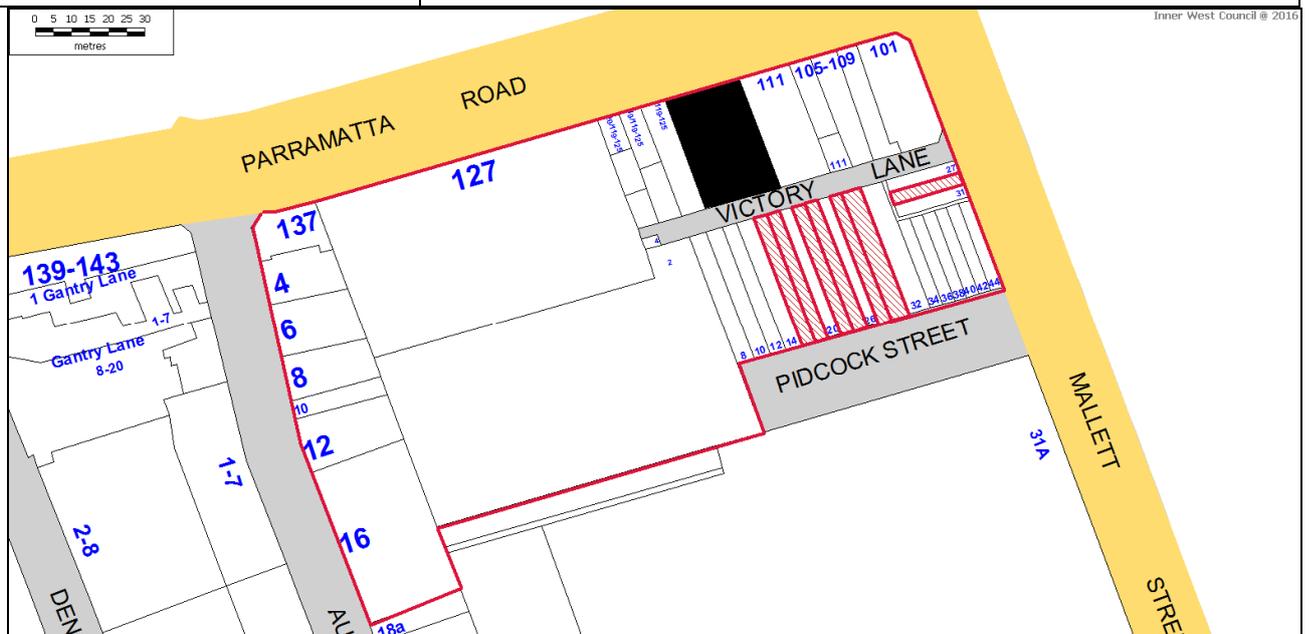




INNER WEST COUNCIL

DEVELOPMENT ASSESSMENT REPORT

Application No.	DA201600538
Address	113-117 Parramatta Road, Camperdown
Proposal	To demolish existing improvements and construct a 5 storey mixed use development with associated basement car parking
Date of Lodgement	20 October 2016
Applicant	163 Monterey Properties Pty Ltd
Owner	163 Monterey Properties Pty Ltd
Number of Submissions	8 including a petition containing 82 signatures
Value of works	\$5,443,974
Reason for determination at Planning Panel	Clause 4.6 variation to maximum height and FSR development standards exceeds officers' delegation
Main Issues	Floor Space Ratio, height of building, visual privacy
Recommendation	Deferred commencement consent



Subject Site: 	Objectors: 
Notified Area: 	<i>Note: Some submissions were received from properties outside of the map area.</i>

1. Executive Summary

This report concerns an application to demolish existing improvements and construct a 5 storey mixed use development with associated basement car parking. The application was notified in accordance with Council's Notification Policy and 8 submissions including a petition containing 82 signatures were received.

During the assessment process the proposal was amended to address a number of concerns raised by Council officers relating to car parking and the layout of the ground and first floor levels. The amended proposal was not required to be notified in accordance with Council's Notification Policy.

The proposal generally complies with the aims, objectives and design parameters contained in State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development and Marrickville Local Environmental Plan 2011 (MLEP 2011) with the exception that the proposal exceeds the maximum height of building development standard by 22.3% and the maximum floor space ratio development standard by 69%. A written justification under Clause 4.6 of MLEP 2011 has been submitted by the applicant for the non-compliances and the justification provided is considered well founded and worthy of support.

The proposal is generally consistent with Marrickville Development Control Plan 2011 (MDCP 2011). The development is considered to satisfy the desired future character requirements of the Parramatta Road Planning Precinct (Commercial Precinct 35) as outlined in Part 9.35 of MDCP 2011.

The potential impacts to the surrounding environment have been considered as part of the assessment process. Any potential impacts from the development are considered to be acceptable given the context of the site.

Notwithstanding, the development has not demonstrated compliance with the provisions of State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55) in relation to contamination.

The application is suitable for the issue of a deferred commencement consent subject to the imposition of appropriate terms and conditions.

2. Proposal

Approval is sought to demolish existing improvements and construct a 5 storey mixed use development with associated basement car parking. The application includes the following works:

- Demolition of existing improvements on the site;
- Construction of a basement parking level containing 16 car parking spaces;
- Construction of a 5 storey residential flat building containing a commercial tenancy, car, bicycle and motorcycle parking and waste areas on the ground floor level;
- Provision of a total of 22 dwellings with 2 x 1 bedroom and 4 x 2 bedroom dwellings on the first floor level, 2 x 1 bedroom and 4 x 2 bedroom dwellings on the second floor level, 2 x 1 bedroom and 3 x 2 bedroom dwellings on the

third floor level and 4 x 1 bedroom and 1 x 2 bedroom dwellings on the fourth floor level; and

- Inclusion of communal open space area on the first floor level.

3. Site Description

The site is located on the southern side of Parramatta Road, Camperdown between Mallett Street to the east and Australia Street to the west and has a secondary rear frontage to Victory Lane along the southern rear boundary. The site is legally described as Lot 1 in Deposited Plan 76503, having a frontage of 21.33 metres to Parramatta Road, a 21.1 metre wide secondary frontage to Victory Lane, a depth of approximately 31.90 metres and is 674.7sqm in area.

The site is occupied by an existing 2 storey warehouse building. Vehicular Access to the site is obtained from Victory Lane to the rear.

The site is adjoined by No. 119-125 Parramatta Road to the west of the site which contains a 4 part 5 storey mixed use development and No. 111 Parramatta Road to the east which contains a single storey warehouse building. To the south of the site on the opposite side of Victory Lane generally consists of low density residential development comprising of single and 2 storey dwelling houses with rear parking structures.

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

Determination No. 201300571 dated 13 August 2014 granted staged deferred commencement consent to demolish the existing improvements and erect a five storey over basement car park mixed use development containing a ground floor commercial tenancy and 22 dwellings with off street car parking for 20 vehicles. The consent was subsequently modified on 22 June 2015 to allow demolition of the building and 20 March 2017 to extend the consent by 12 months. The development was approved with a height of 16.24 metres and an FSR of 2.58:1. It is noted that this consent remains active.

Surrounding properties

Application	Proposal	Decision & Date
119-125 Parramatta Road, Camperdown DA200700516	To demolish the existing improvements and erect a four part five storey building with basement car park containing a ground floor commercial tenancy and 19 dwellings with off street car parking for 19 vehicles and to subdivide the premises by Stratum title into 3 lots and to strata	Approval, 22 November 2011 (latest modification)

	subdivide lot 2 into 18 lots.	
139-143 Parramatta Road, Camperdown DA200900262	To demolish part of the premises, excavate the site and construct a mixed use development containing five buildings, including adaptive reuse of heritage buildings, ranging in height from 2 storeys to a 5 part 6 storey building, containing a combined total of 188 dwellings, approximately 1055sqm of retail/commercial space, off street car parking for 259 spaces, construct a new publicly accessible street connecting Denison Street to Australia Street, construct a publicly accessible pedestrian through site link connecting Denison Street to Australia Street, street tree planting and footpath upgrade works along Denison Street.	Approval, 10 May 2013 (latest modification)
163-185 Parramatta Road, Camperdown DA200800315	To demolish the existing dwelling houses and erect a part one part four and part six storey building containing 2 shops and 27 dwellings with ground level parking for 8 vehicles.	Approval, 25 May 2010 (latest modification)
187 Parramatta Road, Camperdown DA200900321	To carry out alterations to the premises to convert the premises into a four (4) storey boarding house with lower ground level common lounge area, car parking and showroom.	Approval, 14 March 2012 (latest modification)

Various developments have been constructed on the northern side of Parramatta Road and on the southern side of Parramatta Road west of Mallett Street approved by City of Sydney Council with a general height of 5 to 8 storeys.

4(b) Application history

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

Date	Discussion / Letter/ Additional Information
15 March 2017	Amended plans submitted to Council indicating deletion of the rear ground floor commercial tenancy, reconfiguration of the ground floor level, relocation of the communal courtyard and other minor changes.
11 April 2017	Amended plans submitted indicating changes to rear building line, modified apartment sizes and areas of private open space, view lines to the south form upper level dwellings.

19 April 2017	Amended Landscape Plans and details submitted to Council.
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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 (Infrastructure) 2007
- 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

The following provides further discussion of the relevant issues:

5(a)(i) State Environmental Planning Policy (Infrastructure) 2007

Clause 101 (2) - Development with frontage to Classified Road

The site has a frontage to Parramatta Road which is listed in the NSW RMS *Schedule of Classified Roads and Unclassified Regional Roads* publication (January 2014) as a Classified Road.

Vehicular access to the property is proposed from Victory Lane at the rear of the site and as such *“is provided by a road other than the classified road.”* The development would not affect *“the safety, efficiency and on-going operation of the classified road.”*

The development is a type of development that is sensitive to traffic noise or vehicle emissions and the Noise Impact Assessment submitted with the application details the measures to be installed to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

Clause 102 - Development in or adjacent to road corridors and road reservations

The site is located in or adjacent to a road corridor. The applicant submitted a Noise Impact Assessment with the application that demonstrates that the development will comply with the LAeq levels stipulated in Clause 102 of the SEPP.

5(a)(ii) 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. Marrickville Development Control Plan 2011 (MDCP 2011) provides controls and guidelines for remediation works.

Under the provisions of the SEPP, Council must not consent to the carrying out of any development on land unless:

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

Council is required to consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines as a prior use of the site was a potentially contaminating use.

A Phase 2 Environmental Site Assessment prepared by Benviron Group was submitted to Council with the application. The report makes the following conclusions and recommendations:

*“Based on the results of this investigation it is considered that the risks to human health and the environment associated with soil contamination at the site are low in the context of the proposed use of the site. The site is therefore considered **to be suitable** for the proposed development, subject to the following recommendations*

- Further assessment be undertaken on groundwater.*
- Remedial Action Plan be prepared for the removal of the UST.*
- Any soils proposed for removal from the site should initially be classified in accordance with the “Waste Classification Guidelines, Part 1: Classifying Waste” NSW DECC (2009).*
- If during any potential site works, significant odours and / or evidence of gross contamination (including asbestos) not previously detected are encountered, or any other significant unexpected occurrence, site works should cease in that area, at least temporarily, and the environmental consultant should be notified immediately to set up a response to this unexpected occurrence.”*

The application was referred to Council's Senior Environmental Officer for consideration. Considering the recommendations provided by the Phase 2 Environmental Site Assessment carried out on the site, the development has not demonstrated compliance with the provisions of State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55) in relation to contamination and a Remediation Action Plan is required to be prepared to remediate the site and in particular, details of the removal of the existing underground storage tank. As such, the application is suitable for the issue of a deferred commencement consent subject to the imposition of appropriate terms and conditions.

5(a)(iii) 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 9 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 generally acceptable having regard to the 9 design quality principles.

Apartment Design Guide

The ADG contains objectives, design criteria and design guidelines for residential apartment development. In accordance with Clause 6A of the SEPP the requirements contained within MDCP 2011 in relation to visual privacy, solar and daylight access, common circulation and spaces, apartment sizes and layout, ceiling heights, private open space and balconies, natural ventilation and storage have no effect. In this regard objectives design criteria and design guidelines set out in Parts 3 and 4 of the ADG prevail.

The development has been assessed against the relevant design criteria within Part 3 and 4 of the ADG as follows:

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).

The development provides 60sqm of common open space on the ground floor level of the development. The open space equates to 14% of the site area. Whilst not complying with the numerical requirement as above, the common open space is considered sufficient considering:

- Each apartment is provided with private open space generally compliant with the numerical requirements;
- Direct, equitable access is provided to the communal open space areas from common circulation areas, entries and lobbies; and

- The communal open space is consolidated into a well-designed, easily identified and usable area.

Visual Privacy/Building Separation

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

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

The development provides an internal courtyard to the residential component of the development, being levels 1 through 4. The courtyard creates a 12 metre separation from east to west and 10 metre separation from north to south. All windows overlooking the courtyard serve habitable rooms. The upper level provides 8.4 metres separation north to south.

Whilst the depth of the courtyard from north to south does not comply with the numerical requirements as above, the development includes measures such as high level windows, climbing plants and planter boxes as well as the dwellings being designed to face the front and rear of the site to ensure visual privacy is not compromised as a result of the narrow building separation. The upper level does not include a common corridor and as such the separation has been reduced whilst maintaining solar access to the unit below at 304 and 305. The dwellings achieve a sufficient level of natural ventilation and solar access to comply with the requirements of the ADG.

As detailed above, appropriate measures are incorporated into the design to ensure that no amenity and privacy impacts will result as a consequence of the non-compliant separation distances.

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.

A minimum of 70% of all dwellings within the development receive solar access in accordance with the above controls.

27% of the dwellings receive no solar access between 9:00am and 3:00pm in mid-winter. Notwithstanding, these dwellings are oversized, have sufficient sized balconies, are dual aspect, are naturally ventilated and are generally considered to

be dwellings with good internal amenity and as such this non-compliance is acceptable.

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.

All dwellings within the development are naturally ventilated in accordance with the above controls.

Ceiling Heights

The development provides floor to ceiling heights in accordance with the ADG controls.

Apartment Size

All apartments within the development comply with the ADG minimum size.

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.*

The development provides apartments that comply with the above requirements.

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 metre.

All apartments are provided with primary balconies that exceed the minimum area and minimum depth as per above with the exception of units 101, 102, 202, 302 and 402. Those units are provided with a winter garden measuring 7sqm. Whilst not complying with the numerical requirement, these areas of private open space are acceptable given:

- The winter gardens are provided off the principal living areas of the dwellings and are north facing achieving good solar access;
- The winter gardens measure 7sqm and as such the non-compliance with the numerical requirement accounts to 1sqm; and
- Units 102, 202, 302 and 402 are oversized and make up for the smaller balconies with large internal space.

Common Circulation and Spaces

The ADG prescribes that the maximum number of apartments off a circulation core on a single level is 8. The maximum number of units accessible off a single level is 6 which is acceptable.

Storage

The development provides sufficient storage within the apartments complying with the minimum size as per the requirements of the ADG.

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

A BASIX Certificate was submitted with the application indicating that the proposal achieves full compliance with the BASIX requirements. Appropriate conditions are included in the recommendation to ensure the BASIX Certificate commitments are implemented into the development.

5(a)(v) Marrickville Local Environment Plan 2011 (MLEP 2011)

The application was assessed against the following relevant clauses of the Marrickville Local Environment Plan 2011:

- (xii) Clause 2.3 - Land Use Table and Zone Objectives
- (xiii) Clause 2.7 - Demolition
- (xiv) Clause 4.3 – Height of Buildings
- (xv) Clause 4.4 - Floor Space Ratio
- (xvi) Clause 4.6 - Exceptions to Development Standards

- (xvii) Clause 5.9 - Preservation of Trees or Vegetation
- (xviii) Clause 5.10 - Heritage Conservation
- (xix) Clause 6.2 – Earthworks
- (xx) Clause 6.5 - Development in areas subject to Aircraft Noise

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

Standard (maximum)	Proposal	% of non-compliance	Complies
Floor Space Ratio Permitted: 1.5:1	2.55:1	69%	No
Height of Building Permitted: 14 metres	17.13 metres	22.3%	No

The following provides further discussion of the relevant issues:

(i) Land Use Table and Zone Objectives (Clause 2.3)

The property is zoned B2 - Local Centre under the provisions of Marrickville Local Environmental Plan 2011 (MLEP 2011). Shop top housing is permissible with Council's consent under the zoning provisions applying to the land. The development is considered acceptable having regard to the objectives of the B2 - Local Centre zone.

(ii) Subdivision (Clause 2.6)

Clause 2.6 of MLEP 2011 states that land to which the Plan applies may be subdivided, but only with development consent. The development includes subdivision of the land. The issue of subdivision is discussed later in this report under the heading "Marrickville Development Control Plan 2011 - Part 3 - Subdivision, Amalgamation and Movement Networks".

(iii) Demolition (Clause 2.7)

Clause 2.7 of MLEP 2011 states that the demolition of a building or work may be carried out only with development consent. The application seeks consent for demolition works. Council's standard conditions relating to demolition works are included in the recommendation.

(iv) Height (Clause 4.3)

A maximum building height of 14 metres applies to the property under MLEP 2011. The development has a maximum building height of 17.13 metres which does not comply with the height development standard. The proposed height represents a departure of 3.13 metres or 22.3% from the development standard.

A written request, in relation to the development's non-compliance with the building height development standard in accordance with Clause 4.6 (Exception to Development Standards) of MLEP 2011, was submitted with the application. That

request is discussed later in this report under the heading “Exceptions to Development Standards (Clause 4.6)”.

(v) Floor Space Ratio (Clause 4.4)

A maximum floor space ratio (FSR) of 1.5:1 applies to the land under MLEP 2011.

The development has a gross floor area (GFA) of 1,718sqm which equates to a FSR of 2.55:1 on the 674.7sqm site which does not comply with the FSR development standard. The development results in a departure of 708sqm or 69% from the development standard.

A written request, in relation to the development’s non-compliance with the FSR development standard in accordance with Clause 4.6 (Exception to Development Standards) of MLEP 2011, was submitted with the application. That request is discussed later in this report under the heading “Exceptions to Development Standards (Clause 4.6)”.

(vi) Exceptions to Development Standards (Clause 4.6)

As detailed earlier in this report, the development exceeds the maximum building height development standard prescribed under Clause 4.3 of MLEP 2011 and the floor space ratio development standard prescribed under Clause 4.4 of MLEP 2011. A written request in relation to the contravention to the building height and floor space ratio development standard in accordance with Clause 4.6 (Exceptions to Development Standards) of MLEP 2011 was submitted with the application.

The Clause 4.6 variations for height and FSR both argue that a development which complies with the development standards would be unreasonable or unnecessary in the circumstances of the site and that the development standards have been virtually abandoned or destroyed by the Council’s own actions in departing from the standard in the case of over developments within the vicinity of the site.

Clause 4.3 - Height of buildings

A maximum building height of 14 metres applies to the property under MLEP 2011. The development has a maximum building height of 17.13 metres which does not comply with the height development standard. The highest point of the development being the lift overrun results in a departure of 3.13 metres or 22.3% from the development standard.

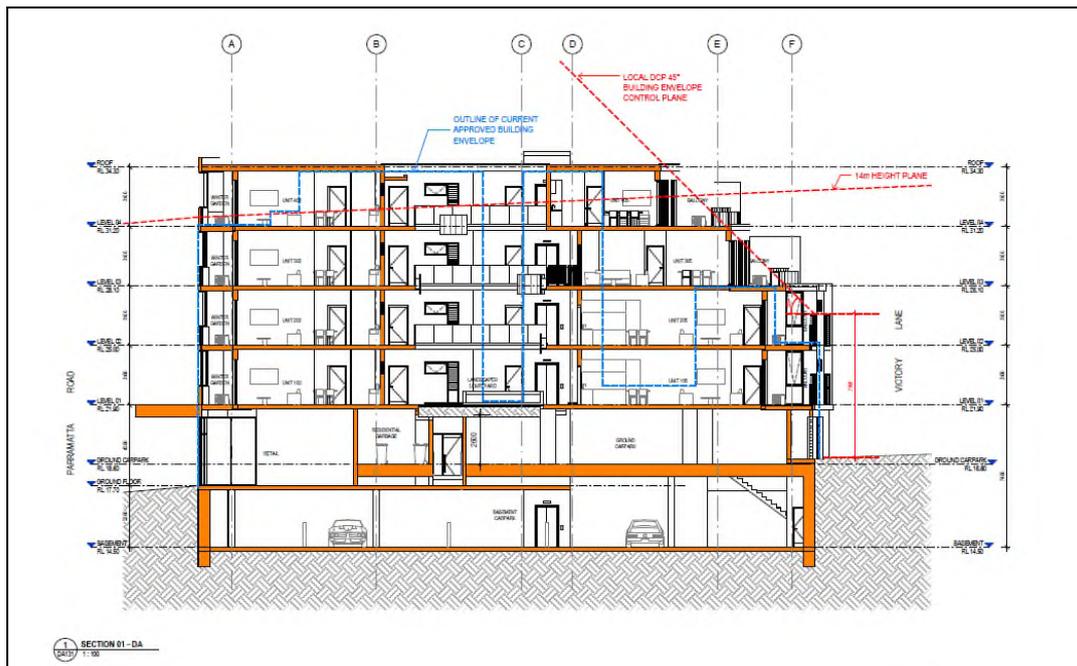


Image 1: Non-compliance with overall height

The applicant considers compliance with the maximum building height development standard to be unreasonable and unnecessary for the following reasons:

- A development that strictly complies with the height development standard is unreasonable and unnecessary in the circumstances of the site as there is minimal difference in the impacts between a building that strictly complies with the height control.
- Compliance with the 14 metre maximum height development standard contained in MLEP 2011 has been virtually abandoned or destroyed by the Council's own actions in departing from the standard along the Parramatta Road corridor. A number of approvals in the vicinity of the site have been approved with substantial height variations, including the approval as part of Determination No. 201300571 on the subject site (113-117 Parramatta Road) with an approved height of 16.24 metres and a similar sized 5 storey development.
- The proposed building height is generally consistent with the existing approved building on Parramatta Road; and is consistent with the future built form character and locality.
- The maximum height of the development is generally consistent with the maximum height of the building to the west at No. 119-125 Parramatta Road.
- It is argued that the development, notwithstanding the non-compliance with the development standard, will achieve the objectives of the zone and the development standard.
- The minor areas of height non-compliance occur toward the front and middle of the site, with the rear of the building stepping down to minimise the potential of privacy/overshadowing impact on the properties to the rear of the site fronting Pidcock Street.
- The development has a height of 9.3 metres at the Victory Lane frontage where it is closest to the sensitive residential land uses fronting Pidcock Street.

Having regard to the proposed height of the development, the proposal is considered acceptable for the following reasons:

- The development achieves a building height that is consistent with the development on the adjoining site to the west at 119-125 Parramatta Road;
- The development will result in a consistent streetscape appearance to Parramatta Road;
- The additional building height will result in a level of impact compliant with Council's controls on the surrounding properties in relation to acoustic and visual privacy, solar access and overshadowing or visual bulk and scale;
- Parramatta Road and its visual catchment contain a number of buildings similar or taller in height that set an existing built form character including the following:
 - 119-125 Parramatta Road adjoining the site to the west contains a 5 storey development;
 - 139-143 Parramatta Road to the west of the site contains a 5 to 6 storey development fronting Parramatta Road and 5 storey development along Denison Street;
 - 163-185 Parramatta Road to the west of the site contains a 4 to 6 storey development;
 - 187 Parramatta Road to the west of the site contains a 5 storey development.
- A number of sites 50 metres to the east (east of Mallett Street) along Parramatta Road within the City of Sydney Local Government Area are subject to a maximum 22 metre building height under the Sydney Local Environmental Plan 2012. These developments have a street frontage to Parramatta Road ranging from 5 storeys to 7 storeys.
- The stepping of the upper levels provides an appropriate height transition between the development and the properties to the rear fronting Pidcock Street and backing onto Victory Lane;
- The development has a height of 9.3 metres to Victory lane and 3 storeys which is significantly lower than the 4 storey form at the rear of the dwelling to the west at 119-125 Parramatta Road; and
- Whilst it is noted that the proposal exceeds the maximum height development standard of 14 metres by 3.13 metre towards the centre of the site at the highest point of RL 35.10 being the lift overrun, the maximum height of the proposal to Victory Lane is 9.3 metres and the maximum height of the proposal at the rear extent of the upper level is 15.03 metres.

The justification provided in the applicant's written submission is considered well founded and worthy of support. Considering the above justification, strict compliance with the development standard is considered unreasonable and unnecessary given the circumstances of the site. It is also agreeable that the development standards applying to the site have been virtually abandoned or destroyed by the Council's own actions in departing from the standard along the Parramatta Road corridor.

The contravention of the development standard does not raise any matter of significance for State and Regional environmental planning, and there is no public benefit in maintaining strict compliance with the standard.

It is noted that a large portion of the applicant's Clause 4.6 justification included NSW Government's Parramatta Road Urban Transformation Strategy. However, the assessment of this application has not taken into consideration that strategy as there is currently no change to the existing development standards applicable to the site.

Clause 4.4 – Floor space ratio

A maximum floor space ratio (FSR) of 1.5:1 applies to the land under MLEP 2011. The development has a gross floor area (GFA) of 1,718sqm which equates to a FSR of 2.55:1 on the 674.7sqm site which does not comply with the FSR development standard. The development results in a departure of 708sqm or 69% from the development standard.

The applicant considers compliance with the maximum floor space ratio development standard to be unreasonable and unnecessary for the following reasons:

- A development that strictly complies with the FSR development standard is unreasonable and unnecessary in the circumstances of the site as the proposed GFA is generally consistent with the existing approved building on Parramatta Road; and is consistent with the future built form character and locality;
- Compliance with the 1.5:1 FSR development standard contained in clause 4.4 of the Marrickville LEP 2011 has been virtually abandoned or destroyed by the Council's own actions in departing from the standard along the Parramatta Road corridor. A number of approvals in the vicinity of the site have been approved with substantial FSR variations, including the approval as part of Determination No. 201300571 on the subject site (113-117 Parramatta Road) with an FSR of 2.58:1 which is greater than the subject proposal which proposes an FSR of 2.55:1.
- It is argued that the development, notwithstanding the non-compliance with the development standard, will achieve the objectives of the zone and the development standard.

Having regard to the proposed FSR of the development, the proposal is considered acceptable for the following reasons:

- The development achieves a bulk and scale that is consistent with the development on the adjoining site to the west at 119-125 Parramatta Road;
- The additional gross floor area will not result in any unacceptable amenity impacts for surrounding properties in relation to acoustic and visual privacy, solar access and overshadowing or visual bulk and scale;
- Parramatta Road and its visual catchment contain a number of buildings which present a similar FSR that set an existing character.

The justification provided above is considered well founded and worthy of support. The applicant has provided sufficient justification demonstrating that the development is capable of achieving the objectives of the development standards and that strict compliance with the numerical components of the development standards is unnecessary and unreasonable in the circumstances. It is also agreeable that the development standards applying to the site have been abandoned

or destroyed by the Council's own actions in departing from the standard along the Parramatta Road corridor

The contravention of the development standard does not raise any matter of significance for State and Regional environmental planning, and there is no public benefit in maintaining strict compliance with the standard.

It is noted that a large portion of the applicant's Clause 4.6 justification included NSW Government's Parramatta Road Urban Transformation Strategy. However, the assessment of this application has not taken into consideration that strategy as there is currently no change to the existing development standards applicable to the site.

(vii) Preservation of Trees or Vegetation (Clause 5.9)

Clause 5.9 of MLEP 2011 concerns the protection of trees identified under MDCP 2011.

There are no trees on the site covered by and protected under Marrickville Development Control Plan 2011. Notwithstanding, there are a number of trees on the neighbouring site at No. 109-111 Parramatta Road and the neighbouring properties to the rear which may be impacted upon by the development.

The matter of tree management is discussed in more detail later in this report under the provisions of MDCP 2011.

(viii) Heritage Conservation (Clause 5.10)

The site is not listed as a heritage item under MLEP 2011 and is not located within a Heritage Conservation Area under MLEP 2011. However, it is noted that the site is in the vicinity of a heritage item, namely Bridge Road School (former Camperdown Public School (Item 15) and the site adjoins the Camperdown Park Heritage Conservation Area (HCA) which extends to Victory Lane to the south of the site.

Having regard to the development and the context, the proposal does not impact negatively on the heritage significance of the nearby heritage item nor the nearby HCA. The development satisfies Clause 5.10 of MLEP 2011 and Part 8 of MDCP 2011

(ix) Earthworks (Clause 6.2)

The earthworks proposed are for the excavation of a single level basement. The quality of the existing soil to be excavated has been assessed in accordance with the provisions of State Environmental Planning Policy No. 55 - Remediation of Land and appropriate conditions are included in the recommendation to ensure the earthworks will not have a detrimental impact on the development of the subject site and neighbouring uses.

Considering the above, the earthworks proposed are reasonable having regard to Clause 6.2 of MLEP 2011.

(x) Development in areas subject to Aircraft Noise (Clause 6.5)

The land is located within the 20 - 25 Australian Noise Exposure Forecast (2033) Contour and as such the residential component of the development is likely to be affected by aircraft noise.

The development would need to be noise attenuated in accordance with AS2021:2000. An Acoustic Report was submitted with the application which details that the development could be noise attenuated from aircraft noise to meet the indoor design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS2021:2000. Conditions are included in the recommendation to ensure that the requirements recommended within the acoustic Report are incorporated into the development.

5(b) Draft Environmental Planning Instruments

There are no relevant Draft Environmental Planning Instruments.

5(c) Development Control Plans

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

Part	Compliance
Part 2.5 Equity of Access and Mobility	Yes – see discussion
Part 2.6 Visual and Acoustic Privacy	Yes – see discussion
Part 2.7 Solar Access and Overshadowing	Yes – see discussion
Part 2.9 Community Safety	Yes – see discussion
Part 2.10 Parking	Yes – see discussion
Part 2.16 Energy Efficiency	Yes
Part 2.18 Landscaping and Open Spaces	Yes – see discussion
Part 2.20 Tree Management	Yes – see discussion
Part 2.21 Site Facilities and Waste Management	Yes
Part 2.25 Stormwater Management	Yes
Part 4.2 Multi Dwelling Housing and Residential Flat Buildings	Yes – see discussion
Part 8 Strategic Context	Yes

The following provides discussion of the relevant issues:

PART 2 – Generic Provisions(i) Equity of Access and Mobility (Part 2.5)

Part 2.5 of MDCP 2011 specifies the minimum access requirements including the following accessible facilities in accordance with the relevant Australian Standards:

MDCP 2011 Requirement	Proposed	Consistency
Residential Component		
For developments with five (5) or more dwellings, one adaptable dwelling per five or part thereof.	The proposed 22 dwellings require the provision of five (5) adaptable dwellings.	Yes
Appropriate access for all persons through the principal entrance of a building and access to any common facilities	A level entry of sufficient width has been provided.	Yes
One (1) accessible parking space for every adaptable dwelling	5 accessible parking spaces servicing 5 adaptable dwellings	Yes
One (1) accessible visitor's parking space for every four accessible parking spaces or part thereof, designed in accordance with relevant Australian Standards.	The development provides 5 adaptable dwellings and 2 accessible visitor parking spaces are provided.	Yes
Commercial Component		
A continuous path of travel through the main entrance	A level entrance is provided throughout.	Yes
Access to common facilities.	There are no common facilities.	N/A
At least one (1) accessible space in car parks of 10 or more car spaces	The car park supports 22 spaces, however only 1 of those spaces is required for the commercial tenancy. As such, 1 accessible commercial car parking space is provided	Yes

Assessment of proposal against Part 2.5

Based on the assessment provided in Table 1 above, the proposal satisfies the relevant provisions of Part 2.5 of MDCP 2011.

Despite the above, the requirements of MDCP 2011 are effectively superseded by the introduction of the new Premises Standards. An assessment of whether or not these aspects of the proposal fully comply with the requirements of relevant Australian Standards and the new Premises Standards has not been undertaken as part of this application. That assessment would form part of the assessment under the Premises Standards at the Construction Certificate stage of any proposal.

(ii) Acoustic and Visual Privacy (Part 2.6)

The layout and design of the development would ensure that the visual and acoustic privacy currently enjoyed by residents of adjoining residential properties is protected. The development would maintain a high level of acoustic and visual privacy for the surrounding residential properties and ensure a high level of acoustic and visual privacy for future occupants of the development itself.

Visual Privacy

- To the north, the development overlooks Parramatta Road and commercial properties on the opposite side of the road. Accordingly, the proposal will not create any visual privacy impacts to the north.
- On the eastern and western side boundaries, the proposal does not include any openings that will create any visual privacy impacts for adjoining properties on either side of the development.
- On the southern elevation the first and second floor levels are built to the rear southern boundary and have rear facing balconies and bi-fold doors to the principal living areas of those dwellings. The balconies are provided with translucent glass balustrades to a height of 1,100mm above finished floor level and fixed, louvred privacy screens to a height of 1,600mm above finished floor level to ensure no overlooking of the dwellings to the south fronting Victory lane. The rear bedrooms are provided with high level windows to ensure no overlooking.
- On the southern elevation the third and fourth floor levels have rear facing balconies and sliding glass doors to the principal living areas and bedrooms of those dwellings. The balconies on levels 3 and 4 have a setback of 2.3 metres and 5.3 metres respectively. Having regard to the height of the development above the ground floor level, the rear facing windows and balconies of the development would mainly overlook the rooftops of dwellings opposite to the south and views would be significantly filtered by the existing very large mature evergreen trees that line the rear boundaries of those properties. Downward views from the living areas of those units would generally be restricted by the translucent glass balcony balustrades. Furthermore, Victory Lane has a width of approximately 6 metres (between property boundaries) which provides separation between the development and the existing dwellings to the south. The image provided below demonstrates the distance between the balconies and those dwellings fronting Pidcock Street.

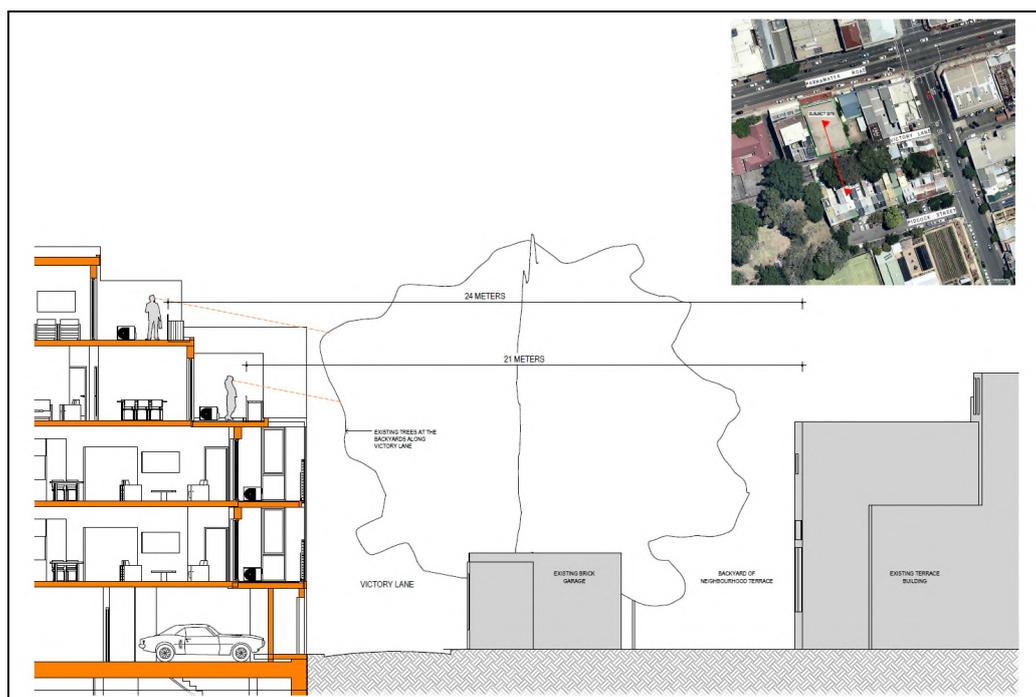


Image 2: Distance between site and dwellings fronting Pidcock Street

Considering the above, the development is considered reasonable having regard to the provisions of Part 2.6 of MDCP 2011.

Acoustic Privacy

The layout and design of the development is considered to generally ensure that the acoustic privacy currently enjoyed by residents of adjoining properties would be protected.

Air conditioning units are proposed to the rear balconies fronting Victory Lane. Whilst a number of the submissions raise concern over the acoustic impact of these units, they are of a domestic size and are not expected to generate excessive noise.

As mentioned earlier in this report, the development is required to be noise attenuated from road noise and aircraft noise which would adequately address acoustic privacy for future occupants of the dwellings and adjoining properties.

(iii) Solar Access and Overshadowing (Part 2.7)

Overshadowing

The applicant submitted shadow diagrams with the application. The shadow diagrams indicate that the development will result in increased overshadowing of the private open space of the dwellings to the south of the site with frontage to Pidcock Street, Particularly Nos. 8-24 Pidcock Street. It was considered that insufficient detail was provided in the shadow assessment provided to Council.

A comprehensive shadow assessment prepared in accordance with the requirements of Part 2.7.2 of MDCP 2011 was subsequently submitted to Council on 8 April 2017. The shadow diagrams illustrate the shadow cast by the proposed development in plan and elevation between the hours of 9:00am and 3:00pm on 21

June and also March/September. A comparable assessment was also provided to indicate the shadow cast by the development as approved by Determination No. 201200571 for comparison.

The development has a rear frontage to Victory Lane and the opposite side of Victory Lane to the south of the site is characterised by low density residential accommodation in the form on single and two storey dwellings. The dwellings fronting Pidcock Street have the rear areas of private open space located directly to the south of the subject site. It is noted that the majority of the dwellings fronting Pidcock Street have parking structures that present to Victory Lane.

Mid-winter (21 June)

The shadow diagrams indicate that the private open space of the dwellings fronting Pidcock Street will continue to receive a minimum 2 hours direct solar access between the hours of 9:00am and 12:00pm in mid-winter in accordance with Council's controls. Whilst large portions of the rear of the private open space of those dwellings will be overshadowed by the development, it is worth noting that the majority of those properties are self-shadowed as a result of containing rear parking structures.

The principal living areas to the rear of the dwellings will not be overshadowed by the development with the exception of Nos. 14-28 Pidcock Street between 2:00pm and 3:00pm.

March/September

The shadow assessment indicates that there will be negligible overshadowing cause by the development between the hours of 9:00am and 3:00pm in March/September as the shadow cast by the development generally falls on Victory Lane. The only additional shadow would fall on the very rear of the yards of Nos. 14 and 16 Pidcock Street between the hours of 1:00pm and 3:00pm.

Considering the above, the development is acceptable having regard to overshadowing.

Solar Access

The plans and shadow diagrams submitted with the application illustrate that the development complies with Council's solar access controls in that at least 65% of dwellings provide living area windows positioned within 30 degrees east and 20 degrees west of true north and allow for direct sunlight for at least two hours over a minimum of 50% of the glazed surface between 9.00am and 3.00pm on 21 June.

(iv) Community Safety (Part 2.9)

Part 2.9 of MDCP 2011 contains objectives and controls relating to community safety. The Statement of Environmental Effects submitted with the application demonstrates the way in which consideration has been made of the four CPTED principles contained in Section 2.9.3.

The proposal is considered acceptable having regard to community safety in that:

- The principal entrance to the building is visible from Parramatta Road and is in a prominent position being well lit and signposted;
- The development has been designed to overlook and provide passive surveillance over Parramatta Road. Passive surveillance cannot be achieved over Victory Lane to the rear due to visual privacy concerns of the dwellings to the south;
- Principal access to the car park is provided internally and security arrangements have been incorporated to ensure all vehicles in the parking area and all entrances and exits to and from the communal parking area are secure and only authorised users have access;
- No roller shutters are provided that are visible from Parramatta Road. Roller shutters are proposed to Victory Lane which are appropriate in this instance for security reasons; and
- The street number is conspicuously displayed at the front of the development.

A condition is included in the recommendation requiring the entrance to the premises being well lit and to comply with the relevant Australian Standard to avoid excessive light spillage.

(v) Parking (Part 2.10)

Car, Bicycle and Motorcycle Parking Spaces

The property is located in Parking Area 2 under Part 2.10 of MDCP 2011. The following table summarises the car, bicycle and motorcycle parking requirements for the development:

Component	Control	Required	Proposed	Complies?
Car Parking				
Resident Car Parking	0.5 car parking spaces per 1 bed unit	10 x 1 bed units = 5 spaces		
	1 car parking spaces per 2 bed unit	8 x 2 bed unit = 8 spaces		
	1 car parking space per 1 adaptable dwelling	5 adaptable dwellings = 5 accessible spaces		
Residential Visitor Parking	0.1 space per unit	22 units = 2.2 spaces		
Accessible Visitor Parking	0.25 space per adaptable unit	5 adaptable units = 1.25 accessible visitor spaces		
Commercial Car Parking	1 space per 80sqm GFA for customers and staff	90sqm GFA = 1 space		
	Total required:	22 spaces	22	Yes

Component	Control	Required	Proposed	Complies?
			spaces	
Bicycle Parking				
Resident Bicycle Parking	1 bicycle parking space per 2 units	22 units = 11 spaces		
Visitor Bicycle Parking	1 bicycle parking space per 10 units	22 units = 2 spaces		
	Total required:	13 spaces	16 spaces	Yes
Motorcycle Parking				
Motorcycle Parking	5% of the total car parking requirement	21 car parking spaces required = 1 space		
	Total required:	1 space	1 space	Yes

Assessment of proposal against Part 2.10 of MDCP 2011

As detailed above, the development complies with the car, bicycle and motorcycle parking requirements and is considered. A condition is included in the recommendation requiring the car parking to be allocated as follows:

- 5 accessible car parking spaces being provided for the adaptable residential dwellings being located on the basement level. These spaces must be marked as disabled car parking spaces;
- 1 accessible car parking space for the commercial tenancy being located on the basement level. This space must be marked as a disabled car parking space;
- A total of 3 visitor car parking spaces for the residential component of the development, including 2 of those spaces being accessible visitor car parking spaces and marked as such. All visitor car parking spaces must be provided and marked as visitor car parking spaces. A sign legible from the street must be permanently displayed to indicate that visitor parking is available on site; and
- 13 car parking spaces for the residential component of the development.

Vehicle Service and Delivery Area

Control C24 in Part 2.10.16 of MDCP 2011 specifies a vehicle service and delivery area requirement for larger developments. The development is not a large development that meets any of the triggers in Table 6 in Part 2.10.16 of MDCP 2011 and therefore no vehicle service and delivery area requirements apply to the proposal. Notwithstanding this, it is noted that there is sufficient area within the ground floor and basement car parking areas for service vehicles to park for short term loading and unloading.

(vi) Energy Efficiency (Part 2.16)

Part 2.16 of MDCP 2011 contains the objectives and controls relating to energy efficiency.

As stated earlier in this report, a BASIX Certificate was submitted for the development that indicates that the proposed new dwellings would comply with the minimum water, thermal comfort and energy efficient targets of the BASIX scheme.

Council's standard conditions are included in the recommendation relating to the provision of energy and water efficient fixtures and fittings for the commercial component of the development.

(vii) Landscaping and Open Spaces (Part 2.18)

2.18.11.7 Mixed use development

Part 2.18.11.7 of MDCP 2011 provides the following controls for mixed use development:

"C25 *Landscaped area*

Landscape areas for mixed use developments will be determined on merit and depend on the overall streetscape and the desired future character for the area/precinct.

C26 *Private open space*

Each dwelling in a mixed use development must have a private open space in the form of a deck or balcony accessible from the principal living area of the dwelling with a minimum area of 8m² and a minimum width of 2 metres."

Landscaped area

The development has a frontage to Parramatta Road and is required to provide a nil front boundary setback. As such, it is not appropriate to provide pervious landscaping within the front setback of the development.

The development provides 60sqm of landscaped area on first floor level, being 9% of the total site area. Considering the context of the site being within a business centre, being assessed as providing sufficient private and common open space for use by the occupants of the development and being a significant improvement to the nil landscaping currently existing on the site, the development is considered reasonable.

A landscape plan and maintenance schedule was submitted with the application and is acceptable.

Private open space

All apartments are provided with primary balconies that exceed the minimum area and minimum depth as per above with the exception of units 101, 102, 202, 302 and 402. Those units are provided with a winter garden measuring 7sqm.

Whilst not complying with the numerical requirement, these areas of private open space are acceptable given:

- The winter gardens are provided off the principal living areas of the dwellings and are north facing achieving good solar access;

- The winter gardens measure 7sqm and as such the non-compliance with the numerical requirement accounts to 1sqm; and
- Units 102, 202, 302 and 402 are oversized and make up for the smaller balconies with large internal space.

Communal open space

Whilst the development only provides 6 small dwellings and is not required to provide common open space, the development provides an area measuring 60sqm on the first floor level as communal open space. The size of the common open space, in addition to areas of private open space, is considered to be of a sufficient size to promote active use by the residents of the development.

2.18.11.12 Development within Business Centres

The site has a frontage to Parramatta Road and as such the development is not required to provide street trees planting on the street frontage.

(viii) Tree Management (Part 2.20)

There are no trees on the subject property however there are 2 x *Corymbia citriodora* (lemon-scented gum) on two separate properties to the rear of the site covered by and protected under Part 2.20 of MDCP 2011 and 4 x exempt species on the property to the east of the site at 109 -111 Parramatta Road.

The application was referred to Council's Tree Management Officer who provided, in part, the following comments:

"There is some encroachment into the subject property by the branches of the western-most of the two gums. Pruning may be required to provide clearance from the proposed building. Pruning may also be proposed to accommodate a crane and / or scaffolding, but this is not supported unless the pruning is minimal. A condition is recommended that requires a pruning specification to be submitted to and approved by Council before any pruning is undertaken.

The four trees in the neighbouring property are possibly self-seeded and very low retention value. Nonetheless, they are immediately adjacent to the property boundary and excavation to the boundary would encroach into their Structural Root Zones (SRZ). The applicant must gain consent from the owner of the trees and remove them before any excavation is undertaken within their SRZ.

*Some pruning of the lemon-scented gum will be required and whilst it is only a small proportion of the canopy, it is sufficient in quantity to warrant compensatory planting. The proposal incorporates an internal courtyard and the landscape plan proposes seven *Archotophoenix alexandrae* to be planted in the courtyard. The courtyard planting is welcomed but palms provide limited urban forest benefit. The courtyard is 60 m² and provides adequate space for a moderate size tree. However, the courtyard is above the basement and adequate soil volume will need to be provided to ensure that the tree is able to establish and remain healthy. It is recommended that the applicant is requested to review the landscape plan and consider planting a centrally located tree in preference to some or all the palms."*

Amended plans were submitted to Council on 13 March 2017 indicating the relocation of the courtyard and the planting of 1 x *Pistacia chinensis* – Chinese Pistachio Tree. The proposed tree is not a preferred native species as per Part 2.18.13 of MDCP 2011 and as such a deferred commencement condition is included in the recommendation requiring an amended Landscape Plan must be submitted to Council's satisfaction indicating the replacement of the *Pistacia chinensis* with a single moderate size tree or an appropriate number of smaller trees of an appropriate species.

A deferred commencement condition is also included in the recommendation requiring the written consent from all property owner of No. 109-111 Parramatta Road to be obtained for the removal of the 2 x *Ailanthus altissima* - Tree of Heaven and 2 x *Celtis sinensis* - Chinese Hackberry on that site.

Subject to the above, the development is acceptable having regard to Part 2.20 of MDCP 2011.

(ix) Site Facilities and Waste Management (Part 2.21)

2.21.2.1 *Recycling and Waste Management Plan*

A Recycling and Waste Management Plan (RWMP) in accordance with Council's requirements was submitted with the application and is considered to be adequate.

2.21.2.5 *Residential Waste*

A minimum of 14 x 240L recycling, 7 x 240L general waste bins are required to be provided for the development.

A bin storage area is proposed within the ground floor level of the development with a capacity to accommodate the required waste facilities for recycling and general waste under Part 2.21.

The RWMP submitted with the application indicates that waste collection will occur from Victory Lane via a temporary waste storage area which is acceptable and will remove the need for bins to be placed in the laneway for collection. Amended plans were submitted to Council on 11 April 2017 simplifying the residential waste path of access to Victory Lane in accordance with comments made by Council's Waste Recovery section.

Control C15 requires that for buildings that are 4 or more storeys high must provide waste chutes. A waste chute has been provided throughout all 4 residential levels of the development.

2.21.2.6 *Commercial Waste*

The commercial tenancy has an area of 90sqm of which the proposed use is to be the subject of a separate application. A bin storage area is proposed on the ground floor level of the development with a capacity to accommodate 4 x 240 litre waste bins. Any application for the use of the ground floor tenancy will need to demonstrate that sufficient services are provided for recycling and general waste under Part 2.21.

(xi) Contaminated Land (Part 2.24)

The matter of contamination is discussed in Section 5(a)(ii) of the report under the provisions of State Environmental Planning Policy No. 55 – Remediation of Land

(xii) Stormwater Management (Part 2.25)

A concept drainage plan was submitted with the application and was reviewed by Council's Development Engineer. The development is considered acceptable with regard to the objectives and controls relating to stormwater management under Part 2.25 of MDCP 2011.

PART 5 – Commercial and Mixed Use Development

Part 5 of MDCP 2011 contains controls for commercial and mixed use developments as discussed below.

(xiii) Building Form (Part 5.1.3)

Floor Space Ratio (Part 5.1.3.1) and Height (Part 5.1.3.2)

The floor space ratio and height controls applying to the site have been discussed on Section 5(a)(v) of this report under the provisions of MLEP 2011.

(xiv) Massing and Setbacks (Part 5.1.3.3)

Front massing for new infill development

Control C7 prescribes that for new infill developments, where the HOB standard is set as 14 metres or greater, the street front portion of the building mass in the front 6 metres must have a maximum height (measured from the footpath level up to the highest point on the front portion of the building) of 12 metres and contain a maximum of three storeys.

The development has a maximum height of 17 metres and 5 storeys for the street front portion of the building mass which does not comply with the maximum 12 metre and 3 storey height controls.

The applicant seeks to vary the control having regard to the massing of the adjoining building to the west of the site at 119-125 Parramatta Road which is 5 storeys in height, with the exception that the proposed development provides a full 5 storey street wall. The approach of providing a consistent built form is supported, noting that on the same side the Parramatta Road streetscape already features a number of recently constructed buildings with street edge height ranging from 5 to 6 storeys. It is also noted that a number of other new developments on the northern and southern side of Parramatta Road to the east of the subject site within the City of Sydney have full 6 storey street walls within the vicinity of Church Street.

Notwithstanding the non-compliance, the proposed 5 storey street wall to Parramatta Road is considered to achieve the objectives of the massing controls in the following ways:

- The proposal preserves the prevailing building frontage edge of the streetscape; and
- The proposed additional massing is consistent with built form within the broader visual catchment Parramatta Road.

The development is proposed to be built to a zero building line to the Parramatta Road property boundary and is proposed to be built to the side boundaries which satisfies the setback controls.

Rear Massing

The rear building envelope is predominately contained within the rear boundary plane with a minor breach within the 45 degree sloping plane as shaded red in the partly reproduced section plan below:

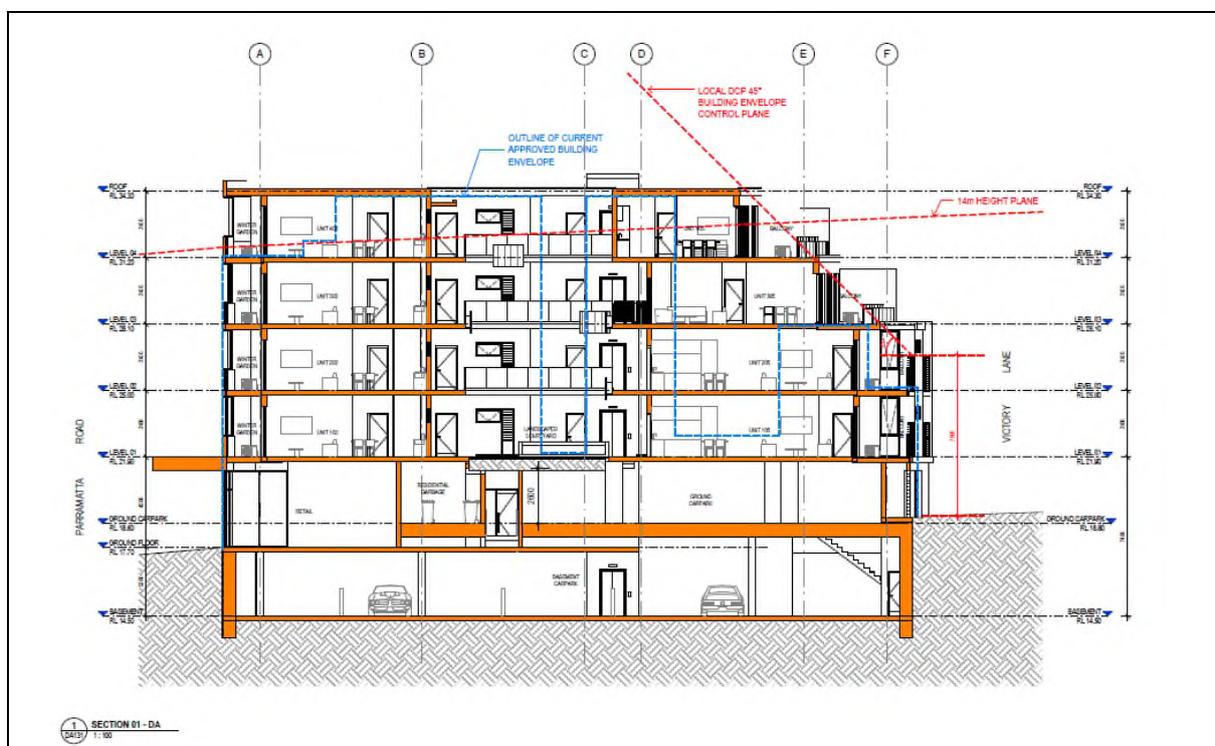


Image 3: Rear Building Envelope section

The development generally complies with the rear building envelope as illustrated above, with the exception of the rear building being a maximum height of 9.3 metres at the rear boundary. The building at the rear varies in height from 7.5 metres at the height of the balcony screens to units 204, 205 and 206 and 9.3 metres at those parts of the rear elevation that contains the bedrooms of unit 205.

(xv) Building Depth (Part 5.1.3.4)

Control C16 prescribes that for building levels on the first floor and above that are designed for residential premises:

- i. The building envelope depth must be:
 - a. A maximum depth of 22 metres; and
 - b. Generally a minimum depth of 10 metres.
- ii. The internal plan depth must be:
 - a. A maximum depth of 18 metres; and

b. Generally a minimum depth 10 metres.”

The development has a maximum depth of approximately 32 metres on the ground, first and second floor levels and steps back to 27 metres on the fourth floor level which exceed the maximum 22 metres permitted.

Whilst not complying with the numerical requirement, the proposal generally achieves the intent of the controls by providing an internal void throughout the residential component of the development which allows adequate amenity for building occupants in terms of direct solar access and natural light and ventilation and allows the use of dual aspect building design.

The development provides dwellings that achieve the minimum and maximum internal plan depth which provides appropriate levels of amenity for future occupants of the dwellings.

(xvi) Building Separation (Part 5.1.3.5)

Control C18 specifies the following in relation to building separation within a development:

“C18 Separation dimensions within a development and between adjoining properties must be:

i. Up to five storeys:

- a. 12 metres between habitable rooms or balconies of dwellings and habitable rooms or balconies of dwellings; and*
- b. 9 metres between habitable rooms or balconies of dwellings and non-habitable rooms of dwellings or commercial uses.”*

The development provides an internal courtyard to the residential component of the development, being levels 1 through 4. The courtyard measures 12 metres separation from east to west and 10 metres separation from north to south. All windows overlooking the courtyard serve habitable rooms. The upper level provides 8.4 metres separation north to south.

Whilst the depth of the courtyard from north to south does not comply with the numerical requirements as above, the development includes measures such as high level windows, climbing plants and planter boxes as well as the dwellings being designed to face the front and rear of the site to ensure visual privacy is not compromised as a result of the narrow building separation. The upper level does not include a common corridor and as such the separation has been reduced whilst maintaining solar access to the unit below at 304 and 305. The dwellings achieve a sufficient level of natural ventilation and solar access to comply with the requirements of MDCP 2011 and SEPP 65.

As detailed above, appropriate measures are incorporated into the design to ensure that no amenity and privacy impacts will result as a consequence of the non-compliant separation distances.

(xvii) Building Detail (Part 5.1.4)

5.1.4.1 *Building Frontages - Infill Development*

The development is a contemporary building that includes horizontal and vertical building details that relate to the vertical and horizontal building lines of the adjoining development at 119-125 Parramatta Road. The development is considered to provide an appropriate building frontage to Parramatta Road.

The selection of materials and finishes includes a painted render main building body, white, grey and charcoal based painted rendered finishes and feature elements and zinc cladding with planter boxed at the front and rear facades and throughout the internal void. The selection of materials and finishes is considered to be consistent with the surrounding context and characteristics of the Parramatta Road commercial centre.

5.1.4.2 *Active Street Frontage Uses and Shopfront Design*

The proposal is considered acceptable having regard to the Active Street Frontage Uses and Shopfront Design controls in the following ways:

- The shopfront design is consistent with the building and shopfront of the adjoining development at 119-125 Parramatta Road and will appear appropriate in the streetscape context;
- Although the proposed commercial occupancy is greater than 12 metres in width, the depth is limited and so the increased width will allow for a sufficient and functional floor area;
- The proposed commercial tenancy has floor levels that relate to the footpath level;
- The proposed shopfront is visually transparent and provides direct access between the footpath and the commercial tenancy;
- The ground floor commercial tenancy will provide an active use component for the building and has a viable floor area that would accommodate a variety of commercial premise with regard to the type of uses likely in the local area;
- A pedestrian awning is proposed along the entire frontage of the site;
- The entry to the residential levels above is separate to the commercial entries, clearly identifiable as the residential entry, sheltered, well lit, of adequate size for the movement of residential goods and provided directly from the street frontage; and
- No security shutters are proposed.

(xviii) Building Use (Part 5.1.5)

5.1.5.1 *Mixed Use Development*

The development is considered acceptable having regard to the control in Part 5.1.5.1 of the DCP in the following ways:

- The proposal encourages a mixed use development that is compatible with the role and character of the commercial centre;

- The future ground floor commercial use will provide an active street frontage and predominantly accommodate commercial uses; and
- The proposed residential dwellings above the ground floor level will complement the role of the commercial centre.

5.1.5.2 Dwelling Mix

The residential component of the development includes the following dwelling mix:

	Required	Proposed
Dwelling Mix - Studios	5% - 20%	0 (0%)
1 bedroom	10% - 40%	8 (36)%
2 bedroom	40% - 75%	14 (63%)
3+ bedroom	10% - 45%	0 (0%)

Accordingly, the development does not comply with the dwelling mix requirements with the exception of 1 bedroom dwellings and 2 bedroom dwellings. Despite being contrary to the above dwelling mix, the mix of apartment sizes in this instance is considered acceptable as the development:

- Provides a small number of dwellings in total;
- Provides an appropriate number of 1 and 2 bedroom dwellings;
- Provides a range of dwelling types and sizes to meet the needs of the community; and
- Is responding to an identified market demand.

5.1.5.3 Ceiling Heights

The development includes a minimum 3.6 metre floor to ceiling height for the ground floor commercial tenancy and minimum 2.7 metre floor to ceiling heights for all habitable rooms on the floors above the ground floor level which complies with the minimum requirement.

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 B2 – Local Centre under MLEP 2011. 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 advertised, an on-site notice displayed on the property and residents/property owners in the vicinity of the property were notified of the development in accordance with Council's Notification Policy. A total of 8 submissions including a petition containing 82 signatures were received.

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

- Excessive departure from height development standard - See Section 5(a)(v);
- Excessive departure from FSR development standard - See Section 5(a)(v);
- NSW Government Parramatta Road Urban Transformation Strategy should not be used as justification to vary development standards - See Section 5(a)(v);
- Provision of adaptable units - See Section 5(c)(i);
- Reduced amenity to dwellings to the south of the site in regards to visual and acoustic privacy - See Section 5(c)(ii);
- Excessive overshadowing on dwellings to the south - See Section 5(c)(iii);
- Provision of car parking- See Section 5(c)(v);
- The increase in visual bulk and scale from the development - See discussions throughout Section 5(c)(xiii) to (xviii);

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

Issue: Inconsistency of documentation

Comment: Concern has been raised over inconsistency of some of the specialists' reports accompanying the application. Particular concern is raised over the WSUD Strategy Report, BASIX Certificate, Access Assessment Report, Noise Impact Assessment and SEPP 65 Assessment which describe the proposal as a 7 storey development. A previous application was submitted to Council for a 7 storey development which was withdrawn at the request of Council. It is apparent that some of the documentation has not been updated since that application was lodged. Notwithstanding, the inconsistencies relating to the WSUD Strategy Report, Access Assessment Report and Noise Impact Assessment relate to the description of the proposal only and do not impact on the accuracy of the detail provided in those reports.

An amended BASIX Certificate was provided to Council on 8 May 2017 to provide accurate calculations for the current proposal. An assessment under the provisions of SEPP 65 has been undertaken and is discussed in Section 5(a)(iii) of this report.

Concern has also been raised that some documentation is the same as that was submitted for the proposal approved as part of Determination No. 201300571 dated 13 August 2014. This includes the Erosion & Sediment Control Plan and Stage 2 Environmental Impact Assessment. The information provided in these documents is still valid and has been assessed as acceptable. An assessment under the provisions of SEPP 55 relating to land contamination has been undertaken and is discussed in Section 5(a)(i) of this report.

Issue: Matters relating to construction traffic

Comment: Concern is raised relating to a number of construction matters, including the impacts of construction traffic, matters relating to trucks for excavation material removal, concrete pumping, and traffic controllers. Conditions are included in the recommendation requiring the following before work commences:

- i. Condition 39 requires Council approval of a Traffic Management Plan for construction vehicles, and that plan must include the construction vehicles to be restricted to Parramatta Road with only limited access to Victory Lane once the basement is accessible;
- ii. The person acting on this consent shall apply as required for all necessary permits including crane permits, road opening permits, hoarding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the Local Government Act, 1993 or Section 138 of the Roads Act, 1993.

Issue: Increase traffic to Victory Lane and impact on development on parking in nearby streets.

Comment: Concern is raised over increased traffic to Victory Lane at the rear of the site. Victory Lane is a standard width laneway and currently services the dwellings fronting Pidcock Street and the buildings fronting Parramatta Road. The site has current vehicular access to Victory Lane. The car parking has been designed so that all vehicles can enter and exit the site in a forward motion, thus no reversing or turning is required in Victory Lane.

There will be increased car movements in Victory Lane due to the provision of 22 car parking spaces on site. The development provides car parking in accordance with Council's controls, including 21 car parking spaces allocated to the residential component of the development and 1 car parking space for staff for the commercial tenancy. The site is located in parking Area 1 and car parking has been restricted on site to reduce car dependency and oversupply of car parking on site and thus the number of vehicular movements in Victory Lane will be kept to a minimum.

A condition is included in the recommendation requiring that owners and occupants of the proposed building shall not be eligible to obtain parking permits under any existing or future resident parking scheme for the area. Pidcock Street currently has restricted parking and thus any surplus cars owned by occupants of the subject development will not be able to park in Pidcock Street for long periods of time.

All relevant matters raised in the submissions able to be considered under the provisions of Section 79C of the Environmental Planning and Assessment Act have been discussed in the report.

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 development is consistent with the aims, and design parameters contained in State Environmental Planning Policy No 65 - Design Quality of Residential

Apartment Development, Marrickville Local Environmental Plan 2011 and Marrickville Development Control Plan and other relevant Environmental Planning Instruments. As discussed throughout this report, the development will not result in any significant impacts on the amenity of adjoining premises and the streetscape and thus the development is considered to be in the public interest.

6 Referrals

6(a) Internal

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

- Development Engineer
- Tree Management Officer
- Waste Management
- Environmental Services
- Council's Architectural Excellence Panel (AEP)
- GIS (Street numbering) Officer

6(b) External

The application was referred to the following external body and issues raised in that referral have been discussed in Section 5 above.

- Ausgrid

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 contribution of \$326,657.93 would be required for the development under Marrickville Section 94 Contributions Plan 2014. 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 State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development and Marrickville Local Environmental Plan 2011 (MLEP 2011) with the exception that the proposal exceeds the maximum height of building and floor space ratio development standards. The proposal is generally consistent Marrickville Development Control Plan 2011 (MDCP 2011). The development will not 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

- A. The variation to Clause 4.3 Height of Buildings and Clause 4.4 Floor Space Ratio of Marrickville Local Environmental Plan 2011 be supported under the provisions of Clause 4.6 exceptions to development standards.
- B. That Council, as the consent authority pursuant to Section 80 of the Environmental Planning and Assessment Act 1979, grant a deferred commencement consent to Development Application No: 201600538 to demolish existing improvements and construct a 5 storey mixed use development with associated basement car parking at 113-117 Parramatta Road, Camperdown subject to the conditions listed in Attachment A below.

Attachment A – Recommended conditions of consent

PART E - RECOMMENDATION

- A. **THAT** the development application to demolish existing improvements and construct a 5 storey mixed use development with associated basement car parking be **APPROVED** and a **DEFERRED COMMENCEMENT CONSENT** be issued subject to the following terms and conditions:

PART A - DEFERRED COMMENCEMENT CONSENT

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

1. A Remediation Action Plan is to be prepared to remediate the site and in particular, in relation to the removal of the existing underground storage tank. The RAP is to be prepared in accordance with the requirements of State Environmental Planning Policy No. 55 - Remediation of Land, the accompanying 'Managing Land Contamination Planning Guidelines', Marrickville Development Control Plan 2011 and the recommendations contained in the *Phase 2: Environmental Site Assessment* prepared by Benviron Group, dated October 2013
2. An amended Landscape Plan must be submitted to Council's satisfaction indicating the replacement of the *pistacia chinensis* – Chinese Pistachio Tree with a single moderate size tree or an appropriate number of smaller trees of an appropriate species as per Part 2.18.13 of MDCP 2011.
3. Written consent from all property owner of No. 109-111 Parramatta Road must be obtained for the removal of the 2 x *Ailanthus altissima* - tree of heaven and 2 x *Celtis sinensis* - Chinese hackberry.

Evidence of the above matters must be produced to the Council or its delegate within 2 years of the date of this Determination otherwise the Consent will lapse.

PART B - CONDITIONS OF CONSENT

Once operative the consent is subject to the following conditions:

GENERAL

1. The development must be carried out in accordance with plans and details listed below:

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by	Date Submitted
DA001 C	Cover Sheet	15 March 2017	Design Inc	11 April 2017
DA011 A	Site Plan	18 August 2016	Design Inc	11 April 2017
DA101 B	Basement Plan	15 March 2017	Design Inc	11 April 2017
DA102 C	Ground Floor Plan	10 April 2017	Design Inc	11 April 2017
DA103 C	First Floor Plan	10 April 2017	Design Inc	11 April 2017
DA104 C	Second Floor Plan	10 April 2017	Design Inc	11 April 2017
DA105 C	Third Floor Plan	10 April 2017	Design Inc	11 April 2017

DA106 C	Fourth Floor Plan	10 April 2017	Design Inc	11 April 2017
DA107 C	Roof Plan	10 April 2017	Design Inc	11 April 2017
DA121 C	North & South Elevations	10 April 2017	Design Inc	11 April 2017
DA122 C	East Elevation	10 April 2017	Design Inc	11 April 2017
DA123 C	West Elevation	10 April 2017	Design Inc	11 April 2017
DA124 B	Courtyard Elevations	15 March 2017	Design Inc	11 April 2017
DA125 B	Streetscape Elevation – Parramatta Road	15 March 2017	Design Inc	11 April 2017
DA126 B	Streetscape Elevation – Victory lane	15 March 2017	Design Inc	11 April 2017
DA131 C	Section 01	10 April 2017	Design Inc	11 April 2017
DA132 A	Visual Privacy Diagram	10 April 2017	Design Inc	11 April 2017
DA141 C	GFA Area Plans	10 April 2017	Design Inc	11 April 2017
571-1 C	Landscape Plan – Ground Floor	30 March 2017	Design Inc	19 April 2017
571-1 C	Landscape Plan – First Floor	30 March 2017	Design Inc	19 April 2017
571-1 C	Landscape Plan – Third Floor	30 March 2017	Design Inc	19 April 2017
571-1 C	Planting Schedule & Detail	30 March 2017	Design Inc	19 April 2017
773.13 E1 A & 773.13 E2 A	Erosion & Sediment Control Plan	October 2013	LMW Design Group P/L	20 October 2016
721569M_03	BASIX Certificate	20 April 2017	Planning & Infrastructure	8 May 2017
20160680.1/1005A /R0/BW	Noise Impact Assessment	10 May 2016	Acoustic Logic	20 October 2016
Rev. 0	Phase 2 Detailed Site Investigation	17 October 2013	Benviron Group	20 October 2016

and details submitted to Council on 20 October 2016, 15 March 2017, 5 April 2017, 11 April 2017, 19 April 2017 and 8 May 2017 with the application for development consent and as amended by the matters referred to in Part A of this Determination and the following conditions.

2. Where any plans and/or information forming part of a construction certificate issued in relation to this consent are inconsistent with:
 - (a) the plans and/or information approved under this consent; or
 - (b) any relevant requirements of this consent,

the plans, information and/or requirements of this consent (as the case may be) shall prevail to the extent of the inconsistency.

All development approved under this consent shall be carried out in accordance with the plans, information and/or requirements of this consent taken to prevail by virtue of this condition.

3. In order to ensure the architectural and urban design excellence of the development is retained:
 - i) The design architect is to have direct involvement in the design documentation, contract documentation and construction strategies of the project;
 - ii) The design architect is to have full access to the site and is to be authorised by the applicant to respond directly to the consent authority where information or clarification is required in the resolution of design issues throughout the life of the project;
 - iii) Evidence of the design architect's commission is to be provided to the Council prior to the release of the construction certificate.
 - iv) The design architect of the project is not to be changed without prior notice and approval of the Council.
4. Where units or dwellings are provided with separate individual hot water systems, these must be located within the internal area of the unit/dwelling and not on any balcony or terrace.
5. Separate Development Consent or Complying Development Certificate must be obtained for the use of the ground floor shops/commercial suites prior to the occupation of that part of the premises.
6. Each dwelling must be used exclusively as a single dwelling and not be adapted for use as backpackers' accommodation, serviced apartments or a boarding house and not be used for any industrial or commercial purpose.
7. A minimum of 5 adaptable dwellings must be provided in accordance with Part 2.5 of Marrickville Development Control Plan 2011 - Equity of Access and Mobility.
8. A total of 22 off-street car parking space must be provided, paved and maintained at all times in accordance with the standards contained within Part 2.10 of Marrickville Development Control Plan 2011 - Parking. The car parking spaces should be allocated as follows:
 - a) 5 accessible car parking spaces being provided for the adaptable residential dwellings being located on the basement level. These spaces must be marked as disabled car parking spaces;
 - b) 1 accessible car parking space for the commercial tenancy being located on the basement level. This space must be marked as a disabled car parking space;
 - c) A total of 3 visitor car parking spaces for the residential component of the development, including 2 of those spaces being accessible visitor car parking spaces and marked as such. All visitor car parking spaces must be provided and marked as visitor car parking spaces. A sign legible from the street must be permanently displayed to indicate that visitor parking is available on site; and
 - d) 13 car parking spaces for the residential component of the development.

All parking spaces and turning area thereto being provided in accordance with the design requirements set out within Part 2.10 of Marrickville Development Control Plan 2011 - Parking, and must be used exclusively for parking and not for storage or any other purpose.

9. A minimum of 1 off-street motorcycle parking space is to be provided, paved, line marked and maintained at all times in accordance with the standards contained within Part 2.10 of Marrickville Development Control Plan 2011 - Parking prior to the commencement of the use.

All motorcycle parking spaces and turning area thereto being provided in accordance with the design requirements set out within Part 2.10 of Marrickville Development Control Plan 2011 - Parking, and being used exclusively for motorcycle parking and not for storage or any other purpose.

10. No injury must be caused to the amenity of the neighbourhood by the emission of noise, smoke, smell, vibration, gases, vapours, odours, dust, particular matter, or other impurities which are a nuisance or injurious or dangerous or prejudicial to health, the exposure to view of any unsightly matter or otherwise.
11. The use of the premises, including any plant and equipment, must not give rise to:
 - a) transmission of unacceptable vibration to any place of different occupancy;
 - b) a sound pressure level at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 5dB(A). The source noise level shall be assessed as an LAeq,15min and adjusted in accordance with Environment Protection Authority guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content as described in the NSW Environment Protection Authority's Environmental Noise Control Manual and Industrial Noise Policy 2000 and The Protection of the Environment Operations Act 1997 (NSW).
12. Noise and vibration from the use and operation of any plant and equipment and/or building services associated with the premises must not give rise to 'offensive noise' as defined by The Protection of the Environment Operations Act 1997 (NSW). In this regard the roller door to the car parking entry is to be selected, installed and maintained to ensure their operation does not adversely impact on the amenity of the surrounding neighbourhood.
13. It may be necessary for the installation of a suitable electrical sub-station for the distribution of electrical power in this area to be located on the land, and that an area of land suitable for Ausgrid to provide such an installation be set aside for this purpose. Before proceeding with your development further, you are directed to contact the General Manager of Ausgrid, George Street, Sydney, with respect to the possible need for such an installation immediately or in the future.
14. The developer must liaise with the Sydney Water Corporation, Ausgrid, AGL and Telstra concerning the provision of water and sewerage, electricity, natural gas and telephones respectively to the property.
15. Should the development require the provision of an electrical substation, such associated infrastructure must be incorporated wholly within the development site. Before proceeding with your development further, you are directed to contact Ausgrid directly with regard to the possible provision of such an installation on the property.
16. All trade waste must be stored within the site boundaries and contained in such a manner so as not to cause a nuisance.
17. All building work must be carried out in accordance with the provisions of the National Construction Code (Building Code of Australia).
18. No air conditioning units are to be installed on the Parramatta Road frontage of the development without the prior approval of Council.
19. The proposed awning shall be of cantilever type and be set back at least 600mm from the kerb line. The proposed awning shall be designed so as to be easily removed if required to in future. The awning shall include pedestrian lighting (Category P3-AS1158) and shall be maintained and owned by the property owner(s). The owner shall maintain, modify or remove the structure at any time if given notification by Council to do so. All works shall be at no cost to Council.

20. Owners and occupants of the proposed building shall not be eligible to obtain parking permits under any existing or future resident parking scheme for the area. The person acting on this consent shall advise any purchaser or prospective tenant of this condition. In addition the by-laws of any future residential strata plans created for the property shall reflect this restriction.
21. All stormwater drainage being designed in accordance with the provisions of the Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3-2003 'Stormwater Drainage' and Marrickville Council Stormwater and On Site Detention Code. Pipe and channel drainage systems shall be designed to cater for the twenty (20) year Average Recurrence Interval (A.R.I.) storm in the case of low and medium residential developments, the twenty (20) year A.R.I. storm in the case of high density residential development and commercial and/or industrial developments and the fifty (50) year A.R.I. storm in the case of heavy industry. In all cases the major event surface flow paths shall be designed to cater for the one hundred (100) year A.R.I. storm.
22. Should the proposed development require the provision of an electrical substation, such associated infrastructure shall be incorporated wholly within the development site. Before proceeding with your development further, you are directed to contact Ausgrid directly with regard to the possible provision of such an installation on the property.
23. Dry-weather flows of any seepage water including seepage from landscaped areas will not be permitted through kerb outlets and must be connected directly to a Council stormwater system. Alternatively the water may be stored separately on site and reused for the watering of landscaped areas.

BEFORE COMMENCING DEMOLITION, EXCAVATION AND/OR BUILDING WORK

For the purpose of interpreting this consent, a Principal Certifying Authority (PCA) means a principal certifying authority appointed under Section 109E(1) of the Environmental Planning and Assessment Act 1979. Pursuant to Section 109E(3) of the Act, the PCA is principally responsible for ensuring that the works are carried out in accordance with the approved plans, conditions of consent and the provisions of the National Construction Code (Building Code of Australia).

24. No work must commence until:
 - a) A PCA has been appointed. Where an Accredited Certifier is the appointed, Council shall be notified within 2 days of the appointment; and
 - b) A minimum of 2 days written notice given to Council of the intention to commence work.
25. A Construction Certificate must be obtained before commencing building work. Building work means any physical activity involved in the construction of a building. This definition includes the installation of fire safety measures.
26. Sanitary facilities must be provided at or in the vicinity of the work site in accordance with the WorkCover Authority of NSW, Code of Practice 'Amenities for Construction'. Each toilet must be connected to the sewer, septic or portable chemical toilet before work commences.

Facilities must be located so that they will not cause a nuisance.
27. All demolition work must:
 - a) Be carried out in accordance with the requirements of Australian Standard AS 2601 'The demolition of structures' and the Occupational Health and Safety Act and Regulations; and

- b) Where asbestos is to be removed it must be done in accordance with the requirements of the WorkCover Authority of NSW and disposed of in accordance with requirements of the Department of Environment, Climate Change and Water.
28. Where any loading, unloading or construction is to occur from a public place, Council must be contacted to determine if any permits or traffic management plans are required to be obtained from Council before work commences.
29. All services in the building being demolished must be disconnected in accordance with the requirements of the responsible authorities before work commences.
30. A waste management plan must be prepared in accordance with Part 2.21 of Marrickville Development Control Plan 2011 – Site Facilities and Waste Management and submitted to and accepted by the PCA before work commences.
31. The site must be enclosed with suitable fencing to prohibit unauthorised access. The fencing must be erected as a barrier between the public place and any neighbouring property, before work commences.
32. A rigid and durable sign must be erected in a prominent position on the site, before work commences. The sign must be maintained at all times until all work has been completed. The sign is to include:
- a) The name, address and telephone number of the PCA;
 - b) A telephone number on which Principal Contractor (if any) can be contacted outside working hours; and
 - c) A statement advising: 'Unauthorised Entry To The Work Site Is Prohibited'.
33. A Soil and Water Management Plan must be prepared in accordance with Landcom Soils and Construction, Volume 1, Managing Urban Stormwater (Particular reference is made to Chapter 9, "Urban Construction Sites") and submitted to and accepted by the PCA. A copy of this document must be submitted to and accepted by PCA before work commences. The plan must indicate:
- a) Where the builder's materials and waste are to be stored;
 - b) Where the sediment fences are to be installed on the site;
 - c) What facilities are to be provided to clean the wheels and bodies of all vehicles leaving the site to prevent the tracking of debris and soil onto the public way; and
 - d) How access to the site will be provided.
- All devices must be constructed and maintained on site while work is carried out.
34. The person acting on this consent is responsible for arranging and meeting the cost of a dilapidation report prepared by a suitably qualified person. The report is to include colour photographs and must be submitted to the Certifying Authority's satisfaction, with a colour copy being provided to Council and the property owner of the identified property, before work commences, on the buildings on the adjoining properties at 109-11 and 119-125 Parramatta Road, if the consent of the adjoining property owner can be obtained. In the event that the consent of the adjoining property owner cannot be obtained copies of the letter/s that have been sent via registered mail and any responses received must be forwarded to the PCA before work commences.
35. Before commencing works the person acting on this consent must provide a contact number for a designated person to be available during the demolition and construction for residents to contact regarding breaches of consent or problems relating to the construction.

- 36. The person acting on this consent shall apply as required for all necessary permits including crane permits, road opening permits, hoarding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the Local Government Act, 1993 or Section 138 of the Roads Act, 1993.
- 37. Where it is proposed to carry out works in public roads or Council controlled lands, a road opening permit shall be obtained from Council before the carrying out of any works in public roads or Council controlled lands. Restorations shall be in accordance with Marrickville Council's Restorations Code. Failure to obtain a road opening permit for any such works will incur an additional charge for unauthorised works as noted in Council's adopted fees and charges.
- 38. The person acting on this consent shall provide details of the means to secure the site and to protect the public from the construction works. Where the means of securing the site involves the erection of fencing or a hoarding on Council's footpath or road reserve the person acting on this consent shall submit a hoarding application and pay all relevant fees before commencement of works.
- 39. A detailed Traffic Management Plan to cater for construction traffic shall be submitted to and approved by Council before the commencement of works. The Traffic Management Plan must restrict all construction vehicle access to the site to be only from Parramatta Road and only between the hours of 10.00am and 3.00pm. Notwithstanding, once the basement is accessible, small construction vehicles may utilise the basement. Details shall include proposed truck parking areas, construction zones, crane usage, truck routes etc. All construction traffic complying at all times with the approved Traffic Management Plan. The developer being responsible to ensure that all construction workers and contractors are fully aware of the approved Traffic Management Plan. Any proposal for a Work Zone on Parramatta Road will require Roads and Maritime Services (RMS) approval.

BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

For the purpose of interpreting this consent the Certifying Authority (Council or an Accredited Certifier) is that person appointed to issue the Construction Certificate.

- 40. a) This condition is imposed in accordance with Section 94 of the Environmental Planning and Assessment Act 1979.
- b) Before the issue of a Construction Certificate, the Council must be paid a monetary contribution of \$326,657.93 indexed in accordance with Marrickville Section 94/94A Contributions Plan 2014 ("CP").

The above contribution is the contribution applicable as at 10 April 2017.

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

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

(CONTRIBUTION PAYMENT REFERENCE NO. DC001858)

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

Community Facilities	\$42,516.15
Plan Administration	\$6,404.96
Recreation Facilities	\$286,585.95
Traffic Facilities	\$-8,849.12

- d) A copy of the CP can be inspected at Council's offices at 2-14 Fisher Street, Petersham or online at <http://www.marrickville.nsw.gov.au>.
- e) The contribution must be paid either in cash, by unendorsed bank cheque (from an Australian Bank only), via EFTPOS (Debit only) or credit card*.

*NB A 1% credit card transaction fee applies to all credit card transactions.

41. Evidence of payment of the building and construction industry Long Service Leave Scheme, must be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate. (The required payment can be made at the Council Offices).

NOTE: The required payment is based on the estimated cost of building and construction works and the long service levy rate, set by the Long Service Payments Corporation. The rate set by the Long Service Payments Corporation is currently of 0.35% of the cost of the building and construction work.

For more information on how to calculate the amount payable and where payments can be made contact the Long Services Payments Corporation.
<http://www.lspc.nsw.gov.au>.

42. The approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easement, and if any requirements need to be met. Plans will be appropriately stamped.

Please refer to the web site www.sydneywater.com.au for:

- Quick Check agents details - see Plumbing, building and developing then Quick Check agents and
 - Guidelines for Building Over/Adjacent to Sydney Water Assets – see Plumbing, building and developing then Plan submissions
- or telephone 13 20 92.

The stamped plans must be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.

43. A statement from a qualified Architect, verifying that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design principles set out in Schedule 1 of State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development must be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.
44. All plumbing and ductwork including stormwater downpipes must be concealed within the outer walls of the building so they are not visible. Plans and elevations detailing the method of concealment must be submitted to and approved by Council before the issue of a Construction Certificate. Any variation to this requirement requires Council approval.
45. Bicycle storage with the capacity to accommodate a minimum of 16 bicycles must be provided in accordance with the requirements set out within Part 2.10 of Marrickville Development Control Plan 2011 - Parking, in accordance with details to be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.
46. Letterboxes and mail collection facilities must be provided and adequately protected in accordance with details to be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.
47. Lighting details of the pedestrian areas, parking areas and all entrances must be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.

48. Plans fully reflecting the selected commitments listed in BASIX Certificate submitted with the application for development consent must be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.

NOTE: The application for the Construction Certificate must be accompanied by either the BASIX Certificate upon which development consent was granted or a revised BASIX Certificate (Refer to Clause 6A of Schedule 1 to the Regulation).

49. Insulation, having a minimum R3.0 rating, must be provided to the ceiling or roofs in accordance with details to be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.
50. Reticulated gas infrastructure, with a separate meter for each dwelling must be provided to each dwelling in accordance with details to be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.
51. A hot water system with a minimum 3.5 energy star Greenhouse rating must be provided for each dwelling in accordance with details to be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.
52. Noise attenuation measures being incorporated into the development complying with Australian Standard 2021:2000 in relation to interior design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction), in accordance with details must be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate together with certification by a suitably qualified acoustical engineer that the proposed noise attenuation measures satisfy the requirements of Australian Standard 2021:2000.
53. Noise attenuation measures must be incorporated into the development complying with Australian Standard 2021:2000, State Environmental Planning Policy (Infrastructure) 2007 and with the Department of Planning and Infrastructure's Development Assessment Guideline titled "Development Near Rail Corridors and Busy Roads - Interim Guidelines" in relation to interior design sound levels and in accordance with details being submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate together with certification by a suitably qualified acoustical engineer that the proposed noise attenuation measures satisfy the requirements of Australian Standard 2021:2000, State Environmental Planning Policy (Infrastructure) 2007 and with the Department of Planning and Infrastructure's Development Assessment Guideline titled "Development Near Rail Corridors and Busy Roads - Interim Guidelines".
54. Before the issue of a Construction Certificate an amended plan must be submitted to the Certifying Authority's satisfaction addressing the requirements of The Disability (Access to Premises – buildings) Standards 2010 (the Premises Standards).
55. The person acting on this consent shall provide to Council a bond in the amount of \$16,892.40 and pay the related Section 138 (Roads Act) inspection fee of \$206.00 (GST inclusive) before the issue of a Construction Certificate to ensure the proper completion of the footpath and/or vehicular crossing works required as a result of this development.
56. Before the issue of a Construction Certificate the owner or builder shall sign a written undertaking that they shall be responsible for the full cost of repairs to footpath, kerb and gutter, or other Council property damaged as a result of construction of the proposed development. Council may utilise part or all of any Building Security Deposit (B.S.D.) or recover in any court of competent jurisdiction, any costs to Council for such repairs.

57. All plumbing and ductwork including stormwater downpipes must be concealed within the outer walls of the building so they are not visible. Plans and elevations detailing the method of concealment must be submitted to and approved by Council before the issue of a Construction Certificate. Any variation to this requirement requires Council approval.
58. In order to provide satisfactory vehicular and pedestrian access, drainage, landscaping and aesthetic improvements to the public domain adjacent to the site, the following works shall be undertaken at no cost to Council:
- i. The public domain along all frontages of the site inclusive of footpath paving, kerb, street trees, landscaping, street furniture, etc shall be reconstructed and upgraded in accordance with the Street Tree Masterplan and the Marrickville Public Domain Design Guide;
 - ii. The construction of heavy duty vehicular crossings to all vehicular access locations and removal of all redundant vehicular crossings to the site;
 - iii. Reinstatement of missing kerb with Bluestone kerb on Parramatta Road and new concrete kerb and gutter (including infill footpath) adjacent to the property in Victory Lane at the rear of the site;
 - iv. A 40mm Mill and Fill treatment for the road pavement in Victory Lane for the full width of the property; and
 - v. Alignment levels to be provided at the boundary at a minimum distance of every 5m and at all pedestrian and vehicular access locations. Note, the cross fall of the footpath shall be set at 2.5%.

Full detailed construction plans and specifications shall be submitted to Council for approval under Section 138 of the Roads Act 1993 before the issue of a Construction Certificate with all works completed prior to the issue of an Occupation Certificate.

SITE WORKS

59. All excavation, demolition, construction, and deliveries to the site necessary for the carrying out of the development, must be restricted to between 7.00am to 5.30pm Mondays to Saturdays, excluding Public Holidays. Notwithstanding the above no work being carried out on any Saturday that falls adjacent to a Public Holiday.
60. During any construction works and activities, no injury must be caused to the amenity of the neighbourhood by the emission of noise, smoke, smell, vibration, gases, vapours, odours, dust, particular matter, or other impurities which are a nuisance or injurious or dangerous or prejudicial to health, the exposure to view of any unsightly matter or otherwise.
61. The area surrounding the building work must be reinstated to Council's satisfaction upon completion of the work.
62. The placing of any materials on Council's footpath or roadway is prohibited, without the consent of Council. The placement of waste storage containers in a public place requires Council approval and must comply with Council's Policy - 'Placement of Waste Storage Containers in a Public Place'.
63. All demolition work must be carried out in accordance with the following:
- a) compliance with the requirements of Australian Standard AS 2601 'The demolition of structures' with specific reference to health and safety of the public, health and safety of the site personnel, protection of adjoining buildings and protection of the immediate environment;

- b) all works involving the demolition, removal, transport and disposal of asbestos cement must be carried out in accordance with the 'Worksafe Code of Practice for Removal of Asbestos' and the requirements of the WorkCover Authority of NSW and the Department of Environment, Climate Change and Water;
 - c) all building materials arising from the demolition must be disposed of in an approved manner in accordance with Part 2.21 of Marrickville Development Control Plan 2011 – Site Facilities and Waste Management and any applicable requirements of the Department of Environment, Climate Change and Water;
 - d) sanitary drainage, stormwater drainage, water, electricity and telecommunications must be disconnected in accordance with the requirements of the responsible authorities;
 - e) the generation of dust and noise on the site must be controlled;
 - f) the site must be secured to prohibit unauthorised entry;
 - g) suitable provision must be made to clean the wheels and bodies of all vehicles leaving the site to prevent the tracking of debris and soil onto the public way;
 - h) all trucks and vehicles associated with the demolition, including those delivering to or removing material from the site, must only have access to the site during work hours nominated by Council and all loads must be covered;
 - i) all vehicles taking materials from the site must be loaded wholly within the property unless otherwise permitted by Council;
 - j) no waste collection skips, spoil, excavation or demolition material from the site must be deposited on the public road, footpath, public place or Council owned property without the approval of Council; and
 - k) the person acting on this consent must ensure that all contractors and sub-contractors associated with the demolition are fully aware of these requirements.
64. The works are required to be inspected at critical stages of construction, by the PCA or if the PCA agrees, by another certifying authority. The last inspection can only be carried out by the PCA. The critical stages of construction are:
- a) At the commencement of the building work;
 - b) For Class 2, 3 and 4 buildings, prior to covering waterproofing in any wet areas (a minimum of 10% of wet areas within a building);
 - c) Prior to covering any stormwater drainage connections, and after the building work has been completed and prior to any occupation certificate being issued in relation to the building; and
 - d) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

You are advised to liaise with your PCA to establish if any additional inspections are required.

65. If it is necessary to excavate below the level of the base of the footings of a building on the adjoining allotments, including a public place such as footways and roadways, the person acting on this consent must ensure:
- a) At least 7 days' notice is given to the owners of the adjoining land of the intention to excavate below the base of the footings. The notice is to include complete details of the work; and
 - b) That any building is preserved and protected from damage.

Where a dilapidation report has not been prepared on any building adjacent to the excavation, the person acting on this consent is responsible for arranging and meeting the cost of a dilapidation report prepared by a suitably qualified person. The report is to be submitted to and accepted by the PCA before works continue on site, if the consent of the adjoining property owner can be obtained. Copies of all letter/s that have been sent via registered mail to the adjoining property owner and copies of any responses received must be forwarded to the PCA before work commences.

66. All vehicles carrying materials to, or from the site must have their loads covered with tarpaulins or similar covers.
67. Satisfactory methods and/or devices must be employed on the site to prevent the tracking of mud/dirt onto the surrounding streets from vehicles leaving the site.
68. A certificate of survey from a registered land surveyor must be submitted to the PCA upon excavation of the footings and before the pouring of the concrete to verify that the structure will not encroach on the allotment boundaries.
69. A clear unobstructed path of travel of not less than 1,000mm must be provided to all exits and paths of travel to exits.
70. Alignment levels for the site at all pedestrian and vehicular access locations shall match the existing back of footpath levels at the boundary. For vehicular access off rear laneways the level at the boundary shall match the invert level of the adjacent gutter plus 150mm at both sides of the vehicle entry. **Note:** This may require the internal site levels to be adjusted locally at the boundary to ensure that they match the issued alignment levels. Failure to comply with this condition will result in vehicular access being denied.
71. All roof and surface stormwater from the site and any catchment external to the site that presently drains to it, shall be collected in a system of pits and pipelines/channels and major storm event surface flow paths and being discharged to a Council controlled stormwater drainage system in accordance with the requirements of Marrickville Council Stormwater and On Site Detention Code.
72. The site stormwater drainage shall be constructed generally in accordance with Stormwater Drainage Plans SW01 to SW07 (Rev A) dated 13/5/16 submitted by Scott Collis Consulting Pty Ltd.
73. Fixtures for bathroom and kitchen taps, showerheads, dishwashers, toilet cisterns and urinals must have a minimum 3 Star WELS rating.
NOTE: Information on the star rating scheme, and all 'star' rated products are available to view at the Water Efficiency Labelling and Standards (WELS) website: www.waterrating.gov.au.
74. New or replacement toilets must have a minimum 3 Star WELS rating and being 6/3 litre dual flush or more efficient.
NOTE: Information on the star rating scheme, and all 'star' rated products are available to view at the Water Efficiency Labelling and Standards (WELS) website: www.waterrating.gov.au.
75. All demolition, work being restricted to between the hours of 7.00am to 5.30pm Mondays to Saturdays, excluding Public Holidays. Notwithstanding the above, no work is to be carried out on any Saturday that falls adjacent to a Public Holiday.

All trucks and vehicles associated with the demolition including those delivering to or removing material from the site, only having access to the site during the hours referred to in this condition. No waste collection skips, spoil, excavation or demolition material from the site being deposited on the public road, footpath, public place or Council owned property without Council's approval, having first been obtained. The developer being responsible to ensure that all contractors associated with the development are fully aware of these requirements.
76. At the completion of demolition works and before the commencement of construction, additional investigations shall be undertaken to assess the quality of groundwater and address any remaining data gaps with respect to site contamination. Any additional findings from this assessment that alters the remedial action plan as stipulated in Part A of this consent shall be included in an updated remedial action plan for the site.

77. Any water (including water from excavations) that is to be discharged to our stormwater shall not contain a concentration of suspended sediment exceeding 50mg/L, shall have a pH of between 6.5-8.0 and shall comply with the ANZECC Guidelines for Marine and Freshwater Quality for protection of aquatic ecosystems (95% protection level for marine ecosystems). Any water that does not comply shall be discharged to sewer, with the appropriate licences to be obtained; or disposed off-site to a suitably licensed facility.
78. Site remediation works being carried out at the completion of demolition of site structures and before the commencement of construction for the site in accordance with Remediation Action Plan submitted as stipulated in Part A of this determination. Once these works are complete, a validation report is to be submitted to Council prepared in accordance with the requirements of the NSW EPA's Guidelines for Consultants Reporting on Contaminated Sites to Council's satisfaction.
79. The exportation of waste (including fill or soil) from the site must be in accordance with the provisions of the *Protection of the Environment Operations Act 1997* and the NSW EPA *Waste Classification Guidelines 2014*.
80. Any unexpected find or occurrences discovered during site works that have the potential to alter previous conclusions about site contamination must be immediately notified to the Council and the Principal Certifying Authority. If significant unexpected occurrences occur, site works shall immediately cease and a suitably qualified environmental consultant shall be engaged to assess the site and determine if remediation is required in accordance with the *Contaminated Land Management Act 1997*. Note that Council may request that a NSW EPA Accredited Site Auditor review any proposed remedial activities.
81. No excavation shall occur within 2.5 metres of trees on the neighbouring property at 109-111 Parramatta Road.
82. Pruning of the *Corymbia citriodora* (lemon-scented gum) shall not be undertaken unless a pruning specification has been submitted to and approved by council before the pruning is undertaken.

NOTE: Pruning should be as minimal as possible and should provide for up to 2.0 metres clearance from the approved building. No pruning shall be permitted within the property in which the tree is growing. Pruning will not be permitted to accommodate a crane or scaffolding unless it is demonstrated that there is no other feasible option.

83. Trees to be pruned shall be pruned by a practicing arborist who has a minimum qualification of Certificate 3 in arboriculture, in accordance with
 - a) a pruning specification, prepared by an arborist with a minimum AQF level 5 qualification in arboriculture who does not remove or prune trees in the Inner West local government area, that has been approved by council, and
 - b) the Australian Standard *Pruning of Amenity Trees* AS 4373—2007.
84. The owner of the *Corymbia citriodora* (lemon-scented gum) shall be notified in writing that their tree will be pruned and the date that the pruning will take place at least 14 days prior to the pruning being undertaken.

BEFORE OCCUPATION OF THE BUILDING

85. You must obtain an Occupation Certificate from your PCA before you occupy or use the building. The PCA must notify the Council of the determination of the Occupation Certificate and forward the following documents to Council within 2 days of the date of the Certificate being determined:

- a) A copy of the determination;
 - b) Copies of any documents that were lodged with the Occupation Certificate application;
 - c) A copy of Occupation Certificate, if it was issued;
 - d) A copy of the record of all critical stage inspections and any other inspection required by the PCA;
 - e) A copy of any missed inspections; and
 - f) A copy of any compliance certificate and any other documentary evidence relied upon in issuing the Occupation Certificate.
86. Occupation of the building must not be permitted until such time as:
- a) All preconditions to the issue of an Occupation Certificate specified in this development consent have been met;
 - b) The building owner obtains a Final Fire Safety Certificate certifying that the fire safety measures have been installed in the building and perform to the performance standards listed in the Fire Safety Schedule; and
 - c) An Occupation Certificate has been issued.
87. The owner of the premises, as soon as practicable after the Final Fire Safety Certificate is issued, must:
- a) Forward a copy of the Final Safety Certificate and the current Fire Safety Schedule to the Commissioner of Fire and Rescue New South Wales and the Council; and
 - b) Display a copy of the Final Safety Certificate and Fire Safety Schedule in a prominent position in the building (i.e. adjacent the entry or any fire indicator panel).
- Every 12 months after the Final Fire Safety Certificate is issued the owner must obtain an Annual Fire Safety Certificate for each of the Fire Safety Measures listed in the Schedule. The Annual Fire Safety Certificate shall be forwarded to the Commissioner and the Council and displayed in a prominent position in the building.
88. The Section 73 Certificate must be submitted to the Principal Certifying Authority before the issue of an Occupation Certificate.
- a) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Make early application for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.
 - b) Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Providers > Lists or telephone 13 20 92.
89. The landscaping of the site must be carried out prior to occupation or use of the premises in accordance with the approved details and must be maintained at all times to Council's satisfaction.
90. A statement from a qualified Architect, verifying that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design principles set out in Schedule 1 of State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development must be submitted to the Certifying Authority's satisfaction before the issue of an Occupation Certificate.
91. The Certifying Authority must be satisfied that each of the commitments listed in BASIX Certificate referred to in this Determination have been fulfilled before the issue of an Occupation Certificate (whether an interim or final Occupation Certificate).

92. The Certifying Authority must apply to the Director-General for a BASIX Completion Receipt within 2 days of the issue of a final Occupation Certificate. Completion Receipts can be applied for at www.basix.nsw.gov.au.
93. a) Upon completion of the required noise attenuation measures referred to in the "Before the Issue of a Construction Certificate" Section of this Determination, and prior to the occupation of the development a report must be prepared and submitted to the Certifying Authority's satisfaction by an accredited Acoustics Consultant certifying that the final construction meets AS2021-2000 as set down in the subject condition of this consent. Such report must include external and internal noise levels to ensure that the external noise levels during the test are representative of the typical maximum levels that may occur at this development; and
- b) Where it is found that internal noise levels are greater than the required dB(A) rating due to faulty workmanship or the like, necessary corrective measures must be carried out and a further certificate being prepared and submitted to Council in accordance with the requirements as set down in Part a) of this condition.
94. a) Upon completion of the required noise attenuation measures referred to in the "Before the Issue of a Construction Certificate" Section of this Determination and before the issue of an Occupation Certificate (whether an interim or final Occupation Certificate), a report must be prepared and submitted to the Certifying Authority's satisfaction by an accredited Acoustics Consultant, certifying that the final construction meets Australian Standard 2021:2000, State Environmental Planning Policy (Infrastructure) 2007 and with the Department of Planning and Infrastructure's Development Assessment Guideline titled "Development Near Rail Corridors and Busy Roads - Interim Guidelines" as set down in the subject condition of this consent. Such report must include external and internal noise levels to ensure that the external noise levels during the test are representative of the typical maximum levels that may occur at this development; and
- b) Where it is found that internal noise levels are greater than the required dB(A) rating due to faulty workmanship or the like, necessary corrective measures must be carried out and a further certificate must be prepared and submitted to Council in accordance with the requirements as set down in Part a) of this condition.
95. Before the issue of an Occupation Certificate, a street number and identifier of separate occupancies (if applicable) must be clearly displayed in a readily visible location (numbers having a height of not less than 75mm). If any new street numbers or change to street numbers (this includes unit and shop numbers) are required they must have the prior approval of council before being displayed.
96. All works required to be carried out in connection with drainage, crossings, alterations to kerb and guttering, footpaths and roads resulting from the development shall be completed before the issue of the Occupation Certificate. Works shall be in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications".
97. You are advised that Council has not undertaken a search of existing or proposed utility services adjacent to the site in determining this application. Any adjustment or augmentation of any public utility services including Gas, Water, Sewer, Electricity, Street lighting and Telecommunications required as a result of the development shall be at no cost to Council and undertaken before the issue of an Occupation Certificate.
98. No encroachments onto Council's road or footpath of any service pipes, sewer vents, boundary traps, downpipes, gutters, stairs, doors, gates, garage tilt up panel doors or any structure whatsoever shall not be permitted. Any encroachments on to Council road or footpath resulting from the building works will be required to be removed before the issue of the Occupation Certificate.

99. The existing stone kerb adjacent to the site is of local heritage value and is to be preserved at no cost to Council. Any damage to the stone kerb will require the replacement of the damaged individual stone units before the issue of the Occupation Certificate.
100. Heavy duty concrete vehicle crossings, in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications" shall be constructed at the vehicular access locations before the issue of the Occupation Certificate and at no cost to Council. This shall include adjustments for the installation of a new butterfly hinged grate and pit.
101. All redundant vehicular crossings to the site shall be removed and replaced by kerb and gutter and footpath paving in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications" before the issue of the Occupation Certificate and at no cost to Council. Where the kerb in the vicinity of the redundant crossing is predominately stone (as determined by Council's Engineer) the replacement kerb shall also be in stone.
102. Before occupation of the site written verification from a suitably qualified professional civil engineer, stating that all stormwater drainage and related work has been and constructed in accordance with the approved plans being submitted to and accepted by Council. In addition, full works-as-executed plans, prepared and signed by a registered surveyor, shall be submitted to Council. These plans must include levels for all drainage structures, buildings (including floor levels), finished ground levels and pavement surface levels.
103. The existing overhead power cables along the Parramatta Road frontage of the site must be relocated underground with appropriate street lighting new poles being installed at no cost to Council and before the issue of an Occupation Certificate. The street lighting shall be designed in accordance with Australian Standard AS1158-Road Lighting and the Network Standards of Ausgrid and must meet lighting category required by RMS. Plans shall be submitted to and approved by Council before submission to Ausgrid for implementation.
104. With the regard to the On Site Detention System (OSD), a Positive Covenant in accordance with supplement 7 of Marrickville Council Stormwater and On Site Detention Code shall be placed on the Title in favour of Council before the issue of the Occupation Certificate.
105. All instruments under Section 88B of the Conveyancing Act used to create easements or right-of-ways shall include the condition that such easements or right-of-ways may not be varied, modified or released without the prior approval of Marrickville Council.
106. Prior to issue of the Occupation Certificate the person acting on this consent shall obtain from Council a compliance Certificate(s) stating that all Road, Footpath and Civil Works on Council property required to be undertaken as a result of this development have been completed satisfactorily and in accordance with Council approved plans and specifications.

ADVISORY NOTES

- The Disability Discrimination Act 1992 (Commonwealth) and the Anti-Discrimination Act 1977 (NSW) impose obligations on persons relating to disability discrimination. Council's determination of the application does not relieve persons who have obligations under those Acts of the necessity to comply with those Acts.
- A complete assessment of the application under the provisions of the National Construction Code (Building Code of Australia) has not been carried out.

- The approved plans must be submitted to the Customer Centre of any office of Sydney Water before the commencement of any work to ensure that the proposed work meets the requirements of Sydney Water. Failure to submit these plans before commencing work may result in the demolition of the structure if found not to comply with the requirements of Sydney Water.
- The vehicular crossing and/or footpath works are required to be constructed by your own contractor. You or your contractor must complete an application for 'Construction of a Vehicular Crossing & Civil Works' form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, before commencement of works..
- Any natural light or ventilation gained by windows within 900mm of the boundary will not be taken into consideration in the event that the adjoining property owner makes application to Council to carry out building works on their property. The window has been consented to on the basis that alternative sources of light and ventilation are available to the room.
- Buildings built or painted before the 1970's may have surfaces coated with lead-based paints. Recent evidence indicates that lead is harmful to people at levels previously thought safe. Children particularly have been found to be susceptible to lead poisoning and cases of acute child lead poisonings in Sydney have been attributed to home renovation activities involving the removal of lead based paints. Precautions should therefore be taken if painted surfaces are to be removed or sanded as part of the proposed building alterations, particularly where children or pregnant women may be exposed, and work areas should be thoroughly cleaned before occupation of the room or building.
- Contact "Dial Before You Dig" before commencing any building activity on the site.
- Useful Contacts

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

Sydney Water	☎ 13 20 92 www.sydneywater.com.au
Waste Service - SITA Environmental Solutions	☎ 1300 651 116 www.wasteservice.nsw.gov.au
Water Efficiency Labelling and Standards (WELS)	www.waterrating.gov.au
WorkCover Authority of NSW	☎ 13 10 50 www.workcover.nsw.gov.au Enquiries relating to work safety and asbestos removal and disposal.

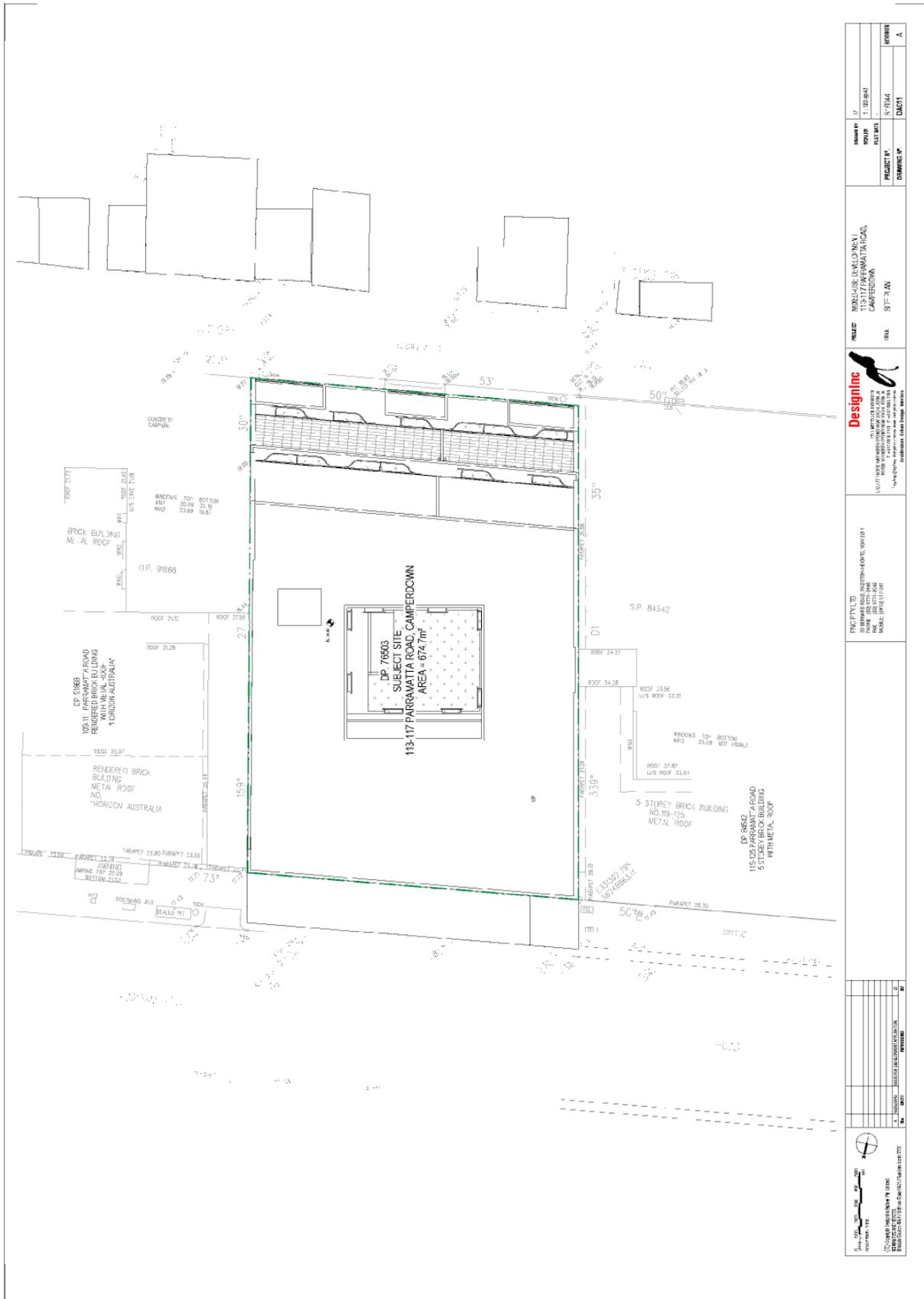
- B. THAT those persons who lodged submissions in respect to the proposal be advised of the Council's determination of the application.
- C. THAT the Department of Planning and Environment be advised, as part of the quarterly review of the monitoring of Clause 4.6 of Marrickville Local Environmental Plan 2011 - Exceptions to Development Standards, that Council has agreed to the variation of the following development standards:

<u>Premises:</u>	113 Parramatta Road CAMPERDOWN
<u>Applicant:</u>	163 Monterey Properties Pty Ltd
<u>Proposal:</u>	To demolish existing improvements and construct a 5 storey mixed use development with associated basement car parking
<u>Determination:</u>	Deferred commencement consent
<u>DA No:</u>	201600538
<u>Lot and DP:</u>	Lot 1 Deposited Plan 76503
<u>Category of Development:</u>	9: Mixed
<u>Environmental Planning Instrument:</u>	Marrickville Local Environmental Plan 2011
<u>Zoning of Land:</u>	Local Centre
<u>Development Standard(s) varied:</u>	Height of building, Floor space ratio
<u>Justification of variation:</u>	Controls have been abandoned, impact is acceptable
<u>Extent of variation:</u>	Height - 22.3%, FSR - 69%.
<u>Concurring Authority:</u>	Council under assumed concurrence of the Secretary Department of Planning and Environment
<u>Date of Determination:</u>	May 2017

Attachment B – Plans of proposed development

Area	Description	Area	Comments
LEVEL 01	1801 - 1801A	1801	
LEVEL 01	1802 - 1802A	1802	
LEVEL 01	1803 - 1803A	1803	
LEVEL 01	1804 - 1804A	1804	
LEVEL 01	1805 - 1805A	1805	
LEVEL 01	1806 - 1806A	1806	
LEVEL 01	1807 - 1807A	1807	
LEVEL 01	1808 - 1808A	1808	
LEVEL 01	1809 - 1809A	1809	
LEVEL 01	1810 - 1810A	1810	
LEVEL 01	1811 - 1811A	1811	
LEVEL 01	1812 - 1812A	1812	
LEVEL 01	1813 - 1813A	1813	
LEVEL 01	1814 - 1814A	1814	
LEVEL 01	1815 - 1815A	1815	
LEVEL 01	1816 - 1816A	1816	
LEVEL 01	1817 - 1817A	1817	
LEVEL 01	1818 - 1818A	1818	
LEVEL 01	1819 - 1819A	1819	
LEVEL 01	1820 - 1820A	1820	
LEVEL 01	1821 - 1821A	1821	
LEVEL 01	1822 - 1822A	1822	
LEVEL 01	1823 - 1823A	1823	
LEVEL 01	1824 - 1824A	1824	
LEVEL 01	1825 - 1825A	1825	
LEVEL 01	1826 - 1826A	1826	
LEVEL 01	1827 - 1827A	1827	
LEVEL 01	1828 - 1828A	1828	
LEVEL 01	1829 - 1829A	1829	
LEVEL 01	1830 - 1830A	1830	
LEVEL 01	1831 - 1831A	1831	
LEVEL 01	1832 - 1832A	1832	
LEVEL 01	1833 - 1833A	1833	
LEVEL 01	1834 - 1834A	1834	
LEVEL 01	1835 - 1835A	1835	
LEVEL 01	1836 - 1836A	1836	
LEVEL 01	1837 - 1837A	1837	
LEVEL 01	1838 - 1838A	1838	
LEVEL 01	1839 - 1839A	1839	
LEVEL 01	1840 - 1840A	1840	
LEVEL 01	1841 - 1841A	1841	
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LEVEL 01	1847 - 1847A	1847	
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LEVEL 01	1850 - 1850A	1850	
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LEVEL 01	1852 - 1852A	1852	
LEVEL 01	1853 - 1853A	1853	
LEVEL 01	1854 - 1854A	1854	
LEVEL 01	1855 - 1855A	1855	
LEVEL 01	1856 - 1856A	1856	
LEVEL 01	1857 - 1857A	1857	
LEVEL 01	1858 - 1858A	1858	
LEVEL 01	1859 - 1859A	1859	
LEVEL 01	1860 - 1860A	1860	
LEVEL 01	1861 - 1861A	1861	
LEVEL 01	1862 - 1862A	1862	
LEVEL 01	1863 - 1863A	1863	
LEVEL 01	1864 - 1864A	1864	
LEVEL 01	1865 - 1865A	1865	
LEVEL 01	1866 - 1866A	1866	
LEVEL 01	1867 - 1867A	1867	
LEVEL 01	1868 - 1868A	1868	
LEVEL 01	1869 - 1869A	1869	
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LEVEL 01	1871 - 1871A	1871	
LEVEL 01	1872 - 1872A	1872	
LEVEL 01	1873 - 1873A	1873	
LEVEL 01	1874 - 1874A	1874	
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LEVEL 01	1876 - 1876A	1876	
LEVEL 01	1877 - 1877A	1877	
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LEVEL 01	1886 - 1886A	1886	
LEVEL 01	1887 - 1887A	1887	
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LEVEL 01	1890 - 1890A	1890	
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LEVEL 01	1892 - 1892A	1892	
LEVEL 01	1893 - 1893A	1893	
LEVEL 01	1894 - 1894A	1894	
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LEVEL 01	1897 - 1897A	1897	
LEVEL 01	1898 - 1898A	1898	
LEVEL 01	1899 - 1899A	1899	
LEVEL 01	1900 - 1900A	1900	
LEVEL 01	1901 - 1901A	1901	
LEVEL 01	1902 - 1902A	1902	
LEVEL 01	1903 - 1903A	1903	
LEVEL 01	1904 - 1904A	1904	
LEVEL 01	1905 - 1905A	1905	
LEVEL 01	1906 - 1906A	1906	
LEVEL 01	1907 - 1907A	1907	
LEVEL 01	1908 - 1908A	1908	
LEVEL 01	1909 - 1909A	1909	
LEVEL 01	1910 - 1910A	1910	
LEVEL 01	1911 - 1911A	1911	
LEVEL 01	1912 - 1912A	1912	
LEVEL 01	1913 - 1913A	1913	
LEVEL 01	1914 - 1914A	1914	
LEVEL 01	1915 - 1915A	1915	
LEVEL 01	1916 - 1916A	1916	
LEVEL 01	1917 - 1917A	1917	
LEVEL 01	1918 - 1918A	1918	
LEVEL 01	1919 - 1919A	1919	
LEVEL 01	1920 - 1920A	1920	
LEVEL 01	1921 - 1921A	1921	
LEVEL 01	1922 - 1922A	1922	
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LEVEL 01	1930 - 1930A	1930	
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LEVEL 01	1934 - 1934A	1934	
LEVEL 01	1935 - 1935A	1935	
LEVEL 01	1936 - 1936A	1936	
LEVEL 01	1937 - 1937A	1937	
LEVEL 01	1938 - 1938A	1938	
LEVEL 01	1939 - 1939A	1939	
LEVEL 01	1940 - 1940A	1940	
LEVEL 01	1941 - 1941A	1941	
LEVEL 01	1942 - 1942A	1942	
LEVEL 01	1943 - 1943A	1943	
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LEVEL 01	1947 - 1947A	1947	
LEVEL 01	1948 - 1948A	1948	
LEVEL 01	1949 - 1949A	1949	
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LEVEL 01	1956 - 1956A	1956	
LEVEL 01	1957 - 1957A	1957	
LEVEL 01	1958 - 1958A	1958	
LEVEL 01	1959 - 1959A	1959	
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LEVEL 01	1963 - 1963A	1963	
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LEVEL 01	1966 - 1966A	1966	
LEVEL 01	1967 - 1967A	1967	
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LEVEL 01	1969 - 1969A	1969	
LEVEL 01	1970 - 1970A	1970	
LEVEL 01	1971 - 1971A	1971	
LEVEL 01	1972 - 1972A	1972	
LEVEL 01	1973 - 1973A	1973	
LEVEL 01	1974 - 1974A	1974	
LEVEL 01	1975 - 1975A	1975	
LEVEL 01	1976 - 1976A	1976	
LEVEL 01	1977 - 1977A	1977	
LEVEL 01	1978 - 1978A	1978	
LEVEL 01	1979 - 1979A	1979	
LEVEL 01	1980 - 1980A	1980	
LEVEL 01	1981 - 1981A	1981	
LEVEL 01	1982 - 1982A	1982	
LEVEL 01	1983 - 1983A	1983	
LEVEL 01	1984 - 1984A	1984	
LEVEL 01	1985 - 1985A	1985	
LEVEL 01	1986 - 1986A	1986	
LEVEL 01	1987 - 1987A	1987	
LEVEL 01	1988 - 1988A	1988	
LEVEL 01	1989 - 1989A	1989	
LEVEL 01	1990 - 1990A	1990	
LEVEL 01	1991 - 1991A	1991	
LEVEL 01	1992 - 1992A	1992	
LEVEL 01	1993 - 1993A	1993	
LEVEL 01	1994 - 1994A	1994	
LEVEL 01	1995 - 1995A	1995	
LEVEL 01	1996 - 1996A	1996	
LEVEL 01	1997 - 1997A	1997	
LEVEL 01	1998 - 1998A	1998	
LEVEL 01	1999 - 1999A	1999	
LEVEL 01	2000 - 2000A	2000	

APARTMENT SCHEDULE	Area	Comments
LEVEL 01	1801 - 1801A	
LEVEL 01	1802 - 1802A	
LEVEL 01	1803 - 1803A	
LEVEL 01	1804 - 1804A	
LEVEL 01	1805 - 1805A	
LEVEL 01	1806 - 1806A	
LEVEL 01	1807 - 1807A	
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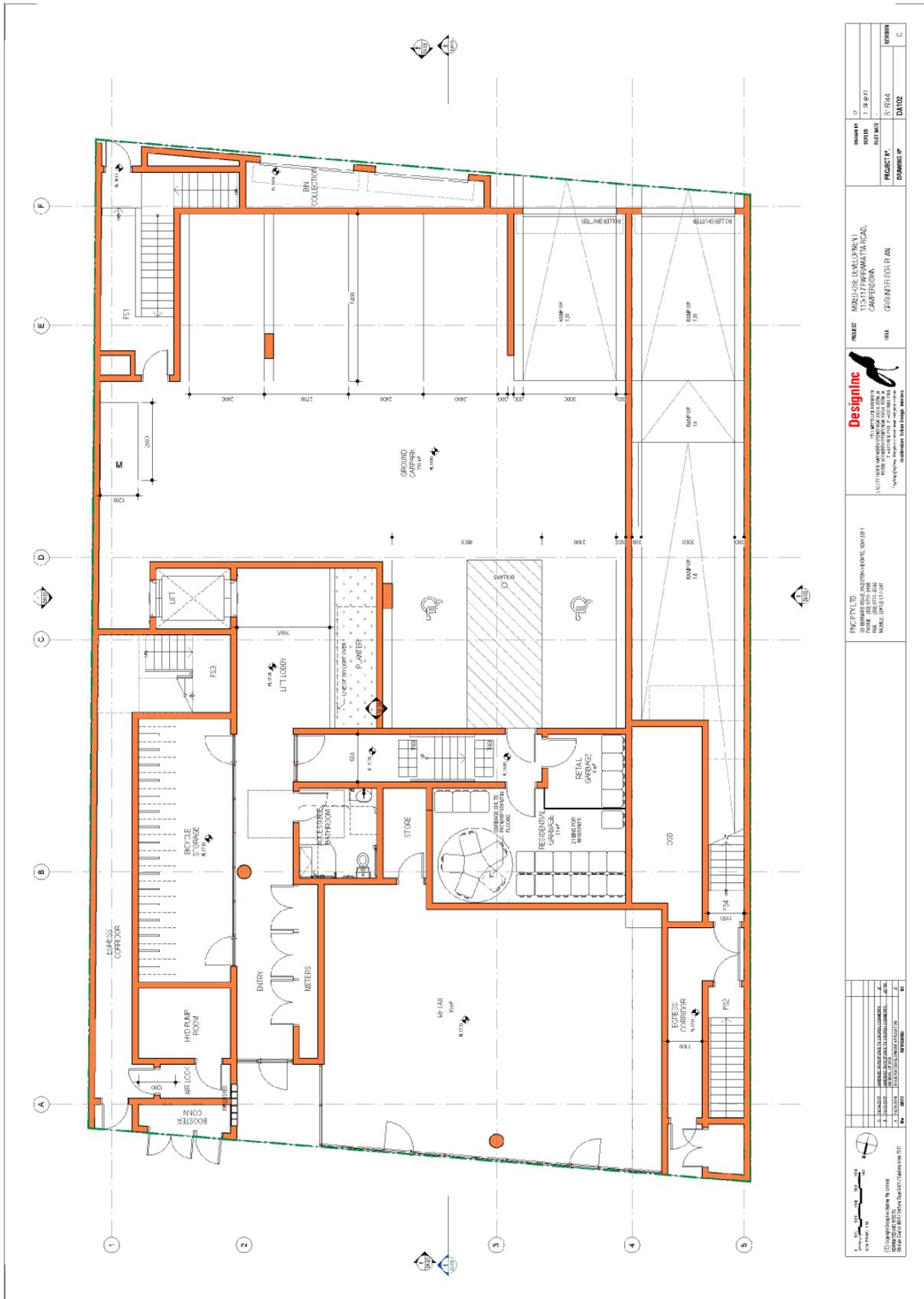


DATE	11/11/2024
PROJECT NO.	SP-7-AN
DRAWING NO.	DA011
REVISION	A

Designline
 ARCHITECTURE & INTERIOR DESIGN
 11/11/2024
 113-117 PARRAMATTA ROAD, CAMPERDOWN
 NSW 2171
 PHONE: 02 9550 1111
 EMAIL: INFO@DESIGNLINE.COM.AU
 WEBSITE: WWW.DESIGNLINE.COM.AU

PACIFIC LTD
 20 BARRACK ROAD, SYDNEY, NSW 2150
 PHONE: 02 9550 1111
 EMAIL: INFO@PACIFIC.COM.AU
 WEBSITE: WWW.PACIFIC.COM.AU

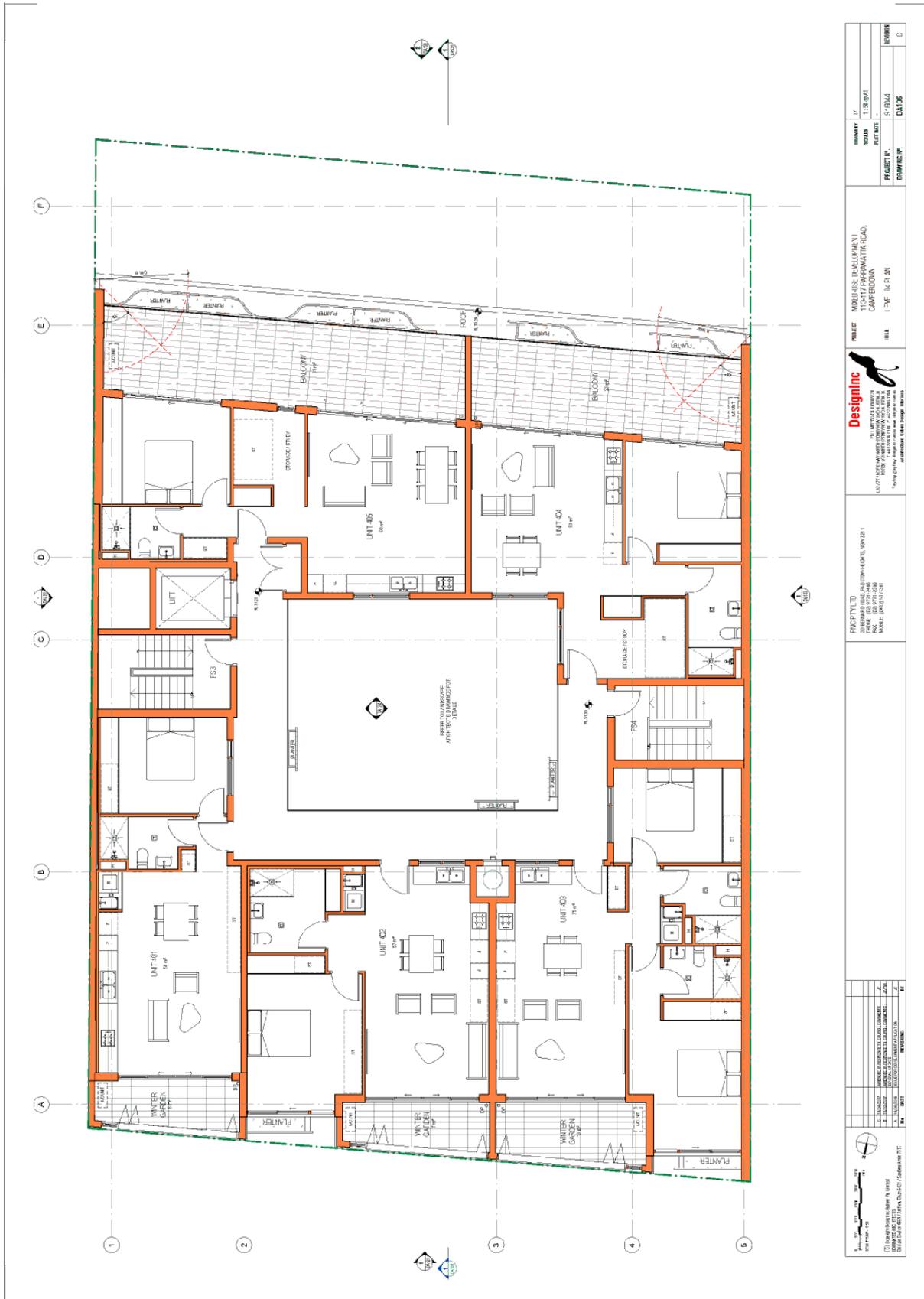
Scale: 1:100
 North Arrow
 Date: 11/11/2024
 Project: 113-117 PARRAMATTA ROAD, CAMPERDOWN
 Drawing: DA011



		PROJECT: MODULAR DEVELOPMENT 110-117 PARAMATTA ROAD, CAMPBELLTOWN GROUND FLOOR PLAN	DRAWING NO: 17 SCALE: 1:50 (S/F) PROJECT NO: S/19144 DRAWING BY: DATE:
PACIFIC LTD 20 BERNARD ROAD, SYDNEY, NSW 1570 PHONE: 02 9551 2500 FAX: 02 9551 2508 EMAIL: SALES@PACIFIC.COM.AU WEBSITE: WWW.PACIFIC.COM.AU		PROJECT NO: S/19144 DRAWING NO: 17	DATE:
1: 10m, 2: 5m, 3: 2.5m, 4: 1.25m, 5: 0.625m 100m Scale		A: ARCHITECTURAL B: STRUCTURAL C: MECHANICAL/ELECTRICAL/PLUMBING D: CIVIL E: LANDSCAPE ARCHITECTURE F: INTERIOR DESIGN G: ENVIRONMENTAL ENGINEERING H: TRAFFIC ENGINEERING I: COST CONSULTANT J: LEGAL K: OTHER	



<p>Designline 15/77 NORTH AVENUE, SYDNEY NSW 1588 PH: (02) 9550 1111 WWW.DESIGNLINE.COM.AU</p>		<p>PROJECT: MODULUS DEVELOPMENT 110-117 PERAMATERRACE, CAMPBELLTOWN</p> <p>DATE: 17/01/2014</p>	
<p>CLIENT: PACIFIC LTD 20 BERNARD ROAD, SYDNEY NSW 1588 PH: (02) 9771 5200 WWW.PACIFICLTD.COM.AU</p>		<p>PROJECT NO.: 17/01/2014</p> <p>DRAWING NO.: C</p>	
<p>SCALE: 1:100</p> <p>DATE: 17/01/2014</p>		<p>DATE: 17/01/2014</p>	





2. POST-ADAPTATION LAYOUT
DATE: 15/06/2018

NOTE:
UNIT 05 AND UNIT 06 SIMILAR
UNIT 06 AND UNIT 08 SIMILAR



1. PRE-ADAPTATION LAYOUT
DATE: 15/06/2018

NOTE:
UNIT 05 AND UNIT 06 SIMILAR
UNIT 06 AND UNIT 08 SIMILAR

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		PROJECT NO. S. 15144 DRAWING NO. B
PRACTICE LTD 20 BERNARD ROAD, BENTONVILLE, QUEENSLAND PHONE: 08 9371 5248 FAX: 08 9371 5249 EMAIL: OFFICE@DW.COM.AU WWW: WWW.DESIGNWORKSHOP.COM.AU	DESIGNER: DESIGNWORKSHOP ARCHITECT: DESIGNWORKSHOP ENGINEER: DESIGNWORKSHOP STRUCTURAL ENGINEER: DESIGNWORKSHOP ELECTRICAL ENGINEER: DESIGNWORKSHOP MECHANICAL ENGINEER: DESIGNWORKSHOP PLUMBING ENGINEER: DESIGNWORKSHOP CIVIL ENGINEER: DESIGNWORKSHOP LANDSCAPE ARCHITECT: DESIGNWORKSHOP INTERIOR DESIGNER: DESIGNWORKSHOP PROJECT MANAGER: DESIGNWORKSHOP	PROJECT NO. S. 15144 DRAWING NO. B



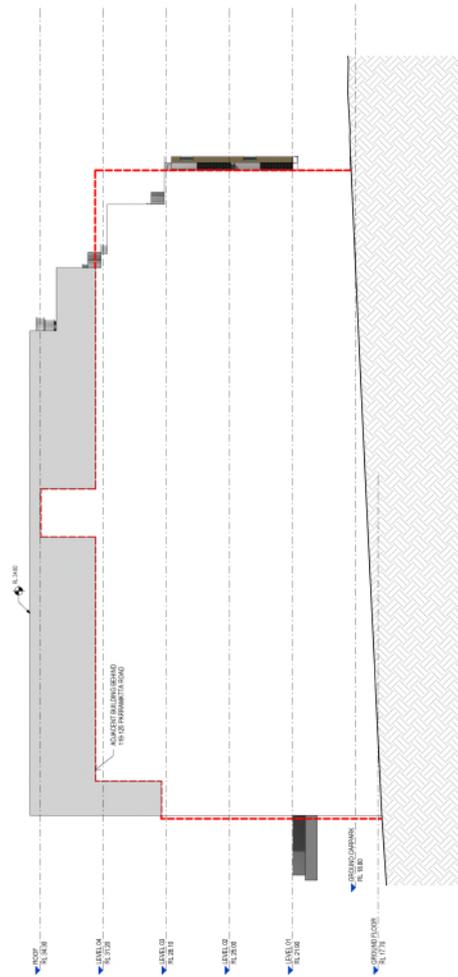
2 SOUTH ELEVATION
SCALE: 1:100



1 NORTH ELEVATION
SCALE: 1:100

LANDSCAPE REFER TO LANDSCAPE ARCHITECTS DRAWINGS FOR DETAILS

		<p>PKM PTY LTD 33 BROADWAY EAST, SYDNEY NSW 2011 AUSTRALIA TEL: (61) 2 9711 2000 FAX: (61) 2 9711 2006 WWW.PKM.COM.AU</p>		<p>PKM PROJECT NO: 100100000 PKM DRAWING NO: 100100000-01 PKM PROJECT NAME: 113-117 PARAMATTA ROAD, CAMPEKOWN PKM PROJECT NO: ST16044 PKM DRAWING NO: DAT21</p>	
<p>DATE: 10/01/2023 DRAWN BY: [Name] CHECKED BY: [Name] SCALE: 1:100 PROJECT NO: 100100000 DRAWING NO: 100100000-01</p>		<p>PROJECT: MIXED-USE DEVELOPMENT 113-117 PARAMATTA ROAD, CAMPEKOWN TITLE: NORTH AND SOUTH ELEVATIONS</p>		<p>DESIGNER: DesignInc 1/177 FAYERS AVENUE, WARRIMUN NSW 2570 TEL: (61) 2 4321 1111 WWW.DESIGNINC.COM.AU</p>	

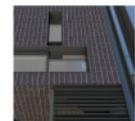


		<p>PKM PTY LTD 33 BUNNINGS ROAD, EASTON HEIGHTS NSW 2211 AUSTRALIA TEL: (02) 9771 2026 MOBILE: (0412) 971 201</p>		<p>DesignInc PTY LIMITED (INCORPORATED IN AUSTRALIA) 15/177 PASADENA ROAD, PASADENA NSW 2125 AUSTRALIA TEL: (02) 9771 2026 MOBILE: (0412) 971 201 EMAIL: info@designinc.com.au</p>		<p>PROJECT: MIXED-USE DEVELOPMENT 113-117 PARAMATTA ROAD, CAMPELDOWN TITLE: WEST ELEVATION</p>		<p>DATE: 11/03/2021 DRAWING NO.: S110044 DRAWING BY: DAY23</p>	
<p>DATE: 11/03/2021 DRAWING NO.: S110044 DRAWING BY: DAY23</p>		<p>PKM PTY LTD 33 BUNNINGS ROAD, EASTON HEIGHTS NSW 2211 AUSTRALIA TEL: (02) 9771 2026 MOBILE: (0412) 971 201</p>		<p>DesignInc PTY LIMITED (INCORPORATED IN AUSTRALIA) 15/177 PASADENA ROAD, PASADENA NSW 2125 AUSTRALIA TEL: (02) 9771 2026 MOBILE: (0412) 971 201 EMAIL: info@designinc.com.au</p>		<p>PROJECT: MIXED-USE DEVELOPMENT 113-117 PARAMATTA ROAD, CAMPELDOWN TITLE: WEST ELEVATION</p>		<p>DATE: 11/03/2021 DRAWING NO.: S110044 DRAWING BY: DAY23</p>	



1 STREETSCAPE ELEVATION - VICTORY LANE
DATE: 11/09/20

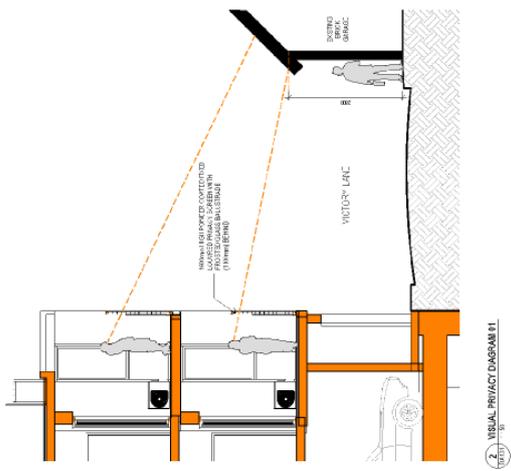
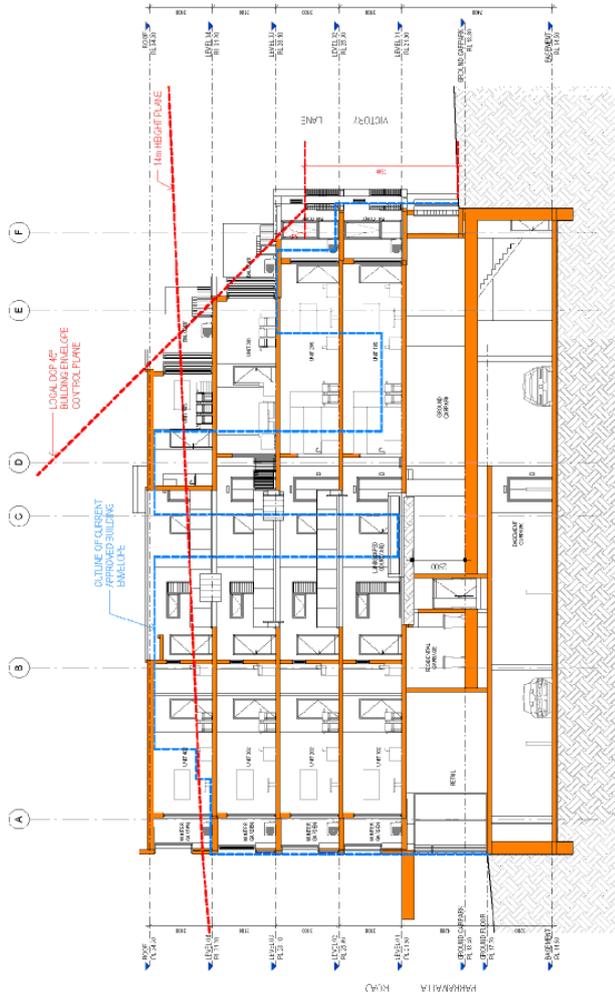
- P1 INTERIOR FINISH, INTERIOR WALLS
- P2 INTERIOR FINISH, INTERIOR CEILING
- P3 COLLECTIVE FINISH, INTERIOR STAIRS
- O1 CLIMBING PLANTS IN VERTICAL GARDENS
- O2 RED BRICK FROM EXISTING BUILDING
- O3 ZINC PANEL CLADDING
- O4 ALUMINIUM FRAMED GLAZING WITH POLYCARBONATE GLAZING
- O5 GLASS BALUSTRADE
- O6 ALUMINIUM FRAMED GLAZING WITH POLYCARBONATE GLAZING
- O7 PERFORMING ARTS PERFORMANCE SPACE
- P4 INTERIOR FINISH, INTERIOR WALLS
- P5 INTERIOR FINISH, INTERIOR CEILING
- P6 COLLECTIVE FINISH, INTERIOR STAIRS



LANDSCAPE REFER TO LANDSCAPE ARCHITECTS DRAWINGS FOR DETAILS

FINISH SCHEDULE - SOUTHERN AND WESTERN FACADES

DesignInc 127/128 MACARTHUR ROAD, SYDNEY NSW 1589 PH: (02) 9550 1234 WWW.DESIGNINC.COM.AU		PMD PTY LTD 33 BRYANT ROAD, SYDNEY NSW 2111 PH: (02) 9550 1234 WWW.PMDPTYLTD.COM.AU	
PROJECT: NIMSO LANE DEVELOPMENT 113-117 PARAMATTA ROAD, CAMPBERRON STREETSCAPE ELEVATION - VICTORY LANE	DRAWING NO.: S10044 DRAWING TITLE: DR170	DATE: 11/09/20 SCALE: AS SHOWN	SHEET NO.: 8 TOTAL SHEETS: 8



SECTION 01 - DA
1:100

VISUAL PRIVACY DAMBAM 01
1:100

LANDSCAPE REFER TO LANDSCAPE ARCHITECTS DRAWINGS FOR DETAILS

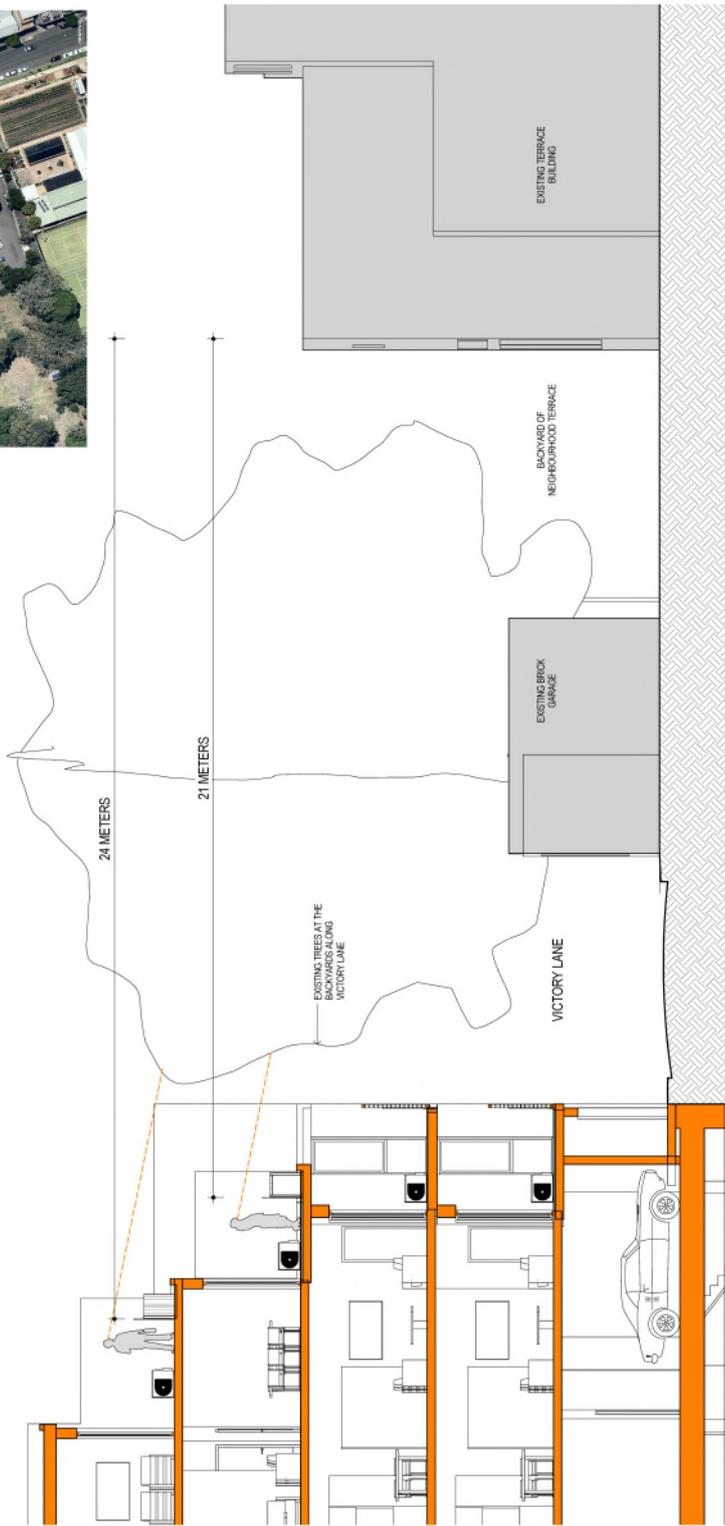
NUMBER	17
STATUS	REVISED @ 17
PROJECT NO.	5-19144
DRAWING NO.	DA101
REVISION	C

Designline
 15/77 NORTH WINDERMERE DRIVE, SUITE 101, WINDERMERE QLD 4118
 Ph: (07) 5597 1234 Fax: (07) 5597 1235
 www.designline.com.au

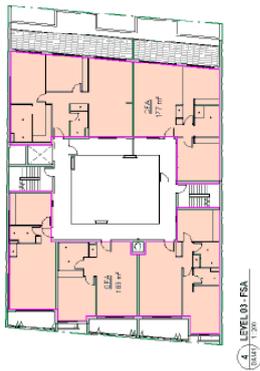
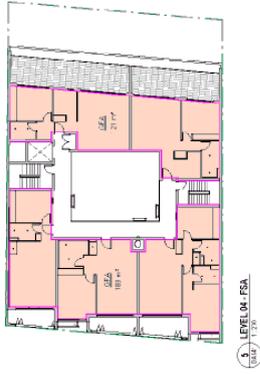
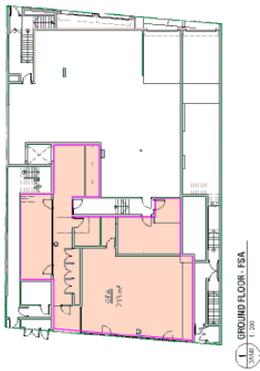
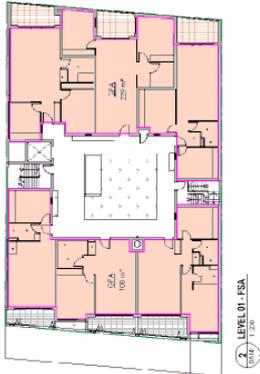
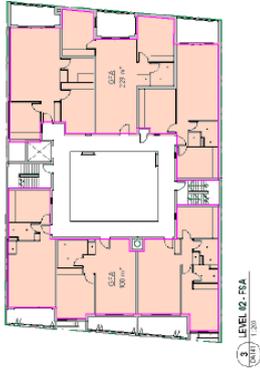
PROJECT: MODULUS (HALLWAY) 110-117 PARLAMATTA ROAD, CAMPBELLVALE
 SHEET: SECTION 01

FACILITY LTD
 20 BERNARD ROAD, WINDERMERE, QUEENSLAND
 PHONE: (07) 5597 1234
 FAX: (07) 5597 1235
 www.facility.com.au

1.	SCALE	1:100
2.	DATE	17/01/2017
3.	PROJECT	MODULUS (HALLWAY) 110-117 PARLAMATTA ROAD, CAMPBELLVALE
4.	DESIGNER	DESIGNLINE ARCHITECTS
5.	CLIENT	FACILITY LTD
6.	DATE	17/01/2017
7.	SCALE	1:100
8.	DATE	17/01/2017



<p>DesignInc 177/183/185/187/189/191/193/195/197/199/201/203/205/207/209/211/213/215/217/219/221/223/225/227/229/231/233/235/237/239/241/243/245/247/249/251/253/255/257/259/261/263/265/267/269/271/273/275/277/279/281/283/285/287/289/291/293/295/297/299/301/303/305/307/309/311/313/315/317/319/321/323/325/327/329/331/333/335/337/339/341/343/345/347/349/351/353/355/357/359/361/363/365/367/369/371/373/375/377/379/381/383/385/387/389/391/393/395/397/399/401/403/405/407/409/411/413/415/417/419/421/423/425/427/429/431/433/435/437/439/441/443/445/447/449/451/453/455/457/459/461/463/465/467/469/471/473/475/477/479/481/483/485/487/489/491/493/495/497/499/501/503/505/507/509/511/513/515/517/519/521/523/525/527/529/531/533/535/537/539/541/543/545/547/549/551/553/555/557/559/561/563/565/567/569/571/573/575/577/579/581/583/585/587/589/591/593/595/597/599/601/603/605/607/609/611/613/615/617/619/621/623/625/627/629/631/633/635/637/639/641/643/645/647/649/651/653/655/657/659/661/663/665/667/669/671/673/675/677/679/681/683/685/687/689/691/693/695/697/699/701/703/705/707/709/711/713/715/717/719/721/723/725/727/729/731/733/735/737/739/741/743/745/747/749/751/753/755/757/759/761/763/765/767/769/771/773/775/777/779/781/783/785/787/789/791/793/795/797/799/801/803/805/807/809/811/813/815/817/819/821/823/825/827/829/831/833/835/837/839/841/843/845/847/849/851/853/855/857/859/861/863/865/867/869/871/873/875/877/879/881/883/885/887/889/891/893/895/897/899/901/903/905/907/909/911/913/915/917/919/921/923/925/927/929/931/933/935/937/939/941/943/945/947/949/951/953/955/957/959/961/963/965/967/969/971/973/975/977/979/981/983/985/987/989/991/993/995/997/999/1001/1003/1005/1007/1009/1011/1013/1015/1017/1019/1021/1023/1025/1027/1029/1031/1033/1035/1037/1039/1041/1043/1045/1047/1049/1051/1053/1055/1057/1059/1061/1063/1065/1067/1069/1071/1073/1075/1077/1079/1081/1083/1085/1087/1089/1091/1093/1095/1097/1099/1101/1103/1105/1107/1109/1111/1113/1115/1117/1119/1121/1123/1125/1127/1129/1131/1133/1135/1137/1139/1141/1143/1145/1147/1149/1151/1153/1155/1157/1159/1161/1163/1165/1167/1169/1171/1173/1175/1177/1179/1181/1183/1185/1187/1189/1191/1193/1195/1197/1199/1201/1203/1205/1207/1209/1211/1213/1215/1217/1219/1221/1223/1225/1227/1229/1231/1233/1235/1237/1239/1241/1243/1245/1247/1249/1251/1253/1255/1257/1259/1261/1263/1265/1267/1269/1271/1273/1275/1277/1279/1281/1283/1285/1287/1289/1291/1293/1295/1297/1299/1301/1303/1305/1307/1309/1311/1313/1315/1317/1319/1321/1323/1325/1327/1329/1331/1333/1335/1337/1339/1341/1343/1345/1347/1349/1351/1353/1355/1357/1359/1361/1363/1365/1367/1369/1371/1373/1375/1377/1379/1381/1383/1385/1387/1389/1391/1393/1395/1397/1399/1401/1403/1405/1407/1409/1411/1413/1415/1417/1419/1421/1423/1425/1427/1429/1431/1433/1435/1437/1439/1441/1443/1445/1447/1449/1451/1453/1455/1457/1459/1461/1463/1465/1467/1469/1471/1473/1475/1477/1479/1481/1483/1485/1487/1489/1491/1493/1495/1497/1499/1501/1503/1505/1507/1509/1511/1513/1515/1517/1519/1521/1523/1525/1527/1529/1531/1533/1535/1537/1539/1541/1543/1545/1547/1549/1551/1553/1555/1557/1559/1561/1563/1565/1567/1569/1571/1573/1575/1577/1579/1581/1583/1585/1587/1589/1591/1593/1595/1597/1599/1601/1603/1605/1607/1609/1611/1613/1615/1617/1619/1621/1623/1625/1627/1629/1631/1633/1635/1637/1639/1641/1643/1645/1647/1649/1651/1653/1655/1657/1659/1661/1663/1665/1667/1669/1671/1673/1675/1677/1679/1681/1683/1685/1687/1689/1691/1693/1695/1697/1699/1701/1703/1705/1707/1709/1711/1713/1715/1717/1719/1721/1723/1725/1727/1729/1731/1733/1735/1737/1739/1741/1743/1745/1747/1749/1751/1753/1755/1757/1759/1761/1763/1765/1767/1769/1771/1773/1775/1777/1779/1781/1783/1785/1787/1789/1791/1793/1795/1797/1799/1801/1803/1805/1807/1809/1811/1813/1815/1817/1819/1821/1823/1825/1827/1829/1831/1833/1835/1837/1839/1841/1843/1845/1847/1849/1851/1853/1855/1857/1859/1861/1863/1865/1867/1869/1871/1873/1875/1877/1879/1881/1883/1885/1887/1889/1891/1893/1895/1897/1899/1901/1903/1905/1907/1909/1911/1913/1915/1917/1919/1921/1923/1925/1927/1929/1931/1933/1935/1937/1939/1941/1943/1945/1947/1949/1951/1953/1955/1957/1959/1961/1963/1965/1967/1969/1971/1973/1975/1977/1979/1981/1983/1985/1987/1989/1991/1993/1995/1997/1999/2001/2003/2005/2007/2009/2011/2013/2015/2017/2019/2021/2023/2025/2027/2029/2031/2033/2035/2037/2039/2041/2043/2045/2047/2049/2051/2053/2055/2057/2059/2061/2063/2065/2067/2069/2071/2073/2075/2077/2079/2081/2083/2085/2087/2089/2091/2093/2095/2097/2099/2101/2103/2105/2107/2109/2111/2113/2115/2117/2119/2121/2123/2125/2127/2129/2131/2133/2135/2137/2139/2141/2143/2145/2147/2149/2151/2153/2155/2157/2159/2161/2163/2165/2167/2169/2171/2173/2175/2177/2179/2181/2183/2185/2187/2189/2191/2193/2195/2197/2199/2201/2203/2205/2207/2209/2211/2213/2215/2217/2219/2221/2223/2225/2227/2229/2231/2233/2235/2237/2239/2241/2243/2245/2247/2249/2251/2253/2255/2257/2259/2261/2263/2265/2267/2269/2271/2273/2275/2277/2279/2281/2283/2285/2287/2289/2291/2293/2295/2297/2299/2301/2303/2305/2307/2309/2311/2313/2315/2317/2319/2321/2323/2325/2327/2329/2331/2333/2335/2337/2339/2341/2343/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AREA SCHEDULE (GFA)

FLOOR	AREA
GROUND FLOOR	153.00m ²
LEVEL 01	100.00m ²
LEVEL 02	100.00m ²
LEVEL 03	177.00m ²
LEVEL 04	211.00m ²
TOTAL GFA	741.00m ²

FSA CALCULATION

TYPE	AREA	FACTOR	VALUE
OFFICE	47.00m ²	0.75	35.25m ²
TOTAL			35.25m ²

Hannuville Local Environmental Plan 2011

gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, within the building, and the area of any balcony, verandah, or other structure, measured at a height of 1.4 metres above the floor and includes:

- (a) the area of a mezzanine, and
- (b) the area of a balcony, verandah, or other structure, and
- (c) any area for cover on a vertical circular or, such as lifts and stairs, and
- (d) any area for cover on a vertical circular or, such as lifts and stairs, and
- (e) any area for cover on a vertical circular or, such as lifts and stairs, and
- (f) any area for cover on a vertical circular or, such as lifts and stairs, and
- (g) any area for cover on a vertical circular or, such as lifts and stairs, and
- (h) any area for cover on a vertical circular or, such as lifts and stairs, and
- (i) any area for cover on a vertical circular or, such as lifts and stairs, and
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- (k) any area for cover on a vertical circular or, such as lifts and stairs, and
- (l) any area for cover on a vertical circular or, such as lifts and stairs, and
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- (x) any area for cover on a vertical circular or, such as lifts and stairs, and
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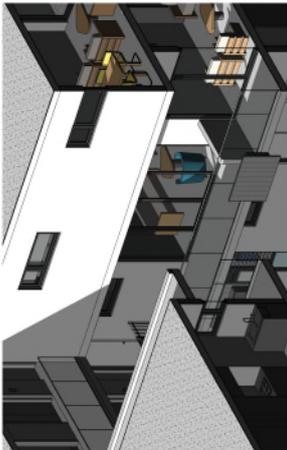
Scale: 1:1000
North Arrow

Client: **Designline**
15/77 North West Highway, Suite 101, North West
Ph: 08 9437 1111
www.designline.com.au

PROJECT MODULUS DEVELOPMENT
110-117 PERAMATTA ROAD,
CAMPELDOWN
FSR APPLICATION

DATE 17
SCALE 1:1000
PROJECT NO. S/17/14
DRAWING NO. C

COMPANY LTD
20 BARRACLOUGH STREET, NORTH SYDNEY
NSW 1585
PH: 08 9437 1111
WWW.DESIGNLINE.COM.AU



Unit 305 11pm - 21 JUNE



Unit 305 12pm - 21 JUNE



Unit 305 1pm - 21 JUNE



Unit 304 11pm - 21 JUNE



Unit 304 12pm - 21 JUNE



Unit 304 1pm - 21 JUNE

 <p>DesignInc 1/177 MADISON AVENUE, SYDNEY NSW 1585 TEL: (02) 9550 2006 WWW.DESIGNINC.COM.AU</p>		<p>PROJECT MIXED-USE DEVELOPMENT 113-117 PARARAMITTA ROAD, CAMPBERRON SOA'S ACCESS - UNITS 304 & 305</p>		<p>NO. 2017</p> <p>ISSUE NO. 01/2017</p> <p>PROJECT NO. S116044</p> <p>DRAWING NO. DA1105</p>	
<p>PKC PTY LTD 31 BUNNINGS ROAD, PARSONS HEIGHTS NSW 2211 TEL: (02) 9550 2006 WWW.PKC.COM.AU</p>		<p>CLIENT 113-117 PARARAMITTA ROAD, CAMPBERRON SOA'S ACCESS - UNITS 304 & 305</p>		<p>DATE 21 JUNE 2017</p> <p>SCALE AS SHOWN</p>	
<p>DATE 21 JUNE 2017</p> <p>SCALE AS SHOWN</p>		<p>DATE 21 JUNE 2017</p> <p>SCALE AS SHOWN</p>		<p>DATE 21 JUNE 2017</p> <p>SCALE AS SHOWN</p>	

