

# INNER WEST

## DEVELOPMENT ASSESSMENT REPORT

<b>Application No.</b>	REV/2023/0002
<b>Address</b>	9 Silver Street MARRICKVILLE NSW 2204
<b>Proposal</b>	S8.2 Review of DA/2022/0163, refused on 17 November 2022, to demolish existing improvements, subdivide the land into 2 Torrens Title lots and construct two dwelling houses with associated landscaping
<b>Date of Lodgement</b>	28 January 2023
<b>Applicant</b>	Mr Youssef Moussa
<b>Owner</b>	Mr Ali Ahmad Mrs Fatat Ahmad
<b>Number of Submissions</b>	Initial: 1
<b>Value of works</b>	\$770,011.00
<b>Reason for determination at Planning Panel</b>	No substantial change to original determination of 8.2 review
<b>Main Issues</b>	Subdivision Pattern, Streetscape and Design, Visual Bulk and Scale, Visual/Acoustic Privacy and Overshadowing
<b>Recommendation</b>	Refusal
<b>Attachment A</b>	Reasons for Refusal
<b>Attachment B</b>	Draft Conditions in the Event the Application is Approved
<b>Attachment C</b>	Plans of Proposed Development
<b>Attachment D</b>	Sydney Water Response
<b>Attachment E</b>	Flood Impact Statement
<b>Attachment F</b>	Structural Adequacy Certificate
<b>Attachment G</b>	Original Determination



**LOCALITY MAP**

Subject Site		Objectors		
Notified Area		Supporters		

## 1. Executive Summary

This report is an assessment of the application submitted to Council for a Section 8.2 Review of DA/2022/0163 which sought consent to demolish existing improvements, subdivide the land into 2 Torrens Title lots and construct two dwelling houses with associated landscaping at 9 Silver Street, Marrickville. DA/2022/0163 was refused under delegation on 17 November 2022.

The Review was notified to surrounding properties and 1 submission was received in response to the notification of this application.

The main issues that have arisen from the application include:

- The proposed subdivision is inconsistent with the pattern of development along Silver Street;
- The design of the two storey dwellings is inconsistent with the streetscape and design controls for the site; and
- As a result of the overall bulk and scale that is caused by the two-storey form, raised floor levels to address flood management and the proposed setbacks, the proposal results in amenity impacts to the adjoining property at 11 Silver Street, particularly in terms of visual bulk/scale, visual privacy and solar access.

The non-compliances are not supported by Council and therefore the application is recommended for refusal.

## 2. Proposal

This report is an assessment of the application submitted to Council for a Section 8.2 Review of DA/2022/0163, refused on 17 November 2022, to demolish existing improvements, subdivide the land into 2 Torrens Title lots and construct two dwelling houses with associated landscaping. Specifically, this involves the following works:

- Demolition of all structures on site;
- Torrens Title subdivision into two (2) allotments with the following configuration:
  - Lot 1: 151sqm in area with a frontage of 8.43 metres; and
  - Lot 2: 162sqm in area with a frontage of 6 metres.
- Construction of a two storey semi-detached dwelling on each allotment, with the following configuration:

	Lot 1	Lot 2
<b>Ground Floor</b>	<ul style="list-style-type: none"> <li>- Living Room;</li> <li>- Laundry;</li> <li>- Powder Room;</li> <li>- Open Plan Dining Room /Kitchen</li> <li>- Centralised Courtyard/Terrace; and</li> <li>- Rear private open space.</li> </ul>	<ul style="list-style-type: none"> <li>- Living Room;</li> <li>- Guest Room/Office;</li> <li>- Laundry;</li> <li>- Bathroom;</li> <li>- Open Plan Dining Room /Kitchen; and</li> <li>- Rear private open space.</li> </ul>
<b>First Floor</b>	<ul style="list-style-type: none"> <li>- Two (2) bedrooms, each with a walk-in wardrobe and ensuite.</li> </ul>	<ul style="list-style-type: none"> <li>- Two (2) bedrooms, each with a walk-in wardrobe and ensuite.</li> </ul>

### 3. Site Description

The subject site is located on the eastern side of Silver Street, between Sydenham Road and Marrickville Road, Marrickville. The site area is approximately 313sqm with a primary frontage to Silver Street and is legally described as Lot 1 in DP 970654. A single storey dwelling house currently occupies the site. A Sydney Water drainage channel is located adjacent to the site along the north-eastern boundary.

Surrounding development is comprised of one and two storey dwellings.

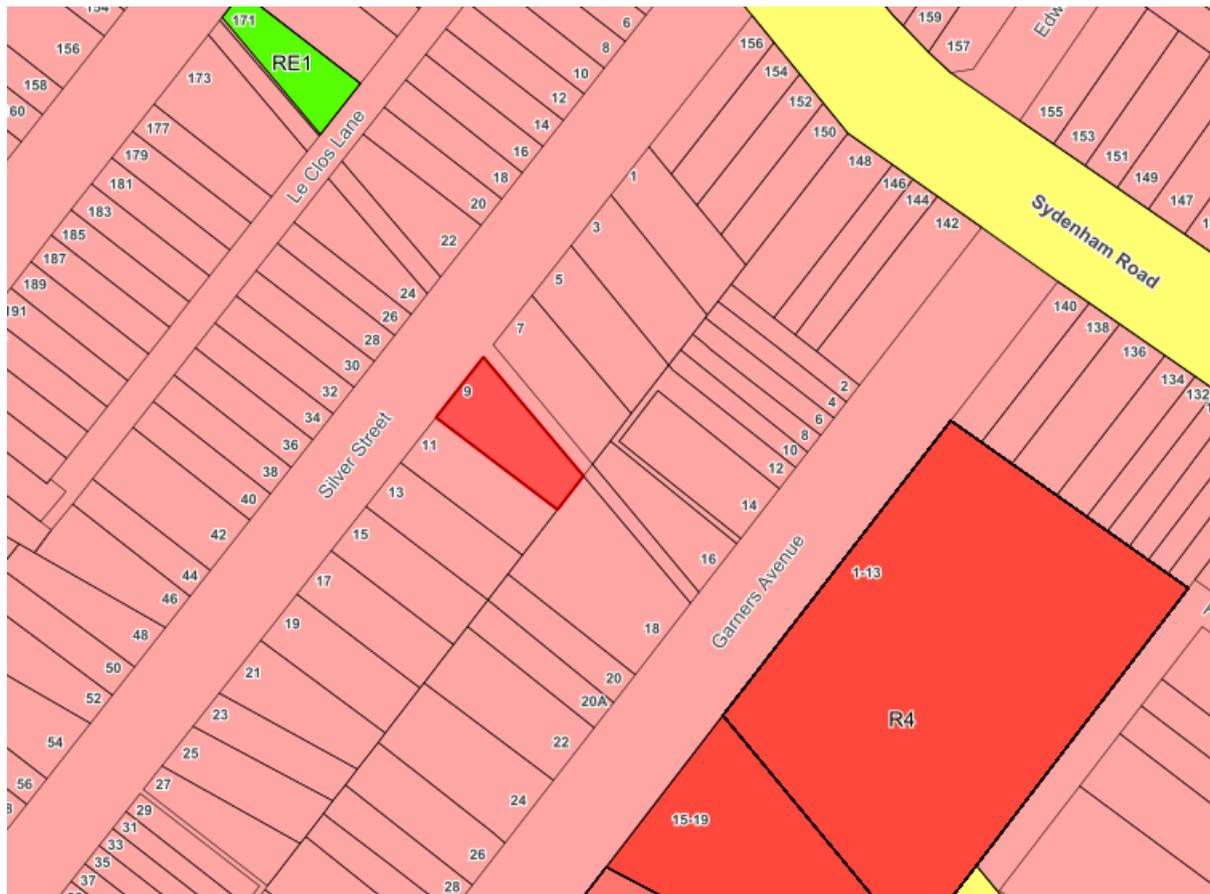


Figure 1: Zoning Map (IWLEP 2022)



Figure 2: View of the Subject Site from Silver Street

## 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
DA/2022/0163	To demolish existing improvements, subdivide the land into 2 Torrens Title lots and construct two dwelling houses with associated landscaping.	Refusal – 17 November 2022

### 4(b) Application history

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

Date	Action
28 January 2023	Application was lodged with Council.
15 February 2023	The application was notified to adjoining properties, for a period of 14 days.

## 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* (EPA Act 1979).

### 5(a) Section 8.2 Reviews

The following is an assessment of the application against the requirements of Sections 8.2, 8.3, and 8.4 of the *Environmental Planning and Assessment Act 1979*.

Requirement	Proposal
<b>8.2 Determinations and decisions subject to review</b>	
<p>(1) The following determinations or decisions of a consent authority under Part 4 are subject to review under this Division—</p> <ul style="list-style-type: none"> <li>(a) the determination of an application for development consent by a council, by a local planning panel, by a Sydney district or regional planning panel or by any person acting as delegate of the Minister (other than the Independent Planning Commission or the Planning Secretary),</li> <li>(b) the determination of an application for the modification of a development consent by a council, by a local planning panel, by a Sydney district or regional planning panel or by any person acting as delegate of the Minister (other than the Independent Planning Commission or the Planning Secretary),</li> <li>(c) the decision of a council to reject and not determine an application for development consent.</li> </ul>	<p>The subject application relates to the review of a determination of an application for development consent by Council.</p>
<p>(2) However, a determination or decision in connection with an application relating to the following is not subject to review under this Division—</p> <ul style="list-style-type: none"> <li>(a) a complying development certificate,</li> <li>(b) designated development,</li> <li>(c) Crown development (referred to in Division 4.6).</li> </ul>	<p>The subject application does not relate to any of the applications noted in Clause 2.</p>
<p>(3) A determination or decision reviewed under this Division is not subject to further review under this Division.</p>	<p>Noted.</p>
<b>8.3 Application for and conduct of review</b>	
<p>(1) An applicant for development consent may request a consent authority to review a determination or decision made by the consent authority. The consent authority is to review the determination or decision if duly requested to do so under this Division.</p>	<p>Noted.</p>
<p>(2) A determination or decision cannot be reviewed under this Division—</p> <ul style="list-style-type: none"> <li>(a) after the period within which any appeal may be made to the Court has expired if no appeal was made, or</li> <li>(b) after the Court has disposed of an appeal against the determination or decision.</li> </ul>	<p>The original DA was determined on 17 November 2022. Pursuant to Section 8.10(1)(b)(i) of the <i>Environmental Planning and Assessment Act 1979</i>, an appeal may be made to the Court 6 months after the date of determination. The subject application was lodged on 28 January 2023 and has been reported to the Inner West Local Planning Panel for determination prior</p>

	to the expiry of the appeal period (17 May 2023).
(3) In requesting a review, the applicant may amend the proposed development the subject of the original application for development consent or for modification of development consent. The consent authority may review the matter having regard to the amended development, but only if it is satisfied that it is substantially the same development.	The applicant has made amendments to the subject application. Council is satisfied that notwithstanding the amendments, the development remains substantially the same as that proposed in the original DA.
(4) The review of a determination or decision made by a delegate of a council is to be conducted- (a) by the council (unless the determination or decision may be made only by a local planning panel or delegate of the council), or (b) by another delegate of the council who is not subordinate to the delegate who made the determination or decision.	The original DA was determined under Council Officer delegation. The current application is to be determined by the Local Planning Panel.
(5) The review of a determination or decision made by a local planning panel is also to be conducted by the panel.	The application is to go before the Local Planning Panel for determination.
(6) The review of a determination or decision made by a council is to be conducted by the council and not by a delegate of the council.	NA.
(7) The review of a determination or decision made by a Sydney district or regional planning panel is also to be conducted by the panel.	NA.
(8) The review of a determination or decision made by the Independent Planning Commission is also to be conducted by the Commission.	NA.
(9) The review of a determination or decision made by a delegate of the Minister (other than the Independent Planning Commission) is to be conducted by the Independent Planning Commission or by another delegate of the Minister who is not subordinate to the delegate who made the determination or decision.	NA.
<b>8.4 Outcome of review</b>	
After conducting its review of a determination or decision, the consent authority may confirm or change the determination or decision.	It is recommended that the determination remain the same, and that the proposal be refused.

#### 5(b) Reasons for Refusal of DA/2022/0163

Given that the plans submitted with the application for review include minimal amendments to the refused application, it is considered appropriate that assessment against the provisions of *Marrickville Local Environment Plan 2011* (MLEP 2011) and *Marrickville Development Control Plan 2011* (MDCP 2011) be in the form of an analysis against the reasons for refusal of the original determination.

The following provides an assessment of the review application against the reasons of refusal for DA/2022/0163 having regard to the relevant clauses of:

- *Marrickville Local Environmental Plan 2011*.
- *Draft Inner West Local Environmental Plan 2020*.
- *Marrickville Development Control Plan 2011*.

The *Inner West Local Environmental Plan 2022 (IWLEP 2022)* was gazetted on 12 August 2022. As per Section 1.8A – Savings provisions, of this Plan, as the original development application subject of this review was made before the commencement of this Plan, the application is to be determined as if the *IWLEP 2022* had not commenced.

Section 4.15(1)(a)(i) of the *EPA Act 1979* requires consideration of any Environmental Planning Instrument (EPI), and Section 4.15(1)(a)(ii) also requires consideration of any EPI that has been subject to public consultation. The original development application subject of this review was lodged on 22 March 2022, on this date, the *IWLEP 2022* was a draft EPI, which had been publicly exhibited and was considered imminent and certain.

An assessment of the amended proposal against the reasons for refusal issued under the original determination is provided below;

(i) Reason 1

**1. *The proposed development is inconsistent with and has not demonstrated compliance with Marrickville Local Environmental Plan 2011, pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, including:***

- a. The proposal is inconsistent with Clause 1.2(2)(h) - Aims of Plan as the development does not promote a high standard of design.***
- b. The proposal is inconsistent with Clause 6.3 – Flood Planning as the development will result in adverse impacts on flood behaviour due to components of the development being located below the flood planning level.***

Clause 1.2 – Aims of Plan

It is considered that the proposed development remains inconsistent with Clause 1.2(2)(h) that is set out in MLEP 2011, which is as follows:

- (h) to promote a high standard of design in the private and public domain.*

The proposal has not demonstrated that the development will have an acceptable impact on the amenity of adjoining residential properties with regard to visual bulk/scale, visual privacy and solar access, consequently Council is not satisfied that nearby residential amenity will be protected. The proposal fails to provide elevational shadow diagrams which illustrate that solar access is maintained to the principal living areas of 11 Silver Street during the winter solstice, despite a significant increase in the site's density. The elevated ground floor windows, along with the centralised courtyard servicing Lot 1 that faces towards 7 Silver Street, contribute towards visual privacy impacts upon adjoining properties. The overall bulk and scale of the development, which is exacerbated by raised floor levels, a two-storey form and inappropriate front, side and rear setbacks, result in adverse visual bulk impacts upon adjoining properties.

The proposed development does not provide a high standard of design in the public and private domain, as discussed under Reason for Refusal 5, thus failing to meet Parts 2.1, 4.1.5 and 4.1.6 of MDCP 2011. As the pattern of development along the south-eastern side of Silver Street is predominately single storey, the setback of the first floor, and the overall height of the roof which is over scaled to accommodate the first floor is at odds with adjoining development, the proposal is inconsistent with the existing pattern of housing as its proportions and scale afford little symmetry and therefore does not maintain the perceived scale of the existing streetscape.

Given the above, the development is inconsistent with the Aims of the Plan and is recommended for refusal.

Clause 6.3 – Flood Planning

The site is located in a flood planning area. The proposal under DA/2022/0163 was considered to be inconsistent with Clause 6.3 under MLEP 2011 for the following reasons:

- The proposed off street parking space is located below the 100-year ARI flood level and will result in unacceptable impacts on flood behaviour.
- Although the proposed ground floor slab is above the Flood Planning Level (FPL) and suspended on piers and open underneath, it appears that the brick walls underneath the ground floor slab along the perimeter of the building intrude into the setback from the north-eastern boundary. Council's Development Engineer advised that the existing setback from the north-eastern boundary should be retained in order to maintain the existing flood storage/floodway.

The proposal has been amended to address the above concerns in the following way:

- The off-street car parking space has been deleted from Lot 1, which adjoined Sydney Water's stormwater channel; and
- The brick walls underneath the ground floor slab along the perimeter of the building has increased its setback from the north-eastern boundary to Council's satisfaction.

As such, the development is considered to be compatible with the flood function and behaviour on the land now and under future projections. The design of the proposal is unlikely to affect the flood affectation of the subject site or adjoining properties and is considered to appropriately manage flood risk to life and the environment. As a result, part b. of the first reason for refusal has been satisfactorily addressed.

(ii) Reason 2

**2. *The proposed development will result in adverse impacts on the built environment in the locality pursuant to Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979.***

The proposed subdivision would be inconsistent with the predominant area and shape of allotments on Silver Street. The built form proposed presents unacceptable bulk and scale which results in visual privacy and solar access impacts to the adjoining neighbour at No. 11 Silver Street. Furthermore, the design of the dwellings is inconsistent with the character of the streetscape. This reason for refusal has not been adequately addressed, and therefore the application is recommended for refusal.

Reason 3

**3. *The proposal has not demonstrated that the site is suitable for the development pursuant to Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979.***

The site is not considered suitable for the proposed development as discussed throughout this report, as the proposed subdivision would be inconsistent with the predominant area and shape of allotments on Silver Street. The built form proposed is of an unacceptable bulk and scale which results in visual privacy and amenity impacts to the adjoining neighbour at No. 11 Silver Street. Furthermore, the design of the dwellings is inconsistent with the character of the streetscape. This reason for refusal has not been adequately addressed.

(iii) Reason 4

4. ***The proposal has not demonstrated it is in the public interest pursuant to Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979.***

For the reasons previously referred to and also further discussed below, the proposal results in adverse amenity impacts on adjoining properties, is not consistent with the pattern of development along Silver Street, and therefore would not be in the public interest. The application is recommended for refusal.

(iv) Reason 5

5. ***The proposed development is inconsistent with and has not demonstrated compliance with the Marrickville Development Control Plan 2011, pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, including:***

- a. ***The proposal is inconsistent with C1 in Part 2.1 of the Marrickville Development Control Plan 2011 and is inconsistent with the applicable objective O1 as the proposal is not compatible with the streetscape character.***
- b. ***The proposal does not comply with control C3 within Part 2.6 of the Marrickville Development Control Plan 2011 and is inconsistent with the applicable objectives O1, O2 and O3 as the development will result in adverse visual privacy impacts to the adjacent properties.***
- c. ***The proposal does not comply with C2 within Part 2.7 of the Marrickville Development Control Plan 2011 and is inconsistent with the applicable objectives O1 and O3 as the proposed development is likely to result in significant overshadowing to the surrounding property at 11 Silver Street.***
- d. ***The proposal does not comply with C3 in Part 2.10 of the Marrickville Development Control Plan 2011 and is inconsistent with the applicable objectives O1 and O4 as the proposed parking space is incompatible with the character of the surrounding development and will result in unacceptable impacts on the road network.***
- e. ***The proposal does not comply with C5 and C25 in Part 2.22 of the Marrickville Development Control Plan 2011 and is inconsistent with the applicable objectives O1 and O3 as the proposed development will have adverse impacts on flood behaviour due to the components of the development being below the flood planning level.***
- f. ***The proposal does not comply with C5, C6 and C7 in Part 3 of the Marrickville Development Control Plan 2011 and is inconsistent with the applicable objectives O3, O4 and O5 as the proposed lots are not consistent with the surrounding cadastral pattern and will contain development that results in adverse impacts on the surrounding properties.***
- g. ***The proposal does not comply with C1 and C2 in Part 4.1.5 of the Marrickville Development Control Plan 2011 and is inconsistent with the applicable objectives O8 and O9 as the proposed development does not translate positive streetscape characteristics from the locality and is not compatible with the streetscape character.***
- h. ***The proposal does not comply with C10 in Part 4.1.6 of the Marrickville Development Control Plan 2011 and is inconsistent with the applicable objectives O13 and O14 as the proposed setbacks will result in adverse privacy and visual bulk impacts on the surrounding properties.***

- i. The proposal does not comply with C48 in Part 4.1.9 of the Marrickville Development Control Plan 2011 as the proposed first floor has not been appropriately incorporated into the roof form to maintain the single storey streetscape character.*
- j. The proposal is inconsistent with the desired future character for Marrickville Town Centre North contained within Part 9.20 of the Marrickville Development Control Plan 2011 as the development is inconsistent with the single storey streetscape character.*

### Part 2.1 – Urban Design

Part 2.1 of MDCP 2011 contains the following objectives and controls relevant to the development:

**O1** *To achieve high quality urban design.*

**C1** *All development applications involving substantial external changes that are visible from or effect public space or have significant land use implications must be consistent with the relevant aspects of the 12 urban design principles that make good public environments, which are to be addressed within the Statement of Environmental Effects (SEE).*

The proposed development fails to enhance and preserve the existing character of the locality and is an inappropriate infill response for the following reasons:

- Given the matters raised elsewhere in this report, the proposed development is not appropriate for the character of the locality given its form, massing, siting and detailing for the reasons discussed throughout this report;
- The architectural expression of the proposal fails translate positive elements in the street;
- The proposal results in adverse impacts on the character of the streetscape, the dwelling is overscaled and appears at odds with adjoining development dwarfing the adjoining single storey neighbouring properties. The proposal to mask the appearance of the first floor results in an elongated roof form and the setback of the ‘contemporary’ first floor is insufficient to ensure that it appears recessive when viewed from the street. The proposal provides for proportions which are inconsistent with adjoining development, noting the proposal fails to take positive cues from development within the street.

### Part 2.6 – Acoustic and Visual Privacy

Part 2.6 of MDCP 2011 contains the following objectives and controls relevant to the development:

**O1** *To ensure new development and alterations and additions to existing buildings provide adequate visual and acoustic privacy for the residents and users of surrounding buildings.*

**O2** *To design and orientate new residential development and alterations and additions to existing residential buildings in such a way to ensure adequate acoustic and visual privacy for occupants.*

**O3** *To ensure new development does not unreasonably impact on the amenity of residential and other sensitive land uses by way of noise or vibration.*

**C3 Visual privacy**

- i. Private open spaces of new residential development must be located and designed to offer a reasonable level of privacy for their users;*
- ii. Elevated external decks for dwelling houses must generally be less than 10m<sup>2</sup> in area and have a depth not greater than 1.5 metres so as to minimise privacy and noise impacts to surrounding dwellings;*
- iii. First floor windows and balconies of a building that adjoins a residential property must be located so as to face the front or rear of the building;*
- iv. Where it is impractical to locate windows other than facing an adjoining residential building, the windows must be offset to avoid a direct view of windows in adjacent buildings;*
- v. Where the visual privacy of adjacent residential properties is likely to be significantly affected from windows or balconies (by way of overlooking into the windows of habitable areas and private open spaces), one or more of the following measures must be applied:*
  - a. Fixed screens of a reasonable density (minimum 75% block out) to a minimum height of 1.6 metres from finished floor level must be fitted to balconies in a position suitable to alleviate loss of privacy;*
  - b. Windows must have minimum sill height of 1.6 metres above finished floor level or fixed opaque glazing to any part of a window less than 1.6 metres above finished floor level; and*
  - c. Screen planting or planter boxes in appropriate positions may supplement the above two provisions in maintaining privacy of adjoining premises.*

The proposal does not comply with the abovementioned objectives and controls for the following reasons:

- The proposal includes a courtyard as well as a number of side facing windows on the north eastern side elevation. While it is acknowledged that screening measures have been incorporated to these windows, e.g., frosted glazing, given the courtyard services a living area and the floor level of the development is raised above natural ground level, this space and the side facing windows have the potential to result in overlooking impacts and adverse acoustic privacy impacts, particularly to the adjoining property to the north at 7 Silver Street;
- Similarly, while a number of windows on the southern elevation are frosted, the proposal includes windows on the side elevation servicing living areas and given the raised floor level of the development, these windows have the potential to result in adverse overlooking, acoustic impacts and limit the development potential of the neighbouring property; and
- The development is raised above natural ground level and the windows of the living areas on the ground floor eastern elevation may result in adverse overlooking opportunities. No privacy screening is proposed on the south-western and north-eastern elevations of the living area to minimise views to the neighbouring properties to the side. In addition, the living rooms windows are setback less than 10 metres from the rear boundary and the limited setback of these windows has the potential to result in adverse overlooking impacts.

Given the above, the proposal is inconsistent with the objectives and controls contained in Part 2.6 of MDCP 2011 in relation to privacy. Given the circumstances, the application is recommended for refusal.

Part 2.7 – Solar Access and Overshadowing

Part 2.7 of MDCP 2011 contains the following objectives and controls relevant to the development:

**O1** *To promote energy efficiency in the design, construction and use of buildings.*

**O3** *To protect solar access enjoyed by neighbours.*

**C2** *Direct solar access to windows of principal living areas and principal areas of open space of nearby residential accommodation must:*

- i. Not be reduced to less than two hours between 9.00am and 3.00pm on 21 June; or*
- ii. Where less than two hours of sunlight is currently available on 21 June, solar access should not be further reduced. However, if the development proposal results in a further decrease in sunlight available on 21 June, Council will consider:*
  - a. The development potential of the site;*
  - b. The particular circumstances of the neighbouring site(s), for example, the proximity of any residential accommodation to the boundary, the resultant proximity of windows to the boundary, and whether this makes compliance difficult;*
  - c. Any exceptional circumstances of the subject site such as heritage, built form or topography; and*
  - d. Whether the sunlight available in March to September is significantly reduced, such that it impacts upon the functioning of principal living areas and the principal areas of open space. To ensure compliance with this control, separate shadow diagrams for the March/September period must be submitted in accordance with the requirements of C1;*

*Where less than two hours of sunlight is currently available on 21 June and the proposal is not reducing it any further, Council will still consider the merits of the case having regard to the above criteria described in points a to d.*

The shadow diagrams submitted with the application illustrate that the site at 11 Silver Street currently receives less than 2 hours direct solar access to the principal area of private open space between 9:00am and 3:00pm on 21 June. The principal area of open space is considered to be located adjacent to the living room adjoining the rear of the dwelling. It is noted that the rear of portion of open space at 11 Silver Street is currently provided with 2 hours of solar access between 9am and 11am at winter solstice with overshadowing marginally increased as a result of the proposal, thereby generally maintaining solar access to the rear yard.

Notwithstanding this, no elevational shadows have been provided of the affected kitchen window or living room window at 11 Silver Street to illustrate whether the proposal is acceptable in this regard. As such, it cannot be confidently concluded that the proposal will not adversely impact the amenity of the neighbouring property as it is unclear to the extent of shadowing on the neighbouring kitchen and living room windows. Noting that the kitchen window is located along the northern boundary whilst the living room is east facing.

Consequently, the proposal is not considered acceptable with regard to the above-mentioned objectives and controls for the following reasons:

- The proposed lot configuration is smaller and irregular when compared to surrounding lots, is inconsistent with the cadastral pattern and as such the additional overshadowing could otherwise be avoided if a compliant development were to be proposed; and
- There are no exceptional circumstances of the site that make compliance with overshadowing difficult.

Given the potential overshadowing impacts the proposed development is inconsistent with the objectives and controls contained in Part 2.7 of MDCP 2011. Given the circumstances, the application is recommended for refusal.

#### Part 2.10 – Parking

Part 2.10 of MDCP 2011 contains the following objectives and controls relevant to the development:

***O1** To balance the need to meet car parking demand on-site to avoid excessive spill over on to streets, with the need to constrain parking to maintain the Marrickville LGA's compact urban form and promote sustainable transport.*

***O4** To ensure parking provision and design is compatible with the particular development proposed.*

***C3** Council may waive its requirements for onsite parking provision for low density housing, where such provisions (in the form of a garage, carport or hardstand area) +:*

- i. Has adverse impacts on the existing streetscape;*
- ii. Disrupts the existing pattern where the majority of the adjoining dwellings have no provisions for onsite parking; and*
- iii. Is inconsistent with the desired future character of the area.*

DA/2022/0163 was considered to be inconsistent with the controls and objectives contained in Part 2.10 of MDCP 2011 for the following reasons:

- One car parking space was proposed on Lot 1, the northern lot. The construction of a new vehicular crossing to access the proposed off-street parking space will result in the loss of existing on-street parking space.
- Given the location of the crossing and its proximity to Councils stormwater drainage system, a standard vehicular crossover in accordance with the relevant standards will not be able to be constructed.

The proposal has deleted car parking from the development. The application proposes the subdivision of land and is unable to provide for parking. MDCP 2011 requires the provision of 1 car space per dwelling. The inability to provide parking on this site would result in increased demand for on-street parking and having regard to the other non-compliances associated with the proposed subdivision, it is noted that the subdivision of land is not appropriate for this site and the intensification of use of the land cannot be supported. As such the proposal fails to comply with the provisions of Part 2.10 of MDCP 2011.

Part 2.22 – Flooding

Part 2.22 of MDCP 2011 contains the following objectives and controls relevant to the development:

**O1** *To maintain the existing flood regime and flow conveyance capacity.*

**O3** *To avoid significant adverse impacts upon flood behaviour.*

**C5** *Floor levels (Flood Planning Levels) of habitable rooms must be a minimum of 500mm above the 1% AEP flood level at that location. For areas of minor overland flow (a depth of 300mm or less or overland flow of 2cum/sec or less) a lower freeboard of 300mm may be considered on its merits.*

**C25** *The floor level of new enclosed garages must be at or above the 1% AEP flood level plus 200mm. In extenuating circumstances, consideration may be given to a floor level at a lower level, being the highest practical level but no lower than 180mm below the 1% AEP flood level, where it can be demonstrated that providing the floor level at the Flood Planning Level is not practical within the constraints of compliance with Australian Standard AS/NZS 2890.1 Parking facilities as amended.*

The site is located in a flood planning area, in which Part 2.22 of MDCP 2011 contains controls to ensure development is compatible with the flood function of the land.

As discussed above under Clause 6.3 (Flood Planning of MLEP 2011, the revised proposal is considered to be compatible with the flood function and behaviour on the land now and under future projections. The design of the proposal and its scale will not affect the flood affectation of the subject site or adjoining properties and is considered to appropriately manage flood risk to life and the environment.

Part 3.2.2 – Subdivision

Part 3.2.2 of MDCP 2011 contains the following objectives and controls relevant to the development:

**O3** *To retain the prevailing cadastral character of the street.*

**O4** *To ensure that the size of new allotments caters for a variety of dwelling and household types and permits adequate solar access, areas for open space, landscaping and car parking.*

**O5** *To ensure that the subdivision or amalgamation of sites reflects and reinforces the predominant subdivision pattern of the street.*

**C5** *The proposed subdivision or amalgamation must have characteristics similar to the prevailing cadastral pattern of the lots fronting the same street, in terms of area, dimensions, shape and orientation. For the purpose of this control, Council generally considers the 'prevailing cadastral pattern' to be the typical characteristics of up to ten allotments on either side of the subject site and corresponding number of allotments directly opposite the subject site, if applicable.*

**C6** Proposed lots must be of a size, and have dimensions to enable, the siting and construction of a dwelling and ancillary buildings that:

- i. Protect any natural or cultural features, including heritage items and their curtilage;
- ii. Acknowledge site constraints such as terrain or soil erosion;
- iii. Address the street;
- iv. Minimise impact on neighbours' amenity including access to sunlight, daylight, privacy and views;
- v. Provide usable outdoor open space;
- vi. Provide activities for relaxation, recreation, outdoor dining and children's play areas; and
- vii. Provide convenient pedestrian, bicycle and motor vehicle access and parking.

**C7** Subdivision or site amalgamation must not compromise the setting of any existing building on the site or the setting of adjoining sites.

The application proposes to subdivide the property into two lots. The streetscape and immediate locality is generally characterised by a mix of single and two storey dwellings on a mix of narrow and wide lots. The following table illustrates the proposed lot dimensions and the approximate dimensions of lots within the street:

Number	Site Area	Frontage	Number	Site Area	Frontage
<b>* Lot 1</b>	<b>151 sqm</b>	<b>8.45 metres</b>	12	170sqm	7 metres
<b>* Lot 2</b>	<b>162 sqm</b>	<b>6 metres</b>	14	165sqm	6 metres
1	314sqm	11 metres	16	166sqm	6 metres
3	323sqm	12 metres	18	171sqm	6 metres
5	316sqm	12 metres	20	171sqm	6 metres
7	323sqm	11 metres	22	251sqm	12 metres
11	296sqm	11 metres	24	206sqm	6 metres
13	291sqm	10 metres	26	135sqm	6 metres
15	292sqm	10 metres	28	170sqm	6 metres
17	288sqm	10 metres	30	164sqm	6 metres
19	302sqm	11 metres	32	172sqm	6 metres
21	296sqm	12.8 metres	34	162sqm	6 metres

As the above table demonstrates, the frontages of adjoining properties range between 6 metres at the lower end of the range up to 12.8 metres at the higher end. The subdivision would result in two lots which are generally consistent with the minimum frontages of lots along Silver Street. However, the subdivision pattern is inconsistent with the shape of the general cadastral pattern along Silver Street, particularly on the western side. The surrounding lots are largely rectangular in shape, where the proposed lots are irregular in shape as the northern lot has a rear boundary of less than half the length of the front boundary and does not propose a straight subdivision dividing boundary and would therefore be inconsistent with the prevailing pattern of the street.

The proposed Lot Size of Lot 1 would be considerably smaller than other lots and therefore the proposal fails to meet the requirements of Control 5 in relation to lot size and shape.



Figure 3: Cadastral Map of Silver Street

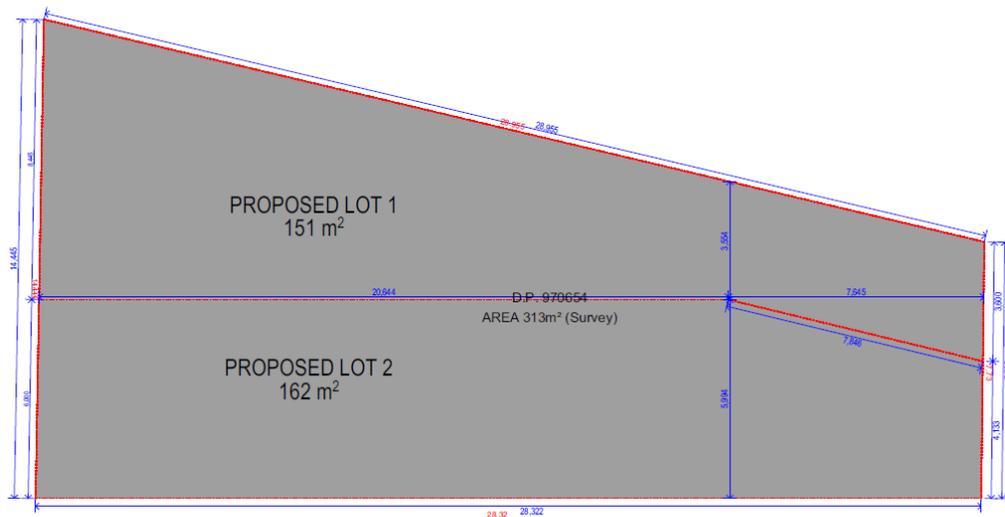


Figure 4: Proposed Plan of Subdivision

In addition to the above, for reasons discussed throughout this report the proposed development will result in adverse amenity impacts on surrounding properties and the development is not considered to be consistent with the streetscape character and built form character in the vicinity and fails to provide adequate parking. Therefore, the development is inconsistent with the abovementioned controls and objectives contained in Part 3.2.2 of MDCP 2011 given the proposed lots would not be able to accommodate development that is compatible with the surrounding area.

The proposal fails to comply with the objectives of Part 3 of MDCP 2011 for the following reasons;

- The proposed lot shape/size is inconsistent with the cadastral pattern;
- The site cannot adequately accommodate for car parking demonstrating that it is not suitable for the proposed development
- The proposal has an unacceptable impact on the streetscape and neighbouring dwellings
- The lots size and shape proposed fails to reinforce the predominant subdivision pattern of the street

Given the circumstances, the application is recommended for refusal.

#### Part 4.1.5 – Streetscape and Design

Part 4.1.5 of MDCP 2011 contains the following objectives and controls relevant to the development:

**O8** *To ensure development in streetscapes with a visual cohesiveness and an identifiable uniformity in bulk, scale and height complements that uniformity.*

**O9** *To encourage contemporary design for new dwellings and infill development that complements or embellishes the character of an area.*

**C1** *New dwellings must address the principal street frontage and be orientated to complement the existing pattern of development found in the street. This pattern will include the spacing between dwellings, the shape and size of lots and the placement of dwellings on those lots.*

**C2** *Facade design must enhance the existing built character by interpreting and translating any positive characteristics found in the surrounding locality into design solutions, with particular reference to:*

- i. The massing, which includes overall bulk and arrangement, modulation and articulation of building parts;*
- ii. Roof shape, pitch and overhangs;*
- iii. Verandah, balconies and porches; and*
- iv. Window shape, textures, patterns, colours and decorative detailing.*

The proposed development is not consistent with the abovementioned objectives and controls for the following reasons:

- The site is located in an area of predominantly single storey dwellings. The proposed development contains two, two storey dwellings with the first floor highly visible from the street frontage due to the limited setback of the upper floor. Therefore, from the street, the development reads as a two-storey development and is not consistent with the single storey nature of the surrounds;
- The architectural design of the dwellings have not been devised as a symmetrical pair of semi-detached dwellings, with the two gables are uneven in their width and height, with the gable point on lot 2 also being off-centre;
- The lateral projection of lot 1 competes with the architecture of the front rooms and the attempt at a hip from between the two gables to the first floor is too shallow and the roof form and its geometry is uncharacteristic of the street;
- The fenestration of the front facade in terms of the shapes and sizes of the windows is

uncharacteristic of the street, and the architectural character of the dwellings is not cohesive, this combined with the excessive proportions of the front doors and windows results in a poor built form outcome; and

- The presentation of the first floor on the architectural plans in a grey and white colour as opposed to the façade in colour appears misleading and attempting to indicate that the first floor will be recessive and in reality, the 4.5metre setback would be insufficient to alleviate the scale of the dwellings, furthermore the dark colour palette would further exacerbate the scale of the first floor.

As outlined above, the development does not complement the uniformity and visual cohesiveness of the bulk, scale and height of the existing streetscape due to the two-storey form. The architectural design of the dwellings fails to translate positive characteristics from the streetscape into the façade including the roof forms. Given the above, the proposal is not consistent with Part 4.1.5 of MDCP 2011 and is not consistent with the streetscape character. Given the circumstances, the application is recommended for refusal.

#### Part 4.1.6 – Built Form and Character

Part 4.1.6 of MDCP 2011 contains the following objectives and controls relevant to the development:

**O13** *To ensure adequate separation between buildings for visual and acoustic privacy, solar access and air circulation.*

**O14** *To integrate new development with the established setback character of the street and maintain established gardens, trees and vegetation networks.*

#### **C10** *Attached dwellings, dwelling houses and semi-detached dwellings*

- Front setback must be consistent with the setback of adjoining development, or the dominant setback found along the street;*
- Side setback must be determined in accordance with the following: Less than 8 metres, At Council's discretion, Visual impact, solar access to adjoining dwellings and street context determine ultimate setback.*
- Rear setback must:*
  - Where a predominant first storey rear building line exists, is consistent and visible from the public domain, aim to maintain that upper rear building line;*
  - In all other cases, be considered on merit with the adverse impacts on the amenity of adjoining properties being the primary consideration along with ensuring adequate open space.*

The proposal is inconsistent with the abovementioned objectives and controls for the following reasons:

- The surrounding developments are largely single storey, as a result the limited first floor front setback makes the two-storey form highly visible from the street frontage, which is not compatible with nearby first floor setbacks;
- The proposed development is larger in scale than surrounding developments due to its two-storey nature as well as raised floor levels which will result in unacceptable visual bulk impacts for neighbouring properties. While it is acknowledged the raised floor levels are due to the site being affected by flooding, the height and scale and proportions of the development is out of character with surrounding development which is largely single storey;

- There is no prevailing pattern of first floor developments on this side of Silver Street and the proposed first floor rear setbacks are not considered appropriate for the sites, due to the adverse impacts on adjoining properties in terms of visual bulk and privacy.

Given the above, the proposed built form is not compatible with the surrounding area, will result in adverse impacts on surrounding properties and is inconsistent with Part 4.1.6 of MDCP 2011. Given the circumstances, the application is recommended for refusal.

#### Part 4.1.9 – Additional Controls for Contemporary Dwellings

Part 4.1.9 of MDCP 2011 contains the following objectives and controls relevant to the development:

**C48** *In a predominantly single storey streetscape, first floor additions to an existing house or new development must maintain the perceived scale and character of the house and the immediate streetscape as predominantly single storey. This may be achieved by:*

- i. Disguising any proposed upper floor within the roof form; or*
- ii. Utilising transitional roofing which disguises second storey portions and presents them as essentially 'attic style' in form; or*
- iii. Ensuring any upper floor levels are set back from the principal street frontage of the building to maintain a substantial portion of the existing roof unaltered over the front of the building; and/or*
- iv. Locating first floor additions behind the main gable or hipped feature of the street frontage.*

The site is located in a largely single storey streetscape. The proposed first floor addition is not adequately setback from the street frontage to ensure it is disguised within the roof form to maintain the single storey streetscape appearance. The use of two gables roof forms for the front roof have not been appropriately scaled and the use of a shallow hip is ineffective in disguising the second storey of the development. Therefore, the proposal is inconsistent with Control C48 contained within Part 4.1.9 of MDCP 2011. Given the circumstances, the application is recommended for refusal.

#### Part 9.20 – Marrickville Town Centre North (Precinct 20)

The site is located within the Marrickville Town Centre North precinct. The proposal does not maintain the single storey streetscape, as the proposed first floor is highly visible from the street frontage. Accordingly, the proposal does not satisfy Part 9.4 of MDCP 2011.

### 5(e) The Likely Impacts

The above assessment of the Development Application demonstrates that the proposal will have an adverse impact on the locality having regard to:

- Aims of the *MLEP 2011*;
- Urban Design;
- Acoustic and Visual Privacy;
- Solar Access and Overshadowing;
- Subdivision;
- Streetscape and Design, including additional controls for contemporary dwellings; and
- Built Form and Character.

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

It is considered that the proposal will have an adverse impact on the adjoining properties and therefore it is considered that the site is unsuitable to accommodate the proposed development.

### 5(g) Any submissions

The application was notified in accordance with the Community Engagement Framework for a period of 14 days to surrounding properties. One (1) submission was received in response to the initial notification. It is noted that the two (2) submissions received during the notification of DA/2022/0163 was also considered as part of the assessment of this application.

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

- Streetscape – see Section 5 in this report.
- Visual privacy – see Section 5 in this report.
- Solar access & overshadowing – see Section 5 in this report.
- Flooding – see Section 5 in this report.
- Parking/driveway – see Section 5 in this report.

### 5(h) The Public Interest

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

The proposal is contrary to the public interest.

## 6. Referrals

### 6(a) Internal

The application was referred to both internally and externally to the following sections/officers and agencies, where the issues raised in those referrals are summarised below and have been discussed in section 5 above.

- Development Engineers – The proposal has been reviewed by Council's Engineering Team who outlined no objections are raised to the proposed development. Appropriate conditions of consent regarding stormwater drainage and flooding management are provided if any consent is granted.
- Urban Forests – The proposal has been reviewed by Council's Urban Forests Team who outlined no objection to the proposed landscape/planting plans. Appropriate conditions of consent regarding the protection of the neighbouring tree are provided if any consent is granted.
- Sydney Water – cannot support the proposal in its current form, as the proposed building has not demonstrated sufficient clearance from the outside wall of the stormwater channel adjoining the property boundary.

## 7. Conclusion

The proposal does not comply with the aims, objectives and design parameters contained in *Marrickville Local Environmental Plan 2011* and the Marrickville Development Control Plan 2011.

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

The application is considered unsupportable and in view of the circumstances, refusal of the application is recommended.

## 8. 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*, refuse Application No. REV/2023/0002 for a S8.2 Review of DA/2022/0163, refused on 17 November 2022, to demolish existing improvements, subdivide the land into 2 Torrens Title lots and construct two dwelling houses with associated landscaping at 9 Silver Street MARRICKVILLE for the reasons outlined in Attachment A.

## Attachment A – Reasons for Refusal

### REASONS FOR REFUSAL

1. The proposed development is inconsistent with and has not demonstrated compliance with Marrickville Local Environmental Plan 2011, pursuant to Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, including:
  - a. The proposal is inconsistent with Clause 1.2(2)(b) - Aims of Plan, as the residential density of the site is increased without protecting residential amenity.
  - b. The proposal is inconsistent with Clause 1.2(2)(h) - Aims of Plan, as the development does not promote a high standard of design.
2. The proposed development is inconsistent with Clause 78 of the Sydney Water Act 1994, in that the development has not demonstrated that an appropriate setback has been provided between Lot 1 and Sydney Water's stormwater channel that adjoins the site.
3. The proposed development will result in adverse impacts on the built environment in the locality pursuant to Section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*.
4. The proposal has not demonstrated that the site is suitable for the development pursuant to Section 4.15(1)(c) of the *Environmental Planning and Assessment Act 1979*.
5. The proposal has not demonstrated it is in the public interest pursuant to Section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*.
6. The proposed development is inconsistent with and has not demonstrated compliance with the Marrickville Development Control Plan 2011, pursuant to Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*, including:
  - a. The proposal is inconsistent with C1 in Part 2.1 of the Marrickville Development Control Plan 2011 and is inconsistent with the applicable objective O1 as the proposal is not compatible with the streetscape character.
  - b. The proposal does not comply with control C3 within Part 2.6 of the Marrickville Development Control Plan 2011 and is inconsistent with the applicable objectives O1, O2 and O3 as the development will result in adverse visual privacy impacts to the adjacent properties.
  - c. The proposal does not comply with C2 within Part 2.7 of the Marrickville Development Control Plan 2011 and is inconsistent with the applicable objectives O1 and O3 as the proposed development is likely to result in significant overshadowing to the surrounding property at 11 Silver Street.
  - d. The proposal does not comply with C5, C6 and C7 in Part 3 of the Marrickville Development Control Plan 2011 and is inconsistent with the applicable objectives O3, O4 and O5 as the proposed lots are not consistent with the surrounding cadastral pattern and will contain development that results in adverse impacts on the surrounding properties.

- e. The proposal does not comply with C1 and C2 in Part 4.1.5 of the Marrickville Development Control Plan 2011 and is inconsistent with the applicable objectives O8 and O9 as the proposed development does not translate positive streetscape characteristics from the locality and is not compatible with the streetscape character.
- f. The proposal does not comply with C10 in Part 4.1.6 of the Marrickville Development Control Plan 2011 and is inconsistent with the applicable objectives O13 and O14 as the proposed setbacks will result in adverse privacy and visual bulk impacts on the surrounding properties.
- g. The proposal does not comply with C48 in Part 4.1.9 of the Marrickville Development Control Plan 2011 as the proposed first floor has not been appropriately incorporated into the roof form to maintain the single storey streetscape character.
- h. The proposal is inconsistent with the desired future character for Marrickville Town Centre North contained within Part 9.20 of the Marrickville Development Control Plan 2011 as the development is inconsistent with the single storey streetscape character.

## Attachment B – Conditions of Consent in the Event of Approval

### CONDITIONS OF CONSENT

#### DOCUMENTS RELATED TO THE CONSENT

##### 1. Documents related to the consent

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

Drawing & Revision No.	Plan Name	Date Issued	Prepared by
DA-001 - Revision C	Site Location & Analysis	09/01/2023	YM Design Studio
DA-002 - Revision C	Subdivision Plan	09/01/2023	YM Design Studio
DA-003 - Revision C	Demolition Plan	09/01/2023	YM Design Studio
DA-101 - Revision C	Ground Floor Plan	09/01/2023	YM Design Studio
DA-102 - Revision C	Level 01	09/01/2023	YM Design Studio
DA-103 - Revision C	Roof Plan	09/01/2023	YM Design Studio
DA-201 - Revision C	NW & SE Elevation	09/01/2023	YM Design Studio
DA-202 - Revision C	NE & SW Elevation	09/01/2023	YM Design Studio
DA-203 - Revision C	Streetscape Elevation	09/01/2023	YM Design Studio
DA-301 - Revision C	Section AA/BB	09/01/2023	YM Design Studio
DA-302 - Revision C	Section D Cross Section	09/01/2023	YM Design Studio
DA-901 - Revision C	Finishes Schedule	09/01/2023	YM Design Studio
L/01 - Revision B	Proposed Landscape Plan	09/01/23	Discount Landscape Plans
1265888M_03	BASIX	23 January 2023	Greenworld Architectural Drafting

As amended by the conditions of consent.

#### FEES

##### 2. Security Deposit - Custom

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

Security Deposit:	\$34,000.00
Inspection Fee:	\$350.00

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.

**3. 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 \$20,000 indexed [Marrickville Section 94/94A Contributions Plan 2014] ("CP") has been paid to the Council.

The above contribution is the contribution applicable as at 14 March 2023.

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

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

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

Public Amenities Type:	Contribution \$
Recreation Facilities	\$17,075.07
Community Facilities	\$1,917.92
Traffic Facilities	\$614.85
Plan Administration	\$392.16
<b>TOTAL</b>	<b>\$20,000.00</b>

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

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

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.

#### **4. Long Service Levy**

Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that the long service levy in accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* has been paid at the prescribed rate of 0.25% of the total cost of the work to either the Long Service Payments Corporation or Council for any work costing \$250,000 or more.

### **GENERAL CONDITIONS**

#### **5. Privacy**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans indicating that all windows along the northern and southern elevations of the building being amended in the following manner:

- a. Fixed and obscure glazing to a minimum level of 1.6 metres above the floor level; or
- b. Suitable externally fixed screening with a minimum block out density of 75% to a level of 1.6 metres above the floor level; or
- c. Fixed and obscure glazing in any part below 1.7 metre floor level; or
- d. Minimum sill height of 1.7 metres above floor level.

Elevation plans are also to be provided to the Certifying Authority which demonstrate that the courtyard/terrace area within Lot 1 has visual privacy measures to a height of 1.8 metres above the natural ground level which obscures sightlines into the adjoining property at 7 Silver Street.

#### **6. Balcony**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans indicating the erection of a privacy screen on the south-eastern elevation of the balcony having a minimum block out density of 75% and a height of 1.6 metres above the finished floor level of the balcony.

#### **7. Waste Management Plan**

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

#### **8. 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.

#### **9. Standard Street Tree Protection**

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

#### **10. Works Outside the Property Boundary**

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

**11. 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.

**PRIOR TO ANY DEMOLITION****12. 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.

**13. Dilapidation Report**

Prior to any works commencing (including demolition), the Certifying Authority and owners of identified properties, must be provided with a colour copy of a dilapidation report prepared by a suitably qualified person. The report is required to include colour photographs of all the adjoining properties to the Certifying Authority's satisfaction. In the event that the consent of the adjoining property owner cannot be obtained to undertake the report, copies of the letter/s that have been sent via registered mail and any responses received must be forwarded to the Certifying Authority before work commences.

**14. Advising Neighbours 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.

**15. 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****16. Dilapidation Report – Pre-Development – Minor**

Prior to the issue of a Construction Certificate or any demolition, the Certifying Authority must be provided with a dilapidation report including colour photos showing the existing condition of the footpath and roadway adjacent to the site.

**17. Stormwater Drainage System – Minor Developments (OSD is not required)**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with stormwater drainage design plans certified by a suitably qualified Civil Engineer that the design of the site drainage system complies with the following specific requirements:

- a. The design must generally be in accordance with the Stormwater Drainage Concept plan on Drawing No. CSW2022.07/200 Rev 03 prepared by CIVIL STORMWATER ENGINEERING GROUP and dated 16.01.23, as amended to comply with the following;
- b. Stormwater runoff from all roof areas within the property being collected in a system of gutters, pits and pipeline and be discharged, together with overflow pipelines from any rainwater tank(s), by gravity to the kerb and gutter of a public road;
- c. Comply with Council's Stormwater Drainage Code, Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3-2018 'Stormwater Drainage' and Council's DCP;
- d. Pipe and channel drainage systems must be designed to cater for the twenty (20) year Average Recurrence Interval (ARI) storm. The major event surface flow paths must be designed to cater for the one hundred (100) year ARI Storm;
- e. Charged or pump-out stormwater drainage systems are not permitted including for roof drainage;
- f. To provide for adequate site drainage all roof and surface stormwater from the site and any catchment external to the site that presently drains to it, must be collected in a system of pits and pipelines/channels and major storm event surface flow paths and being discharged to a stormwater drainage system in accordance with the requirements of Council's DCP;
- g. The design plans must detail the existing and proposed site drainage layout, size, class and grade of pipelines, pit types, roof gutter and downpipe sizes;
- h. A minimum 150mm step up shall be provided between all external finished surfaces and adjacent internal floor areas except where a reduced step is permitted under Section 3.1.2.3(b) of the Building Code of Australia for Class 1 buildings;
- i. The design must make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands;
- j. No nuisance or concentration of flows to other properties;
- k. The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system;
- l. The design plans must specify that any components of the existing system to be retained must be certified during construction to be in good condition and of adequate capacity to convey the additional runoff generated by the development and be replaced or upgraded if required;
- m. An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets; and
- n. All redundant pipelines within footpath area must be removed and footpath/kerb reinstated.

**18. 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 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 must be reconstructed and upgraded in accordance with the Street Tree Master plan and the Public Domain Design Guide or scheme;
- b. New concrete footpath and kerb and gutter along the frontage of the site. The kerb type (concrete or stone) must be consistent with the majority of kerb type at this location as determine by the Council Engineer;

- c. Cross sections are to be provided at the boundary at a minimum distance of every 5m. The cross fall of the footpath must be set at 2.5%. These sections will set the alignment levels at the boundary; and
- d. Installation of a stormwater outlet to the kerb and gutter.

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

#### **19. Flood Compatible Fence**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans demonstrating that the proposed gate/fence at the Silver Street frontage must be flood compatible with vertical elements that are no wider than 50mm and separated by no less than 90mm to allow floodwaters to flow through unimpeded.

#### **20. Flood Affected Site**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans certified by a suitably qualified Civil Engineer that the works comply with the following specific requirements:

- a. All habitable floor levels must be set at RL 6.35m AHD (flood level plus 500mm freeboard). All structures below RL 6.35m AHD must be constructed from flood compatible materials;
- b. All electrical equipment and wiring must be waterproofed or installed at or above RL 6.35m AHD;
- c. A structural engineer's certificate must be submitted stating that the proposed building has been designed to withstand the forces of flood water, debris and buoyancy up to the 1 in 100-year flood level;
- d. The existing ground levels throughout the site must be maintained so as not to alter the existing overland flow path. Details of all obstructions or changes in level within the overland flow paths must be detailed on the plan; and
- e. All fencing within the overland flow path must be of an open type so as to allow for the free flow of water throughout the site so as to maintain existing flows.

#### **21. Overland Flow path**

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

#### **22. Flood Risk Management Plan**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a Flood Risk Management Plan prepared and 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). The Plan must be prepared/amended to make provision for the following:

- a. Recommendations on all precautions to minimise risk to personal safety of occupants and the risk of property damage for the total development. Such recommendations must be consistent with the approved development. The flood impacts on the site must be assessed for the 100-year ARI and Probable Maximum Flood (PMF) storm events. The precautions must include but not be limited to the following:
  - i. Types of materials to be used to ensure the structural integrity of the building to immersion and impact of velocity and debris;
  - ii. Waterproofing methods, including electrical equipment, wiring, fuel lines or any other service pipes or connections;
  - iii. Flood warning signs/depth indicators for areas that may be inundated;
  - iv. A flood evacuation strategy; and

- v. On-site response plan to minimise flood damage, demonstrating that adequate storage areas are available for hazardous materials and valuable goods above the flood level.
- b. All works must be designed to comply with the Standard for Construction of Buildings in Flood Hazard Areas in accordance with Section 3.10.3 of the Building Code of Australia. Note that some terms defined in this standard have equivalent meaning to terms used in Council's Development Control Plan as listed below:
  - i. Building Code of Australia;
  - ii. Defined flood level (DFL) 100-year Average Recurrence Interval flood level;
  - iii. Defined flood event (DFE) 100-year Average Recurrence Interval flood; and
  - iv. Flood hazard level (FHL) Flood Planning Level (FPL).

### **23. Amended Architectural Plans to Reflect Flood Risk Management Plan**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended architectural plans that incorporate the recommendations of the Flood Risk Management Plan. The design must be prepared to make provision for the following:

- a. Specification of materials; and
- b. Waterproofing works, where applicable.

No changes to the external form or appearance of the development contrary to the approved plans must occur except as identified by this condition. Any changes to such must be subject to separate approval.

### **24. Engineering Design - Structural Engineer Plans and Certification**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans prepared and certified by a suitably qualified 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 incorporate the following recommendations of the Flood Risk Management Plan.

The design must be prepared to make provision for the following:

- a. Structural integrity of all structures from immersion and/or impact of velocity and debris; and
- b. Waterproofing works, where applicable.

### **25. 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*

### **26. Acoustic Report – Aircraft Noise**

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

### **27. 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.

**28. Tree Protection**

To protect the following tree, trunk protection must be installed prior to any works commencing in accordance with the approved *Tree Protection Plan* and/or with Council's *Development Fact Sheet—Trees on Development Sites*:

Tree No.	Botanical/Common Name	Location
-	<i>Lagerstroemia indica</i> (Crepe Myrtle)	Street Tree

**DURING DEMOLITION AND CONSTRUCTION**

**29. Construction Hours – Class 1 and 10**

Unless otherwise approved by Council, excavation, demolition, construction or subdivision work are only permitted between the hours of 7:00am to 5.00pm, Mondays to Saturdays (inclusive) with no works permitted on, Sundays or Public Holidays.

**PRIOR TO OCCUPATION CERTIFICATE**

**30. 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. The existing concrete footpath across the frontage of the site must be reconstructed; and
- b. 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".

**31. 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.

**32. Flood Risk Management Plan - Certification**

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with Certification by a qualified practising Civil Engineer that all aspects of the flood risk management plan have been implemented in accordance with the approved design, conditions of this consent and relevant Australian Standards.

**33. Torrens Title Subdivision to Occur before Occupation**

Prior to the issue of an Occupation Certificate for any dwelling on the site, the certifying authority is to be provided with evidence that the subdivision that forms part of this consent has been registered with the NSW Land Registry Services.

**34. Aircraft Noise**

Prior to the issue of any Occupation Certificate, the Principal Certifier must be provided with a report prepared and submitted by an accredited Acoustics Consultant certifying that the final construction meets AS2021-2015 with regard to the noise attenuation measures referred to in the "Before the Issue of a Construction Certificate" Section of this Determination. Such report must include external and internal noise levels to ensure that the external noise levels during the test are representative of the typical maximum levels that may occur at this development.

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

**35. Certification of Tree Planting**

Prior to the issue of any Occupation Certificate, the Principal Certifier is to be provided with evidence certified by a person holding a minimum qualification of AQF3 Certificate of Horticulture or Arboriculture that:

A minimum of 2 x 75 litre size trees, which will attain a minimum mature height of seven (7) metres, have been planted in a more suitable location within the property at a minimum of 1.5 metres from any boundary or structure and allowing for future tree growth. The trees are to conform to AS2303—*Tree stock for landscape use*. The 2 x *Glochidion ferdinandi* (Cheese Trees) shown on the Landscape Plan prepared by Discount Landscape Plans and dated 09/01/23 must be relocated accordingly.

If the trees are found dead or dying before they reach a height where they are protected by Council's Tree Management Controls, they must be replaced in accordance with this condition.

**PRIOR TO SUBDIVISION CERTIFICATE****36. Subdivision Plan Amendment**

Prior to the issue of a Subdivision Certificate, the Principal Certifier must verify that:

- a. A common drainage easement in favour of the parcels of land to be drained must be created over the full length of all existing and proposed inter-allotment drainage systems within the site of the proposed development; and
- b. Proof of registration of the easement and a written statement signed by the Registered Surveyor that the as-built pipeline is totally within the proposed easement.

**37. Civil Engineer Verification**

Prior to the issue of a Subdivision Certificate, the Principal Certifier must be provided with written verification from a suitably experienced Civil Engineer, stating that all stormwater drainage and related work has been and constructed in accordance with the approved plans.

**38. Torrens Title Subdivision**

Prior to the issue of a Subdivision Certificate, the Certifying Authority must verify that the physical works within this consent have been constructed.

**39. Redundant Vehicle Crossing**

Prior to the issue of a Subdivision Certificate, the Principal Certifier must verify that the redundant vehicular crossing to the site must be removed.

**40. Separate Drainage Systems**

Prior to the issue of a Subdivision Certificate, the Principal Certifier must be provided with a plan detailing that separate drainage systems must be provided to drain each proposed lot.

**41. 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.

**42. 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****43. Flood Risk Management Plan**

The Flood Risk Management Plan approved with the Occupation Certificate, must be implemented and kept in a suitable location on site at all times.

**44. Bin Storage**

All bins are to be stored within the site.

**ADVISORY NOTES****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.

**Insurances**

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

**Prescribed Conditions**

This consent is subject to the prescribed conditions of consent within Sections 69-86 of the *Environmental Planning and Assessment Regulations 2021*.

**Notification of commencement of works**

At least 7 days before any demolition work commences:

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

**Storage of Materials on public property**

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

**Toilet Facilities**

The following facilities must be provided on the site:

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

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

**Infrastructure**

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

**Other Approvals may be needed**

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

**Failure to comply with conditions**

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

**Other works**

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

**Obtaining Relevant Certification**

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

- a. Application for any activity under that Act, including any erection of a hoarding;
- b. Application for a Construction Certificate under the *Environmental Planning and Assessment Act 1979*;
- c. Application for an Occupation Certificate under the *Environmental Planning and Assessment Act 1979*;
- d. Application for a Subdivision Certificate under the *Environmental Planning and Assessment Act 1979* if land (including stratum) subdivision of the development site is proposed;

- e. Application for Strata Title Subdivision if strata title subdivision of the development is proposed;
- f. Development Application for demolition if demolition is not approved by this consent; or
- g. Development Application for subdivision if consent for subdivision is not granted by this consent.

#### **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.

#### **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**

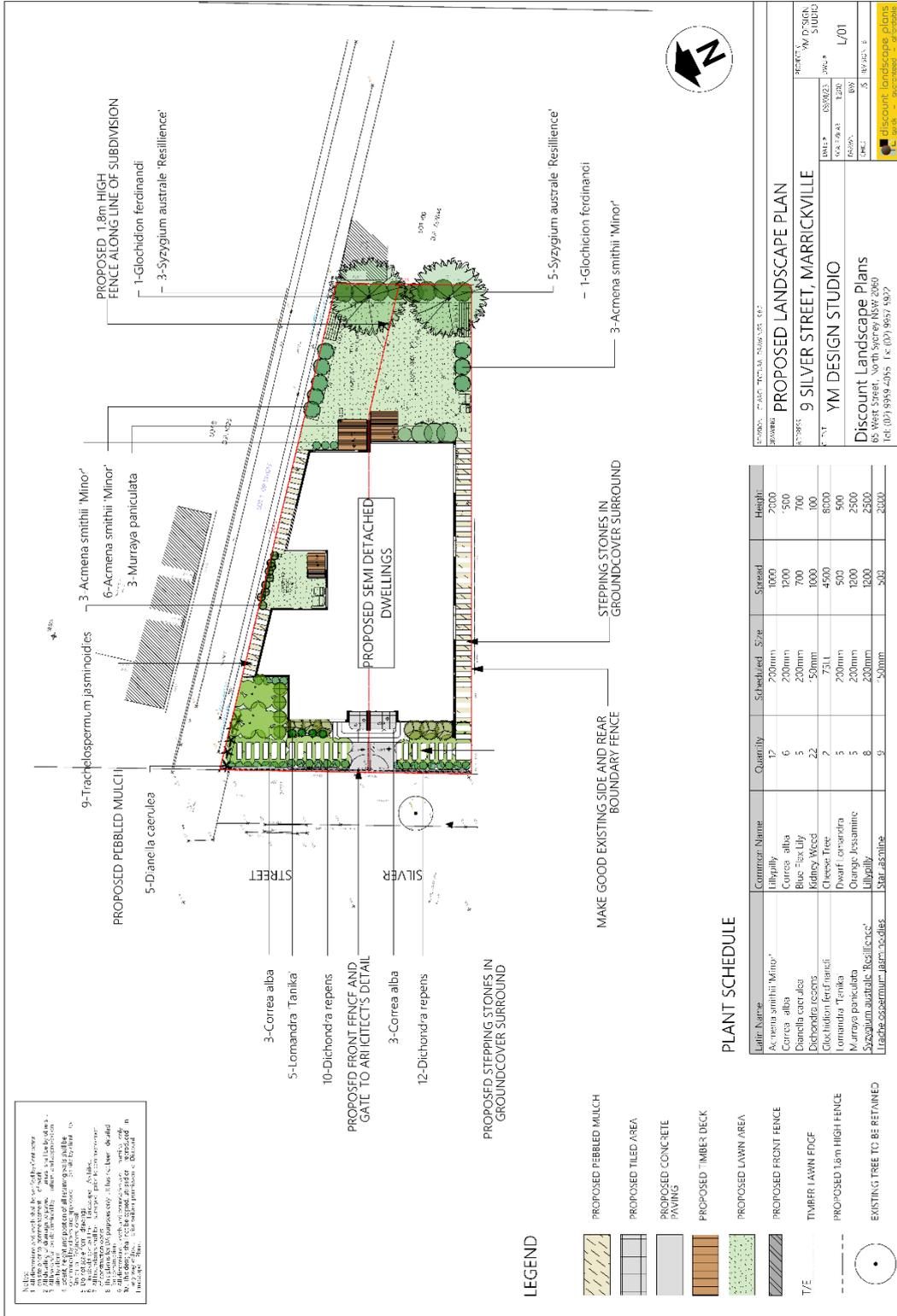
BASIX Information	1300 650 908 weekdays 2:00pm - 5:00pm <a href="http://www.basix.nsw.gov.au">www.basix.nsw.gov.au</a>
Department of Fair Trading	13 32 20 <a href="http://www.fairtrading.nsw.gov.au">www.fairtrading.nsw.gov.au</a> Enquiries relating to Owner Builder Permits and Home Warranty Insurance.
Dial Prior to You Dig	1100 <a href="http://www.dialprior toyoudig.com.au">www.dialprior toyoudig.com.au</a>

Landcom	9841 8660	To purchase copies of Volume One of "Soils and Construction"
Long Service Corporation	Payments 131441	<a href="http://www.lspc.nsw.gov.au">www.lspc.nsw.gov.au</a>
NSW Food Authority	1300 552 406	<a href="http://www.foodnotify.nsw.gov.au">www.foodnotify.nsw.gov.au</a>
NSW Government		<a href="http://www.nsw.gov.au/fibro">www.nsw.gov.au/fibro</a> <a href="http://www.diysafe.nsw.gov.au">www.diysafe.nsw.gov.au</a> Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	131 555	<a href="http://www.environment.nsw.gov.au">www.environment.nsw.gov.au</a>
Sydney Water	13 20 92	<a href="http://www.sydneywater.com.au">www.sydneywater.com.au</a>
Waste Service - Environmental Solutions	SITA 1300 651 116	<a href="http://www.wasteservice.nsw.gov.au">www.wasteservice.nsw.gov.au</a>
Water Efficiency Labelling and Standards (WELS)		<a href="http://www.waterrating.gov.au">www.waterrating.gov.au</a>
WorkCover Authority of NSW	13 10 50	<a href="http://www.workcover.nsw.gov.au">www.workcover.nsw.gov.au</a> Enquiries relating to work safety and asbestos removal and disposal.

**Street Numbering**

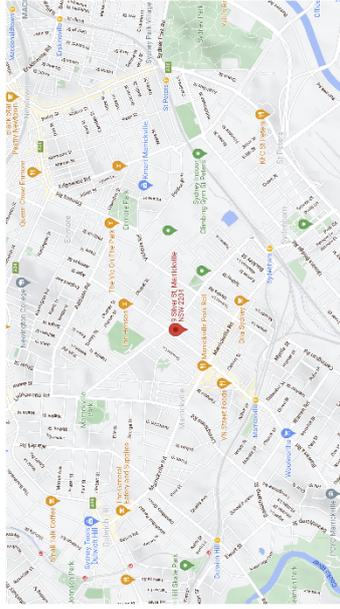
If there are any changes to the number of occupancies including any additional occupancies created, a street numbering application must be lodged and approved by Council's GIS team before any street number is displayed. Link to [Street Numbering Application](#)

Attachment C – Plans of proposed development

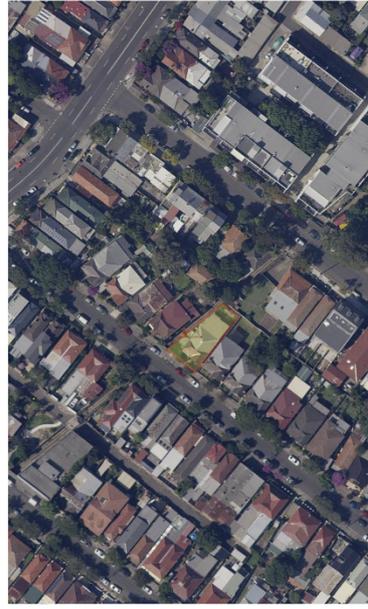




THIS DOCUMENT IS THE PROPERTY OF THE CITY OF MARRICKVILLE. IT IS TO BE USED ONLY FOR THE PURPOSES SPECIFIED IN THE TITLE. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE CITY OF MARRICKVILLE. ANY UNAUTHORIZED USE OF THIS DOCUMENT IS PROHIBITED. THE CITY OF MARRICKVILLE ACCEPTS NO LIABILITY FOR ANY LOSS OR DAMAGE OF ANY KIND, INCLUDING CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS DOCUMENT.



SITE LOCALITY



SITE LOCATION

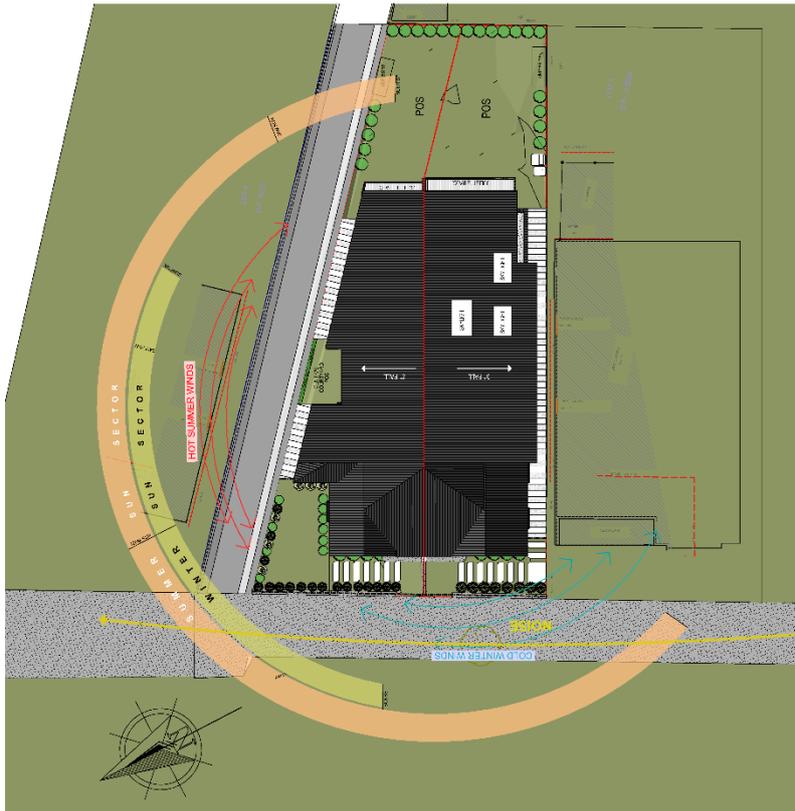


Project Number  
**20-002**

Drawing Number/Revision  
**DA-001 C**

Date  
**09/01/2023**

Scale  
**AS SHOWN**  
@ A3 Sheet Size



1:200

SITE PLAN & ANALYSIS

Drawing Title

**SITE LOCATION & ANALYSIS**

**DEVELOPMENT APPLICATION**  
SUBDIVISION & RESIDENTIAL SEMI DETACHED DWELLINGS - 9 SILVER ST, MARRICKVILLE

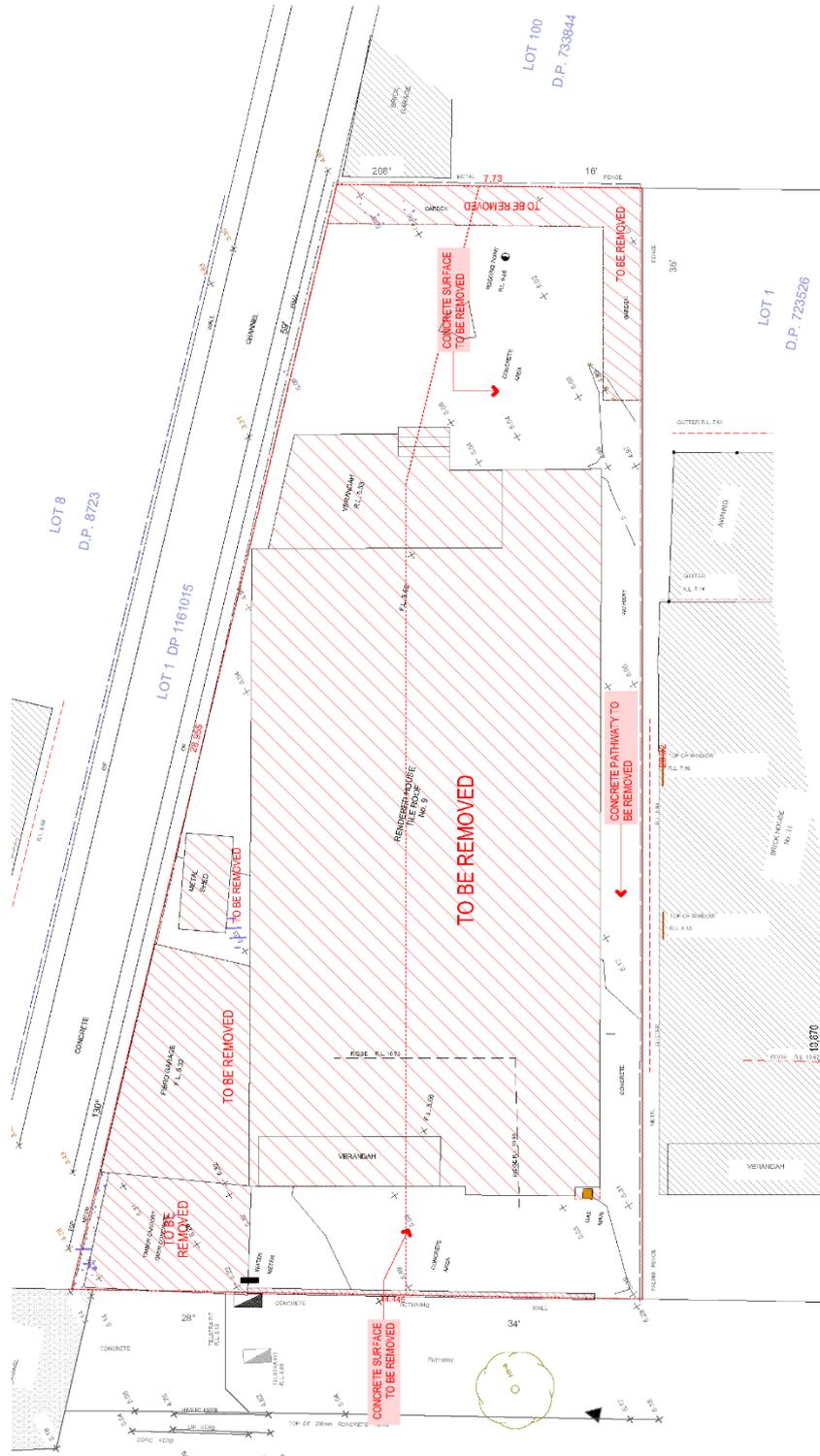
Mob: (0)2 669 9911  
Email: [lyndesigns@outlook.com](mailto:lyndesigns@outlook.com)

15 CHAMBERLAIN STREET  
MARRICKVILLE NSW 1510  
Phone: (0)2 9550 1111  
www.lyndesigns.com.au





1. THIS DOCUMENT IS THE PROPERTY OF THE CONSULTANT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.  
 2. THIS DOCUMENT IS THE PROPERTY OF THE CONSULTANT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.  
 3. THIS DOCUMENT IS THE PROPERTY OF THE CONSULTANT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.  
 4. THIS DOCUMENT IS THE PROPERTY OF THE CONSULTANT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.  
 5. THIS DOCUMENT IS THE PROPERTY OF THE CONSULTANT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.



1:100

DEMOLITION PLAN



Drawing Title  
 DEMOLITION PLAN

Project Number  
 20-002

Scale  
 AS SHOWN  
 @A3 Sheet Size

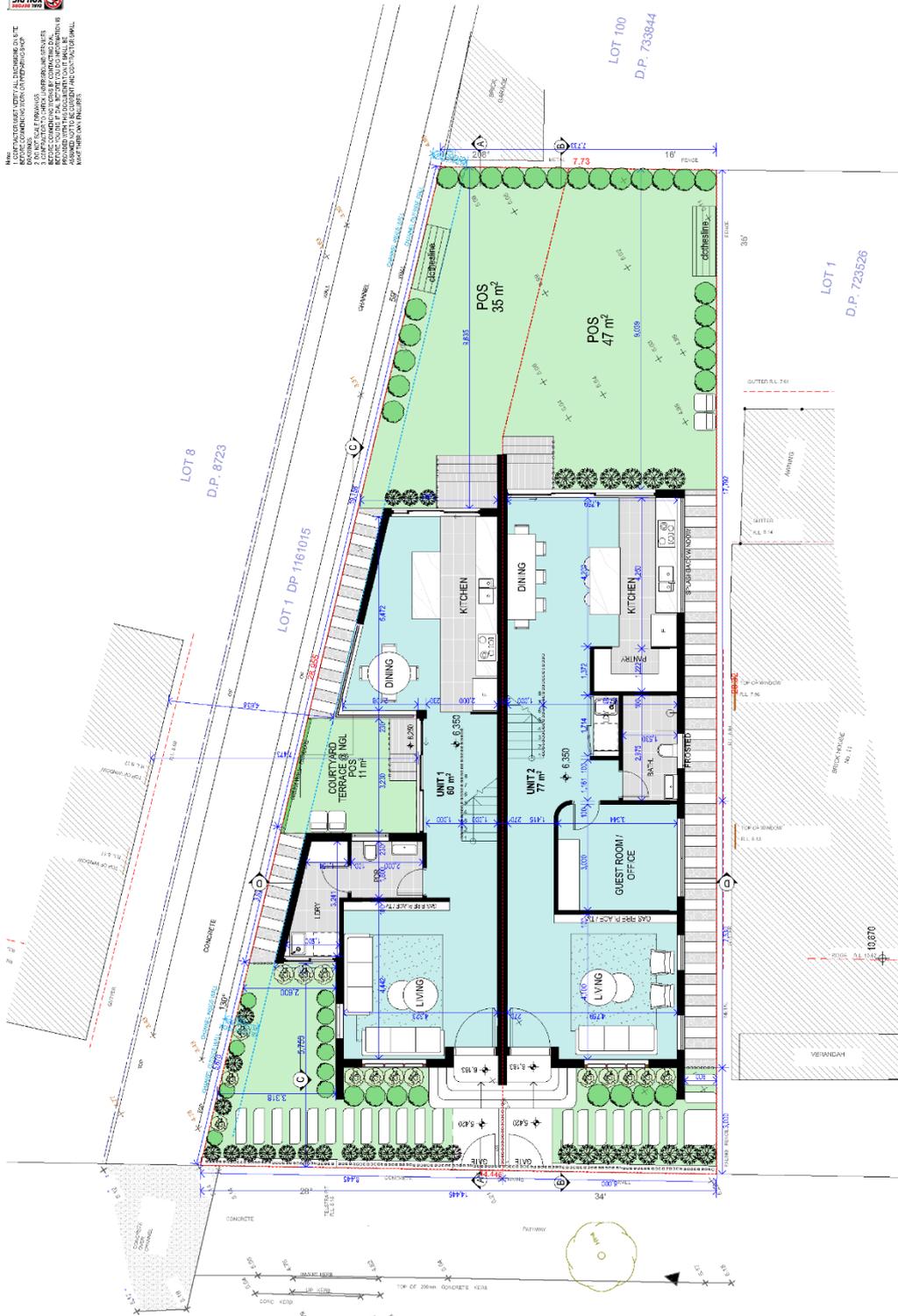
Drawing Number  
 DA-003 C

Date  
 09/01/2023

Mbr: 0492 868 901  
 Email: ym@signahub@aol.com



NOTE: THIS DOCUMENT IS THE PROPERTY OF THE ARCHITECT. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFIC TO WHICH IT IS ISSUED. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. ANY UNAUTHORIZED USE OF THIS DOCUMENT IS PROHIBITED AND WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW.



1:100



Project Number  
20-002

Drawing Number/Revision  
DA-101 C

Date  
09/01/2023

Scale  
AS SHOWN  
@A3 Sheet Size

GROUND FLOOR PLAN

Drawing Title

GROUND FLOOR PLAN

DEVELOPMENT APPLICATION

SUBDIVISION & RESIDENTIAL SEMI-DETACHED DWELLINGS - 9 SILVER ST, MARRICKVILLE

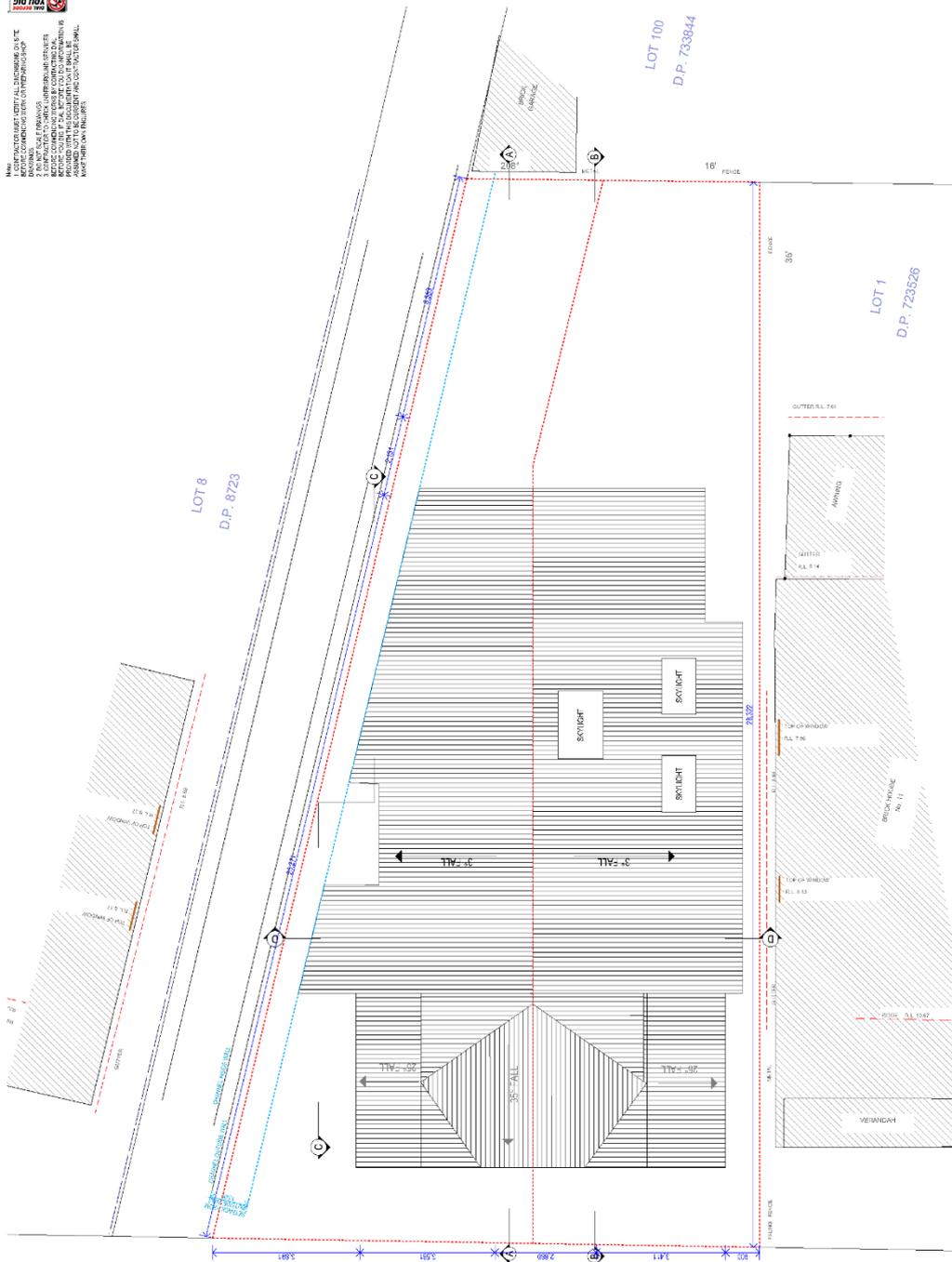
Mobile: 0492 868 901  
Email: yml@signahub@outlook.com

The Architect's Office  
100/102/104/106/108/110/112/114/116/118/120/122/124/126/128/130/132/134/136/138/140/142/144/146/148/150/152/154/156/158/160/162/164/166/168/170/172/174/176/178/180/182/184/186/188/190/192/194/196/198/200/202/204/206/208/210/212/214/216/218/220/222/224/226/228/230/232/234/236/238/240/242/244/246/248/250/252/254/256/258/260/262/264/266/268/270/272/274/276/278/280/282/284/286/288/290/292/294/296/298/300/302/304/306/308/310/312/314/316/318/320/322/324/326/328/330/332/334/336/338/340/342/344/346/348/350/352/354/356/358/360/362/364/366/368/370/372/374/376/378/380/382/384/386/388/390/392/394/396/398/400/402/404/406/408/410/412/414/416/418/420/422/424/426/428/430/432/434/436/438/440/442/444/446/448/450/452/454/456/458/460/462/464/466/468/470/472/474/476/478/480/482/484/486/488/490/492/494/496/498/500/502/504/506/508/510/512/514/516/518/520/522/524/526/528/530/532/534/536/538/540/542/544/546/548/550/552/554/556/558/560/562/564/566/568/570/572/574/576/578/580/582/584/586/588/590/592/594/596/598/600/602/604/606/608/610/612/614/616/618/620/622/624/626/628/630/632/634/636/638/640/642/644/646/648/650/652/654/656/658/660/662/664/666/668/670/672/674/676/678/680/682/684/686/688/690/692/694/696/698/700/702/704/706/708/710/712/714/716/718/720/722/724/726/728/730/732/734/736/738/740/742/744/746/748/750/752/754/756/758/760/762/764/766/768/770/772/774/776/778/780/782/784/786/788/790/792/794/796/798/800/802/804/806/808/810/812/814/816/818/820/822/824/826/828/830/832/834/836/838/840/842/844/846/848/850/852/854/856/858/860/862/864/866/868/870/872/874/876/878/880/882/884/886/888/890/892/894/896/898/900/902/904/906/908/910/912/914/916/918/920/922/924/926/928/930/932/934/936/938/940/942/944/946/948/950/952/954/956/958/960/962/964/966/968/970/972/974/976/978/980/982/984/986/988/990/992/994/996/998/1000





NOTE: THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT.



1:100



Project Number: 20-002  
 Drawing Number/Revision: DA-103 C  
 Date: 09/01/2023

Scale: AS SHOWN  
 @A3 Sheet Size

ROOF

Drawing Title: ROOF PLAN

**DEVELOPMENT APPLICATION**  
 SUBDIVISION & RESIDENTIAL SEMI DETACHED DWELLINGS - 9 SILVER ST, MARRICKVILLE

Mob: 0492 868 901  
 Email: ym@signalblue@outlook.com

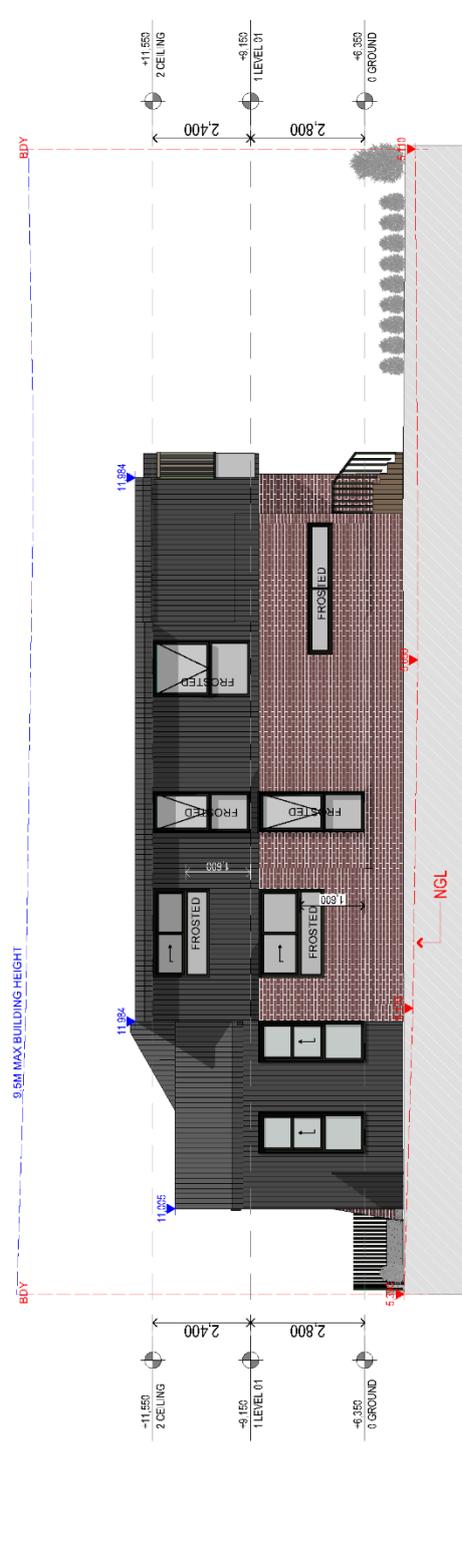





  
 I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF CALIFORNIA. I AM NOT PROVIDING CONTRACT ADMINISTRATION SERVICES. I AM PROVIDING ENGINEERING SERVICES ONLY. I AM NOT PROVIDING ARCHITECTURAL SERVICES. I AM NOT PROVIDING LANDSCAPE ARCHITECTURE SERVICES. I AM NOT PROVIDING CIVIL ENGINEERING SERVICES. I AM NOT PROVIDING ELECTRICAL ENGINEERING SERVICES. I AM NOT PROVIDING MECHANICAL ENGINEERING SERVICES. I AM NOT PROVIDING CHEMICAL ENGINEERING SERVICES. I AM NOT PROVIDING ENVIRONMENTAL ENGINEERING SERVICES. I AM NOT PROVIDING INDUSTRIAL ENGINEERING SERVICES. I AM NOT PROVIDING METALLURGICAL ENGINEERING SERVICES. I AM NOT PROVIDING NUCLEAR ENGINEERING SERVICES. I AM NOT PROVIDING AERONAUTICAL AND AEROSPACE ENGINEERING SERVICES. I AM NOT PROVIDING AGRICULTURAL ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL ENGINEERING SERVICES. I AM NOT PROVIDING BIOMATERIALS ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL DEVICES ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL EQUIPMENT ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL INSTRUMENTATION ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL MANUFACTURING ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL MATERIALS ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL SYSTEMS ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL TECHNOLOGY ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL DEVICE DESIGN ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL DEVICE MANUFACTURING ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL DEVICE TESTING ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL DEVICE VALIDATION ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL DEVICE VERIFICATION ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL DEVICE QUALITY ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL DEVICE REGULATION ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL DEVICE COMPLIANCE ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL DEVICE MAINTENANCE ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL DEVICE REPAIR ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL DEVICE UPGRADE ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL DEVICE REPLACEMENT ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL DEVICE DISPOSAL ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL DEVICE RECYCLING ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL DEVICE REUSE ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL DEVICE REPAIR ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL DEVICE UPGRADE ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL DEVICE REPLACEMENT ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL DEVICE DISPOSAL ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL DEVICE RECYCLING ENGINEERING SERVICES. I AM NOT PROVIDING BIOMEDICAL DEVICE REUSE ENGINEERING SERVICES.



North East Elevation 1:100



South West Elevation 1:100


  
 Madera, CA 93698

Mdb: 0492 868 901  
 Email: yml@signalite@outlook.com  
 The North West Group Ltd  
 10000 North West Blvd, Suite 100, Portland, OR 97228  
 Phone: 503 253 1111  
 Fax: 503 253 1112

---

**DEVELOPMENT APPLICATION**  
 SUBDIVISION & RESIDENTIAL SEMI DETACHED DWELLINGS - 9 SILVER ST, MARRICKVILLE

Drawing Title  
**NE & SW ELEVATION**

---

Project Number  
**20-002**

Drawing Number Revision  
**DA-202 C**

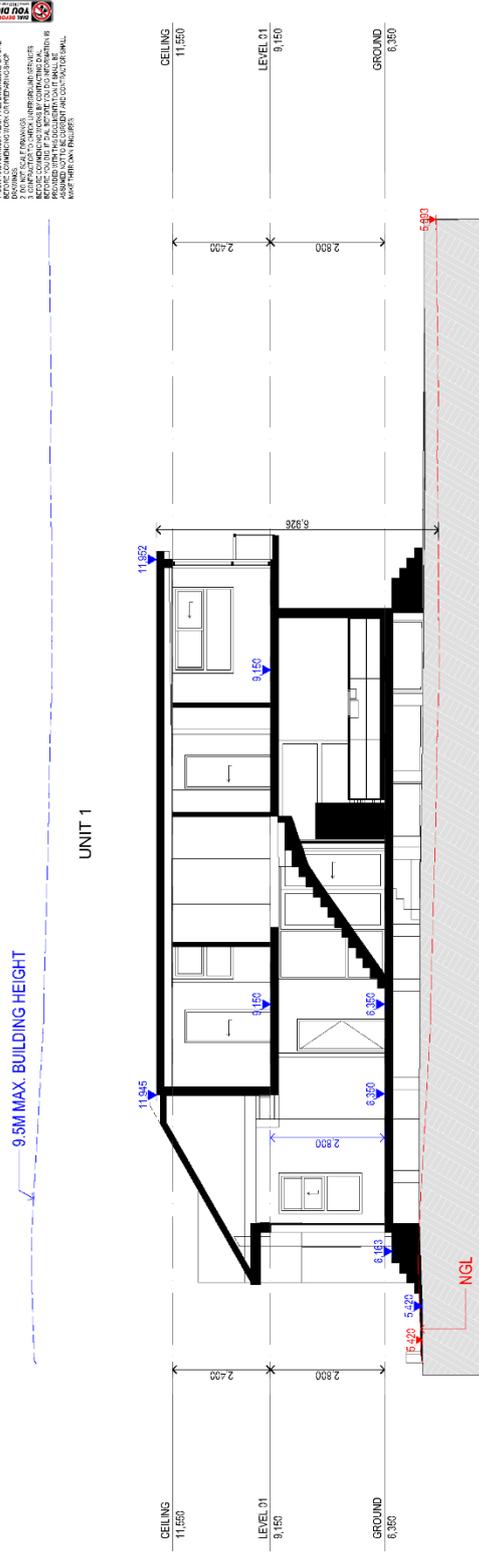
---

Scale  
**AS SHOWN**  
 @ 1/8" = 1'-0"

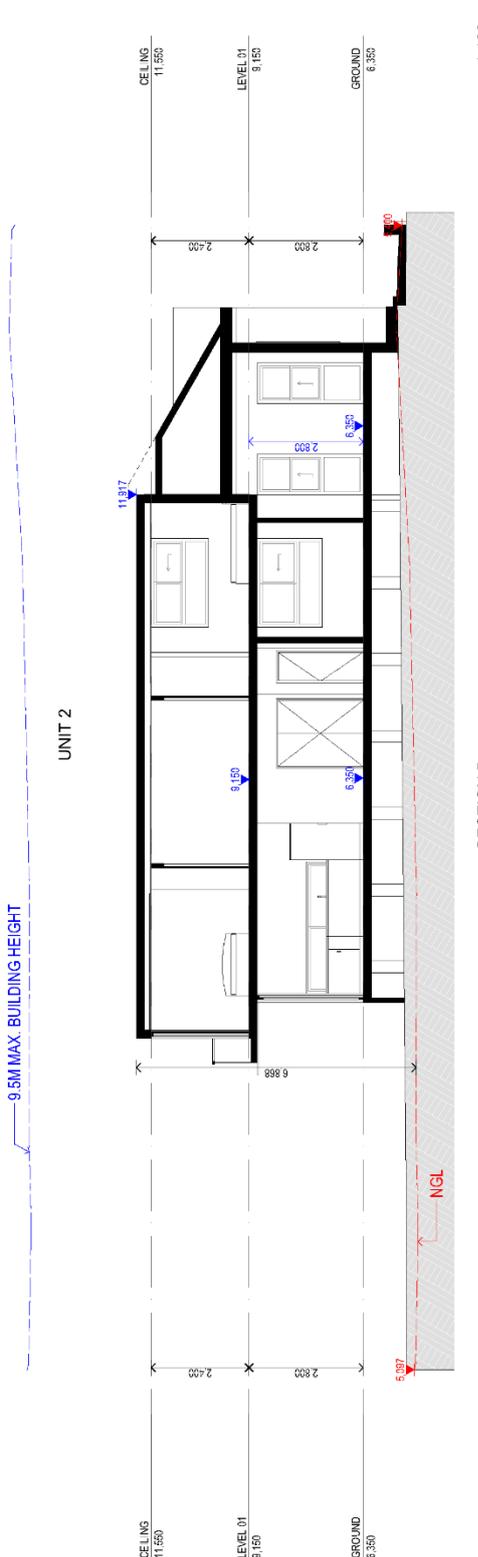
Date  
**09/01/2023**



1. ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED.  
 2. THIS INFORMATION IS PROVIDED FOR YOUR INFORMATION ONLY.  
 3. THIS INFORMATION IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE OFFICE OF THE ATTORNEY GENERAL.  
 4. THIS INFORMATION IS PROVIDED ON AN "AS IS" BASIS AND WITHOUT WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO THE WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, AND NONINFRINGEMENT OF THIRD PARTY RIGHTS.



SECTION A  
UNIT 1  
1:100



SECTION B  
UNIT 2  
1:100



Scale: AS SHOWN @A3 Sheet Size  
 Project Number: 20-002  
 Drawing Number/Revision: DA-301 C  
 Date: 09/01/2023

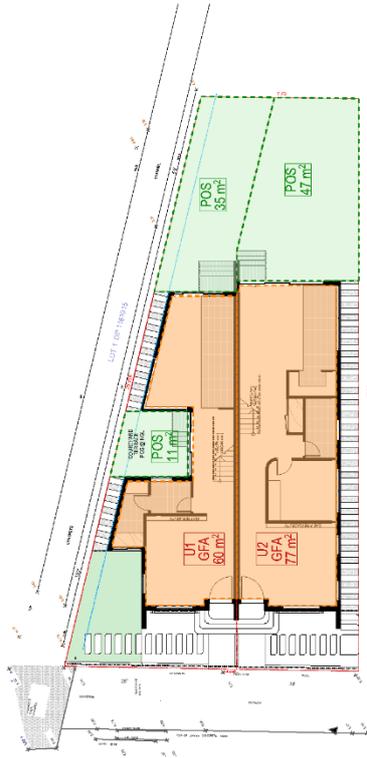
DEVELOPMENT APPLICATION  
 SUBDIVISION & RESIDENTIAL SEMI DETACHED  
 DWELLINGS - 9 SILVER ST, MARRICKVILLE

Mobile: 0492 868 901  
 Email: yml@signalid@outlook.com  
 The Developer's responsibility is to ensure that the information provided in this document is accurate and up-to-date. The Council is not responsible for the accuracy of the information provided in this document.

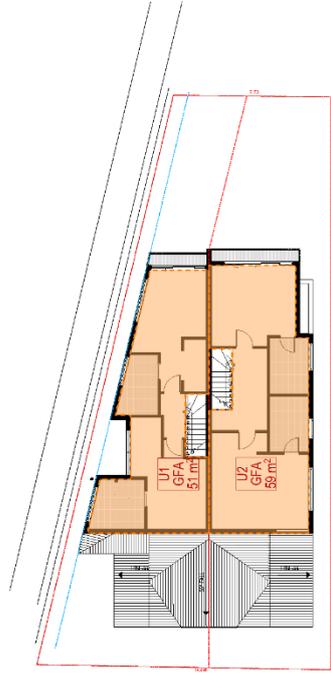




1. ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.  
 2. THIS INFORMATION IS PROVIDED AS IS AND WITHOUT WARRANTY OF ANY KIND, INCLUDING MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR ACCURACY.  
 3. THE INFORMATION IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PROVIDED.  
 4. THE INFORMATION IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE ISSUING AUTHORITY.  
 5. THE INFORMATION IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PROVIDED.  
 6. THE INFORMATION IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE ISSUING AUTHORITY.



GROUND



LEVEL 01

	REQUIREMENT	PROPOSED	COMPLY
GFA	U1 = 151m <sup>2</sup> U2 = 162m <sup>2</sup>	U1 = 111m <sup>2</sup> U2 = 136m <sup>2</sup>	YES
FSR	1 : 1	U1 = 0.73 : 1 U2 = 0.84 : 1	YES
POS	U1 = 45m <sup>2</sup> U2 = 45m <sup>2</sup>	U1 = 11+35 = 46m <sup>2</sup> U2 = 47m <sup>2</sup>	YES

Mob: 0492 868 901  
 Email: ym@signahub@outlook.com  
 The Developer's responsibility is to ensure that the information provided is accurate and complete. The Developer is not responsible for any errors or omissions in the information provided.



Drawing Title



Project Number  
**20-002**

Drawing Number/Revision  
**DA-401 C**

Scale  
**AS SHOWN**  
 @A3 Sheet Size

Drawing Title  
**GFA & POS DIAGRAMS**

**DEVELOPMENT APPLICATION**  
 SUBDIVISION & RESIDENTIAL SEMI DETACHED  
 DWELLINGS - 9 SILVER ST, MARRICKVILLE

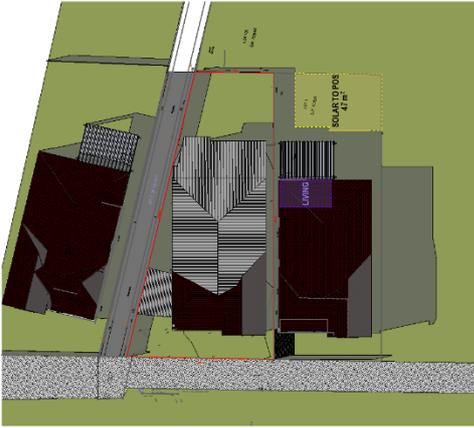


NOT TO SCALE  
 ALL DIMENSIONS ARE APPROXIMATE  
 DRAWING IS FOR INFORMATION ONLY  
 AND DOES NOT REPRESENT A CONTRACT  
 DOCUMENT. THE CLIENT ACCEPTS RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED AND THE INFORMATION IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.

**LEGEND**

SOLAR TO NEIGHBOURING BUILDING POS  


NEIGHBOURING BUILDING LIVING ROOM  

EXISTING - Jun-21-11am



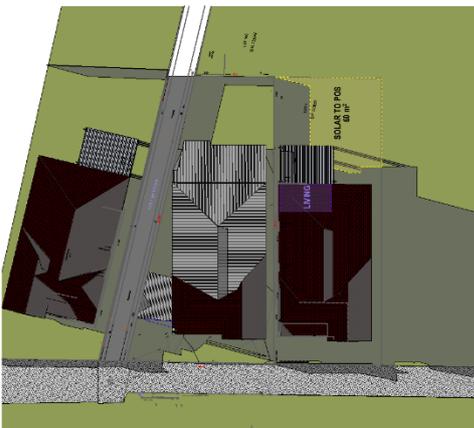
PROPOSED - Jun-21-11am



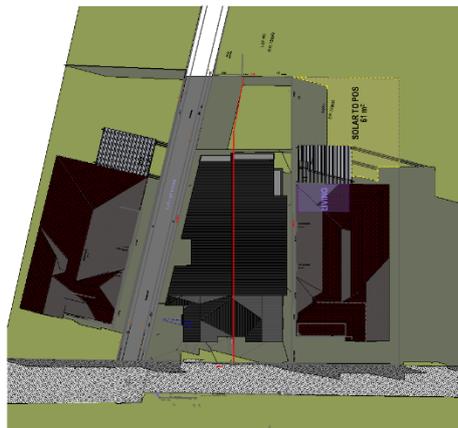
EXISTING - Jun-21-10am



PROPOSED - Jun-21-10am



EXISTING - Jun-21-09am



PROPOSED - Jun-21-09am



Drawing Number Revision Date  
 DA-403 C 09/01/2023

Project Number  
 20-002

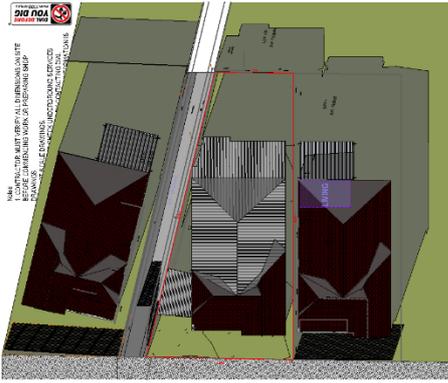
Scale  
 AS SHOWN  
 @A3 Sheet Size

Drawing Title  
**WINTER SOLSTICE SHADOW  
 DIAGRAMS 9AM-11AM**

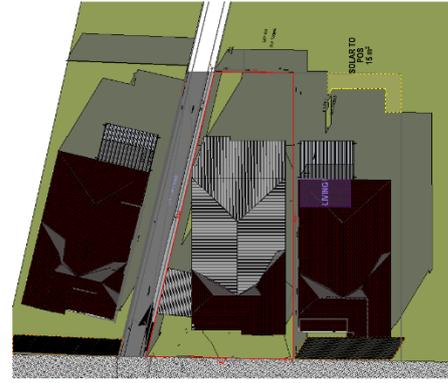
**DEVELOPMENT APPLICATION**  
 SUBDIVISION & RESIDENTIAL SEMI DETACHED  
 DWELLINGS - 9 SILVER ST, MARRICKVILLE

Mobile: 0492 868 901  
 Email: ymlsdesigns@outlook.com

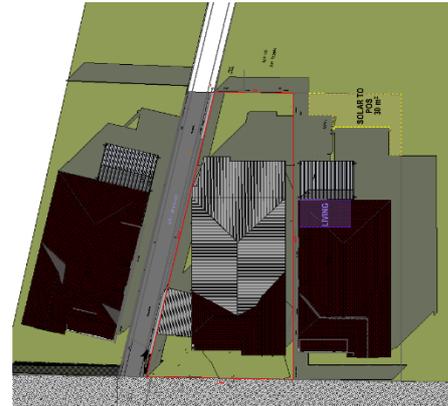




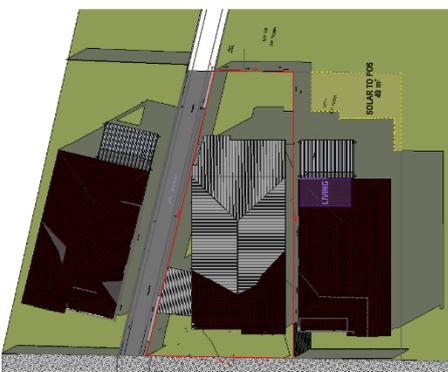
EXISTING - Jun-21-12pm



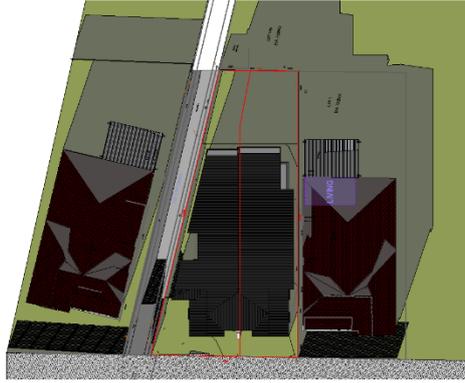
EXISTING - Jun-21-1pm



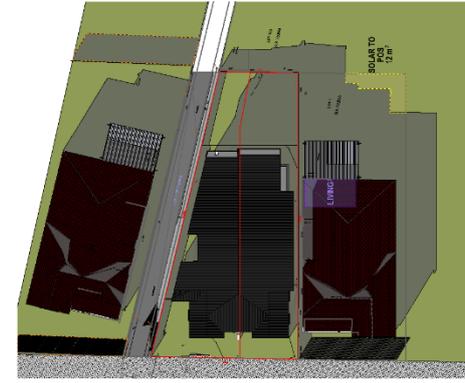
EXISTING - Jun-21-2pm



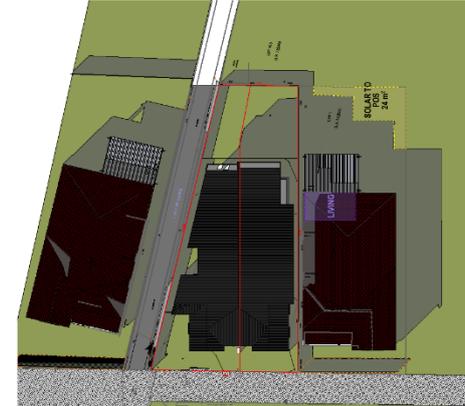
EXISTING - Jun-21-3pm



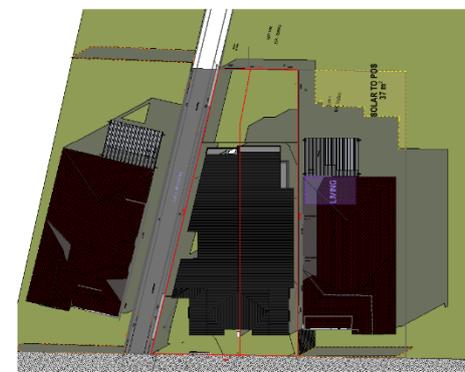
PROPOSED - Jun-21-12pm



PROPOSED - Jun-21-1pm



PROPOSED - Jun-21-2pm



PROPOSED - Jun-21-3pm



Project Number 20-002  
 Drawing Number Revision DA-404 C  
 Date 09/01/2023

Scale AS SHOWN  
 @A15 sheet size

Drawing Title  
**WINTER SOLSTICE SHADOW  
 DIAGRAMS 12PM-3PM**

**DEVELOPMENT APPLICATION**  
 SUBDIVISION & RESIDENTIAL SEMI DETACHED  
 DWELLINGS - 9 SILVER ST, MARRICKVILLE

Mobile: 0492 868 901  
 Email: ym@signshades.com  
 19 North Bridge Street, Sydney, NSW, Australia  
 The information contained in this document is the property of Signshades Pty Ltd. It is to be used only for the purposes stated and is not to be distributed to any other party without the written consent of Signshades Pty Ltd.



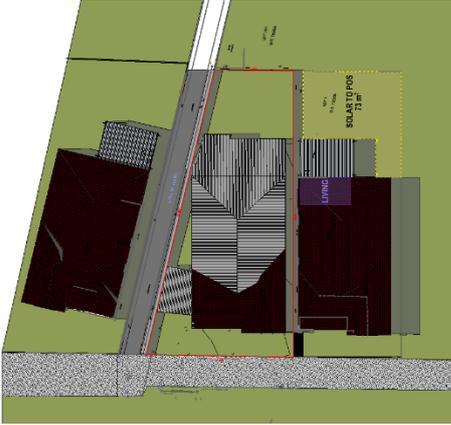
NOT TO SCALE  
 ALL DIMENSIONS ARE APPROXIMATE  
 DRAWING IS FOR INFORMATION ONLY  
 AND DOES NOT CONSTITUTE AN OFFER  
 OF ANY FINANCIAL PRODUCT OR SERVICE  
 OR A GUARANTEE OF ANY KIND  
 BEFORE YOU DO ANYTHING, PLEASE  
 READ THE FULL DISCLOSURE DOCUMENT  
 AND THE TERMS AND CONDITIONS OF THE  
 ASSUMPTIONS AND DISCLOSURES THAT  
 APPLY TO THIS OFFER.

**LEGEND**

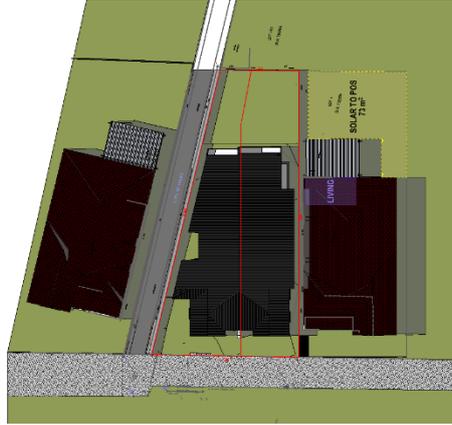
SOLAR TO NEIGHBOURING BUILDING POS



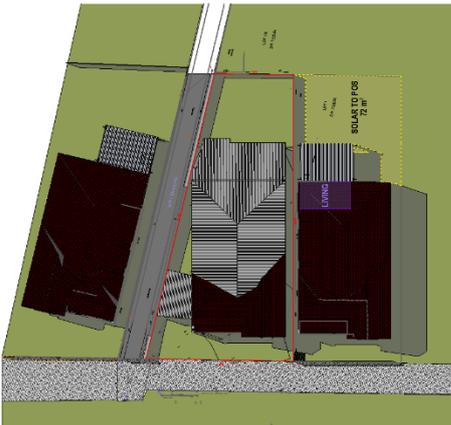
NEIGHBOURING BUILDING LIVING ROOM



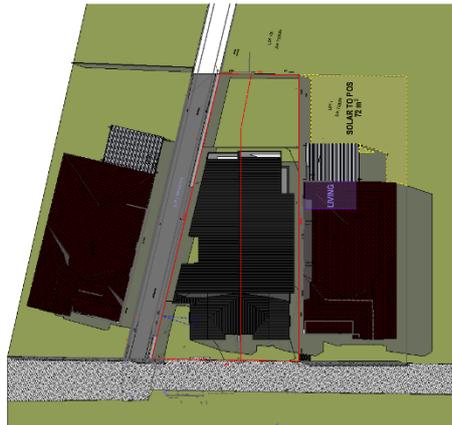
EXISTING - Mar-21-11am



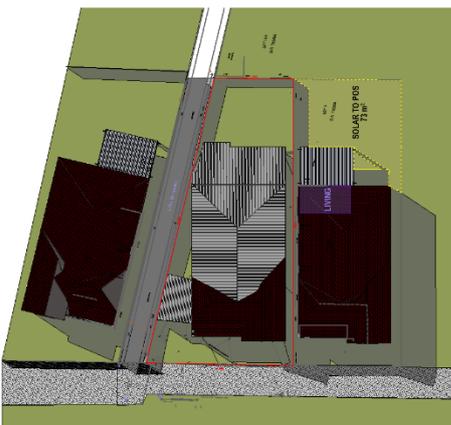
PROPOSED - Mar-21-11am



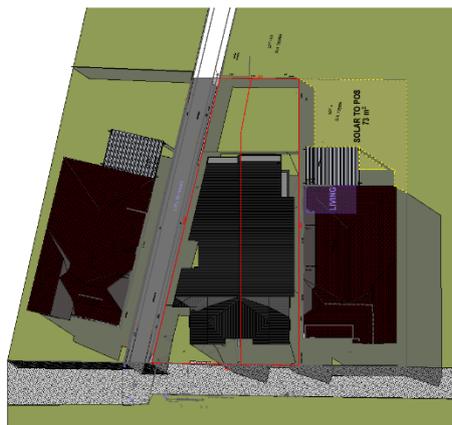
EXISTING - Mar-21-10am



PROPOSED - Mar-21-10am



EXISTING - Mar-21-09am



PROPOSED - Mar-21-09am



Drawing Number Revision Date  
 DA-405 C 09/01/2023

Project Number  
 20-002

Scale  
 AS SHOWN  
 @A3 Sheet Size

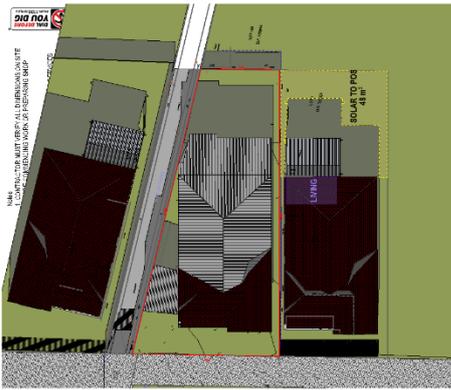
Drawing Title  
**MARCH EQUINOX SHADOW  
 DIAGRAMS 9AM-11AM**

**DEVELOPMENT APPLICATION**  
 SUBDIVISION & RESIDENTIAL SEMI DETACHED  
 DWELLINGS - 9 SILVER ST, MARRICKVILLE

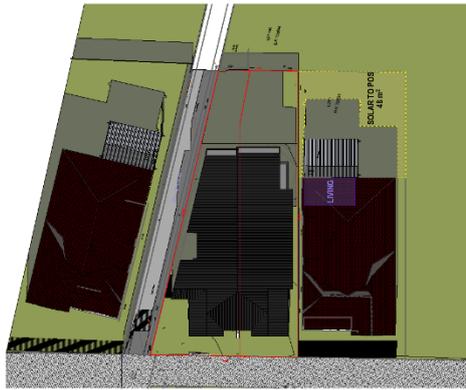
Mobile: 0492 868 901  
 Email: yml@signalite@outlook.com

The Council has completed  
 the assessment of the Development Application  
 and the Council has resolved to grant the Development Application.

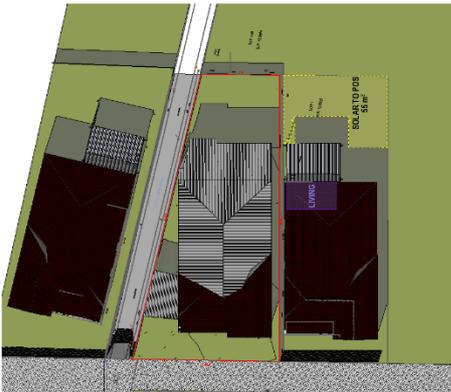




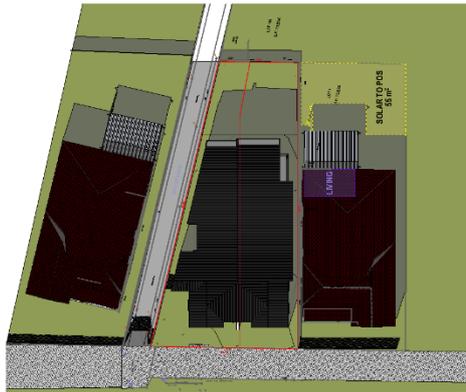
EXISTING - Mar-21-3pm



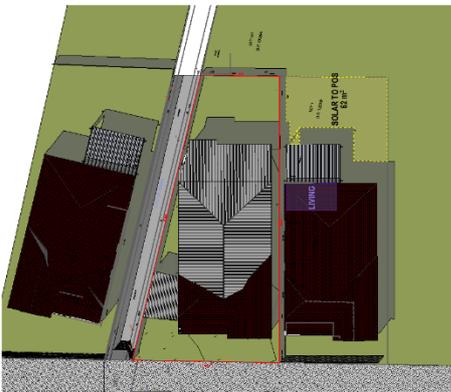
PROPOSED - Mar-21-3pm



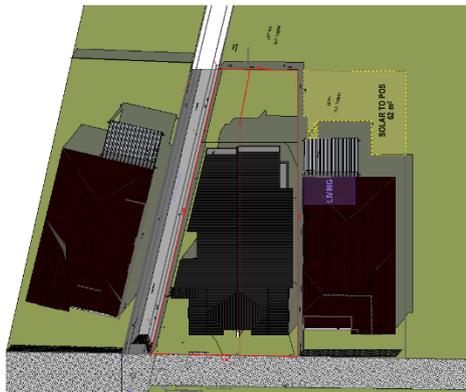
EXISTING - Mar-21-2pm



PROPOSED - Mar-21-2pm



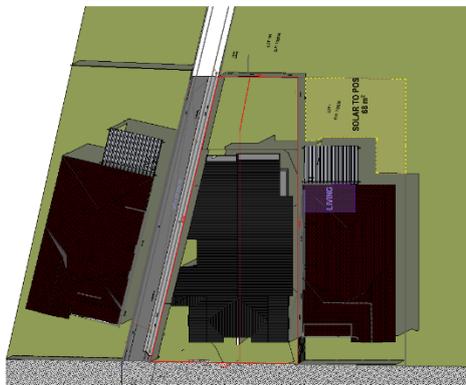
EXISTING - Mar-21-1pm



PROPOSED - Mar-21-1pm



EXISTING - Mar-21-12pm



PROPOSED - Mar-21-12pm



Project Number 20-002  
 Drawing Number Revision DA-406 C  
 Date 09/01/2023

Scale AS SHOWN  
 @A1.5 sheet size

Drawing Title  
**MARCH EQUINOX SHADOW  
 DIAGRAMS 12PM-3PM**

**DEVELOPMENT APPLICATION**  
 SUBDIVISION & RESIDENTIAL SEMI DETACHED  
 DWELLINGS - 9 SILVER ST, MARRICKVILLE

Mobile: 0492 868 901  
 Email: ym@signshades.com  
 The Shadow Study is completed in accordance with the Shadow Study Methodology as published by the NSW Government.



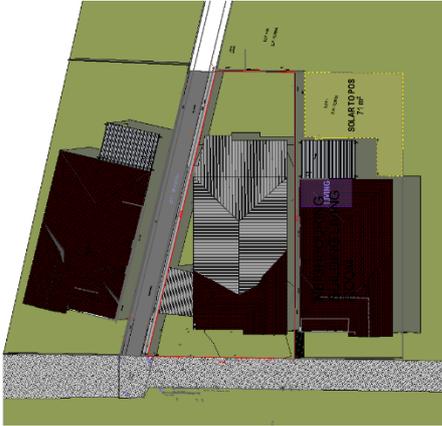
NOT TO SCALE  
 ALL DIMENSIONS ARE APPROXIMATE  
 DRAWING IS FOR INFORMATION ONLY  
 AND DOES NOT CONSTITUTE AN OFFER  
 OF ANY FINANCIAL PRODUCT OR SERVICE  
 BEFORE YOU DECIDE TO INVEST, PLEASE  
 READ THE PRODUCT DISCLOSURE STATEMENT  
 AND THE TERMS AND CONDITIONS OF THE  
 CONTRACT CAREFULLY. YOU SHOULD  
 CONSULT YOUR FINANCIAL ADVISOR FOR  
 MORE INFORMATION.

**LEGEND**

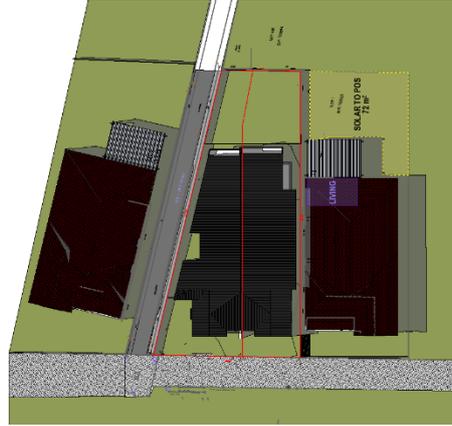
SOLAR TO NEIGHBOURING BUILDING POS



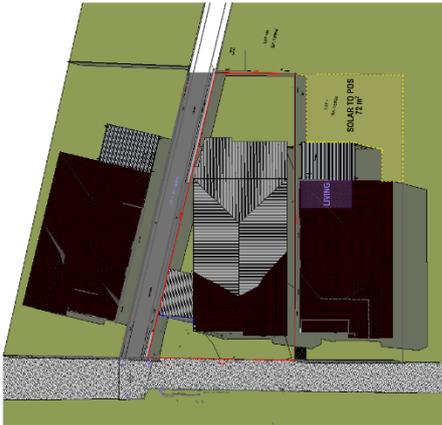
NEIGHBOURING BUILDING LIVING ROOM



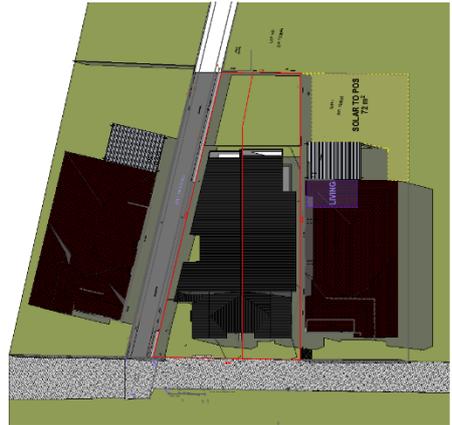
EXISTING - Sep-21-11am



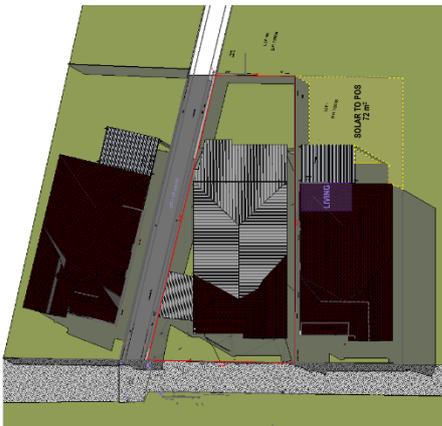
PROPOSED - Sep-21-11am



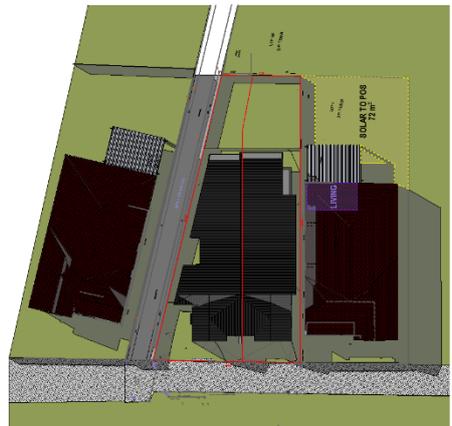
EXISTING - Sep-21-10am



PROPOSED - Sep-21-10am



EXISTING - Sep-21-09am



PROPOSED - Sep-21-09am



Drawing Number Revision Date  
 DA-407 C 09/01/2023

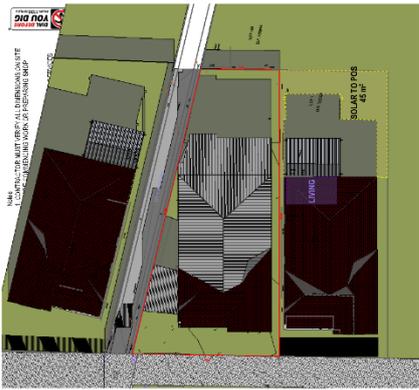
Project Number  
 20-002

Scale  
 AS SHOWN  
 @A3 Sheet Size

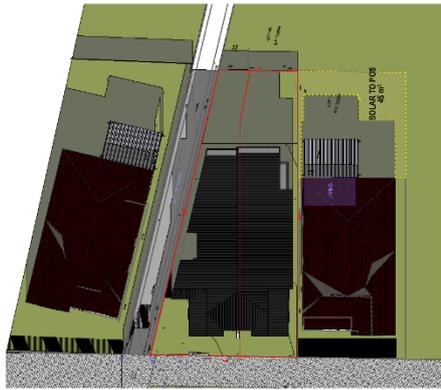
**DEVELOPMENT APPLICATION**  
 SUBDIVISION & RESIDENTIAL SEMI DETACHED  
 DWELLINGS - 9 SILVER ST, MARRICKVILLE

Mobile: 0492 868 901  
 Email: ym@signshades@outlook.com

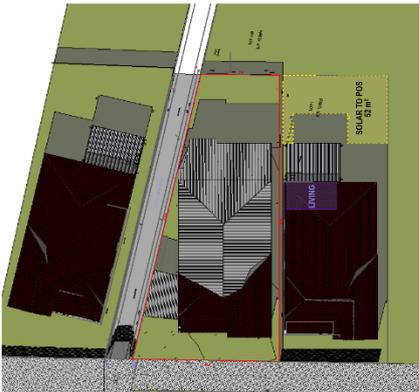




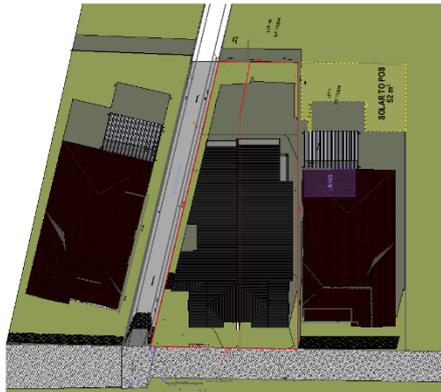
EXISTING - Sep-21-3pm



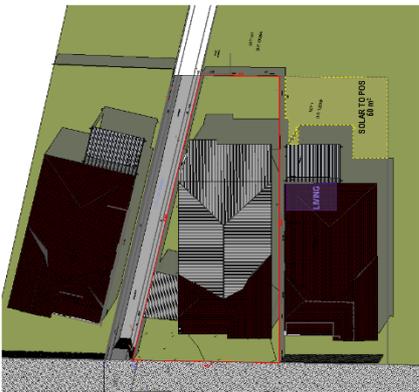
PROPOSED - Sep-21-3pm



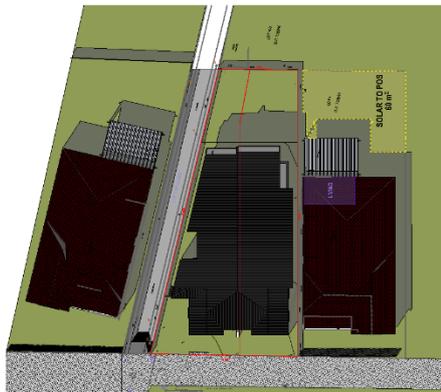
EXISTING - Sep-21-2pm



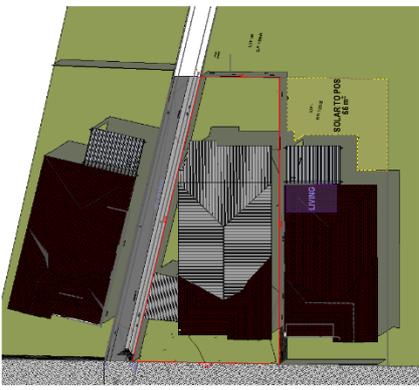
PROPOSED - Sep-21-2pm



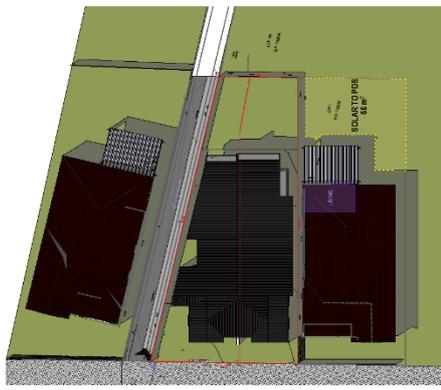
EXISTING - Sep-21-1pm



PROPOSED - Sep-21-1pm



EXISTING - Sep-21-12pm



PROPOSED - Sep-21-12pm



Project Number 20-002  
 Drawing Number Revision DA-408 C  
 Date 09/01/2023

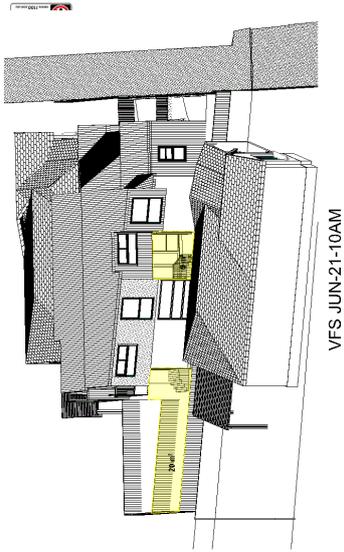
Scale AS SHOWN  
 @A3 Sheet Size

Drawing Title  
**SEPTEMBER EQUINOX SHADOW  
 DIAGRAMS 12PM-3PM**

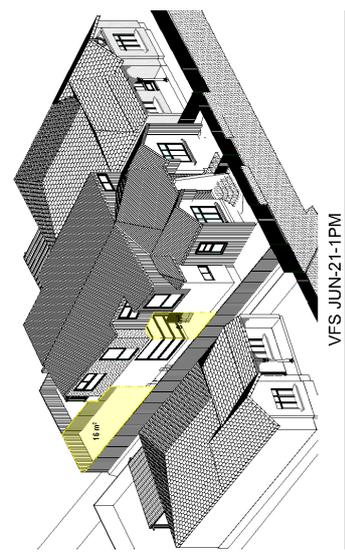
**DEVELOPMENT APPLICATION**  
 SUBDIVISION & RESIDENTIAL SEMI DETACHED  
 DWELLINGS - 9 SILVER ST, MARRICKVILLE

Mobile: 0492 868 901  
 Email: ym@signshades.com  
 The Shadow Study is completed by Signshades Pty Ltd. The Shadow Study is not a guarantee of the accuracy of the information provided. The Shadow Study is not a guarantee of the accuracy of the information provided.

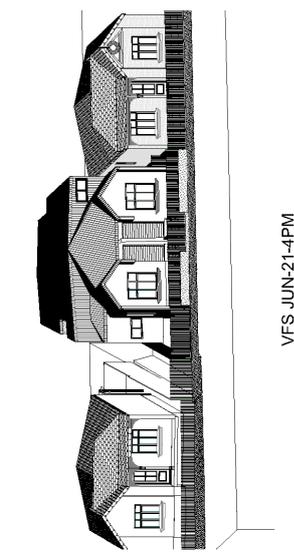




VFS JUN-21-10AM



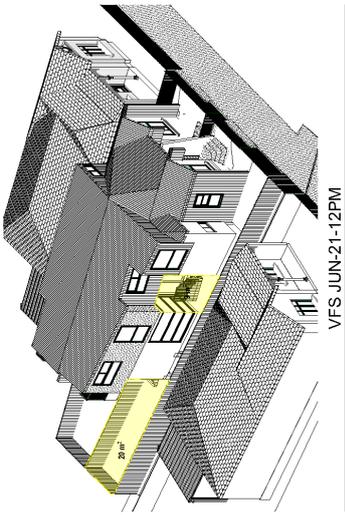
VFS JUN-21-1PM



VFS JUN-21-4PM



VFS JUN-21-9AM



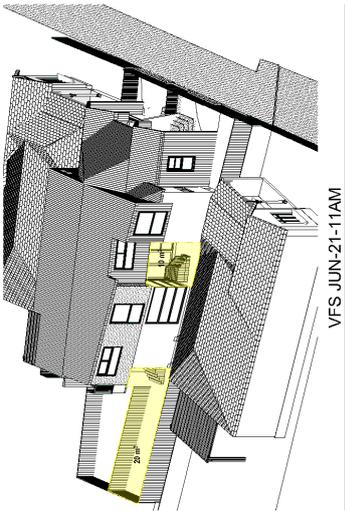
VFS JUN-21-12PM



VFS JUN-21-3PM



VFS JUN-21-8AM



VFS JUN-21-11AM



VFS JUN-21-2PM



Scale  
 AS SHOWN  
 @A3 Sheet Size

Project Number  
 20-002

Drawing Number Revision  
 DA-409 C

Date  
 09/01/2023

**DEVELOPMENT APPLICATION**  
 SUBDIVISION & RESIDENTIAL SEMI DETACHED  
 DWELLINGS - 9 SILVER ST, MARRICKVILLE

Mob: 0492 869 901  
 Email: ymdesignstudio@outlook.com

The Design Studio copyright ©  
 All rights reserved. This document is not to be used for  
 any other project without the express written consent of  
 The Design Studio.



**VIEWS FROM THE SUN**

Drawing Title

THIS DOCUMENT IS THE PROPERTY OF THE INNER WEST LOCAL PLANNING PANEL. IT IS TO BE USED ONLY FOR THE PURPOSES SPECIFIED IN THE CONTRACT. IT IS NOT TO BE REPRODUCED, COPIED, EITHER WHOLLY OR IN PART, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE INNER WEST LOCAL PLANNING PANEL. ANY UNAUTHORIZED USE OF THIS DOCUMENT IS PROHIBITED.



**MATERIALS SCHEDULE**

- A** PCH Bricks  
Manhattan  
Brooklyn or  
similar
- B** Metal Cladding  
Colorbond  
Night Sky or  
similar
- C** Concrete look  
cement finish or  
similar
- D** Aluminium  
Powdercoat  
Windows &  
Doors in Black
- E** Metal roof sheet -  
Colorbond  
Monument or  
similar
- F** Vertical Bar  
Balustrade and  
Screening -  
Black & Bronze
- G** Timber  
Quickboard  
Ceiling Lining

Ms. Casey Bell  
 Email: [jymdesignstudio@outlook.com](mailto:jymdesignstudio@outlook.com)  
 11 The Park Road, Campbelltown NSW 2561  
 Phone: 02 9438 2222  
 Website: [www.jymdesignstudio.com.au](http://www.jymdesignstudio.com.au)

**DEVELOPMENT APPLICATION**  
 SUBDIVISION & RESIDENTIAL SEMI-DETACHED  
 DWELLINGS - 9 SILVER ST, MARRICKVILLE

Drawing Title

**FINISHES SCHEDULE**

Scale  
 AS SHOWN  
 @A3 Sheet Size

Project Number  
 20-002

Drawing Number Revision Date  
 DA-901 C 09/01/2023



## Attachment D – Sydney Water Response



28 February 2023

**Tom Irons**  
Senior Planner  
Inner West Council  
[thomas.ironis@innerwest.nsw.gov.au](mailto:thomas.ironis@innerwest.nsw.gov.au)

**RE: Determination of a Development Application REV/2023/0002 at 9 Silver Street  
Marrickville.**

Thank you for notifying Sydney Water of REV/2023/0002 at 9 Silver Street Marrickville, which proposes demolition of the existing dwelling and construction of two dwellings. Sydney Water has reviewed the application based on the information supplied and provides the following comments to assist in planning the servicing needs of the proposed development.

**Water and Wastewater Servicing**

- Potable water servicing and wastewater servicing should be available
- Amplifications, adjustments, and/or minor extensions may be required.

**Stormwater**

- **Sydney Water cannot support the proposal in its current form.**
- The Proponent has *incorrectly defined* the inside wall and outside wall of Sydney Water's stormwater channel. As per the submitted details, the outside wall of the stormwater channel is on the property boundary. As a result, the Proponent needs to revise their proposal to ensure that the building is 1m away from the property boundary.
- Please see the attached Mark Up drawing for further clarity regarding the inside wall and outside wall of the stormwater channel and how the 1,000mm off-set is to be drawn.
- Once resolved the development application can be re-sent to Sydney Water.

Should Inner West Council require any further information, please contact the Growth Planning Team via [urbangrowth@sydneywater.com.au](mailto:urbangrowth@sydneywater.com.au).

Yours sincerely,

A handwritten signature in black ink, appearing to read "KL", written over a horizontal line.

**Kristine Leitch**  
Commercial Growth Manager  
City Growth and Development, Business Development Group  
Sydney Water, 1 Smith Street, Parramatta NSW 2150

Attachment E – Flood Impact Assessment



Civil Stormwater Engineering Group

Civil | Stormwater | Structural | Geotechnical | Flooding

January 16, 2023  
CSW2022.07

# Flood Impact Assessment

**Address:** 9 Silver Street, Marrickville  
**Governing Council:** Inner West (Marrickville)  
**Project:** Dual Occupancy  
**Client:** YM Design Studio  
**File Reference:** CSW2022.07

ABN 85 537 629 402  
ACN 640 561 584

51 Princes Highway, Sylvania  
NSW 2224

(02) 8605 3859  
www.csegggroup.com.au

Civil Stormwater Engineering  
Group Pty Ltd

**Copyright © 2021 – Civil Stormwater Engineering Group**

The information given in this document takes into account the particular instructions and requirements of our Client. It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

This document is copyright and may not be reproduced or copied in any form or by any other means (graphic, electronic or mechanical including photocopying) without the written permission of **Civil Stormwater Engineering Group** Pty Limited. Any licence, express or implied, to use this document for any purpose whatsoever is restricted to the terms of agreement between our Client and **Civil Stormwater Engineering Group** Pty Limited.

**Revision Table**

Revision	Date	Issue Description	Issued By	Signed
01	27.01.2022	Issue for DA	CSEG	S HAKIM
02	16.01.2023	Issue for DA	CSEG	S HAKIM

**Disclaimer**

The advice and information contained within this report relies on the quality of the records and other data provided by the Client and obtained from Council along with the time and budgetary constraints imposed.

CSEG Flood Impact Assessment 2020.07

Document Set ID: 37527722  
Version: 1, Version Date: 16/03/2023



Civil Stormwater Engineering Group

Civil | Stormwater | Structural | Geotechnical | Flooding

Contents

<b>1. EXECUTIVE SUMMARY</b>	<b>4</b>
<b>2. INTRODUCTION</b>	<b>4</b>
2.1 Brief	4
2.2 Limitations	5
2.3 Reference	5
<b>3. DESCRIPTION</b>	<b>6</b>
3.1 Site Location	6
3.2 Governing Council Requirements	6
3.3 Objectives	7
1. Floor Level	7
2. Building Components	7
3. Structural Soundness	8
4. Flood Affectation	8
5. Evacuation	8
6. Management and Design	8
<b>4. FLOOD STUDY</b>	<b>12</b>
4.1 Glossary	12
4.2 Flood Classification	13
4.3 Marrickville Valley Floodplain Risk Management Study (Cardno, 2017)	13
4.4 H2 Hazard Classification	16
<b>5. SITE DEVELOPMENT DESIGN</b>	<b>16</b>
5.1 Architecture	16
5.2 Engineering	17
5.3 Objectives	17
5.4 Performance Criteria	17
<b>6. FLOOD EVACUATION REQUIREMENTS</b>	<b>18</b>
6.1 Water Entry into the Building	18
6.2 Evacuation strategy and Structural Measures	18
6.3 Before Flood Occurs	19
6.4 When you hear a flood warning	20
6.5 If you need to evacuate	20
6.6 If you stay or on your return	20
6.7 How to draw up your emergency flood plan	20
6.8 Prior to flood storm	21
6.9 Emergency Flood Evacuation Kit	21
<b>7. CONCLUSION</b>	<b>22</b>
<b>8. APPENDIX</b>	<b>23</b>

ABN 85 537 629 402  
ACN 640 561 584

51 Princess Highway, Sylvania  
NSW 2224

(02) 8605 3859  
www.csegggroup.com.au

Civil Stormwater Engineering  
Group Pty Ltd

Document Set ID: 37527722  
Version: 1, Version Date: 16/03/2023

CSEG Flood Impact Assessment 2020.07



# Civil Stormwater Engineering Group

Civil | Stormwater | Structural | Geotechnical | Flooding

ABN 85 537 629 402  
ACN 640 561 584

51 Princess Highway, Sylvania  
NSW 2224

(02) 8605 3859  
www.csegroup.com.au

Civil Stormwater Engineering  
Group Pty Ltd

Document Set ID: 37527722  
Version: 1, Version Date: 16/03/2023

CSEG Flood Impact Assessment 2020.07



Civil Stormwater Engineering Group

Civil | Stormwater | Structural | Geotechnical | Flooding

**1. Executive Summary**

This document is a flood impact assessment report for the proposed Dual Occupancy located at 9 Silver Street, Marrickville. The study is for an overland flow which inundates the entire site. The site is legally described as 1/DP970654. Designed by YM Design Studio is a residential site with a proposed dual occupancy development, Figure 1.



Figure 1- 3D image of proposed development

The flood assessment report provides: -

- A flood water surface level, provisional hazard and impact assessments of 9 Silver Street, Marrickville;
- Determine the existing stormwater characteristics of the overland flow- path hydraulics and capacity;
- Addressing the requirements of Inner West Council Flood Requirements;
- Set development levels for the proposed warehouse in accordance with Council’s guidelines;
- Discuss risk management in accordance with Council’s Flood Risk Management Guidelines; and
- Provide flood risk management procedures for the proposed development.

**2. Introduction**

2.1 Brief

Civil Stormwater Engineering Group (CSEG) has been engaged by YM Design Studio

CSEG Flood Impact Assessment 2020.07

ABN 85 537 629 402  
ACN 640 561 584

51 Princess Highway, Sylvania  
NSW 2224

(02) 8605 3859  
www.cseggroup.com.au

Civil Stormwater Engineering  
Group Pty Ltd

Document Set ID: 37527722  
Version: 1, Version Date: 16/03/2023



## Civil Stormwater Engineering Group

Civil | Stormwater | Structural | Geotechnical | Flooding

to carry out a Flood Assessment Report in support of the Dual Occupancy at 9 Silver Street, Marrickville.

Inner West Council requires the flood impact report to accompany the stormwater design for the development application.

### The following tasks were carried out:

- A site visit was undertaken on the 12<sup>st</sup> of December 2021 to ascertain on-site conditions and familiarise with the catchment;
- Supplied documents and previous studies were reviewed;
- Stormwater design applying all the relevant standards listed in *Part 2.25 Generic Provisions Stormwater Management*
- This report has been compiled.

### 2.2 Limitations

This report is intended solely for YM Design Studio as the client of CSEG and no liability will be accepted for use of the information contained in this report by other parties than this client.

This report is limited to visual observations and to the information including the referenced documents made available at the time when this report was written.

### 2.3 Reference

The following documents have been referenced to in this report:

- Site survey prepared by CE surveying
- Architectural drawings prepared by YM Design Studio revision C
- NSW Government The Floodplain Development Manual – The management of Flood Liable Land;
- Engineers Australia, Australian Rainfall & Runoff (AR&R 2019)
- Aerial Scanning Data (ALS) for the study area received from NSW department of Land & Property Information (LPI);
- LiDAR data from Elevation Information System (ELVIS)
- State Environmental Planning Policy (Housing) 2021
- Inner West Council LEP

ABN 85 537 629 402  
ACN 640 561 584

51 Princess Highway, Sylvania  
NSW 2224

(02) 8605 3859  
www.csegggroup.com.au

Civil Stormwater Engineering  
Group Pty Ltd

Document Set ID: 37527722  
Version: 1, Version Date: 16/03/2023

CSEG Flood Impact Assessment 2020.07



# Civil Stormwater Engineering Group

Civil | Stormwater | Structural | Geotechnical | Flooding

### 3. Description

#### 3.1 Site Location

The site is North West facing along Silver Street being 1/DP970654 in the suburb of Marrickville. This site is governed by a Local Government Area of Inner West City Council.

The site bounded by Silver Street from the West and adjoining properties to the South and an open water channel to the North.

The site has an irregular shape and is characterised by a natural gradient from East to West, sloping towards the front of the property at approximately 0.34% longitudinal grade. Overland flow enters the property from the North inundating the entire site.



Figure 2 - Site Locality Map, Mecone GIS

#### 3.2 Governing Council Requirements

The proposed development has been revised to incorporate the results of the flood study, Flood Certificate supplied by Inner West Council, certificate ENCF/2021/0141. In accordance with this report the site is affected by the following:

- 100 -year ARI flood levels = RL 5.75m AHD
- PMF levels = 7.00 m AHD
- Open channel from the northern site boundary

The Stormwater System Report provided by council addressing the following:

*Provision should be made on site, and at boundary fences, for this stormwater runoff to pass unobstructed over the site. Stormwater flowing naturally onto the site must not be impeded or diverted.*

*The Development Application submission shall be based on an AHD datum for levels where sites are affected by overland flow / flooding.*

CSEG Flood Impact Assessment 2020.07

ABN 85 537 629 402  
ACN 640 561 584

51 Princes Highway, Sylvania  
NSW 2224

(02) 8605 3859  
www.cseggroup.com.au

Civil Stormwater Engineering  
Group Pty Ltd

Document Set ID: 37527722  
Version: 1, Version Date: 16/03/2023



## Civil Stormwater Engineering Group

Civil | Stormwater | Structural | Geotechnical | Flooding

*The proposed development including floor levels, shall comply with the development controls specified in Inner West Council's 2.22 Flood Management Code*

To ensure Overland Flow is not impacted by the proposed development, an Overland Flow Impact Report has been prepared for the 1: 100 ARI event. A report that addresses the criteria contained within Council's Local Flood Plain Risk Management Part 2.22. This report was prepared by a qualified experienced Stormwater/Flood Engineer and the following information was obtained:

- Survey of the development site and immediate surrounds reduced to AHD
- Catchment analysis for 1% AEP (1 in 100-year) storm events
- Assessment of overland flow from above the site for the 1% AEP in the event that the pipeline is fully blocked.
- Assessment of 'high hazard' conditions (where velocity x depth > 0.4/m<sup>2</sup>/s for the 1% event)

The DA must demonstrate the following:

- There be minimal fill or displacement of floodwaters in the area subject to 1% AEP flooding
- Any building between the 1% flood contours does not obstruct floodwaters up to the 1% flood level plus 500mm freeboard. (This may require the building to be raised on columns or cantilevered so that undersides of slabs, beams are clear of this level.
- The development will result in a safe environment for occupants, in regard to stormwater flooding – especially for any "high hazard area".

### 3.3 Objectives

The purpose of this flood impact report is to ensure the development is designed and built in accordance with the requirements addressed in Schedule 2.22 Generic Provisions Flood Management;

For all developments rebuilt the following requirements need to be addressed and met:

#### 1. Floor Level

- a) Habitable floor levels to be equal to or greater than the 100-year flood level plus freeboard
- b) Failsafe Vehicular access (garages, carports etc) to be located above the 100-year flood level plus freeboard

#### 2. Building Components

- a) All structures to have flood compatible building components below or at 100-year flood level plus freeboard

CSEG Flood Impact Assessment 2020.07

ABN 85 537 629 402  
ACN 640 561 584

51 Princess Highway, Sylvania  
NSW 2224

(02) 8605 3859  
www.cseggroup.com.au

Civil Stormwater Engineering  
Group Pty Ltd

Document Set ID: 37527722  
Version: 1, Version Date: 16/03/2023



## Civil Stormwater Engineering Group

Civil | Stormwater | Structural | Geotechnical | Flooding

### 3. Structural Soundness

- a) Engineers report to certify that any structures can withstand the forces of floodwater, debris & buoyancy up to and including a 100-year flood plus freeboard.

### 4. Flood Affection

- a) The impact of the development on flooding elsewhere to be considered.
- b) Limited filling will be considered for new dwellings.

### 5. Evacuation

- a) Reliable and failsafe access for pedestrians required at or above the 100-year flood level, and not more than 0.5m below the highest floor level. This access is to be adjacent the side boundary.
- b) Reliable and failsafe access for vehicles is not required but encouraged, at or above 100-year flood level.
- c) The development is to be consistent with any relevant flood evacuation strategy or similar plan.

### 6. Management and Design

- a) Site Emergency Response Flood Plan required.
- b) Applicant to demonstrate that area is available to store goods above the 100-year flood level plus freeboard.
- c) No external storage of materials below the 100-year flood level plus freeboard, which may cause pollution or be potentially hazardous during a flood.

ABN 85 537 629 402  
ACN 640 561 584

51 Princess Highway, Sylvania  
NSW 2224

(02) 8605 3859  
www.csegggroup.com.au

Civil Stormwater Engineering  
Group Pty Ltd

Document Set ID: 37527722  
Version: 1, Version Date: 16/03/2023

CSEGG Flood Impact Assessment 2020.07



Civil Stormwater Engineering Group

Civil | Stormwater | Structural | Geotechnical | Flooding

BUILDING COMPONENT	FLOOD COMPATIBLE MATERIAL	BUILDING COMPONENT	FLOOD COMPATIBLE MATERIAL
Flooring and Sub-floor Structure	<ul style="list-style-type: none"> <li>concrete slab-on-ground monolith construction</li> <li>suspension reinforced concrete slab</li> </ul>	Doors	<ul style="list-style-type: none"> <li>solid panel with water proof adhesives</li> <li>flush door with marine ply filled with closed cell foam</li> <li>painted metal construction</li> <li>aluminium or galvanised steel frame</li> </ul>
Floor Covering	<ul style="list-style-type: none"> <li>clay tiles</li> <li>concrete, precast or in situ</li> <li>concrete tiles</li> <li>epoxy, formed-in-place</li> <li>mastic flooring, formed-in-place</li> <li>rubber sheets or tiles with chemical-set adhesives</li> <li>silicone floors formed-in-place</li> <li>vinyl sheets or tiles with chemical-set adhesive</li> <li>ceramic tiles, fixed with mortar or chemical-set adhesive</li> <li>asphalt tiles, fixed with water resistant adhesive</li> </ul>	Wall and Ceiling Linings	<ul style="list-style-type: none"> <li>fibro-cement board</li> <li>brick, face or glazed</li> <li>clay tile glazed in waterproof mortar</li> <li>concrete</li> <li>concrete block</li> <li>steel with waterproof applications</li> <li>stone, natural solid or veneer, waterproof grout</li> <li>glass blocks</li> <li>glass</li> <li>plastic sheeting or wall with waterproof adhesive</li> </ul>

ABN 85 537 629 402  
ACN 640 561 584

51 Princes Highway, Sylvania  
NSW 2224

(02) 8605 3859  
www.cseggroup.com.au

Civil Stormwater Engineering  
Group Pty Ltd

Document Set ID: 37527722  
Version: 1, Version Date: 16/03/2023

CSEGE Flood Impact Assessment 2020.07



Civil Stormwater Engineering Group

Civil | Stormwater | Structural | Geotechnical | Flooding

BUILDING COMPONENT	FLOOD COMPATIBLE MATERIAL	BUILDING COMPONENT	FLOOD COMPATIBLE MATERIAL
Wall Structure	<ul style="list-style-type: none"> <li>solid brickwork, blockwork, reinforced, concrete or mass concrete</li> </ul>	Insulation Windows	<ul style="list-style-type: none"> <li>foam (closed cell types)</li> <li>aluminium frame with stainless steel rollers or similar corrosion and water resistant material</li> </ul>
Roofing Structure (for Situations Where the Relevant Flood Level is Above the Ceiling)	<ul style="list-style-type: none"> <li>reinforced concrete construction</li> <li>galvanised metal construction</li> </ul>	Nails, Bolts, Hinges and Fittings	<ul style="list-style-type: none"> <li>brass, nylon or stainless steel</li> <li>removable pin hinges</li> <li>hot dipped galvanised steer wire nails or similar</li> </ul>

<p><b>Electrical and Mechanical Equipment</b></p> <p>For dwellings constructed on land to which this Policy applies, the electrical and mechanical materials, equipment and installation should conform to the following requirements.</p>	<p><b>Heating and Air Conditioning Systems</b></p> <p>Heating and air conditioning systems should, to the maximum extent possible, be installed in areas and spaces of the house above the relevant flood level. When this is not feasible every precaution should be taken to minimise the damage caused by submersion according to the following guidelines.</p>
<p><b>Main power supply</b></p> <p>Subject to the approval of the relevant authority the incoming main commercial power service equipment, including all metering equipment, shall be located above the relevant flood level. Means shall be available to easily disconnect the dwelling from the main power supply.</p>	<p><b>Fuel</b></p> <p>Heating systems using gas or oil as a fuel should have a manually operated valve located in the fuel supply line to enable fuel cut-off.</p>

ABN 85 537 629 402  
ACN 640 561 584

51 Princes Highway, Sylvania  
NSW 2224

(02) 8605 3859  
www.cseggroup.com.au

Civil Stormwater Engineering  
Group Pty Ltd

Document Set ID: 37527722  
Version: 1, Version Date: 16/03/2023

CSEG Flood Impact Assessment 2020.07



Civil Stormwater Engineering Group

Civil | Stormwater | Structural | Geotechnical | Flooding

<p><b>Wiring</b></p> <p>All wiring, power outlets, switches and the like should, to the maximum extent possible, be located above the relevant flood level. All electrical wiring installed below the relevant flood level should be suitable for continuous submergence in water and should contain no fibrous components. Earth core linkage systems (or safety switches) are to be installed. Only submersible-type splices should be used below the relevant flood level. All conduits located below the relevant designated flood level should be so installed that they will be self-draining if subjected to flooding.</p>	<p><b>Installation</b></p> <p>The heating equipment and fuel storage tanks should be mounted on and securely anchored to a foundation pad of sufficient mass to overcome buoyancy and prevent movement that could damage the fuel supply line. All storage tanks should be vented to an elevation of 600 millimetres above the relevant flood level.</p>
<p><b>Equipment</b></p> <p>All equipment installed below or partially below the relevant flood level should be capable of disconnection by a single plug and socket assembly.</p>	<p><b>Ducting</b></p> <p>All ductwork located below the relevant flood level should be provided with openings for drainage and cleaning. Self-draining may be achieved by constructing the ductwork on a suitable grade. Where ductwork must pass through a watertight wall or floor below the relevant flood level, the ductwork should be protected by a closure assembly operated from above relevant flood level.</p>
<p><b>Reconnection</b></p> <p>Should any electrical device and/or part of the wiring be flooded it should be thoroughly cleaned or replaced and checked by an approved electrical contractor before reconnection.</p>	

Table 1 - Flood Compatible Materials

ABN 85 537 629 402  
ACN 640 561 584

51 Princes Highway, Sylvania  
NSW 2224

(02) 8605 3859  
www.csegroup.com.au

Civil Stormwater Engineering  
Group Pty Ltd

Document Set ID: 37527722  
Version: 1, Version Date: 16/03/2023

CSEG Flood Impact Assessment 2020.07



## Civil Stormwater Engineering Group

Civil | Stormwater | Structural | Geotechnical | Flooding

### 4. Flood Study

#### 4.1 Glossary

##### **Annual Exceedance Probability (AEP)**

The chance of a flood of a given or a larger size occurring in any one year, usually expressed as a percentage.

##### **Australian Height Datum (AHD)**

A common national surface level datum approximately corresponding to mean sea level.

##### **Average Recurrence Interval (ARI)**

The long-term average number of years between the occurrence of a flood as big as or larger than the selected event.

##### **Catchment**

The land area draining through the main stream, as well as tributary streams, to a particular site. It always relates to an area above a specific location.

##### **Flood**

Relatively high stream flow which overtops the natural or artificial banks in any part of a stream, river, estuary, lake or dam, and/or local overland flooding associated with major drainage before entering a watercourse.

##### **Flood Liable Land or Flood Prone Land**

Land susceptible to flooding by the PMF.

##### **Flood Planning Levels (FPLs)**

Combinations of flood levels and freeboards selected for floodplain risk management purposes.

##### **Freeboard**

A factor of safety typically used in relation to the setting of floor levels.

##### **Habitable Room**

In industrial or commercial situation: an area used for offices or to store valuable possessions susceptible to damage in the event of a flood.

##### **Peak Discharge**

The maximum discharge occurring during a flood event.

##### **Probable Maximum Flood**

PMF is the largest flood that could conceivably occur at a location, usually estimated from probable maximum precipitation.

##### **Probable Maximum Precipitation**

PMP is the greatest depth of precipitation for a given duration meteorologically possible over a given size storm area at a particular location at a particular time of the year.

##### **Runoff**

The amount of rainfall which ends up as stream flow.

ABN 85 537 629 402  
ACN 640 561 584

51 Princess Highway, Sylvania  
NSW 2224

(02) 8605 3859  
www.csegggroup.com.au

Civil Stormwater Engineering  
Group Pty Ltd

Document Set ID: 37527722  
Version: 1, Version Date: 16/03/2023

CSEG Flood Impact Assessment 2020.07



# Civil Stormwater Engineering Group

Civil | Stormwater | Structural | Geotechnical | Flooding

## 4.2 Flood Classification

Three Flood Classifications have been defined as follows:

**1. High Flood Risk Precinct;** This has been defined as the area of land below the 100-year flood event that is either subject to a high hydraulic hazard or where there are significant evacuation difficulties.

*The high flood risk precinct is where high flood damages, potential risk to life or evacuation problems would be anticipated, or development would significantly and adversely affect flood behaviour. Most development should be restricted in this precinct. In this precinct, there would be a significant risk of flood damages without compliance with flood related building and planning controls.*

**2. Medium Flood Risk Precinct;** This has been defined as land below the 100-year flood event that is not within a High Flood Risk Precinct. This is land that is not subject to a high hydraulic hazard or where there are no significant evacuation difficulties.

*In this precinct there would still be a significant risk of flood damage, but these damages can be minimised by the application of appropriate development controls*

**3. Low Flood Risk Precinct;** This has been defined as all land within the floodplain (ie. Within the extent of the probable maximum flood) but not identified within either a High Flood Risk or a Medium Flood Risk Precinct. The Low Flood Risk Precinct is that area above the 100-year flood event.

*The Low Flood Risk Precinct is where risk of damages is low for most land uses. The Low Flood Risk Precinct is that area above the 100-year flood and most land uses would be permitted within this precinct.*

## 4.3 Marrickville Valley Floodplain Risk Management Study (Cardno, 2017)

Marrickville Valley Floodplain Risk Management Study (Cardno, 2017), has identified flood levels to reach up to **0.5m** in depth and reaching velocities of up to **0.00 – 0.4 m/s (0.4sqm/s)**.



Figure 3 - Flood Levels for 1% AEP

ABN 85 537 629 402  
ACN 640 561 584

51 Princes Highway, Sylvania  
NSW 2224

(02) 8605 3859  
www.cseggroup.com.au

Civil Stormwater Engineering  
Group Pty Ltd

CSEG Flood Impact Assessment 2020.07

Document Set ID: 37527722  
Version: 1, Version Date: 16/03/2023



# Civil Stormwater Engineering Group

Civil | Stormwater | Structural | Geotechnical | Flooding

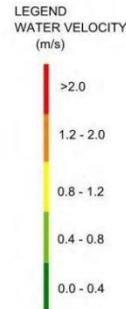


Figure 4 - Flood Velocity for 1% AEP

Based on the hazard chart shown in Figure 5 and the information obtained from the SSR report, this site is considered of a **H2 classification**, refer to chapter 4.2 & 4.4 for further information.

ABN 85 537 629 402  
ACN 640 561 584

51 Princes Highway, Sylvania  
NSW 2224

(02) 8605 3859  
www.cseggroup.com.au

Civil Stormwater Engineering  
Group Pty Ltd

Document Set ID: 37527722  
Version: 1, Version Date: 16/03/2023

CSEG Flood Impact Assessment 2020.07



Civil Stormwater Engineering Group

Civil | Stormwater | Structural | Geotechnical | Flooding

ABN 85 537 629 402  
ACN 640 561 584

51 Princess Highway, Sylvania  
NSW 2224

(02) 8605 3859  
www.csegggroup.com.au

Civil Stormwater Engineering  
Group Pty Ltd

Document Set ID: 3752722  
Version: 1, Version Date: 16/03/2023

Hazard Classification	Description (and defined limits)
H1	Relatively benign flow conditions. No vulnerability constraints. ( $D < 0.3$ m, $V < 2.0$ m/s, or $V \times D < 0.3$ )
H2	Unsafe for small vehicles. ( $D < 0.5$ m, $V < 2.0$ m/s, or $V \times D < 0.6$ )
H3	Unsafe for all vehicles, children and the elderly. ( $D < 1.2$ m, $V < 2.0$ m/s, or $V \times D < 0.6$ )
H4	Unsafe for all pedestrians and vehicles. ( $D < 2.0$ m, $V < 2.0$ m/s, or $V \times D < 1.0$ )
H5	Unsafe for all pedestrians and vehicles. Buildings require special engineering design and construction. ( $D < 4.0$ m, $V < 4.0$ m/s, or $V \times D < 4.0$ )
H6	Unconditionally dangerous. Not suitable for any type of development or evacuation access. All building types considered vulnerable to failure. ( $D > 4.0$ m, $V > 4.0$ m/s, or $V \times D > 4.0$ )

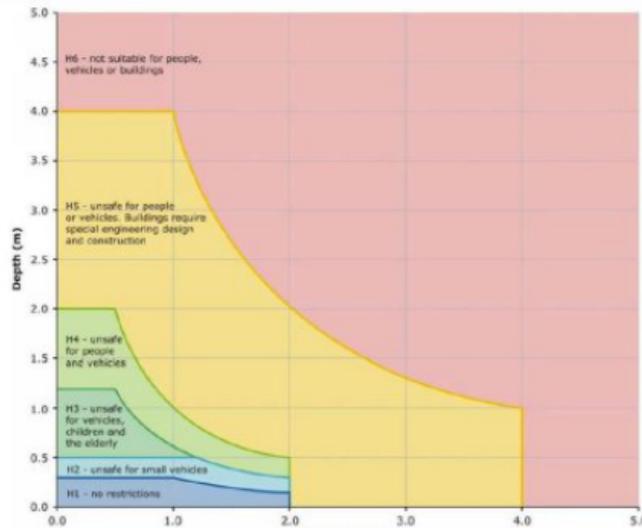


Figure 5 - Flood Hazard Classification

4.4 H2 Hazard Classification

Hazard Classification H2 risk levels are dependent on flow depth and flow velocity. Based on the information obtained from the flood study and based on Figure 6 below, *this site is*

CSEG Flood Impact Assessment 2020.07



Civil Stormwater Engineering Group

Civil | Stormwater | Structural | Geotechnical | Flooding

*classified of Low Hazard for children due to flood depths reaching 0.5m and low hazard for adults.*

DV (m <sup>2</sup> s <sup>-1</sup> )	Children (H.M = 25 to 50) <sup>1</sup>	Adults (H.M > 50)
0	Safe	Safe
0 - 0.4	Low Hazard if depth < 0.5m and velocity < 3m/s otherwise Extreme Hazard	Low Hazard if depth < 1.2m and velocity < 3m/s otherwise Extreme Hazard
0.4 - 0.6	Significant Hazard; Dangerous to most if depth < 0.5m and velocity < 3m/s otherwise Extreme Hazard	
0.6 - 0.8	Extreme Hazard; Dangerous to all	Moderate Hazard; Dangerous to some <sup>2</sup> if depth < 1.2m and velocity < 3m/s otherwise Extreme Hazard
0.8 - 1.2		Significant Hazard; Dangerous to most <sup>3</sup> if depth < 1.2m and velocity < 3m/s otherwise Extreme Hazard
> 1.2		Extreme Hazard; Dangerous to all

Figure 6 Flow Hazard Regimes for People

5. Site Development Design

5.1 Architecture

The architectural design of an industrial site consisting of a Dual Occupancy has been completed by YM Design Studio. The architectural design adopted the following:

- The finished floor level for all occupied areas has been set to 6.35m AHD a level higher than the recommended in the SSR report provided by council plus freeboard.
- All structures within and above the flood level are of flood compatible materials such as concrete and aluminium.
- **All structures within the flood zone have been cantilevered at a level above the flood level + freeboard supported by a structural engineer's adequacy certificate provided by deboke engineering consultants.**
- All electrical structures have been proposed at 6.25m AHD and above.
- Storage of hazardous materials have been proposed at 6.25m AHD and above.
- Aluminium slat fencing has been proposed below the suspended slab for the entire site perimeter with 100mm spacings to allow for passage of water un-obstructed.
- Rainwater tank has been proposed on a concrete slab below flood levels. Rainwater tank to be strapped down into structure to prevent up-lift.
- 100mm opening have been proposed for all property fencing.

5.2 Engineering

The stormwater design and documentation has been completed by Civil Stormwater

CSEG Flood Impact Assessment 2020.07

ABN 85 537 629 402  
ACN 640 561 584

51 Princess Highway, Sylvania  
NSW 2224

(02) 8605 3859  
www.csegroup.com.au

Civil Stormwater Engineering  
Group Pty Ltd

Document Set ID: 37527722  
Version: 1, Version Date: 16/03/2023



# Civil Stormwater Engineering Group

Civil | Stormwater | Structural | Geotechnical | Flooding

Engineering Group. The stormwater design adopted the following:

- Site exempt from On-site detention system due to the inundation of the entire site during the 20-year ARI up to the 100-year storm event and due to discharging into a Sydney water-controlled asset.
- For WSUD measures:
  - To meet WSUD reduction percentage, a 1.8kl rainwater tank has been proposed to collect a minimum of 50sqm of roof runoff. The rainwater tank is to be plumbed to all internal toiletry and external taps for water usage purposes.

### 5.3 Objectives

Objectives	Design Approach	Satisfied
High risk developments to be designed so that they are subject to minimal risk	- Floor levels occupied with persons have been set at 1% AEP flood level + 500mm freeboard - structures intruding into flood water have been cantilevered with no piers below (supported by structural engineer)	Yes
To allow development with a lower sensitivity to the flood hazard within the flood plain, provided the risk of harm and damage to property is minimised	Development has been designed from flood compatible materials	Yes
To minimise the intensification of the high flood risk precinct and if possible, allow for their conversion to natural waterway corridors	Development has been designed to be suspended allowing for a minimal obstructed passage way below the development and minimise increase of flood levels	Yes
To ensure design and siting controls required to address the flood hazard do not result in unreasonable social, economic or environmental impacts upon the amenity or ecology of an area	Development has been designed from flood compatible material and WSUD measures have been taken to protect the stormwater system and the environment	Yes
To minimize the risk to life by ensuring the provision of reliable access from areas affected by flooding.	Site has been designed at flood level + 500mm freeboard. Concrete ramps and stairs have been designed to lead persons to above flood level + freeboard	Yes
To ensure the proposed development does not expose existing development to increased risks associated with flooding.	Elevating the development allows for the flood water to flow unobstructed below the building reducing flood risk and levels on adjacent properties	Yes

### 5.4 Performance Criteria

Performance Criteria	Design Approach	Satisfied
The proposed development should not	Elevation of the building reduces	Yes

CSEG Flood Impact Assessment 2020.07

ABN 85 537 629 402  
ACN 640 561 584

51 Princess Highway, Sylvania  
NSW 2224

(02) 8605 3859  
www.cseggroup.com.au

Civil Stormwater Engineering  
Group Pty Ltd

Document Set ID: 37527722  
Version: 1, Version Date: 16/03/2023



Civil Stormwater Engineering Group

Civil | Stormwater | Structural | Geotechnical | Flooding

ABN 85 537 629 402  
ACN 640 561 584

51 Princess Highway, Sylvania  
NSW 2224

(02) 8605 3859  
www.csegggroup.com.au

Civil Stormwater Engineering  
Group Pty Ltd

Document Set ID: 37527722  
Version: 1, Version Date: 16/03/2023

result in any significant increase in risk to human life, or in a significant increase in economic or social costs as a result of flooding.	flood levels by eliminating obstruction and reducing danger to humans and structures. Building level at 6.35m AHD allows for the site to be a safe shelter to humans	
The proposal should only be permitted where effective warning time and reliable access is available to an area free of risk from flooding, consistent with any relevant Flood Plan or flood evacuation strategy.	Setting the finished floor level at 500mm above 1% AEP level allows for the site to be a safe shelter for humans during a flood event	Yes
Procedures would be in place, if necessary, (such as warning systems, signage or evacuation drills) so that people are aware of the need to evacuate and relocate motor vehicles during a flood and are capable of identifying the appropriate evacuation route	Warning flood signs have been proposed to be installed on site including a flood evacuation report and plan which has been included in this report	Yes

**6. Flood Evacuation Requirements**

**6.1 Water Entry into the Building**

The entrance level to all warehouse have been set to 6.35m AHD, a level equal to flood level + freeboard.

During a 1% AEP event, unless faced by a storm event greater than the 1%. During this event, the site is considered a safe location for pedestrians against flood levels due to its elevated floor level above flood levels + freeboard.

During the peak PMF event, the modelled overland flow water is expected to enter the building making it an extreme hazardous area. Therefore, residents are required to evacuate to higher location above flood levels.

**6.2 Evacuation strategy and Structural Measures**

As duty of care to pedestrians and civilians the following measure have been proposed and adopted in the design:

- Finish floor levels for all units are set to 500mm above the 1%AEP flood level, allowing for the site to be safe shelter location for pedestrians during a flood event.
- Aluminium fencing slats with 100mm openings have been proposed around the site perimeter below the suspended slab to prevent the open space below the slab to be utilised as a storage area.
- All ventilation openings are set well above the flood levels + freeboard.
- All hazardous materials are stored well above the flood levels + freeboard.
- All electrical cables are set above the flood levels + freeboard.
- Signage should be located within the site indicating the site is flood prone and warning driver attempting to exit to be careful of flooding during storm events;

CSEG Flood Impact Assessment 2020.07



# Civil Stormwater Engineering Group

Civil | Stormwater | Structural | Geotechnical | Flooding

If persons are found within their vehicle along the western boundary, it would be advisable for them to wait in their vehicle until the peak of the short duration storm was passed rather than attempting to cross potentially hazardous conditions along the driveway by foot.

Life Threatening Emergency	000	Police, Fire, Ambulance
Bureau of Meteorology (BOM)	1300 659 215 <a href="http://www.bom.gov.au">www.bom.gov.au</a>	Weather forecast and flood warnings
State Emergency Services (SES)	132500 <a href="http://www.ses.nsw.gov.au">www.ses.nsw.gov.au</a>	
Department of Environment, Water and Natural Resources	<a href="http://www.environment.nsw.gov.au">www.environment.nsw.gov.au</a>	
National Relay Service NRS	1300 555 727	For the deaf/hearing/speech impaired
Department of planning transport and infrastructure	<a href="http://www.transport.nsw.gov.au">www.transport.nsw.gov.au</a>	
Poison Information centre	13 11 26	(24 hours)
Red Cross Australia	1800 811 700	
Inner West City Council	02 9392 5000	

Table 2 Emergency Response Contacts

*If your property is near a creek, river or drain or is in a low-lying area, it could be flooded, even if you have never seen flood water there before.*

***This guide lists simple things you and your family can do to stay safe and reduce the damage to your home.***

### 6.3 Before Flood Occurs

- Ask your council or State Emergency Service about local flood plans (or records) which detail problem areas and evacuation routes and centers
- If your area is flood-prone, consider alternatives to carpets (e.g. mats and rugs). In ground level rooms, tiled walls are less likely to be damaged and are easier to clean
- Have an emergency kit on hand which should include:
  - adequate supplies of canned food and bottled water
  - first aid kit and instructions
  - waterproof bags for clothing and valuables
  - gardening gloves for clean up
  - portable radio, torch and spare batteries
- Keep a list of emergency phone numbers on display

CSEG Flood Impact Assessment 2020.07

ABN 85 537 629 402  
ACN 640 561 584

51 Princes Highway, Sylvania  
NSW 2224

(02) 8605 3859  
[www.cseggroup.com.au](http://www.cseggroup.com.au)

Civil Stormwater Engineering  
Group Pty Ltd

Document Set ID: 3752722  
Version: 1, Version Date: 16/03/2023



Civil Stormwater Engineering Group

Civil | Stormwater | Structural | Geotechnical | Flooding

EMERGENCY PHONE NUMBERS	
State Emergency Service	132 500
Police	000
Local Council	02/9392 5000

6.4 When you hear a flood warning

- Tune to your local radio for warning and advice or check the Bureau of Meteorology website [www.bom.gov.au](http://www.bom.gov.au)
- Prepare to move vehicles, outdoor furniture, rubbish, chemicals and poisons to higher locations
- Plan what indoor items you will raise or empty if water threatens to enter your home
- Check your emergency kit and don't forget your pets

6.5 If you need to evacuate

- Pack spare clothes, medication, valuables, personal papers, photos and mementos into sealed plastic bags, to be taken with your emergency kit
- Lift items onto beds, tables and roof spaces. Don't forget things you have on the floor like computers, televisions and any other electrical items
- Place sandbags in the toilet bowl and over all laundry/bathroom drain holes. Put all bathplugs in with weight on top. This will prevent sewage back flow
- Turn off all power, water and gas and take your mobile phone and charger
- Lock your home and take recommended evacuation routes for your area (please refer to the evacuation plan below)
- Don't drive into any flood waters unless you are sure it is safe

6.6 If you stay or on your return

- Stay tuned to local radio for updated advice and help others in your neighborhood
- Don't allow children to play in or near flood waters
- Don't go into flood waters and stay away from drains or culverts Have your gas or electrical appliances which have been in flood waters safety checked
- Don't eat food which has been in flood waters
- Boil tap water until supplies have been declared safe

6.7 How to draw up your emergency flood plan

- Prepare your emergency flood-storm plan with all members of the household present in advance of a flood. Prior to developing your plan learn what your flood-storm risk is.

ABN 85 537 629 402  
ACN 640 561 584

51 Princess Highway, Sylvania  
NSW 2224

(02) 8605 3859  
[www.csegggroup.com.au](http://www.csegggroup.com.au)

Civil Stormwater Engineering  
Group Pty Ltd

Document Set ID: 37527722  
Version: 1, Version Date: 16/03/2023

CSEG Flood Impact Assessment 2020.07



# Civil Stormwater Engineering Group

Civil | Stormwater | Structural | Geotechnical | Flooding

- On the following pages are checklists which will help you to list the things you need to do prior to, during and after a flood.
- Once you have completed your plan, practice it regularly and keep it in a safe and easily accessible place for quick reference (e.g. in your emergency flood-storm kit).

## 6.8 Prior to flood storm

Stay informed by listening for Bureau of Meteorology flood watches and warnings. Bureau of Meteorology website: <http://www.bom.gov.au/weather/nsw/> always keep an eye on the weather. Unusually heavy rain is a good indication that flooding may occur.

- Learn your flood-storm risk.
- Prepare your home.
- Prepare your emergency flood-storm kit and plan.

## 6.9 Emergency Flood Evacuation Kit

- Advise Neighbors and Friends
- Locate your pets.
- Locate your emergency flood storm kit.
- Raise items to a higher level.
  - Rugs
  - Electrical appliance
  - Computers
  - Personal items
  - Light furniture
  - Sound systems
  - Chemicals
- Secure hazardous items
- Install flood proofing devices.
- Monitor Bureau of Meteorology forecasts and warnings
- Switch off electricity at the switchboard.
- Turn off gas at the meter.
- Turn of water at the meter
- Block toilet bowls with a strong plastic bag filled with earth or sand.
- Cover drains in showers, baths, laundries, etc. with a strong plastic bag filled with earth or sand.
- Shelter in the safest part of the building

ABN 85 537 629 402  
ACN 640 561 584

51 Princess Highway, Sylvania  
NSW 2224

(02) 8605 3859  
www.csegggroup.com.au

Civil Stormwater Engineering  
Group Pty Ltd

Document Set ID: 37527722  
Version: 1, Version Date: 16/03/2023

CSEG Flood Impact Assessment 2020.07



# Civil Stormwater Engineering Group

Civil | Stormwater | Structural | Geotechnical | Flooding

## 7. Conclusion

- The proposed site, 9 Silver Street Marrickville, has been classified flood affected by the 1%AEP at flood risk level of H2, (LOW).
- All proposed habitable areas have been designed at a level higher than 1%AEP flood level + Freeboard, allowing for the dwelling to be safe refuge during flood events and eliminating the requirement of evacuation.
- Development has been proposed to be suspended with no piers, supported by structural engineer, to allow for un-obstructed passage of overland flow below building, reducing the risk on adjacent properties and the increase of flood levels.
- All fencing is proposed to be installed with a 100mm opening below to allow for safe passage of overland flow.
- The development has been proposed to be constructed of flood compatible materials.
- All hazardous and electrical equipment have been proposed to be installed at flood level + freeboard.

ABN 85 537 629 402  
ACN 640 561 584

51 Princess Highway, Sylvania  
NSW 2224

(02) 8605 3859  
www.csegggroup.com.au

Civil Stormwater Engineering  
Group Pty Ltd

## 8. Appendix

CSEG Flood Impact Assessment 2020.07

Document Set ID: 37527722  
Version: 1, Version Date: 16/03/2023

DEVELOPMENT APPLICATION FOR SEMI DETACHED DWELLINGS AT 9 SILVER ST, MARRICKVILLE



DEVELOPMENT STANDARDS RELATING TO LOT AREA			
LOT SIZE	313m <sup>2</sup>		
	REQUIREMENT	PROPOSED	COMPLY
HEIGHT	9.5m	6.93m	YES
FSR	1 : 1	U1 = 0.73 : 1 U2 = 0.84 : 1	YES
GFA	U1 = 151m <sup>2</sup> U2 = 162m <sup>2</sup>	U1 = 111m <sup>2</sup> U2 = 138m <sup>2</sup>	YES
FRONT SET BACK	consistent with adjoining properties	consistent with adjoining properties	YES
SIDE SET BACK	0.9m	U1 = 1m from stormwater channel U2 = 0.9m	YES
REAR SET BACK	whatever is required to achieve min. amount of POS	U1 = 9.63M U2 = 9.04M	YES
PRIVATE OPEN SPACE	min 45m <sup>2</sup> Per Lot	U1 = 11+35 = 46m <sup>2</sup> U2 = 47m <sup>2</sup>	YES

Drawing No:	Description
DA-001	SITE LOCATION & ANALYSIS
DA-002	SUBDIVISION PLAN
DA-003	DEMOLITION PLAN
DA-101	GROUND FLOOR PLAN
DA-102	LEVEL 01
DA-103	ROOF PLAN
DA-201	NW & SE ELEVATION
DA-202	NE & SW ELEVATION
DA-203	STREETSCAPE ELEVATION
DA-301	SECTION AA/BB
DA-302	SECTION D CROSS SECTION
DA-401	GFA & POS DIAGRAMS
DA-402	FLOOD STUDY
DA-403	WINTER SOLSTICE SHADOW DIAGRAMS 9AM-11AM
DA-404	WINTER SOLSTICE SHADOW DIAGRAMS 12PM-3PM
DA-405	MARCH EQUINOX SHADOW DIAGRAMS 9AM-11AM
DA-406	MARCH EQUINOX SHADOW DIAGRAMS 12PM-3PM
DA-407	SEPTEMBER EQUINOX SHADOW DIAGRAMS 9AM-11AM
DA-408	SEPTEMBER EQUINOX SHADOW DIAGRAMS 12PM-3PM
DA-409	VIEWS FROM THE SUN
DA-901	FINISHES SCHEDULE

DRAWING LIST

Mob: 0422 855 901  
 Email: [ymde@iwl.gov.au](mailto:ymde@iwl.gov.au)  
 Website: [www.iwl.gov.au](http://www.iwl.gov.au)  
 The Inner West Local Government Council is a public body established under the Local Government Act 1995.

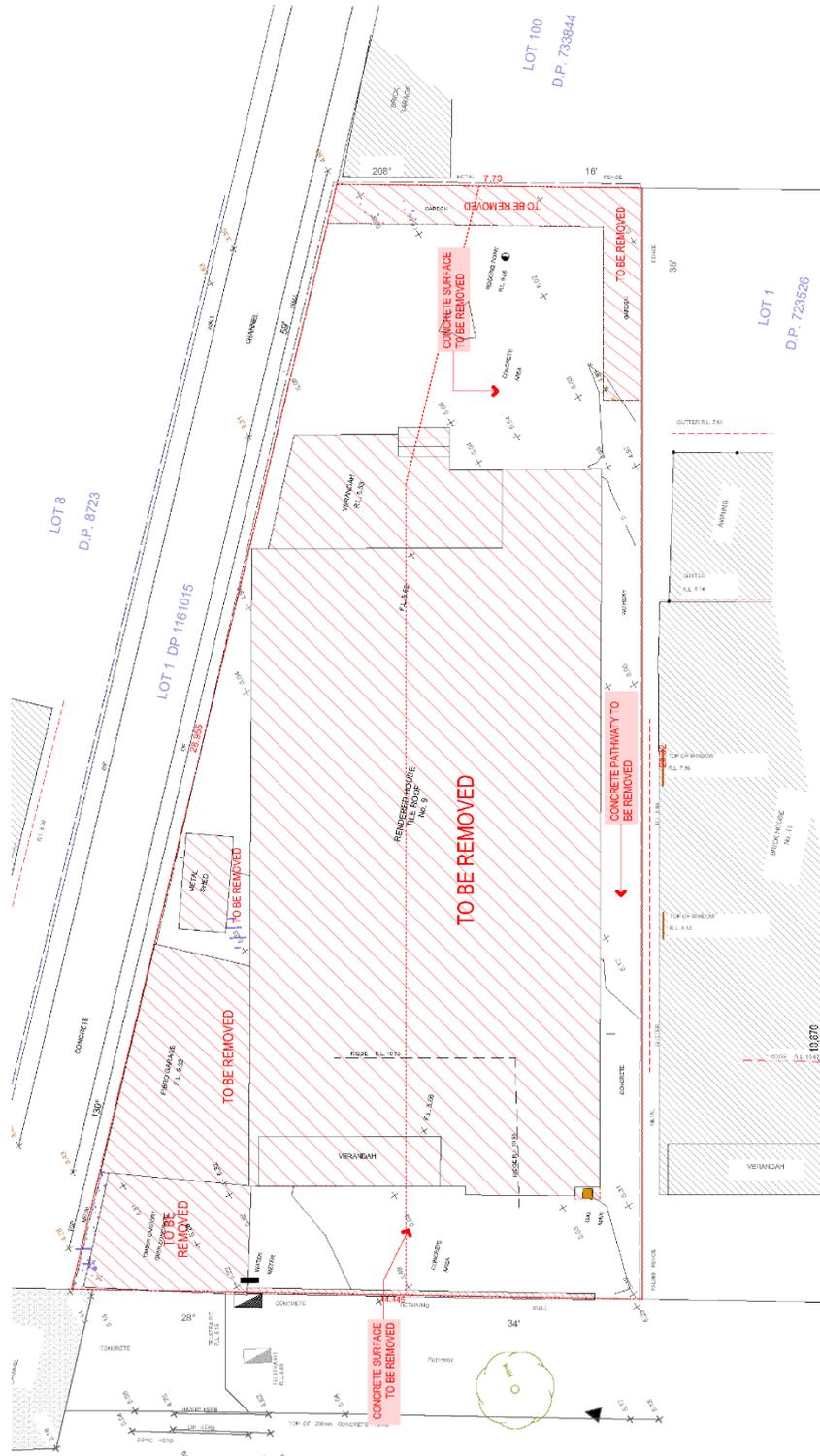
Document ID: 16/03/2023  
 Version: 1, Version Date: 16/03/2023

SUBDIVISION & RESIDENTIAL SEMI DETACHED DWELLINGS | COVER | DA-000  
REV C 06/10/2023





NOTE: THIS DOCUMENT IS NOT VALID UNLESS USED IN CONJUNCTION WITH THE PROJECT'S CONSTRUCTION CONTRACT DOCUMENTS. THE CONTRACT DOCUMENTS ARE THE ONLY VALID DOCUMENTS FOR THE PROJECT. ANY CHANGES TO THE CONTRACT DOCUMENTS MUST BE APPROVED BY THE CONTRACTOR AND THE PROJECT MANAGER. ANY CHANGES TO THE CONTRACT DOCUMENTS MUST BE APPROVED BY THE CONTRACTOR AND THE PROJECT MANAGER.



1:100

DEMOLITION PLAN



Drawing Number Revision Date  
 Project Number  
 Scale  
 AS SHOWN  
 @A3 Sheet Size

20-002  
 DA-003 C  
 09/01/2023

DEMOLITION PLAN

DEVELOPMENT APPLICATION  
 SUBDIVISION & RESIDENTIAL SEMI DETACHED  
 DWELLINGS - 9 SILVER ST, MARRICKVILLE

Mob: 0492 868 901  
 Email: ymls@signalblue@outlook.com

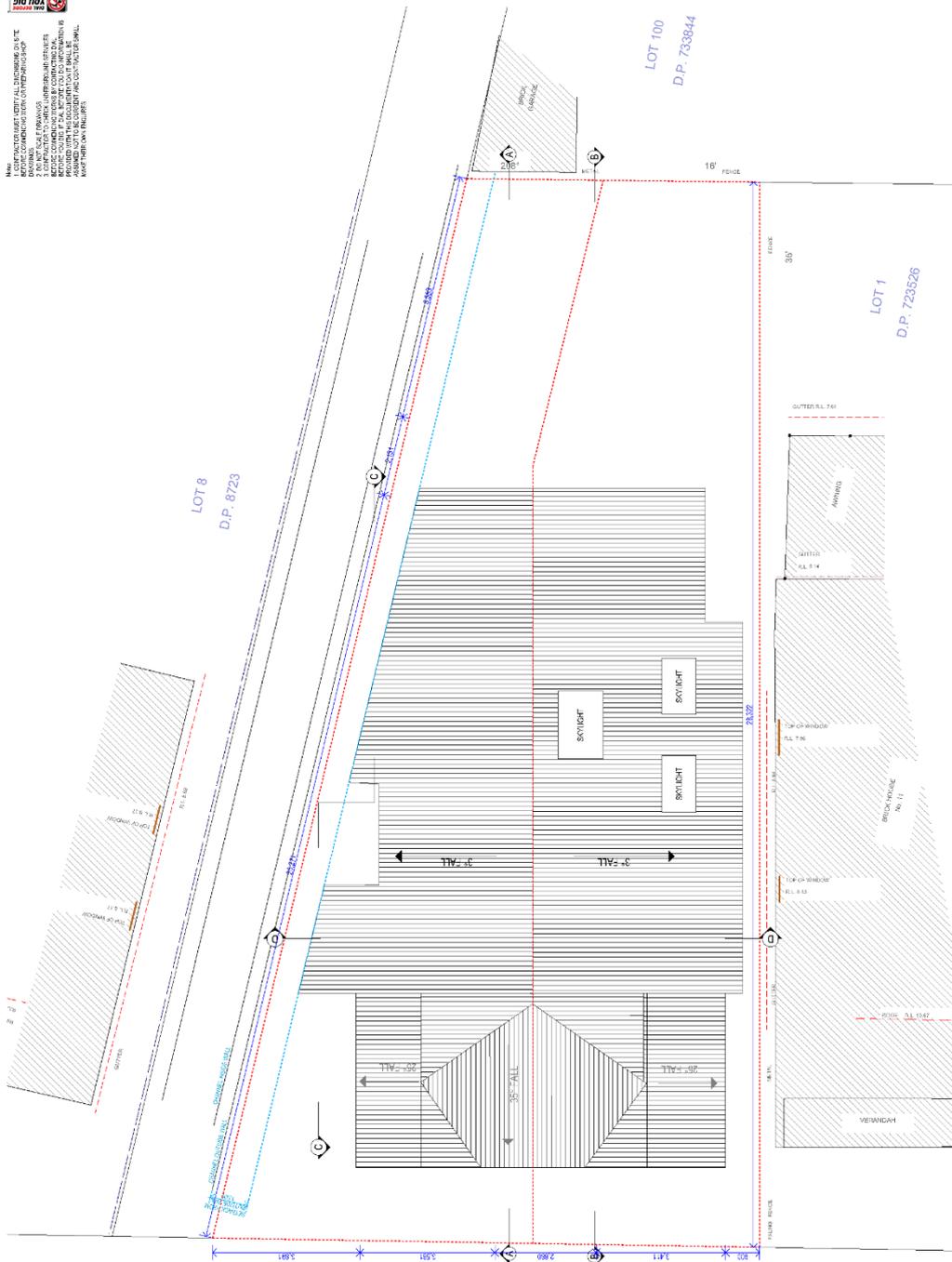


Version: 1.1, Version Date: 16/03/2023





NOTE: THIS DOCUMENT IS NOT VALID UNLESS IT IS USED IN CONJUNCTION WITH THE DEVELOPMENT APPLICATION. THE INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE A CONTRACT. THE INFORMATION CONTAINED HEREIN IS PROVIDED ON AN "AS IS" BASIS AND WITHOUT WARRANTY, REPRESENTATION OR GUARANTEE. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.



1:100



Project Number  
**20-002**

Drawing Number/Revision  
**DA-103 C**

Date  
**09/01/2023**

Scale  
**AS SHOWN**  
@A3 Sheet Size

ROOF

Drawing Title

**ROOF PLAN**

**DEVELOPMENT APPLICATION**  
SUBDIVISION & RESIDENTIAL SEMI DETACHED DWELLINGS - 9 SILVER ST, MARRICKVILLE

Mob: 0492 868 901  
Email: ymls@signalblue@outlook.com

14 South Street, Campbelltown NSW 2561  
Phone: 02 9427 2100  
www.signalblue.com.au



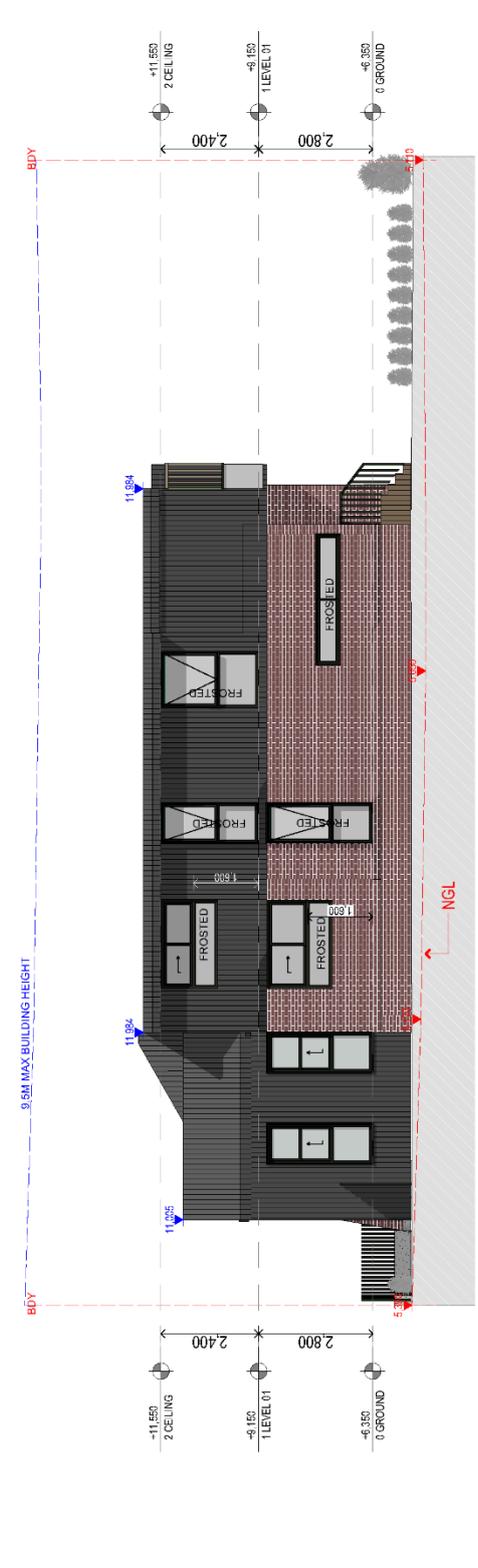
Document Number: **DA103-2022**  
Version: 1.1, Version Date: 16/03/2023




  
 I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF CALIFORNIA. I HAVE REVIEWED THE DRAWINGS AND SPECIFICATIONS FOR THIS PROJECT AND I AM SURE THAT THEY COMPLY WITH ALL APPLICABLE CODES AND REGULATIONS. I HAVE ALSO REVIEWED THE PROJECT INFORMATION AND I AM SURE THAT THE PROJECT INFORMATION IS TRUE AND CORRECT. I HAVE ALSO REVIEWED THE PROJECT INFORMATION AND I AM SURE THAT THE PROJECT INFORMATION IS TRUE AND CORRECT. I HAVE ALSO REVIEWED THE PROJECT INFORMATION AND I AM SURE THAT THE PROJECT INFORMATION IS TRUE AND CORRECT.



North East Elevation 1:100



South West Elevation 1:100



Drawing Number: **DA-202 C**  
 Project Number: **20-002**  
 Scale: **AS SHOWN @ A3 Sheet Size**  
 Date: **09/01/2023**

Drawing Title: **NE & SW ELEVATION**

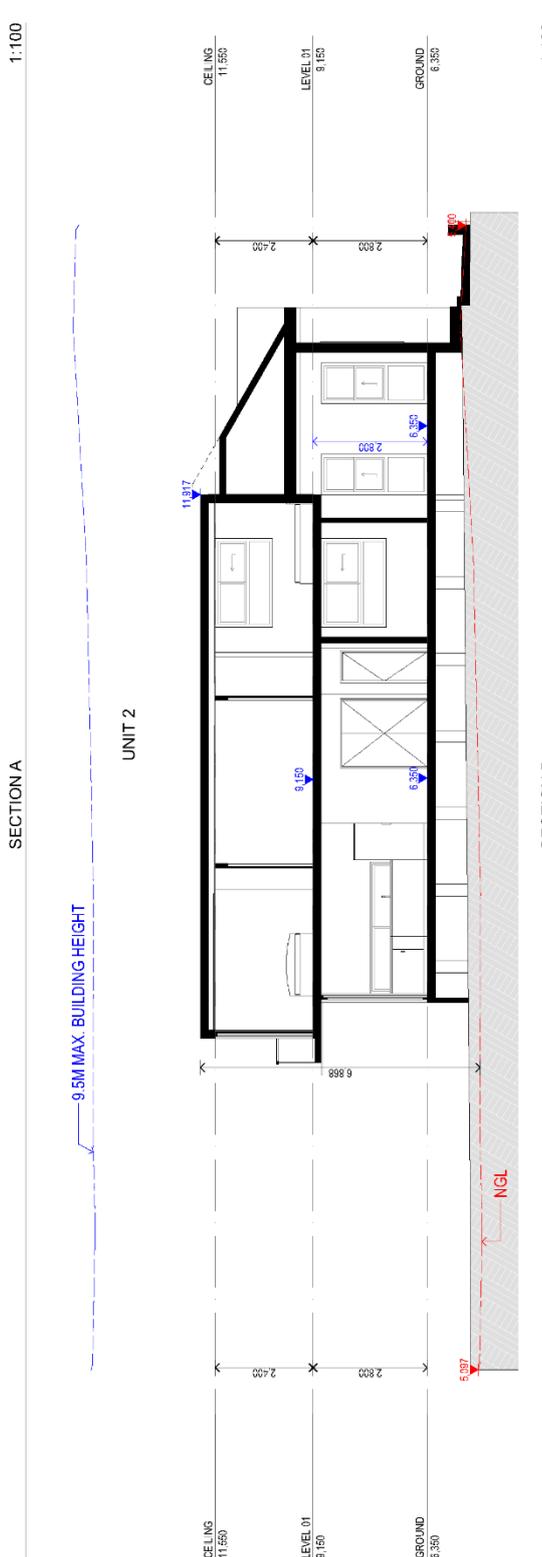
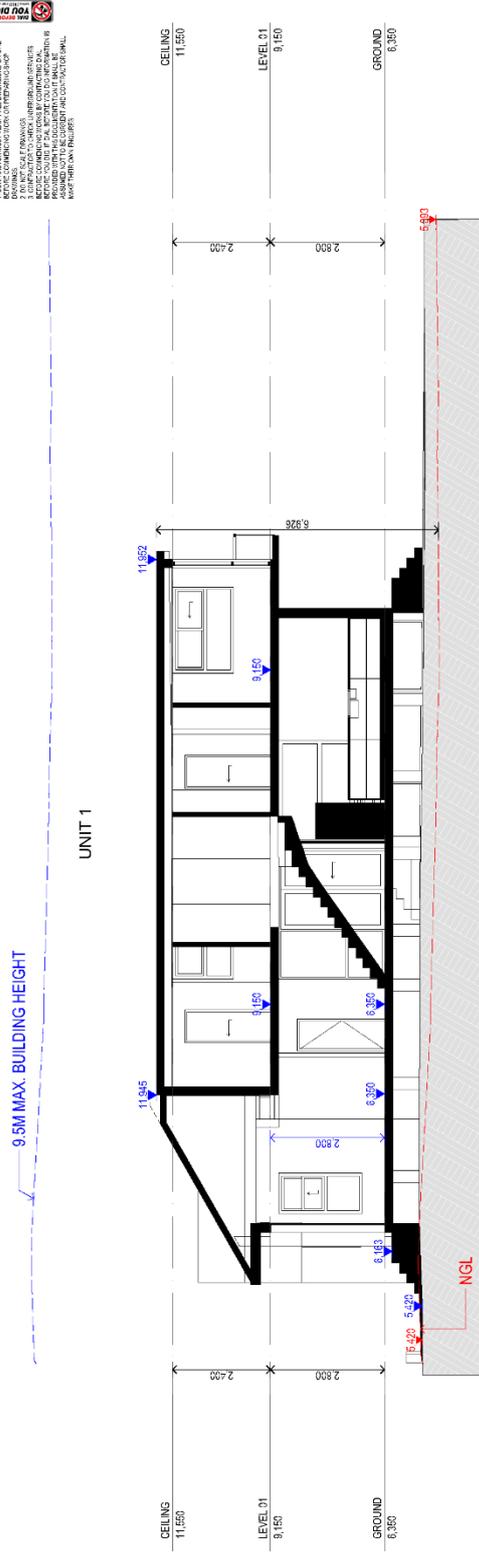
DEVELOPMENT APPLICATION  
 SUBDIVISION & RESIDENTIAL SEMI DETACHED DWELLINGS - 9 SILVER ST, MARRICKVILLE

Mob: 0492 868 901  
 Email: yml@signahub@outlook.com  
 The North West Group Ltd  
 100/102/104/106/108/110/112/114/116/118/120/122/124/126/128/130/132/134/136/138/140/142/144/146/148/150/152/154/156/158/160/162/164/166/168/170/172/174/176/178/180/182/184/186/188/190/192/194/196/198/200/202/204/206/208/210/212/214/216/218/220/222/224/226/228/230/232/234/236/238/240/242/244/246/248/250/252/254/256/258/260/262/264/266/268/270/272/274/276/278/280/282/284/286/288/290/292/294/296/298/300/302/304/306/308/310/312/314/316/318/320/322/324/326/328/330/332/334/336/338/340/342/344/346/348/350/352/354/356/358/360/362/364/366/368/370/372/374/376/378/380/382/384/386/388/390/392/394/396/398/400/402/404/406/408/410/412/414/416/418/420/422/424/426/428/430/432/434/436/438/440/442/444/446/448/450/452/454/456/458/460/462/464/466/468/470/472/474/476/478/480/482/484/486/488/490/492/494/496/498/500/502/504/506/508/510/512/514/516/518/520/522/524/526/528/530/532/534/536/538/540/542/544/546/548/550/552/554/556/558/560/562/564/566/568/570/572/574/576/578/580/582/584/586/588/590/592/594/596/598/600/602/604/606/608/610/612/614/616/618/620/622/624/626/628/630/632/634/636/638/640/642/644/646/648/650/652/654/656/658/660/662/664/666/668/670/672/674/676/678/680/682/684/686/688/690/692/694/696/698/700/702/704/706/708/710/712/714/716/718/720/722/724/726/728/730/732/734/736/738/740/742/744/746/748/750/752/754/756/758/760/762/764/766/768/770/772/774/776/778/780/782/784/786/788/790/792/794/796/798/800/802/804/806/808/810/812/814/816/818/820/822/824/826/828/830/832/834/836/838/840/842/844/846/848/850/852/854/856/858/860/862/864/866/868/870/872/874/876/878/880/882/884/886/888/890/892/894/896/898/900/902/904/906/908/910/912/914/916/918/920/922/924/926/928/930/932/934/936/938/940/942/944/946/948/950/952/954/956/958/960/962/964/966/968/970/972/974/976/978/980/982/984/986/988/990/992/994/996/998/1000

Version: 1, Version Date: 16/03/2023



MANUFACTURER'S LITERATURE SHALL BE USED TO DETERMINE THE  
 1. MANUFACTURER'S LITERATURE SHALL BE USED TO DETERMINE THE  
 2. TO THE EXTENT POSSIBLE, THE MANUFACTURER'S LITERATURE SHALL BE USED TO DETERMINE THE  
 3. TO THE EXTENT POSSIBLE, THE MANUFACTURER'S LITERATURE SHALL BE USED TO DETERMINE THE  
 4. TO THE EXTENT POSSIBLE, THE MANUFACTURER'S LITERATURE SHALL BE USED TO DETERMINE THE  
 5. TO THE EXTENT POSSIBLE, THE MANUFACTURER'S LITERATURE SHALL BE USED TO DETERMINE THE  
 6. TO THE EXTENT POSSIBLE, THE MANUFACTURER'S LITERATURE SHALL BE USED TO DETERMINE THE  
 7. TO THE EXTENT POSSIBLE, THE MANUFACTURER'S LITERATURE SHALL BE USED TO DETERMINE THE  
 8. TO THE EXTENT POSSIBLE, THE MANUFACTURER'S LITERATURE SHALL BE USED TO DETERMINE THE  
 9. TO THE EXTENT POSSIBLE, THE MANUFACTURER'S LITERATURE SHALL BE USED TO DETERMINE THE  
 10. TO THE EXTENT POSSIBLE, THE MANUFACTURER'S LITERATURE SHALL BE USED TO DETERMINE THE



**DEVELOPMENT APPLICATION**  
 SUBDIVISION & RESIDENTIAL SEMI DETACHED DWELLINGS - 9 SILVER ST, MARRICKVILLE

Project Number: 20-002  
 Drawing Number/Revision: DA-301 C  
 Date: 09/01/2023

Scale: AS SHOWN @A3 Sheet Size

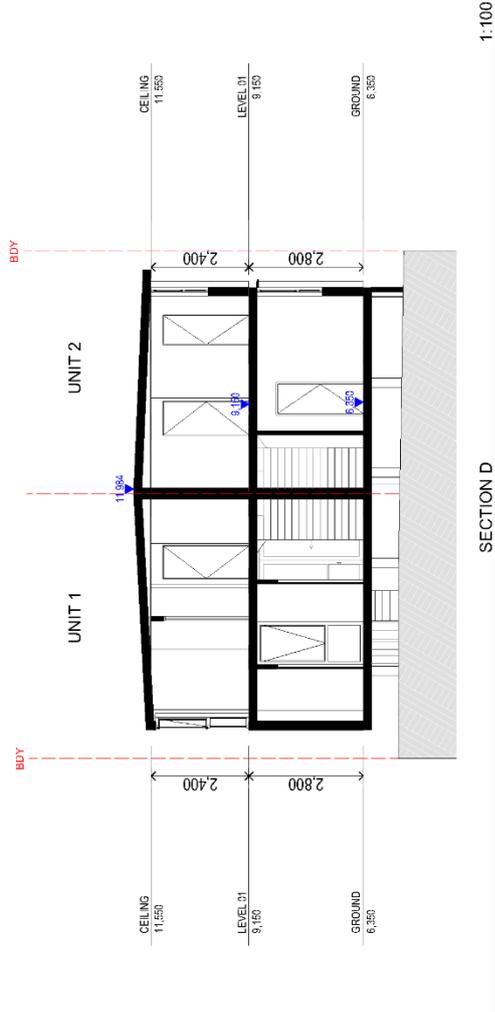
Section Title: SECTION AA/BB

Mobile: 0492 868 901  
 Email: ym@signalite@outlook.com

The Developer's Responsibility  
 The Developer's Responsibility  
 The Developer's Responsibility

Document Number: 20227722  
 Version: 1.1, Version Date: 16/03/2023


  
 I am a Professional Engineer in the State of Queensland, Australia, and I am duly registered with the Queensland Engineering Council. My registration number is 123456789. I am a member of the Institution of Engineers, Australia, and I am duly registered with the Queensland Engineering Council. My registration number is 123456789. I am a member of the Institution of Engineers, Australia, and I am duly registered with the Queensland Engineering Council. My registration number is 123456789.



Drawing Number Revision Date  
**DA-302 C 09/01/2023**

Project Number  
**20-002**  
 Scale  
**AS SHOWN**  
 @A3 Sheet Size

Drawing Title

**SECTION D CROSS SECTION**

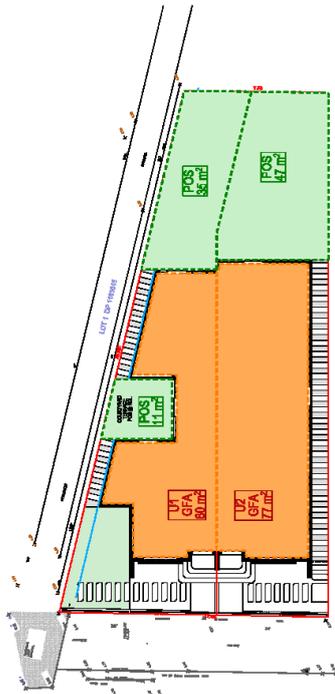
**DEVELOPMENT APPLICATION**  
**SUBDIVISION & RESIDENTIAL SEMI DETACHED DWELLINGS - 9 SILVER ST, MARRICKVILLE**

Mob: 0492 868 901  
 Email: yml@signalite@outlook.com  
 The Developer has completed the requirements of the Development Application Act 2002 and the Development Application Regulation 2002. The Developer warrants that the information provided in this Development Application is true and correct to the best of their knowledge and belief.

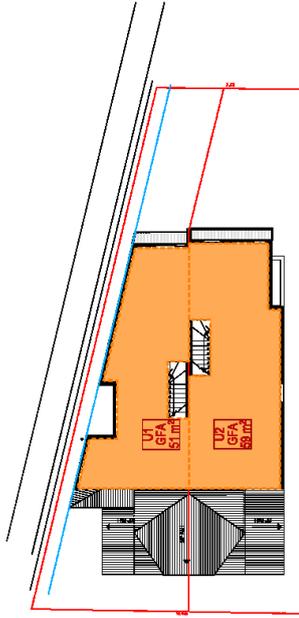


Document Number: 202307722  
 Version: 1, Version Date: 16/03/2023

THIS DOCUMENT IS NOT VALID UNLESS IT IS USED IN CONJUNCTION WITH THE SITE PLAN AND ALL OTHER DOCUMENTS SUBMITTED WITH THE DEVELOPMENT APPLICATION. ANY CHANGES TO THIS DOCUMENT MUST BE APPROVED BY THE LOCAL PLANNING PANEL. THIS DOCUMENT IS NOT VALID UNLESS IT IS USED IN CONJUNCTION WITH THE SITE PLAN AND ALL OTHER DOCUMENTS SUBMITTED WITH THE DEVELOPMENT APPLICATION.



GROUND



LEVEL 01

	REQUIREMENT	PROPOSED	COMPLY
GFA	U1 = 151m <sup>2</sup>	U1 = 111m <sup>2</sup>	YES
	U2 = 162m <sup>2</sup>	U2 = 136m <sup>2</sup>	
FSR	1 : 1	U1 = 0.73 : 1 U2 = 0.84 : 1	YES
		U1 = 11x35 = 46m <sup>2</sup> U2 = 47m <sup>2</sup>	YES

JMC ARCHITECTS
   
 111 DUNSMUIR STREET, SYDNEY NSW 1585
   
 Phone: 02 9550 8800
   
 Email: jmc@jmcarchitects.com.au

**DEVELOPMENT APPLICATION**  
 SUBMISSION & RESIDENTIAL SEMI DETACHED  
 DWELLINGS - 9 SILVER ST, MARRICKVILLE

Drawing Title

GFA & POS DIAGRAMS

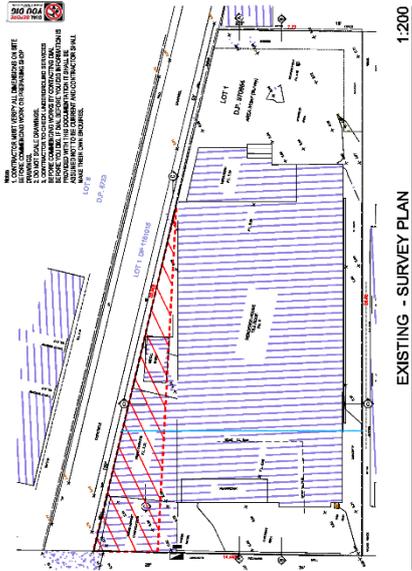
Scale  
 AS SHOWN  
 80% SHOWN

Project Number  
 20-002

Drawing Number  
 DA-401 C

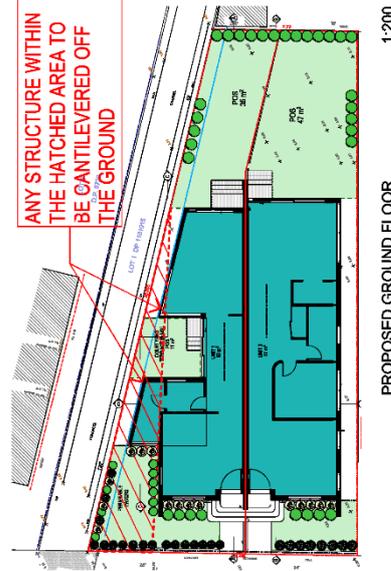
Date  
 09/01/2023





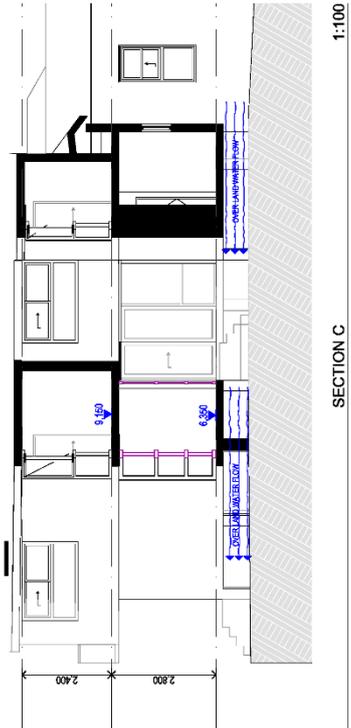
EXISTING - SURVEY PLAN 1:200

EXISTING BUILDING SHOWN ABOVE CONTAINS MORE HARD SURFACE STRUCTURES ON GROUND IN THE HATCHED AREA THAN THE PROPOSED DWELLING SHOWN BELOW

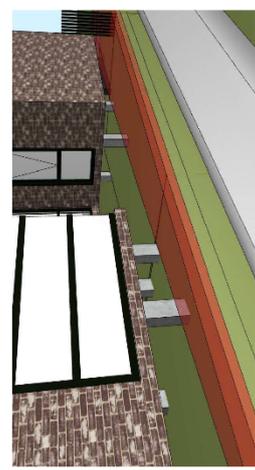


PROPOSED GROUND FLOOR 1:200

ANY STRUCTURE WITHIN THE HATCHED AREA TO BE CANTILEVERED OFF THE GROUND



SECTION C 1:100



HATCHED AREA IS CLEAR OF ANY STRUCTURE

ANY STRUCTURE WITHIN THE HATCHED AREA TO BE CANTILEVERED OFF THE GROUND

Scale AS SHOWN  
 Project Number 20-002  
 Drawing Number DA-402 C  
 Date 09/01/2023

Drawing Title  
**FLOOD STUDY**

DEVELOPMENT APPLICATION  
 SUBDIVISION & RESIDENTIAL SEMI-DETACHED DWELLINGS - 9 SILVER ST, MARRICKVILLE

Mobile: 0452 052 001  
 Email: ym@ymlp.com.au  
 111 Tower Street, Sydney NSW 1585  
 Document: 2018-01-17-2023-01-18  
 Version: 1, Version Date: 16/03/2023

THIS DOCUMENT IS THE PROPERTY OF THE CITY OF SYDNEY. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED IN THE DOCUMENT. IT IS NOT TO BE REPRODUCED, COPIED, OR DISTRIBUTED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE CITY OF SYDNEY. ANY UNAUTHORIZED USE OF THIS DOCUMENT IS STRICTLY PROHIBITED.



**MATERIALS SCHEDULE**

	<b>A</b>	PGH Bricks 'Manhattan Brooklyn' or similar
	<b>B</b>	Metal Cladding 'Colorbond Night Sky' or similar
	<b>C</b>	Concrete look cement finish or similar
	<b>D</b>	Aluminium Powdercoat Windows & Doors in Black
	<b>E</b>	Metal roof sheet - 'Colorbond Monument or similar
	<b>F</b>	Vertical Bar Balustrade and Screening - 'Black & Bronze'
	<b>G</b>	Timber Quickboard Ceiling Lining



Project Number: 20-002  
 Drawing Number: DA-901 C  
 Revision: 09/01/2023

Scale: AS SHOWN  
 © A3 Studio Pty

Drawing Title: **FINISHES SCHEDULE**

**DEVELOPMENT APPLICATION**  
 SUBDIVISION & RESIDENTIAL SEMI DETACHED DWELLINGS - 9 SILVER ST, MARRICKVILLE

Mob: 0492 869 901  
 Email: ym@sigstudio@outlook.com



Version: 1, Version Date: 16/03/2023



1Mr Youssef Moussa  
9 Silver Street  
MARRICKVILLE NSW 2204  
youssef.moussa@outlook.com

11 November 2021

**FLOOD CERTIFICATE  
9 Silver Street MARRICKVILLE NSW 2204  
ENCF/2021/0141**

I am pleased to advise that the Flood Certificate for the above address has been prepared and is attached.

The information contained in the certificate is derived from the Marrickville Valley Floodplain Risk Management Study (Cardno, 2017).

The information is provided in good faith and in accordance with the provisions of s.733 of the Local Government Act.

Yours faithfully

A handwritten signature in black ink, appearing to read "James Ogg".

James Ogg  
**COORDINATOR – STORMWATER & ASSET PLANNING**



Applicant Name: Mr Youssef Moussa  
 Property Address: 9 Silver Street  
 MARRICKVILLE NSW 2204

Certificate No: ENCF/2021/0141  
 Date: 04-Nov-2021

**About this Certificate**

This certificate provides flooding information for the area in the vicinity of the above property. This information can be used to assist in understanding the extent of flooding affecting this property and can be used to assist in preparation of a Flood Risk Management Report to support a development application. It is recommended that the information in this report be interpreted by a suitably qualified professional.

This report includes two pages; this cover page with an explanation of the information provided, and the second page is a figure providing information on the flooding behaviour in the area. The figure includes peak water levels, depths and flow rates for the 100 year ARI and peak water levels for the Probable Maximum Flood event.

The flood levels provided are based on available information including numerical modelling results from flood studies prepared for Council. All flood levels and depths are provided to the nearest 0.05 metres.

**Definitions**

The following provides a brief definition of some of the key terms utilised in this report:

Average Recurrence Interval (ARI)	The long-term average number of years between the occurrences of a flood as big as or larger than the selected event. The 100 year ARI flood event can be expressed as having a 1% chance of occurrence in any given year or as the flood that could occur once every 100 years.
Probable Maximum Flood (PMF)	The PMF is the largest flood that could conceivably occur at a particular location. This event is used to determine what might occur in events larger than a 100 year ARI.
100 year ARI Flow Path/Extent	The area of land expected to be inundated by either a flow path or mainstream flooding during a 100 year ARI flood event. The extents are limited to the areas where depths of flow are greater than 150mm.
100 year ARI High Hazard	Areas within the 100 year ARI flood extents where the depth and/or velocity of flow is likely to represent a possible danger to personal safety; evacuation by trucks is difficult; able-bodied adults would have difficulty wading to safety; and/or potential for structural damage to buildings.
Flood Planning Level (FPL)	The Flood Planning Level is calculated by adding freeboard onto the 100 year ARI flood level in accordance with Council's DCP.
Freeboard	The freeboard is incorporated into the Flood Planning Level to provide a factor of safety to the flood levels. It accounts for a number of factors, including wave action, localised obstructions to flows, and model uncertainty.
Australian Height Datum (AHD)	A common national surface level datum approximately corresponding to mean sea level.

**Notes**

The ground levels shown on the attached figure are based on aerial survey data. The ground levels should be verified by a suitably qualified surveyor.

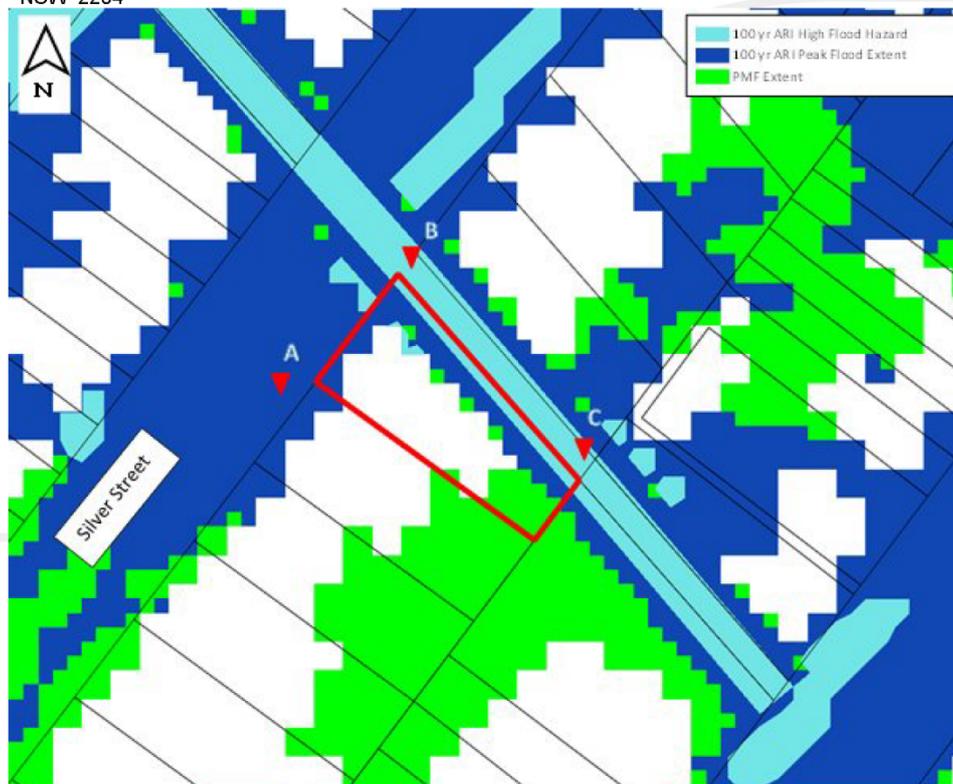
The location of stormwater pits and pipes on the attached figure are indicative only. The location and dimensions of pipelines should be verified by a suitably qualified surveyor.

The water depths shown are provided at the location shown and are indicative only. They do not necessarily represent the maximum depth in the area. For example, where a point is located on the centreline of a road, the depths will be higher within the road gutter.

The information is provided in good faith and in accordance with the provisions of s.733 of the *Local Government Act*.

**Flood Certificate**

Applicant Name: Mr Youssef Moussa	Certificate No: ENCF/2021/0141
Property Address: 9 Silver Street MARRICKVILLE NSW 2204	Date: 04-Nov-2021



A	B	C
100 yr ARI Water Level: 5.75 m AHD	100 yr ARI Water Level: 5.85 m AHD	100 yr ARI Water Level: 5.85 m AHD
100 yr ARI Flood Depth: 0.50 m	100 yr ARI Flood Depth: 2.15 m	100 yr ARI Flood Depth: 2.20 m
PMF Water Level: 7.00 m AHD	PMF Water Level: 7.00 m AHD	PMF Water Level: 7.00 m AHD
This depth does not take into account blockages or restrictions to surface flow paths throughout the property which may lead to localised ponding or higher flow depths		

The information provided is in good faith and in accordance with the provisions of s.733 of the *Local Government Act*.

Attachment F - Structural Adequacy Certificate



Stormwater	<p>Our Reference: 20220617-DA-ST-REP-01- Structural Adequacy Certificate 21<sup>st</sup> of December, 2022</p> <p>ATT: Avant Architecture and Design</p> <p><b>RE: DA - Structural Adequacy Letter for the Semi detached Development at 9 Silver Street Marrickville 2204</b></p>
Civil	<p>Dear Sir/Madam,</p> <p>We, Deboke Engineering Consultants, the practising Structural Engineers, have done a desktop review of the proposed Semi detached at the above-mentioned property.</p> <p>Further to our review, we note that the proposed suspension of the laundry to allow the free flow of flood water is structurally sustainable based on the architectural plans prepared by YM Design Studio Dated 03/02/2022, Project Number: 20-002.</p> <p>In saying this, the structural drawings are to be prepared by a suitably qualified structural engineer at the Construction Certificate Stage.</p>
Flooding	<p>We certify that the structural review of the property has been carried out by a suitably qualified practising structural engineer.</p> <p>We certify that the reviewed elements mentioned above comply with the relevant Local Government Ordinances, S.A.A. Codes and suitable for the proposed usage.</p> <p>Yours Faithfully,</p>
Structural	 <p>Mr Charbel Felleh For and on behalf of <b>Deboke Engineering Consultants</b> B.E. Honours (Civil - Structures), Dip. Eng. Prac. MIEAust Professional Engineer Registration - No. PRE0000603 Principal Design Practitioner Registration - No. PDP0000210 Design Practitioner Registration - No. DEP0000644</p>
Remedial	



Document Set ID: 37527720  
Version: 1, Version Date: 16/03/2023  
A 15 Maxwell Street Granville

M: 0401 229 361  
W: [www.deboke.com.au](http://www.deboke.com.au)  
E: [admin@deboke.com.au](mailto:admin@deboke.com.au)

## Attachment G – Original Determination

**NOTICE OF DETERMINATION – REFUSAL**

*Issued under Section 4.16(1)(b) of the Environmental Planning and Assessment Act 1979*

<b>Development Application No.</b>	DA/2022/0163
<b>Applicant</b>	Mr Youssef Moussa
<b>Land to be developed</b>	9 Silver Street MARRICKVILLE NSW 2204
<b>Proposed development</b>	To demolish existing improvements, subdivide the land into 2 Torrens Title lots and construct two dwelling houses with associated landscaping
<b>Cost of development</b>	\$770,011.00
<b>Determination</b>	The application was determined by Delegation to Staff and consent was <b>refused</b> .
<b>Date of refusal</b>	17 November 2022

**Reasons for refusal**

1. The proposed development is inconsistent with and has not demonstrated compliance with Marrickville Local Environmental Plan 2011, pursuant to Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, including:
  - a. The proposal is inconsistent with Clause 1.2(2)(h) - Aims of Plan as the development does not promote a high standard of design
  - b. The proposal is inconsistent with Clause 6.3 - Flood Planning as the development will result in adverse impacts on flood behaviour due to components of the development being located below the flood planning level.
2. The proposed development will result in adverse impacts on the built environment in the locality pursuant to Section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*.

**Inner West Council**  
 innerwest.nsw.gov.au  
 02 9392 5000

council@innerwest.nsw.gov.au  
 PO Box 14, Petersham NSW 2049

Document Set ID: 37527721  
 Version: 1, Version Date: 16/03/2023

3. The proposal has not demonstrated that the site is suitable for the development pursuant to Section 4.15(1)(c) of the *Environmental Planning and Assessment Act 1979*.
4. The proposal has not demonstrated it is in the public interest pursuant to Section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*.
5. The proposed development is inconsistent with and has not demonstrated compliance with the Marrickville Development Control Plan 2011, pursuant to Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*, including:
  - a. The proposal is inconsistent with C1 in Part 2.1 of the Marrickville Development Control Plan 2011 and is inconsistent with the applicable objective O1 as the proposal is not compatible with the streetscape character.
  - b. The proposal does not comply with control C3 within Part 2.6 of the Marrickville Development Control Plan 2011 and is inconsistent with the applicable objectives O1, O2 and O3 as the development will result in adverse visual privacy impacts to the adjacent properties.
  - c. The proposal does not comply with C2 within Part 2.7 of the Marrickville Development Control Plan 2011 and is inconsistent with the applicable objectives O1 and O3 as the proposed development is likely to result in significant overshadowing to the surrounding property at 11 Silver Street.
  - d. The proposal does not comply with C3 in Part 2.10 of the Marrickville Development Control Plan 2011 and is inconsistent with the applicable objectives O1 and O4 as the proposed parking space is incompatible with the character of the surrounding development and will result in unacceptable impacts on the road network.
  - e. The proposal does not comply with C5 and C25 in Part 2.21 of the Marrickville Development Control Plan 2011 and is inconsistent with the applicable objectives O1 and O3 as the proposed development will have adverse impacts on flood behaviour due to the components of the development being below the flood planning level.
  - f. The proposal does not comply with C5, C6 and C7 in Part 3 of the Marrickville Development Control Plan 2011 and is inconsistent with

the applicable objectives O3, O4 and O5 as the proposed lots are not consistent with the surrounding cadastral pattern and will contain development that results in adverse impacts on the surrounding properties.

- g. The proposal does not comply with C1 and C2 in Part 4.1.5 of the Marrickville Development Control Plan 2011 and is inconsistent with the applicable objectives O8 and O9 as the proposed development does not translate positive streetscape characteristics from the locality and is not compatible with the streetscape character.
- h. The proposal does not comply with C10 in Part 4.1.6 of the Marrickville Development Control Plan 2011 and is inconsistent with the applicable objectives O13 and O14 as the proposed setbacks will result in adverse privacy and visual bulk impacts on the surrounding properties.
- i. The proposal does not comply with C48 in Part 4.1.9 of the Marrickville Development Control Plan 2011 as the proposed first floor has not been appropriately incorporated into the roof form to maintain the single storey streetscape character.
- j. The proposal is inconsistent with the desired future character for Marrickville Town Centre North contained within Part 9.20 of the Marrickville Development Control Plan 2011 as the development is inconsistent with the single storey streetscape character.

#### **Right of appeal**

If you are dissatisfied with this decision, Section 8.7 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court in accordance with the timeframes set out in [Section 8.10](#) of the *Environmental Planning and Assessment Act 1979*. In addition to the above, third party appeal rights are set out in the *Environmental Planning and Assessment Act 1979* and may be applicable.

Section 8.2 of the *Environmental Planning and Assessment Act 1979* provides that the applicant may request the Council to review the determination. Section 8.2 does not apply to complying development, designated development, a determination made by Council under Section 4.2 in respect of Crown applications, or a decision that is already subject to a Section 8.2 review.

For further information please contact **Ferdinand Dickel** on 02 9392 5125 or [ferdinand.dickel@innerwest.nsw.gov.au](mailto:ferdinand.dickel@innerwest.nsw.gov.au).

*Kaitlin Zieme*

Kaitlin Zieme  
**Acting Team Leader Development Assessment**

