





 DEVELOPMENT ASSESSMENT REPORT	
Application No.	DA/2022/0467
Address	96 Addison Road MARRICKVILLE
Proposal	demolition of existing improvements and construction of a mixed used development containing 2 commercial tenancies and 14 residential units with basement car parking
Date of Lodgement	16 June 2022
Applicant	BENSON MCCORMACK PTY LTD
Owner	CORDARO PTY LTD
Number of Submissions	Initial: 1
Value of works	\$6,766,352.00
Reason for determination at Planning Panel	Section 4.6 variation exceeds 10% SEPP 65
Main Issues	Height of building Massing and setbacks Building Envelope
Recommendation	Approved with Conditions
Attachment A	Recommended conditions of consent
Attachment B	Plans of proposed development
Attachment C	Section 4.6 Exception to Development Standards



Figure 8: Locality Map

Subject Site		Objectors		↑ N
Notified Area		Supporters		

1. Executive Summary

This report is an assessment of the application submitted to Council for demolition of existing improvements and construction of a mixed used development containing 2 commercial tenancies and 14 residential units with basement car parking at 96 Addison Road Marrickville.

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

The main issues that have arisen from the application include:

- Breach with height of building development standard
- Massing, setbacks and building envelope

The non-compliances are acceptable given that the development responds appropriately to the surrounding development and desired future character of the area. Therefore, the application is recommended for approval.

2. Proposal

The proposal is for a shop top housing development containing basement parking, two retail premises with 14 residential apartments above. The proposal contains:

Basement

- Waste and services,
- Storage
- 15 car parking spaces for residential component (3 accessible), including one accessible visitor parking space
- 2 commercial car parking spaces (1 accessible)
- 2 motorcycle parking spaces
- 15 bicycle parking spaces

Ground Floor

- Two retail premises at the front,
- Open space along western boundary,
- Services,
- Access to basement parking,
- Service & delivery area.

First Floor

- 4 x 2 bedroom units
- 2 x studio

Second Floor

- 5 x 2 bedroom units

Third Floor

- 3 x 3 bedroom units

Roof

- Roof top terrace

3. Site Description

The subject site is located on the southern side of Addison Road, between Illawarra Road and Shepherd Street, Marrickville. The site area is approximately 796.6sqm with a primary frontage of 19.94 metres to Addison Road and a secondary frontage of 18.6 metres to Handley Street. The site consists of 2 allotments (No. 94 and No. 96-96 Addison Road), which are generally rectangular in shape and legally described as Lot 2 in DP508967 and Lot 6 in DP658485.

The site is currently occupied by a part 1 and part 2 storey dwelling and rear outbuildings (94 Addison Road) and a part 1 and part 2 storey dwelling house, shed and a 2 storey warehouse building fronting Handley Street (96-98 Addison Road).

The subject sites are not listed as a heritage item and not within a heritage conservation area. The property is identified as a flood prone lot and six (6) trees are located towards the front.

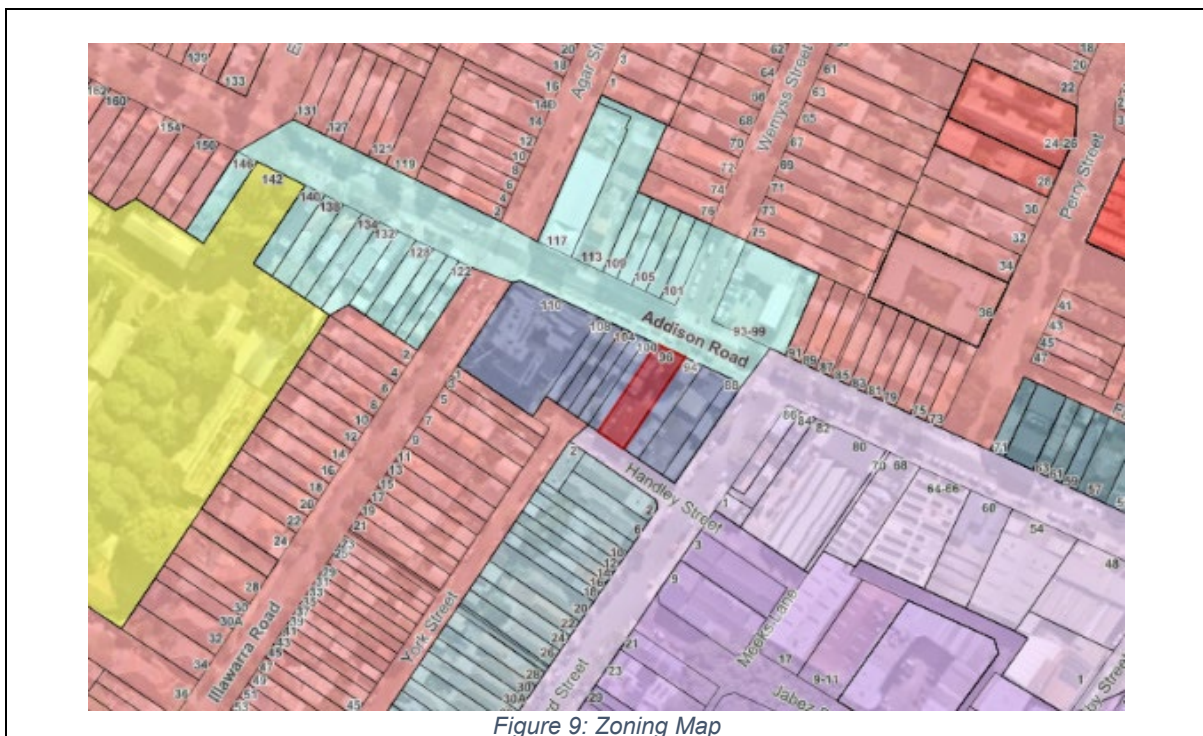


Figure 9: Zoning Map

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	Date & Decision
PDA201800205	Demolition of the existing buildings and construction of a mixed use development comprising a commercial tenancy and boarding house, with at-grade and basement parking.	17/05/2019 Advice issued
DA201900220	To demolish existing improvements and construct a 4 storey mixed use development comprising a ground floor indoor recreation facility and boarding house with basement parking	14/01/2020 Approved
PDA/2021/0357	Demolition of the existing structures and construction of shop top housing development with basement car parking.	03/12/2021 Advice issued

Surrounding properties

Application	Proposal	Date & Decision
110 Addison		
MOD/2022/0200	application under Section 4.56 of the Environmental Planning and Assessment Act 1979 to modify MOD/2021/0001 dated 20 May 2021 to amend a number of external finishes of the building including the addition of some screening and to delete a condition relating to landscaping in front of the fire hydrant	27/10/2022 Approved
MOD/2021/0001	Application under s4.56 of the EP and A Act 1979 to modify modified Land and Environment Court Order No. 1585 of 2016, dated 7 December 2016, so as to carry out changes to the basement and ground floor layout, alter finishes and the height of the topmost floor and alter stormwater management	20/05/2021 Approved
DA201600172	Demolition of existing improvements and construction of mixed commercial/residential development with basement parking and strata subdivision at 110-112 Addison Road Marrickville.	Approved 07/12/2016
35-41 Addison		
DA/2021/0688	To demolish the existing structures on site and erect a 4 part 5 storey mixed use building, containing basement car parking, 2 commercial tenancies on the ground floor fronting Addison Road and 61 affordable dwellings	12/04/2022 Deferred Commencement

4(b) Application history

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

Date	Discussion / Letter / Additional Information
08/11/2022	Council issued a request for additional information letter (RFI) to address the following issues: <ul style="list-style-type: none"> • Front setback of upper level (fronting Addison Road) inconsistent with Part 5 MDCP 2011; • Insufficient information submitted regarding Waster Sensitive Urban Design
29/11/2022	The applicant submitted amended plans and additional information in response to Council's RFI.
01/03/2023	Council met with the applicant to discuss the amended plans, raising concerns that the amended proposal (still) does not comply with the front setback control and objective, regarding the upper level, contained in Part 5 of the MDCP 2011.
09/05/2023	Council met with the applicant, advising that, after considering the matters discussed with the applicant on 01/03/2023, Council could not support the variation with the upper level front setback and issued a supplementary RFI, requesting to amend the plans accordingly.
26/05/2023	The applicant submitted amended plans in which the upper level is set back in accordance with Part 5 of the MDCP 2011.
01/06/2023	Council issued an RFI, requesting an amended schedule of finishes that reflects that amended plans submitted on 26/05/2023.
14/06/2023	The applicant submitted the amended schedule of finishes.

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 No. 65—Design Quality of Residential Apartment Development*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 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.”*

The site has been used in the past for activities which could have potentially contaminated the site. It is considered that the site will require remediation in accordance with SEPP 55.

A Stage 1 and Stage 2 Environmental Site Investigation and Remedial Action Plan (RAP) have been provided to address the management of contaminated groundwater onsite and the treatment and disposal of any contaminated soils and contamination issues prior to determination. The contamination documents have been reviewed and found that the site can be made suitable for the proposed use after the completion of the RAP. To ensure that these works are undertaken, conditions have been included in Attachment A.

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

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

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

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

Apartment Design Guide

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

The following provides further discussion of the relevant issues:

Communal and Open Space

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

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

Comment: The proposed development includes 293.6sqm of communal open space (196.1sqm on roof top and 97.5sqm on ground floor), which equates to 37% of the site area. Solar access is available to the entirety of the roof top communal open space.

Deep Soil Zones

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

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

Comment: The proposal does not include any deep soil zones. However, as outlined in the design guidance under Objective 3E-1 of the ADG,

the design criteria may not be possible on some sites...the location and building typology have limited or no space for deep soil at ground level (e.g., central business district, constrained sites, high density areas, or in centres.

The site is zoned B4 Mixed Use and is encouraged to have 100% site coverage and nil setbacks to each boundary at ground level. As such, the proposal, with regard to deep soil zones, is considered acceptable in the circumstances of this case.

In addition, as outlined elsewhere in this report, the proposal provides acceptable stormwater management and provides alternative forms of planting on the ground and first floor, and on the roof top.

Visual Privacy/Building Separation

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

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

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

Up to four storeys/12 metres

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

Comment: The nil setbacks to the front, side and rear boundaries are consistent with the prescribed or anticipated built form within the zone and the building is separated from other development, at the front and rear, by Addison Road and Handley Street.

On the subject site, the proposal provides for largely 12m of separation between habitable rooms and/or balconies and 9m of separation between habitable and non-habitable rooms. However, the northern balcony to Unit 301 (on level 3) and bedrooms towards the rear of Unit 302 are not separated by 12m; separation is approximately 8.8m. Notwithstanding, the level of separation that is provided is considered to be appropriate noting the use of privacy mechanisms and that the primary open space for Unit 301 is located to the rear.

Solar and Daylight Access

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

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

Comment: Comment: 71% (10 units) of units achieve the required level of direct solar access and 2 units (14%) do not receive direct sunlight thereby complying with the prescribed criteria.

Natural Ventilation

The ADG prescribes the following requirements for natural ventilation:

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

Comment: 11 units (79%) are naturally cross ventilated. No unit exceeds 18m in depth

Ceiling Heights

The ADG prescribes the following minimum ceiling heights:

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

Attic Spaces	1.8 metres edge of room with a 30 degree minimum ceiling slope
If located in mixed used area	3.3 for ground and first floor to promote future flexibility of use

Comment: The sections demonstrate that the floor to ceiling height of all residential units meet the minimum requirement of 2.7m. The ground floor retail spaces have a floor to ceiling height of 3.3m.

Apartment Size

The ADG prescribes the following minimum apartment sizes:

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

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

Apartment Layout

The ADG prescribes the following requirements for apartment layout requirements:

- Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.
- Habitable room depths are limited to a maximum of 2.5 x the ceiling height.
- In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8 metres from a window.
- Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space).
- Bedrooms have a minimum dimension of 3 metres (excluding wardrobe space).
- Living rooms or combined living/dining rooms have a minimum width of:
 - 3.6 metres for studio and 1 bedroom apartments.
 - 4 metres for 2 and 3 bedroom apartments.
- The width of cross-over or cross-through apartments are at least 4 metres internally to avoid deep narrow apartment layouts.

Comment: The internal apartment areas and room sizes exceed the ADG minimum. Each habitable room has a window that is 10% of the floor area. The dimensions of the bedrooms and living rooms are notated on the plans and comply with the required areas. The width of apartments exceeds 4m.

Private Open Space and Balconies

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

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

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

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

Comment: The proposed development complies with the required areas and depths for apartment balconies. The proposal also provides small balconies (5.4sqm) to the studio apartments.

Common Circulation and Spaces

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

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

Comment: The maximum number of apartments on a single core is 6 units (on level 1).

Storage

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

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

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

Comment: The proposal provides for the required areas of storage within the apartments and an area of storage within the basement.

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

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

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

Chapter 2 Infrastructure

Development likely to affect an electricity transmission or distribution network

The proposed development meets the criteria for referral to the electricity supply authority within Section 2.48 of *SEPP (Transport and Infrastructure) 2021* and has been referred for comment for 21 days.

Ausgrid raised no objection, subject to Ausgrid Underground Cables and Ausgrid Overhead Powerlines in the vicinity of the development being not interfered with. Conditions regarding these matters have been included in Attachment A.

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

Chapter 2 Vegetation in non-rural areas

The protection/removal of vegetation identified under the SEPP and gives effect to the local tree preservation provisions of Council's DCP.

The application seeks the removal of vegetation located toward the front portion of the site. A summary of the proposed tree removal is as follows:

- Removal of a *Plumaria acutifolia* (Frangipani) of medium retention value;
- Removal of a *Schflerra actinophylla* (Umbrella Tree), which is an exempt species and of low retention value;
- Removal of a *Cinnamomum camphora* (Camphor Laurel), which is of low retention value;
- Removal of a *Persea americana* (Avocado), which is of low retention value;
- Removal of a *Ficus elastica* (Rubber Tree), which is of low retention value;
- and
- Removal of a *Celtis sinensis* (Hackberry), which is of low retention value.

While it is noted that some of the trees listed above, meet the requirements of a prescribed tree, their retention should not be viewed as a constraint to the proposal, subject to replacement planting, which has been proposed.

Overall, the proposal is considered acceptable with regard to this SEPP and MDCP 2011, subject to the imposition of conditions including the requirement for replacement planting, including the provision of 2 street trees on Council's Road reserve, which have been included in the recommendation.

5(a)(vi) Local Environmental PlansInner West Local Environmental Plan 2022

The *Inner West Local Environmental Plan 2022 (IWLEP 2022)* was gazetted on 12 August 2022. As per Section 1.8A – Savings provisions, of this Plan, as the subject application was

made before the commencement of this Plan, the application is to be determined as if the *IWLEP 2022* had not commenced.

Section 4.15(1)(a)(i) of the *EPA Act 1979* requires consideration of any Environmental Planning Instrument (EPI), and Section 4.15(1)(a)(ii) also requires consideration of any EPI that has been subject to public consultation. The subject application was lodged on 16 June 2022, on this date, the *IWLEP 2022* was a draft EPI, which had been publicly exhibited and was considered imminent and certain.

Notwithstanding this, the amended provisions of the draft EPI do not alter the outcome of the assessment of the subject application.

Marrickville Local Environmental Plan 2011 (MLEP 2011)

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

- Section 1.2 - Aims of the Plan
- Section 2.3 - Zone objectives and Land Use Table
- Section 2.7 - Demolition
- Section 4.3 - Height of buildings
- Section 4.4 - Floor space ratio
- Section 4.5 - Calculation of floor space ratio and site area
- Section 4.6 - Exceptions to development standards
- Section 5.21 - Flood Planning
- Section 6.1 – Earthworks
- Section 6.5 - Development in areas subject to aircraft noise
- Section 6.6 - Airspace operations
- Section 6.20 – Design Excellence

Section 2.3 Land Use Table and Zone Objectives

The site is zoned B4 under the *MLEP 2011*. The *MLEP 2011* defines the development as:

shop top housing means one or more dwellings located above the ground floor of a building, where at least the ground floor is used for commercial premises or health services facilities.”

The development is permitted with consent within the land use table. The development is consistent with the objectives of the B4 zone.

Section 4 Principal Development Standards

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

Standard	Proposal	non compliance	Complies
Height of Building Maximum permissible: 14m	18.65m	4.65m or 33.21%	No
Floor Space Ratio Maximum permissible: 1.75:1 or 1,394.05 sqm	1.75:1 or 1,393.5sqm	-	Yes

Section 4.6 Exceptions to Development Standards

As outlined in table above, the proposal results in a breach of the following development standard:

- Section 4.3 - Height of buildings

The applicant seeks a variation to the height of buildings development standard under Section 4.3 of the Marrickville Local Environmental Plan 2011 by 33.21% (4.65 metres).

Section 4.6 allows Council to vary development standards in certain circumstances and provides an appropriate degree of flexibility to achieve better design outcomes.

In order to demonstrate whether strict numeric compliance is unreasonable and unnecessary in this instance, the proposed exception to the development standard has been assessed against the objectives and provisions of Section 4.6 of the *Marrickville Local Environmental Plan 2011* below.

A written request has been submitted to Council in accordance with Section 4.6(4)(a)(i) of the *Marrickville Local Environmental Plan 2011*. In justifying the proposed contravention of the development standard which is summarised as follows:

- Maximum proposed variation of 4.65m relates to the lift overrun.
- The site is flood affected, which has necessitated the elevation of the ground floor level. Once the freeboard has been taken into consideration, there is no habitable floor area exceeding the 14m height limit.
- The building height will not impact on the amenity of the development or adjoining properties,
- The variation does not compromise the architecture of the building or the bulk and scale of the development.
- The development will not create a negative precedent in the streetscape given the environmental constraints and limited extent of variation.
- The proposal is compliant with the floor space ratio, noting that all residential gross floor area is located below the 14m height limit
- The proposal is consistent with the objectives of the standard:
 - The flood affectation of the site results in artificial elevation of the building by 1m on the Addison Road frontage. Factoring that in, a variation is only sought to roof slab, rooftop communal open space and the access to it, including the lobby, and balustrading to the Unit 301 roof terrace.
 - The proposal, including its height, is consistent with the desired future character.
 - Given the general compliance of the development with the built form controls applying to the site, the additional overshadowing is considered acceptable in the context of this site and application.
 - A transition in density is still maintained, inclusive of the elements breaching the height.
- The proposal is consistent with the objectives of the zone:
 - The proposed uses are compatible together and within the broader precinct.
 - The proposal proposes compatible and permissible land uses in area within close proximity of bus stops, which allows to maximise public transport patronage and walking. The development provides for compliant bicycle parking and, given its accessible location, supports the encouragement of cycling in the area.

- The proposed development will see the revitalisation of the subject site through excellent design, and for the provision of an employment generating use in the form of the commercial tenancies.
- The proposed shop top housing is permissible with consent in the zone, with housing limited to the first floor and above. The ground floor and street front services commercial uses.
- The proposal provides the minimum required car parking provision only to constrain the provision of and restrict usage of cars in relation to the development. The site is within an accessible area for bus and alternative modes of transportation (GoGet and similar services), allowing for mobility beyond personal vehicle usage. The development services this outcome.

The applicant's written rationale adequately demonstrates compliance with the development standard is unreasonable in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

It is considered the development is in the public interest because it is consistent with the objectives of the B4 zone, in accordance with Section 4.6(4)(a)(ii) of the *Marrickville Local Environmental Plan 2011* for the following reasons:

The objective of the zone are:

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To support the renewal of specific areas by providing for a broad range of services and employment uses in development which display good design.
- To promote commercial uses by limiting housing.
- To constrain parking and restrict car use.

The development provides a mixed-use development, containing two retail premises, which can provide for a range of services, and residential accommodation in close proximity to public transport, while providing the minimum required amount of on-site car parking. The proposed land uses are compatible for the site and compatible with other development in the zone and wider area and the provided housing does not limit commercial uses.

In addition, the design, size, and scale of the development, as amended, is compatible with the surrounding neighbourhood.

It is considered the development is in the public interest because it is consistent with the objectives of the height of buildings development standard, in accordance with Clause 4.6(4)(a)(ii) of the *Marrickville Local Environmental Plan 2011* for the following reasons:

The objectives of the height of buildings development standard are:

- to establish the maximum height of buildings,
- to ensure building height is consistent with the desired future character of an area,
- to ensure buildings and public areas continue to receive satisfactory exposure to the sky and sunlight,
- to nominate heights that will provide an appropriate transition in built form and land use intensity.

The proposal has been subject to a detailed architecture/urban design review by Council's Architectural Excellence and Design Review Panel. The Panel was generally supportive of the architectural language of the proposal, with initial concerns addressed and resolved by the applicant through the submission of amended plans. The final design is of a quality-built form and responds to the existing locality. The proposal is a contemporary design which entails adequate articulation, fenestration and materials and detailing to provide visual interest.

The building elements that exceed the building height control are generally not perceptible from the public domain as they are sufficiently set back from the front and rear boundary and will have no material impact on the streetscape. The proposed height will therefore continue to be consistent with the desired future character of the area.

The proposal maintains satisfactory sky exposure and daylight to surrounding residential and public land uses ensuring satisfactory amenity and the proposal results in an appropriate balance in built form and land use intensity, which aligns with the built form presentation of the existing locality and the proposal provides an appropriate transition between the different zones.

The concurrence of the Planning Secretary may be assumed for matters dealt with by the Local Planning Panel.

The proposal, thereby, accords with the objective in section 4.6(1)(b) and requirements of section 4.6(3)(b) of the *Marrickville Local Environmental Plan 2011*. For the reasons outlined above, there are sufficient planning grounds to justify the departure from height of buildings development standard and it is recommended the section 4.6 exception be granted.

Section 5.21 – Flood Planning

The subject site is identified as a flood control lot and is subject to the provisions of clause 5.21 of *MLEP 2011* and Part 2.22 of *MDCP 2011*. As part of the application, the applicant has provided a detailed flood management report. This report outlines rationale for proposed floor levels and measures to ensure occupant safety during a flood event.

The proposed finished floor levels ensure that all proposed residential and non-residential areas are compatible with the flood hazard of the land. The provided flood management report includes detailed measures to ensure that residents and patrons can safely shelter in place and includes measures to manage risk to life in the event of a flood. The proposed finished floor levels and flood management plan has been reviewed by Council's engineers and is acceptable, subject to suitable conditions of consent.

Subject to conditions, the proposal is considered to meet the flood requirements of clause 5.21 of the *MLEP 2011* and Part 2.22 of *MDCP 2011*.

Section 6.1 – Earthworks

The proposal involves extensive earthworks to facilitate the basement carparking and remediation of the site. Subject to conditions of consent, which requires compliance with the recommendations made by the provided geotechnical report, and remediation action plan, the proposed development will not have detrimental effects on drainage patterns, soil stability, amenity of adjoining properties or adverse impacts on waterways or riparian land.

Subject to conditions, the proposal is compliant with the requirements of section 6.1 of the *MLEP 2011*.

Section 6.5 – Development in areas subject to aircraft noise

The subject site is identified as being within a 30-35 ANEF contour. As such the development may be subject to adverse aircraft noise. The applicant has provided an acoustic report assessing the potential acoustic impacts of aircraft noise and provided recommendations to minimise impacts. This report has been reviewed by Council Environmental Health team who outlined no objection, subject to suitable conditions of consent.

Subject to conditions, the proposal is compliant with the requirements of section 6.5 of the *MLEP 2011*.

Section 6.6 - Airspace operations

The application was referred to Sydney Airport, whose representative, raised no objection, noting, *inter alia*:

- The subject site lies within an area defined in schedules of the *Civil Aviation (Buildings Control) Regulations*, which limit the height of structures to 15.24 metres above existing ground height (AEGH) without prior approval of the Civil Aviation Safety Authority.
- The application seeks approval to a height of 28 metres Australian Height Datum (AHD).
- The approved height is inclusive of all lift over-runs, vents, chimneys, aerials, TV antennae, construction cranes etc.
- Sydney Airport advises that approval to operate construction equipment (ie cranes) should be obtained prior to any commitment to construct.

Conditions and Advisory Notes regarding the above have been included in Attachment A.

Section 6.20 – Design Excellence

The proposal has been subject to a detailed architecture/urban design review by Council's Architectural Excellence and Design Review Panel. The Panel was generally supportive of the architectural expression of the proposal, with initial concerns addressed and resolved by the applicant through the submission of amended plans.

Overall, the proposal is considered to provide a high standard of material finishes/detailing, contributes to the quality and amenity of the public domain and aligns with the existing streetscape and desired future character. The proposal is compliant with the requirements of section 6.20 of the *MLEP 2011*.

5(b) Development Control Plans

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

MDCP 2011 Part of MDCP 2011	Compliance
Part 2.1 – Urban Design	Yes
Part 2.3 – Site and Context Analysis	Yes
Part 2.5 – Equity of Access and Mobility	Yes
Part 2.6 – Acoustic and Visual Privacy	Yes
Part 2.7 – Solar Access and Overshadowing	Yes
Part 2.9 – Community Safety	Yes
Part 2.10 – Parking	Yes – see discussion
Part 2.16 – Energy Efficiency	Yes
Part 2.17 – Water Sensitive Urban Design	Yes – see discussion
Part 2.18 – Landscaping and Open Space	Yes
Part 2.20 – Tree Management	Yes – see discussion
Part 2.21 – Site Facilities and Waste Management	Yes
Part 2.24 – Contaminated Land	Yes
Part 2.25 – Stormwater Management	Yes
Part 5 – Commercial and Mixed Use Development	No – see discussion
Part 9 – Strategic Context	Yes – see discussion

The following provides discussion of the relevant issues:

Part 2.10 Parking

Car parking

The site is located in Parking Area 2 under the provisions of Part 2.10 of MDCP 2011. In accordance with control C1, a total of 17 on-site parking spaces are required (including 2 for commercial parking and 1 residential visitors space). The proposed basement has been designed to accommodate the required number of parking spaces, of which 5 are accessible.

The proposed rate of parking is compliant, and the driveway has been appropriately located to Handley Street, assisting to avoid queuing on Addison Road. Council's engineers have reviewed the proposal and raised no objections, subject to the imposition of conditions, which have been included in Attachment A.

Bike parking

In accordance with control C16, a bicycle parking rate of 1 space per 2 units (and 1 space per 10 units for visitors) and 1 per 300sqm for the retail component. This results in a requirement of 9.4 spaces for the development. In accordance with C19, motorcycle parking must be provided at a rate of 5% of car parking required, which is 1 space.

The proposal includes 15 bicycle and 2 motorcycle parking spaces within the basement of the development and, as such, complies.

Vehicle Service Area

In accordance with C24, one on-site service area must be provided, which is proposed to be located on the ground floor at the rear of the site.

Given the above, the proposal complies with Part 2.10 of the MDCP 2011.

Part 2.17 – Water Sensitive Urban Design

The proposal complies with the relevant controls of this part, noting:

- The proposal complies with *State Environmental Planning Policy - Building Sustainability Index*
- Council's development engineer has confirmed that the submitted information shows compliance with the stormwater quality control (C4) by implementing the "deemed to comply" measure contained in control C6, which requires that

all roof water is to drain to a tank which is 3,000 litres per 100m² of roof area of the development. More than 80% of the roof is to drain to the tank. The tank is to be connected to all toilets, irrigation and laundry.

Part 2.20 – Tree Management

The application seeks to remove 6 trees to accommodate the proposed development. As outlined elsewhere in this report, Council's arborist supports the tree removal, subject to replacement planting being undertaken at the completion of the works.

As outlined above, the proposal does not include any deep soil areas, despite this being a provision within Council's Tree Management DCP. Notwithstanding, Council's arborist notes that

the submitted Landscape Plans show above structure tree planting on the ground floor, level 1 and roof top. The tree species selection indicates only smalls trees will be planted. It is recommended that the design is amended to include tree species that when mature will be greater than 6 metres in height, so they are protected by the provisions of IWC Tree Management DCP. It is recommended that amended landscape plans are submitted prior to the issuing of the Construction Certificate with alternative tree species selection.

The landscape plans also indicate two (2) new street trees will be planted outside the site which is supported by the Urban Forest team.

However, since Council's arborist provided comments and recommended conditions, Council's Tree Management DCP has been amended, which includes that trees greater than 4 metres are protected. The submitted landscape plan, and planting schedule, indicates that 10 of the proposed trees have a height of 4 metres or greater. As such, it is considered that the proposed landscape plans and tree planting is acceptable as lodged.

Part 5 – Commercial and Mixed-Use Development

Upper-level massing

The proposal generally complies with control C7 as the front wall of the proposed upper level, as amended, is set back by 6m the street front of the building. While the balconies to the upper-level units at the front encroach into the 6 metre front setback, this is considered acceptable as the proposal is consistent with the relevant objectives of this part as follows:

- O5 – The proposal preserves the prevailing building frontage edge of the streetscape.
- O6 – The front wall of the fourth storey is setback by 6m (as prescribed) and the balconies that are within the 6m setback will not be visible from the street as they are

concealed by the awning of the level below. Hence, the fourth storey is subservient to the street building frontage.

Rear massing

The proposal results in a variation to control C13(i), which requires new developments to contain the rear boundary plane at a 45-degree sloping plane once above a 7.5m point, measured vertically above the ground lane level (Figure 3). The proposal (Figure 4) varies this control for a small section of the development where it relates to the second and third floor units, and balustrading to the roof top terrace.

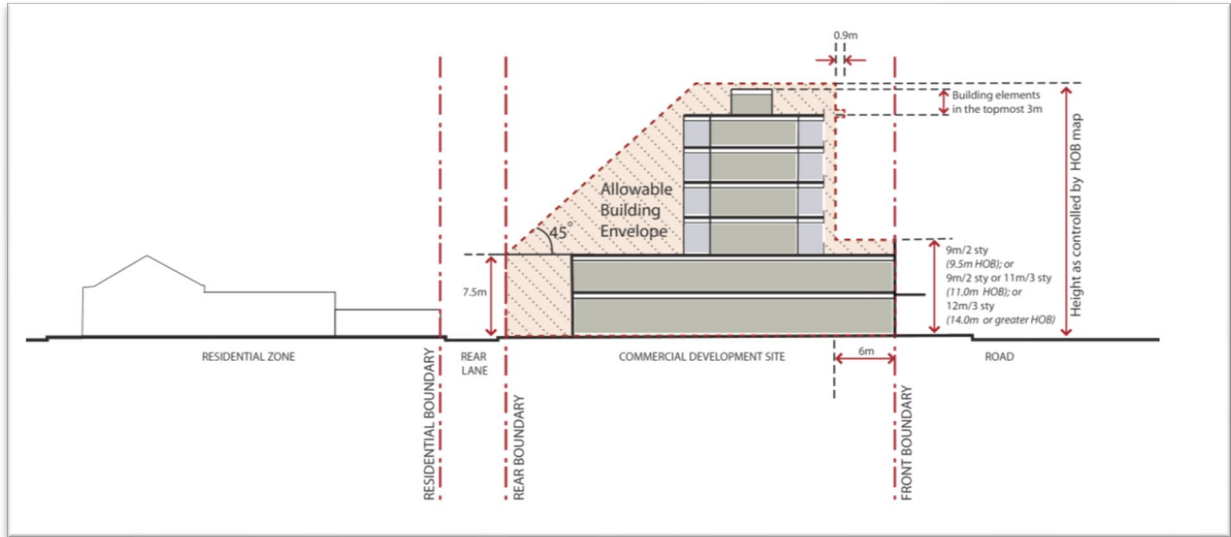


Figure 10: Building massing controls outlined by MDCP 2011

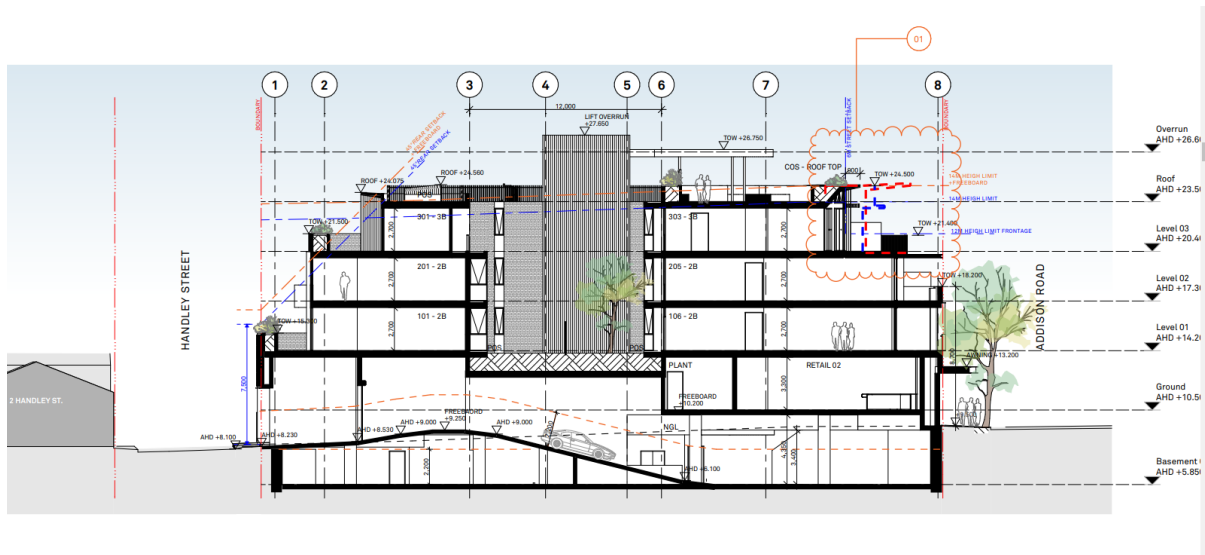


Figure 4: Rear envelope exceedance of proposed development

Notwithstanding the above, the proposal is consistent with control C13(ii), which outlines that development may exceed the in control C13(i) prescribed rear building envelope as the development will not result in undue visual bulk impacts to neighbours.

In addition, a review of the submitted shadow diagrams has also demonstrated that the development will result in a compliant rate of solar access for neighbours. Overall, it is considered that the current design has been appropriately designed to minimise the bulk/scale

and amenity impacts on neighbours and, as such, the proposed variation with control C13(i) is acceptable.

Roof-top level massing

The proposal results in a variation to control C15, which requires new development to not contain a dwelling, or part of a dwelling, within the top 3m of the maximum height control and not have structures visible from the street or be setback 3m from the side edge of the building. The intention of this control is to ensure that any roof top level massing is not visually dominant.

Unit 301 (at the rear) and Unit 303 (at the front) on Level 03 breach the maximum height limit. However, as discussed above, the fourth storey (i.e., Level 03) is set back from the front by 6 meters and the upper level is subservient to the street building frontage and this portion does not exceed the LEP height limit in this regard. The variation to the rear considered to be consistent with objective O9 as the rear massing will not result in visual bulk or other amenity impacts to properties to the rear.

Overall, the proposal has been designed with upper levels that have been appropriately setback to ensure that the built form does not visually dominate the streetscape or unduly impact on the amenity of surrounding sites.

Dwelling Mix

The proposed development does not comply with control C54 in relation to dwelling mix, which is as follows:

Size	DCP Control Span	Proposal	Complies
Studio	5-20% (minimum of 1 required)	2 (14%)	Yes
1 bedroom	10-40% (minimum of 1 required)	Nil	No
2 bedroom	40-75% (minimum of 6 required)	10 (71%)	Yes
3 bedroom	10-45% (minimum of 1 required)	2 (14%)	Yes

The applicable objectives to consider a variation to this control are O54 – O56, which state:

- *O54 To provide choice of dwelling types to meet a range of housing demographics.*
- *O55 To support social diversity of the community.*
- *O56 To allow dwelling mix flexibility to respond to different residential building types, locations and markets*

It is also appropriate to consider the ADG objective 4K-1 and the applicable design guidance in the objectives.

Objective 4K-1

A range of apartment types and sizes is provided to cater for different household types now and into the future

Design guidance

A variety of apartment types is provided

The apartment mix is appropriate, taking into consideration:

- *the distance to public transport, employment and education centres*
- *the current market demands and projected future demographic trends*
- *the demand for social and affordable housing*
- *different cultural and socioeconomic groups*

Flexible apartment configurations are provided to support diverse household types and stages of life including single person households, families, multi-generational families and group households.

In considering the above, the proposed variation is minor, noting that the proposal does not provide a 1-bedroom units; however, exceeds the minimum required number of studios, which are similar in size.

Within this neighbourhood, there is a range of different accommodation types, including 1-bedroom units, and, on that basis, it is considered appropriate to seek a minor variation and greater percentage and of studios in lieu of the one required 1-bedroom apartment.

The site is located close to public transport, and other development in the area provide for 1-bedroom apartments to accommodate the demographic.

The provided dwelling mix of the proposal is considered to be consistent with the objectives O54 – O56 and the minor non-compliance with control C54 is considered acceptable on merit.

Part 9 – Strategic Context

The subject site is located in the Victoria Road Precinct; however, the site is not located within the indicative master plan shown in Figure 4, which includes prescriptive requirements for redevelopment.

In light of the above, it is considered the provisions concerned with built form and character in Part 5 of the MDCP 2011 prevail. It is considered that the proposal is compatible with the relevant provisions of the desired future character of the precinct as follows:

- The proposal demonstrates a good urban design outcome and satisfactory levels of environmental sustainability;
- The proposal assists to provide housing and employment spaces within the precinct whilst balancing its impacts on the surrounds; and
- The proposal ensures a high level of residential amenity for future occupants and includes measures to mitigate impacts on the surrounds.

5(e) The Likely Impacts

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

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

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

5(g) Any submissions

The application was notified in accordance with the Community Engagement Framework for a period of 28 days to surrounding properties.

One (1) submission was received in response to the initial notification.

The following issue was raised which has already been addressed in the body of this report

- Breach with height of buildings development standard

5(h) The Public Interest

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

The proposal is not contrary to the public interest.

6 Referrals

6(a) Internal

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

- Development Engineer
- Urban Forest
- Environmental Health
- Waste Management Residential
- Waste Management Commercial

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.

- Ausgrid
- Water NSW
- Sydney Water
- Sydney Airport

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 \$265,093.00 would be required for the development under Inner West Council Infrastructure Contributions Plan 2023. A condition requiring that contribution to be paid is included in the recommendation.

8. Conclusion

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

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

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

9. Recommendation

- A. The applicant has made a written request pursuant to Section 4.6 of the *Marrickville Local Environmental Plan 2011*. After considering the request, and assuming the concurrence of the Secretary has been given, the Panel is satisfied that compliance with the standard is unnecessary in the circumstance of the case and that there are sufficient environmental grounds to support the variation. The proposed development will be in the public interest because the exceedance is not inconsistent with the objectives of the standard and of the zone in which the development is to be carried out.
- B. 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/2022/0467 for demolition of existing improvements and construction of a mixed used development containing 2 commercial tenancies and 14 residential units with basement car parking at 94-98 Addison Road MARRICKVILLE, subject to the conditions listed in Attachment A below.

Attachment A – Recommended conditions of consent

A-DA-310-001 Rev 4	Section AA	14/06/2023	Benson McCormack Architecture
A-DA-310-002 Rev 4	Section BB	14/06/2023	Benson McCormack Architecture
A-DA-310-003 Rev 4	Section CC	14/06/2023	Benson McCormack Architecture
A-DA-310-004 Rev 4	Section DD	14/06/2023	Benson McCormack Architecture
A-DA-310-005 Rev 4	North Facade Section - Details	14/06/2023	Benson McCormack Architecture
A-DA-310-006 Rev 4	South Facade Section - Details	14/06/2023	Benson McCormack Architecture
A-DA-620-001 Rev 4	Glazing Schedule	14/06/2023	Benson McCormack Architecture
A-DA-630-001 Rev 4	Finishes Schedule	14/06/2023	Benson McCormack Architecture
A-DA-760-001 Rev 4	Communal Open Space Area	14/06/2023	Benson McCormack Architecture
A-DA-770-001 Rev 4	Storage Diagrams 1/2	14/06/2023	Benson McCormack Architecture
A-DA-770-002 Rev 4	Storage Diagrams 2/2	14/06/2023	Benson McCormack Architecture
A-DA-810-001 Rev 4	Pre/Post Adaptable Dwelling	14/06/2023	Benson McCormack Architecture
LP01 Issue B	Landscape Plan : Ground Floor	18/04/2022	Matthew Higginson
LP02 Issue B	Landscape Plan : Level 1	18/04/2022	Matthew Higginson
LP03 Issue B	Level 3 + Schedule	18/04/2022	Matthew Higginson
LP04 Issue B	Landscape Plan : Roof	18/04/2022	Matthew Higginson
LP05 Issue B	Landscape Plan : Public Domain	18/04/2022	Matthew Higginson
LP06 Issue B	Section	18/04/2022	Matthew Higginson
1306755M_03	BASIX Certificate	25/05/2023	GAT and Associates
0007744592-01	NatHers Certificate	24/05/2023	GAT & Associates
0003949700	NatHers Certificate	25/05/2023	GAT & Associates
E19014MAR-R03F Rev 1	Remedial Action Plan	06/04/2022	geo-environmental

4782A	Arboricultural Impact Assessment	10/05/2022	TALC
2019-116 Rev 2	Acoustic Report	06/04/2022	Acoustic Noise & Vibration Solutions
22001 R04	Flood Impact Assessment Report	05/05/2022	Hydro Spatial
P221_524-2 (Access) JLS	Adaptable Housing Assessment Report	18/05/2022	Design Confidence
CERT-16229.01B	Structural Design Certificate	02/03/2022	Lindsay & Associates
E19014MAR-R02F Rev 1	Geotechnical Investigation Report	06/04/2022	geo-environmental
H-DA-00 Rev B	Legend and Sedimentation Control	21/04/2022	itm design
H-DA-01 Rev A	Basement Stormwater Drainage	15/04/2022	itm design
H-DA-02 Rev A	Ground Floor Stormwater Drainage	15/04/2022	itm design

As amended by the conditions of consent.

FEES

2. Security Deposit - Custom

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

Security Deposit:	\$67,600.00
Inspection Fee:	\$350.00

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

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

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

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

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

3. 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.

4. 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	\$177,241.00
Community Facilities	\$31,805.00
Transport	\$37,397.00
Plan Administration	\$2,932.00
Drainage	\$15,718.00
TOTAL	\$265,093.00

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:

C_{payment} = is the contribution at time of payment

C_{consent} = 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

5. Separation of Commercial and Residential Waste and Recycling

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

6. Noise – Consultant’s Recommendations

All the recommendations contained in the acoustic report prepared by Acoustic Noise & Vibration Solutions P/L, reference 2019-116REV2 dated 6 April 2022 must be implemented.

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

The site is to be remediated and validated in accordance with the recommendations set out in the Remedial Action Plan, prepared by Geo Environmental Engineering Pty Ltd, reference E19014MAR-R03F, dated 6 April 2022, the *Contaminated Land Management Act 1997* and Chapter 4 - Remediation of Land of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

8. Hazardous Materials Survey

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

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

9. Awnings with Lighting

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

10. Dry-weather Flows

Dry-weather flows of any seepage water including seepage from landscaped areas will not be permitted through kerb outlets. The basement or any below ground structure must be designed to be "fully tanked" preventing the ingress of seepage or groundwater.

11. Rock Anchors

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

12. General Terms of Approval - Water NSW

The Development is to be carried out in accordance with the General Terms of Approval from Water NSW that state:

GT0115-00001

Groundwater must only be pumped or extracted for the purpose of temporary construction dewatering at the site identified in the development application. For clarity, the purpose for which this approval is granted is only for dewatering that is required for the construction phase of the development and not for any dewatering that is required once construction is completed.

GT0116-00001

Before any construction certificate is issued for any excavation under the development consent, the applicant must: 1. apply to WaterNSW for, and obtain, an approval under the Water Management Act 2000 or Water Act 1912, for any water supply works required by the development; and 2. notify WaterNSW of the programme for the dewatering activity to include the commencement and proposed completion date of the dewatering activity Advisory Note: 3. An approval under the Water Management Act 2000 is required to construct and/or install the water supply works. For the avoidance of doubt, these General Terms of Approval do not represent any authorisation for the take of groundwater, nor do they constitute the grant or the indication of an intention to grant, any required Water Access Licence (WAL). A WAL is required to lawfully take more than 3ML of water per water year as part of the dewatering activity. 4. A water use approval may also be required, unless the use of the water is for a purpose for which a development consent is in force.

GT0117-00001

A water access licence, for the relevant water source, must be obtained prior to extracting more than 3ML per water year of water as part of the construction dewatering activity. Advisory Notes: 1. This approval is not a water access licence. 2. A water year commences on 1 July each year. 3. This approval may contain an extraction limit which may also restrict the ability to take more than 3ML per water year without further information being provided to WaterNSW. 4. Note that certain water sources may be exempted from this requirement - see paragraph 17A, Schedule 4 of the Water Management (General) Regulation 2018.

GT0118-00001

If no water access licence is obtained for the first 3ML / year (or less) of water extracted, then, in accordance with clause 21(6), Water Management (General) Regulation 2018, the applicant must: (a) record water taken for which the exemption is claimed, and (b) record the take of water not later than 24 hours after water is taken, and (c) make the record on WAL exemption form located on WaterNSW website "Record of groundwater take under exemption", and (d) keep the record for a period of 5 years, and (e) give the record to WaterNSW either via email

to Customer.Helpdesk@waternsw.com.au or post completed forms to - PO Box 398 Parramatta NSW2124 (i) not later than 28 days after the end of the water year (being 30 June) in which the water was taken, or (ii) if WaterNSW directs the person in writing to give the record to WaterNSW on an earlier date, by that date.

GT0119-00001

All extracted groundwater must be discharged from the site in accordance with Council requirements for stormwater drainage or in accordance with any applicable trade waste agreement.

GT0120-00001

The design and construction of the building must prevent: (a)any take of groundwater, following the grant of an occupation certificate (and completion of construction of development), by making any below-ground levels that may be impacted by any water table fully watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high water table elevations to prevent potential future inundation; (b)obstruction to groundwater flow, by using sufficient permanent drainage beneath and around the outside of the watertight structure to ensure that any groundwater mounding shall not be greater than 10 % above the pre-development level; and (c)any elevated water table from rising to within 1.0 m below the natural ground surface.

GT0121-00001

Construction phase monitoring bore requirements GTA: a) A minimum of three monitoring bore locations are required at or around the subject property, unless otherwise agreed by WaterNSW. b) The location and number of proposed monitoring bores must be submitted for approval, to WaterNSW with the water supply work application. c) The monitoring bores must be installed and maintained as required by the water supply work approval. d) The monitoring bores must be protected from construction damage.

GT0122-00001

Construction Phase Monitoring programme and content: a) A monitoring programme must be submitted, for approval, to WaterNSW with the water supply work application. The monitoring programme must, unless agreed otherwise in writing by WaterNSW, include matters set out in any Guide published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no Guide is current or published,

the monitoring programme must include the following (unless otherwise agreed in writing by WaterNSW): i. Pre-application measurement requirements: The results of groundwater measurements on or around the site, with a minimum of 3 bore locations, over a minimum period of 3 months in the six months prior to the submission of the approval to WaterNSW. ii. Field measurements: Include provision for testing electrical conductivity; temperature; pH; redox potential and standing water level of the groundwater; iii. Water quality: Include a programme for water quality testing which includes testing for those analytes as required by WaterNSW; iv. QA: Include details of quality assurance and control v. Lab assurance: Include a requirement for the testing by National Association of Testing Authorities accredited laboratories. b) The applicant must comply with the monitoring programme as approved by WaterNSW for the duration of the water supply work approval (Approved Monitoring Programme)

GT0123-00001

(a) Prior to the issuing of the occupation certificate, and following the completion of the dewatering activity, and any monitoring required under the Approved Monitoring Programme, the applicant must submit a completion report to WaterNSW. (b) The completion report must, unless agreed otherwise in writing by WaterNSW, include matters set out in any guideline published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no guideline is current or published, the completion report must include the following (unless otherwise agreed in writing by WaterNSW): 1) All results from the Approved Monitoring Programme; and 2) Any other information required on the WaterNSW completion report form as updated from time to time on the WaterNSW website. c) The completion report must be submitted using "Completion Report for Dewatering work form" located on WaterNSW website www.waterrns.com.au/customer-service/waterlicensing/dewatering

GT0150-00001

The extraction limit shall be set at a total of 3ML per water year (being from 1 July to 30 June). The applicant may apply to WaterNSW to increase the extraction limit under this condition. Any application to increase the extraction limit must be in writing and provide all information required for a hydrogeological assessment. Advisory note: Any application to increase the extraction limit should include the following: - Groundwater investigation report describing the groundwater conditions beneath and around the site and subsurface conceptualisation - Survey plan showing ground surface elevation across the site - Architectural drawings showing basement dimensions - Environmental site assessment report for any sites containing contaminated soil or groundwater (apart from acid sulphate soils (ASS)) - Laboratory test

results for soil sampling testing for ASS - If ASS, details of proposed management and treatment of soil and groundwater. Testing and management should align with the NSW Acid Sulphate Soil Manual

GT0151-00001

Any dewatering activity approved under this approval shall cease after a period of two (2) years from the date of this approval, unless otherwise agreed in writing by WaterNSW (Term of the dewatering approval). Advisory note: an extension of this approval may be applied for within 6 months of the expiry of Term.

GT0152-00001

This approval must be surrendered after compliance with all conditions of this approval, and prior to the expiry of the Term of the dewatering approval, in condition GT0151-00001.

Advisory note: an extension of this approval may be applied for within 6 months of the expiry of Term.

GT0155-00001

The following construction phase monitoring requirements apply (Works Approval): a. The monitoring bores must be installed in accordance with the number and location shown, as modified by this approval, unless otherwise agreed in writing with WaterNSW. b. The applicant must comply with the monitoring programme as amended by this approval (Approved Monitoring Programme). c. The applicant must submit all results from the Approved Monitoring Programme, to WaterNSW, as part of the Completion Report.

13. 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	Approved works
Tree 1, 2, 3, 4, 5 and 6 in the Arboricultural Impact Assessment Report prepared by TALC dated 10 May 2022	Removal

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

14. Residential Flat Buildings – Hot Water Systems

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

15. Residential Flat Buildings – Air Conditioning Systems

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

16. 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.

17. 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.

18. Standard Street Tree Protection

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

19. 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.

20. Works Outside the Property Boundary

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

21. Construction Cranes

Approval to operate construction equipment (i.e., cranes) must be obtained prior to any commitment to construct.

22. Ausgrid Assets

Ausgrid Underground Cables are in the vicinity of the development

Special care should be taken to ensure that driveways and any other construction activities do not interfere with existing underground cables located in the footpath or adjacent roadways.

It is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area. Information regarding the position of cables along footpaths and roadways can be obtained by contacting Dial Before You Dig (DBYD).

In addition to DBYD the proponent should refer to the following documents to support safety in design and construction:

- SafeWork Australia – Excavation Code of Practice.
- Ausgrid's Network Standard NS156 which outlines the minimum requirements for working around Ausgrid's underground cables.

The following points should also be taken into consideration.

Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed.

Should ground anchors be required in the vicinity of Ausgrid underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable.

Ausgrid Overhead Powerlines are in the vicinity of the development

The developer should refer to SafeWork NSW Document – Work Near Overhead Powerlines: Code of Practice. This document outlines the minimum separation requirements between electrical mains (overhead wires) and structures within the development site throughout the construction process. It is a statutory requirement that these distances be maintained throughout the construction phase.

Consideration should be given to the positioning and operating of cranes, scaffolding, and sufficient clearances from all types of vehicles that are expected be entering and leaving the site.

The "as constructed" minimum clearances to the mains must also be maintained. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid's website at www.ausgrid.com.au.

It is the responsibility of the developer to verify and maintain minimum clearances onsite. In the event where minimum safe clearances are not able to be met due to the design of the development, the Ausgrid mains may need to be relocated in this instance. Any Ausgrid asset relocation works will be at the developer's cost.

Additional information can be found in the Ausgrid Quick Reference Guide for Safety Clearances "Working Near Ausgrid Assets - Clearances". This document can be found by visiting the following Ausgrid website: www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries

PRIOR TO ANY DEMOLITION

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

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

24. 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.

25. Construction Traffic Management Plan – Detailed

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

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

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

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

26. 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 (92 Addison Road and 100 Addison Road) 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.

27. 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.

28. Construction Fencing

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

PRIOR TO CONSTRUCTION CERTIFICATE**29. Bin Storage Area - Residential**

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

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

The bin storage area is to meet the design requirements detailed in the Marrickville DCP 2011 and must include doorways/entrance points of 1200mm.

30. Bulky Waste Storage Area – Residential

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans demonstrating that the bulky waste storage area must meet the floor area

requirements as per the Marrickville DCP 2011 and have minimum doorways of 1200mm wide to accommodate large items.

31. Waste Transfer Route

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

If the path of transfer exceeds this gradient, a bin tug, suited to the inclination, and which meets Australian Standards in Health, Safety, Environment and Quality is to be used to move waste and recycling bins, or bulky household waste, from the basement to ground level.

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

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

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

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

34. Noise General – Acoustic Report

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

35. 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 that the design of the site drainage system complies with the following specific requirements:

- a. 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;
- b. 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.
- c. Charged or pump-out stormwater drainage systems are not permitted including for roof drainage other than for the pump-out of surface flows from the driveway from the basement;
- d. 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;
- e. 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);
- f. Details of the Height vs Storage and Height vs Discharge relationships must be submitted.
- g. Pipe and channel drainage systems including gutters must be designed to convey the one hundred (100) year Average Recurrence Interval (ARI) flows from the contributing catchment to the OSD/OSR tanks;
- h. 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;
- 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. Details of the 1 in 100-year ARI overflow route in case of failure/blockage of the drainage system must be provided;
- k. A minimum 150mm step up shall be provided between all external finished surfaces and adjacent internal floor areas;
- l. 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;
- m. The design must make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands;
- n. 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;
- o. No nuisance or concentration of flows to other properties;
- p. An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets;
- q. Only a single point of discharge is permitted to the kerb and gutter, per frontage of the site;
- r. 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;
- s. All redundant pipelines within footpath area must be removed and footpath/kerb reinstated;
- t. 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); Stormwater quality improvement devices must be installed such that stormwater flows leaving the site meet the following environmental targets:
- u.

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

- v. A water balance model must be submitted to accompany the water re-use proposal;
- w. A WSUD Strategy Report must be provided to ensure the treatment measures proposed to meet Council's water quality targets;
- x. A detailed WSUD maintenance plan outlining how all elements of the water quality treatment facility will be maintained and to record annual inspections/maintenance works to be undertaken; and
- y. 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.

36. Structural and Geotechnical Report

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

- a. The basement must be fully tanked to prevent the ingress of subsurface flows;
- b. Retaining walls must be entirely self-supporting in the event that excavation is undertaken within the road reserve adjacent to the property boundary to the depth of the proposed structure;
- c. Any existing or proposed retaining walls that provide support to the road reserve must be adequate to withstand the loadings that could be reasonably expected from within the constructed road and footpath area, including normal traffic and heavy construction and earth moving equipment, based on a design life of not less than 50 years;
- d. All components of the basement, including footings, must be located entirely within the property boundary;
- e. No adverse impact on surrounding properties including Council's footpath and road;
- f. The existing subsurface flow regime in the vicinity of the development must not be significantly altered as a result of the development;

- g. Recommendations regarding the method of excavation and construction, vibration emissions and identifying risks to existing structures or those on adjoining or nearby property; and
- h. Provide relevant geotechnical/ subsurface conditions of the site, as determined by a full geotechnical investigation.

37. Public Domain Works – Prior to Construction Certificate

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a public domain works design, prepared by a qualified practising Civil Engineer and evidence that the works on the Road Reserve have been approved by Council under Section 138 of the *Roads Act 1993* incorporating the following requirements:

- a. The public domain along all frontages of the site inclusive of footpath paving, kerb, street trees, etc. 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 concrete footpath and kerb and gutter along the frontage of the site. The kerb type (concrete or stone) must be consistent with the majority of kerb type at this location as determine by the Council Engineer;
- 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. The cross fall of the footpath must be set at 2.5%. These sections will set the alignment levels at the boundary; and
- e. Installation of stormwater outlet to the kerb and gutter.

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

38. 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. 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;
- b. Headroom at a 'sag' type grade change must be measured in accordance with Figure 5.3 of AS/NZS 2890.1-2004;
- c. Minimum headroom of 2500mm must be provided above any disabled parking space(s);

- d. 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;
- e. Longitudinal sections must be provided along both sides of the vehicular access ramp(s) and throughout the path of travel for a SRV utilising the loading bay. The sections must demonstrate that minimum headroom of 3500mm is provided;
- f. The layout and minimum dimensions of any standing area comply with clause 2.4 of AS/NZS 2890.1-2004 such that:
 - i. Car spaces adjacent to walls or fences are increased in width by an additional 300mm;
 - ii. End spaces are provided with an additional 1m aisle extension; and
 - iii. The location of columns within the carpark complies with figure 5.1 of AS/NZS 2890.1-2004.
- g. 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;
- h. 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" and
 - 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.
- i. 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;
- j. The curved section of the ramp is designed in accordance with AS/NZS 2890.1-2004 with grades measured along the inside radius;
- k. The entry security door must be set back a minimum of 5500mm from the property boundary;
- l. Loading / unloading facilities must be provided on-site in accordance with the requirements of AS2890.2 – 2002; and
- m. A bicycle storage area must be provided to accommodate 15 bicycles and be designed in accordance with relevant provisions of AS 2890.3-2015.

39. Flood Affected Site

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

- a. A structural engineer's certificate must be submitted stating that the proposed building has been designed to withstand the forces of flood water, debris and buoyancy up to the 1 in 100-year flood level;
- b. Flood levels are not increased by more than 10mm by the proposed filling;
- c. The flood liability of the buildings on surrounding properties is not increased;
- d. All habitable floor levels must be set at RL 10.50m AHD (flood level plus 500mm freeboard). All structures below RL 10.50m AHD must be constructed from flood compatible materials;

- e. Entry crest to any underground carpark must be set at RL 9.25 m AHD (flood level plus 500mm freeboard);
- f. All electrical equipment and wiring must be waterproofed or installed at or above RL 10.50 m AHD; and
- g. All fences/doors/gates within the flood storage area must be of an open type so as to allow for the free flow of water throughout the flood storage area.

40. Flood Risk Management Plan

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a Flood Risk Management Plan prepared and certified by a suitably qualified Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng). The Plan must be prepared/amended to make provision for the following:

- a. The plan must be generally in accordance with the recommendations of the Flood Impact Assessment Report prepared by HydroSpatial Pty Ltd and dated May 2022;
- b. Recommendations on all precautions to minimise risk to personal safety of occupants and the risk of property damage for the total development. Such recommendations must be consistent with the approved development. The flood impacts on the site must be assessed for the 100-year ARI and Probable Maximum Flood (PMF) storm events. The precautions must include but not be limited to the following:
 - i. Types of materials to be used to ensure the structural integrity of the building to immersion and impact of velocity and debris;
 - ii. Waterproofing methods, including electrical equipment, wiring, fuel lines or any other service pipes or connections;
 - iii. Flood warning signs/depth indicators for areas that may be inundated;
 - iv. A flood evacuation strategy; and
 - v. On-site response plan to minimise flood damage, demonstrating that adequate storage areas are available for hazardous materials and valuable goods above the flood level.
- c. All works must be designed to comply with the Standard for Construction of Buildings in Flood Hazard Areas in accordance with Section 3.10.3 of the Building Code of Australia. Note that some terms defined in this standard have equivalent meaning to terms used in Council's Development Control Plan as listed below:
 - i. Building Code of Australia;
 - ii. Defined flood level (DFL) 100-year Average Recurrence Interval flood level;
 - iii. Defined flood event (DFE) 100-year Average Recurrence Interval flood; and
 - iv. Flood hazard level (FHL) Flood Planning Level (FPL).

41. Power Pole Relocation

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with evidence that the power and any Ausgrid services are relocated to a position clear of the proposed vehicular crossing.

42. 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.

43. 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

44. Acoustic Report – Aircraft Noise

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

45. Fibre-ready Facilities

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

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

46. Consolidation of Lots

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

If there are any changes to the number of occupancies including any additional occupancies created, a street numbering application must be lodged and approved by Council's GIS team before any street number is displayed.

47. 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.

48. Future Food Use - Mechanical Ventilation Provision

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

DURING DEMOLITION AND CONSTRUCTION**49. 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.

50. 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.

51. Imported Fill Materials

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

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

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

52. 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.

53. Survey Prior to Footings

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

PRIOR TO OCCUPATION CERTIFICATE

54. 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* and conditions of Council's approval, including any recommendations of the acoustic report referenced in the conditions of the approval. The acoustic report is to be prepared by a suitably qualified and experienced acoustic consultant and any recommendations must be consistent with the approved plans.

55. Noise From Road, Rail & Aircraft – Compliance

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

- a. *State Environmental Planning Policy (Infrastructure) 2007*;
- b. NSW Planning, Development near Rail Corridors and Busy Roads – Interim Guideline;
- c. Australian Standard 2021-2000: Acoustics - Aircraft noise intrusion - Building siting and construction;
- d. conditions of development consent; and
- e. Recommendations of acoustic report prepared by Acoustic Noise & Vibration Solutions P/L dated 6 April 2022, REF 2019-116Rev2

56. Contamination – Disposal of Soil

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

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

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

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

58. 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; 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".

59. 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.

60. 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 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; and
- b. 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).

61. 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 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.

62. 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.

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

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

- a. Restrictions on the Use of Land related to on Site Stormwater Detention System or stormwater quality improvement devices;
- b. Positive Covenant related to on-site stormwater detention and/or retention system; and
- c. Positive Covenant related to stormwater quality improvement devices.

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

64. No Weep Holes

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with evidence that any weep holes to Council road or footpath resulting from the building works have been removed.

65. Undergrounding Power – Major development

Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that the existing overhead power cables along all Road frontages of the site have been relocated underground with appropriate street lighting and new steel standard poles. The street lighting must be designed in accordance with Australian Standard AS1158-Road Lighting and the Network Standards of Ausgrid and must meet the lighting category required by Council and RMS. In addition the design must also comply with AS4282 to ensure that no injury is caused to the amenity of the surrounding area by light overspill or obtrusive light.

66. Flood Risk Management Plan - Certification

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

67. Redundant Vehicle Crossing

Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that all redundant vehicular crossings to the site have been removed and replaced by kerb and gutter and footpath paving in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications". Where the kerb in the vicinity of the redundant crossing is predominantly stone the replacement kerb must also be in stone.

68. Aircraft Noise

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

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

69. Smoke Alarms - Certification of upgrade to NCC requirements

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

70. Section 73 Certificate

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

71. Planting of Street Trees

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

- a. Two (2) street trees have been planted in accordance with the Landscape Plan, referenced in condition 1 and comply with the following requirements:
 - i. Street tree(s) must be located and planted in accordance with the Street Tree Master Plan;
 - ii. The replacement street tree species must be *Pyrus ussuriensis*;
 - iii. The tree must be grown and certified that it complies with AS2303:2018—*Tree stock for landscape use* to ensure quality trees and more successful establishment;
 - iv. The new street trees must be a minimum container size of 200 litres and a minimum height of 3.5 - 4.5 metres;
 - v. The street tree(s) must be planted by a practicing Arborist or Horticulturist;
 - vi. The tree pit dimensions and staking detail must be in accordance with Detail 3 on page 130 of the Marrickville Street Tree Master Plan 2014;
- b. The trees and tree pits must be inspected by Council's Urban Forest Team before and after planting.
- c. A copy of a maintenance agreement with a practicing Horticulturist or Arborist for a minimum period of twelve (12) months commencing on the planting date. Maintenance includes, but is not limited to, watering, weeding, removal of rubbish from tree base, pruning, fertilizing, pest and disease control and any other operations to maintain a healthy robust tree.
- d. At the end of the twelve (12) month maintenance period, written approval must be obtained from Council before hand-over of any street tree to Council.
- e. If a street tree has been replaced due to maintenance deficiencies during the twelve (12) month maintenance period, the twelve (12) month maintenance period will start again from the date that the street tree is replaced.

ON-GOING

72. 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.

73. Commercial Bins and Reusable Item Storage

All commercial bins and re-usable items such as crates and trays are to be stored within the site.

74. Bin Storage

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

75. 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.

76. Commercial Waste/Recycling Collection

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

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

77. 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.

78. Loading/unloading on site

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

79. Flood Risk Management Plan

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

80. Use of Premises

Any future use of the commercial premises must be subject to a future approval under a Complying Development Certificate or Development Application.

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

Council should be notified of bin requirements three weeks prior to the occupation of the building to ensure timely delivery. Should the property wish to order 660L bins, Council must be notified three months prior to occupation to ensure timely delivery.

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

Recycling / Garbage / Organics Service Information and Education

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

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.

Asbestos Removal

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

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

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

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

Rock Anchors

If you are seeking to use temporary anchors, you must make a request for approval for a Permit under Section 138 of the Roads Act 1993. The submission would need to be supported

by an engineering report prepared by a suitably qualified Structural Engineer, with supporting details addressing the following issues:

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

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. The freeboard from maximum water surface level to the finished floor and garage levels are at or above the minimum required in Council's Stormwater Management DCP/Code;
- h. Basement car park pumps are class one zone two; and
- i. OSR pumps and SQIDS have been installed and commissioned.

c. Restriction-As-To-User

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

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

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

d. A Maintenance Schedule.

Insurances

Any person acting on this consent or any contractors carrying out works on public roads or Council controlled lands is required to take out Public Liability Insurance with a minimum cover

of twenty (20) million dollars in relation to the occupation of, and approved works within those lands. The Policy is to note, and provide protection for Inner West Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public property.

Prescribed Conditions

This consent is subject to the prescribed conditions of consent within 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.

Notification of commencement of works

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

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

Dividing Fences Act

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

Permits from Council under Other Acts

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

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

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

Noise

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

Amenity Impacts General

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

Fire Safety Certificate

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

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

Every 12 months after the Final Fire Safety Certificate is issued the owner must obtain an Annual Fire Safety 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.

Construction of Vehicular Crossing

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

Lead-based Paint

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

children or pregnant women may be exposed, and work areas should be thoroughly cleaned prior to occupation of the room or building.

Dial before you dig

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

Useful Contacts

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

www.sydneywater.com.au

Waste Service - SITA 1300 651 116
Environmental Solutions

www.wasteservice.nsw.gov.au

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

WorkCover Authority of NSW 13 10 50

www.workcover.nsw.gov.au

Enquiries relating to work safety and asbestos removal and disposal.

Street Numbering

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

Tree Planting (Sydney Water)

Certain tree species placed in close proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Sydney Water requires that all proposed or removed trees and vegetation included within the proposal adhere to the specifications and requirements within Section 46 of the Sydney Water Act (1994) and Diagram 5 – Planting Trees within our Technical guidelines – Building over and adjacent to pipe assets. Please note these guidelines include more examples of potential activities impacting our assets which may also apply to your development.

If any tree planting proposed breaches our policy, Sydney Water may need to issue an order to remove every tree breaching the act, or directly remove every tree breaching the Act and bill the developer or Council for their removal.

Trade Wastewater Requirements (Sydney Water)

If this development is going to generate trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. You must obtain Sydney Water approval for this permit before any business activities can commence. It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission.

The permit application should be emailed to Sydney Water's Business Customer Services at businesscustomers@sydneywater.com.au

A Boundary Trap is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.

If the property development is for Industrial operations, the wastewater may discharge into a sewerage area that is subject to wastewater reuse. Find out from Business Customer Services if this is applicable to your development.

Backflow Prevention Requirements (Sydney Water)

Backflow is when there is unintentional flow of water in the wrong direction from a potentially polluted source into the drinking water supply.

All properties connected to Sydney Water's supply must install a testable Backflow Prevention Containment Device appropriate to the property's hazard rating. Property with a high or medium hazard rating must have the backflow prevention containment device tested annually. Properties identified as having a low hazard rating must install a non-testable device, as a minimum.

Separate hydrant and sprinkler fire services on non-residential properties, require the installation of a testable double check detector assembly. The device is to be located at the boundary of the property.

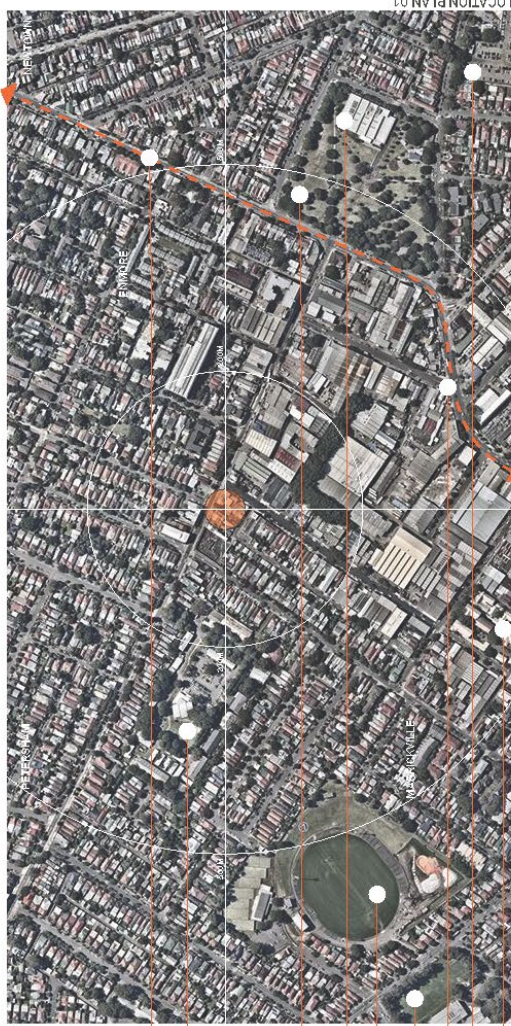
Before you install a backflow prevention device:

1. Get your hydraulic consultant or plumber to check the available water pressure versus the property's required pressure and flow requirements.
2. Conduct a site assessment to confirm the hazard rating of the property and its services. Contact PIAS at NSW Fair Trading on 1300 889 099.

For installation you will need to engage a licensed plumber with backflow accreditation who can be found on the Sydney Water website: <https://www.sydneywater.com.au/plumbing-building-developing/plumbing/backflowprevention.html>

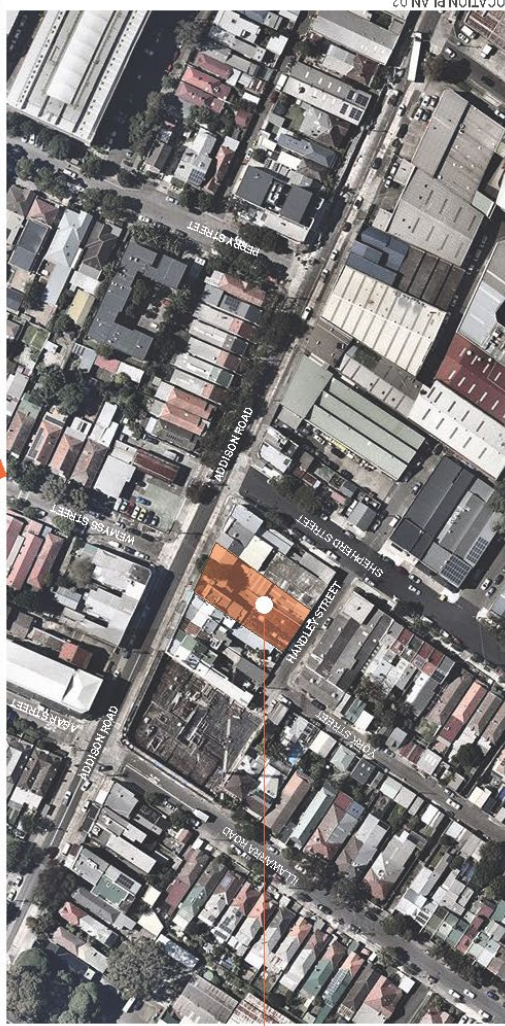
Attachment B – Plans of proposed development





LOCATION PLAN 01

- ENMORE ROAD
- COMMUNITY CENTRE & MARKET
- ENMORE PARK
- ANNETTE KELLERMAN AQUATIC CENTRE
- HENSON PARK
- MARRICKVILLE HIGH SCHOOL
- VICTORIA ROAD
- MARRICKVILLE METRO
- MARRICKVILLE PUBLIC SCHOOL



LOCATION PLAN 02

THE SITE
94-98 ADDISON ROAD MARRICKVILLE NSW 2204 AUSTRALIA



CLIENT
CORDARO PTY LTD
10/100-102/104-106/108/110/112/114/116/118/120/122/124/126/128/130/132/134/136/138/140/142/144/146/148/150/152/154/156/158/160/162/164/166/168/170/172/174/176/178/180/182/184/186/188/190/192/194/196/198/200/202/204/206/208/210/212/214/216/218/220/222/224/226/228/230/232/234/236/238/240/242/244/246/248/250/252/254/256/258/260/262/264/266/268/270/272/274/276/278/280/282/284/286/288/290/292/294/296/298/300/302/304/306/308/310/312/314/316/318/320/322/324/326/328/330/332/334/336/338/340/342/344/346/348/350/352/354/356/358/360/362/364/366/368/370/372/374/376/378/380/382/384/386/388/390/392/394/396/398/400/402/404/406/408/410/412/414/416/418/420/422/424/426/428/430/432/434/436/438/440/442/444/446/448/450/452/454/456/458/460/462/464/466/468/470/472/474/476/478/480/482/484/486/488/490/492/494/496/498/500/502/504/506/508/510/512/514/516/518/520/522/524/526/528/530/532/534/536/538/540/542/544/546/548/550/552/554/556/558/560/562/564/566/568/570/572/574/576/578/580/582/584/586/588/590/592/594/596/598/600/602/604/606/608/610/612/614/616/618/620/622/624/626/628/630/632/634/636/638/640/642/644/646/648/650/652/654/656/658/660/662/664/666/668/670/672/674/676/678/680/682/684/686/688/690/692/694/696/698/700/702/704/706/708/710/712/714/716/718/720/722/724/726/728/730/732/734/736/738/740/742/744/746/748/750/752/754/756/758/760/762/764/766/768/770/772/774/776/778/780/782/784/786/788/790/792/794/796/798/800/802/804/806/808/810/812/814/816/818/820/822/824/826/828/830/832/834/836/838/840/842/844/846/848/850/852/854/856/858/860/862/864/866/868/870/872/874/876/878/880/882/884/886/888/890/892/894/896/898/900/902/904/906/908/910/912/914/916/918/920/922/924/926/928/930/932/934/936/938/940/942/944/946/948/950/952/954/956/958/960/962/964/966/968/970/972/974/976/978/980/982/984/986/988/990/992/994/996/998/1000

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**BENSON
McCORMACK
ARCHITECTURE**

Document: 94-98 ADDISON ROAD MARRICKVILLE NSW 2204
Version: 1.1, Version Date: 13/06/2023

DRAWING TITLE	
GENERAL	SITE LOCATION
PROJECT No	94A
2146	94-98 ADDISON ROAD MARRICKVILLE NSW 2204
DRAWING No	00
A-DA-000-002	00
SCALE	@A3
PROJECT STATUS	DEVELOPMENT APPLICATION
REV	D4

AMENDMENTS	
CRK	Description
GM	DA ISSUE 02
GM	DA ISSUE 03
GM	DA ISSUE 03 - ADD INFO

PROJECT	
Ref	94A
Date	16/06/2023
20/12/2023	00
18/02/2023	00
14/02/2023	00

LEGEND	
Symbol	Description



LOCATION PLAN 03

THE SITE
94-98 ADDISON ROAD MARRICKVILLE NSW 2204 AUSTRALIA



LOCATION PLAN 04

THE SITE (CIRCA 1943)
94-98 ADDISON ROAD MARRICKVILLE NSW 2204 AUSTRALIA



**BENSON
McCORMACK
ARCHITECTURE**

Document: **Site Plan 03&04**
Version: 1.1, Version Date: 13/06/2023

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CLIENT
CORDARO PTY LTD
100/100 WOODVILLE NSW 2046
AUSTRALIA

LEGEND

AMENDMENTS

CHK	Description	Date	Rev
GM	DA ISSUE 02	20/11/2023	00
GM	DA ISSUE 03	18/02/2023	00
GM	DA ISSUE 03 - ADD INFO	18/02/2023	00

PROJECT

Ref: **94A**
Site: **94-98 ADDISON ROAD MARRICKVILLE NSW 2204**
Project No: **2104**
Drawing No: **A-DA-000-003**

DRIVING TITLE

GENERAL
Site Context Plan

Scale: **0:400**

Project Status: **DEVELOPMENT APPLICATION**

Rev: **D4**

Author: **DP**

Check: **DP**

Drawn: **DP**

Rev: **D4**

Scale: **0:400**

Project Status: **DEVELOPMENT APPLICATION**

Client: **CORDARO PTY LTD**

Site: **94-98 ADDISON ROAD MARRICKVILLE NSW 2204**

Project No: **2104**

Drawing No: **A-DA-000-003**

Version: **1.1**

Date: **13/06/2023**



CLIENT
CORDARO PTY LTD
 1/115 WILSON ROAD, WILSONVILLE NSW 2204
 AUSTRALIA

LEGEND

AMENDMENTS		PROJECT	
GM	Direction	Rev	94A
GM	DA ISSUE 02	CS	14/08/2023
GM	DA ISSUE 03	CS	28/12/2022
GM	DA ISSUE 03 - ADD INFO	CS	18/09/2023
GM	DA ISSUE 03 - ADD INFO	CS	14/08/2023

DRAWING TITLE
GENERAL
Site Photographs
 PROJECT No: 2750A
 DRAWING No: A-DA-000-004
 DRAWN: DB
 REV: 04

Document No: DA-23-01-0039. Issued and/or amended by email and/or otherwise by Benson McCormack Architects. Design Alterations are not valid until date of change. In accordance with the Planning and Development Act 2007, a permit must be obtained from the Council before any development is carried out. All other photographs are the property of Benson McCormack Architects. All other photographs are the property of Benson McCormack Architects. Scale: @83



PROJECT
 94A
 1400 ADDISON ROAD, MARRICWALLE NSW 2204

GENERAL
 Site Survey
 PROJECT No. 2728A
 DRAWING No. A-DA-000-005

SCALE: 1:2200

REVISIONS

NO.	DATE	BY	REASON
01	26/11/2022	DA	ISSUE FOR PERMIT
02	18/02/2023	GM	DA ISSUE 03
03	14/02/2023	GM	DA ISSUE 03 - ADD INFO
04			

PROJECT STATUS
 DEVELOPMENT APPLICATION

APPROPRIATE

CHK	DESCRIPTION	DATE	BY
GM	DA ISSUE 02	26/11/2022	DA
GM	DA ISSUE 03	18/02/2023	GM
GM	DA ISSUE 03 - ADD INFO	14/02/2023	GM

CLIENT
 CORDARO PTY LTD
 1400 ADDISON ROAD, MARRICWALLE NSW 2204

PREPARED BY
 GEOMETRA CONSULTING
 1400 ADDISON ROAD, MARRICWALLE NSW 2204

APPROX SERVRS MAIN
 1400 ADDISON ROAD, MARRICWALLE NSW 2204

APPROX SERVRS MAIN
 1400 ADDISON ROAD, MARRICWALLE NSW 2204

APPROX SERVRS MAIN
 1400 ADDISON ROAD, MARRICWALLE NSW 2204

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 P. 03 7381 8777
 W. www.bensonmccormack.com.au

Version: 1, Version Date: 19/06/2023

SITE CONSTRAINTS

BMA has identified a number of specific constraints that apply to the subject site. These include the following:

- 1** **CONTRASTING DEVELOPMENT CONTROLS**
THE SUBJECT SITE IS ADJACENT BY PROPERTIES OF EQUAL AND CONTRASTING LAND ZONING AND AS SUCH INTERFACE CONSIDERATIONS WITH EXISTING AND FUTURE DEVELOPMENT MUST BE PLANNED.
- 2** **CONTINUOUS STREETSCAPE FRONTAGE**
PLANNING PROVISIONS SEEK ACTIVATION OF THE STREETSCAPE FRONTAGE WITH COMMERCIAL/BUSINESS PREMISES AT GROUND LEVEL. THE STREET FRONT PORTION MUST HAVE A MAXIMUM HEIGHT OF 12M AND CONTAINS A MAXIMUM OF 3 STOREYS
- 3** **SIDE AND REAR BOUNDARY INTERFACE**
EQUAL & CONTRASTING LAND ZONINGS WILL RESULT IN DIFFERENT INTERFACE OUTCOMES WITH NEIGHBOURING PROPERTIES. REAR BUILDING ENVELOPE MUST BE CONTAINED WITHIN THE COMBINATION OF THE REAR BOUNDARY PLANE AND A 45° SLOPING PLANE FROM A POINT 7.5M ABOVE THE BOUNDARY
- 4** **FLOOD PRONE SITE**
THE SITE HAS BEEN IDENTIFIED AS AFFECTED BY THE 1% AEP LOCAL OVERLAND FLOODING. THE SITE HAS BEEN ALSO IDENTIFIED AS FLOOD PRONE AND IS LIKELY TO BE AFFECTED BY THE PROBABLE MAXIMUM FLOOD (PMF) OF THE COOKS RIVER. FREEBOARD LEVELS OF 10.50 AHD AND 9.25 AHD HAVE BEEN INTRODUCED TO PREVENT RISK OF FLOODING ON THE SITE.
- 5** **OVERSHADOWING IMPACTS**
MITIGATE OVERSHADOWING IMPACTS TO PROPERTIES ADJOINING THE SUBJECT SITE TO THE SOUTH AND EAST.



PLANNING PROVISIONS



ENVIRONMENTAL CONSTRAINTS

AMENDMENTS		PROJECT	
GM	DA 82/0203	Rev	94A
GM	DA 82/0203	Date	14/06/2023
GM	DA 82/0203	Issue	01
GM	DA 82/0203	Issue	02
GM	DA 82/0203	Issue	03
GM	DA 82/0203	Issue	04

CLIENT
CORDARO PTY LTD
 11/11/2023 10:34:06 AM
 AUSTRALIA

PROJECT
 94A
 14/06/2023 10:34:06 AM
 14/06/2023 03
 14/06/2023 03
 14/06/2023 04

DRAWING TITLE
 GENERAL
 Site Analysis - Constraints

PROJECT No
 2138A

DRAWING No
 A-DA-000-006

SCALE
 @A3

REVISION
 DRAWN
 DB
 REV
 D4

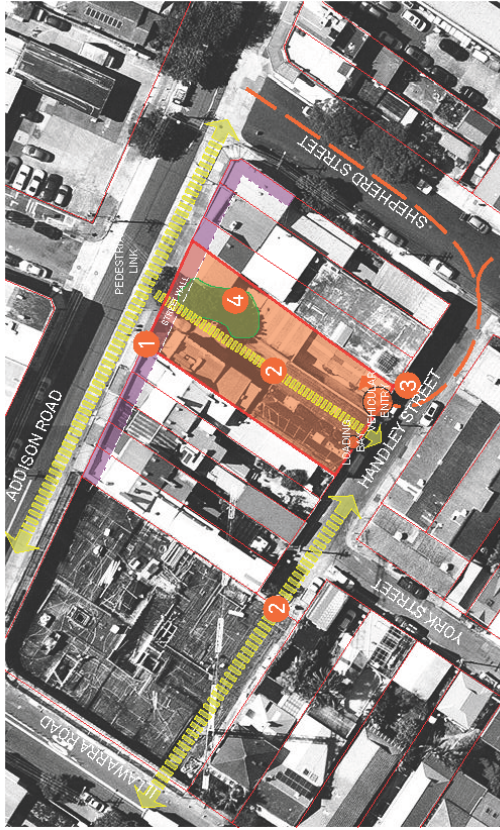


**BENSON
 MCCORMACK
 ARCHITECTURE**
 Document No: A-DA-000-006
 Version: 1, Version Date: 13/06/2023

SITE OPPORTUNITIES

BMA has identified a number of specific opportunities that apply to the subject site. These include the following:

- 1 STREET WALL**
LINK THE REDEVELOPMENT WITH THE EXISTING STREET SCAPE
- 2 PEDESTRIAN ACCESS**
PEDESTRIAN ACCESS IS PROVIDED FROM BOTH FRONTAGES TO ALLOW ACTIVATION OF HANDLEY STREET IN LINE WITH THE REDEVELOPMENT AT 110 ADDISON ROAD (CORNER OF ILLAWARA ROAD)
- 3 VEHICULAR ACCESS**
TWO-WAY VEHICULAR ACCESS/EGRESS AND LOADING BAY FOR THE PROPOSED DEVELOPMENT FROM HANDLEY STREET.
- 4 NEW CANOPY TREES**
PLANT CANOPY TREES WITHIN ADDISON ROAD FRONTAGE TO SOFTEN THE STREETSCAPE AND PROVIDE ADDITIONAL SHADE TO PEDESTRIANS CONSISTENT IN LINE WITH THE URBAN FOREST STRATEGY TO REPLACE EXISTING TREE AS PER ARBORIST REPORT
- 5 SOLAR ACCESS/OUTLOOK**
NORTH FACING FRONTAGE ALLOWING FOR ADEQUATE SOLAR ACCESS AND PRIMARY OUTLOOK RECEIVING GENEROUS DIRECT SUNLIGHT. REAR UNITS WITH DOUBLE ASPECT TO BENEFIT FROM SOLAR ACCESS AND SECONDARY OUTLOOK



ACCESS, PUBLIC TRANSPORT AND DEVELOPMENT OPPORTUNITIES



FUTURE DEVELOPMENT OPPORTUNITIES CONCEPT DIAGRAM



**BENSON
McCORMACK
ARCHITECTURE**
Document: 24/11/23, 02/04/2023
Version: 1, Version Date: 13/06/2023

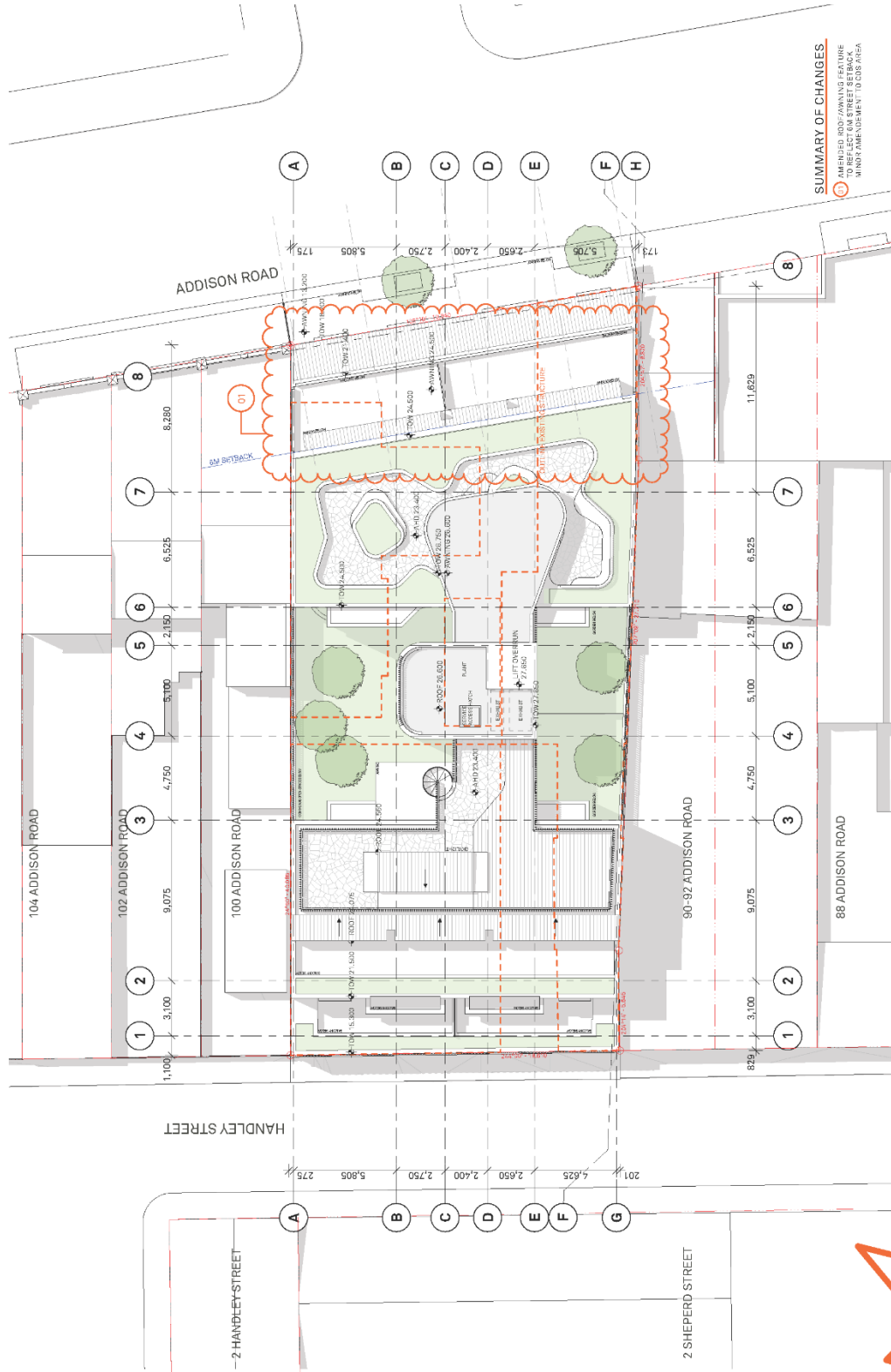
A. STUDIO, 5/55 BALMAIN RD
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CLIENT
CORDARO PTY LTD
111/111 WILSON ROAD, WILSON
AUSTRALIA

LEGEND

AMENDMENTS		PROJECT	
GM	01	Date:	14/06/2023
GM	02	Issue:	20/11/2023
GM	03	Issue:	18/05/2023
GM	04	Issue:	14/06/2023
GM	05	Issue:	14/06/2023

DRAWING TITLE
GENERAL
Site Analysis - Opportunities
PROJECT No
2138A
DRAWING No
A-DA-000-007
SCALE: @A3
PROJECT STATUS
DEVELOPMENT APPLICATION
DRAWN
DIP
REV
D4



SUMMARY OF CHANGES
 01 AMENDED LODD FARMING FEATURE
 IN THIS AMENDMENT TO THIS AREA

DATE	BY	REVISION
20/06/2023	94A	AMENDED LODD FARMING FEATURE IN THIS AMENDMENT TO THIS AREA
26/11/2022	94A	AMENDED LODD FARMING FEATURE IN THIS AMENDMENT TO THIS AREA
18/05/2023	94A	AMENDED LODD FARMING FEATURE IN THIS AMENDMENT TO THIS AREA
14/05/2023	94A	AMENDED LODD FARMING FEATURE IN THIS AMENDMENT TO THIS AREA

PROJECT
 94A
 94A
 94A
 94A

APPENDICES
 APPENDIX 1
 APPENDIX 2
 APPENDIX 3
 APPENDIX 4

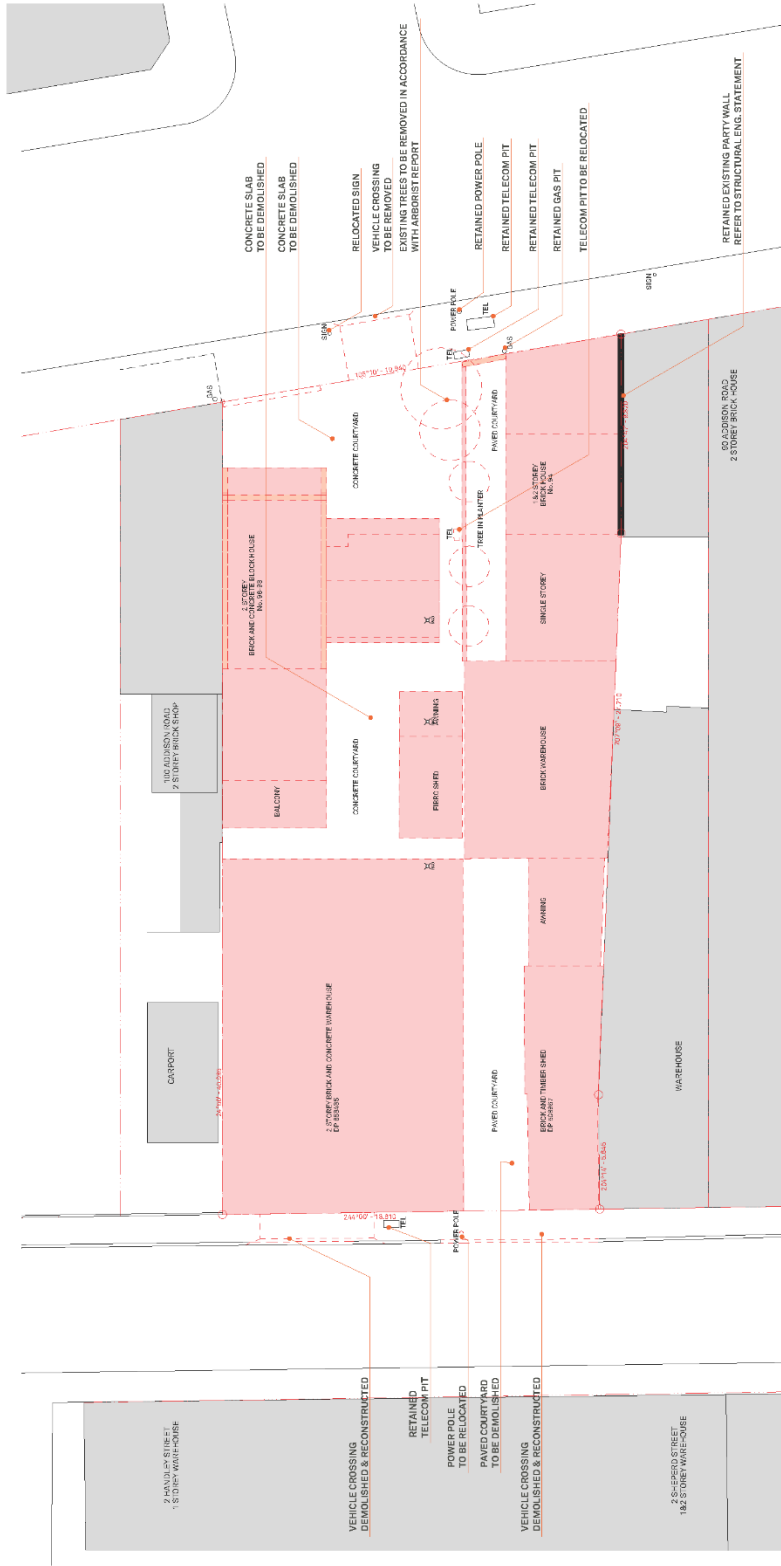
CLIENT
 CORDARO PTY LTD
 100 ADDISON ROAD
 WESTMEAD NSW 2145

DESIGNER
 BENSON
 MCCORMACK
 ARCHITECTURE

CONTACT
 A. STUDIOS, 5/55 BALMAIN RD
 BALMAIN NSW 2146
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SCALE
 1:200

DOCUMENTS
 A-DA-100-001
 19/06/2023



BENSON MCCORMACK ARCHITECTURE
 Version: 1, Version Date: 19/06/2023
 Documents: 4-DA-101-001-004

CUSTOMER CORDARO PTY LTD 28-36 UNIVERSITY ROAD, WESTMEAD, NSW 2122		PROJECT No: 94A PROJECT No: 94A		DRAWING No. A-DA-101-001	
ARCHITECT BENSON MCCORMACK ARCHITECTURE PTY LTD 45/55 SYDNEY ROAD, SYDNEY, NSW 2000 P: 615 2 981 8777 F: 615 2 981 8778 W: www.bensonmccormack.com.au		DATE 14/06/2023		SCALE 1:200/600	
DESCRIPTION EXISTING STRUCTURE - TO BE DEMOLISHED AS PER AS 2001-001 EXISTING STRUCTURE - TO BE RETAINED		ISSUES DATE DESCRIPTION 01 28/11/2022 02 18/02/2023 03 14/06/2023		PROJECT STATUS DEVELOPMENT APPLICATION	



SUMMARY OF CHANGES

- REMOVED PARKING ALLOCATION FOR VISITOR SPATIAL COMMERCIAL TENANCY.

PROJECT	94A
PROJECT No	2726A
PROJECT STATUS	DEVELOPMENT APPLICATION
CLIENT	CORDARO PTY LTD
ARCHITECT	BENSON MCCORMACK ARCHITECTURE
DATE	14/06/2023
DISCUSSION	26/11/2022
DATE ISSUE 01	18/05/2023
DATE ISSUE 02	14/06/2023
DATE ISSUE 03 - ADD INFO	

APPENDIXES	
APPENDIX	94A
DATE	14/06/2023
DISCUSSION	26/11/2022
DATE ISSUE 01	18/05/2023
DATE ISSUE 02	14/06/2023
DATE ISSUE 03 - ADD INFO	

PROJECT	94A
PROJECT No	2726A
PROJECT STATUS	DEVELOPMENT APPLICATION
CLIENT	CORDARO PTY LTD
ARCHITECT	BENSON MCCORMACK ARCHITECTURE
DATE	14/06/2023
DISCUSSION	26/11/2022
DATE ISSUE 01	18/05/2023
DATE ISSUE 02	14/06/2023
DATE ISSUE 03 - ADD INFO	

ADDRESS	STUDIOS, 5/6 BALMAIN RD, BALMAIN NSW 2146
ARCHITECT	BENSON MCCORMACK ARCHITECTURE
DATE	14/06/2023
DISCUSSION	26/11/2022
DATE ISSUE 01	18/05/2023
DATE ISSUE 02	14/06/2023
DATE ISSUE 03 - ADD INFO	



Documents: 10_02616829
Version: 1, Version Date: 19/06/2023



SUMMARY OF CHANGES

- ① MINOR ADJUSTMENT RE-711 INTERNAL AREA
- ② RELOCATE ACCESS TOILET

DATE	BY	PROJECT	SCALE
14/06/2023	94A	94A	1:200/683
26/11/2022	94A	94A	
18/05/2023	94A	94A	
14/06/2023	94A	94A	

APPENDIXES

APPENDIX A: SITE PLAN

APPENDIX B: FLOOR PLANS

APPENDIX C: SECTIONAL ELEVATIONS

APPENDIX D: EXISTING AND PROPOSED LANDSCAPE

APPENDIX E: EXISTING AND PROPOSED UTILITIES

APPENDIX F: EXISTING AND PROPOSED SERVICES

APPENDIX G: EXISTING AND PROPOSED MATERIALS

APPENDIX H: EXISTING AND PROPOSED FINISHES

APPENDIX I: EXISTING AND PROPOSED LIGHTING

APPENDIX J: EXISTING AND PROPOSED SIGNAGE

APPENDIX K: EXISTING AND PROPOSED FURNITURE

APPENDIX L: EXISTING AND PROPOSED PLANTING

APPENDIX M: EXISTING AND PROPOSED PAVING

APPENDIX N: EXISTING AND PROPOSED WALLS

APPENDIX O: EXISTING AND PROPOSED ROOFS

APPENDIX P: EXISTING AND PROPOSED STAIRS

APPENDIX Q: EXISTING AND PROPOSED LIFTWAYS

APPENDIX R: EXISTING AND PROPOSED RAMPWAYS

APPENDIX S: EXISTING AND PROPOSED BALCONIES

APPENDIX T: EXISTING AND PROPOSED TERRACES

APPENDIX U: EXISTING AND PROPOSED PATIOS

APPENDIX V: EXISTING AND PROPOSED PERGOLAS

APPENDIX W: EXISTING AND PROPOSED AWNINGS

APPENDIX X: EXISTING AND PROPOSED CANOPIES

APPENDIX Y: EXISTING AND PROPOSED SCREENS

APPENDIX Z: EXISTING AND PROPOSED FENCES

PROJECT

PROJECT No: 94A

PROJECT Name: 94A

PROJECT Address: 94A

PROJECT City: 94A

PROJECT State: 94A

PROJECT Country: 94A

PROJECT Date: 94A

PROJECT Status: 94A

PROJECT Scale: 1:200/683

CLIENT

CORDARO PTY LTD

100 ADDISON ROAD

SYDNEY NSW 2004

AUSTRALIA

DESIGNER

BENSON MCCORMACK ARCHITECTURE

100 ADDISON ROAD

SYDNEY NSW 2004

AUSTRALIA

DATE

14/06/2023

BY

94A

PROJECT

94A

SCALE

1:200/683

REVISIONS

REV 01

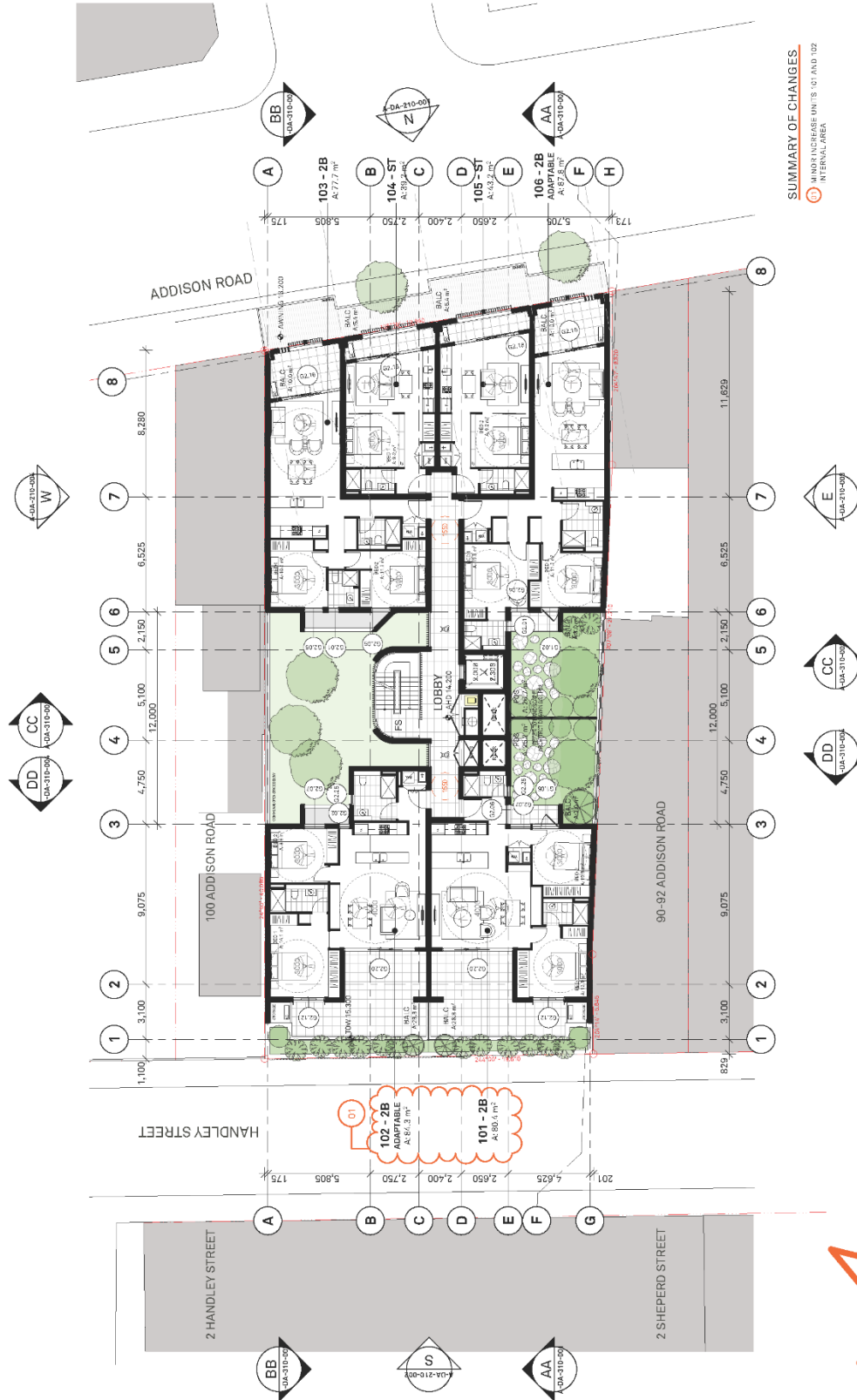
DATE: 14/06/2023

BY: 94A

DESCRIPTION: MINOR ADJUSTMENT RE-711 INTERNAL AREA

Documents: 94A-110-002

Version: 1, Version Date: 19/06/2023



SUMMARY OF CHANGES
 MINOR INCREASE UNITS TO 110 AND 102 INTERNAL AREA

PROJECT
 94A
 100-102 ADDISON ROAD, MARRICWALLE NSW 2204

APPROPRIATE
 DA 18/05/2023
 DA 26/11/2022
 DA 18/05/2023
 DA 14/05/2023

PROJECT STATUS
 DEVELOPMENT APPLICATION

SCALE
 1:200/800

DATE
 14/05/2023

PROJECT NO
 2728A

DRAWING NO
 A-DA-110-003

REV
 04

CLIENT
 CORDARO PTY LTD
 100-102 ADDISON ROAD
 MARRICWALLE NSW 2204

ARCHITECT
 BENSON
 MCCORMACK
 ARCHITECTURE

CONTACT
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 ULLYFELLS NSW 2140
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DOCUMENTS
 1. 100-102 ADDISON ROAD DEVELOPMENT APPLICATION
 2. 100-102 ADDISON ROAD DEVELOPMENT APPLICATION
 3. 100-102 ADDISON ROAD DEVELOPMENT APPLICATION
 4. 100-102 ADDISON ROAD DEVELOPMENT APPLICATION
 5. 100-102 ADDISON ROAD DEVELOPMENT APPLICATION
 6. 100-102 ADDISON ROAD DEVELOPMENT APPLICATION
 7. 100-102 ADDISON ROAD DEVELOPMENT APPLICATION
 8. 100-102 ADDISON ROAD DEVELOPMENT APPLICATION
 9. 100-102 ADDISON ROAD DEVELOPMENT APPLICATION
 10. 100-102 ADDISON ROAD DEVELOPMENT APPLICATION

REVISIONS

NO	DESCRIPTION	DATE
01	102 - 2B ADAPTABLE A: 89.4 m ²	14/05/2023
02	101 - 2B ADAPTABLE A: 89.4 m ²	14/05/2023

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NOTES

1. All dimensions are in millimeters unless otherwise stated.
2. All areas are in square meters unless otherwise stated.
3. All materials are to be as specified in the schedule of materials.
4. All finishes are to be as specified in the schedule of finishes.
5. All fixtures and fittings are to be as specified in the schedule of fixtures and fittings.
6. All services are to be as specified in the schedule of services.
7. All structural elements are to be as specified in the schedule of structural elements.
8. All external walls are to be finished with render.
9. All external walls are to be finished with render.
10. All external walls are to be finished with render.

DOCUMENTS
 1. 100-102 ADDISON ROAD DEVELOPMENT APPLICATION
 2. 100-102 ADDISON ROAD DEVELOPMENT APPLICATION
 3. 100-102 ADDISON ROAD DEVELOPMENT APPLICATION
 4. 100-102 ADDISON ROAD DEVELOPMENT APPLICATION
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 10. 100-102 ADDISON ROAD DEVELOPMENT APPLICATION

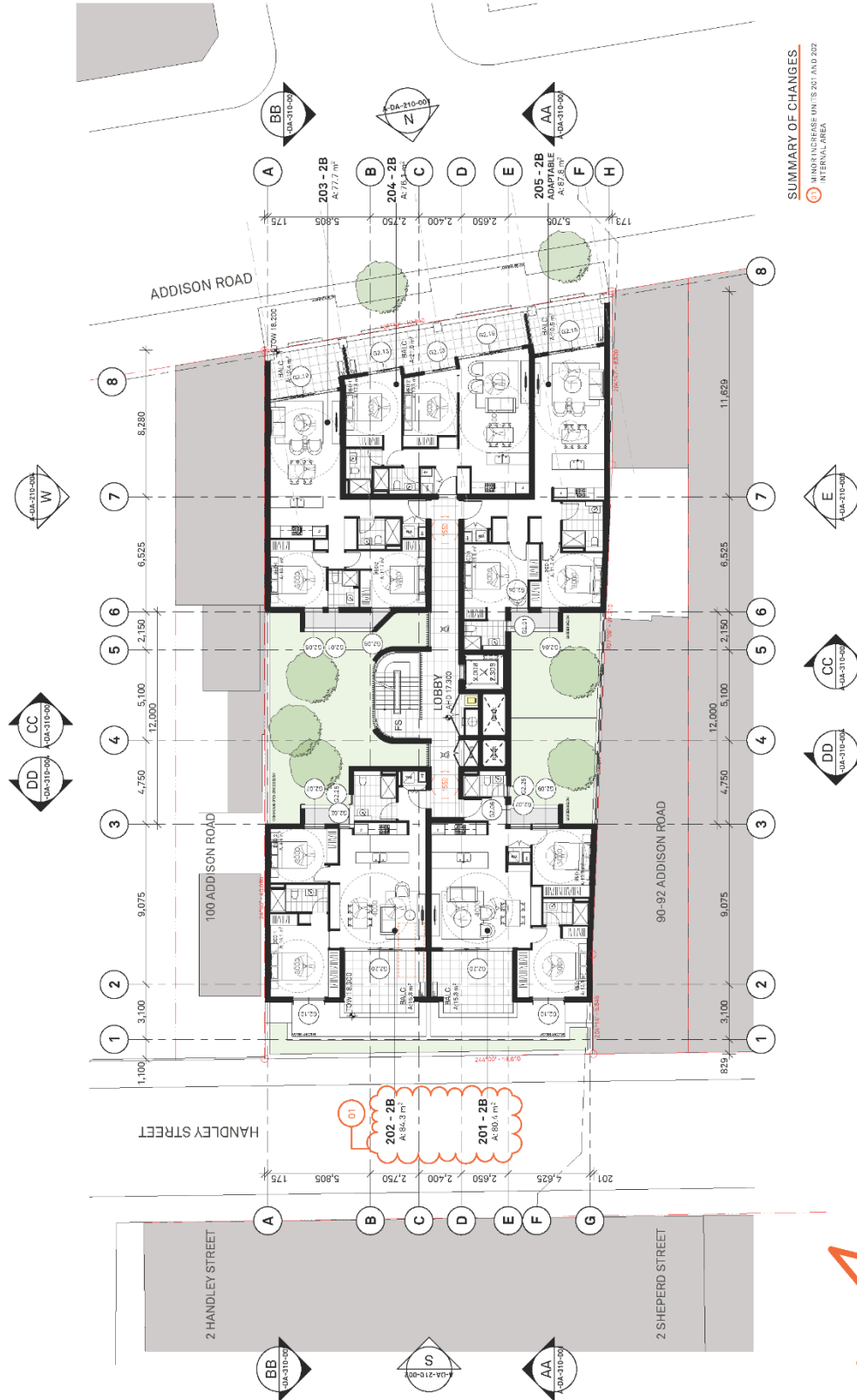
REVISIONS

NO	DESCRIPTION	DATE
01	102 - 2B ADAPTABLE A: 89.4 m ²	14/05/2023
02	101 - 2B ADAPTABLE A: 89.4 m ²	14/05/2023

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NOTES

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4. All finishes are to be as specified in the schedule of finishes.
5. All fixtures and fittings are to be as specified in the schedule of fixtures and fittings.
6. All services are to be as specified in the schedule of services.
7. All structural elements are to be as specified in the schedule of structural elements.
8. All external walls are to be finished with render.
9. All external walls are to be finished with render.
10. All external walls are to be finished with render.



SUMMARY OF CHANGES

- MINOR INCREASE INT'S 201 AND 202 INTERNAL AREA

PROJECT
94A
 NEW ADDISON ROAD MARKETPLACE NSW 2204

DATE
 26/11/2023

ISSUE
 DA ISSUE 03

SCALE
 1:200/800

CLIENT
CORDARO PTY LTD
 100 ADDISON ROAD
 NEWCASTLE NSW 2260

ARCHITECT
BENSON MCCORMACK ARCHITECTURE
 1/11/2023

REVISIONS

NO.	DESCRIPTION	DATE
01	ISSUE 03 - ADD INFO	14/06/2023

APPROVALS

NO.	DESCRIPTION	DATE
01	ISSUE 03 - ADD INFO	14/06/2023

PROJECT STATUS
 DEVELOPMENT APPLICATION

PROJECT NO
 2728A

DRAWING NO
 A-DA-110-004

REVISIONS

NO.	DESCRIPTION	DATE
01	ISSUE 03 - ADD INFO	14/06/2023

REVISIONS

NO.	DESCRIPTION	DATE
01	ISSUE 03 - ADD INFO	14/06/2023

REVISIONS

NO.	DESCRIPTION	DATE
01	ISSUE 03 - ADD INFO	14/06/2023

Document: 104_02616829 - Issue 03 - Development Application for the proposed development at 100 Addison Road, Newcastle NSW 2260. Version: 1.1, Version Date: 19/06/2023



SUMMARY OF CHANGES

- 1 INCREASED SET BACK TO 8M
- 2 INCREASED SET BACK TO 8M
- 3 AMENDED INTERNAL LAYOUT TO REFLECT GREATERTIFF TRACK

PROJECT
94A
 NEW ADDISON ROAD MARKETPLACE NSW 2204

DATE
 14/06/2023

PROJECT No
 2728A

DRAWING No
 A-DA-110-005

SCALE
 1:200/800

REVISION
 04

APPROPRIATE

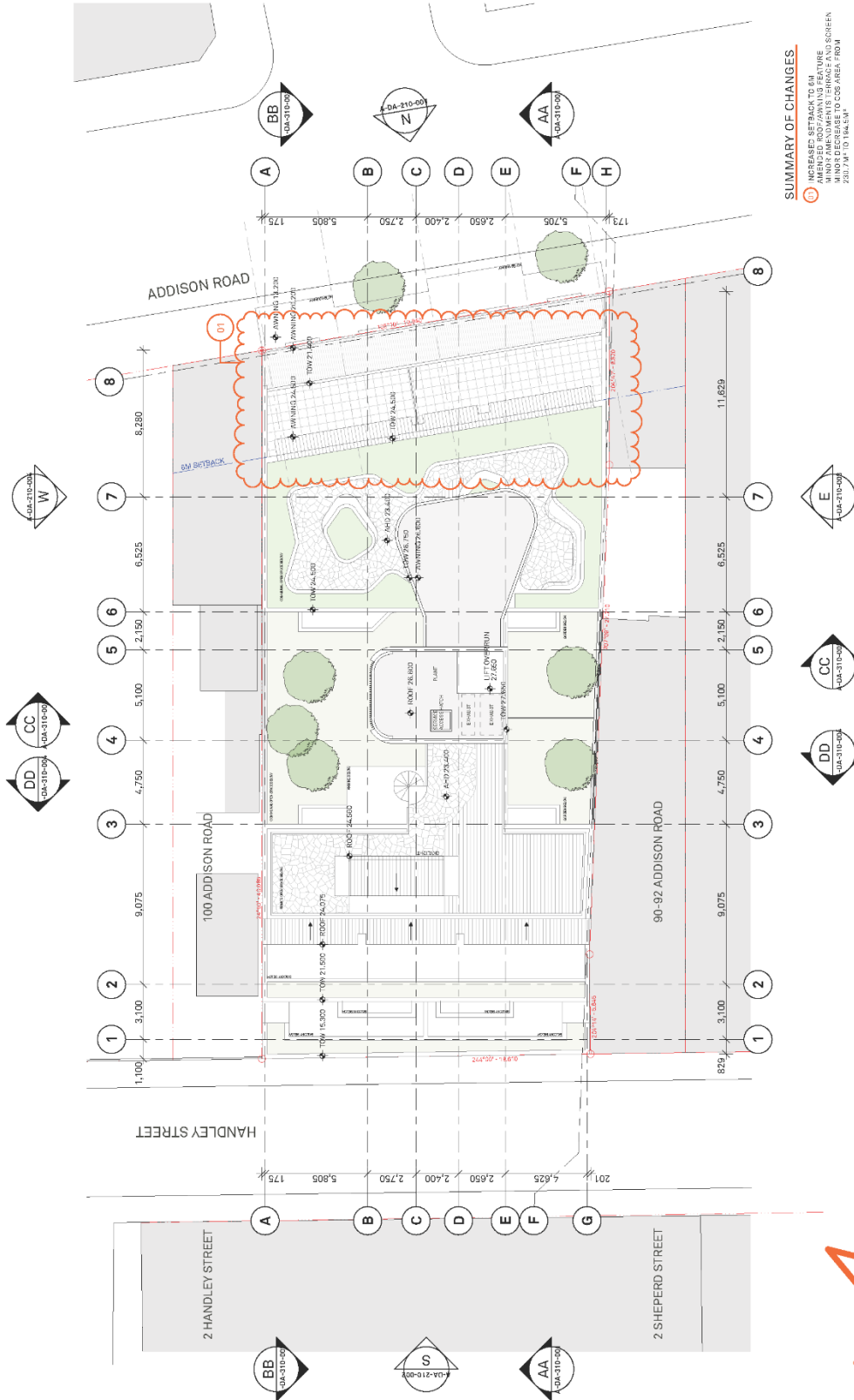
DATE	DESCRIPTION
14/06/2023	ISSUE FOR PERMIT
26/11/2022	ISSUE FOR PERMIT
18/05/2023	DA ISSUE 03
14/06/2023	DA ISSUE 03 - ADD INFO

PROJECT STATUS
 DEVELOPMENT APPLICATION

CLIENT
CORDARO PTY LTD
 100 ADDISON ROAD
 NEWCASTLE NSW 2260

ARCHITECT
BENSON MCCORMACK ARCHITECTURE
 1/111 WILSON STREET
 NEWCASTLE NSW 2260

Document No LD_02616829
Version 1, **Version Date** 19/06/2023



SUMMARY OF CHANGES

1. INCREASE SETBACK TO 6M FROM 5.100M TO 6.525M TO COMPLY WITH MINOR AMENDMENTS TERRACE AND SCREEN MINOR INCREASE TO 6.525M FROM 5.100M TO 6.525M

REVISIONS

REV	DATE	DESCRIPTION
01	14/06/2023	ISSUE FOR PERMIT
02	26/11/2022	ISSUE FOR PERMIT
03	18/05/2023	ISSUE FOR PERMIT
04	14/06/2023	ISSUE FOR PERMIT

PROJECT INFORMATION

PROJECT: 94A
ADDRESS: 94A ADDISON ROAD, MARRICWALLE NSW 2204
PROJECT NO: 2728A
DRAWING NO: A-DA-110-007
SCALE: 1:200/800

CLIENT: CORDARO PTY LTD
ADDRESS: 100 ADDISON ROAD, MARRICWALLE NSW 2204
CONTACT: JACOB CORDARO
PHONE: 02 9333 1111
WEBSITE: www.cordaro.com.au

ARCHITECT: BENSON MCCORMACK ARCHITECTURE
ADDRESS: 10/110 WILSON ROAD, MARRICWALLE NSW 2204
CONTACT: BENSON MCCORMACK
PHONE: 02 9333 1111
WEBSITE: www.bensonmccormack.com.au

DATE: 14/06/2023
PROJECT NO: 2728A
DRAWING NO: A-DA-110-007
SCALE: 1:200/800

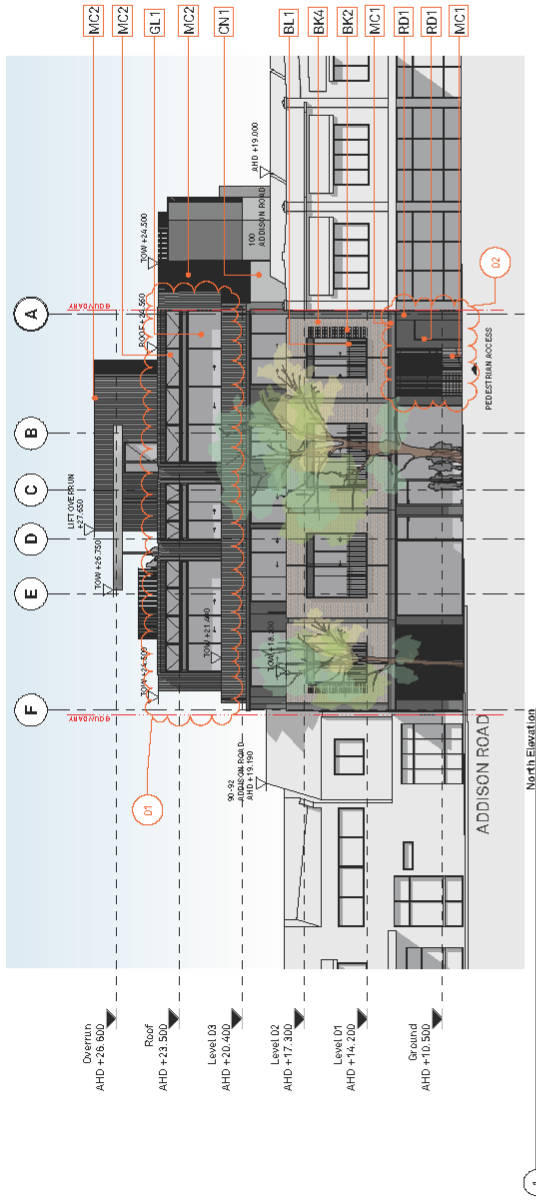
REVISIONS

REV	DATE	DESCRIPTION
01	14/06/2023	ISSUE FOR PERMIT
02	26/11/2022	ISSUE FOR PERMIT
03	18/05/2023	ISSUE FOR PERMIT
04	14/06/2023	ISSUE FOR PERMIT

APPENDICES

APPENDIX A: SITE PLAN
APPENDIX B: FLOOR PLANS
APPENDIX C: SECTIONAL ELEVATIONS
APPENDIX D: LANDSCAPE ARCHITECTURE
APPENDIX E: STRUCTURAL DRAWINGS
APPENDIX F: ELECTRICAL DRAWINGS
APPENDIX G: MECHANICAL DRAWINGS
APPENDIX H: PLUMBING DRAWINGS
APPENDIX I: FIRE SAFETY DRAWINGS
APPENDIX J: OTHER RELEVANT DRAWINGS

DOCUMENTS: L10_02616829
VERSION: 1
VERSION DATE: 19/06/2023



FINISHES LEGEND:

- D1 - OFFSHORE TILED TERRAZZO FINISH
- D2 - OFFSHORE TILED TERRAZZO FINISH
- D3 - OFFSHORE TILED TERRAZZO FINISH
- D4 - OFFSHORE TILED TERRAZZO FINISH
- D5 - OFFSHORE TILED TERRAZZO FINISH
- D6 - OFFSHORE TILED TERRAZZO FINISH
- D7 - OFFSHORE TILED TERRAZZO FINISH
- D8 - OFFSHORE TILED TERRAZZO FINISH
- D9 - OFFSHORE TILED TERRAZZO FINISH
- D10 - OFFSHORE TILED TERRAZZO FINISH
- D11 - OFFSHORE TILED TERRAZZO FINISH
- D12 - OFFSHORE TILED TERRAZZO FINISH
- D13 - OFFSHORE TILED TERRAZZO FINISH
- D14 - OFFSHORE TILED TERRAZZO FINISH
- D15 - OFFSHORE TILED TERRAZZO FINISH
- D16 - OFFSHORE TILED TERRAZZO FINISH
- D17 - OFFSHORE TILED TERRAZZO FINISH
- D18 - OFFSHORE TILED TERRAZZO FINISH
- D19 - OFFSHORE TILED TERRAZZO FINISH
- D20 - OFFSHORE TILED TERRAZZO FINISH

SUMMARY OF CHANGES

- ① AMENDED ROOF/RAINING FEATURE TO REFLECT RM SETBACK



North - 3D View

LEGEND:

- OUTLINE DA DESIGN
- 3M SETBACK
- 4.5M SETBACK
- 6M SETBACK
- 0.5M OFFSHORE PROJECTION

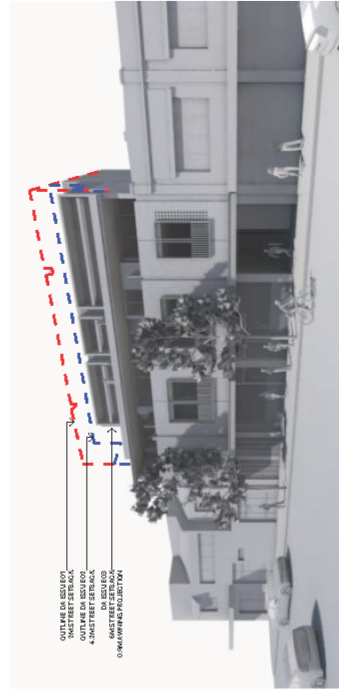
CLIENT:

CORDARO PTY LTD
 10/11 WILSON ROAD, WILSONVILLE NSW 2066
 AUSTRALIA

A. STUDIOS 505 BALMAIN RD
 151 WILSON RD, WILSONVILLE NSW 2066
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 F. +61 2 9316 0777
 W. www.lor.san.mccormack.com

**BENSON
 McCORMACK
 ARCHITECTURE**

Document No: A-DA-210-001
 Version 1.1, Version Date: 15/06/2023



North - 3D View

LEGEND:

- OUTLINE DA DESIGN
- 3M SETBACK
- 4.5M SETBACK
- 6M SETBACK
- 0.5M OFFSHORE PROJECTION

PROJECT:

94A
 94A-98 ADDISON ROAD, WILSONVILLE NSW 2066
 AUSTRALIA
 PROJECT NO: 94A
 PROJECT STATUS: DEVELOPMENT APPLICATION

DATE: 14/06/2023
 SCALE: 1:300/8A3
 DRAWING NO: A-DA-210-001

DATE: 14/06/2023
 SCALE: 1:300/8A3
 DRAWING NO: A-DA-210-001

**BENSON
 McCORMACK
 ARCHITECTURE**

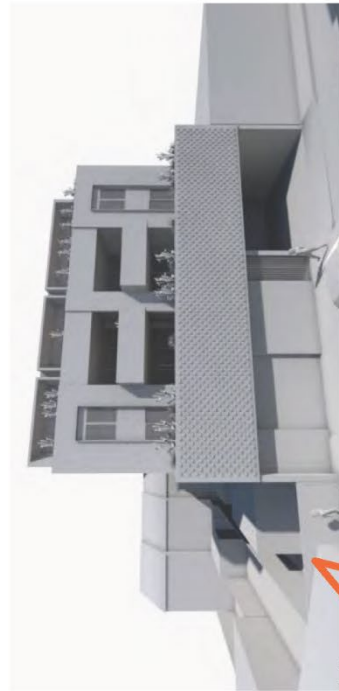
Document No: A-DA-210-001
 Version 1.1, Version Date: 15/06/2023



FINISHES LEGEND:

- RD - OFFFORM CONCRETE WITH BUSH OIL COLOUR
- GL - POLISHED CONCRETE WITH BUSH OIL COLOUR
- RD1 - POLISHED CONCRETE WITH BUSH OIL COLOUR
- BK1 - POLISHED CONCRETE WITH BUSH OIL COLOUR
- CN1 - POLISHED CONCRETE WITH BUSH OIL COLOUR
- BK3 - POLISHED CONCRETE WITH BUSH OIL COLOUR
- MC1 - METAL CLADDING - GRAY METAL
- MC2 - METAL CLADDING - GRAY METAL

1



South - 3D View

CLIENT

CORDARO PTY LTD
100 ADDISON ROAD, MARRICORVILLE NSW 2204
AUSTRALIA

A. STUDIO 5/505 BALMAIN RD
LIVEFIELD NSW 2040
AUSTRALIA
PH: +61 2 938 80777
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**BENSON
McCORMACK
ARCHITECTURE**

Document Ref: A-DA-210-002
Version: 1, Version Date: 18/09/2023

LEGEND

AMENDMENTS		PROJECT	
GRK	Description	Date	Rev
GR1	DA ISSUE 02	28/12/2023	05
GR2	DA ISSUE 03	10/01/2023	03
GR3	DA ISSUE 01 - ADD INFO	14/08/2023	04

DRAWING TITLE
GA Elevation
South Elevation

PROJECT No
2120A

DRAWING No
A-DA-210-002

SCALE: 1:200 @A3

PROJECT STATUS
DEVELOPMENT APPLICATION

DATE
14/08/2023

REVISION
REV 04

DRAWN BY
DB

SCALE
1:200 @A3

PROJECT STATUS
DEVELOPMENT APPLICATION

DATE
14/08/2023

REVISION
REV 04

DRAWN BY
DB

SCALE
1:200 @A3

PROJECT STATUS
DEVELOPMENT APPLICATION

DATE
14/08/2023

REVISION
REV 04

DRAWN BY
DB

SCALE
1:200 @A3

PROJECT STATUS
DEVELOPMENT APPLICATION

DATE
14/08/2023

REVISION
REV 04

DRAWN BY
DB

SCALE
1:200 @A3

PROJECT STATUS
DEVELOPMENT APPLICATION

DATE
14/08/2023

REVISION
REV 04

DRAWN BY
DB

SCALE
1:200 @A3

PROJECT STATUS
DEVELOPMENT APPLICATION

DATE
14/08/2023

REVISION
REV 04

DRAWN BY
DB

SCALE
1:200 @A3

PROJECT STATUS
DEVELOPMENT APPLICATION

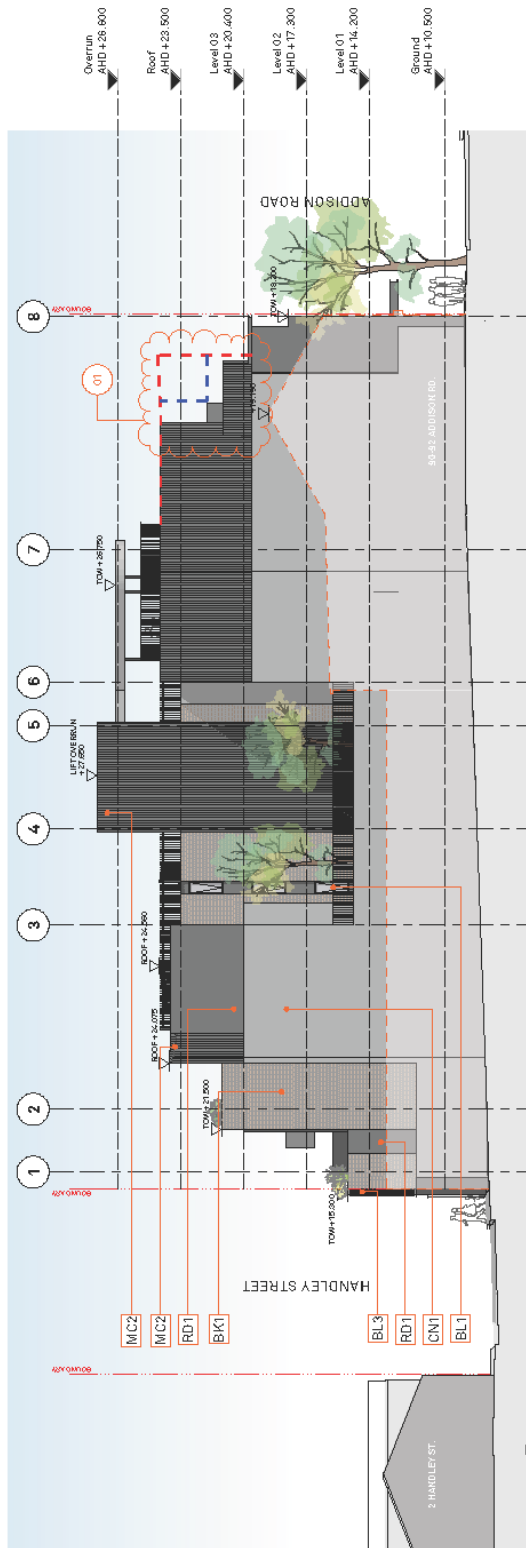
DATE
14/08/2023

REVISION
REV 04

DRAWN BY
DB

SCALE
1:200 @A3

PROJECT STATUS
DEVELOPMENT APPLICATION



SUMMARY OF CHANGES:
 (C) AMENDED ROOFING FINISH FEATURE TO REFLECT SETBACK

FINISHES LEGEND:
 01 - 300mm x 600mm CERAMIC TILES
 02 - 150mm x 150mm CERAMIC TILES
 03 - 150mm x 150mm CERAMIC TILES
 04 - 150mm x 150mm CERAMIC TILES
 05 - 150mm x 150mm CERAMIC TILES
 06 - 150mm x 150mm CERAMIC TILES
 07 - 150mm x 150mm CERAMIC TILES
 08 - 150mm x 150mm CERAMIC TILES
 09 - 150mm x 150mm CERAMIC TILES
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 96 - 150mm x 150mm CERAMIC TILES
 97 - 150mm x 150mm CERAMIC TILES
 98 - 150mm x 150mm CERAMIC TILES
 99 - 150mm x 150mm CERAMIC TILES
 100 - 150mm x 150mm CERAMIC TILES



CLIENT:
 CORDARO PTY LTD
 1/150 WILSON ROAD, WILSONVILLE NSW 2204
 AUSTRALIA

ARCHITECT:
 BENSON MCCORMACK ARCHITECTURE
 A. STUDIOS 200 BALLARIN RD
 1481 WILSONVILLE NSW 2204
 P. +61 2 9615 0777
 B.M. 7236
 W. WWW.BENSONMCCORMACK.COM

LEGEND:
 - DASHED RED LINE IS PROPOSED CHANGE
 - DASHED BLUE LINE IS EXISTING

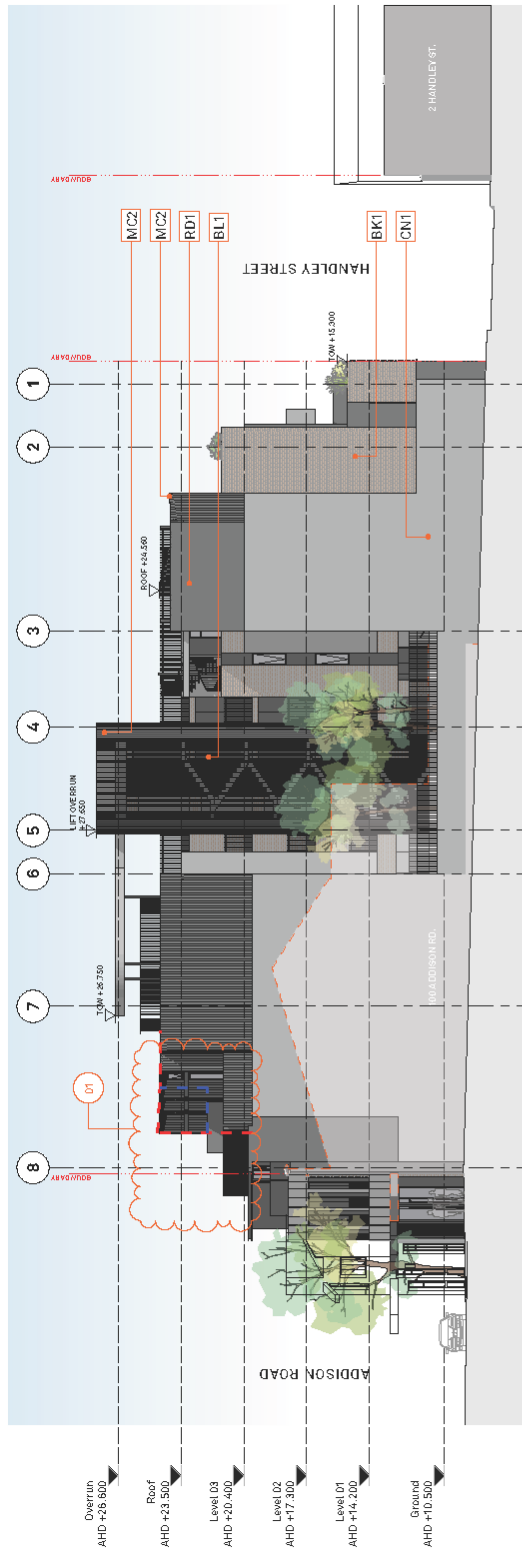
AMENDMENTS:

CRK	Description	Date	Rev	Project
GM	DA ISSUE 02	20/11/2023	00	94A
GM	DA ISSUE 00	18/09/2023	00	94A
GM	DA ISSUE 00	14/09/2023	04	94A

PROJECT:
 No. 94A WILSON ROAD WILSONVILLE NSW 2204
 PROJECT TITLE: DEVELOPMENT APPLICATION
 SCALE: 1:300@80

DRAWING TITLE:
 East Elevation
 DRAWING No: A-DA-210-003
 REV: D4

Document No: 020400320
 Version: 1, Version Date: 18/06/2023



FINISHES LEGEND:

- D1 OFF-PANEL METAL CLADDING
- D2 METAL CLADDING
- D3 METAL CLADDING
- D4 METAL CLADDING
- D5 METAL CLADDING
- D6 METAL CLADDING
- D7 METAL CLADDING
- D8 METAL CLADDING
- D9 METAL CLADDING
- D10 METAL CLADDING
- D11 METAL CLADDING
- D12 METAL CLADDING
- D13 METAL CLADDING
- D14 METAL CLADDING
- D15 METAL CLADDING
- D16 METAL CLADDING
- D17 METAL CLADDING
- D18 METAL CLADDING
- D19 METAL CLADDING
- D20 METAL CLADDING

SUMMARY OF CHANGES

- ① AMENDED ROOF FINISHING FEATURE TO REFLECT RM SETBACK



CLIENT
CORDARO PTY LTD
111-113 WILSON ROAD, WILSONVILLE NSW 2046
AUSTRALIA

ARCHITECT
BENSON McCORMACK ARCHITECTURE
A. STUDIOS, 505 BALMAIN RD
M.11, WILFIELD NSW 2046
R.11, WILFIELD NSW 2046
P. +61 2 9316 8777
F. +61 2 9316 8777
W. www.bensonmccormack.com

LEGEND
--- OUTLINE OF EXISTING
--- OUTLINE OF EXISTING
--- OUTLINE OF EXISTING

PROJECT
No. 944
M.11 WILSON ROAD, WILSONVILLE NSW 2046
D.1 08/08/2023
D.2 29/11/2023
D.3 18/02/2023
D.4 14/09/2023

AMENDMENTS
GM DA 1531E01
GM DA 1531E02
GM DA 1531E03
GM DA 1531E04

DRAWING TITLE
3A Elevation
West Elevation

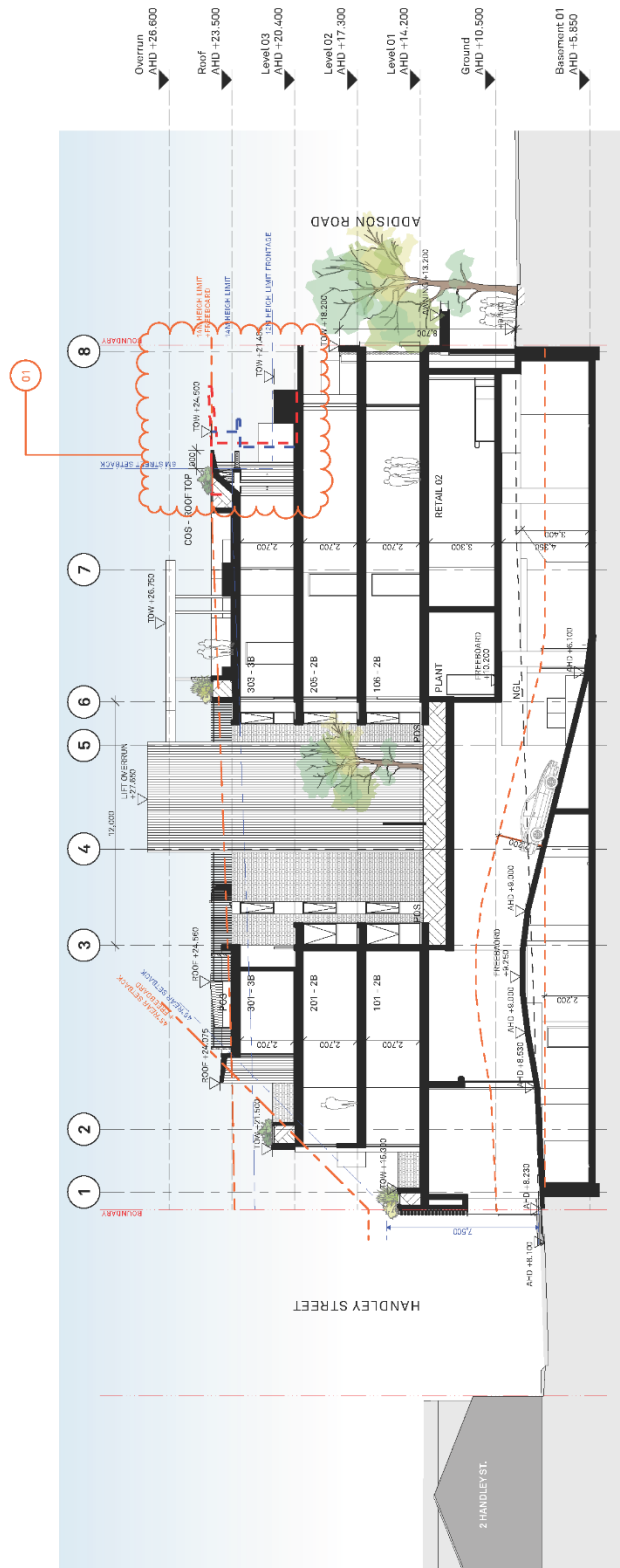
PROJECT No
E10A

DRAWING No
A-DA-210-004

SCALE
1:300 @A3

REVISIONS
REV 04
DIP

Version 1.1, Version Date: 15/08/2023



SUMMARY OF CHANGES
 AMENDED LODD-FARMING FEATURE
 TO REFLECT NETWORK

PROJECT	94A
PROJECT No	272A
PROJECT STATUS	DEVELOPMENT APPLICATION
SCALE	1:200/0&3
DRAWING No	A-DA-310-001
REV	04

APPROPRIATE	DATE
GM DA ISSUE 03	18/05/2023
GM DA ISSUE 02	26/11/2022
GM DA ISSUE 01	14/02/2023
GM DA ISSUE 03-ADD INFO	14/02/2023

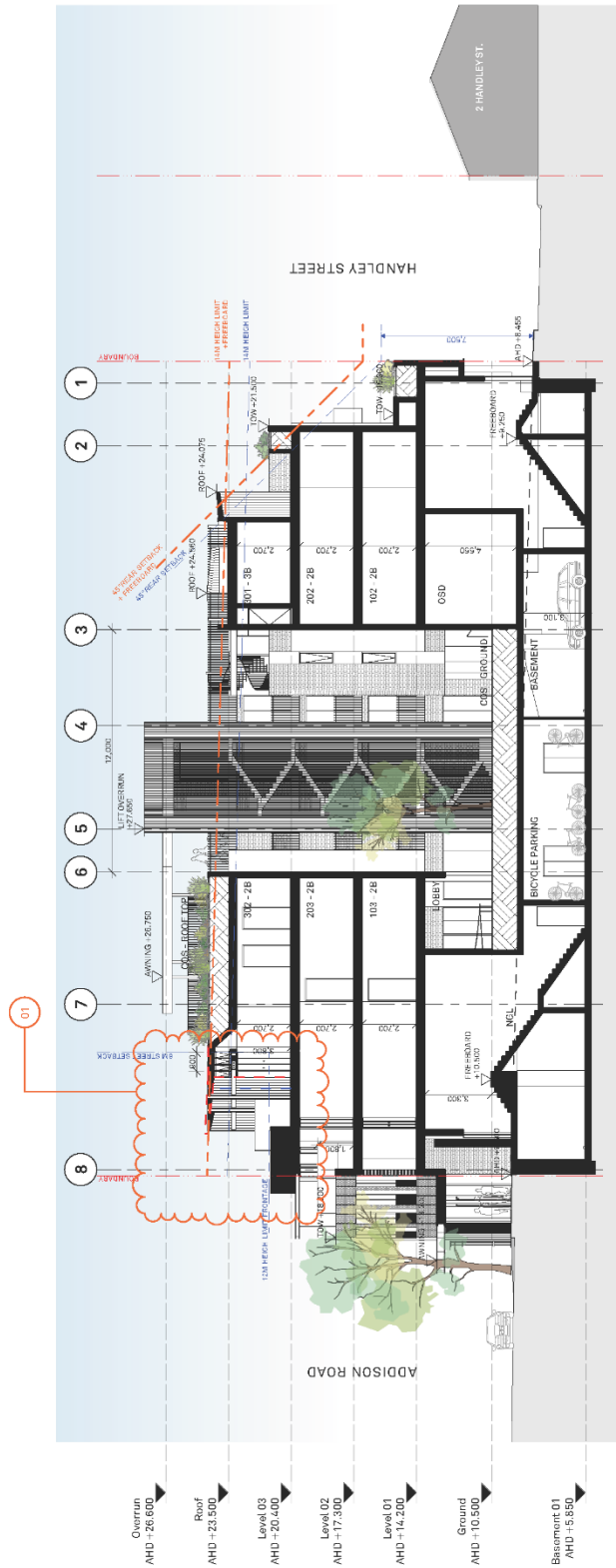
CLIENT	CORDARO PTY LTD
ADDRESS	272A ADDISON ROAD, MARRICWALLE NSW 2204
ARCHITECT	BENSON MCCORMACK ARCHITECTURE

LEGEND	DESCRIPTION
---	EXISTING DA ISSUE 01
---	EXISTING DA ISSUE 02
---	EXISTING DA ISSUE 03
---	EXISTING DA ISSUE 03-ADD INFO

BENSON MCCORMACK ARCHITECTURE
 A. STUDIOS, 5/55 BALMAIN RD, BALMAIN NSW 2040
 M. 02 9550 1322
 P. 02 9550 1322
 W. www.bensonmccormack.com.au



Document: 54-10-02616879
 Version: 1, Version Date: 19/06/2023



01

SUMMARY OF CHANGES
AMENDED ODD-FARMING FEATURE
TO REFLECT NETWORK

CLIENT CORDARO PTY LTD 1111 STURDIS, 5/6 BALMAIN RD ANNANDALE, NSW 2122		PROJECT 94A NEW AUDISON ROAD, ANNANDALE NSW 2122		SCALE: 1:200/0&3
ARCHITECT BENSON MCCORMACK ARCHITECTURE 1111 STURDIS, 5/6 BALMAIN RD ANNANDALE, NSW 2122		PROJECT STATUS DEVELOPMENT APPLICATION		
DATE	14/06/2023	DATE	14/06/2023	REV 04
DISCUSSION	26/11/2022	DISCUSSION	26/11/2022	
DA ISSUE 01	18/02/2023	DA ISSUE 02	18/02/2023	
DA ISSUE 03 - ADD INFO	14/06/2023	DA ISSUE 03 - ADD INFO	14/06/2023	



BENSON MCCORMACK ARCHITECTURE
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 F. +61 2 9818 0778
 W. www.bensonmccormack.com.au

Documents: LD_02618029
 Version: 1, Version Date: 19/06/2023



- Overrun
AHD -26.500
- Roof
AHD -23.500
- Level 03
AHD -20.400
- Level 02
AHD -17.300
- Level 01
AHD -14.200
- Ground
AHD -10.500
- Basement 01
AHD -5.650



**BENSON
McCORMACK
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 BALMAIN NSW 2142
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 FX 02 9550 2222
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 W. www.bensonmccormack.com.au

CLIENT
CORDARO PTY LTD
 10/100 BALMAIN RD
 BALMAIN NSW 2142

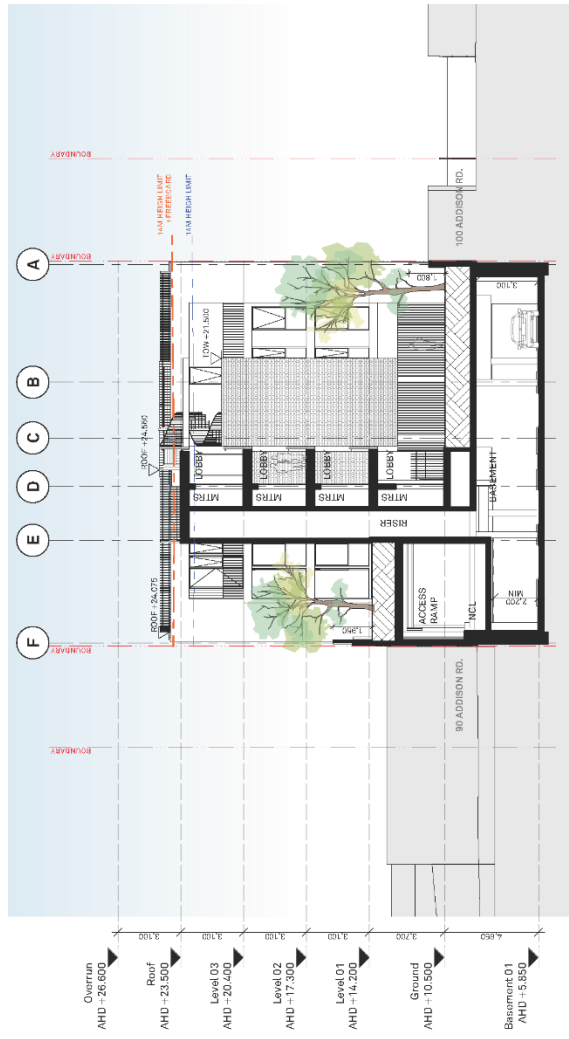
ESP/13

APPROVALS

PROJECT

DRAWING TITLE

DATE: 14/06/2023
 DRAWN BY: J. J. J. J.
 CHECKED BY: J. J. J. J.
 PROJECT NO: 2728A
 DRAWING NO: A-DA-310-003
 SCALE: 1:200/0.83
 PROJECT STATUS: DEVELOPMENT APPLICATION
 REVISIONS:
 01: DRAWN
 02: REV
 04: REV



CLIENT
CORDARO PTY LTD
 100 ADDISON ROAD
 AMSTERDAM, NSW

ARCHITECT
BENSON MCCORMACK ARCHITECTURE
 15/160/2023
 18/05/2023
 14/06/2023

PROJECT
94A
 100 ADDISON ROAD, AMSTERDAM, NSW 2204

ADDITIONS
 DA DISCUSSION
 DA DISCUSSION
 DA ISSUE 02
 DA ISSUE 03
 DA ISSUE 03 - ADD INFO

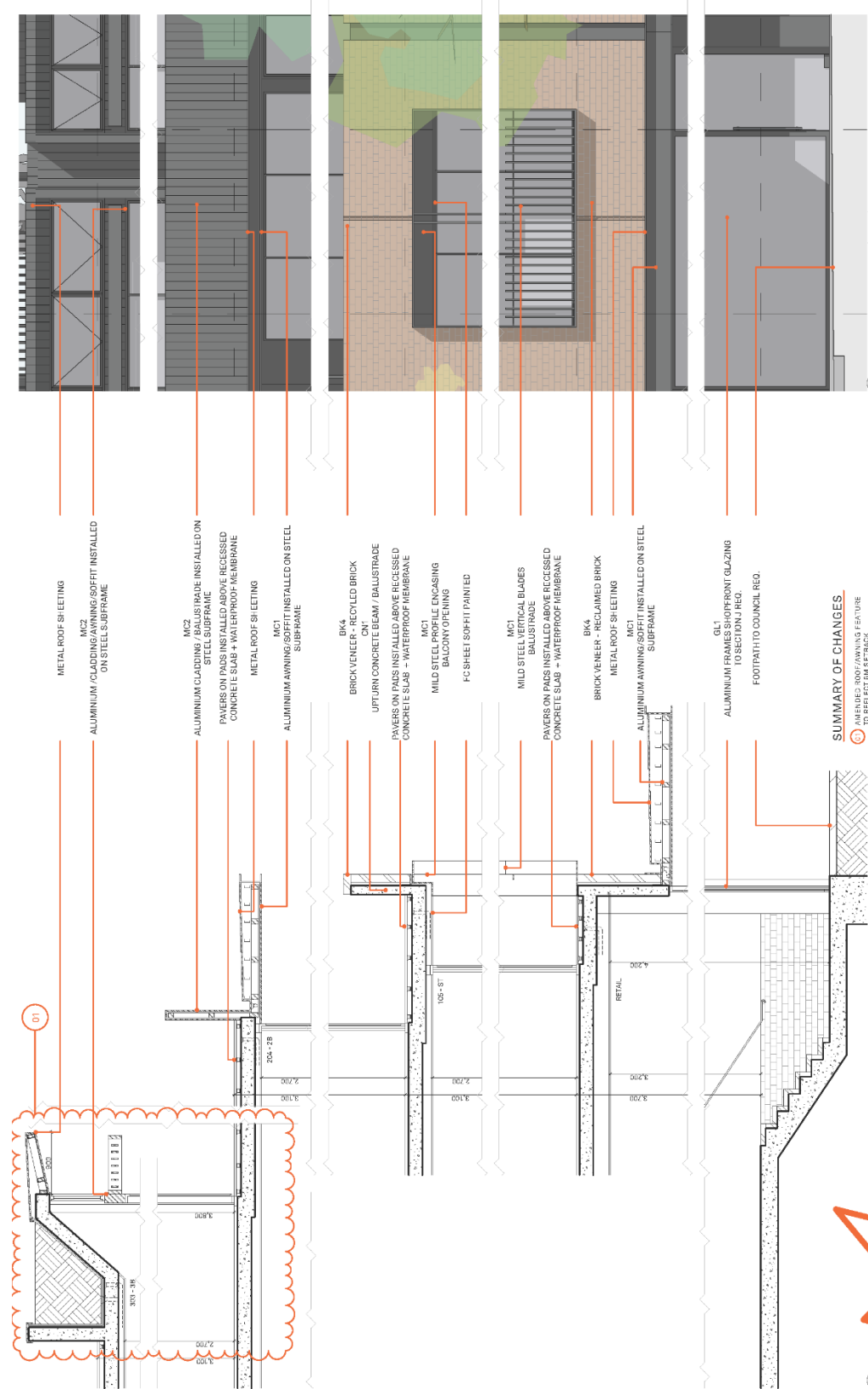
PROJECT STATUS
 DEVELOPMENT APPLICATION

SCALE: 1:200/843

PROJECT No 2729A
DRAWING No A-DA-310-004

REV 04
 BROWN 26





METAL ROOF SHEETING
M22
ALUMINIUM CLADDING/AWNING/SOFFIT INSTALLED ON STEEL SUB-FRAME

M22
ALUMINIUM CLADDING/AWNING/SOFFIT INSTALLED ON STEEL SUB-FRAME
PAVERS ON PAIS INSTALLED ABOVE RECESSED CONCRETE SLAB - WATERPROOF MEMBRANE

M12
METAL ROOF SHEETING
ALUMINIUM AWNING/SOFFIT INSTALLED ON STEEL SUB-FRAME

B14
BRICK VENEER - RECYCLED BRICK CNT
UP TURN CONCRETE BEAM / BALUSTRADE PAVERS ON PAIS INSTALLED ABOVE RECESSED CONCRETE SLAB - WATERPROOF MEMBRANE

M12
MILD STEEL PROFILE ENCASING BALCONY OPENING
FC SHEET SOFFIT PAIRED

M12
MILD STEEL VERTICAL BLADES BALUSTRADE PAVERS ON PAIS INSTALLED ABOVE RECESSED CONCRETE SLAB - WATERPROOF MEMBRANE

B14
BRICK VENEER - RECLAIMED BRICK
METAL ROOF SHEETING
M12
ALUMINIUM AWNING/SOFFIT INSTALLED ON STEEL SUB-FRAME

GL1
ALUMINIUM FRAMES SHOT-FRONT GLAZING TO SECTION/J REQ.
FOOTPATH TO COUNCIL REQ.

SUMMARY OF CHANGES
1. METAL ROOF AWNING FEATURE TO REFLECT G4'S BRICK

CLIENT
CORDARO PTY LTD
117/121 BALMAIN RD
BALMAIN NSW 2040

ARCHITECT
BENSON McCORMACK ARCHITECTURE
147/150 BALMAIN RD
BALMAIN NSW 2040

PROJECT
94A
147/150 BALMAIN RD, BALMAIN NSW 2040

DATE
18/05/2023

REVISION
03

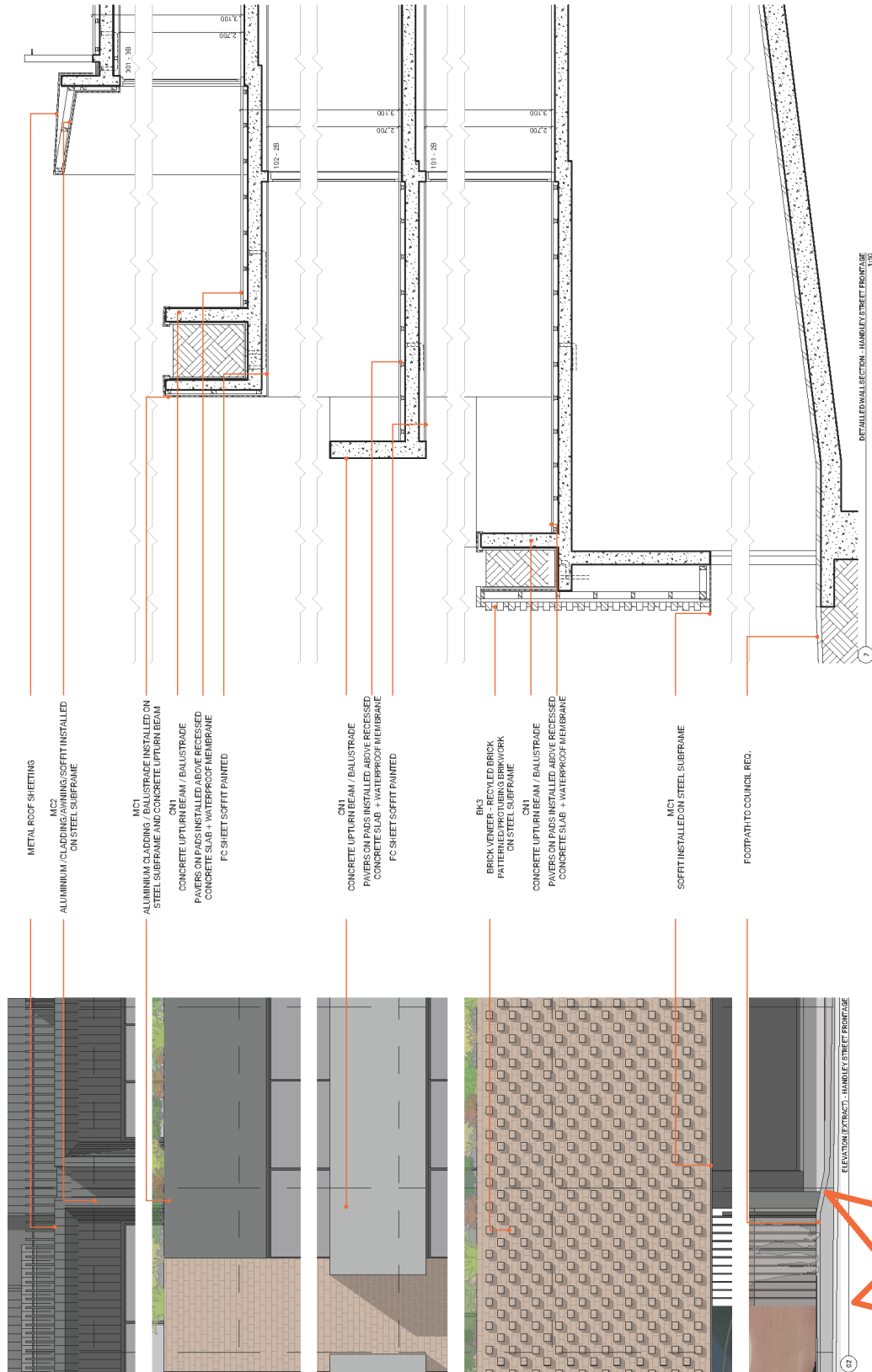
DRAWING No
A-DA-310-005

SCALE
1:50 (S&S)

REVISION

REV	DESCRIPTION
03	REVISION
02	REVISION
01	REVISION

Document: 10_07618879 - 10/05/23
Version: 1, Version Date: 19/06/2023



METAL ROOF SHEETING
MC2
ALUMINIUM / CLADDING / AWNING / SOFFIT INSTALLED ON STEEL SUBFRAME

ALUMINIUM CLADDING / BALUSTRADE INSTALLED ON STEEL SUBFRAME AND CONCRETE UPTURN BEAM
MC1
CONCRETE UPTURN BEAM / BALUSTRADE
PAVERS ON PADS INSTALLED ABOVE RECESSED CONCRETE SLAB + WATERPROOF MEMBRANE
FC SHEET SOFFIT PAINTED

CNT
CONCRETE UPTURN BEAM / BALUSTRADE
PAVERS ON PADS INSTALLED ABOVE RECESSED CONCRETE SLAB + WATERPROOF MEMBRANE
FC SHEET SOFFIT PAINTED

BK3
BRICK VENEER - RECYCLED BRICK PATTERNEDED USING BRICKWORK ON STEEL SUBFRAME
CONCRETE UPTURN BEAM / BALUSTRADE
PAVERS ON PADS INSTALLED ABOVE RECESSED CONCRETE SLAB + WATERPROOF MEMBRANE

MCF
SOFFIT INSTALLED ON STEEL SUBFRAME

FOOTPATH TO COUNCIL REQ.

7
ELEVATION EXTRACT - HAMBLY STREET FRONTAGE

8
DETAILED WALL SECTION - HAMBLY STREET FRONTAGE

DRAWING TITLE
GA Sections
South Facade Section - Details

PROJECT No
94A

PROJECT No
2120A

DRAWING No
A-DA-310-006

REV
DB
REV

AMENDMENTS

Rev	Date	Description
01	18/01/2023	GA
02	18/01/2023	GA
03	14/01/2023	GA

PROJECT
94A
14-19 AUGUSTIN ROAD, HARRISVILLE NSW 2204

PROJECT STATUS
DEVELOPMENT APPLICATION

SCALE: 1:50 @ A3

CLIENT
CORDARO PTY LTD
10/100 WILSON ROAD, WILSON NSW 2246
AUSTRALIA

LEGEND

ARCHITECT
BENSON
McCORMACK
ARCHITECTURE
A. STUDIO 5/505 BALMAIN RD
LIVFIELD NSW 2040
AUSTRALIA
P. +61 2 9818 8777
F. +61 2 9818 8777
W. www.bensonmccormack.com

DOCUMENTATION
Version: 1, Version Date: 18/09/2023

ELEVATION	1,000	1,400	1,480	1,580	1,600	1,600	550	550	600	950	1,000	1,000	1,000	1,000	1,100
ID	02.02	01.02	01.02	01.05	01.04	01.06	02.01	02.02	02.03	02.04	02.05	02.06	02.06	02.06	02.06
WH/HSZ	1,000x2,700	1,400x2,700	1,480x2,700	1,580x2,700	1,600x2,700	1,600x2,700	600x2,700	550x2,700	550x2,700	950x2,700	1,000x2,700	1,000x2,700	1,000x2,700	1,000x2,700	1,100x2,700
DESCRIPTION	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW
REQUIREMENTS															
QTY	1	1	1	1	1	1	2	2	2	1	1	1	1	1	2
ELEVATION	1,150	1,400	1,480	1,580	1,600	1,600	600	550	550	950	1,000	1,000	1,000	1,000	1,100
ID	02.07	02.06	02.10	02.11	02.12	02.13	02.14	02.15	02.16	02.17	02.18	02.19	02.19	02.19	02.19
WH/HSZ	1,150x2,700	1,400x2,700	1,480x2,700	1,580x2,700	1,600x2,700	1,600x2,700	2,800x2,700	2,800x2,700	3,400x2,700	3,100x2,700	3,700x2,700	3,700x2,700	3,700x2,700	3,700x2,700	3,700x2,700
DESCRIPTION	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW
REQUIREMENTS															
QTY	4	1	2	2	2	2	2	2	1	1	1	1	1	1	1
ELEVATION	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000
ID	02.20	02.21	02.22	02.24	02.24	02.24	02.25	02.26	02.27	02.28	02.31	02.31	02.31	02.31	02.31
WH/HSZ	4,000x2,700	4,350x2,700	4,350x2,700	5,000x2,700	5,000x2,700	5,000x2,700	8,000x1,700	8,000x800	2,800x430	7,000x800	4,650x400	4,650x400	4,650x400	4,650x400	4,650x400
DESCRIPTION	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING SLIDING DOOR	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING SLIDING DOOR	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING SLIDING DOOR	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING SLIDING DOOR	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING SLIDING DOOR	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING SLIDING DOOR	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW	DARK POWDER COATED ALUMINIUM FRAME & CLEAR GLAZING ANTI-BLAST WINDOW - FIXED SILL WINDOW
REQUIREMENTS															
QTY	4	1	1	1	1	1	5	1	1	1	1	1	1	1	1

SUMMARY OF CHANGES
 UPDATE WINDOWS SCHEDULE TO REFLECT AMENDMENTS TO NORTH ELEVATION

CLIENT
CORDARO PTY LTD
 8, STODOLSKA STREET, SYDNEY NSW 1585
 AUSTRALIA

ARCHITECT
BENSON MCCORMACK ARCHITECTURE
 A. STODOLSKA, SYDNEY NSW 1585
 ULLYFELDS, SYDNEY NSW 1585
 P. 9872 8818 / 0777 7508
 W. www.bensonmccormack.com.au

PROJECT
94A
 1600 AUDSON ROAD, MARRICWALLE NSW 2204

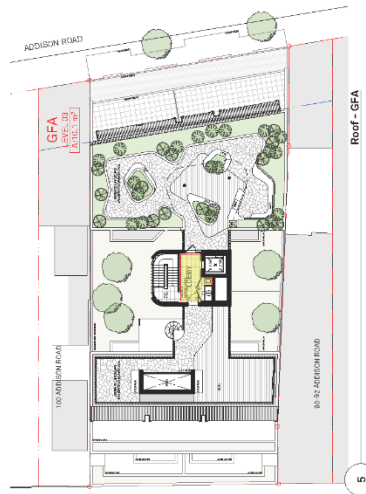
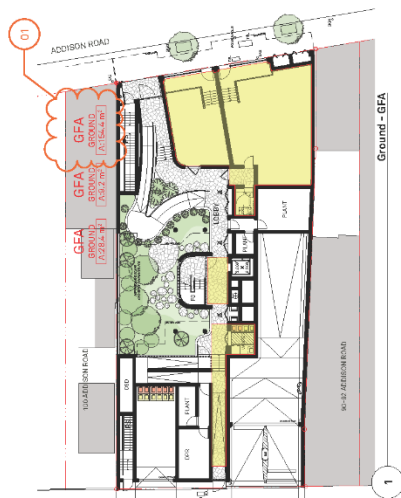
DATE 26/11/2023
ISSUE 02
SCALE @A3

PROJECT STATUS
 DEVELOPMENT APPLICATION

DRAWING No. A-DA-620-001
REV 04

PROJECT No. 2726A
REV 04





GFA CALCULATION

LAND ZONING:	BL - MIXED USE
SITE AREA:	798.89 M ²
FLOOR SPACE RATIO:	1.75:1
PERMISSIBLE GFA:	1383.06 M ²
GROUND:	192.0
LEVEL 01:	443.9
LEVEL 02:	433.3
LEVEL 03:	502.2
ROOF:	10.1
TOTAL:	1,363.5
FSR RATE:	1.75:1

SUMMARY OF CHANGES

AMENDED FSR/GFA CALCULATION
AMENDMENTS

CLIENT
CORDARO PTY LTD
111/111 WILSON ROAD
MORNINGTON VIC 3190

ARCHITECT
BENSON MCCORMACK ARCHITECTURE
111/111 WILSON ROAD
MORNINGTON VIC 3190

PROJECT
94A
111/111 WILSON ROAD MORNINGTON VIC 3190

DATE
18/05/2023

DISCUSSION
26/11/2022

DA ISSUE 01
18/05/2023

DA ISSUE 02
14/05/2023

DA ISSUE 03
14/05/2023

DA ISSUE 03 - ADD INFO
14/05/2023

PROJECT NO
2726A

DRAWING NO
A-DA-710-001

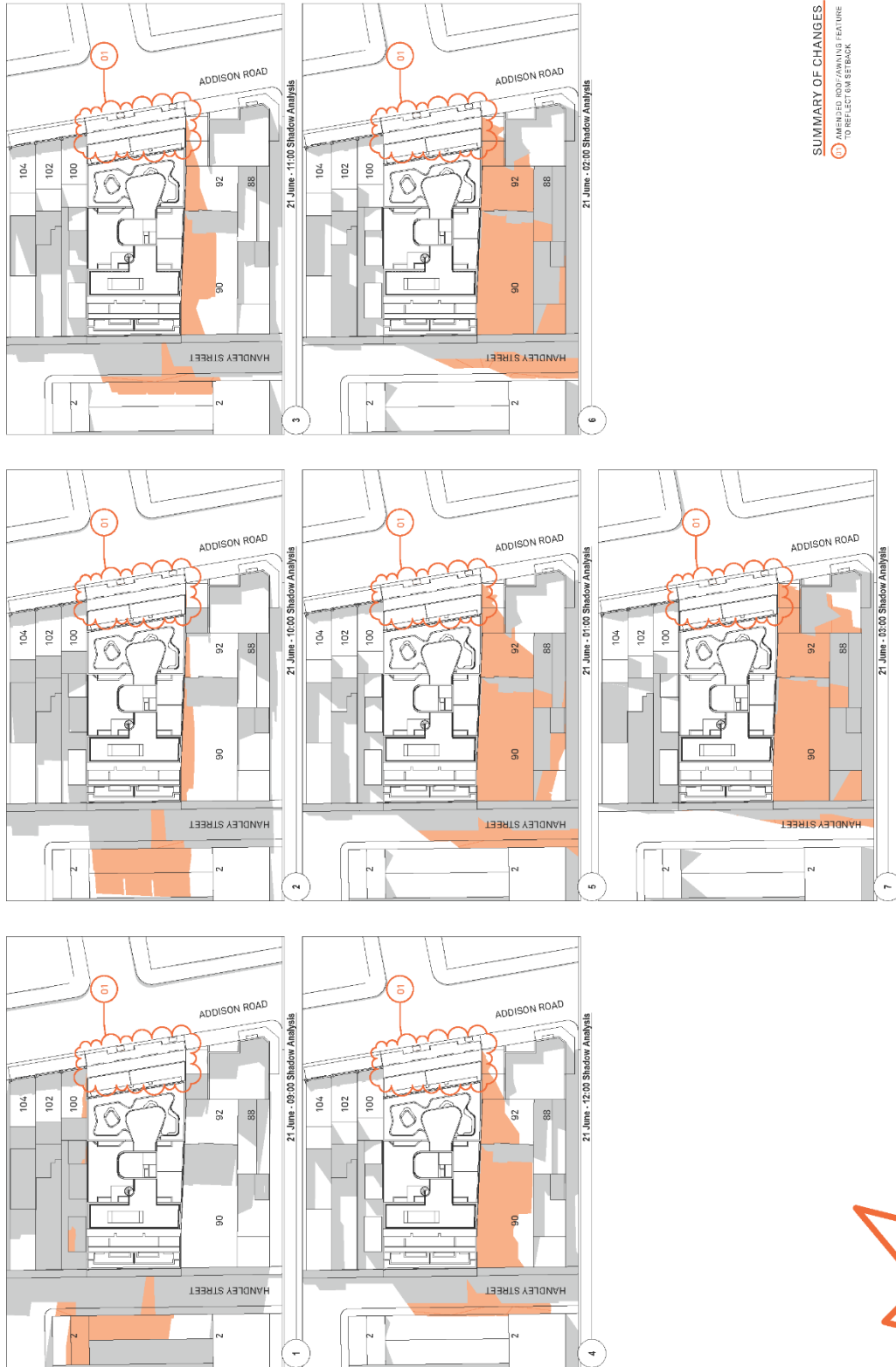
SCALE
1:400/800

PROJECT STATUS
DEVELOPMENT APPLICATION

DATE
18/05/2023

REVISION
04

Documents: 111_02616829 - 111/111 WILSON ROAD MORNINGTON VIC 3190
Version: 1, Version Date: 19/06/2023



SUMMARY OF CHANGES
 (3) AMENDED ODD-FARMING FEATURE TO REFLECT ON-SETBACK

PROJECT
 PROJECT No: 94A
 PROJECT Name: 160-160 ADDISON ROAD, MARIBAYLLE NSW 2204
 PROJECT No: 2726A
 DRAWING No: A-DA-720-001
 SCALE: @A3
 PROJECT STATUS: DEVELOPMENT APPLICATION
 DRAWN: DP
 REV: 04

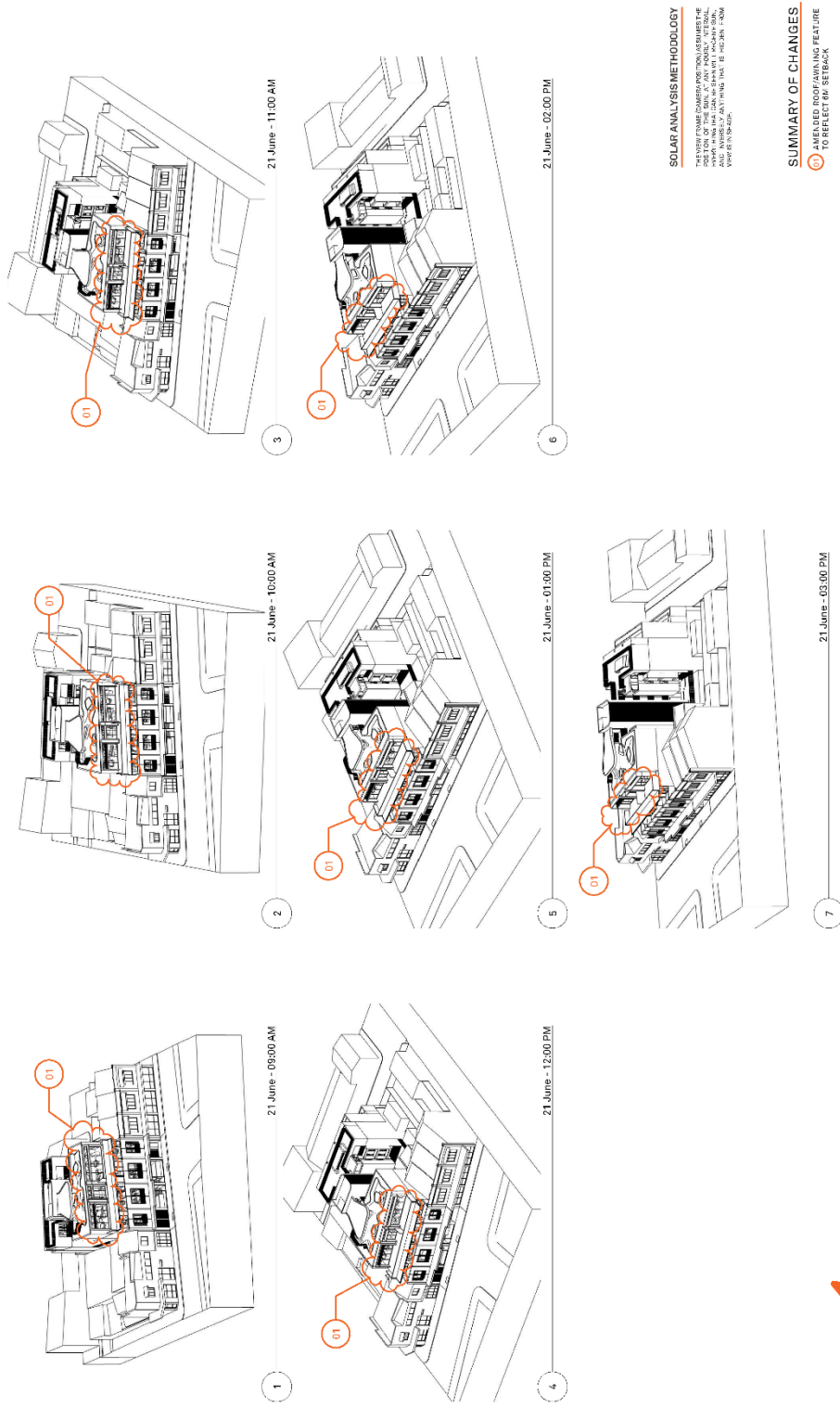
APPROPRIATE
 DATE: 18/06/2023
 DRAWN BY: 26/17/2023
 CHECKED BY: 18/06/2023
 GM: 14/06/2023

EXISTING & PROPOSED SHADOW
 EXISTING SHADOW: [Grey shaded area]
 PROPOSED SHADOW: [Orange shaded area]

CLIENT
 CORDARO PTY LTD
 111/111 WILSON ROAD, MARIBAYLLE NSW 2204
 AUSTRALIA
 A. STUDIOS, 5/55 BALMAIN RD, SYDNEY NSW 2040
 AUSTRALIA
 P. +61 2 9818 8777
 F. +61 2 9818 8777
 W. www.bensonmccormack.com.au

DOCUMENTS
 ID: 02616829
 Version: 1, Version Date: 19/06/2023





SOLAR ANALYSIS METHODOLOGY
 THE SUN'S POSITION DURING THE DAY IS SIMULATED USING THE SUN'S POSITION AT 15 MINUTE INTERVALS. THE SUN'S POSITION IS DETERMINED USING THE SUN'S POSITION AT 15 MINUTE INTERVALS. THE SUN'S POSITION IS DETERMINED USING THE SUN'S POSITION AT 15 MINUTE INTERVALS.

SUMMARY OF CHANGES
 01 AMENDED ROOF FACING AND FEATURE TO REFLECT OFF SETBACK

DRAWING TITLE
SEPPES Sun Diagrams
Solar Diagrams - 21 June
PROJECT No
 944
DRAWING No
 2130A
SCALE
 @A3
REVISION
 04
REV
 04

AMENDMENTS		PROJECT	
Chk	Director/Arch	Rev	944
Chk	DATE	03	57-05 ADDISON ROAD, LAMBRICKVILLE NSW 2201
Chk	DATE	03	20/11/2023
Chk	DATE	03	18/05/2023
Chk	DATE	04	14/09/2023
Chk	DATE	04	14/09/2023

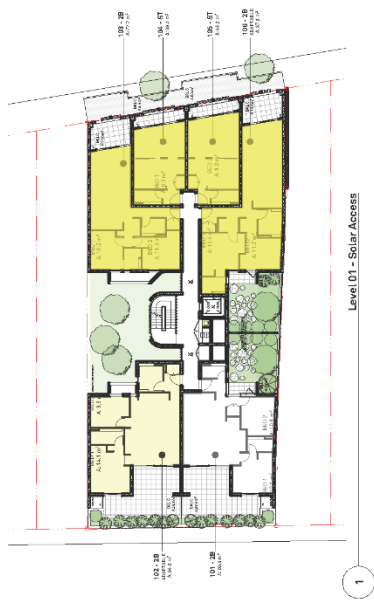
CLIENT		LEGEND	
CORDARO PTY LTD		01	
57-05 ADDISON ROAD, LAMBRICKVILLE NSW 2201		01	
AUSTRALIA		01	

CLIENT
CORDARO PTY LTD
 57-05 ADDISON ROAD, LAMBRICKVILLE NSW 2201
 AUSTRALIA

BENSON MCCORMACK ARCHITECTURE
 A. ST. LOUIS, 505 BALMAIN RD
 LLYFIELD NSW 2040
 AUSTRALIA
 P. +61 2 9385 0777
 W. WWW.BENSONMCCORMACK.COM



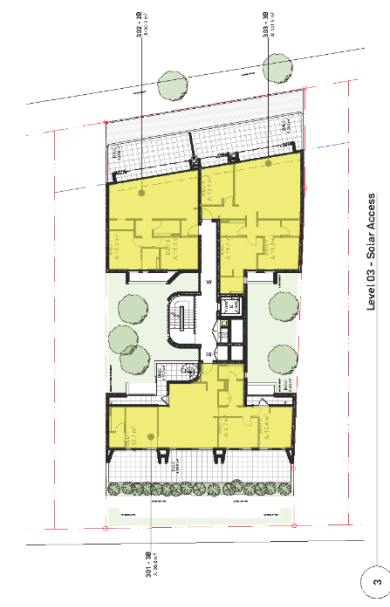
Document: S:\110_52864838...
 Version: 1, Version Date: 19/06/2023



SOLAR ACCESS

271 MIN SOLAR ACCESS # OF UNIT: 10/14
 SOLAR ACCESS SEPP46 REQUIREMENT MIN = 70%
 PROPOSED = 71.4%

LESS THAN 2° SOLAR ACCESS # OF UNIT: 3/14
 NO DIRECT SUNLIGHT # OF UNIT: 2/14
 NO DIRECT SUNLIGHT # OF UNIT: 1/14
 NO DIRECT SUNLIGHT # OF UNIT: 1/14
 NO DIRECT SUNLIGHT # OF UNIT: 1/14



SUMMARY OF CHANGES

- UPDATED SOLAR ACCESS CALCULATION TO REFLECT CHANGE IN INTERNAL LAYOUT

SEPP46 Sun Diagrams - 21 June
 Solar Access Diagrams - 21 June
 PROJECT No: 2728A
 DRAWING No: A-DA-730-002
 SCALE: 1:400/800
 REV: 04

APPENDIXES

APPENDIX	DATE	DESCRIPTION
01	18/05/2023	DA ISSUE 01
02	26/11/2023	DA ISSUE 02
03	18/05/2023	DA ISSUE 03
04	14/06/2023	DA ISSUE 03 - ADD INFO

PROJECT

NO	DATE	DESCRIPTION
94A	18/05/2023	DA ISSUE 01
94B	26/11/2023	DA ISSUE 02
94C	18/05/2023	DA ISSUE 03
94D	14/06/2023	DA ISSUE 03 - ADD INFO

LEGEND

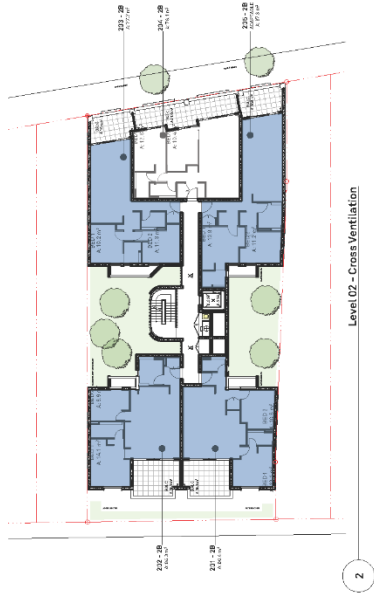
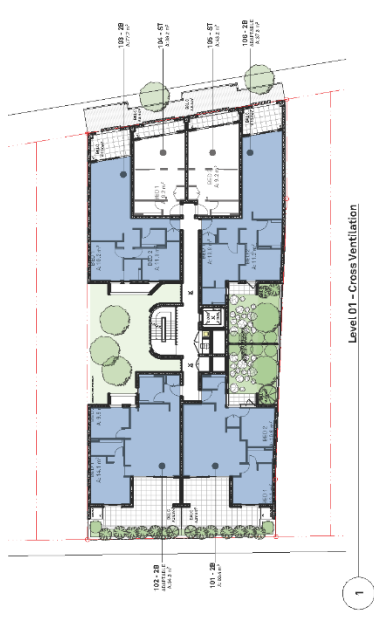
COLOUR	DESCRIPTION
Yellow	DIRECT SUNLIGHT > 2 HOURS
Light Green	DIRECT SUNLIGHT > 1 HOURS
White	NO DIRECT SUNLIGHT

CLIENT
CORDARO PTY LTD
 111/111 STURGEON ROAD, MARRICWALLE NSW 2204
 AUSTRALIA

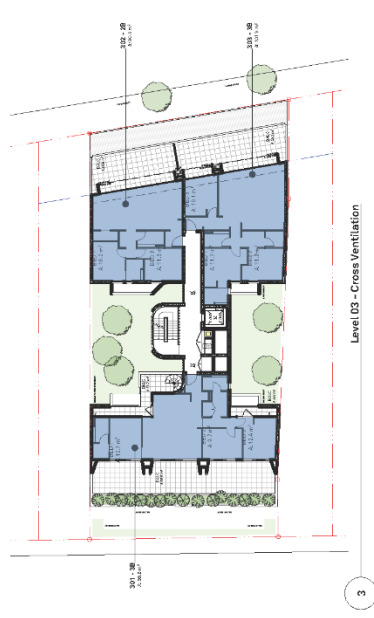
ARCHITECT
BENSON MCCORMACK ARCHITECTURE
 A. STUDIOS, 5/55 BALMAIN RD, BALMAIN NSW 2242
 AUSTRALIA
 P. +61 2 9818 8777
 F. +61 2 9818 8778
 W. www.bensonmccormack.com.au



Documents: 04-10-02616879
 Version: 1, Version Date: 19/06/2023



CROSS VENTILATION
 CROSS VENTILATION # OF UNITS = 10/14
 CROSS VENTILATION SEPP165 REQUIREMENT MIN = 62%
 PROPOSED = 71.4%



SUMMARY OF CHANGES
 1. UPDATED CROSS VENTILATION CALCULATION TO REFLECT CHANGE IN INTERNAL VOLUME

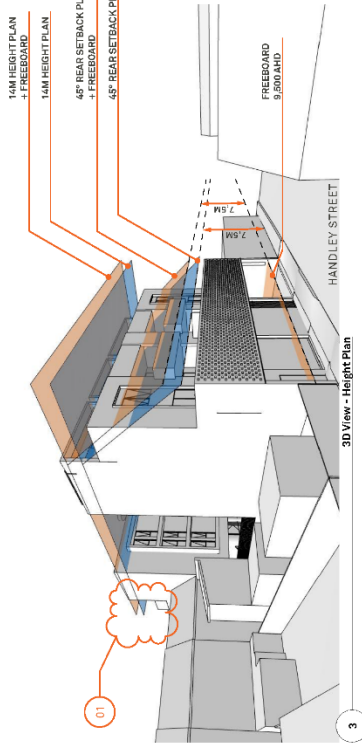
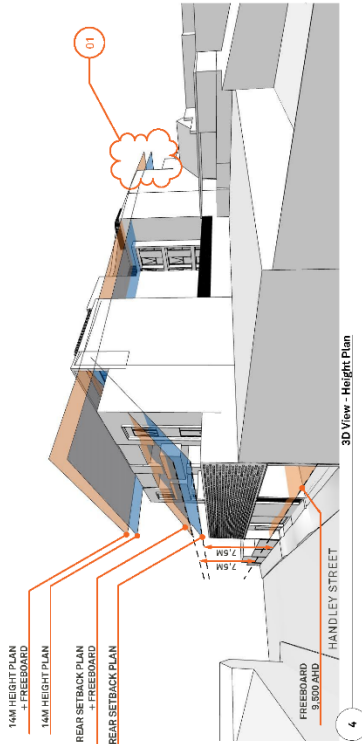
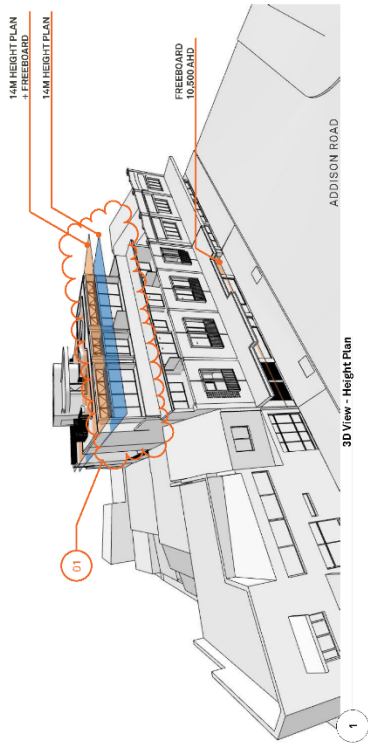
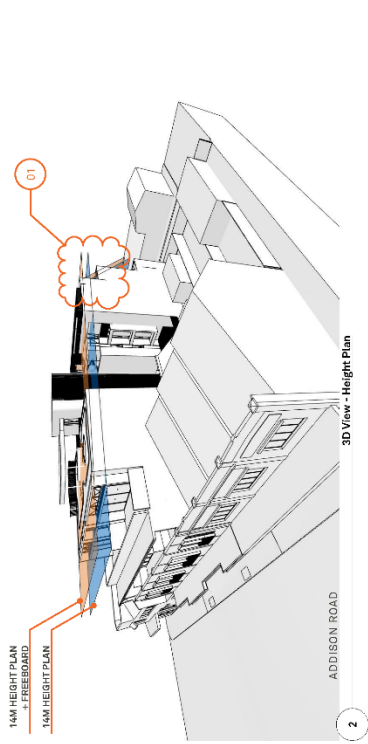
PROJECT
94A
 1600 AUSTRALIAN ROAD, MARRICWALLE NSW 2204
PROJECT No 2728A
DRAWING No A-DA-740-001
SCALE 1:400/600
PROJECT STATUS DEVELOPMENT APPLICATION
DATE 18/06/2023
ISSUE 03
ADD INFO 14/06/2023

APPENDIXES
 01K 01K DISCUSSION
 01M 01M DA ISSUE 02
 01N 01N DA ISSUE 03 - ADD INFO
 01O 01O DA ISSUE 03 - ADD INFO

CLIENT
CORDARO PTY LTD
 10/100 WOODS ROAD, MARRICWALLE NSW 2204
 AUSTRALIANS
 A. STUDIOS, 5/56 BALMAIN RD
 ULLYFELDS NSW 2140
 NSW 2140
 P. +61 2 9618 8777
 F. +61 2 9618 8777
 W. www.bensonmccormack.com.au

LEGEND
 CROSS VENTILATION
 NO CROSS VENTILATION

BENSON MCCORMACK ARCHITECTURE
 Documents: LD_02616879
 Version: 1, Version Date: 19/06/2023



SUMMARY OF CHANGES
 01 AMENDED ROOF FINISHING FEATURE TO REFLECT BK SETBACK

CLIENT
 CORDARO PTY LTD
 111 WILSON ROAD, WILSON
 AUSTRALIA

PROJECT
 94A
 94-96 ADDISON ROAD, HARRISVILLE NSW 2204

DATE
 16/06/2023

DATE
 29/7/2023

DATE
 18/05/2023

DATE
 16/06/2023

SCALE
 @A3

DRAWING No.
 A-DA-750-001

PROJECT STATUS
 DEVELOPMENT APPLICATION

DRW
 DB

REV
 04

AMENDMENTS

01 AMENDED ROOF FINISHING FEATURE TO REFLECT BK SETBACK

LEGEND

CLIENT
 CORDARO PTY LTD
 111 WILSON ROAD, WILSON
 AUSTRALIA

PROJECT
 94A
 94-96 ADDISON ROAD, HARRISVILLE NSW 2204

DATE
 16/06/2023

DATE
 29/7/2023

DATE
 18/05/2023

DATE
 16/06/2023

SCALE
 @A3

DRAWING No.
 A-DA-750-001

PROJECT STATUS
 DEVELOPMENT APPLICATION

DRW
 DB

REV
 04

AMENDMENTS

01 AMENDED ROOF FINISHING FEATURE TO REFLECT BK SETBACK

LEGEND

CLIENT
 CORDARO PTY LTD
 111 WILSON ROAD, WILSON
 AUSTRALIA

PROJECT
 94A
 94-96 ADDISON ROAD, HARRISVILLE NSW 2204

DATE
 16/06/2023

DATE
 29/7/2023

DATE
 18/05/2023

DATE
 16/06/2023

SCALE
 @A3

DRAWING No.
 A-DA-750-001

PROJECT STATUS
 DEVELOPMENT APPLICATION

DRW
 DB

REV
 04

AMENDMENTS

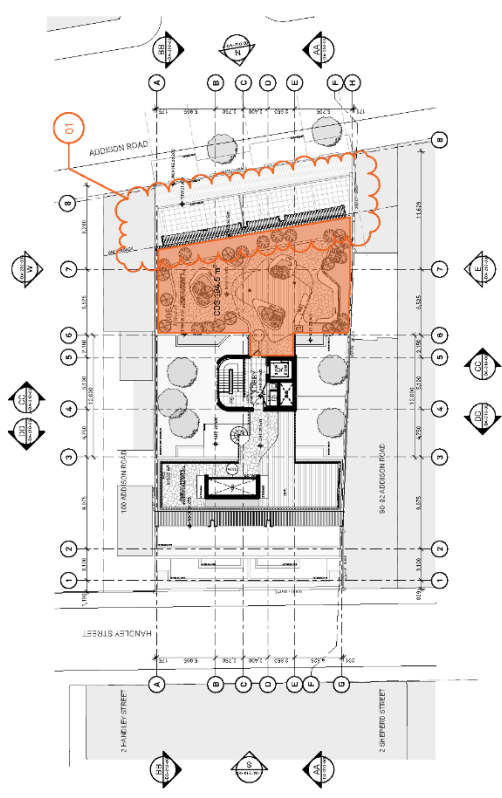
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LEGEND

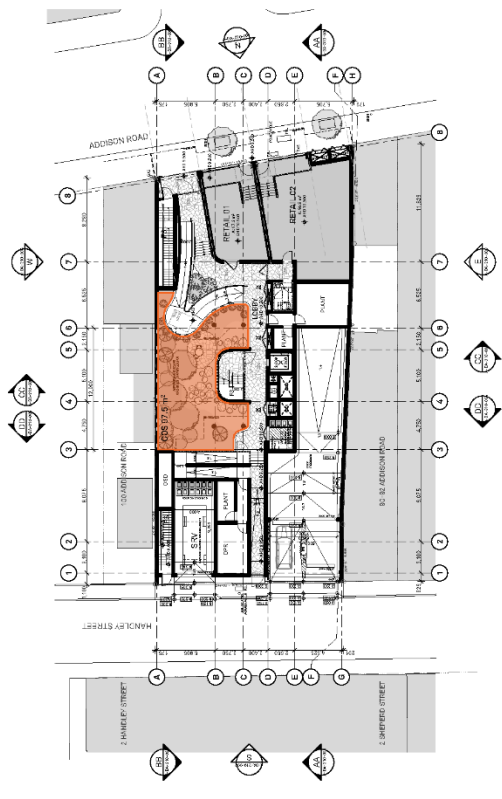


**BENSON
 MCCORMACK
 ARCHITECTURE**

Documents: 1410_0282648333
 Version: 1, Version Date: 15/06/2023



Communal Open Space - Roof
1:400



Communal Open Space - Ground
1:400

COMMON OPEN SPACE

SITE AREA 2366.60 M²

COV. NON-OPEN SPACE 188.2 M² (8.0%)

COV. OPEN SPACE 2178.4 M² (92.0%)

COV. REQUIRED (A/C) 202.0 M² (8.5%)

COV. PROVIDED (A/C) 198.2 M² (8.4%)

COMMON OPEN SPACE

ROOF TOP 184.8 M²

TOTAL 198.2 M²

SUMMARY OF CHANGES

- AMENDED ROOF-DRAINING FEATURE IN ROOF AMENDMENTS TERRACE AND SCREEN IN ROOF REDUCTION TO COVER AREA

DRAWING TITLE: **Communal Open Space and Deep Soil Communal Open Space Area**

PROJECT No: 2726A

DRAWING No: **A-DA-760-001**

REV: 04

APPROPRIATE: **CORDARO PTY LTD**

DATE: 18/02/2023

DISCUSSION: 26/11/2022

GM: DA ISSUE 03: 18/02/2023

GM: DA ISSUE 03-ADD INFO: 14/02/2023

SCALE: 1:400/800

PROJECT: **94A**

NO: 94A

NAME: ADDISON ROAD, MARRICAYLE NSW 2204

PROJECT STATUS: DEVELOPMENT APPLICATION

ADDRESS: **STUDIOS, 6/6 BALMAIN RD, BALMAIN NSW 2242**

ARTIST: **ULY FIELDS, NSW 2242**

ART: **75/88**

PH: **+61 2 9818 0777**

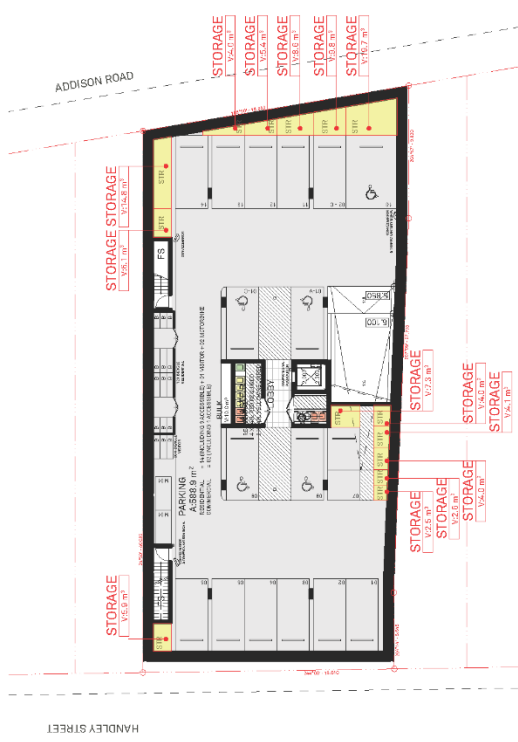
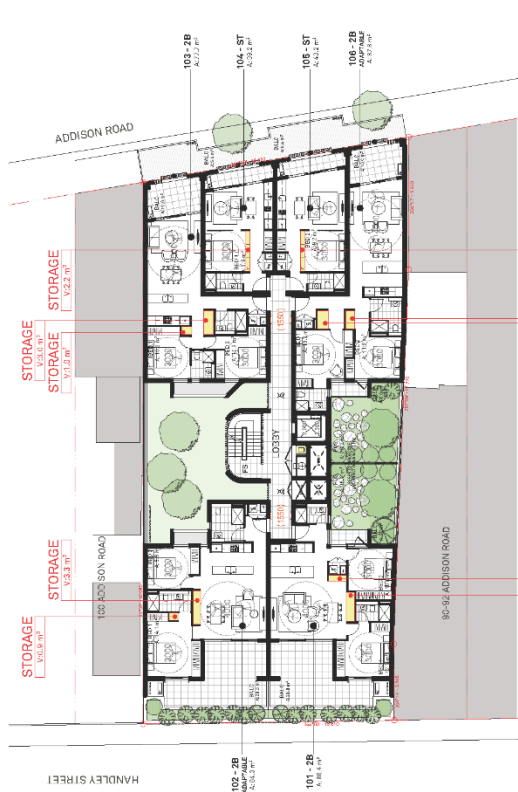
WWW: **www.bensonmccormack.com.au**



BENSON MCCORMACK ARCHITECTURE

Documents: 64 (1), 02616829

Version: 1, Version Date: 19/06/2023



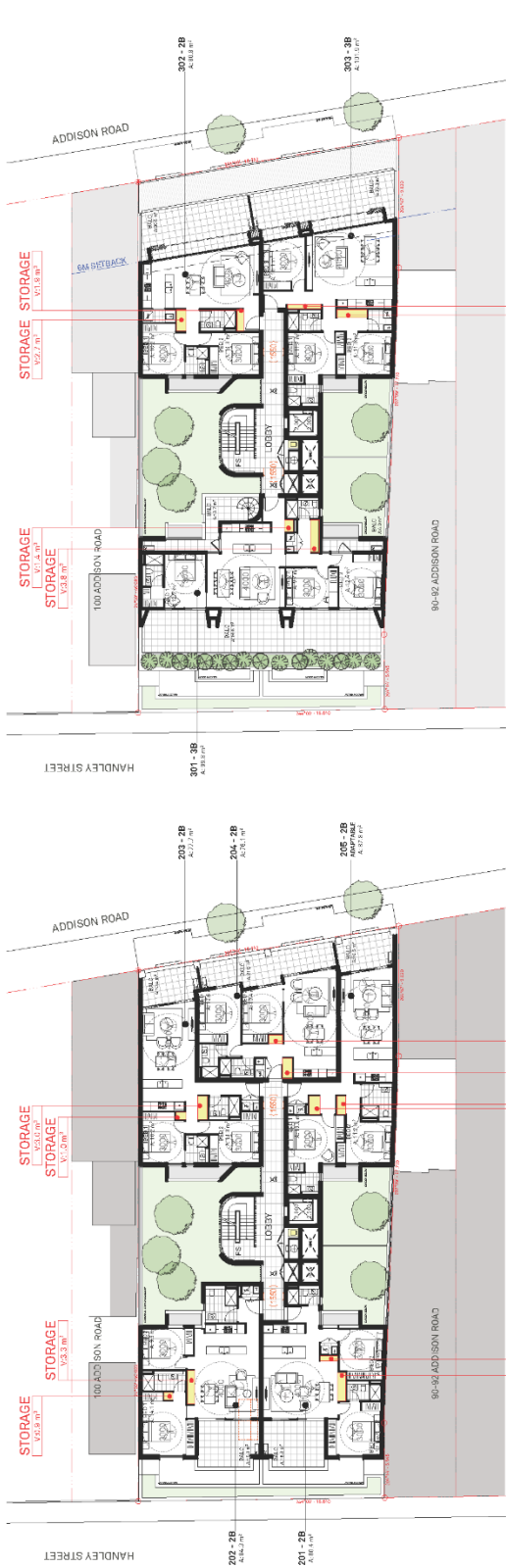
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UNIT	POSITION	VOLUME	STORAGE BY UNITS	UNIT	POSITION	VOLUME	STORAGE BY UNITS	
UNIT 101 - 2B	EXTERNAL	4.0	UNIT 205 - 2B	EXTERNAL	19.7	UNIT 303 - 3B	EXTERNAL	14.8
	INTERNAL	4.4		INTERNAL	8.8		INTERNAL	5.0
	8.4 m³	4.7 m³		28.5 m³	19.8 m³			
UNIT 102 - 2B	EXTERNAL	10.2	UNIT 301 - 3B	EXTERNAL	9.8	UNIT 302 - 2B	EXTERNAL	8.6
	INTERNAL	4.2		INTERNAL	5.2		INTERNAL	4.0
	14.4 m³	4.8 m³		15.0 m³	13.2 m³			
UNIT 103 - 2B	EXTERNAL	7.3	UNIT 201 - 2B	EXTERNAL	5.9	UNIT 202 - 2B	EXTERNAL	4.0
	INTERNAL	4.0		INTERNAL	4.4		INTERNAL	4.2
	11.3 m³	8.7 m³		10.3 m³	8.2 m³			

SUMMARY OF CHANGES
 ① IMPRATED STORAGE CALCULATION TO REFLECT CHANGE IN INTERNAL LAYOUT

PROJECT: 94A
 DATE: 26/07/2023
 DRAWING No: 2/20A
 SCALE: @A3
 DRAWING No: A-DA-770-001
 REV: 04



BENSON MCCORMACK ARCHITECTURE
 A. STUDIOS, 5/26 BALMAIN RD, BALMAIN NSW 2242
 P. 615 738 8777
 W. www.bensonmccormack.com.au



STORAGE BY UNITS				STORAGE BY UNITS				STORAGE BY UNITS			
UNIT	POSITION	VOLUME	STORAGE	UNIT	POSITION	VOLUME	STORAGE	UNIT	POSITION	VOLUME	STORAGE
UNIT 101 - 2B	EXTERNAL	4.0	15.8 m²	UNIT 205 - 2B	EXTERNAL	19.7	14.8	UNIT 303 - 3B	EXTERNAL	14.8	5.0
	INTERNAL	4.4	15.8 m²		INTERNAL	8.8	5.0		INTERNAL	19.8 m³	5.0
UNIT 102 - 2B	EXTERNAL	10.2	15.8 m²	UNIT 202 - 2B	EXTERNAL	4.0	9.8	UNIT 301 - 3B	EXTERNAL	9.8	9.8
	INTERNAL	4.2	15.8 m²		INTERNAL	4.2	19.0 m³		INTERNAL	5.2	19.0 m³
UNIT 103 - 2B	EXTERNAL	7.3	15.8 m²	UNIT 203 - 2B	EXTERNAL	5.4	8.6	UNIT 302 - 2B	EXTERNAL	8.6	8.6
	INTERNAL	4.0	15.8 m²		INTERNAL	4.0	4.6		INTERNAL	4.0	4.6
UNIT 104 - STUDIO	EXTERNAL	2.5	15.8 m²	UNIT 201 - 2B	EXTERNAL	5.9	10.3 m³	UNIT 301 - 3B	EXTERNAL	9.8	9.8
	INTERNAL	2.2	15.8 m²		INTERNAL	4.4	10.3 m³		INTERNAL	5.2	19.0 m³
UNIT 105 - STUDIO	EXTERNAL	2.5	15.8 m²	UNIT 202 - 2B	EXTERNAL	4.0	8.2 m³	UNIT 302 - 2B	EXTERNAL	5.4	8.6
	INTERNAL	2.2	15.8 m²		INTERNAL	4.0	8.2 m³		INTERNAL	4.0	4.6
UNIT 106 - 2B	EXTERNAL	4.0	15.8 m²	UNIT 203 - 2B	EXTERNAL	5.4	9.4 m³	UNIT 302 - 2B	EXTERNAL	8.6	8.6
	INTERNAL	4.7	15.8 m²		INTERNAL	4.0	9.4 m³		INTERNAL	4.0	4.6
UNIT 106 - 2B	EXTERNAL	4.0	15.8 m²	UNIT 203 - 2B	EXTERNAL	5.4	9.4 m³	UNIT 302 - 2B	EXTERNAL	8.6	8.6
	INTERNAL	4.7	15.8 m²		INTERNAL	4.0	9.4 m³		INTERNAL	4.0	4.6

SUMMARY OF CHANGES

- ① IMPROVED STORAGE CALCULATION TO REFLECT CHANGE IN INTERNAL LAYOUT

CLIENT
CORDARO PTY LTD
100 ADDISON ROAD, BALMORAN RD
AMSTERDAM, NSW 2148

ARCHITECT
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PROJECT
94A
100 ADDISON ROAD, AMSTERDAM NSW 2148

APPROVALS
DA: 26/06/2023
DA ISSUE 01: 26/06/2023
DA ISSUE 02: 18/06/2023
DA ISSUE 03-ADD INFO: 14/06/2023

DESIGNER
DATE: 26/06/2023
DRAWN BY: [Signature]
REV: 04

SCALE
0/33

Document: 94A-100-2618023
Version: 1, Version Date: 19/06/2023



NON-STRUCTURAL WALL
NO ELECTRICAL WIRING TO BE INSTALLED

CAPPED PLUMBING
TO BE PROVIDED WITHIN KITCHEN
FOR USE AT POST ADAPTATION

CAPPED PLUMBING
TO BE PROVIDED WITHIN BATHROOM
FOR USE AT POST ADAPTATION

NON-STRUCTURAL WALL
NO ELECTRICAL WIRING TO BE INSTALLED

ENSURE INTERNAL AND EXTERNAL LEVELS
TO ACHIEVE ACCESSIBLE PATH OF TRAVEL

NON-STRUCTURAL WALL
NO ELECTRICAL WIRING TO BE INSTALLED

NON-STRUCTURAL WALL
NO ELECTRICAL WIRING TO BE INSTALLED

CAPPED PLUMBING
TO BE PROVIDED WITHIN BATHROOM
FOR USE AT POST ADAPTATION

CAPPED PLUMBING
TO BE PROVIDED WITHIN KITCHEN
FOR USE AT POST ADAPTATION

ENSURE INTERNAL AND EXTERNAL LEVELS
TO ACHIEVE ACCESSIBLE PATH OF TRAVEL

NEW ACCESSIBLE BEDROOM

NEW ACCESSIBLE KITCHEN

NEW ACCESSIBLE BATHROOM

NEW ACCESSIBLE BATHROOM

NEW ACCESSIBLE KITCHEN

CORDARO PTY LTD
11/11/2023

APPENDIX 1
DATE: 14/06/2023
DISCUSSION: 26/11/2022
DA ISSUE 01: 18/05/2023
DA ISSUE 02: ADD INFO: 14/06/2023

PROJECT: 94A
PROJECT NAME: 106-ADAPTED ROAD, MARRICWALLE NSW 2204

PROJECT STATUS: DEVELOPMENT APPLICATION
SCALE: 1:100/0.83

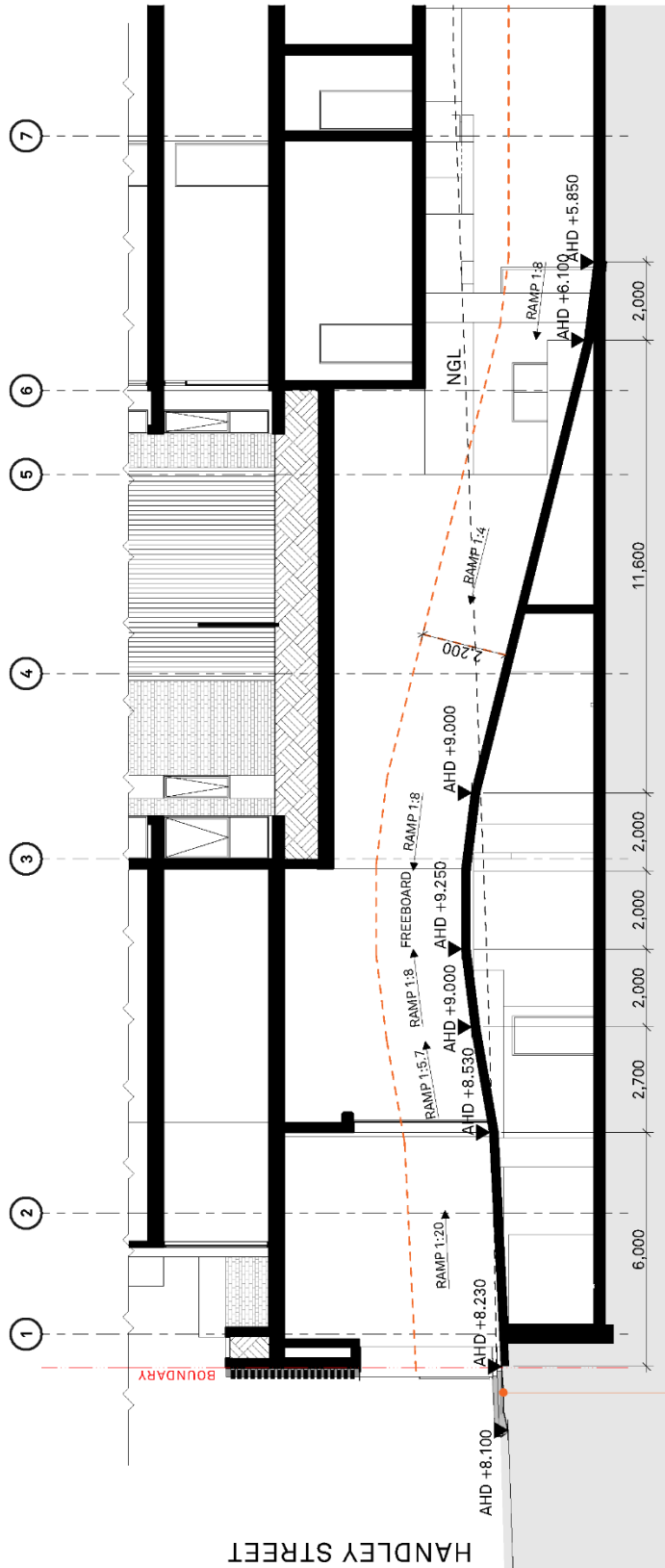
Supplementary Drawings
Pre-Post Adapted Dwelling
PROJECT No: 2726A
DRAWING No: A-DA-810-001
REV: 04



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ULYFELDS NSW 2140
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ARCHITECTURE

Documents: 106-205-19/06/2023
Version: 1, Version Date: 19/06/2023



VEHICULAR CROSSINGS AS PER INNERWEST COUNCIL PUBLIC DOMAIN WORKS STANDARDS DRAWINGS - ROADWAY DRAWINGS.



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CLIENT
CORDARO PTY LTD
 100/100 BALMAIN RD
 BALMAIN NSW 2140

REVISION

APPENDIX

PROJECT

DRAWING TITLE

DATE 14/06/2023
DISCUSSION 26/7/2022
GM DA ISSUE 03 18/02/2023
GM DA ISSUE 03-ADD INFO 14/06/2023

PROJECT No 94A
PROJECT No 278A
PROJECT No 278A
PROJECT No 278A

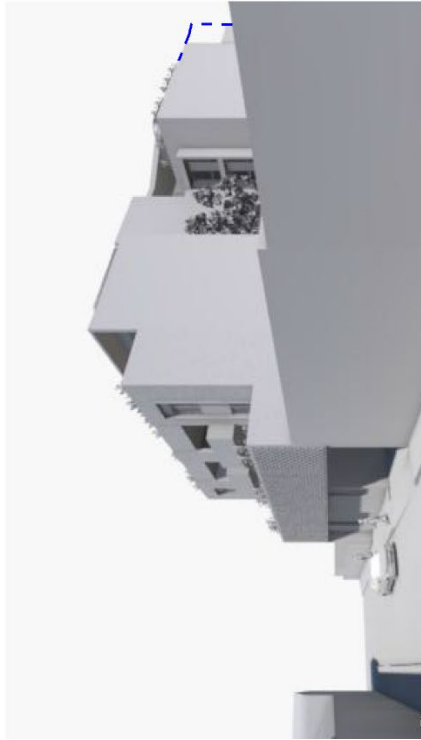
SCALE 1:100/0.83
DRAWING No A-DA-810-002
REV 04

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 Version: 1, Version Date: 19/06/2023



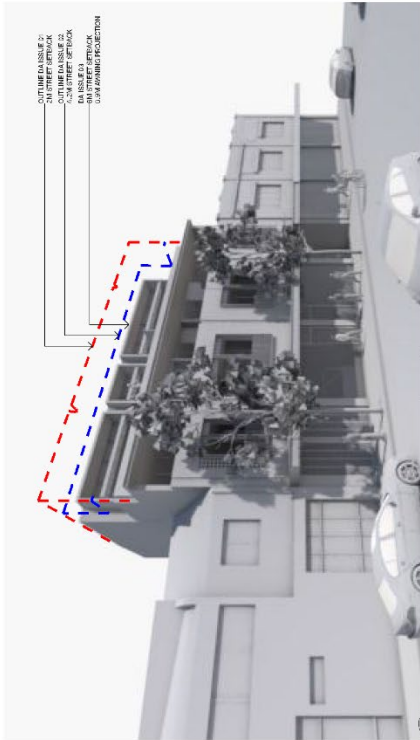
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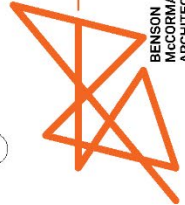
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Documents: 04-10-2021-18279
Version: 1, Version Date: 19/06/2023

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CLIENT
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SYDNEY NSW 2008
AUSTRALIA

LEGEND
OUTLINE DA ISSUE 1
OUTLINE DA ISSUE 0
OUTLINE DA ISSUE 2

APPROPRIATE		PROJECT		PROVISIONS	
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DA	26/11/2022	94A	10	NSW 2204	Missing - 3D View 1/2
DA	18/02/2023	94A	10	NSW 2204	PROJECT NO
DA	14/06/2023	94A	10	NSW 2204	2728A
DA	14/06/2023	94A	10	NSW 2204	DRAWING NO
DA	14/06/2023	94A	10	NSW 2204	A-DA-900-001

SCALE: @A3

PROJECT STATUS
DEVELOPMENT APPLICATION

REVISIONS

REV

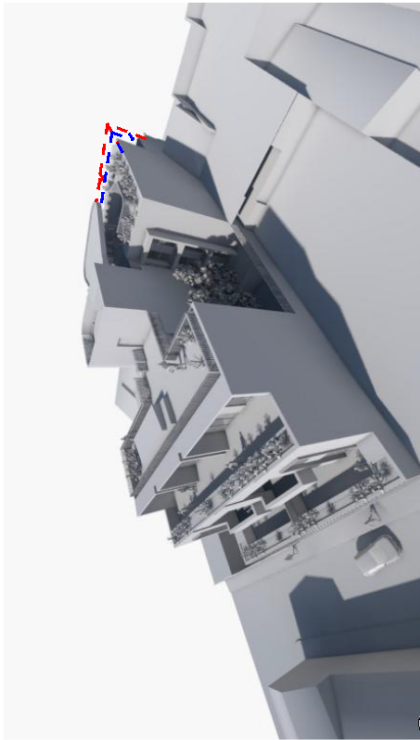
BY

DATE

DESCRIPTION

04

04



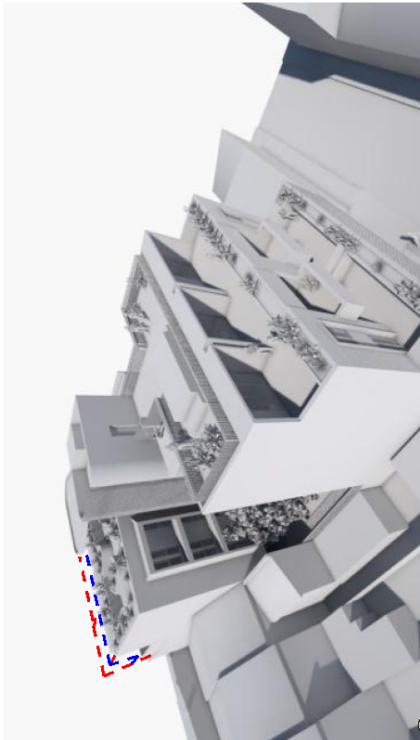
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4



Missing - 3D View

1



Missing - 3D View

3



**BENSON
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ARCHITECTURE**

Document: 24-03-2023-0002
Version: 1, Version Date: 13/06/2023

CLIENT
CORDARO PTY LTD
111/111 BALMAIN RD
BALMAIN NSW 2040
AUSTRALIA

LEGEND
- Outline to indicate in
- Outline to indicate in
- Outline to indicate in
- Outline to indicate in

AMENDMENTS

Rev	Date	Description
01	14/06/2023	DA ISSUE 01 - ALDO INFO
02	18/06/2023	DA ISSUE 02
03	28/11/2023	DA ISSUE 03
04	20/06/2023	DA ISSUE 04

PROJECT
94A
14/38 ALDRIDGE ROAD, MARRICKVILLE NSW 2204

PROJECT TITLE
3D VIEWS
Missing - 3D View 2/2

PROJECT No
2132A

DRAWN
DB

PROJECT EXTENT
DEVELOPMENT APPLICATION

SCALE @=1

DRAWING No
A-DA-900-002

REV
04



CLIENT
CORDARO PTY LTD
 110 PHILLIP LANE #12/16
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ADDRESS
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 R. 7535
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LEGEND

AMENDMENTS

CRK	30/09/2023	Rev	94A
OK	26/12/2023	CD	94-BB ADDISON ROAD, MARRICKVILLE NSW 2204
OK	18/05/2023	CD	270M
OK	16/06/2023	CD	270M

PROJECT

PROJECT No 94A
PROJECT STATUS DEVELOPMENT APPLICATION
SCALE @A3

DRAWING TITLE
3D VIEWS
 Perspective
PROJECT No
 270M
DRAWING No
 A-DA-900-003
REV
 04

BENSON MCCORMACK ARCHITECTURE
 Documents Pty. Ltd. 23219829
 Version: 1, Version Date: 19/06/2023



CLIENT
CORDARO PTY LTD
 10/11-13/15 WILSON ROAD, WILSONS PROMENADE NSW 2154
 AUSTRALIA

ARCHITECTS
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PROJECT
94A
 No. 94A BELMONT ROAD, WILSONS PROMENADE NSW 2154
 PROJECT No. 2123A

DATE
 18/05/2023

CLASSIFICATION
 G4 CLASSIFIED

SCALE
 @A3

DEVELOPMENT APPLICATION
 DEVELOPMENT APPLICATION

REVISIONS

REV	DATE	DESCRIPTION
01	18/05/2023	ISSUE FOR PERMIT
02	28/11/2023	ISSUE FOR PERMIT
03	18/05/2023	ISSUE FOR PERMIT

PROJECT TITLE
3D VIEWS
 Perspective - Future Context

DRAWING No.
 03

DRAWING No.
 A-DA-900-004

Version: 1, Version Date: 19/06/2023



Documents & Data: 0265489570
Version 1.1, Version Date: 15/06/2023

CLIENT
CORDARO PTY LTD
1/100 WILSON ROAD, WILSONS PROMENADE
AUSTRALIA

AMENDMENTS
DA Description: 944
DA Issue No: 02
DA Issue 03

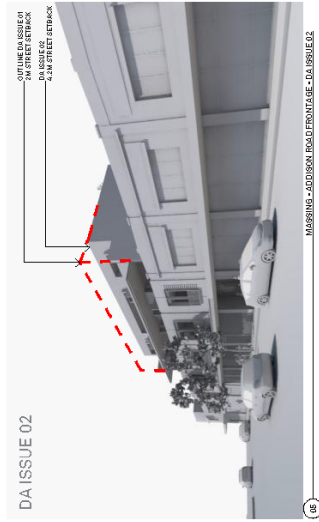
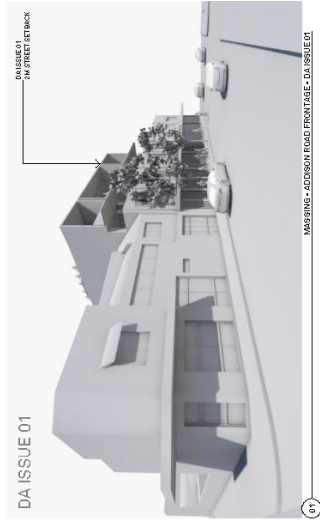
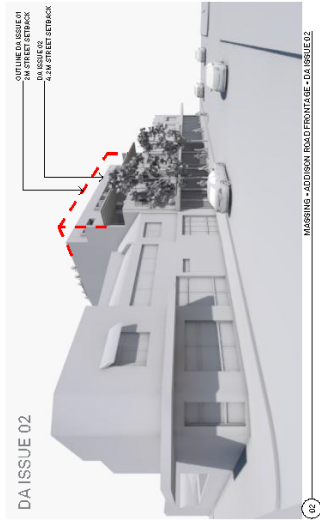
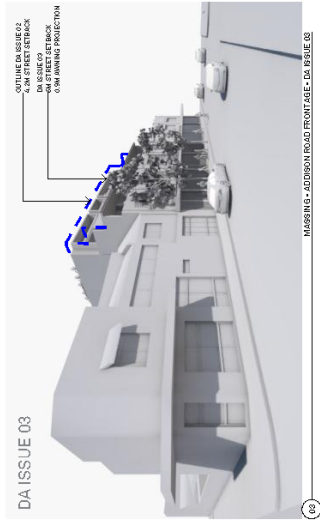
LEGEND
OUTLINE OF THE BUILDING
OUTLINE OF THE BUILDING
DA ISSUE 01
DA ISSUE 02
DA ISSUE 03

PROJECT
No: 944
Date: 18/06/2023
Project Name: 1/100 WILSON ROAD, WILSONS PROMENADE NSW 2204
Scale: @43

PROJECT STATUS
DEVELOPMENT APPLICATION
DRAWING NO: A-DA-900-005
DRAWN: DB
REV: 02

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ULFIELD NSW 2040
ABN: 62 156 293 216
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ALL WORKS TO COMPLY WITH THE BUILDING CODE OF AUSTRALIA (BCA) 2019. ALL WORKS TO COMPLY WITH THE BUILDING CODE OF AUSTRALIA (BCA) 2019. ALL WORKS TO COMPLY WITH THE BUILDING CODE OF AUSTRALIA (BCA) 2019.



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ARCHITECTURE**

Documents & Data: 0265489570
Version: 1, Version Date: 15/06/2023

A. STUDIO'S 608 BALMAIN RD
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CLIENT
CORDARO PTY LTD
11/1400 BUSH ROAD, MARRICKVILLE NSW 2204
AUSTRALIA

LEGEND
--- MAPPING - DA ISSUE 01
--- MAPPING - DA ISSUE 02
--- MAPPING - DA ISSUE 03

AMENDMENTS
C/A Description
G/A DA ISSUE 03

PROJECT
No: 944
Date: 18/06/2023
Project: 11/1400 BUSH ROAD, MARRICKVILLE NSW 2204

DRAWING TITLE
3D VIEWS
North Elevation - Comparison 22
PROJECT No: 2120A
DRAWING No: A-DA-900-006
DRAWN: DB
REV: 02

PROJECT STATUS
DEVELOPMENT APPLICATION
SCALE: @43
DATE FOR ISSUE: 15/06/2023



drawing file
Landscape Plan : Ground Floor
 project no. 22915
 scale 1:100 @ A3
 drawing no. LP01
 issue B

project
94 - 98 Addison Road Marrickville NSW
 client
 Cordaro Pty Ltd

revision table
 issue date description
 C1 07/04/22 Preliminary issue for comment.
 A 09/04/22 Amend to comments, Update Arch. DA Issue.
 B 18/04/22 Update Arch. DA Issue.

Mathew Higginson Landscape Architecture Pty Ltd po box 353 live creek rdw 2046 t 0414 725 944 e mha@mla.com.au
DEVELOPMENT APPLICATION
 Note: This drawing has been prepared for consideration and reliance in the communication of proposed developments and is not intended as a contract for construction. All dimensions are given in millimetres. Do not scale drawings. Drawing and content protected by copyright.
 Document Set ID: 304359589
 Version: 1, Version Date: 16/06/2022



Mathew Higginson Landscape Architecture Pty Ltd po box 353 live cock, nsw 2046 t 0414 725 944 e mha@mla.com.au

94 - 98 Addison Road Marrickville NSW

Landscaping Plan : Level 1

scale 1:100 @ A3 project no. 22915 drawing no. LPO2 sheet B

Version: 1, Version Date: 16/06/2023

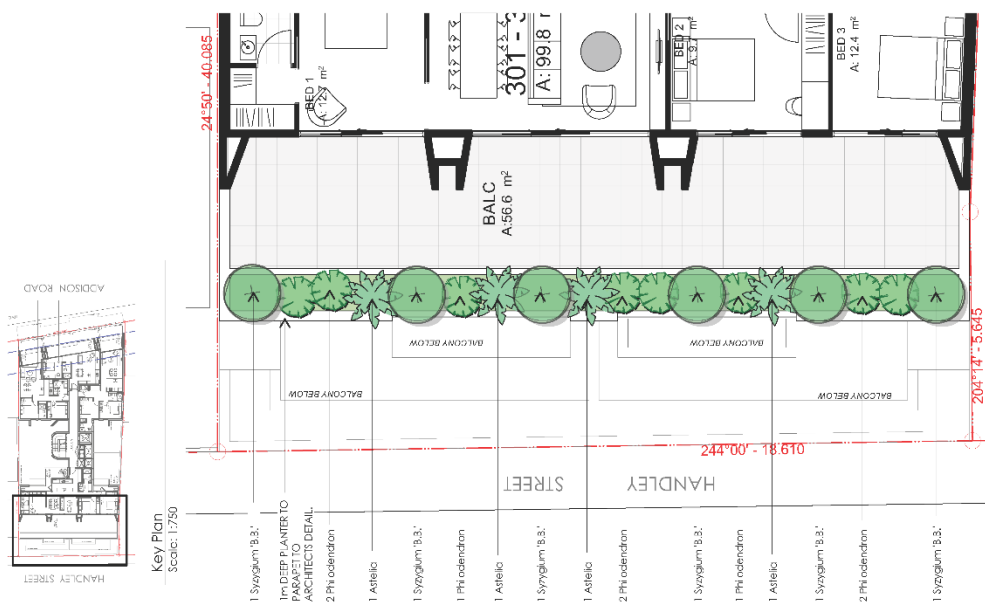
DEVELOPMENT APPLICATION

Notes: This drawing has been prepared for consideration and reference in the communication of conceptual ideas and is not intended as a contract for construction. It is provided as a guide only. Final dimensions, details and content protected by copyright.

Revisions:
 01 07/04/22 Preliminary issue for comment.
 A 09/04/22 Amend to comments, Update Arch, DA Issue.
 B 18/04/22 Update Arch, DA Issue.

PLANT SCHEDULE

Botanic Name	Common Name	Supply Size (mm/L)	Mature Height	Mature Spread	Qty
Trees					
Acer palmatum 'Sensaki'	Coral Bark Maple	200L	5m	4m	2
Betula pendula 'Fastigiata'	Upright Silver Birch	200L	8m	3m	3
Magnolia 'Teddy Bear'	Teddy Bear Magnolia	100L	4m	2m	3
Malus x floribunda	Flowering Crabapple	100L	5m	4m	1
Shrubs					
Alphita nutans	False Cardamom	200mm	1m	1m	34
Banksia spinulosa var. collina	Golden Banksia	300mm	3m	2m	3
Buxus sempervirens	Boxwood	300mm	1m	1m	3
Camellia japonica	Camellia	45L	4m	2m	1
Cordyline fruticosa 'Rubra'	Red Ti Plant	200mm	2m	1m	4
Crassula ovata	Jade Plant	300mm	1m	1m	6
Hebebois orientalis	Lantion Rose	200mm	0.4m	0.5m	29
Hydrangea macrophylla	Hydrangea	300mm	2m	2m	6
Philotheca myoporoides 'Profusion'	Profusion Wax Flower	300mm	1.5m	1.5m	10
Plectranthus argentatus 'Silver Shield'	Silver Shield Spur Flower	200mm	0.6m	0.6m	36
Polyscias sambucifolia ssp. lepiophylla	Elderberry Fanax	200mm	1.5m	1m	15
Rhaplolepis 'Snow Maiden'	Snow Maiden Hawthorn	45L	1m	1m	26
Strelitzia reginae	Bird of Paradise	300mm	1.5m	1m	9
Syzygium 'Baby Boomer'	Baby Boomer Lily Fly	45L	1.5m	1.5m	32
Syzygium 'Pinnacle'	Pinnacle Lily Pilly	100L	4m	2m	12
Groundcovers / Climbers / Aquatics					
Astelia australiana	Tall Astelia	300mm	1.8m	1m	10
Brachycome multifida	Cut leaf Daisy	200mm	0.2m	0.6m	14
Dianella 'Silver Streak'	Silver Streak Paroo Lily	200mm	0.7m	0.7m	28
Dichondra 'Silver Falls'	Silver Falls Kidney Weed	140mm	0.2m	1m	20
Philodendron 'Xanadu'	Xanadu Philodendron	200mm	0.9m	0.9m	27
Scaevola aemula	Fanflower	140mm	0.2m	0.6m	10
Viola hederacea	Native Violet	140mm	0.1m	0.8m	90



Level 3 + Schedule

scale 1:100 @ A3
 project no. 22215
 drawing no. LP03
 issue B

94 - 98 Addison Road Marrickville NSW

client Cordoro Pty Ltd

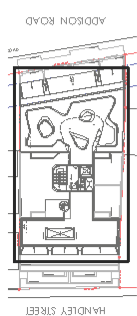
Matthew Higginson Landscape Architecture Pty Ltd po box 353 live clock nsw 2046 t 0414725 944 e mh@mlha.com.au

01 07/04/22 Preliminary issue for comment.
 A 09/04/22 Amend to comments. Update Arch. DA issue.
 B 18/04/22 Update Arch. DA issue.

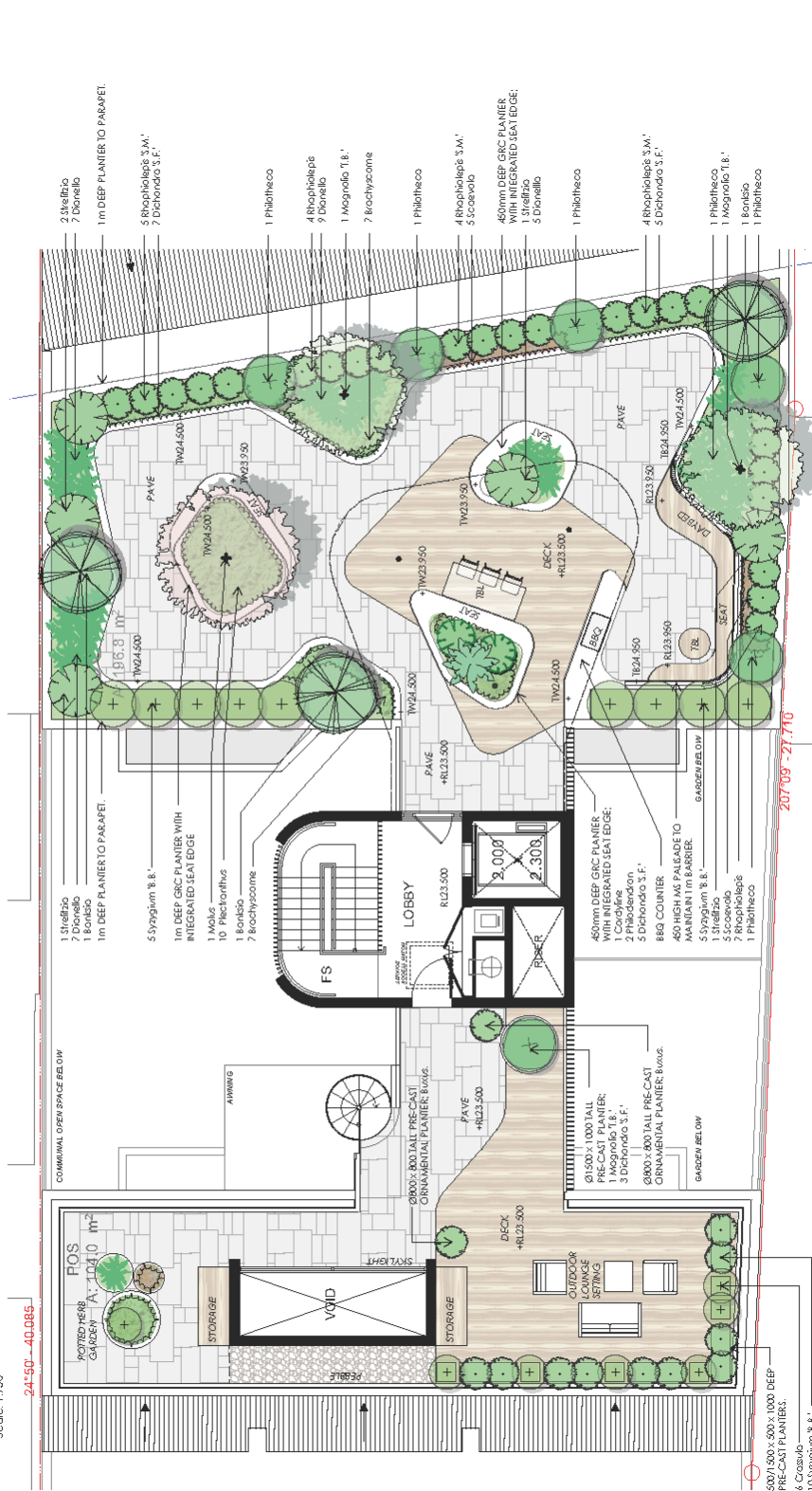
DEVELOPMENT APPLICATION

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Document Set ID: 38455589
 Version: 1, Version Date: 16/06/2022



Key Plan
Scale: 1:750
24.50 - 40.085



207'09" - 27'710"

207'09" - 27'710"

207'09" - 27'710"

Matthew Higginson Landscape Architecture Pty Ltd po box 353 five dock new 2046 t 04 14 725 944 e mhia@mhia.com.au

project: 94 - 98 Addison Road Marrickville NSW

client: Corridor Pty Ltd

drawing title: Landscape Plan : Roof

scale: 1:100 @ A3

project no.: 22715

drawing no.: LP04

issue: B

save date: description:

01 07.04.22 Preliminary save for comment.

A 09.04.22 Amend to comments: update Arch. DA save.

B 18.04.22 update Arch. DA save.

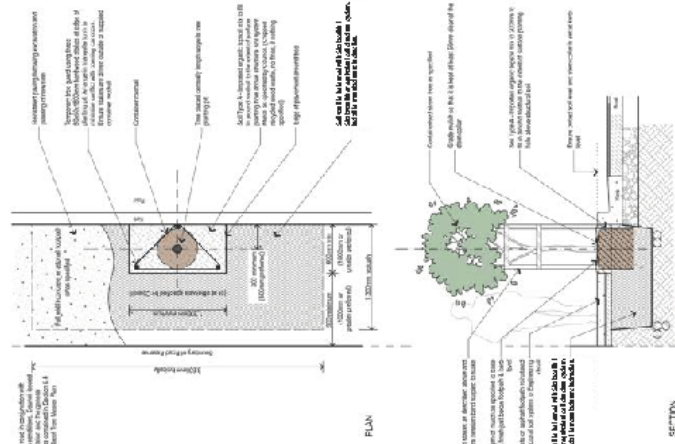
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Document Set ID: 30385989

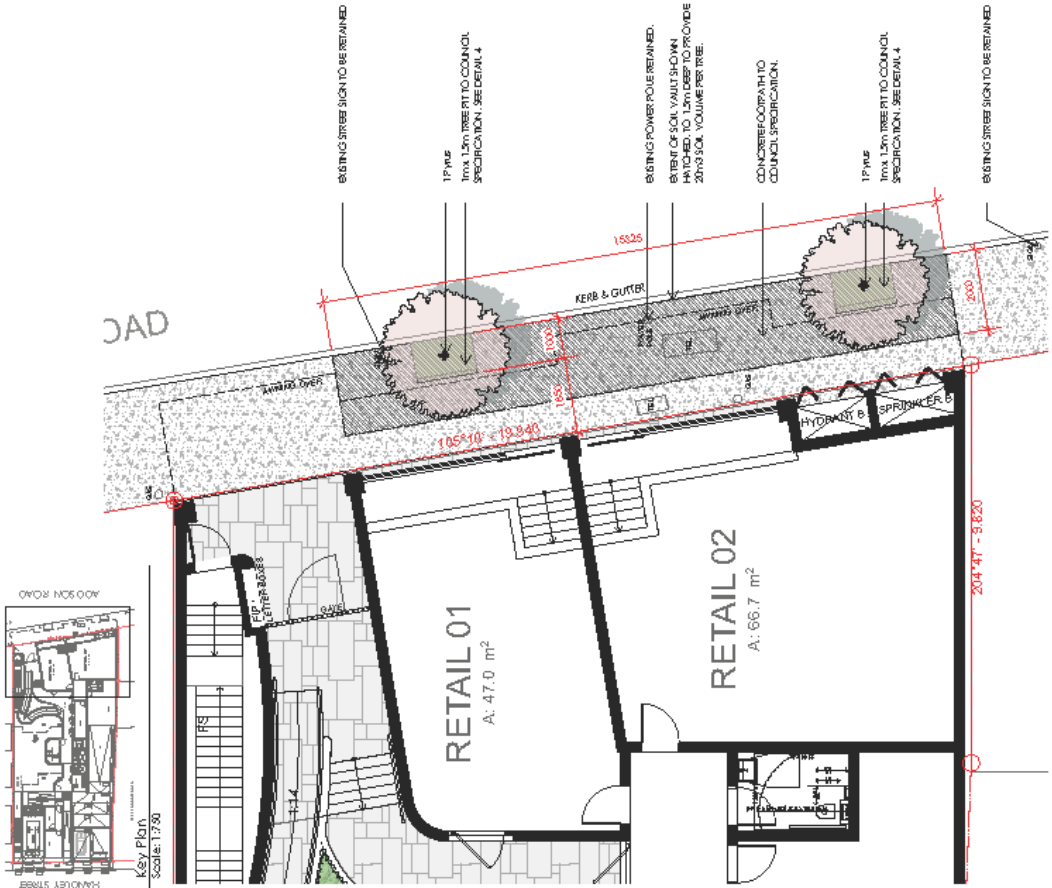
Version: 1, Version Date: 18/06/2023

PLANT SCHEDULE : Public Domain

Botanic Name	Common Name	Supply Size (mm/c)	Mature Height	Mature Spread	City
Pyrus calleryana	Callery Pear / Glens Form Pear	200L	8m	3m	2
Chantidsear					



DETAIL 4 - TREE PLANTING IN NARROW PAVED KERSE WITH EXPANDED SOIL VOLUME



EXISTING STREET SIGN TO BE RETAINED

1P/1E 1m x 1.5m TREE PIT TO COUNCIL SPECIFICATION. SEE DETAIL 4

EXISTING POWER POLE TO BE RETAINED.

EXISTING OF SOIL VOLUME TO REMAIN. 20% SOIL VOLUME PER TREE.

CONCRETE FOOTPATH TO COUNCIL SPECIFICATION.

1P/1E 1m x 1.5m TREE PIT TO COUNCIL SPECIFICATION. SEE DETAIL 4

EXISTING STREET SIGN TO BE RETAINED

Matthew Higginson Landscape Architecture Pty Ltd po box 333 Eve Leach new 2046 t 0414 725 944 e mhl@matw.com.au

DATE: 16/05/2023

PROJECT: 94 - 98 Addison Road Marrickville NSW

SCALE: 1:100 @ A3

DATE: 16/05/2023

PROJECT NO: 22915

CLIENT: Carobro Pty Ltd

DRAWING NO: LP05

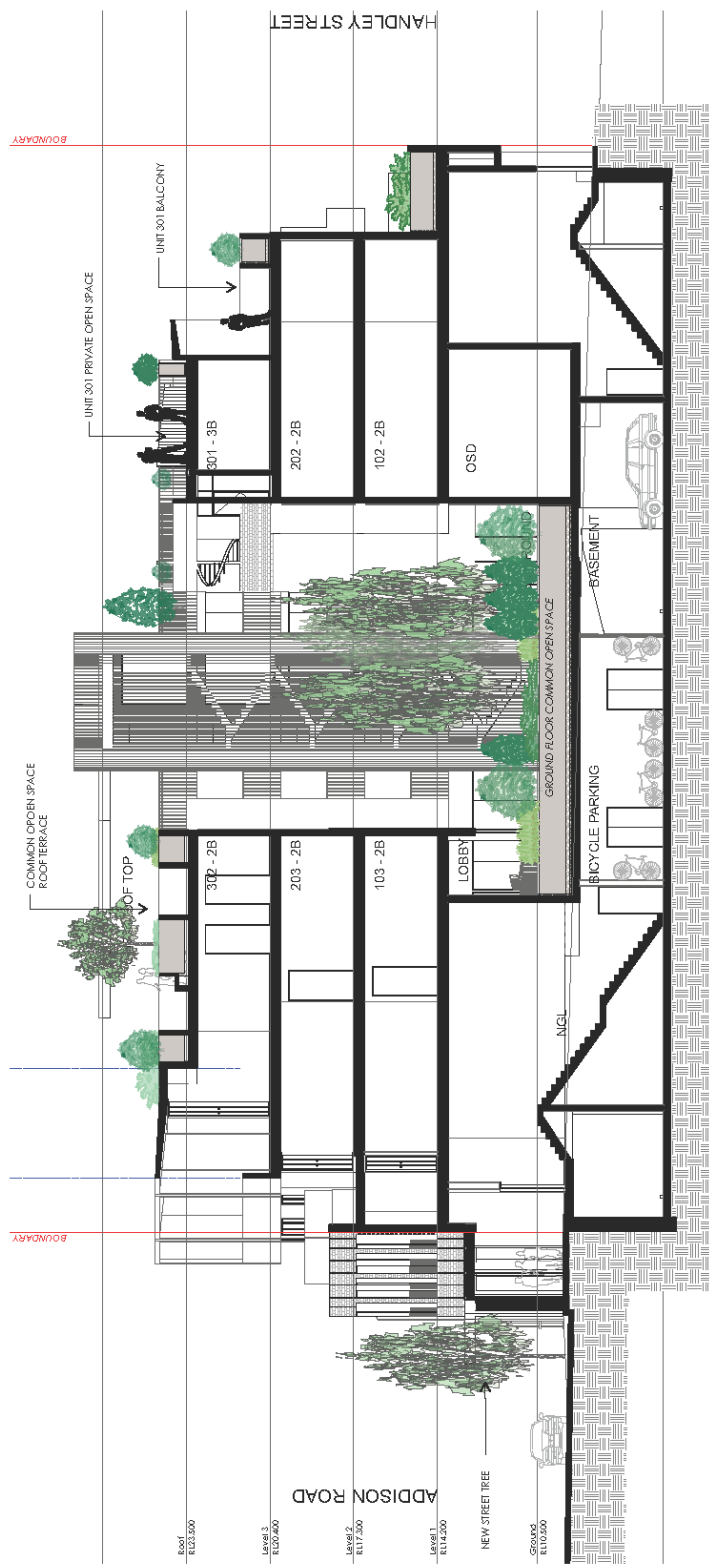
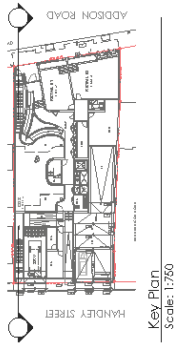
DATE: 16/05/2023

LANDSCAPE PLAN: Public Domain

NOTES: The drawings have been prepared for consultation and reference in the communication of the project and are not intended as a contract document. No guarantee is given for the accuracy of the information contained herein. The drawings are the property of the client and are not to be used for any other purpose without the written consent of the client.

DocId: 31869699

Version: 1.1, 16/05/2023



North

project: 94 - 98 Addison Road Murrumbidgee NSW
 client: Cordaro Pty Ltd
 drawing title: Section
 scale: 1:150 @ A3
 drawing no.: LP06
 issue: B

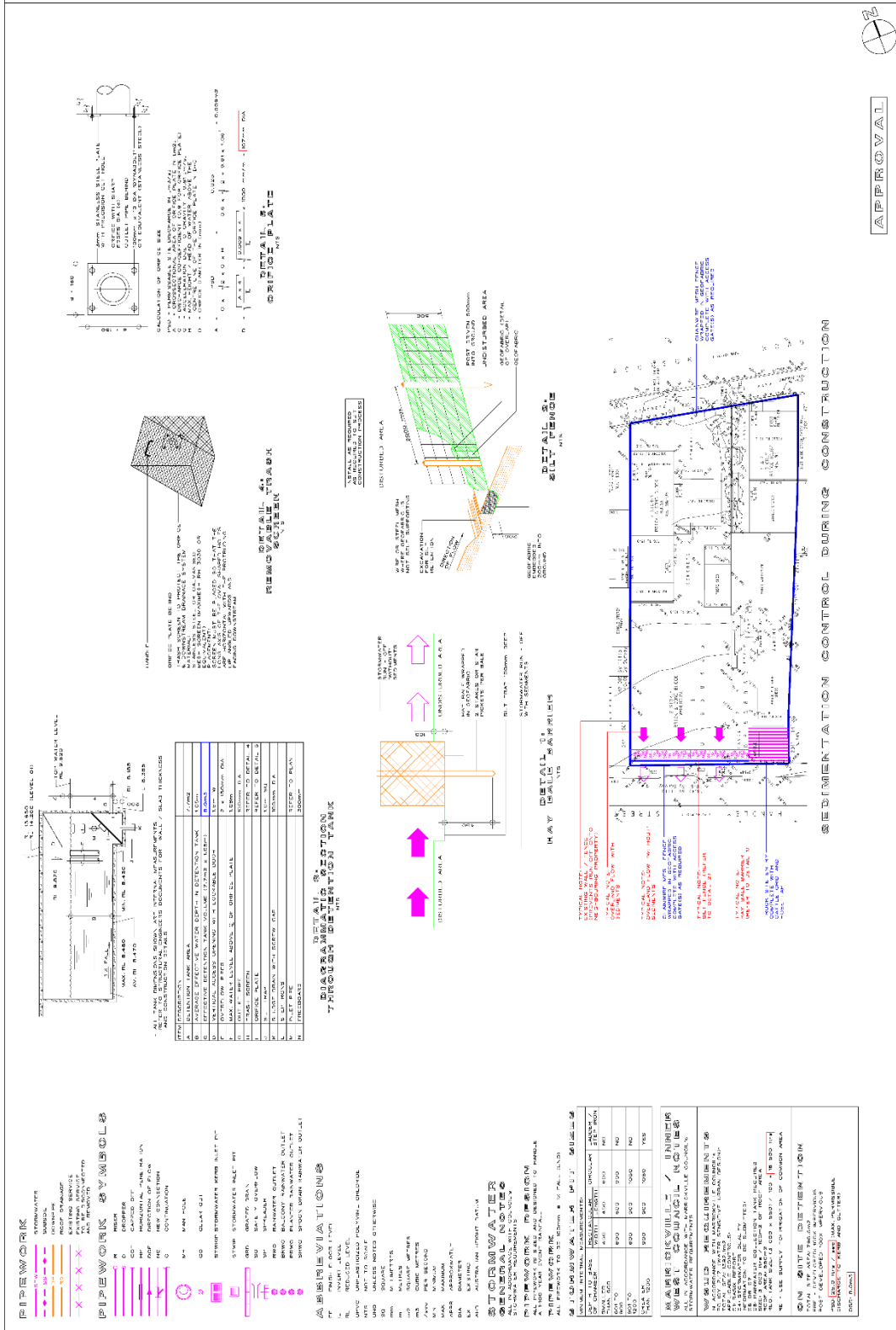
issue	date	description
01	07/04/22	Preliminary issue for comment.
A	09/04/22	Amend to comments. Update Arch. DA issue.
B	18/04/22	Update Arch. DA issue.

DEVELOPMENT APPLICATION

NOTE: This drawing has been prepared for consideration and reference in the communication of a development application. It is not to be used as a contract document for purposes of a signed development application. Do not scale drawing. Copying and content protected by copyright.

Document Set ID: 38839589
 Version: 1, Version Date: 18/06/2023

DRAWING



APPROVAL

PROJECT TITLE
LEGONLAND SUBSTATION
MARKICKVILLE

ISSUED BY
2008/04/10

DESIGNED BY
2008/04/10

DRAWN BY
2008/04/10

CHECKED BY
2008/04/10

DATE
2008/04/10

SCALE
1:100

PROJECT NO. VECOMACK

PROJECT TITLE
WALTON ROAD
MARKICKVILLE

DESIGNED BY
2008/04/10

DRAWN BY
2008/04/10

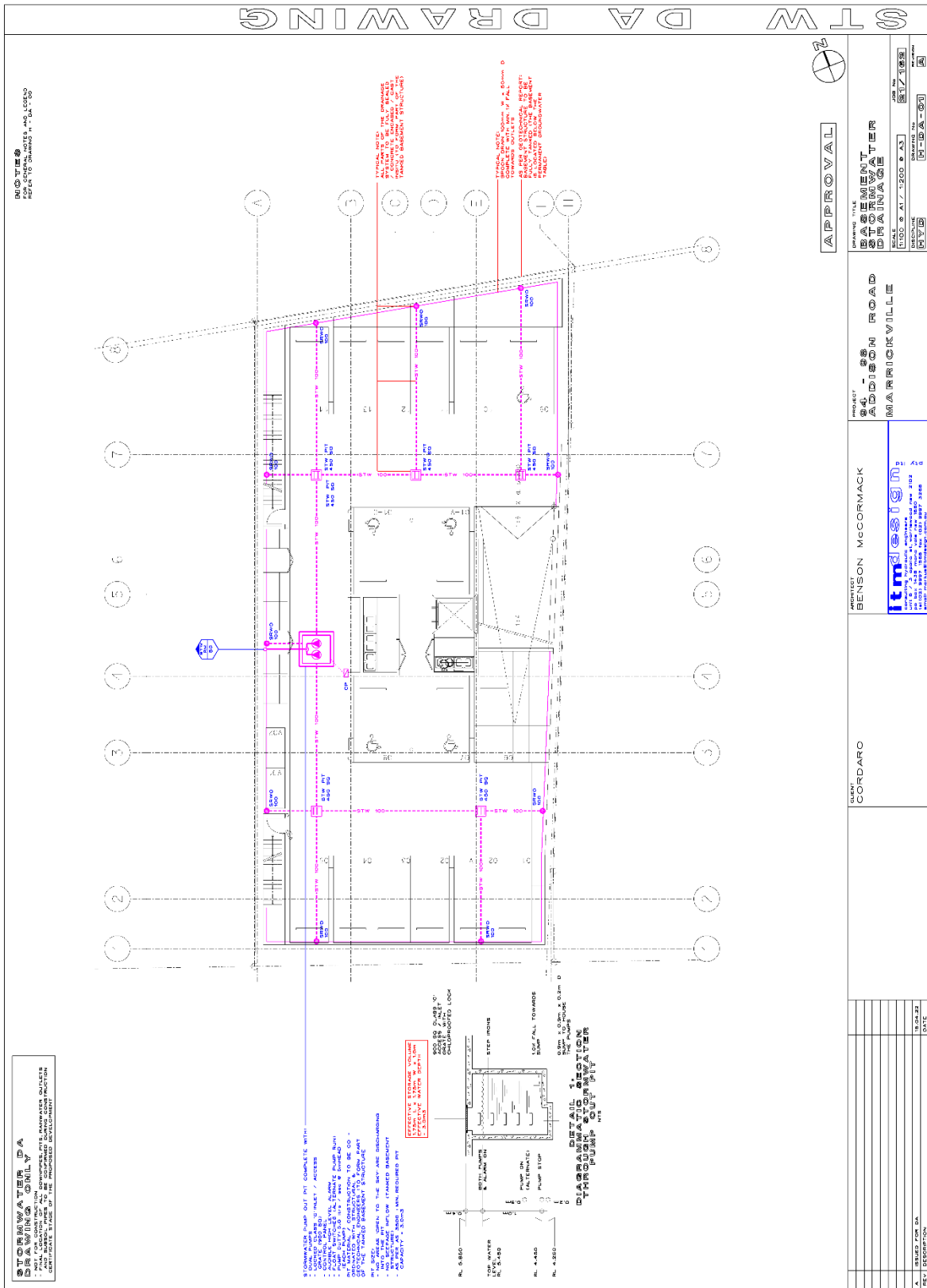
CHECKED BY
2008/04/10

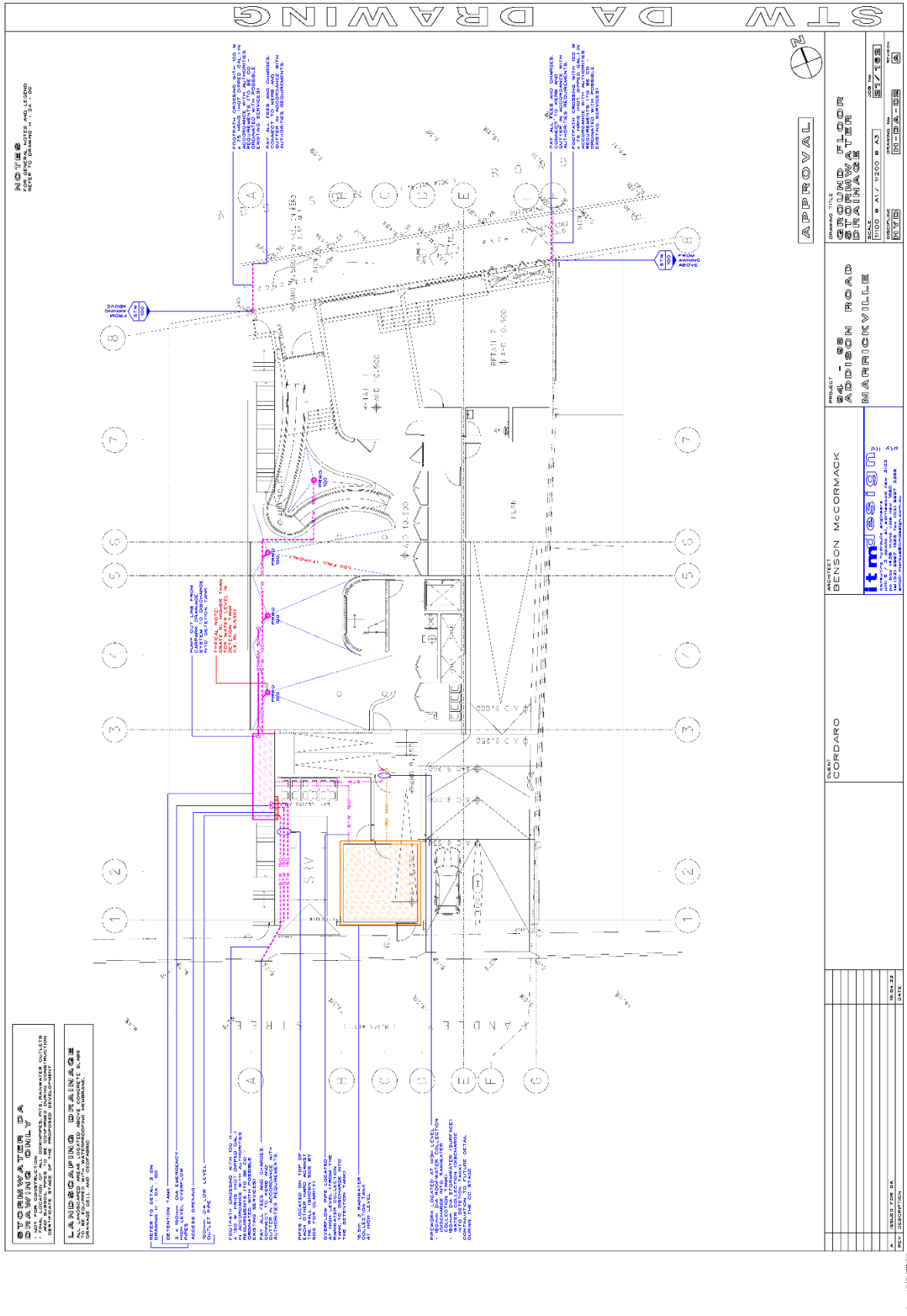
DATE
2008/04/10

SCALE
1:100

NO.	REVISION	DATE
1
2
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4
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NOTES: 1. ALL PIPES TO BE INSTALLED IN ACCORDANCE WITH THE RELEVANT STANDARDS AND SPECIFICATIONS.





NOTES:
 1. REFER TO DRAWING 12A-1000
 2. REFER TO DRAWING 12A-1000

STORMWATER DRAINAGE
 1. THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT'S DRAINAGE BY-LAW.
 2. THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT'S DRAINAGE BY-LAW.

LANDSCAPING DRAINAGE
 1. THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT'S DRAINAGE BY-LAW.
 2. THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT'S DRAINAGE BY-LAW.

RETENTION TANK
 1. THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT'S DRAINAGE BY-LAW.
 2. THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT'S DRAINAGE BY-LAW.

ACCESS DRIVEWAY
 1. THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT'S DRAINAGE BY-LAW.
 2. THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT'S DRAINAGE BY-LAW.

FOOTPATH CORRIDOR WITH 800 MM
 1. THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT'S DRAINAGE BY-LAW.
 2. THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT'S DRAINAGE BY-LAW.

CONCRETE DRIVEWAY
 1. THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT'S DRAINAGE BY-LAW.
 2. THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT'S DRAINAGE BY-LAW.

CONCRETE DRIVEWAY
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CONCRETE DRIVEWAY
 1. THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT'S DRAINAGE BY-LAW.
 2. THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT'S DRAINAGE BY-LAW.

CONCRETE DRIVEWAY
 1. THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT'S DRAINAGE BY-LAW.
 2. THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT'S DRAINAGE BY-LAW.

APPROVAL

PROJECT TITLE
 GROUND FLOOR
 EXTENSION
 94-98 ADDISON ROAD
 MARRICKVILLE

ARCHITECT
 BENSON MCCORMACK

CLIENT
 CORDARO

DATE
 15.04.22

PROJECT
 94-98 ADDISON ROAD
 MARRICKVILLE

ARCHITECT
 BENSON MCCORMACK

CLIENT
 CORDARO

DATE
 15.04.22

PROJECT
 94-98 ADDISON ROAD
 MARRICKVILLE

ARCHITECT
 BENSON MCCORMACK

CLIENT
 CORDARO

DATE
 15.04.22

PROJECT
 94-98 ADDISON ROAD
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ARCHITECT
 BENSON MCCORMACK

CLIENT
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DATE
 15.04.22

PROJECT
 94-98 ADDISON ROAD
 MARRICKVILLE

ARCHITECT
 BENSON MCCORMACK

CLIENT
 CORDARO

DATE
 15.04.22

PROJECT
 94-98 ADDISON ROAD
 MARRICKVILLE

ARCHITECT
 BENSON MCCORMACK

CLIENT
 CORDARO

DATE
 15.04.22

PROJECT
 94-98 ADDISON ROAD
 MARRICKVILLE

ARCHITECT
 BENSON MCCORMACK

CLIENT
 CORDARO

DATE
 15.04.22

PROJECT
 94-98 ADDISON ROAD
 MARRICKVILLE

ARCHITECT
 BENSON MCCORMACK

CLIENT
 CORDARO

DATE
 15.04.22

Attachment C- Section 4.6 Exception to Development Standards



CLAUSE 4.6 VARIATION TO CLAUSE 4.3 HEIGHT OF BUILDINGS
OF THE MARRICKVILLE LOCAL ENVIRONMENTAL PLAN 2011

94-98 ADDISON ROAD, MARRICKVILLE

May 2022

Revised: May 2023

1. INTRODUCTION

This submission seeks a variation to Clause 4.3 of the Marrickville Local Environmental Plan 2011 (MLEP11), which relates to the height of buildings.

This submission has been prepared in relation to a development application for the demolition of all existing structures and the construction of a four (4) storey shop top housing development comprising two (2) commercial tenancies and 14 residential units with basement parking at 94-98 Addison Road, Marrickville.

As detailed in this written request for a variation to the height of buildings control being a development standard under MLEP11, the proposed development meets the requirements prescribed under Clause 4.6 of MLEP11.

2. SITE BACKGROUND

The subject site is commonly known as 94-98 Addison Road, Marrickville. In legal terms, 94 Addison Road is referred to as Lot 2 in Deposited Plan 508967 and is 96-98 Addison Road is referred to as Lot 6 in Deposited Plan 658485.

The site itself is located on the southern side of Addison Road across from the intersection with Wemyss Street. The block is otherwise bounded to the east by Shepherd Street, to the west by Illawarra Road and to the south by Handley Street.

The site is irregular in shape with a combined street frontage to Addison Road of 19.94 metres and a rear frontage to Handley Street of 18.61 metres. The western side boundary is 40.08 metres and the eastern side boundary is 27.781 metres. The total site area is 796.6m². Refer to Figure 1 below.



Figure 1: Site Location Map (Source: SIX Maps)

The site, consisting of two allotments, currently is occupied by:

- 94 Addison Road: a two storey brick and concrete block dwelling house, a fibro shed and a two storey brick and concrete block warehouse at the rear.
- 96-98 Addison Road: a part one, part two storey brick house, at the rear brick warehouse and brick and timber sheds.

As the survey plan prepared by Geometra Consulting indicates, there is a 0.23m wide brick party wall between 94 Addison Road and 92 Addison Road. This party wall is sought to be retained.

The subject site is zoned B4 Mixed Use as demonstrated in Figure 2 below.

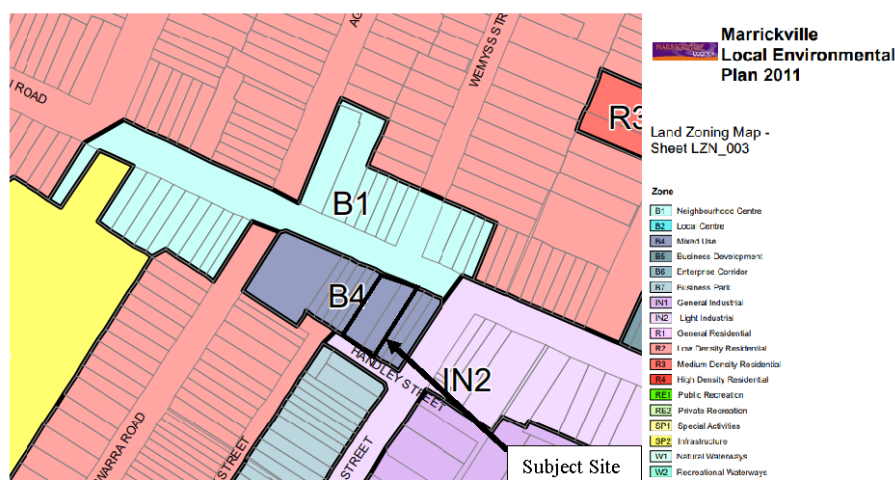


Figure 2: Land Zoning Map (Source: NSW Legislation website)

Development in the area is mixed depending on the street, noting that there are a number of different land zonings within proximity of the subject site. Development to the west of the site, at 100 Addison Road, is a part one, part two storey brick shop top housing development. It is situated in a terrace arrangement, with a nil street setback and awning over the public domain, in a set of including 102, 104, 106 and 108 Addison Road. An under construction four storey mixed use development is located on 110 Addison Road, the westernmost property on the block. To the east, at 92, 90 and 88 Addison Road, are more two storey shop top housing developments of older stock.

Opposite the site to the north-west are additional shop top housing developments while to the north-east is a service station. Wemyss Street, directly opposite, is a residential street characterised by predominantly single storey dwellings. To the rear over Handley Street are older stock industrial units and warehouses.

Sections of Addison Road are experiencing a transition from the older stock buildings to contemporary development reflecting uplift in zoning and density prescribed under the Marrickville Local Environmental Plan 2011. The subject site is noted to be B4 Mixed Use with a 14m height of buildings control, indicating a four storey built form.

Neither property is listed as an item of heritage, nor is the site located in a conservation area. The Marrickville Development Control Plan 2011 (MDCP11) does not identify either property as a contributory building.

The site has been identified as being flood affected.

The site is located in proximity to local shops, services, community facilities and public transportation. The Marrickville Metro Shopping Centre is 850m walking distance to the east, being the most substantive shopping area in the vicinity. Enmore Park, a substantial open space area, is 420m to the east of the site. Bus stops are located along Addison Road in either direction within 120m walking distance of the site, allowing easy access to frequent public transportation leading to Newtown, the University of Sydney, CBD, Lewisham and Canterbury. The site is considered to be easily accessible.

3. CLAUSE 4.6

This submission is made under clause 4.6 of the MLEP11 – Exceptions to development standards. Clause 4.6 states the following:

“4.6 Exceptions to development standards

- (1) The objectives of this clause are as follows:
 - (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
 - (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.**
- (2) Development consent may, subject to this clause, be granted for a development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*
- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:
 - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.**
- (4) Development consent must not be granted for development that contravenes a development standard unless:
 - (a) the consent authority is satisfied that:
 - (i) the applicant’s written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and**
 - (b) the concurrence of the Director-General has been obtained.**

- (5) In deciding whether to grant concurrence, the Director-General must consider:
- (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
 - (b) the public benefit of maintaining the development standard, and
 - (c) any other matters required to be taken into consideration by the Director-General before granting concurrence.
- (6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:
- (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or
 - (b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.
- Note.**
When this Plan was made it did not include Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living.
- (7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).
- (8) This clause does not allow development consent to be granted for development that would contravene any of the following:
- (a) a development standard for complying development,
 - (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,
 - (c) clause 5.4,
 - (caa) clause 5.5,
 - (ca) clause 6.9, 6.17 or 6.18,
 - (cb) clause 6.21(4)."

The use of Clause 4.6 to enable an exception to this development control is appropriate in this instance and the consent authority may be satisfied that all requirements of Clause 4.6 have been satisfied in terms of the merits of the proposed development and the content in this Clause 4.6 variation request report.

Clause 4.6 Exceptions to development standards establishes the framework for varying development standards applying under a local environmental plan. Subclause 4.6(3)(a) and 4.6(3)(b) requires that a consent authority must not grant consent to a development that contravenes a development standard unless a written request has been received from the applicant that seeks to justify the contravention of the standard by demonstrating that:

4.6(3)(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and

4.6(3)(b) that there is sufficient environmental planning grounds to justify contravening the development standard.

In addition, 4.6(4)(a)(i) and (ii) requires that development consent must not be granted to a development that contravenes a development standard unless the:

- (a) the consent authority is satisfied that:
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and

The Environmental Planning Instrument to which these variations relate to is the MLEP11.

The development standard to which this variation relates to is Clause 4.3 – Height of Buildings, which reads as follows:

- “(1) The objectives of this clause are as follows:
 - (a) to establish the maximum height of buildings,
 - (b) to ensure building height is consistent with the desired future character of an area,
 - (c) to ensure buildings and public areas continue to receive satisfactory exposure to the sky and sunlight,
 - (d) to nominate heights that will provide an appropriate transition in built form and land use intensity.
- (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

As demonstrated in Figure 3 below, the subject site is prescribed to a maximum building height of 14m.

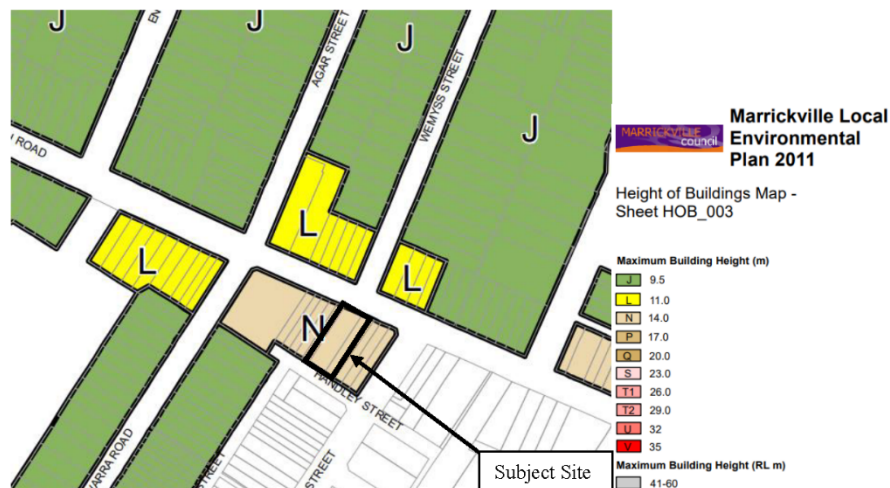


Figure 3: Height of Buildings Map (Source: NSW Legislation website)

The maximum height proposed is 18.65 metres, measured from ground level (existing) to the highest point being the lift overrun, exceeding the maximum by 4.65 metres.

A written justification is therefore required for the proposed variation to the maximum building height development standard, in accordance with Clause 4.6 of the MLEP11.

4. EXTENT OF NON-COMPLIANCE

As noted above, Clause 4.3 of the MLEP11 states the subject site has a maximum building height of 14 metres.

As demonstrated on the architectural plans the maximum height is 18.65 metres with the maximum proposed variation of 4.65m relating to the lift overrun. The variation represents a 33.2% variation to the standard.

Reference should be made to the building height plane and section plans below in Figures 4-6.

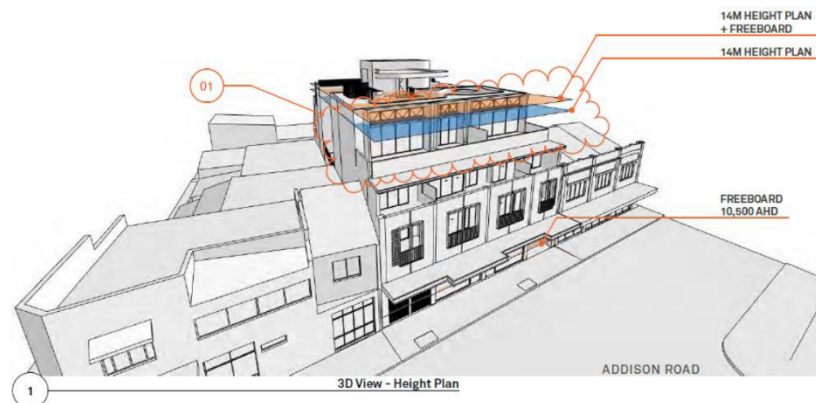


Figure 4: Extract of Height Plane Diagram in Drawing No. A-DA-750-001

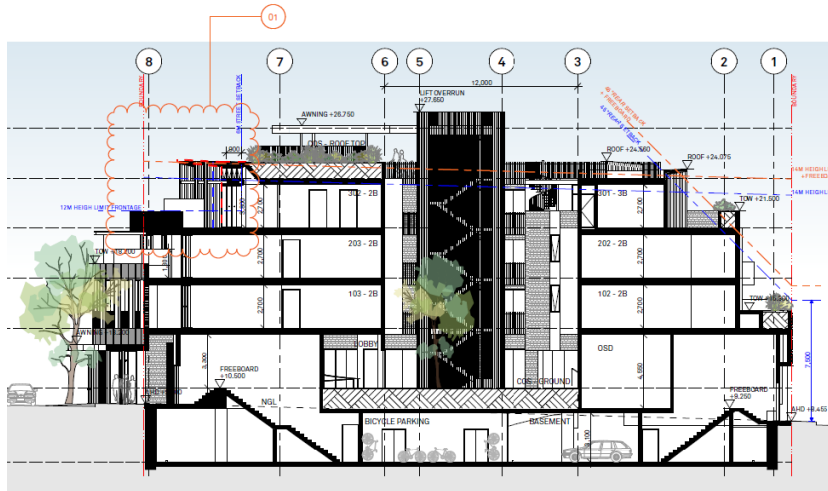


Figure 5: Extract of Section BB in Drawing No. A-DA-310-002

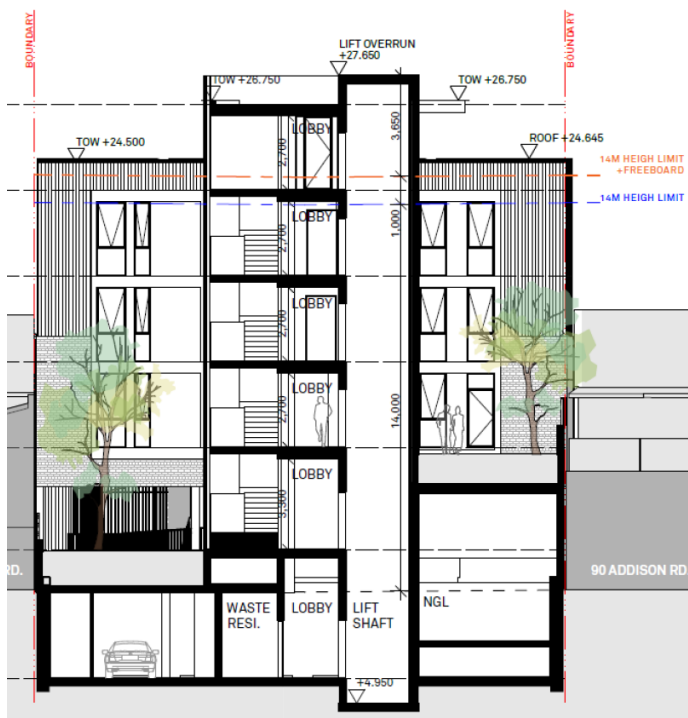


Figure 5: Extract of Section CC in Drawing No. A-DA-310-003

Notably, the site is flood affected which has necessitated the elevation of the ground floor level to a minimum RL 10.50. This constitutes a 1m elevation over the existing ground level to Addison Road.

As the sections illustrate, once the freeboard has been taken into consideration there is no unit habitable floor area exceeding a 14m height limit. Under that lens, the variation is to the roof slab, the rooftop communal open space including its enclosed lift lobby, and the lift overrun and fire stairs to access that open space. A roof terrace to Unit 301 occupies the rear of the roof.

Inclusive of the flood level, a maximum variation of 750mm is sought to unit floor area in relation to each of the Addison Road fronting units on Level 3.

It is our submission that the breach to the building height control will not impact on the amenity of the development or adjoining properties, nor will the variation compromise the architecture of the building or the bulk and scale of the development. The development will not create a negative precedent in the streetscape given the environmental constraints and limited extent of variation.

A degree of flexibility is considered reasonable in this instance.

5. IS COMPLIANCE WITH THE DEVELOPMENT STANDARD UNREASONABLE OR UNNECESSARY IN THE CIRCUMSTANCES OF THE CASE?

The proposed variation from the development standard is assessed against the required tests in Clause 4.6. In addition, in addressing the requirements of Clause 4.6(3), the accepted five possible approaches for determining whether compliances are unnecessary or unreasonable established by the NSW Land and Environment Court in *Wehbe vs Pittwater Council (2007) LEC 827* are considered.

In the matter of Four2Five, the Commissioner stated within the judgement the following, in reference to a variation:

“...the case law developed in relation to the application of SEPP 1 may be of assistance in applying Clause 4.6. While Wehbe concerned an objection under SEPP 1, in my view the analysis is equally applicable to a variation under Clause 4.6 where Clause 4.6 (3)(a) uses the same language as Clause 6 of SEPP 1.”

In the decision of *Wehbe vs Pittwater Council (2007) LEC 827*, Preston CJ summarised the five (5) different ways in which an objection under SEPP 1 has been well founded and that approval of the objection may be consistent with the aims of the policy. The five possible ways are as set out below:

First	<p><i>The most commonly invoked way is to establish that compliance with the development standards is unreasonable or unnecessary because the objectives of the development standard are achieved notwithstanding non-compliance with the standard.</i></p> <p><i>The rationale is that development standards are not ends in themselves but means of achieving ends. The ends are environmental or planning objectives. If the proposed development proffers an alternative means of achieving the objective, strict compliance with the standard would be unnecessary and unreasonable. (applicable)</i></p>
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Second	<i>A second way is to establish that the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary. (not applicable)</i>
Third	<i>A third way is to establish that the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable. (not applicable)</i>
Fourth	<i>A fourth way is to establish that the development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable. (not applicable)</i>
Fifth	<i>A fifth way is to establish that "the zoning of particular land" was "unreasonable or inappropriate" so that "a development standard appropriate for that zoning was also unreasonable or unnecessary as it applied to that land" and that "compliance with the standard in that case would also be unreasonable or unnecessary. (not applicable)</i>

In respect of the building height standard, the first method is invoked.

The objectives supporting the maximum building height control identified in Clause 4.3 are discussed below. Consistency with the objectives and the absence of any environmental impacts, would demonstrate that strict compliance with the standards would be both unreasonable and unnecessary in this instance.

The discussion provided below demonstrates how the proposal is consistent with the objectives of Clause 4.3.

*"(1) The objectives of this clause are as follows:
 (a) to establish the maximum height of buildings,*

The subject site is prescribed a maximum building height limit of 14 metres under the MLEP11. The flood affectation of the site results in artificial elevation of the building by 1m on the Addison Road frontage. Factoring that in, a variation is only sought to roof slab, rooftop communal open space and the access to it, including the lobby, and balustrading to the Unit 301 roof terrace. The proposal therefore generally adheres to the maximum height of buildings for the habitable floor area except for minor elements to the fringes of the roof and the more significant breaches which have been centrally located and of limited visibility.

(b) to ensure building height is consistent with the desired future character of an area,

The maximum building height standard is one component that defines the desired future character of the area. All other controls governing a building envelope further assist in this regard.

The proposal is compliant with the floor space ratio, noting that all residential gross floor area is located below the 14m height limit once the flood level is taken into consideration. Excluding the flood level, the maximum variation for residential floor area is approximately 750mm to Unit 302 for the raised roof portion at the rear.

The proposal aligns with the three storey street wall height control in the MDCP11 and complies with the 6m front setback to the top floor. A minor variation is sought to the DCP rear massing building height plane control, though this is also predominantly due to the flood affectation.

Accordingly, given the general compliance with the other planning controls governing built form, it is submitted that the proposal, including its height, is consistent with the desired future character of this Addison Road precinct and otherwise to eaves and planters.

The desired future character is also informed by the emerging development within a precinct. The western end of this block, 110 Addison Road, has a five storey shop top housing development currently under construction with a 3.05m height variation including an entire loft level (most recently approved as MOD/2021/0010). As such, the proposed four storey development with rooftop communal open space will fit within the character of the other approval in this specific precinct in the same land zone.

Given the above, the proposed building height is consistent with the desired future character of the area.

(c) to ensure buildings and public areas continue to receive satisfactory exposure to the sky and sunlight,

The proposed building is located on the southern side of Addison Road and is a north-south oriented block. In terms of public areas, the public domain on the Addison Road frontage will largely maintain sky views and solar access with the only losses due to a new awning to be constructed over the public domain, aligning with the existing awnings on adjoining properties, as required by the DCP controls for mixed use/commercial development on sites with a nil setback. The variation to the height does not negatively impact the available sky views or solar access. The Handley Street public domain will be overshadowed by the new development to varying degrees throughout the day, however the elements above the 14m height control (inclusive or not of the flood constraint) have a minimal contribution on the degree of overshadowing. As the shadow diagrams indicate, solar access will still be available to the public domain. Sky views are not disrupted beyond a reasonable expectation based on the prescribed building height.

The shadow diagrams indicate that the uplift in density on the site will result in an increase in overshadowing, however the majority of this impact falls on Handley Street, roofs or the brick warehouses on the properties to the south and east of the site. There is minimal affectation to areas of glazing except for the commercial building directly across Handley Street which will be overshadowed to varying degrees. However, more than 2 hours is retained to each portion of the elevation.

The extent of the impact is expected of an increase from two storeys to four storeys across the site, which is within the desired future character of the area based on the prescribed controls. Given the general compliance of the development with the built form controls applying to the site, the additional overshadowing is considered acceptable in the context of this site and application.

(d) to nominate heights that will provide an appropriate transition in built form and land use intensity."

Notwithstanding the elements exceeding the maximum height of buildings control, the transition in bulk and scale of the development to adjoining land use zones that has been accounted for in the prescribing of height controls to the site and its surrounds. As noted in Figure 3 above, the site resides on a block entirely zoned B4 Mixed Use and prescribed a 14m height control. However, opposite the site to the north is an 11m height control (3 storeys), a

9.5m height control (2 storeys, potentially with an attic) is to the south-west and no height of building controls are prescribed to the south and east.

This transition in scale of development from the site to its surrounds is maintained despite the proposed height variation due in part to the separation afforded by the roads to the north and south and in part due to the siting of the height variation. Inclusive of the flood level, the degree of variation is generally contained to the central portion of the roof servicing the access to and use of the communal open space which has limited visibility and impact on bulk and scale from a transitional perspective. Further, the general adherence to the building setbacks (inclusive of flood level) ensures compatibility with the planning controls governing that transition in built form and land use intensity.

Consequently, a transition in density is still maintained inclusive of the elements breaching the height.

It is considered the development aligns with the objectives of the height of buildings development standard.

6. ARE THERE SUFFICIENT ENVIRONMENTAL PLANNING GROUNDS?

The assessment above and shown throughout the supporting documentation demonstrates that the resultant environmental impacts of the proposal will be satisfactory.

The variation is in part caused by an environmental constraint being the flood affectation of the site. This has necessitated the built form to be raised 1m on the Addison Road frontage and 900mm on the Handley Street frontage. Accounting for the flood affectation, the extent of the variation is 3.65m.

No residential gross floor area exceeds the height once the flood affectation has been factored in. A lift lobby comprising 10.1m² does exceed the height, however this solely serves the provision of a rooftop communal open space.

On its own merits, the flood affectation eliminating the residential floor area variations to the height limit are deemed sufficient environmental planning grounds as it is a site constraint that creates the variation.

The remainder of the height variation is attributable to the roof slab and the rooftop communal open space. The roof slab has a negligible impact on surrounding properties in terms of bulk and scale, overshadowing and the like.

The rooftop communal open space, however, is located in the optimal location on the site to maximise solar amenity and size, noting the desired future character is for generally 100% site coverage. The provision of this space serves a positive environmental outcome for the residents of the site and the areas of breach, including the lift overrun, fire stairs, awning for shading and planters, contribute to the access and the amenity of the space. As above, the surrounding developments are not unduly impacted by the development generally and the elements above the height as these have been centrally located on the roof, limiting visibility and potential for further impact to the south.

The proposal has been designed to address the site constraints, the existing and desired future streetscape and character of the area and the relevant objectives of both the height of buildings standards and the zone. The proposal will not result in any unreasonable amenity or

environmental impacts. As demonstrated within the accompanying Statement of Environmental Effects, the development has demonstrated compliance in terms of overshadowing and solar access, privacy and visual amenity.

We respectfully submit that the flood affectation is an environmental constraint and consequently sufficient environmental planning grounds to justify the extent of the variation it causes. The remainder of the breach in height being limited in scale, scope and impact is a reasonable variation to accommodate a development of a size, scale and bulk that is consistent with the other planning controls, noting that the development is notably compliant with the floor space ratio. It is submitted that the variation presents no environmental impacts.

In this case, there are sufficient environmental planning grounds to justify the variation.

7. IS THE VARIATION IN THE PUBLIC INTEREST?

Clause 4.6 states that the development consent must not be granted for development that contravenes a development standard unless the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is to be carried out.

It is considered that this submission provides sufficient environmental planning grounds to justify contravening the development standard under Part 6.

The development as proposed will be in the public interest as it is consistent with the objectives of Clause 4.3.

The building contextually has regard to its surrounding properties and provides sufficient open space and landscaping for the amenity of future residents.

Furthermore, it is important to also consider the objectives of the B4 Mixed Use zone in relation to the development, which are as follows:

Zone B4 Mixed Use

Objectives of zone

- *To provide a mixture of compatible land uses*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling*
- *To support the renewal of specific areas by providing a broad range of services and employment uses in development which displays good design*
- *To promote commercial uses by limiting housing*
- *To enable a purpose built dwelling house to be used in certain circumstances as a dwelling house*
- *To constrain parking and restrict car use*

In response to the above the following is provided:

- The proposed commercial and residential uses have been suitably designed within the building to ensure appropriate amenity and separation to both land uses. The proposed uses are compatible together and within the broader precinct.

- The proposal proposes compatible and permissible land uses in area within close proximity of bus stops (120m to the east and west) along Addison Road which allows to maximise public transport patronage and walking. The development provides for compliant bicycle parking and, given its accessible location, supports the encouragement of cycling in the area.
- The proposed development will see the revitalisation of the subject site through excellent design, accounting for the site factors and constraints, and for the provision of an employment generating use in the form of the commercial tenancies, which will service the immediate area and those further afield given the accessible nature of the site.
- The proposed shop top housing is permissible with consent in the zone, with housing limited to the first floor and above. The ground floor and street front services commercial uses.
- The proposal does not involve retaining a dwelling house. Therefore, this objective does not apply to this development.
- The proposal provides the minimum required car parking provision only to constrain the provision of and restrict usage of cars in relation to the development. The site is within an accessible area for bus and alternative modes of transportation (GoGet and similar services), allowing for mobility beyond personal vehicle usage. The development services this outcome.

The proposed variation to the height of buildings development standard does not compromise the capacity of the development to adhere to the above zone objectives.

In view of the above, it is submitted that the proposed development is consistent with the objectives of the zone.

It is considered that this submission provides sufficient environmental planning grounds to justify contravening the development standard, noting the development will be in the public interest.

8. PUBLIC BENEFIT OF MAINTAINING THE STANDARD

It is considered that there is no benefit to the public or the community in maintaining the development standard. The proposed development will allow for the creation of a high quality shop top development comprising two (2) commercial tenancies and 14 residential units which, as stated above, meets the desired objectives of the standard.

The built form, bulk and scale is considered suitable for the site and is within the desired future character of the area.

The development is generally consistent with the planning controls as detailed within the accompanying Statement of Environmental Effects and aligns with the objectives of the standard.

Given an environmental constraint has resulted in part of the height variation, it is a fair and reasonable outcome for those elements above the height control to the extent of the flood

affectation to be varied. The remainder of height variation is limited to roof top communal open space, roof terrace balustrading and access to it, which have a minimal impact in terms of overshadowing or bulk and scale, being limited in size and centrally located from either the front or rear road frontage. The greatest breach is to the lift overrun which enables fair and equitable access to Level 3 where the communal living room and open space are located, being the ideal location to enable a quality sized and high amenity location in terms of solar access

It is not considered that the variation sought raises any matter of significance for State or regional environmental planning.

The departure from the height of buildings control within the MLEP11 allows for the orderly and economic use of the site in a manner which achieves the outcomes and objectives of the relevant planning controls.

9. IS THE VARIATION WELL FOUNDED?

It is considered that this has been adequately addressed in Parts 5 to 7 of this submission. In summary, this Clause 4.6 Variation is well founded as required by Clause 4.6 of the MLEP11 in that:

- Compliance with the development standards would be unreasonable and unnecessary in the circumstances of the development;
- There are sufficient environmental planning grounds to justify the departure from the standards;
- The development meets the objectives of the standard to be varied (height of buildings) and objectives of the B4 Mixed Use zoning of the land;
- The proposed development is in the public interest and there is no public benefit in maintaining the standard;
- The breach does not raise any matter of State of Regional Significance; and
- The development submitted aligns with the existing and future character envisioned for the locality.

Based on the above, the variation is considered to be well founded.

10. GENERAL

Clause 4.6 also states that:

- “(6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:*
- (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or*
 - (b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.*

Note.

When this Plan was made it did not include Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living.

- (7) *After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).*
- (8) *This clause does not allow development consent to be granted for development that would contravene any of the following:*
- (a) a development standard for complying development,*
 - (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,*
 - (c) clause 5.4,*
 - (caa) clause 5.5,*
 - (ca) clause 6.9, 6.17 or 6.18,*
 - (cb) clause 6.21(4)."*

This variation does not relate to the subdivision of land. The variation sought is thus not contrary to subclause (6).

Should the exception to the development standard sought under this submission be supported by Council, the Council must retain a record of the assessment of this submission.

The development proposed is not complying development.

A BASIX certificate has been submitted with the application.

Clauses 5.4, 5.5, 6.9, 6.17 and 6.18, 6.21(4) of the MLEP11 do not apply to the proposal.

11. CONCLUSION

The proposal does not strictly comply with the maximum building height control as prescribed by Clause 4.3 of the MLEP11. Having evaluated the likely affects arising from this non-compliance, we are satisfied that the objectives of Clause 4.6 of the MLEP11 are satisfied as the breach to the controls does not create any adverse environmental impacts.

As reiterated throughout the SEE and this Clause 4.6 variation statement, the variation sought has a minor consequence in terms of visual bulk and amenity impacts and is partly attributable to the flood affectation.

Consequently, strict compliance with this development standard is unreasonable and unnecessary and that the use of Clause 4.6 of the MLEP11 to vary this development controls appropriate in this instance.

Based on the above, it is sensible to conclude that strict compliance with the maximum building height control is not necessary and that a better outcome is achieved for this development by allowing flexibility in the application.

Should you have any questions regarding the proposed development, please do not hesitate to contact me.

Kind regards,

Darren Laybutt
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GAT & Associates
Plan 3493