

 DEVELOPMENT ASSESSMENT REPORT	
Application No.	DA/2022/0647
Address	26-36 Enmore Road NEWTOWN
Proposal	Construction of a Woolworths Metro store, including associated signage, operating 7am-10pm, 7 days per week.
Date of Lodgement	11 August 2022
Applicant	Fabcot Pty Ltd
Owner	Fabcot Pty Ltd
Number of Submissions	26
Value of works	\$4,565,000.00
Reason for determination at Planning Panel	Number of submissions
Main Issues	Traffic/vehicular access impacts Amenity impacts upon adjoining properties Land contamination Impacts upon the streetscape/heritage conservation area
Recommendation	Approved with Conditions
Attachment A	Recommended conditions of consent
Attachment B	Plans of proposed development
Attachment C	Heritage Impact Statement
Attachment D	Acoustic Report
Attachment E	Plan of Management
	
LOCALITY MAP	
Subject Site 	Objectors   N
Notified Area 	Supporters 
<i>Note: Not all objectors or supporters could be shown, due to certain submissions located beyond the locality, and due to personal details being anonymous.</i>	

1. Executive Summary

This report is an assessment of the application submitted to Council for the construction of a neighbourhood supermarket (Woolworths Metro), including associated business identification signage, operating 7am-10pm, 7 days per week at 26-36 Enmore Road, Newtown.

The application was notified to surrounding properties and 26 submissions were received in response to the notification.

The main issues that have arisen from the application include:

- Traffic/vehicular access impacts
- Amenity impacts upon adjoining properties
- Land contamination; and
- Impacts upon the streetscape/heritage conservation area.

During the assessment of the application, the need for amended plans and additional information were requested by Council and subsequently submitted by the applicant. The proposal, as amended, generally complies with the aims, objectives, and design parameters contained in the relevant State Environmental Planning Policies, *Inner West Local Environmental Plan 2022 (IWLEP)*, and Marrickville Development Control Plan 2011 (MDCP). Therefore, the application is recommended for approval subject to conditions of consent.

2. Proposal

The proposal seeks consent for the construction of a neighbourhood supermarket (Woolworths Metro store), including associated signage, operating 7am-10pm, 7 days per week. The following details are noted:

- The construction of a new two (2) storey building, comprising a Woolworths Metro retail store with a gross floor area (GFA) of 845m²;
- An at grade-car park providing 11 car parking spaces, comprising:
 - 6 standard car parking spaces and 1 motorcycle space;
 - 1 accessible car parking space;
 - 4 car pick up bays to be used for the 'direct to boot' service;
- Provision of a loading dock and waste collection area;
- Business identification signage; and
- Installation of landscaping, fencing and associated physical infrastructure, stormwater measures and utilities.

The store will be staffed with between 4-20 staff members at any given time.

3. Site Description

The subject site is located on the south-eastern corner of Enmore Road and Bailey Street, Newtown. The site consists of one allotment, with a total site area of 984.8sqm. The site is legally described as Lot 1 in DP 880463 and is known as 26-36 Enmore Road, Newtown. The site has a frontage to Enmore Road of 33.95 metres and a secondary frontage of 22.57 metres to Bailey Street.

The adjoining properties directly to the east are a series of buildings used primarily for commercial purposes. Directly to the west of the site continues a run of buildings used primarily for commercial purposes, along with a multi-storey, mixed used building that

accommodates a business premises on the ground level and residential accommodation on the upper levels. Properties to the south are predominately residential development, including residential accommodation that is associated with a mixed-use development at 359-361 King Street. Directly opposite the site on Enmore Road are additional buildings used for commercial and mixed use purposes, along with a Railway Corridor.

The site is currently vacant as a result of the approved demolition of the former service station under DA/2021/0037. The subject site is located within the King Street and Enmore Road Heritage Conservation Area (HCA) (C73) under the IWLEP 2022.

The locality comprises a commercial precinct with a mix of predominately retail and business uses. Newtown Train Station is located approximately 210m to the east of the site. The site is also serviced by nearby bus stops on Enmore Road and King Street, respectively.

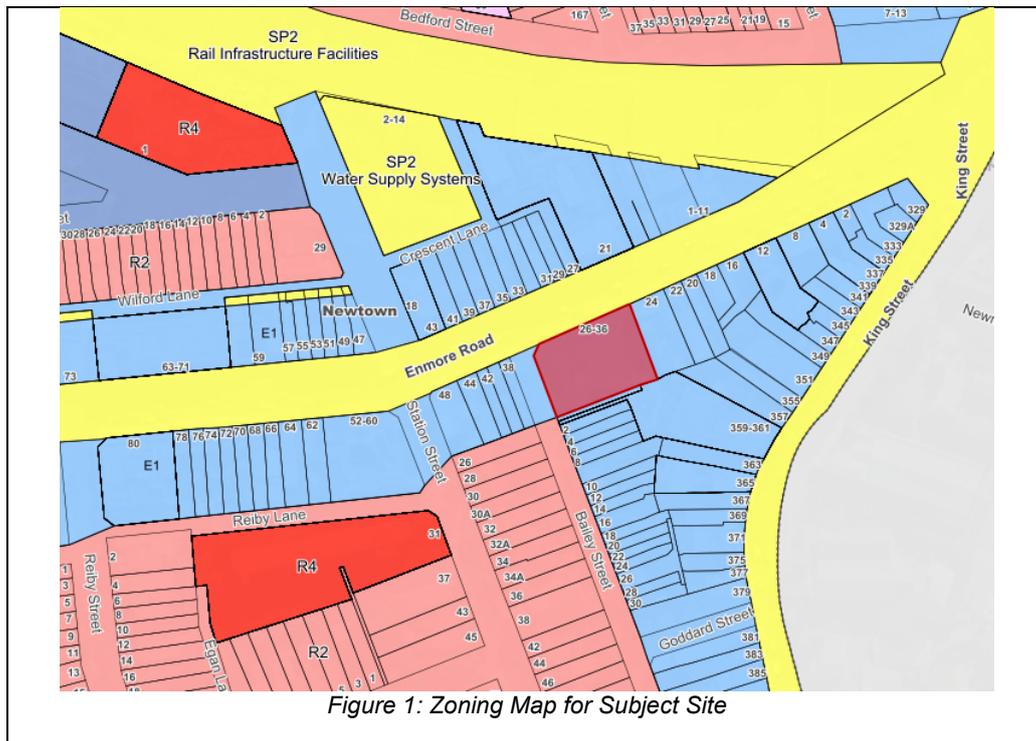


Figure 1: Zoning Map for Subject Site

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/2021/0037	Proposed demolition and remediation of existing service station.	Approved under delegated authority – 27/04/2021
PDA/2020/0424	To construct a Woolworths Metro Store.	Advice issued – 16/12/2020
DA201900439	To demolish existing improvements and remediate the land.	Withdrawn by applicant – 27/03/2020

DA201300604	To carry out alterations to the service station and erect signage.	Approved under delegated authority – 20/03/2014
DA200800028	To demolish the existing improvements, remove the fuel infrastructure and remediate the site.	Approved under delegated authority – 28/03/2008

4(b) Application history

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

Date	Discussion / Letter / Additional Information
11/08/2022	Application lodged.
31/08/2022 – 21/09/2022	Application notified.
20/02/2023	<p>A request for additional information (RFI) was sent to the applicant, requesting for the following matters to be addressed:</p> <ul style="list-style-type: none"> • Issues in relation to impacts upon the Heritage Conservation Area (HCA); • Amended driveway design, which is required by Transport for NSW (TfNSW); • Potential overshadowing impacts to adjoining properties; • Potential impacts to on-street car parking/traffic flow on Bailey Street; • Additional information regard use/details of internal layouts, including ventilation for food preparation areas; • Amended Contamination report to confirm compliance with SEPP Resilience and Hazards 2021; and • Confirmation as to whether a boundary survey has been undertaken.
14/04/2023	<p>Additional information was submitted in response to Council’s RFI letter.</p> <p><u>Note:</u> This information forms the basis of the assessment outlined below. Renotification was not required.</p>

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) Environmental Planning Instruments

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

- *State Environmental Planning Policy (Resilience and Hazards) 2021;*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021;*
- *State Environmental Planning Policy (Industry and Employment) 2021; and*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021.*

The following provides further discussion of the relevant issues:

5(a)(i) State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of land

Section 4.16 (1) of the SEPP requires the consent authority not consent to the carrying out of any development on land unless:

*“(a) it has considered whether the land is contaminated, and
(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.”*

In considering the above, the site was formerly used as a petrol station. The preceding development application DA/2021/0037 sought to demolish existing improvements and remediate the site. As part of that application, a Remediation Action Plan was endorsed by Council.

The applicant has submitted a Section A1 Site Audit Statement, confirming the remediation works as part of DA/2021/0037 have been carried out and that the site is suitable for the proposed use, being “commercial/industrial (non-sensitive) land use ‘slab on grade’ excluding basements”, in its current form. Council’s Environmental Health Officers have reviewed this documentation and have confirmed that that proposal is acceptable subject to conditions of consent.

Having regard to the above, the consent authority can be satisfied that the land will be suitable for the proposed use, given that remediation of the site has already been completed.

5(a)(ii) State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in non-rural areas

The protection/removal of vegetation identified under the SEPP gives effect to the local tree preservation provisions contained in Part 2.20 - Tree Management of the MDCP 2011.

The site contains 3 prescribed trees which are nominated for removal as part of the proposal. The application was reviewed by Council’s Tree Management Officer who raised no objection to the removal of the trees subject to the imposition of conditions. Overall, the proposal is considered acceptable with regard to the Vegetation SEPP and Part 2.20 of MDCP 2011 subject to the imposition of conditions, which have been included in the recommendation of this report.

5(a)(iii) State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3 Advertising and Signage

The following is an assessment of the development under the relevant controls contained in the SEPP.

The application seeks consent for the following signage:

Sign	Typology	Dimension	Lighting	Quantity
01	Woolworths Metro Under Awning Sign	1280mm wide x 400mm high	Internally Illuminated	1
02	Woolworths Logo on Glazing Façade	950mm wide x 850mm high	-	3
03	Direct to Boot Signage Above DTB Parking Spaces	7000mm wide x 475mm high	-	1
04	Future Detailed Signage Zone Sign – Horizontal	1650mm wide x 950mm high	Internally Illuminated	1
05	Suspended Woolworths Metro External Fence Sign - Horizontal	1650mm wide x 1350mm high	Internally Illuminated	1
06	Woolworths Metro External Projecting Façade Sign – Vertical	750mm wide x 1550mm high	Fixed to façade, aluminium	1

The proposed development is consistent with objectives set out in Section 3(1)(a) and the assessment criteria specified in Schedule 5 as follows:

Criteria	Assessment
Character of the area	<ul style="list-style-type: none"> The signage is compatible with the desired future character of the area.
Special areas	<ul style="list-style-type: none"> The signage does not detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open spaces or residential areas.
Views and vistas	<ul style="list-style-type: none"> The signage does not obscure or compromise important views. The signage does not dominate the skyline.
Streetscape, setting or landscape	<ul style="list-style-type: none"> The scale proportion and form of the signage is appropriate to the streetscape and locality. The signage is of a simple design and will not contribute to visual clutter. The signage reduces and rationalises the existing signage at the site. The signage will not impact vegetation.
Site and building	<ul style="list-style-type: none"> The scale proportion and form of the signage is appropriate to the building on which the signage is to be located. The signage respects important features of the building.
Associated devices and logos with advertisements and advertising structures	<ul style="list-style-type: none"> All elements of the signage have been well integrated into the structure which displays the signage.
Illumination	<ul style="list-style-type: none"> Internal illumination is proposed; however, this will not result in adverse amenity or safety impacts.
Safety	<ul style="list-style-type: none"> The signage will not reduce safe of any public road, pedestrians, bicyclists and will not obscure sightlines from public areas.

The site is not located in a prohibited area listed within Section 3.8(1). The proposed signage is consistent with the aims and objectives of SEPP (Industry and Employment) 2021 and MDCP 2011, as the location of the signage on the building would integrate well with the building’s façades and is compatible with the architectural design of the building. The site is located on the corner of Enmore Road and Bailey Street, in a predominately commercial area that has a residential interface. Given the number of existing signs that are within the vicinity

of the site due to the commercial tenancies along Enmore Road, the proposed signage is generally consistent with other signage in the locality.

Control C18 in Part 2.12 of MDCP 2011 prescribes that the total signage must not exceed 1sqm of signage per 1.5 metres of the tenancy street frontage in a commercial zone. The site has a frontage to Enmore Road of 33.95 metres and a secondary frontage of 22.57 metres to Bailey Street, thus allowing 22.41sqm of signage along Enmore Road and 14.9sqm of signage along Bailey Street. The proposed signage along Enmore Road provides a total area of signage that equates to 5.54sqm, which is below the maximum requirement of 22.41sqm. The signage facing towards the site's carpark along Bailey Street measures at 4.85sqm, which is below the maximum requirement of 14.9sqm. As a result, the signage complies with C18 in Part 2.12 of MDCP 2011.

The quantum of signage proposed is generally acceptable, having regard to the commercial nature of the precinct. Additionally, the proposed signage has been well incorporated into the architectural design of the building and reduces visual clutter. As such, the proposal is consistent with the objectives and controls of Part 2.12 and is considered satisfactory having regard to the assessment criteria contained within Section 3.11 of the SEPP.

5(a)(iv) State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 Infrastructure

Development Likely to Affect an Electricity Transmission or Distribution Network

In considering Section 2.48(1) of *SEPP (Transport and Infrastructure) 2021*:

The development proposes construction works within 5m of an exposed overhead electricity power line along Enmore Road. Ausgrid has reviewed the proposal and raises no objections subject to conditions of consent which are included in the recommendation.

Traffic Generating Development

In considering Section 2.122(4) of *SEPP (Transport and Infrastructure) 2021*:

The proposed development constitutes traffic generating development under Section 2.121 and Schedule 3 of *SEPP (Transport and Infrastructure) 2021*. The application was referred to TfNSW, who raised no objection to the proposed development subject to the imposition of conditions which are included in the recommendation.

Development with Frontage to Classified Road

In considering Section 2.119(2) of *SEPP (Transport and Infrastructure) 2021*:

The site has a frontage to Enmore Road, which is a classified road. Transport for NSW (TfNSW) has reviewed the proposal and notes that the proposed left-in and left-out (LILO)

access arrangement with splayed driveways separated by a raised kerb that is provided on the classified road is acceptable subject to conditions of consent.

Vehicular access to the property is also provided from Bailey Street and, as such, is provided by a road other than the classified road. The development would not affect the safety, efficiency and ongoing operation of the classified road.

5(a)(v) Inner West Local Environmental Plan 2022 (IWLEP 2022)

The application was assessed against the following relevant sections of the *IWLEP 2022*:

- Section 1.2 – Aims of Plan
- Section 1.8A – Savings provision relating to development applications
- Section 2.3 – Land Use Table and Zone Objectives
- Section 4.3 – Height of Buildings
- Section 4.4 – Floor Space Ratio
- Section 5.10 – Heritage conservation

Section 2.3 Land Use Table and Zone Objectives

The site is zoned E1 under the *IWLEP 2022*. The *IWLEP 2022* defines the proposed developments as:

Neighbourhood supermarket means premises the principal purpose of which is the sale of groceries and foodstuffs to provide for the needs of people who live or work in the local area.

Building identification sign means a sign that identifies or names a building and that may include the name of a building, the street name and number of a building, and a logo or other symbol but does not include general advertising of products, goods or services.

Neighbourhood supermarkets are a type of shop, which fall within the umbrella of **retail premises** and the broader definition of **commercial premises**. Neighbourhood supermarkets and building identification signs are both permissible with development consent within the E1 zone.

The objectives of the *E1: Local Centre* zone are:

- To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.
- To encourage investment in local commercial development that generates employment opportunities and economic growth.
- To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.
- To provide employment opportunities and services in locations accessible by active transport.
- To provide retail facilities and business services for the local community commensurate with the centre's role in the local centres hierarchy.
- To ensure Inner West local centres are the primary location for commercial and retail activities.

- *To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.*
- *To enhance the unique sense of place offered by Inner West local centres by ensuring buildings display architectural and urban design quality and contributes to the desired character and cultural heritage of the locality.*

The proposal is consistent with the objectives of the E1 zone, given that the proposal:

- Provides a local commercial development that generates employment opportunities and economic growth;
- Provides employment opportunities and services in locations accessible by active transport in an accessible location;
- Contributes towards a diverse and active street frontage; and
- Ensures that the architectural and urban design quality contributes to the desired character of the locality.

Part 4 Development Standards

Control	Proposed		Compliance
Section 4.3 Height of building	Maximum	14m	Yes
	Proposed	11.4m	
Section 4.4 Floor space ratio (FSR)	Maximum	1.5:1 or 1,477.2sqm	Yes
	Proposed	0.85:1 or 832.49sqm	
	Variation	N/A	
Section 4.5 Calculation of FSR and site area	The site area and floor space ratio for the proposal has been calculated in accordance with the section.		Yes

Section 5.10 Heritage

The proposed development is located within the King Street and Enmore Road Heritage Conservation Area (HCA). The proposal satisfies the relevant provisions of this section as follows:

- The subject site is not considered to be a contributory building within the King Street and Enmore Road HCA (C73);
- The proposed building as amended, has been appropriately designed to be compatible with the HCA in terms of its form, scale, proportions and materiality. As such, the proposal will fit into the streetscape and will not visually dominate the HCA; and
- The proposal ultimately preserves the environmental heritage of Marrickville.

5(b) Draft Environmental Planning Instruments

Draft EPI's have been considered and do not impact the proposed development.

5(c) Development Control Plans

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

Part 2 – Generic Provisions

Control	Proposed	Compliance
Part 2.1 – Urban Design	<p>The proposal satisfies the relevant provisions of this Part as follows:</p> <ul style="list-style-type: none"> • The proposal assists to improve the urban structure and is considered well connected to nearby transport and services; • The proposal provides for satisfactory access arrangements, including in terms of facilities and general access; • The proposal provides for an appropriate level of density relative to the development standards prescribed for the site and the desired future character of the zone; • The proposal provides for an urban form that clearly defines public and private spaces and that are appropriate for the function of the locality; • The proposal provides for satisfactory legibility to assist with wayfinding within the site and building; • The proposed built form, materiality and design of the building recognises and enhances the character of the nearby commercial precinct; and • Given the surrounding context, the proposal will have an acceptable impact on the HCA. 	Yes, subject to conditions
Part 2.5 – Equity of Access and Mobility	<p>The proposal satisfies the relevant provisions of Part 2.5 as follows:</p> <ul style="list-style-type: none"> • Appropriate access is provided for all persons through the principal entrance to the premises. • A Continuous Accessible Path of Travel (CAPT) to and within the subject premises is provide which allows a person with a disability to gain access to all areas within the shop. • Suitable accessible sanitary facilities are provided. • An accessible parking space has been provided. • A BCA report was submitted with the application which addressed that the development could comply with the BCA/NCC. 	Yes, subject to conditions
Part 2.6 – Acoustic and Visual Privacy	<p>The proposal satisfies the acoustic and visual privacy provisions contained in Part 2.6 in that:</p> <ul style="list-style-type: none"> • The proposed use is sufficiently separated from adjoining residential properties to provide an acceptable level of visual and acoustic privacy; • None of the windows proposed would enable overlooking into the adjoining residential properties as they have been designed to provide surveillance to Enmore Road and Bailey Street; and • An Acoustic Report was submitted with the application and concluded the proposal will comply with the relevant noise emission criteria. 	Yes

Part 2.7 – Solar Access and Overshadowing	Refer to Section 5(c)(i) below.	Yes
Part 2.9 – Community Safety	The proposal satisfies the relevant provisions of Part 2.9 as follows: <ul style="list-style-type: none"> • The proposal has been designed having regard to CPTED principles, considering that the proposal has been accompanied by a CPTED assessment report; • The proposed development has been designed to allow passive surveillance of the street; and, • The main pedestrian entrance to the building is recognisable and has been appropriately designed. 	Yes
Part 2.10 – Parking	Refer to Section 5(c)(ii) below.	Yes, subject to conditions
Part 2.12 – Signs and Advertising	See assessment under SEPP (Industry and Employment) 2021 above	Yes
Part 2.20 – Tree Management	See assessment under SEPP (Biodiversity and Conservation) 2021 above.	Yes
Part 2.21 – Site Facilities and Waste Management	The proposal satisfies the relevant provisions of Part 2.21 as follows: <ul style="list-style-type: none"> • The application was accompanied by a waste management plan in accordance with the Part; • Standard conditions are recommended to ensure the appropriate management of waste during the construction of the proposal; and • Sufficiently sized and appropriately designed areas for waste storage have been provided within the ground floor loading dock, which are easily accessible for waste collection. 	Yes, subject to conditions
Part 2.24 – Contaminated Land	See assessment under SEPP (Resilience and Hazards) 2021 above.	Yes, subject to conditions
Part 2.25 – Stormwater Management	Standard conditions are recommended to ensure the appropriate management of stormwater.	Yes, subject to conditions

(i) Part 2.7 – Solar Access and Overshadowing**Overshadowing**

Control C2 of Part 2.7 of MDCP 2011 requires that direct solar access to windows of principal living areas and principal areas of Private Open Space (POS) 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 applicant has submitted shadow diagrams for both the 21 June and 21 September. The following is an analysis of the properties affected by the development:

24 Enmore Road – Commercial Building (Meditation Clinic)

Given the orientation of this property in comparison to the subject site, no additional overshadowing to the western-facing glazing of this property until 3pm. It is noted that this site is a commercial building in which the ground floor window most affected services a meditation room. The portion of the building adjoining the window for the meditation room is single storey and avoids additional overshadowing impacts until 3pm on June 21, the impacts upon this property are considered acceptable.

2 Bailey Street – Dwelling House

Given the site's east-west orientation and narrow allotment configuration, the subject property does not currently achieve solar access to 50% of the Private Open Space (POS) area during the winter solstice. The ground floor northern side elevation contains 3 windows, in which it is unclear of the usage of these rooms. These windows receive compliant rates of solar access from 9am-12pm. Under the proposal, these windows maintain a minimum of 2 hours of solar access on 21 June since no additional overshadowing occurs until 1pm.

The rear POS area also does not experience additional overshadowing until 1pm. However, as previously noted, the private open space does not currently receive solar access to 50% of the POS area at any time between 9am-3pm on 21 June. The areas that experience additional overshadowing is the boundary fencing, rather than the ground level. It is noted that the shadowing occurring is due to the site's orientation and width of the allotments, rather than additional overshadowing that is caused by the design of the proposed building. Solar access to the POS in March/September is unaffected as a result of the development. As such, the solar access impacts upon this property are considered to be acceptable.

4 Bailey Street – Dwelling House

The POS of the dwelling currently receives 2 hours of solar access on 21 June, from 11am-1pm. The proposal does not result in any further reduction in solar access at this time of day, and solar access to the POS would not be impacted at 21 March/September. As such, the solar access impacts upon this property are acceptable.

359-361 King Street – Residential Flat Building

The POS areas for the units within this building currently receive 2 hours of solar access on 21 June, from 11am-1pm. The proposal does not result in any further reduction in solar access at this time of day, and solar access to the POS would not be impacted on 21 March/September. As such, the solar access impacts upon this property are acceptable.

(ii) Part 2.10 – Parking

The site is identified in Parking Area 1 (most constrained) under Part 2.10 of MDCP 2011. The following table summarises the car, bicycle, and motorcycle parking requirements for the development:

Component	Control	Required	Proposed	Compliance
Car Parking				
Business & Retail Car Parking	9 + 1 per 45m ² GFA over 750m ² GFA for customers & staff	832.5sqm GFA = 11 spaces	11 spaces (including 1 accessible)	Yes
Bicycle Parking				
Business & Retail Bicycle Parking - Customers	1 bicycle parking space per 300sqm GFA	832.5sqm GFA = 3 spaces	3 spaces	Yes
Motorcycle Parking				
Motorcycle Parking	5% of the total car parking requirement	11 car parking spaces required = 0.55 spaces	1 space	Yes

Further to the table above, the proposal provides a combined ingress/egress driveway on both street frontages to allow for vehicles to enter and exit the site in a forward direction. The proposal also delivers an on-site loading bay and truck space, in accordance with the requirements of controls C25 and C27. As demonstrated above the parking complies with the prescribed requirements which includes the provision of one accessible parking space.

In addition, a Traffic and Parking Impact Assessment was submitted with the application, which found the local road and parking network can readily cater for the proposed development. Considering the above, subject to the imposition of appropriate conditions, the proposal will comply within the minimum requirements prescribed under Part 2.10 of MDCP 2011.

Part 5 – Commercial and Mixed Use Development

Control	Assessment	Compliance
Part 5.1.3 – Building form	<p>The proposal satisfies the relevant provisions of Part 5.1.3 as follows:</p> <ul style="list-style-type: none"> • The proposed density and height of development is compatible with the future desired character of the King Street & Enmore Road HCA, and is appropriate to the contextual constraints of the site. • The proposal preserves the prevailing building frontage edge of the streetscape. • The proposal maintains the existing design features that reinforce corner site. 	Yes

Part 5.1.4 – Building detail	<p>The proposal satisfies the relevant provisions of Part 5.1.4 as follows:</p> <ul style="list-style-type: none"> • The proposal is of an appropriate bulk and scale, given that the proposal complies with the FSR and HOB development standards, along with the massing, setbacks and depth requirements under this part; • The proposal ensures the development complements the surrounding buildings and predominant streetscape and broader townscape character by incorporating contemporary interpretations of the site context characteristics; and • The building is consistent with the width and proportions of the existing shopfronts evident within the streetscape and contribute towards an active street frontage. 	Yes
Part 5.1.7 – Vehicle access, parking, loading and services	Council’s Engineering Department have reviewed the design of the vehicle access, parking, loading and service areas, and subject to the recommended conditions of consent have no objections. Given this, the proposal is also satisfactory with respect to Part 2.10 and 5.1.7 of MDCP 2011.	Yes
Part 5.3.1.1 – Plan of Management	The application includes a plan of management. The plan of management is compliant with the provisions of part 5.3.1.1 of MDCP 2011.	Yes
Part 5.3.1.2 – Noise and vibration generation	Council’s Environmental Health Team has reviewed the acoustic report and subject to the recommended conditions of consent have no objections. Given this, the proposal is also satisfactory with respect to Part 2.6 of MDCP 2011.	Yes
Part 5.3.1.4 – Hours of operation	The proposed hours of operation are 7am-10pm Monday to Sunday. The plan of management and the acoustic report provide Council with the necessary certainty that the proposed trading hours will not unreasonably impact the amenity of neighbours. Given the nature of the use, the zoning and context the acoustic control measures and plan of management the proposed hours are considered appropriate.	Yes

Part 9 – Strategic Context

Control	Assessment	Compliance
Part 9.37 – King Street and Enmore Road (Commercial) (Precinct 37)	<p>The proposal is consistent with the desired future character provisions of the precinct as follows:</p> <ul style="list-style-type: none"> • As detailed within this report, the proposal protects, preserves and enhances the existing character of the streetscape and the King Street and Enmore Road Heritage Conservation Area. • The proposed building provides a strong definition to the street through a nil primary street building setback that is consistent with adjoining development. 	Yes

	<ul style="list-style-type: none"> • The proposal supports pedestrian access, activity and amenity including maintaining and enhancing the public domain. • The proposal facilitates efficient parking and access for vehicles in an appropriate location, which minimises impact to streetscape appearance, commercial viability and vitality and pedestrian safety and amenity. 	
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5(e) The Likely Impacts

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

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

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

5(g) Any submissions

The application was notified in accordance with the Community Engagement Framework for a period of 21 days to surrounding properties, from 31 August 2022 to 21 September 2022.

Twenty-six (26) submissions were received in response to the notification, including one (1) letter of support.

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

- Traffic volumes/impacts, including:
 - Reduction in bicycle parking; and
 - Excessive number of car parking spaces.
- Solar access and overshadowing, including:
 - Incorrect information on overshadowing impacts; and
 - Overshadowing impacts upon surrounding properties.
- Impacts upon the streetscape and HCA;
- Waste management; and
- Visual bulk impacts to adjoining properties.

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

Issue: Excessive supply of supermarkets in the area

Comment: These comments are noted. However, the supply and demand of existing supermarkets within the surrounding locality is not a matter for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979 (EPA Act 1979)*.

Issue: Obstruction of the access handle servicing 359-361 King Street

Comment: The development is contained within the property boundaries, and as such will not affect this arrangement.

Issue: Impacts to the adjoining residential property

Comment: For the reasons outlined in this report, the proposal adequately protects solar

access, privacy and mitigates visual bulk to the adjoining residential properties.

Issue: Non-compliances with Council's policies and controls

Comment: Following assessment of the application, the proposal satisfies the applicable State Environmental Planning Policies, and complies with the aims, objectives and design parameters contained in the *Inner West Local Environmental Plan 2022* and *Marrickville Development Control Plan 2011*.

Issue: Negative resident feedback and little public benefit

Comment: Comments regarding negative resident feedback are noted. The proposal is assessed as having acceptable impacts on the amenity of the area, given that the environmental impacts on both the natural and built environments, and social and economic impacts in the locality are acceptable. As such, the proposal is considered to be in the public interest.

Issue: Deliberately misleading information

Comment: These comments are noted. Upon reviewing the submitted information including the amended information submitted during the assessment, is considered acceptable to undertake an assessment in accordance with Section 4.15 of the *EPA Act 1979*.

Issue: Lack of public safety

Comment: The proposal is assessed as having acceptable impacts with regards to the Crime Prevention Through Environmental Design principles, along with the provisions under Part 2.9 of the MDCP 2011. Impacts relation to public safety during the construction of the development can be managed via standard conditions of consent.

Issue: Roof heat reflection

Comment: These comments are noted. An Environmentally Sustainable Design Report was submitted with the application which indicates that cool roofing materials will be used to reduce heat build-up on the roof and the subsequent conduction of that heat into the internal spaces.

Issue: Loss of amenity for the Sydney Buddhist Centre:

Comment: An assessment of solar access impacts has been provided under section 5(c)(i) above. In summary, no additional overshadowing to the western-facing glazing of this property is caused by the development until 3pm. Given that the portion of the building adjoining this site is single storey, the visual bulk impacts are reasonable. The proposed building is contained wholly within the property boundaries, and as such, it is considered that this proposal is unlikely to adversely impact the adjoining property.

Issue: Lack of shop top housing

Comment: These comments are noted. However, the proposal is for a neighbourhood supermarket which is a permissible use in the zone.

Issue: Lack of tree planting/canopy cover

Comment: Council's Urban Forest Team have reviewed the proposal in relation to tree removal and the provision of tree planting/canopy cover and have provided conditions of consent. In summary, given the extensive impervious area proposed throughout the site there is limited opportunity for replacement tree plantings. It is noted that 2 x *Celtis sinensis* (Hackberry) and 1 x *Cupressus sempervirens 'stricta'* (Pencil Pine) are nominated for removal, however there is no objection to the removal of these trees as the *Celtis* are on the Tree Minor works list in the DCP and the Pencil Pine has a 'low' retention value. The applicant has provided a landscape plan that is endorsed as part of the approved plans, in which the proposed landscaping in the form of shrubs along the Enmore Road and Bailey Street frontages are considered to be reasonable in the case of the site's circumstances and the proposed use.

5(h) The Public Interest

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

The proposal is not contrary to the public interest.

6 Referrals

6(a) Internal

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

- Heritage
- Health
- Development Engineers
- Waste Management (Commercial)
- Urban Forest

6(b) External

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

- Transport for NSW (TfNSW)
- Ausgrid

7. Section 7.11 Contributions/7.12 Levy

Section 7.11 contributions are payable for the proposal.

The carrying out of the development would result in an increased demand for public amenities and public services within the area. A contribution of \$64,096.00 would be required for the development under the Inner West Local Infrastructure Contributions Plan 2023. A condition requiring that contribution to be paid is included in the recommendation.

8. Conclusion

The proposal generally satisfies the applicable State Environmental Planning Policies, and complies with the aims, objectives and design parameters contained in the *Inner West Local Environmental Plan 2022* and *Marrickville Development Control Plan 2011*.

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

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

9. Recommendation

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, grant consent to Development Application No. DA/2022/0855 for the construction of a neighbourhood supermarket (Woolworths Metro store), including associated signage, operating 7am-10pm, 7 days per week at 26-36 Enmore Road NEWTOWN NSW 2042 subject to the conditions listed in Attachment A below.

Attachment A – Recommended conditions of consent

CONDITIONS OF CONSENT

DOCUMENTS RELATED TO THE CONSENT

1. Documents related to the consent

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

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
11668_DA011 - Issue B	Ground Floor Plan	14.04.23	Nettleton Tribe Partnership Pty Ltd
11668_DA012 - Issue B	Level 1 Plan	14.04.23	Nettleton Tribe Partnership Pty Ltd
11668_DA013 - Issue B	Roof Plan	14.04.23	Nettleton Tribe Partnership Pty Ltd
11668_DA021 - Issue B	Elevations & Signage Strategy	14.04.23	Nettleton Tribe Partnership Pty Ltd
11668_DA022 - Issue B	Elevations & Signage Strategy	14.04.23	Nettleton Tribe Partnership Pty Ltd
11668_DA031 - Issue B	Sections	14.04.23	Nettleton Tribe Partnership Pty Ltd
2522096-0000 - Issue 01	Planting Palette	28-07-2022	Place Design Group Pty Ltd
2522096-0000 - Issue 01	Planting Plan	28-07-2022	Place Design Group Pty Ltd
-	Plan of Management - Woolworths	July 2022	-
20201167.1 Revision 4	DA Acoustic Assessment	20/07/2022	Acoustic Logic

-	Arboricultural Impact Appraisal and Method Statement	11 March 2021	Naturally Trees Arboricultural Consulting
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As amended by the conditions of consent.

DESIGN CHANGE

2. Design Change

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

- a. The Planting Plan & Palette, prepared by Place Design Group Pty Ltd (Issue 01, dated 28-07-2022), is to be updated to reflect the amended development that is approved under this development consent.

FEES

3. Security Deposit - Custom

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

Security Deposit:	\$45,650
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.

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.

5. Section 7.11 Contribution

In accordance with section 7.11 of the *Environmental Planning and Assessment Act 1979* and the Inner West Local Infrastructure Contribution Plan 2023 (the Plan), the following monetary contributions shall be paid to Council to cater for the increased demand for local infrastructure resulting from the development:

Contribution Category	Amount
Open Space & Recreation	\$14,411
Transport	\$37,897.00
Plan Administration	\$1,860.00
Drainage	\$9,928.00
TOTAL	\$64,096.00

At the time of payment, the contributions payable will be adjusted for inflation in accordance with indexation provisions in the Plan in the following manner:

$$C_{\text{payment}} = C_{\text{consent}} \times (CPI_{\text{payment}} \div CPI_{\text{consent}})$$

Where:

Cpayment = is the contribution at time of payment

Cconsent = is the contribution at the time of consent, as shown above

CPIconsent = is the Consumer Price Index (All Groups Index) for Sydney at the date the contribution amount above was calculated being [insert CPI value] for the [insert latest quarter and year].

CPIpayment = is the Consumer Price Index (All Groups Index) for Sydney published by the Australian Bureau of Statistics that applies at the time of payment

Note: The contribution payable will not be less than the contribution specified in this condition.

The monetary contributions must be paid to Council (i) if the development is for subdivision – prior to the issue of the subdivision certificate, or (ii) if the development is for building work – prior to the issue of the first construction certificate, or (iii) if the development involves both subdivision and building work – prior to issue of the subdivision certificate or first construction certificate, whichever occurs first, or (iv) if the development does not require a construction certificate or subdivision certificate – prior to the works commencing.

It is the professional responsibility of the principal certifying authority to ensure that the monetary contributions have been paid to Council in accordance with the above timeframes.

Council's Plan may be viewed at www.innerwest.nsw.gov.au or during normal business hours at any of Council's customer service centres.

Please contact any of Council's customer service centres on [insert email address and phone number] to request an invoice confirming the indexed contribution amount payable. Please allow a minimum of 2 business days for the invoice to be issued.

Once the invoice is obtained, payment may be made via (i) BPAY (preferred), (ii) credit card / debit card (AMEX, Mastercard and Visa only; log on to www.innerwest.nsw.gov.au/invoice; please note that a fee of 0.75 per cent applies to credit cards), (iii) in person (at any of Council's customer service centres), or (iv) by mail (make cheque payable to 'Inner West Council' with a copy of your remittance to PO Box 14 Petersham NSW 2049).

The invoice will be valid for 3 months. If the contribution is not paid by this time, please contact Council's customer service centres to obtain an updated invoice. The contribution amount will be adjusted to reflect the latest value of the Consumer Price Index (All Groups Index) for Sydney.

GENERAL CONDITIONS

6. Boundary Alignment Levels

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

7. 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.

NOTE: Reference should be made to the Arboricultural Impact Assessment Report prepared by Naturally Trees dated 11 March 2021 for tree numbering and locations.

8. Works to Trees

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

Tree/location	Approved works
2 x <i>Celtis sinensis</i> (Hackberry)	Removal
1 x <i>Cupressus sempervirens</i> 'Stricta'	Removal

9. Noise – Consultant’s Recommendations

All noise emission criteria, assumptions and recommendations contained in the acoustic report prepared by Acoustic Logic, reference 20201167.1 (Revision 4), dated 20/07/2022 must be implemented and complied with at all times.

10. Waste Management Plan

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

11. 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.

12. Works Outside the Property Boundary

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

13. Transport for NSW Conditions

- a. All buildings and structures, together with any improvements integral to the future use of the site are wholly within the freehold property unlimited in height or depth along Enmore Road.
- b. The design and construction of the kerb and gutter crossings on Enmore Road shall be in accordance with TfNSW requirements. Details of these requirements should be obtained by email to developerworks.sydney@transport.nsw.gov.au. Detailed design plans of the proposed gutter are to be submitted to TfNSW for approval prior to the issue of a construction certificate and commencement of any road works. Please send all documentation to development.sydney@transport.nsw.gov.au. A plan checking fee and lodgement of a performance bond is required from the applicant prior to the release of the approved road design plans by TfNSW.
- c. Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to TfNSW for approval, prior to the commencement of any works. Please send all documentation to development.sydney@transport.nsw.gov.au. A plan checking fee will be payable, and a performance bond may be required before TfNSW approval is issued.
- d. Vehicles are to enter and exit the site in a forward direction.
- e. Vehicles are to be wholly contained on site before being required to stop.

- f. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted Enmore Road.
- g. A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre for any works that may impact on traffic flows on Enmore Road during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1- 2004, AS2890.6-2009 and AS 2890.2 – 2018 for heavy vehicle usage. Parking Restrictions may be required to maintain the required sight distances at the driveway.

14. Verification of Levels and Location

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

15. Car Parking

The development must provide and maintain within the site:

- a. 10 car parking spaces must be paved and line marked;
- b. 1 car parking space, for persons with a disability must be provided and marked as disabled car parking space (in addition to the 10 required under part a);
- c. 3 bicycle spaces;
- d. 1 motorcycle space; and
- e. 1 Loading dock.

PRIOR TO ANY DEMOLITION

16. Construction Traffic Management Plan – Detailed

Prior to Any Construction activity, the Certifying Authority, must be provided with a detailed Construction Traffic Management Plan (CTMP), prepared by an appropriately qualified Traffic Management Consultant with Transport for NSW accreditation. The Certifying Authority must approved by the CTMP prior to the commencement of any Construction activity. The Certifying Authority must ensure that the CTMP instructs vehicles to use State and Regional and

Collector Roads to the maximum extent with the use of Local Roads as final approach to the development site via the most suitable direct route.

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

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

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

17. 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.

18. 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.

19. Hoardings

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

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

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

20. 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.

PRIOR TO CONSTRUCTION CERTIFICATE

21. Splays - Dedication of Land

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with evidence that the land owner has dedicated a splay that is registered at NSW Land Registry Services to provide for sight-distance for vehicles and pedestrians at intersections splays must be created at property corners. The size of the splay(s) must be:

- a. 3m x 3m at street and street corner;

Any existing features of the site that encroach upon the required splay corners must be allowed to remain as such until the feature is demolished as part of future development.

22. Public Domain Works – Prior to Construction Certificate

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

- a. The public domain along all frontages of the site inclusive of footpath paving, kerb must be reconstructed and upgraded in accordance with the Street Tree Master plan and the Public Domain Design Guide or scheme;
- b. The construction of heavy duty vehicular crossings to all vehicular access locations and removal of all redundant vehicular crossings to the site;
- c. New paved 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;
- d. Cross sections are to be provided at the boundary at a minimum distance of every 5m and at all pedestrian and vehicular access locations. Note, the cross fall of the footpath must be set at 2.5%. These sections will set the alignment levels at the boundary.
- e. Installation of a stormwater outlet to the kerb and gutter.

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

23. Parking Facilities – Major (including basement)

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans certified by a suitably qualified Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) demonstrating that the design of the vehicular access, off-street parking facilities and associated vehicle standing

areas comply with Australian Standard AS/NZS 2890.1-2004 Parking Facilities: Off-street car parking, Australian Standard AS 2890.2-2018 Parking Facilities: Commercial vehicle facilities, AS/NZS 2890.3-2015 Parking facilities: Bicycle Parking, AS/NZS 2890.6-2009 Parking facilities: Off-street parking for people with disabilities and the following specific requirements:

- a. The driveway must rise within the property to be 170mm above the adjacent road gutter level and higher than the street kerb and footpath across the full width of the vehicle crossing. The longitudinal profile across the width of the vehicle crossing must comply with the Ground Clearance requirements of AS/NZS 2890.1-2004;
- b. A minimum of 2200mm headroom must be provided throughout the access and parking facilities. Note that the headroom must be measured at the lowest projection from the ceiling, such as lighting fixtures, and to open garage doors;
- c. Headroom at a 'sag' type grade change must be measured in accordance with Figure 5.3 of AS/NZS 2890.1-2004;
- d. Minimum headroom of 2500mm must be provided above any disabled parking space(s);
- e. The longitudinal profile of the access and any ramps within the parking facilities must comply with the Ground Clearance requirements of AS/NZS 2890.1-2004 for a B99 design vehicle. Longitudinal sections must be provided along each outer edge of all ramps;
- f. Longitudinal sections must be provided along both sides of the vehicular access ramp(s) and throughout the path of travel for a MRV utilising the loading bay. The sections must demonstrate that minimum headroom of 4500mm is provided;
- g. The layout and minimum dimensions of any standing area comply with clause 2.4 of AS/NZS 2890.1-2004 such that:
 - i. Car spaces adjacent to walls or fences are increased in width by an additional 300mm; End spaces are provided with an additional 1m aisle extension;
 - ii. End spaces are provided with an additional 1m aisle extension; and
 - iii. The location of columns within the carpark complies with figure 5.1 of AS/NZS 2890.1-2004.
- h. At the property boundary the access from the road to a standing area is (as near as practicable) perpendicular to the line of the adjacent road;
- i. The relative surface levels of the internal access from the road being controlled so that:
 - i. The surface levels at the property boundary match "alignment levels"
 - ii. The change in grade for any 2m length of access way does not exceed 1 in 8 (12.5%) unless suitable transitions are provided in accordance with AS2890.1;
 - iii. The maximum grade at any point does not exceed 1 in 5 (20%) or in the case of ramps greater than 20m in length 1 in 6 (16.7%); and
 - iv. The maximum grade at the property boundary does not exceed 1 in 20 (5%) within 6m of the property boundary.
- j. The vehicle egress is designed such that there are no obstructions to lines of sight, along with the footpath and the roadway for drivers of egressing vehicles;

- k. The curved section of the ramp is designed in accordance with AS/NZS 2890.1-2004 with grades measured along the inside radius;
- l. All loading docks and parking bays are designed such that all vehicular movements to and from the proposed development are in a forward direction;
- m. Loading / unloading facilities must be provided on-site in accordance with the requirements of AS2890.2 – 2002;

24. Driveway Long Section - Dwelling

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

25. Stormwater Drainage System – Major Developments

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

- a. The design must be generally in accordance with the stormwater drainage concept plan on Drawing No. DAC24.01 Rev 04 dated 1/8/2022 and DAC29.01 Rev 03 dated 1/8/2022 prepared by Northrop as amended to comply with the following;
- b. Stormwater runoff from all surface areas within the property must be collected in a system of gutters, pits and pipelines and be discharged together with overflow pipelines from any rainwater tank(s) by gravity to the kerb and gutter of a public road/directly to Council's piped drainage system via the OSD/OSR tanks;
- c. Comply with Council's Stormwater Drainage Code, Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3-2018 'Stormwater Drainage' and Council's DCP.
- d. Charged or pump-out stormwater drainage systems are not permitted including for roof drainage;
- e. The Drainage Plan must detail the existing and proposed site drainage layout, size, class and grade of pipelines, pit types, roof gutter and downpipe sizes;

- f. The on-site detention system must be designed for all storm events from the 1 in 5 years to the 1 in 100 year storm event, with discharge to a Council controlled storm water system limited to pre-development conditions with the maximum allowable discharge to Council's street gutter limited to 25 litres/second (20 years ARI/100years ARI);
- g. Storage for the 1-year ARI storm event must be provided fully below ground;
- h. Details of the Height vs Storage and Height vs Discharge relationships must be submitted.
- i. Pipe and channel drainage systems including gutters must be designed to convey the one hundred (100) year Average Recurrence Interval (ARI) flows from the contributing catchment to the OSD/OSR tanks;
- j. OSD may be reduced or replaced by on site retention (OSR) for rainwater reuse in accordance with the relevant DCP that applies to the land. Where this is pursued, the proposed on-site retention (OSR) tanks must be connected to a pump system for internal reuse for laundry purposes, the flushing of all toilets and for outdoor usage such as irrigation. Surface water must not be drained to rainwater tanks where the collected water is to be used to supply water inside the dwelling, such as for toilet flushing or laundry use;
- k. Pipe and channel drainage systems including gutters must be designed to convey the one hundred (100) year Average Recurrence Interval (ARI) flows from the contributing catchment to the OSD/OSR tanks;
- l. Details of the 1 in 100-year ARI overflow route in case of failure/blockage of the drainage system must be provided;
- m. An overland flowpath must be provided within the setback to the western side boundary.
- n. A pump-out system for drainage of surface flows from the basement ramp is permitted for the basement area only and must be designed in accordance with the following criteria:
 - 1. Comply with all relevant Australian Standards;
 - 2. An overflow, flashing light and audible alarm is to be provided to warn of pump failure;
 - 3. A maintenance regime for the pump system must be provided, including provision for regular maintenance and servicing at least every 6 months;
 - 4. The proposed pump system must consist of two (2) pumps, connected in parallel, with each pump being capable of emptying the holding tank at a rate equal to the rate of inflow for the one-hour duration, 100-year Average Recurrence Interval (ARI) storm event. The holding tank must be capable of holding one hour's runoff from one-hour duration 20-year ARI storm event;
 - 5. Where OSD facilities are required by this consent, the pump system must be discharged to the OSD storage tank;
 - 6. Subsurface flows must be collected at the point of ingress to the basement i.e. at the basement walls;

- 7. The subsurface drainage system must have sufficient capacity to collect and convey all surface flows to the pump out system; and
- 8. Inlet pits and drains for subsurface drainage must be designed to minimise potential for pollutants from cars or other sources to enter the subsurface drainage system. e.g., isolate any subsurface drains at boundary walls, inspection pits with solid covers, etc.
- o. The design must make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands;
- p. Details of external catchments currently draining to the site must be included on the plans. Existing natural overland flows from external catchments may not be blocked or diverted, but must be captured and catered for within the proposed site drainage system. Where necessary an inter-allotment drainage system must be incorporated into the design;
- q. No nuisance or concentration of flows to other properties;
- r. The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system;
- s. 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;
- t. An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets;
- u. Only a single point of discharge is permitted to the kerb and gutter, per frontage of the site;
- v. New pipelines within the footpath area that are to discharge to the kerb and gutter must be hot dipped galvanised steel hollow section with a minimum wall thickness of 4.0mm and a maximum section height and width of 100mm or sewer grade uPVC pipe with a maximum diameter of 100mm;
- w. All stormwater outlets through sandstone kerbs must be carefully core drilled in accordance with Council standard drawings;
- x. All redundant pipelines within footpath area must be removed and footpath/kerb reinstated;
- y. Water quality filtration basket(s) with screening bag or similar primary treatment device(s) must be installed on the site stormwater drainage system such that all water entering the site stormwater drainage system is filtered by the device(s);
- z. Stormwater quality improvement devices must be installed such that stormwater flows leaving the site meet the following environmental targets:

Pollutant	Baseline Pollution (kg/ha/yr)	Annual Load	Retention Criteria

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

- aa. A water balance model must be submitted to accompany the water re-use proposal;
- bb. A WSUD Strategy Report must be provided to ensure the treatment measures proposed to meet Council's water quality targets. For sites with a GFA greater than 2000sqm a MUSIC model (including .sqz file) must be included with the report;
- cc. A detailed WSUD maintenance plan outlining how all elements of the water quality treatment facility will be maintained and to record annual inspections/maintenance works to be undertaken.
- dd. Dry-weather flows of any seepage water including seepage from landscaped areas will not be permitted through kerb outlets and must be connected directly to a Council stormwater system. Alternatively, the basement must be fully "tanked" so as not to allow the ingress of seepage or groundwater.

26. Noise General – Acoustic Report

Prior to the issue of a Construction Certificate, the construction drawings and construction methodology must be assessed and certified by a suitably qualified acoustic consultant to be in accordance with the requirements of the DA acoustic report (prepared by Acoustic Logic, reference 20201167.1 (Revision 4), dated 20/07/2022) and must be consistent with the approved plans. An acoustic certification report demonstrating this must be provided to the satisfaction of the Certifying Authority.

27. Food Premises – Certification of design, construction and fitout

Detailed and scaled plans of all kitchen, bar, food preparation, waste and storage areas, food handler toilets and all areas associated with the food business must be prepared in accordance with the *Australia New Zealand Food Standards Code – 3.2.3 – Food Premises and Equipment* under the *Food Act 2003* and *AS 4674 - Design, Construction and Fit-out of Food Premises*. A copy of these plans must be submitted to and approved by the Principal Certifier as compliant with the required standards prior to the issue of the Construction Certificate.

28. 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

29. Light Spill

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with details demonstrating that any lighting of the premises complies with Australian Standard AS4282:2019: Control of Obtrusive Effects of Outdoor Lighting.

30. Enclosure of Fire Hydrant

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

31. Concealment of Plumbing and Ductwork

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

DURING DEMOLITION AND CONSTRUCTION

32. Documentation of Demolition and Construction Waste

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

33. Contamination – New Evidence

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

34. Survey Prior to Footings

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

35. Construction Hours – Class 2-9

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

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

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

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

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

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

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

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

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

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

PRIOR TO OCCUPATION CERTIFICATE

36. Public Domain Works

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

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

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

37. 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.

38. Protect Sandstone Kerb

Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that any stone kerb, damaged as a consequence of the work that is the subject of this development consent, has been replaced.

39. Parking Signoff – Major Development

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

- a. The car park has been completed, line marked and all signage relating to car parking erected;
- b. Sign(s) have been erected that clearly indicate(s) to the drivers of vehicles both on and off the property which driveway they are to use to enter or leave the subject land;
- c. Sign(s) have been erected that clearly indicate to the drivers of vehicles both on and off the property the location and means of access to the car parking area(s).

40. Public Domain - Major Developments

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

41. Dilapidation Report – Post-Development

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

42. Works as Executed – Site Stormwater Drainage System

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with Certification by a suitably qualified Civil Engineer who holds current Chartered Engineer

qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) that:

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

43. Operation and Management Plan

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

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

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

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

- a. Positive Covenant related to on-site stormwater detention and/or retention system;
- b. Positive Covenant related to stormwater quality improvement devices; and

45. Heavy Duty Vehicle Crossing

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

46. Noise – Acoustic Report

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with an acoustic report prepared by suitably qualified acoustic consultant which demonstrates and certifies that noise and vibration emissions from the development comply with the relevant provisions of the *Protection of the Environment Operations Act 1997*, NSW Environment Protection Authority's Noise Policy for Industry and Noise Guide for Local Government, and conditions of Council's approval (including all recommendations of the DA approved acoustic report prepared by Acoustic Logic, reference 20201167.1 (Revision 4), dated 20/07/2022). The acoustic verification report is to be prepared by a suitably qualified and experienced acoustic consultant and any recommendations must be consistent with the approved plans.

47. Food Premises Grease Trap – Trade Waste Agreement

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

48. Shopping Trolley Management Plan

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with a shopping trolley management plan which specifies a management system that will be used to ensure that shopping trolleys are not abandoned in the surrounding area.

PRIOR TO SUBDIVISION CERTIFICATE**49. 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.

ON-GOING**50. Bin and Reusable Item Storage**

All bins and reusable items such as pallets, bread trays and milk crates are to be stored within the site.

51. Documentation of Businesses Waste Services

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

52. Operation and Management Plan

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

53. Vehicles Leaving the Site

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

54. Loading/unloading on site

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

55. Noise General

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

56. Plan of Management - Operation

The Plan of Management prepared by Woolworths, titled 'Plan of Management, 26 Enmore Road, Newtown', dated July 2022 must be amended to reflect the delivery hours of 7am to 6pm, Monday to Friday, to ensure consistency with the recommendations of the DA approved acoustic report prepared by Acoustic Logic, reference 20201167.1 (Revision 4), dated 20/07/2022. The development must at all times be operated in accordance with the amended Plan of Management. The Plan of Management is not to be further amended without the prior written approval of the Council. If there is any inconsistency between the Plan of Management and the conditions of this consent, the conditions of consent shall prevail to the extent of that inconsistency.

57. Commercial Waste Collection and Deliveries

- a. The collection of waste and recycling from the premises must only occur between the hours of 6:00am and 10:00pm weekdays, and 7:00am and 10:00pm weekends and public holidays.
- b. All deliveries to the premises must only occur between the hours of 7:00am and 6:00pm Monday to Sunday.

58. Hours of Operation

- a. The hours of operation of the premises must not exceed the following:

Day	Hours
Monday-Sunday	7.00am-10.00pm

ADVISORY NOTES

Electrical Substations

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

Permits

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

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

- h. Partial or full road closure; and
- i. Installation or replacement of private stormwater drain, utility service or water supply.

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

Easement and Covenant Process

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

- a. **Work-As-Executed Plans**

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

- b. **Engineer's Certificate**

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

- c. The soundness of the storage structure;
- d. The capacity of the detention storage;
- e. The emergency overflow system being in place;
- f. The works being constructed in accordance with the Development Application Consent and Council's Stormwater Management DCP/Code;
- g. OSR pumps and SQIDS have been installed and commissioned.

- c. **Restriction-As-To-User**

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

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

- d. A Maintenance Schedule.

Subsurface drainage pump-out systems

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

Insurances

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

Public Domain and Vehicular Crossings

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

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

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

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

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

Health Premises Registration – Generic

The premises are required to be registered with Council's Environment Health Team in accordance with notification requirements under the *Food Act 2003*.

Food Premises Certification

The design, construction and operation of the food premises must be in accordance with the following:

- a. *Food Act 2003*;
- b. *Food Regulation 2010*;
- c. Australia and New Zealand Food Standards Code;
- d. Australian Standard AS 4674 – 2004 (Design, construction and fit-out of food premises);
- e. Australian Standard AS 1668 Part 1 – 1998; and
- f. Australian Standard AS 1668 Part 2 – 2012.

Food Premises Waste Storage Area

To ensure adequate storage and collection of waste from the food premises, all garbage and recyclable materials must be stored in a designated waste storage area. The designated waste storage area must be designed and constructed in accordance with the Australian Standard AS 4674 – 2004 (Design, construction and fit-out of food premises) and Australia and New Zealand Food Standards Code.

Mechanical Ventilation System Certification

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

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

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

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.

Disability Discrimination Access to Premises Code

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

National Construction Code (Building Code of Australia)

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

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.

Noise

Noise arising from the works must be controlled in accordance with the requirements of the *Protection of the Environment Operations Act 1997*.

Amenity Impacts General

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

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.

Dial before you dig

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

Useful Contacts

BASIX Information

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

www.basix.nsw.gov.au

Department of Fair Trading	13 32 20	www.fairtrading.nsw.gov.au Enquiries relating to Owner Builder Permits and Home Warranty Insurance.
Dial Prior to You Dig	1100	www.dialprior toyoudig.com.au
Landcom	9841 8660	To purchase copies of Volume One of "Soils and Construction"
Long Service Payments Corporation	131441	www.lspc.nsw.gov.au
NSW Food Authority	1300 552 406	www.foodnotify.nsw.gov.au
NSW Government		www.nsw.gov.au/fibro www.diySAFE.nsw.gov.au Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	131 555	www.environment.nsw.gov.au
Sydney Water	13 20 92	www.sydneywater.com.au
Waste Service - SITA Environmental Solutions	1300 651 116	www.wasteservice.nsw.gov.au
Water Efficiency Labelling and Standards (WELS)		www.waterrating.gov.au

WorkCover Authority of NSW 13 10 50

www.workcover.nsw.gov.au

Enquiries relating to work safety and asbestos removal and disposal.

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.

Permits from Council under Other Acts

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

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

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

Fire Safety Certificate

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

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

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

Attachment B – Plans of proposed development

Sheet Number	DA Drawing List	Sheet Issue Date
DA001	Site Analysis Plan	28.07.22
DA001	Ground Floor Plan	14.04.23
DA012	Level 1 Plan	14.04.23
DA013	Roof Plan	14.04.23
DA016	Concept Lighting Plan	14.04.23
DA021	Elevations & Signage Strategy	14.04.23
DA022	Elevations & Signage Strategy	14.04.23
DA023	Streetscape Elevation	14.04.23
DA031	Sections	14.04.23
DA041	GFA Plans	13.04.23
DA051	Perspective - Sheet 1	14.04.23
DA052	Perspective - Sheet 2	14.04.23
DA053	Perspective - Sheet 3	14.04.23
DA054	Perspective - Sheet 4	14.04.23
DA055	Perspective - Sheet 5	14.04.23
DA056	Perspective - Sheet 6	14.04.23
DA091	Existing Site w. Proposed Shadow on Top, Winter Solstice 21 June	21.03.23
DA092	Shadow Diagrams_Adjacent Buddhist Building, Winter Solstice 21 June	21.03.23
DA093	Shadow Diagrams_Adjacent Buddhist Building, Winter Solstice 21 June	21.03.23
DA094	Shadow Diagrams_Adjacent Buddhist Building, Winter Solstice 21 June	21.03.23
DA095	Shadow Diagrams_359 Princess Hwy, Winter Solstice 21 June	21.03.23
DA096	Shadow Diagrams_359 Princess Hwy, Winter Solstice 21 June	21.03.23
DA097	Shadow Diagrams_359 Princess Hwy, Winter Solstice 21 June	21.03.23
DA098	Existing Site w. Proposed Shadow on Top, Equinox 23 September	21.03.23
DA099	Shadow Diagrams_Adjacent Buddhist Building, Equinox 23 September	21.03.23
DA100	Shadow Diagrams_Adjacent Buddhist Building, Equinox 23 September	21.03.23
DA101	Shadow Diagrams_Adjacent Buddhist Building, Equinox 23 September	21.03.23
DA102	Shadow Diagrams_359 Princess Hwy, Equinox 23 September	21.03.23
DA103	Shadow Diagrams_359 Princess Hwy, Equinox 23 September	21.03.23
DA104	Shadow Diagrams_359 Princess Hwy, Equinox 23 September	21.03.23
DA105	Existing Site w. Proposed Shadow on Top, Summer Solstice 22 December	21.03.23
DA106	Shadow Diagrams_Adjacent Buddhist Building, Summer Solstice 22 December	21.03.23
DA107	Shadow Diagrams_Adjacent Buddhist Building, Summer Solstice 22 December	21.03.23
DA108	Shadow Diagrams_Adjacent Buddhist Building, Summer Solstice 22 December	21.03.23
DA109	Shadow Diagrams_359 Princess Hwy, Summer Solstice 22 December	21.03.23
DA110	Shadow Diagrams_359 Princess Hwy, Summer Solstice 22 December	21.03.23
DA111	Shadow Diagrams_359 Princess Hwy, Summer Solstice 22 December	21.03.23
DA112	Shadow Diagrams_2-6 Bailey St, Winter Solstice 21 June	21.03.23
DA113	Shadow Diagrams_2-6 Bailey St, Winter Solstice 21 June	21.03.23
DA114	Shadow Diagrams_2-6 Bailey St, Winter Solstice 21 June	21.03.23
DA115	Shadow Diagrams_2-6 Bailey St, Equinox 23 September	21.03.23
DA116	Shadow Diagrams_2-6 Bailey St, Equinox 23 September	21.03.23
DA117	Shadow Diagrams_2-6 Bailey St, Equinox 23 September	21.03.23
DA118	Shadow Diagrams_2-6 Bailey St, Summer Solstice 22 December	21.03.23
DA119	Shadow Diagrams_2-6 Bailey St, Summer Solstice 22 December	21.03.23
DA120	Shadow Diagrams_2-6 Bailey St, Summer Solstice 22 December	21.03.23

Woolworths Metro Newtown
 26-36 Enmore Rd, Newtown
 DEVELOPMENT APPLICATION
 APRIL 2023

NETFILETONTRIBE

Key Plan

PROPOSED SITE BOUNDARY	LANDMARKS
HERITAGE CONSERVATION AREA	USA BORDER
LAND ZONES	R1 LOW RESIDENTIAL
R1 NEIGHBOURHOOD CENTRE	R2 LOCAL CENTRE
R3 BUSINESS DEVELOPMENT	B7 BUSINESS PARK
R1 GENERAL RESIDENTIAL	R4 HIGH DENSITY RESIDENTIAL

LEGEND

- PROPOSED SITE BOUNDARY
- LANDMARKS
- HERITAGE CONSERVATION AREA
- USA BORDER
- LAND ZONES
- R1 LOW RESIDENTIAL
- R1 NEIGHBOURHOOD CENTRE
- R2 LOCAL CENTRE
- R3 BUSINESS DEVELOPMENT
- B7 BUSINESS PARK
- R1 GENERAL RESIDENTIAL
- R4 HIGH DENSITY RESIDENTIAL



Project Name
Woolworths Metro Newtown

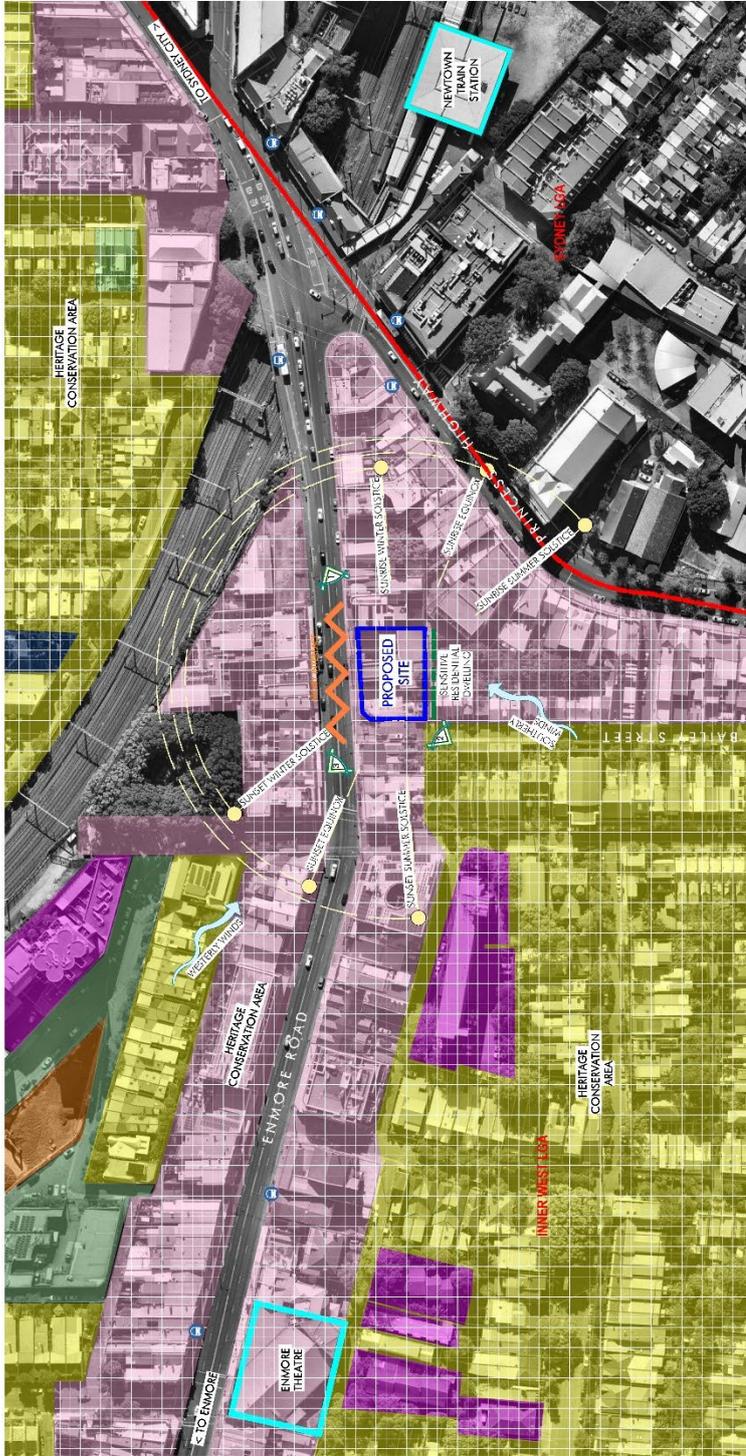
Project Address
26-36 Enmore Rd, Newtown

Site Analysis Plan

VC	SW	AI	SA	Indicated
116688_DA001				A

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SOURCE: PHOTO



SOURCE: GOOGLE MAPS



SOURCE: GOOGLE MAPS

APPROACH VIEW 1

APPROACH VIEW 2

APPROACH VIEW 3

Key Plan

Area	Area Name	Area No.	Area Description
1	Woolworths Metro Newtown	1	Woolworths Metro Newtown
2	Enmore Road	2	Enmore Road
3	Bailey Street	3	Bailey Street
4	21-28 Enmore Rd	4	21-28 Enmore Rd
5	29 Enmore Rd	5	29 Enmore Rd
6	31 Enmore Rd	6	31 Enmore Rd
7	33 Enmore Rd	7	33 Enmore Rd
8	35 Enmore Rd	8	35 Enmore Rd
9	37 Enmore Rd	9	37 Enmore Rd
10	39 Enmore Rd	10	39 Enmore Rd



Project Name
Woolworths Metro Newtown

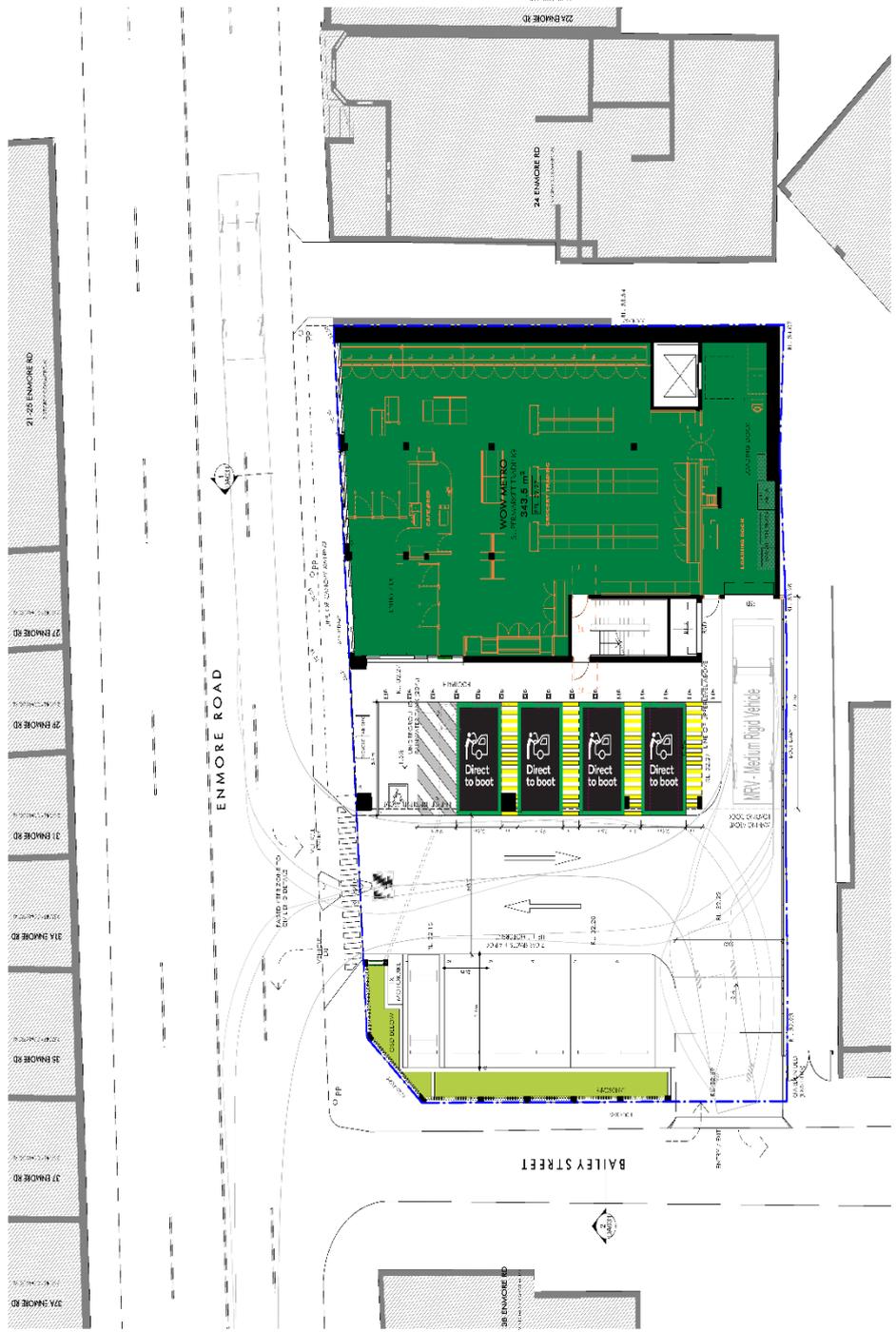
Proposed Address
21-28 Enmore Rd, Newtown

Site Plan Floor Plan

VC: DCAM AT T: 160
11666_DA011 B

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nettletontribe.com.au
11666 DA011 B



PROJECT: 26-36 ENMORE RD, NEWTOWN NSW 1570
 PROJECT NO: 11668-DA013
 DATE: 11/01/2023
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]
 SCALE: 1:100
 SHEET NO: 1 OF 1
 PROJECT TITLE: Woolworths Metro Newtown
 PROJECT ADDRESS: 26-36 Enmore Rd, Newtown
 PROJECT NO: 11668-DA013
 DATE: 11/01/2023

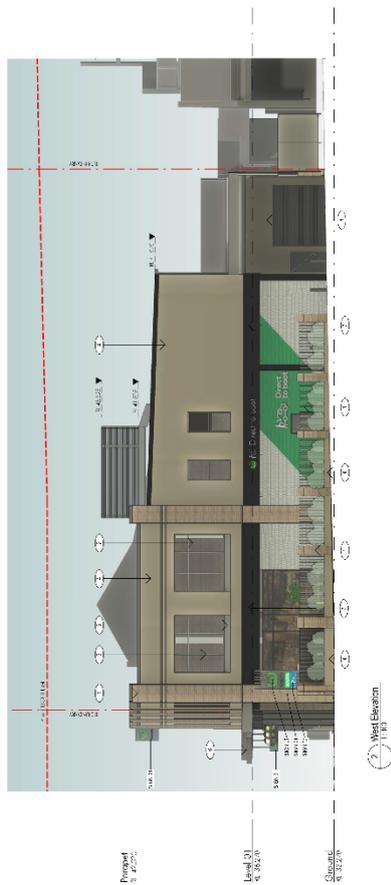
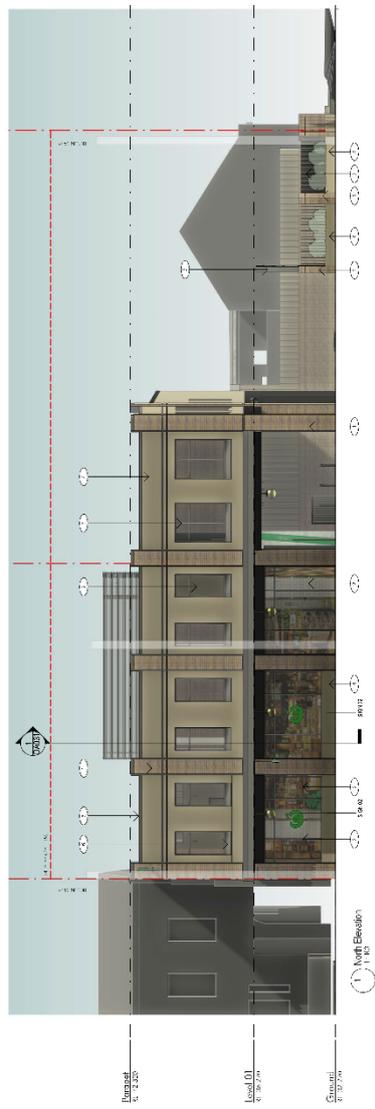
Project Name
Woolworths Metro Newtown
Project Address
26-36 Enmore Rd, Newtown

Roof Plan
 VC: 02AW A1 1:100
 11668-DA013 B

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NOTES: 1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED. 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED. 3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED. 4. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE SPECIFIED. 5. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FOOTPATH UNLESS OTHERWISE SPECIFIED. 6. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE GROUND UNLESS OTHERWISE SPECIFIED. 7. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE BUILDING UNLESS OTHERWISE SPECIFIED. 8. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROOF UNLESS OTHERWISE SPECIFIED. 9. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE WALL UNLESS OTHERWISE SPECIFIED. 10. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FLOOR UNLESS OTHERWISE SPECIFIED. 11. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE CEILING UNLESS OTHERWISE SPECIFIED. 12. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE DOOR UNLESS OTHERWISE SPECIFIED. 13. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE WINDOW UNLESS OTHERWISE SPECIFIED. 14. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE BALCONY UNLESS OTHERWISE SPECIFIED. 15. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE TERRACE UNLESS OTHERWISE SPECIFIED. 16. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE PATIO UNLESS OTHERWISE SPECIFIED. 17. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE DRIVE UNLESS OTHERWISE SPECIFIED. 18. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE GARAGE UNLESS OTHERWISE SPECIFIED. 19. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE PORCH UNLESS OTHERWISE SPECIFIED. 20. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE STAIR UNLESS OTHERWISE SPECIFIED. 21. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE RAMP UNLESS OTHERWISE SPECIFIED. 22. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ELEVATOR UNLESS OTHERWISE SPECIFIED. 23. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LIFT UNLESS OTHERWISE SPECIFIED. 24. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ESCAPE ROUTE UNLESS OTHERWISE SPECIFIED. 25. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE EXIT UNLESS OTHERWISE SPECIFIED. 26. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE ALARM UNLESS OTHERWISE SPECIFIED. 27. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE EXTINGUISHER UNLESS OTHERWISE SPECIFIED. 28. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE BRACKET UNLESS OTHERWISE SPECIFIED. 29. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE RISK ASSESSMENT UNLESS OTHERWISE SPECIFIED. 30. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE SAFETY PLAN UNLESS OTHERWISE SPECIFIED. 31. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE SAFETY CERTIFICATE UNLESS OTHERWISE SPECIFIED. 32. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE SAFETY INSPECTION UNLESS OTHERWISE SPECIFIED. 33. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE SAFETY TRAINING UNLESS OTHERWISE SPECIFIED. 34. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE SAFETY DRILLS UNLESS OTHERWISE SPECIFIED. 35. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE SAFETY EXERCISES UNLESS OTHERWISE SPECIFIED. 36. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE SAFETY PROCEDURES UNLESS OTHERWISE SPECIFIED. 37. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE SAFETY POLICIES UNLESS OTHERWISE SPECIFIED. 38. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE SAFETY MEASURES UNLESS OTHERWISE SPECIFIED. 39. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE SAFETY EQUIPMENT UNLESS OTHERWISE SPECIFIED. 40. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE SAFETY SERVICES UNLESS OTHERWISE SPECIFIED. 41. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE SAFETY CONTRACTORS UNLESS OTHERWISE SPECIFIED. 42. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE SAFETY CONSULTANTS UNLESS OTHERWISE SPECIFIED. 43. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE SAFETY EXPERTS UNLESS OTHERWISE SPECIFIED. 44. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE SAFETY ADVISORS UNLESS OTHERWISE SPECIFIED. 45. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE SAFETY SPECIALISTS UNLESS OTHERWISE SPECIFIED. 46. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE SAFETY PROFESSIONALS UNLESS OTHERWISE SPECIFIED. 47. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE SAFETY EXPERTS UNLESS OTHERWISE SPECIFIED. 48. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE SAFETY ADVISORS UNLESS OTHERWISE SPECIFIED. 49. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE SAFETY SPECIALISTS UNLESS OTHERWISE SPECIFIED. 50. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FIRE SAFETY PROFESSIONALS UNLESS OTHERWISE SPECIFIED.



EXTERNAL MATERIAL FINISHES SCHEDULE

1. SHIMMER SILVER BRICK CLADDING	2. CONCRETE PROFILE GULLY ACIAL SHEETING
2. CLEAR GLAZING	4. BRICK / PAINTED CEMENT
3. BLACK POWDERCOATED ALUMINUM	7. BRICK / PAINTED BLACK
4. BRICK PAINTED - MARBLE	

SIGNAGE SCHEDULE

SIGN 01	Woolworths Metro (West Elevation)	1.200m wide, 4.000m high
SIGN 02	Woolworths Metro (North Elevation)	1.500m wide, 4.000m high
SIGN 03	Woolworths Metro (West Elevation)	1.200m wide, 4.000m high
SIGN 04	Woolworths Metro (West Elevation)	1.200m wide, 4.000m high
SIGN 05	Woolworths Metro (West Elevation)	1.200m wide, 4.000m high
SIGN 06	Woolworths Metro (West Elevation)	1.200m wide, 4.000m high
SIGN 07	Woolworths Metro (West Elevation)	1.200m wide, 4.000m high



Project Name
Woolworths Metro
Project Address
26-36 Enmore Rd,
Newtown

Project No
11668_DAO21

Project No
11668_DAO21



nettleontribe
11668_DAO21

PROJECT DATA: PROJECT NO. 2024/0001, PROJECT NAME: WOOLWORTHS METRO NEWTOWN, PROJECT ADDRESS: 26-36 ENMORE RD, NEWTOWN, NSW 1585.

KEY PLAN: [Diagram showing project location on a street grid]

Item	Description	Quantity
1	Site Plan	1
2	Site Plan	1
3	Site Plan	1
4	Site Plan	1
5	Site Plan	1
6	Site Plan	1
7	Site Plan	1
8	Site Plan	1
9	Site Plan	1
10	Site Plan	1
11	Site Plan	1
12	Site Plan	1
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Woolworths

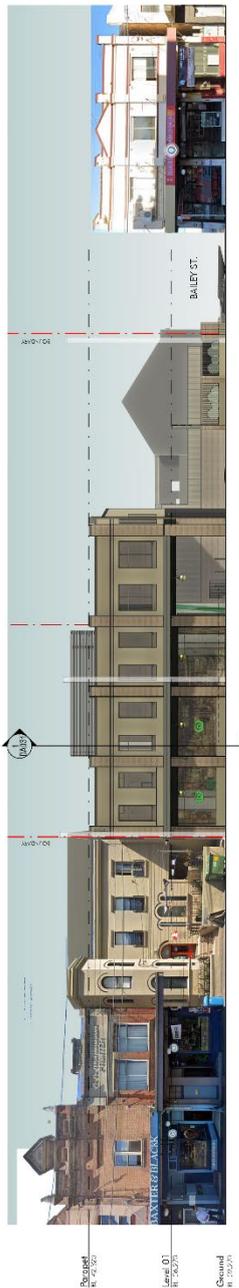
Project Name: **Woolworths Metro Newtown**
 Project Address: **26-36 Enmore Rd, Newtown**

Street Name: Enmore Rd
 Street Name Elevation: 11688.00

CS: 02/2024
 DA: 11688_DA023
 B

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nettleontribe is a leading provider of digital marketing solutions for businesses of all sizes. We offer a range of services including social media management, search engine optimization, and content marketing. Our team of experts will work with you to develop a custom strategy that drives results and grows your business.



1 Enmore Road Adjacent to Enmore Road Elevation



2 Bailey St. Street Name Elevation



3 Enmore Road Street Name Elevation

PROJECT: 11668 DA031 - WOOLWORTHS METRO NEWTOWN
 26-36 ENMORE RD, NEWTOWN NSW 1570
 PROJECT ARCHITECT: NETTLETONTRIBE
 PROJECT ENGINEER: NETTLETONTRIBE

Key Plan



Rev	Description	Date
1	Issue for Council	10/12/2021
2	Issue for Council	10/12/2021
3	Issue for Council	10/12/2021
4	Issue for Council	10/12/2021
5	Issue for Council	10/12/2021
6	Issue for Council	10/12/2021
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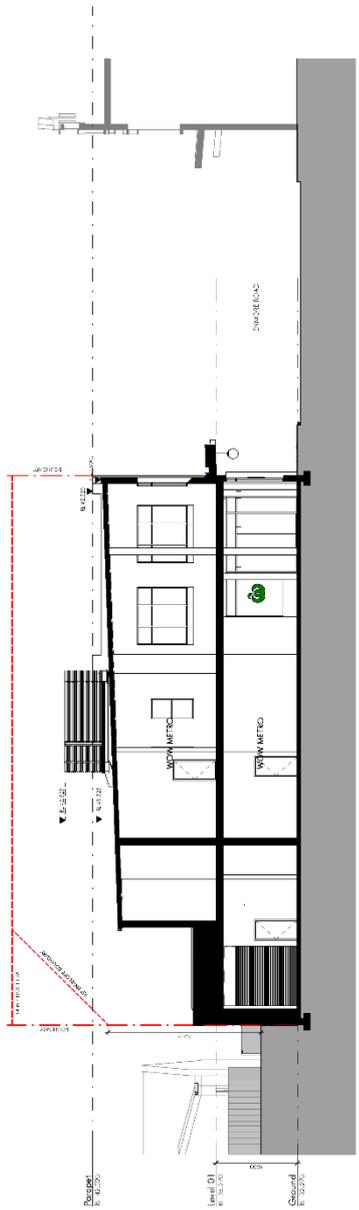


Project Name
Woolworths Metro Newtown
 Project Address
26-36 Enmore Rd, Newtown

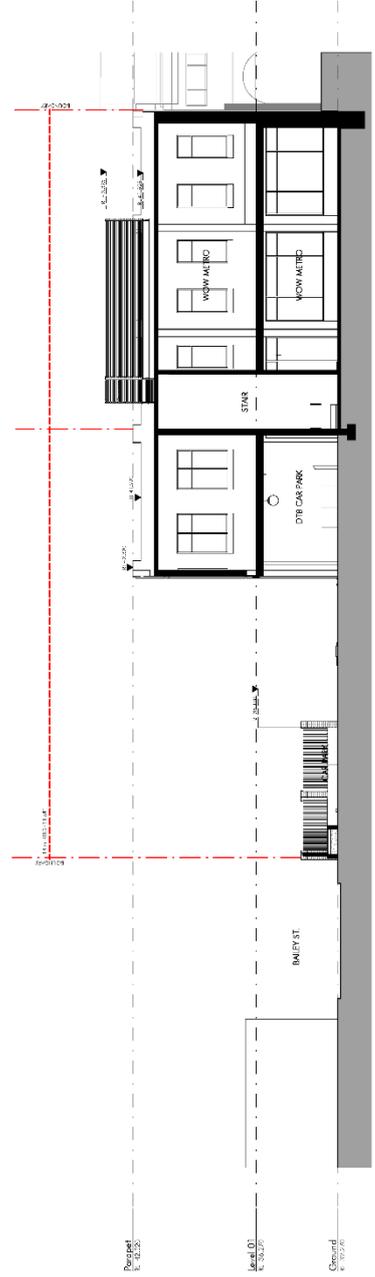
Local Sections
 CS 11668 DA031
 Scale 1:100
 Sheet B



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 11668 DA031 - WOOLWORTHS METRO NEWTOWN
 26-36 ENMORE RD, NEWTOWN NSW 1570
 PROJECT ARCHITECT: NETTLETONTRIBE
 PROJECT ENGINEER: NETTLETONTRIBE



Section A
 1:100



Section B
 1:100



Item	Description	Drawn	Checked
1	Site Plan		
2	Development Schedule		
3	Ground Floor Plan		
4	Level 01 GFA Plan		
5	Level 02 GFA Plan		
6	Level 03 GFA Plan		
7	Level 04 GFA Plan		
8	Level 05 GFA Plan		
9	Level 06 GFA Plan		
10	Level 07 GFA Plan		
11	Level 08 GFA Plan		
12	Level 09 GFA Plan		
13	Level 10 GFA Plan		
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101	Level 98 GFA Plan		
102	Level 99 GFA Plan		
103	Level 100 GFA Plan		



Project Name
Woolworths Metro Newtown
Project Address
26-36 Enmore Rd, Newtown

GFA Plans
VC: GCAN A1 1199
Project No: 11668_DA041 B



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Level 01 GFA Plan



DEVELOPMENT SCHEDULE

Item	Description	Area (sqm)
1	WOOLWORTHS (U)	442.5
2	STAIRS	17.22
3	Parking (10 spaces)	10

**place
design
group.**

SYDNEY
UNIT 7
100/101 BARKHAM STREET
SPRINGWOOD NSW 2117
T: 61 2 9550 8520

IF THIS DRAWING IS TO BE USED FOR ANY OTHER PROJECT, THE USER MUST OBTAIN THE WRITTEN PERMISSION OF PLACE DESIGN GROUP. PLACE DESIGN GROUP IS NOT RESPONSIBLE FOR ANY CONSEQUENCES ARISING FROM THE USE OF THIS DRAWING FOR ANY OTHER PROJECT. PLACE DESIGN GROUP IS NOT RESPONSIBLE FOR ANY CONSEQUENCES ARISING FROM THE USE OF THIS DRAWING FOR ANY OTHER PROJECT.

PROJECT
26-32 ENMORE ROAD, NEWTOWN

CLIENT
WOOLWORTHS GROUP

NOTES
ALL MATERIALS, CONNECTIONS, DIMENSIONS, FINISHES, AND COLOURS TO BE AS SHOWN ON THIS DRAWING. ALL MATERIALS AND CONNECTIONS TO BE APPROVED BY THE LOCAL COUNCIL. ALL MATERIALS AND CONNECTIONS TO BE APPROVED BY THE LOCAL COUNCIL.

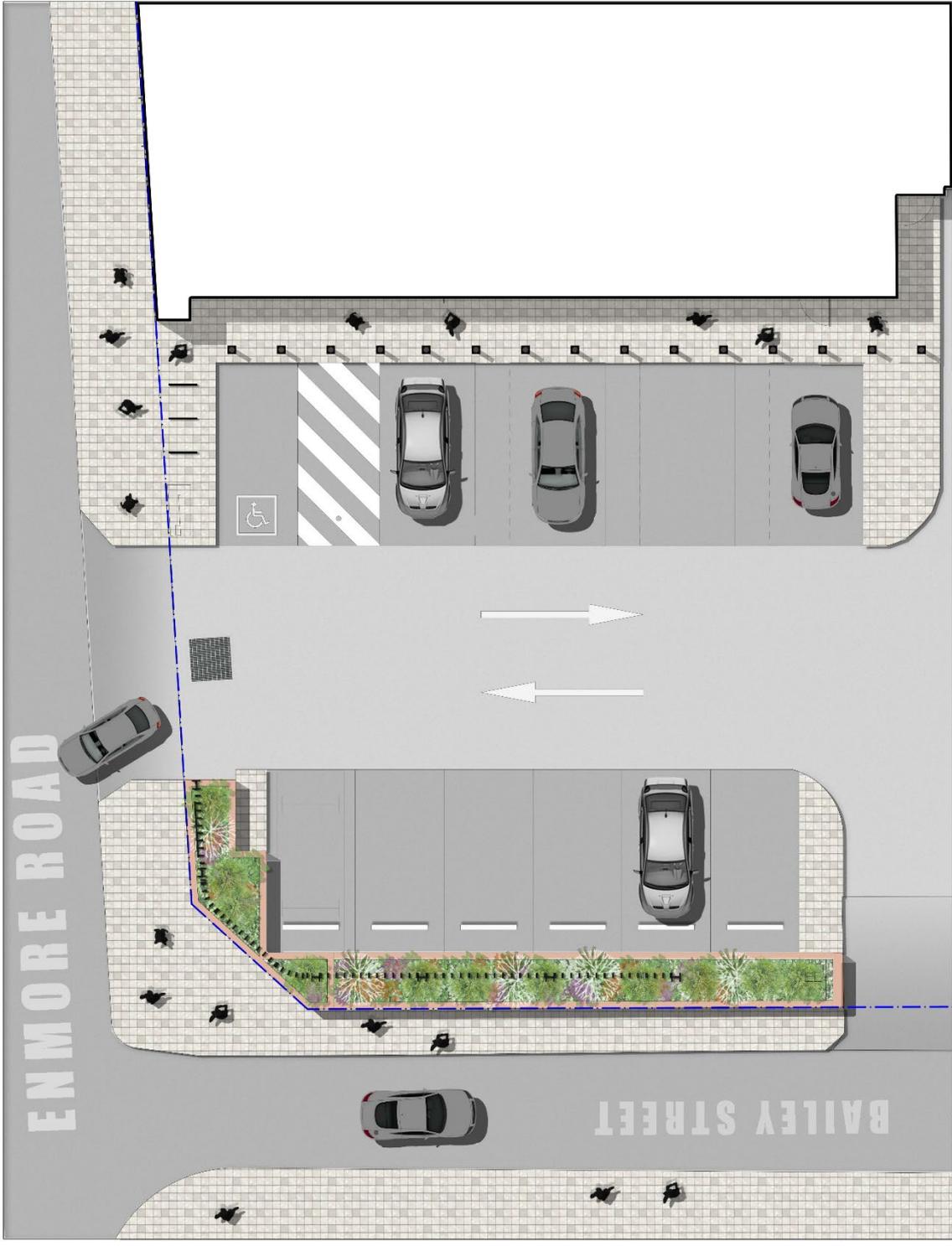
ALL WATER PROOF MEMBRANES, TYPICALLY ROOFING, TO BE INSTALLED IN ACCORDANCE WITH THE RELEVANT STANDARDS AND SPECIFICATIONS. ALL ELECTRICAL, PLUMBING AND MECHANICAL SERVICES TO BE INSTALLED IN ACCORDANCE WITH THE RELEVANT STANDARDS AND SPECIFICATIONS. ALL SERVICES TO BE INSTALLED IN ACCORDANCE WITH THE RELEVANT STANDARDS AND SPECIFICATIONS.

NO.	DATE	DESCRIPTION	BY	CHKD BY
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3	15/01/2022	ISSUED FOR PERMIT	TD	TD
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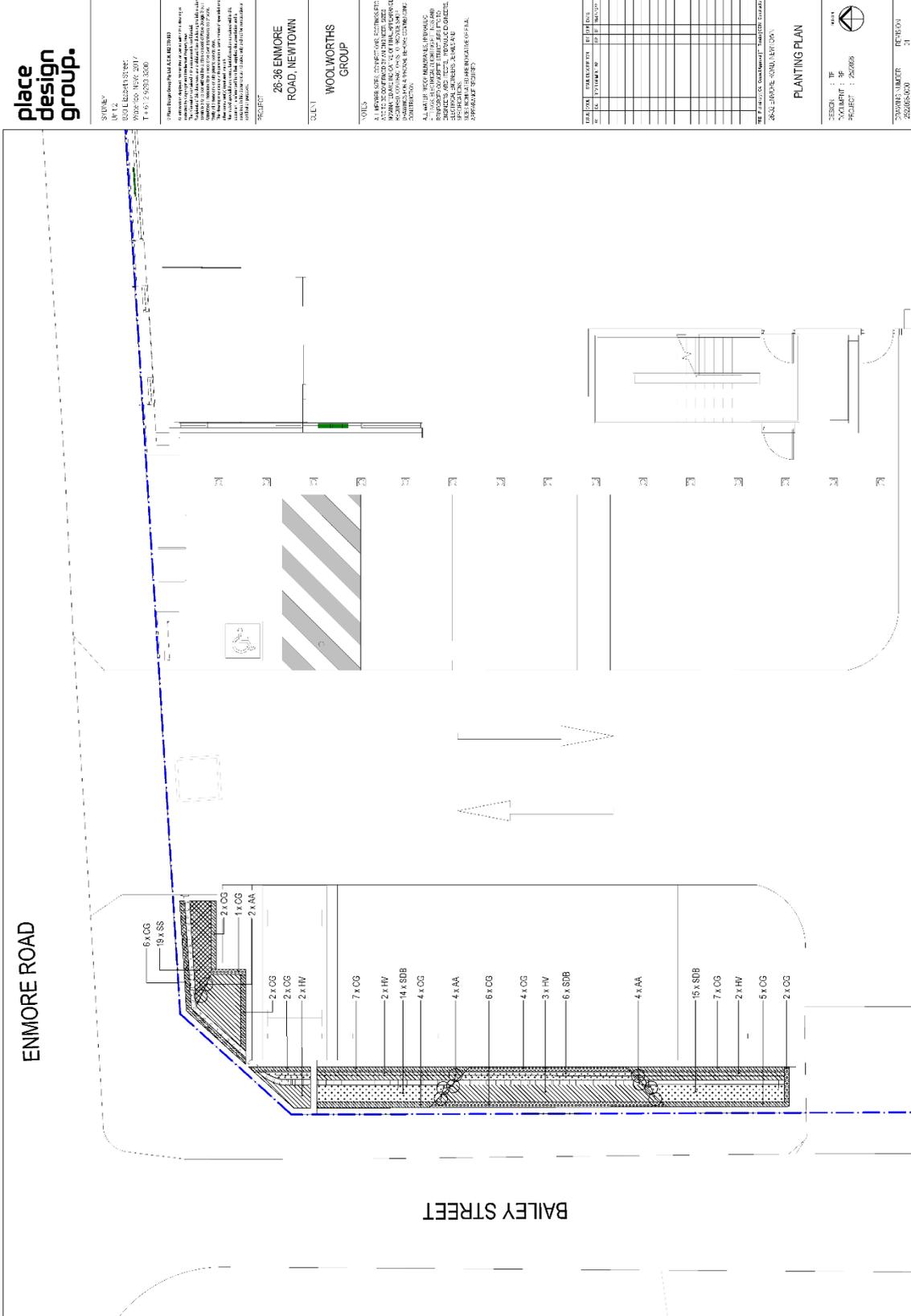
RENDERED PLAN

DESIGN : TD
DOCUMENT : RP
PROJECT : 202006

DRAWING NUMBER : 202006-004
REVISION : 01



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PROJECT
28/28 ENMORE
ROAD, NEWTOWN

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PLANTING PLAN
SCALE: 1:50
DATE: 15/03/2017
PROJECT: 28/28 ENMORE

DRAWING NUMBER: 28/28/03/01
REVISION: 01

Key Plan

VC	DC	DA	DC	DA	DC	DA
11668	DA051	11668	DA051	11668	DA051	11668



Project Name
Woolworths Metro Newtown
 Project Address
26-36 Enmore Rd, Newtown

VC
11668_DA051 DC
A1 DA
B



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 11668 DA051 A1 B

Key Plan
 0 5000 10000
 1:10000

Item	Description	Area (sqm)	Value
1	Site 1	1,200	1,200
2	Site 2	1,200	1,200
3	Site 3	1,200	1,200
4	Site 4	1,200	1,200
5	Site 5	1,200	1,200
6	Site 6	1,200	1,200
7	Site 7	1,200	1,200
8	Site 8	1,200	1,200
9	Site 9	1,200	1,200
10	Site 10	1,200	1,200

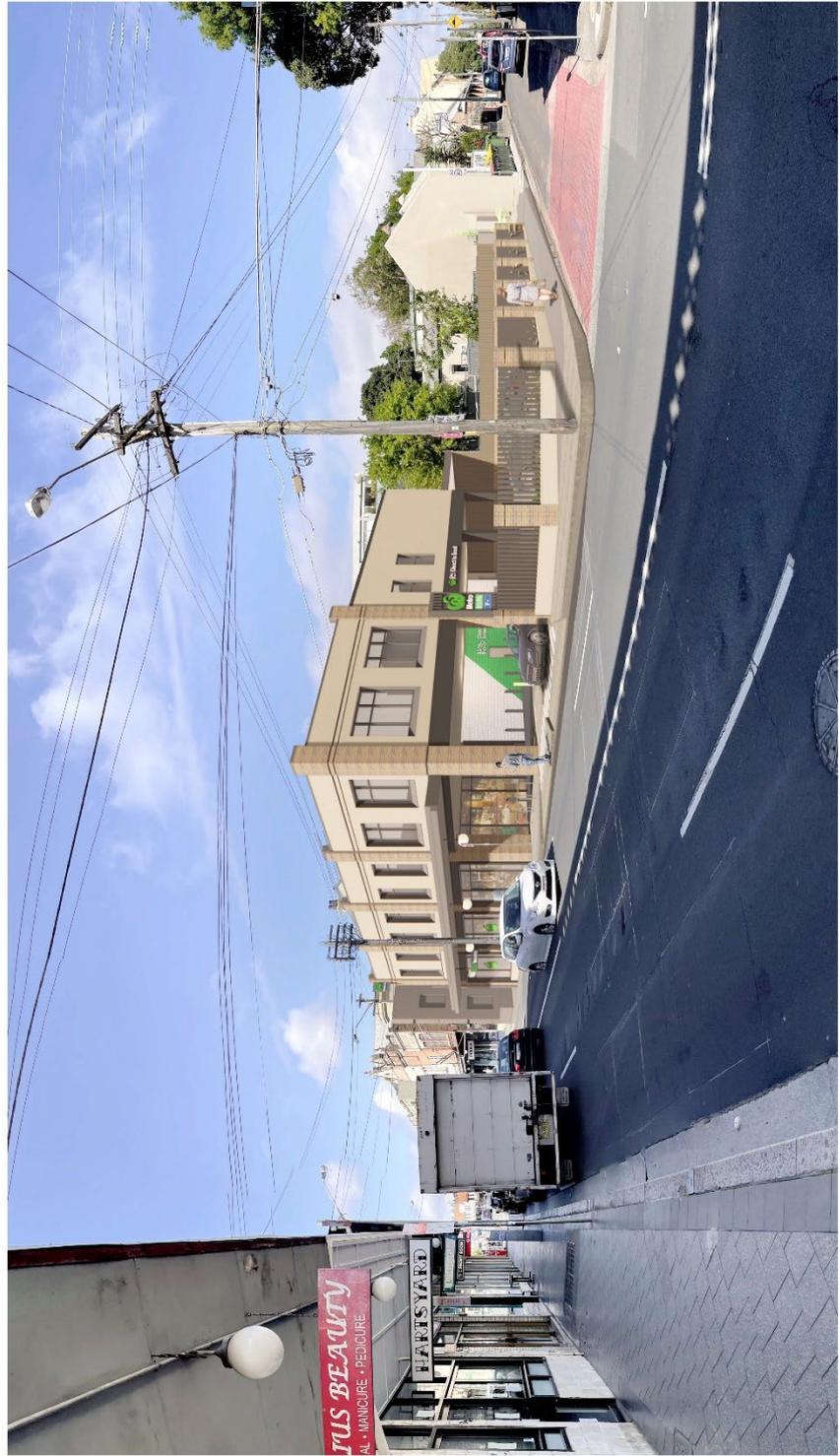


Project Name
Woolworths Metro Newtown
 Project Address
26-36 Enmore Rd, Newtown

Project Reference
11668_DA052



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 11668_DA052



Version: 1.0
 Date: 15/03/2022

Key Plan

Item	Description	Area
1	Project Area	0.12
2	Local Planning Area	1.2
3	City of Sydney	1.2
4	City of Parramatta	1.2
5	City of Ryde	1.2
6	City of West Sydney	1.2
7	City of Willoughby	1.2
8	City of Waverley	1.2
9	City of Woollahra	1.2
10	City of Mosman	1.2
11	City of North Sydney	1.2
12	City of Northern Beaches	1.2
13	City of Bayside	1.2
14	City of Randwick	1.2
15	City of Sutherland Shire	1.2
16	City of Shellharbour	1.2
17	City of Wollongong	1.2
18	City of Albury	1.2
19	City of Wagga Wagga	1.2
20	City of Dubbo	1.2
21	City of Orange	1.2
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23	City of Broken Hill	1.2
24	City of Murrumbidgee	1.2
25	City of Snowy Mountains	1.2
26	City of Blue Mountains	1.2
27	City of Central Coast	1.2
28	City of Newcastle	1.2
29	City of Maitland	1.2
30	City of Port Macquarie	1.2
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32	City of Byron Bay	1.2
33	City of Ballina	1.2
34	City of Tweed Shire	1.2
35	City of Gold Coast	1.2
36	City of Logan City	1.2
37	City of Brisbane	1.2
38	City of Ipswich	1.2
39	City of Toowoomba	1.2
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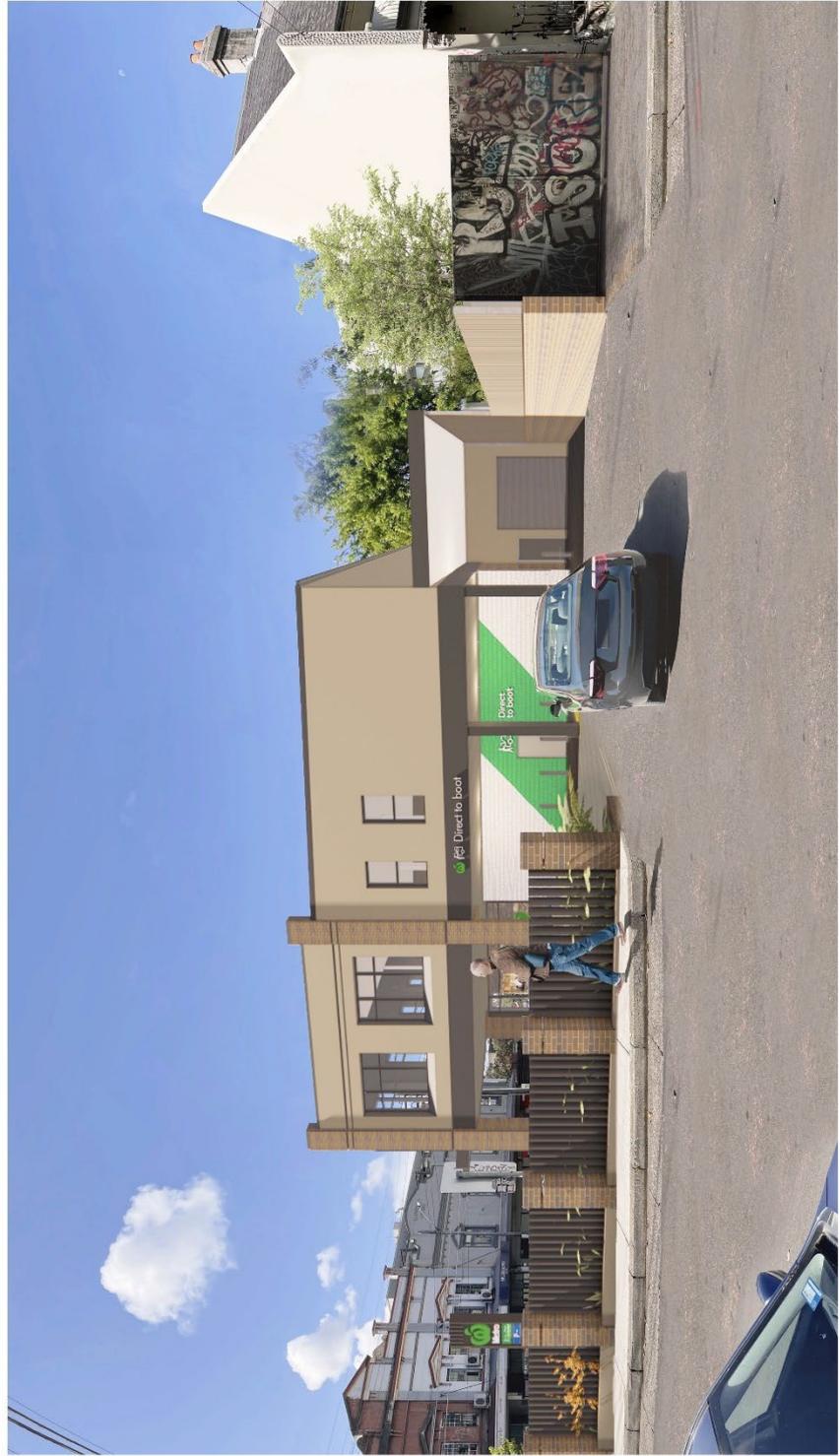


Project Name
Woolworths Metro Newtown
 Project Address
26-36 Enmore Rd, Newtown

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 11668_DA054
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Key Plan

Scale: 1:1000

Item	Description	Area (sqm)
1	Proposed Site	1,200
2	Public Open Space	500
3	Other Land	1,500
4	Water	100
5	Other	100
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8	Other	100
9	Other	100
10	Other	100



Project Name
Woolworths Metro Newtown

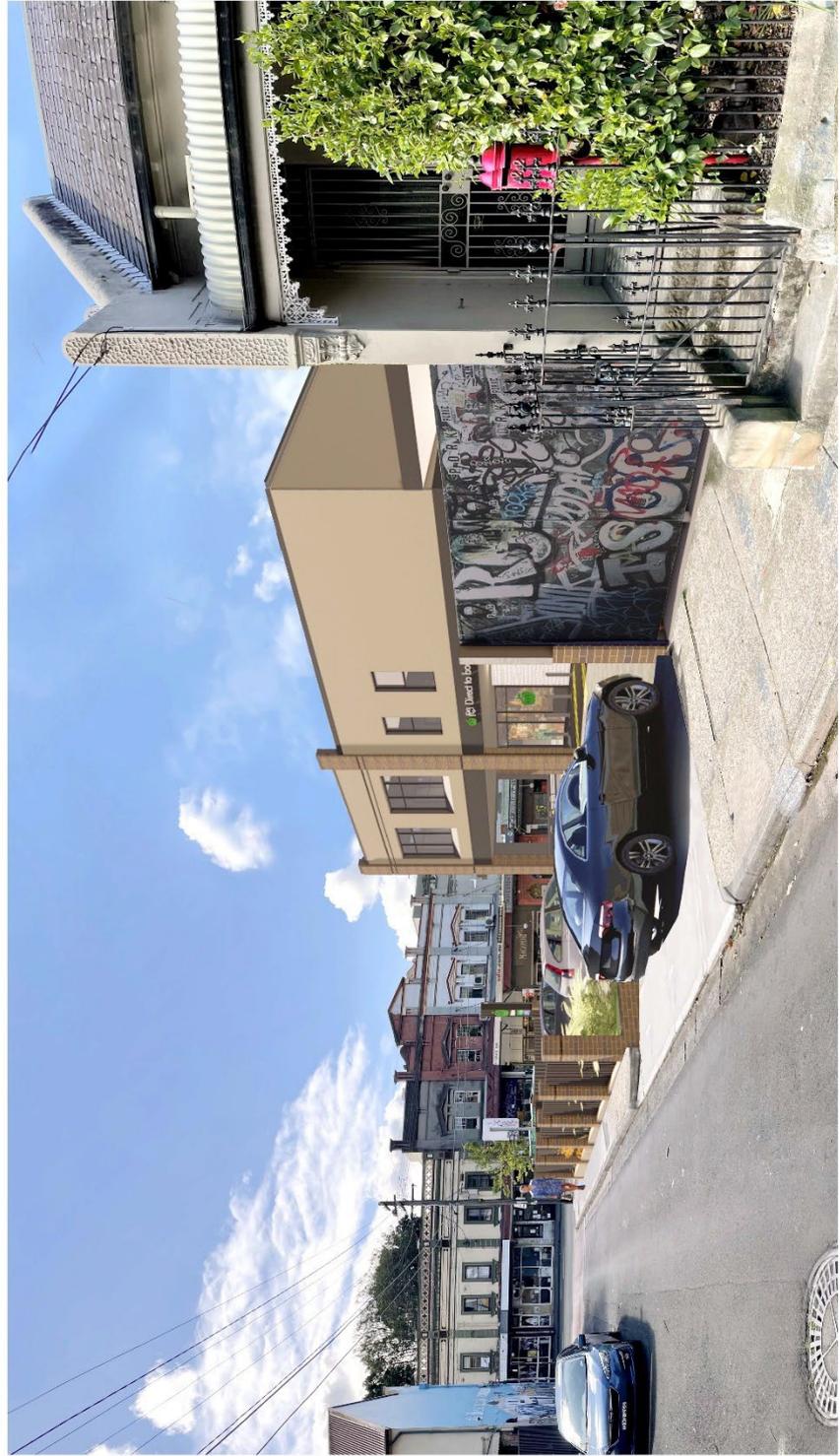
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Project Name
**Woolworths Metro
 Newtown**
 Project Address
**26-36 Enmore Rd,
 Newtown**

Perspective - Sheet 5
 VC: 02AW A1
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Attachment C – Heritage Impact Statement



STATEMENT OF HERITAGE IMPACT

26 Enmore Road, Newtown

Issue D - July 2022

Fabcot Pty Ltd



Document Set ID: 37794697
Version: 1, Version Date: 09/06/2023

Cover Image

Streetscape Perspective

Source: NettleonTribe Architects, Woolworths Metro Newtown, 26-36 Enmore Road, Newtown, Perspective Sheet 2, 11668_DA052, Issue P8

26-36 ENMORE ROAD, NEWTOWN			
ISSUE	DESCRIPTION	DATE	ISSUED BY
A	Draft for Review	14/05/21	MH
B	Issued for DA Submission	01/06/21	MH
C	Amendment for Review	18/10/21	MH
D	Issued for DA Submission	21/07/22	MH

GBA Heritage Pty Ltd
 Level 1, 71 York Street
 Sydney NSW 2000, Australia
 T: (61) 2 9299 8600
 F: (61) 2 9299 8711
 E: gba@gbaheritage.com
 W: www.gbaheritage.com
 ABN: 56 073 802 730
 ACN: 073 802 730
 Nominated Architect: Graham Leslie Brooks - NSW Architects Registration 3836

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1.0

INTRODUCTION

1.1 REPORT OVERVIEW

This report has been prepared to accompany a development application for the proposed Woolworths Metro pick-up store to 26-36 Enmore Road, Newtown.

It evaluates the proposed development, designed by Nettleton Tribe Architects. A Pre-DA was held for the subject proposal in Dec 2020, PDA2020/0424, the proposal is considered to generally meet the heritage concerns raised at this time.

This report concludes that the proposal will have an acceptable heritage impact.

1.2 REPORT OBJECTIVES

The main objective of this Statement of Heritage Impact is to determine the impact of the proposed development on the established significance of the Enmore Road Heritage Conservation Area (C2), in relation to the provisions established by Inner West Council and Heritage NSW.

1.3 METHODOLOGY AND STRUCTURE

This Statement of Heritage Impact has been prepared in accordance with guidelines outlined in the *Australia ICOMOS Charter for Places of Cultural Significance, 2013*, known as the *Burra Charter*, and the NSW Heritage Office (now Heritage NSW) publication, *Statements of Heritage Impact*.

The Burra Charter provides definitions for terms used in heritage conservation and proposes conservation processes and principles for the conservation of an item. The terminology used, particularly the words *place*, *cultural significance*, *fabric*, and *conservation*, is as defined in Article 1 of *The Burra Charter*. The *NSW Heritage Manual* explains and promotes the standardisation of heritage investigation, assessment and management practices in NSW.

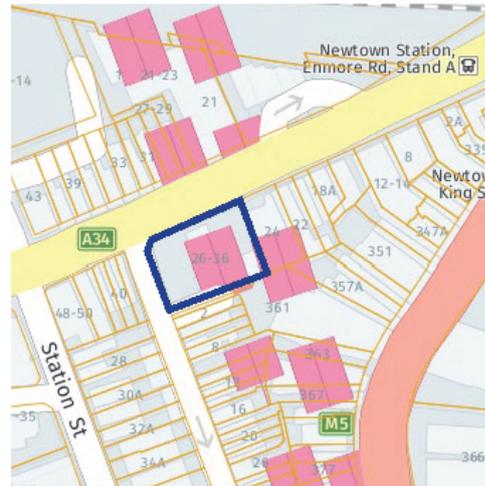


Figure 1.1
Location map showing the subject site outlined in blue, close proximity to Newtown Trainstation, with M5 tunnel located partially below the site.
Source: Near Maps showing boundaries

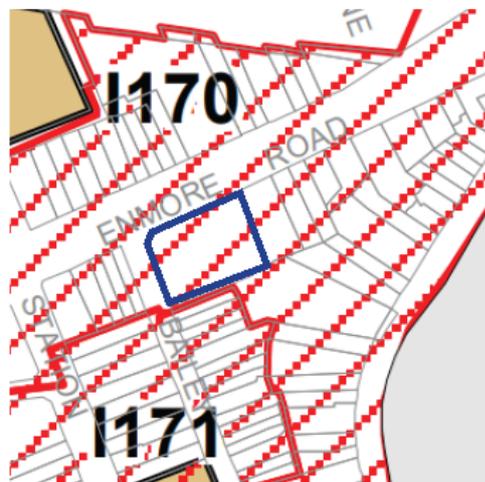


Figure 1.2
Excerpt from the Marrickville LEP Heritage Map 003 showing the subject site outlined in blue.
Source: NSW Government Legislation Website

1.4 SITE IDENTIFICATION

The subject site at 26-36 Enmore Road, Newtown, is located on the southern side of Enmore Road on the corner of Bailey Street. It is described by NSW Land Registry Services (LRS) as Lot 1, DP 880463.

1.5 HERITAGE MANAGEMENT FRAMEWORK

The subject property is **not** listed as an item of heritage significance in any statutory instrument. However, it is located in the King Street and *Enmore Road Heritage Conservation Area (C2)*, and adjoins the Enmore-Newtown Heritage Conservation area (C12), both listed as conservation areas of local significance in Part 2, Schedule 5 of the *Marrickville Local Environmental Plan (LEP) 2011*.

The site is not identified as a contributory item within the *Marrickville Contributory Building Assessment for Commercial centres*, however, the majority of the neighbouring properties have been identified as contributory items.

As such, the property is subject to the heritage provisions of the *Marrickville LEP 2011* and the *Marrickville Development Control Plan (DCP) 2011* under the *Environmental Planning and Assessment Act 1979*. Accordingly, Inner West Council must take into consideration the potential impact of any proposed development on the heritage significance of the conservation area.

1.6 REPORT LIMITATIONS

While this report is limited to the analysis of European cultural heritage values, GBA Heritage recognises that for over forty thousand years or more Aboriginal people occupied the land that was later to be claimed as a European settlement.

Recommendations have been made on the basis of documentary evidence viewed and inspection of the existing fabric.

Archaeological assessment of the subject site is outside the scope of this report.

This report only addresses the relevant heritage planning provisions and does not address general planning or environmental management considerations.

1.7 AUTHORSHIP

This report has been prepared by Mariah Hart, Heritage Consultant of GBA Heritage and has been reviewed by the Director, Graham Brooks. Unless otherwise noted, all of the photographs and drawings in this report are by GBA Heritage.

1.8 ACKNOWLEDGEMENT OF COUNTRY

GBA Heritage acknowledges the Gadigal and Wangal peoples of the Eora nation people as the Traditional Custodians of the land on which the subject site is located. We recognise their connection to Country, and pay our respects to Elders, past, present and emerging.

1.9 COPYRIGHT

Copyright of this report remains with GBA Heritage.



Figure 1.3
Location map showing the subject site outlined in red.
Source: NSW LRS SIX Maps Website

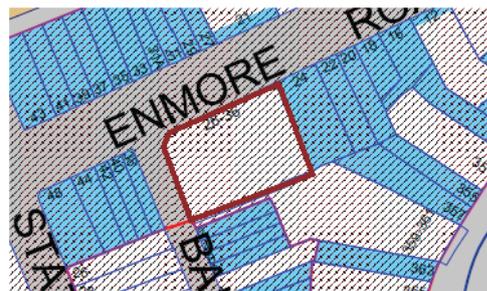


Figure 1.4
Extract from the Marrickville Contributory mapping, showing the subject site outlined in red.
Source: Marrickville DCP 2011, 8.4.2 Contributory and period building mapping, 3. King Street and Enmore Road HCA 2 and King Street and Enmore Road Commercial Precinct No. 37 map 5 of 6.

2.0

HISTORICAL SUMMARY

2.1 BRIEF HISTORY OF THE LOCALITY

The NSW Heritage Inventory contains extensive Historical notes for database entry number 2030501, *King Street and Enmore Road Heritage Conservation Area*, an extract of which is included below:

Historical notes:

The original owners of the land within the Marrickville Council area were the Cadigal and Wangal clans of the coastal Eora people. They spoke Eora, which may have been a dialect of the Dharug (Darug) language, though sources differ on this point. With the establishment of the penal colony at Sydney Cove in 1788 the dispossession of the original inhabitants was begun. In 1789 a smallpox plague decimated the Aboriginal population, though descendants of the Cadigal and Wangal people still reside within the Sydney metropolitan area.

The King Street/Enmore Road Heritage Conservation Area formed part of the land grants offered by Governor Phillip between 1793 and 1810. The largest owners of the lands that are part of the conservation area are Nicholas Devine and Thomas Rowley. ...

"Enmore Road was an Aboriginal walking track and was known as Josephson's Track in the 1850s." ...

The introduction of the railway line in 1855 with a railway station at Newtown led to increased urban development of the area. The King Street/Enmore Road area became a commercial and retail hub with increasing development from the 1860s. The 1879 Sand's Directory still shows vacant sites along Enmore Road, however by 1880 all sites are built on, generally with retail buildings but with some residences. The residences are gradually replaced after 1880 with new retail buildings. Development continued into the 20th century with construction of a few interwar buildings such as the Enmore Theatre, and later infill development (particularly between Reiby Street and Newtown Bridge on Enmore Road).



Figure 2.0
Historical Map showing original land grants in Petersham Parish, arrow indicates approximate site location.
Source: Historical Parish Map, Petersham, Sheet Reference 2-c5007c49-129a-4a11-a908-298db710ed12

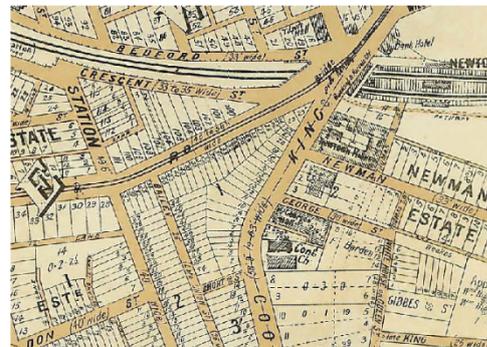


Figure 2.1
Extract of 1886 Map of Glebe, Camperdown and Newtown.
Source: 1886, Higinbotham and Robinson, Map of the municipalities of Glebe, Camperdown, Newtown.

Former Marrickville Council provides a brief history of the King Street and Enmore Road Heritage Conservation area:

The area developed around the major transport routes to the south west of Sydney. Its success as a major retail area was due to its close walking proximity to Sydney, the early development of the surrounding area first by fine villa estates in the 1830's – 1860's and then by wealthy residents in the 1870's and early 1880's and latterly by the high density working class cottages and terraces of the late 1880's to the early 1900's, the arrival of the railway line and Newtown Station in 1855 and the construction of the tram lines in the 1880's all assisted in creating a convenient location for the development of a retail area. By the end of the 19th century it was reputed to even rival Sydney centre. In 1981, Newtown was described as the great emporium for a large surrounding district.

2.2 EARLY HISTORY OF THE SITE

Petersham Parish map shown in figure 2.0 above does not indicate to whom this portion of land belonged; it does not appear to be part of one of the neighbouring original land grants. The land to the east of the site was part of Nicholas Divines land grant, and was named Burren Farm, to the north Thomas Rowley's Kingston Farm, Paul Pages farm to the west and William Jenkins to the South.

The 1850's saw much subdivision within the Newtown area, including the subject site described as "valuable building allotments" see figure 2.2.

Bailey Street was originally known as Union Street, changing sometime between 1870-80s; this name change is likely in association with William Bailey Builder, Valuer, Alderman (1863-78) and Mayor (1871-76) on Newtown Council who lived on Enmore Road in the 1860s (near Station Street).

Figure 2.3 captures the early streetscape along Enmore Road at the time of the installation of tram lines (1927). This image captures the previous buildings located onsite in its background, showing two-storey terraces followed by single-storey shopfronts with high parapets.

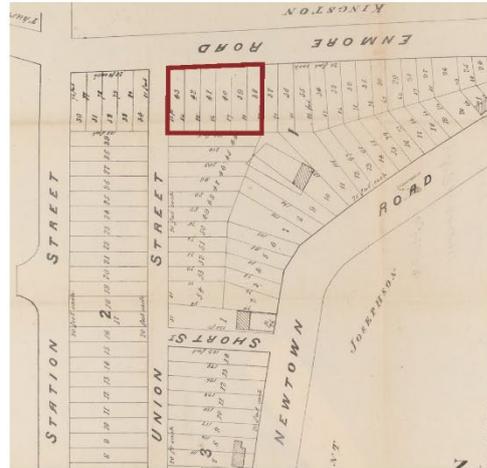


Figure 2.2
Extract of 1850s "plan of valuable building allotments" Newtown, subject site outlined in red.
Source: NLA-Brownrigg & Roe. & Degotardi & Co. (185-). Plan of valuable building allotments at Newtown opposite the railway station. <https://nla.gov.au/nla.obj-229999084>

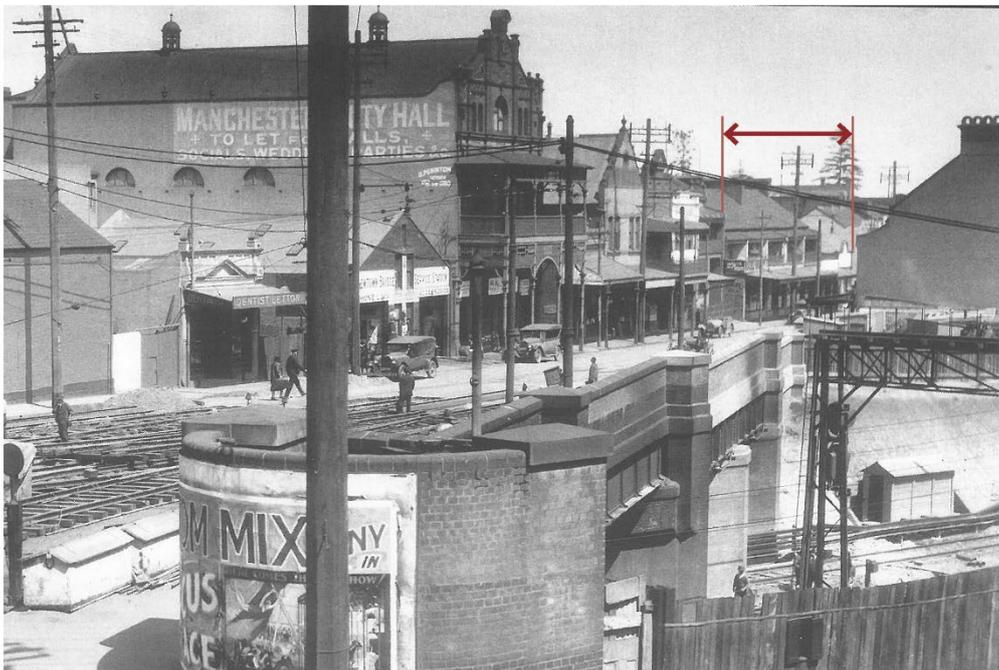


Figure 2.3
Excerpt of view down Enmore Road 1927 during relaying of the tram lines, showing facades in the distance of the previous terraces onsite. Arrows indicate extent of the subject site frontage.
Source: Alan Sharpe, *Pictorial History Newtown, Relaying the Tram lines at Newtown Bridge in 1927*, State Rail Authority, Pg51

The terraces appear to have been dwellings initially, with some of them later being utilised as shops, including upholsterer and kosher poultry shop.¹ The 1943 Aerial (figure 2.5) and Civic survey (figure 2.4) shows the previous narrow allotments on the subject site.

2.3 SUBSEQUENT MAJOR PHASES OF DEVELOPMENT

1960 an application was lodged for the erection of a 3 bay service station, on the subject site by Caltex Oil. The previous terraces and shops onsite were demolished in March of 1961² to allow for the current services station. The service station is shown mid-construction in June of the same year in figure 2.6; the and completed by October.³

The site redevelopment also allowed for Council to introduce the splay located on the corner of Bailey Street and Enmore Road.

The previous services station on the site has recently been demolished and the site remediated of the fuel infrastructure as part of DA/2021/0037. The previous petrol station shop was located within the south-eastern side of the site, leaving the front two-thirds of the site open to parking and petrol bowsers. This setback configuration left minimal streetscape presence on the site and was highly uncharacteristic of the Enmore Road, King Street area.



Figure 2.5
Aerial of the Subject site, 1943, showing the previous terrace configuration.
Source: NSW LRS SIX Maps, 1943



Figure 2.6
Aerial of the Subject site, 1961, showing the existing service station.
Source: Historical Imagery Viewer- 25-06-1961, 1042_36_013

1 City of Sydney, Sands Postal Directory, 1858-1932.
2 City of Sydney Archives, 2061-Building Inspectors Card. 26-36 Enmore Rd, Newtown. New building 1960 - Service Station, DA701-60, AM approved 1121960. 1 Card.
3 Ibid



Figure 2.4
Civic survey indicating the previous buildings on-site.
Source: CoS, Civic Survey, 1939-1950 Map 14- Newtown



Figure 2.7
Aerial of the Subject site, 1978, showing the existing service station.
Source: Historical Imagery Viewer- 06-05-1978, -2713_18_1533



Figure 2.8
Aerial of the Subject site, 2020, showing the previous service station.
Source: NSW LRS SIX Maps, 2020



Figure 2.11
Subject site to the left hand side of the 1991 photograph of Enmore Road.
Source: City of Sydney Archive, 1991- A-00029449 Sydney Reference Collection, Enmore Road Newtown, 070181



Figure 2.9
Subject site to the right hand side of the 1991 photograph of Enmore Road.
Source: City of Sydney Archive, 1991- A-00029451- Sydney Reference Collection- View from near Bailey Street along Enmore Road towards the intersection with King Street, 070183



Figure 2.12
Recent aerial of the subject site, showing the previous petrol station and the scale of surrounding buildings.
Source: Near Maps Jan, 24, 2021, South-east oblique



Figure 2.10
1991 photograph of the Services station.
Source: City of Sydney Archive, 1991- A-00029381, Sydney Reference Collection Photographs, View across Enmore Road to a single storey building (Caltex Petrol Station) at Nos 26-36

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3.0

SITE DESCRIPTION

3.1 URBAN CONTEXT

The NSW Heritage Inventory contains the following description for database entry number 2030501, King Street and Enmore Road Heritage Conservation Area (HCA).

DESCRIPTION:

King Street and Enmore Road are dominated by two and occasionally three storey commercial/retail buildings of the late 19th and early 20th centuries, built to the street alignment, with awnings over the footpaths. Facades above awnings are largely intact and highly detailed, particularly to parapets. The continuous 2 and 3 storey facades and the general uniformity of scale in these streetscapes create outstanding townscape qualities. Art Deco style buildings (eg. Enmore Theatre, Enmore Road) and inter war period hotels (eg. Sandringham Hotel in King Street)) also contribute to the mix of buildings.

The townscape qualities are enhanced by closed vistas created by street curves. Mixed retail uses including delicatessens and post WW II changes to ground floor shopfronts reflect the strong influence of post WW II migration.

Precinct Three follows King Street from the Newtown Railway Bridge to its intersection with the Princes Highway at St Peters. The buildings are still predominantly late Victorian to early Federation.

VIEWES

Closed vistas along King Street and Enmore Road created by street curves. District views from some intersections due to King Street and Enmore Road following ridgelines.

The above description accurately describes the surrounding development along Enmore Road. However, the site sitting on the corner also addresses smaller-scaled Bailey Street, predominantly single and two storey Terraces or single storey garages at the rear of blocks that face onto Station Street. This street scape also contains narrow vistas, with built to boundary street alignments.

A pedestrian access lane is located behind the services station, connecting Bailey Street to the Units located at 361 King Street; this laneway creates a small amount of separation between the rear of the site and the neighbouring single-storey terraces.

3.2 DESCRIPTION OF THE SITE

The existing site is currently vacant, with construction fencing surrounding the streetscape edge. The petrol station has recently been demolished as part of DA/2021/0037. Some of the below context images of the site still show the petrol station extant.



Figure 3.1
Streetscape view, looking southwest, towards the subject site.
Source: Google Streetview March 2022



Figure 3.2
Streetscape view approaching the subject site, looking southwest.
Source: Google Streetview, March 2022



Figure 3.5
North-eastward view, from Bailey Street, of the subject site, prior to the petrol stations demolition.
Source: Google Streetview Feb 2021



Figure 3.3
Streetscape view of the subject site from the intersection of Enmore Bailey Street. Showing neighbouring two-storey modified Victorian terrace to the east, rear of apartment block that fronts King Street, and single storey terrace side wall to the south-east.
Source: Google Streetview March 2022



Figure 3.6
South-eastern view down Bailey Street from edge of the site, showing neighbouring single storey terraces, street facing garages, and apartment block behind, two-storey terraces located slightly further along Bailey Street.
Source: Google Streetview Feb 2021



Figure 3.4
View of the subject site, near the intersection with Bailey Street.
Source: Google Streetview March 2022



Figure 3.7
North-eastward view along Enmore Road, showing street context. Note, corner treatment at the RHS of the image (Station Street).
Source: Google Streetview March 2022

4.0

ESTABLISHED HERITAGE SIGNIFICANCE

4.1 ESTABLISHED SIGNIFICANCE OF THE KING STREET AND ENMORE ROAD HERITAGE CONSERVATION AREA

The subject site, 26-36 Enmore Road, Newtown, is located within the boundaries of the *King Street and Enmore Road Heritage Conservation Area (C2)* listed as an item of local heritage significance on Part 2, Schedule 5 of the *Marrickville LEP 2011*.

The NSW Heritage Inventory contains the following information for database entry number 2030501, *King Street and Enmore Road Heritage Conservation Area*:

Statement of Significance:

The King Street and Enmore Road retail strip is of state historical, social and aesthetic significance as it provides an evocative physical record of significant historical phases which shaped the "New Town" from the late 19th to the early 20th Century, and has high regard in the community.

The retail strip provides evidence of the economic boom of the late 1870s/1880s, exemplified by the quality and quantity of late-Victorian period building stock. Many of the buildings are impressive reminders of the area's role as a civic, retail and entertainment hub.

The continuous 2 and 3 storey facades and the general uniformity of scale in King Street and Enmore Road create a distinct visual impression and outstanding townscape qualities. The consistency and relative intactness of the late 19th and early 20th century building stock is unique in the Sydney region and the State as a whole.

A large number of Art Deco and Interwar period hotels demonstrate the highly populated, working class nature of the suburb in the early 20th century.

The streetscapes of King Street and Enmore Road have high aesthetic value which is enhanced by the closed vistas created by street curves and by the views over the surrounding areas afforded by the alignment following the ridge line.

Mixed retail uses, including delicatessens, and

changes to shopfronts dating from the 1950s and 1960s reflect the strong influence of post-war migrants on the area.

The area has social significance due its high regard in the community arising from its vibrant mix of retail and community uses.

KEY PERIOD OF SIGNIFICANCE: 1870s to 1930

CONTRIBUTORY ELEMENTS

- intact first and second floor facades
- intricate façade detail to first and second floors including parapet decoration, statuary, stucco urns
- shopfronts with original splayed, setback entries
- trachyte kerb and guttering

NON CONTRIBUTORY ELEMENTS

- Late 20th century infill sites, including several on Enmore Road between Newtown Bridge and Reiby Street including a service station.
 - modern shopfronts involving extensive use of glazing
- Key Period of Significance: 1870s to 1930

Marrickville Council also provide a statement of Heritage Impact for the *King Street and Enmore Road Heritage Conservation Area*:

Statement of Significance:

- 1.** *The area consists of a late 19th century retail precinct which has a high degree of integrity, uniformity of scale and form.*
- 2.** *The building stock represents a good collection of fine late Victorian commercial buildings which together with the streets curve and slopes makes it unique in the Sydney metropolitan area and of such quality in the NSW state.*
- 3.** *The uniformity of scale and continuity of facades, awnings, articulated skyline created by elaborate parapet detailing and repetitive narrow allotments creates a fine urban space with enclosed views and vistas.*
- 4.** *The continuous building pattern and rhythm to the street is only marred by a few intrusive*

elements and gaps to the street frontage.

5. The area has a high level of social significance for both the local area and the Sydney community. The first suburban tramway in NSW was opened between Newtown Railway Station and the corner of Illawarra Road and Marrickville Road.

6. The removal of the 1st and 2nd storey Victorian balconies to most of the buildings to comply with traffic regulations is the only major loss of original fabric and detailing in the area.

The subject site is not considered to contain any elements of significance to the King Street and Enmore Road Heritage Conservation Area, except for the kerb stonework.

4.2 ESTABLISHED SIGNIFICANCE OF THE ENMORE-NEWTOWN HERITAGE CONSERVATION AREA

The subject site also adjoins the *Enmore-Newtown Heritage Conservation area (C12)* which is also listed as an item of local heritage significance on Part 2, Schedule 5 of the *Marrickville LEP 2011*.

The NSW Heritage Inventory contains the following information for database entry number 2030479, for the adjoining *Enmore-Newtown Heritage Conservation Area*:

Statement of Significance:

The Enmore Heritage Conservation Area is historically significant for the pattern of development in the area from the mid to late 19th century. The streetscapes demonstrate the pattern and growth of the terrace-house typology in Sydney during the mid-late 19th Century. The early land grants in the area were of 30 acres and were made to emancipists and small settlers, a significant contrast to the large holdings of the Estates north of Enmore/Stanmore Road. Their value for speculative purposes is shown through their rapid re-subdivision and amalgamation into a series of 'Estates' with substantial houses that exploited the good views to the south; and then re-subdivision into smaller parcels that formed the basis of today's street alignments.

Major development within the area commenced with the arrival of the railway in the mid 1850s and continued through successive releases of land over the next 50 years, with the final subdivision made in 1902. The prevailing form of development in the area throughout this development phase was the terrace house, and the stylistic development of the type during the second half of the 19th Century can be seen in the style and form of the groups within the Area. The Federation period terraces in the Area represent the culmination of the typology, which was soon to be superseded by the rise of suburbia in the 20th Century.

The area is historically significant for its association with Mary Reiby who was an early owner of the land within the conservation area and who built a villa upon the site. Mary Reiby's land was located at the north-eastern corner of the Area, bounded approximately by Enmore Road, Station Street, Holt Street and Reiby Street. It was subdivided after her death in 1855, and the house survived until 1966 when it was demolished by Sydney City Council to erect the high-rise development on the site today. Although the house has now been demolished, it is remembered through Reiby Street which bisects the conservation area. The area is aesthetically significant for demonstrating many of the important variations upon the typology of the modest terrace house, including single and two-storey versions and some very early examples of the genre built under a single hipped roof span, and demonstrating the most utilitarian design of the type.

The Area is of social significance for the prominent location of community facilities at the northern end of the area close to Enmore Road including Reiby Hall, Masonic Temple and Hall, Former church (60 Reiby Street) - now community use.

The Area represents a range of building types and forms available to the Victorian worker, including the detached cottage, semi-detached pair and terrace house. It represents the principal characteristics of the development of the Marrickville Council area from an early Estate to a suburban cultural landscape and contains high quality streetscapes and public domain elements representative of civic management and improvement programs including small parks, sandstone kerbing and guttering and street tree planting of the late 20th Century.

5.0

DESCRIPTION OF THE PROPOSAL

The proposed development, designed by NettletonTribe Architects, is detailed in the Plans and Statement of Environmental Effects that accompany this application. It includes:

- Construction of a two-storey group terrace form containing a Woolworths Metro with:
 - Ground floor: 'mini supermarket', delivery dock, lift and bin storage area.
 - First-floor; back of house, and storage room
 - Rooftop plant level
- Fast turn-over car parking is provided, including direct-to-boot pick-up bays.
- Construction of an awning, continuing the pedestrian awnings along Enmore Road.
- The first floor extends over the accessible carpark space and the proposed pick-up bays.

- Construction of a screening element and landscaped planter to the Bailey Street corner of the car park, with a single-storey street presence.

The proposal aims to provide a contemporary fast-paced mini-supermarket in a convenient location that improves the streetscape presence of the subject site within the Enmore, King Street conservation area. Reference to the historic streetscape has been incorporated into the contemporary design.



Figure 5.1
 Perspective showing the proposed development within the Enmore Road streetscape, looking south-east.
 Source: NettletonTribe Architects, Woolworths Metro Newtown, 26-36 Enmore Road, Newtown, Perspective Enmore Road, 11668_DA052, P8

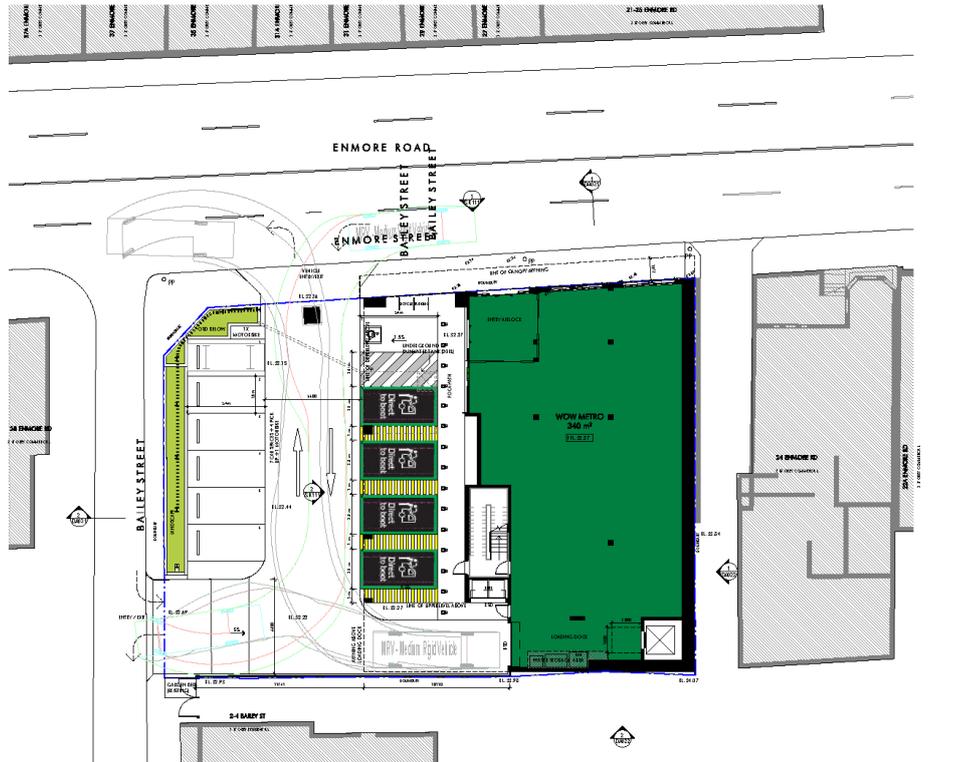
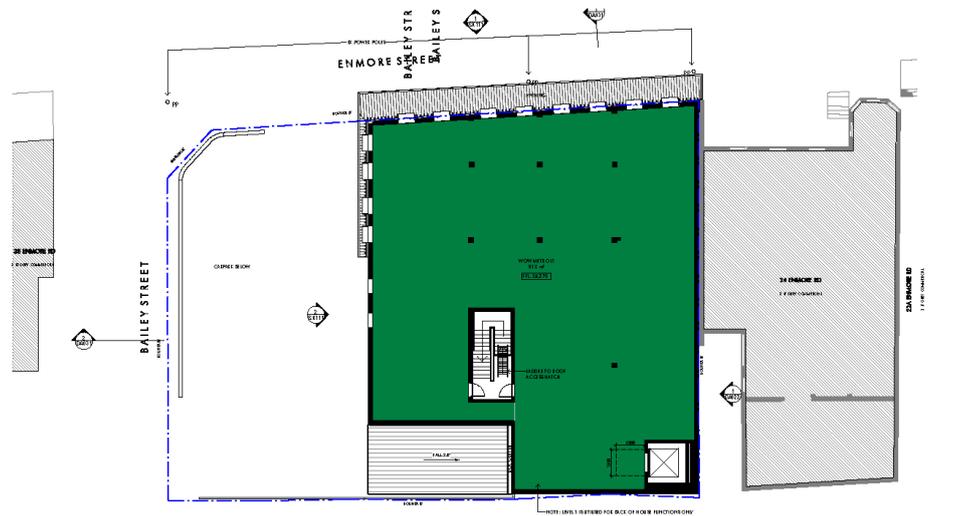


Figure 5.4 (above)
Proposed Ground Floor Plan.
Source: NettletonTribe Architects, Woolworths Metro Newtown, 26-36 Enmore Road, Newtown, Ground Floor Plan, 11668_DA011, Issue P13

Figure 5.5 (below)
Proposed First Floor Plan.
Source: NettletonTribe Architects, Woolworths Metro Newtown, 26-36 Enmore Road, Newtown, Level 1 Plan, 11668_DA012, Issue P12



6.0

ASSESSMENT OF HERITAGE IMPACT

6.1 INTRODUCTION

This Statement of Heritage Impact has been prepared in relation to the following impact assessment criteria, the *Marrickville Local Environmental Plan (LEP) 2011*, the *Marrickville Development Control Plan (DCP) 2011* and Heritage NSW (in the NSW Department of Premier and Cabinet) guidelines, *Altering Heritage Assets* and *Statements of Heritage Impact*.

This section of the report provides a detailed analysis of the statutory controls applying to this site, with regard to heritage.

6.2 OVERVIEW OF THE POTENTIAL HERITAGE IMPACTS

The development proposal revitalises the subject site, utilising proportions and scales from its surrounding context, to complete a sympathetic contemporary building within the King Street, Enmore Streetscape.

- Maintains visual two-storey height to the eastern portion of the site.
- Shopfront is broken down into 4 bays, representative of the terraces previously on-site and within the surrounding context.
- Steps down to single storey screening element to the carpark, softening to Bailey Street residences
- Reintroduces and continues awning along Enmore Road frontage.



Figure 6.1
Aerial photograph showing the subject site, outlined in red, with shaded blue overlay of the contributory items in the vicinity.
Source: *maps.au.neamap.com*, overlay information derived from *Marrickville DCP 2011*, 8.4.2 Contributory and period building mapping, 3. King Street and Enmore Road HCA 2 and King Street and Enmore Road Commercial Precinct No. 37 map 5 of 6.

6.3 CONSIDERATION OF THE GUIDELINES OF HERITAGE NSW

Heritage NSW (in the NSW Department of Premier and Cabinet) has published a series of criteria for the assessment of heritage impact. As the guidelines in the *NSW Heritage Manual* 'Statements of Heritage Impact' do not directly address items in the vicinity of contributory buildings in Heritage Conservation Areas, the following 'questions to be answered' have been developed, based on the approach in the above mentioned document:

- *How is the impact of the new development on the heritage significance of the contributory buildings or HCA to be minimised?*
- *Why is the new development required to be adjacent to contributory buildings?*
- *How does the curtilage allowed around the surrounding contributory buildings contribute to the retention of its heritage significance?*
- *How does the new development affect views to, and from, the contributory buildings? What has been done to minimise negative effects?*
- *Is the new development sympathetic to the contributory buildings and HCA? In what way (e.g. form, siting, proportions, design)?*
- *Will the additions visually dominate the contributory buildings? How has this been minimised?*
- *Will the public, and users of the surrounding contributory buildings, still be able to view and appreciate its significance?*

Comment:

The proposal utilises a site that has recently become vacant and previously contained a non-contributory Service Station and reintroduces complementary elements to the HCA described in detail below.

There will be no changes to the existing curtilages, nor will the development negatively affect views to or from surrounding contributory buildings.

The following aspects of the proposal respect and minimise the potential impact upon the heritage significance of the King Street Enmore Road Heritage Conservation Area by addressing the volumetric, spatial and proportional composition of the proposal:

- A two-storey nil-setback building addressing the street frontage.
- The proposal aims to reinterpret a portion of the terrace row that existed on site prior to 1961; the width of the proposed Woolworths Metro shop frontage is broken into 4 bays, referencing the fine-grain proportions shown in the 1943 aerial of the site.

- The frontage reintroduces the appearance of a cohesive fine grain terrace group to the streetscape, relating to the core heritage values of King Street Enmore Road HCA.
- The change in scale of the western portion of the site relates to the original built scale onsite, from the terraces' cohesive bulk to the single-storey high-parapet shopfront; of which the proposed screening conveys.
- The screening on the nor-western edge of the site also obscures the view of the off-street parking while depicting the built-to-boundary shopfronts that address corner sites along the Enmore Road frontage (see figure 3.7).
- The proportions of the fenestrations to the ground floor and first-floor facade facing Enmore Road relate to the heritage proportions of neighbouring buildings.
- The development continues the awning structure along Enmore Road in front of the proposed shopfront, with under awning lighting.
- The parapet is of contemporary materiality, with appropriated parapet detailing to reinterpret the heritage character of the streetscape in a contemporary form. It provides depth and shadow similar to the effects of historic mouldings. Due to its wrap-around nature, the parapet will appear at an appropriate thickness within the streetscape.
- The roof structure is suitably hidden from the Enmore Road frontage behind this parapet. The parapet steps down the western elevation and follows the roof slope, typical of traditional roof styles within the HCA.
- The larger volume of the Woolworths Metro located on the eastern side of the site relates to the site's history and surrounding context. The two-storey proposed building adjoins its two-storey neighbour (No 24 Enmore Road), with four-storey apartments to its rear (359-361 King Street) and steps down to a single-storey screening element to Bailey Street frontage integrating with its single-storey neighbours.

- The colours and materials selected are a contemporary mix and relate to the natural colour tones within the Non-contributory range included within King Street Enmore Road Main Street Study-Heritage Paint scheme, 1991 Ron Howard/Neustein Associates City of South Sydney. The selected natural-toned masonry brickwork, grey rendered panels, and metalwork in "Gully" and "Jasper" are not dissimilar to the suggested *Drab*, *Slate*, *Brushwood*, and *Mangrove* colours suggested (respectively). These neutral tones are considered appropriate within the Enmore Road streetscape, as they blend into the Streetscape and do not draw attention away from the neighbouring contributory buildings. The powder-coated features in black, located to the screening element to the bailey street corner and awning, although darker than the suggested *French grey* tone, are situated against lighter colours and in sun-drenched locations and therefore will likely appear lighter in tone, as well as only forming a small portion of the overall colour scheme.
- The materials selected are also a complementary allowing the proposal to sympathise with the surrounding heritage fabric. The proposed matt and textured finishes add texture and depth to the façade, relating to the surrounding HCAs exposed brickwork, render and mouldings.

The proposed new development will be clearly contemporary in design; however, it will be in keeping with the general scale and characteristics of the Enmore Road streetscape and is, therefore, considered sympathetic to the heritage conservation area.

The proposal's overall impact on its surroundings is considered beneficial to the King Street Enmore Road HCA, in that the proposed structures significantly improve the site's current and previous contributions to its streetscapes.

Should any unexpected relics be disturbed during the excavation of the site, they must be managed under the Archaeological provisions of the NSW Heritage Act.

6.4 HERITAGE OBJECTIVES OF THE MARRICKVILLE LEP 2011

The proposed development is considered to be acceptable, from a heritage perspective, for the following reasons:

- The contemporary proposal improves the site's contribution to the HCA by reintroducing elements to the site, such as the terrace form built to the boundary with a street awning.
- The design integrates proportions of neighbouring contributory buildings to subtly reflect and recognise its heritage context in a contemporary manner.
- There will be no adverse impact on the heritage contribution of the surrounding contributory buildings within the HCA.

The proposal is, therefore, considered to be consistent with the relevant heritage objectives of the *Marrickville LEP 2011*, which are:

5.10 Heritage conservation

(1) Objectives

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Marrickville,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,

6.5 HERITAGE GUIDELINES OF THE MARRICKVILLE DCP 2011

The proposed development is generally consistent with the guidelines of the *Marrickville DCP 2011* that relate to infill development with Heritage Conservation Areas:

8.2.4 King Street and Enmore Road Heritage Conservation Area – HCA 2

8.2.4.3 Management policy

Having regard to the heritage significance of the King Street and Enmore Road HCA, the following policy statement encapsulates an agreed approach to the development and care of the HCA:

- In recognition of the heritage significance of the King Street and Enmore Road HCA and its heritage items and contributory buildings, the impact of proposed development on individual buildings as well as the character of the streetscape and the overall significance of the area must be considered as part of the

assessment of all development applications in the area. A HIS must accompany all development applications involving changes to the external appearance of properties within the area, unless these are deemed to be of a minor nature and to not result in adverse heritage impacts.

- Evidence of the history of the area must be retained, including evidence of historical phases of development and historical uses. Former theatres, garages and hotels are of particular interest.
- Development must respect the low scale and modest Victorian period character of the area.
- Significant and contributory shopfronts must be retained and conserved. Other shopfronts may either be retained or replaced unless intrusive to the heritage conservation area in which case, replacement is the preferred option.
- Infill development must respond to, and not obscure, the topography of the area.
- Infill development must be fine-grained and fit its context.
- The characteristic palette of materials and colours must be used in additions and alterations and sympathetic materials and colours must be used in infill development.
- Off-street car parking must only be provided at the rear of properties, accessed from rear lanes, unless already existing.
- Significant streetscape elements such as sandstone, trachyte and bluestone kerbs and gutters, must be retained and enhanced, where possible.

Comment:

No evidence of the sites former historical phases prior to the Petrol Station are likely to be retained on site.

The proposed infill development maintains a low two-story scale that reflects the fine-grain nature of its context.

As described in section 6.2, the neutral colours selected relate to the non-contributory palette suggested for the King Street Enmore Road HCA.

Off-street parking has been significantly reduced from its previous form, and its impact upon the streetscape is further reduced by introducing screening and landscaping elements.

Where possible, trachyte kerb and gutter will be retained.

• **8.2.4.5 Signage**

O1 To ensure signage is sympathetic to and complements the building form and detailing along King Street and Enmore Road.

O2 To ensure signage does not dominate or detract from the architectural features of the buildings and from the white-way lighting.

O3 To ensure signage retains the visual prominence and integrity of roof and silhouette.

Comment:

The majority of the signage proposed meets the objectives and controls described in that they are sympathetic to building form detailing, are not dominating or detracting, and are appropriately located, lit and spaced. Sign O6, is a projecting sign located above an awning, therefore does not meet control 7, however, the sign is not illuminated, its location is unlikely to block or reduce views to neighbouring contributory properties, is not overly prominent, and it complements the contemporary facade on which it is located, and is therefore deemed acceptable to the heritage objectives of 8.2.4.5

• **8.2.4.6 Access and pedestrian amenity**

O4 To balance the need for improved access to the retail centre with the need to minimise the impact of the centre on adjacent residential areas.

O5 To balance improved access to retail uses at ground level with the need to retain and reinstate contributory shopfronts where possible.

Comment:

The proposal increases pedestrian amenity to the site, continuing street-front awnings and providing universal access.

• **8.2.4.8 Vehicle access**

O6 To balance the need for access to new developments with the need to minimise impact on adjacent buildings and residential areas and the desire to retain active retail street frontages.

Comment:

The proposal reduces and manages the vehicle access points from the previous services station, thereby minimising the impact of vehicle access points.

• **8.2.4.14 Roofs and parapets**

O8 To ensure new development does not detract but rather contributes to the streetscape in a sympathetic manner.

O9 To provide guidelines that enable contemporary architectural interpretation of the key patterns and character-giving elements of the area.

O10 To encourage different cornice treatments and edges for visual interest and variety.

O11 To ensure the placement and design of roof fixtures does not detract from the appreciation of the significant features of heritage items and contributory buildings.

Comment:

The proposed parapet height is similar to that of its eastern neighbour. The parapet wraps around to the western elevation and then steps down in line with the typical alignment of the main roof form within the HCA. The stepping down towards the rear of the site is typical of traditional buildings within the HCA. The proposal is therefore considered an appropriate contemporary interpretation of the roof form, sympathetic to the HCA.

- **8.2.4.15 Awnings and verandahs**

O12 To ensure new development maintains a pedestrian scale and provides weather protection at street level.

Comment:

The proposal reintroduces streetscape awning to the Enmore Road shopfront, in line with this clause's principles and lighting strategies.

- **8.2.4.16 Retail frontages**

O14 To provide a diversity of active street frontages which are compatible with the scale and character and architectural treatment of the building as a whole.

O16 To encourage a variety of relationships and openings between the shop and the street.

O17 To ensure shops are accessible for everyone.

Comment:

The proposed development is considered in line with the above objectives.

- **8.2.4.18 Materials and finishes**

O21 To ensure buildings are sympathetic to characteristic materials, finishes and colours.

O22 To ensure the selection of feature colours for relief elements does not detract from, but rather reinforces, the appreciation of the proportion of the facade articulation.

Comment:

As described in section 6.2, the neutral colours selected relate to the non-contributory palette suggested for the King Street Enmore Road HCA.

- **8.2.4.19 Land Use**

O23 To ensure the retail strip continues to provide a range of retail services with varied and interesting active frontages to the street.

O24 To encourage a range of uses above ground level which complement the role of the retail strip.

Comment:

The proposal returns the site to retail use and will contribute to the offerings provided along Enmore Road. First-floor use will support the running of the ground-floor store.

- **8.2.4.20 New infill development controls**

- **8.2.4.23 Building massing**

O26-36 To preserve the prevailing pattern of buildings built to the front boundary and massed to their full height at the street frontage.

O27 To reinforce the topography of King Street and Enmore Road as ridge roads, visible at their highest points to adjacent uses and neighbourhoods.

- **8.2.4.24 Building height**

O28 To retain the visual prominence of heritage streetscapes and the prevailing street wall height.

O29 To reinforce the built form and topography characterised by taller buildings along the retail strip following the ridge and stepping down to the residential development on the adjacent slopes and plains.

- **8.2.4.25 Setbacks**

O30 To retain and enhance the prevailing character given by buildings built to street and side boundaries.

- **8.2.4.26-36 Corners**

O31 To encourage new corner developments which respond to the visually interesting corner buildings characterising King Street and Enmore Road.

- **8.2.4.27 Building facades**

O32 To reinforce the prevailing pattern characterised by simple, rectilinear building forms, full height at street frontage, and variation in roof parapet, chimney, roof eaves, details and other features.

O33 To encourage new development characterised by predominantly vertical proportions for bays, openings and windows.

O34 To ensure openings and windows are sympathetic with the overall proportion of the building and its division into bays.

Comment:

The massing, height, scale, setbacks, corner presentation are sympathetic to the Heritage Conservation Area, as discussed in detail in Section 6.2 and significantly improve the site's contribution to the King Street, Enmore Road HCA.

- **8.2.14 Enmore-Newtown Heritage Conservation Area – HCA 12**

Comment: In meeting the objectives of 8.2.4, it is considered that the objectives of neighbouring Enmore-Newtown HCA 8.2.14 are also met.

- **8.4 Controls for retail streetscapes in Heritage Conservation Areas**

Comment:

In meeting the objectives of 8.2.4 discussed above, the objectives of 8.4 are also met.

- **9.37.2 Desired future character**

The desired future character of the area is:

3. To protect the identified values of the King Street and Enmore Road Heritage Conservation Area.

4. To protect and enhance the character of streetscapes and public domain elements within the precinct including prevailing subdivision patterns, building typologies, materials and finishes, setbacks, landscaping, fencing, open space, carriageway and footpath design and kerb and guttering.

5. To ensure that buildings provide strong definition to the street through retention of the existing nil building setbacks.

8. To ensure that the street building frontage of infill development complements the siting (location and orientation), scale, form (height, massing and setback), proportion (height to width and solid to void), rhythm, pattern, detail, material, colour, texture, style and general character in the design of the existing predominantly traditional two storey commercial streetscape, without being imitative.

9. To ensure that there are active commercial fronts to new buildings facing onto streets to create a vibrant and safe streetscape.

11. To ensure that the design of higher density development protects the residential amenity of adjoining and surrounding properties.

12. To support pedestrian and cyclist access, activity and amenity including maintaining and enhancing the public domain quality.

13. To ensure the provision and design of any parking and access for vehicles is appropriate for the location, efficient, minimises impact to streetscape appearance and maintains pedestrian safety and amenity.

The analysis in section 6.2 of this report demonstrates that the proposal is consistent with these objectives.

7.0

CONCLUSIONS AND RECOMMENDATIONS

7.1 CONCLUSIONS

- 26-36 Enmore Road, Newtown, is **not** listed as an item of local heritage significance in Schedule 5 of the *Marrickville LEP 2011*.
- It is located within the *King Street/Enmore Road Heritage Conservation Area* and is adjacent to the *Enmore-Newtown Heritage Conservation Area*.
- All other listed heritage items in the wider locality are separated from the subject site by intervening buildings, distance and roadways and have no direct visual connection to the site.
- Heritage management has been a key factor of consideration and discussion for the proposed development of the site.
- The proposed development is consistent with the form of the streetscape in this part of the *King Street and Enmore Road Heritage Conservation Area*.
- The proposed new building at 26-36 Enmore Road, Newtown, has been designed to reduce visual dominance, while keeping with the scale and character of the streetscape and HCA.
- The proposal's contribution to the Enmore Road streetscape is sympathetic in that it reinterprets a group of terraces on the site, reintroducing forms, and proportions appropriate to its setting, thereby significantly improving the site's contribution to the surrounding HCA.
- There are no views between the subject site and neighbouring contributory buildings that have been identified as contributing factors to the cultural heritage significance of any of these places.

- The proposed development to 26-36 Enmore Road, Newtown, will improve the sites overall heritage impact on the heritage significance of *King Street and Enmore Road HCA* or the *Enmore Newtown Conservation Area*.
- The proposed development is consistent with the heritage requirements and guidelines of the *Marrickville LEP 2011*, *Draft Innerwest LEP 2020* and the *Marrickville DCP 2011*.

7.2 RECOMMENDATIONS

- Council should have no hesitation, from a heritage perspective, in approving the application.

8.0

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Attachment D – Acoustic Report



MATTHEW PALAVIDIS
VICTOR FATTORETTO
MATTHEW SHIELDS

Woolworths Metro Newtown

DA Acoustic Assessment

SYDNEY
9 Sarah St
MASCOT NSW 2020
(02) 8339 8000

ABN 98 145 324 714
www.acousticlogic.com.au

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1 INTRODUCTION

Acoustic Logic has been engaged to conduct an acoustic assessment of potential noise impacts associated with the proposed commercial development at 26-36 Enmore Road, Newtown.

This report addresses noise impacts associated with the following:

- Noise Intrusion into proposed development as a result of traffic noise
- Noise emissions to surrounding sensitive receivers as a result of project site development, including:
 - Mechanical plant servicing development building (in principle);
 - Operational noise from the loading dock and car park

This assessment has been conducted using the Nettleton Tribe plans provided titled Woolworths Metro Newtown. Drawing details are provided in the table below.

Drawing Number	Drawing Title	Issue	Date
11668_SK104	Ground Floor Plan Future Extension	P5	07/07/2022
11668_SK105	Level 1 Plan Future Extension		
11668_SK110	Roof Plan New Option 1	P4	
11668_SK111	Elevation New Option 1		

2 SITE DESCRIPTION

The proposed site includes a two-storey commercial building with rooftop plant. It is to include and ground floor supermarket and first floor back of house operations and storage. It will also include a carpark and loading dock.

The nearest receivers to the site are as follows:

- R1:** Residential receiver to the south on Bailey St
- R2:** Residential receiver to the west on Enmore Road
- R3:** Residential receiver to the east on Enmore Road
- R4:** Residential receiver to the south east on Princes Highway

A site map with nearby receivers and measurement locations is listed below.

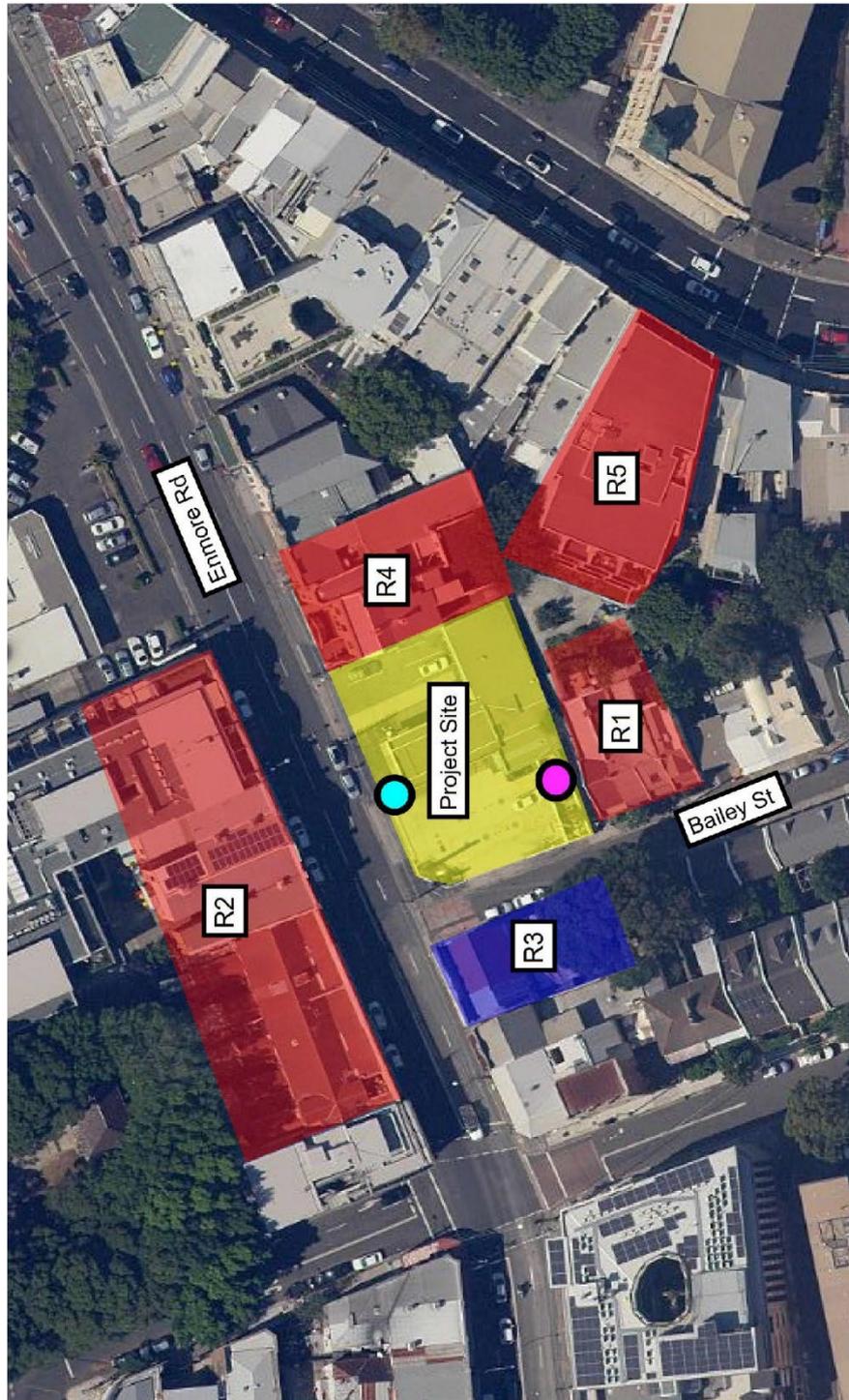


Figure 1
(Sourced SixMapsNSW)

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3 ENVIRONMENTAL NOISE DESCRIPTORS

Environmental noise constantly varies. Accordingly, it is not possible to accurately determine prevailing environmental noise conditions by measuring a single, instantaneous noise level.

To accurately determine the environmental noise a 15-minute measurement interval is utilised. Over this period, noise levels are monitored on a continuous basis and statistical and integrating techniques are used to determine noise description parameters.

In analysing environmental noise, three-principle measurement parameters are used, namely L_{10} , L_{90} and L_{eq} .

The L_{10} and L_{90} measurement parameters are statistical levels that represent the average maximum and average minimum noise levels respectively, over the measurement intervals.

The L_{10} parameter is commonly used to measure noise produced by a particular intrusive noise source since it represents the average of the loudest noise levels produced by the source.

Conversely, the L_{90} level (which is commonly referred to as the background noise level) represents the noise level heard in the quieter periods during a measurement interval. The L_{90} parameter is used to set the allowable noise level for new, potentially intrusive noise sources since the disturbance caused by the new source will depend on how audible it is above the pre-existing noise environment, particularly during quiet periods, as represented by the L_{90} level.

The L_{eq} parameter represents the average noise energy during a measurement period. This parameter is derived by integrating the noise levels measured over the 15-minute period. L_{eq} is important in the assessment of environmental noise impact as it closely corresponds with human perception of a changing noise environment; such is the character of environmental noise.

The L_{max} parameter represents the highest sound pressure level during a measurement period.

4 NOISE INTRUSION ASSESSMENT

The nearest noise sources to impact the amenity of the future occupants of the proposed development is traffic noise along Enmore Road situated to the North of the site, carrying high volumes of traffic flow.

4.1 INTERNAL NOISE CRITERIA

4.1.1 Inner West Council Document: Marrickville Development Control Plan (DCP) 2011

There are no specific noise intrusion criteria for commercial premises required by the Marrickville Development Control Plan 2011 and so we will refer to AS/NZS 2107-2016.

4.1.2 Australian/New Zealand Standard AS/NZS 2107-2016

In absence of acoustic criteria from the Inner West Council, Australian/New Zealand Standard AS/NZS 2107:2016 document "Acoustics – Recommended design sound levels and reverberation times for building interiors will be used to establish the internal noise goals for the proposed development. The internal noise goals are presented in Table below.

Table 1 - Recommended Internal Noise Design Levels for Proposed Development

Space /Activity Type	Recommended Design Sound Level dB(A) _{L_{eq}} Range
Supermarkets	<55

4.2 TRAFFIC NOISE LEVELS

4.2.1 Measurement Equipment

Attended short term measurements of traffic noise were undertaken by this office, to supplement the unattended noise monitoring. Measurements were conducted using a Norsonic 140 Sound Analyser. The analyser was set to fast response and calibrated before and after the measurements using a Norsonic Sound Calibrator type 1251. No significant drift was noted.

4.2.2 Measurement Location

Attended traffic measurements were taken at the northern boundary on Enmore Road as shown in Figure 1.

4.2.3 Measurement Period

Attended measurements were taken on the 11th of November 2020 at 4:30pm.

4.2.4 Attended Noise Measurements

Table 2 -Attended Traffic Noise Measurement

Location	Measure Noise Level dB(A) L _{Aeq} (15 minute)
26-36 Enmore Road, Newtown At boundary (3m from kerb)	70 dB(A) _{L_{Aeq}(15min)}

Table 3 - Unattended Traffic Noise Measurement

Location	Time	Measured Noise Level Worst 1 Hour
26-36 Enmore Road, Newtown	Day (7am-10pm)	63dB(A) L _{Aeq period}
	Night (10pm-7am)	62dB(A) L _{Aeq period}

4.3 RECOMMENDED TREATMENTS

The treatments set out in this section will ensure compliance with the noise objectives for both external noise sources (predominately traffic noise) likely to impact the potential development. Calculations take into account the size and orientation of windows, façade transmission losses and room sound absorption characteristics.

4.3.1 Recommended Glazing

The recommended glazing assemblies are presented below. In all cases, the selected glazing type reduces internal noise levels to within the nominated criterion for the various space types.

The proposed glazing thickness will satisfy all acoustic requirements. Thicker glazing may be required for structural, safety or other purposes. Where it is required to use thicker glazing than scheduled, this will also be acoustically acceptable.

Table 4 – Recommended Glazing Constructions

Level	Façade Location	Room Type	Recommended Construction
Ground	All	Supermarket	6.38mm

In addition to meeting the minimum glazing thickness requirements given, the design of the window mullions, perimeter seals and the installation of the windows/doors in the building openings shall not reduce the Rw rating of the glazing assembly below the values nominated in the table above. All external windows and doors listed are required to be fitted with Q-Ion type acoustic seals. Note that mohair of fin type seals will not be acceptable for the windows requiring acoustic seals. The window/door suppliers should provide evidence that the systems proposed have been tested in a registered laboratory with the recommended glass thicknesses and comply with the minimum listed Rw requirements. Also, the glazing installer should certify that the window/doors have been constructed and installed in a manner equivalent to the tested samples.

Table 5 - Minimum Rw of Glazing (with Acoustic Seals)

Glazing Assembly	Minimum STC or R_w of Installed Window (with acoustic seals)
6mm float	29
6.38mm Laminate	31

All recommendations contained within this report regarding noise intrusion (façade, etc) are for the purposes of gaining authority approvals only. All façade treatments must be reviewed at Construction Certificate stage when layouts and building internal design scheme has been finalised.

4.3.2 Roof/ Ceiling

The proposed concrete slab roof is acoustically acceptable; therefore, it doesn't require additional acoustic treatments.

4.3.3 External Walls

The proposed external wall constructions will be acoustically acceptable without additional acoustic treatment

5 NOISE EMISSION CRITERIA

Noise emissions from the site should be assessed to ensure that the amenity of nearby land users will not be adversely affected.

Potential noise sources which should be assessed are:

- Noise generated by mechanical plant
- Noise from the operation of the loading bay on the ground floor.
- Noise generated from use of the carpark

Noise emission criteria will be determined based on the following documents:

- NSW EPA Noise Policy for Industry (2017)
- Inner West Council Document: Marrickville Development Control Plan (DCP) 2011.
- Environmental Noise Control Manual 1993

5.1 BACKGROUND NOISE LEVELS

5.1.1 Measurement Equipment

Background noise monitoring was undertaken with an Acoustic Research Laboratories Pty Ltd noise monitor. The monitor was programmed to store 15-minute statistical noise levels throughout the monitoring period. The equipment was calibrated at the beginning and the end of each measurement using a Rion NC-73 calibrator; no significant drift was detected. All measurements were taken on A-weighted fast response mode.

5.1.2 Measurement Location

The unattended noise monitor was installed near the south west boundary of the site as shown in Figure 1 above.

5.1.3 Measurement Period

Unattended noise monitoring was conducted from 2nd to 8th of November 2020.

5.1.4 Unattended Noise Measurements

NSW EPA's RBL assessment procedure requires determination of background noise level for each day (the ABL) then the median of the individual days as set out for the entire monitoring period.

Appendix B provides detailed results of the unattended noise monitoring. Adverse weather affected data was excluded from the assessment in line with Factsheets A & B of the NPI. The processed Rating Background Noise Levels (lowest 10th percentile noise levels during operation time period) are presented in the table below.

Based on above, the acoustic environment for the project site is summarised in

Table 6 - Summarised Rating Background Noise Level

Location	Time of day	Rating Background Noise Level dB(A) _{L₉₀(Period)}
26-36 Enmore Road, Newtown	Morning Shoulder (6:00am-7:00am)	47
	Day (7:00am-6:00pm)	51
	Evening (6:00pm-10:00pm)	51
	Late Evening (10:00pm-12:00am)	46
	Night (12:00am-6:00am)	37

5.2 NOISE CRITERIA

5.2.1 Marrickville DCP 2011

The Marrickville DCP 2011 states the following in regard to noise in commercial/residential interfaces.

Part 5.3.1.2

C75 All development must comply with the relevant noise control guidelines.

We note that Control C75 references the NSW EPA Noise Control Manual. This document has been superseded by the NSW EPA Noise Policy for Industry (detailed in the following Sections), which details appropriate noise emission requirements to residents surrounding the proposed site.

5.2.2 NSW EPA Noise Policy for Industry (NPfI) 2017

The NSW EPA Noise Policy for Industry has two criteria which need to be satisfied namely Intrusiveness and Project Amenity. These are described below:

- *Intrusiveness Criteria* - This guideline is intended to limit the audibility of noise emissions at residential receivers and requires that noise emissions measured using the L_{eq} descriptor not exceed the background noise level by more than 5 dB(A). Where applicable, the intrusive noise level should be penalised (increased) to account for any annoying characteristics such as tonality.
- *Project Amenity Criteria* - This guideline is intended to limit the absolute noise level from all "industrial" noise sources such as mechanical plant to a level that is consistent with the general environment.

The EPA's Industrial Noise Policy sets out acceptable noise levels for various localities. Table 2.1 on page 16 of the policy indicates 4 categories to distinguish different residential areas. They are rural, suburban, urban and urban/industrial interface.

Noise levels are to be assessed at the property boundary or nearby dwelling, or at the balcony or façade of an apartment.

5.2.2.1 Intrusiveness Criterion

The guideline is intended to limit the audibility of noise emissions at residential receivers and requires that noise emissions measured using the L_{eq} descriptor do not exceed the background noise level by more than 5dB(A). Where applicable, the intrusive noise level should be penalised (increased) to account for any annoying characteristics such as tonality.

Background noise levels adopted are presented in Table 10. Noise emissions from the site should comply with the noise levels presented below when measured at nearby property boundary.

Table 7 - NPfI Intrusiveness Noise Emission Goals

Location	Period/Time	Background Noise Level dB(A) L_{90}	Intrusiveness Noise Emission Goal BG + 5dB(A)
Residential receivers	Day (7am-6pm)	51	56
	Evening(6pm-10pm)	51	56
	Night(10pm-7am)	37	42

5.2.2.2 Amenity Criterion

The guideline is intended to limit the absolute noise level from all noise sources to a level that is consistent with the general environment.

The NSW EPA Noise Policy for Industry (2017) sets out acceptable noise levels for various localities. Table 2.1 on page 16 of the policy indicates 4 categories to distinguish different residential areas. They are rural, suburban, urban and urban/industrial interface. This site is categorised urban. For the purposes of this condition:

- Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays;
- Evening is defined as the period from 6pm to 10pm.
- Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sunday and public holidays.

Table 8 - NPfI Amenity Noise Emission Goals

Location	Period/Time	Amenity Noise Emission Goal dB(A) L_{eq} (Period)
Residential receivers	Day (7am-6pm)	58
	Evening(6pm-10pm)	48
	Night(10pm-7am)	43

5.2.2.2.1 Amenity Noise Levels in Areas of High Traffic Noise

The Noise Policy for Industry states that in areas of high traffic noise where road noise is enough to make industrial noise inaudible a high traffic project amenity noise level of $L_{Aeq, period(traffic)}$ minus 15dB(A) may be used. This high traffic noise level can be applied if the following apply:

- Traffic noise is identified as the dominant noise source at the site
- The existing traffic noise level is 10 dB or more above the recommended amenity noise level for the area
- It is highly unlikely traffic noise levels will decrease in the future.

The measured noise levels of existing traffic noise is:

- Daytime – 61 dB(A) Leq (period)
- Evening – 62 dB(A) Leq (period)
- Night Time – 59 dB(A) Leq (period)

As the existing evening and night time noise levels are 10 dB(A) or more above the relevant amenity criteria, the project amenity criteria will be set as the existing noise level minus 15dB(A).

Another deviation from the superseded Industrial Noise Policy for Industry is the preference for the amenity noise level to be assessed/specified over a 15 minute period, rather than over the assessment period. (refer Section 2.2 of the NPI) In order to convert from an Leq(period) descriptor to a Leq(15min) descriptor, the following calculation is recommended:

$$L_{Aeq(15min)} = L_{Aeq(period)} + 3 \text{ dB(A)}$$

The amenity noise emission goals are as listed below

Table 9 - NPFI Amenity Noise Emission Goals

Location	Period/Time	Traffic Noise Level	Amenity Noise Emission Goal dB(A) $L_{eq(Period)}$	High Traffic Amenity Noise Emission Goal dB(A) $L_{eq(Period)}$
Residential receivers	Day (7am-6pm)	65dB(A) $L_{eq period}$	58	N/A
	Evening(6pm-10pm)	65dB(A) $L_{eq period}$	48	50
	Night(10pm-7am)	60 dB(A) $L_{eq period}$	43	47
Commercial	-	-	63	N/A

5.2.3 Sleep Arousal Criteria

The Noise Policy for Industry recommends the following noise limits to mitigate sleeping disturbance:

Where the subject development / premises night -time noise levels at a residential location exceed:

- *$L_{eq,15min}$ 40 dB(A) or the prevailing RBL plus 5 dB, whichever is the greater, and/or*
- *L_{Fmax} 52 dB(A) or the prevailing RBL plus 15 dB, whichever is the greater,*
a detailed maximum noise level even assessment should be undertaken.

The following sleep emergence noise objectives then apply.

Table 10 - Sleep Arousal Criteria for Residential Receivers

Receiver	Period	Rating Background Noise Level dB(A) L_{90}	Emergence Level
Residential Dwellings Surrounding Site	Night (10pm-7am)	37	42 dB(A) $L_{eq, 15min}$; 52 dB(A) L_{Fmax}
	Morning Shoulder (6:00am-7:00am)	47	52 dB(A) $L_{eq, 15min}$; 62 dB(A) L_{Fmax}
	Late Evening (10:00pm-12:00am)	46	51 dB(A) $L_{eq, 15min}$; 61 dB(A) L_{Fmax}

If there are noise events that could exceed the emergence levels detailed in the table above, then an assessment of sleep arousal impact is required to be carried out, taking into account the level and frequency of noise events during the night, existing noise sources, etc. This more detailed sleep arousal test is conducted using the guidelines in the EPA Road Noise Policy. Most relevantly, the Road Noise Policy states:

For the research on sleep disturbance to date it can be concluded that:

- *Maximum internal noise levels below 50-55dB(A) are unlikely to awaken people from sleep.*
- *One to two noise events per night with maximum internal noise levels of 65-70dB(A) are not likely to affect health and wellbeing significantly.*

5.2.4 Summarised Noise Emission Criteria

The project noise emission objective is the more stringent (lower) value of the amenity and intrusiveness criteria and is shown in bold in Table 11 below.

Table 11 - EPA NPfI Project Noise Target Level

Receiver	Time Period	Assessment Background Noise Level dB(A) $L_{90}(\text{period})$	Project Amenity Criteria dB(A) $L_{eq}(15\text{min})$	Intrusiveness Criteria dB(A) $L_{eq}(15\text{min})$	Sleep disturbance
Residential Receivers	Morning Shoulder (6am-7am)	47	47	52	52 dB(A) $L_{eq, 15\text{min}}$; 62 dB(A) $L_{F\text{max}}$
	Day (7am-6pm)	51	58	56	N/A
	Evening (6pm-10pm)	51	50	56	N/A
	Late Evening (10pm-12am)	46	47	51	51 dB(A) $L_{eq, 15\text{min}}$; 61 dB(A) $L_{F\text{max}}$
	Night (12am-6am)	37	47	42	42 dB(A) $L_{eq, 15\text{min}}$; 52 dB(A) $L_{F\text{max}}$
Commercial			63		N/A

6 NOISE EMISSION ASSESSMENT

6.1 OPERATIONAL NOISE EMITTED FROM SHOPPING CENTRE

Operational noise from proposed use of the shopping centre and associated facilities (carparking, loading dock) must comply with the requirements of the EPA Noise Policy for Industry, the criteria for which has been detailed in Section 5.2. Primary sources of noise expected to be emitted by the site is as follows;

- Vehicle noise from use of the carparking facilities.
- Noise from deliveries made to the site, particularly from the loading dock.

The *Noise Policy for Industry* requires that noise levels are assessed at the reasonably most-affect point on within the property boundary. For the adjoining commercial developments, this is considered to be at the closest façades. Noise emissions to residents will be assessed to their respective boundaries. The assessment will cover the following activities:

- *Average / $L_{eq(15min)}$ noise events (primarily noise from cars/trucks manoeuvring) and;*
- *Intermittent peak noise events (car door close etc) and their potential impact on sleep disturbance.*

The analysis presented in this section of the report has been based on drawings issued for DA submission

6.2 LOADING DOCK

A loading dock for the site is located near the south western boundary of the site. Delivery trucks (medium rigid vehicles) will enter the site from Enmore Road, reverse into the semi enclosed loading dock and will then depart from either Enmore Road or Bailey Street. Noise sources associated with the loading dock are detailed in the table below.

Table 12 – Sound Power Levels of Typical Loading Dock Activities

Noise Source	Sound Power Level
Delivery Truck (Medium Rigid or Similar) Slowly Manoeuvring with Reversing Beeper (+5dB tonality penalty to be added to noise source)	110 dB(A) L_{eq}

In this assessment we have assumed deliveries occur between 7am to 6pm. Assessment has been based on a maximum of 1 truck per 15 minutes. Noise emissions have been predicted to surrounding residential receivers.

Noise emissions from the loading dock have been based on the following assumptions:

- An acoustic barrier located on the south-eastern façade near 2 Bailey Street (seen in SoundPlan Model images in Appendix A –). The barrier is 3m high for the first 6 metres from the canopy, and then reduced to 1.8m high onwards for another 6m (more detail in section 6.6).
- 1 truck per 15 minutes
- The noise data of car movements, measured by this office, outlined in Table 12

The worst affected residential receivers have been identified as the shop-top housing residents across Enmore Road to the north and the windows of 2 Bailey Street to the South.

Table 13 -Predicted Average Noise Emission from Loading Dock Activities

Receiver	Predicted Noise Level	Criteria	Comment
R2: Residential Units across Enmore Road to the North	55dB(A) $L_{eq}(15min)$	$\leq 56dB(A) L_{eq}(15min)$ (NPI Daytime Intrusiveness Criteria)	Achieves noise emission objectives
R1: 2 Bailey Street	55dB(A) $L_{eq}(15min)$	$\leq 56dB(A) L_{eq}(15min)$ (NPI Daytime Intrusiveness Criteria)	Achieves noise emission objectives
R3: Worst Affected Commercial Receiver (38 Enmore Road)	58dB(A) $L_{eq}(15min)$	$\leq 63dB(A) L_{eq}(15min)$ (NPI Commercial Project Amenity Criteria)	Achieves noise emission objectives

6.3 CARPARK

There is one outdoor carpark for the site located on the ground level near Lyons Road. There are approximately 7 parking spaces and 4 customer ‘pick up’ spaces.

Peak usage of the carpark would generally be limited to weekday afternoons and Saturdays. Outside of these hours, usage of the carpark would be expected to be lower. The traffic report prepared by JMT Consulting dated 12th October 2021 indicates an estimated 34 car movements at a peak activity hour. In this assessment we have assumed this peak hour number of car movements to occur during the Morning Shoulder period as a ‘worst case scenario’.

An assessment of peak noise generation from this use is also presented to identify any impacts which may arise to sleep disturbance at neighbouring residences. The worst affected residences remain as the shop-top units across Enmore Road.

Noise emission predictions for the carpark have been carried out based on the following assumptions:

- 34 car movements per hour (9 movements per 15min)
- The noise data of car movements, measured by this office, outlined in Table 14
- An acoustic barrier located on the south-eastern façade near 2 Bailey Street (seen in SoundPlan Model images in Appendix A –). The barrier is 3m high for the first 6 metres from the canopy, and then can be reduced to 1.8m high onwards for at least another 6m.

Table 14 – Sound Power Levels from Carpark Activities

Noise Source	Sound Power Level
Car Travelling at 10 km/h	84 dB(A) L_{eq}
Vehicle Door Closing	95 dB(A) L_{max}
Car Engine Starting	90 dB(A) L_{max}

Table 15 - Predicted Average Noise Emission from the Carpark

Receiver	Predicted Noise Level	Criteria	Comment
R1 & R2: Worst Affected Residential	40dB(A) $L_{eq(15min)}$	$\leq 56dB(A) L_{eq(15min)}$ (NPI Daytime Intrusiveness Criteria)	Achieves noise emission objectives
R3: Worst Affected Commercial Receiver	40dB(A) $L_{eq(15min)}$	$\leq 63dB(A) L_{eq(15min)}$ (NPI Commercial Project Amenity Criteria)	Achieves noise emission objectives

Table 16 - Predicted Peak Noise Emission from the Carpark

Receiver	Predicted Noise Level	Criteria	Comment
R1 & R2: Worst Affected Residential	65dB(A) L _{max}	≤62dB(A) L _{max} (NPI Sleep Disturbance for 'Morning Shoulder')	See section 6.3.1 below

6.3.1 Assessment of Sleep Arousal Impact from Carpark

The EPA Road Noise Policy states:

For the research on sleep disturbance to date it can be concluded that:

- *Maximum internal noise levels below 50-55dB(A) are unlikely to awaken people from sleep*
- *One to two noise events per night with maximum internal noise levels of 65-70dB(A) are not likely to affect health and wellbeing*

Typically, there is a 10dB reduction in sound through a façade with open windows. Using this we can assume that an external noise level of 65dB(A) will be reduced to an internal noise level of 55dB(A) which would be considered by the road noise policy as an acceptable noise level in reference to sleep disturbance.

6.4 CUMULATIVE NOISE IMPACTS

Cumulative noise impacts from the site (simultaneous use of carparking and loading dock activities) are detailed in the table below. We note that there are periods where only the carpark will be operating, and so the predicted noise level at various times of the day/proposed use are presented.

The future assessment of mechanical plant noise from the site should consider the operational noise level when determining appropriate recommendations for the control of noise to surrounding receivers.

Table 17 – Predicted Cumulative Noise Level from Site Operation

Receiver	Time of Day	Noise Sources	Predicted Noise Level	Criteria	Complies?
R1 and R2: Worst Affected Residential	Daytime	Carparking/Loading Activities	55dB(A) _{Leq(15min)}	≤56dB(A) _{Leq(15min)} (NPI Daytime Intrusiveness Criteria)	Yes
R3: Worst Affected Commercial Receiver	Early Morning / Late Evening	Carparking Only	39dB(A) _{Leq(15min)}	≤63dB(A) _{Leq(15min)} (NPI Commercial Project Amenity Criteria)	
	Daytime	Carparking/Loading Activities	59dB(A) _{Leq(15min)}		
	Evening				

6.5 NOISE FROM MECHANICAL PLANT

The development is proposed to include a rooftop open plant area with mechanical plant items servicing the development. For the purpose of this assessment, we have conducted a preliminary assessment of noise emissions from the proposed plant. A detailed review should be undertaken once all final selections and locations are made.

In this assessment we have used the following assumptions based on given information by the client:

- Two large, two-fan condensing units with a sound pressure level of 41dB(A) @10m
- Two smaller, single-fan AC condensing units with a sound pressure level of 69dB(A) @1m
- AC units can run on 'Night Mode' between 10pm and 7am.

Due to its height and potential to overlook the louvres surrounding the plant area, R5 has been identified as the worst affected residential receiver. As such, we have assessed noise emissions to R5 without considering any barrier affects (which are likely to benefit other surrounding receivers and the lower storeys of R5).

Table 18 - Predicted Noise Emission from Mechanical Plant

Receiver	Predicted Noise Level	Criteria	Comment
R5: Worst Affected Residential	<48dB(A) $L_{eq}(15min)$	$\leq 50dB(A) L_{eq}(15min)$ (NPI Evening Amenity Criteria)	Complies
	<42dB(A) $L_{eq}(15min)$	$\leq 42dB(A) L_{eq}(15min)$ (NPI Night Intrusiveness Criteria)	

6.6 RECOMMENDATIONS

In order to achieve noise emission requirements at nearby receivers, acoustic logic recommends the following controls and constructions:

- The southern end of the canopy is to connect to a full height non-perforated barrier.
- There is to be an acoustic fence/barrier on the southern façade of the development that extends from the canopy towards Bailey Street for at least 12 metres. The first 6 metres of the barrier from the canopy is to be at least 3 metres high. The remaining 6 metres length is to be at least 1.8 metres high.
- There is to be a maximum of one delivery per 15minutes.
- Deliveries are to occur between the hours of 7am and 6pm.

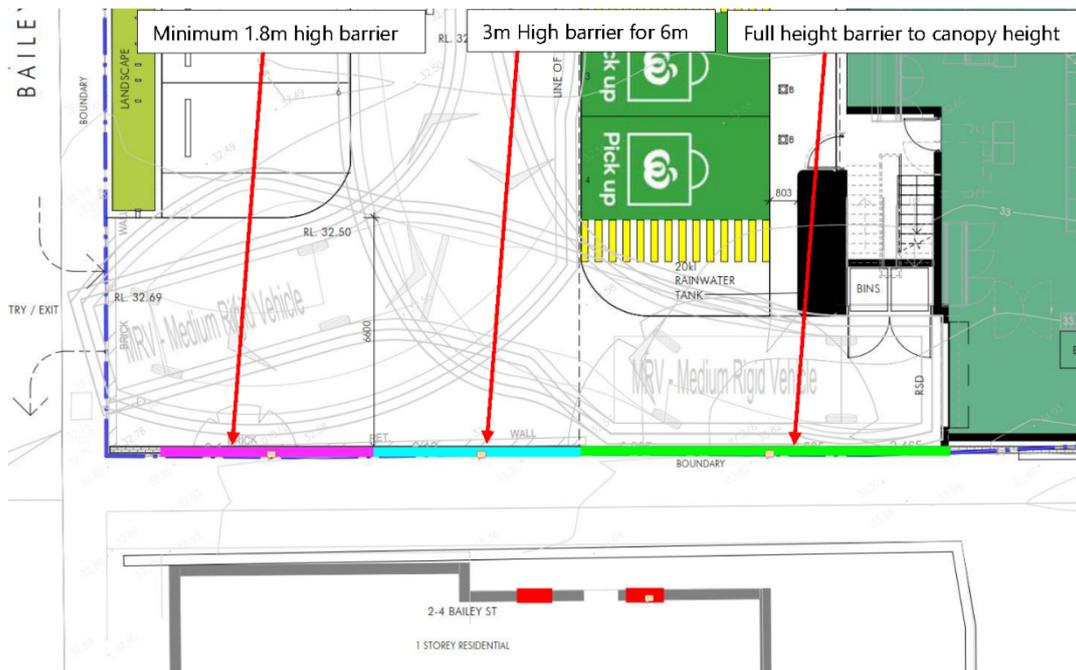


Figure 2 – Barrier Mark-Up

7 CONCLUSION

This report presents an acoustic assessment of potential noise impacts associated with the proposed commercial development at 26-36 Enmore Road, Newtown.

Noise intrusion criteria have been setup in this report to satisfy the requirements from the following documents

- Inner West Council document: Marrickville Development Control Plan (DCP) 2011
- Australian/New Zealand Standard AS/NZS 2107-2016

Recommended constructions have been presented in section 5.2.

External noise emissions criteria have been established in this report to satisfy the requirements from the following documents:

- Marrickville Development Control Plan (DCP) 2011
- NSW Environmental Protection Authority (EPA) document – *Noise Policy for Industry (NPfI) 2017*.

Noise impacts from the proposed use of the development has been assessed with reference to the requirements of the NSW EPA Noise Policy for Industry (2017), as detailed in Section 5. The assessment of specific plant items should be undertaken as part of the development application process.

We trust this information is satisfactory. Please contact us should you have any further queries.

Yours faithfully,

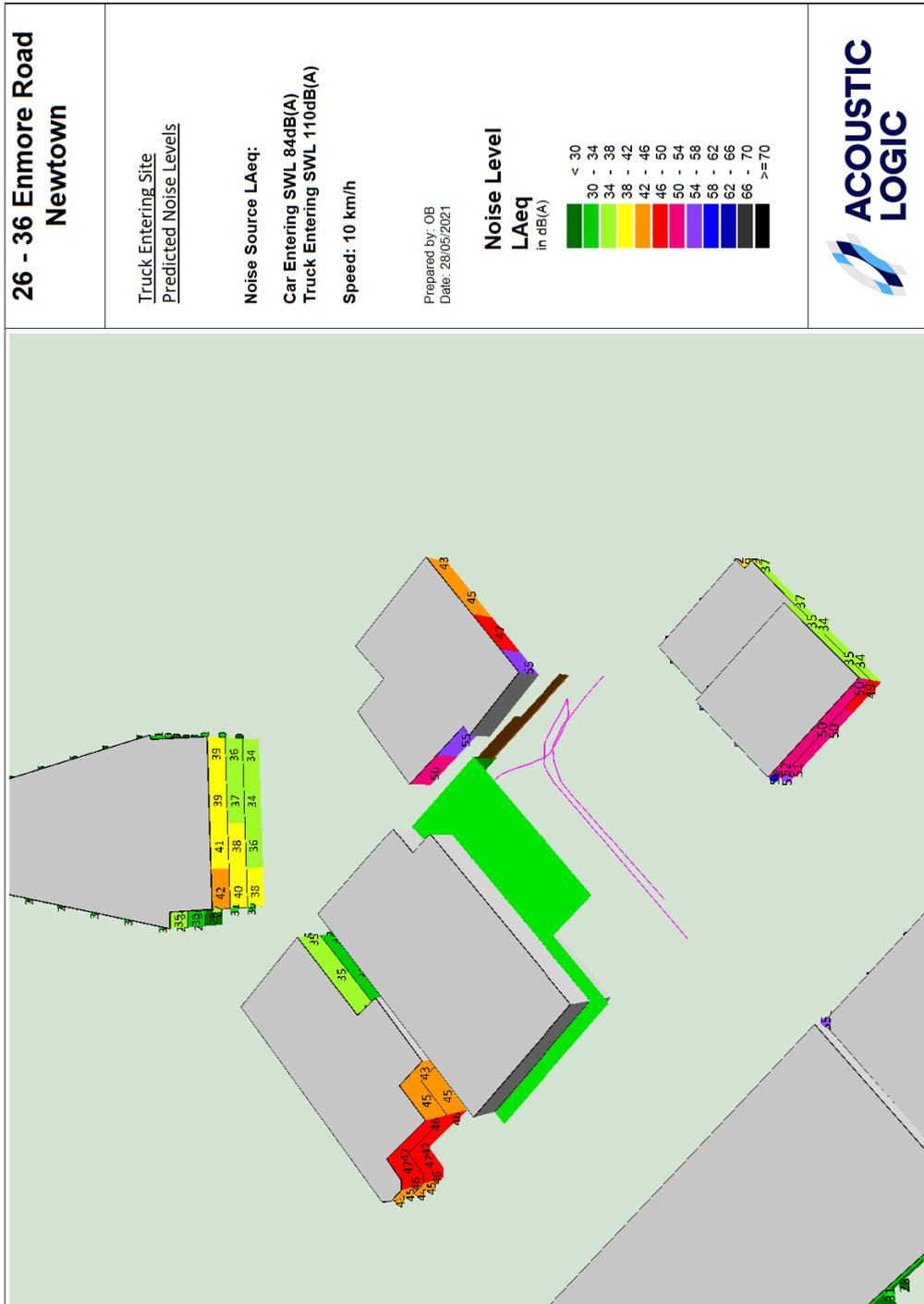


Acoustic Logic Pty Ltd
Ruben Ghannoum

8 APPENDIX A – SOUNDPLAN MODEL RESULTS

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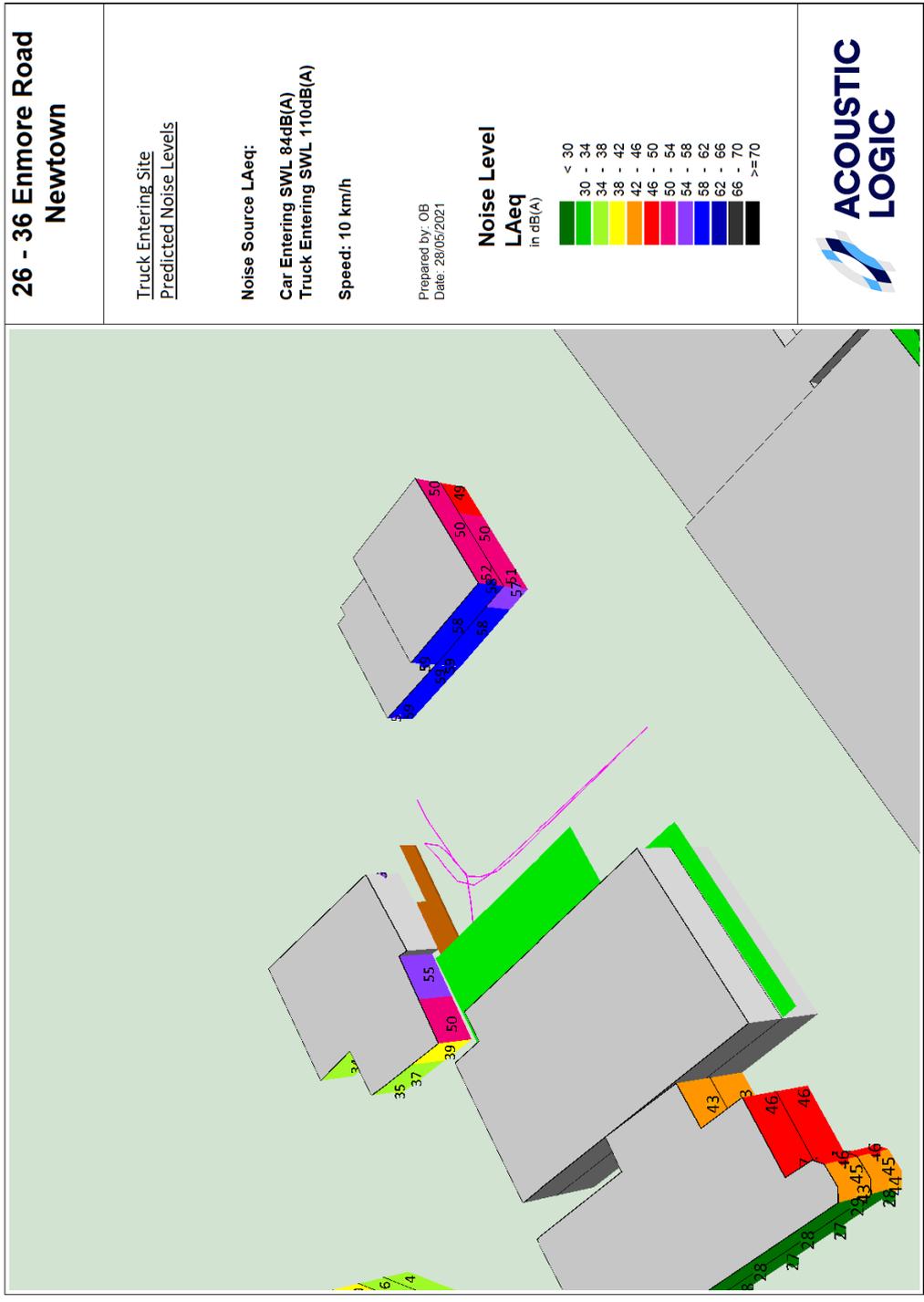
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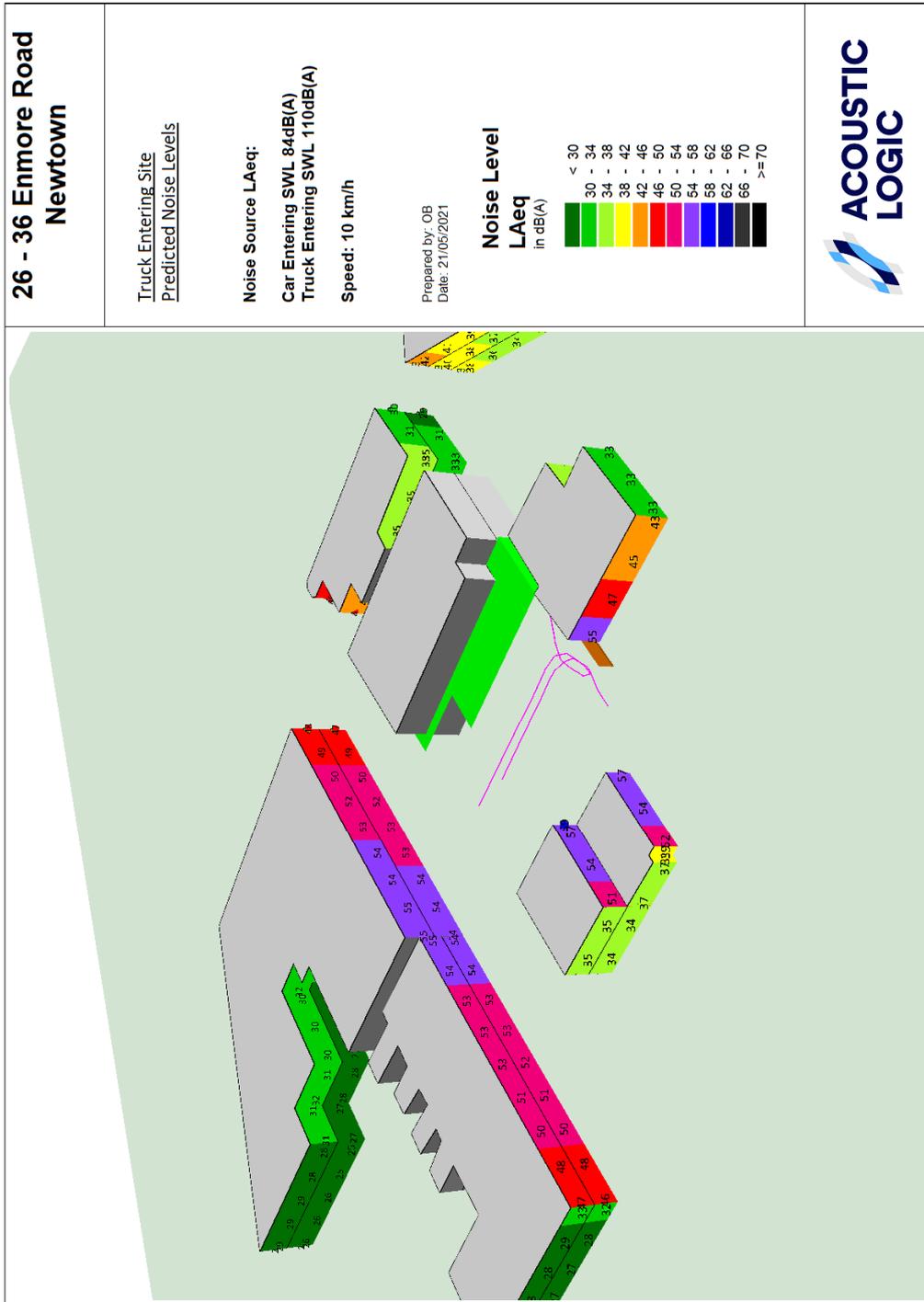


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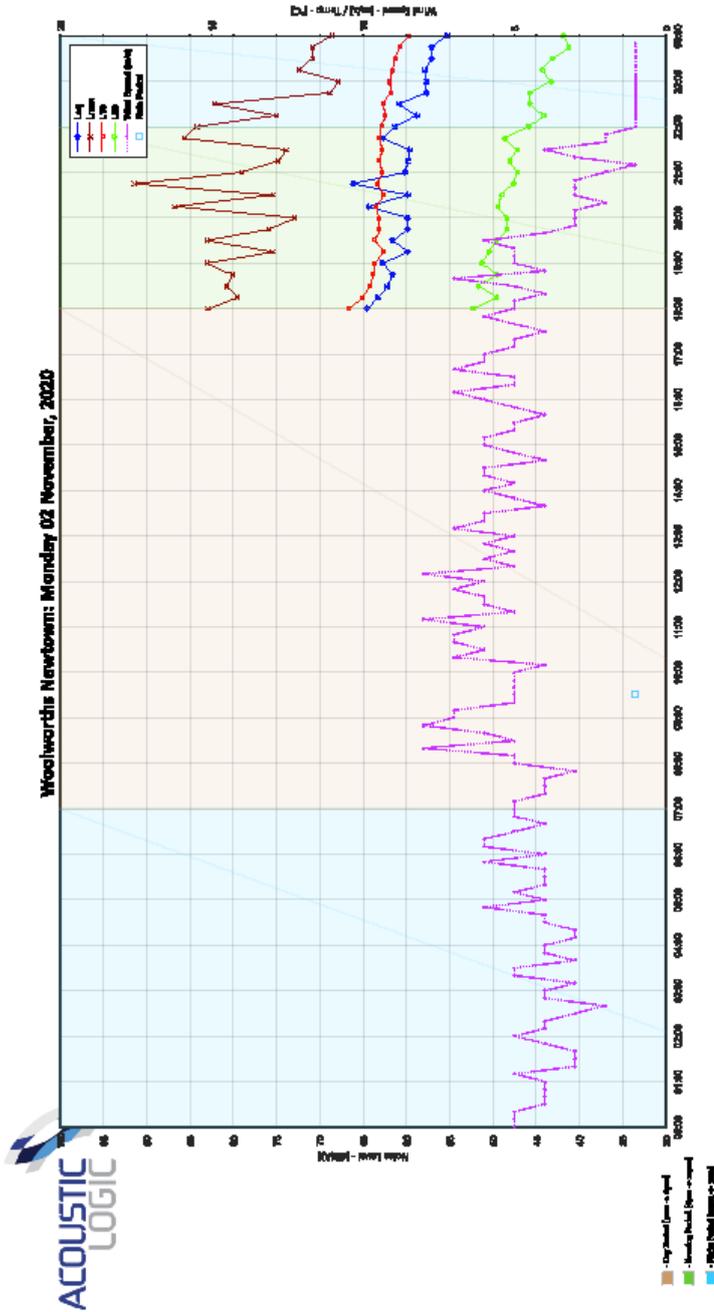


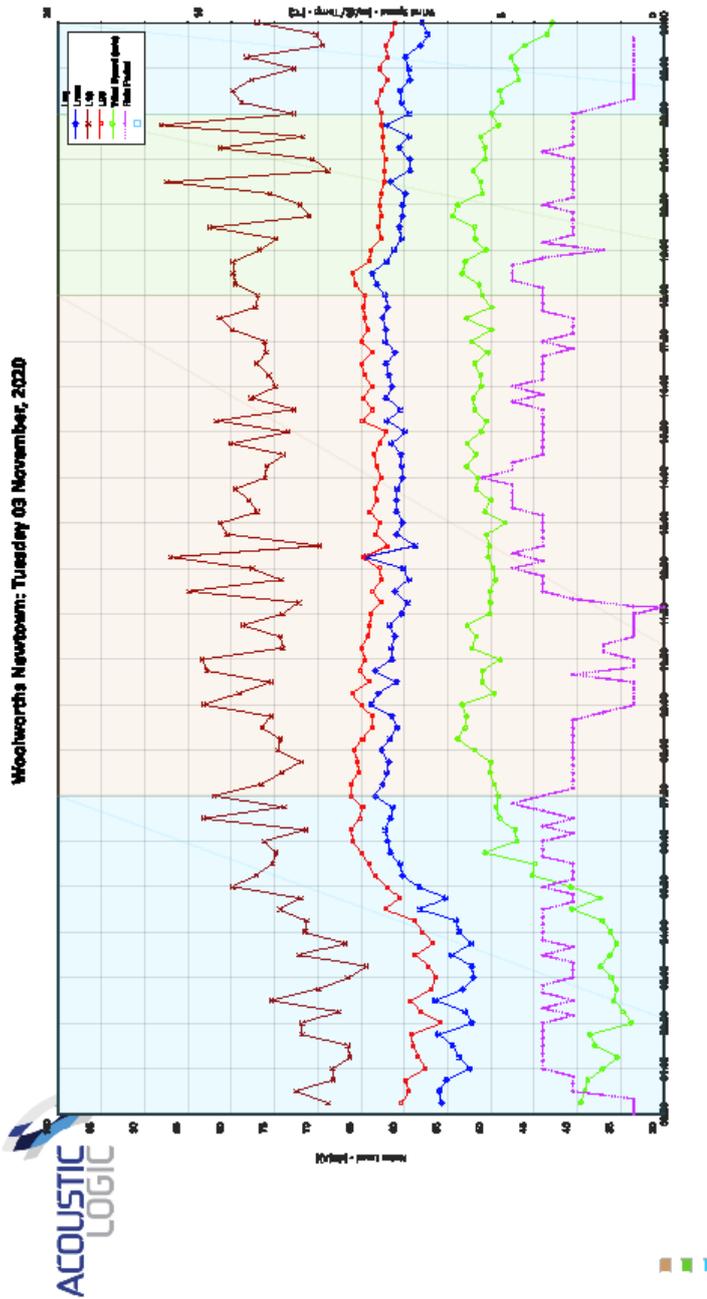


9 APPENDIX B – UNATTENDED NOISE MONITORING DATA

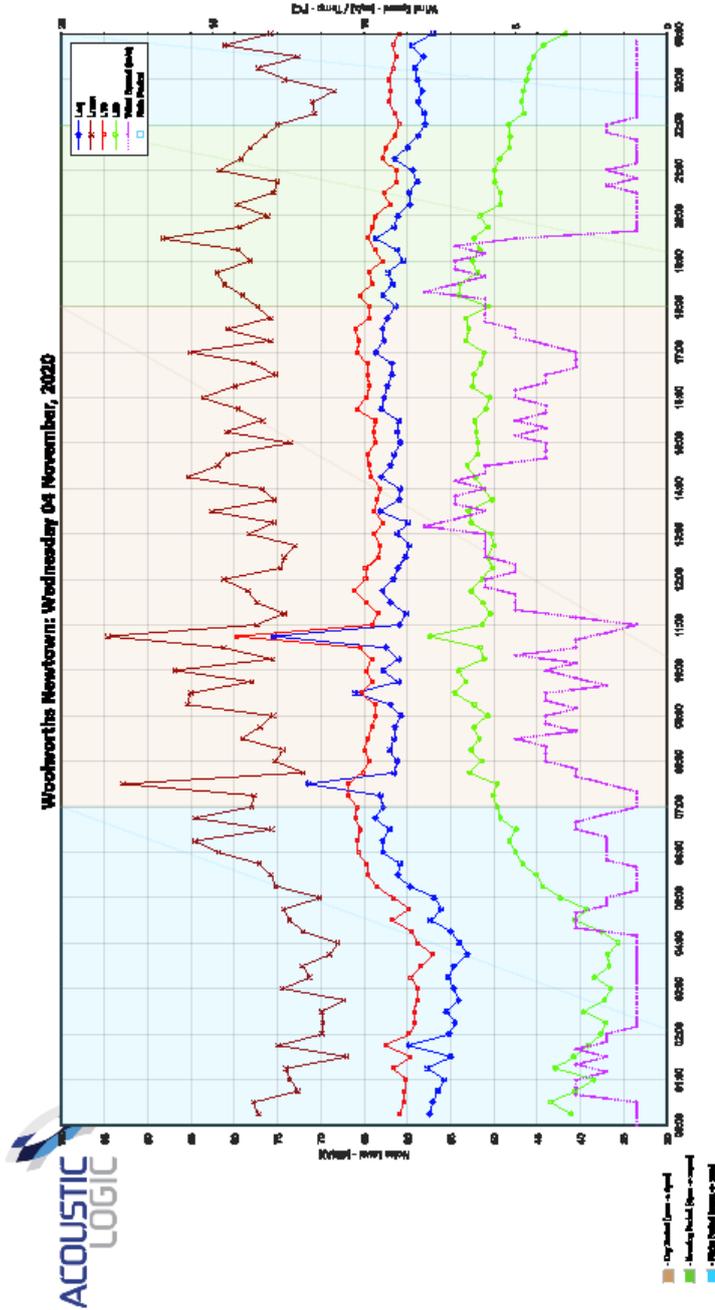
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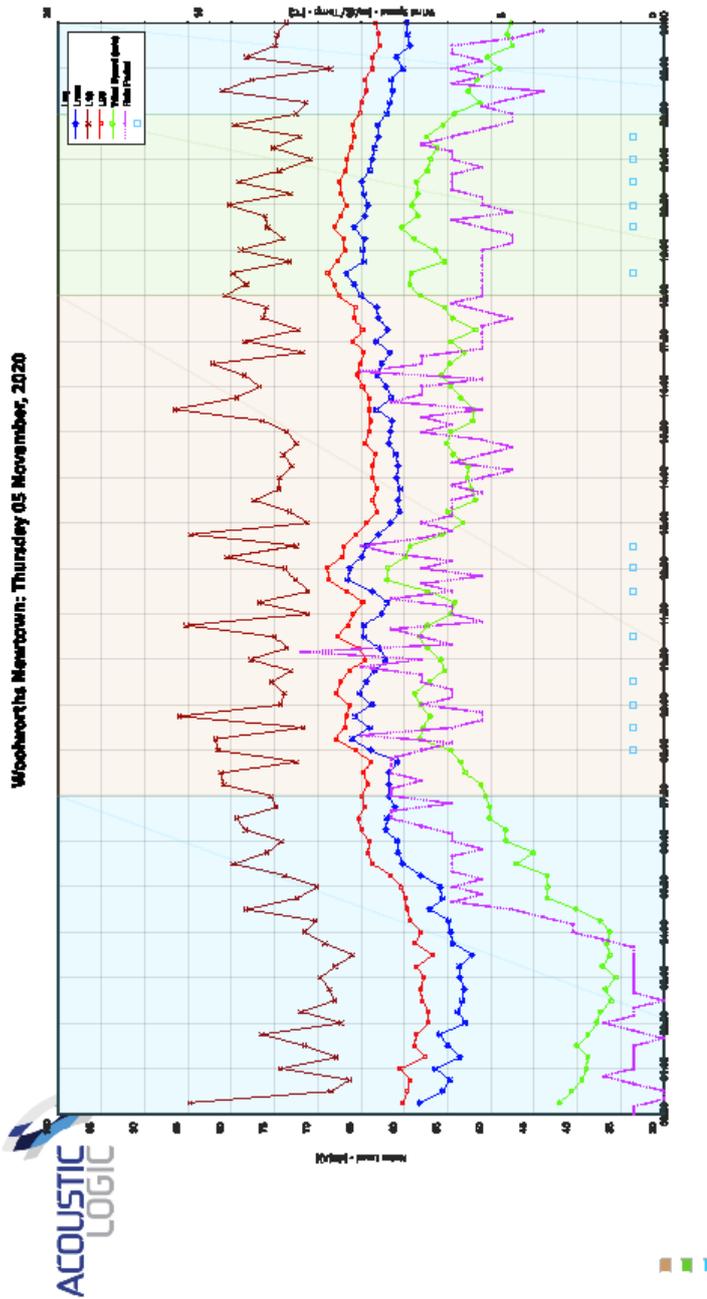
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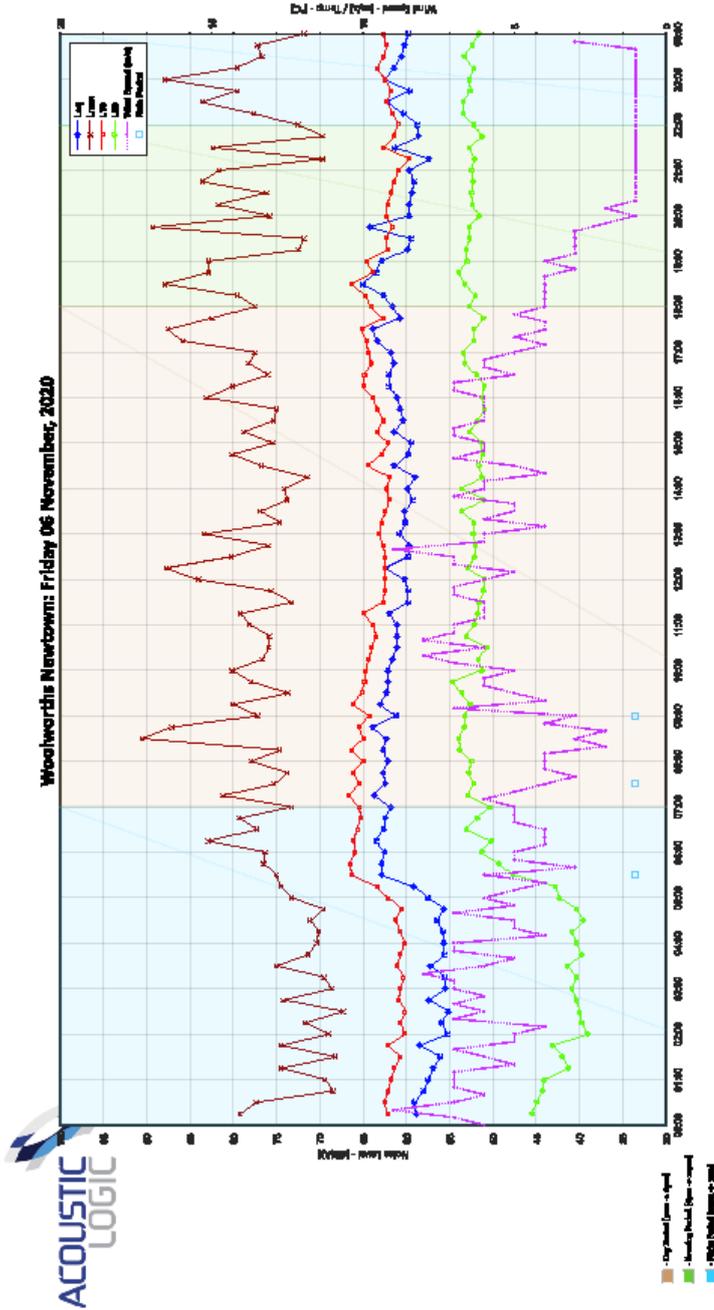


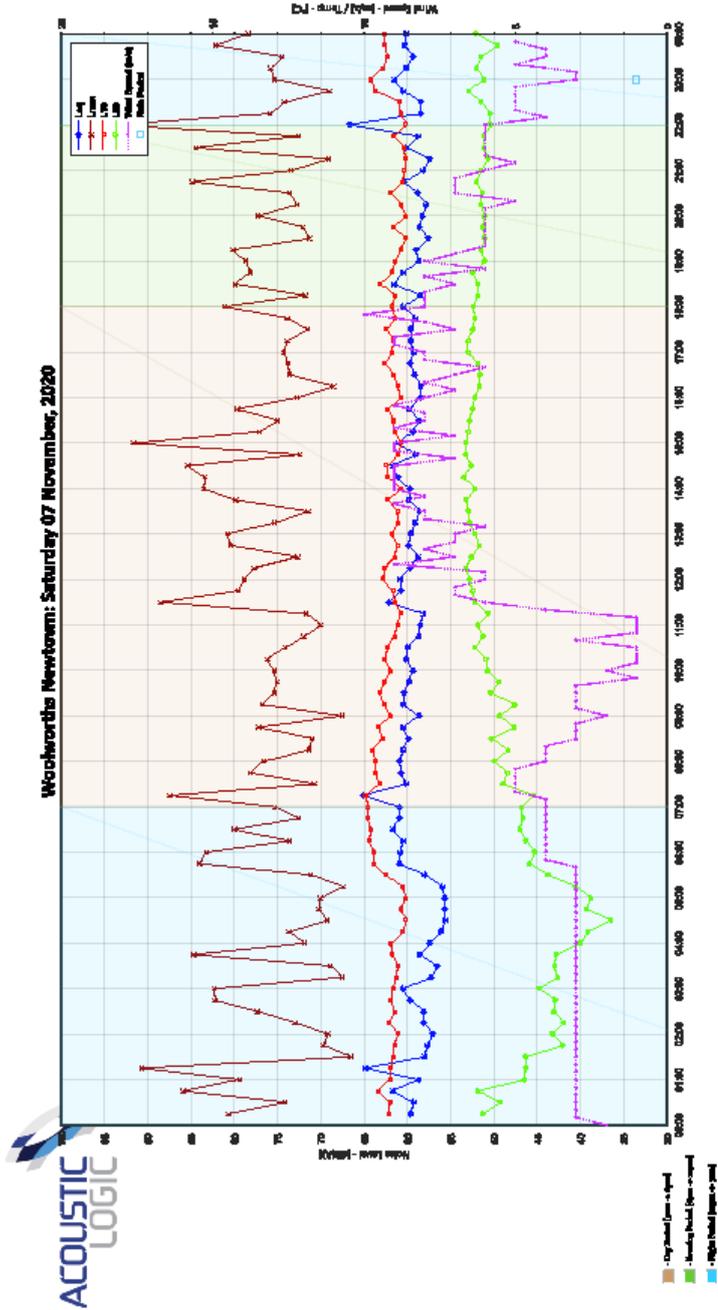


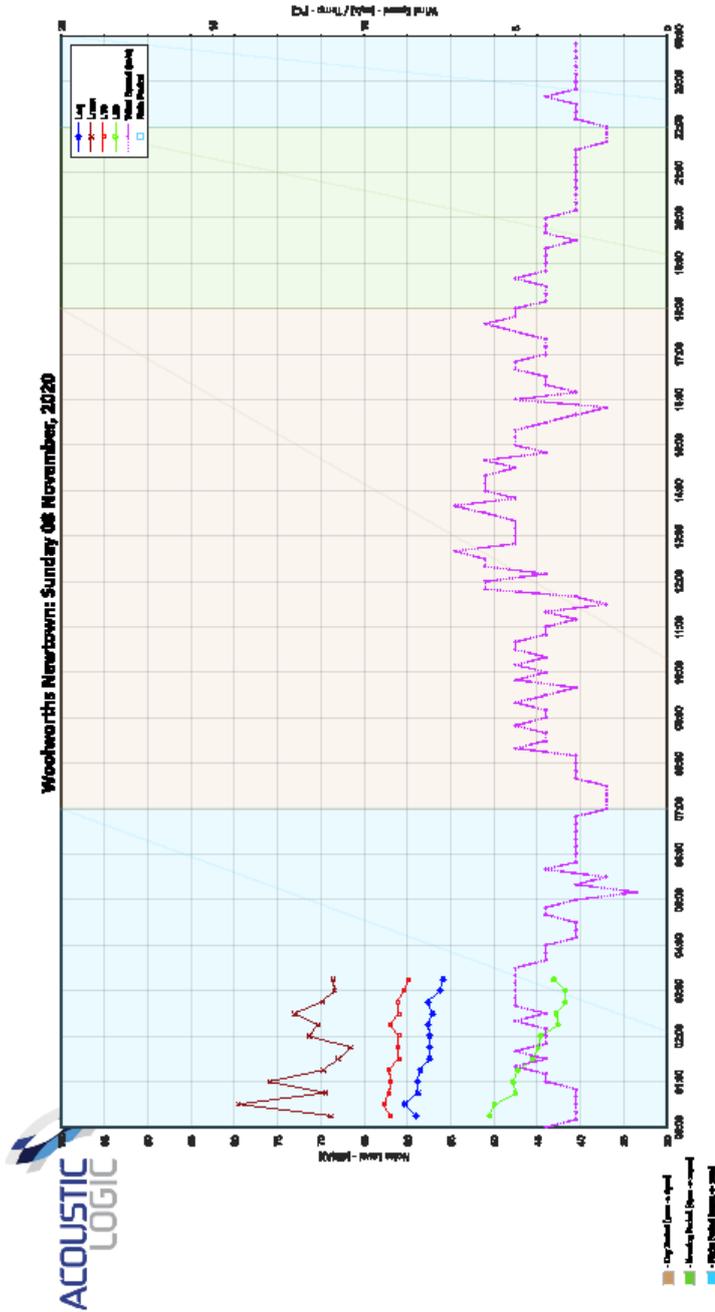
Woolworths Newport: Tuesday 09 November, 2020











Attachment E – Plan of Management

PLAN OF MANAGEMENT
26 ENMORE ROAD, NEWTOWN

Construction of a new building for the purposes of a Woolworths Metro with associated car park and online pick up



July 2022

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Plan of Management – 26 Enmore Road, Newtown

Document Set ID: 37794694
Version: 1, Version Date: 09/06/2023

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Plan of Management – 26 Enmore Road, Newtown

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1. INTRODUCTION

This Plan of Management (**POM**) has been prepared on behalf of Fabcot Pty Ltd (**Applicant**) and accompanies a development application (**DA**) submitted to Inner West Council (**Council**) for the construction of a convenience style 'Metro Pick Up' store which comprises a neighbourhood Metro store (**Metro**), and a dedicated 'Direct to Boot Pick Up' area for online orders (**Direct to Boot**).

This POM demonstrates how the proposed Metro Pick Up will be managed to minimise potential environmental and amenity impacts upon nearby residents, manage anti-social behaviour, ensure any adverse impacts are appropriately managed, minimise noise impacts from the site and ensure the day to day operation of the store runs efficiently. The store will be managed by a Woolworths dedicated Operations Team directly which is consistent with neighbourhood Metro locations throughout the state.

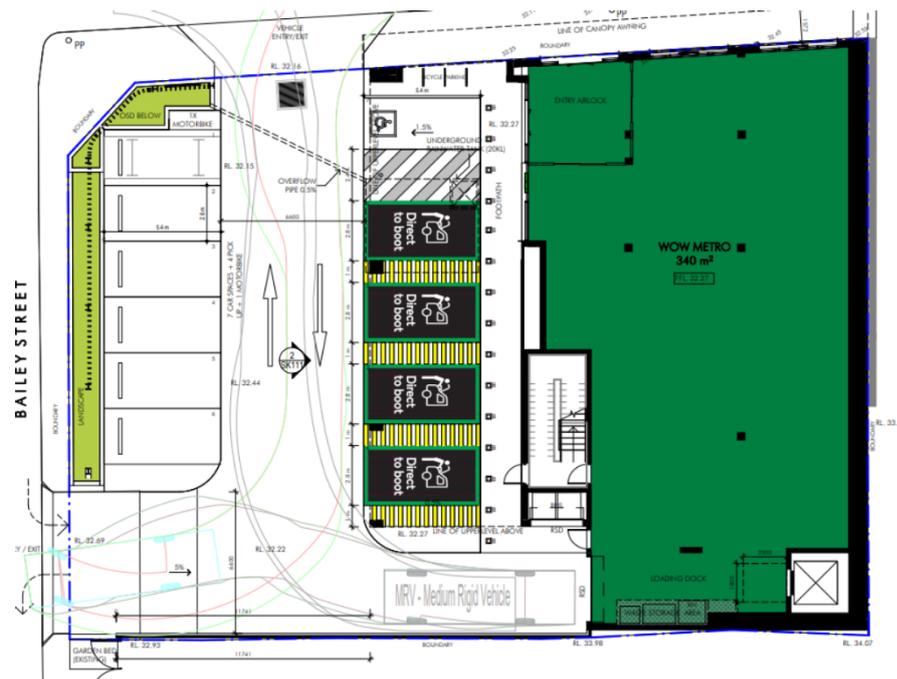
This POM will be an operational guide for the store and will be updated over time. It will be subject to review and further refinements following determination of the DA. If any changes are proposed to this PoM, then the proposed changes will be submitted to Council for approval only if the development consent also needs to be modified, in which case the proposed updated PoM will be submitted with the modification application.

2. PROPOSED DEVELOPMENT

2.1. DESCRIPTION OF DEVELOPMENT

The proposed development involves the construction of a two storey building with ground floor Metro store and Pick Up area (customer facing) and first floor for staff back of house operations / storage, with on grade parking. Four (4) of the parking spaces will be dedicated for Pick Up customers. The loading dock is similarly located on the ground floor adjacent to the car park.

Entrance to the store will be via the on grade car park or pedestrians can access directly from the street.



2.2. STORE OPERATIONS

In addition to any controls outlined in this Plan of Management, the Metro will operate in accordance with the applicable development consent conditions, any relevant Australian Standards and any applicable food regulations and standards, where applicable.

The internal store/premises area shall comprise:

- retail areas accessible by customers where goods are displayed and to be sold
- behind counter/servery areas within the selling floor area; and

- back of house staff areas including amenities and storage rooms (ambient, chilled and frozen) accessible only by staff

The store shall provide carry baskets for use by customers within the store only.

2.3. STAFF

Based on similar sized Metro food stores that have recently opened, the store will be staffed between 4 – 20 people at any given time.

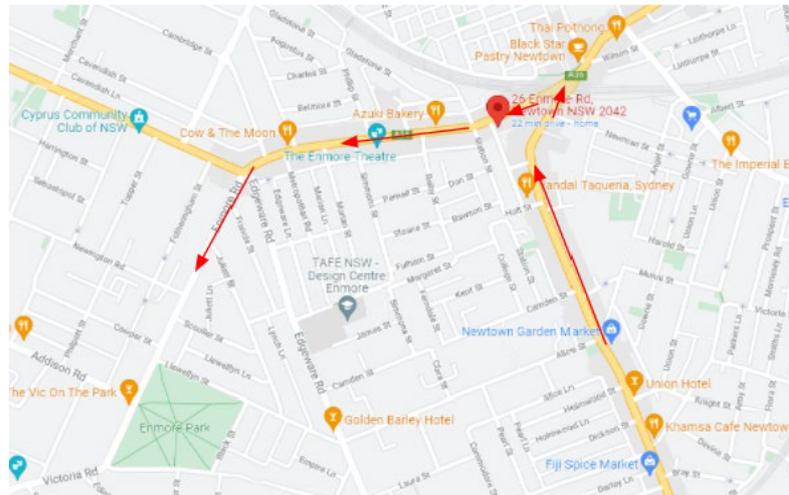
2.4. HOURS OF OPERATION

The proposed trading hours of the Metro are:

- Monday to Sunday – 7am to 10pm 7 days a week

2.5. DELIVERIES

- Deliveries will occur Monday to Sunday between 7am and 9pm (Delivery Hours)
- Loading dock management is addressed in Section 3.4 of this PoM.
- Deliveries arrive from a Woolworths Distribution Centre with a truck size of up to 8.8m in length and are required two to three times daily within the proposed delivery hours. The time taken to unload the trucks will be approx. 30 – 45 minutes per delivery.
- Additional deliveries may be required to fulfil the 'Pick Up' orders which arrive from a nearby Woolworths Supermarket or a Woolworths Distribution Centre with a truck size between 6.0m - 8.8m in length. It is anticipated that this may add a further one - two daily deliveries (subject to online demand). The time taken to unload the trucks for these deliveries will be between 15 - 30 minutes.
- In addition to the truck deliveries above, suppliers will also be undertaking deliveries (**Direct Deliveries**) in vans. The time taken to unload the vans is approx. 5 - 10 minutes and will also be contained within the dedicated dock. The truck delivery path proposes that deliveries travel from Princes Highway on to Enmore Road and continue to travel on Enmore Road after doing a delivery turning into Victoria Road (image below)



- When a delivery vehicle arrives to site and needs to access the dock, the following management process will take place:
 1. On approach to the site the truck driver contacts the store and advises that arrival is expected within 10 minutes.
 2. A team member (in a high vis jacket) goes to the loading dock and waits for the truck to arrive.
 3. Once the truck enters the car park, the team member places witches' hats across the section of the car park impacted by the truck turning circle and stops cars moving within the car park with a sign (please wait while truck reverses into dock). This should take less than a minute.
 4. Once the truck is parked in the dock the staff member removes the witches' hats and cars can manoeuvre freely within the car park.
- As the truck exits the dock in a forward direction no additional measures are required for the truck exiting the site.

3. PROPOSED MANAGEMENT

3.1. ACCESS AND SECURITY

The following security measures are proposed to improve the safety of shoppers, store employees, management staff and physical assets within the premises:

- Parking will be monitored as a means of preventing vehicles from staying in the car park for long durations.
- The loading dock will be closed and secured outside of the delivery hours.
- The store has a number of entry and exit points which will be closely and continuously monitored by CCTV. These cameras will be installed in public areas to reinforce natural surveillance.
- All areas of the car park and building entrances will be well lit, providing a clear line of sight for shoppers, directing patrons to the entry / exit. Pedestrian access to the building will have a clearly defined direct pathway.
- The buildings will be well maintained as a means of discouraging vandalism and crime.
- Internally, all signage, equipment and fixtures will create a clear sense of ownership and territorial reinforcement, delineating customer versus staff areas.

3.2. NOISE COMPLAINT MANAGEMENT

3.2.1. General

Operational noise complaint management systems will be implemented to manage impacts to adjoining residents. The Woolworths Operations team will have key performance measures in place and general complaint protocols such as:

- Once a complaint has been notified to the Woolworths Operations team either directly or via Council, it is registered.
- The complaint is then investigated.
- Appropriate steps are to be taken in a timely manner.
- The outcome is to be reported back to the owner and/or council where applicable.

To ensure the operation of the premises does not adversely impact any surrounding sensitive land uses, the following measures will be taken to minimise noise disturbances:

- The existing building is self contained in terms of the housing and operation of existing plant servicing the building including this tenancy.
- Soft nondescript background music will be played within internal areas of the store only, typical of other retail outlets. Such background music will not be audible from outside the premises.
- Any customers exiting the supermarket at night time and early morning will be informed to refrain from excess noise to respect residents in the broader surrounding area via the use of signs at the exit door.

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Plan of Management – 26 Enmore Road, Newtown

An Acoustic Impact Assessment has been prepared and submitted with the DA. The report concludes that the noise emission from operation of the Metro including store operations, loading dock, car park and traffic noise generated can satisfy the requirements of the EPA Noise Policy for Industry, EPA Road Noise Policy, Australian Standard AS2436:1981 "Guide to noise control on construction, maintenance and demolition sites and EPA - Interim Construction Noise Guidelines."

Operation hours for the loading dock, deliveries, garbage removals will not be allowed outside of the Delivery Hours being, 7am – 9pm Monday to Sunday and Public Holidays.

3.2.2. Mechanical and Refrigeration

As part of the Acoustic Impact Assessment submitted with the DA, careful consideration of the number of units and appropriate model of the rooftop plant and condenser units have been reviewed to ensure the store operations does not impact the sensitive residential receivers surrounding the site. Appropriate sound attenuation measures are intended to be provided which is referenced in the assessment report.

3.3. TROLLEY MANAGEMENT

No trolleys will be used on site. This will be a basket shop store only, catering for customers who increasingly prefer more frequent shops, for fewer items and therefore less reliant on trolleys.

Baskets will be collected by counter staff (and shopping bags provided, if requested) to ensure that customers do not take baskets into the car park, thereby avoiding the potential for baskets to be abandoned.

3.4. LOADING DOCK MANAGEMENT

The Loading Dock Management Plan will be further refined following determination of the DA and prior to an Occupation Certificate. A copy of the final loading dock management plan will be submitted to council prior to OC. The Woolworths Operations Team will be responsible for implementing the Loading Dock Management Plan. This will enforce delivery times and if required, stagger deliveries to ensure well-coordinated specialty dock access.

Loading Dock Hours of Operation

The loading dock will be operational during the Delivery Hours.

Woolworths Delivery Patterns

Woolworths plans each store's delivery patterns with great care, in order to provide efficient delivery to our stores to meet customer expectations and allay resident concerns. Deliveries from Woolworths Distribution Centres are controlled by the Transport Manager who has a complete knowledge of all delivery restrictions imposed on every store in the region. The "run sheet" for every truck departing the Distribution Centre is both electronically and manually checked by Woolworths to ensure delivery restrictions are not breached.

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Plan of Management – 26 Enmore Road, Newtown

Direct Deliveries

The store will receive a number (up to 5 per day) of daily deliveries and pickups from companies that deal directly with the Store Manager such as milk, bread, chicken, deli, eggs and general waste.

The Store Manager is responsible for liaising with nominated representatives from the direct delivery vendors (most direct delivery vendors do not own their own transport but individually task various carriers to complete respective deliveries). Each of these service providers is responsible for agreeing and adhering to a daily delivery time, in consultation with the Store Manager.

The store manager will ensure that all direct deliveries and pickups are coordinated such that vehicle movements in and out of the site will not breach timing restrictions, and do not conflict with regular warehouse deliveries scheduled by the Transport Manager. This will ensure that only one delivery vehicle needs to use the loading dock at any one time, avoiding the potential for conflict and excess delivery vehicles on site.

Pedestrian and Vehicle Safety

The Woolworths loading dock area is separated from customer access areas and customers will be discouraged from these areas. Signage will be utilised to ensure that car users and pedestrians are aware that the Loading Dock is for service vehicles only.

Complaint Management Procedures for Loading Docks

The Woolworths Store Manager is responsible for managing all store-related complaints. In their absence, the Assistant Store Manager will fulfil this function. The following steps will be undertaken:

- Upon receipt of a complaint the store manager will investigate the incident(s), put into effect any remedial action and then advise the complainant of action taken.
- The responsible Property Manager or Assistant Property Manager will be notified of any formal complaints to ensure appropriate action.
- In the instance of a distribution centre delivery vehicle problem, the store will ask the transport manager to rectify the matter. Upon rectification, the individual who made the complaint will be advised of action taken.
- Should the resident believe that the store manager has not adequately handled the matter, the resident is to be referred directly to the Woolworths Transport Manager.

3.5. GRAFFITI MANAGEMENT

Graffiti Management is detailed in two sections being the construction of the building and the operation of the store. Please note that as the store is not yet constructed the normal guidelines we have in place for the construction and management of a Metro have been detailed below.

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Plan of Management – 26 Enmore Road, Newtown

Building Construction

Woolworths has a style guide that quantifies the key requirements in its retail development projects. It provides a set of default design parameters which are expected to be achieved. Please note this is an evolving document.

Part of this style guide is the requirement for the lower 3m of any accessible wall to be treated with an anti-graffiti treatment. Subject to detailed design development, the actual treatment will be confirmed depending on the type of building material that is used.

Operation of Store

Woolworths traditionally outsources the cleaning to a contractor. This contract will include standard operating procedures and key performance measures that include how graffiti is managed. General graffiti requirements for a Woolworths development include:

- Removal of graffiti within 24 hours' notice of discovery and notification to Woolworths Operations Team.
- Where the graffiti is of a nature that it is not easily able to be removed or accessible by store cleaning staff, then a specialist graffiti consultant is required to attend the site within a reasonable time of notification to the Woolworths Operations Team.

3.6. LITTER MANAGEMENT

Presentation of our stores is of utmost importance to Woolworths and reflects our brands. Whilst the store is not yet constructed, the general litter requirements include:

Internally

- Standard Operating Procedures where bins are emptied several times a trading day – on an as required basis.
- Litter being picked up throughout the store by roaming cleaners on their circuits.
- The waste, including any liquid waste, produced by the supermarket use will be removed from the site in accordance with the Council's food handling and/or waste standards.
- Waste receptacles shall be provided within the retail areas near service locations for the benefit of customers.

Externally

- Litter being picked up within the site by roaming cleaners on their circuits.
- The centre car parks are patrolled daily and as required.

3.7. WASTE MANAGEMENT

- 3 x 1,100L bins (general and recycling) to be located in a dedicated retail waste area located at the rear of the premises. These bins will be secured and used solely by Woolworths.
- Waste collection to be undertaken three times a week through utilisation of small rigid vehicles through the Truck Delivery Path.
- For cardboard collection, bale press is located within the tenancy, with bales to be collected 2 - 3 times a week within the loading area on the property.
- A Waste Management Plan has been prepared and submitted with the DA.