

DA200300504 dm

3 June 2004

DETERMINATION NO 200300504

Alexander Coutts and Associates
50 Cliff Avenue
NORTHBRIDGE 2063

Dear Sir/Madam

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

Pursuant to Section 81 of the Act, notice is hereby given of the determination by the Council of **Development Application No 200300504** to demolish the print house, library and the dwellings of 82 and 84 The Boulevarde and carry out alterations and additions to a school including the construction of a multi purpose facility and additional classrooms relating to property situated at:

68 THE BOULEVARDE, LEWISHAM

Building Code of Australia Building Classification: 9b

In determining this application, the Council considered all matters listed under Section 79C of the Act that were relevant to the Development Application.

The Development Application was determined on 3 June 2004 pursuant to Section 80(3) of the Act by the granting of a "Deferred Commencement" Consent.

"DEFERRED COMMENCEMENT" CONSENT

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

1. A landscaping plan being prepared in consultation with neighbouring premises and submitted to the satisfaction of Council.
The plans shall include the following:
 - Planting schedule detailing location, container sizes and botanical names of all trees, shrubs, ground covers, etc.
 - In this regard species chosen should be Australian natives were possible.
 - Along the south-west boundary, species should be chosen to provide screening between the proposed development and the adjoining premises. In addition to shrubs, trees should be used to provide screening. Such trees should have a mature height of at least 8 metres and semi-mature and advanced plantings should be included in the proposal.
 - Details of all hard landscaping including location and materials to be used for driveways, fences, retaining walls, footpaths, lighting and garden edging. In this regard, the sandstone from the walls and columns of the print building should be retained and incorporated into the landscaping.

- Details of proposed irrigation systems and water outlets, including drip irrigation in association with rainwater tanks.
2. An amended plan being submitted to the satisfaction of Council including the following changes to ensure equitable access for all persons to the development:
 - (i). Access to and throughout all areas within the proposed building being provided in accordance with AS 1428.1- 1998 "Design for access and mobility". Access to all levels shall be provided via a lift designed to comply with AS 1735.12 -1999 "Lifts, escalators and moving walkways Part 12: Facilities for persons with disabilities"
 - (ii). An accessible toilet and hand basin complying with AS 1428.1- 1998 "Design for access and mobility", provided in the following locations:
 - a) on level three, within the vicinity of the staff room; and
 - b) on level two, within the vicinity of the changes rooms.
 - (iii). An accessible carparking space shall be located in the immediate vicinity of the accessible entrance from the basement level. The carparking shall be designed to comply with AS 1428.1 'Design for access and mobility – General requirements for access – buildings' and AS 2890.1 1 'Off-street carparking'.
 3. Vehicular access and associated vehicle standing areas within the site shall be designed in accordance with Australian Standard AS 2890.1-1993 Off street car parking, and Marrickville Development Control Plan No. 19–'Parking Strategy' so that:-
 - (a) The minimum dimensions of any standing area shall be 2.5m wide by 5.4m deep (relative to the line of the proposed access). The minimum head clearance (headroom) at any point shall be 2.1m;
 - (b) At the property boundary the access from the road to a standing area being (as near as practicable) perpendicular to the line of the adjacent road; and
 - (c) 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", to be obtained from Council's Director, Technical Services;
 - (ii) The change in grade for any 2m length of accessway not exceeding 1 in 8 (12.5%) unless suitable transitions are provided in accordance with AS2890.1;
 - (iii) The maximum grade at any point not exceeding 1 in 5 (20%) or in the case of ramps greater than 20m in length 1 in 6 (16.7%); and
 - (iv) The maximum grade at the property boundary not exceeding 1 in 20 (5%) within 3m of the property boundary.
 - (d) Any increase in the height of the ceiling / head clearance to the basement parking area is not to result in any increase in the overall height of the development or any significant changes to the Denison Road elevation.
 4. A full set of amended plans being submitted to the satisfaction of Council to reflect the proposed reduction in the height of the southern elevation and ridge of the multi-purpose hall and increased side setback from the residential properties to the west, as detailed in the sketch plans and details submitted to Council on 16 February 2004 and 13 April 2004.

5. Details of all finished surface materials of the western elevation of the multi-purpose facility, including colour and texture to be used in construction being submitted to Council's satisfaction. In this regard the finished surface materials used are to be chosen to break up the extent of the subject wall and lessen its visual bulk when viewed from the adjoining property at 95 Denison Road.

Evidence of the above matters must be produced to the Council or its delegate within 12 months otherwise the Consent will not operate.

PART B - CONDITIONS OF CONSENT

Once operative the consent is subject to the following conditions:

1. The development being carried out substantially in accordance with Plan Nos. 2003 DA/01 TO 11 Issue B inclusive dated May 2003 and details submitted to Council on 5 August 2003 with the application for development consent and details submitted to Council on 22 September 2003 and as amended by the sketch plans reducing the height of the multi-purpose facility submitted to Council on 16 February 2004, the letter dated 13 April 2004 increasing the setback of the multi-purpose facility an additional 500mm from the western side boundary, the matters referred to in Part A of this Determination and the following conditions.
Reason: To confirm the details of the application as submitted by the applicant.
2. The use of the buildings being restricted to the ordinary activities of the school.
Reason: To ensure the use of the school does not interfere with the amenity of the locality.
3. Not more than 1200 students being enrolled at the school without the prior approval of Council.
Reason: To ensure that the intensity of the use of the premises is not increased without a further review of the off-street car parking facilities, traffic, noise, and amenity impacts of the development.
4. Eighteen (18) off-street car parking spaces being provided, paved, linemarked and maintained at all times in accordance with the standards contained within Marrickville Development Control Plan No.19 -Parking Strategy.
Reason: To ensure practical off-street car parking is available for the use of the premises.
5. All parking spaces and turning area thereto being provided in accordance with the design requirements set out within Council's Development Control Plan No.19 - Parking Strategy, and being used exclusively for parking and not for storage or any other purpose.
Reason: To ensure adequate manoeuvrability to all car parking spaces and that the spaces are used exclusively for parking.
6. No injury being caused to the amenity of the neighbourhood by the emission of noise, smoke, smell, vibration, gases, particulate matter, the exposure to view of any unsightly matter or otherwise.
Reason: To protect the amenity of the locality.

7. All mature trees not requiring removal to permit the erection of the development being retained.
Reason: To preserve existing mature trees on the property.
8. It may be necessary for the installation of a suitable electrical sub-station for the distribution of electrical power in this area to be located on the land, the subject of this application, and that an area of land suitable for the Energy Australia to provide such an installation be set aside for this purpose. Before proceeding with your development further, you are directed to contact the General Manager of the Energy Australia, George Street, Sydney, with respect to the possible need for such an installation immediately or in the future.
Reason: To provide for the existing and potential electrical power distribution for this development and for the area.
9. The developer liaising with the Sydney Water Corporation, the Energy Australia, AGL and Telstra concerning the provision of water and sewerage, electricity, natural gas and telephones respectively to the property.
Reason: To ensure that the development is adequately serviced.
10. All building work must be carried out in accordance with the provisions of the Building Code of Australia 96.
Reason: To ensure the work is carried out to an acceptable standard and in accordance with the Building Code of Australia 96.
11. The person acting on this consent shall apply as required for all necessary permits including crane permits, road opening permits, hoarding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the Local Government Act, 1993 or Section 138 of the Roads Act, 1993.
Reason: To ensure all necessary approvals have been applied for.
12. A road opening permit shall be obtained for all works carried out in public roads or Council controlled lands. Restorations shall be in accordance with Marrickville Council's Restorations Code. Failure to obtain a road opening permit will incur an additional charge for unauthorised openings in the amount of \$1,321.30, as provided for in Council's adopted fees and charges.
Reason: To ensure that all restoration works are in accordance with Council's code.

BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

13. The separate lots comprising the development being consolidated into one lot and under one title and registered at the Land Titles Office before the issue of a Construction Certificate.
Reason: To prevent future dealing in separately titled land, the subject of one consolidated site development.
- 13A. The use of the multi-purpose hall shall not give rise to:
 - transmission of unacceptable vibration to any place of different occupancy;
 - a sound pressure level at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 3dB(A). The source noise level shall be assessed as an LA10,15min and adjusted in accordance with Environment Protection Authority guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content; and

- a sound pressure level at any affected premises that exceeds the recommended planning levels outlined in the NSW Environment Protection Authority's *Environmental Noise Control Manual* and The Protection of the Environment Operations Act 1997 (NSW).
Details of how all vents and openings to the proposed multipurpose hall are to be acoustically treated to ensure the development complies with these requirements are to be submitted to the satisfaction of Council before the issue of a Construction Certificate.
Reason: To prevent loss of amenity to the area.
14. Details of all finished surface materials, including colour and texture to be used in construction being submitted to Council's satisfaction before the issue of the Construction Certificate.
Reason: To ensure that finished surface details are in keeping with the character of the area.
 15. Where Council is appointed as the Principal Certifying Authority to carry out inspections of the works in progress for the purposes of issuing an Occupancy Certificate, a fee of \$11,893 is required to be paid to Council for the required inspections and the Occupation Certificate before the issue of a Construction Certificate.
Reason: To inspect the works in progress to confirm that the works are built in accordance with the development consent and construction certificate.
 16. Before the issue of a Construction Certificate evidence of payment of the building and construction industry Long Service Leave Scheme, is required to be given to Council. The required payment of \$19,000, can be made at the Council Offices. This fee has been based on an estimated cost of works of \$9.5 million.
Reason: To ensure that the appropriate levy (0.2% of the cost of the building and construction work costing \$25,000 or more) is paid in accordance with the Building and Construction Industry Long Service Payments Act 1986.
 17. Sediment control devices must be constructed and maintained in proper working order to prevent sediment discharge from the construction site. Sediment control plans and specifications complying with the 'Urban Erosion and Sediment Control' Handbook, published by the NSW Department of Conservation and Land Management (CALM) must be submitted to the Principal Certifying Authority before the issue of a Construction Certificate.
Reason: To prevent soil erosion and sedimentation of Council's stormwater drainage system.
 18. The person acting on this consent shall provide details of the means to secure the site and to protect the public from the construction works. Where the means of securing the site involves the erection of fencing or a hoarding on Council's footpath or road reserve the person shall submit a hoarding application and pay all relevant fees before commencement of works or the issue of the Construction Certificate, whichever occurs first.
Reason: To secure the site and to maintain public safety.
 19. A detailed Traffic Management Plan to cater for construction traffic shall be submitted to and approved by Council before commencement of works or the issue of the Construction Certificate, whichever occurs first. Details shall include proposed truck parking areas, construction zones, crane usage, truck routes etc.
Reason: To ensure construction traffic does not unduly interfere with vehicular or pedestrian traffic, or the amenity of the area.

20. Before the issue of the Construction Certificate the owner or builder shall sign a written undertaking that they shall be responsible for the full cost of repairs to footpath, kerb and gutter, or other Council property damaged as a result of construction of the proposed development. Council may utilise part or all of any Building Security Deposit (B.S.D.) or recover in any court of competent jurisdiction, any costs to Council for such repairs.
Reason: To ensure that all damages arising from the building works are repaired at no cost to Council.
21. The person acting on this consent shall provide security in a manner satisfactory to the Director Technical Services in the amount of \$7,070.00 before the issue of the Construction Certificate as surety for the proper completion of the footpath and/or vehicular crossing works required as a result of this development.
Reason: To provide security for the proper completion of the footpath and/or vehicular crossing works.

BEFORE COMMENCING WORKS

22. You must not commence building work until:
- (a) a Construction Certificate has been issued by Council or an accredited certifier; and
 - (b) the person having benefit of the development (the Applicant) has appointed a Principal Certifying Authority (PCA), and where Council is not the PCA, notify Council of the appointment of the PCA; and
 - (c) you have given written notice to Council of your intention to commence building work in accordance with this Consent at least two (2) days before commencing the work.
- Notification required by (b) and (c) above can be made by completing the attached form and returning it to Council's Development and Environmental Services Division.
Reason: To comply with the provisions of the Environmental Planning and Assessment Act.
23. The approved plans **must** be submitted to the Customer Centre of any office of Sydney Water before the commencement of any work, including excavation activity associated with the development, to ensure that the proposed work meets the requirements of Sydney Water in relationship to:
- (a) sewers;
 - (b) watermains;
 - (c) stormwater channels; and
 - (d) development requirements where applicable.
- Failure to submit these plans before commencing work may result in the demolition of the structure at the builder's expense should it be found that the work does not comply with the requirements of Sydney Water.
Reason: To ensure the location of Sydney Water's main sewer lines have been established before building work commences.
24. Before commencing work sanitary facilities are to be provided at or in the vicinity of the work site at a rate of one (1) toilet for every 20 persons or part of 20 persons employed at the site and each toilet must be a standard flushing toilet and must be connected:
- (a) to a public sewer, or
 - (b) if connection to a public sewer is not practicable, to an *accredited sewage management facility* approved by Council, or

- (c) if connection to a public sewer or an *accredited sewage management facility* is not practicable, to some other *sewage management facility* approved by Council.

Such facilities are to be located in a position which will not cause a nuisance to the surrounding neighbourhood.

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

25. Before commencing work:

- (a) the site must be enclosed with suitable fencing or hoarding to prohibit unauthorised access to the site by the public. The fencing must be erected as a barrier between the public place and the site works; and
- (b) a sign must be erected in a prominent position stating that unauthorised entry to the work site is prohibited and showing the name of the person in charge of the site and a telephone number at which that person may be contacted outside of working hours.

Enquiries for site fencing and hoardings in a public place including Council approval, can be made through Council's Technical Services Division on ☎ 9335 2222.

Reason: To secure the area of the site works so as to maintain the safety of the public.

25A. Before commencing works, the person acting on this consent is to advise Council in writing of a telephone number for residents to contact in regards to complaints regarding construction and building work on the site. The phone number is to be contactable 24 hours a day, seven days a week. Signs being erected on both The Boulevard and Denison Road entrances to the site advising of the contact telephone number and are to remain in place until the final occupation certificate has been issued.

Reason: To provide residents with a point of contact for complaints regarding building work on the site.

26. All services in the building that is being demolished are to be disconnected before commencing demolition work.

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

27. Alignment levels for the site at all pedestrian and vehicular access locations shall be obtained from Council's Director, Technical Services before the commencement of construction. The alignment levels shall match the existing back of footpath levels at the boundary. Failure to comply with this condition will result in vehicular access being denied.

Reason: In accordance with Council's powers under the Roads Act, 1993, alignment levels at the property boundary will be required to accord with Council's design or existing road and footpath levels.

CONSTRUCTION AND SITE WORKS

28. All demolition, construction and associated work necessary for the carrying out of the development being restricted to between the hours of 7.00 am to 5.30 pm Mondays to Saturdays, excluding Public Holidays. All trucks and vehicles associated with the construction, including those delivering to or removing material from the site, only having access to the site during the hours referred to in this condition. All construction vehicles bringing materials to and from the site being loaded and unloaded wholly within the property.

No waste collection skips, spoil, excavation or demolition material from the site or building materials associated with the construction of the development being deposited on the public road, footpath, public place or Council owned property without Council's approval, having first been obtained. The developer being responsible to ensure that all contractors associated with the development are fully aware of these requirements.

Reason: To minimise the effect of the development during the construction period on the amenity of the surrounding neighbourhood.

29. The area surrounding the building work being reinstated to Council's satisfaction upon completion of the work.

Reason: To ensure that the area surrounding the building work is satisfactorily reinstated.

30. Soil and water management controls must be provided on the site and comply with the following:

- (a) Council's warning sign for soil and water management must be displayed at the most prominent point on the site nearest to the construction area, visible to both the street and site workers. The warning signs must be displayed throughout the duration of construction/site works (Warning signs are available from Council);
Note: Warning signs only need to be erected where a Soil and Water Management Plan has been submitted to and approved by Council;
- (b) the capacity and effectiveness of erosion and sediment control devices being maintained at all times;
- (c) a copy of the Soil and Water Management Plan (where required to be prepared) must be kept on-site at all times and made available to Council Officers on request;
- (d) stockpiles are not permitted to be stored on Council property (including nature strip) unless prior approval from Council has been granted;
- (e) stockpiles of topsoil, sand, aggregate, spoil or other material being stored clear of any drainage line or drainage easement, natural watercourse, kerb or road surface;
- (f) drains, gutters, roadways and accessways must be maintained free of sediment;
- (g) building operations such as brickcutting, washing tools or paintbrushes, and mixing mortar must not be carried out on the roadway or public footway. Building operations must be carried out in such a way as to prevent the discharge of materials into the stormwater drainage system;
- (h) before the removal of sediment controls and within 14 days of completion, all disturbed areas must be stabilised against erosion. Methods for erosion control are detailed in the 'Urban Erosion and Sediment Control' Handbook, published by the NSW Department of Conservation and Land Management (CALM), % 9895 7390; and
- (i) stormwater from roof areas must be collected and drained via a downpipe to a stormwater disposal system immediately after completion of the roof area.

Reason: To protect the environment from soil erosion and sedimentation.

31. Where Council is appointed as the Principal Certifying Authority the following inspections of the building or work must be undertaken:

- (a) soil and water management controls;
- (b) pier holes before they are filled with concrete;
- (c) the foundation before the footings are laid;
- (d) reinforcing steel when in position and before concrete is placed;
- (e) dampcourse, termite barriers and floor timbers before the floor material is fixed;
- (f) filling the wall cavity with mortar up to weep-hole level before the laying of any brickwork above slab level;

- (g) the framework including roof members when completed and before the fixing of any internal linings;
- (h) wet areas (bathrooms, laundries), damp-proofing and flashings before linings are fixed;
- (i) continuous cavity construction, flashing, waterproofing to the existing building(s);
- (j) connection and hold-down fixing methods of component members;
- (k) external stormwater drainage lines before backfilling of trenches and absorption pit where permitted;
- (l) upper floor beams and joists before fixing any floor material;
- (m) completion of the building or work.

At least 48 hours notice of the required inspection must be given to the Development and Environmental Services Division, ☎ 9335 2222.

Note: The person acting upon this consent must satisfy him/herself that each of the above building elements have been inspected and approved before continuing with construction.

Reason: To ensure the building work is carried out in accordance with the Building Code of Australia during the course of construction.

32. The impact of the development on the compliance of the Gallagher Building, with the Building Code of Australia shall be taken into account and if required, the Gallagher Building upgraded to comply with Building Code of Australia.

Reason: To ensure the integrity of the adjoining building is not compromised.

33. If it is required or intended to excavate below the level of the base of the footings of a building on the adjoining allotments of land, including a public place such as footways and roadways, the person causing the excavation to be made must:

- (a) preserve and protect the premises from damage;
- (b) if necessary, underpin and support the building in an approved manner. Where underpinning is required, details prepared by a practising structural engineer are to be submitted to the Principal Certifying Authority **before underpinning works commence**; and
- (c) give at least seven (7) days notice, including complete details of the work, to the owners of the adjoining land of the intention to excavate below the base of the footings.

Reason: To ensure that adjoining buildings are preserved and supported.

34. If the proposed work is likely to cause obstruction of the public place and/or is likely to endanger users of the public place, a suitable hoarding or fence approved by Council must be erected between the work site and the public place. Enquiries for site fencing and hoardings in a public place including Council approval, can be made through Council's Technical Services Division on % 9335 2223.

Reason: To provide protection to the public place.

35. The placing of any building/demolition materials on Council's footpath or roadway is prohibited and under no circumstances must building operations be carried out on the footpath or roadway without the consent of Council.

The placement of waste storage containers in a public place also requires Council approval and must comply with Council's Local Policy – 'Placement of Waste Storage Containers in a Public Place'. Enquiries can be made through Council's Waste Services Section on ☎ 9335 2222.

Reason: To ensure the public ways are not obstructed and the placement of waste storage containers in a public place are not dangerous to the public.

36. A certificate of survey from a registered land surveyor must be submitted to the Principal Certifying Authority upon excavation of the footings and before the pouring of the concrete to verify that the structure will not encroach on the allotment boundaries.

Reason: To ensure all works are contained within the boundaries of the allotment.

37. All demolition work being carried out in accordance with the following:

- (a) compliance with the requirements of Australian Standard AS 2601 'The demolition of structures' with specific reference to health and safety of the public, health and safety of the site personnel, protection of adjoining buildings and protection of the immediate environment;
- (b) all works involving the demolition, removal, transport and disposal of asbestos cement is to be carried out in accordance with the 'Worksafe Code of Practice for Removal of Asbestos' and the requirements of the WorkCover Authority of NSW and the Environment Protection Authority;
- (c) all building materials arising from the demolition are to be disposed of in an approved manner in accordance with Council's DCP No. 27 'Controls for Site Waste Management and Minimisation' and any applicable requirements of the Environment Protection Authority;
- (d) sanitary drainage, stormwater drainage, water, electricity and telecommunications are to be disconnected in accordance with the requirements of the responsible authorities;
- (e) the generation of dust and noise on the site must be controlled;
- (f) the site must be secured to prohibit unauthorised entry;
- (g) suitable provision must be made to clean the wheels and bodies of all vehicles leaving the site to prevent the tracking of debris and soil onto the public way;
- (h) all trucks and vehicles associated with the demolition, including those delivering to or removing material from the site, only having access to the site during work hours nominated by Council and all loads must be covered;
- (i) all vehicles taking materials from the site must be loaded wholly within the property unless otherwise permitted by Council;
- (j) no waste collection skips, spoil, excavation or demolition material from the site being deposited on the public road, footpath, public place or Council owned property without the approval of Council; and
- (k) the person acting on this consent is responsible for ensuring that all contractors and sub-contractors associated with the demolition are fully aware of these requirements.

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

38. The person causing the demolition must obtain all necessary permits required by Council including hoarding permits and footpath occupation fees and must comply with any applicable requirements of the WorkCover Authority of NSW and the Environment Protection Authority before commencement of any demolition works.

Reason: To ensure the necessary permits are obtained before work is commenced.

39. AAA rated showerheads as defined by the Australian Standard MP 64 1995 - Manual of assessment procedures for water efficient appliances being provided for each new dwelling.

Reason: To reduce greenhouse gas emissions.

40. New or replacement bathroom or kitchen taps being AAA rated as defined by the Australian Standard MP 64 1995 - Manual of assessment procedures for water efficient appliances.

Reason: To conserve water.

41. New or replacement toilet(s) being dual flush as defined by the Australian Standard MP 64 1995 - Manual of assessment procedures for water efficient appliances.

Reason: To conserve water.

42. New or replacement urinals being AAA rated.

Reason: To conserve water.

Note: To be applied to all development requiring new or replacement urinals, **other than:** alterations and additions to a dwelling house (minor or major), new dwelling houses, new RFBs, new multi-unit houses, residential conversion of former industrial buildings.

43. Construction of an On Site Detention system generally in accordance with stormwater drainage plans H-01 to H-07 submitted by Sparks and Partners and in accordance with Marrickville Council Stormwater and On Site Detention Code. It should be noted that dry-weather flows of any seepage water will not be permitted through kerb outlets unless the water is stored on site and discharged using a timed pump between the hours of midnight and 4.00am.

Reason: To ensure the development does not increase the stormwater runoff from the site.

44. All roof and surface stormwater from the site and any catchment external to the site that presently drains to it, shall be collected in a system of pits and pipelines/channels and major storm event surface flow paths and being discharged to a Council controlled stormwater drainage system in accordance with the requirements of Marrickville Council Stormwater and On Site Detention Code. The maximum discharge allowable to Council's street gutter is 25 litres/second.

Reason: To provide for adequate site drainage.

45. All stormwater drainage being designed in accordance with the provisions of the 1987 Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3.2-1998 'Stormwater Drainage-Acceptable Solutions' and Marrickville Council Stormwater and On Site Detention Code. Pipe and channel drainage systems shall be designed to cater for the twenty (20) year Average Recurrence Interval (A.R.I.) storm in the case of low and medium residential developments, the twenty (20) year A.R.I. storm in the case of high density residential development and commercial and/or industrial developments and the fifty (50) year A.R.I. storm in the case of heavy industry. In all cases the major event surface flow paths shall be designed to cater for the one hundred (100) year A.R.I. storm.

Reason: To provide for adequate site drainage.

BEFORE OCCUPATION OF THE BUILDING

46. You must obtain an Occupation Certificate from your Principal Certifying Authority before you occupy or use the building completed in accordance with this Consent. A copy of the Certificate must be provided to Council within seven (7) days of the Certificate being determined.

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

47. The landscaping of the site being carried out prior to occupation or use of the premises in accordance with the approved plan, and being maintained at all times to Council's satisfaction.
Reason: To ensure adequate landscaping is maintained.
48. Compliance with the requirements of Marrickville Development Control Plan No. 32 - Energy Smart Water Wise is to be demonstrated via completion of Council's Green checklist, which is to be completed by the Principal Certifying Authority (PCA) before the issue of the Occupation Certificate. If completed by a Private PCA, a copy of the completed checklist must be forwarded to Council for its records.
Reason: To appropriately monitor installation of energy and water conservation fixtures and appliances.
49. All works required to be carried out in connection with drainage, crossings, alterations to kerb and guttering, footpaths and roads resulting from the development shall be completed before occupation of the site. Works shall be in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications".
Reason: To ensure applicant completes all required work.
50. Heavy duty concrete vehicle crossings, in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications" shall be constructed at the vehicular access locations before occupation of the site and at no cost to Council.
Reason: To allow vehicular access across the footpath and/or improve the existing vehicular access.
51. Before occupation of the site written verification from a suitably qualified professional civil engineer, stating that all stormwater drainage and related work has been and constructed in accordance with the approved plans shall be submitted to and accepted by Council. In addition, full works-as-executed plans, prepared and signed by a registered surveyor, shall be submitted to Council. These plans must include levels for all drainage structures, buildings (including floor levels), finished ground levels and pavement surface levels.
Reason: To ensure drainage works are constructed in accordance with approved plans.
52. All redundant vehicular crossings to the site shall be 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" before occupation of the site and at no cost to Council. Where appropriate the kerb shall be reinstated with sandstone kerb
Reason: To eliminate redundant crossings and to reinstate the footpath to its normal condition.
53. The existing damaged or otherwise defective vehicular crossings, kerb and gutter, footpath and/or road pavement adjacent to the site shall be restored in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications", at no cost to Council and before occupation of the site.
Reason: To provide suitable means of public road vehicle and pedestrian access to the development and to ensure that the amenity of the area is in keeping with the standard of the development.

54. The existing stone kerb adjacent to the site is an item of heritage significance and is to be preserved at no cost to Council. Any damage to the stone kerb will require the replacement of the damaged individual stone units before occupation of the site and at no cost to Council.

Reason: To ensure that items of heritage significance are preserved.

55. 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 shall be at no cost to Council and undertaken before occupation of the site.

Reason: To ensure all costs for the adjustment/augmentation of services arising as a result of the redevelopment are at no cost to Council.

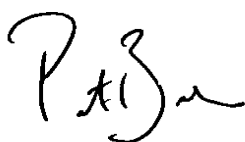
Pursuant to Clause 68A(4) of the Regulations under the Act, Council will notify you in writing if Part A of this Consent has been satisfied and the date from which this Consent operates.

Under Section 82A of the Act you may, within twelve (12) months of the receipt of this notice, request Council to review this determination.

Under Section 97 of the Act you may, within twelve (12) months of receipt of this notice, appeal to the Land and Environment Court if you are dissatisfied with the Council's determination.

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

Yours faithfully



Peter Barber
Manager Approvals

Enquiries: Peter Wotton on 9335.2260

Ref: **D3** Trim: 24260.04

DA200300504 dm

3 June 2004

Alexander Coutts and Associates
50 Cliff Avenue
NORTHBRIDGE 2063

Dear Sir/Madam

68 THE BOULEVARDE, LEWISHAM

Council has considered your application to demolish the print house, library and the dwellings of 82 and 84 The Boulevard and carry out alterations and additions to a school including the construction of a multi purpose facility and additional classrooms, on the above property and a copy of Council's determination is **attached** for your information.

In dealing with the application, Council resolved inter alia:

- **THAT** the applicant be advised that:
 - (i). A complete Building Code of Australia assessment of the application has not been carried out.
 - (ii). It is not a condition of the determination that works required to be carried out on Council property, must be undertaken by Council itself. Council's Public Works Business Unit is however, able to provide a competitive quotation for these works. To obtain a quotation, please contact Council's Assistant Development Engineer during normal business hours on 9335 2223.

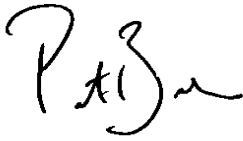
If you propose to have the vehicular crossing and or footpath works constructed by your own contractor, you or your contractor **must** complete an application for 'Construction of a Vehicular Crossing & Civil Works' form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, **before commencement of works**.

- (iii). 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 these Acts of the necessity to comply with these Acts.

Your urgent attention to this matter is requested.

If you wish to discuss the matter please contact Peter Wotton on 9335-2260 from Council's Development and Environmental Services Division.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Peter Barber', with a stylized flourish at the end.

Peter Barber
Manager Approvals

Encl.

Ref: **D110** Trim: 24260.04