

An Extraordinary Meeting of Cumberland Local Planning Panel will be held at 11:30am at the Merrylands Administration Building, 16 Memorial Avenue, Merrylands on Wednesday, 30 January 2019.

Business as below:

Yours faithfully

Hamish McNulty  
General Manager

## ORDER OF BUSINESS

1. Receipt of Apologies
2. Declaration of Interest
3. Address by invited speakers
4. Reports
  - Development Applications
  - Planning Proposals
5. Closed Session Reports





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Minutes of the Cumberland Local Planning Panel Meeting held at Merrylands Administration Building, 16 Memorial Avenue, Merrylands on Wednesday 12 December 2018.

**PRESENT:**

The Hon. Paul Stein AM QC (Chairperson), Gabrielle Morrish, Brian Kirk and Paul Moulds AM.

**IN ATTENDANCE:**

Sohail Faridy, Nighat Aamir, Michael Lawani, Olivia Yana, Sarah Pritchard, Olivia Shields, Laith Jammal and Somer Ammar.

**NOTICE OF LIVE STREAMING OF CUMBERLAND LOCAL PLANNING PANEL MEETING**

The Chairperson advised that the Cumberland Local Planning meeting was being streamed live on Council's website and members of the public must ensure their speech to the Panel is respectful and use appropriate language.

The meeting here opened at 11:30a.m.

**DECLARATIONS OF INTEREST:**

There were no declarations of interest.

**ADDRESS BY INVITED SPEAKERS:**

The following persons had made application to address the Cumberland Local Planning Panel meeting:

<u>Speakers</u>	<u>Item No. Subject</u>
Mr Ziad Boumelhem	DA for 2-4 Patricia Street, Mays Hill
Mr Trevor De Waal	DA for 3 Arcadia Street, Merrylands West
Ms Schandel Fortu	DA for 306-308 Merrylands Road, Merrylands

The Chairperson enquired to those present in the Gallery as to whether there were any further persons who would like to address the Panel and no further persons presented themselves.

The open session of the meeting here closed at 12:00pm.

The closed session of the meeting here opened at 12:01pm.

ITEM LPP063/18 - DEVELOPMENT APPLICATION FOR 2-4 PATRICIA STREET,  
MAYS HILL

**RESOLVED:**

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**That Modification Application 2016/294/2 which seeks consent for internal and external alterations and additions to an approved residential flat building be approved subject to the conditions within attachment 4 as amended by the Panel:**

**Condition 13 is amended to read as follows:**

**Amended plans / documents**

13. Amended plans and documents are required to the satisfaction of the Principal Certifying Authority prior to the issue of the Construction Certificate, indicating the following:

- a. The bin gate must be a minimum 1100mm wide to fit 1100 litre bins.
- b. Outdoor clothes drying area to be provided on the ground floor, as indicated in red on the approved plans.
- c. Amended BASIX Certificate indicating:
  - Both Lot numbers;
  - Correct site area; and
  - Correct common area.
  - HWS to be shown on the plans.
- d. Residential access/entry from unit nos. G.03, G.04, G.04 and G.06 private open spaces to Penny Lane is to be deleted from the architectural plans.
- e. The width of corridor area between unit X.01 and units X.03 and X.04 on levels 1, 2 and 3 shall be limited to a maximum of 1.2 metres.
- ~~f. Swept path analysis shall be provided demonstrating that two vehicles can pass each other at intersection points and at the top and bottom of the ramp. Details of the road including, kerb line, signs, traffic devices, power poles, other structures and neighbouring driveways shall be shown on the plans.~~
- ~~g. Details of any control device for the roller gate (if proposed) shall be shown on the plans. The control device shall not reduce the width of the access driveway/ramp, shall not impact on the flow of traffic and road safety and shall be demonstrated with swept path analysis.~~
- ~~h. The entry vehicle shall be fully accommodated within the site while giving way to the exit vehicle. In this regard, swept path analysis shall be provided demonstrating that a vehicle can pass another vehicle at the top of the ramp.~~
- f. All plans (architectural, landscape and engineering) are to correspond with each other.
- g. The access ramp to the communal open space is to be reconfigured away from the private open space of unit G.01.

**For:** Paul Stein AM (Chairperson), Gabrielle Morrish, Brian Kirk and Paul Moulds AM.

**Against:** Nil

**Reasons for Decision:**

1. The Panel agrees with the Planning Officer's assessment report and has imposed a condition for a minor reconfiguration of the access ramp adjacent to unit G.01

ITEM LPP064/18 - DEVELOPMENT APPLICATION FOR 3 ARCADIA STREET,  
MERRYLANDS WEST

**RESOLVED:**

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1. That Development Application 2017/516 for part demolition of existing structures, adaptive reuse of an existing heritage building to accommodate 3 residential units, construction of 1 x 4 storey and 1 x 5 storey residential flat buildings to accommodate 69 residential units over two levels of basement parking accommodating 94 parking spaces and associated strata subdivision into 69 lots be refused for the following reasons:
2. That all persons who lodged a submission in respect of the application be notified of the determination of the application.

**For:** Paul Stein AM (Chairperson), Gabrielle Morrish, Brian Kirk and Paul Moulds AM.

**Against:** Nil

**Reasons for Decision:**

1. The site is unsuitable for the proposed development pursuant to s. 4.15 (1) (c) of the Environmental Planning and Assessment Act 1979.
2. The proposed development is an over development of the site pursuant to s. 4.15 (1) (c) of the Environmental Planning and Assessment Act 1979.
3. The proposed development does not comply with the SEPP 65 Principles in particular with the ADG criteria and principles as follows:
  - a. Building separations;
  - b. Building side and rear setbacks;
  - c. Internal amenity;
  - d. Visual and acoustic privacy;
  - e. Private open space dimensions and privacy;
  - f. Safety and security;
  - g. Amenity impacts to the adjacent park;
  - h. Floor to floor heights;
  - i. Bulk and scale of building A;
  - j. Location and fragmentation of the majority of communal open space;

- k. Exposure of the vehicle access ramp;
  - l. The location of the substation and the basement fire egress stairs within the front setback.
4. The proposal fails to comply with clause 5.10 (1) (b) of the Holroyd LEP 2013 because of the proximity of buildings A and B to the heritage item. The proposed development should provide sufficient curtilage to the heritage item.
5. The proposed development fails to comply with the Holroyd DCP 2013 in the following respects:
- a. Landscape area;
  - b. Landscape forward of the building line;
  - c. Excavation outside building envelope;
  - d. Site coverage;
  - e. Setbacks;
  - f. Number of storeys and;
  - g. Bicycle parking (s 4.15 (1) (a) (iii) Environmental Planning and Assessment Act).
6. The application does not include an adequate site analysis, in particular in relation to the curtilage of the heritage item.
7. The proposed development is contrary to the public interest pursuant to s. 4.15 (1) (e) of the Environmental Planning and Assessment Act 1979.

ITEM LPP065/18 - DEVELOPMENT APPLICATION FOR 188 WOODVILLE ROAD, MERRYLANDS

**RESOLVED:**

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**That Development Application Number 280/2018 for Demolition of a grandstand and associated buildings including clubrooms, seating, shade structures, toilet blocks, garage, shed, entry building and BBQ structure at Granville Park on land at 188 Woodville Road Merrylands be approved subject to the conditions as listed in the attached schedule.**

**For:** Paul Stein AM (Chairperson), Gabrielle Morrish, Brian Kirk and Paul Moulds AM.

**Against:** Nil

**Reasons for Decision:**

- 1. The Panel agrees with the Planning Officer's report and recommendations.**

ITEM LPP066/18 - DEVELOPMENT APPLICATION FOR 300 RAILWAY TERRACE,  
GUILDFORD

**RESOLVED:**

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**That Development Application No. DA-73/2018 for the creation of a new tenancy within existing supermarket and fitout and use for a take away food shop on land at 300 Railway Terrace, GUILDFORD NSW 2161 be refused for the reasons listed in the attached schedule.**

**For:** Paul Stein AM (Chairperson), Gabrielle Morrish, Brian Kirk and Paul Moulds AM.

**Against:** Nil

**Reasons for Decision:**

- 1. The Panel agrees with the Planning Officer's report and recommendations as set out in the reasons for refusal in the attached schedule.**

ITEM LPP067/18 - DEVELOPMENT APPLICATION FOR 306-308 MERRYLANDS  
ROAD, MERRYLANDS

**RESOLVED:**

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**That Modification Application 2016/173/4 for alterations and additions to an approved mixed use development including an additional 3 units to rooftop level and partial redistribution of communal open space to lower levels be approved subject to the conditions within the draft notice of determination provided at Attachment 5 as amended by the Panel:**

**Condition 8 under Schedule 'B' is amended to read as follows:**

**Child Care Centres**

- 8. A Licence shall be obtained for the childcare centre from NSW Department of Community Services prior to commencement of operations. The number of children cared for in the new centre shall not exceed 70 (a maximum of 14 children aged 0 to 2 years, a maximum of 21 children aged 2 to 3 years and a maximum of 35 children aged 3-5 years).**

**Condition 176 under Schedule 'B' is amended to read as follows:**

- 176. A maximum of 70 children are permitted with the operation of the child care centre. as follows**
  - 0-2 year olds – 14**
  - 2-3 year olds – 21**
  - 3-5 year olds – 35**

**For:** Paul Stein AM (Chairperson), Gabrielle Morrish, Brian Kirk and Paul Moulds AM.

**Against:** Nil

**Reasons for Decision:**

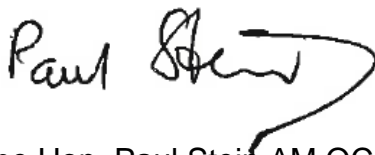
1. The Panel notes the annexed schedule of corrections to the planning report have been taken into consideration.
2. The Panel generally agrees with Planning Officers report as amended by the schedule of corrections and has made minor changes to the recommended conditions to specify the numbers of children of different age groups in the childcare centre.

The closed session of the meeting here closed at 1:30pm.

The open session of the meeting here opened at 1:31pm. The Chairperson delivered the Cumberland Local Planning Panel's resolutions to the Public Gallery.

The meeting terminated at 1:33pm.

Signed:



The Hon. Paul Stein AM QC  
Chairperson

Minutes of the Extraordinary Cumberland Local Planning Panel Meeting held at Merrylands Administration Building, 16 Memorial Avenue, Merrylands on Tuesday 18 December 2018.

**PRESENT:**

The Hon. Paul Stein AM (Chairperson) QC, Julie Walsh, Marjorie Ferguson and Bruce Simpson.

**IN ATTENDANCE:**

Karl Okorn, Sohail Faridy, Monica Cologna, Nighat Aamir, Monica Cologna, Olivia Shields and Somer Ammar.

**NOTICE OF LIVE STREAMING OF CUMBERLAND LOCAL PLANNING PANEL MEETING**

The Chairperson advised that the Cumberland Local Planning meeting was being streamed live on Council's website and members of the public must ensure their speech to the Panel is respectful and use appropriate language.

The meeting here opened at 11:30a.m.

**DECLARATIONS OF INTEREST:**

There was one declaration of interest:

1. Mr Bruce Simpson declared an interest in Item LPP 071/18 as he has made a submission on this application in response to an invitation from Council, and has accepted the Chairpersons view that he should not participate in the consideration of this item.

**ADDRESS BY INVITED SPEAKERS:**

The following persons had made application to address the Cumberland Local Planning Panel meeting:

<u>Speakers</u>	<u>Item No. Subject</u>
Mr Jonathon Wood	DA for 127-129 Great Western Highway, Mays Hill
Mr Jonathon Wood	DA for 20 Newman Street and 27 Memorial Avenue, Merrylands
Mr Bruce Simpson	DA for 190-220 Dunmore Street, Pendle Hill
Ms Chemaine Shehadeh	DA for 190-220 Dunmore Street, Pendle Hill
Ms Megan Kassler	Planning Proposal for 300 Manchester Road, Auburn



Mr Kerry Stanton	Planning Proposal for 300 Manchester Road, Auburn
Ms Deborah Neyle	Planning Proposal for 300 Manchester Road, Auburn
Mr Michael Woodland	Planning Proposal for 300 Manchester Road, Auburn
Mr Jeremy Gill	Planning Proposal for 300 Manchester Road, Auburn
Mr Iwan Smith	Planning Proposal for 300 Manchester Road, Auburn

The Chairperson enquired to those present in the Gallery as to whether there were any further persons who would like to address the Panel and no further persons presented themselves.

The open session of the meeting here closed at 12:37p.m.

The closed session of the meeting here opened at 12:38p.m.

ITEM LPP068/18 - DEVELOPMENT APPLICATION FOR 127-129 GREAT WESTERN  
HIGHWAY, MAYS HILL**RESOLVED:**

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**That the Modification Application 2016/490/2 which seeks consent for internal and external alterations to an approved 7 storey mixed use development, including an additional 4 x 1-bedroom units, totalling 31 units under Affordable Rental Housing SEPP 2009, be approved subject to the conditions within the draft notice of determination provided at Attachment 5 as amended by the Panel:**

Condition 181 is amended to read as follows:

181. A restriction as to user must be registered, before the date of the issue of the Occupation Certificate, against the title of the property, in accordance with Section 88E of the Conveyancing Act 1919, requiring the use ***Units 3, 4, 5, 6, 10, 11, 12, 16, 17, 18, 22, 23, 24, 27 and 28 (being a minimum GFA of 1,149 square metres)***; for the purpose of affordable housing under the Affordable Rental Housing SEPP 2009, that that accommodation must be managed by a registered community housing provider.

Documents giving effect to the creation of a Restriction on Use must be submitted to the Council for approval prior to lodging with Land and Property Information NSW. The terms of the instruments are to be to the satisfaction of Council.

Council is to be named in the instrument as the only party authorised to release, vary or modify the instrument.

Registered title documents showing the covenants and restrictions must be submitted to and approved by Council prior to the issue of any Occupation Certificate.

The restriction to use and any associated documentation must be prepared and registered at the sole cost of the applicant, including the reasonable costs of Council in obtaining legal advice on the restriction terms, the cost and expense of negotiating the terms and conditions of the restriction, producing documents or otherwise facilitating the preparation and registration of the required documents.

Condition 217 is amended to read as follows:**Use for Affordable Housing**

217. ***Units 3, 4, 5, 6, 10, 11, 12, 16, 17, 18, 22, 23, 24, 27 and 28 (being a minimum GFA of 1,149 square metres)***; as per the plans / documents submitted must be used for the purposes of affordable housing and that

accommodation must be managed for the purposes of affordable housing under the Affordable Rental Housing SEPP 2009 by a registered community housing provider for a period of 10 years from the date of the issue of the occupation certificate.

All other conditions of Development Consent 2016/490/1 remain unchanged.

Section 8.9 of the Environmental Planning & Assessment Act 1979 confers upon an applicant, dissatisfied with Council's determination of an application made pursuant to Section 4.55(2) a right of appeal to the Land and Environment Court.

Section 8.2 of the Act provides that an applicant may request, within 28 days of the date of determination of the Section 4.55(2) Application, that the Council review its determination (this does not apply to designated development). A fee is required for this review.

**For:** Paul Stein AM (Chairperson), Julie Walsh, Marjorie Ferguson and Bruce Simpson.

**Against:** Nil

**Reasons for Decision:**

1. The Panel generally agrees with the Planning Officer's report relating to the modification application and has made amendments to the recommended conditions of consent.

ITEM LPP069/18 - DEVELOPMENT APPLICATION FOR 20 NEWMAN STREET AND 27 MEMORIAL AVENUE, MERRYLANDS

**RESOLVED:**

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**That Section 4.55(2) Application 2016/104/2 seeking alterations and additions to an approved residential flat building at 20 Newman Street and 27 Memorial Avenue, Merrylands, be approved, subject to the conditions contained in Attachment 2 of this report.**

**For:** Paul Stein AM (Chairperson), Julie Walsh, Marjorie Ferguson and Bruce Simpson.

**Against:** Nil

**Reasons for Decision:**

1. The Panel generally agrees with the Planning Officer's report.

ITEM LPP070/18 - DEVELOPEMENT APPLICATION FOR 114-116 GREAT WESTERN HIGHWAY & 17B BOOTH STREET, WESTMEAD

**RESOLVED:**

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**That the Modification Application 2014/334/2 which seeks consent for internal and external alterations and additions to an approved shop top housing development, including two additional residential units totalling 66 units and additional parking spaces totalling 95 spaces, be approved subject to the conditions within the draft notice of determination provided at Attachment 4.**

**For:** Paul Stein AM (Chairperson), Julie Walsh, Marjorie Ferguson and Bruce Simpson.

**Against:** Nil

**Reasons for Decision:**

1. The Panel generally concurs with the Planning Officer's report.
2. The Panel took into consideration the various rights of way and property titles of the neighbour and subject site and is satisfied that there is no infringement on the neighbours' right of way.

ITEM LPP071/18 - DEVELOPMENT APPLICATION FOR 190-220 DUNMORE STREET, PENDLE HILL

**RESOLVED:**

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1. **Development Application No. 2018/17/1 for 'Part demolition of existing structures, earthworks, construction of new roads and associated landscaping' be approved subject to the attached conditions provided at Attachment 1 as amended by the Panel.**

2. **Addition of condition 12A:**

Public Information Session

Prior to any demolition works commencing, the applicant shall make arrangements with Council to hold a public information session in relation to the early works and demolition on the subject site.

**For:** Paul Stein AM (Chairperson), Julie Walsh and Marjorie Ferguson.

**Against:** Nil

The Panel note that Mr Bruce Simpson was not present during the determination of

this item.

**Reasons for Decision:**

1. The Panel generally agrees with the Planning Officer's report.
2. The Panel notes Condition 52, 53 and 54 which relate to a median Island in Dunmore Street and pedestrian refuges in the new roads within the development.
3. The issues relating to any further pedestrian refuges and road design is more appropriately addressed at the next development application stage.

ITEM LPP072/18 - PLANNING PROPOSAL FOR 300 MANCHESTER ROAD, AUBURN

**RESOLVED:**

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1. The Panel's advice to the Council is that the Planning Proposal request should not be forwarded to the NSW Department of Planning and Environment for a Gateway Determination for the following reasons:
  - a. The proposal lacks strategic merit with regard to its inconsistency with the Central City District Plan Planning Priority C11: Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land;
  - b. The proposal lacks strategic merit with regard to the Draft Cumberland Employment and Innovation Lands Strategy which identifies the site's role as "services for the service sector" i.e. services that are essential to the operation of local and regional economic activity;
  - c. The proposal lacks strategic merit with regard to its pre-emption of the Greater Sydney Commission's Industrial Lands Review;
  - d. The proposal lacks strategic merit with regard to the site's access to public transport, in particular the walking distances to railway stations;
  - e. The proposal lacks strategic merit with regard to additional land use conflicts between the proposed new high density residential and industrial land and the environmentally sensitive Duck River corridor;
  - f. The proponent's economic justification is not convincing given the content of the peer review undertaken for the Council;
  - g. The proposed access to the site is constrained and funnels through the neighbouring residential areas;

- h. Some of the uses of the proposed industrial land (childcare centre, health service facility and respite day care) are considered inappropriate and;**
- i. The proposed additional residential dwellings are not required to meet Council's dwelling targets under the Central City District Plan.**

**For:** Paul Stein AM (Chairperson), Julie Walsh, Marjorie Ferguson and Bruce Simpson.

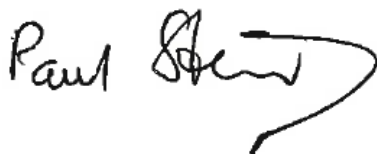
**Against:** Nil

The closed session of the meeting here closed at 2:00pm.

The open session of the meeting here opened at 2:02pm. The Chairperson delivered the Cumberland Local Planning Panel's resolutions to the Public Gallery.

The meeting terminated at 2:07pm.

Signed:



The Hon. Paul Stein AM QC  
Chairperson

Item No: ELPP001/19

## DEVELOPMENT APPLICATION FOR 21 WINNIMA CIRCUIT, PEMULWUY

Responsible Division: Environment & Planning  
Officer: Manager Development Assessment  
File Number: 2018/441/1

<b>Application lodged</b>	22 November 2018
<b>Applicant</b>	Rawson Homes Pty Ltd
<b>Owner</b>	Mr S K Saha & Mrs U Talukdar
<b>Application No.</b>	DA: 2018/441/1
<b>Description of Land</b>	The site forms Lot 127 of DP1223098 and is known as 21 Winnima Circuit, Pemulwuy.
<b>Proposed Development</b>	Construction of a two storey dwelling house
<b>Site Area</b>	330m <sup>2</sup>
<b>Zoning</b>	R3 – Medium Density Residential
<b>Disclosure of political donations and gifts</b>	Nil disclosure
<b>Heritage</b>	No
<b>Principal Development Standards</b>	FSR Permissible: 0.7:1 ( 231sqm/330sqm) Proposed: 0.62:1 (205sqm)  AND  Height of Building Permissible: 10m Proposed: 7.9m
<b>Issues</b>	<ul style="list-style-type: none"> <li>Request to release restriction of Positive Covenant on subject site.</li> </ul>

### SUMMARY:

- Development Application No. DA-2018/441/1 was received on 22 November 2018 for the Construction of a two storey dwelling house at Lot 127 of DP1223098 (Known as 21 Winnima Circuit, Pemulwuy).
- The application was publicly notified to occupants and owners of the adjoining properties for a period of 14 days between 27 November 2018 and 11 December 2018. In response, no submissions were received.

3. The variations are as follows:

Control	Required	Provided	Variation
88B Restriction on Use of land or Positive Covenants	Item No. 16 of 88B instrument- Positive Covenant burdening Lot 127 of DP1223098- <i>The registered proprietor of the lot burden must design and construct a dwelling in accordance with the Adaptable House Class B guidelines and standards</i>	Design of house is not in accordance with the adaptable Class B guidelines and standards	Remove restriction/positive covenant burdening Lot 127

4. The application is recommended for deferred commencement subject to the conditions as provided in the attached schedule.
5. The application is referred to the Panel as part owner of site is a sitting Councillor of Cumberland Council.

## REPORT:

### **Subject Site and Surrounding Area**

The site forms Lot 127 of DP1223098 and is known as 21 Winnima Circuit, Pemulwuy. The site has an area of 330m<sup>2</sup> and a frontage to Winnima Circuit of 11m. The site has a cross fall of over a meter from the western side boundary to eastern side boundary. The site is located in the Pemulwuy south sub-precinct.

A site inspection of the premises carried out in November 2018 confirmed that the site and immediate adjoining sites are currently vacant with various other lots within Winnima Circuit currently under construction.



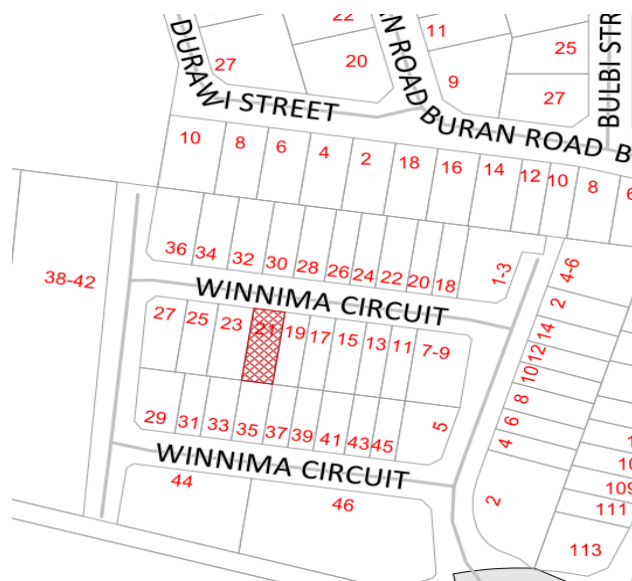


Figure 1 – Locality map of 21 Winnima Circuit, Pemulwuy



(a) Figure 2 – Aerial view of subject site



Figure 3 – Street view of subject site

### ***Description of the Proposed Development***

Council has received a development application on 22 November 2018 seeking approval for the construction of a two storey dwelling house.

Key features of the development proposal are as follows:-

- Construction of a two storey dwelling house incorporating:

#### **Ground Floor**

- Entry porch;
- A single garage;
- Lounge room
- Rumpus/theatre
- Family/dining room
- Kitchen/Pantry
- Laundry
- Bathroom
- Outdoor alfresco area

### First Floor

- A total of 4 bedrooms (including master with an ensuite);
- A Rumpus room;
- Bathroom;
- Prayer room; and
- Front balcony facing Winnima Circuit.

### ***History of Site***

The subject site is part of the approved master subdivision under Development Application DA-2010/382 which was approved on 21 March 2011. There have been a number of modification applications lodged with respect to DA 2010/382 including the following:

- Modification application DA-2010/382/2 was approved on 20 June 2011 for amendment of engineering and landscaping conditions and correct description of the approved development to 45 Lots;
- Modification application DA-2010/382/3 was approved on 5 April 2012 to modify the approved Building Envelope Plan;
- Modification application DA-2010/382/4 was approved on 26 June 2012 to modify the approved building Envelope Plan;
- Modification application DA-2010/382/5 was approved on 6 October 2016 for amendments to approved subdivision;
- Modification application DA-2010/382/6 was refused on 10 May 2017 for deletion of the reserve/pedestrian link; and
- Modification application DA-2010/382/7 was approved on 10 January 2018 for modification of the landscaping.

A planning proposal was lodged with Council to rezone part of the master lot from R4 High Density Residential to R3 Medium Density Residential. The proposal was approved by Cumberland IHAP on 10 May 2017, and by Council on 7 June 2017. Amendment No. 12 to Holroyd LEP 2013 was gazetted on 15 September 2017 and as such the site is now zoned R3 Medium Density Residential which makes the proposed development permissible.

***History regarding development application 2018/441/1***

<b>Date</b>	<b>Action</b>
22 November 2018	The Development Application was lodged for the construction of a two storey dwelling house.
27 November 2018 to 11 December 2018	Application was placed on public notification for 14 days. No submissions were received.
30 January 2019	Application referred to CLPP for determination.

***Applicants Supporting Statement***

The applicant has provided a Statement of Environmental Effects prepared by East Coast Property and Planning dated 02.08.2018 and was received by Council on 22 November 2018 in support of the application.

***Contact with Relevant Parties***

The assessing officer has undertaken a site inspection of the subject site and surrounding properties and has been in regular contact with the applicant throughout the assessment process.

***Internal Referrals***

The development application was not required to be referred to any internal Council departments.

***External Referrals***

The application was not required to be referred to any external government authorities for comment.

***Planning Comments***

**The provisions of any Environmental Planning Instruments (EP&A Act s4.15 (1)(a)(i))**

State Environmental Planning Policies

The proposed development is affected by the following State Environmental Planning Policies:

**(a) State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)**

Clause 7 of SEPP 55 requires Council to be satisfied that the site is suitable or can be made suitable to accommodate the proposed development. The matters listed within Clause 7 have been considered in the assessment of the development application.

Matter for Consideration	Yes/No
Does the application involve re-development of the site or a change of land use?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the development going to be used for a sensitive land use (e.g.: residential, educational, recreational, childcare or hospital)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site? acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries, oil production and storage, paint formulation and manufacture, pesticide manufacture and formulation, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the site listed on Council's Contaminated Land database?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the site subject to EPA clean-up order or other EPA restrictions?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the site been the subject of known pollution incidents or illegal dumping?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the site adjoin any contaminated land/previously contaminated land?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has the appropriate level of investigation been carried out in respect of contamination matters for Council to be satisfied that the site is suitable to accommodate the proposed development or can be made suitable to accommodate the proposed development?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Details of contamination investigations carried out at the site: The site is identified in Council's records as being contaminated. Remediation works were carried out as part of DA-2010/382 for the master subdivision. The site is now deemed suitable for residential purposes. The subject site has been approved for residential purposes and is currently vacant and further contamination is not expected	

**(b) State Environmental Planning Policy (Infrastructure) 2007**

The provisions of the Infrastructure SEPP (ISEPP) 2007 have been considered in the assessment of the development application.

*Clause 45 - Development likely to affect an electricity transmission or distribution network*

The subject development does not incorporate basement excavation in proximity (within 2 metres) to an electricity distribution pole nor does the development occur within 5 metres of an overhead electricity power line. As such, the Consent Authority is not required to give written notice to an electricity supply authority.



*Clause 85 – Development adjacent to railway corridors*

The application is not subject to clause 85 of the ISEPP as the site is not in or adjacent to a rail corridor.

*Clause 86 – Excavation in, above, below or adjacent to rail corridors*

The application is not subject to clause 86 of the ISEPP as the proposed redevelopment of the site does not involve excavation to a depth of at least 2m below ground level (existing), on land within, below or above a rail corridor, or within 25m (measured horizontally) of a rail corridor.

*Clause 87 – Impact of rail noise or vibration on non-rail development*

The application is not subject to clause 87 of the ISEPP as the site is not in or adjacent to a rail corridor nor is likely to be adversely affected by rail noise or vibration:

*Clause 101 – Frontage to classified road*

The application is not subject to clause 101 of the ISEPP as the site does not have frontage to a classified road.

*Clause 102 – Impact of road noise or vibration on non-road development*

The application is not subject to clause 102 of the ISEPP as the average daily traffic volume is less than 40,000 vehicles on Winnima Circuit.

*Clause 104 – Traffic generation developments*

The application is not subject to clause 104 as the proposal does not trigger the requirements for traffic generating developments listed in Schedule 3 of the ISEPP.

**(c) Statement Environmental Planning Policy No 19 - Bushland in Urban Areas**

The subject site does not adjoin land zoned or reserved for public open space.

**(d) State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017**

Yes – The proposal does not involve the removal of any vegetation.

**(e) State Environmental Planning Policy (Coastal Management) 2018**

The subject site is not identified as a coastal wetland or land identified as “proximity area for coastal wetlands” or land identified as such by the Coastal Vulnerability Area Map.

**(f) State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

BASIX Certificate No. 951714S\_02 dated issued on 21 November 2018 has been submitted with Council. BASIX Certificates have been reviewed and are considered to be satisfactory.

### Local Environmental Plans

The provision of the Holroyd Local Environmental Plan 2013 is applicable to the development proposal. It is noted that the development achieves compliance with the key statutory requirements of the Holroyd Local Environmental Plan 2013 and the objectives of the R3 – Medium Density Residential zoning.

#### **(a) Permissibility:-**

The proposed development is defined as a “dwelling house” and is permissible in the R3 – Medium Density Residential zone with consent.

A dwelling house means a building containing only one dwelling.

The relevant matters to be considered under Holroyd Local Environmental Plan 2013 and the applicable clauses for the proposed development are summarised below.

Figure 4 – Holroyd LEP 2013 Compliance Table

DEVELOPMENT STANDARD	COMPLIANCE	DISCUSSION
4.3 Height of Buildings Maximum permissible: 10m	Yes	Overall building height is 7.9m
4.4 Floor Space Ratio Maximum permissible: 0.7:1	Yes	Site area: 330m <sup>2</sup> Yes – FSR is 0.62:1 (205sqm/330sqm)
5.10 Heritage conservation	Yes	No impacts
6.1 Acid sulfate soils	N/A	The site is not affected by Acid Sulfate Soils
6.2 Earthworks	Yes	Minor earthworks with no detrimental impacts
6.4 Flood planning	N/A	The site is not identified as being flood prone
6.5 Terrestrial Biodiversity	N/A	There is no evidence of any terrestrial biodiversity on the site
6.6 Riparian land and watercourses	N/A	The site is not identified as riparian land or in vicinity of a watercourse
6.7 Stormwater management	Yes	Satisfactory subject to condition for stormwater system to be constructed in accordance with Part A, Section 7 of the HDCP 2013.
6.8 Salinity	Yes	The site is located on lands identified as being affected by moderate salinity. Appropriate

		conditions of consent have been included within the draft conditions of consent, relating to salinity.
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**The provisions of any proposed Environmental Planning Instruments (EP& A Act s4.15 (1)(a)(ii))**

• **Draft State Environmental Planning Policy (Environment)**

The draft SEPP relates to the protection and management of our natural environment with the aim of simplifying the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property. The changes proposed include consolidating the following seven existing SEPPs:

- State Environmental Planning Policy No. 19 – Bushland in Urban Areas
- State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011
- State Environmental Planning Policy No. 50 – Canal Estate Development
- Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment
- Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No.2-1997)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Willandra Lakes Regional Environmental Plan No. 1 – World Heritage Property.

The draft policy will repeal the above existing SEPPs and certain provisions will be transferred directly to the new SEPP, amended and transferred, or repealed due to overlaps with other areas of the NSW planning system.

Changes are also proposed to the Standard Instrument – Principal Local Environmental Plan. Some provisions of the existing policies will be transferred to new Section 117 Local Planning Directions where appropriate.

The proposed development is not affected by any relevant Draft Environmental Planning Instruments.



## The provisions of any Development Control Plans (EP&A Act s4.15 (1)(a)(iii))

### Holroyd Development Control Plan (HDCP) 2013

The provisions of the HDCP 2013 is applicable to the development proposal. It is noted that the development achieves general compliance with the key controls of the HDCP 2013. The following Parts of the HDCP 2013 are applicable to the proposed development:

- Part A - General Controls
- Part B - Residential Controls
- Part P – Pemulwuy Residential Controls

Figure 5 – Holroyd DCP 2013 Compliance Table

Part A – General Controls					
2	Roads and Access				
	Comment	Yes	No	N/A	
	<p>Proposed vehicular crossings (VC) and driveways along the eastern side boundary of the site. The driveway width is a minimum 3 metres and will provide access to the single garage.</p> <p>New VC and driveway considered satisfactory subject to standard condition in development consent.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3	Car Parking				
No.	Clause	Comment	Yes	No	N/A
3.1	Minimum Parking Spaces	<p>The development proposes a single garage and 1 car space on the driveway.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	2 car parking spaces per dwelling (1 undercover)				
3.3	Dimensions and Gradients	<p>The proposal includes a single garage with dimensions of 5.5m x 3.88m. The proposal maintains a minimum width of 3m by 5.5m outside of the steps within the garage.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Parking length – 5.5m, Parking width – 2.4m, 3m for enclosed single garages, 5.5m for double garages				
4	Trees and Landscape Works				

No.	Clause	Comment	Yes	No	N/A
4.1	No trees are to be removed as part of the application.		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5	<b>Biodiversity</b>				
No.	Clause	Comment	Yes	No	N/A
	<p>There is no evidence of any terrestrial biodiversity on the site. Therefore, these provisions are not applicable.</p> <p>As shown on Council's Biodiversity Map, the site is not affected by 'biodiversity'.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6	<b>Soil Management</b>				
No.	Clause	Comment	Yes	No	N/A
6.2	Site Contamination and Land Filling	The site is identified in Council's records as being contaminated. Remediation works were carried out as part of DA-2010/382 for the master subdivision. The site is now deemed suitable for residential purposes. The subject site has been approved for residential purposes and is currently vacant and further contamination is not expected	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.3	Erosion and Sediment Control	Submitted Erosion and Sediment Control Plan is considered to be satisfactory.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.5	Salinity Management	<p>The site is located on land identified as being affected by moderate salinity.</p> <p>Appropriate conditions of consent have been included within the draft conditions of consent, relating to salinity.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.	Stormwater Management	A stormwater plan was submitted as part of the development application and is considered to be satisfactory subject to	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

		condition in development consent.			
8.	Flood Prone Land	As shown on Council's Flood Map, the site is not identified as flood prone land.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9.	Managing external road noise and vibration	The site is not located in or adjacent to a classified road or rail corridor.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10.	Safety and Security	The front entry and windows to habitable rooms address the street frontage to provide a high level of surveillance  Safety and security is satisfactory.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11.	Waste Management	The submitted Waste Management Plan is considered to be satisfactory.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12.	Services	Water, sewer, overhead electricity and underground telephone facilities are available to the proposed dwelling.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Part B – Residential Controls**

<b>1.1 Building Materials</b>					
No.	Clause	Comment	Yes	No	N/A
	Building materials for new residential development and for additions to existing residential development must be compatible with the streetscape and character of its locality.	Facades are well articulated with appropriate materials for the character of the streetscape.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>1.2 Fences</b>					
No.	Clause	Comment	Yes	No	N/A
	Front fences  Maximum height of 1.5m, maximum 1m solid.	No front fence is proposed	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Side fences  Side/rear Fences min. 1.8m, max. 2.4m	Yes, subject to condition in development consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>1.3</b>	<b>Views</b>				
<b>No.</b>	<b>Clause</b>	<b>Comment</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
	Where significant and/or district views are currently enjoyed, or where views may be reasonably created, the design of development shall be designed to minimise the obstruction of such views.	The proposal does not obstruct the currently enjoyed views of adjoining properties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>1.4</b>	<b>Privacy</b>				
<b>No.</b>	<b>Clause</b>	<b>Comment</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>

	<p>The windows of dwellings are to be located so they do not provide direct and close views into the windows of habitable rooms and private open spaces of adjoining dwellings.</p>	<p><u>Northern Elevation</u> No issues as faces street frontage.</p> <p><u>Eastern Elevation:</u> <u>Ground floor:</u> No privacy issues arise as rear high use room proposes highlight window type and side entry door proposes obscure glazing.</p> <p><u>First Floor:</u> <b>Stairwell window to be conditioned and amended on plans in red to be fixed obscure glazing.</b></p> <p><u>Western Elevation:</u> <u>Ground floor:</u> No privacy issues arise as highlight window types used for high use room windows and rear alfresco is not significantly raised above natural ground level. <u>First Floor:</u> No privacy issues arise as highlight window types used for high use room window</p> <p><u>Southern Elevation</u> <u>Ground floor:</u> No privacy issues as significantly setback from rear boundary subject to deferred commencement condition for rear setback to comply with Building Envelope Plan. <u>First Floor:</u> No privacy issues arise as highlight window types used and rooms with windows are low use rooms.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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	<p>Window sills shall have a maximum height of 1500mm are required in ground floor living areas located higher than 1 metre above existing ground level and within 6 metres of the property boundary.</p> <p>Note:</p> <ul style="list-style-type: none"> <li>• The placing of windows shall be based on the detailed site analysis prepared for the development proposal.</li> <li>• The use of windows which are narrow, translucent or obscured for upper floors and bathrooms is recommended.</li> <li>• Further design controls for screening residential flat buildings are contained in section 6 of this Part.</li> </ul>	The floor levels of the dwelling is less than 1 metre above the ground level and do not require high sill windows.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Where a proposed deck overlooks outdoor living areas of adjacent dwellings, suitable screening is to be provided, at a minimum height of 1500mm.	The alfresco area along the western and southern elevation will have no overlooking impacts as the finished floor level is not significantly raised above the natural ground level and a 1.8m boundary fence will provide sufficient privacy to neighbouring properties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Landscaping shall be designed to provide screening and filtering for control of privacy and to reduce overlooking of dwellings.	Adequate landscaping is provided throughout the site with garden beds along the side boundaries within the rear yard to provide adequate screening.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Developments shall utilise the site and building layout to maximise the potential for acoustic privacy by providing adequate building separation within the development and from neighbouring buildings.	Adequate building separation is proposed to maximise acoustic privacy. A 950mm setback from the Western side boundary and a 1.2m eastern side setback are proposed to openings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Air conditioners, swimming	The development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	pool pumps and the like are not to exceed 5dba above background noise levels and should not be audible from habitable rooms of neighbouring dwellings. Note: Air conditioners, swimming pool pumps and the like shall comply with the protection of the environment operations act and noise regulation.	consent will include relevant conditions to ensure the air conditioners do not exceed 5dba above background noise levels.			
	Balconies shall not extend beyond the required setback.	All balconies proposed are within the required setbacks.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	All balconies and decks higher than 800mm above existing ground level shall incorporate privacy measures to ensure that the privacy of surrounding residents is not unduly reduced, Note: Privacy measure may include (but are not limited to:) • screening in the form of walls, screens or louvres • landscape planting • lattice or similar on top of side and rear fencing	The proposed alfresco area is less than 800mm above the natural ground level.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>1.5</b>	<b>Landscaping and open space</b>				
<b>No.</b>	<b>Clause</b>	<b>Comment</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
	Landscaped area shall be a minimum of 2 metres wide and is to be, where possible, at ground level.	The landscaped area for the proposed development has a minimum width of 2 metres.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	No more than 50% of the provided landscaped area shall be forward of the front building line.	The landscaped area is predominantly in the rear yard of the proposed development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Only hard paved areas for the purposes of driveways and pathways will be permitted within the front setback area, and shall be kept to a minimum. Hard paved areas shall not cover the entire front setback area.	The front setback of the proposed dwelling only includes the driveway and a pathway as hard paved areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<p>The % of the total site area to be provided as landscape area for each residential development type shall be as follows:</p> <ul style="list-style-type: none"> <li>• <b>20%</b>- Dwelling house, dual occupancy and attached housing development on lots less than 600m<sup>2</sup>.</li> </ul>	<p>Proposal Includes approx. 30.30% (100sqm/330sqm)</p> <p><b>(Subject to amendment in red to landscape plan submitted to Council and condition of development consent)</b></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



	<p><u>Private Open Space</u></p> <ul style="list-style-type: none"> <li>• Only be located at the rear or side of the dwelling</li> <li>• Be at located ground level. Structures such as decks proposed to be included as private open spaces, which are equal to or less than 500mm above ground level dwelling, and complies with all other criteria, may be considered by Council based upon their merits.</li> <li>• Minimise overlooking opportunities and shall not decrease the visual privacy of neighbouring development.</li> <li>• Must be directly accessible from a main living area of the dwelling (i.e. lounge/dining/rumpus room).</li> <li>• Provided for the exclusive use of the occupant(s) of the dwelling house;</li> <li>• Include an area for external clothes drying with good solar access where possible, which is not visible from a public area.</li> <li>• Shall not be steeper than a 1:8 gradient. For steeply sloping sites, Council may consider terrace type stepping, which must have a length to width ratio no greater than 3:1.</li> </ul>	<p>The proposed private open space area for the dwelling:</p> <ul style="list-style-type: none"> <li>- Is located at the rear of the subject site;</li> <li>- Is located at ground level;</li> <li>- Does not impact on the privacy of adjoining properties;</li> <li>- Is directly accessible from the main living room;</li> <li>- Is for the use of the occupants of the dwelling;</li> <li>- Includes an area for clothes drying not visible from the street with adequate solar access; and</li> <li>- Is not steeper than a 1:8 gradient.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<p>Rear private open space areas are to have external access either through an associated garage or directly from a common area in order to facilitate maintenance of the</p>	<p>The private open space area for the dwelling can be accessed directly from the western side boundary which can be utilised to maintain the</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	private open space and storage of garbage bins.	area and for the storage of garbage bins.			
	Private open space shall be provided at ground level in a single tract with a minimum dimension of not less than 3.0 metres.	The proposed private open space area for the dwelling is at ground level with a minimum width of 3 metres.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Principal private open space shall have a minimum dimension of 4 metres, have direct access from a major living area of the dwelling and be clear of all structures, including posts.	The principal private open space for the dwelling has a minimum dimension of 4 metres, is directly accessible from the main living room and is clear of all structures.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	15% of the total site area is to be provided as private open space for dwelling house, dual occupancy and attached housing developments and this shall include a principal area of 25m <sup>2</sup> .	The proposed private open space is approximately 30.19% (99.64sqm) of the site area including 83m <sup>2</sup> of principal private open space (PPOS) area for the dwelling.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>1.6</b>	<b>Safety and security</b>				
<b>No.</b>	<b>Clause</b>	<b>Comment</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
	The front door of a development should either be visible from the street or internal roadway, or overlooked by a window, and should be clearly visible from the driveway.	The front door is visible from the street for the dwelling.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Blank walls along street frontages are prohibited.	No blank walls are proposed along the street frontage.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Landscaping that may allow would-be intruders to hide shall be avoided.	The landscaping within the front will not allow intruders the opportunity to hide.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>1.7</b>	<b>Building and site sustainability</b>				
<b>No.</b>	<b>Clause</b>	<b>Comment</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
	Residential building designs should incorporate the following design principles for achieving a more sustainable home: • Effective building Orientation-attempt to take advantage of northerly aspects, where	The subject development is designed to achieve a sustainable home through: - The placement of windows to improve natural lighting; - The window	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	<p>possible.</p> <ul style="list-style-type: none"> <li>• Energy efficient building materials should be used</li> <li>• Design to allow for cross ventilation- through window size, placement and ventilation.</li> <li>• Create sustainable landscaping - deciduous trees on north side of dwelling and the planting of vegetable gardens.</li> <li>• Window Protection- through external shading devices.</li> <li>• Draught proofing and weather sealing- to prevent potential air leaks.</li> <li>• Effective use of natural light- dwellings should be designed so that artificial lighting is not needed during the day.</li> </ul>	<p>placements to maximise natural ventilation;</p> <ul style="list-style-type: none"> <li>- Adequate landscaping; and</li> <li>- The rainwater tank to satisfy water sustainability.</li> </ul> <p>A BASIX Certificate for the development accompanies the application detailing the compliance with the sustainable building design requirements under the BASIX Scheme.</p>			
	<p>The design and location of stormwater drainage structures, such as detention and rainwater tanks, is to be integrated with the landscape design and fencing for the site. Above ground structures should not be visually intrusive.</p>	<p>The proposed above ground rainwater tank is integrated with the landscape design and is not visually intrusive.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<p>All roofing shall be provided with adequate gutter and downpipes connected to roof water drainage systems.</p>	<p>The proposed development is provided with adequate gutter and downpipes connected to drainage systems.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<p>Full details of proposed rainwater tanks shall be submitted with a Development Application for approval. Details are to include (as a minimum):</p> <ul style="list-style-type: none"> <li>• Rainwater tanks shown on all plans, including floor plans and elevations,</li> <li>• the configuration of inlet/outlet pipe and overflow pipe,</li> <li>• the storage capacity, dimensions, structural details and proposed materials, and</li> </ul>	<p>The details outlined in this provision have been met and detailed on the plans accompanying the application.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	<ul style="list-style-type: none"> <li>the purposes for which the tank is intended to be used, that is for washing machine use, toilet use and outdoor watering use.</li> </ul>				
	Rainwater tanks that are to be connected to toilets and washing machines and for outdoor water use are required (minimum 1 per dwelling) and must be located to the side or rear of the dwelling for single dwelling houses.	The proposal includes a 3000L rainwater tank for the dwelling which is situated along the eastern site boundary.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>1.8</b>	<b>Sunlight access</b>				
<b>No.</b>	<b>Clause</b>	<b>Comment</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
	Residential development shall be designed to have as minimal impact as possible on the sunlight access and amenity obtained by existing adjacent properties and their dwellings.	The proposed development has been designed to have minimal impact on the sunlight access and amenity of the adjoining properties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Applications for proposed dwellings shall demonstrate design mechanisms provided to ensure sunlight access to the proposed dwellings.	The proposed dwelling ensures sunlight access to the main living area of the dwelling is achieved through the placement of north, east and west facing openings. The private open space of the dwelling has a south facing aspect which will receive adequate solar access.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	New dwellings shall be designed to ensure direct sunlight access for a minimum of 3 hours between 9.00am and 4.00pm at the winter solstice (22 June) is provided to at least one main living area of the proposed dwelling/s.	See part P- Pemulwuy controls below	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	The shadow effect from a proposed development on existing adjacent dwellings must be such that a minimum of 3 hours of direct sunlight between 9.00am and 4.00pm at the winter solstice (22 June)	See part P- Pemulwuy controls below	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	is to be provided to at least one main living area of existing dwellings.				
	A minimum of 50% of the required private open space areas of the proposed dwellings and any adjacent dwellings shall have access to 3 hours of direct sunlight between 9.00am and 4.00pm at the winter solstice (22 June).	See part P- Pemulwuy controls below	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Where sunlight is achieved through east and west facing windows, shading devices should be provided on those elevations for protection from the summer sun.	Solar access is mainly achieved through the east facing openings on the dwelling by the eaves and window design during the summer sun.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Proposed development should endeavour not to overshadow any existing solar panels on adjacent properties.	There are no existing solar panels on adjacent properties as adjacent properties are currently vacant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>1.9</b>	<b>Cut and fill</b>				
<b>No.</b>	<b>Clause</b>	<b>Comment</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
	Development should be designed and constructed to integrate with the natural topography of the site.	The proposed dwelling development is integrated with the natural topography of the site with moderate cut and fill proposed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fill, up to 300mm, is permitted within 900mm of side or rear boundaries.	See part P- Pemulwuy controls below	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Fill, 600mm or greater is to be contained within the building envelope.	See part P- Pemulwuy controls below	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Cut is permitted to a maximum of 1 metre.	See part P- Pemulwuy controls below	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Cut is to be limited to 450mm where it is within 900mm of the rear or side boundaries.	See part P- Pemulwuy controls below	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>1.10</b>	<b>Demolition</b>				
<b>No.</b>	<b>Clause</b>	<b>Comment</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
	Approval for the demolition of a dwelling, addition or outbuilding to a dwelling is required from Council.	No demolition is proposed	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	If the demolition involves removing asbestos, compliance with Council's Asbestos Cement Policy for the safe removal and disposal is required.	No demolition is proposed	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>1.11</b>	<b>Car parking and roads</b>				
<b>No.</b>	<b>Clause</b>	<b>Comment</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
	Garages are to be a maximum of 6 metres clear width or 50% of the width of the buildings street elevation whichever is the lesser.	The garage width is 3.8 metres which equates to 38% of the width of the building.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Garages and carports at grade are to be located a minimum of 1000mm behind the front wall of the building or 5.5 metres from the street boundary, whichever is greater.	The proposed garage is setback 5.5 metres from the street boundary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Where the width of the proposed dwelling house or detached dual occupancy is greater than 12 metres, garages and carports may extend 1.5m from the building façade.	Not Applicable - Width of proposed dwelling is not greater than 12m	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	The size of any garage shall be no more than a maximum of 40m <sup>2</sup> . If the proposed garage is to be greater than 40m <sup>2</sup> , any area in excess of this will be considered to be floor space.	The garage has an area of 21.34m <sup>2</sup> and therefore will not be considered as part of the floor space.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	For dwelling houses, dual occupancy and multi dwelling housing, parking in the case of each dwelling shall be separately accessible.	Yes provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Vehicular access points are to be minimised and should not break the continuity of the streetscape.	The vehicular access point proposed as part of the application is along Winnima Circuit which will not break the continuity of the streetscape.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Vehicle crossing/s shall be a minimum width of 3 metres (5 metres for single dwellings and dual occupancies that propose double or adjacent garages) and a maximum width of 5 metres at the boundary line. A width up to 6 metres can be considered for multi-unit complexes. Generally only one vehicular crossing will be permitted per site.	The proposed vehicular crossing for the dwelling has a width of 3.34 metres which is compliant with the requirements of a single garage for a dwelling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	All new driveways should be located at least 1 metre away from the side property boundaries, or 1.5 metres in the case of Residential Flat Buildings.	Refer to Pemulwuy Controls	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	The maximum gradient for a driveway should be 20%, or 1:5.	The proposed driveway gradient is less than 20% or 1:5.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>1.12</b>	<b>Universal Housing and Accessibility</b>				
<b>No.</b>	<b>Clause</b>	<b>Comment</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
	Each unit provides for facilities on ground floor for people with a disability.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Part P – Pemulwuy Controls**

<b>4.1</b>	<b>Architectural Character</b>				
<b>No.</b>	<b>Clause</b>	<b>Comment</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
	Design, model and articulate dwellings with a consistent relationship to the street and to each other	The dwelling has been designed suitably for the streetscape	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ensure a maximum 500mm cut and 500mm fill for allotments unless otherwise stated elsewhere	Proposal is compliant regarding cut and fill	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



	The garage level is to be no greater than 500mm above or below natural ground level to help reduce driveway gradient	The garage finished floor level is not greater than 500mm above or below the natural ground level	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ensure dwelling designs allow driveway grades for vehicular access to garages that comply with AS 2890.1	The dwelling design allows for the driveway grade for the vehicular access to the garage to comply with AS 2890.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>4.3</b>	<b>Building to a side boundary</b>				
<b>No.</b>	<b>Clause</b>	<b>Comment</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
	For allotments with single street access (including corner allotments), only the ground floor wall of a two storey building may be built on the boundary, and for a maximum length of 10m	Proposal includes garage built 50mm from eastern side boundary for a length of 5.96m.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Generally locate the garage against the side property boundary	Proposal includes garage built 50mm from eastern side boundary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>4.4</b>	<b>Building articulation and street address</b>				
<b>No.</b>	<b>Clause</b>	<b>Comment</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
	Develop the architectural character of buildings with appropriate solar protection	The proposed dwelling includes appropriate solar protection elements	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



	elements, expressed door and window openings, and the like				
	Design buildings which incorporate articulation to the built form and do not rely on “add on” structures to break up the façade.	The proposed dwelling incorporates architectural features which contribute to overall satisfactory articulation for the proposed dwelling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Accommodate a range of roof forms in order to provide variety and reduce the bulk and scale of the streetscape.	The dwelling proposes a pitched roof which integrates into the desired roof forms for the area	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Design dwellings to incorporate variety in materials, colours and finishes to external elevations.	A schedule of colours and finishes was submitted as part of the development application and is deemed acceptable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	A minimum 2m x 2m build free zone in the front setback area is required for a mandatory native tree in the front garden	Proposal includes a 2m x 2m build free zone with a native tree within the front setback	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Articulation elements are required in the design of your home. These elements may protrude 1.5m into the 3m setback, without encroaching on the 2 x 2 metre garden bed.	Articulation elements in the form of a front porch and front first floor balcony have been incorporated in the design of the proposed development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Where roofs are proposed to first floor balconies at the street elevation they must be set back a minimum	The roof for the proposed first floor front balcony is setback over 3m from the front boundary.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	3m from the front boundary.				
	Ensure garages and carports must not dominate the street frontage. Garages are to be a recessive element and shall be located a minimum distance of 1 m behind the front wall of the dwelling (excluding any projecting elements).	The proposed single garage does not dominate the street frontage and is setback over 1m from the front wall of the dwelling.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Provide a path leading from the street to the front door that is physically separated from the driveway	Proposal includes a separate pedestrian path from the street to entry.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ensure access between a dwelling and street frontage is unobscured and direct.	Access between the proposed dwelling and the street frontage is unobscured and direct from a separate pedestrian path.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>4.5</b>	<b>Setbacks</b>				
<b>No.</b>	<b>Clause</b>	<b>Comment</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
	Front of Building – 3m	A front setback of 4.43m is proposed	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Front garage – 5.5m	The garage is setback 5.5m	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Rear setback 1 Storey: 6m 2 storey: 8m	<b>Yes, however subject site is subject to a Building Envelope Plan which includes the following rear setbacks:</b> <b>Ground floor rear setback permissible: 8m</b> <b>Ground floor rear setback proposed: 7.79m</b>  <b>First floor rear setback permissible: 12m</b> <b>First floor rear setback</b>	<input checked="" type="checkbox"/> <b>(Subject to deferred commencement condition)</b>	<input type="checkbox"/>	<input type="checkbox"/>

		<b>proposed: 11.511m</b>			
	Side setback – 0.9m	<p>Subject lot is subject to a Building Envelope Plan which includes the following side setbacks:</p> <p>Eastern side setback permissible: 0mm  Eastern side setback proposed: 50mm minimum  Western side setback permissible: 900mm  Western side setback proposed: 950mm</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/> <b>However complies with BEP</b>	<input type="checkbox"/>
<b>4.6</b>	<b>Solar access and sun shading</b>				
<b>No.</b>	<b>Clause</b>	<b>Comment</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
	Windows of north facing/orientated habitable rooms of dwellings are to receive a minimum of 4 hours of direct sunlight between 8.00am and 4.00pm on 22 June	Proposal is satisfactory as north elevation faces streetscape	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	New development must not result in windows to north facing living areas of neighbouring dwellings receiving less than 4 hours direct sunlight between 8.00 am and 4.00 pm 22 June	All adjacent lots are vacant or are under construction. The proposal will not compromise development on adjacent lots	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Private open space is to achieve at least 3 hours of direct sunlight between 9am and 3pm in on 22 June for 50% of the required private open space	Yes, Complies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>4.7</b>	<b>External Private Open Space</b>				
<b>No.</b>	<b>Clause</b>	<b>Comment</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
	Dwellings are	The proposed private open	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	required to provide a private open space area equivalent to 20% for Pemulwuy South	space is approximately 30.19% (99.64sqm) of the site area including 83m <sup>2</sup> of principal private open space (PPOS) area for the dwelling.			
	A minimum of 20% for Pemulwuy South of the total site area shall remain as a pervious (soft) surface	Proposal Includes approx. 30.30% (100sqm/330sqm)  <b>(Subject to amendment in red to landscape plan submitted to Council and condition of development consent)</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	No more than 45% of the front setback area shall be paved or sealed (inclusive of driveway)	Approx. 42% of the front setback is sealed	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Provide a minimum 500mm setback (in the form of a landscape strip/garden bed) between the driveway and side boundary. It is required that this area be planted with suitable native plant species	<b>No - Subject to amendment in red to landscape plan submitted to Council and condition within development consent</b>	<input checked="" type="checkbox"/> <b>(Subject to condition in development consent)</b>	<input type="checkbox"/>	<input type="checkbox"/>
	The driveway and pedestrian access path shall be separated by a landscape strip/garden bed.	Yes proposed pedestrian path is separated from driveway by landscaping	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>4.11</b>	<b>Roof Design</b>				
<b>No.</b>	<b>Clause</b>	<b>Comment</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
	Prefer that traditional roof forms, such as hipped and gable roofs, have a minimum pitch of 25 degrees	Proposed roof includes a pitch of 25 degrees	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	(Pemulwuy South)				
<b>6.</b>	<b>Sub precinct Controls – Pemulwuy South</b>				
<b>6.1</b>	<b>Height Limits</b>				
<b>No.</b>	<b>Clause</b>	<b>Comment</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
	Height limits (expressed as storeys) are stipulated on Figure 55 and should be read in conjunction with the Height of Building map associated with Holroyd Local Environmental Plan 2013.	Proposed dwelling is within the maximum height limit for the subject site being, 7.9m and is 2 storeys in height	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>Prospect Hill Development Area</b>				
	Maximum building height is not to exceed the RLs stipulated in Figure 55.	Proposed dwelling does not exceed the RLs stipulated in Figure 55	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Three storey development is permissible in this zone, where achievable.	Proposed dwelling is two storey in height	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	The maximum external wall height is to be 10 metres	The external wall height of the proposed dwelling is a maximum of 5.65m	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### ***Other Variation Matters***

#### **88B Instrument for Winnima Circuit, Pemulwuy**

Particular lots within Winnima Circuit, Pemulwuy are bounded by a restriction within the 88B Instrument for the subject area. Lot 127 of DP1223098 known as 21 Winnima Circuit, Pemulwuy, is affected by Item 16 which is a positive covenant as follows:

*‘The registered proprietor of the lot burden must design and construct a dwelling in accordance with the Adaptable House Class B guidelines and standards.’  
Cumberland Council is listed as the only authority and/or person to release, vary or modify restriction, positive covenant or easement numbered 16 in the plan’.*

As part of the development application, justification to vary the Positive Covenant was submitted to Council as follows:

### **Positive Covenant**

The subject lot is burdened by Positive Covenant numbered 16 in DP 1223098 which requires the following:

*“The registered proprietor of the lot burdened must design and construct a dwelling in accordance with the Adaptable House Class B guidelines and standards”.*

*The Authority empowered to release, vary or modify the subject Covenant as outlined in the applicable Section 88b instrument is Cumberland Council.*

*This Covenant applies to certain lots within the Pemulwuy estate as a result of the Developers responding to the applicable planning controls at the time. Since the approval of the Development Application for subdivision, the controls which required the provision of Adaptable Housing for dwelling-houses have been amended and superseded by the current version of the Holroyd DCP 2013.*

*Part 4.16 – ‘Adaptable and Affordable Housing’ of HDCP 2013 only requires Adaptable Housing for multi-unit housing, shop-top housing, mansion homes and aged housing. There are no requirements of dwelling-houses to be Adaptable Housing in the current provisions of Holroyd LEP 2013 or Holroyd DCP 2013.*

*Clause 1.9A – ‘Suspension of covenants, agreements and instruments’, of Holroyd Local Environmental Plan 2013, provides the following:*

*(1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.*

*Notwithstanding that Subclause (2) excludes a covenant imposed by the Council, dispensation from the requirements of the subject Covenant is requested from Council on the basis it is unreasonable and unnecessary to enforce the terms of a Covenant which is no longer required by the current applicable development controls.*

Further to the justification submitted by the applicant, DA-2010/382 approved the subdivision of Lot 11 into 45 lots. The proposed dwelling is part of this approved subdivision. Condition 162 of DA-2010/382 for Lot 1 North, states the following: -

*162 - As per the Disability Access Plan endorsed as part of Development Consent 2007/63 (as amended) a minimum of 20 dwellings shall be Adaptable House Class B. In this regard, this requirement shall be registered on the 88B Instrument dedicating a minimum 20 dwellings as Adaptable House Class B.*

The Disability Access Plan (DAP) for Lot 1 north was based on an assumption that the remainder of the site would be developed with AXIS type small lot housing as per the original subdivision DA-2007/62&63. As such Lots 12 & 13 were excluded from the requirement for adaptable housing due to the steep gradients in this area. Lots 12

& 13 are now proposed to be developed for 300 x Residential Flat Building units (DA 2016/381). This has been approved with a condition requiring 20% of 300 units = 60 dwelling units to be provided as adaptable housing. This far exceeds the proposed 20 dwellings required to be adaptable as per DA-2010/382.

In this regard, there would be no objections on planning grounds to removing the requirement for 20 dwellings in DA-2010/382 to be adaptable given this will be offset with the development of Lots 12 & 13 with an anticipated increase in provision of adaptable housing by 40 dwelling units within Lots 11, 12 & 13 in Lot 1 North Pemulwuy.

**4.15(1)(a)(iia) - any planning agreement that has been entered into under part 7.4, or any draft planning agreement that a developer has offered to enter into under part 7.4, and**

There is no draft planning agreement associated with the subject Development Application.

**The provisions of the Regulations (EP&A Act s4.15 (1)(a)(iv))**

The proposed development raises no concerns as to the relevant matters arising from the Environmental Planning and Assessment Regulations 2000 (EP&A Reg).

**The Likely Environmental, Social or Economic Impacts (EP&A Act s4.15 (1)(b))**

It is considered that the proposed development will have no significant adverse environmental, social or economic impacts in the locality.

**The suitability of the site for the development (EP&A Act s4.15 (1)(c))**

The subject site and locality is not known to be affected by any natural hazards or other site constraints likely to have a significant adverse impact on the proposed development. Accordingly, it is considered that the development is suitable in the context of the site and surrounding locality.

**Submissions made in accordance with the Act or Regulation (EP&A Act s4.15 (1)(d))**

Advertised (newspaper) ☐ Mail ☒ Sign ☐ Not Required ☐

In accordance with Council's Notification requirements contained within the Holroyd Development Control Plan 2013, the proposal was publicly notified for a period of 14 days between 27 November 2018 to 11 December 2018. No submissions were received in respect of the proposed development.

**The public interest (EP&A Act s4.15(1)(e))**

In view of the foregoing analysis it is considered that the development, if carried out subject to the conditions set out in the recommendation below, will have no significant adverse impacts on the public interest.



**Section 7.11 (Formerly S94) Contribution Towards Provision or Improvement of Amenities or Services**

This part of the Act relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The Act reads as follows:

- (1) *If a consent authority is satisfied that development for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the area, the consent authority may grant the development consent subject to a condition requiring:*
- a) the dedication of land free of cost, or
  - b) the payment of a monetary contribution, or both.
- (2) A condition referred to in subsection (1) may be imposed only to require a reasonable dedication or contribution for the provision, extension or augmentation of the public amenities and public services concerned.'

Comments: The development would require the payment of contributions in accordance with Council's Section 94 Contributions Plans. It is recommended that conditions be imposed on any consent requiring the payment of these contributions prior to the issue of any construction certificate for the development.

The calculation is based on:

- \$4,530 for open space;
- \$4,443 for Community Facilities;
- \$713.00 for roads and traffic; and
- \$164.00 for administration

As at 13 December 2018 the fee payable is \$9,850. This figure is subject to indexation as per the relevant plan. This figure is subject to indexation as per the relevant plan.

**Disclosure of Political Donations and Gifts**

The NSW Government introduced The Local Government and Planning Legislation Amendment (Political Donations) Act 2008 (NSW). This disclosure requirement is for all members of the public relating to political donations and gifts. The law introduces disclosure requirements for individuals or entities with a relevant financial interest as part of the lodgement of various types of development proposals and requests to initiate environmental planning instruments or development control plans.

The applicant and notification process did not result in any disclosure of Political Donations and Gifts.



**CONCLUSION:**

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The development application has been assessed in accordance with the relevant requirements of the *Environmental Planning and Assessment Act 1979*, *Holroyd Local Environmental Plan 2013* and *Holroyd Development Control Plan 2013* and is considered to be *satisfactory for deferred commencement approval subject to conditions*

The proposed development is appropriately located within the R3 – Medium Density Residential zone under the relevant provisions of the *Holroyd Local Environmental Plan 2013*. The proposal is consistent with all statutory and non-statutory controls applying to the development. Minor non-compliances with Council's controls have been discussed in the body of this report. The development is considered to perform adequately in terms of its relationship to its surrounding built and natural environment, particularly having regard to impacts on adjoining properties.

For these reasons, it is considered that the proposal is satisfactory having regard to the matters of consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, and the development may be approved subject to conditions

**CONSULTATION:**

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There are no further consultation processes for Council associated with this report.

**FINANCIAL IMPLICATIONS:**

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There are no further financial implications for Council associated with this report.

**POLICY IMPLICATIONS:**

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There are no policy implications for Council associated with this report.

**COMMUNICATION / PUBLICATIONS:**

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The final outcome of this matter will be notified in the newspaper. The objectors will also be notified in writing of the outcome.




**REPORT RECOMMENDATION:**

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**That Development Application No. 2018/441/1 for the construction of a two storey dwelling house on land at 21 Winnima Circuit, Pemulwuy be approved subject to deferred commencement subject to attached conditions.**

**ATTACHMENTS**

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1. Draft Notice of Determination [!\[\]\(f9e62ae797645c5367e33d9390832789\_img.jpg\)](#) 
2. Survey Plans [!\[\]\(1c1752aff31fb3ae93f0f9295ffb3f4c\_img.jpg\)](#) 
3. Architectural Plans [!\[\]\(e5b725fd97f9523c53f51647969c308a\_img.jpg\)](#) 



**DOCUMENTS  
ASSOCIATED WITH  
REPORT ELPP001/19**

**Attachment 1  
Draft Notice of Determination**



Our Reference:  
Contact:  
Phone:2018/441/1  
Mr S Peterson  
02 8757 9907ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979  
NOTICE OF DETERMINATION OF APPLICATION

## DEFERRED COMMENCEMENT

30 January 2019

Rawson Homes Pty Ltd  
PO Box 3099  
RHODES NSW 2138

Dear Sir/Madam

Pursuant to Section 4.16(3) of the Act, Council has granted "deferred commencement" consent to your development application described as follows:

**PROPERTY:** Lot: 127 DP: 1223098,  
**STREET ADDRESS:** 21 WINNIMA CIRCUIT PEMULWUY  
**DEVELOPMENT CONSENT NO:** 2018/441/1  
**DECISION:** CUMBERLAND LOCAL PLANNING PANEL  
**DATE FROM WHICH CONSENT OPERATES:** TO BE ADVISED UPON SATISFACTORY COMPLETION OF SCHEDULE 'A'  
**DATE OF EXPIRY OF CONSENT:** TO BE ADVISED UPON SATISFACTORY COMPLETION OF SCHEDULE 'A'

**PROPOSED DEVELOPMENT:** CONSTRUCTION OF A TWO STOREY DWELLING HOUSE

This Development Application is APPROVED in accordance with the Environmental Planning & Assessment Act 1979 and is subject to compliance with the requirements of Cumberland Council, the Building Code of Australia, the Local Government Act 1993, and the following conditions as set out hereunder and/or endorsed upon the attached plans.

**THIS CONSENT DOES NOT OPERATE UNTIL COUNCIL IS SATISFIED THAT ALL SCHEDULE 'A' CONDITIONS HAVE BEEN SATISFIED.**

**SCHEDULE "A"**

**Consent to the construction of a two storey dwelling house shall not operate until all of the following Schedule "A" conditions have been complied with to Council's satisfaction.**

**Adaptable Housing Requirement – 88B Instrument**

1. The existing restriction registered on title with respect to the adaptable housing requirement shall be extinguished from the title. In this regard, a release or extinguishment document to comply with the NSW Land Registry Services requirements shall be prepared and submitted to Council for endorsement.
2. After the registration, a title search of the property showing the removal of the adaptable housing requirement shall be submitted to Council.

**Building Envelope Plan**

3. Lot 127 in DP 1223098 is restricted to a rear building setback of 8m to the ground floor and 12m to the first floor. Amended plans shall be submitted to Council which comply with the Building Envelope Plan for Lot 127 in DP 1223098. All plans including Stormwater and Landscape plans shall correspond with this requirement.

**In accordance with clause 95(3) of the Environmental Planning and Assessment Regulation 2000, you must produce evidence to the Council within a period of 2 years, sufficient enough for Council to be able to be satisfied of the above matters.**

**If evidence is produced within the specified period, in accordance with Clause 95(5) of the Regulation, Council will notify you whether or not it is satisfied as to the above matters and whether or not the consent will operate.**

\*\*\*\*\*

**SCHEDULE "B"**

This consent cannot operate until such time as Council is satisfied with the evidence produced in response to Schedule "A" and has notified the applicant in writing of the date from which the consent operates.

**PRELIMINARY**

1. This consent shall lapse if the above development is not physically commenced by the date of expiry shown on the front page of this Consent.
2. The development is to be carried out in accordance with the following endorsed plans and documents:
  - Architectural Plans prepared by Rawson Homes, Job No. A007800, Dwg No's. 02-07 (Inclusive) and 10, All Issue F, All dated 20 November 2017, – as amended to satisfy condition 8 and schedule A;
  - Landscape Plan prepared by Leafscape Designs, Dated 26 November 2018 - As amended to satisfy condition 8 and schedule A;
  - Stormwater Layout Plan prepared by Alw Design, Job No. SW18357, Dwg No. SW18357-S1, Issue B, Dated 22 November 2018 - As amended to satisfy Schedule A;
  - BASIX Certificate Number 951714S\_02, issued on 21 November 2018 – As amended in red;
  - Schedule of finishes prepared by Rawson Homes, as received by Council on 22 November 2018;
  - Waste Management Plan prepared by Rawson homes P/L, dated 22 November 2018;except as otherwise provided by the conditions of this determination and/or marked in red.
3. All building work shall be carried out in accordance with the requirements of the Building Code of Australia. Fully detailed plans including fire safety details shall be submitted with the Construction Certificate application. No work is to commence until such time as a Construction Certificate is obtained for the work/building permitted by this Consent.

**Appointment of Council or a Private Certifier as the Principal Certifying Authority (PCA)**

4. Either Council or a Private Certifier is to be appointed as the Principal Certifying Authority (PCA) for the development in accordance with Section 6.6 of the Act.

Accordingly, wherever reference is made to the Principal Certifying Authority in this Consent, it refers to Council or the Private Certifier as chosen by you.

**Note:** Once you have chosen either Council or a Private Certifier as the PCA, you cannot change from one to the other, or from one Private Certifier or another, without the approval of Department of Planning & Infrastructure.

5. The applicant shall consult with, as required:

- (a) Sydney Water Corporation Limited
- (b) Integral Energy
- (c) Natural Gas Company
- (d) A local telecommunications carrier

regarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public road(s).

6. Building materials, builders' sheds, waste bins, site fencing, gates or any material of any description shall not be left or placed on any footway, road or nature strip. Footways and nature strips shall be maintained, including the cutting of vegetation, so as not to become unsightly or a hazard for pedestrians. Offenders will be prosecuted.

**BASIX (Building Sustainability Index)**

7. Under Clause 136D of the Environmental Planning & Assessment Regulation 2000, it is a condition of this Development Consent that all the commitments listed as per Condition 2 in relation to BASIX are fulfilled.

**NOTE: FEES, BONDS & CONTRIBUTIONS INDICATED IN CONDITIONS OF THIS CONSENT MAY VARY IN ACCORDANCE WITH THOSE ADOPTED BY COUNCIL AT SUBSEQUENT ANNUAL REVIEWS OF ITS "FEES AND CHARGES" AND SUBSEQUENT CHANGES TO THE BUILDING PRICE INDEX. FEES CHARGED WILL BE THOSE CURRENT AT THE TIME OF PAYMENT.**



**PRIOR TO ISSUE/RELEASE OF CONSTRUCTION CERTIFICATE**

The following conditions must be complied with prior to the issue of a Construction Certificate, or where relevant prior to demolition occurring. In many cases the conditions require certain details to be included with or incorporated in the detailed plans and specifications which accompany the Construction Certificate:

**Amended Plans**

8. Amended plans shall be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate addressing the following issues:
  - i. Provide a minimum 500mm side setback (in the form of a landscape strip/garden bed) between the driveway and side boundary. It is required that this area be planted with suitable native plant species as amended in red on the plans submitted to Council;
  - ii. Proposed deck within the rear yard is to be amended to be pervious surface as amended in red on the plans submitted to Council;
  - iii. Fixed obscure glazing for the 'stairwell' window along the eastern elevation as amended in red on the plans submitted to Council.

**Payment of Bonds, Fees and Long Service Levy**

9. The Principal Certifying Authority is to ensure and obtain written proof that all bonds, fees and contributions as required by this consent have been paid to the applicable authority. This includes all Long Service Levy payments to be made to the Long Service Payments Corporation.

**Section 7.11 Contribution**

10. Prior to the issue of a Construction Certificate, a monetary contribution imposed under Section 7.11 of the *Environmental Planning and Assessment Act 1979* and Pemulwuy Contributions Plan 2015, for one (1) dwelling is to be paid to Council. At the time of this development consent, the current rate of the contribution is **\$4,530** for open space, **\$4,443** for Community Facilities, **\$713.00** for roads and traffic and **\$164.00** for administration, totalling **\$9,850**. The amount of the contribution will be determined at the time of payment in accordance with the relevant Contributions Plan in force at that time. A copy of the Pemulwuy Contributions Plan 2015 can be viewed on Council's website at [www.cumberland.nsw.gov.au](http://www.cumberland.nsw.gov.au) or inspected at Council's Civic Centre located at 16 Memorial Avenue, Merrylands between the hours of 8am and 4.30pm Monday to Friday.

**Damage Deposit**

11. A cash bond/bank guarantee of **\$1,780.00** must be paid/lodged with Council to cover making good any damage caused to the property of Council, during the course of construction associated with the development. This will be held for 'six (6) months after the completion of works' or six (6) months after the issue of 'Final Occupation Certificate' (whichever occurs last) to remedy any defects that may arise within this time.

**Note:-** The applicant/owner shall be held responsible for and may be required to pay the full reinstatement costs for damage caused to Council's property unless the applicant/owner notifies Council in writing and provides photographic proof of any

existing damage to Council's property. Such notification shall occur prior to works/demolition commencing. However, if in the opinion of Council, during the course of construction existing damage has worsened, Council may require full reinstatement. If damage does occur during the course of construction, prior to reinstating any damage to Council's property, the applicant/owner shall obtain design specifications of all proposed restoration works. Restoration/construction works within the road reserve shall be carried out by a licensed construction contractor at the applicant/owners expense and shall be inspected by Council prior to placement of concrete and/or asphalt.

#### **Consistency with Endorsed Development Consent Plans**

12. The Principal Certifying Authority must ensure that any certified plans forming part of the Construction Certificate, are in accordance with the Development Consent plans.

#### **Landscape Inspection Fee**

13. Payment of a **\$231.00** fee for the inspection by Council of landscape works and/or trees to be retained at the key stages, where Council is the Principal Certifying Authority.

#### **Road Works**

14. If demolition/construction activity will impact on traffic flow or pedestrian access or any road and drainage works are proposed to be carried out in the public road reserves, a Traffic Management Plan shall be lodged with and approved by Council, in strict compliance with the current Australian Standard 1742.3 (Traffic Control Devices for Works on Roads). If required to be prepared (to be determined by the Principal Certifying Authority), a copy of the approved Traffic Management Plan shall be kept on site during the course of construction for reference and compliance.

#### **Required Submissions to Certifying Authority**

15. Retaining walls greater than 1.0m above finished ground level or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated stormwater drainage measures, shall be designed by an appropriately qualified person. Details are to be included with any Construction Certificate application.
16. Structural engineer's details prepared and certified by a practising qualified structural engineer of all reinforced concrete and structural members shall be submitted to the Principal Certifying Authority.
17. If the development likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to the proposed works must be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate or any works commencing, whichever occurs first.
18. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

#### **Salinity**

19. The site has been identified as having a potential salinity hazard. To prevent moisture/salinity from entering the built structure, appropriate construction methods are to be incorporated for all dwellings/buildings.

Details of proposed methods of construction are to be detailed in the engineering plans and submitted to the PCA.

**Note:** Further information for building in a saline environment is available in the following documents:

“Building in Saline Environment” prepared by DIPNR 2003.

Water Sensitive Urban Design in the Sydney Regions “Practice Note 12: Urban Salinity”

Wagga Wagga City Council's “Urban Salinity Action” October 1999

“Guide to Residential Slabs and Footings in Saline Environments” prepared by Cement Concrete and Aggregates Australia, May 2005.

### **Sydney Water**

20. A building plan approval must be obtained from Sydney Water Tap In™ to ensure the development will not affect any sewer, water or stormwater mains or easements.

A copy of the building plan approval receipt from Sydney Water must be submitted to the certifying authority, prior to the issue of a construction certificate.

Please go to [sydneywater.com.au/tapin](http://sydneywater.com.au/tapin) to apply.

**PRIOR TO WORKS COMMENCING**

The following conditions are to be complied with prior to demolition / any works commencing on the site:

**Appointment of Principal Certifying Authority and Notification of Commencement of Work**

21. The person having the benefit of the development consent, not the principal contractor (builder), must:
- a) Appoint a Principal Certifying Authority in accordance with Section 6.6 of the Act.
  - b) Have the Principal Certifying Authority complete the 'Accredited Certifier Details' on the approved form provided by Council for this purpose, an original of which is attached to this Development Consent.
  - c) Notify Council of the appointment of the Principal Certifying Authority and of the intention to commence building work, such notification is to be given to Council at least two (2) working days prior to the proposed commencement date, and be on the approved form provided by Council for this purpose, an original of which is attached to this Development Consent.

*If nominated, Council can provide this service for you and act as the Principal Certifying Authority.*

**N.B.** The Principal Certifying Authority must also notify the person having the benefit of the Development Consent of any mandatory critical stage inspections and other inspections that are to be carried out in respect of the building work such notification must comply with Clause 103A of the Regulations.

**Notification of Principal Contractor (Builder)/Owner-Builder**

22. The person having the benefit of the Development Consent must:
- (a) Notify the Principal Certifying Authority that the person will carry out the work as an owner-builder, if that is the case;
- OR
- (b) Appoint a Principal Contractor for the building work (who must be the holder of a contractor licence if any residential building work is involved), and notify the Principal Contractor of any mandatory critical stage inspections and other inspections that are to be carried out in respect of the building work.
  - (c) Notify the Principal Certifying Authority of any such appointment.

Where Council is the Principal Certifying Authority, such notification is to be on the approved form provided by Council for this purpose, an original of which is attached to this Development Consent.

**Photographic Record of Council Property – Damage Deposit**

23. The applicant shall submit to Council, for the purposes of the damage deposit bond lodged to cover making good any damage caused to the property of Council, a full and satisfactory photographic record of the condition of Council's property (i.e., road pavement, kerb and guttering, footway, stormwater drainage, etc.) adjacent to the subject site. The purpose of the photographic record is to establish any pre-existing damage to Council's property to ensure that you are not liable for any re-instatement works associated with that damage. However, if in the opinion of Council, the existing damage has worsened or any new damage is caused during the course of construction, the Council may require either part or full re-instatement.

**Note:** Failure to provide a full and satisfactory photographic record described above, is likely to render the applicant liable to rectify all damages unless satisfactory proof can be provided that the damage was pre-existing.

**Required Submissions to Council or the Principal Certifying Authority**

24. To facilitate a complete assessment and enable the Certifying Authority to check compliance on site, truss validation and design, details certified by a qualified practicing structural engineer shall be submitted to Council or the Principal Certifying Authority for examination and approval. Details shall include:
- a) job address and builder's name
  - b) design wind velocity
  - c) terrain category
  - d) truss spacing
  - e) roof pitch
  - f) material of roof
  - g) roof batten/purlin spacing
  - h) material of ceiling
  - i) job number

**Notification to Relevant Public Authority**

25. The applicant shall ensure that relevant public utility authorities are made aware of the salinity problems that have been identified within the subject site by the Department of Land and Water Conservation, such that their services are designed to take into consideration the effects the saline soils may have on their installations.

**Fencing of Sites**

26. Fencing of sites is required to prevent public access when the site is unoccupied and building works are not in progress. In this regard the MINIMUM acceptable standard of fencing to the site is properly constructed chain wire fencing 1.8m high, clad internally with Hessian or Geotextile fabric. All openings are to be provided with gates, such gates are not at any time to swing out from the site or obstruct the footpath or roadway.

**Signs to be Erected on Sites**

27. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (a) Showing the name, address and telephone number of the Principal Certifying Authority for the work, and



- (b) Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted **outside working hours and at any time for business purposes**, and
- (c) Stating that unauthorised entry to the work site is prohibited.

The sign must be rigid and durable and be read easily by anyone in any public road or other public place adjacent to the site.

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

This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

**Note:** Principal Certifying Authorities and Principal Contractors must also ensure that signs required by this clause are erected and maintained (clause 227A of the Regulations currently imposes a maximum penalty of \$1,100).

#### **Prohibited Signage**

- 28. Advertising, Real Estate Agents, Architects, Designers, site suppliers and any other signage not mentioned in the conditions, is not to be placed or displayed on the site, such that the signage is visible from any public place. Offenders may be prosecuted.

#### **Protection of Public Places**

- 29. A hoarding or fence must be erected between the work site and any public place, if the work involved in the erection or demolition of the building; is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place.

If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

#### **Site Control Measures**

- 30. Suitable erosion and sediment control measures shall be provided at all vehicular entry/exit points and all other measures required with and/or shown on plans accompanying the Construction Certificate, to control soil erosion and sedimentation, are to be in place prior to the commencement of construction works. Such controls are to be provided in accordance with Holroyd's "Erosion & Sediment Control Policy."

**Note:** On-the-spot fines may be issued by council where measures are absent or inadequate.

### **Footpaving, Kerbing and Guttering**

31. Protection must be provided for Council footpaving, kerbing and guttering. Wooden mats must also be provided at all entrances where the site fronts paved footpaths.
32. Finished street levels shall not be assumed. The owner or builder must make application to Council's Engineering Services Department for street levels.

### **Support for Neighbouring Buildings**

33. If an excavation associated with the erection of a building extends below the level of the base of the footings of a building on an adjoining allotment of land (including a public road and any other public place), the person causing the excavation to be made:-
  - a) Must preserve and protect the building from damage, and
  - b) If necessary, must underpin and support the building in an approved manner, and
  - c) Must, at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land. (In this clause, *allotment of land* includes a public road and any other public place).

### **Toilet Facilities**

34. Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided:

- a) Must be a standard flushing toilet, and
- b) Must be connected:
  - i) To a public sewer,
  - ii) If connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or
  - iii) If connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.
  - iv) The position of the toilet on the site shall be determined by Council's Building Surveyor and/or Sydney Water.

### **Residential Building Work - Insurance**

35. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the Principal Certifying Authority for the development to which the work relates (where not Cumberland Council) has given Cumberland Council written notice of the following information:-
  - (a) In the case of work for which a Principal Contractor is required to be appointed:

- (i) The name and licence number of the Principal Contractor, and
- (ii) The name of the insurer by which the work is insured under Part 6 of that Act,
- (b) In the case of work to be done by an owner-builder:
  - (i) The name of the owner-builder, and
  - (ii) If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under this condition becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (where not Cumberland Council) has given Cumberland Council written notice of the updated information.

The notification is to be on the approved form provided by Council for this purpose, an original of which is attached to this Development Consent.

#### **Roadworks**

- 36. The applicant is to submit an application for a road opening permit when the drainage connection into Council's system is within the road reserve, including payment of the appropriate fee prior to the commencement of works. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) are required within the road reserve.
- 37. The applicant to arrange with the relevant public utility authority the alteration or removal of any affected services in connection with the development. Any such work being carried out at the applicant's cost.

#### **Works Within Council's Reserve**

- 38. All works within the Council reserve shall be completed within three (3) weeks of the date of commencement. Council's Development Engineer shall be advised prior to the commencement of works.
- 39. Submission to Council of a Certificate of Currency of the contractor's Workers' Compensation Policy prior to the commencement of works.
- 40. All construction works shall be in accordance with the WorkCover safety requirements. Submission of insurance documentation demonstrating a minimum Public Liability cover of \$10,000,000 is to be submitted prior to commencement of works. Cumberland Council shall be named on the Certificate of Currency as an interested party.



**DURING CONSTRUCTION**

The following conditions are applicable during demolition / construction:

**Endorsed Plans & Specifications**

41. A copy of the endorsed stamped plans and specifications, together with a copy of the Development Consent, Construction Certificate and approved Traffic Management Plan are to be retained on site at all times.

**Hours of Work & Display of Council Supplied Sign**

42. For the purpose of preserving the amenity of neighbouring occupations building work including the delivery of materials to and from the site is to be restricted to the hours of 7.00am to 6.00pm Mondays to Fridays and 8.00am to 4.00pm Saturdays. Work on the site on Sundays and Public Holidays is prohibited. **Note: Demolition work is not permitted on weekends or Public Holidays - refer to specific demolition condition for approved hours.**

The yellow "Hours of Building Work" sign (supplied by Council with the approval), is to be displayed in a prominent position at the front of the site for the duration of the work.

**Site Control**

43. All soil erosion measures required in accordance with the approved sediment and erosion control plan and any other relevant conditions of this Consent are to be put in place prior to commencement of construction works are to be maintained during the entire construction period until disturbed areas are restored by turfing, paving or revegetation. This includes the provision of turf laid on the nature strip adjacent to the kerb.
44. Builder's refuse disposal and storage facilities are to be provided on the development site for the duration of construction works and all rubbish shall be removed from the site upon completion of the project.
45. Stockpiles of sand, soil and other material shall be stored clear of any drainage line or easement, tree protection zone, water bodies, footpath, kerb or road surface and shall have erosion and sediment control measures in place to prevent the movement of such materials onto the aforementioned areas and adjoining land.

**Waste Management Plan**

46. The approved Waste Management Plan must be implemented and complied with during all stages of works on site.
47. Within seven (7) days of completion of construction/building works, the applicant shall submit a signed statement to Council or the Principal Certifying Authority verifying that demolition work and recycling of materials was undertaken in compliance with the Waste Management Plan. The Principal Certifying Authority shall submit a copy of the statement to Council.

***In reviewing such documentation Council will require the provision of actual weighbridge receipts for the recycling/disposal of all materials.***

**Compliance with Critical Stage Inspections and other Inspections nominated by the Principal Certifying Authority**

48. Section 6.5 of the Act requires certain specific inspections (prescribed by clause 162A of the Regulations) and known as 'Critical Stage Inspections' to be carried out for building work. Prior to permitting commencement of the work your Principal Certifying Authority is required to give notice of these inspections pursuant to clause 103A of the Regulations.

**N.B.** An Occupation Certificate cannot be issued and the building may not be able to be used or occupied where any mandatory critical stage inspections or other inspections required by the Principal Certifying Authority are not carried out.

Where Council is nominated as Principal Certifying Authority, notification of all inspections required is provided with the Construction Certificate approval.

**Construction**

49. The building and external walls are not to proceed past ground floor formwork/reinforcing steel level until such time as the Principal Certifying Authority has been supplied with a check survey report prepared by a registered surveyor certifying that the floor levels and external wall locations to be constructed, comply with the approved plans, finished floor levels (FFL)s and setbacks to boundary/ies. **The slab shall not be poured, nor works continue, until the Principal Certifying Authority has advised the builder/developer that the floor level and external wall setback details shown on the submitted survey are satisfactory.**

In the event that Council is not the Principal Certifying Authority, a copy of the survey shall be provided to Council within three (3) working days.

On placement of the concrete, works again shall not continue until the Principal Certifying Authority has issued a Certificate stating that the Condition of approval has been complied with and that the slab has been poured at the approved levels.

**Salinity**

50. The building and external walls are not to proceed past ground floor formwork/reinforcing steel level until such time as the Principal Certifying Authority has confirmed that all required construction measures addressing salinity, as required by this Consent and its accompanying Construction Certificate have been carried out.

**Landscaping/Site Works**

51. All turfed areas shall be finished level with adjoining surfaces and also fall evenly to approved points of drainage discharge.
52. New 1.8m high lapped and capped timber paling or colorbond fences (colour to be sympathetic with the development) determined in consultation with adjoining property owner(s), are to be erected along and within the side and rear boundaries at full cost to the developer, such fencing to be constructed on or within the property boundary. In situations where the boundary fence is proposed on top of a retaining wall, the height of the fence shall not exceed a maximum of 2.4m as measured from the lower adjacent ground level. A Statutory Declaration or other documentary evidence of such consultation is to be submitted to the Principal Certifying Authority.

**Tree Protection**

53. The applicant shall accept all responsibility for the accuracy of the information provided to Council for assessment. If any tree/s are not shown on the endorsed plan or are required to be retained and protected but are threatened by demolition/construction work through unforeseen construction requirements or plan inaccuracy, all site and building works so affected are to cease until the matter is resolved to the satisfaction of Council. Council's Environmental and Planning Services Department is to be notified immediately upon such a problem being encountered.

**Road Works and Footpaving**

54. Pedestrian access, including disabled and pram access, is to be maintained as per Australian Standard AS1742.3 "Part 3 – Traffic Control Devices for Works on Roads".
55. All advisory and regulatory sign posting (for example parking restriction signage, pedestrian crossing signs, warning signs) are to remain in place during construction.

**Communications Cabling**

56. All communications cabling shall be installed as per relevant authority requirements (including broadband and Category 5).

**Power Connection**

57. Power connection to the site is to be either underground or through an intermediate power pole as per relevant authority requirements.

**Rainwater Tank**

58. The design of any aboveground rainwater tank(s) should allow a horizontal clearance of at least 450mm for pedestrian movement. The tank(s) must not exceed 2.4 metres in height above ground level, including any stand for the tank(s).

**Vehicle Cleansing**

59. Concrete trucks and trucks used for the transportation of building materials shall not traffic soil, cement or similar materials onto the road. Hosing down of vehicle tyres shall be conducted in a suitable off-street area where wash water is prevented from entering the stormwater system or adjoining property.

**Importation of Fill**

60. All imported fill shall be validated in accordance with Council's Contaminated Land Policy to ensure that it is suitable for the proposed land use from a contamination perspective.

**Stormwater Drainage**

61. The stormwater drainage system shall be constructed in accordance with Section 7, Part A of the Holroyd Development Control Plan 2013.

**Additional Information during Demolition/ Construction**

62. Any new information which comes to light during demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to Council immediately.

**PRIOR TO ISSUE OF A FINAL OCCUPATION CERTIFICATE**

The following conditions are to be complied with prior to the issue of a final occupation certificate:

**Certificates/Documentary Evidence**

63. A Structural Engineer's certificate from the supervising structural engineer responsible for the design shall be submitted to the Principal Certifying Authority and shall state that all foundation works/reinforced concrete/structural members have been carried out/erected in accordance with the Engineer's requirements and the relevant SAA Codes.

**Note:** Any such certificate is to set forth the extent to which the engineer has relied on relevant specifications, rules, codes of practice or publications in respect of the construction.

**Landscaping/Tree Protection**

64. Certification is to be provided to the Principal Certifying Authority (PCA), from a suitably qualified person of the landscape proposal, that all tree planting/landscape works have been carried out in accordance with the endorsed plan. If Council is the PCA, the certification is to be submitted to Council prior to or at the final landscape inspection. If Council is **not** the PCA, a copy of the certification is to be provided to Council with the Occupation Certificate.

**Parking/Driveway**

65. The vehicle crossing between the street and front boundary shall be constructed of plain concrete with no colour or stencilling.

**Road Works**

66. Any works requiring levels within the road reserve will require the submission of Council's Vehicle Crossing application form.
67. A full width **residential** duty vehicular crossing shall be provided opposite the shared vehicular entrance for the development, with a minimum width of **3m** at the boundary line. These works shall be carried out by a licensed construction contractor at the applicant's expense and shall be in accordance with Council's issued drawings and level sheets.
68. A certificate of compliance for the construction of the vehicular crossing/s, footpath paving, kerb and guttering, roadworks and stormwater drainage shall be obtained from Council and be submitted to the Principal Certifying Authority.

**General**

69. Documentary evidence and/or certificate of compliance must be submitted to Council to show that all works have been completed in accordance with this Development Consent and its accompanying Construction Certificate.



**CONDITIONS RELATING TO USE**

The following conditions are applicable to the use of the development:

**Safety and Amenity**

70. Where an intruder alarm is installed on the premises it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.

**Noise**

71. The operation of the pump from the rainwater tank shall not give rise to an equivalent continuous (LAeq) sound pressure level at any point on any residential property greater than 5dB(A) above the existing background LA90 level (in the absence of the noise under consideration). Council may require an Acoustic Report to be submitted, prepared by a suitably qualified person, to ensure this requirement is met in the event of Council receiving complaints.
72. The operation of all plant and equipment shall not give rise to an equivalent continuous (LAeq) sound pressure level at any point on any residential property greater than 5dB(A) above the existing background LA90 level (in the absence of the noise under consideration).
73. Noise and vibration from the use of the air conditioning system (if any installed) shall not exceed the background level by more than 5dB(A) and shall not be audible in any premises of a different occupancy between 10:00pm and 7:00am on weekdays and 10:00pm and 8:00am on weekends and public holidays.

**General**

74. All privacy measures as required by this development consent shall be maintained for the lifetime of the development and shall not be altered without prior approval of Council.

**ADVISORY NOTES****Other Necessary Approvals**

- A. The applicant's attention is drawn to the need to obtain Council's separate approval for any ancillary activity not approved by this consent, including:
- (a) Works, including the pruning or removal of any tree(s) not authorised in the preceding conditions or on the approved plans. Council's Tree Preservation Order protects trees by definition taller than 3.5m or having a trunk circumference exceeding 500mm measured one metre above ground level. If in doubt contact Council's Tree Management Officer.
  - (b) Any fencing located forward of the proposed building and exceeding the limitations specified in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
  - (c) The erection of any advertising sign, not being exempt from the need to obtain approval.
  - (d) The installation of any furnace, kilns, steam boiler, chemical plant, sand blast, spray painting booth or the like.
- B. If you carry out building work as an owner builder and sell your home within seven (7) years from the date of completion (date of final occupation certificate), then a Certificate of Insurance must be attached to your Contract of Sale.
- C. Modifications to the approved plans will require the lodgement and consideration by Council of a modification application pursuant to Section 4.55 of the Environmental Planning and Assessment Act 1979.
- D. Section 8.7 of the Act provides that an applicant who is dissatisfied with the Council's determination of the Development Application may appeal to the Land and Environment Court within six (6) months of the date of determination, or as otherwise prescribed.
- E. Section 8.3 of the Act provides that an applicant may request, within six (6) months of the date of determination of the Development Application, that the Council review its determination (this does not apply to designated development). A fee is required for this review.

It should also be noted that an application under Section 8.3 of the Act cannot be reviewed/determined after 6 months of the date of determination. Therefore, the submission of a Section 8.3 Application must allow sufficient time for Council to complete its review within the prescribed time frame, including the statutory requirement for public notification.

F. **DIAL BEFORE YOU DIG**

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property

via contacting the Dial before you dig service in advance of any construction or planning activities.

- G. A Construction Certificate shall be obtained in accordance with Section 6.7 of the Act, prior to the commencement of any work on site. Council can provide this service for you.
- H. An Occupation Certificate is to be issued by the Principal Certifying Authority prior to the occupation of the building.
- I. CONSTRUCTION/OCCUPATION CERTIFICATE FEES

An administration fee per certificate (in accordance with Council's adopted fees and charges) is payable to Council on lodgement of Construction and Occupation Certificates from Principal Certifying Authorities.

- J. BANK GUARANTEES

Bank guarantees will be accepted from list of banks which have at least an "A" rating from Standard and Poors and at least an "A2" or "Prime-1" standard from Moodys Investor Services.

To enable the bank guarantee to be enforceable during an entire project with consideration for delays, **the guarantee must not contain a facility expiry date.**

To get to Standard and Poors [www.standardpoors.com](http://www.standardpoors.com) then from Ratings Action choose Ratings Lists. Then click on Financial Institutions followed by clicking on Financial Institutions Counterparty Ratings List. Go to "**Banks**" and download to Australian Banks.

To get to Moodys [www.moodys.com](http://www.moodys.com) then look up Ratings and then Banking and then Bank Ratings list. It will take you to Bank Credit Research page. Look at the table of contents and choose Global Bank Ratings by Country. Look up Australian Banks.

- K. SMOKE DETECTORS

A system of self-contained smoke alarms complying with the requirements of AS3786-1993, *Smoke Alarms* or listed in the *Scientific Services Laboratory Register of Accredited Products* being installed in the dwelling, connected to the mains power supply and provided with a standby power supply. Alarms are to be positioned on the ceiling and setback a minimum distance of 300mm from any wall. Alarms are to be placed in the vicinity of each area containing bedrooms with a minimum of one (1) alarm required for each storey of the dwelling.

- L. TERMITE PROTECTION

Structural members are to be protected from attacked by subterranean termites in accordance with the requirements of AS3660.1-2000 *Protection of building from subterranean termites* and a durable notice must be affixed within the metre box indicating the type of protection, its date of installation, life expectancy of any chemical barrier used, and system maintenance and inspection requirements. A certificate of compliance of the approved system must be submitted to Council or the Principal Certifying Authority on completion of the system installation. With respect to chemical protection, a pipe system shall be installed beneath the slabs plastic membrane to allow re-application of the chemical border.



**M. WET AREAS**

Wet areas in the dwelling are to be waterproofed in accordance with AS3740 *Waterproofing of wet areas within residential buildings*.

Where Council is the Principal Certifying Authority for the works, the submission of evidence of suitability for the waterproofing product used will be required at the wet area inspection stage. The evidence of suitability is to be in the form of:-

1. A current Certificate of Accreditation for the product.

AND

2. A certificate from the person responsible for the installation of the product advising that the product was applied in accordance with the relevant manufacturers specifications.

**Note:** Any copy of documentary evidence submitted, must be a complete copy of the original report or document.

**N. LANDINGS**

A landing having a minimum length of 750mm and a grade no steeper than 1:50, must be provided where the sill of a threshold of a doorway opens onto a stair that provides a change in floor level or floor to ground level greater than 3 risers or 570mm in accordance with Clause 3.9.1.3 (Stair Construction) of the Building Code of Australia.

**O. SOUND TRANSMISSION AND INSULATION**

To ensure the amenity of occupants in attached residential development (Class 1 buildings), separating walls must be constructed in accordance with Part 3.8.6 of the Building Code of Australia.

**P. GLAZING CERTIFICATION**

A certificate shall be submitted to the Principal Certifying Authority stating that safety glazing has been used in the building in accordance with AS1288 - "Glass in Buildings - Selection and Installation".

**Q. TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)**

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact Telstra's Network Integrity Team on Phone Number 1800810443.

## R. DIVIDING FENCES

Please be advised that arrangements concerning existing or proposed fences between properties are a civil matter determined by the involved parties under the [Dividing Fences Act](#). You are therefore required to consult with the owners of neighbouring properties if fences are to be removed or constructed.

The Dividing Fences Act is administered by the [Department of Lands](#) who can act as a mediator in disputes.

Yours faithfully

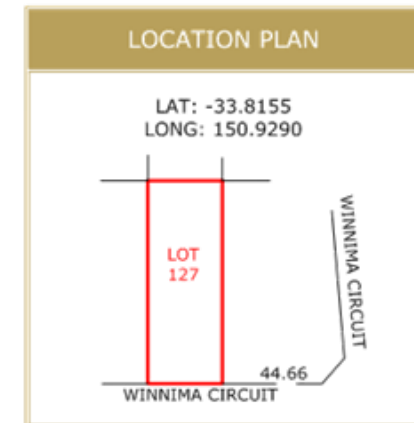
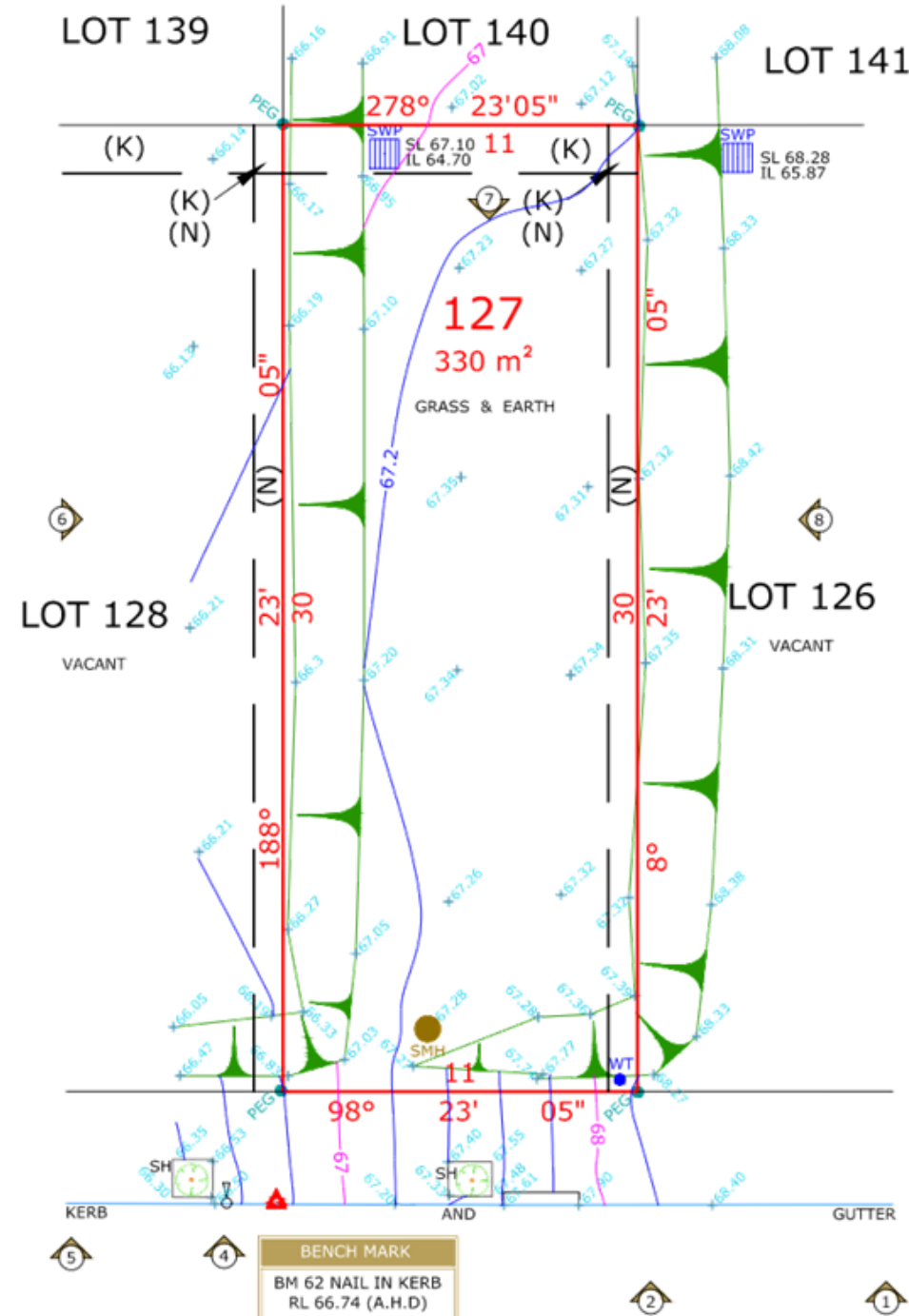
Jai Shankar  
TEAM LEADER – DEVELOPMENT ADVISORY SERVICES

DOCUMENTS  
ASSOCIATED WITH  
REPORT ELPP001/19

Attachment 2  
Survey Plans



(K): EASEMENT TO DRAIN WATER 1.5 WIDE  
(N): EASEMENT FOR MAINTENANCE 0.9 WIDE



LEGEND

	BENCH MARK
	PHOTO POINT
	GULLY PIT
	VEHICULAR CROSSING
	TOP OF BANK
	BOTTOM OF BANK

ABBREVIATIONS

EB - ELECTRICAL BOX
EM - ELECTRICAL METER
GM - GAS METER
H - HYDRANT
R - HYDRANT RECYCLED
KO - KERB OUTLET
LP - LIGHT POLE
LH - LAMP HOLE
MH - MAN HOLE
PP - POWER POLE
SH - SHRUB
SMH - SEWER MAN HOLE
SIO - SEWER INSPECTION OPENING
SV - STOP VALVE
SR - STOP VALVE RECYCLED
SVP - SEWER VENT PIPE
SWP - STORM WATER PIT
T - TREE
TP - TELECOMMUNICATIONS PIT
VER - VERANDAH
WT - WATER TAG
WM - WATER METER
WMR - WATER METER RECYCLED
WC, GC, EC, TC - SERVICE CONDUIT
W/C - WATER CLOSET



AUSTRALIAN HEIGHT DATUM (AHD) ADJUSTMENT
THE BENCH MARK AND SITE LEVELS HAVE BEEN ADJUSTED TO AHD. CONTOUR LINES HAVE BEEN RE-CREATED BY COMPUTER SOFTWARE. THE SITE HAS NOT BEEN RE-SURVEYED.
- WARNING -
ANY CHANGES TO THE LOT AFTER THE ORIGINAL SURVEY DATE SUCH AS ADDED FILL, CUT OR SITE REGRADING WILL REQUIRE A NEW CONTOUR AND DETAIL SURVEY TO BE COMPLETED.

WINNIMA CIRCUI

REVISION	DESCRIPTION	DATE
A	UPDATE TO A.H.D	25.05.2018

SOURCE OF LEVELS
SSM 146812 RL 66.006
S.C.I.M.S

DRAWING NOTES	PLAN BY	CLIENT	PROJECT LOCATION	PLAN TYPE	LEVEL DATUM	
<div>1. CONTOURS SHOWN HAVE BEEN INTERPOLATED FROM SPOT LEVELS TAKEN ON-SITE AND ARE A REPRESENTATION OF THE TOPOGRAPHY ONLY.</div> <div>2. DIMENSIONS SHOWN (BEARINGS &amp; DISTANCES) HAVE BEEN DETERMINED BY LAND AND PROPERTY INFORMATION PLANS ONLY. BOUNDARIES HAVE NOT BEEN ACCURATELY DETERMINED.</div> <div>3. SERVICES SHOWN HAVE BEEN LOCATED WHERE POSSIBLE BY FIELD SURVEY. PRIOR TO ANY SITE WORKS, THE RELEVANT AUTHORITY SHOULD BE CONTACTED TO DETERMINE EXACT POSITION OF ANY UNDERGROUND PIPES, CABLES ETC.</div> <div>4. DIMENSIONS OF ANY TREES SHOWN ON THE PLAN ARE APPROXIMATE.</div>	<div><div><div>DONOVAN</div><div>ASSOCIATES</div><div>REGISTERED SURVEYORS AND CIVIL/STRUCTURAL ENGINEERS</div></div></div>	<div><div><div><div></div></div><div>RAWSON HOMES</div><div>EST 1978</div></div><div>CLIENT REFERENCE: SAHA/TALUKDAR - A007800</div></div>	<div>LOT 127 DP 1223098</div> <div>WINNIMA CIRCUIT</div> <div>PEMULWUY, NSW</div>	CONTOUR PLAN	AUSTRALIAN HEIGHT DATUM	
					DRAWN	CHECKED
					D.FISK	N.TAYLOR
				JOB REFERENCE	SURVEY DATE	DGN/DWG No.
					15.05.2018	304791-REV A
				1815/304791	SHEET SIZE	SCALE
	A3	1:200				

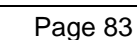


**DOCUMENTS  
ASSOCIATED WITH  
REPORT ELPP001/19**

**Attachment 3  
Architectural Plans**











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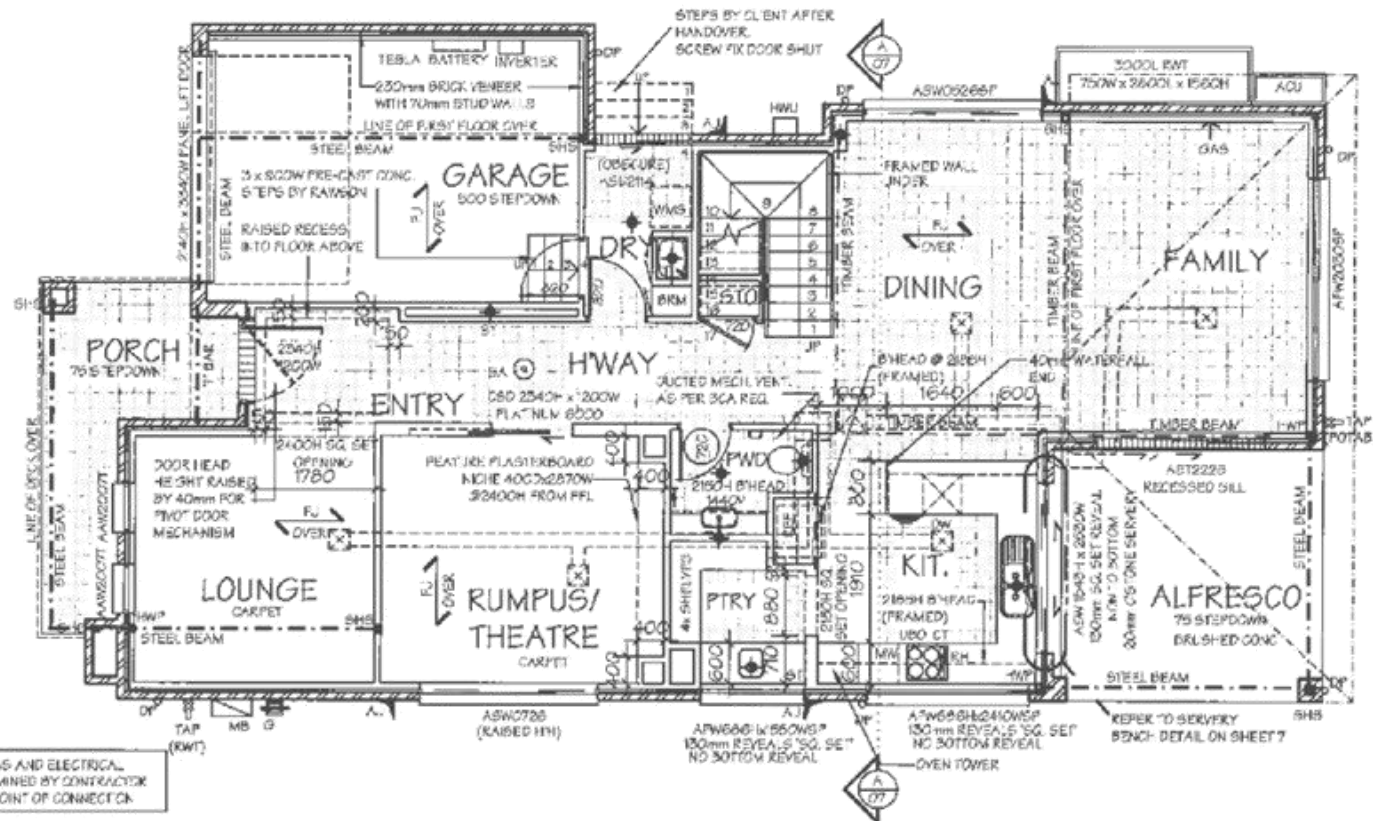
720 LIFT OFF HINGE TO WC  
AC DUCTING  
HEIGHT OF ALL SQ. SETS 2400mm  
FROM FFL UNLESS OTHERWISE  
STATED  
HEIGHT OF ALL INTERNAL DOORS  
2040mm (EX. ROOMS & UNDER  
STAIRS)

18975									
2195	5860	3390	7430						
470 655 1070	5860	1450	1940	590	2650	4190			
470	1725	230	5500	230	3390	340	6840	250	
230		5500	90	1600	90	1910	90	7020	250
710	250	2125	90	2555	90	1600	90	910	90
								7020	250

4  
3

ROOF SPACE TO BE VENTILATED BY EAVE VENTS  
COMPOSITE PLUS 8mm LOW E GLAZED ENERGY  
EFFICIENT GLAZING TO ALL WINDOWS & DOORS  
(EXCLUDING TRANS / OBSCURE / BAL 13, 25,  
40)

10000									
230 950	1570	670	3510						
1180	90	750	470	730	950	1280	530	3340	470
250		3650	250	1510	230	3880	230	3880	230
250		3670	100	1500	90	180	3880	230	230
250	310	2870	390	190	1500	90	2450	250	1910
250		2870	390	190	1500	90	2450	250	1910



NOTE: LOCATION OF GAS AND ELECTRICAL  
METERS TO BE DETERMINED BY CONTRACTOR  
ON SITE TO C. OR BEST POINT OF CONNECTION

10000									
230 950	1570	670	3510						
1180	90	750	470	730	950	1280	530	3340	470
250		3650	250	1510	230	3880	230	3880	230
250		3670	100	1500	90	180	3880	230	230
250	310	2870	390	190	1500	90	2450	250	1910
250		2870	390	190	1500	90	2450	250	1910

1  
2

1125	250	3560	90	4200	90	2090	90	7230	250
1125	250	3560	90	4200	90	1440	90	3240	250
655 470	250	3560	90	3800	90	310 560	90	3240	250
1125		4475		2650	1515	1550	910	2410	350
470	470			14060				3440	250
18975									

AREA SCHEDULE	
GROUND FLOOR	119.57 m²
FIRST FLOOR	115.07 m²
GARAGE	24.05 m²
ALFRESCO	14.88 m²
PORCH	9.03 m²
DECK	8.37 m²
TOTAL	280.00 m²

**NOTES:**  
PLEASE NOTE: DETAILS SHOWN ON THESE PLANS ARE INTENDED  
TO BE ACCURATE - HOWEVER INFORMATION WRITTEN INTO  
INDIVIDUAL CONTRACTS WILL TAKE PRECEDENCE OVER PLANS  
\* ALL DIMENSIONS ARE IN MILLIMETRES  
\* DO NOT SCALE - USE WRITTEN DIMENSIONS  
\* ALL DIMENSIONS ARE TO STRUCTURAL FRAMES ONLY  
EXCLUDING FINISHED SURFACES

**RAWSON HOMES**  
1 HOMEBUSH BAY DRIVE  
BUILDING F, LEVEL 2, SUITE 1  
RHODES NSW 2138  
TELEPHONE: 02 8785 5500  
FAX : 02 8765 8099  
BUILDER'S LICENCE No. 33493C

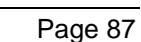


CLIENT:  
**MR. S. K. SAHA & MS. U. TALUKDAR**  
SITE ADDRESS:  
LOT 127 (DP 1223098)  
(N.o. 21) WINNIMA CIRCUIT  
PEMULWUY

HOUSE TYPE:  
MODEL: HUNTLEY 30  
FACADE: ELITE  
TYPE: GARAGE  
SPECIFICATION: LUX  
DRAWING TITLE:  
**GROUND FLOOR PLAN**

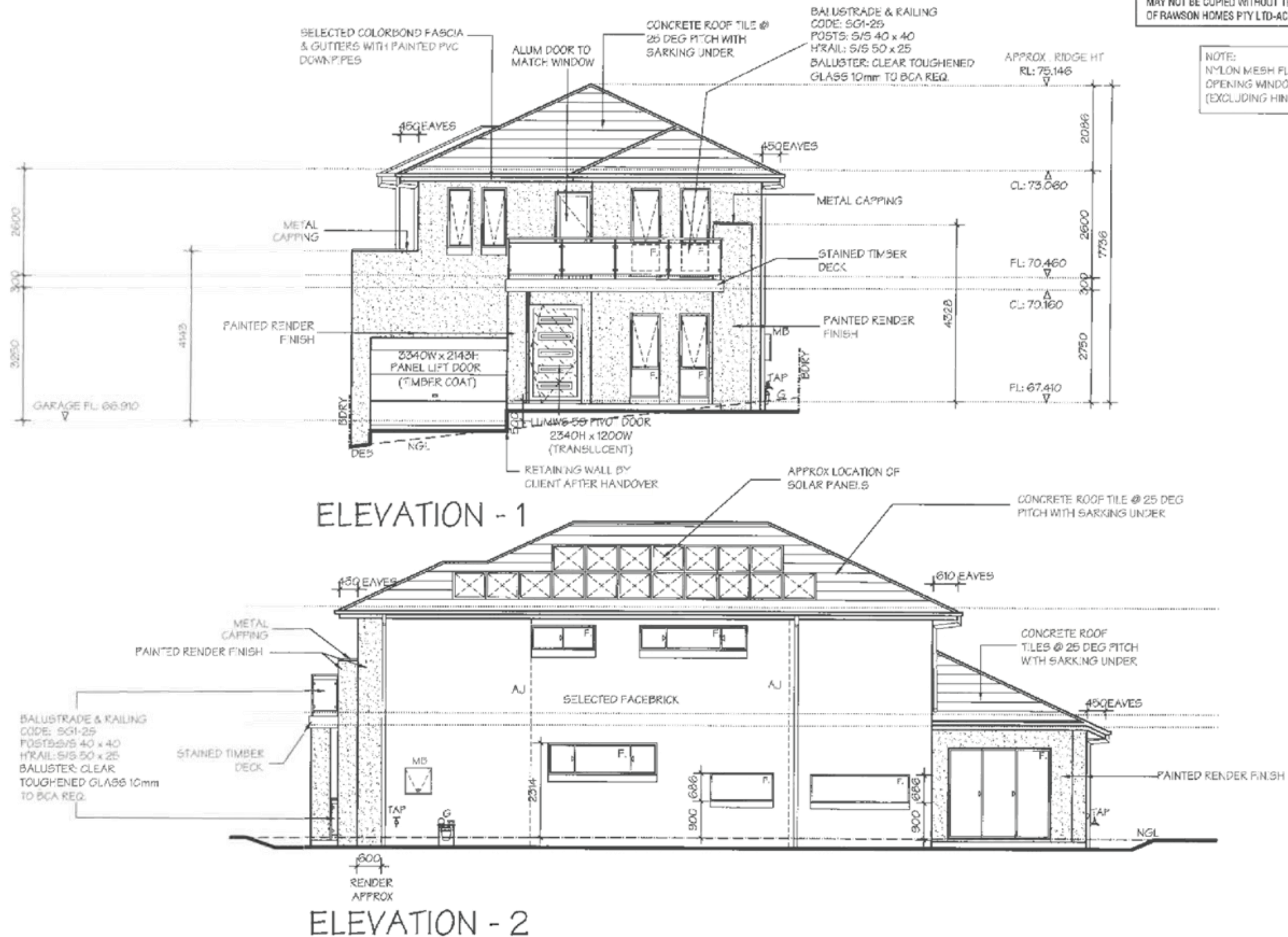
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COUNCIL AREA: HOLROYD		SCALE: 1:100	
JOB No: A007800		DRWS No.: 03	ISSUE: F











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NOTE:  
NYLON MESH FLYSCREENS TO ALL  
OPENING WINDOWS & STACKER DOORS  
(EXCLUDING HINGED DOORS)

**NOTES:**

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FAX : 02 8765 8099  
BUILDER'S LICENCE No. 33493C



CLIENT:  
**MR. S. K. SAHA & MS. U. TALUKDAR**

SITE ADDRESS:  
**LOT 127 (DP 1223098)  
(N.o. 21) WINNIMA CIRCUIT  
PEMULWUY**

HOUSETYPE:  
MODEL: HUNTLEY 30  
FACADE: ELITE  
TYPE: GARAGE  
SPECIFICATION: LUX

DRAWING TITLE:  
**ELEVATIONS 1 & 2**

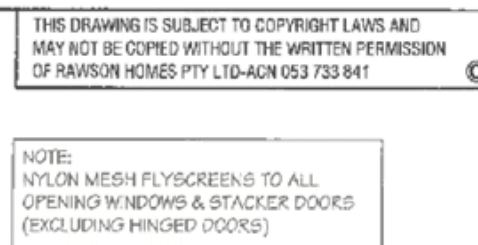
DRAWN BY: DTT	DATE DRAWN: 20.11.17	CHECKED BY: QC	APPROVED FOR CONSTRUCTION:
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COUNCIL AREA: HOLROYD	SCALE: 1:100
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JOB No: A007800	DRWG No.: 05	ISSUE: F
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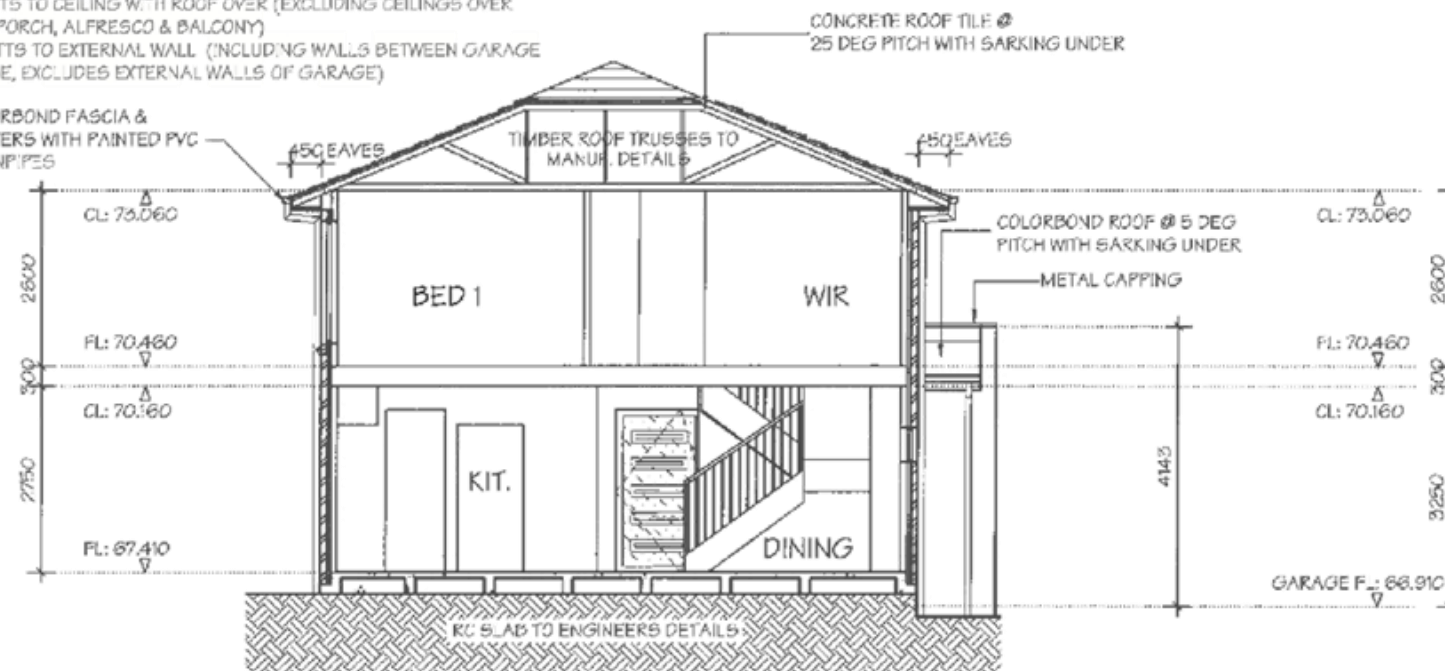


NOTES:  PLEASE NOTE: DETAILS SHOWN ON THESE PLANS ARE INTENDED TO BE ACCURATE - HOWEVER INFORMATION WRITTEN INTO INDIVIDUAL CONTRACTS WILL TAKE PRECEDENCE OVER PLANS  * ALL DIMENSIONS ARE IN MILLIMETRES * DO NOT SCALE - USE WRITTEN DIMENSIONS * ALL DIMENSIONS ARE TO STRUCTURAL FRAMES ONLY EXCLUDING FINISHED SURFACES	<b>RAWSON HOMES</b>  1 HOMEBUSH BAY DRIVE BUILDING F, LEVEL 2, SUITE 1 RHODES NSW 2138 TELEPHONE: 02 8765 5500 FAX : 02 8765 8099 BUILDER'S LICENCE No. 33493C		CLIENT: MR. S. K. SAHA & MS. U. TALUKDAR	HOUSETYPE: MODEL: HUNTLEY 30 FACADE: ELITE TYPE: GARAGE SPECIFICATION: LUX	DRAWN BY: DTT	DATE DRAWN: 20.11.17	CHECKED BY: QC	APPROVED FOR CONSTRUCTION:
			SITE ADDRESS: LOT 127 (DP 1223098) (N.o. 21) WINNIMA CIRCUIT PEMULWUY	COUNCIL AREA: HOLROYD	SCALE: 1:100			
			DRAWING TITLE: ELEVATIONS 3 & 4	JOB No: A007800	DRWG No.: 06	ISSUE: F		



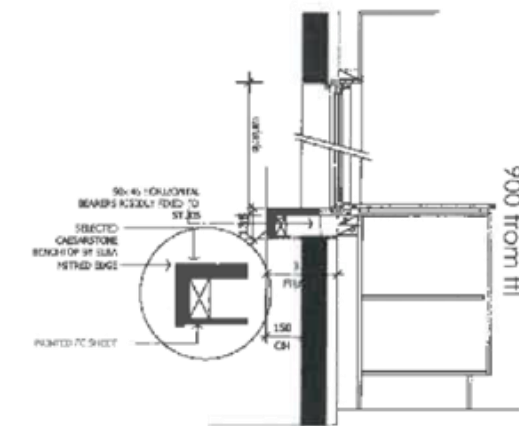
**INSULATION**  
- R3.5 BATTS TO CEILING WITH ROOF OVER (EXCLUDING CEILINGS OVER GARAGE, PORCH, ALFRESCO & BALCONY)  
- R2.0 BATTS TO EXTERNAL WALL (INCLUDING WALLS BETWEEN GARAGE AND HOUSE, EXCLUDES EXTERNAL WALLS OF GARAGE)

COLORBOND FASCIA & GUTTERS WITH PAINTED PVC DOWNPIPES

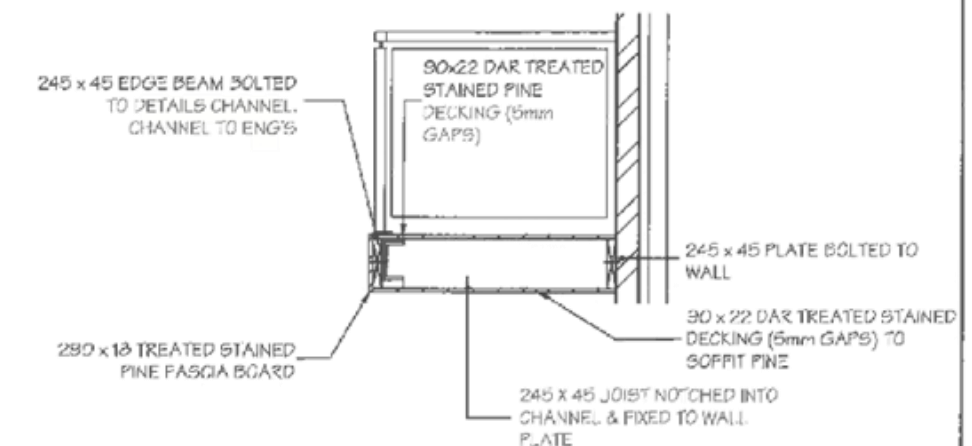


SECTION A-A

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SERVERY BENCH DETAIL  
NOT TO SCALE



DETAIL DECKING  
NOT TO SCALE

BASIX COMMITMENTS			NATURAL LIGHTING	
PROJECT DETAILS			Provide window(s) and/or skylight to 3 bathroom(s) & toilet(s)	
Site area	330	m2	COOKING (KITCHEN APPLIANCES)	
Roof area	177	m2	Install a gas cooktop and electric oven	
number of bedrooms	4		DESIGN ENHANCEMENTS	
Total area of vegetation (garden & lawn)	132	m2	Install an outdoor clothes drying line	
ABGA Certificate Number (if applicable)	0003030541		The applicant must construct each refrigerator space in the development so that is "well ventilated as defined in the BASIX"	
Net conditioned floor area	183	m2	INSULATION	
Net unconditioned floor area	13	m2	External wall R2.0 (including garage)	
Cooling load (if applicable)	55	MJ/m2/yr	Ceiling R3.5 (excluding garage)	
Heating load (if applicable)	51	MJ/m2/yr		
RAINWATER			ENERGY	
Rainwater tank capacity of 3000L to collect rain runoff of at least 177m² of the roof area & connected to all toilets, cold water taps connected to clothes washers & at least one outdoor tap on development.			ACTIVE COOLING/HEATING	
			Provide fully ducted reverse cycle 3 phase air conditioner with EER rating of 3.0-3.5 for cooling	
			Provide fully ducted reverse cycle 3 phase air conditioner with EER rating of 3.5-4.0 for heating	
WATER			VENTILATION	
All showers within the development are to have a minimum rating of 3 star showerheads			Exhaust systems kitchen, bathrooms with manual switch on/off ducted to roof & facade.	
Each toilet is to have a flushing system of no less than a 4 star rating			Natural Ventilation to laundry.	
All taps in the kitchen and bathrooms are to have a minimum rating of 3 star			ARTIFICIAL LIGHTING	
			The applicant must ensure that the "primary type of artificial lighting" is fluorescent or light emitting diode (LED) lighting in each of the following rooms; at least 4 of the bedrooms/study; at least 3 of the living/dining rooms; the kitchen, all bathroom/toilets; the laundry & all hallways	
HOT WATER				
Gas instantaneous hot water system with a performance of 6 stars				

**NOTES:**

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RHODES NSW 2138  
TELEPHONE: 02 8765 5500  
FAX : 02 8765 8099  
BUILDER'S LICENCE No. 33493C



CLIENT:  
MR. S. K. SAHA & MS. U. TALUKDAR

SITE ADDRESS:  
LOT 127 (DP 1223098)  
(N.O. 21) WINNIMA CIRCUIT  
PEMULWUY

HOUSE TYPE:  
MODEL: HUNTLEY 30  
FACADE: ELITE  
TYPE: GARAGE  
SPECIFICATION: LUX

DRAWING TITLE:  
SECTION

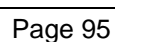
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DATE DRAWN: 20.11.17  
CHECKED BY: QC  
APPROVED FOR CONSTRUCTION:

COUNCIL AREA: HOLROYD  
SCALE: 1:100

JOB No: A007800  
DRWG No.: 07  
ISSUE: F













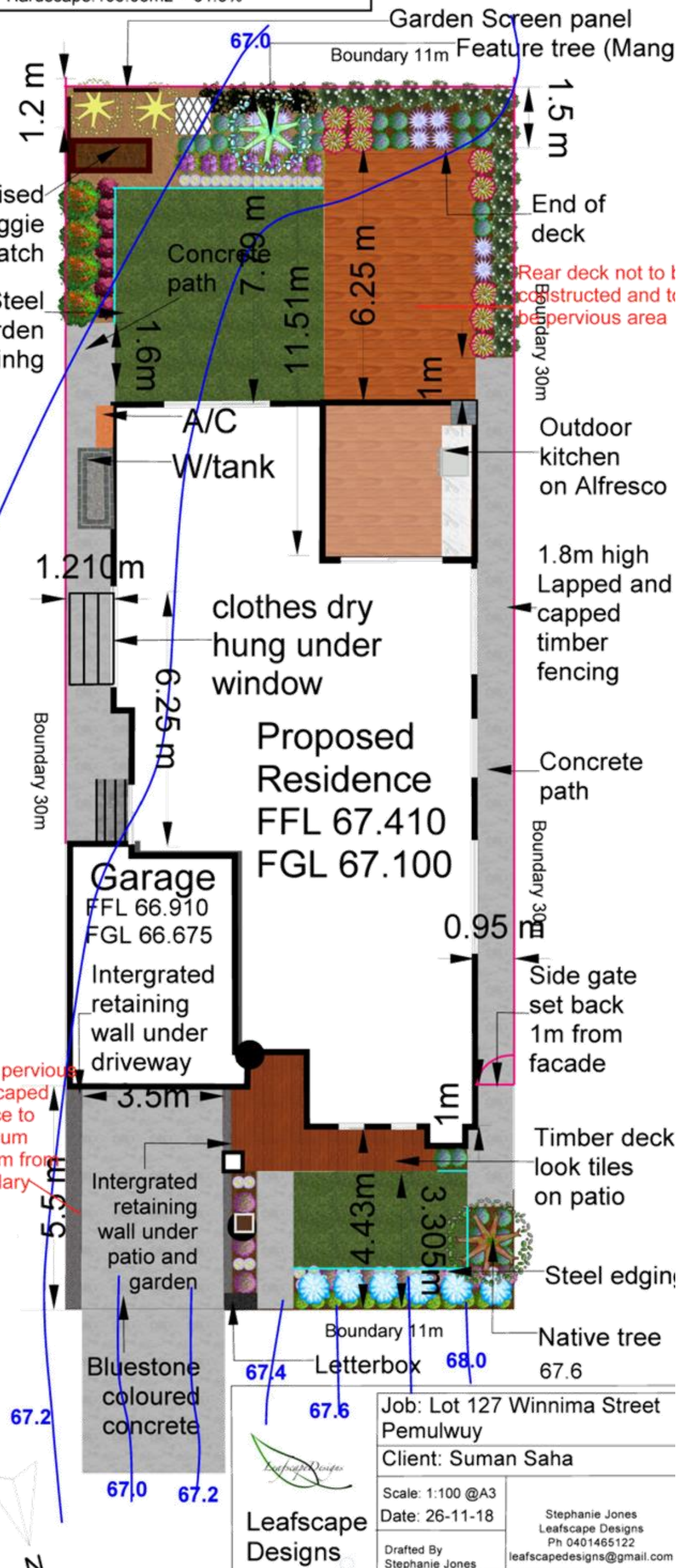
Site area: 330m<sup>2</sup>  
Building ground level area: 173.08m<sup>2</sup> = 52.4%  
Softscape: 67.02m<sup>2</sup> = 38.7%  
Hardscape: 106.06m<sup>2</sup> = 61.3%

Botanic Name	Common Name	Qty	H/W	Pot size
8 Salvia dwarf Pink	Sierra Pink	9	0.7m / 0.7m	140mm
9 Plectranthus 'Mona Lavender'	shade lavender	10	0.7m / 0.7m	140mm
10 Lavendula 'Ruffles'	Dwarf Lavender	7	0.6m / 0.6m	140mm
11 Phormium 'Bronze Baby'	Bronze baby flax	9	0.8m / 0.8m	200mm
12 Gardenia augusta 'Florida'	Gardenia	17	1m / 1m	200mm
13 Allysum White	White Allysum	16	0.3m / 0.3m	100mm

scale  
1 2 3 4 5m

Botanic Name	Common Name	Qty	H/W	Pot size
1 Tristaniopsis 'Luscious'	Luscious water gum	1	6m / 3m	400mm
2 Syzygium 'Resilience'	Resilience Lillypilly	4	3m / 1m	200mm
3 Dwarf Citrus	Dwarf Citrus	2	0.8m / 0.8m	200mm
4 Mangifera indica	Mango spp.	1	1m / 1m	200mm
5 Standard Icebuge Rose	Standard Icebuge Rose	6	0.8m / 0.8m	200mm
6 Alternanthera 'Little Ruby'	Little Ruby	7	0.8m / 0.8m	200mm
7 Liriope 'Stripey White'	Stripey White	26	0.6 / 0.6	140mm

To be pervious landscaped surface to minimum 500mm from boundary

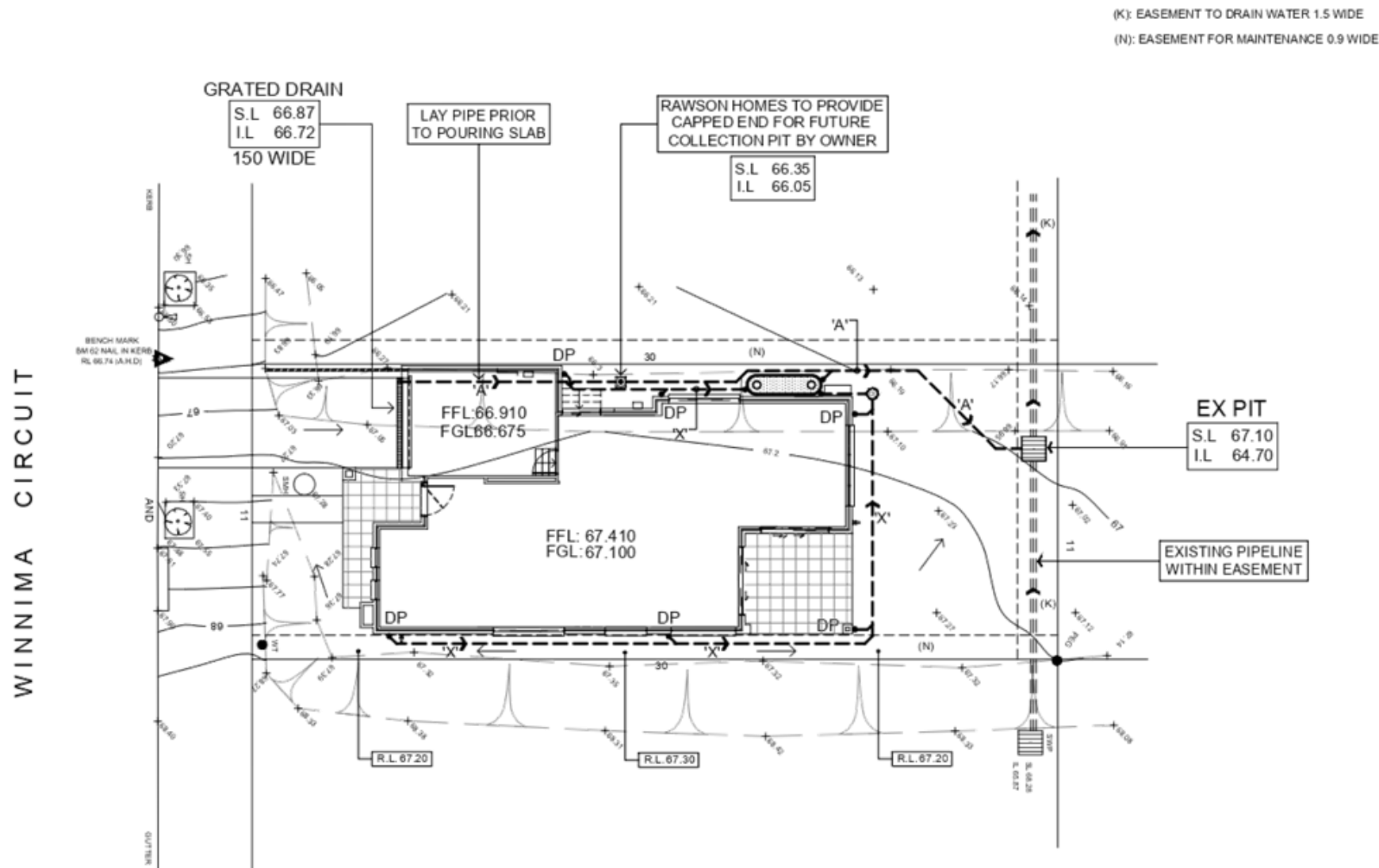


## Plant List

Leafscape Designs

Job: Lot 127 Winnima Street  
Pemulwuy  
Client: Suman Saha  
Scale: 1:100 @A3  
Date: 26-11-18  
Drafted By: Stephanie Jones  
Stephanie Jones  
Leafscape Designs  
Ph 0401465122  
leafscapedesigns@gmail.com





## SITE STORMWATER MANAGEMENT LAYOUT

SCALE 1:200/A3

### PIPE SCHEDULE

TAG	SIZE	MATERIAL	GRADE	DESCRIPTION
'A'	100 Ø	P.V.C	1% MIN	REGULAR GRAVITY PIPE
'B'	150 Ø	P.V.C	1% MIN	REGULAR GRAVITY PIPE
'X'	100 Ø	P.V.C	CHARGED	TO FEED RAINWATER TANK

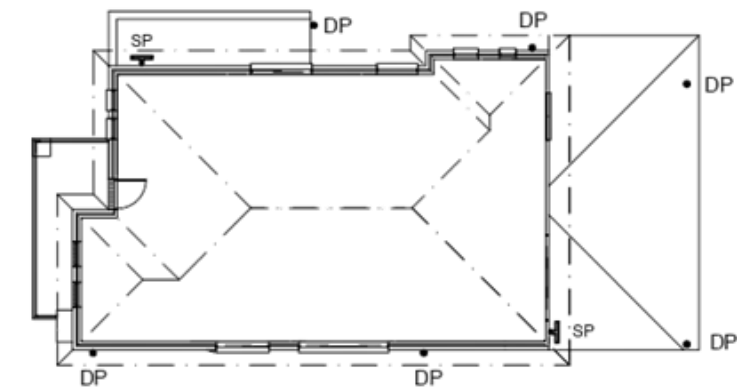
RAINWATER TANK  
AS SHOWN ON PLAN

PROVIDE A RAINWATER TANK 3000L IN CAPACITY TO SUIT ALL BASIX REQUIREMENTS. TANK TO BE CONNECTED AS SPECIFIED IN BASIX REPORT.

ENSURE ALL CONNECTIONS WITHIN CHARGED SYSTEM ARE SOLVENT WELDED

ALL DOWNPIPES ARE TO BE ENTIRELY PVC. PIPES ARE TO BE SEALED UP TO U/S OF ROOF GUTTERS

ROOF GUTTERS I.L. 69.81  
TANK INLET I.L. 68.90  
HEAD PRESSURE - 910mm

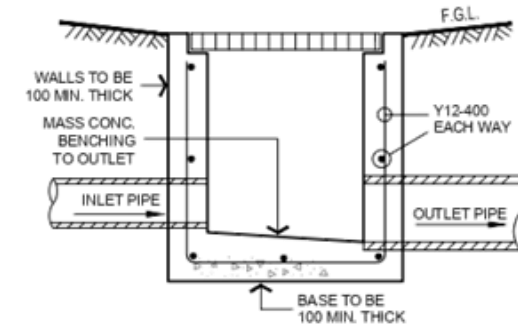


## ROOF & FIRST FLOOR LAYOUT

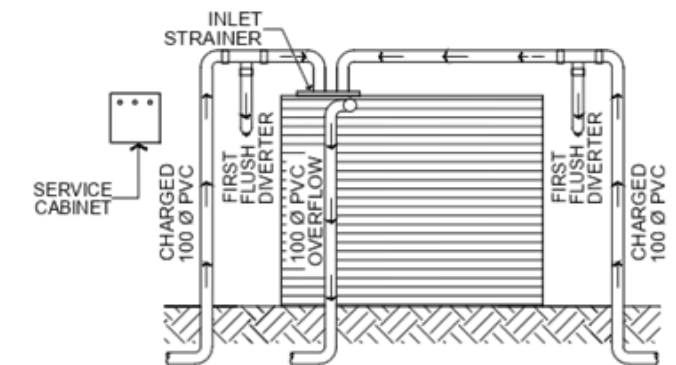
SCALE 1:200/A3

IN TRAFFICABLE AREAS  
BRICKWORK/BLOCKWORK WALLS OR PRECAST CONCRETE PITS MAY BE USED  
SUBJECT TO APPROVAL

IN NON-TRAFFICABLE AREAS  
FIBRE-GLASS OR HARD-PLASTIC PITS MAY BE USED  
SUBJECT TO APPROVAL



## TYPICAL PIT SECTION



## RAINWATER TANK CONFIGURATION

**alw design**  
CIVIL ENGINEERING CONSULTANTS

P: 02 9802 5509 E: admin@alwdesign.com.au  
M: 0413 763 432 69 DELANGE ROAD, PUTNEY NSW 2112

PROJECT: PROPOSED RESIDENTIAL DWELLING AT  
LOT 127, # 21 WINNIMA CIRCUIT, PEMULWUY  
DRAWING: SITE STORMWATER MANAGEMENT LAYOUT

DESIGNED: A.W. M.W. CHECKED: ANDREW L WAHBE - BE (CIVIL) MIEAUST PEN  
DRAWINGS NOT TO BE USED FOR CONSTRUCTION UNLESS SIGNED BY DESIGNING ENGINEER  
B. ISSUED FOR DA APPROVAL 22/11/18  
ISSUE REVISION DESCRIPTION APPR. DATE

### STORMWATER LAYOUT NOTES

- PITS DEEPER THAN 600mm TO BE 600 X 900 W, ELSE 375 SQ U.N.O.
- ALL PIPES TO HAVE 1% MIN. GRADE U.N.O.
- ALL DOWNPIPES TO BE 100 X 50 BOX OR 90 Ø.
- PIPES TO BE U.P.V.C. OR STORMWATER PIPE TO A.S.1254.
- PITS TO BE STANDARD PRECAST CONCRETE PITS OR BRICK RENDERED WITH CONCRETE HEAVY DUTY GRATES SIZED AS PITS PER PLAN.
- NO SEWER VENTS, GULLY PITS OR SIMILAR TO BE LOCATED BELOW THE MAXIMUM WATER SURFACE LEVEL IN DETENTION BASINS.
- PERSONS UTILISING THIS PLAN FOR ANY PURPOSES SHALL VERIFY THE DATUM & RESPECTIVE LEVELS PRIOR TO COMMENCING ANY WORKS & NOTIFY THE ENGINEER OF ANY DISCREPANCIES.
- DRIVEWAY LEVELS PROVIDED FOR DRAINAGE DESIGN PURPOSES ONLY. LEVELS MAY BE ADJUSTED TO SUIT FINAL HOUSE CUT/FILL CONDITIONS BUT NEED TO MAINTAIN INTENT OF DRAINAGE SYSTEM. ENGINEER TO BE CONSULTED PRIOR TO CONSTRUCTION TO ENSURE INTENT MAINTAINED.
- END OF EXISTING DRAINAGE LINE TO BE EXPOSED & LEVELS CONFIRMED BY BUILDER PRIOR TO COMMENCEMENT OF WORKS.
- BUILDERS TO ENSURE SERVICES CONNECTIONS TO HOUSE DO NOT CONFLICT WITH DRAINAGE DESIGN REQUIREMENTS.
- ALL WORKS TO BE CONSTRUCTED TO GOOD BUILDING PRACTICE & MATERIALS TO MEET ACCEPTED SPECIFICATIONS.

### LEGEND

P1	PIT LABEL	G.F.L.	GARAGE FLOOR LEVEL
	SUMP PIT	• 0.00	EXISTING REDUCED LEVEL
	300x300 FLOOR GULLY	• R.L. 157.00	PROPOSED REDUCED LEVEL
	100/150 Ø GARDEN GULLY	DP	DOWNPIPE
	DRAINAGE PIPE	SP	SPITTER/SPREADER
	AERIAL PIPE	CE	CLEANING EYE
S.L.	SURFACE LEVEL	SE	SEDIMENT FENCE
I.L.	INVERT LEVEL	AG	AG LINE
F.F.L.	FINISHED FLOOR LEVEL	OF	OVERLAND FLOW

# BASIX<sup>®</sup>Certificate

Building Sustainability Index [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

## Single Dwelling

Certificate number: 951714S\_02

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Definitions" dated 06/10/2017 published by the Department. This document is available at [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

Secretary

Date of issue: Wednesday, 21 November 2018

To be valid, this certificate must be lodged within 3 months of the date of issue.



Project summary		
Project name	19-21106_02	
Street address	21 Winnima Circuit Pemulwuy 2145	
Local Government Area	Cumberland Council	
Plan type and plan number	deposited - 1223098	
Lot no.	127	
Section no.	-	
Project type	separate dwelling house	
No. of bedrooms	4	
Project score		
Water	✔ 45	Target 40
Thermal Comfort	✔ Pass	Target Pass
Energy	✔ 51	Target 50

### Certificate Prepared by

Name / Company Name: Energy Ratings Australia Pty Ltd

ABN (if applicable): 31133256676

## Description of project

### Project address

Project name	19-21106_02
Street address	21 Winnima Circuit Pemulwuy 2145
Local Government Area	Cumberland Council
Plan type and plan number	Deposited Plan -
Lot no.	127
Section no.	-

### Project type

Project type	separate dwelling house
No. of bedrooms	4

### Site details

Site area (m <sup>2</sup> )	330
Roof area (m <sup>2</sup> )	180
Conditioned floor area (m <sup>2</sup> )	185.0
Unconditioned floor area (m <sup>2</sup> )	13.0
Total area of garden and lawn (m <sup>2</sup> )	142

### Assessor details and thermal loads

Assessor number	20390
Certificate number	0003030541-01
Climate zone	28
Area adjusted cooling load (MJ/m <sup>2</sup> .year)	53
Area adjusted heating load (MJ/m <sup>2</sup> .year)	49

### Project score

Water	✓ 45	Target 40
Thermal Comfort	✓ Pass	Target Pass
Energy	✓ 51	Target 50

## Schedule of BASIX commitments

The commitments set out below regulate how the proposed development is to be carried out. It is a condition of any development consent granted, or complying development certificate issued, for the proposed development, that BASIX commitments be complied with.

Water Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
<b>Fixtures</b>			
The applicant must install showerheads with a minimum rating of 3 star (> 7.5 but <= 9 L/min) in all showers in the development.		✓	✓
The applicant must install a toilet flushing system with a minimum rating of 4 star in each toilet in the development.		✓	✓
The applicant must install taps with a minimum rating of 3 star in the kitchen in the development.		✓	
The applicant must install basin taps with a minimum rating of 3 star in each bathroom in the development.		✓	
<b>Alternative water</b>			
<b>Rainwater tank</b>			
The applicant must install a rainwater tank of at least 3000 litres on the site. This rainwater tank must meet, and be installed in accordance with, the requirements of all applicable regulatory authorities.	✓	✓	✓
The applicant must configure the rainwater tank to collect rain runoff from at least 180 square metres of the roof area of the development (excluding the area of the roof which drains to any stormwater tank or private dam).		✓	✓
The applicant must connect the rainwater tank to: <ul style="list-style-type: none"> <li>all toilets in the development</li> <li>the cold water tap that supplies each clothes washer in the development</li> <li>at least one outdoor tap in the development (Note: NSW Health does not recommend that rainwater be used for human consumption in areas with potable water supply.)</li> </ul>		✓ ✓ ✓	✓ ✓ ✓

Thermal Comfort Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
<b>Simulation Method</b>			
The applicant must attach the certificate referred to under "Assessor Details" on the front page of this BASIX certificate (the "Assessor Certificate") to the development application and construction certificate application for the proposed development (or, if the applicant is applying for a complying development certificate for the proposed development, to that application). The applicant must also attach the Assessor Certificate to the application for an occupation certificate for the proposed development.			
The Assessor Certificate must have been issued by an Accredited Assessor in accordance with the Thermal Comfort Protocol.			
The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX certificate, including the Cooling and Heating loads shown on the front page of this certificate.			
The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Assessor Certificate requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor to certify that this is the case. The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.	✓	✓	✓
The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.		✓	✓
The applicant must construct the floors and walls of the dwelling in accordance with the specifications listed in the table below.	✓	✓	✓

Floor and wall construction	Area
floor - concrete slab on ground	All or part of floor area square metres
floor - suspended floor above garage	All or part of floor area

Energy Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
<b>Hot water</b>			
The applicant must install the following hot water system in the development, or a system with a higher energy rating: gas instantaneous with a performance of 6 stars.	✓	✓	✓
<b>Cooling system</b>			
The applicant must install the following cooling system, or a system with a higher energy rating, in at least 1 living area: 3-phase airconditioning; Energy rating: EER 3.0 - 3.5		✓	✓
The applicant must install the following cooling system, or a system with a higher energy rating, in at least 1 bedroom: 3-phase airconditioning; Energy rating: EER 3.0 - 3.5		✓	✓
The cooling system must provide for day/night zoning between living areas and bedrooms.		✓	✓
<b>Heating system</b>			
The applicant must install the following heating system, or a system with a higher energy rating, in at least 1 living area: 3-phase airconditioning; Energy rating: EER 3.5 - 4.0		✓	✓
The applicant must install the following heating system, or a system with a higher energy rating, in at least 1 bedroom: 3-phase airconditioning; Energy rating: EER 3.5 - 4.0		✓	✓
The heating system must provide for day/night zoning between living areas and bedrooms.		✓	✓
<b>Ventilation</b>			
The applicant must install the following exhaust systems in the development:			
At least 1 Bathroom: individual fan, ducted to façade or roof; Operation control: manual switch on/off		✓	✓
Kitchen: individual fan, ducted to façade or roof; Operation control: manual switch on/off		✓	✓
Laundry: natural ventilation only, or no laundry; Operation control: n/a		✓	✓
<b>Artificial lighting</b>			
The applicant must ensure that the "primary type of artificial lighting" is fluorescent or light emitting diode (LED) lighting in each of the following rooms, and where the word "dedicated" appears, the fittings for those lights must only be capable of accepting fluorescent or light emitting diode (LED) lamps:			
• at least 4 of the bedrooms / study;		✓	✓



Energy Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
<ul style="list-style-type: none"> <li>• at least 3 of the living / dining rooms;</li> <li>• the kitchen;</li> <li>• all bathrooms/toilets;</li> <li>• the laundry;</li> <li>• all hallways;</li> </ul>		✓ ✓ ✓ ✓ ✓	✓ ✓ ✓ ✓ ✓
<b>Natural lighting</b>			
The applicant must install a window and/or skylight in the kitchen of the dwelling for natural lighting.	✓	✓	✓
The applicant must install a window and/or skylight in 3 bathroom(s)/toilet(s) in the development for natural lighting.	✓	✓	✓
<b>Other</b>			
The applicant must install a gas cooktop & electric oven in the kitchen of the dwelling.		✓	
The applicant must construct each refrigerator space in the development so that it is "well ventilated", as defined in the BASIX definitions.		✓	
The applicant must install a fixed outdoor clothes drying line as part of the development.		✓	



**Legend**

In these commitments, "applicant" means the person carrying out the development.

Commitments identified with a ✓ in the "Show on DA plans" column must be shown on the plans accompanying the development application for the proposed development (if a development application is to be lodged for the proposed development).

Commitments identified with a ✓ in the "Show on CC/CDC plans and specs" column must be shown in the plans and specifications accompanying the application for a construction certificate / complying development certificate for the proposed development.

Commitments identified with a ✓ in the "Certifier check" column must be certified by a certifying authority as having been fulfilled, before a final occupation certificate (either interim or final) for the development may be issued.

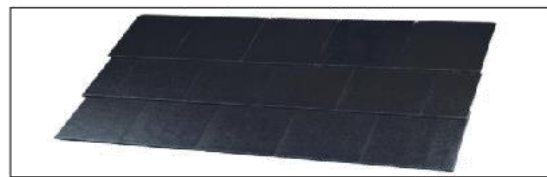


## External Colour Selections

Suman Kanti Saha & Urmi Talukdar  
Lot 127, (No.21) Winnima Circuit, Pemulwuy NSW 2145



**Main Brick:** PGH Urban Blue



**Roof:** Horizon Profile Roof Tiles - Sambucca



**Window Frames:** APO Grey



**Garage Door:** Timber Coat - Rosewood



**Entry Doors:** Quantum Tint Walnut



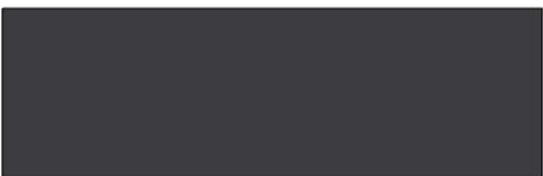
**Gutter:** Colorbond Monument



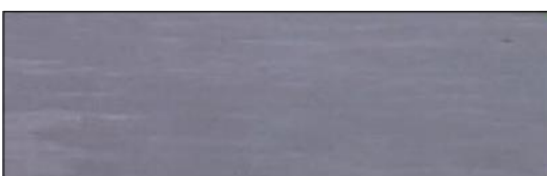
**FC Boarding/Stria Cladding:** Taubmans Grey Castle



**Eaves/Alfresco:** Taubmans "CRISP WHITE"



**Fascia, Downpipes, Rainwater tank:** Colorbond Monume



**Driveway:** Avista Bluestone



## RAWSON HOMES P/L

### WASTE MANAGEMENT PLAN

#### Outline of Proposal

- **Site Address:** Lot 127 No. 21 Winnima Circuit Pemulwuy 2145

**Applicant's Name and Address:** Rawson Homes Pty Ltd  
1 Homebush Bay Drive, Building F, Level 2, Suite 1, Rhodes NSW 2138

#### **Buildings and other structures currently on-site:**

Nil

#### **Brief description of proposal:**

1. Excavate site (by Rawson Homes)
2. Construct a Double storey Residence (by Rawson Homes)

The details provided in this plan are the intentions for managing waste related to this project.

**Signature of Applicant:** \_\_\_\_\_

**Date:** 22 November 2018

**STAGE ONE : – DEMOLITION PHASE (Please Note- No Demolition required)**

MATERIALS ON-SITE	DESTINATION				
	Estimated		Reuse and Recycling		Disposal
Type of Materials			On-Site Specify proposed reuse or on-site recycling methods	Off-Site Specify contractor and recycling outlet	Specify contractor and landfill site
	Vol (m³)	Wt (t)			
Excavation Material	Nil				
Green Waste					
Bricks	Nil				
Concrete	Nil				
Timbers	Nil				
Plasterboard	Nil				
Tiles	Nil				
Pavers	Nil				
Metals	Nil				
Asbestos Special Note: Owners Demolition Contractor to test for Asbestos, If found Asbestos Removal procedures and Waste disposal to be used	Nil				
Plastic wrapping	Nil				

## STAGE TWO : – CONSTRUCTION PHASE

MATERIALS ON-SITE	DESTINATION				
			Reuse and Recycling		Disposal
Type of Materials	Estimated		On-Site Specify proposed reuse or on-site recycling methods	Off-Site Specify contractor and recycling outlet	Specify contractor and landfill site
	Vol (m <sup>3</sup> )	Wt (t)			
Excavation Material	5-10 m <sup>3</sup>		Re – use excess spoil as fill	Re – use excess spoil as fill on other sites	Sent by Excavation Contractor to Landfill site
Green Waste	.5			mulched – used on other sites	
Bricks	.7				Sent by Macleans to Brandown Recycling Centre
Concrete	.3				Sent by Macleans to Brandown Recycling Centre
Timbers	1.5				Collected by CSR – Gyprock and recycled
Plasterboard	1.5				Sent by Macleans to Brandown Recycling Centre
Tiles	0.25				Sent by Macleans to Brandown Recycling Centre
Pavers	.2				
Metals	Nil				
Asbestos	Nil				
Plastic wrapping	0.2		Reused on –site as covers		

**How will waste be stored onsite for reuse and recycling? How will site operations be managed to ensure minimal waste creation and maximum reuse and recycling?**



Waste to be stored temporarily onsite in separate piles, and taken away by relevant contractor to pre selected land fillsite or recycling centre. Schedule of disposing of waste / recycled matter to be co-ordinated as to maximise recycled use of waste and to keep cost of disposal to a minimum. Site supervisor to manage and maximise use of waste generated by construction phase. Includes liasing and scheduling with subcontractors as to ensure minimal waste creation, ongoing checks by supervisor, follow up training and educating sub contractors of waste requirements.

### STAGE THREE : – DESIGN OF FACILITIES

TYPE OF WASTE TO BE GENERATED	EXPECTED VOL. PER WEEK	PROPOSED ON-SITE STORAGE AND TREATMENT FACILITIES	DESTINATION
Household recyclables (bottles, cans,paper etc )	20-30 litres per unit	Stored in appropriate recycled bins supplied by council awaiting collection	Council recycling service ( weekly )
Garden/green waste	10-30 litres per unit	Stored in appropriate recycled bins supplied by council awaiting collection	Council recycling service ( weekly )
Other waste	30 litres per unit	Stored in mobile garbage bins awaiting collection	To land fill by council (weekly)

Describe how you intend to ensure ongoing management of waste on-site (e.g. lease conditions, caretaker/manager on-site)

1. The garbage and recycling bins in the rear courtyards will be clearly marked and labelled to encourage source separation of materials.
2. The green keeper will manage the garden waste by placing all clippings in appropriate compost bins if not applicable to place waste in recycling bins provided by local government authority.
3. Residence owners or tenants will arrange their own garbage, recycling and composting arrangements using facilities provided by local government authorities.

Item No: ELPP002/19

## DEVELOPMENT APPLICATION AT 147-151 PARRAMATTA ROAD, AUBURN

Responsible Division: Environment & Planning  
Officer: Manager Development Assessment  
File Number: DA-511/2017

<b>Application lodged</b>	5 December 2017
<b>Applicant</b>	RDO Architect
<b>Owner</b>	George Sukkar, Youssef Sukkar, Samia Sukkar
<b>Application No.</b>	DA-511/2017
<b>Description of Land</b>	Lot 5 in DP 667932, and Lot 6 in DP 1056368. Also known as 147-151 Parramatta Road Auburn
<b>Proposed Development</b>	Construction of an 8 storey hotel building comprising 112 rooms over 3 levels of basement car park with 2 x business identification signs
<b>Site Area</b>	1329.7 m <sup>2</sup>
<b>Zoning</b>	Zone B6 - Enterprise Corridor
<b>Principal development standards</b>	Height of Buildings – 27 m Floor Space Ratio – 3:1
<b>Disclosure of political donations and gifts</b>	Nil disclosure
<b>Heritage</b>	Adjacent to local heritage item
<b>Issues</b>	<ul style="list-style-type: none"> <li>• Car parking numbers</li> <li>• Setbacks</li> </ul>

### SUMMARY:

1. The subject application was lodged on 5 December 2017 and notified to surrounding properties from 9 January to 23 January 2018. The application was also advertised in the local paper and a sign was placed on the site. One submission was received as a result of the notification.
2. Additional information and amended plans were requested from the applicant throughout March and April 2018 regarding traffic and parking, tree management, stormwater management, heritage impacts and loading dock design.
3. Additional information to address these items was received from the applicant on 8 August 2018.
4. Following a comprehensive planning assessment, the application was deferred on 13 November 2018 due to non-compliances with the height and FSR standards, and inadequacy of the landscape design.
5. These issues were addressed with amended plans submitted 15 November 2018.



6. Further design refinements were negotiated with the applicant throughout December 2018 and January 2019.
7. The application involves the following numerical non-compliances which are considered supportable as discussed in detail elsewhere in the report.

Control	Required	Proposed	% Variation
Number of storeys	Maximum 6	8	33%
Parking	115	92	20%
Front setback	4.5 m	4 m	11%

8. The application is recommended for approval subject to conditions.

## REPORT:

### *Site and Locality*

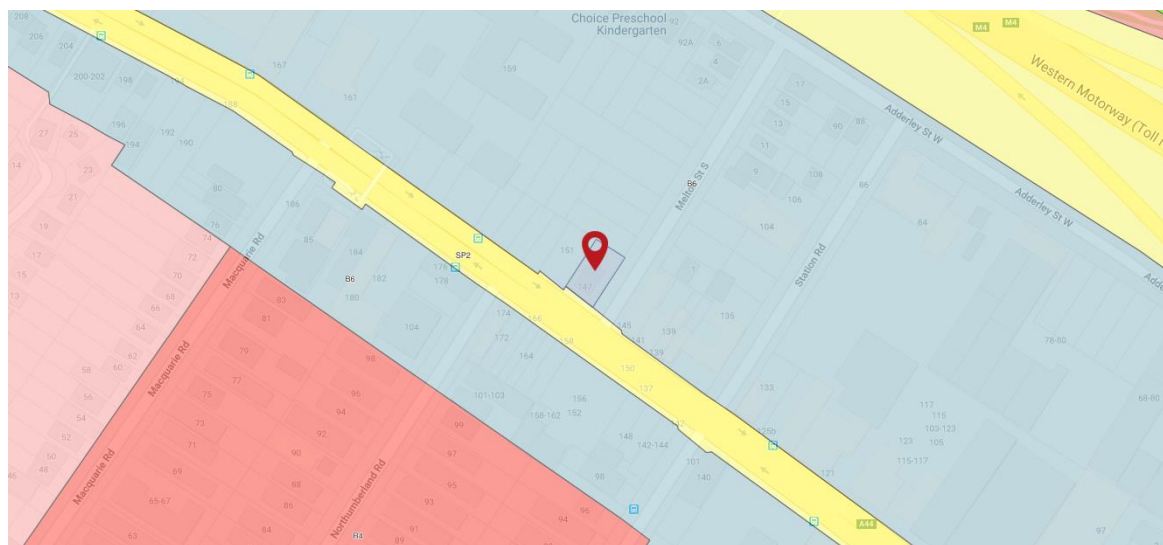
The site comprises lot 5 in DP 667932 and lot 6 in DP 1056368 and is roughly square in shape. The site is bounded by Parramatta Road to the south, Melton Street to the east and Auburn North Public School to the north and west. The site has frontage of 37.39 m to Melton Street and 36.825 m to Parramatta Road. The total site area is 1329.7 m<sup>2</sup>.

Lot 5 (149-151 Parramatta Road) is currently vacant except for a small fibro shed in the north-east corner. Lot 6 (147 Parramatta Road) contains a rendered brick building and fibro shed. There is no significant vegetation on the site. However, there are a number of established trees within the school grounds in close proximity to the boundaries of the subject site.

All surrounding sites are zoned B6 – Enterprise Corridor and the surrounding developments are mainly older-style commercial buildings. There are also some detached dwelling houses at the northern end of Melton Street.



Aerial view of the locality with subject site shown edged red



Zoning map of the locality

### ***Description of Proposed Development***

Development application 511/2017 proposes construction of an 8 storey hotel building comprising 112 rooms over 3 levels of basement car parking.

Separate consent will need to be obtained for demolition of the existing structures.

The key features of the development are listed in the following table:

Level	Details
B6	16 car parking spaces
B5	18 car parking spaces
B4	16 car parking spaces
B3	18 car parking spaces
B2	12 car parking spaces including 5 accessible spaces, booster services room
B1	12 car parking spaces, 11 bicycle spaces, booster & pump room
Ground	Waste room, electrical MDF, loading dock, lobby and reception, business identification signage, gym, bag room
Level 1	Terrace, breakfast room, swimming pool, pool & pump filters and kitchen
Levels 2-6	21 rooms (including 2 x dual key rooms on each level)
Level 7	Manager's accommodation and deck, mechanical plant and fan room, plant room and 7 rooms

### **Other features**

The dual key apartments have kitchenette facilities. All other rooms do not have kitchen facilities.

There is lift and stair access to every level.

Two new vehicular crossovers are proposed from the Melton Street frontage to allow entry and exit of all vehicles in a forward direction.

A kiosk substation and hydrant booster are proposed within the Melton Street frontage.

### ***Application History***

<b>Date</b>	<b>Action</b>
5 December 2017	Application lodged with Council
14 December 2017	Application referred to EHU, Heritage, Engineering and Landscape Architect for comment
9 January – 23 January 2018	Application notified to surrounding properties
23 February 2018	Application referred to RMS and Ausgrid for comment
3 March 2018	Application deferred due to parking non-compliance
5 March 2018	Additional information received from the applicant to justify the parking non-compliance
17 March 2018	Additional information requested regarding heritage impacts and setback to Parramatta Road
4 May 2018	Amended plans and additional information received by Council
23 July 2018	Application deferred due to traffic and engineering issues
8 August 2018	Amended plans addressing traffic issues received by Council
13 November 2018	Application deferred due to non-compliance with the applicable height and FSR standards
15 November 2018	Amended plans received by Council
2 January 2019	Application deferred
9 January 2019	Amended plans/additional information received
30 January 2019	Application referred to CLPP for determination

### ***Applicant's Supporting Statement***

A Statement of Environmental Effects prepared by Burrell Threlfo Pagan Pty Ltd dated November 2017 was submitted with the application.

### ***Contact with Relevant Parties***

The assessing officer has undertaken an inspection of the subject site and has been in contact with the applicant throughout the assessment process.

### ***Internal Referrals***

The development application was referred to the following internal departments for review:-

### Environmental Health

The application was referred to Council's Environmental Health Unit for comment. In a response dated 21 December 2017 the Environmental Health Officer advised that the proposal is satisfactory subject to conditions having regard to

- The level of investigation carried out regarding potential site contamination,
- The impact of road noise on the proposed development, and
- The potential for fit out of the food preparation areas to meet the relevant Australian Standards.

### Heritage

The application was referred to Council's Heritage Consultant for comment. There were some concerns regarding the original proposal. However, following submission of amended plans, the Heritage Consultant provided comment that the proposal is satisfactory. No conditions were recommended.

### Drainage and Development Engineer

The application was referred to Council's Development Engineering section for comment. Council's Senior Development Assessment Engineer advised that the amended proposal is satisfactory subject to conditions.

### Landscape Architect

The application was referred to Council's Landscape Architect for comment. Response received 2 March 2018 states that the proposal does not satisfy the objectives for the Green Edge setback for Parramatta Road in the Parramatta Road Corridor Urban Transformation Planning and Design Guidelines Implementation Toolkit 2016 (the Guideline). That is, for the Auburn section of the corridor a 6 m setback to Parramatta Road is required.

The Guideline does not have any statutory effect at this point and is not a matter that is required to be considered in the assessment. However, it will inform Council's development standards and controls when the new LEP and DCP are prepared.

In this case the reduced setback can be supported as the landscaping provided will significantly improve the streetscape appearance and pedestrian amenity in the immediate vicinity of the site, as compared to the existing situation. The subject site is also uniquely located at the corner of a large block that is otherwise occupied entirely by Auburn North Public School. As such, the setback proposed will not disrupt the streetscape and will not provide any precedent value for future developments in the locality.



## External Referrals

### Roads and Maritime Services

The proposal constitutes 'traffic generating development' pursuant to clause 104 of the SEPP Infrastructure as there is vehicular access within 90 m of a connection to a classified road and parking for more than 50 vehicles is provided.

RMS provided a response dated 27 March 2018 advising that they would grant concurrence subject to consent conditions as detailed in their response.

### Ausgrid

The proposal includes excavation within 5 m of overhead power lines and as such, referral to the electrical distributor is required pursuant to clause 45 of the SEPP Infrastructure.

The application was referred to Ausgrid on 23 February 2018 and at the time of writing, no response has been received. The consent authority is not required to consider any comment received more than 21 days after sending the referral.

## **The provisions of any Environmental Planning Instruments (EP&A Act s4.15 (1)(a)(i))**

The proposed development is affected by the following State Environmental Planning Policies.

### **(a) State Environmental Planning Policy No. 55 - Remediation of Land**

The requirement at clause 7 of SEPP No. 55 for Council to be satisfied that the site is suitable or can be made suitable to accommodate the proposed development has been considered in the following table:

Matter for consideration	Yes	No
Does the application involve re-development of the site or a change of land use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is the development going to be used for a sensitive land use (e.g. residential, educational, recreational, childcare or hospital)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site?  acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries, oil production and storage, paint formulation and manufacture, pesticide manufacture	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Matter for consideration	Yes	No
and formulation, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation		
Is the site listed on Council's Contaminated land database?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the site subject to EPA clean-up order or other EPA restrictions?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Has the site been the subject of known pollution incidents or illegal dumping?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the site adjoin any contaminated land/previously contaminated land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Has the appropriate level of investigation been carried out in respect of contamination matters for Council to be satisfied that the site is suitable to accommodate the proposed development or can be made suitable to accommodate the proposed development?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Details of contamination investigations carried out at the site:</b> A Phase 1 Preliminary Site Investigation Report prepared by LG Consult was submitted with the application. The report concludes that there are no evident sources of mobile contamination and that the site is suitable for a child care facility. As a child care facility is a more sensitive land use than the proposed hotel, the site is considered suitable in its current state for the proposed use and no further investigation is necessary in the circumstances.		

**(b) State Environmental Planning Policy No 64 – Advertising and Signage**

The proposal includes two business identification signs. One located on top of the fire hydrant booster facing Melton Street, and a free standing pylon sign within the Parramatta Road setback. Pursuant to clause 8 of SEPP 64, a consent authority must not grant consent to an application to display signage unless the consent authority is satisfied:

- a) that the signage is consistent with the objectives of the SEPP; and
- b) that the signage satisfies the assessment criteria specified in schedule 1.

Comment

The objectives of the SEPP are as follows:

(a) *to ensure that signage (including advertising):*

- (i) *is compatible with the desired amenity and visual character of an area, and*
- (ii) *provides effective communication in suitable locations, and*
- (iii) *is of high quality design and finish, and*

(b) *to regulate signage (but not content) under Part 4 of the Act, and*

(c) *to provide time-limited consents for the display of certain advertisements, and*

(d) *to regulate the display of advertisements in transport corridors, and*

*(e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.*

The proposed signage is compatible with the desired amenity and visual character of the area and provides an effective means of communicating the nature of the business to be carried out within the proposed building.

The design of the proposed signage is considered to be of a high quality and is complementary to the design of the building.

A compliance table addressing the schedule 1 assessment criteria is provided at attachment 1.

### **(c) State Environmental Planning Policy (Infrastructure) 2007**

The proposed development is affected by the State Environmental Planning Policy at the following clauses:-

#### Clause 101 - Development with frontage to classified road

*(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:*

*(a) where practicable, vehicular access to the land is provided by a road other than the classified road, and*

*(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:*

*(i) the design of the vehicular access to the land, or*

*(ii) the emission of smoke or dust from the development, or*

*(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*

*(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

#### Comment:

Vehicular access to the development is provided from Melton Street and not from Parramatta Road.

As detailed above, NSW Roads and Maritime Services have reviewed the development application and advised that the proposal is satisfactory subject to conditions.



The development has been designed to include measures to minimise the effects of traffic noise from Parramatta Road on the development.

Clause 102 - Impact of road noise or vibration on non-road development

*(1) This clause applies to development for any of the following purposes that is on land in or adjacent to the road corridor for a freeway, a tollway or a transitway or any other road with an annual average daily traffic volume of more than 20,000 vehicles (based on the traffic volume data published on the website of the RTA) and that the consent authority considers is likely to be adversely affected by road noise or vibration:*

*(a) a building for residential use,*

*(b) a place of public worship,*

*(c) a hospital,*

*(d) an educational establishment or child care centre.*

*(2) Before determining a development application for development to which this clause applies, the consent authority must take into consideration any guidelines that are issued by the Director-General for the purposes of this clause and published in the Gazette.*

*(3) If the development is for the purposes of a building for residential use, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:*

*(a) in any bedroom in the building-35 dB(A) at any time between 10 pm and 7 am,*

*(b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)-40 dB(A) at any time.*

Comment:

Parramatta Road is a road that carries more than 20,000 vehicles per day. However, clause 102 does not apply as the development is not for a residential use, place of public worship, hospital, educational establishment or child care centre.

Nevertheless, an acoustic report prepared by PKA Acoustic Consulting dated 26 November 2017 was submitted with the application. The report makes a number of recommendations with regard to the type of glazing and doors to be provided to comply with relevant noise requirements. The acoustic report was reviewed by Council's Environmental Health Officer and was found to be satisfactory. The report from PKA Acoustic Consulting is to be endorsed as part of the consent.

**(d) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005**

The site is located within the area within the Sydney Harbour Catchment and SREP (Sydney Harbour Catchment) 2005 is applicable to the development application. The development application raises no issues as to consistency with the requirements and objectives of the planning instrument and associated development control plan.

**(e) State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017**

The proposal does not include the removal of any vegetation and as such, the SEPP (Vegetation) does not apply.

**(f) State Environmental Planning Policy (Coastal Management) 2018**

The subject site is not identified as a coastal wetland nor is it 'land identified as "proximity area for coastal wetlands"' as per Part 2, Division 1 of the SEPP Coastal Management 2018.

**(g) Auburn Local Environmental Plan (ALEP) 2010**

The proposal complies with the applicable development standards under ALEP 2010. A comprehensive compliance table is provided at attachment 2.

**The provisions of any proposed instrument that is or has been the subject of public consultation (EP&A Act s4.15 (1)(a)(ii))**

**(a) Draft State Environmental Planning Policy (Environment)**

There are no draft SEPPs applicable to the proposed development.

**The provisions of any Development Control Plans (EP&A Act s4.15 (1)(a)(iii))**

**(a) Auburn Development Control Plan 2010**

The applicable sections of the ADCP 2010 are discussed below.

**Industrial Areas**

Non-compliances with the provisions of the industrial areas section of the DCP are discussed below. A comprehensive DCP compliance table is provided at attachment 3.

<b>Requirement</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Comments</b>
<b>D3 Number of storeys - B6 Enterprise Corridor</b>				The proposal is for hotel accommodation on B6 zoned land.
<b>Development for hotel and motel accommodation and office</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>The proposal has an eight storey presentation to</b>

premises on land zoned B6 Enterprise Corridor on Parramatta Road shall be a maximum of six (6) storeys.				both streets which is more than the permitted maximum of 6 storeys.  This is considered satisfactory despite the non-compliance as the proposal complies with the 27 m height standard for office and hotel accommodation within the Parramatta Road Precinct.
<b>3.0 Streetscape and Urban Character</b>				
<b>3.2 Front setbacks</b>				
<b>Development controls</b>  <b>D1</b> New buildings within industrial areas shall have a minimum front setback of: <ul style="list-style-type: none"> <li>• 4.5m from other roads, and</li> <li>• 0m from laneways.</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposal has a setback of 4 m to Parramatta Road (primary street). This is less than the required minimum but considered satisfactory subject to conditions to provide additional planting within the setback.
<b>7.0 Energy Efficiency and Water Conservation</b>				
<b>7.1 General requirements</b>				
<b>Development controls</b>  <b>D1</b> Buildings shall be oriented towards the north so that they make best use of solar access to lower heating and cooling costs.  <b>D2</b> Building design shall minimise reliance on existing energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The building is not oriented towards the north. However, that is not considered practical given the dimensions and location of the site. The design maximises daylight to the habitable rooms and provides shading to east and west

supplies through the use of renewable energy sources including incorporation of photovoltaic cells, wind turbines, battery storage and solar hot water wherever practicable.				facing windows. <b>No renewable energy sources proposed and no details provided regarding energy efficient appliances or fittings.</b>
<b>D3</b> <i>Roofs and walls shall be well insulated in office components of buildings to reduce winter heat loss and summer heat gain.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>The proposal will need to comply with Section J of the National Construction Code. This will be addressed by the Certifying Authority at construction certificate stage.</b>
<b>D4</b> <i>Low energy lighting shall be used.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>D5</b> <i>Energy efficient appliances, fittings and fixtures shall be used.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>D6</b> <i>Any hot water heaters to be installed, as far as practicable, shall be solar, and to the extent where this is not practicable, shall be greenhouse gas friendly systems that achieve a minimum 3.5 Hot Water Greenhouse Score.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

### **Advertising and Signage**

The proposed development includes one free standing sign adjacent to the southern boundary, and another business identification sign facing Melton Street. The height of the free-standing sign has been amended to 9 m which is considered satisfactory in terms of its relationship to the site and building, and impact on the streetscape.

The proposed signage complies with the relevant DCP requirements. See additional comment above regarding compliance with the requirements of SEPP 64.

### **Parking and Loading**

Non-compliances with the parking and loading provisions are discussed below. A comprehensive compliance table is provided at attachment 3.

Requirement	Yes	No	N/A	Comment
2.0 Off-Street Parking Requirements				
Development controls				
D1 All new development shall provide off-street parking in accordance with the parking requirement tables of the respective developments in this Part.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposal does not comply with the minimum parking requirement as detailed below. The number of parking spaces provided is considered sufficient for the proposed use, subject to conditions for the facilities on site to be restricted to use by hotel patrons and staff.
5.1.4 Number of car parking spaces				
Development controls				
D1 Car parking for commercial development shall comply with the requirements in Table 6:				1 space per room = 112 spaces
Table 6 - Summary of parking requirements				1 space per 2 employees = 3 spaces
				Total number of spaces required = 115
				The restaurant at level 1 is for the use of hotel patrons only and will not be open to the general public. As such, no additional parking spaces are required for this component of the development. This is reinforced by a condition in the draft consent.
				92 basement parking spaces are proposed, and an additional 3 drop off spaces are provided adjacent to the lobby. This results in a deficiency of 20 spaces.
				The proposal relies on a reduced parking rate of 1.5 spaces per dual key room, which has been applied to

				<p>other hotel developments in the area. When this reduced rate is applied, the total number of parking spaces required is 110.</p> <p>This is considered satisfactory as the DCP parking rate assumes 100% occupancy of the hotel rooms, where surveys of other hotel developments indicate that the practical peak occupancy rate is closer to 90%. The applicant's traffic impact report indicates that this is sufficient as hotels are subject to high levels of management and can therefore control parking demand to match availability.</p> <p>The application was reviewed by Council's Engineer who advised that the proposal is satisfactory subject to conditions.</p> <p>A condition is included in the draft determination to require the preparation, submission and implementation of a plan of management to ensure that the use of the hotel does not impact on offsite parking availability.</p>
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### ***Access and Mobility***

A BCA compliance report prepared by Newland Wood was submitted with the application. The report indicates that the proposal complies with all applicable requirements of Part D3 – Access for People with a Disability.

Standard conditions are to be imposed requiring the building to comply with the access to premises standard.



**Stormwater Drainage**

The relevant requirements and objectives of the development control plan for Stormwater Drainage have been considered in the assessment of the development application.

The proposed stormwater layout was reviewed by Council's Development Engineer and is considered satisfactory subject to conditions.

**Waste**

The development application plans show a storage room for 4 x 1100 L waste bins. There is room on site to manoeuvre a garbage truck into the loading dock adjacent to the waste room and exit the site in a forward direction.

**The provisions of any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4 (EP&A Act s4.15(1)(a)(iia))**

There is no planning agreement or draft planning agreement associated with the subject Development Application.

**The provisions of the Regulations (EP&A Act s4.15 (1)(a)(iv))**

The Regulations do not prescribe any relevant matters for consideration.

**The likely environmental, social or economic impacts (EP&A Act s4.15 (1)(b))**

It is considered that the proposed development will have no significant adverse environmental, social or economic impacts in the locality.

**The suitability of the site for the development (EP&A Act s4.15 (1)(c))**

The subject site and locality is not known to be affected by any natural hazards or other site constraints likely to have a significant adverse impact on the proposed development. Accordingly, the site can be said to be suitable to accommodate the proposal. The proposed development has been assessed in regard to its environmental consequences and it is considered that the site is suitable for the development as proposed.

**Submissions made in accordance with the Act or Regulation (EP&A Act s4.15 (1)(d))**

**Advertised (newspaper)** ☒ **Mail** ☒ **Sign** ☒ **Not Required** ☒

In accordance with Council's Notification of Development Proposals Development Control Plan, the proposal was publicly notified and advertised for a period of fourteen (14) days from 9 to 23 January 2018. One submission was received as a result of the notification. The issues raised in the submission are as follows:

Concern	Comment
Privacy of children attending Auburn North Public School.	<p>There are no controls or standards in any of the relevant planning policies regarding privacy that would require particular setbacks or design features to address the school.</p> <p>The proposed hotel does not raise any safety or privacy concerns for the children attending Auburn North Public School.</p> <p>The proposal does not provide for any form of direct access from the hotel to the school.</p> <p>The design provides for a solid wall adjacent to the terrace and pool area at level 1. This wall has a height of 1.6 m above the finished floor level and as such will not allow for direct views to the school from persons standing or sitting in the terrace area. From level 2 and above, the façade design provides for horizontal louvres which will prevent any overlooking into the school.</p>
<p>Pedestrian safety</p> <p><i>How will the students walk across the hotel entry/exit and subsequently enter the school grounds?</i></p> <p><i>There will be more cars turning in from Parramatta Road into and out of Melton Street South to access the hotel. How will the students cross this section of the road to access the school?</i></p> <p><i>Perhaps crossing lights or a crossing supervisor will be needed at the intersection of Melton Street South and Parramatta Road?</i></p>	<p>Students can safely cross Parramatta Road at the Macquarie Road intersection which includes a pedestrian overpass that was specifically constructed to provide for the students of Auburn North Public School.</p> <p>There is another signalised intersection at the corner of station road that can also be utilised by school students and other pedestrians.</p> <p>The school crossing supervisor program is administered by NSW Roads and Maritime Services (RMS). RMS will assess any application from a school principal for a new school crossing</p>

	<p>supervisor against the following criteria:</p> <ul style="list-style-type: none"> <li>• <i>“The site must have an existing children's crossing, pedestrian crossing (zebra) or combined crossing (children's and zebra).</i></li> <li>• <i>The crossing must be used by infant and/or primary school children.</i></li> <li>• <i>The site must be located within a 40km/h school zone.</i></li> <li>• <i>The crossing must be used by a minimum of 50 unaccompanied infant and/or primary school children per hour across a road carrying 300 passenger car units per hour within the morning and afternoon school zone times. Heavy vehicles over three tonnes unladen are counted as two passenger car units.</i></li> <li>• <i>The site must be considered a safe working environment for a school crossing supervisor.”</i></li> </ul> <p>There is no existing zebra or children's crossing at the intersection of Parramatta Road and Melton Street. As such it would not meet the RMS criteria for a school crossing supervisor.</p>
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### **The public interest (EP&A Act s4.15(1)(e))**

The public interest is served by permitting the orderly and economic development of land, in a manner that is sensitive to the surrounding environment and has regard to the reasonable amenity expectations of surrounding land users. In view of the foregoing analysis it is considered that the development, if carried out subject to the recommended conditions, will not be contrary to the public interest.

### **Section 7.11 (Formerly S94) Contribution Towards Provision or Improvement of Amenities or Services**

A Section 94 Contribution is payable for such a development in accordance with Auburn Development Contributions Plan 2007. A condition is included in the draft determination to require payment of these contributions prior to the issue of any construction certificate.

The amount payable at the currently indexed rate is calculated at \$ 122,028.99

The calculation is based on an employment generating development with capital investment value of \$12,202,900.

***Disclosure Of Political Donations And Gifts***

The application and notification process did not result in any disclosure of Political Donations or Gifts.

**CONCLUSION:**

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The development application has been assessed in accordance with the relevant requirements of the Environmental Planning and Assessment Act 1979, Auburn Local Environmental Plan 2010, and Auburn Development Control Plan 2010.

The proposed development is appropriately located within the B6 Enterprise Corridor zone and provides an appropriate design response to the constraints of the site. The proposed development will not have any unreasonable impacts on surrounding properties.

Accordingly, it is recommended that the application be approved subject to conditions.

**CONSULTATION:**

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There are no further consultation processes for Council associated with this report.

**FINANCIAL IMPLICATIONS:**

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There are no further financial implications for Council associated with this report.

**POLICY IMPLICATIONS:**

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There are no policy implications for Council associated with this report.

**COMMUNICATION / PUBLICATIONS:**

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The final outcome of this matter will be notified in the newspaper. The objectors will also be notified in writing of the outcome.

**REPORT RECOMMENDATION:**






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1. That development application DA-511/2017 for the construction of an 8 storey hotel building comprising 112 rooms over 3 levels of basement car park be approved, subject to set out in the draft determination.
  - i)
2. That the person who made a submission be notified of the determination.

**ATTACHMENTS**

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1. SEPP 64 Compliance Table [↓](#) 

2. ALEP 2010 Compliance Table [↓](#) 
3. ADCP 2010 Compliance Table [↓](#) 
4. Draft Determination [↓](#) 
5. Architectural Plans [↓](#) 
6. Public Submission [↓](#) 





**DOCUMENTS  
ASSOCIATED WITH  
REPORT ELPP002/19**

**Attachment 1  
SEPP 64 Compliance Table**



**Attachment 1 – State Environmental Planning Policy No 64 – Advertising and Signage compliance table**

<b>SCHEDULE 1 – ASSESSMENT CRITERIA</b>	
<i>Assessment Criteria</i>	<i>Comments</i>
<b>1 Character of the area</b>	
<i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i>	The proposed signage is compatible with the character of the locality, being within a Business Enterprise zone with frontage to a classified road.
<i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i>	There is no particular theme for outdoor advertising in the locality.
<b>2 Special areas</b>	
<i>Does the proposal detract from the amenity or visual quality of any environmentally sensitive area, heritage area, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</i>	The proposed signage does not detract from the amenity or visual quality of any area subject to compliance with standard conditions.
<b>3 Views and vistas</b>	
<i>Does the proposal obscure or compromise important views?</i>	The proposal does not obscure or compromise important views.
<i>Does the proposal dominate the skyline and reduce the quality of vistas?</i>	The proposal does not dominate the skyline or reduce the quality of vistas.
<i>Does the proposal respect the viewing rights of other advertisers?</i>	The proposal does not affect the viewing rights of other advertisers.
<b>4 Streetscape, setting or landscape</b>	
<i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i>	The scale, proportion and form of the proposal is appropriate; given the streetscape setting.
<i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i>	The proposed signage will contribute to visual interest whilst maintaining an appropriate relationship with the buildings and landscaped areas.
<i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i>	N/A
<i>Does the proposal screen unsightliness?</i>	N/A
<i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i>	The proposed signage does not protrude above the line of the proposed buildings.
<i>Does the proposal require ongoing vegetation management?</i>	The proposal does not require ongoing vegetation management.
<b>5 Site and building</b>	
<i>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</i>	The proposed signage is compatible with the scale, proportion and other characteristics of the site.
<i>Does the proposal respect important features of the site or building, or both?</i>	Proposed signage does not detract from important features of the buildings.
<i>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</i>	The proposal does not show innovation or imagination in its relationship to the site or building.
<b>6 Associated devices and logos with advertisements and advertising structures</b>	
<i>Have any safety devices, platforms, lighting or logos been designed as integral part of the signage or structure on which it is to be displayed?</i>	Lighting and logos are integral to the proposed signage.
<b>7 Illumination</b>	

<i>Would illumination result in unacceptable glare?</i>	The signage will be illuminated at an appropriate level in order to avoid unacceptable glare. Conditions included in the draft determination requiring compliance with relevant Australian Standards.
<i>Would illumination affect safety for pedestrians, vehicles or aircraft?</i>	The illumination will not affect safety for pedestrians, vehicles or aircraft.
<i>Would illumination detract from the amenity of any residence or other form of accommodation?</i>	The illumination will not detract from the amenity of the neighbouring residential accommodation.
<i>Can the intensity of the illumination be adjusted, if necessary?</i>	No, however, the illumination is not expected to create any negative visual impacts or unacceptable glare.
<i>Is the illumination subject to a curfew?</i>	The illumination is not subject to a curfew.
<b>8 Safety</b>	
<i>Would the proposal reduce the safety of any public road?</i>	The proposed signage will not reduce road safety.
<i>Would the proposal reduce the safety for pedestrians or bicyclists?</i>	The proposed signage will not reduce safety for pedestrians or cyclists.
<i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i>	The proposed signage will not obscure sightlines from public areas.

**DOCUMENTS  
ASSOCIATED WITH  
REPORT ELPP002/19**

**Attachment 2  
ALEP 2010 Compliance Table**





Attachment 2 – Auburn Local Environmental Plan 2010 compliance table

Clause	Yes	No	N/A	Comment
<b>Part 2 Permitted or prohibited development</b>				
<b>Zone B6 Enterprise Corridor</b>				
<b>1 Objectives of zone</b>  To promote businesses along main roads and to encourage a mix of compatible uses.  To provide a range of employment uses (including business, office, retail and light industrial uses).  To maintain the economic strength of centres by limiting retailing activity.  To provide for residential uses, but only as part of a mixed use development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal provides for business activity within the Parramatta Road corridor and is a permissible land use. No retail or residential uses are proposed. As such the subject development is considered to be compatible with the objectives of the B6 zone.
<b>2 Permitted without consent</b>  Nil				The proposed development is defined as <i>Hotel or motel accommodation</i> which is permitted with consent in the B6 zone.
<b>3 Permitted with consent</b>  Building identification signs; Bulky goods premises; Business identification signs; Business premises; Community facilities; Food and drink premises; Garden centres; Hardware and building supplies; <b>Hotel or motel accommodation</b> ; Kiosks; Landscaping material supplies; Light industries; Markets; Neighbourhood shops; Passenger transport facilities; Plant nurseries; Roads; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Hotel and motel accommodation is defined as <i>a building or place (whether or not licensed premises under the Liquor Act 2007) that provides temporary or short term accommodation on a commercial basis and that:</i>  <i>(a) comprises rooms or self-contained suites, and</i> <i>(b) may provide meals to guests or the general public and facilities for the parking of guests' vehicles,</i>  <i>but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.</i>  <i>Note. Hotel or motel accommodation is a type of tourist and visitor accommodation".</i>  The proposed development is consistent with the definition in the LEP.
<b>4 Prohibited</b>  Agriculture; Air transport facilities; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Heavy industrial storage establishments; Highway service				

Clause	Yes	No	N/A	Comment
centres; Home occupations (sex services); Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Open cut mining; Port facilities; Recreation facilities (major); Research stations; Residential accommodation; Restricted premises; Retail premises; Rural industries; Sewerage systems; Sex services premises; Signage; Tourist and visitor accommodation; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities.				
<b>Part 4 Principal development standards</b>				
<b>4.1 Minimum subdivision lot size</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No subdivision proposed.
<b>4.3 Height of buildings</b>				
(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.				
(2A) Despite subclause (2), the maximum height of office premises and hotel or motel accommodation is:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A height limit of 27 m applies to the subject proposal pursuant to clause 4.3(2A).  The building has a maximum height of 27 metres (at the lift overrun) which complies with the standard.
(a) if it is within the Parramatta Road Precinct, as shown edged orange on the Height of Buildings Map—27 metres,				
(b) if it is on land within Zone B6 Enterprise Corridor within the Silverwater Road Precinct, as shown edged light purple on the Height of Buildings Map—14 metres.				
<b>4.4 Floor space ratio</b>				
(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.				
(2A) Despite subclause (2), the maximum floor space ratio for development for the purpose of multi dwelling housing on land other than land within the Former Lidcombe Hospital Site, as shown edged black on the Floor Space Ratio Map, is as follows:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal is for hotel or motel accommodation and as such, an FSR of 3:1 applies pursuant to clause 4.4(2B)(b).  The gross floor area is 3896.9 m <sup>2</sup> or 2.93:1 which complies with the standard.
(a) for sites less than 1,300 square metres—0.75:1,				
(b) for sites that are 1,300 square metres or greater but less than 1,800 square metres—0.80:1,				
(c) for sites that are 1,800 square metres or greater—0.85:1.				

Clause	Yes	No	N/A	Comment
<p>(2B) Despite subclause (2), the maximum floor space ratio for the following development on land in Zone B6 Enterprise Corridor within the Parramatta Road Precinct, as shown edged orange on the Floor Space Ratio Map, is as follows:</p> <p>(a) 1.5:1 for bulky goods premises, entertainment facilities, function centres and registered clubs, and</p> <p><b>(b) 3:1 for office premises and hotel or motel accommodation.</b></p> <p>(2C) Despite subclause (2), the maximum floor space ratio for the following development on land in Zone B6 Enterprise Corridor within the Silverwater Road Precinct, as shown edged light purple on the Floor Space Ratio Map, is as follows:</p> <p>(a) 1.5:1 for bulky goods premises, entertainment facilities, function centres and registered clubs, and</p> <p>(b) 2:1 for office premises and hotel or motel accommodation.</p> <p>(2D) Despite subclause (2), the maximum floor space ratio for retail premises on land in Zone B6 Enterprise Corridor within the Commercial Precinct, as shown edged green on the Floor Space Ratio Map is 1.5:1.</p>				
<p><b>4.6 Exceptions to development standards</b></p> <p>(2) Consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposal complies with all applicable development standards.
<b>Part 5 Miscellaneous provisions</b>				
<p><b>5.3 Development near zone boundaries</b></p> <p>(2) This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 20 metres</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No part of the site is within the relevant distance of a boundary between 2 zones.
<p><b>5.4 Controls relating to miscellaneous permissible uses</b></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No miscellaneous permissible uses are included in the proposal.
<p><b>5.6 Architectural roof features</b></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

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Clause	Yes	No	N/A	Comment						
<p>that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</p> <p>(d) disturbing or excavating a heritage conservation area that is a place of Aboriginal heritage significance,</p> <p>(e) erecting a building on land:</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area or,</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</p> <p>(f) subdividing land on which a heritage</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area or,</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</p>										
<p><b>(5) Heritage impact assessment</b></p> <p>The consent authority may, before granting consent to any development on land:</p> <p>(a) on which a heritage item is situated, or</p> <p>(b ) within a heritage conservation area, or</p> <p>(c) within the vicinity of land referred to in paragraph (a) or (b), require a heritage impact statement to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The site is adjacent to Auburn North Public School which is an item of local heritage significance. A heritage impact statement was submitted with the application and reviewed by Council's heritage consultant. The proposed development will not have any adverse impacts on the significance of the adjacent heritage item.</p>						
<b>Part 6 Additional local provisions</b>										
<p><b>6.1 Acid sulfate soils</b></p> <p>(1)Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.</p> <table><tr><th>Class</th><th>Works of land</th></tr><tr><td>1</td><td>Any works</td></tr><tr><td>2</td><td>Works below the natural ground surface. Works by which the watertable is</td></tr></table>	Class	Works of land	1	Any works	2	Works below the natural ground surface. Works by which the watertable is	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The site is subject to class 5 acid sulfate soils.</p> <p>Class 5 soils are general acceptable to undertake significant excavation without the need for further studies or management plans to manage Acid Sulfate issues during construction.</p> <p>The level of excavation for the proposed basement is RL 10.0.</p>
Class	Works of land									
1	Any works									
2	Works below the natural ground surface. Works by which the watertable is									

Clause		Yes	No	N/A	Comment
	likely to be lowered.				As such an Acid Sulfate Soils management plan is not required.
3	Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.				
4	Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.				
5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(2) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) Despite subclause (2) Development consent is not required under this clause for the carrying out of works if:					
(a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and					
(b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation,					



Clause	Yes	No	N/A	Comment
<p>construction of access ways or the supply of power):</p> <p>(a) emergency work, being the repair or replacement of the works of the public authority required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,</p> <p>(b) routine management work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),</p> <p>(c) minor work, being work that costs less than \$20,000 (other than drainage work).</p> <p>(5) Despite subclause (2), development consent is not required under this clause to carry out any works if:</p> <p>(a) the works involve the disturbance of more than 1 tonne of soil, such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins) or foundations, or flood mitigation works, or</p> <p>(b) the works are likely to lower the watertable.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>6.2 Earthworks</b></p> <p>(3) Before granting development consent for earthworks, the consent authority must consider the following matters:</p> <p>(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,</p> <p>(b) the effect of the proposed development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or of the soil to be excavated, or both,</p> <p>(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A significant amount of excavation will be undertaken to facilitate construction of the basement car park.</p> <p>Standard conditions are to be imposed to ensure that excavated material is disposed of appropriately.</p> <p>Conditions will also be imposed to require that Council be notified of any unexpected finds.</p> <p>The site is not identified as a potential archaeological site.</p> <p>There are no waterways or</p>



Clause	Yes	No	N/A	Comment
<p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.</p> <p><b>Note.</b> The <i>National Parks and Wildlife Act 1974</i>, particularly section 86, deals with disturbing or excavating land and Aboriginal objects.</p>				environmentally sensitive areas in vicinity of the site.
<p><b>6.3 Flood planning</b></p> <p>(1) This clause applies to:</p> <p>a) land that is shown as "Flood planning area" on the Flood Planning Map, and</p> <p>b) other land at or below the flood planning level.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The site is not identified as being flood prone in the maps accompanying the ALEP 2010.
<p><b>6.4 Foreshore building line</b></p> <p>(2) This clause applies to land identified as below the foreshore building line on the Foreshore Building Line Map.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The site is not identified as being below the Foreshore Building Line.
<p><b>6.5 Essential Services</b></p> <p>(1) Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:</p> <p>(a) the supply of water,</p> <p>(b) the supply of electricity,</p> <p>(c) the disposal and management of sewage.</p> <p>(d) stormwater drainage or on-site conservation,</p> <p>(e) suitable road access.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The listed services are currently available to the site.</p> <p>Conditions are recommended to be imposed regarding alteration/augmentation of services to be carried out in accordance with the requirements of the relevant service provider.</p>

DOCUMENTS  
ASSOCIATED WITH  
REPORT ELPP002/19

Attachment 3  
ADCP 2010 Compliance Table



Attachment 3 – Auburn Development Control Plan 2010

INDUSTRIAL AREAS				
Requirement	Yes	No	N/A	Comments
<b>1.0 Introduction</b>				
<b>1.1 Development to which this Part applies</b>				
<p><i>This Part applies to land zoned:</i></p> <ul style="list-style-type: none"> <li>• IN1 General Industrial,</li> <li>• IN2 Light Industrial,</li> <li>• <b>B6 Enterprise Corridor and</b></li> <li>• B7 Business Park</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>The site is zoned B6 - Enterprise Corridor under the Auburn Local Environmental Plan 2010.</i>
<b>2.0 Built Form</b>				
<b>Development controls</b>				
<p><b>D1</b> Buildings shall be designed to:</p> <ul style="list-style-type: none"> <li>• introduce variations in unit design within building groups.</li> <li>• introduce solid surfaces, preferably masonry, incorporate horizontal and vertical modulation including windows in appropriate proportions and configurations</li> <li>• include an appropriate variety of materials and façade treatments so as to create visual interest on a high quality design outcome.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The building design incorporates a variety of materials to create visual interest.
<p><b>D2</b> On corner sites, the building reinforces the corner by massing and façade orientation.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The building responds appropriately to its corner location
<p><b>D3 Number of storeys - B6 Enterprise Corridor</b></p> <p>Development for hotel and motel accommodation and office premises on land zoned B6 Enterprise Corridor on Silverwater Road shall be a maximum of three (3) storeys.</p> <p><b>Development for hotel and motel accommodation and office premises on land zoned B6 Enterprise Corridor on Parramatta Road shall be a maximum of six (6) storeys.</b></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposal is for hotel accommodation on B6 zoned land. See comment below.</p> <p><b>The proposal has an eight storey presentation to both streets which is more than the permitted maximum of 6 storeys.</b></p> <p>This is considered satisfactory despite the non-compliance as the proposal complies with the 27 m height standard for office and hotel accommodation within the Parramatta Road Precinct.</p>

3.0 Streetscape and Urban Character				
3.1 Streetscape				
Development controls				
<p><b>D1</b> Fencing along street boundaries with a height greater than 1m shall be located at a minimum setback applicable to buildings (refer to setback controls overleaf) and with landscaping in the area available between the fence and the property boundary.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No fencing proposed.
<p><b>D2</b> Facades of new industrial buildings shall adopt a contemporary appearance.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No industrial buildings proposed.
<p><b>D3</b> Facades of proposed infill development located in established industrial areas shall reflect the style and architecture of adjoining buildings.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The subject site is not within an established industrial area.
<p><b>D4</b> Architectural features shall be included in the design of new buildings to provide for more visually interesting industrial areas, including:</p> <ul style="list-style-type: none"> <li>elements which punctuate the skyline;</li> <li>distinctive parapets or roof forms;</li> <li>visually interesting facades;</li> <li>architectural emphasis on the built form; and</li> <li>a variety of window patterns.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed building includes architectural features to create visual interest including different brick finishes and horizontal louvers.
3.2 Front setbacks				
Development controls				
<p><b>D1</b> New buildings within industrial areas shall have a minimum front setback of:</p> <ul style="list-style-type: none"> <li>4.5m from other roads, and</li> <li>0m from laneways.</li> </ul> <p>In the case of a corner allotment, the setback to the secondary road shall be 3m.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>The proposal has a setback of 4 m to Parramatta Road (primary street). This is less than the required minimum but considered satisfactory subject to conditions to provide additional planting within the setback.</b></p> <p>The proposal has a setback of 3.3 m to Melton Street</p>
<p><b>D1</b> Front setback areas shall not be used for car parking, storage or display of goods.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Car parking, storage, etc. is provided within the basement.

3.3 Side and rear setbacks				
<b>Development controls</b>				
<b>D1</b> Buildings may be built on a nil side or rear setback except where a setback is required to screen buildings from: <ul style="list-style-type: none"> <li>public places;</li> <li>adjoining residential properties; other sensitive land uses;</li> <li>where rear access is required; or where land adjoins the M4 Motorway.</li> </ul> In such circumstances a 4.5m landscape setback is required.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A nil setback is proposed to the northern and western boundaries.
<b>D2</b> Where a site adjoins a residential zone, side and rear setbacks of 3m shall be required.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Adjoining site is zoned B6
<b>D3</b> Development adjacent to Duck River shall provide a 5 m easement for public access within the foreshore building line area along Duck River. This easement shall be established under a Section 88B instrument and shall be registered with the NSW Land and Property Management Authority.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Site is not adjacent to Duck River
4.0 Landscaping				
<b>Development controls</b>				
<b>D1</b> All areas not built-upon shall be landscaped to soften the impact of buildings and car parking areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Landscaping provided to southern and western setbacks.
<b>D2</b> Storage areas and other potentially unsightly areas shall be screened from adjacent properties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Storage and services are contained within the building envelope and not visible from the public domain or from other properties.
<b>D3</b> Landscaping within setback areas shall be of a similar scale to buildings. All landscaped areas shall be separated from vehicular areas by means of a kerb or other effective physical barriers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Landscaping provided is considered appropriate given the proposed use of the building and its location on Parramatta Road.
<b>D4</b> Car parking areas, particularly large areas shall be landscaped so as to break up large expanses of paving. Landscaping shall be required around the perimeter and within large carparks.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Car parking is provided within the basement.

<b>D5</b> In open parking areas, 1 shade tree per 10 spaces shall be planted within the parking area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Car parking is provided within the basement.
<b>D6</b> A minimum of 15% of the site shall be provided and maintained as soft landscaping, with lawns, trees, shrubs, for aesthetic purposes and the enjoyment of workers of the site.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	217.3 m <sup>2</sup> of landscaping is provided. This equates to 16.3 % of the total site area
<b>D7</b> Fencing shall be integrated as part of the landscaping theme so as to minimise visual impacts and to provide associated site security.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No fencing proposed.
<b>D8</b> Landscaping shall promote safety and surveillance of the street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed landscaping does not compromise safety or surveillance of the street.
<b>Note:</b> Applicants shall refer to Council's Policy on Crime Prevention Through Environmental Design (CPTED).				
<b>D9</b> Landscaping shall allow sufficient line of sight for pedestrians, cyclist and vehicles.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adequate sight lines for pedestrians, cyclists and vehicles are provided.
<b>D10</b> Paving and other hard surfaces shall be consistent with architectural elements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proposal complies.
<b>5.0 Access and Car Parking</b>				
<b>5.1 Access and car parking requirements</b>				
<b>D1</b> Applicants shall refer to the Parking and Loading Part for parking and access requirements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	See comments elsewhere in this report.
<b>5.2 Service areas</b>				
<b>Development controls</b>				
<b>D1</b> In the design of industrial developments, consideration shall be given to the design of garbage storage areas, and other waste provisions held in the Waste Part of this DCP.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There is sufficient space for on-site waste collection including access for a heavy rigid vehicle.
<b>6.0 Stormwater Drainage</b>				
<b>D1</b> Applicants shall consult the Stormwater Drainage Part of this DCP for stormwater drainage requirements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed stormwater management system has been reviewed by Council's Development Engineer and is considered satisfactory subject to conditions.
<b>7.0 Energy Efficiency and Water Conservation</b>				
<b>7.1 General requirements</b>				



Development controls				
<b>D1</b> Buildings shall be oriented towards the north so that they make best use of solar access to lower heating and cooling costs.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The building is not oriented towards the north.
<b>D2</b> Building elevation treatments shall control solar access into the building by the use of appropriate shading devices and methods.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Horizontal louvres will control solar access into the building on northern, eastern and western elevations.
<b>D3</b> The amount of exposed glazing to the eastern and western facades of buildings shall be minimised.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No exposed glazing to eastern or western facades.
<b>D4</b> Building design shall minimise reliance on existing energy supplies through the use of renewable energy sources including incorporation of photovoltaic cells, wind turbines, battery storage and solar hot water wherever practicable.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No renewable energy sources proposed.
<b>D5</b> Lighter reflective colours shall be used on external walls of the building to reduce heat gain in summer especially for building facades facing east, west and north.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proposed colour schedule is acceptable.
<b>D6</b> High thermal mass materials shall be used wherever possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building is predominantly composed of brick.
<b>D7</b> <i>Roofs and walls shall be well insulated in office components of buildings to reduce winter heat loss and summer heat gain.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Details not provided with DA documentation. The proposal will need to comply with Section J of the National Construction Code. This will be addressed by the Certifying Authority at construction certificate stage.
<b>D8</b> <i>Low energy lighting shall be used.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>D9</b> <i>Energy efficient appliances, fittings and fixtures shall be used.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>D10</b> <i>Any hot water heaters to be installed, as far as practicable, shall be solar, and to the extent where this is not practicable, shall be greenhouse gas friendly systems that achieve a minimum 3.5 Hot Water Greenhouse Score.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

<b>7.2 Ventilation</b>				
<b>Development controls</b>				
<b>D1</b> Where applicable, cross ventilation shall be maximised by use of high-level ventilators. Where practical or appropriate sky lights and/or wind powered ventilators shall be installed.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	It is not possible to provide cross ventilation to the proposed hotel rooms as they are single aspect.
<b>7.3 Water conservation</b>				
<b>Development controls</b>				
<b>D1</b> New buildings shall provide water efficient fixtures to reduce the demand for (mains) water and wastewater discharge.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No details provided with the DA to demonstrate water efficiency. The development will need to comply with section J of the National Construction Code. This will be addressed by the certifying authority at construction certificate stage.
<b>D2</b> New developments shall connect to recycled water if serviced by a dual reticulation system for permitted non potable uses such as toilet flushing, irrigation, car washing, fire fighting and other suitable industrial purposes.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>D3</b> Where a property is not serviced by a dual reticulation system, development shall include an onsite rainwater harvesting system or an onsite reusable water resource for permitted non potable uses such as toilet flushing, irrigation, car washing, fire fighting and other suitable industrial purposes.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>D4</b> Development shall install all water using fixtures to meet the WELS (Water Efficiency Labelling Scheme) rated industry standards.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>7.4 Rainwater tanks</b>				
<b>Development controls</b>				
<b>D1</b> Rainwater tanks installed above ground or underground shall meet the relevant Australian Standards.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5000L rain water tank proposed at level 7.
<b>D2</b> Above ground rainwater tanks shall be constructed, treated or finished in a non-reflective material that blends in with the overall tones and colours of the subject site and surrounding developments.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Proposed rainwater tank is within the mechanical plant room and will not be visible from the public domain.
<b>D3</b> Above ground rainwater tanks				Proposed rainwater tank will not

installed shall not be visible from a primary road frontage and shall not be visually dominant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	be visible.
<b>D4</b> The overflow from industrial rainwater tanks shall discharge to the site stormwater disposal system. For details refer to the Stormwater Drainage Part of this DCP.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Updated stormwater layout plans to be provided prior to the issue of a construction certificate.
<b>8.0 Operational restrictions</b>				
<b>8.1 Hours of operation</b>				
<b>Development controls</b>				
<p><b>D1</b> Where an industrial site is located adjacent to or within 200m of a residential zoned area or where in the opinion of Council truck movements associated with the industry will intrude on residential streets, hours of operation shall generally be restricted to 7:00am to 6:00pm Monday to Saturday.</p> <p><b>Note:</b> Where an extension to these hours is required due to the nature of the activities to be undertaken, a detailed submission shall be lodged with Council demonstrating how environmental impacts can be minimised to acceptable levels if the extended hours of operation are approved.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The site is within 200 m of residential zoned land (on the opposite side of Parramatta Road and the proposed hours of operation are 24 hours, 7 days.</p> <p>An acoustic report was submitted by the applicant and demonstrates that the proposed use can operate within the relevant noise guidelines, maintaining the amenity of the neighbouring residential properties. Conditions to be imposed requiring compliance with the recommendations of the acoustic report.</p>
<b>8.2 Noise</b>				
<b>Development controls</b>				
<p><b>D1</b> All development applications for potential noise generating industries adjacent to residential zoned land shall be accompanied by relevant documentation from a qualified acoustic engineer. The documentation shall also comply with the relevant Acts, Regulations, Australian Standards and guidelines by the NSW Department of Environment, Climate Change and Water (DECCW) below, as applicable for noise, vibration and quality assurance.</p> <ul style="list-style-type: none"> <li>• NSW Industrial Noise Policy</li> <li>• Interim Construction Noise Guidelines</li> <li>• Noise from Rail Infrastructure Projects</li> <li>• Environmental Criteria for Road Traffic</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The site is not adjacent to residential zoned land.</p>

Noise				
<b>8.3 Storage yards</b>				
<b>Development controls</b>				
<p><b>D1</b> Storage yards, junk yards or waste depots shall be screened by suitable fencing to a height of 2.5m and setback 4.5m from any street alignment and will require:</p> <ul style="list-style-type: none"> <li>• suitable site sealing;</li> <li>• runoff and silt trap controls; and</li> <li>• dense screen landscaping between the street alignment and the fence.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No storage yard or waste depot proposed.
<b>8.4 Air pollution</b>				
<b>Development controls</b>				
<p><b>D1</b> Details of any equipment, processes and air pollution control or monitoring equipment shall be submitted to Council with a development application.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	It is recommended that conditions be imposed on any consent issued requiring the development to comply with the Protection of the Environment Operations Act.
<p><b>D2</b> All spray painting shall be carried out in a spray booth constructed and ventilated in accordance with the relevant Australian Standards.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No spray painting proposed.
<b>8.5 Water pollution</b>				
<b>Development controls</b>				
<p><b>D1</b> For industrial developments such as mechanical repair workshops and garages, pollution control monitoring equipment, e.g. retention pits, traps, or bunding shall be used to the satisfaction of Council to control the discharge of pollutants into the stormwater system.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No industrial development proposed.
<b>8.6 Dangerous goods and hazardous materials</b>				
<b>Development controls</b>				
<p><b>D1</b> For development proposals which can potentially pose a risk to the locality or discharge pollutants, applicants shall demonstrate that consideration has been given to:</p> <ul style="list-style-type: none"> <li>• application guidelines published by the Department of Planning relating to hazardous and offensive</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The development does not pose a risk to the locality and does not involve the discharge of pollutants.

development; and				
<ul style="list-style-type: none"> <li>whether any public authority should be consulted concerning any environmental and land use safety requirement.</li> </ul>				
<b>D2</b> Any premises with storage tanks for oil or dangerous goods outside the building shall submit an emergency spill contingency plan to Council. The DECCW and Work Cover Authority may need to be consulted.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No dangerous goods storage proposed.
<b>9.0 Subdivision</b>				
<b>9.1 Lot sizes and access</b>				
<b>Development controls</b>				
<b>D1</b> The minimum average width shall be 30m.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site has frontage of 36.825 to Parramatta Road and 37.39 m to Melton Street.
<b>D2</b> Direct access onto state roads shall not be granted unless presently provided or if an alternative vehicular access point is unavailable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed vehicular access is from Melton Street.
<b>D3</b> New lots shall remove or reduce vehicular driveways and access points to main or arterial roads where alternatives are available.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The existing crossover to Parramatta Road will be removed.
<b>9.2 Utility services</b>				
<b>Development controls</b>				
<b>D1</b> Any application for strata subdivision shall demonstrate that each lot is serviced for parking and loading and shall not exceed the requirements of the Parking and Loading Part of this DCP.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No subdivision proposed.
<b>Note:</b> The applicant shall demonstrate that each proposed lot can be connected to appropriate utility services including water, sewerage, power and telecommunications (and where available gas). This may include advice from the relevant service authority or a suitably qualified consultant.				
<b>PARKING AND LOADING</b>				
<b>Requirement</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Comment</b>
<b>2.0 Off-Street Parking Requirements</b>				

<b>Development controls</b>				
<b>D1</b> All new development shall provide off-street parking in accordance with the parking requirement tables of the respective developments in this Part.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposal does not comply with the minimum parking requirement as detailed below. The number of parking spaces provided is considered sufficient for the proposed use, subject to conditions for the facilities on site to be restricted to use by hotel patrons and staff.
<b>D2</b> That in circumstances where a land use is not defined by this plan, the application shall be accompanied by a detailed parking assessment prepared by a suitably qualified professional which includes: <ul style="list-style-type: none"> <li>• A detailed parking survey of similar establishments located in areas that demonstrate similar traffic and parking demand characteristics;</li> <li>• Other transport facilities included in the development;</li> <li>• Anticipated traffic generation directional distribution and nature of impacts expected;</li> <li>• An assessment as to whether the precinct is experiencing traffic and on-street parking congestion and the implications that development will have on existing situation;</li> <li>• An assessment of existing public transport networks that service the site, particularly in the off-peak, night and weekend periods and initiatives to encourage its usage;</li> <li>• Possible demand for car parking space from adjoining localities;</li> <li>• Occasional need for overflow car parking; and</li> <li>• Requirements of people with a limited mobility, sensory impairment.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N/A – specific rates apply to this type of development as detailed below.
<b>3.0 Design of parking facilities</b>				
<b>3.1 Bicycle parking</b>				
<b>Development controls</b>				
<b>D1</b> Bicycle racks in safe and convenient locations are provided throughout all developments with a total gross floor area exceeding 1,000sqm and shall be designed in accordance with AS2890.3 - Bicycle Parking Facilities.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Bicycle parking spaces are provided within the basement area. The bicycle storage is conveniently located and complies with the relevant Australian Standard.
<b>3.2 Access driveway and circulation roadway design</b>				
<b>Development controls</b>				
<b>D1</b> Circulation driveways are designed to: <ul style="list-style-type: none"> <li>• Enable vehicles to enter the parking</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The driveway design has been reviewed by Council's Engineer and



<ul style="list-style-type: none"> <li>space in a single turning movement;</li> <li>• Enable vehicles to leave the parking space in no more than two turning movements;</li> <li>• Comply with AS2890 (all parts);</li> <li>• Comply with AS1429.1 – Design for Access and Mobility; and</li> <li>• Comply with Council's road design specifications and quality assurance requirements.</li> </ul>				is considered satisfactory.
<b>D2</b> Internal circulation roadways shall be adequate for the largest vehicle anticipated to use the site, and in this regard, vehicle manoeuvring shall be designed and justified using 'Auto Turn' or the like.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Amended plans provide for a medium rigid vehicle to access the site. This will be sufficient to allow for on-site waste collection.
<b>D3</b> Landscaping along circular roadways and parking modules shall be provided as required to a minimum standard. Parking areas which provide more than 20 spaces in a single component shall provide one broad canopy tree per 10 spaces.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not applicable – basement parking provided.
<b>D4</b> Access driveways shall be located and designed to minimise loss of on-street parking.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are five accessible spaces proposed. The accessible spaces comply with AS 1429.1 The driveway, car parking area and aisle accessways are wholly located within the building complex or underground.
<b>D5</b> Access driveway shall have a minimum width of 3.0m unless elsewhere specified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed driveways are minimum 4 m wide at the property boundary.
<b>D6</b> Access driveways shall be located a minimum of 1.2m clear from power poles and drainage pits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proposal complies.
<b>3.3 Sight distance and pedestrian safety</b>				
<b>Development controls</b>				
<b>D1</b> Access driveways and circulation roadways shall be design to comply with sight distance requirements specified in AS2890 - Parking Facilities.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Council's Development Engineer advises that the proposed access and circulation arrangements comply with the Australian Standard.
<b>D2</b> Obstruction/fences shall be eliminated to provide adequate sight distances.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adequate sight distances provided
<b>3.4 General parking design</b>				
<b>Development controls</b>				
<b>D1</b> Visual dominance of car parking areas and access driveways shall be reduced.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proposal complies. Vehicular access is provided from the secondary street and parking is provided in the basement.



<p><b>D2</b> All basement/underground car parks shall be designed to enter and leave the site in a forward direction.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Design allows for all vehicles to enter and exit the site in a forward direction.
<p><b>D3</b> Car parking modules and access paths shall be designed to comply with AS2890 - Parking Facilities (all parts).</p> <p><u>Note 1:</u> Disabled parking shall comply with AS2890 - Parking Facilities requirements. Parking bay envelope width shall be maintained for the length of the parking bay. <u>Note 2:</u> Visitor parking dimensions shall be a minimum 2.6 metres by 5.4 metres.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Car parking design has been reviewed by Council's engineer and complies with the relevant Standard
<p><b>D4</b> All pedestrian paths and ramps shall:</p> <ul style="list-style-type: none"> <li>Have a minimum width of 1000mm;</li> <li>Have a non-slip finish;</li> <li>Not be steep (ramp grades between 1:20 and 1:14 are preferred);</li> <li>Comply with AS1428.1 – Design for Access and Mobility; and</li> <li>Comply with AS1428.2 – Standards for blind people or people with vision impairment.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All pedestrian paths comply with the relevant requirements.
<b>5.0 Commercial development</b>				
<b>5.1.1 General parking design</b>				
<b>Development controls</b>				
<p><b>D1</b> Car parking shall be provided at the rear of the development or be fully underground.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Car parking is provided underground.
<p><b>D2</b> The design of any parking area shall be integrated into the overall site and building design and be integrated with neighbouring properties.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The car parking is integrated into the building design.
<p><b>D3</b> Special consideration may be given to restaurants, cafes and function centres and the like which operate outside normal business hours where it can be demonstrated the car parking provided for retail and commercial uses operating during normal business hours will be available for parking demand outside these hours.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not applicable.
<p><b>D4</b> Council may accept a monetary contribution in lieu of on-site car parking where a contributions plan is in place under Section 94 of the Environmental Planning and Assessment Act 1979, or other relevant legislation.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The Section 94 Contribution for car parking does not apply to the site.
<b>5.1.2 Access and driveway design</b>				

Development controls				
<b>D1</b> Car park entries and driveways shall be kept to a minimum and shall not be located on primary or core retail streets.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are two driveways proposed to allow for separation of traffic entering and exiting the site.
<b>D2</b> Driveways shall be designed to allow vehicles to enter and leave in a forward direction.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All vehicles can enter and exit the site in a forward direction.
<b>D3</b> Vehicular access shall be designed to avoid conflicts with pedestrians.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The design avoids conflicts between pedestrians and vehicles.
<b>D4</b> Adequate area shall be provided on site and driveways designed to enable all vehicles including large trucks to enter and leave the site in a forward direction.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The access and circulation arrangements provide for all vehicles to manoeuvre within the site and exit in a forward direction.
<b>D5</b> Driveways shall be located and designed so as to avoid the following: <ul style="list-style-type: none"> <li>• being located opposite other existing access ways with significant vehicle usage;</li> <li>• restricting sight distances;</li> <li>• on-street queuing;</li> <li>• an intersection controlled by traffic signals within 25m on the approach side;</li> <li>• a signalled intersection of any major roads within 90m;</li> <li>• an intersection controlled by a stop or give way sign within 12m on the approach side;</li> <li>• the approach side of any intersection within 10m;</li> <li>• a property boundary on the departure side of any intersection within 10m; and</li> <li>• the commencement of a median island within 6m.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed driveways are appropriately located to provide adequate sight distances, prevent on-street queueing, and avoid intersections.
<b>D6</b> The maximum grade of manoeuvring areas and all access roadways shall comply with AS 2890 - Parking Facilities.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The driveways and parking areas comply with the relevant requirements of AS 2890.
<b>D7</b> Where sites front on to main or arterial roads, driveways shall be minimised or located on side or rear road frontages where available.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Access is provided from the secondary frontage (Melton Street).
<b>D8</b> Driveways servicing car parking shall comply with AS 2890 - Parking Facilities or similar designs for car turning paths unless otherwise advised by Council's Engineering Department.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Reviewed by Council's Engineer and considered satisfactory.

<p><b>D9</b> The maximum gradient for a driveway shall be 20% (with appropriate transitions). However, in extreme circumstances, gradients up to 25% (with appropriate transitions) will be considered.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Reviewed by Council's Engineer and considered satisfactory.</p>				
<p><b>5.1.3 Access driveway design</b></p>								
<p><b>Development controls</b></p>								
<p><b>D1</b> Access driveways with a length exceeding 50m shall incorporate:</p> <ul style="list-style-type: none"> <li>a driveway width, that allows for the passing of vehicles in opposite directions. This can be achieved by intermittent passing bays; and</li> <li>turning areas for service vehicles.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The access driveway is less than 50 m in length.</p>				
<p><b>5.1.4 Number of car parking spaces</b></p>								
<p><b>Development controls</b></p>								
<p><b>D1 Car parking for commercial development shall comply with the requirements in Table 6:</b></p>								
<p>Table 6 - Summary of parking requirements</p>								
<table border="1" data-bbox="331 898 743 1245"> <thead> <tr> <th>Land use</th> <th>Parking requirements</th> </tr> </thead> <tbody> <tr> <td>Hotel or motel accommodation</td> <td>1 space for each unit + 1 space per 2 employees if a restaurant is included, then add the greater of 15 spaces per 100m<sup>2</sup> GFA of the restaurant/function room, or 1 space per 3 seats</td> </tr> </tbody> </table>	Land use	Parking requirements	Hotel or motel accommodation	1 space for each unit + 1 space per 2 employees if a restaurant is included, then add the greater of 15 spaces per 100m <sup>2</sup> GFA of the restaurant/function room, or 1 space per 3 seats	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>1 space per room = 112 spaces</b></p> <p><b>1 space per 2 employees = 3 spaces</b></p> <p><b>Total number of spaces required = 115</b></p> <p>The restaurant at level 1 is for the use of hotel patrons only and will not be open to the general public. As such, no additional parking spaces are required for this component of the development. This is reinforced by a condition in the draft consent.</p> <p>92 basement parking spaces are proposed, and an additional 3 drop off spaces are provided adjacent to the lobby. This results in a deficiency of 20 spaces.</p> <p>The proposal relies on a reduced parking rate of 1.5 spaces per dual key room, which has been applied to other hotel developments in the area. When this reduced rate is applied, the total number of parking spaces required is 110.</p> <p>This is considered satisfactory as the DCP parking rate assumes 100% occupancy of the hotel rooms, where surveys of other hotel developments indicate that the practical peak occupancy rate is closer to 90%. The applicant's traffic impact report indicates that this is sufficient as</p>
Land use	Parking requirements							
Hotel or motel accommodation	1 space for each unit + 1 space per 2 employees if a restaurant is included, then add the greater of 15 spaces per 100m <sup>2</sup> GFA of the restaurant/function room, or 1 space per 3 seats							

			<p>hotels are subject to high levels of management and can therefore control parking demand to match availability.</p> <p>The application was reviewed by Council's Engineer who advised that the proposal is satisfactory subject to conditions.</p> <p>A condition is included in the draft determination to require the preparation, submission and implementation of a plan of management to ensure that the use of the hotel does not impact on off site parking availability.</p>
<b>7.0 Loading requirements</b>			
<b>Development controls</b>			
<b>D1</b> Driveway access and adequate on-site manoeuvring shall be provided to enable all delivery vehicles to enter and leave the site in a forward direction.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> The vehicular access arrangements provide for entry and exit in a forward direction.
<b>D2</b> Industrial developments having a floor area greater than 400sqm shall include loading and unloading facilities to accommodate a 'heavy rigid vehicle' as classified under AS2890 – Parking Facilities. Smaller developments shall make a provision for a 'medium rigid vehicle' as classified under the Australian Standard. All development applications shall be accompanied with a manoeuvring analysis with 'auto turn or the like' and details of swept paths showing compliance with AS2890 – Parking Facilities.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> This is not an industrial development.
<b>D3</b> Note: The applicant shall identify the likely service vehicle sizes accessing the site and shall provide service vehicle spaces in accordance with AS2890 – Parking Facilities.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> The loading facilities are on a separate level to the visitor and employee parking.
<b>D4</b> Loading/unloading facilities shall be positioned so as to not interfere with visitor/employee or resident designated parking spaces.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Separate areas are provided for waste storage, loading, services, etc.
<b>D5</b> The service area shall be a physically defined location which is not used for other purposes, such as the storage of goods and equipment.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> The loading dock can accommodate a medium rigid truck which is suitable for waste collection.
<b>D6</b> The design of loading docks shall accommodate the type of delivery vehicles associated with the	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> All loading and unloading activities are to occur within the site. The

<p>development and potential uses of the development.</p> <p><b>D7</b> Buildings shall be designed to allow loading and unloading of vehicles within the building and at all times. Where achievable, loading docks should be situated to the side or rear of buildings. In the case of commercial development access can be provided from a laneway.</p>			<p>loading dock is located at the rear.</p>								
<p><b>D8 That loading bays for trucks and commercial vehicles shall be provided in accordance with 9:</b></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>								
<table border="1"> <thead> <tr> <th>Land use</th> <th>Loading requirements</th> </tr> </thead> <tbody> <tr> <td>Business and office premises</td> <td>1 space per 4,000m<sup>2</sup> GFA up to 20,000m<sup>2</sup> GFA plus 1 space per 8,000m<sup>2</sup> thereafter</td> </tr> <tr> <td>Retail premises - shops and food and drink premises</td> <td>1 space per 400m<sup>2</sup> GFA up to 2,000m<sup>2</sup> GFA plus 1 space per 1,000m<sup>2</sup> thereafter</td> </tr> <tr> <td>Hotel and motel accommodation</td> <td>1 space per 50 bedrooms or bedroom suites up to 200, plus 1 space per 100 thereafter, plus 1 space per 1,000m<sup>2</sup> of public area set aside for bar, tavern, lounge and restaurant</td> </tr> </tbody> </table>	Land use	Loading requirements	Business and office premises	1 space per 4,000m <sup>2</sup> GFA up to 20,000m <sup>2</sup> GFA plus 1 space per 8,000m <sup>2</sup> thereafter	Retail premises - shops and food and drink premises	1 space per 400m <sup>2</sup> GFA up to 2,000m <sup>2</sup> GFA plus 1 space per 1,000m <sup>2</sup> thereafter	Hotel and motel accommodation	1 space per 50 bedrooms or bedroom suites up to 200, plus 1 space per 100 thereafter, plus 1 space per 1,000m <sup>2</sup> of public area set aside for bar, tavern, lounge and restaurant			<p>The proposal is for 112 rooms and as such 2.24 loading docks are required.</p> <p>The restaurant is less than 1000 m<sup>2</sup> and as such does not require additional loading area.</p> <p>The plans show 2 loading bays at ground level which is considered sufficient in this case.</p>
Land use	Loading requirements										
Business and office premises	1 space per 4,000m <sup>2</sup> GFA up to 20,000m <sup>2</sup> GFA plus 1 space per 8,000m <sup>2</sup> thereafter										
Retail premises - shops and food and drink premises	1 space per 400m <sup>2</sup> GFA up to 2,000m <sup>2</sup> GFA plus 1 space per 1,000m <sup>2</sup> thereafter										
Hotel and motel accommodation	1 space per 50 bedrooms or bedroom suites up to 200, plus 1 space per 100 thereafter, plus 1 space per 1,000m <sup>2</sup> of public area set aside for bar, tavern, lounge and restaurant										
<p>Note: It is not possible to establish criteria for the size of trucks likely to access the land uses specified above. This will be done on a case by case basis.</p> <p>Larger trucks such as B-Doubles shall be assessed on their individual requirements, but will usually require a minimum loading area dimension of 25 metres (length) by 3.5 metres (width).</p> <p>The heights of the loading area, platform in the service bay and of the service bay itself will vary with vehicle type and loading/unloading methods.</p>											
<p><b>D9</b> Loading/unloading areas shall be provided in accordance with AS2890.2 - Off-Street Commercial Vehicle Facilities.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>								

**DOCUMENTS  
ASSOCIATED WITH  
REPORT ELPP002/19**

**Attachment 4  
Draft Determination**





30 January 2019

Rdo Architect  
Studio 4, 151 Foveaux Street  
SURRY HILLS NSW 2010

**Notice of determination of development application (Form 4)**

*(Section 4.18(1)(a) - the Environmental Planning and Assessment Act 1979(as amended))*

Development Application	DA-511/2017
Land to be developed	Lot 6 DP 1056368, Lot 5 DP 667932, 147-151 Parramatta Road, AUBURN NSW 2144
Proposed development	Construction of a 8 storey hotel building comprising 112 rooms over 3 levels of basement car park with 2 x building identification signs
Determination	

The consent is granted subject to the following conditions:

1. **Approved Plans**

The development is to be carried out in accordance with the approved stamped plans as numbered below:

<b><i>Plan Number</i></b>	<b><i>Prepared By</i></b>	<b><i>Revision No.</i></b>	<b><i>Dated</i></b>
DA13 – Site Plan	RDO Architect	A	4.12.17
DA14 – Site Elevations	RDO Architect	A	4.12.17
DA15 – Key External Materials	RDO Architect	E	8.1.19
DA17 – Façade & Screening Concept	RDO Architect	E	8.1.19
DA21 – Plan - Level B5&B6 (carpark)	RDO Architect	E	8.1.19
DA22 – Plan – Level B3 & B4 (carpark)	RDO Architect	E	8.1.19
DA23 – Plan Level B1 & B2 (carpark)	RDO Architect	E	8.1.19
DA24 – Plan – Dock & Ground Level	RDO Architect	E	8.1.19
DA25 – Plan – Level 1	RDO Architect	E	8.1.19

DA26 – Plan – Level 2-6	RDO Architect	E	8.1.19
DA27 – Plan Level 7	RDO Architect	E	8.1.19
DA28 – Plan – Roof	RDO Architect	E	8.1.19
DA31 – Elevation – East (Melton Street)	RDO Architect	E	8.1.19
DA32 – Elevation – South (Parramatta Rd)	RDO Architect	E	8.1.19
DA33 – Elevation West	RDO Architect	E	8.1.19
DA34 – Elevation North	RDO Architect	E	8.1.19
DA35 – Cross Section (near grid E)	RDO Architect	E	8.1.19
DA36 – Cross Section (near grid S)	RDO Architect	E	8.1.19
DA55 – Driveway Cross Sections	RDO Architect	A	4.12.17
DA56 – Site Management Plan	RDO Architect	A	4.12.17
LA-DA01 – Groundfloor	Sydney Design Collective	A	Nov 2017
LA-DA03 – Level 2 (communal rooftop)	Sydney Design Collective	A	Nov 2017
LA-DA04 – Level 8 (Manager's unit)	Sydney Design Collective	A	Nov 2017
LA-DA05 – Sections	Sydney Design Collective	A	Nov 2017
LA-DA06 – Planting (proposed indicative planting)	Sydney Design Collective	A	Nov 2017
DA Acoustic Report – Traffic Noise Assessment 217 104	PKA Acoustic Consulting	R01v1	26.11.17
Waste Management Plan	Elephants Foot Recycling Solutions	B	22.11.17
GTE-921 Geotechnical Investigation	Ground Technologies Pty Ltd	-	22.8.16
Construction Impact Assessment & Management Plan	Arbspec Arboricultural Assessment		18.4.18

except as otherwise provided by the conditions of this determination (Note:- modifications to the approved plans will require the lodgement and consideration by Council of a modification pursuant to Section 4.55 of the Environmental Planning and Assessment Act (as amended)).

**Reason:-** to confirm and clarify the terms of Council's approval.

## 2. **Time period of consent**

This consent shall lapse five (5) years from the date of determination unless the approved building, engineering or construction work has been physically commenced in accordance with this consent.

Development consent for the use of land does not lapse if the approved use of any land building or work is actually commenced prior to the date on which the consent would otherwise lapse.

**Reason:-** to satisfy the requirements of Section 4.53 of the Environmental Planning and Assessment Act (as amended).

Assessment Act (as amended).

3.

**Roads and Maritime Services (RMS) requirements**

The following Roads and Maritime Services (RMS) requirements are to be complied with:

1. All buildings or structures (other than pedestrian footpath awnings) are clear of the Parramatta road reserve (unlimited in height of depth).
2. The redundant driveways on Parramatta Road shall be removed and replaced with kerb and gutter to match existing. The design and construction of the kerb and gutter on Parramatta Road shall be in accordance Roads and Maritime requirements. Details of these requirements should be obtained from Roads and Maritime Services, Manager Developer Works, Statewide Delivery, Parramatta (telephone 9598 7798). A plan checking fee (amount to be advised) and lodgement of a performance bond may be required from the applicant prior to the release of the approved road design plans by Roads and Maritime.
3. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001.  
The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by Roads and Maritime.

The report and any enquiries should be forwarded to:

Project Engineer, External Works  
Sydney Asset Management  
Roads and Maritime Services  
PO Box 973 Parramatta CBD 2124.  
Telephone 8849 2114

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) days' notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

3. Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to Roads and Maritime for approval, prior to the commencement of any works.

A plan checking fee will be payable and a performance bond may be required before Roads and Maritime approval is issued. With regard to the Civil Works requirement please contact the Roads and Maritime Project Engineer, External Works Ph: 8849 2114 or Email: [suppiah.thillai@rms.nsw.gov.au](mailto:suppiah.thillai@rms.nsw.gov.au).

4. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay

dimensions) should be in accordance with AS2890.1-2004, AS2890.6-2009 and AS2890.2-2002 for heavy vehicle usage.

5. The proposed development should be designed such that road traffic noise from Parramatta Road is mitigated by durable materials in order to satisfy the requirements for habitable rooms under Clause 102 (3) of State Environmental Planning Policy (Infrastructure) 2007.
6. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Parramatta Road.
7. A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Parramatta Road during construction activities.
8. The developer is to comply with the requirements of the Technical Direction (GTD 2012/001). Detailed design drawings and geotechnical reports relating to the excavation of the site and support structures are to be submitted to the Roads and Maritime Services for assessment. The developer is to meet the full cost of the assessment by the Roads and Maritime Services.

The report is to address the following key issues:

- a) The impact of excavation/rock anchors on the stability of the Parramatta Road and detailing how the carriageway would be monitored for settlement.
  - a) The impact of the excavation on the structural stability of the Parramatta Road.
  - b) Any other issues that may need to be addressed. (Contact Roads and Maritime's Project Engineer, External Works Ph: 8849 2114 or Fax 8849 2766 for details).
9. The proposed development should be designed such that road traffic noise from Parramatta Road is mitigated by durable materials to satisfy requirements under Clause 102(3) of State Environmental Planning Policy (Infrastructure) 2007. The Roads and Maritime's Environment Noise Management Manual provides practical advice in selecting noise mitigation treatments.
  10. All works associated with the proposed development shall be at no cost to the Roads and Maritime.
  11. A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to the Council prior to the issue of a Construction Certificate.
  12. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping.

Reason:- to address Roads and Maritime Services requirements.

4. **Privacy Treatment – Level 7 Deck**

The northern elevation of the north facing Manager's deck on level 7 is to have fixed obscure glazing to a height of 1.6 m above the finished floor level.

*Reason:-* To prevent overlooking into the school grounds from the level 7 deck

5. **Off-Form Concrete Finish**

The off-form concrete elements of the development are to be minimum Class 2, high quality finish. Detail to be provided to the satisfaction of the certifying authority prior to the issue of the relevant **construction certificate**.

*Reason:-* to ensure that the external finishes of the building will be of an acceptable standard.

6. **Amended Landscape Plan**

Prior to the issue of a construction certificate, fully detailed landscape plans are to be prepared and submitted to the satisfaction of Council's Manager Development Assessment. The plans are to include at a minimum,

- a detailed planting schedule for all landscaped areas of the site,
- planting notes indicating compliance with the relevant Standards and guidelines,
- the number, location, pot size and mature height of each proposed species.

*Reason:-* to ensure that the street setbacks are appropriately landscaped

7. **Auburn DCP 2010 – Employment Generating Development**

A sum of \$ 122,028.99 is to be paid to Council for the purpose of the provision of additional services and public facilities that is likely to generate from employment generating development with the Auburn LGA.

The above sum is broken down to the following items:

Item	Amount
Employment Generating Development	\$122,028.99
<b>TOTAL</b>	<b>\$122,028.99</b>

*Reason:-* to assist in the provision of additional services and public facilities that is likely to generate from employment generating development with the Auburn LGA.

8. **Submission of Construction Certificate**

Construction works are not to commence until such time that a construction certificate for the proposed works has been issued by Council or an Accredited Certifier.



Where an Accredited Certifier issues a construction certificate, a copy of the following documents must be forwarded to Council within 2 days of issue, together with payment of the Council's adopted registration fee: determination; application to which it relates; constructor certificate issued; plans and specifications; any fire safety schedule; and any other documents lodged with the certificate.

Any modification involving building works to the approved development made under Section 4.55 of the Environmental Planning and Assessment Act 1979 (as amended) requires the submission of an amended construction certificate.

*Reason:-* to comply with the requirements of Section 4.19, 6.6, 6.7, 6.12, 6.13, 6.14 of the Environmental Planning and Assessment Act (as amended) and clause 142 of the Environmental Planning and Assessment Regulation 2000.

9. **Demolition – further consent required**

Further approval shall be obtained from Council or a private certifier prior to the commencement or carrying out of any demolition works at the property.

*Reason:-* to ensure appropriate consent is obtained for any demolition works carried out at the property.

10. **Tree Protection – Significant Trees**

- a) Prior to the commencement of any works on the site, a Site Arborist with minimum AQF Level 5 qualifications is to be appointed to oversee all tree protection and pruning works.
- b) Prior to the commencement of any works on the site, Tree Protection Zones (TPZs) shall be established around all trees to be retained on the adjacent site, in accordance with the endorsed arborist report.

The TPZ area shall be enclosed with a protective fencing consisting of 1.8m high fully supported chainmesh. Tree Protection Zone signage is to be attached to protective fencing, this must include the name and contact details of the site arborist. Signs shall be attached to all fencing stating that entry to the area is prohibited, and show the site arborist's name and contact details. Unless an area is already covered by a hard surface, the area enclosed by the TPZ is to be kept weed/ grass free and be mulched to a depth of 100mm with an approved mulch.

- c) The trees to be retained (trees 1-19 as identified in the endorsed arborist report) are to be protected throughout all works on site in accordance with Australian Standard AS4970 – Protection of Trees on Development Sites.
- d) Roots with a diameter of 40mm or larger encountered during excavation works outside the TPZ shall be cleanly cut in accordance with accepted arboricultural practices.
- e) All activities not related to tree maintenance are to be excluded from the TPZ, except for the specific works detailed in the arborist report. The TPZ area is not to be used for the storage of materials, stockpiling, siting of work sheds, preparation of mixes

cleaning of tools or equipment, pedestrian or vehicular activity, including parking. Original soil levels within the TPZ shall not be changed, except where Council approval has been granted for cut or fill within a TPZ, and in this case the work shall be supervised by the appointed Site Arborist.

Refuelling and/ or the maintenance of machinery and equipment is not permitted within 10 metres of any TPZ. The washing down of machinery, chemical, concrete or cement handling equipment or the storage of chemicals is not permitted within 10 metres of any TPZ.

Placement of any underground services shall not take place within any TPZ. Where this is not possible, tunnelling or boring shall be used. Where tunnelling or boring is not possible, all excavation shall be carried out by hand. Any works within the TPZ shall be supervised by the appointed site arborist.

- f) All approved pruning works to trees must be carried out by a suitably qualified and experienced arborist in accordance with Australian Standard 4373 - Pruning of Amenity Trees.

Reason:- To ensure the protection of existing trees on the adjacent site.

11. **Consolidation of lots**

The individual lots are to be consolidated into a single parcel. Written evidence of registration of consolidation by the Land and Property Information Office is to be submitted to Council prior to the granting of the occupation certificate.

Reason:- to ensure the whole of the land essential to the proper operation of the development is preserved.

12. **Appointment of Principal Certifying Authority/Notice of Commencement of Work**

Site works are not to commence until:-

- a) a construction certificate for the building work has been issued by the consent authority and
- b) the person having the benefit of the development consent has:-
  - i) appointed a principal certifying authority for the building work, and
  - ii) notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
- b1) the principal certifying authority has, no later than 2 days before the building work commences:-
  - i) notified the consent authority and the council (if the council is not the consent authority) of his or her appointment, and
  - ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and



- b2) the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:-
- i) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
  - ii) notified the principal certifying authority of any such appointment, and
  - iii) unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- c) the person having the benefit of the development consent has given at least 2 days notice to the council of the person's intention to commence the erection of the building.

Reason:- to comply with the requirements of Section 4.19, 6.6, 6.7, 6.12, 6.13, 6.14 of the Environmental Planning and Assessment Act (as amended).

13. **Principal Certifying Authority**

- 1) The person having the benefit of a development consent or complying development certificate for development involving building work or subdivision work may appoint the consent authority, the council or an accredited certifier as the principal certifying authority for the development.
- 1A) Despite subsection (1), such an appointment may not be made by any contractor or other person who will carry out the building work or subdivision work unless the contractor or other person is the owner of the land on which the work is to be carried out.
- 2) Despite subsection (1), an accredited certifier must not be appointed as the principal certifying authority for development involving subdivision work unless the subdivision to which the work relates is of a kind identified by an environmental planning instrument as one in respect of which an accredited certifier may be a certifying authority.
- 3) A principal certifying authority for building work or subdivision work to be carried out on a site is required to be satisfied:-
  - a) that a construction certificate or complying development certificate has been issued for such of the building work or subdivision work as requires development consent and over which the principal certifying authority has control, before the work commences on the site, and
  - b) that the principal contractor for the work is the holder of the appropriate licence and is covered by the appropriate insurance, in each case if required by the *Home Building Act 1989*, before any residential building work over which the principal certifying authority has control commences on the site, unless the work is to be carried out by an owner-builder, and
  - c) that the owner-builder is the holder of any owner-builder permit required under the *Home Building Act 1989*, before an owner-builder commences on the site any residential building work over which the principal certifying authority has control, and
  - d) that building work or subdivision work on the site has been inspected by the principal certifying authority or another certifying authority on such occasions (if

- any) as are prescribed by the regulations and on such other occasions as may be required by the principal certifying authority, before the principal certifying authority issues an occupation certificate or subdivision certificate for the building or work, and
- e) that any preconditions required by a development consent or complying development certificate to be met for the work before the issue of an occupation certificate or subdivision certificate have been met, before the principal certifying authority issues the occupation certificate or subdivision certificate.
- 4) A principal certifying authority must also comply with such other requirements of a like or different nature as may be imposed on principal certifying authorities by the regulations.

*Reason:-* to comply with the requirements of Section 6.5 of the Environmental Planning and Assessment Act (as amended).

14. **Provision of Street Numbers**

A street number is to be displayed in a prominent position at the entrance to the premises. Numbers are to be of a colour contrasting with the wall to which they are affixed.

*Reason:-* to clearly identify the street number of the property.

15. **Compliance with the Building Code of Australia**

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

*Reason:-* to ensure compliance with the requirements of the Building Code of Australia and to comply with Clause 98 of the Environmental Planning and Assessment Regulation 2000.

16. **Disabled Access & Facilities**

Access and facilities for people with disabilities must be provided in accordance with the relevant requirements of the Building Code of Australia (for all new building work) and in addition, with the relevant requirements of the 'Disability (Access to Premises – Building Standards 2010)' (including for existing buildings, whether or not any works are proposed). Details of the proposed access, facilities and car parking for people with disabilities are to be included in the plans/specifications for the **construction certificate**.

*Reason:* to ensure compliance with the requirements of the Building Code of Australia

17. **Commonwealth Disability Discrimination Act**

The Commonwealth Disability Discrimination Act 1992 commenced the 'Disability (Access to Premises – Buildings) Standards 2010' on 1 May 2011 and now applies to all new buildings and affected parts of existing buildings. Submission and/or approval of this application does not imply or confer compliance with either the Act or the new Access Standard. Applicants should satisfy themselves and make their own inquiries to the Human Rights and Equal Opportunity Commission.

*Reason:* to provide advice on the requirements of the Commonwealth Disability Discrimination Act

Act 1992

18. **Replacement of Principal Certifying Authorities**

Unless the relevant authority so approves in writing, a person may not be appointed to replace another person as the principal certifying authority for development.

A principal certifying authority appointed to replace another principal certifying authority must ensure that notice of the appointment and of the approval of that appointment is given to the consent authority (and, if the consent authority is not the council, to the council) within 2 days of the appointment.

*Reason:-* to comply with the requirements of Section 6.5 of the Environmental Planning and Assessment Act (as amended) and clause 162 of the Environmental Planning and Assessment Regulation.

19. **Notice to Allow Inspections**

To allow a principal certifying authority or another certifying authority time to carry out critical stage inspections or any other inspections required by the principal certifying authority, the principal contractor for a building site, or the owner-builder, must notify the principal certifying authority at least 48 hours before building work is commenced at the site if a critical stage inspection is required before the commencement of the work.

*Reason:-* to comply with the requirements of Clause 163 of the Environmental Planning and Assessment Regulation.

20. **Erection of Signs**

A rigid and durable sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:-

- a) showing the name, address and telephone number of the principal certifying authority for the work, and
- b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- c) stating that unauthorised entry to the work site is prohibited.

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

Note: Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).

*Reason:-* to comply with the requirements of Clause 98A and 136B of the Environmental Planning and Assessment Regulations.

21. **Construction/Demolition Hours**

Site works, building works and demolition works, including the delivery of materials o

equipment to and from the property are to be carried out between the hours of 7.00 am and 6.00 p.m. only from Mondays to Fridays and between 8.00 am and 4.00 p.m. only on Saturdays. No construction works or deliveries for the construction are to take place on Sundays or public holidays.

Prior to commencement of any demolition or construction work the applicant is to erect signs on the site, which are clearly visible from the footpaths adjoining the site boundaries, which state the permitted construction/demolition hours. These signs must also state "Any instances of site works, building works, demolition works or deliveries outside the permitted hours can be reported to Cumberland Council on 8757 9000 during office hours or 0417-287-113 outside office hours".

Reason:- to reduce nuisance to the surrounding properties during the construction period.

22. **Information required prior to the issue of Construction Certificate**

The following documentation (where applicable) is to be submitted to Council or the accredited certifier, **prior to the granting of the construction certificate:**

- a) Detailed building plans and specifications containing sufficient information to verify that the completed building will comply with the Building Code of Australia.
- b) A list of any existing fire safety measures provided in relation to the land or any existing building on the land (*not applicable to dwellings or outbuildings*)
- c) A list of any proposed fire safety measures provided in relation to the land or any existing building on the land (*not applicable to dwellings or outbuildings*)
- d) A report prepared by a *professional engineer* detailing the proposed methods of excavation, shoring or pile construction, and what measures are to be implemented to prevent damage from occurring to adjoining or nearby premises as a result of the proposed excavation works. (NOTE: Any practices or procedures specified to avoid damage to adjoining or nearby premises are to be incorporated into the plans and specifications for the construction certificate).
- e) Method of protecting window/door openings as required by BCA Part 3.
- f) Method of ventilating the basement car park. (Note: If mechanical ventilation is required mechanical ventilation plans shall be submitted that also confirm the minimum height clearances specified by AS 2890.1 – Car parking, will be achieved).

Reason:- to ensure that adequate information is submitted to enable assessment or that the development can proceed with the concurrence of others.

23. **Infrastructure Fee**

The infrastructure inspection fee in accordance with Council's Fees and Charges Schedule shall be paid prior to the issue of the Construction Certificate.

Reason: to contribute to the cost of inspection and identification of any damage to Council's infrastructure as a result of the development.

24. **Maintain plans on-site**

A copy of the construction certificate, the approved plans & specifications and development consent conditions must be kept on the site at all times and be available to the Council officers.



upon request.

Reason:- to ensure a record of the approved plans are readily available.

25. **Items not to be placed on roadway**

The following items must not be placed on the footpath, roadway or nature strip at any time:-

- a) Building materials, sand, waste materials or construction equipment;
- b) Bulk bins/waste skips/containers; or
- c) Other items that may cause a hazard to pedestrians.

Reason:- to ensure the public is not inconvenienced, placed in danger and to prevent harm to the environment occurring.

26. **Sign to be erected concerning unauthorised entry to the site**

A sign must be erected in a prominent position stating that unauthorised entry to the site is not permitted. The sign must also name the builder or other person responsible for the site and a telephone number at which the builder or other person can be contacted outside working hours. Where Council is not the Principal Certifying Authority, the sign shall also display the name and contact details of the nominated Principal Certifying Authority. The sign is to be removed when the building works have been completed.

Reason:- to restrict public access to the site and to provide suitable contact details in a clear and conspicuous position.

27. **Toilet accommodation for people working at the site**

Suitable toilet accommodation is to be provided at the work site at all times. If temporary toilet accommodation is proposed, it must:-

- Have a hinged door capable of being fastened from both inside and outside,
- Be constructed of weatherproof material,
- Have a rigid and impervious floor; and
- Have a receptacle for, and supply of, deodorising fluid.

Reason:- to ensure suitable toilet accommodation is provided for workers.

28. **Survey Report**

A Registered Surveyors check survey certificate is to be forwarded to the Principal Certifying Authority (and a copy is to be forwarded to the Council, if the Council is not the principal certifying authority), detailing compliance with Council's approval at the **following stage/s of construction**:

*(Setbacks and levels at commencement)*

- a) Prior to construction of the first completed floor/floor slab (prior to pouring of concrete) showing the area of land, building and boundary setbacks and verifying that the building is being constructed at the approved levels.

*(Setbacks and levels at completion)*

- b) On completion of the erection of the building showing the area of the land, the position of the building and boundary setbacks and verifying that the building has been constructed at the approved levels.
- c) No part of the building is to exceed RL 46.40 (including the lift overrun)

Reason:- to ensure each stage of the development complies with the approved plans.

29. **Fencing of Construction Sites – Rental details to be provided to the PCA**

Public access to the site and building works, materials and equipment on the site is to be restricted, when work is not in progress or the site is unoccupied.

A temporary hoarding or fence is to be provided to protect the public, located to the perimeter of the site (unless the site is separated from the adjoining land by an existing structurally adequate fence, having a minimum height of 1.5 metres). Hoardings or fences are to have a minimum height of 1.8 metres and be constructed of solid plywood sheeting (painted white) or of cyclone wire fencing with geotextile fabric attached to the inside of the fence, to provide dust control.

Hoardings or fences are to be structurally adequate and be constructed in a good and workmanlike manner and the use of poor quality materials or steel reinforcement mesh as fencing is not permissible.

The public safety provisions and temporary fences must be in place prior to the commencement of any demolition, excavation or building works and be maintained throughout construction.

**NOTE: Should ANY part of the fence or hoarding encroach beyond the boundaries of the site, it will be necessary to:-**

- **Make payment to Council for the rental of the road reserve area in accordance with Council's adopted charges (per metre per month – minimum 3 months) BEFORE the fence/hoarding is erected.**
- **Supply evidence that the road reserve rental fee has been paid to the PCA and to any authorised Council officer.**
- **Comply with Council's specifications for the erection of Class A or B Hoardings.**

Reason:- to provide protection to public places and to prevent unauthorised access to the site.

30. **Sedimentation Control**

Prior to the commencement of site works, the following measures are to be implemented on the site to assist with sedimentation control during the construction phase of the project:-

- a) A dish shaped diversion drain or similar structure will be constructed above the proposed building works to divert run-off to a stable discharge area such as dense ground cover. This diversion drain is to be lined with turf or otherwise stabilised.
- b) A sediment-trapping fence using a geotechnical fabric specifically designed for such

purpose and installed to manufacturer's specifications is to be placed below the construction area.

- c) Vegetation and/or existing building structures will be cleared from the construction site only, other areas to remain undisturbed.
- d) Restricting vehicle access to one designated point and having these driveways adequately covered at all times with blue metal or the like.
- e) A vehicle wheel wash, cattle grid, wheel shaker or other appropriate device, shall be installed prior to commencement of any site works or activities, to prevent mud and dirt leaving the site and being deposited on the street.
- f) Building operations such as brick cutting, washing tools or brushes and mixing mortar are not permitted on public roadways or footways or in any other locations which could lead to the discharge of materials into the stormwater drainage system.
- g) Stockpiles of topsoil, sand, aggregate, soil or other material shall not be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.
- h) The installation of gutters, downpipes, and the connection of downpipes to the stormwater disposal system prior to the fixing of the roof cladding.

Such measures are to be maintained at all times to the satisfaction of Council and the Principal Certifying Authority. **Failure to do so may result in the issue of penalty infringement notices.**

**Reason:-** to minimise soil erosion and control sediment leaving the site during construction and to prevent water pollution from occurring.

31. **Display of a warning sign for soil and water management**

Throughout the construction/remediation/demolition period, a warning sign for soil and water management must be displayed on the most prominent point of the building site, visible to both the street and site works.

**Reason:-** to ensure all building workers are aware of the need to maintain the sediment and erosion control devices.

32. **No alteration without prior Council approval**

The completed building is not to be altered externally in character or colour without the prior consent of Council.

**Reason:-** to ensure the external appearance of the development is not obtrusive or offensive and does not degrade the visual quality of the surrounding area.

33. **Engineering Design – Basement Excavation**

The following engineering details or design documentation (where appropriate) shall be submitted to the Principal Certifying Authority (Council or accredited certifier) **prior to the issuing of a construction certificate:-**

- a) Documentary evidence prepared by a suitably qualified *professional geotechnical*



*engineer* shall be submitted to the certifying authority, that confirms the suitability and stability of the site for the proposed excavation and building as well as certifying the suitability and adequacy of the proposed design and construction of the building for the site.

- b) A report shall be prepared by a *professional engineer* and submitted to the certifying authority prior to the issuing of a construction certificate, detailing the proposed methods of excavation, shoring or pile construction, including details of vibration emissions and detailing any possible damage which may occur to adjoining or nearby premises that may be caused by the proposed building and excavation works.

Any practices or procedures specified in the engineer's report in relation to the avoidance or minimisation of structural damage to nearby premises, are to be fully complied with and incorporated into the plans and specifications for the **construction certificate**.

A copy of the engineer's report is to be submitted to the Council, if the Council is not the certifying authority.

- c) Driven type piles/shoring **must not be provided** unless a geotechnical engineer's report is submitted to the certifying authority, **prior to the issuing of a construction certificate**, which states that damage should not occur to any adjoining premises and public place as a result of the works.
- d) The installation of ground or rock anchors underneath any adjoining premises including (a public roadway or public place) must not be carried out without the specific written consent of the owners of the affected adjoining premises and (where applicable) details of compliance must be provided to the certifying authority **prior to the commencement of any excavation or building works**.

Reason:- to ensure the proposed method of excavation is suitable for the site and to prevent damage from occurring to adjoining premises.

34. **Excavations extending below the base of footings of adjoining development**

Where excavations extend below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must preserve and protect the building from damage and, if necessary, underpin and support the adjoining building in an approved manner. The person causing the excavation must give the owner of the adjoining property at least seven (7) days written notice of its intention to excavate below the level of the base of the footing. The person must also furnish the adjoining property owner with particulars of the proposed work.

Reason:- to ensure the support for neighbouring buildings.

35. **Dilapidation Report - Prior to Excavation of Basement**

- (a) A dilapidation report prepared by a *professional engineer* or suitably qualified building professional shall be submitted to the Principal Certifying Authority **prior to the commencement of demolition, excavation or building works**.

The report shall detail the current condition and status of all buildings, including

ancillary structures (*i.e. including dwellings, residential flat buildings commercial/industrial building, garages, carports, verandahs, fences, retaining walls swimming pools and driveways etc.*) located upon all of the premises adjoining the subject site.

The report is to be supported with photographic evidence of the status of the buildings and a copy of the report must also be forwarded to the Council and to the owners of each of the abovementioned premises, prior to the commencement of any works. The applicant shall bear the full cost of this report.

- (b) Notwithstanding (a) above, certification by a practicing professional engineer in lieu of a dilapidation report may be provided **prior to the commencement of demolition excavation or building works** certifying that the demolition, excavation and or building works will not have an impact on **any** adjoining structure including ancillary structures (*i.e. including dwellings, residential flat buildings, commercial/industrial building garages, carports, verandahs, fences, retaining walls, swimming pools and driveway etc.*).

The applicant shall bear the full cost of this certification and the Council or Principal Certifier reserves the right to request a full report as described in (a) above should the certification provided by the engineer be considered unacceptable or insufficient.

Reason:- to enable the monitoring of any potential damage that may be caused to adjoining premises as a result of excavating and building in close proximity to the adjoining premises.

36. **Footpath area to be illuminated**

Where any hoarding or awning is constructed over the public place, the footpath area shall be kept illuminated between sunset and sunrise.

Reason:- to ensure the safety of pedestrians when passing the site.

37. **Fencing of construction sites – Rental details to be provided to the PCA (A & B Type Hoardings)**

A separate application is to be made to Council for Approval under Section 68 of the Local Government Act 1993 to erect any hoarding or scaffolding in a public place and such application is to include:

- A payment to Council for the following fees in accordance with Council's adopted charges:
  - Hoarding/Structure Application Fee
  - Rental of Footpath Area (per metre per month – minimum 3 months rental)
  - Footpath Bond
- Submit the following documents to Council with your application:
  - Certificate of Currency for Public Liability Insurance
  - Certificate of Currency for Worker's Compensation Insurance
  - Letter indemnifying Council against claims and expenses made in relation to the existence of the structure and/or traffic provisions
  - Traffic/Pedestrian Control Plan
  - In respect to any required Type B Hoarding, structural certification prepared and signed by an appropriately qualified practising Structural Engineer

- Comply with Council's specifications for the erection of Class A Hoardings.
- Supply evidence to the PCA and to any authorised Council officer that the road reserve rental fee has been paid.

Note: Public access to the site and building works, materials and equipment on the site is to be restricted, when work is not in progress or the site is unoccupied.

A temporary hoarding or fence is to be provided to protect the public, located to the perimeter of the site (unless the site is separated from the adjoining land by an existing structurally adequate fence, having a minimum height of 1.5 metres). Hoardings or fences are to have a minimum height of 1.8 metres and be constructed of solid plywood sheeting (painted white) or of cyclone wire fencing with geotextile fabric attached to the inside of the fence, to provide dust control.

Note: A "B Class" overhead type hoarding is required to be provided to protect the public located adjacent to the development, prior to the commencement of any works on the site which comprise:

- Any works or hoisting of materials over a public footway or adjoining premises, or
- Any building or demolition works on buildings which are over 7.5 metres in height and located within 3.6 metres of the street alignment.

Hoardings or fences are to be structurally adequate and be constructed in a good and workmanlike manner and the use of poor quality materials or steel reinforcement mesh as fencing is not permissible.

The public safety provisions and temporary fences must be in place prior to the commencement of any demolition, excavation or building works and be maintained throughout construction. Details of the proposed hoardings or fences located upon the site are to be submitted to the PCA and the public safety provision and temporary fences must be in place prior to the commencement of any site works, demolition, excavation or building works and maintained throughout construction.

*Reason:* to provide protection to public places, prevent unauthorised access to the site and a safe working environment.

38. **Noise from construction activities**

Noise from construction activities associated with the development shall comply with the NSW Interim Construction Noise Guidelines (DECCW) 2009.

*Reason:-* to ensure noise arising from construction activities is in accordance with relevant legislation and Environment Protection Authority requirements.

39. **Dial before you dig (advisory)**

Dial Before You Dig is a free national community service designed to prevent damage and disruption to the vast pipe and cable networks which provides Australia with the essential services we use everyday – electricity, gas, communications and water.

Before you dig call "Dial before you dig" on 1100 (listen to the prompts) or facsimile 1300 652

077 (with your street no./name, side of street and the distance to the nearest cross street) or register on line at [www.dialbeforeyoudig.com.au](http://www.dialbeforeyoudig.com.au) for underground utility services information for any excavation areas.

The Dial Before You Dig service is also designed to protect Australia's excavators. Whether you are a back yard renovator, an individual tradesman or a professional excavator the potential for injury, personal liability and even death exists every day. Obtaining accurate information about your work site significantly minimises these risks.

**Reason:** To ensure that essential services such as electricity, gas, communications and water are not affected by excavation or construction.

40. **Reinstatement of footpath and footpath crossing**

The footpath and footpath crossing/s adjacent to the property shall be reinstated by Council at the completion of works with all costs being borne by the developer. Alternatives to the prepayment for this work will be considered if written request is made to Council.

**Reason:-** to ensure the footpath and the footpath crossings are repaired from any damage caused during the construction phase.

41. **Vehicle Driveway Crossings and Gutter Laybacks**

Arrangements shall be made with Council for the prepaid construction of vehicular crossings and gutter laybacks at all property entrances and exits, and for the removal of all disused driveway crossings and gutter laybacks. Alternatives to the pre-payment for this work will be considered if written request is made to Council. The gutter crossing and/or the removal of any redundant crossings must be constructed to the satisfaction of Council (and to the Council's specifications including payment of any required bonds) or the prepayment made to Council for Council to carry out the work, prior to the issue of any occupation certificate.

Removal of obstructions, such as power poles, trees, drainage pits and the like shall be carried out at the applicant's expense.

**Reason:-** to ensure that works are carried out in accordance with Council's standard.

42. **Carrying capacity of driveways – Heavy duty**

Suitable heavy-duty driveway crossings are to be installed at all ingress/egress points to the property at the applicant's cost by Council. Alternatives to the pre-payment for this work will be considered if written request is made to Council. The gutter crossing and/or the removal of any redundant crossings must be constructed to the satisfaction of Council (and to the Council's specifications including payment of any required bonds) or the prepayment made to Council for Council to carry out the work, prior to the issue of any occupation certificate.

**Reason:-** to ensure the driveways can support the expected weight of heavy vehicles likely to frequent the site.

43. **Street boundary levels**



Street boundary levels for vehicle access and drainage purposes are to be obtained at the applicant's cost from Council's Service Planning Department prior to commencement of any works. These levels are to be incorporated in all drainage submissions required under this determination.

Reason:- to ensure the correct levels are obtained and used for the development.

44. **Road opening permit**

Prior to commencement of any work on Council roads and footpaths, a road-opening permit shall be obtained from Council's Service Planning Department.

Reason:- to safeguard Council property against damage.

45. **Restoration works**

Prior to commencement of any excavation work on Council roads or footpaths, the applicant shall pay for all restoration costs. The area of restoration shall be determined on site between the applicant or its contractor and Council's Contracts & Maintenance Engineer.

Reason:- to ensure that Council's infrastructure is maintained in a safe and trafficable manner.

46. **Redundant Driveway**

**Prior to the issue of any Occupation Certificate**, all redundant driveways shall be removed and replaced with footpath and kerb & gutter at no cost to Council. The nature strip area is also to be restored at applicant's cost.

Arrangements shall be made with Council's Service Planning Department for the prepayment for the removal of all disused driveway crossings and gutter laybacks. Alternatives to the pre-payment for this work will be considered if written request is made to Council.

Reason:- to ensure Council's assets are restored in accordance with Council's standard.

47. **Works within Council Controlled Lands**

(1) For drainage works:

- a) Within Council controlled lands.
- b) Connecting to Council's stormwater drainage system.

Inspections will be required:-

- i) After the excavation of pipeline trenches.
- ii) After the laying of all pipes prior to backfilling.
- iii) After the completion of all pits and connection points.

(2) A minimum of 48 hours' notice shall be given to Council to inspect works.

Inspections may be arranged by telephoning Council's Works and Services Section during

office hours.

- (3) Work is not to proceed until the works are inspected and approved by Council.

Reason:- to ensure works on public/Council controlled lands are carried out as per Council's requirements.

48. **Structural Engineering Certificate**

The applicant shall submit a structural engineer's certificate of adequacy verifying that the works as detailed on the approved plans for the storage tank have been completed under his/her supervision and that the design is adequate to support the anticipated design loads. **The certificate shall be submitted to Council with the works-as-executed plan.**

Reason:- to ensure the construction is structurally adequate.

49. **Water Reuse**

The stormwater generated from the roof area shall be reused for the irrigation of the landscape area within the subject development site.

Fully details of the Water reuse facilities shall be submitted to Council or the Accredited Certifier with the Construction Certificate.

On completion, a certificate from a registered plumber shall be submitted for the pipe network. The certification shall indicate the water reuse system has been installed in accordance with the approved water reuse design plans.

Reason:- to ensure the water reuse facilities within the development are constructed and maintained in good working order.

50. **Stormwater Disposal**

All stormwater runoff generated from the proposed development shall be directed to the On site Detention system prior to being discharged to Melton Street South street gutter.

Reason:- to ensure the stormwater is suitably discharged.

51. **Submission of full Stormwater Disposal Details**

Full stormwater drainage details showing the proposed method of stormwater collection and disposal are to be submitted to Council or the Accredited Certifier to ensure the approved stormwater plans are incorporated with the Construction Certificate.

The details shall be prepared by a suitably qualified person and must be in accordance "Auburn Development Control Plans 2010 - Stormwater Drainage" and "Australian Rainfall & Runoff 1987". In this regard,

- i. The proposed stormwater system shall be generally in accordance with the

stormwater concept plans 17MB7555/D01 to 17MB7555/D07 issue A dated 17 November 2017 prepared by United Consulting Engineers.

- ii. All access grates to the high early discharge control pit shall be double (2/900 x 450) hinged grates.
- iii. Maximum spacing between the grated access pits in the OSD shall not exceed 5.0m.
- iv. A 900 x 900 size opening with double (2/900x450) hinged access grate shall be provided behind the flap valve.
- v. Stormwater runoff from the access ways will have to undergo some form of industrial standard primary treatment/separation prior to disposal into existing stormwater systems. In this regard, stormwater treatment device capable of removing litter, oil, grease and sediment shall be provided prior to discharge to the stormwater system.
- vi. Minimum 5000 Litres capacity rainwater tank shall be provided.

Note: "Auburn Development Control Plans 2010 - Stormwater Drainage" is available for purchase at Council or the document can be found at Cumberland Council's web page [www.cumberland.nsw.gov.au](http://www.cumberland.nsw.gov.au)

Reason:- to ensure the stormwater is suitably discharged.

#### 52. **Stormwater Disposal – On-site Detention**

On-site stormwater detention storage is to be provided in conjunction with the stormwater disposal. The storage is to comply with "Auburn Development Control Plans 2010 - Stormwater Drainage". Where multiple detention basins with differing top water levels are used, the basins must be routed to the outlet pit independent of each other.

A positive covenant under Section 88E of the Conveyancing Act is to be created on the title of the property detailing the on-site stormwater detention system incorporated in the development. The wording of the instrument is to be submitted and approved by Council prior to lodgement at the Land Titles Office. Evidence confirming the positive covenant has been registered shall be submitted to Council prior to occupation of the building or issue of the occupation certificate.

Note:

1. Positive covenant wording shall be obtained from Council prior to lodgement.
2. Work as executed plan shall be accompanied by relevant checklists.

Reason:- to prevent localised flooding by ensuring the detention system is maintained as designed.

#### 53. **Maintenance Schedule – OSD**

Prior to the issue of the occupation certificate, a maintenance schedule of the proposed on-site detention facility shall be submitted to Council for approval with the stormwater work-as-executed plan. This maintenance schedule shall be registered as part of the positive covenant.

Reason:- to ensure the onsite detention facility is in good working order

#### 54. **Annual Maintenance Inspection of OSD**



Annual maintenance inspection summary of the onsite detention with associated certificates shall be sent to Council within the first month of every calendar year. In this regard:

- All critical inspections shall be carried out by a qualified person.
- A maintenance log book shall be maintained as per the approved maintenance schedule on site and readily available for inspection by a Council officer.
- All associated cost shall be borne by the owner

Reason:- to ensure the onsite detention facility is in good working order

55. **Engineer Certificate for Pump**

A certificate from a practising hydraulic engineer verifying that the stormwater pump installation and the design with the executed levels shall be submitted to the Council with the work as executed plan prior to the release of the Occupation Certificate.

Reason:- to ensure the system has been constructed in accordance with Council's standards and specifications.

56. **Basement Drainage System**

Basement drainage is to comply with "Auburn development control plans 2010 stormwater drainage". In this regard:

- a) Two pump units being installed, the capacity of each being calculated on the basis hundred year storm recurrence interval and a storm duration of 5 (five) minutes, pump acting in reserve capacity.
- a) The two pumps being designed to work on an alternate basis to ensure that both pumps receive equal usage and neither pump remains continuously idle.
- b) A holding well being provided within the basement, of sufficient capacity to store discharge based on a hundred year storm recurrence interval and storm duration ninety minutes. In addition to this an above ground storage shall be provided up hundred year storm recurrence interval and storm duration of two hours. The holding well is to be designed so that a minimum volume of water is retained in the well health reasons when the pumps are in the "off" position or if there is a break in electrical supply.
- c) A storm of two hours' duration has been adopted as a basis for determining the size of the well, the assumption being that electrical supply will be reinstated within this period.
- d) The pump out system is to be independent of any gravity drainage lines, except at property boundary where a grated surface pit is to be constructed from which connection will be permitted to the gravity drainage system. The invert levels of pipes in the grated surface pit are to be such that the outlet from the pump out system is above the inlet of the gravity system.
- e) Storage areas and areas used for purposes other than car parking or access aisles are to be constructed a minimum of 100mm above the top water level.

- f) The contributing catchment area to the pump out system is to be limited to the access ramp area only and subsoil drainage.

**Reason:- to prevent localised flooding.**

57. **Footpath Construction – Melton Street South**

The footpath adjoining Melton Street frontage shall be reconstructed in accordance with the Council's Standard footpath construction requirements. Site boundary line levels shall be raised to the boundary line levels, with satisfactory end-transitions provided.

- Detail footpath design shall be submitted and approved by Council's Works and Services section **prior to the issue of a Construction Certificate.**
- Street boundary levels obtained from Council shall be incorporated in the design.
- The details of construction requirements shall be requested from the Council prior to commencement of construction.
- Formwork inspection and footpath inspection shall be carried out by Council.
- All associated cost shall be borne by the applicant.
- The footpath shall be constructed at the completion of works and finished to the satisfaction of Council **prior to the issue of an Occupation certificate.**

All associated costs shall be borne by the applicant.

**Reason:-** to provide a safe footpath for increased pedestrian use and one that will complement the Cumberland Council requirements.

58. **Footpath Construction – Parramatta Road**

The footpath adjoining the Parramatta Road frontage shall be reconstructed in concrete unpaved paving in accordance with the Council's **Parramatta Road footpath paving requirements**. All associated costs shall be borne by the applicant. Site boundary levels shall be raised where necessary to eliminate any existing low-level footpath profiles, with satisfactory end-transitions provided. In this regard,

- Detailed footpath design shall be submitted and approved by Council's Works and Services section **prior to the issue of any Construction Certificate.**
- Street boundary levels obtained from Council shall be incorporated in the design.
- The details of construction requirements shall be requested from the Council prior to commencement of construction.
- Formwork inspection and footpath inspection shall be carried out by Council.
- All associated cost shall be borne by the applicant.
- The footpath shall be constructed at the completion of works and finished to the satisfaction of Council **prior to the issue of any Occupation Certificate.**

**Reason:-** to provide a safe footpath for increased pedestrian use and one that will complement the Auburn Town Centre.

59. **Splay**

A 2.5m splay shall be provided at the south eastern corner of the property. No structures, including basement, shall be located within the splay area. In this regard,

- a) **Prior to the issue of any Construction Certificate** detail plan showing compliance of above requirements shall be submitted to an approved by Principal Certifying Authority.
- a) **Prior to the issue of any Occupation Certificate** splay shall be dedicated to Council and registered with Land and Property Information (LPI) at no cost to Council. Copy of the LP approved land dedication of the splay area shall be submitted to Council.

*Reason:-* to ensure splay area is clear of any structure and dedicated to Council.

#### 60. **Works-as-Executed Plan – Drainage Plans**

Prior to occupation of the building or issue of the occupation certificate, two (2) copies of the Works-as-Executed (W.A.E.) Plan prepared by a registered surveyor and certified by the design engineer shall be submitted to Council. The W.A.E. plan shall show (where applicable):

- i. Whether all works have been completed generally with the approved drainage plans.
- ii. Any departure from the approved plan and conditions.
- iii. Any additional work that has been undertaken.
- iv. Location, levels and sizes of pipes and pits.
- v. Finished floor and finished surface levels. The location of finished levels should in general correspond with those shown on Council's approved drainage plan.
- vi. Basement pump out volumes.

NOTE: The WAE surface level shall be taken after all landscaping has been completed.

In this regard:

- The above information is to be superimposed on a full sized copy of Council approved drainage plan and is to be submitted to Council.
- Checklists A3, A4 & A5 in the appendix of the "Auburn development control plans 2010 Stormwater Drainage" shall be completed and shall be certified by the practicing hydraulic engineer and the registered surveyor

*Reason:-* to account for minor variations and to ensure Council has the final details.

#### 61. **Arrangements for Water and Sewer Services**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained.

**Application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then the "e-developer" icon or telephone 132 092.**

Following application a "Notice of Requirements" will detail water and sewer extensions to be built or charges to be paid. Please make early contact **with the Coordinator**, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscaping design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority (Council or accredited certifier) **prior to release of the final plan of subdivision or occupation of the development.**

**Reason:-** to ensure that adequate water and sewer services can be provided to the site.

62. **Sydney Water Approval**

The approved development application plans must be accompanied by a valid Building Plan Assessment Approval Receipt. This receipt can be acquired through the "Sydney Water Tap" in system by the Sydney Water Authority.

Please refer to the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) for:

- Information on the "Sydney Water Tap in" system and
- Registering and applying for the approval receipt for the Proposed Building Plan.

or telephone 13 20 92.

Note:

The consent authority or accredited certifier must either:

- ensure that a valid approval receipt has been obtained from Sydney Water before the issue of any Construction Certificate (receipt valid usually 1 year from the date of issue); or
- if there is a combined Development/Construction Certificate application, ensure that a valid approval receipt has been obtained prior to works commencing on site.

**Reason:-** to ensure the development does not damage or interfere with Sydney Water assets.

63. **Aboveground Power Lines**

Where practicable, all existing overhead power lines adjacent to the development site shall be relocated underground to Energy Australia standards and specifications. If not practicable to relocate the power lines underground, arrangements shall be made with Energy Australia to place the conduit to carry those power lines underground so that they can be utilized at a late date by Energy Australia. In this regard all associated costs shall be borne by the applicant.

**Reason:-** to improve the aesthetic quality of the area.

64. **Discovery of additional information during remediation, demolition or construction**

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the PCA immediately.

**Reason:-** to ensure Council is informed of any new information relevant to site conditions and site contamination associated with the development.

65. **Off-site soil disposal**

Any soil disposed of offsite shall be classified in accordance with the procedures in the NSW EPA Environmental Guidelines: Assessment, Classification & Management of Liquid & Non



Liquid Wastes (1999).

*Reason:-* to ensure soil disposed off-site is classified in accordance with relevant EPA requirements.

66. **Car parking to Comply with Approved Details**

The area set aside for the parking of vehicles, and so delineated on the plans prepared by RDO Architect and endorsed as part of this consent, shall not be used for any other purpose.

*Reason:-* to ensure the car parking area is not used for purposes other than the parking of cars associated with the use.

67. **Adequate Signs and Pavement Markings Required to Assist Traffic Flow on Site.**

Adequate signs and pavement markings are to be provided to direct the flow of traffic within the site. Details are to be provided prior to the issue of the construction certificate.

*Reason:-* to assist with traffic flow within the development.

68. **Vehicles Driven in Forward Direction**

All vehicles must be driven in a forward direction at all times when entering or leaving the premises.

*Reason:-* to preserve and enhance the safe operation of the car parking area.

69. **Loading and Unloading of Vehicles**

All deliveries to and from the site are to be conducted from vehicles standing within designated loading areas and not on access driveways, car parking spaces or landscaped areas.

*Reason:-* to ensure delivery vehicles do not obstruct these designated areas of the site.

70. **Surface Runoff**

Allowances shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other property.

*Reason:-* to prevent adverse impact on adjoining properties.

71. **Traffic Management**

A traffic management plan shall be submitted to and approved by Roads and Maritime Services and Council for all demolition, excavation and construction activities associated with the development **prior to commencement of any work within the site.**

*Reason:-* to minimise the impact on street traffic.

72. **Footpath /Nature Strip Maintenance During and After Construction**

The footpath and nature strip within the street frontages shall be maintained during the period of construction to Council's satisfaction.

*Reason:-* to ensure pedestrian safety during the construction period.

73. **Minimum height clearance for carparking spaces and entry to basement carparks**

The minimum height clearance between any structure or fixtures and the driveway/carpark floor level shall be 2.2 metres.

*Reason:-* to ensure vehicles and pedestrians can safely use the carparking facility.

74. **Headroom Clearance – within the Basement**

The headroom clearance within the basement shall comply with the usage. In this regard minimum 4.0m shall be provided in waste collection area and associated turning area. Other areas shall comply with AS 2890.1 and 2890.6 requirements.

Detail plans showing the compliance of above requirements shall be submitted and approved by the Principal Certifying Authority **prior to issue of a Construction Certificate.**

*Reason:-* to ensure headroom clearance complies with Australian Standards AS 2890.1 AS2890.6 and Auburn DCP 2010.

75. **Protective bar to vehicular entry**

A protective bar shall be installed at the vehicular entry to the development to prevent damage from vehicles that are too high or those that fail to wait for the opening of any roller shutter etc. Details and installation of the proposed protective bar shall be noted on the Constructor Certificate drawings and installed prior to the issue of Occupation Certificate.

*Reason:-* to prevent damage from oversized vehicles when entering the premises.

76. **Ramp Gradients**

Circulation ramp grades for car park shall comply with section 2.5.3 of the Australian Standard AS2890.1:2004. In this regard detail longitudinal section of the ramps to a scale of 1:20, shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of any Construction Certificate.**

A copy of the approved plan shall be submitted to Council.

*Reason:-* to ensure the access ramps comply with Australian Standard AS2890.1:2004.

77. **Sediment Control**

Temporary measures shall be provided in accordance with the NSW Department of Housing



Managing Urban Stormwater, Soils and Construction Manual dated March 2004 and regularly maintained during demolition, excavation and construction to prevent sediment and polluted waters discharging from the site.

Reason:- to ensure sediment and erosion controls are maintained during the construction process to prevent water pollution from occurring.

78. **Headroom clearance – Loading Area**

The headroom clearance within the loading area shall comply with Australian Standard AS2890.2. In this regard, minimum 4.5 m headroom shall be provided in the loading areas and associated turning areas.

Ramp gradients and transitions for trucks shall comply with Australian Standard 2890.2.

Detailed plans showing compliance with the above requirements shall be submitted and approved by the Principle Certifying Authority **prior to issue of a Construction Certificate.**

Reason: to ensure headroom clearance complies with Australian Standards AS 2890.1 AS2890.6 and Auburn DCP 2010.

79. **Materials and Finishes**

Materials and finishes to the development shall be in accordance with the details of the approved plans and the following requirements:-

- a) Quality and durable materials are to be used throughout the development.
- b) The applied external paint finishes to the building shall have a minimum aggregate thickness of 200 microns.

Reason:- to ensure a high quality appearance to all materials within the development.

80. **Reflectivity Index of Glazing**

The reflectivity index (expressed as a percentage of the reflected light falling upon any surface of external glazing for windows, walls or roof finishes of the proposed development is to be not greater than 20%. Written confirmation of the reflectivity index of materials is to be submitted with the Construction Certificate.

Note: The reflectivity index of glazing elements can be obtained from glazing manufacturers. Glass with mirrored or reflective foil finishes is unlikely to achieve compliance with this requirement.

Reason:- to ensure that excessive glare or reflectivity nuisance from glazing does not occur as a result of the development.

81. **Security fencing**

All security fencing shall be on an alignment of 4.5m to the street boundary. Under no circumstances are gates to open over Council's footway or obstruct access to car parking spaces.

*Reason:-* to ensure the development operates in accordance with the approval and does not cause a nuisance or a hazard to the public.

82. **Fencing/gates and adjoining land**

There must be no encroachment of any part of the structure/s onto the adjoining premises or onto Council's road reserve, footway or public place. Any gate openings shall be constructed so that the gates, when hung, will be fitted in such a manner that they will not open over the footway or public place.

*Reason:-* to ensure the fence/gates do not restrict access and that encroachments do not occur.

83. **Lighting to publicly accessible areas**

The following lighting requirements shall be complied with:

- a) The public areas shall be provided with lighting to ensure pedestrian safety. Such lighting shall be at a minimum level of 10 lux in the horizontal and vertical plane.
- b) Details of the lighting is to be submitted for the approval of the Principal Certifying Authority prior to issue of the Construction Certificate and location of the lighting endorsed on the construction drawings.

*Reason:-* to ensure publicly accessible areas of the development are provided with sufficient illumination.

84. **Mail Box Structure**

An Australia Post approved lockable mail box structure(s) shall be centrally located to the primary street entry of the site.

*Reason:-* to ensure compliance with Council's Development Control Plan requirements.

85. **Suitable arrangements to be made for garbage and recycling services**

Suitable arrangements for garbage and recycling services are to be made with Council prior to occupation of the building.

*Reason:-* to ensure adequate garbage and recycling services are provided for the development.

86. **Trade waste containers to be stored within the building**

An adequate area is to be set aside within the building for the storage of trade waste containers. Such space is to be reserved at all times for the storage of trade waste containers. The containers shall not obstruct or interfere with the use of loading and parking facilities and accessways.

*Reason:-* to ensure the trade waste containers are stored within the building to prevent vandalism, arson and possible pollution to the external environment.

**87. Waste Management Plan – New works**

A Waste Management Plan shall be submitted to the PCA for. The plan must be submitted and approved prior to the issuing of the construction certificate.

The approved Waste Management Plan for the site must be displayed in an appropriate location on-site and complied with at all times during construction/remediation/demolition and ongoing occupation.

The builder/construction company shall be provided with at least one copy of the waste management plan.

Reason: - to ensure waste is properly managed.

**88. Display of Waste Management Plan – Ongoing use**

The occupant/body corporate shall be provided with at least one copy of the waste management plan. An additional copy of the plan shall be displayed in a secure, visible and accessible position within or adjacent to the waste storage area. The approved Waste Management Plan must be complied with at all times during occupation.

Reason: - to ensure waste is properly managed by occupants of the building.

**89. Trade Waste Agreement**

A copy of the *Permission to Discharge Trade Wastewater* shall be obtained from Sydney Water and a copy provided to Council prior to the issuing of the Construction Certificate. Please contact Sydney Water in relation to this matter.

A *Trade Waste Agreement* shall be obtained from Sydney Water prior to the discharge of trade wastewater to the sewer system. Trade wastewater is defined as 'discharge water containing any substance produced through industrial or commercial activities or operation on the premises'.

Reason: - to ensure the requirements of Sydney Water are complied with.

**90. Waste Collection**

Liquid and solid wastes generated on the site shall be collected, transported and disposed of in accordance with the *Protection of the Environment Operations Act 1997*. Records shall be kept of all waste disposal from the site.

Reason: - to ensure waste is properly disposed of.

**91. Garbage Storage and Collection**

All garbage shall be removed from the site directly via the basement/at grade garbage storage area. Garbage bins shall not be stored on or collected from the footpath or kerb.

Reason: - to ensure that all garbage storage and collection is managed efficiently and without

significant impact on the street.

92. **Contract for Waste Collection**

Prior to occupation of the premises the operator shall enter into a commercial contract for the collection of trade waste and recyclables generated at the premises. A copy of all contracts and receipts shall be kept on the premises and made available to Council Officers on request.

*Reason:-* to ensure suitable arrangements are in place for the collection of trade waste and recyclables arising from the premises.

93. **Waste and recyclables storage area:**

The waste and recyclable storage area shall be fully enclosed, adequately ventilated and constructed with a concrete floor and concrete or cement rendered walls covering the floor. The floor shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket. A hot and cold hose cock shall be provided within the room. Details shall be provided with the Construction Certificate and endorsed on the construction drawings, and works completed prior to the issue of an Occupation Certificate.

*Reason:-* to ensure the waste and recyclables storage area is appropriately constructed and able to be readily cleaned and maintained.

94. **Final Fire Safety Certificate**

Prior to the occupation of the building, the owner of the building shall submit to the Principal Certifying Authority (Council or Accredited Certifier), a **final fire safety certificate** in relation to each essential fire safety measure specified in the **fire safety schedule**, attached to the development consent or construction certificate.

Such certificate shall state that each essential fire safety measure specified:-

- a) Has been assessed by a properly qualified person, and
- b) Was found, at the date of assessment, to be capable of performing to a standard not less than that required by the current fire safety schedule for the building for which the certificate is issued.

**NOTES:**

1. As soon as practicable after a final fire safety certificate is issued, the owner of the building to which it relates:-
  - i) Must cause a copy of the statement (and current fire safety schedule) to be given to the Commissioner of NSW Fire Brigades, and
  - ii) Must cause a further copy of the statement (and current copy of the current fire safety schedule) to be prominently displayed in the building.
2. A "fire safety measure" is defined as any measure (including any item of equipment, form of construction or fire safety strategy) that is, or is proposed to be, implemented in the building to ensure the safety of persons using the building in the event of fire.



*Reason:-* to ensure compliance with Regulations 149 & 171 of the Environmental Planning and Assessment Regulation 2000.

95. **Annual Fire Safety Statement**

The owner of any building in which fire safety measures are installed, must cause the Council to be given an **annual fire safety statement**, within 12 months after the last such statement or final fire safety certificate was issued.

The certificate shall certify:-

- a) That each essential fire safety measure has been assessed by a properly qualified person and was found, at the date of assessment, to be capable of performing to a standard not less than that required by the current fire safety schedule.
- b) That a properly qualified person has inspected the building and has certified that, as at the date of inspection, the condition of the building did not disclose any grounds for a prosecution under Division C.

**NOTES:**

1. As soon as practicable after an annual fire safety statement is issued, the owner of the building to which it relates:-
  - i) must cause a copy of the statement (and current fire safety schedule) to be given to the Commissioner of NSW Fire Brigades, and
  - ii) must cause a further copy of the statement (and current copy of the current fire safety schedule) to be prominently displayed in the building.
2. A "fire safety measure" is defined as any measure (including any item of equipment, form of construction or fire safety strategy) that is, or is proposed to be, implemented in the building to ensure the safety of persons using the building in the event of fire.

*Reason:-* to ensure compliance with Regulation 171 of the Environmental Planning and Assessment Regulation 2000.

96. **Fire Safety Notices**

The fire-isolated stairway, fire-isolated passageway or fire-isolated ramp must contain a notice advising of "Offences relating to fire exits". The notice shall contain the wording prescribed by Clause 183 of the Environmental Planning and Assessment Regulation, 2000 and the Building Code of Australia.

*Reason:-* to comply with Clause 183 of the Environmental Planning and Assessment Regulation 2000 and the BCA.

97. **Submission of Works-as-Executed Fire Services Plan**

A *works-as-executed* fire services plan is to be submitted to the Council **prior to occupation** of the development, detailing the location of the essential fire safety measures installed within the building premises.

Reason:- to ensure a record of the location and type of fire safety services is documented.

98. **Occupation Certificate**

A person must not commence occupation or use of the whole or part of a new building unless an occupation certificate has been issued in relation to the building or part.

The application for an Occupation Certificate must be made to the Principal Certifying Authority (Council or an accredited certifier) using the approved form.

Reason:- to comply with the requirements of Section 6.9 of the Environmental Planning and Assessment Act (as amended).

99. **Mechanical Ventilation Systems/Cooling Towers**

The mechanical ventilation system shall comply with *Australian Standard AS1668.2 – 1991 The use of mechanical ventilation and air conditioning in buildings*. Prior to installation, the design is to be certified by a person competent to do so. At the completion of the installation of the mechanical ventilation system, the work shall be certified by a person competent to do so. The certification shall include:-

- inspection, testing and commissioning details
- date of inspection testing and commissioning
- the name and address of the individual who carried out the test
- a statement that the service has been designed, installed and is capable of operating to the above standard.

Any cooling tower installation shall be designed, installed and maintained in accordance with the requirement of the Public Health (Microbial Control) Regulation 2000 and Australian Standard AS/NZS 3666.2:1995 *Air-handling and water systems of buildings Microbial control Operation and maintenance*. All waste water from the cooling tower/humidifier/evaporative cooler/warm water system shall be discharged to sewer under a Trade Waste Agreement from Sydney Water.

A copy of the installation certificate shall be submitted to Council **prior to occupation of the building** to enable details of any cooling towers to be entered on Council's Cooling Tower register.

Reason:- to ensure compliance with the Building Code of Australia and Public Health (Microbial Control) Regulation 2000.

100. **Acoustic Performance of Mechanical Plant and Machinery – Selection at Issue of Construction Certificate**

Noise producing mechanical items (such as but not limited to, lift motors, air conditioning, air intakes, ventilation outlets, basement car park ventilation) shall not emit noise when measured at any point on the property boundary of more than 5 dB above background noise level (which for this location shall be taken to be 55 daytime, 50 evening, 45 night) and shall not cause an increase in the amenity noise level (which for this location shall be taken to be 70 day, 60 evening, 55 night). An acoustic report prepared by an experienced and qualified acoustic engineer shall be submitted reviewing selected mechanical plant for consideration of the



construction certificate.

Reason:- to limit any impact that noise emitting plant and machinery will cause to surrounding land users and the locality generally.

101. **Acoustic Certification**

Within three months of the commencement of use of the premises, an acoustic report prepared by a suitably qualified person is to be submitted to the consent authority demonstrating that the noise emitted from the premises complies with the criteria contained in the acoustic report prepared by PKA Acoustic Consulting, Revision R01 dated 26 November 2017.

Reason:- to ensure that the ongoing use of the premises complies with the relevant noise criteria.

102. **Food Premises Fitout – Compliance with Standards**

The fitout of the food premises shall comply with the requirements of *Australian Standard 4674-2004, Design, Construction and Fit-out of a Food Premises* and *Food Safety Standard 3.2.3, Food Premises & Equipment*.

Reason:- to ensure the food premises fitout complies with relevant standards.

103. **Design and Construction of Food Premises**

The design and construction of food premises must comply with the following requirements, as applicable:-

- 1) No alterations to the shop or any fittings therein (including the installation of new items of equipment) are to be made without the prior approval of the Principal Certifying Authority.
- 2) Areas intended to be used for storing & preparing food or for storing food packaging & equipment shall be physically separated from chemical storage areas, living & sleeping areas, toilets & change rooms, garbage & recycling facilities and all other activities likely to pose a risk of food contamination.
- 3) Adequate space shall be provided on the premises for the storage of dry goods, fresh fruit & vegetables, returned food, recalled food, packaging material and utensils & equipment.
- 4) All windows, doors, entrances/exits and serving latches shall be protected against the entry of pests.
- 5) Where doors and windows need to be pest proofed against flying insects only, they may be protected by:-
  - i) Air curtains that effectively prevent insects entering the premises; or
  - ii) Being fitted with plastic strip curtains that effectively exclude flying insects; or
  - iii) Opening into vestibules with self-closing doors; or
  - iv) Fitting the bottom edge of doors or bottom sash of windows (where practicable)

- with a seal; or
  - v) Provide a fly zapper that is to remain on during business operating hours.
- 6) Insect control devices shall be installed so that the devices are **not** located directly over food preparation working areas, exposed food, clean equipment and/or unwrapped packaging material.
- 7) All service pipes, drains, cables and duct penetrations shall be effectively sealed to prevent entry of pests.
- 8) All service pipes, conduits and electrical wiring shall either be concealed in the floor plinths, walls & ceiling or fixed on brackets to provide a clearance at least 25mm and 100mm from the adjacent vertical and horizontal surface respectively.
- 9) Spaces between adjoining structures, such as between coolroom / freezer walls and premises walls and the external roof, shall be accessible for inspection and cleaning or sealed with a suitable compound to prevent the entry of pests.
- 10) The applicant shall refer to Sydney Water for trade waste requirements **prior** to the business use commencing.
- 11) Grease arrestors shall not be located in areas where food, equipment or packaging materials are handled or stored.
- 12) In areas where open food is handled or stored, light fittings shall be provided with fitted light diffusers to prevent contamination of food should the globe or tube shatter and allow easy access for cleaning.
- 13) Floors in the food premises shall be finished with a surface that complies with Table 3.1 of AS 4674.2004.
- 14) Floors in the food preparation areas shall be graded and drained to a floor waste connected to the sewerage system.
- 15) The intersection of floors with walls shall be coved in accordance with diagrams 3.1 and 3.2 of AS 4674.2004.
- 16) The plinths shall be of solid construction and not less than 75mm high with an impervious finish and consistent with the floor surface in table 3.1 of AS 4674 including coving.
- 17) Walls in the food premises shall be of solid construction and finished with a material in accordance with Table 3.2 of AS 4674-2004.
- 18) Wall surfaces shall provide a smooth even finish, free of buckles, ledges, fixing screws, picture rails, open joints, cracks & crevices.
- 19) Ceilings in the food premises shall consist of a non perforated material and finished free of open joints, cracks & crevices.
- 20) The intersections of walls and ceilings shall be tight jointed, sealed and dust proof.

- 21) Ceilings in other areas shall be installed in accordance with the requirements of Table 3.3 of AS 4674-2004.
- 22) Drop-in removable ceiling panels shall **not** be used in food preparation areas or where open food is being displayed or stored.
- 23) The food premises shall be provided with a single bowl sink with supply of hot water at a temperature of not less than 45°C for washing operations only where pre-packed food drink and uncut fruit & vegetables are being sold.
- 24) The food premises shall be provided with a double bowl sink with a supply of hot and cold water through a common mixing spout. Hot water shall be provided at a temperature of at least 45°C for washing operations.
- 25) All fixtures, fittings and equipment in the food premises shall be designed in accordance with the requirements of Table 4.3 of AS 4674.
- 26) Fixtures, fittings and equipment shall comply with one of the following options:-
  - a) movable for cleaning;
  - a) built into walls with the enclosure completely vermin proofed;
  - b) butted against walls or other equipment and the joints sealed;
  - c) installed with clearance distances compliant with Figure 4.4 of AS 4674.2004; or
  - d) if installed on a plinth, installed such that it overhangs the plinths.
- 27) All equipment used for display or storage of hot foods must be capable of maintaining such food at a temperature of not less than 60°C, and being fitted with an approved thermometer able to read easily from the outside of the appliance for the purpose of measuring this temperature.
- 28) All equipment used for display or storage of cold foods must be capable of maintaining such food at a temperature below 5°C. Frozen foods must remain in a frozen state. The coolroom and freezer must be fitted with an approved thermometer able to be read easily from the outside of the appliance for the purpose of measuring this temperature.
- 29) Hand wash basins shall be provided adjacent to each toilet, with taps that operate hands free. The hand wash basin shall be provided with a permanent supply of warm water delivered through a single outlet.
- 30) Hand wash basins shall be provided at a distance of no greater than five metres from a food preparation area where open food is handled. Hand wash basins shall be provided with taps that operate hands free and be provided with a permanent supply of warm water delivered through a single outlet.
- 31) A sufficient supply of liquid soap and disposable hand towels shall be provided at the hand wash basin.
- 32) A separate area shall be provided for the storage of employees clothing, cleaning material and equipment.
- 33) Toilet facilities shall be in accordance with the BCA and shall be separated from areas

where open food is handled, displayed & stored or provided with self-closing doors and a mechanical exhaust system that operates when the sanitary compartment is in use.

- 34) Access to toilet areas shall not be provided through areas (other than the dining area where open food is handled, displayed or stored).
- 35) All waste material shall be stored in containers with tight fitting lids at all times.
- 36) No food whether covered or uncovered shall be stored outside of the external building facade.

Reason:- to ensure the fitout complies with the food premises standards.

104. **Compliance with Submitted Acoustic Report**

The recommendations specified in the acoustic report prepared by PKA Acoustic Consulting, reference 217 104 R01v1, dated 26 November 2017, shall be installed prior to issuing of the occupation certificate. All noise reduction measures specified in the acoustic report shall be complied with at all times during operation of the premises.

Reason:- to ensure internal noise levels are suitable for sleeping and repose of persons occupying rooms at the hotel.

105. **Trade Waste**

The food premises must comply with the following requirements:-

- a) Liquid trade waste materials are to be disposed of in accordance with the requirements of the Sydney Water, Trade Waste Department and details of compliance are to be submitted to the certifying authority prior to the commencement of works.
- b) The disposal of waste materials in the domestic garbage service is not permitted. All waste materials must be collected by a waste contractor authorised by the Waste Service of New South Wales and details of the proposed service to serve the development are to be submitted to Council prior to occupation of the building.

Reason:- to ensure that trade waste is properly disposed of.

106. **Light Overspill**

Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads, and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with AS4282-1997 *Control of the obtrusive effects of outdoor lighting*.

Reason:- to ensure light overspill arising from the development does not interfere with the amenity of the locality and complies with relevant Australian Standards.

107. **No approval granted for a public address system or sound amplifying equipment**



A public address system or sound amplifying equipment shall not, without the consent of Council, be installed in or upon the premises so as to cause or permit the emission of sound onto any public place or nearby residential area.

Reason:- to ensure the development does not cause a noise nuisance to adjoining development.

#### 108. Noise and Vibration

The use of the premises shall not give rise to any of the following when measured or assessed at "sensitive" positions within any other property. These "sensitive" positions should be selected to reflect the typical use of a property (ie any outdoor areas for day and evening but closer to the façade at night time), unless other positions can be shown to be more relevant.

- a) 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.
- b) transmission of vibration to any place of different occupancy above the requirements of AS2670.
- c) a sound pressure  $L_{Aeq,period}$  at any noise sensitive position of any other premises of occupancy greater than the recommended amenity noise criteria detailed in the Department of Environment and Conservation, New South Wales (EPA) Industrial Noise Policy.
- d) a sound pressure  $L_{Aeq,15min}$  at any noise sensitive position greater than the intrusiveness criteria determined in accordance with the Department of Environment and Conservation, New South Wales (EPA) Industrial Noise Policy and does not contain any tones, low frequency or impulsive factors as defined in the Department of Environment and Conservation, New South Wales (EPA) Industrial Noise Policy table 4.1.

For assessment purposes, the above  $L_{Aeq}$  sound levels shall be assessed over a period of 10 to 15 minutes and adjusted in accordance with EPA guidelines for tonality, frequency weighting and impulsive characteristics, fluctuations and temporal content where necessary.

Reason:- to ensure adequate acoustic amenity in the locality.

#### 109. Foodshop notification and inspection

- a) Foodshop notification shall be obtained from the NSW Food Authority, **prior to** commencement of business operations and a copy of the notification shall be submitted to Council. Notification can be completed on NSW Health Department's web site at [www.foodnotify.nsw.gov.au](http://www.foodnotify.nsw.gov.au)
- b) The applicant shall notify Council not less than forty-eight (48) hours **prior to** the proposed occupation of the premise to arrange for a final compliance inspection.
- c) The applicant shall not operate the food premises until an occupation certificate has been issued.

Reason:- to enable registration of the food premises and to ensure appropriate inspections are made of the food premises.

#### 110. Hours of operation

The hours of operation of the restaurant component of the development are limited to 6 a.m. to 12 midnight.

Reason:- to limit the operating hours of the development so as to reduce the likely nuisance on adjoining development.

#### 111. **Use of Restaurant and Pool facilities**

The building is to be used for hotel accommodation only and is not to be altered or adapted for another use without the prior consent of Council.

Use of the restaurant and pool are restricted to hotel guests and employees.

The exterior of the building is to contain no advertising for the restaurant and pool located within the hotel premises.

Reason:- No car parking has been provided on site for the restaurant and pool components of the development.

#### 112. **CCTV Camera System**

Prior to the issue of a final occupation certificate, CCTV surveillance cameras shall be installed in and around the premises, placed in strategic places such as the external entrance and exit doors. The surveillance tapes shall be kept for a period of 14 days for viewing by the police upon request, with the recording device located in a secure area to maintain the integrity of the recorded footage.

Reason:- to ensure that the use provides adequate visual surveillance and adequate records for the NSW Police to peruse if required.

#### 113. **Plan of Management**

A Plan of Management to govern the use of the proposed hotel shall be prepared and submitted to Council's Manager Development Assessment for approval prior to the issue of a **construction certificate**. The plan shall include (but not be limited to) the following detail:-

- a) Compliance with Work Health and Safety legislation;
- b) Nominated maximum period of stay for guests;
- c) How the hotel will be managed (i.e. bookings restrictions) to ensure that employees and guests of the facility do not park their cars on the street;
- d) Proposed staffing arrangements, including a restriction that the maximum of six employees are to be on site at any time;
- e) Proposed security measures to restrict access to the basement car park and other areas of the development to employees and guests;
- f) House rules regarding guest behaviour, activities and noise, consumption of alcohol;
- c) A process for registering and managing complaints regarding noise, parking, or other impacts in the locality resulting from the use of the hotel;

The use of the hotel is to be carried out in accordance with the Plan at all times. Any changes to the Plan are to be approved by Council prior to implementation.



Reason:- to ensure the use operates in a satisfactory manner.

114. **Separate Development Consent**

No signs other than the business identification signs shown on the endorsed plans, whether for advertising, directory or identification purposes or for any other purpose, are to be erected on the land without the written consent of Council having first been obtained.

Reason:- to limit and control advertising.

115. **Business and Building Identification Signage**

Business and building identification signage shall comply with the following:-

- a) The approved signage shall be appropriately maintained at all times.
- b) The signage shall be utilised as business identification signage only and shall not be adapted or altered to be third party advertising signage without the further consent of Council.
- c) The signage shall not:-
  - i) flash, move, be animated, scintillate or be decorated with rotating flashing lights;
  - ii) include any apparatus to provide any sound;
  - iii) carry a message(s) which is offensive;
  - iv) give instructions to traffic by the use of the words 'Halt', 'Stop', or any other direction, nor imitate traffic signs in respect to shape, layout or colour;
  - v) contain interchangeable or movable parts;
  - vi) impair or distract the vision of a driver through the intensity of the illumination of the sign;
  - vii) must not impede the ability of the occupants to exit the building under emergency conditions.
- d) The wording to the signage shall be primarily displayed in English but may include a translation in another language.

Reason:- to ensure the appearance and operation of the signage is in an orderly fashion.

116. **PCA – Inspection of Works – General & Site Management**

The building works are to be inspected by the principal certifying authority (or other suitably qualified person on behalf of the applicant if permitted by the PCA) to monitor compliance with Council's approval and the relevant standards of construction.

Documentary evidence of compliance with Council's approval and relevant standards of construction is to be maintained by the principal certifying authority.

Upon inspection of each stage of construction, the principal certifying authority (or other suitably qualified person on behalf of the applicant) is also required to ensure that adequate provisions are made for the following measures (*as applicable*), to ensure compliance with the terms of Council's approval:-

- Sediment control measures
- Maintenance of the public place free from unauthorised materials, waste containers or other obstructions.

In accordance with the Swimming Pools Amendment Act 2012 all swimming pools must be registered on the state wide online register. Mandatory inspections are required to ensure ongoing compliance and appropriate fees charged.

**ADVISORY NOTE**

*If Council is appointed as the PCA, the following inspections (as applicable to the development), must be arranged:-*

- Pool excavation/reinforcing steel (for inground pools)*
- The swimming pool safety fence prior to filling the pool with water.*
- Final inspection*

*A minimum of 24 hours notice must be provided to Council to enable the following inspection to be carried out during the course of construction*

**Reason:-** to ensure the development is adequately monitored during the construction phase.

**117. Child Resistant Barrier**

The proposed swimming pool shall be surrounded by a fence having a minimum of 1200 mm measured from the outside of the enclosure with any space beneath not exceeding 100 mm:-

- that forms a barrier between the swimming pool; and
  - any residential building situated on the premises;
  - the remainder of the premises; and
  - any place (whether public or private) adjacent to or adjoining the premises; and
- that contains within its bounds no structure apart from the swimming pool and such other structures (such as diving boards and pool filtration plants) as are wholly ancillary to the swimming pool; and
- that is designed, constructed and installed in accordance with Australian Standard 1926.1 - Fences and Gates for Private Swimming Pools and the Swimming Pools Act 1992 and regulations.

**Reason:-** to ensure that the level of protection intended by the Child Resistant Barrier is provided.

**118. Treatment of Existing Boundary Fencing**

Where an existing boundary fence has components that could be used as holds for climbing, a smooth barrier having a minimum width of 1.2 metres externally and 0.3 metres internally on the pool enclosure, shall be installed to the boundary fence, at the point of intersection with the pool safety fence.

Reason:- to prevent a possible foothold being gained by the existing fence rails.

119. **Maintenance of Fencing**

It is the responsibility of the pool owner to ensure that the pool fencing continues to provide the level of protection required regardless of and in response to any activity or construction on the adjoining premises. Due regard shall be given to the effect that landscaping will have on the future effectiveness of security fencing.

Reason:- to ensure that level of protection intended by the child resistant barrier is maintained

120. **Resuscitation Poster**

A poster prepared by the Royal Life Saving Society on expired air resuscitation shall be exhibited in a prominent position adjacent to the pool.

Reason:- to aid in the case of a life threatening emergency.

121. **Discharge of Pool Waste Water**

Swimming pool waste water shall be discharged into the sewers of Sydney Water in accordance with their requirements.

Reason:- to prevent a potential nuisance arising from the discharge.

122. **Pool Pump/Filter Noise**

The pool pump/filtration equipment shall be sited well clear of adjacent dwellings and shall be effectively acoustically treated and shall only be operated between the following hours:

- Monday to Saturday (other than a Public Holiday): 7.00am - 8.00pm
- Sunday and Public Holidays: 8.00am - 8.00pm

You are advised that should noise levels exceed 5dBA above the ambient noise level measured at the boundary, you will be required to enclose the filtration motor in an effective sound proof unit.

Reason:- to prevent offensive noise occurring and to comply with the Protection of the Environment (Noise Control) Regulation 2000.

123. **Manager's Accommodation**

Only the Manager of the hotel and members of her/his household are to occupy the Manager's accommodation on level 7. These rooms are not to be used as short or long term accommodation for persons not associated with the hotel Manager.

Reason:- to ensure that the Manager's accommodation is only used for the hotel manager.



Consent to operate from:	16 January 2019	(see note 1)
Consent to lapse on:	16 January 2024	
<b>Other approvals</b>		
List Local Government Act 1993 Approvals granted under s 78A(5)	Not Applicable	
Right of appeal (also see note 3)	<p>If you are dissatisfied with this decision section 8.7, 8.10 of the <i>Environmental Planning and Assessment Act 1979(as amended)</i> gives you the right to appeal to the Land and Environment Court within:</p> <ul style="list-style-type: none"> <li>• 12 months - consents lodged before 27 February 2011</li> <li>• 6 months – consents lodged after 28 February 2011</li> </ul> <p>*Section 8.7, 8.10 of the <i>Environmental Planning and Assessment Act 1979(as amended)</i> does not apply to the determination of a development application for State significant development or local designated development that has been the subject of a Commission of Inquiry.</p>	
Signed	on behalf of the consent authority	
Signature Name	<b>Hamish McNulty</b> <b>GENERAL MANAGER</b>	

<b>Note 1</b>	<i>Where the consent is subject to a condition that the consent is not to operate until the applicant satisfies a particular condition the date should not be endorsed until that condition has been satisfied.</i>
<b>Note 2</b>	<i>Clause 101 of the Regulation contains additional particulars to be included in a notice of determination where a condition under section 7.11 of the <i>Environmental Planning and Assessment Act 1979(as amended)</i> has been imposed.</i>
<b>Note 3</b>	<i>Section 8.2, 8.3, 8.4, 8.5 of the <i>Environmental Planning and Assessment Act(as amended)</i> permits a review of the determination</i>

**DOCUMENTS  
ASSOCIATED WITH  
REPORT ELPP002/19**

**Attachment 5  
Architectural Plans**







**DEVELOPMENT APPLICATION  
FOR NEW HOTEL  
147-151 PARRAMATTA RD  
AUBURN**

**DRAWING LIST**

DWG #	TITLE
<b>ORIENTATION</b>	
DA01	DRAWING LIST
DA02	LOCATION PLAN
DA03	CONTEXT PLAN
<b>SITE OVERVIEW</b>	
DA11	SITE ANALYSIS, CONTEXT & DEMOLITION
DA12	DESIGN LOGIC
DA13	SITE PLAN
DA14	SITE ELEVATIONS
DA15	KEY EXTERNAL MATERIALS
DA16	EXTERNAL MATERIAL IMPRESSIONS
DA17	FACADE SCREENING
DA18	GENERAL NOTES
<b>FLOOR PLANS</b>	
DA21	PLAN - LEVEL B5 & B6 (CARPARK)
DA22	PLAN - LEVEL B3 & B4 (CARPARK)
DA23	PLAN - LEVEL B1 & B2 (CARPARK)
DA24	PLAN - LEVEL D & G (DOCK & GROUND)
DA25	PLAN - LEVEL 1 (GUEST AMENITY)
DA26	PLAN - LEVEL 2 - 6 (TYPICAL)
DA27	PLAN - LEVEL 7
DA28	PLAN - LEVEL R (ROOF)
<b>ELEVATIONS</b>	
DA31	ELEVATION - EAST (MELTON STREET)
DA32	ELEVATION - SOUTH (PARRA ROAD)
DA33	ELEVATION - WEST
DA34	ELEVATION - NORTH
DA35	CROSS SECTION (NEAR GRID E)
DA36	CROSS SECTION (NEAR GRID S)
<b>SHADOW STUDIES</b>	
DA41	WINTER 9AM
DA42	WINTER 12PM
DA43	WINTER 3PM
<b>COMPLIANCE SUMMARY</b>	
DA51	LANDSCAPE & SETBACK SUMMARY
DA52	GFA SUMMARY - LD/LG & L1
DA53	GFA SUMMARY - L2-6 & L7
DA54	GFA SUMMARY TABLE
DA55	DRIVEWAY CROSS SECTIONS
DA56	SITE MANAGEMENT PLAN
<b>3D STREET VIEW COMPARISONS</b>	
DA91	STREET VIEW STUDIES
DA92	STREET VIEW STUDIES

**rdo.**

**NEW HOTEL**

147 - 151 PARRAMATTA ROAD, AUBURN

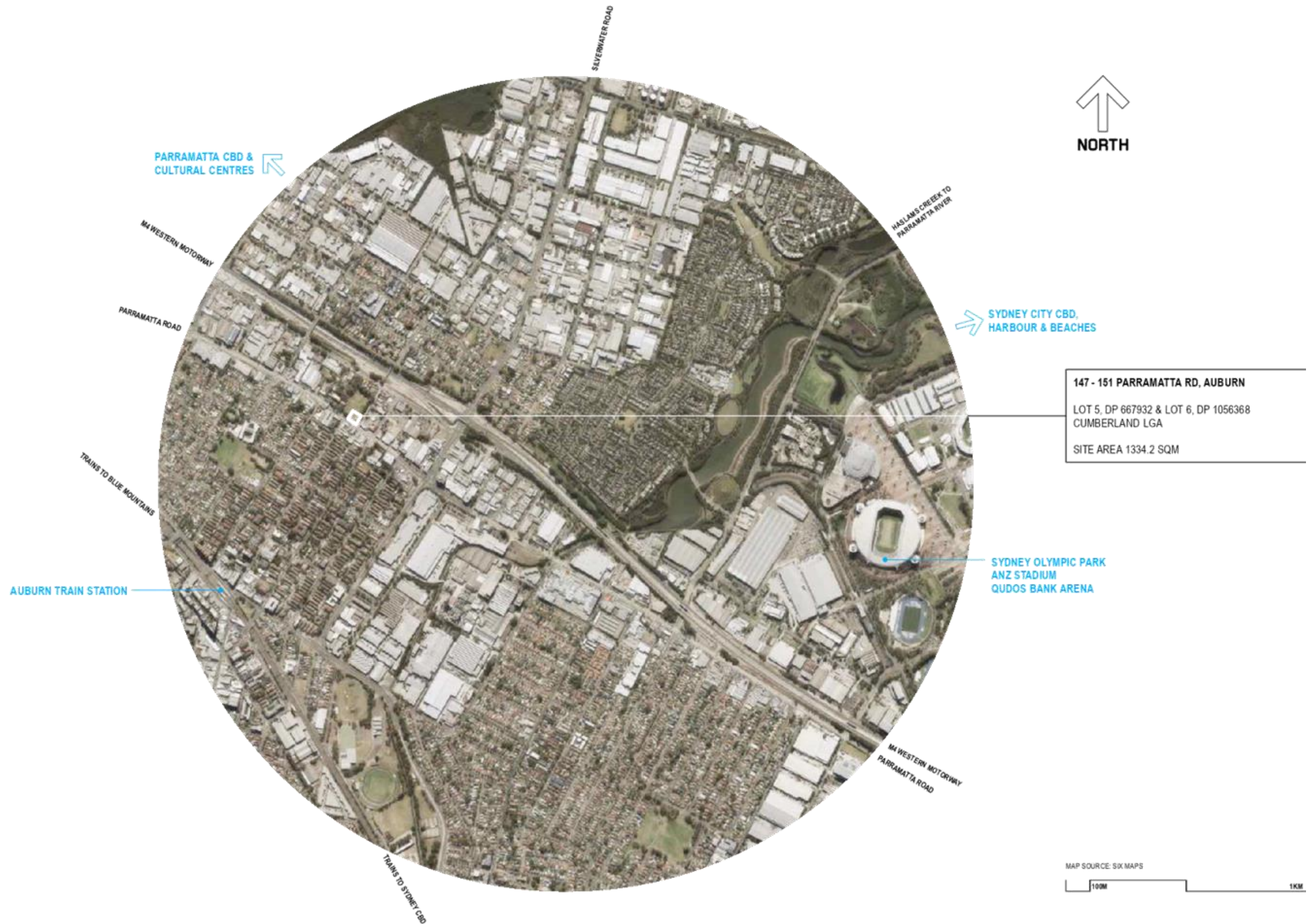
**DA APPLICATION**

**DA01**

A







**rdo.**

Rob Design Office  
4/151 Foveaux Street  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
Reg: 88 66 NSW  
rob@rdo.net.au  
www.rdo.net.au

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Project **NEW HOTEL**  
Address **147 - 151 PARRAMATTA ROAD, AUBURN**  
Dwg Title **LOCATION PLAN**

job **724 MEL**  
issue **04 12 17**  
scale **NTS**

**DA02**  
rev **A**







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Rob Design Office  
4/151 Foveaux Street  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
Reg: 88 66 NSW  
rob@rdo.net.au  
www.rdo.net.au

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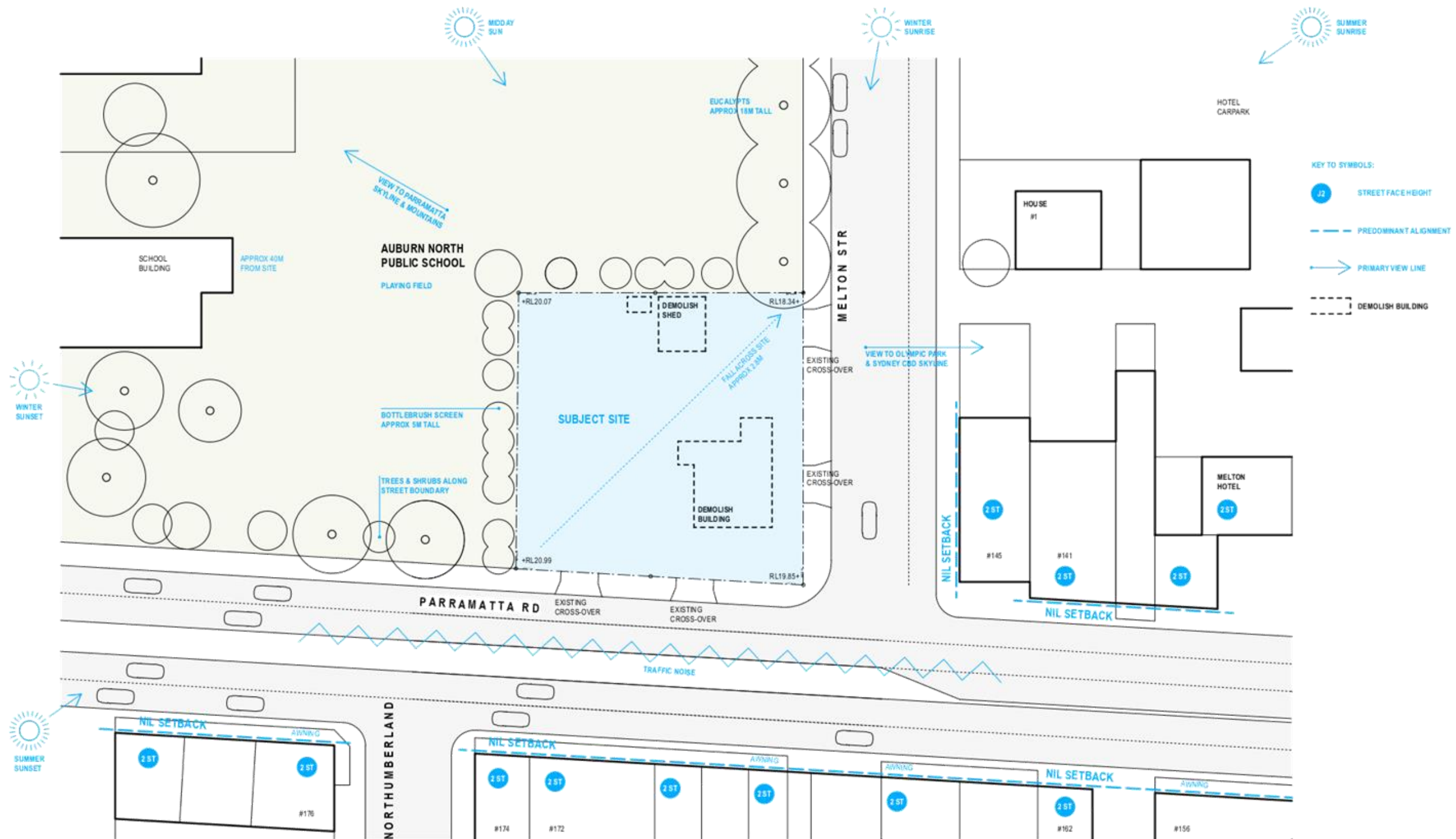
Project **NEW HOTEL**  
Address **147 - 151 PARRAMATTA ROAD, AUBURN**  
Dwg Title **CONTEXT PLAN**

Job **724 MEL**  
Issue **04 12 17**  
Scale **NTS**

**DA03**  
Rev **A**







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Rob Design Office  
4/151 Foveaux Str  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
Reg: 88 66  
rob@rdo.net.au  
www.rdo.net.au

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Project **NEW HOTEL**

Address **147 - 151 PARRAMATTA ROAD, AUBURN**

Draw Title **SITE ANALYSIS CONTEXT & DEMOLITION**

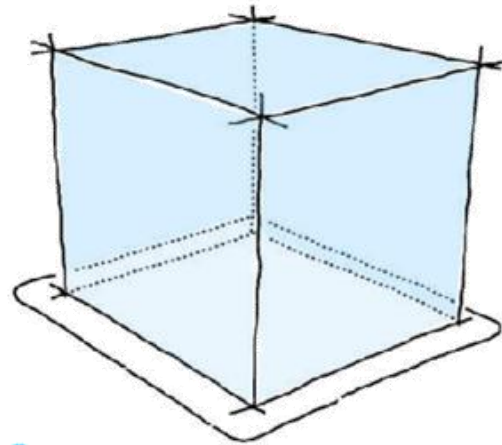
Job **724 MEL**

Issue **04 12 17**

**DA11**

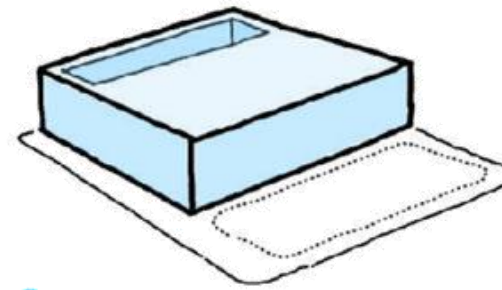
A





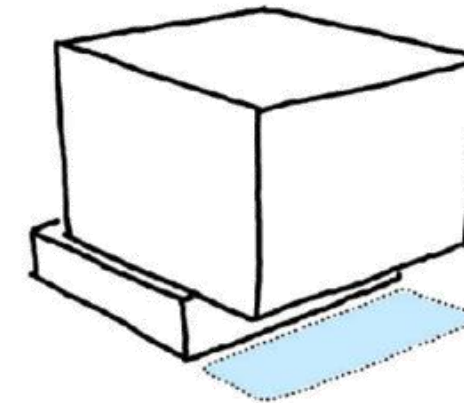
**1  
ENVELOPE**

- > EXTRAPOLATE PLANNING CONTROLS.
- > SET BACK AND HEIGHT.



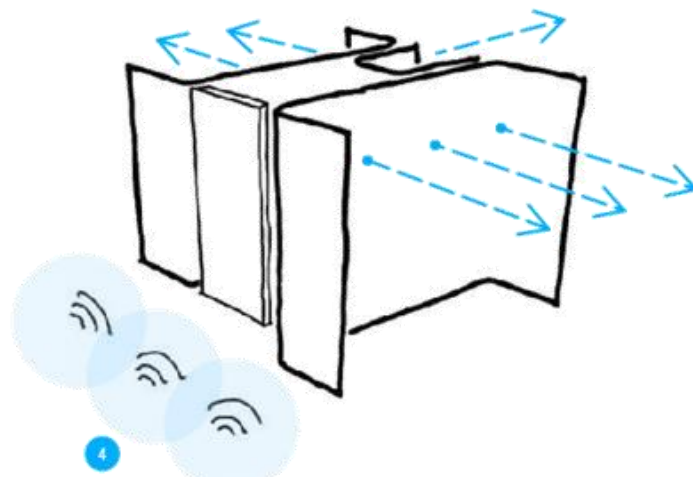
**2  
A ROBUST BASE**

- > A MASONRY BASE RESPONDS TO THE HOSTILE CONTEXT.
- > HUMAN SCALE, TACTILE, SELF-CLEANING.



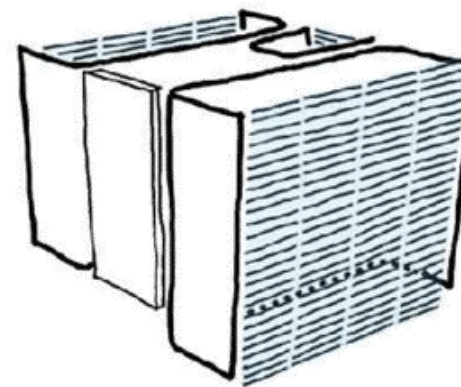
**3  
LIGHTNESS & LEGIBILITY**

- > EXPRESS ACCOMMODATION COMPONENT.
- > OFF-SET FORM GIVE VISUAL LIGHTNESS.
- > FRONT OVERHANG CREATES A CLEAR ENTRY.



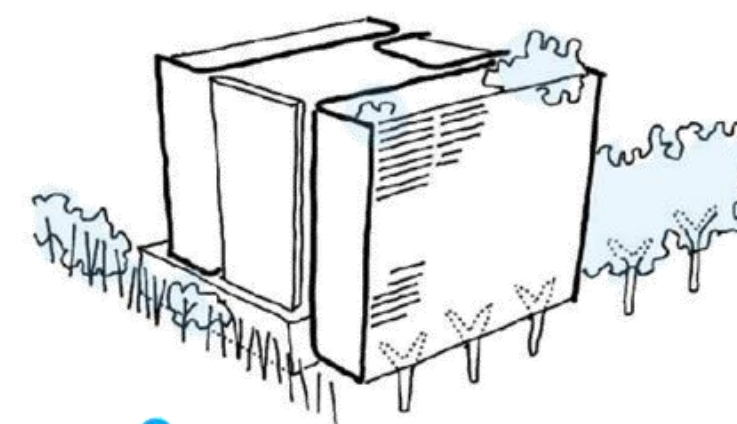
**4  
ASPECT & NOISE**

- > ORIENTATE ROOMS TOWARD HORIZONS.
- > SHIELD AGAINST TRAFFIC NOISE.
- > SOLID ENDS CREATE A REFUGE.



**5  
SUN & PRIVACY**

- > SHADE ROOMS FROM HOT SUN.
- > SCREEN VIEWS, PREVENT OVERLOOKING.
- > PROVIDE OCCUPANTS WITH PRIVACY.



**6  
TOPOGRAPHY & LANDSCAPE**

- > NOO TO SIGNIFICANT LANDSCAPE ELEMENTS.
- > CREATE A GREEN LID.
- > OFFER A PUBLIC GESTURE.

**rdo.**

Rob Design Office  
4/151 Foveaux Street  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
Reg: 88 66  
rob@rdo.net.au  
www.rdo.net.au

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Project **NEW HOTEL**  
Address **147 - 151 PARRAMATTA ROAD, AUBURN**  
Design Title **DESIGN LOGIC**

Job **724 MEL**  
Issue **04 12 17**

**DA12**

A







- LG LOUVRE SCREENS**  
NORTH, EAST AND WEST FACADES.  
FEATHERED AT TOP AND BOTTOM.  
SIMILAR TO JVI E200 LOUVRES,  
FIXED BRACKETS.  
> HORIZONTAL SLATS FOR SHADING AND PRIVACY.  
> CHANGES IN DIFFERENT LIGHT CONDITIONS.



- MC METAL CLADDING**  
SPANDREL & HYDRANT BOX.  
**P1 POWDERCOAT, DULUX BRONZE**  
GRILLES, LOUVRES & WINDOW FRAMES.  
SIMILAR TO DULUX ETERNITY BRONZE PEARL.  
> ORGANIC.  
> RELATES TO ADJACENT ENVIRONMENT.



- OC OFF FORM CONCRETE**  
BLADE WALLS & COLUMNS.  
HIGH QUALITY CLASS 2 OFF FORM FINISH  
> ROBUST.  
> RAW & EXPRESSIVE.



- B2 FACE BRICK, GREY**  
UPPER LEVEL MASONRY  
SIMILAR TO PGH SEASCAPE DUSK.  
> TEXTURAL.  
> HUMAN SCALE.  
> ROBUST AND EASY TO MAINTAIN.  
> RELATES TO NEARBY CONTRIBUTORY BUILDINGS.



- MU PAINTED MURAL**  
ON WALLS FACING SCHOOL  
DESIGN AND APPLICATION TO  
BE AGREED WITH SCHOOL.



- B1 GLAZED BRICK, BRONZE**  
PODIUM MASONRY  
SIMILAR TO PGH URBAN METAL BRONZE SHEEN.  
> EPHEMERAL.  
> SELF-CLEANING.

rdo.

Rob Design Office  
4/151 Foveaux Street  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
Reg: 88 66 NSW  
rob@rdo.net.au  
www.rdo.net.au

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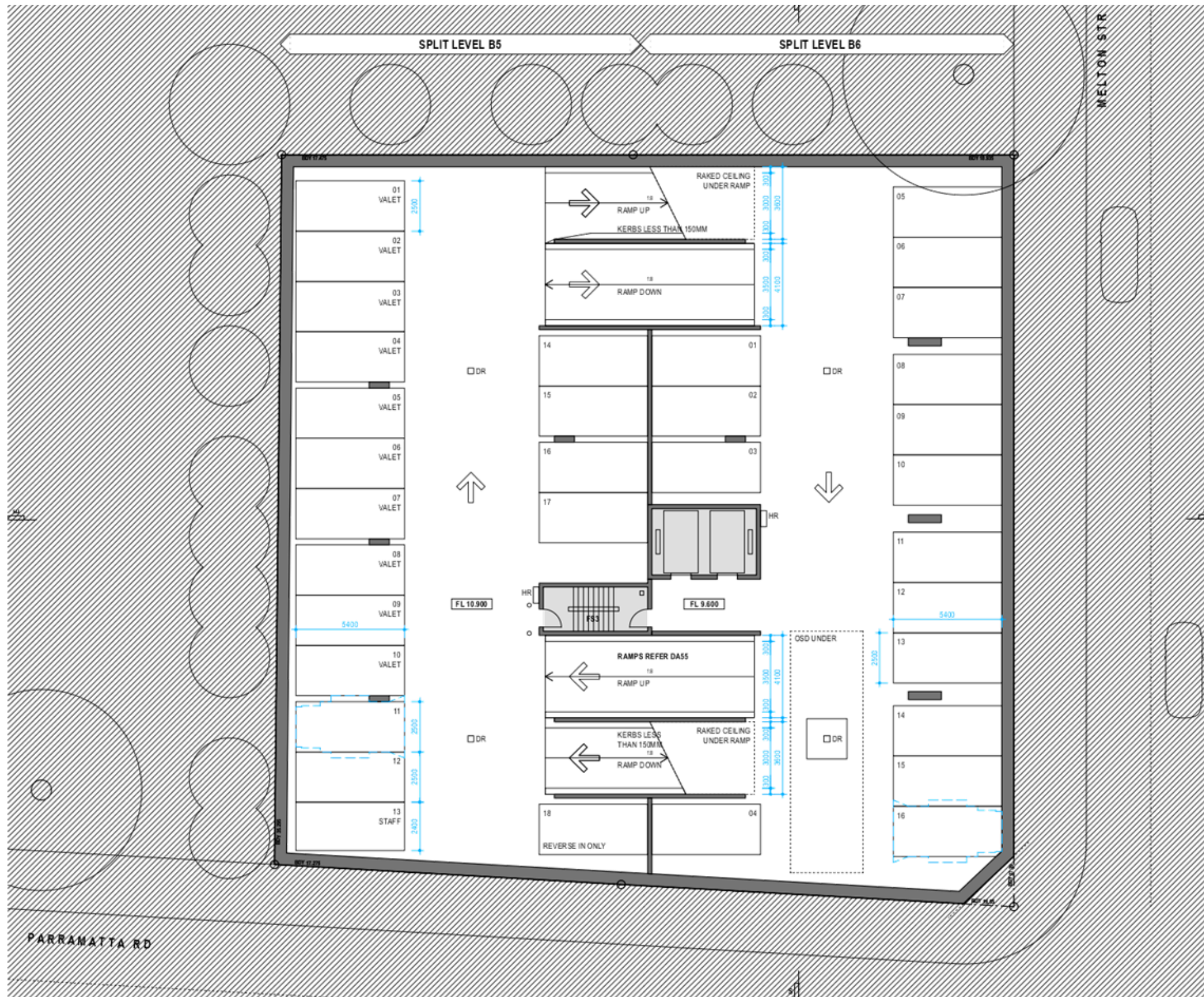
Project **NEW HOTEL**  
Address **147 - 151 PARRAMATTA ROAD, AUBURN**  
Key External Materials

Job **724 MEL**  
Issue **08 01 19**

DA15







ABBREVIATIONS AND SYMBOLS.

<span style="background-color: #ADD8E6; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> HOTEL ACCOMMODATION SINGLE & DUAL-KEY	<span style="background-color: #ADD8E6; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> CIRCULATION CORRIDORS & LIFT LOBBIES
<span style="background-color: #FFD700; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> BACK OF HOUSE INCLUDES MANAGER'S FLAT	<span style="background-color: #FFD700; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> GUEST AMENITY LOBBY, BREAKFAST RM, GYM
<span style="background-color: #A9A9A9; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> SERVICE AREAS STAIR, PLANT, LIFT, RISERS	<span style="background-color: #A9A9A9; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> OPEN AREAS TERRACE, CARPARK

VEHICLE SUMMARY	CARS/VALET	STAFF	ACCESSIBLE	BUS	LOADIN & WAST
LD DOCK				1	3
LG LOBBY/ENTRY	3				
B1 CARPARK	11	1			
B2 CARPARK	7		5		
B3 CARPARK	17	1			
B4 CARPARK	16				
B5 CARPARK	17	1			
B6 CARPARK	16				
TOTAL	87	3	5	1	3
	95 CARS			4 BUS/TRUCK	

KEY TO NOTATION  
DR - DRAIN, GRATE OR SUMP.  
HR - HOSE REEL  
IC - INTERCOM  
RS - ROLLER SHUTTER



**DA21**

**rdo.**

Architect  
4/151 Foveaux Str  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
Reg: 88 66  
rob@rdo.net.au  
www.rdo.net.au

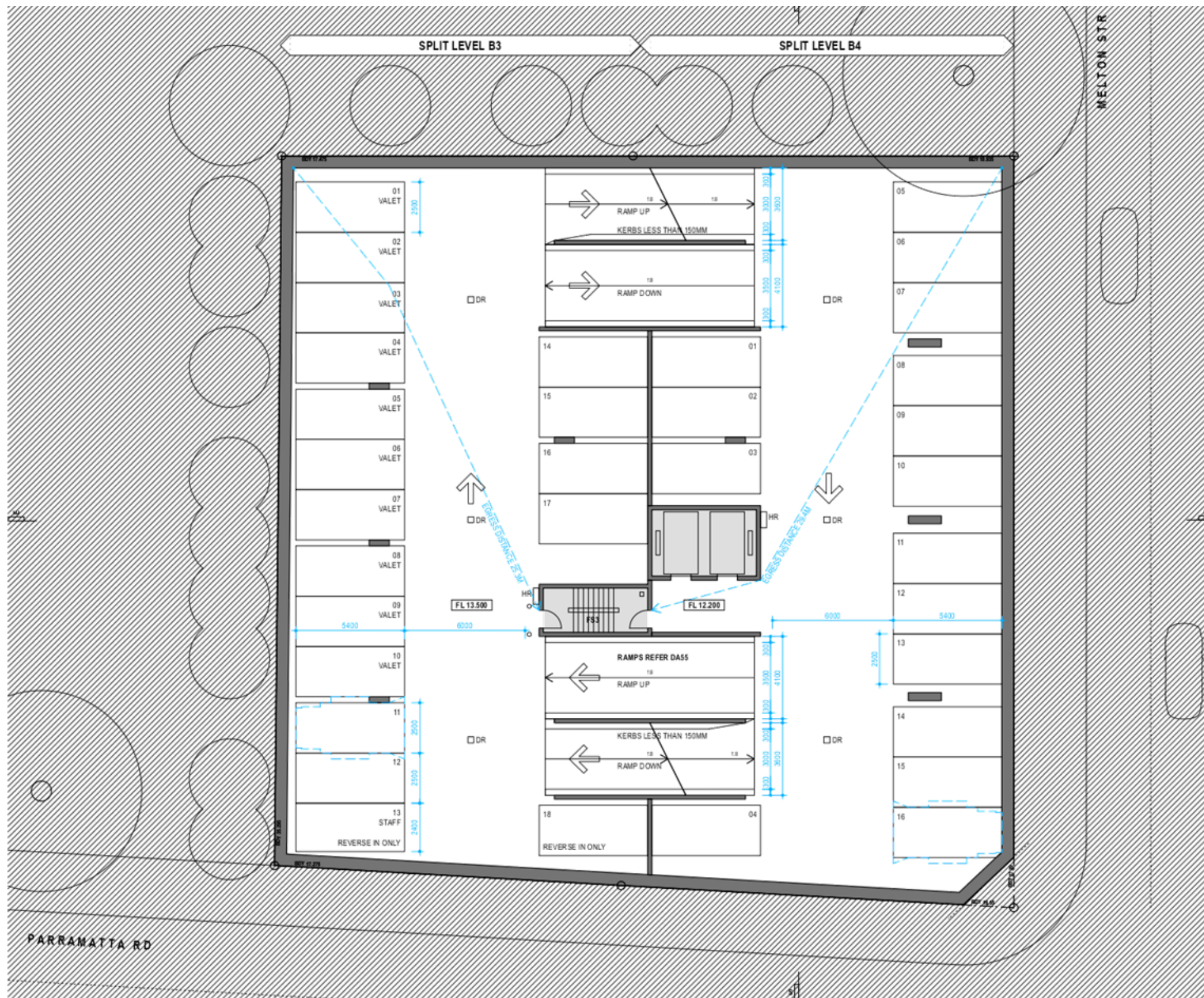
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Project **NEW HOTEL**  
Address **147-151 PARRAMATTA ROAD, AUBURN**  
Title **PI AN - I FVEI R5 & R6**

Job **723 MEL**  
Issue **08 01 19**







ABBREVIATIONS AND SYMBOLS.

<span style="background-color: #ADD8E6; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> HOTEL ACCOMMODATION SINGLE & DUAL-KEY	<span style="background-color: #ADD8E6; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> CIRCULATION CORRIDORS & LIFT LOBBIES
<span style="background-color: #FFD700; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> BACK OF HOUSE INCLUDES MANAGER'S FLAT	<span style="background-color: #FFD700; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> GUEST AMENITY LOBBY, BREAKFAST RM, GYM
<span style="background-color: #808080; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> SERVICE AREAS STAIR, PLANT, LIFT, RISERS	<span style="background-color: #808080; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> OPEN AREAS TERRACE, CARPARK

VEHICLE SUMMARY	CARS/VALET	STAFF ACCESSIBLE	BUS	LOADIN & WAST
LD DOCK			1	3
LG LOBBY/ENTRY	3			
B1 CARPARK	11	1		
B2 CARPARK	7	5		
B3 CARPARK	17	1		
B4 CARPARK	16			
B5 CARPARK	17	1		
B6 CARPARK	16			
TOTAL	87	5	1	3
	95 CARS		4 BUS/TRUCK	

KEY TO NOTATION  
DR - DRAIN, GRATE OR SUMP.  
HR - HOSE REEL  
IC - INTERCOM  
RS - ROLLER SHUTTER.



rdo.

Architect  
4/151 Foveaux Str  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
Reg: 88 66  
rob@rdo.net.au  
www.rdo.net.au

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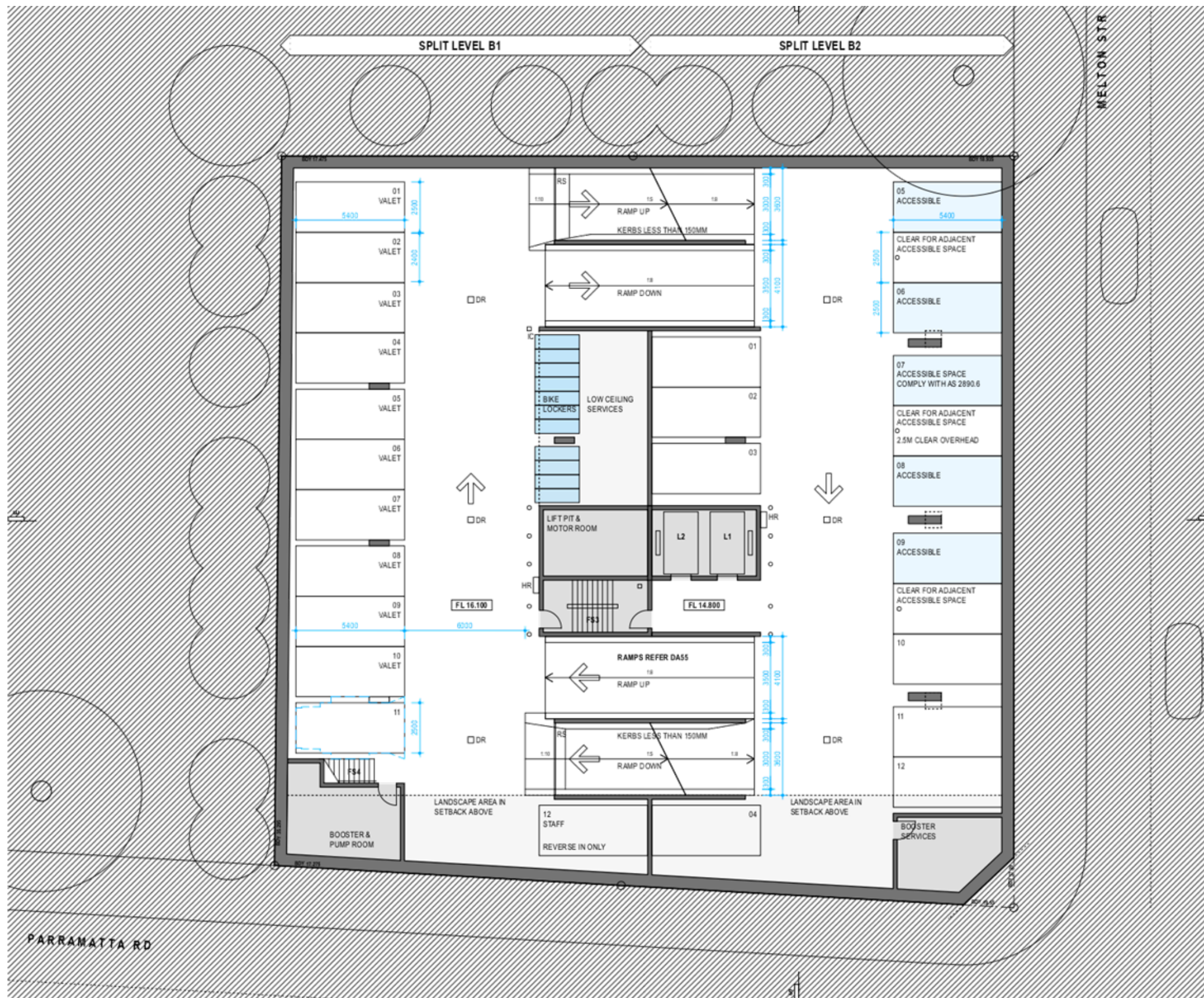
Project **NEW HOTEL**  
Address **147-151 PARRAMATTA ROAD, AUBURN**  
PI AN - I EVFI R3 & R4

Job 723 MEL  
Issue 08 01 19

DA22







ABBREVIATIONS AND SYMBOLS.

<b>HOTEL ACCOMMODATION</b> SINGLE & DUAL-KEY	<b>CIRCULATION</b> CORRIDORS & LIFT LOBBIES
<b>BACK OF HOUSE</b> INCLUDES MANAGER'S FLAT	<b>GUEST AMENITY</b> LOBBY, BREAKFAST RM, GYM
<b>SERVICE AREAS</b> STAIR, PLANT, LIFT, RISERS	<b>OPEN AREAS</b> TERRACE, CARPARK

VEHICLE SUMMARY	CARS/VALET	STAFF	ACCESSIBLE	BUS	LOADIN & WAST
LD DOCK				1	3
LG LOBBY/ENTRY	3				
B1 CARPARK	11	1			
B2 CARPARK	7		5		
B3 CARPARK	17	1			
B4 CARPARK	16				
B5 CARPARK	17	1			
B6 CARPARK	16				
<b>TOTAL</b>	<b>87</b>	<b>3</b>	<b>5</b>	<b>1</b>	<b>3</b>
	<b>95 CARS</b>			<b>4 BUS/TRUCK</b>	

**KEY TO NOTATION**  
DR - DRAIN, GRATE OR SUMP.  
HR - HOSE REEL  
IC - INTERCOM  
RS - ROLLER SHUTTER.



**rdo.**

Architect  
4/151 Foveaux Str  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
Reg: 88 66  
rob@rdo.net.au  
www.rdo.net.au

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PI AN - I EVEL R1 & R2

Job **723 MEL**  
Issue **08 01 19**

**DA23**

E







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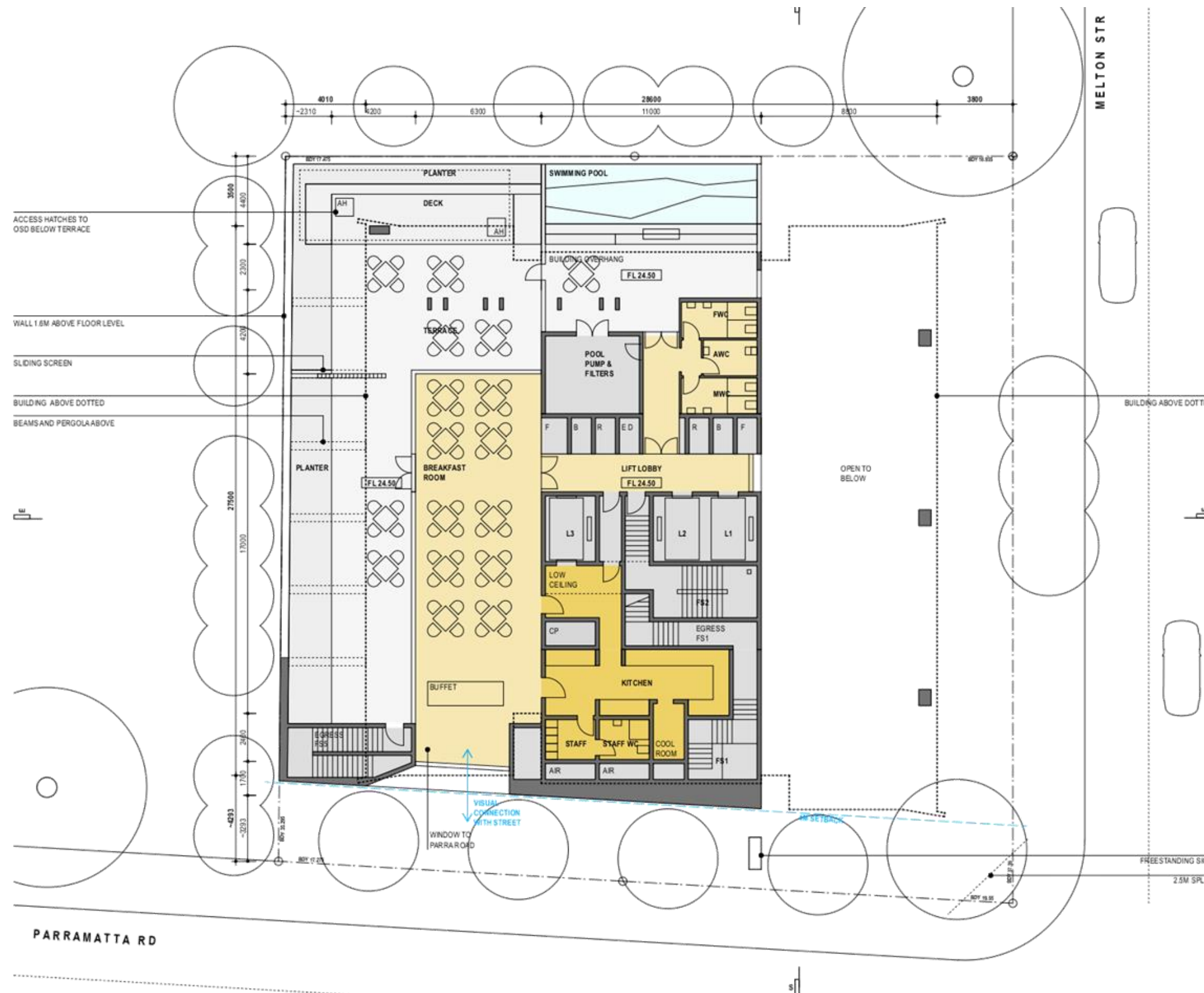
job 723 MEL

---

issue 08 01 19

DA24





ABBREVIATIONS AND SYMBOLS.

<b>HOTEL ACCOMMODATION</b> SINGLE & DUAL-KEY	<b>CIRCULATION</b> CORRIDORS & LIFT LOBBIES
<b>BACK OF HOUSE</b> INCLUDES MANAGER'S FLAT	<b>GUEST AMENITY</b> LOBBY, BREAKFAST RM, QY1
<b>SERVICE AREAS</b> STAIR, PLANT, LIFT, RISERS	<b>OPEN AREAS</b> TERRACE, CARPARK

ROOM SUMMARY	ROOM	DUAL KEY	ACCESS	KEYS	MGR
L7 ROOMS, MGR	6	1	7	1	
L6 ROOMS	16	4	1	19	
L5 ROOMS	16	4	1	19	
L4 ROOMS	16	4	1	19	
L3 ROOMS	16	4	1	19	
L2 ROOMS	16	4	1	19	
L1 GUEST AMENITY					
L0 DOCK					
L9 ENTRY					
<b>TOTAL</b>	<b>86</b>	<b>20</b>	<b>6</b>	<b>102</b>	<b>1</b>
	<b>112 ROOMS</b>				

**KEY TO NOTATION**  
AH - ACCESS HATCH TO OSD  
CP - CAR PARK EXHAUST



**DA25**

**rdo.**

Architect  
4/151 Foveaux Str  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
Reg: 88 66  
rob@rdo.net.au  
www.rdo.net.au

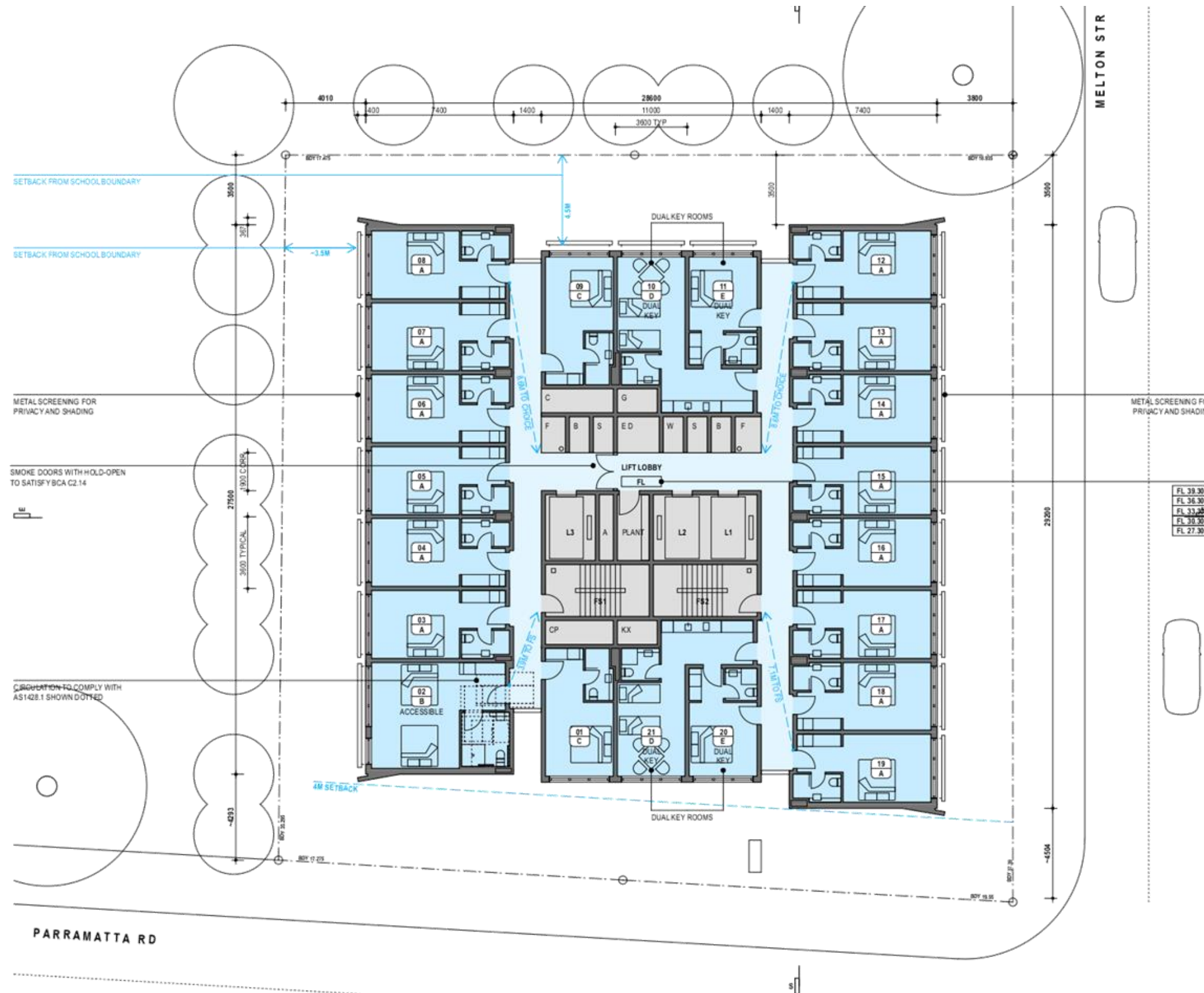
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Project **NEW HOTEL**  
Address **147-151 PARRAMATTA ROAD, AUBURN**  
Drawing Title **PI AN - LEVEL 1**

Job **723 MEL**  
Issue **08 01 19**







ABBREVIATIONS AND SYMBOLS.

<b>HOTEL ACCOMMODATION</b> SINGLE & DUAL-KEY	<b>CIRCULATION</b> CORRIDORS & LIFT LOBBIES
<b>BACK OF HOUSE</b> INCLUDES MANAGER'S FLAT	<b>GUEST AMENITY</b> LOBBY, BREAKFAST RM, GYM
<b>SERVICE AREAS</b> STAIR, PLANT, LIFT, RISERS	<b>OPEN AREAS</b> TERRACE, CARPARK

ROOM SUMMARY	ROOM	DUAL KEY	ACCESS	KEYS	MGR
L7 ROOMS, MGR	6	1	7	1	
L6 ROOMS	15	4	1	19	
L5 ROOMS	15	4	1	19	
L4 ROOMS	15	4	1	19	
L3 ROOMS	15	4	1	19	
L2 ROOMS	15	4	1	19	
L1 GUEST AMENITY					
L0 DOCK					
L-1 ENTRY					
<b>TOTAL</b>	<b>86</b>	<b>20</b>	<b>6</b>	<b>102</b>	<b>1</b>
	112 ROOMS				

KEY TO RISERS

- A - AIRCON COOLANT.
- B - BATHROOM EXHAUST.
- C - CORRIDOR AIR.
- D - DATA & COMMS.
- E - ELECTRICAL.
- F - FIRE EXTINGUISHER & SPRINKLER, FIRE WARDEN POINT.
- G - GARBAGE WASTE ROOM EXHAUST.
- S - SUPPLY AIR.
- W - WATER SUPPLY, WASTE WATER.
- CP - CAR PARK EXHAUST.
- KX - KITCHEN EXHAUST.

FL 39.300
FL 36.300
FL 33.300
FL 30.300
FL 27.300



NORTH

**DA26**

**rdo.**

Architect  
4/151 Foveaux Str  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
Reg: 88 66  
rob@rdo.net.au  
www.rdo.net.au

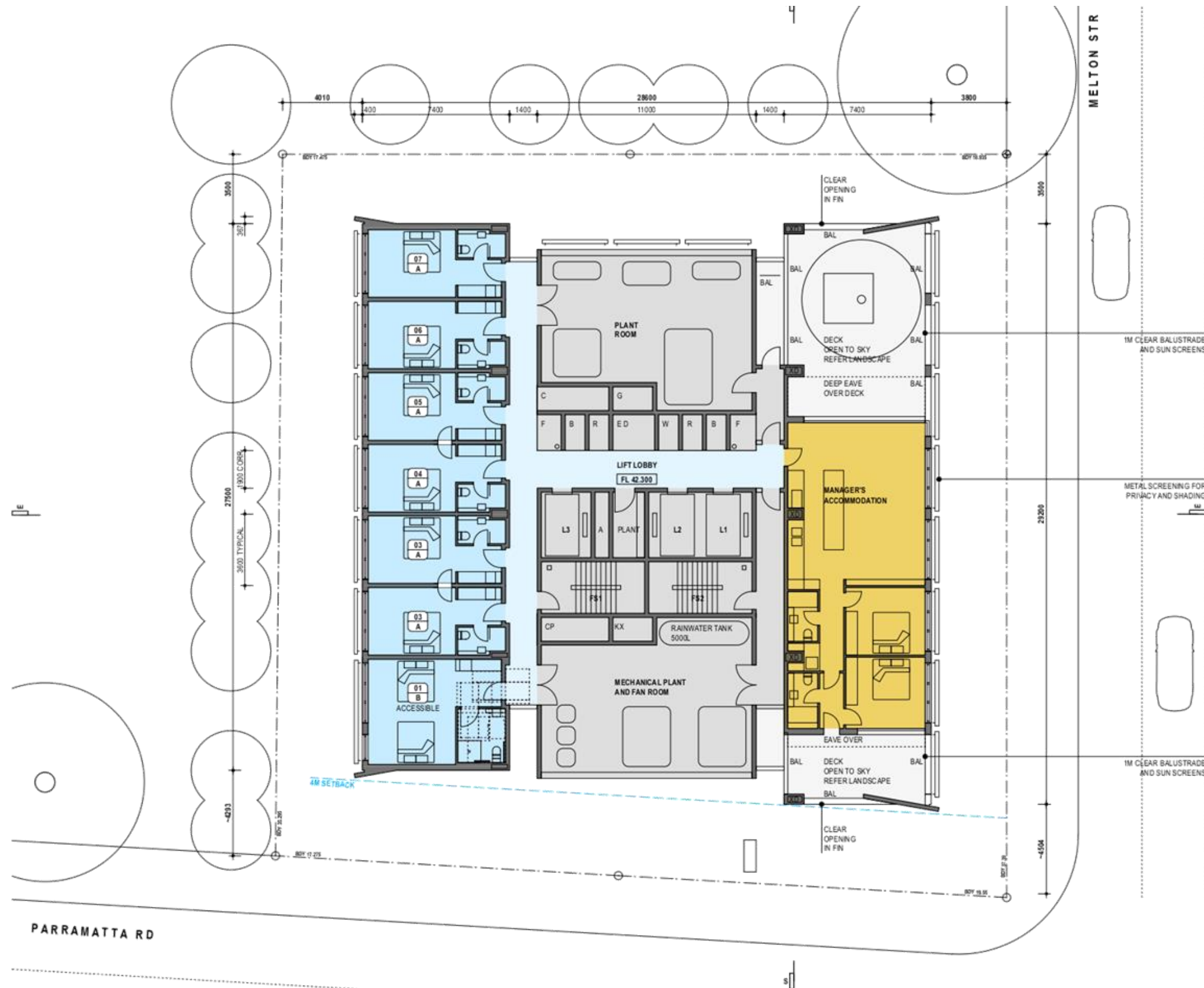
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Project **NEW HOTEL**  
Address **147-151 PARRAMATTA ROAD, AUBURN**  
Plan **PI AN - LEVEL 2 - A**

Job **723 MEL**  
Issue **08 01 19**







ABBREVIATIONS AND SYMBOLS.

<span style="background-color: #ADD8E6; border: 1px solid black; padding: 2px;"> </span> HOTEL ACCOMMODATION SINGLE & DUAL-KEY	<span style="background-color: #ADD8E6; border: 1px solid black; padding: 2px;"> </span> CIRCULATION CORRIDORS & LIFT LOBBIES
<span style="background-color: #FFD700; border: 1px solid black; padding: 2px;"> </span> BACK OF HOUSE INCLUDES MANAGER'S FLAT	<span style="background-color: #FFD700; border: 1px solid black; padding: 2px;"> </span> GUEST AMENITY LOBBY, BREAKFAST RM, QY1
<span style="background-color: #A9A9A9; border: 1px solid black; padding: 2px;"> </span> SERVICE AREAS STAIR, PLANT, LIFT, RISERS	<span style="background-color: #A9A9A9; border: 1px solid black; padding: 2px;"> </span> OPEN AREAS TERRACE, CARPARK

ROOM SUMMARY	ROOM	DUAL KEY	ACCESS	KEYS	MGR
L7 ROOMS, MGR	6	1	1	7	1
L6 ROOMS	16	4	1	19	
L5 ROOMS	16	4	1	19	
L4 ROOMS	16	4	1	19	
L3 ROOMS	16	4	1	19	
L2 ROOMS	16	4	1	19	
L1 GUEST AMENITY					
L0 DOCK					
L9 ENTRY					
<b>TOTAL</b>	<b>86</b>	<b>20</b>	<b>6</b>	<b>102</b>	<b>1</b>
	112 ROOMS				

KEY TO RISERS

A - AIRCON COOLANT.  
B - BATHROOM EXHAUST.  
C - CORRIDOR AIR.  
D - DATA & COMMS.  
E - ELECTRICAL.  
F - FIRE EXTINGUISHER & SPRINKLER, FIRE WARDEN POINT.  
G - GARBAGE WASTE ROOM EXHAUST.  
S - SUPPLY AIR.  
W - WATER SUPPLY, WASTE WATER.  
CP - CARPARK EXHAUST.  
KX - KITCHEN EXHAUST.  
XD - EXHAUST DUCT.

BAL - BALUSTRADE, 1000H, COMPLY WITH BCA.



DA27

rdo.

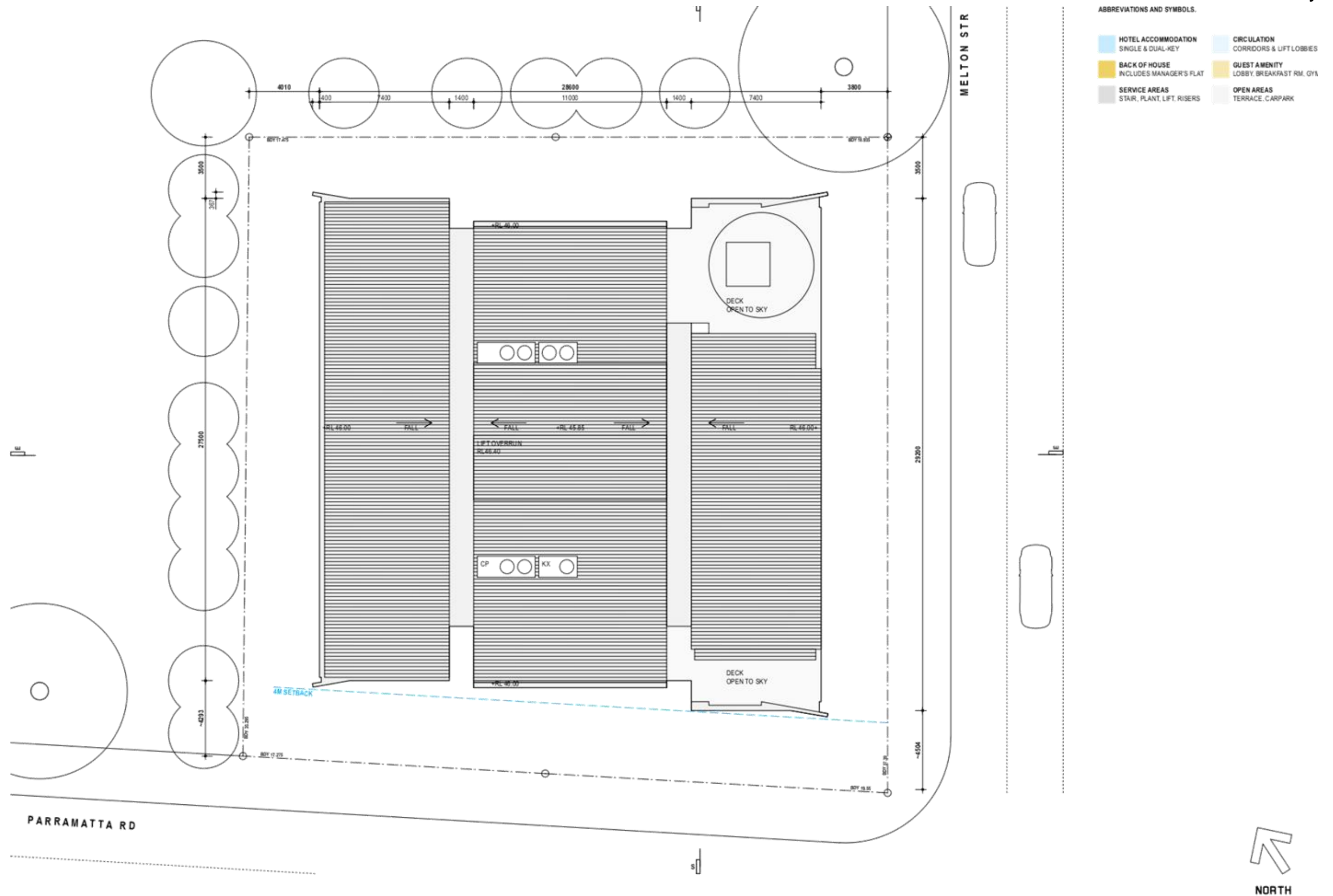
Architect  
4/151 Foveaux Str  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
Reg: 88 66  
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Address **147-151 PARRAMATTA ROAD, AUBURN**  
PI AN - I EVEL 7

Job **723 MEL**  
Issue **08 01 19**



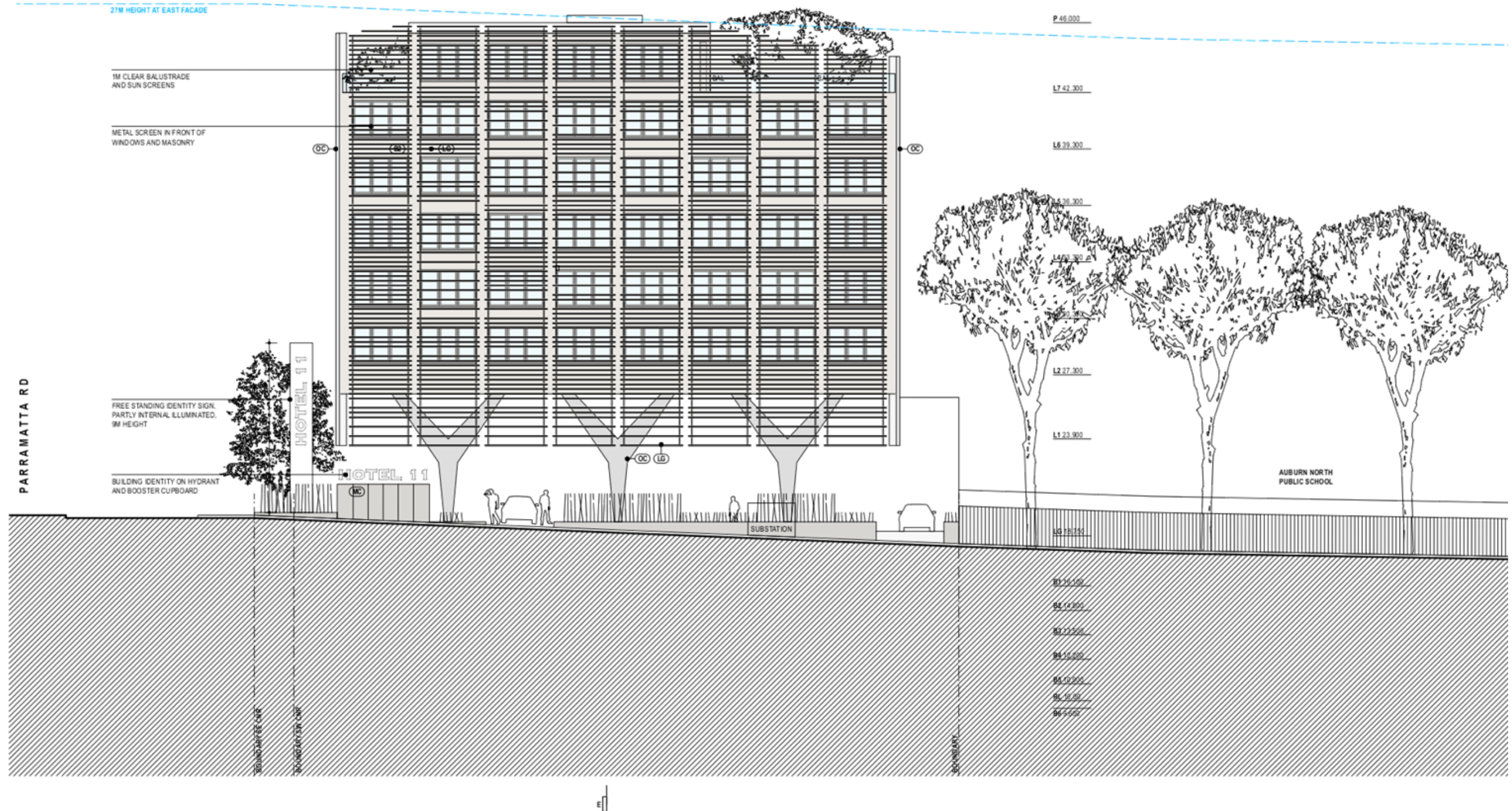






REFER TO APPENDIX 1 FOR GENERAL NOTES, COMPLIANCE NOTES AND KEY TO ABBREVIATIONS AND SYMBOLS.

- (B1) BRICKWORK, PRESSED.
- (B2) BRICKWORK, GLAZED.
- (LG) LOUVRE GRILLE, POWERCOATED.
- (OC) OFF-FORM CONCRETE.
- (P1) PAINT & POWDERCOAT COLOUR.



**rdo.**

Architect  
4/151 Foveaux Str  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
Reg: 88 66  
rob@rdo.net.au

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job 723 MEL  
issue 08 01 19

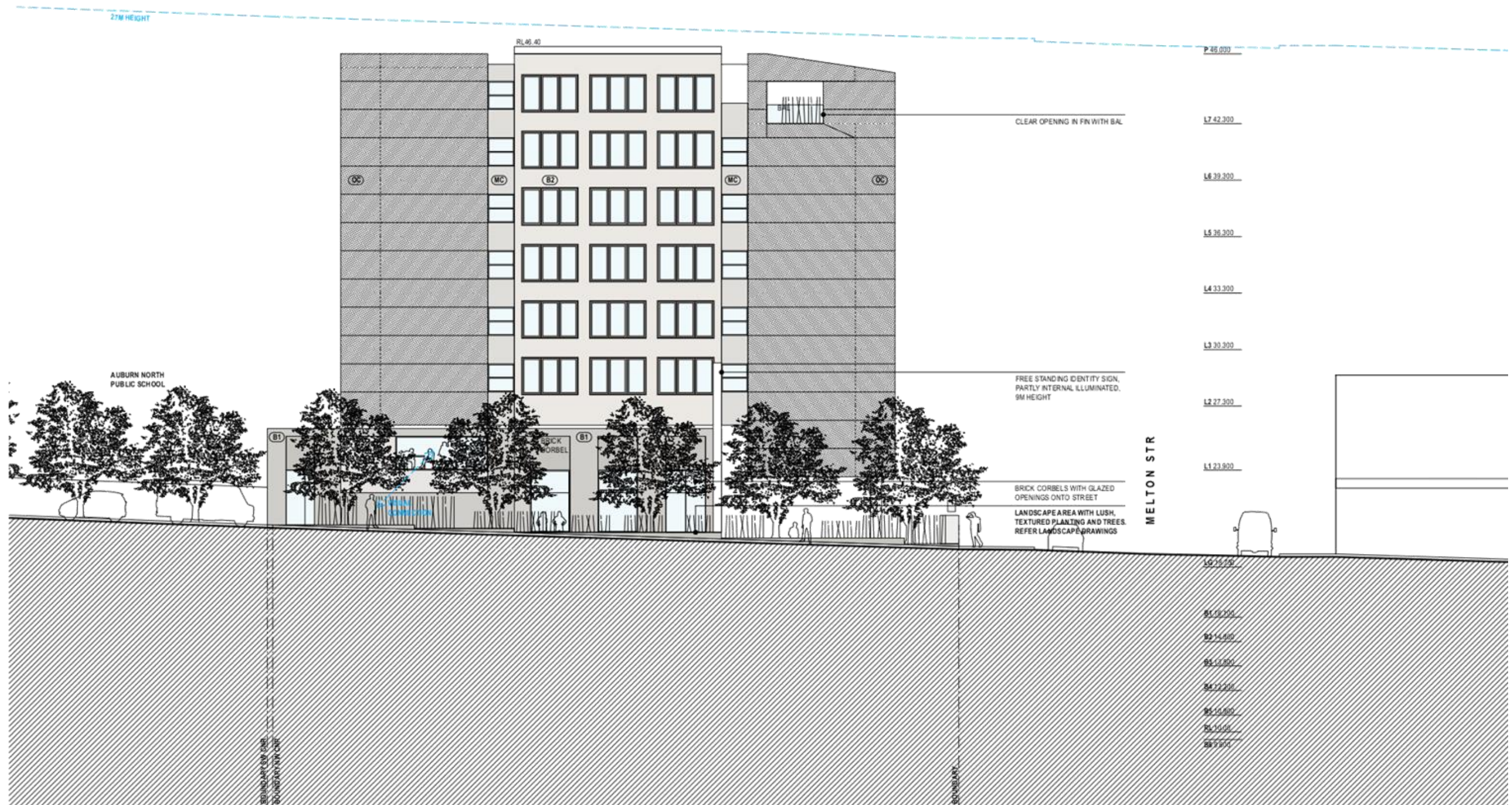
**DA31**





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- (OC) OFF-FORM CONCRETE.
- (P1) PAINT & POWDERCOAT COLOUR.



**rdo.**

Architect  
4/151 Foveaux Str  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
Reg: 88 66  
rob@rdo.net.au

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job 723 MEL  
issue 08 01 19

**DA32**

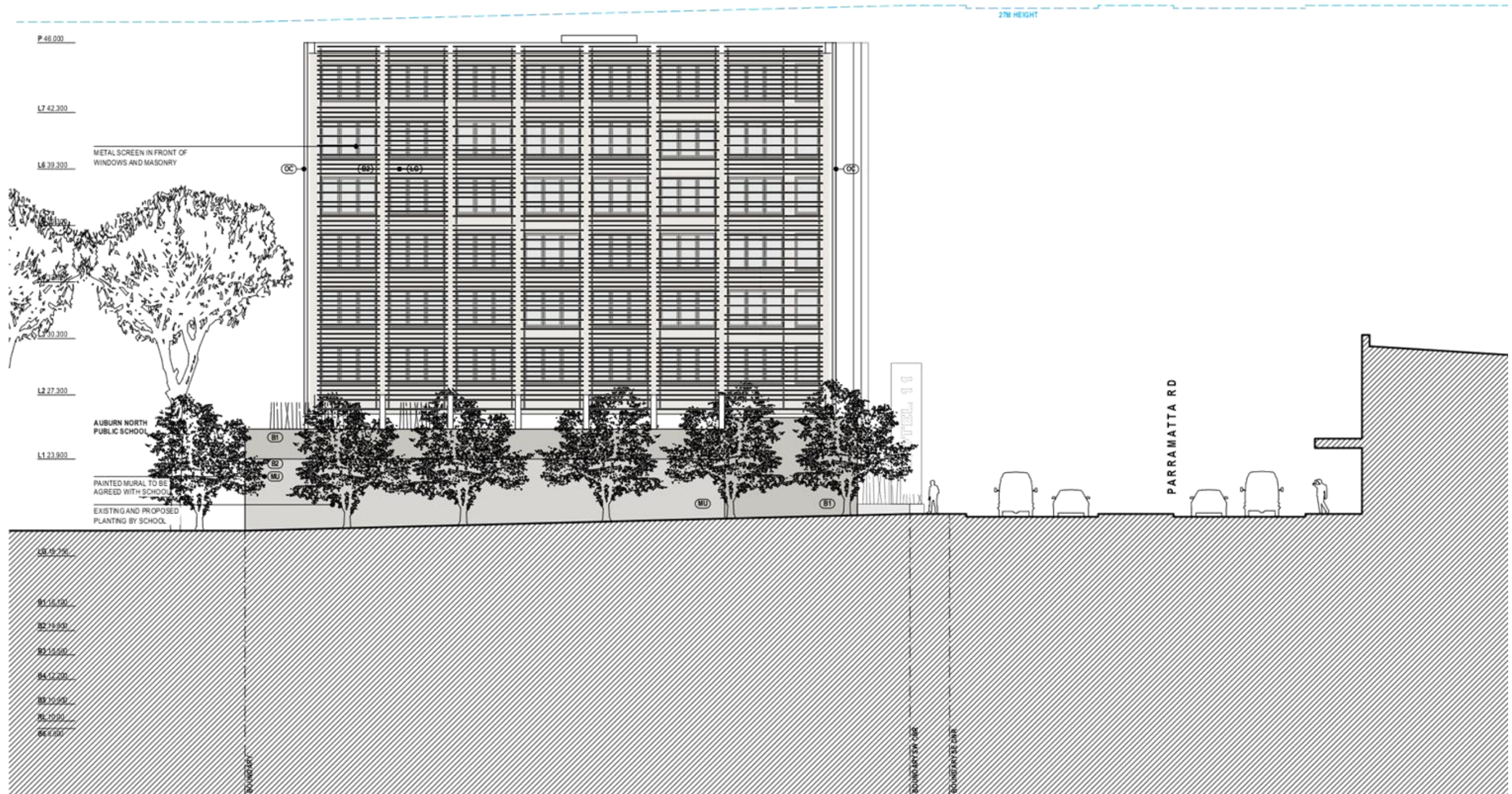






REFER TO APPENDIX 1 FOR GENERAL NOTES, COMPLIANCE NOTES AND KEY TO ABBREVIATIONS AND SYMBOLS.

- (B1) BRICKWORK, PRESSED.
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- (OC) OFF-FORM CONCRETE.
- (P1) PAINT & POWDERCOAT COLOUR.



**rdo.**

Architect  
4/151 Foveaux Str  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
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job 723 MEL  
issue 08 01 19

**DA33**

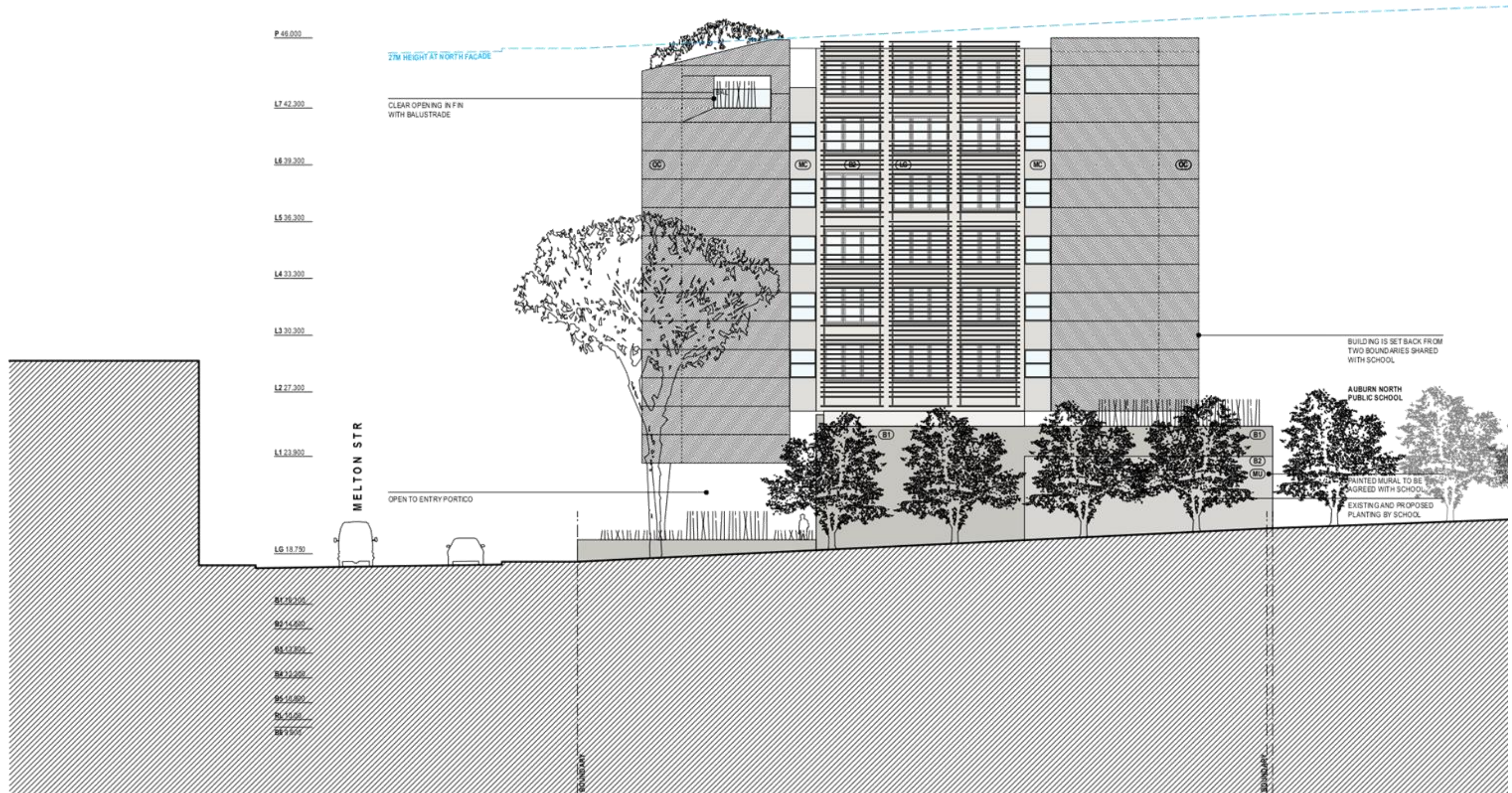






REFER TO APPENDIX 1 FOR GENERAL NOTES, COMPLIANCE NOTES AND KEY TO ABBREVIATIONS AND SYMBOLS.

- (B1) BRICKWORK, PRESSED.
- (B2) BRICKWORK, GLAZED.
- (LG) LOUVRE GRILLE, POWERCOATED.
- (OC) OFF-FORM CONCRETE.
- (P1) PAINT & POWDERCOAT COLOUR.



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Architect  
4/151 Foveaux Str  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
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robgrdo.net.au

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Project **NEW HOTEL**  
Address **147-151 PARRAMATTA ROAD, AUBURN**

job **723 MEL**  
issue **08 01 19**

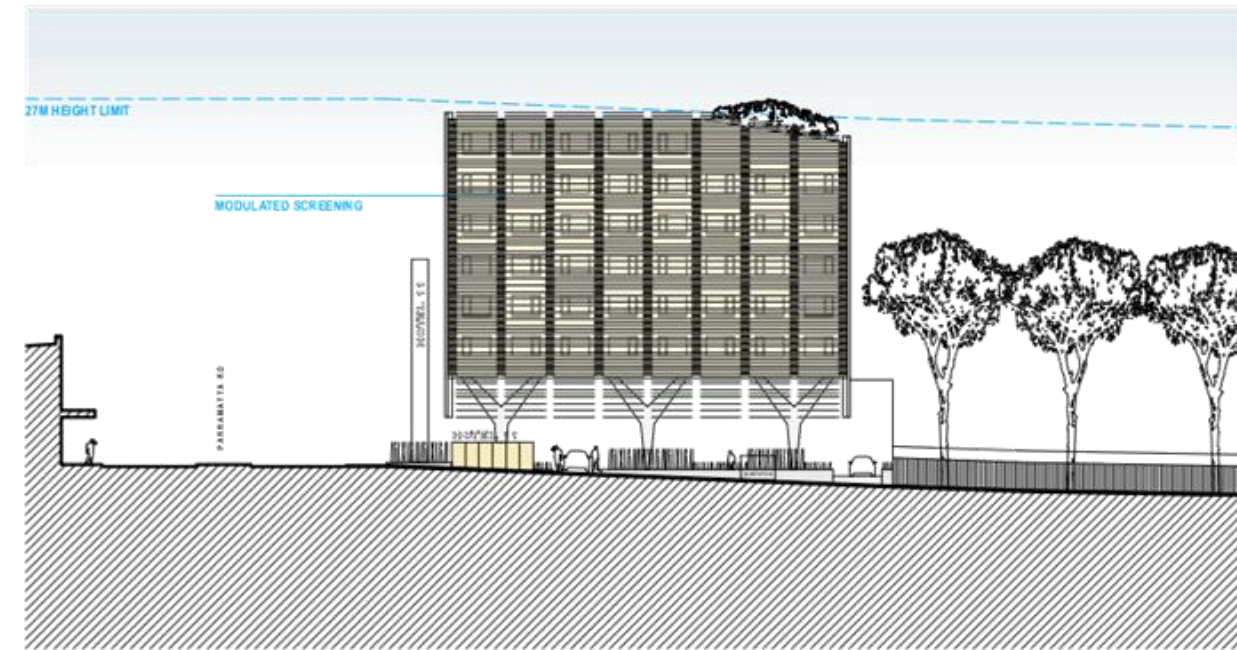
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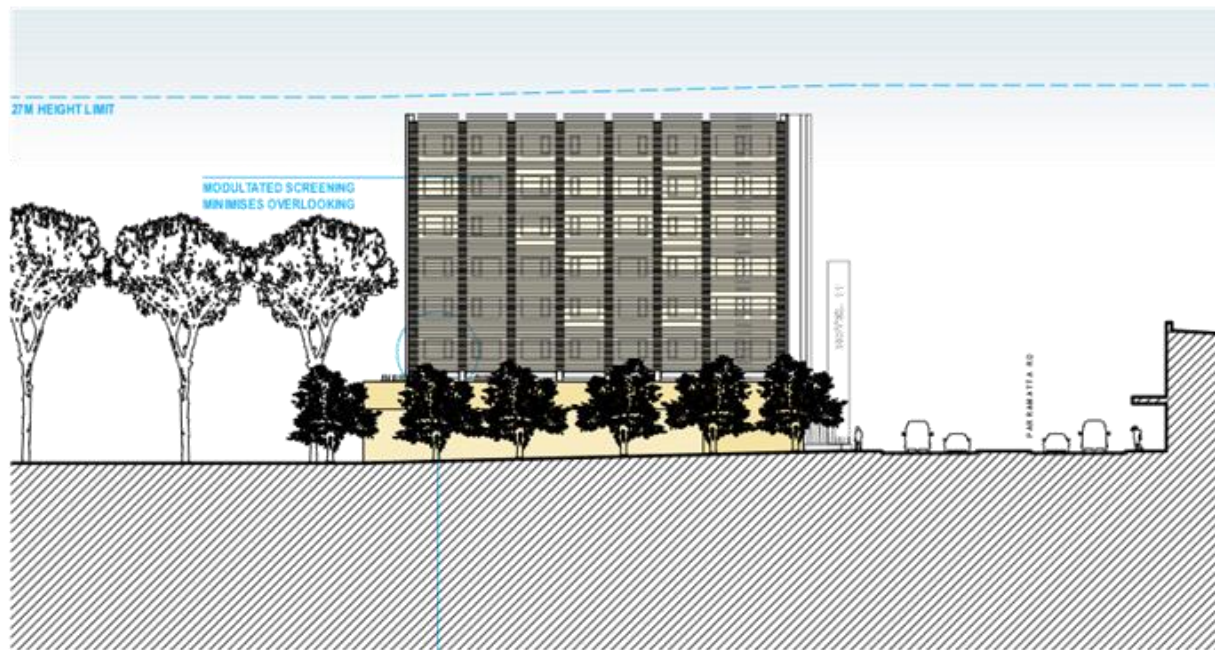




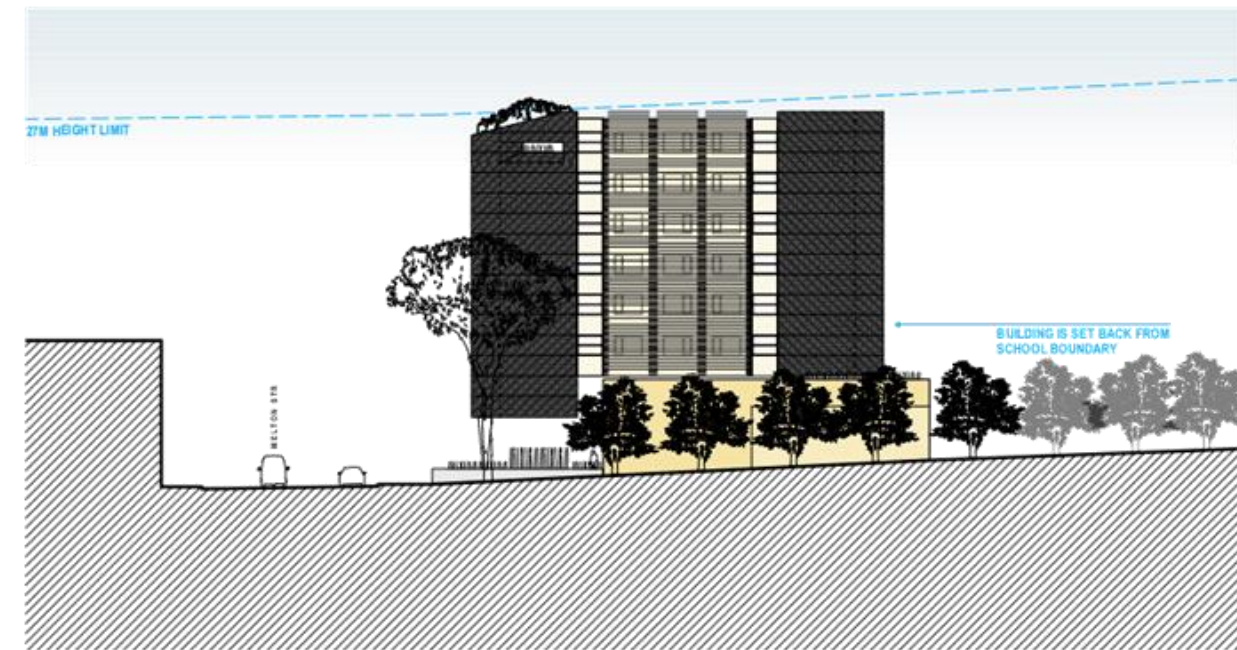
**SOUTH ELEVATION (PARRAMATTA ROAD)**



**EAST ELEVATION (MELTON STREET)**



**WEST ELEVATION**



**NORTH ELEVATION**

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Rob Design Office  
4/151 Foveaux Str  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
Reg: 88 66  
rob@rdo.net.au  
www.rdo.net.au

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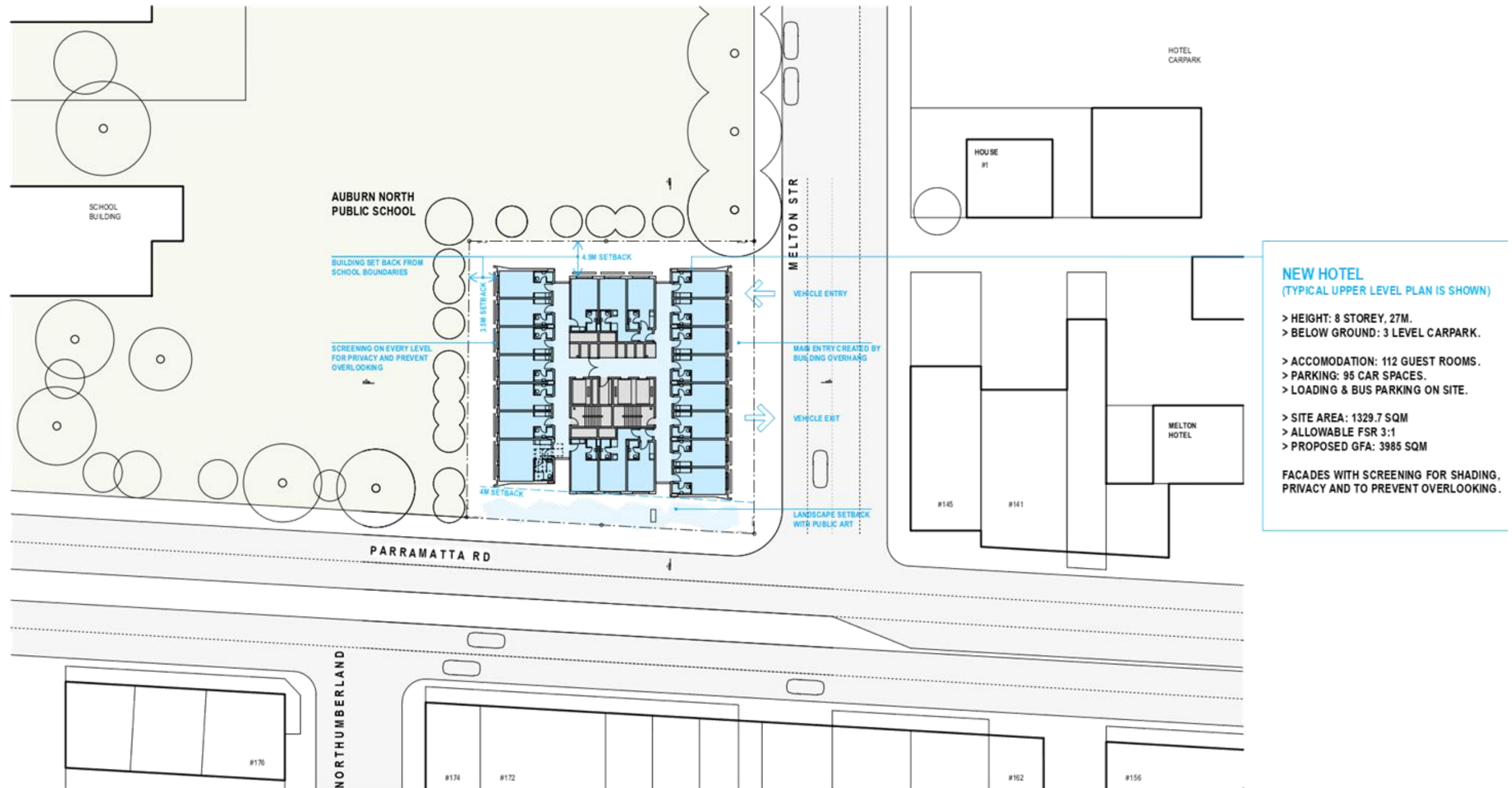
Project **NEW HOTEL**  
Address **147 - 151 PARRAMATTA ROAD, AUBURN**  
Drawing Title **STREETSCAPE ELEVATIONS**

Job **724 MEL**  
Issue **04 12 17**

**DA14**







**rdo.**

Rob Design Office  
4/151 Foveaux Str  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
Reg: 88 66  
rob@rdo.net.au  
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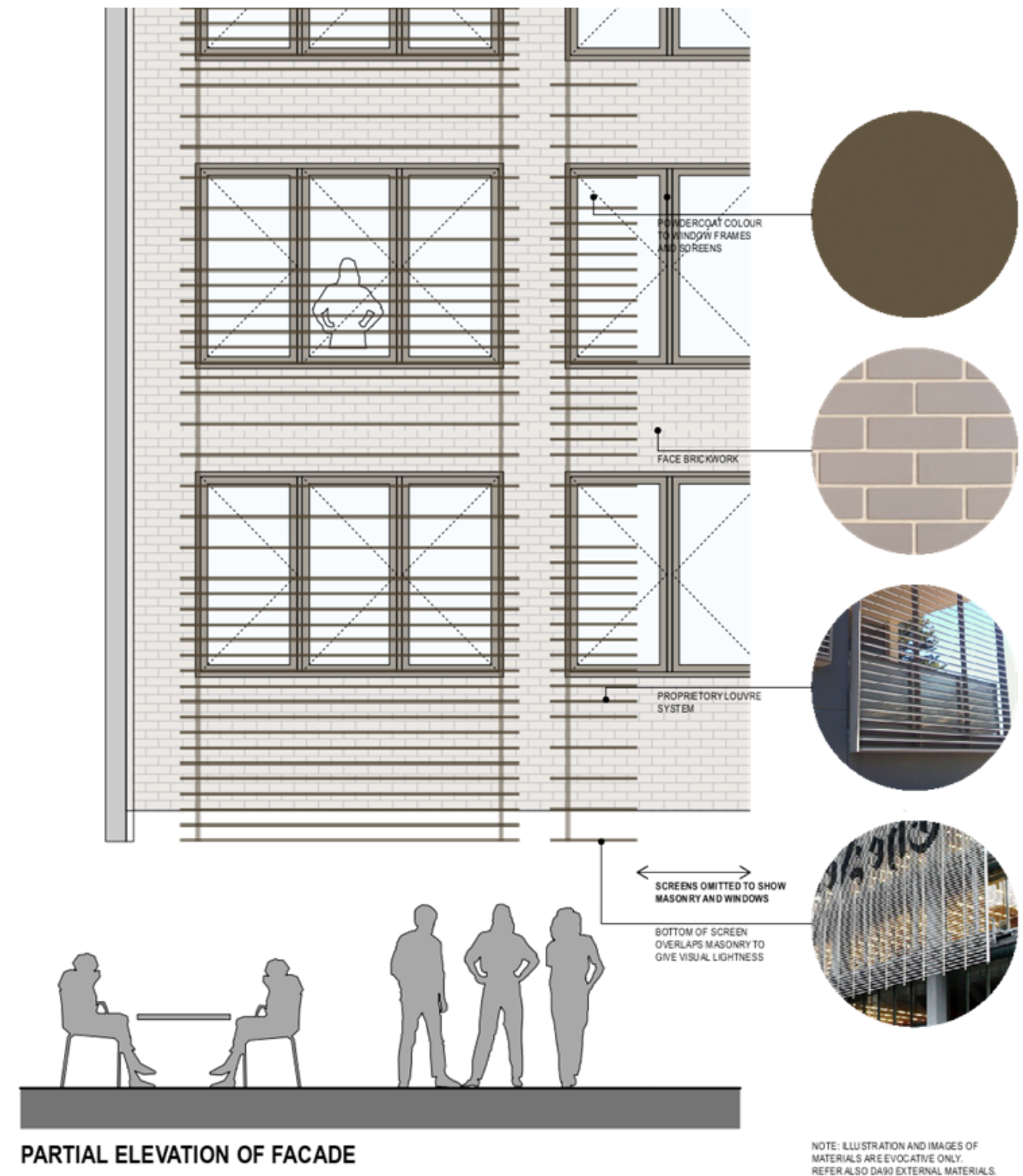
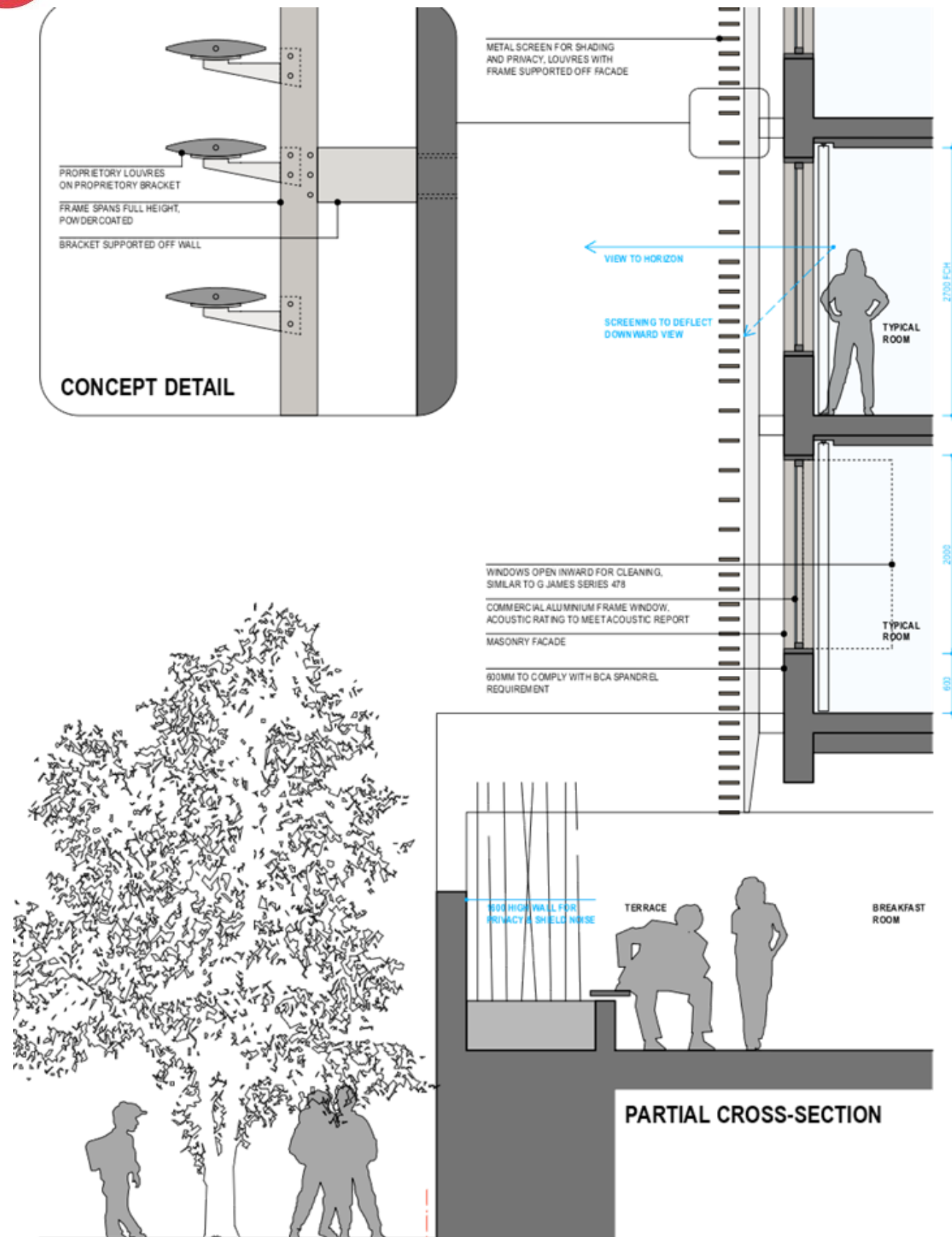
Project **NEW HOTEL**  
Address **147 - 151 PARRAMATTA ROAD, AUBURN**  
Title **SITE PLAN**

Job **724 MEL**  
Issue **04 12 17**

**DA13**







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Rob Design Office  
4/151 Foveaux Street  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
Reg: 88 66  
rob@rdo.net.au  
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Project **NEW HOTEL**

Address **147 - 151 PARRAMATTA ROAD, AUBURN**

Draw Title **FACADE & SCREENING CONCEPT**

Job **724 MEL**

Issue **08 01 19**

**DA17**

E



## CUT/FILL/RETAINING

ALL WORK TO STRUCTURAL ENGINEER'S FUTURE DETAIL.

SITE EXCAVATION & RETAINING - ANTICIPATED 4500mm PILES AROUND PERIMETER OF SITE, APPROX 75MM CLEAR OF BOUNDARY, SHOT BLAST CONCRETE TO INTERNAL FACE, 500MM CAPPING BEAM ALONG TOP OF PILES.

## MECHANICAL

ALL WORK TO MECHANICAL ENGINEER'S FUTURE DETAIL.

**AIR CONDITIONING** - SPLIT SYSTEM UNITS IN EACH ROOM, COOLANT LINES FROM ROOF, SPLIT SYSTEM COMPRESSORS ON L7 IN PLANT ROOMS.

**BATHROOM EXHAUST** - EXHAUST VIA DUCT TO ROOF OR VIA FACADE VENT CONCEALED BY GRILLES.

**CORRIDOR & SUPPLY AIR** - INTAKE FROM L1 OR VIA FACADE, CONCEALED BY GRILLE, MINIMUM 800MM FROM EXHAUST.

**WASTE ROOM EXHAUST** - EXHAUST VIA DUCT TO ROOF.

**CAR PARK EXHAUST** - EXHAUST VIA DUCT TO ROOF.

**KITCHEN EXHAUST** - EXHAUST VIA DUCT TO ROOF, CAPACITY TO SUIT COOKING REQUIREMENTS.

## GENERAL NOTES

### GENERAL NOTES

ALL WORK SHALL BE FULLY WITHIN THE PROPERTY BOUNDARY. CONFIRM BOUNDARY BY SURVEY PRIOR TO CONSTRUCTION.

### EXISTING STRUCTURES

LOCATION OF EXISTING STRUCTURE AND NEIGHBOURING BUILDINGS IS SHOWN APPROXIMATE. CONFIRM ALL DIMENSIONS ON SITE PRIOR TO WORK.

**CONSULTANT AND ENGINEERING INFORMATION**  
REFER ALSO ENGINEER AND CONSULTANT INFORMATION.

REFER (OR OBTAIN) ENGINEER DETAILS FOR ALL STRUCTURAL WORK, SUPPORTING WALLS AND MODIFICATIONS, INCLUDING DEMOLITION, EXCAVATION, GROUND PREPARATION, DRAINAGE, SLABS, WALLS, CAVITIES, FRAMING AND STORMWATER.

### SERVICES (HYDRAULIC, ELECT, MECH & EMERGENCY)

LOCATION AND FORM OF EXISTING SERVICES TO BE DETERMINED BY CONTRACTOR.

ALL NEW & MODIFIED SERVICES TO ENGINEER DETAILS. LOCATION OF VISIBLE SERVICES TO BE AGREED WITH ARCHITECT. INTEGRATE NEW & EXISTING EMERGENCY AND OTHER SYSTEMS THROUGHOUT ENTIRE BUILDING.

### COMPLY WITH BUILDING CODES

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH BCA, RELEVANT AUST STANDARDS, CONSENT CONDITIONS AND BEST PRACTICE.

LOH - LIFT OFF HINGES TO WC DOORS.

MECHANICAL VENTILATION - TO BATHROOMS AND LAUNDRY.

SMOKE ALARM & DETECTION - INTERGRATE INTO EXISTING SYSTEM AND/OR UPGRADE TO COMPLY WITH BCA.

### WALLS AND WINDOWS NEAR BOUNDARY

ALL CONSTRUCTION NEAR BOUNDARY SHALL BE FIRE RESISTANT CONSTRUCTION TO MEET BCA REQUIREMENTS.

WINDOWS CLOSE TO BOUNDARY SHALL BE PROTECTED IN ACCORDANCE WITH BCA, INCLUDING WITH EXTERNAL WALL WETTING SPRINKLER.

**GLAZING** - COMPLY WITH AS1288, AS2047 & BCA PART J2, TO FACADE ENGINEER DETAILS.

**DOORS** - OPERATION, HEIGHT AND AND ARRANGEMENT OF LATCHES AND LOCKING TO COMPLY WITH BCA D2.21.

**ACCESS HATCHES** - FLUSH FINISHED HATCHES WITH SET EDGES.

**EXIT PATHS** - COMPLY WITH BCA D1.6, MAINTAIN 1M CLEAR OF OBSTRUCTIONS.

**FIRE STAIRS** - NO PROPOSED WORK IN FIRE STAIRS.

**FIRE HAZARD PROPERTIES** - FLOORS, WALLS & CEILING MATERIAL TO COMPLY WITH BCA C1.10 AND SPEC C1.10.


**FSD - FAIL SAFE DEVICES** - WHERE REQUIRED, RELEASE ACTIVATED BY BUILDING ALARM AND DETECTION SYSTEM.

**ACCESSIBILITY** - DISABLED ACCESS, FACILITIES AND CIRCULATION SHALL COMPLY WITH BCA D3, AS1428.1

**PAINTING** - PAINT ALL NEW AND EXISTING SURFACES IN ROOMS, CORRIDORS AND BACK OF HOUSE AREAS, INCLUDING DOORS, DOOR FRAMES, SKIRTINGS AND CEILINGS.

## NOTATION


### KEY TO SYMBOLS

 UNIT NUMBER AND TYPE.  
REFER INDIVIDUAL UNIT LAYOUTS.

### PROPOSED & EXISTING

 EXISTING WALLS

 DEMOLISHED WALLS

 NEW WALL - MASONRY OR FRAMED & LINED

### EXTERNAL MATERIALS

REFER ALSO MATERIALS & FINISHES PAGES.

 BRICKWORK, PRESSED.

 BRICKWORK, GLAZED.

 LOUVRE GRILLE, POWDERCOATED.

 OFF-FORM CONCRETE.

 PAINT & POWDERCOAT COLOUR.

### KEY TO ABBREVIATIONS

IC - INTERCOM.  
RS - ROLLER SHUTTER.

### KEY TO RISERS

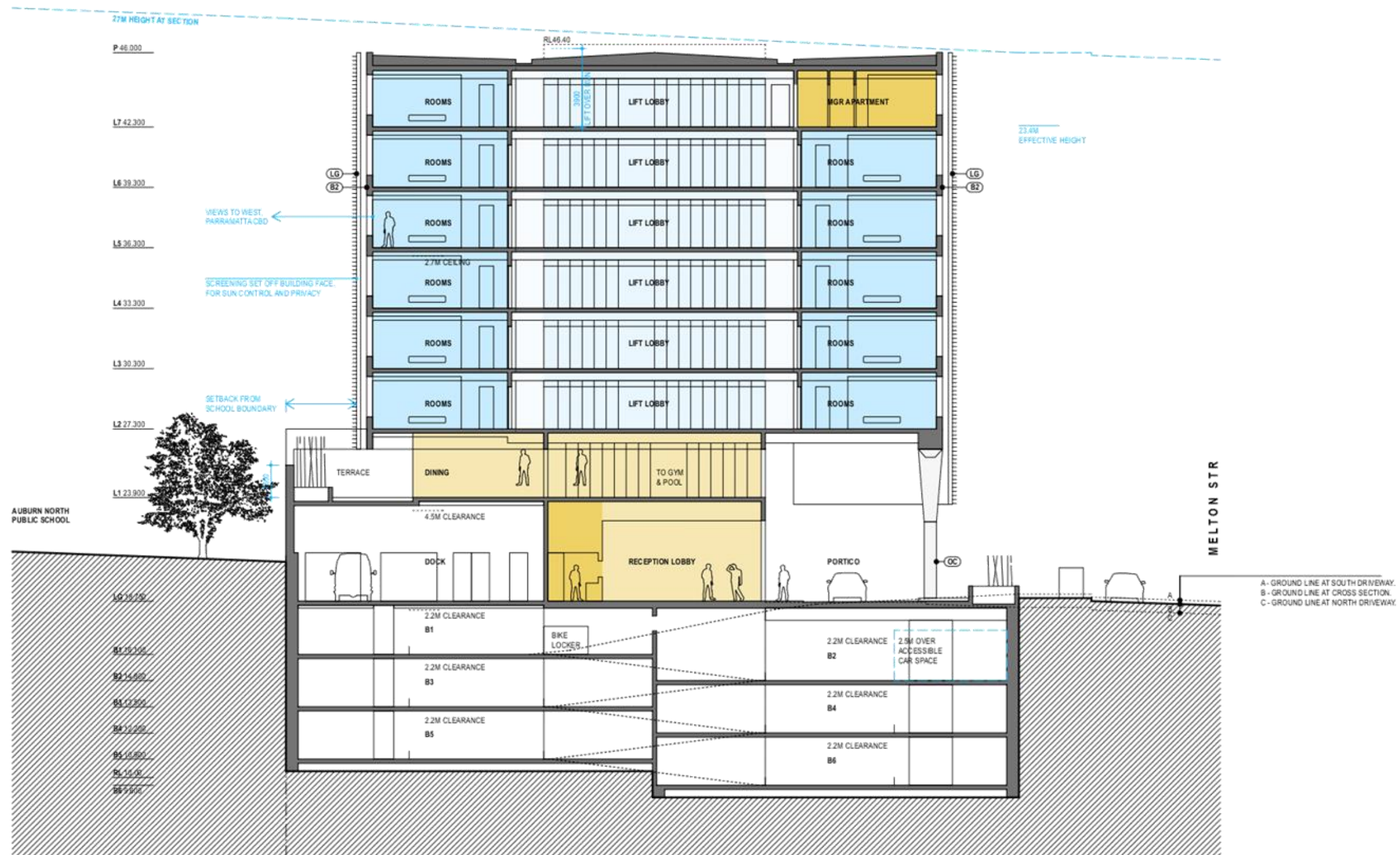
A - AIRCON COOLANT.  
B - BATHROOM EXHAUST.  
C - CORRIDOR AIR.  
D - DATA & COMMS.  
E - ELECTRICAL.  
F - FIRE EXTINGUISHER & SPRINKLER, FIRE WARDEN POINT.  
G - GARBAGE WASTE ROOM EXHAUST.  
S - SUPPLY AIR.  
W - WATER SUPPLY, WASTE WATER.  
CP - CAR PARK EXHAUST  
KK - KITCHEN EXHAUST.





ABBREVIATIONS AND SYMBOLS.

<span style="background-color: #ADD8E6; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> HOTEL ACCOMMODATION SINGLE & DUAL-KEY	<span style="background-color: #ADD8E6; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> CIRCULATION CORRIDORS & LIFT LOBBIES
<span style="background-color: #FFD700; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> BACK OF HOUSE INCLUDES MANAGER'S FLAT	<span style="background-color: #FFD700; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> GUEST AMENITY LOBBY, BREAKFAST RM, GYM
<span style="background-color: #A9A9A9; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> SERVICE AREAS STAIR, PLANT, LIFT, RISERS	<span style="background-color: #A9A9A9; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> OPEN AREAS TERRACE, CARPARK



**rdo.**

Architect  
4/151 Foveaux Str  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
Reg: 88 66  
rob@rdo.net.au  
www.rdo.net.au

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Address **147-151 PARRAMATTA ROAD, AUBURN**  
Title **CROSS SECTION (AT GRID F)**







Job **723 MEL**  
Issue **08 01 19**

**DA35**

**E**





 <b>HOTEL ACCOMMODATION</b> SINGLE & DUAL-KEY	 <b>CIRCULATION</b> CORRIDORS & LIFT LOBBIES
 <b>BACK OF HOUSE</b> INCLUDES MANAGER'S FLAT	 <b>GUEST AMENITY</b> LOBBY, BREAKFAST RM., GYM
 <b>SERVICE AREAS</b> STAIR, PLANT, LIFT, RISERS	 <b>OPEN AREAS</b> TERRACE, CARPARK

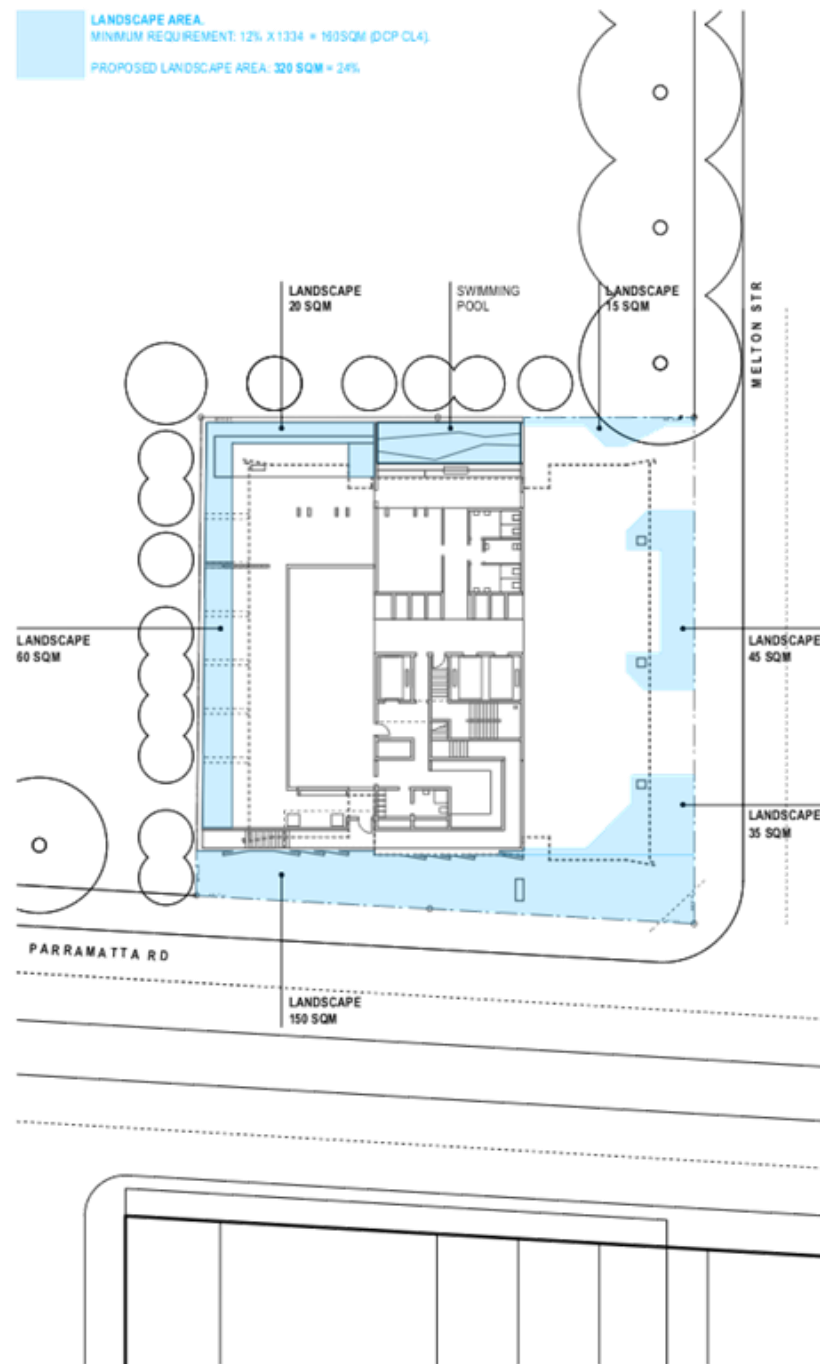


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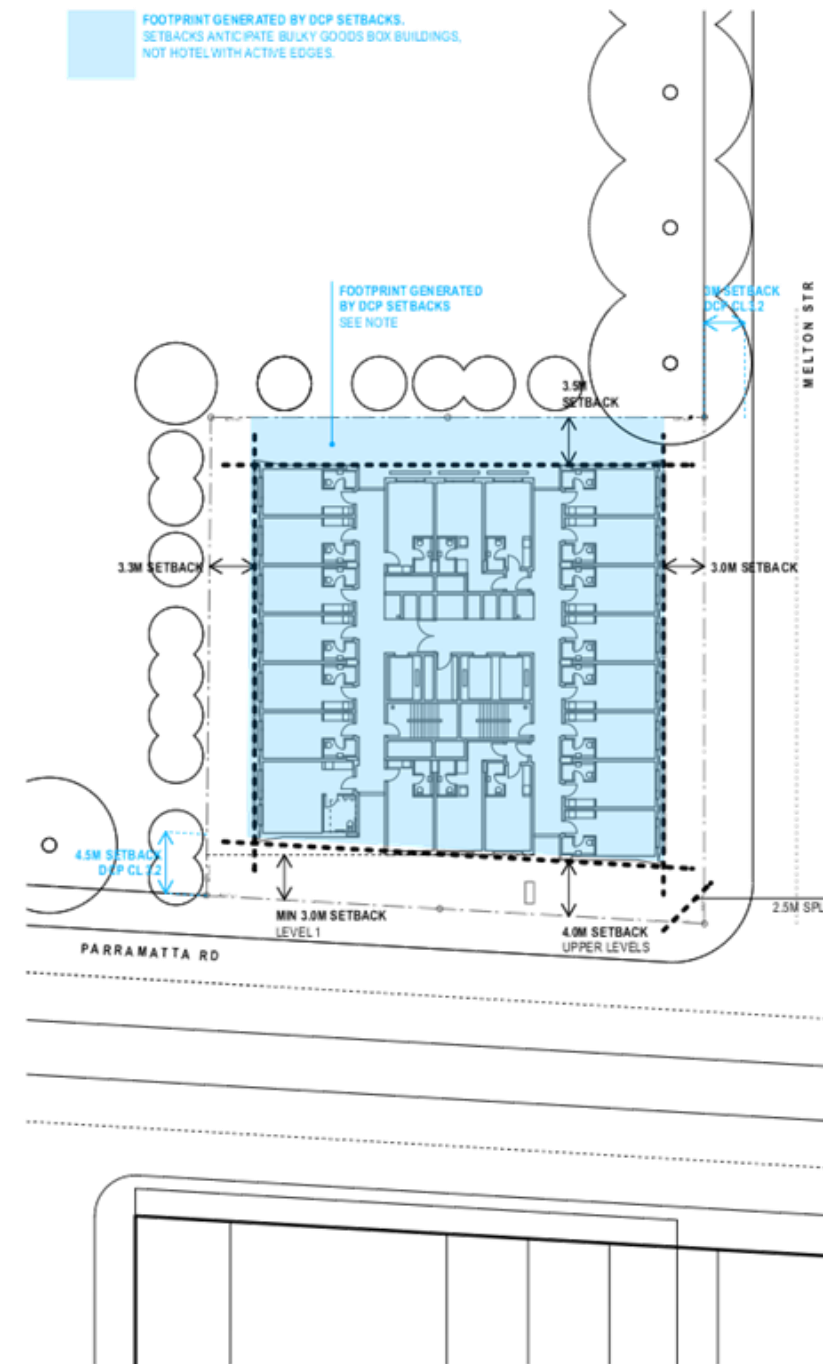
job 723 MEL  
issue 08 01 19

DA36





**LANDSCAPE SUMMARY**



**SETBACKS SUMMARY**



**rdo.**

Rob Design Office  
4/151 Foveaux Str  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
Reg: 88 66  
rob@rdo.net.au  
www.rdo.net.au

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Project **NEW HOTEL**

Address **147 - 151 PARRAMATTA ROAD, AUBURN**

Draw Title **LANDSCAPE & SETBACK SUMMARY**

Job **724 MEL**

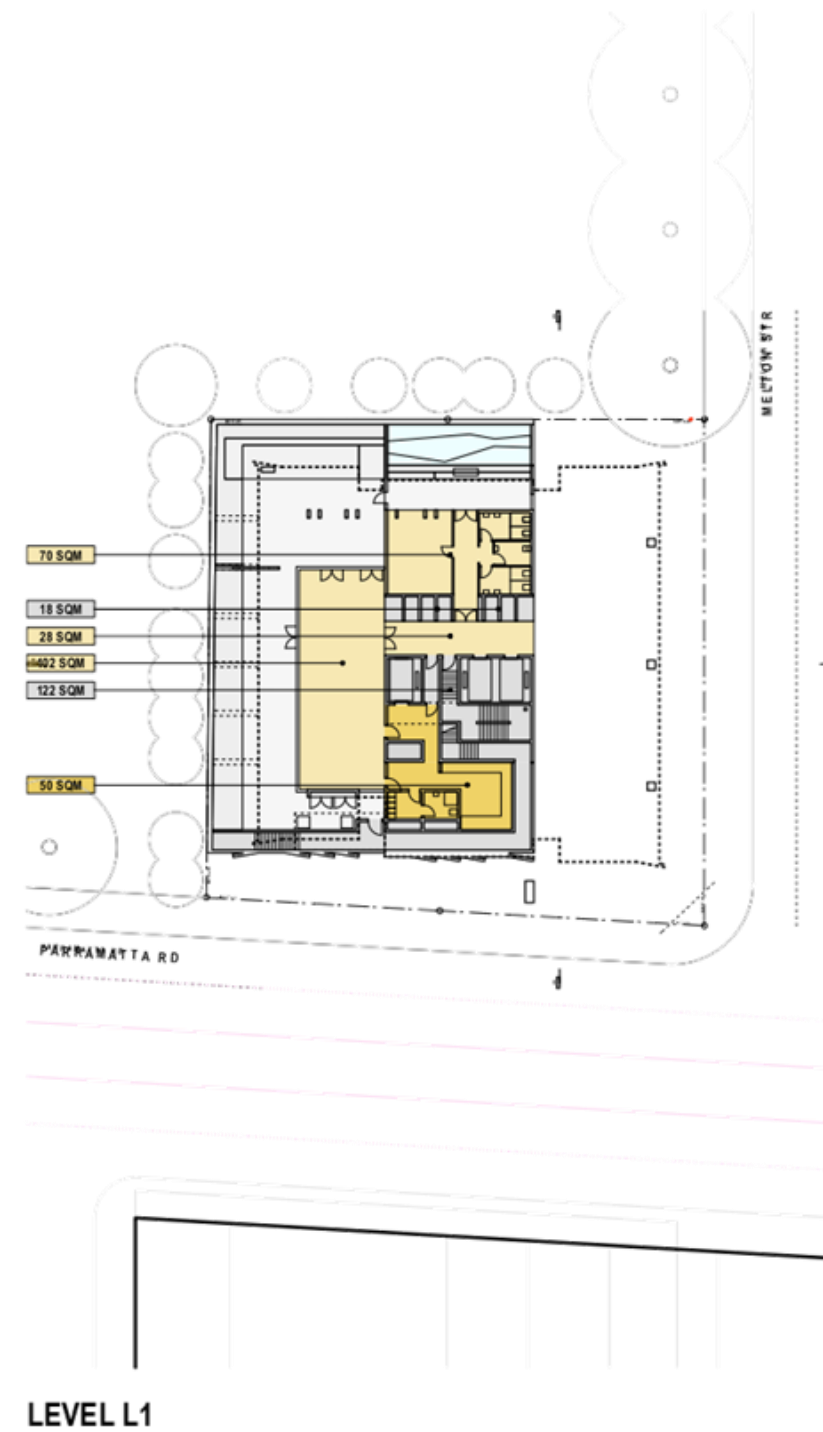
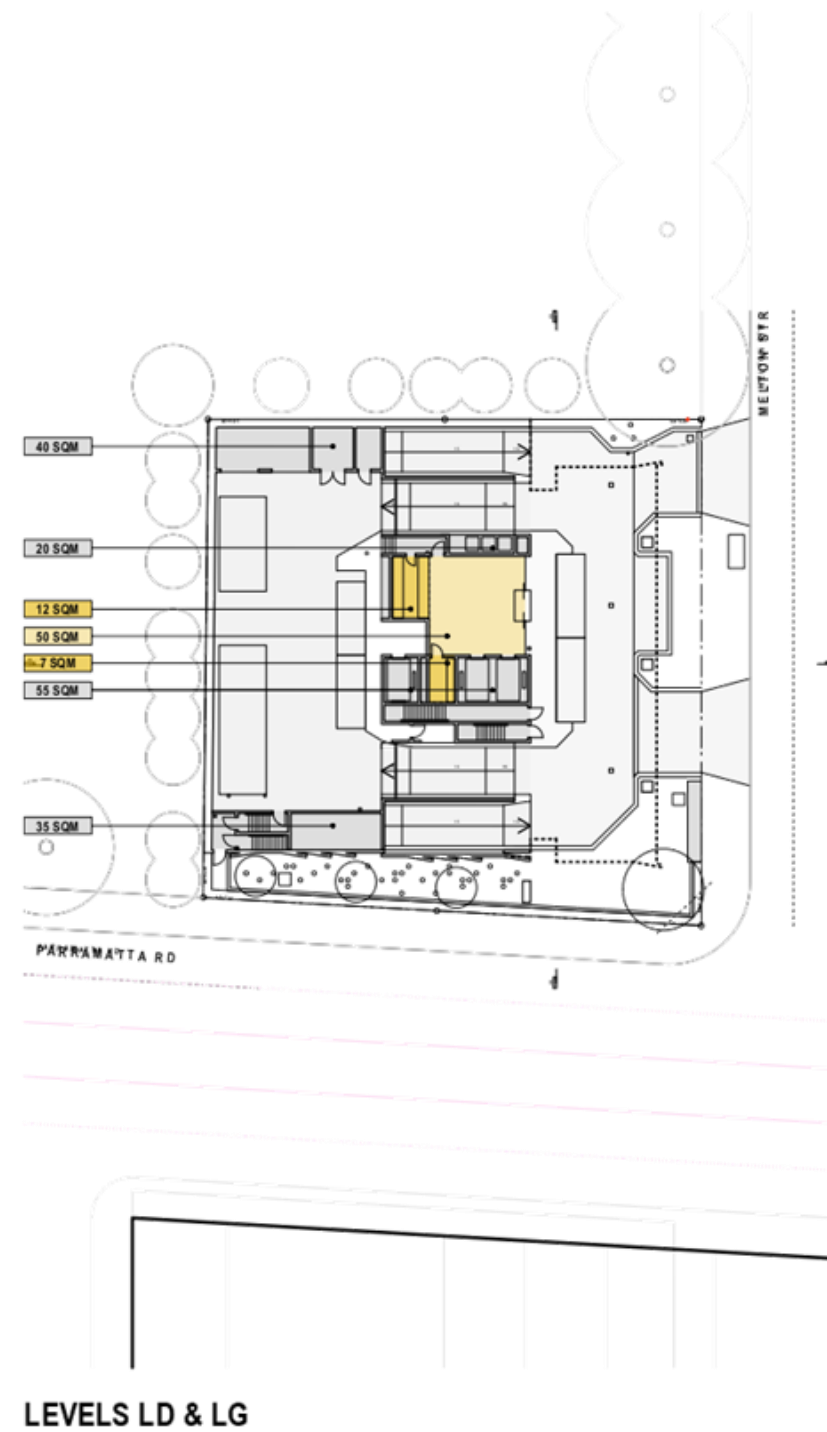
Issue **04 12 17**

**DA51**

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<span style="background-color: #ADD8E6;"> </span> HOTEL ACCOMMODATION SINGLE & DUAL-KEY	<span style="background-color: #ADD8E6;"> </span> CIRCULATION CORRIDORS & LIFT LOBBIES
<span style="background-color: #FFD700;"> </span> BACK OF HOUSE INCLUDES MANAGER'S FLAT	<span style="background-color: #FFD700;"> </span> GUEST AMENITY LOBBY, BREAKFAST RM, QY1
<span style="background-color: #A9A9A9;"> </span> SERVICE AREAS STAIR, PLANT, LIFT, RISERS	<span style="background-color: #A9A9A9;"> </span> OPEN AREAS TERRACE, CARPARK



**NORTH**

**DA52**

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Rob Design Office  
4/151 Foveaux Str  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
Reg: 88 66  
rob@rdo.net.au  
www.rdo.net.au

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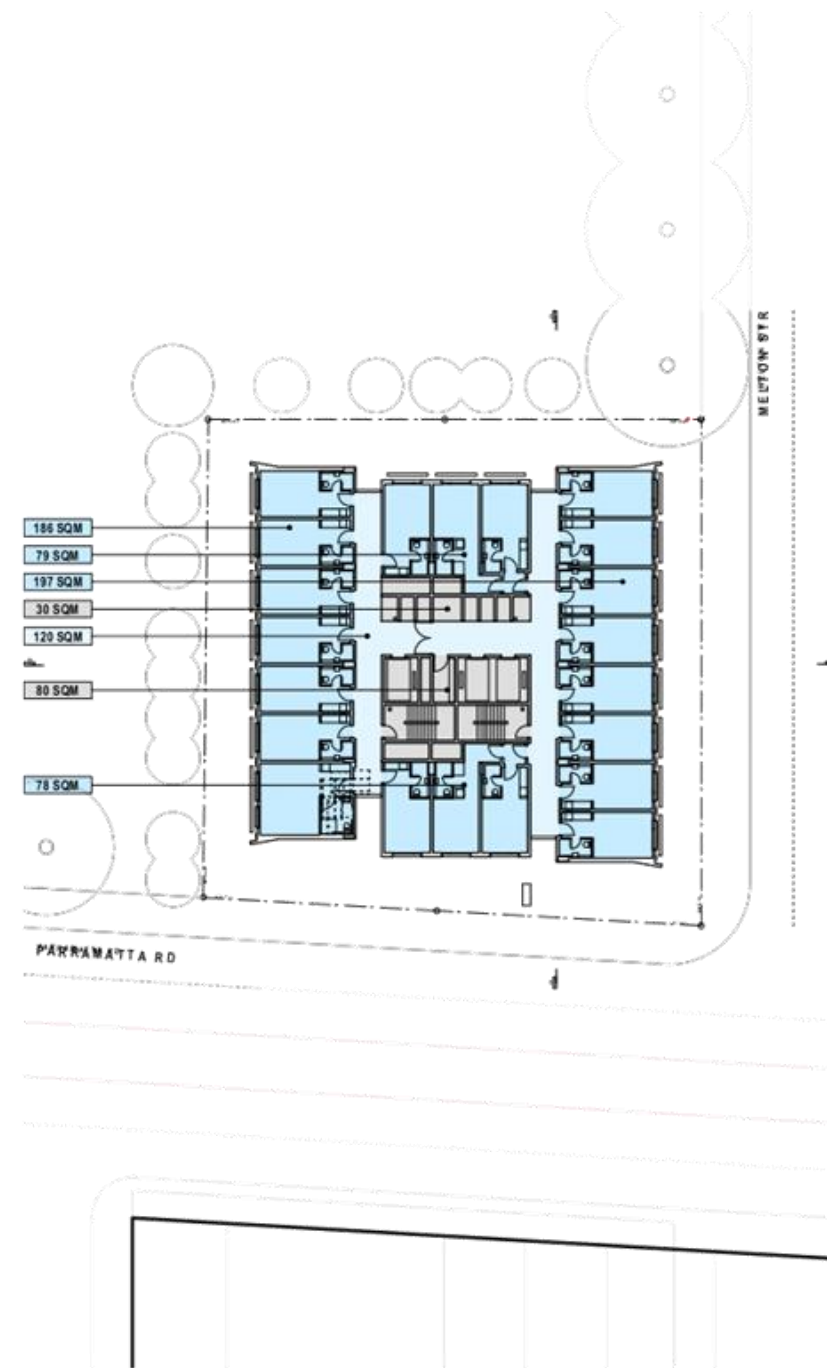
Project **NEW HOTEL**  
Address **147 - 151 PARRAMATTA ROAD, AUBURN**  
Drawing Title **GFA SUMMARY**

Job **724 MEL**  
Issue **04 12 17**

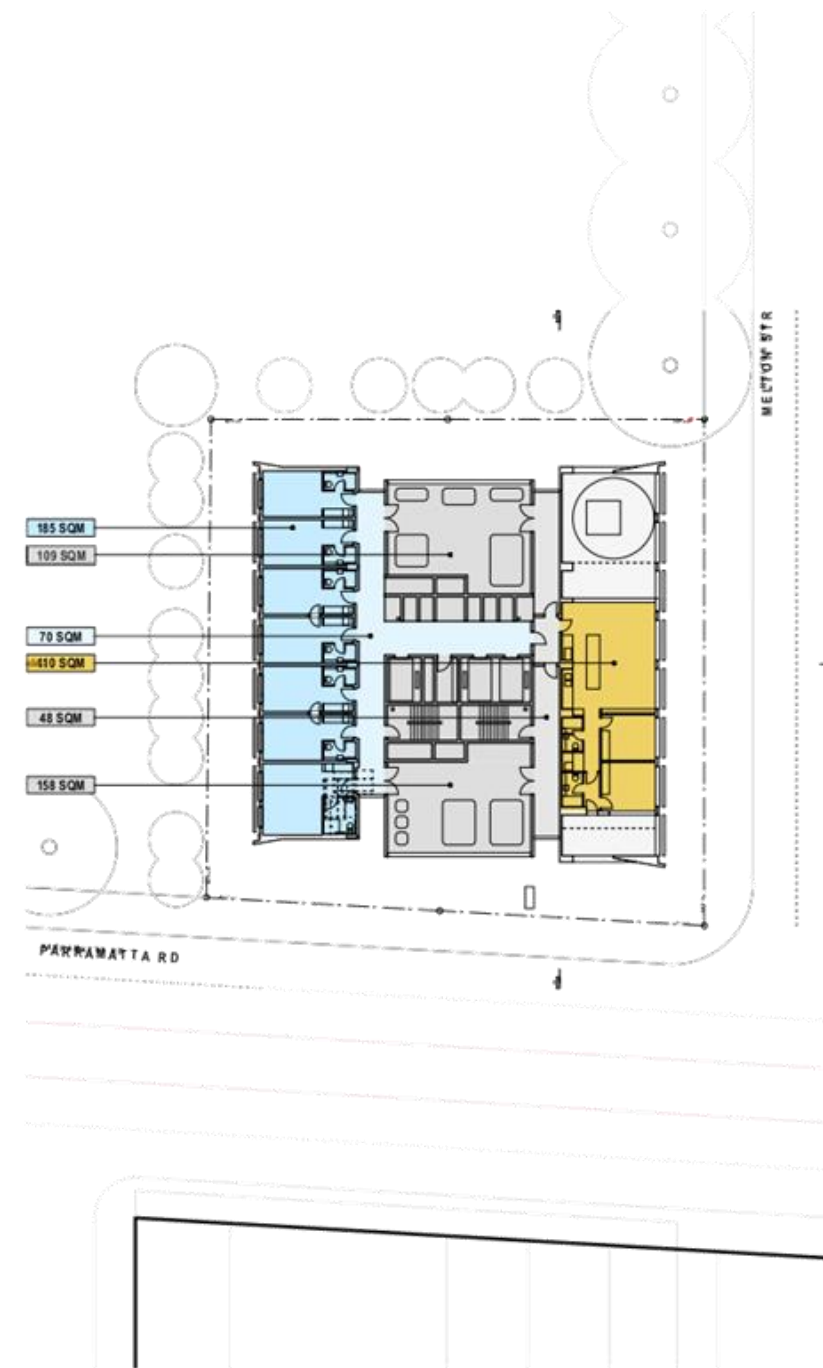
4500 GFA

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LEVELS L2 - L6 (TYPICAL)



LEVEL L7

- |                                                                                                                                      |                                                                                                                                     |
|--------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| <span style="background-color: #ADD8E6; border: 1px solid black; padding: 2px;">HOTEL ACCOMMODATION<br/>SINGLE &amp; DUAL-KEY</span> | <span style="background-color: #ADD8E6; border: 1px solid black; padding: 2px;">CIRCULATION<br/>CORRIDORS &amp; LIFT LOBBIES</span> |
| <span style="background-color: #FFD700; border: 1px solid black; padding: 2px;">BACK OF HOUSE<br/>INCLUDES MANAGER'S FLAT</span>     | <span style="background-color: #FFD700; border: 1px solid black; padding: 2px;">GUEST AMENITY<br/>LOBBY, BREAKFAST RM, QY1</span>   |
| <span style="background-color: #A9A9A9; border: 1px solid black; padding: 2px;">SERVICE AREAS<br/>STAIR, PLANT, LIFT, RISERS</span>  | <span style="background-color: #A9A9A9; border: 1px solid black; padding: 2px;">OPEN AREAS<br/>TERRACE, CARPARK</span>              |



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Rob Design Office  
4/151 Foveaux Str  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
Reg: 88 66  
rob@rdo.net.au  
www.rdo.net.au

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Address **147 - 151 PARRAMATTA ROAD, AUBURN**  
Title **GFA SUMMARY**







Job **724 MEL**  
Issue **04 12 17**

**DA53**

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	HOTEL ACCOMMODATION SINGLE & DUAL-KEY		CIRCULATION CORRIDORS & LIFT LOBBIES
	BACK OF HOUSE INCLUDES MANAGER'S FLAT		GUEST AMENITY LOBBY, BREAKFAST RM, GYM
	SERVICE AREAS STAIR, PLANT, LIFT, RISERS		OPEN AREAS TERRACE, CARPARK

ROOM COUNT	ROOM A	ROOM B	ROOM C	ROOM D	ROOM E
		ACCESSIBLE		DUAL KEY	DUAL KEY
L 7 ROOMS, MANAGER	6	1			
L 6 ROOMS	14	1	2	2	2
L 5 ROOMS	14	1	2	2	2
L 4 ROOMS	14	1	2	2	2
L 3 ROOMS	14	1	2	2	2
L 2 ROOMS	14	1	2	2	2
L 1 BREAKFAST, POOL					
L 0 DOCK					
L 0 LOBBY					
B 1 CARPARK					
B 2 CARPARK					
B 3 CARPARK					
B 4 CARPARK					
B 5 CARPARK					
B 6 CARPARK					
TOTAL	76 ROOMS	6 ROOMS	10 ROOMS	10 ROOM	10 ROOMS
	92 SINGLE KEY ROOMS.			10 DUAL-KEY SUITES 20 ROOMS.	
	112 KEYS				

## ROOM TYPE SUMMARY

PARKING & LOADING	CARS	VALET & STAFF	ACCES- SIBLE	BUS	LOADING & WASTE
L7 ROOMS, MANAGER					
L6 ROOMS					
L5 ROOMS					
L4 ROOMS					
L3 ROOMS					
L2 ROOMS					
L1 BREAKFAST, POOL					
L0 DOCK				1	3
L0 LOBBY	3				
B1 CARPARK	1	11			
B2 CARPARK	7		5		
B3 CARPARK	7	11			
B4 CARPARK	16				
B5 CARPARK	7	11			
B6 CARPARK	16				
TOTAL	57	33	5	1	3
	95 CARS		4 TRUCKS / BUS		

## PARKING SUMMARY

FLOOR AREAS	GUEST ACCOM	GUEST CIRCULATION	BACK OF HOUSE	GUEST AMENITY	SERVICE & PLANT
L7 ROOMS, MANAGER	185	70	110		315
L6 ROOMS	540	120			110
L5 ROOMS	540	120			110
L4 ROOMS	540	120			110
L3 ROOMS	540	120			110
L2 ROOMS	540	120			110
L1 BREAKFAST, POOL			50	200	155
L0 DOCK					75
L0 LOBBY			20	50	75
B1 CARPARK					
B2 CARPARK					
B3 CARPARK					
B4 CARPARK					
B5 CARPARK					
B6 CARPARK					
TOTAL	2885 SQM	670 SQM	180 SQM	250 SQM	1170 SQM
	3985 SQM TOTAL GFA				EXCLUDED FROM GFA DEFINITION

## FLOOR AREA SUMMARY

SITE DETAILS AND PLANNING CONSTRAINTS	
SITE AREA	1329.7 SQM
LANDUSE	B6 ENTERPRISE CORRIDOR PARRAMATTA ROAD PRECINCT LEP CLAUSE 4.4 (2B) HOTEL USE
ALLOWABLE FSR	3 : 1 FSR
ALLOWABLE GFA	3989.1 SQM
ALLOWABLE HEIGHT	27 M

## SITE SUMMARY

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Rob Design Office  
4/151 Foveaux Str  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
Reg: 88 66  
rob@rdo.net.au  
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Project **NEW HOTEL**  
Address **147 - 151 PARRAMATTA ROAD, AUBURN**  
Drawing Title **GFA SUMMARY - TARI F**

Job **724 MEL**  
Issue **04 12 17**

**DA54**

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## CUT/FILL/RETAINING

ALL WORK TO STRUCTURAL ENGINEER'S FUTURE DETAIL.

SITE EXCAVATION & RETAINING - ANTICIPATED 4500mm DIA PILES AROUND PERIMETER OF SITE, APPROX 75mm CLEAR OF BOUNDARY, SHOT BLAST CONCRETE TO INTERNAL FACE, 500mm CAPPING BEAM ALONG TOP OF PILES.

## MECHANICAL

ALL WORK TO MECHANICAL ENGINEER'S FUTURE DETAIL.

**AIR CONDITIONING** - SPLIT SYSTEM UNITS IN EACH ROOM, COOLANT LINES FROM ROOF, SPLIT SYSTEM COMPRESSORS ON L7 IN PLANT ROOMS.

**BATHROOM EXHAUST** - EXHAUST VIA DUCT TO ROOF OR VIA FACADE VENT CONCEALED BY GRILLES.

**CORRIDOR & SUPPLY AIR** - INTAKE FROM L1 OR VIA FACADE, CONCEALED BY GRILLE, MINIMUM 800mm FROM EXHAUST.

**WASTE ROOM EXHAUST** - EXHAUST VIA DUCT TO ROOF.

**CAR PARK EXHAUST** - EXHAUST VIA DUCT TO ROOF.

**KITCHEN EXHAUST** - EXHAUST VIA DUCT TO ROOF, CAPACITY TO SUIT COOKING REQUIREMENTS.

## GENERAL NOTES

### GENERAL NOTES

ALL WORK SHALL BE FULLY WITHIN THE PROPERTY BOUNDARY. CONFIRM BOUNDARY BY SURVEY PRIOR TO CONSTRUCTION.

### EXISTING STRUCTURES

LOCATION OF EXISTING STRUCTURE AND NEIGHBOURING BUILDINGS IS SHOWN APPROXIMATE. CONFIRM ALL DIMENSIONS ON SITE PRIOR TO WORK.

**CONSULTANT AND ENGINEERING INFORMATION**  
REFER ALSO ENGINEER AND CONSULTANT INFORMATION.

REFER (OR OBTAIN) ENGINEER DETAILS FOR ALL STRUCTURAL WORK, SUPPORTING WALLS AND MODIFICATIONS, INCLUDING DEMOLITION, EXCAVATION, GROUND PREPARATION, DRAINAGE, SLABS, WALLS, CAVITIES, FRAMING AND STORMWATER.

**SERVICES (HYDRAULIC, ELECT, MECH & EMERGENCY)**  
LOCATION AND FORM OF EXISTING SERVICES TO BE DETERMINED BY CONTRACTOR.

ALL NEW & MODIFIED SERVICES TO ENGINEER DETAILS. LOCATION OF VISIBLE SERVICES TO BE AGREED WITH ARCHITECT. INTEGRATE NEW & EXISTING EMERGENCY AND OTHER SYSTEMS THROUGHOUT ENTIRE BUILDING.

### COMPLY WITH BUILDING CODES

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH BCA, RELEVANT AUST STANDARDS, CONSENT CONDITIONS AND BEST PRACTICE.

LOH - LIFT OFF HINGES TO WC DOORS.

MECHANICAL VENTILATION - TO BATHROOMS AND LAUNDRY.

SMOKE ALARM & DETECTION - INTERGRATE INTO EXISTING SYSTEM AND/OR UPGRADE TO COMPLY WITH BCA.

**WALLS AND WINDOWS NEAR BOUNDARY**  
ALL CONSTRUCTION NEAR BOUNDARY SHALL BE FIRE RESISTANT CONSTRUCTION TO MEET BCA REQUIREMENTS.

WINDOWS CLOSE TO BOUNDARY SHALL BE PROTECTED IN ACCORDANCE WITH BCA, INCLUDING WITH EXTERNAL WALL WETTING SPRINKLER.

**GLAZING** - COMPLY WITH AS1288, AS2047 & BCA PART J2, TO FACADE ENGINEER DETAILS.

**DOORS** - OPERATION, HEIGHT AND AND ARRANGEMENT OF LATCHES AND LOCKING TO COMPLY WITH BCA D2.21.

**ACCESS HATCHES** - FLUSH FINISHED HATCHES WITH SET EDGES.

**EXIT PATHS** - COMPLY WITH BCA D1.6, MAINTAIN 1m CLEAR OF OBSTRUCTIONS.

**FIRE STAIRS** - NO PROPOSED WORK IN FIRE STAIRS.

**FIRE HAZARD PROPERTIES** - FLOORS, WALLS & CEILING MATERIAL TO COMPLY WITH BCA C1.10 AND SPEC C1.10.


**FSD - FAIL SAFE DEVICES** - WHERE REQUIRED, RELEASE ACTIVATED BY BUILDING ALARM AND DETECTION SYSTEM.

**ACCESSIBILITY** - DISABLED ACCESS, FACILITIES AND CIRCULATION SHALL COMPLY WITH BCA D3, AS1428.1

**PAINTING** - PAINT ALL NEW AND EXISTING SURFACES IN ROOMS, CORRIDORS AND BACK OF HOUSE AREAS, INCLUDING DOORS, DOOR FRAMES, SKIRTINGS AND CEILINGS.

## NOTATION


### KEY TO SYMBOLS

 UNIT NUMBER AND TYPE.  
REFER INDIVIDUAL UNIT LAYOUTS.

### PROPOSED & EXISTING

 EXISTING WALLS

 DEMOLISHED WALLS

 NEW WALL - MASONRY OR FRAMED & LINED

### EXTERNAL MATERIALS

REFER ALSO MATERIALS & FINISHES PAGES.

 BRICKWORK, PRESSED.

 BRICKWORK, GLAZED.

 LOUVRE GRILLE, POWDERCOATED.

 OFF-FORM CONCRETE.

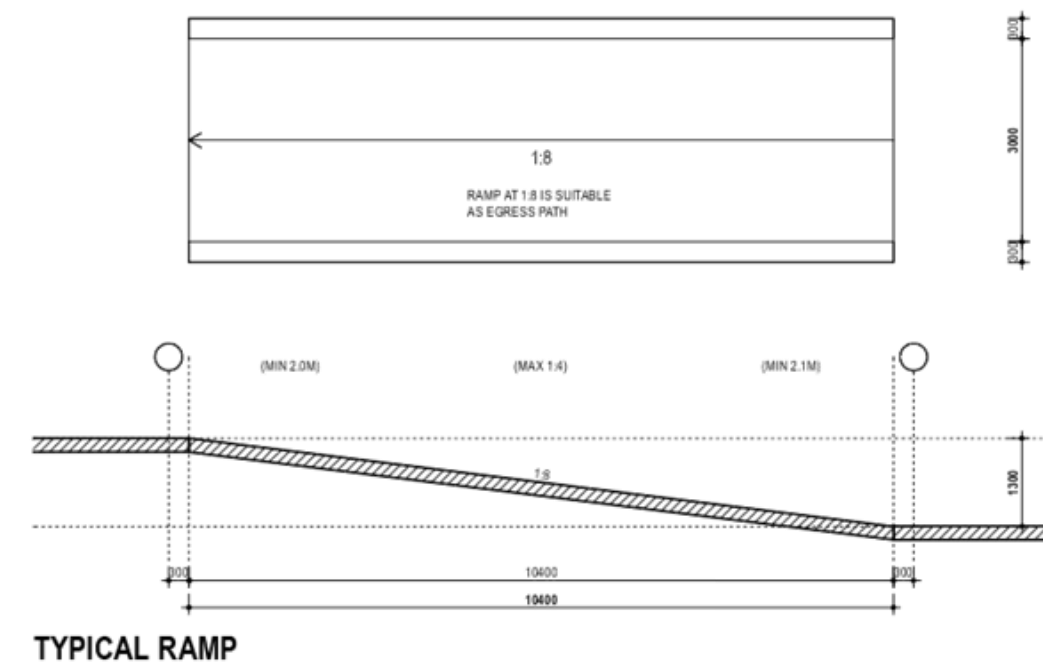
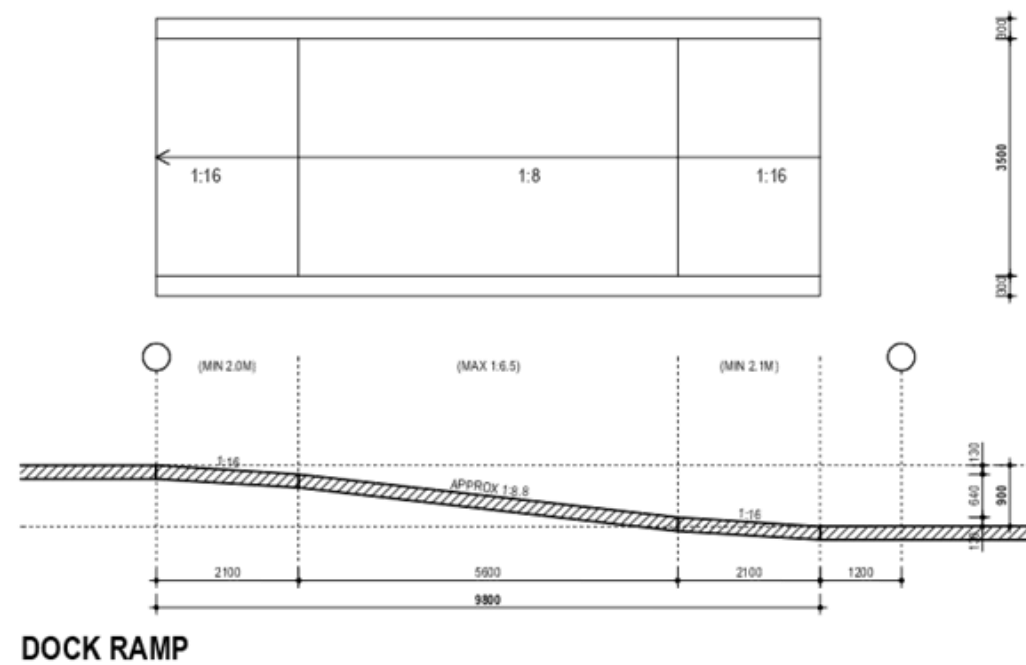
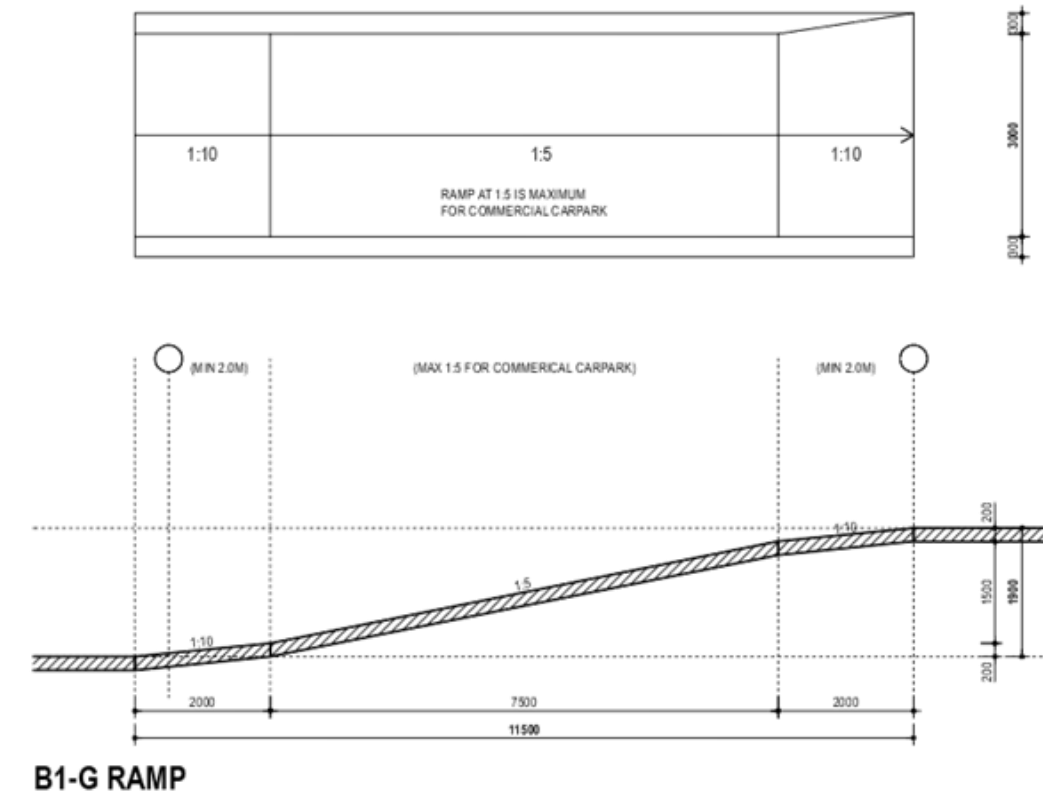
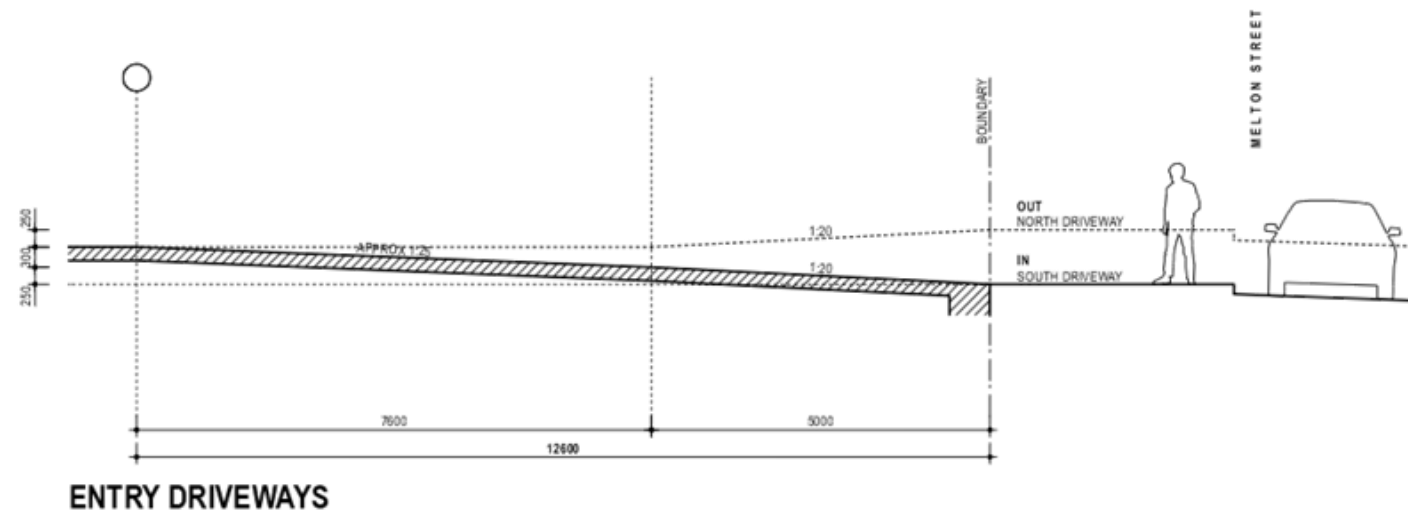
 PAINT & POWDERCOAT COLOUR.

### KEY TO ABBREVIATIONS

IC - INTERCOM.  
RS - ROLLER SHUTTER.

### KEY TO RISERS

A - AIRCON COOLANT.  
B - BATHROOM EXHAUST.  
C - CORRIDOR AIR.  
D - DATA & COMMS.  
E - ELECTRICAL.  
F - FIRE EXTINGUISHER & SPRINKLER, FIRE WARDEN POINT.  
G - GARBAGE WASTE ROOM EXHAUST.  
S - SUPPLY AIR.  
W - WATER SUPPLY, WASTE WATER.  
CP - CAR PARK EXHAUST.  
KK - KITCHEN EXHAUST.



rdo.

Rob Design Office  
4/151 Foveaux Street  
Surry Hills NSW 2010  
Tel: 02 9699 6969  
Reg: 88 66 NSW  
rob@rdo.net.au  
www.rdo.net.au

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Project **NEW HOTEL**

Address **147 - 151 PARRAMATTA ROAD, AUBURN**

Draw Title **DRIVEWAY & RAMP CROSS SECTIONS**

Job **724 MEL**

Issue **04 12 17**

**DA55**

A

**DOCUMENTS  
ASSOCIATED WITH  
REPORT ELPP002/19**

**Attachment 6  
Public Submission**





Tuesday, 23 January 2018

General Manager  
Auburn City Council  
PO Box 118  
Auburn NSW 1835

Dear Sir/Madam,

**Re: DA-511/2017**

**Site:** 147-151 Parramatta Road, Auburn; Lot 6 DP 1056368, Lot 5 DP 667932

**Proposal:** Construction of an 8-storey hotel building comprising 112 rooms over 3 levels of basement car park.

Firstly, I would like to request my personal information to be kept suppressed under s58 of the Public Access Act 2008. I would not like for the developer or anybody acting on their behalf to have access to my personal details.

As a resident of Silverwater and as a parent with a child attending Auburn North Public School, I am requesting that when council makes a decision on this Development Application to please remember the wellbeing of the children attending Auburn North Public School.

My main concern when I heard about the prospect of having a hotel built on this site was the privacy and safety concerns it raises for the children attending the school. My child is in her senior years so by the time this hotel is built it could be argued that this will no longer be my concern.

However, this hotel site not only raises privacy concerns, it also raises safety issues around traffic in the morning and afternoons around the time children are either walking or being dropped off to school.

I have seen the development application and can see the developer is building louvres to restrict the view looking down into the school. Please review this aspect of the development application as there is still going to be a horizontal view – please ensure the lower rooms in this building do not provide a direct view into the school grounds.

**In terms of traffic management and safety for our children, what will the council do to manage this?**

A majority of our students come from Station Road and use the lights on Station Road to come to school via Melton Street South – where the proposed entry/exit points are into the hotel. Of a school morning **this poses a risk to our students who enter the school grounds from the oval entry on Melton Street South:**

- **How will the students walk across the hotel entry/exit and subsequently enter the school grounds?**
- **There will be more cars turning in from Parramatta Road into and out of Melton Street South to access the hotel. How will the students cross this section of the road to access the school?**
- **Perhaps crossing lights or a crossing supervisor will be needed at the intersection of Melton Street South and Parramatta Road?**

Please review this hotel application with scrutiny and with the safety of our children as first priority and please ensure either the developer or council provides strategies to minimise risk to the students who attend Auburn North Public School.

Thank you,

