



DEVELOPMENT ASSESSMENT PANEL REPORT

Application No.	DA/2024/0382
Address	10 England Avenue MARRICKVILLE
Proposal	Demolition of existing structures, Torrens title subdivision of the existing lot into 4 allotments and construction of a 2 storey semi-detached dwelling on each lot including construction of in-ground swimming pools and tree removal
Date of Lodgement	17 May 2024
Applicant	Planzone Pty Ltd
Owner	Hugo Trinh, My L Trinh, My S Trinh, My Y Trinh
Number of Submissions	Initial: 86
Cost of works	\$4,093,395.00
Reason for determination at Planning Panel	Number of submissions
Main Issues	<ul style="list-style-type: none"> • Submissions • Public interest • Suitability of site • Neighbouring amenity impacts (visual bulk, visual privacy, solar access) • On-site amenity (private open space, visual bulk, visual privacy, solar access) • Streetscape impacts (bulk and scale, siting, envelope, massing) • Tree impacts and management • Subdivision • On-site parking • Waste management • Community safety
Recommendation	Refusal
Attachment A	Reasons for refusal
Attachment B	Plans of proposed development – and information
Attachment C	Recommended conditions of consent if approved by the IWLPP

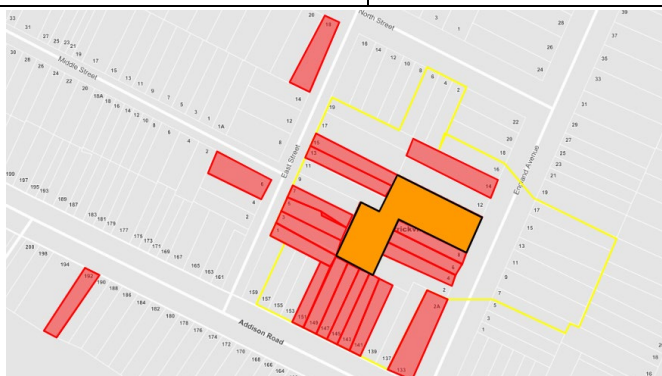


Figure 4: Location map



Figure 5: Subject site

Subject Site		Objectors		↑ N
Notified Area		Supporters		

Note: Due to scale of map, not all objectors could be shown.

1. Executive Summary

This report is an assessment of the application submitted to Council for the demolition of existing structures, Torrens title subdivision of the existing lot into 4 allotments and construction of a 2 storey semi-detached dwelling on each lot including construction of in-ground swimming pools and tree removal at 10 England Avenue Marrickville.

The application was notified to surrounding properties and 87 submissions were received in response to the initial notification.

The main issues that have arisen from the application include:

- Floor Space Ratio variation
- Neighbouring amenity impacts
- Streetscape impacts
- Tree impacts
- Subdivision

2. Proposal

Consent is sought for demolition of all existing structures and tree removal to accommodate a battle-axe subdivision of the existing single lot into four (4) Torrens Title lots; access to the lots at the rear is proposed via access handle. Further, consent is sought to construct a two-storey semi-detached dwelling on every lot with on-site parking. A swimming pool at the rear is proposed to the two lots fronting England Avenue.

The ground floors of the semi-detached dwellings fronting England Avenue consist of:

- Living areas to the rear,
- Kitchen and dining areas in the centre,
- A laundry, bathroom, and a bedroom towards the front,
- Single car garage at the front,
- Open car space in front of the garage,
- Entry from the side,
- Covered and uncovered principal private open space at the rear with swimming pool,
- Secondary private open space between kitchen and living areas.

The first floors of the semi-detached dwellings fronting England Avenue consist of:

- Two (2) bedrooms and a bathroom towards the front,
- One (1) bedroom with en-suite and balcony, staircase and void in the centre,
- One (1) bedroom with en-suite, balcony and rooftop garden at the rear.

The ground floors of the semi-detached dwellings at the rear consist of:

- Living area to the "rear",
- Kitchen and dining areas, and laundry, in the centre,
- Lounge room, bathroom, single car garage, and entry to the "front",
- Covered and uncovered principal private open space at the rear.

The first floors of the semi-detached dwellings fronting England Avenue consist of:

- Two (2) bedrooms, a bathroom, and balcony towards the “front”,
- Lounge, staircase and void, one (1) bedroom with en-suite in the centre,
- One (1) bedroom with en-suite, balcony and rooftop garden at the rear.

3. Site Description

The subject site is located on the western side of England Avenue, between Addison Road and North Street. The site consists of one (1) allotment that is L – Shaped with a total area of 1,473sqm, and is legally described as Lot 1 in DP723452. The site has a frontage to England Avenue of 18.82 metres.

The site supports a single storey dwelling house and various single storey outbuildings. The surrounding properties are generally rectangular in shape and have a primary frontage to England Avenue, Addison Road, or East Street, and, predominantly, support single storey dwelling houses.



Figure 6: Zoning map (subject site highlighted in dark red)

4. Background

Site history

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

Subject Site

No relevant history

Surrounding properties

Application	Proposal	Date & Decision
DA/2020/0640	Alterations and additions to existing dwelling at 29 England Avenue.	09/11/2020 Approved
DA/2020/0789	Alteration and additions to existing dwelling. Landscaping and associated works at 4 England Avenue.	27/10/2020 Approved
DA/2021/1220	To demolish part of the premises and carry out ground and first floor alterations and additions to a dwelling house at 22 England Avenue.	05/10/2022 Approved
DA/2024/0514	Alterations and additions to an existing detached dwelling, including partial demolition of existing structures, construction of ground floor addition at 24 England Avenue.	19/09/2024 Approved
DA201300303	To demolish existing garage structure and construct a new two storey dwelling house and front fence at 43 England Avenue.	13/09/2013 Refused
DA201300422	to demolish part of the premises and carry out ground floor alterations and additions to a dwelling house and erect a single storey outbuilding containing a rumpus room and storage room at the rear of the site at 37 England Avenue.	26/11/2013 Approved
DA201800284	To demolish part of the premises and carry out ground floor alterations and additions to a dwelling house with associated landscaping at 14 England Avenue.	09/08/2018 Approved
DA201800408	To demolish an existing deck, remove a tree and construct a garden shed and pool shed at the rear of the site at 37 England Avenue.	04/01/2019 Approved
DA201700630	to demolish part of the premises and carry out ground floor alterations and additions to a dwelling house with associated landscaping at 16 England Avenue.	30/04/2018 Approved

Application history

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

Date	Discussion / Letter / Additional Information
1 August 2024	Meeting with the applicant and one of the owners to discuss issues with the development, particularly noting issues with the scale and bulk of the development, recommending a substantial reduction in GFA to lots C and D, and relatively minor reduction in GFA to lots A and B to reduce bulk and scale impacts.
6 August 2024	Council emailed the applicant high-level concerns about the proposed development for further discussion.
13 August 2024	Meeting with the applicant, one of the owners, and building designer to further discuss issues with the development.
12 September 2024	<p>Council issued a request for further information letter, recommending withdrawal of the application, given substantial non-compliances, which are discussed below, particularly with regard to streetscape and neighbouring amenity impacts.</p> <p><i>Note: One of the owners advised Council that they would not provide amended plans or additional information and that they intend to lodge a Class 1 appeal with the Land and Environment Court. At the time of writing this report, this had not occurred.</i></p>

5. Assessment

The following is a summary of the assessment of the application in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979 (EPA Act 1979)*.

A. Environmental Planning Instruments

The application has been assessed and the following provides a summary of the relevant Environmental Planning Instruments.

State Environmental Planning Policies (SEPPs)

SEPP (Resilience and Hazards) 2021

Chapter 4 Remediation of land

Section 4.6(1) of the *Resilience and Hazards SEPP* requires the consent authority not consent to the carrying out of any development on land unless:

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

In considering the above, there is no evidence of contamination on the site.

There is also no indication of uses listed in Table 1 of the contaminated land planning guidelines within Council's records. The land will be suitable for the proposed use as there is no indication of contamination.

A search of Council's records in relation to the site has not indicated that the site is one that is specified in Section 4.6(4)(c).

The application involves does not involve category 1 remediation under the SEPP.

SEPP (Sustainable Buildings) 2022

The applicant has included BASIX Certificates for each lot as part of the lodgment of the application (lodged within 3 months of the date of the lodgment of this application) in compliance with the *EP & A Regulation 2021*.

SEPP (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in non-rural areas

The *Biodiversity and Conservation SEPP* requires consideration for the protection and/or removal of vegetation and gives effect to the local tree preservation provisions of Part 2.20 of the MDCP 2011.

The application seeks the removal of 21 trees from within the site and the removal of one (1) tree within the public domain to accommodate a new driveway. The applicant submitted an Arborist Report addressing the proposed tree removal and impacts on surrounding trees.

Council's Urban Forest Advisor/Arborist has reviewed the proposal and raised no objections to the removal of trees from within the site, subject to suitable replacement planting. However, concerns and objections are raised about the proposed removal of the street tree, and about impacts to a second street tree in the public domain. In this regard, the following advice has been provided:

- *Trees 28 and 29 have been identified as Water Gums (Tristaniopsis laurina) located outside the site on Council land. The trees have been noted in good healthy condition and provide a positive contribution to the amenity and canopy cover of the immediate area. The trees are considered to be important community assets that should be protected against development impacts.*
- *The applicants AIA Report have rated the trees as having Medium to High Landscape Significance and Retention Value. Trees of such ratings are considered worthy of design modifications to ensure their retention and protection.*
- *The current design will require removal of the trees as tree 28 is within the footprint of a new driveway for Lot B and tree 29 will be adversely impacted by a new driveway for Lot A.*
- *The proposed removal of important community trees to allow for new driveways to be installed is not supported by the Urban Forest team.*

The proposed development is inconsistent with Sections 2.1(a) and 2.1(b) of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021* as the development does not protect the biodiversity values of existing trees and the development does not preserve the amenity of the area through the preservation of trees.

The proposed removal of two street trees (required to accommodate the proposed development) does not comply with the Tree Management Controls outlined within Part 2.20 of the MDCP 2011, which is discussed in detail elsewhere in this report.

Overall, the proposal is not considered acceptable with regard to the *Biodiversity and Conservation SEPP* and Part 2.20 of the MDCP 2011. As such, the development does not satisfy Sections 4.15(1)(a)(i) and 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)* as it does not comply with the provisions of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021* and Marrickville Development Control Plan 2011, and the application is recommended for refusal.

Inner West Local Environmental Plan 2022

The application was assessed against the following relevant sections of the *Inner West Local Environmental Plan 2022 (IWLEP 2022)*.

Part 1 – Preliminary

Section	Proposed	Compliance
Section 1.2 Aims of Plan	For reasons outlined in this report, the proposal does not satisfy this section as follows: <ul style="list-style-type: none"> • The proposed development is not consistent with ecologically sustainable development principles, • The development does not enhance the amenity for Inner West residents, • The proposal does not create a high quality urban place, 	No

Section	Proposed	Compliance
	<ul style="list-style-type: none"> The proposal results in adverse impacts on the local character of Inner West. 	

Part 2 – Permitted or prohibited development

Section	Proposed	Compliance
Section 2.3 Zone objectives and Land Use Table	<ul style="list-style-type: none"> The application proposes semi-detached dwellings which are permissible with consent in the R2 zone. However, for reasons discussed elsewhere in this report, the proposal is inconsistent with the objectives of the zone as the development does not maintain the character of the surrounding area. 	No
Section 2.6 Subdivision – consent requirements	<ul style="list-style-type: none"> The application seeks development consent for the subdivision of the existing lot into four (4) Torrens title lots, which is permissible with consent. 	Yes
Section 2.7 Demolition requires development consent	<p>The proposal satisfies the section as follows:</p> <ul style="list-style-type: none"> Demolition works are proposed, which are permissible with consent; and Standard conditions could be readily imposed to manage impacts which may arise during demolition. 	Yes

Part 4 – Principal development standards

Control	Proposed	Compliance	
Section 4.1 Minimum subdivision lot size	<ul style="list-style-type: none"> While a minimum lot size is not prescribed, the objectives of this section still apply and the development, for reasons discussed in detail elsewhere in this report, the development is considered to be inconsistent with the applicable objectives as follows: <ul style="list-style-type: none"> (b) to ensure lot sizes do not result in adverse amenity impacts, (c) to ensure lot sizes deliver high quality architectural, urban and landscape design, (d) to provide a pattern of subdivision that is consistent with the desired future character 	No	
Section 4.3 Height of building	Maximum	9.5m	
	Proposed	7.1m	
Section 4.4 Floor space ratio	Maximum	0.6:1	
	Proposed	Lot A - 0.6:1	Yes
		Lot B - 0.6:1	Yes
		Lot C - 0.6:1	Yes
Lot D - 0.6:1		Yes	
Section 4.5	The site area and floor space ratio for the proposal has been calculated in accordance with the section.	Yes	

Control	Proposed	Compliance
Calculation of floor space ratio and site area		

Part 6 – Additional local provisions

Section	Proposed	Compliance
Section 6.1 Acid sulfate soils	<ul style="list-style-type: none"> The site is identified as containing Class 5 acid sulfate soils. The proposal is considered to adequately satisfy this section as the application does not propose any works that would result in any significant adverse impacts to the watertable. 	Yes
Section 6.2 Earthworks	<ul style="list-style-type: none"> The proposed earthworks are unlikely to have a detrimental impact on environmental functions and processes, existing drainage patterns, or soil stability. 	Yes
Section 6.3 Stormwater Management	<ul style="list-style-type: none"> The development maximises the use of permeable surfaces, includes on site retention as an alternative supply and could be readily conditioned to avoid any significant runoff to adjoining properties or the environment. 	Yes
Section 6.8 Development in areas subject to aircraft noise	<ul style="list-style-type: none"> The site is located within two ANEF contours (i.e., 25-30 and 30-35). An Acoustic Report was submitted with the application that concludes that the development can achieve required internal sound levels. Conditions could be readily imposed to ensure compliance. 	Yes

B. Development Control Plans

Marrickville Development Control Plan 2011

Summary

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

MDCP 2011	Compliance
Part 2.1 – Urban Design	No – see discussion
Part 2.3 – Site and Context Analysis	Yes
Part 2.6 – Acoustic and Visual Privacy	No – see discussion
Part 2.7 – Solar Access and Overshadowing	No – see discussion
Part 2.9 – Community Safety	No – see discussion
Part 2.10 – Parking	Yes – see discussion
Part 2.18 – Landscaping and Open Space	No – see discussion
Part 2.20 – Tree Management	No – see discussion
Part 2.21 – Site Facilities and Waste Management	No – see discussion
Part 2.25 – Stormwater Management	Yes
Part 3 – Subdivision	No – see discussion
Part 4.1 – Low Density Residential Development	No – see discussion
Part 9 – Strategic Context	No – see discussion

The following provides discussion of the relevant issues:

Part 2 – Generic Provisions

Control	Assessment	Compliance
Part 2.1 Urban Design	<ul style="list-style-type: none"> • Part 2.1 of the MDCP 2011 states the following: <ul style="list-style-type: none"> O1 <i>To achieve high quality urban design.</i> C1 <i>All development applications involving substantial external changes that are visible from or effect public space or have significant land use implications must be consistent with the relevant aspects of the 12 urban design principles that make good public environments, which are to be addressed within the Statement of Environmental Effects (SEE).</i> • The design of the proposed dwellings is inconsistent with the prevailing pattern of development and the existing streetscape character. • The proposal is inconsistent with Principle 9 (Sense of place and character in streetscapes and townscapes) of the urban design principles as it is inconsistent with the characteristics that form the streetscape and the infill design guidelines contained in Part 2.1 of the MDCP 2011. • The proposal is inconsistent with Part 2.1.2 of the MDCP 2011 as: <ul style="list-style-type: none"> i. The proposed subdivision is inconsistent with the prevailing cadastral pattern of the streetscape; ii. The proposed building height to width proportion is inconsistent with the character of the streetscape; iii. Removal of street tree/s within the public domain is proposed; iv. The proposed car parking arrangements at the front are inconsistent with the streetscape character; 	No

Control	Assessment	Compliance
	<ul style="list-style-type: none"> v. The proposed two-storey scale of the development is inconsistent with the predominantly single storey streetscape; vi. The character, scale, massing and form of existing buildings have not been considered in the design of the proposed buildings, which are not sympathetic to the streetscape; and vii. The proposed building setbacks are not consistent with the character of the streetscape. 	
<p>Part 2.6 Acoustic and Visual Privacy</p>	<ul style="list-style-type: none"> • The principal living area and area of Private Open Space (POS) is designed and located to offer reasonable amenity to occupants. • Most ground floor windows would be adequately screened by boundary fencing. While there would be direct sightlines into the lounge room to Lot C, which is located at the “front”, from occupants and persons visiting lot D, the lounge room is a secondary living space and provides some form of passive surveillance. • First floor windows to side elevations at lots A and B are not considered to result in undue visible privacy impacts, noting that these are to the hallway that serves low traffic rooms. • First floor balconies to the front and to bedroom 2 of lots A and B are not considered to result in adverse privacy impacts as there would be no direct sightlines into neighbouring properties. • The first floor windows servicing the bedrooms to the side elevations to lots C and D provide reasonable privacy as they serve low traffic rooms and have a sill height of 1.6m. • The pools are located in the rear yard, away from bedroom areas of the adjoining dwellings and conditions could be readily imposed to ensure that the noise levels associated with pool pumping units would not result in adverse noise impacts for surrounding properties. • Air-conditioner units have not been depicted on the plans and, as such, are not proposed as part of this application. However, it is noted that standard conditions could be readily imposed to ensure that there would be no adverse acoustic privacy impacts from any mechanical equipment. • However: <ul style="list-style-type: none"> ○ The first floor balconies and roof gardens to the rear at lots A and B, and all first floor balconies to lots C and D, and all roof gardens/planters (except the planter to the front elevation of lots A and B) would result in undue visual privacy impacts to adjoining and surrounding sites as they provide direct sightlines into neighbouring areas of private open space and living areas. Particularly, the balconies and roof gardens to lots C and D which are in close proximity of site boundaries shared with neighbouring sites’ private open space where, in a 	<p>No</p>

Control	Assessment	Compliance
	<p>R2 (low density residential) zone, one would not expect such privacy implications.</p> <ul style="list-style-type: none"> ○ Lots C and D include large first floor windows to the “rear” (south) and “front” (north) elevation, in close proximity to boundaries shared with neighbouring sites, which enable direct overlooking into neighbouring areas of private open space and windows. ● Given the above, the development does not comply with control C3, and the development is not considered to be consistent with the relevant objectives of this part as follows: <ul style="list-style-type: none"> O1 As the development does not provide adequate visual privacy for residents and users of surrounding buildings. O2 As the development has not been sited and designed to ensure adequate visual privacy for occupants is provided. 	
<p>Part 2.7 Solar Access and Overshadowing</p>	<p><u>Overshadowing (surrounding sites)</u></p> <ul style="list-style-type: none"> ● While shadow diagrams have been submitted, these are not in accordance with control C1 and inadequate to assess the proposal’s compliance with overshadowing controls concerned with solar access of surrounding sites. As such, it has not been demonstrated that the proposal complies with control C2, which outlines that windows of principal living areas and the areas of private open space of surrounding properties should receive a minimum of two hours of solar access between 9.00am and 3.00pm on 21 June. ● As such, it has not been demonstrated that the development is consistent with the relevant objectives of this part as it has not been demonstrated that adequate solar access enjoyed by neighbours is provided. <p><u>Solar Access (proposed lots)</u></p> <ul style="list-style-type: none"> ● The submitted shadow diagrams indicate that the private open space areas of the proposed lots C and D do not receive a minimum of two hours of direct sunlight over 50% of its finished surface between 9.00am and 3.00pm on 21 June as prescribed by control C8. <p>Overall, the shadow diagrams are inadequate, and it has not been demonstrated that the design of the proposed subdivision and dwellings adequately protects solar access enjoyed by neighbours and it has not been demonstrated that the use of passive solar design has been incorporated in the design of the proposed dwellings.</p>	<p>No</p>
<p>Part 2.9 Community Safety</p>	<ul style="list-style-type: none"> ● The proposal does not satisfy the relevant provisions of Part 2.9 as the dwelling entries are not readily identifiable and visible from the street as prescribed by control C2 and C4. ● Given the location of the entries to lots A and B, and the setback from the street of the dwellings to lots C and D, the 	<p>No</p>

Control	Assessment	Compliance																														
	<p>development fails to be consistent with the relevant objectives of this part as follows:</p> <ul style="list-style-type: none"> O1 As the development does not contribute to the safety of the public domain through the creation of a physical environment that encourages a feeling of safety. O5 As the main building entries are not clearly visible from the street frontage or other vantage point offering natural surveillance to enhance the safety and security of building users. 																															
<p>Part 2.10 Parking</p>	<ul style="list-style-type: none"> • At least one (1) car parking space is proposed for each dwelling as prescribed by control C1. • However, as outlined elsewhere in this report, to provide car parking to lots A and B, the removal of, at least, one (1) street tree is required, and the development has the potential to adversely impact a second street tree, which is not considered appropriate nor compliant with tree management controls (as discussed in detail elsewhere in this report). • As such, the development fails to (as it cannot) provide the required quantum of off-street parking and the development is inconsistent with the relevant objective (O4) of this part as the off-street parking is not compatible with the particular development proposed. 	<p>No</p>																														
<p>Part 2.11 Fences</p>	<p>The proposed development satisfies the relevant provisions of this Part as follows:</p> <ul style="list-style-type: none"> • The proposed front fence does not exceed 1.2m in height and is consistent with the design and style of nearby fences. • The proposed side and rear boundary fencing measures 1.8m in height. 	<p>Yes</p>																														
<p>Part 2.18 Landscaping and Open Spaces</p> <p><i>Private Open Space (POS)</i> <i>Min: 20% of site area</i></p> <p><i>Pervious Landscaping</i> <i>Min: 50% of POS</i></p>	<ul style="list-style-type: none"> • The following areas of private and pervious open space are prescribed: <table border="1" data-bbox="480 1305 1126 1496"> <thead> <tr> <th>Lot No.</th> <th>Area of POS (in m²)</th> <th>Pervious area of POS (in m²)</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>74.3</td> <td>37.15</td> </tr> <tr> <td>B</td> <td>75</td> <td>37.5</td> </tr> <tr> <td>C</td> <td>72.4</td> <td>36.2</td> </tr> <tr> <td>D</td> <td>72.8</td> <td>36.4</td> </tr> </tbody> </table> • The following areas of private and pervious open space are proposed: <table border="1" data-bbox="480 1570 1126 1760"> <thead> <tr> <th>Lot No.</th> <th>Area of POS (in m²)</th> <th>Pervious area of POS (in m²)</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>106.1</td> <td>45.5</td> </tr> <tr> <td>B</td> <td>110.8</td> <td>49.3</td> </tr> <tr> <td>C</td> <td>52.6</td> <td>33.4</td> </tr> <tr> <td>D</td> <td>50.1</td> <td>31.6</td> </tr> </tbody> </table> • The proposed lots C and D fail to provide the required quantum of private and pervious open space. • The proposed lots A and B fail to provide the required quantum of pervious open space. • The development is not considered to be consistent with the relevant objectives of this part as follows: <ul style="list-style-type: none"> O1 As the proposed landscaping to lots C and D does not complement the character of the dwellings and 	Lot No.	Area of POS (in m ²)	Pervious area of POS (in m ²)	A	74.3	37.15	B	75	37.5	C	72.4	36.2	D	72.8	36.4	Lot No.	Area of POS (in m ²)	Pervious area of POS (in m ²)	A	106.1	45.5	B	110.8	49.3	C	52.6	33.4	D	50.1	31.6	<p>No</p>
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Control	Assessment	Compliance
	<p>character of the area, noting that adjoining properties, generally, provide private and pervious open space, and trees, where the dwellings are proposed.</p> <p>O2 The development does not retain established planting found on the site.</p> <p>O3 The provided outdoor recreation space to lots C and D is considered inadequate considering the size of the lots and scale of the dwellings.</p> <p>O4 Hard paved areas have not been minimised.</p> <p>O5 The development is of a bulk and scale that is unsympathetic with other development in the streetscape and the bulk and scale of the buildings results in adverse visual bulk impacts to the areas of private open space of lots C and D. Further, the areas of private open space of lots C and D do not receive adequate solar access.</p> <p>O7 The areas of private open space of lots C and D do not receive adequate solar access.</p> <p>O8 The development does not blend into the streetscape, noting that all four (4) proposed dwellings are of a bulk and scale that is uncharacteristic of the streetscape.</p> <p>As such, the application is recommended for refusal.</p>	
Part 2.20 Tree Management	<p>The proposed development does not satisfy satisfies the relevant provisions of this Part as follows:</p> <ul style="list-style-type: none"> • As discussed above, the removal of trees from within the site is, in principle, supported by Council’s Arborist, subject to adequate replacement planting. • In accordance with control C12, given that each proposed lot has an area of more than 300sqm, a minimum of two (2) canopy trees must be planted within each new lot. While this could be readily conditioned for lots A and B, the other two lots (Lots C and D) do not provide sufficient above and below ground area for the planting the required trees. • The removal of a street tree, to accommodate the proposed development is not considered supportable as it is inconsistent with control C12. Further, a second street tree would be adversely impacted by the construction of a new driveway is inconsistent with control C13. • The development is not considered to be consistent with the relevant objectives of this part as follows: <ul style="list-style-type: none"> O3 As the development does not protect trees that are adjacent to the site. O4 As trees that make a positive contribution to the quality, character and amenity of the area are removed. O5 As the development does not maintain or enhance the amenity of the Inner West through the preservation of appropriate trees and vegetation. O6 As the development does not provide adequate above and below ground space and deep soil areas to accommodate canopy trees that help to 	No

Control	Assessment	Compliance
	<p>achieve Council’s tree canopy target, which has been derived from the “Premiers Priorities 2017- Greening our city and Greening public places, Greater Sydney Commission - District Plans and Greener Places - Urban Tree Canopy Guide”.</p> <p>As such, the application is recommended for refusal.</p>	
<p>Part 2.21 Site Facilities and Waste Management</p>	<p>The proposed development does not satisfy the relevant provisions of this Part as follows:</p> <ul style="list-style-type: none"> • The submitted Waste Management Plan is for a different application (i.e., it refers to a 'manager of the centre' and private waste collection). As such, a waste management plan in accordance with C1 has not been submitted. • Lots C and D share a panhandle driveway. Bins need to be presented on the frontage of lots A and B. The transfer route, and the presentation point of bins, as well as bin storage areas, have not been adequately depicted on the plans. As such, the development does not comply with controls C4, C5, and C12. • The submitted plans do not depict street numbers for the development, while this could be readily conditioned for lots A and B, it is unclear how street numbering for lots C and D would be displayed to allow persons to identify the location and access to these lots. As such, it has not been demonstrated that the proposal can comply with control C58. • The development is not considered to be consistent with the relevant objectives of this part as follows: <ul style="list-style-type: none"> O1 As it has not been demonstrated that adequate provision can be made for required site facilities. O2 As it has not been demonstrated that site facilities can be adequately accessible and easy to maintain. O3 As it has not been demonstrated that site facilities can be sensitively integrated into the development. O4 As it has not been demonstrated that the design of waste and recycling storage/collection systems/points are adequate, hygienic, accessible, and safe to operate. O5 As it is unclear whether waste reduction, waste separation and resource recovery in the demolition, design, construction and operation of the site is adequate. O8 As it has not been demonstrated stormwater and windblown pollution can be adequately reduced. 	<p>No</p>
<p>Part 2.25 Stormwater Management</p>	<p>Standard conditions could be readily imposed to ensure the appropriate management of stormwater.</p>	<p>Yes</p>

Part 3 – Subdivision, Amalgamation and Movement Networks

Control	Assessment	Compliance
Part 3.2.2 Residential Torrens title subdivision and amalgamation controls	<p>The proposed development satisfies the relevant provisions of this Part as follows:</p> <ul style="list-style-type: none"> • The subdivision is not consistent with, and does not retain, the prevailing cadastral pattern of the lots fronting the same street; • The proposed dwellings are of a scale and design that is not commensurate with other development in the streetscape; • The development does not comply with (or compliance has not been demonstrated) with solar access, open space, parking and amenity provisions within the MDCP 2011; • The subdivision does not maintain suitable amenity to neighbouring properties and the proposed lots and dwellings do not provide suitable amenity for future occupants. 	No, see discussion below

Part 3.1.1.2 of MDCP 2011 does not contain minimum lot width or area requirements for subdivisions, but rather relies on performance based controls that aim to ensure that new lots facilitate development that is compatible with the immediate area.

The application proposes to subdivide the existing single lot into four (4) lots. The streetscape and immediate locality is generally characterised by a single storey dwellings on a mix of narrow and wide lots that are generally rectangular in shape.

The proposed subdivision arrangement does not comply with the Residential Torrens Title Subdivisions and Amalgamation Controls outlined within Part 3.2.2 of the MDCP 2011. The applicable objectives and controls are outlined below:

- O3** *To retain the prevailing cadastral character of the street.*
 - O5** *To ensure that the subdivision or amalgamation of sites reflects and reinforces the predominant subdivision pattern of the street*
 - C5** *The proposed subdivision or amalgamation must have characteristics similar to the prevailing cadastral pattern of the lots fronting the same street, in terms of area, dimensions, shape and orientation. For the purpose of this control, Council generally considers the ‘prevailing cadastral pattern’ to be the typical characteristics of up to ten allotments on either side of the subject site and corresponding number of allotments directly opposite the subject site, if applicable.*
- NB** *Properties located in the surrounding streets do not form part of the streetscape context, and are therefore not taken into account to determine the prevailing subdivision pattern.*

While the proposed lots A and B are generally consistent with the prevailing character in the streetscape, the proposed lots C and D fail to retain the prevailing cadastral pattern in England Street because of their location, shape (i.e., access handle to the rear), and orientation.

As such, and for reasons outlined throughout this report, the proposed development is

inconsistent with the controls and objectives within Part 3 of the MDCP 2011 as it fails to retain the prevailing cadastral pattern of the streetscape. The development does not provide adequate areas of private and pervious open space, and solar access to private open space, particularly to lots C and D. Further, the development cannot provide adequate off-street car parking without the removal of street trees and the development results in adverse impacts to the streetscape and neighbouring amenity.

Therefore, the proposed subdivision does not have characteristics similar to the prevailing cadastral pattern of the lots fronting the same street, as required by Control C5 and the proposal fails to reflect, and reinforce, the predominant subdivision pattern of the street, as required by Objective O5 within Part 3.2.2 of the MDCP 2011. Further, the proposal does not retain the prevailing cadastral character of England Avenue as required by Objective O3 within Part 3.2.2 of the MDCP 2011.

In addition, the proposed subdivision does not comply with Control C1 within Part 3.2.1 the MDCP 2011, which states the following:

C1 *Subdivision or site amalgamation must not compromise the significant features of the existing site or adjoining sites, including streetscape, landscape features, trees, fences and rocky outcrops.*

Removal of existing street tree/s is required/proposed to accommodate vehicular access.

For reasons outlined in other sections of this report, the proposed subdivision does not comply with Control C6 within Part 3.2.2 of the MDCP 2011, which states the following:

C6 *Proposed lots must be of a size, and have dimensions to enable, the siting and construction of a dwelling and ancillary buildings that:*

- i. Protect any natural or cultural features, including heritage items and their curtilage;*
- ii. Acknowledge site constraints such as terrain or soil erosion; Address the street;*
- iii. Minimise impact on neighbours' amenity including access to sunlight, daylight, privacy and views;*
- iv. Provide usable outdoor open space;*
- v. Provide activities for relaxation, recreation, outdoor dining and children's play areas; and*
- vi. Provide convenient pedestrian, bicycle and motor vehicle access and parking.*

The proposed subdivision creates uncharacteristic lots that result in residential development that:

- i. is inconsistent with the existing character of the area;*
- ii. results in adverse impacts on the amenity of surrounding development;*
- iii. results in the removal of street tree/s; and*
- iv. inadequate areas of private and/or pervious open space are provided.*

As such, the proposal does not achieve the aims and objectives of Part 3 of MDCP 2011 and is recommended for refusal.

Part 4 – Low Density Residential Development

Control	Assessment	Compliance
Part 4.1.4 Good Urban Design Practice	<p>The proposed development fails to satisfy the relevant provisions of this Part as follows:</p> <ul style="list-style-type: none"> • The height, bulk and scale of the development does not complement existing developments in the street and the architectural style of the proposal is not in keeping with the character of the area. 	No
Part 4.1.5 Streetscape and Design	<p>The proposed development does not satisfy the following relevant provisions of this Part:</p> <p>O8 <i>To ensure development in streetscapes with a visual cohesiveness and an identifiable uniformity in bulk, scale and height complements that uniformity.</i></p> <p>O9 <i>To encourage contemporary design for new dwellings and infill development that complements or embellishes the character of an area.</i></p> <p>C2 <i>Facade design must enhance the existing built character by interpreting and translating any positive characteristics found in the surrounding locality into design solutions, with particular reference to:</i></p> <ul style="list-style-type: none"> ▪ <i>The massing, which includes overall bulk and arrangement, modulation and articulation of building parts;</i> ▪ <i>Roof shape, pitch and overhangs;</i> ▪ <i>Verandah, balconies and porches; and</i> ▪ <i>Window shape, textures, patterns, colours and decorative detailing.</i> <p>C3 <i>The facade of new development must be divided into bays or units of dimensions appropriate to the scale of the building proposed and that of adjoining development.</i></p> <ul style="list-style-type: none"> • The streetscape is largely characterised by single storey detached dwellings. • The proposed development consists of the construction of four (4) x two-storey dwellings on lots that are inconsistent to the prevailing cadastral pattern of the streetscape, resulting in dwellings that result in adverse visual bulk, scale and character impacts to the streetscape. • The proposed bulk and scale of the development, roof form, windows dimensions, verandahs, balconies and porches, materials, colours and finishes and the overall façade design of the dwellings is inconsistent with the prevailing pattern of development and streetscape character along England Street. • The proposed development, therefore, does not comply with Part 4.1.5 of the MDCP 2011, and will result in adverse impacts on the streetscape character and amenity of the streetscape. 	No

Control	Assessment	Compliance
<p>Part 4.1.6 Built form and character</p> <p><u>Front setback</u></p> <ul style="list-style-type: none"> • Consistent with adjoining developments <p><u>Side setbacks</u></p> <ul style="list-style-type: none"> • One storey – 900mm • Two storeys – 1.5m <p><u>Rear setback</u></p> <ul style="list-style-type: none"> • On merit <p><u>Site coverage</u></p> <ul style="list-style-type: none"> • 55% 	<p><u>Lots A and B</u></p> <ul style="list-style-type: none"> • The ground floor front setbacks are consistent with the front setbacks of other development in the streetscape. • Given that other development in the streetscape, generally, consists of single storey dwellings, there is no reference point/setback in the streetscape for a first floor front setback. • The southern side setbacks of lot A comply (>1.5m). • The nil side setback between lots A and B is considered acceptable as semi-detached dwellings are permissible in the R2 zone and nil side setbacks are not inconsistent with other development in the streetscape. • The northern ground floor side setback at lot B is between 910mm and 1710mm. The first floor is set back between 440mm and 1780mm (when including the edge of the rooftop garden and planter). As such, this part of the proposal does not comply with control C10. • The rear setbacks, particularly the first floor rear setbacks, are not considered appropriate, which is discussed in detail below. • A site coverage of 56% (lot B) and 58% (lot A) is proposed, which does not comply with control C13. <p><u>Lots C and D</u></p> <ul style="list-style-type: none"> • Given the siting, location, and orientation of the proposed lots C and D, it is considered that the numerical controls of this part, with regard to setbacks, cannot be applied and, hence, these lots are assessed on merit against the objectives of this part. For ease of reference, the side of these dwellings are referred to as follows: <ul style="list-style-type: none"> ○ North = front setback ○ South = rear setback ○ West and east = side setbacks • The site coverage of lots C and D is 50% and, hence, this part of the proposal complies. <p><u>Discussion of non-compliances</u></p> <ul style="list-style-type: none"> • Relevant objectives to consider are as follows: <ul style="list-style-type: none"> O10 <i>To ensure development is of a scale and form that enhances the character and quality of streetscapes.</i> O12 <i>To ensure development allows adequate provision to be made on site for infiltration of stormwater and deep soil tree planting, landscaping and areas of private open space for outdoor recreation.</i> O13 <i>To ensure adequate separation between buildings for visual and acoustic privacy, solar access and air circulation.</i> O14 <i>To integrate new development with the established setback character of the street and maintain established gardens,</i> 	<p>No</p>

Control	Assessment	Compliance
	<p>O15 <i>To ensure that new development and alterations and additions to existing dwellings result in site coverage that is consistent with the existing character of neighbouring dwellings.</i></p> <p>O16 <i>To ensure that new development and alterations and additions to existing dwellings result in site coverage which allows adequate provision for uses such as outdoor recreation, footpaths, deep soil tree planting, other landscaping, off-street car parking (where appropriate), waste management, clothes drying and stormwater management.</i></p> <ul style="list-style-type: none"> • The development has an adverse impact on the streetscape, given its bulk, scale and massing is inconsistent with the character of the streetscape, and given the proposed removal of street tree/s within the public domain. • Given the orientation and siting of lots C and D, the proposed building setbacks cannot be consistent with other development in the streetscape and, overall, the proposed development results in adverse amenity impacts on neighbouring properties and the streetscape. • The proposed lots are not consistent with the prevailing cadastral pattern of the streetscape and the proposal does not comply with private open space requirements of the MDCP 2011. • The proposed rear setbacks of the dwellings on lots A and B result in adverse amenity impacts to neighbouring sites, including visual bulk and visual privacy. In addition, it has not been demonstrated that the proposal complies with solar access and overshadowing controls. • The proposed setbacks of the dwellings on lots C and D result in adverse amenity impacts to neighbouring sites, including visual bulk and visual privacy. In addition, it has not been demonstrated that the proposal complies with solar access and overshadowing controls. • The proposed dwellings result in significant visual bulk and visual privacy impacts to 18 adjoining properties. Particularly, it is noted that: <ul style="list-style-type: none"> ○ The rear setbacks of lots A and B are significantly less than those of adjoining sites. ○ The dwellings on lots C and D are highly visible from areas of private open space and living areas of adjoining sites due to the uncharacteristic location and siting of the “rear portion of the subject site. • The bulk and massing of the proposed dwellings result in adverse impacts to the streetscape, noting that the streetscape character is generally of single storey scale. • The proposed building siting does not appropriately integrate with existing development in the street and the scale and siting of the buildings do not ensure adequate separation between buildings for solar access. • The private open space of the dwellings on lots C and D do not receive adequate solar access. 	

Control	Assessment	Compliance
	As such, the application is recommended for refusal.	
Part 4.1.7 Car Parking	<p>The proposed development does not satisfy the relevant provisions of this Part as follows:</p> <ul style="list-style-type: none"> • The off-street car parking spaces and crossovers proposed on England Avenue will result in a loss of existing street tree/s along the frontage of the site, which is inconsistent with controls C26, C28 and C30. • The proposed garages and hardstand spaces to lots A and B are not set behind the front building alignment of the ground floor and the garages are a dominant feature on the site, and detract from the appearance of the proposed dwellings, which is inconsistent with controls C14 and C15. • The development is not considered to be consistent with the relevant objectives of this part as follows: <ul style="list-style-type: none"> O17 As the development does not maintain kerbside parking and streetscape character. O18 As the car parking design to lots A and B do not respect and enhance the character of the street. O19 As the car parking structures do not complement and compete with the architectural character of the buildings at lots A and B and the garages to these lots are a dominant element on the site and in the streetscape. O20 As the parking spaces to lots A and B are not at the rear, which, given the proposed access handle to lots C and D could be achieved for, at least, lot A. 	No

Part 9 – Strategic Context

Control	Assessment	Compliance
Part 9.9 Newington Precinct (Precinct 9)	<p>The development is inconsistent with the desired future character of the area, noting:</p> <ul style="list-style-type: none"> • The subdivision layout is inconsistent with the prevailing subdivision pattern of the streetscape and requires the removal of existing street tree/s to accommodate vehicular access. • The development does not maintain the distinctly single storey streetscape along England Avenue. • The proposed location of off-street car parking to lots A and B adversely impacts the amenity of the precinct. 	No

C. The Likely Impacts

These matters have been considered as part of the assessment of the development application. It is considered that the proposed development will have significant adverse environmental, social or economic impacts upon the locality.

D. The Suitability of the Site for the Development

For reasons discussed throughout this report, the proposed development is not considered to be suitable for the site.

E. Submissions

The application was notified in accordance with Council’s Community Engagement Strategy between 23 May 2024 to 6 June 2024. A total of 87 submissions were received in response. It is noted multiple submissions have been lodged by the same persons/properties and that the number of “unique” submissions is less than 87. The following issues raised in the objections have been addressed in other sections of this report:

- Solar access and overshadowing
- Stormwater management
- Visual privacy
- Acoustic privacy
- Streetscape character
- Private open space
- Site coverage
- Boundary setbacks
- Parking
- Biodiversity, landscaping, and tree management
- Aircraft Noise
- Suitability of the site
- Inadequate information/plans
- Impacts to Sydney Water assets

Further issues raised in the objections received are discussed below:

Concern	Comment
Light pollution	<p>The dwellings to lots A and B are for a low density residential use and the siting of the buildings is considered to not result in unexpected light spill from low density residential development.</p> <p>Given the large glazing to the buildings at lots C and D, the proximity to neighbouring open space, and issues with regard to building siting outlined elsewhere in this report however, it is considered that the development has the potential to result in unreasonable light spill to neighbouring sites.</p>
Asbestos removal	<p>Standard conditions could be readily imposed, and existing regulations and policies generally guide practice with removal of Asbestos.</p> <p>However, as outlined elsewhere in this report, a waste management plan has not been submitted and it is unclear whether</p>

Concern	Comment
	waste management would be undertaken as required and it is unknown whether Asbestos is present at the subject site.
Proposed dwellings are not affordable housing	While not considered affordable housing, the development would increase housing supply in the Inner West, the development is permissible with consent, and Council has no power to require semi-detached housing to be affordable housing.
Pest/vermin control during construction	Council has no specific development controls for managing an influx of vermin during demolition and construction works. However, as outlined elsewhere in this report, an adequate waste management plan, which can assist with this matter, has not been submitted and the application is recommended for refusal.
Increased traffic and congestion	<p>The development is for a low density residential use, which is permitted in the zone and the quantum of proposed on-site parking facilities complies with the provisions within the MDCP 2011.</p> <p>However, as outlined in detail elsewhere in this report, the required amount of off-street parking cannot be achieved without removal of street trees, which is not considered supportable. As such, the development cannot comply with on-site parking requirements. While Council can waive its requirement for on—site parking where the design results in adverse streetscape impacts, the proposal, for reasons outlined in this report, is considered to be an overdevelopment, and the site is not considered suitable for the development proposed.</p> <p>Traffic and parking impacts during demolition and construction works can be adequately mitigated by a Construction Traffic Management Plan (CTMP).</p>
Property value	Matters that may affect property value, such as amenity impacts, have been assessed and considered above and the development is considered to be unsupportable for the reasons outlined in this report.

Submission in support of the development generally note that the development increases the housing stock, and that the development would improve the streetscape.

F. 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.

This has not been achieved in this instance.

6. Section 7.11 / 7.12 Contributions

Section 7.11 contributions would be payable for the proposal as the carrying out of the development would result in an increased demand for public amenities and public services

within the area. A contribution would be required for the development under the Inner West Local Infrastructure Contributions Plan 2023.

A condition requiring that contribution to be paid could be readily imposed.

However, the application is recommended for refusal.

7. Housing and Productivity Contributions

The carrying out of the development would result in an increased demand for essential state infrastructure such as schools, hospitals, major roads, public transport infrastructure and regional open space. A contribution would be required for the development under Part 7, Subdivision 4 Housing and Productivity Contributions of the *EP & A Act 1979*.

A housing and productivity contribution is required in addition to any Section 7.11 or 7.12 Contribution. A condition requiring that the housing and productivity contribution to be paid could be readily conditioned.

However, the application is recommended for refusal.

8. Referrals

The following internal referrals were made, and their comments have been considered as part of the above assessment:

- Development Engineer
- Urban Forest
- Resource Recovery

The following external referrals were made:

- Sydney Water

Comment: The subject site is traversed by a DN300 relined folded-pvc sewer main. Sydney Water raised no objections and provided conditions, which could be readily imposed, to ensure that Sydney Water assets are protected.

9. Recommendation

The proposal does not comply with the aims, objectives and design parameters contained within the relevant environmental planning instruments and development controls plan.

The proposal will have unacceptable impacts on the amenity of adjoining properties and the streetscape, and the site is not suitable for the proposed development. To approve the application would be contrary to the public interest.

The application is unsupportable and in view of the circumstances, REFUSAL of the application is recommended for the reasons outlined in this report and Attachment A:

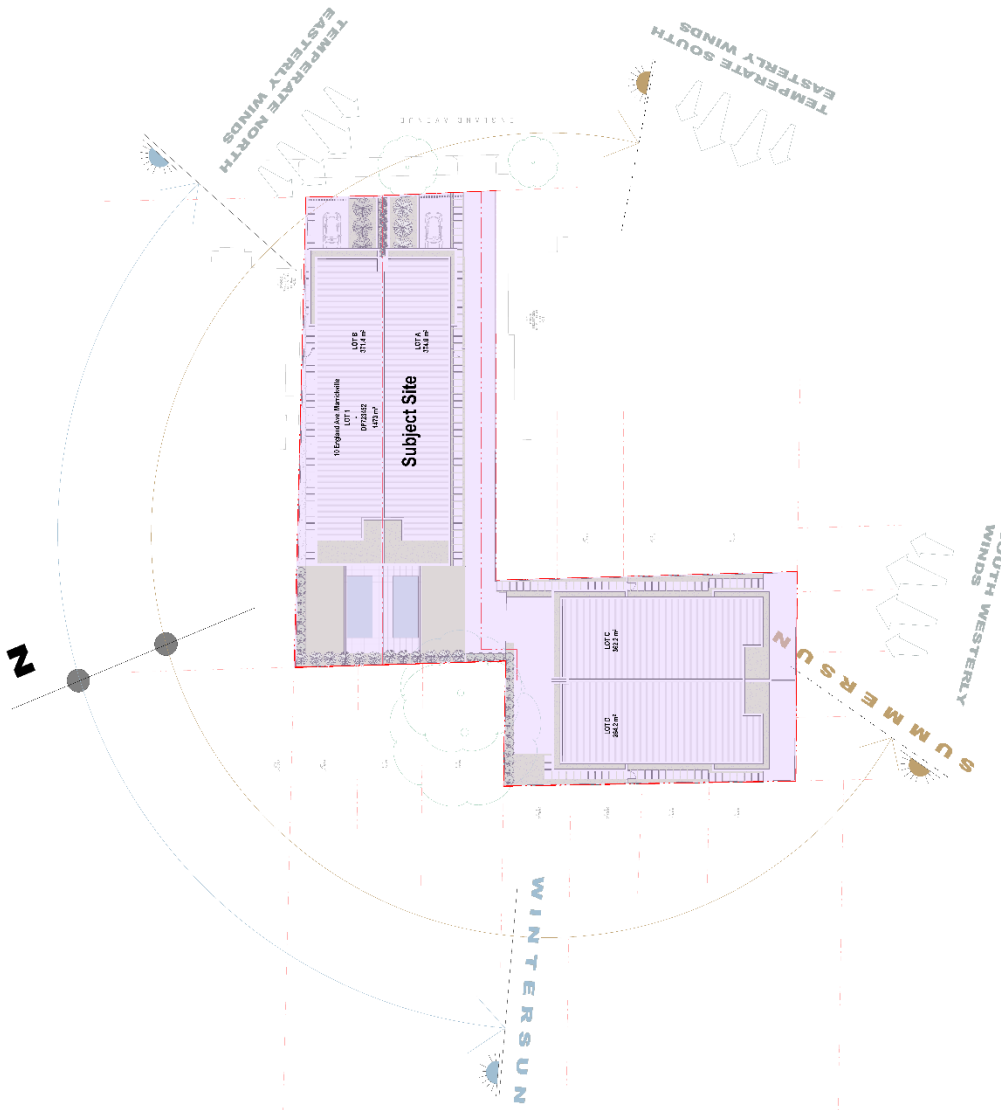
Attachment A – Reasons for refusal

1. The proposed development is inconsistent with, and has not demonstrated compliance with the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, pursuant to Section 4.15 (1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, including:
 - a. Sections 2.1(a) and 2.1(b) as the development does not protect the biodiversity values of existing trees and the development does not preserve the amenity of the area through the preservation of trees.
2. The proposed development is inconsistent with, and has not demonstrated compliance with the *Inner West Local Environmental Plan 2022*, pursuant to Section 4.15 (1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, including Section 1.2 - Aims of Plan and 2.3 - Zone objectives as follows:
 - a. Section 1.2(2)- as the proposal is not considered to enhance the amenity for Inner West residents, fails to create a high quality urban place and has adverse environmental impacts on the local character of the Inner West, including cumulative impacts.
 - b. Section 2.3 - Zone objectives and Land Use Table as the proposal is inconsistent with the objectives of the zone as the development does not maintain the character of the surrounding area.
3. The proposed development is inconsistent with, and has not demonstrated compliance with the Marrickville Development Control Plan 2011, pursuant to Section 4.15 (1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*, including:
 - a. Part 2.1 - Urban Character - as:
 - i. The design of the proposed dwellings is inconsistent with the prevailing pattern of development and the existing streetscape character.
 - ii. The proposal is inconsistent with Principle 9 (Sense of place and character in streetscapes and townscapes) of the urban design principles as it is inconsistent with the characteristics that form the streetscape, and the infill design guidelines contained in Part 2.1 of the MDCP 2011.
 - iii. The proposed subdivision is inconsistent with the prevailing cadastral pattern of the streetscape.
 - iv. The proposed building height to width proportion is inconsistent with the character of the streetscape.
 - v. Removal of healthy street trees of high retention value within the public domain is proposed.
 - vi. The proposed car parking arrangements at the front are not consistent with the streetscape character.
 - vii. The proposed two-storey scale of the development is not consistent with the predominantly single storey streetscape.

- viii. The character, scale, massing and form of existing buildings in the street have not been adequately considered in the design of the proposed buildings, which are unsympathetic to the streetscape.
 - ix. The proposed building setbacks are not consistent with the character of the streetscape.
- b. Part 2.6 - Acoustic and Visual Privacy - as the proposal does not comply with control C3 within Part 2.6 and is inconsistent with the applicable objectives O1 and O2 as the development does not provide adequate visual privacy for residents and users of surrounding buildings and the development has not been sited and designed to ensure adequate visual privacy for occupants is provided.
- c. Part 2.7 - Solar Access and Overshadowing - as the proposal does not comply with controls C1, C2 and C8 within Part 2.7, and is inconsistent with the applicable objectives O2 and O3 as the submitted shadow diagrams are inadequate and the proposal does not demonstrate the protection of solar access enjoyed by neighbours and that the use of passive solar design has been incorporated in the design of the proposed dwellings.
- d. Part 2.9 - Community Safety - as the proposal does not comply with controls C2 and C4 within Part 2.9, and is inconsistent with the applicable objectives O1 and O5 as the development does not contribute to the safety of the public domain through the creation of a physical environment that encourages a feeling of safety, and as the main building entries are not clearly visible from the street frontage or other vantage point offering natural surveillance to enhance the safety and security of building users.
- e. Part 2.10 - Parking - as the proposal cannot comply with control C1 without removal of high retention value street trees, and, hence, is inconsistent with the applicable objective O4 as the off-street parking is not compatible with the particular development proposed.
- f. Part 2.18 - Landscaping and Open Space - as the proposal does not comply with control C12 within Part 2.18, and is inconsistent with the applicable objectives O1, O2, O3, O4, O5, O7, and O8 as:
 - i. Proposed lots C and D fail to provide the quantum of private and pervious open space required, and this area also fails to achieve adequate solar access compromising not only the amenity of future occupants but also of adjoining properties by failing to establish an appropriate landscape setting which can accommodate sufficient tree planting.
- g. Part 2.20 - Tree Management - as the proposal does not comply with controls C12 and C13, and is inconsistent with the applicable objectives O3, O4, O5, and O6 as:
 - i. The development does not protect trees that are adjacent to the site, it fails to maintain or enhance the amenity of the Inner West through the preservation of appropriate trees and vegetation and does not provide adequate above and below

- ground space and deep soil areas to accommodate canopy trees that help to achieve Council's tree canopy target.
- h. Part 2.21 - Site Facilities and Waste Management - as the proposal does not comply with controls C1, C4, C5, C12, and C58, and is inconsistent with the applicable objectives O1, O2, O3, O4, O5, and O8 as:
 - i. It has not been demonstrated that adequate provision can be made for required site facilities. And that they can be adequately accessible and easy to maintain.
 - i. Part 3 - Subdivision, Amalgamation and Movement Networks - as the proposal does not comply with controls C1, C5, and C6, and is inconsistent with the applicable objectives O3 and O5 as:
 - i. The proposed subdivision does not reflect and reinforce the predominant subdivision pattern of the street.
 - ii. The proposed subdivision does not have characteristics similar to the prevailing cadastral pattern of the lots fronting the same street, in terms of dimensions, shape and orientation.
 - iii. The development does not provide adequate areas of private and pervious open space, and solar access to private open space.
 - iv. The development cannot provide adequate off-street car parking without the removal of high retention value street trees and the development results in adverse impacts to the streetscape and neighbouring amenity.
 - v. The design of the proposed development is inconsistent with the existing character of the area.
 - vi. The development results in adverse impacts on the amenity of surrounding development.
 - j. Part 4.1.5 - Streetscape and Design - as the proposal does not comply with controls C2 and C3, and is inconsistent with the applicable objectives O8 and O9 and Part 4.1.6 - Built form and character - as the proposal does not comply with controls C10 and C13, and is inconsistent with the applicable objectives O10, O12, O13, O14, O15, and O16 as:
 - i. The proposed height, bulk and scale of the development, roof form, windows dimensions, verandahs, balconies and porches, materials, colours and finishes and the overall façade design of the dwellings is inconsistent with the prevailing pattern of development and predominantly single storey streetscape character along England Avenue.
 - ii. Given the orientation and siting of lots C and D, the proposed building setbacks result in adverse amenity impacts on the visual privacy of neighbouring properties.

- iii. The proposed building siting does not appropriately integrate with existing development in the street and the scale and siting of the buildings do not ensure adequate separation between buildings for solar access.
 - k. Part 4.1.7 - Car Parking - as the proposal does not comply with controls C14, C15, C26, C28, and C30, and is inconsistent with the applicable objectives O17, O18, O19, and O20 as:
 - i. As the development does not maintain kerbside parking and streetscape character.
 - ii. As the car parking design to lots A and B does not respect and enhance the character of the street and are a dominant element on the site.
 - iii. As the parking spaces to lots A and B are not at the rear, which, given the proposed access handle to lots C and D could be achieved for, at least, lot A.
 - l. Part 9.9 - Newington Precinct (Precinct 9) - as the proposal is inconsistent with the desired future character statements as:
 - i. The subdivision layout is inconsistent with the prevailing subdivision pattern of the streetscape and requires the removal of existing street tree/s to accommodate vehicular access.
 - ii. The development does not maintain the distinctly single storey streetscape along England Avenue.
- 4. The proposed development will result in adverse built environment impacts in the locality pursuant to Section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*.
- 5. The proposal has not demonstrated that the site is suitable for the development pursuant to Section 4.15(1)(c) of the *Environmental Planning and Assessment Act 1979*.
- 6. The proposal has not demonstrated it is in the public interest pursuant to Section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*.



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 CHECKED BY: [Name]
 SCALE: 1:300
 SHEET: 01/01
 PROJECT: Warwickville Dwellings
 SITE: 11 Englewood Ave, Warwickville 3802 VIC
 CLIENT: [Name]
 PROJECT: 194
 HABITATHOUSING
 www.habitathousing.com.au | 0313 581 533 | 4811 1272124

DATE: 14/05/2024
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 PROJECT: 194

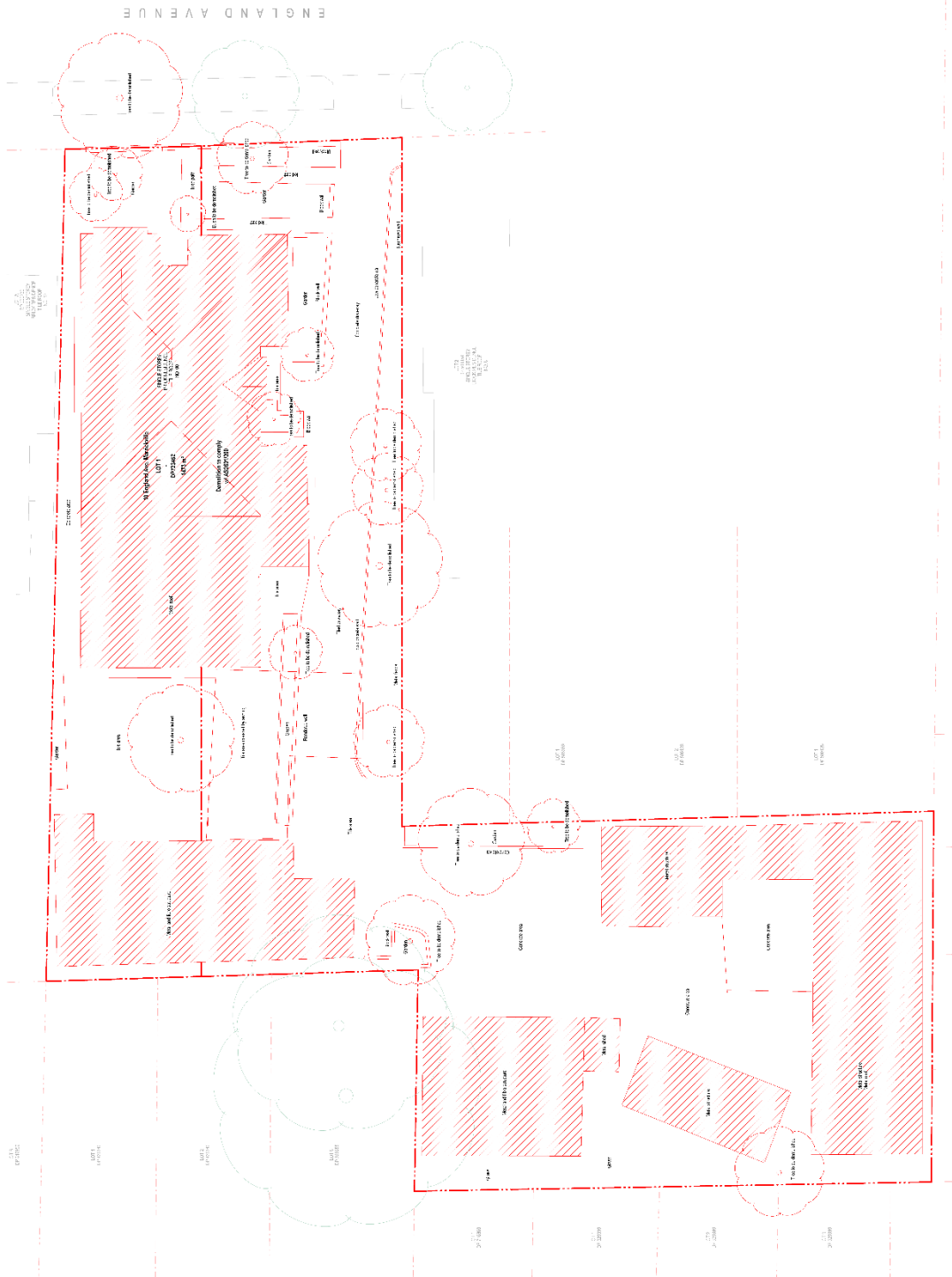
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 CHECKED BY: [Name]
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 SHEET: 01/01
 PROJECT: Warwickville Dwellings
 SITE: 11 Englewood Ave, Warwickville 3802 VIC
 CLIENT: [Name]
 PROJECT: 194

DATE: 14/05/2024
 DRAWN BY: [Name]
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 PROJECT: Warwickville Dwellings
 SITE: 11 Englewood Ave, Warwickville 3802 VIC
 CLIENT: [Name]
 PROJECT: 194

DATE: 14/05/2024
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 PROJECT: 194

DATE: 14/05/2024
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 CLIENT: [Name]
 PROJECT: 194



DRAWN BY: **DAVID LEE**
 CHECKED BY: **DAVID LEE**
 SCALE: **1:100**
 DATE: **15/01/2024**
 PROJECT: **Demolition Plan**
 CLIENT: **habitatshousing**
 ADDRESS: **111-113 & 115-117 Levee Ave, Murrumbidgee NSW 2570**

TITLE: **Demolition Plan**
 DRAWING NO: **111-113 & 115-117 Levee Ave**
 SCALE: **1:100**
 DATE: **15/01/2024**
 PROJECT: **Demolition Plan**
 CLIENT: **habitatshousing**
 ADDRESS: **111-113 & 115-117 Levee Ave, Murrumbidgee NSW 2570**

TITLE: **Demolition Plan**
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TITLE: **Demolition Plan**
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 ADDRESS: **111-113 & 115-117 Levee Ave, Murrumbidgee NSW 2570**

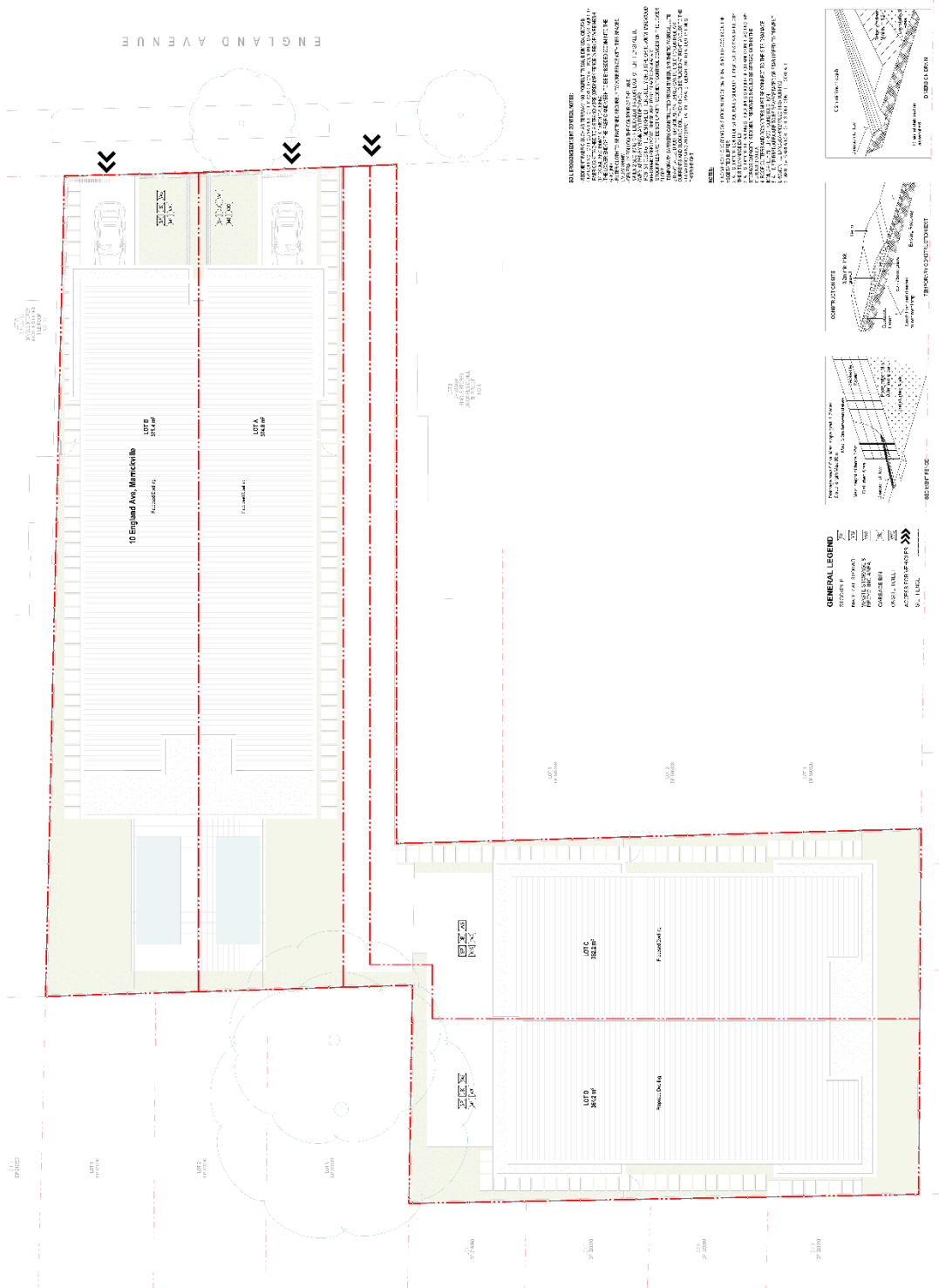
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 ADDRESS: **111-113 & 115-117 Levee Ave, Murrumbidgee NSW 2570**

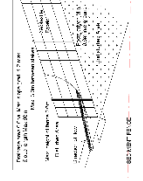
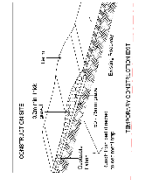
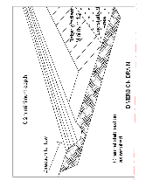
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 CLIENT: **habitatshousing**
 ADDRESS: **111-113 & 115-117 Levee Ave, Murrumbidgee NSW 2570**



ENVIRONMENTAL CONSIDERATIONS:
 The site is located in an area of high environmental sensitivity. The site is adjacent to the England Avenue and is surrounded by residential development. The site is also adjacent to the Manlyville Creek and is subject to flooding. The site is also adjacent to the Manlyville Creek and is subject to flooding. The site is also adjacent to the Manlyville Creek and is subject to flooding.

NOTES:
 1. The site is located in an area of high environmental sensitivity. The site is adjacent to the England Avenue and is surrounded by residential development. The site is also adjacent to the Manlyville Creek and is subject to flooding. The site is also adjacent to the Manlyville Creek and is subject to flooding. The site is also adjacent to the Manlyville Creek and is subject to flooding.



GENERAL LEGEND:
 LOT 1-12
 LOT 10
 LOT 11
 LOT 12
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habitat housing
 Ersson & Ballment Control Plus
 02 9355 1333
 4811/1777/1774

PROJECT INFORMATION:
 PROJECT NAME: 10 England Ave, Manlyville
 CLIENT: Ersson & Ballment Control Plus
 ARCHITECT: Habitat Housing
 DATE: 10/10/2023

PROJECT INFORMATION:
 PROJECT NAME: 10 England Ave, Manlyville
 CLIENT: Ersson & Ballment Control Plus
 ARCHITECT: Habitat Housing
 DATE: 10/10/2023

PROJECT INFORMATION:
 PROJECT NAME: 10 England Ave, Manlyville
 CLIENT: Ersson & Ballment Control Plus
 ARCHITECT: Habitat Housing
 DATE: 10/10/2023

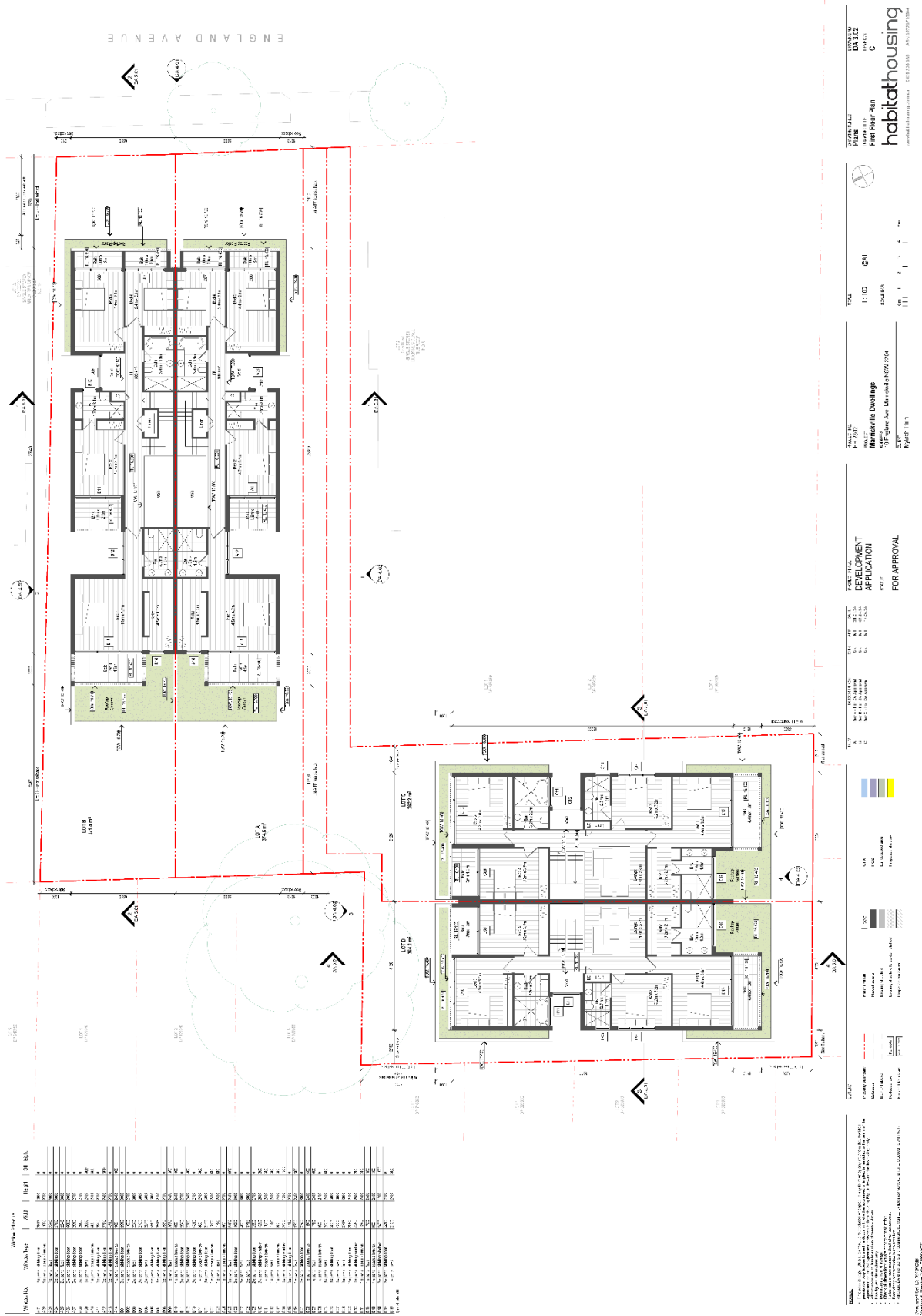
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 CLIENT: Ersson & Ballment Control Plus
 ARCHITECT: Habitat Housing
 DATE: 10/10/2023

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 DATE: 10/10/2023

PROJECT INFORMATION:
 PROJECT NAME: 10 England Ave, Manlyville
 CLIENT: Ersson & Ballment Control Plus
 ARCHITECT: Habitat Housing
 DATE: 10/10/2023



NO	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
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habitathousing
 115/117 Level Ave, Manly NSW 1522 2204
 PHONE 1571

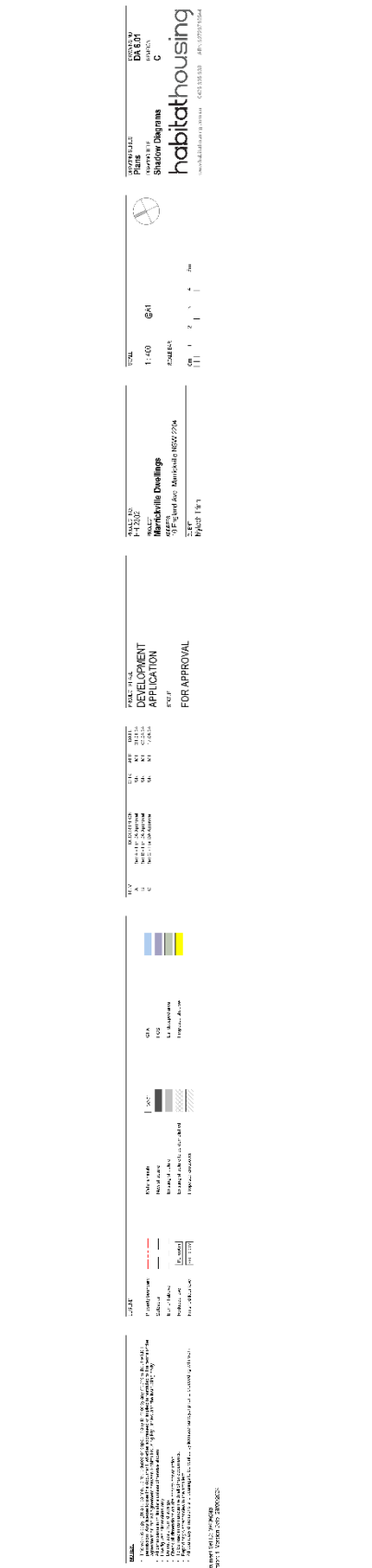
PROJECT INFORMATION
 PROJECT NAME: **DEVELOPMENT APPLICATION FOR APPROVAL**
 CLIENT: **Manly Council**

SCALE
 TOTAL: 1:100 @A1
 SHEETS: 1 OF 1

DATE
 15/07/2024

REVISIONS

NO	DESCRIPTION	DATE
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habitatshousing
 1151 Level Ave, Marikahli NSW 2204
 PHONE: 02 9333 5533 | EMAIL: info@habitatshousing.com.au

PROJECT INFORMATION
 PROJECT NAME: Marikahli Dwellings
 DEVELOPER: Habitatshousing
 ARCHITECT: [Firm Name]
 DATE: 15/01/2024
 DRAWING NO: MARIKAHLI-RES-2204-001

FOR APPROVAL

SCALE
 1:400

DATE
 15/01/2024

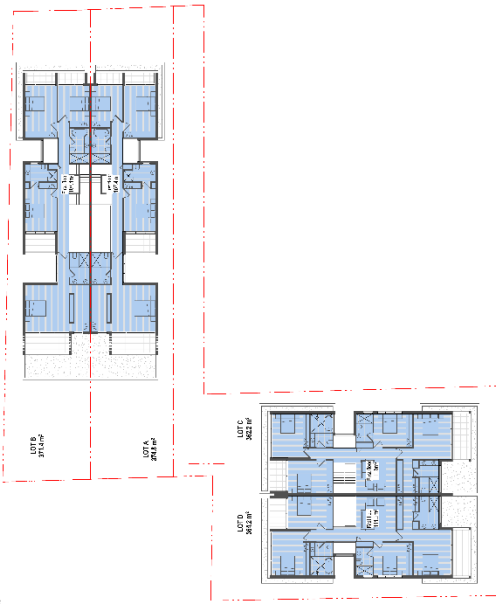
PROJECT LOCATION
 1151 Level Ave, Marikahli NSW 2204

LEGEND
 LOT A (302.0 m²)
 LOT B (302.0 m²)
 LOT C (302.0 m²)
 LOT D (302.0 m²)
 EXISTING FOOTPRINT
 EXISTING DRIVEWAY
 EXISTING PATHWAY
 EXISTING DRIVEWAY
 EXISTING PATHWAY
 EXISTING DRIVEWAY
 EXISTING PATHWAY

NOTES
 1. All dimensions are in millimeters unless otherwise stated.
 2. All areas are in square meters unless otherwise stated.
 3. All heights are in meters unless otherwise stated.
 4. All bearings are in degrees, minutes and seconds unless otherwise stated.
 5. All elevations are in meters above sea level unless otherwise stated.
 6. All drawings are to be read in conjunction with the project brief and specifications.
 7. All drawings are to be read in conjunction with the project brief and specifications.
 8. All drawings are to be read in conjunction with the project brief and specifications.
 9. All drawings are to be read in conjunction with the project brief and specifications.
 10. All drawings are to be read in conjunction with the project brief and specifications.



1 Ground Floor - GFA Plan
1:200



2 First Floor - GFA Plan
1:200

Site Data
Council: Inner West Council
Lot & DP: 1/DP723462
Zoning: R2 Low Density Residential
Site Area: 147,3m²

Compliance Table

LOT A		LOT C	
	Proposed	Allowable	Proposed
Site Area	371.4m ²	-	362.2m ²
FSR	0.61	-	0.591
GFA	226m ²	226m ²	216.7m ²
Max Height	7.1m	9.5m	6.8m
Setbacks			
Front Setback	6.2m	4.7m	6.5m
Rear Setback (<4.5m)	11.5m	6m	3.3m
Rear Setback (>4.5m)	11.8m	9m	3.3m
Side Setback (<4.5m)	1.51m	0.9m	1.635m
Side Setback (7m max. height)	1.51m	0.9m	1.635m
Private Open Space	>45m ²	45m ²	>45m ²
Site Coverage Area	201.2m ²	205.9m ² (max)	192.2m ²
LOT B			
	Proposed	Allowable	Proposed
Site Area	374.8m ²	-	364.2m ²
FSR	0.61	-	0.591
GFA	228m ²	228m ²	216.7m ²
Max Height	6.8m	9.5m	6.8m
Setbacks			
Front Setback	5.7m	4.7m	5.7m
Rear Setback (<4.5m)	11.5m	6m	3.2m
Rear Setback (>4.5m)	12.3m	9m	3.2m
Side Setback (<4.5m)	0.91m	0.9m	2.1m
Side Setback (7m max. height)	0.91m	0.9m	1.6m
Private Open Space	>45m ²	45m ²	>45m ²
Site Coverage Area	201.2m ²	205.4m ²	192.2m ²
LOT D			
	Proposed	Allowable	Proposed
Site Area	374.8m ²	-	364.2m ²
FSR	0.61	-	0.591
GFA	228m ²	228m ²	216.7m ²
Max Height	6.8m	9.5m	6.8m
Setbacks			
Front Setback	5.7m	4.7m	5.7m
Rear Setback (<4.5m)	11.5m	6m	3.2m
Rear Setback (>4.5m)	12.3m	9m	3.2m
Side Setback (<4.5m)	0.91m	0.9m	2.1m
Side Setback (7m max. height)	0.91m	0.9m	1.6m
Private Open Space	>45m ²	45m ²	>45m ²
Site Coverage Area	201.2m ²	205.9m ² (max)	192.2m ²

habitat housing
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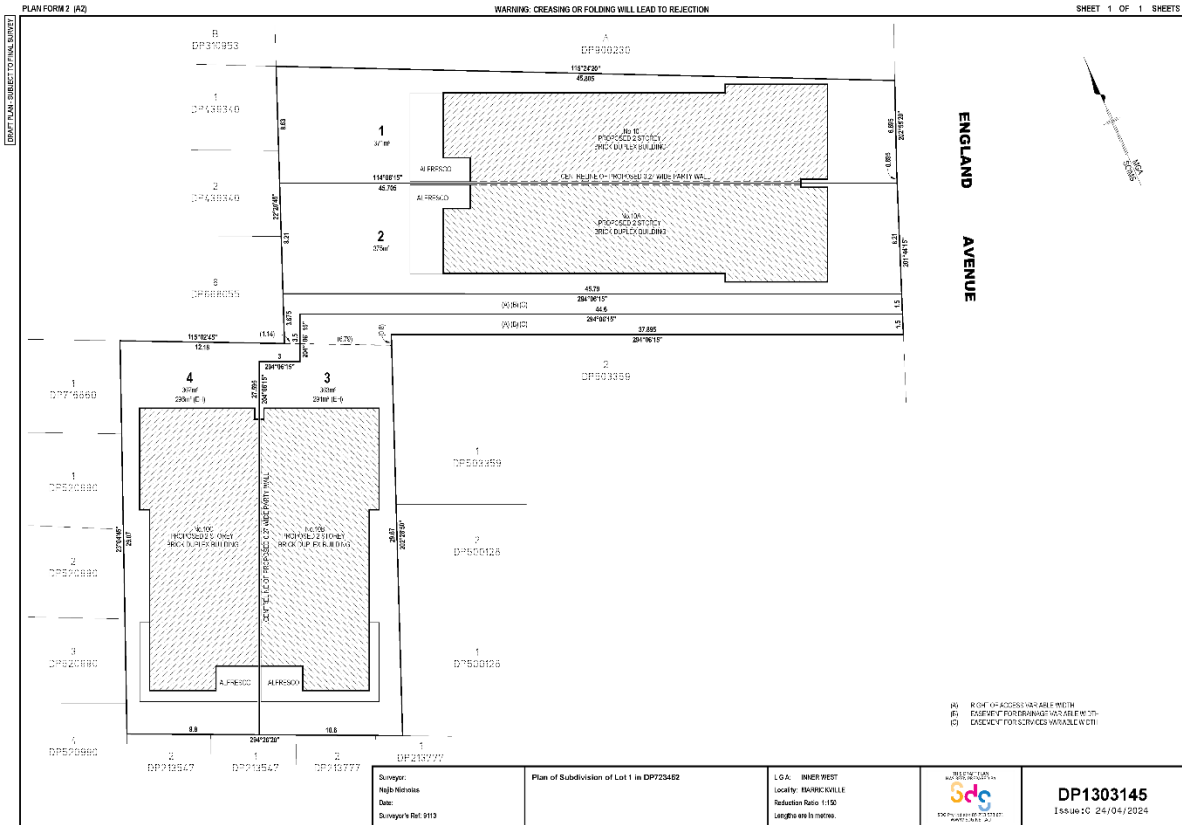
Plan Form 6_Digital (2021)	Deposited Plan Administration Sheet Sheet 1 of 6
OFFICE USE ONLY Registered Title System <input style="width: 150px; height: 20px;" type="text"/>	<h1 style="margin: 0;">DP1303145</h1>
Plan of Subdivision of Lot 1 in DP723452	LGA INNER WEST LOCALITY MARRICKVILLE PARISH PETERSHAM COUNTY CUMBERLAND
Survey Certificate <input type="button" value="Survey"/> I, Najib Nicholas of SDG PTY LTD, a surveyor registered under Surveying and Spatial Information Act 2002, certify that: The land shown in the plan was surveyed in accordance with the Surveying and Spatial Information Regulation 2017, is accurate and the survey was completed on: TBC	Crown Lands NSW/Western Lands Office Approval I, <input style="width: 100px;" type="text"/> (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given. Signature <input style="width: 150px; height: 30px;" type="text"/> Date <input style="width: 60px; height: 20px;" type="text"/> File Number <input style="width: 100px;" type="text"/> Office <input style="width: 100px;" type="text"/>
Urban/Rural <input style="width: 80px;" type="text" value="Urban"/> Datum Line <input style="width: 150px;" type="text" value="'A' - 'B'"/> Signature <input style="width: 200px; height: 30px;" type="text"/> Surveyor Identification No. <input style="width: 100px;" type="text" value="SU009009"/> Surveyor registered under the <i>Surveying and Spatial Information Act 2002</i> .	Subdivision Certificate (Check One) I, <input style="width: 100px;" type="text"/> <ul style="list-style-type: none"> <input type="checkbox"/> Authorised Person <input type="checkbox"/> General Manager <input type="checkbox"/> Registered Certifier certify that the provisions of 6.15 of the <i>Environmental Planning and Assessment Act 1979</i> have been satisfied in relation to the proposed subdivision, new road or reserve set out herein. Signature <input style="width: 200px; height: 30px;" type="text"/> Consent Authority <input style="width: 100px;" type="text"/> Date of Endorsement <input style="width: 80px;" type="text"/> Subdivision Certificate Number <input style="width: 80px;" type="text"/> File Number <input style="width: 100px;" type="text"/>
Plans Used in the preparation of this survey <input style="width: 200px; height: 50px;" type="text" value="DP723452"/>	Statement of intention to dedicate public roads, create public reserves and drainage reserves, acquire/resume land. <input style="width: 200px; height: 50px;" type="text"/>
Surveyor's Reference 9113	Signatures, Seals and Section 88B Statements should appear on the following sheet(s)

Plan Form 6_Digital (2021)	Deposited Plan Administration Sheet	Sheet 3 of 6
Registered	DP1303145	
Plan of Subdivision of Lot 1 in DP723452	This sheet is for the provision of the following information as required: <ul style="list-style-type: none"> ● A schedule of lots and addresses - See 60(c) <i>SSI Regulation 2017</i> ● Statements of intention to create and release affecting interests in accordance with section 88B <i>Conveyancing Act 1919</i> ● Signatures and seals- see 195D <i>Conveyancing Act 1919</i> ● Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets. 	
Subdivision Certificate Number	<div style="border: 1px solid black; height: 20px; width: 250px; margin-bottom: 5px;"></div>	
Date of Endorsement		
<p>PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919, IT IS INTENDED TO CREATE:</p> <ol style="list-style-type: none"> 1. Right of access Variable Width (A) 2. Easement for drainage of water Variable Width (B) 3. Easement for services Variable Width (C) 4. Positive Covenant 		
Surveyor's Reference 9113		

Plan Form 6_Digital (2021)	Deposited Plan Administration Sheet	Sheet 4 of 6
Registered	DP1303145	
Plan of Subdivision of Lot 1 in DP723452	OFFICE USE ONLY This sheet is for the provision of the following information as required: <ul style="list-style-type: none"> ● A schedule of lots and addresses - See 60(c) <i>SSI Regulation 2017</i> ● Statements of intention to create and release affecting interests in accordance with section 88B <i>Conveyancing Act 1919</i> ● Signatures and seals- see 195D <i>Conveyancing Act 1919</i> ● Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets. 	
Subdivision Certificate Number	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>	
Date of Endorsement		
<p>Name of Registered Proprietor:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>Signature of the Registered Proprietor:</p> <div style="border: 1px solid black; height: 40px; width: 100%;"></div> <hr/> <p>Name of Registered Proprietor:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>Signature of the Registered Proprietor:</p> <div style="border: 1px solid black; height: 40px; width: 100%;"></div>		
Surveyor's Reference 9113		

Plan Form 6_Digital (2021)	Deposited Plan Administration Sheet	Sheet 5 of 6
Registered	DP1303145	
Plan of Subdivision of Lot 1 in DP723452	OFFICE USE ONLY This sheet is for the provision of the following information as required:	
Subdivision Certificate Number	<ul style="list-style-type: none"> ● A schedule of lots and addresses - See 60(c) <i>SSI Regulation 2017</i> ● Statements of intention to create and release affecting interests in accordance with section 88B <i>Conveyancing Act 1919</i> ● Signatures and seals- see 195D <i>Conveyancing Act 1919</i> ● Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets. 	
Date of Endorsement		
<input style="width: 100%; height: 20px;" type="text"/> <input style="width: 100%; height: 20px;" type="text"/>		
<div style="text-align: center;"> <p>Name of Registered Proprietor:</p> <input style="width: 80%; height: 25px;" type="text"/> <p>Signature of the Registered Proprietor:</p> <input style="width: 80%; height: 40px;" type="text"/> <hr style="width: 30%; margin: 10px auto;"/> <p>Name of Registered Proprietor:</p> <input style="width: 80%; height: 25px;" type="text"/> <p>Signature of the Registered Proprietor:</p> <input style="width: 80%; height: 40px;" type="text"/> </div>		
Surveyor's Reference 9113		

Plan Form 6_Digital (2021)	Deposited Plan Administration Sheet	Sheet 6 of 6
Registered	DP1303145	
Plan of Subdivision of Lot 1 in DP723452	OFFICE USE ONLY This sheet is for the provision of the following information as required: <ul style="list-style-type: none"> ● A schedule of lots and addresses - See 60(c) <i>SSI Regulation 2017</i> ● Statements of intention to create and release affecting interests in accordance with section 88B <i>Conveyancing Act 1919</i> ● Signatures and seals- see 195D <i>Conveyancing Act 1919</i> ● Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets. 	
Subdivision Certificate Number	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>	
Date of Endorsement		
<div style="font-size: 48px; opacity: 0.2; transform: rotate(-30deg); pointer-events: none;">DRAFT</div>		
Surveyor's Reference 9113		



Instrument setting out terms of Easements or Profits à Prendre intended to be created or released and of Restrictions on the Use of Land or Positive Covenants intended to be created pursuant to Section 88B Conveyancing Act 1919.

Plan: **DP1303145**

Plan of Subdivision of Lot 1 in DP723452

Full Name and Address of the Owner(s) of the land

HUGO TRINH, MY LENG TRINH, MY SONG TRINH and MY YEE TRINH
 10 England Avenue, Marrickville 2204

Covered by Subdivision Certificate No. dated

Part 1 (Creation)

Number of item shown in the intention panel on the plan	Identity of the easement, profit prendre, restriction or positive covenant to be created and referred to in the plan	Burdened lot(s) or parcel(s)	Benefited lot(s), road(s), bodies or Prescribed Authorities:
1	Right of access Variable Width (A)	3 4	4 3
2	Easement for drainage of water Variable Width (B)	3 4	4 3
3	Easement for services Variable Width (C)	3 4	4 3
4	Positive Covenant	3 4	4 3

Attesting Witness

(Sheet 1 of 5 Sheets)

Plan: **DP1303145**

Plan of Subdivision of Lot 1 in DP723452

Part 2 (Terms)**Terms of easement, profit à prendre, restriction or positive covenant numbered 4 in the plan**

For the purposes of Section 88BA of the Conveyancing Act, 1919 and in relation to the right of access numbered 1, easement for drainage of water numbered 2 and easement for services numbered 3 in the plan:

- a. the owners of the burdened lot must cause the easement site and any appurtenant plant and equipment, roller shutters, security boom gates and control equipment, lighting, safety and directional signage to be repaired and maintained so as to be in good and operational repair and compliant with all applicable laws and standards, and
- b. each owner of a burdened lot must contribute to the maintenance and repair of the Easement Site in accordance with the following percentages in carrying out the burdened lot's obligations under clause (a):

Lot 3 50%

Lot 4 50%

Attesting Witness

(Sheet 2 of 5 Sheets)

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Plan: **DP1303145**

Plan of Subdivision of Lot 1 in DP723452

Signature Sheet

Signed in my presence by :

Name of Registered Proprietor:

Signature of Registered Proprietor:

Name of Witness:

Address of Witness:

Signature of Witness:

Signed in my presence by:

Name of Registered Proprietor:

Signature of Registered Proprietor:

Name of Witness:

Address of Witness:

Signature of Witness:

(Sheet 3 of 5 Sheets)

Plan: **DP1303145**

Plan of Subdivision of Lot 1 in DP723452

Signature Sheet

Signed in my presence by :

Name of Registered Proprietor:

Signature of Registered Proprietor:

Name of Witness:

Address of Witness:

Signature of Witness:

Signed in my presence by:

Name of Registered Proprietor:

Signature of Registered Proprietor:

Name of Witness:

Address of Witness:

Signature of Witness:

(Sheet 4 of 5 Sheets)

Plan: **DP1303145**

Plan of Subdivision of Lot 1 in DP723452

Signature Sheet

DRAFT

(Sheet 5 of 5 Sheets)

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PLANT LIST

PLANT NAME	HEIGHT	SPACING	QUANTITY	UNIT	TOTAL
1. PLANT NAME	HEIGHT	SPACING	QUANTITY	UNIT	TOTAL
2. PLANT NAME	HEIGHT	SPACING	QUANTITY	UNIT	TOTAL
3. PLANT NAME	HEIGHT	SPACING	QUANTITY	UNIT	TOTAL
4. PLANT NAME	HEIGHT	SPACING	QUANTITY	UNIT	TOTAL
5. PLANT NAME	HEIGHT	SPACING	QUANTITY	UNIT	TOTAL
6. PLANT NAME	HEIGHT	SPACING	QUANTITY	UNIT	TOTAL
7. PLANT NAME	HEIGHT	SPACING	QUANTITY	UNIT	TOTAL
8. PLANT NAME	HEIGHT	SPACING	QUANTITY	UNIT	TOTAL
9. PLANT NAME	HEIGHT	SPACING	QUANTITY	UNIT	TOTAL
10. PLANT NAME	HEIGHT	SPACING	QUANTITY	UNIT	TOTAL

PLANT LIST & DETAILS

PLANT LIST & DETAILS

PLANT LIST & DETAILS

PLANT LIST

PLANT NAME	HEIGHT	SPACING	QUANTITY	UNIT	TOTAL
1. PLANT NAME	HEIGHT	SPACING	QUANTITY	UNIT	TOTAL
2. PLANT NAME	HEIGHT	SPACING	QUANTITY	UNIT	TOTAL
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9. PLANT NAME	HEIGHT	SPACING	QUANTITY	UNIT	TOTAL
10. PLANT NAME	HEIGHT	SPACING	QUANTITY	UNIT	TOTAL

PLANT LIST & DETAILS

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6. PLANT NAME	HEIGHT	SPACING	QUANTITY	UNIT	TOTAL
7. PLANT NAME	HEIGHT	SPACING	QUANTITY	UNIT	TOTAL
8. PLANT NAME	HEIGHT	SPACING	QUANTITY	UNIT	TOTAL
9. PLANT NAME	HEIGHT	SPACING	QUANTITY	UNIT	TOTAL
10. PLANT NAME	HEIGHT	SPACING	QUANTITY	UNIT	TOTAL

PLANT LIST & DETAILS

PLANT LIST & DETAILS

PLANT LIST & DETAILS



STORMWATER MANAGEMENT PLANS

FOR

10 ENGLAND AVENUE, MARRICKVILLE NSW 2204



LOCALITY PLAN
N.T.S.

DRAWING SCHEDULE	
DRAWING NO.	DRAWING TITLE
000	COVER SHEET, LEGEND & DRAWING SCHEDULE
001	GENERAL NOTES
010	STORMWATER MANAGEMENT PLAN - OVERALL LEVEL
020	STORMWATER MANAGEMENT PLAN - RPT. LEVEL
030	STORMWATER DRAINAGE DETAILS

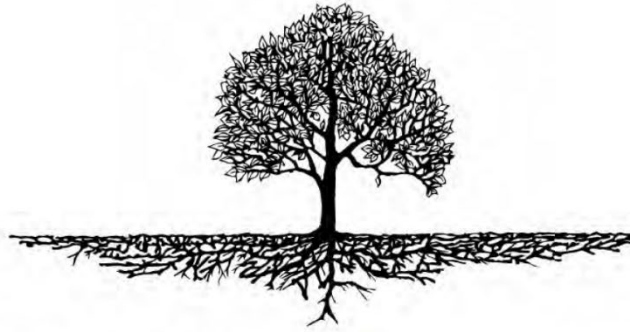
NOTES

- ALL LINES ARE TO BE IN 1:100 UNLESS NOTED OTHERWISE.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO LOCATE LEVELS. ALL EXISTING LEVELS SHOWN ON PLAN SHALL BE VERIFIED ON SITE PRIOR TO THE COMMENCEMENT OF ANY WORK.
- ALL PITS TO HAVE 400x200mm COVER IF LOCATED WITHIN PROPERTY.
- ALL PITS TO BE CONCRETE.
- ALL WORK TO BE DONE IN ACCORDANCE WITH LINC 2006.22 IWM AND COUNCIL SPECIFICATIONS.
- LOCATIONS OF COMPRESSES & FLOOR FINISHES ARE INDICATED ONLY. COMPRESSES & FINISHES TO BE VERIFIED ON SITE PRIOR TO COMMENCEMENT OF WORKS IN ACCORDANCE WITH THE LATEST AUSTRALIAN STANDARDS.
- THESE PLANS TO BE READ IN CONJUNCTION WITH THE ARCHITECTURAL, LANDSCAPE AND STRUCTURAL PLANS.
- ALL PITS OF GRATES IN UNPAVEMENT AREAS TO BE HEAVY DUTY.
- ALL GRATES WILL BE FITTED WITH GRASS GRATES AND SHALL BE INSPECTED AND CLEARED TO INSURE LEAF LITTER CANNOT ENTER THE COMPRESSES.
- PROVIDE EMBLEMMENT OF PIPES TO ALL PLASTER ROOF AND BALCONIES.
- ALL PITS WITH DIFFERENCE IN LEVEL SHALL HAVE ROCK STEPS.
- PROVIDE STORMWATER GRATE DOWNPOUT AT THE BASE OF ALL MECHANICAL SHAFTS AND UNDESIRABLE STAIRS OR CORNICE.
- ENSURE ALL DRAINAGE WORKS ARE AWAY FROM TREE ROOTS.

 Email: info@amityengineers.com.au Phone: 02 952 491001		PROJECT PROPOSED 2X DUAL OCCUPANCY 10 ENGLAND AVENUE MARRICKVILLE NSW 2204	DRAWN BY BUF 20/10	CHECKED BY JAL
ARCHITECT habitat housing		SHEET SUBJECT COVER SHEET, LEGEND & DRAWING SCHEDULE	ISSUED BY JACKY CHEE HONG LEE	DATE 20/10
REV. A. REVISION FOR DEVELOPMENT APPLICATION		DATE 20/10/2023	TOWNING D010	KEY A

The Ents Tree Consultancy
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theents@bigpond.net.au
P.O Box 6019 Marrickville NSW 2042
ph. 0422 265 128

Client	Mr Trinh
Location	10 England Street Marrickville
Document Type	Arboricultural Impact Assessment & Tree Protection Plan
Date	22 nd of September 2023



The Ents Tree Consultancy

Development Reports | Hazard Assessments | Tree Management



Arboriculture Impact Assessment & Tree Protection Plan.
Document ID: 036024
Date: 22 September 2023. Site: 10 England Avenue Marrickville.
Version: 1, Version Date: 13/06/2024

Hayden Couler
 The Ents Tree Consultancy
 ABN 95 598 933 136



Client	Mr Trinh
Location	10 England Street Marrickville
Document Type	Arboricultural Impact Assessment & Tree Protection Plan
Date	22 nd of September 2023

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2. Introduction

2.1 On the 20th of September 2023 Mr Trinh engaged The Ents Tree Consultancy to complete an Arboricultural Impact Assessment and Tree Protection Plan for the trees on and adjoining the site 10 England Street Marrickville. This report will assess the trees that are on and adjoining the site which may have been impacted upon by the works or the associated activities. The client stated that the trees have been nominated to be inspected in relation to a development application which involves the demolition of the existing building, the construction of new buildings and some landscape works. Consultation was sought with the client about the number and position of trees to be inspected prior to a survey being completed.

2.2 The site inspection of the nominated trees occurred 22nd of September 2023. This tree report will detail the condition of the nominated trees, observe the proposed works, reducing impacts wherever possible and assess the level of disturbance for each tree. The assessment of any proposed works will also be assessed for potential impacts. Recommendations for removal or retention will be based on the proposed works as well as the compatibility of the trees with the works. Recommended tree protection measures as set out in the Australian Standard AS4970 Protection of Trees on development sites will be nominated as required. The Inner West Council DCP and LEP were considered when writing this document. The plans provided by the client were reviewed as part of the assessment process.

2.3 The purpose of this report is to assess the proposed works and the impacts the works will have on the existing trees. The report will also consider management options to reduce all anticipated impacts on the trees nominated to be retained. The report will also provide tree management options to protect the trees throughout the proposed works. The Tree Protection Guidelines will be discussed for all trees nominated to be retained. The information in this report will be based on the information presented by the client at the time of the inspection as well as the site inspection. The Australian Standard AS4970 Protection of Trees on Development Sites will be used as a guide to manage the site. Additional Tree Protection measures are included in appendix 8.

2.4 To achieve the objectives of the report, the trees will be assessed noting their species, size, general condition. The trees will be assessed using the internationally recognised VTA assessment method for above ground parts only. The trees characteristics and eventual size will be taken into consideration as will the trees position in relation to past works, services and structures. The level of disturbance will be considered as will the trees stability. Recommendations will be outlined in section 5 of the report. A detailed list of the trees surveyed will be provided in Appendix 2 of the report and an existing numerical system has been used to identify them for this report and future reference on this job site. No root mapping, aerial assessments or specialised diagnostic testing will be completed for the purpose of the report.

3. Methodology

- 3.1 The trees were assessed using the standard Visual Tree Assessment technique (VTA). The trees were assessed from the ground for this report.
- 3.2 A Lufkin 6.5m diameter tape was used to obtain the Diameter at breast height (DBH) as recommended at 1.4 metres unless otherwise stated due to variations in the trees form.
- 3.3 The height of the trees was estimated, and the spread of the trees canopy was paced out.
- 3.4 A Canon 5D Digital camera with a 24-105mm lens was used to take all photographs in this report.
- 3.5 The ULE rating system has been used as a guide to assist in determining the Useful Life Expectancy of the trees surveyed. Refer to Appendices 1.

Hayden Couler
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4. Discussion

4.1 The trees nominated to be assessed are located on and adjoining the property at 10 England Avenue Marrickville. Some of the trees are significant in the immediate landscape and some may be considered important in the local areas landscape in terms of amenity and function. The trees are located on partially sheltered site with some protection from surrounding structures, trees and topography from some aspects. The soil on site appears to be a sandy loam that has been disturbed previously when the existing building and hardscapes were built, and the site was established.

4.2 Based on the information provided by the client, the proposed works involve the demolition of the existing building, construction of new buildings with some landscape works. It appears that none of the trees on the site but all trees on the adjoining sites will be retained. The trees nominated to be retained, will be retained using sympathetic building activities to allow the works to proceed. Options for the managing the trees nominated to be retained on and adjoining the proposed works site will be provided. Any tree that is nominated to be retained on or adjoining site will be kept in good condition for the duration of the works using the Australian Standard AS4970 2009 Protection of trees on development sites for the basis of all tree management practices.

4.3 **Trees 1 to 5** are trees located to the rear of the clients site close to the boundaries. The trees are not compatible with the proposed works and have been nominated to be removed. Trees 1 & 2 are self-sown weeds. Trees 3 to 5 are fruit trees, with tree 4 in poor condition. **Trees 12 to 27** are also proposed to be removed. Trees 12 & 13 are self-sown weeds. Trees 15, 17 are fruit trees. Trees 20 & 21 are shrubs with tree 21 in poor condition.

4.4 **Tree 6** is a mature to over mature tree located to the rear of the site on the adjoining property. This tree is proposed to be retained and protected for the duration of the works. There are no disturbances within the structural root zone and there is a disturbance of less than 10% to the trees projected tree protection zone. There are no long, or short-term impacts anticipated for this tree due to the works. This trees crown extends into the clients property and minor crown lifting is likely to be required to allow for clearance. The pruning will remove less than 5% of the trees crown mass and will not remove branches larger than 50mm in diameter. **Tree Protection Tree 6**. The existing boundary fence will protect the trees vascular tissue and the majority of the trees root zone from the works. No additional tree protection will be required.

4.5 **Tree 7** is a mature to over mature tree located to the rear of the site on the adjoining property. This tree is proposed to be retained and protected for the duration of the works. There are no disturbances within the structural root zone and there is a disturbance of 12% to the trees projected tree protection zone. This is a major disturbance under the Australian Standard for the Protection of Trees on Development Sites AS4970; however, this species of tree has a good tolerance to construction impacts. There are no long, or short-term impacts anticipated for this tree due to the works. This trees crown extends into the clients property and minor crown lifting is likely to be required to allow for clearance. The pruning will remove less than 10% of the trees crown mass and will not remove branches larger than 50mm in diameter. **Tree Protection Tree 7**. The existing boundary fence will protect the trees vascular tissue and the majority of the trees root zone from the works. No additional tree protection will be required.

4.6 **Tree 8** is a mature to over mature tree located to the rear of the site on the adjoining property. This tree is proposed to be retained and protected for the duration of the works. There are no disturbances within the structural root zone and there is a disturbance of under 10% to the trees projected tree protection zone. There are no long, or short-term impacts anticipated for this tree due to the works. **Tree Protection Tree 8**. The existing boundary fence will protect the trees vascular tissue and the majority of the trees root zone from the works. No additional tree protection will be required.

4.7 **Trees 9, 10 & 11** are semi-mature trees planted as a screen, located to the rear of the site on the adjoining property. These trees are proposed to be retained and protected for the duration of the works. There will be minor disturbances within the structural root zone of these trees for the removal of the shed and associated footings. Due to the small size of the trees root system, no impacts to the stability of the trees are anticipated. There are disturbances to the projected tree protection zones of these trees is under 10% for the installation of paving. The removal of the shed will result in an increase in permeable surfaces and an increase root zone for the trees long term. There are no long, or short-term impacts anticipated for these trees. **Tree Protection Trees 9, 10 & 11**. The existing fences will protect the trees vascular tissue and the majority of the trees roots. No additional tree protection will be required.

4.8 **Trees 28 & 29** these trees are not compatible with the proposed plans. The client is proposing to remove and replace the trees as part of the ne landscape plan.

4.9 **Tree 30** is a council street tree located to the front of the site on the council nature strip away for the works. This tree is proposed to be retained and protected for the duration of the works. There are no disturbances within the structural root zone or to the trees projected tree protection zone. There are no long, or short-term impacts anticipated for this tree. **Tree Protection Tree 30**. To protect the trees vascular tissue and root zone a 1.8m chain mesh fence will need to be installed to separate tree from the works. At no time should the tree protection material be removed during the works period. Refer to the tree protection plan in appendix 4a.

Arboriculture Impact Assessment & Tree Protection Plan.
Date: 22nd of September 2023. Site: 10 England Avenue Marrickville.

Document Set ID: 39730242
Version: 1, Version Date: 28/06/2024

Hayden Coulter
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5. Recommendations

5.1 After reviewing the site and the information provided by the client, the works are proposed to proceed with the following actions,

5.2 To allow the works to proceed it is recommended that trees 1 to 5 and trees 12 to 29 are removed. Some of these trees (shrubs) will be able to be replaced in the new landscape plan. To allow the works to proceed it is recommended that trees 6 to 11 and tree 30 are retained and protected for the duration of the works.

5.3 It is recommended that all tree protection measures are in place as described in section 4 of the report prior to the commencement of any works. The AQF level 5 site Arborist will need to sign off on the tree protection measures prior to works commencing. All alterations and additions will need to be approved in writing by the AQF level 5 site Arborist.

5.4 To manage the site it is recommended that monthly inspections and reporting is required to ensure the tree is adequately protected. All works within the structural root zone of any tree will need to be supervised by the AQF level 5 Site Arborist. All root pruning of roots 50mm+ on site will need to be completed by the AQF level 5 Site Arborist. At the end of the works period the tree will be inspected by an AQF 5 Arborist to determine if the tree has been maintained adequately. If this is done the compliance certificate will be issued. If trees have been damaged or breaches of the Australian Standards have occurred council will be contacted for further advice.

5.5 It is recommended that construction proceeds using the Australian Standard AS4970 2009 Protection of trees on development sites as a basis for tree protection on the site as well as the site-specific instructions listed in section 5 of this report. Additional Tree Protection measures are listed in Appendix 7 of the report to assist in the care of the trees on site.

Please do not hesitate to call 0422 265 128 if you have any questions regarding the contents of this report.

Regards

Hayden Coulter

AQF Level 8 Graduate Certificate in Arboriculture
AQF Level 5 Consulting Arborist
AQF Level 4 Advanced Certificate in Urban Horticulture



Disclaimer

All trees have been assessed based on the information and facts of the site and as presented by the client or relevant parties at the time of inspection. No responsibility can be taken for incorrect or misleading information provided by the client or other parties. The nominated trees are assessed for biological requirements and hazard potential with reasonable care. The trees are assessed from the ground and by visual means only unless otherwise stated. All tree protection and tree preservation measures are designed to minimise the damage to the tree/s or to reduce the hazard potential of the tree/s. No responsibility can be taken by the author of this report for future damage to structures by the existing trees or planted trees. Trees are inherently dangerous, therefore will always have a hazard potential. Trees fail in ways that are not predictable or fully understood. There is no guarantee expressed or implied that failure or deficiencies may not arise of the subject trees in the future. No responsibility is accepted for damage to property or injury/death caused by the nominated trees.

The Ents Tree Consultancy. ABN: 95 598 933136 theents@bigpond.net.au

Appendix 1 ULE Rating

Useful Life Expectancy (ULE): Useful life expectancy refers to an expected period of time the tree can be retained within the landscape before its amenity value declines to a point where it may detract from the appearance of the landscape and/or becomes potentially hazardous to people and/or property. ULE values consider tree species, current age, health, structure and location. ULE values are based on the tree at the time of assessment and do not consider future changes to the tree's location and environment which may influence the ULE value.

Category rating:	Category definition in years:	Category rating:
1	> 40 Years	High
2	15 to 40 Years	Medium
3	5-15 Years	Low
4	0-5 Years	Dead / Dying

Arboriculture Impact Assessment & Tree Protection Plan.
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Version: 1, Version Date: 23/09/2024



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ABN 95 598 933 136

Appendix 2 Assessment of Trees

Tree No	Species	Height (m)	DBH* & DAC**	Canopy Spread (m)	TPZ ***	Health #	Structure #	ULE Rating ****	Landscape Rating *	Stars Rating *	Observations and comments
1	<i>Ligustrum lucidum</i> Large Leaved Privet	10	.44 DAC .55	10	5.25 DAC 2.6	A	Ba	4	L	L	A noxious weed, remove.
2	<i>Cinnamomum camphora</i> Camphor Laurel	9	2 x .15 DAC .20	6	2.25 SRZ 1.7	A	Ba	2	L	L	A self-sown tree.
3	<i>Mangifera indica</i> Mango	6	.20 DAC .30	5	2.4 SRZ 2	A	Ba	2	L	L	
4	<i>Mangifera indica</i> Mango	7	.38 DAC .48	6	4.5 SRZ 2.5	Ba	Ba	2	L	L	This tree is covered in weed and is 30% dead.
5	<i>Citrus limon</i> Lemon Tree	7	2 x .08, 2 x .10 DAC .30	6	3.5 SRZ 2	A	Ba	2	L	L	
6	<i>Morus alba</i> Mulberry Tree	10	2 x .30 DAC .50	9	6 SRZ 2.5	A	P	4	L	L	A tree located 5m over the boundary on the adjoining property. This trees structure is poor.
7	<i>Celtis occidentalis</i> Chinese Hackberry	17	.70 DAC .80	16	8.5 SRZ 3	A	A	2	M	M	This tree is located on the adjoining property by 7m.
8	<i>Caillistemon viminalis</i> Bottlebrush	10	9 x .10 DAC .60	9	7.2 SRZ 2.7	A	Ba	2	M	M	Located over the boundary on the adjoining property by 4m.
9	<i>Syzygium luehmannaiana</i> Lilly Pilly	9	.15 DAC .20	6	2 SRZ 1.7	A	Ba	2	M	M	A partially suppressed tree that is located on the adjoining property by 1m to the rear of the site.
10	<i>Syzygium luehmannaiana</i> Lilly Pilly	14	.25 DAC .35	10	3 SRZ 2.15	A	A	2	M	M	A tree that is located on the adjoining property by 1m to the rear of the site.
11	<i>Syzygium luehmannaiana</i> Lilly Pilly	14	.25 DAC .35	10	3 SRZ 2.15	A	A	2	M	M	A tree that is located on the adjoining property by 1m to the rear of the site.
12	<i>Celtis sinensis</i> Chinese Hackberry	5	.10 DAC .15	2	2 SRZ 1.5	A	A	4	L	L	A self-sown weed tree.
13	<i>Plumeria actinophylla</i> Frangipani	2	4 x .10, .15 Dac .30	4	3 SRZ 2	A	A	1	M	M	

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ABN 95 598 933 136

Tree No	Species	Height (m)	DBH* & DAC**	Canopy Spread (m)	TPZ***	Health #	Structure #	ULE Rating****	Landscape Rating*	Stars Rating*	Observations and comments
14	<i>Celtis sinensis</i>	5	2 x .10 DAC .15	3	2 SRZ 1.5	A	A	4	L	L	A self-sown weed tree.
15	Chinese Hackberry <i>Citrus reticulata</i> Mandarin	6	2 x .20 DAC .30	6	3.5 SRZ 2	A	A	2	L	L	
16	<i>Echinopsis pachanoi</i>	7	.24 DAC .35	5	3 SRZ 2.15	A	A	1	M	M	This cactus is located in a raised garden bed.
17	San Pedro Cactus <i>Mangifera indica</i> Mango	8	.38 DAC .50	7	4.5 SRZ 2.5	A	A	2	M	M	
18	<i>Citrus japonica</i> Kumquat Tree	5	.15 DAC .20	6	2 SRZ 1.7	A	A	2	L	L	
19	<i>Livistona australis</i> Cabbage Palm	7	.40 DAC .50	6	3 SRZ 1.5	A	A	1	M	M	
20	<i>Camellia japonica</i> Camellia	5	3 x .12, 2 x .08 DAC .20	4	2.5 SRZ 1.7	A	A	2	L	L	
21	<i>Camellia japonica</i> Camellia	5	.10, .15 DAC .20	4	2.4 SRZ 1.7	P	Ba	3	L	L	This shrub is in poor condition.
22	<i>Plumeria actinophylla</i> Frangipani	2.5	.15 DAC .20	3	2 SRZ 1.7	A	A	1	L	L	
23	<i>Magnolia x soulangeana</i> Saucer Magnolia	5	2 x .15 DAC .25	4	3 SRZ 1.85	A	A	2	L	L	
24	<i>Beaucarnea recurvata</i> Ponytail Palm	5	.25 DAC .40	2	3 SRZ 2.25	A	A	1	M	M	
25	<i>Archontophoenix cunninghamiana</i> Bangalow Palm	15	.40 DAC .45	5	2.5 SRZ 1.5	A	A	1	M	M	
26	<i>Archontophoenix cunninghamiana</i> Bangalow Palm	4	.15 DAC .20	3	2 SRZ 1.5	A	A	1	L	L	

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Tree No	Species	Height (m)	DBH* & DAC**	Canopy Spread (m)	TPZ***	Health #	Structure #	ULE Rating****	Landscape Rating*	Stars Rating*	Observations and comments
27	<i>Beaucarnea recurvata</i> Ponytail Palm	4	.61 DAC .95	3	7 SRZ 3.25	A	A	1	M	M	
28	<i>Tristaniopsis laurina</i> Watergum	9	.39 DAC .50	7	5 SRZ 2.5	A	A	2	H	H	A mature council street tree.
29	<i>Tristaniopsis laurina</i> Watergum	6	3 x .10, 2 x .15 DAC .40	6	5 SRZ 2.25	A	A	2	M	M	A mature council street tree.
30	<i>Jacaranda mimosaeifolia</i> Jacaranda	7	.25 DAC .35	7	3 SRZ 2.15	A	Ba	2	M	M	A council street tree which may have branches to the north.

Explanatory Notes for Table

- *DBH = Diameter of trunk at breast height.
- **DAC = Diameter above the root collar used to measure the Structural Root Zone (SRZ).
- ***TPZ is the recommended TPZ 12x the DBH at 1.4m, SRZ is the trees structural root zone. Refer to AS4970 for details.
- **** ULE Explanation can be found in Appendix 1.
- + IACA Landscape value and S.T.A.R.S Rating system. Refer to Appendix 5
- # Health and Structure values represented above are P = poor, BA = Below Average, A = Average, G = Good

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ABN 95 598 933 136

Appendix 3 Images of Tree



Image 1 above left shows tree 1 to the rear of the site. Image 2 above left, centre shows tree 2 on site. Image 3 above right centre shows trees 3 & 4 on site. Image 4 above right shows tree 5 and the foliage from trees 6 & 7. Image 5 below left shows trees 6 & 7 on the adjoining property. Image 6 below left centre shows trees 8-11 to the rear of the site on the adjoining property. Image 7 below right centre shows trees 12-14 on site. Image 8 below right shows tree 15 on site.



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Image 16 above left shows trees 28 & 29 on site. Image 17 above centre shows tree 30 on the adjoining site. Image 18 shows the branch to the north of the tree 30 that should be reduced to prevent impacts on the tree, yellow lines.

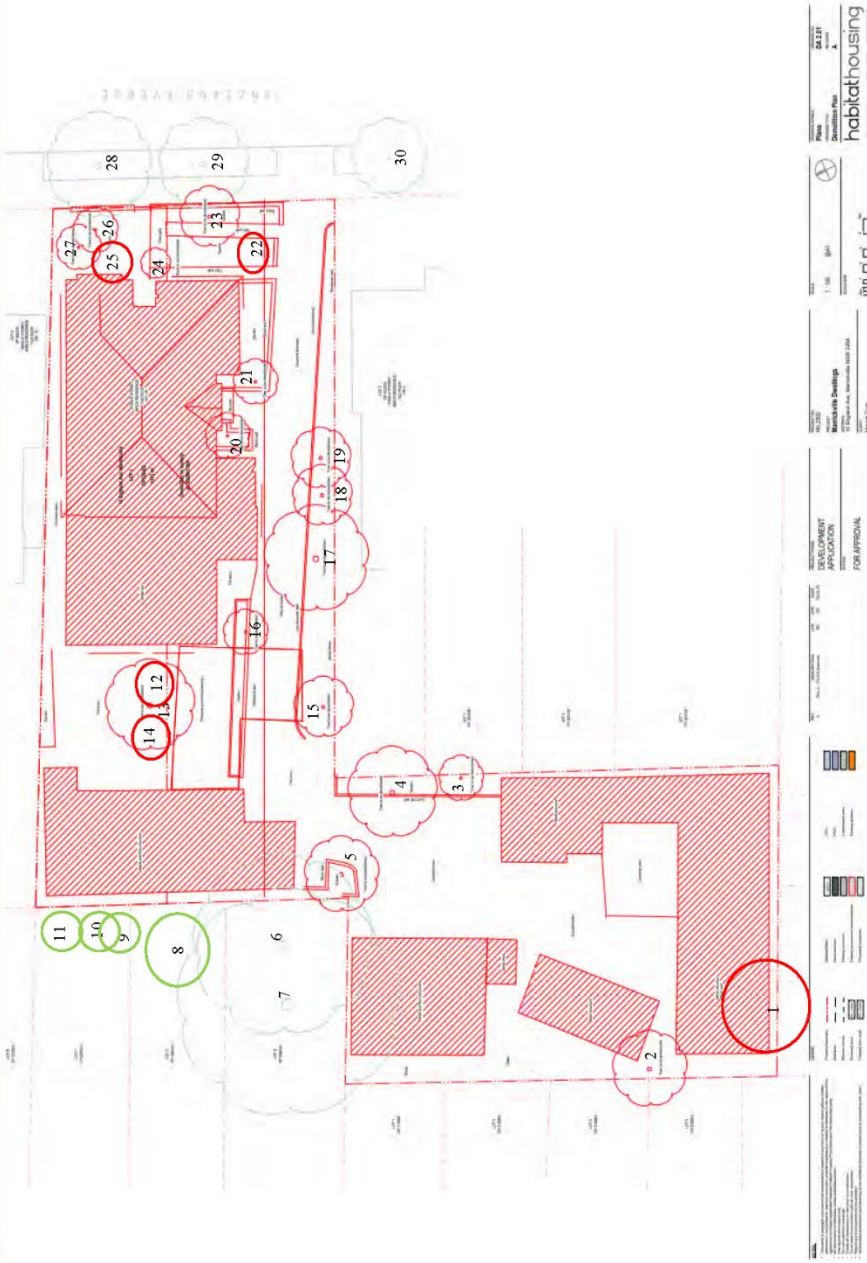
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Appendix 4 Site Plan



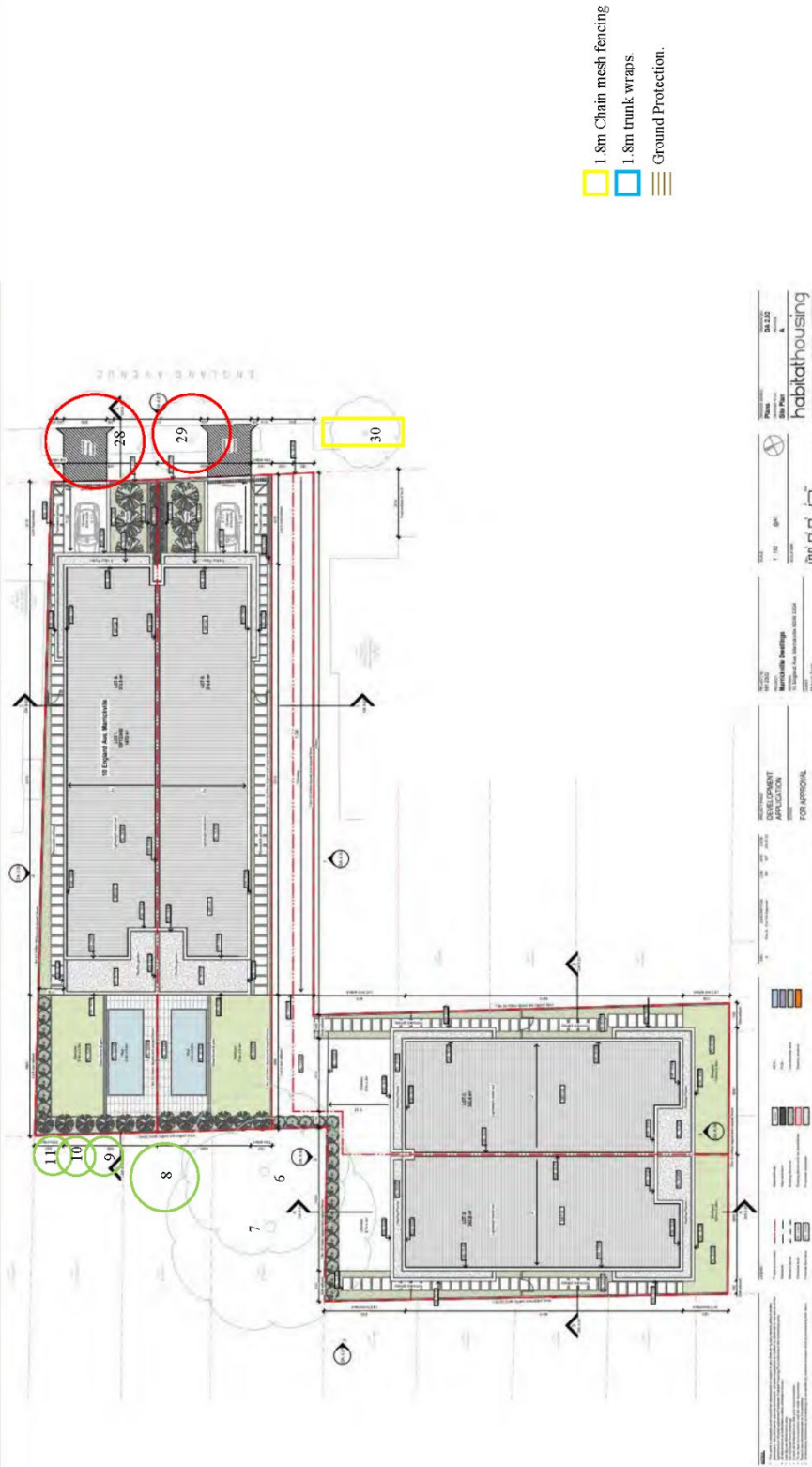
Arboriculture Impact Assessment & Tree Protection Plan.
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Appendix 4a Site Plan & Tree Protection Plan



Arboriculture Impact Assessment & Tree Protection Plan.
Date: 22nd of September 2023. Site: 10 England Avenue Marrickville.

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Appendix 4b Illustrations of Tree Protection

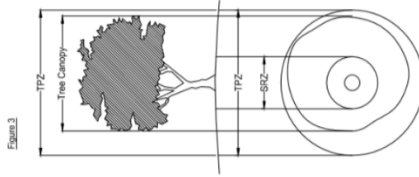
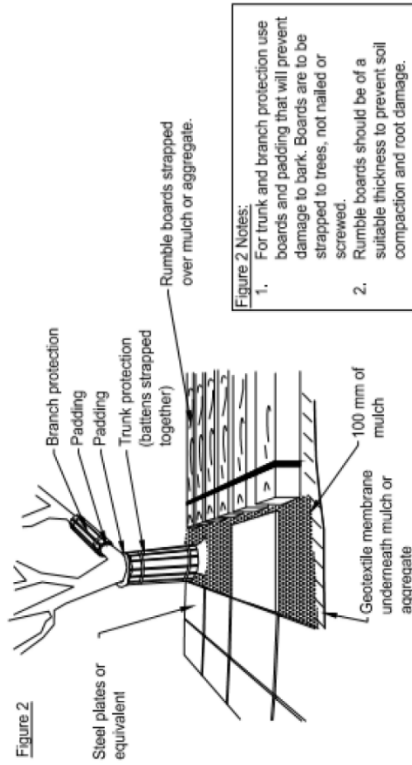
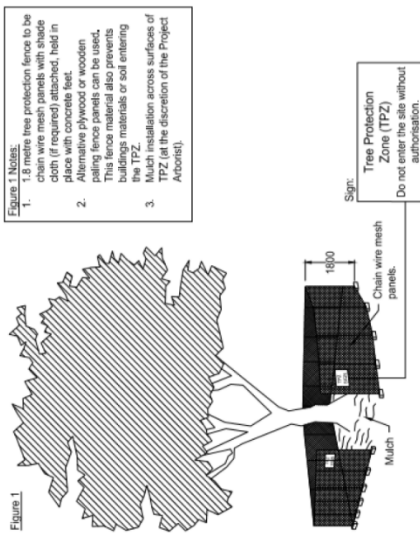


Figure 1 above left shows an example of a Tree Protection Zone using 1.8m chainmesh fence panels to isolate the tree from the works site, refer to The Australian Standard for the Protection of Trees on Development Sites AS4970.

Figure 2 above centre shows an example of trunk and branch protection in combination with ground protection to be installed as an alternative to 1.8m chainmesh fencing, refer to The Australian Standard for the Protection of Trees on Development Sites AS4970.

Figure 3 above right shows an example of the projected structural root zone and tree protection zone refer to The Australian Standard for the Protection of Trees on Development Sites AS4970.

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Appendix 5 Legend for S.T.A.R.S matrix assessment

IACA Significance of a Tree, Assessment Rating System (STARS) © (IACA 2010) ©

In the development of this document IACA acknowledges the contribution and original concept of the Footprint Green Tree Significance & Retention Value Matrix, developed by Footprint Green Pty Ltd in June 2001.

The landscape significance of a tree is an essential criterion to establish the importance that a particular tree may have on a site. However, rating the significance of a tree becomes subjective and difficult to ascertain in a consistent and repetitive fashion due to assessor bias. It is therefore necessary to have a rating system utilising structured qualitative criteria to assist in determining the retention value for a tree. To assist this process all definitions for terms used in the *Tree Significance - Assessment Criteria* and *Tree Retention Value - Priority Matrix*, are taken from the IACA Dictionary for Managing Trees in Urban Environments 2009.

This rating system will assist in the planning processes for proposed works, above and below ground where trees are to be retained on or adjacent a development site. The system uses a scale of *High, Medium* and *Low* significance in the landscape. Once the landscape significance of an individual tree has been defined, the retention value can be determined.

Tree Significance - Assessment Criteria



1. High Significance in landscape

- The tree is in good condition and good vigour.
- The tree has a form typical for the species.
- The tree is a remnant or is a planted locally indigenous specimen and/or is rare or uncommon in the local area or of botanical interest or of substantial age.
- The tree is listed as a Heritage Item, Threatened Species or part of an Endangered ecological community or listed on Councils significant Tree Register.
- The tree is visually prominent and visible from a considerable distance when viewed from most directions within the landscape due to its size and scale and makes a positive contribution to the local amenity.
- The tree supports social and cultural sentiments or spiritual associations, reflected by the broader population or community group or has commemorative values.
- The tree's growth is unrestricted by above and below ground influences, supporting its ability to reach dimensions typical for the taxa *in situ* - tree is appropriate to the site conditions.

2. Medium Significance in landscape

- The tree is in fair-good condition and good or low vigour.
- The tree has form typical or atypical of the species.
- The tree is a planted locally indigenous or a common species with its taxa commonly planted in the local area
- The tree is visible from surrounding properties, although not visually prominent as partially obstructed by other vegetation or buildings when viewed from the street,
- The tree provides a fair contribution to the visual character and amenity of the local area,
- The tree's growth is moderately restricted by above or below ground influences, reducing its ability to reach dimensions typical for the taxa *in situ*.

3. Low Significance in landscape

- The tree is in fair-poor condition and good or low vigour.
- The tree has form atypical of the species.
- The tree is not visible or is partly visible from surrounding properties as obstructed by other vegetation or buildings,
- The tree provides a minor contribution or has a negative impact on the visual character and amenity of the local area,
- The tree is a young specimen which may or may not have reached dimension to be protected by local Tree Preservation orders or similar protection mechanisms and can easily be replaced with a suitable specimen,
- The tree's growth is severely restricted by above or below ground influences, unlikely to reach dimensions typical for the taxa *in situ* - tree is inappropriate to the site conditions,
- The tree is listed as exempt under the provisions of the local Council Tree Preservation Order or similar protection mechanisms,
- The tree has a wound or defect that has potential to become structurally unsound.

Environmental Pest / Noxious Weed Species

- The tree is an Environmental Pest Species due to its invasiveness or poisonous/ allergenic properties,
- The tree is a declared noxious weed by legislation.

Hazardous/Irreversible Decline

- The tree is structurally unsound and/or unstable and is considered potentially dangerous,
- The tree is dead, or is in irreversible decline, or has the potential to fail or collapse in full or part in the immediate to short term.

The tree is to have a minimum of three (3) criteria in a category to be classified in that group.

Note: The assessment criteria are for individual trees only, however, can be applied to a monocultural stand in its entirety e.g. hedge.

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Table 1.0 Tree Retention Value - Priority Matrix.

		Significance				
		1. High	2. Medium	3. Low		
		Significance in Landscape	Significance in Landscape	Significance in Landscape	Environmental Pest / Noxious Weed Species	Hazardous / Irreversible Decline
Estimated Life Expectancy	1. Long >40 years					
	2. Medium 15-40 Years					
	3. Short <1-15 Years					
	Dead					
<p><u>Legend for Matrix Assessment</u></p> <div style="text-align: right;"> </div>						
	<p>Priority for Retention (High) - These trees are considered important for retention and should be retained and protected. Design modification or re-location of building/s should be considered to accommodate the setbacks as prescribed by the Australian Standard AS4970 <i>Protection of trees on development sites</i>. Tree sensitive construction measures must be implemented e.g. pier and beam etc if works are to proceed within the Tree Protection Zone.</p>					
	<p>Consider for Retention (Medium) - These trees may be retained and protected. These are considered less critical; however, their retention should remain priority with removal considered only if adversely affecting the proposed building/works and all other alternatives have been considered and exhausted.</p>					
	<p>Consider for Removal (Low) - These trees are not considered important for retention, nor require special works or design modification to be implemented for their retention.</p>					
	<p>Priority for Removal - These trees are considered hazardous, or in irreversible decline, or weeds and should be removed irrespective of development.</p>					

REFERENCES

Australia ICOMOS Inc. 1999, *The Burra Charter – The Australian ICOMOS Charter for Places of Cultural Significance*, International Council of Monuments and Sites, www.icomos.org/australia

Draper BD and Richards PA 2009, *Dictionary for Managing Trees in Urban Environments*, Institute of Australian Consulting Arboriculturists (IACA), CSIRO Publishing, Collingwood, Victoria, Australia.

Footprint Green Pty Ltd 2001, *Footprint Green Tree Significance & Retention Value Matrix*, Avalon, NSW Australia, www.footprintgreen.com.au

Arboriculture Impact Assessment & Tree Protection Plan.
Date: 22nd of September 2023. Site: 10 England Avenue Marrickville.

Document Set ID: 39730242
Version: 1, Version Date: 28/06/2024

Hayden Coulter
The Ents Tree Consultancy
ABN 95 598 933 136



Appendix 6 References

Australia ICOMOS Inc. 1999, *The Burra Charter – The Australian ICOMOS Charter for Places of Cultural Significance*, International Council of Monuments and Sites, www.icomos.org/australia

Draper BD and Richards PA 2009, *Dictionary for Managing Trees in Urban Environments*, Institute of Australian Consulting Arboriculturists (IACA), CSIRO Publishing, Collingwood, Victoria, Australia.

Footprint Green Pty Ltd 2001, *Footprint Green Tree Significance & Retention Value Matrix*, Avalon, NSW Australia, www.footprintgreen.com.au

Harris, R. W; Clark, J.R; & Matheny, N.P (2004). *Arboriculture: Integrated Management of Landscape Trees, Shrubs & Vines* 4th Edition, Prentice Hall, New Jersey

Shigo, A.L. (1986). *A New Tree Biology*. Shigo & Trees, Associates, Durham, New Hampshire

Hadlington, P. & Johnston, J. (1988). *Australian Trees: Their Care & Repair*. University of NSW Press, Kensington

Lonsdale, D. (1999). *Principles of Tree Hazard Assessment & Management*. Forestry Commission, The Stationery Office, London

Mattheck, C. & Breloer, H. (1994). *The Body Language of Trees*. Research for Amenity Trees No.4. The Stationery Office, London

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Appendix 7 Glossary of Terms

Abiotic	Nonliving
Anthraco-nose	a fungal disease causing dead areas on the leaves, buds, stems.
Arboriculture	The science and art of caring for trees, shrubs and other woody plants in landscape settings.
Barrier Zone	Protective boundary formed in new wood in response to wounding or other injury.
Biotic	Alive, pertaining to living organisms.
Branch attachment	The structural union of a lateral branch.
Callus	Undifferentiated tissue produced in response to wounding.
Canker	A dead spot or necrotic lesion that is caused by a bark inhabiting organism/pathogen.
Cavity	an open wound characterized by the presence of decay resulting in a hollow.
Collar	the ring of tissue that surrounds the lateral branch at its point of attachment.
Compartmentalization	A physiological process that creates the chemical and physical boundaries that act to limit the spread of disease and decay organisms.
Compression wood	A type of reaction wood that forms on the underside of branches which tends to maintain a branch angle of growth.
Crown	The above ground parts of the tree, including the trunk.
DBH	The diameter of a tree's trunk measured at 1.4m.
Decay	Process of degradation of woody tissues by fungi and bacteria through the decomposition of cellulose and lignin.
Decline	Progressive decrease in health of organs or the entire plant usually caused by a series of interacting factors.
Drip line	The width of the crown, as measured by the lateral extent of the foliage.
Epicormic shoot	a shoot that arises from latent or adventitious buds that occur on stems, branches or the bases of trees.
Included bark	Pattern of development at branch junctions where bark is turned inward, rather than pushed out; contrast with the branch bark ridge.
Mortality Spiral	The sequence of events describing a change in the trees health from vigorous to declining to death.
Photosynthesis	The transformation in the presence of chlorophyll and light, of carbon dioxide from (the air) and water (primarily from soil) into a simple carbohydrate and oxygen.
Pruning	systematic removal of branches of a plant usually a woody perennial.
Reaction wood	Specialized secondary xylem that develops in response to a lean or similar mechanical stress to restore the stem to vertical.
Taper	The change in diameter over the length of trunks and branches. Important to mechanical support.
Tension wood	A type of reaction wood that trees form on the upper side of branches and stems and roots.
VTA	Visual Tree Assessment is a method of evaluating structural defects and stability in trees.
Wound	Any injury that induces a compartmentalization response.

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Appendix 8, The Ents Tree Consultancy Tree Protection Guidelines

Definitions

- a) **Tree Protection Zone (TPZ)**, The TPZ is divided into 2 areas. 1 The Structural Root Zone delineated by an area nominated in table section 4 of the report and is assumed to contain most structural roots. The Tree Protection Zone that is twelve times the diameter of the tree trunk which is used to gauge the amount of feeder roots. No machinery works are permitted in these areas unless specified in this report or without written approval from the Council or the Arborist employed for this job site.
- b) **Qualified Arborist**, for supervision of works and reports level 5. For carrying out tree works level 3 Levels are as recognised by the Australian training framework.

Standards, AS4970 2009, Protection of Trees on development sites. AS 4373: 1996, The pruning of amenity trees.

Tree Protection Generally

1. Prior to works commencing erect a 1800mm chain mesh fence to protect the trees trunk at 12x Dbh or as specified in this report. The Tree Protection Zones as nominated should be marked with line marking paint and observed as an area free from machinery for the duration of the works unless stated otherwise in the accompanying report. Do not remove, alter or relocate without the approval of the Council or the Arborist employed for this site.
2. Trees to be protected in the works contract are items entrusted to the Contractor /owner by the Council for carrying out the work under the Contract. The Contractor/owner has obligations to protect these trees as part of the care of the work in the contract conditions.
3. Prior to commencing work on Site confirm with the Council all trees to be protected for the duration of the Works. Confirm also all access and haulage routes, storage areas, tree protection measures and work procedures. Ensure that the protection measures are in place prior to commencing work.
4. Use suitably qualified Arborist (level 5) to supervise earthworks or activities within the Structural Root Zone of tree, Do not sever roots 50mm or greater, which may cause damage to or affect the health of trees. Pruning of trees by the contractor is not permitted. If pruning works are required a suitably qualified (Minimum level 3) arborist will complete all works in the crown. All root pruning must be completed and documented by the level 5 site arborist.
5. Ensure construction trailers, vehicles and equipment do not come in contact with any tree at any time. Do not locate storage areas within the nominated Tree Protection Zone. Do not deposit or store materials, spoil, contaminants, and waste or washout water within Tree Protection Zones.
6. Take all reasonable precautions to protect trees to be retained on site from damage and decline, maintaining their health during the Contract. Implement recognised best practice industry standards to satisfy horticultural requirements for tree care.
7. Assess and monitor water stress in relation to trees on site. This is of particular importance if earthworks have occurred. Apply sufficient water to the trees on site as required to keep the trees healthy. Immediately report to the Council and site arborist, any trees on site that are injured, damaged or are in decline.

NOTE: Failure to comply with any part of these tree protection guidelines or the Australian standard AS4970 or AS4373 will result in the party breaching the Tree Protection Guidelines taking responsibility for all associated consequences.

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ABN 95 598 933 136



Appendix 9 Curriculum Vitae

Education and Qualifications

- 2019 Graduate Certificate in Arboriculture Melbourne University (AQF Level 8), 1st Class Honours.
- Arboriculture Australia 3 Day Tree Anatomy Workshop 2015
- QTRA basic certificate 2014, QTRA Advanced Certificate 2016
- TRAQ Qualification 2014
- 2005 Diploma of Arboriculture (AQF Cert 5), Ryde TAFE. Distinction Pass.
- Barrell Tree Care Workshop- Trees on Construction Sites (Brisbane 2005)
- Tree Logic seminar- Urban Tree Risk Management (Sydney 2005)
- Tree Pathology and Wood Decay Seminar Sydney (2004)
- Excelsior Training Claus Mattheck (Sydney 2001)
- 2000 Tree Climbing Course (AQF Cert 2), Ryde TAFE.
- 1999 Advanced Certificate in Urban Horticulture, (AQF Cert 4), Ryde TAFE. Distinction Pass.
- 1995 Greenkeepers Trade Certificate (AQF 3) Ryde TAFE. Credit Pass.
- 1991 Higher School Certificate.

Professional Membership Accreditation

- Institute of Australian Consulting Arborists ACM 0482014
- Arboriculture Australia Member number 2527

Presentation of Scientific Papers

- Managing Mature Trees NAAA (Sydney 2000), Presented a Paper "Habitat Value of Mature Trees"

Industry Experience

- **2004 to Date, Sole Trader, The Ents Tree Consultancy.** Writing of tree reports for development applications, master plans, hazard evaluations, tree management plans and expert witness reports. Hazard assessments, tree surveys and consultations. Clients include The Royal Botanic Gardens Sydney, UNSW Master Planning Works including SIRC building, Tyree Building, DP sports field redevelopment, Sydney University Mays Green Precinct, Taronga Zoo Coastline Precinct, Capital Insight, Campbelltown Hospital Redevelopment, Parramatta Park Trust multiple jobs, Woollahra Council multiple jobs and many other jobs.
- **2003 to 2008, Arborist University of New South Wales.** Survey all trees on site, developed a Tree Management Database. Minimise hazard potential of all trees on site through evaluation and works. Generate and prioritise works and tree assessment-based areas usage, tree conditions and staff required. Development of UNSW Tree Protection Guidelines for master planning works. Acting Supervisor December 2006 to May 2007.
- **2003 Tree management Officer Randwick Council.** Liaise with public to explain and enforce the councils Tree Preservation order. Management of internal staff and contractors. Project management and co-ordination of street tree planting and maintenance.
- **1999 to 2003 Animal Food Production Manager and Arborist.** Management of Koala Food Plantation, Management of animal food supply registry for herbivores/omnivores. Coordination of staff contractors and volunteers. Maintain and manage tree management database, complete tree works within zoo grounds and at zoo owned plantations. Acting supervisor 6-month period 2002 for grounds department and asset management trade team.

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WASTE MANAGEMENT PLAN
PART 1: DEMOLITION AND CONSTRUCTION



GENERAL DETAILS	
SITE ADDRESS	10 ENGLAND AVENUE MARRICKVILLE NSW 2204
PROPOSED DEVELOPMENT	Subdivision & construction of dual occupancy (attached)
NUMBER OF PROPOSED DWELLINGS	4
NUMBER OF PROPOSED COMMERCIAL/ INDUSTRIAL TENANCIES	N/A
DATE	31/01/2024

RE-USE/RECYCLING/DISPOSAL				
MATERIALS ONSITE	RE-USE AND RECYCLING			DISPOSAL
TYPE OF MATERIAL	ESTIMATED VOLUME	ONSITE RE-USE AND RECYCLING	OFFSITE RE-USE AND RECYCLING	OFFSITE DISPOSAL
<i>Excavation Material</i>	1000 m ²	N/A	N/A	TBA
<i>Green Waste (organic)</i>	1000 m ²	N/A	N/A	TBA
<i>Bricks</i>	N/A	N/A	N/A	N/A
<i>Concrete</i>	N/A	N/A	N/A	N/A
<i>Timber</i>	1000 m ²	N/A	N/A	TBA
<i>Plasterboard</i>	N/A	N/A	N/A	N/A
<i>Metals</i>	N/A	N/A	N/A	N/A
<i>Tiles</i>	N/A	N/A	N/A	N/A
<i>Other</i>	N/A	N/A	N/A	N/A

WASTE MANAGEMENT PLAN
PART 2: ONGOING USE



RESIDENTIAL BIN ALLOCATION					
BIN TYPE	120 LITRE BINS		240 LITRE BINS		360 LITRE BINS
GENERAL WASTE	N/A		X4		N/A
RECYCLABLE MATERIALS	N/A		X4		N/A
GREEN GARDEN WASTE	N/A		X4		N/A
ALTERNATIVE BINS	CAPACITY	N/A		NUMBER	N/A
SKIP BINS	CAPACITY	N/A		NUMBER	N/A

NON-RESIDENTIAL DEVELOPMENT ONLY			
GENERAL WASTE:			
TYPE OF WASTE	VOLUME PER WEEK	ON SITE STORAGE/TREATMENT ARRANGEMENTS	METHOD OF DISPOSAL
Food scraps	480 litres	Stored in bins	Private waste contractor collection
Non-recyclable waste	240 litres	Stored in bins	Private waste contractor collection
RECYCLABLE MATERIALS:			
TYPE OF WASTE	VOLUME PER WEEK	ON SITE STORAGE/TREATMENT ARRANGEMENTS	METHOD OF DISPOSAL
Paper, cardboard, plastics	480 litres	Stored in bins	Private waste contractor collection

WASTE MANAGEMENT PRACTICES IN ALL DEVELOPMENT TYPES	
If applicable, describe arrangements and responsibilities for moving bins from their usual storage area to the place at which they are emptied.	The collection of waste generated on all properties will be collected on the weekly collection date and bin collection schedule. The bins will be stored in the waste storage area in designated area. The manager of the centre will be responsible for moving bins on collection dates.
Describe arrangements and responsibilities for cleaning bins, waste storage rooms/areas, and other waste management facilities.	The cleaning of bins and the waste storage area will be the responsibility of the manager of the centre.
Describe arrangements for educating staff (in non-residential development) and contractors of on-site waste management practices.	All staff will be educated on induction including showing the location of the bin storage area, relevant bins for general waste and recycling and cleaning procedures.

WASTE MANAGEMENT PLAN - PART 2
SUBDIVISION & CONSTRUCTION OF DUAL OCCUPANCY (ATTACHED)
10 ENGLAND AVENUE MARRICKVILLE NSW 2204

2.1

Attachment 1 – Recommended Development Conditions

Prior to the issue of an Occupation/Subdivision Certificate:

Section 73 Compliance Certificate

A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Our assessment will determine the availability of water and wastewater services, which may require extensions, adjustments, or connections to our mains. Make an early application for the certificate, as there may be assets to be built and this can take some time. A Section 73 Compliance Certificate must be obtained before an Occupation or Subdivision Certificate will be issued.

Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to the Sydney Water website or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

Prior to the issue of a Construction Certificate/Complying Development Certificate:

Building Plan Approval (including Tree Planting Guidelines)

The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Any amendments to plans will require re-approval. Please go to [Sydney Water Tap in@](#) to apply.

Sydney Water recommends developers apply for a Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales.

Tree Planting

Certain tree species placed in proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Section 46 of the Sydney Water Act specifies what might occur when there is interference or damage to our assets caused by trees.

For any trees proposed or planted that may cause destruction of, damage to or interference with our work and are in breach of the Sydney Water Act 1994, Sydney Water may issue an order to remove that tree or directly remove it and seek recovery for all loss and associated compensation for the removal.

For guidance on types of trees that can cause damage or interference with our assets see Sydney Water webpage [Wastewater blockages](#). For guidance on how to plant trees near our assets, see Diagram 5 – Planting Trees within Sydney Water's [Technical guidelines – Building over and adjacent to pipe assets](#)

Sydney Water Corporation ABN 49 776 225 038
1 Smith Street, Parramatta, NSW 2150 | PO Box 399, Parramatta, NSW 2124
Telephone 13 20 92 Media (24/7) 8849 5151 sydneywater.com.au



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Attachment C – Recommended conditions of consent if approved by the IWLPP

GENERAL CONDITIONS

Condition													
1.	<p style="text-align: center;">Permits</p> <p>Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent must obtain all applicable Permits from Council in accordance with Section 68 (Approvals) of the Local Government Act 1993 and/or Section 138 of the Roads Act 1993. Permits are required for the following activities:</p> <ul style="list-style-type: none"> • Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application; • A concrete pump across the roadway/footpath; • Mobile crane or any standing plant; • Skip Bins; • Scaffolding/Hoardings (fencing on public land); • Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.; • Awning or street veranda over the footpath; • Partial or full road closure; and • Installation or replacement of private stormwater drain, utility service or water supply. <p>If required contact Council's Road Access team to ensure the correct Permit applications are made for the various activities. Applications for such Permits must be submitted and approved by Council prior to the commencement of the works associated with such activity. Reason: To ensure works are carried out in accordance with the relevant legislation.</p>												
2.	<p style="text-align: center;">Insurances</p> <p>Any person acting on this consent or any contractors carrying out works on public roads or Council controlled lands is required to take out Public Liability Insurance with a minimum cover of twenty (20) million dollars in relation to the occupation of, and approved works within those lands. The Policy is to note, and provide protection for Inner West Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public property. Reason: To ensure Council assets are protected.</p>												
3.	<p style="text-align: center;">Documents related to the consent</p> <p>The development must be carried out in accordance with plans and documents listed below:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Plan, Revision and Issue No.</th> <th style="text-align: left;">Plan Name</th> <th style="text-align: left;">Date Issued/Received</th> <th style="text-align: left;">Prepared by</th> </tr> </thead> <tbody> <tr> <td>DA 1.02 Rev C</td> <td>Demolition Plan</td> <td>17/04/2024</td> <td>habitat housing</td> </tr> <tr> <td>DA 2.02 Rev C</td> <td>Site Plan</td> <td>17/04/2024</td> <td>habitat housing</td> </tr> </tbody> </table>	Plan, Revision and Issue No.	Plan Name	Date Issued/Received	Prepared by	DA 1.02 Rev C	Demolition Plan	17/04/2024	habitat housing	DA 2.02 Rev C	Site Plan	17/04/2024	habitat housing
Plan, Revision and Issue No.	Plan Name	Date Issued/Received	Prepared by										
DA 1.02 Rev C	Demolition Plan	17/04/2024	habitat housing										
DA 2.02 Rev C	Site Plan	17/04/2024	habitat housing										

	DA 3.01 Rev C	Ground Floor Plan	17/04/2024	habitat housing
	DA 3.02 Rev C	First Floor Plan	17/04/2024	habitat housing
	DA 3.03 Rev C	Street Parking Diagrams	17/04/2024	habitat housing
	DA 4.01 Rev C	Elevations	17/04/2024	habitat housing
	DA 4.02 Rev C	Elevations	17/04/2024	habitat housing
	DA 5.01 Rev C	Sections	17/04/2024	habitat housing
	DA 8.01 Rev C	CGIs & Finishes	17/04/2024	habitat housing
	D10 Rev A	Stormwater Drainage Plan Ground Level	19/10/2023	Amity Engineers
	DA12 Rev A	Stormwater Drainage Plan Roof Level	19/10/2023	Amity Engineers
	not stated	Arboricultural Impact Assessment & Tree Protection Plan	22/09/2023	The Ents Tree Consultancy
	J0738 Rev 0	Aircraft Noise Assessment	25/10/2023	National Noise & Vibration
	1373526S_03	BASIX	12/02/2024	Certified Energy 1
	1373527S_05	BASIX	12/02/2024	Certified Energy 1
	1373529S_02	BASIX	12/02/2024	Certified Energy 1
	1373530S_04	BASIX	12/02/2024	Certified Energy 1
	not stated	Attachment 1 - Recommended Development Conditions	not stated	Sydney Water Corporation
As amended by the conditions of consent. Reason: To ensure development is carried out in accordance with the approved documents.				
4.	Noise Levels and Enclosure of Pool/spa Pumping Units			
	<p>Noise levels associated with the operation of the pool/spa pumping units must not exceed the background noise level (L90) by more than 5dBA above the ambient background within habitable rooms of adjoining properties. Pool plant and equipment must be enclosed in a sound absorbing enclosure or installed within a building so as not to create an offensive noise as defined under the Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Noise Control) Regulation 2008.</p> <p>Domestic pool pumps and filters must not be audible in nearby dwellings between 8:00pm to 7:00am Monday to Saturday and 8:00pm to 8:00am Sundays and Public Holidays.</p>			

	Reason: To ensure that acoustic privacy treatment protects the amenity of the neighbourhood.
5.	Works Outside the Property Boundary
	This development consent does not authorise works outside the property boundaries on adjoining lands. Reason: To ensure works are in accordance with the consent.
6.	Storage of materials on public property
	The placing of any materials on Council's footpath or roadway is prohibited, without the prior consent of Council. Reason: To protect pedestrian safety.
7.	Other works
	Works or activities other than those approved by this Development Consent will require the submission of a new Development Application or an application to modify the consent under Section 4.55 of the <i>Environmental Planning and Assessment Act 1979</i> . Reason: To ensure compliance with legislative requirements.
8.	National Construction Code (Building Code of Australia)
	A complete assessment of the application under the provisions of the National Construction Code (Building Code of Australia) has not been carried out. All building works approved by this consent must be carried out in accordance with the requirements of the National Construction Code. Reason: To ensure compliance with legislative requirements.
9.	Notification of commencement of works
	Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the PCA (not being the council) has given the Council written notice of the following information: <ul style="list-style-type: none"> a. In the case of work for which a principal contractor is required to be appointed: <ul style="list-style-type: none"> i. The name and licence number of the principal contractor; and ii. The name of the insurer by which the work is insured under Part 6 of that Act. b. In the case of work to be done by an owner-builder: <ul style="list-style-type: none"> i. The name of the owner-builder; and ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit. Reason: To ensure compliance with legislative requirements.
10.	Dividing Fences Act
	The person acting on this consent must comply with the requirements of the <i>Dividing Fences Act 1991</i> in respect to the alterations and additions to the boundary fences. Reason: To ensure compliance with legislative requirements.
11.	Swimming Pools
	Applicants are advised of the following requirements under the <i>Swimming Pools Act 1992</i> :

	<ul style="list-style-type: none"> a. The owner of the premises is required to register the swimming pool on the NSW State Government's Swimming Pool Register. Evidence of registration should be provided to the Certifying Authority. b. Access to the pool/spa is restricted by a child resistant barrier in accordance with the regulations prescribed in the. The pool must not be filled with water or be allowed to collect stormwater until the child resistant barrier is installed. The barrier is to conform to the requirements of Australian Standard AS 1926:2012. c. A high level overflow pipe has been provided from the back of the skimmer box to the filter backwash line discharging to the sewer. This line must not directly vent the receiving Sydney Water sewer. Evidence from the installer, indicating compliance with this condition must be submitted to the Principal Certifier prior to the issue of an Occupation Certificate. d. Permanently fixed water depth markers are to be clearly and prominently displayed on the internal surface above the water line at the deep and shallow ends on in-ground pools / spas and on the outside of aboveground pools / spas. e. A durable cardiopulmonary resuscitation information poster sign authorised by the Life Saving Association is to be displayed in the pool / spa area in accordance with Clause 10 of the <i>Swimming Pool Regulation 2008</i>. f. Access to the swimming pool/spa must be restricted by fencing or other measures as required by the <i>Swimming Pools Act 1992</i> at all times. <p>All drainage, including any overland waters associated with the pool/spa, must be pipe-drained via the filter to the nearest sewer system in accordance with the requirements of Council & Sydney Water. No drainage, including overflow from the pool or spa must enter Council's stormwater system.</p> <p>Reason: To ensure the pool does not result in any ongoing safety or amenity issues.</p>
12.	<p style="text-align: center;">Construction of Vehicular Crossing</p> <p>The vehicular crossing and/or footpath works are required to be constructed by your own contractor. You or your contractor must complete an application for Construction of a Vehicular Crossing & Civil Works form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, prior to commencement of works.</p> <p>Reason: To protect assets, infrastructure and pedestrian safety.</p>
13.	<p style="text-align: center;">Lead-based Paint</p> <p>Buildings built or painted prior to the 1970's may have surfaces coated with lead-based paints. Recent evidence indicates that lead is harmful to people at levels previously thought safe. Children particularly have been found to be susceptible to lead poisoning and cases of acute child lead poisonings in Sydney have been attributed to home renovation activities involving the removal of lead based paints. Precautions should therefore be taken if painted surfaces are to be removed or sanded as part of the proposed building alterations, particularly where children or pregnant women may be exposed, and work areas should be thoroughly cleaned prior to occupation of the room or building.</p> <p>Reason: To protect human health.</p>
14.	<p style="text-align: center;">Dial before you dig</p> <p>Contact "Dial Prior to You Dig" prior to commencing any building activity on the site.</p>

	Reason: To protect assets and infrastructure.
15.	<p style="text-align: center;">Asbestos Removal</p> <p>Hazardous and industrial waste arising from the use must be removed and / or transported in accordance with the requirements of the NSW Environment Protection Authority (EPA) and the New South Wales WorkCover Authority.</p> <p>Reason: To ensure compliance with the relevant environmental legislation.</p>
16.	<p style="text-align: center;">Bin Storage - Residential</p> <p>All bins are to be stored within the property. Bins are to be returned to the property within 12 hours of having been emptied.</p> <p>Reason: To ensure resource recovery is promoted and residential amenity is protected.</p>
17.	<p style="text-align: center;">Consent of adjoining property owners</p> <p>This consent does not authorise the applicant, or the contractor engaged to do the tree works to enter a neighbouring property. Where access to adjacent land is required to carry out approved tree works, Council advises that the owner's consent must be sought. Notification is the responsibility of the person acting on the consent. Should the tree owner/s refuse access to their land, the person acting on the consent must meet the requirements of the <i>Access to Neighbouring Lands Act 2000</i> to seek access.</p> <p>Reason: To meet the requirements of the <i>Access to Neighbouring Lands Act 2000</i>.</p>
18.	<p style="text-align: center;">Tree Pruning or Removal (including root pruning/mapping)</p> <p>Removal or pruning of any other tree (that would require consent of Council) on the site is not approved and must be retained and protected in accordance with the approved Tree Protection Plan.</p> <p>Reason: To protect and retain trees.</p>

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

Condition
<p>Security Deposit - Custom</p> <p>Prior to the commencement of demolition works or prior to the issue of a Construction Certificate, the Certifying Authority must be provided with written evidence that a security deposit and inspection fee has been paid to Council to cover the cost of making good any damage caused to any Council property or the physical environment as a consequence of</p>

<p>carrying out the works and as surety for the proper completion of any road, footpath and drainage works required by this consent.</p> <p>Security Deposit:</p> <table border="1"> <tr> <td>Security Deposit:</td> <td>\$40,930.00</td> </tr> <tr> <td>Inspection Fee:</td> <td>\$374.50</td> </tr> </table> <p>Payment will be accepted in the form of cash, bank cheque, EFTPOS/credit card (to a maximum of \$10,000) or bank guarantee. Bank Guarantees must not have an expiry date.</p> <p>The inspection fee is required for the Council to determine the condition of the adjacent road reserve and footpath prior to and on completion of the works being carried out.</p> <p>Should any of Council's property and/or the physical environment sustain damage during the course of the demolition or construction works, or if the works put Council's assets or the environment at risk, or if any road, footpath or drainage works required by this consent are not completed satisfactorily, Council may carry out any works necessary to repair the damage, remove the risk or complete the works. Council may utilise part or all of the security deposit to restore any damages, and Council may recover, in any court of competent jurisdiction, any costs to Council for such restorations.</p> <p>A request for release of the security may be made to the Council after all construction work has been completed and a final Occupation Certificate issued.</p> <p>The amount nominated is only current for the financial year in which the initial consent was issued and is revised each financial year. The amount payable must be consistent with Council's Fees and Charges in force at the date of payment.</p> <p>Reason: To ensure required security deposits are paid.</p>		Security Deposit:	\$40,930.00	Inspection Fee:	\$374.50
Security Deposit:	\$40,930.00				
Inspection Fee:	\$374.50				
<p>Dilapidation Report – Pre-Development – Minor</p> <p>Prior to the issue of a Construction Certificate or any demolition, the Certifying Authority must be provided with a dilapidation report including colour photos showing the existing condition of the footpath and roadway adjacent to the site.</p> <p>Reason: To ensure Council assets are protected.</p>					
<p>Stormwater Drainage System – Minor Developments (OSD is required)</p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with stormwater drainage design plans incorporating on site stormwater detention and/or on site retention/ re-use facilities (OSR/OSD), certified by a suitably qualified Civil Engineer that the design of the site drainage system complies with the following specific requirements:</p> <ul style="list-style-type: none"> a) The design must be generally in accordance with the stormwater drainage concept plan on Drawing No. 230382/D10 Rev A prepared by AMITY ENGINEERS and dated 19/10/2023. b) Stormwater runoff from all roof and paved areas within the property must be collected in a system of gutters, pits and pipelines and be discharged together overflow pipelines from any rainwater tank(s) by gravity to the kerb and gutter of a public road/directly to Council's piped drainage system via the OSD/OSR tanks as necessary. Minor roof and paved areas at the rear of the property that cannot reasonably be drained by gravity to the street may drained to an on-site dispersal system such as an absorption system or 					

otherwise, subject to the roof areas being drained via a suitably sized rainwater tank, no nuisance or concentration of flows to other properties and the feasibility and design of the on-site dispersal system being certified by a suitably qualified and experienced practising Civil and/or Geotechnical Engineer.

- c) Comply with Council's Stormwater Drainage Code, Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3-2018 'Stormwater Drainage' and Council's DCP.
- d) Charged or pump-out stormwater drainage systems are not permitted including for roof drainage other than to drain downpipes to the rainwater tanks.
- e) The Drainage Plan must detail the existing and proposed site drainage layout, size, class and grade of pipelines, pit types, roof gutter and downpipe sizes.
- f) The on-site detention system must be designed for all storm events from the 1 in 5 years to the 1 in 100 year storm event, with discharge to a Council controlled storm water system limited to pre-development conditions with the maximum allowable discharge to Council's street gutter limited to 25 litres/second (100years ARI).
- g) OSD may be reduced or replaced by on site retention (OSR) for rainwater reuse in accordance with the relevant DCP that applies to the land. Where this is pursued, the proposed on-site retention (OSR) tanks must be connected to a pump system for internal reuse for laundry purposes, the flushing of all toilets and for outdoor usage such as irrigation. Surface water must not be drained to rainwater tanks where the collected water is to be used to supply water inside the dwelling, such as for toilet flushing or laundry use.
- h) Pipe and channel drainage systems including gutters must be designed to convey the one hundred (100) year Average Recurrence Interval (ARI) flows from the contributing catchment to the OSD/OSR tanks.
- i) Details of the 1 in 100-year ARI overflow route in case of failure/blockage of the drainage system must be provided.
- j) Overland flowpaths must be provided within the setback to the side boundaries of Lot A and Lot B between the rear of the dwellings and the England Avenue frontage. The rear courtyards must be graded so that bypass flows from the site drainage system are directed to the overland flowpath.
- k) A 150mm step up must be provided between the finished surface level of the external area and the finished floor level of the internal room unless a reduced step is permitted by Part 3.3.3. of the National Construction Code for Class 1 buildings.
- l) Details of external catchments currently draining to the site must be included on the plans. Existing natural overland flows from external catchments may not be blocked or diverted, but must be captured and catered for within the proposed site drainage system. Where necessary an inter-allotment drainage system must be incorporated into the design.
- m) No nuisance or concentration of flows to other properties.
- n) Plans must specify that any components of the existing system to be retained must be certified during construction to be in good condition and of adequate capacity to convey the additional runoff generated by the development and be replaced or upgraded if required.

<p>o) An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets.</p> <p>p) New pipelines within the footpath area that are to discharge to the kerb and gutter must be hot dipped galvanised steel hollow section with a minimum wall thickness of 4.0mm and a maximum section height and width of 100mm or sewer grade uPVC pipe with a maximum diameter of 100mm.</p> <p>q) All stormwater outlets through sandstone kerbs must be carefully core drilled in accordance with Council standard drawings.</p> <p>r) All redundant pipelines within footpath area must be removed and footpath/kerb reinstated.</p> <p>s) Stormwater drainage must be located such that any waters leaving the pool must drain to pervious areas prior to potentially draining to the site stormwater drainage system.</p> <p>t) No impact to street tree(s).</p> <p>Reason: To ensure that the adequate provision of stormwater drainage is provided.</p>
<p>Public Domain Works – Prior to Construction Certificate</p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a public domain works design, prepared by a qualified practising Civil Engineer and evidence that the works on the Road Reserve have been approved by Council under Section 138 of the Roads Act 1993 incorporating the following requirements:</p> <ul style="list-style-type: none"> a. The public domain along all frontages of the site inclusive of footpath paving, kerb, street trees, landscaping, etc. must be reconstructed and upgraded in accordance with the Street Tree Master plan and the Public Domain Design Guide or scheme. b. The construction of light duty vehicular crossings to all vehicular access locations and removal of all redundant vehicular crossings to the site. c. The vehicular crossing and driveway ramp to the site shall be designed to satisfy the ground clearance template for a B85 vehicle using dynamic ground clearance software. A long section, along both sides of the vehicular crossing and ramp, drawn at a 1:20 or 1:25 natural scale, shall be provided for review. The long section shall begin from the centreline of the adjacent road to a minimum of 3 metres into the property. The long section shall show both existing and proposed surface levels including information including chainages. d. New concrete footpath and kerb and gutter along the frontage of the site. The kerb type (concrete or stone) must be consistent with the majority of kerb type at this location as determine by the Council Engineer. e. Cross sections are to be provided at the boundary at a minimum distance of every 5m and at all pedestrian and vehicular access locations. Note, the cross fall of the footpath must be set at 2.5%. These sections will set the alignment levels at the boundary. f. Installation of stormwater outlet to the kerb and gutter. <p>All works must be completed prior to the issue of an Occupation Certificate.</p> <p>Reason: To ensure public domain works are constructed to Council's standards</p>
<p>Parking Facilities - Domestic</p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans and certification by a suitably qualified Civil Engineer demonstrating that the design of</p>

<p>the vehicular access and off-street parking facilities comply with Australian Standard AS/NZS2890.1-2004 Parking Facilities – Off-Street Car Parking and the following specific requirements:</p> <ul style="list-style-type: none"> b. The garage driveway must rise within the property to be a minimum of 170mm above the adjacent road gutter level and higher than the street kerb and footpath across the full width of the vehicle crossing. c. The longitudinal profile across the width of the vehicle crossing must comply with the Ground Clearance requirements of AS/NZS 2890.1-2004 for a B85 vehicle. Longitudinal sections along each outer edge of the access and parking facilities, extending to the centreline of the road carriageway must be provided, demonstrating compliance with the above requirements. d. A minimum of 2200mm headroom must be provided throughout the access and parking facilities. Note that the headroom must be measured at the lowest projection from the ceiling, such as lighting fixtures, and to open garage doors. e. The garage/carport/parking space must have minimum clear internal dimensions of 5400 x 3000 mm (length x width).. The dimensions must be exclusive of obstructions such as walls, doors and columns, except where they do not encroach inside the design envelope specified in Section 5.2 of AS/NZS 2890.1-2004. f. A plan of the proposed access and adjacent laneway, drawn at a 1:100 scale, demonstrating that vehicle manoeuvrability for entry and exit to the parking space complies with swept paths from AS/NZS 2890.1:2004. The plan must include any existing on-street parking spaces. g. The maximum gradients within the parking module must not exceed 1 in 20 (5%), measured parallel to the angle of parking and 1 in 16 (6.25%), measured in any other direction in accordance with the requirements of Section 2.4.6 of AS/NZS 2890.1-2004 unless otherwise approved. h. The external form and height of the approved structures must not be altered from the approved plans. <p>Reason: To ensure parking facilities are designed in accordance with the Australian Standard and council's DCP.</p>
<p>Long Service Levy</p> <p>Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that the long service levy in accordance with Section 34 of the Building and Construction Industry Long Service Payments Act 1986 has been paid at the prescribed rate of 0.25% of the total cost of the work to either the Long Service Payments Corporation or Council for any work costing \$250,000 or more.</p> <p>Reason: To ensure the long service levy is paid.</p>
<p>Sydney Water – Tap In</p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority is required to ensure approval has been granted through Sydney Water's online 'Tap In' program to determine</p>

<p>whether the development will affect Sydney Water’s sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met.</p> <p>Note: Please refer to the web site http://www.sydneywater.com.au/tapin/index.htm for details on the process or telephone 13 20 92.</p> <p>Reason: To ensure relevant utility and service provides requirements are provided to the certifier.</p>
<p>Acoustic Report – Aircraft Noise</p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans detailing the recommendations of an acoustic report prepared by a suitably qualified Acoustic Engineer demonstrating compliance of the development with the relevant provisions of Australian Standard AS 2021:2015 Acoustics – Aircraft noise intrusion – Building siting and construction.</p> <p>Reason: To ensure all noise attenuation is in accordance with the relevant Australian Standard.</p>
<p>Fibre-ready Facilities</p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with evidence that arrangements have been made for:</p> <p>The installation of fibre-ready facilities to all individual lots and/or premises the development so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose.</p> <p>The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises the development demonstrated through an agreement with a carrier.</p> <p>Reason: To ensure relevant utility and service provides' requirements are provided to the certifier.</p>
<p>Street Numbering</p> <p>If there are any changes to the number of occupancies including any additional occupancies created, a street numbering application must be lodged and approved by Council’s GIS team before any street number is displayed. Link to Street Numbering Application</p> <p>Reason: To ensure occupancies are appropriately numbered.</p>
<p>Green Roofs, Walls and Facades Report</p> <p>Prior to the issue of Construction Certificate, the Certifying Authority is to be provided with a report prepared by a suitably qualified person demonstrating that the proposed landscape plan and details of any green roofs, wall and facades are consistent with Inner West Councils Green Roof, Walls and Facades Technical Guidelines including but not limited to using species selected from the suggested species list, water proofing and drainage.</p> <p>Reason: To ensure landscaping is maintained.</p>

Section 7.11 Contribution	
In accordance with section 7.11 of the <i>Environmental Planning and Assessment Act 1979</i> and the Inner West Local Infrastructure Contribution Plan 2023 (the Plan), the following monetary contributions shall be paid to Council to cater for the increased demand for local infrastructure resulting from the development:	
Contribution Category	Amount
Open Space & Recreation	\$42,900.00
Community Facilities	\$7,951.00
Transport	\$5,640.00
Plan Administration	\$551.00
Drainage	\$2,958.00
TOTAL	\$60,000.00
At the time of payment, the contributions payable will be adjusted for inflation in accordance with indexation provisions in the Plan in the following manner:	
$C_{\text{payment}} = C_{\text{consent}} \times (CPI_{\text{payment}} \div CPI_{\text{consent}})$	
Where:	
C_{payment} = is the contribution at time of payment	
C_{consent} = is the contribution at the time of consent, as shown above	
CPI_{consent} = is the Consumer Price Index (All Groups Index) for Sydney at the date the contribution amount above was calculated being 139.1 for the June 2024 quarter.	
CPI_{payment} = is the Consumer Price Index (All Groups Index) for Sydney published by the Australian Bureau of Statistics that applies at the time of payment	
Note: The contribution payable will not be less than the contribution specified in this condition.	
The monetary contributions must be paid to Council (i) <u>if the development is for subdivision – prior to the issue of the subdivision certificate</u> , or (ii) if the development is for building work – prior to the issue of the first construction certificate, or (iii) if the development involves both subdivision and building work – prior to issue of the subdivision certificate or first construction certificate, whichever occurs first, or (iv) if the development does not require a construction certificate or subdivision certificate – prior to the works commencing.	
<u>It is the professional responsibility of the principal certifying authority to ensure that the monetary contributions have been paid to Council in accordance with the above timeframes.</u>	
Council's Plan may be viewed at www.innerwest.nsw.gov.au or during normal business hours at any of Council's customer service centres.	
Please contact any of Council's customer service centres at council@innerwest.nsw.gov.au or 9392 5000 to request an invoice confirming the indexed contribution amount payable. Please allow a minimum of 2 business days for the invoice to be issued.	

<p>Once the invoice is obtained, payment may be made via (i) BPAY (preferred), (ii) credit card / debit card (AMEX, Mastercard and Visa only; log on to www.innerwest.nsw.gov.au/invoice; please note that a fee of 0.75 per cent applies to credit cards), (iii) in person (at any of Council's customer service centres), or (iv) by mail (make cheque payable to 'Inner West Council' with a copy of your remittance to PO Box 14 Petersham NSW 2049).</p> <p>The invoice will be valid for 3 months. If the contribution is not paid by this time, please contact Council's customer service centres to obtain an updated invoice. The contribution amount will be adjusted to reflect the latest value of the Consumer Price Index (All Groups Index) for Sydney.</p> <p>Reason: To ensure payment of the required development contribution.</p>									
<p>Housing and Productivity Contribution</p> <p>a. The housing and productivity contribution (HPC) set out in the table below, but as adjusted in accordance with condition (b), is required to be made</p> <table border="1" data-bbox="432 730 1046 871"> <thead> <tr> <th>Housing and productivity contribution</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Total housing and productivity contribution</td> <td>\$37,931.81</td> </tr> </tbody> </table> <p>b. The amount payable at the time of payment is the amount shown in condition (a) as the total housing and productivity contribution adjusted by multiplying it by:</p> <p style="text-align: center;"><i>Highest PPI number</i></p> <p style="text-align: center;"><i>Consent PPI number</i></p> <p>Where:</p> <p><i>highest PPI number</i> is the highest PPI number for a quarter following the June quarter 2023 and up to and including the 2nd last quarter before the quarter in which the payment is made, and</p> <p><i>consent PPI number</i> is the PPI number last used to adjust HPC rates when consent was granted, and</p> <p><i>June quarter 2023</i> and <i>PPI</i> have the meanings given in clause 22 (4) of the <i>Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023</i>.</p> <p>If the amount adjusted in accordance with this condition is less than the amount at the time consent is granted, the higher amount must be paid instead.</p> <p>c. The HPC must be paid before the issue first construction certificate in relation to the development, or before the commencement of any work authorised by this consent (if no construction certificate is required). However, if development is any of the kinds set out in the table below, the total housing and productivity contribution must be paid as set out in the table:</p> <table border="1" data-bbox="432 1532 1150 1570"> <thead> <tr> <th>Development</th> <th>Time by which HPC must be paid</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>		Housing and productivity contribution	Amount	Total housing and productivity contribution	\$37,931.81	Development	Time by which HPC must be paid		
Housing and productivity contribution	Amount								
Total housing and productivity contribution	\$37,931.81								
Development	Time by which HPC must be paid								

Development consisting only of residential subdivision within the meaning of the HPC Order	Before the issue of the first subdivision certificate
High-density residential development within the meaning of the HPC Order for which no construction certificate is required	Before the issue of the first strata certificate
Development that consists only of residential strata subdivision (within the meaning of the HPC Order) or only of residential strata subdivision and a change of use of an existing building	Before the issue of the first strata certificate
Manufactured home estate for which no construction certificate is required	Before the installation of the first manufactured home

In the Table, *HPC Order* means the *Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023*.

d. The HPC must be paid using the NSW planning portal (<http://pp.planningportal.nsw.gov.au/>).

e. If the Minister administering the *Environmental Planning and Assessment Act 1979* agrees, the HPC (apart from any transport project component) may be made, instead of as a monetary contribution, in the following ways:

- a. the dedication or provision of land for the purpose of regional infrastructure in the region in which the development will be carried out,
- b. the carrying out of works for the purpose of regional infrastructure in the region in which the HPC development will be carried out.

If the HPC is made partly as a monetary contribution, the amount of the part payable is the amount of the part adjusted in accordance with condition (b.) at the time of payment.

f. Despite condition (a.), a housing and productivity contribution is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the *Environmental Planning and Assessment Act 1979* to the development, or the *Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023* exempts the development from the contribution. The amount of the contribution may also be reduced under the order, including if payment is made before 1 July 2025.

Reason: To ensure payment of the required development contribution.

Tree Planting in the Public Domain

1. A Street Tree Planting Plan must be submitted to, and be approved by, Council's Tree Assessment Officer prior to the issuing of a Construction Certificate. The plan must include and be consistent with the following requirements:

	<p>a. One (1) street tree must be located, planted and pits constructed between the two driveways for lots A and B, approved in accordance with the Street Tree Master plan where relevant/available. Species substitutes will not be accepted unless approved in writing by Council's Tree Assessment Officer. The tree pit dimensions, planting and staking details to be included on the plan/s must be in accordance with Detail 2, of the Marrickville Street Tree Master Plan (available online). Where structural soil cells are required, it must be demonstrated that adequate soil volume can be provided.</p> <p>b. The species must be in accordance with the Marrickville Street Tree Master Plan (available online).</p> <p>c. The street tree must be in a minimum container size of 300 litres at planting and a minimum height of 6 metres.</p> <p>d. The planting stock must comply with AS2303—<i>Tree stock for landscape use</i>. Note - Certification from the tree supplier must be submitted to the Council's Tree Assessment Officer prior to the trees being planted. The certification must confirm the tree(s) have been grown and comply with the requirements of AS2302.</p> <p>e. The plans must be annotated with the requirement that the trees be planted by a person holding a minimum Australian Qualification Framework (AQF) Level 3, Certificate Horticulture/Arboriculture.</p> <p>f. All new trees must be inspected and approved by Council's Tree Assessment Officer at the following milestones: before planting with planting pits excavated; after planting; and at the end of the maintenance period.</p> <p>g. The plan/s must be annotated that all trees planted must be maintained by a qualified Horticulturist or Arborist (minimum AQF Level 3) for a minimum period of 12 months, commencing from the date of planting. Maintenance includes, but is not limited to, watering, weeding, removal of rubbish from tree base, pruning, fertilising, pest and disease control and any other operations to maintain a healthy robust tree.</p> <p>h. The plan/s must be annotated that at the end of the 12 month maintenance period, written acceptance of the tree/s must be obtained from the Council's Tree Assessment Officer prior to release of the street tree portion of the public domain bond.</p> <p>i. If a tree fails to thrive and successfully establish during the maintenance period, Council will request payment for a replacement tree and establishment period according to the Schedule of Fees and Charges.</p> <p>Reason: To ensure appropriate tree planting is undertaken.</p>
	BASIX
	Prior to the issue of a construction certificate, the Principal Certifying Authority must be provided with a valid BASIX certificate for each dwelling

BEFORE BUILDING WORK COMMENCES

	Condition
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34.	<p>Hoardings</p> <p>The person acting on this consent must ensure the site is secured with temporary fencing prior to any works commencing.</p> <p>If the work involves the erection or demolition of a building and is likely to cause pedestrian or vehicular traffic on public roads or Council controlled lands to be obstructed or rendered inconvenient, or building involves the enclosure of public property, a hoarding or fence must be erected between the work site and the public property. An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling onto public property.</p> <p>Separate approval is required from the Council under the Roads Act 1993 to erect a hoarding or temporary fence or awning on public property.</p> <p>Reason: To ensure the site is secure and that the required permits are obtained if enclosing public land.</p>
35.	<p>Construction Traffic Management Plan</p> <p>Prior to any works commencing, the Certifying Authority, must be provided with a detailed Construction Traffic Management Plan (CTMP) to cater for construction prepared by a person with RMS accreditation to prepare a work zone traffic management plan. Details must include haulage routes, estimated number of vehicle movements, truck parking areas, work zones, crane usage, etc., related to demolition/construction activities. A work zone approval must be obtained. If in the opinion of Council, TfNSW or the NSW Police the works results in unforeseen traffic congestion or unsafe work conditions the site may be shut down and alternative Traffic Control arrangements shall be implemented to remedy the situation. In this regard you shall obey any lawful direction from the NSW Police or a Council officer if so required. Any approved CTMP must include this as a note."</p> <p>Reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.</p>
36.	<p>Waste Management Plan</p> <p>Prior to the commencement of any works (including any demolition works), the Certifying Authority is required to be provided with a Recycling and Waste Management Plan (RWMP) in accordance with the relevant Development Control Plan.</p> <p>Reason: To ensure resource recovery is promoted and local amenity is maintained.</p>
37.	<p>Erosion and Sediment Control</p> <p>Prior to the issue of a commencement of any works (including any demolition works), the Certifying Authority must be provided with an erosion and sediment control plan and specification. Sediment control devices must be installed and maintained in proper working order to prevent sediment discharge from the construction site.</p> <p>Reason: To ensure resource recovery is promoted and local amenity is maintained.</p>
38.	<p>Verification of Levels and Location</p> <p>Prior to the pouring of the ground floor slab or at dampcourse level, whichever is applicable or occurs first, the Principal Certifier must be provided with a survey levels certificate prepared by a Registered Surveyor indicating the level of the slab and the location of the building with respect to the boundaries of the site to AHD.</p>

	Reason: To ensure works are in accordance with the consent.
39.	<p>Dilapidation Report</p> <p>Prior to any works commencing (including demolition), the Certifying Authority and owners of identified properties, must be provided with a colour copy of a dilapidation report prepared by a suitably qualified person. The report is required to include colour photographs of all the identified properties (i.e., no 8 and no. 12 England Avenue, and any outbuilding on adjoining properties that is within 2 metres of a boundary of 10 England Avenue) to the Certifying Authority's satisfaction. In the event that the consent of the adjoining property owner cannot be obtained to undertake the report, copies of the letter/s that have been sent via registered mail and any responses received must be forwarded to the Certifying Authority before work commences.</p> <p>Reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.</p>
40.	<p>Construction Fencing</p> <p>Prior to the commencement of any works (including demolition), the site must be enclosed with suitable fencing to prohibit unauthorised access. The fencing must be erected as a barrier between the public place and any neighbouring property.</p> <p>Reason: To protect the built environment from construction works.</p>
41.	<p>Tree Protection</p> <p>No trees on public property (footpaths, roads, reserves etc.) are to be removed or damaged during works unless specifically approved in this consent. Prescribed trees protected by Council's Tree Management Controls on the subject property and/or any vegetation on surrounding properties must not be damaged or removed during works unless specific approval has been provided under this consent. Any tree within 5 metres of the development must be protected in accordance with AS4970—<i>Protection of trees on development sites</i> and Council's Development Fact Sheet—Trees on Development Sites. No activities, storage or disposal of materials taking place beneath the canopy of any tree (including trees on neighbouring sites) protected under Council's Tree Management Controls at any time.</p> <p>Reason: To ensure that trees to be retained are protected.</p>
42.	<p>Project Arborist</p> <p>Prior to the commencement of any demolition or construction works within close proximity to protected trees a Project Arborist (a person holding a minimum Australian Qualification Framework (AQF) Level 5, Diploma of Arboriculture), must be engaged for the duration of the site preparation, demolition, construction and landscaping to supervise works. Details of the Project Arborist must be submitted to the Certifying Authority before work commences.</p> <p>Reason: To protect and retain trees.</p>
43.	Standard Street Tree Protection

	<p>Prior to the commencement of any work, the Certifying Authority must be provided with details of the methods of protection of all street trees adjacent to the site during demolition and construction.</p> <p>Reason: To protect and retain trees.</p>
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DURING BUILDING WORK

Condition	
44.	<p>Advising Neighbours Prior to Excavation</p> <p>At least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, reasonable notice must be provided to the owner of the adjoining allotment of land including particulars of the excavation.</p> <p>Reason: To ensure surrounding properties are adequately notified of the proposed works.</p>
45.	<p>Construction Hours – Class 1 and 10</p> <p>Unless otherwise approved by Council, excavation, demolition, construction or subdivision work are only permitted between the hours of 7:00am to 5.00pm, Mondays to Saturdays (inclusive) with no works permitted on, Sundays or Public Holidays.</p> <p>Reason: To protect the amenity of the neighbourhood.</p>
46.	<p>Survey Prior to Footings</p> <p>Upon excavation of the footings and before the pouring of the concrete, the Certifying Authority must be provided with a certificate of survey from a registered land surveyor to verify that the structure will not encroach over the allotment boundaries.</p> <p>Reason: To ensure works are in accordance with the consent.</p>
47.	<p>Tree Protection</p> <p>No trees on public property (footpaths, roads, reserves etc.) are to be removed or damaged during works unless specifically approved in this consent. Prescribed trees protected by Council's Tree Management Controls on the subject property and/or any vegetation on surrounding properties must not be damaged or removed during works unless specific approval has been provided under this consent. Any tree within 5 metres of the development must be protected in accordance with AS4970—<i>Protection of trees on development sites</i> and Council's Development Fact Sheet—Trees on Development Sites. No activities, storage or disposal of materials taking place beneath the canopy of any tree (including trees on neighbouring sites) protected under Council's Tree Management Controls at any time.</p> <p>Reason: To ensure that trees to be retained are protected.</p>
48.	<p>Arborists standards</p> <p>All tree work must be undertaken by a person holding a minimum Australian Qualification Framework (AQF) Level 3, Certificate of Arboriculture, Arborist. The work</p>

	<p>must be undertaken in accordance with AS4373—<i>Pruning of amenity trees</i> and the Safe Work Australia Code of Practice—Guide to Managing Risks of Tree Trimming and Removal Work. Any works in the vicinity of the Low Voltage Overhead Network (including service lines—pole to house connections) must be undertaken by an approved network service provider contractor for the management of vegetation conflicting with such services. Contact the relevant network service provider for further advice in this regard.</p> <p>Reason: To ensure compliance with legislative requirements.</p>						
<p>49.</p>	<p>Tree Protection Works</p> <p>All tree protection for the site must be undertaken in accordance with Council's Development Fact Sheet—Trees on Development Sites and AS4970—<i>Protection of trees on development sites</i>.</p> <p>Reason: To protect and retain trees.</p>						
<p>50.</p>	<p>Works to Trees</p> <p>Approval is given for the following trees to be removed, after the issue of a Construction Certificate:</p> <table border="1" data-bbox="435 981 1093 1368"> <thead> <tr> <th data-bbox="435 981 603 1025">Tree No.</th> <th data-bbox="603 981 927 1025">Botanical/Common Name</th> <th data-bbox="927 981 1093 1025">Location</th> </tr> </thead> <tbody> <tr> <td data-bbox="435 1025 603 1368">28 & 29 (as numbered in the Arboricultural Impact Assessment & Tree Protection Plan, prepared by "The Ents Tree Consultancy")</td> <td data-bbox="603 1025 927 1368"><i>Water Gums (Tristaniopsis laurina)</i></td> <td data-bbox="927 1025 1093 1368">located outside, and in front of, the site on Council land</td> </tr> </tbody> </table> <p>All tree works shall be undertaken by an arborist with minimum Australian Qualification Framework (AQF) Level 3, Certificate of Arboriculture, as defined by the Australian Qualification Framework and in compliance with Australian Standard AS 4373—<i>Pruning of amenity trees</i> and Safe Work Australia's Guide to Managing Risks of Tree Trimming and Removal Work.</p> <p>Any works in the vicinity of the Low Voltage Overhead Network (including service lines—pole to house connections) shall be undertaken by an approved network service provider contractor for the management of vegetation conflicting with such</p>	Tree No.	Botanical/Common Name	Location	28 & 29 (as numbered in the Arboricultural Impact Assessment & Tree Protection Plan, prepared by "The Ents Tree Consultancy")	<i>Water Gums (Tristaniopsis laurina)</i>	located outside, and in front of, the site on Council land
Tree No.	Botanical/Common Name	Location					
28 & 29 (as numbered in the Arboricultural Impact Assessment & Tree Protection Plan, prepared by "The Ents Tree Consultancy")	<i>Water Gums (Tristaniopsis laurina)</i>	located outside, and in front of, the site on Council land					

	<p>services. Contact the relevant network service provider for further advice in this regard.</p> <p>The removal of any street trees approved by Council must include complete stump removal and the temporary reinstatement of levels so that no trip or fall hazards exist until suitable replanting occurs. These works must be completed immediately following a tree's removal.</p> <p>The trees to be removed must be included on all Construction Certificate plans shown in red.</p> <p>Reason: To identify trees permitted to be removed.</p>
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BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

	Condition
51.	<p>Public Domain Works</p> <p>Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with written evidence from Council that the following works on the Road Reserve have been completed in accordance with the requirements of the approval under Section 138 of the Roads Act 1993 including:</p> <ul style="list-style-type: none"> • Light/Heavy duty concrete vehicle crossing(s) at the vehicular access location(s); • The existing concrete footpath across the frontage of the site must be reconstructed; and • Other works subject to the Roads Act 1993 approval. <p>All works must be constructed in accordance with Council's standards and specifications and AUS-SPEC#2-"Roadworks Specifications".</p> <p>Reason: To ensure Council assets are protected, and that works that are undertaken in the public domain maintain public safety.</p>
52.	<p>No Encroachments</p> <p>Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that any encroachments on to Council road or footpath resulting from the building works have been removed, including opening doors, gates and garage doors with the exception of any awnings or balconies approved by Council.</p> <p>Reason: To maintain and promote vehicular and pedestrian safety.</p>
53.	<p>Protect Sandstone Kerb</p> <p>Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that any stone kerb, damaged as a consequence of the work that is the subject of this development consent has been replaced.</p> <p>Reason: To ensure Council assets are protected.</p>

<p>54.</p>	<p>Works as Executed – Site Stormwater Drainage System</p> <p>Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with Certification by a suitably qualified Civil Engineer that:</p> <p>The stormwater drainage system has been constructed in accordance with the approved design and relevant Australian Standards; and</p> <p>Works-as-executed plans of the stormwater drainage system certified by a Registered Surveyor, to verify that the drainage system has been constructed, OSD/OSR system commissioned and installed in accordance with the approved design and relevant Australian Standards have been submitted to Council. The works-as-executed plan(s) must show the as built details in comparison to those shown on the drainage plans approved with the Construction Certificate. All relevant levels and details indicated must be marked in red on a copy of the Principal Certifier stamped Construction Certificate plans.</p> <p>Reason: To ensure the approved works are undertaken in accordance with the consent.</p>
<p>55.</p>	<p>Operation and Management Plan</p> <p>Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with an Operation and Management Plan has been prepared and implemented for the on-site detention and/or on-site retention/re-use facilities. The Plan must set out the following at a minimum:</p> <ul style="list-style-type: none"> a. The proposed maintenance regime, specifying that the system is to be regularly inspected and checked by qualified practitioners; and b. The proposed method of management of the facility, including procedures, safety protection systems, emergency response plan in the event of mechanical failure, etc. <p>Reason: To ensure the approved works are undertaken in accordance with the consent.</p>
<p>56.</p>	<p>Parking Signoff – Minor Developments</p> <p>Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with certification from a qualified practising Civil Engineer that the vehicle access and off street parking facilities have been constructed in accordance with the approved design and relevant Australian Standards.</p> <p>Reason: To ensure parking facilities are designed in accordance with the Australian Standard and council's specifications.</p>
<p>57.</p>	<p>Easements, Restrictions on the Use of Land and Positive Covenants</p> <p>Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with evidence that Easements, Restrictions on the Use of Land and Positive Covenants under Section 88B or 88E, whichever is relevant to the subject development, of the Conveyancing Act 1919, has been created on the title of the property detailing the following:</p> <ul style="list-style-type: none"> a. Easement for drainage of water; and b. Right of carriage way.

	<p>The wording in the Instrument must be in accordance with Councils Standard wording.</p> <p>Reason: To ensure that the relevant easements are registered on the property.</p>
58.	<p>Aircraft Noise</p> <p>Prior to the issue of any Occupation Certificate, the Principal Certifier must be provided with a report prepared and submitted by an accredited Acoustics Consultant certifying that the final construction meets AS2021-2015 with regard to the noise attenuation measures referred to in the "Before the Issue of a Construction Certificate" Section of this Determination. Such report must include external and internal noise levels to ensure that the external noise levels during the test are representative of the typical maximum levels that may occur at this development.</p> <p>Where it is found that internal noise levels are greater than the required dB(A) rating due to faulty workmanship or the like, necessary corrective measures must be carried out and a further certificate being prepared and submitted to the Principal Certifier in accordance with this condition.</p> <p>Reason: To ensure all noise attenuation is in accordance with the relevant Australian Standard.</p>
59.	<p>Smoke Alarms - Certification of upgrade to NCC requirements</p> <p>Prior to the issue of any Occupation Certificate, the Principal Certifier is required to be satisfied the existing building has been upgraded to comply with the provisions of the National Construction Code (Building Code of Australia) in relation to smoke alarm systems.</p> <p>Reason: To ensure compliance with the National Construction Code (Building Code of Australia).</p>
60.	<p>Section 73 Certificate</p> <p>Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with a Section 73 Certificate under the Sydney Water Act 1994.</p> <p>Reason: To ensure relevant utility and service providers' requirements are provided to the certifier.</p>
61.	<p>Verification and Maintenance of Green Roofs, Walls and Facades Works</p> <p>Prior to the issue of an Occupation Certificate, the principal certifier is to be provided with written evidence demonstrating that the works have been carried out in accordance with the Green Roofs, Walls and Facades Report that was submitted at Construction Certificate Stage and a maintenance plan that is consistent with the Inner West Councils Green Roof, Walls and Facades Technical Guidelines.</p> <p>Reason: To ensure landscaping is maintained.</p>
62.	<p>Dilapidation Report</p> <p>Prior to the issue of an Occupation Certificate, the Certifying Authority and owners of identified properties must be provided with a second colour copy of a dilapidation report prepared by a suitably qualified person. The report is required to include colour</p>

	<p>photographs of all the identified properties (i.e., no 8 and no. 12 England Avenue, and any outbuilding on adjoining properties that is within 2 metres of a boundary of 10 England Avenue) to the Certifying Authority's satisfaction. In the event that the consent of the adjoining property owner cannot be obtained to undertake the report, copies of the letter/s that have been sent via registered mail and any responses received must be forwarded to the Certifying Authority before work commences.</p> <p>Reason: To determine potential construction impacts.</p>
<p>63.</p>	<p>Certification of Tree Planting</p> <p>Prior to the issue of any Occupation Certificate a Final Landscape Inspection must be carried out and a certificate issued by Council's Tree Assessment Officer. This certificate is required to ensure that all tree protection measures, landscaping works, replacement tree planting and the deep soil percentage requirements have been carried out in accordance with the conditions of this consent. To arrange a Final Landscape Inspection please phone 9392-5000 a minimum of 48 hours prior to the required inspection date. An inspection fee will be charged in accordance with the current schedule of rates listed on Council's website. Any secondary inspections will incur a reinspection fee.</p> <p>A minimum of one (1) x 100 litre size tree, which will attain a minimum mature height of 4 metres and minimum mature spread of 2 metres, has been planted within the front setback of lots A and B, and a minimum of one (1) x 200 litre size tree, which will attain a minimum mature height of 6 metres and minimum mature spread of 4 metres, has been planted within the rear yard of lots A and B, in suitable locations within the property, at least 1 metre from any boundary and 1.5 metres from any structure, and allowing for future tree growth. The tree must meet the requirements of AS2303—<i>Tree stock for landscape use</i>. Trees listed as exempt species from Council's Tree Management Development Control Plan and species recognised to have a short life span, will not be accepted as suitable.</p> <p>Trees required by this condition must be maintained and protected until they are protected by Council's Tree Management DCP. Any replacement trees found damaged, dying or dead must be replaced with the same species in the same container size within one month with all costs to be borne by the owner.</p> <p>Reason: To ensure appropriate landscaping is undertaken.</p>
<p>64.</p>	<p>Project Arborist Certification</p> <p>Prior to the issue of an Occupation Certificate, the Certifying Authority is to be provided with certification from the Project Arborist that the requirements of the conditions of consent related to the landscape plan/approved tree planting plan and the role of the project arborist have been complied with.</p> <p>Reason: To ensure the protection and ongoing health of trees to be retained.</p>
<p>65.</p>	<p>Planting of Street Trees</p>

	<p>Prior to the issue of an Occupation Certificate, the Certifying Authority must be provided with written certification from Council's Tree Assessment Officer that the street tree/public domain planting has been undertaken in accordance with the approved plans, relevant conditions and in accordance with the requirements of the approval under Section 138 of the <i>Roads Act 1993</i>.</p> <p>Where structural soil cells or soil vaults are constructed, certification must be provided from the supplier that they have been installed in accordance with the manufacturer's technical specifications, including certification that the soil type used is fit for purpose.</p> <p>Reason: To ensure appropriate tree planting is undertaken and compliance with the <i>Roads Act 1993</i>.</p>
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OCCUPATION AND ONGOING USE

Condition	
66.	<p>Operation and Management Plan</p> <p>The Operation and Management Plan for the on-site detention and/or on-site retention/re-use, approved with the Occupation Certificate, must be implemented and kept in a suitable location on site at all times.</p> <p>Reason: To ensure that the adequate provision of stormwater drainage is provided.</p>
67.	<p>Green Roofs, Walls and Facades Establishment</p> <p>The plantings within the Green Roofs, Walls and Facades as part of this consent are to be maintained in a healthy and vigorous condition from the issue of an Occupation Certificate.</p> <p>Reason: To ensure landscaping is maintained.</p>
68.	<p>Tree Establishment</p> <p>If any of the trees planted as a part of this consent are found dead or dying before they reach dimensions where they are subject to the Tree Management Development Control Plan (DCP) they must be replaced in accordance with the relevant conditions.</p> <p>Reason: To protect and retain trees.</p>

DEMOLITION WORK

BEFORE DEMOLITION WORK COMMENCES

Condition	
69.	<p>Hoardings</p> <p>The person acting on this consent must ensure the site is secured with temporary fencing prior to any works commencing.</p>

	<p>If the work involves the erection or demolition of a building and is likely to cause pedestrian or vehicular traffic on public roads or Council controlled lands to be obstructed or rendered inconvenient, or building involves the enclosure of public property, a hoarding or fence must be erected between the work site and the public property. An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling onto public property.</p> <p>Separate approval is required from the Council under the Roads Act 1993 to erect a hoarding or temporary fence or awning on public property.</p> <p>Reason: To ensure the site is secure and that the required permits are obtained if enclosing public land.</p>
70.	<p>Construction Traffic Management Plan</p> <p>Prior to any works commencing, the Certifying Authority, must be provided with a detailed Construction Traffic Management Plan (CTMP) to cater for construction prepared by a person with RMS accreditation to prepare a work zone traffic management plan. Details must include haulage routes, estimated number of vehicle movements, truck parking areas, work zones, crane usage, etc., related to demolition/construction activities. A work zone approval must be obtained. If in the opinion of Council, TfNSW or the NSW Police the works results in unforeseen traffic congestion or unsafe work conditions the site may be shut down and alternative Traffic Control arrangements shall be implemented to remedy the situation. In this regard you shall obey any lawful direction from the NSW Police or a Council officer if so required. Any approved CTMP must include this as a note."</p> <p>Reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.</p>

SUBDIVISION WORK

BEFORE ISSUE OF A SUBDIVISION CERTIFICATE

Condition	
71.	<p>Separate Drainage Systems</p> <p>Prior to the issue of a Subdivision Certificate, the Principal Certifier must be provided with a plan detailing that separate drainage systems must be provided to drain each proposed lot.</p> <p>Reason: To ensure that the adequate provision of stormwater drainage is provided.</p>
72.	<p>Subdivision Plan Amendment</p> <p>Prior to the issue of a Subdivision Certificate, the Principal Certifier must verify that:</p> <ul style="list-style-type: none"> a. A common drainage easement in favour of the parcels of land to be drained must be created over the full length of all existing and proposed inter-allotment drainage systems within the site of the proposed development; and b. Proof of registration of the easement and a written statement signed by the Registered Surveyor that the as-built pipeline is totally within the proposed easement. <p>Reason: To ensure easements are registered.</p>

<p>73.</p>	<p>Civil Engineer Verification</p> <p>Prior to the issue of a Subdivision Certificate, the Principal Certifier must be provided with written verification from a suitably experienced / Chartered/Registered Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng), stating that all stormwater drainage and related work has been and constructed in accordance with the approved plans.</p> <p>Reason: To ensure the approved works are undertaken in accordance with the consent.</p>
<p>74.</p>	<p>Release of Subdivision Certificate</p> <p>Prior to the release of a Subdivision Certificate, the Certifying Authority must be provided with a copy of the Final Occupation Certificate.</p> <p>Reason: To ensure development is completed before the subdivision certificate is released.</p>
<p>75.</p>	<p>Street Numbering</p> <p>If there are any changes to the number of occupancies including any additional occupancies created, a street numbering application must be lodged and approved by Council's GIS team before any street number is displayed. Link to Street Numbering Application</p> <p>Reason: To ensure occupancies are appropriately numbered.</p>