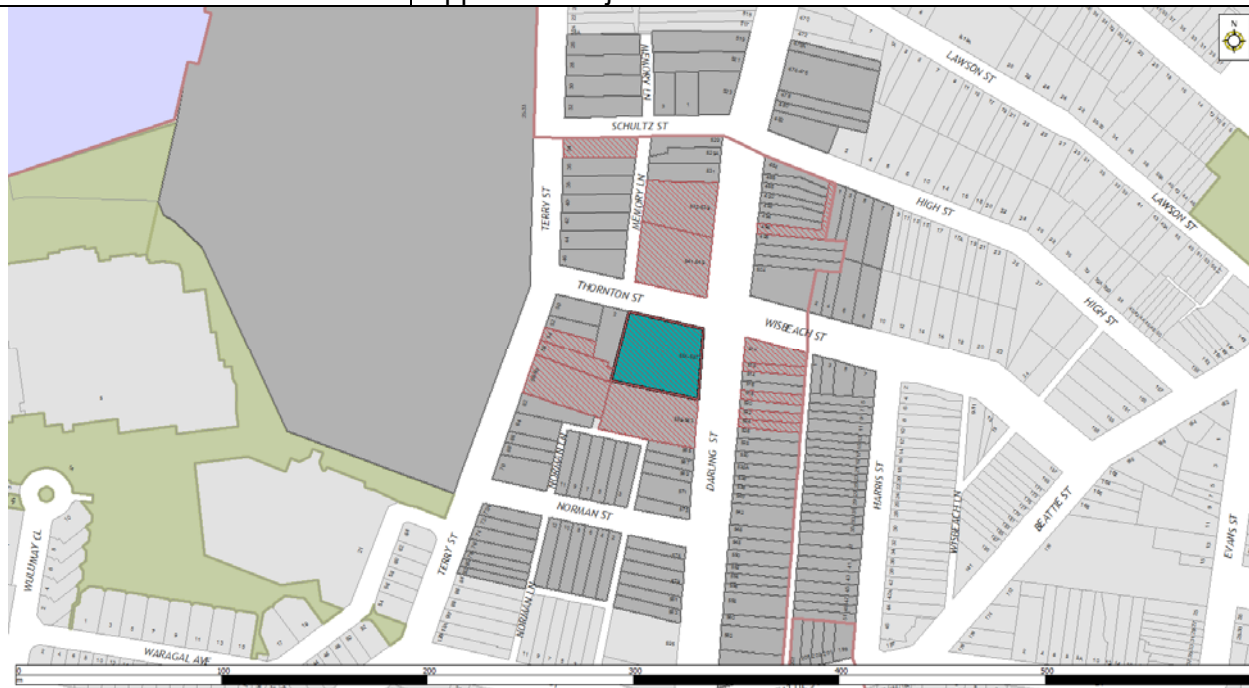




INNER WEST COUNCIL

DEVELOPMENT ASSESSMENT REPORT

Application No.	D/2016/130
Address	551-557 Darling Street, ROZELLE NSW 2039
Proposal	Demolition of the existing service station and construction of a four storey residential apartment building comprising 22 apartments with associated car parking and landscaping. Remediation of the site is also proposed.
Date of Lodgement	4 April 2016
Applicant	551 Darling St Pty Ltd
Owner	Keyment Pty Ltd
Number of Submissions	Fifteen (15)
Value of works	\$10,708,500.00
Reason for determination at Planning Panel	Clause 4.6 variation exceeds officer delegation
Main Issues	Heritage Conservation; Parking & access; Height; Landscaped area; Amenity
Recommendation	Approved subject to conditions



LOCALITY MAP

Subject Site		Objectors		↑ N
Notified Area		Supporters		

1. Executive Summary

This report is an assessment of the application submitted to Council seeking consent for remediation works and a residential apartment development including demolition of the existing service station and construction of a three storey residential apartment building comprising 22 apartments with associated car parking and landscaping at 551-557 Darling Street, Rozelle. The application was notified to surrounding properties and fifteen (15) submissions were received.

The main issues that have arisen from the application include:

- Floor space ratio
- Parking/vehicular access
- Height
- Heritage Conservation
- Amenity
- Landscaping

The application has been amended to address the above-mentioned issues (see section 5 of this report) and is recommended for approval.

2. Proposal

This application seeks consent for the following works at 551 - 557 Darling Street, Rozelle:

2.1 Demolition Works

Demolition of existing service station, and the associated fencing, driveway and hardstand area.

2.2 Excavation and Remediation

Carry out bulk excavation of the site to facilitate the construction of the basement car park, supported by Geotechnical Advice prepared by eiaustralia P/L.

As part of the excavation process, remediation of the site is also proposed, the extent of which being outlined in a Remediation Action Plan prepared by Alliance EPM P/L.

2.3 Tree Removal

Removal of one (1) *Chamaecyparis obtusa* "Crippsii" on the Southern Boundary facing Thorton Street.

2.4 Building Works:

Building works will be divided into the following main elements:

- One (1) level of basement car parking; and
- Residential flat building comprising twenty-two (22) dwellings within a three (3) storey (over the basement) building.

Key aspects of the development based on plans prepared by Marchese Partners Architects are described in further detail below:

Basement Level Car Park

Key aspects of the car park include:

- Basement is proposed to contain thirty (23) parking spaces;
- Waste collection; and
- Storage spaces for the proposed residences & and associated plant areas.

Residential Flat Building

The proposed residences will be a single three (3) storey building made up of the following dwellings;

- Two (2) three bedroom units;
- Fifteen (15) two bedroom units; and
- Five (5) one bedroom units.

Two of the units are nominated as adaptable.

The building is “L” shaped configuration with a central common open space area with a western aspect.

The site was subject to two (2) PREDA meetings for concept design, before being formally lodged as a four-storey 23-unit development. Preliminary assessment and internal referral resulted in the development being reduced to address bulk and scale, heritage, overshadowing, over development and inappropriate design in the context of the setting. The development was amended to 22 units over three (3) storeys, as detailed above, and this forms the basis of the assessment below.

3. Site Description

The subject site is a corner block located on the western side of Darling Street and southern side of Thornton Street. The site consists of one allotment and is generally rectangular shaped with a total area of 1380.7m² and is legally described as Lot 5 DP 1078252.

The site has a frontage to Darling Street of 34.52 metres and a secondary frontage to Thornton Street of 36.93 metres.

The site supports a service station with mechanical workshop, carwash and convenience store. The adjoining properties support a mix of attached and detached residential dwellings, and commercial and mixed development; there is also a school at the end of Thornton Street on Terry Street.

The property is located within a conservation area.

The following trees are located on the site and within the vicinity.

- *Chamaecyparis obtusa* “*Crippsii*” – adjacent to the northern boundary of the subject site; and
- *Robina pseudoacacia*
- *Callistemon viminalis*
- *Melaleuca bracteata* Gold – all adjacent to the Western boundary of the subject site at No. 2 Thornton Street.

There are no street trees on either frontage of the subject site.

4. Background

4(a) Site history

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

Subject Site

Application	Proposal	Decision & Date
D/1998/237	Installation of new underground fuel storage tank, associated pipes and new pumps	Approved 23/12/1998
D/2002/345	Demolition of existing service station including removal of underground tanks and erection of a new convenience store/service station including remediation of site, new fuel disperse, underground tanks, canopy and carwash.	Approved 19/01/2004
M/2004/15	Modification to development consent D/2002/345 for a new service station, car wash and convenience store. Modification to relocate the main illuminated sign to the north-east corner of the site.	Approved 9/6/2004
PREDA/2015/62	Demolition of existing structures and construction of mixed use development comprising ground floor retail and 4 levels of residential units above a 2 level basement car park.	Issued 29/5/2015
PREDA/2015/199	Demolition and construction of a residential development for 25 apartments.	Issued 16/12/2015

Surrounding properties

559 – 563 Darling Street Rozelle

Application	Proposal	Decision & Date
D/2000/1029	Demolition of existing dwelling fronting Terry street. Additions and alterations to existing building fronting Darling street to provide residential/retail development and basement carparking , and the erection of four residential units fronting Terry street including associated carparking.	Refused 9/4/2002
D/2002/142	Remediation works in accordance with State Environmental Planning Policy No.55-Remediation of Land.	Approved 11/2/2003
DAREV/2002/8	Review of determination of development consent D/2000/1029 for demolition and erection of 3 storey mixed residential/commercial building to Darling Street, and 4 terrace houses to Terry Street.	Approved 20/2/2003
M/2003/136	Modification to development consent D/2000/1029 for mixed residential and commercial development including four new townhouses to Terry Street and three- storey mixed use development to Darling Street. Modification to facilitate an extension to the	Approved 24/10/2003

	Darling Street development and to delete one townhouse from Terry Street development.	
M/2004/183	Modification to development consent DAREV/2002/8 (D/2000/1029) for demolition of existing buildings, erection of a new 3 storey mixed residential/commercial building comprising 2 commercial spaces, 7 residential apartments plus basement parking (Darling Street) plus 4 new 2/3 storey terrace houses (Terry Street), plus swimming pool and landscaping. Modification involves minor increase in parapet wall height, changes to finishes and installation of privacy screens.	Approved 12/1/2005
M/2005/96	s96(2) Modification to DAREV/2002/8 (D/2000/1029) for demolition of existing buildings, erection of a new 3 storey mixed residential/commercial building comprising 2 commercial spaces, 7 residential apartments plus basement parking (Darling Street), plus 4 new 2/3 storey terrace houses (Terry Street) plus swimming pool and landscaping. Modifications include addition of fire hydrant to retail space, change in construction materials to comply with BCA, addition of privacy screens to the rear of the Terry Street units, minor changes to balconies and associated works.	Approved 22/6/2005
M/2005/99	Demolition of existing dwelling fronting Terry street. Additions and alterations to existing building fronting Darling street to provide residential/retail development and basement carparking, and the erection of four residential units fronting Terry street including associated carparking.	Cancelled 9/5/2005
D/2005/288	Strata subdivision of an existing approved mixed commercial and residential building so as to create two strata plans.	Approved 1/11/2005

514 – 549 Darling Street Balmain

Application	Proposal	Decision & Date
DA/1994/564	Convert existing building to residential units and commercial units.	Approved 19/3/1998

4(b) Application history

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

Date	Discussion / Letter/ Additional Information
23 May 2016	Request for further information/amendment to the development was required to address vehicular access, heritage and planning requirements in terms of height, bulk, materials, access, soft permeable landscaped area
17 August 2016	The application was amended and renotified
25 August 2016	Internal 'referral panel' meeting noted that vehicle access was not addressed, further information was requested.

13 October 2016	Further panel meeting and subsequent communication between engineers, team leaders and the applicant resulted in an alternative solution to address vehicle access.
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5. Assessment

The following is a summary of the assessment of the application in accordance with Section 79C of the Environmental Planning and Assessment Act 1979.

5(a) Environmental Planning Instruments

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

- State Environmental Planning Policy No 55—Remediation of Land
- State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Leichhardt Local Environment Plan 2013

The following provides further discussion of the relevant issues:

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

State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55) provides planning guidelines for remediation of contaminated land. LDCP 2013 provides controls and guidelines for remediation works. SEPP 55 requires that remediation works must be carried out in accordance with a Remediation Action Plan (RAP) as approved by the consent authority and any guidelines enforced under the Contaminated Land Management Act 1997.

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 Detailed Site Investigation (DSI) and Remedial Action Plan (RAP) have been provided to address the management of contaminated groundwater onsite and the treatment and/or 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, it is recommended that conditions are included in the recommendation in accordance with Clause 7 of SEPP 55.

The site has been assessed and Remediation Action Plan provided by EP Risk dated 1 April 2016. The investigations have identified petroleum hydrocarbon impacted soil and groundwater on the site; and is likely due to historical uses.

The preferred remedial strategy adopted for the site included removal of all identified USTs and associated infrastructure from the site, excavation and off-site disposal / reuse of secondary impacted soils. All excavations and stockpiled materials will be validated and classified against the adopted criteria.

The report concludes that the site can be made suitable for the proposed redevelopment for medium density residential lands use.

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). SEPP 65 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 Clause 6A of the SEPP certain requirements contained within LDCP2013 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: Satisfactory – 25% of the site is designated to communal open space with more than 2 hours at 50% direct solar access between 9 am and 3 pm on 21 June (mid-winter).

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 application will be satisfactory subject to condition ensuring that 101m² or 7% of deep soil area that is available on the site is provided (currently the proposal has hard paving over this area and the landscaped plan will be conditioned to be amended)

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

Comment: Satisfactory

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: The development does not strictly comply with this requirement. Only 9 of the 22 units achieve minimum 2 hours direct sunlight between 9.00am and 3.00pm at mid-winter. The units affected are achieving approximately 1.5 hours. Due to the site's dominant corner position on Darling Street; there is a desire to ensure the building address this main thoroughfare. In doing so, the building is addressing the Terrace form and curtilage and this results in reduced direct sunlight.

The applicant provided their calculations which utilise the hours of 8am to 4pm at the winter solstice. This does not strictly accord with the requirements under SEPP 65.

In order to support the development and improve solar access, it is recommended that skylights are provided over living areas of the following units to achieve a better outcome and amenity for the short fall. The relevant units are as follows:

- Unit 2.01
- Unit 2.04
- Unit 2.05
- Unit 2.06
- Unit 2.07

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: Satisfactory

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: Satisfactory

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.

Comment: The proposal complies with this provision.

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: Satisfactory

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 development satisfies the above with the exception of the three bedroom units, and the ground floor units to Darling and Thornton Streets.

The ground floor units (G.05, G.04 and G.02) do not have depths of 3m or 15m²; however do exceed the minimum standard in the above table. To ensure maximum amenity, the areas will be screened to a minimum of 1.4m from street level.

The three bedroom units only provide 2m deep private open space areas. Nevertheless, as the area exceeds the 12m² area for the three bedroom units, it is considered that it is satisfactory in this instance.

To ensure maximum privacy and amenity to the ground floor units to Darling and Thornton Streets a condition is recommended to ensure the vertical picket balustrade has an effective height of 1.4m measured from the R.L on the footpath.

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: Satisfactory

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 development is able to satisfy the minimum metre cubed space, per dwelling. However, it is located in the basement in secure cages. Some capacity for internal storage is considered important and it is recommended that a condition be imposed requiring a minimum of 2m³ of storage inside the units.

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

Satisfactory.

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

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

- Clause 1.2 – Aims of the Plan
- Clause 2.3 – Zone objectives and Land Use Table
- Clause 2.6 – Subdivision Requirements
- Clause 2.7 – Demolition Requires Development Consent
- Clause 4.1 – Minimum subdivision Lot size
- Clause 4.3A(3)(a) – Landscaped Area for residential development in Zone R1
- Clause 4.3A(3)(b) – Site Coverage for residential development in Zone R1
- Clause 4.4 – Floor Space Ratio
- Clause 4.5 - Calculation of floor space ratio and site area
- Clause 4.6 - Exceptions to development standards
- Clause 5.9 - Preservation of trees or vegetation
- Clause 5.9AA – Trees or vegetation not prescribed by development control plan
- Clause 5.10 – Heritage Conservation
- Clause 6.1 – Acid Sulphate Soils
- Clause 6.2 – Earthworks
- Clause 6.4 – Stormwater management
- Clause 6.8 - Development in areas subject to aircraft noise
- Clause 6.13 – Diverse housing

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

Standard (maximum)	Proposal	% of non-compliance	Compliance
Floor Space Ratio Required: 0.7:1	1.49:1 2061m ²	113.25% or 1094.51m ²	No
Landscape Area Required: 20%	51m ² or 3.69%	81.53% or 225.14m ²	No
Site Coverage Maximum: 60%	808m ² or 58.52%	N/A	Yes
C3.14 Adaptable Housing 16-24 Units = 2 (two)	Two (2)	N/A	Yes

The following provides further discussion of the relevant issues:

Clause 4.6 Exceptions to Development Standards

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

- Clause 4.3A(3)(a) – Landscaped Area for residential development in Zone R1
- Clause 4.4 – Floor Space Ratio

Clause 4.6(2) specifies that Development consent may be granted for development even though the development would contravene a development standard.

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 be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument.*

The applicant seeks development consent for demolition, remediation and the construction of three storey 22 unit development with basement parking that necessitates variation of:

- a. 51.53% or 225.14m² to the development standard pursuant to Clause 4.3A(3) (a) – Landscaped Area for residential development in Zone R1.
 - b. 113.25% or 1094.51m² to the development standard pursuant to Clause 4.4 – Floor Space Ratio for residential development in Zone R1.
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.*

Written requests have been submitted by the applicant raising the following key issues seeking to justify the contravention of the standards:

Clause 4.3A(3)(a) – Landscaped Area for residential development in Zone R1

- Technical reasons as to why the standard is not met as the site provides 276sqm of communal enjoyment that includes soft and paved zones.
- The proposal does not exceed the 60% site coverage standard.

Clause 4.4 – Floor Space Ratio

- The development, as proposed and modified, is consistent with the objectives for the development standard as provided in Clause 4.4 (1) of the Leichhardt LEP 2013
- The proposed variation does not result in a significantly different form of development to that located within the immediate vicinity of the site.
- Whilst there is no building height development standard applying to the site, the subject standard was imposed as a direct response to the building envelope controls contained in the Leichhardt DCP 2013. The building envelope control uniformly applies a 7.2 metre/2 storey envelope for all development located within the Rozelle Commercial Distinctive Neighbourhood- Darling Street Sub-Area. However, in addition the DCP also recognises site specific conditions and surrounding built form whereby a Building Location Zone is to be applied to the site, and therefore the building envelope is to mimic that of 559-563 Darling Street, located immediately south of the site. Considering the building height controls are contained within the DCP which also requires developments to have regards to the prevailing site conditions, a more flexible approach is applied by Council to its application. Therefore, strict enforcement of a uniform FSR across the site would be unnecessary and unreasonable, and would not serve any positive planning purpose, or result in a better outcome.
- The potential environmental impacts of the variation have been documented and detailed in the Statement of Environmental Effects. It is our view that the variation

proposed in this instance would not contravene the environmental planning objectives of the FSR control. In particular, the proposed additional building mass will not contribute to any unreasonable overshadowing or other impacts upon adjacent residential land, and will enhance the amenity of the future occupants of the proposed development by affording high quality residential accommodation which exceeds the minimum apartment size requirements, whilst also including high level of landscaped open space. Technical reasons as to why the standard is not met as the site provides 276sqm of communal enjoyment that includes soft and paved zones.

- The proposal does not exceed the 60% site coverage standard.

The site is currently a service station on a R1 General residential zone. The site is located on Darling Street that is adequately serviced by public transport. The development has been amended to three storeys to ensure it is infilled appropriately between No 559-563 (three storey building) and 541-549 (four storey building). On the western side of Darling Street the predominate scale is three-storey form and therefore, a strict enforcement of a uniform FSR across the site would be unnecessary and unreasonable, and would not serve any positive planning purpose, or result in a better outcome as the site coverage is compliant, the site provides for 25% of communal open space, and the scale and bulk of the development is considered appropriate in its setting.

- (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 Secretary has been obtained.*

Comment: The applicant has addressed the matters required under Clause 4.6 Exceptions to development standards, and it is considered to be well founded in this instance. The proposal will not result in a detrimental impact on the public interest and can satisfy the objectives of the development standards and General Residential zoning as demonstrated below:

- The site coverage on the site complies.
- The form, bulk and scale of the building is complemented by its immediate neighbours the North and South on Darling Street.
- The impacts to adjoin and adjacent dwellings have been considered and are reasonable in terms of the proposal, its zoning and surrounding context.

The level of non-compliance does not exceed the assumed concurrence issued by the Secretary in this instance.

- (5) *In deciding whether to grant concurrence, the Secretary must consider:*
- (a) *whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*

The granting of concurrence to the proposed variation of the development standard will not raise any issues of state or regional planning significance.

- (b) *the public benefit of maintaining the development standard, and*

The proposed variation to the development standards will not compromise the long term strategic outcomes of the planning controls, subject to conditions, to the extent that a

negative public benefit will result. In this regard, there is no material public benefit to the enforcing of the development standards.

(c) *any other matters required to be taken into consideration by the Secretary before granting concurrence.*

No other matters are required to be considered before granting concurrence.

5(b) Draft Environmental Planning Instruments

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

- Draft Leichhardt Local Environment Plan 2013 (Housekeeping amendment)

The application satisfies the provisions of the above Draft Leichhardt Local Environment Plan 2013 (Housekeeping amendment).

5(c) Development Control Plans

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

Part	Compliance
Part A: Introductions	
Section 3 – Notification of Applications	Yes
Part B: Connections	
B1.1 Connections – Objectives	Yes
B2.1 Planning for Active Living	Yes
Part C	
C1.0 General Provisions	Yes
C1.1 Site and Context Analysis	Yes
C1.2 Demolition	Yes
C1.3 Alterations and additions	Yes
C1.4 Heritage Conservation Areas and Heritage Items	Yes
C1.5 Corner Sites	Yes
C1.6 Subdivision	Yes
C1.7 Site Facilities	Yes
C1.8 Contamination	Yes
C1.9 Safety by Design	Yes
C1.10 Equity of Access and Mobility	Yes
C1.11 Parking	Yes
C1.12 Landscaping	Yes
C1.14 Tree Management	Yes
Part C: Place – Section 2 Urban Character	
Suburb Profile	
C2.2.5.5 – Rozelle Commercial Distinctive Neighbourhood	Yes
Part C: Place – Section 3 – Residential Provisions	
C3.1 Residential General Provisions	Yes
C3.2 Site Layout and Building Design	Yes
C3.3 Elevation and Materials	Yes
C3.5 Front Gardens and Dwelling Entries	Yes
C3.6 Fences	Yes
C3.7 Environmental Performance	Yes
C3.8 Private Open Space	Yes

C3.9 Solar Access	Yes
C3.10 Views	Yes
C3.11 Visual Privacy	Yes
C3.12 Acoustic Privacy	Yes
C3.14 Adaptable Housing	Yes
Part D: Energy	
Section 1 – Energy Management	Yes
Section 2 – Resource Recovery and Waste Management	Yes
D2.1 General Requirements	Yes
D2.2 Demolition and Construction of All Development	Yes
D2.3 Residential Development	Yes
Part E: Water	
Section 1 – Sustainable Water and Risk Management	Yes
E1.1 Approvals Process and Reports Required With Development Applications	Yes
E1.1.1 Water Management Statement	Yes
E1.1.2 Integrated Water Cycle Plan	Yes
E1.1.3 Stormwater Drainage Concept Plan	Yes
E1.2 Water Management	Yes
E1.2.1 Water Conservation	Yes
E1.2.2 Managing Stormwater within the Site	Yes
E1.2.3 On-Site Detention of Stormwater	Yes
E1.2.4 Stormwater Treatment	Yes
E1.2.5 Water Disposal	Yes
E1.2.7 Wastewater Management	Yes
E1.3 Hazard Management	Yes
Part F: Food	N/A
Part G: Site Specific Controls	N/A

The following provides discussion of the relevant issues:

C1.1 Site and Context Analysis

The development is considered to meet the requirements in terms of site and context. The site is a corner block on Darling Street, predominantly in a 'high street' setting in a heritage conservation area. The best response to this character is a building to sit proud to the boundary and address the primary and secondary street fronts. It is considered the development does this and is in keeping with buildings located on these corners to the West and Wisbeach Street to the East.

C1.2 Demolition

The development requires the demolition of the service station, and associated structure above and below ground. The site contamination report as outlined in the report adequately addresses the requirements in respect to demolition management and hazardous materials management.

C1.4 Heritage Conservation Areas and Heritage Items

The development was referred to and assessed by heritage officers who support the development subject to conditions pertaining to material and finishes. The development proposed to the existing service station on the residential zoned block will contribute positively to the conservation values of the street scape. The development is considered to be acceptable contribution to the streetscape satisfying the objectives and controls under c1.4.

C1.5 Corner Sites

The development is considered to meet the objectives and controls of C1.5. As discussed in the State Environmental Planning Policy No.65 assessment, adhering to these requirements

to have a prominent building on corners, the development will require conditions to improve amenity to units that are constrained by adhering to the corner-site, built form objectives.

C1.8 Contamination

The site has been assessed and Remediation Action Plan provided by EP Risk dated 1 April 2016. The investigations have identified petroleum hydrocarbon impacted soil and groundwater on the site; and is likely due to historical uses.

The preferred remedial strategy adopted for the site included removal of all identified USTs and associated infrastructure from the site, excavation and off-site disposal / reuse of secondary impacted soils. All excavations and stockpiled materials will be validated and classified against the adopted criteria.

The report concludes that the site can be made suitable for the proposed redevelopment for medium density residential lands use.

C1.11 Parking

The development exceeds the minimum parking requirements for residential and visitor parking. The development provides 23 spaces in totals, only requiring 14 under C1.11.1; therefore the development meets the requirements of the DCP. In this instance, the impact of traffic and parking is supported by Council's engineers, subject to conditions. No further restrictions were required to support the development in terms of parking rates, access and traffic volumes.

C1.14 Tree Management

The development application was assessed by Council's Landscape Assessment Officer who supported the development subject to conditions, in relation to the removal of the *Chamaecyparis obtusa* "Crippsii". The development is considered to meet the objectives and controls set out under C1.14.

C3.1 Residential General Provisions

It is considered the development meets the objective and controls set out under C3.1 in terms of heritage conservation, compatibility with the existing adjoining and adjacent buildings subject to requirements set out under the DCP and LEP and conditions imposed to the recommendation.

C3.2 Site Layout and Building Design

Side setbacks

The development is in breach of side setback control to the southern boundary adjacent to No. 559-563 Darling Street. It is considered that the reduced setback can be supported as the development adjoins the three storey wall at No.559. The proposal southern wall is set off the boundary by 1.2m, introducing articulation by way of a secondary egress corridor. Furthermore, in relation to the principally affected adjoining unit at 6/559-563 Darling Street, the proposed building is offset from the southern boundary by approximately 1.2m for the entire height. In order to mitigate any secondary ambient light loss, the development will be conditioned to be finished in light colour to provide some additional refracted light into the units own stairwell.

Building Layout

By virtue of its proposed level, the west facing balcony to Unit 1.02 restricts the ability for rigid vehicles (such as garbage trucks) to enter the site. In order to address this, the development will be conditioned to ensure that unit 1.02 is modified to match G.02 below, having a north-facing balcony and eliminated the West-facing balcony. In order to balance the development and reduce its visual bulk (and increase its articulation of the north-west corner) the development will also be conditioned to locate the balcony to Unit 2.02 (situated directly above Unit 1.02) in the same manner.

It is noted that making the abovementioned changes, reduces the gross floor area of the proposal by a further 20m², from 1.49:1 to 1.47:1 as units 1.02 and 2.02 will be reduced in size from 96m² to 86m²

C3.3 Elevation and Materials

The development is considered to be acceptable and it is also supported by Councils Heritage Officer subject to conditions. It provides for low reflectivity, strong vertical elements complimenting the predominant surrounding terrace houses in a contemporary design that contributes to the street scape.

C3.5 Front Gardens and Dwelling Entries

Each ground floor unit to Darling Street and Thornton Street address the street with direct street access. The main access and foyer is off Thornton Street and complies with the objectives and controls under C3.5

C3.6 Fences

To ensure maximum privacy and amenity to the ground floor units to Darling and Thornton Streets a condition will be imposed to ensure the vertical picket balustrade has an effective height of 1.4m measured from the R.L on the footpath.

C3.9 Solar Access

Internal solar access has been assessed under the Apartment Design Guide under SEPP 65.

The development as proposed does not overshadow the terraces on the eastern side of Darling Street or the dwelling units in the building at No. 541 – 549 Darling Street..

Minor overshadowing will result at 9am on the winter solstice to the rear private open space of No.56 Terry Street and the communal open space of the development at No.559-563 Darling Street. The proposal complies with the Leichhardt Development Control Plan in this regard.

The proposal will also overshadow a stair void to Unit 6, 559-563 Darling Street. As is further discussed below, this void is screened by external louvres, and is located on the joint property boundary with the subject site. This makes these windows particularly vulnerable to overshadowing and retention of existing solar access is not considered viable. Nevertheless, the proposed building is off-set from the wall by 1.2m and will allow for natural light to enter the void area of this dwelling.

C3.10 Views

The Land and Environment Court accepts that the attribution to the values to views is subjective and has established a planning principle to help establish a more structured approach in assessing the impact of development in terms of view loss.

*The **first step** is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.*

The properties known as No.522 and No.512 Darling Street, Rozelle benefit from filtered views and an outlook over the subject site towards Drummoyne. Unit 6, No's 559 - 561 Darling Street also enjoys a view over the subject site.

Potential features of views within the locality include:

- Parramatta River; and
- Drummoyne and district.

The **second step** is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.

Comment: The views obtained from dwellings to the east of the site, due to the topography of the locale from Darling Street are obtained from upper floor bedrooms across Darling Street and the subject site.



View taken from 522 Darling Street looking Westward from the upper floor master bedroom verandah

The **third step** is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.

Comment: With the exception of the view from the terraces of the upper floor property at 522 & 512 Darling Street, views affected by the development are to bedroom and bedroom balconies.

View loss from Unit 6, 559 - 561 Darling Street is from a void serving an open study, stair well and open plan kitchen. This double-storey floor to ceiling glass is protected by external vertical louvres, protecting the dwelling from overlooking from the existing service station, and is predominantly closed. It must be noted that this unit is also serviced by a wall of western-facing windows that extend to a large terrace with district and water views and is the main light source to the open plan living areas to this double storey unit.

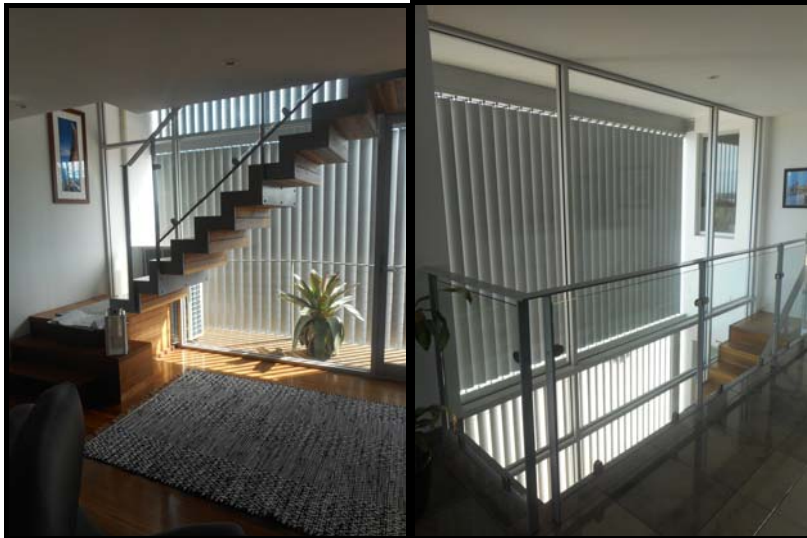


Photo: North facing stair void of Unit 6, 559-561 Darling Street



Photo: West facing living and terrace of Unit 6, 559-561 Darling Street with unobstructed views of Parramatta River and Drummoyne district.

*The **fourth step** is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.*

Comment: The subject proposal is generally compliant with Council's suite of development standards and DCP controls, in particular, the site coverage standard of LLEP 2013. The proposal does rely upon a variation to FSR and landscaped area, however as discussed previously this variation is considered acceptable in this instance.

Submissions received from neighbouring properties comment that the development should be two-storey in form. It is noted that a two-storey form would not protect the views as can be seen in the Image below:



Photo: Existing view from 524 Darling Street, across the subject site

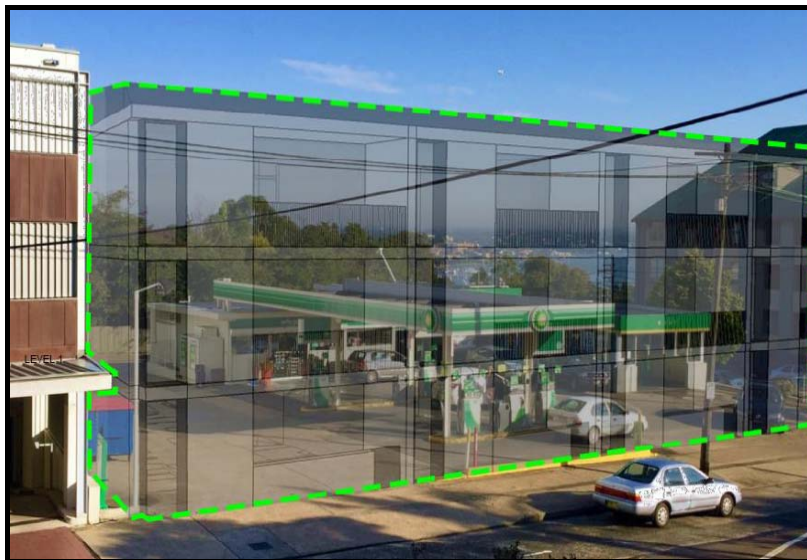


Image: View from 524 Darling Street, with the proposal superimposed.
{Note if the third storey was deleted, the building would block the view}

As such, the proposal is considered to be reasonable, and satisfactory with respect to the impact on views.

C3.11 Visual Privacy

The Development has been assessed under the Apartment Design Code under the SEPP 65 assessment of this report.

The development is sufficiently separated by road in terms of overlooking from properties on Darling Street and Thornton Street. In regards to the rear yards on Terry Street, the dwellings' private open space are located more than 9m from the rear boundary of the subject site and therefore comply with the objectives and controls under C3.11

C3.12 Acoustic Privacy

In terms of noise, the development would not produce any more noise than considered reasonable in a residential setting.

C3.14 Adaptable Housing

The Development provides for two (2) adaptable units complying with C1; units G.06 and 1.06.

5(d) 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(e) The suitability of the site for the development

The site is zoned R1 General Residential. 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(f) Any submissions

The application was notified in accordance with Section 3 of the Leichhardt Development Control Plan 2013 for a period of 30 days to surrounding properties. A total of 15 submissions were received.

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

- *The increase in visual bulk from the development – see Section 5(c) – C3.9*
- *Privacy – see Section 5(c) C3.11 & C5(a)*
- *View loss -see section 5(c) C3.10*
- *Parking & Traffic-see section 5(c) C1.11*
- *Overshadowing -see section 5(c)C3.9*
- *Height, scale & bulk-see section 5(c)C3.2*
- *Siting -see section 5(c) C1.1*
- *Suburb character & heritage conservation area-see section 5(c) C1.4*
- *FSR-see section 5(c)(a)*
- *Noise-see section 5(c) C3.12*

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

- Loss of services
The service station is located in a residential zone, and the proposed development is permissible with consent. Council acknowledges the loss of the service, however has no power in law to retain the service station use.
- Property values
The values of individual properties are not a matter that Council can consider under Section 79C of the EP & A Act 1979.
- Distasteful architecture – needs to be judged and modified for excellence – unsightly gateway building
The development is considered acceptable in terms of height, bulk, and articulation in the heritage conservation area. The applicant has design a building with strong vertical elements to compliment the predominant terrace style typology in the locale and is considered acceptable.
- Community consultation
Community consultation is encouraged by applicant prior to any submission, however is not compulsory. The site was subject to two (2) PREDA applications prior to being

submitted, then publicly notified after submission, twice, in accordance with the relevant provisions of the Leichhardt Development Control Plan 2013.

- Sewer
Council is not the authority to address concerns regarding the sewer. The development is recommended for approval subject to conditions, and a condition is imposed to ensure the development is approved by Sydney Water. Sydney Water will analyse and approved further condition any upgrades required to the sewer system in conjunction with the development.

5(g) The Public Interest

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

The proposal is not contrary to the public interest.

6 Referrals

6(a) Internal

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

- Heritage Officer
- Development Engineer
- Parks & Streetscapes
- Community Services
- Landscape
- Health
- Traffic

7. Section 94 Contributions

Section 94 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 financial contribution would be required for the development under Leichhardt Section 94 Contributions Plans as follows:

Contribution Plan	Contribution	Adjusted Contribution
Community Facilities	\$64,115.00	\$56,459.46
Open Space	\$419,504.00	\$369,413.84
Local Area Traffic Management	\$2,539.48	\$2,236.26
Access to Balmain Peninsula	\$13,056.11	\$11,497.17
Bicycle	\$446.60	\$393.27
Total	\$499,661.19	\$440,000.00

A condition requiring that contribution to be paid is included in the recommendation.

8. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in Leichhardt Local Environmental Plan 2013 and Leichhardt Development Control Plan 2013. The development will result in any significant impacts on the amenity of adjoining premises and the streetscape. The application is considered suitable for approval subject to the imposition of appropriate conditions.

9. Recommendation

That Council, as the consent authority pursuant to s80 of the Environmental Planning and Assessment Act 1979, grant consent to Development Application No: D/2016/130 for The proposal seeks consent for remediation works for a residential apartment development including demolition of the existing service station and construction of a four storey residential apartment building comprising 22 apartments with associated car parking and landscaping at 551-557 Darling Street, ROZELLE NSW 2039 subject to the conditions listed in Attachment A below.

Attachment A – Recommended conditions of consent

1. Development must be carried out in accordance with Development Application No. D/2016/130 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
B1 Floor Plan (basement) DA1.00 Revision L	Marchese Partners	14/10/2016
Ground Floor Plan DA1.01 Revision N	Marchese Partners	14/10/2016
Level 1 Floor Plan DA1.02 Revision G	Marchese Partners	29/6/2016
Level 2 Floor Plan DA1.03 Revision H	Marchese Partners	29/6/2016
Roof Plan DA1.05 Revision E	Marchese Partners	6/14/2016
Adaptable Plan DA1.06 Revision B	Marchese Partners	30/6/2016
East & North Elevation DA02.01 Revision J	Marchese Partners	7/7/2016
Western Elevation DA2.02 Revision L	Marchese Partners	11/10/2016
Section AA DA3.01 Revision F	Marchese Partners	4/10/2016
Section BB DA3.02 Revision C	Marchese Partners	14/6/2016
Finishes Schedule DA05.01 Revision E	Marchese Partners	7/7/2016
B1 Storage Plan DA7.03 Revision A	Marchese Partners	19/10/2016
Landscaped Plan DWG L-01 Revision E Sheet 1 - 2	RPS Australia East P/L	26/9/2016
Landscaped Plan DWG L-01 Revision E Sheet 2 - 2	RPS Australia East P/L	26/9/2016
Document Title	Prepared By	Dated
Ramp Detail	Un-Named	Un-dated
Acoustic Report	Wood & Grieve Engineers	21/6/2016
Arborist Report	Jackson Nature Works	22/02/2016
Remediation Action Plan	EP Risk	1/4/2016
Geotech Report	Eiaustralia P/L	14/3/2016
Stormwater Plans	Prepared By	Dated
Cover sheet DWG C000	Webber Design	July 2016
Civil Notes DWG C001	Webber Design	July 2016
Basement – Drainage Plan DWG C100	Webber Design	July 2016
Ground Floor – Drainage Plan DWG C200	Webber Design	July 2016
Typical Civil Details Sheet 1 DWG C300	Webber Design	July 2016
Typical Civil Details Sheet 2 DWG C300	Webber Design	July 2016

BASIX Certificate	Prepared By	Dated
BASIX Certificate No: 701558M	ADP Consulting	26 October 2016

In the event of any inconsistency between the approved plans and the conditions, the conditions will prevail.

Where there is an inconsistency between approved elevations and floor plan, the elevation shall prevail.

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

The existing elements (walls, floors etc) shown to be retained on the approved plans shall not be removed, altered or rebuilt without prior consent of the consent authority.

Note: Carrying out of works contrary to the above plans and/ or conditions may invalidate this consent; result in orders, on the spot fines or legal proceedings.

2. Approval is given for the following works to be undertaken to trees on the site:

Tree/location	Approved works
<i>Chamaecyparis obtusa</i> 'Crippsii' (Hinoki Cypress)	Removal

Removal or pruning of any other tree (that would require consent of Council) on the site is not approved.

3. Consent is granted for the demolition of the following currently existing on the property, subject to strict compliance with the following conditions:

Elements	Location
All structures	551 – 557 Darling Street Rozelle

- a) The adjoining residents must be notified seven (7) working days prior to demolition. Such notification is to be clearly written on A4 size paper giving the date demolition will commence, site contact details/person, elements to be demolished and be placed in the letterbox of every premises (including every residential flat or unit, if any) either side, immediately at the rear of and directly opposite the demolition site.
- b) Written notice is to be given to the Principal Certifying Authority for inspection prior to demolition. Such written notice is to include the date when demolition will commence and details of the name, address, business hours and contact telephone number and licence number of the demolisher. The following building inspections must be undertaken by the Principal Certifying Authority:
- i) A *pre commencement* inspection when all the site works are installed on the site and prior to demolition commencing.
 - ii) A *final* inspection when the demolition works have been completed.

NOTE: If Council is nominated as your Principal Certifying Authority 24 - 48 hours notice to carry out inspections is required. Arrangement for inspections can be made by phoning 9367 9222.

- c) Prior to demolition, the applicant must erect a sign at the front of the property with the demolisher's name, licence number, contact phone number and site address.
- d) Prior to demolition, the applicant must erect a 2.4m high temporary fence, hoarding between the work site and any public property (footpaths, roads, reserves etc). Access to the site must be restricted to authorised persons only and the site must be secured against unauthorised entry when work is not in progress or the site is otherwise unoccupied.
- e) The demolition plans must be submitted to the appropriate Sydney Water Quick Check agent for a building plan approval.
- f) Demolition is to be carried out in accordance with the relevant provisions of Australian Standard 2601:2001: *Demolition of structures*.
- g) The hours of demolition work are limited to between 7:00am and 6:00pm on weekdays. No demolition work is to be carried out on Saturdays, Sundays and public holidays.
- h) Hazardous or intractable wastes arising from the demolition process must be removed and disposed of in accordance with the requirements of WorkCover New South Wales and the Environmental Protection Authority.
- i) Demolition procedures must maximise the reuse and recycling of demolished materials in order to reduce the environmental impacts of waste disposal.
- j) During demolition, public property (footpaths, roads, reserves etc) must be clear at all times and must not be obstructed by any demolished material or vehicles. The footpaths and roads must be swept (not hosed) clean of any material, including clay, soil and sand. On the spot fines may be levied by Council against the demolisher and/or owner for failure to comply with this condition.
- k) All vehicles leaving the site with demolition materials must have their loads covered and vehicles must not track soil and other materials onto public property (footpaths, roads, reserves etc) and the footpaths must be suitably protected against damage when plant and vehicles access the site.
- l) The burning of any demolished material on site is not permitted and offenders will be prosecuted.
- m) Care must be taken during demolition to ensure that existing services on the site (ie, sewer, electricity, gas, phone) are not damaged. Any damage caused to existing services must be repaired by the relevant authority at the applicant's expense. Dial before you dig www.1100.com.au should be contacted prior to works commencing.
- n) Suitable erosion and sediment control measures in accordance with the Soil and Water Management Plan must be erected prior to the commencement of demolition works and must be maintained at all times.
- o) Prior to demolition, a Work Plan must be prepared and submitted to the Principal Certifying Authority in accordance with the relevant provisions of Australian Standard 2601:2001 *Demolition of structures* by a person with suitable expertise and experience. The Work Plan must identify hazardous materials including surfaces coated with lead paint, method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.

- p) If the property was built prior to 1987 an asbestos survey prepared by a qualified occupational hygienist is to be undertaken. If asbestos is present then:
- i) A WorkCover licensed contractor must undertake removal of all asbestos.
 - ii) During the asbestos removal a sign “DANGER ASBESTOS REMOVAL IN PROGRESS” measuring not less than 400 mm x 300 mm is to be erected in a visible position on the site to the satisfaction of Council.
 - iii) Waste disposal receipts must be provided to Council / Principal Certifying Authority as proof of correct disposal of asbestos laden waste.
 - iv) All removal of asbestos must comply with the requirements of WorkCover and Leichhardt Council.
 - v) An asbestos clearance certificate prepared by a qualified occupation hygienist must be provided at the completion of the demolition works.
4. Remediation and validation of contaminated land must be carried out in accordance with State Environmental Planning Policy No 55 – Remediation of land, the Contaminated Land Management Act 1997, Development Control Plan 2013 and the following documentation:

Document Title	Prepared By	Dated
Remediation Action Plan	EP Risk Management Pty Ltd	1 April 2016

PRIOR TO THE RELEASE OF A CONSTRUCTION CERTIFICATE

5. Amended plans are to be submitted incorporating the following amendments:
- a) The first and second floor apartments, Unit 1.02 and Unit 2.02 respectively, must be reconfigured to replicate the floor plan of ground floor Unit G.02. The balconies to these apartments must not project beyond the western wall of the main building structure. There must be no change to the Northern elevation.
 - b) The Waiting Bay on the access driveway, shown on Drawing No’s DA1.00 Revision L and DA1.01 Revision N prepared by Marchese Partners dated 14 October 2016, is to be deleted.
 - c) The vertical balustrades to the ground floor units private open space are to achieve a minimum height of 1.4m measured from the corresponding footpath to ensure maximum privacy and amenity to these areas.
 - d) The Communal space is to be redesigned to ensure all hardscaping is located over the built basement to maximise deep soil planting area
 - e) The Southern elevation adjacent to 559-596 Darling Street is to be finished on non-reflective material, painted in a white to off-white colour.
 - f) All Level 2 units are to provide skylights to the living areas in increase solar access.
 - g) All units are to demonstrate a minimum of 2m³ of storage internally.

Details demonstrating compliance with the requirements of this condition are to be marked on the plans and be submitted to the Principal Certifying Authority’s satisfaction prior to the issue of any Construction Certificate.

6. An engineering design of stormwater drainage and roadworks in Thornton Street, must be prepared by a qualified practicing Civil Engineer. The design must be prepared to make provision for the following:

- a) Council's piped stormwater drainage system must be extended by an appropriately sized pipeline (minimum 375mm diameter) to the frontage of the site, where a kerb inlet pit must be installed. The pipeline must be designed to have the capacity to convey flows that would be collected at that section of street as generated by a 20 year Average Recurrence Interval storm event and the inlet pit must have a lintel with a minimum length of 2400mm.

The design must be accompanied by detailed engineering drawings including relevant long and cross sections, hydraulic grade line analysis and location of utility services.

- b) Construction of a concrete vehicle crossing at the Thornton Street frontage of the site.
- c) Closure of the redundant vehicle crossings at the Darling Street frontage of the site
- d) Construction of kerb and gutter and footpath for the entire Darling Street frontage of the site in accordance with Council's Draft Mainstreet Masterplan.
- e) Extension of the existing garden bed on the western side of Darling Street, generally to align with the existing garden bed on the eastern side of Darling Street.
- f) Reconstruction of sandstone kerb and concrete gutter, concrete footpath, grass verge for the entire Thornton Street frontage of the site, including tree planting as specified by Council.
- g) Relocation of parking/ traffic signs as required.
- h) The plans must show existing and proposed on street parking.
- i) Video inspection must be carried out of completed stormwater drainage works and a copy provided to Council to support the certification of the works.
- j) The design must be in accordance with the relevant requirements of Austroads and all Australian Standards.
- k) The applicant must consult with Council's Manager – Urban Design & Project Management in relation to the design of all works in the public road reserve.

Development Consent does NOT give approval to undertake any works on Council property. **An application must be made to Council and a Roadworks Application issued under Section 138 of the Roads Act 1993 prior to the construction of these works.**

The application must be accompanied by an engineering design of the above. The Roadworks Permit will only be issued when the design has been approved by Council. A copy of the Roadworks Permit must be obtained from Council prior to the issue of a Construction Certificate.

The design may need to be submitted to and approved by Council's Local Traffic Committee prior to Council issuing an approval.

The applicant must bear the cost of construction of all works, including the cost of any required adjustment or relocation of any public utility service. Where the finished levels of the new works will result in changes to the existing surface levels, the cost of all necessary adjustments or transitions beyond the above scope of works shall be borne by the owner/applicant.

These works must be constructed in accordance with the conditions of the Roadworks Permit and be completed prior to the issue of an Occupation Certificate.

The design must be certified as compliant with the terms of this condition by a suitably qualified Civil Engineer.

Details demonstrating compliance are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

7. A contribution pursuant to the provisions of Section 94 of the *Environmental Planning and Assessment Act 1979* for the services detailed in column A and for the amount detailed in column B must be made to Council prior to the issue of a Construction Certificate:

Column A	Column B
Community facilities and services	\$56,459.46
Open space and recreation	\$369,413.84
Local area traffic management	\$2,236.26
Access to Balmain Peninsula	\$11,497.17
Bicycle works	\$393.27
Total Contribution	\$440,000.00

Payment will only be accepted in the form of cash, bank cheque or EFTPOS / Credit Card (to a maximum of \$10,000). It should be noted that personal cheques or bank guarantees cannot be accepted for Section 94 Contributions. Contribution Plans may be inspected on Council's website www.leichhardt.nsw.gov.au or a copy purchased at the Customer Service counter in Council's Administration Centre, 7-15 Wetherill Street, Leichhardt, during business hours.

A receipt demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Certifying Authority prior to the issue of any Construction Certificate.

8. A stormwater drainage design, incorporating on site stormwater detention facilities (OSD), prepared by a qualified practicing Civil Engineer must be provided prior to the issue of a Construction Certificate. The design must be prepared/amended to make provision for the following:
- a) The design must be generally in accordance with the following Drainage Plans prepared by Webber Design Structural Engineering:
 - Drawing No. C100/P1 and dated 26 July 2016;
 - Drawing No. C200/P3 and dated 3 August 2016;
 - Drawing No. C300/P1 and dated 26 July 2016 and
 - Drawing No. C310/P2 and dated 3 August 2016.

Note that additional maintenance access must be provided within the proposed OSD tank at the location of the orifice plate.

- b) Comply with Council's Stormwater Drainage Code.

- c) A pump-out system for stormwater disposal is permitted for drainage of the basement areas only and must be designed in accordance with the following criteria:
- i) 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 a one-hour duration 20 year ARI storm event.
 - ii) An overflow, flashing light and audible alarm is to be provided to warn of pump failure.
 - iii) Where OSD facilities are required by this consent, the pump system must be discharge to the OSD storage tank.
 - iv) A maintenance regime for the pump system must be provided, including provision for regular maintenance and servicing at least every 6 months.
- d) An overland flowpath must be provided within the pedestrian access to the development from Thornton Street, along the eastern side of the access driveway. The rear yard and landscape area must be graded so that bypass flows from the site drainage system are directed to the overland flowpath.
- e) All external courtyards and balconies and their associated drainage systems must be designed in accordance with the following criteria:
- i) The finished surface level of the courtyard(s) must be not less than 150mm below the adjacent internal floor level(s).
 - ii) The sag pit(s) and associated pipe drainage system draining the courtyard(s) must be designed to capture and convey the 100 year Average Recurrence Interval flow from the contributing catchment assuming 80% blockage of the inlets and 50% blockage of the pipes. The design must cater for any potential overflow from the roof gutters or downpipes in the vicinity of the courtyard.
 - iii) The inlets for the sag pit(s) draining the courtyard(s) must be designed in accordance with Clause 5.4.10.1 of Australian Standard AS/NZS 3500.3-2003 Plumbing and Drainage – Stormwater Drainage to ensure that the maximum ponding level over the sag pit(s) is not less than 150mm below the adjacent internal floor level(s).
- f) All plumbing within the site must be carried out in accordance with Australian Standard *AS/NZS3500.3.2003 Plumbing and Drainage – Stormwater Drainage*.
- g) The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system.
- h) All redundant stormwater pipelines within the footpath area must be removed and the footpath and kerb reinstated.

The design must be certified as compliant with the terms of this condition by a suitably qualified Civil Engineer.

Details demonstrating compliance are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

9. Before the issue of a Construction Certificate, the Principal Certifying Authority shall be satisfied that no proposed underground services (i.e. water, sewerage, drainage, gas or other service) unless previously approved by conditions of consent, are located beneath the canopy of any tree protected under Clause 5.9 of Leichhardt Local Environmental Plan 2013, located on the subject allotment and adjoining allotments.

A plan detailing the routes of these services and trees protected under the Local Environment Plan 2013 shall be prepared. Details demonstrating compliance are to be shown on the plans submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

10. Replacement trees are to conform with *Landscape Plan L-01 Issue D*, dated 7 July 2016 prepared by Kris Petersen AILA.

The minimum pot size at time of planting will be equivalent to 75 litre (min) containerised stock. The tree(s) is/are to conform to the *NATSPEC guide for assessing the quality of and purchasing of landscape trees* by Ross Clarke, 2003

Details of the species and planting locations of the replacement plants must be included on the landscape plan and site plan prior to the issue of a Construction Certificate.

If the replacement trees are found to be faulty, damaged, dying or dead within twelve (12) months of planting then they must be replaced with the same species. If the trees are found dead before they reach a height where they are protected by Council's Tree Management Controls, they must be replaced with the same species.

All advanced trees are to be planted in holes at least 450mm square and 450mm deep, containing good quality soil and humus. In lawn areas, grass is to be kept back for a radius of at least 450mm from stems and trunks, a depression should be formed for the collection of water and the area mulched. The mulch is to be installed to a depth of 75-90mm to all mass planted garden areas and around the base of the trees in lawn areas.

11. To preserve the following tree/s, no work shall commence until their Protection Zone (in accordance with AS4970-*Protection of trees on development sites*) is fenced off at the specified radius from the trunk/s to prevent any activities, storage or the disposal of materials within the fenced area. The fence/s shall be maintained intact until the completion of all demolition/building work on site.

Tree/location	Radius in metres
<i>Robinia pseudoacacia</i> (Robinia) located at the rear of 2 Thornton Street.	As per the <i>Arboricultural Impact Assessment Report</i> dated 22 February 2016 and prepared by Ross Jackson of <i>Jacksons Nature Works</i> .
<i>Callistemon viminalis</i> (Weeping Bottle Brush) located at the rear of 2 Thornton Street.	As per the <i>Arboricultural Impact Assessment Report</i> dated 22 February 2016 and prepared by Ross Jackson of <i>Jacksons Nature Works</i> .
<i>Robinia pseudoacacia</i> (Robinia) located at the rear of 2 Thornton Street.	As per the <i>Arboricultural Impact Assessment Report</i> dated 22 February 2016 and prepared by Ross Jackson of <i>Jacksons Nature Works</i> .
<i>Melaleuca bracteata</i> 'Revolution Gold' located at the rear of 2 Thornton Street.	As per the <i>Arboricultural Impact Assessment Report</i> dated 22 February 2016 and prepared by Ross Jackson of <i>Jacksons Nature Works</i> .

<i>Robinia pseudoacacia</i> (Robinia) located at the rear of 2 Thornton Street.	As per the <i>Arboricultural Impact Assessment Report</i> dated 22 February 2016 and prepared by Ross Jackson of <i>Jacksons Nature Works</i> .
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A minimum 1.8m high barrier (Chain wire mesh panels, plywood or wooden paling fence panels: refer to AS4687-*Temporary fencing and hoardings* for fencing requirements) shall be erected around the perimeter of the stated Protection Zone as measured from the base of the tree (or where practical). Shade cloth or similar should be attached to reduce the transport of dust, other particulate matter and liquids into the protected area. Fence posts and supports should have a diameter greater than 20mm and be located clear of roots. The barrier shall be constructed so as to prevent pedestrian and vehicular entry into the protection zone. The barrier shall not project beyond the kerb onto the roadway or any adjacent footpath.

Requirements of this condition are to be met prior to works commencing or prior to release of a Construction Certificate (whichever occurs first). Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Construction Certificate.

12. Upon installation of the required tree protection measures, an inspection of the site by the Principal Certifying Authority is required to verify that tree protection measures comply with all relevant conditions.

Requirements of this condition are to be met prior to works commencing or prior to release of a Construction Certificate (whichever occurs first). Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Construction Certificate.

13. Prior to works commencing or release of a Construction Certificate (whichever occurs first) and throughout construction, the area of the tree protection zone being mulched to a depth of 100mm with composted organic material being 75% Eucalyptus leaf litter and 25% wood.

Requirements of this condition are to be met prior to works commencing or prior to release of a Construction Certificate (whichever occurs first). Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Construction Certificate

14. Prior to works commencing or release of a Construction Certificate (whichever occurs first), tree protection signage is to be attached to each tree protection zone, displayed in a prominent position and the sign repeated at 10 metre intervals or closer where the fence changes direction. Each sign shall contain in a clearly legible form (Lettering should comply with AS 1319-*Safety signs for the occupational environment*), the following information:

- a) Tree protection zone;
- b) This fence has been installed to prevent damage to the trees and their growing environment both above and below ground and access is restricted;
- c) Any encroachment not previously approved within the tree protection zone shall be the subject of an arborist's report;
- d) The arborist's report shall provide proof that no other alternative is available;
- e) The arborist's report shall be submitted to the Principal Certifying Authority for further consultation with Council; and
- f) The name, address and telephone number of the builder and project arborist.

Requirements of this condition are to be met prior to works commencing or prior to release of a Construction Certificate (whichever occurs first). Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Construction Certificate.

15. Any air conditioning unit on the site must be installed and operated at all times so as not to cause "Offensive Noise" as defined by the Protection of the Environment (Operations) Act 1997.

The system/s shall be operated as follows:

- a) Domestic air conditioners must not be audible in nearby dwellings between:
- i) 10:00pm to 7:00am on Monday to Saturday; and
 - ii) 10:00pm to 8:00am on Sundays and Public Holidays.
- b) At any other time the systems and associated equipment shall not give rise to a sound pressure level at any affected premises that exceeds the background $L_{A90, 15min}$ noise level, measured in the absence of the noise source/s under consideration by 5dB(A).

The source noise level shall be assessed as an $L_{Aeq, 15min}$ and adjusted in accordance with the NSW Environment Protection Authority's Industrial Noise Policy and Environmental Noise Control Manual (sleep disturbance).

Air conditioning units must be installed in accordance with plans referenced in condition 1 or to satisfy provisions of the State Environmental Planning Policy (Exempt & Complying Codes) 2008.

Details demonstrating compliance with the requirements of this condition and the acoustic measures to be employed to achieve compliance with this condition are to be submitted for approval to the Principal Certifying Authority prior to the issue of any Construction Certificate.

16. To ensure that adequate provision is made for ventilation of the building, mechanical and/or natural ventilation shall be provided.

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

- The Building Code of Australia,
- Australian Standard AS 1668 Part 1 – 1998,
- Australian Standard AS 1668 Part 2 – 2012,
- Australian Standard 3666.1 – 2011,
- Australian Standard 3666.2 – 2011; and
- Australian Standard 3666.3 - 2011.

Details demonstrating compliance with the requirements of this condition are to be submitted to the Principal Certifying Authority prior to the release of a Construction Certificate. 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 (the consent authority).

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Certifying Authority prior to the issue of any Construction Certificate.

17. All plant and associated equipment must be located within the approved building envelope and is not be located on the roof. Details on the location of all plant and equipment must be consistent with the approved plans and provided prior to the issue of a Construction Certificate.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Certifying Authority prior to the issue of any Construction Certificate.

18. Prior to the issue of the Construction Certificate the Principal Certifying Authority is to ensure that the plans state that no high front gutters will be installed.
19. In accordance with the provisions of Section 81A of the *Environmental Planning and Assessment Act 1979* construction works approved by this consent must not commence until:
- a) A Construction Certificate has been issued by Council or an Accredited Certifier. Either Council or an Accredited Certifier can act as the "Principal Certifying Authority."
 - b) A Principal Certifying Authority has been appointed and Council has been notified in writing of the appointment.
 - c) At least two days notice, in writing has been given to Council of the intention to commence work.

The documentation required under this condition must show that the proposal complies with all Development Consent conditions and is not inconsistent with the approved plans, the Building Code of Australia and the relevant Australian Standards.

20. In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant must pay a long service levy at the prescribed rate of 0.35% of the total cost of the work to either the Long Service Payments Corporation or Council for any work costing \$25,000 or more. The Long Service Levy is payable prior to the issue of a Construction Certificate.

Details demonstrating compliance are to be shown on the plans submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

21. Materials and finishes must be complementary to the predominant character and streetscape of the area, and any existing buildings & the period of construction of the buildings. New materials that are not depicted on the approved plans must not be used. **In this regard, all balustrades are to comprise of the sympathetic materials shown on the plans - Not glass.** Highly reflective wall or roofing materials and glazing must not be used. Materials must be designed so as to not result in glare (maximum normal specular reflectivity of visible light 20%) or that causes any discomfort to pedestrians or neighbouring properties. Details of finished external surface materials, including colours and texture must be provided prior to the issue of a Construction Certificate to the satisfaction of the Principal Certifying Authority.
22. If any excavation extends below the level of the base of the footings of a building on an adjoining property, the person causing the excavation:
- a) Must preserve and protect the adjoining building from damage
 - b) Must, at least seven (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.

- c) The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this condition, the allotment of land includes public property.

23. The following fire upgrading is required pursuant to Clause 94 of the *Environmental Planning and Assessment Regulation 2000*:

- The building is to be provided with smoke alarm system that complies with *AS3786-1993: Smoke Alarms* and the smoke alarms must be connected to the consumer mains electrical power supply and interconnected where there is more than one alarm with a stand-by (battery back-up) power supply. The smoke alarm system must be installed in suitable locations on or near the ceiling in accordance with Part 3.7.2 of the Building Code of Australia.
- The building is to be provided with a system of emergency lighting to assist evacuation of occupants in the event of a fire in accordance with Part 3.7.2.5 of the Building Code of Australia.

Amended plans and specifications demonstrating compliance with this condition must be submitted to the satisfaction of the Principal Certifying Authority with the application prior to the issuing of a for a Construction Certificate.

Note: Where an existing system complying with the above requirements is already installed in the building, evidence of this should be submitted with the application for a Construction Certificate.

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

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Certifying Authority prior to the issue of any Construction Certificate.

25. A Soil and Water Management Plan must be provided prior to the issue of a Construction Certificate. The Soil and Water Management plan must designed to be compatible with the document Planning for Erosion and Sediment Control on Single Residential Allotments or Managing Urban Stormwater–Soils & Construction Volume 1 (2004) available at www.environment.nsw.gov.au and the Construction Management and Traffic Management Plan referred to in condition/s of this Development Consent and must address, but is not limited to the following issues:

- a) Minimise the area of soils exposed at any one time.
- b) Conservation of top soil.
- c) Identify and protect proposed stockpile locations.
- d) Preserve existing vegetation. Identify revegetation technique and materials.

- e) Prevent soil, sand, sediments leaving the site in an uncontrolled manner.
- f) Control surface water flows through the site in a manner that:
 - i) Diverts clean run-off around disturbed areas;
 - ii) Minimises slope gradient and flow distance within disturbed areas;
 - iii) Ensures surface run-off occurs at non erodable velocities;
 - iv) Ensures disturbed areas are promptly rehabilitated.
- g) Sediment and erosion control measures in place before work commences.
- h) Materials are not tracked onto the road by vehicles entering or leaving the site.
- i) Details of drainage to protect and drain the site during works.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Certifying Authority prior to the issue of any Construction Certificate.

26. The approved plans must be submitted to a Sydney Water Quick Check agent 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. For Quick Check agent details please refer to the web site <http://www.sydneywater.com.au/SW/plumbing-building-developing/building/quick-check-agents/index.html>

The Principal Certifying Authority must ensure the Quick Check agent/Sydney Water has appropriately stamped the plans prior to the issue of a Construction Certificate.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Certifying Authority prior to the issue of any Construction Certificate.

27. Prior to the issue of a Construction Certificate, the applicant must prepare a Construction Management and Traffic Management Plan. The following matters should be addressed in the plan (where applicable):
- a) A plan view of the entire site and frontage roadways indicating:
 - i) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways.
 - ii) The 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.
 - iii) Location of any proposed crane and concrete pump and truck standing areas on and off the site.
 - iv) A dedicated unloading and loading point within the site for construction vehicles, plant and deliveries.
 - v) The 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.

- b) Noise and vibration
During excavation, demolition and construction phases, noise & vibration generated from the site must be controlled. Refer to other conditions of this consent. If during excavation, rock is encountered, measures must be taken to minimise vibration, dust generation and impacts on surrounding properties. Refer to Environmental Noise Management Assessing Vibration: a technical Guideline (Department of Environment and Conservation, 2006) www.epa.nsw.gov.au for guidance and further information.
- c) Occupational Health and Safety
All site works must comply with the occupational health and safety requirements of the New South Wales Work Cover Authority.
- d) Toilet Facilities
During excavation, demolition and construction phases, toilet facilities are to be provided on the site, at the rate of one toilet for every twenty (20) persons or part of twenty (20) persons employed at the site. Details must be shown on the plan.
- e) Traffic control plan(s) for the site
All traffic control plans must be in accordance with the Roads and Maritime Services publication "Traffic Control Worksite Manual"

Approval is to be obtained from Council for any temporary road closures or crane use from public property. Applications to Council shall be made a minimum of 4 weeks prior to the activity proposed being undertaken.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Certifying Authority prior to the issue of any Construction Certificate.

28. A Waste Management Plan (WMP) is to be provided in accordance with **Part D – Waste – Development Control Plan 2013**. The Plan must address all issues identified in the DCP including but not limited to:
- a) Estimated volume (m³) or weight (t) of materials that are reused, recycled or removed from site.
 - b) On site material storage areas during construction.
 - c) Material and methods used during construction to minimise waste.
 - d) Nomination of end location of all waste and recycling generated from a facility authorised to accept the material type for processing or disposal and retention of waste dockets to be made available to Council Officer on request
 - e) A clear statement within the Waste Management Plan of responsibility for the transferral of waste and recycling bins within the property and between floors where applicable to the collection point in accordance with DCP 2013.

All requirements of the approved Waste Management Plan must be implemented during the demolition, excavation and construction of the development.

29. The design of the vehicular access and off street parking facilities must be amended to address the relevant provisions of Australian Standards, including but not limited to AS/NZS 2890.1-2004 *Parking Facilities - Off-Street Car Parking*, AS 2890.2-2002 *Parking Facilities - Off-Street commercial vehicles facilities*, AS/NZS 2890.6-2009 *Off-street parking for people with disabilities* and AS 2890.3-1993 *Parking Facilities - Bicycle parking*

facilities. The following specific issues must be addressed in the design:

- a) The finished levels of the access driveway within the property must be designed to ensure that the levels at the boundary meet the levels specified in the Levels Certificate issued by Council for the full width of the vehicle crossing. The longitudinal profile across the width of the vehicle crossing must comply with the Ground Clearance requirements of *AS/NZS 2890.1-2004*.
- b) The on-site waste and recycling collection facilities must include provision for removalist vehicles and must be designed to accommodate a Medium Rigid Vehicle (MRV) in accordance with the requirements of *AS 2890.2 – 2002*. The design must be supported by swept path diagrams to demonstrate forward entry and exit to/from the basement carpark.
- c) 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 and *AS 2890.2-2002* for an MRV.

Longitudinal sections must extend throughout the path of travel of the MRV utilising the waste and recycling collection facilities.

- d) The vehicular access must provide clear sight lines (triangles) to pedestrians and to vehicular traffic in Park Street in accordance with the requirements of Clause 3.2.4(b) of *AS/NZS 2890.1-2004*.
- e) Sections must demonstrate that minimum headroom of 4500mm is provided throughout the path of travel for an MRV and 2200mm is provided throughout the access and parking facilities. Minimum headroom of 2500mm must be provided above any dedicated accessible parking space(s) and adjacent Shared Area(s).

Note that the headroom must be measured to the lowest projection from the ceiling, such as lighting fixtures, sprinklers, services, ducts, etc. The headroom at any door opening must be measured to the lowest point of the open door.

Headroom at a 'sag' type grade change must be measured in accordance with Figure 5.3 of *AS/NZS 2890.1-2004*.

- f) Longitudinal sections must be provided along each outer edge of all ramps within the parking facilities demonstrating compliance with the above requirements. The longitudinal sections at the entry/exit access ramp(s) must extend to the centreline of the connecting road carriageway.
- g) The car parking facilities must be appropriately line marked and signposted in accordance with the requirements of Section 4 of *AS/NZS2890.1-2004*.

The access driveway must be line marked and sign posted so that exiting vehicles are required to give way to entering vehicles. A give way line must be provided on the westernmost (exit) lane prior to the driveway narrowing to a one-way lane.
- h) Bicycle parking facilities must be provided in accordance with the numerical and dimension requirements of Sections C1.11 Parking and C1.11.3 & C1.11.6 tables within DCP 2013.
- i) The external form & height of the approved structures must not be altered from that depicted on the approved plans to address this condition. If the applicant seeks a design that would require such, the approved plans must be modified in accordance with Section 96 of the Environmental Planning and Assessment Act 1979.

The design must be certified as compliant with the terms of this condition by a suitably qualified Civil Engineer.

Details demonstrating compliance are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

30. Any staging of the construction certificate shall be indicated as to the stages intended to be satisfied prior to the release of the DA consent to allow for relevant conditions to be attached to the consent.
- a) Prior to issue of the Construction Certificate the applicant shall have a Geotechnical/Civil Engineering report prepared which addresses (but is not limited to) the following:-
- i) The type and extent of substrata formations by the provision of a minimum of four (4) representative bore hole logs which are to provide a full description of all material from ground surface to 1.0m below the finished basement floor level and include the location and description of any anomalies encountered in the profile. The surface and depth of the bore hole logs shall be related to Australian Height Datum;
 - ii) The appropriate means of excavation/shoring in light of point (a) above and proximity to adjacent property and structures. Potential vibration caused by method of excavation and potential settlements affecting nearby footings/foundations/buildings shall be discussed and ameliorated;
 - iii) The proposed method to temporarily and permanently support the excavation for the basement adjacent to adjoining property, structures and road reserve if nearby (full support to be provided within the subject site);
 - iv) The existing groundwater levels in relation to the basement structure, where influenced;
 - v) Recommendations to allow the satisfactory implementation of the works. An implementation program is to be prepared along with a suitable monitoring program (as required) including control levels for vibration, shoring support, ground level and groundwater level movements during construction. The implementation program is to nominate suitable hold points at the various stages of the works for verification of the design intent before sign-off and before proceeding with subsequent stages.

The geotechnical report must be prepared by a consulting geotechnical/ hydrogeological engineer with previous experience in such investigations and reporting.

The report, satisfying the requirements of this condition, must be provided as part of the supporting documentation lodged with the Principal Certifying Authority for approval of the Construction Certificate application. The professional recommendations of the report shall be implemented in full during the relevant stages of excavation and construction.

31. A certificate prepared by a qualified Geotechnical Engineer must be provided prior to the issue of the Construction Certificate to the satisfaction of the Principal Certifying Authority. This is to certify the existing rock formations and substrate on the site are capable of:
- a) Withstanding the proposed loads to be imposed.
 - b) Withstanding the proposed excavation, including any shoring works that may be required to ensure stability of the excavation.
 - c) Providing protection and support of adjoining properties.
 - d) The provision of appropriate subsoil drainage during and upon completion of construction works.

Details demonstrating compliance are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

PRIOR TO WORKS COMMENCING OR ISSUE OF A CONSTRUCTION CERTIFICATE (WHICHEVER OCCURS FIRST)

- 32. Prior to the commencement of demolition works on the subject site or a Construction Certificate being issued for works approved by this development consent (whichever occurs first), a security deposit and inspection fee as detailed below must be 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.

Security Deposit	\$19720.20
Inspection fee	\$219.00

Payment will be accepted in the form of cash, bank cheque or 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 Council to determine the condition of the adjacent road reserve & footpath prior to & 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, Council may carry out any works necessary to repair the damage and/or remove the risk. The cost of these works will be deducted from the security deposit.

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 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.

Requirements of this condition are to be met prior to works commencing or prior to release of a Construction Certificate (whichever occurs first). Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Construction Certificate.

- 33. Prior to the commencement of demolition works on the subject site or a Construction Certificate being issued (whichever occurs first), a security deposit to the value of \$230,000 must be paid to Council to cover the costs associated with the road, footpath and drainage works required by this consent.

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 amount nominated is only current for the financial year in which the 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.

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.

Requirements of this condition are to be met prior to works commencing or prior to release of a Construction Certificate (whichever occurs first). Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Construction Certificate.

34. A dilapidation report including a photographic survey of the following adjoining properties must be provided to Principal Certifying Authority prior to any demolition or works commencing on the site or the issue of a Construction Certificate (whichever comes first). The dilapidation report must detail the physical condition of those properties, both internally and externally, including walls, ceilings, roof, structural members and other similar items.

Property	Structures / Area
2 Thornton Street	Structures within 1m of the boundary
559-563 Darling Street	Structures within 1m of the boundary

If excavation works are proposed the dilapidation report must report on the visible and structural condition of neighbouring structures within the zone of influence of the excavations. This zone is defined as the horizontal distance from the edge of the excavation face to twice the excavation depth.

The dilapidation report is to be prepared by a practising Structural Engineer. All costs incurred in achieving compliance with this condition shall be borne by the applicant. A copy of the report must be provided to Council, the Principal Certifying Authority and the owners of the affected properties prior to any works commencing.

In the event that access for undertaking the dilapidation report is denied by an adjoining owner, the applicant must demonstrate, in writing that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Written correspondence from the owners of the affected properties or other evidence must be obtained and submitted to the Principal Certifying Authority in such circumstances that demonstrates such documentation has been received. The Principal Certifying Authority must be satisfied that the requirements of this condition have been met prior to commencement of any works.

Note: This documentation is for record keeping purposes and may be used by an applicant or affected property owner to assist in any action required to resolve any civil dispute over damage rising from the works.

Requirements of this condition are to be met prior to works commencing or prior to release of a Construction Certificate (whichever occurs first). Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Construction Certificate.

35. An application must be made to Council for the issue of a Levels Certificate. The certificate, issued by Council, must be provided to the Principal Certifying Authority prior to the issue of a Construction Certificate.

The certificate specifies the surface levels in the road reserve adjacent to the property that must be used as the basis for the design of vehicle or pedestrian accesses, finished floor levels, fences, vents and any structures in the vicinity of the property boundary.

The architectural & engineering plans must be updated to reflect the information in the levels certificate and submitted to the Principal Certifying Authority prior to the release of the Construction Certificate. The overall height of the external form must not alter from that depicted within the approved plans and/specified by this consent.

The levels certificate may specify that levels in the adjacent road reserve are required to be changed

36. A structural engineering report and plans that address the proposed works in the vicinity of the Darling Street and Thornton Street boundary, prepared by a qualified practicing Structural Engineer, must be provided prior to the issue of a Construction Certificate. The report and plans must be prepared/ amended to make provision for the following:
- a) All components of any retaining walls, including subsoil drainage, must be located entirely within the property boundary.
 - b) 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 50 years.
 - c) Provide relevant geotechnical/ subsurface conditions of the site, as determined by full geotechnical investigation.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Certifying Authority prior to the issue of any Construction Certificate.

37. Should works require any of the following on public property (footpaths, roads, reserves), an application shall be submitted and approved by Council prior to the commencement of the works associated with such activity or the Construction Certificate (whichever occurs first)
- a) Work/Construction zone (designated parking for construction vehicles). – A Work Zone application
 - b) A concrete pump across the roadway/footpath. – A Standing Plant permit
 - c) Mobile crane or any standing plant – A Standing Plant Permit
 - d) Skip bins other than those authorised by Leichhardt Council – Skip Bin Application
 - e) Scaffolding/Hoardings (fencing on public land) – Scaffolding and Hoardings on Footpath Application
 - f) Road works including vehicle crossing/kerb & guttering, footpath, stormwater provisions etc – Road works Application
 - g) Awning or street verandah over footpath. – Road works Application
 - h) Installation or replacement of private stormwater drain, utility service or water supply – Road Opening Permit

Requirements of this condition are to be met prior to works commencing or prior to release of a Construction Certificate (whichever occurs first). Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Construction Certificate.

PRIOR TO THE COMMENCEMENT OF WORKS

38. The proposed structure(s) to be erected must stand wholly within the boundaries of the subject site. No portion of the proposed structure, including gates and doors during opening and closing operations, shall encroach onto adjoining properties or upon public property.

To ensure that the location of the building satisfies the provision of the approval, the footings and walls within one (1) metre of the property boundaries must be set out by or the location certified by a registered surveyor in accordance with the approved plans, prior to the commencement of works.

To ensure that the location of the building satisfies the provision of the approval, a check survey certificate shall be submitted to the Principal Certifying Authority either prior to the pouring of the ground floor slab or at dampcourse level, whichever is applicable or occurs first, indicating the:

a) location of the building with respect to the boundaries of the site;

39. The site must be 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 property 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. Additionally an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling onto public property, where necessary.

Separate approval is required under the *Roads Act 1993* to erect a hoarding or temporary fence or awning on public property. Approvals for hoardings, scaffolding on public land must be obtained and clearly displayed on site for the duration of the works.

Any hoarding, fence or awning is to be removed when the work is completed and must be maintained clear of any advertising.

40. The *Home Building Act 1989* requires that insurance must be obtained from an insurance company approved by the Department of Fair Trading prior to the commencement of works approved by this Development Consent.

A copy of the certificate of insurance must be submitted to the Certifying Authority prior to the works commencing.

If the work is to be undertaken by an owner-builder, written notice of their name and owner-builder permit number must be submitted to the Certifying Authority.

In all other cases, written notice must be given to the Certifying Authority of:

- a) the name and licence number of the principal contractor; and
- b) reasons why a certificate of insurance is not required.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Certifying Authority prior to the issue of any Construction Certificate.

41. Any person or contractor undertaking works on public property must take out Public Risk Insurance with a minimum cover of ten (10) million dollars in relation to the occupation of, and approved works within public property. The Policy is to note, and provide protection for Leichhardt 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.

42. Prior to the commencement of works, the Principal Certifying Authority shall be notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.

43. At least forty-eight (48) hours prior to the commencement of works, a notice of commencement form (available on Council's web page) and details of the appointed Principal Certifying Authority shall be submitted to Council.

44. Prior to the commencement of works, a sign must be erected in a prominent position on the site (for members of the public to view) on which the proposal is being carried out. The sign must state:

- a) Unauthorised entry to the work site is prohibited.
- b) The name of the principal contractor (or person in charge of the site) and a telephone number at which that person may be contacted at any time for business purposes and outside working hours.
- c) The name, address and telephone number of the Principal Certifying Authority for the work.

Any such sign must be maintained while the work is being carried out, but must be removed when the work has been completed.

Photographic evidence demonstrating compliance with the requirements of this condition is to be submitted to the satisfaction of the Principal Certifying Authority and Council for records purposes prior to the commencement of any onsite work.

DURING WORKS

- 45. Building materials and machinery are to be located wholly on site unless separate consent (Standing Plant Permit) is obtained from Council/ the roads authority. Building work is not to be carried out on the footpath.

Construction materials and vehicles shall not block or impede public use of the footpath or roadway.

- 46. Any new information revealed during development works that has the potential to alter previous conclusions about site contamination or hazardous materials shall be immediately notified to the Council and the Principal Certifying Authority.
- 47. If tree roots are required to be severed for the purposes of constructing the approved works, they shall be cut cleanly using a sharp and *fit for purpose tool*. The pruning shall be undertaken by a minimum Level 3 (AQF 3) qualified Arborist.

Details demonstrating compliance with the requirements of this condition are to be submitted by the Arborist undertaking the works to the satisfaction of the Principal Certifying Authority

- 48. The trees to be retained shall be inspected, monitored and treated by a qualified Arborist during and after completion of development works to ensure their long term survival. Regular inspections and documentation from the Arborist to the Principal Certifying Authority are required at the following times or phases of work:

Schedule	
Tree/location	Time of Inspection
<i>Robinia pseudoacacia</i> (Robinia) located at the rear of 2 Thornton Street.	As per the <i>Arboricultural Impact Assessment Report</i> dated 22 February 2016 and prepared by Ross Jackson of <i>Jacksons Nature Works</i> .
<i>Callistemon viminalis</i> (Weeping Bottle Brush) located at the rear of 2 Thornton Street.	
<i>Robinia pseudoacacia</i> (Robinia) located at the rear of 2 Thornton Street.	
<i>Melaleuca bracteata</i> 'Revolution Gold' located at the rear of 2 Thornton Street.	
<i>Robinia pseudoacacia</i> (Robinia) located at the rear of 2 Thornton Street.	

Recommendations to ensure the tree/s long term survival must be carried out immediately upon receipt of the report.

Arborist - for the purpose of this condition a suitably qualified professional shall have as a minimum, Level 5 (Diploma) certification in Arboriculture under the Australian Qualification Framework (AQF).

Details demonstrating compliance with the requirements of this condition are to be submitted by the Arborist undertaking the works to the satisfaction of the Principal Certifying Authority

49. No tree roots of 30mm or greater in diameter located within the specified radius of the trunk(s) of the following, tree(s) shall be severed or injured in the process of any works during the construction period.

Schedule	
Tree/location	Radius in metres
<i>Robinia pseudoacacia</i> (Robinia) located at the rear of 2 Thornton Street.	As per the <i>Arboricultural Impact Assessment Report</i> dated 22 February 2016 and prepared by Ross Jackson of <i>Jacksons Nature Works</i> .
<i>Callistemon viminalis</i> (Weeping Bottle Brush) located at the rear of 2 Thornton Street.	As per the <i>Arboricultural Impact Assessment Report</i> dated 22 February 2016 and prepared by Ross Jackson of <i>Jacksons Nature Works</i> .
<i>Robinia pseudoacacia</i> (Robinia) located at the rear of 2 Thornton Street.	As per the <i>Arboricultural Impact Assessment Report</i> dated 22 February 2016 and prepared by Ross Jackson of <i>Jacksons Nature Works</i> .
<i>Melaleuca bracteata</i> 'Revolution Gold' located at the rear of 2 Thornton Street.	As per the <i>Arboricultural Impact Assessment Report</i> dated 22 February 2016 and prepared by Ross Jackson of <i>Jacksons Nature Works</i> .
<i>Robinia pseudoacacia</i> (Robinia) located at the rear of 2 Thornton Street.	As per the <i>Arboricultural Impact Assessment Report</i> dated 22 February 2016 and prepared by Ross Jackson of <i>Jacksons Nature Works</i> .

Details demonstrating compliance with the requirements of this condition are to be submitted by the Arborist undertaking the works to the satisfaction of the Principal Certifying Authority.

50. All excavation within the specified radius of the trunk(s) of the following tree(s) being hand dug:

Schedule	
Tree/location	Radius in metres
<i>Robinia pseudoacacia</i> (Robinia) located at the rear of 2 Thornton Street.	As per the <i>Arboricultural Impact Assessment Report</i> dated 22 February 2016 and prepared by Ross Jackson of <i>Jacksons Nature Works</i> .
<i>Callistemon viminalis</i> (Weeping Bottle Brush) located at the rear of 2 Thornton Street.	As per the <i>Arboricultural Impact Assessment Report</i> dated 22 February 2016 and prepared by Ross Jackson of <i>Jacksons Nature Works</i> .
<i>Robinia pseudoacacia</i> (Robinia) located at the rear of 2 Thornton Street.	As per the <i>Arboricultural Impact Assessment Report</i> dated 22 February 2016 and prepared by Ross Jackson of <i>Jacksons Nature Works</i> .
<i>Melaleuca bracteata</i> 'Revolution Gold' located at the rear of 2 Thornton Street.	As per the <i>Arboricultural Impact Assessment Report</i> dated 22 February 2016 and prepared by Ross Jackson of <i>Jacksons Nature Works</i> .
<i>Robinia pseudoacacia</i> (Robinia) located at the rear of 2 Thornton	As per the <i>Arboricultural Impact Assessment Report</i> dated 22 February 2016 and prepared

Street.	by Ross Jackson of <i>Jacksons Nature Works</i> .
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Details demonstrating compliance with the requirements of this condition are to be submitted by the Arborist undertaking the works to the satisfaction of the Principal Certifying Authority

51. No activities, storage or disposal of materials taking place beneath the canopy of any tree protected under Council's Tree Management Controls at any time.
52. No trees on public property (footpaths, roads, reserves etc) are to be removed or damaged during works unless specifically approved in this consent or marked on the approved plans for removal.

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

53. All excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent them from being dangerous to life or property and in accordance with the design of a suitably qualified structural engineer.

If excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must:

- a) Preserve and protect the building from damage.
- b) If necessary, underpin and support the building in an approved manner.
- c) Give at least seven (7) days notice to the adjoining owner before excavating, of the intention to excavate within the proximity of the respective boundary.

Any proposed method of support to any excavation adjacent to adjoining properties or any underpinning is to be designed by a Chartered Civil Engineer, with National Professional Engineering Registration (NPER) in the construction of civil/structural works. Copies of the design plans must be provided to the relevant adjoining property owner/s prior to commencement of such works. Prior to backfilling, any method of support constructed must be inspected by the designing Engineer with certification provided to all relevant parties.

54. The site must be appropriately secured and fenced at all times during works.
55. All fill used with the proposal shall be virgin excavated material (such as clay, gravel, sand, soil and rock) that is not mixed with any other type of waste and which has been excavated from areas of land that are not contaminated with human made chemicals as a result of industrial, commercial, mining or agricultural activities and which do not contain sulphate ores or soils.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority.

56. Excavation, demolition, construction or subdivision work shall only be permitted during the following hours:
 - a) 7:00 am to 6.00 pm, Mondays to Fridays, inclusive (with demolition works finishing at 5pm);
 - b) 8:00 am to 1:00 pm 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 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 shall be limited to:

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

The Proponent shall not undertake such activities for more than three continuous hours and shall 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.

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

57. In addition to meeting the specific performance criteria established under this consent, the Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the demolition, construction or operation/use of the development.
58. Any new information revealed during development works that has the potential to alter previous conclusions about site contamination or hazardous materials shall be immediately notified to the Council and the Principal Certifying Authority.
59. The development must be inspected at the following stages by the Principal Certifying Authority during construction:
- a) after excavation for, and prior to the placement of, any footings, and
 - b) prior to pouring any in-situ reinforced concrete building element, and
 - c) prior to covering of the framework for any floor, wall, roof or other building element, and
 - d) prior to covering waterproofing in any wet areas, and
 - e) prior to covering any stormwater drainage connections, and
 - f) after the building work has been completed and prior to any occupation certificate being issued in relation to the building.
60. A copy of the approved plans and this consent must be kept on site for the duration of site works and in the case of any commercial or industrial premise for the duration of the use/trading. Copies shall be made available to Council Officer's upon request.

61. Sedimentation controls, tree protection measures and safety fencing (where relevant) shall be maintained during works to ensure they provide adequate protection during the course of demolition, excavation and construction works. Materials must be stored in a location and manner to avoid material being washed to drains or adjoining properties.

The requirements of the Soil and Water Management Plan must be maintained at all times during the works and shall not be removed until the site has been stabilised to the Principal Certifying Authority's satisfaction.

Material from the site is not to be tracked onto the road by vehicles entering or leaving the site. At the end of each working day any dust/dirt or other sediment shall be swept off the road and contained on the site and not washed down any stormwater pit or gutter.

The sediment and erosion control measures are to be inspected daily and defects or system failures are to be repaired as soon as they are detected.

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

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

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

63. A second Dilapidation Report including photos of any damage evident at the time of inspection must be submitted after the completion of works. A copy of this Dilapidation Report must be given to the property owners referred to in this Development Consent. The report must:

- Compare the post construction report with the pre-construction report required by these conditions,
- Clearly identify any recent damage and whether or not it is likely to be associated with the development works including suggested remediation methods.

A copy must be lodged with Council and the Principal Certifying Authority prior to the issue of an Occupation Certificate. Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issuing of any Occupation Certificate

64. Any soil proposed to be disposed off site must be classified, removed and disposed of in accordance with the *EPA Environmental Guidelines; Assessment, Classification and Management of Liquid and Non-Liquid Wastes 1999* and the *Protection of the Environmental Operations Act 1997*.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Occupation Certificate.

65. At the completion of the installation of the mechanical exhaust system, a certificate from the installer shall be submitted to Council or the Principal Certifying Authority indicating the following:

- a) inspection, testing and commissioning details,
- b) date of inspection testing and commissioning,
- c) the name and address of the individual who carried out the test, and

- d) a statement that the service has been designed, installed and is capable of operating to their accordance with AS 1668.2-1991/2012 – Mechanical ventilation for acceptable indoor-air quality above standard.

Any discharge to the atmosphere from the subject development shall not result in any odour or other air impurity being detected outside the boundaries of the property. The system must be in accordance with the approved plans. Any requirement for the system to be visible from the public domain or adjoining properties and is not consistent with the approved plans will require further consent from Council.

Noise and vibration from the use of the mechanical exhaust and/or ventilation system shall not exceed the background noise level by more than 5dB(A) and shall not be audible in any premises of a neighbouring occupancy.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issuing of any Occupation Certificate.

66. A validation report shall be prepared by a suitably qualified Environmental Consultant and be submitted to Council upon completion of remediation works and prior to the site being occupied. The validation report shall be prepared in accordance with relevant NSW Environment Protection Authority guidelines, including the guidelines 'Consultants Reporting on Contaminated Sites' and shall include :
- Description and documentation of all works performed
 - Results of validation testing and monitoring
 - Validation results if any imported fill was transferred to site
 - Demonstrate how all agreed clean-up criteria and relevant regulations have been satisfied

Confirmation and justification as to the suitability of the site for the proposed use and the potential for off site migration of any residual contaminates.

67. Prior to the issue of any Occupation Certificate, the Principal Certifying Authority is to be satisfied that all landscape works, including tree planting, have been undertaken in accordance with the approved plan(s) and conditions of consent. A copy of an active Landscape management plan/contract for the maintenance of the landscaping for a period of not less than two years after the installation is to be provided prior to the issue of the Occupation Certificate.
68. Prior to the issue of an Occupation Certificate, the Principle Certifying Authority must ensure that the stormwater drainage system has been constructed in accordance with the approved design and relevant Australian Standards.

Works-as-executed plans of the stormwater drainage system, certified by a Registered Surveyor, together with certification by a qualified practicing Civil Engineer to verify that the drainage system has been constructed in accordance with the approved design and relevant Australian Standards, must be provided to the Principle Certifying Authority prior to the issue of an Occupation Certificate.

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 Principle Certifying Authority stamped Construction Certificate plans.

69. Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must ensure that an Operation and Management Plan has been prepared and implemented for the on site detention facilities. 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.
- b) The proposed method of management of the facility, including procedures, safety protection systems, emergency response plan in the event of mechanical failure, etc.

The Plan must be prepared by a suitably qualified professional and provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

70. Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must ensure that the vehicle access and off street parking facilities have been constructed in accordance with the approved design and relevant Australian Standards.

Certification by a qualified practicing Civil Engineer that the vehicular access and off street parking facilities have been constructed in accordance the development consent and with relevant Australian Standards must be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate

71. Prior to the issue of an Occupation Certificate, the Principle Certifying Authority must ensure that all approved road, footpath and/or drainage works, including vehicle crossings, have been completed in the road reserve in accordance with Council Roadworks Permit approval.

Written notification from Council that the works approved under the Roadworks Permit have been completed to its satisfaction and in accordance with the conditions of the Permit, must be provided to the Principle Certifying Authority prior to the issue of an Occupation Certificate

72. Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must ensure that an Operation and Management Plan has been prepared and implemented for the basement pump-out system. 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.
- b) The proposed method of management of the facility, including procedures, safety protection systems, emergency response plan in the event of mechanical failure, etc.

The Plan must be prepared by a suitably qualified professional and provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

73. Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must ensure 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, where applicable:

- a) The car park has been completed, line marked and all signage relating to car parking erected.

Certification by a qualified practicing Civil Engineer that the vehicular access and off street parking facilities have been constructed in accordance with the above must be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

74. Prior to the issue of an Occupation Certificate, a positive covenant must be created under Section 88E of the *Conveyancing Act 1919*, burdening the owner(s) with the requirement to maintain the on-site stormwater detention facilities on the property.

The terms of the 88E instrument with positive covenant shall include, but not be limited to, the following:

- a) The Proprietor of the property shall be responsible for maintaining and keeping clear all pits, pipelines, trench barriers and other structures associated with the on-site stormwater detention facilities ("OSD").
- b) The Proprietor shall have the OSD inspected annually by a competent person.
- c) The Council shall have the right to enter upon the land referred to above, at all reasonable times to inspect, construct, install, clean, repair and maintain in good working order all pits, pipelines, trench barriers and other structures in or upon the said land which comprise the OSD or which convey stormwater from the said land; and recover the costs of any such works from the proprietor.
- d) The registered proprietor shall indemnify the Council and any adjoining land owners against damage to their land arising from the failure of any component of the OSD, or failure to clean, maintain and repair the OSD.

The proprietor or successor must bear all costs associated in the preparation of the subject 88E instrument. Proof of registration with NSW Land and Property Information must be submitted to and approved by the Principal Certifying Authority prior to the issue of an Occupation Certificate / Subdivision Certificate.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issuing of any Occupation Certificate

75. Prior to the issue of the Occupation Certificate the Principal Certifying Authority is to confirm that no high front gutters have been installed.
76. An Occupation Certificate must be obtained prior to any use or occupation of the development or part thereof. The Principal Certifying Authority must ensure that all works are completed in accordance with this consent including all conditions.
77. Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must ensure that all works have been completed in accordance with the approved Waste Management Plan referred to in this development consent.

Proof of actual destination of demolition and construction waste shall be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

78. Prior to the release of an Occupation Certificate, the Principal Certifying Authority must be satisfied that the development complies with:

- the approved plans;
- BASIX certificate (where relevant),
- approved documentation (as referenced in this consent); and
- conditions of this consent.

PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE

79. Car Parking provided shall only be used in conjunction with the units and tenancies contained within the development in the case of Strata subdivision, and shall be individually allocated to residential units as part of their unit entitlement.

Visitor parking facilities required by this consent are to be designated as common property on the strata plan, and under no circumstances shall Strata by-laws be created to grant exclusive use of nominated visitors parking spaces to occupants / owners of units or tenancies within the building.

Details are to be provided prior to the issue of a Subdivision Certificate.

ONGOING CONDITIONS OF CONSENT

80. The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within seventy-two (72) hours of its application.
81. The use of the premises shall 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 shall not give rise to the transmission of a vibration nuisance or damage other premises.
82. The canopy replenishment trees required by this consent are to be maintained in a healthy and vigorous condition until they attain a height of 6 metres whereby they will be protected by Council's Tree Management Controls. Any of the trees found faulty, damaged, dying or dead shall be replaced with the same species within 2 months.
83. Any lighting of the premises shall be installed and maintained in accordance with Australian Standard AS 4282-1997: *Control of the Obtrusive Effects of Outdoor Lighting* so as to avoid annoyance to the occupants of adjoining premises or glare to motorists on nearby roads. The intensity, colour or hours of illumination of the lights shall be varied at Council's discretion if in the opinion of an Authorised Council Officer it is considered there to be have adverse effects on the amenity of the area.
84. All vehicles must enter and exit the site in a forward direction.
85. All loading and unloading operations are to be carried out wholly within the site.

The loading dock must be used in connection with the approved use.

All loading and unloading operations must be carried out via the entrance in Thornton Street.

86. Any basement car parking space must not be individually enclosed without prior development consent.
87. Any basement car parking space must not be individually enclosed without prior development consent.
88. Driveways and parking spaces must not be used for manufacture, storage or display of goods, materials and equipment. The spaces must be available at all times, for all vehicles associated with the development.

89. The parking bays must be clearly designated, marked, and signposted.
90. All owners, tenants and occupiers of this building are not eligible to participate in any existing or proposed Council Resident Parking Schemes. All occupants and/or employees of this building will be ineligible to obtain Council Resident Parking Scheme parking permits. The owner of the dwelling must advise in writing all intending owners, tenants and occupiers of the dwelling, at the time of entering into a purchase / lease / occupancy agreement, of this prohibition.

Signs reading “all owners, tenants and occupiers of this building are advised that they are not eligible to obtain Resident Parking Scheme parking permits from Council”, must be located in prominent places such as at display apartments and on directory boards or notice boards, where they can easily be observed and read by people entering the building. The signs must be erected prior to the issue of an Occupation Certificate being issued and must be maintained in good order at all times.

91. The Operation and Management Plan for the basement pump-out system, approved with the Occupation Certificate, must be implemented and kept in a suitable location on site at all times.
92. The Operation and Management Plan for the on site detention facilities, approved with the Occupation Certificate, must be implemented and kept in a suitable location on site at all times.
93. The premises shall not be used for any purpose other than that stated in the Development Application, i.e. dwelling without the prior consent of the Council unless the change to another use is permitted as exempt or complying development under *Leichhardt Local Environment Plan 2013* or *State Environmental Planning policy (Exempt and Complying Codes) 2008*.

The use of the premises as a dwelling is defined under the *Leichhardt Local Environment Plan 2013*.

PRESCRIBED CONDITIONS

A. BASIX Commitments

Under clause 97A(3) of the Environmental Planning & Assessment Regulation 2000, it is a condition of this development consent that all the commitments listed in each relevant BASIX Certificate for the development are fulfilled. The Certifying Authority must ensure that the building plans and specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

In this condition:

- a) Relevant BASIX Certificate means:
- (i) a BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under section 96 of the Act, a BASIX Certificate that is applicable to the development when this development consent is modified); or
 - (ii) if a replacement BASIX Certificate accompanies any subsequent application for a construction certificate, the replacement BASIX Certificate; and
- b) BASIX Certificate has the meaning given to that term in the Environmental Planning & Assessment Regulation 2000.

B. Building Code of Australia

All building work must be carried out in accordance with the provisions of the Building Code of Australia.

C. Home Building Act

- 1) Building work that involves residential building work (within the meaning and exemptions provided in the Home Building Act 1989) must not be carried out unless the Principal Certifying Authority for the development to which the work relates has given Leichhardt Council written notice of the following:
 - 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, or
 - 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.
- 2) If arrangements for doing residential building work are changed while the work is in progress so that the information submitted to Council is out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council), has given the Council written notice of the updated information.

Note: A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.

D. Site Sign

- 1) A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
 - a) stating that unauthorised entry to the work site is prohibited;
 - b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
 - c) showing the name, address and telephone number of the Principal Certifying Authority for the work.
- 2) Any such sign must be maintained while building work or demolition work is being carried out, but must be removed when the work has been completed.

E. Condition relating to shoring and adequacy of adjoining property

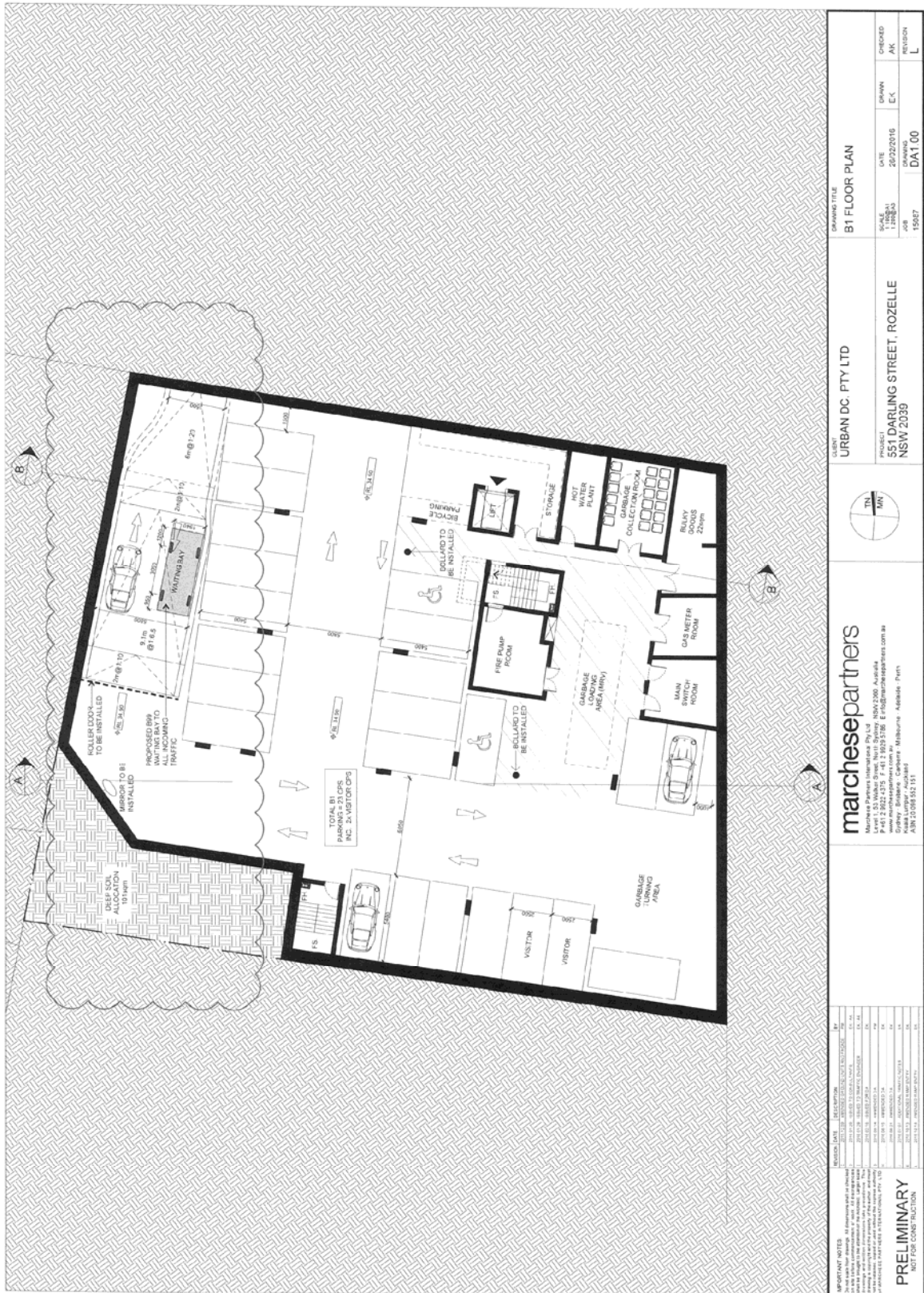
- (1) For the purposes of [section 80A](#) (11) of [the Act](#), it is a prescribed condition of development consent that if the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

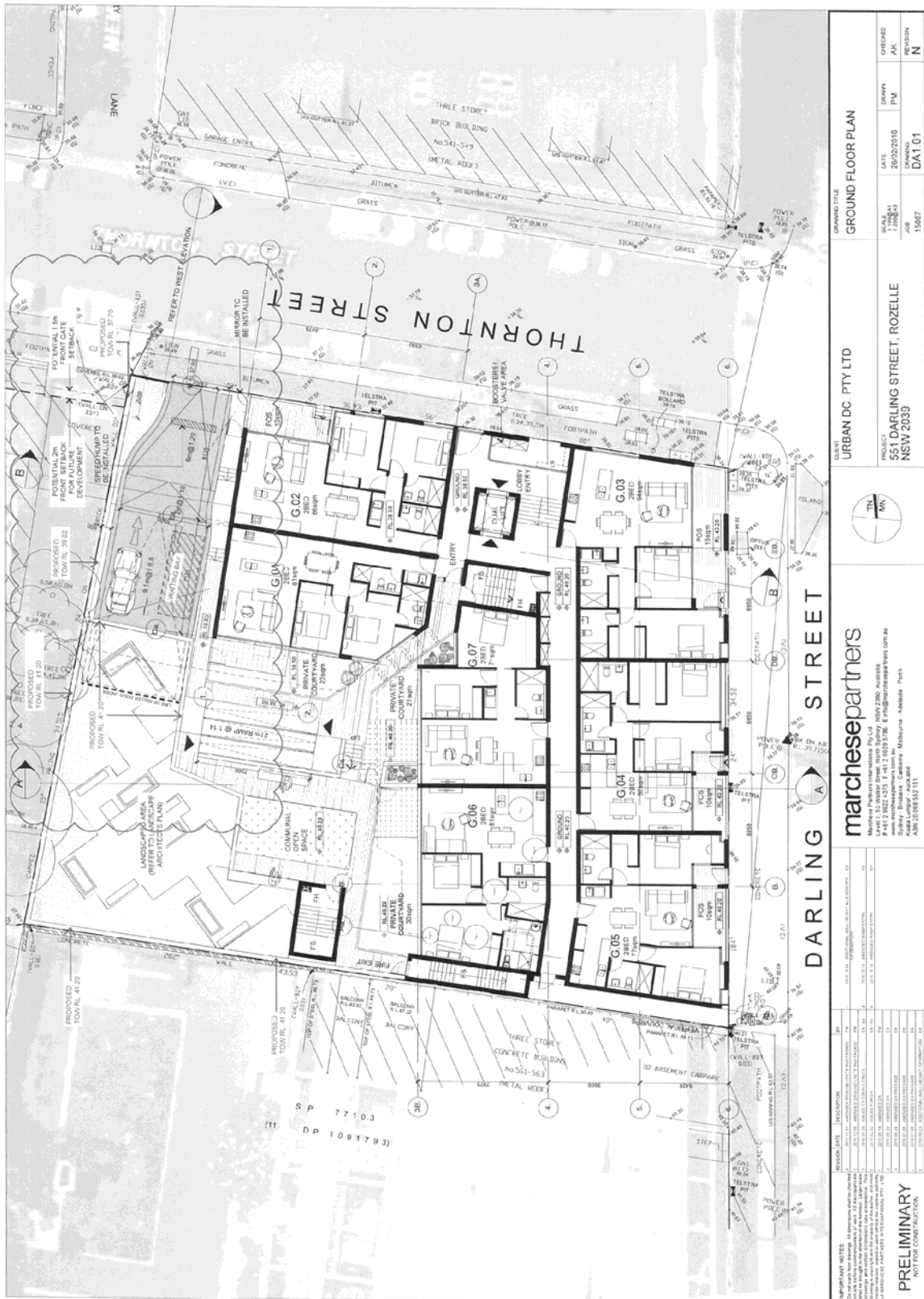
- (a) protect and support the adjoining premises from possible damage from the excavation, and
 - (b) where necessary, underpin the adjoining premises to prevent any such damage.
- (2) The condition referred to in subclause (1) does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

NOTES

1. This Determination Notice operates or becomes effective from the endorsed date of consent.
2. Section 82A of the *Environmental Planning and Assessment Act 1979* provides for an applicant to request Council to review its determination. This does not apply to applications made on behalf of the Crown, designated development, integrated development or a complying development certificate. The request for review must be made within six (6) months of the date of determination or prior to an appeal being heard by the Land and Environment Court. Furthermore, Council has no power to determine a review after the expiration of these periods. A decision on a review may not be further reviewed under Section 82A.
3. If you are unsatisfied with this determination, Section 97 of the *Environmental Planning and Assessment Act 1979* gives you the right of appeal to the Land and Environment Court within six (6) months of the determination date.
4. 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.
5. 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 96 of the *Environmental Planning and Assessment Act 1979*.
6. This decision does not ensure compliance with the *Disability Discrimination Act 1992*. Applicants should investigate their potential for liability under that Act.
7. 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.
 - g) Development Application for subdivision if consent for subdivision is not granted by this consent.
 - h) An application under the Roads Act 1993 for any footpath / public road occupation. A lease fee is payable for all occupations.
8. Prior to the issue of the Construction Certificate, the applicant must make contact with all relevant utility providers (such as Sydney Water, Energy Australia etc) whose services will be impacted upon by the development. A written copy of the requirements of each provider, as determined necessary by the Certifying Authority, must be obtained.





DRAWING TITLE		GROUND FLOOR PLAN	
CLIENT	URBAN DC PTY LTD	DATE	2023/2010
PROJECT	551 DARLING STREET, ROZELLE NSW 2039	DRAWN	PN
		CHECKED	PN
		DATE	DA1/01
		BY	N

<p>marchespartners</p> <p>Level 5, 55 Westmoreland, North Sydney, NSW 2060 Australia P +61 2 9622 3355 F +61 2 9695 9786 E info@marchespartners.com.au Sydney Brisbane Canberra Melbourne Adelaide Perth A/NZ 02 9695 9786 A/NZ 02 9695 9786</p>		<p>SP 77103 DP 1091793</p>
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DRAWING TITLE		LEVEL 2 FLOOR PLAN	
SCALE	DATE	DRAWN	CHECKED
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JOB	DRAWING	DESIGNER	REVISION
11887	DA1.03		F1

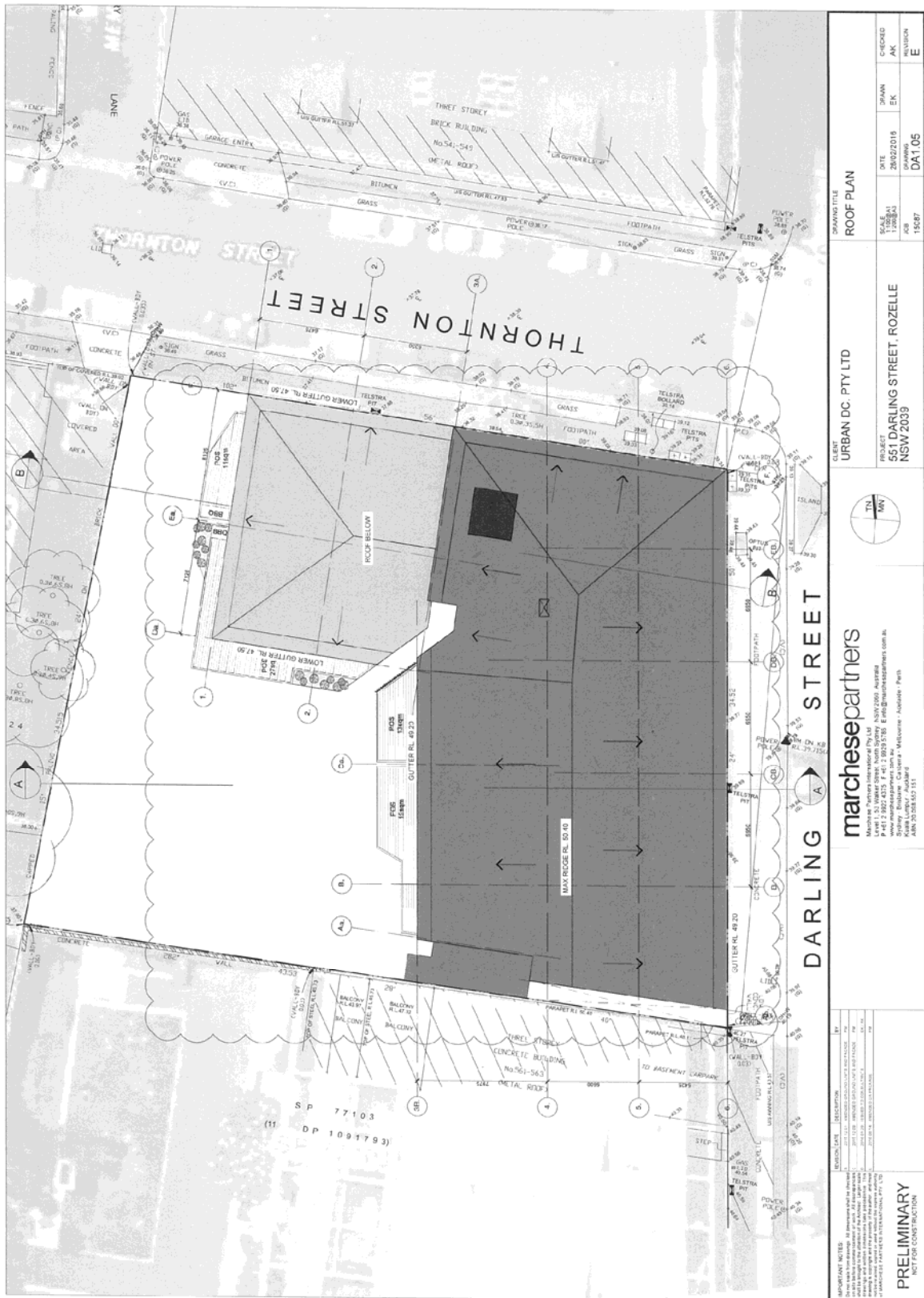
CLIENT
URBAN DC PTY LTD

PROJECT
**551 DARLING STREET, ROZELLE
 NSW 2039**

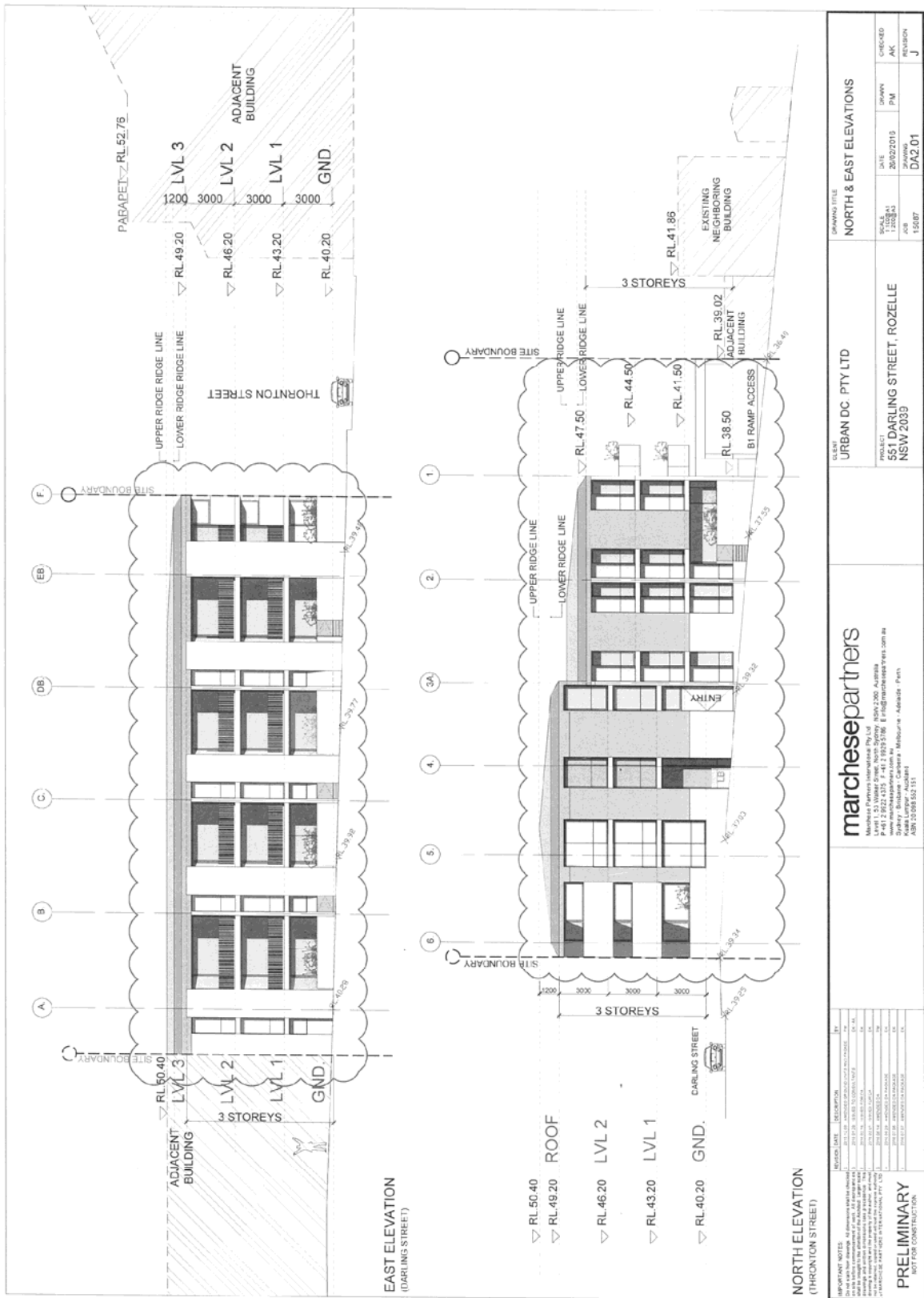


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 Marches Partners International Pty Ltd
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 P 61 2 962 4375 F 61 2 962 5786 E info@marchespartners.com.au
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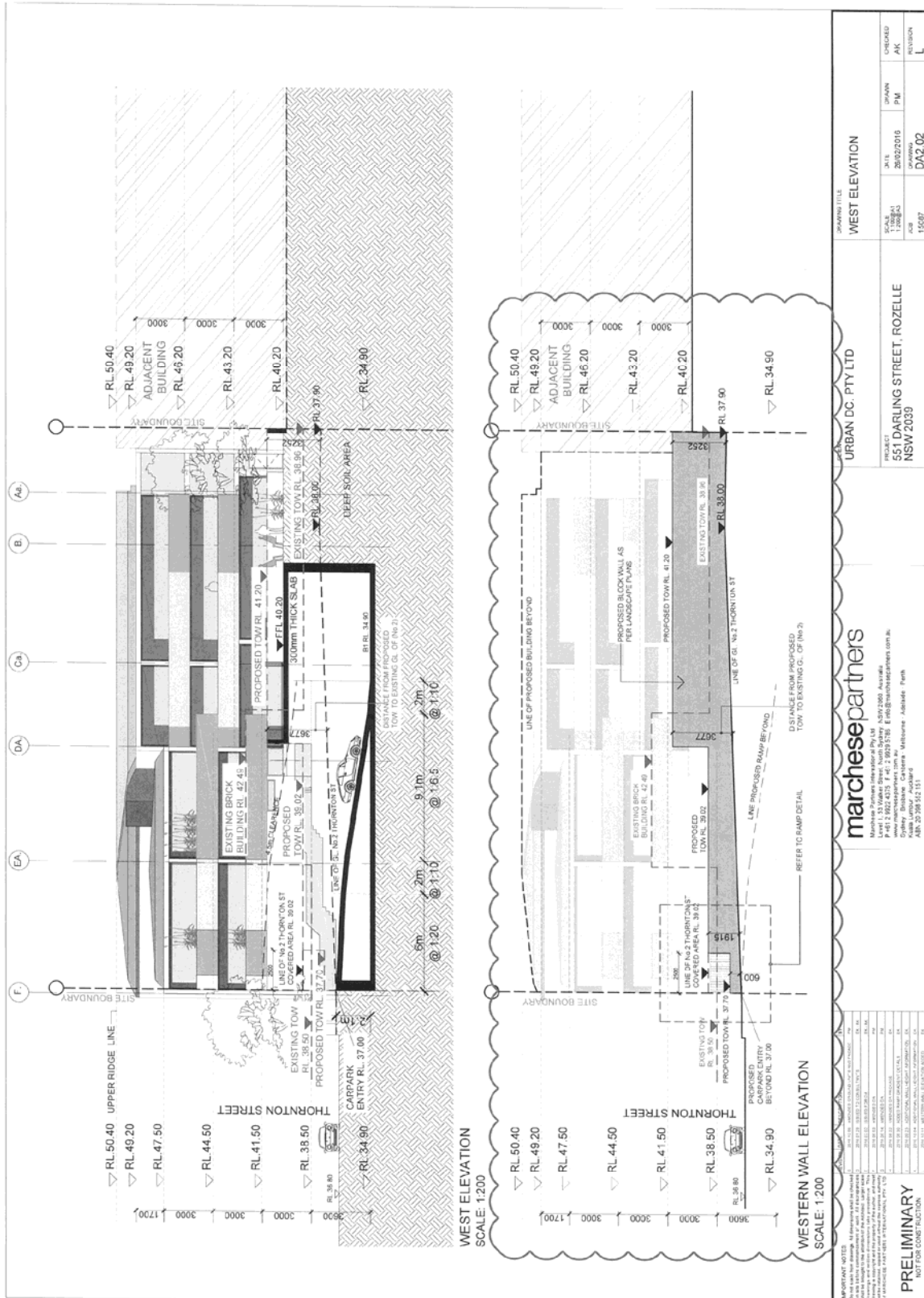
PRELIMINARY
 NOT FOR CONSTRUCTION



<p>IMPORTANT NOTES</p> <p>1. THIS PLAN IS A PRELIMINARY CONSTRUCTION PLAN AND IS NOT TO BE USED FOR CONSTRUCTION.</p> <p>2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.</p> <p>3. ALL WORK IS TO BE ACCORDING TO THE CURRENT EDITIONS OF THE NATIONAL BUILDING REGULATIONS 2011 AND THE NSW BUILDING REGULATIONS 2015.</p> <p>4. ALL WORK IS TO BE ACCORDING TO THE CURRENT EDITIONS OF THE NATIONAL ELECTRICAL REGULATIONS 2017 AND THE NSW ELECTRICAL REGULATIONS 2017.</p> <p>5. ALL WORK IS TO BE ACCORDING TO THE CURRENT EDITIONS OF THE NATIONAL PLUMBING REGULATIONS 2017 AND THE NSW PLUMBING REGULATIONS 2017.</p> <p>6. ALL WORK IS TO BE ACCORDING TO THE CURRENT EDITIONS OF THE NATIONAL GAS REGULATIONS 2017 AND THE NSW GAS REGULATIONS 2017.</p> <p>7. ALL WORK IS TO BE ACCORDING TO THE CURRENT EDITIONS OF THE NATIONAL MECHANICAL REGULATIONS 2017 AND THE NSW MECHANICAL REGULATIONS 2017.</p> <p>8. ALL WORK IS TO BE ACCORDING TO THE CURRENT EDITIONS OF THE NATIONAL TILING REGULATIONS 2017 AND THE NSW TILING REGULATIONS 2017.</p> <p>9. ALL WORK IS TO BE ACCORDING TO THE CURRENT EDITIONS OF THE NATIONAL PAINTING REGULATIONS 2017 AND THE NSW PAINTING REGULATIONS 2017.</p> <p>10. ALL WORK IS TO BE ACCORDING TO THE CURRENT EDITIONS OF THE NATIONAL CARPENTRY REGULATIONS 2017 AND THE NSW CARPENTRY REGULATIONS 2017.</p> <p>11. ALL WORK IS TO BE ACCORDING TO THE CURRENT EDITIONS OF THE NATIONAL CONCRETE REGULATIONS 2017 AND THE NSW CONCRETE REGULATIONS 2017.</p>		<p>CLIENT: URBAN DC. PTY LTD</p> <p>PROJECT: 551 DARLING STREET, ROZELLE NSW 2033</p> <p>DATE: 28/02/2019</p> <p>SCALE: 1:200</p> <p>JOB: 15087</p> <p>DRAWING: DA1.05</p> <p>DESIGNED BY: EK</p> <p>CHECKED BY: AK</p> <p>REVISION: E</p>
<p>PRELIMINARY</p> <p>NOT FOR CONSTRUCTION</p>		<p>marchesepartners</p> <p>Marchese Partners International Pty Ltd 11/111 1111 1111 1111 1111 1111 1111 1111 1111 1111 www.marchesepartners.com.au Sydney Melbourne Perth Adelaide Perth ABN 70 088 657 151</p>



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<p>ARCHITECTURE PARTNERS</p> <p>Architecture Partners International Pty Ltd 1/111 Darling Street, Sydney NSW 2000 Australia Phone: +61 2 9221 4332 Fax: +61 2 9221 5700 www.architecturepartners.com.au ABN: 12 008 552 151</p>																																		
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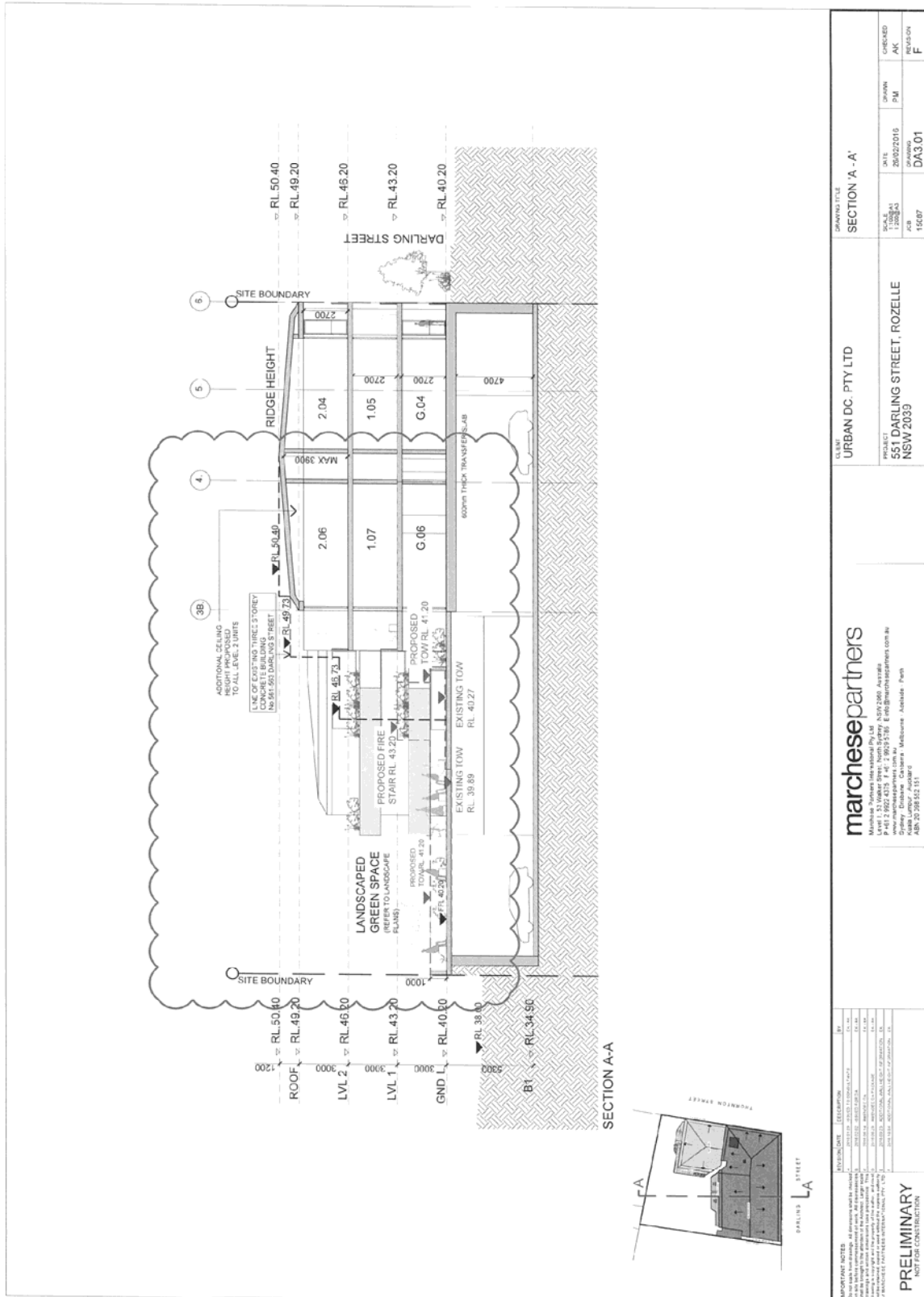
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 Marches Partners International Pty Ltd
 15/15-15/15, Adelaide
 P 61 2 9622 4375 F 61 2 9639 5788 E info@marchespartners.com.au
 www.marchespartners.com.au
 Anna Lynch / Architect
 APR 20 2016 16:11

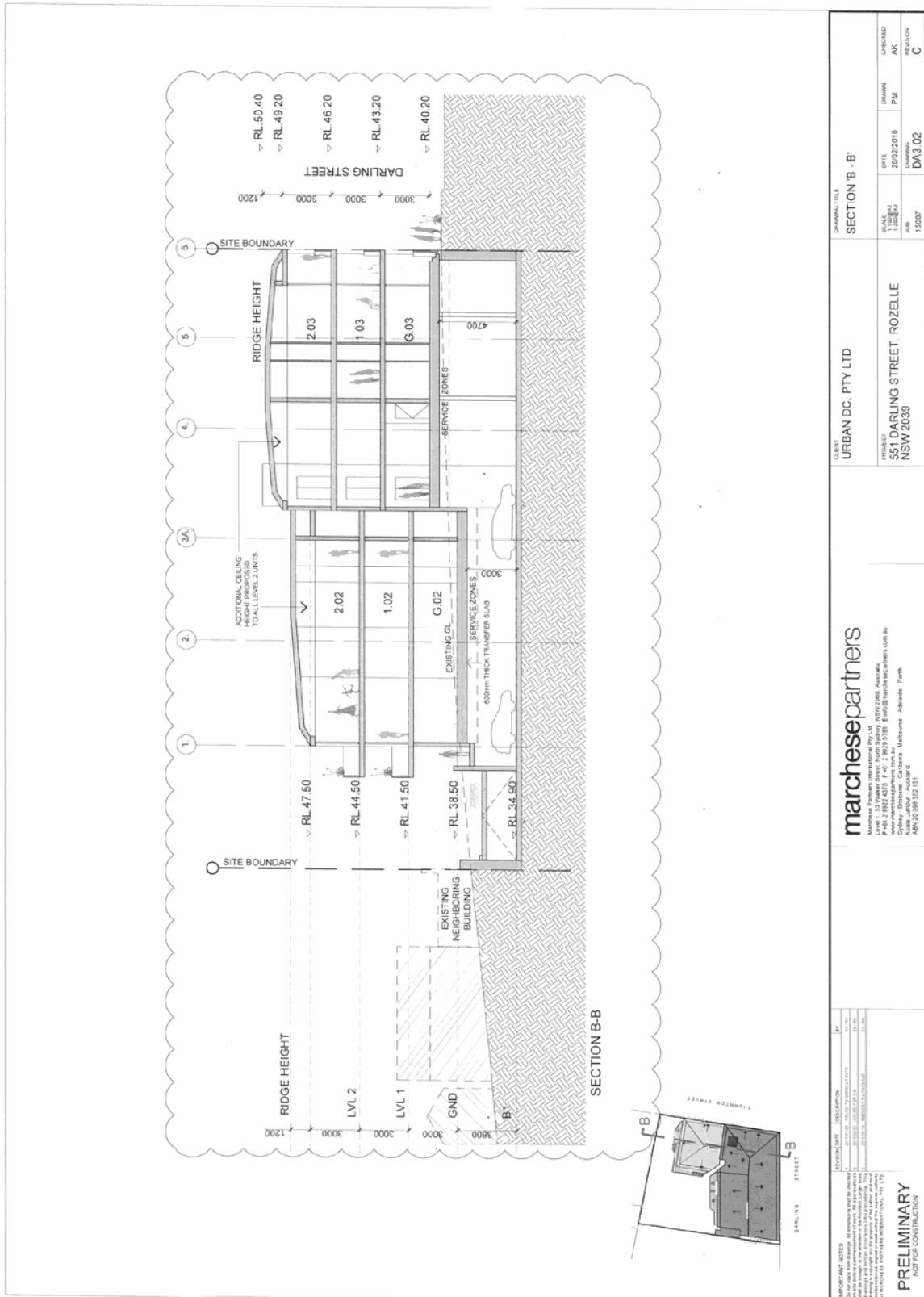
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 WEST ELEVATION

WESTERN WALL ELEVATION

PRELIMINARY
 NOT FOR CONSTRUCTION

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EAST ELEVATION (DARLING STREET)

NORTH ELEVATION (THRONTON STREET)

3 STOREYS

- ZINC ROOFING
- ALUMINUM WINDOW FRAMES GREY COLOUR
- RENDERED COLOURED FINISH
- POWDER COATED STEEL BALUSTRADE
- FEATURE FRAMED WINDOWS

CLIENT
URBAN DC PTY LTD

PROJECT
551 DARLING STREET, ROZELLE NSW 2039

DATE
26/02/2016

SCALE
AS SHOWN

JOB
15687

DESIGNED BY
DAS 01

DRAWN BY
EK

CHECKED BY
AK

REVISION
E

FINISHES SCHEDULE

PROFESSIONAL NOTES:
1. See the finish schedule. All dimensions are to the finished work.
2. All work to be done in accordance with the Australian Standard AS/NZS 2208:2008.
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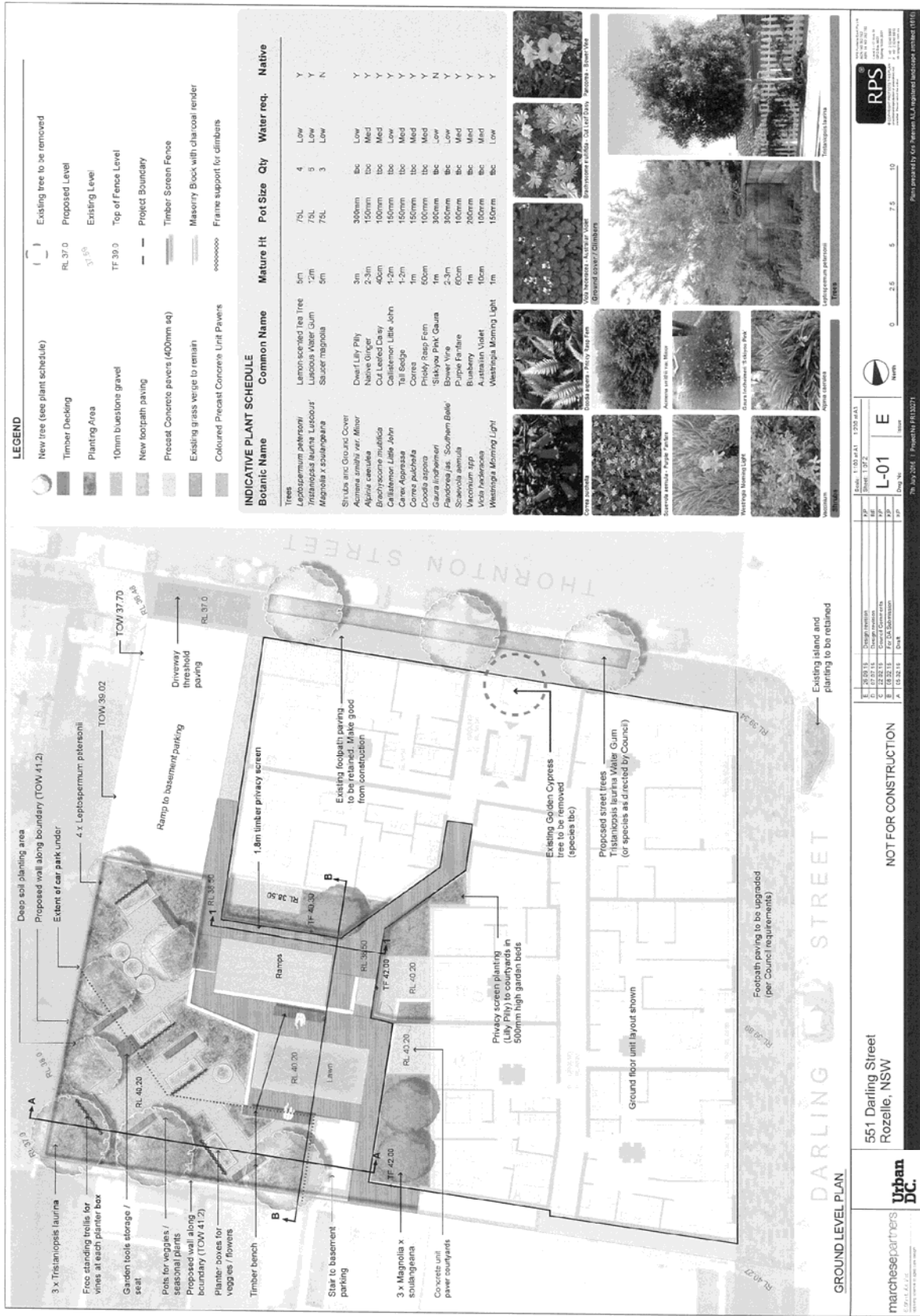
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Landscape Concept Statement:

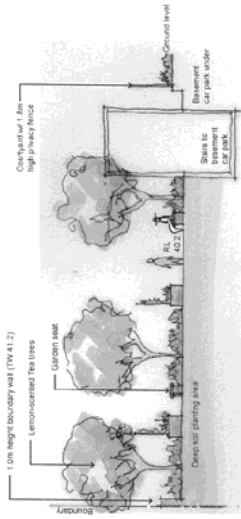
The garden design to maximize the contemporary in character with already established spaces. The main purpose will be to allow residents the opportunity to relax outside in the shade of sun.

The adjacent residential spaces, pockets of smaller spaces and varying garden bed widths along the outer edge. It also creates a sense of flow, there are not toward the street.

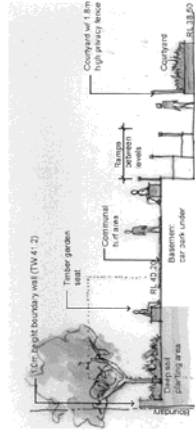
Planted beds, herbaceous, encourage garden relationships by the residents. Freestanding trellises and vertical trellis and provide climbing space for flowering vines or extra support for climbing in the veggie boxes (beet/salads, etc).

Gravel screening, as a paving material, is soft and informal for less active spaces. It is porous and allows rainwater penetration to the soil below. Small deciduous trees like the southern edge to provide summer shade and allow winter sun to the garden.

Small to medium scale native tree species will provide filtered shade to the main garden, while Slender Magnolias, provide flowering interest in private garden spaces. The garden contains primarily native species planted in the garden bed. The garden is designed to be a central lawn area, providing an additional, soft, open landscape area.



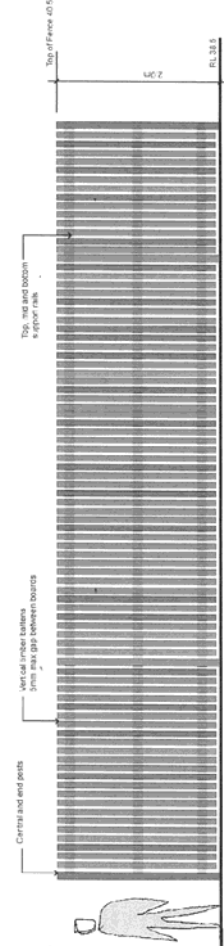
Section AA Scale 1:100





Section BB Scale 1:100



Timber Privacy Fence
indicative image



Elevation 1-1 (Timber Privacy Fence)
Scale 1:20

			
551 Darling Street Rozelle, NSW		marchesipartners 8/100, J.J. & C.	
Scale: 1:20 Date: 2024.02.22	Sheet: L-01 Title: E	7 July 2014 Project No: P10132071	

DARLING STREET

551 DARLING STREET, ROZELLE.

16006 - CIVIL DOCUMENTATION

DESIGN:

- 0200 COVER SHEET
- 0201 CIVIL NOTE
- 0202 FOUNDATION
- 0203 FOUNDATION DIMENSIONS
- 0204 FOUNDATION DETAIL
- 0205 FOUNDATION SHEET

DRAWING TITLE



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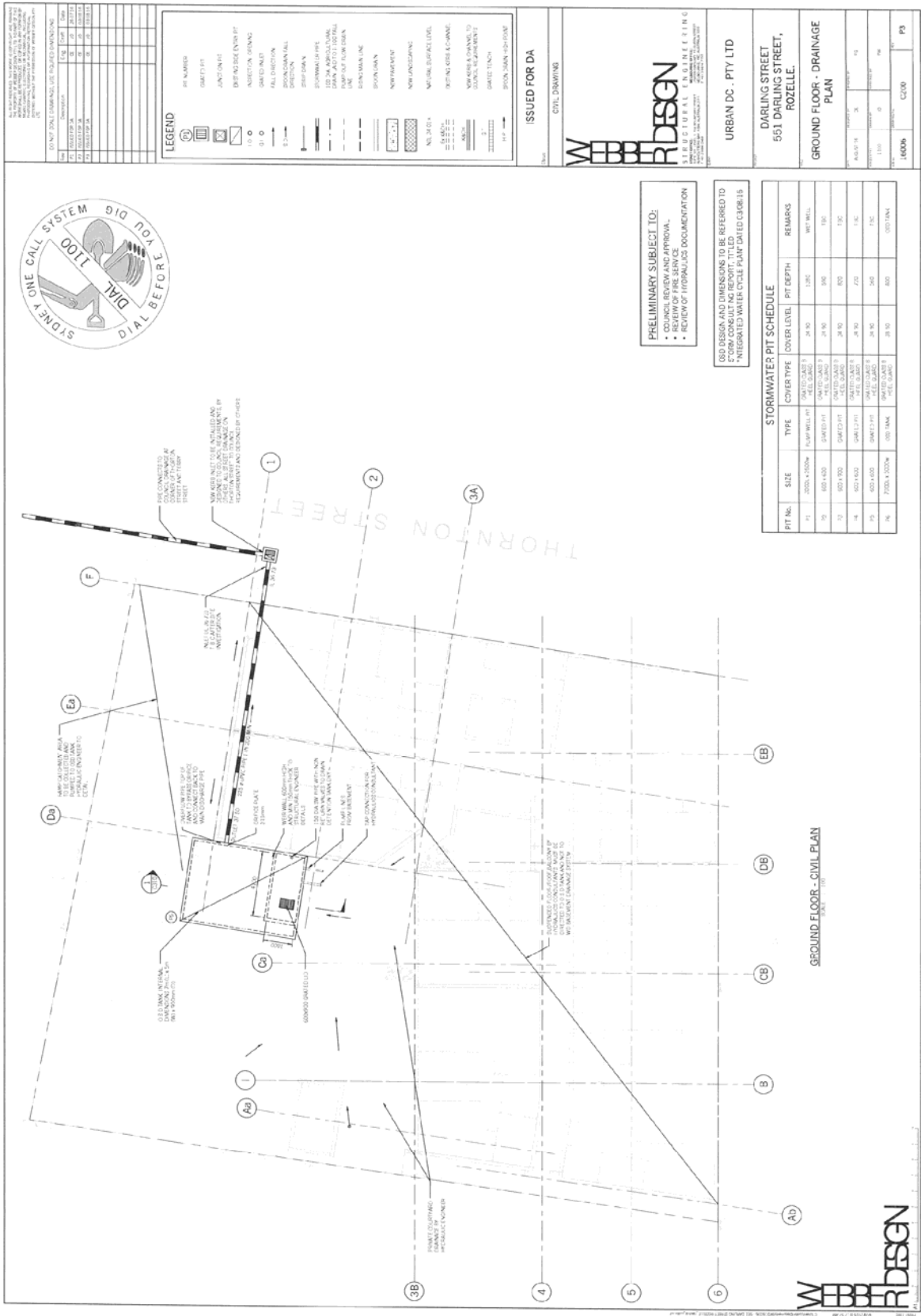
CIVIL DRAWING

URBAN DC . PTY LTD

DARLING STREET
551 DARLING STREET,
ROZELLE.

COVER SHEET

<small>DATE</small>	<small>ISSUED BY</small>	<small>CHECKED BY</small>	<small>DATE</small>	<small>ISSUED BY</small>	<small>CHECKED BY</small>	<small>DATE</small>	<small>ISSUED BY</small>	<small>CHECKED BY</small>	<small>DATE</small>



ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED ARE IN METERS. DIMENSIONS IN PARENTHESES ARE IN FEET AND INCHES. DIMENSIONS IN FEET AND INCHES ARE TO FACE UNLESS OTHERWISE SPECIFIED.

NO.	REVISION	DATE	BY	CHKD
1	ISSUED FOR DA	10/01/2019	DAVID	DAVID
2	ISSUED FOR DA	10/01/2019	DAVID	DAVID
3	ISSUED FOR DA	10/01/2019	DAVID	DAVID
4	ISSUED FOR DA	10/01/2019	DAVID	DAVID
5	ISSUED FOR DA	10/01/2019	DAVID	DAVID
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9	ISSUED FOR DA	10/01/2019	DAVID	DAVID
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16	ISSUED FOR DA	10/01/2019	DAVID	DAVID
17	ISSUED FOR DA	10/01/2019	DAVID	DAVID
18	ISSUED FOR DA	10/01/2019	DAVID	DAVID
19	ISSUED FOR DA	10/01/2019	DAVID	DAVID
20	ISSUED FOR DA	10/01/2019	DAVID	DAVID

ISSUED FOR DA

CIVIL DRAWING

WEBB DESIGN
110 DORSET STREET, SYDNEY NSW 1585
TEL: 02 9550 6000
WWW.WEBBDESIGN.COM.AU

URBAN DC - PTY LTD
DARLING STREET, 551 DARLING STREET, ROZELLE.
TYPICAL CIVIL DETAILS - SHEET 1

NO.	REVISED	DATE	BY	CHKD
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GRADED INLET (G.I.) DETAIL
SCALE: 1:10

NOTE: CONCRET PIPE SHALL BE 150mm UNDER BAR.

TYPICAL PIT BASE DETAIL
SCALE: 1:10

NOTE: REINFORCEMENT SHALL BE 12mm DIA. @ 150mm C/C.

STRIP DRAIN CONNECTION DETAIL
SCALE: 1:10

NOTE: CONCRET PIPE SHALL BE 150mm UNDER BAR.

INSPECTION OPENING (I.O.) DETAIL
SCALE: 1:10

NOTE: FRAME SHALL BE 150mm UNDER BAR.

SPOON DRAIN DETAIL
SCALE: 1:10

NOTE: CONCRET PIPE SHALL BE 150mm UNDER BAR.

GRADED TRENCH DETAIL
SCALE: 1:10

NOTE: CONCRET PIPE SHALL BE 150mm UNDER BAR.

TYPICAL PIT DETAIL
SCALE: 1:10

NOTE: REINFORCEMENT SHALL BE 12mm DIA. @ 150mm C/C.

TYPICAL STEP IRON DETAIL
SCALE: 1:10

NOTE: CONCRET PIPE SHALL BE 150mm UNDER BAR.

PUMP WELL DETAIL
SCALE: 1:10

NOTE: CONCRET PIPE SHALL BE 150mm UNDER BAR.

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