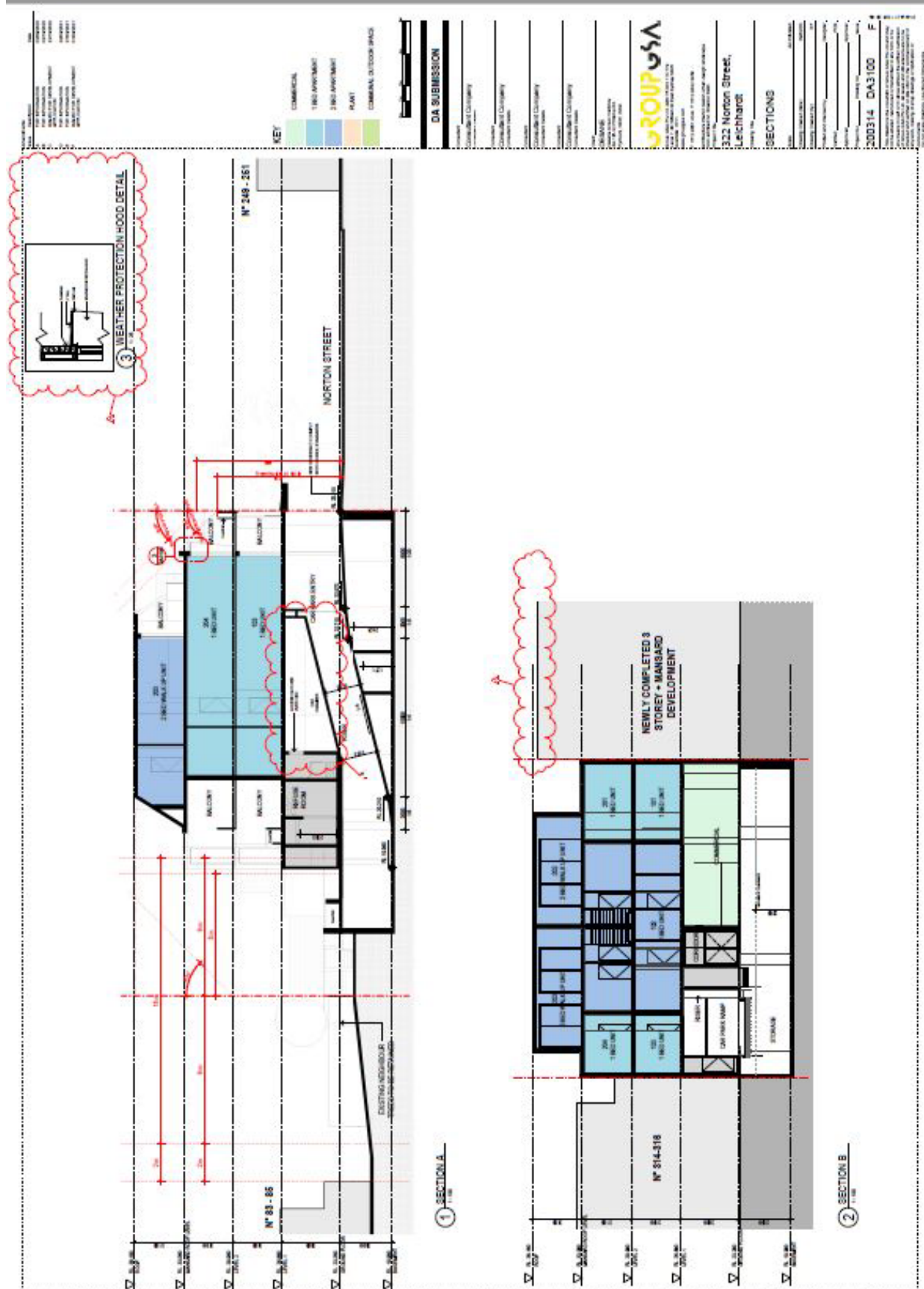


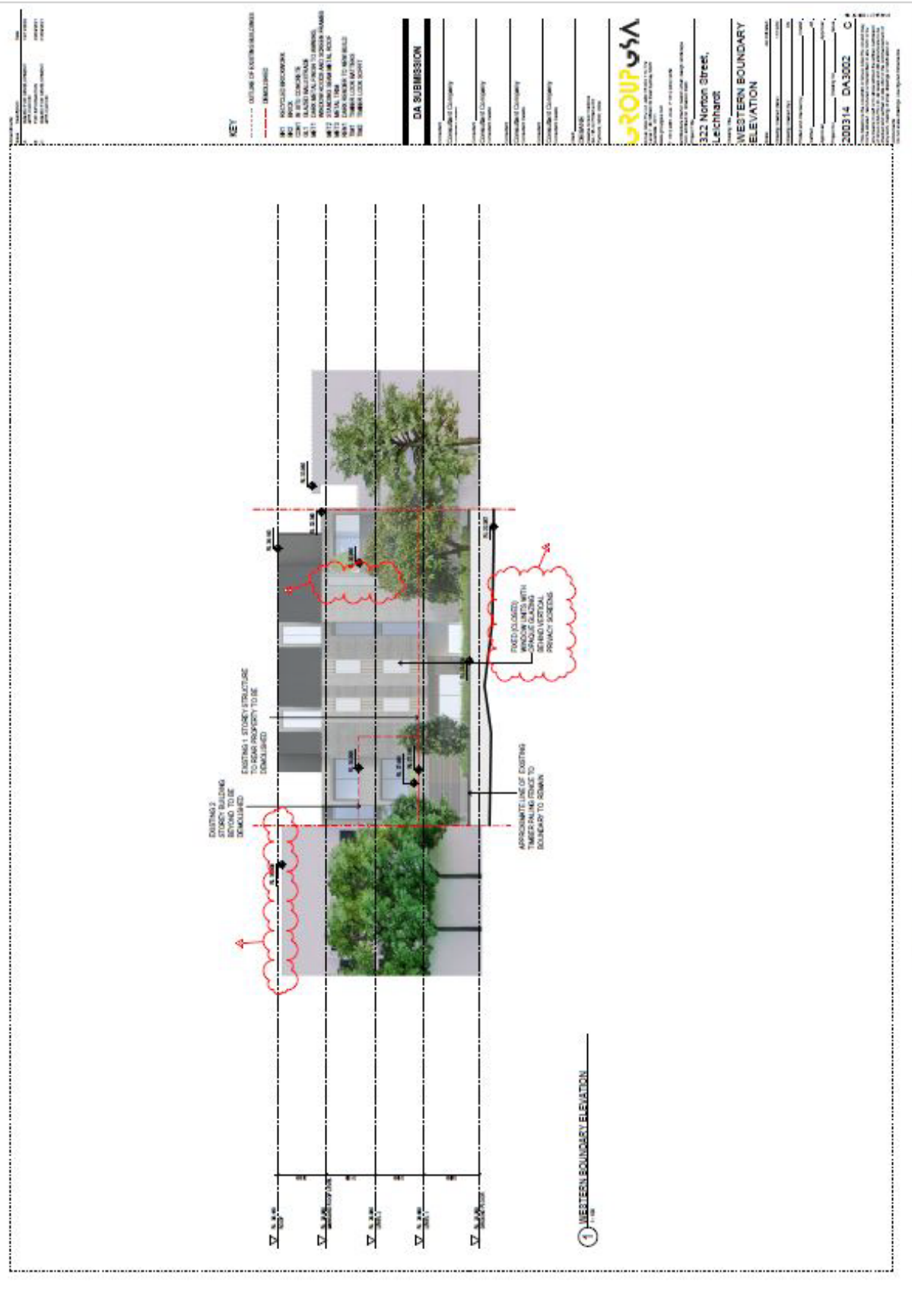


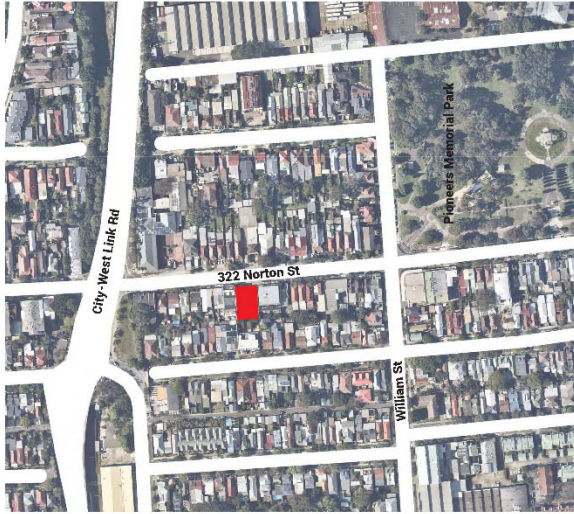












PROPOSED MIX USED DEVELOPMENT AT 322 NORTON STREET LEICHHARDT.

The proposed development at 322 Norton Street is to incorporate ground floor business tenancy with three levels of 1 and 2 bedroom apartments above. A single level of basement car parking is accessed via the Norton Street frontage. Plant and services spaces feature in the basement and on the ground floor.

The site is currently occupied by a two storey terrace building, service yard and shed. The development is to retain the facade of the terrace. There are no trees or natural features within the site.

LANDSCAPE DESIGN PROPOSALS

The landscape opportunities within the development include a communal courtyard space to the west and planters to private balconies on levels 1 and 2.

The western side of the development a communal courtyard where residents can gather / socialise and participate in gardening activities. The courtyard space includes:

- Deep soil zone planting zone
- Fixed planters
- Replanting planters for herb and vegetables

The plants to Level 1 and 2 contain a mix of native and exotic shrub planting. Trailing and shrub plants will soften the appearance of the built form and provide for privacy. Plant species are low maintenance and the planters are to be serviced by an automatic irrigation system.

COMPLIANCE TO DCP

The landscape design seeks to meet the relevant objectives and controls of the Councils Residential DCP Section C1.12.1 landscaping by enhancing the visual setting of the building, the use of native plant species that have a low water risk to conserve water resources, providing amenity for the residents, providing plants that benefit the buildings energy efficiency and enhances an existing green corridor.

The deep soil zone located to the western boundary of the development provides sufficient space for tree planting to contribute to contribute amenity along this boundary to adjoining residential properties.

The plant species selected are not toxic.

The number of trees proposed exceeds Councils requirements of a minimum of 2 trees for properties over 300 square metres, with the installation of 6 trees all in deep soil.

322 NORTON STREET, LEICHHARDT
LANDSCAPE DA

DRAFT

OCTOBER 2020

REVISION 01

REAR LANDSCAPE COURTYARD

The rear landscape courtyard is to incorporate:

- Deep Soil zone
- Fixed Planters
- Freestanding planters for herb and vegetables

1 Deep Soil Zone

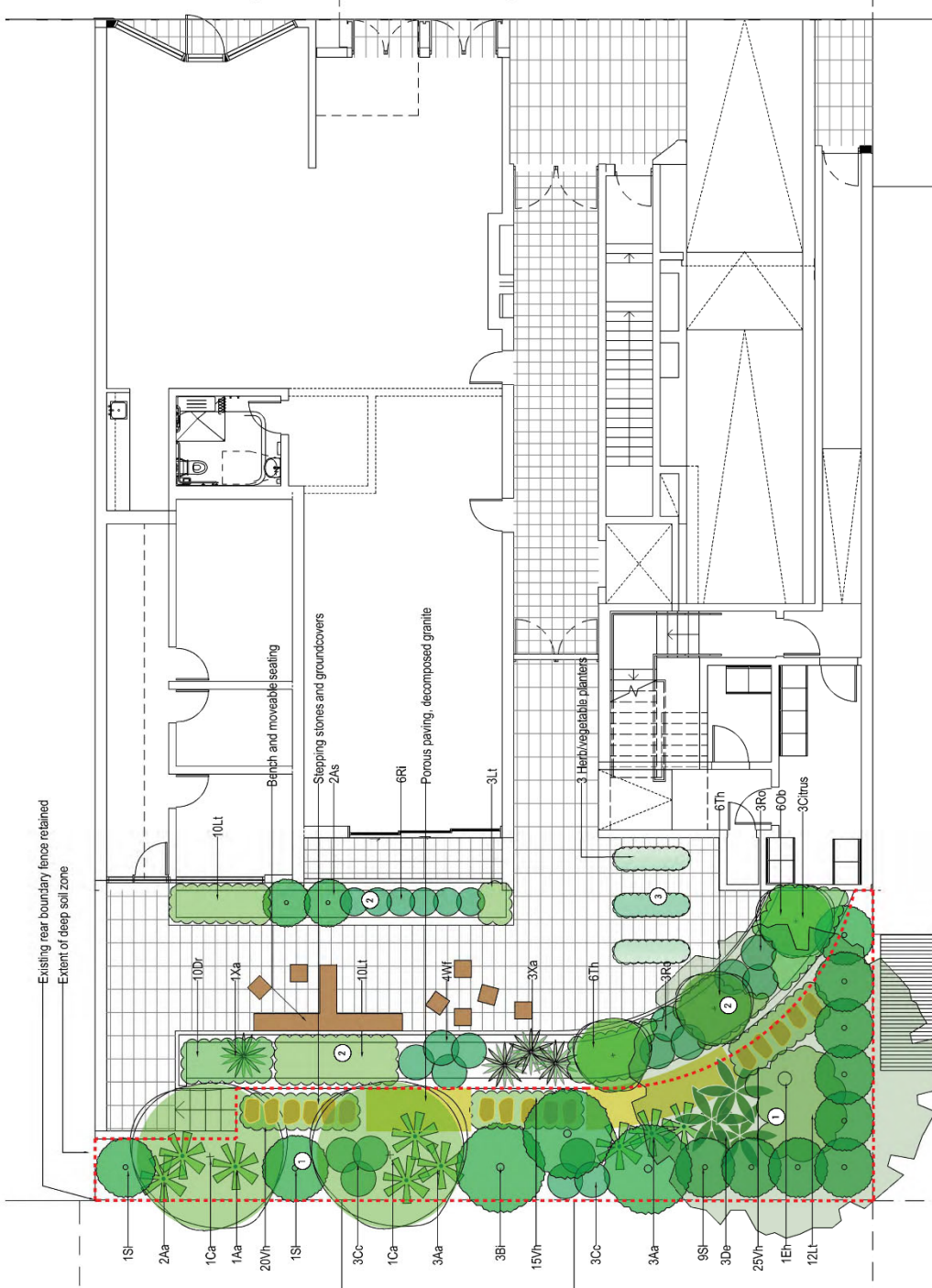
This area of garden extends from the rear boundary fence to the curved fixed planter, and is accessed from the courtyard via steps to the north. The deep soil zone is to contain medium sized native trees, with underplanting of native shrubs, grasses and groundcovers. The planting is to provide a visual buffer of the western building facade and provide summer shade to the west facing courtyard. A narrow maintenance / garden access path is provided using permeable deco-granite finish in conjunction with stepping stones and groundcovers. Plant species are low maintenance. The deep soil zone is to be serviced by an automatic irrigation system.

2 Fixed Planters

The raised planters to the rear courtyard contain a mix of native and exotic plant species. The eastern planter adjoining the commercial suite provides a green screen to this premises and contains decorative shrubs and screen plants to soften the built form. Area of productive plants include citrus trees (lemon and lime) and perennial herbs (rosemary and thyme) to complement the adjoining freestanding herb and vegetable planters. Planters are to be serviced by an automatic irrigation system. Refer to typical details sheet for planter installation.

3 Freestanding Planters

Three freestanding herb / vegetable planters are provided for community use to complement productive plants located in an area of fixed planters. Sufficient space is provided within the courtyard for cafe style seats and tables for communal use providing socialising opportunities.



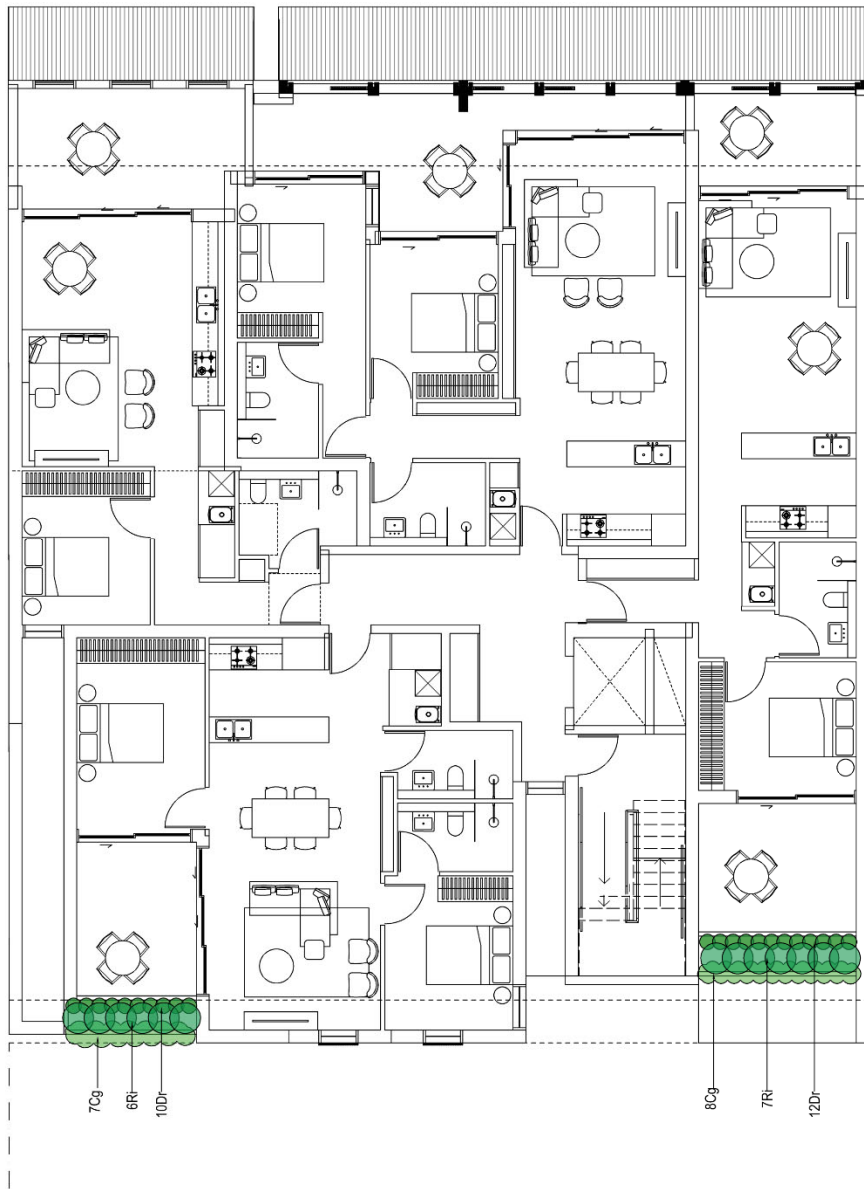
NBRSARCHITECTURE.
LANDSCAPE
 Drawing Reference: LDA-02
 Date: 29/10/2020
 Scale: 1:100 @ A3
 Revision: 01

Project: 322 Norton Street Leichhardt
 Drawing Title: LANDSCAPE GROUND PLAN

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LEVEL 1 PLANTERS

Planters to private balconies on level 1 to contain a mix of native and exotic shrub planting. Trailing native plants feature to the western edge of the planter, further softening the appearance of the form with the shrubs providing privacy from ground level community open space. Plant species are low maintenance. Planters are to be serviced by an automatic irrigation system. Refer to typical details sheet for planter installation.



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Date: 23/10/2020
 Scale: 1:50 @ A1
 1:100 @ A3

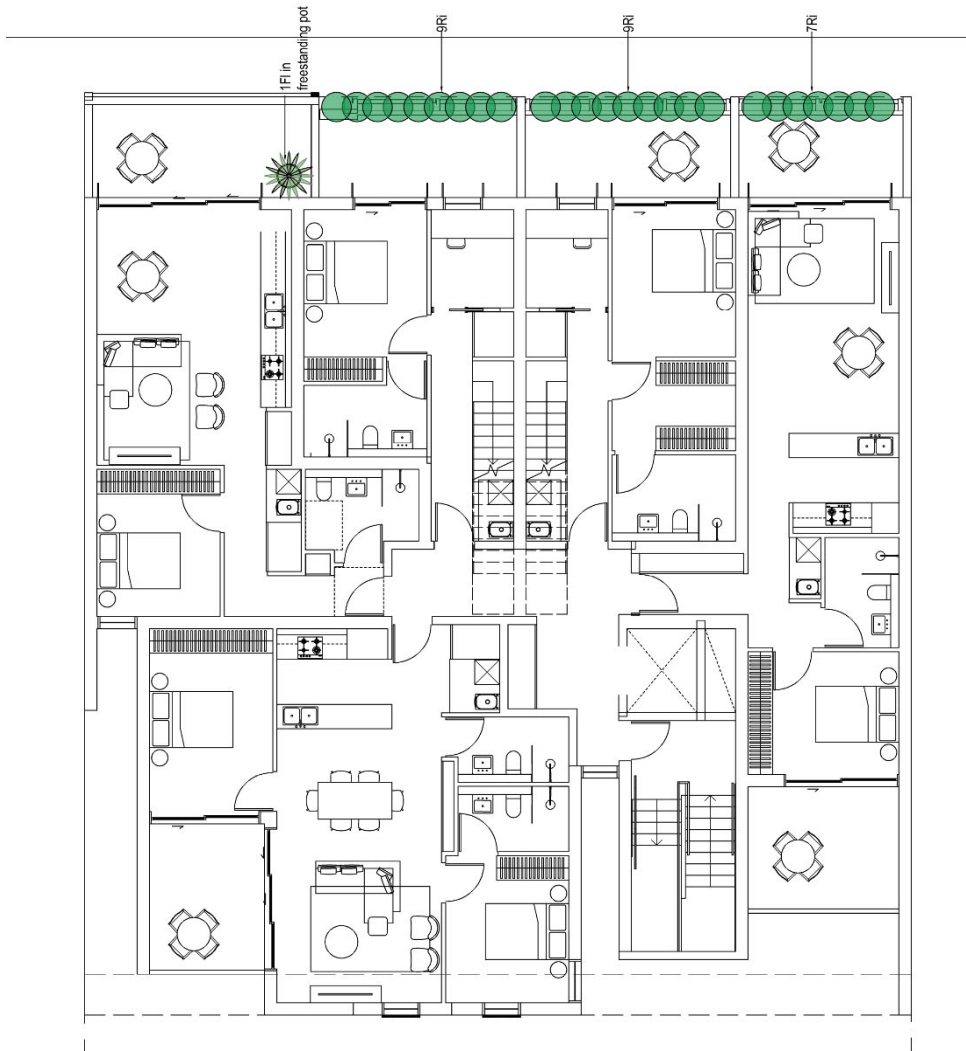
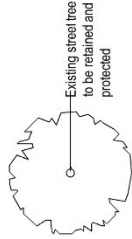
Drawing Reference: LDA-03
 Revision: 01

Project: 322 Norton Street Leichhardt
 Drawing Title: LANDSCAPE LEVEL 1 PLAN

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 regulations.

LEVEL 2 PLANTERS

Planters to three private balconies on level 2 feature native plant species. Plant species are low maintenance. Planters are to be serviced by an automatic irrigation system.



Project
322 Norton Street Leichhardt

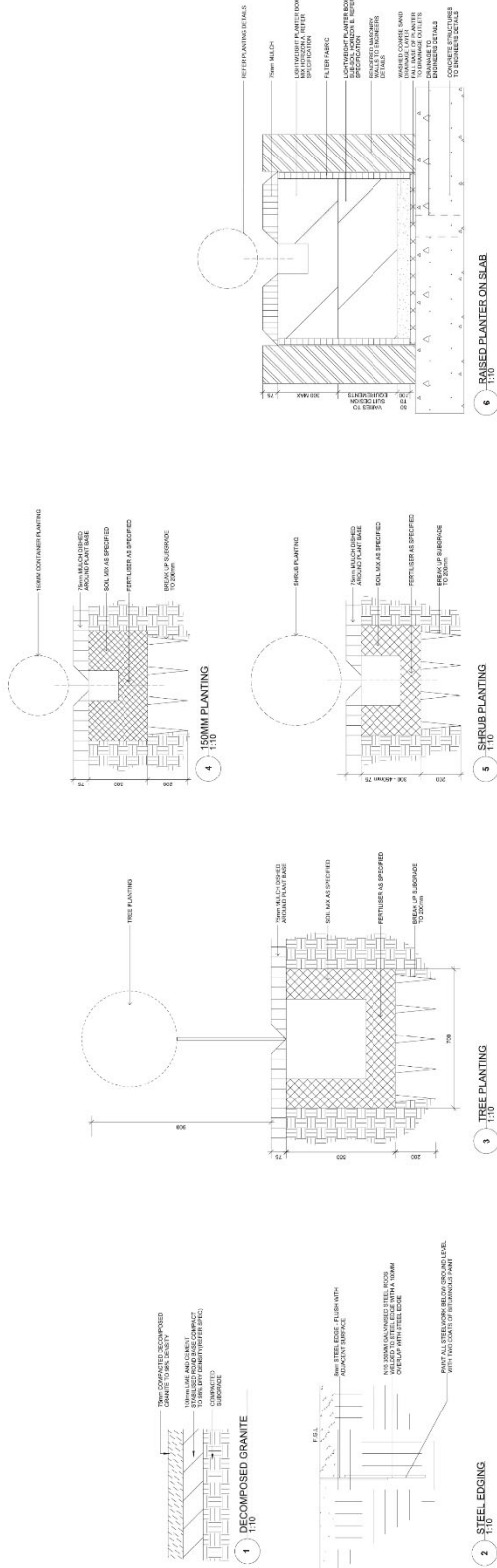
Drawing Title
LANDSCAPE LEVEL 2 PLAN

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Issue
1:1:2019
1:1:2019

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 ABN: 61 629 222 224

Date: 23/02/20
 Scale: 1:50 @ A1
 1:100 @ A3
 Drawing Reference: LDA-01
 Revision: 01



OUTLINE SPECIFICATION / INSTALLATION NOTES

Materials shall be as specified in the schedule of materials and approved for construction with local authority approval. All work shall be done in accordance with the Australian Standard AS/NZS 4576:2001 and the Australian Standard AS/NZS 4576:2001.

Tree Planting: All trees shall be planted in accordance with the Australian Standard AS/NZS 4576:2001. All trees shall be planted in accordance with the Australian Standard AS/NZS 4576:2001.

Shrub Planting: All shrubs shall be planted in accordance with the Australian Standard AS/NZS 4576:2001. All shrubs shall be planted in accordance with the Australian Standard AS/NZS 4576:2001.

150mm Planting: All 150mm planting shall be planted in accordance with the Australian Standard AS/NZS 4576:2001. All 150mm planting shall be planted in accordance with the Australian Standard AS/NZS 4576:2001.

Raised Planter on Slab: All raised planters on slab shall be constructed in accordance with the Australian Standard AS/NZS 4576:2001. All raised planters on slab shall be constructed in accordance with the Australian Standard AS/NZS 4576:2001.

Steel Edging: All steel edging shall be installed in accordance with the Australian Standard AS/NZS 4576:2001. All steel edging shall be installed in accordance with the Australian Standard AS/NZS 4576:2001.

Composed Granite: All composed granite shall be installed in accordance with the Australian Standard AS/NZS 4576:2001. All composed granite shall be installed in accordance with the Australian Standard AS/NZS 4576:2001.

Client: 2310/2020 AS INDICATED

Project: 322 Norton Street Leichhardt

Drawing Title: TYPICAL LANDSCAPE DETAILS

Drawing Reference: LDA-05

Scale: 1:10

Revision: 01

Drawn: [Name]

Checked: [Name]

Approved: [Name]

Date: 23/10/2020